UNITED STATES OF AMERICA

Congressional Record

PROCEEDINGS AND DEBATES OF THE 90th CONGRESS
SECOND SESSION

VOLUME 114—PART 16

JULY 10, 1968, TO JULY 16, 1968
(PAGES 20423 TO 21656)

UNITED STATES GOVERNMENT PRINTING OFFICE, WASHINGTON, 1968

United States
of America

Congressional Record

PROCEEDINGS AND DEBATES OF THE 90th CONGRESS, SECOND SESSION

SENATE—*Wednesday, July 10, 1968*

The Senate met at 12 noon, and was called to order by Hon. CARL T. CURTIS, a Senator from the State of Nebraska.

Rev. Benjamin E. Sheldon, pastor, Sixth Presbyterian Church, Washington, D.C., offered the following prayer:

Our loving heavenly Father, we want to confess our deep dependence on You, our Creator and Redeemer. There is no wisdom or strength that does not have its source in Your great wisdom and power. Ours is but a reflection of Yours, Lord, and today we pray that to Your servants in the U.S. Senate may be given a humble dependence on God, a simple trust in His way of goodness and truth, and a yearning for a new measure of wisdom and power to meet the demands of this crisis hour in our world.

Do not let us settle for less than God's way in the midst of the darkness of these days. Keep the light of God burning in our land and in our hearts today. Even though we falter and often fail, help us still to believe that to him who asks it will be given, he who seeks will find, and to him who knocks it will be opened.

May the spirit of God direct our way this day through Jesus Christ our Lord and Savior. We offer this prayer in His name. Amen.

DESIGNATION OF ACTING PRESIDENT PRO TEMPORE

The legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, D.C., July 10, 1968.

To the Senate:

Being temporarily absent from the Senate, I appoint Hon. CARL T. CURTIS, a Senator from the State of Nebraska, to perform the duties of the Chair during my absence.

CARL HAYDEN,
President pro tempore.

Mr. CURTIS thereupon took the chair as Acting President pro tempore.

THE JOURNAL

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the reading of the Journal of the proceedings of Tuesday, July 9, 1968, be dispensed with.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

MESSAGES FROM THE PRESIDENT—APPROVAL OF BILLS AND JOINT RESOLUTION

Messages in writing from the President of the United States were communicated to the Senate by Mr. Leonard, one of his secretaries, and he announced that the President had approved and signed the following acts and joint resolution:

On June 29, 1968:

S. 1028. An act to amend title 5, United States Code, to extend certain benefits to former employees of county committees established pursuant to section 8(b) of the Soil Conservation and Domestic Allotment Act, and for other purposes; and

S.J. Res. 180. Joint resolution to provide franked mail privileges for surviving spouses of Members of Congress.

On July 2, 1968:

S. 3363. An act to name the U.S. customhouse, Providence, R.I., the "John E. Fogarty Federal Building."

On July 5, 1968:

S. 171. An act for the relief of Timothy Joseph Shea and Elsie Annet Shea; and

S. 3159. An act authorizing the Trustees of the National Gallery of Art to construct a building or buildings on the site bounded by Fourth Street, Pennsylvania Avenue, Third Street, and Madison Drive NW., in the District of Columbia, and making provision for the maintenance thereof.

EXECUTIVE MESSAGES REFERRED

As in executive session,

The ACTING PRESIDENT pro tempore laid before the Senate messages from the President of the United States submitting sundry nominations, which were referred to the Committee on Armed Services.

(For nominations this day received, see the end of Senate proceedings.)

LIMITATION ON STATEMENTS DURING TRANSACTION OF ROUTINE MORNING BUSINESS

Mr. MANSFIELD. Mr. President, I ask unanimous consent that statements in relation to the transaction of routine morning business be limited to 3 minutes.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

SUBCOMMITTEE MEETINGS DURING SENATE SESSION

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Subcommittee on Executive Reorganization of the Committee on Government Operations and the Permanent Subcommittee on Investigations of the Committee on Government Operations be authorized to meet during the session of the Senate today.

The PRESIDING OFFICER (Mr. INOUYE in the chair). Without objection, it is so ordered.

OBJECTION TO COMMITTEE MEETING

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Committee on Labor and Public Welfare be authorized to meet during the session of the Senate today.

Mr. CURTIS. Mr. President, by request, I make an objection.

The PRESIDING OFFICER. Objection is heard.

EXECUTIVE SESSION

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate go into executive session to consider a nomination on the Executive Calendar.

The PRESIDING OFFICER. Without objection, it is so ordered.

THE DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

The bill clerk read the nomination of James H. McCrocklin, of Texas, to be Under Secretary of Health, Education, and Welfare.

The PRESIDING OFFICER. Without objection, the nomination is considered and confirmed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the President be immediately notified of the confirmation of this nomination.

The PRESIDING OFFICER. Without objection, it is so ordered.

LEGISLATIVE SESSION

Mr. MANSFIELD. Mr. President, I move that the Senate resume the consideration of legislative business.

The motion was agreed to, and the Senate resumed the consideration of legislative business.

ORDER FOR RECOGNITION OF SENATOR YARBOROUGH

Mr. MANSFIELD. Mr. President, I ask unanimous consent that sometime during the period for the transaction of morning business, at an appropriate time, the distinguished Senator from Texas [Mr. YARBOROUGH] be allowed to proceed for not to exceed 10 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

THE CALENDAR

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of measures on the calendar, beginning with Calendar No. 1342 and the succeeding measures in sequence, up to and including Calendar No. 1349.

The PRESIDING OFFICER. Without objection, it is so ordered.

DAIRY INDEMNITY PAYMENTS

The bill (S. 3638) to extend for 3 years the authority of the Secretary of Agriculture to make indemnity payments to dairy farmers for milk required to be withheld from commercial markets because it contains residues of chemicals registered and approved for use by the Federal Government was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

S. 3638

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 3 of Public Law 90–95, approved September 28, 1967 (81 Stat. 231; 7 U.S.C. 4501), is amended by striking out "June 30, 1968" and inserting in lieu thereof "June 30, 1971".

Mr. BYRD of West Virginia. Mr. President, I wish to rise and speak in favor of S. 3638, a bill to extend for 3 years the authority of the Secretary of Agriculture to make indemnity payments to dairy farmers for milk required to be withheld from commercial markets because it contains residues of chemicals registered and approved for use by the Federal Government.

The need for this bill is clear.

In order to control insects and weeds in crops, farmers must, of course, use pesticides. Many of these have been approved as safe by the Federal Government. However, as sometimes happens, these chemicals occasionally contaminate feeds and this contamination passes on into the milk produced by dairy farmers.

If the quantity of pesticide in the milk is found to be too strong then, in the public interest, the farmer is required by law to destroy his milk, to his obvious financial disadvantage.

I have cosponsored this bill because the present authority allowing the Federal Government to reimburse such farmers for their losses expired on June 30 of this year.

Until such time as researchers are able to come up with a solution to this pesticide problem, I think it is our responsibility to permit affected farmers to seek indemnity payments for their losses.

Therefore, Mr. President, I urge speedy passage of this bill.

Mr. YARBOROUGH. Mr. President, as a cosponsor of the milk indemnity payment program, I am pleased to support Senate action on S. 3638. This program, which has been in existence since 1964, authorizes the Secretary of Agriculture to make indemnity payments to dairy farmers who must remove their products from the market because of contamination by residues of chemicals registered and approved for use on crops by the Federal Government. The bill before us today enables the Secretary to continue such payments over the next 3 years.

Over the past 4 years Texas dairymen have been saved from disaster by this program. Of the $279,000 spent in 1967, Texans received $244,000. In 1968 the great majority of the indemnity payments again went to Texas. Of the $137,000 spent in 1968, $97,000 went to Texans.

Although the bill involves only a small sum of money, these indemnity payments mean a great deal to those farmers who are faced with bankruptcy because they cannot sell their products through no fault of their own. For this reason I am pleased to cosponsor this bill which extends the program another 3 years.

PELICAN ISLAND WILDERNESS AREA

The Senate proceeded to consider the bill (S. 3343), to designate certain lands in the Pelican Island National Wildlife Refuge, Indian River County, Fla., as wilderness, which had been reported from the Committee on Interior and Insular Affairs with an amendment on page 2, after line 4, strike out:

SEC. 3. Except as necessary to meet minimum requirements in connection with the purposes for which the area is administered (including measures required in emergencies involving the health and safety of persons within the area), there shall be no commercial enterprise, no temporary or permanent roads, no use of motor vehicles, motorized equipment, or motorboats, no landing of aircraft, no other form of motorized transport, and no structure or installation within the area designated as wilderness by this Act.

So as to make the bill read:

S. 3343

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, in accordance with section 3(c) of the Wilderness Act of September 3, 1964 (78 Stat. 890, 892; 16 U.S.C. 1132(c)), certain lands in the Pelican Islands National Wildlife Refuge, Florida, which comprise about four hundred and three acres and which are depicted on a map entitled "Pelican Island Wilderness—Proposed" and dated July 1967 are hereby designated as wilderness. The map shall be on file and available for public inspection in the offices of the Bureau of Sport Fisheries and Wildlife, Department of the Interior.

SEC. 2. The area designated by this Act as wilderness shall be known as the "Pelican Island Wilderness" and shall be administered by the Secretary of the Interior in accordance with the applicable provisions of the Wilderness Act.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, was read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 1366), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE

As recommended by the President, under provisions of the Wilderness Act of 1964 (78 Stat. 890), this bill would designate the Pelican Island wilderness as a unit of the national wilderness preservation system.

BACKGROUND

President Theodore Roosevelt, by an Executive order of March 13, 1903, established the Pelican Island National Wildlife Refuge—the first refuge of a system that has since grown to be the most far-reaching and comprehensive wildlife resource management program in the history of mankind. It is located in Indian River County, Fla., between the towns of Sebastian and Wabasso, some 75 miles north of West Palm Beach. The refuge area islands extend for several miles along the east side of the Indian River north of the Wabasso Bridge.

Visitor use of the islands proper must be held to a minimum throughout the year to avoid conflict with colonial bird nesting, which is the primary refuge objective. Opportunities for public enjoyment of the wildlife resources and water-oriented recreation will be provided in the surrounding waters.

A public hearing on the wilderness proposal was conducted by the Bureau of Sport Fisheries and Wildlife in Vero Beach, Fla., on April 5, 1967. Testimony was unanimously in favor of the wilderness proposal. The primary reason given for supporting the wilderness proposal included protection of colonial birds and their nesting and feeding habitat; protection of estuarine and fisheries resources; long-range preservation of natural areas for scenic, esthetic, and ecological values; preservation vital to long-range social and economic interests of citizens of Indian River County; and preservation of Pelican Island Refuge because of its historical value as the Nation's first national wildlife refuge.

DESCRIPTION

The wilderness area proposal includes all islands within Pelican Island National Wildlife Refuge within T. 31 S., R. 39 E., Tallahassee meridian. Comprising about 403 acres, the islands are Roseate, Pelican, Roosevelt, Horseshoe, North Horseshoe, Long, David, Plug, North and South Oyster, Preachers, Middle, Nelson, Pauls, and the four small islands designated as Egret Island.

A portion of the refuge is on the mainland, but this part was cut up by a mosquito control project before being added to the refuge. It contains numerous roads and is, therefore, not included in the proposal.

AMENDMENT

The committee amended S. 3343 by striking section 3 of the bill. This section was a rephrasing of language in the Wilderness Act defining use restrictions, with some modifications. The committee felt that the new phraseology might have the effect of modifying the basic law, and that it was unnecessary because section 2 directs that the area shall be administered in accordance with the applicable provisions of the Wilderness Act.

RECOMMENDATION

The Senate Interior and Insular Affairs Committee reports favorably on S. 3343, and recommends early enactment.

COST

No additional budgetary expenditures are involved in enactment of S. 3343.

GREAT SWAMP WILDERNESS, N.J.

The Senate proceeded to consider the bill (S. 3379), to designate certain lands in the Great Swamp National Wildlife Refuge, Morris County, N.J., as wilderness, which had been reported from the Committee on Interior and Insular Affairs, with an amendment, on page 2, after line 7, strike out:

SEC. 3. Except as necessary to meet minimum requirements in connection with the purposes for which the area is administered (including measures required in emergencies involving the health and safety of persons within the area), there shall be no commercial enterprise, no temporary or permanent roads, no use of motor vehicles, motorized equipment or motorboats, no landing of aircraft, no other form of motorized transport, and no structure or installation within the area designated as wilderness by this Act.

So as to make the bill read:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, in accordance with section 3(c) of the Wilderness Act of September 3, 1964 (78 Stat. 890, 892; 16 U.S.C. 1132(c)), certain lands in the Great Swamp National Wildlife Refuge, New Jersey, which comprise about three thousand seven hundred and fifty acres and which are depicted as wilderness units on a map entitled "M. Hartley Dodge Wilderness and Harding Wilderness—Proposed" and dated September 1967 are hereby designated as wilderness. The map shall be on file and available for public inspection in the offices of the Bureau of Sport Fisheries and Wildlife, Department of the Interior.

SEC. 2. The area designated by this Act as wilderness shall be known as Great Swamp Wilderness and shall be administered by the Secretary of the Interior in accordance with the applicable provisions of the Wilderness Act.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, was read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 1367), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE

The bill would designate approximately 3,750 acres of the Great Swamp National Wildlife Refuge, including the M. Hartley Dodge and Harding sections, as part of the national wilderness preservation system. This addition is one recommended by the President under provisions of the Wilderness Act of 1964 (Public Law 88–577).

DESCRIPTION

The area lies 40 miles due west of New York City's Times Square, and 7 miles south of Morristown, N.J. The refuge is dedicated to migratory waterfowl production and management, preservation of natural conditions, conservation education, and public recreation. Swamp woodland, cattail marshes, grasslands, hardwood ridges, and cropland typify the refuge area. More than 175 species of birds and 250 plant species are identified with the refuge.

BACKGROUND

The Great Swamp National Wildlife Refuge was established in May 1964. It came into being as the result of a local committee which, through the efforts of a large number of volunteers, raised more than a million dollars to acquire nearly 3,000 acres, which were donated to the Federal Government. This effort was largely engendered by a proposal to establish a jetport in this area. The cooperative project is nationally known as an example of local people and their government cooperating to preserve a segment of natural America for the continued enjoyment and inspiration of all citizens.

AMENDMENT

The committee amended S. 3379 by striking section 3 of the bill. This section was a rephrasing of language in the Wilderness Act defining use restrictions, with some modifications. The committee felt that the new phraseology might have the effect of modifying the basic law, and that it was unnecessary because section 2 directs that the area shall be administered in accordance with the applicable provisions of the Wilderness Act.

ROAD BETWEEN AREAS

The committee believes that a road which runs between the Harding wilderness unit and the M. Hartley Dodge wilderness unit, should be closed. The Harding unit contains 1,350 acres and the Dodge unit 2,400 acres, and are ecologically distinct units, but the committee felt that since they would be combined in popular concept as the Great Swamp Wilderness Area, the road should be closed. It was pointed out that the Department of the Interior is acquiring under terms of the Migratory Bird Treaty Act and Migratory Bird Hunting Act some lands in the area still under private ownership, and that when this is accomplished no one will be living along the road. The two townships concerned have offered to vacate the road, and the Director of the Bureau of Sports Fisheries and Wildlife, John S. Gottschalk, testified at hearings before the committee on June 20, 1968, that he would recommend abandonment.

HEARINGS

In addition to the June 20, 1968, hearing before the committee, a public hearing was conducted in Morristown, N.J., February 17, 1967. The hearing transcript contains 350 pages of the oral testimony from 62 persons and 164 written statements. Hearing testimony and statements were all in favor of the wilderness proposal, except one oral presentation. (For a more complete summary of the hearing, see the synopsis of the proposal included with the Secretary of the Interior's communication which follows later.)

RECOMMENDATION

The Senate Committee on Interior and Insular Affairs reports favorably on S. 3379 and recommends early enactment.

COST

No additional budgetary expenditures are involved in enactment of S. 3379.

DESIGNATING MONOMOY WILDERNESS AREA

The Senate proceeded to consider the bill (S. 3425), to designate certain lands in the Monomoy National Wildlife Refuge, Barnstable County, Mass., as wilderness, which had been reported from the Committee on Interior and Insular Affairs, with an amendment, on page 2, after line 4, strike out:

SEC. 3. Except as necessary to meet minimum requirements in connection with the purposes for which the area is administered (including measures required in emergencies involving the health and safety of persons within the area), there shall be no commercial enterprise, no temporary or permanent roads, no use of motor vehicles, motorized equipment, or motorboats, no landing of aircraft, no other form of motorized transport, and no structure or installation within the area designated as wilderness by this Act.

So as to make the bill read:

S. 3425

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in accordance with section 3(c) of the Wilderness Act of September 3, 1964 (78 Stat. 890, 892; 16 U.S.C 1132(c)), certain lands in the Monomoy National Wildlife Refuge, Massachusetts, which comprise about two thousand six hundred acres and which are depicted on a map entitled "Monomoy Wilderness—Proposed" and dated August 1967, are hereby designated as wilderness. The map shall be on file and available for public inspection in the office of the Bureau of Sport Fisheries and Wildlife, Department of the Interior.

SEC. 2. The area designated by this Act as wilderness shall be known as the "Monomoy Wilderness" and shall be administered by the Secretary of the Interior in accordance with the applicable provisions of the Wilderness Act.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, was read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 1368), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE

The bill, S. 3425, would designate as wilderness Monomoy Island, which is located within the Monomoy National Wildlife Refuge in Barnstable County, Mass., under provision of the Wilderness Act of September 3, 1964 (78 Stat. 890).

BACKGROUND

Monomoy Island is a 2,600-acre roadless island extending about 9 miles south from the elbow of Cape Cod, in the town of Chatham, Barnstable County, Mass. It was established on June 1, 1944, as part of the Monomoy National Wildlife Refuge, all but some 4 acres of the island having been acquired by the Secretary of the Interior under authority of the Migratory Bird Conservation Act (45 Stat. 1222), as amended (16 U.S.C. 715 et seq.). Boston, Mass., and Providence, R.I., are about 100 miles from Monomoy Island.

DESCRIPTION

The Monomoy Wilderness proposal is a barrier beach island located 9 miles south of Cape Cod in the town of Chatham, Barnstable County, Mass. Bounded on the west by Nantucket Sound and on the east by the Atlantic Ocean, the island varies from one-fourth to 1½ miles in width and is separated from the mainland by a shallow waterway about one-half mile wide. The exterior boundaries of the wilderness proposal are all lands on Monomoy Island to the line of mean low tide which coincides with the national wildlife refuge boundary around the island.

MANAGEMENT REQUIREMENTS

The Monomoy National Wildlife Refuge has been managed as a wild area since its establishment. There are no improved roads on the island. No changes in management are envisioned if the island is designated as wilderness. The laws and regulations of the Secretary of the Interior governing the management and administration of the island as a national wildlife refuge will continue to apply. Such laws and regulations provide for public uses such as hunting and other wildlife oriented forms of outdoor enjoyment, as well as other necessary wildlife refuge management programs.

The Department of the Army is currently studying the feasibility of a project for navigation for Pleasant Bay and tributary waters, Massachusetts. The proposed project would include the closing of the gap between Monomoy Island and Nauset Beach. The wilderness proposal would not preclude the planning and construction of this project. The Department of the Interior would expect to work closely with the Department of the Army if the project is authorized.

Of the approximately 4 acres of Monomoy Island in private ownership, 2 acres contain private summer camps and 2 acres are owned by the Massachusetts Audubon Society. These inholdings will be acquired. Until they are acquired it will be necessary to allow access *to the inholdings via over-the-sand vehicles.* National wildlife refuge administration of the island will require the retention of two existing buildings and the use of an over-the-stand vehicle for administrative and public safety purposes.

A permanent staff is required to administer the Monomoy National Wildlife Refuge. Present *and future staffing requirements for the* refuges will not be adjusted because of designation of Monomoy Island as wilderness.

If the island should join the mainland at some future date, the Monomoy Wilderness would be delineated by a fence.

THE WILDERNESS RECORD

In accordance with section 3(d)(1)(B) of the Wilderness Act, a public hearing was held at Chatham, Mass., between 9 a.m. and 9:35 p.m. on January 11, 1967. Mr. Daniel H. Janzen, former Director, Bureau of Sport Fisheries and Wildlife, was hearing officer. Mr. Richard E. Griffith, regional director, Bureau of Sport Fisheries and Wildlife, Boston, Mass., represented the Bureau.

Communications received before and after the hearings from citizens, organizations, elected officials, State agencies, and Federal agencies, totaled 615 statements in the form of letters, notes, and cards.

AMENDMENT

The committee amended S. 3425 by striking section 3 of the bill. This section was a rephrasing of language in the Wilderness Act defining use restrictions, with some modifications. The committee felt that the new phraseology might have the effect of modifying the basic law, and that it was unnecessary because section 2 directs that the area shall be administered in accordance with the applicable provisions of the Wilderness Act.

COMMITTEE RECOMMENDATION

The Senate Committee on Interior and Insular Affairs reports favorably on S. 3425 and recommends early enactment.

COST

No additional budgetary expenditures are involved in enactment of S. 3425.

EL PORTAL ADMINISTRATIVE SITE

The bill (H.R. 4739) to authorize the Secretary of the Interior to grant long-term leases with respect to lands in the El Portal administrative site adjacent to Yosemite National Park, Calif., and for other purposes, was considered, ordered to a third reading, read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 1364), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE

The purpose of H.R. 4739, by Congressman Johnson of California, is to increase from 30 to 55 years the length of time for which the Secretary of the Interior may lease lands at El Portal, just outside the entrance to Yosemite National Park, to concessioners operating in the park and thus to enhance the possibility of prospective homeowners being able to obtain financing for the construction of their homes at that site and improve the terms on which such financing can be had.

NEED

By the act of September 2, 1958 (72 Stat. 1772), the Congress authorized the Secretary of the Interior to acquire approximately 1,200 acres at El Portal. This was done in order to provide space for administrative facilities and *employee housing outside the boundaries of* the park and thereby relieve pressure on the overcrowded floor of the valley within the park.

The importance of the object intended to be accomplished by the 1958 act is greater today than it was then, since visits to the park have increased by 80 percent in the meantime, and there has been a corresponding increase in the need for camping space, hotel accommodations, and the like within the park.

The 1958 act, by reference to an earlier act, limited to 30 years the term of any lease at El Portal. This is, in present circumstances, not sufficiently long to satisfy financial institutions which would otherwise be willing to lend leaseholders the funds they need to finance home construction. HHFA, for instance, requires a borrower to show a clear 50-year term on the effective date of a loan. Enactment of the present bill will overcome this difficulty.

The principal concessioner at the park has 325 permanent employees stationed there. Some of these, because of the nature of their jobs, must be housed within the park. A number of others, however, live at El Portal and many more could do so if the necessary accommodations were there. A spokesman for the concessioner estimated that, with the enactment of H.R. 4739, as many as 15 homes a year might be built at El Portal by its employees. Basic facilities already in existence at El Portal—roads, sewers, water, and powerlines, and so on—will take care of a considerable increase in its population, though not of the entire increase that is expected. To the extent to which concessioner employees can be housed at El Portal, the situation within the park will be improved.

The lease or leases granted by the National Park Service under authority of H.R. 4739 will be made with the concessioner, not with the individual employees. They will provide for subleasing and for the payment of rent to the Government at the equivalent of the fair rental value of the property as determined by the Secretary year by year. In determining fair rental value, account will be taken of the existence, cost, and value of all basic community facilities such as those mentioned above. The terms of the concessioner's subleases to its employees will be required by the Secretary to be such that, among other things, the concessioner (*a*) makes no profit on the subleases, (*b*) assumes responsibility for the unpaid balance of any mortgage obtained by an employee in case he dies, retires, or otherwise ceases to be an employee, and (*c*) is required to buy the employee's equity in his home at fair market value at the time of death, retirement, or other loss of employment.

COST

Enactment of H.R. 4739 will not require the appropriation of any funds not already authorized by law.

DESIGNATION OF LANDS AS WILDERNESS AREAS

The Senate proceeded to consider the bill (S. 3502) to designate certain lands on the Seney, Huron Islands, and Michigan Islands National Wildlife Refuges in Michigan, the Gravel Island and Green Bay National Wildlife Refuges in Wisconsin, and the Moosehorn National Wildlife Refuge in Maine, as wilderness, which had been reported from the Committee on Interior and Insular Affairs, with an amendment, on page 2, after line 14, strike out:

SEC. 3. Except as necessary to meet minimum requirements in connection with the purposes for which the areas are administered *(including measures required in emergencies* involving the health and safety of persons within the area) and subject to existing private rights, there shall be no commercial enterprise, no temporary or permanent roads, no use of motor vehicles, motorized equipment or motorboats, no landing of aircraft, no other form of motorized transport, and no structure or installation within the areas designated as wilderness by this Act.

So as to make the bill read:

S. 3502

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, in accordance with section 3(c) of the Wilderness Act of September 3, 1964 (78 Stat. 892; 16 U.S.C. 1132 (c)), certain lands in (1) in the Seney, Huron Islands, and Michigan Islands National Wildlife Refuges, Michigan, as depicted on maps entitled "Seney Wilderness—Proposed," "Huron Islands Wilderness—Proposed," and "Michigan Islands Wilderness—Proposed," (2) the Gravel Island and Green Bay National Wildlife Refuges, Wisconsin, as depicted on a map entitled "Wisconsin Islands Wilderness—Proposed," and (3) the Moosehorn National Wildlife Refuge, Maine, as depicted on a map entitled "Edmunds Wilderness and Birch Islands Wilderness—Proposed," all said maps being dated August 1967, are hereby designated as wilderness. The maps shall be on file and available for public inspection in the offices of the Bureau of Sport Fisheries and Wildlife, Department of the Interior.

SEC. 2. The areas designated by this Act as wilderness shall be administered by the Secretary of the Interior in accordance with the applicable provisions of the Wilderness Act.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, was read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 1369), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE

This bill, S. 3502, would designate as units of the National Wilderness Preservation System the Seney, Huron Islands, and Michigan Islands Wilderness areas in the State of Michigan, the Wisconsin Islands Wilderness in the State of Wisconsin, and the Edmunds Wilderness and Birch Islands Wilderness in the State of Maine. All of the lands included are presently within the National Wildlife Refuge System.

DESCRIPTION

The Seney Wilderness proposal contains approximately 25,000 acres of the Seney National Wildlife Refugee in Schoolcraft County, Mich. The proposed area includes treeless bogs and strips of bog forest, remnants of black spruce and white pine forests, inhabited by a variety of big and small game, ranging from moose to red fox and timber wolves. The area is relatively inaccessible.

The proposed Huron Islands Wilderness contains approximately 147 acres consisting of eight small islands in Lake Superior. The islands are made up of pink and gray granite upthrusts, with trees, brush, and herbaceous plants over two-thirds of the islands, and the remaining third largely barren. The islands are not often visited because of their isolation, rough seas, and limited landing sites.

Six small islands, totaling approximately

41 acres, constitute the Michigan and Wisconsin Islands Wilderness proposals. They are important breeding and nesting areas for herring and ring-billed gulls. The fragile island ecology, abundant bird population, and picturesque terrain features have unique beauty and are of major interest to scientists, students, and nature lovers.

A total of 2,780 acres constitute the wilderness proposals for the Edmunds and Birch Islands areas within the Moosehorn National Wildlife Refuge in Washington County, Maine. This refuge is one of the few Federal areas in the northeast containing wilderness resources.

HEARINGS

In accordance with the requirements of the Wilderness Act of September 3, 1964 (78 Stat. 890), public hearings were held at locations convenient to the areas affected. The results of these hearings are summarized in the synopses accompanying the recommendations to the President, which follow later.

Mr. JACKSON. Mr. President, the four wilderness bills, S. 3379, S. 3343, S. 3425, and S. 3502, which the Senate passed today, represent the first of the Department of the Interior's recommendations for additions to the National Wilderness Preservation System under the Wilderness Act of 1964. They also include the first wilderness areas to be designated within and near the heavily populated eastern coast. Thus, they are likely to become landmark conservation legislation. The areas concerned are all within national wildlife refuges.

S. 3379 would designate certain lands in the Great Swamp National Wildlife Refuge in Morris County, N.J., as wilderness. Involved are 3,750 acres. This area lies 40 miles due west of New York City's Times Square and 7 miles south of Morristown, N.J. The refuge is dedicated to migratory waterfowl production and management, the preservation of natural conditions, conservation education and public recreation. This refuge is remarkable in that it was established in 1964 after more than 6,000 citizens raised over a million dollars to acquire nearly 3,000 acres, donating the area to the Federal Government.

S. 3343 would designate certain lands in the Pelican Island National Wildlife Refuge in Indian River County, Fla., as wilderness. The area would comprise about 403 acres on several islands included in the refuge. Mr. President, this is historic legislation because the Pelican Island National Wildlife Refuge was established by Executive order of President Theodore Roosevelt in 1903—the first refuge of a system that has since grown to be the most far-reaching and comprehensive wildlife resource management program in the history of mankind.

S. 3425 would designate certain lands in the Monomoy National Wildlife Refuge, in Barnstable County, Mass., as wilderness. Monomoy Island is a 2,600 acre roadless island located 9 miles south from the elbow of Cape Cod. Boston and Providence are each about 100 miles from the island. The island is inhabited by a variety of wildlife, such as sea birds, reptiles and small game.

S. 3502 would designate certain lands in the Seney, Huron Islands, and Michigan Island National Wildlife Refuges in Wisconsin, and the Moosehorn National Wildlife Refuge in Maine, as wilderness. The Seney Wilderness proposal contains approximately 25,000 acres, which is relatively inaccessible, and is inhabited by a variety of game ranging from red fox to moose and timber wolf. The proposed Huron Islands Wilderness contains approximately 147 acres on eight small islands in Lake Superior. Six small islands, totaling approximately 41 acres, constitute the Michigan and Wisconsin Islands proposals. A total of 2,780 acres constitute the wilderness proposal for the Edmunds and Birch Islands area within the Moosehorn National Wildlife Refuge in Washington County, Maine.

I would like to emphasize that these bills do not in any way diminish the protection of these wildlife areas, and the conservation purposes for which they have been established and administered. To the contrary, the wilderness designation now to be accorded to portions of these refuges should enhance their protection from any adverse or incompatible uses as we strive to retain and preserve them in their natural state. Their administration will be in accordance with the applicable provisions of the basic Wilderness Act of 1964.

Although provisions of the Wilderness Act which relate to mining and mineral leasing are intended to apply only to areas of the national forest system which are given wilderness status, the U.S. Geological Survey and the Bureau of Mines have determined that the overall mineral resource potential of the proposed areas is poor, with the exception of the Edmunds Wilderness proposal in Maine. However, the only known mineral resources in that area are sand, gravel, and clay, which are also abundant in the surrounding areas.

BILL PASSED OVER

The bill (S. 3206) to amend the Federal Water Pollution Control Act, as amended, relating to the construction of waste treatment works, and to the conduct of water pollution control research, and for other purposes, was announced as next in order.

Mr. MANSFIELD. Over, Mr. President.

The **PRESIDING OFFICER.** The bill will be passed over.

LOANS ON LEASED LAND IN HAWAII

The bill (H.R. 15562) to extend the expiration date of the act of September 19, 1966, was considered, ordered to a third reading, read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 1365), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

SHORT EXPLANATION

This bill would continue for 2 years, through June 30, 1970, the Farmers Home Administration's authority to make loans to lessee-operators of farmland in the State of Hawaii. That authority is limited to cases where (1) the land cannot be acquired in fee simple by the applicant, (2) adequate security is provided for the loans, and (3) there is a reasonable probability of accomplishing the objectives and repayment of the loan.

NEED FOR THE BILL

Hawaii has land problems unlike those of other States, since much of its land is subject to restraints on alienation and consequently is operated under long-term lease.

A little over a century ago all of the land in Hawaii was owned by the King. Under King Kamehameha III, who became King in 1833, the land was divided into three parts, with one-third being vested in the King, one-third in the chiefs, and one-third in the tenants. Later the King divided his share, making two-thirds public domain and one-third his private estate; and the chiefs divided their land. Certain of the public lands were designated as Hawaiian homelands and subjected to statutory restraints on alienation by the Hawaiian Homes Commission Act, 1920.

A large part of the remaining lands have been controlled by a few landlords for many years, and their sale would result in such high taxes on the proceeds as to make sale impracticable. Some of the lands are held in charitable trusts which prevent their alienation.

As a consequence of these restraints on alienation most land transactions in Hawaii involve the sale of leases. Hawaiian farmers in order to carry on their operations must, like other farmers, have adequate financing, and should have available to them the financing provided for farm improvement by Farmers Home Administration loans to the extent that such loans can safely be made on the security such farmers can provide. The bill would permit such loans. They would be authorized only where adequate security can be provided, where they can be repaid, and where the purpose of the loan can be accomplished.

DEPARTMENTAL VIEWS

The attached report of the Department of Agriculture advises that it believes that if this authority is provided for the State of Hawaii, it should be made equally available in all other States. The Department took a similar position in 1965 when the present authority was being considered. The committee feels that the land tenure situation in Hawaii is so different from that of other States as to require the different treatment provided by this bill.

ORDER OF BUSINESS

Mr. MANSFIELD. Mr. President, I ask unanimous consent that at the conclusion of the transaction of morning business, the unfinished business, S. 3065, Calendar No. 1290, which was laid before the Senate on yesterday to be the pending business today, go back to the calendar, and that in its place at that time the unfinished business be Calendar No. 1348, S. 3206.

The **PRESIDING OFFICER.** Without objection, it is so ordered.

The bill, S. 3206, will be stated by title.

The LEGISLATIVE CLERK. A bill (S. 3206) to amend the Federal Water Pollution Control Act, as amended, relating to the construction of waste treatment works, and to the conduct of water pollution control research, and for other purposes.

The **PRESIDING OFFICER.** Without objection, that bill will be made the unfinished business.

COMMITTEE MEETING DURING SENATE SESSION

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Committee on Agriculture and Forestry be authorized to meet during the session of the Senate today.

The PRESIDING OFFICER. Without objection, it is so ordered.

ORDER OF BUSINESS

Mr. MANSFIELD. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

REPORT OF A COMMITTEE SUBMITTED DURING ADJOURNMENT

Under authority of the order of the Senate of March 16, 1967, Mr. Magnuson, from the Committee on Appropriations, reported favorably, with amendments, on July 9, 1968, the bill (H.R. 17023) making appropriations for sundry independent executive bureaus, boards, commissions, corporations, agencies, offices, and the Department of Housing and Urban Development for the fiscal year ending June 30, 1969, and for other purposes, and submitted a report (No. 1375) thereon, which was printed.

EXECUTIVE COMMUNICATIONS, ETC.

The PRESIDING OFFICER laid before the Senate the following letters, which were referred as indicated:

Temporary Admission Into the United States of Certain Aliens

A letter from the Commissioner, Immigration and Naturalization, Department of Justice, transmitting, pursuant to law, copies of orders entered granting temporary admission into the United States of certain aliens (with accompanying papers); to the Committee on the Judiciary.

Plans for Works of Improvement Under Provisions of Watershed Protection and Flood Prevention Act

A letter from the Assistant Secretary of Agriculture, transmitting, pursuant to law, plans for works of improvement which have been prepared under the provisions of the Watershed Protection and Flood Prevention Act, as amended (with accompanying papers); to the Committee on Public Works.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. BIBLE, from the Committee on the District of Columbia, with amendments:

S. 2439. A bill to increase the number and salaries of judges of the District of Columbia court of general sessions, the salaries of judges of the District of Columbia Court of Appeals, and for other purposes (Rept. No. 1377).

By Mr. JORDAN of Idaho, from the Committee on Interior and Insular Affairs, with amendments:

S. 1385. A bill to amend section 3 of the act entitled "An act to provide for the disposal of materials on the public lands of the United States" approved July 31, 1947, relating to the disposition by the Secretary of the Interior of moneys obtained from the sale of materials from public lands (Rept. No. 1376).

PRINTING OF REVIEW OF REPORT ON MIAMI HARBOR, FLA. (S. DOC. NO. 93)

Mr. LONG of Louisiana. Mr. President, on behalf of the Senator from West Virginia [Mr. Randolph], I present a letter from the Secretary of the Army, transmitting a report dated June 3, 1968, from the Chief of Engineers, Department of the Army, together with accompanying papers and illustrations, on a review of the report on Miami Harbor, Fla., requested by a resolution of the Committee on Commerce, U.S. Senate, adopted August 18, 1944. I ask unanimous consent that the report be printed as a Senate document, with illustrations, and referred to the Committee on Public Works.

The PRESIDING OFFICER. Without objection, it is so ordered.

PRINTING OF REVIEW OF REPORTS ON SERGIUS AND WHITESTONE NARROWS, ALASKA (S. DOC. NO. 95)

Mr. LONG of Louisiana. Mr. President, on behalf of the Senator from West Virginia [Mr. Randolph], I present a letter from the Secretary of the Army, transmitting a report dated June 3, 1968, from the Chief of Engineers, Department of the Army, together with accompanying papers and illustrations, on a review of the reports on Sergius and Whitestone Narrows, Alaska, requested by resolutions of the Committee on Public Works, U.S. Senate, both adopted April 10, 1963. I ask unanimous consent that the report be printed as a Senate document, with illustrations, and referred to the Committee on Public Works.

The PRESIDING OFFICER. Without objection, it is so ordered.

PRINTING OF REVIEW OF REPORTS ON BIG SIOUX RIVER, SIOUX CITY, IOWA, AND NORTH SIOUX CITY, S. DAK. (S. DOC. NO. 94)

Mr. LONG of Louisiana. Mr. President, on behalf of the Senator from West Virginia [Mr. Randolph], I present a letter from the Secretary of the Army, transmitting a report dated March 8, 1968, from the Chief of Engineers, Department of the Army, together with accompanying papers and an illustration, on a review of the reports on Big Sioux River at and in the vicinity of Sioux City, Iowa, and North Sioux City, S. Dak., requested by a resolution of the Committee on Public Works of the U.S. Senate, adopted September 10, 1962. I ask unanimous consent that the report be printed as a Senate document, with illustrations, and referred to the Committee on Public Works.

The PRESIDING OFFICER. Without objection, it is so ordered.

PRINTING OF INTERIM REPORT ON WABASH RIVER AND TRIBUTARIES, INDIANA, ILLINOIS, AND OHIO (S. DOC. NO. 96)

Mr. LONG of Louisiana. Mr. President, on behalf of the Senator from West Virginia [Mr. Randolph], I present a letter from the Secretary of the Army, transmitting a report dated May 31, 1968, from the Chief of Engineers, Department of the Army, together with accompanying papers and illustrations, on an interim report on Wabash River and tributaries, Indiana, Illinois, and Ohio, in partial response to a resolution of the Committee on Public Works, U.S. Senate, adopted May 6, 1958. I ask unanimous consent that the report be printed as a Senate document, with illustrations, and referred to the Committee on Public Works.

The PRESIDING OFFICER. Without objection, it is so ordered.

BILLS AND JOINT RESOLUTIONS INTRODUCED

Bills and joint resolutions were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. DOMINICK (for himself and Mr. Cotton):

S. 3750. A bill to direct the Secretary of Defense to pay the special pay authorized under section 310 of title 37, United States Code, to certain members of the uniformed services held captive in North Korea; to the Committee on Armed Services.

(See the remarks of Mr. Dominick when he introduced the above bill, which appear under a separate heading.)

By Mr. MAGNUSON (by request):

S. 3751. A bill to unify and consolidate the rules for navigation on the waters of the United States; to the Committee on Commerce.

(See the remarks of Mr. Magnuson when he introduced the above bill, which appear under a separate heading.)

By Mr. TOWER:

S. 3752. A bill to change the Census Code; to the Committee on Post Office and Civil Service.

By Mr. MORSE:

S. 3753. A bill to amend further section 27 of the Merchant Marine Act, 1920; to the Committee on Commerce.

(See the remarks of Mr. Morse when he introduced the above bill, which appear under a separate heading.)

By Mr. LONG of Missouri:

S. 3754. A bill to repeal title III of the Omnibus Crime Control and Safe Streets Act of 1968, entitled "Wiretapping and Electronic Surveillance"; to the Committee on the Judiciary.

(See the remarks by Mr. Long of Missouri when he introduced the above bill, which appear under a separate heading.)

By Mr. PERCY:

S. 3755. A bill to provide an incentive for private employers to employ and train unskilled individuals certified by the Secretary of Labor by allowing an income tax credit for wages paid to such individuals; to the Committee on Finance.

(See the remarks of Mr. Percy when he introduced the above bill, which appear under a separate heading.)

By Mr. HARTKE:

S. 3756. A bill for the relief of Francesco Letteri; to the Committee on the Judiciary.

By Mr. PERCY:

S. 3757. A bill for the relief of Dr. Andres Obedoza Botuyan and his wife, Irene Furagganan Botuyan; to the Committee on the Judiciary.

By Mr. YARBOROUGH:

S.J. Res. 187. Joint resolution proposing an amendment to the Constitution relating to the choosing of a President when the choice devolves upon the House of Representatives; to the Committee on the Judiciary.

(See the remarks of Mr. Yarborough when he introduced the above joint resolution, which appear under separate heading.)

By Mr. TYDINGS (for himself, Mr. Brewster, Mr. Spong, Mr. Randolph, Mr. Clark, Mr. Scott, and Mr. Byrd of West Virginia):

S.J. Res. 188. Joint resolution granting the consent of Congress to the States of Maryland and West Virginia and the Commonwealths of Virginia and Pennsylvania and the District of Columbia, as signatory bodies, for certain amendments to the compact creating the Potomac Valley Conservancy District and establishing the Interstate Commission on the Potomac River Basin; to the Committee on the Judiciary.

(See the remarks of Mr. Tydings when he introduced the above bill, which appear under a separate heading.)

S. 3750—INTRODUCTION OF BILL DIRECTING PAYMENT TO CAPTURED MEMBERS OF CREW OF U.S.S. "PUEBLO"

Mr. DOMINICK. Mr. President, today marks the 170th day we have allowed the heroic men of the U.S.S. *Pueblo* to remain in captivity in North Korea, subject to the cruel and degrading treatment which the Communists typically inflict upon their prisoners of war. These men have suffered and continue to suffer the hostile actions of the enemy. Their lives are in jeopardy every hour of every day they are imprisoned by the North Koreans. We have made special provisions for hostile fire pay for our servicemen in battle zones and certainly the crew of the *Pueblo* have been in such an environment for nearly 6 months.

Mr. President, on behalf of myself and the senior Senator from New Hampshire [Mr. Cotton], I introduce for appropriate reference a bill to direct the Secretary of Defense to pay to the captured members of the crew of the U.S.S. *Pueblo* the special pay authorized under section 310 of title 37, United States Code, retroactive to January 1968, and continuing until the month following the month in which each such crew member is repatriated. I hope that the Senate will move with speed to enact this legislation. It seems to me that this is the least we can do under these trying circumstances.

The PRESIDING OFFICER. The bill will be received and appropriately referred.

The bill (S. 3750) to direct the Secretary of Defense to pay the special pay authorized under section 310 of title 37, United States Code, to certain members of the uniformed services held captive in North Korea, introduced by Mr. Dominick, for himself and Mr. Cotton, was received, read twice by its title, and referred to the Committee on Armed Services.

S. 3751—INTRODUCTION OF BILL TO UNIFY AND CONSOLIDATE THE RULES FOR NAVIGATION ON THE WATERS OF THE UNITED STATES

Mr. MAGNUSON. Mr. President, I introduce, at the request of the Secretary of Transportation, a bill to unify and consolidate the rules for navigation on the waters of the United States.

I ask unanimous consent that there be printed in the Record at the conclusion of my remarks the letter of transmittal from the Secretary of Transportation.

The PRESIDING OFFICER. The bill will be received and appropriately referred, and, without objection, the letter will be printed in the Record.

The bill (S. 3751) to unify and consolidate the rules for navigation on the waters of the United States, introduced by Mr. Magnuson, by request, was received, read twice by its title, and referred to the Committee on Commerce.

The letter presented by Mr. Magnuson, is as follows:

The Secretary of Transportation,
Washington, D.C., June 19, 1968.

Hon. Hubert H. Humphrey,
President of the Senate,
Washington, D.C.

Dear Mr. President: There is enclosed a draft of a proposed bill, "To unify and consolidate the rules for navigation on the waters of the United States."

The proposed bill would repeal all of the statutes now assembled in the following chapters of the United States Code, title 33:

Chapter 3—Navigation Rules for Harbors, Rivers and Inland Waters Generally.

Chapter 4—Navigation Rules for Great Lakes and their Connecting and Tributary Waters.

Chapter 5—Navigation Rules for Red River of the North and Rivers Emptying into Gulf of Mexico and Tributaries.

Chapter 5-A—Exemption of Navy or Coast Guard Vessels from Certain Navigational Rules.

In their place it would enact a single, consolidated set of Rules for all United States waters patterned closely after the International Regulations for Preventing Collisions at Sea drafted at the International Convention for Safety of Life at Sea, 1960, to which the United States is signatory. Certain exceptions, to accommodate peculiar conditions and long-standing practices on the Great Lakes, have been embodied in the otherwise uniform proposed Rules. A detailed explanation of the proposed bill is contained in the enclosed "Analysis."

The proposed bill, if enacted, would become effective one year following the date of enactment.

This proposal is the outgrowth of a 1962 recommendation made to Secretary of the Treasury Douglas Dillon by the group of Defense Department, Bureau of the Budget, Treasury Department and Coast Guard officials whom he had commissioned to study the roles and missions of the Coast Guard. Specifically it was recommended that:

"Legislation be proposed to make the various Rules of the Road conform with the International Rules to the maximum extent possible in order to improve the safety of navigation of vessels in inland and international waters."

Well before this recommendation, shipping interests operating in the geographic areas where the Western Rivers Rules prevailed were seeking the elimination of differences between those Rules and the Inland Rules. In 1959, the previously nonaccessible Great Lakes were opened to deep-draft, oceangoing vessels. The character of their once binational, local traffic has become infused with multinational diversity.

The 1960 Safety of Life at Sea Conference, in addition to revising the International Regulations for Preventing Collisions at Sea, recommended that the Contracting Governments endeavor to bring all special local rules which prescribe lights, shapes, and signals for vessels in as near agreement as possible with those in the International Regulations.

For these reasons the Coast Guard undertook the task of developing a proposed set of navigational rules that would be usable on all United States waters and would conform to the recommendations of the Secretary of the Treasury's Roles and Missions Study and the International Convention. During the preparation of the proposed bill, the Coast Guard drafters maintained a dialogue with representative organizations and individuals from the marine industry and the admiralty bar and with the Canadian Department of Transport. Each suggestion and comment was considered and meritorious recommendations were incorporated in the development of the language of the individual rules.

Enactment of the proposed bill would not result in any increased government costs.

It would be appreciated if you would lay the proposed bill before the Senate. A similar bill has been forwarded to the Speaker of the House of Representatives.

The Bureau of the Budget has advised that enactment of this legislation would be consistent with the Administration's objectives.

Sincerely,

Alan S. Boyd.

S. 3753—INTRODUCTION OF BILL TO AMEND THE MERCHANT MARINE ACT

Mr. MORSE. Mr. President, I introduce, for appropriate reference, a bill to amend further section 27 of the Merchant Marine Act of 1920. It is a noncontroversial bill. The identical bill probably will be considered in the House either today or tomorrow.

I have been in conference with some of the House leaders interested in this bill. It has been suggested that it be introduced in the Senate, for we may find ourselves in the parliamentary situation in which, because it is noncontroversial, it may be proposed before adjournment that we substitute the language of the House bill for this bill and in the closing days of the session pass it. At least, they thought it ought to have been introduced, in any event, for possible parliamentary consideration before adjournment.

The PRESIDING OFFICER. The bill will be received and appropriately referred.

The bill (S. 3753) to amend further section 27 of the Merchant Marine Act, 1920, introduced by Mr. Morse, was received, read twice by its title, and referred to the Committee on Commerce.

S. 3754—INTRODUCTION OF BILL TO REPEAL TITLE III OF THE OMNIBUS CRIME CONTROL AND SAFE STREETS ACT OF 1968

Mr. LONG of Missouri. Mr. President, as we all know, President Lyndon Johnson has signed into law the Omnibus Crime Control and Safe Streets Act of 1968. The problem of crime in our streets is of grave concern to the citizens of Missouri and to the citizens of all of our 50 States, and I can only join with President Johnson in the view that this new law "contains more good than bad." As President Johnson stated when he signed the law:

> It responds to one of the most urgent problems in America today—the problem of fighting crime in the local neighborhood and on the city street.

Title I of the crime bill certainly goes to the heart of the problem of crime in the streets. But title III of the law, which deals with wiretapping and eavesdropping does not relate to this problem. I ask unanimous consent to insert, at this point in the RECORD, the President's discussion of title III.

There being no objection, the President's discussion of title III was ordered to be printed in the RECORD, as follows:

> Title III of this legislation deals with wiretapping and eavesdropping.
>
> My views on this subject are clear. In a special message to Congress in 1967 and again this year, I called—in the Right of Privacy Act—for an end to the bugging and snooping that invades the privacy of citizens.
>
> I urged that the Congress outlaw "all wiretapping and electronic eavesdropping, public and private, wherever and whenever it occurs." The only exceptions would be those instances where "the security of the Nation itself was at stake—and then only under the strictest safeguards."
>
> In the bill I sign today, Congress has moved part of the way by:
>
> Banning all wiretapping and eavesdropping by private parties.
>
> Prohibiting the sale and distribution of "listening-in" devices in interstate commerce.
>
> But the Congress, in my judgment, has taken an unwise and potentially dangerous step by sanctioning eavesdropping and wiretapping by Federal, state and local law officials in an almost unlimited variety of situations.
>
> If we are not very careful and cautious in our planning, these legislative provisions could result in producing a nation of snoopers bending through the keyhole of the homes and offices in America, spying on our neighbors. No conversation in the sanctity of the bedroom or relayed over a copper telephone wire would be free of eavesdropping by those who say they want to ferret out crime.
>
> BEYOND NEEDS
>
> Thus, I believe this action goes far beyond the effective and legitimate needs of law enforcement. The right of privacy is a valued right. That is why we must strive to protect it all the more against erosion.
>
> I call upon the Congress immediately to reconsider the unwise provisions of Title III and take steps to repeal them. I am directing the Attorney General to confer as soon as possible with the appropriate committee chairman and warn them of the pitfalls that lie ahead, in the hope that the Congress will move to repeal the dangerous provisions of this Title.
>
> Until that can be accomplished we shall pursue—within the Federal Government—carefully designed safeguards to limit wiretapping and eavesdropping. The policy of this Administration has been to confine wiretapping and eavesdropping to national security cases only—and then only with the approval of the Attorney General.
>
> This policy, now in its third year, will continue in force. I have today directed the Attorney General to assure that this policy of privacy prevails and is followed by all Federal law enforcement officers.
>
> Many States have protected the citizen against the invasion of privacy by making wiretapping illegal. I call upon the State and local authorities in the other states to apply the utmost restraint and caution if they exercise the broad powers of Title III. We need not surrender our privacy to win the war on crime.

Mr. LONG of Missouri. Mr. President, in answer to the President's call, I today propose a bill designed to repeal all of title III. I share the views of the President that the Congress must ban all wiretapping and eavesdropping by private parties. I share with the President the view that the Congress must prohibit the sale and distribution of "listening in" devices in interstate commerce and I also share the President's view that "we need not surrender our privacy to win the war on crime." It is my hope that when the Committee on the Judiciary considers this measure, it also will consider S. 928. This measure which I introduced last year would preserve those prohibitions of title III against private eavesdropping and wiretapping, while at the same time it would prohibit local, State, and Federal law enforcement officers from unlimited, uncontrolled invasions of privacy.

Mr. President, contrary to many statements by proponents of title III, it is not a limited "wiretap and eavesdropping" statute. Rather, it permits wiretapping and bugging by any policeman—Federal, State, or local—with or without a warrant. I commend the President for his strong call for Congress to reconsider the unwise provisions of title III, and I submit this legislation in an attempt to meet this call.

Mr. President, I introduce, for appropropriate reference, a bill to repeal title III of the Omnibus Crime Control and Safe Streets Act of 1968—Public Law 90–351, 82 Stat. 211—and ask that it be printed at this point in the RECORD.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the RECORD.

The bill (S. 3754) to repeal title III of the Omnibus Crime Control and Safe Streets Act of 1968, entitled "Wiretapping and Electronic Surveillance," introduced by Mr. LONG of Missouri, was received, read twice by its title, referred to the Committee on the Judiciary, and ordered to be printed in the RECORD, as follows:

S. 3754

> *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That title III—Wiretapping and Electronic Surveillance of the Omnibus Crime Control and Safe Streets Act of 1968 (82 Stat. 211) is hereby repealed.
>
> Titles IV, V, VI, VII, VIII, IX, X, XI are redesignated as titles III, IV, V, VI, VII, VIII, IX, and X.

S. 3755—INTRODUCTION OF PRIVATE ENTERPRISE INCENTIVE ACT OF 1968

Mr. PERCY. Mr. President, in the last session of Congress I was privileged to sponsor the Employment Incentive Act, S. 2601, in order to help promote employment opportunities for individuals whose level of skills and education act as a barrier to employment at the minimum wage.

S. 2601 would provide a Federal wage subsidy of up to 40 percent of the minimum wage to an employer who hired an unemployed individual. Since introducing this legislation, I have sent questionnaires to over 8,000 businessmen asking for their comments on the proposed program. Their comments and suggestions which have now come back to me have helped in improving the concept of this legislation.

The individual responses from businessmen were as interesting and helpful as they were varied. Representative comments were as follows:

> There is much to indicate that higher wage costs have been a contributing factor in the elimination of a number of jobs with low skill requirements.
>
> Your proposal has the twin benefits of offering an employer the opportunity to train low-skill individuals at reasonable cost and at the same time make a contribution to solving a serious unemployment problem.
>
> The kind of subsidy you propose would prod a good many employers to take a new look at the hardcore employment problem . . . In short, your idea, in my opinion, is both constructive and sound.
>
> We too believe that business and government in concert can more effectively resolve this national dilemma than either working alone.
>
> Our experience has been that when one accepts favors from a government bureau that bureau considers it has a proprietary interest and has the privilege to pry and interfere with all phases of the business . . . We are up to our neck in government control efforts. Inspectors of all sorts are climbing in and out and up and down constantly. We don't want to incur any further inspection if we can help it.

Although I received an overwhelming favorable response for the objectives of S. 2601, some businessmen objected to the following specifics:

First. Many large companies pay wages in excess of the Federal minimum wage, and therefore would not find the subsidy proposed in S. 2601 attractive enough to participate in the program.

Second. The possibility of redtape and Federal control in a direct subsidy program is resented and disliked by the business community. Some companies would not participate in the program for this reason.

Third. Expenses other than wages are not covered by S. 2601. Many companies find that costs involved in planning and administering training programs are as high or higher than the wages themselves.

As a result of these suggestions, as well as the recommendations of the National Advisory Commission on Civil Disorders, I have now redrafted this legislation to more adequately reflect the needs of the business community. I am therefore today introducing new legislation entitled "The Private Enterprise Employment Incentive Act of 1968."

The purpose of this legislation is the same as the earlier bill—to increase employment opportunities for unemployed and underemployed individuals. However, the new bill seeks to achieve this objective by providing an incentive for private employers to employ and train such individuals by allowing an income tax credit to the employers for wages paid to the employees.

The advantages of a tax credit approach are numerous. The most important, however, is that the program can go into effect immediately upon enactment. Past job training programs have taken months and years to become operative. While I believe that the other various training programs do have merit, I feel that we now need an emergency program which can immediately assist in finding jobs in the private sector for the hard-core unemployed. Employers who participate in the program will receive a tax credit of 75 percent of the wages paid to the employee for the first 4 months of employment, 50 percent for the next 4 months and 25 percent for the balance of the individual's first year of employment. This is an uncomplicated program with the minimum of redtape. Any employer who hires a certified employee is eligible for the tax credit—it is as simple as that. Small business is favored by placing a limitation on the total amount of tax credit any one employer can receive.

I understand the objections that are at times put forward to the use of the tax system for social purposes. However, I think it is time we realized that in order to encourage business to participate in programs of this nature, Government must be willing to meet business half way. The most convenient form for subsidizing a businessman is through his income tax. In order to meet the argument that a tax credit approach is open ended and therefore economically irresponsible, I have placed a limitation on the number of certificates which can be issued. The Private Enterprise Employment Incentive Act is envisioned as a 3-year emergency experimental program. Under this bill 100,000 employee certificates would be issued during the first year, 200,000 more in the second year and an additional 200,000 during the third year. The bill, therefore, provides for the hiring and training of 500,000 underemployed and unemployed persons over a 3-year period.

My communication with the business community has indicated that of the many problems facing businessmen today, one of the most serious is the shortage of skilled, dependable help. This bill provides a simple yet effective technique to provide new jobs and training for those whose need is the greatest. It enlists the job-creating potential of private enterprise by realistically recognizing the high initial costs involved in hiring, training, and providing supportive services for low-skilled individuals.

There has been much discussion lately about a guaranteed annual income. The Southern Christian Leadership Conference, among others, has forcefully stated the case for such a program. However, I myself am not prepared to support such a plan at this time, preferring to find an avenue to increase incentive rather than further destroy individual initiative as I fear the guaranteed annual income might do.

While the guaranteed annual income is not the answer to our unemployment problems, the "guaranteed job" should be seriously considered. I believe that every American willing and able to work should have the opportunity to do so. My bill would take a first important step in this direction.

The Poor People's Campaign has argued that Congress has not done enough in the area of employment, and I agree. One of the barriers to the Congress from doing more is the large Federal deficit. However, this need not be a barrier. The bill I am introducing today does not require any new Federal appropriations, and it would go into effect immediately upon enactment. By using the tax credit approach, much favored by my Republican colleagues in both Houses and by the business community, the Federal Government is in a position to encourage and assist business in training and hiring the hard-core unemployed in the Nation.

Earlier this year, I joined many of my Republican colleagues in sponsoring the National Manpower Act, a bill introduced in the Senate under the leadership of the Senator from New York [Mr. JAVITS] and under the leadership of Representative GOODELL in the House of Representatives. That bill contained a tax credit program similar in some aspects to the one I am introducing today. I have, however, made some changes which I feel are important. My bill limits the program to a 3-year trial period with no more than 500,000 certificates to be issued in all. This will present an opportunity to test the tax credit approach and to determine its value. My bill also requires that the Secretary submit an annual report to the Congress with respect to the effectiveness of the program. After the 3-year period, the Congress can evaluate the program and determine its value in relation to other employment programs. Also, by limiting the number of certificates to 500,000, the total revenue loss from the program is held down to a reasonable controllable figure.

The major change which I have made is in allowing the tax credit for a 1-year period, rather than a 2-year period. My experience in business, as well as more recent communication with businessmen, indicates that a 12-month subsidy is sufficient incentive to insure widespread use of the program. The advantages of a 1-year subsidy are obvious. There is more leverage for each tax credit dollar—more individuals can be helped with less tax loss to the Government. When the bill is considered in committee, the Congress should hear large numbers of businessmen to determine the length of the credit period necessary to insure success for the program. However, it is my judgment that the 1-year period will provide the incentive, without giving too much—in other words, the Federal Government will be providing a "helping hand" to business with a 1-year program, while a 2-year subsidy may well be a "handout."

I believe the changes I have made from the original Republican proposal are important ones and would like to have both proposals given full consideration in committee hearings.

Business has convinced me that they do understand the problem of the hard-core unemployed and are interested in commiting themselves to the solution of the problem. It is now up to the Congress to establish the atmosphere whereby the private enterprise system can tackle this problem which Government has proven it cannot adequately solve by itself. If the Government will pay the extra expenses involved, business will offer the employment. I believe that now is the time to undertake a program of this nature on an experimental basis. We have given Government billions of dollars in the attempt to solve the problem, let us now give our free enterprise system a chance.

The PRESIDING OFFICER. The bill will be received and appropriately referred.

The bill (S. 3755) to provide an incentive for private employers to employ and train unskilled individuals certified by the Secretary of Labor by allowing an income tax credit for wages paid to such individuals introduced by Mr. PERCY, was received, read twice by its title, and referred to the Committee on Finance.

SENATE JOINT RESOLUTION 188—INTRODUCTION OF JOINT RESOLUTION—REVISION OF THE INTERSTATE COMPACT ON THE POTOMAC RIVER BASIN

Mr. TYDINGS. Mr. President, the joint resolution I introduce today, for myself, my Maryland colleague, Senator BREWSTER, and Senators SPONG and BYRD of Virginia, CLARK and SCOTT of Pennsylvania, and RANDOLPH of West Virginia, would give the consent of Congress to revision of the interstate compact on the Potomac River Basin. The legislatures and Governors of the signatory States to this compact—Maryland, Virginia, Pennsylvania, West Virginia, and the Board of Commissioners of the District of Columbia—have approved these compact amendments.

The Interstate Commission on the Potomac River Basin has a long and very useful history of accomplishment in water pollution abatement, dating back to 1940. When plans were being made in the late 1930's for the Commission, some supporters urged a water resources compact not limited to pollution abatement. However, the majority felt that water pollution conditions were so critical that the Commission should be quickly established to concentrate on pollution and that a broadened compact should come later.

In view of the growing complex of and seriousness of the water problems of today in the Potomac, the signatories have agreed that now it is necessary and desirable to broaden the authority of the compact. In summary, the proposed revision of the compact would achieve the following:

First. It would expand the Commission's responsibilities and scope of operations so it may function in the area of water and associated land resources. At present, its authority is restricted to water pollution abatement.

Second. It will authorize the Commission to cooperate, assist, and provide liaison for and among public and nonpublic agencies in the formulation and coordination of plans, programs, and other activities relating to stream pollution or to the utilization, conservation, or development of water and associated land resources.

Third. It will authorize the Commission to review and comment on any plan or program of any public or private agency or organization relating to stream pollution or the utilization, conservation, or development of water or associated land resources.

Fourth. It will remove the present $30,000 ceiling on the total sum of annual contributions by the signatory bodies, and base the pro rata contribution of each body on such factors as population, the amount of industrial and domestic pollution, and a flat service charge which the Commission can levy from time to time subject to the approval of the signatory bodies.

Fifth. It authorizes the Commission to establish reasonable standards of water quality as developed by the responsible signatory agencies.

As a member of the Senate Subcommittee on Air and Water Pollution, I have long been concerned about man's continued exploitation of precious natural resources and his environment.

There are many problems that still remain to be solved in the Potomac and its tributaries. Acid mine drainage in the North Branch of the Potomac, sediment in all parts of the basin, land runoff, both rural and urban, and nutrient control represent some of the major challenges. Both critical water supply problems and flood control will require basinwide leadership for their solution.

The Potomac River has always had a prominent place in our Nation's history and geography. Our forefathers found it a stream of great charm and unmeasured usefulness. The States of the Potomac Basin—Maryland, Virginia, West Virginia and Pennsylvania, and the District of Columbia—by unanimously seeking a more comprehensive compact, are demonstrating their commitment to future generations that the Potomac's natural values will be restored.

I am hopeful the Congress will act rapidly on this joint resolution.

The PRESIDING OFFICER. The joint resolution will be received and appropriately referred.

The joint resolution (S.J. Res. 188) *granting the consent of Congress to the* States of Maryland and West Virginia and the Commonwealths of Virginia and Pennsylvania and the District of Columbia, as signatory bodies, for certain amendments to the compact creating *the Potomac Valley Conservancy District and establishing the Interstate* Commission on the Potomac River Basin, introduced by Mr. Tydings, for himself and other Senators, was received, read twice by its title, and referred to the Committee on the Judiciary.

ADDITIONAL COSPONSOR OF BILL

Mr. MUSKIE. Mr. President, on July 8, 1968, I obtained unanimous consent that the names of additional cosponsors *be added to the bill (S. 3206) to amend* the Federal Water Pollution Control Act, as amended, relating to the construction of waste treatment works, and to the conduct of water pollution control research, and for other purposes at the next printing of the bill. At that time, the name of the distinguished junior Senator from Delaware [Mr. Boggs] was inadvertently omitted as a cosponsor.

I now ask unanimous consent that the name of the Senator from Delaware [Mr. Boggs] be added as a cosponsor of S. 3206 at its next printing.

The PRESIDING OFFICER. Without objection, it is so ordered.

SENATE RESOLUTION 314—RESOLUTION RELATING TO ACCEPTANCE OF FOREIGN DECORATIONS BY MEMBERS, OFFICERS, OR EMPLOYEES OF THE SENATE

Mr. JORDAN of North Carolina. Mr. President, the 89th Congress enacted Public Law 89–673, which granted the consent of Congress to the acceptance of certain decorations from foreign governments. This act empowered the President to carry out its purposes by regulations prescribed by him or under his authority.

The President, by Executive Order No. 11320, dated December 12, 1966, vested authority to prescribe appropriate regulations in the Secretary of State. Pursuant thereto, pertinent regulations were promulgated which apply to all persons occupying an office or a position in the executive, legislative, or judicial branches of the Government of the United States (*32 F.R. 6569*).

In essence, the statute and implementing regulations provide that decorations tendered to a Member, officer, or employee of the U.S. Senate in recognition of active field service in connection with combat operations, or which have been awarded for outstanding or unusually meritorious performance may be accepted and worn by the donee with first, the approval by the appropriate agency; and, second, the concurrence of the Chief of Protocol.

In response to several recent inquiries from Senators who have been offered foreign decorations, the Committee on Foreign Relations has called to my attention, as chairman of the Committee on Rules and Administration, the existing need for the Senate to determine how to express its approval of the receipt of *foreign decorations in those cases where*in the Senate would be the "appropriate agency" of the Government.

To answer this need, I submit a resolution (S. Res. 314) and ask that it be appropriately referred. The resolution would authorize the Committee on Rules and Administration to grant such approvals. I am not asserting that this is necessarily the best way to deal with the matter, but it does present a practical solution for the consideration of the Senate.

I wish to emphasize that the resolu*tion does not deal with gifts of more than minimal value tendered by a for*eign government. Such gifts may only be accepted under express statutory conditions and are treated as the property of the U.S. Government.

The PRESIDING OFFICER. The resolution will be received and appropriately referred; and, under the rule, the resolution will be printed in the Record.

The resolution (S. Res. 314) was referred to the Committee on Rules and Administration, as follows:

S. Res. 314

Resolved, That the Committee on Rules and Administration is hereby authorized to grant approval, for the purposes of section 7342 of title 5, United States Code, and regulations prescribed thereunder, of the acceptance, retention, and wearing by a Member, officer, or employee of the Senate of a decoration tendered by a foreign government in recognition of active field service in time of combat operations or awarded for other outstanding or unusually meritorious service.

NOTICE OF HEARING ON LEGISLATION DEALING WITH ALASKA NATIVE LAND CLAIMS

Mr. JACKSON. Mr. President, a hearing on legislation dealing with Alaska native land claims will be held before the Senate Interior and Insular Affairs Committee on Friday, July 12, 1968, in room 3110 of the New Senate Office Building. Bills pending before the committee are S. 1964, S. 2690, S. 2906, and S. 3586. Testimony will be received from representatives of the Department of the Interior, the State of Alaska, and the native groups in Alaska.

ANNOUNCEMENT OF WITNESSES FOR HEARINGS ON PRETRIAL RELEASE

Mr. ERVIN. Mr. President, on June 4, 1968, Senator Hruska, acting in my behalf, placed in the Record the announcement that on Tuesday, July 16, the Subcommittee on Constitutional Rights of the Senate Judiciary Committee will begin 6 days of hearings on the operation *of the pretrial release system in the Fed*eral courts. The hearings will be held on July 16 and 17 in room 1202 of the New Senate Office Building, and on July 18, 23, 24, and 25 in room 2228 of the New Senate Office Building. Hearings will commence at 10 a.m. on the first 4 days, and at 9:30 a.m. on the last 2 days.

These hearings will be the first of a series designed to conduct a comprehensive study of the administration of the Bail Reform Act of 1966. The subcommittee will seek to devise means of encouraging judges to make more *thoughtful use of the release restrictions* authorized by the act. It will consider recommendations for better methods of securing the background information necessary for release determinations, for providing sanctions for violation of release conditions, and for increased cooperation among the various agencies and *individuals involved in the pretrail re*lease system. The subcommittee will pay particular attention to the problem of preventive detention, the concept of denying release to an accused person who presents a clear danger to society if left *free before trial. Careful consideration* will be given to the very sensitive constitutional and practical problems posed by imprisonment based not upon conviction for a crime, but upon predicted future criminal conduct.

It is the subcommittee's intention to hear from the broadest spectrum of opinion possible upon which to base recommendations and additional legislation. I ask unanimous consent that the list of witnesses scheduled to testify at the hearings be printed in the RECORD at this point.

There being no objection, the list was ordered to be printed in the RECORD, as follows:

WITNESS LIST, HEARINGS ON BAIL REFORM ACT OF 1966, SUBCOMMITTEE ON CONSTITUTIONAL RIGHTS

Tuesday, July 16, 1968, at 10:00 a.m., Room 1202, New Senate Office Building:

Honorable Robert C. Byrd, United States Senator from West Virginia;

Honorable George L. Hart, Jr., Judge, United States District Court for the District of Columbia; Chairman, Judicial Council Committee to Study the Operation of the Bail Reform Act in the District of Columbia;

Honorable David G. Bress, United States Attorney for the District of Columbia;

Honorable Alfred P. Murrah, Oklahoma City, Oklahoma, Chief Judge, U.S. Court of Appeals for the 10th Circuit; Chairman, American Bar Association Advisory Committee on Pretrial Proceedings.

Wednesday, July 17 at 10:00 a.m., Room 1202, New Senate Office Building:

Honorable Daniel B. Brewster, United States Senator from Maryland;

Mr. Robert N. Niles, Director, District of Columbia Bail Agency;

Mr. Harry I. Subin, Associate Director, Vera Institute of Justice, New York, New York.

Thursday, July 18 at 10:00 a.m., Room 2228, New Senate Office Building:

Honorable Joseph D. Tydings, United States Senator from Maryland;

Honorable Charles W. Halleck, Judge, District of Columbia Court of General Sessions;

Mrs. Patricia M. Wald, Washington, D.C. Attorney, Member, D.C. Judicial Council Committee to Study the Bail Reform Act; Commissioner, President's Commission on Crime in the District of Columbia;

Mr. Charles B. Murray, Washington, D.C. *Attorney, Member, American Bar Association* Advisory Committee on the Criminal Trial.

Tuesday, July 23 at 10:00 a.m., Room 2228, New Senate Office Building:

Honorable Ramsey Clark, Attorney General of the United States;

Dean Charles E. Ares, Dean, School of Law, University of Arizona; Reporter, American Bar Association Advisory Committee on Pretrial Release;

Mr. Lawrence Speiser, Director, Washington Office, American Civil Liberties Union;

Mrs. Barbara B. Bowman, Legal Aid Agency for the District of Columbia; Member, D.C. Judicial Council Committee to Study the Bail Reform Act;

Dean A. Kenneth Pye, Dean, *School of Law*, Duke University; Advisor, President's Commission on Law Enforcement and Administration of Justice.

Wednesday, July 24, at 9:30 a.m., Room 2228, New Senate Office Building:

Dean Edward L. Barrett, Jr., Dean, School of Law, University of California, Davis; Member, American Bar Association Advisory Committee on *Pretrial Release*;

Professor Paul E. Wilson, School of Law, University of Kansas;

Honorable Frank J. Murray, Judge, United States District Court for the District of Massachusetts; Member, American Bar Association Advisory Committee on Pretrial *Release*;

Mr. Tom Karas, Office of Federal Criminal Defense, Maricopa County Legal Aid Society, Phoenix, Arizona;

Mr. Harry D. Steward, Executive Director, Defenders, Inc., Federal Court Office, San Diego, California.

Thursday, July 25 at 9:30 a.m., Room 2228, New Senate Office Building:

Honorable Patrick V. Murphy, Director of Public Safety, Washington, D.C.;

Honorable Tim Murphy, Judge, District of Columbia Court of General Sessions; Member, D.C. Judicial Council Committee to Study the Bail Reform Act;

Major General Charles L. Decker, Director, National Defender Project of the National Legal Aid and Defender Association;

Mr. James F. Hewitt, Attorney in Charge, Federal Criminal Defense Office, the Legal Aid Society of San Francisco;

Mr. Bernard Moldow, Federal Courts Branch, New York City Legal Aid Society.

FEDERAL-AID HIGHWAY ACT OF 1968

Mr. BYRD of West Virginia. Mr. President, at the request of Senator RANDOLPH, I ask that the Chair place before the Senate a message from the House of Representatives on S. 3418.

The PRESIDING OFFICER laid before the Senate the amendment of the House of Representatives to the bill (S. 3418) to authorize appropriations for the fiscal years 1970 and 1971 for the construction of certain highways in accordance with title 23 of the United States Code, and for other purposes which was, strike out all after the enacting clause, and insert:

SHORT TITLE

SECTION 1. This Act may be cited as the "Federal-Aid Highway Act of 1968."

REVISION OF AUTHORIZATION OF APPROPRIATIONS FOR INTERSTATE SYSTEM

SEC. 2. Subsection (b) of section 108 of the *Federal-Aid Highway Act of 1956*, as amended, is amended to read as follows:

"(b) AUTHORIZATION OF APPROPRIATIONS.—For the purpose of expediting the construction, reconstruction, or improvement, inclusive of necessary bridges and tunnels, of the Interstate System, including extensions thereof through urban areas, designated in *accordance with the provisions of subsection* (d) of section 103 of title 23, United States Code, there is hereby authorized to be appropriated the additional sum of $1,000,000,000 for the fiscal year ending June 30, 1957, which sum shall be in addition to the authorization heretofore made for that year, the additional sum of $1,700,000,000 for the fiscal year ending June *30, 1958*, the additional sum of $2,200,000,000 for the fiscal year ending June 30, 1959, the additional sum of $2,500,000,000 for the fiscal year ending June 30, 1960, the additional sum of $1,800,000,000 for the fiscal year ending June 30, 1961, the additional sum of $2,200,000,000 *for the fiscal year ending June 30, 1962, the additional sum of $2,400,000,000 for* the fiscal year ending June 30, 1963, the additional sum of $2,600,000,000 for the fiscal year ending June 30, 1964, the additional sum of $2,700,000,000 for the fiscal year ending June 30, 1965, the additional sum of *$2,800,000,000 for the fiscal year ending* June 30, 1959, the additional sum of $2,500,000,000 for the fiscal year ending June 30, *1967, the additional sum of $3,400,000,000* for the fiscal year ending June 30, 1968, the additional sum of $3,800,000,000 for the fiscal year ending June 30, 1969, the additional sum of $4,000,000,000 for the fiscal year ending June 30, 1970, the additional sum of $4,000,000,000 *for the fiscal year ending June 30, 1971, the additional sum of $4,000,000,000 for* the fiscal year ending June 30, 1972, the additional sum of $4,000,000,000 for the fiscal year ending June 30, 1973, and the additional sum of $2,225,000,000 for the fiscal year ending June 30, 1974. Nothing in this subsection shall be construed to authorize the appropriation of any sums to carry out sections 131, 136, or 319(b) of title 23, United States Code, or any provision of law relating to highway safety enacted after May 1, 1966."

AUTHORIZATION OF USE OF COST ESTIMATE FOR APPORTIONMENT OF INTERSTATE FUNDS

SEC. 3. The Secretary of Transportation is authorized to make the apportionment for fiscal years ending June 30, 1970, and 1971, of the sums authorized to be appropriated for such years for expenditures on the National System of Interstate and Defense Highways, using the apportionment factors contained in table 5A, a revision of table 5 of House Document Numbered 199, Ninetieth Congress, submitted to Congress on June 14, 1968.

EXTENSION OF TIME FOR COMPLETION OF SYSTEM

SEC. 4. (a) The second paragraph of section 101(b) of title 23, United States Code, is amended by striking out "sixteen years' " and inserting in lieu thereof "eighteen years' " and by striking out "June 30, 1972", and inserting in lieu thereof "June 30, 1974".

(b) The introductory phrase and the second and third sentences of section 104(b)(5) of title 23, United States Code, are amended by striking "1972" where it appears and inserting in lieu thereof "1974", and such section 104(b)(5) is further amended by striking the three sentences preceding the last sentence and inserting in lieu thereof the following: "Upon the approval by the Congress, the Secretary shall use the Federal share of such approved estimate in making apportionments for the fiscal years ending June 30, 1970, and June 30, 1971. The Secretary shall make a final revised estimate of the cost of completing the then designated Interstate System after taking into account all previous apportionments made under this section, in the same manner as stated above, and transmit the same to the Senate and the House of Representatives within ten days subsequent to January 2, 1970. Upon the approval by the Congress, the Secretary shall use the Federal share of such approved estimate in making apportionments for the fiscal years ending June 30, 1972, June 30, 1973, and June *30, 1974*."

AUTHORIZATIONS

SEC. 5. For the purpose of carrying out the provisions of title 23, United States Code, the following sums are hereby authorized to be appropriated:

(1) For the Federal-aid primary system and the Federal-aid secondary system and for their extension within urban areas, out of the Highway Trust Fund, $1,000,000,000 for the fiscal year ending June 30, 1970, and $1,000-000,000 for the fiscal year ending June 30, 1971. Nothing in this paragraph shall be construed to authorize the appropriation of any sums to carry out section 131, 136, 319(b) *or chapter 4 of title 23, United States Code.* The sums authorized in this paragraph for each fiscal year shall be available for expenditure as follows:

(A) 45 per centum for projects on the Federal-aid primary highway system;

(B) 30 per centum for projects on the Federal-aid secondary highway system; and

(C) 25 per centum *for projects on* extensions of the Federal-aid primary and Federal-aid secondary highway systems in urban areas.

(2) For traffic operation projects in urban areas as authorized in section 135 of title 23, United States Code, out of the Highway Trust Fund, $125,000,000 for the fiscal year *ending June 30, 1970, and $125,000,000 for* the fiscal year ending June 30, *1971*.

(3) For forest highways, $33,000,000 for the fiscal year ending June 30, 1970, and $33,000,000 for the fiscal year ending June 30, 1971.

(4) For public lands highways, $16,000,000 for the fiscal year ending June 30, 1970, and

$16,000,000 for the fiscal year ending June 30, 1971.

(5) For the forest development roads and trails, $170,000,000 for the fiscal year ending June 30, 1970, and $170,000,000 for the fiscal year ending June 30, 1971.

(6) For public lands development roads and trails, $3,50,000 for the fiscal year ending June 30, 1970, and $5,000,000 for the fiscal year ending June 30, 1971.

(7) For park roads and trails, $30,000,000 for the fiscal year ending June 30, 1971.

(8) For parkways, $11,000,000 for the fiscal year ending June 30, 1971.

(9) For Indian reservation roads and bridges, $30,000,000 for the fiscal year ending June 30, 1970, and $30,000,000 for the fiscal year ending June 30, 1971.

(10) For carrying out section 402 of title 23, United States Code (relating to highway safety programs), $75,000,000 for the fiscal year ending June 30, 1970, and $100,000,000 for the fiscal year ending June 30, 1971. Sums for carrying out section 402 of title 23, United States Code, authorized by this paragraph shall not be apportioned until Congress, by law enacted after the date of enactment of this Act, shall provide for such apportionment.

(11) For carrying out sections 307(a) and 403 of title 23, United States Code (relating to highway safety research and development), the additional sum of $30,000,000 for the fiscal year ending June 30, 1970, and the additional sum of $35,000,000 for the fiscal year ending June 30, 1971.

(12) For the Federal-aid primary system and the Federal-aid secondary system, exclusive of their extensions in urban areas, out of the Highway Trust Fund, $125,000,000 for the fiscal year ending June 30, 1970 and $125,000,000 for the fiscal year ending June 30, 1971, such sums to be in addition to the sums authorized in paragraph (1) of this subsection. The sums authorized in this paragraph for each fiscal year shall be available for expenditure as follows:

(A) 60 per centum for projects on the Federal-aid primary highway system; and

(B) 40 per centum for projects on the Federal-aid secondary system.

HIGHWAY BEAUTIFICATION

SEC. 6. (a) Section 131(b) of title 23, United States Code, is amended to read as follows:

"(b) The Secretary shall encourage and assist the States to provide for effective control of the erection and maintenance of outdoor advertising signs, displays, and devices along the Interstate System and the Federal-aid primary system which are within six hundred and sixty feet of the nearest edge of the right-of-way and visible from the main traveled way of the systems."

(b) The first sentence of subsection (1) of section 131, title 23, United States Code, is amended by striking out "under subsection (b) of this section, or to do so" and the seventh sentence of such subsection is amended by striking out "under subsection (b) of this section or".

(c) Section 131(d) of title 23, United States Code, is amended by inserting the following sentence between the second and third sentences of the subsection: "Whenever the State authority or a bona fide local zoning authority has made a determination of customary use or what constitutes unzoned commercial or industrial areas, such determination will be acccepted in lieu of controls by agreement in the zoned and unzoned commercial and industrial areas within the geographical jurisdiction of such authority."

(d) The first sentence of section 131(j) of title 23, United States Code, is amended by striking out ", but no such State" down through and including "stricter".

(e) Section 131 of title 23, United States Code, is amended by adding at the end thereof the following new subsection:

"(n) No sign, display, or device shall be required to be removed under this section if the Federal share of the just compensation to be paid upon removal of such sign, display, or device is not available to make such payment."

(f) Section 136(b) of title 23, United States Code, is amended to read as follows:

"(b) No State which the Secretary determines has not made provision for effective control of the establishment and maintenance along the Interstate System and the primary system of outdoor junkyards, which are within one thousand feet of the nearest edge of the right-of-way and visible from the main traveled way of the system, shall receive any allocation made after the date of enactment of the Federal Aid Highway Act of 1968 under section 319(b) of this title, until such time as such State shall provide for such effective control. Whenever he determines it to be in the public interest, the Secretary may suspend, for such periods as he deems necessary, the application of this subsection to a State."

(g) There is authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, for necessary administrative expenses in carrying out sections 131, 136, and 319(b) of title 23, United States Code, not to exceed $1,250,000 for the fiscal year ending June 30, 1969, $1,250,000 for the fiscal year ending June 30, 1970, and $1,250,000 for the fiscal year ending June 30, 1971.

(h) The Secretary of Transportation shall submit to Congress on or before January 1, 1969, a full and complete report of past administration of sections 131, 136, and 319 of title 23 of the United States Code, together with a report of expected future administration of such sections, and his recommendations with respect thereto.

ADVANCE ACQUISITION OF RIGHTS-OF-WAY

SEC. 7. (a) Subsection (b) of section 108 of title 23, United States Code, is amended by striking out "this section" and inserting in lieu thereof "subsection (a) of this section".

(b) Section 108 of title 23, United States Code, is amended by adding at the end thereof the following new subsection:

"(c)(1) There is hereby established in the Treasury of the United States a revolving fund to be known as the right-of-way revolving fund which shall be administered by the Secretary in carrying out the provisions of this subsection. Sums authorized to be appropriated to the right-of-way revolving fund shall be available for expenditure without regard to the fiscal year for which such sums are authorized.

"(2) For the purpose of acquiring rights-of-way for future construction of highways on any Federal-aid system and for making payments for the moving or relocation of persons, businesses, farms, and other existing uses of real property caused by the acquisition of such rights-of-way, in addition to the authority contained in subsection (a) of this section, the Secretary, upon request of a State highway department, is authorized to advance funds, without interest, to the State from amounts available in the right-of-way revolving fund, in accordance with rules and regulations prescribed by the Secretary. Funds so advanced may be used to pay the entire costs of projects for the acquisition of rights-of-way, including the net cost to the State of property management, if any, and related moving and relocation payments made pursuant to section 133 or chapter 5 of this title.

"(3) Actual construction of a highway on rights-of-way, with respect to which funds are advanced under this subsection, shall be commenced within a period of not less than two years nor more than seven years following the end of the fiscal year in which the Secretary approves such advance of funds, unless the Secretary, in his discretion, shall provide for an earlier termination date. Immediately upon the termination of the period of time within which actual construction must be commenced, in the case of any project where such construction is not commenced before such termination, or upon approval by the Secretary of the plans, specifications, and estimates for such project for the actual construction of a highway on rights-of-way with respect to which funds are advanced under this subsection, whichever shall occur first, the right-of-way revolving fund shall be credited with an amount equal to the Federal share of the funds advanced, as provided in section 120 of this title, out of any Federal-aid highway funds apportioned to the State in which such project is located and available for obligation for projects on the Federal-aid system of which such project is to be a part, and the State shall reimburse the Secretary in an amount equal to the non-Federal share of the funds advanced for deposit in, and credit to, the right-of-way revolving fund."

(c) There is authorized to be appropriated, out of the highway trust fund, to the right-of-way revolving fund established by subsection (c) of section 108 of title 23, United States Code, $100,000,000 for the fiscal year ending June 30, 1970, $100,000,000 for the fiscal year ending June 30, 1971, and $100,000,000 for the fiscal year ending June 30, 1972.

(d) On or before January 1 next preceding the commencement of each fiscal year for which funds are authorized to be appropriated to the right-of-way revolving fund by subsection (c) of this section, the Secretary shall apportion the funds so authorized for such fiscal year to the States. Each State shall be apportioned for such fiscal year an amount which bears the same percentage relationship to the total amount being apportioned under this subsection as the total of all apportionments made to such State for such fiscal year under paragraphs (1), (2), (3), and (5), of subsection (b) of section 104 of title 23, United States Code, bears to the total of all amounts apportioned under such paragraphs to all States for such fiscal year. Amounts apportioned under this subsection shall not be construed to be authorizations of appropriations for the construction, reconstruction, or improvement of the Interstate System for the purposes of subsection (g) of section 209 of the Highway Revenue Act of 1956.

(e) Funds apportioned to a State under this subsection (d) of this section shall remain available for obligation for advances to such State until October 1 of the fiscal year for which such apportionment is made. All amounts not advanced or obligated for advancement before such date shall revert to the right-of-way revolving fund and together with all other amounts credited and reimbursed to such fund shall be available for advances to the States to carry out subsection (c) of section 108 of title 23, United States Code, in an equitable manner, taking into consideration each State's need for, and ability to use, such advances, in accordance with such rules and regulations as the Secretary of Transportation shall establish.

DEFINITIONS OF FOREST ROAD OR TRAIL AND FOREST DEVELOPMENT ROADS AND TRAILS

SEC. 8. The fourth and fifth paragraphs in section 101(a) of title 23, United States Code, are amended to read as follows:

"The term 'forest road or trail' means a road or trail wholly or partly within or adjacent to and serving the national forests and other areas administered by the Forest Service.

"The term 'forest development roads and trails' means those forest roads or trails of primary importance for the protection, administration, and utilization of the national forest and other areas administered by the Forest Service or, where necessary, for the use and development of the resources upon which communities within or adjacent to the national forest and other areas administered by the Forest Service are dependent."

FOREST DEVELOPMENT ROADS AND TRAILS

SEC. 9. Subsection (c) of section 205 of of title 23, United States Code, is amended to read as follows:

"(c) Construction estimated to cost $15,000 or more per mile or $15,000 or more per project for projects with a length of less than one mile, exclusive of bridges and engineering, shall be advertised and let to contract. If such estimated cost is less than $15,000 per mile or $15,000 per project for projects with a length of less than one mile or if, after proper advertising, no acceptable bid is received or the bids are deemed excessive, the work may be done by the Secretary of Agriculture on his own account."

URBAN AREA TRAFFIC OPERATIONS IMPROVEMENT PROGRAMS

SEC. 10. (a) Chapter 1 of title 23, United States Code, is amended by adding immediately after section 134 the following new section 135:

"§ 135. Urban area traffic operations improvement programs

"(a) The Congress hereby finds and declares it to be in the national interest that each State should have a continuing program within the designated boundaries of urban areas of the State designed to reduce traffic congestion and to facilitate the flow of traffic in the urban areas.

"(b) The Secretary may approve under this section any project on an extension of the Federal-aid primary or secondary system in urban areas for capital improvements which directly facilitate and control traffic flow, such as grade separation of intersections, widening of lanes, channelization of traffic, traffic control systems, and loading and unloading ramps, if such project is based on a continuing comprehensive transportation planning process carried on in accordance with section 134 of this title.

"(c) The sums authorized to carry out this section shall be apportioned in accordance with section 104(b) (3) of this title.

"(d) The Secretary shall report annually on projects approved under this section with any recommendations he may have for further improvement of traffic operations in accordance with this section."

(b) The analysis of chapter 1 of title 23, United States Code, is hereby amended by adding thereto, immediately after the catchline for section 134, the following:

"135. Urban area traffic operations improvement programs."

FRINGE PARKING FACILITIES

SEC. 11. (a) The Secretary may, until June 30, 1971, approve as a project under title 23, United States Code, for demonstration purposes, the acquisition of land adjacent to the right-of-way on any Federal-aid highway system outside a central business district, as defined by the Secretary, and the construction of publicly owned parking facilities thereon or within such right-of-way, including the use of the air space above and below the established grade line of the highway pavement, to serve an urban area of more than fifty thousand population. Such parking facility shall be located and designed to permit its use in conjunction with existing or planned public transportation facilities. In the event fees are charged for the use of any such facility, the rate thereof shall not be in excess of that required for maintenance and operation (including compensation to any person for operating such facility).

(b) The Federal share payable on account of any project authorized by this section shall be 75 per centum. Not to exceed 5 per centum of the sums apportioned in accordance with section 104(b) (1), (2), and (3) of title 23, United States Code, shall be available to finance the Federal share payable under this section.

(c) The Secretary shall not approve any project under this section until—

(1) he has determined that the State, or the political subdivision thereof, where such project is to be located, or an agency or instrumentality of such State or political subdivision, has the authority and capability of constructing, maintaining, and operating the facility;

(2) he has entered into an agreement governing the financing, maintenance, and operation of the parking facility with such State, political subdivision, agency, or instrumentality including necessary requirements to insure that adequate public transportation services will be available to persons using such facility; and

(3) he has approved design standards for constructing such facility developed in cooperation with the State highway department.

(d) the term "parking facilities", for purposes of this section, shall include access roads, buildings, structures, equipment, improvements, and interests in lands.

(e) Nothing in this section, or in any rule or regulation issued under this section, or in any agreement required by this section, shall prohibit (1) any State, political subdivision, or agency or instrumentality thereof, from contracting with any person to operate any parking facility constructed under this section, or (2) any such person from so operating such facility.

(f) The Secretary shall not approve any project under this section unless he determines that it is based on a countinuing comprehensive transportation planning process carried on in accordance with section 134 of title 23, United States Code.

(g) The Secretary shall submit to Congress annually a report of the demonstration projects approved under this section together with his recommendations with respect to the future operation of these projects including, but not limited to, the possible sale of such projects to private enterprise and the possibility of future construction of projects of this type by private enterprise.

PREVAILING RATE OF WAGE

SEC. 12. Section 113 of title 23, United States Code, is amended by (1) striking subsection (a) and (b) thereof and inserting, in lieu thereof, the following:

"(a) The Secretary shall take such action as may be necessary to insure that all laborers and mechanics employed by contractors or subcontractors on the initial construction work performed on highway projects on the Federal-aid systems, the primary and secondary, as well as their extensions in urban areas, and the Interstate System, authorized under the highway laws providing for the expenditure of Federal funds upon the Federal-aid systems, shall be paid wages at rates not less than those prevailing on the same type of work on similar construction in the immediate locality as determined by the Secretary of Labor in accordance with the Act of August 30, 1935, known as the Davis-Bacon Act (40 U.S.C. 267a).

"(b) In carrying out the duties of subsection (a) of this section, the Secretary shall consult with the highway department of the State in which a project on any of the Federal-aid systems is to be performed. After giving due regard to the information thus obtained, he shall make a predetermination of the minimum wages to be paid laborers and mechanics in accordance with the provisions of subsection (a) of this section which shall be set out in each project advertisement for bids and in each bid proposal form and shall be made a part of the contract covering the project.

"(c) The provisions of the section shall not be applicable to employment pursuant to apprenticeship and skill training programs which have been certified by the Secretary of Transportation as promoting equal employment opportunity in connection with Federal-aid highway construction programs."

(d) The analysis of chapter 1 of title 23, United States Code, is hereby amended by striking out

"113. Prevailing rate of wage—Interstate System."

and inserting in lieu thereof:

"113. Prevailing rate of wage."

HIGHWAY SAFETY PROGRAM

SEC. 13. Section 402(c) of title 23, United States Code, is amended by striking out the last three sentences thereof.

INTERSTATE SYSTEM ADJUSTMENTS

SEC. 14. The first sentence of subsection (d) of section 103 of title 23, United States Code, is amended by striking out "forty-one thousand miles" and inserting in lieu theroof "forty-four thousand miles".

PROHIBITION OF IMPOUNDMENT OF APPORTIONMENTS AND DIVERSION OF FUNDS

SEC. 15. Section 104 of title 23, United States Code, is amended by adding at the end thereof the following new subsections:

"(f) No part of any sums authorized to be appropriated for expenditure upon any Federal-aid system which has been apportioned pursuant to the provisions of this section shall be impounded or withheld from obligation, for purposes and projects as provided in this title, by any officer or employee of any department, agency, or instrumentality of the executive branch of the Federal Government, except such specific sums as may be determined by the Secretary of the Treasury, after consultation with the Secretary of Transportation, are necessary to be withheld from obligation for specific periods of time to assure that sufficient amounts will be available in the highway trust fund to defray the expenditures which will be required to be made from such fund.

"(g) No funds authorized to be appropriated from the Highway Trust Fund shall be used to pay the administrative expenses of any Federal department, agency, or instrumentality other than the Bureau of Public Roads, or any other department, agency, or instrumentality established by law, Executive Order, or otherwise, either by transfer of funds, reassignment of personnel or activities, contract, or otherwise, unless funds for such expenditure are identified and included as a line item in an appropriation Act and are to meet obligations of the United States heretofore or hereafter incurred under title 23 of the United States Code which are attributable to the construction of Federal-aid highways or planning, research, or development in connection therewith."

ADDITIONS TO THE INTERSTATE SYSTEM

SEC. 16. (a) Chapter 1 of title 23, United States Code, is amended by adding at the end thereof the following new section:

"§ 140. Additions to Interstate System

"Whenever the Secretary determines that a highway on the Federal-aid primary system meets all of the standards of a highway on the Interstate System and that such highway is a logical addition or connection to the Interstate System, he may, upon the affirmative recommendation of the State or States involved, designate such highway as a part of the Interstate System. The mileage of any highway designated as part of the Interstate System under his section shall not be charged against the limitation established by the first sentence of section 103(d) of this title. The designation of a highway as part of the Interstate System under this section shall create no Federal financial responsibility with respect to such highway."

(b) The analysis of chapter 1 of title 23, United States Code, is amended by adding at the end thereof the following:

"140. Additions to Interstate System."

FUNCTIONAL HIGHWAY CLASSIFICATION STUDY

SEC. 17. The Secretary of Transportation shall, in the report to Congress required to be submitted by January 1970 by section 3 of the Act of August 28, 1965 (79 Stat. 578; Public Law 89–139), include the results of a systematic nationwide functional highway classification study to be made in cooperation with the State highway departments and local governments with particular attention to the establishment of highway system categories, rural and urban, according to the functional importance of routes, desirable as one of the bases for realigning Federal highway programs to better meet future needs and priorities.

PRESERVATION OF PARK LANDS

SEC. 18. Section 4(f) of the Department of Transportation Act (80 Stat. 931; Public Law 89–670) is amended by inserting "federally owned" immediately after "the use of any" in the last sentence of such subsection and by striking out "(1)" in such sentence and all that follows down through and including the period at the end thereof and inserting in lieu thereof the following: "such program or project includes all possible planning, including feasible and prudent alternatives to the use of such land, to minimize any harm to such park, recreation area, wildlife and waterfowl refuge, or historic site resulting from such use."

FORT WASHINGTON PARKWAY

SEC. 19. (a) The Secretary of the Interior is authorized to acquire by (1) donation, (2) purchase with donated funds, (3) purchase with funds appropriated to him under subsection (c) of this section, (4) transfer from any other Federal department, agency, or instrumentality (including the government of the District of Columbia), or (5) exchange, lands and interests in lands in Prince Georges County, Maryland, within the boundary depicted on drawing NCR 117.4—186 which is on file and available for public inspection in the offices of the National Park Service, Department of the Interior. Notwithstanding any other provision of law, any property of the United States within the boundary depicted on such drawing may, with the concurrence of the head of the department, agency, or instrumentality having jurisdiction thereof, be transferred without reimbursement to the Secretary of the Interior to carry out this section.

(b)(1) With respect to those lands which are identified on the map by the legend "Fee simple acquisition to be acquired", striped green, the Secretary of the Interior is authorized to acquire the fee simple absolute title to such property.

(2) With respect to lands which are identified on the map by the legend "Private development areas" striped blue, the Secretary of the Interior is authorized to acquire only such easements and other interests in lands less than fee simple title as may be necessary to protect the natural scenery and shoreline of such property, and to prohibit the use of such property for industrial or commercial purposes or for residential purposes, other than low density single family detached dwellings, except that any such property which on the date of enactment of this section is lawfully used for any purposes thereafter prohibited by this paragraph may continue to be used for such purpose until such time as it ceases to be so used.

(c) No money shall be expended by the Secretary of the Interior under this section until he shall have received definite commitments from the State of Maryland or from political subdivisions thereof, for one-half the cost of acquiring land easements or interests in lands under subsection (b) of this section, other than lands belonging to the United States on the date of enactment of this section or donated to the United States to carry out this section. In the discretion of the Secretary he may advance the State of Maryland, or any political subdivision thereof, the full amount of the funds necessary for the acquisition of lands under subsection (b) of this section on the condition that the State or political subdivision reimburse the United States one-half the cost of such acquisition, without interest, within a period of not to exceed 8 years from the date of such funds are so advanced.

(d) There is authorized to be appropriated to the Secretary of the Interior to carry out this section an amount equal to the unappropriated balance of the amount authorized to be appropriated in subsection (a) of the first section of the Act of May 29, 1930 (46 Stat. 482), as amended, for acquiring and developing the George Washington Memorial Parkway, and the authorization contained in such first section of such Act of May 29, 1930, is reduced by such amount.

(e) Upon the completion of the acquisition of all of the real property and interests in real property authorized by this section, the Secretary of the Interior shall report to Congress his recommendations (including any necessary legislation) on the construction of the Fort Washington Parkway through the portion of Prince Georges County, Maryland, authorized to be acquired under this section. Such report shall include cost estimates and other information as may be necessary for the authorization of construction of such parkway by Congress.

GARDEN STATE PARKWAY

SEC. 20. (a) The amount of all Federal-aid highway funds paid on account of those sections of the Garden State Parkway in the State of New Jersey referred to in subsection (c) of this section shall, prior to the collection of any tolls thereon, be repaid to the Treasurer of the United States. The amount so repaid shall be deposited to the credit of the appropriation for "Federal-Aid Highways (Trust Fund)". At the time of such repayment the Federal-aid projects with respect to which such funds have been repaid and any other Federal-aid project located on said sections of such parkway and programed for expenditure on any such project, shall be credited to the unprogramed balance of Federal-aid highways funds of the same class last apportioned to the State of New Jersey. The amount so credited shall be in addition to all other funds then apportioned to said State and shall be available for expenditure in accordance with the provisions of title 23, United States Code, as amended or supplemented.

(b) When the New Jersey Highway Authority shall have constructed toll-free highway facilities in the vicinity of said sections of the Garden State Parkway in accordance with a general plan approved by the Secretary of Transportation as adequate to service local traffic, and pursuant to an agreement between the Authority and the State of New Jersey, acting by and through its State House Commission concerning the financing and construction of such facilities, then upon the repayment of Federal-aid highway funds and the cancellation and withdrawal from the Federal-aid highway program of all projects on such sections of the Garden State Parkway as provided in subsection (a) of this section, such sections shall become and be free of any and all restrictions contained in title 23, United States Code, as amended or supplemented, or in any regulation thereunder, with respect to the imposition and collection of tolls or other charges thereon or for the use thereof.

(c) The provisions of this section shall apply to the following sections of the Garden State Parkway:

(1) That section of the parkway near Cape May Court House from interchange numbered 8 to interchange numbered 12 at route United States 9—a distance of approximately four and twenty one-hundredths centerline miles.

(2) That section of the parkway from a point near its connection with route United States 9 north of Toms River to Dover Road in South Toms River—a distance of approximately two and fifty one-hundredths centerline miles.

(3) That section of the parkway from route United States 9 in Woodbridge to the Middlesex-Union County line—a distance of approximately six and thirty-seven one-hundredths centerline miles.

(4) That section of the parkway from a point near its connection with the Middlesex-Union County line to a point near its connection with route United States 22 in Union Township—a distance of approximately seven and ninety-two one-hundredths centerline miles.

SECTION 103, TITLE 23, UNITED STATES CODE

SEC. 21. Paragraph (2) of subsection (d) of section 103 of title 23, United States Code, is amended by striking out "1965 Interstate System cost estimate set forth in House Document Numbered 42, Eighty-ninth Congress" and inserting in lieu thereof "1968 Interstate System cost estimate set forth in House Document Numbered 199, Ninetieth Congress, as revised".

CONSTRUCTION CONTRACTS

SEC. 22. Subsection (b) of section 112 of title 23, United States Code, is amended by adding at the end thereof the following: "Contracts for the construction of each project shall be awarded only on the basis of the low responsive bid submitted by a bidder meeting established criteria of responsibility. No requirement or obligation shall be imposed as a condition precedent to the Secretary's concurrence in the award of a contract to such bidder, unless such requirement or obligation is specifically set forth in the advertised specifications."

DISTRICT OF COLUMBIA

SEC. 23. (a) Chapter 3 of title 23 of the United States Code is amended by inserting immediately following section 312 the following new section:

"§ 313. Interstate routes in the District of Columbia

"Notwithstanding any other provision of law, or any court decision or administrative action to the contrary, the Secretary of Transportation and the government of the District of Columbia shall, as soon as possible after the enactment of this section, construct all routes on the Interstate System within the District of Columbia as set forth in the document entitled '1968 Estimate of the Cost of Completion of the National System of Interstate and Defense Highways in the District of Columbia' submitted to Congress by the Secretary of Transportation with, and as a part of, 'The 1968 Interstate System Cost Estimate' printed as House Document Numbered 199, Ninetieth Congress. Such construction shall be carried out in accordance with all other applicable provisions of this title."

(b) The analysis of chapter 3 of title 23, United States Code, is hereby amended by inserting immediately following:

"312. Detail of Army, Navy, and Air Force officers."

the following:

"313. Interstate routes in the District of Columbia."

RELOCATION ASSISTANCE

SEC. 24. Title 23, United States Code, is hereby amended by adding at the end thereof a new chapter:

"CHAPTER 5.—HIGHWAY RELOCATION ASSISTANCE

"Sec.
"501. Declaration of policy.
"502. Assurances of adequate relocation assistance program.
"503. Administration of relocation assistance program.
"504. Federal reimbursement.
"505. Relocation payments.

"506. Replacement housing.
"507. Expenses incidental to transfer of property.
"508. Relocation services.
"509. Relocation assistance programs on Federal highway projects.
"510. Authority of Secretary.
"511. Definitions.

"§ 501. Declaration of policy

"Congress hereby declares that the prompt and equitable relocation and reestablishment of persons, businesses, and farmers displaced as a result of the Federal highway programs and the construction of Federal-aid highways is necessary to insure that a few individuals do not suffer disproportionate injuries as a result of programs designed for the benefit of the public as a whole. Therefore, Congress determines that relocation payments and advisory assistance should be provided to all persons so displaced in accordance with the provisions of this title.

"§ 502. Assurances of adequate relocation assistance program

"The Secretary shall not approve any project under section 106 or section 117 of this title which will cause the displacement of any person, business, or farm operation unless he receives satisfactory assurances from the State highway department that—

"(1) fair and reasonable relocation and other payments shall be afforded to displaced persons in accordance with sections 505, 506, and 507 of this title;

"(2) relocation assistance programs offering the services described in section 508 of this title shall be afforded to displaced persons; and

"(3) within a reasonable period of time prior to displacement there will be available, to the extent that can reasonably be accomplished, in areas not generally less desirable in regard to public utilities and public and commercial facilities and at rents or prices within the financial means of the families and individuals displaced, decent, safe, and sanitary dwellings, as defined by the Secretary, equal in number to the number of and available to such displaced families and individuals and reasonably accessible to their places of employment.

"§ 503. Administration of relocation assistance program

"In order to prevent unnecessary expenses and duplication of functions, a State highway department may make relocation payments or provide relocation assistance or otherwise carry out the functions required under this chapter by utilizing the facilities, personnel, and services of any other Federal, State, or local governmental agency having an established organization for conducting relocation assistance programs.

"§ 504. Federal reimbursement

"The Secretary shall approve, as a part of the cost of construction of a project under any Federal-aid highway program which he administers, the cost of providing the payments and services described in section 502.

"§ 505. Relocation payments

"(a) PAYMENTS FOR ACTUAL EXPENSES.—Upon application approved by the State agency, a person displaced by any highway project approved under section 106 or section 117 of this title may elect to receive actual reasonable expenses in moving himself, his family, his business, or his farm operation, including personal property.

"(b) OPTIONAL PAYMENTS—DWELLINGS.—Any displaced person who moves from a dwelling who elects to accept the payments authorized by this subsection in lieu of the payments authorized by subsection (a) of this section may receive—

"(1) a moving expense allowance, determined according to a schedule established by the Secretary, not to exceed $200; and

"(2) a dislocation allowance of $100.

"(c) OPTIONAL PAYMENTS—BUSINESSES AND FARM OPERATION.—Any displaced person who moves or discontinues his business or farm operation who elects to accept the payment authorized by this section in lieu of the payment authorized by subsection (a) of this section, may receive a fixed relocation payment in an amount equal to the average annual net earnings of the business or farm operation, or $5,000, whichever is the lesser. In the case of a business, no payment shall be made under this subsection unless the State agency is satisfied that the business (1) cannot be relocated without a substantial loss of its existing patronage, and (2) is not part of a commercial enterprise having at least one other establishment, not being acquired by the State or by the United States, which is engaged in the same or similar business. For purposes of this subsection, the term 'average annual net earnings' means one-half of any net earnings of the business or farm operation, before Federal, State, and local income taxes, during the two taxable years immediately preceding the taxable year in which such business or farm operation moves from the real property acquired for such project, and includes any compensation paid by the business or farm operation to the owner, his spouse, or his dependents during such two-year period.

"§ 506. Replacement housing

"(a) In addition to amounts otherwise authorized by this title, the State agency shall make a payment to the owner of real property acquired for a project which is improved by a single-, two-, or three-family dwelling actually owned and occupied by the owner for not less than one year prior to the initiation of negotiations for the acquisition of such property. Such payment, not to exceed $5,000, shall be the amount, if any, which, when added to the acquisition payment, equals the average price required for a comparable dwelling determined, in accordance with standards established by the Secretary, to be a decent, safe, and sanitary dwelling adequate to accommodate the displaced owner, reasonably accessible to public services and places of employment and available on the private market. Such payment shall be made only to a displaced owner who purchases and occupies a dwelling within one year subsequent to the date on which he is required to move from the dwelling acquired for the project. No such payment shall be required or included as a project cost under section 504 of this title if the owner-occupant receives a payment required by the State law of eminent domain which is determined by the Secretary to have substantially the same purpose and effect as this section and to be part of the cost of the project for which Federal financial assistance is available.

"(b) In addition to amount otherwise authorized by this title, the State agency shall make a payment to any individual or family displaced from any dwelling not eligible to receive a payment under subsection (a) of this section which dwelling was actually and lawfully occupied by such individual or family for not less than 90 days prior to the initiation of negotiations for acquisition of such property. Such payment, not to exceed $1,500, shall be the amount which is necessary to enable such person to lease or rent for a period not to exceed 2 years, or to make the down payment on the purchase of, a decent, safe, and sanitary dwelling of standards adequate to accommodate such individual or family in areas not generally less desirable in regard to public utilities and public and commercial facilities.

"§ 507. Expenses incidental to transfer of property

"(a) In addition to amounts otherwise authorized by this title, the State shall reimburse the owner of real property acquired for a project for reasonable and necessary expenses incurred for (1) recording fees, transfer taxes, and similar expenses incidental to conveying such property; (2) penalty costs for prepayment of any mortgage entered into in good faith encumbering such real property if such mortgage is on record or has been filed for record under applicable State law on the date of final approval by the State of the location of such project; and (3) the pro rata portion of real property taxes paid which are allowable to a period subsequent to the date of vesting of title in the State, or the effective date of the possession of such real property by the State, whichever is earlier.

"(b) No payment received under this chapter shall be considered as income for the purposes of the Internal Revenue Code of 1954 or for the purpose of determining the eligibility or the extent of eligibility of any person for assistance under the Social Security Act or any other Federal law.

"§ 508. Relocation services

"(a) Each State shall provide a relocation advisory assistance program which shall include such measures, facilities, or services as may be necessary or appropriate in order—

"(1) to determine the needs, if any, of displaced families, individuals, business concerns, and farm operators for relocation assistance;

"(2) to assure that, within a reasonable period of time, prior to displacement there will be available, to the extent that can reasonably be accomplished, in areas not generally less desirable in regard to public utilities and public and commercial facilities and at rents or prices within the financial means of the families and individuals displaced, housing meeting the standards established by the Secretary for decent, safe, and sanitary dwellings, equal in number to the number of, and available to, such displaced families and individuals and reasonably accessible to their places of employment;

"(3) to assist owners of displaced businesses and displaced farm operators in obtaining and becoming established in suitable locations; and

"(4) to supply information concerning the Federal Housing Administration home acquisition program under section 221(d)(2) of the National Housing Act, the small business disaster loan program under section 7(b)(3) of the Small Business Act, and other State or Federal programs offering assistance to displaced persons.

"(b) Nothing in this chapter shall be construed to prohibit any person from exercising any right or remedy available to him under State law with respect to any action of a State agency in carrying out this chapter.

"§ 509. Relocation assistance programs on Federal highway projects

'Notwithstanding any other provision of law, on and after the effective date of this Act any Federal agency which acquires real property for use in connection with a highway project authorized by section 107 and chapter 2 of this title or any other Federal law shall, in accordance with regulations issued by the Secretary, provide the payments and services described in sections 502, 505, 506, 507, and 508 of this Act. When real property is acquired by a State or local governmental agency for such a Federal project for purposes of this chapter, the acquisition shall be deemed an acquisition by the Federal agency having authority over such project.

"§ 510. Authority of the Secretary

"(a) To carry into effect the provisions of this chapter, the Secretary is authorized to make such rules and regulations as he may determine to be necessary to assure—

"(1) that the payments authorized by this chapter shall be fair and reasonable and as uniform as practicable;

"(2) that a displaced person who makes proper application for a payment authorized for such person by this chapter shall be paid promptly after a move or, in hardship cases, be paid in advance; and

"(3) that any person aggrieved by a determination as to eligibility for a payment authorized by this chapter, or the amount of a payment, may have his application reviewed by the head of the State agency making such determination.

"(b) The Secretary may make such other rules and regulations consistent with the provisions of this chapter as he deems necessary or appropriate to carry out this chapter.

"§ 511. Definitions

"As used in this chapter—

"(1) The term 'person' means—

"(A) any individual, partnership, corporation, or association which is the owner of a business;

"(B) any owner, part owner, tenant, or sharecropper who operates a farm;

"(C) an individual who is the head of a family; or

"(D) an individual not a member of a family.

"(2) The term 'family' means two or more individuals living together in the same dwelling unit who are related to each other by blood, marriage, adoption, or legal guardianship.

"(3) The term 'displaced person' means any person who moves from real property on or after the effective date of this chapter as a result of the acquisition or reasonable expectation of acquisition of such real property, which is subsequently acquired, in whole or in part, for a Federal-aid highway, or as the result of the acquisition for a Federal-aid highway of other real property on which such person conducts a business or farm operation.

"(4) The term 'business' means any lawful activity conducted primarily—

"(A) for the purchase and resale, manufacture, processing, or marketing of products, commodities, or any other personal property;

"(B) for the sale of services to the public; or

"(C) by a nonprofit organization.

"(5) The terms 'farm operation' means any activity conducted solely or primarily for the production of one or more agricultural products or commodities for sale and home use, and customarily producing such products or commodities in sufficient quantity to be capable of contributing materially to the operator's support.

"(6) The term 'Federal agency' means any department, agency, or instrumentality in the executive branch of the Government and any corporation wholly owned by the Government.

"(7) The term 'State agency' means a State highway department or any agency designated by a State highway department to administer the relocation assistance program authorized by this chapter."

SMALL BUSINESS ACT

Sec. 25. Paragraph (3) of section 7(b) of the Small Business Act (15 U.S.C. 636(b)(3)) is amended to read as follows:

"(3) to make such loans (either directly or in cooperation with banks or other lending institutions through agreements to participate on an immediate or deferred basis) as the Administration may determine to be necessary or appropriate to assist any small business concern in continuing in business at its existing location, in reestablishing its business, in purchasing a business, or in establishing a new business, if the Administration determines that such concern has suffered substantial economic injury as the result of its displacement by, or location in, adjacent to, or near, a federally aided urban renewal program or a highway project or any other construction constructed by or with funds provided in whole or in part by the Federal Government; and the purpose of a loan made pursuant to such project or program may, in the discretion of the Administration, include the purchase or construction of other premises whether or not the borrower owned the premises occupied by the business; and".

EMINENT DOMAIN

Sec. 26. Nothing contained in chapter 5 of title 23, United States Code, shall be construed as creating in any condemnation proceedings brought under the power of eminent domain, any element of damages not in existence on the date of enactment of such chapter 5.

ANNUAL REPORT

Sec. 27. The Secretary of Transportation shall report annually to Congress, but no later than January 15 of each year, concerning his administration of chapter 5 of title 23, United States Code, together with his recommendations, including any necessary legislation with respect to such chapter.

FEDERAL SHARE

Sec. 28. Section 120(a) of title 23, United States Code, is hereby amended to read as follows:

"(a) Subject to the provisions of subsection (d) of this section, the Federal share payable on account of any project financed with primary, secondary, or urban funds, on the Federal-aid primary system and the Federal-aid secondary system, shall not exceed 50 per centum of the cost of construction, except that in the case of any State containing non-taxable Indian lands, individual and tribal, public domain lands (both reserved and unreserved), and national forests and national parks and monuments, the Federal share shall be increased by a percentage of the remaining cost equal to the percentage that the area of all such lands in such State is of its total area, except that the Federal share payable on any project in any State shall not exceed 95 per centum of the total cost of any such project."

EFFECTIVE DATE

Sec. 29. This Act and the amendments made by this Act shall take effect on the date of its enactment, except that for the first three years afer such date of enactment sections 502, 505, 506, 507, and 508 of title 23, United States Code, as added by this Act, shall be applicable to a State only to the extent that such State is able under its laws to comply with such sections. After such three-year period such sections shall be completely applicable to all States. Section 133 of title 23, United States Code, shall not apply to any State if sections 502, 505, 506, 507, and 508 of title 23, United States Code, are applicable in that State.

Mr. BYRD of West Virginia. Mr. President, on behalf of Senator Randolph, I move that the Senate disagree to the amendment to S. 3418 adopted by the House, request a conference on the disagreeing votes of the two Houses thereon, and that the Chair be authorized to appoint conferees on the part of the Senate.

The motion was agreed to; and the Presiding Officer appointed Mr. Randolph, Mr. Gruening, Mr. Jordan of North Carolina, Mr. Bayh, Mr. Young of Ohio, Mr. Cooper, Mr. Fong, and Mr. Jordan of Idaho conferees on the part of the Senate.

"NO EXCUSE FOR THIS BEHAVIOR"—AN EDITORIAL

Mr. MILLER. Mr. President, on the front page of the Washington Daily News for July 8 appears an editorial entitled "No Excuse for This Behavior," which makes a timely and accurate evaluation of the shockingly irresponsible statement of the Black United Front regarding the slaying of a Washington policeman.

I ask unanimous consent that the editorial be placed in the Record.

There being no objection, the editorial was ordered to be printed in the Record, as follows:

No Excuse for This Behavior

The clumsy, crass attempt by the Black United Front to justify the heartbreaking slaying of a young Washington policeman, who was trying to make an arrest on the street last Tuesday night, does unaccountable mischief to the advancement of understanding and sympathy between the races here.

"The methods of self-defense by the family charged with the alleged slaying of the honky cop is justifiable homicide," the black power coalition said, "in the same sense that police are allowed to kill black people and call it justifiable homicide."

These are half-cocked, irresponsible, and dangerous words. There can be no excuse for the slaying of a policeman in the performance of his duty and there is, at this writing, no evidence that Pvt. Stephen Williams and his partner, who was so grievously wounded in the same encounter, were not performing their duty at the time. Nor is there any doubt that Pvt. Williams was deliberately slain. (Are we to be asked to believe that he was shot accidentally six times with his or his partner's service revolver?)

Beyond the presumption of innocence which we grant those individuals charged with this homicide, what evidence is there that anyone, except the police, acted in self-defense? Defense against what? Is the Black United Front trying to say that it is all right to shoot policemen in defense against arrest? Apparently so.

It is true that some citizens have been shot by policemen under circumstances which raised doubts as to whether the use of such drastic force was necessary, and it is true that these doubts most often have been resolved in favor of the officers. But it is equally true that a policeman puts his life on the line every day he reports for duty and that the decision to use his gun is perhaps the quickest, most agonizing and important decision he will ever have to make.

The childishly cruel and insensitive statement of the BUF serves only to make the policeman's job more perilous here and the plight of all those who depend upon the protection of the law more pitiful.

It has been pointed out that the Rev. Walter Fauntroy, vice chairman of the D.C. City Council, is a member of the steering committee of the BUF, as is the Rev. Channing Phillips, Democratic National Committeeman for the District. Mr. Fauntroy apparently was absent when the "honky cop" statement was approved. Rev. Phillips was there, but he says the word "honky" was added after he left.

It makes little difference. Where is the reverence these Reverends should have for human life? When it finally appeared to dawn on them that these "honky cops" so sorely abused by their United Front had been brave and good men, their expressions of sorrow for the policemen's families had an empty sound. It was too late. The damage had been done.

When Mr. Fauntroy first joined the BUF we suggested that such membership might compromise his service to all District citizens. We think that conflict of interest has now become acute. He should resign from the Council right now.

As for Mr. Phillips, his display of immaturity in this matter must seriously embarrass the Democratic Party. We trust the voters will retire him at the first opportunity.

Mayor Walter Washington and John Hechinger, chairman of the D.C. City Council, have expressed grave concern about BUF's position in this case. We hope they have made their position crystal clear—especially to Mr. Fauntroy.

SENATE JOINT RESOLUTION 187—ONE MEMBER, ONE VOTE; A PROPOSED CONSTITUTIONAL AMENDMENT TO CHANGE THE METHOD OF CHOOSING A PRESIDENT, WHENEVER THAT CHOICE DEVOLVES UPON THE HOUSE OF REPRESENTATIVES

Mr. YARBOROUGH. Mr. President, I send to the desk, for appropriate reference, a joint resolution proposing a constitutional amendment that relates to the election of the President of the United States, should his election become the prerogative of the House of Representatives. I ask unanimous consent that the text of my proposed amendment be inserted in the RECORD at this point.

There being no objection, the proposed constitutional amendment was ordered to be printed in the RECORD, as follows:

S.J. RES. 187

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled (two-thirds of each House concurring therein), That the following article is proposed as an amendment to the Constitution of the United States, which shall be valid to all intents and purposes as part of the Constitution when ratified by the legislatures of three-fourths of the several States:

"ARTICLE —

"SECTION 1. Whenever the choice of a President devolves upon the House of Representatives under the twelfth article of amendment to this Constitution, each Member of the House of Representatives shall have one vote, a quorum shall consist of two-thirds of the whole number of Members of the House of Representatives, and the affirmative votes of a majority of the Members present and voting shall be required for a choice of a President.

"SEC. 2. This article shall be inoperative unless it shall have been ratified as an amendment to the Constitution by the legislatures of three-fourths of the States within seven years from the date of its submission to the States by the Congress.

"SEC. 3. This article shall take effect on the date of its ratification, except that it shall not take effect earlier than the first day of January 1972."

Mr. YARBOROUGH. Mr. President, omitting the resolving clause, I will read the text of the resolution at this point:

> "SECTION 1. Whenever the choice of a President devolves upon the House of Representatives under the twelfth article of amendment to this Constitution, each Member of the House of Representatives shall have one vote, a quorum shall consist of two-thirds of the whole number of Members of the House of Representatives, and the affirmative votes of a majority of the Members present and voting shall be required for a choice of a President.
>
> "SEC. 2. This article shall be inoperative unless it shall have been ratified as an amendment to the Constitution by the legislatures of three-fourths of the States within seven years from the date of its submission to the States by the Congress.
>
> "SEC. 3. This article shall take effect on the date of its ratification, except that it shall not take effect earlier than the first day of January, 1972."

Mr. President, our political history reveals two times when the selection of our President was made in the House—once in 1801, when Thomas Jefferson was chosen over Aaron Burr, and again in 1825, when John Quincy Adams prevailed over Andrew Jackson. Because the 12th amendment provides a peculiar and essentially undemocratic method of voting for President in the House, neither of these two elections were particularly bright moments for American democracy: the 1801 election took 36 ballots to decide, and the 1825 election became known as the "corrupt bargain" of 1825.

In several "hairbreadth" elections since then, a shift of relatively few votes again would have placed the choice of President in the House. Neal Pierce, in his recent book, "The People's President," points out that a switch in California and Ohio of only 12,487 votes from Truman to Dewey would have thrown that 1948 presidential election into the House. And in 1960 a shift of merely 8,971 popular votes in Illinois and Missouri would have placed the Kennedy-Nixon race in the House.

So I speak here of no "slight chance" that the House of Representatives, in accordance with the provisions of the 12th amendment, might be charged with the responsibility of choosing some future President. Rather I speak of what has been and, undoubtedly, about what will be again.

Unfortunately, the mechanics established by the 12th amendment for choosing the President in the House are such that the majority will of the membership could be thwarted. The portion of the 12th amendment that relates to such an election reads as follows:

> And if no person have such majority, then from the person having the highest numbers not exceeding three on the list of those voted for as President, the House of Representatives shall choose immediately, by ballot, the President. But in choosing the President, the votes shall be taken by states, the representation from each state having one vote; a quorum for this purpose shall consist of a member or members from two-thirds of the states, and a majority of all the states shall be necessary to a choice.

The phrase that my joint resolution primarily seeks to change is the one that reads:

> . . . the votes shall be taken by states, the representation from each state having one vote;

My proposal would establish voting by Members rather than by State. Instead of 435 Members casting 50 votes, there would be 435 votes, with each Member casting one vote.

It is important to note that section 3 of my proposed amendment specifically excludes from its provisions the forthcoming 1968 presidential election, which could be decided by the House in January of 1969. This election is excluded in order to avoid any suggestion that the amendment is proposed this year to facilitate the election of one party's candidate or to prevent the election of another party's candidate.

My amendment is proposed without regard to consideration of party; it is proposed in the hope and belief that it will help prevent any future presidential election in the House from becoming involved in the cynical intrigue and minority manipulation that is possible under the present language of the 12th amendment.

As the system of selection now exists, a small minority of the House membership could elect their presidential candidate. Indeed, it is mathematically possible for only 59 of the 435 Representatives—a mere 13.5 percent of the membership, representing about the same small percentage of our total population—to elect our next President. This would occur if the House delegations from the 26 smallest States voted together for one candidate. I have prepared a chart that demonstrates this mathematical possibility. I ask unanimous consent that this chart, labeled chart A, appear in the RECORD at the conclusion of my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit A.)

Mr. YARBOROUGH. Since my proposed amendment would not apply to the 1968 presidential election, I will use this year as an example of what could happen under the existing provisions of the 12th amendment.

Again I emphasize that I am not attempting to promote the interest of one party over another. I am proposing an amendment to make selection of a President by the House of Representatives more representative of the will of the Nation. I cite the possibilities of the present political year only as an illustration of how the majority will of the people, as well as the majority will of their Representatives in Congress, could be thwarted under the existing provision of the 12th amendment that directs the House to vote by State instead of by Member.

A review of the present composition of the House of Representatives shows that 29 State delegations have a majority of Democratic Members, 18 have a majority of Republican Members, and three are evenly balanced. I ask unanimous consent that chart B, showing the present composition of the House of Representatives, be inserted in the RECORD at the conclusion of my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit B.)

Mr. YARBOROUGH. While the present party balance of the House seems to favor the Democrats, it is the new Congress, to be elected this November, that would elect the next President should his election fall to the House. Under the present system of voting by States, the Democrats could retain majority control of the House this November, but still fail to elect their presidential candidate.

This could occur because of the very close party balance of most of the 50 State delegations in the House. Three State delegations are evenly balanced; four have a Democratic balance of only one seat; and 14 delegations have a Democratic balance of only two seats.

If the Republicans were to win only one additional House seat in each of the three States that are now evenly balanced and in each of the four States that have a Democratic balance of only one seat, and if they were to win two additional seats in any one of the 14 States with a present Democratic balance of two seats, then they would have won much more than nine House seats—they would have won majority control of eight more State delegations.

If the Republicans lose control of none

of the 18 delegations they now hold, they could pick up these nine additional seats in November, and thereby control the majority—26—of State delegations in the House—enough to elect their candidate President, even though they would hold a minority of the total House seats and would represent a minority of the people. I ask unanimous consent that there be placed in the RECORD at the conclusion of my remarks a chart, labeled "Chart C," showing the 21 State delegations with a party balance that could be changed by a shift of two or fewer seats in the November election.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit C.)

Mr. YARBOROUGH. Mr. President, in today's America there is no position so important as the Presidency of the United States. There is no position that so directly affects the life of every American. If American democracy is to be more than a phrase, we must surely insist that the selection of our President be free from the intrigue and minority control that is possible under the 12th amendment to the Constitution.

Should the choice of any future President devolve upon the House of Representatives it is important that the people of America feel their indirect control of that choice. To do this, it is essential that each of the 435 Members of the House, chosen by the people of the 435 congressional districts in America, cast their own vote for the Presidency, and that the majority of these votes determine the selection of the President.

To insist on less is to deny the people their vote, and to make a mockery of popular control of America's public decisionmakers. The present system of voting by States effectively disenfranchises millions of American voters—perhaps a majority—and invites the worst tactics of the smoke-filled room to determine who shall fill the highest office in the land.

No cynical twist of the mechanics of selection should stand between the people and their choice for President, even when that choice must be made in the House. Such a choice should facilitate the popular will, not thwart it.

My proposed amendment would do just that. It would protect the electoral interests of all the people in the House of Representatives and insure that the choice of the President is the choice of the people, not the product of some minority cabal allowed to work their will because of some mathematical peculiarity inherent in the system.

Mr. President, I urge speedy adoption by the Congress of this joint resolution.

The PRESIDING OFFICER. The joint resolution will be received and appropriately referred.

The joint resolution (S.J. Res. 187) proposing an amendment to the Constitution relating to the choosing of a President when the choice devolves upon the House of Representatives, introduced by Mr. YARBOROUGH, was received, read twice by its title, and referred to the Committee on the Judiciary.

EXHIBIT A

CHART A.—HOUSE DELEGATIONS OF THE 26 SMALLEST STATES

State	1960 population	Number of seats in the State's House delegation	Number of seats needed to control the State delegation
1. Alaska	226, 167	1	1
2. Delaware	446, 292	1	1
3. Nevada	285, 278	1	1
4. Vermont	389, 881	1	1
5. Wyoming	330, 066	1	1
6. Hawaii	632, 772	2	2
7. Idaho	667, 191	2	2
8. Maine	969, 265	2	2
9. Montana	674, 767	2	2
10. New Hampshire	606, 921	2	2
11. New Mexico	951, 023	2	2
12. North Dakota	632, 446	2	2
13. Rhode Island	859, 488	2	2
14. South Dakota	680, 514	2	2
15. Utah	890, 627	2	2
16. Arizona	1, 302, 161	3	2
17. Nebraska	1, 411, 330	3	2
18. Arkansas	1, 786, 272	4	3
19. Colorado	1, 753, 967	4	3
20. Oregon	1, 768, 687	4	3
21. Kansas	2, 178, 611	5	3
22. Mississippi	2, 178, 141	5	3
23. West Virginia	1, 860, 421	5	3
24. Connecticut	2, 535, 234	6	4
25. Oklahoma	2, 328, 284	6	4
26. South Carolina	2, 382, 594	6	4
Total	[1] 30, 728, 400	[2] 76	[4] 59

[1] 17.2 percent of the 1960 U.S. population.

[2] 17.4 percent of the House membership.

[3] 13.5 percent of the House membership.

EXHIBIT B

CHART B.—STATE DELEGATIONS IN THE HOUSE OF REPRESENTATIVES, 1968

State	1960 population of the State [1]	House Members	Congressional districts represented by—				Party balance of the State delegation in the House
			Democrats	1960 population represented by Democrats	Republicans	1960 population represented by Republicans	
1. Alabama	3, 266, 740	8	5	2, 023, 512	3	1, 243, 228	Democrat.
2. Alaska	226, 167	1			1	226, 167	Republican.
3. Arizona	1, 302, 161	3	1	440, 415	2	861, 746	Do.
4. Arkansas	1, 786, 272	4	3	1, 341, 553	1	444, 719	Democrat.
5. California	15, 717, 204	38	21	8, 232, 890	17	7, 484, 314	Do.
6. Colorado	1, 753, 967	4	3	1, 314, 973	1	438, 974	Do.
7. Connecticut	2, 535, 234	6	5	2, 131, 033	1	404, 201	Do.
8. Delaware	446, 292	1			1	446, 292	Republican.
9. Florida	4, 951, 560	12	9	3, 814, 461	3	1, 137, 099	Democrat.
10. Georgia	3, 943, 116	10	8	3, 119, 496	2	823, 680	Do.
11. Hawaii	632, 772	2	2	632, 772			Do.
12. Idaho	667, 191	2			2	667, 191	Republican.
13. Illinois	10, 081, 158	24	12	5, 095, 295	12	4, 985, 863	Even.
14. Indiana	4, 662, 498	11	5	2, 122, 403	6	2, 540, 095	Republican.
15. Iowa	2, 757, 537	7	2	833, 895	5	1, 923, 642	Do.
16. Kansas	2, 178, 611	5			5	2, 178, 611	Do.
17. Kentucky	3, 038, 156	7	4	1, 730, 430	3	1, 307, 726	Democrat.
18. Louisiana	3, 257, 022	8	8	3, 257, 022			Do.
19. Maine	969, 265	2	2	969, 265			Do.
20. Maryland	3, 100, 689	8	5	1, 939, 700	3	1, 160, 989	Do.
21. Massachusetts	5, 148, 578	12	7	3, 007, 293	5	2, 141, 285	Do.
22. Michigan	7, 823, 194	19	7	2, 906, 338	12	4, 916, 856	Republican.
23. Minnesota	3, 413, 864	8	3	1, 355, 746	5	2, 058, 118	Do.
24. Mississippi	2, 178, 141	5	5	2, 178, 141			Democrat.
25. Missouri	4, 319, 813	10	8	3, 433, 492	2	886, 321	Do.
26. Montana	674, 767	2	1	327, 066	1	347, 701	Even.
27. Nebraska	1, 411, 330	3			3	1, 411, 330	Republican.
28. Nevada	285, 278	1	1	285, 278			Democrat.
29. New Hampshire	606, 921	2			2	606, 921	Republican.
30. New Jersey	6, 066, 782	15	9	3, 668, 923	6	2, 397, 859	Democrat.
31. New Mexico	951, 023	2	2	951, 023			Do.
32. New York	16, 782, 304	[2] 41	25	10, 326, 011	15	6, 024, 963	Do.
33. North Carolina	4, 556, 155	11	8	3, 310, 503	3	1, 245, 652	Do.
34. North Dakota	632, 446	2			2	632, 446	Republican.
35. Ohio	9, 706, 397	24	5	2, 169, 828	19	7, 536, 569	Do.
36. Oklahoma	2, 328, 284	6	4	1, 401, 739	2	926, 545	Democrat.
37. Oregon	1, 768, 687	4	2	895, 713	2	872, 974	Even.
38. Pennsylvania	11, 319, 366	27	14	5, 824, 551	13	5, 494, 785	Democrat.
39. Rhode Island	859, 488	2	2	859, 488			Do.
40. South Carolina	2, 382, 594	6	5	2, 007, 018	1	375, 576	Do.
41. South Dakota	680, 514	2			2	680, 514	Republican.
42. Tennessee	3, 567, 089	9	5	1, 877, 275	4	1, 689, 814	Democrat.
43. Texas	9, 579, 677	23	21	8, 768, 877	2	810, 800	Do.
44. Utah	890, 627	2			2	890, 627	Republican.
45. Vermont	389, 881	1			1	389, 881	Do.
46. Virginia	3, 966, 949	10	6	2, 379, 062	4	1, 587, 887	Democrat.
47. Washington	2, 853, 214	7	5	2, 017, 902	2	835, 312	Do.
48. West Virginia	1, 860, 421	5	4	1, 451, 627	1	408, 794	Do.
49. Wisconsin	3, 951, 777	10	3	1, 194, 055	7	2, 757, 722	Republican.
50. Wyoming	330, 066	1			1	330, 066	Do.
Total	[3] 178, 559, 239	435	247	97, 596, 064	187	80, 531, 855	([4]).

[1] *All population figures are 1960, since that is the census upon which present apportionment of House seats is based.*

[2] There are 41 congressional districts in New York though only 40 of them are presently represented. The 18th, with a 1960 population of 431, 330, is officially declared vacant. It was formerly held by Adam Clayton Powell.

[3] Because of the vacancy in New York's 18th District, this figure is 431,330 over the total population represented by Democrats combined with the total population represented by Republicans.

[4] 29 Democrat, 18 Republican, 3 even.

Source: Congressional Directory, 90th Cong., 2d sess., U.S. Government Printing Office, Washington, 1968.

Exhibit C

CHART C.—STATE DELEGATIONS IN WHICH THE PARTY BALANCE CAN SHIFT WITH A RELATIVELY MINOR REPUBLICAN GAIN IN NOVEMBER

[(D) Democrats; (R) Republicans; (E) even]

State	Present balance		Republican gain in November	New balance	
Illinois	12D—12R	E	+1R	11D—13R	R
Montana	1D— 1R	E	+1R	0D— 2R	R
Oregon	2D— 2R	E	+1R	1D— 3R	R
Nevada	1D— 0R	D	+1R	0D— 1R	R
Kentucky	4D— 3R	D	+1R	3D— 4R	R
Pennsylvania	14D—13R	D	+1R	13D—14R	R
Tennessee	5D— 4R	D	+1R	4D— 5R	R
Alabama	5D— 3R	D	+2R	3D— 5R	R
Arkansas	3D— 1R	D	+2R	1D— 3R	R
Colorado	3D— 1R	D	+2R	1D— 3R	R
Hawaii	2D— 0R	D	+2R	0D— 2R	R
Maine	2D— 0R	D	+2R	0D— 2R	R
Maryland	5D— 3R	D	+2R	3D— 5R	R
Massachusetts	7D— 5R	D	+2R	5D— 7R	R
New Jersey	9D— 6R	D	+2R	7D— 8R	R
New Mexico	2D— 0R	D	+2R	0D— 2R	R
Oklahoma	4D— 2R	D	+2R	2D— 4R	R
Rhode Island	2D— 0R	D	+2R	0D— 2R	R
Virginia	6D— 4R	D	+2R	4D— 6R	R
Washington	5D— 2R	D	+2R	3D— 4R	R
West Virginia	4D— 1R	D	+2R	2D— 3R	R

Note: 3 State delegations are evenly balanced; 4 State delegations have a Democratic balance of only 1 seat; and 14 State delegations have a Democratic balance of only 2 seats. By winning 1 additional seat in Illinois, Montana, Oregon, Nevada, Kentucky, Pennsylvania, and Tennessee, and by winning 2 additional seats in, say, Alabama, the Republicans could have majority control of the State delegations of 8 additional States.

Assuming that the Republicans lost none of the 18 State delegations they now hold, they could win as few as these 9 additional congressional seats in November and thereby control the majority (26) of the State delegations in the House of Representatives—enough to elect their candidate President should that election fall to the House.

HOSPITAL CARE FOR VIETNAM VETERANS

Mr. LAUSCHE. Mr. President, intermittently I receive letters from veterans who return from Vietnam complaining about the treatment by our Government and in some instances by the officials of our hospitals. There came to me in the mail today a letter from Russell W. Curtis, who is now confined to the U.S. Naval Hospital in Oakland, Calif. What this young man has had to say is worthy of being printed in the Record of this Congress. I admire the nobility of his character and the stalwartness of his heart and his devotion to his country, and ask unanimous consent to have the letter printed in the Record.

There being no objection, the letter was ordered to be printed in the Record, as follows:

U.S. Naval Hospital,
Oakland, Calif., July 3, 1968.

Hon. Frank J. Lausche,
U.S. Senate,
Washington, D.C.

Dear Sir: I was wounded while serving in the Republic of Viet Nam during August 1967, resulting in the loss of my left arm and damage to the right hand, shrapnel and blast wounds to my legs, abdomen, chest, and face, causing approximately 80 percent loss of vision. Since 23 August 1967 I have been under the care of the Orthopedic Service at the Navy Hospital, Oakland. During the nine months I have been a patient here, I have heard complaints from the men, some perhaps valid, others which I believe to be childish and said without consideration for a group of people who work a lot of long hard hours for our benefit.

Yes, there are times when the laundry is late and we don't get clean sheets until afternoon, times when transportation is tied up and you must wait a half hour or so, times when the soup is cold and the milk is warm, but this is not often and can be expected to occur in an operation as large as this, especially when there is a big increase in patients because of the war in Viet Nam, resulting in serious personnel shortages.

Perhaps due to our despair and concern, even fear, we tend to find fault and complain more when we are uncomfortable and forget to praise and be grateful when all is going well and we feel better.

The worry of families is to be realized and respected. Parents finding their sons seriously or permanently injured and often hospitalized many miles from home feel even more heartache when they hear their sons complain. This sometimes results in unfavorable correspondence with congressmen or other officials.

Unfortunately this can bring about discouraging and embarrassing moments for a group of doctors, nurses, and corpsmen whose dedication and loyalty are proven by their presence and spirit.

I am grateful to the Orthopedic Service, Prosthetics Laboratory, Eye Department, Physical and Occupational Therapy Services of this hospital for their abilities and cheerful attitude in helping me to recover. I have expressed this gratitude many times.

I believe these people should be admired and respected for their work. They deserve a "pat on the back" for a job well done.

I would like to extend this feeling of gratitude to you, Sir, and to ask your help in giving them this "pat on the back."

Respectfully,
Russell W. Curtis,
Master Sergeant,
U.S. Marine Corps.

GUN CONTROL LEGISLATION

Mr. METCALF. Mr. President, the other day in a speech upon the floor of the Senate my distinguished colleague from Montana [Mr. Mansfield], the majority leader, said that he had received more letters regarding gun legislation than he had received upon any other single issue since he came to Congress. I am not sure that my mail is reaching the amount that he is receiving, but a lot of people are saying a lot of things.

Of course, there are some amusing typographical errors; for instance one woman was insisting on "the traditional American right to bare arms." Another correspondent urged me to support "the fun control bill." One letter succinctly said, "Cain killed Abel with a rock. License rocks."

The great spread of ideas on gun control has also been a revelation. The following message on a postcard illustrates the belief of some that there should be absolute prohibition of gun ownership:

June 24, 1968.

I urge you to do what you can to abolish the manufacture and sale of all firearms except for those used by law enforcement officers. A time limit could be put into effect for the surrender of guns. If not surrendered voluntarily, the confiscation of all firearms from manufacturers and sellers and payment made to them for their guns and ammunition. These weapons could be kept in government armories for the use of hunters and gun clubs, rented from the armory and then returned. After the time limit, any law officer should be permitted to search anyone or their premises for a gun and the subsequent confiscation of same.

Thank you,

——— ———.

Several persons wanted to ban the sale of air rifles to minors as well as to prohibit the sale of all conventional guns. One writer asked, "Is a person who enjoys killing emotionally fit to own a gun?" That proposition would, of course, automatically make any man or woman who enjoyed hunting, emotionally unfit to own the necessary equipment.

On the other side, there is the oft-repeated statement that the 2d amendment guarantees the right to own, keep, and carry guns. Montanans are among those who have grown up with guns in the home, who have learned to use guns in childhood, and who regard a gun in the house as ordinary as the kitchen sink or the parlor sofa.

Those who favor the various bills are concerned with the numbers of homicides committed with guns, crimes associated with guns, and the assassination of President Kennedy, Senator Kennedy, and Martin Luther King, to say nothing of the killing of Malcolm X and George Rockwell.

These were terrible crimes. However, it is doubtful if any gun-control laws or regulations could have prevented them. No one knows how many guns we have in the United States. A conservative estimate would be that there are as many guns as people. In Montana, there must be at least twice as many guns as there are people. I am no longer a hunter, I have not killed a living thing since I came back from World War II, but I have nine guns—three rifles, one shotgun, and five handguns. Most Montana families would have more. If there were a flat prohibition on the sale of any gun in America beginning tomorrow, it would be a half century before we could begin to get guns from the criminals, a half century in which hunters, sportsmen, antique gun collectors, and others would be the victims of discrimination.

Actually, as I view the current scene of violence in political murder, I am more concerned about those who shoot firemen and policemen in the course of their duty. The criminal who is planning a holdup will get a gun, the assassin will get a gun, but the voter who uses the gun he has in his house is a person who might react to a situation and use his gun illegally to kill.

The Senator from Connecticut [Mr. Dodd], who has been a great leader in the drive to achieve adequate gun control, opened the hearings on the Federal Firearms Act with this statement:

> We begin these hearings squarely facing the stark reality that, in the first 3 months of this year, serious crime has increased a record 20 percent over the same period for 1966. Crimes of violence account for their share, a substantial share, of this increase. Murder is up 23 percent, robbery is up 32 percent, and aggravated assault is up 15 percent.
>
> And we know that guns are a major player in this deadly game.
>
> They have a role in 60 percent of our murders, two-thirds of our armed robberies, and almost one-fifth of our aggravated assaults.
>
> This added up to 85,000 gun crimes in 1965, and over 100,000 in 1966. And the rate for the first months of 1967 proves that this figure will continue to soar.
>
> As if our crime and racial troubles weren't substantial enough already national firearms spokesman have joined extremist group leaders in urging what might tragically be termed "The Guns of August."
>
> They declaim, in the context of that over-

worked phrase "the long hot summer," that everybody should have guns; to protect themselves, guns to protect their loved ones, guns to protect their homes, and guns to protect their neighborhoods.

The "armed camp," "the posse," "the vigilante," and the "minuteman"—phrases which are throwbacks to the early days of this Nation have degenerated to become a part of the inflammatory vocabulary of our violent times.

This is the position to which we have deteriorated in the country which boasts to the world that we are a country governed by laws.

It is in this present national crisis that we open this hearing on legislation to control the unrestricted acquisition and use of firearms.

These hearings have been requested by the Subcommittee to Investigate Juvenile Delinquency. All the members of this subcommittee agree that the purchase of firearms by irresponsible persons needs to be stopped. Our purpose during these hearings is to find the most effective means to achieve this, our mutual goal.

We recognize that sportsmen have a legitimate interest in firearms for recreation. But we also recognize that a large proportion of the criminal population uses guns to compound their offenses to life and property. We recognize further that emotionally unstable and immature individuals use guns as an escape from problems and as a substitute for adult stature.

We seek to preserve the hunters' and marksmen's valid sport. At the same time we seek to prevent the purchase and use of firearms by those incapable of handling them responsibly.

We must put an end to the unquestioned sale of guns to the juvenile, the criminal, and the emotionally disturbed.

We must eliminate the condition in which a Federal licensee who owns a large metropolitan mail-order house can unknowingly sell firearms to a clientele, 1 out of 4 of whom have criminal records.

We must eliminate the condition in which persons who are unable to purchase guns legally in their home States travel into neighboring States to buy over the counter with no questions asked.

We must eliminate the condition in which a child under 18 years of age can order and receive a rifle or other firearms by mail without the knowledge or consent of his parents.

We must eliminate the condition in which a minor under 21 can order and obtain a handgun by mail or over the counter.

We must eliminate the condition in which any extremist, paramilitary group can acquire an arsenal of destructive devices which include bazookas, mortars, cannons, and mines.

These are conditions that exist today.

While the dealers in each of these situations do not violate the letter of the present Federal law, the fact remains that, because of glaring weaknesses in that law, this interstate traffic in firearms to criminals and children continues to flourish.

We must give States a way in which they can effectively enforce their own ordinances for the control of gun sales.

At present, they cannot do so, as just one of many striking illustrations will show.

Massachusetts investigators found that 87 percent of the guns used in crimes in that State were purchased outside Massachusetts. These guns were not stolen, in spite of claims to the contrary. Seventy percent of the gun sales in the neighboring States of Maine, Vermont, and New Hampshire were to residents of Massachusetts, with its stricter gun laws.

What I want to make clear in this opening statement is that we are going over the bills that have been submitted, that are now pending, S. 1, Amendment 90 to S. 1, the State Firearms Control Assistance Act of 1967, S. 1853, and S. 1854. We know that passage of a law will not stop all crime. What we are trying to do is get reasonable controls so that we can reduce the opportunity for undesirable people to get firearms. That is about all there is to it.

I have only briefly touched on some of the conditions we have uncovered which have convinced many Senators to support the legislation proposed by President Johnson. These conditions are the breeding ground for much of this country's serious crime.

But I want to make it clear that none of the proposed bills will stop all crime in the streets. They will not end all gun killings by children, by suicidal despondents, by deranged snipers, by outraged spouses, or by insensitive criminals.

The proposed legislation does offer the controls to severly limit the opportunities that those incapable of using guns properly will have to obtain them. And in doing so, we can significantly reduce certain types of gun crimes.

It's as simple as that.

The goal of these firearms bills is to assure the citizens of this country that their right to life and the pursuit of happiness is not denied by guns in the hands of those who should not be permitted to possess them in the first place.

Senator Hruska has introduced S. 1853 and S. 1854 which would regulate the mail-order sale and nonresident purchase of handguns between States and would include the so-called destructive devices under the provisions of the National Firearms Act.

Both the bill introduced by me, S. 1, and Amendment 90 which I introduced as a substitute on behalf of the administration, are designed to rigidly control the interstate mail-order sale of firearms to individuals; to regulate the over-the-counter sale of all firearms; to license all dealers, importers, and manufacturers of firearms; to prohibit the importation of military surplus handguns and to regulate all other imported firearms; and to place stringent controls over the destructive devices.

I might add that I don't think there is any difference of opinion among any of us as far as destructive devices are concerned, except how to best get control of them.

The three major bills we are considering would be effective in varying degrees in cutting down the total number of gun crimes. It is my opinion that the administration bill, Amendment 90, would be the most effective because it is the most far reaching.

Some gun owners argue that it is too stringent. We are trying to find out in these hearings whether or not the responsible gun enthusiasts will be willing to sustain slight inconvenience in order to guarantee to all Americans the best possible Federal gun control law.

What we are really doing today is continuing public hearings which began in 1963 on the only major firearms legislation to come before the Congress in almost 30 years.

We are affording time to all those who are concerned with firearms, those in recreation, those in law enforcement, and those in Congress. We want to hear from all of them and give them an opportunity to express their sentiments and to offer their recommendations.

All of us are striving to reduce injuries and deaths by guns in misguided hands, to find the best method to do so.

Note that there is not a word about registration of guns.

When Senator Dodd says we must put an end to "the indiscriminate sale of guns to the juvenile, the criminal, and the emotionally disturbed," the key word is "indiscriminate." The sale of guns to juveniles is consistent with American traditions. Boys and girls who learn to handle guns in their early teens are among the safest owners and users of guns, and grow up to safe gun habits as adults. The purchase of a .22 rifle or a .410 shotgun is a matter of pride for a young boy or girl who has patiently saved for the gun and who establishes a basis for gun care and safety that becomes a lifetime pattern. Parental consent as a condition to the purchase of a gun by a juvenile should not be regarded as too great a burden. But this, as other regulations of similar nature, should be a provision of State law rather than Federal statute.

As for a lumping of the emotionally disturbed, there are many people who have been discharged as cured that are more reliable gun owners than many who are not suspected of emotional disturbance. There is a therapeutic value of being in the outdoors that offsets the suspicion of disturbance among discharged mental patients. The establishment of wilderness and primitive areas and the maintenance of wild rivers and streams have done more for the mental health of many Americans than all the tranquilizers put together. The fact that a man or a woman carries a rifle through the forest or a shotgun along the rivers and lakes does not unbalance the healing effects of the open air.

The Omnibus Crime Control and Safe Streets Act of 1968, which became law on June 19, 1968, accomplishes many of the objectives outlined by Senator Dodd. I was not in complete accord with all the provisions of title IV of that act, which is the principal title dealing with gun control, but it is now law and a part of a rather voluminous body of statutes and regulations relating to gun control.

This act prohibits the sale of destructive devices which include grenades, bombs, rockets, missiles, and also any device which will expel a projectile greater than a half inch in diameter. Thus, the indiscriminate sale of bazookas, hand grenades, antitank guns and the like has now been prohibited. No responsible person can quarrel with this provision. Indeed, legislation on this subject was long overdue.

The aforementioned title IV also prohibited the interstate sale of handguns. In my opinion, even the restriction of handguns was questionable. Many of my correspondents have suggested that they need a handgun to kill predators. One said he needed a pistol for skunks and politicians. However, the use of a handgun for this purpose is not exclusive. For example, a light .22 rifle is much more accurate than such a fine handgun as a Woodsman .22 pistol. The fact that handguns are easily concealed warrants different treatment. Nevertheless there are collectors of firearms, there are men and women who become experts in the use of handguns, and their rights too should be respected. Antique guns, that is, those manufactured before 1898 were provided for in the Crime Act.

As I see it, the Congress has already more than lived up to its responsibility for Federal gun control. Basically, gun control should be a State concern. Legislation needed in New York, Illinois, or

Pennsylvania, with large cities involved, may be quite different from legislation needed in more sparsely settled States such as the one I represent, in part.

If there is any further legislation for gun control, I believe it should be State and local, fitted to the special situations found in our varied 50 States. Of course, it is a Federal responsibility to insure that the various State laws are respected and cannot be avoided by those who cross State lines. As Senator Dodd said in the previously quoted statement:

> We must eliminate the condition in which persons who are unable to purchase guns legally in their home States travel into neighboring States to buy over the counter with no questions asked.

We have done that in title IV.

Now that Congress has enacted the Crime Control and Safe Streets Act, the protection needed for the enforcement and administration of State laws and regulations has been provided.

As to registration of guns, I have read the hearings and the voluminous mail that has been generated, and I have not found a single convincing argument that Federal gun registration will save even one life, will control crimes committed with guns, or will do anything but impose a tremendous burden upon legitimate gun owners at a great expense to the Federal Government.

If I had a registered .45 and wanted to commit a crime with it, registration would be a hindrance to the enforcement agencies and an advantage to me. I would have a gun with numbers on the receiver, and 2 minutes after the shooting have another barrel with different lands and grooves in my registered gun. The disposition of the first barrel would be much simpler than the disposition of a gun, and proof of the use of the registered gun would be much more difficult. I use this example only to point out that knowledgeable criminals—and they are knowledgeable—can always twist general laws to their own advantage, while the law-abiding citizen bears an unjustified and unwarranted burden.

Again, this is a State question. There may be persuasive arguments for registration in New York City, but I have seen none that suggest that Montana or other Western States need Federal registration. Time after time, a comparison with automobiles is advanced. But we have no Federal registration of automobiles. Each State has different statutes and different regulations. And that is as it should be. The automobile in Chicago, as the gun, is a different problem than the automobile or the gun in Montana.

The analogy is not completely an apt one. When there is an accident, the first question is whether or not the victim obtained the license number. What victim is going to get the registration number of a gun used in a holdup? The licensing of automobiles is largely a tax operation. The return from the reporting of guns for tax purposes would be negligible and when the guns were listed and registered, the next step would be an additional prohibitive tax or confiscation. I am not a proponent of the "foot in the door" or the "entering wedge" or "the camel's head under the tent" school of legislation. But after reading the mail, I have learned that many Americans feel that guns should be prohibited except for those carried by law-enforcement officers. Incidentally, I read in a recent news dispatch about some criminals who were arrested while in possession of guns sold to them by policemen. All of this demonstrates that criminals will get weapons from some source. President Johnson hardly had a chance to sign the crime bill before there was a great hue and cry that the legislation was not strong enough. I am certain that registration will not accomplish any of the things my more vehement correspondents desire. Registration will pinpoint and locate legitimate guns. The ink will not be dry on a so-called stronger gun bill before the proponents of absolute elimination of guns will be back, demanding that guns be turned in, that confiscatory license fees be imposed, and that hunters be required to keep their guns under lock and key at licensed, registered, and designated gun clubs.

As I see it, Congress has enacted adequate controls at the Federal level. I would hope that the Montana Legislature would look into this problem at its next session and implement the Montana laws that are necessary to bring my State up to date. The suggestion has been made repeatedly that we license people, not guns. Perhaps the motor vehicle analogy is valid in that respect and that we should license people to possess or use guns. A certificate of competence should allow a person to possess any number of weapons. One of my correspondents from a small Montana town says:

> I believe an identification number or a card making a person eligible to purchase or possess guns would be in order. This would show trust in people rather than hindrance or suspicion. Comparing this to car registration, which has done nothing to limit accidents, but drivers licenses have helped considerably.

The Tydings bill contains a licensing provision, but Federal licensing is not warranted. Something like this provision merits serious consideration at the State level. The NRA program for gun safety and training and other programs fostered by local hunters could form the framework for such training and licensing.

Traditionally, we rely on local communities for law enforcement. The Governor calls in the National Guard only in a state of emergency. The President cannot send troops into a State except upon request from the Governor. This is as it should be under our Federal system. The number of Federal officers to enforce a gun control and registration bill would upset this balance. Thirty years ago, when I was a member of the Montana Legislature, a highway patrol act was passed; but then we were concerned about keeping law-enforcement activities as close to the people as possible. I still have that concern. I do not want a Federal police system having general jurisdiction.

The enforcement question has not been explained adequately. The number of additional officers to enforce the law and the burden on the Federal courts are questions that should have more consideration than they have been given at this time.

In summary, I believe that further gun regulation is up to the States for such legislation as each legislature believes to be appropriate for its own State.

I am opposed to Federal registration of guns. I am opposed to Federal control of interstate sales of rifles and shotguns. I cannot vote for the Tydings bill or even the more moderate Brooke bill. I hope that Congress will give the presently passed laws an opportunity to function and prove their effectiveness. If further legislation is needed, it should be provided at the State level on the basis of the requirements of the individual State or on the basis of experience with enforcement of the existing Federal regulations.

I ask unanimous consent to have printed in the Record a delightful letter from a Montana constituent.

I also ask unanimous consent to have printed in the Record, an article written by Wallace Turner, of the New York *Times.*

There being no objection, the items were ordered to be printed in the Record, as follows:

Hon. Lee Metcalf,
U.S. Senate,
Washington, D.C.

Dear Sir: Altho I have written many letter in the past on this subject, In vew of the letters that are coming in now since the assassination of Robert Kennedy. I thought I had better once more give you something to show that at least one person dont agree with These know all knot heads. That are to dumb to think twice.

It reminds me of a story on Pat and Mike they had found a gun and didn't know what it was. They thought it was a musical instrument Mike pick it up pointed the barrel twards his head and pulled the trigger. and of course it killed him.

Pat said what is the matter Mike was you charmed by the first note.

I think what we really need to do is build a lot of new nut houses. We sure need them for people who wont think.

Yes guns are used to kill people with. But a good bace ball player could have killed any of the people who have reacently been killed with a rock. Or get a womans stocking tied a hangmans knot in it sneeked up behind them slipped it over there heads and strangled them.

Even a few strands of long hair human or animel could be used to cut somebodys throat with I get a white ash sapling and made a bow out of it which can and does shoot arrows.

To get rid of murder by takeing away murder weapons would a lot bigger order than those knot heads think. I dont see how people can be so stuped. And there is a possibility That a lot of letters could be forged. If I was a mind to I could changed my hand writting and sign as many different letters as I wanted to. Jack Brown

And another thing altho many letters are comeing in it may be only a small persentage of the population that are writeing and only the ones in favor of gun legeslation. the rest are so sure it wont pass that they dont take the time to write.

You ask the people who want you to pass gun control laws what kind of a gun cain used to kill his brother Abel with.

I would as soon think as not that it is crimenals ferign conspiriters. and people who want to put over compulsory birth control that are writeing to get the country unarmed so they can take over.

Dont be in any hurry to sell the country out. I wouldn't have given them control over hand guns even. for they are needed for personal protection. You couldnt carry a rifle or shot gun very handy. But a pistol in her hand bag can keep a woman from being raped or murdered.

How about the people who are being killed by knives and other instrements. arnt they just as dead as the rest?

As for me I am like Pat him a Scotsman and a frenchman had killed some body and they were to be exicuted. But they were going to give them there choice of how they wanted to die

They came to the Frenchman and said how do you want to die. I want to be shoot. What with a good rifle. So they stood him up against the wall. They came to the Scotsman how do you want to die. I want my throat cut what with a good razer so they streched him over a bench. they came to Pat and ask how do you want to die. I want to be hung well what kind of a tree do you want to be hung to. Pat said a gooseberry tree. Well there isnt any goose barry trees big enough to hang you to Pat said I will waite until thy grew big enough.

I wouldnt vote for any of these stuped knot heads that are putting up this gun control and birth control ideas for dog catcher.

Sunday June 16

I read in this mornings Daily paper. That President Johnson said top priority must be given to gun control legeslation.

He keeps saying that those who oppose it are influenced by the National Rifle Association I for one have never been a mamber of the N.R.A. I know nothing about what they may or may not be writeing. But I have been one of the best ardent opposers of Gun control and I have done it as a one man commity.

I am more concerned about the need that private citizans be armed for the preservation of home and national safty and the preservation of freedom, Than for sporting purposes good as that is. The Minute we are unarmed. Politicians can put over anything they want and there could be no restance. Like the lineing up of people in Germony for compulsory starlization by Adolph Hitler for example.

I hope you will send this letter on to President Johnson himself. And tell him the answer to his gun control ambishions. Is defentaly finally and for all time desidedly NO.

Why should he have every thing he wants just because he and a few other fools would like to to have it that way.

If he wont listen to anything else file impeachment proseedings against him. Let that matter be put to a vote of all the people before desideing that the wishes of the ones that are doing the most shouting are in the majority.

And consider if it represents practical or just snap judgment before approveing it.

You gave Johnson control over the mail order sale of hand guns but he wasnt satisfied. That proves that when you give him an inch he takes a mile.

If Johnson and all other knot heads like him whether they be in or out of office only knew it. They have more to fear from God almighty. Then the hand of any man can do to them. Remember what happened to Franklin Rosivelt.

He that sets in the heaven dont have to have some human instrement to do something desperate when he sees that some one is not fit to be in a possition of high authority. And that it is not in the interest of sociaty for them to remain. In order to remove them.

I see the position you are in you are supposed to represent the wishes of the majority of the people. And the news papers report a deluge of letters urgeing titer gun control laws.

But these people are not thinking of the full import of what they are urgeing. They dont think of the fact that it would give dictators an advantage over a country. And it would give hold up men the advantage over the law abiding citizens.

We would have to repeal the second ammendment to the constutation of the United States. Or at least make it of no effect.

That it would lay the country wide open to the worst infamys the devil wanted to put over on us and leave us helpless against it.

I dont blame anybody for not wanting to be shot at especally from ambush. But I wouldn't like to be killed by any other means any better.

I am incloseing a peace of womans wearing apparel that would be the last thing you would ever think of as being useful to commit murder with. But if you were to tie a hangmans noose in it and slip it over my head and pull it up tight I would choke before I could get it off. And I cant see how I would be any less dead than if shot.

And Gasoline is suppose to be used to run cars with but when put into a bottle it makes an effective bomb.

People say look at the snipeing that is going on something has to be done about it. Well if you or your house was on fire quick action would be needed but throwing gasoline wouldn't help.

Concerning the Robert Kennedy assessanation all the talk I have heard so has been about Kennedy. How about the other 5 people who were wounded what are there chances of compleat recovery, with no lasting injury?

Now that I have delt with the subject of Gun legislation. I would like to complement you on a bill I read in the paper that was passed that I think is a good thing.

It is a law to prohibit arbitary discrinination in employment because of age, that is makeing it illigal to say we cant hire you because your past 40.

The trouble with useing that excuse for not hireing people is that the bills dont stop comeing when you reach 40.

P.S. June 17 I see in this evenings paper that Mike Mansfield would go for gun regestration.

Well they can take the serial numbers of my guns any time they want. But as for buying a license When they pass that one the can lock me up first I will not cooperate. If they come to take my guns they will get them muzzzle first.

Hon. Lee Metcalf,
U.S. Senate,
Washington, D.C.:

I see by the paper that the Tydings bill to require the registration of all guns and compelling the owners to buy a license to own one, is up before congress.

You have already given Johnson some grounds let him take what you gave him and be satisfied with it.

If you give him everything he wants the next thing he will demand will be compulsory birth control.

And I hope that Almighty God in heaven looks down and remembers what Hitler did in Germany and pronounces a curse upon compulsory sterilization.

May these who force it on any one against there will be followed with remorse for the rest of there lives. May they feel the pain and sorrow of there victems may it haunt them where ever they they go the same as murder does. And may they have no peace unless they find a way to restore the powers they destroyed.

It is no use for us to have faught Hitler if we set up a dictator of our own.

We want to stop crime. But getting panicky and passing laws that will do no good. And will only help the criminal.

It is just like as it would be if your clothes were on fire and I doused a pail of gasoline on it supposedly to put the fire out. Do you think that would be any help. Neither would the Tydings bill keep criminals from getting guns they will make their themselves if they can't do any thing else.

I will not comply with the Tydings bill even if it is passed I am not paying for a license to own a gun and if they come to get they will get them muzzle first.

The safety of freedom depends on the ability of the citizens to rise up in armed revolt against any would dictator.

If Johnson continues to insist on the passage of more gun control the best thing to do is to ask for his resignation, from the office of President of the United States.

Some say they are backing gun control for conscience. Well other people have a conscience and leads in the other deriction. My conscience is against hamstringing the country in defending liberty.

Tell Johnson thus far and no farther. Why should he and his crowd have every thing they want when and where are we ever going to take a stand.

Very Sincerely Yours,

———— ————.

A Montana Rancher Chafes at the Idea of Laws to Control Guns

(By Wallace Turner)

Ovando, Mont.—Joe Murphy has a home where the buffalo roam and the deer and the antelope play—until it comes time to shoot them.

Guns are a way of life to this 77-year-old rancher. He moved onto an 8,000-acre tract of mountain and meadow in 1904 here in the shadow of the Continental Divide in western Montana.

"The way I look at it, they are trying to do a silly thing like so much they do now," he said about national gun control law proposals. "I feel like the National Rifle Association people do—they just want to take our guns away from us."

He described the gun control law backers as "a lot of people ratty in the attic."

Mr. Murphy is now crippled by a hip ailment and walks around his old two-story frame house on crutches.

"Shot about 2,000 ground squirrels from my pick-up truck," he said. "They eat up feed, mess up things and dig holes that trip horses."

He was 14 when he came here. "It was all open country then," he said.

Hunting has been a passion in Mr. Murphy's life that he has shared commercially with hundreds of hunters on pack trips into the Montana wilderness each autumn for more than three decades.

The proud head of a big horn sheep hangs from the wall by the door of his den. A chair was draped with the soft, pliable, cured hide of a moose.

GUNS IN WALL CABINET

"I shot three sheep," he said. The one on the wall was taken in 37-below-zero cold 13 years ago at the headwaters of the Sun River. In a picture Mr. Murphy, wearing leather chaps, gun in hand, stands beside the dead sheep.

"I guess I shot seven or eight goats," he said, meaning mountain goats. "I had several mounted and somebody would offer money and I'd need it and I'd sell."

His guns are stored in the next room, in an unlocked wall cabinet of the sort an ironing board might unfold from. There are five rifles, a shotgun, and a pistol in a belted holster.

The favored rifle is a .264-caliber Winchester. "Like it better than any gun I ever shot," he said. There are boxes of ammunition, gun oil, cleaning rags and a ramrod.

What used to be the parlor, when Mr. Murphy was younger and his children were growing up, now is almost a museum.

A polar bear's skin drapes over a sofa, its head mounted on the wall. On the floor a Kodiak bear stretches his claws on limp forelegs toward the stairway, his face fixed in a permanent snarl. A rug made of buffalo skin covers the floor beneath the bear rug.

On the wall there are the pelts of a goat, a wolverine, a sea lion, a racoon, a caribou, an elk, a badger, a moose, a wolf, an antelope, a lynx, a bobcat, and others. Mr. Murphy shot them all.

Mr. Murphy keeps a herd of buffalo on his Z-Bar-Lazy-3 ranch.

"Used to have 37," he said. 'Now down to six."

Why buffalo? The large bald head swiveled on the heavy shoulders as he looked out toward the distant peaks. "Just something you like to look out at," he said.

Out in the barnyard, the bray of a jackass echoed among the buildings and a milk cow complained of the heaviness of her udder.

Harold Murphy, Joe's son, worked to repair a hay loader, watched by this three sons. With his brother, Tom, he runs three or four pack trips for hunters each autumn into the Montana wilderness.

Strings of pack horses and mules, up to a dozen to a string, haul in camping equipment and food and haul out the quartered elk.

One ranch building was full of saddles, bridles, lead lines, pack saddles and saddle pads. Outside, a tangled pile of used horseshoes rusted in the weather.

These are the trappings of the hunt—these and the guns. The hunters bring their own weapons. The Murphys carry rifles in scabbards attached to the saddle horn, and usually a pistol.

"You go out in the mountains, if you got a gun you feel better," said Harold Murphy, who keeps a pistol in his sleeping bag.

He grew up with guns, and one National Rifle Association argument has been that such early training produced the backbone of infantry units in the nation's wars.

"I was three and a half years in the marines," Harold Murphy said. "They made me into a repair man for aerial cameras."

NOMINATIONS TO THE SUPREME COURT

Mr. McINTYRE. Mr. President, the American press has, by and large, reacted favorably to President Johnson's recent Supreme Court nominations.

This editorial support is confined to neither one region nor one political ideology. Rather it seems to reflect a common view that the two men appointed by the President are well qualified to serve in these high posts and a general agreement that President Johnson has the right and duty to fill any Federal vacancy as long as he serves in office.

I might add that the U.S. Senate has, on previous occasions, reviewed the qualifications of Justice Fortas and Judge Thornberry and found them deserving and fit to serve on the Federal bench.

I think many Senators will agree that President Johnson has named an outstanding jurist to head the Supreme Court. Justice Fortas is, by any standard of measurement, an outstanding and articulate advocate of our legal system, and has already served the Supreme Court with honor and distinction.

Judge Thornberry has established a solid record of public service over many years, first as a Member of the U.S. House of Representatives and later on the bench.

I sincerely hope that the Senate will consider these nominations and base its approval on the nominees' qualifications—not on political considerations.

Editorial comment throughout the Nation reflects the need to consider these nominations on their merits. Because I believe that their arguments should be studied by Senators, I ask unanimous consent that a selection of the editorials be printed in the Record.

There being no objection, the editorials were ordered to be printed in the Record, as follows:

[From the Baltimore (Md.) News American, June 28, 1968]

High Court Decisions

President Johnson's new Supreme Court appointments honor two of his closest personal associates, both of whom are imbued, like the President, with a deep sense of social conviction.

Justice Abe Fortas, who moves up to Chief Justice, is a former Washington attorney whose friendship with the President dates to New Deal days. Appeals Court Judge Homer Thornberry, a former Texas Democratic Congressman, is an intensely humane man who has also been close to the President for much of his public life.

Thus the President possessed intimate knowledge of the two men before he made the appointments. This knowledge obviously went into the naming of Mr. Fortas as an associate justice of the court three years ago. The appointment filled the vacancy created by Justice Arthur Goldberg's departure from the court to become United States Ambassador to the United Nations.

The departure of Justice Goldberg left very big shoes to fill and necessitated the selection of an American with the finest possible qualifications. Few who have known Justice Fortas in his public and private life will doubt that he possesses such qualifications; the legal community in particular, in Washington and elsewhere, is honored by his elevation to the highest seat of jurisprudence in the land.

President Johnson observed that he consulted with Democratic and Republican leaders before making the appointments. In this connection it is hardly worthwhile commenting on some recent Republican objections to Supreme Court appointments by what was termed a "lame duck" president, in view of President Johnson's decision not to seek office again.

We can only say, with some weariness, that the President has the right and duty to make such appointments. Quite properly, LBJ ignored the objections, which were ill-advised and in poor taste.

[From the Atlanta (Ga.) Constitution, June 27, 1968]

Mr. Fortas' Legacy

In deciding to resign at this time, Chief Justice Earl Warren implied his faith in President Johnson to fill the vacancy wisely. The President has justified that faith.

Justice Abe Fortas is a superb choice for Chief Justice.

He is a devoted civil libertarian, but his long experience in government—dating from the New Deal—also has made him aware of the practicalities of governing.

His appointment, incidentally, allows the President another "first." Mr. Fortas will be the first Jewish Chief Justice.

U.S. Circuit Judge Homer Thornberry, who will take the seat created by Fortas' elevation, likewise is a man of sound and proven, progressive judgment. He will be the first Southerner named to the high court in many years.

There is no question about Chief Justice Earl Warren's place in history. He will be rated as one of the three or four great chief justices of America.

This has been the era of individual rights in the high court and Chief Justice Warren has been a major influence in defining these rights in three areas:

Racial equality, representative government and rights of defendants—Mr. Warren's three Rs.

The first big breakthrough on racial justice came with the 1954 *Brown vs. Board of Education*, written by the Chief Justice himself, outlawing enforced segregation in the schools.

From this precedent flowed dozens of other rulings striking down one form of legal segregation after another. If any segregation statute remains on the books anywhere in the country, we don't know where it is, but we are sure of its fate: It is unconstitutional.

The legal basis for most of these racial justice decisions has been the 14th Amendment, guaranteeing equal protection to all citizens. Just last week the court upheld a 102-year-old open housing law under the 13th (anti-slavery) Amendment, on grounds that housing discrimination was a vestige of slavery.

Baker vs. Carr was the leading case in a series of cases establishing the one-man, one-vote principle in state legislatures, congressional districts and more recently in local governments. Among other results, the 1962 precedent led to destruction of Georgia's iniquitous county unit system.

Baker vs. Carr was written by Mr. Justice Brennan, but as in so many decisions of the Warren Court, the Chief Justice was a major influence.

The third area in which the Warren Court has been active has been in protecting procedural rights of persons accused of crimes. These range from witnesses before congressional committees to persons arrested and interrogated without the benefit of legal counsel.

Each area has raised great storm clouds of controversy. Southerners thundered at the attack on the "Southern way of life" implicit in outlawing racial discrimination. Benefactors of the rotten borough system were angry at the "intrusion" of the courts into representation questions. Police officials and many others have complained that the court was "coddling" criminals by protecting their constitutional rights.

But in each area, the Warren Court has been making the Constitution mean what it says, and after long screams, the nation has learned it can live with the Consitution.

For years, Chief Justice Warren has been the object of an impeachment campaign sponsored by the John Birch Society. The Chief Justice perhaps decided he can retire now that the Birch Society has given up.

He exits in controversy. Some Republicans are infuriated that Warren, former Republican governor of California, appointed to the bench by Republican President Eisenhower, will let Democratic President Johnson name his successor. But we see no reason why Mr. Warren should not exercise his judgment in this matter, as he has in so many others.

We salute the Chief Justice at the culmination of a long, honorable and valuable career on the bench.

[From the Christian Science Monitor, June 28, 1968]

The "Fortas" Court?

It is never safe to predict how new or relatively new justices on the United States Supreme Court will eventually align themselves. Offhand one would expect that President Johnson's nomination of Justice Abe Fortas to be Chief Justice, and Judge Homer Thornberry of Texas to be associate justice, would effectively continue the "liberal" and interventionist outlook of the Warren court.

But it may be that the nation, from here on, will see a bit more hewing to the center by the high tribunal, due not only to the caliber of these nominees, but also to a visible national sentiment in favor of consolidation and clarification where, in hectic recent years, the court has been bold and innovating.

"His philosophy is quite sound," says Senate Minority Leader (and influential Republican) Everett Dirksen of Justice Fortas, and that understatement bespeaks high regard. Quite probably, despite Republican reservations about court appointments by a "lame duck" President, the nominations will receive the necessary Senate approval. President Johnson thus may have a hand in determining basic national thought and philosophy long years after his own retirement.

Justice Fortas has of course been an intimate adviser to President Johnson ever since his congressional years, perhaps the most influential of all. The evidence is that his advice has been uniformly responsible—and shrewd.

In his brief Supreme Court career this first Jew to be nominated for the chief justiceship has participated in such liberalizing decisions as that outlawing the poll tax in state and local elections, and the ruling against self-incriminating evidence where police are held to have faultily protected suspects' rights. Judge Thornberry, too, is rated as a liberal.

Probably, if the next President turns out to be a Republican, he will have opportunity to nominate justices who will importantly influence individual and national views in directions contrary to present egalitarian trends. There is, however, a soundness and incisiveness about Justice Fortas which is reassuring. He has spoken out strongly for the "rule of law." He has inveighed against hooligan tactics at Columbia University. He has urged careful limits to civil disobedience. And he has declared that, in this age of revolution, the individual must tolerate the established verdict of the majority.

He is not likely to be a meddlesome, emotional Chief Justice.

[From the Portland Oregonian, June 27, 1968]

Johnson's Court

Two colleagues and personal friends of Lyndon B. Johnson from the old New Deal days of Franklin D. Roosevelt will assure the continued "liberal" direction of the U.S. Supreme Court. Despite the mutterings of southern Democrats and some Republicans, the Senate is almost certain to confirm their nominations.

Justice Abe Fortas, 58, two years on the high bench, succeeds Chief Justice Earl Warren. Homer Thornberry, 59, of Austin, Tex., will move up from the 5th U.S. Circuit Court of Appeals to replace Fortas.

The Senate found no excuse to deny confirmation when Fortas was appointed to the high court or when President Kennedy named Thornberry to the district court in Texas and President Johnson advanced him to the circuit court. Despite the antipathy of Sen. James Eastland of Mississippi, chairman of Senate Judiciary, it is most unlikely that these appointments by a "lame duck" President will be rejected unless opponents can find something besides political liberalism with which to charge them.

Chief Justice Warren, 77, said in his letter of resignation to the President he was retiring solely because of age. But surely in the back of his mind was the desire to assure continuance of the "activist" trend of the "Warren Court". History will judge the stupendous record of that court in civil rights, voters' rights and law enforcement—and the verdict, on the whole, we believe, will be more favorable than unfavorable.

Still, the times cry for a more conservative approach to the interpretation of the Constitution and the laws, and a decrease in legislating by judicial processes. This isn't going to happen for awhile, it would seem, although Judge Thornberry may have a different slant on rights of criminals than have some members of the Warren Court. He worked his way through the University of Texas law school as a deputy sheriff and served 14 years in Congress.

[From the Des Moines (Iowa) Register, June 28, 1968]

New Court Appointments

Justice Abe Fortas, President Johnson's choice to replace Earl Warren as chief justice of the United States, is a distinguished lawyer who has fitted in well in his first two years on the high court. He is best known for his work in a variety of civil liberties cases, and as something of a political fixer and a friend of President Johnson's.

Judge Homer Thornberry of the U.S. Circuit Court of Appeals, President Johnson's choice to replace Fortas, is a former congressman, which should stand him in good stead in the coming fight over confirmation. Thornberry, a lifelong resident of Austin, Tex., was in Congress from 1948 to 1963, much of the time on the formidable Rules Committee, where his record was one of moderate conservatism. On the federal bench, as district court judge since 1963, circuit judge since 1965, his record is considered liberal.

We are not impressed by the justice of the plaint of Republican Senators George Murphy, Robert P. Griffin, John Tower, Everett Dirksen and others that Chief Justice Earl Warren at 77 should have waited another seven months before resigning to avoid giving the right of selection to "a lame duck president." President Johnson is fully President as long as he is in office.

Besides, whoever is President in 1969 is likely to get his share of appointments: Justice Hugo Black is 82, Justices John M. Harlan and William O. Douglas are both 69 and in poor health. All three are unwilling to step down now.

Republican grumbling is based largely on the thought that Richard Nixon might be the next President and might name much more conservative persons than Johnson. Since any nominee must be approved by a majority of the Senate, ordinarily following approval by a majority of the Senate Judiciary Committee, the grumbling has an operative side.

Three of the five Republicans on the 16-member committee are among the grumblers: Senators Dirksen, Strom Thurmond and Hiram L. Fong. Three of the Democrats on the committee have been bitter critics of the recent Supreme Court: Senators James Eastland, John McClellan and Sam J. Ervin. With two more recruits, these six could block committee action. Dirksen isn't sure he wants to go that far.

President Johnson, however, said he had consulted ahead of time with party leaders in Congress and with committee chairmen. He is confident the nominations will go through. They should.

[From the Sacramento (Calif.) Bee, June 25, 1968]

Warren's Name Is Writ in Greatness

One of America's greatest jurists is about to leave the United States Supreme Court with the stepping down of Chief Justice of the United States Earl Warren.

In his 15 years as chief justice, Warren has enlarged the field of freedom, fought successfully to undo much of the evil of the McCarthy era and brought almost unprecedented renown to the high court.

It is very significant that, unlike such justices as Harlan Stone, Warren did not have to overcome early conditioning but evolved logically as a product of the Hiram Johnson liberal Republican revolution in California.

The nation was alerted in 1954 to the fact it had no ordinary chief justice in Warren. This alert was sounded when the Warren court overturned the fatefully enshrined Plessy versus Ferguson "separate but equal" ruling of an 1890 Supreme Court.

This unanimous decision, which initiated racial desegregation in the public schools and turned America to new concepts of equality, is a testimonial to Warren and the court.

From this time on Warren led the court to a series of decisions which defended the rights of minorities, the poor and the underprivileged against the unconditional power so long enjoyed by the establishment.

The potentially Fascist Smith Act was made to conform to the Constitution and thus disarmed of its menace. Warren led the court in cutting down the cancerous growth of congressional witch hunts by ruling legislative investigations must be in furtherance of a legitimate end of Congress.

Warren has been accused of making sociological rather than legal rulings. But what he and the majority of the court did was to demonstrate legal bases in the Constitution for social innovations.

The Warren court gave to the individual, no matter what his color, income, morality or creed, the rights the Constitution meant for him to have. By sweeping back the encroaching power of wealth, police tyranny and regional prejudice, Warren's leadership scraped many of the barnacles from the Constitution and made it truly a dynamic document to fit the needs of a growing nation.

The Warren court's one-man, one-vote ruling gave people, rather than cows, representation thus strengthening majority rule.

Warren's staggering achievements on the court can be fully evaluated only by history but the nation already knows history will rate him one of the truly great justices, both because of his enlargement of democracy and because of the jackals which have yapped at his robe.

[From the Milwaukee (Wis.) Journal, June 27, 1968]

New Chief Justice

President Johnson's nomination of the second newest justice of the supreme court to be chief justice is as orthodox as it was expected, and no reflection on Abe Fortas' more senior colleagues. Chief Justice of the United States is a separate position by itself and presidents not uncommonly have brought men to it from outside the court altogether and even from outside the judiciary—President Eisenhower did just that when he named the now retiring Earl Warren.

To the extent that a chief justice can lead the court, Fortas will undoubtedly have as active, illuminating and impactful a tenure as Warren's has been for the last 15 years. But a chief justice has no specific power to direct the decision making. His vote is only one of nine; his public prestige does not intimidate his colleagues. His tools of influence are no different from any of theirs—personality, persuasiveness and intellect.

Fortas is already known to be as thorough a defender and promulgator of historic American and human liberties as Warren turned out to be. In addition, as one of the most admired technicians in the land at the practice of constitutional and other law, he will probably be a more precise judicial craftsman than his predecessor.

Fortas has been an intimate of the president, to be sure; it was Johnson who put him on the court in the first place. But now making him chief justice cannot be faulted as near cronyism; the choice of a man like Fortas shows the president faithful enough to this great responsibility.

The same cannot surely be said in advance about Johnson's award of the vacant seat as associate justice to his fellow Texan, a former congressman and now a federal circuit judge, Homer Thornberry. The position does often bring out unexpected quality in the men it honors. Whether Thornberry's best is good enough will just have to be seen.

[From the Nashville Tennessean, June 29, 1968]

THE REPUBLICANS AND THE COURT

The Republicans who are opposing President Johnson's nominees for Supreme Court posts—and that includes Sen. Howard Baker of Tennessee—are acting without regard to reason or tradition.

In the first place, it is the responsibility of the President of the United States to fill vacancies when they occur. And the argument that the chief justice is still in office although he has resigned is a specious one. In the second place, the Republicans should reflect that Chief Justice Earl Warren is a Republican himself and could have easily have waited to retire after the inauguration of the next president.

What Chief Justice Warren has said, in effect, is that he doesn't want his party to name his successor.

Finally, the ridiculous idea that a "lame duck" president shouldn't fill vacancies would be a bad precedent, not only for the Republicans who put forth this childish argument, but the country as well.

In his last term and as a "lame duck" president, General Eisenhower made two appointments to the Supreme Court: Justices Charles E. Whittaker and Potter Stewart. President Hoover named Justice Benjamin Cardozo in the last year of his term, although Mr. Hoover wasn't limited to two terms.

As a matter of fact, it was a Republican-inspired move that brought about a limitation of presidential terms, something that chagrined the party no end in 1960.

If the GOP really wants to be angry at somebody, it ought to be angry at Chief Justice Warren.

Senator Baker's attitude is surprising since Tennessee has never had a chief justice on the Supreme Court. While this is by no means an overriding factor, it would be a notable distinction for the state.

Yesterday Senate Majority Leader Mike Mansfield said that if a Republican filibuster develops and cannot be broken he assumes Justice Warren will reconsider his resignation and stay on the court.

Senator Mansfield may have brought about the quickest end to a filibuster in history.

[From the Des Moines (Iowa) Register, June 28, 1968]

WARREN COURT'S LEGACY

"Yes, yes—but were you fair?" Chief Justice Earl Warren sometimes asked lawyers arguing a point before the Supreme Court of the United States. During his 15 years of chief justice he brought to the court a wholesome whiff of concern for substantial justice and not just legal technicalities and precedents.

When Warren was appointed to the high court, he had behind him a decade as governor of California, 24 years of public service as a prosecuting officer, only three years of private practice of law and no experience whatever as a judge.

Legend has it that his appointment as chief justice was in part an accommodation to Vice-President Richard Nixon and Senator William Knowland—to get their rival, Warren, out of California Republican politics. Be that as it may, Warren made a great chief justice.

Under Warren, the court moved into fields long neglected by earlier courts, fields where the ordinary political process had ignored basic principles of the U.S. Constitution. It set new standards for fairness, often in unanimous decisions. In 1954 the Warren court declared unconstitutional compulsory school segregation by race and began the long task of ending the practice. Just this spring it interpreted an old Reconstruction Era law as giving members of racial minorities the right to buy or rent property without discrimination. In between came a whole host of civil rights decisions, revolutionizing this area of the law.

It was the Warren court also which boldly entered a thicket long shunned by the courts as "political": fairness in apportioning state legislatures and in drawing congressional district lines. "Legislators represent people, not trees or acres," the chief justice ruled.

Another long line of decisions upheld the rights of persons charged with crimes to legal counsel and protection against self-incrimination.

The court drew more sharply the line between church and state and wrestled manfully to interpret changing views of what is pornographic.

All these endeavors were controversial. Conservative lawyers sputtered, Southern governors stood in doorways, roadsides blossomed with "Impeach Earl Warren" billboards, police and prosecutors wondered out loud how they could do their jobs under the new limitations.

But America will look back on those 15 years of the Warren court as an astonishing achievement, when the "nine old men" turned from upholding the status quo and the precedents and transformed the nation's legal system in accord with ideals which the nation had long proclaimed but often failed to practice.

[From the Denver (Colo.) Post, June 30, 1968]

ANTI-FORTAS FILIBUSTER LACKS MERIT

Some Republican senators now are talking of a filibuster against confirmation of Abe Fortas as chief justice of the U.S. Supreme Court.

Maybe, in an election year, they can put together a filibuster team on a purely political basis. But we should think any responsible Republican senator will be uncomfortable about joining such a venture, because on the merits of the nomination they have no case.

Fortas is simply outstandingly qualified for the position of chief justice—not only because of his own background but particularly in view of the kind of cases the court is facing—and anyone who knows Fortas, and the court's docket, knows it.

The Supreme Court is now moving into a significantly different era from the one in which the Warren court has operated. As far ahead as human vision can penetrate, there are no earthshaking constitutional issues to be adjudicated—nothing on the order of school desegregation or one man-one vote redistricting.

What the court does face are two other types of case which call less for constitutional innovation and more for incisive legal analysis and pragmatic wisdom.

First, there will be for some time to come the need to spell out applications of many of the Warren court's landmark decisions to specific situations.

Second, just beginning to arrive at Supreme Court level is a new type of case arising from the provision of various services to specific groups of citizens by a benevolent but highly bureaucratic government.

These cases, now arising in the fields of education and welfare but probably soon to come also from health service disputes, commonly ask this short of question: Where is the line to be drawn between services the state may bestow on certain classes of people at its discretion, and those services the state must provide to all citizens, as a matter of constitutionally-guaranteed equal treatment, if it provides them to any?

One tricky example: how much and what kind of educational aid may the government provide to children in non-public schools?

We think most GOP senators would agree that there is no man better qualified than Fortas to lead the court through the intricacies of such problems.

For nearly 30 years, Fortas has been advising corporate clients and government officials on how to cope with intricate problems arising from conflicts between laws and bureaucratic regulations adopted pursuant to those laws, or conflicts between the laws and regulations and people's (or corporate) needs. In so doing, Fortas has earned a towering reputation for coupling incisive legal analysis of a problem with eminently pragmatic wisdom as to what to do about it.

It has helped, of course, that he has known personally practically everyone in high office during those years. But the reason he knows them is not only that he is a nice guy, but that his advice is so highly valued by all who know him.

Those people include, we're sure, many of the senators who may now be asked to filibuster against his nomination. We find it hard to believe that any Republican senators of statute will do so.

We know that they shouldn't.

CONTINUING CRISIS IN EDUCATION FINANCE

Mr. YARBOROUGH. Mr. President, the recent House vote to cut $127 million from the appropriation bill for title I of the Elementary and Secondary Education Act is a massive backward leap in our efforts to salvage millions of children from the vicious and despairing cycle of poverty. Only a few years ago did this Nation begin to acknowledge directly that hundreds of thousands of impoverished children were being victimized by educational discrimination. Causes for this discrimination were—and still are: apathy and despair in the home which the children carry with them into the school; low energy levels because of inadequate nutrition and health, and learning requires energy; inappropriate instructional materials; overcrowded and dilapidated schools in low-income areas; underpaid and often ill-prepared teachers; and understaffing of special services, such as psychologists, nurses, and social workers.

The effects were—and often still are—substantially higher dropout rates and significantly lower achievement levels among impoverished children when compared with favored children. With our awareness of the educational discrimination against a sizable segment of tomorrow's citizens, we enacted legislation to give these children a chance. The progress gained must not lose its momentum now. It is imperative that our Senate Appropriations Committee vote to restore the $127 million for title I. And it is even more imperative that the Senate as a whole vote to restore these moneys and persist to retain them in conference.

For example, in my own State, Texas, we will have to drastically curtail our title I program if there is a 15-percent reduction in funds as indicated in the House vote.

In dealing with some of the specifics of our crisis, let me first explode a myth posed by the House Committee on Appropriations which maintains that their cuts affects only equipment. This fallacy can be shown in all the States, and I will demonstrate it for my State of Texas. Last year Texas schools used at least 90 percent of their title I funds for salaries. This year that cost goes up some 5 percent for salary increases. In general, the schools of my State would have to cut in half the funds for instructional materials for children, and then go on to release one out of every 10 persons now employed in the programs.

A major casualty of the cut will be the summer programs, which have been highly successful in helping impoverished children to regain lost ground in their efforts to catch up with their more affluent classmates. Because of the lateness of the appropriation action, schools must now decide which commitment can be most readily curtailed, rather than proceeding more logically in deciding on the priorities of their programs. Obviously, those programs scheduled for next summer are more vulnerable than those programs which begin in September.

Our summer school programs, focused primarily on preschoolers, has been one of the most effective activities in the whole effort to educate these children. Regular session preschool programs also will be hard hit because such activities generally fall outside the usual school program. Food and health services would also suffer severe reductions for the same reason.

Some of our smaller cities will be the hardest hit. For example, Lubbock reports that this reduction would result in elimination of two physical education teachers out of 10, one guidance counselor out of four, all summer program activities, all regular materials and supplies—$14,900 in fiscal year 1969—all medical diagnostic and treatment services—$16,400 in fiscal year 1968—all food services—$22,000 in fiscal year 1968—and all welfare services in terms of special admissions and supplies for children who cannot afford to purchase pencils, paper, and the like. Lubbock indicates that reductions of this kind will soon destroy the program.

One small school, Loop, in the west Texas plains area, which has employed three teacher aides under title I, must now drop one as a result of the projected reduction. This one-third reduction will be necessary to reach the House allocation figure.

One east Texas school, Conroe, which participated last year for the first time and which had developed considerable momentum and enthusiasm, will have to dismiss several outstanding staff members which it had just recruited.

Fort Worth, which will lose $213,220 in the anticipated reduction, will be forced to curtail their program drastically at the elementary and preschool level where considerable achievement is just beginning to emerge. Dallas, Houston, and other cities would be similarly affected.

San Antonio currently serves approximately 17,000 children with 413 personnel in its summer program. It is entirely likely that this summer program would be abolished along with its current food and medical services. For example, consider the effects of the loss of this program on the little non-English-speaking beginner who must then confront the shock treatment of first grade instruction at Navarro School in another language, who must then summon the energy to learn for 6 or 7 long hours on a diet of refined beans and rice, who must then learn from materials which portray situations and people utterly remote from the world in which he lives, and who will in all probability be judged a failure at the end of a long year of frustration in learning and having nothing to look forward to for the next year except a repetition of the same situation. Title I programs exist to help a child like this escape the degrading effects of never-ending failure.

My fellow Senators, I hope you have consulted the lists provided by the Senator from Michigan [Mr. HART], on pages S8110 and S8111 of the RECORD. These lists compare 1968 allocations and the 1969 House allowances for States and selected large cities. Most cuts are 10 percent or higher. Given the fact that education costs rise 5 percent per year, the average actual reduction in a given State's or city's title I budget may be 15 percent. I will extend the record of reductions in school programs by adding a list of some additional 41 national cities and 28 Texas cities and their cuts as mandated by the House. Obviously, it is not possible to list the cuts for all school districts in the Nation and so these will serve as illustrations for all the places that are affected. As the gentleman from Michigan has already said, the reductions are real and they are drastic for every State, every county, and every school district in the land.

Though a cut of this size is a blow to any operational program, it has a particularly cruel effect on school systems who must hire personnel in May for programs beginning the following fall. As hasty adjustments are made, children will suffer the consequences of a reduced program. The educational services that were beginning to raise these children's aspirations will now be cut back—and the children will slide back. Our children of poverty will be forced to live up to the self-fulfilling prophecy of those who believe that the poor have no ambition. This will be true, that is, if the Senate does not act now to restore the $127 million needed to keep title I functioning at at least its current level. We must act now on this important education program.

The President feels that this matter is of such importance for the Nation that he has directed the Secretary of Health, Education, and Welfare to request the Senate Committee on Appropriations to restore in full the funds for title I.

Moreover, I have been assured by high administration sources that once the funds are restored they will not be subject to further Presidential cutback for any purpose, including the legally required $6 billion expenditure reduction. Thus, again, there is no truth whatsoever to the claims of House proponents of the cuts that, "the President would have to do it if we don't." We must restore the $127 million lopped off by the House from the title I children. I for one will do my utmost to have this action taken within our Committee on Appropriations, and I will fight for these funds on the Senate floor. I ask each Senator to join with me in this hard contest to rescue the children of impoverishment from the fate of educational despair and all it implies.

I ask unanimous consent that tables published by the Department of Health, Education, and Welfare be printed in the RECORD.

There being no objection, the tables were ordered to be printed in the RECORD, as follows:

COMPARISON OF 1968 INITIAL ALLOCATIONS AND 1969 ESTIMATED ALLOCATIONS UNDER HOUSE ALLOWANCE FOR SELECTED LARGE CITIES

City	1968 initial allocation	1969 estimated allocation under House allowance	Decrease
Bridgeport, Conn	$942,235	$844,755	$97,480
Charleston, W. Va.[1]	1,491,183	1,357,164	134,019
Fresno, Calif	1,471,805	1,335,655	136,150
Glendale, Calif	214,598	195,375	19,223
Greensboro, N.C	415,868	378,244	37,624
Hartford, Conn	1,417,540	1,269,615	147,925
Huntington, W. Va.[1]	508,416	461,780	46,636
Kansas City, Kans	813,771	691,697	122,074
Lansing, Mich	377,007	338,260	38,747
Lincoln, Nebr	193,974	178,507	15,467
Madison, Wis	373,525	318,651	54,874
New Bedford, Mass	699,438	636,977	62,461
New Haven, Conn	1,041,216	933,415	107,801
Newport News, Va	522,151	475,383	46,768
Morgantown, W. Va.[1]	305,989	277,068	28,921
Omaha, Nebr	644,290	593,060	51,230
Parkersburg, W. Va.[1]	279,493	253,588	25,905
Pasadena, Calif	714,749	650,777	63,972
Peoria, Ill	571,563	490,923	80,640
Phoenix, Ariz	1,657,680	1,408,962	248,718
Portsmouth, Va	851,127	773,521	77,606
Providence, R.I	1,375,223	1,240,283	134,940
Rockford, Ill	488,362	417,047	71,315
Sacramento, Calif	1,224,999	1,115,415	109,584
St. Petersburg, Fla	1,147,859	975,557	172,302
Salt Lake City, Utah	626,681	562,129	64,552
San Jose, Calif	792,330	717,560	74,770
Scranton, Pa	428,300	364,000	64,300
Shreveport, La	1,714,666	1,558,892	155,774
South Bend, Ind	451,051	408,608	42,443
Spokane, Wash	635,474	550,988	84,486
Springfield, Mass	790,302	719,385	70,917
Tacoma, Wash	623,424	540,737	82,687
Tampa, Fla	2,083,205	1,769,040	314,165
Topeka, Kans	387,112	328,329	58,783
Torrance, Calif	200,680	182,587	18,093
Waterbury, Conn	406,994	364,572	42,422
Wichita Falls, Tex	271,643	231,661	39,982
Worcester, Mass	764,695	695,455	69,240
Wheeling, W. Va	246,638	223,846	22,792

[1] West Virginia has the county unit systems for its schools. The figures represent county totals in which the city is located.

COMPARISON OF 1968 INITIAL ALLOCATIONS AND 1969 ESTIMATED ALLOCATIONS UNDER HOUSE ALLOWANCE FOR SELECTED TEXAS CITIES

Amarillo	$288,438	$246,084	$42,354
Austin	836,408	713,695	122,713
Beaumont	371,611	317,086	54,525
Dallas	2,466,750	2,104,888	361,862
El Paso	946,066	807,250	138,816
Fort Worth	1,453,499	1,240,279	213,220
Houston	3,448,670	2,942,766	505,904
Lubbock	418,285	356,903	61,382
San Antonio	2,855,158	2,463,341	391,817
Wichita Falls	271,643	231,661	39,982
Abilene	226,261	193,070	33,191
Brownsville	964,155	822,732	141,423
Galveston	381,462	325,495	55,967
Laredo	1,071,229	914,060	157,169
Midland	176,196	150,301	25,895
San Angelo	308,626	261,788	46,838
Texarkana	229,329	195,687	33,642
Corpus Christi	1,076,559	918,863	157,696
Garland	75,582	64,486	11,096
Texas City	118,702	101,240	17,462
Tyler	334,305	285,233	49,072
Arlington	79,781	68,050	11,731
Harlingen	521,160	444,667	76,493
Irving	77,842	66,380	11,462
Longview	242,250	206,713	35,537
McAllen	409,079	349,107	59,972
Pasadena	160,000	142,060	17,940
Port Arthur	379,040	323,435	55,605

STEEL LABOR CALLS FOR REGISTRATION AND LICENSING OF GUNS

Mr. TYDINGS. Mr. President, the current issue of Steel Labor, the voice of the United Steelworkers of America, contains a lead editorial and a major article calling for the enactment by Congress now of effective gun-control legislation.

This endorsement by the steelworkers of registration and licensing legislation, as well as the proposed ban on interstate sale of shipment of long guns, is persuasive evidence of the country's insistence that Congress act now. I congratulate the editors of Steel Labor for their excellent and thorough discussion of this issue.

I ask unanimous consent that the editorial and articles be printed in the RECORD.

There being no objection, the items were ordered to be printed in the RECORD, as follows:

RULE OF REASON

The arguments for reasonable and responsible control of deadly firearms, as detailed elsewhere in this issue of Steel Labor, bring concerned people to the sad conclusion that ours is, indeed, a strange country. We react only after a disaster, or a series of calamities so great that the Congress must finally and reluctantly respond. The subject of guns is a case study of a lobby so powerful and a Congress so subservient to its influence that for three decades gunplay and violence have become an accepted part of our national way of life.

A new man-in-the-street philosopher, Eric Hoffer, said after the assassination of Senator Robert F. Kennedy last month that "basically we are the most gentle, generous, law-abiding and cooperative people on earth. We are not violent." Yet ours is a nation where 100,000 American civilians are shot annually—18,000 of them fatally—and where guns have killed more people in this century than have died in all wars we have fought since 1900!

The unhappy facts are that in the United States, a criminal or a madman can still clip a flimsy coupon from any of several magazines on any corner newsstand, send a few dollars off to a dealer in a distant city and in a few weeks receive an amazing variety of firearms through the mail. The 1968 Crime Bill which the President signed last month only excluded interstate sale of handguns and sale to juveniles—not rifles and shotguns. And there is still the frightening fact that anywhere from 50 to 200-million guns (no one knows for sure) are in private hands today.

Steel labor has not been caught up in any "hysteria" in telling this story. We have had firsthand experience with the "Gun Lobby," and have been the recipient of angry, threatening and in some instances obscene mail because we used an editorial cartoon critical of the lobby. The editor of the "American Rifleman" has even suggested that we "think a little more deeply" before criticising the million-member, tax-exempt National Rifle Association, and recommends to us an article in a popular magazine, entitled "The Working Man has Become a Snob."

The USWA position toward responsible firearms control has been enunciated for several years through its state legislative committees in Pennsylvania, Illinois and New York. Last month this union joined with the AFL–CIO and some 40 other civic, law enforcement, religious and professional groups in seeking federal gun control legislation of the type recommended by President Johnson.

Senator Joseph Tydings, the author of a bill which would require gun registration (a step also advocated by the President) has observed that the Gun Lobby "has a tremendous amount of power in Congress," and later went so far as to say that "it has been able to control Congress." If this is true, then Congress must be a willing captive, for at the most there are 15 million hunters in America. Even if the Gun Lobby represented them all, which it certainly does not, then there would still be 185 million Americans for whom it does not speak, and presumably the majority of these have no desire to handle, much less own firearms.

We recognize that many Steelworkers are also hunters, sportsmen and gun collectors, as reflected in the presence of a column directed toward this audience in every issue of Steel Labor. And we are just as cognizant of the fact that the vast majority of our members, both those who own guns and those who do not, value their rights and obligations as Americans. It is just because of this that we believe we should join with responsible Americans everywhere in keeping deadly weapons out of the hands of the irresponsible.

IN THE NAME OF SANITY

Guns have killed more people in the United States in this century than have died in all the wars it has fought since 1900. While our country is the violent exception among the advanced nations of the world in the regulation of firearms, recent tragedy and public pressure may now press Congress toward responsible and strict regulation.

It has taken almost five years—and the violent death of three great leaders, including the 35th President of the United States—to shock Americans into the recognition that they have been living in one of the great contradictions of modern times: the most advanced industrialized society in the world, rising to new heights in culture, science, the arts and education, but also enveloped in a smog of violence and an unchecked proliferation of firearms.

Since the assassination of Robert F. Kennedy on June 5, 1968, there has been a veritable orgy of public controversy over the broad aspect of violence and the more specific subject of gun control legislation. Politicians and psychologists, social commentators and psychiatrists, gun owners and gun opponents have all joined in the debate over what has literally become a domestic arms race in America.

When President John F. Kennedy was assassinated in 1963, the membership in the nation's largest organization of gun owners was about 600,000. At this writing, its leaders are boasting that it may have passed the million-member mark. When Dr. Martin Luther King Jr. was shot to death last April, police reported that gun sales tripled in many of the nation's big cities (at least 50,000,000, and possibly as many as 200,000,000 guns are in private hands in the country).

Last month, when the younger brother of the late President Kennedy was himself the victim of a gun, a new mood appeared among the American people, a mood which reflected a wave of revulsion against guns and their works. President Johnson grasped this mood and the anger and concern of the country, when he asked, "in the name of sanity," that there be an end to "the terrible toll inflicted on our people by firearms." The President observed that 750,000 Americans have been dead from firearms since the turn of the century, "far more than have died at the hands of our enemies in all the wars we have fought."

In the wake of Senator Kennedy's assassination, the President signed an Executive Order establishing a national Commission on the Causes and Prevention of Violence, whose members he asked to study the "aberrations which have struck down public figures and private citizens alike and (where) . . . one out of every five Presidents since 1865 has been assassinated."

The spotlight is also on Congress. America's soaring crime rate, the violence which now seems almost inevitable in its big city ghettos and slums, the climate and atmosphere of violence which has become a daily diet in our communications and entertainment media—all of these have brought pressure on Congress, for "tough" laws, for a greater manifestation of "law and order" and for a halt to the dubious distinction that the United States now holds as the most lawless of the world's nations.

Richard Harris, who has made one of the most detailed and exhaustive studies of the problem of firearms violence and gun controls—and until recently the inaction of Congress, made this summation: "Nothing renders Congress less capable of action that the need for it. The more urgent the need, the more controversy it is likely to create, and the more controversy it creates, the greater is the danger for any member who takes a stand."

And of all the controversies that have embroiled Congress in recent years, he declared, "few have engendered the wrath, the deceit, the frustration and the stalemate" that have attended the controversy over what should be done about gun control legislation. It was only last month that the first piece of gun control legislation was enacted since 1934, as an amendment to the Omnibus Safety Crime Control Act of 1968. However, all the measure does is prohibit interstate traffic in hand guns and their sale to minors.

President Johnson, in signing the Act, noted that it was "only a half-step" and that Congress must go further and "stop mail order murder by rifle and shotgun." In demanding that Congress adopt more stringent safeguards, the President asked "what in the name of conscience will it take to pass a truly effective gun control law?" Mr. Johnson also directed the Attorney General to explore further steps to be taken in a gun control law, and by late last month the Judiciary Committee had reported out a bill which would have prohibited mail order sales of rifles and shotguns.

Americans have only recently gained some insight into the alarming state of the arms traffic and its relation to violence in our history. Some facts, many of which the President brought out in his mandate to the Commission on the Causes of Violence:

Two million firearms were sold in the U.S. last year.

An average of one person dies from gunshot wounds every half hour.

In many cities police still sell at public auction guns taken from persons indicted and convicted of crimes.

Murder by guns has increased from 4,760 per year in 1963 to 6,500 in 1967.

In 1966, 60 per cent of the murders in the United States were committed with guns (44 per cent with handguns, seven per cent with rifles, nine per cent with shotguns). Of the 335 police officers killed in the line of duty during 1960–66, all but 13 were by guns. The use of guns in instances of robbery, according to the FBI, rose 15,000 to 55,000 in 1966.

Yet in the face of this history of violence stemming from the use of firearms, and despite the fact that public opinion polls have for almost a decade shown that the American people are overwhelmingly in favor of stricter federal and local gun laws, Congress has for more than 30 years failed to even pass the mildest of gun control legislation. Two days after the Kennedy assassination, public opinion expert George Gallup told the National Press Club that in 1938 he found 84 per cent of the public in favor of firearms registration, and in 1967 it was 85 per cent. "Congress is lagging behind the public in attitudes on gun control legislation," he declared.

One of the reasons for this lag may be attributed to the organization that is headquartered in an impressive eight-story building of marble and glass at Sixteenth Street and Rhode Island Avenue in Washington, D.C. Its spokesmen deny the influence that is attributed to it, and they point to a long, respectable 97-year-old tax exempt, tradition and invoke the Constitution when speaking of its aims.

Yet few are the organizations—and Washington is a city full of them—that can send shock waves through members of Congress in an election year, and make otherwise articulate lawmakers blanch at the prospect of having opposed its position—than the National Rifle Association (NRA). In the past month the NRA has admittedly been the whipping boy of the nation's editorial writers, commentators and many legislators. In all fairness, however, it might be argued that it has long been overdue.

The NRA claims to speak for American hunters, sportsmen and gun collectors. Like any organization with a particular interest, NRA members represent a cross-section of Americans, who hopefully are for the most part concerned, serious citizens who recognize that there are greater priorities in today's society than the convenience of those who own and use firearms. The rhetoric of the NRA and its leadership has cut a path very wide from that of the general public interest, however. Consider this statement:

'We see Americans behaving like children, parroting nonsense, accepting unproved theory as fact and reacting as the German people did in the 1930s as the Goebbels propaganda mill drilled lies into their subconsciousness and dictated their every move." The speaker was NRA President Harold W. Glassen. The occasion was his reaction to the President's call for a strong gun control bill last month.

The gun lobby is the tag the press has applied to the NRA, and few congressmen have disputed the designation. For an organization which can boast of flooding Congress with "500,000 letters in 72 hours" is worthy of the title. And those state and federal legislators, writers and publishers who have run afoul of the gun lobby can testify that the deluge runs counter to the NRA's high-sounding charter as an "educational institution" to "promote the social welfare."

Many of them have been snowed under by letters that were angry, threatening and obscene. The kindest suggestion was that NRA critics are "Communists." The argumentation of NRA's top lobbyists, however, are not intended for rational political discourse, for always present is the implication that a legislator who "votes wrong" will incur the wrath of "millions of American hunters and sportsmen." An examination of the NRA argument reveals the sand-structure of its position:

"Guns don't kill people. People kill people." NRA advocates like to avoid experts such as FBI Director J. Edgar Hoover, who declares flatly: "The easy accessibility of firearms is a significant factor in murders committed in the United States today." He is for stricter gun control laws.

The Constitutional guarantee. "The right of the people to keep and bear arms shall not be infringed." This phrase from the Second Amendment to the Constitution is the NRA philosophy. Yet the Second Amendment reads in its entirety: "A well-regulated militia being necessary to the security of a free state, the right of the people to keep and bear arms shall not be infringed." The courts have interpreted this as the right of the states to maintain armed citizen militias, which are, of course, National Guard components.

Present gun registration laws are failures. New York State's Sullivan Law ("notorious" and "vicious" to NRA) has been effective enough to have only 17,000 gun registrations in New York City's population of eight million. Gun murders in New York State during 1962–65 were 32 per cent, while in "wide-open" Texas they were 69 per cent in the same period.

Gun control laws lead to a "police state." The United States is virtually alone among leading civilized nations without strict supervision of firearms. In every major European country, including all the Western democracies, either a police license or registration with local authorities is required to buy firearms. Britain and Japan have perhaps the most strict laws.

In 1967, when the worst riots in America since the Civil War were just getting under way, and tensions in our big cities were at their height, the NRA monthly, "American Rifleman," urged that "law-abiding citizens" arm themselves. It was according to the "Arkansas Gazette," clearly the "nakedest sort of appeal to the darkest sort of fears and prejudices . . . it would be hard to imagine a larger public disservice than this deliberate yelling of 'Fire!' in a theater" while America was racked with civil disorder.

Sen. Thomas J. Dodd, the Connecticut Democrat who for more than a decade has sought to enact a meaningful federal gun control law, has been the target of the gun lobby for all those years. And Senator Edward M. Kennedy (D., Mass.), whose personal anguish alone has given him a right to be heard first among his Senate peers, issued a challenge to all Americans.

The gun lobby, he declared, "has produced some of the most irrational and vitriolic mail we receive, has played upon the fears of the American people and has stirred up emotional but baseless arguments in the name of the Constitution." It is time, as President Johnson has said, "in the name of sanity" that America call a halt to the toll of death and end the senseless slaughter.

USWA, AFL–CIO Back Tough Gun Control Law

The United Steelworkers of America and the AFL–CIO both rallied last month in support of the passage of effective gun control legislation before Congress adjourns. The AFL–CIO called it "essential" and urged its state and central bodies to help enact a strong bill. The USWA and the AFL–CIO, meanwhile, joined with some 40 other leading civic, religious, law enforcement and professional groups in an Emergency Committee for Gun Control.

The committee, announced by Attorney General Ramsey Clark after meeting with representatives of all the groups, will be coordinated through the National Council for a Responsible Firearms Policy. Among the other organizational sponsors are the American Bar Association, the Chamber of Commerce of the U.S., the Council of State Governments, the International Association of Chiefs of Police, the National Association of Counties, National District Attorneys Association, National Governor's Conference and the U.S. Conference of Mayors.

AFL–CIO Legislative Director Andrew J. Biemiller, following the approval of a bill barring mail order sales of weapons and ammunition by the Senate Judiciary Committee, called for enactment of a law which would also provide for the registration of all guns in private possession; prohibit the interstate sale or shipment of rifles and shotguns, as well as pistols and revolvers and ammunition to be used in them; and ban the sale of guns and ammunition to persons under the age of 21, and persons convicted of major crimes, drug addicts and persons of unsound mind.

Such a law, Biemiller said in a letter to state and local AFL–CIO officers, "will not curb the hunter or gun hobbyist, but will go far to make our streets and communities safer." He noted that the most recent AFL–CIO convention called for effective gun control legislation. Since then, he said, "the tragic assassination of the late Sen. Robert F. Kennedy has dramatized the urgent need for such a law."

Congress, last month, began responding to an unprecedented outpouring of public opinion demanding a strong gun control law. Tens of thousands of letters and telegrams poured in on Capitol Hill. Persons who had never before circulated petitions knocked on neighbors' doors and collected signatures in their shops and offices.

Just a month ago, before the latest assassination of a national figure, the Senate had voted 53–29 against adding a mild ban on mail order sale of rifles to the ban on hand gun sales through the mail which was included in the crime control bill.

Guns Abroad: No Nonsense, No "Gunplay"

In every major European country, either a police license or registration with local authorities is required to buy firearms. In Britain an applicant for a firearms certificate must tell police why he needs a weapon, and answer numerous questions which the police follow up. Permits for rifles and shotguns there are issued almost exclusively to farmers and hunters. Pistol owners are restricted almost entirely to gun clubs.

In France only certain categories of citizens, such as police and bank guards can possess pistols. During the recent outbreaks in France, only two people died of gunshot wounds. In Japan, law on gun ownership is so strict that American TV stars of westerns coming into the country can only wear cap pistols when greeting their Japanese fans.

In a study done by the Library of Congress, the rate of homicides by guns was found in 1963 to be 2.7 per every 100,000 population. By contrast, in Britain, the rate was 1-55th the American rate. In Germany, it was about 1-25th the American rate. In Japan, it was 1-65th, and in The Netherlands, it was 1-90th.

In fact, for a period of three years in The Netherlands, there was not a single murder by gunfire. The average rate in Britain and Japan in those years was about 30 cases per year. That's about the number of murders committed in this country by guns every two days.

Switzerland is perhaps typical of the way other civilized countries of the world regulate the sale and possession of guns. In that country, which maintains a citizen militia system of able-bodied males who keep their own guns at home, every gun is registered, and the ration of ammunition must be accounted for down to the last bullet. The soldier may not use his gun except with specific permission for military-training exercise.

Otherwise, in Switzerland, a person desiring to purchase a gun for hunting must get a permit from the local police. Permits are denied to people who have criminal records or who are under 18. They are also denied to people who have backgrounds of drunkenness, emotional or mental instability.

EXPOSURE TO MEDICAL X-RAY CAN BE REDUCED

Mr. MAGNUSON. Mr. President, in his continuing effort to protect the population of the Nation against the hazards of excessive radiation, the Senator from Alaska [Mr. Bartlett] has prepared a statement which offers dramatic proof that by requiring performance standards on medical X-ray equipment, we can greatly reduce the annual genetically significant doses delivered to our population through diagnostic medical X-ray.

I ask unanimous consent that Senator Bartlett's statement be printed in the Record.

There being no objection, the statement was ordered to be printed in the Record, as follows:

Statement by Senator Bartlett

Tomorrow the Senate Committee on Commerce will consider in executive session H.R. 10790, the Radiation Control for Health and Safety Act of 1968, and a number of amendments I have proposed to the bill as it was passed by the House of Representatives.

In terms of protecting present and future generations against a serious health hazard, H.R. 10790 may be the most significant bill Congress will have considered this session.

The seriousness of this health hazard, particularly the damage radiation can do to human genes, damage which may not show for generations, has led most if not all thoughtful men to agree that excessive or unnecessary doses of radiation should be eliminated.

My intent in conducting two Senate hearings on the threat of radiation has not been to discourage the use of X-rays for medical or other purposes, but rather to learn what could be done, if anything, to reduce the amount of unnecessary exposure to radiation received by the population of the United States.

In the course of receiving testimony on this topic I became convinced that the major source of manmade radiation received by persons living in this nation, perhaps as much as 90 percent of the total, is radiation used to make medical diagnosis. It then became obvious that if ways could be found to reduce radiation exposure from this source without hampering the use of X-rays as a diagnostic tool we would go a long way toward protecting future generations from the horrors, heartbreak and waste which can be passed on by damaged genes in the reproduction process. I further became convinced that Dr. Donald Chadwick, of the Public Health Service, was correct when he stated at a Congress of Environmental Health in Chicago in 1964:

"Our knowledge of the biological effects of radiation has many gaps, but enough is known that practitioners of medicine, dentistry and public health should make every feasible effort to prevent or reduce all unnecessary radiation exposures. The size of the population at risk and all possible consequences of failure to take appropriate action are too great."

In a speech delivered at the annual meeting of the Health Physics Society last month at Denver, Dr. Karl Z. Morgan, director of the Health Physics Division at Oak Ridge National Laboratory, reported that several surveys indicated the following range of annual genetically significant doses delivered to populations of various nations from medical diagnostic X-rays; United States, 55 millirads (1964); Japan, 39 millirads (1960); Denmark, 22 millirads (1965); Great Britain, 14 millirads (1957-58), and New Zealand, 12 millirads (1963).

Obviously there are many reasons for this variance, but the point is that if we in the United States can cut down on this type of exposure without hindering the use of X-rays as a diagnostic tool we should.

Perhaps more to the point, Dr. Morgan reported that depending on the dentist a patient chooses he can receive doses for the same type of X-ray ranging from 3,000 to 350,000 millirads to the lips. Depending on the equipment used and on the training of the operator, the dosage to the skin from a chest X-ray may range from 10 millirads to 1,000 millirads.

It seems to me that patients should not be faced with this type of choice. Rather they should be confident that when they are X-rayed they are receiving a dose of radiation no larger than what is needed to insure a successful X-ray.

The results of a survey of 6,380 X-ray machines and an analysis of population X-radiation dose offer dramatic proof that with proper equipment we can significantly reduce the amount of genetically significant doses the population of this nation receives from diagnostic X-rays. This survey and this analysis are two more links in the evidence that the public can be protected from unnecessary radiation exposure, two more links in the evidence that there is a need for Congress to pass an effective radiation control act in this session.

The survey of X-ray machines was included in testimony presented by the Public Health Service at the hearings I conducted in May. The results of the analysis entitled "Population Exposure to Medical X-ray, 1964" are being made public for the first time in this statement. The figures which I will discuss shortly are only a small part of the analysis which is to be released in the near future by the Public Health Service.

The population study analysis for 1964 showed that in the case of a specific X-ray diagnostic procedure (lumbar/lumbosacral spine examination), the mean X-ray dose to the male gonads could be reduced more than 100 times, from 2,547 millirads to 20 millirads, simply by limiting the beam size of the X-ray to the size of the film or fluorescent screen. The same analysis for females showed that the mean ovarian dose during the same procedure could be reduced from about 420 millirads to about 280 millirads when the X-ray beam is collimated from actual to no larger than film size.

If a proper collimator is used:

In making radiographic chest examination, the ovarian dose can be reduced from 8 to 5 millirads; the testicular dose, from 5 to 1 millirad.

In making a photoflurographic chest examination, the ovarian dose can be reduced from 8 to less than 1 millirad.

What makes these figures all the more significant is the finding in the survey of more than 6,000 X-ray machines made in 25 states and two territories that 32.8 percent of the machines had improper collimation. Only 30.2 percent of the machines studied were considered to have proper collimation. Information recived on the remaining machines made it impossible to determine clearly if they had proper or improper collimation.

Perhaps the most startling conclusion reached in combining the survey and the analysis is that strict collimation of X-rays used in medical diagnosis could reduce the average annual genetically significant dose per person from 55 millirads to 19 millirads.

The conclusion to be drawn from the population dose study and the survey of X-ray machines is pretty obvious. The possibility for unnecessary exposure exists and should be controlled.

It is my understanding that leading X-ray equipment and accessory manufacturers in the United States are again being urged to improve a device to cut down patient exposure during X-ray diagnostic procedures. It is my hope that the manufacturers' response will be immediate and affirmative.

The study of X-ray machines was carried out by State and local health agencies of 25 states and two territories with the assistance of the National Center for Radiological Health of the Public Health Service. X-ray facilities in the study included those of hospitals, radiologists, family physicians practicing in private offices and clinics, internists, pediatricians, orthopedists, chiropractors, and osteopaths.

The analyses on the reduction of dose to patients was developed by staff of the NCRH in its continuing analysis of data from the Center's previously published study of population X-ray dose for 1964.

CARTHAGE COLLEGE, IN KENOSHA, WIS.

Mr. NELSON. Mr. President, Carthage College, located in Kenosha, Wis., is dedicated to academic excellence in Christian higher education. Through the able leadership of its president, Harold H. Lentz, Carthage College has distinguished itself as a fine institution at which to study.

Dr. Lentz deserves praise for channeling the enthusiasm of the Carthage student body toward constructive projects for community betterment. Of course, while congratulating President Lentz and the faculty of Carthage, a great deal of praise must be given to the student body. The young collegians at Carthage have demonstrated that America's youth can be relied upon to act in the interests of our society.

In an editorial published in the Milwaukee Sentinel of May 29, 1968, the extracurricular community assistance activities of the Carthage student body are enumerated. I ask unanimous consent that the article be printed in the RECORD so that Senators may know some of the accomplishments of the Carthage students.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

HAPPY OPPOSITES

They haven't received much publicity, but students at Carthage college in Kenosha have been staging more than their share of demonstrations.

The trouble with the Carthage demonstrations is that they have not been of the sort to get national attention. The students at Carthage haven't seized the president's office, demanded to be given instant control of the curriculum, or anything like that.

Rather, reports the college with justifiable pride, the Carthage student demonstrations have been of the positive sort. It lists these examples:

A busload of Carthage students have, for several years, been making monthly trips to Southern Colony (a state home for the mentally retarded) for group singing and visits on the wards.

Several Carthage students have been serving as big brothers and big sisters to underpriveleged children in the Racine area.

Last year, Carthage students gave up food for a day to participate in a "food for India" drive.

Carthage students annually do volunteer service at Camp Augustana (a Lutheran summer camp at Lake Geneva) to prepare facilities for each new camping season.

Carthage students are active in the tutoring program of the Kenosha United Migrant Opportunities Services.

Carthage students make weekly visits to serve at Taylor Home for Children, a private home for emotionally disturbed children in Racine.

Carthage students annually raise $400 to $500 to purchase toys for the children at Southern Colony at Christmastime.

Several Carthage students work each Saturday as tutors in the Racine core area.

Last spring, 12 Carthage students gave up their spring vacation to do volunteer work in Appalachia. Last year, many students did volunteer work in tornado stricken areas in northern Illinois.

Carthage students annually plan and carry out several programs dealing with social and political issues, on riots, black-white confrontation, the Negro at Carthage college, Afro-American emphasis week, semester swap and others.

Happily, Carthage college is not alone in being able to compile such a list. For all the campus rioting, there is a great deal of positive and constructive demonstrating still going on among American college students.

The Carthage type of demonstrators, not the wild eyed radicals bent on destruction, are the ones on which our society can pin its hopes for a better tomorrow.

INTERNATIONAL LAW QUIBBLERS SILENCED

Mr. PROXMIRE. Mr. President, Ralph McGill, distinguished journalist, publisher of the Atlanta Constitution, and incisive commentator, wrote a column that was published in the Washington Evening Star of July 5.

The column, entitled "Battle for Human Rights Goes On," is a most concise yet perfectly reasoned rebuttal of what some cynical preachers of defeatism in the battle for human rights have been saying.

As I noted in my remarks of June 28 concerning the human rights conventions, the defeatism that declares as anachronistic the ideals, idealism, and the hopes of civilized men for a real international rule of law protecting all men and their intrinsic, inalienable rights, is itself woefully out of date. I further stated that because there does not now exist an enforceable international body of law guaranteeing these human rights, it is encumbent on all of us to work just that much harder to insure that such a body does come into existence.

Surely, the lack of specific domestic or international laws protecting human rights does not inhibit creation of such safeguards. What we are using as a basis for these safeguards is the principle that all men are "endowed by their Creator with certain inalienable rights." Certainly the words and thoughts and humane instincts of Thomas Jefferson, expressed so eloquently in the Declaration of Independence, should be our guide rather than the picayune hair-splittings of legalistic prophets of doom.

Mr. McGill states this principle not only with clarity but with conviction when he says:

> Some men quibble. Jefferson was not saying that all have equal talents or intelligence—they are equal in the sight of their Creator. Did he have slaves or Indians in mind? Perhaps not directly. But the principle was there—all men are equally endowed by their Creator with the unquenchable desires to have their natural rights—those common to all men.

I say in agreement with this eloquent statement that we have the principle of the natural rights of all men clearly enunciated in practically every law that this country has ever passed for the benefit of its own citizens. Surely, we can build on that same principle and ratify the human rights conventions and move mankind that much closer to a rule of international law that might surprise some who criticize the principle of the natural rights of all men.

I ask unanimous consent that the text of Mr. McGill's column be printed in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

Battle for Human Rights Goes On

(By Ralph McGill)

"I turned to neither book nor pamphlet while writing the Declaration (of Independence)," wrote Thomas Jefferson.

The principles and language of John Locke's "Two Treatises of Government" and of Locke's "Essay on Human Understanding" were so much a part of Jeffersons mind that historians have concluded that the Jefferson mind unconsciously moved in grooves cut there by Locke's philosophy.

The book was an epoch in human thought in its time. In that sense it was truly revolutionary. Locke viewed the human mind as a sheet of clean paper ready to be written upon by experience, which alone supplies the knowledge there impressed. He traced the source of all ideas to what he called sensation and reflection.

Certainly man was not endowed at birth with all his attributes nor was he located, by birth, in a situation, or caste, in which he would remain fixed and helpless in the face of forces beyond his control.

The colonists, long before independence and revolution, had early begun to break the old ties of tradition and custom and to depend upon the experience gained by putting their own reason into the test and experience of trial and error.

A committee was assigned to prepare the Declaration of Independence. The writing of it was Jefferson's.

It was said, in 1776, when persons had read what was to become one of the world's most influential documents, that many would say, "Those are Jefferson's words."

Educated men among the colonists were familiar with Locke's belief in an orderly universe operated by natural law. Locke said that men formed governments to protect their natural rights.

Jefferson's words are powerful. The Declaration and Tom Paine's essay on rights of man had a profound effect when read to the non-bookish troops at Valley Forge at a time of desperate crisis in the Revolution.

Neither Jefferson nor Locke pronounced, it is well to remember, a political theory. The Declaration of 1776 had enormous political effect. But it was not a political theory. The Declaration described man's experience of the past and his hope for the future. His rights were not, "political"—they were, instead, to be assumed in the inherent nature of things. Man aspired to an orderly society that could enable him to have them.

"We hold these truths to be self-evident, that all men are created equal, that they are endowed by their Creator with certain unalienable Rights, that among these are Life, Liberty and the Pursuit of Happiness."

Some men quibble. Jefferson was not saying that all have equal talents or intelligence—they are equal in the sight of their Creator. Did he have slaves or Indians in mind? Perhaps not directly. But the principle was there—all men are equally endowed by their Creator with the unquenchable desire to have their natural rights—those common to all men.

Today's many social protests are a part of progress—if one is willing to see them as such. The Boston Tea Party, the fighting at Lexington and Concord, all had preceded the Declaration. Jefferson later urged amending the Constitution whenever necessary to protect human rights.

All Americans know that many adjustments have been long overdue in fully establishing human rights and equal protection of laws. The balance is not yet complete.

Historians may well write that many of our protests of this and past years were a sign of progress toward the obective of the Declaration of 1776—that a stronger and better America will emerge from them.

WATCH YOUR BACKSWING

Mr. FANNIN. Mr. President, there has been some criticism of those in this body who have indicated their opposition to the President's recent nominations to the highest Court of the land, the Supreme Court of the United States.

Some Senators have been firing off verbal "bomblasts" every hour on the hour. The main message of these blasts seems to be that we who find ourselves opposed to the President's action are "playing politics" with the Court.

Some of these critics are skilled debaters; and they, of all people, certainly do not need to be reminded of a couple of simple truths. One is that if you live in a glass house it should certainly be well protected before you start hurling stones about indiscriminately. Second, if the argument you begin to wield is two-edged—watch your backswing.

So rather than restating these elementary rules for safe conduct, I would simply recall the words of an argument between two little boys who once became greatly incensed at one another. The older boy called the younger every name he could think of, and then made up a few. When his supply finally exhausted itself, the younger fellow waited a moment and then asked, "Are you through?" "Yes." "Well," the little fellow said, "all those things you called me, you are too."

Mr. President, if the actions of the Supreme Court Chief Justice and the President do not have some small aura of politics about them, then I confess to being badly mistaken. I think there are other observers who may also detect the faint hint of political maneuvering in the wind.

I ask unanimous consent that an editorial entitled "The Political Court," published in the Wall Street Journal, be printed in the Record.

There being no objection, the editorial was ordered to be printed in the Record, as follows:

The Political Court

The appointment of Abe Fortas as Chief Justice may turn out to be a good one, even an outstanding one. Certainly in his brief time on the Supreme Court he has exhibited level-headedness and a commendable concern for law and order.

Yet the manner of the appointment carries an especially heavy aura of politics. And this we think most unfortunate.

The resignation of Chief Justice Warren at a time when President Johnson has only half a year or so left in office was bound to create the suspicion that the idea was to permit the President—and not, say, a President Nixon—to pick his own man.

Mr. Johnson was criticized for naming Mr. Fortas to the Court in the first place, not on the issue of the latter's merits but because he is a long-standing crony of the President. Such criticism is bound to be intensified now, especially with the simultaneous appointment of a relatively unknown fellow-Texan, and we believe with justification.

Politics, cronyism are nothing new in the history of the Court; indeed, in the nature of things the Court cannot be wholly immune from politics. So it comes down to a matter of degree. The circumstances of this particular shift must impress many as a fairly flagrant example of making the highest tribunal a political football.

Unhappily it is not an isolated instance. One of the more thoughtful objections to the Johnson Administration's general conduct of Government is that its excessive politicking has tended to undermine the institutions of Government—Congress, the Court, the Presidency and lesser entities.

We wish Mr. Fortas well, but we are constrained to say we consider it little service to the Supreme Court, at a time when it is under attack anyway, to have this impression generated. And while the Court cannot be entirely divorced from politics, it is little service to the nation to have politics so forcefully injected into what should be impartial institutions.

NEED FOR ACTION ON SCHOOL LUNCH BILLS IN THIS SESSION

Mr. HART. Mr. President, I note that yesterday two House-passed school *lunch bills—H.R. 17872 and H.R. 17873—* were referred to the Committee on Agriculture and Forestry.

These two bills passed the House by overwhelming votes—an indication of the wide public support for meeting the needs of hungry children without further caviling.

As one who has for several years sought to get the school lunch program more effectively directed to providing food for those who really need it, I urge my colleagues on the Agriculture Committee to consider these two bills promptly and give us an opportunity to act on them before adjournment.

As indicative of the public interest and concern with this matter, I ask unanimous consent that there be printed in the RECORD an article, entitled "School-Lunch Setup Called Too Lean,' published in the Christian Science Monitor of July 2, 1968.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

SCHOOL-LUNCH SETUP CALLED TOO LEAN

(By Mary Kelly)

NEW YORK.—Children who reach school hungry and return home hungrier are in far greater number than is generally realized. But people who want to do something about this are now in active search for reform.

Only 2 million out of 5 million children from "rock-bottom" poverty homes receive free or reduced-price school lunches under the National School Lunch program.

Five leading women's organizations say this after making a special study. The organizations are: Church Women United, National Board Young Women's Christian Association, National Council of Catholic Women, National Council of Jewish Women, and National Council of Negro Women.

COMMENTS QUOTED

The average middle-class view of today's school-lunch program is far too optimistic, says their report entitled, "Their Daily Bread."

They quote as typical misinformed comments: "Oh, all the children get that . . . all the kids get it. . . . The ones who can't afford it don't have to pay."

Facts show otherwise.

Figures, state by state, are shown indicating the number of children below poverty level and the number receiving school lunches. Also it is noted that in 39 states more than 1,500 interviews were conducted.

Disparities between what is done in one section of the country and another section are great. East, West, South, and North—in the rural South and in northern industrial cities, children go hungry.

Here are some examples of the disparity between numbers of poor children and lunch-fed youngsters. But every state has the problem to some extent, according to figures in "Their Daily Bread," a report on the National School Lunch Program.

Free lunches and poverty-sampling of States

ALABAMA

School-age children in poverty	244, 300
Schoolchildren receiving lunches	38, 100

CALIFORNIA

School-age children in poverty	396, 600
Schoolchildren receiving lunches	39, 600

ILLINOIS

School-age children in poverty	254, 100
Schoolchildren receiving lunches	18, 700

KENTUCKY

School-age children in poverty	196, 500
Schoolchildren receiving lunches	59, 800

MICHIGAN

School-age children in poverty	*167, 700*
Schoolchildren receiving lunches	26, 100

MISSISSIPPI

School-age children in poverty	256, 200
Schoolchildren receiving lunches	31, 500

NEW JERSEY

School-age children in poverty	108, 800
Schoolchildren receiving lunches	*12, 900*

NORTH DAKOTA

School-age children in poverty	26, 300
Schoolchildren receiving lunches	4, 400

TEXAS

School-age children in poverty	403, 300
Schoolchildren receiving lunches	73, 100

WISCONSIN

School-age children in poverty	78, 600
Schoolchildren receiving lunches	15, 700

New York State, says the report, ranks first in "percentage of free and reduced-price lunches in the nation—27.4 percent." Out of 405,584 children in families below the poverty level, 350,563 received free or reduced-price lunches in 1966.

CONNECTICUT RATES HIGH

Connecticut is high on the list, providing 40,050 free or reduced-price lunches, while the children below poverty level number 39,361.

Texas is at the other extreme, with a record of having 403,275 below poverty level but providing only 73,078.

Reasons for the lag include local decisions as to available monies, administrative difficulties, lack of kitchens and cafeterias in many of the old schools, increased costs, and unawareness of acute need.

Federal funds, according to the National School Lunch Act of 1962, shall be made available upon condition that each dollar will be matched by $3 from sources within the state. But high costs of the program have made the federal contribution shrink from 9 cents per plate to 4.5 cents on the average.

However, New York State makes up the amount necessary to raise the federal level back to its 9 cents. New York has provided school lunches since 1946, an official of the school-lunch program told me. "Practically all schools except those with no facilities participate," she said.

New York City pays additional reimbursement to cover cost of meals served without charge to eligible pupils referred by the Department of Welfare. In 1966–67, the city school system served more than 315,000 free meals to public-school pupils.

This was in addition to meals at reduced prices, meals to nonpublic schools, and in addition to milk.

The number of "A" lunches here (labeled so by federal nutrition standards) totaled more than 70 million.

The 135 pages of "Their Daily Bread" abound in first-hand statements which underscore distressing conditions. Thousands of housewives obtained the information through questionnaires.

A teacher from Green Bay, Wis., says five out of six low-income pupils in her class get no lunch or inadequate food. A parent in Marysville, Wash., (where there is an Indian reservation) says she has six children, she knows nothing of free lunches, and doesn't have the money to pay "every" day. A teacher in Tallahassee, Fla., frankly says some needy children have to be turned down when applying for free lunches "since there is only so much available."

MANY GOING HUNGRY

A principal in Memphis says 98 percent of the children who cannot pay even the token fee of 5 cents "are going hungry." A report from Harrisburg, Pa., notes that many children in poor families who supposedly "walk home to lunch" find no lunch at home when they get there.

In Detroit it was found that only 79 out of 224 elementary schools participate in the school-lunch program. Of those not participating, 78 are located in the slums.

In Minneapolis only 9 out of 71 elementary schools participate in the program.

Thousands of children have to "study" while others eat, the committee learned. *Many other communities than those cited* above show great need.

The committee feels that its proposed long-range program for universal free lunches is not an immediate possibility.

Meanwhile it recommends:

Reduce the maximum price of the school lunch to 20 cents and provide free lunches for all children who cannot afford to pay. (The national average cost for elementary pupils is now 35 cents, but a few systems charge 40 to 45 cents.)

Raise the federal contribution.

Create a new matching formula for the states.

Set uniform standards of eligibility for free and reduced-price lunches and end "haphazard inequitable practices."

ACTION KEENLY AWAITED

Proponents of these changes are now keenly awaiting action of the federal measure to grant an increase of $100 million for the National School Lunch program which was recently approved by the Education and Labor Committee in the House.

Miss Jean Fairfax, New York City, chairman of the Committee on School Lunch Participation making the report, charged the United States Department of Agriculture with responsibility for failure of the present program. Mrs. Florence B. Robin of Pikesville, Md., special program consultant of the American Civil Liberties Union, was director of the project.

SCRAP THE PANAMA CANAL TREATIES

Mr. TOWER. Mr. President, following the announcement in June 1967 by the Presidents of the United States and Panama of completion of the negotiations for three proposed new Panama Canal treaties, which had not been published by the Government of either country, the texts of the three proposed treaties were obtained on the isthmus through the journalistic initiative of the Chicago Tribune, published in the United States, and quoted in full in addresses to the Senate in the RECORDS of July 17, 21, and 27, 1967, by the distinguished senior Senator from South Carolina [Mr. THURMOND].

These conventions include provisions for the following:

First. Abrogation of the 1903 Treaty between the United States and Panama under which our sovereignty over the Canal Zone was acquired in perpetuity, ownership of all land and property in the zone obtained by purchase from individual property holders, and the Panama Canal was constructed and subsequently maintained, operated, protected, and defended.

Second. Participation by Panama in the management and defense of the Panama Canal.

Third. The eventual giving to Panama, after a comparatively brief period, of the existing canal and any new canal that may be constructed in that country, both without any compensation whatever and notwithstanding the fact that the taxpayers of the United States from 1904 to June 30, 1966, furnished the tremendous sum of more than $4,889,000,000 for the canal enterprise and its defense.

Here it should be emphasized that if the Canal Zone, which includes the existing canal, becomes a part of Panama, as provided in the proposed treaties, the latter country could expropriate the canal immediately. Such action by Panama would not be possible under the 1903 treaty.

The proposed new treaties awakened hostile reactions on disclosure in both the United States and Panama for different reasons. In the first, some 150 Members of the House of Representatives introduced proposed legislation opposing such a surrender. In Panama, they were opposed because they did not cede enough. In both countries there has been considerable editorial and feature writing.

The latest significant contribution is a thoughtful editorial written by Harold Lord Varney, President of the Committee on Pan American Policy of New York, and published in Pan American Headlines. In order that Mr. Varney's thoughtful editorial may be read by all Members of Congress, I ask unanimous consent for it to be printed in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

THE NEXT STEP—SCRAP THE PANAMA TREATIES

The political circus, called a Presidential election, which has been taking place in Panama, should just about ring down the curtain upon President Johnson's proposed new Panama treaties.

Try as they may, the State Department press agents can no longer obscure the fact that Panama, as now constituted, is incapable of orderly self-government. President Johnson's rash proposal that we turn over, in part, the highly technical operation of our Panama Canal, and a veto power over our $3 billion military installations in the Canal Zone to the incompetent Republic of Panama is now revealed as the stupidest United States Latin American decision since we sponsored Fidel Castro in 1959. The proposal should be quickly and finally buried.

Even an amateur could have told Mr. Johnson that politics in Panama is not a democratic process: it is a fratricidal and bloody contest for pelf between factions of the tiny Panama elite, known popularly as the "Hundred Families". These "Families" have ruled and ruthlessly exploited Panama ever since the Isthmus was a province of Columbia. Their primary preoccupation is to determine who is to get the major benefit from the more than $90 million annual U.S. spendings in the Isthmus. The ignoble role which the U.S. plays in Panama is that of being goose for the plucking.

These are not pleasant truths but they must be told, regardless of anyone's feelings. President Johnson is willing, under the duress of Panama threats of violence, to sign an indefensible treaty with these Panama sharpshooters. He is willing to void a 1903 treaty "in perpetuity" to do so. He should be stopped.

It was Congresswoman Leonor F. Sullivan, chairwoman of the Panama Canal sub-committee of the Merchant Marine Committee, who tore the mask off the whole hypocritical Panama situation by revealing that the common people of Panama would be the greatest sufferers from a United States withdrawal. None of the financial benefits which the Panama politicians would derive from the Johnson-proposed treaties would trickle down to the Panama needy. They would disappear into the clutching pockets of the "Hundred Families".

The Administration should have been jolted into a recognition of this truth when the Canal Zone Central Labor Union and AFL–CIO Metal Trades Council, representing 11,000 native Panamanians employed on the Canal, passed a resolution last January opposing the treaties. These workers, now enjoying equal pay with the American employes, for equal work, know painfully that Panama domination of the Canal will mean depressed wage scales and conditions.

Mrs. Sullivan well said, when the surrender of the Canal Zone was announced: "This new agreement is the most terrible thing this country of ours has over done. The Washington concessions will only benefit a few in the higher reaches of the Panamanian Government and society, not the masses."

One of the most embarrassing revelations in 1964, when President Chiari was attempting to whoop up hatred of the United States as an "oppressor," was the disclosure that Chiari, on his own plantations, was paying Panamanians less than half the wages that the U.S. was paying on the Canal.

The whole controversy with Panama since the 1964 assault has been motivated by the hope of Panama's politicians that they can put a merciless squeeze upon the United States for our continued presence in the Isthmus. The President's proposed treaties provide for the upping of our annual subsidy of the Panama government from $1,940,000 to $15,000,000. But when this was published in Panama there was an indignant outcry in the Hundred Families-owned press that this was not enough. The figures of $50 and $75 million were tossed around. One Panama legislator rose in the National Assembly to demand that, if the U.S. built a sea-level canal (with its own money), Panama should exact a $1 billion bonus for its permission. It has been increasingly plain, since the new treaties debate commenced, that the U.S. has stepped into a thieves' kitchen.

President Johnson, if he is wise, now has an unhoped for opportunity, to get out from under the whole shameful situation. The late Senator Grady added a phrase to the American legend when he described his support of a measure in the New York Legislature as "the dirtiest day's work of my career". If, in the pursuit of an impossible appeasement, the President rams his treaties down the throats of the American people, he will find a ready-made description of his surrender.

ADDRESS BY FORMER AMBASSADOR GEORGE V. ALLEN

Mr. JORDAN of North Carolina. Mr. President, for the past 30 years George V. Allen, a man whom I am very proud to call a close friend as well as a fellow North Carolinian, has served his country in a variety of ways and with distinction in each of them.

Now the Director of the Foreign Service Institute, he has been U.S. Ambassador to four different countries, has served as director of the U.S. Information Agency, and has twice held the position of Assistant Secretary of State. He holds the highest rank open to an American career diplomat—a permanent designation as career Ambassador.

In short, much of his life has been devoted to telling the American story to the rest of the world.

But today I invite attention to another unique contribution which he has made—that of making the American ideal real to America.

It is embodied in an address he made last April 4 on the subject of "Democracy" to a meeting of the National Conference of Christians and Jews in Winston-Salem, N.C.

His remarks have already been reprinted in the May 15 issue of "Vital Speeches of the Day," but I think they are so timely, so thought-provoking, and so important at this stage of our national life that they should have the widest possible circulation.

For this reason I not only commend his comments to the attention of this Chamber but also ask that the full text of Mr. Allen's speech be printed in the RECORD.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

DEMOCRACY—LIBERTY, EQUALITY AND FRATERNITY

(By George V. Allen)

You do me great honor in asking me to participate at an occasion honoring Charles Wade. I learned to know and to respect his abilities from the beginning of my association with the tobacco industry. It was immediately clear to me that he was marked for distinction, an unusual man among men.

During more recent years, our association has matured and deepened. I have seen him in action in a variety of fields, notably as a member of the Board of Trustees of Duke University. I know him today as a man of character, piety, and warm humanitarian emotions.

On the present occasion, I am moved by special pride and pleasure as I call him friend.

But my role in the proceedings this evening is not to eulogize your honoree. That pleasant task is for others. Nevertheless, I cannot dismiss the subject without reference also to Margaret Wade and their fine children. Together, they maintain precisely the type of establishment which we in the Foreign Service are most eager to present to foreign visitors as the "typical" American home. I wish, indeed, more American families achieved their high standard, both inside the U.S. and overseas.

Let us turn, now, to one of the chief characteristics we like to regard as basically American. I refer to the concepts embraced by the term, democracy. An organization such as the Conference of Christians and Jews could exist only in a truly democratic society.

We Americans make no claim to have discovered, or invented democracy. As a political concept, it was invented by the Greeks, more than 400 years before Christ.

An authority on classic Greek claims that democracy remains today the greatest invention of the human mind and the only one which has not been improved upon in 2,500 years.

To appreciate the radical nature of this discovery, we should recall the striking contrast between the democratic concept as set forth by the Greeks, and the authoritarian ideas which prevailed in Egypt under the Pharaohs. There, the only purpose of man was to worship and toil for the God-King, the Pharaoh. Only the God-King was regarded as immortal. He alone was thought to have a soul which survived after his death. The end of the common man, during his brief span on earth, was to toil in sweat and tears, under the lash of the hierarchy, to build palaces and pyramids for the God-King.

Then appeared a handful of teachers and thinkers and statesmen in Athens, during the age of Pericles, who gave expression to an entirely different concept—one in such radical contrast it seemed almost from a different planet or a different human race. Socrates and Aristotle and Plato taught that every individual had a mind and a personality and a soul of his own, which he not only had a right but a duty to develop to his fullest capacity.

Every man was encouraged to think for himself. At public meetings on Mars Hill, near the Agora (or Market Place), the people assembled to hear politicians debate the issues of day. The citizens of Athens were permitted to choose their own rulers and to decide for themselves what laws should be enacted. What greater heresy could there be for an authoritarian mind—wedded to the Pharaonic ideology!

Justice Oliver Wendell Holmes based his greatest dictum on the Greek agora. Let your ideas, he said, find their currency in the competition of the market place. Let anyone who has an idea stand on a soap box and express it. Let others with different views have the same privilege. In this way, foolish ideas will be punctured, while sound ones will prevail, in the free competition of the market place of ideas.

The concept requires tolerance, of course, and is the exact opposite of the tactics employed by Nazis, Communists, and other extremists who shout down speakers and disrupt meetings through physical violence.

If a majority, or even a well-organized minority, refuses to allow ideas different from their own to be heard, free competition cannot take place, and unsound ideas will prevail.

The basic concept of democracy—the right of an individual to think and speak himself—is as important in religion as in politics.

It has been said that Jesus was influenced by the radical concepts of Greece which had penetrated into Palestine well before his time. Jesus, a product of the Hebrew tradition, did not think of himself as a revolutionary and insisted that he had come not to destroy but to fulfill. Yet his emphasis on every man's right to speak directly to his Maker, through silent prayer in his own closet, without intercession by an ecclesiastic hierarchy, was in line with the democratic concepts of both individual liberty and the sovereign equality of all men.

Many writers have attempted to describe democracy. As good a definition as I know was that which emerged from the French revolution—Liberté, Egalité, Fraternité.

This definition has become so familiar that Fourth of July speakers often mouth the phrase Liberty, Equality, and Fraternity as if it embraced one inseparable concept. Few of us stop to recall that liberty and equality, while similar in some respects, are at times quite antagonistic to each other. Many of our difficulties in the United States and throughout the world today stem from the conflict between devotees of liberty and those who yearn for more equality.

A useful way to conceive democrary is to think of it as a tripod. Each of the three legs must be of approximately even length if any democratic society is to remain stable.

The first leg, liberty, must certainly be a basic support of any political system which calls itself a democracy. The Communist nations, which insist most loudly on their democratic nature, have in fact the least justification for doing so. We hear references to so-called Democratic Republics "People's Democracy" throughout the communist world. Nothing could be further from the truth. Democracy is non-existent where there is no individual liberty.

Freedom of speech and of the press, the right to vote by secret ballot, freedom of worship—these are the aspects of liberty which are basic to any democratic system. Patrick Henry exclaimed, "Give me liberty or give me death!," and the nation responded to his clarion call.

But liberty alone is not enough. Unbridled liberty, when carried to the extreme and without regard for equality, can produce an understandable result. It can mean freedom for the strong or the clever to oppress the weak and the less clever. If liberty were the sole criterion, those fortunate enough to be strong or clever would soon gather all the material things of the world, the real property, the mineral wealth, the stocks and bonds, and the good things of life into their own hands and into the hands of their families and descendants, with little opportunity for those less fortunately placed or endowed to enjoy them. If all our efforts were merely to preserve individual liberty, an aristocracy of power and wealth would soon be created, through acquisitions and inheritances, with the masses living as serfs or peons. Only the rich and powerful could afford to attend schools or be cared for in hospitals or have decent housing. There would be no public or social responsibility for education, or health, or housing.

Thus, there is need for the second leg of our tripod, equality. In the early days of our government, great emphasis was placed on liberty but relatively little on equality. The Declaration of Independence contains the bold assertion that all men are created equal but let it go at that. When Patrick Henry expressed willingness to die for liberty, he did not think it necessary (or perhaps desirable) to express a similar readiness to die for equality.

The U.S. Constitution prohibits titles of nobility, but since there were no great disparities of wealth, our founding fathers did not bother to include more specific guarantees of equality, particularly after the leading Tory families were dispossessed. In a largely agrarian and frontier society, those who drafted the Constitution were chiefly concerned with assuring individual liberty, which meant freedom of opinion, of religion, and of the ballot for the free, white population. Equality among such men seems to have been almost taken for granted. Americans wanted to be certain that their new government did not suppress the right of each person to do very much as he pleased, including the right to accumulate wealth and to hand it down to his children. In their view, the less government, the better.

Tentative steps to assure more equality began during the early 1800's, when one state after another removed the property qualification for voting. Free white males over 21 were gradually given the right to vote, whether they owned property or not. The movement started in New England. Bitter contests were waged over this subject in state after state. North Carolina was the last state to remove a property qualification in 1856.

A century after this fight for universal male suffrage, a long struggle began for votes for women. During the past fifteen years, we have seen the drive for equal voting privileges regardless of race or color. These campaigns to extend the electorate have all been waged in the name of equality.

The second great stride in the direction of equality in the U.S. was the fight for a public school system. Many early Americans, as they began to accumulate wealth and could send their children to private schools, objected strenuously to providing public funds for the education of the poor.

Full acceptance of the idea that public schools should be provided for all children in North Carolina had to await the present century, under the governorship of Charles B. Aycock.

Perhaps the most dramatically egalitarian financial measure in our history was the graduated income tax and the tax on inheritances. More recently have come measures such as social security, medicare, old age pensions, and the guaranteed minimum wage. Numerous measures tending toward equalizing, or at least lessening the differences between the rich and the poor, are introduced into Congress every year.

In the social realm, we see the struggle between liberty and equality most drastically in the civil rights field. Following the Supreme Court decision in Brown vs School Board, more drastic court rulings have appeared. A public school system which put smarter children, whether white or Negro, on a faster educational track was recently ruled out as discriminatory in Washington, D.C. The egalitarian pressure today in the U.S. is headed distinctly towards the treatment of everyone as equal, whether created that way or not.

The quarrel over draft exemption for college students is basically a demand by the underprivileged for equality of treatment with those who remain in school because of superior cleverness, energy, or wealth.

At times the pressure for equality has precisely the opposite effect from that intended. In the District of Columbia, today, the general population is 60 percent colored, yet 93 per cent of the children in public schools are Negro. Families able to do so, of either race, send their children to private schools. Too much emphasis on equality has brought back the common practice of 150 years ago, when practically all children attended private schools. When the pressure for equality becomes too great, demands for more individual liberty begin to arise, to restore the balance between liberty and equality.

This is not a new phenomenon in history. When a common storehouse held equal food for everyone in the early days of the Jamestown colony, Captain John Smith soon found that lazy settlers simply would not work. He had to let those who would not work go hungry. The Soviets took somewhat longer to rediscover this simple truth, but they have now gone over to harsher sweatshop or piece-rate methods than any trade union in the U.S. would allow.

In 1917 the Communist Party of Russia tried to establish a government and a social structure on one leg—equality. They began their educational system on the theory that everyone could develop mentally at practically the same rate if given the same opportunity, in the same environment. Soviet education today has reverted to the opposite extreme. The greatest effort is now made to discover the mentally gifted. A national campaign has recently been launched in Russia to "discover a new Einstein." Children with a high I.Q. are put in special schools with a fast track system a great deal more discriminatory than anything ever attempted in the U.S.

During the excess of the French revolution, Madame Roland cried, "O Liberty! Liberty! how many crimes are committed in thy names!" We have seen that crimes can also be committed in the name of equality. When Black Power advocates in Washington, D.C. demanded, a few years ago, that the smartest students be held to the same speed as the dullest, Judge Skelly Wright upheld their plea and threw the school system of the District of Columbia into turmoil which may be felt for many years to come.

People in different societies, or of different economic and social status, agitate either for more liberty or more equality according to their status in life. The wealthy or powerful generally emphasize liberty—or freedom from rules and regulations which limit their ability to remain rich or powerful, or which tend to limit their advantages due to superior brains or energy. A white protestant majority, whether rich or poor, seeks to retain segregated schools, churches, housing and clubs in the name of individual liberty, i.e., the right of a person to choose his own surroundings and keep others out.

The underprivileged shout for equality. They insist that all men were not only created equal but that laws should be passed to help them remain so. The equality of drones in a beehive or workers in an ant hill seems to be the ultimate goal, if equality is to be the only criterion.

Communism attracts, by and large, the poorest or most underprivileged classes through its promise of equality. The question is frequently asked, how did Castro manage to attract a large following in Cuba. The answer seems to me simple. He promised equality. Ninety per cent of the Cubans were poor—miserably poor. They rallied to the side which promised to share the wealth. In any society where there is little or no middle class and a wide divergence exists between the privileged and the masses, communism will have a strong appeal.

The disparity need not be primarily economic. Social inequality also gives rise to strident demands for equality. Wealthy Jews who are excluded from country clubs or exclusive residential districts can be as revolutionary as their poor brethren. They enjoy the right to vote, to own and publish great newspapers and to amass tremendous wealth, but these are not enough if one feels discriminated against socially merely because of his race or religion.

In Asia the appeal of communism is both economic and racial. Their demand is for more equality with the white man both economically and socially.

The same problem exists in the United States. Stokely Carmichael's slogan seems to be: "Give me *equality* or give me death."

On the other hand, in the communist countries of Eastern Europe today, the revolutionary cry is for more liberty. Students, writers, and creative artists there would trade some of their equality for more freedom of opinion and expression.

The clash between libertarians and equalitarians is often violent, leading to demonstrations and counterdemonstrations, to riots and cross-burnings, each in the name of democracy. If our society were based only on these two legs, it would soon be torn apart, as the world would be torn apart by contending forces, shouting for more liberty or more equality as the case may be.

Thus, the third imperative—fraternity. There must be a strong element of brotherly love, a sense of oneness of humanity, of tolerance and forbearance, to save mankind from its own destruction. There must be wide acceptance of the concept that all men, regardless of ethnic origin, nationality, or religion, belong to the same human race.

The third leg of our tripod is perhaps the most difficult to keep in balance. The French and Russian revolutions, both carried out in the name of democracy, went to extremes, cutting the throats of anyone who stood in their way. Wide swings of the pendulum can be avoided only when the balance wheel of tolerance, of sympathy, of kindness tempers hate and bitterness.

Herein lies the vital importance of movements such as yours—the National Conference of Christians and Jews. Our religious bodies, which should be the chief exponent of kindness and generosity, have themselves been intolerant at times. Since the establishment of your great organization a generation ago, it has had a growing impact on the attitude of American Protestants, Catholics, and Jews everywhere.

The world-wide ecumenical movement, unimaginable a generation ago, has changed attitudes 2,000 years old. Your Conference, together with like-minded movements elsewhere, has made this astonishing development possible.

Fraternity has always had a strong base in our society. Lodges, churches, and a host of voluntary organizations such as the Red Cross show this national trait. Americans have traditionally been ready to help each other, since our pioneer days.

But with the urbanization of our nation, the sense of community among our people has become less pronounced. Sophistication and affluence cause men to forget their common brotherhood. In today's world, the concept behind the National Conference is more vital than at any time in our history.

For this reason, I am ready to devote every ounce of energy I have to your task. Thank you for asking me to participate.

INTERDISCIPLINARY TEAM APPROACH

Mr. JACKSON. Mr. President, the July 1968, issue of American Engineer magazine, published by the National Society of Professional Engineers contains an article by Mr. William D. Patton dealing with the role of the engineer in the "interdisciplinary team" approach which is increasingly being utilized in the planning and construction of major public works projects. Because the article is of interest to all persons concerned with the improvement of the Federal planning process, I ask unanimous consent that it be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

ARE YOU ON THE INTERDISCIPLINARY ENVIRONMENTAL TEAM?

(NOTE.—NSPE's adviser on legislation and government affairs reviews Federal environmental programs and finds that the "interdisciplinary team" approach is a major trend in such projects as highways, pollution control, housing, waste disposal, noise, dams, etc. Engineers, he concludes. must recognize and adjust to this trend, or run the risk of being replaced by those who do.)

(By William D. Patton)

In January, 1968, Assistant Secretary of Commerce John F. Kincaid bluntly told an NSPE-sponsored conference on "The Engineers' Role in Urban Problems" in the Nation's Capital that: "Only a few years ago the engineer could content himself with a purely technical role, with scant attention to the impact of his work on the community or the nation. But no more. The growing complexity of our social dynamisms and structures demands an interdisciplinary approach to problem solving."

Secretary Kincaid's comments were addressed to a relatively small audience of engineers concerned with urban affairs, but they are words all engineers would be wise to heed. For they reflect a rapidly growing trend within the Federal government that contains both a promise and threat to the entire profession. A promise of full and equal professional participation in the solution of environmental problems to those engineers who recognize the current trend toward the interdisciplinary approach and adjust to it; and a threat to those who do not, that they will be dealt out of the picture or, at best, relegated to a relatively minor role as support technicians.

A review and analysis of recent developments within the Federal government show beyond any doubt that the interdisciplinary approach to the solution of environmental problems—that is, utilizing the combined talents of a wide range of disciplines (sociologists, economists, lawyers, psychologists, and physical scientists, as well as planners, architects, and engineers)—has been adopted by both the executive and legislative branches as a matter of national policy, and is rapidly becoming a firmly established operating principle for almost all departments and agencies.

One of the most recent high-level pronouncements on this subject was made in April of this year by President Johnson at a meeting of the Board of Trustees of the newly created Urban Institute. Referring to an existing "knowledge gap" regarding urban problems, the President warmly endorsed the interdisciplinary concept behind the formation of the Institute, and said it would "fill a real need by . . . bringing together all the disciplines needed—not only scientists and administrators, but economists, planners, and architects . . . to work together—in cities, and on the problems of cities." (Engineers, sad to say, were not even mentioned!)

The President's strong endorsement of the interdisciplinary approach constituted, in effect, a policy statement in support of its use which has been echoed by numerous other spokesmen in policy-making positions throughout the government. Dr. Donald Hornig, head of the Office of Science and Technology, for example, in recent testimony before a congressional committee, described the current attitude of the executive branch in these words: "In our attempts to cope with today's environment problems, we have relearned what the ecologists have long known—that apparently isolated changes interact in unanticipated ways and that the eventual restoration of environmental quality will depend upon the solution of a series of interrelated problems, none of which can be fully understood in isolation from its fellows. We have also learned that though problems of environmental change are generated by technology, their solution cannot be viewed as a purely scientific or technological matter for there are important social, economic, and political factors to be weighed in deciding what actions to take."

Turning to the operations of the Federal departments and agencies themselves, numerous examples have arisen in recent weeks and months which show that the interdisciplinary policy expressed by the President, Dr. Hornig, and others, is being implemented and applied at an accelerating rate by practically every agency dealing with environmental problems—be they problems related to air, water, solid waste disposal, housing, noise, the oceans, or such traditionally engineering areas as highways and dams. In April, for example, the Bureau of Reclamation—long an engineering-oriented agency—announced that it had appointed an award-winning architect-landscape designer to prepare a "comprehensive environmental plan" for the area surrounding Grand Coulee Dam on the Columbia River. The plan is to be used in developing a multimillion dollar powerplant complex, as well as the entire Columbia Basin area around the dam. Reclamation Commissioner Dominy, in announcing the move, called it "an historic occasion," and said "for the first time, we have the opportunity to apply the creative talents of environmental and design architects to a major engineering-construction project."

In the field of highway planning and design—another area which in the past has been considered almost exclusively the domain of the engineer—the interdisciplinary approach is fast taking over. As U.S. Federal Highway Administrator Lowell Bridwell gently told the Ohio Society of Professional Engineers in a speech in Cleveland in March, the Department of Transportation is attempting "to deal with the vexing problems of highway location and design in urban areas by calling on the talent, training, background, and experience of several professional disciplines in addition to highway engineering" and has set about to devise the administrative machinery necessary to carry out such an approach. The department's prototype, Mr. Bridwell said, is the "Baltimore Design Concept Team," formed last year to plan and design that city's limited access highway system. The Baltimore team is headed by an architect, and includes engineers, architects, sociologists, urban planners, economists, and others. Mr. Bridwell made it clear that while the organizational form used in the Baltimore experiment may be varied or changed in other locations, the Federal highway program is now committed to the interdisciplinary approach as the only realistic way to attack urban highway problems.

Another example, which is typical of the approach Federal departments and agencies now are taking, is an announcement by the National Bureau of Standards Institute of Applied Technology that it will sponsor a series of interdisciplinary conferences on "Man and His Shelter," beginning in September, 1968.

Statements by members of Congress, language in congressional committee reports, and various provisions in legislation—both proposed and enacted—demonstrate there is strong support in both the House and the Senate for the interdisciplinary approach to the solution of environmental problems. Increasingly, legislation is being written to encourage, if not require, Federal agencies to employ interdisciplinary methods.

As early as 1965, Sen. Gaylord Nelson, chairman of a special subcommittee on the utilization of scientific manpower, proposed legislation to provide grants to the states to stimulate the bringing together of "biologists, physiologists, mathematicians, physicists, engineers, and others" to make a concerted interdisciplinary attack on problems in such areas as air pollution, housing, transportation, and waste disposal. Both the Solid Waste Disposal Act, passed by Congress in 1965, and the Marine Resources and Engineering Development Act of 1966, contain provisions encouraging the Administration to take a similar approach.

Late in 1967 Senator Jennings Randolph, chairman of the Senate Committee on Public Works, commenced a series of hearings "to review the planning, design, and impact of the highway program in urban areas." Stating that his group would seek counsel and advice from a wide variety of specialists who concern themselves with environmental factors, Sen. Randolph said, "we have reached the time when we must carefully examine the processes of highway planning to insure that meaningful account is taken of the social, economic, ecologic, demographic, and other factors which constitute the total environment and life of the city."

Numerous additional examples could be cited, but those already presented should make the current trend quite clear. The Federal government in its programs relating to environmental problems increasingly is both encouraging and requiring utilization of the combined talents of many disciplines covering the gamut of the social sciences, the physical sciences, architecture, planning, and engineering. No single profession or discipline can claim any area affecting man's environment as its private preserve, and all disciplines—to the extent they have something to contribute—are to have a place on the interdisciplinary environmental team.

The significance of this development to the engineering profession—and to members of all other professions and disciplines, for that matter—was summed up by Senator Henry Jackson, chairman of the Senate Interior Committee, in a recent address to a national meeting of biologists. Sen. Jackson reviewed the movement toward greater involvement by both government and industry in environmental quality control, and concluded by saying: "It is clear that we must have more research into the scientific and social causes of environmental decay. Government and private industry need more professional people with multidisciplinary backgrounds to serve as administrators in maintaining a quality environment. Engineers must have specialized training to build, but they should also have the background and ability to recognize the consequences of their actions, the available alternatives, and their impact on other values our culture deems important. The future will see enlarged opportunities for biologists to serve in maintaining environmental quality. As professional biologists you have an obligation to help educate the engineers, politicians, and other decisionmakers on the consequences of their actions. They must learn to be generalists as well as specialists. . . ."

The clear implication is that engineers who adapt to the team requirements of the interdisciplinary approach will maintain their positions as decisionmakers, while those who do not will be supplanted by those who do.

McGEE SENATE INTERNSHIPS

Mr. McGEE. Mr. President, for several years it has been my good fortune to be able to conduct for high school students in my State of Wyoming the McGee Senate Internship contest, which brings back to Washington one boy and one girl for a week of observing democracy in action—here in the Senate and in Washington.

As a part of the contest each student was required to complete an essay on "What's a Fair Draft Policy?" This year, as I am each year, I was impressed with the depth of understanding and the dedication to our democratic principles displayed by these young people in their essays. This topic is one of vital interest to this age group, and their essays reflect sound reasoning which should be of interest to us all. For the participants, the topic took on added importance when it was subsequently chosen as the national high school debate topic.

Of course, it would be impossible for everyone to read all these essays, but I think some of the most outstanding ones selected by an impartial panel of three judges should receive wider circulation, and, under unanimous consent, I place two of these essays, written by Miss Barbara Lee Forrest, of Big Horn, Wyo., and Milo Pete Petranovich, of Douglas, Wyo., which received honorable mention in the McGee Senate Internship contest, in the Record at this point:

There being no objection, the essays were ordered to be printed in the Record, as follows:

What's a Fair Draft Policy?

(By Barbara Forrest, Big Horn, Wyo.)

The main reason that the present draft policy is not effective is the fact that so many Americans are against the war in Viet Nam. There were always plenty of volunteers in the past when men felt the need to defend their country—patriotism encouraged them to enlist. But many people feel that the United States has no reason to be in Viet Nam, that we are not obligated to defend someone else's country, especially such a small and unfamiliar country that has done nothing for the United States.

Another factor is the nature of the war. There is no glory in guerrilla warfare. It is a slow, tedious and unrewarding way to fight a war. The war is currently at a deadlock and Americans are becoming discouraged.

Today most young men would rather take a deferment than fight, and the fact that they do try to get deferred makes the present system impractical and unfair. There are too many loopholes. If a boy has enough money to go to college and enough intelligence to make passing grades, he can get deferred until he is graduated. As a result our colleges and universities are becoming crowded with draft-dodgers who would otherwise have had no intention of going to college. Many of these young men are wasting their time and money and are making it necessary for colleges to lower their academic standards.

More attention should be given to "conscientious objectors." They, of course, should not be forced to defy their beliefs; but they could be given clerical or other non-violent work in the country. All of us are taught not to kill, yet only a small number of objectors are deferred because of these beliefs.

In a country as large as the United States it would be difficult, if not impossible, to adopt a draft policy that would be completely equitable. The simpler the system is, the fewer loopholes there would be. With the present policy there are so many considerations that must be made in the classification of one boy that local draft boards, which, in a small town especially tend to be unfair, will often make mistakes. The whole draft system should be handled through one state board only.

In the present situation young men should be drafted right after high school and not later than the end of their first year at college. If a young man does enter college he should be allowed to finish the year regardless of the grades he is making. A boy should not always have to worry about his grades; this leads to cheating and other unfair means of making acceptable grades.

In Viet Nam younger men seem to make better soldiers—perhaps due to the fact that they have not yet encountered the protest and defiance present on college campuses today. On the other hand, the drafting of 18-year-olds might lead to more enthusiastic protests in high schools. However, it is senseless to wait to draft older men who have already started their college education or are married or have a job. Their lives and careers should not be interrupted. What is the use of deferring a boy during his four years at college and then drafting him if or when he starts his graduate work? It should be the people who have worked all through college and spent thousands of dollars to do graduate work and who will eventually be our country's most valuable citizens who should be deferred. A man should be able to get his armed service training out of the way before he starts his career. If he is interrupted in the middle of his schooling he may never go back.

The present system of classification is far too complicated to be efficient or fair. A general lottery may not be the kindest system, but it would be more equitable. All boys after graduation from high school or, in the case of dropouts, all 18-year-olds, should be considered for service. The whole system could be handled by one board in every state. Once a boy was past age 19 he could forget about being drafted and he could start or continue his education or career. There would be no need for deferments regarding jobs or family, and religious objectors could be given non-violent work here in the United States.

This plan would naturally have its flaws, but it would eliminate the constant pressure to get good grades and the constant anxiety caused by the present system. Our troops would be more cooperative and more efficient and fewer careers would be interrupted.

If the United States is going to continue with its present policy of playing "big brother" to small emerging nations, a more effective solution to the problem of supplying the army with troops might be the organization of a professional army. This would alleviate the problem of a draft system except in times of large-scale war.

What Is a Fair Draft Policy?

(By Milo Pete Petranovich, Douglas, Wyo.)

The present Selective Service System has been called a "repugnant mess" a "blatant inequity" and a "wart upon the face of our civilization." Very possibly it is all of these Such denounciations of today's draft law, whether they are voiced by student activists or by responsible members of Congress point to a sad deficiency in our Selective Service System. They point also to the need of a new, fair draft policy. This we will try to provide.

Before we pursue the merits of faults of any draft law, we must first establish one truth about all draft laws; the needs and purposes of any subscription act vary from conflict to conflict. World War II was governed by a vastly different set of facts than is the war in Viet Nam. Both the military strategies and the political attitudes of the two wars differ immensely. Accordingly, draft systems will have to change as world strategy changes. Cautioned by this fact let us attempt to discover a draft policy that is suitable for these times and for this war.

There are two criteria by which we may judge any draft law. First, and most important, is the law fair, does it apply equally to all those who are eligible? Secondly, does the system make full and effective use of the manpower available to it? Let us ask these two questions of the present draft system.

Is today's draft law fair? There are at least three inequities perpetuated by the present system. First, the law favors those potential draftees who are the wealthier. Those favored men are able to avoid immediate induction by attending college and obtaining a 2–S classification as a student. The vast majority of these students are genuinely interested in obtaining an education, but the fact remains that they are deferred while those who are unable to afford college are required to enter the service. This situation is evidenced by the fact that over 40% of the servicemen presently stationed in Viet Nam are Negroes, the vast majority of them from lower income classes.

Secondly, today's draft requirements are largely set by local draft boards. These draft boards interpret and apply those requirements in a number of different ways. Due to this situation, two similar draft cases may be handled differently because they come before different draft boards.

Further, the present system is unfair since it can be used as a method of punishment. Observe General Hershey's recent threat to have all draft demonstrators reclassified 1–A and immediately inducted. Obviously, the draft law is not meant to be a mode of governmental suppression, but because of its structure, it can be used in such an arbitrary manner.

Does the present Selective Service System make effective use of its available manpower? Recently, because of the growing needs of the Viet Nam war, the government has had to resort to the rather lamentable policy of drafting graduate school students. It has been estimated that this action may cut next year's graduate school enrollment in half. It is a tragic misuse of manpower to waste these highly educated men in the rice paddies of Viet Nam when they could be contributing significantly to this country's domestic problems.

Clearly, the present draft law is completely unsatisfactory. What then would be a fair draft policy? We would suggest a selective service system employing random selection, uniform minimum standards, and the selection of younger men, the 18 and 19 year olds, first. Such a system would have numerous advantages.

A lottery-type selection would end all unfairness. It would eliminate the discrimination against those young men of lower income and minority groups. Random selection, coupled with uniform minimum standards would make it almost impossible to employ the draft as a means of punishment.

The drafting of younger men first would also present an advantage over the present system. First, as Senator Young observed, younger men "are intelligent, readily trained, and respond in combat more vigorously, more fearlessly, and have greater capability than soldiers who are considerably older." Secondly, most 18 and 19 year olds are not married. Thus, the government will save large sums of money since it will not have to support the dependents of overseas servicemen.

This improved draft law will also alleviate the disruption of young men's college training. In times of peace, men who had been selected by the lottery system would be able to postpone their induction until after college if they desired. Such a postponement would, of course, be abandoned in times of national emergency. This system would allow men to plan their future with more certainty than they now can. If a man was drafted at 18, he could plan his future around his military service. If he was not drafted, he would not have the specter draft continually hanging over his head.

Finally, the drafting of graduate students would be highly improbable. A student would either be drafted before he received graduate training, or he would not be drafted at all. By employing our new draft system, the country could make more effective use of its manpower.

A random selection system would be both fair and effective. It would be useful both in times of peace and in times of war, and thus be more flexible than the present method. The enactment of such a draft law would clean up the repugnant mess that haunts today's system and remove that blatant iniquity from the American scene.

RENEWAL OF FOOD AND AGRICULTURE ACT OF 1965

Mr. LONG of Missouri. Mr. President, the history of our Nation's agriculture over the past 35 years has been filled with crossroads. Many of these crossroads offered a choice between the progressive expressway and the dead end alley. Fortunately, we have very seldom been trapped in the dead end alley. In the last 7 years, I am pleased to report, we have been making progress after the grim hopeless years of the 1950's.

Now we find ourselves at another crossroad as we consider the renewal of the Food and Agriculture Act of 1965. I believe it should be renewed for one simple reason: This legislation has proven to be one of the most effective instruments of national farm policy in the history of this country:

The surpluses of the fifties are gone. And with them the burden of $1 million a day in storage costs.

Farm income is higher than at the beginning of the decade, although certainly no where near as high as we want it to go.

Our farmers are now able to provide an ample, highly nutritious and highly varied supply of food at reasonable prices to consumers.

What better evidence that we are making some progress in beginning to get the job done?

So I say that this is the time, right now in 1968, to look to the future of farm policy. We are standing in a familiar spot, at the crossroads, just as we stood at crossroads in the past:

In 1961, when we shook off the surplus-bred pessimism of the 1950's and went on to repair the damaged public image of farm policy.

In 1933, when a new farm policy was forged out of the despair of a worldwide depression.

In the 1920's, when a series of Presidential vetoes threatened our ability to adopt a national farm policy.

The question before us is not an easy one to resolve. A lot has been said. A lot has been written. There has been a lot of speculation.

Recognizing the need to trim the national budget, some claim agriculture is a good place to start. Some have even gone as far as to call for an end to all farm programs.

But let me make one important point in this connection: no one is making a greater contribution today to national health and prosperity than the farmer. In fact, the farmer is making his contribution at a sacrifice many others are not asked to make, because he is not sharing fully in the national wealth.

If the harsh lessons of the past, especially the hard time days of the depression and the more recent hard days of surpluses, if these days have taught us anything at all, it is that the Government has a role in American agriculture. Otherwise farmers would be pressured out of the mainstream of our economy. We saw this happening in the Benson years, in the 1950's and I for one do not want to see it ever again.

I would like to pass along a personal example, one from my own State, that illustrates the effectiveness of these programs. Last year weather and insects dealt the cotton farmers in my State a terrific blow. Total production in 1967 was only 60,000 bales—down from 390,000 in 1965, and far below the 1960–64 average of 435,000 bales. But the cotton program provided under the Food and Agriculture Act of 1965 took up a lot of the slack in that loss. Missouri cotton farmers received almost $24 million in program payments. In addition, many farmers planted soybeans on lost cotton acreage, and the income from a late bean crop, plus the payments helped many farmers.

These programs provide the kind of insurance that farmers simply cannot get anywhere else.

They also help insure the rest of America a stable food supply—a blessing that too often many of us take almost completely for granted.

They are helping to insure the farmer his fair share. These programs are not the only answer. They are not completely successful. But they are helping. I think the record will show this is true.

We have developed the tools for tailoring our supplies to markets that include food assistance for the needy at home and abroad. The basic tools are acreage allotments and marketing quotas, voluntary acreage diversion, and long-term land retirement.

These tools need to be retained and sharpened, for if they fail, or if they are swept away as some propose, surpluses and low prices are a certain result. I do not claim that we have always used these tools correctly. Mistakes are inevitable. But we have learned a great deal about using them effectively.

Another key element is price and income support because these lead to price stability, as supplies are spread throughout the year, or are carried over from one year to another.

Our price-support concepts have changed somewhat since 1960. For key crops, price-support levels are now geared to world market values, and supplemented by direct payments.

Proposals for different price and income support methods are before the Congress. Some would terminate payments. Some would turn the present nonrecourse loan into a recourse loan—thus dissolving the entire production in any one year back into the market sometime during that year and eliminating much of the stabilizing effects of the loan program. Some proposals would terminate all price support. Now, these are some of those deadend alternatives we face at this vital crossroad.

One key aspect on the constructive side is the establishment of a national reserve policy. This is something we have never had. We should have had this before. I believe this is one of the single most important parts of this farm package. We need a national food bank that will provide protection for all Americans by relieving some of the more obvious and dramatic market pressures. Why?

The farmer will not have to bear the burden of depressed prices when production exceeds current needs.

The consumer will be protected from unanticipated food scarcity.

The Government will have a small but adequate reserve cushion in making acreage allotment decisions and in responding to international emergencies.

The proposed legislation deserves the support of the Senate. I firmly believe that if it is not passed, we will be headed up a dead end alley, where escape at best will be difficult. That possibility can and must be avoided.

Agriculture is our No. 1 industry in Missouri, and I do not intend to see it undermined. I hope the Senate will act this year on this bill to benefit all farmers in Missouri and across the Nation.

PREELECTION COMPACT OF MAJOR PARTIES

Mr. McINTYRE. Mr. President, yesterday's Washington Post contains an extremely interesting and thought-provoking article written by David Broder on the need for serious consideration of a preelection compact between the major parties to insure that our next President *will be elected by the will of the people.*

The need for such a compact, according to this distinguished reporter, arises from the possibility that the electoral college may not give a majority of its votes to either major candidate and the election will be thrown into the House of Representatives.

I believe that Mr. Broder's article and comments deserve the thoughtful consideration of all of us. I ask unanimous consent that it be printed in the Record.

There being no objection, the article was ordered to be printed in the Record, *as follows:*

COMPACT OF MAJOR PARTIES COULD FOIL WALLACE'S BID TO DECIDE ELECTION

(By David S. Broder)

The suggestion of Prof. Gary Orfield for a pre-election compact between the major *parties to assure that the next President is* chosen by the voters of this country, and not by the whim of George Wallace, deserves the most serious consideration.

Mr. Orfield, an assistant professor of government at the University of Virginia, outlined his proposal on Sunday in the pages of The Washington Post. His assumptions—which this observer agrees with—are these:

One can no longer dismiss the possibility that in a closely contested election, Wallace may win enough electroal votes to deny either the Democratic or Republican nominee the necessary 270-vote majority in the Electoral College. Serious politicians in both parties have told me they believe a "hung election" is a 50-50 possibility at this time.

The "covenant" Wallace says he would seek under such circumstances—an ill-defined bargain in which his electoral votes would be given to the candidate who made the greatest concessions to Wallace's racist and police state policies—is inherently unacceptable. It would fuel the fires of civil and racial strife in this country and it would put any President who entered the White House as a result of such a deal under a severe handicap for national and world leadership.

Since no constitutional remedy is available at this late date (desirable proposals for reform or abolition of the Electoral College system cannot be approved by Congress and ratified by the state legislatures before the 1968 election), the solution must be found in a voluntary agreement between the major parties to negate the Wallace strategy.

Professor Orfield's great contribution is that he has gone beyond hand-wringing and suggested a practical approach to the problem. The essence of his proposal is that "both parties should agree before the election that if normal procedures fail, they will provide the necessary votes in the House to elect the candidate with the largest popular vote."

Mr. Orfield, if I understand him correctly, would invoke this agreement only if no candidate obtained an Electoral College majority *and* if the House stalemated in the choice of a President because evenly divided delegations kept either party from mustering the 26 state-delegation votes necessary for election.

My own view differs slightly from the Professor's. I think the agreement, to be effective, must provide *automatically* that, if there is no Electoral College majority, the House, *regardless of its makeup*, will name as President the man with the largest popular vote. This procedure will satisfy the contemporary standard of popular democracy and will provide the surest guarantee that neither party will be tempted to traffic with Wallace.

The practical steps to obtain such an agreement can begin, I believe, by asking the major party candidates for the presidential nomination to pledge publicly that, in case no one wins an Electoral College majority, they would urge their party colleagues in the House to support the candidate with the largest popular vote.

Each party should be asked to make the same pledge in its *platform or* in a *convention* resolution. The party pledge should embrace a guarantee that its nominee will not bargain with Wallace for electoral votes and that its members of the House will, if the contest comes to them, ignore party label and vote for the candidate with the largest popular vote.

Finally, in each district, individual House candidates could be asked to promise that they will, in fact, subordinate party loyalty to the popular mandate if the election is thrown into the House.

Failure of any of those concerned—the presidential candidates, the party conventions or the congressional candidates—*to make such a pledge ought to*, and I think would, become a prime campaign issue in itself. But I do not think such a pledge would be refused.

First, without depriving Wallace of his right to run for President, it negates his hope of using his minority position to dictate the outcome of the election. It thus enables both parties to argue effectively that a vote for Wallace is a wasted vote.

Second, it provides a genuine incentive for Republicans in the South—a major target area of their congressional campaign—to organize and seek votes for their candidates, even in states which Wallace now seems certain to carry.

Third, it provides Democrats with a powerful argument to use with their dissident members—those who seem certain to be unhappy with the convention choice, whether it is McCarthy or Humphrey. There is less likelihood that the losers at the convention will stay home and sulk on election day if they know that this year, quite literally, every single vote may count.

Most of all, however, such an agreement would offer the voters of this country evidence that the political parties can put the national interest foremost, by agreeing in advance to a set of rules that will guarantee popular election of the President and prevent the highest office in the land from being mortgaged to George Wallace.

The alternative is ghastly—another 1876, with the risk of protracted political anarchy, month after month of rumors and plots and the most sordid kind of political dealings, a public spectacle which could easily destroy the already battered trust that underlies our civil society.

ROCKEFELLER PROGRAM TO ALLEVIATE HUNGER

Mr. SCOTT. Mr. President, Gov. Nelson A. Rockefeller recently spoke eloquently and with deep feeling about the problem of hunger. As he has always done when discussing problems, he made specific recommendations.

His proposals are worthy of the attention of Congress and the executive branch.

I ask unanimous consent that Governor Rockefeller's speech be printed in the Record.

There being no objection, the speech was ordered to be printed in the Record, *as follows:*

EXCERPTS OF REMARKS BY GOV. NELSON A. ROCKEFELLER PREPARED FOR DELIVERY AT THE 39TH ANNUAL NATIONAL CONVENTION, LEAGUE OF UNITED LATIN-AMERICAN CITIZENS, SAN ANTONIO, TEX., JUNE 29, 1968

It is a great honor to address your annual *convention—and I thank you most warmly* for this opportunity.

The high standard of responsible citizenship that marks the League of United Latin-American Citizens is more than a credit to this part of America. It is a model for all America.

Your "School of the Little 400"—established *in 1952* to teach basic English to Spanish-speaking children—was the pioneering forerunner of the Head Start program. And Head Start stands almost alone today as an outstanding success among the many federal programs conceived to meet the American social crisis.

Your concern for the working man and *woman, for training the unskilled, for* improving the opportunities of the unemployed and the underemployed—all gives living proof of your social conscience.

Your concern for law and the heroism of your sons—with no less than 10 Congressional Medal of Honor Winners in World *War II—these, too, speak eloquently of your* patriotism.

Beyond all this, I have a special feeling tonight of coming home, of being with amigos whom I have known for many years.

Tonight I would like to discuss one truly appalling problem of our nation.

I mean the problem of hunger—the shocking, almost incredible fact that as many as 10 million citizens of this great and powerful nation may be hungry or malnourished.

We must end this devastating human toll—the premature deaths, the increased susceptibility to disease, the permanently damaged minds and bodies of children.

It is an intolerable fact of our national life that a child born in America is more likely to die very young than a child born in France, or Great Britain, or Japan.

We can prevent this. We must prevent this.

It is startling to discover that 1960 Census Bureau figures even for this very city showed that 47.2 percent of all white families and 82.8 percent of all non-white families in San Antonio were living in poverty areas.

We can do something about this. And we must.

It is an everlasting shame of our society that there persists discrimination against the Negro, the Mexican-American, the Indian. And this simply—and savagely—means that thousands of children whose skins are black or brown or red must face a life of deprivation.

We must put an end to this cruelty in our national life.

To be specific . . . There are immediate steps that can be taken for reforming the needlessly ineffective federal system of food distribution.

We must have a unified, humane system of food distribution which provides the hungry with enough food for a balanced, nutritious diet.

This requires a totally new approach which recognizes the need for better diet practices and related health services as well as a drastic overhaul of federal food programs.

I therefore propose:

(1) Major expansion of the diet and nutritional services made available through local health, social service and extension service offices.

(2) Revision of the food stamp distribution procedure to enable the purchase of smaller quantities of food stamps.

(3) Allowing individual counties to participate in both the food stamp and the commodity distribution programs.

(4) Revision and expansion of the free school lunch program to allow participation by schools now excluded due to their lack of lunchroom facilities.

(5) Adequate financial support for all food programs and a coordinated system of food services administration.

The weakness of the current programs is clear.

They are inadequately funded. They are administered on an uncoordinated and extremely inefficient basis. And they fail to provide any semblance of a balanced diet.

Food stamps are often sold in quantities too large for the poor to afford. Present regulations prohibit the combined use of food distribution and food stamp programs within a single county. And they prevent the poorest of schools from participation in the free school lunch program.

Current federal programs are further crippled by the lack of unified administration. Four separate agencies—the Department of Agriculture, the Department of Health, Education and Welfare, the Office of Economic Opportunity, and the Bureau of Indian Affairs—all have food programs.

This fragmented approach—the lack of coordination and even of communication among the federal agencies involved—only results in a patchwork of unrelated efforts.

It amounts to a sorry study in bureaucratic incompetence—and another grim example of the costliness of the Old Politics.

At the same time, all too little attention is given to health services under our food programs. Unless we provide a readily available source of help and guidance on good diets, no food program can bring an end to malnutrition. These services must be available wherever the people go for services—in health centers and clinics, in welfare offices, and in urban and rural extension service offices.

For years, the men of the Old Politics have ignored this blight in our land—or they have pleaded that they are unable to solve it.

The New Leadership that I offer America would resolve—firmly and forever—that hunger in America must end.

And with it, too, we must bring an end to all ugly signs of injustice, intolerance, and indifference in our land.

I am here to pledge that the banishment of these evils will be a supreme purpose of the New Leadership . . . and a sure beginning for a New America.

DEATH OF EDGAR MONSANTO QUEENY

Mr. LONG of Missouri. Mr. President, it is with great sadness that we learned of the death of Edgar Monsanto Queeny. He was in every way a pioneer of industrial development in America, a community servant of great stature, and loved and admired by many citizens of St. Louis and Missouri.

His service to Barnes Hospital and Washington University School of Medicine in St. Louis won him the 1967 St. Louis award for outstanding community service. His determined efforts to build Monsanto Co., which was founded by his father, won him international acclaim.

Mr. Queeny was a man of diverse interests, and his deep love for natural history is recorded for all generations in his three books: "Cheechako," "Spirit of Enterprise," and "Prairie Wings."

The list of his credits is long. He was honorary vice president of the St. Louis Symphony Society, director of the United Fund, board member of the Spanish International Pavilion Foundation. He was founder of Civic Progress, Inc. He was also former trustee and vice chairman of the National Industrial Conference Board.

His work for the betterment of my State will live for the benefit of many generations. He was in every way a great American.

IS GUN CONTROL THE ANSWER?

Mr. BENNETT. Mr. President, following the tragic death of Senator Robert F. Kennedy, of New York, the emotional outbreak calling for new gun-control laws was highly vocal and very emotional. In this atmosphere several of our colleagues and even the President of the United States have offered new and more restrictive Federal gun-control legislation.

In many trips back home to Utah there is probably nothing that has aroused the citizens of my State more than the question of gun controls. I cannot walk 10 yards on any street in the State without someone stopping me and asking me about the various gun-control proposals.

To date I have received more than 5,000 letters from Utahans opposed to Federal gun-control laws. I do not think we have received 100 letters yet in favor of stricter controls. I feel this ratio of 50 or 60 to 1 represents accurately the views of the citizens of Utah on this controversial question.

So that there can be no question as to where I stand on this matter I would like to list my position on firearms control as follows:

First. A firearms law was recently passed by the Congress and signed by the President placing restrictions upon the sale of handguns through the mail. Since almost all gun crimes are committed with handguns, I feel this law should be given an opportunity to take effect and be enforced before new and more restrictive legislation is passed.

Second. I believe the second amendment of the Constitution guarantees the right of all Americans peacefully to possess and own a firearm. I am not one of those who would explain this provision away and thereby deny this constitutional right to law abiding Americans.

Third. I recognize that certain individuals should be denied the right to possess and use firearms by virtue of their past. Thus, individuals who are mentally deranged, who have a criminal record, or who are below 18 years of age should be carefuly screened and denied the possession of firearms where necessary.

Fourth. I deeply believe that gun-ownership in Utah is quite a different matter than gun possession in many of our large cities and States. This fact has not been duly recognized by advocates of gun legislation, and throughout the entire gun debate, I have consistently advocated that hearings be held in the intermountain west, preferably in Utah, so that our citizens can get their views on the record.

Fifth. As an alternative to restrictive gun laws, I have offered legislation calling for stiff gun-misuse penalties. I have also recommended to Dr. Milton Eisenhower, Chairman of the President's Commission on Violence, that the new, strict gun misuse penalties be considered in depth by the Commission. Dr. Eisenhower has assured me this will be done.

Sixth. I firmly believe that if registration and licensing provisions are required they must be put into effect at the State level. Such provisions at the Federal level carry long-range, inherently dangerous possibilities and, therefore, I am strongly opposed to any Federal licensing provision.

For the information of the Senate, at this point in my remarks I would like to insert the full text of my letter to Dr. Eisenhower asking for a study of stiff gun misuse penalties and I also would like to have inserted a copy of his reply.

There being no objection, the letter and reply were ordered to be printed in the RECORD, as follows:

U.S. SENATE,
Washington, June 13, 1968.

Dr. MILTON S. EISENHOWER,
Evergreen House,
Baltimore, Md.

DEAR DR. EISENHOWER: Your appointment as Chairman of the new Commission on Violence is one which I fully endorse. I think the President made an excellent choice and has indeed selected one of America's most able and highly respected public servants. At the outset may I convey to you my congratulations and express my hopes that your endeavors will be fruitful and sucessful in finding solutions to the problem of violence in American life.

I do not know what your agenda will be and to what extent the Commission will examine the problem of firearms. However, as a member of the Senate I have been deeply involved in the firearm legislation debate. In the process I have asked myself on many occasions how to solve equitably the problem. Some persons are taking the position that we must pass very strong gun control laws if we hope to solve the problem of violence. There are, of course, many sides to that argument, and I shall not go into them.

My purpose for writing is to recommend to you that the Commission look into the feasibility of Federal and state legislation imposing strong penalties upon individuals who misuse firearms. Under Federal law there are very few instances where individuals are penalized for misusing a firearm in the commission of a felony. Conversely the state of California has incorporated into its code stiff penalties for the misuse of firearms. These apply above and beyond the commission of the crime itself. Consequently, a person convicted of robbery or other types of felonies faces not only a prison term and punishment for the robbery itself, but faces an additional term for misusing a firearm. I am enclosing the appropriate sections from the California code as inserted in the Congressional Record on June 11, 1968, by Senator Hruska.

May I recommend, therefore, that the Commission consider in depth the feasibility of a similar provision to be added to the United States code. I think such a law would be a helpful aid in reducing crime and violence and the misuse of firearms. Secondly, in as much as California has enacted this type of penalty covering the misuse of guns it may be that your Commission after investigating the problem would find it appropriate to recommend that each state adopt similar provisions.

I am confident the legislation, be it enacted at a state level or by the United States Congress, can be so drafted as to give judges and rehabilitation officials sufficient flexibility to deal with first offenders and individuals who might represent special situations. My reason for making this recommendation is that in the entire gun control debate we cannot dismiss the fact that the Constitution of the United States grants to the law-abiding American the right to own and possess a firearm.

Any consideration which you might give my recommendation will be deeply appreciated. Again, may I wish you every success in the very difficult assignment given you by the President and the American people.

Sincerely,

WALLACE F. BENNETT.

THE JOHNS HOPKINS UNIVERSITY,
June 17, 1968.

Hon. WALLACE F. BENNETT,
U.S. Senator,
Washington, D.C.

DEAR SENATOR BENNETT: I shall ask the appropriate research staff and, later, the members of the new Commission on the Causes and Prevention of Violence to consider the suggestion you make in your letter of June 13th.

We are having our first formal meeting at the Capitol tomorrow. In a few weeks we shall have a staff and begin serious work. As I see it, our real task is to try to bring together convincing evidence on the causes of violence, and to suggest practical solutions in the light of that evidence. This will take time.

With good wishes and esteem,

Sincerely yours,

MILTON S. EISENHOWER.

U.S. OSTRACISM OF RHODESIA REPUDIATES 1776

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent to insert in the RECORD a column by James J. Kilpatrick, which appeared in the Washington, D.C., Star on July 4, 1968, titled "U.S. Ostracism of Rhodesia Repudiates 1776."

There being no objection, the column was ordered to be printed in the RECORD, as follows:

U.S. OSTRACISM OF RHODESIA REPUDIATES 1776

(By James J. Kilpatrick)

PHILADELPHIA.—"How fortunate were the American colonies!" Dean Acheson observed the other day. "They had no United Nations to confront in 1776."

The former secretary of state was speaking to an audience of specialists in international law, gathered for a sectional meeting of the American Bar Association. His topic was the wrongness of American policy toward Rhodesia. He put it bluntly:

"It will surprise some of our fellow citizens, though hardly anyone here today, to be told that the United States is engaged in an international conspiracy, instigated by Britain, and blessed by the United Nations, to overthrow the government of a country that has done us no harm, and threatens no one. This is barefaced aggression, unprovoked and unjustified by a single legal or moral principle."

The charge that Britain brings against Rhodesians, Acheson continued, is the charge that George III brought against Americans 192 years ago. The rebellious and ungrateful Americans were proclaiming independence! They felt it necessary, in the declaration that Jefferson penned here in Philadelphia, "to dissolve the political bands which had connected them with another people, and to assume among the powers of the earth, the separate and equal station to which the laws of Nature and of Nature's God entitle them."

It is good to come back to the quiet walks of Independence Square by twilight. This was where it all began, the dream, the poetry, the sadness, the bursting heart. Tom Jefferson was here; and Ben Franklin, John Adams, the Lees. We think of them as heroes; and on Independence Day, in a thousand village squares, we mark the birth of the Republic they conceived. They were the founding fathers.

And what an irony it is, that Independence Day of 1968 finds today's Americans committed to an official policy which treats Ian Smith and his brothers in Salisbury as a "rebel, racist regime." If these mute bricks had tongues, they would cry shame upon Lyndon Johnson, upon Dean Rusk, upon Arthur Goldberg—shame upon all the lickspittle politicians who have repudiated our own history in a sick effort to toady up to the Afro-Asian bloc.

The parallels between Rhodesia today, and the colonies then, are not exact. But if Independence Day means something more than a sweaty afternoon at the beach, or a few more beers on some suburban porch, we ought to think upon these things.

One of the sins charged to Cecil Rhodes and his fellow pioneers is that they took their land from the native blacks. Our own founding fathers, it will be recalled, seized their land from the native Indians.

The more immediate charge against Rhodesia—the charge that has produced the conspiracy and the aggression Dean Acheson has denounced—is that Rhodesia has refused to provide for majority rule by the country's largely illiterate blacks. The charge, in brief, is political immorality.

Do we dare examine that charge in the light of our own history? Our own heroes stand at the bar—just as guilty, just as innocent, just as realistic, as Ian Smith and the patriots around him. Our own founding fathers hounded the Indians with relentless fury. Our own defenders of the equality of "all men" engaged in the slave trade; the framers of our own Constitution treated blacks as "other persons," voteless, mere chattels. Under the supreme law of our land, the escaping slave had to be "delivered up on claim of the party to whom such service or labor may be due."

Look at the record! The infant United States of America, which now gazes with such tainted virtue on Rhodesia, couldn't have cared less about majority rule. North and South, we denied our own blacks the right to vote or to own property. (In Rhodesia, blacks do both.) We denied the vote to women. (Women vote in Rhodesia.) We proclaimed our independence, and embarked upon the processes of gradual enlightenment that have brought us, nearly two centuries later, to the point in time we occupy today.

Rhodesia's claims to independence from Great Britain are better in every way than the claims advanced by our Continental Congress. A decent respect for our own history should compel us to renounce the expedient U.N. resolution, and to permit Rhodesia to go her own way—as we went ours.

[From the Washington Post, July 5, 1968]

RHODESIA MINISTER QUITS IN RULING PARTY DISPUTE

SALISBURY, RHODESIA, July 4.—Prime Minister Ian Smith today announced that his principal right-wing opponent, Internal Affairs Minister William Harper, has resigned.

The resignation marks the first split in the ruling Rhodesian Front Cabinet since Smith came to power nearly three years ago. The division appeared likely to grow.

Former Prime Minister Winston Field resigned from the Rhodesian Front Party today, after learning that Harper was out of the government.

Observers believed Smith's dispute with Harper was over a proposed Rhodesian constitution that would eventually give black Africans separate representation in Parliament. The Prime Minister's Office, however, denied that this caused Harper to quit.

Smith supported the proposed constitution. Harper and his supporters wanted a constitution that would eliminate all black representation.

Harper's resignation followed a week of discussion over the constitution by Rhodesian Front legislators. Political sources said the parliamentary caucus almost defeated Smith's policy of retaining black African membership in the Party.

Smith's Rhodesian Front Party has led Rhodesia's white-minority regime since the territory unilaterally declared its independence from Britain on Nov. 11, 1965, rather than submit to eventual rule by the black majority. By Rhodesian standards, Smith is considered a moderate.

As Internal Affairs Minister, Harper virtually controlled the lives of Rhodesia's 4 million black Africans. Rhodesia has about 230,000 white inhabitants.

PATRIOTIC REMINDER TO AMERICANS

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent to insert in the RECORD a thought-provoking column by David Lawrence which appeared in the Washington, D.C., Star on July 4, 1968, titled "Patriotic Reminder to Americans."

There being no objection, the column was ordered to be printed in the RECORD as follows:

Patriotic Reminder to Americans

(By David Lawrence)

There was a time when the Fourth of July meant a great deal more to the American people that it does now.

There use to be many parades and demonstrations of patriotism. There was always throughout the world a keen interest in the celebration of the American Revolution.

Today the lack of emphasis on the origin of the holiday is scarcely noticed. Most Americans take this country's independence for granted because they think it isn't being threatened. They are not apprehensive that a foreign power might gain control—even though more than a billion people have been taken over by Communist imperialism. Such a contingency for this country is considered remote, if not fanciful.

Yet the steady processions of nations which have fallen under the yoke of the Kremlin is not fanciful. It is real. The military potential, moreover, of a bloc of countries is being manipulated in a threat to the safety of the United States.

Americans not only don't bother to take note of the historic meaning of the Fourth of July, but they seem little interested in encouraging revolution, for instance, within the enslaved colonies of the Soviet Union. Too many Americans nowadays are accepting the defeatist philosphy of the "status quo"—letting things stay as they are. There indeed is a crass indifference to the fate of the captive peoples of Czechoslovakia, Poland, Romania, Bulgaria, Hungary, Estonia, Latvia, Lithuania, East Germany and Cuba.

Even the war to preserve the independence of South Vietnam, which is supported by a substantial part of the armed services of the United States, is being criticized by many Americans, and there are plenty of street demonstrations in which posters are displayed, declaring that Vietnam is "none of America's business."

The Fourth of July should be an occasion for nationwide demonstrations of devotion to the principle of liberation by revolution and worldwide emphasis on America's example—what our colonists here once did to emancipate themselves from tyranny. A golden opportunity is missed by failing to dramatize and publicize everywhere the immortal principles proclaimed 192 years ago by the founding fathers.

Condensed into simple language, the Declaration of Independence could be applied to the situations existing among the oppressed peoples on every continent in the world. The rules of international and national conduct contained in the declaration are in every sense pertinent today. If these were taken to heart by the peoples of those countries now living under dictatorships, the whole world might rid itself of the perennial fear of autocratic governments which threaten the peace.

The tendency, however, is to give less thought to the plight of other peoples and more attention to the pleasures of the day. The Fourth of July has become a holiday primarily for recreation. The national significance of the day is, to be sure, noted here and there by patriotic organizations, but even the television and radio networks usually do not schedule programs devoting special attention to Independence Day.

There is need also for pointed reflection on the concept of evolution as well as revolution. For inside the United States the central government has been moving toward a form of duress not conceived of by the Founding Fathers. The 13 colonies considered themselves sovereign and equal. They delegated certain powers to a national government, but they never thought the contract they signed would be construed as meaning that they were to give up any other powers without their consent. Government, they were assured, would always rest upon the consent of the governed.

Yet the tendency has been to erode gradually the rights of the states and to permit a central authority—without amendment of the Constitution in the way prescribed in that document itself—to deprive the people of the rights they have always thought were to be exercised by the states.

A public reading of the Declaration of Independence and of the Constitution might well be featured everywhere throughout the country as a part of the celebration of Independence Day. This could remind many people of the rights lost by the states through usurpation of power. It might even draw attention to the growth of the cult of expediency which today permits nine justices, never elected by the people, to rewrite the Constitution at will.

(Note: the thoughts expressed above were also presented on the fourth of July last year.)

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Is there further morning business? If not, morning business is concluded.

AMENDMENT OF THE FEDERAL WATER POLLUTION CONTROL ACT

The PRESIDING OFFICER. In accordance with the previous order, the Chair lays before the Senate the unfinished business, which the clerk will state.

The **Bill Clerk**. A bill (S. 3206) to amend the Federal Water Pollution Control Act, as amended, relating to the construction of waste treatment works, and to the conduct of water pollution control research, and for other purposes.

The Senate proceeded to consider the bill, which had been reported from the Committee on Public Works, with an amendment, to strike out all after the enacting clause and insert:

That this Act may be cited as the "Water Quality Improvement Act of 1968".

Sec. 2. Section 8 of the Federal Water Pollution Control Act, as amended (33 U.S.C. 466e), is amended:

(a) By redesignating subsections (f) and (g) as (g) and (h);

(b) By inserting after the word "grant" in clauses (1), (3), (4), and (5) of subsection (b) the words "or contract", and after the word "grantee" in clause (3) of subsection (b) the words "or contractee";

(c) By inserting after the word "appropriated" wherever it appears in the second and third sentences of subsection (c) the words "for grants under subsection (b) of this section";

(d) By inserting in subsection (c) after the word "finds" in the sixth sentence a comma and the words "prior to August 31, 1968,"; and after the words "June 30, 1966," in the seventh sentence the words "but prior to August 31, 1968."

(e) By changing the words "subsection (b)" in the first sentence of redesigned subsection (g) to "subsections (b) and (f)"; and

(f) By inserting a new subsection after subsection (e) to read as follows:

"(f) (1) For the purpose of this subsection, the term 'contracting party' means a State, municipality, or intermunicipal or interstate agency.

"(2) Within the limits established in appropriation Acts for fiscal years 1969, 1970, and 1971, the Secretary may, beginning August 31, 1968, enter into contracts, in accordance with the provisions of this subsection, with any contracting party to make payments over a period of not to exceed thirty years from the date of the contract to cover the Federal share of the construction costs of treatment works that meet the applicable requirements of susbection (b) of this section and the first sentence of subsection (c) of this section.

"(3) The Federal share of treatment works with respect to which a contract is entered into under paragraph (2) of this subsection shall be the same percentage as would be the case if a grant were being made for such works under subsections (b) and (h) of this section.

"(4) Each contract shall include such reasonable terms and conditions as the Secretary deems appropriate.

"(5) Any contract executed by the Secretary under this subsection shall be an obligation supported by the full faith and credit of the United States and shall be incontestable except for fraud or misrepresentation of which the holder has actual knowledge.

"(6) The principal sum available for contracts under this subsection for each fiscal year beginning after June 30, 1968, shall be allotted by the Secretary in accordance with the ratio that the population of each State bears to the population of all the States and shall be reallotted in accordance with the fourth and fifth sentences of subsection (c) of this section. The total of such principal sum and the amount actually appropriated for grants under subsection (b) of this section for fiscal years 1969, 1970, and 1971, shall not exceed the sums authorized to be appropriated for grants for such fiscal years."

Sec. 3. Section 8(d) of the Federal Water Pollution Control Act is amended to read as follows:

"(d) For the purposes of making grants and entering into contracts under this section, there is authorized to be appropriated $700,000,000 for the fiscal year ending June 30, 1969; $1,000,000,000 for the fiscal year ending June 30, 1970; and $1,250,000,000 for the fiscal year ending June 30, 1971. At least 50 per centum of the first $100,000,000 so appropriated for each fiscal year beginning on or after July 1, 1965, shall be used for grants for the construction of treatment works servicing municipalities of one hundred and twenty-five thousand population or under. There is authorized to be appropriated such sums as may be necessary to make payments under contracts entered into under subsection (f) of this section. Sums appropriated to carry out this section shall remain available until expended."

JUVENILE DELINQUENCY PREVENTION AND CONTROL ACT OF 1968

Mr. CLARK. Mr. President, 2 days ago, toward the end of the session, the Senate passed the extension of the Juvenile Delinquency Act. There was a good deal of hurry on the part of all of us to get away, and I am afraid that in the course of it, I forget my senatorial manners.

I should like now to pay tribute to those members of the Subcommittee on Employment, Manpower, and Poverty, of which I am chairman, for the very great assistance they gave me, not only in committee but in floor management of the bill.

Of particular importance was the fine work done by the Senator from West Virginia [Mr. Randolph], who has always been a stanch supporter of all legislation reported by that subcommittee. I wish especially to thank him for his assistance.

In the same category are the others members of the subcommittee on the Democratic side: the Senator from New Jersey [Mr. Williams], the Senator from Rhode Island [Mr. Pell], the Senator from Massachusetts [Mr. Kennedy], the Senator from Wisconsin [Mr. Nelson], and our newest but very valuable member, the Senator from Minnesota [Mr. Mondale].

I should like also to thank the Senator from New York [Mr. Javits] and the Senator from Vermont [Mr. Prouty] for their understanding and cooperation in bringing to the floor what was essentially a bipartisan bill, and which was passed by the Senate in large part because of their assistance on the floor.

The distinguished Senator from California [Mr. Murphy], although he did not agree with the rest of the committee, nevertheless offered his amendment in a most friendly and gentlemanly way. We had no difficulty in the committee or on the floor in disposing of it. The Senator from California, too, was a most valuable member of the subcommittee.

All staff members, including Michael W. Kirst, counsel for the subcommittee, also deserve great credit for a fine bit of staff work.

Unfortunately, in the report of the Associated Press concerning the action taken by the Senate, there was a substantial error which I would like to correct in the Record.

The Associated Press stated in an article going out all over the country that the committee, and indeed the Senate, had cut back on the authorization requested by the administration for the juvenile delinquency bill.

That is just not true. The administration asked for a 1-year authorization of $25 million and for an open-end authorization for several additional years.

What the committee did was to authorize $25 million for the first year, $50 million for the second year, $75 million for the third year, and $100 million for the fourth year.

An amendment offered by the Senator from Colorado [Mr. Dominick]—which I was happy to accept—knocked out the fourth year, so that the authorizations contained in the bill were not only substantially in excess of what the administration had requested, but were also, I believe, a sound basis for a 3-year program.

The House has passed a 1-year program which will shortly go to conference. I hope that we will be able to persuade our colleagues in the House to yield to a substantial extent in the conference.

ORDER OF BUSINESS

Mr. BYRD of West Virginia. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. COTTON. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

MOTION TO RECONSIDER PASSAGE OF S. 3566, AMENDMENT OF FEDERAL AVIATION ACT

Mr. COTTON. Mr. President, I am about to enter a motion to reconsider the vote by which S. 3566 was passed on yesterday.

There was an understanding on the floor of the Senate that the bills which had been reported by the Committee on Commerce and placed on the calendar would not be taken up yesterday.

Merely through an inadvertence, and not through any intent to violate the understanding, a unanimous-consent agreement was received, and the bill (S. 3566) was passed by the Senate yesterday.

Before I enter my motion, I want to make it very plain that it is not my purpose to oppose the passage of the bill. However, I felt it was highly essential that I have a colloquy with the distinguished Senator from Oklahoma [Mr. Monroney] to establish certain points of legislative history in connection with this measure. And because I feel it is very important to have this colloquy, I will make the motion, hoping that tomorrow I can have the colloquy with the Senator from Oklahoma who is expected back by that time. I will then withdraw the motion.

Mr. President, I enter a motion to reconsider the vote by which S. 3566 was passed by the Senate on yesterday.

The PRESIDING OFFICER. The motion is entered.

ORDER OF BUSINESS

Mr. BYRD of West Virginia. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. MUSKIE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

MESSAGE FROM THE HOUSE

A message from the House of Representatives by Mr. Hackney, one of its reading clerks, announced that the House had disagreed to the amendments of the Senate to the bill (H.R. 12120) to assist courts, correctional institutions, and community agencies to prevent, treat, and control juvenile delinquency; to support research and training efforts in the prevention, treatment, and control of juvenile delinquency, and for other purposes; asked a conference with the Senate on the disagreeing votes of the two Houses thereon, and that Mr. Perkins, Mr. Pucinski, Mr. Brademas, Mr. Carey, Mr. William D. Ford, Mr. Meeds, Mr. Ayres, Mr. Ashbrook, Mr. Quie, and Mr. Goodell, were appointed managers on the part of the House at the conference.

ENROLLED BILL AND JOINT RESOLUTION SIGNED

The message also announced that the Speaker had affixed his signature to the following enrolled bill and joint resolution:

S. 1129. An act for the relief of Demetra Lani Angelopoulos; and

S.J. Res. 157. Joint resolution to supplement Public Law 87–734 and Public Law 87–735 which took title to certain lands in the Lower Brule and Crow Creek Indian Reservations.

AMENDMENT OF THE FEDERAL POLLUTION CONTROL ACT

The Senate resumed the consideration of the bill (S. 3206) to amend the Federal Water Pollution Control Act, as amended, relating to the construction of waste treatment works, and to the conduct of water pollution control research, and for other purposes.

Mr. MUSKIE. Mr. President, S. 3206 is intended to stimulate construction of water pollution treatment facilities and, more importantly, to honor the commitment made by the Congress in the Clean Water Restoration Act of 1966.

That legislation amended section 8 of the Federal Water Pollution Control Act to provide for a vastly increased program of Federal assistance for municipal waste treatment plant construction—from a $150 million authorization for fiscal year 1967 to $450 million for 1968, $700 million for 1969, $1 billion for 1970, and $1.25 billion for 1971. The 1966 law eliminated the dollar ceilings on single and multimunicipal projects, permitting a full 30-percent Federal contribution to eligible projects, regardless of size and increased the maximum grant to as high as 55 percent under certain circumstances.

The expected level of Federal assistance is critical to the attainment of the water quality standards being established under the Water Quality Act of 1965. But, a serious loss of momentum in the clean water drive is in prospect.

The administration sought and Congress appropriated only $203 million of the $450 million authorized for fiscal year 1968. Only $225 million of the $700 million authorized for fiscal year 1969 was requested, and House action on the public works appropriation bill reduced this to $203 million. If conditions do not change to permit full implementation of the program in the years immediately ahead, it is doubtful that we can overcome the backlog of needed waste treatment facilities and finance the construction required to keep up with population growth, plant obsolescence, and higher water quality requirements.

The total amount of Federal grant funds required to meet the applications presently in process is about $1.4 billion, for projects having a total cost of about $3.1 billion. As of April 30, 1968, 2,171 projects had been approved but not completed. These projects have a total cost of about $1.92 billion, with grant assistance totaling $452 million. In addition, the amount of Federal grant funds necessary to fully fund pending projects eligible for reimbursement would be approximately $342 million.

As of July 1, 1968, 40 States and other jurisdictions had received approval of water quality standards. To meet these standards will require an increasing investment in sewage treatment works. They also require the meeting of schedules of compliance. Failure to comply could result in future enforcement actions. The committee does not want the States and localities to use the failure of the Federal Government to meet its commitment as a reason for not moving forward to construct waste treatment works in compliance with these schedules. S. 3206 will enable us to meet this commitment and avoid this possibility.

The intent of the proposed legislation is to permit communities to finance the Federal share of the cost of waste treatment with repayment assured from the Federal Government.

The present provisions of the act include a reimbursement provision added in 1966. That feature, unlike this bill, does not provide any assurance to a State or local community of a reimbursement of the Federal share of costs it incurs in constructing treatment works. As a matter of fact, the reimbursement provision is only available from funds appropriated and allotted through June 30, 1971, and specifically provides that the approval of a project does not commit or obligate the United States to make a reimbursement from these funds.

Accordingly, with the addition of the new contract provision, as amended by an amendment I propose to offer at the initiative of the distinguished Senator from New York [Mr. JAVITS], the bill suspends the reimbursement provision whenever Congress approves contract authority equal to the difference between funds appropriated for grants and the authorized level of appropriations. Projects otherwise eligible for reimbursement under section 8(c) of the act would not be affected by this suspension—that is, projects which the Secretary finds, prior to suspension of this provision, meet the requirements of section 8 will continue to be eligible for reimbursement from funds appropriated to make grants under subsection 8(b) through fiscal year 1971.

The committee believes that, despite the acceptance of the existing reimbursement provision, greater progress can be achieved in the construction of waste treatment works by giving to the States and localities a guarantee that the Federal share of the cost will be paid and by making funds available at the authorized level.

The Secretary, after the enactment of appropriation acts for each fiscal year—1969, 1970, and 1971—which will establish the total sums available for contract grants, will allot the total contract amount by population among the several States. The total contract amount cannot exceed the difference between the sum authorized for grants in a fiscal year and the sum actually appropriated therefor.

S. 3206 would limit the total amount of contract and grant authority to $700 million in fiscal year 1969, $1 billion in fiscal year 1970, and $1.25 billion in fiscal year 1971. That is, the Secretary could enter into contracts for an amount, in any of these 3 fiscal years, that represented the authorized amount minus the actual amount appropriated. It must be emphasized that this is the authorization authority; the actual limits on contract authority will be established in appropriation acts.

For example, the available contract amount in fiscal year 1969 would be the difference between $700 million, the sum authorized, and $225 million, the sum recommended by the President, should the latter sum be appropriated. Once allotted, the Secretary may then enter into contracts with the States or local communities aggregating in that amount.

The contract would obligate the United States to pay, over a maximum period of 30 years, the grant covering the Federal share of the project cost. The contract would be subject to the same percentage limits as are now applicable to direct grants and would be available to pay the Federal share of the construction of the treatment works as defined in section 8(e) of the act. It does not include the interest on any obligations issued by the State or local community to finance the construction of the works.

Before entering into the contract, the Secretary must be satisfied that the works meet the requirements of section 8(c), relating to State approval, priorities, and comprehensive plans.

Mr. President, I have summarized the substantive provisions of S. 3206. Two provisions which I have not discussed require amplification.

As previously indicated, the Secretary is authorized to pay a grant for a period of not more than 30 years. The committee intends that these payments be on an annual basis. The Secretary is given flexibility on the length of a contract primarily to accommodate the contracting party which, because of the method of financing used, may not wish to utilize the full period allowed for repayment.

The second provision which requires discussion is subsection (f)(4) which states:

> Each contract shall include such reasonable terms and conditions as the Secretary deems appropriate.

This language is included to provide the Secretary with necessary authority to enter into a legally enforecable contract. It is not and cannot be interpreted as providing the Secretary with authority to require user charges, taxable bonds and other matters which were included in the administration proposal.

"Reasonable terms and conditions" may include such provisions as first, assurance of proper and efficient operation and maintenance of the project; second, assurance that the project is in conformity with the State water pollution control plan; third, assurance that the remaining cost of the project will be paid; and, fourth, assurance that the project is in conformity with subsection 8(c) of the act.

For the Secretary to go beyond these limits would not be consistent with congressional intent.

Mr. President, in order to fully explain the measure presently pending before the Senate I would like to discuss the original administration bill, its provisions and why some of those provisions are not a part of the committee bill.

As proposed by the administration, S. 3206 required communities entering into contracts with the Secretary to sell taxable securities to finance a project's cost.

The committee does not believe that the water pollution control effort will be assisted by involving it in the continuing controversy between the Treasury Department and State and local governments regarding taxation on municipal securities.

The committee is primarily interested in moving ahead with effective pollution control programs and, while interested in evaluating alternative financing methods, believes that further consideration by this committee of the taxable bond question this year will not be productive. However, the committee recommends a review of this area in consultation with State and local government, concerned Federal agencies and the banking community to determine if a unified policy can be developed.

S. 3206 as proposed by the administration contained a number of changes in the Federal Water Pollution Control Act. While the committee realizes that many of these recommendations merit consideration, it felt that they would not be appropriated within the context of a financing bill. Most of these changes are aimed at the entire water pollution control program, and should be considered within an overall review of that program which the committee will undertake next year. The critical problem at present is to stimulate an increase in construction of treatment plants so that the momentum created by water quality standards is not lost.

The administration bill proposed that the treatment works must serve an area of more than 125,000 persons, or a standard metropolitan statistical area. The Department of the Interior pointed out that 96 percent of construction grants and 87 percent of funds, since the inception of the program went to cities of under 125,000. Ninety-two percent of construction grants and 76 percent of grant funds went to communities under 50,000.

It is clear that cities have not participated in this program to the same extent as smaller communities, in part because of project dollar ceilings of $1.2 million for individual projects and $4.8 million for multicommunity projects which prevailed prior to the Clean Water Restoration Act of 1966. The committee believes that more emphasis should be given to meeting the needs of our larger communities. It believes, however, that this can be done with the context of improving the methods for establishing priorities which should result from the water quality standards program. Moreover, the committee believes that elimination of the project dollar ceilings coupled with the history of construction in smaller communities will inevitably cause a shift of funds toward the larger communities.

The administration bill contained a mandatory requirement for the establishment of sewer service charges justified on the basis that: First, sewer charges equitably place the cost of this utility service on the user; second, pressure on statutory debt limits are eased, freeing up those sources of funds for schools, roads, and other public purposes; third, sewage treatment service is placed on a businesslike basis, allowing for improvements and proper maintenance of the system; and fourth, industrial and commercial enterprises are encouraged to manage their wastes more effectively, thus potentially reducing the size of the treatment facility required.

The committee was sympathetic to the need to establish a rational method of financing treatment facilities, but the committee does not believe this should be limited to a new method of financing, since it is related to the entire water pollution control program. Because of the importance of the subject, however, the committee requests that the Department of the Interior, in consultation with other appropriate agencies, submit a report by January 1, 1969, on the current practices of communities employing user charges, the advantages and disadvantages of this method of financing, the possibilities of regional treatment facilities for both municipal and industrial wastes on a charge basis, and other relevant factors.

The administration proposed that the allotment provisions of the Federal Water Pollution Control Act not apply to this program. They proposed, instead, that the Secretary of the Interior allocate priorities according to criteria developed by him.

The committee realizes that there may be a need to look more closely at the current allotment formula. For example, the "Cost of Clean Water" report indicated that two-thirds of the need for new facilities to eliminate the current backlog is concentrated in 10 States which account for one-half the total urban population. The allotment for those States is only about 35 percent of the total available. Nevertheless, the committee is hesitant to shift to a new allotment and priority system at this time considering the urgent need to stimulate construction now. Hearings next year will provide an opportunity to review this area and determine whether changes in the allotment or reallotment formula are necessary.

The committee wishes to make it clear that it expects the Department of the Interior to work closely with the States in the development of project priorities. Section 8(b) of the Federal Water Pollution Control Act requires that no grant shall be made by the Secretary "unless such project is included in a comprehensive program developed pursuant to this act." These comprehensive plans should serve as a basis for thoughtful plans to implement water quality standards. This effort must be intensified this year and in the years ahead.

Finally, the administration bill provided that, in making approvals for both grant and contract assistance, the Secretary would require that the design and operation be adequate to assure maximum efficiency, and that States develop statewide plans to improve the efficiency of existing treatment works and initiate operator certification programs. The committee is concerned about the problem that many treatment facilities are not being operated efficiently. Training, proper civil service status, job systems that allow for increasing responsibility, and other factors must be considered. The committee supports actions to overcome deficiencies in the operation of plants and will continue to give this area its close scrutiny.

May I at this point express my appreciation to all members of the committee, including the distinguished Senator from West Virginia [Mr. RANDOLPH], the chairman of the Committee on Public Works; the distinguished Senator from Delaware [Mr. BOGGS], the ranking minority member of the subcommittee; as well as the distinguished senior Senator from Kentucky [Mr. COOPER], the ranking minority member on the full committee. All have given their close attention to this problem and the problem of working out a bill.

The bill which the committee has brought before the Senate differs markedly from the administration bill as introduced. The latter bill generated considerable controversy which might well have led to an inability on our part to produce any proposed legislation.

The bill now pending before the Senate, I believe, is a reasonalbe compromise. It is a minimal effort on the part of the Senate and, hopefully, Congress to measure up to the Federal commitment which we undertook in the act of 1966.

I should like to express my particular appreciation to the distinguished Senator from Delaware [Mr. BOGGS] for the part he has played in helping us to achieve the compromise. In addition, on behalf of my colleagues and myself, I want to thank the members of the committee staff, including the chief clerk, Richard Royce, the counsel, Barry Meyer, and the professional staff members, Leon Billings and Richard Grundy, William Hildenbrand, legislative assistant to Senator BOGGS, and my administrative assistant, Donald Nicoll, for their contributions to the development of the legislation.

Mr. DOMINICK. Mr. President, will the Senator yield for a question?

Mr. MUSKIE. I am glad to yield to the distinguished Senator from Colorado.

Mr. DOMINICK. I wish to congratulate the Senator from Maine for the work he has done in water pollution control, and also to congratulate the Senator from Delaware, who I know has worked hard on this matter.

But I did wish to explore one issue: The Secretary has indicated that he is not going to permit the downgrading of water, regardless of whether or not it is above all other quality standards.

This creates many problems, as the Senator can appreciate, when a State wishes to develop areas where there are inherently good water conditions which are well above the other quality standards. Even though an industry might utilize the best treatment available, and the water might remain above other quality standards, some lessening of purity might understandably occur. Yet a strict nondegradation policy would seem to negate the opportunity of developing any of these areas.

Did the committee go into that problem at all during consideration of this bill?

Mr. MUSKIE. This bill does not deal with that authority, which was established under the Water Quality Act of 1965. This bill deals simply with the financing of waste treatment works constructed under the water quality standards established under that act and also under the Financing Act of 1966.

Mr. DOMINICK. Mr. President, will the Senator yield further?

Mr. MUSKIE. I yield to the Senator from Colorado.

Mr. DOMINICK. This has become a matter of great concern, for example, on the western slope of Colorado. I think it could become a problem in the State of Maine.

There seems to have been an interpretation by the Secretary contrary to that which was intended by Congress.

I wonder if the Senator has any thoughts as to whether the problem deserves to have some Senate hearings.

Mr. MUSKIE. Mr. President, the question has been raised and was discussed during hearings on the present bill. Whenever we have hearings in this field, we try to cover any pending matters. The policy question was the subject of very careful consideration. Members of the committee, and especially the subcommittee, were exposed to the development of the policy. I want to be very careful in the use of words to describe the policy. As we understand it, the policy is not intended to prohibit industrial development of otherwise undeveloped streams.

First, it is intended to establish safeguards to insure that whenever an industrial development project is proposed which would result in lower water quality, a rational decision is made by the community, by the parties involved, and by the State, balancing the priorities in connection with the use for the stream.

Second, the purpose is to insure that whenever the decision is affirmative with respect to such project, the available technology is used to minimize the impact on the stream. The real test of the policy will come as it will apply.

I can understand the concern that has been expressed by the people from whom the Senator has heard. I have received similar expressions of concern that the policy, as worded, will be an absolute block to economic growth and development in presently undeveloped areas. That is not the intent of the policy, as we understand it.

Mr. DOMINICK. Mr. President, I am happy to have the Senator's thinking on this matter. I recall a stream in our State, one which I should add was crystal clear, which the Department judged to be the most beautiful trout stream they had ever seen. The difficulty was that they did not thoroughly analyze it. No trout live in that stream. The stream comes from a point in a much higher area which has certain toxic qualities, which do not permit fish, lichen, or other things of that kind to grow. The Department threatened to prohibit the use of that water because it would spoil fishing possibilities in the stream. This just illustrates one of the difficulties my State has encountered with the administration in the field of water pollution control.

I think it important that the RECORD reflect our concern with the so-called nondegradation issue, as well as set out the intent of the Senate Air and Water Pollution Subcommittee on this subject.

Mr. MUSKIE. I hasten to add a further point. There conceivably could be streams which should be maintained in their pristine, pure, and natural state, but that is a decision to be made at the time by the parties and by the public and private interests involved after evaluating the potential of the stream and the potential future uses, and so forth, which would lead to a rational decision rather than a blind decision. The Senator might wish to examine the colloquy between the Secretary of the Interior and the Senator from Maine on pages 3 to 18, and the departmental response to the subcommittee's questions on pages A91 to A97, of "Water Pollution, 1968—Part I," hearings before the Senate Public Works Subcommittee on Air and Water Pollution, March 27, 1968.

Mr. DOMINICK. I thank the Senator.

Mr. MUSKIE. Mr. President, I send to the desk technical amendments and ask that they be stated.

The PRESIDING OFFICER. The amendments will be stated.

The acting legislative clerk proceeded to read the amendments.

Mr. MUSKIE. Mr. President, I ask unanimous consent that the further reading of the amendments be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered, and the amendments will be printed in the Record.

The amendments, ordered to be *printed in the Record, are as follows:*

On page 18, line 3, strike out all through line 5 and insert in lieu thereof the following:

"(e) By inserting after subsection (b) of this section in the first sentence of redesignated subsection (g) a comma and the following: 'or the amount *contracted for under subsection (f) of this section,', and by striking* out in such sentence 'the amount of such grant' and inserting in lieu thereof 'such amount'; and".

On page 18, line 25, strike out "(h)" and insert in lieu thereof "(g)".

On page 19, line 8, strike out "principal sum available for contracts" and insert in lieu thereof "total amount of contract authority".

On page 19, line 14, strike out "The total of such principal sum" and insert in lieu thereof "Such total".

On page 19, line 21, after "grants and" strike out "entering into" and insert "payments on contracts".

On page 20, line 5, strike out "is" and insert in lieu thereof "are".

On page 20, line 7, strike out "payments under" and insert in lieu thereof "payments, after June 30, 1971, on".

Mr. MUSKIE. Mr. President, these are technical amendments and they have no substantive impact. I ask that the amendments be agreed to.

The PRESIDING OFFICER. The question is on agreeing to the technical *amendments en bloc.*

The amendments were agreed to.

Mr. MUSKIE. Mr. President, I send to the desk an amendment and ask that it be stated.

The PRESIDING OFFICER. The amendment will be stated.

The assistant legislative clerk proceeded to read the amendment.

Mr. MUSKIE. Mr. President, I ask unanimous consent that further reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered, and the amendment will be printed in the Record.

The amendment, ordered to be printed in the Record, is as follows:

On page 17, line 24, strike out all through line 2 on page 18 and insert in lieu thereof the following:

"(d) By adding a new sentence after the seventh sentence of subsection (c) to read as follows:

" 'The Secretary shall not approve any project for reimbursement under the preceding two sentences from such allotments during fiscal year 1969 beginning thirty days after enactment of this sentence and during fiscal years 1970 and 1971, if Congress provides, in Appropriation Acts for those fiscal years, the full sum authorized in subsection (d) of this section for grants under subsection (b) and for contracts under subsection (f) of this section: *Provided,* That, in the event the Congress does not provide such authorized sum in such fiscal year, the Secretary shall not approve any project for such reimbursement in any State that elects to utilize the provisions of subsection (f) of this section'.";

Mr. MUSKIE. Mr. President, this amendment would accomplish what I have discussed in my prepared remarks with respect to substitution of contract authority for reimbursement of States as provided under the 1966 act.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Maine.

The amendment was agreed to.

Mr. MUSKIE. Mr. President, another pollution bill which is pending on the calendar is S. 2525, dealing with pollution from vessels.

In order to avoid a parliamentary problem which might result during the *latter days of this session and because* I believe the provisions of S. 2525 require congressional action this year, I have prepared an amendment which will include the provisions of S. 2525 as a part of S. 3206.

This amendment is identical to the language of the bill reported by the committee with one minor technical change required to clarify the intent of the committee amendment to section 11 of the Water Pollution Control Act. I will discuss this change in a moment.

S. 2525 would authorize a program for control of pollution from vessels, an amendment to section 11 of the Water Pollution Control Act which relates to control of pollution by Federal agencies, and a simple 1-year extension of the research authorizations in the basic act.

Testimony before the Subcommittee on Air and Water Pollution indicates that sewage discharged from boats, while not comparable to large municipal or industrial sources, is a serious and significant problem in many marinas, ports, *harbors, and other confined* waterways. Vessel pollution, as a contributor to the Nation's pollution problem, requires action.

The committee does not believe that this problem can be uniformly handled at the State and local level. Boats and boatowners move between States. Many of the Nation's major recreational waterways are interstate, while most commercially used waters are interstate or coastal in nature.

Conflicting State and local laws confuse vessel operators, and strict enforcement can cause undue burdens on the ability of vessels to move freely in interstate commerce.

This same problem is faced by the manufacturers of vessels and the manufacturers of marine sanitation devices. Conflicting State and local laws may require a variety of levels of control and types of devices. The committee believes that this confusion can be eliminated by Federal preemption of the authority to certify marine sanitation devices.

Federal standards of performance for devices are intended to define adequate levels of treatment within the limits of economic and technical feasibility. The Secretary is expected to set performance standards at the highest levels necessary, within the limits set by subsection (a), to assure effective results from this legislation and to lessen the need for other State and local regulations.

The committee is concerned that many State and local laws, passed and under consideration, require sewage holding tanks as a means of pollution control. Holding tanks are, and must continue to be, an alternative control method. However, to require this type of device without providing pump-out and disposal facilities in ports, harbors and marinas would be futile.

This legislation does not abridge the *right of a State or political subdivision to* prohibit discharges. Local problems may require this type of action if local water quality standards are to be achieved. The committee recommends, however, that prohibition of sewage discharge be an alternative applied only in restricted areas *and further, that the Secretary of the* Interior review the Federal sewage-treatment construction grant program to ascertain the extent to which Federal funds can be made available to assist States and local government in constructing alternative waste disposal facilities for those restricted areas.

S. 2525 provides a means to achieve a uniform and effective vessel pollution control program.

S. 2525 would authorize a program for control of pollution from vessels, an amendment *to section 11 of the Water* Pollution Control Act which relates to control of pollution by Federal agencies, and a simple 1-year extension of the research authorizations in the basic act.

Mr. President, I ask unanimous consent to have printed in the Record, following my remarks, a discussion of the key provisions of S. 2525 as contained in the committee report, section 18.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 1.)

Mr. MUSKIE. *Mr. President, earlier,* I indicated that this amendment is identical to S. 2525 as reported, except for minor change in the Federal agencies cooperation language.

Questions have been raised regarding the purpose and intent of the committee amendment to section 11 of the act which requires Federal agencies to insure compliance with water quality standards in their contracts, permits, licenses, and leases.

I do not know how the committee's directive can be more clearly stated. The committee is not satisfied with the role of Federal agencies in preventing pollution from both direct and related activities. Some agencies have been reluctant to accept the directive of the President to move effectively to improve water quality.

The amendment to section 11 is intended to clarify the position of the Congress in this regard by imposing a requirement that Federal agencies cooperate with pollution control efforts of the Secretary of the Interior.

By including specific reference to contracts, licenses, leases and permits, the committee intends to require full recognition of water quality in carrying out these related activities. As indicated in the report, the committee looks to the agencies of the executive branch to take the initiative in insuring compliance with water quality standards.

In order to make the intent of the committee clear, I have prepared an amendment to clarify any confusion regarding the extent to which Federal agencies should cooperate with the Secretary to assure water quality compliance.

On page 21, line 10, of S. 2525—which is pending—after "(a) It is hereby declared to be the intent of the Congress that" has been deleted. By eliminating the declaration of intent, this amendment clearly states the pollution responsibility of Federal agencies in both direct and related activities.

In order to carry out the purpose of this revised section, Federal agencies will necessarily have to add such conditions to contracts, licenses, leases, and permits *as may be necessary to insure compliance* with water quality standards.

The committee intends to continue its current investigation of Federal agencies' compliance with this act and the President's Executive order on water pollution.

Should future hearings indicate a lack of initiative and a failure to meet water quality needs in these areas, additional legislation may be considered to give the Secretary of the Interior prior review and approval authority in connection with any Federal activity which may affect water quality.

This amendment also extends, for 1 year, the research authorizations for water pollution. The committee considered several changes in the existing research section of the act and decided that these proposals should await program review scheduled for early in the next Congress.

At the same time, the committee recognized the need to extend these important authorizations through fiscal year 1970 so that the program could receive appropriations in regular order next year.

Cognizant of the concern for economy, the committee did not increase the level of authorization for any of the five research programs. I ask unanimous consent to have printed in the RECORD a breakdown of these programs and the appropriations made and requested for fiscal year 1968 and fiscal year 1969, respectively.

There being no objection, the breakdown was ordered to be printed in the RECORD, as follows:

	Fiscal year 1968		Fiscal year 1969		Fiscal year 1970 authorization
	Authorization	Appropriation	Authorization	Request	
Sec. 5:					
General	$60,000,000	$33,149,000	$65,000,000	$39,141,000	$65,000,000
Estuarine study	1,000,000	690,000	1,000,000	1,000,000	1,000,000
Sec. 6, research and demonstrations:					
1. Separation of storm sanitary sewers	20,000,000	8,000,000	20,000,000	8,000,000	20,000,000
2. Advanced waste treatment	20,000,000	10,000,000	20,000,000	10,000,000	20,000,000
3. Industrial waste treatment	20,000,000	10,000,000	20,000,000	10,000,000	20,000,000

EXHIBIT 1

SECTION 18

(a) The committee intends that this new section preclude, at the earliest possible time permitted by existing and advancing technology, economics, and other practical considerations, the discharge into the navigable waters of the United States of raw or inadequately treated sewage from vessels. The Federal Water Pollution Control Act charges the Secretary with the responsibility for approving water quality standards to maintain and enhance the quality and value of our water resources. Consonant with this responsibility, subsection 18(a) requires that the Secretary must promulgate performance standards indicating what a sewage treatment or holding device must do to be acceptable for marine use. This performance standard is intended to define adequate treatment, holding, or other end results.

Consultation with the Commandant of the Coast Guard is required because of the practical necessity of considering marine design and other marine environmental factors in the development of feasible performance standards. The Commandant of the Coast Guard shall promulgate the regulations *which pertain to marine design requirements* both as to the device itself and the manner of installation and operation, in order to insure adequate recognition of marine safety and other aspects.

Additionally, the Commandant's regulations must assure compliance with the water quality end result which the Secretary has *defined. It is apparent and specifically intended* that there must be close coordination and cooperation between the Secretary and the Commandant in development of the overall regulatory program.

The distinction between new and existing vessels is intended to recognize the need, particularly at the outset, for a different approach both in defining a realistic equipment performance standard and in devising the manner of achieving the most satisfactory solution possible.

The committee recognizes that many vessel owners have installed marine sanitation devices pursuant to State laws, regulations, and Public Health Service recommendations. The committee lauds these efforts and does not intend to penalize the vessel owners so long as the installed sanitation devices continue to conform to such laws, regulation, and recommended levels.

However the committee does not believe that the fact that devices were installed prior to the effective date of Federal standards and regulations should be prima facie evidence of compliance. Both Coast Guard and appropriate State agencies should make every effort to assure that these devices continue to comply with the regulations which *required their installation.*

(b) The provisions of subsection (b) are directed at implementation of promulgated performance standards and other equipment requirements. Because conformance with promulgated requirements can be more practically achieved in the design and construction of new vessels, whatever the size a shorter period of time for compliance is provided.

Implementation for existing vessels is more complex. It will be difficult to define the full scope of the problem until device performance standards and regulations directed at attaining the desired objectives are developed. Implementation of standards and device installations which are as stringent as those provided for new vessels may not be generally achieved for some time. Time necessary for design and manufacture of devices as well as limited physical capability of existing shipyards and ship repair facilities work against rapid solution of the existing ship sewage discharge problem.

These considerations as well as other diverse factors such as vessel size, type, mode, and locale of operation require ultimate flexibility in application of standards and regulations. Accordingly, subsection (b)(2) is intended to permit application of standards and regulations by category as appropriate.

There is also created a waiver authority which either the Secretary, or the Commandant of the Coast Guard, with regard to their respective regulatory authority under this section, can exercise as necessary. It is declared to be the intent of this committee that this subsection not suggest dilatory implementation, but rather a practical, flexible, and workable program from which maximum benefits can be realized in the shortest possible time.

(c) The committee intends that the Department of Defense take all necessary steps to comply with the standards promulgated pursuant to subsection (a). The Defense Department has a special responsibility. National attention is constantly focused on *naval vessels, requiring pollution control to* be as much a matter of public relations as public responsibility. Therefore the committee believes the Department of Defense should take a strong leadership role in both development and application of vessel pollution control technology.

At the same time the committee does not believe it is necessary for the Coast Guard to supervise the Defense Department program. It is the intent of the committee that these two Federal agencies and the Department of the Interior develop a coordinated plan to achieve the pollution abatement objectives of the legislation. Further, the committee intends that the Department of Defense should report periodically, within the limits of national security, to the Congress regarding progress in meeting and exceeding standards of performance.

The committee strongly urges the Department of Defense to request such funds as may be necessary to implement vessel pollution control, and to assist the Secretary and the Commandant by providing information on technology developed to implement the purposes of this act.

(e) The committee intends that Federal standards and regulations should, to the full*est extent practicable, preempt new or con*flicting State laws and regulations related to vessel pollution. Preemption is necessary to insure protection of the boatowner who moves in interstate commerce and the manufacturer who delivers marine sanitation devices in interstate commerce.

While the committee has provided for preemption, it is recognized that a number of States and political subdivisions will have adopted vessel pollution control programs prior to enactment of the act. To the extent that those programs are not inconsistent or in conflict with the Federal regulations and standards, the committee intends that they should continue in effect.

The question of consistency between Federal and State or local law is not a final judgment which rests with administrative officials. To expedite a decision, the committee has authorized the Secretary and the Commandant to review existing State law. The Administrative Procedure Act will apply in making this review. If the Secretary or Commandant determines that a State or local law is inconsistent or in conflict with Federal standards and regulations, the State may seek judicial review.

(f) Uniform and effective control of vessel sewage discharge or effluent can only be achieved practically by control of the shipboard device which will contain and treat raw sewage. Subsection (f) is intended to furnish the necessary Federal control through a system of Coast Guard certification of acceptable devices. Though a manufacturer's application will be submitted to the Coast Guard for action, the Secretary of the Interior's primary interest and responsibility for performance standards requires that this aspect of Coast Guard testing be in accordance with the former's direction, and that the Secretary make the ultimate determination of acceptability of performance. If the Commandant determines that the device is satisfactory for marine use in the application of which intended, he will issue certification.

(n) The committee intends that the State and local responsibility for control of vessel pollution should be emphasized. This provision is designed to assist in development of State enforcement programs which will lessen the need for direct Federal involvement in the control and administration of pollution from recreational vessels and encourage broader State participation in these activities.

Most States presently have programs which require numbering of recreational watercraft, and every State has a water pollution control program. It is therefore logical that the enforcement of the pollution from recreational vessels be delegated to the extent feasible, to the appropriate State agencies.

At the same time, the committee does not believe that the best interest of the Nation will be served by delegating the responsibility for control of pollution from commercial vessels which generally move in interstate or international commerce.

The Secretary should rapidly move to establish guidelines to direct the States in development of approved programs whereby the provisions of subsection (n) can become fully effective. Distribution of these guidelines should, if possible, precede promulgation of standards or regulations so that State programs can be adopted prior to the effective date of any standards or regulations.

The committee does not feel that it is necessary, at this time, for the Secretary of Interior and the Commandant of the Coast Guard to expand their respective personnel to enforce recreational vessel compliance with this act. Should a State fail to adopt an approved program Federal personnel will have to be added. However, this subsection should have the effect of transferring this enforcement responsibility to the States.

The grant program authorized under this subsection is intended to facilitate State action and enable States to expand existing vessel and water pollution related activities. No additional funds are authorized due to lack of information on the cost of this program. The Secretary is expected to request necessary funds pursuant to the general authorization contained in sec. 12(c) of the Federal Water Pollution Control Act, as amended.

Mr. MUSKIE. Mr. President, I recommend adoption of the amendment.

The PRESIDING OFFICER. The amendment will be stated.

The assistant legislative clerk proceeded to read the amendment.

Mr. MUSKIE. Mr. President, I ask unanimous consent that further reading of the amendment be dispensed with.

The PRESIDING OFFIÇER. Without objection, it is so ordered; and the amendment will be printed in the Record.

The amendment offered by Mr. Muskie is as follows:

At the end of the bill insert the following:

"Sec. 4. Section 18 of the Federal Water Pollution Control Act as amended (33 U.S.C. 466n) is amended to read as follows:

" 'CONTROL OF SEWAGE FROM VESSELS

" 'Sec. 18 (a)(1) As soon as possible after the enactment of this section, the Secretary, after consultation with the Commandant of the Coast Guard and after giving appropriate consideration to available technology and economic costs, shall promulgate Federal standards of performance for marine sanitation devices (hereinafter referred to as "standards") which shall be designed to prevent the discharge of untreated or inadequately treated sewage into or upon the navigable waters of the United States from new vessels and existing vessels, except (A) existing commercial fishing vessels forty-five feet or under in length, and (B) new or existing vessels not equipped with installed toilet facilities. Such standards shall be consistent with maritime safety and the marine and navigation laws and regulations and shall be coordinated with the regulations issued by the Commandant of the Coast Guard under this subsection. The Commandant of the Coast Guard shall promulgate regulations, which are consistent with the standards under this section and with maritime safety and the marine and navigation laws and regulations, governing the design, construction, installation, and operation of any marine sanitation device on board such vessels.

" '(2) Any existing vessel equipped with a device or devices installed pursuant to the requirements of State law, regulation, or recommended levels of control set forth in the Handbook on Sanitation and Vessel Construction (Public Health Service, 1965) prior to the effective date of initial standards and regulations required by this section shall be deemed in compliance with this section until such time as the device or devices are replaced or are found not to be in compliance with such State law, regulation, or recommended level.

" '(b)(1) Initial standards and regulations under this section shall become effective for new vessels two years after promulgation, but not earlier than September 1, 1970, and for existing vessels five years after promulgation.

" '(2) The Secretary and the Commandant of the Coast Guard, with regard to their respective regulatory authority established by this section, may distinguish among classes, types, and sizes of vessels as well as between new and existing vessels, and may waive applicability of standards and regulations for such periods of time as necessary or appropriate for classes, types, and sizes of vessels, and, upon application, for individual vessels.

" '(c) The provisions of this section and the standards and regulations promulgated thereunder apply to vessels owned and operated by the United States unless the Secretary of Defense finds that compliance would not be in the interest of national security.

" '(d) Before the standards and regulations under this section are promulgated the Secretary and the Commandant of the Coast Guard shall consult with the Secretary of State; the Secretary of Health, Education, and Welfare; the Secretary of Defense; the Secretary of Commerce; other interested Federal agencies; and the States and industries interested; and otherwise comply with the requirements of section 553 of title 5 of the United States Code.

" '(e)(1) After the effective date of this subsection, no State or political subdivision thereof shall adopt or enforce any statute or regulation with respect to the use of any marine sanitation device with any vessel subject to the provisions of this section, except as provided in this subsection and subsection (n) of this section.

" '(2) Any State or political subdivision thereof having, on the effective date of this section, any statute or regulation with respect to such device may continue to enforce such statute or regulation unless the Secretary or the Commandant of the Coast Guard determines, in accordance with section 553, title 5 of the United States Code, that said statute or regulation is inconsistent or in conflict with any standard or regulation promulgated under this section. Any such determination shall be subject to judicial review.

" '(f)(1) No manufacturer of a marine sanitation device shall sell, offer for sale, or introduce or deliver for introduction in interstate commerce, or import into the United States for sale or resale any marine sanitation device manufactured after the effective date of the standards and regulations under this section unless such device is in all material respects substantially the same as a test device certified under this subsection.

" '(2) Upon application of the manufacturer, the Commandant of the Coast Guard shall certify a marine sanitation device if he determines, in accordance with the provisions of this paragraph, that it meets the appropriate standards and regulations promulgated under this section in accordance with the provisions of this paragraph. The Commandant shall test or require such testing of the device in accordance with procedures set forth by the Secretary as to standards of performance and for such other purposes as may be appropriate. The Secretary, upon notification of the results of such tests, shall determine if such results are in accordance with the appropriate performance standards promulgated under this section and shall notify the Commandant of his determination. Upon such notification the Commandant, if he determines that the device is satisfactory from the standpoint of safety and any other requirements of maritime law or regulation, and after consideration of the design, installation, operation, material, or other appropriate factors, shall certify it. Any device which is in all material respects substantially the same as the certified test device shall be deemed to be in conformity with the standards and regulations established under this section.

" '(3) Every manufacturer shall establish and maintain such records, make such reports, and provide such information as the Secretary or the Commandant may reasonably require to enable him to determine whether such manufacturer has acted or is acting in compliance with this section and regulations thereunder and shall, upon request of an officer or employee duly designated by the Secretary or the Commandant, permit such officer or employee at reasonable times to have access to and copy such records. All information reported to, or otherwise obtained by, the Secretary or the Commandant of their representatives pursuant to this subsection which contains or relates to a trade secret or other matter referred to in section 1905 of title 18 of the United States Code shall be considered confidential for the purpose of that section, except that such information may be disclosed to other officers or employees concerned with carrying out this section.

" '(g) After the effective date of standards and regulations promulgated under this section it shall be unlawful—

" '(1) for the manufacturer of any vessel subject to such standards and regulations to manufacture for sale, to sell or offer for sale, or to distribute for sale or resale any such vessel unless it is equipped with a marine sanitation device certified pursuant to this section;

" '(2) for a vessel subject to such standards and regulations to discharge sewage into or upon the navigable waters of the United States in violation of such standards and regulations or to be operated on such waters without an installed marine sanitation device certified pursuant to this section or otherwise in compliance with regulations;

" '(3) for any person to fail or refuse to permit access to or copying of records or to fail to make reports or provide information required under this section; and

" '(4) for any person wrongfully to remove or render inoperative any certified marine sanitation device or element of design of such device installed in a vessel prior to its sale or delivery to the ultimate purchaser.

" '(h) The district courts of the United States shall have jurisdiction to restrain violators of subsection (g) of this section. Actions to restrain such violators shall be brought by, and in, the name of the United States. In any such action, subpoenas for witnesses who are required to attend a district court in any district may run into any other district.

" '(i) Any person who knowingly violates clauses (1) or (4) of subsection (g) of this section shall, upon conviction, be fined not more than $2,500 or imprisoned for not more than one year, or both. Each violation shall constitute a separate offense.

" '(j) Any person who violates a provision of this sectioin or any regulation issued thereunder shall be liable to a civil penalty of not more than $1,000 for each violation. The Commandant of the Coast Guard may assess and collect any such penalty and may remit or mitigate any penalty imposed under circumstances he considers appropriate.

" '(k) The provisions of this section shall be enforced by the Commandant of the Coast Guard, and he may utilize by agreement with or without reimbursement law enforcement officers or other personnel and facilities of the Secretary or other Federal agencies to carry out the provisions of this section.

" '(l) Anyone authorized by the Commandant of the Coast Guard to enforce the provisions of this section may, except as to public vessels, (1) board and inspect any vessel upon the navigable waters of the United States, (2) with or without a warrant arrest any person who violates the provisions of this section or any regulation issued thereunder in his presence or view, and (3) execute any warrant or other process issued by an officer or court of competent jurisdiction.

" '(m) In the case of Guam actions arising under this section may be brought in the district court of Guam, and in the case of the Virgin Islands such actions may be brought in the district court of the Virgin Islands. In the case of American Samoa, such actions may be brought in the district court of the United States for the district of Hawaii and such court shall have jurisdiction of such actions.

" '(n)(1) The Secretary is authorized to make grants to any State, which adopts and enforces an adequate program approved by the Secretary after consultation with the Commandant, to control the discharges into the navigable waters of the United States of untreated or inadequately treated sewage and other wastes from recreational vessels. The Secretary shall approve any State program which—

" '(A) is not inconsistent with Federal standards and regulations except to an extent as otherwise provided in subsection (e)(2) of this section;

" '(B) designates the State authority or agency which will administer the program; and

" '(C) otherwise complies with regulations to be prescribed by the Secretary for the establishment of State programs.

" '(2) Such annual grants to any State with an approved program shall not exceed 50 per centum of the annual cost of such program. Such moneys shall be available solely for administration of the approved program.

" '(o) For the purpose of this section, the term—

" '(1) "new vessel" includes every description of watercraft or other artificial contrivance used, or to be used, as a means of transportation on the navigable waters of the United States, the construction of which is completed after promulgation of standards and regulations under this section;

" '(2) "existing vessel" includes every description of watercraft or other artificial contrivance used, or to be used, as a means of transportation on the navigable waters of the United States, the construction of which is completed before promulgation of standards and regulations under this section;

" '(3) "recreational vessel" means any vessel operated primarily for noncommercial use and not required to have a valid Coast Guard Certificate of Inspection;

" '(4) "commercial fishing vessel" means a vessel engaged in the business of taking of fish, mollusks, or crustaceans for subsequent sale;

" '(5) "public vessel" means a vessel owned and operated by the United States, or by a State, or, except where such vessel is engaged in commercial activities by a foreign nation;

" '(6) "person" means an individual, partnership, firm, corporation, or association, but does not include an individual on board a public vessel;

" '(7) "United States" includes the Commonwealth of Puerto Rico, the Virgin Islands, Guam, and American Samoa;

" '(8) "sewage" means human body wastes and the wastes from toilets and other receptacles intended to receive or retain body wastes;

" '(9) "manufacturer" means any person engaged in the manufacturing, assembling, or importation of vessels capable of having on board marine sanitation devices or of such devices; and

" '(10) "marine sanitation device" means any equipment on board a vessel designed to receive, retain, treat, or discharge sewage.'

"SEC. 5. Section 11 of the Federal Water Pollution Control Act is amended to read as follows:

" 'COOPERATION BY OTHER FEDERAL DEPARTMENTS AND AGENCIES TO CONTROL POLLUTION

" 'SEC. 11. (a) Any Federal department or agency—

" '(1) having jurisdiction over any building, installation, or other property, or

" '(2) which carries out, or issues any lease, license, or permit or enters into any contract for, any activity, shall, insofar as practicable and consistent with the interests of the United States and, where applicable, within any available appropriations, cooperate with the Secretary, and with any State or interstate agency or municipality having jurisdiction over waters into which any matter is discharged from such property, or which is affected by such activity, to insure compliance with applicable water quality standards and the purposes of this act'

"SEC. 6. (a) Section 5 of the Federal Water Pollution Control Act is amended—

"(1) in subsection (g)(4), by striking out 'and June 30, 1969' and inserting in lieu thereof 'June 30, 1969, and June 30, 1970'; and

"(2) in subsection (h), by inserting a comma and 'and for the succeeding fiscal year' after '1969'.

"(b) Section 6 of such Act is amended—

"(1) in clause (1) of subsection (e) by striking out 'three succeeding' and inserting in lieu thereof 'four succeeding'; and

"(2) in clauses (2) and (3) of such subsection by striking out 'two succeeding' and inserting in lieu thereof 'three succeeding'."

Mr. PROXMIRE. Mr. President, will the Senator from Maine yield?

Mr. MUSKIE. I am very happy to yield to the Senator from Wisconsin.

Mr. PROXMIRE. I hesitate, and, believe me, I do hesitate before I would question the distinguished Senator from Maine in an area in which he is the outstanding authority in the Senate, and because he has done a magnificent job for my State in this area as well as for all other States of the Union, but what concerns me is the financing method proposed to be used here. It has been brought to my attention that the financing features of the bill represent a sharp departure from that contained in the original administration request.

The problem is this: By providing for contracts regarding future payments of grants to localities which would be used as backing for tax-exempt securities issued by the localities, the bill in its present form would, in effect, seem to lead to Federal guarantees of tax-exempt securities.

The Treasury has always maintained that to do this is regarded as highly unsound, uneconomical, and contrary to the basic administration position as expressed in the report of the President's Committee on Federal Credit programs.

This morning, the Joint Economic Committee held hearings at which it heard the banking regulatory administrators testify that emphatically they thought any kind of Federal guarantee of tax-exempt securities was very bad. It seems to me what it does lead to is a further broadening of the loophole which all of us recognize as unfortunate; namely, the fact that people can invest enormous sums in municipal obligations and pay no taxes whatsoever. We recognize that we have to pay a price for helping the municipalities, but I am wondering, under these circumstances, why we could not have followed the administration which would have provided for taxable securities, as contained in the committee report which says by the administration route that communities enter into contracts with the Secretary to issue taxable securities. Why can we not follow that procedure instead of the procedure which the Treasury—and it seems to me with good reason—has opposed?

Mr. MUSKIE. Let me say that the bill does not provide for any Federal guarantees whatsoever for either taxable or tax-exempt municipal bonds. All this does is to provide a backing for a commitment the Federal Government has already made to States and municipalities in the 1966 act. In that act, it provided that if the States or municipalities wanted to move ahead with construction of approved waste treatment plants at a faster pace than that authorized by the 1966 act, they could do so and the Federal Government would reimburse them for the Federal share of the cost of such projects.

That commitment is already in the law. Now, whether Congress and the appropriations committees would meet that commitment is something the States and municipalities will have to gamble on. But some 20 States have decided to take that gamble, including my State, New York State, and others.

What we propose to do here is to substitute, within certain limitations which I described earlier, for that open-ended reimbursement commitment, a contract authority, a backing, limited to the difference between the amount actually appropriated for grants and the total authorization set in the 1966 act.

Now, how the States and municipalities provide or finance the Federal share of the cost of such projects is for them to decide. The pending bill has nothing to say on that subject. We do not say they must issue bonds, taxable or tax-exempt.

So far as we are concerned, they can finance the Federal share of the cost out of current revenues. That is their decision to make. Thus, we do not undertake in this bill in any way to guarantee the issuance of any kind of Federal, State, or local bonds.

Mr. PROXMIRE. The Senator is absolutely correct when he says he does not undertake to guarantee. But there is, apparently, a strong feeling that by providing for contracts regarding future payment of Federal grants to localities the contracts would be used as indirect Federal backing for tax-exempt securities issued by the localities. Of course, they do not issue taxable securities. If they issue them tax exempt, the bill in its present form would lead to partial Federal guarantees, at least, on tax-exempt securities.

Mr. MUSKIE. Let me say to the Senator from Wisconsin on that point that it is my understanding the reimbursement feature of the 1966 act is now being relied upon as backing for municipal and State bonds issued, to take advantage of it.

Mr. PROXMIRE. I am not saying that the principle which the Treasury espouses has not been violated. I want to establish whether we are not widening it here. If we are, then whether we have a record on it. Has your committee discovered a record on this matter?

Mr. MUSKIE. Let me say on that point that, if anything, S. 3206 narrows the obligation we assumed in the 1966 act, in at least these respects: One, there is a dollar limit on the total. The reimbursement feature of the 1966 act had no such limit.

The limitation here is the difference between the amounts actually appropriated for grants and the total authorization figures in the 1966 act. The reimbursement feature of the 1966 act had no such limitation.

Mr. PROXMIRE. What about the dollar limit?

Mr. MUSKIE. The dollar limit for 1969 is $700 million.

Mr. PROXMIRE. Through 1971 it goes up to more than $2 billion altogether in the aggregate; is that not correct?

Mr. MUSKIE. Fiscal 1970 is $1 billion. Fiscal 1971 is $1,250 million. So that is a total of $2,750 million for the 3 fiscal years. It was $400 million for the last fiscal year.

This bill would limit contract authority to the difference between the amount appropriated for grants and this authorization figure. In this year, it would be, if the budget request for grants were approved by Congress, $475 million. There is no such limitation upon the 1966 reimbursement feature.

Mr. PROXMIRE. Nevertheless, if the administration, in its proposal for financing its taxable securities, were followed, there would be $475 million in the coming fiscal year from taxable securities. Instead of that, we have $475 million or nontaxable securities, with what some people interpret as partial Federal guarantee. Is that correct?

Mr. MUSKIE. If the administration bill were adopted, there would be full Federal guarantee plus a subsidization of interest cost. The communities and States would be relieved of any interest charges on bond issues to finance the Federal share of the project cost.

Mr. PROXMIRE. So it would be less expensive for the localities if the administration proposal had been followed, rather than the committee's proposal?

Mr. MUSKIE. That is correct.

The Senator asked me what there is in the record with respect to the administration's position. I questioned Mr. Philip S. Hughes, Deputy Director of the Bureau of the Budget, who was testifying for the Budget Bureau and for the administration on this point, carefully on whether or not the administration's proposal was intended as a first step toward the elimination of tax-exempt municipal and State and general revenue bonds. He said it was not; that the administration had no such designs for the future and that this proposal was offered simply as a means of financing the Federal share of the project costs. On that point, it was offered by the administration as a means of relieving communities of the burden of financing the Federal share of project costs under the reimbursement provision of the 1966 act.

What we have done here is to offer municipalities and States a trade—a more limited Federal reimbursement proposition, but a more binding commitment for the future. That is what the trade is. The whole question of tax-exempt municipal and State bonds is no different than it was with respect to the reimbursement feature of the 1966 act.

Mr. PROXMIRE. The Senator may be correct. I am not familiar with the reimbursement feature of the 1966 act. I would certainly agree with the observation of the budget representative that this is not the first step toward elimination of tax-exempt securities; but Treasury has taken the position that they do not want to have tax exempts of any kind with even partial Federal guarantees, and there seems to be a definite Federal guarantee here. Even though there has been a precedent in the past, isn't this perhaps another precedent for the future.

Mr. MUSKIE. While we are on the administration's position, let me say the administration bill was in pretty good shape on the basis of the record, and especially on the basis of the testimony by Mr. Hughes, to which I have just referred; but, unfortunately, Treasury representatives off the record created the very definite impression that they hoped eventually to eliminate all tax-exempt municipal bonds. The moment that specter was raised, the prospect of passing the original administration bill evaporated. That is why we were forced to this expedient, which is very sound, very limited, very moderate. The Treasury position off the record on the question of tax exempt municipal bonds was different from the administration position on the record.

Mr. PROXMIRE. So the opposition in the financial community was——

Mr. MUSKIE. No, among the municipalities and States.

Mr. PROXMIRE. Among the municipalities and States, was the specter that this might lead to the first step toward the elimination of tax exempts, and they just flatly opposed the administration proposal and favored an alternative.

Mr. MUSKIE. That is correct. They did not propose this alternative. We felt as a committee that the Congress had made a commitment to the States and municipalities and that we had to try to find a way to meet it. This was the only proposal that we could develop which seemed to meet the objections which had been raised and which were an insuperable block to the administration bill.

Mr. PROXMIRE. May I say to the Senator that I had not intended to offer an amendment or ask for a rollcall, or anything of that kind, but I would like to ask his comment on one further observation. That is that this proposed financing procedure adopted by the committee would be far more costly to local communities than the procedure contained in the original administration proposal, since it would call for full payment of interest by such communities. Indeed, it would seem to me that it represents a more costly procedure than virtually any of the alternatives which have been proposed in the past. In view of the heavy financial demands being made on all governments to meet pressing social problems, it is certainly desirable to seek fiscally efficient methods of financing so that our resources are adequately husbanded.

Mr. MUSKIE. This is more costly than the administration proposal, I think it is fair to say, although it is not that black and white; but it is no more costly than the reimbursement feature of the 1966 act, which has been taken advantage of by 20 States at the present time. This alternative is not all they might have, but it is something that the States and municipalities find more acceptable than the original administration proposal.

Mr. PROXMIRE. Did or did not the Treasury Department testify on this measure, in view of the strong feeling in this area? And if not, should not they have been called to testify?

Mr. MUSKIE. The Treasury did not testify. Let me say that before the administration proposal was sent up to the Hill I discussed this with them and with the Budget Bureau, and I thought I had a clear understanding as to what the proposal was—that it was not a precedent, that it was not a foot in the door approach. It was on that basis that I offered to go along with it. Then when it became something different, off the record and in private conversations, we were in a new ball game.

I am delighted that the Senator has raised these questions this afternoon. I think this colloquy is an important part of the record. I think at some point this Congress is going to have to come to grips with what some of us feel is a very real intention by many in the Treasury to eliminate tax-exempt municipal bonds. By raising that specter, the original administration bill S. 3206 was set aside. Whether that represents the official position of the Treasury, the official position of the administration, with respect to the ultimate attack upon tax-exempt bonds, I have no way of knowing; but somebody, whether authoritatively or not, whether wisely or not, has created for the municipalities and the States the specter that what was involved in S. 3206 was a first step toward eliminating tax-exempt bonds. It created terrible problems for us in our committee, and it was only with the cooperation of the distinguished Senator from Delaware and other minority Senators that we were able to work out what I think is a sound, minimal substitute.

Mr. PROXMIRE. I am sure the Senator would not oppose either this Senator or any other Senator or the Federal Treasury or any President who urged an optional approach which could be made voluntarily available to municipalities to follow a taxable route which could result, perhaps through interest subsidization payments in a lower cost to them.

Mr. MUSKIE. I tried that one, may I say to the Senator.

Mr. PROXMIRE. And through other means to recover for the Treasury some of the enormous amounts of funds the Treasury is losing now through tax exempts, while at the same time giving the municipalities the option to follow the taxable route if they wish. It seems to me it can be worked out. We have had many hearings on it. Thereby the Treasury would gain and the municipalities would be better off when we consider there are some who pay and some who escape their taxes.

Mr. MUSKIE. I tried to write an option on the State and municipal share of project costs. I was not able to arrive at one in view of what Treasury officials said off the record. We did not object to testimony by the Treasury Department. We assumed the Bureau of the Budget would testify to the administration's position on all issues involved. Otherwise we would have called Treasury witnesses before us to testify. If they had come before us and given us their full position, we might have had something we could have worked with.

But it was difficult enough, without that off-the-record specter, to sell the original administration bill in the light of the fears of municipalities relative to tax-exempt bonds.

Incidentally, there is a considerable record in the hearings on the debate as to whether or not the administration proposal would or would not be the cheaper route for the Treasury to follow.

Mr. PROXMIRE. Once again, I congratulate the Senator from Maine on his usual very competent handling of the bill.

I take it from his remarks that he does see substantial merit in following a taxable approach, and he feels there is merit for that reason, perhaps, to that aspect of the administration proposal, but that there is such opposition on the part of municipalities and localities to something they feel might possibly deprive them of their tax-exempt status that it would not be practicable to follow what might be a better policy in financing this bill; is that correct?

Mr. MUSKIE. I was sympathetic to the idea of taxable municipal bonds to finance the Federal share of the cost. I was never sympathetic to the idea of requiring the issuance of taxable bonds to cover the municipal or State share.

Mr. PROXMIRE. I quite agree with that.

Mr. MUSKIE. As a matter of fact, Federal bonds issued now are taxable, so that when we finance the Federal share out of general appropriations which are financed by Federal bonds, the proceeds of those bonds are taxable, as I understand.

So if municipal bonds were issued in lieu of the Federal bonds, I would see no reason to object to making them taxable.

Mr. PROXMIRE. And the Senator can see merit in that, I take it, and he would not be opposed personally to an amendment to provide accordingly; but he does feel it would be very difficult to get enacted in either the Senate or the House of Representatives?

Mr. MUSKIE. That is right. I would be opposed to it for that reason.

Mr. PROXMIRE. I thank the Senator.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Maine.

The amendment was agreed to.

The PRESIDING OFFICER. The committee amendment is open to further amendment. If there be no further amendment to be proposed, the question is on agreeing to the committee amendment, as amended.

The committee amendment, as amended, was agreed to.

The PRESIDING OFFICER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed for a third reading, and was read the third time.

Mr. BOGGS. Mr. President, I am in accord with the remarks just made by the distinguished chairman of the Subcommittee on Air and Water Pollution concerning S. 3206. the proposed Water Quality Improvement Act of 1968. It is a pleasure to recognize his leadership in the effort to control pollution. Our working and personal relationship on the subcommittee continues to be a very satisfying one.

In reference to the bill in question, it is difficult to overestimate the national urgency of taking action now to meet the demands for municipal waste treatment plant construction. This urgency has been in part fanned by the Congress with passage of the Clear Water Restoration Act of 1966. We must recognize that not only are we far behind in construction of needed water treatment facilities but we are in great danger of losing more ground because of rising population, obsolescence of existing plants, and requirements for higher water quality standards.

It is only because of this urgent situation that I support the plan contained in the Water Quality Improvement Act of 1968 to spur action by municipalities by having the Federal Government agree to make installment plan payments of a Federal share of waste treatment plant construction.

As my distinguished colleague from Maine has said, and I think this point deserves emphasis, these annual payments would be within the authorization limits of the Federal Water Pollution Control Act. Depending on Appropriation Committee decisions in fiscal years 1969, 1970, and 1971, these payments would make up part or all of the difference between what is authorized for sewer plant construction in those years and what is actually appropriated in grant funds during that period.

Spacing these payments over 30 years takes into consideration the fact that the Nation is now fiscally hard pressed as well as the fact that the facilities in question will be benefiting taxpayers for the 30-year period and longer. In other words, the installments would be met by the beneficiaries of the improved sewage treatment systems.

We are now at a point where municipalities have developed plans for needed sewage facilities which, as the Senator from Maine has indicated, far exceed in cost the money which will be available as a Federal grant share.

One of the prime reasons for this activity is the emphasis the Federal Government has placed on meeting the problem now. Therefore we are in the position of encouraging action and then not following through as vigorously with Federal help as the municipalities had a right to expect we would.

This bill would help bridge the gap between what we are able to do now because of fiscal limitations and what the municipalities had expected we would provide considering the authorizations Congress has approved.

I commend the Senator from Maine for his continued leadership in the field of air and water pollution.

The bill before us is designed, as the Senator has indicated, to meet a growing problem of sewage discharges from vessels. While it is true that this type of pollution is not comparable in amount to large municipal or industrial sources, it is a serious problem in some of our ports, harbors, marinas, and other confined waterways.

The Senator from Maine has explained in detail the purpose of the bill and the reasons why the subcommittee felt the necessity of reporting this bill to the Senate for action. I do not want to detain the Senate by repeating these reasons. I do, however, want to emphasize that the committee held 3 days of hearings on this legislation in which testimony was taken from 18 witnesses representing the Federal Government, State and local governments, commercial and recreational boating interests, conservation groups, and individuals from product-testing laboratories.

As a result of this testimony and other

statements such as that adopted in 1964 by the American Public Health Association which said in part:

> The rapid increase in the number of pleasure boats on inland bodies of water and on tidal estuaries and the increasing use of these boats and these waters for recreational purposes are contributing measurably to public health problems and water pollution in many parts of the United States and international waters because these boats do not have devices, or inadequate devices to treat waste before discharge into water.

The subcommittee felt that legislation at the Federal level should be enacted to begin to control this source of pollution.

Also, Mr. President, as of a year ago many States and communities have enacted laws and/or regulations that vary widely from jurisdiction to jurisdiction in their application, and in order to bring uniformity in the requirements to control discharges, the committee provides the authority needed to establish standards of performance for marine sanitation devices which will prevent the discharge of untreated or inadequately treated sewage into the Nation's waterways.

The committee also, Mr. President, made some changes in the existing law as it relates to controlling pollution from Federal installations. The bill before us calls on any Federal department or agency to cooperate fully with the Secretary of the Interior to insure compliance with applicable water quality standards from not only Federal installations but also those related activities over which a Federal department or agency has jurisdiction. This means that any department or agency which leases, licenses, enters into any contract or permit for any activity shall cooperate with the Secretary in bringing about compliance with water quality standards.

This is an important provision and I believe strengthens the present law relating to controlling pollution from Federal activities and/or installations.

Finally, Mr. President, I want to again commend the Senator from Maine for his leadership in this area and I also wish to express my appreciation to the other Republican members of the subcommittee, Senator COOPER, Senator MURPHY, and Senator BAKER, for the valued assistance and contributions in developing a good bill, a needed bill and one which I hope will be approved by the Senate.

Mr. President, it is my hope that the special and urgent nature of the problem will result in early enactment of S. 3206.

Mr. HART. Mr. President, certain provisions of S. 3206 had been of deep concern to officials of the State of Michigan responsible for water pollution control. The proposed abandonment of the prefinancing amendment to Public Law 84–660 was particularly troublesome.

Therefore, I want to express my appreciation to the Senator from Maine [Mr. MUSKIE] who has offered an amendment to soften the blow on the prefinancing arrangement. His action again demonstrates his determination to develop legislation which will be of maximum assistance in the fight against water polluton in all sections of the country and under the differing situations in the several States.

Mr. YARBOROUGH. Mr. President, the worsening problem of water pollution directly affects this Nation's health, welfare, and economic growth. It is essential that we take effective steps today to insure that tomorrow's needs for this precious product of nature will be met. We must realize that the supply of water is not infinite and in order to meet our continuing needs we must at least avoid polluting our existing supply.

The Water Quality Improvement Act of 1968, S. 3206, certainly is a step in the right direction. This important legislation vastly increases the program of Federal assistance for municipal waste treatment plant construction. I commend the distinguished Senator from Maine [Mr. MUSKIE], whose diligent fight for effective controls to prevent air and water pollution is well known, for his work on the Public Works Committee to bring this bill before us today. I am pleased to add my voice to his for the passage of this bill.

I share Senator MUSKIE's and the Public Works Committee's disappointment in the amount of money that the administration has sought and the Congress has appropriated for water pollution control in the past. Of $700 million authorized for fiscal year 1969, only $225 million was requested by the administration; and the House of Representatives has cut even that small amount to $203 million. I share the conviction of the Senate committee when they say at page 2 of the report accompanying S. 3206:

> If conditions do not change to permit full implementation of the program in the years immediately ahead, it is doubtful that we can overcome the backlog of needed waste treatment facilities and finance the construction required to keep up with population growth, plant obsolescence, and higher water quality requirements.

Mr. President, water pollution is a nationwide problem. No State and no community is free from the menace of water pollution. It is expensive, not only for the individual and the businessman but also for the community and the Nation. The price of pollution is spread throughout the society by reduced availability of clean water and restricted growth of the economy.

We must take action now to provide a plentiful supply of useable water for future generations. S. 3206 will help us meet our future water needs. I hope that this valuable legislation will receive favorable action today.

The PRESIDING OFFICER. The bill having been read the third time, the question is, Shall it pass?

The bill (S. 3206) was passed, as follows:

S. 3206

An act to amend the Federal Water Pollution Control Act, as amended, relating to the construction of waste treatment works, and for other purposes

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Water Quality Improvement Act of 1968".

SEC. 2. Section 8 of the Federal Water Pollution Control Act, as amended (33 U.S.C. 466e), is amended:

(a) By redesignating subsections (f) and (g) as (g) and (h);

(b) By inserting after the word "grant" in clauses (1), (3), (4), and (5) of subsection (b) the words "or contract", and after the word "grantee" in clause (3) of subsection (b) the words "or contractee";

(c) By inserting after the word "appropriated" wherever it appears in the second and third sentences of subsection (c) the words "for grants under subsection (b) of this section";

(d) By adding a new sentence after the seventh sentence of subsection (c) to read as follows: "The Secretary shall not approve any project for reimbursement under the preceding two sentences from such allotments during fiscal year 1969 beginning thirty days after enactment of this sentence and during fiscal years 1970 and 1971, if Congress provides, in appropriation Acts for those fiscal years, the full sum authorized in subsection (d) of this section for grants under subsection (b) and for contracts under subsection (f) of this section: *Provided*, That, in the event the Congress does not provide such authorized sum in such fiscal year, the Secretary shall not approve any project for such reimbursement in any State that elects to utilize the provisions of subsection (f) of this section.";

(e) By inserting after subsection (b) of this section in the first sentence of redesignated subsection (g) a comma and the following: "or the amount contracted for under subsection (f) of this section,", and by striking out in such sentence "the amount of such grant" and inserting in lieu thereof "such amount"; and

(f) By inserting a new subsection after subsection (e) to read as follows:

"(f)(1) For the purpose of this subsection, the term 'contracting party' means a State, municipality, or intermunicipal or interstate agency.

"(2) Within the limits established in appropriation Acts for fiscal years 1969, 1970, and 1971, the Secretary may, beginning August 31, 1968, enter into contracts, in accordance with the provisions of this subsection, with any contracting party to make payments over a period of not to exceed thirty years from the date of the contract to cover the Federal share of the construction costs of treatment works that meet the applicable requirements of subsection (b) of this section and the first sentence of subsection (c) of this section.

"(3) The Federal share for treatment works with respect to which a contract is entered into under paragraph (2) of this subsection shall be the same percentage as would be the case if a grant were being made for such works under subsections (b) and (g) of this section.

"(4) Each contract shall include such reasonable terms and conditions as the Secretary deems appropriate.

"(5) Any contract executed by the Secretary under this subsection shall be an obligation supported by the full faith and credit of the United States and shall be incontestable except for fraud or misrepresentation of which the holder has actual knowledge.

"(6) The total amount of contract authority under this subsection for each fiscal year beginning after June 30, 1968, shall be allotted by the Secretary in accordance with the ratio that the population of each State bears to the population of all the States and shall be reallotted in accordance with the fourth and fifth sentences of subsection (c) of this section. Such total and the amount actually appropriated for grants under subsection (b) of this section for fiscal years 1969, 1970, and 1971, shall not exceed the sums authorized to be appropriated for grants for such fiscal years."

SEC. 3. Section 8(d) of the Federal Water Pollution Control Act is amended to read as follows:

"(d) For the purposes of making grants and payments on contracts under this section, there is authorized to be appropriated $700,000,000 for the fiscal year ending June 30, 1969; $1,000,000,000 for the fiscal year

ending June 30, 1970; and $1,250,000,000 for the fiscal year ending June 30, 1971. At least 50 per centum of the first $100,000,000 so appropriated for each fiscal year beginning on or after July 1, 1965, shall be used for grants for the construction of treatment works servicing municipalities of one hundred and twenty-five thousand population or under. There are authorized to be appropriated such sums as may be necessary to make payments, after June 30, 1971, on contracts entered into under subsection (f) of this section. Sums appropriated to carry out this section shall remain available until expended."

SEC. 4. Section 18 of the Federal Water Pollution Control Act, as amended (33 U.S.C. 466n), is amended to read as follows:

"CONTROL OF SEWAGE FROM VESSELS

"SEC. 18. (a) (1) As soon as possible after the enactment of this section, the Secretary, after consultation with the Commandant of the Coast Guard and after giving appropriate consideration to available technology and economic costs, shall promulgate Federal standards of performance for marine sanitation devices (hereinafter referred to as 'standards') which shall be designed to prevent the discharge of untreated or inadequately treated sewage into or upon the navigable waters of the United States from new vessels and existing vessels, except (A) existing commercial fishing vessels forty-five feet or under in length, and (B) new or existing vessels not equipped with installed toilet facilities. Such standards shall be consistent with maritime safety and the marine and navigation laws and regulations and shall be coordinated with the regulations issued by the Commandant of the Coast Guard under this subsection. The Commandant of the Coast Guard shall promulgate regulations, which are consistent with the standards under this section and with maritime safety and the marine and navigation laws and regulations, governing the design, construction, installation, and operation of any marine sanitation device on board such vessels.

"(2) Any existing vessel equipped with a device or devices installed pursuant to the requirements of State law, regulation, or recommended levels of control set forth in the Handbook on Sanitation and Vessel Construction (Public Health Service, 1965) prior to the effective date of initial standards and regulations required by this section shall be deemed in compliance with this section until such time as the device or devices are replaced or are found not to be in compliance with such State law, regulation, or recommended level.

"(b) (1) Initial standards and regulations under this section shall become effective for new vessels two years after promulgation, but not earlier than September 1, 1970, and for existing vessels five years after promulgation.

"(2) The Secretary and the Commandant of the Coast Guard, with regard to their respective regulatory authority established by this section, may distinguish among classes, types, and sizes of vessels as well as between new and existing vessels, and may waive applicability of standards and regulations for such periods of time as necessary or appropriate for classes, types, and sizes of vessels, and, upon application, for individual vessels.

"(c) The provisions of this section and the standards and regulations promulgated thereunder apply to vessels owned and operated by the United States unless the Secretary of Defense finds that compliance would not be in the interest of national security.

"(d) Before the standards and regulations under this section are promulgated the Secretary and the Commandant of the Coast Guard shall consult with the Secretary of State; the Secretary of Health, Education, and Welfare; the Secretary of Defense; the Secretary of Commerce; other interested Federal agencies; and the States and industries interested; and otherwise comply with the requirements of section 553 of title 5 of the United States Code.

"(e) (1) After the effective date of this subsection, no State or political subdivision thereof shall adopt or enforce any statute or regulation with respect to the use of any marine sanitation device with any vessel subject to the provisions of this section, except as provided in this subsection and subsection (n) of this section.

"(2) Any State or political subdivision thereof having, on the effective date of this section, any statute or regulation with respect to such device may continue to enforce such statute or regulation unless the Secretary or the Commandant of the Coast Guard determines, in accordance with section 553, title 5 of the United States Code, that said statute or regulation is inconsistent or in conflict with any standard or regulation promulgated under this section. Any such determination shall be subject to judicial review.

"(f) (1) No manufacturer of a marine sanitation device shall sell, offer for sale, or introduce or deliver for introduction in interstate commerce, or import into the United States for sale or resale any marine sanitation device manufactured after the effective date of the standards and regulations under this section unless such device is in all material respects substantially the same as a test device certified under this subsection.

"(2) Upon application of the manufacturer, the Commandant of the Coast Guard shall certify a marine sanitation device if he determines, in accordance with the provisions of this paragraph, that it meets the appropriate standards and regulations promulgated under this section in accordance with the provisions of this paragraph. The Commandant shall test or require such testing of the device in accordance with procedures set forth by the Secretary as to standards of performance and for such other purposes as may be appropriate. The Secretary, upon notification of the results of such tests, shall determine if such results are in accordance with the appropriate performance standards promulgated under this section and shall notify the Commandant of his determination. Upon such notification the Commandant, if he determines that the device is satisfactory from the standpoint of safety and any other requirements of maritime law or regulation, and after consideration of the design, installation, operation, material, or other appropriate factors, shall certify it. Any device which is in all material respects substantially the same as the certified test device shall be deemed to be in conformity with the standards and regulations established under this section.

"(3) Every manufacturer shall establish and maintain such records, make such reports, and provide such information as the Secretary or the Commandant may reasonably require to enable him to determine whether such manufacturer has acted or is acting in compliance with this section and regulations thereunder and shall, upon request of an officer or employee duly designated by the Secretary or the Commandant, permit such officer or employee at reasonable times to have access to and copy such records. All information reported to, or otherwise obtained by, the Secretary or the Commandant of their representatives pursuant to this subsection which contains or relates to a trade secret or other matter referred to in section 1905 of title 18 of the United States Code shall be considered confidential for the purpose of that section, except that such information may be disclosed to other officers or employees concerned with carrying out this section.

"(g) After the effective date of standards and regulations promulgated under this section it shall be unlawful—

"(1) for the manufacturer of any vessel subject to such standards and regulations to manufacture for sale, to sell or offer for sale, or to distribute for sale or resale any such vessel unless it is equipped with a marine sanitation device certified pursuant to this section;

"(2) for a vessel subject to such standards and regulations to discharge sewage into or upon the navigable waters of the United States in violation of such standards and regulations or to be operated on such waters without an installed marine sanitation device certified pursuant to this section or otherwise in compliance with regulations;

"(3) for any person to fail or refuse to permit access to or copying of records or to fail to make reports or provide information required under this section; and

"(4) for any person wrongfully to remove or render inoperative any certified marine sanitation device or element of design of such device installed in a vessel prior to its sale or delivery to the ultimate purchaser.

"(h) The district courts of the United States shall have jurisdiction to restrain violators of subsection (g) of this section. Actions to restrain such violators shall be brought by, and in, the name of the United States. In any such action, subpoenas for witnesses who are required to attend a district court in any district may run into any other district.

"(i) Any person who knowingly violates clauses (1) or (4) of subsection (g) of this section shall, upon conviction, be fined not more than $2,500 or imprisoned for not more than one year, or both. Each violation shall constitute a separate offense.

"(j) Any person who violates a provision of this section or any regulation issued thereunder shall be liable to a civil penalty of not more than $1,000 for each violation. The Commandant of the Coast Guard may assess and collect any such penalty and may remit or mitigate any penalty imposed under circumstances he considers appropriate.

"(k) The provisions of this section shall be enforced by the Commandant of the Coast Guard, and he may utilize by agreement with or without reimbursement law enforcement officers or other personnel and facilities of the Secretary or other Federal agencies to carry out the provisions of this section.

"(l) Anyone authorized by the Commandant of the Coast Guard to enforce the provisions of this section may, except as to public vessels, (1) board and inspect any vessel upon the navigable waters of the United States, (2) with or without a warrant arrest any person who violates the provisions of this section or any regulation issued thereunder in his presence or view, and (3) execute any warrant or other process issued by an officer or court of competent jurisdiction.

"(m) In the case of Guam actions arising under this section may be brought in the district court of Guam, and in the case of the Virgin Islands such actions may be brought in the district court of the Virgin Islands. In the case of American Samoa, such actions may be brought in the district court of the United States for the district of Hawaii and such court shall have jurisdiction of such actions.

"(n) (1) The Secretary is authorized to make grants to any State, which adopts and enforces an adequate program approved by the Secretary after consultation with the Commandant, to control the discharges into the navigable waters of the United States of untreated or inadequately treated sewage and other wastes from recreational vessels. The Secretary shall approve any State program which—

"(A) is not inconsistent with Federal standards and regulations except to an extent as otherwise provided in subsection (e) (2) of this section;

"(B) designates the State authority or agency which will administer the program; and

"(C) otherwise complies with regulations to be prescribed by the Secretary for the establishment of State programs.

"(2) Such annual grants to any State with an approved program shall not exceed 50 per centum of the annual cost of such program. Such moneys shall be available solely for administration of the approved program.

"(o) For the purpose of this section, the term—

"(1) 'new vessel' includes every description of watercraft or other artificial contrivance used, or to be used, as a means of transportation on the navigable waters of the United States, the construction of which is completed after promulgation of standards and regulations under this section;

"(2) 'existing vessel' includes every description of watercraft or other artificial contrivance used, or to be used, as a means of transportation on the navigable waters of the United States, the construction of which is completed before promulgation of standards and regulations under this section;

"(3) 'recreational vessel' means any vessel operated primarily for noncommercial use and not required to have a valid Coast Guard Certificate of Inspection;

"(4) 'commercial fishing vessel' means a vessel engaged in the business of taking of fish, mollusks, or crustaceans for subsequent sale;

"(5) 'public vessel' means a vessel owned and operated by the United States, or by a State, or, except where such vessel is engaged in commercial activities by a foreign nation;

"(6) 'person' means an individual, partnership, firm, corporation, or association, but does not include an individual on board a public vessel;

"(7) 'United States' includes the Commonwealth of Puerto Rico, the Virgin Islands, Guam, and American Samoa;

"(8) 'sewage' means human body wastes and the wastes from toilets and other receptacles intended to receive or retain body wastes;

"(9) 'manufacturer' means any person engaged in the manufacturing, assembling, or importation of vessels capable of having on board marine sanitation devices or of such devices; and

"(10) 'marine sanitation device' means any equipment on board a vessel designed to receive, retain, treat, or discharge sewage."

SEC. 5. Section 11 of the Federal Water Pollution Control Act is amended to read as follows:

"COOPERATION BY OTHER FEDERAL DEPARTMENTS AND AGENCIES TO CONTROL POLLUTION

"SEC. 11. (a) Any Federal department or agency—

"(1) having jurisdiction over any building, installation, or other property, or

"(2) which carries out, or issues any lease, license, or permit or enters into any contract for, any activity, shall, insofar as practicable and consistent with the interests of the United States and, where applicable, within any available appropriations, cooperate with the Secretary, and with any State or interstate agency or municipality having jurisdiction over waters into which any matter is discharged from such property, or which is affected by such activity, to insure compliance with applicable water quality standards and the purposes of this Act."

SEC. 6. (a) Section 5 of the Federal Water Pollution Control Act is amended—

(1) in subsection (g)(4), by striking out "and June 30, 1969" and inserting in lieu thereof "June 30, 1969, and June 30, 1970"; and

(2) in subsection (h), by inserting a comma and "and for the succeeding fiscal year" after "1969".

(b) Section 6 of such Act is amended—

(1) in clause (1) of subsection (e) by striking out "three succeeding" and inserting in lieu thereof "four succeeding"; and

(2) in clauses (2) and (3) of such subsection by striking out "two succeeding" and inserting in lieu thereof "three succeeding".

The title was amended, so as to read: "A bill to amend the Federal Water Pollution Control Act, as amended, relating to the construction of waste treatment works, and for other purposes."

Mr. MUSKIE. Mr. President, I move to reconsider the vote by which the bill (S. 3206) was passed.

Mr. BOGGS. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. MUSKIE. Mr. President, I ask unanimous consent that S. 2525 be indefinitely postponed.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MANSFIELD. Mr. President, the Senator from Maine [Mr. MUSKIE], the able and competent chairman of the Air and Water Pollution Subcommittee of the Public Works Committee, is to be commended for his careful and swift guidance of this measure through the Senate. His wide-ranging knowledge of the subject involved backed up by extensive hearings in his subcommittee made it possible to achieve such efficient disposition. He was assisted in the task of leading this bill to adoption by the splendid cooperation of the ranking minority member of the subcommittee, the Senator from Delaware [Mr. BOGGS].

We are grateful to both of these Senators for their capable handling of the measure and to the Senator from Wisconsin [Mr. PROXMIRE] as well. He brought his sincere and thoughtful ideas on this proposal to the Senate. They are always most welcome. The Senate may be proud of the swift action on this measure and I wish to thank the entire Senate for its cooperation.

Mr. MUSKIE. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. LONG of Louisiana. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

POSTPONEMENT OF DATE ON WHICH PASSENGER VESSELS OPERATING ON INLAND RIVERS AND WATERWAYS MUST COMPLY WITH SAFETY STANDARDS

Mr. LONG of Louisiana. Mr. President, I ask the Chair to lay before the Senate a message from the House of Representatives on S. 3102.

The PRESIDING OFFICER laid before the Senate the amendment of the House of Representatives to the bill (S. 3102) to postpone for 2 years the date on which passenger vessels operating solely on the inland rivers and waterways must comply with certain safety standards which was, strike out all after the enacting clause, and insert:

That the Act entitled "An Act to require evidence of adequate financial responsibility to pay judgments for personal injury or death, or to repay fares in the event of nonperformance of voyages, to establish minimum standards for passenger vessels and to require disclosure of construction details on passenger vessels, and for other purposes", approved November 6, 1966 (Public Law 89–777; 80 Stat. 1356 et seq.), is amended as follows:

(1) Section 4 is amended by striking the date "November 1, 1968" where appearing and inserting in lieu thereof "November 1, 1970".

(2) Section 5 is amended by striking the date "November 2, 1968" where appearing in the last sentence and inserting in lieu thereof "November 2, 1970".

And amend the title so as to read: "An act to extend until November 1, 1970, the period for compliance with certain safety standards in the case of passenger vessels operating on the inland rivers and waterways."

Mr. LONG of Louisiana. Mr. President, the House amendments clarify the objectives which we intend to accomplish and change the title of the bill so as to read: "A bill to extend until November 1, 1970, the period for compliance with certain safety standards in the case of passenger vessels operating on the inland rivers and waterways."

Mr. President, I move that the Senate concur in the House amendments so that the *Delta Queen* may continue to operate as an American flag overnight passenger vessel operating wholly on our domestic inland rivers.

The motion was agreed to.

THE CALENDAR

Mr. LONG of Louisiana. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of the following unobjected to measures, in this order: Calendar No. 1319, S. 2445; Calendar No. 1337, H.R. 13402; Calendar No. 1251, H.R. 16065; and Calendar No. 1338, S. 3495.

The PRESIDING OFFICER. Without objection, it is so ordered.

AMENDMENT OF THE FEDERAL POWER ACT

The Senate proceeded to consider the bill (S. 2445) to amend part I of the Federal Power Act to clarify the manner in which the licensing authority of the Commission and the right of the United States to take over a project or projects upon or after the expiration of any license shall be exercised which had been reported from the Committee on Commerce, with amendments, on page 3, line 6, after the word "Whenever," strike out "in the judgment of the Commission," and insert "after notice and opportunity for hearing, the Commission determines that"; in line 13, after the word "consider" strike out "appropriate" and insert a colon and "*Provided,* That if the United States does not so take over within 2 years from such recommendation, the Commission may thereafter issue a license as provided in section 15 of this Act and until such project is taken over or licensed the Commission shall annually relicense such project as provided in section 15 of this Act."; on page 4, line 24, after "15(a),"; strike out "until expiration of the next full Congress immediately following the Congress during which the Commission issued the order" and insert "for 2 years after the date of issuance of such order"; on page 5, line 10, after the word "new" strike out "subsections:" and insert "subsection:" after line 10, strike out:

"(b) Notwithstanding the provisions of section 6 of this Act regarding the alteration of licenses, the Commission may, at any time after the issuance of any license under section 15(a) except an annual license, by order, after notice and opportunity for hearing, impose upon the license such further reasonable requirements as are not inconsistent with the other provisions of this Act."

And at the beginning of line 18, after the quotation mark, strike out "(c)" and insert "(b)"; so as to make the bill read:

S. 2445

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 7 of the Federal Power Act, as amended (16 U.S.C. 800), is amended by adding thereto the following new subsection:

"(c) Whenever, after notice and opportunity for hearing, the Commission determines that the United States should exercise its right upon or after the expiration of any license to take over any project or projects for public purposes, the Commission shal not issue a new license to the original licensee or to a new licensee but shall submit its recommendation to Congress together with such information as it may consider: *Provided,* That if the United States does not so take over within two years from such recommendation, the Commission may thereafter issue a license as provided in section 15 of this Act and until such project is taken over or licensed the Commission shall annually relicense such project as provided in section 15 of this Act.

SEC. 2. Section 14 of the Federal Power Act, as amended (16 U.S.C. 807), is amended by inserting "(a)" immediately preceding the first sentence thereof and by adding thereto the following new subsection:

"(b) No earlier than five years before the expiration of any license, the Commission shall entertain applications for a new license and decide them in a relicensing proceeding pursuant to the provisions of section 15. In any relicensing proceeding before the Commission any Federal department or agency may timely recommend, pursuant to such rules as the Commission shall prescribe, that the United States exercise its right to take over any project or projects. Thereafter, the Commission, if it does not itself recommend such action pursuant to the provisions of section 7(c) of this part, shall upon motion of such department or agency stay the effective date of any order issuing a license, except an order issuing an annual license in accordance with the proviso of section 15(a), for two years after the date of issuance of such order, after which period the stay shall terminate, unless terminated earlier upon motion of the department or agency requesting the stay or by action of Congress. The Commission shall notify the Congress of any stay granted pursuant to this subsection."

SEC. 3. Section 15 of the Federal Power Act, as amended (16 U.S.C. 808), is amended by inserting "(a)" immediately preceding the first sentence thereof and by adding thereto the following new subsection:

"(b) In issuing any licenses under this section, except an annual license, the Commission, on its own motion or upon application of any licensee, person, State, municipality, or State commission, after notice to each State commission and licenses affected, and after opportunity for hearing, whenever it finds that in conformity with a comprehensive plan for improving or developing a waterway or waterways for beneficial public uses all or part of any licensed project should no longer be used or adapted for use for power purposes, may license all or part of the project works for nonpower use. Licenses for nonpower use shall be issued on condition that any existing power facilities shall be removed or otherwise disposed of as directed by the Commission. A license for nonpower use shall be issued to a new licensee only on the condition that the new licensee shall, before taking possession of the facilities encompassed thereunder pay such amount and assume such contracts as the United States is required to do, in the manner specified in section 14 hereof. Any license for nonpower use shall be a temporary license. Whenever, in the judgment of the Commission, a State, municipality, interstate agency, or another Federal agency is authorized and willing to assume regulatory supervision of the lands and facilities included under the nonpower license and does so, the Commission shall thereupon terminate the license. Consistent with the provisions of the Act of August 15, 1953 (67 Stat. 587), every licensee for nonpower use shall keep such accounts and file such annual and other periodic or special reports concerning the removal, alteration, nonpower use, or other disposition of any project works or parts thereof covered by the nonpower use license as the Commission may by rules and regulations or order prescribe as necessary or appropriate."

SEC. 4. Section 10(d) of the Federal Power Act, as amended (16 U.S.C. 803), is amended by adding at the end thereof the following: "For any licenses issued under section 15 hereof the amortization reserves shall be established and maintained from and after the effective date of the license."

Mr. MAGNUSON. Mr. President, S. 2445 would establish more adequate procedures for determining whether, upon the expiration of a non-Federal hydroelectric power project license, a project should be recaptured by the Federal Government or relicensed. As such it is designed to permit the recapture and relicensing determinations to be made efficiently and in harmony with the purpose for which the Congress provided limited term licensing. It would also add a new subsection (b) to section 15 of the Federal Power Act authorizing the Federal Power Commission to issue a license for a nonpower use under certain circumstances.

During the next 5 years, 67 licenses for non-Federal hydroelectric projects, will expire. In each of these cases, a decision must be made by the United States whether it will recapture these licenses or issue new ones to the existing licensees, competing applicants, or license particular projects for a nonpower use.

At the expiration of a license term, one of four situations may exist: First, the United States may have an interest in the continued operation of the project arising out of Federal power or nonpower programs which interest could be protected either through recapture or the Federal Power Commission's license conditioning authority; second, the licensee may seek a new license and a private party, a State or a municipality may either compete for the license or seek the inclusion of specified conditions; third, the licensee may wish to abandon a project which public interest considerations dictate be maintained for nonpower purposes; or fourth, there may be no interest expressed by anyone in the continued operation of the project for power or nonpower purposes.

Existing procedures cannot adequately respond to these varied situations because they do not guarantee the kind of reevaluation that the limited term license concept was designed to preserve. Moreover, they are cumbersome and a burden on the Congress, the Federal Power Commission, and the licensees. Currently, decisions involving recapture and licensing determinations involve a threefold process. Five years before a license is to expire, the Federal Power Commission solicits the views of the licensee concerning its plans for the future development of the site. It also solicits the views of each Federal and State agency which may have an interest in recapture. Two years before the expiration date, the Commission makes a report on the project to the Congress on whether the project should or should not be recaptured. The Congress is then asked to decide whether it wishes to recapture a project. Where Congress forgoes that right, relicensing procedures must then be undertaken by the Commission.

This procedure is burdensome and unsatisfactory. Unless it is changed, the Commission will refer to Congress each project with an expiring license on a project-by-project basis even though no Government agency has recommended recapture.

Moreover, it requires the Commission, in advance of the more detailed fact-finding relicensing proceeding, to adopt its position on recapture although some facts bearing on the desirability of recapture may not be disclosed until a relicensing proceeding.

S. 2445 establishes procedures whereby Congress would be relieved of the burden of reappraising individually each expiring license while at the same time affording thorough and simultaneous consideration of recapture and relicensing under the broad standard of comprehensive development set out in section 10(a) of the Federal Power Act.

This legislation will not only provide procedures which will permit the expeditious development of our Nation's hydroelectric resources and give optimum effectiveness to the purposes underlying the limited-term license, but it will also spare the Commission and the licensees involved the essentially duplicative effort of a recapture proceeding followed by a relicensing proceeding.

The amendments were agreed to.

The bill was ordered to be engrossed for a third reading, was read the third time, and passed.

The preamble was amended, so as to read:

S. 2445

Whereas Federal Power Commission licenses for non-Federal hydroelectric projects will expire in increasing numbers; and

Whereas congressional consideration of each project upon the expiration of its license is no more feasible than congressional consideration of each initial license application; and

Whereas the Congress has delegated to the Federal Power Commission responsibility for initial licensing of non-Federal projects, subject to the Commission's duty to recommend to the Congress Federal development in lieu of non-Federal licensing in appropriate cases, and subject to the residual powers of the Congress; and

Whereas the Congress has delegated to the Federal Power Commission the power to issue a new license to the original licensee, or to a new licensee "if the United States does not, at the expiration of the original license, exercise its right to take over, maintain, and operate any project" but has not specified a procedure by which the United

States would determine whether to take over a project; and

Whereas the Congress desires that the Federal Power Commission, after considering timely recommendations of other Federal agencies, shall determine those projects which would best be relicensed and forward its recommendations to the Congress as to those which would best be taken over; and

Whereas in cases where the Federal Power Commission decides in favor of relicensing the Congress desires to establish a reasonable period of time in which other Federal agencies may present their case for takeover to the Congress before a relicensing order of the Federal Power Commission may become effective; and

Whereas Congress intended, in enacting part I of the Federal Power Act upon the expiration of these licenses, the United States should have a further opportunity to determine whether the waterpower resources of the Nation were being developed, improved, and utilized in a manner best adapted to a comprehensive plan for improving or developing a waterway or waterways for the use or benefit of interstate or foreign commerce, for the improvement and utilization of waterpower development, and for other beneficial public uses, including recreational purposes, and to determine whether future development, improvement, and utilization of those resources in the public interest would be achieved most effectively by relicensing the project or projects on appropriate terms and conditions or by taking over the project or projects; and

Whereas the following amendments to part I of the Federal Power Act will permit the responsibilities for relicensing or Federal takeover to be exercised more effectively and efficiently and without undue disruption of the Nation's electric energy supply: Now, therefore,

DISTRICT OF COLUMBIA BUILDING USE

The bill (H.R. 13402) authorizing the use of certain buildings in the District of Columbia for chancery purposes was considered, ordered to a third reading, read the third time, and passed.

Mr. LONG of Louisiana. Mr. President, I ask unanimous consent to have printed in the Record an excerpt from the report (No. 1357), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the Record, as follows:

PURPOSE OF THE BILL

The purpose of H.R. 13402 is to amend the act of October 13, 1964 (78 Stat. 1091; D.C. Code, title 5, sec. 418a(1)), approved by the 88th Congress to regulate the location of chanceries and other business offices of foreign governments in the District of Columbia. Prior to the enactment of the Chancery Act of 1964, foreign governments were without any restriction as to the purchase or rental of property to be used for chancery purposes. The great majority of foreign chanceries were located within residential areas and because of the substantial business use of such properties, they were not compatible, in many instances, with the character of the neighborhood in which they existed. With the development of zoning laws and establishment of zoning categories, the admissibility of chanceries in residentially zoned areas became an increasingly controversial matter. This situation led to action taken during the 88th Congress, and the enactment of the Chancery Act of 1964 (Public Law 88-659), approved October 13, 1964. Proponents of the legislation desired to preserve the residential character of certain neighborhoods and to preserve good relations with representatives of foreign governments.

Provisions of the Chancery Act included a prohibition against the location of additional chanceries in residential neighborhoods. The intent of Congress was clearly expressed concerning the preservation of existing rights established by previous use under law. Existing uses of buildings as chanceries where such use had been established under the benefit of statute or by use preceding applicable zone laws and regulations were to be continued.

Experience under the act has indicated certain inequities. A particular hardship arises when the owner of property finds himself precluded from securing approval for chancery use of property which peculiarly adopts itself to such use, in an area predominantly used for chancery and similar purposes, and which was the subject of negotiations for chancery use prior to the effective date of the Chancery Act.

An example of the inequity of such a situation concerns improved real property located in a Massachusetts Avenue area which is zoned for residential use, but which is predominantly chancery, embassy, and other similar uses. The present owners acquired the property in 1962. It had for over 20 years previous been used for a school. This zoning variance was terminated immediately prior to the present owners' acquisition of the subject property upon termination of the lease by the business and because of building deficiencies. The present owners began extensive repairs and remodeling to the building for use as a chancery in late 1962. Thereafter they entered into negotiations with a foreign government for sale of the property for chancery use, subject to approval of such use by the Zoning Board. By August 1964 the parties had reached a tentative agreement with the Washington representatives of the foreign government. Because the principals were separated by great distance, negotiations were continued for some period of time, culminating in a contract in the spring of 1965. In the meantime, the Chancery Act had become effective on October 13, 1964.

The owners made proper application for chancery use of the subject property, submitting in support thereof a statement by owners and occupants of the neighborhood indicating no objection to such use, and also a letter from the Department of State endorsing the application. The application was denied.

Rezoning of the area to accommodate the property to chancery use would not be desirable inasmuch as such rezoning would destroy the character of the neighborhood by permitting the construction of apartment house developments.

The owners now hold property, remodeled at great expense for chancery purposes, located in a neighborhood zoned residential but predominantly used for chancery and similar purposes, and precluded from obtaining approval for chancery use. They are unable to dispose of the property for residential use at a normal-market value for such use, and cannot meet the terms of the contract which would result in compatible use. Had they been successful in promptly concluding negotiations for the sale of the property after negotiations were initiated several months before the Chancery Act was enacted and made application for chancery use, no doubt it would have been granted. A review of the records of the Department of Licenses and Inspections and the Board of Zoning Adjustment reveals that possibly only three applications for a chancery variance may qualify under the provisions of H.R. 13402.

The U.S. Department of State has endorsed legislation to allow the real property referred to above, which is located at 2344 Massachusetts Avenue NW., to be used as a chancery. The Chief of Protocol has informed the committee that the Government of Libya has been interested in the property for some time as a site for its chancery. The committee is advised that the Libyans made a $15,000 downpayment for the property in 1965, have been diligently trying to obtain permission to occupy the building as a chancery, and must now vacate their present premises because the owner has sold the property to a third party.

In endorsing such legislation, the Department of State points out that the involved area along Massachusetts Avenue NW., has been traditionally considered an embassy and chancery area, that the addition of the Libyan Chancery would not alter the character of the neighborhood and, according to the Department's knowledge, there has been no objection from residents of the area.

PROVISIONS OF THE BILL

The terms of the Chancery Act prohibit the location of a chancery in an area zoned for residential use; the only exception included in the law relates to property which had been used as a chancery under law prior to the effective date of the Chancery Act. H.R. 13402 provides an additional exception to cover cases wherein negotiations were begun prior to the effective date of restrictive legislation; i.e., October 13, 1964, and which culminated in a contract of sale prior to June 1, 1965.

Section (b) of H.R. 13402 amends section 4 of the Chancery Act of 1964 (District of Columbia Code, title 5, sec. 418c) relating to the transfer of property, subject to lawful chancery use, from one foreign government to another. Present law limits the transfer of such use to those properties which conform to the general rule for location of chanceries pursuant to the Chancery Act or which complied with applicable law at the time of enactment of the Chancery Act. Section (b) amends this right of transfer to include also property which is granted a chancery use under one of the exceptions to the general requirements of the Chancery Act, so that such use may be transferred to or used by another foreign government.

HEARING

A public hearing on H.R. 13402 was held on December 8, 1967, before the Business and Commerce Subcommittee.

CONVEYANCE OF CERTAIN LANDS IN IOWA

The Senate proceeded to consider the bill (H.R. 16065) to direct the Secretary of Agriculture to release on behalf of the United States, conditions in deeds conveying certain lands to the State of Iowa, and for other purposes.

Mr. MORSE. Mr. President, speaking to the bill, the bill was submitted to me to determine whether there was a violation of the Morse formula. It does not violate the Morse formula, for, as the Secretary of Agriculture points out in his letter, this is a piece of property that was given to the University of Iowa in the first instance to be used for educational purposes. The property was used for educational purposes in relation to a beef cattle breeding experimental program.

It is now proposed to sell part of this property and invest that money into a similar agricultural research project elsewhere so that it will still be used in accordance with the original grant for the educational purposes of the University of Iowa. Therefore, it does not violate the Morse formula. I have no objection.

I ask unanimous consent that the letter of the Secretary of Agriculture to which I have referred be printed at this point in the Record.

There being no objection, the letter was ordered to be printed in the Record, as follows:

DEPARTMENT OF AGRICULTURE,
Washington, D.C., May 15, 1968.
Hon. W. R. POAGE,
Chairman, Committee on Agriculture,
House of Representatives.

DEAR MR. CHAIRMAN: As you asked, here is our report on H.R. 16065, to direct the Secretary of Agriculture to release on behalf of the United States condtions in deeds conveying certain lands to the State of Iowa, and for other purposes.

We recommend enactment of H.R. 16065.

H.R. 16065 would authorize and direct the Secretary of Agriculture to release on behalf of the United States certain conditions contained in two 1955 deeds conveying certain described lands to the State of Iowa for the use and benefit of the agricultural experiment station of the Iowa State College of Agriculture and Mechanic Arts, now the Iowa State University. The conditions required that the lands conveyed to the State be used for public purposes and provide for a reversion to the United States if the lands cease to be so used.

This bill provides that the Secretary shall release the conditions only with respect to lands covered by an agreement between the Secretary and the university which would set forth certain conditions.

H.R. 16065 would also authorize the Secretary of the Interior, under certain conditions, to convey to the State of Iowa for the use and benefit of Iowa State University or successors in title all the undivided mineral interests which were reserved to the United States in lands conveyed to the State.

The lands involved in H.R. 16065 were originally acquired by the United States under the provisions of title III of the Bankhead-Jones Farm Tenant Act (50 Stat. 525). This title authorizes the Secretary of Agriculture to conduct a program for the rehabilitation of submarginal lands. Title III also authorizes the Secretary to dispose of lands to public authorities and agenices under terms and conditions he deems will best accomplish title III purposes, but only on condition that the property conveyed is used for public purposes.

The 955.81 acres of land in question were conveyed to the State of Iowa on July 29, 1955, subject to the condition that they be used for public purposes. If not so used, ownership would revert to the United States.

We understand that the State of Iowa is seeking a release of the public use condition so that it may sell one or both of the two tracts conveyed to it. These two tracts, consisting of 410 and 545.81 acres, respectively, have been used for beef cattle research and other experimental purposes. Due to changes in direction and emphasis in the work on these areas and size of farms and related facilities, the individual areas are no longer adequate to meet the university's needs. Therefore, the university wishes to sell or exchange one or both of the tracts and use the proceeds to establish a single larger, more efficient unit to meet the university's needs. The use of the proceeds to acquire lands to be held permanently for university purposes would not be inconsistent with the basic purposes of the public use requirement in the original conveyance to the university.

H.R. 16065 is similar to H.R. 11527 recently enacted by the Congress and to Public Law 84–237 involving lands conveyed to the University of Maine and to Clemson Agricultural College, now Clemson University, of South Carolina.

Some 836,000 acres of such lands have been conveyed by the United States to various States and State agencies and organizations in a number of separate transactions. All of these conveyances are subject to the same reversionary clause if the lands are not used for public purposes. The conveyances also included the same mineral rights reservations.

During the intervening years, changes in land use patterns and resource management programs, administrative requirements, and other factors have resulted in the need for others of the respective owning public authorities or agencies to sell, exchange, or otherwise dispose of a part of the title III lands conveyed to them so as to further the purposes and activities of those public bodies. Two other such cases are before us now. Others may come up in the future.

The Bureau of the Budget advises that there is no objection to the presentation of this report from the standpoint of the administration's program.

Sincerely yours,
ORVILLE L. FREEMAN,
Secretary.

The PRESIDING OFFICER. The question is on third reading and passage of the bill.

The bill (H.R. 16065) was ordered to a third reading, was read the third time, and passed.

IOWA LAW ENFORCEMENT ACADEMY

The Senate proceeded to consider the bill (S. 3495) to authorize the Secretary of the Army to release certain use restrictions on a tract of land in the State of Iowa in order that such land may be used as a site for the construction of buildings or other improvements for the Iowa Law Enforcement Academy which had been reported from the Committee on Armed Services, with amendments, on page 1, line 3, after the word "to" strike out "release" and insert "modify"; in line 6, after the word "of" where it appears the first time, strike out "land" and insert "State-owned land and also a portion of lands"; on page 2, line 5, after the word "such" strike out "release" and insert "modification"; in line 8, after the word "is" strike out "released" and insert "modified"; and in line 13, after the word "the" strike out "release" and insert "modification"; so as to make the bill read:

S. 3495

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Army is authorized to modify on behalf of the United States the land use restriction applicable to a tract of land constituting a portion of a larger tract of State-owned land and also a portion of lands heretofore conveyed by the United States to the State of Iowa pursuant to the Act entitled "An Act to direct the Secretary of the Army to convey certain property located in Polk Couny, Iowa, and described as Camp Dodge and Polk County Target Range, to the State of Iowa", approved June 1, 1955 (69 Stat. 70), so that such tract with respect to which such modification is given may be used by such State for law enforcement academy purposes. The exact description of the tract with respect to which such restriction is modified by the Secretary pursuant to this authority shall be agreed upon by the Secretary and the State of Iowa, but in no event shall the total area of such tract exceed nine acres.

SEC. 2. The Secretary of the Army is authorized to impose such terms and conditions on the modification authorized by this Act as he deems appropriate to protect the interests of the United States. All expenses for surveys and the preparation and execution of legal documents necessary or appropriate to carry out the provisions of this Act shall be borne by the State of Iowa.

Mr. MORSE. Mr. President, this is another bill which was submitted for me for determination as to whether or not it violated the Morse formula. It does not violate the Morse formula.

I ask unanimous consent that the letter written to the chairman of the Senate Armed Services Committee, the Senator from Georgia [Mr. RUSSELL], by the Secretary of the Army, Mr. Resor, be printed at this point in the RECORD.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

DEPARTMENT OF THE ARMY,
Washington, D.C., June 27, 1968.
Hon. RICHARD B. RUSSELL,
Chairman, Committee on Armed Services,
U.S. Senate.

DEAR MR. CHAIRMAN: Reference is made to your request to the Secretary of Defense for the views of the Department of Defense with respect to S. 3495, 90th Congress, a bill to authorize the Secretary of the Army to release certain use restrictions on a tract of land in the State of Iowa in order that such land may be used as a site for the construction of buildings or other improvements for the Iowa Law Enforcement Academy. The Department of the Army has been assigned responsibility for expressing the views of the Department of Defense on this bill.

The general purpose of this bill is as stated in its title. More specifically it would authorize the Secretary of the Army to release certain use restrictions on a tract of land, not exceeding 9 acres, so that such land may be used by the State of Iowa for law enforcement academy purposes; such use restrictions having been imposed pursuant to an act entitled, "An Act to direct the Secretary of the Army to convey certain property located in Polk County, Iowa, and described as Camp Dodge and Polk County Target Range, to the State of Iowa," approved June 1, 1955 (69 Stat. 70). This bill further provides that the exact description of the tract shall be as agreed upon by the Secretary and the State; all expenses for surveys and preparation of legal documents shall be borne by the State; and the Secretary may impose such terms and conditions on the release as he deems appropriate to protect the interests of the United States.

The Department of the Army, on behalf of the Department of Defense, interposes no objection to the enactment of this legislation provided it is amended as hereinafter stated.

The 9-acre tract involved in this bill is a part of the Iowa National Guard Camp, Polk County, Iowa, comprising approximately 574.34 acres of land. These lands are adjacent to, and form a connecting link between, Camp Dodge on the northwest and Polk County Target Range on the northeast, containing 1,848.32 acres and 742.34 acres, respectively. Both installations were established in 1917 as a cantonment and training area. Since 1924, the use has been primarily for National Guard. By deed, dated February 24, 1956, the Secretary of the Army conveyed to the State of Iowa the above two installations, comprising 2,590.66 acres, together with all improvements thereon, pursuant to the act of June 1, 1955 (69 Stat. 70). This act authorized the conveyance of subject lands, without monetary consideration, subject to certain reservations, restrictions, and conditions, chief of which were (1) reserved to the United States all mineral rights; (2) the property is to be used for training of National Guard and other military purposes and, if such use should cease, title thereto shall revert to the United States; and (3) in the event of a declaration of war or national emergency the United States may, without payment, reenter upon and use the property for the duration of the emergency and 6 months thereafter. In addition, section 5 of the act required agreement by the State of Iowa as consideration for the conveyance, that the adjacent State-owned lands (574.34 acres) will be used for military purposes only, and not be sold or otherwise disposed; breach of this agreement will result in a reverter of title of the conveyed lands; and the United States may also use these State lands without cost in the event of war or national emergency. The abovementioned deed of conveyance contained these statutory conditions.

The State of Iowa has recently requested the concurrence of the Department of the Army to permit the use of a 9-acre tract, located within the original State-owned lands, for the construction of facilities to house the Iowa Law Enforcement Academy. It is proposed that the facilities will be used primarily to train policemen; however, joint use will be made for training the National Guard in connection with civil disturbance; also, that such facilities will be subject to use by the United States in event of emergency as presently restricted. While the proposed use may be somewhat related to National Guard and military purposes, it is the concensus of legal opinion that such use would be a technical violation of the statutory restrictions. Modifications of these restrictions may only be accomplished by further congressional authorization. S. 3495 would provide the Secretary of the Army the requisite authority.

The Department of the Army considers that the proposed construction and operation of the law enforcement academy is not adverse to National Guard training or future military requirements. The additional facilities should, in fact, prove of mutual benefit to the State and the Federal Government. As a general rule, this Department does not support the complete release or disposal of substantive real property interests without compensation. In this case, however, the objective of the State is not to obtain a release from all previous statutory conditions, but merely to modify the existing use restriction to include law enforcement academy purposes. As a result, the potential benefits of the Government, in event of an emergency, are increased to the extent of the new facilities to be constructed.

Accordingly, for the foregoing reasons, the Department of the Army, on behalf of the Department of Defense, interposes no objection to the enactment of S. 3495. However, in order to also provide for the State-owned lands and the modification of the agreement with the State, the following technical amendments are recommended:

(a) On page 1, line 3, delete the word "release" and substitute "modify".

(b) On page 1, line 6, after the word "of" delete the word "land" and insert "State-owned land and also a portion of lands".

(c) On page 2, line 4, delete the word "release" and substitute "modification".

(d) On page 2, line 7, delete the word "released" and substitute "modified".

(e) On page 2, line 12, delete the word "release" and substitute "modification".

The enactment of this bill will have no effect on the budgetary requirements of the Department of Defense.

This report has been coordinated within the Department of Defense in accordance with procedures prescribed by the Secretary of Defense.

The Bureau of the Budget advises that, from the standpoint of the administration's program, there is no objection to the presentation of this report to the committee.

Sincerely yours,

STANLEY R. RESOR,
Secretary of the Army.

Mr. MORSE. Mr. President, this is a case in which a piece of property was made available to the State of Iowa for the Federal Government, the Department of the Army in the first place, to assist in the training of the National Guard. It is proposed that the 9-acre tract, part of the original tract, now be made available for the training of an Iowa law enforcement academy. The report states that it is proposed that the facilities will be used primarily to train policemen. However, joint use will be made for training the National Guard in connection with civil disobedience; also, that such facilities will be subject to use by the United States in the event of emergency as presently restricted.

This is a part of the combined program that is being developed in many parts of the country in connection with training policemen and the National Guard, who serve together in these civil disturbance cases. It is in keeping with the intent of the original grant. It does not violate the Morse formula. Therefore, I have no objection, and I ask that the bill be passed.

The PRESIDING OFFICER. The question is on agreeing to the amendments.

The amendments were agreed to.

The bill was ordered to be engrossed for a third reading, was read the third time, and passed.

The title was amended, so as to read: "To authorize the Secretary of the Army to modify certain use restrictions on a tract of land in the State of Iowa in order that such land may be used as a site for the construction of buildings or other improvements for the Iowa Law Enforcement Academy."

AUTO THEFT PREVENTION ACT

Mr. LONG of Louisiana. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 1332, H.R. 14935.

The PRESIDING OFFICER (Mr. HOLLINGS in the chair). The bill will be stated by title.

The LEGISLATIVE CLERK. A bill (H.R. 14935) to amend title 39, United States Code, to regulate the mailing of master keys for motor vehicle ignition switches, and for other purposes.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on Post Office and Civil Service, with an amendment, to strike out all after the enacting clause and insert:

That this Act may be cited as the "Auto Theft Prevention Act".

SEC. 2. (a) Chapter 51 of title 39, United States Code, is amended by adding at the end thereof the following new section:

"§ 4010. Nonmailable motor vehicle master keys

"(a) Except as provided in subsection (b), any motor vehicle master key, any pattern, impression, or mold from which a motor vehicle master key may be made, or any advertisement for the sale of any such key, pattern, impression, or mold, is nonmailable matter, shall not be deposited in, carried, or delivered by mail, and shall be disposed of as the Postmaster General directs.

"(b) The Postmaster General is authorized to make such exemptions from the provisions of subsection (a) as he deems necessary.

"(c) For the purposes of this section, 'motor vehicle master key' means any key (other than the key furnished by the manufacturer with the motor vehicle, or the key furnished with a replacement lock, or an exact duplicate of such keys) designed to operate two or more motor vehicle ignition, door, or trunk locks of different combinations.".

(b) the analysis of chapter 51 of such title, immediately preceding section 4001 of such chapter, is amended by adding at the end thereof the following new item:

"4010. Nonmailable motor vehicle master keys.".

SEC. 3. Chapter 83 of title 18, United States Code, is amended—

(1) by inserting after section 1716 the following new section:

"§ 1716A. Nonmailable motor vehicle master keys

"Whoever knowingly deposits for mailing or delivery, or knowingly causes to be delivered by mail according to the direction thereon, or at any place to which it is directed to be delivered by the person to whom it is addressed, any matter declared to be nonmailable by section 4010 of title 39, shall be fined not more than $1,000, or imprisoned not more than one year, or both."; and

(2) by inserting before item 1717 in the analysis of such chapter, immediately preceding section 1691 of such title, the following new item:

"1716A. Nonmailable motor vehicle master keys.".

SEC. 4. The amendments made by this Act shall become effective sixty days after the enactment of this Act.

Mr. LONG of Louisiana. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. LONG of Louisiana. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

INTERNATIONAL TRADE FIBER NEEDS STRENGTHENING

Mr. COTTON. Mr. President, the events of recent days in France have led me to once again question the wisdom of pursuing a trade policy that can only impair our national well-being. France's imposition of import quotas coupled with their subsidization of exports, affecting the bulk of French exports to this country, illustrates how flimsy the international trade fiber has become. France's move was calculated to save the French franc and shift the burden of paying for France's domestic troubles from French citizens and businessmen to their trading partners.

At least this time, Mr. President, the United States did not look the other way, while "the fox stole our chickens from the coop." The prompt announcement by our Government of special duties on the subsidized French exports was prudent and necessary. We must continue to take whatever action is appropriate "to protect our interests" under our laws and the General Agreement on Tariffs and Trade—GATT.

I realize that our Government's reaction to the French move was designed, at least in part, to show Congress that the United States was going to use some muscle in dealing with various foreign practices that are damaging to U.S. trade interests. But, Mr. President, I am not convinced that we have gone far enough to resist the raiding of American markets by foreign industry. I am as convinced of this fact as I was that the 10-percent tax surcharge was insufficient to curb our economic problems. On this point, I was interested to read an article entitled "Protectionism Changes Its Face," which appeared in the June 29 issue of Business Week. This article graphically recites some of the trade barriers now being imposed by certain foreign countries, and I ask unanimous consent that it be printed at the conclusion of my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 1.)

Mr. COTTON. What is needed is a reassessment of our trade policy. Mr. President, the new and startling developments that I am about to discuss have particular reference to steel, but I am equally interested in the problem of importations as it affects shoes, textiles, electronics, and other commodities upon which so many American jobs depend. As a matter of fact, these are closely interrelated to steel because if and when the workers in this basic industry find themselves jobless, they will not be buying shoes, textiles, and other American products.

Now, returning to the particular situation to which I want to address myself and which I believe should be of paramount interest to every Member of the Senate: Senator HARTKE's bill, S. 2537, which I have the honor of cosponsoring, though addressing itself to iron and steel, manages to focus upon the many-sided difficulties of the import problem and offers sound remedies for the resolution of these difficulties. This measure, which deals with the orderly trade of iron and steel is not an attempt to turn back the clock to the days of the Smoot-Hawley Act. Rather, it is an attempt to insure that fewer workers are without jobs and that our national security is not threatened by inroads from foreign imports.

We cannot continue to put our heads in the sand every time the need for controls are mentioned. As clearly stated in the Finance Committee's report of last year:

> No private enterprise industry can, in the long run, survive in competition with foreign industries that have become "instruments of government" unless its own government lends assistance against subsidization imports and against obstacles to exports.

Never before have the warning signs been so ominous. For the second time this year, there was a monthly trade deficit. Commerce Department officials have announced that in May the trade deficit was $32.2 million compared to the March deficit—the first in 5 years—of $158 million. Officials are now conceding that not even the 10-percent surcharge will prevent us from falling short of last year's paltry trade surplus of $4.1 billion.

Last year, the U.S. trade deficit in steel was about $875 million. In 1968, it could balloon to $1.4 billion or more. We have been a deficit Nation in the value of direct steel trade since 1962.

Even if we reason that this year's high rate of imports was partially due to the hedge buying of foreign steel in anticipation of a strike, I cannot help but be dismayed that imports rose 4.2 percent in May, while exports were down 5.8 percent. If the current trend continues, there will be a 6-percent increase in exports over 1967, but an unbelievable 18 percent leap in imports. Even Commerce Department officials have noted that "imports have gotten out of hand."

From 1.2 million tons in 1957, steel imports rose to 10.8 million tons in 1966, and they are still rising. Over the same period exports declined from 5.3 to 1.7 million tons—an adverse swing of over 13 million tons for the past decade.

Our domestic U.S. steel market has grown since 1957 by over 23 million tons, but foreign sources have taken over 40 percent of the growth. Imports have grown at an average rate of 27.7 percent during the latter half of this period and will reach a record 15 million tons or more in 1968. This represents 15 percent of the total market here, and I am sorry to say that this is equivalent to more than 100,000 full-time jobs for American steelworkers and employees in supporting activities.

Meanwhile, the Nation's steelmakers see a sizable shipment reduction during the second half of 1968. Analysts say the plunge in shipments after August 1 would have been smaller had proposed steel import quotas been in effect this year. With imports restricted, one analyst says, the period of inventory runoff after August 1 would have been shortened because users would not have been able to stockpile as much steel as they wanted just from U.S. mills.

With all these facts at the command of our Commerce Department, they are at this moment considering an application the effect of which will be not to reduce spiraling imports, but conversely to boost them even higher. As ranking Republican on the Senate Commerce Committee I am deeply disturbed that the Foreign-Trade Zones Board has been asked to extend the boundaries of the New Orleans trade zone, creating a subzone, to include an area which would be used to fabricate ships with duty-free imported steel. The greatest beneficiaries of this action would be those already eroding our domestic steel industry to the point that 119 Members of Congress are insisting that legislation be established for fair import of this product.

Mr. I. W. Abel, president of the United Steelworkers of America, in a telegram to the Foreign-Trade Zones Board in New Orleans dated May 21 summed up the situation this way:

> The United Steelworkers of America is faced with a grave and growing threat to the steel industry of America and hence, to the livelihoods of many thousands of its members from foreign steel imports. Consequently, we wish to register our strong opposition to the granting of the application for this proposed foreign-trade subzone in New Orleans.

Abel concluded:

> The operator of this subzone can buy foreign steel, bring it into the subzone free of duty, build barges or vessels which can then enter into domestic commerce—again free of duty since there is no tariff on such products. Such an added incentive to the use of foreign steel, can do nothing but increase its volume and harm this Union and its members. There is no reason why we should permit a very restricted number of manufacturers to gain an advantage over all their competitors in the United States.
>
> It will adversely affect our balance of payments, militate against our national security, and in general be entirely contrary to the best interests of our national welfare. Furthermore, the application represents an unprecedented departure from the original purpose of foreign trade zones. We again most strongly urge this Examiners Committee to deny the subject application.

In addition, if this application is granted, there is nothing to prevent shipyards from coast to coast from trying the same maneuver.

I believe an excellent article on the subject was written by Mrs. Helen Delich Bentley, maritime editor of the Baltimore Sun, in her column "Around the Waterfront" dated June 28. Mrs. Bentley's column is syndicated in 12 newspapers around the country. I ask unanimous consent to insert the entire article in the RECORD at the conclusion of my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 2.)

Mr. COTTON. Mr. President, in an unprecedented show of solidarity, Mr. Abel joined Mr. Thomas Patton, chairman of Republic Steel Corp. at the witness table before the House Ways and Means Committee recently to support import quotas. Patton said:

> Whatever our differences may be as to other matters, we and the union are of one mind as to the seriousness of the problem of imports of pig iron and steel mill products into the United States. We and the union are in agreement that there is an immediate need for some reasonable limitation on the importation of those commodities to prevent the present negative balance in steel trade from growing rapidly worse.

Abel commented:

> Deep penetrations by foreign producers have been made into domestic industries and apparently there is no leveling off in view.

The union leaders said a policy limiting imports to 10 percent of the domestic market would be a "balanced one."

The American Iron and Steel Institute agreeing with Abel's statement said:

> While the import penetration of the United States market varies by product and/or region, there is no important product line or market area which is immune to their impact.

One reason for the shipment of large quantities of the most sophisticated steel products to this country is the installation of large-scale and ultra-modern equipment by European and Japanese producers. Yet, Mr. Patton told the House Ways and Means Committee:

> The American steel industry is still the most technically efficient in the world. Our technology, particularly as to upgrading of raw materials and the processing of steel beyond the crude ingot stage, is superior to that of any other country. Our research facilities and efforts far exceed those of any other nation and the fruits of our research are widely and quickly adopted by the industries of other nations. This is why foreign producers continue to buy American-made equipment and seek licenses to use American-developed processes and make American-developed steel products. Furthermore, the steel companies in the United States are investing in improved steelmaking and processing facilities at a record rate and engaging in vigorous campaigns to expand the uses of steel products.

The U.S. industry at the same time is spending millions of dollars in the public interest to solve air and water pollution problems in accordance with the laws of this Congress.

This superior technology is one reason

why I do not agree with those who fear retaliation from our neighbors if we were to institute controls. As one industry spokesman said:

> Other nations purchase goods and services from this country because they want and need them, not because of altruistic feelings.

The London Economist said recently:

> The case of American steel causes a certain discomfort even to the most convinced free-trader.

The Economist noted that foreign sellers traditionally use exports at almost any price as a means of keeping their plants going. The paper also reported that the American Iron and Steel Institute had charged Japan with using its steel industry as an instrument of national policy in international trade by insulating it from competing imports through licensing, redtape, warehousing requirements, and other devices.

Japan is in a category by itself. It recently revealed plans to double its steel production capability by 1975 with some 30 to 40 million tons of raw steel available for export. If an important factor in Japanese expansion plans is an assumption that the United States will continue to import increasing amounts of Japanese steel without limits, a further curb on those imports might have disastrous effects on the Japanese economy.

The Manchester, N.H., Union Leader, in an editorial dated December 9, remarked:

> The fact of the matter: There is no solution that will make everybody happy. We are all in bed together and when one turns, sooner or later we've all got to . . . (import quotas) represents a compromise with the free trade concept so dear to the one-world idealists. But we don't live in an ideal world. We live in this one.

I ask unanimous consent to insert the entire editorial in the RECORD at the conclusion of my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 3.)

Mr. COTTON. In conclusion, Mr. President, I believe that we can no longer afford to turn a deaf ear to warnings indicating a steady deterioration of our favorable balance of trade. Let us not contribute to the loss of American jobs by allowing workers to be idled and earnings curtailed through foreign encroachments upon steel and other industries. Let us support sensible legislation which will provide a balance between "protectionists" and "one-world idealists." By promoting these efforts we will maintain a strong viable economy which will be the foundation of our national security.

EXHIBIT 1

PROTECTIONISM CHANGES ITS FACE

(NOTE.—As tariffs come down, other obstacles slow growth in world commerce. Washington presses Japan, Common Market to change practices. Already it has moved toward reprisals.)

While tariffs come down, a bewildering array of other obstacles to trade keeps popping all over the world.

Some of these nontariff barriers are direct and highly visible, such as Japanese quota restrictions on 122 types of imports. Others limit trade indirectly: High farm price supports in European countries artificially stimulate farm output and thereby displace food imports from the U.S. Still others are invisible: Unwritten official purchasing rules in many countries discriminate against imports.

Some nontariff barriers haven't even been identified yet. The International Chamber of Commerce, at the initiative of its U.S. branch, has launched a project to catalogue them and evaluate their impact on trade. In current hearings on trade before the House Ways & Means Committee, protectionists and liberal traders alike are calling for negotiations to get other countries to lower such hurdles for U.S. exports.

Simple course

But the U.S. is finding it easier to retaliate against nontariff barriers than to negotiate them away.

Recently, Washington has taken a series of reprisals against European and Japanese trade practices that hurt U.S. exports or give foreign products an unfair trading edge:

It slapped "countervailing duties" ranging up to 18% on imports of Italian and French canned tomatoes and tomato paste to offset subsidies given by those countries.

It is giving subsidies to U.S. poultry exporters averaging around 17 cents a pound on sales to Switzerland, to counter subsidized exports from the Common Market and Denmark. Competition from those areas cut the U.S. share of Swiss poultry imports from 67% in 1962 to only 3% last year—a loss of around $10-million.

It has imposed emergency import quotas on eight categories of dairy products—mainly condensed milk and cream, cheese, chocolate, and cocoa products—that Holland and other European countries were trying to dump in the U.S.

It is threatening to retaliate against subsidized exports of Australian canned fruits which are cutting into traditional U.S. markets in West Germany.

It is pressing Japan to remove quotas on a score of farm products.

Agriculture Secretary Orville Freeman warns grimly that this is only the beginning.

For U.S. poultry raisers, he warns, the new subsidy is "a first step in a new drive to regain a fair share of the world market." He adds: "The U.S., the world's most efficient producer of poultry, does not intend to lose traditional markets—which we have developed through great expense and effort—because of the subsidy operations of less efficient producers."

TROUBLE CENTER

U.S. retaliatory moves focus on farm products partly because that is an area where trouble with Europe is brewing. High price supports in the EEC are being extended to more and more agricultural products. Variable customs levies cut down imports of competing products from the U.S. and provide revenues to subsidize European exports of huge surpluses of butter, wheat, and other foods.

This cuts into U.S. exports to other world markets. Currently, Washington is considering countervailing duties on canned hams, which also will be eligible for European export subsidies.

On the industrial front, the U.S. is putting pressure on Japan to liberalize its import quotas. Contrary to rules of the General Agreement on Tariffs & Trade (GATT), Japan maintains a bristling hedge of quota protection against imports even though it has become the world's third industrial power.

Washington is threatening to complain formally to GATT if Tokyo fails to liberalize its quotas on imports of automobile engines, chassis, and other components, and ease its curbs on investment by Detroit in Japanese assembly plants.

Fears

Now the exports of Japanese autos to the U.S. are soaring—with Toyota in third place among foreign makes in this country—there are signs. Tokyo is becoming alarmed about possible U.S. retaliation. Washington officials believe the Japanese are ready to make some major concessions.

So far, the Ministry of International Trade & Industry (MITI) has offered to raise the import quota on car engines from 1,000 to 30,000 units annually. But this is hardly enough to justify a Detroit assembly operation in Japan.

Unofficial reports indicate that MITI would be willing to raise the quota to around 90,000 engines by 1971. But this offer, it is said, would be accompanied by a decision barring U.S. companies from setting up joint ventures with Japanese auto makers, and allowing them no more than a 50% share in assembly plants set up with other partners in Japan.

Meanwhile, Washington is putting the heat on Japan to relax import quotas on computers, numerical control equipment, and some other electronic goods. It also is warning the Japanese that they had better rein in their steel exports to the U.S.—over 4-million tons last year and still rising—or risk passage by Congress of legislation to impose import quotas on steel.

NEW GAME

The new U.S. campaign against nontariff barriers is a logical followup to the Kennedy Round of negotiations, which ended last year in a broad agreement among major trading nations to lower tariffs an avearge 35% over the next five years on some $40-billion worth of annual trade in manufactured products. While the talks were in progress, Washington was reluctant to rock the boat with trade reprisals. But now that inhibition has been lifted.

More important, in the wake of the Kennedy Round, U.S. industries have launched a major push in Congress to impose import quotas on everything from textiles to mink fur. The Administration hopes to take some of the steam out of this drive by attacking obtsacles to trade in other countries.

But all the talk about nontariff barriers abroad may backfire by providing protectionists at home with more arguments for building quota walls around the U.S. Meantime, spokesmen for foreign producers have warned in testimony before Ways & Means that quotas and trade reprisals by the U.S. will only invite further retaliation by other countries against U.S. goods.

All this doesn't amount to an old-fashioned trade war—at least, not yet. But the U.S. and its trading partners seem to be headed into a period of dangerous skirmishing on trade policy.

Right now, Washington is particularly worried about the spread of border taxes abroad. Some foreign countries levy a tax on imports equal to the amount of "indirect" taxes—such as turnover and value-added taxes—that are assessed against domestic products.

These border taxes, and the accompanying system of rebates to exporters, put U.S. goods at a disadvantage. Now, in the process of harmonizing their tax systems, Common Market countries are raising border taxes. Germany lifted its border tax early this year, and Holland will follow next Jan. 1.

Washington wants the Common Market countries to stand still on such tax changes until an attempt can be made to negotiate an international border tax code. But chances of achieving this are slim. Meantime, Denmark, Sweden, and Austria are setting up border tax systems. Most other countries in the European Free Trade Assn. probably will follow.

Indeed, trade officials are only beginning to realize what a tangled jungle nontariff trade obstacles are. Bargaining for broad reciprocal concessions is almost impossible, since it's hard to measure the impact of nontariff barriers.

Old saw

Often, nontariff barriers are rooted in tradition or in arguments of national security.

The U.S. has an ancient tax on water in Scotch whisky. European governments and state-owned utilities buy exclusively from local makers of heavy electrical equipment as a matter of national security.

Many nontariff barriers are erected by local authorities and can't easily be changed by central governments. In this country, Massachusetts, Pennsylvania, and several other states are setting up their own "Buy American" rules.

While negotiating to eliminate nontariff barriers is difficult, one checkrein on their use is the sheer cost of administering them and the economic absurdities they sometimes create.

The EEC's farm policies, for example, are creating a huge butter surplus that could go up to 240,000 tons for the 1968–69 marketing year, a wheat surplus near 1-million tons, and a sugar surplus estimated at 600,000 to 1-million tons.

Brussels experts think the bill for the farm program of price supports, export subsidies, storage charges, and other costs may climb to $2.5-billion in 1968–69. The Germans, who are footing most of the bill, are becoming increasingly reluctant to pick up the tab.

TRAPS IN THE JUNGLE OF NONTARIFF BARRIERS

Argentina: Importers must make interest-free deposit for six months equal to 40% of the cost-insurance-freight value of imported goods.

Brazil: Imported products must pay a merchant marine improvement tax.

Britain: New "loyalty rebate" by government-run steel company favors buyers who haven't used imported steels of similar type for previous six months.

Canada: Canned goods may be imported only in container sizes approved by government.

Finland: 140% excise tax on c.i.f. duty paid value of cars, less $595, discriminates against big U.S. autos.

France: Border tax on most industrial products is 20% of c.i.f. duty-paid value. Whiskey advertising prohibited.

Germany: Imported pit coal and solid fuels made from coal must be consumed north of Mitteland canal.

India: Commercial imports are subject to licensing, exchange controls, quotas, embargoes.

Italy: Government departments apply blanket buy-Italian policies. Wine imports prohibited.

Japan: Many imports controlled by complex foreign exchange allocations; Ministry of International Trade & Industry generally keeps allocations confidential.

Malagasy: Prohibits imports of beer under 4% alcohol content.

Malta: Bars imports of bathtubs less than 5 ft. 6 in. long.

Norway: Soles of imported shoes must be made of single piece of natural leather.

Soviet Union: Foreign trade handled by state agencies; trade must be bilaterally balanced; foreign suppliers have little contact with users of products.

United States: Makers of benzenoid chemicals protected by American Selling Price system of levying high duties on imports.

EXHIBIT 2

[From the Baltimore (Md.) Sun, June 28, 1968]

AROUND THE WATERFRONT: FOREIGN ZONE CASE DECISION MAY AFFECT ALL INDUSTRIES

(By Helen Delich Bentley)

WASHINGTON.—A new type of battle concerning "foreign" shipbuilding is now pending before the Foreign Trade Zones Board of the United States Department of Commerce.

This fight concerns an application to classify some four acres of land in the port of New Orleans as a sub-zone of the Foreign Trade Zone there in order to build vessels within the limits of the United States by using foreign materials without paying import duty on them.

Finished items could be used thereafter with all of the American privileges attendant thereto, or be exported without any duty ever being paid and bearing the "Made in U.S.A." stamp.

NEW ERA POSSIBLE

The outcome of this case could well mark the beginning of a new era in all manufacturing. Mayor Victor Schiro of New Orleans argued that "the best opportunity for foreign trade zones in this country may lie in the field of manufacturing for export.

"Firms manufacturing at zones or subzones," he said, "might have advantages of an overseas operation without the risk. They could use skilled American labor, keep control of technological processes, have the prestige of selling United States-made goods in foreign markets and expand our exports."

In essence, what Mayor Schiro was saying was that satellite industries could be built all over the lot. That is exactly what the big United States steel companies do not want. They oppose any advantage being given to foreign steel.

WITHOUT DUTY

Under the pending proposal by Equitable-Higgins Shipyard, as backed by the New Orleans Board of Dock Commissioners and most Louisiana interests, Japanese steel could be brought into this sub-zone without the 7½ per cent duty being assessed.

The cheaper initial basic costs, plus the omission of the duty would result in finished products being so much cheaper than those being built at a regular American yard that the Americans could not compete.

Therefore, the shipyards have joined with the steel companies in opposing the subzoning classification.

SHIP REPAIR YARD

Equitable-Higgins already operates a ship repair yard on 38 acres of land bordering the Inner-Harbor Navigation Canal which makes up the port of New Orleans. Only 3.8 acres of this land would be involved in the "subzone."

The first order which the yard has for construction in the proposed sub-zone is composed of 233 barges to be carried aboard a LASH (lighter-aboard-ship) mother vessel being built in Japan for Norwegian owners.

The Norwegians have chartered the LASH ship for ten years to Central Gulf Steamship Company, an unsubsidized American operator. Central Gulf is paying for, and will own, the barges.

It is important to Central Gulf that the lighters are built in the United States so that they will qualify for all domestic privileges, particularly being able to carry cargo between American ports. This would be possible with Japanese steel built in any American yard. The sub-zone classification provides a cheaper overall price which any company would like to have.

The shipyard interest in the sub-zone classification is long range because it would be able to attract considerable business over the years in the production of barges, tugs, water taxis, self-propelled drilling vessels, portable dredges, fishing vessels, derrick barges, oil barges and similar vessels.

Equitable-Higgins spokesmen emphasized that American labor would gain considerably through such an operation.

In the case of the first contract, for instance, they point out that fasteners would be secured from local sources.

"Components of United States manufacture have an estimated value of $2,600,000 under the first contract alone."

In their opposition to the proposal, the steel companies argue that steel imports already are making drastic inroads on American production. They noted that this year steel imports will reach 15 per cent of the total market, resulting in 100,000 fewer full-time jobs in this country's steel industry.

E. B. King, an attorney representing United States Steel Corporation, contended that the intent of Congress when foreign trade zones were established "was to encourage exports . . . never thinking of the possible loss of revenue to Government by permitting this type of manufacturing in a free trade zone."

Ironically, the major steel companies use foreign-flag ships built in foreign countries manned by foreign seamen exclusively for the transportation of the millions of tons of raw ores imported into the United States for maufacturing into steel.

All of this is said to have a considerable adverse effect on our balance of payments.

EXHIBIT 3

[From the Manchester (N.H.) Union Leader, Dec. 9, 1967]

ALREADY TOO HIGH—BUT

The recent announcement by U.S. Steel that it was raising the price on cold-rolled sheets used in cars and appliances by 3.5 per cent brought an anguished cry from Gardner Ackley, chairman of the President's Council of Economic Advisers: "Costs and prices are already too high!"

This statement is true enough, resulting is not only foreign competition for the steel market but even in the domestic field, foreign makers have been able to capture an increasing slice of the market. Last year this accounted for 11 per cent of our consumption (3½ times what it was in 1961 and 10 times greater than in 1957). This has adversely affected our balance of trade—and has reduced employment opportunities in America's steel industry by about 80,000 jobs.

But to say American steel prices are too high is not the same thing as providing a solution. Prices are the result of many other factors.

For example, hourly employment costs in Japan, one of our strongest competitors, averaged $1.97 below those in the U.S. in 1952. By 1957 these were $2.68 below ours and last year, $3.52 below. "As a result," says John P. Roche, president of American Iron and Steel Institute, "differences in unit labor costs are now on the order of $25 per ton to the advantage of Western Europe and $40 per ton for the Japanese."

He goes on to point out that since steel technology is international, many of these foreign competitors have plants equal to ours in efficiency. To become fully competitive in price, Mr. Roche claims the domestic industry would have to cut its labor requirements from the present 13 man hours per ton of shipments to an incredible 4 man hours per ton. Putting it another way, to make up for the higher wages, American workers would have to increase output per man hour by 225 per cent.

The 31 per cent drop in steel profits so far this year attests to the cost-price squeeze. Assuming that Americans still believe investors have a right to a reasonable profit, where is the solution to a problem like this?

The fact of the matter: There is no solution that will make everybody happy. We are all in bed together and when one turns, sooner or later, we've all got to. The steel worker is interested in higher wages. Higher wages add their cost to steel and hence to the price of automobiles, refrigerators that the steel worker (and all of us) must buy. Cheaper foreign steel may tend to reduce the cost of such articles. The steel worker, as a consumer, gains—but he may lose his job in the steel industry.

Mr. Roche's suggestion is that imports be limited in any year to a fixed per cent of recent consumption during a base period 1964–1966 or about 9.6 per cent, allowing foreign producers a chance to compete for the share in our growth and yet prevent low wage foreign competition from inundating the industry.

Similar solutions have been advanced for

> the shoe and textile industries which are of more immediate concern to New Hampshire.
>
> This represents a compromise with the free trade concept so dear to the one-world idealists. But we don't live in an ideal world. We live in this one.
>
> As Mr. Roche says: "Show us any significant steel nation in the world which either opens its own market freely to competitors of other nations or does not materially infringe free trade concepts by the assistance it gives its own steelmakers in order to help them sell abroad."
>
> Mr. Ackley and the President's Council of Economic Advisers had better begin getting their fine theories together with reality or they too may be priced out of the market.

Mr. LONG of Louisiana. Mr. President, will the Senator from New Hampshire yield?

Mr. COTTON. I am glad to yield to the Senator from Louisiana.

Mr. LONG of Louisiana. I wish to compliment the Senator for the statement he has just made. As a member of the Finance Committee, it becomes fairly obvious to me that if nothing is done about the trend which has been developing with regard to the steel industry, that industry will suffer very badly and lose a great deal of its market right here in the United States.

A similar situation exists with regard to the textile industry, so ably defended by the Senator from South Carolina [Mr. HOLLINGS], now the present occupant of the chair.

We have also had some experience with regard to the problem of petroleum. Without an import program with regard to petroleum, our balance of payments would perhaps be $1 billion worse than it is today.

The fact is, no nation other than ours, to my knowledge, permits one of its major, established, essential industries to run the danger of being completely destroyed and driven from its own markets.

The time will come when the Nation will feel that it should look after its own industries, at least to some reasonable extent.

I am certainly aware of the fact that the steel industry is one of those which is more threatened than others by the great rise in imports.

We have this choice: We can do nothing and let the trend continue until eventually the steel industry is crippled; or, we can move with foresight—we can see that this is a very serious problem—and act to stem imports in the interest of maintaining a healthy steel industry. This is a matter we will have to correct sooner or later.

I think the Senator from New Hampshire has analyzed very well the general nature of the problem which has developed with regard to steel. As he pointed out, foreign trade in New Orleans, the largest city in the State I have the honor in part to represent, is involved here. I can certainly appreciate his problem. I am trying to say here that if we did not have some subsidy to protect the American shipping industry, there would be no shipyards in New Orleans. The ships would all be manufactured either in Japan or Italy, but we would not be manufacturing them in New Orleans. Thus, I certainly have great sympathy with the problem which the Senator from New Hampshire has so ably set forth here this afternoon.

As I do have the honor to represent, in part, the State of Louisiana, I want to assure the Senator from New Hampshire that at such time as we are able to move to find the overall answer to the steel problem, we shall do so, but it will take considerable doing in light of the trend the Senator from New Hampshire mentioned; namely, the large increase in steel production in Japan which, so far as we know, has no other market to go to but the United States. It will take some real doing.

I anticipate being one of those helping him with this problem when the time comes.

Mr. COTTON. I thank the distinguished Senator from Louisiana, chairman of the Committee on Finance. I would say to him that my reference to the subzone in New Orleans was not intended in any sense as an attack upon that particular situation or upon those who, very naturally, are availing themselves of it. But I pointed out that it can be the forerunner of similar operations which might extend throughout the length and breadth of the United States. It is the possibility, the danger, and the continued practice which I emphasize. I assure the Senator that I was not singling out his State, or any of its great cities, for an attack in any way.

I join the Senator from Louisiana in commending the present occupant of the chair, the distinguished Senator from South Carolina [Mr. HOLLINGS] for his recent efforts to aid the textile industry. I point out that more than 10 years ago, I introduced a resolution which caused the creation of a special committee on textiles, whose chairman was the very able Senator from Rhode Island [Mr. PASTORE] and on which the Senator from South Carolina [Mr. HOLLINGS], his colleague [Mr. THURMOND], and I served.

We fought through three administrations to try, by the imposition of reasonable quotas, to save the dying textile industry of this country. We fought with indifferent success.

It would seem that all three Presidents in whose administration we were striving—two of them Democrats and one Republican—were all equally influenced by by the policies of the State Department, to such an extent that their desire to so accommodate American trade policies as to satisfy and make happy all our friends, neutrals, and some of our enemies throughout the world, seemed to override their desire to save jobs in this country for American workers.

So far as my own State of New Hampshire is concerned, we have watched practically the death of the cotton textile industry. We still have a remnant of the woolen textile industry left. We foresee now the same fight to try to protect the shoe industry which is, at the present time, the largest and most vital employer and job maker in the State which I have the honor to represent. We already see the oncoming inroads of electronics imports which can deprive our State and other States of many, many jobs for American workers.

It is easy to send raw materials abroad. It does not take many workers to do that. But when those materials are made into the finished product, it requires many workers. When we get the answer again and again from downtown that the balance of trade against this or that country is still in our favor, in many cases they are talking about raw materials.

It takes comparatively few workers to ship cotton abroad, but when the workers abroad proceed to make that cotton into shirts and dresses and send them back, it means that a great number of American workers have been deprived of their jobs. We have been busily engaged in the last few years in exporting one particular product, and that has been American jobs.

I thank the Senator for his comments, and I yield the floor.

NOMINATIONS OF JUSTICE ABE FORTAS AND JUDGE HOMER THORNBERRY

Mr. MOSS. Mr. President, during recent days various distinguished Senators have taken the Senate floor to speak in support of President Johnson's nomination of Justice Abe Fortas to be Chief Justice of the Supreme Court, and for Judge Homer Thornberry to be a Supreme Court Justice.

Most of these supporting speeches have referred to the purely political activities of the "lonely 20." I refer to those 19 Senators who have signed a letter opposing the appointments because of some imagined lameduck status of the President and former Vice President Richard Nixon who has joined their feeble protest.

I agree with the distinguished senior Senator from Oregon [Mr. MORSE] that Mr. Nixon's entry into this matter is strong evidence, if indeed any was needed, that the position of the 19 Senators is nothing but partisan politics. Mr. Nixon's support is not surprising, but it is interesting to see he is the only candidate to join.

I refer to these men as the lonely 20 because there have been very few, if any, other Government figures who have joined their political maneuvering. On the contrary, Senator after Senator has risen to support the President's right and duty to make these appointments. I pointed out on June 28 that the Constitution left him no alternative but to make the appointments. The language of the Constitution requires the President to do so.

Again on July 2 in a Senate speech, listed seven newspaper editorials from throughout the country supporting the President and criticizing his opposition.

Since signing their letter, these 19 Senators must have indeed realized the loneliness of their position because the tide of information and public comment has been almost unanimously against them. Perhaps that is why Senator DIRKSEN, who does not support their position, now says that he knows of four of the 19 who will vote to support the President's appointments.

It is interesting to me that we have not heard much from the 19 signatories of that letter since the letter was released to the public. They have not defended their position on the supposed lameduck status of the President. We have not heard them on the Senate floor as we have heard the supporters of the nominations.

Perhaps the columnists Evans and Novak explain why in their column in the Washington Post this morning. Today's piece starts by saying that the reason the attack is crumbling is that "from the outset it was almost entirely an instinctive partisan attack against President Johnson."

This would explain why we have not heard from any of the 19 that Abe Fortas is not qualified to be Chief Justice. On the contrary, some have indicated that they felt he should be nominated, but then their habitual obstructionism and no saying gets in the way, so they come up with the feeble, so-called lameduck reasoning. And then, having raised this transparent excuse, they have gone days without trying to defend it on the Senate floor or by other public means.

There is no question but what we in the Senate have the responsibility to look long and hard at these important nominations sent to us by the President. It is true that Abe Fortas could serve as Chief Justice for a long time. We should investigate his qualifications to do the job. The same is true of Judge Thornberry.

But, we should not make the matter one of political bickering, which is the only way one can describe the single question which the opposition has raised.

If any of the lonely 20 has some other reason besides the now defunct lameduck question why these nominations should not be approved, then they should take the floor of the Senate and let us hear it. But, if they have no other point of opposition to raise, then we should complete our hearings and call the roll.

I would like to quote from an editorial from the Salt Lake Tribune, which I feel expresses the situation very well:

> We trust that opponents of the appointments will have their say and cast their votes quickly. If, as leaders of both parties now predict, the appointments will be confirmed no good will come of protracted debate and maneuvering solely for the sake of making trouble. Senators should not forget that the important thing is to secure a capable chief justice and associate justice. If the appointments are good ones, and we believe they are, then it doesn't really matter that a "lame duck" made them.

Mr. LONG of Louisiana. Mr. President, I suggest the absence of a quorum.

The **PRESIDING OFFICER**. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. LONG of Louisiana. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The **PRESIDING OFFICER**. Without objection, it is so ordered.

PUBLIC PARKING IN THE DISTRICT OF COLUMBIA

Mr. BREWSTER. Mr. President, the Senate has passed legislation to establish a public parking authority in the District of Columbia. This legislation, sponsored by my distinguished colleague, the junior Senator from Maryland, is an effective approach toward solution of the acute parking problems that afflict this city.

The legislation that we have passed provides powers for the public parking authority to finance and maintain parking facilities for Federal employes and visitors. The situation faced by Federal employes is particularly serious. They must come to work every day and scramble for parking space near their offices. It is imperative that the Government help provide parking space for them. Indeed, it is my feeling that all future construction of Government buildings should include parking facilities for the employes who will work in those buildings.

The legislation passed by the Senate is now being considered in the House. There, unfortunately, efforts are underway to obstruct it. Weakened, watered-down versions of the Senate legislation have been introduced.

The legislation introduced in the House is preferred by the parking lobby over the legislation we have passed in the Senate. This is understandable. The parking lobby, which has a virtual hammer-lock on parking facilities in this city, has nothing to gain and much to lose in the legislation approved by the Senate.

The parking lobby will benefit from the legislation introduced in the House. But the public will suffer. The public will benefit only from the legislation passed by the Senate to establish an effective and workable public parking authority.

It is unfortunate that certain Members of the House apparently feel that the special interests of the parking lobby are more important than the general public interest. If they are sincere in their efforts to improve the parking situation in the District of Columbia, these obstructionists will disavow their support of the weak parking legislation introduced in the House and will give their full support to the legislation we have approved in the Senate.

Mr. President, the Washington Post, on July 5, published an editorial entitled "Parking Obstructions" addressed to the subject. I ask unanimous consent that it be printed in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

PARKING OBSTRUCTIONS

> Washington's shortage of parking facilities is so acute that its streets and avenues are choked by traffic seeking spaces or lots. Those who suffer each morning and evening through the tortuous process of getting in and out of those facilities might reflect a moment during the next traffic jam on the success the powerful parking lobby seems to be enjoying in preventing anything from being done about it.
>
> Hurried efforts are being made in the House to curb the limited success of Senator Tydings' bill calling for the establishment of a Public Parking Authority for the District. The Tydings proposal would give to the Authority powers to finance and maintain facilities for Federal employes and visitors, thus easing and distributing the load on both parking lots and city streets. The bill has the backing of the business community, the Federal City Council and Downtown Progress. It has passed the Senate as part of the National Highway Bill.
>
> Meanwhile, Representatives Joel Broyhill and Charles Mathias have also introduced bills calling for a Public Parking Authority. Their proposals are totally unworkable, however, and can only serve to obstruct passage of a decent bill. Quick hearings have been called on the two bills. The strategy is to give to the chairman of the House District Committee enough authority to quash the impact of the Tydings proposal if it ever gets to conference committee.
>
> It is surprising that a Congressman of the stature of Mr. Mathias would lend his name to such a move, if he was aware of it. His bill, like Mr. Broyhill's, barely pays lip service to the Authority it would establish. It does not mention where the money to finance parking lots is to come from, nor does it grant the Authority the essential right of eminent domain. It does not give to the Mayor, as a member of the Authority, power to negotiate for the use of Federal property, but only to "consult" with the Administrator of General Services—to make no mention of the Interior Department, which is, after all, responsible for Federal lands.
>
> The public deserves better than this. A Public Parking Authority is desperately needed here, but if it is to be set up at all, it must be the kind of authority that does indeed serve the public, not the special interests of the parking magnates.

Mr. LONG of Louisiana. Mr. President, I suggest the absence of a quorum.

The **PRESIDING OFFICER**. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. LONG of Louisiana. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The **PRESIDING OFFICER**. Without objection, it is so ordered.

JUVENILE DELINQUENCY PREVENTION AND CONTROL ACT OF 1968

Mr. LONG of Louisiana. Mr. President, I ask the Chair to lay before the Senate a message from the House of Representatives on H.R. 12120.

The **PRESIDING OFFICER** laid before the Senate a message from the House of Representatives announcing its disagreement to the amendments of the Senate to the bill (H.R. 12120) to assist courts, correctional systems, and community agencies to prevent, treat, and control juvenile delinquency; to support research and training efforts in the prevention, treatment, and control of juvenile delinquency; and for other purposes, and requesting a conference with the Senate on the disagreeing votes of the two Houses thereon.

Mr. LONG of Louisiana. I move that the Senate insist upon its amendment and agree to the request of the House for a conference, and that the Chair be authorized to appoint the conferees on the part of the Senate.

The motion was agreed to; and the Presiding Officer appointed Mr. CLARK, Mr. RANDOLPH, Mr. NELSON, Mr. JAVITS, and Mr. PROUTY conferees on the part of the Senate.

ADJOURNMENT

Mr. LONG of Louisiana. Mr. President, if there be no further business to come before the Senate, I move that the Senate stand in adjournment until tomorrow at noon.

The motion was agreed to; and (at 2 o'clock and 59 minutes p.m.) the Senate adjourned until tomorrow, Thursday, July 11, 1968, at 12 noon.

NOMINATIONS

Executive nominations received by the Senate July 10, 1968:

In the Army

The following-named officer for appointment in the Regular Army of the United States to the grade indicated, under the provisions of title 10, United States Code, sections 3284 and 3306:

To be brigadier general, Veterinary Corps

Col. Wilson Marshall Osteen, O84815, Veterinary Corps, U.S. Army.

In the Navy

Having designated Rear Adm. Bernard M. Strean, U.S. Navy, for commands and other duties determined by the President to be within the contemplation of title 10, United States Code, section 5231, I nominate him for appointment to the grade of vice admiral while so serving.

Having designated Rear Adm. John A. Tyree, Jr., U.S. Navy, for commands and other duties determined by the President to be within the contemplation of title 10, United States Code, section 5231, I nominate him for appointment to the grade of vice admiral while so serving.

In the Army

The following-named persons for appointment in the Regular Army, by transfer in the grades specified, under the provisions of title 10, United States Code, sections 3283 through 3294:

To be captains

Clarke, David A., O83167.
Howard, Freeman I., O87170.
Metz, Leon B., Jr., O90295.

To be first lieutenants

Grigg, Donald E., OF104096.
Kingry, Roy L., O98794.
McDonald, Paul T., OF104899.
McRae, Wilton D., O96070.
McWatters, Jack W., OF101600.
Pardi, Livio F., O96115.
Sayers, Ronny J., O96171.
Schein, George, II, O96176.
Tremaine, Myron D., O96248.
Trucksa, Robert C., O98894.
Zurlo, Joseph A., OF105103.

To be second lieutenants

Peake, James B., OF107895.
Rawlings, James S., OF104239.
Taylor, Harvey G., Jr., OF111900.

The following-named persons for appointment in the Regular Army of the United States, in the grades specified, under the provisions of title 10, United States Code, sections 3283 through 3294 and 3311:

To be majors

Finley, Thomas R., O1926030.
Inman, Robert B., O4009076.

To be captains

Barnett, Stanley A., O5711531.
Byars, Harold W., O5401746.
Cloy, Richard C., O5301951.
Davis, Bruce D., O5409479.
Doyle, David L., O4049492.
Gracey, Hugh W., O2285387.
Hartwell, Edward C., O5405094.
Hodges, John C., O5309500.
Ireland, Brian C., O5009169.
Keller, Charles H., Jr., O5309871.
Key, Spencer A., O4069127.
Manelis, Joseph, O2305241.
Miller, Charles H., O5233269.
Pocock, James A., O2315049.
Robson, Martin C., Jr., O5540088.
Rupp, Robert F., MN2293046.
Salvo, Joseph A., O5232674.
Schneider, Louis F., MN805851.
Simkins, Benjamin R., O5708532.
Smith, Melvin R., O4021966.
Smith, Walter M., O5312206.
Tello, Richard C., O4076779.
Trafford, Alfred F., Jr., MN2294706.
Treanor, John J., O1886250.
Urban, David E., O5307154.
Webster, Robert C., O5232599.
Woods, Francis X., MN2295066.

To be first lieutenants

Alderson, Thomas E., O5542009.
Allison, William F., Jr., O5530925.
Atcheson, Donald W., Jr., O5319157.
Bradshaw, Edward G., O5417836.
Brown, Bruce J., O5226499.
Butcher, Joe L., O5417676.
Campbell, Robert T., O5535828.
Chambers, James V., O5328438.
Deweese, Charles E., O5005991.
Dorsey, John J., Jr., O2317354.
Duberstein, George E., O5012033.
Faris, John P., O5534172.
Gerard, Paul T., Jr., O5323840.
Gilkey, John H., O2320996.
Grenon, David K., MN2326262.
Hileman, Donna L., N5411556.
Johnson, Peter B., O5022738.
Kearney, Willard P., O2297152.
Kendrick, William F., O553516.
Lackovich, Sophie M., N2326333.
Laws, Charles T., O5312306.
MacDonald, Richard, O5319769.
McAllister, William, O2299333.
Palo, Matti W., O5022120.
Parsons, Robert W., MN5422006.
Riegle, Seth J., O5513659.
Rolen, Julie A., N2324394.
Rosenberg, Leroy J., O5317633.
Sasada, Allan M., O2325893.
Schiek, Robert A., O5221641.
Sharp, Fred P., O5850125.
Shulman, Ned I., O2306762.
Sobichevsky, Vladimir, O5327127.
Sorber, Charles A., O2305804.
Steenken, Wehland G., O2321875.
Thornberry, Roger W., O5225652.
Wight, Dennis A., O2325901.
Wimsett, Jimmie B., O5517897.

To be second lieutenants

Berger, Joseph B., Jr., O5235187.
Braendel, Douglas A., O2319519.
Cochran, Ronald L., MN2323978.
Covington, James E., O5337861.
Cowan, Thomas W., O5335775.
Donovan, Pamela D., N2336041.
Fackert, William E., O5338040.
Gaul, Edwin J., O5220321.
Gentzke, Frank S., O5419615.
Griffin, Bruce N., O5237688.
Hendricks, Larry D., O2334782.
Hersh, Jerome G., O5328870.
Holland, Frank B., O2326894.
Isley, Rex M., O5256437.
Killberg, Eugene L., O5329677.
Lenig, Richard C., MN2326016.
Linhares, Patrick H., O5336215.
Longley, Jack W., O2330962.
Miller, Allan J., O5714351.
Peacock, Clayton W., O5332543.
Raat, Roy E., O5426646.
Storrs, Rodric A., O2319419.
Straub, Christopher, O5331825.
Woodward, Ronald L., O2331054.
Zimmerman, Leroy, O5329154.

The following-named distinguished military students for appointment in the Regular Army of the United States, in the grade of second lieutenant, under the provisions of title 10, United States Code, sections 2106, 3283, 3284, 3286, 3287, 3288, and 3290:

Acock, John H., Jr.
Armstrong, Eugene G.
Brown, Richard M.
Childers, William M.
Clifford, William H.
Connor, Michael D.
Doran, Benjamin M.
Duane, Daniel J.
Ellis, Thomas W.
Fallon, Thomas P.
Finger, Michael J.
Frontiero, Anthony J.
Gavin, Donald G.
Gier, Dwayne D.
Gober, Donald F.
Goldsmith, Robert M.
Hartley, John M.
Hayes, Carl E., Jr.
Hoffmeister, Robert J.
Jacobs, Kendall E.
Jarvis, James A., Jr.
Keller, William P.
Lagle, Carl W.
Lasko, William J.
Lopresti, Thomas T.
Lucas, Andrew E.
Maldonado, Leonard N.
Mayo, Francis L., Jr.
McCann, Eugene G., III
Numma, John H.
Nichols, Arthur G.
Pacotti, James E., Jr.
Payant, Richard P.
Rafferty, John D.
Reuter, William J.
Schumeyer, Gerard
Sievers, Ronald H.
Straight, Roger K.
Tragis, John C.
Vaughn, James T.
Whitley, Thomas H.
Williams, Rodney L.

The following-named scholarship students for appointment in the Regular Army of the United States in the grade of second lieutenant, under provisions of title 10, United States Code, sections 2107, 3283, 3284, 3286, 3287, 3288, and 3290:

Bulloch, Bobby J.
Stanfield, Bernard M., II
Waldron, Paul L.
Wilks, John E., III

In the Navy

The following-named officers of the U.S. Navy for temporary promotion to the grade of captain in the Nurse Corps subject to qualification therefor as provided by law:

Bareford, Louise
Conrad, Arline C.
Duerk, Alene B.
Feeney, Elizabeth
Harrington, Phyllis
Mentzer, Romaine M.
Murray, Elizabeth M.
Smith, Marcella E.

The following-named officers of the U.S. Navy for temporary promotion to the grade of commander in the Nurse Corps subject to qualification therefor as provided by law:

Belezos, Caliope M.
Bernstein, Barbara E.
Brooks, Ruby M.
Burch, Mary C.
Fine, Rachel A.
Foley, Alicia M.
Furmanchik, Helen I.
Garavaglia, Antoinette
Halverson, Ruth E.
Heston, Ester E.
Hockenberger, Charlotte E.
Howard, Katherine A.
Jakshe, Louise F.
Kersten, Emily A.
Kubicz, Ann R.
Livirrie, Althea A.
McCarthy, Eileen J.
Morris, Thekla W.
Morry, Mary R.
Murphy, Lorraine M.
Pampush, Ruth G.
Proto, Theresa M.
Reid, May L.
Ryan, Harriet R.
Seledyn, Virginia M.
Sherman, Miriam C.
Simmons, Harriet A.
Wujcik, Irene

The following-named women officers of the U.S. Navy for permanent promotion to the grade of captain in the line and Supply Corps, as indicated, subject to qualification therefor as provided by law:

LINE

Bonds, Mary K.
Council, Dorothy I.
Ellis, Alma G.
Kelleher, Marie B.
Lenihan, Rita
Love, Winifred
Truitt, Beatrice M.

SUPPLY CORPS

Aplin, Mary J.
Brown, Betty J.

The following-named officers of the U.S. Navy for temporary promotion to the grade of lieutenant in the line and staff corps, as indicated, subject to qualification therefor as provided by law:

LINE

Benson, Burton L.
Cox, Norman O.
Deweese, Roger E.
Doctor, Michael S.
Smith, Franklyn P.
Sutton, Larry P.

SUPPLY CORPS

Trulli, Bruce M.

CIVIL ENGINEER CORPS

Laurance, Richard B.
Pabarcus, John R.

MEDICAL SERVICE CORPS

Johnson, Richard L.

The following-named officers of the U.S. Navy for permanent promotion to the grade

of lieutenant (junior grade) in the line and staff corps, as indicated, subject to qualification therefor as provided by law:

LINE

Bledsoe, Robert D.
Desfosses, Osabelle L.
Gabriel, Thomas O.
Kearns, Richard D.
Lazo, Reinaldo
Leonard, Brian R.
Morrow, James P., Jr.
Patch, Frank H.
Scearce, George E.
Schmidt, Knute M., Jr.
Smith, William C.
Vogt, Frederick H.

SUPPLY CORPS

Baker, Roland J.
Carter, "W" "J", Jr.
Hammel, Kathleen A.
Hiltbrand, Jon H.
Lee, William T.
Kauffman, David C.
MacDonald, Alan R.
Reagan, Joseph E.
Siburt, Forrest N., Jr.

CIVIL ENGINEER CORPS

Hennings, Louis W., III
Johnson, William E.

MEDICAL SERVICE CORPS

Rice, Edward A., Jr.

NURSE CORPS

Nye, Margaret C.

Chief warrant officer, W–3 John G. Koerner, U.S. Navy, for temporary promotion to the grade of chief warrant officer, W–4 subject to qualification therefor as provided by law.

Chief warrant officer, W–2 Gordon K. Truesdell, U.S. Navy, for temporary promotion to the grade of chief warrant officer, W–3, subject to qualification therefor as provided by law.

Richard J. Hyland, U.S. Navy, for transfer to and appointment in the Civil Engineer Corps of the Navy in the permanent grade of lieutenant (junior grade) and temporary grade of lieutenant.

Lt. Roy J. Rice, U.S. Navy, for temporary promotion to the grade of lieutenant commander in the line, subject to qualification therefor as provided by law.

Lt. William H. Harmon, Civil Engineer Corps, U.S. Navy, for temporary promotion to the grade of lieutenant commander in the Civil Engineer Corps, subject to qualification therefor as provided by law.

The following-named officers of the U.S. Navy for permanent promotion to the grade of lieutenant (junior grade) in the line and staff corps, as indicated, subject to qualification therefor as provided by law:

LINE

Abbey, James T.
Abbot, James L., III
Abbott, Jonathan R.
Abernathy, Thomas S.
Abraham, Gary M.
Ackerson, Thomas J.
Adair, Hugh R.
Adamek, James R.
Adams, David J., Jr.
Adams, Frederick A.
Adams, Richard P.
Adaschik, Alan R.
Adkins, Howard E., Jr.
Adryan, Craig, P.
Ahlgren, Roy C. E.
Allen, Carl H., Jr.
Allen, Charlie H.
Allen, John C.
Allen, Wayne R.
Allman, Stephen B.
Altergott, Dennis A.
Amborn, Lloyd P.
Amerau, Harold F., Jr.
Amerault, James F.
Anderson, Daven A.
Anderson, David W.
Anderson, David G.
Anderson, Dennis D.
Anderson, Jimmy D.
Anderson, Lawrence R.
Anderson, Michael J.
Anderson, Terrance E.
Andretta, Robert A.
Andrews, Kenneth J.
Angerhofer, Gary E.
Ankrum, George T.
Antoun, John T.
Aquino, James M.
Asbell, Richard C., II
Asbury, Rodger A.
Ashburn, Erich H.
Ashby, Elton T.
Ashe, Darrell L.
Asher, Stephen J.
Assum, Michael J.
Atkins, Ronald W.
Aurin, Robert J.
Avers, Richard P.
Avery, Robert B.
Baca, Fidel L.
Bailey, David L.
Bailey, Harry E.
Baird, Edward F.
Bajuk, Gregory E.
Baker, Fred T., Jr.
Baker, Frederick E.
Baker, Ronnie B.
Bakken, Warren H.
Balogh, Thomas F.
Bancroft, Ronald M.
Banvard, James H.
Barger, Donald G., Jr.
Barkas, Stephen E.
Barnett, Herbert E., Jr.
Barnhart, Dennis R.
Barr, John W.
Barr, Philip C.
Barrett, Raymond T.
Barry, Thomas A.
Barto, Jonney L.
Bartusek, William C.
Bartz, Jarold M.
Bass, Ronald F.
Baumberger, Martin H.
Bauser, Michael A.
Bayer, Merrick, Jr.
Bayless, Walter B., Jr.
Beal, Richard F.
Beard, Garnet C., Jr.
Beardslee, Anna L.
Beauchamp, Robert L.
Bechtel, Lawrence C.
Becker, Alan R.
Beckes, Michael E.
Beeman, Elizabeth A.
Bekooy, Rodger G.
Belanger, Ronald F.
Belin, Harry L.
Bell, David R.
Bell, Robert S., Jr.
Bell, Russell A.
Bell, Thomas P., Jr.
Bendetsen, Brookes M.
Bennett, Craig C.
Bennett, Harvey E.
Benson, Ellen H.
Benson, James L.
Berg, Barbara F.
Berg, Richard M.
Bergin, Francis T., Jr.
Bernard, Alan C.
Berry, James R.
Berry, Robert C.
Berthrong, Frederick M.
Best, Conrad C.
Bevacqua, Dominick R.
Bickel, Neil M.
Biddlecom, William G.
Bienia, Richard A.
Bigelow, Christopher M.
Biggs, William M.
Billa, Larry J.
Bingham, Clyde L.
Birch, Barry S.
Birmingham, John F., Jr.
Bishop, Douglas L.
Bishop, Ronald F.
Bittenbender, Craig B.
Bixby, Patrick W.
Blackburn, Lewis B.
Blackmon, James O.
Blaize, Charles G.
Blake, Philip T.
Blankner, Leonard F., III
Bliss, Larry D.
Bliss, Norman G.
Bliss, William M., Jr.
Bloch, Paul S.
Bloomer, John G.
Boatright, Billy C.
Boehm, William R., Jr.
Bolena, Denis W.
Bolka, David F.
Bolster, William N.
Boncal, Richard
Bonds, Patric E.
Bonnoitt, Hugh E., Jr.
Borchardt, Curtis G.
Borchers, Doyle J., III
Borders, Donald E.
Bordy, Michael W.
Borsum, Robert B.
Boughan, David A.
Bove, Thomas J.
Bower, Ammon W., III
Bowles, Susan J.
Bowman, Terry L.
Boyer, Kenneth W.
Bradley, Charles W.
Bradley, Jeffrey G.
Brady, Larry D.
Brenden, Carl M.
Brennan, Martin H.
Brewer, Carl C.
Bried, Robert A.
Brindel, Glenn R.
Brittain, Albert R., Jr.
Broadway, Jon A.
Broberg, Frederick N.
Brogli, Samuel L., Jr.
Bromberg, Jonathan P.
Broms, Edward J., Jr.
Browder, William M.
Brown, Charles H. Jr.
Brown, David A.
Brown, George H., III
Brown, Jeffrey B.
Brown, Leroy W.
Brown, Michael T.
Brown, Robbins E.
Brown, Robert D., Jr.
Brown, Roger H.
Brown, Stephen R.
Brown, Wendell E.
Brubaker, Terry L.
Bruckner, James W.
Bruflat, Arne B.
Brunson, Norman D.
Brush, Frederick J., Jr
Bryant, Robert B.
Bubnash, Terry L.
Budnick, Allen J.
Buffum, Thomas A., Jr.
Bukowick, Albin P.
Bull, Harvey E.
Burd, William G., Jr.
Burdette, Richard E., Jr.
Burgess, Andrew L., Jr.
Burgess, Paul D.
Burlingame, Anson H., Jr.
Burns, Francis M., III
Burns, Walter F., III
Burrows, Dee W.
Burt, John L.
Burton, Charles W.
Bush, Gary A.
Bush, Robert P., III
Bushnell, Francis M., Jr.
Bushong, Robert L.
Butterbrodt, Robert D.
Butterfield, Charles M.
Byers, William B.
Byrnes, Shaun M.
Byron, John L.
Calabough, Jerry S.
Caldwell, Stewart W.
Calhoon, William H., Jr.
Calkins, Dennis L.
Calkins, Franklin W., Jr.
Callahan, Jeffrey E.
Campbell, Garry W.
Camphouse, John L.
Cannon, James B.
Carlson, Richard J.
Carroll, David L.
Carson, Thomas P., Jr.
Carter, James J.
Carter, Stanley J., Jr.
Case, Randall M.
Castelano, Kenneth M.
Cederholm, Walter T.
Cederwall, Richard T.
Celec, Stephen E.
Champoux, Robert L.
Chandler, Robert L.
Cherry, Robert W.
Chihorek, John P.
Chipman, Gordon L., Jr.
Chisholm, Douglas C.
Christison, Randall B.
Christman, Robert H.
Chubb, John E., Jr.
Chubb, Stephen D.
Chubbuck, Gordon R.
Cipriano, Roberto
Claar, Robert C.
Clair, Carolina
Clarey, John R.
Clark, Barbara L.
Clark, David L.
Clark, Herbert F.
Clarke, Gordon, Jr.
Clarke, Jon B.
Clary, Raymond H., Jr.
Clasen, John S.
Clausner, Marlin D., Jr.
Claussen, Ronald L.
Claymore, Peter G.
Cliff, Halbert R.
Clifford, George W., Jr.
Clift, Fred J.
Clodig, John B.
Closson, Spencer W.
Coad, Margaret E.
Coburn, Lewis L.
Cogswell, John C., II
Cohen, Howard C.
Cole, Bernard D.
Coleman, James E.
Coleman, John B., Jr.
Coleman, William A., Jr.
Colgan, Stephen G.
Colkitt, Roger J.
Collins, John P., Jr.
Collins, John E., Jr.
Colsen, Ronald E.
Colyer, Thomas J.
Concannon, Michael J.
Conerty, Michael J.
Connelly, John M.
Conniff, David D.
Connor, Theodore P.
Cook, Dixie, C.
Cook, Roy H., III
Cooney, Terence J.
Cooper, Elizabeth J.
Cooper, James B.
Cooper, William P.
Cope, John R.
Copp, Glenn A K., III
Corah, Frank L.
Corcoran, Joseph L. K.
Couch, Dale M.
Coughlin, Frank T.
Cowan, James H., Jr.
Cowell, Neil
Cox, Douglas B.
Cox, Stephen E.
Coyle, Michael T.
Cragg, Richard J.
Craig, John S.
Crawford, John E.
Craword, James C.
Crawford, John G., Jr.
Crepeau, Ronald L.
Crimmins, Thomas M., Jr.
Criner, Douglas E.
Criss, William J.
Crosland, Philip C.
Cross, Peter J.
Croteau, Joseph L.
Crouse, Gilbert C., Jr.
Crowder, Thomas B.
Crowe, Loyd A., Jr.
Csizmadia, James S.
Cullum, Howard M.
Cummings, Michael A.
Current, Donavon C.
Currie, Glenn K.
Curtin, Jack L.
Curtis, Albert L.
Cutchin, Richard L.
Czech, Theodore T.
Czerwonky, Arthur H.
Daddario, Ronald M.
Dahl, Paul B.
Daigle, Claud A., Jr.
Dailey, William R.
Dale, John L., Jr.
Daly, John E., III
Damico, Matteo J.
Damrow, Paul A.
Danchuk, George A., Jr.
Daniels, Lonnie A., Jr.
Danner, Terrence N.
Daughtry, George T.
Daulerio, Paul P., Jr.
Davidson, Bruce E.
Davis, Fleet G., II
Davis, Harold W.
Davis, Lorenzo D., IV
Davis, Mark S.
Davis, Teddy M.
Davison, Charles A.
Dean, Norman A.
Debrun, John B., Jr.
Decker, Christian F., III
Decoursey, Donald W.
Deitch, Joseph A.
Deitrick, Charles L.
Dematta, Elliot-Kenneth K.
Denicola, Vincent J., Jr.
Denton, Robert E.
Desfosses, Isabelle L.
Destcroix, Lawrence E., Jr.
Dethomas, John V.
Devine, John C., Jr.
Dickey, Robert L.
Difransico, Thomas W.
Dillow, Richard M.
Diprofio, William A.
Dobson, Ralph P.
Docekal, William L.
Doering, John, Jr.
Doherty, Brian J.,
Doherty, Hugh M.
Dolan, Peter J.
Dolby, Cornelius A.
Dorsi, Robert A.
Dostal, Raymond F.
Douglas, Billy S.
Douglas, James B., Jr.
Dowden, Melvin C.
Downey, David C.
Doyle, Mathew J., Jr.
Drago, Joseph A.
Driver, David W.
Duarte, Cornelius R.
Dubois, Snowden C.
Duchock, Charles J., Jr
Duck, John R., Jr.
Dudine, Fabrizio M.
Duermeyer, Stephen P.
Dumas, James W.
Duncan, Robert R.
Duncan, William A.
Dunn, Dale R.
Durden, Hugh M.
Durham, Wayne C.
Dutrow, Samuel R., Jr.
Dvorchak, Richard J.
Dyches, Floyd J.
Dyer, Donald A.
Eaton, David M.
Eaton, George A., Jr.
Eaton, Joel D.
Eddins, Rufus O., Jr.
Edwards, Glenn H.
Edwards, James N., Jr.
Eggert, George L.
Eggleston, Larry G.
Eisenbach, William M.
Eiserman, Joel T.
Elder, Philip R.
Eliassen, Thomas R.
Ellis, Stella M.
Emerson, Richard C.
Enterline, Edward R.
Eppinger, Frank N.
Epprecht, Michael J.
Erickson, Keith L.
Erickson, William J.
Erion, Ronald J.
Ernst, Eric R.

Etka, Craig L.
Eutsler, Roland B., Jr.
Euvrard, Leroy E., Jr.
Evans, Gordon J.
Everill, Charles H.
Eversole, Thomas Y.
Ewing, Kent W.
Fahsl, John J.
Fahy, Andrew W.
Fake, Barent L.
Faller, Theodore H.
Faltisco, Joseph E.
Farnsworth, William A., Jr.
Farrell, Edward C.
Farrell, Richard S.
Farrow, Stephen R.
Fast, Richard E.
Fasting, Roger F.
Faust, Bobby L.
Favaro, Joseph D.
Feder, James J.
Feeser, Henry R.
Fehrs, Charles H.
Feldhaus, William R.
Fernandez, Wayne J.
Ferrara, Joseph P., Jr.
Fickel, Monty G.
Fickenscher, Edward R., III
Finch, Donald L.
Findeisen, Kurt D.
Fink, Ralph, III
Finley, Robert A.
Finn, Thomas M.
Finne, Peter C.
Fischley, James H.
Fitch, Patrick E.
Fitch, Rex B., Jr.
Fitzpatrick, William E.
Fitzsimmons, Dale H.
Flanagan, Daniel V., Jr.
Fletcher, Luther L. I.
Flint, Charles G.
Flor, Frederick H., Jr.
Fluhrer, Norman P.
Flynn, Ernest A.
Flynn, John P.
Foard, John S., Jr.
Folk, James E.
Folk, Reau E., II
Follett, Scott C.
Forbes, George T.
Ford, Robert A.
Fornal, Robert E.
Forrester, James W., Jr.
Foster, John B., III
Fowler, Norman C.
Foy, Clarence A., Jr.
Foy, John J., Jr.
Fraher, William D., III
Francis, Charles T.
Francis, William D.
Frantz, Darrow A. J.
Franzen, Gerald F., Jr.
Freas, Henry E.
Frederick, Margaret A.
Freeman, David L.
French, Thomas L.
Friedman, Jon H.
Fries, William A.
Frigge, William J.
Fritzsche, Robert P., Jr.
Fulkes, Duane S.
Fuller, Bruce L.
Fulton, Harry P., Jr.
Gabrielson, Dale E.
Gage, Carvel C., Jr.
Galbraith, Peter M.
Galbraith, Thomas S., III
Gale, Edwin J.
Gale, Ernest F., Jr.
Galietta, Albert F.
Galindo, Carlos E.
Gardner, Richard W., Jr.
Garst, Lynn F.
Garuba, Joseph A.
Garvy, Vincent F., Jr.
Gaston, Ira, III.
Gatliffe, Thomas R.
Gatto, Carl E.
Gebhardt, Laurence P.
Geer, Richard W., Jr.
Gehman, Harold W., Jr.
Geiger, Edwin P., Jr.
Geiger, Jon R.
Geisbush, Jon C.
General, John A.
Genet, Richard P.
Gerroir, Paul F.
Gibson, Michael L.
Gilbert, Gordon F., Jr.
Gilchrist, Daniel E.
Gill, James M.
Gillett, John B., Jr.
Gillogly, Hugh J.
Giltinan, George M.
Girard, Paul E.
Glaeser, Frederick J.
Glenn, John K., Jr.
Gness, Peter D.
Goldsmith, Wynn A.
Gonzalez, Rene E., Jr.
Goodermote, Wayne K.
Gooding, Carl W.
Goodroe, Howard W.
Goodsell, Kenneth R.
Goodwin, Michael R.
Goreham, Bruce A.
Goyer, Peter F., Jr.
Graber, Christopher C. II.
Grabowski, Stephen T.
Grady, John L.
Grady, Michael S.
Graf, Clifford M., II
Graham, Anthony R.
Graham, Robert B.
Granai, Gary C.
Grauch, Frank S.
Grause, Francis P.
Graves, John C., III
Gray, Cameron R.
Gray, Oscar E., III
Grayson, Floyd F., Jr.
Green, George D.
Green, Robert A.
Greenberg, David S.
Greene, James E., Jr.
Greene, James V., Jr.
Greer, Robert W., Jr.
Greger, Leonard R.
Gregory, Barbara L.
Griffen, Dana T.
Griffin, Michael A.
Griffin, Richard N.
Grimm, Robert S., Jr.
Griner, John A.
Griswold, Edson
Grizzle, William E.
Groce, Robert N.
Groth, John C.
Groves, Dennis L.
Groves, Geoffrey J.
Gruenther, Christian L.
Gsand, William L., III
Guay, Ernest J., Jr.
Guequierre, Earl J.
Guilbert, Edward H., Jr.
Guimond, Norman G.
Gunn, David L.
Gunn, Lee F.
Gunther, Francis L.
Gustafson, Carl E.
Gustavson, Fred P.
Hadley, Darrel K.
Haight, Donald H.
Halenza, Judd G., Jr.
Hall, Robert E., III
Hallwachs, Donald A.
Halperin, David R.
Halsey, Robert H., III
Ham, Robert A.
Hamilton, Charles D.
Hamilton, Martin R., II
Hamilton, Richard M.
Hamly, Richard D.
Hampton, James F.
Hampton, Kent A.
Hanauer, Susan R.
Hanaway, Frederic K.
Hancock, William J.
Hanke, Robert R.
Hankins, Frank C.
Hann, Robert S.
Hanna, Beverly J.
Hanson, Donald A.
Hanson, Wayne L.
Harding, Ronald W.
Harding, Thomas E., Jr.
Hardtarfer, Alan E.
Harley, John C., Jr.
Harmon, Hollis W.
Harmon, Robert H.
Harper, Charles H., IV
Harper, Henry A., Jr.
Harper, Jere L.
Harper, Joseph C.
Harris, Alexander H., Jr.
Harris, John P., III
Harris, Richard N.
Harris, Scott B.
Harrison, Cecil A.
Harrison, Lloyd, Jr.
Harrison, Patrick R.
Harrison, Peter G.
Hart, William S., II
Hartenstein, Gregory G.
Hartshorn, Leonard A.
Haskins, Alden G., II
Hatleberg, Clarence J.
Haverkamp, Donald R.
Hawver, Jack H., Jr.
Hay, Howard W.
Hayes, Michael N.
Hazen, Donald D.
Head, Clyde C., Jr.
Heald, Raymond A.
Healy, John F., Jr.
Heburn, George W.
Heidinger, Philip
Henderson, Charles M., Jr.
Henderson, Neil M.
Hendry, Richard A.
Heroy, Peter B.
Herranen, Peter A.
Herrick, Terry L.
Heselton, Leslie R., III
Hess, Donald R.
Hesse, Ralph C., III
Hettel, Louis A.
Heyer, David W.
Hibbard, Lowell
Hibler, Ross G.
Hickman, Gerald C.
Hickman, Jerry T.
Hickox, Gary D.
Hicks, Dale F.
Hill, Daniel D.
Hilley, William A., III
Hillier, Donald R.
Hilsinger, Charles E.
Hinton, David O.
Hitchcock, John W.
Hite, John P.
Hlopak, Edward J.
Hobbs, Charles M.
Hodgens, Timothy H.
Hoffman, Harry P., Jr.
Hofland, Jan R.
Hogenmiller, Robert M.
Hoggard, John H.
Holder, Jon R.
Holick, David L.
Holk, Richard E.
Holloran, Robert W., Jr.
Hooks, Jonathan T., Jr.
Hoover, Philip E.
Hopkins, James R.
Hoppe, James A.
Horton, Forrest A.
Hough, James R.
Houghton, Donald C.
House, William H., II
Houseknecht, Peter S.
Houyoux, Jacques R.
Hovany, Steven J.
Howard Hugh W., Jr.
Howell, Thomas J.
Howlett, Wayne L.
Hoyer, Ralph W.
Hudson, James D.
Huff, James D.
Huff, Wendell H., Jr.
Hughes, Ivan E.
Hull, Bradley W.
Hulse, William E.
Hummel, John W.
Humphrey, Charles E.
Humphreys, Thomas B.
Humphries, Byron R., II
Hunsaker, Keith G.
Hunt, John P., III
Hunt, William B.
Hunter, William D.
Hurd, Samuel S.
Hurley, George E., Jr.
Hurley, James A.
Hurrelbrink, Kenneth H.
Hurst, Kenneth L., Jr.
Hutchinson, Eugene B.
Huxhold, George E.
Ingram, Culpepper F., II
Jaccard, Michael D.
Jackson, Carl M.
Jacobi, Leslie M.
Jacobstein, Arthur R.
Jaget, Charles W.
Januszewski, Francis J
Jarratt, John M.
Jatzek, Henry A., Jr.
Jayne, Bruce C.
Jenkins, James S., III
Jenkins, Neal C.
Jennings, Donald R.
Jensen, Armour A., Jr.
Jensen, Richard A.
Johnson, Alan K.
Johnson, David A.
Johnson, Dennis J.
Johnson, Donald W.
Johnson, Gary L.
Johnson, John H., Jr.
Johnson, Kenneth E.
Johnson, Leland W., Jr.
Johnson, Norman M.
Johnson, Robert C.
Johnson, Thomas O., III
Johnson, William R., III
Johnston, David B.
Johnston, Jasper B., Jr.
Johnston, Joseph B.
Jones, Albert O.
Jones, Alonzo, L., Jr.
Jones, Charles W.
Jones, Charlie R., Jr.
Jones, David A.
Jones, Dennis A.
Jones, Edward M.
Jones, Frank W.
Jones, Richard T.
Jonovic, Donald J.
Joslin, Roland W.
Joyce, Gerald P., II
Judd, John C.
Juenemann, Michael T.
Juhl, Clarence H.
Julian, James A.
Juroff, Kurt T.
Just, Joseph L., Jr.
Kallsen, Bruce D.
Kane, Joseph E., II
Kane, Thomas J.
Kanner, Melvin E.
Karalekas, "S" Steven
Kasnevich, Robert A.
Kasper, Allen R.
Kasperski, Daniel C.
Katz, Douglas J.
Katz, Stephen E.
Keely, Lee H.
Keiser, Ray R., Jr.
Kelbaugh, Richard L.
Kelleher, Rita M.
Keller, George J., Jr.
Kellogg, Paul J.
Kelly, Joseph J., Jr.
Kennedy, Brian J.
Kent, George A.
Kenton, Bruce H.
Kenyon, Bruce D.
Kenyon, Malcolm H.
Kenyon, Morton W.
Kerton, Frank B.
Kesler, Harvey K.
Key, Charles T.
Kidd, Delbert R.
Killion, Robert A.
Kim, Henry Y. H.
Kinder, Thomas H.
King, Larry L.
King, Lawrence P.
King, Leon F., Jr.
King, Richard C.
King, Stoddon G. N.
Kingston, Geoffrey
Kinney, Brian V.
Kinyon, Kenneth E.
Kirkland, Moritz E.
Kirkland, William B., III
Kirkpatrick, Howard D.
Kish, Andrew R.
Kleemann, Henry M.
Klopfenstein, Timothy D.
Klopfer, William D.
Kmetz, Stephen G.
Knecht, Ronald C.
Knutson, Rodney D.
Koberlein, Frederick L.
Kocisko, Lawrence M.
Koelbl, Gary C.
Kohler, John E., Jr.
Koiro, Ralph N.
Koppenhaver, Larry N.
Koren, George D.
Kosakoski, Robert A.
Koski, William A.
Koss, Howard E.
Kost, Lawrence M.
Kozma, John M.
Kozoyed, Lawrence W.
Krafcik, Frederick R.
Krauss, Theodore A.
Krebs, Gary L.
Krebs, Michael A.
Krechting, John E.
Kreuzer, James H.
Krieger, David H.
Kristensen, Edward K.
Kristofferson, Kraigher
Krom, Richard W.
Kruetzfeldt, Paul G.
Kruse, Dennis K.
Kuhn, Paul H., Jr.
Kulbitskas, Raymond F.
Ladd, Edward H., III
Laizure, David H.
Lambe, Ronald J.
Lamberson, Phillip B.
Lambert, Stephen D.
Landry, Robert
Langley, Michael E.
Lantier, Brian F.
Lapp, Conrad L.
Larson, Allen P.
Larson, Dean R.
Lasky, Richard L.
Lasseter, Robert C.
Latham, James R., II
Laughlin, Gary R.
Lawin, James A.
Lawless, William C.
Lawley, Carl D., Jr.
Lawrence, Walter B.
Lawson, David A., III
Lawton, Robert K.
Lazarus, William J.
Lazzaretti, Jon A.
Leahy, Michael A., II
Leboeuf, Herve J., III
Lecompte, Walter H., Jr.
Leder, John E.
Lee, Kenneth A.
Leebern, William J.
Lehman, John C.
Leite, Michael J.
Lentz, Frederick C., Jr.
Leo, Don G.
Leonard, William D.
Leovic, Lawrence J.
Leverenz, David F.
Lewandowski, Henry M.
Lewis, Jeffrey L.
Lewis, Ronald B.
Libbey, Grey D.
Lieggi, Vincent J.
Lillig, Thomas S.
Lindahl, John C.
Link, Wendell R.
Link, William P.
Linz, Edwin R.
Liska, Robert B.
Lobdell, Ralph S.
Lockwood, Ernest R.
Lodzieski, Ronald E.
Loehr, David D.
Logan, Henry W.
Londak, Elaine F.
Londot, Klaus
Loosbrock, Thomas L.
Lough, Dennis E.
Luckard, Joseph J., Jr.
Luecke, John M.
Lumianski, Peter J.
Lund, Gerald C.
Lupton, William L.
Luther, Donald E.
Lyall, Gerald J.
Lynch, Robert B.
Lynn, Kyle T.
Lyons, Richard L.
Macechko, Myron D.
Maciejewski, Marvin J.
Mack, Lawrence J.
Mackay, William A.
Mackey, William C., III
Macmichael, John L.
Maddox, John D.
Maddox, Richard W.
Madison, William R.
Magee, Thomas H.
Mager, George L., Jr.
Maher, Thomas R., Jr.
Mairs, Lee S.
Major, William E., II
Malinasky, George A.
Maloit, Robert J., Jr.
Manger, Charles C., III
Manko, Michael B.
Manlove, Dexter I.
Manning, Amon W., Jr.
Marcinko, Richard
Margolis, Sheldon L.
Markowicz, John C.

Marks, Earl M.
Marshall, Derek C.
Marshall, John P., Jr.
Marshall, Paul E.
Marston, Paul T.
Martin, David L.
Martin, George R.
Martin, Robert J.
Marvin, Edward L.
Marymont, John A.
Massey, Frederick T.
Mastin, Thomas N.
Matous, John J.
Matton, William G., III
Matyas, Carl E.
Matzie, Regis A.
Mauney, James P.
Mayer, Edward A., Jr.
Mayetani, Gary M.
Maynard, Robert P.
Mazurek, Neil M.
McAlees, David G.
McAlexander, Elroy A.
McAllister, Arthur W., Jr.
McAlpin, Joseph R., III
McBride, James R.
McCann, Edward F., II
McCarty, Douglas J.
McComb, Dennis N.
McCormack, James E.
McCoy, Norman K., Jr.
McCreary, Richard A.
McCrory, Seaborn M., III
McElroy, Suzanne A.
McElwee, Neil J.
McGaraghan, Michael J.
McGeorge, Glenwood W.
McGinley, Thomas P.
McGruther, Kenneth R.
McKechnie, Arnold W., Jr.
McKelvie, Robert A.
McKenna, Nicholas V.
McKinney, John W.
McKinney, Michael P.
McKinnon, Harry A., Jr.
McKlveen, John W.
McKnight, Lawrence L.
McLaughlin, George T.
McLyman, Edward J., III
McMahon, John A.
McMahon, Robert T.
McMeekin, Theodore C.
McMurry, Larry J.
McNamee, Frederick M.
McNicholas, William E.
McPartlin, Raymond P.
McPheters, Robert D.
McPike, James B.
McQuaide, Arnold C., Jr.
McStravick, Leo J., Jr.
Meck, Norman C.
Meeks, Kenneth W.
Meier, James D.
Meloy, John D.
Menikheim, Jerry E.
Merrick, James Lee, Jr.
Merrill, Dennis O.
Messinger, Ray M.
Meyer, Thomas B.
Meyer, William P.
Mickelson, Paul F.
Miers, Wayne E.
Miles, Clarence K.
Miles, Kenneth K.
Millar, Gary R.
Miller, Charles R., III
Miller, David L.
Miller, David
Miller, Dennis P.
Miller, Donald C.
Miller, Gary R.
Miller, Harry J., Jr.
Miller, Kenneth M.
Miller, Lawrence E., Jr.
Miller, Russell F.
Milligan, Patrick J.
Millikan, Jack R.
Millott, Evalyn H.
Mills, Sumner P., III
Milner, Scott F.
Minderlein, James L.
Mitchell, John B., Jr.
Mitchell, Thomas R., I
Mitchell, William R.
Mittelstaedt, Robert E., Jr.
Mixner, Frank L.
Mladineo, Stephen V.
Moll, William L.
Molnar, David L.
Moni, Wayne J.
Moninger, Edward G., Jr.
Monroe, Vanstephen
Moomey, Thomas W.
Moore, James K.
Moore, Kenneth A., Jr.
Moore, Michael K.
Moore, Patrick N.
Moore, Randall J.
Moore, Raymond E., III
Moore, Richard L.
Moore, Seley E.
Moore, Thomas S.
Moran, Thomas E.
Morehouse, Stephen A.
Morford, James R., III
Morgan, Edward L.
Morgan, Franklin A.
Morgenfeld, Thomas A.
Moritz, Dennis M.
Morren, Christopher J.
Morris, Thomas E.
Morrissette, Eric P.
Morse, James L.
Morton, Sperry
Moscovis, Michael J.
Mouw, John B.
Moyer, Clyde T., III
Moynehan, John D., Jr.
Muehler, Dean L.
Muhsam, Mark M.
Mulcahy, John M.
Mulford, Rand P.
Mulholland, Wayne T.
Mullet, Sanford A.
Mullowney, Penn E., Jr
Murphy, Thomas P.
Murrell, Gregory L.
Musitano, John R.
Musolf, David M.
Myers, Kenneth R.
Nagl, John M.
Nahr, Ernest V., Jr.
Nanz, Theodore G.
Napp, Edward T.
Naro, Edward L.
Neal, David L.
Neary, Jon L.
Neely, Eugene G., III
Nelson, Donald C.
Nelson, John A.
Nelson, Larry H.
Nelson, Paul L.
Nemura, Dennis J.
Neubauer, James A.
Newberg, Carl J.
Newlon, Arthur W., Jr.
Nicewander, Merrit H.
Nichols, Gordon M., Jr.
Nichols, Peter D.
Nichols, Ronald N.
Nichols, Timothy B.
Nicholson, Michael J.
Nicoletti, Robert V.
Noe, Paul F., Jr.
Nolan, Patrick H.
Norman, Robert J., Jr.
Norton, Douglas M.
Notari, Anthony F.
Nunn, Dwight E., Jr.
Oakley, William M., Jr.
Oberg, Jon H.
O'Brien, Denis E.
O'Connor, Edward F.
O'Connor, Peter E.
Odell, William H.
Odom, John S., Jr.
O'Dwyer, John J.
Offutt, Randall E.
Ogrinz, Alexander J., III
O'Hanlon, James P.
O'Harrow, Patrick R.
Olds, Richard N.
Oldson, Dennis R.
Olsen, Charles E.
Olson, Gaylord C., Jr.
Olson, Jack L.
Onder, Barbara A.
O'Neill, James G., III
Onorato, James R.
Orlob, Carl W.
Orr, Edward A., Jr.
Orr, Lawrence B.
Osborn, Wiley M.
Oswald, John S. L.
Outlaw, Marie L.
Owens, John C.
Pace, Gary L.
Pacek, Robert D.
Pachuta, Roger J.
Padgett, John E.
Padgett, Norman R.
Palermo, Joseph S., Jr.
Pallai, Dennis J.
Palmer, Jerry D.
Panagakos, William C.
Pappas, Peter P.
Parker, Alan M.
Parker, John J.
Parker, Robert B., III
Parodi, Richard S.
Parrett, Gaylord S., Jr.
Parrott, Robert C., Jr.
Paskewich, Franklyn K.
Pasqua, Ronald A.
Patterson, James W.
Paul, Michael E.
Paulsen, Paul E.
Payne, Richard W.
Pearson, Orin F., III
Peck, Bruce H.
Peiffer, Robert H.
Pekar, Paul J.
Pelton, Ronald L.
Perkins, Ralph B.
Perry, William E.
Perry, William E.
Peters, Dennis H.
Petersen, Richard J.
Peterson, Arthur, V.
Peterson, Gordon L.
Peterson, Michael C.
Petinos, Allan A.
Petitjean, George H. R.
Petrovic, James R.
Pettersen, Erik G.
Philbin, Patrick J.
Phillips, Donald B., Jr.
Phillips, Gary Q.
Phillips, James A., Jr.
Phillips, Jackie L.
Phillips, William S.
Pierce, Quinten A., Jr.
Pierson, Richard L.
Pilger, Eric C.
Pilling, Donald L.
Pinney, John M.
Pliska, Michael W.
Ploof, Elden L., Jr.
Plotz, Louis R.
Plowman, James E.
Plum, Jerry E.
Pollock, John C., III
Pool, Willard O., Jr.
Poole, Bradley C.
Porter, Robert K., Jr.
Potter, David G.
Potts, Ronald L.
Powell, Douglas R.
Powell, Legh R., IV
Prather, Richard F.
Pratt, Edmund L., Jr.
Presnell, Larry W.
Previty, William H.
Price, Harry J.
Prickett, Frederick G., Jr.
Prince, Andrew S.
Proctor, James R.
Prydybasz, Andrew M., Jr.
Ptucha, Frederick F.
Puckett, Lanny J.
Purdy, William H.
Pyecha, Timothy D.
Quinn, Donald A.
Quinn, Nicholas J.
Quisenberry, John N.
Rackowitz, Marion R.
Railsback, Donald C.
Rairdan, Eugene J.
Raleigh, Harry S., Jr.
Rambo, Robert P.
Ramsdell, Steven U.
Ramsey, Gerald F.
Ramsey, William R.
Rantschler, Robert D.
Rapp, Stephen L.
Rasmussen, Craig M.
Raup, John D.
Reade, John M., IV
Reason, Joseph P.
Reck, Joseph D.
Recknor, Norman D.
Rector, James O.
Redcross, John C.
Redenbaugh, Roger W.
Reece, Lawrence E.
Reed, Gordon T.
Reed, Michael P.
Reed, Nannette J.
Reed, Phillip L.
Rees, Frederick D., Jr.
Refo, Carter B.
Regan, Thomas J., Jr.
Reilly, Frances J.
Rein, Mark A.
Reiniger, Peter D.
Remus, Thomas A.
Renninger, Jane F.
Repasky, Richard L.
Reppen, Norvald J., Jr.
Rerko, Frederick J.
Rester, Marshall D.
Reynolds, Gary W.
Reynolds, George B.
Reynolds, John P., Jr.
Rezeau, Gary L.
Rhodes, Donald R.
Riccio, John L.
Richards, James J.
Richardson, Terence E.
Richardson, Willard D.
Richt, Harvey F.
Rickard, Ralph E.
Riedel, Charles T.
Rietzel, Willard P.
Riley, Gerald J.
Riley, Michael F.
Riley, Michael J.
Rinaman, William C., Jr.
Rinker, Ronald L.
Ritchey, David G.
Roach, Charles A.
Roberts, David L.
Roberts, Dennis E.
Roberts, Gary L.
Roberts, Stephen S.
Robertson, William N. L.
Robins, Leon E.
Robinson, David W.
Robinson, Gary N.
Robinson, Gerard F.
Robinson, Michael F.
Robinson, Paul M.
Robinson, Peter S.
Roddy, Francis M.
Rogers, Kevin G.
Rogers, Paul F.
Rogers, Roland L.
Rogers, Stephen T.
Roletter, George J., Jr.
Roorbach, James A., III
Roose, Robert W.
Rorabaugh, Dale A.
Rose, Edward J.
Rosintoski, Lawrence J.
Rossley, William F.
Roth, Richard E.
Rouse, James R.
Roush, Calvin T., Jr.
Rowe, Frederick S., III
Rowlands, Richard E.
Rowley, Charles W.
Ruben, Richard C.
Ruberg, Ronald N.
Rudolf, Chester D., III
Ruedy, Ralph H.
Rule, William M.
Rumble, Edmund T., III
Rumbley, Daniel L.
Rummler, David C.
Runyon, William E.
Rush, Stephen K.
Rushing, John M.
Rutkowski, John E.
Ryder, Dan H.
Sack, Brian P.
Sadler, Lester H.
Saft, Burton M.
Sanborn, Philip M.
Sapp, Charles N., Jr.
Sappington, Merrill A.
Savard, James F., Jr.
Scales, James R., Jr.
Scarborough, Oscar D., III
Scardigno, Peter F.
Schafer, Donald R.
Schalde, John A.
Scherzinger, Victor L.
Schildknecht, Kurt
Schineller, Frederick J., III
Schleicher, Harold C., Jr.
Schlemmer, Frederick C., II
Schmauder, Robert W., Jr.
Schneider, Henry J., Jr.
Schofield, Lee N.
Scholl, Russell C., Jr.
Scholz, Ferdinand A.
Schrader, Francis E., II
Schroder, John D.
Schrodt, Clair J.
Schroeder, Arthur J.
Schroering, Michael S.
Schuler, Michael F.
Schultz, David H.
Schuster, Thomas F.
Scott, Donald J.
Scott, John P., III
Scott, Michael R.
Scott, Norman S.
Scott, Thomas F., Jr.
Scuba, Richard J.
Secrest, David E. H.
Sedgwick, Dean L.
Seibert, Peter K.
Seidel, David W.
Seigle, Thomas R.
Seim, Wayne A.
Self, John C.
Sellers, Ronald L.
Selman, Richard J., Jr.
Sermier, Robert F.
Setser, Raymond H., Jr.
Settle, Frank L.
Setzer, Alvah E.
Sexton, James R.
Sexton, Ormond G.
Seymour, Harry A., Jr.
Shackelford, Harry L., Jr.
Shaffer, Jesse S.
Sharp, Walter E.
Sharpe, Richard J.
Shaw, Robert J.
Shealy, William P.
Sheats, David C.
Sheldon, Gerald E.
Shenton, William T.
Shepherd, Patrick M.
Shinabarger, Jon A.
Shipley, David H.
Shipman, Noel
Shipway, John F.
Shuman, Dale G.
Shuman, Paul D.
Siebe, Alan E.
Siegel, William M.
Silliphant, Leigh D.
Simard, Paul J.
Simkins, Gray B.
Simmons, Guy J.
Simon, James R.
Simons, Thomas E.
Simons, William E.
Simpson, Richard J.
Simpson, Wayne F.
Sinkovec, John A.
Sipe, Allan K.
Sirota, Richard S.
Skoog, Mark C.
Sloan, Charles E., Jr.
Slusser, Ronald M.
Small, James A.
Smith, Bernard J.
Smith, David O.
Smith, David H.
Smith, "J" Palmer
Smith, Jeffrey F.
Smith, Laughton D.
Smith, Richard K.
Smith, Roger J.
Smith, Terry D.
Smithson, William B.
Smock, John S.
Smyth, Warren T.
Sneed, Albert L., Jr.
Sneed, Henry L., III
Snelling, Robert J., III
Snider, William A.
Snyder, Daniel B.
Snyder, Darrell P., Jr.
Snyder, Glen D.
Snyder, Paul J.
Soderman, Arne P.
Sohlberg, Dag
Solan, John M.
Soley, Francis E.
Soltas, Gerald J.
Sorbie, Andrew
Spalding, Walter C., Jr
Spangler, Carl R., Jr.
Spiegel, David A.
Spies, Robert H.
Sprague, Jay W.
Springman, Joseph W.
Spurgeon, Dennis R.
Spurway, Aaron R.
Staats, Preston W., Jr.
Stallings, Tellmon S.
Standrich, Elvin B.
Stanfield, Robert A.

Stanley, Norman G.
Stark, James R.
Starkey, Robert L.
Steenburgh, Frederick L.
Stein, John H., Jr.
Stein, Paul P.
Stella, Mark E.
Stephan, Charles R.
Stephan, George M.
Stephenson, Robert B.
Sterry, Steven C.
Stevens, Robert E.
Stevens, Wilbur T., Jr.
Stevens, Wynne A., III
Stevenson, Robert D.
Stewart, Finlay J., III
Stewart, George C.
Stewart, Lawrence L.
Stewart, Michael E.
Stewart, Robert G.
Stewart, Van N.
Steyaert, Louis T.
Stiger, Clinton N.
Stiles, Hallett R.
Stoddert, Robert W. B
Stolt, Robert D.
Stone, Laurence L., Jr.
Stone, William C.
Stover, Richard L.
Strahm, John F.
Straw, John E.
Stringer, John L.
Strong, David W.
Stryer, Thomas B.
Stryker, Steven H.
Stubbs, Frederick M.
Stuckey, Robert W.
Stueck, Phillip G.
Sudigala, John P.
Sudikatus, George H., Jr.
Sullivan, Allyn F., Jr.
Sullivan, Jerry M.
Sullivan, Timothy B.
Sutcliffe, James A.
Swan, Frederic C., Jr.
Swanson, Barry G.
Sweeney, Toney M.
Swenson, Larry G.
Swiney, Merrill F.
Swink, Harley H.
Syrko, Thomas M.
Szubski, John M.
Szymanski, Jean A.
Szymanski, Robert F.
Tabaka, Lawrence P.
Tackett, Richard F.
Tamny, Peter D.
Tanner, John C.
Taylor, Craig M.
Taylor, James L.
Taylor, James L., Jr.
Taylor, Marcus K.
Taylor, Patrick E.
Tedeschi, Ernest F., Jr.
Tedford, Timothy W.
Teichgraber, Walter M.
Tesoriero, Anthony R.
Teubner, Alan L.
Thiel, James S.
Thomas, James E.
Thomas, Jerry L.
Thomas, Lewis C.
Thomas, William S. Jr.
Thompson, David R. Jr.
Thompson, Grove G., Jr.
Thompson, Hugh L. Jr.
Thompson, John A.
Thompson, Melvin E., Jr.
Thompson, William G.
Thorne, Henry F., Jr.
Thornton, Roger N.
Thornton, Thomas J.
Thorsen, Paul A.
Tibbetts, Charles F.
Tower, Philip W.
Towner, Paul D., III
Tozier, Jack A.
Troutman, John L.
Trowbridge, Lynn D.
Trump, Peter A.
Tucker, Edmond G.
Tucker, James E.
Tulodieski, Donald B.
Turner, Bonnie L.
Turner, Howard S.
Turner, John D.
Turner, William A.
Tyng, James
Uber, Brian D.
Unipan, John T.
Urban Jack
Utley, Wallace R.
Vajda, Thomas C.
Valovich, Paul J., Jr.
Vanderploeg, Frank, P.
Vanecek, Michael T.
Vanheertum, Bruce
Vanhorn, Gerald J.
Vanhouten, Paul E.
Vanlobensels, Peter D.
Vantine, Stuart M.
Vanwolkenten, Raymond V., Jr.
Varnagaris, Kim G.
Varriano, Patrick G.
Vaughan, Robert C.
Vaughn, William C., III
Vawter, Dale C.
Veronda, George A. S.
Vesey, Richard L.
Vick, William M.
Vinsavich Anthony D.
Voelkel, Ronald E.
Vogel, Timothy J.
Vomastic, John E.
Vorce, Richard A.
Vulgamore, Gary J.
Waddell, Howard E.
Waggoner, Clifford I.
Wagner, Dennis L.
Wagner, James A.
Wagner, Richard H.
Wahlfeld, Robert A.
Waiss, Alan J.
Walker, Donald E.
Wallis, Donald A.
Wallis, Mabel L.
Walters, George R.
Warfield, James D.
Warner, John K.
Warner, Kenton D.
Warnken, Wayne L.
Warren, Edward O.
Wasson, William M.
Watkins, Edison L., III
Waylan, Cecil J.
Webb, George J., Jr.
Webber, John A., Jr.
Weber, Dennis R.
Weber, Gary W.
Webster, David W.
Webster, William C.
Wedekind, Dennis L.
Weeks, Glen A.
Weeks, Paul, II
Wegner, Lynn A.
Weidauer, Darrell E.
Weiler, George W.
Weinel, Thomas R.
Weittenhiller, Larry K.
Welch, Glenn E., Jr.
Welch, Raymond V., Jr.
Wentzel, Kendrick W.
Wessinger, Hall B., Jr.
West, Howard V.
West, Richard D.
Westmoreland, Jimmie D.
Wetherell, David L.
Wettack, Timothy G.
Whelan, John D.
Whisman, Carl L.
White, Gordon R., Jr.
White, Steven J.
Whitehead, Robert M.
Wicks, Guy W.
Widhelm, William J., Jr.
Wieland, Billie W.
Wiggins, Edwin G.
Wiley, Armando A.
Wilhelm, Glennon J.
Wilkes, Marshall J.
Wilkes, Robert B.
Wilkins, Ronald G.
Wilkinson, John
Wilkinson, Raymond O., II
Will, Thomas J.
Williams, Gary A.
Williams, Herbert B.
Williams, John G.
Williams, Lyndon D.
Williams, Richard C., III
Williams, Walter K.
Williams, William F., Jr.
Willis, Henry T., II
Wilmot, Richard B., II
Wilson, Earl R., Jr.
Wilson, Francis E.
Wilson, George E., Jr.
Wilson, James H.
Wilson, Lyndel W.
Wilson, Mary F.
Wilson, Woodrow O., Jr.
Wiltshire, Kenneth J.
Winkler, William H.
Winters, Doyle E.
Wise, Ronald K.
Witham, Donald C.
Witherspoon, William W., Jr.
Witt, Douglas M.
Wittig, Arthur W.
Witzenburg, Dennis L.
Wohlfiel, John E.
Wojdyla, Michael J.
Wolfe, Ronald D.
Wolff, Richard E.
Wolovick, David A.
Wood, Charles M., III
Wood, Robin C.
Woodring, George B., Jr.
Woodward, Kenneth M.
Woodward, Robert U.
Worden, Virginia L.
Worthington, William B., Jr.
Wright, Charles T., Jr.
Wright, Donald A., III
Wright, Douglas S.
Wright, Francis D., III
Wright, Harold E.
Wright, Jay K.
Wyserpratte, Christian Y.
Yachanin, Joseph C.
Yoder, Sterling N., Jr.
Young, Daniel L.
Young, Thomas R.
Young, William W., Jr.
Young, William C.
Zardeskas, Ralph A.
Zayicek, James S.
Zealey, Gilbreath B.
Zemansky, Gilbert M.
Zemany, Nancy A.
Zerr, John J.
Zettle, Charles E.
Zick, John T., Jr.
Zimmerman, Bruce A.
Zimmermann, Richard P.
Zimny, Stanley M., Jr.
Ziolkowski, Ronald W.
Zocher, Joseph A., Jr.
Zodiaco, Vincent P.
Zschock, Charles W.
Zuna, William F.
Zunich, Ralph E.

SUPPLY CORPS

Adelgren, Paul W.
Artherholt, Michael L.
Attanasio, Joseph V., Jr.
Auerbach, Robert C.
Baker, William J.
Becker, Barry A.
Bennett, Robert B.
Berzins, Aivars T.
Bishop, Henry H., II
Bleakley, William P.
Borchardt, Paul D.
Brewer, James G.
Brush, William E.
Burley, Frank I., Jr.
Burris, Gary M.
Byrne, Allan C., Jr.
Cain, John M.
Carroll, James M.
Cheney, James C.
Clark, Craig W.
Cosgrove, Patrick M.
Davis, Joseph M.
Eager, Donald R.
Eaton, Roy W., Jr.
Eichmann, Fred C.
Fabry, Steven E.
Fine, Everett E.
Fitzgerald, Preston H.
Fleuriet, Edwin R.
Foley, James W.
Free, William T., Jr.
Freeman, James K.
Fuller, John A.
Fyfe, John K., Jr.
Gamel, Don M.
Garber, Charles S., Jr.
Giardina, Joseph A.
Gidiere, Philip S., Jr.
Gilbertson, Richard E.
Glover, Nicholas W.
Golden, James E.
Gordon, Jeffrey L.
Gosnell, Robert A.
Gould, Richard K.
Groves, Floyd A.
Hall, David W.
Harrell, William H.
Hatfield, James E.
Hegenbart, Joseph J.
Henderson, Ronald R.
Holland, Donald R.
Jackson, Alfred C., III
James, William B.
Johns, Anthony W.
Johnson, Larry E.
Jordan, Douglas S.
Kasdorf, John C.
Keenan, James C.
Keeney, Gerald F.
Keiser, Edward L.
Kiernan, Ralph J.
Kitch, William C.
Kleckley, Frederick N., Jr.
Kohl, Jack E., Jr.
Kohlmann, John T.
Krause, Ben A.
Laakso, Larry B.
Lamm, David V.
Larson, Robert J.
Leise, Lawrence M.
Lerner, Kenneth W.
Lessa, Joseph G., Jr.
Lewers, Freddie R.
Lewis, Richard E.
Lovett, Stephen M.
Lund, Larry T.
Lycett, Roy G.
MacDonald, James S.
Margeson, John T.
Marlin, Frederick R., Jr.
Martelle, Joseph R., Jr.
Martin, Craig H.
Martin, Kenneth E.
Martin, Patrick E.
Martin, Royal S.
Marx, Gerald E.
Mason, Theodore W.
McCaffrey, Edward B., Jr.
McLaughlin, Michael J., Jr.
McNabnay, James R.
Meehan, Clement T., Jr.
Metzger, Douglas P.
Meyer, Fred L.
Minard, Alan L.
Moir, Ronald L.
Moise, Richard W.
Molishus, Joseph, Jr.
Moore, Thomas J.
Muir, Brian E.
Muller, Anthony R.
Nelson, Ronald C.
Neutze,Dennis R.
Newton, George E.
O'Connell, Daniel P.
Okurowski, Leon P., Jr.
Patt, Ira F.
Paul, John W., Jr.
Paulson, John J.
Peddicord, James L.
Pope, Geoffrey W.
Pulliam, Nelson B.
Rice, Frank W., Jr.
Riddick, Gordon M., Jr.
Sanders, Donald G.
Sarver, Gordon J.
Schandel, George W.
Schmahl, John A.
Schmidt, Todd W.
Schooley, Robert A.
Schreier, Russell J., Jr.
Schutte, Robert J.
Schwartz, Robert G., Jr.
Seufer, Stephen J.
Stalnaker, Delbert K.
Staubach, Roger T.
Stawitz, William E.
Strack, Beetem H., Jr.
Sweaney, Stephen E.
Thompson, Fred C., Jr.
Tovrea, Wilbert J.
Trimpert, Eugene C.
Turner, Harry L., II
Valenty, Patrick P., Jr.
Vanhaaren, Cary G.
Vargo, Joseph F.
Vigrass, David H.
Waldron, Andrew J., Jr.
Walton, William H., Jr.
Warmington, Allen R.
Watts, James T.
Westbrook, Charles S.
White, Allan S.
Wiese, Robert D.
Wiles, Clarence D.
Williams, Gary D.
Williams, Patrick D.
Wilson, Charles A.
Wilson, George K.
Winget, William P.
Winkler, Richard A.
Wise, Clinton E.
Withington, Richard B.
Wright, Harry N.
Ziegler, Lee A.
Zitzewitz, Robert F.

CIVIL ENGINEER CORPS

Ariko, John G., Jr.
Bauch, Daniel
Brown, Harry J., Jr.
Cain, James R., III
Clare, Joseph F.
Coley, Gordon B.
Covington, William L.
Dames, Thomas A.
Dodson, James W., Jr.
Donnelly, William P.
Emory, Bruce B.
Gottsman, John J.
Harada, Theodore I.
Hedges, Frederick W.
Henrick, Joseph W.
Hopper, Mark A.
Hubbard, James D.
Kelley, Timothy C.
Kopecky, William F.
Long, Noah H., Jr.
MacDermott, John T.
Mier, Robert E.
Miller, Robert E., Jr.
Peters, Thomas J.
Phillip, Jary J.
Plosila, Thomas W.
Pou, Robert L.
Poythress, Philip L.
Rosenquist, Max L.
Schlesinger, Francis D.
Smith, William V.
Susswein, Harvey I.
Thurner, Lee F., Jr.
Thurston, Benjamin E.
Vizza, William K.
Walters, Victor Y.
Weston, James E.
Woodhull, Roger B.
Zabor, William F.

MEDICAL SERVICE CORPS

Greear, John F., III
Heit, William R.
King, William G.
Martin, Donald G.
McDonald, John L.
Murray, John L.
Narut, Thomas E.
Turco, Ronald F.
Wilson, Everett L.

The following-named officers of the U.S. Navy for promotion to the grade of chief warrant officer, W–4 subject to qualification therefor as provided by law:

Abbott, John C., Jr.
Agidius, Theodore H.
Allen, Fred A.
Allen, Willie
Anderberg, Roy A.
Anderson, James B.
Andries, Justin J., Jr.
Ansley, William A.
Avery, Harrison W.
Barger, Paul K.
Barker, James D.
Barnhart, Marvin R.
Barter, William E.
Bean, John M. P.
Bender, Marjorie G.
Benton, George J.
Berce, Antone E.
Beverly, Lynwood A.
Bieber, Gustave W.
Billington, John J.
Bissen, Edward H.
Blalock, Ralph T.
Boardman, William B.
Bowser, Albert E.
Brayton, Gerald R.
Brett, Robert A.

Britton, Junior E.
Bromley, Jack E.
Brooks, James D.
Broome, Warren W.
Brown, Albert L., Jr.
Bruno, Anthony
Buell, Benton E.
Bunnell, John D., Jr.
Burgett, Bernard E.
Burkhart, Russell L.
Byars, Frank
Cannon, James G., Jr.
Carroll, Thomas R.
Carter, Hughie S.
Clark, Victor L.
Claude, Henry L.
Collins, Richard S.
Combs, Howard S.
Corvin, Julian P.
Cramer, Max L.
Cranford, James F.
Dagdigian, Walter A.
Davis, Richard P.
Dobranski, John
Dorcy, Raymond M.
Drucker, Charles F., Jr.
Duran, John B.
Dyer, Otho E.
Eaton, Bernard E.
Edwards, Harry M.
Edwards, Herman B.
Eggers, Walter E.
Eiffert, Robert E.
Elrod, William F.
Emmerson, Vernon D.
Fagan, James F.
Faircloth, George B., Jr.
Fellrath, Frank M. J.
Fenstermaker, Roy E.
Flores, Ernest
Frates, Norman C.
Furqueron, George W., Jr.
Gallagher, Hugh P.
Gerard, Charles J.
Gibbs, Robert M.
Gilliatt, Harold R.
Glass, William W.
Gossman, Richard G.
Gray, Harry L.
Gray, James E.
Greenfield, William G.
Greer, Maurice C.
Groah, Albert A.
Gross, John H.
Grudt, Dale
Hagen, James E.
Hamblen, George P.
Harrison, Lawrence F.
Harvey, Leo Q.
Haubert, Earl W., Jr.
Hauser, Robert F.
Hayes, Alan G.
Hayes, John F.
Hayter, Clifford C.
Heckbert, Donald F.
Hedrick, Devoe E.
Hilt, George T.
Hinckle, James P.
Hofmann, Jack J.
Holland, Andrew S.
Hollingsworth, William C.
Hollis, James D.
Howard, Jack M.
Hudock, Charles J.
Inscoe, Benjiman F.
Isselhardt, Francis X.
Jablonske, Donald K.
Jensen, Lester P.
Johnson, Benjamin M.
Johnson, Edward H.
Johnson, Thomas F.
Johnston, Harvey C., Jr.
Jones, Daniel G.
Jones, Leonard F.
Kelly, James W.
Klimkewicz, Paul
Kodger, Herbert E.
Kopek, Vincent J.
Lacombe, Calam M.
Lacy, Gene H.
Lafave, Howard J.
Lake, Oriel
Larson, Richard E.
Lash, Don L.
Lawrence, Thomas C.
Leamons, Forrest E.
Learned, Donald D.
Longo, Frank P.
Magle, Harry
Mancill, Floyd E.
Marbourg, Edgar F., Jr.
Maxwell, Charles F.
Maynes, Robert I.
Mazzara, Philip C.
McLeod, John B.
Merrick, William V.
Moe, Sigurd M.
Moore, Verne L.
Mullins, Ray H.
Murray, Richard
Nelson, Vernon J.
Nestor, Joseph L.
Nolting, Fred W.
Nordin, Evertt L.
O'Connor, James G.
Odle, Charles P.
Olson, Alfred E.
Olson, Leon D.
Parkin, William V.
Partlow, George W.
Patterson, William M.
Paulsen, Norman J.
Peak, Claude F.
Peironnet, Joseph W., Jr.
Pellerin, Martin U.
Pennington, Frank H.
Peragine, Joseph V.
Petersen, Richard J.
Petro, Joseph
Phillips, Richard W.
Podbielski, Joseph M.
Porter, Stanley
Preston, Leonard H.
Proper, Gaylord L.
Pursel, John J.
Rawlins, Billy J.
Reading, Warren E.
Reid, Neal S.
Reis, Adam W.
Reische, John V.
Rettig, Wayman B.
Rhatigan, Joseph T., Jr.
Robinett, Homer, E.
Rodriguez, Leo L.
Roehs, Frederick J.
Rolland, William F.
Rose, James M.
Rupert, Frederick R.
Sadler, Maurice E.
Sanchez, Ernest E.
Schimpf, William J.
Schrei, Robert C.
Schroeder, Robert F.
Seaton, Charles H.
Segler, Marvin L.
Sessions, William M.
Shafner, Paul
Shedd, John C.
Shoop, Welland T.
Smith, George R.
Smith, Vernon G.
Sparks, Robert C.
Stagg, Philip R.
Stanley, Edward A.
Stephens, Frank, Jr.
Steward, John L.
Stroberg, John E.
Strother, Roscoe S.
Strube, Jimmy L.
Swan, Aubrey E.
Swenson, Albert F., Jr.
Swift, Thomas L.
Taylor, Robert M.
Tether, Charles E.
Thorpe, Leslie F.
Tillis, James B.
Timchak, Walter
Timmons, Joel W.
Toole, Cecil W.
Vancleef, Jacque E.
Wasson, Willard F.
Westfall, Harvey J.
Wheeler, Norman E.
White, Heber D.
Whiteside, James M.
Wilcox, Mack R.
Wildermuth, Aaron H. R.
Wilkinson, Robert P.
Williams, George E.
Williams, Lowell, K.
Wilson, Charles E.
Wilson, Theodore J.
Woods, Kenneth W.
Worrell, Harry R.
Wright, Benjamin W.
Ziner, Joseph J.
Zink, Donald J.

The following-named warrant officers to be ensigns in the Navy, limited duty only, for temporary service in the classifications indicated, subject to the qualifications therefor as provided by law.

SUPPLY

Linwood A. Daggett
Bernard C. Frank
John W. Banks
Maurice W. Battey
Lawrence M. Cunningham
James N. Greer
Richard E. Johnston
Robert G. Lewis
William F. Linsley
John E. Madden
Carl E. McGee
Jerry W. McNutt
Kenneth R. Miller
Louis E. Mingo
Jack B. Nunley
Floyd W. Oneal
Robertheston Richmond
Clarence L. Smith

CIVIL ENGINEER

Royal T. Hogg, Jr.
Andrew A. Kannegieser
Donald R. Keith
Charles R. Luther
Ronald L. Miller
Sidney T. Spencer

DECK

Chester H. Bailey
Peter F. Fawcett
Joseph B. Haaf
James E. Harper
Frank J. Mehrtens
Owen E. Moore
Richard L. Owens
Joel Porter

OPERATIONS

Vincent E. Blank
Robert G. Davis
Jackie L. Dennis
Dale T. Hall
Donald B. Pascoe
Richard G. Powers
Francis L. Scales
James C. Smitheman
Robert T. Wilson

ORDNANCE

Eugene L. Allbert
Michael A. Chernegie
Robert E. Duchesneau
Jerry A. Hamilton
Michael W. Jantz
Charles M. Lindsey
Deward W. Polk
Richard M. Shook
William T. Tabb, Jr.
Hayden R. Wisdom

ADMINISTRATION

James L. Adams
Robert C. Bailey
A. Thomas Baity
Robert F. Boorom
Richard H. Hogan, Jr.
Richard L. Jones
Jean R. Lafleur
Richard W. Lawton
William E. Maupin, Jr.
John J. McCarthy, Jr.
Timothy R. McMaster
Frank T. Meuchel
Paul G. Neal
Keith O. Nyman
William R. Overman
Fred L. Rouse
Burtin H. Sickler
Leonard R. Tourigny

DATA PROCESSING

Lyman E. Parkhurst

BANDMASTER

Andrew G. Szlaga
Burroughs A. Waltrip, Jr.

ENGINEERING

Roy W. Black
Richard D. Bland
Jack Bramblett
Kenneth C. Bryden
William F. Cartwright
Ronald J. Cornett
Larry K. Hardin
William C. Keaton
Peter Krawchuk
Francis Larock, Jr.
Richard W. Lowe
Jesse J. Maiden
Charles L. Malmborg
Harry A. Marenbach
Larry T. Mathis
Robert D. Miller
Walter E. Miller
Robert D. Mulligan
Eugenio N. Nepomuceno
Alfred R. W. Obrian
Harold Owen
Earl E. Perkins, Jr.
Bobby R. Rabren
James A. Roberts
Paul D. Ruffin, Jr.
Edward M. Riley, Jr.
Neal G. Roos
Joseph C. Shields
William H. Speed, Jr.
Douglas Sprey
Jack J. Stewart
Frederick C. Stone
Donald F. Tellman
Richard E. Weiland
Donald M. Wray

HULL

James W. Barber
James R. Edmond
Michael J. Gelsomino

ELECTRICIAN

Albert M. Bliss
Carl E. Hudson
Eugene F. Goode
Robert S. Northrop
Burl R. Pegden
Thomas C. Rearer
William H. Skipworth
Floyd H. Smith
Stanley L. Stosel
Lloyd D. Tinnon

ELECTRONICS

Robert J. Adams
George R. Board
Robert W. Booth
Robert S. Carlson
James F. Devries
Gerald D. Ensminger
Richard C. Jorgenson
Michael B. Lowe
William E. Mundy
Robert L. Ohm
Allen V. Polhemus
Bobby W. Proffitt
Coy D. Ritchie, Jr.
Edward L. Welsh

CRYPTOLOGY

Robert F. Beabout
Richard J. Dix
George L. Hodges, Jr.
William G. Horton
Theodore J. Mara
Robert D. Middlebrooks
James E. Morgan

AVIATION OPERATIONS

David L. Hubert
Joseph E. McCarthy
Lawrence N. Wiltzius, Jr.

AVIATION CONTROL

Donald N. Dexter
Lesley Gardner
Everett D. Pinkerton

PHOTOGRAPHY

Robert A. Harville
Howard E. Martin III
John J. Parker

METEOROLOGY

Ronald E. Englebretson
David Greenberger
Robert H. Hagenbruch
Kenneth E. McCowan

AVIATION ORDNANCE

James C. Owens, Jr.
Tannis R. Watson

AVIONICS

David C. Babington
Clyde E. Baker
Angelo Chavez
Edward L. Davis
Clinton H. Duke, Jr.
Sheldon J. Goodman
Raymond J. Grinnell, Jr.
Hugh F. Holden
Herbert J. Kressel
James M. McGee
Richard G. Minter
Herbert F. Velsor
Eugene A. Wells

AVIATION MAINTENANCE

Roger D. J. Bratsch
Ruben Escajeda
Dan D. Finch
Nathan B. Flanagan
Charles E. Garrett
Lindsay M. Gillespie
Robert D. Henderson
James J. Joines
Jack C. Lenz
John B. Lipinski
Jimmie A. Mora
Phillip G. Morris
William J. Mueller
George C. Rogers, Jr.
Harold C. Shumpert
Joseph E. Sullivan
William L. Warren

The following-named (Naval Reserve officers) to be permanent lieutenants in the Dental Corps of the Navy, subject to the qualifications therefor as provided by law.

Allan H. Cash, Jr.
William O. Kosobud

The following-named (Naval Reserve officers) to be permanent lieutenants (junior grade) and temporary lieutenants in the Dental Corps of the Navy, subject to the qualifications therefor as provided by law.

Everett B. Hancock
Robert R. Zendt

Tommy P. Roberson (Naval Reserve officer) to be a permanent lieutenant in the Medical Corps of the Navy, subject to the qualifications therefor as provided by law.

Jackson W. Thomas (Naval Reserve officer) to be a permanent lieutenant and a temporary lieutenant commander in the Medical Corps of the Navy, subject to the qualifications therefor as provided by law.

The following-named (Naval Reserve officers) to be permanent lieutenants (junior grade) and temporary lieutenants in the Medical Corps of the Navy, subject to the qualifications therefor as provided by law:

James D. Brumfield
Richard M. Buchta
Craig W. Caldwell
Louis P. Dehner
Ralph R. Dobelbower, Jr.
Thomas J. Halpin
Michael D. Horn
Philip S. Lesser
Lawrence Lutner
Joseph D. McKean, Jr.
Douglas E. McKinney
Wallace M. Philips, Jr.
Michael A. Prosin
Robert E. Rust, Jr.
Thomas D. Schonauer
Roger W. Stickney
Brooks M. Talton, Jr.

Franklin D. Johnson, U.S. Navy retired officer, to be a permanent lieutenant commander in the line of the Navy, subject to the qualifications therefor as provided by law.

Charles W. Baker (U.S. Navy officer) to be a permanent ensign in the Medical Service Corps of the Navy, subject to the qualifications therefor as provided by law.

The following-named enlisted personnel to be permanent ensigns in the Medical Service Corps of the Navy, subject to the qualifications therefor as provided by law:

John R. Jacquemin
Terry L. Rittmeyer
Andrew A. Stefanyshyn

The following-named enlisted personnel to be ensigns in the Medical Service Corps of the Navy, for temporary service, subject to the qualifications therefor as provided by law:

Buddy T. Sparks
David R. Shibley
Don D. Wilson
Richard Boyce
Thomas McClintock
Francis Masterson
Richard R. Welch
James D. Knight
Vernon P. Sandall
Roland E. McKee
John A. Helley
Robert R. Williamson
Robert W. Adams
Joseph F. Prucino
Lewis W. Guilliams
Jimmy R. Collins
Lawrence P. Pakowski
Raymond N. Chapman
Clarence E. Land
Bradley R. Foro
Richard J. Lindsay
Milton J. Benson
Richard S. Shockley
Henrik V. Petersen
Richard G. Ryder
Larry O. Simmons
Gregory Waddington
Onis H. Grisham
Leslie A. Davis
John L. Kubal

The following-named enlisted personnel selected as alternates to be ensigns in the Medical Service Corps of the Navy, for temporary service, subject to the qualifications therefor as provided by law:

James M. Cooper
Alfred F. Marin
Roger T. Jaimeyfield
Paul S. Fuzzard
William R. Strnad
John H. Storment
Douglas S. Delong
James T. Smith
Wayne P. Glover
John H. Nichols
Eugene A. Peterman
Donald C. Rose
Benjamin W. Husk
Peter T. Cox
Morris N. Lewis
Robert S. Kayler
Robert W. Sullivan
John S. Sullivan
Edmund H. Stanford
Gerald Kelly
Thomas R. Defibaugh
Thomas J. Janoski
James J. Courtney
Lee D. Nelson
David W. Fowler
John R. Hetrick
John W. Vrabel
Stephen Burwinkel
Billy J. Sherwin
Richard E. Snider
Leslie P. Gendron
Robert R. Wright, Jr.
John C. Hostetler
Paul H. Forest
John B. Stanistreet

The following-named midshipmen (Naval Academy) to be permanent ensigns in the line or staff corps of the Navy, subject to the qualifications therefor as provided by law:

Robert J. Hollerbach
William H. Martin III
Frederick T. Warburton, Jr.
Samuel N. Wilson III

The following-named (Naval Reserve Officer's Training Corps candidates) to be permanent ensigns in the line or staff corps of the Navy, subject to the qualifications therefor as provided by law:

Nicholas R. Rasmussen
William N. Steshko, Jr.

David E. Keeker (civilian college graduate) to be a permanent lieutenant (junior grade) and a temporary lieutenant in the Dental Corps of the Navy, subject to the qualifications therefor as provided by law.

John W. Johnson (Naval Reserve officer) to be a permanent lieutenant commander and a temporary commander in the Medical Corps of the Navy, subject to the qualifications therefor as provided by law.

CONFIRMATION

Executive nominations confirmed by the Senate July 10, 1968:

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

James H. McCrocklin, of Texas, to be Under Secretary of Health, Education, and Welfare.

HOUSE OF REPRESENTATIVES—*Wednesday, July 10, 1968*

The House met at 12 o'clock noon.

Rev. Charles V. Starkey, Trinity-Centenary United Methodist Church, Fort Ashby, W. Va., offered the following prayer:

Almighty God, Thou hast given grace and power for the living of these days. Send Thy spirit upon these Representatives, who have offered themselves in service to Thy people, that through this day we may be confident and sure that Thy voice will be heard in all matters. Let Thy peace come to the hearts of all men, that we may live in harmony together. Grant us the wisdom to know and accept Thy will and Thy way for all the peoples of the world; through Jesus Christ our Lord. Amen.

THE JOURNAL

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Arrington, one of its clerks, announced that the Senate had passed with amendments in which the concurrence of the House is requested, a bill of the House of the following title:

H.R. 18038. An act making appropriations for the legislative branch for the fiscal year ending June 30, 1969, and for other purposes.

The message also announced that the Senate insists upon its amendments to the bill (H.R. 18038), entitled "An act making appropriations for the legislative branch for the fiscal year ending June 30, 1969, and for other purposes," requests a conference with the House on the disagreeing votes of the two Houses thereon, and appoints Mr. PROXMIRE, Mr. YARBOROUGH, Mr. HAYDEN, Mr. KUCHEL, Mr. COTTON, and Mr. YOUNG of North Dakota to be the conferees on the part of the Senate.

The message also announced that the Senate agrees to the amendments of the House to a bill and joint resolution of the Senate of the following titles:

S. 1129. An act for the relief of Demetra Lani Angelopoulos; and

S.J. Res. 157. Joint resolution to supplement Public Law 87-734 and Public Law 87-735 which took title to certain lands in the Lower Brule and Crow Creek Indian Reservations.

The message also announced that the Senate agrees to the amendment of the House to a bill of the Senate (S. 1808) for the relief of Miss Amalia Seresly, with an amendment in which the concurrence of the House is requested.

The message also announced that the Senate had passed a bill of the following title, in which the concurrence of the House is requested:

S. 3227. An act to provide for the disposition of funds appropriated to pay a judgment in favor of the Southern Paiute Nation of Indians in Indian Claims Commission dockets Nos. 88, 330, and 330-A, and for other purposes.

TRIBUTE TO THE REVEREND CHARLES V. STARKEY

Mr. STAGGERS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from West Virginia?

There was no objection.

Mr. STAGGERS. Mr. Speaker, I listened to the prayer of the Acting Chaplain this morning and I thought surely it was a prescription from the Prince of Peace for all men and for all the peoples of the world.

Mr. Speaker, I wish to congratulate Reverend Starkey upon his great prayer. In addition to the honor bestowed on our visiting chaplain from West Virginia, it gives me added pleasure because I attend a little church back in West Virginia of which Reverend Starkey is minister. Certainly and truly he is a man of God and has been helpful to all who know him and all whom he serves.

Mr. Speaker, I appreciate the fact that he was able to be here with us and I reiterate the fact that I was very much impressed by his prayer.

PERMISSION TO FILE CONFERENCE REPORT ON H.R. 17354, DEPARTMENT OF INTERIOR AND RELATED AGENCIES APPROPRIATIONS, 1969

Mr. MAHON. Mr. Speaker, I ask unanimous consent that the managers on the part of the House have until midnight tonight to file a conference report on H.R. 17354, the Department of the Interior and related agencies appropriation bill for fiscal year 1969.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

BIAFRA—A HIDEOUS PROBLEM

Mr. DOW. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. DOW. Mr. Speaker, an immense and monstrous situation exists in Biafra, where something like 2 million people are faced with immediate starvation. This is the principal problem spot in the world today.

I have written to Secretary Rusk urging that our delegation at the U.N. seek to enlist a U.N. effort directed at preventing starvation in Biafra. It seems to me that here is a place where the Nations of both the Communist and free worlds could join together in a united endeavor to relieve this most hideous manifestation of human misery.

Such cooperation would restore the prestige of the U.N. It would prove that cooperation between the worlds is more effective than rivalry.

Were the two worlds to join in the endeavor to relieve starvation in Biafra, I believe that the technical excuses which are now offered for not helping would instantly disappear.

APPOINTMENT OF CONFEREES ON H.R. 12120, JUVENILE DELINQUENCY PREVENTION AND CONTROL ACT OF 1967

Mr. PERKINS. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H.R. 12120) to assist courts, correctional systems, and community agencies to prevent, treat, and control juvenile delinquency; to support research and training efforts in the prevention, treatment, and control of juvenile delinquency, and for other purposes, with Senate amendments thereto, disagree to the Senate amendments, and request a conference with the Senate thereon.

The SPEAKER. Is there objection to the request of the gentleman from Kentucky? The Chair hears none, and appoints the following conferees: Messrs. Perkins, Pucinski, Brademas, Carey, William D. Ford, Meeds, Ayres, Ashbrook, Quie, and Goodell.

SERMON: "I CANNOT CONDONE CIVIL DISOBEDIENCE"

Mr. JONES of Missouri. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. JONES of Missouri. Mr. Speaker, I listened to my colleague, the gentleman from Missouri [Mr. Hull] when he asked permission to extend in the Record a sermon delivered by Reverend Dr. Arthur C. Fulbright, pastor of the First United Methodist Church in St. Joseph, Mo., who was formerly a minister in the district that I represent. He pastored two churches there and I learned to respect Dr. Fulbright and to enjoy his sermons, expressing views with which I generally concurred.

I am urging all Members to read this sermon that Representative Hull has asked to be inserted in the Record today.

The text of that sermon was taken from the third chapter of Titus in which it is recorded:

> Remind them to be submissive to rulers and authorities, to be obedient, to be ready for any honest work, to speak evil of no one, to avoid quarreling, to be gentle, and to show perfect courtesy toward all men.

The subject of his sermon was "I Cannot Condone Civil Disobedience." I would like to read just one short paragraph from that sermon which Dr. Fulbright delivered.

He said:

> I cannot believe any person has the right to determine which civil laws he will obey and which he will not obey—even if he believes certain laws are unjust or unconstitutional!!

We need more ministers and more preachers like Dr. Fulbright who believes in law and order and who preaches it from his pulpit. He says the church is losing its tradition by thinking the Kingdom of God can come about by spreading social and economic pacification. The main purpose of the church is to try to win souls for our Lord, Jesus Christ.

More power to preachers like Dr. Fulbright.

MEMBERSHIP AND SENIORITY ON THE HOUSE COMMITTEE ON INTERNAL SECURITY

Mr. ICHORD. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. ICHORD. Mr. Speaker, several Members have directed inquiries to me as the author of House Resolution 148, and to my office inquiring as to the effect of the resolution upon seniority and membership of the new House Committee on Internal Security, which House Resolution 148 creates. First, I would note that the procedural effects of the resolution are made very clear by section 4 of the resolution.

As to membership and seniority, these, of course, are matters to be decided by the House and the two parties respectively at the beginning of each session. This is true in the case of all committee assignments. But I do wish to make it clear that there is no intent on the part of the author to affect seniority and membership on the committee in any respect.

STRICT GUN LAWS ARE INVASION OF THE RICHTS OF SELF-PROTECTION

Mr. CARTER. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Kentucky?

There was no objection.

Mr. CARTER. Mr. Speaker, during the past 2 years terrifying riots have racked the cities of our land; and crime during the past 8 years has increased 88 percent. Lurid scenes of rioting, looting, and arson have been viewed on television screens throughout our country. Looters brazenly breaking store windows and carrying away merchandise, while police stand helplessly by, have been shown many times. As a result, fear stalks our land. The breakdown in law enforcement has become clearly evident to our citizens. Our people are convinced that protection of their persons, their property and their homes depends upon themselves. For this purpose, they have bought firearms by the hundreds of thousands during the past year.

Mr. Speaker, until we convince our people by appropriate governmental action that laws to protect people and property are going to be enforced, our citizens will view strict gun laws as an invasion of their rights of self-protection, as well as a breach of their constitutional right to "keep and bear arms."

PROTESTS DISCRIMINATION AGAINST RURAL AMERICA

Mr. ZION. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Indiana?

There was no objection.

Mr. ZION. Mr. Speaker, I have been concerned, since the release of the Kerner Commission report, about the increasing emphasis on urban blight and the need for urban housing. I have fully concurred with many recommendations in this report, especially as they relate to the need for job opportunities and the development of job skills through which individuals and families can escape the confinement of ghetto life. But, I am more concerned over the failure of the Kerner report or any responsible Federal agency to spotlight the rising and critical problems of rural poverty and blight.

Congress is now considering a multibillion-dollar housing and urban development bill which is preoccupied with the cities and minimizes the plight of the small community and the farm. Some time ago, in order that I might better understand the housing needs of America, I attempted to put together some information on substandard or dilapidated housing. In the course of my research I requested current statistics from the logical source, the Department of Housing and Urban Development. This agency is charged with coordinating housing efforts in our country, analyzing needs, and supplying recommendations to the Congress. Their efforts along this line are embodied in the current major omnibus housing legislation we are now considering.

I was somewhat appalled to learn that the Department's major analysis of all housing in America carried a 1960 date. The statistics of this 8-year-old report are being utilized as a basis for current proposals and current operating guidelines. It is inconceivable to me that this vital agency, the recipient of many billions of dollars of taxpayer-supplied appropriations, could not supply me with more current information. Even so, the figures were startling.

I learned, for example, that of 58 billion housing units in America, 10 million of these were considered substandard. I was even more surprised to learn that 60 percent of these substandard or dilapidated units were not part of urban blight but were located in rural America. Of these 6.3 million substandard rural housing units, 4.8 were considered nonfarm, while 1.5 million constituted occupied farm dwellings.

This problem has not changed since 1960. Although the Department cannot supply me with accurate and current figures, I suggest that the ratio of rural to urban dilapidated housing has increased. Rural poverty is on the increase, rural unemployment is mounting. Reckless and disastrous administration farm policies are closing down the small farm. Job opportunities in small communities are becoming severely limited. Private enterprise has not been furnished many incentives to locate in rural America.

In the meantime, the cost of developing better housing in America, when undertaken by the Federal bureaucracy, continues to skyrocket. Figures supplied to me by HUD itself indicate that, through June of 1944, the average cost of developing a housing unit in America was $4,649. This increased to $12,660 for units begun under the Housing Act of 1949. A total of only 685,000 units had been developed by June of this year.

Costs are skyrocketing. Results have been meager. And now, immediately following an ill-considered emergency tax increase measure which contained a promise to reduce Government spending levels, Congress is handed a superambitious housing package calling for vast expenditures and a huge expansion of the power of the Secretary of Housing and Urban Development. Rural America, which carries the bulk of America's substandard housing, will be asked to finance this further placation of the unrest and disorders that have run rampant in our major cities.

The bill does not limit itself to attacking America's housing needs. It launches a host of welfare and social service proposals formerly conceived to be in the domain of the community government and the private sector of the economy. The bill determines that families with incomes of $7,000 are entitled to housing assistance. It is even possible, under one interpretation of the language of the bill, to aid families with incomes of $10,000. The bill involves considerable competition with the private sector of the economy for financing, labor, and materials. The bill proposes to complete 6 million housing units in a fraction of the time our existing housing program has produced little over 10 percent of this figure.

The results will be chaotic. The inflationary pressures generated by this program will strike hardest at rural America. There are simply not enough tax dollars to carry out the long-range aims of this ill-devised program. It has been estimated that overall costs necessary to implement the Kerner Commission recommendations might exceed a trillion dollars. Most adding machines will not even record that many zeros.

I continue to emphasize that the solution to housing problems must lie with upgrading the lot of individual Americans. Our economy must be strengthened to meet new challenges. It must not be weakened by inflationary Federal spending programs. The full cooperation and resources of the private sector must be utilized effectively and efficiently. Job training programs must be developed under private industry's leadership. Job opportunities must be created, cataloged, publicized, and filled. Proposed administration programs offer little incentive to the individual to better his own lot. If opportunities are upgraded, families begin to prosper and can do much for themselves which the Federal Government now proposes to do for them.

CALL OF THE HOUSE

Mr. WYDLER. Mr. Speaker, I make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

Mr. ALBERT. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 237]

Bell
Brademas
Brown, Calif.
Cederberg
Cramer
Edwards, La.
Everett
Evins, Tenn.
Halleck
Hansen, Idaho
Hardy
Hawkins
Karsten
Landrum
Leggett
McCulloch
McMillan
MacGregor
Minshall
Moore
Pickle
Resnick
Rivers
Tunney
Van Deerlin
Waggonner

The SPEAKER. On this rollcall, 407 Members have answered to their names, a quorum.

By unanimous consent, further proceedings under the call were dispensed with.

PERMISSION FOR COMMITTEE ON RULES TO FILE CERTAIN PRIVILEGED REPORTS

Mr. COLMER. Mr. Speaker, I ask unanimous consent that the Committee on Rules may have until midnight tonight to file certain privileged reports.

The SPEAKER. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

HOUSING AND URBAN DEVELOPMENT ACT OF 1968

Mr. PATMAN. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the further consideration of the bill (H.R. 17989) to assist in the provision of housing for low- and moderate-income families, and to extend and amend laws relating to housing and urban development.

The SPEAKER. The question is on the motion offered by the gentleman from Texas.

The motion was agreed to.

IN THE COMMITTEE OF THE WHOLE

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the further consideration of the bill H.R. 17989, with Mr. PRICE of Illinois in the chair.

The Clerk read the title of the bill.

The CHAIRMAN. Before rising on yesterday the Committee agreed that title IV, ending on page 107, line 22, of the bill would be considered as read and open to amendment at any point. Are there further amendments to title IV?

Mr. FINO. Mr. Chairman, I ask unanimous consent that we revert to title III.

The CHAIRMAN. The gentleman requests unanimous consent to revert to title III. Is there objection to the request of the gentleman from New York?

There was no objection.

AMENDMENT OFFERED BY MR. FINO

Mr. FINO. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. FINO: On page 81, line 2, delete the words "that are applicable" and substitute therefor "without regard."

Mr. FINO. Mr. Chairman, I will not take the time to go into great detail about this amendment. It is a technical and perfecting amendment. Its sole purpose is to strengthen the prevailing wage provisions applicable to the new supplemental insurance program. The new language with this technical change will make sure that the prevailing wage requirements of section 212 are not bypassed, as the old language would permit.

Mr. BARRETT. Mr. Chairman, we have no objection to the amendment and it is agreeable to this side.

The CHAIRMAN. The question is on the amendment offered by the gentleman from New York [Mr. FINO].

The amendment was agreed to.

AMENDMENT OFFERED BY MR. REUSS

Mr. REUSS. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. REUSS: On page 107, after line 22 add the following:

"RELOCATION PAYMENTS

"SEC. 415. Section 114(c) of the Housing Act of 1949 is amended—

"(1) by striking out the first sentence of paragraph (2) and inserting in lieu thereof the following: 'In addition to any amount under paragraph (1), a local public agency may pay to or on behalf of any displaced family, displaced individual sixty-two years of age or over, or displaced handicapped individual, monthly payments over a period not to exceed twenty-four months in an amount not to exceed $500 in the first twelve months and $500 in the second twelve months to assist such displaced family or individual to secure a decent, safe, and sanitary dwelling.'

"(2) by striking out 'relocation adjustment' in the second sentence of paragraph (2) and inserting in lieu thereof 'additional'.

"(3) by striking out the second proviso in paragraph (2) and inserting in lieu thereof the following: '*Provided further*, That additional payments under this paragraph may be paid on a lump sum or other than monthly basis in cases in which the small size of the payments that would otherwise be required do not warrant a number of separate payments or in other cases in which other than monthly payments are determined warranted by the Secretary: *And provided further*, That no payment received under this paragraph shall be considered as income for the purpose of determining the eligibility or the extent of eligibility of any person for assistance under the Social Security Act or any other Federal Act.'

"(4) by inserting a new paragraph (3) as follows:

"'(3) In addition to any amount under paragraph (1), a local public agency may make a payment to a displaced family or individual, who does not receive the additional payment authorized under paragraph (2) and who is the owner of real property which is acquired for a project assisted under this title and which is improved by a single- or two-family dwelling occupied by the owner for a period of not less than one year prior to the initiation of negotiations for the acquition of such property. Such payment, not to exceed $5,000, shall be an amount which, when added to the acquisition payment, equals the average price required for a decent, safe, and sanitary dwelling of modest standards adequate to size to accommodate the displaced owner, reasonably accessible to public services and places of employment and available on the private market: *Provided*, That such payment may be made only to a displaced owner who purchases and occupies a dwelling within one year subsequent to the date on which he is required to move from the dwelling acquired for the project: *Provided further*, That no such payment may be made if the owner-occupant receives a payment required by the State law of eminent domain which is determined by the Secretary to have substantially the same purpose and effect as this paragraph and to be part of the cost of the project for which Federal financial assistance is available.'."

Mr. REUSS (during the reading). Mr. Chairman, the minority has been supplied with copies of this amendment, and I ask unanimous consent that the amendment may be considered as read and printed in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

Mr. REUSS. Mr. Chairman, I can quickly explain this amendment. It relates to relocation payments and would do for relocation caused by urban renewal and public housing what this body and the other body did earlier this month with respect to relocation payments for relocation caused by the Federal-aid highway program.

It does this in two particulars.

For homeowners, it provides that when a homeowner is displaced by an urban renewal or public housing program, a payment of up to but not exceeding $5,000 may be made which when added to the acquisition price paid for his home equals the average price for an adequate replacement home in his community.

Its purpose is to alleviate the very real hardship suffered by lower income homeowners who are displaced as a result of acquisition activities. Frequently they are elderly or have very limited incomes, and they are unable to buy or anywhere near buy a replacement home for that from which they have been displaced.

The amendment, which has the approval of the Department of Housing and Urban Development, would permit the payment of up to $5,000 if that is what is needed to enable the person to buy a replacement home. For example, if the old home was sold or condemned for $5,000 and if a comparable replacement home costs $12,000, the one displaced would be reimbursed to the extent of an additional $5,000, so that his out-of-pocket costs would be $2,000. That is precisely what was done in the case of the highway and expressway program.

The other provision has to do with those occupants who are displaced and who are renters. The present law gives them $500 for 1 year to meet the housing payments on a new rental structure. Under the amendment they would be given $500 each year for 2 years, or an additional $500 if that is what is needed, so that when added to 20 percent of their annual income it equals the average annual rental for adequate replacement housing.

This is less generous than the provision we adopted for highway displacement, where we provided $1,500 for a 2-year period. This provides only $500 a year for 2 years, or $1,000.

The two amendments are needed to assure that the benefits provided for displaced families and individuals under HUD programs will be consistent with those to be provided under the Federal highway program.

The minority has been furnished with a copy of this amendment. I have the impression that there is no objection to it.

Mr. WIDNALL. Mr. Chairman, will the gentleman yield?

Mr. REUSS. I yield to the gentleman from New Jersey.

Mr. WIDNALL. I should like to clear the record. I believe the gentleman said that this is less generous than the Federal highway program. It is more generous than the Federal highway program, is it not?

Mr. REUSS. Would the gentleman restate the question?

Mr. WIDNALL. I believe the gentleman said the amounts involved are less generous than those given under the Federal highway program; is that true?

Mr. REUSS. That is what I said. As for homeownership they are identical, $5,000 in either case. As for rental, they are less generous, in that the highway relocation program adopted by this body and the other body earlier this month provides for $1,500 payment over a 2-year period, whereas my amendment provides for only a $1,000 relocation payment over a 2-year period.

Mr. WIDNALL. I thank the gentleman. This is satisfactory so far as the minority is concerned.

Mr. TIERNAN. Mr. Chairman, will the gentleman yield?

Mr. REUSS. I yield to the gentleman from Rhode Island.

Mr. TIERNAN. I thank the gentleman for presenting the amendment. I believe it is needed.

Mr. Chairman, I rise today in support of H.R. 17989, the Housing and Urban Development Act of 1968.

A slum has many elements, part of which is to be found in its physical appearance. Certainly this legislation before us today will not by itself solve the problem of slums in this country, but I do believe that it will assist in the effort to change our slums of despair into neighborhoods of hope.

Can we afford to offer hope in the fields of education and job opportunities and disregard the decay of spirit and life itself in the rat-infested ghetto? I think not. The problem which we are dealing with has no bounds. It is not restricted to one area or one color. It involves white people as well as black people, rural people as well as urban people.

The common characteristic of all slums is that it directly affects children more than anyone else. One-half of the poor are 21 or younger; 71 percent of all poor families have four or more children. How can we expect the youth of today to grow up respecting the law and its institutions when we seemingly disregard the jungle in which too many are forced to live? It is something to think about.

I would like to comment on a few of the excellent features of the bill. First and foremost, this bill is aimed at helping the poor to help themselves. It allows for the slum dwellers to rebuild their own neighborhood. H.R. 17989 contains provisions which call for increased employment opportunities for lower income persons in connection with these projects. The pride of accomplishment and the dignity which accompanies homeownership and its proper maintenance can eventually be transferred into a desire for accomplishment in other fields.

What we need is a renovation of slum areas, not just a removal of slum houses. But renovation all too often puts rental fees out of the reach of the poor. This is why the homeownership interest subsidies, the rental and cooperative housing interest subsidies, and the rent supplement programs which are contained in this bill are so important. What good does it do to help the poor clean up the physical aspect of their surroundings if it raises the rental fees so that the poor can no longer afford to live there? We are trying to help eliminate slums, not shuffle them around or transfer them to another neighborhood.

One of the basic goals of the Housing and Urban Development Act of 1968 is to encourage the involvement of private industries in financing the proposed housing projects. It continues the emphasis of the past few years of increased reliance on private sponsorship and the participation of private enterprises in the financing and construction of housing. The Federal Government is seen as a last resort, following private and State contributions. This puts the seat of control on the local level. By involving private and State organizations first, it is also hoped that some of the redtape and cumbersome procedural requirements will be eliminated.

H.R. 17989 also provides Federal reinsurance programs in areas affected by floods and civil disturbances. Reinsurance losses would be shared by the insurance companies, the States, and the Federal Government. First of all, this bill provides that persons with property which is uninsurable because of physical hazards would be able to receive grants to bring their property up to reasonable underwriting standards. This would encourage local firms to insure these houses. Secondly, the Secretary of the Department of Housing and Urban Development would provide reinsurance to insurance companies for losses paid by them on claims resulting from riots or other civil disorders.

I do not believe that it is fair to punish a person who lives in the only area which he can afford by refusing to insure his home and his belongings. To deprive residents of the ghettos of proper insurance for small neighborhood business firms and retail outlets will only aggravate our problem of social unrest. To also deprive those who own or occupy well-maintained homes the insurance necessary for proper coverage will invite additional disturbances and the gravest of consequences. The insurance industry, as provided in this legislation, will pay premiums into a special national fund for the purpose of reinsurance in civil disorder areas.

This bill presents Congress with the opportunity to lead and to act in solving one of the greatest social problems that has ever confronted our Nation. The reinsurance feature of this bill is a positive step forward and I urge its acceptance.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Wisconsin [Mr. REUSS].

The amendment was agreed to.

AMENDMENT OFFERED BY MR. WILLIAMS OF PENNSYLVANIA

Mr. WILLIAMS of Pennsylvania. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. WILLIAMS of Pennsylvania: On page 96, line 10, make the comma after "$7,600,000,000" into a period and strike everything thereafter on lines 10 and 11.

Mr. WILLIAMS of Pennsylvania. Mr. Chairman, the way the particular section reads right now is:

Section 103(b) of the Housing Act of 1949 is amended by striking out everything in the first sentence after "exceed" and inserting in lieu thereof "$7,600,000,000, —

The part which I want to delete continues—

which amount shall be increased by $1,400,000,000 on July 1, 1969".

Out of this $7.6 billion, it is my understanding that for low rental housing units only something a little more than $5 billion has been expended. That means for fiscal year 1969, the year we are in at the present time, we have over $2 billion to spend.

I believe it behooves us to take another look at this program next year before we do any appropriating of money for fiscal year 1970. The fact of the matter is that most of this $2 billion which is available for expenditure right now has been authorized for quite some time. If we had been moving ahead with the development of low rental housing units as we should have been, we would have spent more than $5 billion.

My whole point is that we have more than $2 billion to spend this fiscal year on low rent housing units. Let us take another look at this program 1 year from now, to see what kind of progress has been made by the Department of Housing and Urban Development. Let us provide some incentive for them to get the job done. If results are obtained, then we can appropriate the $1.4 billion for fiscal year 1970.

Mr. BARRETT. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, the full urban renewal authorization provided in this bill is urgently needed. At the present time we have a backlog of 780 applications totaling $2.2 billion for the urban renewal program. Even with the funds becoming available this year, the applications will continue to come in. Hopefully the new neighborhood development programs will enable us to take care of a larger part of the backlog, but the full amount is still needed, particularly for use in connection with the model cities program.

Mr. Chairman, an amendment like this certainly is not in the best interests of the rehabilitation of these blighted and slum areas—areas which they call ghettos. Certainly nobody in this House would favor cutting out the urban renewal program in its entirety. That is exactly what this would do. I certainly hope that the Members will realize the harm this amendment would do if it were accepted. I hope the amendment will be defeated overwhelmingly.

Mr. WILLIAMS of Pennsylvania. Mr. Chairman, will the gentleman yield?

Mr. BARRETT. Yes. I will be glad to yield.

Mr. WILLIAMS of Pennsylvania. I would like to state that my amendment does not take one penny out of the urban renewal program. You just keep the full authorization in there through fiscal year 1969. The gentleman just made the statement that HUD has a backlog of applications which when financed will require the total amount of $2.2 billion. I am saying to you that, if we have that kind of a backlog in HUD, they are not doing their job because there are over $2 billion available now to fund these urban renewal programs. That is why my amendment will not take one penny out of this program, but, rather, will provide an incentive so that HUD can get busy and do this job and not have this tremendous backlog of funds. If they do the job, then we can authorize the $1.4 billion for fiscal year 1970.

Mr. BARRETT. I want to say this to the gentleman: I certainly respect him; he comes from the great State of Pennsylvania, but I do think that we should look into these amendments. The $200 million that the gentleman is speaking about is already committed. You would delay these programs no end. We are hopeful that we can move these programs along expeditiously. The longer you delay them the more costly they get.

Mr. ASHLEY. Mr. Chairman, will the gentleman yield?

Mr. BARRETT. I yield to the gentleman from Ohio.

Mr. ASHLEY. I would like to ask the gentleman a question. We have had in the last day or so all kinds of statements about hopes, aspirations, and the necessity of not exciting false expectations. What does the gentleman's amendment do? Does it not in effect say to the cities, "Yes, we have authorized the model cities program, we have authorized urban renewal, but do not look too far ahead, do not look to or plan for 1970, because, as a matter of fact, the action taken by the House has eliminated $500 million for model cities in 1970?" How are they supposed to take this kind of action? Are they meant to have confidence in the Federal establishment for the ongoing model cities program and are they supposed to use their planning abilities for urban renewal when we take this kind of action as proposed by the amendment of the gentleman? I just do not understand it.

Mr. WILLIAMS of Pennsylvania. Will the gentleman yield?

Mr. BARRETT. Of course; I yield to the gentleman.

Mr. WILLIAMS of Pennsylvania. I believe you know as well as I do that not one grant has been made under model cities or demonstration cities for other than planning purposes. Now, the amendment that I am proposing does not take one penny out of this program. This bill calls for $7.6 billion to be spent through fiscal year 1969. I am saying let us authorize that. Fine. Let us appropriate it, also. All I am saying is that HUD has had over $2 billion unexpended for the purposes for which Congress authorized this money. I am saying to you we have an agency that cannot move ahead with urban renewal. If they cannot move ahead with demonstration cities, let us give them something that will give them an incentive and which will produce results.

Mr. ASHLEY. The gentleman wants to be fair, I am sure, but——

The CHAIRMAN. The time of the gentleman from Pennsylvania has expired.

Mr. WIDNALL. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I shall not consume the entire 5 minutes. However, before we close the debate on title IV of the bill I would like to have the attention of the subcommittee chairman, the gentleman from Pennsylvania [Mr. BARRETT], and if possible the attention of the gentleman from Wisconsin [Mr. REUSS], as well as the gentleman from Tennessee [Mr. BROCK].

Mr. Chairman, one of the most far-reaching provisions is contained in section 413, a section that deals with low- and moderate-income housing in residential urban renewal areas.

Section 413 amends and, in effect, repeals section 105(f) that the House enacted in 1949 to provide that, of the total number of housing units provided in all of the approved urban renewal projects in any community which are to be redeveloped for predominantly residential uses, a majority must be standard housing units for low- and moderate-income families or individuals with at least 20 percent of such total number being for low-income families or individuals only.

Mr. Chairman, I would like to establish a little legislative history on this very important section of the bill.

Would the gentleman from Wisconsin [Mr. REUSS] and the gentleman from

Tennessee [Mr. BROCK] who worked with me on this section, agree that section 413 represents the clear and unmistakeable intent of the committee to insist that hereafter far more low- and moderate-cost housing be produced in residential urban renewal areas than has been the experience to date?

Mr. BROCK. Mr. Chairman, if the gentleman will yield, I would like to say that in my opinion that is my understanding of the matter as it was considered in the committee.

Mr. REUSS. Mr. Chairman, will the gentleman yield?

Mr. WIDNALL. I yield to the gentleman from Wisconsin.

Mr. REUSS. I, too, absolutely confirm the interpretation of the gentleman from New Jersey, and commend him on his initiative in getting this very clear provision in the statute, so that the Department of Housing and Urban Development may have no misapprehensions about it.

Mr. WIDNALL. Would the gentleman from Pennsylvania, the distinguished chairman of the Housing Subcommittee, agree that with enactment of section 413 the Congress will be on record that future residential urban renewal projects must concentrate on producing low- and moderate-cost housing, as opposed to continued concentration on high-income residential luxury high-rise apartments?

Does the gentleman from Pennsylvania agree on that?

Mr. BARRETT. Yes, I do.

Mr. WIDNALL. Does the gentleman from Wisconsin agree that section 413 further represents the disappointment of the committee in the administration and administrative definition of the word "substantial" in my amendment 2 years ago, where "substantial" was defined as being as little as 20 percent?

Mr. REUSS. I would agree with the gentleman.

Mr. WIDNALL. Does the gentleman from Pennsylvania agree to that?

Mr. BARRETT. Yes.

Mr. WIDNALL. Would the gentleman from Pennsylvania, the distinguished chairman of the Housing Subcommittee, agree that with enactment of section 413 the Congress will be on record that future residential urban renewal projects must concentrate on producing low- and moderate-income cost housing, as opposed to continued concentration on high-income residential luxury high-rise apartments?

Mr. BARRETT. I certainly agree with the gentleman from New Jersey on that, and I want to say this also. I want to say there has been no harder worker to achieve this goal than the distinguished gentleman from New Jersey. The gentleman has worked exhaustively for years on this bill, hoping to get a number of the houses in the urban areas for the low- and moderate-income families, and still accomplish this objective, that the majority of the housing should go to the low- and moderate-income families. He has established that 20 percent of this money would go to the low-income families. I think the gentleman has done a good job along this line and it is my opinion that we have worked harmoniously in this committee to accomplish this purpose.

Mr. WIDNALL. Mr. Chairman, would the chairman of the subcommittee agree that, based on past experience, the Congress and particularly our committee, should be supplied with annual reports on the experience and implementation of section 413 and given that assurance I shall not have to offer an amendment to section 413 along those lines before we finish work on title IV?

Mr. BARRETT. Mr. Chairman, I agree with the gentleman.

Mr. WILLIAMS of Pennsylvania. Mr. Chairman, will the gentleman yield?

Mr. WIDNALL. I yield to the gentleman from Pennsylvania.

Mr. WILLIAMS of Pennsylvania. I certainly believe that the distinguished gentleman from New Jersey has made some very valid points, but the very fact that a request has to be made for updated information in order to determine whether or not Housing and Urban Development is living up to the intent of Congress bears out my contention that since HUD has over $2 billion to spend for the very purposes we are talking about here, during fiscal 1969, that we should certainly defer the 1970 authorization until we receive the necessary reports to see whether or not they are doing the job.

The CHAIRMAN. The time of the gentleman from New Jersey has expired.

The question is on the amendment offered by the gentleman from Pennsylvania [Mr. WILLIAMS].

The question was taken; and the Chair announced that the noes appeared to have it.

Mr. WILLIAMS of Pennsylvania. Mr. Chairman, I demand tellers.

Tellers were refused.

So the amendment was rejected.

The CHAIRMAN. Are there further amendments to title IV?

AMENDMENT OFFERED BY MR. BROCK

Mr. BROCK. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. BROCK: On page 101, beginning in line 24, strike out "for each fiscal year such amounts as may be necessary" and insert in lieu thereof "not to exceed $100,000,000 for each fiscal year."

Mr. BROCK. Mr. Chairman, the language in this bill represents one of the real problems that this Congress faces in its continuing desire to accept its responsibilities as a legislative body, because we are authorizing in the language, as it is written, the appropriation of "such amounts as may be necessary."

I would like to find out how much money that is. I do not believe any Member of this body can give me an accurate figure, nor do I believe any House of Representatives can live up to its responsibilities by making such an open-end authorization.

Therefore I am suggesting that we put a specific dollar limit of $100 million on this program on an annual basis for rehabilitation loans.

Specifically, in this particular section it allows the Secretary, after he has gone in and found that a particular home can receive a grant of $3,000, if that is not enough money, he can make an additional loan of up to $10,000 for a private home.

Mr. Chairman, I do believe that there should be some limit on the quantity of Federal funds that we involve in this particular program, and I very simply suggest a $100 million ceiling.

Mr. Chairman, I yield back the balance of my time.

Mr. PATMAN. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, the gentleman from Tennessee, a very distinguished and able member of our committee—and we appreciate his services—presented this amendment to the Banking and Currency Committee, and we considered it thoroughly and defeated the amendment because we did not think it was in the public interest.

We have four Members opposing this bill in committee, and two of those Members are taking up a lot of time now going over the same things that they did in the committee—which is perfectly all right—they have a right to do that and their views are entitled to be heard and this House should consider it.

But I just want to say I feel like those who are opposed to the bill anyway and who are trying to defeat it will possibly be in the position of wanting to weaken the bill if they cannot defeat the purpose of it and we will have many efforts made to weaken this bill and to make it ineffective.

Mr. Chairman, this is a good housing bill. If we are for shelter in this country—shelter is just as important as food and clothing and for family life it is very, very important.

In order to have shelter in this bill for the people who are entitled to decent housing, this bill is absolutely necessary and any time we begin to weaken it here and there and in other ways, we are just making it impossible for the administrator of this good law, if it were to become a law, to do a good job and provide housing for the people who are entitled to decent housing in the United States.

I do not say that we should not consider everything that the opponents of the housing legislation claim or contend. But I think it is well to remember that the surgeon who wields a knife should want the patient to live. We have some surgeons on this bill who are attempting to wield the knife but who do not want the patient to live.

I just hope that the House will keep in mind and consider that the committee has done a hard job on this bill. They have worked over a period of weeks—a period of months. The gentleman from Pennsylvania, the distinguished gentleman [Mr. BARRETT], chairman of the Housing Subcommittee of the Committee on Banking and Currency, had hearings lasting weeks—4 weeks. Then after that the full committee had hearings as we normally do on a bill of this importance, and we had 14 long days and we discussed every part of this bill, every paragraph, every comma, every semicolon and every period. We went over it thoroughly.

I just regret very much that those who are opposed to the housing bill and who are opposed to housing legislation continue to delay the passage of this bill which is so vital and so important to our economy at this particular time.

Mr. BROCK. Mr. Chairman, will the gentleman yield?

Mr. PATMAN. I yield to the gentleman.

Mr. BROCK. I just would like to ask the chairman of the committee how much money was spent in the past on this particular program?

Mr. PATMAN. I do not have those figures, but if the gentleman has them, I will accept it.

Mr. BROCK. If I am correct, I believe it is less than $50 million.

Mr. PATMAN. Well, anyway, this is just a matter of writing restrictions and limitations that are not necessary. In other words, we are giving a good program to the administrator but we would be hog-tying him all the way through.

Mr. BROCK. If the gentleman will yield further, if that philosophy were to apply, then what reason is there for our existence as a legislative body? Why do we not just turn over our functions to the Executive and he can get rid of the taxpayers' money?

Mr. PATMAN. No, there were only four Members who opposed this bill, and you happen to be one of them.

Mr. BROCK. Yes, I am opposed to this bill and this section illustrates one basic reason.

Mr. WILLIAMS of Pennsylvania. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I would like to say to the distinguished chairman of the Committee on Banking and Currency, the gentleman from Texas, that he certainly is entitled to his opinion.

Yesterday I was quite amazed to hear some of the intemperate remarks made about the State of Tennessee.

I was very much surprised this afternoon to hear the distinguished gentleman from Tennessee [Mr. Brock] being described as someone who is trying to kill this bill. In the year and a half that I have had the pleasure of serving on the Banking and Currency Committee I think that Mr. Brock has made some very fine contributions to all the bills and all the measures that have been considered by that committee. I do want to say that the only thing Mr. Brock's amendment does is place a ceiling on expenditures. On many occasions this Congress has indicated clearly that they are against open-ended expenditures without any ceiling or any limitation. I think the only logical thing to do is to adopt Mr. Brock's amendment.

We have already heard testimony on this same program that we have been spending only $50 million a year. The amendment would permit $100 million a year to be spent, or double the outlay. I think it is a very good amendment.

AMENDMENT OFFERED BY MR. ST GERMAIN TO THE AMENDMENT OFFERED BY MR. BROCK

Mr. ST GERMAIN. Mr. Chairman, I offer an amendment to the amendment offered by the gentleman from Tennessee [Mr. Brock].

The Clerk read as follows:

> Amendment offered by Mr. St Germain to the amendment offered by Mr. Brock: Substitute the figure of "$150 million" for "$100 million."

The CHAIRMAN. The gentleman from Rhode Island is recognized.

Mr. ST GERMAIN. Mr. Chairman, in the present legislation we are expanding the scope of loans as well as grants, and, as has been pointed out in the debate on the amendment, $150 million would seem adequate at the present time in view of the amounts that have been utilized up to the present time. Nevertheless, this is a 4-year situation. There are those of us on the committee who feel that we would no doubt require a change within the next few years if we would go to $100 million, and I am asking the gentleman from Tennessee if he would at this time agree to the $150 million figure.

Mr. BROCK. Mr. Chairman, will the gentleman yield?

Mr. ST GERMAIN. I yield to the gentleman from Tennessee.

Mr. BROCK. I would like to point out that this is a revolving fund made available to the Secretary for use at his discretion, and a 4-year input of $150 million a year amounts to $600 million. It seems to me that that is, given the present level of program development and the present capacity of HUD to administer this program, considerably in excess of need. I wonder why the $100 million is not acceptable on the simple premise that it is certainly more than adequate for this year and the following year.

If 2 years hence this program comes up for renewal and we see an additional need, we could at that time provide what is needed. I wonder why we need to put $150 million in the bill when there is no obvious or current need. There is no stated need, according to the Secretary.

Mr. ST GERMAIN. I think the need is obvious. The need is apparent. If this legislation goes forward as we hope it will, we will be expanding our activities, and certainly I think the gentleman would agree with me that this in actuality is the best program we have and one of the most beneficial ones because it will avoid the necessity for replacing a great many homes in the future.

Certainly, as opposed to an open end as written—"such sums as may be required"—we are putting a ceiling on. If it is not used, fine. But if it is needed, let us have it ready and waiting for this purpose.

Mr. BROCK. If the gentleman will yield further, I am very grateful for his endorsement of the concept, and I appreciate that very much. I simply question whether or not we need to put this amount of money in at the present time, but, if $150 million is the best I can get in opposition to the very open end appropriation, obviously I would prefer some limit. I appreciate the gentleman's suggestion on that very much.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Rhode Island [Mr. St Germain] to the amendment offered by the gentleman from Tennessee [Mr. Brock].

The amendment to the amendment was agreed to.

Mr. GROSS. Mr. Chairman, I would like to address a question to the distinguished gentleman from Tennessee with respect to the cost of this bill. Yesterday, the gentleman from North Carolina [Mr. Jonas] projected a 40-year cost of, I believe, $50 billion. What is the immediate fiscal year cost of this bill? I do not seem to be able to find it in the report.

Mr. BROCK. Mr. Chairman, we have a total authorization in the bill of $6,400,000,000, and the budget estimate for 1969 is $900 million in authority. To be perfectly honest, I cannot answer the question of the gentleman, because the bill is very loose. I do not know if there is any way to give the gentleman a specific figure with the bill as written.

Mr. GROSS. Is that because this is an open end, come-and-get-it bill?

Mr. BROCK. There is a great deal of open end in the bill, and there is also a question as to when the money is going to be spent, and the number of years for which we are obligating ourselves in the various contract authorizations.

Mr. GROSS. This huge expenditure will entail the employment of additional personnel, I assume?

Mr. BROCK. There is no question about that, and as a matter of fact, in the bill itself there is a provision for additional employees for the Secretary.

Mr. GROSS. I thank the gentleman for his response. I was afraid that would be the answer I would get, that no one seems to know what the cost of this monstrosity is going to be. And that is not to reflect on the gentleman from Tennessee, who has been doing yoeman work in trying to put some sanity in this bill.

Mr. PATMAN. Mr. Chairman, will the gentleman yield?

Mr. GROSS. Mr. Chairman, I am certainly going to yield to the gentleman from Texas in just a minute; but first I want to point out that yesterday I raised some question about the defective nature of the report that accompanies this bill. If the gentleman will wait just a minute, he will get his chance to answer.

The gentleman ought to be aware of Public Law 801 from which I will quote briefly. Section 11 of Public Law 801 says:

> Each report, recommendation, or other communication, of an official nature, of any department, agency, or independent establishment of the executive branch of the Federal Government (including any corporation wholly owned by the United States) which—
>
> "(1) relates to pending or proposed legislation which, if enacted, will entail an estimated annual expenditure of appropriated funds in excess of $1,000,000 * * *
>
> shall contain a statement, with respect to such department, agency, independent establishment, or corporation, for each of the first five fiscal years during which each such additional or expanded function, activity, or authority so proposed or recommended is to be in effect, disclosing the following information:
>
> "(A) the estimated maximum additional—
>
> "(i) man-years of civilian employment, by general categories of positions,
>
> "(ii) expenditures for personal services, and
>
> "(iii) expenditures for all purposes other than personal services * * *

I have read this report to the best of my ability, and I find not one scintilla of evidence that the Banking and Currency Committee made the slightest effort to conform to the requirements of Public Law 801. If there is any such evidence in the report, will the gentleman please point it out to me? The gentleman now has his opportunity to do it.

Mr. PATMAN. Mr. Chairman, I thank the gentleman very much. I cannot tell the gentleman anything he does not know, because the gentleman is a very able Member of this House and well informed.

Mr. GROSS. Mr. Chairman, I thank the gentleman.

Mr. PATMAN. That is the truth. But now remember, on this bill the House has plenty of protection in this for the reason that this is not appropriating money, as the gentleman knows. It is not appropriating money. Not a dollar of money can be spent when this bill is passed by reason of the passage of this bill.

It will require an appropriation by the Committee on Appropriations. The Committee on Appropriations will take it up.

Mr. GROSS. Let me interrupt the gentleman right there to read the first sentence of Public Law 801, section 11: "Each report, recommendation, or other communication, of an official nature, of any department, agency, or independent establishment of the executive branch of the Federal Government," and so forth.

Where in the committee report is there any report or communication from the executive branch of Government?

Mr. PATMAN. The point is we are merely authorizing the appropriation. The Appropriations Committee will have hearings, and it will determine the need and the desirability.

The CHAIRMAN. The time of the gentleman from Iowa has expired.

(By unanimous consent, Mr. GROSS was allowed to proceed for 3 additional minutes.)

Mr. GROSS. I do not seem to be able to get through to the gentleman that the agencies downtown are mandated by law to provide him with an estimate of manpower needs, but no such estimate from any agency or department of Government is provided in the report.

Mr. PATMAN. Since you are not willing to be patient enough for me to give you a full answer, I will give you a brief answer.

Mr. GROSS. That will be the day, when you give me a brief answer.

Mr. PATMAN. You are a Member of the House of Representatives here, right here and now, and you are protected. If that report is not correct, you can make a point of order on this whole bill and send it back to the committee. The Ramseyer rule is a very fair rule.

Mr. GROSS. Does the gentleman remember that he went to the Rules Committee and got points of order waived for the consideration of this bill? What are you talking about?

Mr. PATMAN. Of course, that would be if we did not have the points of order waived. We had the points of order waived for the reason that oftentimes, in 180 pages of an Ramseyer rule presentation, there might be a period left out, or a comma, or a word misspelled or something like that and, of course, a point of order should not prevail. There is too much of a risk on a 340-page bill, including 180 pages of the Ramseyer rule.

Mr. GROSS. You had points of order waived on this bill because, among other things, you knew you were not conforming to Public Law 801.

Mr. PATMAN. No, we did not have that in mind.

Mr. GROSS. Just a minute. You received a communication from the chairman of the Manpower Subcommittee of the Post Office and Civil Service Committee last November reminding you that there is in existence Public Law 801, and you paid not the slightest attention to the fact that there is such a statute.

Mr. PATMAN. That is the first information I have had that he communicated with me. I have no recollection of it. If he did, I certainly did not receive it.

Mr. GROSS. It is convenient to forget some things.

Mr. PATMAN. This House is protected, because the appropriation has yet to be made.

Mr. GROSS. This is not confined to appropriations. This says "each report," and pertains to any bill involving an expenditure of more than $1,000,000. It absolutely is not limited to appropriation bills.

Mr. O'HARA of Michigan. Mr. Chairman, will the gentleman yield?

Mr. GROSS. I yield to the gentleman from Michigan.

Mr. O'HARA of Michigan. The gentleman does not contend that Public Law 801 prevents the House from considering a bill the report on which does not contain the information referred to in Public Law 801?

Mr. GROSS. Certainly a point of order could have been lodged against the consideration of the bill if the chairman had not gone to the Rules Committee and gotten all points of order waived. Of course any Member could have made a point of order in the absence of that rule.

Mr. PATMAN. The gentleman wants the House to pass the bill, I assume. If he does, why not expedite the bill?

Mr. GROSS. No; I do not want this monstrosity. But that is beside the point.

I say to you that you deliberately went before the Rules Committee to get points of order waived for this and other reasons.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Tennessee [Mr. BROCK], as amended.

The question was taken; and on a division (demanded by Mr. BROCK) there were—ayes 48, noes 34.

So the amendment was agreed to.

AMENDMENT OFFERED BY MR. BROCK

Mr. BROCK. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. BROCK. On page 104, after line 13, add the following new subsection:

"(e) Section 312(a) of such Act (as amended by the preceding provisions of this section) is amended by adding at the end thereof the following new sentence: 'Notwithstanding the preceding provisions of this subsection, no loan shall be made under this section to any person whose annual income, as determined pursuant to criteria and procedures established by the Secretary, exceeds $7,500.' "

Mr. BROCK. Mr. Chairman, I can explain this very briefly. Yesterday this body put a ceiling on the amount of income that people could have in order to receive help under the homeownership program and the rent supplement program of 130 percent of the level, in the given area, of low-income housing or public housing. This particular section deals with a rehabilitation program which has done in some areas a great deal of good. It works like this: If an area is defined by the Secretary as being qualified, an individual in that area can receive a $3,000 grant to rehabilitate his home. If that is not adequate and if he is qualified, he can receive up to a $10,000 loan.

The problem is that this bill places no strictures on the Secretary whatsoever in granting a loan. He can define a geographical area and give loans to virtually everybody in that area. I would suggest again, in the interests of rifle shooting this bill into the area of need, into the low-income families, that we need to preclude high-income participation, just to require and enforce the intent of this body that the bill be designed to benefit those who need the help.

Mr. PATMAN. Mr. Chairman, will the gentleman yield

Mr. BROCK. Yes. I am glad to yield to the chairman.

Mr. PATMAN. I am in sympathy with what the gentleman has in mind, but I can conceive of cases of extra large families in high-priced, high-rent, and high-ownership districts where it is possible it could be more than that. Why not leave things like that again to the administrator? You just cannot put all of these restrictions and limitations in this bill and have a law that can be enforced equally and justly. Do you not think that is something that should certainly be in the hands of the administrator and not have us require him to engage in a lot of redtape?

Mr. BROCK. I am sympathetic with the chairman's point of view and hesitate to remind him of the performance, or the lack of it, of the Secretary in the last several years. This Congress, as was pointed out yesterday, year after year has imposed restrictions on the Secretary to force him to put money through urban renewal and other programs into the low-income areas. He has consistently refused to accept the leadership or the instructions of the Congress.

Mr. PATMAN. Mr. Chairman, in the interest of trying to get through today, I am willing to accept this amendment and let it go to conference.

Mr. BROCK. The chairman is very gracious, and I yield back the balance of my time.

Mr. OTTINGER. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I would like to ask the chairman of the committee a question with respect to the last amendment. Do these rehabilitation loans go to the tenants or the landlords?

Mr. PATMAN. Mr. Chairman, will the gentleman yield?

Mr. OTTINGER. I yield to the gentleman.

Mr. PATMAN. I do not know about

that. That is not involved in this. Obviously it has to go to the landlord.

Mr. OTTINGER. Therefore, a restriction on the landlord does not make much sense.

Mr. PATMAN. Anyway, we will put this together in conference.

Mr. OTTINGER. I think that we should oppose the amendment.

Mr. WIDNALL. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise in support of the amendment offered by the gentleman from Tennessee.

As the original author of section 312, rehabilitation loans, I can say without hesitation that the program never was intended to supply loan capital to those who otherwise could well afford to borrow money through normal commercial lending channels. On page 155 of the printed hearings on this year's bill, I inserted a letter dated October 25, 1967, to me from the deputy coordinator from the city of Philadelphia. The letter stated:

> I have checked the key paragraphs concerning the definition of persons eligible to receive direct loans under Section 312 of the Housing Act of 1964. You will note that the change in policy which permits the extension of these loans to any one unable to procure such a loan on the private market at comparable terms (i.e., 3%) was not a matter of administrative policy. It was rather the result of a change in the legislation passed in 1965. The directive letter makes it very clear, however, that on this basis the direct loans *will be made available to anyone within the area, without regard to income.*

The letter further stated:

> These loans are now available to investor owners of residential properties who are non residents and to the owners of commercial property. For non residential rehabilitation, the loans can go up as high as $50,000.

Secretary Weaver when asked for the charteristics of section 312 rehabilitation loans, indicated that through January 31, 1968, there were 2,948 loans on residential properties totaling $15,704,850 for the rehabilitation of 4,667 dwelling units. A sample group of 361 loans indicated that the annual income of recipients of these loans in nearly half the cases exceeded $7,500.

While I continue to strongly believe in the purposes of the program—namely, to upgrade existing residential structures in urban renewal or code enforcement areas, I certainly agree that an effort should be made to insure that some limit be placed on the income of the recipients of these subsidized loans. I think $7,500 per year is a fair figure and one that the House should adopt.

I urge support for the Brock amendment.

Mr. PATMAN. Mr. Chairman, will the gentleman yield?

Mr. WIDNALL. I yield to the gentleman from Texas.

Mr. PATMAN. The gentleman from New Jersey is in sympathy with the amount of $7,500. I am in sympathy with it too. We went up to these limits in order to provide for such conditions where they are absolutely necessary. I can conceive of exceptional cases where it would be necessary, possibly. That is the only reason I have suggested that the administration pass upon it and I respectfully request the distinguished gentleman from New Jersey [Mr. WIDNALL] to help us with this amendment.

Mr. OTTINGER. Mr. Chairman, will the gentleman yield?

Mr. WIDNALL. I yield to the gentleman from New York.

Mr. OTTINGER. Mr. Chairman, I have the highest respect for the ranking minority member on the Committee on Banking and Currency but we just do not understand this. The recipients of these loans would be some housing corporation or some individual or landlord who because of economic conditions or because of his recalcitrance to rehabilitate these housing units, did not perform those duties. I do not see the connection between the income level and what we are trying to do here. The people who can well afford to assume the existing obligation are people whose income is such that they really should not participate in this type of operation at all.

Mr. BARRETT. I think this side has agreed to adopt the amendment and I hope the House will accept it.

AMENDMENT OFFERED BY MR. REUSS TO THE AMENDMENT OFFERED BY MR. BROCK

Mr. REUSS. Mr. Chairman, I offer an amendment to the amendment offered by the gentleman from Tennessee.

The Clerk read as follows:

> Amendment offered by Mr. REUSS to the amendment offered by Mr. BROCK: Strike out "$7,500" and insert: "the limits prescribed by the Secretary for occupants of projects financed with below-market interest-rate mortgages involved (in the area involved) under section 221(d) of the National Housing Act".

Mr. REUSS. Mr. Chairman, I can explain my amendment to the Brock amendment briefly—and I may say that I have just shown it to Mr. BROCK, and I believe it is satisfactory to the gentleman from Tennessee [Mr. BROCK].

The original Brock amendment of a $7,500 limitation is a step in the right direction—there should be some limit on these 3-percent loans with regard to the income of the person who receives them. But $7,500 is an inflexible figure, inflexible in terms of costs and inflexible in terms of regions of the country.

The amendment which I have just offered to the Brock amendment would use the existing section 221(d)(3) limits, which are also related to a 3-percent subsidy. It enables the Administrator to exercise some regional discretion.

Mr. BROCK. Mr. Chairman, will the gentleman yield?

Mr. REUSS. I yield to the gentleman from Tennessee.

Mr. BROCK. Mr. Chairman, I thank the gentleman for yielding.

I would like to point out that I believe his amendment is constructive in that it does put specific income ceilings in, and it also allows the flexibility as to areas and various interest costs. I am happy to accept the amendment to my amendment. In many cases the amendment would result in less than $7,500, and in other areas it could be more than $7,500. I believe this is a reasonable solution.

Mr. REUSS. I thank the gentleman from Tennessee.

Mr. Chairman, I intend to vote for my amendment, and if my amendment is adopted then I will vote for the Brock amendment as amended.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Wisconsin [Mr. REUSS] to the amendment offered by the gentleman from Tennessee [Mr. BROCK].

The amendment to the amendment was agreed to.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Tennessee, as amended.

The amendment was agreed to.

The CHAIRMAN. Are there any further amendments to title IV?

AMENDMENT OFFERED BY MR. WILLIAMS OF PENNSYLVANIA

Mr. WILLIAMS of Pennsylvania. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

> Amendment offered by Mr. WILLIAMS of Pennsylvania: Strike all of the "INTERIM ASSISTANCE FOR BLIGHTED AREAS" from line 7 on page 105 through line 2 on page 107.

Mr. WILLIAMS of Pennsylvania. Mr. Chairman, I would like to call the attention of the Members, of course, to the fact that this section deals with the low rental housing units. Here on page 105 the statement is made:

> Notwithstanding any other provision of this title, the Secretary is authorized to enter into contracts (in an aggregate amount not to exceed $40,000,000 in any fiscal year)—

For the following purposes—and let me read to the Members these purposes:

The repair of streets, sidewalks, parks, playgrounds, publicly owned utilities and public buildings, and then it goes on to permit the establishment of temporary public playgrounds, the improvement of garbage and trash collection, street cleaning, and similar activities.

Mr. Chairman, I submit to you that everyone of the purposes for which this $40 million can be used is a direct responsibility of local government.

In virtually every municipality in this country the property owner is required to maintain the sidewalks. If the property owner does not do it, the municipal government does it and liens the property.

Furthermore, the maintenance of streets, parks, playgrounds, public utilities, and public buildings as well as the collection of trash and garbage and street cleaning are all functions of the local government.

If we appropriate this $40 million to be used for this purpose, all we are doing is encouraging inefficiency on the part of the local government or the municipal government. If they do not do the job that they are supposed to do and if they fail to meet their responsibility, then they are going to be coming here to the Federal Government asking for grants and I do not believe that this is the sort of thing that should be encouraged.

I think any money we have could much better be used for low rental housing units rather than to encourage inefficiency on the part of the municipal governments.

Mr. BARRETT. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, this amendment was defeated in the full committee.

This section of the bill was accepted in the Housing Subcommittee.

I do not think the gentleman really understands the benefit of this section known as the Interim Assistance for Blighted Areas. This section would authorize the Secretary to contract to make grants aggregating up to $40 million a year to cities or counties to assist them in taking interim steps to alleviate harmful conditions in slums or blighted areas of communities which are planned for substantial clearance, rehabilitation or federally assisted code enforcement in the near future, but which need some immediate public action until permanent action can be taken.

Mr. Chairman, this section, for example, would do away with the rat infested areas and do away with rat harborages.

We explained this to the gentleman in the subcommittee. It would rehabilitate the blighted areas to the extent that it would influence people who are living either contiguous or reasonably contiguous thereto from moving away from this area—thinking that this area is going to become a slum area. Rehabilitating the area through this approach would keep those people who are living contiguous or reasonably contiguous thereto, and would encourage them to rebuild and rehabilitate their homes in the areas in which they live.

This in the long run would save many, many dollars for the American taxpayers.

Mr. Chairman, this is the reason for this section of the bill, and I certainly think the Members of the House should sustain this section of the bill and so bring about a lesser expense in the future.

Mr. WILLIAMS of Pennsylvania. Mr. Chairman, will the gentleman yield?

Mr. BARRETT. I am glad to yield to my colleague, the gentleman from Pennsylvania.

Mr. WILLIAMS of Pennsylvania. In the gentleman's comment, he mentioned rat harborages. That is not covered in the section that I am trying to strike from this bill. Rather it is covered under demolition grants.

I want to say to you, there is no reason for any local government to permit the streets and sidewalks and playgrounds to fall into a deplorable condition.

There is no reason why every municipal government cannot tax so that they can have adequate garbage and trash collection and adequate street cleaning.

All we are trying to do is to place a premium on local government looking the other way and condoning inefficiency.

It can be done much cheaper at the local level than we can finance it at the Federal level. The gentleman's own city is a fine example of well maintained streets and sidewalks in every area of Philadelphia.

Mr. BARRETT. It does not have the money to rehabilitate the blighted areas.

Mr. WILLIAMS of Pennsylvania. We are not talking about rehabilitation. We are talking about municipal services.

Mr. BARRETT. Municipalities alone cannot undertake to rehabilitate these blighted areas. That is the purpose of having this provision in the bill. If they could, they would prevent these areas from deteriorating.

Mr. Chairman, I hope that we vote down the amendment. It is a very crippling amendment.

Mr. BLACKBURN. Mr. Chairman, I move to strike the requisite number of words.

The **CHAIRMAN.** The gentleman from Georgia is recognized for 5 minutes.

Mr. BLACKBURN. Mr. Chairman, in my humble opinion the only thing that this section would eliminate is $40 million a year from the Federal Treasury. I have a great fondness and respect for the chairman of the subcommittee, but I must confess that I was somewhat shocked at the broad ranging implications of his statement. To pretend to the American public that an expenditure of $40 million would rehabilitate the cities, eradicate rats, eliminate slums, and resolve other problems in our cities, is a grave delusion.

Furthermore, as my colleague from Pennsylvania has pointed out, there is no criteria as to which city would receive the $40 million or any part of that sum. I do not know that my city would receive any of it. There is no criteria as to what conditions have to exist to enable a city to receive one of these gifts of Federal money.

But even more dangerous in my mind is the precedent of allowing Federal funds to be used to pay the costs of continuing local services such as street cleaning and garbage collection. If local government is so impecunious or so inefficient that they are unable to establish a budget and a tax base upon which they can provide for these continuing needs, then local government needs drastic revision. Certainly we in Washington are not in a position to carry those loads for local governments.

Mr. HARSHA. Mr. Chairman, will the gentleman yield?

Mr. BLACKBURN. I am happy to yield to the gentleman from Ohio.

Mr. HARSHA. Can the gentleman tell me whether there would be any restriction on this proposed authorization, or is the $40 million authorization ad infinitum?

Mr. BLACKBURN. This is a $40 million authorization, which I suspect will be in every housing bill that comes up as long as the Congress exists. There is no limitation as to where it goes to or how much would go to a particular city.

Mr. HARSHA. Is it restricted to fiscal 1969?

Mr. BLACKBURN. No, it is not so restricted.

Mr. HARSHA. You mean that if we authorize this expenditure, we would authorize the expenditure for the next 20, 30, 40, or 50 years?

Mr. BLACKBURN. That is the case, yes.

Mr. PATMAN. Mr. Chairman, I ask unanimous consent that all debate on title IV and all amendments thereto expire in 15 minutes.

The **CHAIRMAN.** Is there objection to the request of the gentleman from Texas?

Mr. GROSS. Mr. Chairman, reserving the right to object, how many more amendments are there to title IV?

The **CHAIRMAN.** At the desk there are two additional amendments, but there may be other amendments.

Is there objection to the request of the gentleman from Texas that all debate on title IV and all amendments thereto close in 15 minutes?

There was no objection.

The **CHAIRMAN.** The Chair recognizes the gentleman from New York [Mr. FARBSTEIN].

Mr. FARBSTEIN. Mr. Chairman, I move to strike the last word.

Mr. Chairman, for the information of the gentleman on the other side of the aisle, the residents of New York City are not responsible for Federal income tax alone. They are responsible for State income tax, they are responsible for a sales tax, and they are also responsible for a New York City income tax of 5 percent. The gentleman must, therefore, realize that the various municipalities, who are practically bankrupt and are compelled to pay 5½ and 5¾ percent for money, are in pretty bad shape and need Federal assistance.

What happens in these situations? Buildings are demolished, and we have all sorts of breakage as a result of the demolition. Sidewalks are broken. All sorts of debris are located in the demolition area, and some assistance is needed to clear it up.

I suggest the Federal assistance is required in order that new low-cost housing can be built in this area, and, unless there is assistance by the Federal Government, the various municipalities, who are perhaps not even in as bad shape as New York City, will require this assistance. We will be doing great disservice to the various municipalities if we deprive them of this assistance.

The **CHAIRMAN.** The Chair recognizes the gentleman from Iowa [Mr. KYL].

Mr. KYL. Mr. Chairman, I yield to the gentleman from Pennsylvania [Mr. WILLIAMS].

Mr. WILLIAMS of Pennsylvania. Mr. Chairman, the situation as just described by the gentleman from New York in the clearing of an area for low-rent housing units contemplates that the cost of such a project includes everything that goes with the project, including sidewalks and removal of debris and so on.

What I am saying to the Members of this House is this: All this section does is provide $40 million a year for what are truly municipal services. I submit for the consideration of Members the fact that 99 percent of our local governments today are doing the very things which are spelled out in this bill and are doing them adequately without Federal assistance.

Mr. BLACKBURN. Mr. Chairman, will the gentleman yield?

Mr. KYL. I yield to the gentleman from Georgia.

Mr. BLACKBURN. Mr. Chairman, I would like to call to the attention of the committee that the mayor of New York has testified that he alone would need $50 billion the first year to rehabilitate his city. In view of such testimony I am somewhat shocked at the implication that $40 million to be spread throughout the entire United States is going to be sufficient to have an impact.

The **CHAIRMAN.** The Chair recognizes

the gentleman from Florida [Mr. Gibbons].

Mr. GIBBONS. Mr. Chairman, this section we are talking about, section 118, has some very broad provisions in it. It would allow the Secretary to make grants for the improvement of private properties under subsection 2, line 8, on page 106, and then, in the section which has already been pointed out, it would allow the Secretary to make grants for garbage and trash collection and for street cleaning and similar activities. I do not know what "similar activities" mean, but I guess it means whatever the imagination of the Secretary could arrive at.

Mr. Chairman, I think this section is too broadly drawn, and I certainly intend to vote for the amendment to strike this section when it is called up.

The CHAIRMAN. The Chair recognizes the gentleman from Massachusetts [Mr. Boland].

Mr. BOLAND. Mr. Chairman, as a member of the Appropriations Committee that sits on the funding of the Department of Housing and Urban Development, I looked a little askance at this section when I first read it. But after giving it some thought, I feel this is a good section. It is an important section in the housing bill. It does provide for keeping structures in an area intended for urban renewal in better shape than they would be if this assistance were not granted.

This is interim assistance given to a community to protect and preserve the area that is planned for urban renewal or rehabilitation. In my judgment it would really save money in the long run.

There is an authorization contained in this section for $40 million, and the Appropriations Committee can take a look at this program.

This is interim assistance for programs planned for urban renewal, and some other programs in this bill. It would appear to me, on the basis of commonsense and good judgment, this section ought to be maintained in the bill.

The CHAIRMAN. The Chair recognizes the gentleman from Tennessee [Mr. Brock].

Mr. BROCK. Mr. Chairman, this particular section says that "notwithstanding any other provision of this title" the Secretary is authorized to enter into a contract to provide two-thirds of the money for—and then you name it. There is absolutely no limit to the functions he can perform under this so-called interim emergency assistance program.

What concerns me is that we are back on another Public Works program, and every city in the United States is going to believe it can get "a piece of the action," and we have $40 million involved. Again you are creating a sense of frustration and failure at the local level.

I believe it is dog-goned well time this Congress stopped putting the carrot out, if it is not going to back it up.

Mr. WILLIAMS of Pennsylvania. Mr. Chairman, will the gentleman yield?

Mr. BROCK. I yield to the gentleman from Pennsylvania.

Mr. WILLIAMS of Pennsylvania. I should also like to say that if municipal and local governments are doing the job there is no reason for any condition to develop which should require interim assistance.

Mr. BARRETT. Mr. Chairman, will the gentleman yield?

Mr. BROCK. I yield to the gentleman from Pennsylvania.

Mr. BARRETT. I would inform the gentleman from Pennsylvania, that the mayor of Chester, in Delaware County, does his job. He is a Republican mayor. I think he does a splendid job down there. He is constantly calling for help such as this.

The city of Chester, according to the mayor, needs all the urban renewal financial aid it can get. I believe the gentleman comes from Delaware County. I am sure he wants to help people in his own party.

Mr. WILLIAMS of Pennsylvania. Mr. Chairman, will the gentleman yield?

Mr. BROCK. I yield to the gentleman from Pennsylvania.

Mr. WILLIAMS of Pennsylvania. I should like to say in reply to the distinguished gentleman from Pennsylvania that the mayor of Chester or the mayor of any other city never applied for any funds under this program, because this is a brandnew program.

I can also tell the gentleman that the city of Chester, as well as his own city, is doing a good job of maintaining its services.

The CHAIRMAN. The Chair recognizes the gentleman from Texas [Mr. Patman] to close debate on this amendment.

Mr. PATMAN. Mr. Chairman, the committee worked long hours and faithfully, for the equivalent of 4 weeks in the subcommittee and the equivalent of 3 weeks in the full committee.

The members who want a good housing bill have presented this bill to the House. Four members of the Banking and Currency Committee are not in favor of the bill. They are against it.

If the Members here who favor a good housing bill will stay by the committee, we will get through with this bill in a reasonable time, but if we are going to have to go through every amendment that was presented to the subcommittee and to the full committee over a period of weeks, we will not get through with this bill for weeks. We would just have an impossible job.

I hope the Members of the House who favor a good housing bill will listen to the majority of the Committee on Banking and Currency and vote for this bill, and not feel compelled to vote with the Members who are against any housing bill. They are *just against the bill.*

In other words, it goes back to what I said a while ago, we are listening to the surgeon who wields a knife who does not want the patient to live.

Those of us who voted for this bill, all of us except four, want the patient to live. We want the housing bill to live. So please vote with us if you see your way clear and believe that you should have a good housing bill, because this is a good housing bill.

Mr. Chairman, I hope the amendment offered by the gentleman from Pennsylvania [Mr. Williams] will be defeated.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Pennsylvania [Mr. Williams].

The question was taken; and on a division (demanded by Mr. Brock) there were—ayes 51, noes 61.

Mr. BROCK. Mr. Chairman, I demand tellers.

Tellers were ordered, and the Chairman appointed as tellers Mr. Williams of Pennsylvania and Mr. Patman.

The Committee again divided, and the tellers reported that there were—ayes 88, noes 98.

So the amendment was rejected.

The CHAIRMAN. If there are no further amendments to title IV, the Clerk will read.

The Clerk read as follows:

TITLE V—URBAN PLANNING AND FACILITIES

COMPREHENSIVE PLANNING

Sec. 501. Section 701 of the Housing Act of 1954 is amended to read as follows:

"COMPREHENSIVE PLANNING

"Sec. 701. (a) In order to assist State and local governments in solving planning problems, including those resulting from the increasing concentration of population in metropolitan and other urban areas and the outmigration from and lack of coordinated development of resources and services in rural areas; to facilitate comprehensive planning for urban and rural development, including coordinated transportation systems, on a continuing basis by such governments; and to encourage such governments to establish and improve planning staffs and techniques on an areawide basis, and to engage private consultants where their professional services are deemed appropriate by the assisted governments, the Secretary is authorized to make planning grants to—

"(1) State planning agencies for the provision of planning assistance to (A) cities and other municipalities having a population of less than 50,000 according to the latest decennial census, and counties without regard to population: *Provided,* That grants shall be made under this paragraph for planning assistance to counties having a population of 50,000 or more, according to the latest decennial census, which are within metropolitan areas, only if (i) the Secretary finds that planning and plans for such county will be coordinated with the program of comprehensive planning, if any, which is being carried out for the metropolitan area of which the county is a part, and (ii) the aggregate amount of the grants made subject to this proviso does not exceed 15 per centum of the aggregate amount appropriated, after September 2, 1964, for the purposes of this section, (B) any group of adjacent communities, either incorporated or unincorporated, having a total population of less than 50,000 according to the latest decennial census and having common or related urban planning problems, (C) cities, other municipalities, and counties referred to in paragraph (3) of this subsection, and areas referred to in paragraph (4) of this subsection, and (D) Indian reservations;

"(2) State, metropolitan, and regional planning agencies for metropolitan or regional planning, and to cities within metropolitan areas for planning which is part of comprehensive metropolitan planning and which shall supplement and be coordinated with State, metropolitan, and regional planning;

"(3) cities, other municipalities, and counties which (A) are situated in redevelopment areas or economic development districts designated by the Secretary of Commerce under title IV of the Public Works and Economic Development Act of 1965, or

(B) have suffered substantial damage as a result of a catastrophe which the President, pursuant to section 2(a) of the Act entitled 'An Act to authorize Federal assistance to States and local governments in major disasters, and for other purposes', approved September 30, 1950, as amended (42 U.S.C. 1855a), has determined to be a major disaster;

"(4) official governmental planning agencies for areas where rapid urbanization has resulted or is expected to result from the establishment or rapid and substantial expansion of a Federal installation, or for areas where rapid urbanization is expected to result on land developed or to be developed as a new community approved under section 1004 of the National Housing Act;

"(5) States for State and interstate comprehensive planning and for research and coordination activity related thereto, including technical and other assistance for the establishment and operation of intrastate and interstate planning agencies;

"(6) State planning agencies for assistance to district planning, or planning for areas within districts, carried on by or for district planning agencies;

"(7) metropolitan and regional planning agencies, with the approval of the State planning agency or (in States where no such planning agency exists) of the Governor of the State, for the provision of planning assistance within the metropolitan area or region to cities, other municipalities, counties, groups of adjacent communities, or Indian reservations described in clauses (A), (B), (C), and (D) of paragraph (1) of this subsection;

"(8) official governmental planning agencies for any area where there has occurred a substantial reduction in employment opportunities as the result of (A) the closing (in whole or in part) of a Federal installation, or (B) a decline in the volume of Government orders for the procurement of articles or materials produced or manufactured in such area;

"(9) tribal planning councils or other tribal bodies designated by the Secretary of the Interior for planning for an Indian reservation;

"(10) the Appalachian Regional Commission, established by the Appalachian Regional Development Act of 1965, for comprehensive planning for the Appalachian region as defined by section 403 of such Act (or State agencies or instrumentalities participating in such planning); and

"(11) local development districts, certified under section 301 of the Appalachian Regional Development Act of 1965, for comprehensive planning for their entire areas, or for metropolitan planning, urban planning, county planning, or small municipality planning within such areas in the Appalachian region, and for planning for Appalachian regional programs.

Planning assisted under this section shall, to the maximum extent feasible, cover entire areas having common or related development problems. The Secretary shall encourage cooperation in preparing and carrying out plans among all interested municipalities, political subdivisions, public agencies, and other parties in order to achieve coordinated development of entire areas. To the maximum extent feasible, pertinent plans and studies already made for areas shall be utilized so as to avoid unnecessary repetition of effort and expense. Planning which may be assisted under this section includes the preparation of comprehensive transportation surveys, studies, and plans to aid in solving problems of traffic congestion, facilitating the circulation of people and goods in metropolitan and other areas and reducing transportation needs. Planning carried out with assistance under the section shall also include a housing element as part of the preparation of comprehensive land use plans, and this consideration of the housing needs and land use requirements for housing in each comprehensive plan shall take into account all available evidence of the assumptions and statistical basis upon which the projection of zoning, community facilities, and population growth is based, so that the housing needs of both the region and the local communities studied in the planning will be adequately covered in terms of existing and prospective in-migrant population growth. Funds available under this section shall be in addition to and may be used jointly with funds available for planning surveys and investigations under other federally aided programs, and nothing contained in this section shall be construed as affecting the authority of the Secretary of Transportation under section 307 of title 23, United States Code.

"(b) A planning grant made under subsection (a) shall not exceed two-thirds of the estimated cost of the work for which the grant is made: *Provided*, That such a grant may be made for up to 75 per centum of such estimated cost when made for planning primarily for (1) redevelopment areas, local development districts, or economic development districts, or portions thereof, described in paragraphs (3) (A) and (11) of subsection (a), (2) areas described in subsection (a) (8), and (3) the Appalachian region, as described in subsection (a) (10). All grants made under this section shall be subject to terms and conditions prescribed by the Secretary. No portion of any grant made under this section shall be used for the preparation of plans for specific public works. The Secretary is authorized, notwithstanding the provisions of section 3648 of the Revised Statutes, as amended, to make advance or progress payments on account of any grant made under this section. There are authorized to be appropriated for the purposes of this section not to exceed $265,000,000 prior to July 1, 1969, and not to exceed $390,000,000 prior to July 1, 1970. Of the amount available prior to July 1, 1969, $20,000,000 may be used only for district planning grants under subsection (a) (6), which amount shall be increased by $10,000,000 on July 1, 1969. Any amounts appropriated under this section shall remain available until expended: *Provided*, That of any funds appropriated under this section, not to exceed an aggregate of $10,000,000 plus 5 per centum of the funds so appropriated may be used by the Secretary for studies, research, and demonstration projects, undertaken independently or by contract, for the development and improvement of techniques and methods for comprehensive planning and for the advancement of the purposes of this section, and for grants to assist in the conduct of studies and research relating to needed revisions in State statutes which create, govern, or control local governments and local governmental operations.

"(c) The Secretary is authorized, in areas embracing several municipalities or other political subdivisions, to encourage planning on a unified regional, district, or metropolitan basis and to provide technical assistance for such planning and the solution of problems relating thereto.

"(d) *It is the further intent of this section* to encourage comprehensive planning, including transportation planning, for States, cities, counties, metropolitan areas, districts, regions, and Indian reservations and the establishment and development of the organizational units needed therefor. In extending financial assistance under this section, the Secretary may require such assurances as he deems adequate that the appropriate State and local agencies are making reasonable progress in the development of the elements of comprehensive planning. The Secretary is authorized to provide technical assistance to State and local governments and their agencies and instrumentalities, and to Indian tribal bodies, undertaking such planning and, by contract or otherwise, to make studies and public information on related problems.

"(e) In the exercise of his responsibilities under this section, the Secretary shall consult with those officials of the Federal Government responsible for the administration of programs of Federal assistance to the States and municipalities for various categories of public facilities and other comprehensively planned activities. He shall, particularly, consult with the Secretary of Agriculture prior to his approval of any district planning grants under subsections (a) (6) and (g). The Secretary of Agriculture may provide technical assistance, with or without reimbursement, in connection with the establishment of such districts and the carrying out of such planning.

"(f) The consent of the Congress is hereby given to any two or more States to enter into agreements or compacts, not in conflict with any law of the United States, for cooperative efforts and mutual assistance in the comprehensive planning for the growth and development of interstate, metropolitan, or other urban areas, and to establish such agencies, joint or otherwise, as they may deem desirable for making effective such agreements and compacts.

"(g) In addition to the planning grants authorized by subsection (a), the Secretary is further authorized to make grants to organizations composed of public officials representative of the political jurisdictions within the metropolitan area, region, or district for the purpose of assisting such organizations to undertake studies, collect data, develop metropolitan, regional, and district plans and programs, and engage in such other activities as the Secretary finds necessary or desirable for the solultion of the metropolitan, regional, or district problems in such areas, regions, or districts. To the maximum extent feasible, all grants under this subsection shall be for activities relating to all the developmental aspects of the total metropolitan area, region, or district including, but not limited to, land use, transportation, housing, economic development, natural resource development, community facilities, and the general improvement of living environments. A grant under this subsection shall not exceed two-thirds of the estimated cost of the work for which the grant is made.

"(h) In addition to the other grants authorized by this section, the Secretary is authorized to make grants to assist any city, other municipality, or county in making a survey of the structures and sites in such locality which are determined by its appropriate authorities to be of historic or architectural value. Any such survey shall be designed to identify the historic structures and sites in the locality, determine the cost of their rehabilitation or restoration, and provide such other information as may be necessary or appropriate to serve as a foundation for a balanced and effective program of historic preservation in such locality. The aspects of any such survey which relate to the identification of historic and architectural values shall be conducted in accordance with criteria found by the Secretary to be comparable to those used in establishing the national register maintained by the Secretary of the Interior under other provisions of law; and the results of each such survey shall be made available to the Secretary of the Interior. A grant under this subsection shall not exceed two-thirds of the cost of the survey for which it is made, and shall be made to the appropriate agency or entity specified in paragraphs (1) through (11) of subsection (a) or, if there is no such agency or entity which is qualified and willing to receive the grant and provide for its utilization in accordance with this subsection, directly to the city, other municipality, or county involved.

"(i) As used in this section—

"(1) The term 'metropolitan area' means a standard metropolitan statistical area, as established by the Bureau of the Budget, subject, however, to such modifications or extensions as the Secretary deems to be appropriate for the purposes of this section.

"(2) The term 'region' includes (A) all or part of the area of jurisdiction of one or more units of general local government, and (B) one or more metropolitan areas.

"(3) The term 'district' includes all or part of the area of jurisdiction of (A) one or more counties, and (B) one or more other units of general local government, but does not include any portion of a metropolitan area.

"(4) The term 'comprehensive planning' includes the following:

"(A) preparation, as a guide for governmental policies and action, of general plans with respect to (i) the pattern and intensity of land use, (ii) the provision of public facilities (including transportation facilities) and other government services, and (iii) the effective development and utilization of human and natural resources;

"(B) long-range physical and fiscal plans for such action;

"(C) programing of capital improvements and other major expenditures, based on a determination of relative urgency, together with definitive financing plans for such expenditures in the earlier years of the program;

"(D) coordination of all related plans and activities of the State and local governments and agencies concerned; and

"(E) preparation of regulatory and administrative measures in support of the foregoing.

Comprehensive planning for the purpose of districts shall not include planning for or assistance to establishments in relocating from one area to another or assist subcontractors whose purpose is to divest, or whose economic success is dependent upon divesting, other contractors or subcontractors of contracts theretofore customarily performed by them: *Provided*, That this limitation shall not be construed to prohibit assistance for the expansion of an existing business entity through the establishment of a new branch, affiliate, or subsidiary of such entity, if the *Secretary finds that the establishment of* such branch, affiliate, or subsidiary will not result in an increase in unemployment in the area of original location or in any other area where such entity conducts business operations, unless the Secretary has reason to believe that such branch, affiliate, or subsidiary is being established with the inten*tion of closing down the operations of the* existing business entity in the area of its original location or in any other area where it conducts such operations.

"(5) The term 'State planning agencies' includes official State planning agencies and (in States where no such planning agency exists) agencies or instrumentalities of State *government designated by the Governor of* the State and acceptable to the Secretary.

"(6) The terms 'metropolitan planning agencies', 'regional planning agencies', and 'district planning agencies' mean official metropolitan, regional, and district planning agencies, or other agencies and instrumen*talities designated by the Governor (or Gov*ernors in the case of interstate planning), and acceptable to the Secretary, empowered under State or local law or interstate compact to perform metropolitan, regional, or district planning, respectively: *Provided*, That such agencies and instrumentalities shall, to the greatest practicable extent be composed *of or responsible to the elected officials of the* unit or units of general local government for whose jurisdictions they are empowered to engage in planning."

PLANNED AREAWIDE DEVELOPMENT

SEC. 502. (a) The heading of title II of the Demonstration Cities and Metropolitan De*velopment Act of 1966 is amended to read as* follows: "TITLE II—PLANNED AREAWIDE DEVELOPMENT".

(b) Section 201 of such Act is amended to read as follows:

"FINDINGS AND DECLARATION OF PURPOSE

"SEC. 201. (a) The Congress hereby finds that the welfare of the Nation and of its people is directly dependent upon the sound and orderly development and the effective organization and functioning of our State and local governments.

"It further finds that it is essential that our State and local governments prepare, keep current, and carry out comprehensive plans and programs for their orderly physical development with a view to meeting efficiently all their economic and social needs.

"It further finds that our State and local governments are especially handicapped in this task by the complexity and scope of governmental services required, the multiplicity of political jurisdictions and agencies involved, and the inadequacy of the operational and administrative arrangements available for cooperation among them.

"It further finds that present requirements for areawide planning and programing in connection with various Federal programs have materially assisted in the solution of areawide problems, but that greater coordination of Federal programs and additional participation and cooperation are needed from the States and localities in perfecting and carrying out such efforts.

"(b) It is the purpose of this title to provide through greater coordination of Federal programs, and though supplementary grants for certain federally assisted development projects, additional encouragement and assistance to States and localities for making comprehensive areawide planning and programing effective."

(c) Section 202 of such Act is amended by striking out "metropolitan" each place it appears and inserting in lieu thereof "areawide".

(d) (1) Section 205 of such Act is amended by striking out "metropolitan development" each place it appears and inserting in lieu thereof "areawide development".

(2) Such section is further amended by striking out "metropolitan areas" and "metropolitan area" and inserting in lieu thereof *"areas" and "area", respectively.*

(3) Such section is further amended by striking out "metropolitanwide" each place it appears, and inserting in lieu thereof "areawide".

(4) Such section is further amended by striking out "metropolitan planning" each *place it appears and inserting in lieu thereof* "areawide planning".

(5) Such section is further amended by inserting "where appropriate," after "(B)" in subsection (c)(1).

(6) Such section is further amended by striking out "within the metropolitanwide area" in subsection (f).

(e)(1) Paragraphs (1) and (2) of section 208 of such Act are amended by striking out "Metropolitan" and inserting in lieu thereof "Areawide".

(2) Paragraph (7) of such section is amended—

(A) by striking out "or metropolitan or *regional" and inserting in lieu thereof ", met*ropolitan, regional, or district"; and

(B) by striking out "metropolitan" in the parenthetical phrase.

(f) Section 206(b) of such Act is amended by striking out the second sentence and inserting in lieu thereof the following: "Any amounts appropriated under this section *shall remain available until expended, and* any amounts authorized for any fiscal year under this section but not appropriated may be appropriated for any succeeding fiscal year commencing prior to July 1, 1970."

ADVANCE ACQUISITION OF LAND

SEC. 503. (a) Section 701 of the Housing and *Urban Development Act of 1965 is amended* by striking out "in connection with the future construction of public works and facilities" in clause (3) and inserting in lieu thereof "in the future for public purposes".

(b) Section 704 of such Act is amended to read as follows:

"ADVANCE ACQUISITION OF LAND

"SEC. 704. (a) In order to encourage and assist the timely acquisition of land planned to be utilized in the future for public purposes, the Secretary is authorized to make grants to States and local public bodies and agencies to assist in financing the acquisition of a fee simple estate or other interest in such land.

"(b) The amount of any grant made under this section shall not exceed the aggregate amount of reasonable interest charges on the loans or other financial obligations incurred to finance the acquisition of such land for a period not in excess of the lesser of (1) five years from the date of acquisition of such land or (2) the period of time between the date on which the land was acquired and the date its use began for the purpose for which it was acquired: *Provided*, That where all or any portion of the cost of such land is not financed through borrowings, the amount of the grant shall be computed on the basis of the aggregate amount of reasonable interest charges that the Secretary determines would have been required.

"(c) No grant shall be made under this section unless the Secretary determines that the land will be utilized for a public purpose within a reasonable period of time and that such utilization will contribute to economy, efficiency, and the comprehensively planned development of the area. The Secretary shall in all cases require that land acquired with the assistance of a grant under this section be utilized for a public purpose within five years after the date on which a contract to make such grant is entered into, unless the Secretary (1) determines that due to unusual circumstances a longer period of time is necessary and in the public interest, and (2) reports such determination promptly to the Committees on Banking and Currency of the Senate and House of Representatives.

"(d) No land acquired with assistance under this section shall, without approval of the Secretary, be diverted from the purpose *originally approved. The Secretary shall* approve no such diversion unless he finds that the diversion is in accord with the then applicable comprehensive plan for the area. In cases of a diversion of land to other than a public purpose, the Secretary may require repayment of the grant, or substitution of land of approximately equal fair market *value, whichever he deems appropriate. An* interim use of the land for a public or private purpose in accordance with standards prescribed by the Secretary, or approved by him, shall not constitute a diversion within the meaning of this subsection.

"(e) Notwithstanding any other provision of law, no project for which land is acquired with *assistance under this section shall*, solely as a result of such advance acquisition, be considered ineligible for the purpose of any other Federal loan or grant program, and the amount of the purchase price paid for the land by the recipient of a grant under this section may be considered an eligible *cost for the purpose of such other Federal* loan or grant program."

WATER AND SEWER FACILITIES PROGRAM

SEC. 504. (a) Section 702(c) of the Housing and Urban Development Act of 1965 is amended by striking out "July 1, 1968" and inserting in lieu thereof "October 1, 1969".

(b) Section 702(b) of such Act is amended—

(1) by inserting after "community" the first time it appears the following: ", or an unincorporated area served by a water district or improvement district,";

(2) by inserting after "community" each subsequent time it appears the following: *"or area"; and*

(3) by striking out "a basic public sewer facility" and inserting in lieu thereof "a basic public water or sewer facility".

(c) Section 702 of such Act is amended by adding at the end thereof a new subsection as follows:

"(d) In the administration of this section the Secretary shall require that, to the greatest extent practicable, new job opportunities be provided for unemployed or underemployed persons in connection with projects the financing of which is assisted under this section."

AUTHORIZATIONS FOR THE WATER AND SEWER FACILITIES, NEIGHBORHOOD FACILITIES, AND ADVANCE ACQUISITION OF LAND PROGRAMS

SEC. 505. (a) Section 708(b) of the Housing and Urban Development Act of 1965 is amended by striking out "July 1, 1969" and inserting in lieu thereof "July 1, 1970".

(b) Section 708(a) of such Act is amended by striking out "$200,000,000 for grants under section 702" and inserting in lieu thereof "$200,000,000 (or $500,000,000 in the case of any such fiscal year commencing after June 30, 1967) for grants under section 702".

OPEN-SPACE LAND PROGRAM

SEC. 506. (a) Section 702(b) of the Housing Act of 1961 is amended to read as follows:

"(b) There are authorized to be appropriated, for the purpose of making grants under this title, not to exceed $310,000,000 prior to July 1, 1969, and not to exceed $460,000,000 prior to July 1, 1970. Any amounts appropriated under this section shall remain available until expended."

(b) Section 708(b) of such Act is amended by striking out "$50,000" and inserting in lieu thereof "$125,000".

AUTHORIZATION TO MAKE FEASIBILITY STUDIES IN THE PUBLIC WORKS PLANNING ADVANCES PROGRAM

SEC. 507. Section 702(a) of the Housing Act of 1954 is amended by inserting after "to aid in financing the cost of" the following: "feasibility studies,".

Mr. PATMAN (during the reading). Mr. Chairman, I ask unanimous consent that title V be considered as read, printed in the RECORD, and open to amendment *at any point.*

The CHAIRMAN. Is there objection to the request of the gentleman from Texas?

There was no objection.

AMENDMENT OFFERED BY MR. MORRIS OF NEW MEXICO

Mr. MORRIS of New Mexico. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. MORRIS of New Mexico: On page 109, strike out line 24, and insert the following:

"*(3)(A) economic development districts* designated by the Secretary of Commerce under title IV of the Public Works and Economic Development Act of 1965, and

"(B) cities, other municipalities, and counties which".

On page 110, lines 1 and 4, strike out "(A)" *and "(B)" and insert "(i)" and "(ii)", respectively.*

Mr. MORRIS of New Mexico. Mr. Chairman, I shall not take the entire 5 minutes. I have presented this amendment to the committee prior to offering it here today. However, I would like to *take a moment or two to explain it.*

Mr. Chairman, the Public Works and Economic Development Act of 1965 authorized the Secretary of Commerce to designate appropriate "economic development districts" in order that projects designed to reduce unemployment and underemployment would be planned and carried out within the context of a broad geographic area. Twenty-four such districts were formally designated as of January 1, 1968. An additional 72 are in various stages of organization prior to formal designation.

The need for broader context in planning for economic development was recognized by the 89th Congress. I propose that the 90th Congress further implement this concept by amending the urban planning assistance program, section 701 of the Housing Act of 1954, to make economic development districts eligible for grants for comprehensive planning, as was done for local development districts in Appalachia in 1967.

I would expect that the Secretary of Housing and Urban Development, in administering this amendment, would take steps to assure that this would not proliferate unnecessarily the areas and agencies eligible for section 701 assistance. Since economic development districts are generally composed of groups of rural counties, I would expect that they would have identical boundaries and the same policy organizations as any rural districts set up, under the new authority in section 601 of the bill. Thus, duplication in assistance, in these cases, would be avoided.

Mr. BLATNIK. Mr. Chairman, will the gentleman yield?

Mr. MORRIS of New Mexico. Mr. Chairman, I yield to the gentleman from Minnesota.

Mr. BLATNIK. Mr. Chairman, I thank the gentleman for yielding.

Mr. Chairman, this amendment serves to bring the language of this section into line with the stated intent of title V of the Housing and Urban Development Act of 1968. On page 108, line 11, the purpose of this title is said to be in part, "to facilitate comprehensive planning for urban and rural development." The Department of Housing and Urban Development could certainly make its planning funds do a better job in rural areas if it were able to fund economic development districts. It could better respond to one well-staffed, well-financed district planning office than to a series of individual communities of varying capabilities each seeking to supplement its own meager finances with Federal funding.

There are also other reasons for amending the bill in this way. First, if HUD planning grants were made available to economic development districts, additional sources of funds would be available to the districts to support their planning activities and further the district planning concept. Joint HUD-EDA funding would be possible, thus reducing *the total burden to each agency and* avoiding possible duplication of planning efforts. Finally, the two agencies which would be acting in accordance with the Bureau of the Budget Circular A-80 which called for greater interagency cooperation on programs.

The bill as it stands now already makes HUD planning grants available to cities and other communities and counties within economic development districts. I feel that it would be a mistake not to include the districts themselves.

Mr. EDMONDSON. Mr. Chairman, will the gentleman yield?

Mr. MORRIS of New Mexico. I yield to the gentleman from Oklahoma.

Mr. EDMONDSON. Mr. Chairman, I want to commend my good friend, the able gentleman from New Mexico, for offering this amendment. Many of these economic development districts have been laboring under limitations with regard to funds, and I believe his amendment will serve a worthwhile purpose in promoting better cooperation between the Federal agencies in this direction.

Mr. Chairman, I hope the amendment will be adopted.

Mr. PATMAN. Mr. Chairman, will the gentleman yield?

Mr. MORRIS of New Mexico. I am delighted to yield to the distinguished chairman.

Mr. PATMAN. Mr. Chairman, we have examined the amendment offered by the gentleman from New Mexico [Mr. MORRIS], and we have discussed with some of the Members on the minority side of the aisle, and on our side of the aisle we are willing to accept the amendment.

Mr. MORRIS of New Mexico. I thank the gentleman.

Mr. WIDNALL. Mr. Chairman, will the gentleman yield?

Mr. MORRIS of New Mexico. I am happy to yield to the gentleman from New Jersey.

Mr. WIDNALL. Mr. Chairman, the amendment is acceptable on this side.

Mr. MORRIS of New Mexico. I thank the gentleman.

The CHAIRMAN. The question is on *the amendment offered by the gentle*man from New Mexico [Mr. MORRIS].

The amendment was agreed to.

Mr. YATES. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I see that the distinguished gentleman from Illinois [Mr. ANDERSON] *is on the floor, and I should* like to ask the gentleman some questions pertaining to the two amendments he offered that were accepted in the Committee yesterday.

Mr. Chairman, if I may have the attention of the gentleman from Illinois [Mr. ANDERSON], it is my understanding that under the amendments the public housing limits to which the gentleman from Illinois [Mr. ANDERSON] referred yesterday, is that which is authorized for continued occupancy of a public housing family. This, as the gentleman knows, is somewhat in excess of the limits permissible for initial occupancy; is that correct?

Mr. ANDERSON of Illinois. If the gentleman will yield, the answer is "Yes"; the gentleman from Illinois is correct.

*The amendment which I offered yes*terday would authorize occupancy for families whose incomes are 30 percent above the limits approved for continued occupancy by public housing families. That would pertain to the sales housing under section 235, and the rental housing *and cooperative programs under section* 236.

Mr. YATES. I would like to ask the gentleman a question about another part of the amendment which troubles me, and that is what happens when the family subsequently exceeds the income limitation which is authorized by the gentleman's amendments; namely, 130 percent?

Does the subsidy that is called for stop at that time? Must the family then start paying the entire mortgage payment or the full economic rent, even though this may be substantially in excess of the 20-percent formula provided for homeowners, or the 25-percent formula provided for tenants?

If that is the case, it would mean that there could be a most substantial increase in the mortgage payments required of the family. It might result in default and possible foreclosure. Similarly, in the case of a tenant, it could mean that the tenant could not pay the increased rental, and would have to move. And of course it might result also in the same criticism we now have with regard to public housing, namely, that the incentive to increase his income would be lost by the tenant in order to avoid disqualification as a public housing tenant.

It seems to me, may I say to the gentleman from Illinois, that once eligibility for initial occupancy is established, a homeowner or tenant should be permitted to continue paying the appropriate percentage of his income toward the mortgage payment or toward the rental or the payment under a co-op arrangement until this percentage equals the full economic rent or mortgage payment. Does the gentleman agree with me?

Mr. ANDERSON of Illinois. I agree completely with the statement the gentleman from Illinois [Mr. YATES] just made.

I would have no intention under either of those amendments of disqualifying any tenant or homeowner who was once eligible, but who then found that his income had increased beyond the original limits that would be fixed under those amendments.

Under the amendment that I offered in the case of homeownership, he would continue to pay 20 percent of his income until this amount was equal to the total amount due for principal, interest, taxes, insurance, and mortgage insurance premiums.

In the case of a rental, he would continue paying 25 percent of his income until this amount equals the full economic rent.

To have any other interpretation, or to have this program operate differently than that, would certainly defeat the purpose of the program and it would destroy the incentive that we want to have to encourage both the homeowner and the tenant to do whatever he can to raise his income level.

So I repeat, once he is eligible under the program, he is not disqualified under either the sales program, the homeownership program or the rental program—even if his income increases.

Mr. YATES. I thank the gentleman.

Mr. REUSS. Mr. Chairman, will the gentleman yield?

Mr. YATES. I yield to the gentleman.

Mr. REUSS. I would like to ask either of the gentlemen from Illinois, or anybody else, whether they believe that any appreciable amount of new housing, either for sale or for rental, is going to be built under the public housing plus 30 percent amendments adopted yesterday.

Mr. ANDERSON of Illinois. Mr. Chairman, will the gentleman yield so that I may respond to the gentleman?

Mr. YATES. I yield to the gentleman.

Mr. ANDERSON of Illinois. Certainly, I think so. Otherwise I would not have offered those amendments.

I would point out to the gentleman from Wisconsin that in operating under the income limitations you have now under the rent subsidy program, surely you are not going to tell me we are not making progress in that program; the rent supplement program?

Mr. REUSS. I would tell the gentleman exactly that. The rent supplement program has been so niggardly funded that it has not made any progress.

Mr. ANDERSON of Illinois. Are you blaming that on the income limit? Surely, you are not doing that.

AMENDMENT OFFERED BY MR. WIDNALL

Mr. WIDNALL. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. WIDNALL: On page 128, after line 18, insert the following new section:

"REPEAL OF 1966 PROVISION FOR COORDINATION OF FEDERAL AIDS IN METROPOLITAN AREAS

"SEC. 508. Section 204 of the Demonstration Cities and Metropolitan Development Act of 1966 is repealed."

Mr. WIDNALL. Mr. Chairman, the purpose of my amendment is very easily explained. It would repeal section 204 of the 1966 Housing Act.

Section 204 has been the cause of much controversy and funds for administering it were denied a year ago by the House in connection with an amendment to the independent offices appropriation bill for fiscal year 1968.

Stated in its simplest terms, section 204 of the 1966 Housing Act provided that all Federal-aid applications by local, county, or State jurisdictions for the planning or construction of hospitals, airports, libraries, water supply and distribution facilities, sewage facilities and waste treatment works, highways, transportation facilities, and water development and land conservation projects within any metropolitan area must be submitted for review to an areawide agency which is designated to perform metropolitan or regional planning for the area within which the Federal assistance is to be used and which meets the standards of the Secretary of Housing and Urban Development. Stated quite simply, section 204 created the statutory basis for placing the Department of Housing and Urban Development in a superdepartmental role over several multibillion-dollar Federal-aid programs over which it otherwise has no control whatsoever.

While I agree with the need for far more metropolitan areawide planning than exists today, section 204 carries a threat which could set back the trend toward such planning. While many metropolitan areas in the Nation today lack the coordinated planning which is essential for our Nation's orderly growth, in my mind section 204 was drafted by those in Washington who have become too impatient with the pace of metropolitan planning. Nearly as an act of frustration, these Federal planners conceived statutory language which would hold the club of Federal denial of a wide range of multibillion-dollar programs to metropolitan areas which did not meet the standards of long-range planning established by HUD. The approach of section 204 is virtually 180 degrees different from that of the established section 701 planning program where the Federal Government encourages metropolitan regional planning by assisting with Federal funds the establishment of comprehensive areawide planning agencies.

Mr. Chairman, most of us realize that "Metro" is a very controversial issue in most metropolitan areas. It is a concept that requires a great deal of public understanding and support before it can achieve its goals. Contrary to those in the Department of Housing and Urban Development who drafted section 204, I am relatively optimistic on the outlook for greater coordination of local jurisdictions in the years ahead in our metropolitan areas. Already a very high degree of areawide planning has been achieved on a voluntary basis in connection with water and air pollution, long-range transit planning, educational and recreational planning, and in some cases even fiscal planning. I have the utmost confidence that the American people living in metropolitan areas are arriving at the collective judgment that orderly growth can only be attained with a greater measure of coordinated planning between local jurisdictions of government. The biggest threat toward continuing in this direction would be distrust and misunderstanding created by those who might impose their concepts by the use of massive denial of most of our largest Federal-aid programs.

Mr. Chairman, I think title V of the bill before us today increases the already wide ranging authority of the Department of Housing and Urban Development over areawide planning agencies to a sufficient degree to insure continuation of Federal support for the concept of a coordinated approach to the massive problems of our metropolitan areas. Repeal of section 204 would in no way deter us from this objective. Instead, it would remove the cause for a great deal of misunderstanding and distrust associated with the term "Metro."

Mr. Chairman, I urge support for my amendment.

Mr. ASHLEY. Mr. Chairman, will the gentleman yield?

Mr. WIDNALL. I yield to the gentleman from Ohio.

Mr. ASHLEY. I am a little surprised at the amendment. I do not recall that the gentleman offered the amendment during the housing hearings or the markup of the bill. Has the gentleman received some information that communities are unhappy with the provisions of section 204? Quite the contrary has been my understanding. I know a number of communities have formed their council of government as a requirement for participation in various Federal programs. Is this not the gentleman's understanding also?

The CHAIRMAN. The time of the gentleman from New Jersey has expired.

Mr. ASHLEY. Mr. Chairman, I move to strike the requisite number of words.

The CHAIRMAN. The gentleman from Ohio is recognized for 5 minutes.

Mr. ASHLEY. I would ask the gentleman from New Jersey what his views are with respect to that point.

Mr. WIDNALL. There have been a number of complaints along this line. The power that is there, the power of denial of funds in every direction if there is not complete coordination with the HUD operation here in Washington, is far more power that I believe we want them to have at this time. I think we are making great strides towards voluntary participation in this respect, and what is provided in the present bill, added to what we already have on the books, I think will do the job sufficiently well without the threat that is present in section 204 of the bill.

Mr. ASHLEY. Mr. Chairman, I do not like to disagree with my friend from New Jersey, but I am constrained to do so in this case. The question is not voluntary versus compulsory acceptance of metropolitan planning. Participation in any event is voluntary. The issue, it seems to me, is whether we are going to take a long step backward and away from metropolitanwide planning, which is so obviously and desperately needed at this time.

Are we to turn our backs on a section of the Housing Act that we adopted years ago? It seems to me with the tremendous growth and the need for managing metropolitan services in a coherent and effective and efficient way, this is the worst kind of amendment that could be adopted at this time.

Mr. Chairman, I would urge the amendment be voted down.

Mr. CRAMER. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise in support of the amendment offered by the gentleman from New Jersey. The gentleman from Ohio [Mr. ASHLEY] a moment ago suggested that this was perhaps a new matter. This matter was considered 2 years ago and the House voted in the model cities appropriation bill for my amendment not to implement section 204. The House could not say it any more plainly. The House said overwhelmingly that the Department of Housing and Urban Development should not be dictating to the local government authorities as to what their policies should be relating to this broad scope of basically public works activities including hospitals.

What right does one city have to say to another city where that city is going to build a hospital? Airports—there might be some justification. Libraries, water supply, and distribution, streets and highways—good gracious, if there is any public works program which is just about being planned out of business already, it is the highway program. We have a comprehensive areawide "highway development planning" process underway and in effect in every metropolitan area today pursuant to the present highway laws in title 23 relating to transportation and, lo and behold, if section 204 remains we are going to put another strata of planning on top of that already in existence and already going forward. We will have another strata on top of that, with areawide planning under section 204.

So I say, if we want to plan ourselves out of business relating to public works programs and highways in particular, this is the way to do it: Leave 204 in its present status. I say we should adopt the Widnall amendment and stop planning ourselves out of business on these public works programs. It is a condition precedent under section 204 to every single one of these public works programs for every single project that the States and local authorities get clearance from the areawide planning agency determined by the Department of Housing and Urban Development to be the proper planning agency, even though that agency has no correlation and no elected official responsibility whatsoever with the local planning agency concerning highways, for instance, that is now in existence.

I say it does not make any sense.

Further, as section 204 is worded, the Secretary of Housing and Urban Development has complete discretion in reviewing the recommendations of these areawide planning agencies as to whether then he will give another agency, meaning the Highway Department, for instance, or the Transportation Department, the Bureau of Public Roads permission for them to give a grant or approve a project to go forward with highway construction within the State or local community. Does that make sense? It does not make sense to me. I think the only sensible thing to do is adopt the Widnall amendment.

Less than 2 years ago I opposed the adoption of section 204 as legislation that was detrimental to the best interests of the country and that would lead to irreversible damage to the workings of State and local governments. Section 204 hangs like a hatchet over the heads of all local governments. It says to them, "Comply with the Federal Government's view of what is to be required in other areas throughout the country. If you do not, I shall chop your Federal grant money off."

Mr. Chairman, at that time I spoke of the octopus of Federal control over local municipal decisions as they apply to hospitals, airports, libraries, water supply and distribution systems, sewage facilities, waste treatment plants, highways, transport facilities, and various other projects contained under grant and aid programs.

The concept by which local government and local decisions are to be replaced by metro government and areawide agencies is nothing more than a thinly disguised veil of Federal usurpation of State and municipal prerogatives. Not only does the Federal Government choose to inject itself into matters of local concern, but it makes arbitrary decisions as to which localities are to be wedded together for the proposed areawide planning. As a result, Mr. Chairman, cities about 20 miles apart, such as Tampa and St. Petersburg, which have definitely constituted local governments and inadequate legislative authority or funding and staffing to conform to Federal demands, are lumped together under the great umbrella of metro planning.

I pointed out then, Mr. Chairman, and I point out again that section 204 is a dangerous thing, a very dangerous thing. It came about by the whim of a Member of the other body, and it subjects the entire Nation to the whims of guidelines promulgated by Dr. Weaver or his heirs.

Mr. Chairman, my district is not a metropolitan area. It does not want to be a metropolitan area. Moreover, it wishes to retain its own government and it wants no part of the effort to impose a new form of government on our local communities—a form of government controlled directly from Washington.

A little over a year ago, the House in its wisdom adopted an amendment that I offered to the HUD appropriation bill when it was before the House relating to the nonimplementation of section 204, title II, of the Model Cities Act, dealing with the requirement of areawide planning agencies as a condition precedent for receiving Federal money for any project in an area which has not conformed to areawide planning. This House then said by an overwhelming vote that such section 204 should not be put into effect on July 1 last. As a result, the Department did refrain from implementation of section 204 and as to other agencies has been admitted by some that that section is impractical. It appears to me, Mr. Chairman, that the time has come that we do directly that which we have been doing indirectly. We have prevented implementation of administration of section 204 by denying funds to the administering agency. The time has come to excise the root of the disease and to eliminate section 204 from the act once and for all.

Mr. BLACKBURN. Mr. Chairman, will the genteleman yield?

Mr. CRAMER. I yield to the gentleman from Georgia.

Mr. BLACKBURN. Mr. Chairman, is the gentleman aware that section 204 can be implemented not only with respect to the programs listed by the gentleman, but equally as to future programs which may be adopted?

Mr. CRAMER. That is absolutely correct. It is my understanding, and I think it certainly was not the intent of Congress.

They are giving this too broad an application. The only way to solve the problem is to repeal it, and at some future date consider some amendatory language preserving local control and eliminating duplicating planning.

Mr. BLACKBURN. Mr. Chairman, I rise in support of the amendment by the gentleman from New Jersey [Mr. WIDNALL]. A little over a year ago, I was pleased to take the House floor in support of an amendment to the independent offices appropriation bill offered by the gentleman from Florida [Mr. CRAMER]. That amendment was more limited in scope than the one presently under discussion in that the parliamentary requirements were such that the Cramer amendment could only deny administrative funds for implementation of section 204. I was pleased that the House approved the Cramer amendment and I hope the House confirms its action of last year by supporting the Widnall amendment.

To be quite frank and with all due respect, I do not believe the House realized the power it granted to the Department of Housing and Urban Development in section 204 of the 1966 Housing Act. Although title II of that act was the subject of extensive dissent in the minority views accompanying that bill to the floor, the Congress never fully appreciated how far-reaching section 204 of that title really was. For a wide range of Federal-aid programs administered by other departments and agencies, the Secretary of Housing and Urban Development was placed in the position of being able to deny billions of Federal aid to local jurisdictions each and every year if his concept of comprehensive areawide planning was not fulfilled. In fact, section 204 of the 1966 Housing Act, by itself, made HUD a superdepartment, with powers over local jurisdictions of government unequaled in the history of our Nation.

I join with my colleague from New Jersey in agreeing that there is a need for greater coordinated planning between local jurisdictions in metropolitan areas. The worst way to achieve this goal, however, is by granting to the Secretary of Housing and Urban Development a sledge hammer with which to influence virtually every decision of local government.

In recent months, declared presidential candidates in both parties, including the late Senator Kennedy, Senator McCarthy, former Vice President Nixon, Governor Rockefeller, and former Governor Wallace, have agreed on one essential point—the great need facing our country today is revitalization of local government to bring government closer to the people. Section 204 is the antithesis of returning government to the people; instead it is aimed at vesting unprecedented power in appointed Federal officials whose views toward local, county, municipal, and State government, always have been and always will be condescending and based upon a complete lack of faith. Their view of local government in most cases was gained in the college classroom, without any of the firsthand experience which can only be gained through elective office.

While Congress has gone on record in support of the Cramer amendment denying appropriations for administration of section 204 by HUD, the Bureau of the Budget in a circular letter of December 18, 1967, has found many avenues available to executive departments for implementation of that section of Federal law. The Bureau of the Budget has officially requested all Federal departments and agencies administering programs covered by section 204 to administer its requirements without the need for administrative funds for this purpose being directly assigned to the Secretary of Housing and Urban Development. As a matter of fact, the Bureau of the Budget has greatly expanded the scope of section 204 in that on page 4 of its circular letter it is stated that the Bureau of the Budget will extend the coverage under the circular to such new or additional Federal-aid programs "as may be appropriate from time to time." In other words, instead of section 204 being restricted to open space, hospitals, airports, libraries, water supply and distribution facilities, sewage facilities and waste treatment works, highways, transportation facilities, and water development and land conservation projects, purely by administrative decision of the Bureau of the Budget any and all existing Federal-aid programs could be included within the requirements of section 204.

Mr. Chairman, section 204 poses one of the most potent threats to the future growth and responsibility of local government that has ever come to my attention.

I urge the House to support the Widnall amendment.

Mr. BARRETT. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I am of the opinion that this amendment is acceptable. The program is in the individual appropriation bill. I think we should take it to the conference committee and see whether we could work together there.

Mr. BROCK. Mr. Chairman, will the gentleman yield?

Mr. BARRETT. I yield to the gentleman from Tennessee.

Mr. BROCK. Mr. Chairman, am I correct in assuming that this provision is in the Senate bill, so if we do not accept the Widnall amendment, it would not be in conference, so we must accept the Widnall amendment in order to have it subject to conference? Is that correct?

Mr. BARRETT. I think that is correct.

Mr. BROCK. May I assume that the gentleman is accepting the Widnall amendment?

Mr. BARRETT. Yes. We accept it.

The CHAIRMAN. The question is on the amendment offered by the gentleman from New Jersey [Mr. Widnall].

The amendment was agreed to.

AMENDMENT OFFERED BY MR. RANDALL

Mr. RANDALL. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

> Amendment offered by Mr. Randall: On page 116, line 25, after "activities", insert "including implementation of such plans".

Mr. RANDALL. Mr. Chairman, my amendment comes under title V which contains the planning provisions of the bill. For the first time we go beyond the metropolitan or urban areas and provide for planning in the unincorporated areas or rural areas.

At page 116 of H.R. 17989 it is interesting to note that it is specifically provided that in the exercise of his responsibilities under planning, the Secretary of Housing and Urban Development shall consult with the Secretray of Agriculture prior to his approval of any housing grants under those sections having to do with counties of a population of less than 50,000 or a group of adjacent communities which may be unincorporated.

The purpose of my amendment is to add at the end of the last line of page 116, being line 25, following "other activities," the words "including implementation of such plans."

In my opinion there was an omission here which should be corrected. A metropolitan city or even a smaller city usually has an organizational setup which in most instances has existed for years and functioned smoothly. When planning has been completed, their staff proceeds to implement those plans by making the necessary applications. They actually use the engineering studies and make decisions as to when to apply for Federal assistance and in what amount. In the pursuit of grants and loans, a city is "geared up" and ready to move ahead when planning is completed.

On the other hand, in the rural areas, including the smaller counties and smaller cities, there is no such existing machinery for implementation. When planning is complete, what good are the plans and more plans and still more plans unless something comes from these plans? In the rural areas the board members of the planning commission are nearly always part-time men. One may be a local druggist. One may even be a grocer or perhaps a farmer or even a small-town banker, but in every instance these men devote only part time. It is difficult for them to take time from the job of earning their livelihood or working in their own business to implement those projects which have been through the planning stage. What would seem to be needed is what might be called a "grantsman" or a "local advocate."

My amendment is very simple and is offered purely as clarification and to make a legislative history by adding, following the words "other activities" the words "including implementation of such plans." I firmly believe that, while the planning provision of the new housing bill is a step in the right direction and, may I say, a giant step in such direction, it is in need of the clarification which my amendment will offer. I suppose planning might or could by implication include implementation, but the added words of my amendment are a safeguard to be certain that someone "down the street" or "downtown" in the executive branch does not conclude the word "planning" means only that, and might seek to stop the planning officials from working upon implementation of the plans.

I can think of no valid objections that could be raised against this amendment. If there are those who think such wording may not be needed, because it is the duty or the job of agency officials of the executive branch to assist in implementing projects once an application has been submitted, they should remember an agency official is limited in the amount of work that he can do for what might be described as the "other party." Housing Department employees and Farmers Home employees are in reality representatives sitting across the table from an applicant. It is not their job to perfect and polish the applications or to amend them. It is the job of the local applicant to do this work. Notwithstanding, applicants need help to implement the planning, and the rural areas do not have such help.

What is wrong with some assistance for those who would implement these programs? We do the very same thing in the agricultural extension service. These men working locally go about daily, seeking to implement existing Federal programs for the benefit of the farmers in the areas concerned. We are talking about the very same thing in terms of rural housing or local water districts or sewer districts or local industry.

Our comparison between the agricultural extension service and rural housing should be a realistic parallel, because the extension service is paid partly by the Federal Government, partly by the States, and partly by local funds or local Government in kind.

Any government employee would have a difficult, if not impossible, time performing the role of "grantsman" or "local advocate." He could be inhibited both by Department policies or in some instances by law. My amendment would clarify the situation. It should be adopted.

Mr. PATMAN. Mr. Chairman, will the gentleman yield?

Mr. RANDALL. I yield to the chairman of the committee.

Mr. PATMAN. I believe the gentleman's amendment is a good one. It is aimed toward the rural areas, because they are not in a position to do these things as the mayor of a city or a city manager is. Therefore, it will help.

I have talked with several members of the committee, and those on this side will accept the amendment. I hope the minority is willing to accept it.

Mr. WIDNALL. This is acceptable to the minority.

Mr. RANDALL. I thank the gentlemen.

Mr. PUCINSKI. Mr. Chairman, I move to strike the last word.

Mr. Chairman, at the conclusion of consideration of this bill I will offer an amendment which would apply to this title and to every title in the bill. I take this time to explain the amendment. I should like to get the views of the chairman of the committee on it. The amendment will simply state:

> No standard, rule, regulation, or requirement of general applicability prescribed by the Secretary under the authority of this Act may take effect (1) until 30 days after it is published in the Federal Register, and (2) unless interested persons are given an opportunity to participate in the formulation of such standard, rule, regulation, or requirement through the submission of views or arguments.

Simply stated, this is an antiguideline amendment.

Here is a bill before us which is 280 pages long. No legislative body could possibly foresee all the contingencies and all the problems that will come up in the administration of this bill.

That is why we have, through the Administrative Procedure Act, set up machinery whereby the administrators of these acts may promulgate rules and regulations to implement this legislation.

This amendment does not in any way interfere with the administration of this bill, but what it does is give all interested parties an opportunity to see what rules and regulations are being proposed by the administrator before they become effective.

I have seen in the past few years a new phenomenon develop in this Government, government by guidelines, where administrators of agencies publish guidelines, which no one ever sees before publication, and they become effective immediately upon distribution. There is no opportunity to comment on them. There is no opportunity to see whether or not the guidelines do in fact follow the spirit and intent of legislation passed by Congress.

These guidelines have now taken on the color of law. At least two judicial districts have already stated that guidelines, once they are issued by the administrator, take on the same full color of law as do other regulations. Yet no one has ever had an opportunity to comment on these guidelines before they have been issued.

Local community administrators mayors, and other interested parties can participate in the development of rules under this legislation or have an opportunity to discuss it and discuss the rules being promulgated by the administrator if we accept this provision.

Now, some will say that that is already the law, but you and I know the law is not being followed. We have the Administrative Procedures Act on the books now but obviously it is not being followed. You need only to study the tons of guidelines being issued by all agencies to see the truth of this statement. So. Mr. Chairman, I submit in a bill of 280 pages it is certainly not unreasonable to propose and to write into the law that all rules and regulations be promulgated by the administrator and the Secretary shall be first published in the Federal Register so that all interested parties may review and examine and see if they come within the purview and spirit of the act being debated here.

I have said time and time again that we have seen long and extensive debate on the floor of this House on what we think legislation ought to do and after it is enacted and the President signs it into law, administrators issue guidelines which go far afield of what Congress intended. I submit that very often any similarity between what the Congress intended and what the administrator published in his guidelines is purely coincidental. For that reason, Mr. Chairman, I submit in a bill as complicated as this, and as long as this, what we proposed to do here by this amendment is to bring some order into it so that interested parties will have a chance to see what the rules and regulations are that are being promulgated under this act.

Mr. BROCK. Mr. Chairman, will the gentleman yield?

Mr. PUCINSKI. I am glad to yield to the gentleman from Tennessee.

Mr. BROCK. Mr. Chairman, I would like to compliment the gentleman on the amendment. Both the intent and the effect are salutary, and I will support it.

Mr. GROSS. Mr. Chairman, will the gentleman yield?

Mr. PUCINSKI. I am glad to yield to the gentleman from Iowa.

Mr. GROSS. That is quite an indictment the gentleman has just made of the operation of the Great Society. I am glad to have a Democrat confirm what many of us have suspected for a long time.

Mr. PUCINSKI. Mr. Chairman, I would like the gentleman from Iowa to know that the trend toward government by guidelines originated long before the present administration. We have seen administrators as early as the Eisenhower days take on the job of government by guidelines.

Mr. Chairman, I would like to have an expression from the chairman of the committee on the merits of the amendment.

Mr. PATMAN. Mr. Chairman, will the gentleman yield?

Mr. PUCINSKI. I am glad to yield.

Mr. PATMAN. Of course, if there is anything in this act which applies to the Administrative Procedure Act, the procedure that the gentleman outlined would be mandatory, anyway. As far as agreeing to that, I do not think I can agree to it. It would be too much like going back from the modern jet age to the horse-and-buggy days. There would be too much redtape involved and it would be too cumbersome.

Mr. PUCINSKI. The gentleman is suggesting it is all right for administrators of agencies to promulgate rules and regulations which in many instances are contrary to what the Congress intended? I do not believe Congress wants to delegate its responsibilities to administrators without some safeguards. We passed the Administrative Procedure Act because we realize that it is impossible for Congress to write legislation which would foresee every contingency in the implementation of the act. That is why, in the APA, Congress said that, when an administrator takes on the duty of implementing legislation passed by Congress, he must publish the proposed rules so that Members of Congress and other interested parties can ascertain that the proposed rules are consistent with the intent of Congress. If they are not, we have 30 days to make our views known before the rules become effective. My amendment would not be necessary if administrators would follow the provisions of the APA. But they do not and that is why the added protection of this amendment is needed.

The CHAIRMAN. The time of the gentleman from Illinois has expired.

The question is on the amendment offered by the gentleman from Missouri [Mr. RANDALL].

The amendment was agreed to.

AMENDMENT OFFERED BY MR. WILLIAMS OF PENNSYLVANIA

Mr. WILLIAMS of Pennsylvania. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

> Amendment offered by Mr. WILLIAMS of Pennsylvania: On page 108, line 2, strike out all of sections 501 and 502 through line 6 on page 12*.

Mr. WILLIAMS of Pennsylvania. Mr. Chairman, the only thing this amendment would do is to leave the planning laws as they were written in the 1965 HUD bill stand as they are. We have heard some comments today about surgeons trying to operate on this bill. However, under the 1965 HUD requirements every standard metropolitan statistical unit or area was required to have a comprehensive continuing planning process in operation. This operation had to be approved by HUD. Most of the SMSA's around the country have just about now reached a point where they have a planning process in operation which is approved by HUD. They have to have this approved planning process on a regional basis or they are not eligible for HUD grants.

Mr. Chairman, take, for instance, the greater Philadelphia area where the Delaware Valley Regional Planning Commission was established which is taking care of the planning for nine counties, five counties in Pennsylvania and four counties in New Jersey.

It was only approximately the middle of 1967 that the Delaware Valley Regional Planning Commission was approved by HUD.

Mr. PATMAN. Mr. Chairman, will the gentleman yield?

Mr. WILLIAMS of Pennsylvania. I yield to the gentleman from Texas.

Mr. PATMAN. No. The rural areas are still carrying out plans under this proposal.

Mr. WILLIAMS of Pennsylvania. I am for the requirements as set up in the 1965 Housing and Urban Development Act. And I want to say this to you, that right now many of the standard metropolitan statistical areas have just reached the point where they are able to comply with the 1965 requirements.

Now, Mr. Chairman, to change the guidelines and to permit the Secretary of the Department of Housing and Urban Development to set up new guidelines in these various districts and regions would create national confusion. What we would really have is planning layer upon planning layer.

The only thing this amendment would do is continue the existing law and would permit the regional districts to continue the efforts which they have already undertaken under the old act, and there is $265 million available in this bill for continued planning grants.

Mr. RANDALL. Mr. Chairman, will the gentleman yield?

Mr. WILLIAMS of Pennsylvania. I yield to the gentleman from Missouri.

Mr. RANDALL. I want to make it very clear it was not the intention of my amendment to eliminate any assistance to the rural areas. On the other hand, my amendment was an effort to open the door for the unincorporated areas and rural areas to obtain assistance in the implementation of their plans. It is my opinion it does no good to plan and plan some more and then still more planning unless some action follows in terms of implementation of plans. That was the intention of my amendment, and I hope it may not be misunderstood.

Mr. WILLIAMS of Pennsylvania. My intention is to leave the existing law in effect in most of the metropolitan and regional areas, and if this is not corrected by the House of Representatives, then they have tried in vain for at least a period of 3 years to comply therewith.

Mr. Chairman, we are coming in here trying to change the guidelines at this late date in the various regional areas and, therefore, these areas will not be approved for sewer and water grants, for instance, if this is done.

So, Mr. Chairman, it is the intent of my amendment to correct this situation.

Mr. BARRETT. Mr. Chairman, I rise in opposition to the amendment.

Mr. BARRETT. Mr. Chairman, in the gentleman's generosity he strikes out both sections 501 and 502. This strikes out all the areawide district planning, all the comprehensive planning money.

Mr. Chairman, the gentleman says he wants to go back to the existing law. We are moving rapidly in the field of housing planning, in the field of transportation, and in other fields. These are all adjuncts to this comprehensive planning.

Mr. Chairman, I hope the Members of the House will vote down this amendment without too much discussion.

Mr. WILLIAMS of Pennsylvania. Mr. Chairman, will the gentleman yield?

Mr. BARRETT. I yield to the gentleman from Pennsylvania.

Mr. WILLIAMS of Pennsylvania. Mr. Chairman, I would like to say that I believe this Congress knew what it was doing in 1965 when it passed the planning requirements for the 1965 HUD Act.

Mr. Chairman, right now in the major metropolitan regions and even in some of the minor metropolitan areas we have planning processes functioning today. They are doing an excellent job on planning for transportation, housing, for adequate sewer and water facilities and most everything else. But if we are going to change the guidelines at this late date as are contained in this bill, then all of these organizations will have to change their internal structures and, therefore, they will not be in a position to go into the planning of the type which is contemplated here in this bill and would further delay their efforts.

It has taking two and a half years in the Philadelphia area to set up an approved comprehensive continuous regional planning function approved by Housing and Urban Development.

Mr. BARRETT. I would tell the gentleman from Pennsylvania, that I too have had this experience, a gentleman came down from Harrisburg on community planning seeking help from the Congress both on the Democrat and Republican sides to get money for planning. I just cannot——

Mr. WILLIAMS of Pennsylvania. If the gentleman will yield further, is it not——

Mr. BARRETT. If the gentleman will excuse me, I have yielded most of my time.

I just cannot comprehend how the distinguished, lovable Member from Pennsylvania even goes against his own State administration. They need this money as well as New Jersey needs it. They need this money as well as every areawide and district area needs comprehensive planning. The gentleman now is asking to cut out every dollar in sections 501 and 502.

Mr. WILLIAMS of Pennsylvania. That is totally inaccurate. My amendment leaves $265 million for planning plans in there. We are not taking a penny of the money out.

Mr. BARRETT. That is the money that is already committed that the gentleman is leaving in here.

Mr. WILLIAMS of Pennsylvania. No. This is the increased authorization in the bill; my amendment does not remove that.

Mr. BARRETT. The gentleman is absolutely cutting it out of here; the gentleman wants to stand still. He does not want to go ahead.

Mr. WILLIAMS of Pennsylvania. I am not taking away planning grants.

Mr. BARRETT. Mr. Chairman, I ask for a vote on the amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Pennsylvania [Mr. WILLIAMS].

The amendment was rejected.

Mr. DOW. Mr. Chairman, I rise in support of sections 504 and 505 which pertain to basic water and sewer facilities.

I am highly pleased that this bill offers the House an opportunity to increase the level of money authorized from the previous $200 million to $500 million annually. I was the first Member of this Congress to introduce a bill to that effect, and strongly support its purpose today.

Sewers under the program before the House today are lateral sewers and basic water facilities. Moneys authorized for this section 702 program have been woefully inadequate in the past.

When I came to Congress there was already a hue and cry about pollution. It was a subject of increasing national concern. These problems have not abated; they have only increased.

The established needs and demands for this program far exceed the amount which has been provided in the past, and even that amount which is before the House today; $500 million is the minimum necessary to do an adequate job and cannot be ignored at this time. I am glad that this amount is authorized for fiscal years 1969 and 1970.

At the time I introduced my bill I learned that the dollars applied for under the law provided for lateral sewers and basic water systems totaled 26 times the number of dollars appropriated. Many of the older communities in my District are suffering painfully in their antipollution programs as a result of the small amount of money available for lateral sewers.

Section 504 of the bill changes the date for a community's water and sewer program from July 1, 1968 to October 1, 1969. This amendment is necessary to insure continued eligibility. It extends the time under which a program must be under preparation, to October 1, 1969.

A committee report indicates that failure to extend the deadline date will require disapproval of projects for an estimated 50 to 60 percent of all urban areas. The additional time provided here should provide enough latitude for communities to reach a level of planning needed to meet the intent of the Housing and Urban Development Act.

The CHAIRMAN. If there are no further amendments to title V, the Clerk will read.

The Clerk read as follows:

TITLE VI—URBAN MASS TRANSPORTATION

GRANT AUTHORIZATIONS

SEC. 601. (a) Section 4(b) of the Urban Mass Transportation Act of 1964 is amended (1) by striking out the word "and" where it first appears in the first sentence, and (2) by inserting before the period at the end of the first sentence "; and $190,000,000 for fiscal year 1970".

(b) Section 6(c) of such Act is amended (1) by striking out "$50,000,000" and inserting in lieu thereof "$56,000,000", and (2) by inserting at the end thereof the following: "On or after July 1, 1969, the Secretary may make available to finance projects under this section such additional sums out of the grant authorization provided in section 4(b) as he deems appropriate."

DEFINITION OF MASS TRANSPORTATION

SEC. 602. Section 12(c)(5) of the Urban Mass Transportation Act of 1964 is amended to read as follows:

"(5) the term 'mass transportation' means transportation by bus, rail, or other conveyance, either publicly of privately owned, which provides to the public general or special service (but not including school buses or charter or sightseeing service) on a regular and continuing basis."

EXTENSION OF EMERGENCY PROGRAM UNDER THE URBAN MASS TRANSPORTATION ACT

SEC. 603. Section 5 of the Urban Mass Transportation Act of 1964 is amended by striking out "November 1, 1968" and inserting in lieu thereof "October 1, 1969".

NON-FEDERAL SHARE OF NET PROJECT COST

SEC. 604. (a) Section 4(a) of the Urban Mass Transportation Act of 1964 is amended by striking out the last sentence and inserting in lieu thereof the following: "The remainder of the net project cost shall be provided, in cash, from sources other than Federal funds. Not more than 50 per centum of such remainder may be provided from other than public sources, and any public or private transit system funds shall be provided solely from undistributed cash surpluses, replacement or depreciation funds or reserves available in cash, or new capital; except that in cases of demonstrated fiscal inability of an applicant actively engaged in preparing and effectuating a program for a unified or officially coordinated urban transportation system as part of the comprehensively planned development of the urban area, such remainder may be provided from other than public sources No refund or reduction of the remainder of the net project cost shall be made at any time unless there is at the same time a refund of a proportional amount of the Federal grant."

(b) Section 5 of such Act is amended by striking out the last sentence and inserting in lieu thereof the following: "The remainder of the net project cost shall be provided, in cash, from sources other than Federal funds. Not more than 50 per centum of such remainder may be provided from other than public sources, and any public or private transit system funds shall be provided solely from undistributed cash surpluses, replacement or depreciation funds or reserves available in cash, or new capital; except that in cases of demonstrated fiscal inability of an applicant actively engaged in preparing and effectuating a program for a unified or officially coordinated urban transportation system as part of the comprehensively planned development of the urban area, such remainder may be provided from other than public sources. No refund or reduction of the remainder of the net project cost shall be made at any time unless there is at the same time a refund of a proportional amount of the Federal grant."

AMENDMENT OFFERED BY MR. HALL

Mr. HALL. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. HALL: On page 131, after line 9, insert the following new section:

"LABOR STANDARDS

"SEC. 605. Section 13(c) of the Urban Mass Transportation Act of 1964 is amended by adding at the end thereof the following new sentence: 'The specific provisions required by the second and third sentences of this subsection may be waived, in the case of a public transportation system which has been a public system continuously since before July 9, 1964, to the extent that the Secretary of Transportation find that the inclusion of such provisions in the protective arrangements is not feasible in the case of such system.' "

Mr. HALL. Mr. Chairman, the amendment I have offered is a very simple one which I hope the committee will see fit to accept. It provides that the Secretary of Transportation shall have the authority to waive the provisions of section 13(c) of the Mass Transit Act of 1964, in those cases where a public transportation system has been a public system continuously since before the enactment of the Mass Transit Act of 1964. It is permissive, only.

Members will recall that section 13(c) was a highly controversial amendment that was adopted as the price demanded by labor for its support of this act. Specifically the proponents wanted to be sure that no rights of union members would be jeopardized by the takeover of a privately owned system subsequent to passage of the act. They wanted to be sure that no union member might be displaced, his job lost, or his wages reduced as a result of a Federal grant improving or changing the nature of a local transportation system. To be sure that these rights were protected, section 13(c) in effect gave the Secretary of Labor the power to veto a Federal grant, if he felt these prior rights might be adversely affected in the event of a takeover. In practice it has not been the Secretary of Labor who has made this determination, but the officials of the International Amalgamated Transit Workers' Union. They are the ones who negotiate, who seek new contracts or changes in existing contracts. If they are satisfied, the Secretary of Labor is satisfied.

Nowhere has the intent of section 13(c) been more grossly violated than in the case of those cities, such as Springfield, Mo., where the transportation system has been municipally owned for more than 23 years, but yet where the Secretary of Labor has treated Springfield in the same facet as though it were a current or recent takeover situation. The Springfield story is aptly reflected on pages 791 through 824 of part II of the hearings before the Subcommittee on Housing.

Springfield City Utilities applied for a grant in January 1967. The sole purpose of the grant was to assist in the purchase of 16 new—replacement—35-passenger air-conditioned buses, and for the purchase and installation of six additional air-conditioning units on buses already owned. The application went through the usual procedure and there is ample evidence that the Urban Transportation Administration, the Department of Housing and Urban Development, was ready, willing and able to give its approval. But the representative of the International union tried to use this application as a blackjack to force the city to sign a collective bargaining agreement, something the city is prohibited from doing under Missouri State law, a prohibition upheld by a Missouri Supreme Court decision, Glidewell against Hughey.

Mr. ST GERMAIN. Mr. Chairman, will the gentleman yield?

Mr. HALL. I yield to the gentleman from Rhode Island.

Mr. ST GERMAIN. If that is the case, why is it the city of St. Louis had a grant and qualified under section 13(c)?

Mr. HALL. The answer to the gentleman's question is very simple, and I am glad he asked it. The city of St. Louis and the city of East St. Louis, Ill., operate under a compact that does not come under the Missouri State law.

Mr. ST GERMAIN. St. Louis is in Missouri.

Mr. HALL. St. Louis is in Missouri and East St. Louis is in Illinois. They have a transportation compact, and this was brought out, as the gentlewoman from St. Louis on your committee will aver.

Nowhere was a serious case ever made that any employee of Springfield city utilities would be deprived of any rights he now possesses by the approval of this grant. In fact a strong case could be made that employees will suffer from the absence of these air-conditioned units. Springfield is asking for equipment which will permit them to hire more employees to operate equipment under more comfortable conditions than now exist. These units will encourage greater use of local mass transit by the public, and presumably help lift the transit system out of the red, thereby enhancing chances for improved pay and working conditions. Under Missouri law, employees of the municipally owned system do not now have collective bargaining rights, so how on earth could it be said that they may lose a right which does not now presently exist.

The CHAIRMAN. The time of the gentleman from Missouri has expired.

(By unanimous consent, Mr. HALL was allowed to proceed for 3 additional minutes.)

Mr. HALL. The fact is that terms of pay, working conditions, and so forth, are established by resolution of the board of city utilities and affirmed by resolution of the Springfield City Council. Even if an arbitration agreement were entered into it could be reversed the next day or the next week by a simple resolution. The fact is that Springfield City Utilities does bargain informally with representatives of the local union, and then the terms of that informal agreement are incorporated into working rules and pay schedules, which are adopted by resolution. But, it is not, and indeed under Missouri law cannot, be binding, because there is no formal contract. This is what the international union seeks and it has used the high office of the Secretary of Labor to try to accomplish by blackmail that which it cannot otherwise accomplish.

I know that some of my colleagues

have had similar experiences in their districts and there are statements in the hearing record to that effect—page 792—as well as the CONGRESSIONAL RECORD for October 14, 1966.

I think a good case could be made for eliminating section 13(c) altogether, but I recognize that this is not the time to open Pandora's box all over again. Mr. Chairman, I wish to affirm the cooperation and aid of the chairman and subcommittee chairman in the last 2 years in trying to work this paradoxical situation out. This is why we did not press the corrective amendment. But now even they admit no further replies or cooperation from the Secretary of Labor. Therefore, I have offered a simple and modified amendment to give the Secretary of HUD discretionary authority to act when it is clear that there is no takeover issue involved and that no rights should be guaranteed which did not previously exist before passage of the Mass Transit Act. There probably are very few cities where this situation exists. Springfield, Mo., is one of them; there may be others. I hope that justice will be done and I urge the adoption of my amendment.

Mr. ST GERMAIN. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, when I listened to this amendment it put me in mind of the general practitioner referring a patient with a heart condition to an obstetrician or a pediatrician, because here is an amendment which takes authority away from the Secretary of Labor under section 13(c), which is designed to protect the worker's rights.

Now, out of 139 applications for help under the Mass Transit Act, which was passed in 1964, there has been a problem in three instances, one in Springfield, Mo., one in the State of Washington, and one in the State of Texas. In the State of Texas and in the State of Washington and in the State of Missouri, other cities have qualified under the act and have qualified under section 13(c).

Certainly I think the Congress in its wisdom inserted and included section 13(c) to see to it that workers' rights would be protected.

If the community that has a transit system wants Federal help, I think the community should comply with the requirements of the Congress. I do not think the Congress should be required to comply with the desires of a single community in these United States of America.

Therefore, Mr. Chairman, I urge the Members to reject this amendment, which is a toehold, which is an opening, which is a beginning toward denying workers the rights they have earned over a long period of years.

It was not the labor unions, Mr. Chairman, who put this section 13(c) in. It was those of us Members of Congress who realized that it is not our function at any time under Federal legislation to deny workers rights they have earned over a long period of years. I do hope the House will reject the amendment.

Mr. O'HARA of Michigan. Mr. Chairman, will the gentleman yield?

Mr. ST GERMAIN. I yield to the gentleman from Michigan.

Mr. O'HARA of Michigan. Mr. Chairman, as I understand the amendment, it would apply to only the one community. Is that correct?

Mr. ST GERMAIN. This is the only community in the entire country that I am aware of that has this problem.

Mr. O'HARA of Michigan. Presently the Secretary of Labor, as I recall the original legislation, has the authority to make these determinations. Is that correct?

Mr. ST GERMAIN. To make the determinations on whether or not there is this compliance with 13(c) which protects the workers' rights.

Mr. O'HARA of Michigan. The gentleman from Missouri would say, however, that with respect to those that have been continuously public systems since before July 9, 1964—and presumably only with respect to this kind of system—the Secretary of Housing and Urban Development would make the determination?

Mr. ST GERMAIN. I do not know whether it is HUD or the Secretary of Transportation, but in either case, it is as I said in my earlier remarks.

Mr. O'HARA of Michigan. Mr. Chairman, how does HUD get into this? I thought the Department of Transportation was now administering the program.

Mr. ST GERMAIN. That is correct. It is like referring the heart patient to the obstetrician or the pediatrician.

Mr. O'HARA of Michigan. Mr. Chairman, I think it is compounding the bureaucracy, and it is not going to do any good. I hope the amendment is defeated.

Mr. ST GERMAIN. Mr. Chairman, I thank the gentleman.

Mr. DENT. Mr. Chairman, I find it virtually impossible nowadays to scan a newsstand without spotting a magazine featuring the manifold crises besetting American cities.

Television specials dramatize the urban dilemma at the rate, it seems, of one special at least every 2 months.

President Johnson, in his message on the cities, reminded us that these circumstances and events we see dramatized in print and on our television screens are, in fact, of crisis proportion and demand immediate attention.

His plan for attacking the ills of our cities consist of long-range measures for dealing with problems he himself called "stubborn, entrenched, and slow to yield." I think the President's proposal is at once a bold and reasonable one—a plan that can not only raise hopes but meet promises and net sizable results.

The proposed plan for homeownership and rental housing for low- and moderate-income families looms large in the total package. Its ambitious effort for redevelopment of blighted urban areas with the increased urban renewal funding and the neighborhood development program merits strong support. As the President himself said, the setting up of a National Insurance Development Corporation within the Department of Housing and Urban Development is a "sound proposition," which will provide insurance protection for residents and local businessmen in the core city. I also believe the proposed National Housing Partnership will put much-needed capital to work in our urban areas.

These are but a few of the sound recommendations contained in an ingenious plan to rescue our urban communities. They are worthy of our bipartisan support.

Mr. Chairman, I am opposed to the so-called Hall amendment.

HALL AMENDMENT TO URBAN MASS TRANSPORTATION ACT

Congressman HALL of Missouri has proposed an amendment to the "Housing and Urban Transportation Act of 1968," as follows: The amendment would add a new section 605 to the bill which would amend 13(c)—the so-called labor protective provision—of the Urban Mass Transportation Act of 1964 by providing that the requirements of the second and third sentences of section 13(c) "may be waived, in the case of any public transportation system that has been a public system continuously since before July 9, 1964," to the extent that the Secretary of Housing and Urban Development finds that inclusion of such requirements "is not feasible." This amendment is obviously tailor made to apply to the Springfield situation in which Congressman HALL is interested.

Congressman HALL's amendment is objectionable for the following reasons:

First. The labor protections provided for in section 13(c) of the Urban Mass Transportation Act are basic requirements in the structure of financial aid which the act makes available to localities to improve, strengthen, and supplement their transportation systems. Any attempt to weaken or undermine these protections—the only recent substantial improvement in Federal labor relations laws—is essentially antilabor in purpose and effect.

Second. The amendment attempts to transfer authority to determine the labor protection provisions that should apply with respect to transit companies aided by funds provided for by the Urban Mass Transportation Act from the Secretary of Labor to the Secretary of Housing and Urban Development, whenever he finds that the inclusion of such provisions in the protective arrangements is not "feasible." This would have the effect of leading to great administrative confusion and uncertainty as to where the final responsibility in respect to the labor protection provisions is located and would seriously undermine the essential safeguards included in the second and third sentences of section 13(c).

Third. The Secretary of Labor is the appropriate official to determine whether labor protective arrangements are fair and equitable "to protect the interest of employees affected" by assistance provided for under the Urban Mass Transportation Act. The Secretary of Housing and Urban Development does not have the necessary expertise in the fields of labor standards and labor relations as does the Secretary of Labor.

Fourth. The labor protective provisions included in section 13(c) have proved workable in all but a fraction of situations in which financial assistance has been applied for under the act. There is no reason, other than the apparent unwillingness of the local authorities and Congressman HALL, why arrangements which would meet the requirements of the act would not likewise be feasible in the case of Springfield, Mo.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Missouri [Mr. HALL].

The question was taken; and on a division (demanded by Mr. HALL) there were—ayes 31, noes 40.

Mr. HALL. Mr. Chairman, I demand tellers.

Tellers were ordered, and the Chairman appointed as tellers Mr. HALL and Mr. PATMAN.

The Committee again divided, and the tellers reported that there were—ayes 82, noes 89.

So the amendment was rejected.

The CHAIRMAN. Are there any further amendments to be offered to title VI? If not, the Clerk will read.

The Clerk read as follows:

TITLE VII—SECONDARY MORTGAGE MARKET

PURPOSE

SEC. 701. The purposes of this title include the partition of the Federal National Mortgage Association as heretofore existing into two separate and distinct corporations, each of which shall have continuity and corporate *succession as a separated portion* of the previously existing corporation. One of such corporations, to be known as Federal National Mortgage Association, will be a Government-sponsored private corporation, will retain the assets and liabilities of the previously existing corporation accounted for under section 304 of the Federal National Mortgage Association Charter Act, and will continue to operate the secondary market operations authorized by such section 304. The other, to be known as Government National Mortgage Association, will remain in the Government, will retain the assets and liabilities of the previously existing corporation accounted for under sections 305 and 306 of *such Act, and will continue to operate the* special assistance functions and management and liquidating functions authorized by such sections 305 and 306.

AMENDMENTS TO THE FEDERAL NATIONAL MORTGAGE ASSOCIATION CHARTER ACT

SEC. 702. (a) The heading of title III of the National Housing Act is amended by striking out "FEDERAL NATIONAL MORTGAGE ASSOCIATION" and inserting in lieu thereof "NATIONAL MORTGAGE ASSOCIATIONS".

(b) Section 301 of such Act is amended—

(1) by striking out "in the Federal Government a";

(2) by striking out "facility for" and in*serting in lieu thereof "facilities for";*

(3) by striking out "of such facility" and inserting in lieu thereof "thereof";

(4) by striking out "facility to" and inserting in lieu thereof "facilities to"; and

(5) by striking out "the existing mortgage portfolio of the Federal National Mortgage Association" and inserting in lieu thereof *"federally owned mortgage portfolios".*

(c) Section 302(a) of such Act is amended—

(1) by inserting "(1)" immediately following "(a)";

(2) by striking out "(hereinafter referred to as the 'Association')"; and

(3) by adding at the end thereof the following new paragraph:

"(2) On the effective date established pursuant to section 708 of the Housing and Urban Development Act of 1968, the body corporate described in the foregoing paragraph shall cease to exist in that form and is hereby partitioned into two separate and distinct bodies corporate, each of which shall have continuity and corporate succession as a separated portion of the previously existing body corporate, as follows:

"(A) One of such separated portions shall be a body corporate without capital stock to be known as Government National Mortgage *Association (hereinafter referred to as the* 'Association'), which shall be in the Department of Housing and Urban Development and which shall retain the assets and liabilities acquired and incurred under sections 305 and 306 prior to such effective date, including any and all liabilities incurred pursuant to section 302(c). The Association shall have succession until dissolved by Act of Congress. It shall maintain its principal office in the District of Columbia and shall be deemed, for purposes of venue in civil actions, to be a resident thereof. Agencies or offices may be established by the Association in such other place or places as it may deem necessary or *appropriate in the conduct of its business.*

"(B) The other such separated portion shall be a body corporate to be known as Federal National Mortgage Association (hereinafter referred to as the 'corporation'), which shall retain the assets and liabilities acquired and incurred under sections 303 and 304 prior to such effective date. The corporation shall have succession until dissolved by Act of Congress. It shall maintain its principal office in the District of Columbia and shall be deemed, for purposes of venue in civil actions, to be a resident thereof.".

(d) Section 302(b) of such Act is amended—

*(1) by striking out "the Association is au*thorized" and inserting in lieu thereof "each of the bodies corporate named in subsection (a)(2) is authorized";

(2) by striking out "lend (under section 304) on the security of,";

(3) by inserting immediately before the colon in the first sentence "; and the corporation is authorized to lend on the security of any such mortgages and to purchase, sell, or otherwise deal in any securities guaranteed by the Association under section 306(g)"; and

(4) by striking out "no mortgage may be purchased" and inserting in lieu thereof "the Association may not purchase any mort*gage".*

(e) Section 302(c)(1) of such Act is amended by striking out ", consistent with section 307,".

(f) Section 302(c)(2)(C) of such Act is amended to read as follows:

"(C) The Department of Housing and Urban Development.".

(g) Section 302(c)(2) of such Act is amended by striking out "incurred by the Federal National Mortgage" and inserting in lieu thereof "incurred by the ".

(h) The heading of section 303 of such Act is amended to read as follows: "CAPITALIZATION—FEDERAL NATIONAL MORTGAGE ASSOCIATION".

(i) Section 303 (a) of such Act is amended—

(1) by striking out "nonvoting common stock" and inserting in lieu thereof "common stock, without par value, which shall be vested with all voting rights, each share being entitled to one vote with rights of cumulative voting at all elections of directors";

(2) by striking out "nonvoting preferred stock" and inserting in lieu thereof "nonvoting preferred stock, with a par value of $100 per share,";

(3) by striking out the second and third sentences thereof and inserting in lieu there*of "The free transferability of the common* stock at all times to any person, firm, corporation, or other entity shall not be restricted except that, as to the corporation, it shall be transferable only on the books of the corporation.";

(4) by striking out "of the capital surplus and the general surplus accounts";

(5) by striking out "retire" and inserting in lieu thereof "retire, at par,"; and

(6) by striking out "the Association shall deem feasible" and inserting in lieu thereof "possible subsequent to the effective date established pursuant to section 708 of the *Housing and Urban Development* Act of 1968".

(j) Section 303(b) of such Act is amended—

(1) by striking out "for its services" and inserting in lieu thereof ", which may be regarded as elements of pricing,"; and

(2) by striking out the last sentence.

(k) Section 303(c) of such Act is amended—

(1) by striking out "(only in denominations of $100 or multiples thereof)";

(2) by inserting immediately after the first sentence the following: "In addition to the shares of common stock issued under the *foregoing sentence, the corporation may is*sue additional shares in return for appropriate payments into capital or capital and surplus. The corporation shall at all times require each servicer of its mortgages to own a minimum amount of common stock of the corporation, measured by its stated value. Such minimum amount shall not exceed 2 per centum, as determined from time to time by the corporation with the approval of the Secretary of Housing and Urban Development, of the aggregate outstanding principal balances of all mortgages of the corporation which have been purchased subsequent to the effective date established pursuant to section 708 *of the Housing and Urban De*velopment Act of 1968 and which are then serviced by such servicer for the corporation."; and

(3) by striking out "the general surplus account of the Association shall not be reduced through the payment of dividends applicable to such common stock which exceed in the aggregate 5 per centum of the par value of the outstanding common stock of the Association" and inserting in lieu thereof "the aggregate amount of cash dividends paid on account of any share of such stock shall not exceed any rate which may be determined from time to time by the Secretary of Housing and Urban Development to be a fair rate of return after consideration of the current earnings and capital condition of the corporation".

(l) Section 303(d) of such Act is amended by striking out "$225,000,000" and inserting in lieu thereof "$225,000,000; but no such stock may be issued subsequent to the effec*tive date* established pursuant to section 708 of the Housing and Urban Development Act of 1968".

(m) Section 303(f) of such Act is amended by striking out "contributions, and" and inserting in lieu thereof "contributions, to purchase additional shares of such stock, and".

(n) Section 303(g) of such Act is repealed.

(o) The heading of section 304 of such Act is amended to read as follows: "SECONDARY MARKET OPERATIONS—FEDERAL NATIONAL MORTGAGE ASSOCIATION".

(p) Section 304(a)(1) of such Act is amended by striking out "and the Association shall not purchase any mortgage insured or guaranteed prior to the effective *date of the Housing Act of 1954".*

(q) Section 304(b) of such Act is amended by striking out "earnings, and in" and inserting in lieu thereof "earnings unless a greater ratio shall be fixed at any time or from time to time by its board of directors. In".

(r) Section 304(c) of such Act is amended by striking out "(1) *all of the preferred stock* of the Association held by the Secretary of the Treasury has been retired, or (2)".

(s) Sections 303 and 304 of such Act, as amended by the foregoing subsections of this section, are further amended—

(1) by striking out "Association" each

place it appears and inserting in lieu thereof, in each such place, "corporation"; and

(2) by striking out "Association's" each place it appears and inserting in lieu thereof, in each such place, "corporation's".

(t) The heading of section 305 of such Act is amended to read as follows: "SPECIAL ASSISTANCE FUNCTIONS—GOVERNMENT NATIONAL MORTGAGE ASSOCIATION".

(u) The heading of section 306 of such Act is amended to read as follows: "MANAGEMENT AND LIQUIDATING FUNCTIONS—GOVERNMENT NATIONAL MORTGAGE ASSOCIATION".

(v) Subsections (a) and (b) of section 307 of such Act are repealed.

(w) Section 307 of such Act is further amended—

(1) by striking out "SEC. 307.";

(2) by striking out "(c) All of the benefits and burdens incident to the administration of" and inserting in lieu thereof the following:

"SEC. 307. All of the benefits and burdens incident to the administration of"; and

(3) by striking out "board of directors of the Association" and inserting in lieu thereof "Secretary of Housing and Urban Development".

(x) The heading of section 308 of such Act is amended to read as follows: "MANAGEMENT".

(y) Section 308 of such Act is amended—

(1) by inserting "(a)" immediately following "308";

(2) by striking out the first two sentences and inserting in lieu thereof "All the powers and duties of the Government National Mortgage Association shall be vested in the Secretary of Housing and Urban Development and the Association shall be administered under the direction of the Secretary.";

(3) by striking out "the board shall determine" and inserting in lieu thereof "the Secretary shall determine";

(4) by striking out "Association. The chairman of the board" and inserting in lieu thereof "Association, and shall have power to adopt, amend, and repeal bylaws governing the performance of the powers and duties granted to or imposed upon it by law. The Secretary";

(5) by striking out "by the board of directors," and inserting in lieu thereof "by the Secretary,";

(6) by striking out the last sentence; and

(7) by adding at the end thereof the following new subsection:

"(b) The Federal National Mortgage Association shall have a board of directors which shall consist of fifteen persons, one-third of whom shall be appointed annually by the President of the United States, and the remainder of whom shall be elected annually by the common stockholders. The board shall at all times have as members appointed by the President at least one person from the homebuilding industry, at least one person from the mortgage lending industry, and at least one person from the real estate industry. Each member of the board of directors shall be appointed or elected for a term ending on the date of the next annual meeting of the stockholders, except that any such member may be removed from office by the President for good cause. Any elective seat on the board which becomes vacant after the annual election of the directors shall be filled by the board, but only for the unexpired portion of the term. Any appointive seat which becomes vacant shall be filled by appointment of the President, but only for the unexpired portion of the term. Within the limitations of law and regulation, the board shall determine the general policies which shall govern the operations of the corporation, and shall have power to adopt, amend, and repeal bylaws governing the performance of the powers and duties granted to or imposed upon it by law. The board of directors shall select and effect the appointment of qualified persons to fill the offices of president and vice president, and such other offices as may be provided for in the bylaws. Any member of the board who is a full-time officer or employee of the Federal Government shall not, as such member, receive compensation for his services."

(z) Section 309(a) of such Act is amended—

(1) by striking out "The Association" and inserting in lieu thereof "Each of the bodies corporate named in section 302(a)(2)";

(2) by striking out "by its board of directors, to adopt, amend, and repeal bylaws governing the performance of the powers and duties granted to or imposed upon it by law;";

(3) by striking out "conduct its business" and inserting in lieu thereof "conduct its business without regard to any qualification or similar statute";

(4) by striking out "the Association may deem" and inserting in lieu thereof "it may deem"; and

(5) by striking out "the purposes of the Association" and inserting in lieu thereof "its purposes".

(aa) Section 309(c) of such Act is amended—

(1) by striking out "(1)";

(2) by striking out "The Association" and inserting in lieu thereof "(1) The Association";

(3) by striking out ", and (2) the Association shall, with respect to its secondary market operations under section 304 after the cutoff date referred to in section 303(d) of this title, pay annually to the Secretary of the Treasury, for covering into miscellaneous receipts, an amount equivalent to the amount of Federal income taxes for which it would be subject if it were not exempt from such taxes with respect to such secondary market operations"; and

(4) by adding at the end thereof the following new paragraph:

"(2) The corporation, including its franchise, capital, reserves, surplus, mortgages or other security holdings, and income, shall be exempt from all taxation now or hereafter imposed by any State, territory, possession, Commonwealth, or dependency of the United States, or by the District of Columbia, or by any county, municipality, or local taxing authority, except that any real property of the corporation shall be subject to State, territorial, county, municipal, or local taxation to the same extent as other real property is taxed."

(bb) Section 309(d) of such Act is amended—

(1) by inserting "(1)" immediately following "(d)";

(2) by striking out "Chairman of the Board" and inserting in lieu thereof "Secretary of Housing and Urban Development";

(3) by striking out "agents," and inserting in lieu thereof "agents of the Association,"; and

(4) by adding at the end thereof the following new paragraph:

"(2) The board of directors of the corporation shall have the power to select and appoint or employ such officers, attorneys, employees, and agents, to vest them with such powers and duties, and to fix and to cause the corporation to pay such compensation to them for their services, as it may determine; and any such action shall be without regard to the Federal civil service and classification laws. Appointments, promotions, and separations so made shall be based on merit and efficiency, and no political test or qualification shall be permitted or given consideration. Each officer and employee of the corporation who is employed by the corporation prior to the termination of the transitional period referred to in section 710(b) of the Housing and Urban Development Act of 1968 and who on the day previous to the beginning of such employment will have been subject to the civil service retirement law (subch. III of ch. 83 of title 5, United States Code) shall, so long as his employment by the corporation continues without a break in continuity of service, continue to be subject to such law; and for the purpose of such law his employment by the corporation without a break in continuity of service shall be deemed to be employment by the Government of the United States. The corporation shall contribute to the Civil Service Retirement and Disability Fund a sum as provided by section 8334(a) of title 5, United States Code, except that such sum shall be determined by applying to the total basic pay (as defined in 5 U.S.C. 8331(3) and except as hereinafter provided) paid to the employees of the corporation who are covered by the civil service retirement law, the per centum rate determined annually by the United States Civil Service Commission to be the excess of the total normal cost per centum rate of the civil service retirement system over the employee deduction rate specified in section 8334(a) of title 5, United States Code. The corporation shall also pay into the Civil Service Retirement and Disability Fund such portion of the cost of administration of the fund as is determined by the United States Civil Service Commission to be attributable to its employees. Notwithstanding the foregoing provisions, there shall not be considered for the purposes of the civil service retirement law that portion of the basic pay in any one year of any officer or employee of the corporation which exceeds the basic pay provided for in section 5312 of title 5, United States Code, on the last day of such year. Except as provided in this subsection, the corporation shall not be subject to the provisions of title 5, United States Code."

(cc) Section 309(e) of such Act is amended—

(1) by striking out "body corporate created by section 302" and inserting in lieu thereof "bodies corporate named in section 302(a)(2)";

(2) by inserting ", 'Government National Mortgage Association'," immediately following "'Federal National Mortgage Association'"; and

(3) by striking out the second sentence and inserting in lieu thereof the following: "Violations of the foregoing sentence may be enjoined by any court of general jurisdiction at the suit of the proper body corporate. In any such suit, the plaintiff may recover any actual damages flowing from such violation, and, in addition, shall be entitled to punitive damages (regardless of the existence or nonexistence of actual damages) of not exceeding $100 for each day during which such violation is committed or repeated."

(dd) Section 309(g) of such Act is amended to read as follows:

"(g) The Federal Reserve banks are authorized and directed to act as depositaries, custodians, and fiscal agents for each of the bodies corporate named in section 302(a)(2), for its own account or as fiduciary, and such banks shall be reimbursed for such services in such manner as may be agreed upon; and each of such bodies corporate may itself act in such capacities, for its own account or as fiduciary, and for the account of others."

(ee) Section 309 of such Act is amended by adding at the end thereof the following new subsection:

"(h) The Secretary of Housing and Urban Development shall have general regulatory power over the Federal National Mortgage Association and shall make such rules and regulations as shall be necessary and proper to insure that the purposes of this title are accomplished. No stock, obligation, security, or other instrument shall be issued by the corporation without the prior approval of the Secretary. The Secretary may require that a reasonable portion of the corporation's mortgage purchases be related to the national goal of providing adequate housing for low and moderate income families, but with reasonable economic return to the corporation. The Secretary may examine and audit the books and financial transactions of the corporation, and he may require the corporation to make such reports on its activities as he deems advisable."

(ff) Section 311 of such Act is amended—

(1) by striking out "the Association" and inserting in lieu thereof "either of the bodies corporate named in section 302(a)(2)"; and

(2) by adding at the end thereof the following: "All stock, obligations, securities, participations, or other instruments issued pursuant to this title shall, to the same extent as securities which are direct obligations of or obligations guaranteed as to principal or interest by the United States, be deemed to be exempt securities within the meaning of laws administered by the Securities and Exchange Commission; but all such issuances shall be made only with the approval of the Secretary of Housing and Urban Development."

PARTICIPATIONS

SEC. 703. Section 302(c)(5) of the National Housing Act is amended by inserting at the end thereof the following: "In the event that the insufficiency required by the trustee is on account of principal maturities of outstanding beneficial interests or participations authorized to be issued pursuant to paragraph (4) of this subsection, or pursuant hereto, the trustee is authorized to elect to issue additional beneficial interests or participations for refinancing purposes in lieu of requiring any trustor or trustors to make payments to the trustee from appropriated funds or other sources. Each such issue of beneficial interests or participations shall be in an amount determined by the trustee but not in excess of the aggregate amount which the trustee would otherwise require the trustor or trustors to pay from appropriated funds or other sources, and may be issued without regard to the provisions of paragraph (4) of this subsection. All refinancing issues of beneficial interests or participations shall be deemed to have been issued pursuant to the authority contained in the appropriation Act or Acts under which the beneficial interests or participations were originally issued."

MORTGAGE-BACKED SECURITIES

SEC. 704. (a) Section 304 of the National Housing Act is amended by adding at the end thereof the following new subsection:

"(d) To provide a greater degree of liquidity to the mortgage investment market and an additional means of financing its operations under this section, the corporation is authorized to set aside any mortgages held by it under this section, and, upon approval of the Secretary of the Treasury, to issue and sell securities based upon the mortgages so set aside. Securities issued under this subsection may be in the form of debt obligations or trust certificates of beneficial interest, or both. Securities issued under this subsection shall have such maturities and bear such rate or rates of interest as may be determined by the corporation with the approval of the Secretary of the Treasury. Securities issued by the corporation under this subsection shall, to the same extent as securities which are direct obligations of or obligations guaranteed as to principal and interest by the United States, be deemed to be exempt securities within the meaning of laws administered by the Securities and Exchange Commission. Mortgages set aside pursuant to this subsection shall at all times be adequate to enable the corporation to make timely principal and interest payments on the securities issued and sold pursuant to this subsection."

(b) Section 306 of such Act is amended by adding at the end thereof the following new subsection:

"(g) The Association is authorized, upon such terms and conditions as it may deem appropriate, to guarantee the timely payment of principal of and interest on such trust certificates or other securities as shall (1) be issued by the corporation under section 304(d), or by any other issuer approved for the purposes of this subsection by the Association, and (2) be based on and backed by a trust or pool composed of mortgages which are insured under the National Housing Act or title V of the Housing Act of 1949, or which are insured or guaranteed under the Servicemen's Readjustment Act of 1944 or chapter 37 of title 38, United States Code. The Association shall collect from the issuer a reasonable fee for any guaranty under this subsection and shall make such charges as it may determine to be reasonable for the analysis of any trust or other security arrangement proposed by the issuer. In the event the issuer is unable to make any payment of principal of or interest on any security guaranteed under this subsection, the Association shall make such payment as and when due in cash, and thereupon shall be subrogated fully to the rights satisfied by such payment. Any Federal, State, or other law to the contrary notwithstanding, the Association is hereby empowered, in connection with any guaranty under this subsection, whether before or after any default, to provide by contract with the issuer for the extinguishment, upon default by the issuer, of any redemption, equitable, legal, or other right, title, or interest of the issuer in any mortgage or mortgages constituting the trust or pool against which the guaranteed securities are issued; and with respect to any issue of guaranteed securities, in the event of default and pursuant otherwise to the terms of the contract, the mortgages that constitute such trust or pool shall become the absolute property of the Association subject only to the unsatisfied rights of the holders of the securities based on and backed by such trust or pool. The full faith and credit of the United States is pledged to the payment of all amounts which may be required to be paid under any guaranty under this subsection. There shall be excluded from the total amounts set forth in subsection (c) the amounts of any mortgages acquired by the Association as a result of its operations under this subsection."

SUBORDINATED AND CONVERTIBLE OBLIGATIONS

SEC. 705. Section 304 of the National Housing Act is amended by adding thereto (after subsection (d) as added by section 704 of this Act) the following new subsection:

"(e) For the purposes of this section, the corporation is authorized to issue, upon the approval of the Secretary of the Treasury, obligations which are subordinated to any or all other obligations of the corporation, including subsequent obligations. The obligations issued under this subsection shall have such maturities and bear such rate or rates of interest as may be determined by the corporation with the approval of the Secretary of the Treasury and may be made redeemable at the option of the corporation before maturity in such manner as may be stipulated in such obligations. Any of such obligations may be made convertible into shares of common stock in such manner, at such price or prices, and at such time or times as may be stipulated therein. The total principal amount of such subordinated obligations which may be outstanding at any one time shall not exceed two times the sum of (1) the capital of the corporation represented by its outstanding common stock and (2) its surplus and undistributed earnings at such time. The outstanding total principal amount of such obligations which are entirely subordinated to the obligations of the corporation issued or to be issued under subsection (b) shall be deemed to be capital of the corporation for the purpose of determining the aggregate amount of obligations issued under subsection (b) which may be outstanding at any one time. Obligations issued by the corporation under this subsection shall, to the same extent as securities which are direct obligations of or obligations guaranteed as to principal or interest by the United States, be deemed to be exempt securities within the meaning of laws administered by the Securities and Exchange Commission. The corporation shall insert appropriate language in all of its obligations issued under this subsection clearly indicating that such obligations, together with the interest thereon, are not guaranteed by the United States and do not constitute a debt or obligation of the United States or of any agency or instrumentality thereof other than the corporation. The corporation is authorized to purchase in the open market any of its obligations outstanding under this subsection at any time and at any price."

SPECIAL ASSISTANCE AUTHORIZATION

SEC. 706. Section 305(c) of the National Housing Act is amended—

(1) by striking out "and" after "July 1, 1967,"; and

(2) by striking out the period and inserting in lieu thereof ", and by $500,000,000 on July 1, 1969."

AMENDMENTS TO OTHER LAWS

SEC. 707. (a) Section 306(b) of the Housing Act of 1959 is amended by striking out "Federal National Mortgage Association pursuant" and inserting in lieu thereof "Government National Mortgage Association pursuant".

(b) Section 312(d) of the Housing Act of 1964 is amended by striking out "Federal" and inserting in lieu thereof "Government".

(c) Section 5(b) of the Department of Housing and Urban Development Act is amended—

(1) by striking out "The Federal" and inserting in lieu thereof "The Government"; and

(2) by striking out ", and the position of the President of said Association is hereby allocated among the positions referred to in section 7(c) hereof".

(d) Section 7(b) of the Department of Housing and Urban Development Act is repealed.

(e) Section 101 of the Government Corporation Control Act is amended by striking out "Federal National Mortgage Association" and inserting in lieu thereof "Government National Mortgage Association".

(f) Section 13(4)(F) of the Public Buildings Act of 1959 is amended by striking out "Federal" and inserting in lieu thereof "Government".

(g) Section 6(b) of the Participation Sales Act of 1966 is amended by striking out "secondary market operations carried on by the Federal" and inserting in lieu thereof "the Government".

(h) Section 1820(e) of title 38, United States Code, is amended by striking out "Federal National" in three places and inserting in lieu thereof, in each such place, "Government National".

(i) Section 709 of title 18, United States Code, is amended by striking out "Federal National Mortgage Association" each place it appears and inserting in lieu thereof, in each such place, "Government National Mortgage Association."

(j) Section 5136 of the Revised Statutes is amended by inserting "or the Government National Mortgage Association" immediately following "Federal National Mortgage Association".

(k) Section 11(h) of the Federal Home Loan Bank Act is amended by inserting "or the Government National Mortgage Association, in the stock of the Federal National Mortgage Association" immediately following "Federal National Mortgage Association".

(l) Section 16 of the Federal Home Loan Bank Act is amended by inserting "or the Government National Mortgage Association" immediately following "Federal National Mortgage Association".

(m) Section 5(c) of the Home Owners' Loan Act of 1933 is amended by inserting "or the Government National Mortgage Association," immediately following "Federal National Mortgage Association" and by inserting "or the stock of the Federal National Mortgage Association" immediately after "any other agency of the United States".

(n) Section 8(8)(E) of the Federal Credit Union Act is amended by inserting "or the Government National Mortgage Association" immediately following "Federal National Mortgage Association".

EFFECTIVE DATE

Sec. 708. The amendments made by this title shall be effective from and after a date, no more than one hundred and twenty days following the date of enactment of this Act, as established by the Secretary of Housing and Urban Development. Notice of the establishment of such effective date shall be published in the Federal Register at least thirty days prior thereto.

SAVINGS PROVISIONS

Sec. 709. (a) No cause of action by or against the Federal National Mortgage Association existing prior to the effective date established pursuant to section 708 shall abate by reason of the enactment of this title. Any such cause of action may thereafter be asserted by or against the appropriate corporate body named in section 302(a)(2) of the National Housing Act.

(b) No suit, action, or other proceeding commenced by or against the Federal National Mortgage Association, or any officer thereof in his official capacity, prior to the effective date established pursuant to section 708 shall abate by reason of the enactment of this title. A court may at any time thereafter during the pendency of any such litigation, on its own motion or that of any party, order that the litigation may be maintained by or against the appropriate corporate body named in section 302(a)(2) of the National Housing Act or the appropriate corresponding officer thereof.

TRANSITIONAL PROVISIONS

Sec. 710. (a) On the effective date established pursuant to section 708 of this Act, each share of outstanding nonvoting common stock, with a par value of $100 per share, of the Federal National Mortgage Association shall be changed into and shall become one share of voting common stock, without par value, of such corporation.

(b)(1) The provisions of section 308(b) of the National Housing Act (is added by section 702(y)(7) of this Act) shall be applicable only to the extent that its provisions do not conflict with this subsection.

(2) For a transitional period after the effective date established pursuant to section 708 of this Act, the board of directors of the Federal National Mortgage Association shall consist of nine persons. For a term expiring on the date of the first annual meeting of the corporation's stockholders, all members of the board shall be appointed by the Secretary of Housing and Urban Development. For a term beginning on such date, seven members of the board shall be appointed by the Secretary, and two members shall be elected by the common stockholders. For subsequent terms beginning prior to the termination of the transitional period, five members shall be appointed by the Secretary, and four members shall be elected by the common stockholders. For each term beginning prior to the termination of the transitional period, the Secretary shall appoint as a member of the board the president of the corporation. During the transitional period, the president of the corporation shall be appointed by the President, by and with the advice and consent of the Senate, and may be removed from office by the President for good cause.

(3) The transitional period referred to in paragraph (2) shall come to an end at such time as the board of directors shall find, with the approval of the Secretary, that not less than one-third of the corporation's common stock is owned by persons or institutions in the mortgage lending, homebuilding, real estate, or related businesses; but in no event shall it end sooner than May 1, 1970, or later than May 1, 1973.

(c) From the effective date established pursuant to section 708 and until the retirement of the last of the outstanding shares of its preferred stock, the Federal National Mortgage Association shall be deemed to be a wholly owned corporation for the purposes of the Government Corporation Control Act. Notwithstanding the foregoing provisions of this paragraph, the financial transactions of the Federal National Mortgage Association shall continue to be subject to audit by the General Accounting Office for such period as there may be outstanding obligations of the Federal National Mortgage Association which are guaranteed as to principal or interest by the Government National Mortgage Association.

(d) Those persons who are the officers and employees of the Federal National Mortgage Association immediately prior to the effective date established pursuant to section 708 shall become the officers and employees of the Government National Mortgage Association on such date. The Federal National Mortgage Association and the Government National Mortgage Association shall provide by contract for the conditions and methods under which and by which the Federal National Mortgage Association during the transitional period may employ those individuals who are employees of the Government National Mortgage Association on such effective date; and may provide by contract for the operation by either of such corporations of any of the functions of the other. The Secretary of Housing and Urban Development shall make every reasonable effort to place in other comparable Federal positions any individuals who are career or career-conditional employees of the Government National Mortgage Association on such effective date and who are subsequently during the transitional period neither employed by the Federal National Mortgage Association nor retained by the Government National Mortgage Association.

Mr. PATMAN (during the reading). Mr. Chairman, I ask unanimous consent that title VII be considered as read, printed in the Record, and open to amendment at any point.

The CHAIRMAN. Is there objection to the request of the gentleman from Texas?

There was no objection.

The CHAIRMAN. Are there any amendments to title VII? If not, the Clerk will read.

The Clerk read as follows:

TITLE VIII—NATIONAL HOUSING PARTNERSHIPS

STATEMENT OF PURPOSE

Sec. 801. The Congress finds that the volume of housing being produced for families and individuals of low or moderate income must be increased to meet the national goal of a decent home and a suitable living environment for every American family, and declares that it is the policy of the United States to encourage to widest possible participation by private enterprise in the provision of housing for low or moderate income families. The Congress has therefore determined that one or more private organizations should be created to encourage maximum participation by private investors in programs and projects to provide low and moderate income housing.

CREATION OF CORPORATIONS

Sec. 802. (a) There is hereby authorized to be created a private corporation for profit (hereinafter in this title referred to as the "corporation"). The corporation will not be an agency or establishment of the United States Government. The corporation shall be subject to the provisions of this title and, to the extent consistent with this title, to the District of Columbia Business Corporation Act (D.C. Code, sec. 29–901 et seq.)

(b) Whenever the President finds it in the national interest to do so, he may cause the creation of an additional corporation or additional corporations to carry out the purposes of this title. All the provisions of this title shall thereupon become applicable to each such corporation, and to the limited partnership formed by it pursuant to section 807.

(c) Nothing in this title shall be construed to preclude private persons from creating other corporations and organizing other partnerships, joint ventures, or associations for the purposes set forth in this title as the purposes of the corporation and the partnership described in section 807.

PROCESS OF ORGANIZATION

Sec. 803. (a) The President of the United States shall appoint, by and with the advice and consent of the Senate, incorporators of the corporation, one of whom shall be designated by the President to serve as chairman. The incorporators shall serve as the initial board of directors until the first annual meeting of stockholders or until their successors are elected and have qualified.

(b) The incorporators shall take whatever actions are necessary or appropriate to establish the corporation, including the filing of articles of incorporation as approved by the President.

(c) The incorporators shall also arrange for an initial offering of shares of stock in the corporation and of interests in the partnership described in section 807 of this title. If the incorporators deem it advisable in order to carry out the purposes of this title, the initial offering may be made upon terms which require the purchase of other securities of the corporation or of interests in such partnership.

DIRECTORS

Sec. 804. The corporation shall have a board of directors (hereinafter in this section referred to as the "board"), consisting of fifteen members. Three members of the board shall be appointed by the President of the United States, by and with the advice and consent of the Senate, effective on the date on which the other members are elected, and for terms of three years or until their successors have been appointed and have qualified, except that the first three members of the board so appointed shall continue in office for terms of one, two, and three years, respectively, and any member so appointed to fill a vacancy shall be appointed only for the unexpired term of the director whom he succeeds. Twelve members of the board shall be elected by the stockholders.

FINANCING THE CORPORATION

Sec. 805. The corporation shall have the power to create and issue the number of shares stated in its articles of incorporation. Such shares may be divided into one or more classes, any or all of which classes may consist of shares with par value or shares without par value, with such designations, preferences, voting powers, and special or relative rights and such limitations, restrictions, or qualifications thereof as shall be stated in the articles of incorporation. The articles of incorporation may limit or deny the voting power of the shares of any class.

PURPOSES AND POWERS OF THE CORPORATION

Sec. 806. (a) In order to achieve the objectives and carry out the purposes of this title, the corporation is authorized to—

(1) plan, initiate, and carry out, pursuant to Federal programs or otherwise, the building or rehabilitation of housing and related

facilities primarily for the benefit of families and individuals of low or moderate income;

(2) buy, own, manage, lease, or otherwise acquire or dispose of property in connection with the developments, projects, or undertakings referred to in paragraph (1); and

(3) provide such funds as may be necessary to accomplish the developments, projects, or undertakings referred to in paragraph (1).

(b) Included in the activities authorized to the corporation for the accomplishment of the purposes indicated in subsection (a) of this section are, among others not specifically named—

(1) to enter into partnerships, limited partnerships, joint ventures, and other associations with individuals, corporations, and private and governmental agencies, organizations, and institutions;

(2) to act as manager or general partner of any such partnership, venture, or association;

(3) to conduct or contract for research and studies related to the development, demonstration, and evaluation of improved techniques and methods of constructing, rehabilitating, and maintaining housing;

(4) to provide technical assistance to nonprofit corporations, limited dividend corporations, and others with respect to the planning, financing, construction, rehabilitation, maintenance, and management of housing for low and moderate income families and individuals;

(5) to make loans or grants, including grants of interests in housing and related facilities, to nonprofit corporations, limited dividend corporations, and others, in carrying out its activities under subsection (a) of this section; and

(6) to hire or accept the voluntary services of consultants, experts, advisory boards, and panels to aid the corporation in carrying out the purposes of this title.

(c) To carry out the foregoing purposes and engage in the foregoing activities, the corporation shall have the usual powers conferred upon a stock corporation by the District of Columbia Business Corporation Act.

(d) Nothing in this title shall have the effect of waiving or otherwise affecting the applicability of the provisions of the Davis-Bacon Act (40 U.S.C. 267a—276a-5), or any other law requiring compliance with labor standards, in the case of any construction to which such provisions would otherwise apply.

NATIONAL HOUSING PARTNERSHIP

SEC. 807. (a) The corporation is authorized to arrange for the formation, as a separate organization, of a limited partnership (hereinafter in this title referred to as the "partnership") under the District of Columbia Uniform Limited Partnership Act (D.C. Code, sec. 41-401 et seq.) for the purpose of engaging in any of the activities authorized for the corporation under section 906 of this title, and to enter into a partnership agreement governing the affairs of such limited partnership.

(b) The partnership shall be subject to the provisions, to the extent consistent with this title, of (1) the District of Columbia Uniform Limited Partnership Act and (2) those provisions of the District of Columbia Uniform Partnership Act (D.C. Code, sec 41-301 et seq.) made applicable by section 6(2) of that Act (D.C. Code, sec. 41-305(2)). Notwithstanding any inconsistency between the provisions of such Acts, or of any other law, and the provisions of this section, the partnership organized pursuant to this section shall be deemed to have the legal status of a limited partnership.

(c) The partnership is authorized to enter into partnerships, limited partnerships, or joint ventures organized under applicable State or local law for the purpose of engaging in low and moderate income housing developments, projects, or undertakings in particular localities.

(d) The corporation shall be the general partner in the partnership. The capital of the partnership and the contributions of the partners shall be in such amounts and at such times as are set forth in or pursuant to the partnership agreement.

(e) The partnership agreement shall include provisions designed to assure that (1) the partnership shall participate in low and moderate income housing developments, projects, or undertakings in a manner designed to encourage the participation therein of local interests, and (2) in any such development, project, or undertaking the partnership shall not subscribe to more than 25 per centum (including equity investments made in services or property) of the aggregate initial equity investment unless, in the judgment of the corporation as general partner, the balance of the required equity investment is not readily obtainable from other responsible investors residing or doing business in the local community

(f) The partnership agreement may without limitation (1) permit each of the stockholders of the corporation to become a member of the partnership as a limited partner, (2) authorize the inclusion of other limited partners in addition to the stockholders of the corporation, (3) provide that the assignee of the partnership interest of a limited partner of the partnership who is also a stockholder of the corporation may not become a substituted limited partner unless he also acquires the assignor's stock of the corporation, and (4) include provisions requiring that the corporation as a general partner approve the substitution or addition of a member of the partnership.

(g) A corporation which is a limited partner in the partnership shall not become liable as a general partner by reason of the fact that (1) such corporation is a holder of shares of voting stock of the corporation constituting not more than 5 per centum of the total number of outstanding shares of such stock and exercises any of the rights (including voting rights) of a holder of such shares, and/or (2) a person who is an officer or director of such corporation (or of another corporation which controls or is subject to the control of, or is under common control with, such corporation) is a director of the corporation and performs the duties of that office. The interest of a limited partner in the partnership shall not be treated as a stock interest in the corporation, notwithstanding that such interest of a limited partner may be proportionate to his stock interest in the corporation.

(h) The certificate of the partnership and any amendment thereof required by the District of Columbia Uniform Limited Partnership Act shall be executed and acknowledged by the corporation as member and by each other member of the partnership or his attorney-in-fact duly authorized by power of attorney in writing. The corporation may execute and acknowledge the certificate and any amendment thereof as attorney-in-fact for any member, member to be substituted or added, or assigning member, by whom the certificate or amendment is required to be executed and acknowledged and who has appointed the corporation as such attorney.

REPORT TO CONGRESS AND RECORDS

SEC. 808. (a) The corporation shall submit an annual report to the President for transmittal to the Congress within six months after the end of its fiscal year. The report shall include a comprehensive and detailed report of the operations, activities, and financial condition of the corporation and the partnership under this title.

(b) The accounts of the corporation and of the partnership shall be audited annually in accordance with generally accepted auditing standards by independent certified public accountants or independent licensed public accountants certified or licensed by a regulatory authority of a State or other political subdivision of the United States.

ANTITRUST LAWS

SEC. 809. Nothing contained herein shall affect the applicability of the Federal antitrust laws to the activities of the corporation and the partnership created under this title and of the persons participating therein or in partnerships, limited partnerships, or joint ventures with either of them.

RIGHT TO REPEAL, ALTER, OR AMEND

SEC. 810. The right to repeal, alter, or amend this title at any time is expressly reserved.

AMENDMENT TO BANKING LAWS

SEC. 811. Paragraph "Seventh" of section 5136 of the Revised Statutes (12 U.S.C. 24) is amended by adding at the end thereof the following: "Notwithstanding any other provision in this paragraph, the association may purchase for its own account shares of stock issued by a corporation authorized to be created pursuant to title VIII of the Housing and Urban Development Act of 1968, and may make investments in a partnership, limited partnership, or joint venture formed pursuant to section 807(a) or 807(c) of that Act."

Mr. **PATMAN** (during the reading). Mr. Chairman, I ask unanimous consent that title VIII be considered as read, printed in the RECORD, and open to amendment at any point.

The **CHAIRMAN**. Is there objection to the request of the gentleman from Texas?

There was no objection.

The **CHAIRMAN**. Are there any amendments to title VIII? If not, the Clerk will read.

The Clerk read as follows:

TITLE IX—RURAL HOUSING

HOUSING FOR LOW AND MODERATE INCOME PERSONS AND FAMILIES

SEC. 901. Title V of the Housing Act of 1949 is amended by adding at the end thereof the following new section:

"LOANS TO PROVIDE OCCUPANT-OWNED, RENTAL, AND COOPERATIVE HOUSING FOR LOW AND MODERATE INCOME PERSONS AND FAMILIES

"SEC. 521. (a) Notwithstanding the provisions of sections 502, 517(a), and 515, loans to persons of low or moderate income under section 502 or 517(a)(1), and loans under section 515 to provide rental or cooperative housing and related facilities for persons and families of low or moderate income or elderly persons and elderly families, shall bear interest at a rate prescribed by the Secretary at not less than a rate determined by the Secretary of the Treasury taking into consideration the current average market yield on outstanding marketable obligations of the United States with remaining periods to maturity comparable to the average maturities of such loans, adjusted to the nearest one-eighth of 1 per centum, less not to exceed the difference between the adjusted rate determined by the Secretary of the Treasury and 1 per centum per annum:

"*Provided*, That such a loan may be made only when the Secretary determines that the needs of the applicant for necessary housing cannot be met with financial assistance from other sources including assistance under section 235 or 236 of the National Housing Act: *Provided further*, That interest on loans under section 502 or 517(a) to victims of natural disasters shall not exceed the rate which would be applicable to such loans under section 502 without regard to this section.

"(b) Housing and related facilities provided with loans described in subsection (a) shall be located in rural areas; and applicants eligible for such loans under section 502 or 517(a)(1), or for occupancy of housing provided with such loans under section 515, shall include otherwise qualified nonrural residents who will become rural residents.

"(c) There shall be reimbursed to the Rural Housing Insurance Fund by annual appropriations the amounts by which nonprincipal payments made from the fund during each fiscal year to the holders of insured loans described in subsection (a) exceed interest due from the borrowers during each year; and the Secretary from time to time may issue notes to the Secretary of the Treasury under section 517(h) to obtain amounts equal to such unreimbursed excess payments, pending the annual reimbursement by appropriation."

HOUSING FOR RURAL TRAINEES

Sec. 902. Title V of the Housing Act of 1949 is amended by adding after section 521 (as added by section 901 of this Act) the following new section:

"HOUSING FOR RURAL TRAINEES

"Sec. 522. (a) Upon the application of any State or political subdivision thereof, or any public or private nonprofit organization, the Secretary is authorized, after consultation with the Secretary of Labor, the Secretary of Health, Education, and Welfare, the Secretary of Housing and Urban Development, and the Director of the Office of Economic Opportunity, and after the Secretary determines that the housing and related facilities cannot reasonably be provided in any other way, to provide financial and technical assistance for the establishment, in rural areas, of housing and related facilities for trainees and their families who are residents of a rural area and have a rural background, while such trainees are enrolled and participating in training courses designed to improve their employment capability. The selection of training sites and location of housing shall be made with due regard to the economic viability of the area, and only after consideration of a labor area survey and full coordination among all Government agencies having primary responsibility for administering related programs.

"(b) Housing and related facilities assisted under this section shall be safe and sanitary, constructed in the most economical manner, and of modest design, giving due consideration to the purposes to be served and the needs of the occupants, and may, in the discretion of the Secretary, include mobile family quarters. Design and location shall be such as to facilitate, as feasible, the use of such housing and related facilities for other purposes when no longer needed for the primary purpose.

"(c) The applicant shall contribute the necessary land, or funds to acquire such land, from its own resources, including land acquired by donation or from funds repayable under subsection (e) or borrowed from other sources.

"(d) No financial assistance shall be made available under this section unless, to the extent and for the periods required by the Secretary, the applicant agrees that—

"(1) such housing will be maintained at all times in a safe and sanitary condition in accordance with standards prescribed by State or local law, or, in the absence of such standards, with requirements prescribed by the Secretary;

"(2) priority shall be given at all times, in granting occupancy of such housing and facilities, to the trainees and their families described in subsection (a); and

"(3) rentals charged them shall not exceed amounts approved by the Secretary after considering the portion of the actual total family income which the family can afford to pay for rent while meeting its other immediate needs during occupancy.

"(e) The Secretary may make advances pursuant to any contract for financial assistance under this section at such times and in such manner as may be specified in the contract. Such advances for the purchase of land shall be repayable with interest and within a period not to exceed thirty-three years and may be made upon such security, if any, as the Secretary requires. Advances for other purposes may be made repayable with or without interest or nonrepayable as determined by the Secretary on the basis of the anticipated income and cost of operation of the housing and related facilities and the ability of each applicant to finance such facilities. Any advances shall be limited to cover the capital costs of constructing such facilities, plus interest on borrowings to cover such costs.

"(f) Should housing and related facilities assisted pursuant to a contract under this section be sold to an ineligible transferee or diverted to a use other than its primary purpose within a period specified in the contract, all advances made under such contract shall be repaid to the Secretary, up to the amount of the sales price or the fair value of the property as determined by the Secretary, whichever is higher, with interest from the date of the sale or diversion. If no suitable alternate use of the property is available, as determined by the Secretary, after the purpose of this section can no longer be served, the property shall be returned to its original condition by the recipient of the assistance.

"(g) Interest charged on advances made under this section shall be at a rate, prescribed by the Secretary, which shall be not less than a rate determined by the Secretary of the Treasury taking into consideration the current average market yield on outstanding marketable obligations of the United States with remaining periods to maturity comparable to the average maturities of such loans, adjusted to the nearest one-eighth of 1 per centum, less not to exceed the difference between the adjusted rate determined by the Secretary of the Treasury and 1 per centum per annum, as determined by the Secretary.

"(h) The Secretary shall prescribe regulations to insure that Federal funds expended under this section are not wasted or dissipated.

"(i) As used in this section (1) the term 'related facilities' shall include any necessary community rooms or buildings, infirmaries, utilities, access roads, water and sewer services, and the minimum fixed or movable equipment determined by the Secretary to be necessary to make the housing reasonably habitable by trainees and their families; and (2) the term 'trainee' means any person receiving training under any federally assisted training program.

"(j) All laborers and mechanics employed in connection with the provision of housing and related facilities assisted under this section, where such housing includes eight or more dwelling units, shall be paid wages at rates not less than those prevailing on similar construction in the locality as determined by the Secretary of Labor in accordance with the Davis-Bacon Act, as amended (40 U.S.C. 276a—276a-5); and no assistance shall be extended under this section with respect to such housing and the related facilities without first obtaining adequate assurance that these labor standards will be maintained upon the construction work involved. The Secretary of Labor shall have, with respect to the labor standards specified in this subsection, the authority and functions set forth in Reorganization Plan Numbered 14 of 1950 (64 Stat. 1267) and section 2 of the Act of June 13, 1934 (40 U.S.C. 276c).

"(k) There are authorized to be appropriated such sums as may be necessary to carry out this section."

APPROPRIATIONS

Sec. 903. Section 513 of the Housing Act of 1949 is amended—

(1) by striking out "and (e)" and inserting in lieu thereof "(e)"; and

(2) by inserting before the period at the end thereof the following: "; and (f) such sums as may be required by the Secretary to administer the provisions of sections 235 and 236 of the National Housing Act".

PURCHASE OF LAND FOR BUILDING SITES

Sec. 904. Section 514(f)(2) of the Housing Act of 1949 is amended—

(1) by striking out "and" before "(B)", and

(2) by inserting before the semicolon at the end thereof the following: "and (C) land necessary for an adequate site".

MUTUAL AND SELF-HELP HOUSING

Sec. 905. Title V of the Housing Act of 1949 is amended by adding after section 522 (as added by section 902 of this Act) the following new section:

"MUTUAL AND SELF-HELP HOUSING

"Sec. 523. (a) The purposes of this section are (1) to make financial assistance available on reasonable terms and conditions in rural areas and small towns to needy low-income individuals and their families who, with the benefit of technical assistance and overall guidance and supervision, participate in approved programs of mutual or self-help housing by acquiring and developing necessary land, acquiring building materials, providing their own labor, and working cooperatively with others for the provision of decent, safe, and sanitary dwellings for themselves, their families, and others in the area or town involved, and (2) to facilitate the efforts of both public and private nonprofit organizations providing assistance to such individuals to contribute their technical and supervisory skills toward more effective and comprehensive programs of mutual or self-help housing in rural areas and small towns wherever necessary.

"(b) In order to carry out the purposes of this section, the Secretary of Agriculture (in this section referred to as the "Secretary") is authorized—

"(1) to make grants to, or contract with, public or private nonprofit corporations, agencies, institutions, organizations, and other associations approved by him, to pay part or all of the costs of developing, conducting, administering, or coordinating effective and comprehensive programs of technical and supervisory assistance which will aid needy low-income individuals and their families in carrying out mutual or self-help housing efforts;

"(2) to make loans, on such terms and conditions and in such amounts as he deems necessary, to needy low-income individuals participating in programs of mutual or self-help housing approved by him, for the acquisition and development of land and for the purchase of such other building materials as may be necessary in order to enable them, by providing substantially all of their own labor, and by cooperating with others participating in such programs, to carry out to completion the construction of decent, safe, and sanitary dwellings for such individuals and their families, subject to the following limitations:

"(A) there is reasonable assurance of repayment of the loan;

"(B) the amount of the loan, together with other funds which may be available, is adequate to achieve the purpose for which the loan is made;

"(C) the credit assistance is not otherwise available on like terms or conditions from private sources or through other Federal, State, or local programs;

"(D) the loan bears interest at a rate not to exceed 3 per centum per annum on the unpaid balance of principal, plus such additional charge, if any, toward covering other costs of the loan program as the Secretary may determine to be consistent with its purposes; and

"(E) the loan is repayable within not more than thirty-three years.

"(c) In determining whether to extend financial assistance under paragraph (1) or (2) of subsection (b), the Secretary shall take into consideration, among other factors, the suitability of the area within which construction will be carried out to the type of dwelling which can be provided under mutual or self-help housing programs, the extent to which the assistance will facilitate the provision of more decent, safe, and sanitary housing conditions than presently exist in the area, the extent to which the assistance will be utilized efficiently and expeditiously, the extent to which the assistance will effect an increase in the standard of living of low-income individuals participatng in the mutual or self-help housing program, and whether the assistance will fulfill a need in the area which is not otherwise being met through other programs, including those carried out by other Federal, State, or local agencies.

"(d) As used in this section, the term 'construction' includes the erection of new dwellings, and the rehabilitation, alteration, conversion, or improvement of existing structures.

"(e) The Secretary is authorized to establish appropriate criteria and procedures in order to determine the eligibility of applicants for the financial assistance provided under this section, including criteria and procedures with respect to the periodic review of any construction carried out with such financial assistance.

"(f) There are hereby authorized to be appropriated for each fiscal year commencing after June 30, 1968, and ending prior to July 1, 1973, such sums, not in excess of $5,000,000 for any such fiscal year, as may be necessary to carry out the provisions of this section. No grant or loan may be made or contract entered into under the authority of this section after June 30, 1973, except pursuant to a commitment or other obligation entered into pursuant to this section before that date."

Mr. PATMAN (during the reading). Mr. Chairman, I ask unanimous consent that title IX be considered as read, printed in the Record, and open to amendment at any point.

The CHAIRMAN. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. TALCOTT. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I take this time to ask several questions of the gentleman from Pennsylvania [Mr. Barrett], the chairman of the subcommittee, and the gentleman from Texas [Mr. Patman], the chairman of the full committee.

As I understand this bill, it provides for a total expenditure of some $50 billion. Is that not correct?

Mr. BARRETT. It is $5 billion over 3 years.

Mr. TALCOTT. $5 billion for the fiscal year 1969.

Mr. BARRETT. Over 3 years.

Mr. TALCOTT. Then, I have a different computation.

In any event, there is a good deal of money being authorized for housing, particularly for city housing, but title IX is intended for rural housing. Can you tell me how much money is authorized in title IX for rural housing of all kinds?

Mr. BARRETT. First let me say that these will be in subsidies as well as in the low-income housing field. I cannot give you the exact amount on it, because titles I and II do not set a limit on the exact amount of dollars that can be used for rural housing.

Mr. TALCOTT. Will the gentleman answer this question? I am trying to ascertain the amount of money in this bill which is authorized for rural housing. In my view, the people who live in rural areas are the poorest of the poor and the most disadvantaged of the disadvantaged and have the worst housing. They would gladly move to the ghettos of the big cities to improve their conditions. I would like to find out how much money is being proposed to be spent for the rural people as opposed to the people in the big cities.

Mr. Chairman, I would suggest that the rural areas are actually the poorest of the poor, the most disadvantaged of the disadvantaged. They have the worst housing in the United States and most of the people who live in the rural areas, particularly the farmworkers and the migrant farmworkers would like to be able to move permanently to the cities to seek to enjoy some of the benefits afforded residents there.

Therefore, Mr. Chairman, I would like to know how much money is being authorized in this bill for rural housing as compared with city housing.

Mr. BARRETT. We have a total authorization, if I may say to the gentleman, of $25 million for self-help housing.

Is that an adequate answer to the gentleman's question?

Mr. TALCOTT. Then the answer to my question is $5 billion for the cities and only $25 million for rural people.

Mr. JONAS. Mr. Chairman, will the gentleman yield?

Mr. TALCOTT. I yield to the gentleman from North Carolina.

Mr. JONAS. Mr. Chairman, I am amazed at the continued statements on the other side of the aisle that this bill involves $5 billion. There are five programs contained in this bill which run for a period of 40 years and those five programs alone will cost the taxpayers of the United States of America more than $50 billion.

Mr. Chairman, I invite the gentleman to deny that if it is not true, or to confirm it if it is true and let us quit talking about this being a $5-billion bill because the cost will be in excess of $50 billion—of the taxpayers' money.

Mr. BARRETT. Mr. Chairman, if the gentleman from California will yield, I would say the gentleman from North Carolina is partially right. We have to calculate these subsidies going down in the rent supplement areas. We will also have to calculate the subsidy figures coming down on the low- and moderate-income housing. I do not believe anyone can give the amount that will be covered over a 40-year period. I do not believe anyone can do that or can make that statement accurately.

Mr. JONAS. Mr. Chairman, if the gentleman from California will yield further to me, my experience is and has been that these programs and the cost thereof do not go down, but they go up as the years pass. The total expenditure to the taxpayer of America in these five programs alone is more than $50 billion.

Mr. TALCOTT. Well, I am amazed. With a $50 billion exposure to the taxpayers for housing for the city dwellers, there is only the possibility of $25 million for rural residents. This proration of Federal authorization is inequitable. The rural residents are poorer and housing costs are higher. Additionally, the rural residents must help themselves. This idea of self-help ought to be applied to city dwellers also.

This bill is grossly unfair to the rural people who need housing help even more urgently than city residents.

Until more consideration is given to the people who need housing most, I cannot vote to burden the Federal taxpayer with an exposure to the payment of $50 billion.

This bill will encumber the next generation by a certain $50 billion. Experience proves that the mortgage will increase before the program projects are amortized.

AMENDMENT OFFERED BY MR. STEPHENS

Mr. STEPHENS. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. Stephens: On page 179, line 14, renumber paragraph (1) as paragraph (1)(A). On page 179, after line 22 and before line 23 insert a new paragraph (B) to read as follows:

"(B) to establish the Self-Help Housing Land Development Fund, referred to herein as the Self-Help Fund, to be used by the Secretary as a revolving fund for making loans, on such terms and conditions and in such amounts as he deems necessary, to public or private nonprofit organizations for the acquisition and development of land as building sites to be subdivided and sold to families, nonprofit organizations, and cooperatives eligible for assistance under section 235 or 236 of the National Housing Act or section 521 of this act. Such a loan, with interest at a rate not to exceed 3 percent per annum, shall be repaid within a period not to exceed two years from the making of the loan, or within such additional period as may be authorized by the Secretary in any case as being necessary to carry out the purposes hereof."

On page 182, line 11, strike out the quotation marks.

On page 182, after line 11 and before line 12, insert the following new subsection (g):

"(g) There are hereby authorized to be appropriated for the purposes of subsection (b)(1)(B) not to exceed $1,000,000 for the fiscal year ending June 30, 1969 and not to exceed $2,000,000 for the fiscal year ending June 30, 1970. Any amount so authorized to be appropriated for any fiscal year which is not appropriated may be appropriated for any succeeding fiscal year or years. Amounts appropriated under this subsection shall be deposited in the Self-Help Fund, which shall be available without fiscal year limitation for making loans under subsection (b)(1)(B). Instruments and property acquired by the Secretary in or as a result of making such loans shall be assets of the Self-Help Fund. Sums received from the repayment of such loans shall be deposited in and be a part of the Self-Help Fund."

Mr. PATMAN (during the reading). Mr. Chairman, we are acquainted with the amendment which the gentleman has offered. The gentleman has given it to both sides, the minority and the majority. Therefore, I ask unanimous consent that further reading of the gentleman's amendment be dispensed with and, that it be printed in the Record.

The CHAIRMAN. Is there objection to the request of the gentleman from Texas?

Mr. GROSS. Mr. Chairman, reserving

the right to object, just what kind of request is this, that the amendment be subject to amendment at any point? It is subject to amendment without unanimous consent.

Mr. PATMAN. Mr. Chairman, if the gentleman from Iowa will yield, I believe the gentleman will understand it when he understands what is sought to be accomplished by the amendment. We are willing to accept the amendment and we thought the other side was willing to do likewise.

Mr. GROSS. Mr. Chairman, further reserving the right to object, the gentleman says he is willing to accept the pending amendment. Only a short time ago he made a speech complaining about the numerous amendments to this bill and made the statement that we would be here a long time if all of the amendments were offered. In other words, he suggested that the Members ought to stick their amendments in their pockets or some place else, apparently, so that we could get out of here without properly considering the bill.

The gentleman from Texas brought in a Christmas tree with presents on it for everybody, or as many people as he could think of, and now he wants the Members to pocket some of the baubles that are on the tree. One after one, he succumbs to amendments that are offered and blithely, easily, and glibly accepts the amendments that are being offered.

I would ask the gentleman what kind of business is this where on one hand he chides the Members for their interest in the bill, and on the other the gentleman gets up and accepts amendment after amendment.

Mr. Chairman, I would like to see a little order out of the chaos that presently exists.

Mr. PATMAN. Mr. Chairman, may I say to the gentleman that this is an amendment in the public interest. It has been examined by experts on both sides, the minority side and the majority side. And whenever we agree on an amendment that no one objects to, and we believe is in the public interest, we are willing to save a little time that way and get through. And we only agree to amendments where there is no doubt about them being constructive and helpful.

Mr. GROSS. The gentleman asks us to rely on his judgment. Some of us would like to know what is in some of the amendments that the gentleman so blithely and quickly now accepts, whereas a moment ago he was blaming the House because the Members were introducing so many amendments.

Mr. PATMAN. The gentleman from Georgia [Mr. STEPHENS] expects to state what the amendment proposes.

Mr. STEPHENS. Mr. Chairman, I appreciate having the opportunity of explaining the amendment that everybody agrees to, as it sounds like. However, it seems they only disagree on one thing: letting me explain.

However, Mr. Chairman, this amendment is an amendment that is applied to the self-help proposals that are in the bill for groups that want to get together and build houses for low-income people, just like they used to do in the old frontier days. However, nowadays, Mr. Chairman, people just do not have the necessary skills they used to have when logrollings were held.

The purpose of this amendment is to provide some guidance through the Farmers Home Administration for the people who are planning to provide self-help housing for themselves. It would provide groups that want to undertake the self-help projects with the help of finding the proper site for their buildings. It will guide them in the plans for their housing and then it will provide them for the actual construction of these houses.

The amount of money involved is $1 million for the first year, $2 million for the second year; a total of $3 million. It will have to be appropriated and it will be then put into a revolving fund, because it will be paid back out of the funds that are contemplated here.

Mr. GROSS. Mr. Chairman, will the gentleman yield?

Mr. STEPHENS. I yield to the gentleman from Iowa.

Mr. GROSS. The gentleman from Georgia is not telling me that this is some more counseling service for somebody?

Mr. STEPHENS. A little more than what the gentleman objected to yesterday. It teaches more, it teaches the people how to solve their problems, such as how many rafters would go into the house, and how many studs would go into the house.

Mr. GROSS. The builders today are not competent to know how many studs would go into a house in Georgia or in Iowa?

Mr. STEPHENS. Yes, they are; they are competent, but these people that we are talking about are not contractors, they are not builders, they are building a house from scratch themselves as a self-help project, just like the old-fashioned groups that got together in a community when they wanted to build a log cabin, and they had all the people in the neighborhood come and help them.

Mr. GROSS. If the gentleman will yield further, is the gentleman going to provide them with slide rules also, to the highly educated people in Georgia who are going to build their own houses?

Mr. STEPHENS. We have educated people in Georgia who can teach them how to do it.

Mr. GROSS. I guess we had some down here not long ago—down here in shantytown.

Mr. STEPHENS. Yes, sir; we did. But they were not all from Georgia though.

Mr. MATHIAS of California. Mr. Chairman, will the gentleman yield?

Mr. STEPHENS. I yield to the gentleman from California.

Mr. MATHIAS of California. Mr. Chairman, I thoroughly support the amendment offered by the gentleman from Georgia [Mr. STEPHENS] to provide a revolving fund for self-help housing land acquisition. Self-Help Enterprises, which runs a very successful program in my own congressional district, organizes groups of 10 to 12 families, who share their time and talent to complete a new home for each family in the group. It is important that each group of houses be located in the same general area, so that each family can help with building every house. If the houses are widely separated, the cost of technical supervision rises. And when an area is improved by the construction of self-help homes, land costs rise and it is difficult to acquire additional homesites in the area at a reasonable cost.

In February of 1967, I filed legislation to expand the scope of self-help housing and that bill included language authorizing a revolving fund for land acquisition. With a revolving fund land can be acquired in blocks and then subdivided. The proceeds of subdivision will be returned to the fund. Such a revolving fund will allow significant economies in the self-help housing process and thereby put self-help housing within reach of an even greater number of families.

Contrary to popular opinion, most of the country's substandard housing is not located in the deteriorated slum neighborhoods of our major cities, but in rural areas and small towns. Secretary of Housing and Urban Development Weaver has testified that:

> In 1960, over 52% of the dilapidated units were in rural open country or in small towns under 2,500 population . . . Conversely, only 23% of the dilapidated housing in the United States was located in cities over 50,000 population.

I am particularly pleased that the present bill provides for the expansion of self-help housing. Self-Help Enterprises of Visalia, Calif., is now operating a highly successful program of this type. One hundred and seventy-five farmworker families in the San Joaquin Valley have already completed new homes, another 195 families have homes under construction, and an additional 315 families are in some stage of planning for future construction.

Section 905 of the present bill will allow the Secretary of Agriculture to support expanded programs of self-help housing and make loans to program participants. Section 1415 authorizes the Secretary of Housing and Urban Development to study the application of self-help techniques to nonrural areas. These two sections will expand the scope of self-help housing and give it a chance to show that it can work in urban as well as rural areas.

The self-help process has demonstrated that it is efficient and that it requires a minimum of Government expense and involvement. With Government funds Self-Help Enterprises furnishes only technical and supervisory assistance. All the actual labor is supplied by the families themselves. The cost of land, materials, and equipment is covered by a mortgage that the owner will pay off in regular installments. The average mortgage in the San Joaquin Valley amounts to about $8,000 or two-thirds of the value of the typical home. The remaining one-third, about $4,000, is the owner's equity built by months of hard work by every member of the family.

Self-help housing is an excellent program that has shown that it can succeed. I am pleased that the present bill will expand this program.

Mr. STEPHENS. I thank the gentleman.

Mr. WATSON. Mr. Chairman, will the gentleman yield?

Mr. STEPHENS. I yield to the gentleman.

Mr. WATSON. I certainly am inclined to support the gentleman's amendment but, frankly, I am a little undecided now. Just what does the gentleman's amendment do? Do you mean to tell me that if some of our neighbors want to get together and supply our combined talents in building houses for one another that we have to have Government approval to do that?

Mr. STEPHENS. Under the bill itself, if they are going to get some assistance from the Government and in the financing of it, this amendment would give them some assistance from the Farmers Home Administration in the planning of it.

Mr. WATSON. Well, that is the thing—the Government will be paying for the planning of it. In other words, we are going to eliminate the architects, and we are going to eliminate the real estate people, and we are going to eliminate the contractors, but the Government is going to come in with other people?

The CHAIRMAN. The time of the gentleman from Georgia [Mr. Stephens] has expired.

(By unanimous consent, at the request of Mr. Watson, Mr. Stephens was granted 2 additional minutes.)

Mr. WATSON. That is the point I am trying to get satisfied in my mind—is the Government going to step in and take the place of the architects and the contractors and so forth? I just fail to see, if a group wants to get together who are providing the plumbing expertise, and another one the electrical know-how, and so forth, why we need any approval from the Government in order to get help.

Mr. STEPHENS. I would point out to the gentleman that under my amendment it is not mandatory that they have to take this help. If they ask for it, they can get it. It is not mandatory and it is not required that they get it.

Mr. WATSON. Yes, but I have still failed to get an answer to my question as to why, if they chose to follow this route, why they have to get Government approval.

Mr. STEPHENS. They have to get Government approval of their projects if they want the loans that are involved here—that is, Government approval to provide the money.

Mr. WATSON. But you do agree under this process that we are going to eliminate the architect and we are going to eliminate the regular contractors.

Mr. STEPHENS. No; I do not think we are going to eliminate them. They have a perfect right to hire them and undertake the work.

Mr. WATSON. Yes; but why would we resort to Government counsel and advice and guidance if I can go and get a carpenter or a contractor who obviously knows what there is to know about the construction of a house.

Mr. STEPHENS. They can do that.

Mr. HANNA. Mr. Chairman, will the gentleman yield?

Mr. STEPHENS. I yield to the gentleman from California.

Mr. HANNA. Is it not true that the very definition itself of the word "self-help" indicates that the man is in a different position in dealing with professionals in his community. If it was not self-help, it would not be in this section. Therefore, this makes no change in his relationship to any of the professions whatsoever.

If he wants to do it, and if he asks for it to get the money and the Government assistance for planning through the Government, you are making it available.

Mr. WATSON. If the gentleman will yield for another observation, if it is self-help and he is going to do it himself, why does the Government have to be here in the picture?

Mr. STEPHENS. It does not have to do it unless it is invited.

Mr. WATSON. I assume that the purpose of the amendments is to get the Government into the picture, otherwise this is simply an exercise in futility.

Mr. STEPHENS. My amendment would provide for a way to help rather than giving it completely to what might be an irresponsible group.

(On request of Mr. Thompson of Georgia, and by unanimous consent, Mr. Stephens was allowed to proceed for 3 additional minutes.)

Mr. THOMPSON of Georgia. Mr. Chairman, will the gentleman from Georgia yield for a question?

Mr. STEPHENS. I yield to the gentleman from Georgia.

Mr. THOMPSON of Georgia. I thought I thought I was perfectly clear on the amendment until we started getting into the questions. Would your amendment provide that a person can obtain money from the Government who is not an expert in home construction but merely wishes to provide some money for planning purposes of his own home?

Mr. STEPHENS. No; I do not think that would be exactly correct. These self-help proposals are for group self-help. It may be for the purpose of dealing with one individual home, yes; but it may be handled by a nonprofit group that would have some leadership in finding the land, and perhaps they would build 10 houses in an area together.

Mr. THOMPSON of Georgia. Will the gentleman yield for one further question?

Mr. STEPHENS. I yield.

Mr. THOMPSON of Georgia. Suppose there is a church group that wants to get together. They have no experience whatsoever in building, but there is a local church and they say, "We want to build a small community. We need some money for planning this community." Under this program, should they apply for a planning grant, and would the Federal Government finance the plan for that and the homes under your amendment?

Mr. STEPHENS. Under my amendment, yes. The Farmers Home Administration could come in to help.

Mr. THOMPSON of Georgia. Then, of course, they would have other financing to obtain, financing for building the houses.

Mr. STEPHENS. That is correct.

Mr. THOMPSON of Georgia. I thank the gentleman.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Georgia.

The amendment was agreed to.

Mr. BINGHAM. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, before we leave the titles of the bill that have to do with housing and with mass transportation, I would like to make one or two brief comments, and I will not take the 5 minutes. I think it should be understood that there are many of us in this House who feel that, while the committee—especially the chairman of the committee and the chairman of the subcommittee—have done a splendid job on this bill, there are several titles in which the sums authorized are not going to be adequate to meet the needs. Recognizing the practicalities, we have not sought amendments to increase these amounts, but it should be a matter of record that we believe in many instances these figures should be higher.

I have particular reference to title VI, dealing with urban mass transportation. While an increase has been called for in that title, it is wholly inadequate. I hope that some day the Members of this House and the people of the country will recognize that the Federal Government is doing far too little for mass transportation in the big cities of our country, especially when we consider the huge amounts of money that the Federal Government is spending for highways across the country today.

It is still true that the Federal Government is putting up $20 for highways for every dollar that it is putting up to improve the mass transportation facilities which millions of people in our cities have to use every day. I hope that some day that ratio will be brought more into balance.

Mr. SISK. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I hesitate to take too much of the Committee's time, but I do wish to express my appreciation to the Banking and Currency Committee for title IX. I have long been interested and concerned with the program of self-help housing because in the areas where it has been tried, I believe it has done an exceptionally good job. I wish to commend my colleague from California [Mr. Mathias], who has an adjoining district to mine, where we have seen what can happen under a good program of self-help housing.

I would like at this time, Mr. Chairman, if I might, to direct a question or two to the gentleman from Pennsylvania [Mr. Barrett] with reference to the intent of the committee and the intent of Congress as to the program of financing for self-help housing under the provisions of this bill as to areas or small towns or suburban areas that are near or adjacent to metropolitan areas.

As I am sure my colleague from Pennsylvania knows, the present program operating under the Farmers Home Administration is limited to small towns of 5,500 or less. We have run into a situation where the small town which happens to be adjacent to a metropolitan area has had a question raised as to whether or not it would qualify.

I would like to have the gentleman from Pennsylvania comment as to the intent of the committee in this area and to what extent this program which is proposed now in this legislation might expand on the general self-help housing program.

I yield to the gentleman for that purpose, if he will comment.

Mr. BARRETT. Mr. Chairman, I think we have a great opportunity to expand under this program. Any small town under 5,500 will be eligible to apply under this program.

Mr. SISK. Mr. Chairman, I am certainly not advocating that this be made applicable in the metropolitan area. I think we have ample programs in the cities themselves, but I am concerned with the suburban areas and the small towns, where today they lie, let us say, within the metropolitan area of a city, and where the Farmers Home Administration under their program have ruled that because of the proximity to the metropolitan area, the towns would not qualify for the self-help program.

I understand the gentleman from Pennsylvania to say he understands here the fact that an area is adjacent or near to a metropolitan area will not rule it out if the area otherwise qualifies.

Mr. BARRETT. That is correct.

Mr. STEPHENS. Mr. Chairman, if the gentleman will yield, it is my understanding that the self-help proposals are not limited by the 5,500 limitation that we have for the Farmers Home Administration, that this is not limited to 5,500.

Mr. SISK. Let me say to my good friend from Georgia, I have been pretty deeply involved in this program for the last 3 or 4 years. I have a number of self-help homes in my area that have been helped, and the Farmers Home Administration has been very strict in adhering to this. It was my hope that, though not seeking to qualify within the cities themselves, at least within the suburban areas and areas near to the metropolitan area they would qualify. I raise this question because I recently had one ruled out, a little town of about 3,000 or 4,000, because of its proximity to the city of Fresno, which is my hometown.

I simply want to make clear that this is not the intent of the Congress to rule such a community out.

Mr. BARRETT. I believe that is what we intended when we passed on this in the committee.

Mr. SISK. I appreciate that very much. As I understand, this is the position of the gentleman from Pennsylvania, the chairman of the subcommittee.

Mr. BARRETT. Mr. Chairman, that is correct.

Mr. SISK. Mr. Chairman, I wish to express my appreciation for the inclusion of section 905 of this bill, authorizing a new program of assistance for self-help housing in rural areas and small towns through the Farmers Home Administration. This language represents substantially the program which I have advocated for some time, but it is important that the nature of this program be clearly understood in terms of a legislative history. The immediate language provides for continuing assistance only in areas served by the Farmers Home Administration, the larger urban areas being embraced by the language establishing the National Home Ownership Foundation—section 107—which provides authorization for technical assistance to self-help groups, and section 1415(a) which authorizes and requires the Secretary of Housing and Urban Development to carry out studies and demonstrations of self-help housing.

My concern is with section 905 of title IX.

Is it my understanding that the purpose of section 905 is to enable low-income families to secure decent housing and homeownership through self-help, first, by authorizing funds for sponsorship of such programs, and, second, by making low-interest-rate money available to such families. It is my understanding that the enactment of this section would authorize funds which the Farmers Home Administration can grant to nonprofit organizations to provide educational services and technical assistance to low-income families seeking homes through self-help, and that the $5 million in funds authorized specifically in this section is for this purpose. It is also my understanding that section 905 authorizes the Secretary of Agriculture to make credit available to such self-help families at the lowest possible rate, not to exceed 3 percent per annum.

In other words, section 905 authorizes an expansion of the self-help housing program, authorizes the Secretary of Agriculture to lend money to self-help families in small towns and rural areas, at the lowest interest rate possible under existing or future legislation; and further, that the funds authorized in subparagraph (f) of section 905 are for the purpose of carrying on educational and technical assistance programs through nonprofit organizations organized for that purpose.

The CHAIRMAN. If there are no further amendments to title IX, the Clerk will read.

The Clerk read as follows:

TITLE X—URBAN PROPERTY PROTECTION AND REINSURANCE

SHORT TITLE

SEC. 1001. This title may be cited as the "Urban Property Protection and Reinsurance Act of 1968."

FINDINGS AND DECLARATION OF PURPOSE

SEC. 1002. (a) The Congress finds that (1) the vitality of many American cities is being threatened by the deterioration of their inner city areas; responsible owners of well-maintained residential, business, and other properties in many of these areas are unable to obtain adequate property insurance coverage against fire, crime, and other perils; the lack of such insurance coverage accelerates the deterioration of these areas by discouraging private investment and restricting the availability of credit to repair and improve property therein; and this deterioration poses a serious threat to the national economy; (2) recent riots and other civil commotion in many American cities have brought about abnormally high losses to the private property insurance industry for which adequate reinsurance cannot be obtained at reasonable cost, and the risk of such losses will make most lines of property insurance even more difficult to obtain; (3) the capacity of the private property insurance industry to provide adequate insurance is threatened, and the continuity of such property insurance protection is essential to the extension of credit in these areas; and (4) the national interest demands urgent action by the Congress to assure that essential lines of property insurance, including lines providing protection against riot and civil commotion damage will be available to property owners at reasonable cost.

(b) The purposes of this title are, therefore, to (1) encourage and assist the various State insurance authorities and the property insurance industry to develop and carry out statewide programs which will make necessary property insurance coverage against the fire, crime, and other perils more readily available for residential, business, and other properties meeting reasonable underwriting standards; and (2) provide a Federal program of reinsurance against abnormally high property insurance losses resulting from riots and other civil commotion, placing appropriate financial responsibility upon the States to share in such losses.

AMENDMENT OF THE NATIONAL HOUSING ACT

SEC. 1003. The National Housing Act is amended by adding at the end thereof the following new title:

"TITLE XII—NATIONAL INSURANCE DEVELOPMENT PROGRAM

"PROGRAM AUTHORITY

"SEC. 1201. (a) The Secretary is authorized to establish and carry out the programs provided for in parts A, B, and C of this title.

"(b)(1) The powers of the Secretary under this title shall terminate on April 30, 1973, except to the extent necessary—

"(A) to continue reinsurance in accordance with the provisions of section 1223(b) until April 30, 1976;

"(B) to process, verify, and pay claims for reinsured losses and perform other necessary functions in conncetion therewith; and

"(C) to complete the liquidation and termination of the reinsurance program.

(2) On April 30, 1976, or as soon thereafter as possible, the Secretary shall submit to the Congress, for its approval, a plan for the liquidation and termination of the reinsurance program.

"ADVISORY BOARD; MEETINGS, DUTIES, COMPENSATION AND EXPENSES

"SEC. 1202. (a)(1) There is established an Advisory Board (hereinafter called the 'Board') consisting of nineteen members appointed by the Secretary. Members of the Board shall be selected from among representatives of the general public, the insurance industry, State and local governments including State insurance authorities, and the Federal Government. Of these members of the Board, not more than six shall be regular full-time employees of the Federal Government, and not less than four shall be representatives of the private insurance industry and not less than four shall be representatives of State insurance authorities.

"(2) The Secretary shall designate a Chairman and a Vice Chairman of the Board.

"(3) Each member shall serve for a term of two years or until his successor has been appointed, except that no person who is appointed while a full-time employee of a State or the Federal Government shall serve in such position after he ceases to be so employed, unless he is reappointed.

"(4) Any member appointed to fill a vacancy occuring prior to the expiration of the term for which his predecessor was appointed shall be appointed for the remainder of that term.

"(b) The Chairman shall preside at all meetings, and the Vice Chairman shall preside in the absence or disability of the Chairman. In the absence of both the Chairman and Vice Chairman, the Secretary may appoint any member to act as Chairman pro tempore. The Board shall meet at such times and places as it or the Secretary may fix and determine, but shall hold at least four regularly scheduled meetings a year. Special meetings may be held at the call of the Chairman or any three members of the Board, or at the call of the Secretary.

"(c) The Board shall review general policies and shall advise the Secretary with respect thereto, and perform such other functions as are specified in this title.

"(d) The members of the Board shall not, by reason of such membership, be deemed to be employees of the United States, and such members, except those who are regular full-time employees of the Government, shall receive for their services, as members, the per diem equivalent to the rate for grade GS–18 of the General Schedule under section 5332 of title 5, United States Code, when engaged in the performance of their duties, and each member of the Board shall be allowed travel expenses, including per diem in lieu of subsistence, as authorized by section 5703 of such title for persons in the Government service employed intermittently.

"DEFINITIONS

"Sec. 1203. (a) When used in this title, unless the context otherwise requires, the term—

"(1) 'environmental hazard' means any hazardous condition that might give rise to loss under an insurance contract, but which is beyond the control of the property owner;

"(2) 'essential property insurance' means insurance against direct loss to property as defined and limited in standard fire policies and extended coverage endorsement thereon, as approved by the State insurance authority and the Secretary, and insurance for such types, classes, and locations of property against the perils of vandalism, malicious mischief, burglary, or theft, as the Secretary by rule shall designate. Such insurance shall not include automobile insurance and shall not include insurance on such types of manufacturing risks as may be excluded by the State insurance authority;

"(3) 'inspection facility', with respect to any State, means any rating bureau or other person designated by the State insurance authority to perform inspections under fair access to insurance requirements plans under part A;

"(4) 'insurer' includes any insurance company or group of companies under common ownership which is authorized to engage in the insurance business under the laws of any State;

"(5) 'pool' means any pool or association of insurance companies in any State which is formed, associated, or otherwise created for the purpose of making property insurance more readily available;

"(6) 'losses resulting from riots or civil disorders' means losses resulting from riots or civil disorders under policies for standard lines of property insurance for which reinsurance is offered under section 1221, as determined under regulations of the Secretary;

"(7) 'property owner', with respect to any real, personal, or mixed real and personal property, means any person having an insurable interest in such property;

"(8) 'person' includes any individual or group of individuals, corporation, partnership, or association, or any other organized group of persons;

"(9) 'reinsured losses' means losses on reinsurance claims and all direct expenses incurred in connection therewith including, but not limited to, expenses for processing, verifying, and paying such losses;

"(10) 'standard line of property insurance' includes—

"(A) fire and extended coverage;

"(B) vandalism and malicious mischief;

"(C) other allied lines of fire insurance;

"(D) burglary and theft;

"(E) those portions of multiple peril policies covering perils similar to those provided for in subparagraphs (A), (B), (C), and (D);

"(F) inland marine;

"(G) glass;

"(H) boiler and machinery;

"(I) ocean marine;

"(J) aircraft physical damage; and

"(K) such other lines generally offered to the public which include protection against damage from riot or civil commotion as the Secretary by regulation may designate;

"(11) 'State' means the several States, the District of Columbia, the Commonwealth of Puerto Rico, Guam, American Samoa, and the Trust Territory of the Pacific;

"(12) 'urban area' includes any municipality or other political subdivision of a State, subject to population or other limitations defined in rules and regulations of the Secretary and such additional areas as may be designated by the State insurance authority; and

"(13) 'year' means a calendar year, fiscal year of a company, or such other period of twelve months as may be designated by the Secretary.

"(b) The Secretary is authorized to define, by rules and regulations, any technical or trade term, insofar as such definition is not inconsistent with the provisions of this title.

"PART A—STATEWIDE PLANS TO ASSURE FAIR ACCESS TO INSURANCE REQUIREMENTS

"FAIR PLANS

"Sec. 1211. (a) Each insurer reinsured under this title shall cooperate with the State insurance authority in each State in which it is to acquire such reinsurance in establishing and carrying out statewide plans to assure fair access to insurance requirements (FAIR plans).

"(b) Such plans must be approved by the State insurance authority, or be authorized or required by State law, and shall be designed to make essential property insurance more readily available in, but not necessarily limited to, urban areas. Such plans may vary in detail from State to State because of local conditions, but all plans shall contain provision that—

"(1) no risk shall be written at surcharged rates or be denied insurance coverage for essential property insurance unless there has first been an inspection of the risk, without cost to the owner, by an inspection facility and a determination by the insurer, based on information in the inspection report and other sources, that the risk does not meet reasonable underwriting standards at the applicable premium rate;

"(2) inspections under the plan may be requested by the property owner or his representative, the insurer, or the insurance agent, broker or other producer, and such requests need not be made in writing;

"(3) the absence of a building owner or his representative during an inspection shall not preclude a tenant seeking insurance from obtaining an inspection under the plan;

"(4) following the inspection, a copy of the inspection report shall be promptly sent by the inspection facility to the insurer or insurers, or to an all-industry placement facility referred to under section 1212, as may be designated by the person requesting the inspection;

"(5) after the inspection report is received by an insurer, it shall promptly determine if the risk meets reasonable underwriting standards at the applicable premium rate, and shall promptly return to the inspection facility the inspection report and provide an action report setting forth—

"(A)(i) the amount of coverage it agrees to write; and if the insurer agrees to write the coverage with a surcharge (if such a surcharge is authorized by the State insurance authority), the improvements necessary before it will provide coverage at an unsurcharged premium rate; and

"(ii) the amount of coverage it agrees to write if certain improvements specified in the action report are made; or

"(B) the specific reasons it declines to write coverage;

"(6) if the insurer declines the risk, or agrees to write the coverage sought on condition that the property will be improved, it shall also promptly send a copy of both the inspection and action reports to the property owner and the State insurance authority, and at the time the insurer sends such reports to the property owner, it shall also explain his right, under applicable State laws, to appeal the decision of the insurer to the State insurance authority, setting forth the procedures to be followed for such appeal;

"(7) all policies written pursuant to the plan shall be promptly written after inspection or reinspection and shall be separately coded so that appropriate records may be compiled for purposes of performing loss prevention and other studies of the operation of the plan;

"(8) the inspection facility shall submit to the State insurance authority and to the Secretary periodic reports setting forth information, by individual insurers, including the number of risks inspected under the plan, the number of risks accepted, the number of risks conditionally accepted and reinspections made, the number of risks declined, and such other information as the State insurance authority may request;

"(9) notice will be given to any policyholder a reasonable time prior to the cancellation or nonrenewal of any risk eligible under the plan (except in case of nonpayment of premium or evidence of incendiarism), to allow ample time for an application for new coverage to be made and a new policy to be written under the plan, and the insurer shall, in writing, explain to the policyholder the procedures for obtaining an inspection under the plan in the notice of cancellation or nonrenewal; and

"(10) a continuing public education program will be undertaken by the participating insurers, agents, and brokers to assure that the plan receives adequate public attention.

"ALL-INDUSTRY PLACEMENT FACILITY

"Sec. 1212. Any plan under this part shall include an all-industry placement facility doing business with every insurer participating in the plan in the State, and shall provide that this facility shall perform certain functions including, but not limited to, the following:

"(1) seeking, upon request by or on behalf of any property owner requesting an inspection under the plan, to distribute the risks involved equitably among the insurers with which it is doing business; and

"(2) seeking to place insurance up to the full insurable value of the risk to be insured with one or more insurers with which it is doing business, except to the extent that deductibles, percentage participation clauses, and other underwriting devices are employed to meet special problems of insurability.

"INDUSTRY COOPERATION

"Sec. 1213. (a) Every insurer seeking reinsurance under this title shall file a statement with the State insurance authority in each State in which it is participating in a plan under this part, pledging its full participation and cooperation in carrying out the plan, and shall file a copy of such statement with the Secretary.

"(b) No insurer acquiring reinsurance under this title shall direct any agent or broker or other producer not to solicit business through such a plan, nor shall any agent, broker, or other producer be penalized by such insurer in any way for submitting applications for insurance to an insurer under the plan.

"PLAN EVALUATION

"SEC. 1214. (a) In accordance with such rules and regulations as the Secretary may prescribe, each State insurance authority shall—

"(1) transmit to the Secretary any proposed or adopted plan, or amendments thereto; and

"(2) advise the Secretary, from time to time, concerning the operation of the plan, its effectiveness in providing essential property insurance, and the need to form a pool of insurers or adopt other programs to make essential property insurance more readily available in urban areas of the State.

"(b) The Secretary may, after full consultation with the Board, by rules and regulations, modify the plan criteria set forth under this part, if it finds, on the basis of experience, that such action is necessary or desirable to carry out the purposes of this title. The Secretary may also, with respect to any State, waive compliance with one or more of the plan criteria, upon certification by the State insurance authority that compliance is unnecessary or inadvisable under local conditions or State law.

"PART B—REINSURANCE COVERAGE

"REINSURANCE OF LOSSES FROM RIOTS OR CIVIL DISORDERS

"SEC. 1221. (a)(1) The Secretary is authorized to offer to any insurer or pool, subject to the conditions set forth in section 1223, reinsurance against property losses resulting from riots or civil disorders in any one or more States.

"(2) Reinsurance shall be offered to any such insurer or pool only on all standard lines of property insurance enumerated under subparagraphs (A) through (E) of section 1203(a)(10) together, and any insurer or pool purchasing such reinsurance shall also be eligible to purchase reinsurance on any one or more standard lines of property insurance enumerated under subparagraphs (F) through (J) of section 1203(a)(10) or which may be designated by regulation pursuant to subparagraph (K) of that section.

"(b) Reinsurance coverage under this section may be provided immediately following the enactment of this title to any insurer or pool in any State on a temporary basis, and on such terms and conditions as may be agreed upon, and coverage under such terms and conditions may be bound with respect to any such insurer or pool by means of a written binder which shall remain in force not more than ninety days and shall expire at the earlier of either—

"(1) the termination of such ninety-day period, or

"(2) the effective date of any governing contract, agreement, treaty, or other arrangement entered into between the insurer or pool and the Secretary under section 1222 for the purpose of providing reinsurance coverage against losses resulting from riots or civil disorders.

"(c) No reinsurance shall be offered to any insurer or pool in a State after the expiration of the written binder entered into under subsection (b), unless there is in effect in such State a plan as set forth under part A and the insurer or pool is participating in such plan, and unless, in the case of an insurer in a State where a pool has been established pursuant to State law, the insurer is participating in such a pool.

"REINSURANCE AGREEMENTS AND PREMIUMS

"SEC. 1222. (a) During the first year following the date of the enactment of this title, the Secretary is authorized to enter into any contract, agreement, treaty, or other arrangement with any insurer or pool for reinsurance coverage, in consideration of payment of such premiums, fees, or other charges by insurers or pools which the Secretary, after full consultation with the Board, deems to be adequate to obtain aggregate reinsurance premiums for deposit in the National Insurance Development Fund established under section 1233 in excess of the estimated amount of insured riot losses during the calendar year 1967, on the assumption that a substantial proportion of the property insurance written will be reinsured under this title, and thereafter the Secretary may increase or decrease such premiums for reinsurance if it is found after full consultation with the Board and the National Association of Insurance Commissioners that such action is necessary or appropriate to carry out the purposes of this title.

"(b) Reinsurance offered under this title shall reimburse an insurer or pool for its total proved and approved claims for covered losses resulting from riots or civil disorders during the term of the reinsurance contract, agreement, treaty, or other arrangement, over and above the amount of the insurer's or pool's retention of such losses as provided in such reinsurance contract, agreement, treaty, or other arrangement entered into under this section.

"(c) Such contracts, agreements, treaties, or other arrangements may be made without regard to section 3679(a) of the Revised Statutes of the United States (31 U.S.C. 665(a)), and shall include any terms and conditions which the Secretary deems necessary to carry out the purposes of this title. The premium rates, terms, and conditions of such contracts with insurers or pools, throughout the country, in any one year shall be uniform.

"(d) Any contract, agreement, treaty, or other arrangement for reinsurance under this section shall be for a term expiring on April 30, 1969, and on April 30 each year thereafter, and shall be entered into within ninety days after the date of the enactment of this title or within ninety days prior to April 30 each year thereafter, or within ninety days after an insurer is authorized to write insurance eligible for reinsurance in a State which it was not authorized to write in the preceding year.

"CONDITIONS OF REINSURANCE

"SEC. 1223. (a) Subject to the provisions of subsection (b), reinsurance shall not be offered by the Secretary in a State or be applicable to insurance policies written in that State by an insurer—

"(1) after one year following the date of the enactment of this title, or, if the appropriate State legislative body has not met in regular session during that year, by the close of its next regular session, in any State which has not adopted appropriate legislation, retroactive to the date of the enactment of this title, under which the State, its political subdivisions, or a governmenal corporation or fund established pursuant to State law, will reimburse the Secretary, in an amount up to 5 per centum of the aggregate property insurance premiums earned in that State during the preceding calendar year on those lines of insurance reinsured by the Secretary in that State during the current year, such that the Secretary may be reimbursed for amounts paid by him in respect to reinsured losses that occurred in that State during a calendar year in excess of (A) reinsurance premiums received in that State during the same calendar year plus (B) the excess of (i) the total premiums received by the Secretary for reinsurance in that State during a preceding period measured from the end of the most recent calendar year with respect to which the Secretary was reimbursed for losses under this title over (ii) any amounts paid by the Secretary for reinsured losses that occurred during this same period;

"(2) after thirty days following notification to the insurer that the Secretary finds that there has not been adopted by the State, or the property insurance industry in that State, a suitable program or programs, in addition to plans under part A, to make essential property insurance available without regard to environmental hazards, and that such action is necessary to carry out the purposes of this title; except that this paragraph shall not become effective until two years after the date of the enactment of this title, or at such earlier date as the Secretary, after consultation with the State insurance authority, may determine;

"(3) after thirty days following notification to the insurer that the Secretary, or the State insurance authority, finds that such insurer is not fully participating—

"(A) in the plan in the State;

"(B) where it exists, in a pool; and

"(C) where it exists, in any other program found by the Secretary to aid in making essential property insurance more readily available in the State;

"(4) following a merger, acquisition, consolidation or reorganization involving one or more insurers having lines of property insurance in the State reinsured under this title and one or more insurers with or without such reinsurance, unless the surviving company—

"(A) meets the criteria of eligibility for reinsurance, other than as provided under section 1222(d); and

"(B) within ten days pays any reinsurance premiums due; or

"(5) upon receipt of notice from the insurer or pool that it desires to cancel its reinsurance agreement with the Secretary in the State.

"(b) Notwithstanding the foregoing provisions of this section, reinsurance may be continued for the terms of the policies written prior to the date of termination or nonrenewal of reinsurance under this section, for as long as the insurer pays reinsurance premiums annually in such amounts as are determined under section 1222, based on the annual premiums earned on such reinsured policies, and for the purpose of this subsection, the renewal, extension, modification, or other change in a policy, for which any additional premium is charged, shall be deemed to be a policy written on the date such change was made.

"RECOVER OF PREMIUMS; STATUTE OF LIMITATIONS

"SEC. 1224. (a) The Secretary, in a suit brought in the appropriate United States district court, shall be entitled to recover from any insurer the amount of any unpaid premiums lawfully payable by such insurer to the Secretary.

"(b) No action or proceeding shall be brought for the recovery of any premium due to the Secretary for reinsurance, or for the recovery of any premium paid to the Secretary in excess of the amount due to him, unless such action or proceeding shall have been brought within five years after the right accrued for which the claim is made, except that, where the insurer has made or filed with the Secretary a false or fraudulent annual statement, or other document with the intent to evade, in whole or in part, the payment of premiums, the claim shall not be deemed to have accrued until its discovery by the Secretary.

"PART C—PROVISIONS OF GENERAL APPLICABILITY

"CLAIMS AND JUDICIAL REVIEW

"SEC. 1231. (a) All reinsurance claims for losses under this title shall be submitted by insurers in accordance with such terms and conditions as may be established by the Secretary.

"(b)(1) Upon disallowance of any claim under color of reinsurance made available under this title, or upon refusal of the claimant to accept the amount allowed upon any such claim, the claimant may institute an action against the Secretary on such claim in the United States district court for the district in which a major portion (in terms of value) of the claim arose.

"(2) Any such action must be begun

within one year after the date upon which the claimant received written notice of disallowance or partial disallowance of the claim, and exclusive jurisdiction is hereby conferred upon United States district courts to hear and determine such actions without regard to the amount in controversy.

"FISCAL INTERMEDIARIES AND SERVICING AGENTS

"SEC. 1232. (a) In order to provide for maximum efficiency in the administration of the reinsurance program under this title, and in order to facilitate the expeditious payment of any funds under such program, the Secretary may enter into contracts with any insurer, pool, or other person, for the purpose of providing for the performance of any or all of the following functions:

"(1) estimating or determining any amounts of payments for reinsurance claims;

"(2) receiving and disbursing and accounting for funds in making payments for reinsurance claims;

"(3) auditing the records of any insurer, pool, or other person to the extent necessary to assure that proper payments are made;

"(4) establishing the basis of liability for reinsurance payments, including the total amount of proved and approved claims which may be payable to any insurer, and the total amount of premiums earned by any insurer in the respective States for reinsured lines of property insurance; and

"(5) otherwise assisting in any manner provided in the contract to further the purposes of this title.

"(b)(1) Any such contract may require the insurer, pool, or other person, or any of its officers or employees certifying payments or disbursing funds pursuant to the contract, or otherwise participating in carrying out the contract, to give surety bond to the United States in such amounts as the Secretary may deem appropriate.

"(2) In the absence of gross negligence or intent to defraud the United States—

"(A) no individual designated pursuant to a contract under this section to certify payments shall be liable with respect to any payment certified by him under this section; and

"(B) no officer of the United States disbursing funds shall be liable with respect to any otherwise proper payment by him if it was based on a voucher signed by an individual designated pursuant to a contract under this section to certify payments.

"NATIONAL INSURANCE DEVELOPMENT FUND

"SEC. 1233. (a) To carry out the programs authorized under this title, the Secretary is authorized to establish a National Insurance Development Fund (hereinafter called the 'fund') which shall be available, without fiscal year limitations—

"(1) to make such payments as may, from time to time, be required under reinsurance contracts under this title;

"(2) to pay such administrative expenses as may be necessary or appropriate to carry out the purposes of this title; and

"(3) to repay to the Secretary of the Treasury such sums, including interest thereon, as may be borrowed from him for purposes of such programs under section 520(b).

"(b) The fund shall be credited with—

"(1) reinsurance premiums, fees, and other charges which may be paid or collected in connection with reinsurance provided under Part B;

"(2) interest which may be earned on investments of the fund;

"(3) such amounts as may be advanced to the fund from appropriations in order to maintain the fund in an operative condition adequate to meet its liabilities;

"(4) receipts from any other source which may, from time to time, be credited to the fund; and

"(5) funds borrowed by the Secretary under section 520(b) and deposited in the fund.

"(c) If, after any amounts which may have been advanced to the fund from appropriations have been credited to the appropriation from which advanced (including interest thereon at the rate prescribed under section 520(b)), the Secretary determines that the moneys of the fund are in excess of current needs, he may request the investment of such amounts as he deems advisable by the Secretary of the Treasury in obligations issued or guaranteed by the United States.

"RECORDS, ANNUAL STATEMENT, AND AUDITS

"SEC. 1234. (a) Any insurer or pool acquiring reinsurance under this title shall furnish the Secretary with such summaries and analyses of information in its records as may be necessary to carry out the purposes of this title, in such form as the Secretary, in cooperation with the State insurance authority, shall, by rules and regulations, prescribe. The Secretary shall make use of State insurance authority examination reports and facilities to the maximum extent feasible.

"(b) Any insurer or pool acquiring reinsurance under this title shall file with the Secretary a true and correct copy of any annual statement, or amendment thereof, filed with the State insurance authority of its domiciliary State, at the time it files such statement or amendment with such State insurance authority.

"(c) Any insurer or other person executing any contract, agreement, or other appropriate arrangement with the Secretary under section 1222 or section 1232 shall keep reasonable records which fully disclose the total costs of the programs undertaken or the services being rendered, and such other records as will facilitate an effective audit of liability for reinsurance payments by the Secretary.

"(d) The Secretary and the Comptroller General of the United States, or any of their duly authorized representatives, shall have access for the purpose of investigation, audit, and examination to any books, documents, papers, and records of any insurer or other person that are pertinent to the costs of any program undertaken for, or services rendered to, the Secretary. Such audits shall be conducted to the maximum extent feasible in cooperation with the State insurance authorities and through the use of their examining facilities.

"STUDY OF REINSURANCE AND OTHER PROGRAMS

"SEC. 1235. (a) The Secretary is authorized and directed to conduct a study of reinsurance and other means to help assure—

"(1) an adequate market for burglary and theft and other property insurance in urban areas; and

"(2) adequate availability of surety bonds for construction contractors in urban areas.

"(b) The Secretary shall submit the results of this study, together with appropriate recommendations, to the President and Congress no later than one year following the date of the enactment of this title.

"OTHER STUDIES

"SEC. 1236. (a) The Secretary is authorized to undertake such studies as may be necessary to carry out the purposes of this title including, but not limited to, inquiries concerning—

"(1) the operation of plans under part A;

"(2) the extent to which essential property insurance is unavailable in urban areas;

"(3) the market for private reinsurance; and

"(4) loss prevention methods and procedures, insurance marketing methods, and underwriting techniques.

"(b) To such extent and under such circumstances as he deems appropriate, the Secretary may conduct any study authorized under this section in cooperation with State insurance authorities and the private insurance industry.

"GENERAL POWERS

"SEC. 1237. In the performance of, and with respect to, the functions, powers, and duties vested in him by this title, the Secretary shall (in addition to any authority otherwise vested in him) have the functions powers, and duties (including the authority to issue rules and regulations) set forth in section 402, except subsections (c)(2), (d) and (f), of the Housing Act of 1950.

"SERVICES AND FACILITIES OF OTHER AGENCIES—UTILIZATION OF PERSONNEL, SERVICES, FACILITIES, AND INFORMATION

"SEC. 1238. The Secretary may, with the consent of the agency concerned, accept and utilize, on a reimbursable basis, the officers, employees, services, facilities, and information of any agency of the Federal Government, except that any such agency having custody of any data relating to any of the matters within the jurisdiction of the Secretary shall, to the extent permitted by law, upon request of the Secretary, make such data available to the Secretary.

"ADVANCE PAYMENTS

"SEC. 1239. Any payments which are made under the authority of this title may be made, after necessary adjustments on account of previously made underpayments or overpayments in advance or by way of reimbursement. Payments may be made in such installments and on such conditions as the Secretary may determine.

"TAXATION

"SEC. 1240. (a) The National Insurance Development Fund, including its reserves, surplus, and income, shall be exempt from all taxation now or hereafter imposed by the United States, or by any State, or any subdivision thereof, except that any real property acquired by the Secretary as a result of reinsurance shall be subject to taxation by any State or political subdivision thereof, to the same extent, according to its value, as other real property is taxed.

"(b) Any measures undertaken by any State to meet or to fund its obligations under section 1223(a)(1) shall not be the subject of any retaliatory or fiscal imposition by any other State.

"APPROPRIATIONS

"SEC. 1241. There are hereby authorized to be appropriated such sums as may be necessary to carry out this title."

FINANCING

SEC. 1004. Section 520(b) of the National Housing Act is amended by inserting "(1)" after "necessary" in the first sentence, and by striking out the period at the end of such sentence and inserting in lieu thereof "; and (2) to make payments for reinsured losses under title XII of this Act: *Provided, however,* That borrowings to make payments for reinsured losses under title XII shall be limited to $150,000,000 or such further sum as the Congress, by joint resolution, may from time to time determine."

Mr. PATMAN (during the reading). Mr. Chairman, I ask unanimous consent that title X be considered as read, printed in the RECORD, and open to amendment at any point.

The CHAIRMAN. Is there objection to the request of the gentleman from Texas?

There was no objection.

AMENDMENT OFFERED BY MR. ANNUNZIO

Mr. ANNUNZIO. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

On page 201, line 19, strike "or".

On page 201, immediately after line 19, insert:

"(5) if the insurer has cancelled or failed to renew one or more policies providing for essential property insurance after April 1, 1968, and has failed to offer similar coverage on equivalent terms prior to the expiration of thirty days after the date of enactment of this title, unless the Secretary on the recommendation of the State insurance authority, finds (a) that such cancellations or failures to renew were not inconsistent with the purposes of this title, or (b) after December 31, 1969, that the insurer has been participating fully in any programs adopted in the state or as required under this title to make essential property insurance readily available."

On page 201, line 20, redesignate paragraph (5) as paragraph (6).

Mr. ANNUNZIO. Mr. Chairman, the purpose of my amendment is to deal realistically with one of the major aspects of the insurance crisis in our cities. As most of the Members from urban areas or from districts which have large cities within them are aware, there have been innumerable cancellations and refusals to renew property insurance policies. Such cancellations and refusals have resulted in untold hardships for property owners and small businessmen. They cannot get improvement loans. They cannot expand their businesses and, most tragic, a single property loss can wipe them out entirely.

The extent of these policy cancellations is not known, but we do know that they are widespread and that they have occurred in recent months. Some of these cancellations may have been justified on the ground that the lack of the riot reinsurance provided by this bill has made the risks involved an untenable burden for the insurance industry. However, once the federal riot reinsurance is offered, there is no excuse in the world why these policies should not be reinstated immediately rather than delay until there is full implementation of the so-called FAIR plans.

My amendment provides that Federal riot reinsurance will not be available to insurance companies which have canceled policies after April 1, 1968, and fail to reinstate such policies within 30 days after the enactment of this act.

The amendment recognizes that a refusal to reinstate the cancellations may be wholly justified because the risk has become uninsurable or because similar coverage at equivalent rates has been obtained elsewhere or for some other such reason. Therefore, my amendment provides that the Secretary may, if the State commissioner so recommends, offer reinsurance to insurers who have canceled or failed to renew if such cancelations or failures to renew were not inconsistent with the purposes of this title. Thus, the State Commissioner can determine the validity of the insurer's motives and the Secretary may then decide to offer the reinsurance. The amendment also comports with the statutory scheme of emphasis on the responsibility of the industry and the State commissioners. It is no secret to Members of Congress that insurance companies have arbitrarily canceled insurance on your own homes.

Mr. Chairman, I urge the adoption of my amendment.

Mr. PATMAN. Mr. Chairman, will the gentleman yield?

Mr. ANNUNZIO. I am happy to yield to the gentleman from Texas.

Mr. PATMAN. The Members and staff have studied this amendment, and we are willing to accept it on this side. We realize it will be in conference, and final action will have to be taken.

Mr. BROCK. Mr. Chairman, will the gentleman yield?

Mr. ANNUNZIO. I am happy to yield to my colleague from Tennessee.

Mr. BROCK. Would the gentleman explain just exactly what he is trying to do? Perhaps I misunderstood, but I gather this relates to an insurance company which has canceled insurance. In what period of time?

Mr. ANNUNZIO. As the gentleman from Tennessee knows, yesterday the Committee of the Whole adopted two amendments which established certain limits and placed restrictions on the Secretary of Housing and Urban Development.

All that my amendment would do is make provision regarding insurance companies which have recently canceled insurance in riot areas. I have newspaper clippings about that. Most of the Members of the House are familiar with the investigations in this area being carried on by the States of New York, New Jersey, and Kentucky.

If the insurance companies are to participate in the so-called FAIR insurance plan, a requirement will have to be met. I am trying to place a limit of April 1, 1968, instead of leaving it to the discretion of the Secretary. I ask that we place that limit, as we did yesterday on a couple of amendments to the bill, so that these people who need insurance in the ghetto areas of our cities will have a particular date to go from.

Mr. BROCK. The gentleman says, if it were in operation on the first of April of this year?

Mr. ANNUNZIO. Yes.

Mr. BROCK. If they had canceled the policy prior to that time they would not be qualified under the program?

Mr. ANNUNZIO. No.

Mr. BROCK. Is that any business of insurance in the city, or for that particular company?

Mr. ANNUNZIO. We are talking about the companies which have canceled insurance.

Mr. BROCK. In other words, the gentleman is saying that every company which has canceled a policy will be precluded from participation in this program?

Mr. ANNUNZIO. I am not saying that. I am just saying, after April 1, 1968, all things being equal, insurance companies be given consideration. As to these cancellations, those who cover insurance for these particular States, or the commissioners of insurance, can look into the matter. These people can become eligible for reinsurance.

Mr. BROCK. So the amendment does not affect the participation of a company at all?

Mr. ANNUNZIO. It does not affect the participation of a company if they comply with the law.

Mr. BROCK. It just says that the insurance commissioner shall look at the areas which had canceled policies and try to get them more insurance.

Mr. ANNUNZIO. The Secretary.

Mr. BROCK. Is that not what would happen under any circumstances, regardless of whether it is put in the bill or not?

Mr. ANNUNZIO. I merely try to spell it out so that there will be no misunderstanding.

Mr. MOORHEAD. Mr. Chairman, will the gentleman yield?

Mr. ANNUNZIO. I yield to the gentleman from Pennsylvania.

Mr. MOORHEAD. I should like to say to the gentleman from Tennessee, I believe this would be the situation under the bill without the amendment, but the gentleman from Illinois wanted to be absolutely sure, so I would accept the amendment.

Mrs. SULLIVAN. Mr. Chairman, will the gentleman yield?

Mr. ANNUNZIO. I am happy to yield to my distinguished colleague from Missouri.

Mrs. SULLIVAN. Mr. Chairman, I rise in support of this amendment. As most of you know, many property owners had their insurance coverages canceled or could not get their coverage renewed in the inner city areas of our cities even before the riots of last April. Now the number of these cancellations and nonrenewals have reached an intolerable level. The newspapers are daily reporting mass cancellations in sharply increasing numbers in cities all across the land. In my own city of St. Louis, the Royal Globe group has threatened to give a 30-day notice on July 10 to cancel a $52.4 million fire insurance policy on five public housing projects as of August 10, 1968. Some of us have worked 20 years to help these people find homes. And now, if this insurance is canceled, these people run another risk of losing their homes.

This amendment will bring a halt to this cancellation practice and will reverse the situation. It will provide immediate help to those property owners whose coverage has been canceled through no fault of their own. It will make a significant improvement to the bill.

Mr. BROCK. Mr. Chairman, I move to strike the requisite number of words.

I have been more and more distressed by the course of the debate of this particular bill.

I do not know that in my 6 years in this Congress I have encountered a more complex or comprehensive piece of legislation. We have seen amendments offered, some defeated, some accepted, and some passed by a vote on the floor. Very few Members of the House seem to have a great deal of interest in or knowledge of what is incorporated in these amendments. Now we offer an amendment which tells the States or HUD to pay attention to areas where insurance has been canceled because of riots. The whole thrust and purpose of the riot section is to get insurance into these areas. It seems to me we may be taking a rather dangerous step with this amendment. At least it is redundant. It could be a great deal worse, but I do not know what is in the amendment. I question the wisdom on the part of the majority of accepting an amendment which I think could have very unfortunate repercussions.

Mr. Chairman, I would urge the defeat of the amendment.

Mr. GROSS. Mr. Chairman, will the gentleman yield?

Mr. BROCK. Yes. I yield to the gentleman.

Mr. GROSS. What is magical about the date of April 1? Would that be in connection with the riots on or about April 1 or subsequent thereto? What is magic about that date?

Mr. BROCK. I think the author of the amendment should respond.

Mr. ANNUNZIO. Will the gentleman yield?

Mr. BROCK. Yes. I yield.

Mr. ANNUNZIO. My amendment says after April 1.

Mr. GROSS. If the gentleman will yield further, what is the meaning of the date April 1 in your amendment or your reference to that date?

Mr. ANNUNZIO. We are setting a limit or a cutoff date. All this amendment does is to reestablish the insurance for the people in the ghettos for the people that have been canceled out.

Mr. GROSS. As of April 1?

Mr. ANNUNZIO. Without cause.

Mr. GROSS. What is the magic of the date April 1?

Mr. BROCK. What happens to the insurance that was canceled after April 1? That is where your amendment applies.

Mr. ANNUNZIO. If the gentleman will yield further, the same thing applies. If they are eligible for insurance, the companies and the recipients of the insurance will receive the insurance, but if they are canceled before, if these companies arbitrarily cancel these people out, after April 1 they must show cause. If the cause is not justified, then the company will not be able to participate under the terms of this.

Mr. BROCK. In other words, if they are late in their payments, cancellation is justifiable?

Mr. ANNUNZIO. No.

Mr. BROCK. Mr. Chairman, I oppose the amendment.

Mr. JONAS. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I take this time only to ask the Chairman if it would be possible to have the amendment reread.

The CHAIRMAN. The Clerk will reread the amendment.

The Clerk reread the amendment.

Mr. JONAS. Mr. Chairman, it sounds to me that this is a provision imposing a penalty upon insurance companies who exercised their legal rights under the policies to cancel them. I do not believe that this Committee should undertake, in this summary fashion and without a more thorough study of what is involved here, to impose such a penalty upon insurance companies. Therefore, Mr. Chairman, I shall have to oppose this act.

Mr. BROCK. Mr. Chairman, will the gentleman yield?

Mr. JONAS. I yield to the gentleman from Tennessee.

Mr. BROCK. Mr. Chairman, if I might inquire of the author of the amendment, I do not see where the administrator is going to get the guidelines under which to make this kind of a decision as to where is the proper cancellation and where is the improper cancellation.

There are all kinds and circumstances upon which one can make this decision. It seems to me that we are making a very dangerous decision, making a very dangerous decision by providing that this be retroactive to April.

Mr. ANNUNZIO. I am sure that the gentleman from Tennessee is aware of the fact that, beginning April first of this year, that a number of insurance companies have made wholesale cancellations of insurance.

Mr. BROCK. That is right.

Mr. ANNUNZIO. And, in the various areas where riots have occurred throughout the country, this has been true.

Mr. Chairman, all that my amendment proposes to do is this:

> (5) If the insurer has cancelled or failed to renew one or more policies providing for essential property insurance after April 1, 1968, and has failed to offer similar coverage on the prevalent terms prior to the expiration of 30 days after the date of enactment of this title, unless the Secretary, on the recommendation of the State insurance authority, finds (a) that such cancellation or failures to renew were not inconsistent with the purposes of this title, or (b) after December 31, 1969, that the insurer has been participating fully in any programs adopted in the State or as required under this title to make essential property insurance readily available.

In other words, it means that these people, where their insurance policies have been canceled out, without cause, can at least get a hearing before the Commissioner of Insurance and, if they meet all of the criteria and are eligible for insurance from a particular insurance company that has canceled them out the Commissioner can go into these questions and ask the insurer to reinstate the policy.

Mr. BROCK. But all of the authority which we are granting by this kind of delegation of authority is to a State insurance commission.

Mr. ANNUNZIO. That is granted under the FAIR insurance plan. If these companies do not cooperate, why should they have the opportunity to operate under the FAIR insurance plan?

Mr. JONAS. Mr. Chairman, this bill should be prospective, and not retroactive, as would be the case if this amendment is adopted, and it provides the imposition of a penalty on an insurance company for exercising legal rights under its contract.

Mr. ANNUNZIO. Mr. Chairman, if the gentleman will yield, I wish to assure the gentleman that I am not interested in imposing a penalty upon any insurance company, but I am interested in the need of the small businessman and others who operate and live in the ghettos of America getting a break from these insurance companies under the FAIR insurance plan. However, if they do not cooperate, they would not be able to participate under the FAIR insurance plan. If we do not have a plan like this, we will have in our metropolitan areas, in our cities, in our ghettos, plywood buildings and stores constructed of lesser material.

The CHAIRMAN. The time of the gentleman from North Carolina has expired.

(On request of Mr. BROCK, and by unanimous consent, Mr. JONAS was allowed to proceed for 5 additional minutes.)

Mr. BROCK. Mr. Chairman, will the gentleman yield?

Mr. JONAS. I yield to the gentleman from Tennessee.

Mr. BROCK. In line with the last comment of the gentleman from Illinois, I think we may be getting closer to a compromise. Would the gentleman be willing to accept an amendment to his amendment which would state that this provision would be effective upon the enactment of this section instead of going back to the first of April? If the gentleman would accept such an amendment to his amendment I believe he would have a very valid point.

Mr. ANNUNZIO. I will accept that amendment to my amendment.

Mr. JONAS. Mr. Chairman, I yield back the balance of my time.

Mr. GROSS. Mr. Chairman, I move to strike the last three words.

Mr. Chairman, I assume somebody needs time to get an amendment prepared.

Mr. BELCHER. Mr. Chairman, will the gentleman yield?

Mr. GROSS. I yield to the gentleman from Oklahoma.

Mr. BELCHER. I thank the gentleman for yielding.

Mr. Chairman, I am more confused than I was before. We have been accepting amendments so fast this afternoon I cannot keep up with them. And now the gentleman on this side of the aisle asks the gentleman on that side of the aisle if he will accept an amendment to his amendment, and the gentleman on the other side of the aisle accepts it, and then pretty soon the 434 Members of the Congress are supposed to enact that into law.

Mr. Chairman, I do not believe there are 10 Members in this House who understand entirely, and can explain exactly, the significance of this amendment, and the acceptance of the amendment proposed by the gentleman on this side and the acceptance of that amendment by the author on the other side.

If there are 10 Members who can explain what that would do to the insurance companies, then I would like to see them explain it.

Mr. GROSS. So would I; I would say to my friend from Oklahoma. I would like to know what this amendment will do.

What is this going to cost the taxpayers of the country, the whole kit and caboodle, with respect to this so-called FAIR insurance, or whatever it is, this attempt to subsidize the insurance companies for writing insurance in so-called ghetto areas, or whatever they are? How much is this going to cost the taxpayers of the entire country?

Mr. MONTGOMERY. Mr. Chairman, will the gentleman yield?

Mr. GROSS. I yield to the gentleman from Mississippi, and I hope the gentleman can shed some light on it.

Mr. MONTGOMERY. Mr. Chairman, I thank the gentleman for yielding.

I do not know whether I can shed any light on this or not; I am as confused as the gentleman is.

It seems to me, Mr. Chairman, that after studying the insurance section of the bill, as I understand it, insurance companies, even if they will have this reinsurance, can turn down certain policies that are submitted to their companies. I believe if we adopt this amendment, the way I interpret it, the insurance companies will not have the option of turning down certain particularly bad risks; they will have to accept every risk.

I agree with the gentleman that possibly this amendment should be studied and discussed more.

Mr. Chairman, again I thank the gentleman for yielding to me. As I say, it seems to me if we adopt this amendment we are going to change the whole insurance section of this bill; we are going to say now that the insurance companies would have to accept every policy that has the Government reinsurance responsibility behind it. I hope the amendment is defeated and, as the gentleman from Iowa has said, this amendment could still cost the taxpayer more money.

Mr. GROSS. It is not sufficient to say that it is not going to cost the taxpayers any money simply because the first burden may be shifted from the Federal Government to the States. The taxpayers in the States will have to foot the bill if they subsidize the insurance companies.

But in the end, of course, there is always good old Santa Claus here in Washington if the States fail or refuse to ante up.

Mr. Chairman, this bill is probably the longest single step Congress has taken in the last 20 years on the road to socialism. There is something in it for everybody except middle-class citizens. They get the privilege of paying the taxes.

Mr. BROCK. Mr. Chairman, will the gentleman yield?

Mr. GROSS. I yield to the gentleman from Tennessee.

Mr. BROCK. Mr. Chairman, I was in a colloquy with my colleagues here as to the suggestions I had made that we make this amendment concurrent with the bill, and not make it retroactive, and after giving the matter further consideration, Mr. Chairman, it seems to me that that simply would result in repetition of what is already in the control provision, and I believe actually that the amendment is redundant.

Therefore, Mr. Chairman, I intend to offer no substitute amendment, and I believe the amendment should be defeated.

Mr. GROSS. The gentleman has made the right decision. Let us defeat the original amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Illinois [Mr. ANNUNZIO].

The amendment was rejected.

AMENDMENT OFFERED BY MR. PATTEN

Mr. PATTEN. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. PATTEN: On page 211, immediately after line 14, insert the following:

"TITLE XI—DISTRICT OF COLUMBIA INSURANCE PLACEMENT ACT

"SHORT TITLE

"SEC. 1101. This title may be cited as the 'District of Columbia Insurance Placement Act'.

"DECLARATION OF PURPOSE

"SEC. 1102. The purposes of this title are—

"(1) to assure stability in the property insurance market for property located in the District of Columbia;

"(2) to assure the availability of basic property insurance as defined by this title;

"(3) to encourage maximum use, in obtaining basic property insurance, of the normal insurance market provided by authorized insurers; and

"(4) to provide for the equitable distribution among insurers of the responsibility for insuring qualified property for which basic property insurance cannot be obtained through the normal insurance market by authorizing the establishment of a joint underwriting association.

"DEFINITIONS

"SEC. 1103. As used in this title, unless the context otherwise requires—

"(a) 'Commissioner' means the Commissioner of the District of Columbia or his designated agent.

"(b) 'Basic property insurance' means insurance against direct loss to property caused by perils as defined and limited in the standard fire policy and extended coverage endorsement thereon as approved by the Commissioner, and such other property insurance coverages, including, but not limited to, vandalism and malicious mischief, burglary, theft, and robbery, for such types, classes, and locations of property as may be designated by the Commissioner pursuant to the procedures set out in section 1105 of this title, but shall not include insurance on automobiles.

"(c) 'Environmental hazard' means any hazardous condition that might give rise to loss under an insurance contract, but which is beyond the control of the property owner.

"(d) 'Inspection bureau' means the rating bureau or other organization designated by the Commissioner to perform inspections to determine the condition of the properties for which basic property insurance is sought.

"(e) 'Industry Placement Facility' means the facility formed by all insurers licensed to write and engaged in writing basic property insurance (including homeowners and commercial multiperil policies) within the District of Columbia to assist agents, brokers, and applicants in securing basic property insurance.

"(f) 'Premiums written' means gross direct premiums charged with respect to property in the District of Columbia on all policies of basic property insurance and the basic property insurance premium components of all multiperil policies, less all premiums and dividends returned paid, or credited to policyholders or the unused or unabsorbed portions of premium deposits.

"(g) 'Property owner' means any person having an insurable interest in real, personal, or mixed real and personal property.

"INDUSTRY PLACEMENT FACILITY

"SEC. 1104. (a) Within thirty days after the effective date of this title all insurers licensed to write and engaged in writing in the District of Columbia, on a direct basis, basic property insurance or any component thereof in multiperil policies, shall establish an Industry Placement Facility to formulate and administer a program, subject to disapproval by the Commissioner in whole or in part, to seek the equitable apportionment among such insureres of basic property insurance which may be afforded applicants in the District of Columbia whose property is insurable in accordance with reasonable underwriting standards and who individually or through their insurance agent or broker request the aid of the Facility to procure such insurance. The Facility shall seek to place insurance with one or more participating companies up to the full insurable value of the risk, if requested, except to the extent that deductibles, percentage participation clauses and other underwriting devices are employed to meet special problems of insurability.

"(b) The Facility may, subject to the approval of the Commissioner, provide as part of its program for the equitable distribution of commercial risks and dwelling risks among insurers.

"(c) Each such insurer shall participate in the Industry Placement Facility program in accordance with the established rules of the program as a condition of its authority to transact such kinds of insurance in the District of Columbia: *Provided*, That in lieu of revoking or suspending the certificate of authority of any company for any failure to comply with any of the established rules of the program, the Commissioner may subject such company to a penalty of not more than $200 for each such failure to so comply when in his judgment he finds that the public interest would be best served by the continued operation of the company in the District of Columbia.

"FAIR ACCESS TO INSURANCE REQUIREMENTS

"SEC. 1105. (a) The Industry Placement Facility shall on its own motion, or within thirty days after a request by the Commissioner, submit to the Commissioner such proposed rules and regulations applicable to insurers, agents and brokers deemed necessary to assure all property owners fair access to basic property insurance through the normal insurance markets, including, but not limited to, rules and regulations concerning—

"(1) the manner and scope of inspections of risks by an inspection bureau;

"(2) the preparation and filing of inspection reports and reports on actions taken in connection with inspected risks, and summaries thereof;

"(3) the operation of an Industry Placement Facility, including but not limited to rules and regulations concerning—

"(A) the basic property insurance coverages of such facility;

"(B) the reasonable effort to obtain insurance in the normal commercial market required by an applicant before recourse to the Facility; and

"(C) the appeals procedure within the Facility for any applicant for insurance regarding any ruling, action, or decision by or on behalf of the Facility.

"(b) The Commissioner may adopt such of the rules submitted pursuant to subsection (a) of this section as he approves. If the Commissioner disapproves any proposed rule submitted he may require the Facility to submit a revision thereof within such time as he may designate, but no less than five days. If the Facility fails to submit a proposed rule, or revision thereof, within the designated time, or if a revised rule is unacceptable to the Commissioner, the Commissioner may adopt such rule covering the proposed general subject matter as he shall deem necessary to carry out the purposes of this Act.

"JOINT UNDERWRITING ASSOCIATION

"SEC. 1106. (a) The Commissioner is authorized to establish by order a joint underwriting association if he finds, after notice and hearing, that such association is necessary to carry out the purposes of this title. Such joint underwriting association shall consist of all insurers licensed to write and engaged in writing in the District of Columbia, on a direct basis, such basic property insurance as may be designated by the Commissioner or any component thereof in multiperil policies.

"(b) Every such insurer shall be and remain a member of the association and shall comply with all requirements of membership as a condition of its authority to transact such kinds of insurance in the District of Columbia: *Provided*, That in lieu of revoking or suspending the certificate of authority of any company for any failure to comply with any of the requirements of membership, the Commissioner may subject such company to a penalty of not more than $200 for each such failure to so comply when in his judgment he finds that the public interest would be best served by the continued operation of the company in the District of Columbia.

"(c)(1) Within sixty days following the effective date of the order of the Commissioner under this section the association shall submit to him a proposed plan of operation, consistent with the provisions of this Act, which shall provide for economical, fair, and nondiscriminatory administration of the association and for the prompt and efficient provision of reinsurance for such basic property insurance as may be designated by the Commissioner without regard to environmental hazards, including, but not limited to, provisions concerning—

"(A) preliminary assessment of all members for initial expenses necessary to commence operations;

"(B) establishment of necessary facilities;

"(C) management and operation of the association;

"(D) assessment of members to defray losses and expenses;

"(E) commission arrangements;

"(F) reasonable underwriting standards;

"(G) assumption and cession of reinsurance; and

"(H) such other matters as the Commissioner may designate.

"(2) The plan of operation shall be subject to approval by the Commissioner in whole or in part. If the Commissioner disapproves all or any part of the proposed plan of operation, the association shall within thirty days thereafter submit for his review an appropriately revised plan of operation and if the association fails so to do, or if the revised plan so filed is unacceptable to the Commissioner, the Commissioner shall promulgate a plan of operation.

"(3) The association may, on its own initiative, amend such plan, subject to approval by the Commissioner, and shall amend such plan at the direction of the Commissioner if he finds such action is necessary to carry out the purposes of this title.

"(d) All members of the association shall participate in its writings, expenses, profits, and losses, or in such categories thereof as may be separately established by the association, subject to approval by the Commissioner, in the proportion that the premiums written by each such member (but excluding premiums for insurance on automobiles) during the preceding calendar year bear to the aggregate premiums written in the District of Columbia by all members of the association, or in accordance with such other formula as devised by the association, subject to approval by the Commissioner. Such participation by each insurer in the association shall be determined annually on the basis of such premiums written during the preceding calendar year as disclosed in the annual statements and other reports filed by the insurer with the Commissioner.

"(e) The association shall be governed by a board of eleven directors, elected annually by cumulative voting by the members of the association, whose votes in such election shall be weighted in accordance with the proportionate amount of each member's net direct premiums written in the District of Columbia during the preceding calendar year. The first board shall be elected at a meeting of the members or their authorized representatives, which shall be held within thirty days after the effective date of the order under this section establishing the association, at a time and place designated by the Commission.

"EXAMINATION BY COMMISSIONER

"SEC. 1107. The operation of the inspection bureau, the Industry Placement Facility, and any joint underwriting association shall at all times be subject to the supervision and regulation of the Commissioner. The Commissioner shall have the power of visitation of and examination into such operations and free access to all the books, records, files, papers, and documents that relate to such operations, may summon and qualify witnesses under oath, and may examine directors, officers, agents, or employees or any other person having knowledge of such operations.

"WAIVER OF LIABILITY

"SEC. 1108. There shall be no liability on the part of, and no cause of action of any nature shall arise against insurers, the inspection bureau, the Industry Placement Facility, the joint underwriting association or their agents or employees, or any officer or employee of the District of Columbia, for any statements made in good faith by them concerning the insurability of property in any reports or other communications or at the time of the hearings conducted in connection therewith, or in the findings with respect thereto required by the provisions of this title. The reports and communications of the inspection bureau, the Industry Placement Facility, and joint underwriting association with respect to individual properties shall not be open to inspection by, or otherwise available to, the public.

"ANNUAL REPORTS BY ASSOCIATION

"SEC. 1109. The association shall file with the Commissioner, annually on or before the 1st day of March, a statement which shall contain information with respect to its transactions, condition, operations, and affairs during the preceding year. Such statement shall contain such matters and information as are prescribed by the Commissioner and shall be in such form as is approved by him. The Commissioner may at any time require the association to furnish him with additional information with respect to its transactions, condition or any matter connected therewith which he considers to be material and which will assist him in evaluating the scope, operation, and experience of the association.

"APPEALS

"SEC. 1110. (a) Any applicant for insurance and any affected insurer may appeal to the Commissioner within ninety days after any final ruling, action, or decision by or on behalf of the inspection bureau, Industry Placement Facility, or joint underwriting association, following exhaustion of remedies available within such bureau, facility, or association.

"(b) All final orders or decisions of the Commissioner made pursuant to this Act shall be subject to review by the District of Columbia Court of Appeals pursuant to section 11-742 of the District of Columbia Code.

"REIMBURSEMENT OF NATIONAL INSURANCE DEVELOPMENT CORPORATION

"SEC. 1111. (a) In order to carry out the purposes of this Act and to make available to insurers who participate hereunder, reinsurance against losses resulting from riots or civil disorders afforded under the National Insurance Development Corporation Act of 1968, the Commissioner is authorized to assess each insurance company authorized to do business in the District of Columbia an amount, in the proportion that the premiums earned by each such company, on lines reinsured by the National Insurance Development Corporation, during the preceding calendar year bears to the aggregate premiums earned on those lines in the District of Columbia by all insurance companies, sufficient to provide a fund to reimburse the Corporation in the manner set forth in section 1223(a)(1) of the National Insurance Development Corporation Act of 1968. Such fund may be added to or such a fund may be created by moneys appropriated therefor by the Congress.

"(b) Insurers shall add to the premium rate an amount, to be approved by the Commissioner, sufficient to recover within not more than three years, any amonts assessed pursuant to subsection (a) of this section during the preceding calendar year. Such amount shall be a separate charge to the insured in addition to the premium to be paid and shall be reflected as such in the policy of insurance: *Provided*, That no commission shall be paid thereon to any agent or broker producing or selling the policy of insurance wherein such amount is added.

"DELEGATION

"SEC. 1112. The Commissioner is authorized to delegate any of the functions vested in him by this title.

"JUDICIAL REVIEW

"SEC. 1113. Section 11-742(a) of the District of Columbia Code is amended (a) by striking 'and' immediately following clause (9); (b) by striking the period following clause (10) and inserting in lieu thereof '; and'; and (c) by adding the following:

"'(11) final orders and decisions of the Commissioner under the provisions of the District of Columbia Insurance Placement Act.'

"EFFECTIVE DATE

"SEC. 1114. This title shall be effective upon a determination by the Commissioner that the Congress has enacted legislation providing Federal reinsurance against losses from civil disorders."

And redesignate the succeeding titles and sections of H.R. 17989 accordingly.

Mr. REUSS (during the reading). Mr. Chairman, I ask unanimous consent that the amendment be considered as read.

The CHAIRMAN. Is there objection to the request of the gentleman from Wisconsin?

Mr. BROCK. Mr. Chairman, reserving the right to object, if we consent to the unanimous consent request, would it be possible to make a point of order after the gentleman from New Jersey speaks on his amendment, or would a point of order have to be made now?

The CHAIRMAN. A point of order may be made at any time before the gentleman from New Jersey is recognized to speak on his amendment.

Mr. BROCK. Mr. Chairman, I make a point of order against the amendment, and will reserve the point of order so that the gentleman from New Jersey may proceed to explain his amendment, if he wants to do that.

The CHAIRMAN. The gentleman from Tennessee reserves a point of order against the amendment.

Without objection, the amendment will be considered as read.

There was no objection.

Mr. PATTEN. Mr. Chairman, if you had comments about the last amendment, about not understanding it, it goes double for this amendment.

I warn the Members of the House unless you adopt this amendment, the District and the people in it will have no benefits under this act. There is no authorization for the District of Columbia to implement the benefits of this act.

This amendment is the same bill that the Senate in their Subcommittee on Business and Commerce reported on Monday, July 8, just the other day, headed by Senator TYDINGS; and the full Senate Committee of the District of Columbia over there, according to Senator BIBLE, who is chairman of the full committee and a cosponsor, said that the Senate would positively pass.

But the parliamentary procedure is that the House under our present schedule will never pass it this year. If we do not amend this act to allow the District of Columbia to participate in the benefits of this reinsurance provision, the Congress will be embarrassed and in a position where every State can cooperate but the District of Columbia will get no benefits.

That is my legal opinion, and it is done hastily and it is not fair to the committee since nobody has had a chance to digest it, but I inquired of a member of our Committee on the District of Columbia and he said this bill would be acceptable by our own District of Columbia authorization committee.

Mr. BARRETT. The District Committee should consider the legislation.

The bill covers the States, the District of Columbia, the Commonwealth of Puerto Rico, and so forth. The proposed amendment is within the province of the District Committee.

Mr. PATTEN. I know what you said—your bill makes the District of Columbia eligible, but the District of Columbia is not authorized to take advantage of this act unless they get that authorization. They will not get authorization by the time we adjourn unless we do it by this amendment. I have no personal interest in this.

Mr. BARRETT. The gentleman knows that this is the District of Columbia Committee's business and we cannot interfere with the District Committee.

Mr. PATTEN. You are not interfering, you are helping them out and helping the Congress not to be embarrassed.

Mr. BARRETT. We are helping them out by passing the necessary legislation.

Mr. PATTEN. I know that as a Member of Congress I do not want to walk out of here and read that we took care of every State but it is impossible for the District of Columbia people to participate in the benefits of this act.

Mr. MOORHEAD. Mr. Chairman, will the gentleman yield?

Mr. PATTEN. I yield to the gentleman.

Mr. MOORHEAD. Under this act, the District of Columbia can participate if the insurance companies want to participate in a voluntary FAIR plan. The insurance companies of the District have assured me that they would participate in a FAIR plan. It is true that we cannot guarantee to the citizens of the District of Columbia, without the gentleman's amendment, that they can be forced to live up to their word, but I do want to make it clear that the legislation is drafted in a way so that the insurance companies can and will expect to participate in one of these plans to be enabled to get reinsurance. The only thing that would be lacking is the stick of the District to force any insurance company to participate.

Mr. PATTEN. You said it.

Mr. MOORHEAD. But the companies are so anxious to get going on this program because they want to live up to their duty of insuring homeowners and businessmen and I feel very confident in saying to the gentleman that if the amendment is not put into this bill, this is still a good bill for the District of Columbia—not as good as it would be with the gentleman's amendment—but still a very good bill for the District of Columbia.

Mr. PATTEN. I thank you.

Mr. BROCK. Mr. Chairman, I rise to a point of order.

The CHAIRMAN. Does the gentleman insist on his point of order?

Mr. BROCK. I insist on the point of order.

The CHAIRMAN. The gentleman will state it.

Mr. BROCK. I make a point of order against the amendment on the ground that it is not germane, it would create a special class of beneficiary, and it would invade the jurisdiction of another committee.

The CHAIRMAN. Does the gentleman from New Jersey desire to be heard on the point of order?

Mr. PATTEN. Mr. Chairman, as far as our having a right to amend this bill at this point without referring it to the District of Columbia Committee, I am pretty sure our rules permit such action. But my answer will be based on the broader picture. I tell you that the District of Columbia cannot participate, and if you want to adjourn this Congress without giving the District of Columbia the same benefits that the 50 States would receive, all right. The onus will be yours. I have no personal interest in it.

The CHAIRMAN. The Chair is ready to rule. The Chair has examined title X closely. The name of title X is "Urban Property Protection and Reinsurance." On page 189, under "Definitions," it is stated that—

> (11) "State" means the several States, the District of Columbia, the Commonwealth of Puerto Rico, Guam, American Samoa, and the Trust Territory of the Pacific;

The amendment offered by the gentleman from New Jersey deals with a matter of insurance, which the Chair feels is within the scope of the pending bill. The district of Columbia is included in the pending bill. Therefore, the Chair holds that the amendment is germane and overrules the point of order.

Mr. GERALD R. FORD. Mr. Chairman, I move to strike the requisite number of words.

The CHAIRMAN. The gentleman from Michigan is recognized.

Mr. GERALD R. FORD. Mr. Chairman, in all sincerity I ask the distinguished chairman of the committee whether he has had an opportunity to analyze in detail the provisions of the amendment offered by the gentleman from New Jersey.

Mr. PATMAN. No, I did not get a copy of it until recently, and I have not had an opportunity to evaluate it.

Mr. GERALD R. FORD. So as far as the details, the powers, and the jurisdiction included in the proposed amendment, the distinguished chairman of the committee knows only what has been said on the floor or has heard in listening or reading the amendment?

Mr. PATMAN. We have present in the Chamber members of the Committee on the District of Columbia. They are charged with the responsibility of District of Columbia affairs. I respect their convictions on the matter. They pass on District of Columbia bills. If none of them wishes to make a point of order on the amendment——

Mr. GERALD R. FORD. A point of order was made and overruled.

Mr. PATMAN. Yes, that is correct. Anyone on the District of Columbia Committee who wants to oppose it has the opportunity to do so. It is not up to me, because we do not have jurisdiction over District of Columbia legislation.

Mr. GERALD R. FORD. The gentleman from Texas, the chairman of this committee, would concede that an amendment of this sort ought to have a little more thorough consideration than what we have given it so far?

Mr. PATMAN. There could be taken into account the consideration that this will be the only amendment before the two Houses, and the conferees will write this bill, the final copy of the bill, and they can either consider it or not consider it. It will not be compulsory. Therefore, we have another chance to consider it.

Mr. GERALD R. FORD. But is it not also true that under the provision on page 189 of the gentleman's bill that came from his committee the District of Columbia is made eligible?

Mr. PATMAN. Mr. Chairman, we did not consider this amendment in committee. It was not considered in the committee to my knowledge. This is the first time I have known anything about it.

Mr. BROCK. Mr. Chairman, if the gentleman will yield, am I correct, I ask the chairman of the Banking and Currency Committee, that the committee in its consideration of this legislation surely intended to offer every protection to the District of Columbia that we were offering to the 50 States?

Mr. PATMAN. That is correct.

Mr. BROCK. There was no intention of excluding the District and there certainly is not now. I think it is a question whether or not this amendment would affect the desire of the author of the amendment, in that it might jeopardize the bill. I think that is within the realm of the Banking and Currency Committee.

Mr. PATMAN. Mr. Chairman, if the gentleman will yield further, this is not the final action, because there is no provision in the Senate bill that is similar. If the Senate bill had a similar provision and if this were passed, it would go into the bill that goes to the White House, but we do not have that situation. We have the situation where this will be in from one side. That will enable the conferees to have the power to pass on it and to determine whether or not it is in the public interest.

Mr. GERALD R. FORD. Mr. Chairman, however, as far as the chairman of the committee is concerned, it was the belief of the committee that the District of Columbia was fully protected in this area?

Mr. PATMAN. Mr. Chairman, that is correct. Certainly we were anxious to make sure the District of Columbia was not discriminated against.

Mr. GERALD R. FORD. Mr. Chairman, I thank the chairman of the committee.

Mr. MOORHEAD. Mr. Chairman, will the gentleman yield?

Mr. GERALD R. FORD. I yield to the gentleman from Pennsylvania.

Mr. MOORHEAD. Mr. Chairman, this amendment is in the same form as a bill passed in the other body and coming out of that body's District of Columbia Committee. What we are doing here is taking the action which the other States would take, which is enacting enabling legislation which would permit the District of Columbia to participate under this legislation. We could do this next year, but we want to be sure that the District citizens are protected before this Congress is adjourned. Probably this amendment is a good one, and it can be reviewed further in the conference.

Mr. GERALD R. FORD. But the District Committee in the House has not reviewed this amendment?

Mr. MOORHEAD. I am informed that under its schedule it cannot act on this legislation before the anticipated adjournment.

Mr. GROSS. Mr. Chairman, if the gentleman will yield, is it not true that in the last hour and a half two or three amendments which have hit the House floor were drafted downtown today and were never considered previously by the Banking and Currency Committee? Is that not true?

Silence seems to give assent.

Mr. GERALD R. FORD. Mr. Chairman, I would like to ask the chairman of the committee this question. Is it not true that under this legislation any State that does not now qualify under the definition has 18 months to so qualify, and that would include the District of Columbia?

Mr. PATMAN. That is correct.

Mr. MOORHEAD. That is correct.

Mr. HAYS. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I have heard a great deal of debate here in the last 2 or 3 days on this long, multipage bill. It looks as if the reason it is going to pass with a pretty good majority is that there is something in it for everybody. Everybody is going to get to dip into the Treasury in one way or another on this bill, and everybody is going to be taken care of, from the ghettos to the insurance companies and to—well, you name it.

If that is the case, and I believe it is, I do not see why we should exclude the District of Columbia. I rather favor the gentleman's amendment. If there are so many goodies in it for everybody—and I hold no particular brief for the District of Columbia, but after all the 50 States and everybody are going to get into the act—I do not see why Congress, which is the legislative body for the District, should not provide for the District. And since it has been admitted we will not be able to legislate them into it this year except if we vote for this amendment, I think we probably ought to do it.

As I have listened to the debate, I have gotten the impression that if this bill were translated into Russian and handed to the Supreme Soviet, they would say, "We will not buy it because it is too socialistic for us." But since it contains something for everybody and everybody's district, I am sure it is going to pass, and I just ask that we not exclude the citizens in the District of Columbia.

Mr. GUDE. Mr. Chairman, I rise in support of the amendment offered by the gentleman from New Jersey for the District of Columbia as well as those provisions of the bill which would provide the means by which insurance protection can be obtained at reasonable and proper rates in high-risk areas subject to civil disorder. The District of Columbia as well as other unfortunate cities, is passing through a critical period of tension and social distress.

Vigorous business and industrial communities are as desperately needed in these cities as are stable residential communities.

But business and industry cannot flourish in these areas without a guarantee of protection for the future through reasonable and proper insurance. In addition, the owners of business and industry, and the employees of these firms have a firm right to continue in their occupations—this legislation is part of the guarantee that they will not be deprived of that right.

The CHAIRMAN. The question is on the amendment offered by the gentleman from New Jersey [Mr. PATTEN].

The question was taken; and on a division (demanded by Mr. PATTEN) there were—ayes 65, noes 48.

Mr. KYL. Mr. Chairman, I demand tellers.

Tellers were ordered, and the Chairman appointed as tellers Mr. PATTEN and Mr. WIDNALL.

The Committee again divided, and the tellers reported that there were—ayes 87, noes 68.

So the amendment was agreed to.

The CHAIRMAN. If there are no further amendments to title X, the Clerk will read.

The Clerk read as follows:

TITLE XI—NATIONAL FLOOD INSURANCE

SHORT TITLE

SEC. 1101. This title may be cited as the "National Flood Insurance Act of 1968".

FINDINGS AND DECLARATION OF PURPOSE

SEC. 1102. (a) The Congress finds that (1) from time to time flood disasters have created personal hardships and economic distress which have required unforeseen disaster relief measures and have placed an increasing burden on the Nation's resources; (2) despite the installation of preventive and protective works and the adoption of other public programs designed to reduce losses caused by flood damage, these methods have not been sufficient to protect adequately against growing exposure to future flood losses; (3) as a matter of national policy, a reasonable method of sharing the risk of flood losses is through a program of flood insurance which can complement and encourage preventive and protective measures; and (4) if such a program is initiated and carried out gradually, it can be expanded as knowledge is gained and experience is appraised thus eventually making flood insurance coverage available on reasonable terms and conditions to persons who have need for such protection.

(b) The Congress also finds that (1) many factors have made it uneconomic for the private insurance industry alone to make flood insurance available to those in need of such protection on reasonable terms and conditions; but (2) a program of flood insurance with large-scale participation of the Federal Government and carried out to the maximum extent practicable by the private insurance industry is feasible and can be initiated.

(c) The Congress further finds that (1) a program of flood insurance can promote the public interest by providing appropriate protection against the perils of flood losses and encouraging sound land use by minimizing exposure of property to flood losses; and (2) the objectives of a flood insurance program should be integrally related to a unified national program for flood plain management and, to this end, it is the sense of Congress that within two years following the date of the enactment of this Act the President should transmit to the Congress for its consideration any further proposals necessary for such a unified program, including proposals for the allocation of costs among beneficiaries of flood protection.

(d) It is therefore the purpose of this title to (1) authorize a flood insurance program by means of which flood insurance, over a period of time, can be made available on a nationwide basis through the cooperative efforts of the Federal Government and the private insurance industry, and (2) provide flexibility in the program so that such flood insurance may be based on workable methods of pooling risks, minimizing costs, and distributing burdens equitably among those who will be protected by flood insurance and the general public.

(e) It is the further purpose of this title to (1) encourage State and local governments to make appropriate land use adjustments to constrict the development of land which is exposed to flood damage and minimize damage caused by flood losses, (2) guide the development of proposed future construction, where practicable, away from locations which are threatened by flood hazards, (3) encourage lending and credit institutions, as a matter of national policy, to assist in furthering the objectives of the flood insurance program, (4) assure that any Federal assistance provided under the program will be related closely to all flood-related programs and activities of the Federal Government, and (5) authorize continuing studies of flood hazards in order to provide for a constant reappraisal of the flood insurance program and its effect on land use requirements.

AMENDMENTS TO THE FEDERAL FLOOD INSURANCE ACT OF 1956

SEC. 1103. (a) The second sentence of section 15(e) of the Federal Flood Insurance Act of 1956 (79 Stat. 1078) is amended—

(1) by striking out "rate" the second time it appears in such sentence, and inserting in lieu thereof "marked yield", and

(2) by striking out "as of the last day of", and inserting in lieu thereof "during".

(b) Section 15(e) of such Act is further amended by striking out the last sentence thereof.

(c) Section 2 through 14, subsections (a) through (d), and (f) and (g) of section 15, and sections 16 through 23 of such Act are hereby repealed.

CHAPTER I—THE NATIONAL FLOOD INSURANCE PROGRAM

BASIC AUTHORITY

SEC. 1105. (a) To carry out the purposes of this title, the Secretary of Housing and

Urban Development is authorized to establish and carry out a national flood insurance program which will enable interested persons to purchase insurance against loss resulting from physical damage to or loss of real property or personal property related thereto arising from any flood occurring in the United States.

(b) In carrying out the flood insurance program the Secretary shall, to the maximum extent practicable, encourage and arrange for—

(1) appropriate financial participation and risk sharing in the program by insurance companies and other insurers, and

(2) other appropriate participation, on other than a risk-sharing basis, by insurance companies and other insurers, insurance agents and brokers, and insurance adjustment organizations,

in accordance with the provisions of chapter II.

SCOPE OF PROGRAM AND PRIORITIES

SEC. 1106. (a) In carrying out the flood insurance program the Secretary shall afford a priority to making flood insurance available to cover residential properties which are designed for the occupancy of from one to four families and business properties which are owned or leased and operated by small business concerns.

(b) If on the basis of—

(1) studies and investigations undertaken and carried out and information received or exchanged under section 1108, and

(2) such other information as may be necessary, the Secretary determines that it would be feasible to extend the flood insurance program to cover any types or classes of—

(A) other residential properties,

(B) other business properties,

(C) agricultural properties,

(D) properties occupied by private nonprofit organizations, or

(E) properties owned by State and local governments and agencies thereof,

he shall transmit such determination to the Congress together with his recommendations with respect to any such extension of the program.

(c) The Secretary shall make flood insurance available in only those States or areas (or subdivisions thereof) which he has determined have—

(1) evidenced a positive interest in securing flood insurance coverage under the flood insurance program, and

(2) given satisfactory assurance that by June 30, 1970, permanent land use and control measures will have been adopted for the State or area (or subdivision) which are consistent with the comprehensive criteria for land management and use developed under section 1161, and that the application and enforcement of such measures will commence as soon as technical information on floodways and on controlling flood elevations is available.

NATURE AND LIMITATION OF INSURANCE COVERAGE

SEC. 1107. (a) The Secretary shall from time to time, after consultation with the advisory committee authorized under section 1119, appropriate representatives of the pool formed or otherwise created under section 1131, and appropriate representatives of the insurance authorities of the respective States, provide by regulation for general terms and conditions of insurability which shall be applicable to properties eligible for flood insurance coverage under section 1106, including—

(1) the types, classes, and locations of any such properties which shall be eligible for flood insurance;

(2) the nature and limits of loss or damage in any areas (or subdivisions thereof) which may be covered by such insurance;

(3) the classification, limitation, and rejection of any risks which may be advisable;

(4) appropriate minimum premiums;

(5) appropriate loss-deductibles; and

(6) any other terms and conditions relating to insurance coverage or exclusion which may be necessary to carry out the purposes of this title.

(b) In addition to any other terms and conditions under subsection (a), such regulations shall provide that—

(1) any flood insurance coverage based on chargeable premium rates under section 1109 which are less than the estimated premium rates under section 1108(a)(1) shall not exceed—

(A) in the case of residential properties which are designed for the occupancy of from one to four families—

(i) $17,500 aggregate liability for any dwelling unit, and $30,000 for any single dwelling structure containing more than one dwelling unit, and

(ii) $5,000 aggregate liability per dwelling unit for any contents related to such unit;

(B) in the case of business properties which are owned or leased and operated by small business concerns, an aggregate liability with respect to any single structure, including any contents thereof related to premises of small business occupants (as that term is defined by the Secretary), which shall be equal to (i) $30,000 plus (ii) $5,000 multiplied by the number of such occupants and shall be allocated among such occupants (or among the occupant or occupants and the owner) under regulations prescribed by the Secretary; except that the aggregate liability for the structure itself may in no case exceed $30,000; and

(C) in the case of any other properties which may become eligible for flood insurance coverage under section 1106—

(i) $30,000 aggregate liability for any single structure, and

(ii) $5,000 aggregate liability per dwelling unit for any contents related to such unit in the case of residential properties, or per occupant (as that term is defined by the Secretary) for any contents related to the premises occupied in the case of any other properties; and

(2) any flood insurance coverage which may be made available in excess of any of the limits specified in subparagraph (A), (B), or (C) of paragraph (1) (or allocated to any person under subparagraph (B) of such paragraph) shall be based only on chargeable premium rates under section 1109 which are not less than the estimated premium rates under section 1108(a)(1), and the amount of such excess coverage shall not in any case exceed an amount which is equal to the applicable limit so specified (or allocated).

ESTIMATES OF PREMIUM RATES

SEC. 1108. (a) The Secretary is authorized to undertake and carry out such studies and investigations and receive or exchange such information as may be necessary to estimate, any shall from time to time estimate, on an area, subdivision, or other appropriate basis—

(1) the risk premium rates for flood insurance which—

(A) based on consideration of the risk involved and accepted actuarial principles, and

(B) including—

(i) the applicable operating costs and allowances set forth in the schedules prescribed under section 1112 and reflected in such rates, and

(ii) any adminstrative expenses (or portion of such expenses) of carrying out of the flood insurance program which, in his discretion, should properly be reflected in such rates, would be required in order to make such insurance available on an actuarial basis for any types and classes of properties for which insurance coverage is available under section 1106(a) (or is recommended to the Congress under section 1106(b));

(2) the rates, if less than the rates estimated under paragraph (1), which would be reasonable, would encourage prospective insureds to purchase flood insurance, and would be consistent with the purposes of this title; and

(3) the extent, if any, to which federally assisted or other flood protection measures initiated after the date of the enactment of this title affect such rates.

(b) In carrying out subsection (a), the Secretary shall, to the maximum extent feasible and on a reimbursement basis, utilize the services of the Department of the Army, the Department of the Interior, the Department of Agriculture, the Department of Commerce, and the Tennessee Valley Authority, and, as appropriate, other Federal departments or agencies, and for such purposes may enter into agreements or other appropriate arrangements with any persons.

(c) The Secretary shall give priority to conducting studies and investigations and making estimates under this section in those States or areas (or subdivisions thereof) which he has determined have evidenced a positive interest in securing flood insurance coverage under the flood insurance program.

ESTABLISHMENT OF CHARGEABLE PREMIUM RATES

SEC. 1109. (a) On the basis of estimates made under section 1108 and such other information as may be necessary, the Secretary shall from time to time, after consultation with the advisory committee authorized under section 1119, appropriate representatives of the pool formed or otherwise created under section 1131, and appropriate representatives of the insurance authorities of the respective States, prescribe by regulation—

(1) chargeable premium rates for any types and classes of properties for which insurance coverage shall be available under section 1106 (at less than the estimated risk premium rates under section 1108(a)(1), where necessary), and

(2) the terms and conditions under which, and the areas (including subdivisions thereof) within which, such rates shall apply.

(b) Such rates shall, insofar as practicable, be—

(1) based on a consideration of the respective risks involved, including differences in risks due to land use measures, floodproofing, flood forecasting, and similar measures,

(2) adequate, on the basis of accepted actuarial principles, to provide reserves for anticipated losses, or, if less than such amount, consistent with the objective of making flood insurance available where necessary at reasonable rates so as to encourage prospective insureds to purchase such insurance and with the purposes of this title, and

(3) stated so as to reflect the basis for such rates, including the differences (if any) between the estimated risk premium rates under section 1108(a)(1) and the estimated rates under section 1108(a)(2).

(c) Notwithstanding any other provision of this title, the chargeable rate with respect to any property, the construction or substantial improvement of which the Secretary determines has been started after the identification of the area in which such property is located has been published under paragraph (1) of section 1160, shall not be less than the applicable estimated risk premium rate for such area (or subdivision thereof) under section 1108(a)(1).

(d) In the event any chargeable premium rate prescribed under this section—

(1) is a rate which is not less than the applicable estimated risk premium rate under section 1108(a)(1), and

(2) includes any amount for administrative expenses of carrying out the flood insurance program which have been estimated under clause (ii) of section 1108(a)(1)(B),

a sum equal to such amount shall be paid to the Secretary, and he shall deposit such sum in the National Flood Insurance Fund established under section 1111.

FINANCING

SEC. 1110. (a) All authority which was vested in the Housing and Home Finance Administrator by virtue of section 15(e) of the Federal Flood Insurance Act of 1956 (70 Stat. 1084) (pertaining to the issue of notes or other obligations to the Secretary of the Treasury), as amended by subsections (a) and (b) of section 1103 of this Act, shall be available to the Secretary for the purpose of carrying out the flood insurance program under this title; except that the total amount of notes and obligations which may be issued by the Secretary pursuant to such authority shall not exceed $150,000,000.

(b) Any funds borrowed by the Secretary under this authority shall, from time to time, be deposited in the National Flood Insurance Fund established under section 1111.

NATIONAL FLOOD INSURANCE FUND

SEC. 1111. (a) To carry out the flood insurance program authorized by this title, the Secretary is authorized to establish in the Treasury of the United States a National Flood Insurance Fund (hereinafter referred to as the "fund") which shall be available, without fiscal year limitation—

(1) for making such payments as may, from time to time, be required under section 1134;

(2) to pay reinsurance claims under the excess loss reinsurance coverage provided under section 1135;

(3) to repay to the Secretary of the Treasury such sums as may be borrowed from him (together with interest) in accordance with the authority provided in section 1110; and

(4) for the purposes specified in subsection (d) under the conditions provided therein.

(b) The fund shall be credited with—

(1) such funds borrowed in accordance with the authority provided in section 1110 as may from time to time be deposited in the fund;

(2) premiums, fees, or other charges which may be paid or collected in connection with the excess loss reinsurance coverage provided under section 1135;

(3) such amounts as may be advanced to the fund from appropriations in order to maintain the fund in an operative condition adequate to meet its liabilities;

(4) interest which may be earned on investments of the fund pursuant to subsection (c);

(5) such sums as are required to be paid to the Secretary under section 1109(d); and

(6) receipts from any other operations under this title (including premiums under the conditions specified in subsection (d), and salvage proceeds, if any, resulting from reinsurance coverage).

(c) If, after—

(1) all outstanding obligations of the fund have been liquidated, and

(2) any outstanding amounts which may have been advanced to the fund from appropriations authorized under section 1176(a)(2)(B) have been credited to the appropriation from which advanced, with interest accrued at the rate prescribed under section 15(e) of the Federal Flood Insurance Act of 1956, as in effect immediately prior to the enactment of this title,

the Secretary determines that the moneys of the fund are in excess of current needs, he may request the investment of such amounts as he deems advisable by the Secretary of the Treasury in obligations issued or guaranteed by the United States.

(d) In the event the Secretary makes a finding in accordance with the provisions of section 1140 that operation of the flood insurance program, in whole or in part, should be carried out through the facilities of the Federal Government, the fund shall be available for all purposes incident thereto, including—

(1) costs incurred in the adjustment and payment of any claims for losses, and

(2) payment of applicable operating costs set forth in the schedules prescribed under section 1112,

for so long as the program is so carried out, and in such event any premiums paid shall be deposited by the Secretary to the credit of the fund.

OPERATING COSTS AND ALLOWANCES

SEC. 1112. (a) The Secretary shall from time to time negotiate with appropriate representatives of the insurance industry for the purpose of establishing—

(1) a current schedule of operating costs applicable both to risk-sharing insurance companies and other insurers and to insurance companies and other insurers, insurance agents and brokers, and insurance adjustment organizations participating on other than a risk-sharing basis, and

(2) a current schedule of operating allowances applicable to risk-sharing insurance companies and other insurers,

which may be payable in accordance with the provisions of chapter II, and such schedules shall from time to time be prescribed in regulations.

(b) For purposes of subsection (a)—

(1) The term "operating costs" shall (without limiting such term) include—

(A) expense reimbursements covering the direct, actual, and necessary expenses incurred in connection with selling and servicing flood insurance coverage;

(B) reasonable compensation payable for selling and servicing flood insurance coverage, or commissions or service fees paid to producers;

(C) loss adjustment expenses; and

(D) other direct, actual, and necessary expenses which the Secretary finds are incurred in connection with selling or servicing flood insurance coverage; and

(2) the term "operating allowances" shall (without limiting such term) include amounts for profit and contingencies which the Secretary finds reasonable and necessary to carry out the purposes of this title.

PAYMENT OF CLAIMS

SEC. 1113. The Secretary is authorized to prescribe regulations establishing the general method or methods by which proved and approved claims for losses may be adjusted and paid for any damage to or loss of property which is covered by flood insurance made available under the provisions of this title.

DISSEMINATION OF FLOOD INSURANCE INFORMATION

SEC. 1114. The Secretary shall from time to time take such action as may be necessary in order to make information and data available to the public, and to any State or local agency or official, with regard to—

(1) the flood insurance program, its coverage and objectives, and

(2) estimated and chargeable flood insurance premium rates, including the basis for and differences between such rates in accordance with the provisions of section 1109.

PROHIBITION AGAINST CERTAIN DUPLICATIONS OF BENEFITS

SEC. 1115. (a) Notwithstanding the provisions of any other law, no Federal disaster assistance shall be made available to any person—

(1) for the physical loss, destruction, or damage of real or personal property, to the extent that such loss, destruction, or damage is covered by a valid claim which may be adjusted and paid under flood insurance made available under the authority of this title, or

(2) except in the situation provided for under subsection (b), for the physical loss, destruction, or damage of real or personal property, to the extent that such loss, destruction, or damage could have been covered by a valid claim under flood insurance which had been made available under the authority of this title, if—

(A) such loss, destruction, or damage occurred subsequent to one year following the date flood insurance was made available in the area (or subdivision thereof) in which such property or the major part thereof was located, and

(B) such property was eligible for flood insurance under this title at that date;

and in such circumstances the extent that such loss, destruction, or damage could have been covered shall be presumed (for purposes of this subsection) to be an amount not less than the maximum limit of insurable loss or damage applicable to such property in such area (or subdivision thereof), pursuant to regulations under section 1107, at the time insurance was made available in such area (or subdivision thereof).

(b) In order to assure that the provisions of subsection (a)(2) will not create undue hardship for low-income persons who might otherwise benefit from the provision of Federal disaster assistance, the Secretary shall provide by regulation for the circumstances in which the provisions of subsection (a)(2) shall not be applicable to any such persons.

(c) For purposes of this section, "Federal disaster assistance" shall include any Federal financial assistance which may be made available to any person as a result of—

(1) a major disaster (within the meaning of that term as determined by the President pursuant to the Act entitled "An Act to authorize Federal assistance to State and local governments in major disasters, and for other purposes", as amended (42 U.S.C. 1855–1855g)),

(2) a natural disaster, as determined by the Secretary of Agriculture pursuant to section 321 of the Consolidated Farmers Home Administration Act of 1961 (7 U.S.C. 1961), or

(3) a disaster with respect to which loans may be made under section 7(b) of the Small Business Act (15 U.S.C. 636(b)).

(d) For purposes of section 10 of the Disaster Relief Act of 1966 (80 Stat. 1320), the term "financial assistance" shall be deemed to include any flood insurance which is made available under this title.

STATE AND LOCAL LAND USE CONTROLS

SEC. 1116. After June 30, 1970, no new flood insurance coverage shall be provided under this title in any area (or subdivision thereof) unless an appropriate public body shall have adopted permanent land use and control measures (with effective enforcement provisions) which the Secretary finds are consistent with the comprehensive criteria for land management and use under section 1161.

PROPERTIES IN VIOLATION OF STATE AND LOCAL LAW

SEC. 1117. No new flood insurance coverage shall be provided under this title for any property which the Secretary finds has been declared by a duly constituted State or local zoning authority, or other authorized public body, to be in violation of State or local laws, regulations, or ordinances which are intended to discourage or otherwise restrict land development or occupancy in flood-prone areas.

COORDINATION WITH OTHER PROGRAMS

SEC. 1118. In carrying out this title, the Secretary shall consult with other departments and agencies of the Federal Government, and with interstate, State, and local agencies having responsibilities for flood control, flood forecasting, or flood damage prevention, in order to assure to the maximum extent practicable that the programs of such agencies and the flood insurance program authorized under this title are mutually consistent.

ADVISORY COMMITTEE

SEC. 1119. (a) The Secretary shall appoint a flood insurance advisory committee, without regard to the provisions of title 5, United States Code, governing appointments in the competitive service, and such committee shall advise the Secretary in the preparation of any regulations prescribed in accordance with this title and with respect to policy matters arising in the administration of this title, and shall perform such other responsibilities as the Secretary may, from time to time, assign to such committee.

(b) Such committee shall consist of not more than fifteen persons and such persons shall be selected from among representatives of—

(1) the insurance industry,

(2) State and local governments,

(3) lending institutions,

(4) the homebuilding industry, and

(5) the general public.

(c) Members of the committee shall, while attending conferences or meetings thereof, be entitled to receive compensation at a rate fixed by the Secretary but not exceeding $100 per day, including traveltime, and while so serving away from their homes or regular places of business they may be allowed travel expenses, including per diem in lieu of subsistence, as is authorized under section 5703 of title 5, United States Code, for persons in the Government service employed intermittently.

INITIAL PROGRAM LIMITATION

SEC. 1120. The face amount of flood insurance coverage outstanding and in force at any one time under this title shall not exceed the sum of $2,500,000,000.

REPORT TO THE PRESIDENT

SEC. 1121. The Secretary shall include a report of operations under this title in the annual report to the President for submission to the Congress required by section 8 of the Department of Housing and Urban Development Act.

CHAPTER II—ORGANIZATION AND ADMINISTRATION OF THE FLOOD INSURANCE PROGRAM

ORGANIZATION AND ADMINISTRATION

SEC. 1130. Following such consultation with representatives of the insurance industry as may be necessary, the Secretary shall implement the flood insurance program authorized under chapter I in accordance with the provisions of part A of this chapter and, if a determination is made by him under section 1140, under part B of this chapter.

PART A—INDUSTRY PROGRAM WITH FEDERAL FINANCIAL ASSISTANCE

INDUSTRY FLOOD INSURANCE POOL

SEC. 1131. (a) The Secretary is authorized to encourage and otherwise assist any insurance companies and other insurers which meet the requirements prescribed under subsection (b) to form, associate, or otherwise join together in a pool—

(1) in order to provide the flood insurance coverage authorized under chapter I; and

(2) for the purpose of assuming, on such terms and conditions as may be agreed upon, such financial responsibility as will enable such companies and other insurers, with the Federal financial and other assistance available under this title, to assume a reasonable proportion of responsibility for the adjustment and payment of claims for losses under the flood insurance program.

(b) In order to promote the effective administration of the flood insurance program under this part, and to assure that the objectives of this title are furthered, the Secretary is authorized to prescribe appropriate requirements for insurance companies and other insurers participating in such pool including, but not limited to, minimum requirements for capital or surplus or assets.

AGREEMENTS WITH FLOOD INSURANCE POOL

SEC. 1132. (a) The Secretary is authorized to enter into such agreements with the pool formed or otherwise created under this part as he deems necessary to carry out the purposes of this title.

(b) Such agreements shall specify—

(1) the terms and conditions under which risk capital will be available for the adjustment and payment of claims.

(2) the terms and conditions under which the pool (and the companies and other insurers participating therein) shall participate in premiums received and profits or losses realized or sustained,

(3) the maximum amount of profit, established by the Secretary and set forth in the schedules prescribed under section 1112, which may be realized by such pool (and the companies and other insurers participating therein),

(4) the terms and conditions under which operating costs and allowances set forth in the schedules prescribed under section 1112 may be paid, and

(5) the terms and conditions under which premium equalization payments under section 1134 will be made and reinsurance claims under section 1135 will be paid.

(c) In addition, such agreements shall contain such provisions as the Secretary finds necessary to assure that—

(1) no insurance company or other insurer which meets the requirements prescribed under section 1131(b), and which has indicated an intention to participate in the flood insurance program on a risk-sharing basis, will be excluded from participating in the pool,

(2) the insurance companies and other insurers participating in the pool will take whatever action may be necessary to provide continuity of flood insurance coverage by the pool, and

(3) any insurance companies and other insurers, insurance agents and brokers, and insurance adjustment organizations will be permitted to cooperate with the pool as fiscal agents or otherwise, on other than a risk-sharing basis, to the maximum extent practicable.

ADJUSTMENT AND PAYMENT OF CLAIMS AND JUDICIAL REVIEW

SEC. 1133. The insurance companies and other insurers which form, associate, or otherwise join together in the pool under this part may adjust and pay all claims for proved and approved losses covered by flood insurance in accordance with the provisions of this title and, upon the disallowance by any such company or other insurer of any such claim, or upon the refusal of the claimant to accept the amount allowed upon any such claim, the claimant, within one year after the date of mailing of notice of disallowance or partial disallowance of the claim, may institute an action on such claim against such company or other insurer in the United States district court for the district in which the insured property or the major part thereof shall have been situated, and jurisdiction is hereby conferred upon such court to hear and determine such action without regard to the amount in controversy.

PREMIUM EQUALIZATION PAYMENTS

SEC. 1134. (a) The Secretary, on such terms and conditions as he may from time to time prescribe, shall make periodic payments to the pool formed or otherwise created under section 1131, in recognition of such reductions in chargeable premium rates under section 1109 below estimated premium rates under section 1108(a)(1) as are required in order to make flood insurance available on reasonable terms and conditions.

(b) Such payments shall be based only on the aggregate amount of flood insurance retained by the pool after ceding reinsurance in accordance with the provisions of section 1135, and shall not exceed an aggregate amount in any payment period equal to the sum of the following:

(1) an amount for losses which bears the same ratio to the amount of all proved and approved claims for losses under this title during any designated period as the amount equal to the difference between—

(A) the sum of all premium payments for flood insurance coverage in force under this title during such designated period which would have been payable during such period if all such coverage were based on estimated risk premium rates under section 1108(a)(1) (excluding any administrative expenses which may be reflected in such rates, as specified in clause (ii) of section 1108(a)(1)(B)), and

(B) the sum of the premium payments actually paid or payable for such insurance under this title during such period,

bears to the amount specified in clause (A); and

(2) subject to the terms and conditions specified in the agreements entered into with the pool under section 1132, a proportionate amount for appropriate operating costs and allowances (as set forth in the schedules prescribed under section 1112) during any designated period which bears the same ratio to the total amount of such operating costs and allowances during such period as the ratio specified in paragraph (1).

(c) Designated periods under this section and the methods for determining the sum of premiums paid or payable during such periods shall be established by the Secretary.

REINSURANCE COVERAGE

SEC. 1135. (a) The Secretary is authorized to take such action as may be necessary in order to make available, to the pool formed or otherwise created under section 1131, reinsurance for losses (due to claims for proved and approved losses covered by flood insurance) which are in excess of losses assumed by such pool in accordance with the excess loss agreement entered into under subsection (c).

(b) Such reinsurance shall be made available pursuant to contract, agreement, or any other arrangement, in consideration of such payment of a premium, fee, or other charge as the Secretary finds necessary to cover anticipated losses and other costs of providing such reinsurance.

(c) The Secretary is authorized to negotiate an excess loss agreement, from time to time, under which the amount of flood insurance retained by the pool, after ceding reinsurance, shall be adequate to further the purposes of this title, consistent with the objective of maintaining appropriate financial participation and risk sharing to the maximum extent practicable on the part of participating insurance companies and other insurers.

(d) All reinsurance claims for losses in excess of losses assumed by the pool shall be submitted on a portfolio basis by such pool in accordance with terms and conditions established by the Secretary.

PART B—GOVERNMENT PROGRAM WITH INDUSTRY ASSISTANCE

FEDERAL OPERATION OF THE PROGRAM

SEC. 1140. (a) If at any time, after consultation with representatives of the insurance industry, the Secretary determines that operation of the flood insurance program as provided under part A cannot be carried out, or that such operation, in itself, would be assisted materially by the Federal Government's assumption, in whole or in part, of the operational responsibility for flood insurance under this title (on a temporary or other basis), he shall promptly undertake any necessary arrangements to carry out the program of flood insurance authorized under chapter I through the facilities of the Federal Government, utilizing, as may be practicable for purposes of providing flood insurance coverage, insurance companies and other insurers, insurance agents and brokers, and insurance adjustment organizations, as fiscal agents of the United States.

(b) Upon making the determination referred to in subsection (a), and at least thirty days prior to implementing the program of flood insurance authorized under chapter I through the facilities of the Federal Government, the Secretary shall make a report to the Congress and such report shall—

(1) state the reasons for such determination,

(2) be supported by pertinent findings,

(3) indicate the extent to which it is anticipated that the insurance industry will be utilized in providing flood insurance coverage under the program, and

(4) contain such recommendations as the Secretary deems advisable.

ADJUSTMENT AND PAYMENT OF CLAIMS AND JUDICIAL REVIEW

SEC. 1141. In the event the program is carried out as provided in section 1140, the Secretary shall be authorized to adjust and make payment of any claims for proved and approved losses covered by flood insurance, and upon the disallowance by the Secretary of any such claim, or upon the refusal of the claimant to accept the amount allowed upon any such claim, the claimant, within one year after the date of mailing of notice of disallowance or partial disallowance by the Secretary, may institute an action against the Secretary on such claim in the United States district court for the district in which the insured property or the major part thereof shall have been situated, and jurisdiction is hereby conferred upon such court to hear and determine such action without regard to the amount in controversy.

PART C—PROVISIONS OF GENERAL APPLICABILITY

SERVICES BY INSURANCE INDUSTRY

SEC. 1145. (a) In administering the flood insurance program under this chapter, the Secretary is authorized to enter into any contracts, agreements, or other appropriate arrangements which may, from time to time, be necessary for the purpose of utilizing, on such terms and conditions as may be agreed upon, the facilities and services of any insurance companies or other insurers, insurance agents and brokers, or insurance adjustment organizations; and such contracts, agreements, or arrangements may include provision for payment of applicable operating costs and allowances for such facilities and services as set forth in the schedules prescribed under section 1112.

(b) Any such contracts, agreements, or other arrangements may be entered into without regard to the provisions of section 3709 of the Revised Statutes (41 U.S.C. 5) or any other provision of law requiring competitive bidding.

USE OF INSURANCE POOL, COMPANIES, OR OTHER PRIVATE ORGANIZATIONS FOR CERTAIN PAYMENTS

SEC. 1146. (a) In order to provide for maximum efficiency in the administration of the flood insurance program and in order to facilitate the expeditious payment of any Federal funds under such program, the Secretary may enter into contracts with pool formed or otherwise created under section 1131, or any insurance company or other private oragnization, for the purpose of securing performance by such pool, company, or organization of any or all of the following responsibilities:

(1) estimating and later determining any amounts of payments to be made;

(2) receiving from the Secretary, disbursing, and accounting for funds in making such payments;

(3) making such audits of the records of any insurance company or other insurer, insurance agent or broker, or insurance adjustment organization as may be necessary to assure that proper payments are made; and

(4) otherwise assisting in such manner as the contract may provide to further the purposes of this title.

(b) Any contract with the pool or an insurance company or other private organization under this section may contain such terms and conditions as the Secretary finds necessary or appropriate for carrying out responsibilities under subsection (a), and may provide for payment of any costs which the Secretary determines are incidental to carrying out such responsibilities which are covered by the contract.

(c) Any contract entered into under subsection (a) may be entered into without regard to section 3709 of the Revised Statutes (41 U.S.C. 5) or any other provision of law requiring competitive bidding.

(d) No contract may be entered into under this section unless the Secretary finds that the pool, company, or organization will perform its obligations under the contract efficiently and effectively, and will meet such requirements as to financial responsibility, legal authority, and other matters as he finds pertinent.

(e)(1) Any such contract may require the pool, company, or organization or any of its officers or employees certifying payments or disbursing funds pursuant to the contract, or otherwise participating in carrying out the contract, to give surety bond to the United States in such amount as the Secretary may deem appropriate.

(2) No individual designated pursuant to a contract under this section to certify payments shall, in the absence of gross negligence or intent to defraud the United States, be liable with respect to any payment certified by him under this section.

(3) No officer disbursing funds shall, in the absence of gross negligence or intent to defraud the United States, be liable with respect to any payment by him under this section if it was based upon a voucher signed by an individual designated to certify payments as provided in paragraph (2) of this subsection.

(f) Any contract entered into under this section shall be for a term of one year, and may be made automatically renewable from term to term in the absence of notice by either party of an intention to terminate at the end of the current term; except that the Secretary may terminate any such contract at any time (after reasonable notice to the pool, company, or organization involved) if he finds that the pool, company, or organization has failed substantially to carry out the contract, or is carrying out the contract in a manner inconsistent with the efficient and effective administration of the flood insurance program authorized under this title.

SETTLEMENT AND ARBITRATION

SEC. 1147. (a) The Secretary is authorized to make final settlement of any claims or demands which may arise as a result of any financial transactions which he is authorized to carry out under this chapter, and may, to assist him in making any such settlement, refer any disputes relating to such claims or demands to arbitration, with the consent of the parties concerned.

(b) Such arbitration shall be advisory in nature, and any award, decision, or recommendation which may be made shall become final only upon the approval of the Secretary.

RECORDS AND AUDITS

SEC. 1148. (a) The flood insurance pool formed or otherwise created under part A of this chapter, and any insurance company or other private organization executing any contract, agreement, or other appropriate arrangement with the Secretary under part B of this chapter or this part, shall keep such records as the Secretary shall prescribe, including records which fully disclose the total costs of the program undertaken or the services being rendered, and such other records as will facilitate an effective audit.

(b) The Secretary and the Comptroller General of the United States, or any of their duly authorized representatives, shall have access for the purpose of audit and examination to any books, documents, papers, and records of the pool and any such insurance company or other private organization that are pertinent to the costs of the program undertaken or the services being rendered.

CHAPTER III—COORDINATION OF FLOOD INSURANCE WITH LAND-MANAGEMENT PROGRAMS IN FLOOD-PRONE AREAS

IDENTIFICATION OF FLOOD-PRONE AREAS

SEC. 1160. The Secretary is authorized to consult with, receive information from, and enter into any agreements or other arrangements with the Secretaries of the Army, the Interior, Agriculture, and Commerce, the Tennessee Valley Authority, and the heads of other Federal departments or agencies, on a reimbursement basis, or with the head of any State or local agency, in order that he may—

(1) identify and publish information with respect to all flood plain areas, including coastal areas located in the United States, which have special flood hazards, within five years following the date of the enactment of this Act, and

(2) establish flood-risk zones in all such areas, and make estimates with respect to the rates of probable flood-caused loss for the various flood-risk zones for each of these areas, within fifteen years following such date.

CRITERIA FOR LAND MANAGEMENT AND USE

SEC. 1161. (a) The Secretary is authorized to carry out studies and investigations, utilizing to the maximum extent practicable the existing facilities and services of other Federal departments or agencies, and State and local governmental agencies, and any other organizations, with respect to the adequacy of State and local measures in flood-prone areas as to land management and use, flood control, flood zoning, and flood damage prevention, and may enter into any contracts, agreements, or other appropriate arrangements to carry out such authority.

(b) Such studies and investigations shall include, but not be limited to, laws, regulations, or ordinances relating to encroachments and obstructions on stream channels and floodways, the orderly development and use of flood plains of rivers or streams, floodway encroachment lines, and flood plain zoning, building codes, building permits, and subdivision or other building restrictions.

(c) On the basis of such studies and investigations, and such other information as he deems necessary, the Secretary shall from time to time develop comprehensive criteria designed to encourage, where necessary, the adoption of permanent State and local measures which, to the maximum extent feasible, will—

(1) constrict the development of land which is exposed to flood damage where appropriate,

(2) guide the development of proposed construction away from locations which are threatened by flood hazards,

(3) assist in reducing damage caused by floods, and

(4) otherwise improve the long-range land management and use of flood-prone areas, and he shall work closely with and provide any necessary technical assistance to State, interstate, and local governmental agencies, to encourage the application of such criteria and the adoption and enforcement of such measures.

PURCHASE OF CERTAIN INSURED PROPERTIES

SEC. 1162. The Secretary may, when he determines that the public interest would be served thereby, enter into negotiations with any owner of real property or interest therein which—

(1) was located in any flood-risk area, as determined by the Secretary,

(2) was covered by flood insurance under the flood insurance program authorized under this title, and

(3) was damaged substantially beyond repair by flood while so covered,

and may purchase such property or interests therein, for subsequent transfer, by sale, lease, donation, or otherwise, to any State or local agency which enters into an agreement with the Secretary that such property shall, for a period not less than forty years following transfer, be used for only such purposes as the Secretary may, by regulation, determine to be consistent with sound land management and use in such area.

CHAPTER IV—APPROPRIATIONS AND MISCELLANEOUS PROVISIONS

DEFINITIONS

SEC. 1170. As used in this title—

(1) the term "flood" shall have such meaning as may be prescribed in regulations of the Secretary, and may include inundation from rising waters or from the overflow of streams, rivers, or other bodies of water, or from tidal surges, abnormally high tidal water, tidal waves, tsunamis, hurricanes, or other severe storms of deluge;

(2) the terms "United States" (when used in a geographic sense) and "State" includes the several States, the District of Columbia, the territories and possessions, the Commonwealth of Puerto Rico, and the Trust Territory of the Pacific Islands;

(3) the terms "insurance company", "other insurer", and "insurance agent or broker" include any organizations and persons authorized to engage in the insurance business under the laws of any State;

(4) the term "insurance adjustment organization" includes any organizations and persons engaged in the business of adjusting loss claims arising under insurance policies issued by any insurance company or other insurer;

(5) the term "person" includes any individual or group of individuals, corporation, partnership, association, or any other organized group of persons, including State and local governments and agencies thereof; and

(6) the term "Secretary" means the Secretary of Housing and Urban Development.

STUDIES OF OTHER NATURAL DISASTERS

SEC. 1171. (a) The Secretary is authorized to undertake such studies as may be necessary for the purpose of determining the extent to which insurance protection against earthquakes or any other natural disaster perils, other than flood, is not available from public or private sources, and the feasibility of such insurance protection being made available.

(b) Studies under this section shall be carried out, to the maximum extent practicable, with the cooperation of other Federal departments and agencies and State and local agencies, and the Secretary is authorized to consult with, receive information from, and enter into any necessary agreements or other arrangements with such other Federal departments and agencies (on a reimbursement basis) and such State and local agencies.

PAYMENTS

SEC. 1172. Any payments under this title may be made (after necessary adjustment on account of previously made underpayments or overpayments) in advance or by way of reimbursement, and in such installments and on such conditions as the Secretary may determine.

GOVERNMENT CORPORATION CONTROL ACT

SEC. 1173. The provisions of the Government Corporation Control Act shall apply to the program authorized under this title to the same extent as they apply to wholly owned Government corporations.

FINALITY OF CERTAIN FINANCIAL TRANSACTIONS

SEC. 1174. Notwithstanding the provisions of any other law—

(1) any financial transaction authorized to be carried out under this title, and

(2) any payment authorized to be made or to be received in connection with any such financial transaction,

shall be final and conclusive upon all officers of the Government.

ADMINISTRATIVE EXPENSES

SEC. 1175. Any administrative expenses which may be sustained by the Federal Government in carrying out the flood insurance program authorized under this title may be paid out of appropriated funds.

APPROPRIATIONS

SEC. 1176. (a) There are hereby authorized to be appropriated such sums as may from time to time be necessary to carry out this title, including sums—

(1) to cover administrative expenses authorized under section 1175;

(2) to reimburse the National Flood Insurance Fund established under section 1111 for—

(A) premium equalization payments under section 1134 which have been made from such fund; and

(B) reinsurance claims paid under the excess loss reinsurance coverage provided under section 1135; and

(3) to make such other payments as may be necessary to carry out the purposes of this title.

(b) All such funds shall be available without fiscal year limitation.

Mr. PATMAN (during the reading). Mr. Chairman, I ask unanimous consent that title XI be considered as read, printed in the RECORD, and open to amendment at any point.

The **CHAIRMAN**. Is there objection to the request of the gentleman from Texas?

There was no objection.

AMENDMENT OFFERED BY MR. JONAS

Mr. JONAS. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. JONAS: On page 224, in line 18, strike the period, insert a comma and the following: "and all authority of the Secretary to issue notes and obligations under said section 15(e) beyond such sum is hereby rescinded."

Mr. JONAS. Mr. Chairman, 2 weeks ago Congress enacted and the President signed into law the Revenue and Expenditure Reduction Act of 1968. One of the provisions in that bill requires that the President next January submit to the Congress $8 billion in rescissions of unspent appropriations previously made. There are more than $200 billion available downtown in previously appropriated money which has not been spent. This amendment I am offering today would not touch unexpended balances of appropriations, but it would move in the same direction that the Congress directed the President to move, and it undertakes to rescind some unused authorizations. No living person to my knowledge knows how many authorizations have been approved but have not been funded. It would run into the billions of dollars.

Mr. PATMAN. Mr. Chairman, will the gentleman yield?

Mr. JONAS. Yes, sir.

Mr. PATMAN. The riot insurance provision which we have already passed contains $150 million as the extent of the Federal Government's liability. This one, if I understand it correctly, will include $150 million liability for the Federal Government.

Mr. JONAS. That is correct.

Mr. PATMAN. In other words, it relieves us of the open end approach?

Mr. JONAS. That is correct.

Mr. PATMAN. And they could extend to only that limit of liability.

Mr. JONAS. That is correct. But my amendment would rescind the unused portion of the $500 million which was authorized way back in 1956 and has not been used.

Mr. BOGGS. Mr. Chairman, will the gentleman yield?

Mr. JONAS. I yield to the gentleman from Louisiana.

Mr. BOGGS. Mr. Chairman, I want to understand the gentleman's amendment a little more thoroughly. What the gentleman's amendment does is put both of these insurance programs under the same financial category, is that correct?

Mr. JONAS. That is correct; $150 million in each.

Mr. BOGGS. If I understand the situation correctly, under the 1956 act there was one-half billion dollars authorized—$500 million?

Mr. JONAS. That is correct.

Mr. BOGGS. From Treasury financing?

Mr. JONAS. For flood insurance, and now we are using $150 million of that in this bill.

Mr. BOGGS. And what the gentleman is saying is that he wants to limit it to $150 million?

Mr. JONAS. That is correct and rescind the other $350 million which has been left untouched for these many years. I think it is good to rescind it since it has been lying there for 12 years.

Mr. BOGGS. Mr. Chairman, if the gentleman will yield further, if the funds were needed in the future, there would not be any question about that?

Mr. JONAS. That is correct. Future authorizations could provide any additional funds that might be required.

Mr. MAHON. Mr. Chairman, will the gentleman yield?

Mr. JONAS. I yield to the gentleman from Texas.

Mr. MAHON. Mr. Chairman, I wish to associate myself with the position of the gentleman from North Carolina with respect to this amendment. We complain about the billions of dollars in unobligated balances which have accumulated through the years. We have had a $500 million unobligated balance for a period of 12 years for flood insurance. It is a bad way to run the country's fiscal operations. The $350 million balance in obligational authority that would remain should be canceled.

Mr. Chairman, I certainly hope the amendment offered by the gentleman from North Carolina will be adopted.

Mr. WIDNALL. Mr. Chairman, will the gentleman yield?

Mr. JONAS. I yield to the gentleman from New Jersey.

Mr. WIDNALL. Mr. Chairman, I have had a longstanding interest in flood insurance, dating back to January 1956, when I was one of the sponsors of that legislation at that time.

It is my opinion that the amendment which the gentleman from North Carolina has proposed is a wholesome one at this time and, therefore, I urge its adoption.

Mr. PATMAN. Mr. Chairman, we are willing to accept the amendment which has been offered by the gentleman from North Carolina. We have looked it over and considered it and the staff has looked it over and considered it and we are willing to accept it.

Mr. JONAS. I thank the gentleman.

The CHAIRMAN. The question is on the amendment offered by the gentleman from North Carolina [Mr. JONAS].

The amendment was agreed to.

Mr. KEITH. Mr. Chairman, in 1949 the Congress made a national commitment to provide a decent home and a suitable living environment for every American family. The legislation which we are considering today, the Housing and Urban Development Act of 1968, is a giant step forward toward that ultimate goal.

In addition, Mr. Chairman, this omnibus bill attacks a problem which has concerned me for many years—how to provide flood-prone areas with reasonably priced insurance to protect real property owners from financial ruin due to onslaughts of tidal waves. The proposed partnership between the Federal Government and the insurance industry will hopefully and eventually make possible protection to homeowners and small businessmen in high-risk coastal areas.

As the Representative from Massachusetts 12th District, a major part of which is comprised of shoreline, including Cape Cod and the islands of Nantucket and Martha's Vineyard, I have a longstanding interest in the need to protect residents of flood-prone areas from economic disaster resulting from natural catastrophes. Many of my constituents reside in areas which are constantly exposed to the threat of disasters of monumental proportions.

The bill before us today offers three main advantages to property owners in those flood-prone areas which are qualified for the program. First, property owners would have immediate access to funds with which to rehabilitate or restore their flood-ravaged property, and would not have to rely on Federal disaster relief funds, which are currently practically the sole recourse of financially ruined property owners.

Second, flood insurance would reduce the need for loans and other temporary aids, which impose long-term burdens on the borrowers.

Third, the program offers incentives which will tend to discourage future building and investment in extraordinarily high risk areas. Flood prevention measures are encouraged.

Mr. Chairman, the flood insurance provision included in the Omnibus Housing and Urban Development Act of 1968 before us today will go a long way toward providing protection to property owners in flood-prone areas. One of the towns in my district, Wareham, has already been surveyed by the Corps of Engineers and thus will be among the first communities to be eligible for coverage. It is my hope that the flood insurance program will soon be expanded to many more areas and to include other natural disasters.

The CHAIRMAN. If there are no further amendments to title XI, the Clerk will read.

The Clerk read as follows:

TITLE XII—MORTGAGE INSURANCE FOR NONPROFIT HOSPITALS

AMENDMENT TO NATIONAL HOUSING ACT

SEC. 1201. Title II of the National Housing Act is amended by adding at the end thereof (after the new section added by section 307 of this Act) the following new section:

"MORTGAGE INSURANCE FOR NONPROFIT HOSPITALS

"SEC. 242. (a) The purpose of this section is to assist the provision of urgently needed hospitals for the care and treatment of persons who are acutely ill or who otherwise require medical care and related services of the kind customarily furnished only (or most effectively) by hospitals.

"(b) For the purposes of this section—

"(1) the term 'hospital' means a facility—

"(A) which provides community service for inpatient medical care of the sick or injured (including obstetrical care);

"(B) not more than 50 per centum of the total patient days of which during any year are customarily assignable to the categories of chronic convalescent and rest, drug and alcoholic, epileptic, mentally deficient, mental, nervous and mental, and tuberculosis; and

"(C) which is owned and operated by one or more nonprofit corporations or associations no part of the net earnings of which inures, or may lawfully inure, to the benefit of any private shareholder or individual; and

"(2) the terms 'mortgage' and 'mortgagor' shall have the meanings respectively set forth in section 207(a) of this Act, except that the mortgage, by the same instrument or by a separate instrument, may create a security interest in initial equipment, whether or not attached to the realty.

"(c) The Secretary is authorized to insure any mortgage (including advances on such mortgage during construction) in accordance with the provisions of this section upon such terms and conditions as he may prescribe and to make commitments for insurance of such mortgage prior to the date of its execution or disbursement thereon.

"(d) In order to carry out the purpose of this section, the Secretary is authorized to insure any mortgage which covers a new or rehabilitated hospital, including equipment to be used in its operation, subject to the following conditions:

"(1) The mortgage shall be executed by a mortgagor approved by the Secretary. The Secretary may in his discretion require any such mortgagor to be regulated or restricted as to charges and methods of financing, and, in addition thereto, if the mortgagor is a corporate entity, as to capital structure and rate of return. As an aid to the regulation or restriction of any mortgagor with respect to any of the foregoing matters, the Secretary may make such contracts with and acquire for not to exceed $100 such stock or interest in such mortgagor as he may deem necessary. Any stock or interest so purchased shall be paid for out of the General Insurance Fund, and shall be redeemed by the mortgagor at par upon the termination of all obligations of the Secretary under the insurance.

"(2) The mortgage shall involve a principal obligation in an amount not to exceed $25,000,000, and not to exceed 90 per centum of the estimated replacement cost of the property or project, including equipment to be used in the operation of the hospital, when the proposed improvements are completed and the equipment is installed.

"(3) The mortgage shall—

"(A) provide for complete amortization by periodic payments within such term as the Secretary shall prescribe, and

"(B) bear interest (exclusive of premium charges for insurance and service charges, if any) at not to exceed such per centum per annum (not in excess of 6 per centum), on the amount of the principal obligation outstanding at any time, as the Secretary finds necessary to meet the mortgage market.

"(4) The Secretary shall not insure any mortgage under this section unless he has received, from the State agency designated in accordance with section 604(a)(1) of the Public Health Service Act for the State in which is located the hospital covered by the mortgage, a certification that (1) there is a need for such hospital, and (2) there are in force in such State or the political subdivision of the State in which the proposed hospital would be located reasonable minimum standards of licensure and methods of operation for hospitals. No such mortgage shall be insured under this section unless the Secretary has received such assurance as he may deem satisfactory from the State agency that such standards will be applied and enforced with respect to any hospital located in the State for which mortgage insurance is provided under this section.

"(e) The Secretary may consent to the release of a part or parts of the mortgaged property or project from the lien of any mortgage insured under this section upon such terms and conditions as he may prescribe.

"(f) The activities and functions provided for in this section shall be carried out by the agencies involved so as to encourage programs that undertake responsibility to provide comprehensive health care, including outpatient and preventive care, as well as hospitalization, to a defined population.

"(g) The provisions of subsection (d), (e), (g), (h), (i), (j), (k), (l), and (n) of section 207 shall apply to mortgages insured under this section and all references therein to section 207 shall be deemed to refer to this section."

LABOR STANDARDS

SEC. 1202. Section 212(a) of the National Housing Act is amended by inserting after the fifth sentence the following new sentence: "The provisions of this section shall also apply to the insurance of any mortgage under section 242, except that compliance with such provisions may be waived by the Secretary in cases or classes of cases where laborers or mechanics, not otherwise employed at any time on the project, voluntarily donate their services without compensation for the purpose of lowering the costs of construction and the Secretary determines that any amounts thereby saved are fully credited to the nonprofit corporation or association undertaking the construction; and each laborer or mechanic employed on any facility covered by a mortgage insured under section 242 shall receive compensation at a rate not less than one and one-half times his basic rate of pay for all hours worked in any workweek in excess of eight hours in any workday or forty hours in the workweek, as the case may be."

Mr. PATMAN (during the reading). Mr. Chairman, I ask unanimous consent that title XII of the bill be considered as read, printed in the RECORD, and open to amendment at any point.

The CHAIRMAN. Is there objection to the request of the gentleman from Texas?

There was no objection.

AMENDMENT OFFERED BY MR. BROCK

Mr. BROCK. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. Brock: On page 258, line 3, before the comma, insert "(except that in the case of a mortgage which covers equipment the maturity may not exceed the reasonable use expectancy of such equipment)".

Mr. PATMAN. Mr. Chairman, will the gentleman yield?

Mr. BROCK. I yield to the gentleman from Texas.

Mr. PATMAN. The amendment which has been proposed by the gentleman from Tennessee implements in this particular title the same provision that is contained in a preceding title and that we had accepted and one that the Committee of the Whole House on the State of the Union had passed unanimously?

Mr. BROCK. Mr. Chairman, that is correct.

Mr. PATMAN. Mr. Chairman, we are willing to accept the amendment, because we know what it is.

Mr. BROCK. I thank the gentleman.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Tennessee [Mr. Brock].

The amendment was agreed to.

Mr. WIDNALL. Mr. Chairman, I ask unanimous consent to offer a proposal that I had prepared to offer on page 248 in the previous title of the bill, at line 11, and I therefore ask unanimous consent that we may return to that previous title for the purpose of discussion of this amendment.

The CHAIRMAN. Is there objection to the request of the gentleman from New Jersey?

Mr. PATMAN. Mr. Chairman, reserving the right to object, may I inquire what the amendment is?

Mr. WIDNALL. On page 248, line 11, after "agency," insert the following: "or enter into contracts with any persons or private firms,".

Mr. PATMAN. Mr. Chairman, we will not object to having it considered at this time.

The CHAIRMAN. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

AMENDMENT OFFERED BY MR. WIDNALL

Mr. WIDNALL. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. Widnall: On page 248, line 11, after "agency," insert the following: "or enter into contracts with any persons or private firms,".

Mr. WIDNALL. Mr. Chairman, this amendment would enable the Secretary of HUD to enter into contracts with private as well as Government organizations for the purpose of acquiring typographical data and other information necessary for the execution of the flood insurance program.

Mr. PATMAN. Mr. Chairman, will the gentleman yield?

Mr. WIDNALL. I yield to the gentleman from Texas.

Mr. PATMAN. Mr. Chairman, we are acquainted with this amendment, and we have discussed it on our side and we are willing to accept it on our side.

Mr. WIDNALL. I thank the gentleman from Texas.

The CHAIRMAN. The question is on the amendment offered by the gentleman from New Jersey.

The amendment was agreed to.

AMENDMENT OFFERED BY MR. FRELINGHUYSEN

Mr. FRELINGHUYSEN. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. Frelinghuysen: On page 259, after line 9, insert the following new subsection:

"(g) Notwithstanding any of the other provisions of this title, the Secretary may insure under this section a mortgage which provides permanent financing or refinancing of existing mortgage indebtedness in the case of a hospital whose permanent financing is presently lacking, if the construction of such hospital was completed between January 1, 1966, and the date of the enactment of this Act."

On page 259, line 10, strike out "(g)" and insert "(h)".

Mr. PATMAN. Mr. Chairman, will the gentleman yield?

Mr. FRELINGHUYSEN. I will be glad to yield to the gentleman from Texas.

Mr. PATMAN. Mr. Chairman, the gentleman used the word "may" in the amendment, I believe, making it discretionary with the authorities?

Mr. FRELINGHUYSEN. That is right.

Mr. PATMAN. To refinance.

Mr. FRELINGHUYSEN. Mr. Chairman, I would like to say that this amendment is a very minor modification of the proposed new section 242 of the National Housing Act that would allow the Secretary to insure mortgages for the construction of hospital facilities.

My amendment will provide a very limited retroactive feature to allow financing on a permanent basis, or refinancing, for hospital facilities which have been constructed since January 1, 1966, and the date of the enactment of this act.

Mr. ST GERMAIN. Mr. Chairman, will the gentleman yield?

Mr. FRELINGHUYSEN. I yield to the gentleman from Rhode Island.

Mr. ST GERMAIN. Mr. Chairman, I thank the gentleman for yielding.

Does the gentleman know how many hospitals will come under this refinancing on a permanent basis?

Mr. FRELINGHUYSEN. I might say to the gentleman from Rhode Island that there would probably be a very small number which would qualify for this assistance.

It is my feeling that the basic intent of section 242 is a good one, to encourage and facilitate the construction of new, and needed, hospital facilities. This amendment would allow the financing of a newly constructed hospital facility. There is one such facility, to my knowledge, in the State of New Jersey, and it is in my congressional district.

I believe there would be relatively few that would qualify under this retroactive feature.

Mr. ST GERMAIN. If the gentleman will yield further, I would state that I believe this is what was objected to 2 years ago, this type of an amendment directed specifically to one particular hospital.

Mr. FRELINGHUYSEN. I would say to the gentleman that the whole point of the amendment is that it is not so directed.

Mr. ST GERMAIN. It is directed to one date, why is it not 1965 or 1964, the date to which we would make this bill retroactive?

Mr. FRELINGHUYSEN. The date is January 1, 1966.

I might say to the gentleman further that there is no regional flavor to this amendment at all. It would apply to hospital facilities in the State of Rhode Island, or in the State of Massachusetts or in the State of Texas. There is no regional flavor. It is not aimed at an individual facility or any specific facility.

Mr. ST GERMAIN. There is one in the State of New Jersey that would qualify.

Mr. FRELINGHUYSEN. I have just told the gentleman that.

Mr. ST GERMAIN. I thank the gentleman.

Mr. FRELINGHUYSEN. That is one reason I am offering the amendment, because permanent financing has not been arranged for this facility.

Mr. CAHILL. Mr. Chairman, will the gentleman yield?

Mr. FRELINGHUYSEN. I yield to the gentleman.

Mr. CAHILL. I commend the gentleman from New Jersey.

I have read this section and I have read the gentleman's amendment. I think it is a very constructive improvement of this act. We all recognize the great need today for aid to hospitals. If there is any way that we can help any hospital in this country obtain permanent financing, it seems to me this amendment should be supported and I again commend the gentleman for offering his amendment.

Mr. FRELINGHUYSEN. Mr. Chairman, I thank the gentleman.

I might say I commend the committee for having made the suggestion to provide this kind of insurance for mortgages for the construction of hospitals. The need since January 1, 1966, for mortgage assistance has been real, and the difficulties of certain hospitals in acquiring adequate financing have been real.

Mr. WIDNALL. Mr. Chairman, will the gentleman yield?

Mr. FRELINGHUYSEN. I yield to the gentleman.

Mr. WIDNALL. I compliment the gentleman from New Jersey on this amendment. I think this is needed and it can be very, very helpful in some very really trying circumstances right now where several hospitals have not been able to get permanent financing.

Mr. Chairman, I urge the adoption of the amendment.

Mr. FRELINGHUYSEN. I thank the gentleman.

Mr. JOELSON. Mr. Chairman, will the gentleman yield?

Mr. FRELINGHUYSEN. I yield to the gentleman.

Mr. JOELSON. Mr. Chairman, I know that the gentleman from New Jersey [Mr. Frelinghuysen] has in mind a hospital located within his congressional district. However, since many of my constituents utilize that hospital, I think the gentleman has a good amendment and I intend to support it.

Mr. FRELINGHUYSEN. I thank the gentleman.

I am sure that hospitals in other areas may also qualify for this assistance.

Mr. PATMAN. Mr. Chairman, if the gentleman will yield, we are willing to accept the gentleman's amendment on this side.

Mr. FRELINGHUYSEN. I thank the gentleman.

The CHAIRMAN. Without objection, the amendment is agreed to.

Mr. HALL. Mr. Chairman, I object.

The CHAIRMAN. The question is on the amendment offered by the gentleman from New Jersey [Mr. FRELINGHUYSEN].

The amendment was agreed to.

The CHAIRMAN. If there are no further amendments to title XII, the Clerk will read.

The Clerk read as follows:

TITLE XIII—HOUSING GOALS AND ANNUAL HOUSING REPORT

REAFFIRMATION OF GOAL

SEC. 1301. The Congress finds that the supply of the Nation's housing is not increasing rapidly enough to meet the national housing goal, established in the Housing Act of 1949, of the "realization as soon as feasible of the goal of a decent home and a suitable living environment for every American family". The Congress reaffirms this national housing goal and determines that it should be met within the next decade by the construction or rehabilitation of twenty-six million housing units, six million of these for low and moderate income families.

ANNUAL HOUSING REPORT

SEC. 1302. The Secretary of Housing and Urban Development shall annually submit to the President and to the Council of Economic Advisers in time to provide basic material for the Economic Report of the President a report of (1) his estimate of the number of standard housing units produced through new construction and rehabilitation, private and public, in the preceding year, (2) his estimate of the number of such units produced for low and moderate income families, (3) his assessment of whether the ten-year housing goal set forth above is being met, (4) his recommendation of the current annual goal to meet the ten-year goal, and (5) his recommendations of the legislative and administrative actions necessary to achieve the ten-year goal.

Mr. PATMAN (during the reading). Mr. Chairman, I ask unanimous consent that title XIII be considered as read, printed in the RECORD, and open to amendment at any point.

The CHAIRMAN. Is there objection to the request of the gentleman from Texas?

There was no objection.

The CHAIRMAN. Are there any amendments to title XIII? If not, the Clerk will read.

The Clerk read as follows:

TITLE XIV—MISCELLANEOUS

MODEL CITIES

SEC. 1401. (a) Section 111(a) of the Demonstration Cities and Metropolitan Development Act of 1966 is amended—

(1) by striking out "and" the second time it appears; and

(2) by inserting before the period at the end thereof ", and not to exceed $12,000,000 for the fiscal year ending June 30, 1969".

(b) Section 111(b) of such Act is amended—

(1) by striking out "and" the third time it appears; and

(2) by inserting before the period at the end thereof ", and not to exceed $1,000,000,000 for the fiscal year ending June 30, 1970".

(c) Section 111(c) of such Act is amended to read as follows:

"(c) Any amounts appropriated under this section shall remain available until expended, and any amounts authorized for any fiscal year under this section but not appropriated may be appropriated for any succeeding fiscal year commencing prior to July 1, 1970."

URBAN RENEWAL DEMONSTRATION GRANT PROGRAM

SEC. 1402. (a) Section 314(a) of the Housing Act of 1954 is amended—

(1) by striking out in the first sentence "to public bodies, including cities and other political subdivisions," and inserting in lieu thereof "to public bodies (including cities and other political subdivisions) and nonprofit organizations,";

(2) by inserting after the first sentence the following: "In the case of any such grant to a nonprofit organization, the Secretary shall require that the assisted activities and undertakings are not inconsistent with the program of the local public agency."; and

(3) by striking out in the second sentence "No such grant shall exceed two-thirds of the cost, as determined or estimated by said Secretary, of such activities or undertakings," and inserting in lieu thereof the following: "No such grant shall exceed 90 per centum of the cost, as determined or estimated by the Secretary, of the assisted activities or undertakings,".

(b) Section 314(c) of such Act is amended by striking out "$10,000,000" and inserting in lieu thereof "$20,000,000".

AUTHORIZATION FOR URBAN INFORMATION AND TECHNICAL ASSISTANCE SERVICES PROGRAM

SEC. 1403. (a) The first sentence of section 906 of the Demonstration Cities and Metropolitan Develpment Act of 1966 is amended by striking out "and not to exceed $5,000,000 for the fiscal year ending June 30, 1968" and inserting in lieu thereof "not to exceed $5,000,000 for each of the fiscal years 1968 and 1969, and not to exceed $15,000,000 for fiscal year 1970".

(b) The second sentence of section 906 of such Act is amended to read as follows: "Any amounts appropriated under this section shall remain available until expended, and any amounts authorized for any fiscal year under this section but not appropriated may be appropriated for any succeeding fiscal year commencing prior to July 1, 1970."

ADVANCES IN TECHNOLOGY IN HOUSING AND URBAN DEVELOPMENT

SEC. 1404. (a) Section 1010(d) of the Demonstration Cities and Metropolitan Development Act of 1966 is amended by inserting before the period at the end of the first sentence the following: ", which amounts shall be increased in subsequent fiscal years by such sums as may be necessary".

(b) Section 1010(c) of such Act is amended by striking out "two years" in the second sentence and inserting in lieu thereof "three years".

COLLEGE HOUSING

SEC. 1405. (a) The heading of section 401 of the Housing Act of 1950 is amended by striking out "LOANS" and inserting in lieu thereof "ASSISTANCE IN THE FORM OF LOANS OR ANNUAL GRANTS".

(b) Section 401(a) of such Act is amended to read as follows:

"(a) To assist educational institutions in providing housing and other educational facilities for students and faculties, the Secretary may make loans of funds to such institutions for the construction or purchase of such facilities or may, as an alternative to all or part of the loan (in the case of any such institution), make annual grants to the institution to reduce the cost of its borrowing from other sources for such construction or purchase: *Provided*, That no such assistance shall be provided unless (1) the educational institution involved is unable to secure the necessary funds for the construction or purchase from other sources upon terms and conditions equally as favorable as the terms and conditions applicable to loans under this title, and (2) the Secretary finds that any such construction will be undertaken in an economical manner, and that any such facilities are not or will not be of elaborate or extravagant design or materials."

(c) Section 401(c) of such Act is amended—

(1) by inserting "(1)" after "(c)";

(2) by striking out "of (1)" and "or (2)" and inserting in lieu thereof "of (A)" and "or (B)", respectively; and

(3) by adding at the end thereof the following new paragraph:

"(2) Annual grants to an educational institution with respect to any housing or other educational facilities shall be made over a fixed period not exceeding forty years, and provision for such grants shall be embodied in a contract guaranteeing their payment over such period. Each such grant shall be in an amount equal to the difference between (A) the average annual debt service which would be required to be paid, during the life of the loan, on the amount borrowed from other sources for the construction of such facilities, and (B) the average annual debt service which the institution would have been required to pay, during the life of the loan, with respect to such amounts if the applicable interest rate were the rate specified in paragraph (1): *Provided*, That the amount on which such grant is based shall be approved by the Secretary but in no event shall exceed the total development cost of the facilities."

(d) Section 401(d) of such Act is amended by inserting "(1)" after "(d)", and by adding at the end thereof the following new paragraph:

"(2) There are hereby authorized to be appropriated to the Secretary such sums as may be necessary, together with loan principal and interest payments made by educational institutions assisted with loans made hereunder, for payments on notes or other obligations issued by the Secretary under this section."

(e) Section 401(f) of such Act is amended to read as follows:

"(f)(1) There are hereby authorized to be appropriated to the Secretary such sums as may be necessary for the payment of annual grants to educational institutions in accordance with this section.

"(2) Contracts for annual grants under this section shall not be entered into in an aggregate amount greater than is authorized in appropriation Acts; and in any event the total amount of annual grants which may be paid to educational institutions in any year pursuant to contracts entered into under this section shall not exceed $10,000,000, which amount shall be increased by $10,000,000 on July 1, 1969."

(f) Section 403 of such Act is amended by striking out "the funds provided for in this title in the form of loans" and inserting in lieu thereof "the amount of the funds provided for in this title in the form of loans, and not more than 12½ per centum of the funds provided for in this title for grants,".

(g)(1) Section 401(g) of such Act is amended to read as follows:

"(g) Except as otherwise proivde in the second paragraph of section 404(b), in the case of any loan which is made under this section to a nonprofit student housing cooperative corporation referred to a clause (5) of section 404(b), or which is obtained from other sources by such a corporation and is the subject of a contract for annual grants entered into under this section, the Secretary shall require that the note securing such loan be cosigned by the educational institution (referred to in clause (1) of such section) at which such corporation is located, and that, in the event of the dissolution of such corporation, title to the housing constructed with such loan will vest in such educational institution."

(2) Clause (3)(B) of section 404(b) of such Act is amended by striking out "of any loan secured under this title" and inserting in lieu thereof the following: "of any loan which is made under section 401, or is the subject of a contract for annual grants entered into under section 401,".

(3) Clause (4) of section 404(b) of such Act is amended by striking out "to obtain loans" and inserting in lieu thereof "to obtain loans or grants".

(4) The second paragraph of section 404 (b) of such Act is amended by inserting after "clause (5) of this subsection," the following: "and in the case of any loan which is obtained from other sources by such a corporation and is the subject of a contract for annual grants entered into under section 401,".

(h) Section 404(c) of such Act is amended by inserting before the period at the end thereof the following: "; except that in the case of the purchase of facilities such term means the cost as approved by the Secretary".

HOUSING FOR THE ELDERLY

SEC. 1406. (a) Section 202 (a) of the Housing Act of 1959 is amended—

(1) by inserting in paragraph (1) after "corporations," the following: "limited profit sponsors,";

(2) by inserting in paragraph (2) after "(as defined in subsection (d)(2))," the following: "to any limited profit sponsor approved by the Secretary,"; and

(3) by inserting in paragraph (3) after "Secretary" the following: ", except that in the case of other than a corporation, consumer cooperative, or public body or agency the amount of the loan shall not exceed 90 per centum of the development cost".

(b) Section 202(c)(3) of such Act is amended by striking out "full".

FEDERAL-STATE TRAINING PROGRAMS

SEC. 1407. (a) Title VIII of the Housing Act of 1964 is amended—

(1) by inserting after "urban centers," in section 801(b) the following: "and with business firms and associations, labor unions, and other interested associations and organizations,";

(2) by striking out "technical and professional people" in sections 801(b)(1) and 802 (a)(1) and inserting in lieu thereof "technical, professional, and other persons with the capacity to master and employ such skills"; and

(3) by inserting after "which has responsibility for community development" in sections 801(b)(1) and 802(a)(1) the following: ", or by a private nonprofit organization which is conducting or has responsibility for housing and community development programs".

(b) Section 805 of such Act is amended by inserting "Guam, American Samoa, the Trust Territory of the Pacific Islands," after "the Commonwealth of Puerto Rico,".

ADDITIONAL ASSISTANT SECRETARY OF HOUSING AND URBAN DEVELOPMENT

SEC. 1408. (a) The first sentence of section 4(a) of the Department of Housing and Urban Development Act is amended by striking out "five" and inserting in lieu thereof "six".

(b) Paragraph (87) of section 5315 of title 5, United States Code, is amended by striking out "(4)" and inserting in lieu thereof "(6)".

INTERNATIONAL HOUSING

SEC. 1409. Section 604 of the Housing Act of 1957 is amended to read as follows:

"SEC. 604. (a) The Secretary of Housing and Urban Development may exchange data relating to housing and urban planning and development with other nations and assemble such data from other nations, through participation in international conferences and other means, where such exchange or assembly is deemed by him to be beneficial in carrying out his responsibilities under the Department of Housing and Urban Development Act or other legislation. In carrying out his responsibilities under this subsection the Secretary may—

"(1) pay the expenses of participation in activities conducted under authority of this section including, but not limited to, the compensation, travel expenses, and per diem in lieu of subsistence of persons serving in an advisory capacity while away from their homes or regular places of business in connection with attendance at international meetings and conferences, or other travel for the purpose of exchange or assembly of data relating to housing and urban planning and development; but such travel expenses shall not exceed those authorized for regular officers and employees traveling in connection with said activities; and

"(2) accept from international organizations, foreign countries, and private nonprofit foundations, funds, services, facilities, materials, and other donations to be utilized jointly in carrying out activities under this section.

"(b) International programs and activities carried out by the Secretary under the authority provided in subsection (a) shall be subject to the approval of the Secretary of State for the purpose of assuring that such authority shall be exercised in a manner consistent with the foreign policy of the United States."

LOW-RENT PUBLIC HOUSING—CORPORATE STATUS

SEC. 1410. (a) The first sentence of section 3 of the United States Housing Act of 1937 is amended by striking out "a body corporate of perpetual duration to be known as".

(b) Section 17 of such Act is repealed. The capital stock referred to in such section shall be retired, and the sum of $1,000,000 represented by such stock shall be returned to the Treasury of the United States.

(c) Such Act is amended by inserting after section 16 a new section 17 as follows:

"SEC. 17. In the performance of, and with respect to, his functions, powers, and duties under this Act, the Secretary shall have (in addition to any authority otherwise vested in him) the functions, powers, and duties set forth in subsections (a), (b), and (e) of section 402 of the Housing Act of 1950."

(d) Section 101 of the Government Corporation Control Act is amended by striking out "United States Housing Authority and including public housing projects financed through appropriated funds and operations thereof;".

ELIGIBILITY FOR RENT SUPPLEMENT PAYMENTS

SEC. 1411. Notwithstanding any other provision of law respecting the date after which a mortgage must have been approved for mortgage insurance under section 221(d)(3) of the National Housing Act, the Secretary of Housing and Urban Development is authorized to make, and contract to make, rent supplement payments under the provisions of section 101 of the Housing and Urban Development Act of 1965 to the owners of the housing projects known as the 114th Street rehabilitation project and the 114th Street rehabilitation project numbered 2, in New York City, New York (project numbers 012-33501 and 012-33512).

CONSOLIDATION OF LOW-RENT PUBLIC HOUSING PROJECTS IN THE DISTRICT OF COLUMBIA

SEC. 1412. All projects now operated and maintained by the National Capital Housing Authority pursuant to title I of the District of Columbia Alley Dwelling Act are deemed to be low-rent housing projects and may be consolidated, pursuant to section 15(6) of the United States Housing Act of 1937, into any contract for annual contributions covering projects maintained and operated pursuant to title II of the District of Columbia Alley Dwelling Act.

URBAN RENEWAL PROJECT IN GARDEN CITY, MICHIGAN

SEC. 1413. Notwithstanding the date of commencement of construction of the Florence Primary School in Garden City, Michigan, local expenditures made in connection with such school shall, to the extent otherwise eligible, be counted as a local grant-in-aid toward the Cherry Hill urban renewal project (Mich. R-46) for purposes of title I of the Housing Act of 1949.

URBAN RENEWAL PROJECT IN SACRAMENTO, CALIFORNIA

SEC. 1414. Notwithstanding the date of commencement of construction of the storm drainage system in the Capitol Mall Riverfront urban renewal project (Calif. R-67) in Sacramento, California, local expenditures made in connection with such storm drainage system located in that project shall, to the extent otherwise eligible, be counted as a local grant-in-aid toward that project for purposes of title I of the Housing Act of 1949.

SELF-HELP STUDIES

SEC. 1415. (a) Section 207 of the Housing Act of 1961 is amended by inserting after the words "improved means" the following: ", including the study of self-help in the construction, rehabilitation, and maintenance of housing for low-income persons and families and the methods of selecting, involving, and directing such persons and families in self-help activities,".

(b) The Secretary of Housing and Urban Development shall make a report to the Congress, within one year after the date of enactment of this Act, setting forth the results of the self-help studies and demonstrations carried out under section 207 of the Housing Act of 1961, together with such recommendations as he deems appropriate.

EARTHQUAKE STUDY

SEC. 1416. Section 5 of the Southeast Hurricane Disaster Relief Act of 1965 is amended by striking out "three years after the appropriation of funds for this study" and inserting in lieu thereof "June 30, 1969".

HOME OWNERS' LOAN ACT OF 1933

SEC. 1417. (a) Section 5(b) of the Home Owners' Loan Act of 1933 is amended to read as follows:

"(b)(1) An association may raise capital in the form of such savings deposits, shares, or other accounts, for fixed, minimum, or indefinite periods of time (all of which are referred to in this section as savings accounts and all of which shall have the same priority upon liquidation) as are authorized by its charter or by regulations of the Board, and may issue such passbooks, time certificates of deposit, or other evidence of savings accounts as are so authorized. Holders of savings accounts and obligors of an association shall, to such extent as may be provided by its charter or by regulations of the Board, be members of the association, and shall have such voting rights and such other rights as are thereby provided. Except as may be otherwise authorized by the association's charter or regulation of the Board in the case of savings accounts for fixed or minimum terms of not less than thirty days, the payment of any savings account shall be subject to the right of the association to require such advance notice, not less than thirty days, as shall be provided for by the charter of the association or the regulations of the Board. The payment of withdrawals from savings accounts in the event an association does not pay all withdrawals in full (subject to the right of the association to require notice) shall be subject to such rules and procedures as may be prescribed by the association's charter or by regulation of the Board, but any association which, except as authorized in writing by the Board, fails to make full payment of any withdrawal when due shall be deemed to be in an unsafe or unsound condition to transact business within the meaning of subsection (d) of this section. Savings accounts shall not be subject to check or to withdrawal or transfer on negotiable or transferable order or authorization to the association, but the Board may by regulation provide for withdrawal or transfer of savings accounts upon nontransferable order or authorization.

"(2) To such extent as the Board may authorize by regulation or advice in writing, an association may borrow, may give security, and may issue such notes, bonds, debentures, or other obligations, or other securities (except capital stock) as the Board may so authorize."

(b) Section 5(c) of the Home Owners' Loan Act of 1933 is amended—

(1) by striking out "shares" in the first sentence and inserting in lieu thereof "savings accounts or securities"; and

(2) by inserting after the first semicolon in the second proviso the following words: "or in time deposits, certificates, or accounts of any bank the deposits of which are insured by the Federal Deposit Insurance Corporation;".

(c) Section 5(c) of such Act is amended by adding immediately after the second paragraph thereof the following new paragraph:

"Without regard to any other provision of this subsection, any such association may make and invest in any loan not exceeding $5,000—

"(A) for the repair, equipping, alteration, or improvement of any real property, including the construction of new structures related to residential use of the property, or

"(B) for the purpose of mobile home financing, subject to such prohibitions, limitations, and conditions as the Board may by regulation prescribe."

(d) Section 5(c) of such Act is amended by adding at the end thereof a new paragraph as follows:

"Any such association may invest in loans, or interests in loans secured by loans, obligations, or investments in which it has any statutory authority to invest directly."

FEDERAL HOME LOAN BANK ACT

SEC. 1418. Section 12 of the Federal Home Loan Bank Act, as amended (12 U.S.C. 1432), is amended by inserting "(a)" after "SEC. 12.", and by adding at the end thereof a new subsection as follows:

"(b) Subject to such regulations as may be prescribed by the Board, one or more Federal home loans banks may acquire, hold, or dispose of, in whole or in part, or facilitate such acquisition, holding, or disposition by members of any such bank of, housing project loans, or interests therein, having the benefit of any guaranty under section 221 of the Foreign Assistance Act of 1961, as now or hereafter in effect, or loans, or interests therein, having the benefit of any guaranty under section 224 of such Act, or any commitment or agreement with respect to such loans, or interests therein, made pursuant to either of such sections."

TECHNICAL AMENDMENTS

SEC. 1419. (a) Section 110(c) of the Housing Act of 1949 is amended by striking out "paragraphs (7), (8), and (9)" in the second unnumbered paragraph following the numbered paragraphs and inserting in lieu thereof "paragraphs (7), (8), (9), and (10)".

(b) Section 110(d) of the Housing Act of 1949 is amended by striking out "clauses (2), (3)" and inserting in lieu thereof "clauses (2), (3), (7)".

(c) Section 110(e) of the Housing Act of 1949 is amended by striking out "and (9)" in clause (i) and inserting in lieu thereof "(9), and (10)".

(d) Section 1101(c)(3) of the National Housing Act is amended by inserting "from the beginning of amortization of the mortgage" immediately after "twenty-five years".

(e) Section 213(o) of the National Housing Act is amended by adding at the end thereof four new sentences as follows: "Moneys in the Cooperative Management Housing Insurance Fund not needed for current operations of the fund shall be deposited with the Treasurer of the United States to the credit of the Cooperative Management Housing Insurance Fund or invested in bonds or other obligations of, or in bonds or other obligations guaranteed as to principal and interest by, the United States. The Secretary may, with the approval of the Secretary of the Treasury, purchase in the open market debentures which are the obligations of the Cooperative Management Housing Insurance Fund. Such purchases shall be made at a price which will provide an investment yield of not less than the yield obtainable from other investments authorized by this subsection. Debentures so purchased shall be canceled and not reissued."

(f) Section 810(e) of the National Housing Act is amended—

(1) by striking out "private corporation, association, cooperative society, or trust" in the first sentence and inserting in lieu thereof "mortgagor approved by the Secretary", and

(2) by striking out "corporation, association, cooperative society, or trust" in the third and fourth sentences and inserting in lieu thereof "mortgagor".

(g) Section 220(d)(2)(B) of the National Housing Act is amended by striking out "corporations restricted by" and inserting in lieu thereof "corporations or other legal entities restricted by or under".

Mr. **PATMAN** (during the reading). Mr. Chairman, I ask unanimous consent that title XIV be considered as read, printed in the RECORD, and open to amendment at any point.

The **CHAIRMAN**. Is there objection to the request of the gentleman from Texas?

There was no objection.

AMENDMENT OFFERED BY MR. ASHLEY

Mr. **ASHLEY**. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. ASHLEY: On page 275 strike all of lines 9 through 24 and on page 276 strike all of lines 1 through 25 and substitute therefor the following:

"SEC. 1417. (a) Section 5(b) of the Home Owners Loan Act of 1933 (12 U.S.C. 1464 (b)) is amended by adding at the end thereof the following:

" 'However, certificates of account guaranteeing a definite rate of return for fixed periods of time not less than three months may be issued for shares, as prescribed from time to time by the Board by regulation.' "

On page 277 strike lines 3 through 5 and in line 6 strike "(2)".

Mr. **ASHLEY**. Mr. Chairman, section 1417 of the bill to which my amendment is directed represents a very significant departure from the established relationship that historically has existed between Federal savings and loan associations and their savings account holders.

We all understand that a savings and loan association is a specialized financial institution established to accept savings, to honor requests to withdraw these savings, and to pool funds mainly to make loans secured by mortgages for the construction, repair and purchase of homes. The critical point at issue is that a saver in a savings and loan association is in a very different position legally than a saver or a depositor in a commercial bank.

In a savings and loan association, a share account holder is an equity owner of the institution. He receives "dividends" but he has no advance legal right, as an owner, to a specified rate of dividend any more than any private stockholder in any corporation.

A bank depositor, very much to the contrary, enters into a debtor-creditor relationship. The bank becomes the debtor and the depositor the creditor and under this relationship the bank contracts in advance to pay a specified rate of interest.

Under present law, Federal savings and loan associations are authorized to raise their capital only through the issuance of shares and they are specifically prohibited from accepting deposits which establish the debtor-creditor relationship.

Section 1417 would rewrite the law by allowing mutual associations to raise capital through deposits for either fixed or indefinite periods of time and also to raise capital by selling notes, bonds or debentures.

The language of section 1417 says that a depositor in a savings and loan association is not going to have any greater rights but this patently is a contradiction in legal terms. It is a contradiction because a depositor has a legal right to payment and a share holder has a right only to dividends if they are earned. In short, a depositor is a creditor and creditors always precede equity owners with respect to claims on income and sharing of assets in the case of liquidation.

Questions also arise with respect to giving Federal savings and loan association authority to give security and to issue notes, bonds and debentures. Just what does this provision mean? Can debentures be convertible and, if so, into what—share accounts or the newly designated "deposits"?

Are these debt obligations subject to insurance by the Federal Savings and Loan Insurance Corporation? The committee's report states that they are not but certainly questions can arise since the proposed language in the bill is silent on this matter. And who would have preference in case of liquidation of a savings and loan—the share holder—"depositor" or the holder of debt obligations?

It would be helpful if we could look to the hearings for discussions of these fundamental and obviously important questions but the fact of the matter is that there were no hearings and not the first suggestion of testimony on any part of section 1417. The section was adopted in the final hour of the markup stage of the bill in the absence of any prior discussion or consideration.

Mr. Chairman, the desire of the savings and loans to compete better with commercial banks is understandable. Our purpose is not to thwart competition but only to make certain that such competition is healthy and serves the public interest.

Certainly the abrupt shift in the definition of share accounts as depositors and the granting of authority to borrow on notes and debentures need much more study and should be subject to the testimony of the regulatory agencies concerned before being presented to the House of Representatives.

At the same time it is clear that justification exists for additional flexibility for savings and loan's in attracting funds for their important and much needed role in providing housing in the United States. Presently the Home Loan Bank Board authorizes savings and loan's to issue saving certificates no shorter than 6 months in maturity.

To increase the ability of savings and loans to better finance home building the amendment I offer, which strikes the authority to establish deposit accounts and sell debt obligations, would permit the issuance of saving certificates as short as 90 days in maturity and also would permit the guaranteeing of future dividends—which presently is not authorized by statute—provided that sufficient funds are earmarked in advance for this purpose.

Mr. Chairman, I urge adoption of my amendment.

Mr. BROCK. Mr. Chairman, will the gentleman yield?

Mr. ASHLEY. I yield to the gentleman from Tennessee.

Mr. BROCK. Mr. Chairman, if the gentleman has sufficient time to answer a question, I would appreciate it. I would like to get clear in my mind if the amendment of the gentleman would maintain what we were trying to do in the bill, giving CD flexibility to the savings and loan associations so they can raise more money.

Mr. ASHLEY. Precisely it would.

Mr. BROCK. They face a real crisis this month. We intended to alleviate that.

Mr. ASHLEY. Yes, it would do precisely that.

Mr. PATMAN. Mr. Chairman, will the gentleman yield?

Mr. ASHLEY. I yield to the gentleman from Texas.

Mr. PATMAN. Mr. Chairman, the gentleman wants to change the names of the word "deposit" and also the word "interest."

Mr. ASHLEY. Mr. Chairman, the gentleman is mistaken. That is what the bill purports to do. It would allow the savings and loans to use "deposit" instead of "share accounts," and they are totally different.

Mr. PATMAN. The gentleman wants to change it back from the way it is in the bill.

Mr. ASHLEY. I do not want to change it back. I just do not want the change.

Mr. PATMAN. Mr. Chairman, I would ask the gentleman if a large number of States do not permit that, and even the State of the gentleman?

Mr. ASHLEY. I am familiar with the fact that some State-chartered institutions are allowed to use the word "deposit" and the word "interest," but I maintain there is a substantial difference between the word "dividend" and the word "interest" and the words "share account" and "deposit." Interest is a legal claim and a dividend is available only if earned by the association.

Mr. PATMAN. Mr. Chairman, if the gentleman will yield further, would this not add to the confusion, to pass a law to change it in those States that now permit it under State law?

Mr. ASHLEY. Yes; I think there would be very considerable confusion, and that is precisely the reason for my amendment.

Mr. PATMAN. To change it the way the gentleman changes it—in other words, the gentleman's amendment would cause confusion.

Mr. ASHLEY. Mr. Chairman, we are agreed that confusion would result. The sponsor of the amendment is convinced that the proposal in the bill would add to the confusion.

Mr. PATMAN. Mr. Chairman, I am afraid the gentleman inadvertently—certainly not intentionally—left the impression that he is doing this for the savings and loan associations and that they would be happy with this. I would like to ask the gentleman if he knows of a savings and loan association which is for this, or any thrift institution, or the Federal Home Loan Bank Board? I am making the statement that they have communicated with me and said they are opposed to it.

Mr. ASHLEY. Mr. Chairman, let me respond to the gentleman by saying that inasmuch as we did not have hearings, it is impossible to know the sentiments of the savings and loan associations. They were not able to present their testimony before the committee, and it is this I object to. I am pleased the chairman saw fit to establish that point.

Mr. PATMAN. Mr. Chairman, does the gentleman not think the bankers came out pretty well in this bill? At least there was a provision about the savings and loans chartering, and the bankers were certainly adamantly opposed to it, and they made great efforts to oppose it, and they were successful in striking it out. After it was stricken out, by a very close vote, something was added that would help the savings and loan associations to a certain extent. In other words, it gave the savings and loans a small amount of help so that the housing market can be benefited. Now, does the gentleman not think it would be a great disservice to the country and to the savings and loan associations to give them this body blow that the gentleman's amendment would give?

The CHAIRMAN. The time of the gentleman from Ohio has expired.

Mr. HANNA. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, I think the House should realize we had plenty of opportunity to discuss this particular principle and the actual contents of the amendments as they now stand. At one time in this bill there was a substantial amendment to provide a great change in the savings and loan institutions by allowing the formation of a new Federal chartered system of savings institutions for housing.

Now, we struck that out of the bill completely. The banks were very much against that provision. What we did was to take out a few of the provisions within that measure and frame them as these amendments because it certainly seemed sensible, if we were going to increase the responsibility for housing and homebuilding in the thrift institutions which are oriented for homebuilding, we ought to help them in getting deposits and other funds so that they would have the resources we are calling upon them to use.

Let me give some interesting figures about the difference between savings and loan institutions and banks. How much assets and deposits do they have, and where they put their money?

In 1967, the commercial banks had $182.6 billion in deposits and $586.6 billion in assets. Out of those assets only 18.9 percent were in mortgages.

The savings and loan institutions at the same time had $124.6 billion in deposits and $306.5 billion in assets, but they had 85.9 percent of their assets in mortgages.

We can tell from those figures who is supporting the home building field. It is not the commercial banks; it is the savings and loan institutions.

If we are going to ask them to support increasing burdens, we have to put them in a position where they will be an active competitor to get the money to utilize; money to do what we ask them to do.

What we have done in these amendments is to liberalize in a modern, up-to-date way both the instruments and the terminology the savings and loan institutions use.

The chairman pointed out, and correctly so, that in Ohio, California, and a number of the modern, up-to-date States the States savings and loan institutions already use the terminology he objects to. Are we to have a dual system, a healthy dual system in which the federals can do what the States can do? Are we going to be one way about it?

All the amendment would do is to put everybody in the same position. We are not changing the legal position of the parties with mutuals or shares. In the terminology used today, they all refer to their dividends as interest, and to the money they have in the bank as their deposits, and it is accepted terminology. We all utilize it. The gentleman sometimes uses that language when he discusses these items in the committee, because it comes so naturally to the lip.

Why should this not be up to date and modern and reflect the terminology being utilized in the market? That is all the amendments would do.

We really ought to give the same kind of multiple money raising powers to the savings and loan institutions that the banks have had for so many years. They can take their deposits in many forms and multiply available resources through notes and debentures because of this great flexibility we give them through the liberal provisions of the Federal Reserve Board.

It does seem to me that when we move at this time and at this place, to allow that same flexibility in terms of multiplying the available resources for the savings and loans would be appropriate, so that they will be able to do a more dynamic job for America in one of the most demanding segments of our economy, home building. We are moving in exactly the right kind of direction for the time in which we are passing this great new housing bill. We are bringing up to date the approach in the mortgage field that is already reflected in the very dynamic changing money market, which is so essential to the health of all segments of the American economy.

What is wrong with that? It seems to me we are taking the intelligent, required step to put these great institutions in a posture to perform in partnership with the great principles we are trying to follow in this housing bill.

Mr. BROCK. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I take this time to ask the previous speaker, the gentleman from California [Mr. HANNA] a question. I have frankly had some misgivings about this amendment, but his argument has almost convinced me to support it. It seems to me his very logic that we need to give the savings and loans the ability to expand their currency and utilize the reserves that the commercial banks have would lead me either to oppose the proposal or support equivalent tax treatment for savings and loans. Would the gentleman agree with that premise?

Mr. HANNA. Mr. Chairman, will the gentleman yield?

Mr. BROCK. I am glad to yield to the gentleman.

Mr. HANNA. If you are talking about utilization of their resources to go into the many fields that we have allowed banks to expand in. For instance, no one in Congress moved against bankers because they have become competitors in things like travel agencies, car rental agencies, or in the used car field, because it gives them a broader utilization of their resources. If we are talking about a wide-open competitive position in that regard, there might be some concern about the position that they have taxwise, but we are not talking about that.

Mr. BROCK. You are just talking about giving them an opportunity to multiply their reserves.

Mr. HANNA. No. I am talking about a utilization, first of all, of the terminology of the marketplace and the instruments to attract funds.

Mr. BROCK. Utilizing instruments of the marketplace and utilizing deposit accounts. What is the commensurate responsibility of the savings and loans as between share and deposit accounts?

Mr. HANNA. The legal relationship between the deposit and the share account is made up in the contract that the man makes when he goes in there. But I am telling you today in terminology and in the very thinking of the man involved that there is no difference.

Mr. BROCK. Is it your intention that a deposit account could be utilized as a reserve if we had demand or reserve deposits in the bank against which you could loan 8 or 10 times?

Mr. HANNA. This bill does not change what they can do with a deposit at all. It does what the State of California has already done and what the State of Ohio has already done in terms of State savings and loans. I have not seen any problem arising from that as to what they are going to do with the deposits. They will carry out the contract that the man signed. We are merely talking about the terminology which will be utilized if they can do the job.

Mr. BROCK. Mr. Chairman, I thought I understood what the terminology meant until the gentleman from California began to explain what he thought it meant. I have no concept of where he intends to go with this program.

Mr. HANNA. Just read the bill, and it will tell you.

Mr. BROCK. I have read the bill and I thought it meant something, but the gentleman from California told me something else today.

Mr. GIAIMO. Mr. Chairman, will the gentleman yield.

Mr. BROCK. Yes. I yield to the gentleman.

Mr. GIAIMO. I would like to address my question to the gentleman from California [Mr. HANNA], because when you mention the phrase "multiplier effect" you concern me. Therefore, I feel perhaps this is a good amendment, because if a savings and loan is going to get into the multiplier effect of bank deposits which will create more money, you are doing exactly what the commercial bank does in order to get that multiplier effect factor, which is not what we want savings and loans to do. We want them to stay in the mortgage money field and be giving 85 percent of the moneys for this. I suspect once you get into the multiplier effect it means that they will try to diversify and put money into other kinds of loans. Perhaps this will go into demand deposits and checking accounts, which is the real multiplier effect. This is not what we want to happen, because it will damage and hinder the mortgage market. The gentleman has made a great argument in favor of this amendment.

Mr. BROCK. The gentleman addressed himself to the point that deeply concerns me, because of the colloquy that we have had.

Mr. MOORHEAD. Mr. Chairman, will the gentleman yield?

Mr. BROCK. I am glad to yield to the gentleman.

Mr. MOORHEAD. I, too, would like to ask a question of the gentleman from California.

Mr. HANNA. I have not had a chance to answer the question yet.

Mr. MOORHEAD. I think the gentleman has yielded to me.

I would like, through the gentleman from Tennessee, to pose a question to the gentleman from California. If I understood the argument of the gentleman from California correctly, he feels that there is every need for a version of this in order to have as much money in the savings and loans as it is possible to have to make this money available for mortgages. Is that correct?

Mr. HANNA. That is correct.

Mr. MOORHEAD. I hope the gentleman will remember that answer in about 10 minutes when I offer another amendment.

I thank the gentleman from Tennessee for yielding to me.

Mr. PATMAN. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, I ask unanimous consent to proceed for 5 additional minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Texas?

Mr. HALL. Mr. Chairman, reserving the right to object, would the gentleman make his request at the end of his first 5 minutes?

Mr. PATMAN. Mr. Chairman, the gentleman from Ohio had 5 additional minutes, and since the sponsor of the amendment and the proponents of the amendment had 10 minutes, I feel that I should have equal time.

Mr. HALL. Mr. Chairman, further reserving the right to object, if the gentleman cares to repeat his request after the first 5 minutes, after we determine whether or not it is worthwhile, we might grant it. But, Mr. Chairman, right now I object.

The CHAIRMAN. Objection is heard.

The gentleman from Texas [Mr. PATMAN] is recognized for 5 minutes.

Mr. PATMAN. Mr. Chairman, each Member of the House received this telegram. I assume that because a large number of them have shown it to me, and especially members of the committee. It says:

> It is my understanding that Representative Ashley will offer an amendment to section 1417 of the housing bill that'll give Federal savings and loan associations expanded flexibility in competition for individual savings and at the same time preserve existing and historical relationship between the Federal savings associations and its customers. I hope you may support the amendment.
>
> AMERICAN BANKERS ASSOCIATION,
> JOHN W. HOLTON, *Washington Office*.

Mr. Chairman, one would think from that, that this is being done at the request of the Federal savings and loan associations, but I want to say to the members of the Committee of the Whole House on the State of the Union that the Federal savings and loan associations are indignant about it. They called me and told me that it was terrible.

Mr. Chairman, the gentleman from Ohio [Mr. ASHLEY] has not been requested to offer that amendment for us, and we do not want that amendment. We were defeated in the committee on the Federal charter bill. There was a tie vote, and then a motion to reconsider the bill lost by one vote.

Mr. Chairman, it occurs to me that the American Bankers Association should be very happy over the achievement in taking out of this bill things to which they were adamantly opposed.

After this was done the gentleman from California [Mr. HANNA] offered an amendment that would give savings and loan institutions certain powers to which no one would object and which were in the interest of the public and an approach which would permit more housing to be constructed in this country.

Mr. Chairman, the savings and loan associations are helping everybody, but now the banks want to strike this amendment out or render savings and loan operations ineffective.

So, Mr. Chairman, this is an issue strictly between the Bankers Association lobby and the savings and loan institutions and all of the thrift institutions. Every thrift institution is against this amendment. I can assure the members of the committee of that. And I can assure you that although the language might imply it is in behalf of the savings and loan institutions, instead it is against the savings and loan institutions. It is not in behalf of the savings and loan institutions. It is in favor of the 105-year-old American Bankers Association lobby—105 years old—an association which has lots of experience and the use of effective gimmicks, and as a result they ought to know a lot of ways, which they have acquired during this 105 years, and certainly they have tried to come in here at the last minute and have tried to deny the savings and loan's minor liberalizing amendments. I say that respectfully, because I have no opposition to bankers as such. We want a good banking system, and I have always supported a good banking system.

The Ashley amendment would be disruptive, would be devastating. Why should we have and now knuckle under to the bankers' lobby right here at the last, when we are getting through with one of the biggest bills that Congress ever passed just because they are unhappy over one or two words? And the words that they are unhappy about are already in the law in States, including the State of Ohio, and others.

The amendment offered by the gentleman from Ohio [Mr. ASHLEY], would add to the confusion, and would be strictly a bankers' lobby amendment, because the bankers' lobby admit that they are putting it out, and they want it adopted.

Mr. Chairman, I hope that the Members of the House will stand by this committee. We tried to be fair with the banks. We tried to be fair with the savings and loan associations. The Federal Home Loan Bank Board is adamantly opposed to this amendment as are many other groups.

Mr. Chairman, I ask the Members vote down this amendment.

The CHAIRMAN. The time of the gentleman from Texas has expired.

Mr. BLACKBURN. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I will not take the full 5 minutes, but I do want to make the observation that the savings and loan institutions, at least, in my district, have provided a great deal of leadership in the development of my area. They suffered considerably in 1966 when we had a real financial crush. Of course we are facing the same prospects in the near future.

In my discussions with the leaders in the savings and loan institutions in my district, I am advised they desparately need some additional lending authority which the bill as now existing would provide.

It does not put them in direct competition with the banks. To the contrary, it extends to them the authority to finance mobile homes which I believe is a legitimate extension of their authority. It gives them more authority to engage in the financing of home repairs which again I believe is a legitimate extension of their authority.

It allows them——

Mr. ASHLEY. Mr. Chairman, if the gentleman will yield, my amendment does not disturb that authority.

Mr. BLACKBURN. I want to be sure about that, and I am glad the gentleman rose. The amendment offered by the gentleman would not disturb their authority to engage in that type lending?

Mr. ASHLEY. Absolutely not.

Mr. BLACKBURN. The amendment only limits the borrowing authority——

Mr. ASHLEY. To the extent of deposit accounts and the authority to sell debt obligations.

Mr. PATMAN. If the gentleman will yield, I want to say that I do not agree with the conclusions of the gentleman from Ohio. I believe they are incorrect.

Mr. BLACKBURN. Let me direct a question to the gentleman from Ohio [Mr. ASHLEY].

Am I then to understand that under the amendment offered by the gentleman from Ohio, the savings and loan associations could make four $1,000 unsecured loans if they desire, which is in the bill now?

Mr. ASHLEY. My amendment would leave undisturbed——

Mr. BLACKBURN. Their lending authority?

Mr. ASHLEY. The new grants of authority; that is, on mobile homes and on home improvements with respect to equipment. That is absolutely undisturbed. These new grants of authorities I am not quarreling with. My quarrel goes to the deliberate effort to confuse share accounts with deposits.

Mr. BLACKBURN. Let me conclude with this observation: I have discussed this particular provision with leaders in the industry and the chairman of the Home Loan Bank Board, and it is my understanding that he does favor the provision which now exists in the bill; therefore I would oppose the amendment of the gentleman from Ohio.

Mr. OTTINGER. Mr. Chairman, will the gentleman yield?

Mr. BLACKBURN. I will be glad to yield to the gentleman from New York.

Mr. OTTINGER. Mr. Chairman, I thank the gentleman for yielding, and I would like to associate myself with the remarks of the gentleman, and of the gentleman from California [Mr. HANNA].

I would just ask the gentleman is it not true that with the very high interest rates we have been experiencing that the savings and loan associations have had a terrible squeeze in terms of being able to obtain money with which to finance mortgages?

Mr. BLACKBURN. That is very true. I would like to make this observation to those who fear that the savings and loan associations are going to scatter their resources in unrelated fields, let me say that those fears are not well founded. The savings and loan associations would lose their tax advantage if they should allow their investments to get into too many other fields. I believe they have to maintain an 80-percent home loan mortgage percentage of their total investments in order to get the tax advantage which they now enjoy.

Mr. OTTINGER. They will need this additional flexibility in order to be able adequately to do their job of mortgage financing.

Mr. BLACKBURN. That is my understanding from my discussion with leaders in savings and loan institutions.

Mr. GIAIMO. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I take this time to get some clarification from the committee.

I have looked into the question of savings and loan institutions vis-a-vis the commercial banks. I know there is tremendous pressure on the savings and loans to retain thrift account money for the mortgage market.

I know they are at a competitive disadvantage because the commercial banks through the use of certificates of deposit and other devices are able to attract a great deal of money which heretofore used to go into the savings accounts.

But I also know that each time, in the history of banking in the United States, that we create a new type of savings or banking institution, each of these institutions constantly tries to broaden its powers and functions so that it can ultimately hope and dream of getting into the field of general banking.

I think it is a mistake to allow this to happen with savings and loans because we will jeopardize the availability of mortgage money even more. This is just what we do not want to do.

I know that there has been suggested legislation for some period of time around the Congress to give greater powers to savings and loan associations, to give depository demand deposits to savings and loans, to give them checking accounts, to give them the power to diversify the kinds of loans they can make, installment loans, commercial and personal loans, and many other types of loans which bring back a greater yield in profits to the lending institution than do the mortgage loans.

Now I would like to ask the members of the committee the following question:

Am I correct in assuming that there is nothing in this bill to give to the savings and loans authority to do this in the present bill?

Mr. REUSS. Mr. Chairman, will the gentleman yield?

Mr. GIAIMO. I yield to the gentleman.

Mr. REUSS. The gentleman is entirely right. It is expressly prohibited that there be any demand deposits or any checking accounts for the savings and loans.

Mr. GIAIMO. What is this flexibility that I hear referred to by some members of the committee, to give flexibility to the savings and loans?

Mr. HANNA. Mr. Chairman, will the gentleman yield?

Mr. GIAIMO. I yield to the gentleman.

Mr. HANNA. That terminology was used in the bankers' telegram and was used by me to indicate the flexibility of instruments available to raise money—

which is not the same thing as flexibility to use money once you have it.

When you talk about the multiplicity of instruments, you are not talking about multiplicity in terms of leverage or in terms of the utilization of funds. I thank the gentleman so that I could make that clear.

Mr. GIAIMO. There is one other question that I would like to ask.

Referring to the bill on page 276, line 21, the bill reads as follows:

> To such extent as the Board may authorize by regulation or advice in writing, an association may borrow, may give security, and may issue such notes, bonds, debentures, or other obligations, or other securities (except capital stock) as the Board may so authorize.

As I understand it, this will give them greater flexibility in entering into borrowing contracts with the commercial banks or other institutions, if so for what purpose?

Mr. HANNA. This will mean that debentures, which are market instruments utilized by other banking institutions, will be available for the savings and loans so that they will have on hand more money to be able to use it in the mortgage market and reduce these tremendous high rates that we all now see the American people paying for mortgages.

Mr. GIAIMO. Is this a broader authorization to allow them to go into the commercial bank type of loans other than the home financing type of loans and home improvement type of loans and also the mobile home types? Are we authorizing them to get into any other types of investment other than those they have authority for at the present time?

Mr. HANNA. The answer to that is "No."

Mr. GIAIMO. What about these vacation loans? Is that in this bill?

Mr. HANNA. No, it is not. When you say, "vacation loan," do you mean a loan to go on a vacation?

Mr. GIAIMO. I understand there is something on vacations in this bill.

Mr. HANNA. There is a provision for the financing of a second home where a man has a home in town and he wants to build one in the mountains or down on the beach. This is only a continuation of home financing and has nothing to do with financing a vacation. It is the kind of a loan that you can make at a bank.

Mr. GIAIMO. I thank the gentleman.

My own feeling is that we have to do something to relieve the pressures on the savings and loans so that they will remain an available source of thrift money which goes to them and which will then go into the mortgage market. I think we must act to assure that these funds continue to go into the savings and loan associations. We must avoid a repetition of what happened when the commercial banks became active with certificate of deposit and drained so much money from the savings institutions.

I do not think the answer to this problem is broadening the power of the savings and loan so that ultimately they will get more and more of their money out of mortgage investments and begin to invest it into the short-term money market which has a greater yield to them and a greater profit.

Mr. HANNA. I agree with the gentleman and I believe most of the members of the Committee agree with him.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Ohio.

The amendment was rejected.

AMENDMENT OFFERED BY MR. ST GERMAIN

Mr. ST GERMAIN. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

> Amendment offered by Mr. ST GERMAIN: On page 277, strike out lines 17 through 20.

The CHAIRMAN. The gentleman from Rhode Island is recognized.

Mr. ST GERMAIN. Mr. Chairman, I am happy that my particular amendment follows immediately after the amendment offered previously. I agree wholeheartedly with the speakers that every effort should be made to see that savings and loan associations have as much money available as possible for the purpose for which they were created—to promote savings and to grant loans to people to buy homes.

However, just as was pointed out in the debate, especially since 1966 there has been a crisis in the money market, and unless my amendment is adopted, I can picture one of the headlines. It is a good bill. We have worked hard on it. The chairman of the subcommittee has spent many, many months on this bill. The members of the subcommittee have, also.

However, I would hate to have it ruined by a newspaper headline which states, "Congress Authorizes Mortgage Funds for Beach Houses and Vacation Houses."

Certainly these funds should be made available to the people who need them—for the young couple that wants to buy a home in which to raise a family. If John Doe wants a second home, a vacation home in the mountains or at the beach, let John Doe go on the conventional route, but let us keep the savings and loan money for those people who want to buy their first home. If conditions change in future years, perhaps the proposal might be acceptable.

But at this time I do not feel that we in the Congress should authorize savings and loan associations to go into lending money for second homes, vacation homes.

SUBSTITUTE AMENDMENT OFFERED BY MR. HANNA

Mr. HANNA. Mr. Chairman, I offer an amendment to the amendment offered by the gentleman from Rhode Island.

The Clerk read as follows:

> Amendment offered by Mr. HANNA to the amendment offered by Mr. ST GERMAIN: On page 277, strike out lines 14 through 23, and insert the following:
>
> "Without regard to any other provision of this subsection, but subject to such prohibitions, limitations, and conditions as the Board may by regulation prescribe, any such association may make and invest in—
>
> "(A) any loan not exceeding $5,000 for the repair, equipping, alteration, or improvement of any real property, or
>
> "(B) any loan for the purpose of mobile home financing."

Mr. HANNA. Mr. Chairman, in taking this opportunity to amend the amendment, I am trying to do a second service, I believe, to the committee. In committee, when we were discussing section A, we spoke of the $5,000 limitation which was suggested by the gentleman from Tennessee [Mr. BROCK]. In offering this amendment to the amendment we have achieved exactly what the gentleman from Rhode Island wants to achieve, and at the same time straightening out the other problem. I hope the gentleman will go along with me on this version.

Mr. ST GERMAIN. If the gentleman will yield, I believe in essence he has struck out the words "including the construction of new structures related to residential use of the property," which would in essence in actuality eliminate second homes?

Mr. HANNA. That is correct.

Mr. ST GERMAIN. But it would retain "for the repair, equipping, alteration, or improvement" of an existing structure?

Mr. HANNA. That is correct.

Mr. ST GERMAIN. Mr. Chairman, I would be happy to accept the gentleman's substitute or amendment of my amendment.

Mr. CAHILL. Mr. Chairman, will the gentleman yield?

Mr. HANNA. Mr. Chairman, I yield to the gentleman from New Jersey.

Mr. CAHILL. Mr. Chairman, what would be the effect of this amendment on the savings and loan associations that are located in seashore areas and whose principal functions are to provide mortgage loans for people who want to buy seashore homes?

Mr. HANNA. Mr. Chairman, I would suggest to the gentleman this will be a problem for them in terms of getting any new power which they do not now have.

Mr. CAHILL. Mr. Chairman, if the gentleman will yield further, it has been my observation that the commercial banks and sources of conventional loan money are not a bit interested in financing this type home. I say to the gentleman, if we take this power and authority away from the savings and loan associations, who is going to finance construction of homes along the Jersey coast and other recreational areas of this country, where we are seeking to develop homes for people to enjoy their vacation time?

Mr. HANNA. Mr. Chairman, I yield to the gentleman from Rhode Island [Mr. ST GERMAIN], who is the major author of this alteration, which was not my idea to begin with. I want to be sure we straighten out the problems we have on another aspect.

Mr. ST GERMAIN. Mr. Chairman, anything the savings and loan associations can do now, they can continue to do. I wonder what is wrong with the homes if the conventional and FHA people will not approve these homes? That is No. 1.

No. 2, I feel that we want to put this mortgage money into the ghettos where we need the first homes, and let us give people who do not have their first homes the opportunity to have them. Later on, we can go to this change.

Mr. REES. Mr. Chairman, will the gentleman yield?

Mr. HANNA. I yield to the gentleman from California.

Mr. REES. Mr. Chairman, in regard to the question of the gentleman from New Jersey, what this section does is refer to the repairing and equipping alteration or improvement of real property. It does not affect in any way the ability of the savings and loan institutions to loan money to anybody who wishes to purchase a home any place he wants to, whether it is a second home, a third home, a fifth home, or a sixth home. It has only to do with alteration.

Mr. CAHILL. Mr. Chairman, what about alterations on what might admittedly be a second home?

Mr. REES. Mr. Chairman, it just depends on what type second home it is. I have one in Washington, and I have one in my district. I can borrow up to $5,000 to repair that, but for a vacation home I suspect a person would have to go to a bank. For construction, he can go any place he wishes.

Mr. CAHILL. Mr. Chairman, if the gentleman will yield further, it has been this member's observation that the commercial banks today are not interested in lending money on mortgages because they can make more money on other forms of loans. The gentleman from Rhode Island must know we cannot get conventional mortgages these days from a banking institution, and if we cannot get it from a savings and loan association, from where can we get it?

Mr. HANNA. Mr. Chairman, the banks have only 18.9 percent of their capitalization in mortgages and the savings and loan institutions have much more of their capitalization in mortgages, so it is clear where the mortgages have to come from. So I would provide as broad an area of amending as we could.

Mr. CAHILL. Mr. Chairman, I hope the amendment will be defeated.

The CHAIRMAN. The Chair would like to inquire of the gentleman from California [Mr. HANNA] whether he wishes to offer this amendment as a substitute for the amendment offered by the gentleman from Rhode Island [Mr. ST GERMAIN], or as an amendment to the amendment?

Mr. HANNA. Mr. Chairman, I originally offered it as an amendment to the pending amendment.

The CHAIRMAN. It does not seem to be an amendment to the amendment. Does the gentleman offer it as a substitute?

Mr. HANNA. Mr. Chairman, I will offer it as a substitute amendment for the amendment offered by the gentleman from Rhode Island.

The CHAIRMAN. Without objection, the amendment offered by the gentleman from California [Mr. HANNA], will be considered as a substitute for the amendment offered by the gentleman from Rhode Island.

There was no objection.

Mr. PEPPER. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I will draw the attention of the able gentleman from California to the words "mobile homes" in his substitute and in the bill and I think quite properly. Is there any reason why those words might not apply to mobile homes such as houseboats which move on the water and are a place of residence, as well as to land trailers if the Home Loan Bank Board sees fit to allow it?

Mr. HANNA. Mr. Chairman, I think coming from the waterways of Florida, the gentleman, I am sure, has a great interest in this.

It would be my judgment, if the Home Loan Bank Board approves such water mobile homes, they would be covered.

Mr. HOLIFIELD. Mr. Chairman, will the gentleman yield?

Mr. PEPPER. I yield to the gentleman from California.

Mr. HOLIFIELD. I want to endorse what the gentleman in the well said, and I rise in support of his amendment.

Mr. FASCELL. Mr. Chairman, will the gentleman yield?

Mr. PEPPER. I yield to the gentleman from Florida.

Mr. FASCELL. I thought I understood the gentleman's substitute amendment, but after the colloquy I was not so sure. Would the gentleman strike out the language "improvement of."

Mr. HANNA. No, I would not. I would strike out the language "including the construction of new structures related to residential use of the property."

Mr. FASCELL. But that would leave in the "repair, equipping, alteration, or improvement of any real property"?

Mr. HANNA. That is correct.

Mr. FASCELL. It does not seem to me like it changes anything, which is all right with me.

The CHAIRMAN. The question is on the substitute amendment offered by the gentleman from California [Mr. HANNA] for the amendment offered by the gentleman from Rhode Island [Mr. ST GERMAIN].

The substitute amendment was agreed to.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Rhode Island, as amended.

The question was taken; and on a division (demanded by Mr. ST GERMAIN) there were—ayes 79, noes 28.

So the amendment, as amended, was agreed to.

AMENDMENT OFFERED BY MR. WIDNALL

Mr. WIDNALL. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. WIDNALL: On page 268, after line 20, insert the following new subsection:

"(1) The last sentence of paragraph 'Seventh' of section 5136 of the Revised Statutes (12 U.S.C. 24) (appearing immediately before the sentence added by section 811 of this Act) is amended by inserting after 'the Asian Development Bank' the following: ', or obligations issued by any State or political subdivision or any agency of a State or political subdivision for housing, university, or dormitory purposes,'."

Mr. WIDNALL. Mr. Chairman, one of the most acute problems in our period of postwar growth in the United States, has been the tremendous pressures on college and university enrollment. We have seen enrollment increase from 2 million in 1946 to 6½ million this year. It is projected to go to 9,400,000 by 1976.

One phase of the problem that has been of particular concern to me has been dormitory housing for these students. In 1965 I sponsored an amendment, which Congress enacted, to provide a direct 3-percent loan program for college housing. Under this program 480 projects have been built at a total cost of $643 million. The facilities built will house over 250,000 students. I am pleased with the success of this program and the contribution it has made to the college housing problem. The total Federal college housing program has now reached a total of $3,346,000,000. While this program is of tremendous importance, an equally important program is the one the States are carrying on themselves with State college housing facilities. The total volume of this housing is $3,148,845,000, almost equal to the total Federal program.

In order to further assist the States in providing housing at the lowest possible cost, I am proposing an amendment that will complement the Housing Urban Development Act of 1968. Since there are such tremendous capital demands by our universities, subchapter IX of the National Housing Act, entitled "Housing for Educational Institutions," has been amended by section 1405 of the bill to permit assistance for educational institutions in the form of annual grants as well as by loans. Section 1405 of the bill, as approved by the Banking and Currency Committee, authorizes the Secretary to, and I quote, "make annual grants to the institution to reduce the cost of its borrowing from other sources for such construction or purchase." The annual grants under this provision may be made over a fixed period not exceeding 40 years, and each such grant shall be in an amount equal to the difference between the annual debt service on private borrowing and the interest rate which would be payable under the loan provisions of subchapter IX.

The amendment I offer today would permit the same financial institutions that compete for issues such as those of the Inter-American Development Bank and the Asian Development Bank to compete for bond issues for housing, university, or dormitory purposes. A competitive capital market for these bond issues will undoubtedly lower the borrowing costs, and in the case of dormitory and university bond issues, will make the annual grants provided for in section 1405 go that much further.

I submit the following tabulation for the information of the Members:

Dormitory and housing revenue bonds outstanding as of Jan. 1, 1968

ALABAMA	
Alabama Agricultural & Mechanical College	$2,097,000
Alabama College	540,000
Auburn University	4,287,000
University of Alabama	2,241,000
ALASKA	
University of Alaska	8,183,000
Alaska State Housing Authority	13,689,000
ARIZONA	
Arizona State University	24,066,000
Northern Arizona University	6,665,000
University of Arizona	12,029,000

Dormitory and housing revenue bonds outstanding as of Jan. 1, 1968—Continued

ARKANSAS	
Arkansas Agricultural & Mechanical College	$2,305,000
Southern State College	5,326,000
University of Arkansas	18,339,000
Medical Center	2,005,000
Arkansas State Teachers College	7,419,000
Henderson State Teachers College	4,117,000
Arkansas State College	8,644,000
Arkansas Polytechnic College	5,640,000
Agricultural, Mechanical and Normal College	3,018,000
CALIFORNIA	
All State educational institutions (housing, student revenue, etc.)	127,280,000
COLORADO	
University of Colorado	34,388,000
Colorado State University	18,799,000
Adams State College	9,070,000
Colorado School of Mines	445,000
Fort Lewis College	5,471,000
CONNECTICUT	
University of Hartford	4,100,000
DELAWARE	
University of Delaware	12,503,000
FLORIDA	
University of Florida	18,249,000
Florida State University	13,648,000
Florida Agricultural & Mechanical College	1,561,000
University of Southern Florida	9,449,000
Florida Atlantic University	2,107,000
IDAHO	
University of Idaho	9,978,000
Idaho State University	5,338,000
ILLINOIS	
University of Illinois	91,020,000
Illinois State University	41,835,000
Eastern Illinois University	20,036,000
Northern Illinois University	52,140,000
Southern Illinois University	33,550,000
Western Illinois University	37,951,000
INDIANA	
Indiana University	65,630,000
Purdue University	53,989,000
Ball State University	36,298,000
Indiana State University	16,157,000
Vincennes University	1,650,000
IOWA	
State University of Iowa	29,905,000
Iowa State University of Science	26,720,000
University of Northern Iowa	16,835,000
KANSAS	
Kansas State University	15,989,000
Kansas State Teachers College	2,069,000
Kansas State College	3,491,000
University of Kansas	13,686,000
Wichita State University	6,527,000
Fort Hays Kansas State College	2,595,000
KENTUCKY	
Eastern Kentucky University	21,678,000
Morehead State University	9,240,000
Murray State University	13,019,000
University of Kentucky	39,761,000
Kentucky State College	3,338,000
Western Kentucky University	21,359,000
LOUISIANA	
Louisiana State University	36,065,000
Louisiana State Board of Education	47,535,000
MARYLAND	
University of Maryland	$2,373,000
MASSACHUSETTS	
University of Massachusetts Building Authority	32,325,000
MICHIGAN	
Central Michigan University	12,835,000
Northern Michigan University	2,670,000
Ferris State College	1,450,000
Michigan State University	13,875,000
University of Michigan	44,587,000
Western Michigan University	18,781,000
Michigan Technological University	6,820,000
Wayne State University	7,130,000
Eastern Michigan University	15,540,000
MINNESOTA	
University of Minnesota (all systems and branches)	48,197,000
MISSOURI	
Missiouri State education institutions	80,835,000
MONTANA	
All State institutions	26,131,000
NEBRASKA	
University of Nebraska	28,735,000
All State colleges	28,065,000
NEVADA	
University of Nevada	7,097,000
NEW HAMPSHIRE	
All university bonds are general obligations.	
NEW JERSEY	
Rutgers University	10,910,000
NEW MEXICO	
University of New Mexico	5,438,000
Other educational institutions	56,945,000
NEW YORK	
New York State Housing Finance Agency (includes low-cost housing)	1,129,104,000
New York State Dormitory Authority	703,406,000
NORTH CAROLINA	
State educational institutions	15,659,000
NORTH DAKOTA	
All State educational institutions	22,396,000
OHIO	
State educational institutions:	
Bowling Green	29,925,000
Ohio University	17,264,000
Miami University	29,639,000
Kent State	23,684,000
Ohio State University	53,110,000
OKLAHOMA	
All educational institutions	100,491,000
RHODE ISLAND	
University of Rhode Island	14,665,000
SOUTH CAROLINA	
All educational institutions	4,527,000
TENNESSEE	
State educational institutions:	
University of Tennessee	6,063,000
Tennessee Technical University	4,589,000
All other	13,746,000
TEXAS	
Total Texas college bond issues	293,841,000
TEXAS—continued	
University of Texas:	
At Austin	$60,135,000
At El Paso	4,405,000
At Galveston	2,100,000
At Arlington	6,140,000
Total	72,780,000
Texas A. & M.:	
College Station	33,890,000
Tarleton	1,927,000
Prairie View	4,193,000
Total	40,010,000
State senior colleges:	
East Texas State	11,669,000
Sam Houston State	11,199,000
Steven F. Austin	17,802,000
Sul Ross State College	2,203,000
West Texas State University	5,924,000
Total	48,797,000
Other State colleges:	
Texas Technological College	40,527,000
North Texas State University	25,959,000
Lamar State College	14,381,000
Texas A. & I. University	8,383,000
Texas Womens University	9,909,000
Texas Southern University	5,490,000
University of Houston	24,520,000
Pan American College	1,500,000
Midwestern University	1,585,000
Total	132,254,000
VERMONT	
All educational institutions	*12,495,000*
VIRGINIA	
All educational institutions	48,586,000
WASHINGTON	
All State institutions	111,709,000
WYOMING	
All educational institutions	*10,555,000*
Grand total	4,291,638,000

Mr. REUSS. Mr. Chairman, will the gentleman yield?

Mr. WIDNALL. I yield to the gentleman from Wisconsin.

Mr. REUSS. We on this side have had an opportunity to examine the gentleman's amendment and believe it is a constructive one and will fully support it.

The CHAIRMAN. The question is on the amendment offered by the gentleman from New Jersey [Mr. WIDNALL].

The amendment was agreed to.

AMENDMENT OFFERED BY MR. ROGERS OF COLORADO

Mr. ROGERS of Colorado. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. ROGERS of Colorado: On page 269, after line 10, insert the following new subsection:

"(c) Section 202(e) of such Act is amended—

"(1) by striking out 'prior to the date of enactment of the Housing Act of 1961' and inserting in lieu thereof 'prior to July 1, 1967 (whether or not the insurance has actually been granted)';

"(2) by inserting 'or refinancing' after 'financing';

"(3) by inserting 'foreclosure or' after 'avoid'; and

"(4) by inserting 'tenants or' before 'prospective tenants'."

Mr. BARRETT. Mr. Chairman, will the gentleman yield?

Mr. ROGERS of Colorado. Yes. I yield to the gentleman.

Mr. BARRETT. Mr. Chairman, we have gone over this amendment. We have no objection to it. I think the gentleman from New Jersey also has had a chance to examine it.

Mr. WIDNALL. If the gentleman will yield, I have no objection to it.

Mr. BROCK. Mr. Chairman, will the gentleman yield?

Mr. ROGERS of Colorado. Yes. I yield to the gentleman.

Mr. BROCK. I do not know whether I have any objection to it or not. Will the gentleman please explain what he is trying to do?

Mr. ROGERS of Colorado. The explanation is, if you will turn to page 268, you start out on housing for the elderly. My amendment then starts after line 10, page 269, which is a new section; this would change section 202 of the Housing and Urban Development Act of 1959, as amended, which provides housing for the elderly. This would procure refinance under this section.

Mr. BARRETT. Mr. Chairman, will the gentleman yield to me?

Mr. ROGERS of Colorado. Yes. I yield to the gentleman.

Mr. BARRETT. This is a hardship amendment, is it not?

Mr. ROGERS of Colorado. That is right. And it deals with a situation in my State where loans have heretofore been made to the elderly for elderly housing and others in a similar financial condition as a result of certain problems which have arisen which were not anticipated at that time.

What it does is to permit them to be refinanced as is permitted for housing for the elderly and as provided by Public Law 87-70.

Mr. BROCK. Mr. Chairman, will the gentleman yield further?

These programs are supposed to be actuarially sound. However, if they have to be refinanced, does the gentleman have any estimate as to the cost of this item?

Mr. ROGERS of Colorado. The anticipated cost as to each particular one, I cannot give it to the gentleman. In my particular State, the State of Colorado, there happens to be about 30 of these institutions which have heretofore been sponsored for the elderly by fraternal orders and others. In other words, due to a situation which developed where our own State legislature saw fit to tax them, this represents an attempt to help them.

Mr. BROCK. But, Mr. Chairman, if the gentleman will yield further, is it for the Government to come to the situation where the State of Colorado places a tax on a municipally operated program and support it?

Mr. ROGERS of Colorado. May I point out to the gentleman from Tennessee that if this amendment is not adopted, the Federal Government will be compelled to foreclose in order to protect the guaranteed loans hereto made.

Does the gentleman want the Federal Government to go to foreclosure in my particular State, or is the gentleman willing to help work it out in this manner?

That is how simple it is.

Mr. BROCK. I thank the gentleman from Colorado.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Colorado [Mr. ROGERS].

The amendment was agreed to.

AMENDMENT OFFERED BY MR. BROCK

Mr. BROCK. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. BROCK: On page 264, strike section 1405 beginning on line 13 through line 20 on page 268, and insert in lieu thereof the following new section 1405:

"SEC. 1405. (a) Effective with respect to loans for projects for which funds are reserved after June 30, 1968, section 401(c) (1) of the Housing Act of 1950 is amended by striking all that follows the phrase 'which shall be not more than the' and inserting in lieu thereof 'rate determined by the Secretary of the Treasury taking into consideration the current average market yield on outstanding marketable obligations of the United States with remaining periods to maturity comparable to the average maturities of such loans, adjusted to the nearest one-eighth of 1 per centum, less not to exceed a rate of 1 per centum per annum as determined by the Secretary of Housing and Urban Development.'

"(b) Effective with respect to notes or other obligations financing loan contracts for which funds are reserved after June 30, 1968, the second sentence of section 401(e) of such Act is amended by striking out all that follows the phrase 'which shall be not more than the' and inserting in lieu thereof 'rate determined by the Secretary of the Treasury taking into consideration the current average market yield on outstanding marketable obligations of the United States with remaining periods to maturity comparable to the average maturities of such loans, adjusted to the nearest one-eighth of 1 per centum.'"

Mr. BROCK. Mr. Chairman, this amendment relates to the section of the college housing loans and the 3-percent-interest section. What it does is it changes the percentage of the loan from 3 percent to a percentage which is equal to the current cost of financing the Federal debt, less 1 percent—in other words, 1 percent below our cost of acquiring the money at the Federal level.

Mr. Chairman, the amendment is not destructive in intent. It is constructive in a sense that if adopted it would make this program comply with programs which will be passed by the Committee on Education and Labor.

Mr. QUIE. Mr. Chairman, will the gentleman yield?

Mr. BROCK. I yield to the gentleman from Minnesota.

Mr. QUIE. Mr. Chairman, I thank the gentleman for yielding.

As I understand the amendment, it will delete the provision in the bill which would provide for grants being made to institutions, to pay the difference between the financing, that is, between the private market and the 3 percent which is now required.

I certainly support the amendment offered by the gentleman from Tennessee so as to come within the loan program in title III of the Higher Education and Academic Facilities Act. This came up in committee, and we adopted the administration's proposal, which this is, it is the administration's proposal in the House bill before us, and was the administration's proposal in the Higher Education Act.

The problem today in college housing loans and college facility loans is that the Federal Government is providing the money for all of the loans, and has run out of money. Prior to the 3-percent interest level being applied, the public institutions of higher learning could finance their loans through the sale of bonds at a rate at the level of the Federal Government or less, and it was never the intention that the Federal Government would finance and provide the loans for all of the college construction. And the action taken both by the Committee on Education and Labor and the Committee on Banking and Currency in the previous Congress, has led to this action now. What has happened is that the private institutions of higher learning have found it difficult to secure loans at the lower rate of interest. I think that we ought to abide by the recommendations of the administration, and not at least permit this new provision where the banks can charge, or a lending institution can charge, any rate of interest, and the Federal Government agree to pay the difference between that and 3 percent. It is a carte blanche amount, and the only limitation in here is that the Federal Government over 40 years will not make grants greater than the cost of the facility. We might as well be paying for the complete facility immediately.

Mr. BROCK. I appreciate the support of the gentleman on what we are trying to do. What I am afraid would happen under this bill would be to drive the educational institutions out of the private market, and force them into the Federal program.

Frankly, we have not the money to carry this out, and if we are going to get adequate financing I think we had better make sure of the availability of the private market. I believe under this amendment we would sufficiently guarantee all money, and make it available to the schools.

Mr. BARRETT. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, certainly at a time of steadily rising college enrollment, I believe it would be totally wrong to defer construction of college housing facilities, which is what this amendment would do.

The provision which the committee approved had the wholehearted endorsement of the colleges and universities. It is aimed at doing just what we have done with the housing loan program. This would reduce the impact of providing just an equal payment and place the basic financing in the hands of private lenders and private industry.

Mr. Chairman, this amendment certainly should be defeated at a time like this, when college housing is needed so badly, and when the moneys of the colleges and universities are needed so badly. To raise the rate from 3 percent to 5.5 percent, Mr. Chairman, seems to me to be clearly out of proportion.

I hope the amendment will be defeated.

Mr. REUSS. Mr. Chairman, will the gentleman yield?

Mr. BARRETT. I yield to the gentleman from Wisconsin.

Mr. REUSS. Mr. Chairman, I wish to associate myself with the remarks of the gentleman from Pennsylvania, and make this additional point: that, ironically, the committee bill, supported, I believe, by all Members on this side, relies on private financing. The Brock substitute amendment would compel public financing.

Mr. Chairman, it seems to me to the extent that we can bring private financing in—and with a very small budgetary impact to make up the difference between 3 percent and the going market rate, which in the case of tax-exempts would be something like 4.5 percent or 4.75 percent—that we not only will be doing something for sound budgeting but for a great number of college students who want to come to the city of Chattanooga, Tenn., or to the city of Rochester, Minn., and board at the college. That is what college housing is for.

I hope that the amendment will not be adopted.

Mrs. MINK. Mr. Chairman, will the gentleman yield?

Mr. BARRETT. I yield to the gentlewoman.

Mrs. MINK. Mr. Chairman, I am very much interested in the proposal contained in the committee bill and I oppose the amendment offered by the gentleman from Tennessee.

I think for the very modest amount that this particular section of the bill would cost the Government, in other words the sum of $10 million, we will see the growth in excess of $400 million in new college dormitories.

I think no one in this House needs to be told about the very critical problem facing our colleges which have increasingly greater numbers of students being enrolled on their campuses.

Mr. Chairman, I would urge that this amendment not only be voted down but that the provision included in the bill be supported most enthusiastically as a very wise solution of the problems on our college campuses.

Mr. BROCK. Mr. Chairman, will the gentleman yield?

Mr. BARRETT. I yield to the gentleman from Tennessee.

Mr. BROCK. I might just point out to the gentlewoman from Hawaii, I think we share the same objective of trying to expand the availability of financing for college housing.

But I do believe that her argument perhaps could be self-defeating in that it will drive colleges out of the public financing area, and out of the bond market.

In this case, they are simply not having enough support to achieve the financing they must have.

I think perhaps we disagree on the means, but I do not believe we disagree as to the objectives.

Mr. BARRETT. Mr. Chairman, I certainly hope that we can vote immediately and vote this amendment down.

Mr. QUIE. Mr. Chairman, I rise in support of the amendment.

Mr. Chairman, we have hit a problem in college construction loans from the fact that the interest rate on direct loans was reduced to 3 percent, while interest rates have gone up on private money.

Until the 3-percent interest rate was provided in the law, here is what we found in the college loans. Most public institutions of higher learning found that they could borrow money at the same rate that the Federal Government could borrow, or less. That means that a State could borrow at about the same rate and the municipality could borrow at about the same rate because they sold their bonds and they would be tax exempt and they would have quite an appeal to the private market.

When you went to the 3-percent interest rate, every institution of higher learning in the country wanted that big subsidy of 3 percent interest. There just has not been enough direct loan money available under those circumstances.

The administration proposes that the interest rate be approximately 1 percent less than the cost of money to the Government. That would be about 4.4 percent.

Secretary Weaver, when he testified before the House Committee on Banking and Currency, said:

> The new formula for interest rates on college housing loans provides a reasonable rate on these loans which would assure that college housing funds supplement rather than supplant private financing. The program is not designed to finance all college housing construction or to compete with private financing available on terms better than those available to the Federal Government on its borrowing. It is designed to assist those educational institutions which cannot reasonably finance housing in the private market.

The question comes: Who is going to pay the subsidy, the State or the Federal Government?

Will the Federal Government assume the responsibility for every institution in the country, eliminating the need for that responsibility on the part of every State and the local political subdivision?

The main reason for a college loan is to help the private institutions of higher learning and at a rate 1 percent less than the cost of the money to the Federal Government, it is a substantial subsidy to the private institutions.

Mr. Chairman, when we have lending programs of this nature, they must be similar.

In the higher education bill that will be before this House before very long, we have accepted the administration proposal—it would be the cost of money to the Government minus 1 percent.

Facilities loan program should conform. Unless the amendment of the gentleman from Tennessee is adopted, then next week we will have to change the other bill to conform with this one.

Mrs. MINK. Mr. Chairman, will the gentleman yield?

Mr. QUIE. I yield to the gentlewoman from Hawaii.

Mrs. MINK. Is it not true that that same committee, in acting on the amendments to the vocational education bill relating to the construction of residence halls for vocational schools, adopted this precise amendment; so if the gentleman's argument in favor of the gentleman's amendment to this section is for consistency, certainly one could not find it in the Committee on Education and Labor that acted on the same day, in two different respects, with regard to the identical provision.

Mr. QUIE. We find that many committees are not consistent with themselves, and I imagine that same criticism can be made of every other committee. But it is my feeling that the colleges will construct their dormitories; that strong demand is there on the part of students for dormitories, and public institutions, if they can find their financing from private sources at a rate that is at the level of the Federal Government or less, as the law will provide if the Brock amendment is adopted, should be permitted to do so.

There is no need for the Federal Government to be subsidizing all of the States and the local political subdivisions. It is important that money for dormitories not be easier to acquire than money for academic facilities. This is more important than consistency with residential facilities for vocational residential schools which carries a substantial Federal grant.

Mr. WIDNALL. Mr. Chairman, will the gentleman yield?

Mr. QUIE. I yield to the gentleman from New Jersey.

Mr. WIDNALL. I am quite familiar with the original concept of the interest rate of 3 percent for the college housing program. The purpose of that 3-percent figure was to enable the renting of dormitory rooms at a lower figure. That was the purpose of the legislation. That is why we are trying to keep the interest rate as low as possible in this area.

Mr. QUIE. The 3-percent money just leads to grants to colleges for the building of dormitories. It is similar to what we have done in relation to academic facilities. The new language of the committee bill, of course, is the first step to grant an authorization for the construction of these facilities, and I think the House should know the direction in which we are going.

The **CHAIRMAN.** The question is on the amendment offered by the gentleman from Tennessee [Mr. BROCK].

The question was taken; and on a division (demanded by Mr. BROCK) there were—ayes 53, noes 70.

So the amendment was rejected.

Mr. BINGHAM. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I hate to take the time of the Committee at this late hour, but I believe that three of the amendments which were adopted yesterday would substantially cripple this program, as far as New York City and the big cities are concerned.

I take this time to pass on to the Members, information that I have obtained today from organizations, such as the archdiocese of New York, which have been working in this field for years. They tell me if the Anderson amendments, lowering the income limits to 130 percent of the public housing limits, are adopted by the House on the final vote, and if the second Brock amendment, which would raise the rental standard in the title II program from 20 to 25 percent of income, it would be impossible to make these programs work in New York City.

With respect to the second Brock amendment, I think there was considerable confusion in the Committee yesterday. I was confused myself, because the gentleman from Tennessee [Mr. Brock] referred to the fact that he was proposing an amendment to the rent supplement program. This is not so. The amendment which the gentleman proposed, and that was adopted, actually applies to the new title II program for rental housing to be provided by private financing, and, as a matter of fact, the provision lowering the rental under the rent supplement program, which appears on page 56 of the bill, was not affected by the gentleman's amendment. So that in the title I program and in the rent supplement program the standard will be 20 percent, and only in the new rental program will it be 25 percent.

The remarks of the gentleman in the Record will show that he referred several times to rent supplements, whereas, as a matter of fact, his amendment had no bearing whatsoever on the rent supplement program. So I think in this case the Committee did not have a clear understanding as to what it was doing.

I want to repeat that, this very day, judging from the reports of the action tentatively taken by the Committee yesterday, one of the outstanding organizations in New York City in this field told me they could not operate under this program.

I hope there will be separate votes taken on these amendments and that they will be defeated.

Mr. YATES. Mr. Chairman, will the gentleman yield?

Mr. BINGHAM. I yield to the gentleman from Illinois.

Mr. YATES. Mr. Chairman, could the gentleman tell us how the archdiocese of New York came to this conclusion? I was one of those who voted for the Anderson amendment yesterday. I have checked with various officials in the Department, and they have told me they believe the Anderson amendments are workable. What was the reasoning behind the statement of the archdiocese?

Mr. BINGHAM. Their reasoning is based on their experience in this field. As a matter of fact, the archdiocese is just about the only organization that has been able to work under section 221(d)(3) in New York City, and they have been able to do it with great ingenuity, but they feel there has to be more flexibility if private financing is to be attracted to this program.

The whole idea of this program is to attract private financing and get away from Government financing.

Mr. CAREY. Mr. Chairman, will the gentleman yield?

Mr. BINGHAM. I yield to my colleague from New York.

Mr. CAREY. Mr. Chairman, I want to concur with what the gentleman from New York said. There have been consortiums of many religious faiths who have joined together to preserve the characteristics and strengths of neighborhoods. This has given great flexibility to the private ingenuity and private innovation and private enterprise concept. A multitude of voluntary organizations and the religious faiths are joining in dramatic new progressive movements in housing. For example, one in which I participated took place in Kings County. We had some difficulty under the present provisions of 221(d)(3) in attracting private financing.

Mr. BINGHAM. This title is intended to improve on it, but it will not improve on it if the Anderson amendment is adopted.

Mr. CAREY. That is correct. It really puts us back into the old public housing ideas and gives a 30 percent flat base, which is not sufficient to utilize private resources and serve a vast number in need of adequate shelter beyond their means.

Mr. BINGHAM. The gentleman is entirely correct. I thank the gentleman for his contribution.

Mr. WIDNALL. Mr. Chairman, I rise to offer an amendment.

Mr. BARRETT. Mr. Chairman, will the gentleman yield?

Mr. WIDNALL. Mr. Chairman, I yield to the gentleman from Pennsylvania.

Mr. BARRETT. Mr. Chairman, I wonder if we can get an agreement now to vote on this bill and all amendments thereto at 6:30?

Mr. PUCINSKI. Mr. Chairman, I reserve the right to object.

Mr. GROSS. Mr. Chairman, I object to that. How many amendments are there pending?

The CHAIRMAN. There are five amendments.

Mr. GROSS. Mr. Chairman, we cannot do that.

Mr. BARRETT. Mr. Chairman, will the gentleman yield further?

Mr. WIDNALL. Mr. Chairman, I yield to the gentleman from Pennsylvania.

MOTION OFFERED BY MR. BARRETT

Mr. BARRETT. Mr. Chairman, I am sure there are a number of Members here tonight who have very important engagements. I do not like to refuse the gentleman from Iowa, but I move that we terminate debate on the bill and all amendments thereto at 6:30.

The CHAIRMAN. The question is on the motion offered by the gentleman from Pennsylvania [Mr. Barrett].

The question was taken; and on a division (demanded by Mr. Gerald R. Ford) there were—ayes 81, noes 67.

So the motion was agreed to.

AMENDMENT OFFERED BY MR. WIDNALL

Mr. WIDNALL. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

> Amendment offered by Mr. Widnall: Strike out section 1410 (beginning on page 272, line 3, and ending on page 272, line 22).
>
> And renumber the succeeding sections accordingly.

Mr. WIDNALL. Mr. Chairman, HUD is seeking in section 1410 to obtain additional funds to assist in bettering the administration's overall budget deficit. If there was any chance of the budget becoming balanced, the case might be different, but what is really happening is that HUD and the administration are only obtaining more money to spend on their varied programs.

The legislation proposed would lead most to believe that all that is involved is $1 million, note lines 9 and 10, page 272.

Not well remembered is an answer to my inquiry to HUD as to whether the U.S. Housing Authority Corporation had any corporate assets and what was their worth. The HUD answer is contained on page 75 of the housing hearings of 1967 and is as follows:

> The corporation (the U.S. Housing Authority) had assets on June 30, 1966, of $148.6 million (after valuation allowances). Net assets after payables were $56.1 million, the Government equity. This includes the $1 million formally invested in capital stock. While the value of the assets is believed to be conservatively stated, with adequate allowances to cover any differences between book values and true values, it should be noted that most of the Government equity is invested in program loans and advances to local housing authorities.

The CHAIRMAN. The question is on the amendment offered by the gentleman from New Jersey [Mr. Widnall].

The amendment was agreed to.

PREFERENTIAL MOTION OFFERED BY MR. BROCK

Mr. BROCK. Mr. Chairman, I offer a preferential motion.

The Clerk read as follows:

> Mr. Brock moves that the Committee do now rise and report the bill back to the House with the recommendation that the enacting clause be stricken out.

Mr. BROCK. Mr. Chairman, I take this time to respond very briefly to the gentleman from New York on his comments with regard to the amendments of myself and the gentleman from Illinois [Mr. Anderson].

I point out that my amendment raising the income applicable to rentals to 25 percent was the administration-sponsored percentage. It is also the percentage accepted by the Senate and is in the Senate bill.

Second, the Anderson amendments which direct the program to low-income families are amendments which are fully supported by the people in organized labor that I have had contact with. I want that a part of the Record.

Mr. Chairman, the motion to recommit will contain two sections that I would like to explain very briefly.

The first relates to the so-called tenant services section which contains $60 million for an open-end section of grant services by the Secretary to public housing recipients. There is $60 million involved in this. The amendment was offered yesterday and defeated on a tie vote. You may recall this was the Gross amendment.

The second section of the motion to

recommit will strike out section 412 which is the interim services section. This contains $40 million for the repair of sidewalks and related facilities in local communities.

Mr. ANDERSON of Illinois. Mr. Chairman, will the gentleman yield?

Mr. BROCK. I yield to the gentleman from Illinois.

Mr. ANDERSON of Illinois. I should like to say in response to what the gentleman from New York [Mr. BINGHAM], said a few moments ago that the amendments which I proposed and which were adopted in the Committee of the Whole yesterday, which he said would do great violence to the new rental and homeownership programs—not 2 hours ago I was called out of the Chamber off the floor and talked to the two representatives of the Department of HUD, who informed me that the Secretary had told them that these were "amendments that the Department could live with."

Naturally, they prefer no limitations at all. However, the other body saw fit to impose limitations on the programs and certainly limitations contained in these two amendments are essentially amendments the Department can live with and these programs can function.

Mr. BINGHAM. Mr. Chairman, will the gentleman yield?

Mr. BROCK. Mr. Chairman, I find it is impossible to yield with the limitation of debate put upon us by the majority. I might add that I deeply resent the restraint to 15 minutes imposed by you on us when there are five amendments pending.

Mr. Chairman, I would like to explain the amendment I have, which is an amendment to the model cities section. It will strike the figure of $1 billion and insert $250 million. This is a $750 million cut. In addition to that, it imposes a limitation of 15 cities which can receive funds under the bill so that we can go back to the concept of the demonstration cities bill and prove the worth of the program. This was the great single disappointment of the Great Society, the model cities program. I know of only one city which has a moderately successful program in this, and that is the city of Norfolk, Va.

Mr. Chairman, I urge the support of that amendment when it comes up.

Mr. WIDNALL. Mr. Chairman, will the gentleman yield to me?

Mr. BROCK. Yes. I yield to the gentleman.

Mr. WIDNALL. Mr. Chairman, at the conclusion of the remarks of the gentleman from Tennessee, I would like to include the current status report on the model cities program. I had 38 replies from 75 cities contacted. Other replies are coming in. I wish to include that in the RECORD at the end of the gentleman's remarks, as an extension of my remarks.

Mr. BROCK. I thank the gentleman.

Mr. Chairman, in conclusion, I would say that my motion to strike the title of this bill is a very sincere motion. I think it would be a contribution to good government the way this bill has become such a travesty.

Mr. WIDNALL. In order to provide my colleagues with the most up-to-date information on the present status of the model cities program, I sent a telegram on Wednesday of last week, July 3, to all the mayors of the communities chosen so far to receive model cities planning funds. To date a total of 38 replies have been received out of the 75 cities contacted. The telegram asked four basic questions:

First, what is the amount and percentage of the planning funds reserved for your city which has been received to date from HUD;

Second, what progress has been made on the basis of any funds you have already received;

Third, what is the projected date for completion of your planning; and

Fourth, can you identify any major problems of Federal concern, administratively or otherwise, which adversely affect the current progress of the model cities planning.

While the problem of time undoubtedly limited the answers in some cases, the great majority are fairly extensive and detailed. I think it is possible to draw some general conclusions of importance not only for this debate but also for the future conduct of the program at the Federal level.

To begin with, there is no doubt from these telegrams and letters and telephone calls, that local officials, elected or appointed, are enthusiastic over the concept of the model cities program, and I stress the word concept. As could be expected, they see a need for additional funding, and for passage of the provisions contained in the bill now under consideration. I agree with them on both counts.

That is not to say, however, that all Federal efforts to turn concept into reality are an unlimited success. The communications, in summary, paint the following picture of the program to date.

After the Demonstration Cities Act of 1966 became law in early November of that year, the Department of Housing and Urban Development did two things. First, it changed the name of the program to model cities for image purposes, and second, it invited applications for planning funds which were to be in by March of 1967. The final decision on the first 63 cities and 65 project areas was not made until November 16, 1967, when planning funds were reserved for these communities. Almost all, it seems, renegotiated the final reservation figure in January or February of 1968, raising the figure over the original HUD projection, although it is still considered too low in many communities.

Another group of 12 cities received approval for a reservation of planning funds on March 8 of 1968. Actual contracts for the disbursement of funds took longer, and in some cases, as with Trenton and Washington, D.C., no funds at all have been disbursed to the cities. While most cities report progress in organizing for the planning process, including the establishment of task forces, the drawing up of questionnaires for the residents, the development of community participation, and the like, this has been accomplished not with HUD funds but with funds borrowed from the city treasury on the basis of the HUD reservation commitment. Projected completion dates range anywhere from this September to March of next year, with most falling around February 1, 1969.

It should be emphasized that these are projected completion dates. There is no doubt that the cities themselves feel capable of meeting these dates, provided they receive their planning funds, and provided that Federal officials lift the load of paperwork and administrative detail now demanded of overworked city staffs, and provided coordination and direction is established within HUD and among HUD and other Federal agencies, notably HEW, Labor, and OEO, and provided that the problem of community participation is settled.

I have prepared a list of the most common and specific problems worthy of Federal attention that have been submitted to me by local officials participating in the model cities program. I know that HUD is aware of many of these difficulties, and is working on them, but I think it is worth saying again that the model cities program must have the coordination and cooperation at the Federal level that will allow the local administrators and local citizens the breathing room to develop successful projects. That means stronger leadership and coordination from within HUD and also at the White House level, to see to it that other Cabinet Departments are equally concerned and aware of their responsibilities under the program.

I would like to submit the following list of identified problem areas for the RECORD, together with a list of the cities from which I have received replies:

1. The allocation of funds reserved by HUD comes too long after designation, requiring the advancement of local funds to carry out the program schedule.

2. HUD technical requirements for local staff and workload have burdened the cities without adequate funding to carry this out; laborious requirements for applications and constant reports required from audit and legal staffs leave little time for local efforts, and little room for program flexibility.

3. Lack of coordination both within HUD, and between HUD and other Federal Departments. Guidelines leave unclear the relationship between the local city agency and OEO, Labor, HEW, etc. Delays in coordination occur at the national level even when they do not occur at the regional level. Even visits to the cities are done piecemeal, instead of as a team.

4. Existing program regulations, including planning programs under HUD, do not take into account differences in approach of the Model Cities concept.

5. Uncertainty is caused by lack of earmarking of funds by other agencies (i.e., HEW), leaving local officials without knowledge necessary to develop best strategy in utilizing supplemental funds.

6. Establishment of adequate communication with residents of the area, and the overcoming of distrust and apathy, the development of credibility for the project. A lack of publications for communication to the residents, the need for greater funding and a higher level of technical assistance for neighborhood corporations from Federal agencies was noted.

7. Information on programs affecting the Model Cities project in a particular city is often lacking on the part of local officials because of a failure to route these projects through the appropriate city officials.

Cities selected for planning funds, November 16, 1967, replying to Widnall telegram on model cities program (31 of 63):

Huntsville, Alabama.
Texarkana, Arkansas.
Fresno, California.
Oakland, California.
Denver, Colorado.
Trinidad, Colorado.
Washington, D.C.
Atlanta, Georgia.
Gainesville, Georgia.
Honolulu, Hawaii.
Chicago, Illinois.
Pikeville, Kentucky.
Lowell, Massachusetts.
Springfield, Massachusetts.
Highland Park, Michigan.
St. Louis, Missouri.
Trenton, New Jersey.
Charlotte, North Carolina.
Toledo, Ohio.
Tulsa, Oklahoma.
Pittsburgh, Pennsylvania.
Reading, Pennsylvania.
Waco, Texas.
Winooski, Vermont.
Norfolk, Virginia.
Seattle, Washington.
Duluth, Minnesota.
Portland, Oregon.
Dayton, Ohio.
Richmond, California.
Miami (Dade County), Florida.

Cities selected for planning funds, March 8, 1968, replying to Widnall telegram on model cities program (7 of 12):

Wichita, Kansas.
Bowling Green, Kentucky.
New Bedford, Massachusetts.
Helena, Montana.
Winston-Salem, North Carolina.
McAlester, Oklahoma.
Cohoes, New York.

Mr. BARRETT. Mr. Chairman, I rise in opposition to the preferential motion.

Mr. BINGHAM. Mr. Chairman, will the gentleman yield?

Mr. BARRETT. I yield to the gentleman.

Mr. BINGHAM. I thank the gentleman for yielding.

First of all, with regard to the second amendment of the gentleman from Tennessee, I would like to call his attention to the CONGRESSIONAL RECORD, July 9, 1968, page 20321, where, speaking on his second amendment, he said—

> The rent supplement program has been operating for 2 or 3 years now.

And further "I would like to offer the same amendment on rent supplements," and so forth.

The section on the rental standard in the rent supplement program appears on page 63 of the bill at the top of the page, and is not touched by the Brock amendment. The section to which his amendment applies is found on page 56 and has to do with a totally different program, the new program for privately financed rental housing.

Further, Mr. Chairman, insofar as the comments of the gentleman from Illinois are concerned and the statements of the representatives of the Department downtown to which he referred, I do not take their statements as gospel. I often prefer to take the word of people who are trying to work with these programs than the word of those who administer them.

Mr. BARRETT. I oppose the preferential motion and urge that it be voted down.

The CHAIRMAN. The question is on the preferential motion offered by the gentleman from Tennessee [Mr. BROCK].

The preferential motion was rejected.

AMENDMENT OFFERED BY MR. PUCINSKI

Mr. PUCINSKI. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. PUCINSKI: On page 280, after line 15, insert a new section, as follows:

"SEC. 1420. No standard, rule, regulation or requirement of general applicability prescribed by the Secretary under the authority of this Act may take effect (1) until 30 days after it is published in the Federal Register, and (2) unless interested persons are given an opportunity to participate in the formulation of such standard, rule, regulation or requirement through the submission of views or arguments at a public hearing."

Mr. PUCINSKI. Mr. Chairman, this amendment assures that the public shall have an opportunity to participate in this rulemaking process.

Mr. Chairman, in the last three decades, the cost of Government has risen from $9 billion in 1940 to $168 billion in 1968. Congress has been obligating more and more power to administration in disbursing these funds. It appears only logical to me that Congress should at least retain some voice in shaping the final rules and regulations for disposal.

The distinguished chairman said this amendment would take us back to the horse and buggy era. He errs in this conclusion. Most other agencies now operate under the Administrative Procedure Act and must publish their proposed rules and regulations in the Federal Register. Here is a bill containing 280 pages and involving $5½ billion. Why should the agencies in this bill not come under the same regulations as all other agencies of Government?

He says this will increase redtape. The contrary is true. It will eliminate redtape when administrators know that their bulky regulations must stand the test of public inspection before they become final.

Mr. Chairman, I have no criticism of these agencies, but I believe much suspicion and mistrust can be eliminated, and their programs become more acceptable if their rules and regulations are promulgated with the full cooperation of Congress and other interested parties. I hope the amendment is adopted.

Mr. PERKINS. Mr. Chairman, will the gentleman yield?

Mr. PUCINSKI. I yield to the gentleman from Kentucky.

Mr. PERKINS. Mr. Chairman, all of us who are interested in seeing that all our people have a chance to live in decent home owe a debt of gratitude to our Committee on Banking and Currency. That committee has brought to us one of the greatest advances in housing legislation that this Chamber has had.

I hope we will give our approval to the committee's work without changing to any great degree what it and the other body have achieved.

I am especially pleased that this legislation not only would provide better housing for the poor who live in our cities; it also offers a chance to the rural poor to have decent homes.

The other body and our own committee are to be commended for a truly new approach to the problem of financing not only home rental but also homeownership by low-income families.

Under this new approach the Government will subsidize interest payments rather than the whole mortgage. Those who occupy the homes would pay, on a sliding scale basis, a certain percentage of their income for housing. The Government would make up the difference.

As the family's income increased, its share of the interest and mortgage payment also would increase.

I like also that feature of the legislation which provides the Government subsidy at established interest rates, instead of the below-market rates currently in effect for housing programs. That provision should encourage private capital to participate far more fully than it now is doing.

We all know that city ghettos and rural slums must give way to Government-subsidized housing if we are to make progress. The three requirements, in my view, are employment, housing, and education. This legislation is our most forthright attack upon the problem of providing an opportunity for the poor not only to occupy decent housing but to become homeowners. I hope no amendments will be adopted which would dilute the fine work done by our Banking and Currency Committee and by the other body.

Of course, there are many important provisions in this bill, besides the housing section. Among them is the very vital model cities program. At this point, when this program is just getting started with its effort to modernize our cities, I hope nothing will be done on this floor which will diminish its effectiveness.

We cannot afford to be parsimonious with our attempts to provide proper housing for all our people; we cannot afford to practice false economy in our attempts to make our cities fit places in which to live.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Illinois.

Mr. PATMAN. Mr. Chairman, I desire to be heard in opposition to the amendment which has been offered by the gentleman from Illinois [Mr. PUCINSKI].

The CHAIRMAN. The gentleman from Texas is recognized.

Mr. PATMAN. Mr. Chairman, this amendment should be defeated. We adopted one which eliminates redtape which was offered by the distinguished gentlewoman from New Jersey [Mrs. DWYER]. However, this amendment, if adopted, would bring about a lot of redtape. This amendment would add redtape. In other words, all cities and towns under this amendment would have to have a Washington representative to keep up with the Federal Register in order to find out what was and what was not. At best, it would be terribly cumbersome and would create additional redtape.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Illinois [Mr. PUCINSKI].

The question was taken; and on a division (demanded by Mr. Pucinski) there were—ayes 54, noes 78.

So the amendment was rejected.

The CHAIRMAN. The Chair recognizes the gentleman from Michigan [Mr. Harvey].

AMENDMENT OFFERED BY MR. HARVEY

Mr. HARVEY. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. Harvey: On page 278, after line 19, insert the following new section:

"STUDY OF NATIONAL BUILDING CODE

"Sec. 1419. (a) The Secretary of Housing and Urban Development is authorized and directed to conduct a study of the feasibility of establishing a national building code, giving consideration to the extent to which such a code can or should impose requirements or standards of specific types and the methods by which compliance and enforcement might be encouraged or achieved.

"(b) The Secretary shall submit the results of the study, together with appropriate recommendations, to the President and the Congress no later than six months following the date of the enactment of this Act."

And renumber the succeeding section accordingly.

Mr. HARVEY. Mr. Chairman, very simply, my amendment would authorize and direct the Secretary of Housing and Urban Development to conduct a study of the feasibility of establishing a national building code, and to report the results of such study to Congress in 6 months after the enactment of this bill.

In the President's state of the Union message, he called for 6 million units of low-cost housing in the next decade. This averages 600,000 units a year. It is worth pointing out that although we have had authorized 60,000 units of low-rent housing this past year, that at best we have only been able to accomplish slightly more than half that figure. Needless to say, it is a long way from the 600,000 per year that the President hopes to build in the years ahead.

Somehow, Mr. Chairman, we must not only modernize, but also standardize our building techniques. One of the greatest stumbling blocks to the mass construction of homes for the poor are the various building codes, almost all differing in some respect from each other.

Many different governmental commissions, and other organizations have studied this problem, and almost all agree that something must be done. Only the executive branch of Government, however, has the power and authority to, first of all, admit that the problem exists, and then do something about it by encouraging the adoption of a uniform building code by the States, municipalities, and other units of government.

There are presently in the United States, four different organizations, all of which have drafted very excellent building codes. Three of these organizations are composed of building inspectors—people who make their living working with such a code. The fourth organization is made up of representatives of various fire insurance companies. My point is this: It has been clearly demonstrated that such a uniform code is possible. Now the means should be found to bring it about if we are to accomplish the goal that President Johnson says is necessary in the years ahead.

Mr. Chairman, I have been impressed with the work that the Advisory Commission on Intergovernmental Relations has done in this field. In their January 1966 report they urged, first, the development of a code for voluntary adoption by the States; second, a program of building research; third, presidential action to bring about uniformity in building among the Federal agencies themselves; and, fourth, initiation of a program within the Federal Government to develop "performance" criteria instead of simple "specifications." But again these recommendations of the Commission illustrate that only the executive branch of the Government has the power to bring this about. We can hope that the Douglas Commission, appointed by the President to consider this among other problems, will add weight to all of the other recommendations that have recognized this need. Only the executive department can bring it about, however, Mr. Chairman.

In conclusion, let me say that I have heard it said that a uniform building code would represent a Federal takeover. It seems to me that just the opposite is true. The continued failure of code-writing groups to achieve uniformity, and the continued failure of the building industry to achieve standardization, will bring about a complete Federal takeover of the housing industry.

Mr. BARRETT. Mr. Chairman, will the gentleman yield?

Mr. HARVEY. I yield to the gentleman from Pennsylvania.

Mr. BARRETT. Mr. Chairman, I certainly would not accept the amendment offered by the gentleman from Michigan. This would overlap the Douglas committee.

Mr. HARVEY. Mr. Chairman, I decline to yield further.

Let me say this: I know of the Douglas Commission, and I know there is also an Intergovernmental Commission, but I believe the need is clear.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Michigan [Mr. Harvey].

The amendment was rejected.

The CHAIRMAN. The Chair recognizes the gentleman from Iowa [Mr. Gross].

AMENDMENT OFFERED BY MR. GROSS

Mr. GROSS. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. Gross: On page 262, line 9, strike the period, insert a colon, and add the following: *"Provided further,* That the Secretary of the Treasury be directed to levy a 10-percent surtax in an effort to provide ways and means to defray the costs of the numerous giveaways and experiments authorized in this bill."

The CHAIRMAN. The question is on the amendment offered by the gentleman from Iowa.

The question was taken; and on a division (demanded by Mr. Gross) there were—ayes 36, noes 80.

So the amendment was rejected.

The CHAIRMAN. The Chair recognizes the gentleman from Tennessee [Mr. Brock].

AMENDMENT OFFERED BY MR. BROCK

Mr. BROCK. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. Brock: On page 262, line 1, strike out "$1,000,000,000" and insert in lieu thereof the following: "$250,000,000 (which shall be available for assistance to programs in not more than fifteen cities, selected on the basis of their need and the planning and development of their programs)".

The CHAIRMAN. The question is on the amendment offered by the gentleman from Tennessee [Mr. Brock].

The question was taken; and on a division (demanded by Mr. Brock), there were—ayes 60, noes 88.

So the amendment was rejected.

AMENDMENT OFFERED BY MR. JONAS

Mr. JONAS. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. Jonas: On page 280 add a new title as follows:

"TITLE XV

"REDUCTIONS IN AUTHORIZATIONS

"Sec. 1501. Notwithstanding any other provision of this Act, authorizations for appropriations, reauthorizations, contract authorizations and reauthorizations, and authorizations for the issuance of notes or other obligations to the Secretary of the Treasury contained in this Act are hereby reduced in each instance by 10 per centum."

The CHAIRMAN. The question is on the amendment offered by the gentleman from North Carolina [Mr. Jonas].

The question was taken; and on a division (demanded by Mr. Jonas), there were—ayes 66, noes 91.

Mr. JONAS. Mr. Chairman, I demand tellers.

Tellers were ordered, and the Chairman appointed as tellers Mr. Jonas and Mr. Patman.

The Committee again divided, and the tellers reported that there were—ayes 93, noes 123.

So the amendment was rejected.

AMENDMENT OFFERED BY MR. WIDNALL

Mr. WIDNALL. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. Widnall: Strike out section 1408 beginning on page 270, line 7, and ending on page 270, line 15, and renumber the succeeding sections accordingly.

The CHAIRMAN. The question is on the amendment offered by the gentleman from New Jersey [Mr. Widnall].

The amendment was rejected.

Mr. RYAN. Mr. Chairman, I deplore the action taken by the Committee of the Whole yesterday to restrict eligibility for title I and title II interest subsidy assistance payments to families whose income does not exceed 130 percent of public housing income limits. I am hopeful that this action will be reversed by rollcall votes of the House.

I want to note a number of fallacies which characterized yesterday's debate. In the first place, it was suggested that 70 percent of the families in the United States could qualify for assistance unless these income limits were imposed. This is based on the percent of families earning less than $10,000 annually. What was not mentioned in the debate yesterday is that families earning between $7,500 and $10,000 could only qualify for assistance in the areas of the country where housing costs are highest, not in the entire country. Moreover, the key element of the interest subsidy program is the fact that the amount of subsidy decreases as income increases.

The chart on page 8 of the committee report demonstrates this. For example, a family with a $14,000 mortgage earning $4,200 yearly would receive a subsidy equivalent to $46.52 monthly. But a family earning $6,600 yearly would receive a monthly subsidy of only $6.52. The imposition of an arbitrary ceiling of 130 percent of public housing income limits would impair this ingenious feature, which permits a gradually decreasing subsidy as income rises. Instead, when the limit is exceeded, the family would suddenly be faced with a large monthly payment. The Anderson amendment would destroy incentive to improve income by destroying the gradually decreasing subsidy which the original bill permitted.

The argument that HUD would concentrate its projects in the higher income brackets, in order to stretch the funds and improve the statistics on the number of families assisted, is also a false argument. Under this bill apartments and homes of certain quality are to be constructed. The amount of subsidy will depend upon the income of the applicant, which HUD cannot forecast in advance.

The Anderson amendment with respect to title II—rental and cooperative housing—would seriously cripple the program in urban centers. It restricts the income of beneficiaries at the time of entry to 130 percent of public housing income limits. In New York City, for example, where 130 percent of the public housing limit for a family of four is $7,488, decent unsubsidized housing is simply not available for persons in the $7,500 to $10,000 income range because of the cost.

Four factors contribute to the cost of housing: land acquisition, construction, the terms of borrowed money, and taxes. In New York City the middle-income "Mitchell-Lama" housing program provides long-term mortgages at 5¼ percent interest, offers tax abatement, and often benefits from subsidized land acquisition through urban renewal writedown. The program also permits a limited return to the private sponsors. Yet even with this range of subsidies, new middle-income housing under this program is renting for more than $40 per month. This requires an income of about $10,000 for a family of four. Entirely unsubsidized housing, of course, rents for a great deal more. This is why in New York, and in other large cities, it is simply not equitable to impose an income limit equal to only 130 percent of public housing income limits.

Because of the Anderson amendment to title II, families earning $8,000 or $9,000 a year will simply be excluded. The irony is that under the bill as reported by the Committee, families in this moderate-income range would be paying a rental fairly close to the unsubsidized fair rental, and the subsidy would be minimal.

In summary, the Anderson amendment is most injurious in precisely those areas of the country where the housing shortage is greatest, where the scarcity has pushed up costs, and where unsubsidized middle-income housing simply does not exist.

It is a short-sighted amendment, penny-wise and pound-foolish. It is strange that the amendment has been produced by the minority side, which is always talking of personal initiative, since it would penalize those families who take steps to increase their earnings. It will discourage them from raising their income to a point where all subsidy will cease, and the housing become self-supporting.

I also regret the adoption of the Brock amendment raising the percentage of income which must be paid for title II rental and cooperative housing from 20 to 25 percent. For a large family, even with the deduction of $200 from reported income for each minor dependent, 25 percent of income is too large a portion. Utilities amounting to $15 to $20 monthly must also be included. Experience with the rent supplement program in New York shows that, to require a large family to pay 25 percent of its income—before taxes and utilities—for rent, is to require it to forego other necessities of life. A family earning $20,000 yearly can pay 25 percent of its income for rent and still afford the other basic necessities of life—food, clothing, and so forth, which do not rise proportionately with income. But low- and moderate-income families are especially hard-hit by the 25-percent requirement. Even 20 percent may be excessive in some cases.

I urge the House to defeat this amendment and to restore the 20-percent provision under title II, so there will not be a discriminatory discrepancy between title I and title II.

Mr. GILBERT. Mr. Chairman, I rise in support of H.R. 17989, the Housing and Urban Development Act of 1968, one of the most significant housing bills ever brought before the Congress. I am greatly impressed with the comprehensive attack this bill makes on the housing problems facing low- and moderate-income families.

For a long time I have been deeply concerned about the shortage of decent and adequate housing for the low-income families in my own congressional district in the Bronx, N.Y. This situation is multiplied throughout the country, and it is fast becoming worse. The bill before us offers several answers to this problem, each interrelated in some manner with the other.

First, there is the homeownership assistance provision, which I heartily support. Over the next 3 years nearly one-half million American families will be helped in buying a home—for most, their first opportunity to own a home—through the bill's program of interest subsidies based on their incomes. It will not only help many to get adequate housing, but will stimulate the addition of crucial new units to the supply of modest homes.

Second, there is a strengthening and expansion of section 221(h), existing homeownership assistance program, otherwise known as the Sullivan law, after the distinguished Congresswoman from Missouri who sponsored this proposal 2 years ago. Together these two programs give low- and moderate-income families the option of homeownership, an option which has not been readily available to them in the past. We all recognize the effect that homeownership can have—not only will people be housed decently, but they will be given an opportunity to obtain a stake in their community. With this bill, for the first time on a large scale, families that cannot afford adequate housing will be helped to own their homes. I think this is a very significant step in this Nation's housing program.

Third, for those who find homeownership unsuitable, a new rental assistance program is provided with about the same scope as the new homeownership program. As desirable as homeownership may be, it would not be practical for some low- and moderate-income persons, such as the elderly who need little living space or for whom renting would be more economical, the childless or families with few children, the single, and those who just prefer renting to the responsibilities of homeownership.

This program, based on an interest subsidy as is the new homeownership program, will be a natural complement to that program, providing housing at approximately the same cost to families in the same income group.

Fourth, for the very low income, the two existing programs—low-rent public housing and rent supplements, which I have supported in the past—are strengthened and greatly expanded in scope. These two programs serve persons who generally need a deeper subsidy than will be possible under the two new programs. Since the assistance in the new homeownership and rental programs should be sufficient to meet the needs of those whose rising incomes remove them from eligibility for public housing, these programs are designed to avoid denying anyone the assistance he needs to obtain adequate housing because his income is too high for one program and too low for the next.

H.R. 17989 also provides measures to increase the amount of private money invested in mortgages, particularly those involving low- and moderate-income families. There is no sense enacting substantial subsidy programs that rely on the private market to provide housing if the investment money is not there. Briefly, one of these measures is the transfer of the secondary market facility of the Federal National Mortgage Association to a corporation privately owned and controlled, but regulated by the Federal Government. The corporation will have new and innovative borrowing authority to attract funds into mortgages which have in the past been channeled into other investments. Another measure is the creation of National housing partnerships which are designed both to attract new money into low- and moderate-income housing and to facilitate the development of such housing projects.

Mr. Chairman, many of the bill's provisions continue the imaginative proposals already enacted. Among them are the model cities and rent supplement programs, which have had my strong support from the beginning, and are showing great promise. The comprehensive city planning and rehabilitation under the model cities program is a program we must keep alive and expand. Both of these programs have shown they merit expanded support by Congress. The bill would increase model cities authorization by $362 million in fiscal 1969 and $1 billion in fiscal 1970.

I urge the adequate funding of the rent supplement program. Thus far, only $42 million has been appropriated for this program, and this is pitifully inadequate. The administration bill proposed to increase the authorization for contract authority by $40 million for fiscal year 1970, and an additional $100 million in each of the fiscal years 1971, 1972, and 1973. This increase will provide a total increase of about 375,000 units over 4 years. By contrast, H.R. 14244 proposed an additional 200,000 rent supplements yearly for the next 10 years. I support the higher figure proposed in the Full Opportunity Act, H.R. 14244, which I have cosponsored.

I am pleased the bill contains the amendment to make State and municipally financed housing eligible for assistance under the new section 236 interest-subsidy program. Housing such as New York's Mitchell-Lama project will benefit from this provision, as well as the proposal in the bill to make this type housing eligible for rent supplement tenants. The Mitchell-Lama and similar State-city housing projects are faced with spiraling construction, site, and interest costs, and what was intended as moderate income housing is no longer that. This provision will make it possible for new Mitchell-Lama housing to get 1-percent financing. The rates are now about 5 percent. An interest-rate reduction will have the effect of reducing rentals to about $30 a month. Without this subsidy assistance, this type of State-city financed housing project will be priced out of the reach of the low- and moderate-income families. Unfortunately, the proposed interest-subsidy amendment will not benefit existing Mitchell-Lama housing, but it will be of tremendous help to those projects yet to be completed.

Mr. Chairman, I express my support for title X, the Urban Property Protection and Reinsurance Act, to make essential property insurance more readily available to inner city areas through the *operation of FAIR plans. The workability* of the FAIR plans is conditioned upon the good will and cooperation of the insurance industry and the various State insurance commissioners. The Federal Government will add incentive for successful operation by requiring FAIR plan *participation by the industry and the* States as a condition of eligibility for the riot reinsurance the bill proposes.

I also lend my support to the increased mass transit authorization of $190 million, which is minimal when compared with our mass transportation needs.

Mr. Chairman, the jobs through housing provision of the bill has my special commendation. This section calls for new housing construction at the rate of 600,000 units per year for the next 10 years, yielding a new housing total of 6 million units by 1980. What is even more important about this section is that the Secretary of Housing and Urban Development is directed to "require, to the greatest extent feasible, that opportunities for employment arising in connection with other provisions of H.R. 17989 be given to lower income persons residing in the area of such housing and, thereby, provide not only housing but also jobs for these persons." Our cities will derive double benefits from the new housing so critically needed. I urge special attention be given by HUD to allot construction jobs to inner-city residents, where unemployment and poverty are most prevalent. It is anticipated that the building of 600,000 new housing units would create a half million new jobs for inner-city residents. This is a most meritorious provision of the omnibus housing bill before us, and I give it my wholehearted support.

Mr. Chairman, the Housing and Urban Development Act of 1968 as it came to us from the Banking and Currency Committee improves just about every program we already have in the field of housing and urban development. It goes far beyond that by proposing new and imaginative approaches with heretofore proposed limitless potential for providing adequate housing for the low- and moderate-income families of our Nation. In addition to providing the opportunity for decent housing for all our citizens, the bill seeks to provide dignity and security to the underprivileged, the low-income and minority groups, through homeownership and job opportunities.

We must not cripple this legislation or weaken it in any way. I oppose the Anderson amendment which would limit unreasonably the income ceiling on families eligible for the new homeownership and rental programs—sections 101 and 201—for low- and moderate-income families. This amendment would make the program inoperable in New York City.

And I am opposed to the Brock amendment which would force the tenant to pay 25 percent, instead of 20 percent, of his income each month toward rent.

I support the authorization for tenant service in low-rent public housing projects. This is important and needed not only in my city and in my congressional district, but in every city where a large segment of residents must live in public housing.

Mr. Chairman, I am convinced this bill *gives us the tools to meet a great national* need. I consider it one of the most important pieces of social legislation considered by the 90th Congress. Paving the way for adequate and decent housing for all Americans should be one of the major goals of this Congress.

Mr. VANIK. Mr. Chairman, I rise in support of the legislation before us today, the Housing Act of 1968. This bill maintains and improves programs which are vital to the city of Cleveland and the suburban communities of the Greater Cleveland metropolitan area.

One of the crucial needs of the communities I represent is the need for truely coordinated, advanced planning for urban development among Cleveland's suburbs. These communities have shown a fantastic and accelerating population growth over the last 15 years. As a result, *they are today faced with major problems* of insuring an adequate and healthy water supply, of obtaining and maintaining adequate sewage treatment and planning for future sanitary districts.

Currently in my community there is considerable concern over the future development of adequate transportation throughout the Cleveland metropolitan area. The Cleveland area has had remarkable success with rapid transit systems and is currently developing the first rapid rail transit system between its international airport and the center of the downtown area. The Cleveland area also recognizes the necessity of adequate highways which will meet the needs of the area's expanding population. Careful planning will be required to insure the Cleveland area the proper combination of rapid transit and highway transportation while maintaining vitally needed open spaces and parks.

Title V of the bill before us provides for supplementary grants for planned areawide development. In the last several weeks, Federal approval and financing was given to a planning agency composed of seven northeast Ohio counties, including Cuyahoga County in which Cleveland is located. Title V will help provide for continuing, strong support of this planning agency which is seeking to solve the problems of my area before they become critical. Title V also provides for advance acquisition of land and continuation of authorization of appropriations for water and sewer facilities grants, neighborhood facilities funds, and other programs vital for urban planning and development.

Title VI of the housing bill will assist in urban development by increasing the authorization for mass transit grants by $190 million.

H.R. 17989 will also improve programs vital for the maintenance and reconstruction of our central cities. This legislation is particularly vital to the new hopes and aspirations of the city of Cleveland. At the beginning of May 1968, Cleveland's new mayor, Carl Stokes, announced a dynamic new plan for the redevelopment of Cleveland entitled: "Cleveland Now." This plan seeks to make Cleveland a city of tomorrow today.

But to do this, the city will have to coordinate and utilize a full range of private, *local, State, and Federal funds. The* Cleveland Now plan calls for a $1.5 billion investment in Cleveland over the next 10 years with $177 million spent in the first 18 months to get the program off the ground. Included in this first $177 million will be $90.75 million for neighborhood *housing rehabilitation. This will* mean concentrated code enforcement in low-income areas, a $10 million homeownership program, $36 million in public housing programs, and the modernization of 1,500 homes for $18 million. An additional $61 million will be spent on *accelerated urban renewal projects.*

Without the passage of the legislation before us and its subsequent funding, this dream for Cleveland will be severely curtailed.

With its passage, the dream moves toward reality.

Titles I and II will provide new and innovative paths to homeownership. In addition, title II would expand the rent supplement program. Already in Cleveland there are 12 rent supplement projects with a total of 732 units in use. This entails the supplementary payment of only $735,698 per year.

Title III will make home improvements easier by increasing from $3,500 to $5,000 the home improvement loan insurance program.

Also vital for Cleveland is title IV which increases urban renewal grants authorization by $1.4 billion on July 1, 1969.

Supplementary grants for model cities will also be increased by $1 billion for fiscal 1970. Needless to say, Cleveland's hopes are pinned on being accepted as a model city. The city has a planning application which requests $396,663 in Federal funds for developing a model city blueprint. The next series of approvals of model cities will be announced by the Department of Housing and Urban Development in the next 2 to 4 weeks. The result of the vote today will show whether the program will be meaningful or merely an empty promise.

Mrs. MINK. Mr. Chairman, I rise in opposition to the Brock amendment to section 1405 of the bill. The critical shortage in college dormitory facilities which we face today requires new positive programs of assistance rather than merely raising the interest cost for direct loans by the Federal Government.

In 1950, under the able leadership of the House Committee on Banking and Currency, the Congress authorized a Government program of direct loans at a 3 percent interest rate, with an annual authorization of $300 million for college dormitory construction. This assistance has enabled our Nation's institutions of higher learning to mount a program of dormitory construction since 1950 totaling $2.875 billion.

However, today, vastly accelerated college enrollments over the past decade have expanded the need far beyond what can be loaned under present authority. The backlog of requests for college housing loans has become formidable. Shortage of funds in addition caused the administration to declare a moratorium on applications in 1966, with over a billion dollars worth of unfulfilled requests on hand. The unmet needs today is in excess of $2 billion.

While the Federal loan program has contributed to the financing of some 600,000 housing units since 1950, a survey report prepared for the American Council on Education last year projected a need for an additional 1.5 million accommodations over the next decade, which with a conservative estimate of $5,000 per unit, will call for minimum expenditures of $10 billion in the decade ahead, for new college housing.

I am certain that many Members of Congress have had this problem brought to their attention during recent months, and it has become obvious that the present program, unless greatly expanded, will not suffice to provide more than a fraction of the accommodations as college admissions mount year after year.

Certainly the increase in cost of borrowing funds directly from the Federal Government contained in the Brock amendment will not help except to lower the cost of direct loan program. What is needed is an additional resource of funds. The provision that the Brock amendment seeks to delete provides for the additional funds to come from private financial institutions. This additional source will produce another $400 million of construction funds at only a cost of $10 million.

I have studied this problem for many months and this provision in the bill was the result of recommendations made by representatives of major educational associations.

This grant provision in this bill is designed to supplement the existing loan program by providing the needed housing at a cost within the reach of students and their families without imposing a burden on the Federal budget. It would be done through private financing, with the Government providing only that margin of assistance necessary to give colleges the benefit of the same 3-percent financing available under the existing loan program.

The approach in this bill is very simple: The university would finance the dormitory by selling serial bonds to private investors at the market rate of interest; under a contract previously entered into, HUD would make an annual payment of the difference between the actual debt service and the debt service at a 3-percent interest rate; the 3-percent direct loan authorization in existing law would remain available to be used in cases where the private market required an inordinately high interest rate, with discretion left to the Secretary to determine the dividing line.

This bill provides that $10 million would be made available to institutions for this interest subsidy for this fiscal year and an additional $10 million the next fiscal year. The impact on the Federal budget in any year under the supplemental interest payment approach would be very small. For example, assuming an average private market interest rate of 5 percent for public and private universities together, an annual interest grant of $10 million would achieve the effect of 2 percent interest on $450 million of additional college housing financing, over and above the direct loan program.

I am pleased to note that the reaction of educators has been favorable to this principle embodied in this bill. The National Association of State Universities and Land-Grant Colleges, termed this provision a "constructive" approach to the problem. It was also supported by the Association of State Colleges and Universities, an organization comprised of 213 institutions of higher learning and seven statewide systems of State colleges in 41 States and Guam.

The Investment Bankers Association of America has also gone on record in favor of this program of assistance to higher education.

I believe that we do have with this provision a feasible and workable plan whose early inception at such a minimal cost to the government can do much to relieve the present worsening situation in providing adequate college dormitories on our college campuses. I sincerely hope that this House will vote down the Brock amendment and thereby support the carefully worked out provisions of this bill which have the approval of educators as well as the business community. This most critical shortage of dormitories is seriously affecting hundreds of thousands of college students and depriving many of the fulfillment of their educational goals. If higher education is to be fully available and an open opportunity to our youth, we must not cut down our help; rather we must judiciously utilize our resources to make greater the reality of education for all our young people.

Mr. MATSUNAGA. Mr. Chairman, the foundation for rebuliding our cities is contained in the bill we are discussing today and one of the focal points of this measure is in its provisions to provide low- and moderate-income housing.

Underlying this bill is the specific national goal—a goal with which I am sure everyone is in agreement—a national goal of building and rebuilding in the next 10 years of sufficient good, decent housing which will replace nearly all of the substandard structures which now are occupied by 20 million Americans.

This legislation represents a national commitment which is needed to assure our carrying out the pledge—now nearly two decades old—of a decent home in a decent neighborhood for every American.

In title I of the bill, a new program is created which would provide Federal assistance to homeownership by low- and moderate-income families, which is out of the reach of most of these people today. While out of reach, it is a strong hope and dream of many of them that some day they will own their own home.

The bill will make it possible for many such people to become homeowners through periodic assistance payments on behalf of such families. The payments would be made to the lender in an amount necessary to make up the difference between 20 percent of the family's monthly income and the required monthly payment under a market interest rate mortgage for principal, interest, taxes, insurance, and mortgage insurance premiums.

With the 1 percent recommended in the bill, a family with an income as low as $3,600 a year will be able to afford a home with a $12,000 mortgage.

Many other provisions in title I are designed to increase the opportunities for Americans to live in decent houses, either as owner or renters.

Among the provisions which provide for increased opportunities are:

A liberalized interest rate under the existing section 221(h) Sullivan program for the rehabilitation and resale of homes;

New FHA credit assistance for homeownership;

Mortgage insurance for housing in declining areas and special risk insurance under a new fund to be established;

Direct assistance to nonprofit sponsors who can develop rental or cooperative housing;

A new national partnership between private enterprise and the Government dedicated to providing housing for lower income families, particularly through limited dividend sponsorship; and

New technologies in the development of housing for lower income families.

This is an ambitious task that we are setting for ourselves—but it is a task that we cannot put off any longer and it is a task which is not too large for a Nation with the skill and the resources which we possess.

Housing is the key to any solution of the problems of our cities. It is the key to successful urban renewal; it is the foundation for the success of the model cities program; it is the key to the welfare of the United States.

Mr. TENZER. Mr. Chairman, "America's cities are in crisis," President Johnson declared last winter. To meet this crisis, he offered a broad legislative program which included this year's Housing and Urban Development Act.

One important feature of the measure would extend homeownership to the Nation's needy families.

Owning a home—

The President said—

> can increase responsibility and stake out a man's place in his community.

Under this program, low-income families will be able to buy modest homes financed and built by private enterprise. They will pay what they can afford—a percentage of their income—in mortgage payments, but the mortgage interest cost could be as low as 1 percent. The Government would pay the balance of the interest cost.

The bill also provides for an expansion of the rent supplement program through increased funding. Here, assistance is also scaled to need, with occupants of the privately built and managed housing paying one-fourth of their income as rent and the Government paying the amount needed to make up the full economic rent.

Still another feature of the bill would help the Nation gird for the job of supplying the vast amounts of home financing needed in the period ahead. This is contained in the section which would regear the Federal National Mortgage Association, the facility which aids home financing through its purchases of FHA and VA mortgages. As contemplated by the FNMA Charter Act of 1954, Fannie Mae's Secondary Market Operations would be established as a separate, privately owned corporation, regulated by the Secretary of Housing and Urban Development to the extent necessary to implement national housing policy. A second corporation would be organized within HUD, to be called the Government National Mortgage Association, and would conduct the present corporation's special assistance financing.

The new private corporation could issue securities backed by mortgages it holds, and thus be able to tap additional sources of funds, such as pension funds, which do not ordinarily invest in mortgages. The legislation would also free the corporation from budget restraint. The proposed change in Fannie Mae, in my view, is essentially to achieving adequate financing and a strong FHA–VA mortgage market.

These and other proposals in the legislation, Mr. Chairman, deserve our favorable action as the means for providing adequately for housing.

Mr. LEGGETT. Mr. Chairman, this legislation is a magnificent response to our Nation's housing and community development needs.

It represents an unprecedented new national commitment to urban affairs—a commitment of particular value and significance in the context of recent events.

Against the background of a 10-year drive to build 26 million housing units, this legislation proposes Federal assistance for 6 million of the total: the 6 million to replace the substandard housing in which our low- and moderate-income families live who cannot afford decent housing on their own.

New programs provide, through interest subsidies, homeownership and low-rental housing to millions of Americans who could not otherwise afford it. Metropolitan areawide incentive grants, FHA insurance for nonprofit hospitals and revision of the existing urban renewal program round out the measure, giving new means for helping to fashion our metropolitan environment.

With its programs, the legislation would enable the release of all the knowhow, all the skill and talent which historically have characterized great American undertakings. The talent and skill which built America's greatness—which we generally call "private enterprise"—will be enlisted in carrying out the purposes of the legislation which looks to the full involvement of the present homebuilding industry, as well as the involvement of large segments of private industry which have not before been directly involved in housing.

It offers us new instruments for tapping the management skills and financial resources of private enterprise—an essential ally if we are to make real headway in the urban battle. It creates national housing partnerships in which private enterprise would apply its energies to solving the problems of housing for families of low and moderate incomes. These would be partnerships that would join capital, business, and managerial skills. They would have access to the capital available in large business concerns, and would benefit from their experience and ability in the investment field. They would also have an opportunity to earn a fair return while helping to solve a national problem which all citizens share.

Much private housing now built with Government assistance is developed by nonprofit sponsors. These typically are church groups, fraternal orders, labor unions, and other concerned citizen groups. Their most serious barrier has been the lack of technical skills and financial resources.

This legislation would expand technical aid to such groups and make available interest-free loans to carry them through their preconstruction expenses. These loans could cover market analyses, architectural and engineering fees, land options, and application and commitment fees.

This assistance can also help develop minority-group entrepreneurs.

Thus, the aids of this legislation would tap an ever-widening cooperation between public and private organizations—all intent on achieving the country's goal of a decent home in a suitable environment for every American family.

Mr. MINISH. Mr. Chairman, we have before us in this bill what I consider to be one of the greatest vehicles yet devised for the welfare of American communities, large and small. Its passage is of the utmost urgency.

I am not here to try to convince you that this is the panacea to end all panaceas for the ills of the Nation's cities. We have a long way to go before we reach anything resembling Utopia. Perfection, in our time, appears to be a goal rather than a reachable reality.

But I do believe we can contribute mightily to urban improvement with this piece of legislation. I have, over the years, been attendant at the birth of more than one landmark housing act. I was never more persuaded than I am now of the absolute necessity of quick, positive action on this bill.

This bill is, of course, a conglomeration. It continues the tried and true. It entertains the new and different. I want now to comment on some of its major provisions.

Many voices are raised in the land about that well-worn phrase, the American dream. Thus, there are many conflicting versions of what the dream really is. But all these versions, I daresay, would agree that homeownership—and all that it connotes—is a vital part of the broad American ambition. This is an urge that is deep in our roots and our heritage. Too many Americans, though, lack the wherewithal to buy homes where they and their families can live in decency and well-being.

So, this bill carries a far-seeing provision which would enable the homebuilding industry to provide homes for almost one-half million families of low and moderate income over the next 3 years. Under this approach, when a family buys a home, the lender receives periodic payments covering the difference between 20 percent of the family's monthly income and the required monthly payment under a market interest rate mortgage for principal, interest, taxes, insurance, and mortgage insurance premium. The payment never exceeds the difference, however, between the mortgage payment for principal, interest, and mortgage insurance premium and the payment that would be required for principal and interest if the mortgage bore an interest rate of 1 percent.

Thus, there would be an open market

for decent homeownership that never before has been truly tapped. This market comprises families in, generally, the $3,000 to $7,000 range of annual income. The benefit to these families is obvious. Equally as obvious is the profit accrual to the homebuilding industry when you contemplate the start of construction or rehabilitation of one-half million homes over a 3-year period.

As an aside, at this juncture, I should like to make a point about the role of private enterprise in the Government's housing and allied programs. There are those among us who, over the years, have viewed these programs as a melange of Federal control, Federal intervention, and Federal meddling. To the contrary, over those years, we have insisted that private enterprise be a prime participant in the great bulk of all these programs. And private enterprise, unequivocally, has played that role.

Back to the homeownership provision, it requires that the family's income be recertified at least every 2 years and the assistance payment be adjusted if warranted. Since the incomes tend, on the average, to rise, many assisted owners will eventually be able to tackle the full mortgage payment.

The mortgage limitation is $15,000 to $17,500 in higher cost areas. For larger families, these limits can go to $17,500 and $20,000, respectively.

Another great potential for homeownership for some low- and moderate-income families is the proposed special FHA mortgage insurance for people who cannot meet regular credit standards but are reasonably satisfactory credit risks. Many families run into credit problems which they manage to straighten out to the point where they become a decent credit gamble. Yet their past record sometimes penalizes them so severely that homeownership is not available to them. This would be, essentially, an experimental program. But it may well offer a new lease on life to families found deserving.

Still in the low- and moderate-income area, the bill would create a new program that, I am convinced, would be a boon to renting families in these brackets. It offers, in effect, the same advantages to renters and cooperators that the homeownership program offers to buyers. It would replace, eventually, the existing 221(d)(3) FHA below-market interest rate program and the 202 direct loan program for the elderly and handicapped. It would operate, through nonprofit sponsors, in much the same manner as the homeownership program. The tenants would pay 20 percent of their incomes toward the rent. The income levels and the authorization would be the same as I have recited for the homeownership program.

These two programs—ownership and rental—exemplify the sparkling vision preeminent throughout this bill. These innovations are well mitered, they are complementary to the degree that they open new vistas of progress not previously possible.

The oldest helping hand we have for low-income families is the public housing program. It has been much maligned in some quarters, though lately it has achieved more acceptance as a regular function of Government. Maligned or not, it has done a job. There are now in operation almost 700,000 units of public housing, with more than 50,000 either under construction or about to start. The Department of Housing and Urban Development has done much to move away from the institutional-seeming, barrack-type development. Aside from improving design, there is emphasis on leasing units from private owners along with smaller projects and individual units.

There is also the novel and dramatic "turnkey" concept. Under turnkey, private builders construct the housing on their own land and sell it to the local housing authority. Also under this program, private companies may manage low-rent housing projects. Another facet is the combination of private building and private management aimed at encouraging residents to become homeowners.

Together, turnkey and the leasing program have been a great success in that there has been a much larger production of low-rent housing units. To sustain this accelerated pace, and to encourage even more the great interest shown in the program by private industry, a substantial expansion of contract authority is necessary. The bill provides, therefore, for a 3-year authorization—$100 million on date of enactment, and $150 million in each of fiscal years 1970 and 1971.

Beyond providing shelter in public housing, there is a need to help residents improve their economic status and solve their social problems. Many of these families are victims of most difficult situations. The aid local housing authorities have been able to give them in this regard has been seriously hampered by a lack of funds. The bill, therefore, authorizes for these services up to $20 million in fiscal year 1969 and up to $40 million in fiscal 1970.

Another successful effort to aid low-income families is the rent supplement program. Private industry strongly backs this approach, which consists of privately built, owned and financed housing. It is a sturdy complement to the public housing program. It serves families in the same general income levels as public housing, but its flexibility lets the families continue to live in the housing as their incomes rise. The bill provides authorizations of $40 million for fiscal 1970 and $100 million for fiscal 1971.

There are other important features of this milestone legislation which will go far in providing the necessary decent housing for our low- and moderate-income people. Other members will discuss these provisions.

Mr. Chairman, this legislation must be supported. No longer can we sit placidly while millions of our citizens are living in housing which at anytime and in anyplace would be totally inadequate.

Mr. MATHIAS of Maryland. Mr. Chairman, the Housing and Urban Development Act of 1968 is one of the most important and far-reaching bills to come before this Congress. It is also one of the most massive and complex, with 14 titles, 280 pages of text, and a House committee report of 350 pages. While every individual may have questions or reservations about some particular sections of H.R. 17989, I believe that the great bulk of the bill and its thrust deserve the strongest possible support.

The broad objectives of this $5 billion measure:

To increase dramatically the nationwide supply of sound housing, particularly for families of low and moderate incomes;

To help families of very modest means toward ownership of their own homes;

To halt the physical decline of our cities and promote their rehabilitation, revitalization, and residential and commercial renewal;

To accelerate urban and rural growth by improving planning and facilities, such as water and sewer systems and mass transit;

To strengthen the national housing market, make funds and insurance for housing more readily available, and encourage nonprofit corporations, community groups and partnerships to expand their efforts to meet our housing needs.

H.R. 17989 reaffirms the basic national objective of "a decent home and a suitable living environment for every American family," a goal which was proclaimed in the Housing Act of 1949 but has eluded us so far. Despite all of our efforts, public and private, housing construction simply has not kept pace with population growth, migration into the cities, and the decline of older buildings in our central cities and rural areas. As a result, 20 million Americans—1 out of every 10—still live in substandard housing, which is unsafe, unhealthy, often overcrowded, and generally unfit. Simply to replace these substandard units with decent homes would require the construction or rehabilitation of 6 million units. To meet our total housing needs in the next decade would require no fewer than 26 million units.

This bill seeks to make those ambitious goals attainable. Its 14 titles propose improvements in nearly every one of our present major housing and urban development programs, and include several very imaginative and promising new approaches.

The most important new program in this bill is the direct result of Republican initiatives last year in recognizing the tremendous family and community benefits of homeownership and proposing, through the Percy-Widnall bills, a sensible way to extend these benefits to families of low and moderate incomes who could not otherwise afford mortgage and interest payments. This legislation, which I cosponsored last year, proposed to establish a National Homeownership Foundation and to tap private capital, private management and technical experience, and private, community-oriented initiative to help families purchase their own homes and gain a real stake in their communities.

The National Homeownership Foundation, the mortgage interest subsidy plan, and many financing provisions of H.R. 17989 are direct descendants of the

Percy-Widnall proposal. They represent a major shift in the emphasis of our housing programs from perpetual tenantship toward the individual homeownership which should promote family stability, community pride, and a sense of individual achievement.

In summarizing this long and complicated measure, special notice should also be given to the provisions which seek to arrest urban decline by greatly improving and expanding housing rehabilitation programs and by establishing a special FHA high-risk insurance fund to make insured loans available in older neighborhoods which do not meet present FHA standards. The alternative method of urban renewal, called "neighborhood development," also contained in this bill is another progressive initiative which will enable communities to revitalize declining areas without having to suffer the massive wrecking, relocation, and rebuilding associated with too many "classic" urban renewal efforts.

One particularly urgent title of this bill is title X, which establishes a program of Federal reinsurance for private insurance companies to cover losses from riots and civil disorders, and would also require insurance companies and the States to establish statewide "fair access to insurance requirements plans"—FAIR plans—to assure all urban property owners fair access to property insurance.

As every businessman knows, adequate insurance coverage, at reasonable rates, is essential not only to economic growth, but to the very survival of commerce. The recent disorders in many American cities have placed such a strain on insurance companies that in every central city the cost of property insurance has soared. In many cities sufficient insurance cannot be obtained at any price. In Baltimore alone, for example, over 700 policies have been canceled in the past 3 months.

Federal reinsurance and State-supervised FAIR plans have thus become essential to rebuilding and restoring commercial vitality in those cities which have suffered from disorders. In all cities the availability of property insurance through this program should encourage business development, contribute to expanding job opportunities, and help to review those urban areas where business has grown stagnant and economic strength is dwindling.

In this connection I do regret that the House Committee did not see its way clear to endorse the Senate's provisions extending certain forms of disaster aid explicitly to the victims of major civil disorders. In my judgment, such a step would be appropriate and helpful, since a major disaster can be as damaging to a business or family as a hurricane or tornado, and is as far beyond the stricken individual's control. My bill, H.R. 11891, would have clarified the authority of the Small Business Administration and other agencies to extend disaster aid in riot areas. The Senate amendments have the same thrust, and I hope that those provisions will be considered carefully if this bill should be taken to conference.

In addition to the new directions in housing and urban development which I have outlined, this omnibus bill also contains sharply increased authorizations for water and sewer grants and for urban mass transportation, two vital programs which have not to date received the funding they should have. Demands for water and sewer funds in particular have greatly exceeded appropriations for several years.

Finally, I have noted with particular approval the statement of the House Committee urging the Secretary of Housing and Urban Development to renew and redouble his efforts to cut redtape, standardize and coordinate programs, and drastically reduce the confusion and obscurity which now envelop too many HUD programs. I know that this appeal for sense and streamlined administration will be applauded by every State and local official in Maryland.

Mr. TAFT. Mr. Chairman, I support the great majority of the provisions of H.R. 17989, the Housing and Urban Development Act of 1968. It is more than obvious that there is a national concern and need for strengthening our housing programs that must not be denied. The American principle of equality of opportunity has been and continues to be in part denied by unsafe, dilapidated, and unhealthy housing. This is a situation that our people cannot and should not permit to continue. This bill is designed to cope with it in a number of ways.

One new aspect of the bill is particularly worthy of attention. This is the new National Homeownership Foundation concept. There is no need to repeat here the very eloquent review of the purposes and history of this departure as proposed by Senator CHARLES PERCY and outlined in the additional views of the ranking minority member of the committee, the gentleman from New Jersey [Mr. WIDNALL], on pages 352 through 356 of the report. I associate myself fully with those views, but would caution further that with the unexciting reception given such innovations within the Department of Housing and Urban Development, as exemplified by the lack of enthusiasm for the rent certificate program, the Congress, therefore, should continue to review the progress of the National Homeownership Foundation closely. Having introduced the National Homeownership Foundation bill earlier in this Congress in a form that included an approach to tapping the private capital market, I remain convinced that this can and should be done in the future.

Another new and vital feature of the bill is the national insurance development program to provide reinsurance of losses from riots and civil disorders. I know from many personal contacts in my own city of Cincinnati, how mandatory it is that such a program be initiated. Our mayor has recently set up a special committee to expedite steps necessary to secure such coverage, but local communities and private insurance companies cannot solve the problem alone. Not tomorrow, but for over a year, the unavailability of insurance for certain risks has held up progress and rebuilding of many businesses, but even more importantly, of new hopes and relationships necessary to solve the problems of disorder in our urban areas. The approach, using private industry, State participation and Federal assistance is a sound partnership.

Mr. DOLE. Mr. Chairman, the Housing and Urban Development Act of 1968, before the House today, is most complex and far reaching.

There are no easy decisions in considering an omnibus bill, incorporating literally hundreds of provisions affecting nearly every American.

I have sponsored legislation authorizing a National Homeownership Foundation. This Foundation, with a Federal charter, would assist low- and moderate-income families in acquiring a home of their own. I am pleased that significant portions of the original National Homeownershp Foundation plan are incorporated into this omnibus housing bill.

The Foundation—sponsored by 119 Members of the House—is a complex plan, but simply stated: It would provide credit at accessible rates to low- and moderate-income families who have shown the capacity to take on the responsibility of homeownership. This Foundation is directly opposed to the New Deal and Great Society concepts of renter-oriented public housing. We know how dismally public housing has failed to meet the challenge of assisting the low- and moderate-income family achieve security.

The National Homeownership Foundation endured a hostile review by the administration, in spite of the success of parallel programs in agriculture. Secretary Robert Weaver of the Department of Housing and Urban Development went so far as to say the Foundation was "economically impossible." I am pleased the committee has ignored this advice and reported the National Homeownership Foundation, with modifications, in title I of the omnibus housing bill.

NATIONAL FLOOD INSURANCE

Earlier in the 90th Congress, the House and Senate both passed versions of a national flood insurance program. The conferees have been unable to agree on a compromise—until now, it appeared national flood insurance was doomed for this year.

Fortunately, flood insurance is incorporated into this omnibus housing bill. This program was offered as an amendment in committee by the Republican leadership, adopted, and subsequently reported by the full committee.

I am particularly pleased by this development as a sponsor of flood insurance legislation in this Congress. My bill, H.R. 3245, was introduced on January 23, 1967. Title XI of the bill under consideration today will incorporate the substance of the national flood insurance plan.

Various flood insurance proposals have been under consideration for 10 years. At last, it appears there is an opportunity for the Congress to agree on a program providing this essential protection to all Americans.

RIOT REINSURANCE PROGRAM

The Housing and Urban Development Act of 1968 provides for a Federal reinsurance program in riot-affected areas. This program was recommended by the

President's National Advisory Panel on Insurance in Riot-Affected Areas, and provides the groundwork for rebuilding in riot-stricken cities.

Riots are the most regrettable development, domestically, of this administration. There are ways to deal with riots; there must be more emphasis on law and order in American society. But, once riots occur, insurance must be available to rebuild and reinsure the damaged structures. Clearly, it is not the business of insurance companies to protect citizens from riots. That is the business of government—State, local, and Federal. A Federal reinsurance program, almost unanimously supported by the members of the insurance and business communities, will help protect the Nation's cities from the debilitation of riot.

THE BILL IN BALANCE

Mr. Chairman, I have reservations on several provisions in this bill. The rent supplements program is expanded—I would prefer it eliminated. The model cities program is a classic example of overestimating and underdelivering. Some of the public housing provisions would be better eliminated in favor of more emphasis on the National Homeownership Foundation.

But, on balance, the bill has these merits:

The beginning of what can become a great breakthrough in housing; the National Homeownership Foundation;

National flood insurance program;

Federal reinsurance in riot-affected areas;

Increased assistance in providing housing for the elderly;

College housing provisions;

Mortgage insurance for hospitals;

Authorization for the Farmers Home Administration to provide direct and insured loans for better rural housing.

Liberalized FHA financing; and a great deal more.

Clearly, there can be improvements in a bill of such scope and penetration. I intend to vote for this bill for I believe the Nation desperately needs much that is in it.

Mr. PRICE of Illinois. Mr. Chairman, I suppose it is only natural that in the debate on the Housing and Urban Development Act of 1968 the press coverage and the speeches by Members of the House should emphasize the exciting new programs, proposed by President Johnson in his message on "The Crisis of the Cities" and reported favorably by the Banking and Currency Committee, to house low and moderate income Americans. I can appreciate that emphasis and I support these programs, too. There is no question that the construction of standard housing has been falling farther and farther behind the need which is created by new family formation and the deterioration of existing housing.

However, in our enthusiasm for new programs, I hope we will not forget the great promise that is embodied in the model cities program. This program which is not yet 2 years old is, to my way of thinking, even more exciting than programs designed to substantially increase the volume of housing. I say this because model cities is more than just a housing program. It is a people program. It is aimed not just at doing something about the problem of substandard houses but at doing something about the problems of substandard jobs, substandard incomes, substandard health, substandard local government.

The "urban problem" in both our big cities and our small towns is patently more than just a problem of housing—as important as that admittedly is. Unless something is done to upgrade the quality of the lives of the people who occupy that housing, unless something is done to upgrade the services to that housing, we are going to be disappointed that the building of the housing has an inadequate impact.

The model cities program is the only program authorized in this bill which provides a comprehensive total attack approach.

I am informed that 75 cities which have been selected for planning grants are now in various stages of planning. They will complete their comprehensive model cities plans this summer, fall, and winter. Upon successful completion of their plans they are immediately eligible for program grants to go into their first action year. These grants to the 75 first-round cities for their first action year will come from $200 million already appropriated plus $200 to $300 million from fiscal year 1969 appropriations which have passed the House and are currently in committee in the other body.

Now, in addition to this first round of 75 cities there are 164 cities which have made applications for inclusion in the second round. From these 164 applicants another 75 or so will be selected and announced some time this summer. This second 75 will immediately go into planning and be ready for program grants next spring and summer. The balance of the fiscal year 1969 model cities appropriation will be used to get some of them started on their first action year.

When fiscal year 1970 arrives—the year to which this authorization applies—there will be 150 cities eligible for model cities program grants. A billion dollars sounds like a lot of money—and is—but divide it 150 ways and suddenly it appears meager beside the kinds of problems our cities are facing.

A billion dollars stretched 150 ways will not really go very far, in and of itself, to solve the problems of our towns and cities. But I would stress, Mr. Chairman, that it is a critical 1 billion dollars. This money is critical to the coordinated comprehensive total attack approach that is unique to the model cities program. This money is the catalyst to get other things moving and to bringing about institutional reform. This money is the cement that will bind other component programs together. This money is the plaster that will fill in the cracks between other programs and allow local innovation.

I am so convinced of the validity of the model cities approach, Mr. Chairman, that I could not allow the debate on the Housing and Urban Development Act of 1968 to conclude without calling attention to the fact that it provides for the continuance of the model cities program.

Mr. POLLOCK. Mr. Chairman, homeownership as a desirable goal is an ideal deeply rooted in American traditions. For low-income families this has become increasingly the impossible dream. Now it is the will of this body to do something about it. Title I and II of H.R. 17989 incorporate the basic provisions of the National Homeownership Foundation Act which I introduced as H.R. 8887 last year. This and similar bills by other Members of Congress include two most important new proposals for overcoming the pressing need for more low- and moderate-income housing.

Section 101, the homeownership for low- and moderate-income families provision, is similar to legislation which many of my Republican colleagues and I sponsored last year. It recognizes the value of homeownership in building a stable society as contradistinguished from public housing for low-income groups. It emphasizes the private enterprise approach to supplying decent housing for these groups. It makes the very best use of Federal dollars at a time when we all recognize the need to reduce spending.

Assistance under section 101 would be in the form of periodic interest subsidy payments on behalf of low- and moderate-income families to mortgage lenders. The payment would be in an amount necessary to make up the difference between 20 percent of the family's monthly income and the required monthly payment under a market interest rate for principal, interest, taxes, insurance, and mortgage insurance premium.

However, this assistance could not exceed the difference between the required payment under the mortgage and the payment that would be required if the mortgage were at a 1-percent interest rate.

Mr. Chairman, if we are serious about fulfilling the policy which Congress set in 1949 of "a decent home for every American" this is a good place to start. The 3-year authorization provided in H.R. 17989 would be enough to supply 500,000 units of decent housing. This is a good start toward abolishing the 6 million substandard dwellings that now plague us.

A companion program to the section 101 homeownership provisions is the rental program for low- and moderate-income families of section 201. This section, which also works through a mortgage subsidy, would aid those low- and moderate-income families who are either unable or unwilling to undertake the responsibilities of homeownership and would also help the elderly and handicapped. Under the section 201 proposal a nonprofit group, a limited dividend group, or a cooperative group would build housing for these families. A Federal payment would be made to the housing sponsor in order to lower the market interest rate mortgage to as low as 1 percent. This would enable the sponsor to lower rents to a basic charge. The occupants of the housing would pay either the basic charge or 20 percent of their income, whichever is higher.

The 3-year authorization proposed for this program would be enough for 450,000 units of rental housing.

It is easy to see, Mr. Chairman, that under sections 101 and 201 we are talking about close to a million units of clean, decent housing and that is a fairly sizable cut into those 6 million units of misery.

These programs are not extravagant, Mr. Chairman. They attack an area of great need. Census figures show that 34 percent of all American families fall into the $3,000 to $7,000 income range that would be eligible to receive assistance under these programs. These families include many teachers, retail clerks, civil servants, policemen, and factory workers. Their incomes just are not high enough to find decent housing on the private market, but their incomes are too high for them to qualify for public housing. This unfair, unreasonable gap has existed for far too long, and this is our opportunity to help these solid members of our community who have chosen to work in fields where the pay is low and slow to change.

Also, Mr. Chairman, I want to point out that both the homeownership and the rental housing programs will operate in both urban and rural areas. To me this is most important, because there are so many small rural communities in my State.

The mortgages allowed under the homeownership program are modest. Generally, they are limited to $15,000 but in high-cost areas they might go as high as $17,500. For the larger family these limits would be increased to $17,500 and $20,000.

Mr. Chairman, the building and other costs in my State are so high that it would be impossible to serve large families—and they are the ones who have the most trouble in finding decent housing—without the flexibility in mortgage limits and income limits this bill provides.

Reducing these mortgage ceilings or reducing the income limits could have the effect of making these programs inoperable in my State.

Now, Mr. Chairman, I would like to emphasize once again the dollar value of these programs. This is private housing. It would be constructed by private groups; financed largely by private mortgage funds; built by private firms and—in the case of homeownership—owned by private families.

By subsidizing the interest part of the mortgage, the Government is paying out only the smallest, initial amount necessary. This is far preferable to the enormous outlays necessary when the Government through FNMA buys mortgages outright. If under the present subsidized rental housing program—the section 221(d)(3) program—we were to start 450,000 units in in the next 3 years, the cost to the Government would be about $6.3 billion, and though we need the housing, we just cannot afford it at this price.

I am particularly pleased that this new emphasis on homeownership for low-income families complements the Alaska native housing program which only a few weeks ago was passed by this great deliberative body. Also, I must add a comment about my pleasure at the inclusion in this bill of a tightening of the provisions requiring residential urban renewal to serve the housing needs of low- and moderate-income Americans, so that areas will not be cleared out to make way for elaborate homes for high-income groups. Too, I am delighted at our renewed efforts at establishing an effective flood insurance program.

I submit, Mr. Chairman, that there is every reason for us to approve these programs and put them into operation as quickly as possible.

Mr. Chairman, I also think it is appropriate to point out that the origins of the many imaginative and innovative features of the Housing and Urban Development Act of 1968 reflect initial efforts on the party of the minority. Last year the Secretary of Housing and Urban Development criticized this Republican approach. Thus, we were quite pleasantly surprised to see the imaginative program emerge as an administration-sponsored program this year. Now, with bipartisan support, it will surely be enacted into law.

Mr. PHILBIN. Mr. Chairman, the pending housing bill constitutes a broad and, in some respects, a massive attack on critical housing problems in this country.

The committee has done a very patient, expert, and extremely difficult job in putting together so many facets of the overall housing problem in one bill and I want to commend Chairman PATMAN and his distinguished committee for its fine work.

The bill will be well received by the country and will be helpful in a great many areas. Fortunately, most of the basic objectives contained in the bill will be accepted by the House.

I think the proposal for arbitrary limitations on moderate, low income eligibility levels for families seeking Federal subsidy of interest payments on mortgages for their homes is ill advised, impracticable, and will result in barring many persons and families scarcely above poverty income levels from participation in the program.

This would well result in limiting our efforts and the beneficial provisions of the bill to lowest income levels and would restrict home ownership under the program to those levels only.

This would be harmful, in my judgment, to the very desirable objectives most of us in the House have in mind of solving the housing problems of residents of the ghettos, and I think it is most unsound and unwise not to consider both the poor and moderate income families in this program, because the needs have been amply demonstrated.

It is my considered view that if we constrict an important segment of the housing market by barring those in lower, middle income brackets, this provision, if permitted to stand, would, in important ways, rule out the flexibility which we believe is most essential in a well-balanced housing market and program. In that sense, it might well undermine one of the most important purposes of the bill, and create serious problems of administration as well.

I think we must also avoid any cuts in the low rent supplement program, which would permit eligible persons adequate professional services, so that the poor would be fully advised and assisted with job opportunities, training programs, health services and day care centers for working mothers.

These objectives, I believe strongly, are necessary to help the poor to lift themselves up from the ghetto and other deprivations they currently suffer.

Naturally, I support this bill, and hope that in the event any action taken here results in undue restrictions in the program, as outlined and provided by the bill such provisions will be duly considered and altered in conference to bring the bill into line with the urgent needs for housing, and a frontal attack upon conditions in the ghettos and other areas where poor and moderate income families should be helped to secure decent housing and other opportunities many of us agree they should enjoy.

The CHAIRMAN. Under the rule, the Committee rises.

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. PRICE of Illinois, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 17989) to assist in the provision of housing for low- and moderate-income families, and to extend and amend laws relating to housing and urban development, pursuant to House Resolution 1238, he reported the bill back to the House with sundry amendments adopted by the Committee of the Whole.

The SPEAKER. Under the rule, the previous question is ordered.

Is a separate vote demanded on any amendment?

Mr. GERALD R. FORD. Mr. Speaker, I demand a separate vote on the two Anderson of Illinois amendments, but at the same time, I ask unanimous consent, because of the similarity of the two amendments, that they be combined and a separate vote be taken on the combined Anderson of Illinois amendments.

Mr. PATMAN. Mr. Speaker, we object to that, because different Members are supporting different amendments.

The SPEAKER. Objection is heard.

Mr. GERALD R. FORD. Mr. Speaker, I renew my demand for a separate vote on each of the Anderson of Illinois amendments.

The SPEAKER. The gentleman from Michigan demands a separate vote on each of the two so-called Anderson of Illinois amendments.

Is a separate vote demanded on any other amendment?

Mr. BINGHAM. Mr. Speaker, I demand a separate vote on the second Brock amendment, the amendment to page 56 of the bill.

The SPEAKER. Is a separate vote demanded on any other amendment? If not, the Chair will put them en gros.

The amendments were agreed to.

The SPEAKER. The Clerk will report the first amendment on which a separate vote has been demanded.

The Clerk read as follows:

On page 17, following line 3 add a new subsection (1) as follows:

"(1) Notwithstanding any other provision of this section, no assistance payments authorized to be contracted under this section shall be made on behalf of any family whose income exceeds 130 per centum of the maximum income limits which can be established in the area, pursuant to the limitations prescribed in sections 2(2) and 15(7)(b)(ii) of the United States Housing

Act of 1937, for occupancy in public housing dwellings."

The SPEAKER. The question is on the amendment.

Mr. GERALD R. FORD. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 271, nays 137, not voting 25, as follows:

[Roll No. 238]

YEAS—271

Abbitt
Abernethy
Adair
Anderson, Ill.
Andrews, Ala.
Andrews, N. Dak.
Arends
Ashbrook
Ashmore
Aspinall
Ayres
Baring
Bates
Battin
Belcher
Bennett
Berry
Betts
Bevill
Biester
Blackburn
Boland
Bolton
Bow
Bray
Brinkley
Brock
Broomfield
Brotzman
Brown, Mich.
Brown, Ohio
Broyhill, N.C.
Broyhill, Va.
Buchanan
Burke, Fla.
Burleson
Burton, Utah
Bush
Byrnes, Wis.
Cabell
Cahill
Carter
Casey
Chamberlain
Clancy
Clausen, Don H.
Clawson, Del
Cleveland
Collier
Colmer
Conable
Conte
Corbett
Cowger
Cramer
Culver
Cunningham
Curtis
Davis, Ga.
Davis, Wis.
de la Garza
Dellenback
Denney
Derwinski
Devine
Dickinson
Dole
Dorn
Dowdy
Downing
Duncan
Dwyer
Edmondson
Edwards, Ala.
Edwards, La.
Erlenborn
Esch
Eshleman
Evans, Colo.
Fallon
Fascell
Findley
Fino
Fisher
Flynt
Foley
Ford, Gerald R.
Fountain
Frelinghuysen
Fulton, Pa.
Fuqua
Gathings
Gettys
Giaimo
Gibbons
Goodell
Goodling
Green, Oreg.
Gross
Grover
Gubser
Gurney
Hagan
Haley
Hall
Hamilton
Hammerschmidt
Hanley
Hardy
Harrison
Harsha
Harvey
Hays
Hébert
Henderson
Herlong
Hicks
Hosmer
Hull
Hunt
Hutchinson
Ichord
Jarman
Johnson, Pa.
Jonas
Jones, Ala.
Jones, Mo.
Jones, N.C.
Karth
Kazen
Keith
King, N.Y.
Kleppe
Kornegay
Kuykendall
Kyl
Laird
Landrum
Langen
Latta
Leggett
Lennon
Lipscomb
Lloyd
Long, La.
Long, Md.
Lukens
McClory
McCloskey
McClure
McCulloch
McDade
McDonald, Mich.
McEwen
Machen
Mahon
Mailliard
Marsh
Martin
Mathias, Calif.
Mathias, Md.
May
Mayne
Meskill
Michel
Miller, Ohio
Mills
Minshall
Mize
Monagan
Montgomery
Morse, Mass.
Morton
Mosher
Myers
Natcher
Nichols
O'Konski
O'Neal, Ga.
Passman
Pelly
Pettis
Pike
Pirnie
Poage
Poff
Pollock
Pool
Price, Tex.
Pucinski
Purcell
Quie
Quillen
Railsback
Randall
Rarick
Reid, Ill.
Reifel
Reinecke
Rhodes, Ariz.
Riegle
Rivers
Roberts
Robison
Rogers, Fla.
Roth
Roudebush
Roush
Rumsfeld
Ruppe
Sandman
Satterfield
Saylor
Schadeberg
Scherle
Schneebeli
Schwengel
Scott
Selden
Shriver
Skubitz
Slack
Smith, Calif.
Smith, Iowa
Smith, N.Y.
Smith, Okla.
Snyder
Springer
Stafford
Stanton
Steed
Steiger, Ariz.
Steiger, Wis.
Stephens
Stratton
Stubblefield
Stuckey
Taft
Talcott
Taylor
Teague, Calif.
Teague, Tex.
Thompson, Ga.
Thomson, Wis.
Tuck
Utt
Vander Jagt
Vanik
Vigorito
Wampler
Watkins
Watson
Watts
Whalley
White
Whitener
Whitten
Widnall
Wiggins
Williams, Pa.
Wilson, Bob
Winn
Wright
Wyatt
Wydler
Wylie
Wyman
Yates
Young
Zion
Zwach

NAYS—137

Adams
Addabbo
Albert
Annunzio
Ashley
Barrett
Bingham
Blanton
Blatnik
Boggs
Bolling
Brasco
Brooks
Brown, Calif.
Burke, Mass.
Burton, Calif.
Button
Byrne, Pa.
Carey
Celler
Clark
Cohelan
Conyers
Corman
Daddario
Daniels
Dawson
Delaney
Dent
Diggs
Donohue
Dow
Dulski
Eckhardt
Edwards, Calif.
Eilberg
Everett
Farbstein
Feighan
Flood
Ford, William D.
Fraser
Friedel
Fulton, Tenn.
Galifianakis
Gallagher
Garmatz
Gilbert
Gonzalez
Gray
Green, Pa.
Griffin
Griffiths
Gude
Halpern
Hanna
Hansen, Wash.
Hathaway
Hechler, W. Va.
Helstoski
Holifield
Horton
Howard
Hungate
Irwin
Jacobs
Joelson
Johnson, Calif.
Kastenmeier
Kee
Kelly
Kirwan
Kluczynski
Kupferman
Kyros
McFall
Macdonald, Mass.
Madden
Matsunaga
Meeds
Miller, Calif.
Minish
Mink
Moorhead
Morgan
Morris, N. Mex.
Moss
Murphy, Ill.
Murphy, N.Y.
Nedzi
Nix
O'Hara, Ill.
O'Hara, Mich.
Olsen
O'Neill, Mass.
Ottinger
Patman
Patten
Pepper
Perkins
Philbin
Podell
Price, Ill.
Pryor
Rees
Reid, N.Y.
Reuss
Rhodes, Pa.
Rodino
Rogers, Colo.
Ronan
Rooney, N.Y.
Rooney, Pa.
Rosenthal
Rostenkowski
Roybal
Ryan
St Germain
St. Onge
Scheuer
Schweiker
Shipley
Sikes
Sisk
Staggers
Sullivan
Tenzer
Thompson, N.J.
Tiernan
Udall
Ullman
Waldie
Walker
Whalen
Wilson, Charles H.
Wolff
Zablocki

NOT VOTING—25

Anderson, Tenn.
Bell
Brademas
Cederberg
Dingell
Evins, Tenn.
Gardner
Halleck
Hansen, Idaho
Hawkins
Heckler, Mass.
Holland
Karsten
King, Calif.
McCarthy
McMillan
MacGregor
Moore
Nelsen
Pickle
Resnick
Tunney
Van Deerlin
Waggonner
Willis

So the amendment was agreed to.

The Clerk announced the following pairs:

On this vote:

Mr. Evins of Tennessee for, with Mr. Dingell against.

Mr. McMillan for, with Mr. Brademas against.

Mr. Gardner for, with Mr. King of California against.

Mr. Nelsen for, with Mr. Hawkins against.

Mr. MacGregor for, with Mr. Willis against.

Mr. Hansen of Idaho for, with Mr. Tunney against.

Until further notice:

Mr. Anderson of Tennessee with Mr. Bell.

Mr. Holland with Mr. Halleck.

Mr. Van Deerlin with Mrs. Heckler of Massachusetts.

Mr. McCarthy with Mr. Cederberg.

Mr. Waggonner with Mr. Moore.

Mr. Pickle with Mr. Resnick.

Mr. MACHEN and Mr. SLACK changed their votes from "nay" to "yea."

The result of the vote was announced as above recorded.

The SPEAKER pro tempore (Mr. ALBERT). The Clerk will report the so-called Brock amendment, on which a separate vote has been demanded.

The Clerk read as follows:

On page 56, line 21, strike out "20 per centum" and insert "25 per centum."

Mr. GERALD R. FORD (during the reading). Mr. Speaker, I ask unanimous consent that the amendment be considered as read and printed in the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Michigan?

There was no objection.

The SPEAKER pro tempore. The question is on the amendment.

The question was taken; and on a division (demanded by Mr. GERALD R. FORD) there were—ayes 217, noes 112.

So the amendment was agreed to.

The SPEAKER pro tempore. The Clerk will report the so-called Anderson of Illinois amendment, on which a separate vote has been demanded.

The Clerk read as follows:

On page 61, following line 22 add a new subsection (m) as follows:

"(m) Notwithstanding any other provision of this section, no interest reduction payments authorized to be contracted under this section shall be made with respect to families, occupying rental housing projects insured under this section, whose incomes at the time of the initial renting to the projects are in excess of 130 per centum of the maximum income limits which can be established in the area, pursuant to the limitations prescribed in sections 2(2) and 15(7)(b)(ii) of the United States Housing Act of 1937, for occupancy in public housing dwellings."

Mr. GERALD R. FORD (during the reading). Mr. Speaker, I ask unanimous consent that the second Anderson of Illinois amendment be considered as read and printed in the RECORD.

Mr. HAYS. Mr. Speaker, reserving the right to object, will someone just explain briefly what it is.

Mr. ANDERSON of Illinois. Mr. Speaker, if the gentleman will yield, this is applying the same income test of 130 percent of public housing standards for the program under section 236, the rental and cooperative housing program.

Mr. HAYS. Mr. Speaker, I thank the gentleman.

Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Michigan?

There was no objection.

The SPEAKER pro tempore. The question is on the amendment.

The amendment was agreed to.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

MOTION TO RECOMMIT

Mr. BROCK. Mr. Speaker, I offer a motion to recommit.

The SPEAKER pro tempore. Is the gentleman opposed to the bill?

Mr. BROCK. I am, Mr. Speaker.

The SPEAKER pro tempore. The Clerk will report the motion to recommit.

The Clerk read as follows:

Mr. BROCK moves to recommit the bill (H.R. 17989) to the Committee on Banking and Currency, with instructions to report the same back to the House forthwith with the following amendments: On page 66, strike all of lines 16 through 23, and on page 67, strike all of lines 1 through 22, and renumber the succeeding sections accordingly.

And,

Strike out section 412 (beginning on page 105, line 7, and ending on page 107, line 2).

And renumber the succeeding sections accordingly.

The **SPEAKER** pro tempore. Without objection, the previous question is ordered on the motion to recommit.

There was no objection.

The **SPEAKER** pro tempore. The question is on the motion to recommit.

Mr. **GERALD R. FORD.** Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 217, nays 193, not voting 23, as follows:

[Roll No. 239]

YEAS—217

Abbitt
Abernethy
Adair
Anderson, Ill.
Andrews, Ala.
Andrews, N. Dak.
Arends
Ashbrook
Ashmore
Baring
Bates
Battin
Belcher
Bennett
Berry
Betts
Bevill
Biester
Blackburn
Bolton
Bow
Bray
Brinkley
Brock
Broomfield
Brotzman
Brown, Ohio
Broyhill, N.C.
Broyhill, Va.
Buchanan
Burke, Fla.
Burleson
Burton, Utah
Bush
Byrnes, Wis.
Cabell
Cahill
Carter
Casey
Chamberlain
Clancy
Clausen, Don H.
Clawson, Del
Cleveland
Collier
Colmer
Conable
Cowger
Cramer
Cunningham
Curtis
Davis, Wis.
Dellenback
Denney
Derwinski
Devine
Dickinson
Dole
Dorn
Dowdy
Downing
Duncan
Edwards, Ala.
Erlenborn
Eshleman
Findley
Fino
Fisher
Flynt
Ford, Gerald R.
Fountain
Frelinghuysen
Fuqua
Galifianakis
Gathings
Gettys
Gibbons
Goodell
Goodling
Griffin
Gross
Grover
Gubser
Gurney
Hagan
Haley
Hall
Hamilton
Hammerschmidt
Hardy
Harrison
Harsha
Harvey
Hébert
Henderson
Herlong
Hosmer
Hull
Hunt
Hutchinson
Ichord
Jarman
Johnson, Pa.
Jonas
Jones, Mo.
Jones, N.C.
Keith
King, N.Y.
Kleppe
Kornegay
Kuykendall
Kyl
Laird
Landrum
Langen
Latta
Lennon
Lipscomb
Lloyd
Long, La.
Lukens
McClory
McCloskey
McClure
McDonald, Mich.
Mahon
Mailliard
Marsh
Martin
Mathias, Calif.
May
Mayne
Meskill
Michel
Miller, Ohio
Mills
Mize
Montgomery
Morton
Myers
Nichols
O'Konski
O'Neal, Ga.
Passman
Pelly
Pettis
Pirnie
Poage
Poff
Pollock
Pool
Price, Tex.
Purcell
Quie
Quillen
Railsback
Randall
Rarick
Reid, Ill.
Reifel
Reinecke
Rhodes, Ariz.
Rivers
Roberts
Robison
Rogers, Fla.
Roth
Roudebush
Rumsfeld
Ruppe
Sandman
Satterfield
Saylor
Schadeberg
Scherle
Schneebeli
Schwengel
Scott
Selden
Shriver
Skubitz
Smith, Calif.
Smith, N.Y.
Smith, Okla.
Snyder
Springer
Steiger, Ariz.
Steiger, Wis.
Stratton
Stuckey
Talcott
Taylor
Teague, Calif.
Teague, Tex.
Thompson, Ga.
Thomson, Wis.
Tuck
Utt
Vander Jagt
Wampler
Watkins
Watson
Watts
Whalley
White
Whitener
Whitten
Wiggins
Williams, Pa.
Wilson, Bob
Winn
Wyatt
Wydler
Wylie
Wyman
Zion
Zwach

NAYS—193

Adams
Addabbo
Albert
Annunzio
Ashley
Aspinall
Ayres
Barrett
Bingham
Blanton
Blatnik
Boggs
Boland
Bolling
Brasco
Brooks
Brown, Calif.
Brown, Mich.
Burke, Mass.
Burton, Calif.
Button
Byrne, Pa.
Carey
Celler
Clark
Cohelan
Conte
Conyers
Corbett
Corman
Culver
Daddario
Daniels
Davis, Ga.
Dawson
de la Garza
Delaney
Dent
Diggs
Donohue
Dow
Dulski
Dwyer
Eckhardt
Edmondson
Edwards, Calif.
Edwards, La.
Eilberg
Esch
Evans, Colo.
Everett
Fallon
Farbstein
Fascell
Feighan
Flood
Foley
Ford, William D.
Fraser
Friedel
Fulton, Pa.
Fulton, Tenn.
Gallagher
Garmatz
Giaimo
Gilbert
Gonzalez
Gray
Green, Oreg.
Green, Pa.
Griffiths
Gude
Halpern
Hanley
Hanna
Hansen, Wash.
Hathaway
Hays
Hechler, W. Va.
Heckler, Mass.
Helstoski
Hicks
Holifield
Horton
Howard
Hungate
Irwin
Jacobs
Joelson
Johnson, Calif.
Jones, Ala.
Karth
Kastenmeier
Kazen
Kee
Kelly
Kirwan
Kluczynski
Kupferman
Kyros
Leggett
Long, Md
McCarthy
McCulloch
McDade
McFall
Macdonald, Mass.
Machen
Madden
Mathias, Md.
Matsunaga
Meeds
Miller, Calif.
Minish
Mink
Minshall
Monagan
Moorhead
Morgan
Morris, N. Mex.
Morse, Mass.
Mosher
Moss
Murphy, Ill.
Murphy, N.Y.
Natcher
Nedzi
Nix
O'Hara, Ill.
O'Hara, Mich.
Olsen
O'Neill, Mass.
Ottinger
Patman
Patten
Pepper
Perkins
Philbin
Pike
Podell
Price, Ill.
Pryor
Pucinski
Rees
Reid, N.Y.
Reuss
Rhodes, Pa.
Riegle
Rodino
Rogers, Colo.
Ronan
Rooney, N.Y.
Rooney, Pa.
Rosenthal
Rostenkowski
Roush
Roybal
Ryan
St Germain
St. Onge
Scheuer
Schweiker
Shipley
Sikes
Sisk
Slack
Smith, Iowa
Stafford
Staggers
Stanton
Steed
Stephens
Stubblefield
Sullivan
Taft
Tenzer
Thompson, N.J.
Tiernan
Tunney
Udall
Ullman
Vanik
Vigorito
Waldie
Walker
Whalen
Widnall
Wilson, Charles H.
Wolff
Wright
Yates
Young
Zablocki

NOT VOTING—23

Anderson, Tenn.
Bell
Brademas
Cederberg
Dingell
Evins, Tenn.
Gardner
Halleck
Hansen, Idaho
Hawkins
Holland
Karsten
King, Calif.
McEwen
McMillan
MacGregor
Moore
Nelson
Pickle
Resnick
Van Deerlin
Waggonner
Willis

So the motion to recommit was agreed to.

The Clerk announced the following pairs:

On this vote:

Mr. MacGregor for, with Mr. Evins of Tennessee against.

Mr. Gardner for, with Mr. Dingell against.

Mr. McMillan for, with Mr. Brademas against.

Mr. McEwen for, with Mr. Anderson of Tennessee against.

Mr. Nelsen for, with Mr. Hawkins against.

Until further notice:

Mr. King of California with Mr. Halleck.

Mr. Waggonner with Mr. Hansen of Idaho.

Mr. Willis with Mr. Cederberg.

Mr. Van Deerlin with Mr. Bell.

Mr. Pickle with Mr. Moore.

Mr. Resnick with Mr. Holland.

Mr. **WIDNALL** changed his vote from "yea" to "nay."

Mr. **MINSHALL** changed his vote from "yea" to "nay."

The result of the vote was announced as above recorded.

Mr. **PATMAN.** Mr. Speaker, pursuant to the instructions of the House in the motion to recommit, I report back the bill H.R. 17989 with amendments.

The **SPEAKER** pro tempore. The Clerk will report the amendments.

The Clerk read as follows:

On page 66, strike all of lines 16 through 23, and on page 67, strike all of lines 1 through 22, and renumber the succeeding sections accordingly.

And,

Strike out section 412 (beginning on page 105, line 7, and ending on page 107, line 2).

And renumber the succeeding sections accordingly.

The **SPEAKER** pro tempore. The question is on the amendments.

The amendments were agreed to.

The **SPEAKER** pro tempore. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

The **SPEAKER** pro tempore. The question is on the passage of the bill.

Mr. **PATMAN.** Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 295, nays 114, answered "present" 1, not voting 23, as follows:

[Roll No. 240]

YEAS—295

Adair
Adams
Addabbo
Albert
Anderson, Ill.
Andrews, N. Dak.
Annunzio
Ashley
Aspinall
Ayres
Barrett
Bates
Bevill
Biester
Bingham
Blackburn
Blanton
Blatnik
Boggs
Boland
Bolling
Bolton
Bow
Brasco
Brooks
Broomfield
Brotzman
Brown, Calif.
Brown, Mich.
Brown, Ohio
Broyhill, Va.
Burke, Mass.
Burton, Calif.
Burton, Utah
Bush
Button
Byrne, Pa.
Cahill
Carey
Casey
Celler
Chamberlain
Clark
Clausen, Don H.
Cleveland
Cohelan
Conable
Conte
Conyers
Corbett
Corman
Cowger
Culver
Cunningham
Daddario
Daniels
Davis, Ga.
Dawson
de la Garza
Delaney
Dellenback
Dent
Diggs
Dole
Donohue
Dow
Downing
Dulski
Duncan
Dwyer
Eckhardt
Edmondson
Edwards, Calif.
Edwards, La.
Eilberg
Esch
Evans, Colo.
Everett
Fallon
Farbstein
Fascell
Feighan
Findley
Fino
Flood
Foley
Ford, Gerald R.
Ford, William D.
Fraser
Frelinghuysen
Friedel
Fulton, Pa.
Fulton, Tenn.
Fuqua
Galifianakis
Gallagher
Garmatz
Giaimo
Gibbons
Gilbert
Gonzalez
Goodell
Gray
Green, Oreg.
Green, Pa.
Griffin
Griffiths
Grover
Gubser
Gude
Halpern
Hamilton
Hanley
Hanna
Hansen, Wash.
Hardy
Harrison
Harvey
Hathaway
Hays
Hébert
Hechler, W. Va.
Heckler, Mass.
Helstoski
Hicks
Holifield
Horton
Hosmer
Howard
Hull
Hungate
Hunt
Ichord
Irwin
Jacobs
Joelson
Johnson, Calif.
Jones, Ala.
Karth
Kastenmeier
Kazen
Kee
Keith
Kelly
King, N.Y.
Kirwan
Kluczynski
Kupferman
Kuykendall
Kyros

Latta
Leggett
Lloyd
Long, Md.
McCarthy
McClory
McCloskey
McCulloch
McDade
McDonald, Mich.
McFall
Macdonald, Mass.
Machen
Madden
Mailliard
Mathias, Calif.
Mathias, Md.
Matsunaga
May
Meeds
Meskill
Michel
Miller, Calif.
Minish
Mink
Minshall
Mize
Monagan
Moorhead
Morgan
Morris, N. Mex.
Morse, Mass.
Morton
Mosher
Moss
Murphy, Ill.
Murphy, N.Y.
Myers
Natcher
Nedzi
Nix
O'Hara, Ill.
O'Hara, Mich.
O'Konski
Olsen
O'Neill, Mass.
Ottinger
Patman

Patten
Pelly
Pepper
Perkins
Pettis
Philbin
Pike
Pirnie
Podell
Pollock
Price, Ill.
Pryor
Pucinski
Quie
Quillen
Railsback
Randall
Rees
Reid, N.Y.
Reifel
Reuss
Rhodes, Pa.
Riegle
Robison
Rodino
Rogers, Colo.
Ronan
Rooney, N.Y.
Rooney, Pa.
Rosenthal
Rostenkowski
Roth
Roush
Roybal
Rumsfeld
Ruppe
Ryan
St Germain
St. Onge
Sandman
Saylor
Schadeberg
Scheuer
Schweiker
Schwengel
Shipley
Shriver
Sikes
Sisk
Skubitz

Slack
Smith, Iowa
Smith, N.Y.
Springer
Stafford
Staggers
Stanton
Steed
Steiger, Wis.
Stephens
Stratton
Stubblefield
Sullivan
Taft
Talcott
Taylor
Tenzer
Thompson, Ga.
Thompson, N.J.
Tiernan
Tunney
Udall
Ullman
Vander Jagt
Vanik
Vigorito
Waldie
Walker
Wampler
Watkins
Watts
Whalen
White
Widnall
Williams, Pa.
Wilson, Charles H.
Winn
Wolff
Wright
Wyatt
Wydler
Wylie
Wyman
Yates
Young
Zablocki
Zwach

NAYS—114

Abbitt
Abernethy
Andrews, Ala.
Arends
Ashbrook
Ashmore
Baring
Battin
Belcher
Bennett
Berry
Betts
Bray
Brinkley
Brock
Broyhill, N.C.
Buchanan
Burke, Fla.
Burleson
Byrnes, Wis.
Cabell
Carter
Clancy
Clawson, Del
Collier
Colmer
Cramer
Curtis
Davis, Wis.
Denney
Derwinski
Devine
Dickinson
Dorn
Dowdy
Edwards, Ala.
Erlenborn
Eshleman
Fisher

Flynt
Fountain
Gathings
Gettys
Goodling
Gross
Gurney
Hagan
Haley
Hall
Hammerschmidt
Harsha
Henderson
Herlong
Hutchinson
Jarman
Johnson, Pa.
Jonas
Jones, Mo.
Jones, N.C.
Kleppe
Kornegay
Kyl
Laird
Landrum
Langen
Lennon
Lipscomb
Long, La.
Lukens
McClure
Mahon
Marsh
Martin
Mayne
Miller, Ohio
Mills
Montgomery

Nichols
O'Neal, Ga.
Passman
Poff
Pool
Price, Tex.
Purcell
Rarick
Reid, Ill.
Reinecke
Rhodes, Ariz.
Rivers
Roberts
Rogers, Fla.
Roudebush
Satterfield
Scherle
Schneebeli
Scott
Selden
Smith, Calif.
Smith, Okla.
Snyder
Steiger, Ariz.
Stuckey
Teague, Calif.
Teague, Tex.
Thomson, Wis.
Tuck
Utt
Watson
Whalley
Whitener
Whitten
Wiggins
Wilson, Bob
Zion

ANSWERED "PRESENT"—1

Poage

NOT VOTING—23

Anderson, Tenn.
Bell
Brademas
Cederberg
Dingell
Evins, Tenn.
Gardner

Halleck
Hansen, Idaho
Hawkins
Holland
Karsten
King, Calif.
McEwen
McMillan

MacGregor
Moore
Nelsen
Pickle
Resnick
Van Deerlin
Waggonner
Willis

So the bill was passed.

The Clerk announced the following pairs:

On this vote:

Mr. MacGregor for, with Mr. McEwen against.

Mr. Pickle for, with Mr. Poage against.

Until further notice:

Mr. Evins of Tennessee with Mr. Halleck.
Mr. Dingell with Mr. Nelsen.
Mr. Brademas with Mr. Cederberg.
Mr. Anderson of Tennessee with Mr. Bell.
Mr. Hawkins with Mr. Moore.
Mr. King of California with Mr. Gardner.
Mr. Waggonner with Mr. Hansen of Idaho.
Mr. Willis with Mr. Van Deerlin.
Mr. Holland with Mr. Resnick.
Mr. McMillan with Mr. Karsten.

Mr. SCHADEBERG changed his vote from "nay" to "yea."

Mr. POAGE. Mr. Speaker, I have a live pair with the gentleman from Texas [Mr. PICKLE]. If he had been present, he would have voted "yea." I voted "nay." I withdraw my vote and vote "present."

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

The SPEAKER. Pursuant to the provisions of House Resolution 1238, the Committee on Banking and Currency is discharged from the further consideration of the bill S. 3497.

The Clerk read the title of the Senate bill.

MOTION OFFERED BY MR. PATMAN

Mr. PATMAN. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Motion offered by Mr. PATMAN: Strike out all after the enacting clause of S. 3497 and insert in lieu thereof the provisions of the bill H.R. 17989, as passed, as follows:

That this Act may be cited as the "Housing and Urban Development Act of 1968".

DECLARATION OF POLICY

SEC. 2. The Congress affirms the national goal, as set forth in section 2 of the Housing Act of 1949, of "a decent home and a suitable living environment for every American family".

The Congress finds that this goal has not been fully realized for many of the Nation's lower income families; that this is a matter of grave national concern; and that there exist in the public and private sectors of the economy the resources and capabilities necessary to the full realization of this goal.

The Congress declares that in the administration of those housing programs authorized by this Act which are designed to assist families with incomes so low that they could not otherwise decently house themselves, and of other Government programs designed to assist in the provision of housing for such families, the highest priority and emphasis should be given to meeting the housing needs of those families for which the national goal has not become a reality; and in the carrying out of such programs there should be the fullest practicable utilization of the resources and capabilities of private enterprise and of individual self-help techniques.

JOBS IN HOUSING; EMPLOYMENT OPPORTUNITIES FOR LOWER INCOME PERSONS IN CONNECTION WITH ASSISTED PROJECTS

SEC. 3. In the administration of the programs authorized by sections 235 and 236 of the National Housing Act, the below-market interest rate program under section 221(d)(3) of such Act, the low-rent public housing program under the United States Housing Act of 1937, and the rent supplement program under section 101 of the Housing and Urban Development Act of 1965, the Secretary of Housing and Urban Development shall require that, to the greatest extent feasible, opportunities for employment arising in connection with the construction or rehabilitation of projects assisted under such programs be given to lower income persons residing in the area of such projects.

IMPROVED ARCHITECTURAL DESIGN IN GOVERNMENT HOUSING PROGRAMS

SEC. 4. The Congress finds that Federal aids to housing have not contributed fully to improvement in architectural standards. This objective has been contemplated in Federal housing legislation since the establishment of mortgage insurance through the Federal Housing Administration.

The Congress commends the Department of Housing and Urban Development for its recent efforts to improve architectural standards through competitive design awards and in other ways but at the same time recognizes that this important objective requires high priority if Federal aid is to make its full communitywide contribution toward improving our urban environment.

The Congress further finds that even within the necessary budget limitations on housing for low and moderate income families architectural design could be improved not only to make the housing more attractive but to make it better suited to the needs of occupants.

The Congress declares that in the administration of housing programs which assist in the provision of housing for low and moderate income families, emphasis should be given to encouraging good design as an essential component of such housing and to developing housing which will be of such quality as to reflect its important relationship to the architectural standards of the neighborhood and community in which it is situated, consistent with prudent budgeting.

ANNUAL REPORT ON AREAS OF PROGRAM ADMINISTRATION AND MANAGEMENT WHICH REQUIRE IMPROVEMENT

SEC. 5. The Secretary shall, as soon as practicable in each calendar year and beginning with an interim report no later than January 15, 1969, make a report to the respective Committees on Banking and Currency of the House of Representatives and the Senate identifying specific areas of program administration and management which require improvement, describing actions taken and proposed for the purpose of making such improvements, and recommending such legislation as may be necessary to accomplish such improvements. Each report shall include, but not be limited to, the following areas of program administration and management: uniformity and standardization in program requirements, simplification of program procedures, ways and means of expediting consideration of proposed projects and applications for assistance, the provision of more useful and specific assistance to communities, organizations and individuals seeking to utilize the Department's programs, and ways and means of combining or otherwise adapting the Department's programs to increase their usefulness in meeting the individual needs of applicants.

TITLE I—LOW AND MODERATE INCOME HOUSING

HOMEOWNERSHIP FOR LOW AND MODERATE INCOME FAMILIES

SEC. 101. (a) Title II of the National Housing Act is amended by adding at the end thereof the following new section:

"HOMEOWNERSHIP FOR LOW AND MODERATE INCOME FAMILIES

"SEC. 235. (a) For the purpose of assisting low and moderate income families in acquiring homeownership or in acquiring membership in a cooperative association operating a housing project, the Secretary is authorized to make, and to contract to make, periodic assistance payments on behalf of such homeowners and cooperative members. *The assistance shall be accomplished through* payments to mortgagees holding mortgages meeting the special requirements specified in this section.

"(b) To qualify for assistance payments, the homeowner or the cooperative member shall be of low or moderate income and *satisfy eligibility requirements prescribed by the Secretary,* and—

"(1) the homeowner shall be a mortgagor under a mortgage which meets the requirements of and is insured under subsection (i) or (j) (4) of this section: *Provided,* That a mortgage meeting the requirements of subsection (i) (3) (A) of this section but *insured under section 237 may qualify for* assistance payments if such mortgage was executed by a mortgagor who is determined not to be an acceptable credit risk for mortgage insurance purposes (but otherwise eligible) under subsection (j) (4) of this section or under section 221(d) (2) or 234(c) and accepted as a reasonably satisfactory *credit risk under section 237;* or

"(2) the cooperative association of which the family is a member shall operate a housing project the construction or substantial rehabilitation of which has been financed with a mortgage insured under section 213 and which has been completed within two years prior to the filing of the application *for assistance payments and the dwelling* unit has had no previous occupant other than the family: *Provided,* That assistance payments *may* be made *with* respect to a dwelling unit in an existing cooperative project which meets such standards as the Secretary may prescribe: *Provided further,* That a preference shall be given in contract*ing to make periodic assistance payments* under this section to a family which qualifies as a displaced family as defined in section 221(f), or a family which includes five or more minor persons, or a family occupying low-rent public housing: *Provided further,* That the amount of the mortgage *attributable to the dwelling unit shall* involve a principal obligation not in excess of $15,000 ($17,500 in any geographical area where the *Secretary* authorizes *an* increase on the basis of a finding that cost levels so require), except that with respect to any family with five or more persons the foregoing limits shall be $17,500 and $20,000, *respectively.*

"(c) The assistance payments to a mortgagee by the Secretary on behalf of a mortgagor shall be made during such time as the mortgagor shall continue to occupy the property which secures the mortgage: *Provided,* That assistance payments may be made on behalf of a homeowner who assumes a mortgage insured under subsection (j) (4) with respect to which assistance payments have been made on behalf of the previous owner, if the homeowner is approved by the Secretary as eligible for receiving such assistance. The payment shall be in an amount not exceeding the lesser of—

"(1) the balance of the monthly payment for principal, interest, taxes, insurance, and mortgage insurance premium due under the mortgage remaining unpaid after applying 20 per centum of the mortgagor's income: *Provided,* That, in determining a mortgagor's income for the purposes of this paragraph, there shall be deducted an amount equal to $200 for each minor person who is a member of the immediate family of, and living with, the mortgagor, and the earnings of any such minor person shall not be included in the income of such mortgagor; or

"(2) the difference between the amount of the monthly payment for principal, interest, and mortgage insurance premium which the mortgagor is obligated to pay under the mortgage and the monthly payment for principal and interest which the mortgagor would be obligated to pay if the mortgage were to bear interest at the rate of 1 *per centum per annum.*

"(d) Assistance payments to a mortgagee by the Secretary on behalf of a family holding membership in a cooperative association operating a housing project shall be made only during such time as the family is an occupant of such project and shall be in amounts computed *on the basis of the formula set forth in subsection (c) applying* the cooperative member's proportionate share of the obligations under the project mortgage to the items specified in the formula.

"(e) The Secretary may include in the payment to the mortgagee such amount, *in addition to the amount computed under* subsection (c), (d), or (j)(7), as he deems appropriate to reimburse the mortgagee for its expenses in handling the mortgage.

"(f) Procedures shall be adopted by the Secretary for recertifications of the mortgagor's (or cooperative member's) income at intervals of two years (or at shorter inter*vals where the Secretary deems it desirable)* for the purpose of adjusting the amount of such assistance payments within the limits of the formula described in subsection (c).

"(g) The Secretary shall prescribe such regulations as he deems necessary to assure that the sales price of, or other consideration paid in connection with, the purchase *by a homeowner of the property with respect* to which assistance payments are to be made is not increased above the appraised value on which the maximum mortgage which the Secretary will insure is computed.

"(h) There are authorized to be appropriated such sums as may be necessary to carry out the provisions of this section, in*cluding such sums as may be necessary to* make the assistance payments under contracts entered into under this section. The aggregate amount of contracts to make such payments shall not exceed amounts approved in appropriation acts, and payments pursuant to such contracts shall not exceed *$75,000,000 per annum prior to July 1, 1969,* which maximum dollar amount shall be increased by $100,000,000 on July 1, 1969, and *by $125,000,000 on July 1, 1970.*

"(i)(1) The Secretary is authorized, upon application by mortgagee, to insure a mortgage executed by a mortgagor who meets the eligibility requirements for assistance pay*ments prescribed by the Secretary under sub*section (b). Commitments for the insurance of such mortgages may be issued by the Secretary prior to the date of their execution or disbursement thereon, upon such terms and conditions as the Secretary may prescribe.

"(2) To be eligible for insurance under this subsection a mortgage shall meet the *requirements of section 221(d)(2) or 234(c),* except as such requirements are modified by this subsection.

"(3) A mortgage to be insured under this subsection shall—

"(A) involve a single-family dwelling which has been approved by the Secretary prior to the beginning of construction or substantial rehabilitation, or a two-family dwelling one of the units of which is to be occupied by the owner if the dwelling is purchased with the assistance of a nonprofit organization and is approved by the Secretary prior to the beginning of substantial rehabilitation, or a one-family unit in a condominium project (together with an undivided interest in the common areas and facilities serving the project) which is released from a multifamily project the construction or substantial rehabilitation of which has been completed within two years prior to the filling of the application for assistance payments with respect to such family unit and the unit has had no previous occupant other than the mortgagor: *Provided,* That the mortgage may involve an existing dwelling or a family unit in an existing condominium project if the dwelling or family *unit meets such standards as the Secretary* may prescribe, or if assistance payments have been made on behalf of the previous owner of the dwelling or family unit with respect to a mortgage insured under subsection (j)(4): *Provided further,* That a preference in extending mortgage insurance under this subsection shall be given to a mortgagor *who qualifies as a displaced family as de*fined in section 221(f), or a family which includes five or more minor persons, or a family occupying low-rent public housing: *Provided further,* That the mortgage may involve a dwelling unit in an existing project covered by a mortgage insured under section *236 or in an existing project receiving the* benefits of financial assistance under section 101 of the Housing and Urban Development Act of 1965;

"(B) where it is to cover a one-family unit in a condominium project, have a principal obligation not exceeding $15,000 ($17,500 in any geographical area where the *Secretary authorizes an increase on the basis* of a finding that cost levels so require), except that with respect to any family with five or more persons the foregoing limits shall be $17,500 and $20,000, respectively; and

"(C) be executed by a mortgagor who shall have paid (i) in the case of a displaced *family as defined in section 221(f), at least* $200, or (ii), in the case of any other family, at least 3 per centum (or such larger amount *as the Secretary may require) of the Secre*tary's estimate of the costs of acquisition, in cash or its equivalent, which amount in either instance may be applied for the payment of settlements costs and initial pay*ments for taxes, hazard insurance, mortgage* insurance premiums, and other prepaid expenses.

"(j)(1) In addition to mortgages insured under the provisions of subsection (i), the Secretary is authorized, upon application by the mortgagee, to insure a mortgage (includ*ing advances under such mortgage during* rehabilitation) which is executed by a nonprofit organization to finance the purchase *of housing, and the rehabilitation of such* housing if it is deteriorating or substandard, for subsequent resale to low or moderate income home purchasers who meet the eligibility requirements for assistance payments *prescribed by the Secretary under subsection (b). Commitments for the insurance of* such mortgages may be issued by the Secretary prior to the date of their execution or disbursement thereon, upon such terms and conditions as the Secretary may prescribe.

"(2) To be eligible for insurance under paragraph (1) of this subsection, a mortgage shall—

"(A) be executed by a private nonprofit organization, approved by the Secretary, for the purpose of financing the purchase (with the intention of subsequent resale), and rehabilitation where the housing involved is deteriorating or substandard, of property comprising one or more tracts or parcels, whether or not contiguous, consisting of (i) four or more single-family dwellings of detached, semidetached, or row construction, or (ii) four or more one-family units in a structure or structures for which a plan of family unit ownership approved by the Secretary is established; except that in a case not involving the rehabilitation of deteriorating or substandard housing the property purchased may consist of one or more such dwellings or units:

"(B) be in a principal amount not exceeding the appraised value of the property at the time of its purchase under the mortgage plus the estimated cost of any rehabilitation;

"(C) bear interest (exclusive of premium charges for insurance and service charge, if any) at not to exceed such per centum per annum (not in excess of 6 per centum), on the amount of the principal obligation outstanding at any time, as the Secretary finds necessary to meet the mortgage market;

"(D) provide for complete amortization (subject to paragraph (4)(E)) by periodic payments within such term as the Secretary may prescribe; and

"(E) provide for the release of individual single-family dwellings from the lien of the mortgage upon their sale in accordance with paragraph (4).

"(3) No mortgage shall be insured under paragraph (1) unless the mortgagor shall have demonstrated to the satisfaction of the Secretary that (A) the property involved is located in a neighborhood which is sufficiently stable and contains sufficient public facilities and amenities to support long-term values, or (B) the purchase or rehabilitation of such property plus the mortgagor's related activities and the activities of other owners of housing in the neighborhood, together with actions to be taken by public authorities, will be of such scope and quality as to give reasonable promise that a stable environment will be created in the neighborhood.

"(4)(A) No mortgage shall be insured under paragraph (1) unless the mortgagor enters into an agreement, satisfactory to the Secretary, that it will offer to sell the dwellings involved, after purchase and upon completion of any rehabilitation, to low or moderate income individuals or families meeting the eligibility requirements established by the Secretary under subsection (b).

"(B) The Secretary is authorized to insure under this paragraph mortgages executed to finance the sale of individual dwellings to low or moderate income purchasers as provided in subparagraph (A). Any such mortgage shall—

"(i) be in a principal amount not in excess of that portion of the unpaid principal balance of the blanket mortgage covering the property which is allocable to the individual dwelling involved;

"(ii) bear interest at the same rate as the blanket mortgage; and

"(iii) provide for complete amortization by periodic payments within a term equal to the remaining term (determined without regard to subparagraph (E)) of such blanket mortgage.

"(C) The price for which any individual dwelling is sold under this paragraph shall be in an amount equal to that portion of the unpaid principal balance of the blanket mortgage covering the property which is allocable to the dwelling plus such additional amount, not less than $200 (which may be applied in whole or in part toward closing costs), as the Secretary may determine to be reasonable.

"(D) Upon the sale under this paragraph of any individual dwelling, such dwelling shall be released from the lien of the blanket mortgage. Until all of the individual dwellings in the property covered by the blanket mortgage have been sold, the mortgagor shall hold and operate the dwellings remaining unsold at any given time, in such manner and under such terms as the Secretary may prescribe, as though they constituted rental units.

"(E) Upon the sale under this paragraph of all the individual dwellings in the property covered by the blanket mortgage and the release of all individual dwellings from the lien of the blanket mortgage, the insurance of the blanket mortgage shall be terminated and no adjusted premium charge shall be charged by the Secretary upon such termination.

"(5) Where the Secretary has approved a plan of family unit ownership, the terms 'single-family dwelling', 'single-family dwellings', 'individual dwelling', and 'individual dwellings' shall mean a family unit or family units, together with the undivided interest (or interests) in the common areas and facilities.

"(6) For purposes of this subsection, the terms 'single-family dwelling' and "single-family dwellings' (except for purposes of paragraph (5)) shall include a two-family dwelling which has been approved by the Secretary if one of the units is to be occupied by the owner.

"(7) In addition to the assistance payments authorized under subsection (b), the Secretary may make such payments to a mortgagee on behalf of a nonprofit organization which is a mortgagor under the provisions of paragraph (1) in an amount not exceeding the difference between the monthly payment for principal, interest, and mortgage insurance premium which the mortgagor is obligated to pay under the mortgage and the monthly payment for principal and interest such mortgagor would be obligated to pay if the mortgage were to bear interest at the rate of 1 per centum per annum.

"(k) The Secretary shall from time to time allocate and transfer to the Secretary of Agriculture, for use (in accordance with the terms and conditions of this section) in rural areas and small towns, a reasonable portion of the total authority to contract to make assistance payments as approved in appropriation Acts under subsection (h).

"(l) Notwithstanding any other provision of this section, no assistance payments authorized to be contracted under this section shall be made on behalf of any family whose income exceeds 130% of the maximum income limits which can be established in the area, pursuant to the limitations prescribed in sections 2(2) and 15(7)(b)(ii) of the United States Housing Act of 1937, for occupancy in public housing dwellings."

(b)(1) Section 221(d)(2)(A) of the National Housing Act is amended—

(A) by striking out "not to exceed (i) $12,500" and inserting in lieu thereof "not to exceed (i) $15,000 (or $17,500, if the mortgagor's family includes five or more persons)"; and

(B) by striking out "not to exceed $15,000" in the second proviso and inserting in lieu thereof "not to exceed $17,500 (or $20,000 if the mortgagor's family includes five or more persons)".

(2) Section 221(d)(2)(B) of such Act is amended—

(A) by inserting ", in cash or its equivalent" before the semicolon after "acquisition cost" in the first proviso; and

(B) by inserting before the semicolon after "appraised value" at the end thereof the following: ": *Provided further*, That, if the mortgagor is the owner and an occupant of the property, such mortgagor shall to the maximum extent feasible be given the opportunity to contribute the value of his labor as equity in such dwelling".

(c)(1) Section 221(h)(5)(B)(ii) of such Act is amended to read as follows:

"(ii) bear interest at the same rate as the principal mortgage or such lower rate, not less than 1 per centum, as the Secretary may prescribe if in his judgment the purchaser's income is sufficiently low to justify the lower rate, and provide for complete amortization within a term equal to the remaining term (determined without regard to subparagraph (E)) of such principal mortgage."

(2) Section 221(h)(4) of such Act is amended by striking out "$20,000,000" and inserting in lieu thereof "$50,000,000".

(3) Section 221(h) of such Act is further amended by adding at the end thereof the following new paragraph:

"(6) In addition to the mortgages that may be insured under paragraphs (1) and (5), the Secretary is authorized to insure under this subsection, upon such terms and conditions as he may prescribe, mortgages which are executed by individuals or families that meet the income criteria prescribed in paragraph (5)(A) and are executed for the purpose of financing the rehabilitation or improvement of single-famly dwellings of detached, semidetached, or row construction that are owned and occupied in each instance by a mortgagor who has purchased the dwelling from a nonprofit organization of the type described in this subsection. To be eligible for such insurance, a mortgage shall—

"(A) be in a principal amount not exceeding the lesser of $15,000 or the sum of the the property before repair and rehabilitation, and the Secretary's estimate of the value of the property before repair and rehabilitation, except that in no case involving refinancing shall such mortgage exceed such estimated cost of repair and rehabilitation and the amount (as determined by the Secretary) required to refinance existing indebtedness secured by the property;

"(B) bear interest (exclusive of premium charges for insurance and service charge, if any) at 3 per centum per annum or such lower rate, not less than 1 per centum, as the Secretary may prescribe if in his judgment the mortgagor's income is sufficiently low to justify the lower rate;

"(C) involve a mortgagor that shall have paid on account of the property at the time of the rehabilitation such amount (which shall not be less than $200 in cash or its equivalent, but which may be applied in whole or in part toward closing costs) as the Secretary may determine to be reasonable and appropriate under the circumstances; and

"(D) contain a provision that if the low-income mortgagor does not continue to occupy the property, the interest rate shall increase to the highest rate permissible under this section and the regulations of the Secretary effective at the time of commitment for insurance of the mortgage; except that the increase in interest rate shall not be applicable if the property is sold and the purchaser is (i) a nonprofit organization which has been engaged in purchasing and rehabilitating deteriorating and substandard housing with financing under a mortgage insured under paragraph (1) of this subsection, (ii) a public housing agency having jurisdiction under the United States Housing Act of 1937 over the area where the dwelling is located, or (iii) a low-income purchaser approved for the purposes of this paragraph by the Secretary."

(4) The purchase of any individual dwelling, sold by a nonprofit organization pursuant to the provisions of section 221(h)(5) of the National Housing Act after the date of enactment of this section, may be financed with a mortgage insured under the provisions of section 235(j)(4) of such Act, but such mortgage shall bear interest at the rate provided in section 235(j)(2)(C) of such Act.

(d) Section 212(a) of such Act is amended by inserting "or section 235(j)(1)" after "subsection (h)(1)" each place it appears.

(e) The Secretary of Housing and Urban Development is authorized to provide, or contract with public or private organizations to provide, such budget, debt management, and related counseling services to mortgagors whose mortgages are insured under section 235(i) or 235(j)(4) of the National Housing Act as he determines to be necessary to assist such mortgagors in meeting the responsibilities of homeownership. There are authorized to be appropriated such sums as may be necessary to carry out the provisions of this subsection.

CREDIT ASSISTANCE

SEC. 102. (a) Title II of the National Housing Act is amended by adding after section 236 (as added by section 201 of this Act) the following new section:

"SPECIAL MORTGAGE INSURANCE ASSISTANCE

"SEC. 237. (a) The purpose of this section is to help provide adequate housing for families of low and moderate income, including those who, for reasons of credit history, irregular income patterns caused by seasonal employment, or other factors, are unable to meet the credit requirements of the Secretary for the purchase of a single-family home financed by a mortgage insured under section 203, 220, 221, 234, or 235(j)(4), but who, through the incentive of homeownership and counseling assistance, appear to be able to achieve homeownership.

"(b) The Secretary is authorized upon application by the mortgagee to insure under this section any mortgage meeting the requirements of this section.

"(c) To be eligible for insurance under this section, a mortgage shall—

"(1) meet the requirements of section 203, 220(d)(3)(A), 221(d)(2), 221(h)(5), 221(i), 234(c), or 235(j)(4) except as such requirements are modified by this section;

"(2) involve a principal obligation (including such initial service charges, and such appraisal, inspection, and other fees, as the Secretary shall approve) in an amount not to exceed $15,000: *Provided*, That the Secretary may increase the amount to not exceed $17,500 in any geographical area where he finds that cost levels so require: *Provided further*, That no mortgage meeting the requirements of section 203(h) or 203(i) shall be eligible for insurance under this section if its principal obligation is in excess of the maximum limits prescribed in such section;

"(3) be executed by a mortgagor who the Secretary has determined, after a full and complete study of the case, would not be an acceptable credit risk for mortgage insurance purposes under section 203, 220, 221, 234, or 235(j)(4), because of his credit standing, debt obligations, total annual income, or income characteristics, but who the Secretary is satisfied would be a reasonably satisfactory credit risk, consistent with the objectives stated in subsection (a), if he were to receive budget, debt management, and related counseling: *Provided*, That, in determining whether the mortgagor is a reasonably satisfactory credit risk, the Secretary shall review the credit history of the applicant giving special consideration to those delinquent accounts which were ultimately paid by the applicant and to extenuating factors which may have caused credit accounts of the applicant to become delinquent; and the Secretary shall also give special consideration to income characteristics of applicants whose total income over the two years prior to their applications has remained at levels of eligibility (as required under paragraph (4) of this subsection), but who, because of the character of their seasonal employment or for other reasons, have not maintained continuous employment under one employer during that time; and

"(4) require monthly payments which, in combination with local real estate taxes on the property involved, do not exceed 25 per centum of the applicant's income, based on his average monthly income during the year prior to his application or the average monthly income during the three years prior to his application, whichever is higher.

"(d) The Secretary shall give preference in approving mortgage insurance applications under this section to families living in public housing units, especially those families required to leave public housing because their incomes have risen beyond the maximum prescribed income limits, and families eligible for residence in public housing who have been displaced from federally assisted urban renewal areas.

"(e) The Secretary is authorized to provide, or contract with public or private organizations to provide, such budget, debt management, and related counseling services to mortgagors whose mortgages are insured under this section as he determines to be necessary to meet the objectives of this section. The Secretary may also provide such counseling to otherwise eligible families who lack sufficient funds to supply a downpayment to help them to save an amount necessary for that purpose.

"(f) The aggregate principal balance of all mortgages insured under this section and outstanding at one time shall not exceed $100,000,000.

"(g) There are authorized to be appropriated such sums as may be necessary to carry out the provisions of subsection (e) of this section."

(b) Section 226 of the National Housing Act is amended by inserting "235(i), 237," after "234,".

RELAXATION OF MORTGAGE INSURANCE REQUIREMENTS IN CERTAIN URBAN NEIGHBORHOODS

SEC. 103. (a) Section 223 of the National Housing Act is amended by adding at the end thereof a new subsection as follows:

"(e) Notwithstanding any of the provisions of this title except section 212, and without regard to limitations upon eligibility contained in any section of this title, the Secretary is authorized, upon application by the mortgagee, to insure under any section of this title a mortgage executed in connection with the repair, rehabilitation, construction, or purchase of property located in an older, declining urban area in which the conditions are such that one or more of the eligibility requirements applicable to the section of this title under which insurance is sought could not be met, if the Secretary finds that (1) the area is reasonably viable, giving consideration to the need for providing adequate housing for families of low and moderate income in such areas, and (2) the property is an acceptable risk in view of such consideration. The insurance of a mortgage pursuant to this subsection shall be the obligation of the Special Risk Insurance Fund."

(b) Section 203(l) of such Act is repealed.

SPECIAL RISK INSURANCE FUND

SEC. 104. (a) Title II of the National Housing Act is amended by adding after section 237 (as added by section 102 of this Act) the following new section:

"PAYMENT OF INSURANCE—SPECIAL RISK INSURANCE FUND

"SEC. 238. (a)(1) Any mortgagee under a mortgage insured under section 235(i), 235(j)(4), or 237 shall be entitled to receive the benefits of the insurance as provided in section 204(a) with respect to mortgages insured under section 203. The provisions of subsections (b), (c), (d), (g), (j), and (k) of section 204 shall be applicable to mortgages insured under section 235(i) 235(j)(4), or 237, except that all references therein to the 'Mutual Mortgage Insurance Fund' shall be construed to refer to the 'Special Risk Insurance Fund', and all references therein to section 203 shall be construed to refer to section 235(i), 235(j)(4), or 237, as may be appropriate.

"(2) Any mortgagee under a mortgage insured under section 235(j)(1) or 236 shall be entitled to receive the benefits of insurance as provided in section 207(g) with respect to mortgages insured under section 207. The provisions of subsections (d), (e), (h), (i), (j), (k), (l), and (n) of section 207 shall be applicable to mortgages insured under sectition 235(j)(1) or 236, except that all references therein to the 'General Insurance Fund' shall be construed to refer to the 'Special Risk Insurance Fund' and the premium charge provided in section 207(d) shall be payable only in cash or debentures of the Special Risk Insurance Fund.

"(3) In lieu of the amount of insurance benefits computed pursuant to paragraph (1) or (2) of this subsection, the Secretary, in his discretion and in accordance with such regulations as he may prescribe, may (with respect to any mortgage loan acquired by him) compute and pay insurance benefits to the mortgagee in a total amount equal to the unpaid principal balance of the loan plus any accrued interest and any advances approved by the Secretary and made previously by the mortgagee under the provisions of the mortgage.

"(b) There is hereby created a Special Risk Insurance Fund (hereinafter referred to as the 'fund') which shall be used by the Secretary as a revolving fund for carrying out the mortgage insurance obligations of sections 223(e), 233(a)(2), 235, 236, and 237, and the Secretary is hereby authorized to advance to the fund the sum of $5,000,000 from the General Insurance Fund established pursuant to the provisions of section 519. Such advance shall be repayable at such times and at such rates of interest as the Secretary deems appropriate. Premium charges, adjusted premium charges, inspection and other fees, service charges, and any other income received by the Secretary under sections 223(e), 235, 236, and 237, together with all earnings on the assets of the fund, shall be credited to the fund. All payments made pursuant to claims of mortgagees with respect to mortgages insured under sections 235, 236, and 237 or pursuant to section 223(e) or 233(a)(2), cash adjustments, the principal of and interest paid on debentures which are the obligation of the fund, expenses incurred in connection with or as a consequence of the acquisition and disposal of property acquired under such sections, and all administrative expenses in connection with the mortgage insurance operations under such sections shall be paid out of the fund. There is authorized to be appropriated such sums as may be needed from time to time to cover losses sustained by the fund in carrying out the mortgage insurance obligations of sections 223(e), 233(a)(2), 235, 236, and 237. Moneys in the fund not needed for current operations of the fund shall be deposited with the Treasurer of the United States to the credit of the fund or invested in bonds or other obligations of, or in bonds or other obligations guaranteed by, the United States, The Secretary, with the approval of the Secretary of the Treasury, may purchase in the open market debentures which are the obligation of the fund. Such purchases shall be made at a price which will provide an investment yield of not less than the yield obtained from other investments authorized by this section. Debentures so purchased shall be canceled and not reissued. An annual business-type budget for the fund shall be prepared, transmitted to the Congress, considered, and enacted in the manner prescribed by law (sections 102, 103, and 104 of the Government Corporation Control Act (31 U.S.C. 847–849)) for wholly-owned Government corporations."

(b) Section 224 of such Act is amended by striking out "or section 233" and inserting in lieu thereof "section 233, or section 238".

(c) Section 519(e) of such Act is amended by inserting after "section 213(k)" the following: ", or the provisions of sections 223(e), 233(a)(2), 235, 236, and 237".

CONDOMINIUM AND COOPERATIVE OWNERSHIP FOR LOW AND MODERATE INCOME FAMILIES

SEC. 105. (a) Section 221 of the National Housing Act is amended by adding at the end thereof two new subsections as follows:

"(i)(1) The Secretary is authorized, with respect to any project involving a mortgage insured under subsection (d)(3) which bears interest at the below-market interest rate prescribed in the proviso of subsection (d)(5), to permit a conversion of the ownership of such project to a plan of family unit ownership. Under such plan, each family unit shall be eligible for individual ownership and provision shall be included for the sale of the family units, together with an undivided interest in the common areas and facilities which serve the project, to low or moderate income purchasers. The Secretary shall obtain such agreements as he determines to be necessary to assure continued maintenance of the common areas and facilities. Upon such sale, the family unit and the undivided interest in the common areas shall be released from the lien of the project mortgage.

"(2)(A) The Secretary is authorized, upon application by the mortgagee, to insure under this subsection mortgages financing the purchase of individual family units under the plan prescribed in paragraph (1). Commitments may be issued by the Secretary for the insurance of such mortgages prior to the date of their execution or disbursement thereon, upon such terms and conditions as the Secretary may prescribe. To be eligible for such insurance, the mortgage shall—

"(i) be executed by a mortgagor having an income within the limits prescribed by the Secretary for occupants of projects financed with a mortgage insured under subsection (d)(3) which bears interest at the below-market rate prescribed in the proviso of subsection (d)(5);

"(ii) involve a principal obligation (including such initial service charges, and such appraisal, inspection, and other fees, as the Secretary shall approve) in an amount not to exceed the Secretary's estimate of the appraised value of the family unit, including the mortgagor's interest in the common areas and facilities, as of the date the mortgage is accepted for insurance;

"(iii) bear interest at a rate determined by the Secretary (which may vary in accordance with the regulations of the Secretary promulgated pursuant to the last sentence of paragraph (4) of this subsection) but not less than the below-market rate in effect under the proviso of subsection (d)(5) at the date of the commitment for insurance; and

"(iv) provide for complete amortization by periodic payments within such term as the Secretary may prescribe, but not to exceed the lesser of forty years from the beginning of amortization of the mortgage or three-quarters of the Secretary's estimate of the remaining economic life of the building improvements.

"(B) The price for which the individual family unit is sold to the low or moderate income purchaser shall not exceed the appraised value of the property, as determined under subparagraph (A)(ii), except that the purchaser shall be required to pay on account of the property at the time of purchase at least such amount, in cash or its equivalent (which shall be not less than 3 per centum of such price, but which may be applied in whole or in part toward closing costs), as the Secretary may determine to be reasonable and appropriate.

"(3) Upon the sale of all of the family units covered by the project mortgage, and the release of all of the family units (including the undivided interest allocable to each unit in the common areas and facilities) from the lien of the project mortgage, the insurance of the project mortgage shall be terminated and no adjusted premium charge shall be collected by the Secretary upon such termination.

"(4) Any mortgage covering an individual family unit insured under this subsection shall contain a provision that, if the original mortgagor does not continue to occupy the property, the interest rate shall increase to the highest rate permissible under this section and the regulations of the Secretary effective at the time the commitment was issued for the insurance of the project mortgage; except that the requirement for an increase in interest rate shall not be applicable if the property is sold and the purchaser is (i) a nonprofit purchaser approved by the Secretary, or (ii) a low or moderate income purchaser who has an income within the limits prescribed by the Secretary for occupants of projects financed with a mortgage insured under subsection (d)(3) which bears interest at the below-market rate prescribed in the proviso of subsection (d)(5). The mortgage shall also contain a provision that, if the Secretary determines that the annual income of the original mortgagor (or a purchaser described in clause (ii) of the preceding sentence) has increased to an amount enabling payment of a greater rate of interest, the interest rate of the individual mortgage may be increased up to the highest rate permissible under the regulations of the Secretary for mortgages insured under this section effective at the time the commitment was issued for the insurance of the mortgage.

"(5) For the purpose of this subsection—

"(i) the term 'mortgage', when used in relation to a mortgage insured under paragraph (2) of this subsection, includes a first mortgage given to secure the unpaid purchase price of a fee interest in, or a long-term lease-hold interest in, a one-family unit in a multifamily project and an undivided interest in the common areas and facilities which serve the project; and

"(ii) the term 'common areas and facilities' includes the land and such commercial, community, and other facilities as are approved by the Secretary.

"(j)(1) The Secretary is authorized, with respect to any rental project involving a mortgage insured under subsection (d)(3) which bears interest at the below-market interest rate prescribed in the proviso of subsection (d)(5), to permit a conversion of the ownership of such project to a cooperative approved by the Secretary. Membership in such cooperative shall be made available only to those families having an income within the limits prescribed by the Secretary for occupants of projects financed with a mortgage insured under subsection (d)(3) which bears interest at such below-market rate: *Provided*, That families residing in the rental project at the time of its conversion to a cooperative who do not meet such income limits may be permitted to become members in the cooperative under such special terms and conditions as the Secretary may prescribe.

"(2) The Secretary is authorized, upon application by the mortgagee, to insure under this subsection cooperative mortgages financing the purchase of projects meeting the requirements of paragraph (1). Commitments may be issued by the Secretary for the insurance of such mortgages prior to the date of their execution or disbursement thereon, upon such terms and conditions as the Secretary may prescribe. To be eligible for such insurance, the mortgage shall—

"(i) involve a principal obligation (including such initial service charges and appraisal, inspection, and other fees as the Secretary shall approve) in an amount not exceeding the appraised value of the property for continued use as a cooperative, which value shall be based upon a mortgage amount on which the debt service can be met from the income of the property when operated on a nonprofit basis, after the payment of all operating expenses, taxes, and required reserves;

"(ii) bear interest at the below-market rate prescribed in the proviso of subsection (d)(5); and

"(iii) provide for complete amortization within such term as the Secretary may prescribe."

(b) Section 221(g)(1) of such Act is amended by striking out "or paragraph (5) of subsection (h) of this section" and inserting in lieu thereof "paragraph (5) of subsection (h) of this section, or paragraph (2) of subsection (i) of this section".

(c) Section 221(g)(2) of such Act is amended by striking out "or paragraph (1) of subsection (h)" and inserting in lieu thereof "paragraph (1) of subsection (h) of this section, or paragraph (2) of subsection (j),".

(d) Section 221(f) of such Act is amended by inserting after "subsection (h)" in the third sentence of the second paragraph the following: ", (i), or (j)".

ASSISTANCE TO NONPROFIT SPONSORS OF LOW AND MODERATE INCOME HOUSING

SEC. 106. (a) The Secretary of Housing and Urban Development is authorized to provide, or contract with public or private organizations to provide, information, advice, and technical assistance with respect to the construction, rehabilitation, and operation by nonprofit organizations of housing for low or moderate income families. Assistance by the Secretary may include—

(1) the assembly, correlation, publication, and dissemination of information with respect to the construction, rehabilitation, and operation of low and moderate income housing, and

(2) the provision of advice and technical assistance with respect to the construction, rehabilitation, and operation of low and moderate income housing.

(b)(1) The Secretary is authorized to make loans to nonprofit organizations for the necessary expenses, prior to construction, in planning, and obtaining financing for, the rehabilitation or construction of housing for low or moderate income families under any federally assisted program. Such loans shall be made without interest and shall not exceed 80 per centum of the reasonable costs expected to be incurred in planning, and in obtaining financing for, such housing prior to the availability of financing, including, but not limited to, preliminary surveys and analyses of market needs, preliminary site engineering and architectural fees, site acquisition, application and mortgage commitment fees, and construction loan fees and discounts. The Secretary shall require repayment of loans made under this subsection, under such terms and conditions as he may require, upon completion of the project or sooner, and may cancel any part or all of a loan if he determines that it cannot be recovered from the proceeds of any permanent loan made to finance the rehabilitation or construction of the housing.

(2) The Secretary shall determine prior to the making of any loan that the nonprofit organization meets such requirements with respect to financial responsibility and stability as he may prescribe.

(3) There are authorized to be appropriated for the purposes of this subsection not to exceed $7,500,000 for the fiscal year ending June 30, 1969, and not to exceed $10,000,000 for the fiscal year ending June 30, 1970. Any amounts so appropriated shall remain available until expended, and any amounts authorized for any fiscal year under this paragraph but not appropriated may be appropriated for any succeeding fiscal year.

(4) All funds appropriated for the purposes of this subsection shall be deposited in a fund which shall be known as the Low and Moderate Income Sponsor Fund, and which shall be available without fiscal year limitation and be administered by the Secretary as a revolving fund for carrying out the purposes of this subsection. Sums received in repayment of loans made under this subsection shall be deposited in such fund.

NATIONAL HOMEOWNERSHIP FOUNDATION

SEC. 107. (a)(1) There is hereby created a body corporate to be known as the "National Homeownership Foundation" (hereinafter referred to as the "Foundation") to carry out a continuing program of encouraging private and public organizations at the national, community, and neighborhood levels to provide increased homeownership and housing opportunities in urban and rural areas for lower income families through such means as—

(A) encouraging the investment in, and sponsoring of, housing for lower income families;

(B) encouraging the establishment of programs of assistance and counseling to lower income families to enable them better to achieve and afford adequate housing;

(C) providing a broad range of technical assistance through publications and advisory services to public and private organizations which are carrying out, or are desirous of carrying out, programs to expand homeownership and housing opportunities for lower income families; and

(D) providing grants and loans to public and private organizations carrying out homeownership and housing opportunity programs for lower income families to help cover some of the expenses of such programs.

(2) The Foundation shall be deemed to be a corporation without members organized and established under the provisions of the District of Columbia Nonprofit Corporation Act, with all the rights, powers, and responsibilities thereof except as limited by this section and any amendments thereto. This section shall constitute the articles of incorporation and charter of the Foundation, which shall not be an agency or instrumentality of the United States Government. The Congress expressly reserves the exclusive right to alter or amend this charter. The Foundation shall have succession until dissolved by Act of Congress. The Foundation shall maintain it principal office in the District of Columbia.

(3) No part of the net earnings of the Foundation shall inure to the benefit of any private person, and no substantial part of its activities shall be devoted to attempting to influence legislation. The Foundation shall not participate or intervene in any political campaign on behalf of any candidate for public office. The Foundation shall be operated and administered at all times as a charitable and educational foundation.

(4) No employee or officer of the Foundation shall receive compensation in excess of that received by or hereafter prescribed by law for heads of executive departments.

(5) The Foundation shall make maximum use of existing public and private agencies and programs, and in carrying out its functions the Foundation is authorized to contract with individuals, private corporations, organizations, and associations, and with agencies of the Federal, State, and local governments.

(6) The Foundation is authorized to receive donations and grants from individuals and from public and private organizations, foundations, and agencies.

(7) The Foundation may use only donated funds, or funds derived from payment of interest on loans made by it, for the principal and interest payments on any borrowings.

(b)(1) The Foundation shall have a Board of Directors consisting of eighteen members, fifteen of whom shall be appointed by the President of the United States, with the advice and consent of the Senate. The other three members shall be, ex officio, the Secretary of Housing and Urban Development, the Secretary of Agriculture, and the Director of the Office of Economic Opportunity. The President shall appoint one of the fifteen appointed members to serve as Chairman of the Board during his term of office as a member.

(2) Within thirty days after the date of enactment of this Act, the President shall appoint the fifteen appointed members of the Board. Not more than five of such members shall, at the time of their appointment, be serving full time as officers or employees of the Federal Government, or as officers or employees of any State or local government. Each appointed member of the Board shall hold office for a term of three years, except that (A) any member appointed to fill a vacancy prior to the expiration of the term for which his predecessor was appointed shall be appointed for the remainder of such term, and (B) the terms of the members first taking office shall expire, as designated by the President at the time of appointment, five at the end of the first year, five at the end of the second year, and five at the end of the third year after the date of appointment. Members of the Board, however, appointed shall be eligible for reappointment, but at no time shall there be more than five members of the Board who at the time of their appointment or reappointment were full-time officers or employees of the Federal Government or of any State or local government.

(3) Appointed members of the Board who are not employees of the Federal Government, while attending meetings or conferences of the Board or otherwise serving on business of the Board, shall be entitled to receive compensation at rates fixed by the President, but not exceeding $100 per day, including travel time, and while so serving away from their homes or regular places of business they may be allowed travel expenses, including per diem in lieu of subsistence, as authorized by section 5703 of title 5, United States Code, for persons in the Government service employed intermittently.

(4) The Board shall appoint an Executive Director of the Foundation. The Executive Director shall be the chief executive officer of the Foundation and shall serve at the pleasure of the Board, and all other executive officers and employees of the Board shall be responsible to him. The Board shall also cause to be appointed a secretary, a treasurer, and such other officers as may be necessary to conduct properly the business of the Foundation, and shall provide for filling vacancies in such offices.

(5) The Board shall adopt bylaws for the Foundation which shall be made available for public inspection upon request.

(c)(1) The Foundation shall assist public and private organizations, at their request, in initiating, developing, and conducting programs to expand homeownership and housing opportunities for lower income families. To provide such assistance and to carry out the purposes of this section, the Foundation is authorized to—

(A) carry out a continuing program of encouraging private and public organizations at the national, community, and neighborhood levels in the establishment of such programs;

(B) assist in the formation of organizations the purpose of which is the development and carrying out of such programs, including the establishment of local development funds for financing housing for lower income families through the pooling of moneys from private sources;

(C) identify and arrange for the technical and managerial assistance and personnel needed for the successful operation of such programs by public and private organizations;

(D) assist public and private organizations in obtaining the mortgage financing, insurance, and other requirements or aids necessary for conducting programs of housing construction, rehabilitation, or improvement for lower income families;

(E) arrange for, or provide on a limited basis, training for persons in the skills needed in administering programs of homeownership and housing opportunity for lower income families;

(F) encourage research and innovation, and collect and make available such information as may be desirable to further the purposes of this section, including but not limited to such activities as the sponsoring of seminars, conferences, and meetings, and the establishment of a continuing information program to acquaint lower income families with the means they can use to improve the quality of their housing and the homeownership and housing opportunities available to them;

(G) assist private and public organizations in establishing, in connection with their homeownership and housing opportunity programs for lower income families, counseling and similar activities designed to advise lower income families of the means available to better themselves economically through job training and manpower development programs; and

(H) perform other similar services in order to further the purposes of this section.

(2) The Foundation may, if it deems it appropriate, charge a reasonable fee for any assistance or services provided under this subsection.

(d)(1) In order to assist public and private organizations which are carrying out homeownership and housing opportunity programs for lower income families to fill unmet needs, initiate exceptional programs, and experiment with new approaches and programs, the Foundation is authorized, subject to such terms and conditions as it may prescribe, to make grants and loans to such organizations to help defray the following expenses:

(A) organizational and administrative expenses incurred in commencing the operation of a program, or in expanding an existing program, to the extent that the activities are related to providing homeownership and housing opportunities for lower income families;

(B) necessary preconstruction costs incurred for architectural assistance, land options, application fees, and similar items; and

(C) the cost of carrying out programs providing counseling or similar services to lower income families for whom housing is being provided, in order to enable those families better to achieve and afford adequate housing, in such matters as home management, budget management, and home maintenance.

(2) In order to be eligible for a grant or loan under this subsection, the organization seeking such assistance shall demonstrate to the satisfaction of the Foundation that the funds requested are not otherwise available from Federal sources: *Provided*, That a grant or loan under this subsection may be provided to help cover that portion of the cost of an eligible activity not covered by Federal funds.

(3) The Foundation shall encourage cooperation between public and private organizations carrying out programs of homeownership and housing opportunity for lower income families and the neighborhoods and communities affected by such programs. To help assure such cooperation and in order to coordinate, to the maximum extent feasible, any construction or rehabilitation activities with the development goals of the neighborhood or community affected, no application for a loan or grant under this subsection shall be considered unless such application has been submitted to the governing body of the community affected, or to such other entity of local government as may be designated by the governing body, for such recommendations as the local governing body or its designee may desire to make. Any recommendations so made shall be given careful consideration by the Foundation before taking final action on any such application. If, upon the expiration of thirty days after any such application has been submitted to such governing body or its designee, such body or designee fails to provide such recommendations, the application may be considered without the benefit of such recommendations.

(e) The Foundation shall coordinate its activities and consult with the Department of Housing and Urban Development and other Federal departments and agencies engaged in providing homeownership and housing opportunities for lower income families.

(f)(1) Not later than one hundred and twenty days after the close of each fiscal year, the Foundation shall prepare and submit to the President and to the Congress a full report of its activities during such year. Such report shall include an account of the Foundation's experiences with the efforts of private and public organizations to expand homeownership and housing opportunities for lower income families, together with such recommendations as it deems appropriate.

(2) Whenever in its judgment the general unavailability of mortgage funds is sufficiently serious to deter the Foundation from carrying out its objective of expanding homeownership and housing opportunities for lower income families, the Foundation shall, in its annual report or in a separate report to the President and the Congress, state its findings and make such recommendations for alternate means of financing housing for such families as it deems appropriate.

(g)(1) The financial transactions of the Foundation shall be audited by the General Accounting Office in accordance with the principles and procedures applicable to commercial corporate transactions and under such rules and regulations as may be prescribed by the Comptroller General of the United States. The representatives of the General Accounting Office shall have access to all books, accounts, financial records, reports, files, and all other papers, things, or property belonging to or in use by the Foundation and necessary to facilitate the audit, and they shall be afforded full facilities for verifying transactions with the balance or securities held by depositories, fiscal agents, and custodians. The audit shall cover the fiscal year corresponding to that of the United States Government.

(2) A report of each such audit shall be made by the Comptroller General to the Congress not later than January 15 following the close of the fiscal year for which the audit was made. The report shall set forth the scope of the audit and shall include a statement of assets and liabilities, capital, and surplus or deficit; a statement of sources and application of funds; and such comments and information as may be deemed necessary to keep the Congress informed of the operations and financial condition of the Foundation, together with such recommendations with respect thereto as the Comptroller General may deem advisable. The report shall also show specifically any program, expenditure, or other financial transaction or undertaking, observed in the course of the audit, which, in the opinion of the Comptroller General, has been carried on or made without authority of law. A copy of each report shall be furnished to the President and to the Foundation at the time submitted to the Congress.

(h) Funds of the Foundation shall be deposited, to the extent practicable, in accounts with financial institutions which are actively engaged in making loans or are otherwise carrying on activities in furtherance of homeownership and housing opportunities for lower income families.

(i) There is authorized to be appropriated to the Foundation not to exceed $10,000,000 to carry out the purposes of this section. Appropriations made hereunder shall remain available until expended.

NEW TECHNOLOGIES IN THE DEVELOPMENT OF HOUSING FOR LOWER INCOME FAMILIES

SEC. 108. (a) In order to encourage the use of new housing technologies in providing decent, safe, and sanitary housing for lower income families; to encourage large-scale experimentation in the use of such technologies; to provide a basis for comparison of such technologies with existing housing technologies in providing such housing; and to evaluate the effect of local housing codes and zoning regulations on the large-scale use of new housing technologies in the provision of such housing, the Secretary of Housing and Urban Development (hereinafter referred to as the "Secretary") shall institute a program under which qualified organizations, public and private, will submit plans for the development of housing for lower income families, using new and advanced technologies, on Federal land which has been made available by the Secretary for the purposes of this section, or on other land where (1) local building regulations permit the construction of experimental housing, or (2) State or local law permits variances from building regulations in the construction of experimental housing for the purpose of testing and developing new building technologies.

(b) The Secretary shall approve not more than five plans utilizing new housing technologies which are submitted to him pursuant to the program referred to in subsection (a) and which he determines are most promising in furtherance of the purposes of this section. In making such determination the Secretary shall consider—

(1) the potential of the technology employed for producing housing for lower income families on a large scale at a moderate cost;

(2) the extent to which the plan envisages environmental quality;

(3) the possibility of mass production of the technology; and

(4) the financial soundness of the organization submitting the plan, and the ability of such organization, alone or in combination with other organizations, to produce at least one thousand dwellings units a year utilizing the technology proposed.

(c) In approving projects for mortgage insurance under section 233(a)(2) of the National Housing Act (as added by subsection (f) of this section), the Secretary shall seek to achieve the construction of at least one thousand dwelling units a year over a five-year period for each of the various types of technologies proposed in approved plans under subsection (b). The Secretary shall evaluate each project with respect to which assistance is extended pursuant to this section with a view to determining (1) the detailed cost breakdown per dwelling unit, (2) the environmental quality achieved in each such unit, and (3) the effect which local housing codes and zoning regulations have, or would have if applicable, on the cost per dwelling unit.

(d) Notwithstanding the provisions of the Federal Property and Administrative Services Act of 1949, any land which is excess property within the meaning of such Act and which is determined by the Secretary to be suitable in furtherance of the purposes of this section may be transferred to the Secretary upon his request.

(e) The Secretary shall, at the earliest practicable date, report his findings with respect to projects assisted pursuant to this section (including evaluations of each such project in accordance with subsection (c), together with such recommendations for additional legislation as he determines to be necessary or desirable to expand the available supply of decent, safe, and sanitary housing for lower income families through the use of technologies the efficacy of which has been demonstrated under this section.

(f)(1) Section 233(a) of the National Housing Act is amended—

(A) by inserting "(1)" after "(a)",

(B) by redesignating clauses (1), (2), and (3) as clauses (A), (B), and (C), respectively, and

(C) by adding at the end thereof the following new paragraph:

"(2) The Secretary is further authorized to insure and to make commitments to insure, under this section, mortgages (including advances on mortgages during construction) secured by properties in projects to be carried out in accordance with plans approved by the Secretary under section 108 of the Housing and Urban Development Act of 1968.".

(2) Section 233(c) of such Act is amended by inserting at the end thereof the following new sentence: "Any authority which the Secretary may exercise in connection with a mortgage, or property covered by a mortgage, insured under any other section of this title (including payments to reduce rentals for, or to facilitate homeownership by, lower income families) may be exercised in connection with a mortgage, or property covered by a mortgage, meeting the requirements of such other section (except as specified in subsection (b)), which is insured under this section to the same extent and in the same manner as if the mortgage insured under this section was insured under such other section."

INSURANCE PROTECTION FOR HOMEOWNERS

SEC. 109. (a) The Secretary of Housing and Urban Development is authorized, in cooperation with the private insurance industry, to develop a plan for the establishment at the earliest practicable date of an insurance program to help homeowners in meeting mortgage payments in times of personal economic adversity. Such insurance program shall be designed to protect mortgagors against foreclosure due to curtailment of income resulting from factors beyond their effective control, including such factors as death, disability, illness, and unemployment. Such insurance program shall also be designed to be actuarially sound through the use of premiums, fees, extended or increased payment schedules, or other similar methods, in conjunction with such Federal participation as may be necessary.

(b) Within six months following the date of enactment of this Act, the Secretary shall report to the Congress on his actions under this section, and shall recommend to the Congress such legislation as he deems appropriate to authorize him to enter into agreements with any insurance company, or any corporation or joint enterprise formed to provide home mortgage insurance protection, for the purpose of reinsuring insurance reserve funds, subsidizing premium payments on behalf of lower income mortgagors, or otherwise making possible the insurance protection of homeowners in accordance with subsection (a). In preparing such recommendations the Secretary shall consult with other agencies or instrumentalities of the United States which insure or guarantee home mortgages in order that such legislation as may be recommended affords equal benefits to mortgagors participating in their programs.

TITLE II—RENTAL HOUSING FOR LOW AND MODERATE INCOME FAMILIES

PART A—PRIVATE HOUSING

RENTAL AND COOPERATIVE HOUSING FOR LOW AND MODERATE INCOME FAMILIES

SEC. 201. (a) Title II of the National Housing Act is amended by adding after section 235 (as added by section 101 of this Act) the following new section:

"RENTAL AND COOPERATIVE HOUSING FOR LOW AND MODERATE INCOME FAMILIES

"SEC. 236. (a) For the purpose of reducing rentals for low and moderate income families, the Secretary is authorized to make, and to contract to make, periodic interest reduction payments on behalf of the owner of a rental housing project designed for occupancy by low and moderate income families, which shall be accomplished through payments to mortgagees holding mortgages meeting the special requirements specified in this section.

"(b) Interest reduction payments with respect to a project shall only be made during such time as the project is operated as a rental housing project and is subject to a mortgage which meets the requirements of, and is insured under, subsection (j) of this section: *Provided*, That interest reduction payments may be made with respect to a rental or cooperative housing project owned by a private nonprofit corporation or other private nonprofit entity, a limited dividend corporation or other limited dividend entity, or a cooperative housing corporation, which is financed under a State or local program providing assistance through loans, loan insurance, or tax abatements, and which, prior to completion of construction or rehabilitation, is approved for receiving the benefits of this section.

"(c) The interest reduction payments to a mortgagee by the Secretary on behalf of a project owner shall be in an amount not exceeding the difference between the monthly payment for principal, interest, and mortgage insurance premium which the project owner as a mortgagor is obligated to pay under the mortgage and the monthly payment for principal and interest such project owner would be obligated to pay if the mortgage were to bear interest at the rate of 1 per centum per annum.

"(d) The Secretary may include in the payment to the mortgagee such amount, in addition to the amount computed under subsection (c), as he deems appropriate to reimburse the mortgagee for its expenses in handling the mortgage.

"(e) As a condition for receiving the benefits of interest reduction payments the project owner shall operate the project in accordance with such requirements with respect to tenant elegibility and rents as the Secretary may prescribe. Procedures shall be adopted by the Secretary for review of tenant incomes at intervals of two years (or at shorter intervals where the Secretary deems it desirable).

"(f) For each dwelling unit there shall be established with the approval of the Secretary (1) a basic rental charge determined on the basis of operating the project with payments of principal and interest due under a mortgage bearing interest at the rate of 1 per centum per annum; and (2) a fair market rental charge determined on the basis of operating the project with payments of principal, interest, and mortgage insurance premium which the mortgagor is obligated to pay under the mortgage covering the project. The rental for each dwelling unit shall be at the basic rental charge or such greater amount, not exceeding the fair market rental charge, as represents 25 per centum of the tenant's income.

"(g) The project owner shall, as required by the Secretary, accumulate, safeguard, and periodically pay to the Secretary all rental charges collected in excess of the basic rental charges. Such excess charges shall be deposited by the Secretary in a fund which may be used by him as a revolving fund for the purpose of making interest reduction payments with respect to any rental housing project covered by a mortgage insured under this section, subject to limits approved in appropriation Acts pursuant to subsection (i). Moneys in such fund not needed for current operations may be invested in bonds or other obligations of the United States or in bonds or other obligations guaranteed as to principal and interest by the United States.

"(h) In addition to establishing the requirements specified in subsection (e), the Secretary is authorized to make such rules and regulations, to enter into such agreements, and to adopt such procedures as he may deem necessary or desirable to carry out the provisions of this section.

"(i) There are authorized to be appropriated such sums as may be necessary to carry out the provisions of this section, including such sums as may be necessary to make interest reduction payments under contracts entered into under this section. The aggregate amount of contracts to make such payments shall not exceed amounts approved in appropriation Acts, and payments pursuant to such contracts shall not exceed $75,000,000 per annum prior to July 1, 1969, which maximum dollar amount shall be increased by $100,000,000 on July 1, 1969, and by $125,000,000 on July 1, 1970.

"(j) (1) The Secretary is authorized, upon application by the mortgagee, to insure a mortgage (including advances on such mortgage during construction) which meets the requirements of this subsection. Commitments for the insurance of such mortgages may be issued by the Secretary prior to the date of their execution or disbursement thereon, upon such terms and conditions as he may prescribe.

"(2) As used in this subsection—

"(A) the terms 'family' and 'families' shall have the same meaning as in section 221;

"(B) the term 'elderly or handicapped families' shall have the same meaning as in section 202 of the Housing Act of 1959; and

"(C) the terms 'mortgage', 'mortgagee', and 'mortgagor' shall have the same meaning as in section 201.

"(3) To be eligible for insurance under this subsection, a mortgage shall meet the requirements specified in subsections (d) (1) and (d) (3) of section 221, except as such requirements are modified by this subsection. In the case of a project financed with a mortgage insured under this subsection which involves a mortgagor other than a cooperative or a private nonprofit corporation or association and which is sold to a cooperative or a nonprofit corporation or association, the Secretary is further authorized to insure under this subsection a mortgage given by such purchaser in an amount not exceeding the appraised value of the property at the time of purchase, which value shall be based upon a mortgage amount on which the debt service can be met from the income of the property when operated on a nonprofit basis, after payment of all operating expenses, taxes, and required reserves.

"(4) A mortgage to be insured under this subsection shall—

"(A) be executed by a private mortgagor eligible under subsection (d) (3) or (e) of section 221;

"(B) bear interest (exclusive of premium charges for insurance and service charges, if any) at not to exceed such per centum per annum (not in excess of 6 per centum), on the amount of the principal obligation outstanding at any time, as the Secretary finds necessary to meet the mortgage market; and

"(C) provide for complete amortization by periodic payments within such term as the Secretary may prescribe.

"(5) The property or project shall—

"(A) comply with such standards and conditions as the Secretary may prescribe to establish the acceptability of the property for mortgage insurance and may include such nondwelling facilities as the Secretary deems adequate and appropriate to serve the occupants and the surrounding neighborhood: *Provided*, That the project shall be predominantly residential and any nondwelling facility included in the mortgage shall be found by the Secretary to contribute to the economic feasibility of the project, and the Secretary shall give due consideration to the possible effect of the project on other business enterprises in the community: *Provided further*, That, in the case of a project designed primarily for occupancy by elderly or handicapped families, the project may include related facilities for use by elderly or handicapped families, including cafeterias or dining halls, community rooms, workshops, infirmaries or other inpatient or outpatient health facilities, and other essential service facilities;

"(B) include five or more dwelling units; and

"(C) be designed primarily for use as a rental project to be occupied by low and moderate income families or by elderly or handicapped families: *Provided*, That low and moderate income persons who are less than sixty-two years of age shall be eligible for occupancy in such a project, but not more than 10 per centum of the dwelling units in any such project shall be available for occupancy by such persons.

"(6) With the approval of the Secretary, the mortgagor may sell the individual dwelling units to low and moderate income or elderly or handicapped purchasers. The Secretary may consent to the release of the mortgagor from his liability under the mortgage and the credit instrument secured thereby, or consent to the release of parts of the mortgaged property from the lien of the mortgage, upon such terms and conditions as he may prescribe, and the mortgage may provide for such release.

"(k) As used in this section the term 'tenant' includes a member of a cooperative; the term 'rental housing project' includes a cooperative housing project; and the terms 'rental' and 'rental charge' mean, with respect to members of a cooperative, the charges under the occupancy agreements between such members and the cooperative.

"(l) The Secretary shall from time to time allocate and transfer to the Secretary of Agriculture, for use (in accordance with the terms and conditions of this section) in rural areas and small towns, a reasonable portion of the total authority to contract to make periodic interest reduction payments as approved in appropriation Acts under subsection (i).

"(m) Notwithstanding any other provision of this section, no interest reduction payments authorized to be contracted under this section shall be made with respect to families, occupying rental housing projects insured under this section, whose incomes at the time of the initial renting of the projects are in excess of 130% of the maximum income limits which can be established in the area, pursuant to the limitations prescribed in sections 2(2) and 15(7) (b) (ii) of the United States Housing Act of 1937, for occupancy in public housing dwellings."

(b) (1) Section 212(a) of such Act is amended by striking out "or 232" in the first sentence of the second paragraph and inserting in lieu thereof ", 232, or 236".

(2) Section 227(a) of such Act is amended by striking out "or (viii) under section 234 (d)" and inserting in lieu thereof "(viii) under section 234(d), or (ix) under section 236".

(3) Section 227(c) of such Act is amended by striking out "or section 233(b) (2)" each place it appears and inserting in lieu thereof "section 233, or section 236".

(c) The Secretary of Housing and Urban Development is authorized, upon such terms and conditions as he may prescribe, to transfer to section 236(j) of the National Housing Act the insurance of a mortgage which has not been finally endorsed for insurance under section 221(d) (3) of such Act and which has been approved for the below-market interest rate prescribed in the proviso of section 221 (d) (5) of such Act.

(d) The Secretary of Housing and Urban Development is authorized, upon such terms and conditions as he may prescribe, to insure under section 236(j) of the National Housing Act a mortgage meeting the requirements of such section which is given to refinance a mortgage loan made under section 202 of the Housing Act of 1959: *Provided*, That the application for such insurance is filed with the Secretary on or before the date of project completion, or within such reasonable time thereafter as the Secretary may permit.

(e) (1) Section 101(d) of the Housing and Urban Development Act of 1965 is amended by striking out "one-fourth" and inserting in lieu thereof "one-fifth".

(2) Section 101(g) of such Act is amended by striking out "or 231(c) (3)" and inserting in lieu thereof ", 231(c) (3), or 236".

(3) Section 101(j) (1) of such Act is amended—

(A) by striking out "and" at the end of subparragraph (B);

(B) by striking out the period at the end of subparagraph (C) and inserting in lieu thereof "; and"; and

(C) by inserting after subparagraph (C) a new subparagraph as follows:

"(D) a private nonprofit corporation or other private nonprofit legal entity, a limited dividend corporation or other limited dividend legal entity, or a cooperative housing corporation, which is a mortgagor under a mortgage insured under section 236(j) of the National Housing Act which has been approved for receiving the benefits of this section: *Provided*, That payments shall not be made with respect to more than 20 per centum of the dwelling units in any property so financed."

(f) Section 207 of the Appalachian Regional Development Act of 1965 is amended—

(1) by inserting in the heading "AND SECTION 236" immediately after "SECTION 221";

(2) by inserting "or section 236" after "section 221" each place it appears;

(3) by inserting "or 'section 236'" after "'section 221'" in subsection (a); and

(4) by inserting ", Government National Mortgage Association," immediately after "Federal Housing Administration" in subsection (c).

(g) The first sentence of section 305 (i) of the National Housing Act is amended—

(1) by striking out "or (3)" and inserting in lieu thereof "(3)", and

(2) by inserting after "221 (e)" the following: ", or (4) a mortgage insured under section 236".

RENT SUPPLEMENT PROGRAM

SEC. 202. (a) Section 101 (a) of the Housing and Urban Development Act of 1965 is amended by striking out everything after the word "exceed" the second time the word appears in the third sentence and inserting in lieu thereof the following: "$150,000,000 per annum prior to July 1, 1969, which maximum dollar amount shall be increased by $40,000,000 on July 1, 1969, and by $100,000,000 on July 1, 1970."

(b) Section 101(b) of such Act is amended by inserting after the first sentence the following: "Such term also includes a private nonprofit corporation or other private nonprofit legal entity, a limited dividend corporation or other limited dividend legal entity, or a cooperative housing corporation, which is the owner of a rental or cooperative housing project financed under a State or local program providing assistance through loans, loan insurance, or tax abatement and which prior to completion of construction or rehabilitation is approved for receiving the benefits of this section."

PART B—LOW-RENT PUBLIC HOUSING

INCREASED LOW-RENT PUBLIC HOUSING AUTHORIZATION

SEC. 203. (a) Section 10(e) of the United States Housing Act of 1937 is amended by striking out "$366,250,000 per annum, which limit shall be increased by $47,000,000 on the date of enactment of the Housing and Urban Development Act of 1965, and by further amounts of $47,000,000 on July 1 in each of the years 1966, 1967, and 1968, respectively," in the first sentence and inserting in lieu thereof the following "$554,250,000 per annum, which limit shall be increased by $100,000,000 on the date of enactment of the Housing and Urban Development Act of 1968 and by further amounts of $150,000,000 on July 1 in each of the years 1969 and 1970,".

(b) Section 20 of such Act is amended—

(1) by striking out "not to exceed $1,500,000,000" in the first sentence and inserting in lieu thereof "which shall not, unless authorized by the President, exceed $1,500,000,000"; and

(2) by inserting after the first sentence the following: "For the purpose of determining obligations incurred to make loans pursuant to this Act against any limitation otherwise applicable with respect to such loans, the Secretary shall estimate the maximum amount to be loaned at any one time pursuant to loan agreements then outstanding with public housing agencies."

PURCHASE OF UNITS BY TENANTS

SEC. 204. Section 15(9) of the United States Housing Act of 1937 is amended by striking out "which is suitable by reason of its detached or semidetached construction" and inserting in lieu thereof ", if the property to be acquired is sufficiently separable from other property retained by the public housing agency to make it suitable".

PUBLIC HOUSING IN INDIAN AREAS

SEC. 205. (a) Section 1 of the United States Housing Act of 1937 is amended by striking out "urban and rural nonfarm" in the first sentence and inserting in lieu thereof "urban, rural nonfarm, and Indian".

(b) Section 10(a) of such Act is amended by inserting "or Indian" after "nonfarm" in the fourth proviso.

LIMITATION ON HIGH-RISE STRUCTURES IN LOW-RENT PUBLIC HOUSING PROJECTS

SEC. 206. Section 15 of the United States Housing Act of 1937 is amended by adding at the end thereof (after the new paragraph added by section 204 of this Act) the following new paragraph:

"(11) Except in the case of housing predominantly for the elderly, upon enactment of this paragraph, the Secretary shall not approve high-rise elevator projects for families with children unless he makes a determination that there is no practical alternative."

PROHIBITION AGAINST CERTAIN LIMITATIONS ON TYPES OR CATEGORIES OF LOW-RENT HOUSING IN PRIVATE ACCOMMODATIONS

SEC. 207. The first sentence of section 23(d) of the United States Housing Act of 1937 is amended by inserting before the period at the end thereof the following: "(and no limitation not specifically provided for in this section shall be imposed by regulations of the Authority on the types or categories of structures or dwelling units qualifying under subsection (a)(3) and approved under subsection (c), which may be so used in any community)".

LIMITATION ON NUMBER OF UNITS OF LOW-RENT HOUSING IN PRIVATE ACCOMMODATIONS PER STRUCTURE

SEC. 208. The first sentence of section 23(c) of the United States Housing Act of 1937 is amended by striking out "not exceeding 10 per centum of the units in any single structure except" and inserting in lieu thereof the following: "not exceeding, in the case of any single structure, the lesser of (i) ten units or 10 per centum of the units in the structure, whichever is greater, or (ii) 50 per centum of the units in the structure, with such lesser number being increased (if it is not a whole number) to the next higher whole number; except".

SALE TO TENANTS OF LOW-RENT HOUSING IN PRIVATE ACCOMMODATIONS

SEC. 209. (a) Section 23(f) of the United States Housing Act of 1937 is amended by inserting "(1)" after "shall not apply to", and by inserting before the period at the end thereof the following: ", or (2) housing purchased (or in the process of purchase) by the public housing agency for resale to tenants as provided in subsection (g)".

(b) Section 23 of such Act is further amended by adding at the end thereof the following new subsection:

"(g) To the extent authorized in contracts entered into by the Authority with a public housing agency, such agency may purchase any structure containing one or more dwelling units leased to provide low-rent housing in private accommodations under this section for the purpose of reselling the structure to the tenant or tenants of the structure or to a group of such tenants occupying units aggregating in value at least 80 per centum of the structure's total value. Any such resale shall be made subject to such terms and conditions (including provision for deferment of the required downpayment and for elimination of or adjustments in the required interest payments during a temporary period) as may be necessary to enable the tenants involved to make the purchase without undue financial hardship."

ADDITIONAL SUBSIDY FOR LARGE FAMILIES AND FAMILIES OF UNUSUALLY LOW INCOME

SEC. 210. (a) Section 2(2) of the United States Housing Act of 1937 is amended by inserting at the end thereof the following new sentences: "The term 'large families' means families which include four or more minors. The term 'families of unusually low income' means families with incomes below the income level established by the public housing agency, as approved by the Authority, who could not be housed without the additional subsidy authorized under section 10(a)."

(b) The first proviso in section 10(a) of such Act is amended—

(1) by inserting after "an elderly family," the following: "or a large family, or a family of unusually low income,";

(2) by striking out "to lease the dwelling unit to an elderly or displaced family at a rental it could afford and"; and

(3) by striking out ", and, in the case of displaced families, if and to the extent that the average or estimated average rental for units so occupied by such families was less than the rental which the Authority determines, on the basis of the average or estimated average project rentals, would have been established in leasing the units to families which were neither elderly nor similarly displaced".

TITLE III—FEDERAL HOUSING ADMINISTRATION INSURANCE OPERATIONS

MORTGAGE INSURANCE PREMIUMS FOR SERVICEMEN AND THEIR WIDOWS

SEC. 301. Section 222 of the National Housing Act is amended—

(1) by striking out "Secretary of the Treasury" each place it appears and inserting in lieu thereof "Secretary of Transportation"; and

(2) by adding at the end thereof two new subsections as follows:

"(f) The Secretary is authorized to transfer to this section the insurance on any mortgage covering a single-family dwelling or a one-family unit in a condominium project insured under this Act, if the mortgage indebtedness thereof has been assumed by a serviceman who at the time of assumption is the owner of the property and either occupies the property or certifies that his failure to do so is the result of his military assignment, or, in the case of the United States Coast Guard, other assignment.

"(g) Where a serviceman dies while on active duty in the Armed Forces of the United States or in the United States Coast Guard, leaving a surviving widow as owner of the property, the period of ownership by the serviceman (within the meaning of subsection (c) of this section) shall extend for two years beyond the date of the serviceman's death or until the date the widow disposes of the property, whichever date occurs first. The Secretary of Defense or the Secretary of Transportation, as the case may be, shall notify such widow promptly following the serviceman's death of the additional costs to be borne by the mortgagor following termination of the two-year period."

MODIFICATIONS IN TERMS OF INSURED MORTGAGES COVERING MULTIFAMILY PROJECTS

SEC. 302. Title II of the National Housing Act is amended by adding after section 238 (as added by section 104 of this Act) the following new section:

"MODIFICATIONS IN TERMS OF INSURED MORTGAGES COVERING MULTIFAMILY PROJECTS

"SEC. 239. (a) The Secretary shall not consent to any request for an extension of the time for curing a default under any mortgage covering multifamily housing, as defined in the regulations of the Secretary, or for a modification of the terms of such mortgage, except in conformity with regulations prescribed by the Secretary in accordance with the provisions of this section. Such regulations shall require, as a condition to the granting of any such request, that, during the period of such extension or modification, any part of the rents or other funds derived by the mortgagor from the property covered by the mortgage which is not required to meet actual and necessary expenses arising in connection with the operation of such property, including amortization charges under the mortgage, be held in trust by the mortgagor and distributed only with the consent of the Secretary; except that the Secretary may provide for the granting of consent to any request for an extension of the time for curing a default under any mortgage covering multifamily housing, or for a modification of the terms of such mortgage, without regard to the foregoing requirement, in any case or class of cases in which an exemption from such requirement does not (as determined by the Secretary) jeopardize the interests of the United States.

"(b) Whoever, as an owner of a property which is security for a mortgage described in subsection (a), or as a stockholder of a corporation owning such property, or as a beneficial owner under any business organization or trust owning such property, or as an officer, director, or agent of any such owner, (1) willfully uses or authorizes the use of any part of the rents or other funds derived from property covered by such mortgage in violation of a regulation prescribed by the Secretary under subsection (a), or (2) if such mortgage is determined, as provided in subsection (a), to be exempt from the requirement of any such regulation or is not otherwise covered by such regulation, willfully and knowingly uses or authorizes the use, while such mortgage is in default, of any part of the rents or other funds derived from the property covered by such mortgage for any purpose other than to meet actual and necessary expenses arising in connection with such property (including amortization charges under the mortgage), shall be fined not more than $5,000 or imprisoned not more than three years, or both."

CONDOMINIUMS

SEC. 303. (a) Section 234(c) of the National Housing Act is amended by striking out "rental housing, and (3)" in the first sentence and inserting in lieu thereof the following: "rental housing: *Provided*, That a one-family unit in a multifamily project involving eleven or less units shall be eligible for insurance without having been covered by a project mortgage, and (3)".

(b) Section 234(c) of such Act is further amended by striking out "(iii) 75 per centum" in the third sentence and inserting in lieu thereof "(iii) 80 per centum".

(c) Section 234(f) of such Act is amended by striking "five" and inserting in lieu thereof "four".

INSURANCE OF LOANS FOR PURCHASE OF FEE SIMPLE TITLE FROM LESSORS

SEC. 304. (a) Title II of the National Housing Act is amended by adding after section 239 (as added by section 302 of this Act) the following new section:

"PURCHASE OF FEE SIMPLE TITLE FROM LESSORS

"SEC. 240. (a) The Secretary is authorized, upon such terms and conditions as he may prescribe, to make commitments to insure and to insure loans made by financial institutions for the purpose of financing purchases by homeowners of the fee simple title to property on which their homes are located.

"(b) As used in this section—

"(1) the term 'financial institution' means a lender approved by the Secretary as eligible for insurance under section 2 or a mortgage approved under section 203(b)(1); and

"(2) the term 'homeowner' means a lessee under a long-term ground lease.

"(c) To be eligible for insurance under this section, a loan shall—

"(1) relate to property on which there is located a dwelling designed principally for a one-, two-, three-, or four-family residence;

"(2) not exceed the cost of purchasing the fee simple title, or $10,000 per family unit, whichever is the lesser;

"(3) be limited to an amount which when added to any outstanding indebtedness related to the property (as determined by the Secretary) creates a total outstanding indebtedness which does not exceed the applicable mortgage limit prescribed in section 203(b);

"(4) bear interest at not to exceed such per centum per annum (not to exceed 6 per centum), on the amount of the principal obligation outstanding at any time, as the Secretary finds necessary to meet market conditions, and such other charges (including service charges and appraisal, inspection, and other fees) as may be approved by the Secretary;

"(5) have a maturity satisfactory to the Secretary, but not to exceed twenty years from the beginning of amortization of the loan or three-quarters of the remaining economic life of the home, whichever is the lesser; and

"(6) comply with such other terms, conditions, and restrictions as the Secretary may prescribe.

"(d) The provisions of paragraphs (3), (5), (6), (7), (8), and (10) of section 220(h) shall be applicable to loans insured under this section, and as applied to loans insured under this section, references in those paragraphs to 'home improvement loans' and 'this subsection' shall be construed to refer to loans under this section."

(b) Section 5(c) of the Home Owners' Loan Act of 1933 (12 U.S.C. 1464(c)) is amended by adding immediately before the last paragraph the following new paragraph:

"Notwithstanding any other provision of this subsection, an association may invest in loans or obligations, or interests therein, as to which the association has the benefit of insurance under section 240 of the National Housing Act, or of a commitment or agreement therefor, and such investments shall not be included in any percentage of assets or other percentage referred to in this subsection."

EXTENSION OF SECTION 221(d)(2) SALES HOUSING PROGRAM FOR TWO-, THREE-, AND FOUR-FAMILY RESIDENCES TO ALL LOW AND MODERATE INCOME FAMILIES

SEC. 305. Section 221(d)(2) of the National Housing Act is amended by striking out "a displaced family" at the end of the first proviso and inserting in lieu thereof "the mortgagor".

REMOVAL OF DIVIDEND RESTRICTION FOR NONDWELLING FACILITIES IN SECTION 221 PROJECTS

SEC. 306. Section 221(f) of the National Housing Act is amended by striking out in the first sentence all that follows the word "mortgage" in the proviso and inserting in lieu thereof ": *Provided further*, That, in the case of a mortgage which bears interest at the below-market interest rate prescribed in the proviso of subsection (d)(5), the provisions of section 220(d)(3)(B)(iv) shall only apply if the mortgagor waives the right to receive dividends on its equity investment in the portion thereof devoted to commercial facilities."

SUPPLEMENTAL LOAN PROGRAM FOR PROJECTS FINANCED WITH FEDERAL HOUSING ADMINISTRATION INSURED MORTGAGES

SEC. 307. Title II of the National Housing Act is amended by adding after section 240 (as added by section 304 of this Act) the following new section:

"SUPPLEMENTAL LOANS FOR MULTIFAMILY PROJECTS

"SEC. 241. (a) With respect to a multifamily project or group practice facility covered by a mortgage insured under any section or title of this Act, the Secretary is authorized, upon such terms and conditions as he may prescribe, to make commitments to insure, and to insure supplemental loans (including advances during construction or improvement) made by financial institutions approved by the Secretary. As used in this section, 'supplemental loan' means a loan, advance of credit, or purchase of an obligation representing a loan or advance of credit made for the purpose of financing improvements or additions to such project or facility: *Provided*, That a loan involving a nursing home covered by a mortgage insured under section 232 or a loan involving a group practice facility covered by a mortgage insured under title XI may also be made for the purpose of financing equipment to be used in the operation of such nursing home or facility.

"(b) To be eligible for insurance under this section, a supplemental loan shall—

"(1) be limited to 90 per centum of the amount which the Secretary estimates will be the value of such improvements, additions, and equipment, except that such amount, when added to the outstanding balance of the mortgage covering the project or facility, shall not exceed the maximum mortgage amount insurable under the section or title pursuant to which the mortgage covering such project or facility is insured;

"(2) have a maturity satisfactory to the Secretary but not to exceed the remaining term of the mortgage;

"(3) bear interest (exclusive of premium charges for insurance and service charges, if any) at not to exceed such per centum per annum (not in excess of 6 per centum), on the amount of the principal obligation outstanding at any time, as the Secretary finds necessary to meet market conditions;

"(4) be secured in such manner as the Secretary may require;

"(5) be governed by the labor standards provisions of section 212 without regard to the section or title pursuant to which the mortgage covering the project or facility is insured; and

"(6) contain such other terms, conditions, and restrictions as the Secretary may prescribe.

"(c) The provisions of subsections (d), (e), (g), (h), (i), (j), (k), (l), and (n) of section 207 shall be applicable to loans insured under this section, except that (1) all references to the term 'mortgage' shall be construed to refer to the term 'loan' as used in this section, (2) loans involving projects covered by a mortgage insured under section 213 that is the obligation of the Cooperative Management Housing Insurance Fund shall be insured under and shall be the obligation of such fund, and (3) loans involving projects covered by a mortgage insured under section 236 shall be insured under and shall be the obligation of the Special Risk Insurance Fund."

HOME IMPROVEMENT LOANS—INCREASE IN MAXIMUM MATURITY, FINANCE CHARGE, AND LOAN AMOUNT

SEC. 308. Section 2(b) of the National Housing Act is amended—

(1) by striking out "$3,500" and inserting in lieu thereof "$5,000";

(2) by striking out "five years" and inserting in lieu thereof "seven years";

(3) by striking out "$5 discount" and inserting in lieu thereof "$5.50 discount"; and

(4) by striking out "$4 discount" and inserting in lieu thereof "$4.50 discount".

EXPERIMENTAL HOUSING PROGRAM

SEC. 309. Section 233 of the National Housing Act is amended—

(1) by striking out "of this title" immediately before the semicolon in subsection (b) and inserting in lieu thereof "or titles of this Act"; and

(2) by striking out "of this title" in subsection (e) and inserting in lieu thereof "or title of this Act".

TERM OF FEDERAL HOUSING ADMINISTRATION MORTGAGES FOR LAND DEVELOPMENT

SEC. 310. Section 1002(d)(1) of the National Housing Act is amended by striking out "seven years" and inserting in lieu thereof "ten years".

REHABILITATED MULTIFAMILY PROJECTS IN URBAN RENEWAL AREAS

SEC. 311. (a) Section 220(d)(3)(B)(ii) of the National Housing Act is amended by inserting immediately before the semicolon at the end thereof ": *Provided further*, That the mortgage may involve the financing of the purchase of property which has been rehabilitated by a local public agency with Federal assistance pursuant to section 110(c)(8) of the Housing Act of 1949, and, in such case, the foregoing limitations upon the amount of the mortgage shall be based upon the appraised value of the property as of the date the mortgage is accepted for insurance".

(b) Section 221(d)(3)(iii) of such Act is amended by inserting immediately before the colon at the end of the first proviso ": *Provided further*, That the mortgage may involve the financing of the purchase of property which has been rehabilitated by a local public agency with Federal assistance pursuant to section 110(c)(8) of the Housing Act of 1949, and, in such case, the amount of the mortgage shall not exceed the appraised value of the property as of the date the mortgage is accepted for insurance".

MISCELLANEOUS HOUSING INSURANCE

SEC. 312. (a) Section 223 of the National Housing Act is amended—

(1) by striking out so much of subsection (a) as precedes paragraph (1) and inserting in lieu thereof the following:

"(a) Notwithstanding any of the provisions of this Act and without regard to limitations upon eligibility contained in any section or title of this Act, the Secretary is authorized, upon application by the mortgagee, to insure or make commitments to insure under any section or title of this Act any mortgage—";

(2) by striking out "applicable to loans insured under section 203, 207, 213, 220, 221, 222, 231, 232, or 233, as the case may be" in the first and second provisos of subsection (a)(7) and inserting in lieu thereof "prescribed under the applicable section or title of this Act";

(3) by striking out "this title" each time it appears in subsection (c) and inserting in lieu thereof "this Act";

(4) by striking out "title I, title II, title VI, title VII, title VIII, or title IX" in subsection (c) and inserting in lieu thereof "any section or title of this Act"; and

(5) by striking out "(except that in any case the payment of insurance shall be in debentures)" at the end of subsection (c).

(b) Section 223(d) of such Act is amended by striking out all that follows "as he may prescribe," and inserting in lieu thereof the following: "insure under the same section as the original mortgage a loan by the mortgagee in an amount not exceeding the excess of the foregoing expenses over the project income. Such loan shall (1) bear interest (exclusive of premium charges for insurance) at not to exceed the per centum per annum currently permitted for mortgages insured under the section under which it is to be insured, (2) be secured in such manner as the Secretary shall require, and (3) be limited to a term not exceeding the unexpired term of the original mortgage. The Secretary is authorized to collect a premium charge for insurance of loans pursuant to this subsection in an amount computed at the same premium rate as is applicable to the original mortgage. This premium shall be payable in cash or in debentures of the insurance fund under which the loan is insured at par plus accrued interest. In the event of a failure of the borrower to make any payment due under such loan or under the original mortgage, both the loan and original mortgage shall be considered in default, and if such default continues for a period of thirty days, the lender shall be entitled to insurance benefits, computed in the same manner as for the original mortgage, except that in determining the interest rate under section 224 for the debentures representing the portion of the claim applicable to the loan, the date of the commitment to insure the loan and the insurance date of the loan shall be taken into consideration rather than the commitment or insurance date for the original mortgage."

SUPPLEMENTARY LOANS FOR COOPERATIVE HOUSING PURCHASED FROM THE FEDERAL GOVERNMENT

SEC. 313. Section 213(j) of the National Housing Act is amended—

(1) by inserting after the first sentence of paragraph (1) the following sentence: "The Secretary is further authorized to make commitments to insure and to insure supplementary cooperative loans (including advances during construction or improvement) with respect to any property purchased from the Federal Government by a nonprofit corporation or trust of the character described in paragraph (1) of subsection (a), if the property is covered by an uninsured mortgage representing a part of the purchase price."; and

(2) by adding before the semicolon at the end of paragraph (2)(B) the following: "; except that, in the case of repairs or improvements to a property covered by an uninsured mortgage dated more than twenty years prior to the date of the commitment to insure, of such magnitude that the Secretary deems them to be a major rehabilitation or modernization of such property, the loan may have a maturity date up to ten years in excess of the remaining term of the uninsured mortgage".

EQUIPMENT IN NURSING HOMES

SEC. 314. Section 232 of the National Housing Act is amended—

(1) by striking out subsection (b)(2) and inserting in lieu thereof the following:

"(2) the term 'mortgage' means a first mortgage on real estate in fee simple, or on the interest of either the lessor or lessee thereof (A) under a lease for not less than ninety-nine years which is renewable, or (B) under a lease having a period of not less than fifty years to run from the date of the mortgage was executed. The term 'first mortgage' means such classes of first liens as are commonly given to secure advances (including but not limited to advances during construction) on, or the unpaid purchase price of, real estate under the laws of the State in which the real estate is located, together with the credit instrument or instruments, if any, secured thereby, and any mortgage may be in the form of one or more trust mortgages or mortgage indentures or deeds of trust, securing notes, bonds, or other credit instrument, and, by the same instrument or by a separate instrument, may create a security interest in initial equipment, whether or not attached to the realty. The term 'mortgagor' shall have the meaning set forth in section 207(a) of this Act";

(2) by striking out so much of subsection (d) as precedes paragraph (1) and inserting in lieu thereof the following:

"(d) In order to carry out the purposes of this section, the Secretary is authorized to insure any mortgage which covers a new or rehabilitated nursing home, including equipment to be used in its operation, subject to the following conditions:";

(3) by striking out "when the proposed improvements are completed" before the period at the end of subsection (d)(2) and inserting in lieu thereof the following: ", including equipment to be used in the operation of the nursing home, when the proposed improvements are completed and the equipment is installed"; and

(4) by inserting before the semicolon at the end of subsection (d)(3)(A) the following: "(except that in the case of a mortgage which covers equipment the maturity may not exceed the reasonable use expectancy of such equipment)".

FLEXIBLE INTEREST RATES FOR CERTAIN FHA INSURANCE PROGRAMS

SEC. 315. Section 3(a) of the Act entitled "An Act to amend chapter 37 of title 38 of the United States Code with respect to the veterans' home loan program, to amend the National Housing Act with respect to interest rates on insured mortgages, and for other purposes", approved May 7, 1968, is amended by inserting "235(j)(2)(C), 236 (j)(4)(B), 240(c)(4), 241(b)(3), 242(d)(3)(B)," after "234(f),".

FHA SECTION 221(h) PROGRAM

SEC. 316. (a) Section 221(h)(2)(A) of the National Housing Act is amended to read as follows:

"(A) be executed by a private nonprofit corporation or association, approved by the Secretary, for financing the purchase and rehabilitation (with the intention of subsequent resale) of property comprising one or more tracts or parcels, whether or not contiguous, upon which there is located deteriorating or substandard housing consisting of (i) four or more single-family dwellings of detached, semidetached, or row construction, or (ii) four or more one-family units in a structure or structures for which a plan of family unit ownership approved by the Secretary is established;".

(b) Section 221(h) of such Act is amended by adding at the end thereof (after the new paragraph added by section 101(c)(3) of this Act) two new paragraphs as follows:

"(7) Where the Secretary has approved a plan of family unit ownership, the terms 'single-family dwelling', 'single-family dwellings', 'individual dwelling', and 'individual dwellings' shall mean a family unit or family units, together with the undivided interest (or interests) in the common areas and facilities.

"(8) For purposes of this subsection, the terms 'single-family dwelling' and 'single-family dwellings' (except for purposes of paragraph (7)) shall include a two-family dwelling which has been approved by the Secretary if one of the units is to be occupied by the owner."

HOUSING IN OUTLYING AREAS

SEC. 317. Section 203(i) of the National Housing Act is amended by striking out "not in excess of $12,500" and inserting in lieu thereof "not in excess of $15,000".

COOPERATION WITH LOCAL GOVERNMENT IN CONNECTION WITH SECTION 221(d)(3) PROJECTS

SEC. 318. Section 221 of the National Housing Act is amended by adding at the end thereof (after the new subsections added by section 105 of this Act) the following new subsection:

"(k) Upon receiving any application for the insurance of a mortgage under subsection (d)(3), the Secretary shall notify the governing body of the locality where the project involved is or will be situated, requesting that such governing body submit a statement of the impact which such project will have on public services provided by the local government and its agencies together with a statement of the relationship of such project to any locally adopted master plans. After receiving and considering the statement submitted by the local governing body (or after the expiration of a reasonable period of time if no such statement is submitted), the Secretary may approve the mortgage for insurance in accordance with the provisions of this section if he finds that the project involved is consistent with any comprehensive planning which may have been developed for the area and with any locally adopted master plans."

TITLE IV—URBAN RENEWAL

NEIGHBORHOOD DEVELOPMENT PROGRAMS

SEC. 401. (a) Title I of the Housing Act of 1949 is amended by adding after the title heading the following new subheading:

"PART A—URBAN RENEWAL PROJECTS, DEMOLITION PROGRAMS, AND CODE ENFORCEMENT PROGRAMS"

(b) Title I of such Act is further amended by adding at the end thereof the following new part:

"PART B—NEIGHBORHOOD DEVELOPMENT PROGRAMS

"PURPOSE AND AUTHORITY

"SEC. 131. (a) To facilitate more rapid renewal and development of urban areas on an effective scale, and to encourage more efficient and flexible utilization of public and private development opportunities by local communities in such areas, the Secretary is authorized to make financial assistance available under this title to local public agencies for undertakings and activities which are carried out under a neighborhood development program approved by him pursuant to this part.

"(b) A neighborhood development program shall consist of urban renewal project undertakings and activities in one or more urban renewal areas which are planned and carried out on the basis of annual increments in accordance with the provisions of this title for planning and carrying out urban renewal projects, except as modified by the provisions of this part.

"(c) No application for financial assistance in planning and carrying out a neighborhood development program shall be approved by the Secretary unless—

"(1) the governing body of the locality has, by resolution or ordinance, approved the proposed program and the annual increment covered by the application and authorized the filing of the application for financial assistance; and

"(2) the Secretary has concluded that there is the necessary capacity to carry out the undertakings and activities included under the program.

"FINANCIAL PROVISIONS

"SEC. 132. (a) Upon the approval of a neighborhood development program by the Secretary, the cost of any undertakings and activities authorized as part of the program shall be financed in accordance with the loan, capital grant, and project cost provisions of part A, except that—

"(1) net project cost may be calculated on the basis of costs incurred and proceeds derived for the account of the program during a specified twelve-month period, and may be recalculated for succeeding periods of twelve months to reflect additional costs and additional proceeds since the date of the last computation or recomputation; and

"(2) if property has been acquired but not disposed of prior to the computation or recomputation of net project cost, temporary loans made or secured under this title to finance undertakings or activities included in the program may remain outstanding until the property has been disposed of and the proceeds thereof, together with additional funds becoming available to the program, are sufficient to permit repayment of the loans.

"(b) In the event that gross project cost as computed for a specified twelve-month period is exceeded, with respect to that period, by the sum of (1) the sales price of land or other property sold, and (2) the imputed capital value of land or other property leased or retained by the local public agency in accordance with the provisions of the urban renewal plan, the local public agency shall pay to the Secretary two-thirds of the excess (or three-fourths in the case of a program on a three-fourths grant basis), which amount shall be available to the Secretary for grant payments under section 103.

"LOCAL GRANTS-IN-AID

"SEC. 133. (a) For the purpose of determining the eligibility of local grants-in-aid in connection with undertakings and activities carried out under a neighborhood development program, the three-year period referred to in the second paragraph of section 110(d) shall be deemed to be a period of three years prior to the authorization by the Secretary of the first contract for financial assistance under the program which includes the urban renewal area which is benefited by the public improvement or facility for which credit is claimed; and the seven-year period referred to in clause (1) of section 112(b) shall be deemed to be a period of seven years prior to the date of authorization by the Secretary of the first contract for financial assistance under the program which includes the urban renewal area which is benefited by the expenditures for which credit is claimed.

"(b) No portion of the cost of a public improvement or public facility (to the extent otherwise eligible) may be included as a local grant-in-aid in computing the gross project cost of an approved program for any twelve-month period—

"(1) prior to commencement of construction of the improvement or facility, or

"(2) in excess of the amount actually expended or obligated by contract.

"(c) The provisions of section 104 with respect to the pooling of local grants-in-aid among the various projects undertaken by a local public agency shall not be applicable with respect to any excess local grants-in-aid resulting from the urban renewal projects contained in a neighborhood development program.

"GENERAL PROVISIONS

"SEC. 134. (a) For purposes of this part—

"(1) the workable program requirement in section 101(c) shall apply to the authorization, rather than the execution, of any contract for loans or capital grants;

"(2) capital grants on a three-fourths basis may only be made under section 103 (a)(2)(B);

"(3) the relocation requirements specified in section 105(c) shall apply to each annual increment of an approved program;

"(4) section 106(g) (relating to transient housing) shall apply to activities undertaken under approved programs, except that the determination as to need for transient housing shall be made with respect to any sale or lease of land for construction of such housing prior to such sale or lease; and

"(5) the requirement concerning demolition and removal of buildings and improvements stated in clause (A) of the sentence following paragraph (10) of section 110(c) shall apply to each annual increment of an approved program.

"(b) The approval by the Secretary of financial assistance for one or more annual increments of a neighborhood development program shall not be considered as obligating him to provide financial assistance for any subsequent annual increments.

"(c) The urban renewal plan referred to in section 110(b) may cover one or more of the urban renewal areas covered by a neighborhood development program and such plan may be modified from time to time to cover additional urban renewal areas added to the program. The Secretary may establish such requirements as he deems appropriate prescribing the scope and content of such plan, taking into consideration, among other matters, the degree of detail needed in the plan to properly and expeditiously carry out the activities and undertakings proposed in any annual increment of a neighborhood development program."

(c) Notwithstanding any requirement or condition to the contrary in section 6 or 20 (i) of the District of Columbia Redevelopment Act of 1945 or in any other provision of law, the District of Columbia Redevelopment Land Agency may plan and undertake neighborhood development programs under part B of title I of the Housing Act of 1949 (as added by this section), subject to all of the provisions of such Act of 1945 to the extent not inconsistent with such part B, and any such program shall be regarded as complying with the requirements of such sections 6 and 20 (i) and of such other provision of law if it meets the applicable requirements established under such part B.

INCREASED AUTHORIZATION

SEC. 402. (a) Section 103(b) of the Housing Act of 1949 is amended by striking out everything in the first sentence after "exceed" and inserting in lieu thereof "$7,600,000,000, which amount shall be increased by $1,400,000,000 on July 1, 1969".

(b) Section 103(b) of such Act is further amended by striking out "$250,000,000' in the second sentence and inserting in lieu thereof "$600,000,000".

REHABILITATION GRANTS

SEC. 403. (a) The second sentence of section 115 (a) of the Housing Act of 1949 is amended by striking out the words "a structure" and "such structure" and inserting in lieu thereof "real property" and "such real property", respectively.

(b) Section 115(b) of such Act is amended by striking out "$1,500" and inserting in lieu thereof "$3,000".

(c) Section 115(a) of such Act is amended by inserting "(1)" after "(a)", and by adding at the end thereof a new paragraph as follows:

"(2) In addition to the authority conferred by paragraph (1), and notwithstanding any other provision of this title, the Secretary is authorized, through the utilization of local public agencies where feasible, to make grants (payable from any grant funds provided under section 103(b)) to an individual or family, as described in subsection (c), to cover the cost of repairs and improvements necessary to make real property owned and occupied by such individual or family conform to public standards for decent, safe, and sanitary housing as required by applicable codes. No grants shall be made under this paragraph in the case of any property unless such property is in an area within a locality (other than an urban renewal area or an area in which a program of concentrated code enforcement is being carried out pursuant to section 117) which the governing body of the locality has determined, and so certifies to the Secretary, contains a substantial number of structures in need of rehabilitation.

(d) Section 115 of such Act is further amended—

(1) by redesignating subsection (b) as subsection (c) and inserting after subsection (a) a new subsection (b) as follows:

"(b) The Secretary is authorized to make grants (payable from any grant funds provided under section 103(b)), through the utilization of local public and private agencies where feasible, to an individual or family, as described in subsection (c), who owns and occupies real property which has been determined to be uninsurable because of physical hazards after an inspection pursuant to a statewide property insurance plan approved by the Secretary under title XII of the National Housing Act. Such grants may only be made to rehabilitate such property to the extent which the Secretary

(1) by striking out "of this title" immediately before the semicolon in subsection (b) and inserting in lieu thereof "or titles of this Act"; and

(2) by striking out "of this title" in subsection (e) and inserting in lieu thereof "or title of this Act".

TERM OF FEDERAL HOUSING ADMINISTRATION MORTGAGES FOR LAND DEVELOPMENT

SEC. 310. Section 1002(d)(1) of the National Housing Act is amended by striking out "seven years" and inserting in lieu thereof "ten years".

REHABILITATED MULTIFAMILY PROJECTS IN URBAN RENEWAL AREAS

SEC. 311. (a) Section 220(d)(3)(B)(ii) of the National Housing Act is amended by inserting immediately before the semicolon at the end thereof ": *Provided further*, That the mortgage may involve the financing of the purchase of property which has been rehabilitated by a local public agency with Federal assistance pursuant to section 110(c)(8) of the Housing Act of 1949, and, in such case, the foregoing limitations upon the amount of the mortgage shall be based upon the appraised value of the property as of the date the mortgage is accepted for insurance".

(b) Section 221(d)(3)(iii) of such Act is amended by inserting immediately before the colon at the end of the first proviso ": *Provided further*, That the mortgage may involve the financing of the purchase of property which has been rehabilitated by a local public agency with Federal assistance pursuant to section 110(c)(8) of the Housing Act of 1949, and, in such case, the amount of the mortgage shall not exceed the appraised value of the property as of the date the mortgage is accepted for insurance".

MISCELLANEOUS HOUSING INSURANCE

SEC. 312. (a) Section 223 of the National Housing Act is amended—

(1) by striking out so much of subsection (a) as precedes paragraph (1) and inserting in lieu thereof the following:

"(a) Notwithstanding any of the provisions of this Act and without regard to limitations upon eligibility contained in any section or title of this Act, the Secretary is authorized, upon application by the mortgagee, to insure or make commitments to insure under any section or title of this Act any mortgage—";

(2) by striking out "applicable to loans insured under section 203, 207, 213, 220, 221, 222, 231, 232, or 233, as the case may be" in the first and second provisos of subsection (a)(7) and inserting in lieu thereof "prescribed under the applicable section or title of this Act";

(3) by striking out "this title" each time it appears in subsection (c) and inserting in lieu thereof "this Act";

(4) by striking out "title I, title II, title VI, title VII, title VIII, or title IX" in subsection (c) and inserting in lieu thereof "any section or title of this Act"; and

(5) by striking out "(except that in any case the payment of insurance shall be in debentures)" at the end of subsection (c).

(b) Section 223(d) of such Act is amended by striking out all that follows "as he may prescribe," and inserting in lieu thereof the following: "insure under the same section as the original mortgage a loan by the mortgagee in an amount not exceeding the excess of the foregoing expenses over the project income. Such loan shall (1) bear interest (exclusive of premium charges for insurance) at not to exceed the per centum per annum currently permitted for mortgages insured under the section under which it is to be insured, (2) be secured in such manner as the Secretary shall require, and (3) be limited to a term not exceeding the unexpired term of the original mortgage. The Secretary is authorized to collect a premium charge for insurance of loans pursuant to this subsection in an amount computed at the same premium rate as is applicable to the original mortgage. This premium shall be payable in cash or in debentures of the insurance fund under which the loan is insured at par plus accrued interest. In the event of a failure of the borrower to make any payment due under such loan or under the original mortgage, both the loan and original mortgage shall be considered in default, and if such default continues for a period of thirty days, the lender shall be entitled to insurance benefits, computed in the same manner as for the original mortgage, except that in determining the interest rate under section 224 for the debentures representing the portion of the claim applicable to the loan, the date of the commitment to insure the loan and the insurance date of the loan shall be taken into consideration rather than the commitment or insurance date for the original mortgage."

SUPPLEMENTARY LOANS FOR COOPERATIVE HOUSING PURCHASED FROM THE FEDERAL GOVERNMENT

SEC. 313. Section 213(j) of the National Housing Act is amended—

(1) by inserting after the first sentence of paragraph (1) the following sentence: "The Secretary is further authorized to make commitments to insure and to insure supplementary cooperative loans (including advances during construction or improvement) with respect to any property purchased from the Federal Government by a nonprofit corporation or trust of the character described in paragraph (1) of subsection (a), if the property is covered by an uninsured mortgage representing a part of the purchase price."; and

(2) by adding before the semicolon at the end of paragraph (2)(B) the following: "; except that, in the case of repairs or improvements to a property covered by an uninsured mortgage dated more than twenty years prior to the date of the commitment to insure, of such magnitude that the Secretary deems them to be a major rehabilitation or modernization of such property, the loan may have a maturity date up to ten years in excess of the remaining term of the uninsured mortgage".

EQUIPMENT IN NURSING HOMES

SEC. 314. Section 232 of the National Housing Act is amended—

(1) by striking out subsection (b)(2) and inserting in lieu thereof the following:

"(2) the term 'mortgage' means a first mortgage on real estate in fee simple, or on the interest of either the lessor or lessee thereof (A) under a lease for not less than ninety-nine years which is renewable, or (B) under a lease having a period of not less than fifty years to run from the date of the mortgage was executed. The term 'first mortgage' means such classes of first liens as are commonly given to secure advances (including but not limited to advances during construction) on, or the unpaid purchase price of, real estate under the laws of the State in which the real estate is located, together with the credit instrument or instruments, if any, secured thereby, and any mortgage may be in the form of one or more trust mortgages or mortgage indentures or deeds of trust, securing notes, bonds, or other credit instrument, and, by the same instrument or by a separate instrument, may create a security interest in initial equipment, whether or not attached to the realty. The term 'mortgagor' shall have the meaning set forth in section 207(a) of this Act";

(2) by striking out so much of subsection (d) as precedes paragraph (1) and inserting in lieu thereof the following:

"(d) In order to carry out the purposes of this section, the Secretary is authorized to insure any mortgage which covers a new or rehabilitated nursing home, including equipment to be used in its operation, subject to the following conditions:";

(3) by striking out "when the proposed improvements are completed" before the period at the end of subsection (d)(2) and inserting in lieu thereof the following: ", including equipment to be used in the operation of the nursing home, when the proposed improvements are completed and the equipment is installed"; and

(4) by inserting before the semicolon at the end of subsection (d)(3)(A) the following: "(except that in the case of a mortgage which covers equipment the maturity may not exceed the reasonable use expectancy of such equipment)".

FLEXIBLE INTEREST RATES FOR CERTAIN FHA INSURANCE PROGRAMS

SEC. 315. Section 3(a) of the Act entitled "An Act to amend chapter 37 of title 38 of the United States Code with respect to the veterans' home loan program, to amend the National Housing Act with respect to interest rates on insured mortgages, and for other purposes", approved May 7, 1968, is amended by inserting "235(j)(2)(C), 236 (j)(4)(B), 240(c)(4), 241(b)(3), 242(d)(3)(B)," after "234(f),".

FHA SECTION 221(h) PROGRAM

SEC. 316. (a) Section 221(h)(2)(A) of the National Housing Act is amended to read as follows:

"(A) be executed by a private nonprofit corporation or association, approved by the Secretary, for financing the purchase and rehabilitation (with the intention of subsequent resale) of property comprising one or more tracts or parcels, whether or not contiguous, upon which there is located deteriorating or substandard housing consisting of (i) four or more single-family dwellings of detached, semidetached, or row construction, or (ii) four or more one-family units in a structure or structures for which a plan of family unit ownership approved by the Secretary is established;".

(b) Section 221(h) of such Act is amended by adding at the end thereof (after the new paragraph added by section 101(c)(3) of this Act) two new paragraphs as follows:

"(7) Where the Secretary has approved a plan of family unit ownership, the terms 'single-family dwelling', 'single-family dwellings', 'individual dwelling', and 'individual dwellings' shall mean a family unit or family units, together with the undivided interest (or interests) in the common areas and facilities.

"(8) For purposes of this subsection, the terms 'single-family dwelling' and 'single-family dwellings' (except for purposes of paragraph (7)) shall include a two-family dwelling which has been approved by the Secretary if one of the units is to be occupied by the owner."

HOUSING IN OUTLYING AREAS

SEC. 317. Section 203(i) of the National Housing Act is amended by striking out "not in excess of $12,500" and inserting in lieu thereof "not in excess of $15,000".

COOPERATION WITH LOCAL GOVERNMENT IN CONNECTION WITH SECTION 221(d)(3) PROJECTS

SEC. 318. Section 221 of the National Housing Act is amended by adding at the end thereof (after the new subsections added by section 105 of this Act) the following new subsection:

"(k) Upon receiving any application for the insurance of a mortgage under subsection (d)(3), the Secretary shall notify the governing body of the locality where the project involved is or will be situated, requesting that such governing body submit a statement of the impact which such project will have on public services provided by the local government and its agencies together with a statement of the relationship of such project to any locally adopted master plans. After receiving and considering the statement submitted by the local governing body (or after the expiration of a reasonable period of time if no such statement is submitted), the Secretary may approve the mortgage for insurance in accordance with the provisions of this section if he finds that the project involved is consistent with any comprehensive planning which may have been developed for the area and with any locally adopted master plans."

TITLE IV—URBAN RENEWAL

NEIGHBORHOOD DEVELOPMENT PROGRAMS

SEC. 401. (a) Title I of the Housing Act of 1949 is amended by adding after the title heading the following new subheading:

"PART A—URBAN RENEWAL PROJECTS, DEMOLITION PROGRAMS, AND CODE ENFORCEMENT PROGRAMS"

(b) Title I of such Act is further amended by adding at the end thereof the following new part:

"PART B—NEIGHBORHOOD DEVELOPMENT PROGRAMS

"PURPOSE AND AUTHORITY

"SEC. 131. (a) To facilitate more rapid renewal and development of urban areas on an effective scale, and to encourage more efficient and flexible utilization of public and private development opportunities by local communities in such areas, the Secretary is authorized to make financial assistance available under this title to local public agencies for undertakings and activities which are carried out under a neighborhood development program approved by him pursuant to this part.

"(b) A neighborhood development program shall consist of urban renewal project undertakings and activities in one or more urban renewal areas which are planned and carried out on the basis of annual increments in accordance with the provisions of this title for planning and carrying out urban renewal projects, except as modified by the provisions of this part.

"(c) No application for financial assistance in planning and carrying out a neighborhood development program shall be approved by the Secretary unless—

"(1) the governing body of the locality has, by resolution or ordinance, approved the proposed program and the annual increment covered by the application and authorized the filing of the application for financial assistance; and

"(2) the Secretary has concluded that there is the necessary capacity to carry out the undertakings and activities included under the program.

"FINANCIAL PROVISIONS

"SEC. 132. (a) Upon the approval of a neighborhood development program by the Secretary, the cost of any undertakings and activities authorized as part of the program shall be financed in accordance with the loan, capital grant, and project cost provisions of part A, except that—

"(1) net project cost may be calculated on the basis of costs incurred and proceeds derived for the account of the program during a specified twelve-month period, and may be recalculated for succeeding periods of twelve months to reflect additional costs and additional proceeds since the date of the last computation or recomputation; and

"(2) if property has been acquired but not disposed of prior to the computation or recomputation of net project cost, temporary loans made or secured under this title to finance undertakings or activities included in the program may remain outstanding until the property has been disposed of and the proceeds thereof, together with additional funds becoming available to the program, are sufficient to permit repayment of the loans.

"(b) In the event that gross project cost as computed for a specified twelve-month period is exceeded, with respect to that period, by the sum of (1) the sales price of land or other property sold, and (2) the imputed capital value of land or other property leased or retained by the local public agency in accordance with the provisions of the urban renewal plan, the local public agency shall pay to the Secretary two-thirds of the excess (or three-fourths in the case of a program on a three-fourths grant basis), which amount shall be available to the Secretary for grant payments under section 103.

"LOCAL GRANTS-IN-AID

"SEC. 133. (a) For the purpose of determining the eligibility of local grants-in-aid in connection with undertakings and activities carried out under a neighborhood development program, the three-year period referred to in the second paragraph of section 110(d) shall be deemed to be a period of three years prior to the authorization by the Secretary of the first contract for financial assistance under the program which includes the urban renewal area which is benefited by the public improvement or facility for which credit is claimed; and the seven-year period referred to in clause (1) of section 112(b) shall be deemed to be a period of seven years prior to the date of authorization by the Secretary of the first contract for financial assistance under the program which includes the urban renewal area which is benefited by the expenditures for which credit is claimed.

"(b) No portion of the cost of a public improvement or public facility (to the extent otherwise eligible) may be included as a local grant-in-aid in computing the gross project cost of an approved program for any twelve-month period—

"(1) prior to commencement of construction of the improvement or facility, or

"(2) in excess of the amount actually expended or obligated by contract.

"(c) The provisions of section 104 with respect to the pooling of local grants-in-aid among the various projects undertaken by a local public agency shall not be applicable with respect to any excess local grants-in-aid resulting from the urban renewal projects contained in a neighborhood development program.

"GENERAL PROVISIONS

"SEC. 134. (a) For purposes of this part—

"(1) the workable program requirement in section 101(c) shall apply to the authorization, rather than the execution, of any contract for loans or capital grants;

"(2) capital grants on a three-fourths basis may only be made under section 103 (a)(2)(B);

"(3) the relocation requirements specified in section 105(c) shall apply to each annual increment of an approved program;

"(4) section 106(g) (relating to transient housing) shall apply to activities undertaken under approved programs, except that the determination as to need for transient housing shall be made with respect to any sale or lease of land for construction of such housing prior to such sale or lease; and

"(5) the requirement concerning demolition and removal of buildings and improvements stated in clause (A) of the sentence following paragraph (10) of section 110(c) shall apply to each annual increment of an approved program.

"(b) The approval by the Secretary of financial assistance for one or more annual increments of a neighborhood development program shall not be considered as obligating him to provide financial assistance for any subsequent annual increments.

"(c) The urban renewal plan referred to in section 110(b) may cover one or more of the urban renewal areas covered by a neighborhood development program and such plan may be modified from time to time to cover additional urban renewal areas added to the program. The Secretary may establish such requirements as he deems appropriate prescribing the scope and content of such plan, taking into consideration, among other matters, the degree of detail needed in the plan to properly and expeditiously carry out the activities and undertakings proposed in any annual increment of a neighborhood development program."

(c) Notwithstanding any requirement or condition to the contrary in section 6 or 20 (i) of the District of Columbia Redevelopment Act of 1945 or in any other provision of law, the District of Columbia Redevelopment Land Agency may plan and undertake neighborhood development programs under part B of title I of the Housing Act of 1949 (as added by this section), subject to all of the provisions of such Act of 1945 to the extent not inconsistent with such part B, and any such program shall be regarded as complying with the requirements of such sections 6 and 20 (i) and of such other provision of law if it meets the applicable requirements established under such part B.

INCREASED AUTHORIZATION

SEC. 402. (a) Section 103(b) of the Housing Act of 1949 is amended by striking out everything in the first sentence after "exceed" and inserting in lieu thereof "$7,600,000,000, which amount shall be increased by $1,400,000,000 on July 1, 1969".

(b) Section 103(b) of such Act is further amended by striking out "$250,000,000' in the second sentence and inserting in lieu thereof "$600,000,000".

REHABILITATION GRANTS

SEC. 403. (a) The second sentence of section 115 (a) of the Housing Act of 1949 is amended by striking out the words "a structure" and "such structure" and inserting in lieu thereof "real property" and "such real property", respectively.

(b) Section 115(b) of such Act is amended by striking out "$1,500" and inserting in lieu thereof "$3,000".

(c) Section 115(a) of such Act is amended by inserting "(1)" after "(a)", and by adding at the end thereof a new paragraph as follows:

"(2) In addition to the authority conferred by paragraph (1), and notwithstanding any other provision of this title, the Secretary is authorized, through the utilization of local public agencies where feasible, to make grants (payable from any grant funds provided under section 103(b)) to an individual or family, as described in subsection (c), to cover the cost of repairs and improvements necessary to make real property owned and occupied by such individual or family conform to public standards for decent, safe, and sanitary housing as required by applicable codes. No grants shall be made under this paragraph in the case of any property unless such property is in an area within a locality (other than an urban renewal area or an area in which a program of concentrated code enforcement is being carried out pursuant to section 117) which the governing body of the locality has determined, and so certifies to the Secretary, contains a substantial number of structures in need of rehabilitation.

(d) Section 115 of such Act is further amended—

(1) by redesignating subsection (b) as subsection (c) and inserting after subsection (a) a new subsection (b) as follows:

"(b) The Secretary is authorized to make grants (payable from any grant funds provided under section 103(b)), through the utilization of local public and private agencies where feasible, to an individual or family, as described in subsection (c), who owns and occupies real property which has been determined to be uninsurable because of physical hazards after an inspection pursuant to a statewide property insurance plan approved by the Secretary under title XII of the National Housing Act. Such grants may only be made to rehabilitate such property to the extent which the Secretary determines to be necessary to make it meet reasonable underwriting standards imposed by such plan and only where the property is located in an area which the governing body of the locality has determined, and so certifies to the Secretary, contains a substantial number of structures in need of rehabilitation."; and

(2) by striking out "subsection (b)" in subsection (a) and inserting in lieu thereof "subsection (c)".

REHABILITATION IN URBAN RENEWAL AREAS

Sec. 404. Section 110(c)(8) of the Housing Act of 1949 is amended by striking out (1) "guidance purposes, and", and (2) the proviso at the end thereof.

DISPOSITION OF PROPERTY FOR LOW AND MODERATE INCOME HOUSING

Sec. 405. Section 107(a) of the Housing Act of 1949 is amended—

(1) by inserting "or other approved purchaser or lessee," after "public body or agency.";

(2) by inserting ", section 221(h)(1), section 235(j)(1), or section 236" after "or (d)(4)";

(3) by inserting "or lessee" after "a purchaser" and after "such purchaser", and "or lease" after "purchase";

(4) by striking out "rental or cooperative"; and

(5) by striking out "moderate" and inserting in lieu thereof "low or moderate".

CAPITAL GRANTS FOR LOW AND MODERATE INCOME HOUSING IN OPEN LAND PROJECTS

Sec. 406. Section 103(a)(1) of the Housing Act of 1949 is amended by inserting before the period at the end thereof the following: ", except that he may contract for such a grant in an amount not to exceed two-thirds of the difference between the proceeds from any land disposed of pursuant to section 107 and the fair value of the land without regard to such section".

URBAN RENEWAL LOAN CONTRACTS

Sec. 407. (a) Section 102(c) of the Housing Act of 1949 is amended—

(1) by striking out "at interest rates lower than provided in the loan contract" in the first sentence; and

(2) by inserting before the period at the end of the first sentence the following: ": *Provided*, That, if at any time during the undertaking of the project, the interest rate on such a loan from a source other than the Federal Government is greater than the rate at which funds could be made available under the Federal loan contract, the Secretary may make a supplemental grant to the local public agency in the amount of the difference between the interest cost from such sources and the interest cost at the contract rate, and no part of the amount of any such grant shall be required to be contributed as a part of the local grant-in-aid".

(b) Loan contracts outstanding on the date of enactment of this section may be amended to incorporate the provisions authorized by the amendment contained in subsection (a) without regard to the proviso in section 110(g) of the Housing Act of 1949.

PROJECT COMPLETION PRIOR TO DISPOSITION OF CERTAIN PROPERTY

Sec. 408. (a) Section 106 of the Housing Act of 1949 is amended by adding at the end thereof the following new subsection:

"(i) Upon a determination by the Secretary that (1) not more than 5 per centum of the total area of land acquired as part of an urban renewal project remains to be disposed of, (2) the local public agency does not expect to be able, due to circumstances beyond its control, to dispose of such land in the near future, (3) all other project activities are completed, and (4) the local public agency has agreed to dispose of or retain such land for uses in accordance with the urban renewal plan, the urban renewal project may be deemed completed, and the net project cost may be computed and the capital grant paid."

(b) Section 110(f) of such Act is amended by inserting before the period at the end thereof the following: "or for subsequent disposition or retention as provided under section 106(i)".

REHABILITATION LOANS

Sec. 409. (a) The first sentence of section 312(d) of the Housing Act of 1964 is amended to read as follows: "There is authorized to be appropriated not to exceed $150,000,000 for each fiscal year which shall constitute a revolving fund to be used by the Secretary in carrying out this section."

(b) Section 312(h) of such Act is amended by striking out "October 1, 1969" and inserting in lieu thereof "June 30, 1973".

(c) Section 312(a) of such Act is amended to read as follows:

"(a) The Secretary is authorized, through the utilization of local public and private agencies where feasible, to make loans as herein provided to the owners and tenants of property to finance the rehabilitation of such property. No loan shall be made under this section unless—

"(1)(A) the property is situated in an urban renewal area or an area in which a program of concentrated code enforcement activity is being carried out pursuant to section 117 of the Housing Act of 1949, and the rehabilitation is required to make the property conform to applicable code requirements or to carry out the objectives of the urban renewal plan for the area and, in addition, to generally improve the condition of the property; or

"(B)(i) the property is in an area (other than an area described in subparagraph (A)) which the governing body of the locality has determined, and so certifies to the Secretary, contains a substantial number of structures in need of rehabilitation and (ii) the property is residential, owner-occupied, and in need of substantial rehabilitation;

"(2) the applicant is unable to secure the necessary funds from other sources upon comparable terms and conditions; and

"(3) the loan is an acceptable risk taking into consideration the need for the rehabilitation, the security available for the loan, and the ability of the applicant to repay the loan."

(d) Section 312 of such Act is further amended—

(1) by inserting "or" after the semicolon at the end of paragraph (1)(B) in subsection (a) (as amended by subsection (c) of this section), and by inserting after such paragraph (1)(B) the following new subparagraph:

"(C)(i) the property has been determined to be uninsurable because of physical hazards after an inspection pursuant to a statewide property insurance plan approved by the Secretary under title XII of the National Housing Act, (ii) the loan is made to the owner or tenant of the property to finance rehabilitation which the Secretary determines to be necessary to make the property meet reasonable underwriting standards, and (iii) the property is located in an area which the governing body of the locality has determined, and so certifies to the Secretary, contains a substantial number of structures in need of rehabilitation;"; and

(2) by striking out "or" after "applicable codes" in subsection (b)(1) and inserting in lieu thereof a comma, and by inserting after "urban renewal plan" in such subsection ", or a Statewide property insurance plan".

(e) Section 312(a) of such Act (as amended by the preceding provisions of this section) is amended by adding at the end thereof the following new sentence:

"Notwithstanding the preceding provisions of this subsection, no loan shall be made under this section to any person whose annual income, as determined pursuant to criteria and procedures established by the Secretary, exceeds the limits prescribed by the Secretary for occupants of projects financed with below-market interest rate mortgages insured (in the area involved) under section 221(d)(3) of the National Housing Act."

DEMOLITION GRANTS

Sec. 410. (a) The first sentence of section 116(a) of the Housing Act of 1949 is amended by inserting after "unsound" the following: ", a harborage or potential harborage of rats,".

(b) Section 116(b) of such Act is amended by inserting after the comma at the end of clause (2) the following: "or will be consistent with a systematic rodent control program being undertaken in the neighborhood,".

AIR RIGHTS SITES IN URBAN RENEWAL AREAS

Sec. 411. (a) Section 110(c)(1)(iv) of the Housing Act of 1949 is amended by striking out "for use for industrial development" and inserting in lieu thereof "for use for the development of industrial or educational facilities".

(b) Section 110(c)(7) of such Act is amended by striking out "for industrial development" and inserting in lieu thereof "for the development of industrial or educational facilities".

LOW AND MODERATE INCOME HOUSING IN RESIDENTIAL URBAN RENEWAL AREAS

Sec. 412. Section 105(f) of the Housing Act of 1949 is amended to read as follows:

"(f) A majority of the housing units provided in each community's total of such approved urban renewal projects as will be redeveloped for predominantly residential uses and which receive Federal recognition after the date of enactment of the Housing and Urban Development Act of 1968 shall be standard housing units for low and moderate income families or individuals: *Provided*, That the units in each community's total of such approved urban renewal projects which are for low income families or individuals shall constitute at least 20 per centum of the units in such projects."

WORKABLE PROGRAM REQUIREMENTS IN CASE OF INDIAN TRIBES

Sec. 413. Section 101(c) of the Housing Act of 1949 is amended by inserting after "1964" in the second proviso the following: "or, in the case of an Indian tribe, band, or nation, commencing January 1, 1969".

RULE FOR DETERMINING ACQUISITION PRICE OF PROPERTY DAMAGED BY LIMESTONE QUARRY SUBSIDENCE

Sec. 414. (a) The last paragraph of section 110(e) of the Housing Act of 1949 is amended by striking out "underlying coal mines, or" and inserting in lieu thereof "underlying coal mines, because of limestone quarry subsidence, or because of".

(b) Any contract under title I of the Housing Act of 1949 executed prior to the date of the enactment of this Act may be amended to provide for payment of the increased amounts authorized under subsection (a) with respect to any uncompleted project if the project included acquisitions which, under any State or local law in effect on such date, would involve expenditures by a local public agency that could not otherwise be included in the cost of such project.

Sec. 415. Section 117 of the Housing Act of 1949 is amended by inserting the following before the period at the end of that section: "*: Provided, That the Secretary may, in addition* to authorizing a local public agency to make grants as prescribed in Section 115, make such grants through the utilization of local private nonprofit agencies."

RELOCATION PAYMENTS

Sec. 416. Section 114(c) of the Housing Act of 1949 is amended—

(1) by striking out the first sentence of

paragraph (2) and inserting in lieu thereof the following:

"In addition to any amount under paragraph (1), a local public agency may pay to or on behalf of any displaced family, displaced individual sixty-two years of age or over, or displaced handicapped individual, monthly payments over a period not to exceed twenty-four months in an amount not to exceed $500 in the first twelve months and $500 in the second twelve months to assist such displaced family or individual to secure a decent, safe, and sanitary dwelling."

(2) by striking out "relocation adjustment" in the second sentence of paragraph (2) and inserting in lieu thereof "additional."

(3) by striking out the second proviso in paragraph (2) and inserting in lieu thereof the following: "*Provided further*, That additional payments under this paragraph may be paid on a lump sum or other than monthly basis in cases in which the small size of the payments that would otherwise be required do not warrant a number of separate payments or in other cases in which other than monthly payments are determined warranted by the Secretary: *And provided further*, That no payment received under this paragraph shall be considered as income for the purpose of determining the eligibility or the extent of eligibility of any person for assistance under the Social Security Act or any other Federal Act."

(4) by inserting a new paragraph (3) as follows:

"(3) In addition to any amount under paragraph (1), a local public agency may make a payment to a displaced family or individual, who does not receive the additional payment authorized under paragraph (2) and who is the owner of real property which is acquired for a project assisted under this title and which is improved by a single- or two-family dwelling occupied by the owner for a period of not less than one year prior to the initiation of negotiations for the acquisition of such property. Such payment, not to exceed $5,000, shall be an amount which, when added to the acquisition payment, equals the average price required for a decent, safe, and sanitary dwelling of modest standards adequate to size to accommodate the displaced owner, reasonably accessible to public services and places of employment and available on the private market: *Provided*, That such payment may be made only to a displaced owner who purchases and occupies a dwelling within one year subsequent to the date on which he is required to move from the dwelling acquired for the project: *Provided further*, That no such payment may be made if the owner-occupant receives a payment required by the State law of eminent domain which is determined by the Secretary to have substantially the same purpose and effect as this paragraph and to be part of the cost of the project for which Federal financial assistance is available."

TITLE V—URBAN PLANNING AND FACILITIES

COMPREHENSIVE PLANNING

SEC. 501. Section 701 of the Housing Act of 1954 is amended to read as follows:

"COMPREHENSIVE PLANNING

"SEC. 701. (a) In order to assist State and local governments in solving planning problems, including those resulting from the increasing concentration of population in *metropolitan and other urban areas and the* out-migration from and lack of coordinated development of resources and services in rural areas; to facilitate comprehensive planning for urban and rural development, including coordinated transportation systems, on a continuing basis by such governments; and to encourage such governments to establish and improve planning staffs and techniques on an areawide basis, and to engage private consultants where their professional services are deemed appropriate by the assisted governments, the Secretary is authorized to make planning grants to—

"(1) State planning agencies for the provision of planning assistance to (A) cities and other municipalities having a population of less than 50,000 according to the latest decennial census, and counties without regard to population: *Provided*, That grants shall be made under this paragraph for planning assistance to counties having a population of 50,000 or more, according to the latest decennial census, which are within metropolitan areas, only if (i) the Secretary finds that planning and plans for such county will be coordinated with the program of comprehensive planning, if any, which is being carried out for the metropolitan area of which the county is a part, and (ii) the aggregate amount of the grants made subject to this proviso does not exceed 15 per centum of the aggregate amount appropriated, after September 2, 1964, for the purposes of this section, (B) any group of adjacent communities, either incorporated or unincorporated, having a total population of less than 50,000 according to the latest decennial census and having common or related urban planning problems, (C) cities, other municipalities, and counties referred to in paragraph (3) of this subsection, and areas referred to in paragraph (4) of this subsection, and (D) Indian reservations;

"(2) State, metropolitan, and regional planning agencies for metropolitan or regional planning, and to cities within metropolitan areas for planning which is a part of comprehensive metropolitan planning and which shall supplement and be coordinated with State, metropolitan, and regional planning;

"(3)(A) economic development districts designated by the Secretary of Commerce under title IV of the Public Works and Economic Development Act of 1965, and

"(B) cities, other municipalities, and counties which (i) are situated in redevelopment areas or economic development districts designated by the Secretary of Commerce under title IV of the Public Works and Economic Development Act of 1965, or (ii) have suffered substantial damage as a result of a catastrophe which the President, pursuant to section 2(a) of the Act entitled 'An Act to authorize Federal assistance to States and local governments in major disasters, and for other purposes', approved September 30, 1950, as amended (42 U.S.C. 1855a), has determined to be a major disaster;

"(4) official governmental planning agencies for areas where rapid urbanization has resulted or is expected to result from the establishment or rapid and substantial expansion of a Federal installation, or for areas where rapid urbanization is expected to result on land developed or to be developed as a new community approved under section 1004 of the National Housing Act;

"(5) States for State and interstate comprehensive planning and for research and coordination activity related thereto, including technical and other assistance for the establishment and operation of intrastate and interstate planning agencies;

"(6) State planning agencies for assistance to district planning, or planning for areas within districts, carried on by or for district planning agencies;

"(7) metropolitan and regional planning agencies, with the approval of the State planning agency or (in States where no such planning agency eixsts) of the Governor of the State, for the provision of planning assistance within the metropolitan area or region to cities, other municipalities, counties, groups of adjacent communities, or Indian reservations described in clauses (A), (B), (C), and (D) of paragraph (1) of this subsection;

"(8) official governmental planning agencies for any area where there has occurred a substantial reduction in employment opportunities as the result of (A) the closing (in whole or in part) of a Federal installation, or (B) a decline in the volume of Government orders for the procurement of articles or materials produced or manufactured in such area;

"(9) tribal planning councils or other tribal bodies designated by the Secretary of the Interior for planning for an Indian reservation;

"(10) the Appalachian Regional Commission, established by the Appalachian Regional Development Act of 1965, for comprehensive planning for the Appalachian region as defined by section 403 of such Act (or State agencies or instrumentalities participating in such planning); and

"(11) local development districts, certified under section 301 of the Appalachian Regional Development Act of 1965, for comprehensive planning for their entire areas, or for metropolitan planning, urban planning, county planning, or small municipality planning within such areas in the Appalachian region, and for planning for Appalachian regional programs.

Planning assisted under this section shall, to the maximum extent feasible, cover entire areas having common or related development problems. The Secretary shall encourage cooperation in preparing and carrying out plans among all interested municipalities, political subdivisions, public agencies, and other parties in order to achieve coordinated development of entire areas. To the maximum extent feasible, pertinent plans and studies already made for areas shall be utilized so as to avoid unnecessary repetition of effort and expense. Planning which may be assisted under this section includes the preparation of comprehensive transportation surveys, studies, and plans to aid in solving problems of traffic congestion, facilitating the circulation of people and goods in metropolitan and other areas and reducing transportation needs. Planning carried out with assistance under this section shall also include a housing element as part of the preparation of comprehensive land use plans, and this consideration of the housing needs and land use requirements for housing in each comprehensive plan shall take into account all available evidence of the assumptions and statistical basis upon which the projection of zoning, community facilities, and population growth is based, so that the housing needs of both the region and the local communities studied in the planning will be adequately covered in terms of existing and prospective in-migrant population growth. Funds available under this section shall be in addition to and may be used jointly with funds available for planning surveys and investigations under other federally aided programs, and nothing contained in this section shall be construed as affecting the authority of the Secretary of Transportation under section 307 of title 23, United States Code.

"(b) A planning grant made under subsection (a) shall not exceed two-thirds of the estimated cost of the work for which the grant is made: *Provided*, That such a grant may be made for up to 75 per centum of such estimated cost when made for planning primarily for (1) redevelopment areas, local development districts, or economic development districts, or portions thereof, described *in paragraphs (3)(A) and (11) of subsection* (a), (2) areas described in subsection (a)(8), and (3) the Appalachian region, as described in subsection (a)(10). All grants made under this section shall be subject to terms and conditions prescribed by the Secretary. No portion of any grant made under this section shall be used for the preparation of plans for specific public works. The Secretary is authorized, notwithstanding the provisions of section 3648 of the Revised Statutes, as amended, to make advance or progress payments on account of any grant made under this section. There are authorized to be appropriated for the purposes of this section not to exceed $265,000,000 prior to July 1, 1969, and not to excede $390,000,000 prior to July 1, 1970. Of the amount available prior to July 1, 1969, $20,000,000 may be used only for district planning grants under subsection (a)(6), which amount shall be increased by $10,000,000 on July 1, 1969. Any amounts appropriated under this section shall remain available until expended: *Provided*, That of any funds appropriated under this section, not to exceed an aggregate of $10,000,000 plus 5 per centum of the funds so appropriated may be used by the Secretary for studies, research, and demonstration projects, undertaken independently or by contract, for the development and improvement of techniques and methods for comprehensive planning and for the advancement of the purposes of this section, and for grants to assist in the conduct of studies and research relating to needed revisions in State statutes which create, govern, or control local governments and local governmental operations.

"(c) The Secretary is authorized, in areas embracing several municipalities or other political subdivisions, to encourage planning on a unified regional, district, or metropolitan basis and to provide technical assistance for such planning and the solution of problems relating thereto.

"(d) It is the further intent of this section to encourage comprehensive planning, including transportation planning, for States, cities, counties, metropolitan areas, districts, regions, and Indian reservations and the establishment and development of the organizational units needed therefor. In extending financial assistance under this section, the Secretary may require such assurances as he deems adequate that the appropriate State and local agencies are making reasonable progress in the development of the elements of comprehensive planning. The Secretary is authorized to provide technical assistance to State and local governments and their agencies and instrumentalities, and to Indian tribal bodies, undertaking such planning and, by contract or otherwise, to make studies and publish information on related problems.

"(e) In the exercise of his responsibilities under this section, the Secretary shall consult with those officials of the Federal Government responsible for the administration of programs of Federal assistance to the States and municipalities for various categories of public facilities and other comprehensively planned activities. He shall, particularly, consult with the Secretary of Agriculture prior to his approval of any district planning grants under subsections (a) (6) and (g). The Secretary of Agriculture may provide technical assistance, with or without reimbursement, in connection with the establishment of such districts and the carrying out of such planning.

"(f) The consent of the Congress is hereby given to any two or more States to enter into agreements or compacts, not in conflict with any law of the United States, for cooperative efforts and mutual assistance in the comprehensive planning for the growth and development of interstate, metropolitan, or other urban areas, and to establish such agencies, joint or otherwise, as they may deem desirable for making effective such agreements and compacts.

"(g) In addition to the planning grants authorized by subsection (a), the Secretary is further authorized to make grants to organizations composed of public officials representative of the political jurisdictions within the metropolitan area, region, or district for the purpose of assisting such organizations to undertake studies, collect data, develop metropolitan, regional, and district plans and programs, and engage in such other activities including implementation of such plans as the Secretary finds necessary or desirable for the solution of the metropolitan, regional, or district problems in such areas, regions, or districts. To the maximum extent feasible, all grants under this subsection shall be for activities relating to all the developmental aspects of the total metropolitan area, region, or district including, but not limited to, land use, transportation, housing, economic development, natural resources development, community facilities, and the general improvement of living environments. A grant under this subsection shall not exceed two-thirds of the estimated cost of the work for which the grant is made.

"(h) In addition to the other grants authorized by this section, the Secretary is authorized to make grants to assist any city, other municipality, or county in making a survey of the structures and sites in such locality which are determined by its appropriate authorities to be of historic or architectural value. Any such survey shall be designed to identify the historic structures and sites in the locality, determine the cost of their rehabilitation or restoration, and provide such other information as may be necessary or appropriate to serve as a foundation for a balanced and effective program of historic preservation in such locality. The aspects of any such survey which relate to the identification of historic and architectural values shall be conducted in accordance with criteria found by the Secretary to be comparable to those used in establishing the national register maintained by the Secretary of the Interior under other provisions of law; and the results of each such survey shall be made available to the Secretary of the Interior. A grant under this subsection shall not exceed two-thirds of the cost of the survey for which it is made, and shall be made to the appropriate agency or entity specified in paragraphs (1) through (11) of subsection (a) or, if there is no such agency or entity which is qualified and willing to receive the grant and provide for its utilization in accordance with this subsection, directly to the city, other municipality, or county involved.

"(i) As used in this section—

"(1) The term 'metropolitan area' means a standard metropolitan statistical area, as established by the Bureau of the Budget, subject, however, to such modifications or extensions as the Secretary deems to be appropriate for the purposes of this section.

"(2) The term 'region' includes (A) all or part of the area of jurisdiction of one or more units of general local government, and (B) one or more metropolitan areas.

"(3) The term 'district' includes all or part of the area of jurisdiction of (A) one or more counties, and (B) one or more other units of general local government, but does not include any portion of a metropolitan area.

"(4) The term 'comprehensive planning' includes the following:

"(A) preparation, as a guide for governmental policies and action, of general plans with respect to (i) the pattern and intensity of land use, (ii) the provision of public facilities (including transportation facilities) and other government services, and (iii) the effective development and utilization of human and natural resources;

"(B) long-range physical and fiscal plans for such action;

"(C) programing of captial improvements and other major expenditures, based on a determination of relative urgency, together with definitive financing plans for such expenditures in the earlier years of the program;

"(D) coordination of all related plans and activities of the State and local governments and agencies concerned; and

"(E) preparation of regulatory and administrative measures in support of the foregoing.

Comprehensive planning for the purpose of districts shall not include planning for or assistance to establishments in relocating from one area to another or assist subcontractors whose purpose is to divest, or whose economic success is dependent upon divesting, other contractors or subcontractors of contracts theretofore customarily performed by them; *Provided*, That this limitation shall not be construed to phohibit assistance for the expansion of an existing business entity through the establishment of a new branch, affiliate, or subsidiary of such entity, if the Secretary finds that the establishment of such branch, affiliate or subsidiary will not result in an increase in unemployment in the area of original location or in any other area where such entity conducts business operations, unless the Secretary has reason to believe that such branch, affiliate, or subsidiary is being established with the intention of closing down the operations of the existing business entity in the area of its original location or in any other area where it conducts such operations.

"(5) The term 'State planning agencies' includes official State planning agencies and (in States where no such planning agency exists) agencies or instrumentalities of State government designated by the Governor of the State and acceptable to the Secretary.

"(6) The terms 'metropolitan planning agencies', 'regional planning agencies', and 'district planning agencies' mean official metropolitan, regional, and district planning agencies, or other agencies and instrumentalities designated by the Governor (or Governors in the case of interstate planning), and acceptable to the Secretary, empowered under State or local law or interstate compact to perform metropolitan, regional, or district planning, respectively: *Provided*, That such agencies and instrumentalities shall, to the greatest practicable extent, be composed of or responsible to the elected officials of the unit or units of general local government for whose jurisdictions they are empowered to engage in planning."

PLANNED AREAWIDE DEVELOPMENT

SEC. 502. (a) The heading of title II of the Demonstration Cities and Metropolitan Development Act of 1966 is amended to read as follows: "TITLE II—PLANNED AREAWIDE DEVELOPMENT".

(b) Section 201 of such Act is amended to read as follows:

"FINDINGS AND DECLARATION OF PURPOSE

"SEC. 201. (a) The Congress hereby finds that the welfare of the Nation and of its people is directly dependent upon the sound and orderly development and the effective organization and functioning of our State and local governments.

"It further finds that it is essential that our State and local governments prepare, keep current, and carry out comprehensive plans and programs for their orderly physical development with a view to meeting efficiently all their economic and social needs.

"It further finds that our State and local governments are especially handicapped in this task by the complexity and scope of governmental services required, the multiplicity of political jurisdictions and agencies involved, and the inadequacy of the operational and administrative arrangements available for cooperation among them.

"It further finds that present requirements for areawide planning and programing in connection with various Federal programs have materially assisted in the solution of areawide problems, but that greater coordination of Federal programs and additional participation and cooperation are needed from the States and localities in perfecting and carrying out such efforts.

"(b) It is the purpose of this title to provide through greater coordination of Federal programs, and through supplementary grants for certain federally assisted development projects, additional encouragement and assistance to States and localities for making comprehensive areawide planning and programing effective."

(c) Section 202 of such Act is amended by striking out "metropolitan" each place it appears and inserting in lieu thereof "areawide".

(d)(1) Section 205 of such Act is amended by striking out "metropolitan development" each place it appears and inserting in lieu thereof "areawide development".

(2) Such section is further amended by striking out "metropolitan areas" and "metropolitan area" and inserting in lieu thereof "areas" and "area", respectively.

(3) Such section is further amended by striking out "metropolitanwide" each place it appears, and inserting in lieu thereof "areawide".

(4) Such section is further amended by striking out "metropolitan planning" each place it appears and inserting in lieu thereof "areawide planning".

(5) Such section is further amended by inserting "where appropriate," after "(B)" in subsection (c)(1).

(6) Such section is further amended by striking out "within the metropolitanwide area" in subsection (f).

(e)(1) Paragraphs (1) and (2) of section 208 of such Act are amended by striking out "Metropolitan" and inserting in lieu thereof "Areawide".

(2) Paragraph (7) of such section is amended—

(A) by striking out "or metropolitan or regional" and inserting in lieu thereof ", metropolitan, regional, or district"; and

(B) by striking out "metropolitan" in the parenthetical phrase.

(f) Section 206(b) of such Act is amended by striking out the second sentence and inserting in lieu thereof the following: "Any amounts appropriated under this section shall remain available until expended, and any amounts authorized for any fiscal year under this section but not appropriated may be appropriated for any succeeding fiscal year commencing prior to July 1, 1970."

ADVANCE ACQUISITION OF LAND

SEC. 503. (a) Section 701 of the Housing and Urban Development Act of 1965 is amended by striking out "in connection with the future construction of public works and facilities" in clause (3) and inserting in lieu thereof "in the future for public purposes".

(b) Section 704 of such Act is amended to read as follows:

"ADVANCE ACQUISITION OF LAND

"SEC. 704. (a) In order to encourage and assist the timely acquisition of land planned to be utilized in the future for public purposes, the Secretary is authorized to make grants to States and local public bodies and agencies to assist in financing the acquisition of a fee simple estate or other interest in such land.

"(b) The amount of any grant made under this section shall not exceed the aggregate amount of reasonable interest charges on the loans or other financial obligations incurred to finance the acquisition of such land for a period not in excess of the lesser of (1) five years from the date of acquisition of such land or (2) the period of time between the date on which the land was acquired and the date its use began for the purpose for which it was acquired: *Provided*, That where all or any portion of the cost of such land is not financed through borrowings, the amount of the grant shall be computed on the basis of the aggregate amount of reasonable interest charges that the Secretary determines would have been required.

"(c) No grant shall be made under this section unless the Secretary determines that the land will be utilized for a public purpose within a reasonable period of time and that such utilization will contribute to economy, efficiency, and the comprehensively planned development of the area. The Secretary shall in all cases require that land acquired with the assistance of a grant under this section be utilized for a public purpose within five years after the date on which a contract to make such grant is entered into, unless the Secretary (1) determines that due to unusual circumstances a longer period of time is necessary and in the public interest, and (2) reports such determination promptly to the Committees on Banking and Currency of the Senate and House of Representatives.

"(d) No land acquired with assistance under this section shall, without approval of the Secretary, be diverted from the purpose originally approved. The Secretary shall approve no such diversion unless he finds that the diversion is in accord with the then applicable comprehensive plan for the area. In cases of a diversion of land to other than a public purpose, the Secretary may require repayment of the grant, or substitution of land of approximately equal fair market value, whichever he deems appropriate. An interim use of the land for a public or private purpose in accordance with standards prescribed by the Secretary, or approved by him, shall not constitute a diversion within the meaning of this subsection.

"(e) Notwithstanding any other provision of law, no project for which land is acquired with assistance under this section shall, solely as a result of such advance acquisition, be considered ineligible for the purpose of any other Federal loan or grant program, and the amount of the purchase price paid for the land by the recipient of a grant under this section may be considered an eligible cost for the purpose of such other Federal loan or grant program."

WATER AND SEWER FACILITIES PROGRAM

SEC. 504. (a) Section 702(c) of the Housing and Urban Development Act of 1965 is amended by striking out "July 1, 1968" and inserting in lieu thereof "October 1, 1969".

(b) Section 702(b) of such Act is amended—

(1) by inserting after "community" the first time it appears the following: ", or an unincorporated area served by a water district or improvement district," ;

(2) by inserting after "community" each subsequent time it appears the following: "or area"; and

(3) by striking out "a basic public sewer facility" and inserting in lieu thereof "a basic public water or sewer facility".

(c) Section 702 of such Act is amended by adding at the end thereof a new subsection as follows:

"(d) In the administration of this section the Secretary shall require that, to the greatest extent practicable, new job opportunities be provided for unemployed or underemployed persons in connection with projects the financing of which is assisted under this section."

AUTHORIZATIONS FOR THE WATER AND SEWER FACILITIES, NEIGHBORHOOD FACILITIES, AND ADVANCE ACQUISITION OF LAND PROGRAMS

SEC. 505. (a) Section 708(b) of the Housing and Urban Development Act of 1965 is amended by striking out "July 1, 1969" and inserting in lieu thereof "July 1, 1970".

(b) Section 708(a) of such Act is amended by striking out "$200,000,000 for grants under section 702" and inserting in lieu thereof "$200,000,000 (or $500,000,000 in the case of any such fiscal year commencing after June 30, 1967) for grants under section 702".

OPEN-SPACE LAND PROGRAM

SEC. 506. (a) Section 702(b) of the Housing Act of 1961 is amended to read as follows:

"(b) There are authorized to be appropriated, for the purpose of making grants under this title, not to exceed $310,000,000 prior to July 1, 1969, and not to exceed $460,000,000 prior to July 1, 1970. Any amounts appropriated under this section shall remain available until expended."

(b) Section 708(b) of such Act is amended by striking out "$50,000" and inserting in lieu thereof "$125,000".

AUTHORIZING TO MAKE FEASIBILITY STUDIES IN THE PUBLIC WORKS PLANNING ADVANCES PROGRAM

SEC. 507. Section 702(a) of the Housing Act of 1954 is amended by inserting after "to aid in financing the cost of" the following: "feasibility studies,".

REPEAL OF 1966 PROVISION FOR COORDINATION OF FEDERAL AIDS IN METROPOLITAN AREAS

SEC. 508. Section 204 of the Demonstration Cities and Metropolitan Development Act of 1966 is repealed.

TITLE VI—URBAN MASS TRANSPORTATION

GRANT AUTHORIZATIONS

SEC. 601. (a) Section 4(b) of the Urban Mass Transportation Act of 1964 is amended (1) by striking out the word "and" where it first appears in the first sentence, and (2) by inserting before the period at the end of the first sentence "; and $190,000,000 for fiscal year 1970"

(b) Section 6(c) of such Act is amended (1) by striking out "$50,000,000" and inserting in lieu thereof "$56,000,000", and (2) by inserting at the end thereof the following: "On or after July 1, 1969, the Secretary may make available to finance projects under this section such additional sums out of the grant authorization provided in section 4(b) as he deems appropriate."

DEFINITION OF MASS TRANSPORTATION

SEC. 602. Section 12(c)(5) of the Urban Mass Transportation Act of 1964 is amended to read as follows:

"(5) the term 'mass transportation' means transportation by bus, rail, or other conveyance, either publicly or privately owned, which provides to the public general or special service (but not including school buses or charter or sightseeing service) on a regular and continuing basis."

EXTENSION OF EMERGENCY PROGRAM UNDER THE URBAN MASS TRANSPORTATION ACT

SEC. 603. Section 5 of the Urban Mass Transportation Act of 1964 is amended by striking out "November 1, 1968" and inserting in lieu thereof "October 1, 1969".

NON-FEDERAL SHARE OF NET PROJECT COST

SEC. 604. (a) Section 4(a) of the Urban Mass Transportation Act of 1964 is amended by striking out the last sentence and inserting in lieu thereof the following: "The remainder of the net project cost shall be provided, in cash, from sources other than Federal funds. Not more than 50 per centum of such remainder may be provided from other than public sources, and any public or private transit system funds shall be provided solely from undistributed cash surpluses, replacement or depreciation funds or reserves available in cash, or new capital; except that in cases of demonstrated fiscal inability of an applicant actively engaged in preparing and effectuating a program for a unified or officially coordinated urban transportation system as part of the comprehensively planned development of the urban area, such remainder may be provided from other than public sources. No refund or reduction of the remainder of the net project cost shall be made at any time unless there is at the same time a refund of a proportional amount of the Federal grant."

(b) Section 5 of such Act is amended by striking out the last sentence and inserting in lieu thereof the following: "The remainder of the net project cost shall be provided, in cash, from sources other than Federal funds.

Not more than 50 per centum of such remainder may be provided from other than public sources, and any public or private transit system funds shall be provided solely from undistributed cash surpluses, replacement or depreciation funds or reserves available in cash, or new capital; except that in cases of demonstrated fiscal inability of an applicant actively engaged in preparing and effectuating a program for a unified or officially coordinated urban transportation system as part of the comprehensively planned development of the urban area, such remainder may be provided from other than public sources. No refund or reduction of the remainder of the net project cost shall be made at any time unless there is at the same time a refund of a proportional amount of the Federal grant."

TITLE VII—SECONDARY MORTGAGE MARKET

PURPOSES

SEC. 701. The purposes of this title include the partition of the Federal National Mortgage Association as heretofore existing into two separate and distinct corporations, each of which shall have continuity and corporate succession as a separated portion of the previously existing corporation. One of such corporations, to be known as Federal National Mortgage Association, will be a Government-sponsored private corporation, will retain the assets and liabilities of the previously existing corporation accounted for under section 304 of the Federal National Mortgage Association Charter Act, and will continue to operate the secondary market operations authorized by such section 304. The other, to be known as Government National Mortgage Association, will remain in the Government, will retain the assets and liabilities of the previously existing corporation accounted for under sections 305 and 306 of such Act, and will continue to operate the special assistance functions and management and liquidating functions authorized by such sections 305 and 306.

AMENDMENTS TO THE FEDERAL NATIONAL MORTGAGE ASSOCIATION CHARTER ACT

SEC. 702. (a) The heading of title III of the National Housing Act is amended by striking out "FEDERAL NATIONAL MORTGAGE ASSOCIATION" and inserting in lieu thereof "NATIONAL MORTGAGE ASSOCIATIONS".

(b) Section 301 of such Act is amended—

(1) by striking out "in the Federal Government a";

(2) by striking out "facility for" and inserting in lieu thereof "facilities for";

(3) by striking out "of such facility" and inserting in lieu thereof "thereof";

(4) by striking out "facility to" and inserting in lieu thereof "facilities to"; and

(5) by striking out "the existing mortgage portfolio of the Federal National Mortgage Association" and inserting in lieu thereof "federally owned mortgage portfolios".

(c) Section 302(a) of such Act is amended—

(1) by inserting "(1)" immediately following "(a)";

(2) by striking out "(hereinafter referred to as the 'Association')"; and

(3) by adding at the end thereof the following new paragraph:

"(2) On the effective date established pursuant to section 708 of the Housing and Urban Development Act of 1968, the body corporate described in the foregoing paragraph shall cease to exist in that form and is hereby partitioned into two separate and distinct bodies corporate, each of which shall have continuity and corporate succession as a separated portion of the previously existing body corporate, as follows:

"(A) One of such separated portions shall be a body corporate without capital stock to be known as Goverment National Mortgage Association (hereinafter referred to as the 'Association'), which shall be in the Department of Housing and Urban Development and which shall retain the assets and liabilities acquired and incurred under sections 305 and 306 prior to such effective date, including any and all liabilities incurred pursuant to section 302(c). The Association shall have succession until dissolved by Act of Congress. It shall maintain its principal office in the District of Columbia and shall be deemed, for purposes of venue in civil actions, to be a resident thereof. Agencies or offices may be established by the Association in such other place or places as it may deem necessary or appropriate in the conduct of its business.

"(B) The other such separated portion shall be a body corporate to be known as Federal National Mortgage Association (hereinafter referred to as the 'corporation'), which shall retain the assets and liabilities acquired and incurred under sections 303 and 304 prior to such effective date. The corporation shall have succession until dissolved by Act of Congress. It shall maintain its principal office in the District of Columbia and shall be deemed, for purposes of venue in civil actions, to be a resident thereof.".

(d) Section 302(b) of such Act is amended—

(1) by striking out "the Association is authorized" and inserting in lieu thereof "each of the bodies corporate named in subsection (a)(2) is authorized";

(2) by striking out "lend (under section 304) on the security of,";

(3) by inserting immediately before the colon in the first sentence "; and the corporation is authorized to lend on the security of any such mortgages and to purchase, sell, or otherwise deal in any securities guaranteed by the Association under section 306 (g)"; and

(4) by striking out "no mortgage may be purchased" and inserting in lieu thereof "the Association may not purchase any mortgage".

(e) Section 302(c)(1) of such Act is amended by striking out ", consistent with section 307,".

(f) Section 302(c)(2)(C) of such Act is amended to read as follows:

"(C) The Department of Housing and Urban Development.".

(g) Section 302(c)(2) of such Act is amended by striking out "incurred by the Federal National Mortgage" and inserting in lieu thereof "incurred by the".

(h) The heading of section 303 of such Act is amended to read as follows: "CAPITALIZATION—FEDERAL NATIONAL MORTGAGE ASSOCIATION".

(i) Section 303(a) of such Act is amended—

(1) by striking out "nonvoting common stock" and inserting in lieu thereof "common stock, without par value, which shall be vested with all voting rights, each share being entitled to one vote with rights of cumulative voting at all elections of directors";

(2) by striking out "nonvoting preferred stock" and inserting in lieu thereof "nonvoting preferred stock, with a par value of $100 per share,";

(3) by striking out the second and third sentences thereof and inserting in lieu thereof "The free transferability of the common stock at all times to any person, firm, corporation, or other entity shall not be restricted except that, as to the corporation, it shall be transferable only on the books of the corporation.";

(4) by striking out "of the capital surplus and the general surplus accounts";

(5) by striking out "retire" and inserting in lieu thereof "retire, at par,"; and

(6) by striking out "the Association shall deem feasible" and inserting in lieu thereof "possible subsequent to the effective date established pursuant to section 708 of the Housing and Urban Development Act of 1968".

(j) Section 303(b) of such Act is amended—

(1) by striking out "for its services" and inserting in lieu thereof ", which may be regarded as elements of pricing,"; and

(2) by striking out the last sentence.

(k) Section 303(c) of such Act is amended—

(1) by striking out "(only in denominations of $100 or multiples thereof)";

(2) by inserting immediately after the first sentence the following: "In addition to the shares of common stock issued under the fore-going sentence, the corporation may issue additional shares in return for appropriate payments into capital or capital and surplus. The corporation shall at all times require each servicer of its mortgages to own a minimum amount of common stock of the corporation, measured by its stated value. Such minimum amount shall not exceed 2 per centum, as determined from time to time by the corporation with the approval of the Secretary of Housing and Urban Development, of the aggregate outstanding principal balances of all mortgages of the corporation which have been purchased subsequent to the effective date established pursuant to section 708 of the Housing and Urban Development Act of 1968 and which are then serviced by such servicer for the corporation."; and

(3) by striking out "the general surplus account of the Association shall not be reduced through the payment of dividends applicable to such common stock which exceed in the aggregate 5 per centum of the par value of the outstanding common stock of the Association" and inserting in lieu thereof "the aggregate amount of cash dividends paid on account of any share of such stock shall not exceed any rate which may be determined from time to time by the Secretary of Housing and Urban Development to be a fair rate of return after consideration of the current earnings and capital condition of the corporation".

(l) Section 303(d) of such Act is amended by striking out "$225,000,000" and inserting in lieu thereof "$225,000,000; but no such stock may be issued subsequent to the effective date established pursuant to section 708 of the Housing and Urban Development Act of 1968".

(m) Section 303(f) of such Act is amended by striking out "contributions, and" and inserting in lieu thereof "contributions, to purchase additional shares of such stock, and".

(n) Section 303(g) of such Act is repealed.

(o) The heading of section 304 of such Act is amended to read as follows: "SECONDARY MARKET OPERATIONS—FEDERAL NATIONAL MORTGAGE ASSOCIATION".

(p) Section 304(a)(1) of such Act is amended by striking out "and the Association shall not purchase any mortgage insured or guaranteed prior to the effective date of the Housing Act of 1954".

(q) Section 304(b) of such Act is amended by striking out "earnings, and in" and inserting in lieu thereof "earnings unless a greater ratio shall be fixed at any time or from time to time by its board of directors. In".

(r) Section 304(c) of such Act is amended by striking out "(1) all of the preferred stock of the Association held by the Secretary of the Treasury has been retired, or (2)".

(s) Sections 303 and 304 of such Act, as amended by the foregoing subsections of this section, are further amended—

(1) by striking out "Association" each place it appears and inserting in lieu thereof, in each such place, "corporation"; and

(2) by striking out "Association's" each place it appears and inserting in lieu thereof, in each such place, "corporation's".

(t) The heading of section 305 of such Act is amended to read as follows: "SPECIAL ASSISTANCE FUNCTIONS—GOVERNMENT NATIONAL MORTGAGE ASSOCIATION".

(u) The heading of section 306 of such Act is amended to read as follows: "MANAGEMENT AND LIQUIDATING FUNCTIONS—GOVERNMENT NATIONAL MORTGAGE ASSOCIATION".

(v) Subsections (a) and (b) of section 307 of such Act are repealed.

(w) Section 307 of such Act is further amended—

(1) by striking out "Sec. 307.";

(2) by striking out "(c) All of the benefits and burdens incident to the administration of" and inserting in lieu thereof the following:

"Sec. 307. All of the benefits and burdens incident to the administration of"; and

(3) by striking out "board of directors of the Association" and inserting in lieu thereof "Secretary of Housing and Urban Development".

(x) The heading of section 308 of such Act is amended to read as follows: "MANAGEMENT".

(y) Section 308 of such Act is amended—

(1) by inserting "(a)" immediately following "308";

(2) by striking out the first two sentences and inserting in lieu thereof "All the powers and duties of the Government National Mortgage Association shall be vested in the Secretary of Housing and Urban Development and the Association shall be administered under the direction of the Secretary.";

(3) by striking out "the board shall determine" and inserting in lieu thereof "the Secretary shall determine";

(4) by striking out "Association. The chairman of the board" and inserting in lieu thereof "Association, and shall have power to adopt, amend, and repeal bylaws governing the performance of the powers and duties granted to or imposed upon it by law. The Secretary";

(5) by striking out "by the board of directors," and inserting in lieu thereof "by the Secretary,";

(6) by striking out the last sentence; and

(7) by adding at the end thereof the following new subsection:

"(b) The Federal National Mortgage Association shall have a board of directors which shall consist of fifteen persons, one-third of whom shall be appointed annually by the President of the United States, and the remainder of whom shall be elected annually by the common stockholders. The board shall at all times have as members appointed by the President at least one person from the homebuilding industry, at least one person from the mortgage lending industry, and at least one person from the real estate industry. Each member of the board of directors shall be appointed or elected for a term ending on the date of the next annual meeting of the stockholders, except that any such member may be removed from office by the President for good cause. Any elective seat on the board which becomes vacant after the annual election of the directors shall be filled by the board, but only for the unexpired portion of the term. Any appointive seat which becomes vacant shall be filled by appointment of the President, but only for the unexpired portion of the term. Within the limitations of law and regulation, the board shall determine the general policies which shall govern the operations of the corporation, and shall have power to adopt, amend, and repeal bylaws governing the performance of the powers and duties granted to or imposed upon it by law. The board of directors shall select and effect the appointment of qualified persons to fill the offices of president and vice president, and such other offices as may be provided for in the bylaws. Any member of the board who is a full-time officer or employee of the Federal Government shall not, as such member, receive compensation for his services."

(z) Section 309(a) of such Act is amended—

(1) by striking out "The Association" and inserting in lieu thereof "Each of the bodies corporate named in section 302(a)(2)";

(2) by striking out "by its board of directors, to adopt, amend, and repeal bylaws governing the performance of the powers and duties granted to or imposed upon it by law;";

(3) by striking out "conduct its business" and inserting in lieu thereof "conduct its business without regard to any qualification or similar statute";

(4) by striking out "the Association may deem" and inserting in lieu thereof "it may deem"; and

(5) by striking out "the purposes of the Association" and inserting in lieu thereof "its purposes".

(aa) Section 309(c) of such Act is amended—

(1) by striking out "(1)";

(2) by striking out "The Association" and inserting in lieu thereof "(1) The Association";

(3) by striking out ", and (2) the Association shall, with respect to its secondary market operations under section 304 after the cutoff date referred to in section 303(d) of this title, pay annually to the Secretary of the Treasury, for covering into miscellaneous receipts, an amount equivalent to the amount of Federal income taxes for which it would be subject if it were not exempt from such taxes with respect to such secondary market operations"; and

(4) by adding at the end thereof the following new paragraph:

"(2) The corporation, including its franchise, capital, reserves, surplus, mortgages or other security holdings, and income, shall be exempt from all taxation now or hereafter imposed by any State, territory, possession, Commonwealth, or dependency of the United States, or by the District of Columbia, or by any county, municipality, or local taxing authority, except that any real property of the corporation shall be subject to State, territorial, county, municipal, or local taxation to the same extent as other real property is taxes."

(bb) Section 309(d) of such Act is amended—

(1) by inserting "(1)" immediately following "(d)";

(2) by striking out "Chairman of the Board" and inserting in lieu thereof "Secretary of Housing and Urban Development";

(3) by striking out "agents," and inserting in lieu thereof "agents of the Association,"; and

(4) by adding at the end thereof the following new paragraph:

"(2) The board of directors of the corporation shall have the power to select and appoint or employ such officers, attorneys, employees, and agents, to vest them with such powers and duties, and to fix and to cause the corporation to pay such compensation to them for their services, as it may determine; and any such action shall be without regard to the Federal civil service and classification laws. Appointments, promotions, and separations so made shall be based on merit and efficiency, and no political test or qualification shall be permitted or given consideration. Each officer and employee of the corporation who is employed by the corporation prior to the termination of the transitional period referred to in section 710(b) of the Housing and Urban Development Act of 1968 and who on the day previous to the beginning of such employment will have been subject to the civil service retirement law (subch. III of ch. 83 of title 5, United States Code) shall, so long as his employment by the corporation continues without a break in continuity of service, continue to be subject to such law; and for the purpose of such law his employment by the corporation without a break in continuity of service shall be deemed to be employment by the Government of the United States. The corporation shall contribute to the Civil Service Retirement and Disability Fund a sum as provided by section 8334(a) of title 5, United States Code, except that such sum shall be determined by applying to the total basic pay (as defined in 5 U.S.C. 8331(3) and except as hereinafter provided) paid to the employees of the corporation who are covered by the civil service retirement law, the per centum rate determined annually by the United States Civil Service Commission to be the excess of the total normal cost per centum rate of the civil service retirement system over the employee deduction rate specified in section 8334(a) of title 5, United States Code. The corporation shall also pay into the Civil Service Retirement and Disability Fund such portion of the cost of administration of the fund as is determined by the United States Civil Service Commission to be attributable to its employees. Notwithstanding the foregoing provisions, there shall not be considered for the purposes of the civil service retirement law that portion of the basic pay in any one year of any officer or employee of the corporation which exceeds the basic pay provided for in section 5312 of title 5, United States Code, on the last day of such year. Except as provided in this subsection, the corporation shall not be subject to the provisions of title 5, United States Code."

(cc) Section 309(e) of such Act is amended—

(1) by striking out "body corporate created by section 302" and inserting in lieu thereof "bodies corporate named in section 302(a)(2)";

(2) by inserting ", 'Government National Mortgage Association'," immediately following " 'Federal National Mortgage Association' "; and

(3) by striking out the second sentence and inserting in lieu thereof the following: "Violations of the foregoing sentence may be enjoined by any court of general jurisdiction at the suit of the proper body corporate. In any such suit, the plaintiff may recover any actual damages flowing from such violation, and, in addition, shall be entitled to punitive damages (regardless of the existence or nonexistence of actual damages) of not exceeding $100 for each day during which such violation is committed or repeated."

(dd) Section 309(g) of such Act is amended to read as follows:

"(g) The Federal Reserve banks are authorized and directed to act as depositaries, custodians, and fiscal agents for each of the bodies corporate named in section 302(a)(2), for its own account or as fiduciary, and such banks shall be reimbursed for such services in such manner as may be agreed upon; and each of such bodies corporate may itself act in such capacities, for its own account or as fiduciary, and for the account of others."

(ee) Section 309 of such Act is amended by adding at the end thereof the following new subsection:

"(h) The Secretary of Housing and Urban Development shall have general regulatory power over the Federal National Mortgage Association and shall make such rules and regulations as shall be necessary and proper to insure that the purposes of this title are accomplished. No stock, obligation, security, or other instrument shall be issued by the corporation without the prior approval of the Secretary. The Secretary may require that a reasonable portion of the corporation's mortgage purchases be related to the national goal of providing adequate housing for low and moderate income families, but with reasonable economic return to the corporation. The Secretary may examine and audit the books and financial transactions of the corporation, and he may require the corporation to make such reports on its activities as he deems advisable."

(ff) Section 311 of such Act is amended—

(1) by striking out "the Association" and

inserting in lieu thereof "either of the bodies corporate named in section 302(a)(2)"; and

(2) by adding at the end thereof the following: "All stock, obligations, securities, participations, or other instruments issued pursuant to this title shall, to the same extent as securities which are direct obligations of or obligations guaranteed as to principal or interest by the United States, be deemed to be exempt securities within the meaning of laws administered by the Securities and Exchange Commission; but all such issuances shall be made only with the approval of the Secretary of Housing and Urban Development."

PARTICIPATIONS

SEC. 703. Section 302(c)(5) of the National Housing Act is amended by inserting at the end thereof the following: "In the event that the insufficiency required by the trustee is on account of principal maturities of outstanding beneficial interests or participations authorized to be issued pursuant to paragraph (4) of this subsection, or pursuant hereto, the trustee is authorized to elect to issue additional beneficial interests or participations for refinancing purposes in lieu of requiring any trustor or trustors to make payments to the trustee from appropriated funds or other sources. Each such issue of beneficial interests or participations shall be in an amount determined by the trustee but not in excess of the aggregate amount which the trustee would otherwise require the trustor or trustors to pay from appropriated funds or other sources, and may be issued without regard to the provisions of paragraph (4) of this subsection. All refinancing issues of beneficial interests or participations shall be deemed to have been issued pursuant to the authority contained in the appropriation Act or Acts under which the beneficial interests or participations were originally issued."

MORTGAGE-BACKED SECURITIES

SEC. 704. (a) Section 304 of the National Housing Act is amended by adding at the end thereof the following new subsection:

"(d) To provide a greater degree of liquidity to the mortgage investment market and an additional means of financing its operations under this section, the corporation is authorized to set aside any mortgages held by it under this section, and, upon approval of the Secretary of the Treasury, to issue and sell securities based upon the mortgages so set aside. Securities issued under this subsection may be in the form of debt obligations or trust certificates of beneficial interest, or both. Securities issued under this subsection shall have such maturities and bear such rate or rates of interest as may be determined by the corporation with the approval of the Secretary of the Treasury. Securities issued by the corporation under this subsection shall, to the same extent as securities which are direct obligations of or obligations guaranteed as to principal and interest by the United States, be deemed to be exempt securities within the meaning of laws administered by the Securities and Exchange Commission. Mortgages set aside pursuant to this subsection shall at all times be adequate to enable the corporation to make timely principal and interest payments on the securities issued and sold pursuant to this subsection."

(b) Section 306 of such Act is amended by adding at the end thereof the following new subsection:

"(g) The Association is authorized, upon such terms and conditions as it may deem appropriate, to guarantee the timely payment of principal of and interest on such trust certificates or other securities as shall (1) be issued by the corporation under section 304(d), or by any other issuer approved for the purposes of this subsection by the Association, and (2) be based on and backed by a trust or pool composed of mortgages which are insured under the National Housing Act or title V of the Housing Act of 1949, or which are insured or guaranteed under the Servicemen's Readjustment Act of 1944 or chapter 37 of title 38, United States Code. The Association shall collect from the issuer a reasonable fee for any guaranty under this subsection and shall make such charges as it may determine to be reasonable for the analysis of any trust or other security arrangement proposed by the issuer. In the event the issuer is unable to make any payment of principal of or interest on any security guaranteed under this subsection, the Association shall make such payment as and when due in cash, and thereupon shall be subrogated fully to the right satisfied by such payment. Any Federal, State, or other law to the contrary notwithstanding, the Association is hereby empowered, in connection with any guaranty under this subsection, whether before or after any default, to provide by contract with the issuer for the extinguishment, upon default by the issuer, of any redemption, equitable, legal, or other right, title, or interest of the issuer in any mortgage or mortgages constituting the trust or pool against which the guaranteed securities are issued; and with respect to any issue of guaranteed securities, in the event of default and pursuant otherwise to the terms of the contract, the mortgages that constitute such trust or pool shall become the absolute property of the Association subject only to the unsatisfied rights of the holders of the securities based on and backed by such trust or pool. The full faith and credit of the United States is pledged to the payment of all amounts which may be required to be paid under any guaranty under this subsection. There shall be excluded from the total amounts set forth in subsection (c) the amounts of any mortgages acquired by the Association as a result of its operations under this subsection."

SUBORDINATED AND CONVERTIBLE OBLIGATIONS

SEC. 705. Section 304 of the National Housing Act is amended by adding thereto (after subsection (d) as added by section 704 of this Act) the following new subsection:

"(e) For the purposes of this section, the corporation is authorized to issue, upon the approval of the Secretary of the Treasury, obligations which are subordinated to any or all other obligations of the corporation, including subsequent obligations. The obligations issued under this subsection shall have such maturities and bear such rate or rates of interest as may be determined by the corporation with the approval of the Secretary of the Treasury and may be made redeemable at the option of the corporation before maturity in such manner as may be stipulated in such obligations. Any of such obligations may be made convertible into shares of common stock in such manner, at such price or prices, and at such time or times as may be stipulated therein. The total principal amount of such subordinated obligations which may be outstanding at any one time shall not exceed two times the sum of (1) the capital of the corporation represented by its outstanding common stock and (2) its surplus and undistributed earnings at such time. The outstanding total principal amount of such obligations which are entirely subordinated to the obligations of the corporation issued or to be issued under subsection (b) shall be deemed to be capital of the corporation for the purpose of determining the aggregate amount of obligations issued under subsection (b) which may be outstanding at any one time. Obligations issued by the corporation under this subsection shall, to the same extent as securities which are direct obligations of or obligations guaranteed as to principal or interest by the United States, be deemed to be exempt securities within the meaning of laws administered by the Securities and Exchange Commission. The corporation shall insert appropriate language in all of its obligations issued under this subsection clearly indicating that such obligations, together with the interest thereon, are not guaranteed by the United States and do not constitute a debt or obligation of the United States or of any agency or instrumentality thereof other than the corporation. The corporation is authorized to purchase in the open market any of its obligations outstanding under this subsection at any time and at any price."

SPECIAL ASSISTANCE AUTHORIZATION

SEC. 706. Section 305(c) of the National Housing Act is amended—

(1) by striking out "and" after "July 1, 1967,"; and

(2) by striking out the period and inserting in lieu thereof ", and by $500,000,000 in July 1, 1969."

AMENDMENTS TO OTHER LAWS

SEC. 707. (a) Section 306(b) of the Housing Act of 1959 is amended by striking out "Federal National Mortgage Association pursuant" and inserting in lieu thereof "Government National Mortgage Association pursuant".

(b) Section 312(d) of the Housing Act of 1964 is amended by striking out "Federal" and inserting in lieu thereof "Government".

(c) Section 5(b) of the Department of Housing and Urban Development Act is amended—

(1) by striking out "The Federal" and inserting in lieu thereof "The Government"; and

(2) by striking out ", and the position of the President of said Association is hereby allocated among the positions referred to in section 7(c) hereof".

(d) Section 7(b) of the Department of Housing and Urban Development Act is repealed.

(e) Section 101 of the Government Corporation Control Act is amended by striking out "Federal National Mortgage Association" and inserting in lieu thereof "Government National Mortgage Association".

(f) Section 13(4)(F) of the Public Buildings Act of 1959 is amended by striking out "Federal" and inserting in lieu thereof "Government".

(g) Section 6(b) of the Participation Sales Act of 1966 is amended by striking out "secondary market operations carried on by the Federal" and inserting in lieu thereof "the Government".

(h) Section 1820(e) of title 38, United States Code, is amended by striking out "Federal National" in three places and inserting in lieu thereof, in each such place, "Government National".

(i) Section 709 of title 18, United States Code, is amended by striking out "Federal National Mortgage Association" each place it appears and inserting in lieu thereof, in each such place, "Government National Mortgage Association".

(j) Section 5136 of the Revised Statutes is amended by inserting "or the Government National Mortgage Association" immediately following "Federal National Mortgage Association".

(k) Section 11(h) of the Federal Home Loan Bank Act is amended by inserting "or the Government National Mortgage Association, in the stock of the Federal National Mortgage Association" immediately following "Federal National Mortgage Association".

(l) Section 16 of the Federal Home Loan Bank Act is amended by inserting "or the Government National Mortgage Association" immediately following "Federal National Mortgage Association".

(m) Section 5(c) of the Home Owners' Loan Act of 1933 is amended by inserting "or the Government National Mortgage Association," immediately following "Federal National Mortgage Association" and by inserting "or the stock of the Federal National

Mortgage Association" immediately after "any other agency of the United States".

(n) Section 8(8)(E) of the Federal Credit Union Act is amended by inserting "or the Government National Mortgage Association" immediately following "Federal National Mortgage Association".

EFFECTIVE DATE

SEC. 708. The amendments made by this title shall be effective from and after a date, no more than one hundred and twenty days following the date of enactment of this Act, as established by the Secretary of Housing and Urban Development. Notice of the establishment of such effective date shall be published in the Federal Register at least thirty days prior thereto.

SAVINGS PROVISIONS

SEC. 709. (a) No cause of action by or against the Federal National Mortgage Association existing prior to the effective date established pursuant to section 708 shall abate by reason of the enactment of this title. Any such cause of action may thereafter be asserted by or against the appropriate corporate body named in section 302(a)(2) of the National Housing Act.

(b) No suit, action, or other proceeding commenced by or against the Federal National Mortgage Association, or any officer thereof in his official capacity, prior to the effective date established pursuant to section 708 shall abate by reason of the enactment of this title. A court may at any time thereafter during the pendency of any such litigation, on its own motion or that of any party, order that the litigation may be maintained by or against the appropriate corporate body named in section 302(a)(2) of the National Housing Act or the appropriate corresponding officer thereof.

TRANSITIONAL PROVISIONS

SEC. 710. (a) On the effective date established pursuant to section 708 of this Act, each share of outstanding nonvoting common stock, with a par value of $100 per share, of the Federal National Mortgage Association shall be changed into and shall become one share of voting common stock, without par value, of such corporation.

(b)(1) The provisions of section 308(b) of the National Housing Act (is added by section 702(y)(7) of this Act) shall be applicable only to the extent that its provisions do not conflict with this subsection.

(2) For a transitional period after the effective date established pursuant to section 708 of this Act, the board of directors of the Federal National Mortgage Association shall consist of nine persons. For a term expiring on the date of the first annual meeting of the corporation's stockholders, all members of the board shall be appointed by the Secretary of Housing and Urban Development. For a term beginning on such date, seven members of the board shall be appointed by the Secretary, and two members shall be elected by the common stockholders. For subsequent terms beginning prior to the termination of the transitional period, five members shall be appointed by the Secretary, and four members shall be elected by the common stockholders. For each term beginning prior to the termination of the transitional period, the Secretary shall appoint as a member of the board the president of the corporation. During the transitional period, the president of the corporation shall be appointed by the President, by and with the advice and consent of the Senate, and may be removed from office by the President for good cause.

(3) The transitional period referred to in paragraph (2) shall come to an end at such time as the board of directors shall find, with the approval of the Secretary, that not less than one-third of the corporation's common stock is owned by persons or institutions in the mortgage lending, homebuilding, real estate, or related businesses; but in no event shall it end sooner than May 1, 1970, or later than May 1, 1973.

(c) From the effective date established pursuant to section 708 and until the retirement of the last of the outstanding shares of its preferred stock, the Federal National Mortgage Association shall be deemed to be a wholly owned corporation for the purposes of the Government Corporation Control Act. Notwithstanding the foregoing provisions of this paragraph, the financial transactions of the Federal National Mortgage Association shall continue to be subject to audit by the General Accounting Office for such period as there may be outstanding obligations of the Federal National Mortgage Association which are guaranteed as to principal or interest by the Government National Mortgage Association.

(d) Those persons who are the officers and employees of the Federal National Mortgage Association immediately prior to the effective date established pursuant to section 708 shall become the officers and employees of the Government National Mortgage Association on such date. The Federal National Mortgage Association and the Government National Mortgage Association shall provide by contract for the conditions and methods under which and by which the Federal National Mortgage Association during the transitional period may employ those individuals who are employees of the Government National Mortgage Association on such effective date; and may provide by contract for the operation by either of such corporations of any of the functions of the other. The Secretary of Housing and Urban Development shall make every reasonable effort to place in other comparable Federal positions any individuals who are career or career-conditional employees of the Government National Mortgage Association on such effective date and who are subsequently during the transitional period neither employed by the Federal National Mortgage Association nor retained by the Government National Mortgage Association.

TITLE VIII—NATIONAL HOUSING PARTNERSHIPS

STATEMENT OF PURPOSE

SEC. 801. The Congress finds that the volume of housing being produced for families and individuals of low or moderate income must be increased to meet the national goal of a decent home and a suitable living environment for every American family, and declares that it is the policy of the United States to encourage the widest possible participation by private enterprise in the provision of housing for low or moderate income families. The Congress has therefore determined that one or more private organizations should be created to encourage maximum participation by private investors in programs and projects to provide low and moderate income housing.

CREATION OF CORPORATIONS

SEC. 802. (a) There is hereby authorized to be created a private corporation for profit (hereinafter in this title referred to as the "corporation"). The corporation will not be an agency or establishment of the United States Government. The corporation shall be subject to the provisions of this title and, to the extent consistent with this title, to the District of Columbia Business Corporation Act (D.C. Code, sec. 29-901 et seq.).

(b) Whenever the President finds it in the national interest to do so, he may cause the creation of an additional corporation or additional corporations to carry out the purposes of this title. All the provisions of this title shall thereupon become applicable to each such corporation, and to the limited partnership formed by it pursuant to section 807.

(c) Nothing in this title shall be construed to preclude private persons from creating other corporations and organizing other partnerships, joint ventures, or associations for the purposes set forth in this title as the purposes of the corporation and the partnership described in section 807.

PROCESS OF ORGANIZATION

SEC. 803. (a) The President of the United States shall appoint, by and with the advice and consent of the Senate, incorporators of the corporation, one of whom shall be designated by the President to serve as chairman. The incorporators shall serve as the initial board of directors until the first annual meeting of stockholders or until their successors are elected and have qualified.

(b) The incorporators shall take whatever actions are necessary or appropriate to establish the corporation, including the filing of articles of incorporation as approved by the President.

(c) The incorporators shall also arrange for an initial offering of shares of stock in the corporation and of interests in the partnership described in section 807 of this title. If the incorporators deem it advisable in order to carry out the purposes of this title, the initial offering may be made upon terms which require the purchase of other securities of the corporation or of interests in such partnership.

DIRECTORS

SEC. 804. The corporation shall have a board of directors (hereinafter in this section referred to as the "board"), consisting of fifteen members. Three members of the board shall be appointed by the President of the United States, by and with the advice and consent of the Senate, effective on the date on which the other members are elected, and for terms of three years or until their successors have been appointed and have qualified, except that the first three members of the board so appointed shall continue in office for terms of one, two, and three years, respectively, and any member so appointed to fill a vacancy shall be appointed only for the unexpired term of the director whom he succeeds. Twelve members of the board shall be elected by the stockholders.

FINANCING THE CORPORATION

SEC. 805. The corporation shall have the power to create and issue the number of shares stated in its articles of incorporation. Such shares may be divided into one or more classes, any or all of which classes may consist of shares with par value or shares without par value, with such designations, preferences, voting powers, and special or relative rights and such limitations, restrictions, or qualifications thereof as shall be stated in the articles of incorporation. The articles of incorporation may limit or deny the voting power of the shares of any class.

PURPOSES AND POWERS OF THE CORPORATION

SEC. 806. (a) In order to achieve the objectives and carry out the purposes of this title, the corporation is authorized to—

(1) plan, initiate, and carry out, pursuant to Federal programs or otherwise, the building or rehabilitation of housing and related facilities primarily for the benefit of families and individuals of low or moderate income;

(2) buy, own, manage, lease, or otherwise acquire or dispose of property in connection with the developments, projects, or undertakings referred to in paragraph (1); and

(3) provide such funds as may be necessary to accomplish the developments, projects, or undertakings referred to in paragraph (1).

(b) Included in the activities authorized to the corporation for the accomplishment of the purposes indicated in subsection (a) of this section are, among others not specifically named—

(1) to enter into partnerships, limited partnerships, joint ventures, and other associations with individuals, corporations, and

private and governmental agencies, organizations, and institutions;

(2) to act as manager or general partner of any such partnership, venture, or association;

(3) to conduct or contract for research and studies related to the development, demonstration, and evaluation of improved techniques and methods of constructing, rehabilitating, and maintaining housing;

(4) to provide technical assistance to nonprofit corporations, limited dividend corporations, and others with respect to the planning, financing, construction, rehabilitation, maintenance, and management of housing for low and moderate income families and individuals;

(5) to make loans or grants, including grants of interests in housing and related facilities, to nonprofit corporations, limited dividend corporations, and others, in carrying out its activities under subsection (a) of this section; and

(6) to hire or accept the voluntary services of consultants, experts, advisory boards, and panels to aid the corporation in carrying out the purposes of this title.

(c) To carry out the foregoing purposes and engage in the foregoing activities, the corporation shall have the usual powers conferred upon a stock corporation by the District of Columbia Business Corporation Act.

(d) Nothing in this title shall have the effect of waiving or otherwise affecting the applicability of the provisions of the Davis-Bacon Act (40 U.S.C. 267a—276a–5), or any other law requiring compliance with labor standards, in the case of any construction to which such provisions would otherwise apply.

NATIONAL HOUSING PARTNERSHIP

SEC. 807. (a) The corporation is authorized to arrange for the formation, as a separate organization, of a limited partnership (hereinafter in this title referred to as the "partnership") under the District of Columbia Uniform Limited Partnership Act (D.C. Code, sec. 41–401 et seq.) for the purpose of engaging in any of the activities authorized for the corporation under section 906 of this title, and to enter into a partnership agreement governing the affairs of such limited partnership.

(b) The partnership shall be subject to the provisions, to the extent consistent with this title, of (1) the District of Columbia Uniform Limited Partnership Act and (2) those provisions of the District of Columbia Uniform Partnership Act (D.C. Code, sec. 41–301 et seq.) made applicable by section 6(2) of that Act (D.C. Code, sec. 41–305(2)). Notwithstanding any inconsistency between the provisions of such Acts, or of any other law, and the provisions of this section, the partnership organized pursuant to this section shall be deemed to have the legal status of a limited partnership.

(c) The partnership is authorized to enter into partnerships, limited partnerships, or joint ventures organized under applicable State or local law for the purpose of engaging in low and moderate income housing developments, projects, or undertakings in particular localities.

(d) The corporation shall be the general partner in the partnership. The capital of the partnership and the contributions of the partners shall be in such amounts and at such times as are set forth in or pursuant to the partnership agreement.

(e) The partnership agreement shall include provisions designed to assure that (1) the partnership shall participate in low and moderate income housing developments, projects or undertakings in a manner designed to encourage the participation therein of local interests, and (2) in any such development, project, or undertaking the partnership shall not subscribe to more than 25 per centum (including equity investments made in services or property) of the aggregate initial equity investment unless, in the judgment of the corporation as general partner, the balance of the required equity investment is not readily obtainable from other responsible investors residing or doing business in the local community.

(f) The partnership agreement may without limitation (1) permit each of the stockholders of the corporation to become a member of the partnership as a limited partner, (2) authorize the inclusion of other limited partners in addition to the stockholders of the corporation, (3) provide that the assignee of the partnership interest of a limited partner of the partnership who is also a stockholder of the corporation may not become a substituted limited partner unless he also acquires the assignor's stock of the corporation, and (4) include provisions requiring that the corporation as a general partner approve the substitution or addition of a member of the partnership.

(g) A corporation which is a limited partner in the partnership shall not become liable as a general partner by reason of the fact that (1) such corporation is a holder of shares of voting stock of the corporation constituting not more than 5 per centum of the total number of outstanding shares of such stock and exercises any of the rights (including voting rights) of a holder of such shares, and/or (2) a person who is an officer or director of such corporation (or of another corporation which controls or is subject to the control of, or is under common control with, such corporation) is a director of the corporation and performs the duties of that office. The interest of a limited partner in the partnership shall not be treated as a stock interest in the corporation, notwithstanding that such interest of a limited partner may be proportionate to his stock interest in the corporation.

(h) The certificate of the partnership and any amendment thereof required by the District of Columbia Uniform Limited Partnership Act shall be executed and acknowledged by the corporation as member and by each other member of the partnership or his attorney-in-fact duly authorized by power of attorney in writing. The corporation may execute and acknowledge the certificate and any amendment thereof as attorney-in-fact for any member, member to be substituted or added, or assigning member, by whom the certificate or amendment is required to be executed and acknowledged and who has appointed the corporation as such attorney.

REPORT TO CONGRESS AND RECORDS

SEC. 808. (a) The corporation shall submit an annual report to the President for transmittal to the Congress within six months after the end of its fiscal year. The report shall include a comprehensive and detailed report of the operations, activities, and financial condition of the corporation and the partnership under this title.

(b) The accounts of the corporation and of the partnership shall be audited annually in accordance with generally accepted auditing standards by independent certified public accountants or independent licensed public accountants certified or licensed by a regulatory authority of a State or other political subdivision of the United States.

ANTITRUST LAWS

SEC. 809. Nothing contained herein shall affect the applicability of the Federal antitrust laws to the activities of the corporation and the partnership created under this title and of the persons participating therein or in partnerships, limited partnerships, or joint ventures with either of them.

RIGHT TO REPEAL, ALTER, OR AMEND

SEC. 810. The right to repeal, alter, or amend this title at any time is expressly reserved.

AMENDMENT TO BANKING LAWS

SEC. 811. Paragraph "Seventh" of section 5136 of the Revised Statutes (12 U.S.C. 24) is amended by adding at the end thereof the following: "Notwithstanding any other provision in this paragraph, the association may purchase for its own account shares of stock issued by a corporation authorized to be created pursuant to title VIII of the Housing and Urban Development Act of 1968, and may make investments in a partnership, limited partnership, or joint venture formed pursuant to section 807(a) or 807(c) of that Act."

TITLE IX—RURAL HOUSING

HOUSING FOR LOW AND MODERATE INCOME PERSONS AND FAMILIES

SEC. 901. Title V of the Housing Act of 1949 is amended by adding at the end thereof the following new section:

"LOANS TO PROVIDE OCCUPANT-OWNED, RENTAL, AND COOPERATIVE HOUSING FOR LOW AND MODERATE INCOME PERSONS AND FAMILIES

"SEC. 521. (a) Notwithstanding the provisions of sections 502, 517(a), and 515, loans to persons of low or moderate income under section 502 or 517(a)(1), and loans under section 515 to provide rental or cooperative housing and related facilities for persons and families of low or moderate income or elderly persons and elderly families, shall bear interest at a rate prescribed by the Secretary at not less than a rate determined by the Secretary of the Treasury taking into consideration the current average market yield on outstanding marketable obligations of the United States with remaining periods to maturity comparable to the average maturities of such loans, adjusted to the nearest one-eighth of 1 per centum, less not to exceed the difference between the adjusted rate determined by the Secretary of the Treasury and 1 per centum per annum: *Provided*, That such a loan may be made only when the Secretary determines that the needs of the applicant for necessary housing cannot be met with financial assistance from other sources including assistance under section 235 or 236 of the National Housing Act: *Provided further*, That interest on loans under section 502 or 517(a) to victims of natural disasters shall not exceed the rate which would be applicable to such loans under section 502 without regard to this section.

"(b) Housing and related facilities provided with loans described in subsection (a) shall be located in rural areas; and applicants eligible for such loans under section 502 or 517(a)(1), or for occupancy of housing provided with such loans under section 515, shall include otherwise qualified nonrural residents who will become rural residents.

"(c) There shall be reimbursed to the Rural Housing Insurance Fund by annual appropriations the amounts by which nonprincipal payments made from the fund during each fiscal year to the holders of insured loans described in subsection (a) exceed interest due from the borrowers during each year; and the Secretary from time to time may issue notes to the Secretary of the Treasury under section 517(h) to obtain amounts equal to such reimbursed excess payments, pending the annual reimbursement by appropriation."

HOUSING FOR RURAL TRAINEES

SEC. 902. Title V of the Housing Act of 1949 is amended by adding after section 521 (as added by section 901 of this Act) the following new section:

"HOUSING FOR RURAL TRAINEES

"SEC. 522. (a) Upon the application of any State or political subdivision thereof, or any public or private nonprofit organization, the Secretary is authorized, after consultation with the Secretary of Labor, the Secretary of Health, Education, and Welfare, the Secretary of Housing and Urban Development, and the Director of the Office of Economic Opportunity, and after the Secretary determines that the housing and related facilities cannot reasonably be provided in any other way, to provide financial and technical assistance for the establishment, in rural areas, of housing and related facilities for trainees and their families who are residents of a rural area and have a rural background, while such trainees are enrolled and participating in training courses designed to improve their employment capability. The selection of training sites and location of housing shall be made with due regard to the economic viability of the area, and only after consideration of a labor area survey and full coordination among all Government agencies having primary responsibility for administering related programs.

"(b) Housing and related facilities assisted under this section shall be safe and sanitary, constructed in the most economical manner, and of modest design, giving due consideration to the purposes to be served and the needs of the occupants, and may, in the discretion of the Secretary, include mobile family quarters. Design and location shall be such as to facilitate, as feasible, the use of such housing and related facilities for other purposes when no longer needed for the primary purpose.

"(c) The applicant shall contribute the necessary land, or funds to acquire such land, from its own resources, including land acquired by donation or from funds repayable under subsection (e) or borrowed from other sources.

"(d) No financial assistance shall be made available under this section unless, to the extent and for the periods required by the Secretary, the applicant agrees that—

"(1) such housing will be maintained at all times in a safe and sanitary condition in accordance with standards prescribed by State or local law, or, in the absence of such standards, with requirements prescribed by the Secretary;

"(2) priority shall be given at all times, in granting occupancy of such housing and facilities, to the trainees, and their families described in subsection (a); and

"(3) rentals charged them shall not exceed amounts approved by the Secretary after considering the portion of the actual total family income which the family can afford to pay for rent while meeting its other immediate needs during occupancy.

"(e) The Secretary may make advances pursuant to any contract for financial assistance under this section at such times and in such manner as may be specified in the contract. Such advances for the purchase of land shall be repayable with interest and within a period not to exceed thirty-three years and may be made upon such security, if any, as the Secretary requires. Advances for other purposes may be made repayable with or without interest or nonrepayable, as determined by the Secretary on the basis of the anticipated income and cost of operation of the housing and related facilities and the ability of each applicant to finance such facilities. Any advances shall be limited to cover the capital costs of constructing such facilities, plus interest on borrowings to cover such costs.

"(f) Should housing and related facilities assisted pursuant to a contract under this section be sold to an ineligible transferee or diverted to a use other than its primary purpose within a period specified in the contract, all advances made under such contract shall be repaid to the Secretary, up to the amount of the sales price or the fair value of the property as determined by the Secretary, whichever is higher, with interest from the date of the sale or diversion. If no suitable alternate use of the property is available, as determined by the Secretary, after the purpose of this section can no longer be served, the property shall be returned to its original condition by the recipient of the assistance.

"(g) Interest charged on advances made under this section shall be at a rate, prescribed by the Secretary, which shall be not less than a rate determined by the Secretary of the Treasury taking into consideration the current average market yield on outstanding marketable obligations of the United States with remaining periods to maturity comparable to the average maturities of such loans, adjusted to the nearest one-eighth of 1 per centum, less not to exceed the difference between the adjusted rate determined by the Secretary of the Treasury and 1 per centum per annum, as determined by the Secretary.

"(h) The Secretary shall prescribe regulations to insure that Federal funds expended under this section are not wasted or dissipated.

"(i) As used in this section (1) the term 'related facilities' shall include any necessary community rooms or buildings, infirmaries, utilities, access roads, water and sewer services, and the minimum fixed or movable equipment determined by the Secretary to be necessary to make the housing reasonably habitable by trainees and their families; and (2) the term 'trainee' means any person receiving training under any federally assisted training program.

"(j) All laborers and mechanics employed in connection with the provision of housing and related facilities assisted under this section, where such housing includes 8 or more dwelling units, shall be paid wages at rates not less than those prevailing on similar construction in the locality as determined by the Secretary of Labor in accordance with the Davis-Bacon Act, as amended (40 U.S.C. 276a—276a-5); and no assistance shall be extended under this section with respect to such housing and the related facilities without first obtaining adequate assurance that these labor standards will be maintained upon the construction work involved. The Secretary of Labor shall have, with respect to the labor standards specified in this subsection, the authority and functions set forth in Reorganization Plan Numbered 14 of 1950 (64 Stat. 1267) and section 2 of the Act of June 13, 1934 (40 U.S.C. 276c).

"(k) There are authorized to be appropriated such sums as may be necessary to carry out this section."

APPROPRIATIONS

SEC. 903. Section 513 of the Housing Act of 1949 is amended—

(1) by striking out "and (e)" and inserting in lieu thereof "(e)"; and

(2) by inserting before the period at the end thereof the following: "; and (f) such sums as may be required by the Secretary to administer the provisions of sections 235 and 236 of the National Housing Act".

PURCHASE OF LAND FOR BUILDING SITES

SEC. 904. Section 514(f)(2) of the Housing Act of 1949 is amended—

(1) by striking out "and" before "(B)", and

(2) by inserting before the semicolon at the end thereof the following: "and (C) land necessary for an adequate site".

MUTUAL AND SELF-HELP HOUSING

SEC. 905. Title V of the Housing Act of 1949 is amended by adding after section 522 (as added by section 902 of this Act) the following new section:

"MUTUAL AND SELF-HELP HOUSING

"SEC. 523. (a) The purposes of this section are (1) to make financial assistance available on reasonable terms and conditions in rural areas and small towns to needy low-income individuals and their families who, with the benefit of technical assistance and overall guidance and supervision, participate in approved programs of mutual or self-help housing by acquiring and developing necessary land, acquiring building materials, providing their own labor, and working cooperatively with others for the provision of decent, safe, and sanitary dwellings for themselves, their families, and others in the area or town involved, and (2) to facilitate the efforts of both public and private nonprofit organizations providing assistance to such individuals to contribute their technical and supervisory skills toward more effective and comprehensive programs of mutual or self-help housing in rural areas and small towns wherever necessary.

"(b) In order to carry out the purposes of this section, the Secretary of Agriculture (in this section referred to as the "Secretary") is authorized—

"(1)(A) to make grants to, or contract with, public or private nonprofit corporations, agencies, institutions, organizations, and other associations approved by him, to pay part or all of the costs of developing, conducting, administering, or coordinating effective and comprehensive programs of technical and supervisory assistance which will aid needy low-income individuals and their families in carrying out mutual or self-help housing efforts;

"(B) to establish the Self-Help Housing Land Development Fund, referred to herein as the Self-Help Fund, to be used by the Secretary as a revolving fund for making loans, on such terms and conditions and in such amounts as he deems necessary, to public or private nonprofit organizations for the acquisition and development of land as building sites to be subdivided and sold to families, nonprofit organizations, and cooperatives eligible for assistance under section 235 or 236 of the National Housing Act or section 521 of this act. Such a loan, with interest at a rate not to exceed 3 percent per annum, shall be repaid within a period not to exceed two years from the making of the loan, or within such additional period as may be authorized by the Secretary in any case as being necessary to carry out the purposes hereof.

"(2) to make loans, on such terms and conditions and in such amounts as he deems necessary, to needy low-income individuals participating in programs of mutual or self-help housing approved by him, for the acquisition and development of land and for the purchase of such other building materials as may be necessary in order to enable them, by providing substantially all of their own labor, and by cooperating with others participating in such programs, to carry out to completion the construction of decent, safe, and sanitary dwellings for such individuals and their families, subject to the following limitations:

"(A) there is reasonable assurance of repayment of the loan;

"(B) the amount of the loan, together with other funds which may be available, is adequate to achieve the purpose for which the loan is made;

"(C) the credit assistance is not otherwise available on like terms or conditions from private sources or through other Federal, State, or local programs;

"(D) the loan bears interest at a rate not to exceed 3 per centum per annum on the unpaid balance of principal, plus such additional charge, if any, toward covering other costs of the loan program as the Secretary may determine to be consistent with its purposes; and

"(E) the loan is repayable within not more than thirty-three years.

"(c) In determining whether to extend financial assistance under paragraph (1) or (2) of subsection (b), the Secretary shall take into consideration, among other factors, the suitability of the area within which construction will be carried out to the type of dwelling which can be provided under mutual or self-help housing programs, the extent to which the assistance will facilitate the provision of more decent, safe, and sanitary housing conditions than presently exist in the area, the extent to which the assistance will be utilized efficiently and expeditiously, the extent to which the assistance will effect an increase in the standard of living of low-income individuals participating in the mutual or self-help housing program, and whether the assistance will fulfill a need in the area which is not otherwise being met through other programs, including those carried out by other Federal, State, or local agencies.

"(d) As used in this section, the term 'construction' includes the erection of new dwellings, and the rehabilitation, alteration, conversion, or improvement of existing structures.

"(e) The Secretary is authorized to establish appropriate criteria and procedures in order to determine the eligibility of applicants for the financial assistance provided under this section, including criteria and procedures with respect to the periodic review of any construction carried out with such financial assistance.

"(f) There are hereby authorized to be appropriated for each fiscal year commencing after June 30, 1968, and ending prior to July 1, 1973, such sums, not in excess of $5,000,000 for any such fiscal year, as may be necessary to carry out the provisions of this section. No grant or loan may be made or contract entered into under the authority of this section after June 30, 1973, except pursuant to a commitment or other obligation entered into pursuant to this section before that date.

"(g) There are hereby authorized to be appropriated for the purposes of subsection (b) (1) (B) not to exceed $1,000,000 for the fiscal year ending June 30, 1969, and not to exceed $2,000,000 for the fiscal year ending June 30, 1970. Any amount so authorized to be appropriated for any fiscal year which is not appropriated may be appropriated for any succeeding fiscal year or years. Amounts appropriated under this subsection shall be deposited in the Self-Help Fund, which shall be available without fiscal year limitation for making loans under subsection (b) (1) (B). Instruments and property acquired by the Secretary in or as a result of making such loans shall be assets of the Self-Help Fund. Sums received from the repayment of such loans shall be deposited in and be a part of the Self-Help Fund."

TITLE X—URBAN PROPERTY PROTECTION AND REINSURANCE

SHORT TITLE

SEC. 1001. This title may be cited as the "Urban Property Protection and Reinsurance Act of 1968."

FINDINGS AND DECLARATION OF PURPOSE

SEC. 1002. (a) The Congress finds that (1) the vitality of many American cities is being threatened by the deterioration of their inner city areas; responsible owners of well-maintained residential, business, and other properties in many of these areas are unable to obtain adequate property insurance coverage against fire, crime, and other perils; the lack of such insurance coverage accelerates the deterioration of these areas by discouraging private investment and restricting the availability of credit to repair and improve property therein; and this deterioration poses a serious threat to the national economy; (2) recent riots and other civil commotion in many American cities have brought about abnormally high losses to the private property insurance industry for which adequate reinsurance cannot be obtained at reasonable cost, and the risk of such losses will make most lines of property insurance even more difficult to obtain; (3) the capacity of the private property insurance industry to provide adequate insurance is threatened, and the continuity of such property insurance protection is essential to the extension of credit in these areas; and (4) the national interest demands urgent action by the Congress to assure that essential lines of property insurance, including lines providing protection against riot and civil commotion damage will be available to property owners at reasonable cost.

(b) The purposes of this title are, therefore, to (1) encourage and assist the various State insurance authorities and the property insurance industry to develop and carry out statewide programs which will make necessary property insurance coverage against the fire, crime, and other perils more readily available for residential, business, and other properties meeting reasonable underwriting standards; and (2) provide a Federal program of reinsurance against abnormally high property insurance losses resulting from riots and other civil commotion, placing appropriate financial responsibility upon the States to share in such losses.

AMENDMENT OF THE NATIONAL HOUSING ACT

SEC. 1003. The National Housing Act is amended by adding at the end thereof the following new title:

"TITLE XII—NATIONAL INSURANCE DEVELOPMENT PROGRAM

"PROGRAM AUTHORITY

"SEC. 1201. (a) The Secretary is authorized to establish and carry out the programs provided for in parts A, B, and C of this title.

"(b) (1) The powers of the Secretary under this title shall terminate on April 30, 1973, except to the extent necessary—

"(A) to continue reinsurance in accordance with the provisions of section 1223(b) until April 30, 1976;

"(B) to process, verify, and pay claims for reinsured losses and perform other necessary functions in connection therewith; and

"(C) to complete the liquidation and termination of the reinsurance program.

"(2) On April 30, 1976, or as soon thereafter as possible, the Secretary shall submit to the Congress, for its approval, a plan for the liquidation and termination of the reinsurance program.

"ADVISORY BOARD; MEETINGS, DUTIES, COMPENSATION, AND EXPENSES

"SEC. 1202. (a) (1) There is established an Advisory Board (hereinafter called the 'Board') consisting of nineteen members appointed by the Secretary. Members of the Board shall be selected from among representatives of the general public, the insurance industry, State and local governments including State insurance authorities, and the Federal Government. Of these members of the Board, not more than six shall be regular full-time employees of the Federal Government, and not less than four shall be representatives of the private insurance industry and not less than four shall be representatives of State insurance authorities.

"(2) The Secretary shall designate a Chairman and a Vice Chairman of the Board.

"(3) Each member shall serve for a term of two years or until his successor has been appointed, except that no person who is appointed while a full-time employee of a State or the Federal Government shall serve in such position after he ceases to be so employed, unless he is reappointed.

"(4) Any member appointed to fill a vacancy occurring prior to the expiration of the term for which his predecessor was appointed shall be appointed for the remainder of that term.

"(b) The Chairman shall preside at all meetings, and the Vice Chairman shall preside in the absence or disability of the Chairman. In the absence of both the Chairman and Vice Chairman, the Secretary may appoint any member to act as Chairman pro tempore. The Board shall meet at such times and places as it or the Secretary may fix and determine, but shall hold at least four regularly scheduled meetings a year. Special meetings may be held at the call of the Chairman or any three members of the Board, or at the call of the Secretary.

"(c) The Board shall review general policies and shall advise the Secretary with respect thereto, and perform such other functions as are specified in this title.

"(d) The members of the Board shall not, by reason of such membership, be deemed to be employees of the United States, and such members, except those who are regular full-time employees of the Government, shall receive for their services, as members, the per diem equivalent to the rate for grade GS–18 of the General Schedule under section 5332 of title 5, United States Code, when engaged in the performance of their duties, and each member of the Board shall be allowed travel expenses, including per diem in lieu of subsistence, as authorized by section 5703 of such title for persons in the Government service employed intermittently.

"DEFINITIONS

"SEC. 1203. (a) When used in this title, unless the context otherwise requires, the term—

"(1) 'environmental hazard' means any hazardous condition that might give rise to loss under an insurance contract, but which is beyond the control of the property owner;

"(2) 'essential property insurance' means insurance against direct loss to property as defined and limited in standard fire policies and extended coverage endorsement thereon, as approved by the State insurance authority and the Secretary, and insurance for such types, classes, and locations of property against the perils of vandalism, malicious mischief, burglary, or theft, as the Secretary by rule shall designate. Such insurance shall not include automobile insurance and shall not include insurance on such types of manufacturing risks as may be excluded by the State insurance authority;

"(3) 'inspection facility', with respect to any State, means any rating bureau or other person designated by the State insurance authority to perform inspections under fair access to insurance requirements plans under part A;

"(4) 'insurer' includes any insurance company or group of companies under common ownership which is authorized to engage in the insurance business under the laws of any State;

"(5) 'pool' means any pool or association of insurance companies in any State which is formed, associated, or otherwise created for the purpose of making property insurance more readily available;

"(6) 'losses resulting from riots or civil disorders' means losses resulting from riots or civil disorders under policies for standard lines of property insurance for which reinsurance is offered under section 1221, as determined under regulations of the Secretary;

"(7) 'property owner', with respect to any real, personal, or mixed real and personal property, means any person having an insurable interest in such property;

"(8) 'person' includes any individual or group of individuals, corporation, partnership, or association, or any other organized group of persons;

"(9) 'reinsured losses' means losses on reinsurance claims and all direct expenses incurred in connection therewith including, but not limited to, expenses for processing, verifying, and paying such losses;

"(10) 'standard line of property insurance' includes—

"(A) fire and extended coverage;

"(B) vandalism and malicious mischief;

"(C) other allied lines of fire insurance;

"(D) burglary and theft;

"(E) those portions of multiple peril policies covering perils similar to those provided for in subparagraphs (A), (B), (C), and (D);

"(F) inland marine;

"(G) glass;

"(H) boiler and machinery;

"(I) ocean marine;

"(J) aircraft physical damage; and

"(K) such other lines generally offered to the public which include protection against damage from riot or civil commotion as the Secretary by regulation may designate;

"(11) 'State' means the several States, the District of Columbia, the Commonwealth of Puerto Rico, Guam, American Samoa, and the Trust Territory of the Pacific;

"(12) 'urban area' includes any municipality or other political subdivision of a State, subject to population or other limitations defined in rules and regulations of the Secretary and such additional areas as may be designated by the State insurance authority; and

"(13) 'year' means a calendar year, fiscal year of a company, or such other period of twelve months as may be designated by the Secretary.

"(b) The Secretary is authorized to define, by rules and regulations, any technical or trade term, insofar as such definition is not inconsistent with the provisions of this title.

"PART A—STATEWIDE PLANS TO ASSURE FAIR ACCESS TO INSURANCE REQUIREMENTS

"FAIR PLANS

"SEC. 1211. (a) Each insurer reinsured under this title shall cooperate with the State insurance authority in each State in which it is to acquire such reinsurance in establishing and carrying out statewide plans to assure fair access to insurance requirements (FAIR plans).

"(b) Such plans must be approved by the State insurance authority, or be authorized or required by State law, and shall be designed to make essential property insurance more readily available in, but not necessarily limited to, urban areas. Such plans may vary in detail from State to State because of local conditions, but all plans shall contain provision that—

"(1) no risk shall be written at surcharged rates or be denied insurance coverage for essential property insurance unless there has first been an inspection of the risk, without cost to the owner, by an inspection facility and a determination by the insurer, based on information in the inspection report and other sources, that the risk does not meet reasonable underwriting standards at the applicable premium rate;

"(2) inspections under the plan may be requested by the property owner or his representative, the insurer, or the insurance agent, broker or other producer, and such requests need not be made in writing;

"(3) the absence of a building owner or his representative during an inspection shall not preclude a tenant seeking insurance from obtaining an inspection under the plan;

"(4) following the inspection, a copy of the inspection report shall be promptly sent by the inspection facility to the insurer or insurers, or to an all-industry placement facility referred to under section 1212, as may be designated by the person requesting the inspection;

"(5) after the inspection report is received by an insurer, it shall promptly determine if the risk meets reasonable underwriting standards at the applicable premium rate, and shall promptly return to the inspection facility the inspection report and provide an action report setting forth—

"(A) (i) the amount of coverage it agrees to write; and if the insurer agrees to write the coverage with a surcharge (if such a surcharge is authorized by the State insurance authority), the improvements necessary before it will provide coverage at an unsurcharged premium rate; and

"(ii) the amount of coverage it agrees to write if certain improvements specified in the action report are made; or

"(B) the specific reasons it declines to write coverage;

"(6) if the insurer declines the risk, or agrees to write the coverage sought on condition that the property will be improved, it shall also promptly send a copy of both the inspection and action reports to the property owner and the State insurance authority, and at the time the insurer sends such reports to the property owner, it shall also explain his right, under applicable State laws, to appeal the decision of the insurer to the State insurance authority, setting forth the procedures to be followed for such appeal;

"(7) all policies written pursuant to the plan shall be promptly written after inspection or reinspection and shall be separately coded so that appropriate records may be compiled for purposes of performing loss prevention and other studies of the operation of the plan;

"(8) the inspection facility shall submit to the State insurance authority and to the Secretary periodic reports setting forth information, by individual insurers, including the number of risks inspected under the plan, the number of risks accepted, the number of risks conditionally accepted and reinspections made, the number of risks declined, and such other information as the State insurance authority may request;

"(9) notice will be given to any policyholder a reasonable time prior to the cancellation or nonrenewal of any risk eligible under the plan (except in case of nonpayment of premium or evidence of incendiarism), to allow ample time for an application for new coverage to be made and a new policy to be written under the plan, and the insurer shall, in writing, explain to the policyholder the procedures for obtaining an inspection under the plan in the notice of cancellation or nonrenewal; and

"(10) a continuing public education program will be undertaken by the participating insurers, agents, and brokers to assure that the plan receives adequate public attention.

"ALL-INDUSTRY PLACEMENT FACILITY

"SEC. 1212. Any plan under this part shall include an all-industry placement facility doing business with every insurer participating in the plan in the State, and shall provide that this facility shall perform certain functions including, but not limited to, the following:

"(1) seeking, upon request by or on behalf of any property owner requesting an inspection under the plan, to distribute the risks involved equitably among the insurers with which it is doing business; and

"(2) seeking to place insurance up to the full insurable value of the risk to be insured with one or more insurers with which it is doing business, except to the extent that deductibles, percentage participation clauses and other underwriting devices are employed to meet special problems of insurability.

"INDUSTRY COOPERATION

"SEC. 1213. (a) Every insurer seeking reinsurance under this title shall file a statement with the State insurance authority in each State in which it is participating in a plan under this part, pledging its full participation and cooperation in carrying out the plan, and shall file a copy of such statement with the Secretary.

"(b) No insurer acquiring reinsurance under this title shall direct any agent or broker or other producer not to solicit business through such a plan, nor shall any agent, broker, or other producer be penalized by such insurer in any way for submitting applications for insurance to an insurer under the plan.

"PLAN EVALUATION

"SEC. 1214. (a) In accordance with such rules and regulations as the Secretary may prescribe, each State insurance authority shall—

"(1) transmit to the Secretary any proposed or adopted plan, or amendments thereto; and

"(2) advise the Secretary, from time to time, concerning the operation of the plan, its effectiveness in providing essential property insurance, and the need to form a pool of insurers or adopt other programs to make essential property insurance more readily available in urban areas of the State.

"(b) The Secretary may, after full consultation with the Board, by rules and regulations, modify the plan criteria set forth under this part if it finds, on the basis of experience, that such action is necessary or desirable to carry out the purposes of this title. The Secretary may also, with respect to any State, waive compliance with one or more of the plan criteria, upon certification by the State insurance authority that compliance is unnecessary or inadvisable under local conditions or State law.

"PART B—REINSURANCE COVERAGE

"REINSURANCE OF LOSSES FROM RIOTS OR CIVIL DISORDERS

"SEC. 1221. (a) (1) The Secretary is authorized to offer to any insurer or pool, subject to the conditions set forth in section 1223, reinsurance against property losses resulting from riots or civil disorders in any one or more States.

"(2) Reinsurance shall be offered to any such insurer or pool only on all standard lines of property insurance enumerated under subparagraphs (A) through (E) of section 1203(a)(10) together, and any insurer or pool purchasing such reinsurance shall also be eligible to purchase reinsurance on any one or more standard lines of property insurance enumerated under subparagraphs (F) through (J) of section 1203(a)(10) or which may be designated by regulation pursuant to subparagraph (K) of that section.

"(b) Reinsurance coverage under this section may be provided immediately following the enactment of this title to any insurer or pool in any State on a temporary basis, and on such terms and conditions as may be agreed upon, and coverage under such terms and conditions may be bound with respect to any such insurer or pool by means of a written binder which shall remain in force not more than ninety days and shall expire at the earlier of either—

"(1) the termination of such ninety-day period, or

"(2) the effective date of any governing contract, agreement, treaty, or other arrangement entered into between the insurer or pool and the Secretary under section 1222 for the purpose of providing reinsurance coverage against losses resulting from riots or civil disorders.

"(c) No reinsurance shall be offered to any insurer or pool in a State after the expiration of the written binder entered into under subsection (b), unless there is in effect in such State a plan as set forth under part A and the insurer or pool is participating in such plan, and unless, in the case of an insurer in a State where a pool has been established pursuant to State law, the insurer is participating in such a pool.

"REINSURANCE AGREEMENTS AND PREMIUMS

"SEC. 1222. (a) During the first year following the date of the enactment of this title, the Secretary is authorized to enter into any contract, agreement, treaty, or other arrangement with any insurer or pool for reinsurance coverage, in consideration of payment of such premiums, fees, or other charges by insurers or pools which the Secretary, after full consultation with the Board, deems to be adequate to obtain aggregate reinsurance premiums for deposit in the National Insurance Development Fund established under section 1233 in excess of the estimated amount of insured riot losses during the calendar year 1967, on the assumption that a substantial proportion of the property insurance written will be reinsured *under this title, and thereafter the Secretary* may increase or decrease such premiums for reinsurance if it is found after full consultation with the Board and the National Association of Insurance Commissioners that such action is necessary or appropriate to carry out the purposes of this title.

"(b) Reinsurance offered under this title *shall reimburse an insurer or pool for its* total proved and approved claims for covered losses resulting from riots or civil disorders during the term of the reinsurance contract, agreement, treaty, or other arrangement, over and above the amount of the insurer's or pool's retention of such losses as provided in such reinsurance contract, agreement, treaty, or other arrangement entered into under this section.

"(c) Such contracts, agreements, treaties, or other arrangements may be made without regard to section 3679(a) of the Revised Statutes of the United States (31 U.S.C. 665(a)), and shall include any terms and conditions which the Secretary deems necessary to carry out the purposes of this title. The premium rates, terms, and conditions of such contracts with insurers or pools, throughout the country, in any one year shall be uniform.

"(d) Any contract, agreement, treaty, or other arrangement for reinsurance under this section shall be for a term expiring on April 30, 1969, and on April 30 each year thereafter, and shall be entered into within ninety days after the date of the enactment of this title or within ninety days prior to April 30 each year thereafter, or within ninety days after an insurer is authorized to write insurance eligible for reinsurance in a State which it was not authorized to write in the preceding year.

"CONDITIONS OF REINSURANCE

"SEC. 1223. (a) Subject to the provisions of subsection (b), reinsurance shall not be offered by the Secretary in a State or be applicable to insurance policies written in that State by an insurer—

"(1) after one year following the date of the enactment of this title, or, if the appropriate State legislative body has not met in regular session during that year, by the close of its next regular session, in any State which has not adopted appropriated legislation, retroactive to the date of the enactment of this title, under which the State, its political subdivisions, or a governmental corporation or fund established pursuant to State law, will reimburse the Secretary, in an amount up to 5 per centum of the aggregate property insurance premiums earned in that State during the preceding calendar year on those lines of insurance reinsured by the Secretary in that State during the current year, such that the Secretary may be reimbursed for amounts paid by him in respect to reinsured losses that occurred in that State during a calendar year in excess of (A) reinsurance premiums received in that State during the same calendar year plus (B) the excess of (i) the total premiums received by the Secretary for reinsurance in that State during a preceding period measured from the end of the most recent calendar year with respect to which the Secretary was reimbursed for losses under this title over (ii) any amounts paid by the Secretary for reinsured losses that occurred during this same period;

"(2) after thirty days following notification to the insurer that the Secretary finds that there has not been adopted by the State, or the property insurance industry in that State, a suitable program or programs, in addition to plans under part A, to make essential property insurance available without regard to environmental hazards, and that such action is necessary to carry out the purposes of this title; except that this paragraph shall not become effective until two years after the date of the enactment of this title, or at such earlier date as the Secretary, after *consultation with the State insurance* authority, may determine;

"(3) after thirty days following notification to the insurer that the Secretary, or the State insurance authority, finds that such insurer is not fully participating—

"(A) in the plan in the State;

"(B) where it exists, in a pool; and

"(C) where it exists, in any other program found by the Secretary to aid in making essential property insurance more readily available in the State;

"(4) following a merger, acquisition, consolidation or reorganization involving one or more insurers having lines of property insurance in the State reinsured under this title and one or more insurers with or without such reinsurance, unless the surviving company—

"(A) meets the criteria of eligibility for reinsurance, other than as provided under section 1222(d); and

"(B) within ten days pays any reinsurance premiums due; or

"(5) upon receipt of notice from the insurer or pool that it desires to cancel its reinsurance agreement with the Secretary in the State.

"(b) Notwithstanding the foregoing provisions of this section, reinsurance may be continued for the term of the policies written prior to the date of termination or nonrenewal of reinsurance under this section, for as long as the insurer pays reinsurance premiums annually in such amounts as are determined under section 1222, based on the annual premiums earned on such reinsured policies, and for the purpose of this subsection, the renewal, extension, modification, or other change in a policy, for which any additional premium is charged, shall be deemed to be a policy written on the date such change was made.

"RECOVERY OF PREMIUMS; STATUTE OF LIMITATIONS

"SEC. 1224. (a) The Secretary, in a suit brought in the appropriate United States district court, shall be entitled to recover from any insurer the amount of any unpaid premiums lawfully payable by such insurer to the Secretary.

"(b) No action or proceeding shall be brought for the recovery of any premium due to the Secretary for reinsurance, or for the recovery of any premium paid to the Secretary in excess of the amount due to him, unless such action or proceeding shall have been brought within five years after the right accrued for which the claim is made, except that, where the insurer has made or filed with the Secretary a false or fraudulent annual statement, or other document with the intent to evade, in whole or in part, the payment of premiums, the claim shall not be deemed to have accrued until its discovery by the Secretary.

"PART C—PROVISIONS OF GENERAL APPLICABILITY

"CLAIMS AND JUDICIAL REVIEW

"SEC. 1231. (a) All reinsurance claims for losses under this title shall be submitted by insurers in accordance with such terms and conditions as may be established by the Secretary.

"(b)(1) Upon disallowance of any claim under color of reinsurance made available under this title, or upon refusal of the claimant to accept the amount allowed upon any such claim, the claimant may institute an action against the Secretary on such claim in the United States district court for the district in which a major portion (in terms of value) of the claim arose.

"(2) Any such action must be begun within one year after the date upon which the claimant received written notice of disallowance or partial disallowance of the claim, and exclusive jurisdiction is hereby conferred upon United States district courts to hear and determine such actions without *regard to the amount in controversy.*

"FISCAL INTERMEDIARIES AND SERVICING AGENTS

"SEC. 1232. (a) In order to provide for maximum efficiency in the administration of the reinsurance program under this title, and in order to facilitate the expeditious payment of any funds under such program, the Secretary may enter into contracts with any insurer, pool, or other person, for the purpose of providing for the performance of any or all of the following functions:

"(1) estimating or determining any amounts of payments for reinsurance claims;

"(2) receiving and disbursing and accounting for funds in making payments for reinsurance claims;

"(3) auditing the records of any insurer, pool, or other person to the extent necessary to assure that proper payments are made;

"(4) establishing the basis of liability for reinsurance payments, including the total amount of proved and approved claims which may be payable to any insurer, and the total amount of premiums earned by any insurer in the respective States for reinsured lines of property insurance; and

"(5) otherwise assisting in any manner provided in the contract to further the purposes of this title.

"(b) (1) Any such contract may require the insurer, pool, or other person, or any of its officers or employees certifying payments or disbursing funds pursuant to the contract, or otherwise participating in carrying out the contract, to give surety bond to the United States in such amounts as the Secretary may deem appropriate.

"(2) In the absence of gross negligence or intent to defraud the United States—

"(A) no individual designated pursuant to a contract under this section to certify payments shall be liable with respect to any payment certified by him under this section; and

"(B) no officer of the United States disbursing funds shall be liable with respect to any otherwise proper payment by him if it was based on a voucher signed by an individual designated pursuant to a contract under this section to certify payments.

"NATIONAL INSURANCE DEVELOPMENT FUND

SEC. 1233. (a) To carry out the programs authorized under this title, the Secretary is authorized to establish a National Insurance Development Fund (hereinafter called the 'fund') which shall be available without fiscal year limitations—

"(1) to make such payments as may, from time to time, be required under reinsurance contracts under this title;

"(2) to pay such administrative expenses as may be necessary or appropriate to carry out the purposes of this title; and

"(3) to repay to the Secretary of the Treasury such sums, including interest thereon, as may be borrowed from him for purposes of such programs under section 520(b).

"(b) The fund shall be credited with—

"(1) reinsurance premiums, fees, and other charges which may be paid or collected in connection with reinsurance provided under part B;

"(2) interest which may be earned on investments of the fund;

"(3) such amounts as may be advanced to the fund from appropriations in order to maintain the fund in an operative condition adequate to meet its liabilities;

"(4) receipts from any other source which may, from time to time, be credited to the fund; and

"(5) funds borrowed by the Secretary under section 520(b) and deposited in the fund.

"(c) If, after any amounts which may have been advanced to the fund from appropriations have been credited to the appropriation from which advanced (including interest thereon at the rate prescribed under section 520(b)), the Secretary determines that the moneys of the fund are in excess of current needs, he may request the investment of such amounts as he deems advisable by the Secretary of the Treasury in obligations issued or guaranteed by the United States.

"(d) An annual business-type budget for the fund shall be prepared, transmitted to the Congress, considered, and enacted in the manner prescribed by law (sections 102, 103, and 104 of the Government Corporation Control Act (31 U.S.C. 847–849)) for wholly-owned Government corporations.

"RECORDS, ANNUAL STATEMENT, AND AUDITS

"SEC. 1234. (a) Any insurer or pool acquiring reinsurance under this title shall furnish the Secretary with such summaries and analyses of information in its records as may be necessary to carry out the purposes of this title, in such form as the Secretary, in cooperation with the State insurance authority, shall, by rules and regulations, prescribe. The Secretary shall make use of State insurance authority examination reports and facilities to the maximum extent feasible.

"(b) Any insurer or pool acquiring reinsurance under this title shall file with the Secretary a true and correct copy of any annual statement, or amendment thereof, filed with the State insurance authority of its domiciliary State, at the time it files such statement or amendment with such State insurance authority.

"(c) Any insurer or other person executing any contract, agreement, or other appropriate arrangement with the Secretary under section 1222 or section 1232 shall keep reasonable records which fully disclose the total costs of the programs undertaken or the services being rendered, and such other records as will facilitate an effective audit of liability for reinsurance payments by the Secretary.

"(d) The Secretary and the Comptroller General of the United States, or any of their duly authorized representatives, shall have access for the purpose of investigation, audit, and examination to any books, documents, papers, and records of any insurer or other person that are pertinent to the costs of any program undertaken for, or services rendered to the Secretary. Such audits shall be conducted to the maximum extent feasible in cooperation with the State insurance authorities and through the use of their examining facilities.

"STUDY OF REINSURANCE AND OTHER PROGRAMS

"SEC. 1235. (a) The Secretary is authorized and directed to conduct a study of reinsurance and other means to help assure—

"(1) an adequate market for burglary and theft and other property insurance in urban areas; and

"(2) adequate availability of surety bonds for construction contractors in urban areas.

"(b) The Secretary shall submit the results of this study, together with appropriate recommendations, to the President and Congress no later than one year following the date of the enactment of this title.

"OTHER STUDIES

"SEC. 1236. (a) The Secretary is authorized to undertake such studies as may be necessary to carry out the purposes of this title including, but not limited to, inquires concerning—

"(1) the operation of plans under part A;

"(2) the extent to which essential property insurance is unavailable in urban areas;

"(3) the market for private reinsurance; and

"(4) loss prevention methods and procedures, insurance marketing methods, and underwriting techniques.

"(b) To such extent and under such circumstances as he deems appropriate, the Secretary may conduct any study authorized under this section in cooperation with State insurance authorities and the private insurance industry.

"GENERAL POWERS

"SEC. 1237. In the performance of, and with respect to, the functions, powers, and duties vested in him by this title, the Secretary shall (in addition to any authority otherwise vested in him) have the functions, powers, and duties (including the authority to issue rules and regulations) set forth in section 402, except subsections (c)(2), (d), and (f), of the Housing Act of 1950.

"SERVICES AND FACILITIES OF OTHER AGENCIES—UTILIZATION OF PERSONNEL, SERVICES, FACILITIES, AND INFORMATION

"SEC. 1238. The Secretary may, with the consent of the agency concerned, accept and utilize, on a reimbursable basis, the officers, employees, services, facilities, and information of any agency of the Federal Government, except that any such agency having custody of any data relating to any of the matters within the jurisdiction of the Secretary shall, to the extent permitted by law upon request of the Secretary, make such data available to the Secretary.

"ADVANCE PAYMENTS

"SEC. 1239. Any payments which are made under the authority of this title may be made, after necessary adjustments on account of previously made underpayments or overpayments in advance or by way of reimbursement. Payments may be made in such installments and on such conditions as the Secretary may determine.

"TAXATION

"SEC. 1240. (a) The National Insurance Development Fund, including its reserves, surplus, and income, shall be exempt from all taxation now or hereafter imposed by the United States, or by any State, or any subdivision thereof, except that any real property acquired by the Secretary as a result of reinsurance shall be subject to taxation by any State or political subdivision thereof, to the same extent, according to its value, as other real property is taxed.

"(b) Any measures undertaken by any State to meet or to fund its obligations under section 1223(a)(1) shall not be the subject of any retaliatory or fiscal imposition by any other State.

"APPROPRIATIONS

"SEC. 1241. There are hereby authorized to be appropriated such sums as may be necessary to carry out this title."

FINANCING

SEC. 1004. Section 520(b) of the National Housing Act is amended by inserting "(1)" after "necessary" in the first sentence, and by striking out the period at the end of such sentence and inserting in lieu thereof ", and (2) to make payments for reinsured losses under title XII of this Act: *Provided, however,* That borrowings to make payments for reinsured losses under title XII shall be limited to $150,000,000 or such further sum as the Congress, by joint resolution, may from time to time determine."

TITLE XI—DISTRICT OF COLUMBIA INSURANCE PLACEMENT ACT

SHORT TITLE

SEC. 1101. This title may be cited as the "District of Columbia Insurance Placement Act".

DECLARATION OF PURPOSE

SEC. 1102. The purposes of this title are—

(1) to assure stability in the property insurance market for property located in the District of Columbia;

(2) to assure the availability of basic property insurance as defined by this title;

(3) to encourage maximum use, in obtaining basic property insurance, of the normal insurance market provided by authorized insurers; and

(4) to provide for the equitable distribution among insurers of the responsibility for insuring qualified property for which basic property insurance cannot be obtained through the normal insurance market by authorizing the establishment of a joint underwriting association.

DEFINITIONS

SEC. 1103. As used in this title, unless the context otherwise requires—

(a) "Commissioner" means the Commissioner of the District of Columbia or his designated agent.

(b) "Basic property insurance" means insurance against direct loss to property caused by perils as defined and limited in the standard fire policy and extended coverage endorsement thereon as approved by the Commissioner, and such other property insurance coverages, including, but not limited to, vandalism and malicious mischief, burglary, theft, and robbery, for such types, classes, and locations of property as may be designated by the Commissioner pursuant to the procedures set out in section 1105 of this title, but shall not include insurance on automobiles.

(c) "Environmental hazard" means any hazardous condition that might give rise to loss under an insurance contract, but which is beyond the control of the property owner.

(d) "Inspection bureau" means the rating bureau or other organization designated by the Commissioner to perform inspections to determine the condition of the properties for which basic property insurance is sought.

(e) "Industry Placement Facility" means the facility formed by all insurers licensed to write and engaged in writing basic property insurance (including homeowners and commercial multiperil policies) within the District of Columbia to assist agents, brokers, and applicants in securing basic property insurance.

(f) "Premiums written" means gross direct premiums charged with respect to property in the District of Columbia on all policies of basic property insurance and the basic property insurance premium components of all multiperil policies, less all premiums and dividends returned, paid, or credited to policyholders or the unused or unabsorbed portions of premium deposits.

(g) "Property owner" means any person having an insurable interest in real, personal, or mixed real and personal property.

INDUSTRY PLACEMENT FACILITY

SEC. 1104. (a) Within thirty days after the effective date of this title all insurers licensed to write and engaged in writing in the District of Columbia, on a direct basis, basic property insurance or any component thereof in multiperil policies, shall establish an Industry Placement Facility to formulate and administer a program, subject to disapproval by the Commissioner in whole or in part, to seek the equitable apportionment among such insurers of basic property insurance which may be afforded applicants in the District of Columbia whose property is insurable in accordance with reasonable underwriting standards and who individually or through their insurance agent or broker request the aid of the Facility to procure such insurance. The Facility shall seek to place insurance with one or more participating companies up to the full insurable value of the risk, if requested, except to the extent that deductibles, percentage participation clauses and other underwriting devices are employed to meet special problems of insurability.

(b) The Facility may, subject to the approval of the Commissioner, provide, as part of its program for the equitable distribution of commercial risks and dwelling risks among insurers.

(c) Each such insurer shall participate in the Industry Placement Facility program in

accordance with the established rules of the program as a condition of its authority to transact such kinds of insurance in the District of Columbia: *Provided,* That in lieu of revoking or suspending the certificate of authority of any company for any failure to comply with any of the established rules of the program, the Commissioner may subject such company to a penalty of not more than $200 for each such failure to so comply when in his judgment he finds that the public interest would be best served by the continued operation of the company in the District of Columbia.

FAIR ACCESS TO INSURANCE REQUIREMENTS

SEC. 1105. (a) The Industry Placement Facility shall on its own motion, or within thirty days after a request by the Commissioner, submit to the Commissioner such proposed rules and regulations applicable to insurers, agents and brokers deemed necessary to assure all property owners fair access to basic property insurance through the normal insurance markets, including, but not limited to, rules and regulations concerning—

(1) the manner and scope of inspections of risks by an inspection bureau;

(2) the preparation and filing of inspection reports and reports on actions taken in connection with inspected risks, and summaries thereof;

(3) the operation of an Industry Placement Facility, including but not limited to rules and regulations concerning—

(A) the basic property insurance coverages of such facility;

(B) the reasonable effort to obtain insurance in the normal commercial market required by an applicant before recourse to the Facility; and

(C) the appeals procedure within the Facility for any applicant for insurance regarding any ruling, action, or decision by or on behalf of the Facility.

(b) The Commissioner may adopt such of the rules submitted pursuant to subsection (a) of this section as he approves. If the Commissioner disapproves any proposed rule submitted he may require the Facility to submit a revision thereof within such time as he may designate, but no less than five days. If the Facility fails to submit a proposed rule, or revision thereof, within the designated time, or if a revised rule is unacceptable to the Commissioner, the Commissioner may adopt such rule covering the proposed general subject matter as he shall deem necessary to carry out the purposes of this Act.

JOINT UNDERWRITING ASSOCIATION

SEC. 1106. (a) The Commissioner is authorized to establish by order a joint underwriting association if he finds, after notice and hearing, that such association is necessary to carry out the purposes of this title. Such joint underwriting association shall consist of all insurers licensed to write and engaged in writing in the District of Columbia, on a direct basis, such basic property insurance as may be designated by the Commissioner or any component thereof in multiperil policies.

(b) Every such insurer shall be and remain a member of the association and shall comply with all requirements of membership as a condition of its authority to transact such kinds of insurance in the District of Columbia: *Provided,* That in lieu of revoking or suspending the certificate of authority of any company for any failure to comply with any of the requirements of membership, the Commissioner may subject such company to a penalty of not more than $200 for each such failure to so comply when in his judgment he finds that the public interest would be best served by the continued operation of the company in the District of Columbia.

(c)(1) Within sixty days following the effective date of the order of the Commissioner under this section the association shall submit to him a proposal plan of operation, consistent with the provisions of this Act, which shall provide for economical, fair, and nondiscriminatory administration of the association and for the prompt and efficient provision of reinsurance for such basic property insurance as may be designated by the Commissioner without regard to environmental hazards, including, but not limited to, provisions concerning—

(A) preliminary assessment of all members for initial expenses necessary to commence operations;

(B) establishment of necessary facilities;

(C) management and operation of the association;

(D) assessment of members to defray losses and expenses;

(E) commission arrangements;

(F) reasonable underwriting standards;

(G) assumption and cession of reinsurance; and

(H) such other matters as the Commissioner may designate.

(2) The plan of operation shall be subject to approval by the Commissioner in whole or in part. If the Commissioner disapproves all or any part of the proposed plan of operation, the association shall within thirty days thereafter submit for his review an appropriately revised plan of operation and if the association fails so to do, or if the revised plan so filed is unacceptable to the Commissioner, the Commissioner shall promulgate a plan of operation.

(3) The association may, on its own initiative, amend such plan, subject to approval by the Commissioner, and shall amend such plan at the direction of the Commissioner if he finds such action is necessary to carry out the purposes of this title.

(d) All members of the association shall participate in its writings, expenses, profits, and losses, or in such categories thereof as may be separately established by the association, subject to approval by the Commissioner, in the proportion that the premiums written by each such member (but excluding premiums for insurance on automobiles) during the preceding calendar year bear to the aggregate premiums written in the District of Columbia by all members of the association, or in accordance with such other formula as devised by the association, subject to approval by the Commissioner. Such participation by each insurer in the association shall be determined annually on the basis of such premiums written during the preceding calendar year as disclosed in the annual statements and other reports filed by the insurer with the Commissioner.

(e) The association shall be governed by a board of eleven directors, elected annually by cumulative voting by the members of the association, whose votes in such election shall be weighted in accordance with the proportionate amount of each member's net direct premiums written in the District of Columbia during the preceding calendar year. The first board shall be elected at a meeting of the members or their authorized representatives, which shall be held within thirty days after the effective date of the order under this section establishing the association, at a time and place designated by the Commissioner.

EXAMINATION BY COMMISSIONER

SEC. 1107. The operation of the inspection bureau, the Industry Placement Facility, and any joint underwriting association shall at all times be subject to the supervision and regulation of the Commissioner. The Commissioner shall have the power of visitation of and examination into such operations and free access to all the books, records, files, papers, and documents that relate to such operations, may summon and qualify witnesses under oath, and may examine directors, officers, agents, or employees or any other person having knowledge of such operations.

WAIVER OF LIABILITY

SEC. 1108. There shall be no liability on the part of, and no cause of action of any nature shall arise against insurers, the inspection bureau, the "Industry Placement Facility, the joint underwriting association or their agents or employees, or any officer or employee of the District of Columbia, for any statements made in good faith by them concerning the insurability of property in any reports or other communications or at the time of the hearings conducted in connection therewith, or in the findings with respect thereto required by the provisions of this title. The reports and communications of the inspection bureau, the Industry Placement Facility, and joint underwriting association with respect to individual properties shall not be open to inspection by, or otherwise available to, the public.

ANNUAL REPORTS BY ASSOCIATION

SEC. 1109. The association shall file with the Commissioner, annually on or before the 1st day of March, a statement which shall contain information with respect to its transactions, conditions, operations, and affairs during the preceding year. Such statement shall contain such matters and information as are prescribed by the Commissioner and shall be in such form as is approved by him. The Commissioner may at any time require the association to furnish him with additional information with respect to its transactions, condition or any matter connected therewith which he considers to be material and which will assist him in evaluating the scope, operation, and experience of the association.

APPEALS

SEC. 1110. (a) Any applicant for insurance and any affected insurer may appeal to the Commissioner within ninety days after any final ruling, action, or decision by or on behalf of the inspection bureau, Industry Placement Facility, or joint underwriting association, following exhaustion of remedies available within such bureau, facility, or association.

(b) All final orders or decisions of the Commissioner made pursuant to this Act shall be subject to review by the District of Columbia Court of Appeals pursuant to section 11-742 of the District of Columbia Code.

REIMBURSEMENT OF NATIONAL INSURANCE DEVELOPMENT CORPORATION

SEC. 1111. (a) In order to carry out the purposes of this Act and to make available to insurers who participate hereunder reinsurance against losses resulting from riots or civil disorders afforded under the National Insurance Development Corporation Act of 1968, the Commissioner is authorized to assess each insurance company authorized to do business in the District of Columbia an amount, in the proportion that the premiums earned by each such company, on lines reinsured by the National Insurance Development Corporation, during the preceding calendar year bears to the aggregate premiums earned on those lines in the District of Columbia by all insurance companies, sufficient to provide a fund to reimburse the Corporation in the manner set forth in section 1223(a)(1) of the National Insurance Development Corporation Act of 1968. Such fund may be added to or such a fund may be created by moneys appropriated therefor by the Congress.

(b) Insurers shall add to the premium rate an amount, to be approved by the Commissioner, sufficient to recover within not more than three years, any amounts assessed pursuant to subsection (a) of this section during the preceding calendar year. Such amount shall be a separate charge to the insured in addition to the premium to be paid and shall be reflected as such in the policy of insurance: *Provided,* That no commission shall be paid thereon to any agent or broker producing or selling the policy of insurance wherein such amount is added.

DELEGATION

SEC. 1112. The Commissioner is authorized to delegate any of the functions vested in him by this title.

JUDICIAL REVIEW

SEC. 1113. Section 11-742(a) of the District of Columbia Code is amended (a) by striking "and" immediately following clause (9); (b) by striking the period following clause (10) and inserting in lieu thereof "; and"; and (c) by adding the following:

"(11) final orders and decisions of the Commissioner under the provisions of the District of Columbia Insurance Placement Act."

EFFECTIVE DATE

SEC. 1114. This title shall be effective upon a determination by the Commissioner that the Congress has enacted legislation providing Federal reinsurance against losses from civil disorders.

TITLE XII—NATIONAL FLOOD INSURANCE

SHORT TITLE

SEC. 1201. This title may be cited as the "National Flood Insurance Act of 1968".

FINDINGS AND DECLARATION OF PURPOSE

SEC. 1202. (a) The Congress finds that (1) from time to time flood disasters have created personal hardships and economic distress which have required unforeseen disaster relief measures and have placed an increasing burden on the Nation's resources; (2) despite the installation of preventive and protective works and the adoption of other public programs designed to reduce losses caused by flood damage, these methods have not been sufficient to protect adequately against growing exposure to future flood losses; (3) as a matter of national policy, a reasonable method of sharing the risk of flood losses is through a program of flood insurance which can complement and encourage preventive and protective measures; and (4) if such a program is initiated and carried out gradually, it can be expanded as knowledge is gained and experience is appraised, thus eventually making flood insurance coverage available on reasonable terms and conditions to persons who have need for such protection.

(b) The Congress also finds that (1) many factors have made it uneconomic for the private insurance industry alone to make flood insurance available to those in need of such protection on reasonable terms and conditions; but (2) a program of flood insurance with large-scale participation of the Federal Government and carried out to the maximum extent practicable by the private insurance industry is feasible and can be initiated.

(c) The Congress further finds that (1) a program of flood insurance can promote the public interest by providing appropriate protection against the perils of flood losses and encouraging sound land use by minimizing exposure of property to flood losses; and (2) the objectives of a flood insurance program should be integrally related to a unified national program for flood plain management and, to this end, it is the sense of Congress that within two years following the date of the enactment of this Act the President should transmit to the Congress for its consideration any further proposals necessary for such a unified program, including proposals for the allocation of costs among beneficiaries of flood protection.

(d) It is therefore the purpose of this title to (1) authorize a flood insurance program by means of which flood insurance, over a period of time, can be made available on a nationwide basis through the cooperative efforts of the Federal Government and the private insurance industry, and (2) provide flexibility in the program so that such flood insurance may be based on workable methods of pooling risks, minimizing costs, and distributing burdens equitably among those who will be protected by flood insurance and the general public.

(e) It is the further purpose of this title to (1) encourage State and local governments to make appropriate land use adjustments to constrict the development of land which is exposed to flood damage and minimize damage caused by flood losses, (2) guide the development of proposed future construction, where practicable, away from locations which are threatened by flood hazards, (3) encourage lending and credit institutions, as a matter of national policy, to assist in furthering the objectives of the flood insurance program, (4) assure that any Federal assistance provided under the program will be related closely to all flood-related programs and activities of the Federal Government, and (5) authorize continuing studies of flood hazards in order to provide for a constant reappraisal of the flood insurance program and its effect on land use requirements.

AMENDMENTS TO THE FEDERAL FLOOD INSURANCE ACT OF 1956

SEC. 1203. (a) The second sentence of section 15(e) of the Federal Flood Insurance Act of 1956 (79 Stat. 1078) is amended—

(1) by striking out "rate" the second time it appears in such sentence, and inserting in lieu thereof "market yield", and

(2) by striking out "as of the last day of", and inserting in lieu thereof "during".

(b) Section 15(e) of such Act is further amended by striking out the last sentence thereof.

(c) Sections 2 through 14, subsections (a) through (d), and (f) and (g) of section 15, and sections 16 through 23 of such Act are hereby repealed.

CHAPTER I—THE NATIONAL FLOOD INSURANCE PROGRAM

BASIC AUTHORITY

SEC. 1204. (a) To carry out the purposes of this title, the Secretary of Housing and Urban Development is authorized to establish and carry out a national flood insurance program which will enable interested persons to purchase insurance against loss resulting from physical damage to or loss of real property or personal property related thereto arising from any flood occurring in the United States.

(b) In carrying out the flood insurance program the Secretary shall, to the maximum extent practicable, encourage and arrange for—

(1) appropriate financial participation and risk sharing in the program by insurance companies and other insurers, and

(2) other appropriate participation, on other than a risk-sharing basis, by insurance companies and other insurers, insurance agents and brokers, and insurance adjustment organizations,

in accordance with the provisions of chapter II.

SCOPE OF PROGRAM AND PRIORITIES

SEC. 1205. (a) In carrying out the flood insurance programs the Secretary shall afford a priority to making flood insurance available to cover residential properties which are designed for the occupancy of from one to four families and business properties which are owned or leased and operated by small business concerns.

(b) If on the basis of—

(1) studies and investigations undertaken and carried out and information received or exchanged under section 1108, and

(2) such other information as may be necessary, the Secretary determines that it would be feasible to extend the flood insurance program to cover any types or classes of—

(A) other residential properties,

(B) other business properties,

(C) agricultural properties,

(D) properties occupied by private nonprofit organizations, or

(E) properties owned by State and local governments and agencies thereof,

he shall transmit such determination to the Congress together with his recommendations with respect to any such extension of the program.

(c) The Secretary shall make flood insurance available in only those States or areas (or subdivisions thereof) which he has determined have—

(1) evidenced a positive interest in securing flood insurance coverage under the flood insurance program, and

(2) given satisfactory assurance that by June 30, 1970, permanent land use and control measures will have been adopted for the State or area (or subdivision) which are consistent with the comprehensive criteria for land management and use developed under section 1261, and that the application and enforcement of such measures will commence as soon as technical information on floodways and on controlling flood elevations is available.

NATURE AND LIMITATION OF INSURANCE COVERAGE

SEC. 1206. (a) The Secretary shall from time to time, after consultation with the advisory committee authorized under section 1218, appropriate representatives of the pool formed or otherwise created under section 1231, and appropriate representatives of the insurance authorities of the respective States, provide by regulation for general terms and conditions of insurability which shall be applicable to properties eligible for flood insurance coverage under section 1106, including—

(1) the types, classes, and locations of any such properties which shall be eligible for flood insurance;

(2) the nature and limits of loss or damage in any areas (or subdivisions thereof) which may be covered by such insurance;

(3) the classification, limitation, and rejection of any risks which may be advisable;

(4) appropriate minimum premiums;

(5) appropriate loss-deductibles; and

(6) any other terms and conditions relating to insurance coverage or exclusion which may be necessary to carry out the purposes of this title.

(b) In addition to any other terms and conditions under subsection (a), such regulations shall provide that—

(1) any flood insurance coverage based on chargeable premium rates under section 1208 which are less than the estimated premium rates under section 1207(a)(1) shall not exceed—

(A) in the case of residential properties which are designed for the occupancy of from one to four families—

(i) $17,500 aggregate liability for any dwelling unit, and $30,000 for any single dwelling structure containing more than one dwelling unit, and

(ii) $5,000 aggregate liability per dwelling unit for any contents related to such unit;

(B) in the case of business properties which are owned or leased and operated by small business concerns, an aggregate liability with respect to any single structure, including any contents thereof related to premises of small business occupants (as that term is defined by the Secretary), which shall be equal to (i) $30,000 plus (ii) $5,000 multiplied by the number of such occupants and shall be allocated among such occupants (or among the occupant or occupants and the owner) under regulations prescribed by the Secretary; except that the aggregate liability for the structure itself may in no case exceed $30,000; and

(C) in the case of any other properties which may became eligible for flood insurance coverage under section 1205—

(i) $30,000 aggregate liability for any single structure, and

(ii) $5,000 aggregate liability per dwelling unit for any contents related to such unit in the case of residential properties, or per occupant (as that term is defined by the Secretary) for any contents related to the premises occupied in the case of any other properties; and

(2) any flood insurance coverage which may be made available in excess of any of the limits specified in subparagraph (A), (B), or (C) of paragraph (1) (or allocated to any person under subparagraph (B) of such paragraph) shall be based only on chargeable premium rates under section 1208 which are not less than the estimated premium rates under section 1207 (a) (1) and the amount of such excess coverage shall not in any case exceed in amount is equal to the applicable limit so specified (or allocated).

ESTIMATES OF PREMIUM RATES

SEC. 1207. (a) The Secretary is authorized to undertake and carry out such studies and investigations and receive or exchange such information as may be necessary to estimate, and shall from time to time estimate, on an area, subdivision, or other appropriate basis—

(1) the risk premium rates for flood insurance which—

(A) based on consideration of the risk involved and accepted actuarial principles, and

(B) including—

(i) the applicable operating costs and allowances set forth in the schedules prescribed under section 1211 and reflected in such rates, and

(ii) any administrative expenses (or portion of such expenses) of carrying out the flood insurance program which, in his discretion, should properly be reflected in such rates, would be required in order to make such insurance available on an actuarial basis for any types and classes of properties for which insurance coverage is available under section 1205(a) (or is recommended to the Congress under section 1205(b));

(2) the rates, if less than the rates estimated under paragraph (1), which would be reasonable, would encourage prospective insureds to purchase flood insurance, and would be consistent with the purposes of this title; and

(3) the extent, if any, to which federally assisted or other flood protection measures initiated after the date of the enactment of this title affect such rates.

(b) In carrying out subsection (a), the Secretary shall, to the maximum extent feasible and on a reimbursement basis, utilize the services of the Department of the Army, the Department of the Interior, the Department of Agriculture, the Department of Commerce, and the Tennessee Valley Authority, and, as appropriate, other Federal departments or agencies, and for such purposes may enter into agreements or other appropriate arrangements with any persons.

(c) The Secretary shall give priority to conducting studies and investigations and making estimates under this section in those States or areas (or subdivisions thereof) which he has determined have evidenced a positive interest in securing flood insurance coverage under the flood insurance program.

ESTABLISHMENT OF CHARGEABLE PREMIUM RATES

SEC. 1208. (a) On the basis of estimates made under section 1108 and such other information as may be necessary, the Secretary shall from time to time, after consultation with the advisory committee authorized under section 1218, appropriate representatives of the pool formed or otherwise created under section 1231, and appropriate representatives of the insurance authorities of the respective States, prescribe by regulation—

(1) chargeable premium rates for any types and classes of properties for which insurance coverage shall be available under section 1205 (at less than the estimated risk premium rates under section 1207(a)(1), where necessary), and

(2) the terms and conditions under which, and the areas (including subdivisions thereof) within which, such rates shall apply.

(b) Such rates shall, insofar as practicable, be—

(1) based on a consideration of the respective risks involved, including differences in risks due to land use measures, floodproofing, flood forecasting, and similar measures.

(2) adequate, on the basis of accepted actuarial principles, to provide reserves for anticipated losses, or, if less than such amount, consistent with the objective of making flood insurance available where necessary at reasonable rates so as to encourage prospective insureds to purchase such insurance and with the purposes of this title, and

(3) stated so as to reflect the basis for such rates, including the differences (if any) between the estimated risk premium rates under section 1207(a)(1) and the estimated rates under section 1207(a)(2).

(c) Notwithstanding any other provision of this title, the chargeable rate with respect to any property, the construction or substantial improvement of which the Secretary determines has been started after the identification of the area in which such property is located has been published under paragraph (1) of section 1260, shall not be less than the applicable estimated risk premium rate for such area (or subdivision thereof) under section 1207(a)(1).

(d) In the event any chargeable premium rate prescribed under this section—

(1) is a rate which is not less than the applicable estimated risk premium rate under section 1207(a)(1), and

(2) includes any amount for administrative expenses of carrying out the flood insurance program which have been estimated under clause (ii) of section 1207(a)(1)(B), a sum equal to such amount shall be paid to the Secretary, and he shall deposit such sum in the National Flood Insurance Fund established under section 1210.

FINANCING

SEC. 1209. (a) All authority which was vested in the Housing and Home Finance Administrator by virtue of section 15(e) of the Federal Flood Insurance Act of 1956 (70 Stat. 1084) (pertaining to the issue of notes or other obligations to the Secretary of the Treasury), as amended by subsections (a) and (b) of section 1202 of this Act, shall be available to the Secretary for the purpose of carrying out the flood insurance program under this title; except that the total amount of notes and obligations which may be issued by the Secretary pursuant to such authority shall not exceed $150,000,000, and all authority of the Secretary to issue notes and obligations under said section 15(e) beyond such sum is hereby rescinded.

(b) Any funds borrowed by the Secretary under this authority shall, from time to time, be deposited in the National Flood Insurance Fund established under section 1210.

NATIONAL FLOOD INSURANCE FUND

SEC. 1210. (a) To carry out the flood insurance program authorized by this title, the Secretary is authorized to establish in the Treasury of the United States a National Flood Insurance Fund (hereinafter referred to as the "fund") which shall be available, without fiscal year limitation—

(1) for making such payments as may, from time to time, be required under section 1234;

(2) to pay reinsurance claims under the excess loss reinsurance coverage provided under section 1235;

(3) to repay to the Secretary of the Treasury such sums as may be borrowed from him (together with interest) in accordance with the authority provided in section 1209; and

(4) for the purposes specified in subsection (d) under the conditions provided therein.

(b) The fund shall be credited with—

(1) such funds borrowed in accordance with the authority provided in section 1209 as may from time to time be deposited in the fund;

(2) premiums, fees, or other charges which may be paid or collected in connection with the excess loss reinsurance coverage provided under section 1235;

(3) such amounts as may be advanced to the fund from appropriations in order to maintain the fund in an operative condition adequate to meet its liabilities;

(4) interest which may be earned on investments of the fund pursuant to subsection (c);

(5) such sums as are required to be paid to the Secretary under section 1208(d); and

(6) receipts from any other operations under this title (including premiums under the conditions specified in subsection (d), and salvage proceeds, if any, resulting from reinsurance coverage).

(c) If, after—

(1) all outstanding obligations of the fund have been liquidated, and

(2) any outstanding amounts which may have been advanced to the fund from appropriations authorized under section 1276 (a) (2) (B) have been credited to the appropriation from which advanced, with interest accrued at the rate prescribed under section 15(e) of the Federal Flood Insurance Act of 1956, as in effect immediately prior to the enactment of this title,

the Secretary determines that the moneys of the fund are in excess of current needs, he may request the investment of such amounts as he deems advisable by the Secretary of the Treasury in obligations issued or guaranteed by the United States.

(d) In the event the Secretary makes a finding in accordance with the provisions of section 1240 that operation of the flood insurance program, in whole or in part, should be carried out through the facilities of the Federal Government, the fund shall be available for all purposes incident thereto, including—

(1) costs incurred in the adjustment and payment of any claims for losses, and

(2) payment of applicable operating costs set forth in the schedules prescribed under section 1211,

for so long as the program is so carried out, and in such event any premiums paid shall be deposited by the Secretary to the credit of the fund.

(e) An annual business-type budget for the fund shall be prepared, transmitted to the Congress, considered, and enacted in the manner prescribed by law (sections 102, 103, and 104 of the Government Corporation Control Act (31 U.S.C. 847–849)) for wholly owned Government corporations.

OPERATING COSTS AND ALLOWANCES

SEC. 1211. (a) The Secretary shall from time to time negotiate with appropriate representatives of the insurance industry for the purpose of establishing—

(1) a current schedule of operating costs applicable both to risk-sharing insurance companies and other insurers and to insurance companies and other insurers, insurance agents and brokers, and insurance adjustment organizations participating on other than a risk-sharing basis, and

(2) a current schedule of operating allowances applicable to risk-sharing insurance companies and other insurers,

which may be payable in accordance with the provisions of chapter II, and such schedules shall from time to time be prescribed in regulations.

(b) For purposes of subsection (a)—

(1) The term "operating costs" shall (without limiting such term) include—

(A) expense reimbursements covering the direct, actual, and necessary expenses incurred in connection with selling and servicing flood insurance coverage;

(B) reasonable compensation payable for selling and servicing flood insurance coverage, or commissions or service fees paid to producers;

(C) loss adjustment expenses; and

(D) other direct, actual, and necessary expenses which the Secretary finds are incurred in connection with selling or servicing flood insurance coverage; and

(2) the term "operating allowances" shall (without limiting such term) include amounts for profit and contingencies which the Secretary finds reasonable and necessary to carry out the purposes of this title.

PAYMENT OF CLAIMS

SEC. 1212. The Secretary is authorized to prescribe regulations establishing the general method or methods by which proved and approved claims for losses may be adjusted and paid for any damage to or loss of property which is covered by flood insurance made available under the provisions of this title.

DISSEMINATION OF FLOOD INSURANCE INFORMATION

SEC. 1213. The Secretary shall from time to time take such action as may be necessary in order to make information and data available to the public, and to any State or local agency or official, with regard to—

(1) the flood insurance program, its coverage and objectives, and

(2) estimated and chargeable flood insurance premium rates, including the basis for and differences between such rates in accordance with the provisions of section 1208.

PROHIBITION AGAINST CERTAIN DUPLICATIONS OF BENEFITS

SEC. 1214. (a) Notwithstanding the provisions of any other law, no Federal disaster assistance shall be made available to any person—

(1) for the physical loss, destruction, or damage of real or personal property, to the extent that such loss, destruction or damage is covered by a valid claim which may be adjusted and paid under flood insurance made available under the authority of this title, or

(2) except in the situation provided for under subsection (b), for the physical loss, destruction, or damage of real or personal property, to the extent that such loss, destruction, or damage could have been covered by a valid claim under flood insurance which had been made available under the authority of this title, if—

(A) such loss, destruction, or damage occurred subsequent to one year following the date flood insurance was made available in the area (or subdivision thereof) in which such property or the major part thereof was located, and

(B) such property was eligible for flood insurance under this title at that date;

and in such circumstances the extent that such loss, destruction, or damage could have been covered shall be presumed (for purposes of this subsection) to be an amount not less than the maximum limit of insurable loss or damage applicable to such property in such area (or subdivision thereof), pursuant to regulations under section 1206, at the time insurance was made available in such area (or subdivision thereof).

(b) In order to assure that the provisions of subsection (a)(2) will not create undue hardship for low-income persons who might otherwise benefit from the provision of Federal disaster assistance, the Secretary shall provide by regulation for the circumstances in which the provisions of subsection (a)(2) shall not be applicable to any such persons.

(c) For purposes of this section, "Federal disaster assistance" shall include any Federal financial assistance which may be made available to any person as a result of—

(1) a major disaster (within the meaning of that term as determined by the President pursuant to the Act entitled "An Act to authorize Federal assistance to State and local governments in major disasters, and for other purposes", as amended (42 U.S.C. 1855–1855g)),

(2) a natural disaster, as determined by the Secretary of Agriculture pursuant to section 321 of the Consolidated Farmers Home Administration Act of 1961 (7 U.S.C. 1961), or

(3) a disaster with respect to which loans may be made under section 7(b) of the Small Business Act (15 U.S.C. 636(b)).

(d) For purposes of section 10 of the Disaster Relief Act of 1966 (80 Stat. 1320), the term "financial assistance" shall be deemed to include any flood insurance which is made available under this title.

STATE AND LOCAL LAND USE CONTROLS

SEC. 1215. After June 30, 1970, no new flood insurance coverage shall be provided under this title in any area (or subdivision thereof) unless an appropriate public body shall have adopted permanent land use and control measures) with effective enforcement provisions) which the Secretary finds are consistent with the comprehensive criteria for land management and use under section 1261.

PROPERTIES IN VIOLATION OF STATE AND LOCAL LAW

SEC. 1216. No new flood insurance coverage shall be provided under this title for any property which the Secretary finds has been declared by a duly constituted State or local zoning authority, or other authorized public body, to be in violation of State or local laws, regulations, or ordinances which are intended to discourage or otherwise restrict land development occupancy in flood-prone areas.

COORDINATION WITH OTHER PROGRAMS

SEC. 1118. In carrying out this title, the Secretary shall consult with other departments and agencies of the Federal Government, and with interstate, State, and local agencies having responsibilities for flood control, flood forecasting, or flood damage prevention, in order to assure to the maximum extent practicable that the programs of such agencies and the flood insurance program authorized under this title are mutually consistent.

ADVISORY COMMITTEE

SEC. 1119. (a) The Secretary shall appoint a flood insurance advisory committee, without regard to the provisions of title 5, United States Code, governing appointments in the competitive service, and such committee shall advise the Secretary in the preparation of any regulations prescribed in accordance with this title and with respect to policy matters arising in the administration of this title, and shall perform such other responsibilities as the Secretary may, from time to time, assign to such committee.

(b) Such committee shall consist of not more than fifteen persons and such persons shall be selected from among representatives of—

(1) the insurance industry,

(2) State and local governments,

(3) lending institutions,

(4) the homebuilding industry, and

(5) the general public.

(c) Members of the committee shall, while attending conferences or meetings thereof, be entitled to receive compensation at a rate fixed by the Secretary but not exceeding $100 per day, including traveltime, and while so serving away from their homes or regular places of business they may be allowed travel expenses, including per diem in lieu of subsistence, as is authorized under section 5703 of title 5, United States Code, for persons in the Government service employed intermittently.

INITIAL PROGRAM LIMITATION

SEC. 1219. The face amount of flood insurance coverage outstanding and in force at any one time under this title shall not exceed the sum of $2,500,000,000.

REPORT TO THE PRESIDENT

SEC. 1220. The Secretary shall include a report of operations under this title in the annual report to the President for submission to the Congress required by section 8 of the Department of Housing and Urban Development Act.

CHAPTER II—ORGANIZATION AND ADMINISTRATION OF THE FLOOD INSURANCE PROGRAM

ORGANIZATION AND ADMINISTRATION

SEC. 1230. Following such consultation with representatives of the insurance industry as may be necessary, the Secretary shall implement the flood insurance program authorized under chapter I in accordance with the provisions of part A of this chapter and, if a determination is made by him under section 1240, under part B of this chapter.

PART A—INDUSTRY PROGRAM WITH FEDERAL FINANCIAL ASSISTANCE

INDUSTRY FLOOD INSURANCE POOL

SEC. 1231. (a) The Secretary is authorized to encourage and otherwise assist any insurance companies and other insurers which meet the requirements prescribed under subsection (b) to form, associate, or otherwise join together in a pool—

(1) in order to provide the flood insurance coverage authorized under chapter I; and

(2) for the purpose of assuming, on such terms and conditions as may be agreed upon, such financial responsibility as will enable such companies and other insurers, with the Federal financial and other assistance available under this title, to assume a reasonable proportion of responsibility for the adjustment and payment of claims for losses under the flood insurance program.

(b) In order to promote the effective administration of the flood insurance program under this part, and to assure that the objectives of this title are furthered, the Secretary is authorized to prescribe appropriate requirements for insurance companies and other insurers participating in such pool including, but not limited to, minimum requirements for capital or surplus or assets.

AGREEMENTS WITH FLOOD INSURANCE POOL

SEC. 1232. (a) The Secretary is authorized to enter into such agreements with the pool formed or otherwise created under this part as he deems necessary to carry out the purposes of this title.

(b) Such agreements shall specify—

(1) the terms and conditions under which risk capital will be available for the adjustment and payment of claims,

(2) the terms and conditions under which the pool (and the companies and other insurers participating therein) shall participate in premiums received and profits or losses realized or sustained,

(3) the maximum amount of profit, established by the Secretary and set forth in the schedules prescribed under section 1212, which may be realized by such pool (and the companies and other insurers participating therein),

(4) the terms and conditions under which operating costs and allowances set forth in the schedules prescribed under section 1212 may be paid, and

(5) the terms and conditions under which premium equalization payments under section 1234 will be made and reinsurance claims under section 1235 will be paid.

(c) In addition, such agreements shall

contain such provisions as the Secretary finds necessary to assure that—

(1) no insurance company or other insurer which meets the requirements prescribed under section 1231(b), and which has indicated an intention to participate in the flood insurance program on a risk-sharing basis, will be excluded from participating in the pool,

(2) the insurance companies and other insurers participating in the pool will take whatever action may be necessary to provide continuity of flood insurance coverage by the pool, and

(3) any insurance companies and other insurers, insurance agents and brokers, and insurance adjustment organizations will be permitted to cooperate with the pool as fiscal agents or otherwise, on other than a risk-sharing basis, to the maximum extent practicable.

ADJUSTMENT AND PAYMENT OF CLAIMS AND JUDICIAL REVIEW

SEC. 1233. The insurance companies and other insurers which form, associate, or otherwise join together in the pool under this part may adjust and pay all claims for proved and approved losses covered by flood insurance in accordance with the provisions of this title and, upon the disallowance by any such company or other insurer of any such claim, or upon the refusal of the claimant to accept the amount allowed upon any such claim, the claimant, within one year after the date of mailing of notice of disallowance or partial disallowance of the claim, may institute an action on such claim against such company or other insurer in the United States district court for the district in which the insured property or the major part thereof shall have been situated, and jurisdiction is hereby conferred upon such court to hear and determine such action without regard to the amount in controversy.

PREMIUM EQUALIZATION PAYMENTS

SEC. 1234. (a) The Secretary, on such terms and conditions as he may from time to time prescribe, shall make periodic payments to the pool formed or otherwise created under section 1231, in recognition of such reductions in chargeable premium rates under section 1208 below estimated premium rates under section 1207(a)(1) as are required in order to make flood insurance available on reasonable terms and conditions.

(b) Such payments shall be based only on the aggregate amount of flood insurance retained by the pool after ceding reinsurance in accordance with the provisions of section 1235, and shall not exceed an aggregate amount in any payment period equal to the sum of the following:

(1) an amount for losses which bears the same ratio to the amount of all proved and approved claims for losses under this title during any designated period as the amount equal to the difference between—

(A) the sum of all premium payments for flood insurance coverage in force under this title during such designated period which would have been payable during such period if all such coverage were based on estimated risk premium rates under section 1207(a)(1) (excluding any administrative expenses which may be reflected in such rates, as specified in clause (ii) of section 1207(a)(1)(B)), and

(B) the sum of the premium payments actually paid or payable for such insurance under this title during such period,

bears to the amount specified in clause (A); and

(2) subject to the terms and conditions specified in the agreements entered into with the pool under section 1232, a proportionate amount for appropriate operating costs and allowances (as set forth in the schedules prescribed under section 1211) during any designated period which bears the same ratio to the total amount of such operating costs and allowances during such period as the ratio specified in paragraph (1).

(c) Designated periods under this section and the methods for determining the sum of premiums paid or payable during such periods shall be established by the Secretary.

REINSURANCE COVERAGE

SEC. 1235. (a) The Secretary is authorized to take such action as may be necessary in order to make available, to the pool formed or otherwise created under section 1231, reinsurance for losses (due to claims for proved and approved losses covered by flood insurance) which are in excess of losses assumed by such pool in accordance with the excess loss agreement entered into under subsection (c).

(b) Such reinsurance shall be made available pursuant to contract, agreement, or any other arrangement, in consideration of such payment of a premium, fee, or other charge as the Secretary finds necessary to cover anticipated losses and other costs of providing such reinsurance.

(c) The Secretary is authorized to negotiate an excess loss agreement, from time to time, under which the amount of flood insurance retained by the pool, after ceding reinsurance, shall be adequate to further the purposes of this title, consistent with the objective of maintaining appropriate financial participation and risk sharing to the maximum extent practicable on the part of participating insurance companies and other insurers.

(d) All reinsurance claims for losses in excess of losses assumed by the pool shall be submitted on a portfolio basis by such pool in accordance with terms and conditions established by the Secretary.

PART B—GOVERNMENT PROGRAM WITH INDUSTRY ASSISTANCE

FEDERAL OPERATION OF THE PROGRAM

SEC. 1240. (a) If at any time, after consultation with representatives of the insurance industry, the Secretary determines that operation of the flood insurance program as provided under part A cannot be carried out, or that such operation, in itself, would be assisted materially by the Federal Government's assumption, in whole or in part, of the operational responsibility for flood insurance under this title (on a temporary or other basis), he shall promptly undertake any necessary arrangements to carry out the program of flood insurance authorized under chapter I through the facilities of the Federal Government, utilizing, as may be practical for purposes of providing flood insurance coverage, insurance companies and other insurers, insurance agents and brokers, and insurance adjustment organizations, as fiscal agents of the United States.

(b) Upon making the determination referred to in subsection (a), and at least thirty days prior to implementing the program of flood insurance authorized under chapter I through the facilities of the Federal Government, the Secretary shall make a report to the Congress and such report shall—

(1) state the reasons for such determination,

(2) be supported by pertinent findings,

(3) indicate the extent to which it is anticipated that the insurance industry will be utilized in providing flood insurance coverage under the program, and

(4) contain such recommendations as the Secretary deems advisable.

ADJUSTMENT AND PAYMENT OF CLAIMS AND JUDICIAL REVIEW

SEC. 1241. In the event the program is carried out as provided in section 1240, the Secretary shall be authorized to adjust and make payment of any claims for proved and approved losses covered by flood insurance, and upon the disallowance by the Secretary of any such claim, or upon the refusal of the claimant to accept the amount allowed upon any such claim, the claimant, within one year after the date of mailing of notice of disallowance or partial disallowance by the Secretary, may institute an action against the Secretary on such claim in the United States district court for the district in which the insured property or the major part thereof shall have been situated, and jurisdiction is hereby conferred upon such court to hear and determine such action without regard to the amount in controversy.

PART C—PROVISIONS OF GENERAL APPLICABILITY

SERVICES BY INSURANCE INDUSTRY

SEC. 1145. (a) In administering the flood insurance program under this chapter, the Secretary is authorized to enter into any contracts, agreements, or other appropiate arrangements which may, from time to time, be necessary for the purpose of utilizing, on such terms and conditions as may be agreed upon, the facilities and services of any insurance companies or other insurers, insurance agents and brokers, or insurance adjustment organizations; and such contracts, agreements, or arrangements may include provision for payment of applicable operating costs and allowances for such facilities and services as set forth in the schedules prescribed under section 1211.

(b) Any such contracts, agreements, or other arrangements may be entered into without regard to the provisions of section 3709 of the Revised Statutes (41 U.S.C. 5) or any other provision of law requiring competitive bidding.

USE OF INSURANCE POOL, COMPANIES, OR OTHER PRIVATE ORGANIZATIONS FOR CERTAIN PAYMENTS

SEC. 1246. (a) In order to provide for maximum efficiency in the administration of the flood insurance program and in order to facilitate the expeditious payment of any Federal funds under such program, the Secretary may enter into contracts with pool formed or otherwise created under section 1231, or any insurance company or other private organization, for the purpose of securing performance by such pool, company, or organization of any or all of the following responsibilities:

(1) estimating and later determining any amounts of payments to be made;

(2) receiving from the Secretary, disbursing, and accounting for funds in making such payments;

(3) making such audits of the records of any insurance company or other insurer, insurance agent or broker, or insurance adjustment organization as may be necessary to assure that proper payments are made; and

(4) otherwise assisting in such manner as the contract may provide to further the purposes of this title.

(b) Any contract with the pool or any insurance company or other private organization under this section may contain such terms and conditions as the Secretary finds necessary or appropriate for carrying out responsibilities under subsection (a), and may provide for payment of any costs which the Secretary determines are incidental to carrying out such responsibilities which are covered by the contract.

(c) Any contract entered into under subsection (a) may be entered into without regard to section 3709 of the Revised Statutes (41 U.S.C. 5) or any other provision of law *requiring competitive bidding.*

(d) No contract may be entered into under this section unless the Secretary finds that the pool, company, or organization will perform its obligations under the contract efficiently and effectively, and will meet such requirements as to financial responsibility, legal authority, and other matters as he finds *pertinent.*

(e)(1) Any such contract may require the pool, company, or organization or any of its officers or employees certifying payments or disbursing funds pursuant to the contract, or otherwise participating in carrying out the contract, to give surety bond to the United States in such amount as the Secretary may deem appropriate.

(2) No individual designated pursuant to a contract under this section to certify payments shall, in the absence of gross negligence or intent to defraud the United States, be liable with respect to any payment certified by him under this section.

(3) No officer disbursing funds shall, in the absence of gross negligence or intent to defraud the United States, be liable with respect to any payment by him under this section if it was based upon a voucher signed by an individual designated to certify payments as provided in paragraph (2) of this subsection.

(f) Any contract entered into under this section shall be for a term of one year, and may be made automatically renewable from term to term in the absence of notice by either party of an intention to terminate at the end of the current term; except that the Secretary may terminate any such contract at any time (after reasonable notice to the pool, company, or organization involved) if he finds that the pool, company, or organization has failed substantially to carry out the contract, agreement, or other appropriate a manner inconsistent with the efficient and effective administration of the flood insurance program authorized under this title.

SETTLEMENT AND ARBITRATION

SEC. 1247. (a) The Secretary is authorized to make final settlement of any claims or demands which may arise as a result of any financial transactions which he is authorized to carry out under this chapter, and may, to assist him in making any such settlement, refer any disputes relating to such claims or demands to arbitration, with the consent of the parties concerned.

(b) Such arbitration shall be advisory in nature, and any award, decision, or recommendation which may be made shall become final only upon the approval of the Secretary.

RECORDS AND AUDITS

SEC. 1248. (a) The flood insurance pool formed or otherwise created under part A of this chapter, and any insurance company or other private organization executing any contract, or is carrying out the contract in arrangement with the Secretary under part *B of this chapter or this part*, shall keep such records as the Secretary shall prescribe, including records which fully disclose the total costs of the program undertaken or the services being rendered, and such other records as will facilitate an effective audit.

(b) The Secretary and the Comptroller General of the United States, or any of their duly authorized representatives, shall have access for the purpose of audit and examination to any books, documents, papers, and records of the pool and any such insurance company or other private organization that are pertinent to the costs of the program undertaken or the services being rendered.

CHAPTER III—COORDINATION OF FLOOD INSURANCE WITH LAND-MANAGEMENT PROGRAMS IN FLOOD-PRONE AREAS

IDENTIFICATION OF FLOOD-PRONE AREAS

SEC. 1260. The Secretary is authorized to consult with, receive information from, and enter into any agreements or other arrangements with the Secretaries of the Army, the *Interior, Agriculture, and Commerce*, the Tennessee Valley Authority, and the heads of other Federal departments or agencies, on a reimbursement basis, or with the head of any State or local agency, or enter into contracts with any persons or private firms, in order that he may—

(1) identify and publish information with respect to all flood plain areas, including coastal areas located in the United States, which have special flood hazards, within five years following the date of the enactment of this Act, and

(2) establish flood-risk zones in all such areas, and make estimates with respect to the rates of probable flood-caused loss for the various flood-risk zones for each of these areas, within fifteen years following such date.

CRITERIA FOR LAND MANAGEMENT AND USE

SEC. 1261. (a) The Secretary is authorized to carry out studies and investigations, utilizing to the maximum extent practicable the existing facilities and services of other Federal departments or agencies, and State and local governmental agencies, and any other organizations, with respect to the adequacy of State and local measures in flood-prone areas as to land management and use, flood control, flood zoning, and flood damage prevention, and may enter into any contracts, agreements, or other appropriate arrangements to carry out such authority.

(b) Such studies and investigations shall include, but not be limited to, laws, regulations, or ordinances relating to encroachments and obstructions on stream channels and floodways, the orderly development and use of flood plains of rivers or streams, floodway encroachment lines, and flood plain zoning, building codes, building permits, and subdivision or other building restrictions.

(c) On the basis of such studies and investigations, and such other information as he deems necessary, the Secretary shall from time to time develop comprehensive criteria designed to encourage, where necessary, the adoption of permanent State and local measures which, to the maximum extent feasible, will—

(1) constrict the development of land which is exposed to flood damage where appropriate,

(2) guide the development of proposed construction away from locations which are threatened by flood hazards,

(3) assist in reducing damage caused by floods, and

(4) otherwise improve the long-range land management and use of flood-prone areas,

and he shall work closely with and provide any necessary technical assistance to State, interstate, and local governmental agencies, to encourage the application of such criteria and the adoption and enforcement of such measures.

PURCHASE OF CERTAIN INSURED PROPERTIES

SEC. 1262. The Secretary may, when he determines that the public interest would be served thereby, enter into negotiations with any owner of real property or interest therein which—

(1) was located in any flood-risk area, as determined by the Secretary,

(2) was covered by flood insurance under the flood insurance program authorized under this title, and

(3) was damaged subtantially beyond repair by flood while so covered,

and may purchase such property or interests therein, for subsequent transfer, by sale, lease, donation, or otherwise, to any State or local agency which enters into an agreement with the Secretary that such property shall, for a period not less than forty years following transfer, be used for only such purposes as the Secretary may, by regulation, determine to be consistent with sound land management and use in such area.

CHAPTER IV—APPROPRIATIONS AND MISCELLANEOUS PROVISIONS

DEFINITIONS

SEC. 1270. As used in this title—

(1) the term "flood" shall have such meaning as may be prescribed in regulations of the Secretary, and may include inundation from rising waters or from the overflow of streams, rivers, or other bodies of water, or from tidal surges, abnormally high tidal water, tidal waves, tsunamis, hurricanes, or other severe storms or deluge;

(2) the terms "United States" (when used in a geographic sense) and "State" include the several States, the District of Columbia, the territories and possessions, the Commonwealth of Puerto Rico, and the Trust Territory of the Pacific Islands;

(3) the terms "insurance company", "other insurer", and "insurance agent or broker" include any organizations and persons authorized to engage in the insurance business under the laws of any State;

(4) the term "insurance adjustment organization" includes any organizations and persons engaged in the business of adjusting loss claims arising under insurance policies issued by any insurance company or other insurer;

(5) the term "person" includes any individual or group of individuals, corporation, partnership, association, or any other organized group of persons, including State and local governments and agencies thereof; and

(6) the term "Secretary" means the Secretary of Housing and Urban Development.

STUDIES OF OTHER NATURAL DISASTERS

SEC. 1271. (a) The Secretary is authorized to undertake such studies as may be necessary for the purpose of determining the extent to which insurance protection against earthquakes or any other natural disaster perils, other than flood, is not available from public or private sources, and the feasibility of such insurance protection being made available.

(b) Studies under this section shall be carried out, to the maximum extent practicable, with the cooperation of other Federal departments and agencies and State and local agencies, and the Secretary is authorized to consult with, receive information from, and enter into any necessary agreements or other arrangements with such other Federal departments and agencies (on a reimbursement basis) and such State and local agencies.

PAYMENTS

SEC. 1172. Any payments under this title may be made (after necessary adjustment on account of previously made underpayments or overpayments) in advance or by way of reimbursement, and in such installments and on such conditions, as the Secretary may determine.

GOVERNMENT CORPORATION CONTROL ACT

SEC. *1273. The provisions of the Govern*ment Corporation Control Act shall apply to the program authorized under this title to the same extent as they apply to wholly owned Government corporations.

FINALITY OF CERTAIN FINANCIAL TRANSACTIONS

SEC. 1274. Notwithstanding the provisions of any other law—

(1) any financial transaction authorized to be carried out under this title, and

(2) any payment authorized to be made or to be received in connection with any such financial transaction, shall be final and conclusive upon all officers of the Government.

ADMINISTRATIVE EXPENSES

SEC. 1275. Any administrative expenses which may be sustained by the Federal Government in carrying out the flood insurance program authorized under this title may be paid out of appropriated funds.

APPROPRIATIONS

SEC. *1276. (a) There are hereby* authorized to be appropriated such sums as may from time to time be necessary to carry out this title, including sums—

(1) to cover administrative expenses authorized under section 1275;

(2) to reimburse the National Flood Insurance Fund established under section *1210* for—

(A) premium equalization payments under section 1134 which have been made from such fund; and

(B) reinsurance claims paid under the excess loss reinsurance coverage provided under section 1235; and

(3) to make such other payments as may be necessary to carry out the purposes of this title.

(b) All such funds shall be available without fiscal year limitation.

TITLE XIII—MORTGAGE INSURANCE FOR NONPROFIT HOSPITALS

AMENDMENT TO NATIONAL HOUSING ACT

SEC. 1301. Title II of the National Housing Act is amended by adding at the end thereof (after the new section added by section 307 of this Act) the following new section:

"MORTGAGE INSURANCE FOR NONPROFIT HOSPITALS

"SEC. 242. (a) The purpose of this section is to assist the provision of urgently needed hospitals for the care and treatment of persons who are acutely ill or who otherwise require medical care and related services of the kind customarily furnished only (or most effectively) by hospitals.

"(b) For the purposes of this section—

"(1) the term 'hospital' means a facility—

"(A) which provides community service for inpatient medical care of the sick or injured (including obstetrical care);

"(B) not more than 50 per centum of the total patient days of which during any year are customarily assignable to the categories of chronic convalescent and rest, drug and alcoholic, epileptic, mentally deficient, mental, nervous and mental, and tuberculosis; and

"(C) which is owned and operated by one or more nonprofit corporations or associations no part of the net earnings of which inures, or may lawfully inure, to the benefit of any private shareholder or individual; and

"(2) the terms 'mortgage' and 'mortgagor' shall have the meanings respectively set forth in section 207(a) of this Act, except that the mortgage, by the same instrument or by a separate instrument, may create a security interest in initial equipment, whether or not attached to the realty.

"(c) The Secretary is authorized to insure any mortgage (including advances on such mortgage during construction) in accordance with the provisions of this section upon such terms and conditions as he may prescribe and to make commitments for insurance of such mortgage prior to the date of its execution or disbursement thereon.

"(d) In order to carry out the purpose of this section, the Secretary is authorized to insure any mortgage which covers a new or rehabilitated hospital, including equipment to be used in its operation, subject to the following conditions:

"(1) The mortgage shall be executed by a mortgagor approved by the Secretary. The Secretary may in his discretion require any such mortgagor to be regulated or restricted as to charges and methods of financing, and, in addition thereto, if the mortgagor is a corporate entity, as to capital structure and rate of return. As an aid to the regulation or restriction of any mortgagor with respect to any of the foregoing matters, the Secretary may make such contracts with and acquire for not to exceed $100 such stock or interest in such mortgagor as he may deem necessary. Any stock or interest so purchased shall be paid for out of the General Insurance Fund, and shall be redeemed by the mortgagor at par upon the termination of all obligations of the Secretary under the insurance.

"(2) The mortgage shall involve a principal obligation in an amount not to exceed $25,000,000, and not to exceed 90 per centum of the estimated replacement cost of the property or project, including equipment to be used in the operation of the hospital, when the proposed improvements are completed and the equipment is installed.

"(3) The mortgage shall—

"(A) provide for complete amortization by periodic payments within such term as the Secretary shall prescribe (except that in the case of a mortgage which covers equipment the maturity may not exceed the reasonable use expectancy of such equipment), and

"(B) bear interest (exclusive of premium charges for insurance and service charges, if any) at not to exceed such per centum per annum (not in excess of 6 per centum), on the amount of the principal obligation outstanding at any time, as the Secretary finds necessary to meet the mortgage market.

"(4) The Secretary shall not insure any mortgage under this section unless he has received, from the State agency designated in accordance with section 604(a)(1) of the Public Health Service Act for the State in which is located the hospital covered by the mortgage, a certification that (1) there is a need for such hospital, and (2) there are in force in such State or the political subdivision of the State in which the proposed hospital would be located reasonable minimum standards of licensure and methods of operation for hospitals. No such mortgage shall be insured under this section unless the Secretary has received such assurance as he may deem satisfactory from the State agency that such standards will be applied and enforced with respect to any hospital located in the State for which mortgage insurance is provided under this section.

"(e) The Secretary may consent to the release of a part or parts of the mortgaged property or project from the lien of any mortgage insured under this section upon such terms and conditions as he may prescribe.

"(f) The activities and functions provided for in this section shall be carried out by the agencies involved so as to encourage programs that undertake responsibility to provide comprehensive health care, including outpatient and preventive care, as well as hospitalization, to a defined population.

"(g) Notwithstanding any of the other provisions of this title, the Secretary may insure under this section a mortgage which provides permanent financing or refinancing of existing mortgage indebtedness in the case of a hospital whose permanent financing is presently lacking, if the construction of such hospital was completed between January 1, 1966, and the date of the enactment of this Act.

"(h) The provisions of subsections (d), (e), (g), (h), (i), (j), (k), (l), and (n) of section 207 shall apply to mortgages insured under this section and all references therein to section 207 shall be deemed to refer to this section."

LABOR STANDARDS

SEC. 1302. Section 212(a) of the National Housing Act is amended by inserting after the fifth sentence the following new sentence: "The provisions of this section shall also apply to the insurance of any mortgage under section 242, except that compliance with such provisions may be waived by the Secretary in cases or classes of cases where laborers or mechanics, not otherwise employed at any time on the project, voluntarily donate their services without compensation for the purpose of lowering the costs of construction and the Secretary determines that any amounts thereby saved are fully credited to the nonprofit corporation or association undertaking the construction; and each laborer or mechanic employed on any facility covered by a mortgage insured under section 242 shall receive compensation at a rate not less than one and one-half times his basic rate of pay for all hours worked in any workweek in excess of eight hours in any workday or forty hours in the workweek, as the case may be."

TITLE XIV—HOUSING GOALS AND ANNUAL HOUSING REPORT

REAFFIRMATION OF GOAL

SEC. 1401. The Congress finds that the supply of the Nation's housing is not increasing rapidly enough to meet the national housing goal, established in the Housing Act of 1949, of the "realization as soon as feasible of the goal of a decent home and a suitable living environment for every American family". The Congress reaffirms this national housing goal and determines that it should be met within the next decade by the construction or rehabilitation of twenty-six million housing units, six million of these for low and moderate income families.

ANNUAL HOUSING REPORT

SEC. 1402. The Secretary of Housing and Urban Development shall annually submit to the President and to the Council of Economic Advisers in time to provide basic material for the Economic Report of the President a report of (1) his estimate of the number of standard housing units produced through new construction and rehabilitation, private and public, in the preceding year, (2) his estimate of the number of such units produced for low and moderate income families, (3) his assessment of whether the ten-year housing goal set forth above is being met, (4) his recommendation of the current annual goal to meet the ten-year goal, and (5) his recommendations of the legislative and administrative actions necessary to achieve the ten-year goal.

TITLE XV—MISCELLANEOUS

MODEL CITIES

SEC. 1501. (a) Section 111(a) of the Demonstration Cities and Metropolitan Development Act of 1966 is amended—

(1) by striking out "and" the second time it appears; and

(2) by inserting before the period at the end thereof ", and not to exceed $12,000,000 for the fiscal year ending June 30, 1969".

(b) Section 111(b) of such Act is amended—

(1) by striking out "and" the third time it appears; and

(2) by inserting before the period at the end thereof ", and not to exceed $1,000,000,000 for the fiscal year ending June 30, 1970".

(c) Section 111(c) of such Act is amended to read as follows:

"(c) Any amounts appropriated under this section shall remain available until expended, and any amounts authorized for any fiscal year under this section but not appropriated may be appropriated for any succeeding fiscal year commencing prior to July 1, 1970."

URBAN RENEWAL DEMONSTRATION GRANT PROGRAM

SEC. 1502. (a) Section 314(a) of the Housing Act of 1954 is amended—

(1) by striking out in the first sentence "to public bodies, including cities and other political subdivisions," and inserting in lieu thereof "to public bodies (including cities and other political subdivisions) and nonprofit organizations,";

(2) by inserting after the first sentence the following: "In the case of any such grant to a nonprofit organization, the Secretary shall require that the assisted activities and undertakings are not inconsistent with the program of the local public agency."; and

(3) by striking out in the second sentence "No such grant shall exceed two-thirds of the cost, as determined or estimated by said Secretary, of such activities or undertakings," and inserting in lieu thereof the following: "No such grant shall exceed 90 per centum of the cost, as determined or estimated by the Secretary, of the assisted activities or undertakings,".

(b) Section 314(c) of such Act is amended by striking out "$10,000,000" and inserting in lieu thereof $20,000,000".

AUTHORIZATION FOR URBAN INFORMATION AND TECHNICAL ASSISTANCE SERVICES PROGRAM

Sec. 1503. (a) The first sentence of section 906 of the Demonstration Cities and Metropolitan Development Act of 1966 is amended by striking out "and not to exceed $5,000,000 for the fiscal year ending June 30, 1968" and inserting in lieu thereof "not to exceed $5,000,000 for each of the fiscal years 1968 and 1969, and not to exceed $15,000,000 for fiscal year 1970".

(b) The second sentence of section 906 of such Act is amended to read as follows: "Any amounts appropriated under this section shall remain available until expended, and any amounts authorized for any fiscal year under this section but not appropriated may be appropriated for any succeeding fiscal year commencing prior to July 1, 1970."

ADVANCES IN TECHNOLOGY IN HOUSING AND URBAN DEVELOPMENT

Sec. 1504. (a) Section 1010(d) of the Demonstration Cities and Metropolitan Development Act of 1966 is amended by inserting before the period at the end of the first sentence the following: ", which amounts shall be increased in subsequent fiscal years by such sums as may be necessary".

(b) Section 1010(c) of such Act is amended by striking out "two years" in the second sentence and inserting in lieu thereof "three years".

COLLEGE HOUSING

Sec. 1505. (a) The heading of section 401 of the Housing Act of 1950 is amended by striking out "LOANS" and inserting in lieu thereof "ASSISTANCE IN THE FORM OF LOANS OR ANNUAL GRANTS".

(b) Section 401(a) of such Act is amended to read as follows:

"(a) To assist educational institutions in providing housing and other educational facilities for students and faculties, the Secretary may make loans of funds to such institutions for the construction or purchase of such facilities or may, as an alternative to all or part of the loan (in the case of any such institution), make annual grants to the institution to reduce the cost of its borrowing from other sources for such construction or purchase: *Provided*, That no such assistance shall be provided unless (1) the educational institution involved is unable to secure the necessary funds for the construction or purchase from other sources upon terms and conditions equally as favorable as the terms and conditions applicable to loans under this title, and (2) the Secretary finds that any such construction will be undertaken in an economical manner, and that any such facilities are not or will not be of elaborate or extravagant design or materials."

(c) Section 401(c) of such Act is amended—

(1) by inserting "(1)" after "(c)";

(2) by striking out "of (1)" and "or (2)" and inserting in lieu thereof "of (A)" and "or (B)", respectively; and

(3) by adding at the end thereof the following new paragraph:

"(2) Annual grants to an educational institution with respect to any housing or other educational facilities shall be made over a fixed period not exceeding forty years, and provision for such grants shall be embodied in a contract guaranteeing their payment over such period. Each such grant shall be in an amount equal to the difference between (A) the average annual debt service which would be required to be paid, during the life of the loan, on the amount borrowed from other sources for the construction of such facilities, and (B) the average annual debt service which the institution would have been required to pay, during the life of the loan, with respect to such amounts if the applicable interest rate were the rate specified in paragraph (1): *Provided*, That the amount on which such grant is based shall be approved by the Secretary but in no event shall exceed the total development cost of the facilities."

(d) Section 401(d) of such Act is amended by inserting "(1)" after "(d)", and by adding at the end thereof the following new paragraph:

"(2) There are hereby authorized to be appropriated to the Secretary such sums as may be necessary, together with loan principal and interest payments made by educational institutions assisted with loans made hereunder, for payments on notes or other obligations issued by the Secretary under this section."

(e) Section 401(f) of such Act is amended to read as follows:

"(f)(1) There are hereby authorized to be appropriated to the Secretary such sums as may be necessary for the payment of annual grants to educational institutions in accordance with this section.

"(2) Contracts for annual grants under this section shall not be entered into in an aggregate amount greater than is authorized in appropriation Acts; and in any event the total amount of annual grants which may be paid to educational institutions in any year pursuant to contracts entered into under this section shall not exceed $10,000,000, which amount shall be increased by $10,000,000 on July 1, 1969."

(f) Section 403 of such Act is amended by striking out "the funds provided for in this title in the form of loans" and inserting in lieu thereof "the amount of the funds provided for in this title in the form of loans, and not more than 12½ per centum of the funds provided for in this title for grants."

(g)(1) Section 401(g) of such Act is amended to read as follows:

"(g) Except as otherwise provided in the second paragraph of section 404(b), in the case of any loan which is made under this section to a nonprofit student housing cooperative corporation referred to in clause (5) of section 404(b), or which is obtained from other sources by such a corporation and is the subject of a contract for annual grants entered into under this section, the Secretary shall require that the note securing such loan be cosigned by the educational institution (referred to in clause (1) of such section) at which such corporation is located, and that, in the event of the dissolution of such corporation, title to the housing constructed with such loan will vest in such educational institution."

(2) Clause (3)(B) of section 404(b) of such Act is amended by striking out "of any loan secured under this title" and inserting in lieu thereof the following: "of any loan which is made under section 401, or is the subject of a contract for annual grants entered into under section 401,".

(3) Clause (4) of section 404(b) of such Act is amended by striking out "to obtain loans" and inserting in lieu thereof "to obtain loans or grants".

(4) The second paragraph of section 404(b) of such Act is amended by inserting after "clause (5) of this subsection," the following: "and in the case of any loan which is obtained from other sources by such a corporation and is the subject of a contract for annual grants entered into under section 401,".

(h) Section 404(c) of such Act is amended by inserting before the period at the end thereof the following: "; except that in the case of the purchase of facilities such term means the cost as approved by the Secretary".

(i) The last sentence of paragraph "Seventh" of section 5136 of the Revised Statutes (12 U.S.C. 24) (appearing immediately before the sentence added by section 811 of this Act) is amended by inserting after "the Asian Development Bank" the following: ", or obligations issued by any State or political subdivision or any agency of a State or political subdivision for housing, university, or dormitory purposes,".

HOUSING FOR THE ELDERLY

Sec. 1506. (a) Section 202(a) of the Housing Act of 1959 is amended—

(1) by inserting in paragraph (1) after "corporations," the following: "limited profit sponsors,";

(2) by inserting in paragraph (2) after "(as defined in subsection (d)(2))," the following: "to any limited profit sponsor approved by the Secretary,"; and

(3) by inserting in paragraph (3) after "Secretary" the following: ", except that in the case of other than a corporation, consumer cooperative, or public body or agency the amount of the loan shall not exceed 90 per centum of the development cost".

(b) Section 202(c)(3) of such Act is amended by striking out "full".

(c) Section 202(e) of such Act is amended—

(1) by striking out "prior to the date of enactment of the Housing Act of 1961" and inserting in lieu thereof "prior to July 1, 1967 (whether or not the insurance has actually been granted)";

(2) by inserting "or refinancing" after "financing";

(3) by inserting "foreclosure or" after "avoid"; and

(4) by inserting "tenants or" before "prospective tenants".

FEDERAL-STATE TRAINING PROGRAMS

Sec. 1507. (a) Title VIII of the Housing Act of 1964 is amended—

(1) by inserting after "urban centers," in section 801(b) the following: "and with business firms and associations, labor unions, and other interested associations and organizations,";

(2) by striking out "technical and professional people" in sections 801(b)(1) and 802(a)(1) and inserting in lieu thereof "technical, professional, and other persons with the capacity to master and employ such skills"; and

(3) by inserting after "which has responsibility for community development" in sections 801(b)(1) and 802(a)(1) the following: ", or by a private nonprofit organization which is conducting or has responsibility for housing and community development programs".

(b) Section 805 of such Act is amended by inserting "Guam, American Samoa, the Trust Territory of the Pacific Islands," after "the Commonwealth of Puerto Rico,".

ADDITIONAL ASSISTANT SECRETARY OF HOUSING AND URBAN DEVELOPMENT

Sec. 1508. (a) The first sentence of section 4(a) of the Department of Housing and Urban Development Act is amended by striking out "five" and inserting in lieu thereof "six".

(b) Paragraph (87) of section 5315 of title 5, United States Code, is amended by striking out "(4)" and inserting in lieu thereof "(6)".

INTERNATIONAL HOUSING

Sec. 1509. Section 604 of the Housing Act of 1957 is amended to read as follows:

"Sec. 604. (a) The Secretary of Housing and Urban Development may exchange data relating to housing and urban planning and development with other nations and assemble such data from other nations, through participation in international conferences and other means, where such exchange or assembly is deemed by him to be beneficial in carrying out his responsibilities under the Department of Housing and Urban Development Act or other legislation. In carrying out his responsibilities under this subsection the Secretary may—

"(1) pay the expenses of participation in activities conducted under authority of this section including, but not limited to, the compensation, travel expenses, and per diem in lieu of subsistence of persons serving in an advisory capacity while away from their homes or regular places of business in connection with attendance at international meetings and conferences, or other travel for the purpose of exchange or assembly of data relating to housing and urban planning and development; but such travel expenses shall not exceed those authorized for regular officers and employees traveling in connection with said activities; and

"(2) accept from international organizations, foreign countries, and private nonprofit foundations, funds, services, facilities, materials, and other donations to be utilized jointly in carrying out activities under this section.

"(b) International programs and activities carried out by the Secretary under the authority provided in subsection (a) shall be subject to the approval of the Secretary of State for the purpose of assuring that such authority shall be exercised in a manner consistent with the foreign policy of the United States."

ELIGIBILITY FOR RENT SUPPLEMENT PAYMENTS

SEC. 1510. Notwithstanding any other provision of law respecting the date after which a mortgage must have been approved for mortgage insurance under section 221(d)(3) of the National Housing Act, the Secretary of Housing and Urban Development is authorized to make, and contract to make, rent supplement payments under the provisions of section 101 of the Housing and Urban Development Act of 1965 to the owners of the housing projects known as the 114th Street rehabilitation project and the 114th Street rehabilitation project numbered 2, in New York City, New York (project numbers 012–33501 and 012–33512).

CONSOLIDATION OF LOW-RENT PUBLIC HOUSING PROJECTS IN THE DISTRICT OF COLUMBIA

SEC. 1511. All projects now operated and maintained by the National Capital Housing Authority pursuant to title I of the District of Columbia Alley Dwelling Act are deemed to be low-rent housing projects and may be consolidated, pursuant to section 15(6) of the United States Housing Act of 1937, into any contract for annual contributions covering projects maintained and operated pursuant to title II of the District of Columbia Alley Dwelling Act.

URBAN RENEWAL PROJECT IN GARDEN CITY, MICHIGAN

SEC. 1512. Notwithstanding the date of commencement of construction of the Florence Primary School in Garden City, Michigan, local expenditures made in connection with such school shall, to the extent otherwise eligible, be counted as a local grant-in-aid toward the Cherry Hill urban renewal project (Mich. R–46) for purposes of title I of the Housing Act of 1949.

URBAN RENEWAL PROJECT IN SACRAMENTO, CALIFORNIA

SEC. 1513. Notwithstanding the date of commencement of construction of the storm drainage system in the Capitol Mall Riverfront urban renewal project (Calif. R–67) in Sacramento, California, local expeditures made in connection with such storm drainage system located in that project shall, to the extent otherwise eligible, be counted as a local grant-in-aid toward that project for purposes of title I of the Housing Act of 1949.

SELF-HELP STUDIES

SEC. 1514. (a) Section 207 of the Housing Act of 1961 is amended by inserting after the words "improved means" the following: ", including the study of self-help in the construction, rehabilitation, and maintenance of housing for low-income persons and families and the methods of selecting, involving, and directing such persons and families in self-help activities,".

(b) The Secretary of Housing and Urban Development shall make a report to the Congress, within one year after the date of enactment of this Act, setting forth the results of the self-help studies and demonstrations carried out under section 207 of the Housing Act of 1961, together with such recommendations as he deems appropriate.

EARTHQUAKE STUDY

SEC. 1515. Section 5 of the Southeast Hurricane Disaster Relief Act of 1965 is amended by striking out "three years after the appropriation of funds for this study" and inserting in lieu thereof "June 30, 1969".

HOME OWNERS' LOAN ACT OF 1933

SEC. 1516. (a) Section 5(b) of the Home Owners' Loan Act of 1933 is amended to read as follows:

"(b)(1) An association may raise capital in the form of such savings deposits, shares, or other accounts, for fixed, minimum, or indefinite periods of time (all of which are referred to in this section as savings accounts and all of which shall have the same priority upon liquidation) as are authorized by its charter or by regulations of the Board, and may issue such passbooks, time certificates of deposit, or other evidence of savings accounts as are so authorized. Holders of savings accounts and obligors of an association shall, to such extent as may be provided by its charter or by regulations of the Board, be members of the association, and shall have such voting rights and such other rights as are thereby provided. Except as may be otherwise authorized by the association's charter or regulation of the Board in the case of savings accounts for fixed or minimum terms of not less than thirty days, the payment of any savings account shall be subject to the right of the association to require such advance notice, not less than thirty days, as shall be provided for by the charter of the association or the regulations of the Board. The payment of withdrawals from savings accounts in the event an association does not pay all withdrawals in full (subject to the right of the association to require notice) shall be subject to such rules and procedures as may be prescribed by the association's charter or by regulation of the Board, but any association which, except as authorized in writing by the Board, fails to make full payment of any withdrawal when due shall be deemed to be in an unsafe or unsound condition to transact business within the meaning of subsection (d) of this section. Savings accounts shall not be subject to check or to withdrawal or transfer on negotiable or transferable order or authorization to the association, but the Board may by regulation provide for withdrawal or transfer of savings accounts upon nontransferable order or authorization.

"(2) To such extent as the Board may authorize by regulation or advice in writing, an association may borrow, may give security, and may issue such notes, bonds, debentures, or other obligations, or other securities (except capital stock) as the Board may so authorize."

(b) Section 5(c) of the Home Owners' Loan Act of 1933 is amended—

(1) by striking out "shares" in the first sentence and inserting in lieu thereof "savings accounts or securities"; and

(2) by inserting after the first semicolon in the second proviso the following words: "or in time deposits, certificates, or accounts of any bank the deposits of which are insured by the Federal Deposit Insurance Corporation;".

(c) Section 5(c) of such Act is amended by adding immediately after the second paragraph thereof the following new paragraph:

"Without regard to any other provision of this subjection, but subject to such prohibitions, limitations, and conditions as the Board may by regulation prescribe, any such association may make and invest in—

"(A) any loan not exceeding $5,000 for the repair, equipping, alteration, or improvement of any real property, or

"(B) any loan for the purpose of mobile home financing."

(d) Section 5(c) of such Act is amended by adding at the end thereof a new paragraph as follows:

"Any such association may invest in loans, or interests in loans secured by loans, obligations, or investments in which it has any statutory authority to invest directly."

FEDERAL HOME LOAN BANK ACT

SEC. 1517. Section 12 of the Federal Home Loan Bank Act, as amended (12 U.S.C. 1432), is amended by inserting "(a)" after "SEC. 12.", and by adding at the end thereof a new subsection as follows:

"(b) Subject to such regulations as may be prescribed by the Board, one or more Federal home loans banks may acquire, hold, or dispose of, in whole or in part, or facilitate such acquisition, holding, or disposition by members of any such bank of, housing project loans, or interests therein, having the benefit of any guaranty under section 221 of the Foreign Assistance Act of 1961, as now or hereafter in effect, or loans, or interests therein, having the benefit of any guaranty under section 224 of such Act, or any commitment or agreement with respect to such loans, or interests therein, made pursuant to either of such sections."

TECHNICAL AMENDMENTS

SEC. 1518. (a) Section 110(c) of the Housing Act of 1949 is amended by striking out "paragraphs (7), (8), and (9)" in the second unnumbered paragraph following the numbered paragraphs and inserting in lieu thereof "paragraphs (7), (8), (9), and (10)".

(b) Section 110(d) of the Housing Act of 1949 is amended by striking out "clauses (2), (3)" and inserting in lieu thereof "clauses (2), (3), (7)".

(c) Section 110(e) of the Housing Act of 1949 is amended by striking out "and (9)" in clause (1) and inserting in lieu thereof "(9), and (10)".

(d) Section 1101(c)(3) of the National Housing Act is amended by inserting "from the beginning of amortization of the mortgage" immediately after "twenty-five years".

(e) Section 213(o) of the National Housing Act is amended by adding at the end thereof four new sentences as follows: "Moneys in the Cooperative Management Housing Insurance Fund not needed for current operations of the fund shall be deposited with the Treasurer of the United States to the credit of the Cooperative Management Housing Insurance Fund or invested in bonds or other obligations of, or in bonds or other obligations guaranteed as to principal and interest by, the United States. The Secretary may, with the approval of the Secretary of the Treasury, purchase in the open market debentures which are the obligations of the Cooperative Management Housing Insurance Fund. Such purchases shall be made at a price which will provide an investment yield of not less than the yield obtainable from other investments authorized by this subsection. Debentures so purchased shall be canceled and not reissued."

(f) Section 810(e) of the National Housing Act is amended—

(1) by striking out "private corporation, association, cooperative society, or trust" in the first sentence and inserting in lieu thereof "mortgagor approved by the Secretary", and

(2) by striking out "corporation, association, cooperative society, or trust" in the third and fourth sentences and inserting in lieu thereof "mortgagor".

(g) Section 220(d)(2)(B) of the National Housing Act is amended by striking out "corporations restricted by" and inserting in lieu thereof "corporations or other legal entities restricted by or under".

The SPEAKER. The question is on the motion offered by the gentleman from Texas [Mr. PATMAN].

The motion was agreed to.

The Senate bill was ordered to be read a third time, was read a third time and passed, and a motion to reconsider was laid on the table.

A similar House bill (H.R. 17989) was laid on the table.

APPOINTMENT OF CONFEREES ON S. 3497, HOUSING AND URBAN DEVELOPMENT ACT OF 1968

Mr. PATMAN. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (S. 3497) to assist in the provision of housing for low- and moderate-income families, and to extend and amend laws relating to housing and urban development, insist on the House amendment, and request a conference with the Senate thereon.

The SPEAKER. Is there objection to the request of the gentleman from Texas? The Chair hears none, and appoints the following conferees: Messrs. PATMAN, BARRETT, Mrs. SULLIVAN, Messrs. REUSS, ASHLEY, MOORHEAD, WIDNALL, Mrs. DWYER, and Mr. BROWN of Michigan.

GENERAL LEAVE

Mr. PATMAN. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to extend their remarks and include extraneous material on the bill just passed.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

FURTHER MESSAGE FROM THE SENATE

A further message from the Senate by Mr. Arrington, one of its clerks, announced that the Senate insists upon its amendments to the bill (H.R. 12120) entitled "An act to assist courts, correctional systems, and community agencies to prevent, treat, and control juvenile delinquency; to support research and training efforts in the prevention, treatment, and control of juvenile delinquency; and for other purposes," disagreed to by the House; agrees to the conference asked by the House on the disagreeing votes of the two Houses thereon, and appoints Mr. CLARK, Mr. RANDOLPH, Mr. NELSON, Mr. JAVITS, and Mr. PROUTY to be the conferees on the part of the Senate.

The message also announced that the Senate disagrees to the amendments of the House to the bill (S. 3418) entitled "An act to authorize appropriations for the fiscal years 1970 and 1971 for the construction of certain highways in accordance with title 23 of the United States Code, and for other purposes," requests a conference with the House on the disagreeing votes of the two Houses thereon, and appoints Mr. RANDOLPH, Mr. GRUENING, Mr. JORDAN of North Carolina, Mr. BAYH, Mr. YOUNG of Ohio, Mr. COOPER, Mr. FONG, and Mr. JORDAN of Idaho to be the conferees on the part of the Senate.

MARITIME AUTHORIZATION—CONFERENCE REPORT

Mr. LENNON filed a conference report and statement on the bill (H.R. 15189) to authorize appropriations for certain maritime programs of the Department of Commerce.

LEGISLATIVE PROGRAM

Mr. GERALD R. FORD. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. GERALD R. FORD. Mr. Speaker, I have asked for this time to ask the distinguished majority leader about the program for tomorrow and the remainder of the week.

Mr. ALBERT. Mr. Speaker, will the gentleman yield?

Mr. GERALD R. FORD. I yield to the gentleman.

Mr. ALBERT. In response to the inquiry of the minority leader, we have three conference reports to be called up as the first order of business tomorrow, as follows:

First, the Department of the Interior appropriations; second, the International Claims Settlement Act; and third, the Military Construction Authorization Act.

We will then proceed to the consideration of the bill S. 3293, the Defense Procurement Authorization Act, fiscal year 1969, which is under a 2-hour rule.

On Friday, we have scheduled H.R. 15758, to amend the Public Health Service Act. We intend to finish that bill.

There may be additions to Friday's program tomorrow. We are moving over until next week the following:

First, the foreign aid bill; and second, the State Firearms Control Assistance Act of 1968.

Mr. GERALD R. FORD. I thank the distinguished majority leader.

THE REVEREND FAUNTROY SHOULD RESIGN

Mr. ABERNETHY. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous material.

The SPEAKER. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

Mr. ABERNETHY. Mr. Speaker, the people of this city—in fact, of the entire country, are tremendously shocked with the statement that was issued by the so-called Black United Front of the District of Columbia following the assassination of a Washington Metropolitan policeman and the shooting of another by a Negro killer.

Many people in the community are wondering what is going to be the future for this city in the light of this kind of barbarism and the approval of such by a substantial segment of the city's population, the so-called Black United Front, a Negro organization. The general public is most concerned about the Front's statement, as indeed are the police whose dedication to this city is unquestioned. The police are tremendously concerned. It is just beyond all imagination that a statement as issued by the Black Front could come from what is supposed to be a group of civilized people.

Associated with this front is another black man by the name of Fauntroy. Although a more irresponsible statement was never uttered during the entire history of the American civilized society, Fauntroy refuses to disassociate himself from the organization. This man Fauntroy is also a member of the City Council of the District of Columbia city government. In fact, he holds the high and supposed-to-be respected position of Vice Chairman of the Council. He is an appointee of the President of the United States. I would presume that President Johnson had great faith in this man when he appointed him to the high position that he holds. Whether the President's faith has been shaken by Fauntroy's conduct is unknown, for up to now no utterances have come from the White House, either condemning the statement or condemning Fauntroy for his membership in the organization responsible for the statement. The general public is anxiously awaiting the President's view on the conduct of Fauntroy.

Mr. Speaker, it may not be for me to say or suggest to the President what he ought to do, but it is for me to complain about the conduct of the kind of people who made up the Black Front. I just cannot help but feel that it is all right with the President for us to speak out on the irresponsibility of any of his appointees whose conduct, views, policy, and philosophy are not in keeping with a civilized society. I have friends and neighbors in this city, all of whom are shocked beyond comprehension, who have asked of me what I was going to do. I regret I had to tell them I knew of nothing I could do since Fauntroy was neither sponsored nor appointed by me, but on the contrary is a sponsor and appointee of the President of the United States.

Since the President of the United States has placed this man in this high and responsible position in the District of Columbia's government, and since the bulk of the citizens of the District are concerned about him, I do hope the President will take some action and express some opinion as to whether or not it will be the policy of his administration to continue this kind of a man as a part of the official family of the District government.

In recent months the President has issued many calls for law and order. In support of such he has recommended the passage of legislation of various and sundry kinds. He has appointed commissions to investigate disorder and violence. This all will appear rather hollow unless we hear something from the White House on the statement of the United Black Front and the President's appointee, Reverend Fauntroy.

I might also say there is concern among the citizens of this area, over the fact that the Democratic National Committeeman for the District of Columbia joined in the statement of the United

Black Front expressing justification for the brutal shooting of the two policemen. If he is speaking for the Democratic Party of the District of Columbia, then the District Democratic organization ought to be reorganized and deodorized. I just cannot believe that the District Democratic organization will now put the name of this man Phillips in nomination as a favorite son candidate at the Democratic Convention. But this is what I have read. Surely they will not do such.

Mr. HALL. Mr. Speaker, will the gentleman yield?

Mr. ABERNETHY. I will be glad to yield to the gentleman from Missouri in just one moment.

I believe this Black Front man is known as the Reverend Channing Phillips. I have no idea what control or authority the National Democratic Committee would have over Reverend Phillips; but if it has any at all then the time has come to put some wheels of action in motion.

Again I say, Mr. Speaker, the people of the District are listening and waiting. And so are the Metropolitan Police.

I am now happy to yield to the gentleman from Missouri.

Mr. HALL. Mr. Speaker, I thank the gentleman for yielding. I simply wanted to provide the name of the so-called Rev. Channing Phillips to the gentleman in the well.

Mr. Speaker, I certainly agree with the statement made by the gentleman from Mississippi.

Mr. Speaker, a few days ago the newly elected Democrat national committeeman, the Reverend Channing Phillips, joined in a statement issued by the Black United Front of the District of Columbia, calling the slaying of a "honky cop" a case of justifiable homicide.

It is inconceivable to me that this racist statement by one of the top elected officials of the National Democrat Party has not been repudiated by the chairman of the Democrat National Committee, by President Johnson or, to my knowledge, by any of the leading contenders for the Democrat Party's presidential nomination. Considering that Reverend Phillips' name, according to news reports, will be nominated as a "favorite son" candidate for the Democrat presidential nomination at Chicago, I cannot understand how the chairman of the Democrat National Committee would allow such a statement to stand, in view of its contribution to the continuing breakdown of law and order in America. I have, therefore, today written a letter to Chairman John Bailey calling upon him to state in no uncertain terms that the Democrat National Committee disassociate itself completely from this statement by one of its elected officials, and to take such other action as he may see fit. A copy of my letter to Chairman Bailey follows:

Congress of the United States,
House of Representatives,
Washington, D.C., July 10, 1968.

Mr. John Bailey,
Chairman,
Democrat National Committee,
Washington, D.C.

Dear Mr. Bailey: Last week the Reverend Channing Phillips, newly elected Democrat National Committeeman from the District of Columbia, joined in a statement issued by the Black United Front of Washington, D.C., calling the slaying of Washington Policeman Stephen A. Williams a case of "justifiable homicide", and referring to the slain officer as a "honky cop."

It is inconceivable to me that the leaders of the Democrat Party including yourself, President Johnson and the other Democrat candidates for the Presidential nomination would be so awed by the D.C. delegations' vote that none would condemn in no uncertain words a statement so vicious in tone as to shock every law abiding citizen in the Nation's Capital.

News reports indicate that Reverend Phillips name will be placed in nomination at Chicago as a "favorite son" candidate from the District of Columbia, and in this capacity he may well control the votes of the D.C. Democrat delegation. Yet it surely would be a "profile of uncourage" were Democrat Party leaders to shy away from this issue in deference to the power of a few votes at a National Convention.

I, therefore, call upon you as the Chairman of the Democrat National Committee to indicate whether the President's call for respect for law is merely an empty phrase or whether those who abuse this respect will be disciplined regardless of their power or standing in either political party.

Sincerely,

Durward G. Hall,
Member of Congress.

Mr. ABERNETHY. I thank the gentleman for his comments.

Mr. Speaker, I ask unanimous consent to include in the Record, as a part of my statement, a statement by the Police Association of the District of Columbia on this subject.

The SPEAKER. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

Statement of Policemen's Association of the District of Columbia

The members of the Policemen's Association of the District of Columbia have demanded that we issue a statement of our position in answer to the outrageous and ill-tempered resolution adopted by the Black United Front calling the execution of Officer Stephen Williams justifiable homicide. Our members are particularly incensed by the fact that the Vice Chairman of the City Council of the District of Columbia, Walter E. Fauntroy, a member of the Black United Front, has not repudiated the resolution.

The resolution was adopted by 150 militants and reached the front page of every newspaper in the City of Washington. It was not only a condemnation of the policeman who lost his life and of the other man who lies critically wounded and paralyzed in the hospital, but it was an effort to condemn the police department and all of its members. No decent law abiding citizen of any ethnic background can condone the execution of a policeman in cold blood while performing his duty as justifiable homicide. Therefore, the least that we can expect is to have a full and forthright repudiation, not only of the resolution but of its intendment. This Reverend Fauntroy has refused to do.

As a matter of fact, Reverend Fauntroy in his statement from the pulpit and to the press in condemning all killings has been critical of the police when they have found it necessary to use their guns in protection of their lives and the lives of others. For the death of Private Stephen Williams, three persons face criminal charges. A resolution such as adopted by the Black United Front and concurred by Reverend Channing Phillips constitutes undue interference with the administration of justice. This alone was sufficient for Reverend Fauntroy, as a member of the governing body of the District of Columbia, sworn to uphold and enforce the laws, to repudiate not only the resolution but the action of the Black United Front just as Mayor Washington and Public Safety Director Patrick Murphy did. This is the least that can be expected from a responsible official of the District of Columbia.

Moreover, Reverend Fauntroy in his statements has morally condemned the actions of members of our police department who have been compelled to take a life while carrying out their sworn duties. He has stated that such killings is not justifiable. How can a responsible official of the District Government override the decisions of the coroner's jury and the grand jury which in each case heard evidence and under the law made a decision. Or would Reverend Fauntroy, like his militant comrades, have our policemen walk the streets as targets for every discontented rabel rousing militant to shoot at. If this is what he wants, where are we to get recruits?

Therefore, we believe that his serving as Vice Chairman of the District of Columbia City Council and his continued affiliation with some other organizations represents a definite conflict of interest to the overall good and welfare of the city and we request that the President of the United States, the Mayor and other responsible persons to join with us in immediately calling for the resignation of Reverend Fauntroy from the City Council. We further request that the National Democratic Committee take appropriate action to the remarks made by Reverend Channing Phillips.

Our association has nothing but praise and admiration for our Mayor, Chief of Police and our Public Safety Director, in the statements they have made and support they have given us in this ordeal. We are hopeful that prompt action will be taken by the President of the United States with reference to the Vice Chairman, Reverend Fauntroy. We are convinced that the President in his recent messages meant what he said we must have law and order and make our Nation's Capitol a model city.

I CANNOT CONDONE CIVIL DISOBEDIENCE

Mr. HULL. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include a sermon.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. HULL. Mr. Speaker, probably the most ominous and dangerous problem facing our Nation today is the lawlessness which stalks the streets of America.

Condoning and even encouraging lawlessness and acts of civil disobedience by many persons, including some religious and educational leaders, gives us grave cause for concern.

For this reason, I find a recent sermon by the Reverend Arthur C. Fulbright both timely and sensible. Dr. Fulbright, minister of the First United Methodist Church in St. Joseph, Mo., examines with great perception the problem of civil disorder and the proper role of the religious leader.

Under leave to extend my remarks, I include Dr. Fulbright's excellent sermon:

Sermon: "I Cannot Condone Civil Disobedience!"

(A sermon preached by the Reverend Dr. Arthur C. Fulbright at the First United Methodist Church, St. Joseph, Mo., June 30, 1968)

"Remind them to be submissive to rulers and authorities, to be obedient, to be ready for any honest work, to speak evil of no one, to avoid quarreling, to be gentle, and to show perfect courtesy toward all men." *Titus 3:1–2* (*R.S.V.*)

I am not a racist. I am for the economic, social, educational, and moral betterment of all down-trodden, poverty-stricken, and discriminated-against people and want The United Methodist Church to do everything she can for them!!! *I want to see the unemployed—employed!!!* I am for fair housing. I believe in equal opportunities for an education and first-class citizenship for *all Americans* regardless of their color or race!!! *However, let it be known*: That the main purpose of The Christian Church, especially The United Methodist Church, is to win souls for our Lord Jesus Christ!!! The tradition of the United Methodist witness is to spread Scriptural holiness throughout the world. We are losing our tradition by thinking that the Kingdom of God can come about by the spreading of social and economic pacification. From here on we are going to be so busy trying to run the White House, the State House, the Court House and the Poor House, we will have little time left to minister to "that house not made with hands, eternal in the heaven".

Now, let me make clear that I am not averse to what social, economic, and political uplift the church can offer our so-called sick society today. I lament the complete shift in emphasis—away from what has been the chief mission of the church, that of winning souls. Certainly, I am not opposed to the application of the glorious Gospel to social problems, but I am opposed to The United Methodist Church becoming a "Socialistic Society" rather than the Church of Jesus Christ.

I still believe the major role of the Church is to infuse the Holy Spirit of God into all segments of society through the Christians who have influence in those segments of society. Modern social engineers are not going to devise a better social order without making better, more responsible men and women and that can be done only through the Christian evangelization of men and women. *Psychologists, psychiatrists, educators and churchmen as such, are not going to make better people without the spiritual motivations, disciplines and resources of religion!!!* Oh, I fear some of our Christian leaders have forgotten that!!!

If individual conscience is the determinant for "Civil Disobedience", how easy it is for any person bent on disobeying some law to rationalize his specific case as "an extreme case". That young man who assassinated Senator Robert Francis Kennedy, or anybody else in that state of mind, could do it!!!

I cannot believe any person has the right to determine which civil laws he will obey and which he will not obey—even if he believes certain laws are unjust and unconstitutional!!! This is my conviction: "Ministers of Christ these days feel many pressures from extremist groups and individuals inside and outside the church. None is more keenly felt than that of counseling young men to resist the draft. As all of you know, I am neither a war-monger—nor a pacifist. I am a Christian!!! I am an American and love my country!!! Although I loathe war as a means of settling international disputes (and no one hopes and prays any more earnestly than I that the Vietnam War will soon come to a halt and a just and lasting peace will settle over Southeast Asia and all parts of the world), *I can never counsel any person to resist the draft or engage in any other activity that I consider not only un-American but downright seditious.* If draft laws are unjust, let us resort to legal and orderly processes of changing them, but let us never degrade ourselves by engaging in or encouraging others to engage in any form of civil disobedience! Neither will I do it, no matter who seeks to coerce me, nor will I tolerate any other person who does it, whatever the personal consequences."

There are violent elements in our society who have no scruples against breaking the law. They need so little excuse to lie, steal and pillage. Much of the looting during the recent riots in this country was done not by people demonstrating for a cause but by moral degenerates who used the demonstrations to get things they wanted. Breaking a law caused them no compunction of conscience. They would do that any day and every day—as often as the opportunity presented itself.

Now, here some of our Christian leaders come along and naively encourage such people by implying that there are times and situations in which one is justified in breaking or ignoring a law. *And don't think there are not people and forces at work feeding the gullibles such mis-mash of disrespect and contempt for law and order!!!*

Therefore, all they, the degenerates know is that even church people think it justifiable to break laws—what kind of laws or on what level one breaks them, is of little importance to the degenerates, in their scale of values. We actually have young Ministers of all Faiths engaged in campus ministries—church trained, church ordained, and church financed men—who seem to think their Christian duty on the campus is to incite unrest, agitate dissidence, encourage draft resistance, and condone civil diobedience. And apparently they are not going to stop it until we cut off their financial support and force them to desist. *Historians of the future, I fear, are going to write one dark and dismal chapter on how the Church of Jesus Christ in eight short years worked her way through tolerance and permissiveness to encouragement of elements in our society that would destroy civilization through the breakdown of law and order!!!*

Now an added word—prompted by that terrible tragedy of this past month, the assassination of Senator Robert Francis Kennedy. Without going off the deep-end and making rash accusations, I am certain that when you have a continuous uproar of violent and nonviolent demonstrations, political pressures, economic demands, draft resistance and civil disobedience, however just the causes may be deemed, and naive encouragement of such by church groups, instead of resorting to the orderly processes of righting wrongful conditions in our society, you will get these off-shoot individual incidents—assassinations, arson and looting, because this kind of social revolution spawns and triggers them. It creates the moral climate for them. And when they occur, all one can hear is the lamenting of our sick society and these poor mentally deranged people who perpetrate such cowardly deeds!!!

Of course, there is a mental illness. There are deranged minds—Why?!!! *Because there are moral degenerates!!!* And why are there moral degenerates?!!! I know this sounds like an over-simplification, and there are many who will immediately call it that, but, my friends, *we have moral degenerates, and socially maladjusted and mentally confused people, because we have too many spiritually-empty, un-regenerated hearts in an unregenerated society!!!* And the modern church, compromising with and genuflecting before a secular and lawless society, must assume her part of the blame!!!

I maintain the Church of Jesus Christ is here for one major mission—To Seek to Redeem Human Hearts Through the Power of God in Jesus Christ!!! And when we regenerate human hearts, we will be helping to regenerate the whole of society.

We as a church must assume our share of the blame and humiliation for every riot, every burning, every assassination, when we encourage any form of civil disobedience. We would be wise to return to the Sacred Scripture and heed its admonition:

"Remind them to be submissive to rulers and authorities, to be obedient, to be ready for any honest work, to speak evil of no one, to avoid quarreling, to be gentle, and to show perfect courtesy toward all men." Titus 3:1–2 (R.S.V.)

Amen!!!

BILL TO CURB DREDGING OPERATIONS IN NATION'S LAKES AND RIVERS

Mr. ASHLEY. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. ASHLEY. Mr. Speaker, today I have been joined by 112 House Members representing 26 States from Maine to Hawaii in sponsoring a bill to curb dredging operations which contribute to the worsening pollution of many of our Nation's lakes and rivers.

Specifically, this bipartisan measure is aimed at prohibiting the Department of the Army from dumping or approving the dumping of spoil material from dredging operations into any navigable water unless the Secretary of the Interior shall first determine that to do so will not result in the pollution of such water.

Unfortunately, Mr. Speaker, this legislation has become necessary because the Corps of Engineers, in violation of both international agreement and the national objective of cleaning up our rivers and lakes, continues to dispose annually of tens of millions of cubic yards of highly polluted dredged materials in open water disposal areas instead of making use of land fill or consignment to diked disposal areas.

Lake Erie, the most vulnerable of the Great Lakes to pollution, illustrates the lethal consequences of allowing this kind of Federal pollution activity to continue.

Last year—1967—U.S. Government dredging projects at 14 Lake Erie harbors produced a total of 7,671,000 cubic yards of polluted dredged material. Of this total, 5,438,000 cubic yards were dumped at so-called authorized disposal areas in Lake Erie.

For 1968, also according to data received from the Office of the Chief of Engineers, Government dredging at the same harbors is expected to produce 7,015,000 cubic yards of spoil material, virtually all of it polluted. Of this total, 5,302 cubic yards are planned for open-lake disposal.

In 1967, 2.2 million cubic yards of Government dredged spoil material were consigned to diked area disposal. For 1968, the amount of polluted material resulting from Government dredging that will be consigned to diked areas is expected to be only 1.7 million cubic yards.

What this means, quite clearly, is that about 71 percent of the polluted material resulting from Federal dredging activities in 1967 was dumped into Lake Erie as against 29 percent that was properly diked, and that in 1968 unlawful open-lake dumping is expected to increase to more than 75 percent, as against only 25 percent that will be diked.

Disposal of materials dredged from harbors and waterways under permits issued by the Corps of Engineers has also contributed directly to the pollution of Lake Erie.

In 1967, such permit dredging accounted for 185,000 cubic yards of dredged material, all of which was polluted and all of which was dumped in open lake disposal areas. In 1968, contract dredging pursuant to permit issued by the Corps of Engineers has already more than doubled and 348,000 cubic yards of additional polluted materials have been added to Lake Erie waters so far this year. These figures, of course, do not include the large number of applications presently pending approval or expected to be filed for permit dredging this summer and fall.

These dredging activities are clearly in violation of the law which exists pursuant to a treaty entered into by the United States and Canada in 1909 which specifically provides that "boundary waters and waters going across the boundary shall not be polluted on either side to the injury of health or property on the other."

The treaty establishes an order of preference with respect to various uses of these boundary waters, with water for domestic and sanitary purposes having highest priority, followed next by water used for navigation, then water for power and irrigation.

Although completely contrary to the prohibition against pollution and the established priorities for water use, the Department of the Army takes the position, as stated in a letter to me dated May 3, 1968, that:

> Because of severe economic hardship . . . and because no disposal areas other than the authorized deep water areas of Lake Erie are now available, it has been determined that dredging in 1968 must be done and that the dredged material disposed in the Lake.

Although fully aware that the spoil material thus consigned for Lake disposal is bound to result in further pollution, the letter concludes with the assurance:

> The Corps of Engineers will continue its efforts, in coordination with FWPCA and State authorities, to construct and maintain harbors in consonance with the national objective of cleaning up our rivers and lakes and at the lowest possible cost.

The undisputed fact is that the corps is not maintaining harbors on Lake Erie in consonance with the national objective of cleaning up our rivers and lakes. What it is doing is dredging at the lowest possible cost by "authorizing" so-called deep water disposal areas along the entire U.S. shoreline of Lake Erie—areas which it has no right to authorize and which, in point of fact, are both shallow and in many cases in immediate proximity to municipal water intakes serving hundreds of thousands of people.

All of this suggests, in the strongest possible terms, that the final decision with respect to Federal dredging and the issuance of dredging permits, where the material to be disposed of has been found to be polluted, should rest with the Secretary of the Interior rather than the Secretary of the Army. Under a July 13, 1967, agreement between the Secretaries of these two Departments, the Secretary of the Army is given the authority to evaluate the economic advantages and benefits of a proposed dredging operation in relation to resultant loss or damage, including violations of applicable water quality standards, and to either deny the permit or include such conditions as he determines to be in the public interest.

If our lakes and waterways are to be saved, Mr. Speaker, strong pollution abatement enforcement should not be subject to a waiver based upon temporary economic convenience or advantage. Activity which contaminates the water upon which our very lives are dependent must be outlawed and uniform enforcement be placed in the hands of the agency having primary responsibility for establishing water quality standards and seeing that they are met.

Finally, Mr. Speaker, the confidence, support and commitment of our citizenry in fighting pollution and achieving a national goal of clean water can be sustained only if the Federal Government takes the leadership in protecting rather than polluting our water resources.

It is heartening that so many Members of Congress from every part of the country are of one mind in insisting upon responsible Federal policy in this area of mounting national concern.

In the final analysis, we can hardly expect credibility or cooperation in combating pollution as long as the Federal establishment says one thing and does the opposite.

Mr. Speaker, following is a list of those who have joined in introduction of this much needed legislation:

Messrs. Addabbo, of New York; Annunzio, of Illinois; Arends, of Illinois; Ayres, of Ohio; Barrett, of Pennsylvania; Betts, of Ohio; Bingham, of New York; Blatnik, of Minnesota; Bow, of Ohio; Brademas, of Indiana; Brown, of Ohio; Burton, of California; Button, of New York; Byrne, of Pennsylvania.

Messrs. Clark, of Pennsylvania; Cleveland, of New Hampshire; Cohelan, of California; Collier, of Illinois; Conyers, of Michigan; Corman, of California; Culver, of Iowa; Daddario, of Connecticut; Daniels, of New Jersey; Derwinski, of Illinois; Diggs, of Michigan; Dingell, of Michigan; Dow, of New York; Dulski, of New York; Eckhardt, of Texas; Erlenborn, of Illinois.

Messrs. Farbstein, of New York; Feighan, of Ohio; Findley, of Illinois; William D. Ford, of Michigan; Fraser, of Minnesota; Gallagher, of New Jersey; Gettys, of South Carolina; Gibbons, of Florida; Gray, of Illinois; Mrs. Green, of Oregon; Mr. Green, of Pennsylvania; Mrs. Griffiths, of Michigan; Messrs. Halpern, of New York; Hathaway, of Maine; Hays, of Ohio; Hechler, of West Virginia; Holifield, of California.

Messrs. Irwin, of Connecticut; Karth, of Minnesota; Kastenmeier, of Wisconson; Kyros, of Maine; Latta, of Ohio; Lukens, of Ohio; McCarthy, of New York; McFall, of California; Matsunaga, of Hawaii; Michel, of Illinois; Minshall, of Ohio; Mize, of Kansas; Monagan, of Connecticut; Moorhead, of Pennsylvania; Morgan, of Pennsylvania; Mosher, of Ohio; Moss, of California; Murphy, of Illinois; Murphy, of New York; Nedzi, of Michigan; Nix, of Pennsylvania.

Messrs. O'Hara, of Illinois; O'Hara, of Michigan; O'Konski, of Wisconsin; Ottinger, of New York; Patten, of New Jersey; Pepper, of Florida; Price, of Illinois; Pucinski, of Illinois; Randall, of Missouri; Rees, of California; Reuss, of Wisconsin; Rhodes, of Pennsylvania; Riegle, of Michigan; Rodino, of New Jersey; Rogers, of Colorado; Rooney, of Pennsylvania; Rosenthal, of New York; Rostenkowski, of Illinois; Roush, of Indiana; Rumsfeld, of Illinois; Ryan, of New York.

Messrs. St Germain, of Rhode Island; St. Onge, of Connecticut; Shipley, of Illinois; Smith, of Iowa; Stanton, of Ohio; Steiger, of Wisconsin; Stephens, of Georgia; Stratton, of New York; Mrs. Sullivan, of Missouri; Messrs. Tenzer, of New York; Thompson, of New Jersey; Udall, of Arizona; Vanik, of Ohio; Vigorito, of Pennsylvania; Waldie, of California; Whalen, of Ohio; White, of Texas; Williams, of Pennsylvania; Wolff, of New York; Wylie, of Ohio; Yates, of Illinois; Zablocki, of Wisconsin; Zwach, of Minnesota.

THE GAP IN MAIL-ORDER GUN CONTROL

Mr. NIX. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. NIX. Mr. Speaker, on Tuesday, July 9, I had forwarded to each Member's office a copy of the hearings held by my Subcommittee on Mail Order Gun Control, Tuesday, July 2. The hearings were held and evidence gathered to support an amendment I intend to offer when the Celler gun control bill comes to the floor for a vote. My amendment would bar all firearms from the U.S. mail whether mailed in interstate commerce or within State boundaries. A rifle mailed from Philadelphia to Pittsburgh can do as much damage as one mailed from New York to Philadelphia. My amendment would plug up the gap in the present bill allowing mailing of rifles intrastate.

H.R. 17735, the Celler gun control bill is based on interstate regulation. However, since the Post Office Department is a Federal facility, the intrastate mail shipment of rifles can be banned as well. This gap covering intrastate mailings developed because of the differing jurisdiction of our two committees, House Judiciary and Post Office and Civil Service.

I think it is necessary to end the shipment of firearms by mail. Pistols and revolvers are already nonmailable and my amendment, which will change the wording of 18 United States Code 1715 by striking the words "capable of being concealed on the person", will make all firearms, including rifles, nonmailable. This is a necessary change.

I do not think we have to look any

further than the back cover of the hearing record on mail order gun control that has been sent to each Member. Members will find a copy of an advertisement from one of our gun magazines for the .45 caliber Spitfire carbine. This weapon is a submachinegun. It can be fired like a machinegun and the Internal Revenue Service on July 7 applied the machinegun designation to this weapon manufactured and distributed by a Phoenix, Ariz., company. The sellers of this weapon must now buy a $200 tax stamp. Thousands of these weapons are already scattered around the country.

What possible use does a hunter have for a machinegun? It cannot be that the hunters of America are so afraid of the deer and the antelope that they require this kind of protection. A British carbine described as "everybody's favorite" is sold complete with bayonet and flash hider, presumably to protect a British soldier in the jungle from being detected by enemy troops by the gun flash. What use is a flash hider to a hunter? Are some of our hunters afraid that the deer will shoot back? The back cover sheet of the hearing record also describes a pellet gun that fires bullet-shaped pellets, and which cannot be sold in New York City, for $1.98, and at such a price could become the favorite of the eighth grade. Pellet guns are sometimes capable of firing a pellet through a board or a man. What damage this one can do to a human being is not described in the advertisement. But the weapon is an exact replica of a Luger pistol used by the Nazis in World War II and could certainly be used for holdups in a very convincing manner, and probably without involving the offender in a robbery with a firearm, since it is a pellet gun.

I say enough is enough. All of these weapons have to be barred from the mail. My amendment is a step in that direction. The Celler bill, H.R. 17735, is an even greater step and in the future we must have gun registration. I ask for your support for my amendment barring weapons from intrastate mailings. The gun dealers know that without this amendment that all they have to do is decentralize their operations on a State by State basis. It would be simple for them to mail their orders to a set of 50 different warehouses, one in each State. They would still be operating interstate *and merely be put in the position of* having to mail guns intrastate while their invoices and orders were mailed interstate. Mr. Speaker, I have several newspaper clippings which set out the firearms danger:

[From the Philadelphia Evening Bulletin, *July 2, 1968*]

REPRESENTATIVE NIX ASKS TOTAL BAN ON GUNS IN MAIL

(By Lawrence M. O'Rourke)

WASHINGTON.—Rep. Robert N. C. Nix (D-Phila) today called for a total ban on gun shipment by mail.

Nix, presiding over a meeting of a House Post Office subcommittee, said that gun control is "as old in the United States as the covered wagon and the frontier sheriff's edict that guns would not be worn in town."

Nix, whose district includes north-Central and part of West Philadelphia, said gun control "is one of the prices we must pay for a civilized society."

NOTES ADVERTISEMENTS

He put into the record a number of gun advertisements culled from various men's magazines.

He said American Rifleman, the magazine of the National Rifle Association, carried an ad for "everybody's favorite, the British carbine No. 5."

Nix said that for $39 the weapon comes "complete with flash eliminator so that enemy troops cannot fire back by sighting in on the flash."

WHAT USE TO HUNTER?

"What use this is to a hunter," Nix said, "is unrecorded unless there are those hunters who fear that the deer are going to shoot back."

Also on sale by mail order, Nix said, are bayonets. He questioned the value of a bayonet to a hunter.

The Johnson Administration bill would stop gun merchants and others from using the mails to ship weapons between states. The power is said to be based on the authority Congress has under the Constitution to control interstate commerce.

COMPLETE CLOSURE

Nix's bill would close the U.S. mails completely to gun shipments. He said that under the Administration bill, a large dealer could open a branch office in every state, and refer all purchase forms to the office within the state of the would-be purchaser.

Nix said gun shipments could continue to be handled by private shippers, but this would raise the cost of and perhaps be more cumbersome than the U.S. mail.

An aide said the congressman has received demands for strict gun control laws from about 5,000 persons, including 2,000 on a petition orginated in Philadelphia.

Against this, the spokesman said, were 14 letters against stronger gun control laws.

CALLS FOR MORE LAW

Nix said nothing in the Administration law prevents gun merchants from "arming the Ku Klux Klan, the Minutemen and the Blackstone Rangers, or anyone else at cut-rate prices."

Nix said there "should be more law if we are to have order.

"Pointing our fingers at the poor in the ghettos and cursing poverty won't end disorder. We have to have the courage to do some very simple things. The distribution of deadly weapons is one service the U.S. mails should not provide."

[From the New York Times, July 8, 1968]

SPITFIRE CARBINE IS ORDERED TAXED—WEAPON TO BE REGISTERED UNDER FIREARMS ACT

WASHINGTON, July 7.—The registration provisions of the National Firearms Act were applied today *to a .45-caliber carbine that can be fired like* a machine gun.

The ruling by the Internal Revenue Service means that the arms must be registered with the Federal Government and a $200 tax paid by the seller. Revenue officials said they had no idea how many carbines of this type were now in the hands of Americans but said the number *could* run into the thousands.

Individuals owning the guns are asked to register them. The carbine is made by the Spitfire Carbine Company of Phoenix, Ariz.

The move was the latest in the stepped-up enforcement of the nation's firearms law by the revenue service over the last two years, during which more than 1,600 cases were recommended *for prosecution by the Justice Department. The revenue service has responsibility for enforcing* the firearms laws because of the taxes involved.

Tax stamps can be purchased for $200 and registration forms obtained at district tax offices. The registration is not valid, however, *until the form with the stamp* attached is mailed to the Alcohol and Tobacco Tax Division, which administers the law.

The National Firearms Act, enacted in 1934, is the pioneer Federal law in gun control. Its purpose is to prevent such weapons as machine guns and sawed-off shotguns from falling into criminal hands.

[From the New York Times, July 8, 1968]

FIVE ENDORSE DRIVE

WASHINGTON, July 7.—The Emergency Committee for Gun Control said today five Presidential candidates had endorsed its drive for additional firearms controls.

John H. Glenn, Jr., committee chairman, said more gun controls were proposed by Vice President Humphrey, Senator Eugene J. McCarthy, Richard M. Nixon, Governor Rockefeller and Harold E. Stassen.

Nicholas H. Zumas, a Washington attorney and the committee's executive director, said George C. Wallace, the candidate of the American Independent party, did not reply to the committee's telegraphed query and that Gov. Ronald Reagan of California was not included in the poll because he was not an announced candidate.

[From the New York Times, July 6, 1968]

ADVOCATES OF LOCAL GUN CONTROLS ASK STRICTER INTERSTATE CURBS

WASHINGTON, July 5.—Several of the nation's biggest cities have gun control laws, and more cities and towns are considering them, but advocates of local laws point out that they cannot be fully effective without interstate sales restrictions.

The city council of Washington gave tentative approval this week to an ordinance requiring licensing of pistols, rifles and shotguns and permits for carrying them. It is similar to one recommended by the Metropolitan Washington Council of Governments, which includes 15 cities and counties.

CALL FOR FEDERAL RULES

Several cities, including New Haven and San Antonio, Tex., have indicated their interest in city gun laws, the National League of Cities says. It notes that New York, Chicago and Philadelphia have already enacted strict gun control laws. One has been proposed in St. Louis.

The league has started work on a model gun control ordinance and plans to meet with state attorneys general to draft complementary state and local laws.

The executive committee of the league called last May for federal regulations to keep firearms out of the hands of those likely to misuse them. It said that local ordinances were relatively ineffective "because of the ease with which firearms may be acquired in other jurisdictions and through the mails."

The omnibus crime control bill signed recently by President Johnson bans mail order sales of pistols. Both the House and Senate *Judiciary Committees have before them bills* that would ban the mail order sales of rifles and shotguns.

The President also has asked for a law requiring registration of weapons and licensing of owners. The question of whether this proposal should be tacked onto the long-gun measure was considered by the Senate Judiciary Committee last Thursday, but the committee postponed action until next week.

STATISTICS MEAGER

Statistics on the effectiveness of city ordinances are meager, and there are arguments about the figures that are available. In the case of the Philadelphia law, enacted in *1965, the March issue of the magazine of the league,* Nation's Cities, said:

"Although there's no available statistical data to indicate that the law has reduced gun-related crime, a Philadelphia police spokesman said he felt it has helped and "has kept guns out of the hands of irresponsibles."

The annual uniform crime report of the *Federal Bureau of Investigation lists homi-*

contributed directly to the pollution of Lake Erie.

In 1967, such permit dredging accounted for 185,000 cubic yards of dredged material, all of which was polluted and all of which was dumped in open lake disposal areas. In 1968, contract dredging pursuant to permit issued by the Corps of Engineers has already more than doubled and 348,000 cubic yards of additional polluted materials have been added to Lake Erie waters so far this year. These figures, of course, do not include the large number of applications presently pending approval or expected to be filed for permit dredging this summer and fall.

These dredging activities are clearly in violation of the law which exists pursuant to a treaty entered into by the United States and Canada in 1909 which specifically provides that "boundary waters and waters going across the boundary shall not be polluted on either side to the injury of health or property on the other."

The treaty establishes an order of preference with respect to various uses of these boundary waters, with water for domestic and sanitary purposes having highest priority, followed next by water used for navigation, then water for power and irrigation.

Although completely contrary to the prohibition against pollution and the established priorities for water use, the Department of the Army takes the position, as stated in a letter to me dated May 3, 1968, that:

> Because of severe economic hardship . . . and because no disposal areas other than the authorized deep water areas of Lake Erie are now available, it has been determined that dredging in 1968 must be done and that the dredged material disposed in the Lake.

Although fully aware that the spoil material thus consigned for Lake disposal is bound to result in further pollution, the letter concludes with the assurance:

> The Corps of Engineers will continue its efforts, in coordination with FWPCA and State authorities, to construct and maintain harbors in consonance with the national objective of cleaning up our rivers and lakes and at the lowest possible cost.

The undisputed fact is that the corps is not maintaining harbors on Lake Erie in consonance with the national objective of cleaning up our rivers and lakes. What it is doing is dredging at the lowest possible cost by "authorizing" so-called deep water disposal areas along the entire U.S. shoreline of Lake Erie—areas which it has no right to authorize and which, in point of fact, are both shallow and in many cases in immediate proximity to municipal water intakes serving hundreds of thousands of people.

All of this suggests, in the strongest possible terms, that the final decision with respect to Federal dredging and the issuance of dredging permits, where the material to be disposed of has been found to be polluted, should rest with the Secretary of the Interior rather than the Secretary of the Army. Under a July 13, 1967, agreement between the Secretaries of these two Departments, the Secretary of the Army is given the authority to evaluate the economic advantages and benefits of a proposed dredging operation in relation to resultant loss or damage, including violations of applicable water quality standards, and to either deny the permit or include such conditions as he determines to be in the public interest.

If our lakes and waterways are to be saved, Mr. Speaker, strong pollution abatement enforcement should not be subject to a waiver based upon temporary economic convenience or advantage. Activity which contaminates the water upon which our very lives are dependent must be outlawed and uniform enforcement be placed in the hands of the agency having primary responsibility for establishing water quality standards and seeing that they are met.

Finally, Mr. Speaker, the confidence, support and commitment of our citizenry in fighting pollution and achieving a national goal of clean water can be sustained only if the Federal Government takes the leadership in protecting rather than polluting our water resources.

It is heartening that so many Members of Congress from every part of the country are of one mind in insisting upon responsible Federal policy in this area of mounting national concern.

In the final analysis, we can hardly expect credibility or cooperation in combating pollution as long as the Federal establishment says one thing and does the opposite.

Mr. Speaker, following is a list of those who have joined in introduction of this much needed legislation:

Messrs. ADDABBO, of New York; ANNUNZIO, of Illinois; ARENDS, of Illinois; AYRES, of Ohio; BARRETT, of Pennsylvania; BETTS, of Ohio; BINGHAM, of New York; BLATNIK, of Minnesota; BOW, of Ohio; BRADEMAS, of Indiana; BROWN, of Ohio; BURTON, of California; BUTTON, of New York; BYRNE, of Pennsylvania.

Messrs. CLARK, of Pennsylvania; CLEVELAND, of New Hampshire; COHELAN, of California; COLLIER, of Illinois; CONYERS, of Michigan; CORMAN, of California; CULVER, of Iowa; DADDARIO, of Connecticut; DANIELS, of New Jersey; DERWINSKI, of Illinois; DIGGS, of Michigan; DINGELL, of Michigan; DOW, of New York; DULSKI, of New York; ECKHARDT, of Texas; ERLENBORN, of Illinois.

Messrs. FARBSTEIN, of New York; FEIGHAN, of Ohio; FINDLEY, of Illinois; WILLIAM D. FORD, of Michigan; FRASER, of Minnesota; GALLAGHER, of New Jersey; GETTYS, of South Carolina; GIBBONS, of Florida; GRAY, of Illinois; Mrs. GREEN, of Oregon; Mr. GREEN, of Pennsylvania; Mrs. GRIFFITHS, of Michigan; Messrs. HALPERN, of New York; HATHAWAY, of Maine; HAYS, of Ohio; HECHLER, of West Virginia; HOLIFIELD, of California.

Messrs. IRWIN, of Connecticut; KARTH, of Minnesota; KASTENMEIER, of Wisconson; KYROS, of Maine; LATTA, of Ohio; LUKENS, of Ohio; MCCARTHY, of New York; MCFALL, of California; MATSUNAGA, of Hawaii; MICHEL, of Illinois; MINSHALL, of Ohio; MIZE, of Kansas; MONAGAN, of Connecticut; MOORHEAD, of Pennsylvania; MORGAN, of Pennsylvania; MOSHER, of Ohio; MOSS, of California; MURPHY, of Illinois; MURPHY, of New York; NEDZI, of Michigan; NIX, of Pennsylvania.

Messrs. O'HARA, of Illinois; O'HARA, of Michigan; O'KONSKI, of Wisconsin; OTTINGER, of New York; PATTEN, of New Jersey; PEPPER, of Florida; PRICE, of Illinois; PUCINSKI, of Illinois; RANDALL, of Missouri; REES, of California; REUSS, of Wisconsin; RHODES, of Pennsylvania; RIEGLE, of Michigan; RODINO, of New Jersey; ROGERS, of Colorado; ROONEY, of Pennsylvania; ROSENTHAL, of New York; ROSTENKOWSKI, of Illinois; ROUSH, of Indiana; RUMSFELD, of Illinois; RYAN, of New York.

Messrs. ST GERMAIN, of Rhode Island; ST. ONGE, of Connecticut; SHIPLEY, of Illinois; SMITH, of Iowa; STANTON, of Ohio; STEIGER, of Wisconsin; STEPHENS, of Georgia; STRATTON, of New York; Mrs. SULLIVAN, of Missouri; Messrs. TENZER, of New York; THOMPSON, of New Jersey; UDALL, of Arizona; VANIK, of Ohio; VIGORITO, of Pennsylvania; WALDIE, of California; WHALEN, of Ohio; WHITE, of Texas; WILLIAMS, of Pennsylvania; WOLFF, of New York; WYLIE, of Ohio; YATES, of Illinois; ZABLOCKI, of Wisconsin; ZWACH, of Minnesota.

THE GAP IN MAIL-ORDER GUN CONTROL

Mr. NIX. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. NIX. Mr. Speaker, on Tuesday, July 9, I had forwarded to each Member's office a copy of the hearings held by my Subcommittee on Mail Order Gun Control, Tuesday, July 2. The hearings were held and evidence gathered to support an amendment I intend to offer when the Celler gun control bill comes to the floor for a vote. My amendment would bar all firearms from the U.S. mail whether mailed in interstate commerce or within State boundaries. A rifle mailed from Philadelphia to Pittsburgh can do as much damage as one mailed from New York to Philadelphia. My amendment would plug up the gap in the present bill allowing mailing of rifles intrastate.

H.R. 17735, the Celler gun control bill is based on interstate regulation. However, since the Post Office Department is a Federal facility, the intrastate mail shipment of rifles can be banned as well. This gap covering intrastate mailings developed because of the differing jurisdiction of our two committees, House Judiciary and Post Office and Civil Service.

I think it is necessary to end the shipment of firearms by mail. Pistols and revolvers are already nonmailable and my amendment, which will change the wording of 18 United States Code 1715 by striking the words "capable of being concealed on the person", will make all firearms, including rifles, nonmailable. This is a necessary change.

I do not think we have to look any

further than the back cover of the hearing record on mail order gun control that has been sent to each Member. Members will find a copy of an advertisement from one of our gun magazines for the .45 caliber Spitfire carbine. This weapon is a submachinegun. It can be fired like a machinegun and the Internal Revenue Service on July 7 applied the machinegun designation to this weapon manufactured and distributed by a Phoenix, Ariz., company. The sellers of this weapon must now buy a $200 tax stamp. Thousands of these weapons are already scattered around the country.

What possible use does a hunter have for a machinegun? It cannot be that the hunters of America are so afraid of the deer and the antelope that they require this kind of protection. A British carbine described as "everybody's favorite" is sold complete with bayonet and flash hider, presumably to protect a British soldier in the jungle from being detected by enemy troops by the gun flash. What use is a flash hider to a hunter? Are some of our hunters afraid that the deer will shoot back? The back cover sheet of the hearing record also describes a pellet gun that fires bullet-shaped pellets, and which cannot be sold in New York City, for $1.98, and at such a price could become the favorite of the eighth grade. Pellet guns are sometimes capable of firing a pellet through a board or a man. What damage this one can do to a human being is not described in the advertisement. But the weapon is an exact replica of a Luger pistol used by the Nazis in World War II and could certainly be used for holdups in a very convincing manner, and probably without involving the offender in a robbery with a firearm, since it is a pellet gun.

I say enough is enough. All of these weapons have to be barred from the mail. My amendment is a step in that direction. The Celler bill, H.R. 17735, is an even greater step and in the future we must have gun registration. I ask for your support for my amendment barring weapons from intrastate mailings. The gun dealers know that without this amendment that all they have to do is decentralize their operations on a State by State basis. It would be simple for them to mail their orders to a set of 50 different warehouses, one in each State. They would still be operating interstate and merely be put in the position of having to mail guns intrastate while their invoices and orders were mailed interstate. Mr. Speaker, I have several newspaper clippings which set out the firearms danger:

[From the Philadelphia Evening Bulletin, July 2, 1968]

REPRESENTATIVE NIX ASKS TOTAL BAN ON GUNS IN MAIL

(By Lawrence M. O'Rourke)

WASHINGTON.—Rep. Robert N. C. Nix (D-Phila) today called for a total ban on gun shipment by mail.

Nix, presiding over a meeting of a House Post Office subcommittee, said that gun control is "as old in the United States as the covered wagon and the frontier sheriff's edict that guns would not be worn in town."

Nix, whose district includes north-Central and part of West Philadelphia, said gun control "is one of the prices we must pay for a civilized society."

NOTES ADVERTISEMENTS

He put into the record a number of gun advertisements culled from various men's magazines.

He said American Rifleman, the magazine of the National Rifle Association, carried an ad for "everybody's favorite, the British carbine No. 5."

Nix said that for $39 the weapon comes "complete with flash eliminator so that enemy troops cannot fire back by sighting in on the flash."

WHAT USE TO HUNTER?

"What use this is to a hunter," Nix said, "is unrecorded unless there are those hunters who fear that the deer are going to shoot back."

Also on sale by mail order, Nix said, are bayonets. He questioned the value of a bayonet to a hunter.

The Johnson Administration bill would stop gun merchants and others from using the mails to ship weapons between states. The power is said to be based on the authority Congress has under the Constitution to control interstate commerce.

COMPLETE CLOSURE

Nix's bill would close the U.S. mails completely to gun shipments. He said that under the Administration bill, a large dealer could open a branch office in every state, and refer all purchase forms to the office within the state of the would-be purchaser.

Nix said gun shipments could continue to be handled by private shippers, but this would raise the cost of and perhaps be more cumbersome than the U.S. mail.

An aide said the congressman has received demands for strict gun control laws from about 5,000 persons, including 2,000 on a petition orginated in Philadelphia.

Against this, the spokesman said, were 14 letters against stronger gun control laws.

CALLS FOR MORE LAW

Nix said nothing in the Administration law prevents gun merchants from "arming the Ku Klux Klan, the Minutemen and the Blackstone Rangers, or anyone else at cut-rate prices."

Nix said there "should be more law if we are to have order.

"Pointing our fingers at the poor in the ghettos and cursing poverty won't end disorder. We have to have the courage to do some very simple things. The distribution of deadly weapons is one service the U.S. mails should not provide."

[From the New York Times, July 8, 1968]

SPITFIRE CARBINE IS ORDERED TAXED—WEAPON TO BE REGISTERED UNDER FIREARMS ACT

WASHINGTON, July 7.—The registration provisions of the National Firearms Act were applied today to a .45-caliber carbine that can be fired like a machine gun.

The ruling by the Internal Revenue Service means that the arms must be registered with the Federal Government and a $200 tax paid by the seller. Revenue officials said they had no idea how many carbines of this type were now in the hands of Americans but said the number could run into the thousands.

Individuals owning the guns are asked to register them. The carbine is made by the Spitfire Carbine Company of Phoenix, Ariz.

The move was the latest in the stepped-up enforcement of the nation's firearms law by the revenue service over the last two years, during which more than 1,600 cases were recommended for prosecution by the Justice Department. The revenue service has responsibility for enforcing the firearms laws because of the taxes involved.

Tax stamps can be purchased for $200 and registration forms obtained at district tax offices. The registration is not valid, however, until the form with the stamp attached is mailed to the Alcohol and Tobacco Tax Division, which administers the law.

The National Firearms Act, enacted in 1934, is the pioneer Federal law in gun control. Its purpose is to prevent such weapons as machine guns and sawed-off shotguns from falling into criminal hands.

[From the New York Times, July 8, 1968]

FIVE ENDORSE DRIVE

WASHINGTON, July 7.—The Emergency Committee for Gun Control said today five Presidential candidates had endorsed its drive for additional firearms controls.

John H. Glenn, Jr., committee chairman, said more gun controls were proposed by Vice President Humphrey, Senator Eugene J. McCarthy, Richard M. Nixon, Governor Rockefeller and Harold E. Stassen.

Nicholas H. Zumas, a Washington attorney and the committee's executive director, said George C. Wallace, the candidate of the American Independent party, did not reply to the committee's telegraphed query and that Gov. Ronald Reagan of California was not included in the poll because he was not an announced candidate.

[From the New York Times, July 6, 1968]

ADVOCATES OF LOCAL GUN CONTROLS ASK STRICTER INTERSTATE CURBS

WASHINGTON, July 5.—Several of the nation's biggest cities have gun control laws, and more cities and towns are considering them, but advocates of local laws point out that they cannot be fully effective without interstate sales restrictions.

The city council of Washington gave tentative approval this week to an ordinance requiring licensing of pistols, rifles and shotguns and permits for carrying them. It is similar to one recommended by the Metropolitan Washington Council of Governments, which includes 15 cities and counties.

CALL FOR FEDERAL RULES

Several cities, including New Haven and San Antonio, Tex., have indicated their interest in city gun laws, the National League of Cities says. It notes that New York, Chicago and Philadelphia have already enacted strict gun control laws. One has been proposed in St. Louis.

The league has started work on a model gun control ordinance and plans to meet with state attorneys general to draft complementary state and local laws.

The executive committee of the league called last May for federal regulations to keep firearms out of the hands of those likely to misuse them. It said that local ordinances were relatively ineffective "because of the ease with which firearms may be acquired in other jurisdictions and through the mails."

The omnibus crime control bill signed recently by President Johnson bans mail order sales of pistols. Both the House and Senate Judiciary Committees have before them bills that would ban the mail order sales of rifles and shotguns.

The President also has asked for a law requiring registration of weapons and licensing of owners. The question of whether this proposal should be tacked onto the long-gun measure was considered by the Senate Judiciary Committee last Thursday, but the committee postponed action until next week.

STATISTICS MEAGER

Statistics on the effectiveness of city ordinances are meager, and there are arguments about the figures that are available. In the case of the Philadelphia law, enacted in 1965, the March issue of the magazine of the league, Nation's Cities, said:

"Although there's no available statistical data to indicate that the law has reduced gun-related crime, a Philadelphia police spokesman said he felt it has helped and "has kept guns out of the hands of irresponsibles."

The annual uniform crime report of the Federal Bureau of Investigation lists homicides in the major metropolitan areas and the rate per 100,000 persons but does not say what percentage of the homicides in each city was by guns. The President's crime commission reported in 1967 that:

> "F.B.I. statistics demonstrate that a higher proportion of homicides are committed with firearms in those areas where firearms regulations are lax than in those areas where there are more stringent controls. In Dallas, Tex., and Phoenix, Ariz., firearms regulations are fairly weak.

RECREATIONAL DEVELOPMENT AT THE PENNSYLVANIA POWER & LIGHT CO.'S HOLTWOOD HYDROELECTRIC PROJECT

Mr. GOODLING. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. GOODLING. Mr. Speaker, I would like to say a few words about a hydroelectric development in my congressional district; namely the Pennsylvania Power & Light Co.'s Holtwood hydroelectric project on the lower Susquehanna River. The need for wise development and preservation of our water and water-related resources is much in the mind of all of us in these days of expanding population and growing leisure hours. I feel that the Holtwood project is important because it typifies the role that private industry must play if we are to maximize recreational opportunities in America. By the end of this year, Pennsylvania Power & Light Co. will have spent over $680,000 developing the recreational potential in the area surrounding Holtwood. This will be followed by the expenditure of another $320,000 in this continuing program of development.

The recreation facilities that have been provided will accommodate 148,000 visitors this year. By 1980, almost twice this number of visitors will be enjoying these facilities. This privately owned utility will continue to expand its facilities to meet increased need as it develops so that by 1980 more than $1 million will have been spent on recreational opportunity for 350,000 visitors per year.

The total program calls for 12 picnic grounds having a total of 875 picnic tables, 307 campsites, 13 boat launching ramps, fishing access areas, hiking trails, scenic overlooks, and related parking and sanitary facilities.

This recreation program has been planned in consultation with Federal, State and local officials and with local planning and zoning commissions.

The rugged natural beauty of this region of the Susquehanna is indeed a rarity being so close to the eastern centers of population. Ordinary commercial facilities can be created by man in a short time practically anywhere. Rustic recreational sites are the product of long, long years of natural development. For this reason, this progressive electric company has concentrated on maintaining the irreplaceable rustic charm that is unique to this area. I commend any of my colleagues to witness this outstanding example of free enterprise participation in the development and preservation of our scenic and natural heritage.

PENNSYLVANIA POWER CO.'S HOLTWOOD PROJECT

Mr. ESHLEMAN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. ESHLEMAN. Mr. Speaker, I wish to associate myself with the remarks of the gentleman from Pennsylvania since my district extends to the opposite side of the Susquehanna River. This project has not only provided recreational opportunity for many thousands of my constituents, but it is also important to the economic development of the area. To appreciate the Holtwood recreational potential, one must know the region. Tributary streams cut deeply into the bluffs, creating steep-sided wooded ravines. Some of these are accessible only by boat or on foot. Cascading waterfalls add to the picturesque beauty. Low-lying wooded islands in the lake give an additional rustic touch. These day-use islands are being developed so that fishermen, boaters, and picnickers can enjoy this sylvan paradise. Even the most discerning conservationist couldn't help but agree that the recreational development is consistent with the preservation of our scenic outdoor heritage.

Such development is not the sole province of either the public or private sector of our country. Pennsylvania Power & Light Co.'s Holtwood project typifies the outstanding contribution that one industry is making.

FARM ACT EXTENSION NEEDED SO FARMERS CAN MAKE PLANS

Mr. KLEPPE. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from North Dakota?

There was no objection.

Mr. KLEPPE. Mr. Speaker, under leave to extend my remarks in the RECORD, I include the following letter sent to all Members of the House in connection with the extension of pending farm legislation:

JULY 9, 1968.

DEAR COLLEAGUE: The one-year extension of the Food and Agriculture Act of 1965 will come to the House Floor within a week or so. I believe this is a good and necessary bill.

The bill approved by the House Agriculture Committee does not carry any amendments. It is far from perfect. I have been as critical of the program as anyone, even though most of my suggestions and criticisms have been directed to the administration of the Act.

It is easy to support with facts and figures the dilemma of our agricultural economy today and the retrogression of that economy during the existence of this Food and Agriculture Act of 1965. It is also a fact, however, that no one knows how bad it would have been for farmers without it. The parity ratio is now at 73 which compares with an 84.5% average under the Eisenhower Administration. The price of wheat, for example, is at a 26-year low which, in itself, is cause for grave concern.

We must not forget the most important part of the parity equation and that is the cost of production. Inflation and the spending policies of our Federal government, with the continuous deficits and decrease in the purchasing power of the dollar, have taken their toll most markedly on the farmer. He is operating at a price for his crop similar to what it was 26 years ago, but his cost of production has increased so much he can no longer make it. He is being forced to use credit as a substitute for income. His debt has more than doubled in the period from 1960 to 1968.

I further believe this one-year extension should be approved because farmers must have an opportunity to plan ahead in their operations due to the seasonality of different crops. I further believe this bill should be supported in order to give the First Session of the 91st Congress an opportunity, with sufficient time, to make changes for the better in this program. Action short of approving this extension now will put us against the buzz saw in 1969 and, again, those members of the vast agricultural community throughout our country will suffer.

I consider it very much in the national interest for us to be cognizant of the families of small farmers that have chosen to live their lives on the farm and to grub out an existence. I believe it is much less costly for us as a government to help them live where they want to live and raise their families where they want to raise them than to force them into our already overcrowded cities and ulimately onto welfare rolls.

To be a farmer, it is necessary to make long term contractual agreements for land and equipment, and unless they have some advance notice of what is in store for them, they are unable to plan properly.

I urge my Colleagues to give this matter their thoughtful consideration, consistent with the tremendous bi-partisan support of this bill in the House Agricultural Committee. I am hopeful we can pass this bill since it represents the only choice we have at this time.

Sincerely,

THOMAS S. KLEPPE,
Member of Congress.

CAN WE AFFORD THE FOREIGN AID PROGRAM?

Mr. GONZALEZ. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. GONZALEZ. Mr. Speaker, one of the strange things about the way in which Americans discuss foreign aid is that as the program has cost increasingly less, and as we have been increasingly better able to afford it, we have complained increasingly loudly about the expense.

The Federal budget is truly pressed this year, and this is one reason why the administration has requested the lowest foreign economic assistance budget in the history of the program—nearly $1 billion less than 2 years ago, barely 1 percent of the total Federal budget. This figure has been pared by an additional $600 million by the Foreign Affairs Committee.

In 1949, the United States made total

foreign economic aid commitments of $7.2 billion—18.3 percent of the Federal budget. In the last fiscal year, our aid commitments were down nearly one-half from 1949—even though the Federal budget was three times larger. In 1949, foreign aid amounted to nearly 3 percent of our gross national product. Since then, our GNP has tripled—like the budget—but foreign aid is down to one-half of 1 percent of our wealth.

This is a time when we are constantly reminded that the need at home is great: in Appalachia as well as in India, in Watts as well as in the Congo. But our resources are enormous, and the fact is that we have been using a steadily growing amount of our wealth to attack the problems of poverty at home. Since 1960, funds devoted to helping the American poor have expanded by 250 percent. This is as it should be. Meanwhile, the share of our GNP used to help the poor nations has been cut in half. This is not as it should be.

We have learned at home the price a society pays for telling the poor to wait. If the United States can no longer afford to tell Watts to wait for another year or another Congress or another administration, we can no longer tell the campesinos of Chile and the rice farmers of the Philippines to wait.

Once, America was the development leader; we were first in foreign aid. Today, a growing list of advanced countries is applying a larger share of their resources to the development job. The average Frenchman gets only half the salary of the average American. But the Frenchman's taxes finance more foreign aid than the American's. The United States now stands only fifth in the share of national income devoted to promoting progress in the developing nations.

The President's program is not asking us to stretch our resources; it is a minimum program. Any nation which can spend almost $5.5 billion per year for space research and technology can afford to invest less than half that amount in world peace and productivity. We can do no less.

GUN LEGISLATION

Mr. WATSON. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from South Carolina?

There was no objection.

Mr. WATSON. Mr. Speaker, every Member of Congress has been deluged with mail during recent weeks urging enactment of strong gun legislation. In fact, I do not believe that our office has ever received so much mail on a single subject since I came to Congress almost 6 years ago. With my staff and others whose opinions I respect, I have tried to look at this issue objectively and in terms of what can be enforced and what can be done to reduce the criminal use of firearms.

There are already many gun laws on our statute books with a wide variation from State to State as to their content. In fact, 49 States and the District of Columbia now have laws dealing with the carrying, purchasing, and ownership of handguns, and it is to be reasonably expected that most States are reexamining their laws in the light of the pressures of today. This matter is, in my judgment, a prerogative of the States, and the enactment of a Federal gun registration law, as has been urged by the President, could result in the creation of a super Federal police force of unimaginable size and at incalculable expense. Additionally, such a law as this could be the beginning of the end of the whole concept of this Republic.

It would be wishful thinking to believe the simple registration of firearms would prevent the criminal from acquiring them or using them in the pursuit of violence. There is little or no defense against a planned homicide and the impulsive homicide will happen whether a weapon is registered or not, indeed, even if a firearm is not present. The main thrust of our governmental efforts should be directed toward the criminal who wields the weapon rather than the weapon itself.

Mr. Speaker, the failure of our courts to deal severely with the criminal use of firearms has resulted in their alarming increase. We should have mandatory sentences for anyone who commits a crime with a firearm rather than passage of any new gun law in the wake of a public outcry for congressional action. More important than gun legislation, our police must have the authority to make arrests and then have the support of the courts and the public after the arrest is made. The carrying of a concealed weapon or handguns by criminals, drug addicts, felons, or juveniles, must be treated with the seriousness it deserves.

Actually, much of the crime which is rampant in America today is due to the fact that the public has become placidly tolerant of the behavior of the criminal and those who engage in civil disobedience. Possession of guns is not a reason for crime, murder, or assassination. Rather, guns are tools which the criminal will obtain as long as they exist, whether registered or not. In fact, criminals do not register guns.

Our challenge today is not for new legislation in this field, but enforcement of existing statutes. We must wake up to the stark reality that condoning violation of laws for any cause is an encouragement for a further breakdown in law and order. This is not the time for the passage of a gun bill which is being cultivated in a storm cloud of violent tragedy. It is a time for all citizens to find the courage to face head on the task of rigid law enforcement.

THE 20TH ANNIVERSARY OF NATIONAL INSTITUTE OF DENTAL RESEARCH

The SPEAKER pro tempore. Under previous order of the House, the gentleman from Wisconsin [Mr. LAIRD] is recognized for 10 minutes.

Mr. LAIRD. Mr. Speaker, June 1968 marked the 20th anniversary of the founding of the National Institute of Dental Research. An integral and important part of the National Institutes of Health, NIDR has made substantial contributions to the health of America.

The universality of dental disease—98 percent of our people suffer from its most common manifestation, tooth decay—represents a costly drain on our resources. Research on the causes and prevention of tooth decay, when brought to fruition, will provide a benefit to the health of our population of extraordinary significance. NIDR, both in its intramural programs and its extramural grants, has been in the vanguard of these investigations. Just this month, Dr. Seymour J. Kreshover, NIDR Director, announced that research findings lead him to believe that we can conquer this problem within the decade. A special task force has been named by him to expedite this goal. Basic clinical and epidemiologic studies will be carried out, targeted primarily toward destroying or inhibiting the action of specific kinds of microorganisms that have been discovered to be associated with tooth decay. A new enzyme, for which great hope is felt, will be soon tested clinically. This enzyme, dextranase, has been shown to be effective with experimental animals in controlling the formation of microbial plaque and resultant decay on smooth surfaces of the teeth.

I think it is especially noteworthy that this finding came about as a result of collaborative work in the private and public sectors. The partnership concept in health matters, then, is not a mere motto; it is an effective blueprint for action.

In addition to this work, NIDR, during its years of service, has a number of other achievements to its credit. It was responsible for studies leading to community fluoridation, a measure that NIDR credits with a 65-percent reduction of tooth decay in many communities. Through improved diagnostic, surgical, and rehabilitative procedures that NIDR has helped to establish, victims of cleft lip and palate may now assume near normal lives. Through current research, treatment of malocclusion may be greatly simplified. A wealth of knowledge is being accumulated on the causes of diseases of the soft tissues of the mouth. Oral cancer is coming under intensive research attack.

Congressional leaders of the time, the American Dental Association, and others combined in the forties to bring about the establishment of NIDR. The Institute's performance has more that justified their faith and foresight.

Mr. Speaker, it is a pleasure for me to congratulate NIDR on its anniversary and to wish it well in the years ahead.

A DEADLOCKED ELECTORAL COLLEGE: ELECTION OF THE PRESIDENT IN THE HOUSE OF REPRESENTATIVES

The SPEAKER pro tempore. Under previous order of the House, the gentleman from New York [Mr. GOODELL] is recognized for 30 minutes.

Mr. GOODELL. Mr. Speaker, yesterday I discussed the serious possibility that no presidential candidate will receive a majority of electoral college votes. As a part of this discussion, I outlined a plan to prevent the presidential election from being determined through bargaining in the electoral college or only after a lengthy deadlock in the House of Representatives. If the election of our next President is not assured by the November 5 election, there will be a "crisis of continuity" in our Presidential leadership. Neither Americans nor people around the world would know who the next President would be. Our Nation simply cannot afford this "crisis of continuity" at a time of national and international peril.

It is imperative that an acceptable bipartisan plan be agreed upon now if we are to insure continuity of our Presidential leadership. I offered a bipartisan plan yesterday not only as a Member of the House, but also as a concerned citizen, anxious that the workings of our Government continue uninterrupted within the framework of our two-party system. The basic premise behind my plan is to provide, in effect, for the direct popular election of the President should one candidate not have a majority of the electoral college votes. This would be done through a previous agreement among candidates—seated and nonseated—for the 91st House of Representatives that they would vote for the presidential candidate who received a plurality of the nationwide vote.

No one can accurately predict what the composition of the 91st House of Representatives will be. We can only make "educated guesses." I have attempted, however, to analyze some of the possible "pitfalls" in either party obtaining a majority of State delegations—26—in the 91st House of Representatives. Voting would be done by State delegations and not by individual members. Since 26 votes may not be assured for the candidate of either party, the election of President could result in lengthy House proceedings. Agreement in advance by a majority of State delegations—to vote for the presidential candidate who receives a majority of the nationwide vote—would preclude this undesirable event.

The accompanying tables illustrate the shifts which could take place in the composition of State delegations. Any number of these shifts could deny either party a majority of State delegations. In addition, no one knows how those State delegations would vote where George Wallace won the popular vote in their States. If these State delegations decided not to vote for the candidate of their party, either party could be denied the necessary 26 votes.

The delegation composition in the 90th House of Representatives is 29 Democratic, 18 Republican, and three ties. Using this composition as a basis for discussion, at least three situations are worthy of consideration.

First. There are 17 State delegations where one party has two more members than the other party. If both parties gain just one seat in those delegations now with a two member margin for the other party, the State delegation composition would be: 18 Democratic, 12 Republican, and 20 ties.

Second. There are 32 Democratic and 39 Republican seats which were won in the 1966 election by a margin of 5 percent or less. Numerous combinations of changes in these seats could radically alter State delegation composition.

Third. There are 10 delegations where one or the other party has a majority of one.

Obviously countless possibilities could be described to demonstrate the uncertain composition of the 91st House of Representatives. What is clear, however, is that neither party is now assured of a majority in 26 State delegations. Of necessity, we must act now to insure that a President will be elected without a lengthy deadlock in the House of Representatives.

The tables referred to, follow:

STATE DELEGATIONS IN THE HOUSE OF REPRESENTATIVES, 90TH CONG., BY PARTY IN CONTROL AND BY HOW MUCH

	Democrat	Republican
I. State delegations tied:		
1. Illinois		
2. Montana		
3. Oregon		
II. State delegations controlled by 1:		
1. Alaska		X
2. Arizona		X
3. Delaware		X
4. Indiana		X
5. Vermont		X
6. Wyoming		X
7. Kentucky	X	
8. Nevada	X	
9. Pennsylvania	X	
10. Tennessee [1]	X	
III. State delegations controlled by 2:		
1. Idaho		X
2. Minnesota		X
3. New Hampshire		X
4. North Dakota		X
5. South Dakota		X
6. Utah		X
7. Alabama [2]	X	
8. Arkansas [1]	X	
9. Colorado	X	
10. Hawaii	X	
11. Maine	X	
12. Maryland	X	
13. Massachusetts	X	
14. New Mexico	X	
15. Oklahoma	X	
16. Rhode Island	X	
17. Virginia	X	
IV. State delegations controlled by 3:		
1. Iowa		X
2. Nebraska		X
3. New Jersey	X	
4. Washington	X	
5. West Virginia	X	
V. State delegations controlled by 4:		
1. Wisconsin		X
2. California	X	
3. Connecticut	X	
4. South Carolina [2]	X	
VI. State delegations controlled by 5:		
1. Kansas		X
2. Michigan		X
3. Mississippi [2]	X	
4. North Carolina [1]	X	
VII. State delegations controlled by 6:		
1. Florida [1]	X	
2. Georgia [2]	X	
3. Missouri	X	
VIII. State delegations controlled by more than 6:		
1. Ohio (by 14)		X
2. Louisiana (by 8) [2]	X	
3. New York (by 10) [3]	X	
4. Texas (by 19)	X	

[1] Wallace possibly will win electoral vote.
[2] Wallace probably will win electoral vote.
[3] 1 vacancy.

STATE DELEGATIONS IN HOUSE OF REPRESENTATIVES, 90TH CONG.

Marginal seats [1]	States	Democrats control	By how much	Republicans control	By how much	Ties
1R	Alabama [2]	5D—3R	+2			
1R	Alaska			0D—1R	+1	
	Arizona			1D—2R	+1	
1R	Arkansas [3]	3D—1R	+2			
3D—2R	California	21D—17R	+4			
1D—1R	Colorado	3D—1R	+2			
1D—1R	Connecticut	5D—1R	+4			
	Delaware			0D—1R	+1	
	Florida [3]	9D—3R	+6			
1R	Georgia [2]	8D—2R	+6			
	Hawaii	2D—0R	+2			
1R	Idaho			0D—2R	+2	
2D—1R	Illinois					12D—12R
2D—2R	Indiana			5D—6R	+1	
1D—2R	Iowa			2D—5R	+3	
1R	Kansas			0D—5R	+5	
1R	Kentucky	4D—3R	+1			
	Louisiana [2]	8D—0R	+8			
1D	Maine	2D—0R	+2			
1D—1R	Maryland	5D—3R	+2			
1R	Massachusetts	7D—5R	+2			
4R	Michigan			7D—12R	+5	
1D—1R	Minnesota			3D—5R	+2	
	Mississippi [2]	5D—0R	+5			
	Missouri	8D—2R	+6			
1D	Montana					1D—1R
1R	Nebraska			0D—3R	+3	
	Nevada	1D—0R	+1			
	New Hampshire			0D—2R	+2	
2D—2R	New Jersey	9D—6R	+3			
1D	New Mexico	2D—0R	+2			
6D-2R	New York [4]	25D—15R	+10			
3D	North Carolina [3]	8D—3R	+5			
1R	North Dakota			0D—2R	+2	
3R	Ohio			5D—19R	+14	
2D-1R	Oklahoma	4D—2R	+2			
	Oregon					2D—2R
2D-1R	Pennsylvania	14D—13R	+1			
	Rhode Island	2D—0R	+2			
	South Carolina [2]	5D—1R	+4			
	South Dakota			0D—2R	+2	
1D—1R	Tennessee [3]	5D—4R	+1			
1D	Texas	21D—2R	+19			
	Utah			0D—2R	+2	
	Vermont			0D—1R	+1	
1R	Virginia	6D—4R	+2			
	Washington	5D—2R	+3			
	West Virginia	4D—1R	+3			
2R	Wisconsin			3D—7R	+4	
1R	Wyoming			0D—1R	+1	
	Total	(29)		(18)		(3)

[1] Marginal seats are those won by 5 percent or less in 1966. Total—39 Republican, 32 Democratic.

[2] Wallace probably will win electoral vote.

[3] Wallace possibly will win electoral vote.

[4] 1 vacancy.

COMPOSITION OF STATE DELEGATIONS IN 91ST CONG., HOUSE OF REPRESENTATIVES—POSSIBILITY OF TIES IN STATE DELEGATIONS IF REPUBLICANS AND DEMOCRATS GAIN 1 SEAT IN STATE CONTROLLED BY OPPOSITE PARTY WITH A TWO-SEAT MARGIN IN 90TH CONG. (TIES IN 90TH CONG. REMAIN CONSTANT)

States	Democrats control	By how much	Republicans control	By how much	Ties
Alabama [1]					4D—4R
Alaska			0D—1R	+1	
Arizona			1D—2R	+1	
Arkansas [1]					2D—2R
California	21D—17R	+4			
Colorado [1]					2D—2R
Connecticut	5D—1R	+4			
Delaware			0D—1R	+1	
Florida	9D—3R	+6			
Georgia	8D—2R	+6			
Hawaii [1]					1D—1R
Idaho [2]					1D—1R
Illinois					12D—12R
Indiana			5D—6R	+1	
Iowa			2D—5R	+3	
Kansas			0D—5R	+5	
Kentucky	4D—3R	+1			
Louisiana	8D—0R	+8			
Maine [1]					1D—1R
Maryland [1]					4D—4R
Massachusetts [1]					6D—6R
Michigan			7D—12R	+5	
Minnesota [2]					4D—4R
Mississippi	5D—0R	+5			
Missouri	8D—2R	+6			
Montana					1D—1R
Nebraska			0D—3R	+3	
Nevada	1D—0R	+1			
New Hampshire [2]					1D—1R
New Jersey	9D—6R	+3			
New Mexico [1]					1D—1R
New York [3]	25D—15R	+10			
North Carolina	8D—3R	+5			
North Dakota [2]					1D—1R
Ohio			5D—19R	+14	
Oklahoma [1]					3D—3R
Oregon					2D—2R
Pennsylvania	14D—13R	+1			
Rhode Island [1]					1D—1R
South Carolina	5D—1R	+4			
South Dakota [2]					1D—1R
Tennessee	5D—4R	+1			
Texas	21D—2R	+19			
Utah [2]					1D—1R
Vermont			0D—1R	+1	
Virginia [1]					5D—5R
Washington	5D—2R	+3			
West Virginia	4D—1R	+3			
Wisconsin			3D—7R	+4	
Wyoming			0D—1R	+1	
Total	(18)		(12)		(20)

[1] Republicans would gain 1 seat to tie in 11 States.

[2] Democrats would gain 1 seat to tie in 6 States.

[3] 1 vacancy.

PLOWSHARE PROGRAM

The SPEAKER pro tempore. Under previous order of the House, the gentleman from California [Mr. HOSMER] is recognized 30 minutes.

Mr. HOSMER. Mr. Speaker, today all House members of the Joint Committee on Atomic Energy have joined me in the introduction of H.R. 18448 to lay the foundation and establish guidelines for the commercial use of an atomic energy application which is rapidly approaching commercial feasibility. I refer to the development of nuclear explosive devices for peaceful purposes—more popularly known as the Atomic Energy Commission's Plowshare program. Those who have joined me in this effort are Representatives HOLIFIELD, PRICE, ASPINALL, MORRIS of New Mexico, YOUNG, BATES, ANDERSON of Illinois, and MCCULLOCH.

In our opinion we stand on the threshold of the commercial era in Plowshare and at the frontier of possibly untold benefits. The last 6 months particularly have seen giant technical strides forward. On December 10, 1967, Project Gasbuggy, a natural gas stimulation experiment, was detonated 4,200 feet underground in New Mexico. Natural gas is now flowing through rock fractured by the explosion and being pumped to the surface where it is undergoing analysis.

That project was followed on January 26, 1968, by Project Cabriolet, an excavation experiment which produced a large hole in the hard rock of the Nevada test site. There followed on March 12 the much more remarkable and phenomenally successful Project Buggy. This country's first nuclear row charge experiment, Buggy gouged a ditch 850 feet long, 250 feet wide, and 65 feet deep in a fraction of a second; a ditch smooth sided and bottomed enough for anyone's canal albeit a miniature one in length, it is full scale in width and depth.

The rapid progress that has been achieved is the more startling and impressive when one considers that the first experiments to turn our nuclear sword into a Plowshare did not take place until 1961. From 1958 to 1961, when the program was in its infancy, it fell victim to the moratorium on nuclear testing which prevailed at that time. In December 1961 and July 1962—first in Project Gnome, and then in Project Sedan—the initial experiments in the peaceful use of nuclear explosions occurred. Thus it is fair to date the technological beginning of Plowshore from 1961. Despite subsequent nuclear testing slowdowns and limitations caused by overzealous disarmers and sometimes shortsighted budgeteers—especially self-imposed limitations arising from an overly strict interpretation of the Limited Nuclear Test Ban Treaty—steady technological progress has been made. This progress culminated in the successful recent experiments I mentioned a moment ago.

These and many other experiments have demonstrated that peaceful nuclear explosive devices can be used safely, surely and—compared to the cost of conventional explosives—cheaply. Additional experimentation will, of course, be required to proof-test the feasibility of using such devices in various media and for the large number of purposes for which these devices appear ideally suited. It is readily apparent that we have just begun to scratch the surface of a rich vein of applications, and that much remains to be done if the full benefits of this promising technology are to be derived.

That private industry is ready, willing and able to cooperate in meeting this challenge is exemplified by the veritable "Who's Who" in industry that has come forward to take part in cooperative ventures with the Government. Private industry has been quick to recognize the important implications of this technology to such endeavors as copper and natural gas recovery and storage and inplace oil shale retorting. A number of private firms have indicated keen interest in joining with the Government in cooperative projects under which they would share in the costs of the experiments.

Some of the worthwhile tasks for which peaceful nuclear explosive devices seem admirable tools are more fully described in a speech which I delivered before the Commonwealth Club of California on July 5 and it is set forth at the conclusion of these remarks.

In view of this widespread interest and the highly encouraging results from Plowshare experiments to date, it seems clear that the time has come to consider legislation which would provide the authority necessary for the Atomic Energy Commission to proceed beyond the research and development stage in this rapidly evolving technology. The Congress should anticipate the commercial development of this technology, rather than merely respond to it. When the time arrives, as I think it soon will, that particular Plowshare applications have demonstrated economic feasibility, the Commission should be in a position to make such explosions available under a legislatively sanctioned arrangement whereby the Government's role would be essentially one of providing a service for an appropriate fee.

The Treaty on the Nonproliferation of Nuclear Weapons which the Senate now has before it for its advice and consent provides another reason for early legislation along the lines I propose.

Whatever one may think of that treaty, given its basic objectives, or the way it seeks to implement them, its article V prohibits non-nuclear-weapon countries from making their own peaceful nuclear explosives as it does their own nuclear weapons. Our country wisely and rightly, in my opinion, recognized that in view of this prohibition a heavy obligation devolves on it to provide the benefits of the technology whose development non-nuclear-weapon signers will be forswearing. This obligation was underscored in the President's statement to the United Nations on June 12 and on the occasion of the signing of the treaty on July 1. The President has stated and restated that the United States is prepared to make available to other countries nuclear explosion services for peaceful purposes on a nondiscriminatory basis under appropriate international arrangements.

He has also committed us to make these benefits available "without delay." The Congress should act now to establish the framework within which these services shall be made available to other nations and to our own domestic industry. At the same time let us hope that the administration will hasten the research, development, and experimentation necessary to insure that these benefits will exist as we have promised they would.

Under H.R. 18448, the Commission will at all times retain custody and control of the nuclear explosive device. As we conceive the AEC's role, it would emplace the device, detonate it, and impose such other controls as would be necessary to protect health and minimize any danger to life or property. The prices to be charged by the Commission for such services would be established on a nondiscriminatory basis and be such as to provide reasonable compensation to the Government.

Services to be performed abroad by the Commission could be carried out only in accordance with an agreement for cooperation arranged pursuant to section 123 of the Atomic Energy Act. Thus the President, who must approve such agreements, and the Congress through the Joint Committee, to which any such agreement must be submitted for a specified period before becoming effective, would have ample opportunity for continuing surveillance of this important program.

This, Mr. Speaker, is a brief summary of the more significant features of H.R. 18448. I would be the first to recognize that this bill may require further refinements before it is ready for final passage. I anticipate that the Atomic Energy Commission, the Department of State and other interested agencies may have some helpful suggestions to strengthen the bill. I particularly look forward to learning their views on such related matters as the provision of financial protection by domestic and foreign users, possible licensing requirements for users, and so forth.

The State Department may also be in a positon to tell the Congress what steps it is taking to assure that the Test Ban Treaty will not hamper the further development of this technology and will not hamstring the President from fulfilling some of the commitments he has made in connection with the proposed Nonproliferation Treaty. Without an appropriate amendment to the Test Ban Treaty or other appropriate action it is exceedingly difficult to understand how the President will be able to make some of the most promising plowshare uses available to small nations where, because of their size, harmless amounts of radioactive debris might be carried beyond their territorial limits.

The text of H.R. 18448 follows:

H.R. 18448

A bill to amend the Atomic Energy Act of 1954, as amended, and for other purposes

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

That subsection 11 b. of the Atomic Energy Act of 1954, as amended, is amended to read as follows:

"b. The term 'agreement for cooperation' means any agreement with another nation or regional defense organization authorized or permitted by sections 54, 57, 64, 82, 91 c., 103, 104, 144, or 161 w. and made pursuant to section 123."

SEC. 2. Section 123 of the Atomic Energy Act of 1954, as amended, is amended by striking out "or 144" and adding in lieu thereof "144, or 161 w." in the first sentence.

SEC. 3. Section 161 of the Atomic Energy Act of 1954, as amended, is amended by adding at the end thereof the following new subsection:

"w. enter into contracts for such periods of time as the Commission may deem necessary or desirable for the provision by the Commission of services involving the detonation of nuclear explosive devices for peaceful purposes. The Commission shall establish prices to be paid for such services on such a nondiscriminatory basis as, in the opinion of the Commission, will provide reasonable compensation to the Government for such services: *Provided, however,* That such prices shall be consistent with the provisions of any applicable international arrangement. Services in territory under the jurisdiction or control of another nation may be performed only in accordance with an agreement for cooperation arranged pursuant to section 123 containing provisions to assure that all nuclear explosive devices used in performance of such services will remain under the custody and control of the Commission and that no Restricted Data will be communicated contrary to the provisions of this Act in connection with the conduct of such services. Contracts made pursuant to this subsection shall contain such provisions (1) to protect health, (2) to minimize danger to life or property, and (3) to require the reporting and to permit the inspection of work performed thereunder, as the Commission may determine. Nothing in this subsection shall limit or restrict the Commission's authority to enter into arrangements under section 31 involving the detonation of nuclear explosive devices."

Text of the above-mentioned Commonwealth Club speech delivered in San Francisco follows:

REMARKS BY REPRESENTATIVE CRAIG HOSMER[*] REPUBLICAN, OF CALIFORNIA, TO THE COMMONWEALTH CLUB OF CALIFORNIA, SAN FRANCISCO, JULY 5, 1968

I am going to talk about nuclear bombs. It's an explosive subject so I hope it doesn't upset anybody. I have seen their insides, and their outsides, sat on them, ridden with them and watched them explode in sub-kiloton to multi-megaton yields. It's something to see and gives one a healthy respect for them. I have a fear for the harm they can do if misused, but high hopes for the good they can do if mankind employs them peacefully and properly. During most of the last two decades I have spent much of my time working to prevent their improper use and to forward their peaceful and proper applications.

My remarks will concern the latter subject and how it might contribute subtantially toward the solution of our monetary, gold and fiscal crises.

For during the next 10 years, your Federal government will spend about $2000 billion. And we all know that money is not going to come out of a pump. It is going to be extracted from the economy—more specifically and painfully, from you in the form of taxes, other levies and inflation. Perhaps, however, some significant portion of it may be brought up from the ground by a new kind of pump, which may add unexpected thousands of billions of dollars to the gross national product while at the same time saving us billions on the cost of public and private construction.

THE POT OF GOLD

You may ask: Where is this $1000 billion hidden? There is, for instance, over $14 billion in gold still locked in the ground because it costs more than $35 an ounce to get it out. That is more gold than has been mined in the entire history of the United States, despite 1948 and all our other gold rushes.

In the Rocky Mountain area alone, there are 317 trillion cubic feet of natural gas, worth upwards from $50 billion, cemented in hard unproducible shales.

In the Western United States, there is another $1000 billion worth of oil—some 400 billion barrels of it, more than the entire world's present reserves—also locked in currently unproducible formations.

The same is true for large quantities of copper, silver, molybdenum, uranium and a host of other valuable resources secreted in low grade ores presently uneconomic to work.

The newly invented pump which can bring all this up from beneath the surface and begin realizing its value is called Plowshare, which is the Atomic Energy Commission's program to develop peaceful uses of nuclear explosives.

And how can these same devices also be used to make dramatic reductions in the cost of many large construction ventures?

Simply by exploding them near the surface to move vast quantities of dirt and rock quickly and efficiently. For example, world shipping and our own defense make mandatory a new canal across the Central American Isthmus—soon and preferably at sea level. Conventional construction costs along the proposed Sasardi-Morti route exceed $2 billion. In 1964 the AEC estimated this canal could be dug for one-third that cost—$650 million—using nuclear explosives. Similar techniques employed wholly underground in totally contained explosions can make practical such impractical dreams as that of blasting gigantic storage caverns for water or to smooth out the seasonal flows of natural gas from producing areas to consuming areas.

THE NUCLEAR "CHIMNEY"

Let us take a closer look at the way these earth-shaking Plowshare devices can be put to work for man's good instead of his destruction.

Say we have used a 30 kiloton Plowshare explosive—some one and one-half times the size of the device used at Hiroshima—at the bottom of a hole 3000 feet deep. Its A-bomb characteristics which produce radioactivity have been minimized, and its H-bomb characteristics which do not, have been maximized. Typically, with such a fully contained underground shot, one would expect to create a cavern some 550 feet high and 200 feet in diameter, filled with rubble, and with radial fractures extending out around 300 feet from the rubble-filled chimney. We used a relatively clean device, therefore radioactivity induced in the chimney by the nuclear reaction was minimal.

Its sun-like heat turned nearby rock most subject to induced radiation into a vapor which cooled to a liquid. The liquid flowed to the bottom of the chimney, hardening into a glossy slag which permanently trapped within it most of the solid radioactivity. Gaseous radioactivity will be flushed from the cavity later and safely disposed of. In any event, radioactivity was at a maximum the microsecond it was created. The worst occurred first and afterward things continually got better as short-lived isotopes decayed. Test holes were drilled to the chimney and monitoring devices emplaced. These devices will tell us when it has "cooled" down and we can start using it.

Since, except for distance, there is little difference in seismic effects between nuclear and conventional explosives—and we're not firing them beneath downtown San Francisco anyway—we were able to anticipate, computer analyze and predict in advance any possible damage to structures and insure against it. The adjusters have long since settled legitimate claims, if any there were.

---

[*] Rep. Hosmer is the ranking House minority member of the Joint Committee on Atomic Energy.

What we have done thus far is to break up some rock and make a potentially useful hole using the explosive force of an H-bomb, sized so as to produce a controlled underground blast substantially larger than can be practically produced with conventional explosives. This application of nuclear explosives has its advantages. The ones worth mentioning are safety, economy and convenience. These are perhaps not the terms normally used to describe nuclear bombs, but they are pertinent and demonstrable.

First, *safety*—this comes about from the predictability of effects and the demonstrated know-how in handling we have acquired after some 600 nuclear test explosions already fired in Nevada and elsewhere, over 200 of them either underground or near the surface.

Second, *economy*—where else can you buy the explosive effect of a whole ton of TNT for about $8? Real TNT costs over $400 a ton. And,

Third, *convenience*—this is evident, by imagining how else you could physically emplace 30,000 tons of TNT at the bottom of an 18-inch hole that may be several thousands of feet deep.

This is a safe, economical and convenient package we are dealing with. And in Plowshare we are dealing with it in a rational, constructive and controlled way so that nobody gets hurt and many people can benefit.

PLOWSHARE APPLICATIONS

Project Gasbuggy, detonated last December 10 near Farmington, New Mexico, proved you can get precisely the size and shape chimney you want, on a fully predictable basis, without any radioactivity escaping and less of it in this chimney than many expected. This shot was fired in a low porosity natural gas formation and is the starter for unlocking the heretofore unreachable $50 billion worth of natural gas. Its final results are not in, but all evidence points to success. Gas pressure is rebuilding in the cavity and soon production experiments will begin.

The purpose of this particular chimney is to expand the surface through which gas may escape from the size of an ordinary drilling hole, say 12 to 16 inches in diameter, to the entire surface of the underground chimney and all the cracks and fissures extending out some 300 feet around it. The result is an escape surface equivalent to many thousands of conventionally drilled holes. The additional escape surface compensates for slow rate at which gas is yielded up by a low porosity formation.

Project Ketch, planned for a remote area in Pennsylvania, is a reverse twist. It will create an underground cavity which will be used not to produce natural gas but during summer to store it from the pipelines and feed it back into them during winter peak heating months. This Project is to be rescheduled from state-owned to private-owned land because of the Coal State's touchiness about rival forms of energy such as petroleum and the atom.

And to zero in on the riches secreted by nature in her hard, stubborn oil shales. *Project Bronco,* planned west of Meeker, Colorado, will create a sub-surface chimney into which air will be pumped and a fire maintained. The heat is expected to liquify shale oil of a jelly like consistency, permitting it to be pumped to the surface and refined. This typical formation contains up to a generous 25 barrels of oil per short ton of shale, valued upwards from $2.50 a barrel, ultimately to be multiplied by 400 billion barrels.

Just in case all this sounds a little far out, let me say that already this nuclear chimney business has a name—"Underground Engineering". It has attracted substantial private investment, and the experts estimate its oil and gas recovery aspects alone will require some 1,000 shots a year within 5 to 10 years, and that a total of 30,000 nuclear shots is needed in the United States alone, considering only currently known oil and gas reservoirs.

Since starting the Plowshare Program 10 years ago, the AEC has spent roughly $100 million developing technology and gaining experience, not only for underground engineers interested in fully contained shots beneath the surface, but also for cratering technology with many exciting excavation possibilities additional to canal building. For example,

The Qattara and Chott Depressions in North Africa are but a few miles from the Mediterranean. Great hydropower resources could be tapped from the flow of sea water into these depressions if ditches can be excavated with nuclear explosives.

Many coastal areas of Africa, South America and Australia are awaiting great economic development if only harbor facilities can be created by powerful nuclear explosives.

Then in South America the Hudson Institute has developed a plan to reclaim and develop the vast, rich Amazon Valley, based on the availability of Plowshare devices to build the dams and waterways and do the other geological face lifting involved.

A plan most interesting to me as a resident of arid Southern California, is one to capture the rainfall of arid areas in the world, which comes infrequently but in flood quantities when it does come. Openings and giant catch basins would be exploded to capture and hold this water beneath the ground instead of letting 98% of it evaporate from the surface. Studies to this end are underway at the University of Arizona under direction of Dr. Norman Hillberry. Just think of what it will mean for that arid state's future, and that of such drought and trouble plagued countries as Israel, Jordan, India and Pakistan.

END OF THE RAINBOW

And, of course, of great interest to all of us is how Plowshare might solve our gold problem which, ironically, is not that we don't have any gold left, but simply that it costs too much to get out of the ground. Since its $35 price is unlikely to be boosted, the obvious answer is to reduce its recovery cost by bypassing mining expenses and milling it where it is, in the ground.

Assume we have blasted one of these nuclear chimneys I described in a gold bearing formation, broken up hundreds of thousands of tons of rock, and about a year later our monitoring instruments show it is safe to work. We drill a hole to the top of the chimney. Then, we slant drill a second hole to its bottom, just above the glassy slag. We introduce a leaching solution at the top which percolates through the rubble, dissolving gold as it goes. As it settles at the bottom of the chimney, we pump out the now pregnant solution, chemically extract its gold and cycle it through again to pick up more gold. By this means the heavy cost of removing ore from the ground and transporting it to a mill is by-passed.

If all works well I believe that the next gold rush will be based on technology, not geography. Presently our richest ore yields only about an ounce of gold per ton, and it costs nearly $35 an ounce to work it. Only 2% of our known reserves are that rich. The cost of getting ore out of the ground and to the mill makes working the other 98% uneconomic. Since considerably more than half the cost of gold recovery is assigned to extracting and moving ore, it is apparent that if gold can be milled in place and that costly link in the production chain eliminated, gold operations again will become profitable. If this technology pares production costs to say $17.50 an ounce, then operations become profitable if only one-half ounce of gold per ton is recovered. Vast ore bodies become workable, not only in the United States, but wherever they are in the world.

And what is the likelihood of attaining costs in this range and better? Herbert Grier, one of the world's foremost experts in this area, estimates that when this country gets into mass production of Plowshare nuclear explosives, the cost of creating a chimney such as I described will run between $200,000 and $300,000, of which $100,000 would be for the device and its firing. This is peanuts in comparison to the cost of keeping a crew of miners on the job in a conventional ore extraction operation.

Earlier this year, my attention was drawn to these possibilities when our present monetary crisis was mounting, and the world run on U.S. gold drained us of over $3 billion in less than a year and at Ft. Knox there was a steadily diminishing ratio of ingots to outgots. In a conversation with Dr. Edward Teller, I learned that scientists at the AEC's Lawrence Radiation Laboratory, across the Bay at nearby Livermore where the nation's Plowshare effort is centered, were doing some interesting work on applying Plowshare and *in situ* leaching to gold recovery.

I subsequently talked with the people at Lawrence and they told me it is indeed, a very exciting possibility. Their level of effort is small, involving only a few people, but they were very optimistic. Then in April of this year I received their written report, which generally upholds the earlier optimism. Based on that report, the AEC got the Lawrence scientists together with the Bureau of Mines and the U.S. Geological Survey to decide what additional work is appropriate.

I want to emphasize the preliminary nature of everything that has happened to date, but there does seem to be general agreement that the idea is worth pursuing. Its principal technical difficulties are not in the nuclear area, but in the development of proper chemical solutions for *in situ* leaching in the numerous varieties of specific gold ores. The solutions must work on the gold but not on valueless substances also inhabiting the host rock. And they must hold gold in solution long enough to pump the pregnant liquid to an extraction plant above ground.

The scientists' report of their laboratory work indicates some rather remarkable advances in holding gold in solution by the use of complexing agents as well as a laboratory capability of getting over 80% of gold from test ores into solution. For those interested, the dissolving agent tested was an acidified aqueous solution of sodium hyperchlorite and sodium chloride. The complexing agents were a variety of relatively inexpensive organic and inorganic substances. The ores tested were taken from low-grade deposits near Carlin, Nevada, and from the El Dorado Mining District in Clark County, Nevada.

SPECULATORS BEWARE

One of the reasons popularly given for speculating in gold metal is that its bottom price is fixed, so even if it fails to go up you can't lose anything. But recent legislation has halted United States open purchase of gold at $35 per ounce. The floor on price has been removed. Now the scientists may be finding cost cutting ways to boost supply which, in relation to demand, will have an inevitable price consequence. Now, I am not one of those who believe "God is not dead, He just lacks a Ph. D.," but having closely watched our scientific establishment at work for many years, having seen a steady stream of technical break-throughs pour forth I'll put my own buck on the scientists rather than the speculators in this contest.

For already in the advanced planning stage is Project Sloop which will apply the same under ground nuclear ore crushing and in situ leaching technology to copper mining. It is sponsored jointly by the AEC, the Interior Department and the Kennecott Copper Corporation. A site in Arizona has been selected. Project Sloop's in situ experience will be directly and beneficially applicable to the gold situation.

PROJECT ARGO

From my mention of Plowshare Project's Sloop and Ketch you can see that the program's administrators have a proclivity for naming their projects after ships. When they go ahead with their quest for gold I suggest an appropriate Project name would be Argo, the name of the ship on which Jason embarked to secure the golden fleece.

NONTECHNICAL HURDLES

From my statements thus far you might be led to believe that technical problems involved have been either taken for granted or overlooked. Neither is the case. It is simply that these problems are straightforward ones requiring research and development only. They do not require new inventions. For instance, we are constantly striving for cleaner and less radioactive Plowshare explosives and we are getting them. But that is a matter of technique, not invention.

It is clear to us in government and the private sector, who are trying to establish this industry, that the timetable and, in fact, ultimate success rests to a greater extent upon the solution of non-technical problems than it does technical ones.

In that connection, the overly strict provisions of the Limited Test Ban Treaty of 1964, barring even the slightest release of even the smallest quantities of radiation beyond one's own national boundaries, must be modified. Until they are, such projects as the new Panama Canal will be infeasible. On March 12 at the Nevada Test site, we fired five very small nuclear shots simultaneously in a row creating a clean ditch 250 feet wide, 65 feet deep and 850 feet long—a perfect segment for the Canal. But that could not have been done in Panama simply because, in violation of the Treaty, a small amount of radiation would have been carried harmlessly to sea beyond the country's three-mile limit.

In the last few weeks the so-called Non-Proliferation Treaty has been negotiated, amongst other things calling on the nuclear powers to make Plowshare explosions available to non-nuclear nations on a non-discriminatory basis. Perhaps now we can build a fire under the Administration and get it moving to amend the Test Ban Treaty and take its handcuffs off Plowshare. To date, however, my prodding and that of others has been notably unproductive.

As a matter of fact, one of our biggest problems is to divorce Plowshare from the problems of nuclear war in the minds of the people who are concerned with disarmament schemes, and get them to adopt mature attitudes about peaceful nuclear explosives. Time and again, Plowshare R&D test shots have been needlessly canceled or delayed by "Nervous Nellies" in the State Department who are plagued with unfounded fears that a peaceful nuclear shot might shake some disarmament conference to pieces. Article V of the new Non-Proliferation Treaty has totally legitimized the Plowshare effort and in his address to the United Nations General Assembly on June 12th President Johnson promised:

"We shall continue our research and development into the use of nuclear explosions for peaceful purposes. We shall make available to the non-nuclear treaty partners—without delay and under the treaty's provisions—the benefits of such explosions."

Two major steps are required to produce on this promise and to provide our own domestic Plowshare industry with a charter under which it can operate: The AEC must be given authority to supply the necessary devices on a businesslike basis, and it must put a full line of them on its shelves, complete with price tags.

Presently the Atomic Energy Act of 1954 permits AEC to make the explosions available only for R&D, as distinguished from industrial, purposes. I am preparing legislation to allow the AEC to supply industry with nuclear explosions at established prices on a routine basis. I use the term "explosions" because at all times the devices involved would remain in AEC custody and control to insure safety and security..

Presently the AEC's Plowshare work is largely experimental. Emphasis must be shifted to fabricating a sophisticated line of Plowshare explosives so that industry can count on price, terms and delivery of a variety of required yields at specified times to permit regular scheduling of operations. This can be done without changing the law and I urge that it be done administratively.

I visualize that the pricing of these products, in accordance with public statements of AEC Chairman Glenn Seaborg, will not include costs associated with R&D. However, in addition to the cost of the explosives, they would include outlays associated with emplacing and firing them and those involved with assuring the security and the safety of their use.

Thus, it is that the safe, economical and convenient Plowshare peaceful nuclear explosives program is now on the threshold of making handsome financial and foreign policy returns for the investment the United States has made in it. History shows us that conventional explosives have, on balance, been used more for good than evil. I am convinced that Plowshare will do the same for nuclear explosives.

I hope my remarks today have transferred to you a small portion of my own enthusiasm and support for the program.

H.R. 149 SHOULD BE SUPPORTED

The SPEAKER pro tempore. Under previous order of the House, the gentleman from Ohio [Mr. Ashbrook] is recognized for 15 minutes.

Mr. ASHBROOK. Mr. Speaker, I wish to state my complete support for H.R. 149, a bill introduced by my able colleague on the House Committee on Un-American Activities, the gentleman from Missouri [Mr. Ichord]. There has been widespread misunderstanding about this bill and an undue apprehension from many of the committee's ardent supporters. As the ranking minority member on the committee, hopefully the chairman in the near future, it goes without saying that I am not interested in any effort which would limit the work of the House Committee on Un-American Activities.

Our chief business is oversight of existing laws. We conduct extensive investigations in our mandated area of inquiry and suggest remedial measures to strengthen the security laws of our Nation. It would be a travesty to not suggest remedial legislation to our own committee's mandate and operation if we deemed it necessary. We do deem it necessary.

The mandate of the committee is contained in the House rules, specifically in rule XI which refers to the powers and duties of committees. Our particular authority is contained in section 18 which states:

RULE XI

POWERS AND DUTIES OF COMMITTEES

* * * * * * *

18. Committee on Un-American Activities.

(a) Un-American activities.

(b) The Committee on Un-American Activities, as a whole or by subcommittee, is authorized to make from time to time investigations of (1) the extent, character, and objects of un-American propaganda activities in the United States, (2) the diffusion within the United States of subversive and un-American propaganda that is instigated from foreign countries or of a domestic origin and attacks the principle of the form of government as guaranteed by our Constitution, and (3) all other questions in relation thereto that would aid Congress in any necessary remedial legislation.

The Committee on Un-American Activities shall report to the House (or to the Clerk of the House if the House is not in session) the results of any such investigation, together with such recommendations as it deems advisable.

For the purpose of any such investigation, the Committee on Un-American Activities, or any subcommittee thereof, is authorized to sit and act at such times and places within the United States, whether or not the House is sitting, has recessed, or has adjourned, to hold such hearings, to require the attendance of such witnesses and the production of such books, papers, and documents, and to take such testimony, as it deems necessary. Subpenas may be issued under the signature of the chairman of the committee or any subcommittee, or by any member designated by any such chairman, and may be served by any person designated by any such chairman or member.

The mandate contained in H.R. 149 would be much clearer and would provide authority to fully continue the present work of the Un-American Activities Committee. In addition, very important responsibilities would be included which would make the Committee on Internal Security better equipped to investigate the forces which threaten our internal security in this present time of crisis. H.R. 149 would change section 18 as follows:

"11. Committee on Internal Security.

"(a) Measures relating to Communist and other subversive activities affecting the internal security of the United States.

"(b) The Committee on Internal Security, acting as a whole or by subcommittee, is authorized to make investigations from time to time of (1) the extent, character, objectives, and activities within the United States of organizations or groups, whether of foreign or domestic origin, their members, agents and affiliates, which seek to establish, or assist in the establishment of, a totalitarian dictatorship within the United States, or to overthrow or alter, or assist in the overthrow or alteration of, the form of government of the United States or of any State thereof, by force, violence, treachery, espionage, sabotage, insurrection, or any unlawful means, (2) the extent, character, objectives, and activities within the United States of organizations or groups, their members, agents, and affiliates, which incite or employ acts of force, violence, terrorism, or any unlawful means, to obstruct or oppose the lawful authority of the Government of the United States in the execution of any law or policy affecting the internal security of the United States, and (3) all other questions, including the administration and execution of any law of the United States, or any portion of law, relating to the foregoing that would aid the Congress or any committee of the House in any necessary remedial legislation.

"The Committee on Internal Security shall report to the House (or to the Clerk of the House if the House is not in session) the results of any such investigation, together with such recommendations as it deems advisable.

"For the purpose of any such investigation, the Committee on Internal Security, or any subcommittee thereof, is authorized to sit and act at such times and places within the United States, whether the House is in session, has recessed, or has adjourned, to hold such hearings, and to require, by subpena or otherwise, the attendance and testimony of such witnesses and the production of such books, records, correspondence, memorandums, papers, and documents, as it deems necessary. Subpenas may be issued under the signature of the chairman of the committee or any subcommittee, or by any member designated by any such chairman, and may be served by any person designated by any such chairman or member."

The new mandate will go a long way toward strengthening the committee and eliminating any possible misunderstanding and confusion about the specific powers and jurisdiction of our committee. The House Committee on Un-American Activities currently is charged with investigating communism. A long line of Supreme Court decisions have virtually limited un-American activities to Communist activities. In H.R. 149, investigating communism would be the continuing mandate of our committee but the authority to investigate domestic or indigenous terrorist groups whose organized unlawful activities pose a threat, whether immediate or long-range and indirect, to the security of our form of government, would be added.

As is usually the case, there are many people who think any change whatsoever is an indication that HCUA is to be killed. While well meaning, they are simply uninformed. No one has suggested we change the name of the House Committee on Un-American Activities because of its symbolic stature as a target of liberals. The new name simply does a better job of clearly indicating our scope of activity. No liberal I know has advocated this change. In all honesty, they will probably oppose it as it would add more vitality to our committee's life. There are many wrong assumptions being made if my mail is any indication of the scare campaign that is being organized against H.R. 149. Some have even suggested this would transfer our jurisdiction to the Judiciary Committee. This is totally incorrect.

It has been suggested that if H.R. 149 passes, seniority on the committee will be abolished and it will be constituted with new members. If I thought this, I obviously would not support H.R. 149. The House can at any time vote to reconstitute a committee. Any or all of the Republican members or the Democrat members can be replaced by their own parties. There is no more danger of this being done if H.R. 149 passes than there would be at any time in the past or future. Both parties will continue the same nine members on the Committee on Internal Security. This scare tactic just does not have merit.

I have always considered myself a rather steadfast supporter of the House Committee on Un-American Activities. I honestly feel that we can do a much better job with a clearer mandate such as that which is embodied in H.R. 149. Maybe there is sentimentality attached to the name of our present committee because of its many battles and causes over its 30-year history. I am inclined to be somewhat wistful about the name change but, on the other hand, I think it is time to bring our committee's mandate up to the threats of the 1960's and 1970's which we will be clearly charged to meet if the House of Representatives takes a forward step in approving H.R. 149.

I can well understand the concern of our committee's many friends. We appreciate their apprehension and know it is well intended. In this case, however, they will just have to accept the word of those of us who are working in the field, especially those of us with responsibilities on the Un-American Activities Committee, that H.R. 149 is in our best interests and will strengthen rather than weaken HCUA which has been a bulwark against communism and subversion.

CHURCH ACTION AGAINST LAWLESSNESS

Mr. DANIELS. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. DANIELS. Mr. Speaker, this week I received a petition signed by members of the Grove Reformed Church of North Bergen, N.J. Rev. Harold Hoffman, pastor of this respected house of worship was kind enough to send me a copy of the petition.

Mr. Speaker, I know that many Members of this House will recognize some of the legislative suggestions as goals which I have been advocating, along with other concerned Members, for many years.

Because these views are, as I see it, the views of typical Americans, concerned with what is happening in this Nation, I think that they merit the careful scrutiny of all Members of the House and the Senate, and all persons who read the CONGRESSIONAL RECORD. For this reason, Mr. Speaker, I insert the recommendation of the Grove Reformed Church and an excellent editorial published in the Hudson Dispatch, an important newspaper in northern New Jersey, which describes the impact of these proposals on the community at large, in the RECORD following my remarks.

Mr. Speaker, I commend the social action committee of this church for their sense of concern. Their views are the views of the most enlightened of my constituents, and they deserve the widest possible dissemination.

There are those who argue that America is on the downgrade, that our destiny is that of Rome or Babylon. Yet, while conceding that America does have serious problems, I still feel that so long as we have people like those who signed this petition, America's heart is sound.

The material referred to, follows:

[From the Hudson Dispatch, June 28, 1968]

CHURCH ACTION AGAINST LAWLESSNESS

Deeply concerned over the crisis our country is confronted with because of the increasing incidence of crime and violence, Grove Reformed Church of North Bergen, now in its 125th anniversary year, has formed a Social Action Committee, which has compiled a nine-point plan designed to curb the lawlessness which is rampant in the land.

Rev. Harold Hoffman, pastor, has announced the selection of members of this committee. William G. Fiedler is its chairman and other members include Charles Block, Walter Miller and Edward Conlon Jr.

The church's social action group came to the conclusion that its views should be presented to Dr. Milton Eisenhower, chairman of the National Commission for Crime Study. To that end a letter expressing the thinking of the pastor, the committee and the congregation has been composed. It outlines reasons for the grave concern felt over disregard for law and order and makes suggestions calling for positive action to impose curbs on lawlessness.

The writer feels that the Social Action Committee has done a most commendable job in its endeavors to obtain action "Now" on the increasingly alarming situation which faces the nation. Its program calls for more than passing perusal by the Crime Study Commission.

The communication to Dr. Eisenhower emphasized the fact our nation was founded by God-fearing men and it states that "if we are to succeed in our quest for a solution to present dangers, we must preface what we do on the need for help of Almighty God" if there is to be a return to respect for law and order. "Our nation will be as strong as its moral fiber," the committee holds.

It was further held that the time for complacency, for sermons, for mere words, excuses and reasons is past. Asserting that positive action is now in order, the committee writes that "while the following suggestions might tend to curb the so-called 'freedom' of certain groups, we cannot feel but that the protection of society as a whole is the more important consideration." We agree wholeheartedly.

Less violence on TV is called for. It is the committee's feeling that television, radio and press media have a duty to minimize this trend and to limit certain broadcasts so as not to abet and aggravate violence.

It is maintained that all guns be registered, that permits should be required for their purchase and applications for such permits be carefully scrutinized. Sales of guns by mail are strongly opposed.

The hands of police and other law enforcement agencies must be untied it is maintained. Toys that spell the glory of killing should be eliminated.

While the right of student appeal in colleges is upheld, it is stated there must be a definite understanding that violence and destruction of property will not be tolerated.

Attention should be directed to the need for careful srcutiny of so-called "leaders" in all movements whose avowed intent is to inflame, urge to burn and riot. These individuals, the social action group avers, have anarchistic tendencies. Some have been known to visit Communist leaders in other lands.

Included in the recommendations is made for speeding up our judicial system on grounds that justice delayed is justice denied. Removal of criminal repeaters is asked. While it is granted that every man has a right to a second chance, habitual felons do not rate the risk entailed by their repeated return to society.

The group's study of crime conditions puts strong emphasis on infiltration by the underworld into businesses, unions and into sports. Mr. Eisenhower was told that "unless this trend is checked, no one will be safe from racketeers, loan sharks and strong-arm desperadoes. This is a cancer. Narcotics, numbers and other vices are directly connected with this element who live outside the laws of society."

This Sunday the parishioners of Grove Reformed and friends will be asked to attach their signatures to this timely letter, the contents of which of a certainty command the support of every thinking law-abiding citizen.

GROVE REFORMED CHURCH,
North Bergen, N.J., July 8, 1968.

Representative DOMINICK DANIELS,
Union City Post Office,
Union City, N.J.

DEAR SIR: It is with grave concern that we meet to discuss our present crises.

An overall careful appraisal of our local and national situation reveals certain contributory causes. As we have pondered this, we have concluded that our thoughts should be made known to you as a legislator of our state.

Our nation was founded by God-fearing men. If we are to succeed in our quest for a solution to these present dangers, we must preface what we do on the need of the help of Almighty God for a return to respect for law and order. Our nation will be as strong as its moral fiber. There is a need for greater understanding of the Ten Commandments. These are in essence the basis for all decent living.

We feel that the time for complacency, for mere words, excuses and reasons is now past.

We feel that positive action is now in order. While the following suggestions might tend to curb the so-called "freedom" of certain groups, we cannot feel but that the protection of society as a whole is the more important consideration.

May we suggest:

1. Less violence on our TV screens. Mass media communication, the press, radio and television has a duty to minimize this trend and to limit certain broadcasts so as not to abet and aggravate violence.
2. The registering of all guns. Permits to purchase same and scrutinize applications for same permits, and to make illegal the purchase of firearms by mail.
3. Untying the hands of the police and other law enforcement agencies.
4. Elimination of toys that spell the glory of killing.
5. The right of student appeal in colleges but the definite understanding that violence and destruction of property will not be tolerated.
6. Careful scrutiny of so-called "leaders" in all movements whose avowed intent is to inflame, urge to burn and riot. Some of these individuals have anarchistic tendencies. Others have been known to visit Communistic leaders in other lands.
7. A speeding-up of our judicial system. Justice delayed is justice denied.
8. Removal from society of repeated criminals. Every man has a right to a second chance but habitual felons do not rate this risk of repeated return to society.
9. Great emphasis on infiltration of the underworld into various businesses, union organizations and sports. Unless this trend is checked no one will be safe from racketeers, loan sharks and strongarm desperadoes. This is a cancer. Narcotics and other vices are directly connected with this element who live outside the laws of society.

The time has come for quick action or we are afraid that our nation will reach a point of no return.

The undersigned are members and friends of the Grove Reformed Church of North Bergen, New Jersey, citizens concerned about the future of our country.

The time is NOW—this is the Hour of Decision.

Respectfully yours,

THE SOCIAL ACTION COMMITTEE OF THE GROVE REFORMED CHURCH.

COMMEMORATIVE STAMP FOR ROBERT F. KENNEDY

Mr. FLOOD. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. FLOOD. Mr. Speaker, at this time I rise to address this body and its distinguished Members concerning an event of recent date, which, even though a month since its tragic occurrence, still troubles me with deep sorrow.

Mr. Speaker, I refer to the catastrophic assassination of the distinguished junior Senator from New York.

In my public service career many events have taken place which have forced me into deep thought and prayer for the concern of my country. Of all these events—and by the way, they span a broad range of topics—few have been as personally distressing as the political assassinations of three great countrymen: President John Fitzgerald Kennedy, Rev. Martin Luther King, Jr., and Senator Robert Francis Kennedy.

The tragic slaying of these national leaders signals danger for the American public. The life of our democracy has been rooted in the availability and accessibility of our civil servants to their constituencies. These tragedies cause many of us to wonder if any man is safe to present his views before the American people for their judgment without troops of security guards standing by. And the deaths of these three particular Americans have left a void in the political fabric of our country which can never be replaced.

But aside from the political loss, the death of two of these men was a great personal loss to me.

As you know, I first came to the 79th Congress in 1946—later came the young Congressman John F. Kennedy. Working with him in the Congress and the Presidency, along with having his friendship, are experiences which are deeply impressed on my heart.

In a similar vein, the shooting of Senator Robert F. Kennedy played its personal toll and I felt the need myself to make some type of response to the situation.

For the family which has experienced so many tragedies little but sincere condolence can be offered.

There is really so little anyone can do to express their gratitude for the brilliant career of Senator Kennedy.

However, I do feel the need for us as a Nation to insure in every way possible that the life of Senator Kennedy is remembered and the ideals for which he sacrificed that life remain alive in the minds of Americans of all ages.

Mr. Speaker, when I mention the life of Robert Kennedy, I speak of the man who fathered 10 children and loved completely a wife who will mother their 11th child this winter. I speak of the exciting life of a man who climbed mountains and forded streams for the adventure that these exercises contained. I speak of the life of Robert Kennedy, who, by birth, could have relaxed and lived a complacent and comfortable life; but instead, like the rest of the members of his outstanding family, he choose to dedicate his career to the public service of the people of the world.

And, Mr. Speaker, when I mention the ideals of Senator Kennedy, I refer to those ideals which told him that the pursuit and attainment of truth were the only way one could achieve real freedom. I refer to the ideals which provided the courage which he so often exhibited for many, even unpopular causes. Courage rooted in the obligation to do right was his guide. I refer to the compassion, and understanding which this young man had for the impoverished people of our Nation whether they may be white, black, Indian, Puerto Rican, or Mexican. Mr. Speaker, I refer to the ideals which provided Senator Kennedy with the creative energy to continually "seek a newer world," as he attempted "to make gentle the life of the world," in which he lived—both of these were deeply felt convictions of Robert Kennedy.

In an attempt to add to the memory of Senator Kennedy throughout our Nation, today, I present legislation which designates the Postmaster General to issue a postage stamp in commemoration of Robert Kennedy's birthday. The legislation further designates the stamp first to be placed on sale on the next anniversary of that birth, November 20, 1968.

As you know, Senator Kennedy had a deep-rooted commitment to the disadvantaged and underprivileged of our society. In order to make this memorial more meaningful for the Senator's family and followers as well as the impoverished people whom the Senator loved, I have further made provisions that the first sale of the 6-cent Kennedy commemorative stamp take place in the neighborhood known as Watts in the city of Los Angeles where the Senator died. Furthermore, to point out this symbolism, I have asked that the first day covers while bearing the Los Angeles postmark shall carry the Watts ZIP code, 90002.

Mr. Speaker, it is true that the issuance of a commemorative stamp is not unusual. Hopefully the date and condition of issuance will add more meaning to this stamp.

Aside from the introduction of this legislation I have written the Postmaster General urging him to issue such a commemorative stamp as designated in this legislation, especially if the Congress with its busy calendar does not take action on this measure before adjournment.

Mr. Speaker, while Senator Kennedy is dead and even though his ideals live on, I join with many other Americans in wondering why such things occur. It seems to me though that Senator Kennedy, who suffered greatly on the passing of his brother the President, probably would not wonder "why." Indeed, he would take advantage of the great amount of insight he had in these matters. The other night I ran across a passage from the writings of former Secretary General of the United Nations Dag Hammarskjold, which answered my question. To me these words summarize the life and death of the distinguished Senator, my friend, Bob Kennedy:

> We are not permitted to choose the frame of our destiny. But what we put into it is ours. He who wills adventure will experience it—according to the measure of his courage. He who wills sacrifice will experience it—according to the measure of his purity of heart.

A draft copy of the bill follows:

H.R. 18458

A bill to provide for the issuance of a special postage stamp commemorating the birthday of the late Senator Robert F. Kennedy of New York

Be it enacted by the Senate and the House of Representatives of the United

States of America in Congress assembled, That the Postmaster General is authorized and directed to issue a special postage stamp in commemoration of the birthday of the late Senator Robert F. Kennedy of New York. Such stamp shall be for the denomination of six cents, and design as the Postmaster General and Kennedy family shall determine, shall be first placed on sale on November 20, 1968, at the classified postal station in the neighborhood known as "Watts" among the people for whom the Senator had so much love and compassion, in the city of Los Angeles where he died. The first day covers shall bear the ZIP code, 90002 of Watts and the postmark of Los Angeles. The stamp shall be sold thereafter for such a period as the Postmaster General shall determine.

FOREIGN AID SCORES SIGNIFICANT ADVANCES IN WORLD FOOD AND POPULATION BALANCE

Mr. MATSUNAGA. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from Hawaii?

There was no objection.

Mr. MATSUNAGA. Mr. Speaker, in the next few days as we consider the Foreign Assistance Act of 1968, I think it would be entirely fitting for this body to pause and examine the impact of the foreign aid program upon the peoples of developing nations.

That the food and population problem overshadows all other problems facing mankind in the last third of this century is a grim fact of which we are fully cognizant.

As Chancellor Howard P. Jones of Hawaii's East-West Center has stated:

> Unless food and population are brought into balance, ever larger numbers of human beings face starvation, malnutrition and disease, with social and political consequences from which no people, no nation can escape.

A major step toward bringing about this balance is indicated by the announcement of a new AID-East-West Center program for population/food studies in Asia and the Pacific, with all the resources of the Center thrown into the effort.

In an address delivered earlier this year before the Society for International Development in Washington, William S. Gaud, Administrator of AID, spoke of the agricultural revolution taking place throughout the world in the less developed countries of the world as a result of our foreign aid program. These AID programs which contributed to the "green revolution" saw world agricultural production in 1967 set a new record, and the less developed countries accounted for most of the increase. Said Mr. Gaud:

> The world is on the brink of an unprecedented opportunity. The critical food problem of the next 20 years can be solved. A growing number of developing nations are now moving to solve it.

Mr. Speaker, our great Nation ought to go forward with renewed resolve from the threshold of such a significant breakthrough. Passage of the Foreign Assistance Act of 1968 is an indispensable part of our continuing advance.

I urge my colleagues to read the article, "Still Much To Be Done in Agriculture Aid," which gives additional information concerning Mr. Gaud's recent speech, and an excellent editorial on the new AID program at Hawaii's East-West Center. I include these items, from the July 7, 1968, edition of the Honolulu Sunday Star-Bulletin and Advertiser in the RECORD at this point:

[From the Honolulu Sunday Star-Bulletin & Advertiser, July 7, 1968]

STILL MUCH TO BE DONE IN AGRICULTURE AID

(NOTE.—Earlier this year William S. Gaud, administrator, Agency for International Development, addressed the Society for International Development in Washington at its 10th annual conference. The following is part of his presentation.)

In 1962 the Rockefeller and Ford Foundations established the International Rice Research Institute at Los Banos in the Philippines. Their object was to develop new varieties which would increase rice production in countries such as India, Thailand, Pakistan, the Philippines, Cambodia and Laos—countries where rice was important but yields were low.

The Institute canvassed the world for samples of rice seed, looking for varieties to cross in order to form the hardiest, most adaptable, most nutritious strain. Ten thousand varieties were collected. Peta, a tall Philippine variety which originated in Indonesia, was crossed with a short variety from Taiwan, Dee-geo-woo-gen. The result was named IR–8. By 1966 it was fully developed.

IR–8 has a stiff, strong, short straw. It does not fall over, or lodge, when the plant is heavily fertilized or when it is buffeted by wind and rain. It matures quickly, allowing for two—sometimes three—crops in a single year. Some call it the "miracle rice." Under favorable conditions, each planting yields four to six times as much as most traditional varieties.

It is a long way, however, from breakthroughs in laboratories and test fields to the record crops being harvested by tens of thousands of farmers in half a dozen or more countries. Transforming the new seeds into food for millions of mouths requires many things. Some of these the developing countries can supply, some they cannot.

To begin with, of course, there must be a will for improvement in the developing countries themselves. In many of them such a will exists—particularly in Asia, where the pressures of food and population are so intense. Given this will, the people of the developing nations can put the new seeds, the fertilizer and the pesticides to work. And their governments can provide the credit, the price incentives and the market that will begin to change their lives.

But the developing nations—their governments, their institutions and their farmers—cannot sustain the Green Revolution without outside support. They lack the skills to do the necessary adaptive research. They lack the foreign exchange to import fertilizer. They lack the capital to build fertilizer plants. They lack the facilities and the technicians needed to train their people in the new ways.

If this agricultural revolution is to succeed, it can only do so as the result of a working partnership between the advanced and the developing nations.

Take fertilizer. To produce their high yields, the new seeds require far more fertilizer than traditional varities can absorb. Fertilizer—inducing a demand for it, supplying it, teaching farmers to use it and putting it to work—is one key to the Green Revolution.

You are familiar with the physical requirements of the new agriculture—seeds, fertilizer, pesticides, farm-to-market roads, irrigation, and so forth. You know, too, that the success of the new agriculture will depend as much on attitudes as on tangible inputs and infrastructure.

To the farmer, the new seeds and fertilizer represent an untried and expensive investment. The high yields of IR–8 depend on a combination of intensive labor and materials which makes it four times as costly to grow as ordinary rice. Only when the farmer sees that the added investment will increase his profits will he give them a try.

In the Philippines, a "Do-it-yourself" rice kit designed by the AID Mission has helped persuade him. It contains IR–8, fertilizer, pesticides and instructions. It gives farmers a chance to try out the new agriculture on a small scale. AID financed the first 100 kits. Over 22,000 have been sold since.

The higher investments required by the new agriculture also make farm credit essential. In the Philippines, many of the IR–8 rice kits have been distributed on credit extended by private rural banks receiving AID support.

New government policies are also essential to the new agriculture. Since the early 1960s we have pressed the developing nations to invest more in agriculture, to introduce price incentives and other measures which favor and stimulate food production, to shift fertilizer manufacture and distribution from public channels to more efficient private outlets, and to liberalize import quotas on raw materials for fertilizer production.

Increasingly, we have made such policy reforms conditions for receiving both food aid and AID program loans. The message has been getting through. More resources are going to agriculture—in India, for example, where a change in priorities was plainly in order. In 1966-67 India increased its budget allocation to agriculture by more than one-third.

New inputs and infrastructure, new attitudes, adequate farm credit and sound policies—these are the active ingredients of the Green Revolution. And they are paying off. World agricultural production in 1967 set a new record, and the less developed countries accounted for most of the increase.

Total agricultural output in the developing nations rose by 7 to 8 per cent over 1966. Per capita food production increased by 6 per cent.

This year an estimated 16 million Asian acres are being planted to the improved varieties. Next year, the total could be 30 to 35 million acres or more.

The world is on the brink of an unprecedented opportunity. The critical food problem of the next 20 years can be solved. A growing number of developing nations are now moving to solve it.

Foreign aid is not without friends in this country. However, too many of the supporters of the program tend to be "one-stop" shoppers. They admire and advocate the one part of the program which happens to touch them most—research, family planning, technical enterprise, whatever it may be.

Too few of the friends of foreign aid seem to realize that there is no single panacea for development. Too few of them understand that progress in agriculture—or in any other high-priority field—cannot be isolated from overall economic development.

[From the Honolulu Sunday Advertiser, July 7, 1968]

MAJOR STEP FORWARD

"In my opinion, the food/population problem will be the overriding problem of the last quarter of this century. I anticipate that it will completely overshadow such problems of Vietnam, Cuba, the Congo, Kashmir, Berlin and others, which loom so large at the present time. The political and economic consequences of widespread famine in Asia, Africa and Latin America are certain to be massive and far-reaching. It seems unlikely that stable governments can be maintained in countries where a large part of the population is starving."

—Economist RAYMOND EWELL.

Founded eight years ago, the East-West Center at the University of Hawaii has had more than its share of growing pains.

In seeking feasible ways to implement its responsibility to improve understanding between Asia and America, the Center has had a difficult time. Ideals sometimes are easy to express but difficult to put into pragmatic, operating dress.

The basic idea of the Center is that scholars and students from differing cultures come together in an atmosphere of scholarship and that by association they contribute new insights and understanding to one another about their differing cultural and national backgrounds.

Although there has been some success it has been insufficient. The problem, as Center administrators have recognized, has been the absence of any defined focal point.

Some months ago, a joint Center-University task force, seeking ways to enable the Center to realize its potential, came up with a series of recommendations for a "problem-oriented" approach. It was felt this would have a two-fold benefit:

First, it would enhance the Center's opportunity for material contribution.

Second, by throwing scholars and students from many countries together in joint effort a more meaningful cross cultural understanding would be encouraged. The underlying philosophy is that individuals engaged in a common purpose are more likely to learn about one another as they work together.

The first major step in this direction has now been taken with the announcement of a $3.1 million U.S. AID-financed, five-year program for population/food studies in Asia and the Pacific. In an article on this page the administrator of AID discusses the task ahead.

All resources of the Center—the various institutes, the library and the conference program—will be thrown into this effort. Teaching, research, study and field activities will seek to uncover wider knowledge of the impact of population growth on the social, human, political and economic development of the emerging countries.

The program will cut across many academic disciplines: public health, demography, reproductive biology, genetics, nutrition, statistics, agriculture, public administration, sociology, anthropology, psychology, economics, education, rural sociology and community development.

Specialists and students in these fields will focus in these major areas: population/food; development; higher education; communication; cultural values and history.

The sought-after goal is new knowledge to help the countries of Asia and the Pacific solve the population and food problems that retard their advance into modern, balanced agro-industrial societies.

It is difficult to imagine a more fundamental point of attack. The World Bank reports that between 1960 and 1965 68 per cent of the developing countries experienced a population growth rate 30 per cent greater than that of their agricultural production.

Another awesome statistic: In 1958 it was estimated that world population would hit 3.6 billion by 1980; that figure has since been revised upward by 20 per cent.

It is not solely a problem of increasing food production nor is it just a problem of limiting population growth, although both are important. Instead, it is a problem that involves types of government, the cultural values of a people, the existence or lack of farm-to-market roads, the availability of irrigation, seed and fertilizer and other factors.

In other words, it is a bewildering and interlocking complex of problems.

As Chancellor Howard P. Jones of the Center has said, "Unless food and population are brought into balance, ever larger numbers of human beings face starvation, malnutrition and disease, with social and political consequences from which no people, no nation can escape."

And as it has been expressed by William Beverly Murphy, president of Campbell Soup Co. and a member of the President's advisory council on labor-management policy.

"The danger in analyzing the subject . . . is that it may add to the impression that an adequate number of people are at work on it and that given sufficient time solutions will be forthcoming . . . Present efforts to solve the problem are not adequate . . . and time is not necessarily in our favor."

The new AID-East-West Center program is a significant new attack on one of the world's most basic—and dangerous—problems. It is to be mounted on a scope large enough to justify hopes for significant discoveries to the benefit of mankind.

And locally, it marks a new beginning for the East-West Center. As similar problem-oriented programs are developed, as they almost certainly will be, the Center should indeed move forward toward the potential for significant service that its founders foresaw for it.

WATER POLLUTION

Mr. MINSHALL. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. MINSHALL. Mr. Speaker, the administration talks a good fight against water pollution on the one hand but on the other it contributes heavily to the contamination of the Nation's rivers and lakes.

I have voted for many millions of dollars in funds to fight pollution and have frequently been disappointed to find that the White House fails to follow through. We all recall a year ago when the President cut the authorized sum of $450 million for water pollution by more than half, an action which wiped out funds which for the first time would have given the city of Cleveland Federal aid in our battle to clean up Lake Erie. Despite my efforts, those funds were not restored.

And, meanwhile, the Department of the Army continues to dump, or approve the dumping, of spoil material from dredging operations into the lake and other open water disposal areas rather than making use of land fill or consignment to diked disposal areas. In 1967 Federal dredging projects at Lake Erie harbors dumped 5.4 million cubic yards of dredged material into so-called authorized disposal areas in Lake Erie. It is estimated that about 71 percent of polluted material from Federal dredging was dumped into Lake Erie and that figure is expected to reach more than 75 percent this year.

I am greatly encouraged that the bill I am cosponsoring today to curb dredging operations of this type has won the support of so many in this House. The fact that 110 of us, from 26 States, have put our names to this legislation certainly indicates the urgency of enacting it as quickly as possible. I hope that the House Committee on Public Works will recognize this overwhelming support as a mandate to act promptly on the measure.

THE CATHOLIC CHURCH IN FLORIDA

Mr. PEPPER. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. PEPPER. Mr. Speaker, on June 13 we of the Protestant faith and those of the Jewish faith as well as those of the Catholic faith joined in the notable ceremonies and functions incident to the installation of His Excellency, Bishop Coleman F. Carroll of the Diocese of Miami as the first archbishop of the new archdiocese of Miami. One outstanding event of this significant date which attracted outstanding leaders of the clergy and of the laity from most of Latin America as well as Washington and many parts of the United States was a very elegant banquet honoring the Most Reverend Coleman F. Carroll as the first archbishop of the Archdiocese of Miami held at the beautiful Fontainebleau Hotel.

At this banquet Hon. Joseph Fitzgerald, a distinguished attorney of the Florida bar and eminent counsel to the archbishop of the Archdiocese of Miami, delivered a learned and eloquent address which movingly commemorated the significance of the occasion. I commend Mr. Fitzgerald's able address to my colleagues and fellow countrymen of all faiths:

THE CHURCH IN FLORIDA

In the middle of the first century and during the time of Christ, one of the more renowned Roman historians, Pliny the Elder, said in his only surviving work, "Historia Naturalis", "owing to a curious disease of the human mind we are pleased to enshrine in history, records of bloodshed and slaughter, so that persons ignorant of the facts of the world may be acquainted with the crimes of mankind".

The terrible events of the last few years, racked with violence and bloodshed, seem to portray the conditions described by Pliny.

Yet, one of his contemporaries, the most illustrious of all Roman historians, Tacitus, took occasion to remind us that, "possibly there is in all things a kind of cycle, and there may be moral revolutions just as there are changes of seasons. Nor was everything better in the past, but our own age too has produced many specimens of excellence and culture for posterity to imitate".

It is this latter quotation that more clearly inspires us with the light of the Judeo-Christian virtue of hope—The Eternal Hope—Hope for the future because of the human merits, sacrifices and achievements of the past. It is in this spirit that I direct my remarks in transiency to the history of the church in Florida.

The installation today of Archbishop Carroll has great significance for Florida civic life as it does for her religious life. The principal civic concerns in our State today, as in every State of the American Union, are concerns that have consumed the attention and energies of the Catholic church in Florida throughout most of her 400 year history in this peninsula and panhandle. I mean the concerns of education, service to the community, and social justice. In these three categories the church in Florida has labored long and well for the social and civic good of Florida's inhabitants.

I say it with what I think is justifiable pride that under the auspices of the Catholic Church Florida gave birth to the first school in North America, founded at St. Augustine in 1606; the first public or free school, founded at the same city in 1787; and an effective educational system for Negro children founded after the civil war by

Florida's first Bishop, Augustin Verot. That dedication to education demonstrated by the Florida Church over the course of centuries perdures to this day and redounds in our time, as it did in Spanish times, to the good of all our citizens.

Service to community is a second category in which the Church's contribution to Florida's civic good can be examined. There is no time, and probably no need, for me to rehearse all of the examples that might support this assertion. It is sufficient to cast back in mind to those first centuries of the Church's presence here and to recall those dauntless men who were the Church's missionaries to the Florida Indians. Here were men, scores of them, who divested themselves of everything to live their entire lives in service to the impoverished and the ignorant. The records only hint at the hardships undertaken voluntarily by those men of God—the ministration of Sacraments under jungle conditions, the constant hunger, the long and exhausting treks overland, the heat of the sun by day, the ceaseless torment of mosquitoes by night, and the risks to life that come from frequent wars between the tribes. Theirs were truly apostolic lives, completely devoid of all ambition of human glory. The missionaries had no other purpose than to elevate the mind and spirit of the Indians among whom they dwelled. They did not expropriate their lands or push them back along an ever-receding frontier, as happened later in the Indian lands of the Anglo-American country to the north. To the Indians the missionaries took not only the catechism of Christianity, but the rudiments of European arts and crafts. To nearly 30,000 aborigines the missionaries taught farming, cattle-raising, carpentry, weaving, and in many instances reading and writing. It was the first headstart program in America. And not that there were men who gave themselves in service not just for a couple of years, as in the Peace Corps or VISTA, but for twenty, thirty, or forty years, until the ultimate hardship of death set the final seal on their sacrifice. Theirs was one of the most heroic humanitarian efforts for the amelioration and spiritual development of backward peoples that the American nation has experienced, and the story the missionaries wrote here in Florida is one that we in our time might well ponder when we reflect on the selflessness of the service that we enlightened moderns have exhibited toward the disadvantaged of our time—in the ghettos, in the migrant farmer huts, in the pockets of rural poverty.

The third category of reference that I proposed for the purpose of examining the contributions of the church to Florida civic good is social justice, that is, the ideal of justice toward the whole human family. In the "pastoral constitution on the church in the modern world" the fathers of the recent Vatican council asked the following questions: "What is man? What does the church think of man? What needs to be recommended for the upbuilding of contemporary society? What is the ultimate significance of human activity?" Much the same questions were asked in Spanish times about the Indians. "What is the Indian? Is he a complete human being like the Spaniard? Are his human and civil rights of the same order as that enjoyed by Spaniards?" To all these questions the church in Spain and in Florida gave affirmative answers. In fact, the answers given were identical, almost in every word, to the answers given four centuries later in the pastoral constitution of the Vatican council, from which I quote: "Since all men possess a rational soul and are created in God's likeness, since they have the same nature and origin, have been redeemed by Christ and enjoy the same divine calling and destiny, the basic equality of all must receive increasingly greater recognition. . . . With respect to the fundamental rights of the person, every type of discrimination, whether social or cultural, whether based on sex, race, color, social condition, language or religion, is to be overcome and eradicated as contrary to God's intent."

These ideals were enunciated here in Spanish Florida four centuries ago, and, more than that, they were carried into practice. The church in Florida was consistent from its appearance here in the effort to make Christian precepts prevail in the relations between peoples. That effort became basically a spirited defense of the rights of the Indians, a defense which rested on two of the most fundamental assumptions a Christian can make: namely, that all men are equal before God, and that a Christian has a responsibility for the welfare of his brothers, no matter how alien or lowly they may be. Several remarkable examples exist of that defense, among which we may name the successful vindication of Indian civil rights made by the missionaries during the governorship of Diego de Rebolledo in the 1650's when the Indians of Apalache were impressed as slave laborers to carry corn and other supplies between various points in the province. In all these varied activities by which the church in Florida sought to foster the principles of social justice there was reliance, not on secular philosophies and utopian dreams, but on sound Catholic theology. It was an age of theologians, much like our own age. It was a time when the importance of theology was so widely recognized that even frontier officials here in Florida felt the need of a theologian in their midst and requested the Crown to send them one. Wrote Pedro Menendez Marques to the King in 1578: "Abundant is the need we have here of a theologian, so that he may give us a good example." And now the Florida frontier, in its turn, has given us an example. And Archbishop Carroll has given us our leadership. With his direction, and under his inspiration, the Catholic church in Florida promises to join with all highminded people in Florida in the search for social justice in our time.

It is not everyday that a man becomes an Archbishop and only once that a metropolitan area becomes an Archdiocese. Therefore on this unique, historic occasion, and despite the personal desire of our Archbishop, I feel obliged, in justice, to make some personal reference not only to the honor that has been shown the people of this State, but to the dignity that has been conferred on Archbishop Carroll.

If the story of this most recent period is ever to be told properly, it would have to recount and highlight the fruitful labors of multitudes of dedicated priests, and brothers and sisters. But above all . . . . it would be the story of a leader.

I shall not involve you in the "numbers" game of how many classrooms, how many homes for orphans, for the aged, for the retarded, for senior citizens, and all the rest—how many parishes . . . came into being since the diocese was founded, most of us here have some knowledge of the impressive number of such buildings, that have sprung into existence in the last ten years. Buildings, incidentally, of deep, human importance; . . . not idle monuments designed to expand a personal record.

I say this because there are some nowadays who labor under the illusion that building programs are crass and unspiritual . . . a blot upon the purity of genuine religious ambition. It seems to me that this kind of casual dismissal is superficial and unrealistic. For just as man is body as well as spirit . . . so the religion of a man must work with things physical, if the spirit of man is to be reached effectively.

This is but a way of saying that . . . buildings are not for buildings' sake . . . but buildings . . . are for people. And religious sponsored buildings especially, are for . . . "people who need people" . . . As the song goes: Are for people who, most often, *desperately* need to be helped, and served, and lifted up in spirit.

And so . . . while the numerous Diocesan buildings that were constructed in the last decade . . . tell us much about the zeal and generosity of many religious and laity, they speak most eloquently of a leader; . . . of a leader who was obsessed . . . not with bricks and mortar . . . but obsessed with the idea that there are great and sacrificial works of truth, and justice, and charity to be done . . . and—with the help of God—that we must be about the business of doing them.

But perhaps of even greater significance than the considerable dimensions of this kind of apostolic achievement was the impact made by Archbishop Carroll on the civic communities within the diocese. It became quickly apparent that here was a man for all seasons, and for all people. In the words of Kipling, he "could walk with crowds and keep his virtue—walk with kings and not lose the common touch."

He spoke with many men of wealth and influence, and—for the most part—convinced them of the need to be more deeply involved with the problems of all about them. He spoke with many others—not of wealth and influence, but of poverty and hopelessness—and left them with the feeling that he was a man who cared, and that—together with other leaders who shared his deep concern—he would pursue relentlessly the goals of equal justice for all.

Since coming here Archbishop Carroll has obviously regarded his gifts and his talents as something to be used in the service of the church and his fellow man. And these are talents built around his philosophy of life, yet singularly varied in their scope. His attitude toward his people is dedicated in the belief that one's days and his talents are given to him, not for private expenditure, but to be used, in all lowliness, within the will of God. His recreation is but a variety of labor.

When the history of this archdiocese has been written, the accomplishments of Archbishop Carroll will present an instance of unwearied perseverance and energy such as has seldom been seen.

That is enough to say! To say more would only deepen his embarrassment. To have said less, or nothing, would be to miss the point of our presence here today.

With Archbishop Carroll, then, we pledge our continued devotion to the promotion of civil rights, social harmony, and civic peace. With him we determine to act with noble and elevated hearts in all our relations with those who differ from us in race, color, nationality, or social condition; to seek just solutions to our present problems; and where hatred and strife have stricken the human family to repair the damage, heal the wounds, and build bridges to span the gaps that separate one man from another.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted as follows:

To Mr. McCulloch (at the request of Mr. Gerald R. Ford) for today on account of official business—National Commission on the Causes and Prevention of Violence.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

Mr. Farbstein, to revise and extend his remarks and to include extraneous matter, for 10 minutes, today.

(The following Members (at the request of Mr. MYERS) to revise and extend their remarks and include extraneous matter:)

Mr. LAIRD, for 10 minutes, today.

Mr. POLLOCK, for 1 hour, on July 11.

Mr. ROTH, for 1 hour, on July 15.

Mr. GOODELL, for 30 minutes, today.

Mr. HOSMER, for 30 minutes, today.

Mr. ASHBROOK, for 15 minutes, today.

EXTENSIONS OF REMARKS

By unanimous consent, permission to revise and extend remarks was granted to:

Mr. SIKES in five instances and to include extraneous matter.

Mr. DULSKI and to include an editorial in two instances.

Mr. DOW, to revise and extend his remarks immediately following debate on title V.

Mr. GUDE, to extend his remarks prior to the vote on the Patten amendment.

Mr. KEITH, to revise and extend his remarks at the end of title XI, Housing and Urban Development Act of 1968, in Committee of the Whole.

(The following Members (at the request of Mr. MYERS) and to include extraneous matter:)

Mr. BROOMFIELD in two instances.

Mr. HARRISON.

Mr. SCHNEEBELI.

Mr. HOSMER in two instances.

Mr. HAMMERSCHMIDT.

Mr. TALCOTT.

Mr. BUCHANAN in two instances.

Mr. DENNEY.

Mr. ASHBROOK in two instances.

Mr. REINECKE.

Mr. FULTON of Pennsylvania in five instances.

Mr. GUBSER in two instances.

Mr. LAIRD.

Mr. POLLOCK.

Mr. BLACKBURN in two instances.

Mr. RUPPE in two instances.

Mr. STEIGER of Wisconsin.

Mr. MCCLORY.

Mr. JOHNSON of Pennsylvania.

Mr. KEITH.

Mr. BROWN of Ohio.

Mr. LLOYD.

Mr. MORSE of Massachusetts.

Mr. HORTON.

Mr. SHRIVER.

Mr. TAFT.

Mr. WYMAN in two instances.

Mr. LIPSCOMB.

Mr. DEVINE.

Mr. SCHERLE.

Mr. BOB WILSON.

(The following Members (at the request of Mr. CHARLES H. WILSON), and to include extraneous matter:)

Mr. PEPPER in two instances.

Mr. MATSUNAGA.

Mr. EILBERG.

Mr. OTTINGER.

Mr. FRIEDEL.

Mr. ROGERS of Colorado.

Mr. DINGELL in two instances.

Mr. MARSH in two instances.

Mr. RARICK in six instances.

Mr. MCCARTHY.

Mr. RODINO.

Mr. ROSENTHAL in three instances.

Mr. DULSKI in two instances.

Mr. WOLFF.

Mr. HUNGATE.

Mr. ANDERSON of Tennessee.

Mr. YATES.

Mr. ALBERT.

Mr. HANNA.

Mr. NEDZI in two instances.

Mr. MONTGOMERY.

Mr. VANIK.

Mr. BROWN of California.

Mr. GALLAGHER.

Mr. WHITENER.

Mr. ST GERMAIN.

Mr. GONZALEZ in three instances.

Mr. HAGAN in two instances.

Mr. CHARLES H. WILSON.

SENATE BILL REFERRED

A bill of the Senate of the following title was taken from the Speaker's table and, under the rule, referred as follows:

S. 3227. An act to provide for the disposition of funds appropriated to pay a judgment in favor of the Southern Paiute Nation of Indians in Indian Claims Commission dockets numbered 88, 330, and 330-A and for other purposes; to the Committee on Interior and Insular Affairs.

SENATE ENROLLED BILL AND JOINT RESOLUTION SIGNED

The Speaker announced his signature to an enrolled bill and joint resolution of the Senate of the following titles:

S. 1129. An act for the relief of Demetra Lani Angelopoulos.

S.J. Res. 157. Joint resolution to supplement Public Law 87-734 and Public Law 87-735 which took title to certain lands in the Lower Brule and Crow Creek Indian Reservations.

ADJOURNMENT

Mr. CHARLES H. WILSON. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 8 o'clock and 25 minutes p.m.), the House adjourned until tomorrow, Thursday, July 11, 1968, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

2033. A letter from the Assistant Secretary of Agriculture, transmitting plans for works of improvement prepared under the provisions of the Watershed Protection and Flood Prevention Act, as amended, involving structures of not more than 4,000 acre-feet of total capacity (Canon, Colo.; Kanawha Twomile Creek, W. Va.; lower Llagas Creek, Calif.; New Jerusalem, Calif.; Pohick Creek, Va.), pursuant to the provisions of 16 U.S.C. 1005; to the Committee on Agriculture.

2034. A letter from the Assistant Secretary of Agriculture, transmitting plans for works of improvement prepared under the provisions of the Watershed Protection and Flood Prevention Act, as amended, involving structures of not more than 4,000 acre-feet of total capacity (Larkin Creek, Ariz.; lower Red Rock Creek, Okla.), pursuant to the provisions of 16 U.S.C. 1005; to the Committee on Agriculture.

2035. A letter from the Administrator, Foreign Agricultural Service, Department of Agriculture, transmitting a report of agreements signed under Public Law 480 in May and June 1968 for the use of foreign currencies, pursuant to the provisions of Public Law 85-128; to the Committee on Agriculture.

2036. A letter from the Comptroller General of the United States, transmitting a report on the need for improvement in the management of laboratory equipment at the Boulder Laboratories, National Bureau of Standards, Environmental Science Services Administration, Department of Commerce; to the Committee on Government Operations.

2037. A letter from the Secretary of Commerce, transmitting a draft of proposed legislation to amend the act of April 29, 1941, as amended, to authorize the waiving of the requirement of performance and payment bonds in connection with certain contracts entered into by the Secretary of Commerce; to the Committee on the Judiciary.

2038. A letter from the Secretary of the Army, transmitting a draft of proposed legislation to authorize the collection and evaluation of scientific and engineering data; to the Committee on Merchant Marine and Fisheries.

2039. A letter from the Chairman, Federal Maritime Commission, transmitting a draft of proposed legislation to amend the Shipping Act, 1916, to convert criminal penalties to civil penalties in certain instances and for other purposes; to the Committee on Merchant Marine and Fisheries.

2040. A letter from the Assistant Secretary of Agriculture, transmitting plans for works of improvement prepared under the provisions of the Watershed Protection and Flood Prevention Act, as amended, involving structures of more than 4,000 acre-feet of total capacity (Box Creek, Miss.; Jack Creek, Okla.; Little Lynches Creek, S.C.; Mill Creek, Ill.; Slate River, Va.; South Fourche, Ark.; upper Llagas Creek, Calif.; upper North Laramie River, Wyo.), pursuant to the provisions of 16 U.S.C. 1005; to the Committee on Public Works.

2041. A letter from the Assistant Secretary of Agriculture, transmitting plans for works of improvement prepared under the provisions of the Watershed Protection and Flood Prevention Act, as amended, involving structures of more than 4,000 acre-feet of total capacity (Stevens Brook, Maine; Whitesand-Greens Creeks, Miss.), pursuant to the provisions of 16 U.S.C. 1005; to the Committee on Public Works.

2042. A letter from the Chairman, U.S. Tariff Commission, transmitting the 18th annual report of the U.S. Tariff Commission on the operation of the trade agreements program, pursuant to the provisions of section 402(b) of the Trade Expansion Act of 1962; to the Committee on Ways and Means.

2043. A letter from the Assistant Attorney General, transmitting a report of reasons for delay in the prosecution of a certain case, pursuant to the provisions of 50 U.S.C. App. 462(c); to the Committee on Armed Services.

2044. A letter from the Assistant Secretary of Agriculture, transmitting plans for works of improvement prepared under the provisions of the Watershed Protection and Flood Prevention Act, as amended, involving structures of more than 4,000 acre-feet of total capacity (lower Medicine Creek, Nebr.; upper Medicine Creek, Nebr.), pursuant to the provisions of 16 U.S.C. 1005; to the Commitee on Public Works.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. JONES of Missouri: Committee on House Administration. Senate Concurrent Resolution 75. Concurrent resolution authorizing acceptance for the National Statuary Hall collection of statues of Father Damien and King Kamehameha I, presented by the State of Hawaii (Rept. No. 1659). Referred to the House Calendar.

Mr. BENNETT: Committee on Armed Services. H.R. 14711. A bill to authorize the Secretary of the Army to quitclaim certain real property in Muscogee County, Ga. (Rept. No 1660). Referred to the Committee of the Whole House.

Mr. STAGGERS: Committee on Interstate and Foreign Commerce. H.R. 7696. A bill to amend the Securities Exchange Act of 1934 to permit regulation of the amount of credit that may be extended and maintained with respect to securities that are not registered on a national securities exchange (Rept. No. 1663). Referred to the Committee of the Whole House on the State of the Union.

Mrs. HANSEN of Washington: Committee of conference. H.R. 17354. An act making appropriations for the Department of the Interior and related agencies for the fiscal year ending June 30, 1969, and for other purposes (Rept. No. 1664). Ordered to be printed.

Mr. STAGGERS: Committee on Interstate and Foreign Commerce. House Joint Resolution 946. Joint resolution to amend the Securities Exchange Act of 1934 to authorize an investigation of the effect on the securities markets of the operation of institutional investors; with amendment (Rept. No. 1665). Referred to the Committee of the Whole House on the State of the Union.

Mr. HALEY: Committee on Interior and Insular Affairs. H.R. 16086. A bill to amend the act of August 25, 1959 (73 Stat. 420), pertaining to the affairs of the Choctaw Tribe of Oklahoma; with amendment (Rept. No. 1666). Referred to the Committee of the Whole House on the State of the Union.

Mr. STAGGERS: Committee on Interstate and Foreign Commerce. S. 752. An act to amend sections 203(b)(5) and 220 of the Interstate Commerce Act, as amended, and for other purposes (Rept. No. 1667). Referred to the Committee of the Whole House on the State of the Union.

Mr. TAYLOR: Committee on Interior and Insular Affairs. H.R. 13099. A bill to authorize the establishment of the Carl Sandburg Home National Historic Site in the State of North Carolina, and for other purposes; with amendment (Rept. No. 1676). Referred to the Committee of the Whole House on the State of the Union.

Mr. O'NEILL of Massachusetts: Committee on Rules. House Resolution 1239. Resolution authorizing the Speaker of the House of Representatives to appoint a special committee to investigate and report on campaign expenditures of candidates for the House of Representatives (Rept. No. 1677). Referred to the House Calendar.

Mr. GARMATZ: Committee of conference. H.R. 15189. An act to authorize appropriations for certain maritime programs of the Department of Commerce (Rept. No. 1678). Ordered to be printed.

Mr. SCHEUER: Committee on Education and Labor. H.R. 12962. A bill to provide for the establishment of a Commission on Negro History and Culture; with amendment (Rept. No. 1679). Referred to the Committee of the Whole House on the State of the Union.

Mr. YOUNG: Committee on Rules. House Resolution 1250. Resolution providing for the consideration of H.R. 12843, a bill to amend the Public Health Service Act to provide for the establishment of a National Eye Institute in the National Institutes of Health (Rept. No. 1680). Referred to the House Calendar.

Mr. O'NEILL of Massachusetts: Committee on Rules. House Resolution 1251. A resolution providing for the consideration of H.R. 14314, a bill to amend section 302(c) of the Labor-Management Relations Act of 1947 to permit employer contributions to trust funds to provide employees, their families, and dependents with scholarships for study at educational institutions or the establishment of child care centers for preschool and school-age dependents of employees (Rept. No. 1681). Referred to the House Calendar.

Mr. SISK: Committee on Rules. House Resolution 1252. Resolution providing for the consideration of H.R. 15681. A bill to consolidate and revise foreign assistance legislation relating to reimbursable military exports (Rept. No. 1682). Referred to the House Calendar.

Mr. MADDEN: Committee on Rules. House Resolution 1253. Resolution providing for the consideration of H.R. 15890. A bill to amend title 5, United States Code, to provide for additional positions in certain executive agencies, and for other purposes (Rept. No. 1683). Referred to the House Calendar.

Mr. DELANEY: Committee on Rules. House Resolution 1254. Resolution providing for the consideration of H.R. 17685, a bill to amend the Federal Aviation Act of 1958 with respect to the definition of "supplemental air transportation", and for other purposes (Rept. No. 1684). Referred to the House Calendar.

Mr. COLMER: Committee on Rules. House Resolution 1255. Resolution providing for the consideration of S. 633, an act to promote the foreign policy of the United States by strengthening and improving the Foreign Service personnel system of the U.S. Information Agency through establishment of a Foreign Service Information Officer Corps (Rept. No. 1685). Referred to the House Calendar.

Mr. YOUNG: Committee on Rules. House Resolution 1256. Resolution providing for the consideration of S. 2511, an act to maintain and improve the income of producers of crude pine gum, to stabilize production of crude pine gum, and for other purposes (Rept. No. 1686). Referred to the House Calendar.

Mr. MATSUNAGA: Committee on Rules. House Resolution 1257. Resolution providing for the consideration of S. 2658, an act to amend section 127 of title 23 of the United States Code relating to vehicle weight and width limitations on the Interstate System, in order to make certain increases in such limitations (Rept. No. 1687). Referred to the House Calendar.

Mr. SISK: Committee on Rules. House Resolution 1258. Resolution providing for the consideration of S. 3293, an act to authorize appropriations during the fiscal year 1969 for procurement of aircraft, missiles, naval vessels, and tracked combat vehicles, research, development, test, and evaluation for the Armed Forces, and to prescribe the authorized personnel strength of the Selected Reserve of each Reserve component of the Armed Forces, and for other purposes (Rept. No. 1688). Referred to the House Calendar.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. RODINO: Committee on the Judiciary: H.R. 8245. A bill for the relief of Dr. Martin Adolfo Zaldivar and Mrs. Maria Hernandez de Giner; with amendment (Rept. No. 1661). Referred to the Committee of the Whole House.

Mr. DONOHUE: Committee on the Judiciary. H.R. 13351. A bill for the relief of Ana Yap-Diangco; with amendment (Rept. No. 1662). Referred to the Committee of the Whole House.

Mr. DONOHUE: Committee on the Judiciary. H.R. 17222. A bill for the relief of Roberto Quero (Rept. No. 1668). Referred to the Committee of the Whole House.

Mr. RODINO: Committee on the Judiciary. H.R. 15402. A bill for the relief of José Estrada; with amendment (Rept. No. 1669). Referred to the Committee of the Whole House.

Mr. MacGREGOR: Committee on the Judiciary. H.R. 14786. A bill for the relief of Cosmina Ruggiero (Rept. No. 1670). Referred to the Committee of the Whole House.

Mr. FEIGHAN: Committee on the Judiciary. S. 1652. An act for the relief of Anastasia D. Mpatziani; with amendment (Rept. No. 1671). Referred to the Committee of the Whole House.

Mr. FEIGHAN: Committee on the Judiciary. S. 2250. An act for the relief of Dr. Hugo Vicente Cartaya (Rept. No. 1672). Referred to the Committee of the Whole House.

Mr. FEIGHAN: Committee on the Judiciary. S. 2488. An act for the relief of Dr. Raul Agustin Pereira-Valdes (Rept. No. 1673). Referred to the Committee of the Whole House.

Mr. FEIGHAN: Committee on the Judiciary. S. 2506. An act for the relief of Dr. Julio Epifanio Morera (Rept. No. 1674). Referred to the Committee of the Whole House.

Mr. FEIGHAN: Committee on the Judiciary. S. 2720. An act for the relief of Heng Liong Thung (Rept. No. 1675). Referred to the Committee of the Whole House.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. BARING:

H.R. 18440. A bill to encourage the growth of international trade on a fair and equitable basis; to the Committee on Ways and Means.

By Mr. HELSTOSKI:

H.R. 18441. A bill to create a catalog of Federal assistance programs, and for other purposes; to the Committee on Government Operations.

By Mr. HUTCHINSON:

H.R. 18442. A bill to create a catalog of Federal assistance programs, and for other purposes; to the Committee on Government Operations.

By Mr. McCARTHY:

H.R. 18443. A bill to amend the Internal Revenue Code of 1954 to increase from $600 to $1,200 the personal income tax exemptions of a taxpayer (including the exemption for a spouse, the exemptions for a dependent, and the additional exemptions for old age and blindness); to the Committee on Ways and Means.

By Mr. PHILBIN:

H.R. 18444. A bill to permit State agreements for coverage under the hospital insurance program for the aged; to the Committee on Ways and Means.

By Mr. POOL:

H.R. 18445. A bill to make it a Federal crime to possess a firearm during the commission of certain crimes, and to prohibit the transportation in interstate commerce of a firearm concealed on the person; to the Committee on the Judiciary.

By Mr. RUPPE:

H.R. 18446. A bill to amend title II of the Social Security Act to provide for cost-of-living increases in the benefits payable thereunder; to the Committee on Ways and Means.

By Mr. SHIPLEY:

H.R. 18447. A bill to permit State agreements for coverage under the hospital insurance program for the aged; to the Committee on Ways and Means.

By Mr. HOSMER (for himself, Mr. Holifield, Mr. Price of Illinois, Mr. Aspinall, Mr. Morris, Mr. Young, Mr. Bates, Mr. Anderson of Illinois, and Mr. McCulloch):

H.R. 18448. A bill to amend the Atomic Energy Act of 1954, as amended, and for other purposes; to the Joint Committee on Atomic Energy.

By Mr. ADAMS (for himself and Mr. Fraser):

H.R. 18449. A bill to amend sections 12–101 and 20–1501 of the District of Columbia Code; to the Committee on the District of Columbia.

By Mr. ASHLEY (for himself, Mr. Addabbo, Mr. Annunzio, Mr. Arends, Mr. Ayres, Mr. Barrett, Mr. Betts, Mr. Bingham, Mr. Blatnik, Mr. Bow, Mr. Brademas, Mr. Brown of Ohio, Mr. Burton of California, Mr. Button, Mr. Byrne of Pennsylvania, Mr. Clark, Mr. Cleveland, Mr. Cohelan, Mr. Collier, Mr. Conyers, Mr. Corman, Mr. Culver, Mr. Daddario, Mr. Daniels, and Mr. Derwinski):

H.R. 18450. A bill to amend the act of March 3, 1905, relating to the dumping of certain materials into the navigable waters of the United States; to the Committee on Public Works.

By Mr. ASHLEY (for himself, Mr. Diggs, Mr. Dingell, Mr. Dow, Mr. Dulski, Mr. Eckhardt, Mr. Erlenborn, Mr. Farbstein, Mr. Feighan, Mr. Findley, Mr. William D. Ford, Mr. Fraser, Mr. Gallagher, Mr. Gettys, Mr. Gibbons, Mr. Gray, Mrs. Green of Oregon, Mr. Green of Pennsylvania, Mrs. Griffiths, Mr. Halpern, Mr. Hathaway, Mr. Hays, Mr. Hechler of West Virginia, Mr. Holifield, and Mr. Irwin):

H.R. 18451. A bill to amend the act of March 3, 1905, relating to the dumping of certain materials into the navigable waters of the United States; to the Committee on Public Works.

Mr. ASHLEY (for himself, Mr. Karth, Mr. Kastenmeier, Mr. Kyros, Mr. Latta, Mr. Lukens, Mr. McCarthy, Mr. McFall, Mr. Matsunaga, Mr. Michel, Mr. Minshall, Mr. Mize, Mr. Monagan, Mr. Moorhead, Mr. Morgan, Mr. Mosher, Mr. Moss, Mr. Murphy of Illinois, Mr. Murphy of New York, Mr. Nedzi, Mr. O'Hara of Illinois, Mr. O'Hara of Michigan, Mr. O'Konski, and Mr. Ottinger):

H.R. 18452. A bill to amend the act of March 3, 1905, relating to the dumping of certain materials into the navigable waters of the United States; to the Committee on Public Works.

By Mr. ASHLEY (for himself, Mr. Patten, Mr. Pepper, Mr. Price of Illinois, Mr. Pucinski, Mr. Randall, Mr. Rees, Mr. Reuss, Mr. Rhodes of Pennsylvania, Mr. Riegle, Mr. Rodino, Mr. Rogers of Colorado, Mr. Rooney of Pennsylvania, Mr. Rosenthal, Mr. Rostenkowski, Mr. Roush, Mr. Rumsfeld, Mr. Ryan, Mr. St Germain, Mr. St. Onge, Mr. Shipley, Mr. Smith of Iowa, Mr. Stanton, Mr. Steiger of Wisconsin, and Mr. Stephens):

H.R. 18453. A bill to amend the act of March 3, 1905, relating to the dumping of certain materials into the navigable waters of the United States; to the Committee on Public Works.

By Mr. ASHLEY (for himself, Mr. Stratton, Mrs. Sullivan, Mr. Tenzer, Mr. Thompson of New Jersey, Mr. Udall, Mr. Vanik, Mr. Vigorito, Mr. Waldie, Mr. Whalen, Mr. White, Mr. Williams of Pennsylvania, Mr. Wolff, Mr. Wylie, Mr. Yates, Mr. Zablocki, and Mr. Zwach):

H.R. 18454. A bill to amend the act of March 3, 1905, relating to the dumping of certain materials into the navigable waters of the United States; to the Committee on Public Works.

By Mr. BROWN of Ohio:

H.R. 18455. A bill to amend title 10 of the United States Code to prohibit the assignment of a member of an armed force to combat area duty if certain relatives of such member died while serving in the Armed Forces in Vietnam; to the Committee on Armed Services.

By Mr. CLARK (for himself, Mr. Hathaway, Mr. Keith, and Mr. Kyros):

H.R. 18456. A bill to prohibit certain vessels from landing in a port of the United States fish or fish products taken on board such vessels on the high seas from any foreign-flag vessel; to the Committee on Merchant Marine and Fisheries.

By Mr. EVANS of Colorado:

H.R. 18457. A bill to amend section 13a of the Interstate Commerce Act, to authorize a study of essential railroad passenger service by the Secretary of Transportation, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. FLOOD:

H.R. 18458. A bill to provide for the issuance of a special postage stamp commemorating the birthday of the late Senator Robert F. Kennedy, of New York; to the Committee on Post Office and Civil Service.

By Mr. FULTON of Pennsylvania:

H.R. 18459. A bill to amend title VI of the Public Health Service Act to improve the existing program for assistance for construction and modernization of hospitals and other medical facilities and to provide for the making of loans for such modernization; to the Committee on Interstate and Foreign Commerce.

By Mr. GOODELL (for himself, Mr. Curtis, Mr. Widnall, and Mr. Taft):

H.R. 18460. A bill to establish a community development corporation program to aid the people of urban and rural communities in securing gainful employment, achieving the ownership and control of the resources of their community, expanding opportunity and stability in their community, and making their maximum contribution to the strength and well-being of the Nation; to the Committee on Ways and Means.

By Mr. HATHAWAY (for himself and Mr. Kyros):

H.R. 18461. A bill to permit State agreements for coverage under the hospital insurance program for the aged; to the Committee on Ways and Means.

By Mr. KYROS:

H.R. 18462. A bill to amend chapter 227 of title 18, United States Code, to provide that any person convicted of the possession of a firearm during the commission or attempted commission of certain crimes shall be sentenced to an additional 5 years imprisonment; to the Committee on the Judiciary.

By Mr. SIKES:

H.R. 18463. A bill to equalize the retired pay of members of the uniformed services retired prior to June 1, 1958, whose retired pay is computed on laws enacted on or after October 1, 1949; to the Committee on Armed Services.

By Mr. UTT:

H.R. 18464. A bill to amend the Internal Revenue Code of 1954 to permit coordination with corrective action by the States where exemption from tax is denied to certain organizations described in section 501(c)(3) of such code; to the Committee on Ways and Means.

By Mr. ANDERSON of Tennessee:

H.J. Res. 1396. Joint resolution to direct the Federal Communications Commission to conduct a comprehensive study and investigation of the effects of the display of violence in television programs, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. BROWN of California:

H.J. Res. 1397. Joint resolution proposing an amendment to the Constitution of the United States relative to equal rights for men and women; to the Committee on the Judiciary.

By Mr. CONTE:

H.J. Res. 1398. Joint resolution to provide that it be the sense of Congress that a White House Conference on Aging be called by the President of the United States in January 1970, to be planned and conducted by the Secretary of Health, Education, and Welfare to assist the States in conducting similar conferences on aging prior to the White House Conference on Aging, and for related purposes; to the Committee on Education and Labor.

By Mr. GURNEY:

H.J. Res. 1399. Joint resolution proposing an amendment to the Constitution of the United States relating to the power of the Supreme Court to declare any provision of law unconstitutional; to the Committee on the Judiciary.

By Mr. JACOBS:

H.J. Res. 1400. Joint resolution proposing an amendment to the Constitution of the United States with respect to the compelling of testimony from a defendant in a criminal case in open court, and with respect to the right of a defendant in a criminal case to be informed of the evidence against him; to the Committee on the Judiciary.

By Mr. LENNON:

H.J. Res. 1401. Joint resolution proposing an amendment to the Constitution relating to the terms of office of judges of the Supreme Court of the United States and inferior courts; to the Committee on the Judiciary.

By Mr. PERKINS:

H.J. Res. 1402. Joint resolution creating a Joint Committee To Investigate Crime; to the Committee on Rules.

By Mr. PURCELL:

H.J. Res. 1403. Joint resolution creating a Joint Committee To Investigate Crime; to the Committee on Rules.

MEMORIALS

Under clause 4 of rule XXII, memorials were presented and referred as follows:

365. The SPEAKER presented a memorial of the House of Representatives of the Commonwealth of Massachusetts, relative to requiring manufacturers and importers of long guns to provide means of identification, which was referred to the Committee on the Judiciary.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ANNUNZIO:

H.R. 18465. A bill for the relief of Jessie Elamanamadathil; to the Committee on the Judiciary.

By Mr. BRASCO:

H.R. 18466. A bill for the relief of Andrea Parrino; to the Committee on the Judiciary.

H.R. 18467. A bill for the relief of Giuseppe Tavella; to the Committee on the Judiciary.

By Mr. DIGGS:

H.R. 18468. A bill for the relief of Mrs. Doris Russell; to the Committee on the Judiciary.

By Mr. DOLE:

H.R. 18469. A bill for the relief of Dr. Pio Albert Pol y Zapata and his wife, Dolores S. Alvarez de Pol; to the Committee on the Judiciary.

By Mr. FALLON:

H.R. 18470. A bill for the relief of Dr. Pichit Wathanapaisal; to the Committee on the Judiciary.

By Mr. FINO:

H.R. 18471. A bill for the relief of Gina Iurato; to the Committee on the Judiciary.

H.R. 18472. A bill for the relief of Rosario Panzarella; to the Committee on the Judiciary.

By Mr. HARRISON:

H.R. 18473. A bill for the relief of the Western Land Co.; to the Committee on the Judiciary.

By Mr. KARTH:

H.R. 18474. A bill for the relief of Swarna Mary Evangeline Abeyesundere, Susil Abeyesundere, and Suresh Abeyesundere; to the Committee on the Judiciary.

By Mr. LEGGETT:

H.R. 18475. A bill for the relief of Edwin E. Fulk; to the Committee on the Judiciary.

By Mr. McDONALD of Michigan:

H.R. 18476. A bill for the relief of Dr. Mahmoud Wael Lotfi; to the Committee on the Judiciary.

By Mr. MOORE:

H.R. 18477. A bill for the relief of Col. John E. Kieffer, U.S. Air Force; to the Committee on the Judiciary.

By Mr. MURPHY of Illinois:

H.R. 18478. A bill for the relief of Bahrat M. Raval; to the Committee on the Judiciary.

By Mr. MURPHY of New York:

H.R. 18479. A bill for the relief of Domenico Pidoto; to the Committee on the Judiciary.

By Mr. O'NEILL of Massachusetts:

H.R. 18480. A bill for the relief of Chan Yuk Heng; to the Committee on the Judiciary.

By Mr. PEPPER:

H.R. 18481. A bill for the relief of Dr. Miguel Miari Alvarez; to the Committee on the Judiciary.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

372. By Mr. DAVIS of Wisconsin: Petition of William G. Reinke, Jr., Leavenworth, Kans., relative to redress of grievances; to the Committee on the Judiciary.

373. By Mr. POOL: Petition of the constituents of District 3, Texas, and others, in opposition to gun-control registration legislation; to the Committee on the Judiciary.

EXTENSIONS OF REMARKS

THE SLEEPING GIANT—AN INDUSTRIAL VIEWPOINT OF THE POTENTIAL OF OCEANOGRAPHY

HON. WARREN G. MAGNUSON

OF WASHINGTON

IN THE SENATE OF THE UNITED STATES

Wednesday, July 10, 1968

Mr. MAGNUSON. Mr. President, Mr. Frederick J. Close, chairman of the board, Aluminum Co. of America, a pioneer in Washington State's light metals industry, addressed the keynote session of the fourth annual conference of the Marine Technology Society.

Developments in oceanography during the next ten or fifteen years will have a dramatic effect on this nation's well being.

Mr. Close told the conference, meeting in Washington, D.C.:

The investment per oceanographer, in terms of what he can accomplish, is probably the world's greatest scientific bargain.

Mr. Close declared that two outstanding developments in the past several years have been the enactment of the Marine Resources and Engineering Development Act and the sea grant college program.

Alcoa's chairman of the board continued:

Various experts have estimated that by 1975 the market in oceanography could exceed $15 billion annually in the United States alone. This would call for a compounded annual growth rate of 30 per cent over the next seven years.

Mr. Close also commented on the necessity for continued oceanographic effort. He said:

The greatest error we could make in a complex technological program of this kind is to assume that we can safely start it up and shut it down at will—that we can proceed at a sluggish pace for several years, and then suddenly speed things up with a crash program when it begins to appear that oceanography is really paying off.

Technological progress just doesn't work that way. When you lose ground, when you lose momentum, you can't make them up. . . . What America needs, then, is a steady, continuing, growing, accelerating oceanographic program—one without fits and starts, cut-backs and speed-ups, reversals and sharply changed directions.

Mr. Close concluded by stating that he believes the chances are good for getting a program of this kind, that the Government has every incentive to support such a program and so, also, does industry.

Mr. President, the chairman of the board of the Aluminum Co. of America has presented a realistic, commonsense view of the potential of oceanography provided that Government and industry cooperate in advancing what Alcoa states ultimately could constitute the world's biggest industry.

I ask unanimous consent that this keynote address at the opening of the fourth annual conference of the Marine Technology Society be printed in the RECORD.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

THE SLEEPING GIANT: AN INDUSTRIAL VIEWPOINT ON THE POTENTIAL OF OCEANOGRAPHY

I have been looking forward to this meeting for several months. I am grateful for the opportunity to take part in this Fourth Annual Conference of the Marine Technology Society. As I certainly am not here to contribute any new technical knowledge, I will seek simply to offer you my viewpoint—an industrial viewpoint—of oceanography.

My interest in oceanography is twofold. First, I consider myself a "consumer oceanographer." By this, I mean that, along with millions of other Americans, I am looking forward to the benefits that will eventually be realized as a result of the work you "producer oceanographers" are doing. In that respect, each citizen has a personal stake in the success of every oceanographic enterprise.

Secondly, as an officer of a large industrial organization, I am extremely interested in the potential of oceanography as a sound business investment.

We at Alcoa have been active in several fields of oceanographic work for some years. We have built up considerable experience in designing and fabricating seagoing vehicles, underwater structures and a variety of oceanographic hardware. Recently, we have undertaken a major new project involving very substantial amounts of investment capital.

It has occurred to me that I might best respond to your courtesy in asking me here by explaining why we are interested in oceanography—why we are making investments at this time. We studied the potential of the ocean and its environs with the deliberation and care appropriate to the expenditure of several millions of dollars. It may be that the conclusions we drew will be of some interest to you.

Let me say that I am no authority on oceanography; but I have had some experience and responsibilities in assessing markets, establishing corporate priorities, and placing investment capital.

We took a fresh, objective look at oceanography. We saw a stepchild whose potential has been stunted by a lack of proper nourishment. We saw an activity that needed research funds and professional manpower—engineers, technicians, biologists, geochemists, metallurgists. We saw that the general public was apathetic about the nation's marine program, or was enthusiastic about the wrong things. The activity had attracted a scramble of companies, a few of which were making money, most of which were not.

We were concerned about these things. But, frankly, we considered them relatively unimportant when set against other aspects of this field.

We first came to a broad assumption of national rather than of immediate corporate interest. Developments in oceanography during the next ten or fifteen years will have a dramatic effect on this nation's future well being. Our growing population; the accelerated depletion of many of our most important natural resources; the care and feeding of a gigantic industrial complex that constantly demands new avenues of productivity—all of these are gradually pushing us closer to the beach.

There should be no doubt that strong support of marine technology, particularly by our government, can be justified on the basis of the present and future needs of our people and our national economy. It would be presumptuous of me to try to point out the importance of oceanography in the national defense. It seems obvious, and we'll leave it to the experts to do this. A national investment in marine technology makes sound economic sense—better sense, perhaps, than some of our other, more publicized programs. The investment per oceanographer, in terms of what he can accomplish, is probably the world's greatest scientific bargain.

For the current fiscal year, this nation has committed more than $4 billion to a national space program in support of our government's announced goal of landing a two-man astronaut team on the moon before the end of this decade. In comparison, the nation's investment this year in the non-defense portion of our country's oceanographic R and D program is hardly more than the cost of a major space vehicle, standing unproven on its launching pad.

And when you consider that U.S. oil companies have already paid over $4 billion to the federal and various state governments for offshore oil and gas drilling rights, it would seem appropriate that a large portion of that money might be returned to the sea to help develop its enormous potential.

As we assessed the oceanographic market, we kept always in mind the simple fact that marine science and technology are in their infancy—indeed, hardly past the embryonic stage. You have honorable ancestors, dating back at least to captains Cook and Bougainville in the eighteenth century. But only within the past decade has anything like a sustained, concentrated, large-scale oceanographic effort been started. The main thing to evaluate in this business is not where you are, but where you are heading and how soon you will get there.

If I were to cite a historic parallel, I think I might compare oceanography today to commercial nuclear power as it was seven or eight years ago. In the early 1960's nuclear power was apparently stagnating. Too much had been expected too soon. Too much nonsense had been written about atomic furnaces the size of a shoe box in every home.

A reaction had set in. A former head of the Atomic Energy Commission announced in disgust that electricity from the atom was no better than or different from electricity from coal. He even mounted a safety crusade against commercial nuclear power stations. The government was criticizing the electric utilities for not investing in nuclear research and hardware. Nuclear scientists and engineers were discouraged. As a result, the nuclear power business was at a standstill for several years.

I imagine you all know what happened thereafter. Nuclear power suddenly took off like something launched from Cape Kennedy. It passed the cross-over point into the promised land of economic and competitive nuclear power in 1966. Almost half the total new generating capacity purchased in this country last year was nuclear. You have to stand in line for a nuclear power plant today.

In case the moral is not clear, I will say that we think the same thing could very well happen to the oceanographic industry.

In any case, we know one thing. Marine technology and marine affairs are not static. This infant industry is maturing lustily. The opportunities are broadening. So many things are beginning to happen—most of them good—that it's dangerous to make a proposal, for fear it has already been carried out. And things are beginning to happen so fast that it's dangerous to make a complaint, for fear that it has already been remedied.

At least two outstanding developments have taken place in a relatively short time—within the past couple of years.

One is enactment of the basic Marine Resources and Engineering Development Act.

The other is the Sea Grant College program. It's a good program and I hope it gets all the support—all the money—it needs and deserves. Now we have at least a start on drawing top educational institutions into a planned system for training the ocean scientists and engineers we need. All the money in the world, of course, can't produce instant oceanographers.

You know, young people today must face what they consider a frightening array of problems. But they also have a chance to get in on the ground floor of some of the most exciting ventures in the history of mankind. And I sincerely envy them for it. If I were one of these young people, I think my interests would lean heavily toward some area of oceanography.

The exploration of space, at least for many decades to come, will remain something for those chosen few who can fill an astronaut's boots. The admission charge is much too high for the rest of us to see the show up there in person. So we'll have to be content to watch it on our television screens.

Oceanography, on the other hand, offers just the opposite to the young man starting out on a career. If he can't afford an orchestra seat, he can buy a seat in the balcony. The world ocean—all 300 million cubic miles of it—is there for him to sample. And he doesn't have to dive 10,000 feet beneath the surface of the water to get his feet wet. He can see it, and hear it, and smell it, and touch it, and learn some of its countless secrets without mounting a multi-million-dollar spacecraft.

This may be one of the reasons that children are listing "oceanography" as one of the glamorous professions they want to enter. That's encouraging. Now if we can only convince their parents, we'll be in business. I believe oceanography will be the glamour business of the 1970's. It has all the makings, if it can attract a sufficient number of investors and entrepreneurs.

The great development of this decade, of course, was the international agreement of 1964 on the Continental Shelf, under which every seaboard nation has the right to explore the lands adjacent to its ocean borders for the purpose of "economic exploitation." To the United States, this means that we can now lay claim to the enormous wealth contained in an area roughly equal in size to the Louisiana Purchase of 1803. One million square miles of opportunity have dropped into our lap.

The amount of petroleum awaiting our underwater drilling rigs' throughout the Continental Shelf has been conservatively estimated at 2.5 trillion barrels. That more than equals all our known reserves on land. What's more, there's a tremendous quantity of natural gas ready to provide additional energy an petrochemical magic to meet the demands of many future generations. This is the established area of undersea wealth. The larger question is, what else are we going to do beside drill for gas and oil?

Because of my metals background, I'm particularly interested in the deposits of valuable minerals that apparently abound on the Continental Shelf at a depth of several hundred feet. I am told that some of these lodes have a potential value of $1.5 million per square mile. Huge deposits of phosphorite that one day will be used in the production of fertilizer have been found off the coast of the Carolinas and Georgia. Hungry mouths yet to be born are going to need the food which that fertilizer will generate.

Various experts have estimated that by 1975 the market in oceanography could exceed $15 billion annually in the United States alone. This would call for a compounded annual growth rate of 30 per cent over the next seven years. This is extraordinary growth—but it is not unprecedented. This is not as fantastic as it seems when we remember that offshore oil and gas production currently accounts for about 15 per cent of the world's total. A growing number of other commercial oceanographic enterprises are beginning to show a profit. Some $50 million worth of minerals other than petroleum are now being mined annually from the U.S. Continental Shelves. A major reduction in our military expenditures in Southeast Asia could release the funds needed for an expanded Government oceanographic research effort. Such factors carry the latent power to make dynamic growth a reality.

Investors, on the other hand, are still wary of oceanography, as, a decade ago, they were wary of nuclear power. This is a new and, in some cases, a difficult industry to understand. Investors are concerned about such factors as obsolescence in a technology developing at a geometric rate. Their recommendations for returns on invested capital run high. They readily admit that oceanography will grow, but they still think of it in terms of a long-range, high-risk venture.

On the basis of our own estimate of this market, we at Alcoa felt that it was imperative that our company become more deeply involved in what we feel could eventually be the world's biggest industry. We have long been involved with marine applications of our products. Therefore, last year, we invested in Ocean Science and Engineering, Incorporated, to broaden our access to the overall market and to take advantage of the special expertise of OSE. We feel this was a valuable and timely investment. Though only six years old, OSE is recognized as a global leader in oceanography, due primarily to the hard work and foresight of the company's president and chairman, Willard Bascom, himself an internationally known explorer and pioneering ocean scientist.

This brings me to the new, major project I mentioned earlier. We announced it last Tuesday. Jointly, with Ocean Science and Engineering, Alcoa has mounted a three-pronged attack on this frontier that you represent. First, we have formed a new company called Ocean Search, Inc. Second, we have undertaken the design and construction of the all-aluminum Alcoa Seaprobe, the largest and most advanced deep ocean search and recovery surface vessel ever planned. And third, we are initiating a program of intensive research and development on new aluminum marine alloys and products for a host of existing and potential oceanographic applications.

We expect this new venture will help make the exploitation of ocean resources a practical and profitable possibility in our time. The new company, Ocean Search, will engage in a variety of exploratory projects to expand our knowledge and technology related to ocean environments. The Alcoa Seaprobe, as its name implies, will enable man to search and explore the ocean floor to a degree never before possible. Through the Seaprobe and our R&D activities, with the talented help of Mr. Bascom and the expert OSE staff, we intend not only to create significant new markets for aluminum, but also to help man truly to reap the bounty of the sea and the ocean floor.

We're also excited about an allied project, a new method of water desalting we announced three months ago, which we feel is a breakthrough development. It involves an all-aluminum system, and will produce ultra-fresh water.

For many months, we have been operating at our laboratories a 10,000 gallon-per-day prototype installation using synthetic seawater. We will build a 250,000-gallon commercial plant that will be in operation in a natural marine environment within the next eighteen months. This will permit us to test and prove the system and our estimates of costs, which we believe will be appreciably lower than the cost of any other large-scale flash evaporation method now in use, according to OSW cost guidelines.

With successful commercial operation, this new system will make possible the utilization of widely available waste industrial heat to convert salty, brackish or alkali waters into pure waters. The Alcoa system is designed to operate on streams of waste hot water available at chemical process, petroleum refining, fertilizer, and electric power generating plants where large volumes of water are used for cooling purposes and are generally discharged into streams, lakes and ocean bay-sides. Thus this system can help remedy the increasingly serious problem of thermal pollution. Almost any form of industrial heat can be useful in this process—so it's a shame to use it instead to upset the temperature balance of our water resources.

As we became more and more involved with oceanography, we noticed something you have probably known for some time. As dynamic as the field is, it lacks an effective educational and public relations program. Oceanography is certainly one of the most important new technological frontiers, but it is still getting only a small fraction of the attention it deserves from the American public. When we consider the magnitude of the educational program employed by NASA to convince people that we should spend more than $20 billion on a national space program, it's not hard to see why oceanography is still a stepchild.

Perhaps Alcoa can make a contribution in this area. We plan to produce soon a major color film on oceanography for distribution to schools and libraries and clubs. Everywhere and anywhere. It may be shown on television. It will be a dramatic documentary, using footage never before seen by the public. We see this as a "state of the art" movie. Hopefully, it will build a case for oceanography and promote public awareness of the tremendous importance of this field.

Naturally, we cannot foresee what oceanography will offer Alcoa during the coming years. Those of us who have been following this work are convinced that our investment to date has been justified, and that we will make further investments in the future.

We have several horses in the oceanography race. We are looking to new markets for our products. We are seeking new sources of the raw materials we need. And, we are seeking to involve ourselves in new enterprises of every sort that offer a promising return on investment. We have high hopes for each of these areas of potential profit from oceanography.

The amount of progress that will be made in oceanography during the next decade will depend on the degree of cooperation that prevails between Government and private industry. The Government, of course, has a prime interest in this work. It must assume the responsibility and provide the funds for many of the long-range oceanographic undertakings, including those of a predominantly scientific nature. It has taken a long step in this direction in the recent proposal for an International Decade of Ocean Exploration for the 1970's. This could indeed fulfill the hope that President Johnson has voiced for it as "an historic and unprecedented adventure."

Government will also properly assume prime responsibility for certain questions that must be answered, problems that must be faced. Some of these cannot wait much longer. We simply cannot afford the luxury of making the kind of mistakes that we have made during the past decades in other great national undertakings. We Americans have polluted our streams, rivers and lakes with industrial and personal wastes, spent insecticides, and other unwanted by-products of civilization; now we have started on the oceans. How fast is this being done? Studies indicate that the amount of pollution now threatening our shores will increase seven-fold by the year 2000 unless we make some drastic changes on our handling of wastes.

And how can we check the coastal erosion that is slowly but surely robbing us of some of America's best recreational areas?

And what final disposition will be made of the Continental Shelf controversy? Many such questions have to be answered.

We've got a lot of planning and a lot of headaches ahead of us in the next decade. And if we don't soon start doing some long-range planning—really long-range—we're going to have even more headaches. Oceanographic thinking has been dominated in recent years by two types of planners. The first type, necessarily concerned about next year's budget, has unwillingly been fostering a hand-to-mouth existence. The second type, busy planning those night clubs on the bottom of the sea, has done a splendid job of convincing everybody that oceanography, like a vacation trip to Mars, will be wonderful—some day. What we need now are bright young men who are part hard-sell salesman, part tight-fisted economist, part hard-headed executive, part dreamer, part fighter and part poet. Then we will get under way.

One of the characteristics of American industry is its ability to pour large amounts of capital and technological knowledge into ventures offering reasonable opportunity for profit, and then to make them succeed even sooner than expected. Oceanography offers industry many such ventures. But before they can be undertaken, American business firms have to learn the oceanographic business. Although we will eventually teach ourselves, something can be done to hasten graduation. That something is tools.

Give industry the tools it needs, and it will get the job done, no matter where it takes us. We know how to make the tools to build almost anything on earth, or in the air, or on the surface of the sea, or even out in space. However, the underwater ocean environment is still strange and unknown to us. Tools must be developed, and such development is costly—often too costly even for the largest corporation to underwrite on its own.

Oceanography needs government money and government stimulus. It also needs private industry. The driving force of the free enterprise economy must be put into harness to successfully exploit the riches of the sea. The motivation to make a dollar . . . to expand a market . . . to realize a return on an investment . . . to cut costs by improving efficiency . . . to get the best manpower . . . to sell more goods . . . to beat out a competitor—this is healthy self-interest, and, properly used, it can work miracles.

At the same time, this is a two-way street. We in industry need oceanography just as much as oceanography needs industry. No company is so large or so enduring that it can afford to ignore the profit potential of this new science. Without new markets, without new sources of profit, industry dries up in a remarkably short time. No major company seriously expects to be manufacturing exactly the same products even five years from now that it is manufacturing today.

I would like to leave you with this final thought.

The greatest error we could make in a complex technological program of this kind is to assume that we can safely start it up and shut it down at will—that we can proceed at a sluggish pace for several years, and then suddenly speed things up with a crash program when it begins to appear that oceanography is really paying off.

Technological progress just doesn't work that way. When you lose ground, when you lose momentum, you can't make them up. If you miss the boat, there may not be another fast enough to catch up with it. Time is against you. What we're doing today will be out of date by the time it's produced or published. In five years it will be obsolete. In ten years it will be forgotten.

What America needs, then, is a steady, continuing, growing, accelerating oceanographic program—one without fits and starts, cutbacks and speed-ups, reversals and sharply changed directions. Only with stability is it possible to plan intelligently.

I think the chances are now good for getting a program of this kind. The Government has every incentive to support such a program, and so does industry. The two can work well together in this effort. Industry knows where government must dominate, while government people have more and more come to realize that, in Stuart Chase's words, the independent corporation is the best and most flexible agency for the organizing and application of resources.

You who are making your careers in oceanography must lead the way for both Government and industry. For industry, I will say that we're excited about the things you are doing . . . we will give you all the support we can . . . and we wish you well.

PROGRESS REPORT

HON. ROBERT V. DENNEY

OF NEBRASKA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 10, 1968

Mr. DENNEY. Mr. Speaker, in a few days I will be sending my fifth progress report of the second session of the 90th Congress to my constituents in Nebraska. I submit a copy of that report for the information of my colleagues in the House of Representatives:

DEAR FRIEND: Due to the unusually high qualifications of young men from the First Congressional District in Nebraska, 21 of those I nominated for military service academies were appointed. There were only eight openings at the academies for which I could make recommendations. However, after all the principal nominees were appointed, an additional number were accepted to fill up the classes entering in 1968, based on their unusually high cumulative scores.

A Congressman is entitled to nominate six young men for each opening, a principal and five alternates. The principal is appointed if he meets the academies' physical, medical and academic requirements. If he does not, the alternates are taken in order of their scores.

The following people received appointments to the Air Force Academy: Berthold Graves, Beatrice; Harold Huggenberger, South Sioux City; Robert Nedergaard, Wayne; Donald Rousseau, York; Donald Slone, Crete; Gerald Venteicher, Norfolk; Scott Daniel, Allan Mytty and Bruce Shanahan, all of Fremont.

Appointments to the Military Academy: Robert Fisher, Auburn; James Walter, Fremont; William Dermann, Gerry Mitchell, and James Barnes, Jr., all of Lincoln.

Appointments to the Naval Academy: Paul Jorgensen, Wakefield; James Van Vliet, Lincoln; Daniel Weaver, Falls City; Steven Wilson, Bennet, and Dennis Williams, Martell.

Three openings at the Merchant Marine Academy were available to the entire state of Nebraska. Appointments from my nominations: Bruce Sabacky of Emerson and Thomas Sawyer, now of Rushville, N.Y.

CONGRESSMAN WANTS YOUR OPINION

By this time you probably have received the questionnaire I mailed to residents of the First Congressional District, asking your advice in the areas of crime prevention, agriculture, government insured loans, federal spending, unemployment and Presidential campaigning.

The responses will be electronically tabulated, and I will report the results to you as soon as they become available.

If you have not already answered, I hope you will take a few minutes to aid me in the legislative decision-making process by making your views known.

NEBRASKA AND THE INTERSTATE

In recent weeks my colleagues and I on the Public Works Subcommittee on Roads have heard a number of Nebraska witnesses on the issue of extending the national Interstate Highway system. Many people justifiably feel that Nebraska was slighted when the original mileage allocations were made in 1956. We are one of only three states with just one Interstate Highway; and our mileage is lower than any of our neighboring states. There are many missing links in the Interstate all across the country.

If Congress grants the proposed extension of 3,000 miles or less, it may mean a north-south route for the Cornhusker State. The witnesses we heard sought various north-south routes connecting urban, educational, agricultural and manufacturing centers in the eastern third of the state. But if an extension is authorized, then the route is a matter for the Bureau of Public Roads, the State Highway Department and local interests to decide. If no extension is granted, Nebraska might do well to get more of the Highway Trust Fund money and bring some of its primary roads up to near Interstate standards.

I have had two opportunities recently to speak to 1st District residents on national holidays.

On Memorial Day I spoke at Evergreen Home Cemetery in Beatrice where a veterans' memorial was dedicated.

Later I was invited to help celebrate an "old fashioned 4th of July" at a picnic in Bennet.

THE GUN CONTROL DILEMMA

The issue of gun control is one of the greatest dilemmas to face this Congress—how to curb actions of a few without infringing upon rights of the majority.

The most appropriate area for federal action is in regulating interstate shipment of firearms, because such commerce should not be allowed to circumvent state laws.

Since the problem of violence relates more to the criminal than to the gun, both federal and state governments should consider fixing heavier fines and longer prison terms for anyone convicted of using a gun while committing a felony.

State and local governments have the primary responsibility for keeping the peace.

This includes the authority to enact and enforce gun legislation appropriate to their needs. Conditions vary widely from rural to urban areas, and the needs of one state are not necessarily those of another. A month ago I introduced a measure to authorize a Congressional study of all aspects of crime. I find this method superior to hastily and emotionally passing wide-sweeping laws before we really put our finger on the causes. Such study could help tell us if the present pattern of gun sale and gun ownership is irresponsible. And it might further help us sort out the proper areas for federal action.

(Photo caption) pictured at left are presidential scholars Tim Busing of Lincoln and Catherine Adams of Stanton with Sen. Carl Curtis and myself.

They were selected from all high school graduates in the State. In June, 121 scholars from all over the country were received at the White House and met with their congressional delegations.

A BLIGHT HAS BEEN REMOVED

HON. PAUL J. FANNIN

OF ARIZONA

IN THE SENATE OF THE UNITED STATES

Wednesday, July 10, 1968

Mr. FANNIN. Mr. President, the so-called Resurrection City is no more, and judging from the public and private comments I have heard in Washington, no one bemoans the fact much.

The right of the people to petition their Government for a redress of grievances has been turned into a mockery by buffoons and empire builders. The Nation's Capital has been desecrated, tourists discouraged from visiting what should be their unquestioned property, and the Federal taxpayer left holding a huge tab for the whole sorry mess. If one adds the economic loss to those whose business is tourism, plus the prestige lost in the world, we are hard put to put any significant figure on the cost of Resurrection City.

Perhaps the most revealing phrase, at least to me, from the editorial I shall ask to have printed in the RECORD, is:

> People demanding "Freedom Now" didn't show any inclination to accept the responsibilities that go with freedom.

This is an important point. Freedom demands responsibility. Until those demanding freedom are ready to take the whole package, they are asking for something which they do not understand, nor know how to use.

The Arizona Republic, of Phoenix, published an editorial which makes some very lucid and relevant observations on the reasons for, and the accomplishments of, Resurrection City. Because this outstanding editorial deserves wider circulation, I ask unanimous consent that it be printed in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

THE SHAME OF WASHINGTON

In an almost incredible show of tolerance, the United States government permitted the collection of shanties known as Resurrection City to be built in its national capital. For two months what might better have been called Desecration City stood like a cancer surrounded by such national shrines as the Capitol Building, the Supreme Court, the White House, the Washington, Jefferson and Lincoln memorials.

The mall was turned into a shanty town; the reflecting pool was used for bath and refuse. Alleys between the shanties were quagmires. Resurrection City residents frequently had to go to nearby schools and churches for hot meals and dry beds. Old and young alike had colds, although public health services from the District of Columbia prevented any epidemics.

Conceived in lawlessness—regardless of the widely proclaimed motive of "helping the poor"—Resurrection City suffered from lawlessness. Alvin Jackson, a Washington Negro who volunteered to act as chief marshal for the city, said the city had dropped from a population of 3,000 to 500 because "men are getting tired of coming home from a day's picketing to find their belongings stolen or their wives raped."

Bayard Rustin, the militant Negro who organized a mammoth Washington parade two years ago, became so disgusted at Resurrection City that he refused to direct last week's parade. Nonetheless, thousands of middle class whites went to Washington to show their concern over the poor. That they were pleased with Resurrection City is very doubtful.

The chief of the Washington Parks police force estimated there were 100 assaults and beatings in Resurrection City. At least 20 outside visitors were robbed. No one in Washington felt safe. The usually thriving tourist business shriveled away, with many cancelled occupancies in hotels and poor business in restaurants. For the first time in history, American citizens were unwilling to visit the fount of their liberties, because people demanding "Freedom Now" didn't show any inclination to accept the responsibilities that go with freedom.

Dr. Martin Luther King's brother, and some dirty, dishevelled, boisterous friends (white and black alike) entered one of Washington's finest hotels, demanded food and drink, and left without paying their bill. On one occasion, several score Resurrectionists got into the line at a Department of the Interior cafeteria and refused to pay for their lunches.

Yesterday the long and tragic demonstration came to an end. The two-month permit, by which Resurrection City had existed in the midst of the most beautiful city in the country, expired. It was not renewed. Rev. Ralph D. Abernathy, head of the poor people's movement, tried to get as many of his followers arrested as possible, to enhance their roles as martyrs.

But the real martyrs of Resurrection City were the 200 million Americans who watched a handful of people turn the seat of popular government, the symbol of American belief in rule by the majority, into a shambles. Whatever good may have come from the Rev. Mr. Abernathy's meetings with cabinet members—and there will be some good—we think it will be outweighed by the inevitable wave of popular indignation that will follow.

The lovely city on the Potomac, laid out by L'Enfant under the direction of George Washington, has suffered other indignities. Its residents saw the camp fires of a rebel army across the Potomac during the Civil War. It was the goal of a Middle Western populist movement known as Coxey's Army near the turn of the century. It was the site of the ill-advised Bonus Army camp in the bitter days of the depression. But it has never put up with anything quite like Resurrection City, and we hope it never has to again.

As the Rev. Mr. Abernathy held the remnants of his group together for one last march on the Capitol Building, most Americans would have agreed with Oliver Cromwell's injunction to the Long Parliament: "You have sat here too long for any good you have been doing. In the name of God, go."

While the residents of Resurrection City were demonstrating, brawling, feuding and doing some honest picketing, other Americans were getting down to the problem of providing jobs for the poor. The National Alliance of Businessmen, with Phoenix near the top of the list, offered thousands of permanent jobs for hard-core poor, and more thousands of summer jobs for youths who would like to earn some money. They will determine the future of this country, not the residents of Resurrection City.

SMART IN WILKES-BARRE IS A SUCCESS

HON. CHARLES H. WILSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 10, 1968

Mr. CHARLES H. WILSON. Mr. Speaker, yesterday I had an opportunity to view a very fascinating and challenging demonstration by the Educational Computer Corp. of Sicklersville, N.J. On display were the instruments used by the Northeastern Pennsylvania Technical Center in Wilkes-Barre, Pa., with the assistance of the U.S. Department of Labor and the Department of Health, Education, and Welfare, to train formerly unemployable young men to become television or appliance repairmen, auto mechanics, and oil burner repairmen.

The miracle instrument of this training is SMART, or, in more technical language, the System Malfunction Analysis Reinforcement Trainer. SMART is just that—a most successful and advanced form of technical training because of its ability to simulate an endless number of systems while using the same basic unit. It is also remarkable in that it transforms the very nature of the learning experience. Indeed, technical instruction which demands a reading facility, as most courses do, has little relevance to the undereducated and often illiterate person. But SMART is based on the cue response principle, and instruction proceeds as the SMART trainer presents problems to the students by means of a visual display of malfunction symptoms which demand a quick response by pushing a button on the overlay panel. After this is done, the student receives an immediate feedback on whether or not he has answered correctly.

SMART is a motivator. It allows the student to see the immediate result of his effort and so it is especially helpful to those disadvantaged youths to whom immediate rewards are practically unknown. This immediacy also allows the instructors to keep constantly abreast of the students' proficiency and to aid in every step of the learning process.

SMART has long been valued by the U.S. Navy for its proficiency in teaching its men radar tracking and other complex electronic systems. But the Wilkes-Barre experiment with SMART to educate the unemployed in a practical skill is the first time that this training concept has been applied to this very sensitive area. The results, to date, have proved exceptional. Of 60 enrolled in the television electronics course, all but three have completed this program; and, of this remaining 57, attendance is an incredible 94 percent. As Mr. Andrew Lestishock, assistant manager of the Youth Opportunity Center of the State of

Pennsylvania, in a letter to Mr. George Young, president of the Educational Computer Corp., said of the project:

> Your staff has met the challenge; attitudes and behavior have changed, confidence is being instilled and further nourished, introversion is being conquered to an undreamed of degree, the desire to learn and progress has been inculcated; a good all around job is being done. The advances made in the vocational training area in such a short time are almost unbelievable.

Beginning July 8, two other courses were added to the curriculum which formerly included only the television electronics course: domestic heating—oil burner repair—and appliance repair. I am sure that, with the winning combination of SMART and the intelligent, dedicated Educational Computer Corp. instructors, these programs will be equally successful. For this experiment certainly proves that computers need not be dehumanizing; in Wilkes-Barre they are giving meaning to lives previously devoid of it.

AMERICAN LEGION LETTER ON EAST-WEST TRADE

HON. JOHN G. TOWER

OF TEXAS

IN THE SENATE OF THE UNITED STATES

Wednesday, July 10, 1968

Mr. TOWER. Mr. President, in a letter of June 18, Mr. Harold Stringer, director of the legislative commission of the American Legion, succinctly stated the Legion's case on the matter of East-West trade. Believing it to be in the best interests of the discussion of this most important matter, I ask unanimous consent that the letter from Mr. Stringer to the Senator from Maine [Mr. MUSKIE], be printed in the Extensions of Remarks.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

THE AMERICAN LEGION,
Washington, D.C., June 18, 1968.

Hon. EDMUND S. MUSKIE,
Chairman, Subcommittee on International Finance, Senate Committee on Banking and Currency, Washington, D.C.

DEAR SENATOR MUSKIE: The American Legion has long had an active interest in questions pertaining to East-West trade. We wish, therefore, to make our position on this important subject a matter of record in connection with the hearings currently being held by your Subcommittee on Senate Joint Resolution No. 169, a resolution which would express to be the sense of Congress that certain controlling regulations and financing restrictions should be modified so as to permit "an increase in trade in peaceful goods between the United States and the nations of Eastern Europe." It is understood of course, that the term "nations" as used in S.J. Res. 169 refers actually to the communist-controlled governments of the Soviet bloc.

I am enclosing copies of two American Legion resolutions concerned with trade with the Soviet Union and its satellites.

Resolution No. 338, adopted by our 1966 National Convention, expresses the Legion's basic position on East-West trade. We believe that for the duration of the Cold War, the United States should make the products of our advanced technology available to governments controlled by communists *only* in exchange political concessions on the part of those governments, especially such concessions as will make for increased personal liberties for the suppressed peoples concerned.

Resolution No. 20, adopted by our 1967 National Convention, expresses the Legion's strong opposition to any trade between this country and those members of the Soviet bloc which now are materially supporting North Vietnam's war of aggression in Southeast Asia. For the duration of the Vietnam war, it is our conviction that Congress should prohibit further trade between the United States and any communist country "which is providing North Vietnam with assistance in any form that can increase its war-making potential."

The Soviet Union and its satellites in Eastern Europe are supplying at least 80 percent of the military hardware needed by North Vietnam to carry on its aggression against South Vietnam, Laos, and Thailand. This includes all the sophisticated weaponry being used to kill and maim American servicemen, and to perpetrate the cruelly indiscriminate, but intentional terror bombings of civilian centers throughout South Vietnam. Estimates of the magnitude of this Soviet-bloc assistance to North Vietnam range from one billion to eight billion dollars per year. Furthermore, Soviet leaders have repeatedly declared that such aid will continue and increase, if necessary, until the United States is forced to withdraw its forces from Vietnam.

Considering these well-publicized facts, we are at a loss to understand any moves at this time to increase trade with the Soviet bloc countries. The American Legion believes such advocacy to be an affront to the American servicemen who are called upon to perform combat duty in defense of South Vietnam. Letters we receive from military personnel in Vietnam, or recently returned from there, confirm this belief.

We recognize that S.J. Res. 169 speaks of an increase in trade in "peaceful goods." We fear, however, that that term lost much, if not all, of its meaning on October 12, 1966, when the Department of Commerce in effect changed the designation of over 400 "commodities" from strategic to non-strategic. The raw materials and manufactured goods on that list (Current Export Bulletin Number 941) hardly qualify as a compilation of ordinary consumer goods. It is also true, we think, that in time of war all goods and materials are strategic, and especially so in the case of a country of limited internal resources such as North Vietnam. Thus, even if what we sell the Soviet Union is not transshipped to North Vietnam, the ready availability of our raw materials and manufactured items permits the communists to devote more of their resources and factories to the support of North Vietnam, as well as to their still belligerent allies in the Middle East and Cuba.

Therefore, Mr. Chairman, while we have reservations as to the validity of several of the premises stated in S.J. Res. 169, our objection to the intent of the resolution is more fundamental. If the Soviet Union and its Eastern European partners are in fact helping to prolong the Vietnam war, and are thereby participating in the killing of more than 350 American servicemen each week, The American Legion is compelled to the conclusion that the proposal before your Subcommittee deserves to be disapproved. We would, in fact, urge that you and your fellow members seek to prohibit all further trade between the United States and any communist country that is assisting North Vietnam.

I will appreciate your making this letter and its attachments a part of the published record of your hearings on S.J. Res. 169.

Sincerely yours,

HERALD E. STRINGER,
Director.

LAW-ABIDING CITIZENS SUPPORTED BY AMERICANS FOR EFFECTIVE LAW ENFORCEMENT

HON. ROBERT McCLORY

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 10, 1968

Mr. McCLORY. Mr. Speaker, all law-abiding citizens should take heart in the founding of an organization devoted to the representation of their interests: Americans for Effective Law Enforcement—AELE. Headed by Fred E. Inbau, professor of law at Northwestern University and one of the Nation's foremost specialists in scientific crime detection, AELE was formed with the express purpose of righting the imbalance in our legal system which has resulted in the individual "rights" and "privileges" of criminal suspects taking precedence over the collective rights of law-abiding citizens to be reasonably free from violence to their persons and from the deprivation of their property. As AELE states:

> Almost everything that the law-abiding American public has been hearing in recent years are the cries uttered on behalf of individuals suspected or accused of crime, and on behalf of individual civil liberties. Almost unheard—or certainly ignored—have been the plaintive pleas of the victims of crime, and of those persons who live in constant, yet reasonable, fear of the loss of their lives, their bodily security, and their property at the hands of the ever increasing criminal element that now plagues this country of ours.

Joining Professor Inbau as founders of AELE are five distinguished public officials, law professors, and attorneys from the Chicago area: Alan S. Ganz, attorney at law and former Cook County assistant State's attorney; Richard B. Ogilvie, president of the Cook County Board of Commissioners and former sheriff of Cook County; Harold A. Smith, attorney at law and former president of the Chicago Bar Association and of the Chicago Crime Commission; James R. Thompson, assistant professor of law at Northwestern University and former Cook County assistant State's attorney; and O. W. Wilson, former superintendent of the Chicago Police Department.

One of the principal objectives of AELE is to represent the law-abiding public in criminal cases before the U.S. Supreme Court, and before other Federal and State courts, by the filing of briefs amici curiae—literally, briefs as "friends of the court." In so doing, AELE will intervene not in behalf of individual civil liberties, nor strictly on the side of the police or prosecution, but in the interest of assisting the court in arriving at a decision "in fairness to all members of the public who may be affected by its ruling and opinion." In expanding its efforts nationwide, AELE also intends to draft model legislation and constitutional amendments to aid in effective law enforcement and public protection; to disseminate information regarding the nature and extent of the crime problem and the needs and shortcomings of law enforcement in meeting this problem; and to defend persons indicted or sued because of their justifiable attempts to maintain law and order.

If the brief filed by AELE in the recent Supreme Court case of Terry against State of Ohio is any indication of its future success, AELE's prospects will be bright indeed. In the Terry case, the Court very wisely upheld the right of a police officer to stop and frisk persons whom the officer reasonably believes to be connected with criminal activity and may be armed and dangerous. In so holding, the Court arrived at a conclusion similar to that urged by AELE in its brief as a "friend of the court." There is little question that our courts and the Nations' law-abiding citizens could use a few more friends of the caliber of AELE.

Mr. Speaker, I urge the Members of this House and citizens concerned with effective law enforcement to join AELE in mobilizing public opinion behind the right of the law-abiding majority to be protected from criminal ravages perpetuated by a lawless minority. I include in the RECORD at this point a copy of one of AELE's latest publications, "A Suggested Resolution Regarding Rioting".

A SUGGESTED RESOLUTION REGARDING RIOTING

(For adoption by civic, business, and professional groups, and by all other groups interested in public security from mob violence)

Whereas, many areas of America have been subjected to the tragedies of mob violence, rioting, killing, looting and burning and other forms of group and individual lawlessness; and

Whereas, it has been said by some that such violence is the natural outgrowth of deprived citizens' alienation from, and dissatisfaction with the democratic process, because of their poverty, unemployment, lack of educational opportunity and other social deprivations; and

Whereas, the immediate victims who suffered most from such violence have been the residents themselves of the neighborhoods where the violence has occurred, and the operators of small businesses in the areas affected; and

Whereas, such unlawful actions ultimately threaten the peace, security of property and persons, and the civil rights of *all* law-abiding Americans; and

Whereas, there are democratic alternatives to unlawful actions and mob rule as a form of protest in an effort to remedy social ills—namely, resort to the courts and the legislatures, and appeals to governmental executives and to the voters of this country; and

Whereas, the recent elections of minority-group members as Mayors of Cleveland, Ohio and Gary, Indiana, and as legislators and judges in many parts of the nation, do offer substantial evidence that democracy remains a viable concept in America; and

Whereas, some persons who claim to speak for minority groups, and who exhort the minority groups to action, have stated that the unlawful actions of the past will be renewed with greater violence, fury, damage, and bloodshed in the Summer of 1968; and

Whereas, the American people cannot, should not, and will not tolerate such violence again; and

Whereas, every state and local executive, elected or appointed, and every law enforcement officer in America, should now affirm that democracy can succeed and that law and order will prevail for the protection of all citizens;

It is Hereby Resolved that ---------- (name of organization) urges the governor of this State and the mayors of the municipalities of this State, and their chief law enforcement officials to publicly announce, and in no uncertain terms, that there will be no tolerance of violence in support of any cause, however just, or for any grievance, whether real or fancied; and that law enforcement agencies and officers will use all of the powers granted them by the United States Constitution, our State Constitution, our statutes and ordinances, to prevent mob violence, and to punish, to the full extent of the law, those who participate in such violence or exhort others to do so;

And Be It Further Resolved that we deem it unwise for law-abiding citizens to establish vigilante groups as a counterbalance to groups committed to violence; and that the best interest of all citizens can be better protected by reliance upon duly constituted law enforcement agencies effectively utilized for the prevention and suppression of violence and other forms of lawlessness.

Adopted (date) ----------

(Name of organization) ----------------

(Signature and title of presiding officer) ---

LORD MONTGOMERY'S VIEWS OF WAR IN VIETNAM

HON. JOSEPH S. CLARK

OF PENNSYLVANIA

IN THE SENATE OF THE UNITED STATES

Wednesday, July 10, 1968

Mr. CLARK. Mr. President, former British Field Marshal Viscount Montgomery, probably most famous for his successful campaign against Nazi Field Marshal Erwin Rommel at El Alamein during the Second World War, is still, in the words of the New York Times, "a man of strong opinions and pungent language." In a recent interview Lord Montgomery set forth cogently and articulately his own views about American involvement in Vietnam.

I commend to the attention of Senators, so that they may share with me yet another dissenting view of the Vietnam war by a prominent military man, an article, entitled "Montgomery Calls on the United States to Write Off the War in Vietnam," published in the New York Times of July 3, 1968.

I ask unanimous consent that it be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

MONTGOMERY CALLS ON THE UNITED STATES TO WRITE OFF THE WAR IN VIETNAM

LONDON, July 2.—At the age of 80, Field Marshal Viscount Montgomery of Alamein is still a man of strong opinions and pungent language.

In a recent interview, the famed commander expressed his views on a wide variety of world issues. He eschewed politics, but he was willing to talk on matters touching his profession of arms, including Vietnam.

Lord Montgomery believes that the United States should write off the war in Vietnam and accept the idea of a Communist-controlled government there.

"You have got to stop this war," he said. "You can't win. What is the point of all these casualties?"

As a first step, Lord Montgomery said, he would stop the bombing of North Vietnam. Then he would try to get the leaders of North and South Vietnam together for talks—but without illusions about the possible results.

ONE GOVERNMENT FORESEEN

"You have got to realize that there will be in the whole of Vietnam one government which will be Communist-controlled," he said. "I don't think it matters. You [the United States], would have to accept it."

The Field Marshal was asked how he would deal with the military advice, repeatedly given to President Johnson, that a complete bombing halt without a reciprocal gesture from Hanoi would increase American casualties.

"The generals must do as they are told," he replied. "The higher conduct of war has got to be in political hands. Once war gets in the hands of generals, you are done.

"They are not winning and they can't win on the battlefield. They have lost the damn war already."

The hero of El Alamein, who became a great popular military figure during and after the war, is still distinguished by that familiar clipped speech and deep-set blue eyes.

It was at El Alamein, in the northern Egyptian desert, that the British stopped Field Marshal Erwin Rommel's eastward advance and then, in October, 1942, launched the great counterattack that routed the Axis forces and ended the threat to Alexandria, 65 miles away, and the Suez Canal.

The interview with Lord Montgomery took place in his beautiful old house, Isington Mill, near Alton in Hampshire, in the country about 50 miles from London. Spotted about the room were signed photographs of the great—General Eisenhower, Marshal Tito, Queen Elizabeth II, Winston Churchill.

Lord Montgomery set his views on Vietnam in the framework of a general theory about the Far East. This was that "in the long run"—about 20 or 25 years—Communist China would inevitably dominate mainland Asia.

"America can't stop it," he said. "Nor can anybody else. All the nations from Burma right round to Korea will look to Peking as they used to in the old days."

Lord Montgomery visited Communist China in 1961, met Chairman Mao Tse-tung and was feted by the Government. After a tour he said that "the whole population is *solidly united," and he praised "the tremendous* accomplishments of the past 12 years under Mao Tse-tung.".

Lord Montgomery was critical of the United States position in Vietnam in part because, as he saw it, the war did not fit into any political strategy that took account of Asian realities.

"The United States has broken the second rule of war," he said. "That is: don't go fighting with your land army on the mainland in Asia. Rule one is, don't march on Moscow. I developed those two rules myself.

"You are learning now how important this second rule of war is. It is very difficult for a great nation which has made a mistake to come out.

"But you aren't the policemen of the world, you Americans, are you?"

Another reason given by Lord Montgomery for his criticism of the Vietnam war was its effect on the United States' reputation.

"The whole of world opinion is against you on this issue," he said. "You are becoming a very unpopular nation, which I think is a tragedy.

"If you think of what your nation did after the war to help the nations recover, the generosity of the United States was unprecedented. And now you are becoming one of the most hated people in the world."

Lord Montgomery was asked how he would deal with the evident concern of other non-Communist Asian nations, such as Thailand, that an American withdrawal from Vietnam would endanger their status.

The United States should continue its alliances in Asia, he answered, and the Southeast Asia Treaty Organization should go on. But, he said, the United States must not commit land forces to the mainland and instead should emphasize naval supremacy.

"The Western world must make quite certain that it has complete domination of the oceans," he asserted.

Lord Montgomery insisted that Chinese domination of the Asian land mass was inevitable. He said this would happen "not by military conquest but by ideological and economic pressure."

He said the countries bordering China—but he excepted India—"will all go." By that he meant, he added, that they would look to Peking for leadership and would be ideologically tuned to Asian Communism.

"Half the people in the world today are Communists," he went on. "That is a fact, and another fact to understand is that the Communism in that part of the world [Asia] is not the Communism of Marx and Lenin.

"It is a new brand which they like and it suits them. If they want to be a Communist and don't push it on us, let them. I don't think anything can prevent that."

CONGRESSMAN BILL ROTH BATTLES THE INFORMATION GAP

HON. WILLIAM A. STEIGER

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 10, 1968

Mr. STEIGER of Wisconsin. Mr. Speaker, the gentleman from Delaware [Mr. Roth] has provided significant leadership in the continuing battle against the information gap in government.

I am pleased to have joined in cosponsoring the Program Information Act which is the result of Congressman Roth's efforts.

Two recent newspaper articles have paid tribute to the work of my colleague from Delaware.

The invaluable work of Mr. Roth deserves the appreciation and attention of everyone in this Nation. His is an important struggle to insure that government is truly effective in meeting our needs. It is not now, as Mr. Roth's investigation has clearly shown.

I include as a part of my remarks at this point the articles referred to by Roscoe Drummond in the Christian Science Monitor of July 6, 1968, and Paul Hope in the Washington, D.C., Evening Star of July 8, 1968:

[From the Christian Science Monitor, July 6, 1968]

The New Consensus

(By Roscoe Drummond)

Washington.—What would you say such political leaders as these have in common: the late Robert Kennedy, Richard Nixon, Sen. Eugene McCarthy, Gov. Ronald Reagan, Americans for Democratic Action (ADA), liberals Daniel Moynihan and Richard Goodwin, GOP conservatives Gerald Ford and Melvin Laird?

Far apart as they are politically, they have come together on one single, central, significant proposition:

That the federal government has gotten so big, so cumbersome, so chaotic that it simply can't administer the vast assistance programs which have been mounting year after year.

WELFARE MUDDLE

Their agreement is just beginning to come into focus. They have been speaking separately but each has been saying very nearly the same thing.

What these diverse politicians are now saying is that federal funds, functions, and authority must be radically decentralized before the whole house of cards crumbles by its own weight.

On the basis of his firsthand experience in Washington, Mr. Moynihan, who now heads the Harvard-Massachusetts Institute of Technology Center for Urban Affairs, concludes that Washington has proved itself very good at collecting federal taxes but very bad at administering federal services.

How bad? That is the question which must be answered so objectively and so conclusively that those who are reluctant to face the facts can no longer ignore them.

That answer is now at hand. It comes from the titanic efforts of young, first-term Congressman William V. Roth Jr. (R) of Delaware, who devoted four months to surveying the whole federal establishment. He set out to find the number, purpose, scope and size of every federal assistance program and where and how they were administered.

DISHEVELED SPRAWL

He found plenty.

He found that nobody in the federal government—neither the White House nor the Budget Bureau nor the Congress nor all the department and agency heads put together—know how many programs, where they all are, what they do or how the public can get to use them.

He found that Congress does not have adequate information to decide which programs to continue and which to terminate.

He found that some programs which don't exist are publicized and that others which do exist are unknown.

He found that at a minimum there are 1,050 federal assistance programs spending $20 billion a year.

He found that at least 25 federal departments and agencies are operating widely overlapping programs doing about the same thing.

Clearly this disheveled sprawl is getting so bad that unless something is done soon there is danger of a massive breakdown.

Congressman Roth presented his imposing array of facts without raising his voice and without trying to make partisan capital.

But his colleagues knew they were listening to one of the more important speeches *delivered in Congress. Rarely are there many* on the floor to listen. The real measure of his impact is that by the next day more than 50 congressmen and senators called Roth's office to ask questions or get more facts.

Roth had them—and they withstood close and skeptical scrutiny.

There is no doubt, I think, that the time has come to reverse the flow of political power to Washington. It will come. There is a mounting political momentum behind it from conservatives and liberals alike.

The need is to make sure that the process of decentralization is orderly, and well carried out.

WHY WAIT

It is to this end that Mr. Nixon says that if he is President one of his first acts would be to create a special commission on government reorganization, like the Hoover Commission, to find the best means, not to dismantle the federal government, but to decentralize it.

That is good. I raise only one question—why wait? It is wasteful, riskful, dangerous to wait. Why shouldn't Congress move immediately to create such a commission so it can report its finding early in the next session? Congressman Roth will offer such a proposal. Shouldn't Congress act now?

[From the Washington (D.C.) Evening Star July 8, 1968]

The Data Crisis on Federal Aid

(By Paul Hope)

Rep. William V. Roth, Jr., a freshman congressman from Delaware, is a persistent man. But in his quest for a complete list of federal aid programs, he's beginning to feel a little like the storied messenger who became an old man looking for an office in the maze of Pentagon corridors.

Roth figured that a government that spends $20 billion a year on domestic federal aid projects ought to know who's spending it and where one goes to get it. But what he found, he said, is that the growth of these programs has created a "kind of information crisis"—no one knows for sure how many programs there are or where such information can be had.

Undertaking his own massive research effort, Roth has come up so far with 1,091 programs. He filled 150 pages of a recent edition of the Congressional Record with a brief description of each. And he isn't finished yet.

Roth started his unusual project last fall after he kept running into blank walls when people back home wanted to know what kind of federal help was available for this or that project and whether it would be worth taking the time to go after it.

Uninitiated to the mountainous red tape of Washington bureaucracy, the Republican congressman said he was amazed to find that one university sets aside a storage room half as large as his Washington office just to keep material relating to government assistance programs and hires a full-time librarian to keep track of it.

It took a member of Roth's staff four months to draw up a preliminary list of programs from catalogs and other data put out by various government agencies. Then he set out to verify whether the programs were still in existence and finally sent a questionnaire asking for detailed information on those that seemed to be in operation.

Ironically, one of the more promising programs was defunct before it really got started. This was one in which the new Department of Housing and Urban Development had established a program to provide an expediter for cities and towns to cut through governmental red tape. Although authorized, no money was actually appropriated for the service—which led Roth to wonder how many mayors applied for a consultant to help cut the red tape "only to find that red tape had outfoxed them again, *because no such program actually exists.*"

Roth believes that considerable overlapping could be eliminated and costs reduced if the executive branch were required to catalog every aid program and keep the list up to date. He has introduced a bill to require not only this but annual recommendations by the President on how the programs could be administered more efficiently.

He found, for instance, that 211 separate scholarship programs are handled by 14 different agencies.

According to Roth's listing, there are two separate programs for financial assistance for conserving and developing anandromous fishery resources (these are fish that ascend rivers from the sea to spawn). Although appearing to be almost identical, Roth's information indicates each program has a different "contact man" in Washington.

Even the agencies administering programs apparently aren't sure exactly how many they have. Roth said that a letter he received in May from the Office of Education broke the appropriations for that office down into 53 categories while a catalog put out by the Office of Economic Opportunity lists 62 programs for the Office of Education. And he said a recent Office of Education reprint of a document entitled "Where the Money Is" lists 111 programs. Roth's own listing indicates more than 120 programs for the Office of Education.

Roth plans to introduce another bill calling for a complete study of all domestic aid programs. He hopes it would reach the conclusion that "block grants" would be a better approach to handling federal assistance.

Under a block grant arrangement, financial assistance would be given states and localities in broad categories and it would be up to local officials to determine exactly how the money would be applied. The theory is that much of the redtape would be eliminated and the localities would have greater freedom to put the money where it is most needed rather than where some Washington bureaucrat thought it should go.

Roth thinks that ultimately the best answer is "revenue sharing"—that is, the states would be given a percentage of federal income taxes, and presumably federal strings would be reduced even more.

THE CASE FOR GUN CONTROLS HAS NOT BEEN MADE

HON. SHERMAN P. LLOYD

OF UTAH

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 10, 1968

Mr. LLOYD. Mr. Speaker, the House will soon consider legislation to prohibit the mail-order sale of rifles and shotguns. The proposed regulations would be parallel to those imposed on handguns as part of the Omnibus Crime Control and Safe Streets Act of 1968 which has been signed into law.

Advocates of stronger gun-control laws are also calling for registration and licensing of every firearm and firearm owner in the United States, on the assumption that strict gun controls will be a major step toward curbing crime and violence in this country.

I have examined the evidence carefully and objectively, and the case has simply not been made, either for restriction of the sale of long guns or for licensing and registration. I will oppose this restrictive legislation.

Within our country, 36 States and hundreds of local governments currently regulate guns in varying degree. Most of the laws pertain to possession of concealable weapons by youngsters or criminals and they involve regulation through varying degrees of licensing. Of the 13 States with the highest murder rates, eight have licensing procedures. Overall, the murder rate for States requiring licensing of firearms is only slightly below that of nonlicensed States, 4.46 per 100,000 versus 4.80 per 100,000.

FBI statistics indicate no reason exists for Federal regulations on long guns. In 1966, the FBI reports that long guns, that is, rifles and shotguns, were involved in less than one-half of 1 percent of serious crimes.

As specifically regards mail-order sale of rifles and shotguns, there is already Federal legislation on the books which is enforceable where local and State authorities demand.

The Federal Firearms Act of 1938 states:

> It shall be unlawful for any licensed manufacturer or dealer to transport or ship any firearm in interstate or foreign commerce to any person other than a licensed manufacturer or dealer in any state the laws of which require that a license be obtained for the purchase of such firearm, unless such license is exhibited to such manufacturer or dealer by the prospective purchaser.

This underscores the argument that firearms control should be left to local jurisdiction. Local laws, where so desired, can be enacted to require a license for the purchase of a firearm and must be respected by mail-order sellers. Together with local laws and stronger enforcement of the existing Federal laws, mail-order sale of guns could be effectively curbed. In view of the already existing laws, the only obvious accomplishment of this proposed legislation would be to provide a first step toward further Federal controls on firearms which controls would be even more unrealistic and oppressive.

As presently written, the bill would only constitute a harassment to responsible and law-abiding citizens. For instance, under the bill a deer hunter from California hunting deer in Utah could not purchase a rifle in Utah because Utah is not a contiguous State.

I conducted a survey of 14 of the top law-enforcement officials in my district, and they unanimously agree that proposed Federal firearms laws would not have any appreciable effect on crime rates within their jurisdiction. They said criminals would either fail to register weapons or would steal them, and that no law could keep criminals from getting guns. In Salt Lake County alone, for instance, 112 weapons have been stolen in the past 4 months, including 12 shotguns, 21 rifles, and 79 handguns.

The police officials stated that there is little point in regulating sale of rifles and shotguns. However, most did favor more local control over use and handling of concealable weapons, which is the primary criminal weapon. But this bill does not deal with that problem.

As further evidence that we can't stop criminals and assassins from getting guns, the accused killer of Dr. Martin Luther King appears to have been in violation of at least two provisions of the Federal Firearms Act of 1938, which prohibit convicted felons and fugitives from justice from transporting, shipping, or receiving guns or ammunition in interstate commerce.

The accused assassin of Senator Robert F. Kennedy appears to have been in violation of at least three existing firearms laws in the California Penal Code, including possessing a weapon as an alien, carrying a concealed weapon, and carrying a loaded weapon in an incorporated area and public place.

Also as part of my own personal investigation I asked several respected and competent attorneys in Salt Lake City, who were objective on this matter, to give me legal opinions on the second amendment as it pertains to firearms. The exhaustive legal research led to the following conclusion, which said in effect: "that it is a reasonable conclusion that the second amendment was intended to declare, and in law now protects, the right of all responsible people to acquire and keep arms and to bear the same for responsible purposes. It follows that any congressional enactment which infringes this right is unconstitutional."

Mr. Speaker, although I do not contend that the second amendment prevents violation of mail-order sales, I do state that evidence does not support the further regulation of long guns. Local and State governments are free to impose whatever restrictions local conditions may warrant, but attempts at Federal legislation would not take guns from assassins and criminals, but would rather impose cumbersome, unenforceable, and irritating restrictions upon the people for no achievable useful purpose.

If we were to effectively keep guns from assassins and criminals it would take nationwide confiscation of all firearms, an unthinkable situation, and violative of the second amendment.

COMMENCEMENT ADDRESS BY THOMAS L. HUGHES, DIRECTOR, INTELLIGENCE AND RESEARCH, DEPARTMENT OF STATE

HON. GALE W. McGEE

OF WYOMING

IN THE SENATE OF THE UNITED STATES

Wednesday, July 10, 1968

Mr. McGEE. Mr. President, the season of commencement addresses has just passed, and we have heard a number of excellent ones, most of them delivered at distinguished colleges and universities. One of the best, one of the most cogent addresses, however, was delivered to the class of 1968 at Walt Whitman High School, in Bethesda, Md., by Thomas L. Hughes, the Director of Intelligence and Research at the Department of State. I ask unanimous consent that this excellent speech to members of our younger generation be printed in the Extensions of Remarks.

There being no objection, the address was ordered to be printed in the Record, as follows:

Expecting the Main Things From You

(Commencement address by Thomas L. Hughes, Director of Intelligence and Research, Department of State, Washington, D.C., at Walt Whitman High School, Bethesda, Md., June 14, 1968)

Young women and young men of the class of 1968, your parents, teachers, and friends, let me associate myself at once and completely with the Reverend Billy Graham's recent announcement: "I have no knowledge that the CIA has helped finance any of my crusades." And having taken the first opportunity to give you that assurance, let me say how immensely relieved I am that all 669 of you graduating seniors are still apparently in your seats. As yet I see no one walking out. Nor is anyone carrying signs, as they did at Columbia the other day, reading, "I came here to graduate, but they gave me the third degree."

Commencements are, traditionally, the best of times for some. They are the worst of times for others—especially for those this year who are guilty by association with the whole rotten system. It was very brave indeed of you to invite someone like me who is part of the over-40 backlash. Under the circumstances, it was even braver of me to accept. Of course, this has been a season for second thoughts about controversial commencement speakers. In fact it has been a season marked by safer last minute substitutions on just such occasions—a Hofstadter for a Kirk at Columbia, a Hechinger for a Rostow at Sidwell Friends. Ever since you originally invited me, I have waited for the disinviting phone call that never came.

While waiting and tentatively turning on and tuning in, I did what I could. I saw *The Graduate*. Then I dipped apprehensively into the two current best sellers on the student-power circuit. If you haven't read them this year, you probably will the next. I understand they are required reading for freshman political science, except perhaps at the Royal School of Ballet in London where one of you is going. I speak of Professor Herbert Marcuse's *Eros and Civilization* and *One-Dimensional Man*. You may think better of me when I tell you that one of the distinguished graduates of the State Department bureau where I work is Dr. Marcuse himself. Perhaps I should add that the State Department as I see it is rather more familiar with one-dimensional men, and rather less familiar with eros and civilization.

At any rate it was under these influences that I originally intended to address you somewhat as follows: anarchists, temperamentalists, existentialists, nihilists—enraged ones and alienated ones—demonic and disaffected ones—Maoists and hooligans—estranged ones and turbulent ones—noise makers, jumpers, and squealers—devotees of the generation gap—members of SDS—exponents, practitioners, and beneficiaries of the biggest year for student power since Europe in 1848.

That, however, was before the mailman brought a computerized class profile explaining what young Establishmentarians you actually are. Your official statistics made me pause. Indeed in studying them I came close to learning more about you than I really wanted to know. To wit. Your Montgomery County parents are the brightest, the best educated, the most motivated to public service, and the richest per capita parents in any county in the country. You yourselves are the most successful class yet fed into the computers. You have the highest number of merit scholarship finalists in the Washington metropolitan area. Your Student Government Association declares its "Respect for Learning." You produce classics like *Antigone* and *Camelot*, read classics like *Catcher in the Rye*, and do both with your parents' permission. You abolished your National Honor Society because it was too divisive in the midst of so much talent. You have been helping out in Resurrection City. You are said to have studied Asian, African, and Latin American history in your social studies program, along with driver education and gourmet food. You voted for beards by a democratic ballot of 902 to 389, and you abolished restrictions on the length of hair and skirts.

Such vital statistics for the class of 1968 quickly disposed of any notion that the growing reputation of Walt Whitman High School might depend on the sophomores bringing so much in with them when they come and the seniors taking so little out with them when they go. I was almost as impressed with Whitman as Robert Hutchins was with the University of Chicago—"This is not a very good school; in fact it is a bad school; there is only one thing to say for it—it is the best there is."

Thus intimidated, and uncertain which side you are on, my mind turned briefly to two prior commencements. The first involved one of those nearly prehistoric figures of my own youth. His name, J. Pierpont Morgan, will mean nothing to you. Nor should it. He was a financier-tycoon. The point is that he once found himself on a platform like this. After presenting the diplomas, instead of making a speech, he sat down. Despite long-continued applause, he continued to sit. Some in the audience thought it was his modesty. But anyone who had read about him, or admired him from afar, knew that that was absurd. Later it became the conventional wisdom that the great Mr. Morgan had refused to make a speech because he knew he had nothing to say. Eventually as reports spread about his commencement performance, the moral of it all became a part of the banking-circle folklore of the day. His surprising behavior was recognized as evidence of his unusual personal integrity. One might even say that Mr. Morgan had been doing his thing.

Ever since, the burden of proof has rested on successive commencement speakers to demonstrate that they have something to say that is more profound than Mr. Morgan's silence. I have discovered, however, that you have to be much more of a tycoon than I am before your silence is accepted as proof of wisdom or the lack thereof. Fashionable as it is to complain about the poverty of rhetoric, people still want you to speak and remove all doubt.

I mentioned a second commencement. It occurred twenty-five years ago this week. I was sitting where you are sitting, only it was in a small town in Minnesota, that abiding seedbed of public servants, who are born eager to work for the State of Minnesota but impartially willing to live in Washington and serve the nation should the people so demand. Three of them are running for President this year. But it was then 1943. Governor Harold Stassen was leaving his last elective office. Professor Hubert Humphrey was about to run for Mayor. Professor Eugene McCarthy was about to enter military intelligence. Public service was all around us—the more so because it was wartime, and most of the young men in the high school graduating class would be stumbling quickly into army induction centers.

The identity of our commencement speaker I have long since forgotten, but I do recall his theme. He told us that there was little hope for humanity unless we proved to be at least twice as good as our parents. By twice as good, he meant twice as free from superstition and prejudice, twice as emancipated from the dying gods of yesterday, twice as able to face facts without disguising or distorting them, twice as clear in intellectual perceptions, twice as inventive in social action, twice as interested in achieving and preserving world peace, twice as courageous in purpose and committed in aim—in short, twice as dedicated, twice as democratic, and twice as mature.

The audience reaction was instantly favorable and unanimous. Our parents nodded their confident agreement with the speaker's sentiments, smilingly accepting his recitation of their own inadequacies. To the extent that the exhortation to outdo our parents provoked much thought at all among the graduating class, we implicitly responded "that's easy". The Nazi and Japanese surrenders were still two hard-fought years away. Yet none of us doubted that the world was made for us and that we "could last forever, outlast *the sea, the earth, all men.*"[1]

A quarter century later, I suspect you do not think it possible that we have been twice as good as our parents. Hence even by the normal criteria of geometric progression, you will presumably have to be many times twice as good as we. Knowing some of your parents, myself, I won't put a finer point on it than that. However, "Not today is to justify me and answer what I am for," wrote your patron poet Whitman—

> "But you, a new brood, native, athletic, continental, greater than before known,
> I myself but write one or two indicative *words for the future,*
> Leaving it to you to prove and define it.
> Expecting the main things from you."[2]

Expecting the main things from you. But what are the main things? And why should anyone expect them from you? Let me dwell briefly on a few of the main things, taking further sustenance as I do so from the extraordinary man for whom this school was so provocatively named. Part hippe, part vagabond, he was nonetheless committed to far more strenuous things than flower power. He remains untouched as the poet of American destiny. Six generations separate him from you, but I wonder how much of a generational gap you really have with him. For he wrote in the "most stormily human period"[3] of American history, at least until the one that is now upon us. And all around him as he wrote were hauntingly contemporary signs. Thoreau was calling for *Civil Disobedience*. When Emerson visited him in jail and asked, "Why are you inside?" Thoreau replied, "Why are you outside?" Emerson was left to speculate about the proposition that jail is sometimes the place where patriotism and morality intersect. Charles A. Dana and the New York *Tribune* were defending Proudhon's thesis that "Property is robbery". Brook Farm, Utopian socialism and the 1848 revolutions were topics of the hour. John Brown was stealing horses, stocking arsenals, and freeing slaves on the underground railroad. In 1855 when Whitman published *Leaves of Grass*, Abraham Lincoln was warning: "We live in the midst of alarms: anxiety beclouds the future; we expect some new disaster with each newspaper we read." Like our own devastating nightmare last week, it was a time when the shots from America heard round the world were totally different from the kind Tom Paine and Longfellow had in mind. In this feverish atmosphere, afflicted by the hand of Cain, Whitman told the youth of his own day that the "main things" were expected from them.

Expecting the main things from you. Superficially that sounds like a summons to student power—that new kind of power which is so hard to locate and so much harder to define. Whatever it is, it does exist. Authorities all over the world are now afraid of it. The world's student population itself has more than doubled in the past ten years. Most of you graduating today will join some seven million others enrolled in American universities and colleges. There have been demonstrations at over a thousand of these institutions during the past three years. At many of them classroom doors have been closed by student power.

Abroad students have triggered crises for resident political leaders in Paris and Warsaw, Berlin and Prague, Rome and Cairo, Madrid and Addis Ababa. Already this year students have tumbled into the streets in half the world's countries crying for change. It is no news to you that here in America you graduate into a society uptight with crises—the priorities crisis, the poverty crisis, the racial, urban, cultural, and monetary crisis, and the crisis of Cold War battle fatigue.

I do not know how many of you accept how many of these propositions, let alone with what degrees of fervor or fear, but for your most militant student colleagues the world-wide issues are increasingly the same. They share a common loss of faith in the capacity of existing societies to reform. They are tired of asking the right questions about integration, urbanization, automation, and consensus politics. They are bored with all bureaucracies. They are repelled by mass media, business comforts, the technological prison, and the malaise of affluence. They are offended by the tamed liberals, the irrelevant labor unions, the hypocrisies of personal ambition and the condescensions of the Old Politics. They feel powerless before the seeming manipulations of the law itself, before the diversion of domestic substance into what they regard as demoralizing foreign ventures, before the dead hand control of men and ideas whose time has gone. Above all they are sick of systems which keep passing the torches to older generations. They are prepared to confront the powers that be, knowing that these powers are the un-poor, the un-black, and the un-young.

But, for all these reasons, they are no longer willing to revolt in the customary systematic way. The most disillusioned among them react to the hangups in the system either by promoting "participatory violence" or by copping out. Both reactions assume that it is time for a major interruption—for rejecting before reaffirming, for stopping before starting, for uprooting before planting, even for destroying before trying to build. They agree that the circuits of continuity should be broken.

We have just emerged from a week of asking whether anger has become an institutionalized American emotion and violence itself a way of life. For some, presumably including those academicians who promote it, violence exerts its own mysterious appeal.

---

[1] Joseph Conrad.

[2] "Poets to Come."

[3] *Carl Sandburg.*

It does of course offer instant involvement, and it carries the prospect of instant results. But there is something final about a bullet. And there is something at least questionable about youthful militants who start by rejecting all heroes and hero worship and then proceed to close the generation gap their own way, inspired by those doddering heroes, Mao Tse-tung and Ho-Chi-minh, the oldest and steadiest practitioners of violence still alive. For violence is not just a form of free speech at home, any more than it is just another exercise in world politics abroad. The fact remains that today and throughout your lifetimes, a few leaders in Washington, Moscow and other world capitals will make the decisions that stand between hundreds of millions of people and really massive catastrophe. If any of them, or any significant number of them, ever come to harbor the same casualness toward violence, the same escalation of emotion daily preached and practiced by the super-zappers, the violent people, we can have a nuclear war almost any old time.

Nor is copping out very helpful when we need all the moral insight we can get. We shall have no vacation from foreign policy, no time off for good behavior at home, and surely no time off for bad behavior. The arts of resistance and conciliation may be in short supply both here and abroad, which means we will need them all the more. In both places the issues always will be what they always have been: the everlasting, value-laden issues of where to stand and when.

Both the copper-outers and the violent ones, however, provide persuasive testimony that the conversation gap itself is the greatest gap of all. Who's talking? Who's listening? And what are you trying to say? "You Know Something is Happening Here, But You Don't Know What It is, Do You, Mr. Jones?"[4] And the broken dialogue speeds the flight to the extremes.

No wonder there is talk about the beginning and the end—of ending all this before beginning again—and biology alone is a convincing argument that you should be the beginning and the rest of us the end.

But down the generations Whitman has had something to say on the subject and he cautions to the contrary:

"I have heard what the talkers were talking, the talk of the beginning and the end.
But I do not talk of the beginning or the end.
There was never any more inception than there is now,
Nor any more youth or age than there is now. . . ."[5]

It is as though he was speaking truth to student power—inviting you to ponder deeply its use and abuse, its vast promise and possible irrelevance. He argues for involvement—"there was never any more inception than there is now." His logic implies that the power to disrupt is not necessarily the power to change, that there is a difference between student tyrannny and student power, that the non-students of the world do not indefinitely have to tolerate complete intolerance, that a climate of violence may endanger the wrong heroes. As Premier Chou En-lai told the Red Guards in Communist China recently: "It is inadvisable to say 'down with' indiscriminately."

"(There was never) any more youth or age than there is now. . . ." It is as though Whitman is speaking truth to the generation gap and saying: defy it, span it, close it, work across it, live beyond it. Consider, just consider, that the famous psychedelic barrier of age thirty is not really the generational divide to end all generational divides. I know how intimidating it is. Even now I am aware that it separates us exactly, for I am twelve years over thirty while you have twelve years yet to go. But I suggest that it is not too early for you to start making your own adjustments to the infallible proposition that you will, before long, be thirty-one. Indeed, incredible as it may seem, 2.2 million Americans stop being thirty every year and become thirty-one.

Meanwhile in the twelve years you have left before entering the older generation, I invite you to give some thought to another proposition. You do not have to feel that you necessarily lose your originality by accepting some of the truths already accepted by your predecessors. Allow for the possibility that your generation may not in fact be the world's first discoverers of music or art or the dignity of man—perhaps not even the inventers of sex and peace and justice. There remain a few practitioners of each over 30, I agree, however, with the Dean of Students at Northwestern University who said that if Booth Tarkington were writing *Seventeen* today, he would have to call it *Eleven*.

Predictions are hazardous. But I suspect that when you are as old as I am, and look back from 1993 on the intervening 25 years, you will be conscious of rediscovering some old discoveries. By then, depending on your temperament, you will be relishing or squirming under the embrace of a new Establishment. You will have earned resentments by prematurely retiring men of unique experience like me who will find it self-evident that at age 65 we merit many more years of public service. We will shamelessly be accusing you of elbowing us aside with an alleged ruthlessness quite unheard of hitherto.

Some things of course, will have changed. Dr. Spock, the steadiest of your lifetime companions—from birth through draft card crises to the heady politics of war and peace—will have retired by then to write about geriatrics. The children of light and the children of darkness and the children of permissiveness alike will sit in the seats of power. The New Left will have become the Old Left as the New Men themselves grow old. You will be manning old barricades against hordes of youthful nihilists who lack your mellowing appreciation of both substances and style. At best they will regard you as Old Fogies, and you will be accusing one another of the same. What is worse, you will all be right, for Old Fogeyism can begin at any age. Some of you are undoubtedly Old Fogies already. At any rate you will have surmounted and survived the Orwellian doomsday of 1984. You will be but seven short years this side of Herman Kahn and the year 2000. And as the 21st century rolls around, I anticipate that many of you will be meditating about the timelessness of age and the timelessness of youth.

Like other old men around you, you will have started to say that youth is not a time of life, but a state of mind. There is no reason why you shouldn't learn this before you become too old yourselves. Because it, too, just happens to be true. "Are you ready?" Martin Buber asked a group of us on an Israeli kibbutz in 1950. "That is the great question," he said. "Are you ready—for each other, for history, for the world?" Conceivably some of you are ready now. Some others of you will never be. There are others four times your age, who have always been ready—and who continue to live lives full of positive, imaginative, constructive engagement, wrestling with the great issues with undiminished zest. Next to my family, I count as the greatest privilege of my life to have known and worked closely with some of the most youthful members of an older generation. I can report the obverse as well—that I have also worked with colleagues, years younger than I, who are among the oldest men I know. I have been around long enough to tell the difference between old men who are young and young men who are old.

Sooner or later you will find that the great gaps in conversation are not generational gaps, but gaps inside generations. You will be helped in this discovery by the course of events themselves. For a generation never takes power on its own, except in schools and universities. After a few years you will have all the rest of us for competitors, critics, and colleagues—separated or linked together by a mutuality of interests or, best of all, ideas. Then you will rediscover for yourselves another of Whitman's great truths—that America is only you and me. "O I see flashing," he wrote in his greatest poem, "that this America is only you and me,

"Its power, weapons, testimony, are you and me,
Its crimes, lies, thefts, defections, are you and me,
Its Congress is you and me, the officers, capitols, armies, ships, are you and me,
Its endless gestations of new States are you and me,
The war (that war so bloody and grim, the war I will henceforth forget), was you and me,
Natural and artificial are you and me,
Freedom, language, poems, employments, are you and me,
Past, present, future, are you and me."[6]

The links across generations between persons of notably generous spirit—these rank high among the main things expected from you. Their presence or absence will be utterly decisive in defining the character of our national interest, not to speak of making our national interest interesting to others. Here is a task which can use in full measure all the dedication and spontaneity which the conscience-stricken cutting edge of the graduating classes of 1968 can provide.

Your generation already has a reputation for the intensity of your individuality—your stress on bone nonesty, your introspection. Overdone, however, concentration on our individual selves can jeopardize our national self. Once more Whitman puts the problem in the constructive balance which it requires:

"One's-self I sing, a simple separate person,
Yet utter the word Democratic. . . ."

Notice that *vital yet*. For all my self-awareness, my individualism, my passion for uniqueness, my rejection of the lowest common denominator, *yet* I utter the word Democratic. If you too can sing of yourself as a simple separate person, *yet* cleave to the democratic angle of vision—to the special insights it engenders, the special appreciations it teaches, the special requirements it lays upon our American officialdom and public alike—then you will have one of the keys to the future, very possibly the key of keys.

Years ago in his *Men of Destiny*, Walter Lippmann wrote about "the primitive intuition from which the whole democratic view of life is derived. It is," he said, ". . . a feeling of ultimate equality and fellowship with all other creatures. There is no worldly sense in this feeling, for it is reasoned from the heart: 'there you are, sir, and there is your neighbor. You are better born than he, you are richer, you are stronger, you are handsomer, nay, you are better, wiser, kinder, more likeable; you have given more to your fellow man and taken less than he. By any and every test of intelligence, of virtue, of usefulness, you are demonstrably a better man than he, and yet—absurd as it sounds—these differences do not matter, for the last part of him is untouchable and incomparable and unique and universal.' Either you feel this or you do not; when you do not feel it, the superiorities that the world acknowledges seem like mountainous waves at sea; when you do feel it, they are slight and impermanent ripples upon a vast ocean. Men were possessed by this feeling long before they had imagined the possibility of democratic government. They spoke of it in many ways, but the essential quality of feeling is the same from Buddha to St. Francis to Whitman."

---

[4] Bob Dylan.

[5] "Song of Myself."

[6] "By Blue Ontario's Shore."

So let me conclude as I began, speaking truth to student power, and meeting Whitman coming back:

"Do not talk of the beginning and the end . . .
There was never any more inception than there is now,
Nor any more youth or age than there is now . . .
This America is only you and me . . .
Yet utter the word Democratic . . ."

If these are not the elements of sustaining power that lie at the roots of the only America worth having and holding, then I do not know what those elements are. If I were not sure that these are the ultimate, indispensable underpinnings of America's policies at home and abroad, I myself would not wish to be associated with those policies. If I did not believe that the school of Whitman eternally provides the kind of head start we all need, then I would not see why anyone should expect the main things from you. But as it is, I do.

OPPOSITION TO SECTIONS 17 AND 22 OF H.R. 17134

HON. RICHARD D. McCARTHY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 10, 1968

Mr. McCARTHY. Mr. Speaker, last week the House passed a highway bill which includes a section directing the District of Columbia government and the Secretary of Transportation to construct an excessively destructive interstate highway system in the Nation's Capital. In the debate on the bill, I pointed out that this section contradicts overwhelming public opinion in the District as well as the views of the new District government. Last Saturday, the District government reaffirmed its opposition to this section in letters to the chairmen of the Public Works Committee of the House and the Senate. The Mayor-Commissioner and the Chairman of the District of Columbia Council said:

> It is our feeling that the transportation system within an urban community, especially the Nation's Capital, should be decided by the local government after an expression by the citizens of the community.

The Senate highway bill did not contain a provision on District highways, and I hope that conferees from both the House and the Senate will give careful consideration to the views of the new District government and delete the District highways section.

As a part of my remarks, I insert at this point in the Record, a copy of the letter, a copy of a resolution passed by the 100th Convention of the American Institute of Architects on June 24, 1968, opposing sections 17 and 22 of H.R. 17134, and a copy of an editorial in the New York Times for July 10, 1968, on the House version of the highway bill:

Government of the District of Columbia, Executive Office,
Washington, D.C., July 6, 1968.

Hon. Jennings Randolph,
Chairman, Senate Public Works Committee, U.S. Senate, Washington, D.C.

Dear Mr. Chairman: It was a great disappointment to the Mayor-Commissioner and the members of the City Council to learn that the House of Representatives, on July 3, passed H.R. 17134, including a section which requires the District of Columbia to build a freeway system in accordance with a predetermined master plan. It is our feeling that the transportation system within an urban community, especially the Nation's Capital, should be decided by the local government after an expression by the citizens of the community.

The Mayor-Commissioner and City Council submitted, as the official position of the District Government, a provision which would have permitted the City Council, with the approval of the Mayor-Commissioner, to determine the highway pattern within our city. The language in the submittal of April 18 to the Honorable George H. Fallon, Chairman of the House Committee on Public Works, in part, provided:

". . . the Government of the District of Columbia belives that any legislation designed to overcome the effects of the court decision referred to above should include provisions to assure more meaningful citizen participation in the planning of Federal aid highways. Such citizen participation can best be assured if the final authority to determine the highway system to be built within the city rests with the District of Columbia Council as the body most responsive to the wishes and needs of the community. The deliberations and actions of the Council must, of course, adequately consider the views of the people who live in the city, as well as the professional expertise of the highway planners, and the recommendations of the National Capital Planning Commission. Accordingly, the Government of the District of Columbia believes that the final responsibility for the plan and general design of the city's highways should rest with the Council.

"In order to be free to exercise such responsibility the District Government must recommend against the enactment of H.R. 16000. Rather, we believe, the Council should be able to adopt a plan for the location, character, and extent of the District's highway system as well as approve individual highway project plans concerning alignment and design. Since much work has already been completed concerning alternative designs for various highway projects, the Council should be able, if it chooses, to consider various individual project designs at the same time it adopts an overall plan. Such simultaneous consideration on portions of the system could, in fact, facilitate more meaningful citizen participation and provide an effective solution to the city's transportation problems."

The action of the House of Representatives would remove self-determination from our city government's authority. It is also regrettable that Congress would direct that a specific freeway system be built in any of the urban centers of our country.

We respectfully urge that the House of Representatives and the Senate review this provision in conference and remove the mandate for a specific system in the District of Columbia.

An identical letter has been sent to The Honorable George H. Fallon, Chairman, House Public Works Committee.

Sincerely yours,

Walter E. Washington,
Mayor-Commissioner.
John W. Hechinger,
Chairman, D.C. City Council.

Resolution 3

Resolution of the 100th convention of the American Institute of Architects meeting in Portland, Oreg., and Honolulu, Hawaii, June 23–28, 1968

The Federal-Aid Highway Act requires the Federal Government to obtain the concurrence and agreement of the states and the District of Columbia in the location and funding of freeways within their respective jurisdictions, and requires each local jurisdiction to certify that it has had public hearings. The Department of Transportation Act, Section 4(f), provides that the "Secretary shall not approve any program or project which requires the use of any land from a public park, recreation area, wildlife and waterfowl refuge, or historic site unless (1) there is no feasible and prudent alternative to the use of such land, ..."

These provisions of existing law are considered essential to full evaluation of highway plans and to the preservation of the Nation's natural, scenic and cultural assets. Pending legislation H.R. 17134 threaten these provisions.

It is therefore resolved: That The American Institute of Architects oppose provisions of H.R. 17134 as follows:

Sec. 17, which would seriously weaken the provisions of Section 4(f) of the Department of Transportation Act by removing the prohibition against using parks, etc. unless there is no "feasible or prudent" alternative.

Sec. 22, which would force the Secretary of Transportation and the Government of the District of Columbia to construct all routes as presently planned on the Interstate System within the District of Columbia without public hearings despite widespread opposition of citizen and conservation groups and would, by setting an undemocratic and dangerous precedent, threaten other jurisdictions with similar unilateral treatment.

That the Institute recommends deletion of Sections 17 and 22 in their entirety from H.R. 17134.

Scars Across the Land

"More than any other mark we make upon the land," President Johnson said in his Conservation Mesage last spring, "the signature of mid-twentieth century America is found in the more than three million miles of highways that cross and link a continent."

The House of Representatives made its mark last week in the form of a disfigured highway construction bill, which, if not substantially improved, is destined to leave a trail of ugly scarification across the national landscape.

Adminstration proposals for extension and completion of the interstate highway system, already adpoted by the Senate, included all too modest provisions to enhance the beauty of the Federal road system and to protect esthetic and human values along the lines of the lapsed 1965 Highway Beautification Act. Bowing to bulldozer and billboard interests, the House readily approved $12 billion for politically profitable new road work, insisting that every dollar be spent, but refused in the name of "economy" to begrudge even a token $8 million for beautification.

The hypocrisy of the lawmaker's economy plaint is blatantly exposed by a provision prohibiting the deferral of highway projects, which would be a logical Administration response to Congressional demands this year for trimming Federal spending, and by other amendments that strike hard at non-economic aspects of the beautification program.

A Congressional coalition for ugliness has even wiped out vital safeguards against routing highways through parks, historic sites and wildlife areas. It emasculated Federal powers to impose standards on billboard placement, leaving to the states controls states rarely impose. It demanded that the District of Columbia complete a freeway system through the capital that has been opposed by local conservationists, citizen groups and residents of poor neighborhoods, setting one more dangerous example of disregard for esthetic and human values in urban highway construction.

The $85 million a year for three years which the Administration requested for beautification—the Senate approved $170 million for two years—represents only a small installment toward the beautification goals envisioned in the 1965 act. The Bureau of Public Roads has estimated it will cost more that $400 million to remove one million billboards and compensate their owners, more than $100 million to screen or relocate 17,500 junkyards, and up to $2 billion for a scenic enchancement program that includes asquisition and improvement of overlooks and strips along the right-of-way as well as landscaping and development of safety rest areas.

The Administration has recognized that these ultimate goals, desirable as they are, cannot be achieved quickly in the light of current budget restrictions and of other priorities. But the modest effort that has been begun need not, and must not, be totally abandoned. Federal highways can, and should, be protected from new eyesores. Rare scenic public lands must be spared from further highway encroachment.

If Senate conferees fail to restore funds and facilities for beautification enforcement to the highway construction act, the Ninetieth Congress will be memoralized by endless miles of a highway blight that has already terribly scarred the face of this once-lovely land.

WHAT COMES AFTER THE AFFLUENT SOCIETY?

HON. J. CALEB BOGGS

OF DELAWARE

IN THE SENATE OF THE UNITED STATES

Wednesday, July 10, 1968

Mr. BOGGS. Mr. President, it is becoming increasingly clear that the unwanted companion to our affluent society is the effluence it produces.

On one hand, people want the products which our technological progress is able to provide; and yet they certainly do not want the various forms of environmental injury which often follow from their manufacture or use.

A recent article in The Economist, published in London, outlines the problem. It mentions the fact that the World Health Organization has documented the fact that pollution is increasing quickly but that in large measure we do not know the full extent of what is happening or what the eventual injury will be.

In the interest of adding to the background of this most pressing national and worldwide problem, I ask unanimous consent that the article published in The Economist, entitled "What Comes After the Affluent Society?" be printed in the Extensions of Remarks.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

WHAT COMES AFTER THE AFFLUENT SOCIETY?

Well, what does? Governments are waking to the fact that once people have enough material possessions crowded into their increasingly small living space, they begin to demand such non-material luxuries as clean air, unpolluted water, and hush sufficient to hear a bird sing. And to raise hell if they don't get them.

These are expensive luxuries; to make them available in the highly developed industrial countries of the west means reducing the efficiency (i.e., by adding to the costs) of precisely those industries that have made them so highly developed. But this is just what there is increasing public pressure on governments to do. When the same pressure forced the introduction in the last century of proper sewage and clean drinking water, the motive then was public health. This time it is amenity pure and simple; the affluent society, with its emphasis on accumulating more and bigger consumer goods, is giving way to a more fastidious society prepared to trade improvements in industrial efficiency for a better, pleasanter environment, and in the process making the western world appear much less gross and materialistic than some of the social commentators of the 1960s have made it out to be.

An amount of scientific effort now goes into finding how to satisfy this demand. Once, a rich industrialist could buy himself a halcyon environment away from the mines and the mills by surrounding his house with a few hundred acres of lawns and parkland. Only the really stinking rich can still do this, shutting themselves behind palisades of growing timber (no government, no new town authority, dare cut into a growing forest—something freudian that the psychiatrists might look into). Even so, they cannot always escape the jets, the supersonic booms, the rivers polluted by detergent, the seas polluted by oil. The kind of cosmic clean-up now being demanded has to be implemented by governments and by public authorities or not at all.

The problems are considerable. The World Health Organisation has drawn attention to two particular issues. The first is that pollution is increasing very fast, in the sense of injecting into the air, the water and the soil, chemicals that were not naturally there before. The other is that we do not really know whether this is harmful or not, whether it calls for panic measures or is something to which the human body adapts without trouble. Medical knowledge about the long-term effects of repeated tiny doses of the kind of chemicals that in large dollops are lethal is as vague as medical knowledge of repeated small doses of radioactivity. It is no solution to say "ban all pollution" because that would, among other things, prohibit the use of cars and lorries; of synthetic detergents; of most farm chemicals; and if the ban was extended to noise, bring air traffic to a stop and a lot of industrial processes too. The need here, as the WHO sensibly pointed out, is for a research programme to define which forms of pollution are positively harmful, which are tolerable in low levels, and if so, what those levels are. This is harder than it looks.

It involves, among other things, knowing which constituents are harmful. Banning black smoke over London has had spectacular results, visually. But chemically, it has produced a particularly nasty problem of pollution from sulphur in the now-invisible smoke and in some ways the sulphur can do more damage than the smoke ever did. In the same way, the sight of heads of detergent foam, sometimes contaminated by sewage, rollicking down the rivers and blowing across fields and gardens, led to pressure on the detergent industry to change their formula to one that normal sewage treatment could break up, and after 15 years the pressure has succeeded. But a possibly bigger source of water pollution is the chemically clean water discharged into rivers from factories and power stations at a temperature so high that it reduces the water's oxygen supply, and it becomes foul without actually having had anything harmful discharged into it. Also, some perfectly harmless ingredients in detergents provide such an ideal diet for pond weed and the like that the sudden rush of growth produces what the WHO calls "unsightly and odiferous scums," that among their other disadvantages make it difficult to filter off palatable drinking water.

These are the sorts of nastiness that rich communities are increasingly refusing to tolerate, and industry would be sensible to take it into account when planning new products. The American motor industry did not really believe that smog-stricken Los Angeles would introduce its regulations against car exhausts until the ban fell; then there was a rush to install botched-up pumps designed to burn some of the fuel that was being discharged into the exhaust. But some rather more serious long-term thinking has shown that by tackling the engine itself, and controlling more carefully the temperature and consistency of the mixture of petrol and air before it ever gets into the cylinder, a good deal of the exhaust pollution can be eliminated at source, and this in turn makes the cost of cutting it down very much cheaper; pumps cost $50 a car; improvements in combustion, only $25. Just how seriously communities are coming to regard air pollution can be gauged by the way that American utilities now find it easier to get licences for nuclear than for other power stations because they have no effluent. There is also the utterly straight-faced suggestion that has been put forward by Soviet scientists to disperse smog over Alma-Ata, which suffers from it roughly as much as Los Angeles, by carrying mountain air by pipeline from Tien-Shan into the city. Gravity would propel the air down the pipes; it would reach Alma-Ata as a steady wind to shift the still-air masses hanging over the town.

This is a sign of how far even the Soviet Union has travelled down the path of the affluent society. In undeveloped countries, smoke is still a welcome totem of an expanding economy. The throbbing industrial city of Monterrey, just south of the American border with Mexico, is as hideous as Birmingham in its prime, but to many Mexicans the belches of smoke out of its foundries and mills are still a thing of beauty. But then, the coal tips of Aberfan and Co Durham were symbols of prosperity as late as 1914. And only 20 years ago, the sound of a jet was enough to cause excitement in the richest countries. That same noise is vilified today and supersonic noise is in some danger of being banned altogether.

This is one instance where the cost can be calculated fairly precisely. To damp down the noise of a jet—it is never going to be eliminated—puts up its running cost by between 3 and 5 per cent. Airlines will resist anything that adds to their operating costs, but when they start bringing the jumbo jets in, with four engines giving at full power something like 180,000 lb of thrust, an ecoonomic penalty will have to be accepted if communities are going to permit that amount of engine noise to come anywhere near them at all. Fairly frantic efforts are being made to design quieter engines, but the huge increase in engine power of these big jets makes it like pouring water into a bucket with a hole in the bottom. Instead of reducing air fares by as much as they otherwise might (up to one-third is a reasonable guess), airlines will have to sacrifice something in efficiency to sheer noise damping.

This is going a good way beyond what might be described as Rachel Carson country, the campaign to cut down on the use of farm chemicals that accumulate after each yearly application in the soil and the water until they build up to potentially dangerous levels. Or the campaign now growing in Britain to stop the use of antibiotics in animal feed because it might, among other things, be responsible for the death last winter of 12 babies from a form of gastro-enteritis that had developed its own resistance to the antibiotics that should have cured them. These things could be positively harmful; what increasingly fastidious communities are seeking to ban are forms of pollution that are merely unaesthetic. We have come a long way.

We have come so far, in fact, that a fair range of research is now being carried out in the Ministry of Technology and serious proposals have been submitted to the science ministers of member countries of the Organisation for Economic Co-operation and Development for research on an international scale into what the civil servants now choose to call environmental technology. This might, it is suggested, be more useful than other international projects into space research, or aircraft building, that degenerate into ugly squabbles about broken hopes. It is a matter of some importance to see, for example, that Europe's lakes do not go the way of many of America's lakes, turning into stagnant, water-logged holes in the ground. When countries are as closely packed as they are in western Europe, control of water and air pollution, even of soil pollution that can be washed into the waterways, becomes a matter that needs argreement on an international scale. The same applies to regulations about aircraft noise and car exhausts.

Merely banning what is distasteful does not really go far enough. The OECD thinks there may be opportunities for actually improving the environment, rather than just checking any further deterioration in what we have now, and among this it lists possible control over the weather, and the evolution of a technology for building and managing cities that would combine the better forms of urban planning with the better modern building techniques to make a pleasanter place to live. It may even be possible, given some of the newest tunnelling techniques, to put the main trunk roads underground, so that nothing but local traffic moves above surface. Of course a great deal of research would be needed to prove the feasibility of any of these ideas but this, the OECD has suggested, is precisely what governments ought to be putting in hand on the international scale that would provide adequate finance without crippling any of them. Utopia? When the first rumours of peace in Vietnam reached Wall Street, shrewd investors began to look round for stocks in companies with a stake in this sort of environmental technology, along with rubbish disposal, air conditioning and the like. You don't find Utopians on Wall Street; not investing, that is.

EMMETT DEDMON ON "ONE NATION, INDIVISIBLE"

HON. SIDNEY R. YATES

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 10, 1968

Mr. YATES. Mr. Speaker, for many years the Fourth of July has been observed in its traditional and patriotic sense by the Chicago Historical Society. Colorful ceremonies recall events from the time of our revolution against the British, and a gay air is given to the occasion by patriotic music played by a well-known band. The highlight of the day is the Fourth of July oration given by a distinguished public figure.

This year the orator of the day was Emmett Dedmon, who has had an illustrious career in the field of journalism and is now the editor of the Chicago Sun-Times. Mr. Dedmon, a writer of distinction, delivered an address entitled "One Nation—Indivisible." His speech was enthusiastically received by the large audience gathered on the lawn of the Chicago Historical Society. I append it to my remarks in order that Members may enjoy its perceptive and timely ideas:

One Nation—Indivisible

(By Emmett Dedmon)

It is somewhat unusual for a newpaper editor who prides himself upon dealing in objective fact to find himself billed for a Fourth of July "oration" with all the connotations of florid rhetoric that word suggests.

In looking in the World Book dictionary, for example, I found oration first defined as "a formal speech given on a special occasion." Such as the orations of Cicero (I trust I will not be guilty of the second definition of an oration, which was "a speech given in an affected style.")

We may be encouraged by the fact that the orations of Cicero dealt with matters of fundamental importance to the state, and it must be in that tradition that we are here today on this "special occasion." We must also be aware that it is more "special" than most years. Rarely since the writing of the Declaration of Independence which this day commemorates have Americans been more aware or concerned about the nature of the government which evolved from that Declaration.

First, let's turn back to the Declaration itself. If you examine the original, you will find that it was adopted "in Congress" by the Continental Congress. Many people forget this, and assume it was a document drafted by a group of free souls whose spirit saw an army rise to their colors and evict the invaders from Britain. This was not so.

The Declaration of Independence was an instrument of government adopted by a legally constituted and represéntive government. It was adopted *not* to eliminate a government but to *form* a new government.

It was revolution, of course. But it was not a revolution to bring down a government by obdurate resistance or disorder; it was a revolution which sought to replace bad laws imposed from without by a rule of law more truly representative of the people.

We are all familiar with the words of the Preamble to the Declaration which state: "We hold these truths to be self-evident, that all men are created equal, that they are endowed by their Creator with certain unalienable Rights, that among these are Life, Liberty and the pursuit of Happiness."

Let us remember these words as we think about our nation today; for they are words that suggest no division, no preference; and no reason for any American to participate any less fully in the good life of this country than any other American.

More specifically, let us look at the pledge of allegiance to the flag in terms of the stated premises of those who wrote the document which made this a free nation:

"I pledge allegiance to the flag of the United States of America and to the republic for which it stands; one nation, under God, *indivisible*, with liberty and justice for all."

Again the nation publicly commits itself to "liberty and justice for *all*"—that means "all men" as the writers of the Declaration intended.

I want to dwell most today upon the word "indivisible" in that pledge. It is, in fact, the theme of this oration, if I may claim to so grand a word.

I said earlier that this was a special year as well as a special occasion. The reason, of course, many of you will have anticipated. It is special because it is a presidential election year—a year in which we may be uncertain about whom our new leader will be but in which we are reasonably certain it will be a new leader.

We hear much in a campaign year about what is wrong, and about what has been done badly. Every election year we also hear promises from those who have not had the job about how they might do it better. And, despite public resolve, the issues are always so great, the emotions and commitments so high, that it is almost impossible for a campaign to be concluded without bitterness on both sides.

In 1968, too, we have another ingredient in this pattern. The United States, for one of the few times in its history, finds itself assaulted from within as well as from without. And because we are aware that "we have not done those things we ought to have done," we are disturbed about the justice of the complaints. But even more, because of the violence of the outburst of accumulated grievances, we are uncertain about judging the validity of the solutions.

Overseas, we look anxiously to the end of the longest war (whatever its legal definition) in which America has ever been engaged. And when the war is ended, we still must look ahead to the even greater question of how we may keep our common bond with free men around the world without repeating the mistakes of this past decade.

At home, we hear the voices of those who say—"Our aim is to disrupt the United States"—or—"We don't want a seat at the conference table; we want to turn it upside down." Unfortunately, the authors of such assaults, lacking the wisdom of the authors of the Declaration of Independence, fail to see their only redress is *through* government; if they are successful in destroying the institutions of government then they also lose the protection of those institutions.

Make no mistake about it. This pressure to "bring down the house" is generating hate in America. It is hate that is vocal on what we call the traditional "left" but it is a hatred more intense, if less vocal—and certainly more dangerous—on the right.

The English author William Burke wrote that "An intolerant people will never know freedom." And if there is any reminder that needs to be emblazoned in the heart of every American on this Fourth of July, it is certainly this axiom.

But neither can a people be free if they do not insist that their government does not, in the words of the Declaration, "become destructive of the ends" for which governments are formed. Rome was not destroyed; Rome was a victim of its own decay. More, there is a warning for us because Rome's decay was due to affluence, to having too much; to enjoy that affluence it turned away from the standards which had led to its greatness. Certainly there is a parallel here for us to dwell on today.

What then, are some of the issues the United States faces in this campaign year of 1968, when the normal political differences are aggravated in many instances by the defiance of law itself.

The issues are many. But perhaps they fall in five principal categories.

First, and over-riding many of the others, is the question of prejudice. Are we ready at last, to accept the "self-evident truths" of our founders that all men are created equal and to grant them this equality?

Second, there is the related issue of education. It is related because men cannot be equal unless they are given equal tools and skills. We cannot do this without special educational programs to compensate for what has not been done before.

Third, there is the issue of poverty. There is no need for poverty in the United States. But, in addition, we are discovering we cannot afford this human waste. There are not only better ways to fight poverty; for once it may be said there are cheaper ways.

Fourth, there is the omni-present question of war and peace. This involves finding the right way to peace; it does not involve withdrawing from the world.

President Eisenhower once remarked to me that when our nation was founded, one of the fundamental motivations was a belief that freedom was indivisible in the nation. Now, he said, we are also finding that it is indivisible in the world. Ben Franklin put it very well when there was a possibility that each colony might go its own way rather than to submit to a central government. "We hang together," Franklin said succinctly, "or we hang separately."

Finally, there is the question of our cities. Because the United States is now, and becoming more so, an urban society, this is really the basic question of whether we Americans can find a way of living in close proximity with each other.

This is the crucial point. For it is the point at which people come closest together; but it is also the point at which our society is moving apart.

We hear much today of "polarization," of "separateness," of "ghetto living," of a "black nation" within the nation. None of us of any color or creed can permit this to happen.

As a widely known psychologist and expert in urban problems—a black man—has observed:

"I cannot accept with equanimity a call for racial separatism coming from human beings with dark skins any more than I can tolerate such calls coming from human beings with lighter skins. Both groups of human beings to me reflect the pathos, the despair, the anguish of unfulfilled lives. It is no more just to acquiesce to the demands of the one than those of the other—particularly when they are the same in effect. Justice can be served only by remaking our society so that it realistically fulfills the requirements for dignity for all human beings. This demands that Negroes, whites and all others join forces, speak together, work together, argue with one another, and fight the formidable forces of irrationality and immorality as allies."

If there is one point in this Fourth of July observance that requires oratorical fervor, it is this one—that we cannot let the *differences* among us become *divisions* in our society.

Let us, instead, as the signers of the Declaration did, say to each other that "in support of this Declaration . . . we mutually pledge to each other our Lives, our Fortunes and our Sacred Honor."

Recently, it was stated in the eloquence of the first inaugural of a young President by name of John F. Kennedy: "United there is little we cannot do in a host of cooperative ventures. Divided, there is little we can do."

"So let us begin anew," he said, "remembering on both sides that civility is not a sign of weakness and sincerity is always subject to proof."

I am indebted to Sidney Harris for a definition of patriotism which best sums up how we may approach the meaning of this particular Fourth of July.

"Nationalism," he wrote, "is thinking your country is best, no matter what is does. . . . Patriotism is wanting what is best for your country."

Let us then, as patriots, seek what is best for our country, and for the city in which we live. Let us move forward, as one nation—indivisible—neither denying the American heritage to anyone, nor allowing him to withdraw from his full heritage because of indifference on our part.

On another occasion, President Kennedy remarked: "Some people say patriotism is what people think. I say it is what they do."

Let us then, today, be unashamed patriots, devoted to our government and to the freedom for which it is designed. And let us honor it most by acting as true patriots and get on to the doing of what is best for our country and *all* its peoples.

GLOBAL MONETARY SYSTEM

HON. JOHN G. TOWER

OF TEXAS

IN THE SENATE OF THE UNITED STATES

Wednesday, July 10, 1968

Mr. TOWER. Mr. President, the latest issue of the U.S. News & World Report contains an excellent evaluation of the present state of affairs in the global monetary system.

I ask unanimous consent that the article be printed in the Extensions of Remarks.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

BUSINESS AROUND THE WORLD

A turning point is being reached in world trade.

You're seeing this pattern in Europe's Common Market, Japan, U.S., Britain:

Nations are looking out for themselves first. Protectionism is growing. When countries get in trouble, one of their first steps is to cut imports.

Take France today. Quotas are being slapped on the amounts of steel, textiles, appliances, cars and trucks that can be imported. That's despite an agreed need to choke down price increases for goods at home. Despite people's demands for better living. Despite gold reserves of about 5 billion dollars.

Exports are to be subsidized to ease the blow of wage rises on industry.

U.S. reaction is significant. Washington is promising it will offset Paris's subsidies with special duties on French goods sold in the U.S. Retaliation is promised against measures that curb U.S. exports.

What's so surprising? Just that up to now Washington has turned the other cheek. U.S. did nothing when Britain put a surcharge on imports in 1964. But—

Times are changing. Dollar is shaky. U.S. exports face toughening competition abroad. Imports topped sales in May. More companies are demanding protection. Johnson Administration is having to react.

Next target may be Japan. It refuses to let U.S. firms manufacture cars there. Auto imports are held to a trickle. Detroit wants to strike back.

Japanese already are being forced to raise prices on cars exported to Australia. It was that or face charges of "dumping" cars at below cost.

Britain is considering imposing new import controls to "save the pound."

Even an event hailed as a landmark in European history is being tarnished. That's the ending July 1 of tariffs on trade within the European Common Market.

No duties, no import quotas were to be levied on sales across the borders between France, Germany, Italy, Belgium, the Netherlands and Luxembourg. Some 184 million people are covered—almost as many as in the U.S.

Competition is expected to increase. Germans, especially, are looking for bigger sales in France, Italy, where tariffs have been high. Prices may ease.

What's more, Common Market countries are all setting duties at the same level on imports from outside lands. And this "common external tariff" is being cut 20 per cent, the result of international agreements a year ago.

Average duty will drop to 10.7 per cent from 14.4 in France, 11 in Germany.

Trouble is that France's new "temporary" protection measures may foul things up. Officials at Common Market headquarters in Belgium are worried.

Big mystery is how much American trade will be helped by Common Market.

Critics figure real winners will be European producers, U.S. firms with plants inside the Common Market. Not Americans who manufacture at home.

Experts in Geneva are betting world trade will rise 10 per cent a year in both 1968 and 1969—only partly because of Common Market actions.

"Business recovery in Europe is rated here as much more important than tariff cuts in boosting trade," cables our man in Geneva.

"Gross national product in the Common Market probably will climb more than 5 per cent in the next 12 months, almost twice as fast as last year.

"U.S. is expected to benefit. France is bound to buy more than it sells. Germany will import more and send more capital abroad. Ditto for Italy."

Now this question: Will Europe take new steps to keep the U.S. and other nations out, preserve its booming market for its own firms?

Britain, for a change, is being told it has a fighting chance to regain its past prosperity. Main cost: an end to some traditional habits.

So say 11 U.S. and Canadian economists who have just published a study called "Britain's Economic Prospects" for Washington's Brookings Institution.

They even say that London's devaluation of the pound last November should enable Britain to begin earning its way in the world again. That's in the face of concern by bankers from other nations that the U.K. will have to have another massive international loan this autumn to turn the trick.

What Britain really needs to do, says the Brookings team, is to encourage efficiency—not just stimulate consumer spending or investment.

It says business management needs improving. Labor-relations practices are causing skill shortages, wildcat strikes, featherbedding, low productivity. Education needs reform up and down the line to develop more specialists.

Problem, as Britons know, is that you can't change traditions overnight.

For an idea of how big ships are remaking maps, take a look at Canada.

It is about to build a brand-new "superport" in British Columbia just to handle bulk-cargo ships of 100,000 tons or more. The port at Roberts Bank will be only 16 miles from Vancouver, already a great harbor itself.

New, high-speed loading facilities will enable world's largest freighters to take on coal from Alberta and British Columbia for Japan.

Catching Americans' attention is this: Shipping men figure Roberts Bank may become an important port for shipping goods to Alaska or Hawaii if present laws governing shipments between American points are ever changed.

There's new copper excitement south of the border.

In Panama, a large deposit said by some to be the most important copper find between the U.S. and Chile has been unearthed by a United Nations team. Officials report 15 investing groups from the U.S., Britain, France, Japan and Canada are interested. Panamanians rank it with the Panama Canal as an asset.

Hitch is that the deposit is in dense jungle where trees top 100 feet.

Actual development is to go ahead on a large copper deposit in South Peru.

Southern Peru Copper Corporation, owned by four U.S. companies, plans to begin a five-year, 280-million-dollar project to develop a new mine at Cuajone. Negotiations are under way with Peru's Government. Output: 140,000 tons a year.

Copper firms clearly see bigger markets ahead, despite protection trend.

HON. DAVID M. McCONNELL

HON. CARL ALBERT

OF OKLAHOMA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 10, 1968

Mr. ALBERT. Mr. Speaker, David Moffatt McConnell, of Charlotte, N.C., has just been named by President Johnson to be a member of the U.S. delegation to the 45th session of the United Nations Economic and Social Council, Geneva, Switzerland, convening in July and August 1968.

Mr. McConnell will also be appointed

as a special adviser to the Council, with the rank and appointment of Ambassador of the United States of America.

Mr. Speaker, I would like to take this opportunity to join with his many friends in congratulating Dave McConnell on this well-deserved appointment. With his broad background in both international and domestic affairs, Dave is uniquely qualified to undertake such an important assignment. As chairman of the platform committee at the Democratic National Convention in 1964, I had the privilege of working with him on the executive committee which formulated the Democratic platform, and of which he was an instrumental member.

In addition, he has served as special counsel to the U.S. Commissioner of Internal Revenue, counsel to the Senate Committee on Government Reorganization, chief of the legislative branch of the War Department General Staff G-1, and in a wide variety of other important Federal and State positions.

Mr. Speaker, Dave McConnell is to be commended for his outstanding record of past achievements, and for his continuing service to his country and his State.

TO WORK OR TO GRIPE: WYOMING YOUNGSTERS ARE WILLING TO WORK

HON. WILLIAM HENRY HARRISON

OF WYOMING

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 10, 1968

Mr. HARRISON. Mr. Speaker, with the demise of Resurrection City and the resultant news dispatches alluding to its two undistinguished months as a tourist and crime attraction in the Nation's Capital, one is reminded that on many occasions residents of that city were offered jobs, but declined them.

There was a story in the papers of an enterprising plumber, a Negro, who set out to improve the living conditions of the people of Resurrection City but as he labored in the hot sun to lay a sewer line for them, and they stood and watched without lifting a finger on his and hence their own behalf, it became obvious that job opportunities are rather meaningless unless a comparable measure of work incentive is also present.

At Resurrection City there was little such willingness evidenced.

Such is not the case in Wyoming. I call to the attention of my colleagues and readers of the RECORD that, as a constituent phrases it in a letter:

> There are many people of the younger generation who are out trying to get summer jobs rather than sitting and griping and looking for a handout from their families or from the Great White Father in Washington.

I take great pride in the vast majority of America's teenagers who do not riot, turn the offices of university presidents into latrines, rifle the private files of public citizens, or stage university panty raids.

In recognition of the fact that Horatio Alger is not dead—only vacationing in some "resurrection" and university cities—several of the newspapers of my State are running free want ads for young people.

The Casper Star-Tribune calls the column, "Free Want Ads, for Boys and Girls Anywhere in the State, Ages 14 Through 22."

The Sheridan Press in my hometown has what it calls the "Youth Job Market," and most of the Wyoming daily papers run want ads from young people which are gratifying indices of their willingness to work. Some typical pleas:

> Girl, 16 would like to do baby sitting . . .
>
> Boy, 16, wishes lawn work anywhere in town . . .
>
> Will accept any kind of job available . . .
>
> Will do yard work and other odd jobs . . .
>
> Boy, 18 in July, high school graduate, desires permanent employment . . .
>
> Need a good worker? You've found one . . .
>
> 16 year old girl would like any type of job for the summer . . .
>
> Boy, 15, would like odd jobs, painting, window washing, cleaning attics and basement . . .

And the cream of the crop in my book, the ad from a young man in Sheridan by the name of Mike Georgan: "Boy with hay fever would like inside work." I am sure that Mike will get it because he's got the courage and determination to go after it.

Mr. Speaker, the Congress is consistently importuned to create, with the wave of a legislative wand, immediate job opportunities for the "disadvantaged." But it is not possible for us to create within *the hearts and minds of the* "disadvantaged" a desire to take jobs, once provided. It is seldom that a metropolitan daily paper is without a help wanted column.

It is also seldom that the city in which that newspaper is published is without a large group of the so-called hard-core unemployed and still larger number of those who just plain will not work.

I offer the young men and women of Wyoming as an example of the willingness to work, not to shirk, which is fundamental to alleviating any unemployment problem in any of our cities now or in the future.

NEW VITALITY FOR WASHINGTON COUNTY, ARK.

HON. JOHN P. HAMMERSCHMIDT

OF ARKANSAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 10, 1968

Mr. HAMMERSCHMIDT. Mr. Speaker, the small watershed program is doing great things for many areas of Arkansas.

One remarkable story concerns Washington County, Ark., and development of the 47,000-acre Muddy Fork of the Illinois River watershed.

Five years ago the citizens of Lincoln got their water by truck. Today they have abundant water, not only for home use but for industrial purposes, too.

The citizens of Prairie Grove are looking to the completion this year of their own municipal reservoir under the small watershed program. This will make available the water they anticipate needing in coming years for new businesses and industries.

Cooperative efforts between Arkansas offices of the Department of Agriculture's Soil Conservation Service and Farmers Home Administration, in conjunction with strong support at the local and county levels, have made possible these most noteworthy gains.

Where 5 years ago the future of Lincoln was in doubt, as a result of alternate floods and droughts, the prospects today are glowing. The same is true for Prairie Grove, and in fact the entire county.

There is new economic health in the area stemming from better soil, fewer floods, and plenty of pure water. New homes are building, new businesses are locating, new jobs are opening. This is an outstanding example that rural America can be revitalized successfully. The elements of the formula include effective local participation and support by concerned citizens, and efficient, capable technical advice, cooperation, and assistance by Federal, State, and local governmental units.

The story of developing the Muddy Fork on the Illinois watershed was reported recently by Mr. William B. Davey, a soil and water conservation expert of national standing. He wrote for the Arkansas Gazette edition of June 10.

In the belief that this report will be of interest to my colleagues, I include it at this point in the RECORD:

MUDDY FORK WATERSHED PROJECT BRINGS PROSPERITY

(By William B. Davey)

The sister cities of Lincoln and Prairie Grove in the scenic Washington County Ozarks are a lot alike. Both are small. Prairie Grove claims 1,385 inhabitants, and Lincoln about 1,000.

They both have beautiful homes, attractive business sections, and progressive people. Their trade areas overlap fat agricultural country, with a large poultry industry, herds of beef cattle grazing improved pasture, and commercial apple orchards.

But a few years ago these prospering communities faced a future of uncertainty and doubt. Floods and other problems stymied the growth of the surrounding rural areas.

Lincoln was on the brink of disaster. Industry and homeowners shunned the place, many leading citizens were ready to move away, and businesses were closing their doors. The uneasy people of Prairie Grove read their own future in Lincoln's crisis.

Now, however, both towns show all the signs of a healthy, growing economy. The ring of hammers signals the construction of upwards of a million dollars worth of new homes in the past three years. New employment and payrolls are reflected in a surge of bank deposits—nearly $1.5 million increase in the Bank of Lincoln in three years. New industries are under construction, and schools are being expanded from a fast-growing tax base.

Surrounding rural lands are greener, and the sediment-loaded floods which gave the Muddy Fork Creek its name are now rare.

The story of how many of the area's problems were overcome is a story of soil and water conservation. But the key to the story is water. Water, too much and too little, has shaped the destinies of the people in Lincoln, Prairie Grove and the surrounding countryside.

The towns bracket the 47,000-acre Muddy Fork of the Illinois watershed in Washington County. Being on the east and west boundaries, both sit high and dry. The stream's hair-trigger floods that once came boiling out of the Ozark highlands never dampened the doorsteps of Lincoln and Prairie Grove.

But downstream floods, several miles below the towns, set in motion the programs that have breathed new life into the communities.

John I. Smith, farm representative of the First National Bank of Fayetteville, was one of those concerned with the chronic flooding in Washington County.

"We suffered serious flooding of the Illinois in the '50s," Smith said, "so we were pleased with the passage of the Small Watershed Act (Public Law 566) in 1954. A group of us formed a Washington County Flood Prevention Committee."

An application was prepared for federal aid to reduce flooding on the Illinois River.

Lincoln reached the limit of its water supply at about the time John Smith and his committee were trying to get a handhold on a project for the Illinois. The town spring produced slightly over 100,000 gallons a day, but during dry spells the flow dropped to 40,000 gallons or even less.

No alternate supply was to be found within a reasonable distance. Wells were expensive and not dependable. Lincoln's growth slowed almost to a standstill, and during the '50s the indicator on the town water tank showed it was nearly empty a large per cent of the time. Lincoln's volunteer firemen slept lightly.

Prairie Grove was more fortunate, according to Councilman Burl Horton.

"We know that we will need a larger source of supply in a few years," Horton said. "But for the present, our town spring gives us plenty of water."

It became apparent to the Flood Committee that it would not be possible to swing a watershed project for the entire upper Illinois.

"We decided to place our support behind a small, feasible project that would be certain of aid under the Small Watershed Act," Smith explained. "So the bank, civic leaders, and the Washington County Soil and Water Conservation District Supervisors went to work on the Muddy Fork of the Illinois watershed project."

"The relatively small size—47.122 acres—and obvious problems of flooding, the water shortage in Lincoln, erosion and sedimentation, made the Muddy Fork a natural for a multiple-purpose watershed project," Smith said.

Sponsors of the project were the Washing County Soil Conservation District, the City of Lincoln, and the Arkansas Game and Fish Commission.

The Soil Conservation Service watershed planning party started its study of the Muddy Fork in June of 1960. The plan was completed in about six months, and the project was authorized for operation a year after the SCS team entered the field—in June 1961.

The plan sought to create a stable soil and water resource foundation for community growth and economic development. The plan's four parts were:

1. Conservation measures to control erosion and sedimentation, reduce runoff and increase rural income.

2. Construction of two dams to capture flood-making runoff and release it at a safe, controlled rate.

3. Construction of a multiple-purpose dam to provide 2,000,000 gallons of municipal water a day to Lincoln, and to further reduce floods.

4. Enhancement of the fish and wildlife values of the area. The Arkansas Game and Fish Commission co-sponsored a plan to enlarge and develop a fourth flood prevention dam for this purpose.

Lincoln had to issue $165,000 in municipal bonds to pay for a new water treatment plant. In the bond referendum the vote was 303 for, and only three against—a remarkable endorsement in view of the relatively large issue for such a small town.

In addition, Lincoln borrowed $301,500 from watershed loan funds administered by the Department of Agriculture's Farmers Home Administration. This was used to pay for the town's share of the dam construction and for the new water main between the lake and filtration plant.

As the watershed plan developed, Lincoln's old spring became less and less able to keep up with the demand.

Roy Jackson, present mayor of Lincoln and operator of a hardware, builders supply and appliance business, remembers how it was in 1962.

"The town square looked forsaken," Jackson said. "It had reached the point that if we couldn't get water pretty soon, we would have to go somewhere else to live and make a living."

During the summer of '62, the subscribers needed more water than the spring could produce. Jack Cox, manager for the Lincoln water department, pressed tank trucks into service to haul water from Prairie Grove and Fayetteville to keep Lincoln going.

When the contract for the lake was awarded in June of 1963, the residents of Lincoln breathed a sigh of relief. They thought the worst was behind them. They missed by six months. The worst was still to come.

Dry weather and heavy water use in the summer sucked the last gallon out of the diminishing spring flow. Cox rolled out the tank trucks again.

"I felt really helpless," Cox said. "All we could do was haul and hope. We carried 40,000 gallons of water a day from Prairie Grove and Fayetteville.

"In the fall, the school system put its own tank truck into operation to keep the school open," Cox continued. "We kept looking for a good wet spell, but it stayed dry right on up into the winter."

The A. K. McBride Construction Company of Fort Smith contracted to build the dam. McBride was having his troubles, too. To compact the earthfill dam to specifications, he needed moisture. He bought water from farm ponds to dampen the asy-dry soil.

Mayor Roy Jackson remembers the constant fear of fire. "We warned people by newspaper, radio, and word of mouth to be as careful as possible," Jackson said. "We couldn't wash our cars or water our lawns and flowers—there simply wasn't the water," Jackson said.

As fall turned into winter, the tank trucks roared back and forth between Lincoln, Prairie Grove and Fayetteville. Cox estimates the cost of hauling water in the summer and fall was $10,000 in excess of regular operating costs.

One bright spot in the picture was the speed with which the earth-moving machines kept the top of the new dam steadily rising. In December the dam was ready.

Water pooled up behind the dam after a small rain. The surface was tantalizing lower than the water system intake. The water department crew used a pump to lift the water into the dry pipes of Lincoln's water system. The float marker on the water tower crept toward the full mark.

A heavy rain started, and the soaked water department crew hastily removed the pump as the lake's level came about the intake pipe. The float marker soon showed the town tank to be lipping full. The water trucks were parked for the last time.

The results of the abundant supply of pure water were immediate and dramatic, according to Lincoln banker C. C. Karnes.

"This was about four years ago," Karnes said, "yet we have around 20 new or expanded businesses.

"In June of 1963, our bank's assets were $2,891,297," Karnes said. "Now our assets are in excess of $4,000,000 mostly in new deposits.

"Homebuilding was a dead industry here, but since we got our water, 70 to 100 new homes have been built or are being built. Of course, benefits from new homes and homeowners spread to building supply houses, the home furniture and appliance dealers, grocery stores, and a lot of others. I estimate our population is up to about 1,000."

Few empty stores or offices may be seen in Lincoln. Fire is no longer the bugaboo that it once was.

"Businesses that must have water are not afraid to locate here," Karnes said. "We have a new cement mixing plant, for example."

One of the largest industries to be attracted by abundant water and other advantages is a new poultry processing plant which will be built in 1968. It will initially employ 225 people, and plans are to eventually employ 450.

An additional $65,800 was borrowed from the Farmers Home Administration to extend a water line to the plant site. Karnes added that an additional $167,000 loan from Farmers Home Administration has been secured along with an $88,000 grant from Water Pollution Control to build a new sewage system plant and to extend the system to the industrial site.

One of the watershed project's most active backers is Forrest Rodgers, a supervisor of the Washington Soil Conservation and Water District and a commercial apple grower.

"Many rural people near Lincoln are on the system," Rodgers said. "It had 400 subscribers when the lake was built, and now has about 625. Many chicken and turkey growers now have a dependable source of pure water—I have a line to my place, although I am two miles from Lincoln.

"About all the increase in bank deposits in Lincoln is based on new income that could not be there without dependable water."

Probably one of the best indications of the town's growth since the lake has been completed is the Lincoln School District tax assessment. In 1963 it was $2,405,634. Now it is $3,021,276.

The new families have created a need for more school facilities, however, and a $70,000 expansion of the school is under way.

Lincoln's growth and health was not lost on Prairie Grove, according to Prairie Grove's Mayor Calvin Bain.

"We have plenty of water for residential use, but not enough for industrial expansion," Mayor Bain explained. "We certainly don't want to outgrow our supply. So we took a lesson from Lincoln, and asked the Muddy Fork watershed sponsors to amend the plan to include a municipal lake for Prairie Grove.

Bain, who is a dentist regularly, insists that all the planning and financing for the Prairie Grove lake was based on future—not present—needs.

"We agreed to pay to increase the size of one of the flood detention lakes so we could have water for the future," Bain said. "As finally worked out, we agreed to pay 40 per cent of the cost of the enlarged lake."

"The financing plan for our part of the lake was the first of its kind in the nation. The Soil Conservation Service built in the extra storage, with payment deferred for 10 years or such earlier date as we might start using the water. Provisions for the repayment were worked out by the Farmers Home Administration," Bain said.

"We had to issue $230,000 worth of bonds in two series to pay for the system to carry the water into town," Bain added.

The Prairie Grove lake now under construction will be completed in 1968.

Delford Rieff, president of the Prairie Grove bank, surmises that the reserve lake will be needed before the 10-year deferred payment period is up.

"Our population grew from 960 to 1,385 between 1960 and 1965," Reiff says, "and with plenty of water waiting to be used, there is no reason to believe that we will not continue to grow."

The last multiple-purpose lake on Muddy Fork remains to be built. Easements for this lake will be obtained by the Arkansas Game and Fish Commission, and the reservoir will be built with fish, wildlife, and recreation features.

Downstream landowners are enthusiastic about the project, but for a different reason than the people of Lincoln and Prairie Grove.

John P. West, a landowner on Moore's Creek near Rhea's mill, said that a recent four-inch rain brought the water to the stream's banks—but that a few years ago the same rain would have caused a serious flood.

The watershed planners estimated that the flood damage will be reduced 66.5 per cent, but downstream landowners say this is conservative. With just two of the four dams completed, they say they can already use low-lying floodplain land with more confidence.

The total cost of installing the project will be less than $2,000,000 with the local people putting up slightly more than half of the cost, and federal government taking care of the rest.

"The expanding benefits of this conservation project are difficult to assess accurately," Smith said, "but many of us feel that they will far exceed earlier estimates. The improved soil, reduced floods, and purer water, plus the new investor confidence that has brought in new industries, jobs and payrolls—all add up to success for Muddy Fork Watershed project."

MATTHEW BRANDENBURG: IN MEMORIAM

HON. THEODORE R. KUPFERMAN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 10, 1968

Mr. KUPFERMAN. Mr. Speaker, my good and old friend and constituent Matthew Brandenburg has passed away.

I had only recently joined with many others of his friends and admirers in recommending to Mayor John V. Lindsay, of New York City, the appointment of "Matty" to the criminal court of the city of New York, where he would have served with great distinction.

His untimely death in the prime of a busy and varied life came as a great shock to the Greenwich Village Community in which he lived and to those with whom he participated in many civic, political, and religious activities.

Our deepest sympathy is extended to his family and associates.

There follows the New York Times obituary of Monday, July 8 which gives some measure of the man.

Mr. Speaker, "Matty" Brandenburg will be missed by all who knew him.

The obituary follows:

MATTHEW BRANDENBURG, LAWYER IN MAJOR MURDER CASES, IS DEAD

Matthew H. Brandenburg, a well-known criminal lawyer, who was a member of the Temporary Commission to Revise the State Penal Law, died yesterday of a heart attack in Beekman Downtown Hospital. He was 56 years old and lived at 136 Waverly Place.

Mr. Brandenburg was a partner in the law firm of Brandenburg & Milonas, 225 Broadway. He had been a trial lawyer in a number of murder cases.

At his death he was appealing the 30-year prison sentence of former Marine Sgt. Charles Wilkerson for killing a Vietcong prisoner in Vietnam. Last November, Mr. Brandenburg represented Harold Weinberg, confessed slayer of Maxwell Bodenheim, the poet, in an unsuccessful motion for the killer's release.

Mr. Brandenburg was born in New York. He graduated from Fordham College in 1930 and St. John's University Law School in 1935.

From 1947 to 1950 he was a member of a law firm with Harold A. Stevens, now a justice of the Appellate Division of the State Supreme Court.

Mr. Brandenburg had served as a special deputy attorney general for the Elections Frauds Bureau, as a clerk of the Legislative Committee of New York City Affairs and as a Commissioner of Appraisal.

Long active in Republican politics, Mr. Brandenburg was an unsuccessful candidate for the Court of General Sessions in 1959.

He served on the County Republican Law Committee and was a former chairman of the criminal law committee of the Federal Bar Association of New York, New Jersey and Connecticut.

Surviving are his widow, Florence, two daughters, Mrs. Dick Berger and Joan, and a sister, Mrs. Jack Karger.

A funeral service will be held at 2 P.M. today at the Riverside, Amsterdam Avenue and 76th Street.

A LITTLE BIT OF NATIONAL CONVENTION HISTORY

HON. BYRON G. ROGERS

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 10, 1968

Mr. ROGERS of Colorado. Mr. Speaker, George Fair, an outstanding citizen of the city and county of Denver who has for many years studied the history of national conventions has written a fine article which I would like to insert in the RECORD. The article is as follows:

A LITTLE BIT OF NATIONAL CONVENTION HISTORY

The national party conventions are peculiar to our country. No other nation in the world has anything comparable to the method we use in nominating our presidential candidates. Our party conventions are the outgrowth of congressional and state legislature caucuses.

The Anti-Masonic Convention of 1830 which was held in Baltimore was the first in which representation was based on the representation of the several states in the Congress. From that convention to the ones that will meet this month the national convention has changed in many ways; in the number of delegates, in the manner of electing them, in the rules of procedure, but the fundamental principle has remained the same, namely, the democratic representation of the party constituency.

"Pointing with pride," the "viewing with alarm," the blaring of bands, the deep tones of the organ resounding through the huge assemblage, the parades and their banners, the tumultuous enthusiasm engendered at our conventions mark them as the greatest and the most colorful shows in the world.

Many great and stirring speeches have been made in our conventions, from Ingersoll's "Like an armed warrior, like a plumed knight, James G. Blaine marched down the halls of the American Congress and threw his shining lance full and fair against the brazen foreheads of the defamers of his country and the maligners of his honor" to Beveridge in his noblest moments at the Progressive Convention in Chicago, "We stand at the Armageddon and battle for the Lord."

One memorable speech, a political miracle, stampeded a convention and lifted from virtual obscurity "the boy orator from the Platte" to his party's nomination. William Jennings Bryan opened his famous speech with, "The humblest citizen in all the land when clad in the armor of a righteous cause, is stronger than all the hosts of error. I come to speak to you in a cause of humanity."

The silver tongued orator of the Platte held the convention in spellbound attention, his audience rising and shouting at the close of a sentence and then, at the beginning of another, becoming as still as a church. His closing words, "you shall not press down upon the brow of labor this crown of thorns; you shall not crucify mankind upon a cross of gold," brought silence and he had walked almost to his seat when bedlam broke loose. A parade, led by the Nebraska delegation began around the hall and for thirty minutes a wild and tumultuous demonstration continued.

A "dark horse" fired the hearts of that convention, enthralled a nation and captured his party's nomination for the presidency by the magic of a speech which was one of the greatest masterpieces ever spoken before an American Political Convention.

GEORGE FAIR.

POEM FROM A SOLDIER IN VIETNAM

HON. JOHN G. TOWER

OF TEXAS

IN THE SENATE OF THE UNITED STATES

Wednesday, July 10, 1968

Mr. TOWER. Mr. President, recently Pfc. Hubert "Butch" Harris of Seminole, Tex., sent his wife a poem from Vietnam. Private Harris' poem was published in the Seminole News and sent to me by Mr. Arzie L. Kirk. I ask unanimous consent that the article and the poem be published in the Extensions of Remarks.

There being no objection, the article and poem were ordered to be printed in the RECORD, as follows:

HUBERT HARRIS

Pfc. Hubert "Butch" Harris has been in Vietnam since January 1st. He is stationed at Chu Lie and is in the 196th infantry division. His wife, the former Sandra Hatley, is residing in Seminole with her parents, Mr. and Mrs. Joe Hatley, while he is gone. She plans to meet him July 24 in Hawaii. Butch's parents are Mr. and Mrs. R. J. Harris of Ft. Stockton.

Butch sent the following poem to his wife.

"Take a man and put him alone,
Put him 1200 miles from home.
Empty his heart of all but blood
Make him live in swamps and mud,
This is the life I have to live—
And to the devil my soul I give.

"You 'peace boys' rock in your easy chairs,
But you don't know what it's like over here,
You have a ball without even trying,
While over here men are dying.
There is no real war, you say in Viet Nam,
You use your drugs and have your fun,
And then refuse to lift a gun.

"There is nothing else for you to do,
And I'm suppose to die for you.
I'll hate you till the day I die,
You make me hear my buddie cry,
I saw his arms of bloody shread,
I heard them say, 'this one is dead.'

"It's a terrible price he had to pay.
Not to live another day.
He had the guts to fight and die,
He paid his price, but what did he buy?
He bought your Life by giving His,
But who gives a care what a soldier gives?"

PROBLEMS OF THE U.S. DYESTUFF INDUSTRY

HON. ALBERT W. JOHNSON

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 10, 1968

Mr. JOHNSON of Pennsylvania. Mr. Speaker, because of the importance to the Nation of the problem facing the *U.S. dyestuff industry with respect to* imports from abroad, I feel that it is important that I insert in the RECORD the statement presented by James J. Marshall, president of American Aniline Products, Inc., to the Committee on Ways and Means, House of Representatives, on July 1, 1968. The statement is as follows:

SUMMARY OF STATEMENT PRESENTED BY JAMES J. MARSHALL, PRESIDENT, AMERICAN ANILINE PRODUCTS, INC., TO THE COMMITTEE ON WAYS AND MEANS, HOUSE OF REPRESENTATIVES, JULY 1, 1968

Mr. Chairman and members of the committee, I am James J. Marshall. I appear here as President of American Aniline Products, Inc., and as spokesman for an Ad Hoc Committee of U.S. Dyestuff Producers. I am accompanied by Eugene L. Stewart, counsel. In addition, representatives of the dyestuff producers who are members of the Ad Hoc Committee are present in the hearing room in support of this appearance. Each of these companies is a small to medium size producer of dyes in the United States.

We appreciate very much the time which you have allotted to us for our testimony this morning. In the interest of conserving the Committee's time in view of your time schedule, I shall not read my prepared testimony. Instead, I shall summarize its contents.

I

There is one simple, centrally important fact which you need to know in making up your mind about the proposal to repeal ASP. It is that almost the entire impact will be dealt to the U.S. dyestuff industry.

Ambassador Blumenthal said as much to the German chemical industry in an address on December 8, 1966.

II

The amount of duty to be paid on imports is determined by multiplying the rate by *the value. ASP is the rule for determining the value.* The rate is a separate factor from ASP. The majority of imported dyes were subject, pre-Kennedy Round, to the rate of 40%. This was cut to 20%. No exceptions.

Few industries had each and every product in its line cut by the full 50%. We did.

The second part of the equation, rate times value equals duties, is involved. The separate agreement on chemicals would change the "value" part of the equation by substituting values which the Administration itself claims are about half of those presently used. The effect would be to reduce still further the duties paid on imported dyestuffs, below the level to which those duties will be brought under the 50% duty cut, which I just discussed.

III

To understand the significance of the rates and value base provided for in the separate chemical agreement, you must be able to relate them to actual prices, foreign and domestic, and the duties collectable under the pre-Kennedy Round ASP rates, for which the new rates based on the foreign producers' price would be substituted.

We have made such an analysis. Because the price information is in some cases confidential, this analysis is offered as a confidential exhibit. The results of that analysis can be publicly summarized, as follows:

TABLE 1

Category of product	1965 pre-Kennedy round		Under separate agreement FSP rates		Average reduction in duty (percent)
	Average ASP/pound	Average ASP duty	Average FSP/pound	Average FSP duty	
Dyes:					
Acid	$2.71	$1.08	$1.20	$0.36	66.7
Basic	3.20	1.21	1.29	.39	67.8
Direct	2.46	.98	1.03	.31	68.4
Disperse	2.54	1.00	1.30	.39	61.0
Mordant	2.28	.91	.96	.28	69.2
Vat	1.94	.75	.96	.29	61.3
Average, 6 classes of dyes	2.52	.99	1.12	.34	65.7
Azoics:					
Fast color bases	2.15	.47	.84	.25	46.8
Fast color salts	1.59	.35	.78	.23	34.3
Naphthol AS and derivatives	3.18	.67	1.73	.52	22.4
Average, 3 classes of azoics	2.31	.50	1.12	.33	34.0
Intermediates:					
TSUS 403.48 (B)	.84	.20	.43	.08	60.0
TSUS 403.50 (B)	1.25	.28	.69	.12	57.1
TSUS 403.60 (B)	.29	.11	.17	.05	54.5
TSUS 403.60 (C)	.91	.21	.46	.09	65.4
TSUS 403.60 (G)	2.45	.67	1.40	.27	59.7
Average, 5 classes of intermediates	1.15	.30	.63	.12	60.0

Source: Exhibit 2, table 1.

The effect of the repeal of ASP and substituting the "separate chemical agreement" rates, based on FSP, would fall most heavily on dyes. The average cut in duties for dyes would be 66%. Advanced dye intermediates, the second most important commercial class, would suffer a 60% cut.

Aside from certain carefully limited provisions which are not involved here, the Congress has never authorized the Executive to cut the duties protecting any substantial American industry by more than 50%. Here we are, perhaps the most import-sensitive industry in the United States, singled out for a two-thirds cut in the amount of duties to be collected on competitive foreign imports. Why?

Having agreed to enter into negotiations in relation to the President's power under the Trade Expansion Act, a few foreign nations after the bargaining commenced demanded extra-legal commitments which never should have been permitted by the U.S. negotiators.

The Executive has now passed the buck to Congress.

IV

To help you understand what will happen to us, we have made an analysis of the impact of the repeal of ASP and the substitution of the rates provided for in the "separate chemical agreement" based on FSP for the ASP rates. We took our actual operating results in 1965—the latest data year in relation to which the Kennedy Round agreements were made—and adjusted our sales income by the price reductions, product for product, which the reductions in duty would require if we were to hold our 1965 volume of sales against the sharply lower landed costs of foreign dyes. The results are set forth in confidential exhibit Tables VII and VIII. *They may be summarized here publicly as follows.*

First, as to the effect of the Kennedy Round and supplementary agreement rates on our sales revenue:

TABLE 2

Category of product	*Percent loss of sales revenue in 1965 assuming price reductions to meet reduced landed cost of imported products under—*	
	Post-Kennedy Round ASP reduced duties	Supplementary chemical agreement duties at reduced rates based on FSP
Dyes:		
Acid	22.1	27.4
Basic	28.2	37.2
Direct	20.5	28.7
Disperse	10.1	14.6
Mordant	21.7	31.0
Vat	21.4	30.2
Total, all dyes	17.0	23.7
Azoic products:		
Fast color bases	21.1	18.8
Fast color salts	20.1	15.4
Naphthols	18.5	11.6
Total, azoic products	19.6	14.3
Intermediates	6.7	8.0
Total, all products	15.0	19.1

Source: Confidential exhibit, table VII.

These data mean ruin for our companies. Those who can lower their costs by importing from their own plants or other foreign sources will do so. The rest of us, and here I mean particularly the smaller, independent companies, will be forced in a comparatively short period of time after full implementation of the Kennedy Round tariff reductions to close our plants, or become nonmanufacturing outlets for such foreign-produced dyes as we can purchase outside of the closed circle of the European and Japanese cartels.

Just so there is no misunderstanding of the dimensions of the impact on our earnings—and the comparable impact on the earnings of the other small, independent dye producers, let me summarize my company's 1965 profit and loss statement, before and after application of the Kennedy Round and supplementary chemical agreement results.

TABLE 3

	Net profit, after taxes—	
	As percent of sales	As percent of shareholders' equity
Actual 1965 results	6.9	11.2
Adjusting revenue by imported chemical landed cost reductions:		
50 percent ASP duty cut	(0.9)	(1.2)
Implementation of supplemental chemical agreement (reduced duties based on FSP)	(6.3)	(8.4)

Note: Figures in parentheses denote loss.
Source: Table VIII, Confidential Exhibit.

We would be close enough to the break-even point under the 50% reduction in ASP rates that we might be able through drastic adjustments to stay alive. Under the repeal of ASP and the reduced rates based on FSP called for under the supplemental chemical agreement, we wouldn't have a chance. We would be finished as American manufacturers. The jobs of our operating employees would be lost forever.

For whose benefit is such a drastic, tragic result sought?

V

The dyestuff industry in the United States includes the American affiliates of the members of the European dyestuff cartel. These companies to their maximum competitive advantage balance U.S. production with imports of dyes and intermediates produced in Europe by their parents, and by 1965 had captured fully one-third of the American market.

A second major segment of the U.S. dyestuff industry is comprised of four large diversified chemical companies. We note the claim of the Special Representative that of the firms in the dye industry, "four make more than half of all dyes." Taking into account the third of the market held by the foreign producers, that would seem to leave 17% of the market to the many small dyestuff producers who, like American Aniline and the members of the Ad Hoc Committee, are neither affiliates of the European cartel members, nor of the four U.S. giants.

Let us be very clear about one point: The part of the U.S. market which the European and Japanese cartels can gain through elimination of ASP is not the 50% held by the four American giants. They are international companies for the most part, and have the know-how and resources to shift the necessary portion of their production abroad. By exporting jobs and capital, they can conceivably hold their present share of this market, and possibly even increase it at the expense of the foreign cartels.

It is the small, nonaligned companies, such as the members of the Ad Hoc Committee, who will be destroyed by the repeal of ASP.

I. G. Farben dominated the world dyestuff trade before World War II, and its activities and that of its forebears led directly to the enactment of ASP by Congress at the behest of President Woodrow Wilson to insure continuity and growth of an American dyestuff industry. I. G. Farben, formally, is gone. But the three chunks into which it was artificially divided by the postwar occupation authorities have the same talent for cooperation as their parent.

You are now being asked to rewrite history, to condemn as bad that domestic policy which more than any other is directly responsible for the creation, growth, strength, and vitality of the American dyestuff industry. Before you call good, bad, and white, black, and jettison a proven method of neutralizing cartel power in the import trade in dyes as "outmoded," study our confidential exhibit detailing the structure and operation of the foreign dyestuff cartels.

VI

Has the ASP duty system been so restrictive of U.S. imports that foreign producers have been unable to expand their sales in the American market? Have ASP rates been more import-retarding than so-called conventional duty valuation in other sectors of manufactured products?

The answer to both questions is an emphatic "no." Let's look at the facts. Using the average of the three years 1958–1960 as a base period, we find that imports of dyes and pigments have risen more rapidly than in other sectors of industry; and exports from the U.S. have lagged behind those in other industries because of the greater domination of dystuff export markets by the foreign producers. The data may be summarized as follows:

TABLE 4.—U.S. FOREIGN TRADE IN DYESTUFFS AND RELATED INDUSTRIES, 1958–66

[In millions of dollars]

Industry	Average, 1958–60	1963	1966	Percent change, 1958–60 to 1966
Synthetic organic dyes, pigments, lakes and toners (S.I.C. 28152):				
Imports, f.a.s. U.S. port	17.2	29.6	60.7	+252.9
Exports, f.o.b. plant	18.6	26.6	31.2	+67.7
Balance of trade	+1.4	−3.0	−29.5	−2,207.1
Intermediate coal tar products (S.I.C. 2815):				
Imports, f.a.s. U.S. port	20.6	35.8	67.1	+225.7
Exports, f.o.b. plant	*48.6*	*72.0*	*124.6*	+156.4
Balance of trade	+28.0	+36.2	+57.5	+105.4
Chemicals and allied products (S.I.C. 28):				
Imports, f.a.s. U.S. port	438.5	550.9	899.6	+105.2
Exports, f.o.b. plant	1,590.9	1,944.9	2,968.3	+86.6
Balance of trade	+1,152.4	+1,394.0	+2,068.7	+79.5
Textile mill products (S.I.C. 22):				
Imports, f.a.s. U.S. port	700.9	946.7	1,229.6	+75.4
Exports, f.o.b. plant	296.7	276.3	388.2	+30.8
Balance of trade	−404.2	−670.4	−841.4	−108.2
Nondurable goods manufacturing:				
Imports, f.a.s. U.S. port	5,613.8	7,012.1	8,827.0	+57.2
Exports, f.o.b. plant	4,455.0	5,432.4	7,117.8	+59.8
Balance of trade	−1,158.8	−1,579.7	−1,709.2	−47.5
All manufacturing industries:				
Imports, f.a.s. U.S. port	10,751.0	13,694.5	19,533.4	+81.7
Exports, f.o.b. plant	13,120.8	16,096.5	24,199.8	+84.4
Balance of trade	+2,369.8	+2,402.0	+4,666.4	+96.9

Source: Trade Relations Council of the United States, Inc.

The central point of the advocates of ASP repeal, that the ASP duty system has an abnormally restrictive effect on imports, is thus demolished by the facts.

VII

According to the Tariff Commission, two-thirds of the dyes sold in the United States are consumed by the domestic textile industry. The total invasion of the U.S. market for dyes for the textile industry includes both the dyes imported as dyes, and the dye content of textiles imported in a dyed or printed state.

The data pertinent to a determination of the share of the U.S. consumption of dyes accounted for by imported dyes are summarized as follows:

TABLE 5.—RATIO OF IMPORTED DYES TO DOMESTIC CONSUMPTION

[In millions of pounds, and percent]

	1957	1961	1965	1967	Percent change 1957–67
Domestic consumption of dyes:					
Total	120.9	153.9	182.0	200.8	+66.1
In textiles:					
Direct	80.5	102.5	121.2	133.9	
Indirect	2.6	2.4	4.4	5.8	
Total	83.1	104.9	125.6	139.7	+68.1
Imports of dyes:					
Total as dyes, all uses	3.6	6.0	10.8	11.8	+227.8
Of which, for textiles	2.4	4.0	7.2	7.9	+229.2
Indirect, in dyed or printed textiles	2.6	2.4	4.4	5.8	+123.1
Total, for textiles	5.0	6.4	11.6	13.7	+174.0
Ratio, imports to domestic consumption:					
Total, direct (percent)	3.0	3.9	5.9	5.9	
For textile use (percent)	6.0	6.1	9.2	9.8	

Source: Trade Relations Council of the United States, Inc., as compiled from official statistics of the U.S. Tariff Commission and the U.S. Department of Commerce, Bureau of the Census.

In the dye industry's major market, textiles, imported dyes increased their share of the market by 1967 from 6% to nearly 10%. On a fiber equivalent basis, imports of textiles in all forms accounted for about 5% of consumption in 1957, and increased their share of the U.S. market to nearly 10% in 1967.

Thus, the dye industry has suffered the same degree of import penetration in its principal market as textiles. But unlike the proper, though as yet inadequate, concern manifested by the Government for the textile industry, the dye industry has become the victim of a concerted attack by the Executive Branch of the Government. To the full 50% cut in duties in the Kennedy Round, your Committee is asked to add further serious injury in the form of a repeal of ASP and a further reduction in rates of duty below the average level of the 50% cut already sustained.

VIII

The gross unfairness of the attack which the members of the European and Japanese dye cartels have launched against the U.S. industry is shown by a comparison of the share of world dye exports which each producer enjoys.

In 1967, West Germany supplied 39% of world exports of dyes and pigments; the EEC, 51%, Switzerland and the United Kingdom together accounted for 37%. The United States supplied 6.9%; Japan, 5.1%.

The major point is that four countries—West Germany, Switzerland, United Kingdom, and Japan—together supplied 80% of world exports; the United States, less than 7%.

TABLE 6.—WORLD EXPORTS OF DYES AND PIGMENTS (S.I.T.C. 531)

[In metric tons]

Exporting country	1966	Percent of whole	6 months 1967	Percent of whole
West Germany	51,880	38.5	26,738	39.3
Other EEC	16,524	12.3	8,046	11.8
Total		50.8		51.1
Switzerland	28,238	21.0	13,213	19.4
United Kingdom	21,355	15.9	11,309	16.6
Other EFTA	1,304	1.0	621	.9
Total		37.9		36.9
Japan	5,275	3.9	3,471	5.1
United States	9,966	7.4	4,702	6.9
Total	134,542	100.0	68,100	100.0

Sources: OECD, Commodity Trade: Exports, 1966. OECD, Commodity Trade: Exports, January-June 1967.

The fact is that the foreign cartels have the world export market for dyes and pigments very much to themselves. The U.S. industry is a very small factor, and is steadily being forced out of even this slender position in world markets.

Under these circumstances, the attempt being made by the nations representing the foreign cartels to knock the base out from under the U.S. dye and pigments industry through repeal of ASP and substitution of reduced converted rates based on FSP is an outrage.

CONCLUSION

Advocates of ASP repeal base their case on the allegation that American producers can cut off imports by arbitrarily raising the duty on a product by raising the price. This argument ignores the reality of the market place where a price increase of $1 per pound would be required to raise the duty by 20 cents and would itself make the U.S. product noncompetitive, if it were not already so. It also ignores the operation in the United States of strong antitrust laws and the vigilant attention of the U.S. Department of Justice to prevent price fixing.

In contrast with the few producers located in the principal foreign countries exporting dyes to the United States, there are more than 50 producers of dyes in the United States, competing vigorously under antitrust ground rules for a place in the American market.

The real crux of the matter is that the members of the foreign cartels wish to secure for themselves the power to reduce U.S. duties under a system in which dutiable value would be based upon their foreign export price.

If ASP is repealed, the foreign cartels will be able to carry on a campaign under which for each 30-cent reduction in their foreign export price, the United States Government would contribute a further reduction in landed costs of 9 cents.

To acquiesce to the demands of the foreign cartels, sponsored by their governments, at this stage of history would be knowingly and purposefully to sacrifice as expendable the businesses, plants, investments, and employment of the small U.S. dye companies.

The sole basis for the health and welfare of the U.S. dye industry and its employees lies in continued access for U.S.-produced dyes to the U.S. market. This access will be destroyed by the repeal of ASP.

In the name of justice and fair play, therefore, we call upon this committee and the Congress to reject the proposal to repeal ASP as to dyes, pigments, and dye intermediates.

Thank you. This concludes my statement.

GUN-CONTROL LEGISLATION

HON. WILLIAM L. HUNGATE

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 10, 1968

Mr. HUNGATE. Mr. Speaker, I would like to call attention to a recent article in the Christian Science Monitor of July 8, 1968, concerning an important subject of considerable current interest:

GUN-CONTROL LEGISLATION

(By JOSEPH D. TYDINGS, U.S. Senator of Maryand)

WASHINGTON.—For 30 years public-opinion polls have shown that four out of every five American citizens favor laws to require registration of all firearms and licensing of all firearm users.

Yet, most states have failed to enact gun-control laws. And in those states that have tried to act, the gun lobby has succeeded in killing nearly every new gun law it has opposed. Meanwhile, the tide of gun crime has swept our nation.

Now, with the rifle-sniper killing of a Nobel Prize winner and the brutal pistol murder of a United States senator, public attention has been focused on the gun-crime problem. Effective legislation may at last be enacted.

America tolerates a gun-crime rate unthinkable in most other civilized nations. Last year 7,700 Americans were murdered by gun, up from 5,990 in 1964. Of the 336 police officers murdered in America since 1960, 332 (96 percent) were cut down by guns. Guns were the instrument of crime and violence in 55,000 aggravated assaults last year, compared with 27,700 in 1964. Guns were used in 71,000 robberies last year, compared with 42,600 in 1964.

Opponents of gun-control laws argue "that control measure." Therefore, to reduce gun control measure. Therefore, to reduce gun crimes, stronger penalties for gun crimes, not reasonable controls on gun sales, are the answer, they argue.

PENALTIES SEEN INEFFECTIVE

The record shows, however, that stringent penalties for gun crimes do not control gun crimes. The death penalty for murder did not prevent the 5,090 gun-caused murders in 1963, the 5,634 in 1965, the 6,552 gun murders in 1966, or the 7,700 committed in 1967.

The prospect for long terms in jail did not prevent the 27,700 gun-committed aggravated assaults in 1964, the 34,700 in 1965, the 43,500 in 1966, or the 55,000 in 1967. Nor did the strong penalties in existing law deter the 40 percent increase in armed robbery by guns between 1964 and 1966 alone.

On the other hand, states which have enacted strong gun-control laws have experienced significantly lower gun-crime rates than states which have lax laws or no laws at all.

Fifty-seven percent of all murders in the United States between 1962 and 1965 were committed by gun.

In four states which have effective gun laws, however, gun murders made up only: 43 percent of the total murders in Pennsylvania, 39 percent in New Jersey, 35 percent in Massachusetts, and 32 percent in New York.

In stark contrast, states with minimal or no gun laws experienced sharply higher gun-murder rates. The percentage of all murders committed with guns was 71 percent in Mississippi, 62 percent in Louisiana, 66 percent in Arizona, 69 percent in Texas, 70 percent in Nebraska, and 72 percent in Montana.

In Vermont, a state frequently cited by the National Rifle Association as having weak gun laws but low gun-crime rates, there were only seven murders between 1962 and 1965, but all seven were by guns, for a 100 percent gun-murder rate!

PROVISIONS OF BILL OUTLINED

We have waited too long for an effective, rational, nationwide gun policy.

More than 15 senators, including Majority Leader Mike Mansfield, have joined me in introducting a bill, S. 3634, which if enacted would substantially reduce gun crime. This bill, the "national gun crime prevention act," would provide for registration of all firearms and licensing of all firearms and ammunition users. It would disqualify felons, drug addicts, alcoholics, mental incompetents, and juveniles from owning firearms but would in no way interfere with or significantly inconvenience law-abiding citizens.

The "national gun crime prevention act" would put primary responsibility on the states for action but would provide a minimum floor of federal protection in any state which does not act to protect its own citizens from gun crime.

The registration of all firearms and firearm sales would give the police the means to quickly trace guns used in crime to their last-known owner. The usefulness of registration was clearly demonstrated in Sen. Robert F. Kennedy's assassination:

The first identification of the suspect in that case came not from his own lips, but by tracing the ownership of the alleged murder weapon, under California's firearms registration system, to the suspect's family.

RECOMMENDATION COMPLEMENTED?

But registration, while vital to improved law enforcement, must be linked to an effective system of licensing gun users in order to weed out persons who, by reason of criminal record, drug addiction, alcoholism, mental incompetence, or age should not be entrusted with a gun in the first place.

This nationwide gun-registration and licensing law I have proposed would not prevent the purchase of firearms by any law-abiding citizens—including hunters, sportsmen, collectors, homeowners, shopkeepers, and their families. Nor would it disarm or significantly inconvenience them. It would inconvenience criminals, drug addicts, alcoholics, mental incompetents, aliens, and juveniles.

The "national gun crime prevention act" complements the interstate firearms sale legislation the President has recommended. The President's bill is intended to make state gun laws enforceable by preventing out-of-state mail order or over-the-counter gun purchases. As long as any citizen of a strong-gun-law state can avoid that law by using the mails or by slipping into a neighboring state to purchase a firearm, the strong state law is useless.

The portion of the President's interstate gun sales bill relating to pistols has already been enacted by Congress. Legislation to add rifles and shotguns to that law now is pending in Congress.

But the President's bill, which I fully support, would not create state gun laws where there are none today. My bill complements the President's gun-sales legislation by providing an impetus for the states to enact their own gun-control laws where inadequate laws now exist and by providing federal protection from gun crimes for citizens in states which do not enact reasonable firearms-registration and licensing laws.

FEDERAL LEGISLATION ASKED

The President, the Attorney General, the director of the FBI, the President's Commission on Law Enforcement and the Administration of Justice, the International Association of Chiefs of Police, the American Bar Association, and state and local law-enforcement officials all across the country have recommended federal firearms-control legislation.

A nationwide Harris Poll of public opinion

released on April 22, 1968, reports that three out of every four Americans, and two out of every three gun owners, want stringent gun controls.

This week the Senate Judiciary Committee meets to consider the President's rifle and shotgun sales bill and my licensing and registration amendment to it.

Public support for my bill and for the President's legislation has been expressed in a nearly incredible number of letters to Congress. But the opponents of that legislation are writing, too. The National Rifle Association, which boasts that it can inspire overnight 500,000 letters to Congress against gun control, issued a bulletin to its million members on June 14, urging them to write Congress against this urgently needed new gun regulation. The NRA mail produced by that bulletin is still coming in.

If you believe we should have the kind of legislation I have proposed, you owe it to yourself to let your elected representatives know about it by writing today to ask them to vote for S. 3634, the "national gun crime prevention act."

CON

(By Harold W. Glassen, president, National Rifle Association of America)

WASHINGTON.—Reason has returned to the Halls of Congress, apparently, and the hysterical drive to pass new gun-control laws—*any* kind of gun-control laws—has been slowed down to give members time to consider more carefully a matter that will affect every citizen of this country.

On June 27, the Senate Judiciary Committee voted 7–5 to postpone further action on the measures until Wednesday, July 10. So this week it once again is considering legislative proposals to (1) stop all interstate sales of rifles, shotguns, and ammunition except between licensed dealers and manufacturers; (2) require national registration of all firearms in the United States; and (3) require that every gun owner be licensed by the federal government.

Some weeks ago, the committee completed action on a bill to prohibit interstate sales of pistols, except between dealers, and this has since become law.

I think this is enough, and I have advised the Congress, on behalf of the more than one-million members of the National Rifle Association and millions of other sportsmen and gun owners, that we should first concentrate on making this tough new pistol law work before rushing into something else.

The proponents of some of the ridiculous new plans to control guns have stated flatly that guns cause crime just by their very existence and availability. The legislation they are trying to force down the Congress's throat even says so.

I'm not naive enough to buy such nonsense as that. A gun is no more responsible for causing crime than is an automobile or a box of matches or any other "lethal" instrument that man has invented or made useful. A gun is a tool, no more than that.

PUT CRIMINALS BEHIND BARS

So it is the human who misuses a gun who must be controlled, not the inanimate object he puts to misuse.

I say put the criminals behind bars when they break the law. Enforce the laws we already have, without jousting with the windmill of legislation for the sake of legislation.

The gun laws already on our books—there are more than 20,000 of them at the federal, state, and local levels—have teeth in them.

Let us use these teeth.

But a look at the situation during some of the recent rioting will show us that we are not enforcing many of our laws. In many jurisdictions, the police were actually ordered not to interfere with "peaceful" looters—so long as they didn't get too greedy!

What kind of nonsense is that? Any child who has dutiful, God-fearing parents has been taught that it's wrong to steal; that penalties are meted out to those who break this rule; that, inevitably, you can't get away with it.

But what did many of the looters and the fire bombers tell the police? "We only did what everybody else was doing."

The worst of this is that they were almost right, for there was very little, if any, attempt to stop them, in some areas.

This is wrong. And if this is wrong, so is a system that permits a man to walk out of jail on bond and kill another human being while under a charge of committing a crime in which he used a gun.

ARGUMENT CHALLENGED

The use of a gun in a crime should carry with it the most severe penalties. The imposition of an additional prison sentence—over and above the sentence meted out for the crime itself—should be mandatory on the courts. They should not have complete discretion to refuse to impose such an additional sentence.

Most of those who commit violent felonies are criminal repeaters, persons who have already established a criminal record. They not only should be denied access to guns, but they should also be taken from the streets to serve long and harsh prison sentences, behind bars where they cannot get at peaceful citizens.

The argument is made that registration of all guns with the federal government will aid greatly in reducing crime.

How?

Who can believe, in the first place, that any criminal will willingly register a gun? For all practical purposes, none do now, so why should we expect that they will because we have another new law for them to break?

A national gun-registration law would simply create a nice, neat, lost-and-found system, so that when the police arrest someone with an illegal gun, they will be able to locate the owner and return the firearm to him. That's all it would accomplish, and in most jurisdictions it is the common practice to look up the owner of a gun anyway and, if he is a responsible citizen who has simply had his gun stolen, return it to him.

We don't need the help of the Secretary of the Treasury and a massive new government agency to handle something like this that could cost the American taxpayers up to $5 billion.

It is said that "we register automobiles, why not guns?" The truth is, we register cars at the state level, not the national level. Some states already have registration laws for guns, and some have laws that more simply require identification cards for gun owners.

FEDERAL LICENSING OPPOSED

The NRA has traditionally not interjected itself into state or local affairs, and we have not taken a stand against such laws. Indeed, we are watching with a great deal of interest to see how well these laws will work over a period of time.

We certainly oppose the idea of licensing gun owners at the federal level. We believe that this is the type of authority that should reside in local or state hands, for conditions differ greatly in our country, from state to state, and city to city.

I say let Wyoming regulate the use of guns within its borders, and let New York State or New York City regulate the use of guns within their jurisdictions, for there just is no need to regulate them uniformly when conditions in these areas so far apart are so vastly different.

It is said that mail-order sales of pistols are banned under the law recently passed by Congress and signed by the President, so why not rifles and shotguns? There's a good reason why not.

Firearms play a part in only 3.4 percent of the more than three million major crimes each year, according to statistics of the Federal Bureau of Investigation. Firearms of all types, including zip guns, gangster weapons, and weapons believed to be guns (the criminal hand in the coat pocket, for instance), were involved in 110,000 of the total of 3.2 million major crimes in 1966 (homicide, forcible rape, aggravated assault, robbery, burglary, larceny, auto theft). Rifles and shotguns were involved in less than one-half of one percent (0.005).

ACCENT PUT ON PISTOL CONTROL

This means that, if all firearms were removed from America, this nation would still have 96.6 percent of its major crimes, and the removal of all rifles and shotguns would reduce the major crime rate by only .005 percent, leaving us still with 99.5 percent of major crimes.

We now have a stiff new pistol-control law on our law books. Let's go to work with that, and not waste our time on rifles and shotguns when they make such a small contribution to our national crime rate.

The National Rifle Association for years has urged a law to control pistols, for we long ago recognized this problem. We believe there should be a "cooling-off period" before a customer can obtain a pistol.

The Senate Judiciary Committee has taken its own "cooling-off period." Now that it has had time to consider those ramifications, let us hope the Judiciary Committee will act with cool and calm judgment and support the principle of law and order instead of legislation for the sake of legislation.

RESOLUTION OF LAW AND ORDER

Hon. G. V. (SONNY) MONTGOMERY

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 10, 1968

Mr. MONTGOMERY. Mr. Speaker, at a meeting in Atlanta, Ga., on April 23, 1968, the National Association of Insurance Agents adopted a resolution of law and order. I think that this resolution is especially important at this time and I am placing it in the RECORD for the information of my colleagues in the House.

RESOLUTION OF LAW AND ORDER IN THE UNITED STATES OF AMERICA

Whereas: We have watched with mounting concern the utter disregard of the law and order which is a vital part of the free enterprise system of this country, and have been appalled at the lack of support for law enforcement as regards the protection of the property rights of the individual citizen and,

Whereas: This defiance of the authority of the properly-constituted police power of the State has led to the loss of hundreds of innocent lives of men, women and children, and to the destruction of millions of dollars worth of private and publicly-owned property and,

Whereas: The corporate structure and capital reserves of major insurance companies have been, and are being, severely taxed because of lawlessness and disorders and it has been necessary for insurance companies to seek Federal funds to support them in discharging obligations for future expected losses under insurance contracts and,

Whereas: Under no guise of deprivation and poverty can the continued use of violence and force be justified or tolerated, and,

Whereas: The continued use of violence, looting and unlawfulness is leading inevitably to the destruction of our Democracy,

Now, therefore, be it resolved, That the National Association of Insurance Agents, through its Board of Directors and Officers here assembled in Atlanta, Georgia, on this Twenty-Third Day of April, 1968, with the deepest concern for the preservation of our Democracy, urges that all city, State and Federal Officials be supported with every facility of the law in prevention of the further loss of life and destruction of property so that the resources of this country and the personal and property rights of its citizens be protected to the fullest extent possible, so that the wealth and efforts of our country can be properly channeled to help those who are under-privileged in our society and who legitimately petition for relief of their problems through established channels.

HOW TO SAVE BILLIONS IN TAX DOLLARS

HON. F. BRADFORD MORSE

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 10, 1968

Mr. MORSE of Massachusetts. Mr. Speaker, there has been, for several years, a clear and growing need to economize with the taxpayer's dollar. We have reached the point where we must now enforce drastic cuts on every department and agency in order to maintain a measure of economic stability.

Had we undertaken, several years ago to investigate the economy and efficiency of the Federal establishment, to eliminate overlapping programs, waste and duplication of efforts, to anticipate costly crisis situations, then perhaps there would be less need today to place the burden of fiscal responsibility on the American taxpayer.

Three years ago, 40 of my colleagues and I joined in cosponsoring a bill to establish a new commission which would have, in a like manner as its predecessor, the Hoover Commission, conducted such an investigation and provided the vehicle for establishing a sound Federal spending policy. The need for such a commission has been brought into sharp focus by today's events.

A distinguished citizen of Massachusetts, John F. Gleason, of Tewksbury, who devoted countless hours to support the work of the first Hoover Commission, has called to my attention an excellent article which appeared in the July issue of Nation's Business. I would like to share that article, "How To Save Billions in Tax Dollars," with my colleagues, and I include it at this point in the RECORD:

HOW TO SAVE BILLIONS IN TAX DOLLARS

"The time is ripe for a general overhauling, for going through the government with a fine-tooth comb and for casting some light into all the many dark places."

With these words the Senate Committee on Expenditures in the Executive Departments 21 years ago helped launch the historic Hoover Commission (headed by former President Herbert Hoover) which conducted a sweeping study of the federal government resulting in savings of billions of taxpayer dollars.

The time is even more ripe today, many believe, to delve into evidence of government waste, overlapping and duplication.

Since 1955—when a second Hoover Commission made its final report to the people—the federal budget has doubled and domestic spending alone has skyrocketed 170 per cent.

The fiscal 1969 federal budget of $186 billion means that we will soon be spending $19.9 million every hour of every day.

An effort has been underway in Congress to create a new Hoover-type Commission. This has been greatly intensified in the current session of Congress and might have succeeded with a little push from the White House.

Congressional support for the proposal is now so broad that legislation for a new Hoover Commission could clear the Ninety-first Congress opening in January. In fact, there is a strong likelihood that both Republican and Democratic nominees—whoever they may be—will come out for some form of a wide-ranging study of the government's operations.

The government has become so vast, so complex, it is difficult even for experts to determine what agency is doing what, for whom and what it costs.

TOO MANY COOKS

At last count, 150 separate departments, agencies, bureaus and boards in Washington—plus over 400 regional and area field offices—were piping programs to states, cities and individuals through 459 separate channels.

This is the count of Sen. Abraham Ribicoff, chairman of the Senate Subcommittee on Executive Reorganization and author of one of many bills calling for a new study of the executive branch of the government.

Few people realize that overlapping government now has:

Eight Cabinet departments and 12 agencies involved in health.

Eighteen separate agencies conducting programs to improve the natural environment.

Eight departments and four agencies operating major credit programs which strongly affect monetary policy.

Ten agencies in three departments managing manpower programs.

"We spend so much time responding to crises that we are unable to anticipate situations before they reach crisis proportions," says Sen. Ribicoff. "Thus, the net result of our massive federal effort in recent years seems to be an instrument of national policy that is unplanned, uncoordinated, unmanaged, and—if these trends continue—unworkable."

The government operates in a sea of paper work. Everything is committed to paper, be it memo, letter, directive, order, documents of all sorts. Several years ago it was disclosed that Washington's major export was scrap paper.

The Archivist of the United States reports that paper work alone cost about seven per cent of the federal administrative budget, or a total of $9.5 billion last year. The average cost of a letter in the executive branch has risen to $2.44, while one page of a directive costs $300.

Former General Services Administrator Lawson Knott, landlord for the government, has testified:

"During the past eight years we have had to accommodate 6,000 additional employees in the Washington area every year. That is the equivalent of about a 900,000 or one million square-foot building every year."

MANY GRIPES ABOUT BIGNESS

Complaints of big government pour into Washington, from businessmen and private citizens alike. It is a continuing complaint in Congress. Major Congressional committees spend much of their time trying to eliminate waste and duplication. All too often when they correct one situation several new ones crop up someplace else.

The complaints come even from high within government itself. Under Secretary of Commerce Howard J. Samuels comments:

"Just as the problems of business have grown enormously in their complexity, so have the problems of government. Business has learned very well how to cope with the new complexities—but government, I'm afraid, has not learned as well. No business today tries to operate by the business methods of even 10 years ago. But government is still trying to run with the methods and structures of 50 years ago. We are suffering from horse-and-buggy government in a supersonic age."

Approximately 60 agencies report directly to the President in addition to 12 cabinet level departments. Such a number, it has been pointed out, far exceeds any reasonable span of executive control.

There are more than 260 federal poverty programs administered by 16 separate departments and agencies. Five agencies are involved in administering federal programs for community water supply, sewers and sewage treatment plants. Three separate programs cater to the treatment of deaf children and over 30 are involved in the training of teachers.

Also, 15 different federal departments and agencies administer 79 different training and education programs. And nine separate programs deal with job recruitment, while at least five subsidize on-the-job training projects.

Everything in Washington calls for a plan. If you want to build a multimillion-dollar dam in Arizona or a one-room school house in Appalachia, you must have a plan.

According to a list developed by the Bureau of the Budget—and this was almost two years ago—there were at least 93 programs, administered by 38 bureaus and offices in 13 departments and agencies which required some kind of planning. Of these 93 programs, 67 required state plans and 14 required project plans; 18 called for conformance with an area-wide comprehensive plan and 12 required conformance with an area-wide functional plan.

If Washington is submerged in paper work, it is drowning in committees. There are literally hundreds of interagency coordinating councils, committees, task forces and agreements of varying size, membership, importance and effectiveness.

It is surprising that any Cabinet member ever gets around to the important tasks of decision and policy making. Take, as only one example, the Secretary of Health, Education and Welfare. He is chairman of six interagency groups, sits on 22 others and designates a representative to an additional six. To augment these 34 groups, the Office of Education is involved in 33 such activities, the Vocational Rehabilitation Administration in 26, and the Welfare Administration in 15—for an over-all departmental total of 108.

Rep. Charles McC. Mathias Jr., Maryland Republican, who has been joined by over 40 cosponsors in seeking some form of Hoover-type Commission investigation, points out:

"Some agencies are fat; others are thin. Some offices are weak; others are muscle-bound. Some are experimenting with the most advanced techniques of systems analysis and management; others have had to be dragged, kicking and screaming, into this decade.

"It is this very lack of uniformity, this absence of consistency or coherence, which has convinced me that managerial reforms, to be effective, must be broad and deep."

CAN'T TELL THE PLAYERS

Pity the small town or community—to say nothing of the individual—who has to look to Washington for federal assistance. Even members of Congress are hard put to run down federal grants-in-aid to help their constituency. They are so numerous and well hidden that highly profitable enterprises have sprung up in Washington to ferret out these grants for a fee. Many large cities have established special offices in Washington with staffs doing nothing but tracking down Federal grants.

The Department of Health, Education, and Welfare alone has published a 527-page "Catalog of Federal Programs for Individual and

Community Development" containing brief synopses of the grants available. The poverty program's catalog runs to 701 pages. But the real whopper is the "Encyclopedia of U.S. Government Programs" totaling 1,010 pages and listing 8,000 government-aid items.

Since the last Hoover Commission report 13 years ago there have been not only monumental increases in spending and vast enlargement of the federal work force but widespread growth in new government activity.

Three new Cabinet-level departments have been added—HEW, Transportation and Housing and Urban Development. Also, numerous new executive and independent agencies such as NASA, Agency for International Development, Office of Equal Opportunity, the Peace Corps, to name only a few.

Former Budget Director Maurice H. Stans predicts government spending will more than double during the 1960's, regardless of Viet Nam. And he sees little likelihood of a balanced budget at any time in the foreseeable future. Mr. Stans, moreover, believes there is a strong possibility government spending will again double in the 1970's unless some major changes take place.

A good example of what can happen when the federal government, with its multiplicity of programs, descends on a city to help solve its urban problems occurred a while back in Oakland, Calif. In jig time seven different federal agencies were operating 140 different programs and this didn't even include welfare activity.

Among the businessmen who have appeared before the Ribicoff committee in support of a new Hoover-type Commission study was Edward R. Bagley, president of Bagley & Co., New Canaan, Conn. Testifying for the Chamber of Commerce of the United States, Mr. Bagley said:

"The exploding federal expenditures of the past three or four years, the huge public debt, mounting annual deficits, century-high interest rates, and the great proliferation of federal programs, all add up to a national crisis of frightening magnitude. The gravity of our fiscal posture cannot be overemphasized. The welfare of the American people is in serious danger. Congress must act and act now."

Mr. Bagley says if the government is unwilling to forego nonessential and postponable federal expenditures then answers should be found to these questions:

How long can the federal government continue to spend and borrow at the present rate?

How disastrous will it be if we continue the inflationary-breeding policy of excessive (deficit) federal spending?

How shall we restore international confidence in the dollar in the face of remarks by foreign bankers that the United States must dampen the boom through tighter money and higher taxes and cut government spending sufficiently to restore a balanced budget?

Rep. Thomas Curtis, Republican of Missouri, is worried that all levels of government—federal, state and local—are constantly expanding their interests and influence to the point they are intervening more and more in what should be the domain of private business. He says:

"Although at time government involvement in business may be necessary, bigness simply for the sake of bigness is wasteful and inefficient, when private enterprise, one of the institutions on which this nation was built, can perform the same services more efficiently and at lower cost."

Government at all levels, two generations ago, was employing—either directly or indirectly—five out of every 100 working people. But by 1965 that figure had jumped to 26 out of 100.

Sen. James B. Pearson, Rep.-Kansas, author of still another Hoover-type bill, says the benefits of such a study would far outweigh its cost to the taxpayer.

For instance, the first Commission investigation, begun in 1947, was financed by a Congressional appropriation of $1,983,600. It was estimated later that the study resulted in savings of more than $7 billion, not to mention the social benefits that flowed from improved services.

Any study doubtless will focus attention on what many Congressmen and others regard as frivolous undertakings in the name of scientific investigation.

For example, in 1966 a book titled "Social Indicators" was published by the Bureau of Social Science Research. It contained a criticism of the FBI for exaggerating the national crime rate, a charge later vigorously denied by Director J. Edgar Hoover.

The $231,000 cost of this project was borne by the National Aeronautics and Space Administration. When a reporter asked why the space agency undertook such a subject so far removed from its designated mission the answer was that NASA felt the project would help give it an image of "social concern."

And then there was a research project conducted by the National Institute of Mental Health involving an in-depth study of 200 young married couples. Among the conclusions:

"Suppose two people's personalities fit together well. He is dominant and she is submissive. They both like pot roast and 'Peyton Place.' They will be good companions, a good team. On the other hand, it is at least possible that such a marriage will be merely dull."

Conley H. Dillon, professor of government and politics at the University of Maryland, says federal aid to state and local governments reached $14.6 billion last year. Over 92,000 governmental entities are involved in administering these complicated programs, he points out.

"With the federal grants-in-aid programs, supporting every aspect of state and local government," he says, "isolated reorganization of these units cannot be effective unless significant change is made in federal policies and administration."

Among the many advocates of a government study of some type is Chairman Wilbur Mills of the House Ways and Means Committee, an ardent believer in sound fiscal management in government. He favors a Government Program Evaluation Commission.

Such a commission would make a broad study and evaluation of all existing federal programs (old and new) as well as of projected expansions of these programs.

Early this year the Advisory Commission on Intergovernmental Relations put in remarkably sharp focus the question of what all this boils down to when it reported:

"America's federal system is on trial today as never before in this century of crisis and change. Throughout the nation's history, a distinguishing feature of the federal system has been its remarkable capacity . . . to adapt to changing demands. But now the rate *at which circumstances and demands shift* and change is of a totally different magnitude and imposes a new dimension.

"Despite this new dimension, some policies and attitudes of the federal establishment continue more attuned to the problems and solutions of the Thirties and Forties than to the horizon of the Seventies and Eighties."

SUDDENLY JOHNSON IS SPOKEN OF AS THE APOSTLE OF PEACE

HON. CORNELIUS E. GALLAGHER

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 10, 1968

Mr. GALLAGHER. Mr. Speaker, the art of diplomacy is as complex and intricate as any other art form. It requires skill polished by the practice of experience. It demands almost endless patience and dedication. It insists upon long hours, days, even years of exhaustive effort—and still, there is no guarantee of success.

In the diplomatic field, few can rival the talents and, indeed, the successes of William Foster, Director of the U.S. Arms Control and Disarmament Agency, and his associates. In the face of seemingly insurmountable obstacles on all levels—from the crazy quilt pattern of Washington politics to the dark suspicions of Moscow denizens—Mr. Foster and the men of his Agency have brought to fruition the test ban agreement, the outer space treaties, and now the Nonproliferation Treaty. Moreover, the Agency is now prepared to take on the job of discussing the limitation, if not elimination, of nuclear weapons here and in the Soviet Union.

Mr. Speaker, a recent column in the London Times by Mr. Louis Heren characterizes the men of the U.S. Arms Control and Disarmament Agency as "the most successful diplomatic team in recent history." This is an assessment with which I heartily agree. As congressional adviser to this Agency, I have had the privilege to know and work with Mr. Foster and his diplomatic team. From this experience, I can testify to the validity of all the good comments made about these men.

To give all the Members of this body the opportunity to feel the same pride as I in the comments of a foreign observer on an American agency, I insert Mr. Heren's column in the RECORD at this point:

SUDDENLY JOHNSON IS SPOKEN OF AS THE APOSTLE OF PEACE

Today saw the signing of the nuclear nonproliferation treaty. Tomorrow? No one is quite sure, but all Mr. Johnson's peace offers of the past four years are being reviewed and praised. The man who not so long ago was being damned and burned in effigy as a two-gun Texas cowboy is now being spoken of as an apostle of peace.

A few questions have been asked. For instance, Chalmers Roberts of the *Washington Post* thought that probably little should be done until a new Administration takes office. "It will take the mandate of an election and considerable public education on the part of the new President to prepare the ground psychologically for any agreement with the Soviets which centres on the concept of parity."

Mr. Roberts was referring to the widespread assumption here that the Soviet *Union will insist* on equal if reduced forces. It would seem to be well founded. The Soviet Union has increased the size of its nuclear missile force to a point where the two countries are about equal, at least in megatonnage. Any agreement will almost certainly have to accept the principle of parity.

This will be hard for the Americans to accept. For them, nuclear balance has meant a preponderance of American nuclear weapons. After all, they are the peace-loving people. The logic may be difficult to follow, but before leaving the Pentagon Mr. Robert McNamara promised them that the M.I.R.V. missile, or multiple independently targeted reentry vehicle, would maintain American superiority, whatever the Russians might try.

The old disarmament plans always assumed such a superiority. I can recall formulas such as 7 to 5, and 5 to 3. M.I.R.V., with its many warheads, is a complication, and there is the old problem of inspection and verification. One could go on, but the question of whether such a far-reaching policy as the limitation of missiles should require the mandate of an election seems to ignore the facts of Washington life.

Life might be seen to begin anew with every presidential inauguration, but the world's problems do not wait for that ceremony and there is no reason why an attempt to solve one of them should. The next President may or may not pursue disarmament, but that may well be decided by a debate during the campaign. A larger peace will surely be as much an issue as peace in Vietnam, and one that cannot be dodged as easily as Mr. Richard Nixon has Vietnam.

There may be something to the suggestion that the Soviet Union has agreed to talk at this time to ensure that Mr. Nixon loses the election. Whatever the reason, and whatever the policy of the next President, the Disarmament Agency will be responsible for most of the negotiation, and it will survive the Johnson Administration and the next one. The preparations and preliminary talks will certainly take many months, and in view of the complexities of the problem it is just as well to begin now.

I have heard much of the complexities of missile limitation and I do not question the difficulties, but the Disarmament Agency is experienced in complexities that have nothing to do with M.I.R.V.s or inspection teams. Take as an instance, the non-proliferation treaty, of which so many glowing things were said today.

I suppose that I grew into middle age with the treaty in Washington. It had long been on the disarmament agenda and serious explorations began after the test ban was negotiated. The strongest advocates saw little of substance in the early drafts, but it was a useful bit of détente diplomacy and they set to work encouraged by Britain.

To that extent it was an Anglo-American initiative, and those were the days of Atlanticists. For them, Atlantic unity was more important than peace. Or, to be fair, they saw a strong Atlantic community as the best instrument for peace, and there had to be a German finger on the nuclear trigger if the community was to be strong. Thus the now-forgotten multilateral Nuclear Force (M.L.F.) was floated from the seventh floor of the State Department.

In the older part of the building, in the office once occupied by General Marshall, the disarmers, few in number but infinitely patient, worked on a non-proliferation agreement that many thought was fatally flawed by the rejection of China and France. The State Department, as so often in the past, was launched on an internal collision course that was to cause considerable damage and anguish.

The M.L.F. men were the more powerful. They had tentative Presidential approval, the support of the Navy, and even a flag—a blue pennant with a white trident and stars, which was to fly over Nato ships manned by international crews with an international cuisine including German beer and British issued rum.

They had the magnificent dream of Atlantic unity and they were willy-nilly pro-German and rich in Deutsche marks and economic wonders. The disarmers were willy-nilly seen to be pro-British and weakened by a tottering pound and diminishing imperial power.

The fight was not confined to the State Department. It spread to London, Bonn and other Nato capitals, and as usual the American ambassadors tended to side with the governments to which they were accredited.

The Moscow reaction was predictable. Here disarmament was a dirty word. There the M.L.F. was a device to arm the Nazi revisionists with nuclear weapons. More important, the project that was to unite the Atlantic divided it, and eventually President Johnson stepped in and said no more.

The blue and white flag was hauled down, the special M.L.F. office disappeared from the organizational structure as quickly as if the State Department was the Ministry of Truth, leaving the disarmament agency marooned in its little backwater but still very much alive. There it remained until Mr. Gromyko, the Soviet Foreign Minister, went one night to the department for dinner and announced that his Government was indeed interested in non-proliferation.

The United States Arms Control and Disarmament Agency, to give it its proper name, had survived the bureaucratic fratricide and ethnic politics of the State Department. To the test ban and outer space treaties and other less famous victories, it went on to negotiate non-proliferation. Now it stands ready, among the files filled with drafts, for the limitation of missiles and the complexities of Washington politics.

Without a doubt it is the most successful diplomatic team in recent history. I suggest Mr. William Foster, the quiet former businessman who is its director, might seriously be considered for a Nobel peace prize.

THE LAMPREY EEL MENACE

HON. PHILIP E. RUPPE

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 10, 1968

Mr. RUPPE. Mr. Speaker, on July 3 the Upper Great Lakes Regional Commission will hold a Commission meeting in Milwaukee in connection with the Midwest Governors' Conference. The UGLRC should be congratulated on its fine work and performance to date in stimulating economic activity throughout the three-state region. The Commission leadership—under Governors Romney, Knowles, and LeVander and Federal Cochairman Thomas Francis—should be particularly lauded for continuing the attack on the lamprey eel, which has been the scourge of the Great Lakes trout and whitefish population for the past decade.

In funding a $50,000 grant to the Great Lakes Fishery Commission, the door has hopefully been closed to a resurgence of this predator. However, the risk must not be minimized—this year, a substantially increased lamprey population, with resultant fish scarring, was definitely in evidence in Lakes Superior and Michigan.

The Great Lakes Fishery Commission is entrusted to combat and eradicate the lamprey eel menace. Last year, however, the Commission went through a difficult funding battle; and, only with the help of Senators Griffin and Hart, as well as Congressman Elford Cederberg in the House-Senate conference committee, was the final appropriation of $1,100,000 agreed to by Congress.

Regrettably, however, early in 1968 the Great Lakes Fishery Commission's spending authority was reduced by $55,000 and this cut was applied by the Commission to its lamprey control activities in Lake Huron.

It was at this point that the admirable initiative and cooperation between individuals, sportsmen's groups, State and Federal governments developed. The Michigan Legislature passed a bill to permit its State conservation department to divert funds, if need be, for lamprey control. The Northern Great Lakes Resource Development Commission pledged to cooperate fully in the emergency. The East Michigan Tourist Association offered its resources and James Hall, its executive director, and Horace Hodge, comptroller of Bay City, Mich., and a county supervisor, have taken a personal interest in arousing Michigan's sportsmen.

UPCAP and Operation Action-U.P. made it known that all of northern Michigan shared equally an interest in the suddenly endangered sports fishery. Offers of financial assistance have been proffered by the Lake Huron Cash for Coho Citizens Committee, headed by Chairman Jack Barnhill, of St. Ignace, and Cochairman Tony Atore, of Cedarville.

This concern aroused among sportsmen and conservationists throughout the Great Lakes has brought about a heartwarming response from the Upper Great Lakes Regional Development Commission. The Commission has pledged $50,000 toward the fight to continue lamprey eradication in Lake Huron and the surrounding Great Lakes.

Again, let me say that this is a tribute to the initiative and dedication of the three Governors and the Federal Cochairman. They recognize the necessity for eradicating this predator and have taken action on a Federal-State basis to make this program a reality.

The whitefish and trout fisheries are historically among the Great Lakes most important assets, and should be enjoyed and shared by sportsmen and commercial fishermen alike. The coho and chinook salmon offer potentials for further enlargement of this fishery. It is imperative, therefore, that we not lose sight of the necessity for freeing our Great Lakes of predators or pollutants that might degrade these magnificent waterways.

THE VOTE AT AGE 18

HON. LESTER L. WOLFF

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 10, 1968

Mr. WOLFF. Mr. Speaker, as one of the original House supporters of a lower voting age, I certainly welcome the increasing support for a constitutional amendment to set the voting age in the United States at age 18. I especially appreciate President Johnson's support in this regard.

If we are to succeed in this just effort for the youth of our Nation we will need broad based public support. I have tried to encourage that support with speaking engagements at many colleges and universities, both in here in the National Capital area and in New York.

Additional, increased support from the media is most desirable and thus it is that I was gratified to see that Newsday, an important Long Island daily newspaper, has endorsed a lower voting age. In a recent editorial Newsday noted correctly and significantly that—

> Unrest among young people may well be caused by the unwillingness of the older generation to give young people the right of full participation in governing the country through the ballot box.

Because of the significance and quality of this editorial, I commend it to my colleagues' attention and, under leave to extend my remarks, I include it in the Record at this point:

The Vote at Age 18

Many Americans, we think, will agree with President Johnson that the voting age should be lowered from 21 to 18, a progressive step that needs only a conditional amendment.

The President, citing a variety of excellent reasons for the change, has asked for passage of a voting-age amendment during the present session. Passage would require a two-thirds vote of both houses of Congress and ratification by three-fourths of the 50 state legislatures. The change could be accomplished within a year.

At 18, after all, young men are called on to serve in the armed services. At 18, young men and women often take on family responsibilities as well as civil duties. At 18, they are treated as adults before a great many courts, and are held responsible for their acts. Why shouldn't they vote at 18?

There is another good reason, not specifically mentioned by the President. Much of the so-called "unrest of youth" centers in the 18-to-21 age group; some of this unrest may well be caused by the unwillingness of the older generation to give young people the right of full participation in governing the country through the ballot box. This is a sophisticated era, and youth is more sophisticated than even a generation ago.

Since Congress is hastening to adjourn, and has much pending business before it, it is possible that the amendment will not pass at this session. If time has run out at this session, it is to be hoped that Congress will weigh out the pros and cons and arrive at a favorable conclusion at its next session. Lowering the voting age will bring youthful energy and youthful thinking into the American process. The amendment certainly deserves approval.

MRS. ELLA KINEGAK, COURAGEOUS ALASKAN

HON. HOWARD W. POLLOCK

OF ALASKA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 9, 1968

Mr. POLLOCK. Mr. Speaker, as one of America's newest States, Alaska is in many ways the "last frontier" for our Nation. Located in the far northern regions of this continent, its beautiful but rugged terrain presents an exciting challenge to the people who live there.

Alaskans are a strong and hardy folk. Their life style is one of vigor, hard work, and courage—characteristics which Americans have valued ever since our forefathers came to this land over 200 years ago.

I have with me a newspaper article which sets forth an example of the bravery we Americans admire. Too often we read in the press about the crime and immorality that are plaguing our society. I think it is time that we again take note of the good deeds which our citizens perform—deeds that are done so quietly and faithfully that we often do not hear about them.

Recently, an Alaskan mother of four risked her life to save a child who was drowning in a nearby river. As the rivers in Alaska are cold and swift, this rescue was no easy thing. Yet, taking no thought about her own safety, Mrs. Ella Kinegak very quickly and quietly did what was right, and today that drowning child lives.

I submit with much pride to the Record this story of courage and strength in hopes that it will serve as an example of love and concern in a day when we are plagued by so much selfishness and misunderstanding.

Bethel Mother of Four Risks Life To Pull Boy From River

Bethel.—"It's just like Ella," says Dr. Paul Eneboe, "to jump into the Kuskokwim River, save a kid's life and then come to work the next day without saying anything about it."

The modest heroine is Mrs. Ella Kinegak, pretty young Eskimo mother, whose valiant rescue of Timothy Evon last week is the talk of Bethel, and particularly the Alaska Native Hospital where she has worked for the past 13 years.

Her heroic deed came to light when Dr. Eneboe, U.S. Public Health Service physician and acting service unit director at the Bethel hospital, reviewed hospital admissions. Five-year-old Timothy's record showed he had been pulled from the river in a lifeless condition and revived by Mrs. Kinegak. Now, except for a touch of pneumonia from aspirating water, he is in good condition. He is the son of Mr. and Mrs. Joseph Evon, formerly of Kwigillingok.

About 10 p.m., June 24, unmindful of a raging thunder and lightning storm, Mrs. Kinegak, plunged to her armpits in the icy swiftness of the Kuskokwim to reach a child being carried rapidly downstream. Only the child's hand and occasionally his head could be seen, but then the rolling current swept him out of Mrs. Kinegak's frantic reach.

With 12-year-old Ricky Strauss helping her, Mrs. Kinegak then got a boat and rowed mightily to catch up with the child. Just as Timothy was again almost within reach, he sank from sight. The Eskimo mother fished through the water with her hands to locate the drowning child while directing Ricky's efforts. When she found the child's hand, she flung herself from the boat into the swirling river to grasp him securely. Somehow, Mrs. Kinegak, a tiny woman, found the strength to get Timothy into the boat, but he was then lifeless and not breathing.

Again in the boat, Mrs. Kinegak turned Timothy upside down to force water from his lungs. And as Ricky rowed madly for shore, Mrs. Kinegak applied artificial respiration to Timothy. By the time onlookers on the shore reached to help bring the child in, he was breathing and beginning to be conscious.

The Kuskokwim along which Mrs. Kinegak lives, is running full, swift and bold now with strong currents and no gentle banks for shore. It is a greedy river, deceptively silent here where it runs deep but chews the banks and is undermining the very city of Bethel.

The brave mother, who has four children including one the same age as Timothy, tells of that night this way:

"I was going to have coffee. I was holding the cups . . . when a girl, Fanny Black, ran in and told me there was a kid floating down the river. I started running. There was a bunch of women standing there. I could see his little hand sticking out of the water.

"I went out in the water, but it (the current) take him away. My husband came and he tried to get a boat that was there but it was too far back. I saw another boat closer and Ricky (Strauss) and I started pushing that boat. He tried to start the motor but he couldn't. No gas.

"I told him 'row as hard as you can' and I helped him. I just wanted to get that kid. I didn't even know whose kid it was but I could see his little hands. I could hear his funny noise . . . like he was trying to cry and was choking. I rowed hard as I could.

"Ricky was so nervous and he kept saying 'we're going to lose him' I told him "if you don't want to lose him, don't talk . . . row' I don't know how long it was. We were almost to him when I couldn't see him anymore. I had to feel in the water for him.

"I don't know how I got in the water, but I got him and I got him into the boat. I'm so thankful for that little helper. He was so nervous but he listened to me.

"When I got the kid into the boat he was not even crying . . . not breathing. I don't know what I'm doing, I guess. It seemed like there was no help available.

"I don't feel it cold and he didn't even feel heavy then (when she pulled him from the water) but at the bank I can hardly lift him out of the boat.

"I didn't really think about anything but to get his little body. I didn't know I got cuts on my arms and legs and I was so tired. I don't even know if I swim. I just had to do something.

"Afterward I got sick to think of my two little ones. Suppose it had been one of them? I couldn't get over that."

Mrs. Kinegak and her husband John, a fireman at the hospital, began to work for the institution which became the PHS hospital shortly after their marriage about 15 years ago. Both are highly regarded by fellow employes and supervisors for the quality and dedication of their work.

Originally from Kwigillingok on the north shore of Kuskokwim Bay, Mrs. Kinegak says she used to swim in her childhood days on the coast. Her father was a strong swimmer, she says, even to going beneath the ice. He taught his children the skill.

Mrs. Kinegak says she took some first aid courses some time ago at the Bethel Hospital, but this is the first emergency in which she has put to use the technique learned there.

THE FRUITS OF LOOSE TALK

HON. BURT L. TALCOTT

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 10, 1968

Mr. TALCOTT. Mr. Speaker, many statements are made concerning lawlessness and the rash of assassinations in the United States. All too many of these statements are masochistic. Some claim that we have a "sick society." I disagree heartily with most of these statements and do not believe they reach the root cause of violence. Each killing must be examined individually, scientifically, and dispassionately in order to obtain the facts.

One factor which has not received adequate consideration is the invitation to violence proffered by persons in high places. Mr. George N. Crocker recently wrote an article in the Los Angeles Herald-Examiner very vividly delineating some of the factors which may have contributed immeasurably to recent assassinations and the high violence rate in this country.

I include the article for printing at this point in the Record:

Years of Loose Talk

(By George N. Crocker)

It is not yet possible to explore that dark cavern which is the mind of the assassin of Robert Kennedy. But some things we can say about the man, who was at least bright enough to graduate from high school and Pasadena City College.

If he ever hungered to know whether he should set his private conscience—such as it was—against the law of the land, there were clergy—men of all faiths who were reaping publicity every day by proclaiming the supremacy of a man's own subjective view of what it is right for him to do.

If he ever pondered the moral propriety of civil disobedience as an outlet for his political frustrations, or as balm for his spiritual emptiness, or as a cathartic for his intellectual confusion, there were professors on every campus and in the news media every day to needle him along the path of activism.

The contagion of unlawfulness is like that of the plague.

Three days before the shooting of Robert Kennedy, wide publicity was given to the testimony of Rev. William Sloan Coffin Jr., Chaplain of Yale University, in federal court. Coffin was a defendant charged with conspiring to counsel young men to evade the draft laws. He testified: "A man is responsible to himself and his God before he is responsible to the law."

But men worship many gods, some of them secular; and the consciences of men are as diverse and dissonant as the voices in the Tower of Babel.

The vanity of a Rev. Coffin in presuming to decide what legal mandates are worthy of his obedience should not surprise us when it turns up in a Sirhan Sirhan. Both of these men went out deliberately to get arrested, each in his own way, each entranced by the symbolism of his act, each for a cause peculiar to his own disposition.

There was a difference, you say? Yes, of course; but to the mind of a Sirhan it could be a tenuous one. He, no less than Reverend Coffin, was obsessed by the conceit that he knew what was best for humanity.

We have had several years of loose talk, of reckless rhetoric. In 1963, President Kennedy, calling for what was to become the Civil Rights Act of 1964, said on national television: "Unless the Congress acts, their only resource will be in the street." Sirhan Sirhan was 19 years old when this strange way of arguing for policy came from the lips of a president and started to be fashionable.

He was 20 when Adlai Stevenson told an audience at Colby College in 1964 that "even a jail sentence is no longer a dishonor but a proud achievement."

And he was 21 when in 1965 President Johnson blurred the issues beyond recognition by letting loose this effusion to an audience of students: "As it was 189 years ago, so today the cause of America is a revolutionary cause. And I am proud to salute you as fellow revolutionaries."

The U.S. Supreme Court has played revolutionary too, arrogantly over-turning the precedents of 200 years. The supreme irony is that the day before Senator Kennedy was murdered, the court's majority, in a tour de force of judicial lawlessness, practically abolished the death penalty in this country by its own fiat.

CEDAR GROVE VOLUNTEER RESCUE SQUAD CELEBRATES ITS 30TH ANNIVERSARY

HON. PETER W. RODINO, JR.

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 10, 1968

Mr. RODINO. Mr. Speaker, in our rapidly paced and often insensitive society, it is most reassuring for citizens to have the knowledge of organizations dedicated to emergency community service. Today, I would like to call the attention of my colleagues to the long and outstanding service of one such devoted group of community volunteers, the Cedar Grove Rescue Squad. For 30 years, the members of this unit have given unhesitatingly of their time and energies in coming to the aid of fellow citizens.

Upon this anniversary of three decades of selfless dedication, I am delighted to pay tribute to their past efforts and to extend my best wishes for the continuation of this exemplary tradition.

Mr. Speaker, at this point in the RECORD, I include an especially fitting editorial from the July 2, 1968, issue of the Verona-Cedar Grove Times. as follows:

THIRTY YEARS OF SERVICE

The Cedar Grove Rescue Squad celebrated thirty years of service to the township last week.

From near and far similar organizations came to note the event. Residents responded to the anniversary in viewing a parade and by increasing their awareness to the work of the volunteer group.

Considered one of the finest organizations of its kind in the State, the Cedar Grove squad has been awarded numerous trophies and prizes over the years in inter-district First Aid Council competition. But more important the squad has aided in saving countless lives and in aiding in rescue work during major catastrophes, including the Woodbridge train wreck, the Zeppelin explosion and fire in Lakehurst, the Riverside quarry landslide and most recently the floods which struck Little Falls.

In the three decades that have passed, the Cedar Grove Rescue Squad has achieved a record of which its members and township residents may well be proud. As it enters upon another decade of service it has the gratitude and good wishes of the entire community.

GEN. DANIEL MORGAN: THE VALLEY'S FORGOTTEN HERO

HON. JOHN O. MARSH, JR.

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 10, 1968

Mr. MARSH. Mr. Speaker, now that we are in the 200th anniversary period of the struggle for liberty which culminated in the establishment of our United States of America, the history of the formative period of the Republic has found new interest.

In this connection, I believe that an article by Max R. Shohet which appeared in Valley Week, a supplement to the Winchester Evening Star, on July 6, 1968, might be worthy of note, and I include it under leave to extend my remarks in the Extensions of Remarks:

GEN. DANIEL MORGAN: THE VALLEY'S FORGOTTEN HERO

(By Max R. Shohet)

July 6 is an important date in Shenandoah Valley history. On that date in 1802, General Daniel Morgan died at his home on Amherst St. in Winchester. Morgan of the Morgan Rifles, passed into the pages of history and, quite literally, out of the minds of his fellow citizens in the community where he had spent nearly a half century of his brilliant, turbulent life.

For 149 years, the General mouldered in his grave, resting in peace while the 13 states grew into a nation which expanded west of the Allegheny Mountains he knew so well and which 62 years after his death was convulsed in a war which threatened to split the union he had so valiantly helped to form, to shape and to preserve.

One wonders if the General's bones were stirred by the sound and fury of the battles which were fought up and down the Valley of the Shenandoah—by the shrill calls of bugles, the rattle of muskets, the roar of cannons and finally by the cheers and prayers at the war's end.

On August 5, 1951, the General came to life, so to speak. On this day a man who identified himself as an undertaker from Spartanburg, S.C. and two assistants, armed with shovels arrived at Mount Hebron Cemetery. The undertaker told the caretaker of the cemetery that he had come to dig up the remains of the General and take them to Spartanburg, S.C., where they would be reinterred with the honors and a monument befitting the man who at nearby Cowpens had defeated the British in a decisive battle which contributed to the surrender of Cornwallis at Yorktown and so hastened the end of the Revolutionary War; the hero whose grave lay neglected and unhonored in Mount Hebron.

The undertaker had a letter from a last surviving relative of General Morgan permitting the action.

The caretaker alerted the police, the local citizenry and the press. For several weeks from that Sunday in August, the General, so to speak, rose from his grave, shook off the dust of 149 years to again become, as he had in his lifetime, a national and controversial figure, involving the D.A.R. and prominent citizens of Spartanburg, the Governors of South Carolina and Virginia, and civic minded citizens of the Shenandoah Valley. In the end, the Carolinians went home without General Morgan's remains. The citizens of Winchester had a hero on their hands and on their consciences.

Shaken out of their complacency and neglect of the hero in their midst, the citizens of Winchester began to make amends. The General's remains were removed from the old overgrown part of the cemetery and reburied in the new section with an appropriate ceremony and with a granite monument joining the weathered slab that had marked his previous resting place.

While Morgan's name is starred in histories of the Revolutionary War, comparatively little is known about his personal life. He was a big man physically, over six feet tall, weighing over 200 pounds, broad shouldered, barrel chested, all muscle and bone, yet active and graceful in movement, physical qualities which stood him in good stead throughout the active life he led.

Perhaps the lack of personal memorabilia for a man of such fame could be attributed to the fact that his schooling was of the scantiest, he read with difficulty, his writing was almost illegible, but an innate genius helped him acquire a broad knowledge of men and affairs. Sound reasoning, courage and daring contributed to make him a leader of men through the turbulent years that culminated in American independence.

The exact date of his birth in 1736 in New Jersey is uncertain. At the age of 17, he ran away from his home and hiked across Pennsylvania into western Virginia. For a time he worked in a sawmill, then as a teamster that was hauling supplies for Braddock's ill-fated expedition against Fort Duquesne held by the French. Later he served as a private and as an officer of the Virginia Militia and as an Ensign in the British army in the war against the French and Indians who were ravaging the great valley. After one battle, he went to Winchester to recover from wounds.

Winchester was then a village in the midst of tall forest and consisted of 60 houses, stores and taverns located on the great wagon road from Philadelphia, through Lancaster, Pa., to Frederick, Md., and south through Winchester.

New Indian attacks broke out and Morgan was made a lieutenant and in 1771 commissioned a captain of the militia. On March

30, 1773, he took as a wife Abigail Curry of Berkely County, purchased a house he named "Soldier's Rest" on the outskirts of what is today Berryville and settled down to the life of a farmer.

The struggle for independence from the British Crown was growing in the colonies as British decrees and taxation increased. The citizens of Frederick County had many ties to those in the east and they pledged to help their brethren in the event of outright hostilities. Eventually the Continental Congress issued a call for help.

On July 4, 1775, Morgan, now a captain, led a group of 96, 6 expert riflemen to Cambridge, Mass., headquarters for the Continental Army. From Winchester to Cambridge, it was around 600 miles—and his company made it in 21 days. They served as sharpshooters and their accurate fire was the bane of the Redcoats.

The British were entrenched in upper New York State and in Canada. To foil their probable march south on the colonies, General Washington ordered a two-pronged attack. One prong, under General Montgomery, was to proceed north from Fort Ticonderoga up Lake Champlain to attack Montreal. The other under the command of Colonel Benedict Arnold was to move up the Kennebec River in Maine and thence north to Quebec; Morgan led the companies of riflemen. Misleading information and inadequate maps of the proposed route as well as heavy rains and bitter cold plagued the expedition.

Of 1100 men who had set forth, 600 remained to reach the St. Lawrence River opposite Quebec and the city was attacked on December 31. The Americans were defeated and, including Morgan, taken prisoners.

In August of 1776, the Americans were paroled and sent by ship to New Jersey. Of the 96 men who left with Morgan from Winchester, only 25 returned with him. Morgan came home to his wife and children.

General Washington in a letter to John Hancock, President of the Continental Congress dated Sept. 28, 1776, said in part: "Morgan's conduct as an officer of the expedition with General Arnold last fall, his intrepid behavior in the assault on Quebec . . . entitles him to the favor of Congress and leads me to believe that in his promotion, the states would gain a good and valuable officer." Morgan was duly appointed a colonel of the Eleventh Regiment of Virginia, U.S. Army. In an exchange of prisoners of war with the British, Morgan was released from his parole.

Early the following year, Morgan was asked to raise a force and report to General Washington. At the head of 180 men, Morgan proceeded to Morristown, N.J., and from there he was ordered north to Albany to help stop the British who again threatened the northern states. He was involved in the battle of Bemis Heights and in the advance on Saratoga where he struck the first blow at the Redcoats. The British retreated to Fort Ticonderoga and in October 17, 1777, Burgoyne surrendered at Saratoga.

The British occupied Philadelphia and the Americans moved to Valley Forge for a winter of hardships. Morgan suffered badly from rheumatism but was engaged in skirmishing in New Jersey around Monmouth and in New York state.

On July 18, 1779, dissatisfied with his treatment in the matter of rank and command, and plagued by rheumatism, Morgan resigned from the army and his resignation was reluctantly accepted by Washington. He returned home where he spent almost a year and a half as a farmer, and his health improved.

Frustrated in their efforts to occupy the northern colonies, the British conceived the strategy of taking over the southern states which harbored many British sympathizers. They captured Charleston and under the leadership of General Cornwallis and Colonel Banastra Tarleton moved north. Tarleton gathered up loyalists into a legion and cut a ruthless swath north through the Carolinas, burning, maiming and killing. A major American force was badly mauled at Camden, S.C., and the British were free to move north.

In 1780, Morgan was called out of retirement, promoted to Brigadier General and ordered into the Carolinas to stop Tarleton. Given his own command, Morgan after skirmishing around, decided to take a stand and face up to Tarleton's legion. He made this stand at a cow grazing area known as Cowpens, S.C.

On January 17, 1781, the battle of Cowpens was fought. Morgan's tactics and strategy was considered unorthodox but in one hour of fighting Tarleton was defeated and routed, losing most of his force and much of his equipment.

Morgan was praised for his victory by the Virginia House of Delegates and presented with a house and furniture. The Congress thanked him for his "complete and important victory" and voted him a gold medal.

On July 16, Morgan arrived at Jamestown to join General Lafayette in the campaign against Cornwallis but his rheumatism forced him to return to Winchester and he was unable to participate in the surrender of Cornwallis at Yorktown.

In Winchester, he was put in charge of the Hessian prisoners of war interned there. He is said to have used these Hessians, whom he paid, to build a substantial new home, "Saratoga," in Millwood. He engaged in farming and other business transactions. He was plagued by ill health.

On March 25, 1790, President Washington awarded Morgan the "Cowpen's Medal" and on Dec. 11, 1793, he was made a Major General in the Virginia militia and ordered to stamp out a "whiskey" rebellion in western Pennsylvania against higher taxes. The rebellion did not last long and Morgan returned to Winchester.

He asked for and received a leave of absence from the army and as an influential and distinguished person ran for Congress against Robert Rutherford. He was defeated. In March 1797, Morgan tried again and this time, he was successful. He served in the Congress until March 1799.

His financial status flourished and he was reported to have owned over 200,000 acres of land west of Winchester. On Aug. 6, 1800, he purchased property at 226 Amherst St. and built on to an existing house. He did not live long enough to enjoy his city home. His health, aggravated by debilitating rheumatism, worsened. He died on July 6, 1802, at the age of 66.

The Reverend William Hill, Morgan's pastor, gave the funeral address and said, in part, that Winchester would always remember its "Beloved patriot and hero."

Morgan was first buried in a Presbyterian Church cemetery and then in 1868 reburied in Mt. Hebron Cemetery. The stone over his flat grave was chipped and weathered and the inscription difficult to read. As the city grew, the cemetery expanded and the part in which Morgan was buried was neglected. His grave was forgotten until that day in 1951 when the undertaker from Spartanburg knocked on the fortress-like gate of Mt. Hebron Cemetery.

INDEPENDENCE DAY, 1968

HON. JAMES H. (JIMMY) QUILLEN

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 10, 1968

Mr. QUILLEN. Mr. Speaker, Independence Day, 1968, is now history, but let us kindle its memory so that it will forever be warm in our hearts.

We have a lot to be thankful for, and I would like to pass along to the readers of the Record an editorial which appeared in the Johnson City Press-Chronicle on the Fourth of July, as follows:

INDEPENDENCE DAY, 1968

"We now enter upon the history of a period rich in disaster, gloomy with wars, rent by sedition and savage in its very hours of peace."

Pretty accurate appraisal of America on this Independence Day, 1968, isn't it?

Pretty accurate appraisal of the world, for that matter.

But the words are not those of some modern-day Jeremiah prophesying imminent doom for his country.

No, they are the words of the historian Tacitus describing conditions in Rome 90 years after Christ.

Our Declaration of Independence proclaimed our rights to life, liberty and the pursuit of happiness. It did not tell us these rights would be ours without a struggle. Nor did it guarantee that all our prospects would be pleasing, nor all our days happy.

There was no promise, either, that our days would be free of problems. The Founding Fathers could not promise that. No document could or can, just by saying so, create a problem-free land.

On this the 182nd anniversary of our country's birth, we are enmeshed in crises. Some among us are saying darkness has set in. In their view, the American dream has become a nightmare.

We think they are using too much black in the picture. We are living in problem-filled times, to be sure, and we should never underestimate either the problems or perils which beset our nation. But if the forefathers bequeathed anything to us at all, it was their glorious example in this matter of conquering problems. In their day, they overcame problems which, in comparison with ours, were herculean.

What were the gambler's odds on success or failure of the Declaration of 1776? We have an idea the bookmakers would have laid 10 to one, or maybe 100 to one, against the colonists in their struggle with Great Britain?

Today, though we are much buffeted from within and without, the gambler's odds are high in our favor. For we are possessors of the mightiest nation on earth and our people enjoy the greatest degree of freedom of any people on earth. If we lose out to our problems, if we fall from our national glory, it will not be because our problems were too large, it will be because we were too small.

The challenge to America today is what it has been from the start—to love liberty and to be willing to pay the price it entails. If we still have that love, and if we are still willing to pay the price, nothing on earth can defeat us.

"Long may our land be bright,
With freedom's holy light,
Protect us by Thy might,
Great God, our king."

LET'S REAP A HARVEST OF FREEDOM FROM TYRANNY

HON. FRANK HORTON

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 10, 1968

Mr. HORTON. Mr. Speaker, we are approaching the observance of Captive Nations Week throughout the free world. It is solemn, Mr. Speaker, because no free man nor independent nation can forget that there are those under Soviet domination who have been deprived of their individual rights and liberties. The captive nations of Eastern Europe remain under the steel and armor grip of the Soviet Union in 1968.

Twelve years ago one captive nation dared to try and shake the shackles of Soviet domination in search of a neutral and independent national policy. The Hungarian revolt and the policy of terror that followed as the Russians swept down upon unarmed patriots with steel tanks and heavy weaponry shocked the civilized world. No less shocking was the revelation, 2 years later, of the fate of the leaders of that revolt.

Back on June 18, 1958, the Washington Evening Star made a keen analysis of the events which made up this tragedy:

A System of Evil

The story of the secret trial and execution of former Premier Imre Nagy of Hungary adds up to a sickening and damning commentary on the nature of the Soviet-controlled Communist system.

Mr. Nagy, sometimes described as a "Titoist" Communist, returned as head of the Hungarian government in the electrifying and tragic days of the heroic popular rebellion—in the fall of 1956—against the tyranny of the Kremlin and its puppet regime in Budapest. During his brief rule at that time, in response to the demands of his countrymen, he sought to restore Hungary's independence as a neutral nation, and Moscow seemed for a while to be willing to withdraw its troops and grant such independence.

This show of willingness, however, quickly turned out to be only a cover for an act of supreme treachery. Actually, while pretending to be ready to do the right thing, the Kremlin was massing the naked military force with which it savagely crushed the Hungarian people's bid for freedom. When this happened, Mr. Nagy fled to the refuge and asylum offered by Marshal Tito's Legation. There then followed another infamous display of monumental duplicity and dishonor. Mr. Nagy received a written guarantee solemnly promising him that he could return to his home as a free man without having to worry in the slightest about his future personal safety. Whereupon, he moved out of his Yugoslav sanctuary and was promptly seized by Soviet security police.

And now, at long last, the chief Soviet news agency has informed the world that the stooge "government" in Budapest has snuffed out Mr. Nagy's life, together with the lives of the brave and patriotic General Pal Maleter and two lesser figures involved in the Hungarian revolt. According to the official Communist explanation, this fate has been meted out to these men because they were "traitors" who conspired with "imperialist" forces against the people of Hungary. But the condemned steadfastly refused to plead guilty, and their executioners—slaying them furtively at a place and time unrevealed—did not dare to let them have an open, public trial. Instead, the dirty work was done in the dark because its perpetrators knew that it could not be done in the light of day without outraging all the decent instincts of mankind.

Against this background, the world can only speculate now as to just why the Soviet Union has found it feasible to destroy Mr. Nagy and the others. A deed as dark as this certainly will not appease the Hungarian people, but will merely intensify their inward rage against the tyranny imposed upon them. Khrushchev and Company, however, probably do not worry much about that, and perhaps the whole grisly business is their way of warning the satellite peoples—such as the Poles—not to try acting contrary to the Kremlin's will.

Thus there appears to be ample ground for the suspicion that Moscow's policy, at home and abroad, may be reverting to Stalinism in its worst forms. In any event, even without such a reversion, the immense evil inherent in the Soviet system has been shockingly confirmed by the Hungarian executions.

June 17, 1958, will always serve as a reminder of the inhuman action and brutal terror of which the Soviet Union is capable.

The abduction of Premier Imre Nagy and Gen. Pal Maleter and their subsequent secret trial and execution in some unidentified prison at the hands of some anonymous Communist executioners shows the free world that the Soviet Union has regard neither for human dignity, human liberty, human rights, nor another nation's solemn pledge of safe conduct.

The disgust that swept the free world was ably echoed in the sentiments of Congress on June 20, 1958, when they approved a resolution assailing the Communists execution of Premier Nagy and his compatriots. The Washington Post of June 20, 1958, told the story well:

'Hill' Assails Killing of Nagy

(By Stewart Hensley)

Congress yesterday voiced its "deep sense of indignation" at the executions of former Hungarian Premier Imre Nagy and three of his compatriots.

The House and Senate, by unanimous votes, approved a resolution assailing the Communist's executions of the four as a "brutal political reprisal" for the abortive 1956 Hungarian revolt that was crushed by Russian troops.

The congressional action came as the State Department urged the United Nations to conduct a "full-scale" investigation into the executions.

The Senate passed the resolution 91 to 0. In the House, Speaker Sam Rayburn counted 171 members standing in support of it and none against.

* * * * *

The State Department accused the present "Soviet-installed Hungarian regime" of violating the U.N. declaration of human rights. President Eisenhower said Wednesday the executions shocked the civilized world and dimmed hopes of an East-West summit meeting.

The State Department urged a United Nations committee which is undertaking a study of the executions to be sure that it makes a full-scale investigation.

Diplomatic sources predicted the executions would be followed by stern Russian moves to tighten Moscow's grip on the satellites.

State Department Press Officer Lincoln White said the United States was "gratified" that the U.N. special committee on Hungary planned to meet today to take up the Nagy killing.

White said the United States repeatedly has asked Hungary for information on Nagy without receiving any reply.

In the Senate, Knowland said that although Nagy and his fellow, freedom fighters could not be brought back to life their deaths were not in vain if they reminded nations that "at their peril they put trust in the Soviet Union."

Outraged sentiment, just as the ink on statements of denunciation and condemnation, dry with time. Yet, the seeds of dissent grow in the minds of men who are suppressed, who are not free.

It is often hard to see the fruits of expression, but expression and opinion is not meaningless. Like the seeds of dissent, expression ripens and matures with time and action follows. That is why the resounding declarations of freedom that will circle the globe next week will not fall on deaf ears. The patriots of Hungary did not die in vain. Rather they sacrificed in order to reap a harvest of freedom from tyranny.

THE "PUEBLO" INCIDENT

HON. E. S. JOHNNY WALKER

OF NEW MEXICO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 10, 1968

Mr. WALKER. Mr. Speaker, I am inserting in the Extensions of Remarks of the Record the transcript of a radio program which was broadcast by one of New Mexico's fine public-spirited radio stations, KGGM, in Albuquerque.

This program is of interest to not only each Member of Congress, but all Americans should be concerned about this problem. The program consists of a discussion of the *Pueblo* incident.

I urge my fellow Members not to forget that the gangsters of North Korea are still holding 85 of our men and the U.S.S. *Pueblo*.

I ask each of you to join with me in insisting that, at the very least, our men be released forthwith.

The text of the program follows:

KGGM Radio News presents the following special program, "The Pueblo Inquiry," an in depth look into an event which is happening now, and which will be read about in the history books of tomorrow. And now, to open "The Pueblo Inquiry," KGGM Radio's Special Features Director, Tom Barsanti . . .

Barsanti. Thank you, Mr. Brown. The U.S.S. Pueblo is one of this country's intelligence gathering ships, which was assigned to the waters off the Korean shore. The exact mission of the Pueblo can only be guessed at, but it is not improbable that the interception of messages, and gathering information about troop movements in Communist North Korea was a part of the Pueblo's assignment. That is not a major concern of this program. In early January of this year, the U.S.S. Pueblo and its 85 member crew was attacked by vessels of the North Korean Navy. The ship was captured and is now in Wan San Harbor. Why was it so easy for the Pueblo to be captured? What has happened to the 85 men who comprised its crew? What is being done by the United States Government to bring about the return of the ship, and most important, its crew? And why has the public heard almost nothing about the Pueblo since a few days after its seizure some five months ago? These are the questions which we at KGGM Radio News have been receiving from you, our listeners. And these are the questions which prompted this program, "The Pueblo Inquiry."

The U.S.S. Pueblo was captured without a fight, with no help sent to her either by air or by ship. We asked Mrs. Rose Bucher, wife of the Pueblo's Captain, Lloyd Bucher, if she thought the ship had been adequately protected . . .

Mrs. Bucher. "No, I do not! A ship with this much equipment on, 100 million dollars worth of equipment, tax payers money, and to have that ship go out on a mission such as that and have no cover for it at all is completely incomprehensible. They have told me the reason there was no cover for it because its mission would then become obvious. That's what they have told me, and I think it's rather far fetched to have a little ship like that with really no armament on of any kind, 2 50 caliber machine guns which are two pop guns in my estimation, a couple of pop guns with all that equipment on and have it sitting out there."

Barsanti. Mrs. Bucher stated that there were two 50 caliber machine guns on the Pueblo, but Lt. Commander Snow, at the Department of Public Affairs for the Navy in Washington had this to say . . .

Snow. "The Pueblo went out there with three 50 caliber machine guns."

Barsanti. We asked the Commander if he considered three 50 caliber machine guns to be adequate protection for a ship on an intelligence gathering mission. . . .

Snow. "It depends on whether you would need much armament against a battleship. It would be a lot of armament in other circumstances. I think that that's a speculative type of a thing, it would just depend on your circumstances."

Barsanti. Mrs. Bucher made another statement which Commander Snow would neither confirm or deny. . . .

Mrs. Bucher. "None of those fellows on that ship, I might add, had to have any survival training, most of your pilots, practically all of your pilots have survival training. But those men did not, submarines are not given survival training. My husband did not have it, and I don't think any of the crew members had survival training."

Barsanti. There seems to be no one who really knows how the men of the Pueblo are being treated, or their physical condition. In fact, there is some question about the validity of the few taped messages reportedly from the Pueblo crew. We questioned Mrs. Bucher about this. . . .

"What have you heard, if anything, from your husband?" . . .

Mrs. Bucher. "I haven't heard anything from my husband."

Q. "No letters at all?"

A. "No. I understand, I don't have any letters from, I understand there is a tape that Pyongyang released."

Q. "Have you heard it?"

A. "Which is of my husband, supposedly reading a letter that he wrote to me. I don't have the letter."

Q. "Have you heard the tape?"

A. "Of the letter he wrote to me?"

Q. "Yes."

A. "No, I have not heard that one, I heard the tape of the letter that he supposedly wrote to the President."

Q. "Do you think it is your husband? Or is it hard to tell?"

A. "Well, it's very difficult to tell, Mr. Barsanti, because first of all this comes over short wave and you know how it fluctuates back and forth, some words sound like how my husband would say, like the word Japan for instance, and the word Korea. Pueblo sounds like how my husband would say that particular word but I cannot say,"

Q. "Have you made any attempts to hear the other tape of the letter he wrote to you?"

A. "I understand that these friends of . . . now wait a minute, let me get this correct . . . one of my mothers sent this, that has a son aboard, when I say the American Friends Service Committee, Inc., wrote this letter to one of the families that has a son aboard and she said a package of tapes came to their Committee postmarked, Tallahassee, Florida, with no return address of any kind. The tapes were of East German origin. Now she says in this letter, this man, he's the acting executive secretary, says that they consulted the Department of State and forwarded the tapes to the State Department, some of these tapes were individually addressed to that particular family, but these families say that the State Department has not sent this tape on to them yet. I imagine the State Department is still studying them. I don't know how long they intend to study them."

Announcer. New Mexico Senator Joseph Montoya said that he made some inquiries as to the welfare of the Pueblo's crew . . .

Senator **Montoya.** "We do have information that the men are being treated properly and we are hopeful that within a short time, through diplomatic channels, that the matter can be solved, but there is no assurance, nor expectations as to the time."

Q. "Are the attempts simply on the men or also on the ship itself?"

A. "Well primarily on the men. Naturally we'd like to recover the ship but that's secondary."

Q. "I understand that there was a great deal of very advanced electronic surveillance equipment on board the ship. I'm sure we can presume by this time that the equipment has all been copied or photographed or whatever . . ."

A. "Well, I'm assuming, we're assuming, that the Russians have already examined the electronic equipment as well as the Koreans."

Announcer. One of the two men who are handling negotiations on the Pueblo with the North Koreans, is Mr. Fleck, Country Director for Korea, for the Department of State. We asked Mr. Fleck in Washington about the conditions of the Pueblo's crew . . .

A. "We have had no direct reports from any third party on the crew members, we have seen the motion pictures which the North Koreans have made of the crew. From the motion pictures it would appear that they are in reasonably good health. Also in the letters which the crew members have been writing to their relatives and to the members of Congress and government officials, in a lot of those letters they have enclosed photographs and again the photographs would appear to indicate that the crew members are in reasonably good health."

Q. "Well now we talked yesterday with Mrs. Rose Bucher, the wife of the Commander, have you talked with her at all?"

A. "I have not."

Q. "I know that she received a couple of letters from Ambassador Brown and also from Mr. Godley."

A. "That is right."

Q. "However she has not received any letters at all from her husband."

A. "I see."

Q. "And also I asked her about the reported tapes, one which was simply a general tape and one supposedly which was a tape of a letter he wrote to her, although she never received the letter and has never heard the tape."

A. "I see."

Q. "Do you know anything about this at all?"

A. "All I know is that a number of tapes were received and were turned over to the Navy for them to listen to and to do whatever they felt was desirable, and we have been told that the Navy is in the process of passing the tapes on to the appropriate next of kin. I do not know whether a tape addressed to Mrs. Bucher was included in that batch."

Announcer. The lack of information released to the public concerning the Pueblo has stirred a great deal of controversy and we asked Mr. Fleck about that apparent news blackout . . .

A. "Well, in the first place let me say that Ambassador Brown and others have made themselves available to the Congress and have gone up and briefed various groups in the Congress on the situation, so I would not accept the statement that information has not been made available at all. As far as publicity is concerned the first point is that the negotiations that we are carrying on with the North Koreans are quite delicate and sensitive and we do not think that revealing the substance of the meetings would in any way contribute to our achieving our objectives. Secondly, as far as publicity with regard to the various letters received and so forth, we feel that any publicity focused on any letter writer might redown to his, or might have an unfortunate effect on the way the North Koreans might treat that particular individual. So, those are the two factors on publicity."

Announcer. "Well yesterday, Mr. Fleck, Mrs. Bucher said that she has been told, and I don't have any names of officials of the State Department and the Navy Department that she should keep quiet and try to hold down any publicity concerning this and she of course says that she refused to do this until she can be shown a good reason for doing it, any comment?"

A. "No, I don't think any comment beyond what I've already said."

Announcer. Mr. Fleck does not think that there has been a "news blackout" concerning the Pueblo incident. However, there are many who would disagree. For instance New Mexico Congressman E. S. Johnny Walker, who is a member of the House Armed Services Committee. Congressman Walker took part in that Committee's interrogation of Navy Department officials on the Pueblo. We talked with Congressman Walker just hours after one of those interrogations . . .

Mr. **Walker.** Tom, this is a very delicate subject, and it was brought up this morning in the Armed Services Committee, of which I am a member. We had Mr. Ignatius, secretary of the Navy, and about 20 other high echelon officers present. We interrogated them extensively. However, the questioning did not turn up any information about which the public does not already know. I can only say that the problem seems to be in the hands of the State Department, and if the Navy has any information that we do not have, it was not relayed to us at this morning's hearings. I have tried on several occasions to obtain information from the Defense Department and from the Navy, as well as the State Department, but they all seem reluctant to give out any information, other than to say they are negotiating.

Q. We are concerned about the fact that we are not given any information. Why is this being covered up? Is there something that is being hidden from us, we don't hear anything about it. For days it was big headlines, they activated some 142-thousand reservists and yet we haven't heard a word since on anything concerning the Pueblo. Why is this being covered up, so to speak?

Mr. **Walker.** Well, of course, Tom, this is something that disturbs all congressmen, especially members of the Armed Services Committee, and that was the reason for our questioning officials of the Navy Department, but they have gone underground and seem to feel that if any publicity were given out it would be harmful to the State Department's negotiations.

Q. Congressman Walker, you related this to the U-2 incident, and of course, we all recall that in that particular incident the United States denied that the U-2 was on a spy mission, and of course, it came out that it was, and here again the Pueblo Incident. The U.S. has continuously denied the fact that the Pueblo was in Communist waters and yet we get these letters and tape recordings, which are of doubtful origin, but supposedly from members of the crew and the captain, Lloyd Bucher, they claim they were in International waters. Now what is the public to believe?

Mr. **Walker.** We don't know either Tom, but only this morning, the Armed Services Committee was told by the Navy Department that the ship was not off limits, that it was in International Waters. I assume that the ship was gathering information. I hope it was in International Waters, and until it is proven otherwise, naturally I will just have to take the word of the Navy and Defense Department. You know, as I have told you before, that as a member of the Armed Services Committee, I do have access to some classified material, but most of the time, what is given to me as classified information can be read in any newspaper, or heard on the radio. I would be most happy to pass on to you and your listeners any information I have on the matter.

ANNOUNCER. Mrs. Bucher contends that the State Department is trying to keep information on the Pueblo from the public . . .

A. "I personally don't feel that it is the Navy, I feel that it is the State Department and I feel that we have sort of been muzzled. The State Department has muzzled the military, now I feel that the State Department is trying to tranquilize the people. They can't muzzle us because we're not in the military. I am not, but they can muzzle the military men. There are certain things you have to go by, but they can't muzzle me. They can't muzzle anyone that's non-military, but they can try to tranquilize me, but I don't go along with this. I feel that as long as the freedom of speech prevails in this country that I have a story to tell and I want to tell the American people. I called to the President on one occasion wanting to speak with him, they did not let me talk to a State Department official, they immediately referred me, or had the Whitehouse call the Navy Department and have a man, a Navy man, in the Casualty Section of the Bureau of Naval Personnel called me, the Navy treats me wonderful, I don't want to talk to any body in the Navy, I want my contact with the State Department Official. They tell me everything possible is being done. Be patient, minimize publicity type thing. I am kind of sick and tired of hearing that."

Q. "Why do you think there's been a veil of secrecy around the entire incident?"

A. "That's what I would like to know. I would like to know why, I think they're just trying to . . . I don't know, its bewildering me. I try to figure it out, and I can't. I run up against this brick wall all the time."

ANNOUNCER. With so little information available on the Pueblo, it becomes difficult to find out what is being done to bring its crew safely home or to know how long they will be held in their Communist prison. Mr. Fleck talked of his negotiations with the North Koreans . . .

FLECK. "We have been negotiating with the North Koreans at Panmunjom and there have been 17 negotiated meetings to date. At the moment no resolution has been achieved but we anticipate further meetings. As far as we're concerned, we intend to continue negotations until we do get them back but so far as to how long it will take is concerned, we can't make any predictions."

ANNOUNCER. Congressman Walker has his own ideas about the possible length of the negotiations . . .

Mr. WALKER. "I feel, and this is strictly my opinion now, that they will talk and that the Communists and North Korean Government will milk the publicity for every ounce that it's worth and then after they have done that, why then I feel that we will make some headway in our negotiations. We won't make any headway until the Communists, the North Korean Government, has milked it for all it's worth."

ANNOUNCER. A number of people have been trying to counter the lack of officially released information on the Pueblo by "Remember the Pueblo" campaigns. One such campaign is being held by the City of Pueblo, Colorado, for which the ship was named. We talked with Mr. Al Orr, who is the Assistant General Manager of the Pueblo Chamber of Commerce . . .

ORR. "Well, right now we have the 'Remember the Pueblo' stickers which we are sending out, when people write in for them, to various people and we're keeping contact with the people, also any relatives that have written in, we have been in contact with. We had the Commander's wife here at our annual meeting in April. Basically the only thing we have been doing is in writing to our Congressmen and in mostly people asking what they can do is asking them to write to their Congressmen that something can be done to get these people returned."

ANNOUNCER. Mrs. Bucher has been trying to keep the memory of the Pueblo alive and before the public. She makes this appeal to anyone who is interested in helping . . .

Mrs. BUCHER. "I too receive multitudes of letters from people that want to know, they want to do something. They are all willing to help but they don't know what to do. I have been telling them, and I don't know if this is the right thing to do either. I feel helpless too. But I feel that if we write Congressmen and our Senators and our elected representatives in Washington, D.C., and let them know how we feel that perhaps something could be done. There again, I'm just, you know, pulling at loose straws. I don't know this is the right thing, certainly it isn't going to do any harm, because I feel those people are our elected representatives they wanted to go, they wanted our vote, and they told us when they were running they'd be able to solve problems for us. Our problems for us, our problems! Now if we cry out enough maybe they'll hear us, and maybe if they want to be re-elected, maybe they'll do something about it, and of course, we can always pray. I feel that through prayer and public opinion that we're going to get these people back."

ANNOUNCER. And with that appeal, we return to our original questions. Was the Pueblo adequately protected? There is some doubt. How are its captured crewmen being treated by their Communist captors? Apparently they are reasonably well, but here again there is room for some question. What is being done to bring them safely home? We are simply told that negotiations are in progress. And why has there been so little information released to the public on the Pueblo? The State Department denies a news blackout, but the Navy Department will release almost no information. The House Armed Services Committee is not able to learn anything, and the wife of the ship's captain knows only what she gets from the news media. The appeal of a desperate and helpless woman still can be heard, "Only through prayer and public opinion can our men be safely returned." The Pueblo inquiry is not closed. It will not be closed until Captain Lloyd Bucher and the 85 men of the Pueblo are once again reunited with their families.

You've been listening to "The Pueblo Inquiry." This program has been a special presentation of KGGM Radio News. "The Pueblo Inquiry" was written by KGGM Radio's special features director, Tom Barsanti, under the control and supervision of the New Mexico Broadcasting Company, and this is Charles Brown for KGGM Radio News.

WHY THE WAR IN VIETNAM GOES ON

HON. RICHARD L. OTTINGER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 10, 1968

Mr. OTTINGER. Mr. Speaker, spokesmen for the administration have continually wondered, privately and aloud, why the often-expressed desire of the United States for peace in Vietnam is questioned at home and abroad. For several years, reports of meaningful peace overtures from North Vietnam have circulated throughout the capitals of the world, only to be scoffed at by our Secretary of State and others.

The inconsistencies and contradictions in our Vietnam policy are startingly exposed in a new book, "The Secret Search for Peace in Vietnam," by David Kraslow and Stuart H. Loory. I commend it to the attention of my colleagues, indeed, to all Americans, and present for inclusion in the RECORD David Schoenbrun's review as it appeared in the New York Times Book Review on July 7:

BEHIND THE CREDIBILITY GAP

(By David Schoenbrun)

(NOTE.—Mr. Schoenbrun, author of "Vietnam—How We Got In, How to Get Out," is senior lecturer at the Graduate School of International Affairs at Columbia.)

Saturday, Dec. 3, 1966, was a quiet day in Foggy Bottom—just the right kind of day for the secret, technical preparations underway in the State Department, the culmination of five months' quiet diplomacy, leading to peace negotiations to end the war in Vietnam.

Sitting down to breakfast, looking forward to the last-minute arrangements of the day, a senior official in the national-security apparatus opened his morning paper and gasped as he read the headline: U.S. Bombs Site 5 miles from Hanoi. "Oh my God," he muttered. "We lost control." The official's shock grew from the fact that a foreign capital had been bombed, and the President and his top civilian lieutenants had forgotten that they had authorized it.

With this vignette of life on the brink in Washington, two able, young reporters, David Kraslow, Washington News Bureau Editor of the Los Angeles Times, and Stuart H. Loory, that paper's White House correspondent, open up a Pandora's box of once locked-up secrets of State. What comes flying up out of the box is a tangle of red tapes that have strangled the hopes for peace and are responsible for the wrecked lives of millions of people—Vietnamese, Americans and others killed, wounded or made homeless by a totally unnecessary, unplanned, unwinnable war.

Reporters Kraslow and Loory, indefatigable investigators, traveled through a dozen capitals in their own search for the secret story of peace maneuvers. They conducted hundreds of interviews with diplomats in Washington, New York, at the United Nations, in London, Paris, Rome, Florence, Vatican City, Prague and Warsaw. They dredged thousands of pages of the public record to find grains of the truth buried deeply in the muck of official pronouncements. They accumulated 150,000 words of notes, from which they sifted an exciting story that moves with the speed and drama of a spy thriller.

The secret moves are so intricate, the stakes so high, that the authors themselves do not completely perceive that they have found something far more valuable than even the important story of the search for peace in Vietnam. They have written a case history of grievous error on the highest levels of government. Their book might well have been entitled: "Stumbling and Bumbling on the Brink"—with "The Secret Search for Peace in Vietnam" as a subtitle:

The official who groaned, "Oh my God, we lost control," caught the essence of what happened in Washington. The executive power has built up global security and information systems so complex that no man, even including the President, can know at any moment everything important that is under way. When the President is himself a secretive, proud man who insists on running the whole show, with all the levers in his own hands, then catastrophe is inevitable.

Reporters Kraslow and Loory describe in detail every link in the decision-making machinery, what they call the "huge, power grid" of information that flows in and out of the Department of State from hundreds of agencies at home and abroad, to the White House, Defense and back again to State. Just "one errant slash" of a pen on a distribution list "can cause the information grid to collapse." That is what happened late in 1966, when an air attack on Hanoi blasted the delicately constructed plans for peace talks worked out by a Polish and an Italian diplomat in almost half-a-year of secret probing, with Washington's full knowledge and somewhat less than total encouragement.

These moves, coded by State as "Marigold," were known only to a handful of top officials. In the final phases of Marigold, the White House orders for secrecy—an obsession of the President's—were so stringent that the distribution list was cut down to only six men in State. Cut out of the circuit were "the functionaries who exercise day-to-day control over the political side of the war and set up coordination with the Defense Department on military actions."

Operations officials and officers charged with targeting of air strikes were not aware of peace moves being carried out by a different set of officials who themselves knew nothing of "forward targeting planning." The President, aware of both moving lines, was so snarled up in the details that he simply forgot on one critical day, on the eve of peace talks, that he had earlier authorized a series of targets, near Hanoi, that would be hit at the moment of burgeoning hopes for peace, and would be interpreted not only by Hanoi, but by almost every world capital as a phony double-play of talking peace but making war. A close associate of the President is quoted as telling the author, "You will never get this inside story. Because it makes our Government look so bad."

Even more terrifying than the bureaucratic snarls of Marigold is the story of U Thant's quiet efforts to bring about American-Vietnamese peace contacts in the fall of 1964. U Thant told Adlai Stevenson, U.S. Ambassador to the U.N., there was a good chance for arranging a meeting secretly in Rangoon. Stevenson reported back that the President could not make a move during the Presidential election campaign. U Thant waited, then renewed the offer, with Hanoi's approval after Johnson won re-election. Stevenson, with anguished regrets, informed U Thant it could not be done. Instead, the President ordered the first massive raids on North Vietnam, while Secretary of State Dean Rusk publicly kept saying there was no sign the other side was willing to talk, that his "antennae" had not tuned in any "peace blips."

U Thant, furious, came very close to calling Washington officials liars. "I am sure that the great American people, if only they know the true facts and the background to the developments in South Vietnam, will agree with me that further bloodshed is unnecessary. . . . As you know, in times of war and of hostilities, the first casualty is truth."

The authors then tell of U Thant's meeting with the President some time later, when the President shocked him by saying that he was not aware of the offer made to Stevenson. And they tell of another meeting much later with Rusk, who stupefied U Thant by telling him that Stevenson had not been authorized to turn down Thant's proposal for talks in Rangoon. "Thant and U.N. officials were stunned. They could not conceive that Stevenson would have taken it upon himself to cancel the Thant initiative." The Washington versions did not match versions put forward by close associates of Stevenson, or one version given by Stevenson himself to Eric Sevareid of C.B.S. and to this reviewer in a talk in Paris a few days before Stevenson's death.

It is now almost impossible for the leading officials of the United Nations to undertake any serious peace initiatives in secret. Only public moves can come close to being credited. Hanoi's leaders feel the same way. They do not trust Washington. Premier Pham Van Dong told this writer in Hanoi last summer that any peace talks would have to be largely on the record, with full public briefings. Not only the good will but the very efficiency of Washington's decision-making apparatus is considered to be untrustworthy.

"The Secret Search for Peace in Vietnam" documents a half-dozen examples similar to the Marigold and Thant affairs. Among them there is the shocking "bad mistake" of February, 1965, when the U.S. launched air attacks against North Vietnam at the very moment that Soviet leader Kosygin was in Hanoi. As a direct result of those raids the Soviets stepped up their military aid to Hanoi. The raids also made it impossible for Kosygin to "press Hanoi on peace talks," as Johnson had urged him to do. Johnson, therefore, blasted his own hopes for peace negotiations by his hasty, ill-timed air raids. "We caught hell from the Russians," a high official told the authors.

There is the extraordinary operation "Savonarola," the secret peace mission of the longtime Mayor of Florence, Giorgio La Pira, backed by Foreign Minister Amintore Fanfani, a mission wrecked by the bombing raids of Dec. 15, 1965, over the Haiphong-Hanoi complex. The authors then move from that wreckage to the global "circus" of the so-called "peace offensive" of Christmas and New Year's, 1965–66, when Johnson sent envoys Harriman, Bundy, Goldberg, Mennen Williams and others winging around the world. The authors call it a Texas-style, diplomatic "fandangle." It is downright embarrassing for American citizens to read.

To cite one final example, there is the chapter entitled "Wilson Took It Like a Man." It recounts the negotiations that British Prime Minister Harold Wilson undertook with Premier Kosygin in London, in February 1967, based on information given Wilson by an authorized State Department envoy. The envoy acted in good faith, with instructions worked out in Washington before he flew to London. But his instructions were not completely correct, or rather, not completely in line with what President Johnson finally decided he wanted. The result was that the British Prime Minister unwittingly misrepresented American policy and had to apologize to Kosygin and retract what he had told him. A high official in Washington commented ruefully: "Americans were shamed. . . . Everyone who knew was embarrassed. It shouldn't have happened."

This is not a record of a true search for peace, as the title inadequately and not quite accurately promises. It is a story of diplomatic chess-moves but, much more important, a case-history of how decisions are made, not made or unmade in Washington under the Administration of Lyndon Baines Johnson. All Administrations suffer from bureaucratic bumbling and bottlenecks, but Johnson's more than most because of his obsession with secrecy and his insistence on not only making major decisions but carrying out the execution of the decisions himself, right down to his perusal of large-scale maps and personal selection of targets, to the level of warehouses and cross-roads.

This book answers a question that many Americans have been asking with anguish and with disbelief: How is it possible for our leaders, honorable men, intelligent men, experienced men, with all the information they need, to get us into such a terrible mess as this wretched war in Vietnam? Kraslow and Loory give a depressing answer: It is not only possible, it is almost inevitable, given the present complexities and secrecy shrouding war-and-peace decisions.

The morale to be drawn should be obvious to all citizens. Less secrecy and more public dialogue must accompany decisions of war and peace, both inside and outside the corridors of State, Defense and White House. And Americans must learn, as all maturing people must learn; the limits of power, the fallibility of leadership—even the best—and the responsibility of every citizen to keep himself informed and to take a part in the decisions that make his world. If war is too serious a business to leave to generals, then the search for peace is also too serious a business to leave exclusively to diplomats or Presidents. Reporters Kraslow and Loory have made a valuable contribution to this kind of positive, participatory democracy.

AID AND THE BALANCE OF PAYMENTS

HON. RICHARD T. HANNA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 10, 1968

Mr. HANNA. Mr. Speaker, the Members of this body must be as familiar as I am with the argument that foreign aid is responsible for the threat to the stability of the dollar. We are all well acquainted with the fear—the wholly unwarranted fear—that it is the foreign assistance program which causes this country's balance-of-payments difficulties.

This attitude is based on widely held misconceptions that foreign aid takes dollars overseas—and that the solution to our payments deficit is to curtail, or better still to cancel, the national economic assistance program, in which we supposedly pack gold bullion in suitcases and send them off without a return address.

This is clearly a misrepresentation of our foreign aid program. Sometimes it is the result of ignorance. Sometimes it is made with full knowledge of the facts, but in response to the insistence of voters who do not have the facts. Sometimes it is made simply in order to discredit the foreign aid program.

The truth is that our aid today is largely in dollar repayable loans, almost all of which are used to purchase goods and services in every one of the 50 States. Grants by the Agency for International Development are also tied to U.S. purchases. AID today is American goods and services. The American goods and services go overseas; the dollars stay home, circulating in our economy, not locked up in suitcases.

In fiscal 1967, some 96 percent of the $1.4 billion spent by AID for commodities was spent in the United States. In calendar 1967, the dollar outflow resulting from AID programs totaled less than $270 million; in the same period, some $212 million returned to the United States as repayments on prior loans. Hence, the net dollar loss from AID programs was about $50 million.

The outlook for 1968 is even better. AID spending overseas is expected to total $170 million or less, reflecting the $100 million reduction ordered by the President. Repayments from prior loans will exceed this outflow and yield a net dollar gain. In other words, the record is expected to show that in calendar 1968, more than 95 percent of all AID funds remained in the United States.

This arithmetic can be refined even more. What the books do not show is that by far the larger portion of AID dollars which are spent overseas comes back to the United States. To this must be added the fact that a substantial share of AID's contribution to the multilateral agencies—the United Nations development program and others—is also spent here.

AID has a commendable record of tying assistance to purchasing in the United States, a record which is seen quite clearly in cash figures.

AID dollars go largely to pay Americans for export services and for more than $1 billion in commodities exported annually under AID economic assistance programs. In my own State of California, business firms, individuals, and institutions share in this AID-financed business. AID payments in the State of California exceeded an estimated $56.5 million during the 10 months from July 1, 1967, through April 30, 1968. This estimate is based on a 50-percent sample of actual orders to producers and payments to contractors.

AID, however, is not merely resting on this record. The Agency is continuing its efforts to tie an even larger share of AID contributions to multilateral agencies to U.S. purchases, and to emphasize projects and exports that ensure follow-on orders for U.S. commercial exports. It is my feeling that these efforts should be recognized, and once recognized should give AID the commendation it deserves.

If we are sincere in our desire to present the true picture of today's aid program and correctly interpret the implications that our present program has on future aid, we should apply our effort in two directions. As a long-term project, we can take it upon ourselves, the elected representatives of the people of the United States, to inform our constituents of the true facts of the foreign aid case, and to exploit every opportunity to rebut those critics who speak in ignorance or in an effort to malign.

Most important, as an immediate project, we can endorse the current aid program as strongly as possible. I believe that this will be best accomplished by voting to authorize, as a demonstration of our confidence, the full amount of funds requested for fiscal 1969.

A SERIOUS ERROR IN JUDGMENT BY THE RETIRED OFFICERS ASSOCIATION

HON. CHARLES S. GUBSER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 10, 1968

Mr. GUBSER. Mr. Speaker, on June 6, I introduced legislation which would restore for military personnel who retired prior to June 1, 1958, the longstanding principle of allowing them to base their retirement pay upon a percentage of active-duty pay. As I introduced the bill, I stated:

> I firmly believe that the principle of recomputation should be restored for all retirees, and I have joined with others in sponsoring the retired Officers Association bill, which would accomplish this. However, while the principle embodied in that bill passed the House, it died in the Senate and, as a purely practical matter, I must admit that that bill will not become law in the near future. Therefore, I am today embarking upon a new strategy in the introduction of a bill which will restore recomputation to only those who retired prior to June 1, 1958.
>
> Admittedly this is half a loaf, but it does reestablish a principle. . . .
>
> I am hopeful that those who would prefer the full restoration of recomputation, as I do, will join me in urging passage of the bill I am introducing today. Because it is limited, it may be that we can have a hearing on the subject of recomputation and break the present logjam. Only by having a hearing can a subject matter be considered. Only with a hearing do we have any chance whatever for full restoration of the principle.

In light of my endorsement of full restoration of recomputation and my clear-cut statement that the introduction of my bill would hopefully serve that purpose, I was utterly shocked to receive a letter from Maj. Gen. W. Preston Corderman, president of the Retired Officers Association, and to subsequently receive a memorandum which that association sent to its member affiliates, opposing my approach to this problem.

I believe that this ill-advised action on the part of General Corderman and his associates may have effectively denied all retirees, including the membership of the Retired Officers Association, an opportunity to make progress toward the goal for which we have all been striving for the past 10 years. Such tactics are divisive and not in the best interests of military retirees, who should present a united front which favors hearings on any and all efforts to restore recomputation.

Mr. Speaker, I submit herewith a copy of General Corderman's letter to me, the *Retired Officers Association memorandum* for its affiliates, and my reply to General Corderman:

BULLETIN FROM RETIRED OFFICERS ASSOCIATION

JULY 2, 1968.

MEMORANDUM FOR ALL AFFILIATES

Subject: New Gubser bill on retired pay equalization.

On June 6, 1968 Representative Charles S. Gubser (R-Calif.) introduced H.R. 17717, a bill which would allow those who retired from the uniformed services prior to June 1, 1958, to recompute their retired pay as a percentage of current active duty pay, stating that "suddenly in 1958, without any warning, Congress changed rules in the middle of the game" and denied recomputation to those on the retired rolls. He added that "those who retired after June 1, 1958, were put on notice that the ground rules would be changed."

The Retired Officers Association believes that the bill is inadequate to bring about a resolution of the present inequitable treatment of all retirees who entered the service under laws specifically providing continuing recomputation of retired pay based upon current active duty rates. It is considered that the claim of all retirees who entered the service while the recomputation system was in effect is equally as valid as that of the group which would benefit under the bill. Mr. Gubser has been informed of the Association's position by letter, the text of which is set forth below:

RETIRED OFFICERS ASSOCIATION,
Washington, D.C., July 1, 1968.

HON. CHARLES S. GUBSER,
House of Representatives,
Washington, D.C.

DEAR MR. GUBSER: On behalf of the members of the Retired Officers Association, I extend to you my sincere appreciation for your continuing interest in the welfare of the retired military community, as evidenced by your sponsorship of H. R. 17717, which would provide recomputation of military retired pay for a special group of retirees. I appreciate your having given us advance notice of your intention to introduce the bill and your having discussed it with Colonel Chapman.

However, I am deeply concerned over the effect enactment of H. R. 17717, which would benefit only those who retired prior to June 1, 1958, would have on any future attempt to enact legislation to provide equitable treatment to those outside the special group. Enactment of H. R. 17717 would not solve the basic problem, but would compound it by "leapfrogging" individuals who retired from the military service before June 1, 1958 over those who served with them but remained in the service after that date.

We note that in your news release you said that you were introducing a measure which, "in recognition of political and fiscal reality," would "bring the cost of recomputation down to a level which the nation can afford." We too are concerned with the high cost of government and are dedicated to the proposition that our nation must remain solvent; but we are firm in our belief that it is the duty of our Government to pay existing obligations, including military retired pay based upon the system in effect when the individual entered the service and performed his military duty.

You also said in your statement that you "recognized that those who retired after June 1, 1958, were put on notice that the ground rules would be changed." It is difficult for me to understand the value of such "notice" when the provisions of the Pay Act of 1958 became effective immediately upon enactment. Individuals who were serving on active duty at that time, particularly those who were nearing the point in their military careers when they were approaching retirement, had no opportunity to take advantage of such "notice" in order to protect their retirement equity.

I also feel that I must question your statement that it was only at the point of retirement that parties "consummated what would be a legal contract if it were between two private parties." It appears to me that the conditions of employment, including eligibility for pension or other retirement benefits, are established at the time the individual is hired, and not at the time he retires.

There would be chaos in the field of employment in private industry if employees were promised when hired, that upon the completion of the required period of service, they would be entitled to a pension computed upon an existing formula, only to be told after they in good faith had committed themselves to a career and had devoted to it that the company had unilaterally reduced the promised retirement benefits.

Yet this is exactly what happened as regards those members of the uniformed services who entered upon a military career prior to June 1, 1958.

For these reasons, Mr. Gubser, while we appreciate your interest in the special group of retirees who terminated their active military careers prior to June 1, 1958, we believe that other retirees who entered the service under the same laws and with the same promised emoluments, should also be included in any legislation aimed at rectifying the existing injustice. We believe that the 1958 date has validity only with respect to whether or not the person had entered upon his military career prior to that time.

We appreciate the statement you made to Colonel Chapman to the effect that hearings on H.R. 17717 would present an opportunity to put forward other views on the categories of people who should be included within the scope of the bill but we feel that our duty to the great majority of retirees who also suffer under the injustice of the current law requires us to make our position quite clear at this time.

With all best regards, I am

Sincerely,

W. PRESTON CORDERMAN,
Major General, U.S. Army, Retired, President.

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, D.C., July 10, 1968.

Maj. Gen. W. PRESTON CORDERMAN,
President, Retired Officers Association,
Washington, D.C.

DEAR GENERAL CORDERMAN: This will acknowledge your letter of July 1. I was prepared to be tolerant of the inept judgment you have displayed in analyzing the legislative situation in Congress and to consider your letter as an honest difference of opinion. However, when I subsequently received a copy of your Memorandum No. IB–5–68, sent to all Retired Officers Association affiliates, it became apparent that your display of effort to obtain recomputation, while you actually block the road to decision, is a disservice to your membership. In the best interest of retirees, I feel it is my duty to state this fact.

Your memorandum makes no mention of the fact that, at the request of the Retired Officers Association, I have introduced H.R. 5725 to restore the principle of recomputation to all service personnel. Had you been completely fair to me and my position, you would have noted my remarks when I introduced H.R. 17717 in which I stated, "I firmly believe that the principle of recomputation should be restored for all retirees."

Had you truly served your membership, you would have recognized and admitted that your own bill is dormant and has absolutely no chance of consideration at this session. Further, you would have recognized that my introduction of H.R. 17717 could well be an "end run" which could produce hearings on the subject of recomputation, an objective which your efforts have failed to produce. A hearing on the subject matter would give all retirees the chance to make their case since all recomputation bills, including your own, would then be under consideration.

Making a grand but unrealistic promise is indeed a temptation for leaders of an organization which needs increased membership and revenue. However, it should not be a substitute for the realistic approach of reestablishing a principle and then achieving final victory by systematically winning a series of well-planned battles.

Back in 1963 I contacted the Retired Officers Association, asking for their support on an amendment which I intended to offer to restore recomputation. At that time I was told that the Retired Officers Association had made the determination that they should "make the fight in the Senate" and would not attempt to secure support for my amendment in the House.

You will recall that I was successful in having my amendment adopted when it was finally offered by Representative Rivers. You will also recall that the Senate, where ROA intended to make its fight, did nothing but cut back the effect of my amendment so as to allow only those who retired prior to the 1963 act to recompute. You will also recall that a representative of the Retired Officers Association promised the Senate that if recomputation were allowed for those who retired prior to the 1963 act the subject would never be brought up again.

Today, every person who retired after the 1958 act and before 1963 is drawing a considerably larger retirement check because I saw fit to ignore the strategy of the Retired Officers Association. So, in the best interests of those who are retired, I feel compelled to follow my own assessment of what is parliamentary reality and again reject the position of your association.

If we fail in our mutual objective of restoring the principle of recomputation, I am compelled to say that the divisive tactics used by leaders of the Retired Officers Association will have contributed materially to that result. Because of your shortsighted action and inability to assess parliamentary reality, you may have effectively denied your membership an opportunity to reestablish what we have all been fighting for during the past 10 years.

I sincerely urge a reassessment of your views and that you instruct your associates to help rather than hinder an honest effort to restore recomputation for *all* retirees.

Yours truly,

CHARLES S. GUBSER,
Member of Congress.

G. MENNEN WILLIAMS—NEW U.S. AMBASSADOR TO THE PHILIPPINES

HON. LUCIEN N. NEDZI

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 10, 1968

Mr. NEDZI. Mr. Speaker, it was my privilege to become active in politics in the early 1950's when our Michigan Democratic Party was led by Gov. G. Mennen Williams. He set high standards for all of us, emphasizing a strong sense of public duty, long hours of work and campaigning, informality, and a winning blend of liberalism and pragmatism.

I watched G. Mennen Williams serve an unprecedented six consecutive terms as Governor of Michigan, then, by appointment of the late John F. Kennedy, over 5 years of distinguished service as Assistant Secretary of State for African Affairs.

A short time ago, G. Mennen Williams, who is my friend and also my constituent, was appointed by President Lyndon B. Johnson to be our new Ambassador to the Philippines.

In late June, I had occasion to be in the Philippines at the dedication ceremonies of the Corregidor War Memorial. I saw Ambassador Williams soon after he had assumed his post. I am pleased to report to my colleagues that the new Ambassador has embarked on his duties with characteristic energy and skill. He has already earned the enthusiastic acclaim of the embassy staff and of many Filipino officials.

Under leave to extend my remarks, I include below some representative newspaper articles concerning Ambassador Williams and his assumption of new duties:

[From the Philippines Herald, June 16, 1968]

NEW U.S. ENVOY ARRIVES, SETS TONE OF EQUALITY

(By Roberto Ordoñez)

U.S. Ambassador-designate G. Mennen Williams arrived yesterday to assume the post of top American envoy to the Philippines. He immediately set the tone of Philippine-American relationship as one of equality.

"Our relationship is no longer one of elder brother to younger brother but of one great independent sovereign nation to another great independent sovereign nation sharing deep mutual regard and common ideals and objectives," Williams, reading from a prepared statement, told newsmen upon arrival at 12:30 p.m.

"My first order of business is to get to know the Philippines and the Filipinos," he told newsmen later during a hastily prepared open forum.

Williams and his wife, Nancy were greeted by Padre Faura's chief of protocol Alberto Katigbak, U.S. Embassy charge de affaires James Wilson Jr., JUSMAG's Maj. Gen. and Mrs. Lloyd Gomes, U.S. officials and staff, and Bishop Edward Longid of the Episcopalian church.

The Filipino bishop came all the way from Mt. Province in representation of the Episcopalian church to which the 57-year old, six-foot-three, 325-pound new U.S. envoy to the Philippines belongs.

Williams, formerly assistant secretary of state for African affairs, will present his credentials to President Marcos tomorrow following which he will pay respects to Dr. Jose Rizal at the Luneta and the Filipino and American war dead at the U.S. Cemetery and Libingan ng mga Bayani.

Wearing his traditional polka dot bow tie and dark suit, the frequently smiling Williams tactfully evaded answering delicate questions "until I have the opportunity to talk with your President because obviously he is the one who should be entitled to know first."

He referred to questions dealing on Fil-American relations as "a matter which should be discussed between our two governments before any statements by me."

INFORMAL

In answer to a newsman's query, Williams said that he was "quite confident" that he would be "an informal ambassador."

Williams disclosed that he and Mrs. Williams "have been most fortunate to meet and know your beautiful, charming and accomplished First Lady in Washington."

"We look forward to the privilege of becoming acquainted with your brave and distinguished President here in your capital, Manila, and to bring him the warm greetings of President and Mrs. Johnson and the American people," Mr. Williams said.

Mr. Williams intimated that he was given special instructions by the American president when he said that he had "a rather comprehensive talk with President Johnson during which he (Mr. Johnson) outlined his dealings and his hopes for the relationships between the United States and the Philippines."

PUDDING

"But I think that the test of the pudding is in the eating and so rather than try and outline anything, I think that by my actions I should try and prove what we Americans have in mind," Mr. Williams added.

Williams revealed that he had been to the Philippines once after the last global war "when I was inspired with a profound admiration for the gallantry and sacrifice with which Filipinos defended their homes and nation."

"My wife came here about ten years ago on a trip for the World Health Organization, when she was greatly impressed by your efforts to seek a better life for your people," he said.

Williams said that he learned to have high respect for the Filipinos through close association with former U.S. representative to the Philippines Frank Murphy whom he described as a "good family friend and my political Godfather."

DIFFERENT

"We come now to the Philippines inbued with the same liberal spirit and respect for human dignity and freedom, but we are of a different generation, as the Republic of the Philippines is in a different stage of its story," he said.

"We have not only high hopes but truly profound confidence in the ability of the Filipino people to achieve their destiny of leadership for democracy and freedom at home and abroad," he continued.

"We are proud and happy to represent our country in your midst as you write your history of achievement," Mr. Williams concluded.

Mr. Williams will take over the eight-month vacant post formerly held by Mr. William McCormick Blair Jr. who had resigned to join the John F. Kennedy Center for the performing arts.

Embassy officials said Williams may spend the rest of June touring various areas of the country to get better acquainted with the Philippines.

[From the Philippines Herald, June 17, 1968]

RIGHT APPROACH

If first impressions last, U.S. Ambassador G. Mennen Williams certainly made a favorable lasting impression on the Filipino people when he frankly owned, on his arrival in Manila the other day, that he knew little about the country and that his "first order of business" would be "to get to know the Philippines and the Filipinos." Come to think of it, this could indeed be his best recommendation to the job, for, in effect, he comes here with an open mind and with no preconceived notions whatever.

And there can be no doubt that he will find little disagreement here with the tone of the relationship that he defined for Philippine-U.S. ties; which is—"Our relationship is no longer one of elder brother to younger brother but of one great independent sovereign nation to another great independent sovereign nation sharing deep mutual regard and common ideals and objectives."

To Ambassador Williams, our best compliments and wishes for a pleasant and fruitful stay.

[From the (Philippine) Evening News, June 17, 1968]

AMBASSADOR WILLIAMS OFF TO A GOOD START

US Ambassador G. Mennen Williams apparently is off to a good start. His first public pronouncement has, from all indications, been well received in all quarters, and his manifest desire to buckle down to the tasks before him has caught the public eye.

It is remarkable that his first public statement has clearly been aimed at projecting a fresh emphasis on sovereign co-equality in Philippine-American relations. "Our relationship," Ambassador Williams said, "is no longer one of elder brother to younger brother, but of one great independent sovereign nation to another great independent sovereign nation sharing deep mutual regard and common ideals and objectives."

It is equally remarkable that his "first order of business is to get to know the Philippines and the Filipinos."

With the presentation of his letters of credence to President Marcos, the new US ambassador is fairly poised for that "first order of business." Significantly, he has a heavy schedule of conferences with key people of the government and private sectors ahead of him. These conferences, complemented by the trips he reportedly is set to make to different parts of the country, should broaden his perspective of Philippine-American affairs.

As Ambassador Williams deals with substantive matters of Philippine-American relationship, he will have ample opportunities to observe the tone of sovereign co-equality so happily stressed in his first public statement.

The problems and issues on the agenda of the Philippine and US governments are at once formidable and far-reaching, vital and delicate. Overshadowing the others are the questions of updating the framework for the mutual security arrangements between the Philippines and the United States, elaborating an instrument to replace the Laurel-Langley agreement, and doing away with "irritants" in Philippine-American relations.

Considering the liberal background and the experience of Ambassador Williams, there is every confidence that he will address himself to such questions with the right spirit—and with vim and vigor.

The "common ideals and objectives" of the two countries, events in Southeast Asia and the Pacific, and the process of flux and adjustment that has overtaken US foreign policy, not to mention the imperatives of current world history, have combined to define for Ambassador Williams terms of reference that could well dismay a less dedicated and resolute individual.

New challenges are in the offing for Ambassador Williams.

CONGRESSMAN GEORGE E. BROWN, JR., REPORTS FROM WASHINGTON

HON. GEORGE E. BROWN, JR.

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 10, 1968

Mr. BROWN of California. Mr. Speaker, I have recently sent another report to my constituents in the 29th District of California concerning the activities of Congress and my participation in those activities. With unanimous consent I insert that report to be printed at this point in the RECORD so that my colleagues will be advised of the contents:

STRONG GUN CONTROLS SOUGHT

The people of this nation are overwhelmingly demanding strong gun control legislation from their Congressmen. This wave of sentiment is understandable in the wake of the assassination of Senator Kennedy, which followed by only two months the same kind of killing of Dr. Martin Luther King.

The unusual aspect to the feeling that has swept the country is that most of those who are asking for stronger laws agree that the controls being sought would probably not have prevented any of the assassins from obtaining a gun and carrying out their plans. Nevertheless, they do feel that proper regulation would reduce crime and violence in general, and the assassinations have created a wave of nausea and a frustration that finds direction and an outlet in this call for legislative action against guns.

The Judiciary Committees of both the House and Senate have reacted quickly and the speed with which proposed legislation is being brought to the Floor for a vote is amazing—considering the usual slow pace of bills through Congress. There is every possibility that action could be taken between the time this is written and the time it is delivered to you by the postman.

I am certainly in support of all reasonable regulation that attempts to find an effective way to keep guns out of the hands of the unstable and criminal elements of our Society. Nor do I feel that such laws should be construed by the sportsman and the gun collector as preventing him from pursuing his chosen hobby or sport. He is not the target of the proposed legislation, although I will grant that he will have to suffer a small inconvenience in obtaining additional firearms in the future, as will those who feel they need a gun to keep at home for protection from intruders.

Statistics vary on effectiveness

I think that most gun enthusiasts would not mind this inconvenience if they could be convinced that strict controls would be effective in reducing criminal violence. I wish I had the omniscience to be able to assure them without question that their sacrifice would not be in vain. Statistics are presented on both sides (aren't they always).

Nevertheless, the fact remains that there are 100,000,000 guns in the United States—one gun for every two persons. There are 60 million households, so 40 million guns could be dropped in the ocean and we would still have one gun for every household.

At the same time, polls and Congressional mail indicate that approximately 4 out of 5 adults in the nation favor stronger gun control legislation. I would conclude from these figures that many gun owners are among those favoring a new law.

Proposals differ in degree

The provisions of the anti-crime bill which was passed by Congress just after Senator Kennedy's death basically only prohibit the mail-order sale of hand guns in interstate commerce. The new bill which Congress will probably approve very shortly would extend that restriction to rifles and shotguns. Juveniles (under 18) and non-residents would also be prohibited from purchasing firearms under both laws.

REPORT TO STATE GI FORUM CONVENTION

I was honored to be the principal speaker recently at the annual convention of the California Department, American GI Forum, an organization comprised mainly of Spanish surnamed veterans. The convention, held in Berkeley, was well attended by delegates from the 29th District, and I reported primarily on legislation dealing with veterans, the Selective Service Act, and the role of the Mexican-Americans in the Armed Services.

CONGRESS PASSES 10-PERCENT SURTAX, HUGE BUDGET REDUCTION

The cost of the war in Vietnam is starting to hit home—right in the old pocketbook. Next April, when you figure out your income tax for the year, you will add 10% more to your tax bill (on everything earned after April 1, 1968.) It will also apply to your income for the full year of 1969.

This means that if your tax bill would have ordinarily come to $1,500, you will add $150 to it and pay $1,650. During the 9 months that this surtax will be in effect during 1968 it is expected to raise some $6.3 billion in additional revenues—$4 billion of which will come from individuals and $2.3 billion from corporations. This is only about one fifth of the cost of the war in Vietnam for 1968.

I voted against this tax increase, as I have voted against every piece of legislation that has gone through Congress that contributed to the escalation of the war during the past three years. The tax increase was passed in the House of Representatives by a vote of 268 to 150, and in the Senate by a 64 to 16 vote.

Budget cuts included

In addition to the tax increase, the same bill included a formula for tying a mandatory cut in the budget that the President proposed last January of $6 billion.

I am sure that there are many items in any Federal budget (which is now nearing a total expenditure of approximately $180 billion) that can be cut. I do not know that you can just set an arbitrary figure of $6 billion and say "This is it!"

There are many items in the budget which simply cannot be cut. These are the types of programs where contracts are in progress, commitments have been made for more than a single year at a time, or the law specifies payments based on a formula that can only be changed by Congress. In addition, the bill specifies that certain programs are not to be included in the cuts, including all expenditures for Vietnam operations, interest on the national debt, veterans benefits, and Social Security payments.

This leaves only a portion of our Federal expenditures, about $35–$40 billion, plus certain military expenditures that might be considered not essential to the Vietnam effort, from which the $6 billion reduction can be taken. Domestic programs in education, housing, job training, and the like will have to bear a great deal of the burden.

"HISPANIC HERITAGE WEEK" PROPOSED

I recently introduced a resolution in the House of Representatives designed to give recognition to the Hispanic influence and the role of Spanish surnamed persons in United States history. Twenty of my colleagues agreed with the wisdom of this idea and joined me as co-sponsors.

The plan would be to authorize the President to proclaim the week which includes Mexican Independence Days (Sept 15–16) as National Hispanic Heritage Week.

We do not often realize that seven of our states have names with Spanish roots, including California, as well as the fact that many of our cities and towns have Spanish names or are derived from the Spanish language. The contributions of persons of Mexican heritage to this nation, the fact that our own area was once part of Mexico, the inordinately high percentage of Mexican-Americans who have won Medals of Honor in recent wars, and so many other aspects of our Hispanic heritage should be recognized.

I am heavily indebted to Eduardo Moreno, director of Centro Pre-Vocational in East Los Angeles for his help in developing this resolution.

CLEAN POULTRY BILL OK'D

Another step in the direction of consumer protection has been taken by the House of Representatives in passing the Wholesome Poultry Products Act recently. Briefly, this bill brings almost all poultry and poultry products under Federal inspection or standards that meet Federal regulations.

It is very similar to the Federal Meat Inspection Act amendments passed last year which dealt with meat and meat products, and will, when the Senate has acted and the law becomes fully effective, give the housewife the same protection when she buys a fryer or a turkey that she now enjoys when she purchases a steak.

HEROES OF VIETNAM

Mr. and Mrs. Henry M. Valencia were most appreciative of the flag that had flown over the U.S. Capitol which I presented to them in honor of their son, Lance Corporal Ralph Mario Valencia, who was awarded the Bronze Star Medal posthumously for his heroic conduct during action near Da Nang. They reside at 116 N. Elizabeth Ave., Monterey Park. It was also my privilege to present Marine Corporal Albert L. Aviles, of 336 N. Sunol Dr., East Los Angeles, with his fourth Purple Heart given to him as a result of injuries he received while serving in Vietnam. He could have come home after the third injury but volunteered to stay.

UCLA TO STUDY HIGHWAY SAFETY

An interesting program will begin at UCLA soon when a 3-year highway safety demonstration project gets under way. The purpose of the project is to develop and demonstrate a comprehensive program to improve emergency medical service for highway crash victims.

The Federal Highway Administration has funded the project, and hopes to utilize some of the methods the military has learned in Vietnam for reducing fatality rates from serious injuries.

Among the improvements to be studied and implemented on our freeways and other highways will be the utilization of helicopters, increasing the number of and coordinating the movement of ambulances, assignment of physicians to ambulances, utilization of former military personnel with special training, radio telephone communications between traveling ambulances and the emergency rooms at hospitals, transmitting data such at hospitals.

I AM STILL ACCEPTING APPLICATIONS

From young men who, by July 1969, will have graduated from high school and will be at least 18 and not more than 21 years of age at that time. Please contact my District office in the Federal Office Building in Los Angeles—phone: 688–4644.

VETERANS' BILL PASSES HOUSE

I was the sole sponsor of a bill that was recently passed in the House of Representatives that would authorize vocational rehabilitation training on a part-time basis for veterans with service-connected disabilities.

Some veterans who would have benefited from a training program have, in the past, had to forego this kind of a program because their economic situation prevented them from full-time participtaion. It is not fair to force a veteran to either give up a job he might have in order to train on a full-time basis for a better job, or, on the other hand, to give up his entitlement to this training.

I expect the Senate to act favorably on this proposal shortly. This is one type of legislation that is handled by my Subcommittee on Education and Training.

COMMENCEMENT EXERCISES

I addressed the graduating class of Cathedral High School, 1253 Stadium Way, Los Angeles at their commencement exercises, discussing political changes which are taking place in the United States and throughout the world which will be affecting these young people's lives so deeply in the future.

ANTICRIME BILL SIGNED INTO LAW

The President has signed the Law Enforcement and Criminal Justice Assistance Act and it now becomes law. It is more commonly known as the omnibus anti-crime bill, or the "safe streets" act, and, among other things, includes the provision that bars the mail order sale of hand guns that was adopted shortly after Senator Kennedy's death. This is the anti-gun provision that most people feel is inadequate and its inclusion in the anti-crime bill signalled the beginning of thousands of letters to Congressmen and Senators from individuals advocating stronger gun regulation. I have discussed gun controls in another part of this newsletter more fully.

In signing the bill, the President indicated that he felt there was more good than bad in the bill. I am sure that was a very difficult thing for him to measure because, besides the dissatisfaction with the gun control provisions, the permission for wiretapping and the attempts to negate certain Supreme Court decisions dealing with the Constitutional rights of prisoners could encourage dangerous violations of the safeguards contained in the Bill of Rights.

The original provisions of the bill, which I co-sponsored, are worthwhile, however. The more controversial sections were added by amendment in the Senate. These original provisions will authorize $100 million in Federal aid the first year and $300 million the second year to help states and local governments in upgrading and improving law enforcement agencies, their personnel, their equipment and their methods.

A REPORT TO THE PEOPLE OF THE THIRD INDIANA DISTRICT

HON. JOHN BRADEMAS

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 10, 1968

Mr. BRADEMAS. Mr. Speaker, by unanimous consent I am including my report to the people of the Third Indiana District on current legislative developments in the 90th Congress.

The text of the report follows:

CONGRESSMAN JOHN BRADEMAS REPORTS TO THE PEOPLE OF THE THIRD DISTRICT OF INDIANA

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, D.C., July 1968.

DEAR FRIEND: The tragic assassination of Senator Robert F. Kennedy has shaken the nation and the entire world.

Sitting in St. Patrick's Cathedral in New York City at the moving service on June 8, I thought of the qualities of his mind and spirit that touched so many people here in America and in other countries. Those qualities are best summed up, I think, in what Senator Kennedy said in our own state, in Indianapolis, on the 4th of April this year, in his extemporaneous remarks on the death of Martin Luther King:

Aeschylus wrote: "In our sleep, pain that cannot forget falls drop by drop upon the heart and in our own despair, against our will, comes wisdom through the awful grace of God."

What we need in the United States . . . is love and wisdom and compassion toward one another, and a feeling of justice toward one another, and a feeling of justice toward those who still suffer within our own country, whether they be white or they be black.

Let us dedicate ourselves to what the Greeks wrote so many years ago: to tame the savageness of man and make gentle the life of the world. Let us dedicate ourselves to that, and say a prayer for our country and for our people.

Let us dedicate ourselves to that, and say a prayer for our country and for Robert Francis Kennedy.

Sincerely,

JOHN BRADEMAS,
Member of Congress.

CONSUMER PROTECTION ADVANCED—90TH CONGRESS ENACTS CLEAN MEAT, TRUTH IN LENDING, OTHER MEASURES

Congress has moved ahead this year on a wide range of bills aimed at protecting the consumer against fraud and misrepresentation in the marketplace.

Clearly the most important of these is the Truth-in-Lending Bill which Congress passed and President Johnson signed a few weeks ago. Once of the strongest consumer protection measures ever enacted, here is what the new law does:

Requires lenders and retail creditors to tell their customers fully and honestly the total cost of credit.

Requires creditors to disclose interest rates on all revolving charge accounts on both a monthly and annual basis.

Imposes a limit on garnishment of wages to satisfy debt.

Places severe criminal penalties on "loan sharks" who demand interest rates far in excess of ceilings set by state usury laws.

Major consumer victory

The Truth-in-Lending Act also sets up a bipartisan commission to make a continuing study of consumer finance and report its findings to Congress. The legislation, as President Johnson has said, stands as "a major victory for the American consumer."

Under another bill enacted this year, the Department of Transportation begins a comprehensive inquiry into automobile insurance. This study will aim at pinpointing gaps and inequities in the present car insurance system, examining practices of policy cancellation, compensation for accidents and spiralling premiums.

Passage of these measures builds on the outstanding record of consumer legislation which the 90th Congress made in our First Session. Three major consumer bills were approved last year:

Strong meat inspection legislation, to insure that housewives can buy wholesome meat products for their families.

Establishment of a National Commission on Product Safety, to identify household products that may be dangerous.

The Flammable Fabrics Act, to set standards of flammability for clothes and home furnishings.

Still under consideration are several other bills to afford consumers increased protection.

Based on its accomplishments so far, the 90th Congress can already fairly be described as "The Consumer Congress."

ANTICRIME BILL NOW LAW

On June 19 President Johnson signed into law the Omnibus Crime Control and Safe Streets Act. I voted for the measure.

Here are some of the major features of this new and important law:

1. Authorization of $400 million in Federal grants over a two-year period to strengthen the crime-fighting capacity of state and local police forces. Included is a riot control provision similar to one I urged in the House.

2. A National Institute of Law Enforcement and Criminal Justice to begin modern research on methods of crime prevention and detection.

3. A new program of college loans and tuition grants to attract better law enforcement officers and improve their education.

4. Federal funds to supplement police salaries in community service of officers assigned to ghetto neighborhoods.

In signing the bill, President Johnson said it "honors the deeply rooted principle that the Federal government should supplement—but never supplant—local efforts and local responsibilities to prevent and control crime."

Other key provisions of the bill:

Court Decisions: overrides Supreme Court rulings which made confessions inadmissible as evidence in court because of delays in arrangement, failure to advise suspects of their rights to counsel and to silence, or failure to supply them with counsel.

Wiretapping: permits wiretapping by Federal, state and local law officers under court order—both in national security cases and in others involving a long list of suspected Federal and state crimes.

Gun Controls: bans interstate mail order sales of handguns, and permits over the counter sales of such guns within a state only to residents over 21. Rifles and shotguns are not covered. The measure also outlaws possession of any sort of firearms by persons convicted of a felony, mental incompetents, Americans who have renounced their citizenship and aliens illegally resident in the U.S.

TAX HIKE UNFAIR

Last month Congress passed a bill raising taxes $10 billion and cutting Federal expenditures by $6 billion.

Both Indiana Senators, all six of the state's Republican Congressmen, and three of the five Democratic Congressmen opposed the measure. I voted against it. This is why. The bill will mean:

1. Serious slashes in programs for the handicapped, school children, the poor, the aged, the physically and mentally ill, and those in job training.

2. An increased tax burden on middle-income American families, with no significant increase in the taxes of a number of millionaires who now, because of tax loopholes, pay little or no taxes at all.

I fully recognize the need both to cut unnecessary Federal spending and to raise more revenues in order to fight inflation, reduce the Federal deficit and ease the balance of payments problem. This is precisely why I voted this year against the $4 billion space bill and against $140 million to start a supersonic transport. But if we slash funds for badly needed programs in education, health and housing at this critical time, Americans will pay far more in the long run.

Tax loopholes remain

During the past year, I have repeatedly urged White House advisors, Treasury Department officials and Congressional leaders to press for a tax bill that will help produce more revenues by closing at least some of the glaring loopholes in our present tax structure.

For example, last year 24 persons with incomes over $1 million and over 1,000 people with incomes of over $50,000 paid not a single penny in Federal taxes. *I believe this is wrong!* The Federal government loses an estimated ***$40 billion*** annually through such loopholes.

The celebrated 27½ per cent oil depletion allowance is only the most blatant example of this unfairness. Why should millions of middle income Americans be asked to pay higher taxes while the 10 biggest oil companies in the United States, with $7 billion in net income, paid only 8½ per cent average tax rate?

INTERSTATE TAXATION

Hoosier business and industrial leaders have applauded the House action approving the Interstate Taxation Act, a measure providing guidelines to assure that firms doing business in more than one state are not subjected to multiple and unfair taxation. The Senate has not yet acted.

AMERICAN BUSINESS ATTACKS URBAN PROBLEMS

Across the country today, leaders in business and industry are beginning to focus their skills, resources and imagination on the many problems besetting American cities.

Clearly government cannot meet the urban crisis alone. If we are to overcome the dilemmas of hard-core unemployment, poor schools, inadequate housing and soaring crime rates in the cities, we must enlist the private sector of our economy as well.

The response of the business community to this challenge in recent months has been impressive:

Top business leaders are working in The Urban Coalition, a new national group aimed at encouraging greater efforts by the private sector and closer business-government cooperation in attacking urban problems. The Coalition, headed by former Secretary of Health, Education, and Welfare John W. Gardner, is encouraging the establishment of local urban coalitions—and I hope we see some in our area.

The U.S. Chamber of Commerce has just launched a new "Forward America" program calling on business-men and local chambers to join other community groups in fighting urban poverty and decay. At the request of U.S. Chamber officials in Washington, I am hosting a meeting at which they will explain "Forward America" to interested Members of Congress.

Business is cooperating enthusiastically in President Johnson's JOBS program, a major effort initiated this year to identify, train and find jobs in private industry for 500,000 hard-core unemployed. Participating so far are over 600 firms in 50 large cities. The JOBS program is being run by the *National Alliance of Businessmen*, a group of outstanding business leaders.

The role of private enterprise in solving the toughest unemployment problems was the subject of a nation-wide seminar last month sponsored by the National Industrial Conference Board in New York City. I served as one of three Congressional advisors to the conference, which was attended by over 400 business executives from across the country, and I delivered an address at the meeting on "Adult Basic Education for the Unemployed." I drew heavily on the experience of St. Joseph County following the Studebaker shutdown five years ago.

South Bend-Mishawaka Chamber leads the way

In Indiana the South Bend-Mishawaka Area Chamber of Commerce has taken the lead in stimulating greater efforts by private industry to meet community problems. The Chamber has launched a comprehensive program of business involvement under the direction of Stephen T. McTigue, the Chamber's Executive Vice President, and Dr. Thomas E. Stewart, Associate Vice President for Academic Affairs at Notre Dame.

The new Human Development Division of the Chamber has already begun a special drive in employment and job training . . . and is also cooperating with the South Bend Urban League to encourage business participation in on-the-job training for unskilled and semi-skilled men and women in the area. The OJT project is financed by a Department of Labor grant, which I was glad to help obtain.

BUILDING FOR ELKHART YOUTH CENTER APPROVED

The Post Office Department last month finally agreed to sublease the old Parcel Post Annex in Elkhart to the city, opening the way for its renovation and use as a youth center. The center will help fill an important recreational need among teenagers in the community. I was pleased to work closely with Mayor John W. Weaver in obtaining the necessary approval from the Post Office Department in Washington, which had for many months delayed a decision on the project.

PROGRESS IN HEALTH CARE—AND CHALLENGES AHEAD

The 89th and 90th Congresses have taken giant strides in improving and expanding health care in America. Here are some of the health measures enacted in recent years:

Medical insurance for the elderly.

Regional medical research centers.

Drug controls.

Medical libraries.

Expanded vocational rehabilitation programs.

Community mental health centers.

Training of teachers of the mentally retarded.

Improved health services for migrant farm workers.

Air and water pollution controls.

But even with these accomplishments, serious inadequates remain in the financing and effectiveness of both private and public health services. One example: the critical need for more health manpower—physicians, dentists, medical researchers, technicians, nurses.

A highly significant report by the President's National Advisory Commission on Health Manpower, headed by Hoosier industrialist J. Irwin Miller, of the Cummins Engine Co., warned recently of a growing shortage of doctors in the U.S. and urged a major expansion in medical education.

The Commission's recommendations dramatize once more the need for a second state medical center in Indiana, particularly in the northern part of the state, where population is rising fastest. I have strongly supported the establishment of such a facility in South Bend as an essential step in producing more doctors for our area. A new medical center would provide practicing physicians opportunities for continuing education and would improve the quality of health care throughout northern Indiana.

I hope the next Indiana General Assembly will decide to locate a second medical center near the University of Notre Dame. The present center at Indianapolis, only one in the entire state, is not enough to meet our needs.

Another major problem in health care today—one that bears heavily on virtually all families—is the continuing spiral in medical costs. Estimates are that between 1965 and 1975, the cost of living will increase by more than 20 per cent, but that during the same period, health care costs will rise by nearly 140 per cent.

To stem this escalation in costs, we must utilize our health care resources far more effectively. An important effort in this di-

rection is now being made by the Health Care Foundation for Northern Indiana, Inc. Last year I helped win approval of an $85,000 Federal grant to the Foundation for comprehensive health planning over an eight-county area, including all the counties of the Third District. A major goal of the study is to find a way to cut health costs through more efficient use of existing facilities.

Medicare benefits

More than 19 million Americans 65 and over are now protected by health insurance under the Medicare program.

In the Third District, Medicare enrollments total almost 43,000 older citizens. They will receive an estimated $11 million in benefits in the current year to help pay medical and hospital expenses.

Under the Social Security Act Amendments of 1967, Congress further streamlined and improved Medicare. Major changes include: *increased hospitalization insurance,* adding 60 days of hospital care; *reduced red tape,* cutting down on paperwork; and *expanded payment coverage,* including several new kinds of medical service now covered by Medicare.

POLICE-COMMUNITY RELATIONS GRANT FOR SOUTH BEND

The South Bend Police Department has received a $15,000 Federal grant to expand substantially its existing community relations program.

I was pleased to work with both the Police Department and the U.S. Department of Justice to secure the funds.

The grant will make possible a number of improvements:

Use of key personnel on an overtime basis for special work in community relations.

A storefront police-community relations information and services unit to serve neighborhood residents.

Planning for a department-wide human relations training program for South Bend policemen.

The grant also provides funds for personnel of the Police-Community Relations Division to visit other cities with successful programs and to bring to South Bend nationally recognized specialists in police-community relations.

HOUSE EXTENDS FOOD FOR FREEDOM

The House has also approved a one-year extension of the Food for Freedom program . . . to help meet world food needs through the export of surplus American farm goods.

This program, a cornerstone of our agricultural and foreign policy for the past 14 years, has helped to:

Create new markets for excess U.S. farm products.

Expand American trade with friendly countries.

Give assistance and encourage self-help among developing nations.

Provide humanitarian aid to the hungry in all parts of the globe.

MAJOR CONSERVATION BILL

Congress has made significant progress this year on major legislation for the conservation of our natural resources.

The Land and Water Conservation Fund, established to help Federal and state governments acquire and develop park and outdoor recreation land, would be strengthened under new legislation passed by the House. The bill would pump more money into the Fund over the next five years by diverting a share of the Federal government's royalties from off-shore oil deposits.

OTHER CONGRESSIONAL ACTION

House approves student aid

The House recently voted overwhelming approval of a measure, which I cosponsored, providing financial assistance for college students. The legislation strengthens and extends for another two years four key student aid programs:

National Defense Education Act loans to needy undergraduates.

College Work-Study programs, under which the government helps pay salaries of students who work while studying.

Educational Opportunity Grants, or scholarships, for students from very poor families.

Guaranteed Loan Program, under which which private bank loans to students are insured.

The bill, which awaits Senate action, authorizes over $1 billion in aid to college students over the next two years and would go far toward easing the financial burden that college means to most families. Students in Indiana alone would receive an estimated $13 million in assistance under the bill.

The House and Senate are now also working on another higher education bill, one that continues support for colleges and universities. Some new programs this legislation may contain:

Tutoring, counselling and special services to help disadvantaged students succeed in college.

"Networks for Knowledge," to encourage colleges to pool their resources and share facilities.

"Education for the Public Service," to attract and train talented young people for careers in local and state as well as Federal government.

School lunch program expanded

Another bill I co-sponsored which Congress passed this year will enable thousands of needy children to benefit for the first time from the National School Lunch Program. The present law provides nutritious lunches to children in school. The new measure makes such lunches available as well to preschool pupils in day-care centers, settlement houses, summer recreation centers and other institutions in poverty areas.

Elkhart receives Federal airport grant

At the request of business and community leaders in Elkhart, I was pleased to help secure a grant recently from the Federal Aviation Administration to expand and improve the Elkhart Municipal Airport.

The funds will partially finance a new 5500 by 75 feet east-west runway—an essential step toward developing an airport that will keep pace with the needs of the people of Elkhart and their flourishing economy.

Disaster loan funds for farmers

Some Hoosier farmers may benefit from a House-passed resolution providing $30 million to bolster the emergency credit revolving fund of the Commodity Credit Corporation. If the Senate agrees, the money will be used for emergency loans to farmers hit by disasters such as tornadoes, drought, excessive moisture and frost.

L. B. J. signs Brademas voting bill

On June 18 at the White House, Senator Howard W. Cannon of Nevada and I saw President Johnson sign into law a bill we cosponsored that will help secure the right to vote for Americans living abroad.

The bill, an amendment to the Federal Voting Assistance Act, *recommends* to the states that they modify their laws to permit private U.S. citizens temporarily residing overseas to register and vote in all elections. Members of the Armed Forces and Federal employees in other countries can already vote in certain elections. President Johnson called the Brademas-Cannon Voting Act "a modest step toward enfranchising thousands of Americans engaged in business, teaching, and other activities abroad."

Mr. Speaker, here I insert the captions for the photographs included in this report:

Host at recent crime conference, Congressman Brademas with featured speaker, New York Mayor John V. Lindsay, and Thomas P. Bergin, Dean of Notre Dame's Center for Continuing Education; Lindsay; Brademas; Mrs. Van E. Gates and Mr. Gates, President of the South Bend-Mishawaka Area Chamber of Commerce.

Congressman Brademas discusses REAL (Resources for Enriching Adult Living) program for older citizens with Very Rev. Robert F. Royster, chairman, and Lester J. Fox, executive director.

Congressman Brademas and Mayor Weaver hail Post Office Department approval of building for Elkhart Youth Center.

Congressman Brademas tells Kosciusko County REMC leaders of his strong support of rural electrification. Front row, Arden Warner, President; William Orr, Manager; Paul Hollar, Director; Freeman Nifong, Vice President. Back row, Robert Merkle, Staff Assistant; Brademas; Robert Buhrt, Gerald Smalley, Max Shively, Directors.

Congressman Brademas talks over agriculture legislation with a Third District farm family.

Senator Birch Bayh and Congressman Brademas at conference they sponsored in South Bend for small businessmen.

Congressman Brademas and Senator Cannon of Nevada see President Johnson sign into law their Voting Assistance Bill.

SHORTSIGHTED ACTION ON TEACHER CORPS

HON. WILLIAM S. MOORHEAD

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 10, 1968

Mr. MOORHEAD. Mr. Speaker, despite a Presidential request for $31.2 million for the Teacher Corps for next year, the committee recommended—and the House agreed to—only $15 million. This means that instead of moving forward with a program, which has already demonstrated great results, we are moving backward.

This 2-year work-study program, established particularly to train teachers for ghetto areas, has the blessing of the National Education Association, which said:

> We applaud the efforts of the Teacher Corps and wholeheartedly support the proposal that their ranks be expanded, extended and supported by the citizens and government of the United States.

In a special section on ghetto schools, the Kerner report cited the corps as "a major national effort to attract to the teaching profession well-qualified and highly motivated young people and to equip them to work effectively with disadvantaged students."

In Pittsburgh, which has one of Pennsylvania's two programs, I am proud to say that last year we had 32 Teacher Corps members teaching in eight schools in four disadvantaged neighborhoods of the city. Pittsburgh's first group has graduated, and the city had hoped to maintain, if not expand, this number in their second group. Right now the University of Pittsburgh and the school board find the Teacher Corps so essential to the commitment to inner-city teaching, they are meeting to determine what can be done.

I hope the Senate will accede to the

administration request, and I insert at this point in the RECORD an editorial from the July 5 Evening Star, in support of my remarks:

TEACHER CORPS

The economy ax in the House of Representatives cut deeply last week into a broad spectrum of worthy educational programs. One activity, however, the Teacher Corps, substained a blow which stands as a momentous example of congressional shortsightedness.

The Teacher Corps evolved three years ago from a premise that perhaps the very best thing that could happen to schools in urban ghettos and backward rural areas might be a new breed of teachers—a corps of young, tough, intelligent, idealistic college graduates motivated toward teaching careers in this country by much the same drives which have filled the ranks of the Peace Corps overseas.

There is no reason to question the validity of that concept in terms of the attitudes and the performances of the first group of several hundred teaching interns to emerge from their two-year training periods this month. Yet, rather than expanding, the size of the corps would be reduced by the action of the House last week below the levels at which the program began. Less than a thousand new recruits could be enrolled this fall. And the ultimate irony is that 10,000 dedicated young college graduates are ready and eager to serve.

The $31.2 million sought by the administration for the next fiscal year was not excessive. It got from the House, however, $15 million—$2.3 million below the last 12 months' appropriations. That action was a miscarriage of judgment which the Senate surely will not allow to stand.

LOUISIANA WILD LIFE AND FISHERIES COMMISSION OPPOSES RESTRICTIONS

HON. JOHN D. DINGELL

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 10, 1968

Mr. DINGELL. Mr. Speaker, the Louisiana Wild Life and Fisheries Commission adopted on June 21, 1968, a resolution opposing legislation requiring the registration and licensing or any other restriction upon the use of sporting rifles and shotguns for recreational purposes. The commission made a copy of this resolution available to me for my information and, so that my colleague may be familiar with the commission's views, under unanimous consent I submit the resolution for inclusion in the CONGRESSIONAL RECORD, as follows:

EXCERPT FROM THE MINUTES OF THE MEETING OF THE LOUISIANA WILD LIFE AND FISHERIES COMMISSION, ALEXANDER, LA., JUNE 21, 1968

On motion of Mr. Norris, seconded by Mr. Wright, the following resolution was unanimously adopted:

"Whereas, attempts are being made in the U.S. to create mass hysteria over firearms including sporting rifles and shotguns, and

"Whereas, the vast amount of propaganda fostered upon the American people in recent weeks has implied that registration and/or licensing of all firearms is the only solution to many of the nation's problems, and

"Whereas, the introduction of a number of anti-gun bills in Congress will severely penalize millions of Americans who use sporting arms for hunting wild game and other recreational purposes, and

"Whereas, the proponents of such legislation are insisting upon hasty and immediate action on these bills that are designed to restrict the rights of all the people to acquire and use sporting arms that have been in effect for hundreds of years because of the totally irrational act of one alien who used a registered pistol to assassinate a presidential candidate, and

"Whereas, 300,000 sportsmen in Louisiana enjoyed over 5.5 million peaceful trips afield with firearms last winter in the pursuit of wild game and game birds, and

"Whereas, the sport of hunting with firearms is constantly being promoted by the Louisiana Wild Life and Fisheries Commission because it is the basis for wildlife management programs and because this wholesome outdoor sport contributes to the well being and character of hundreds of thousands of sportsmen thereby serving as a deterrent to crime.

"Therefore, be it resolved that the Louisiana Wild Life and Fisheries Commission does hereby request that the members of the Louisiana Congressional delegation vigorously oppose all legislation that would call for the registration and licensing or any other restriction upon the use of sporting rifles and shotguns for recreational purposes, and

"Be it further resolved that the sportsmen of Louisiana be urged to make known their views on this urgent matter to Congress and the President of the United States, and

"Be it further resolved that copies of this resolution be forwarded to the President and to members of Congress.

"Attest:

"LESLIE L. GLASGOW,
"Director and Secretary Louisiana Wild Life and Fisheries Commission."

EDUCATION AND AGRICULTURE

HON. WILLIAM R. ANDERSON

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 10, 1968

Mr. ANDERSON of Tennessee. Mr. Speaker, it is with warm pleasure and pride that I invite the attention of this House to the election of Mr. Donald Pilkinton of Waverly, Tenn., to the office of president of the Tennessee Association of the Future Farmers of America. The scope of this achievement is indicated by the fact that there are more than 20,000 F.F.A. members in the State.

Mr. Pilkinton composed and delivered an award winning speech for a Tennessee F.F.A. public speaking contest. It merits a thoughtful reading by all of us who are vitally interested in the present and future development of American agriculture. Mr. Pilkinton who is 18 years old demonstrates the sort of disciplined imagination and thoughtful optimism that will tenaciously confound those whose gloomy predictions on the future of the farmer and rural America fill so many somber papers today. Mr. Pilkinton's creative views on our agricultural development do great credit to his rural Tennessee heritage, to his parents and school, and to the Future Farmers of America. I commend it to the attention of all who understand the problems and promise of rural America.

The speech follows:

EDUCATION AND AGRICULTURE

(By Donald Pilkinton, first place winner in the State public speaking contest of the Tennessee Association FFA, April 25, 1968)

Have you taken a close look at the opportunities of today's agriculture? You'll find thousands of jobs in hundreds of careers—many of which were relatively unknown a few years ago.

I would like to explore some of these opportunities with you, but first, let's define agriculture.

Agriculture is science at work for the well being of the world. It is production of feed and fiber on a large scale. It is business and industry furnishing supplies and equipment to producers. It is buying crops and livestock and turning these products by mechanized magic into appealing packages on the store shelf.

This is a fairly broad definition, but agriculture is a broad field, with fascinating new opportunities.

The future in agriculture is tremendous, and it is growing everyday. Agriculture is actively seeking recruits for jobs more often in the city than on the farm. It constantly asks for more college graduates—both men and women—who are ready to devote their full energies to the basic task of today's agriculture.

There are twice as many job opportunities in agricultural business every year as there are college trained graduates to fill them. Agriculture employs two out of every five workers in the United States today. So you can begin to imagine the opportunities which await a person with an agricultural education.

A high school graduate interested in a job in agriculture would do well to consider entering college and majoring in agriculture. With the continual decline in the number of farms, one might think this very poor advice. But majoring in agriculture does not mean only studying to be a farmer.

In referring back to my definition of agriculture you will notice that only one small portion of the definition pertained to the farmer. This was where agriculture was defined as production of food and fiber. However, the definition also stated that agriculture was science, business, industry, the purchasing and selling of products, and the furnishing of supplies to farmers. The great operation of agriculture requires engineers, scientists, technologists, production men and salesmen, all with specialized knowledge. As you can see, the farmer has many assistants. Most of their jobs require a background in farming and a good basic knowledge of agriculture. A pamphlet composed by agricultural teachers all over the country entitled *Agriculture is More Than Farming* has this to say,

"The farm boy, with his rich experience of rural life and work on the farm, has a built in advantage for gainful occupation in the broad field of agriculture. The opportunities are there, and they will remain in the future. The farm boy is limited only by (1) his willingness and ability for self-advancement; and (2) the educational opportunities that are available to him."

The opportunities are unlimited for a farm boy with a good education.

For a young man who wants to become a farmer, a college education is advisable. In this country only the best prepared and most efficient farmers will survive the competition. We have been fond of saying that the farmer's raw materials are the soil, the sun, the air, the rain, and the seed; but our poetic phrases do not take into account all that farmers must know, and have, and do in order to convert the raw materials into finished agricultural products and to market them in prime condition at the right time. After all, farming is big business. Operating a successful farm today requires a man who can run a $100,000 a year business. He must have the ability to look his banker in the eye and ask for a $50,000 operating loan—and have the record, to back up his request. He must be well established in life, and must be able to make decisions.

However, all cannot become full time farmers. Less than one-third of the working force in today's agriculture is required to produce our food supply. Agri-business places greater demands every day. Agriculture demands the best available. A college education is already required to fill many jobs in agriculture, and it is becoming increasingly harder to get a good job in any industry without a college education. The education which one receives in a lifetime will be largely responsible for determining the kind of life he will live, his future happiness, and his usefulness to society. One owes it to himself to get a good education.

In advising everyone to continue his agricultural education by going to college, one must stop and think that perhaps it is not advisable for all high school graduates to go to college. Some have "loafed" in elementary and high school, and therefore, have not sufficiently prepared themselves for college.

What is to be done with those who are unprepared? Many of them will realize too late the need for an education. Some of these people will go into farming unprepared to compete with modern technology and farming methods. These people will need an agricultural education to become a successful farmer. An agricultural education is a continuing process. Much progress is being made toward instruction in agriculture beyond the high school. For those who are unable to spend the time to obtain a college degree there are many briefer courses of study offered in most agricultural colleges across the nation. These courses of study vary in length from a few weeks to two years and can be very valuable. Taking advantage of any of these opportunities can lead to gainful employment in an agricultural occupation.

But, we need to face this fact. More and more young people are going to college. Some forty years ago, about 10% of the high school graduates pursued college work. Now about 50% of high school graduate are going to college. A good education is becoming more and more essential to a person entering the broad field of agriculture. Yes, as in any other industry, there is no place in modern agriculture for the unskilled and untrained worker.

CUBA: A THREAT TO U.S. SURVIVAL

HON. JOHN R. RARICK

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 10, 1968

Mr. RARICK. Mr. Speaker, over a long period of time most informed observers have noted the complete failure, with rare exceptions, of the communications media of our country to publish in objective and forthright manner important news affecting the well-being and security of the United States especially as regards the threat from Communist Cuba.

A most informative editorial in the July 1, 1968, issue of Barron's, a national business and financial weekly, courageously exposes and comments upon what has happened, and is still taking place, in the Caribbean Island, 90 miles off our coast.

Because of its relevance to the current presidential campaign, I quote it as part of my remarks:

NINETY MILES AWAY A FORGOTTEN ENEMY IS PLOTTING U.S. DESTRUCTION

While newspapers may be making money hand-over-fist, in the main they have done little or nothing of late to enhance their professional stature. On the contrary, to the rampant emotionalism and blatant irrationality which have dominated the national scene since the death of Senator Robert F. Kennedy, the American press, like its pathos-drenched video counterpart, has made no small contribution. In a sudden assault on violence, the Greensboro (N.C.) News abruptly cancelled the comic strip "Little Orphan Annie," whose Daddy Warbucks (a notorious capitalist warmonger) never hesitates to meet force with force. Exercise of what has come to be known as journalistic "responsibility" in covering racial disturbances also has hit a new high (or low). In the nerve center of U.S. communications, only Women's Wear Daily recently saw fit to print that "wolfpacks" armed with firebombs kept Pittsburgh tense a fortnight ago, while vandalism and looting broke out the same weekend in Denver.

In playing down or blacking out accounts of violence at home, the U.S. press is merely extending a practice or policy which long has prevailed with respect to news from abroad, notably from Fidel Castro's Cuba. Since the beginning of the Communist plug-ugly's bloody career in the Sierra Maestre, the journalistic watchword over here—with a few honorable exceptions—has been "see no evil; hear no evil; print no evil." No need to dwell on the faulty reporting of the Pulitzer-Prize winning New York Timesman, or the naivete with which the American Society of Newspaper Editors hosted the bearded butcher shortly after he rose to power. Since then the record of the Fourth Estate has gone from bad to worse. To the quiet dismay of The Reporter magazine, which had far too much courage and candor for its overwhelmingly "liberal" readership, the momentous Tricontinental Conference in Havana (Barron's, March 21, 1966), where global Bolshevism in effect declared war on the Western Hemisphere, "received little or no coverage in the major U.S. newspapers." Since then the mounting wave of subversion and terrorism launched from the island fortress has gone largely unreported, as has a well-documented recent attempt to assassinate Fidel Castro.

The paper curtain may be thick, but it is not impenetrable. Owing in large measure to the efforts of the U.S. Citizens Committee for a Free Cuba, and its monthly Latin America Report, some of the ugly truth about Castro's Cuba has begun to emerge. After a decade of Red misrule, the island, which (despite all propaganda to the contrary), once enjoyed a relatively high standard of living, has sunk to the level of bare subsistence. Thanks to a misguided U.S. foreign policy, the Kremlin has gained a privileged sanctuary in the Caribbean from which to launch attacks throughout the Hemisphere. Most alarming of all, Cuba has become staging area, headquarters and sources of supply for the revolutionary U.S. black power movement. "Don't worry," proclaimed a satiric bumper sticker during the last Presidential campaign, "they're still ninety miles away." But they're getting closer all the time.

With some news media, indeed, the Cuban Reds are already "in." Undaunted by the earlier fiasco, the Times last summer dispatched Executive Editor James Reston to the scene. The Timesman reported "a sense of common life and purpose," and, of Fidel Castro, observed: "I think he's got the support of his people." Last fall, Channel 13, the National Education Television station in New York, broadcast a blatant propaganda offering co-produced by a man who, according to Latin America Report, "once worked with the Fair Play for Cuba committee, partially Castro-financed organization . . . ," and which tended to blame the island's current woes on the legacy of Yankee imperialism. The true state of affairs is quite different. Pre-Castro Cuba ranked among the leading three Latin American nations in various indices of well-being. Since 1959, however, it has been down hill all the way. Coffee and sugar, which the Pearl of the Antilles used to export in vast quantity, now are rationed. Fruit, meat and milk are virtually unobtainable. The most devastating commentary of life in Cuba today comes from the hordes of refugees, nearly half a million of whom already have opted for penniless freedom abroad and who continue to leave their native land at the rate of four thousand per month. Many who cannot gain permission to go—younger, more productive people—risk their lives to escape.

Neither the Times nor NET has had much to say about Cuban subversion and terrorism, a silence which, in view of Washington's efforts to avoid full disclosure, come as a surprise. For many years after the famous eyeball-to-eyeball confrontation with the Kremlin over Cuban-based Soviet missiles (knowledgeable sources, by the way, insist they are still there), the U.S. sought to conceal the full terms of the agreement between President Kennedy and Premier Khrushchev, under which this country, in effect, gave its enemies a blanket pledge of no-invasion. Only last year, after the deposed Soviet leader spilled the beans in a television interview, did the American public get a glimpse of the truth. In a bitter commentary, John S. Knight, editorial chairman of the Miami Herald and other newspapers, wrote: "The Cuban refugees and their well-wishers in this country will never forget John F. Kennedy's stirring pledge to members of Brigade 2506 at the Orange Bowl in December of 1962, 'I can assure you that this flag will be returned to this brigade in a free Havana' . . . Now the Monroe Doctrine is dead and Kennedy's emotional phrases are as ashes in the mouth."

Secure in their privileged sanctuary, the Cuban Reds, like their Vietcong comrades, are spreading subversion, destruction and death. Before the Organization of American States, Venezuela, which suffered the kidnapping and murder of its Social Security chief at the hands of a band of Castroite guerrillas, last year formally charged Cuba with aggression. Castro's late terrorist chieftain, Che Guevara (whose portrait inspired student rebels at Columbia University and elsewhere), was killed last October by Bolivian troops, after leaving what Latin America Report calls "a legacy of economic chaos and political deterioration." Firebombings have broken out throughout Puerto Rico, damaging or destroying facilities owned by such U.S. concerns as Kresge and Uniroyal, and, in the first four months of 1968 alone, causing losses estimated at $10 million.

The U.S. mainland has become the latest, and most alarming, theater of operations. Leaders of so-called student and civil rights groups like Mark Rudd and Stokely Carmichael have gone to Cuba for aid and comfort. (Carmichael also is an honorary member of the Latin American Solidarity Organization, Havana-based subversive group.) In January, H. Rap Brown took sanctuary for six hours inside the Cuban Mission to the United Nations when policemen sought to arrest him. In April, after the death of Martin Luther King, black militant organizations were flooded with inflammatory posters of Cuban origin urging Negroes to revolt. If the U.S. suffers another long hot hummer, it need not seek far for the source.

Despite open provocations and aggression, the United States clings to its policy of appeasement. Indeed, the lame-duck Administration still quacks hopefully of building bridges between East and West and lowering the nation's missile guard. With a single exception, none of the major Presidential candidates has said a word about the slave camp and Communist spearhead poised just ninety miles offshore. Behind the curtain of silence, however, lie one country's misery and another's shame. Both cry out for a day of reckoning.

MORE FLAGS THIS YEAR

HON. THADDEUS J. DULSKI

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 10, 1968

Mr. DULSKI. Mr. Speaker, another anniversary of the independence of these United States has come and gone.

In other years, I have been somewhat critical of the lack of display of patriotism by many of our citizens in their failure to display the U.S. flag on Independence Day.

But the situation was much improved this year.

In my home city of Buffalo, N.Y., I toured through quite a few neighborhoods on the holiday, and I want to report to this House that there was a great number of flags in evidence.

I made my trip after taking part in the Memorial Mass at St. John Kanty Roman Catholic Church for the late Senator Robert F. Kennedy.

Later in the day, I was honored to be in the reviewing stand for the traditional parade of the 21st Ward Independence Day Association, Inc. This is always a very popular event—as it should be—and the display of flags was excellent.

I commend all those, wherever they reside, who took the pains to display a flag at their home or place of business on July 4. Their show of patriotism and respect for their country can be an important assist in inspiring others.

Mr. Speaker, I include two articles from the Buffalo, N.Y., Courier-Express on July 4:

FLAG DISPLAY AIDS PATRIOTISM

The display of hundreds of American flags in front of homes on Cheektowaga's Rossler Avenue, between William and Dingens, Thursday was described by Leonard J. Jaskowiak, 145 Rossler Ave., originator of the display, as helping to overcome the American tendency to avoid shows of patriotism.

"I think there's a fear of showing patriotism in America," he said. "Many people see our display and then they get a little braver and display their feeling and colors more.

"We've noticed that many cars slow down or stop to look at the flags and pick them up. We don't mind—we give the flags to anyone that wants them. We'd like to have our project grow bigger every year."

The flags are from the Adams Plewacki American Legion Post which placed them on veterans' graves on Decoration Day. The cemetery flags were burned after each Decoration Day until four years ago when Jaskowiak, a member of the post, realized that not enough flags were being displayed in America, and decided the post's flags should be reused.

Each July 4 since then, the number of houses displaying flags has increased. Thursday all 80 houses in the one-block section of Rossler had flags flying. This year, flags were also given to residents of two adjacent streets, Claude Drive and Meadowbrook Parkway. More than 1,500 flags were displayed in the neighborhood Thursday.

JULY 4, AN ALL-AMERICAN HOLIDAY

One hundred and ninety-two years ago today the Continental Congress of the United States formally adopted the Declaration of Independence, serving the 13 Colonies from British rule. In severing ties with one of the world's mightiest powers, the Colonies embarked on a courageous venture that has resulted in the establishment and growth of the richest, most powerful nation in the history of the world.

Thomas Jefferson—chief architect of the Declaration—stated in simple, direct language the impelling reasons for the Colonies' divorce from Great Britain and the goals which the new nation hoped to achieve. The Declaration cited the many injustices imposed upon the colonists—injustices which men who placed the liberty of the individual above life itself could no longer tolerate.

In stating the Colonies' case to the people and to the world the Declaration stated: "We hold these truths to be self-evident, that all men are created equal, that they are endowed by their Creator with certain unalienable rights, that among these are Life, Liberty and the pursuit of Happiness. That to secure these rights, Governments are instituted among men, deriving their just powers from the consent of the governed."

It was upon this declaration of truth and hope that the Constitution was established, giving new hope and freedom to the oppressed throughout the world. It was this declaration that brought millions of immigrants to the New World where they could live free from the shackles of oppression and where their success depended upon their desire, ambition and ability.

The Declaration of Independence offers unassailable proof that free men, working in common purpose truly can govern themselves and thus direct their nation to unparalleled heights.

While we may not yet have reached the state of perfection in government or the state of citizen equality which the founding fathers envisioned, we are moving steadily along that road. In our pursuit of holiday happiness today we might well devote a few minutes of reflection on the many virtues of our democracy which carping critics among us conveniently overlook. If every citizen shares only a small degree of the confidence and fortitude displayed by the signers of the Declaration of Independence, our progress as a free people will continue to stand as a shining example for the rest of the world. Our future as a nation is as great and as broad as the aspiration in each individual.

GUN CONTROL: CONGRESS, THE PUBLIC, AND THE NRA

HON. DONALD M. FRASER

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 10, 1968

Mr. FRASER. Mr. Speaker, much has been printed lately on the subject of stricter firearms legislation. One of the most comprehensive and perceptive pieces I have read is the following by Robert Sherrill, which appeared in the June 23 New York Times Magazine. Especially revealing is Mr. Sherrill's analysis of public sentiment on gun laws and the influence of the NRA.

Excerpts from the article, entitled "High Noon on Capitol Hill," follow:

HIGH NOON ON CAPITOL HILL—EACH YEAR AMERICANS BUY 3 MILLION MORE GUNS

(By Robert Sherrill)

WASHINGTON.—The question of whether Americans are a naturally violent people will have to be left to the social psychologists, but it must be plain to any observer that Americans are widely and inherently optimistic: the murder of Senator Robert Kennedy immediately launched them upon another gun-control crusade and they began talking and acting as though Congress might actually respond to desperate needs, as though Congress would pay more attention to the mood of the nation than to a special-interest group.

Now some leigslators are switching their position on gun controls in response to the public outcry. A showdown is nearing to determine whether Congress, this time, will indeed be moved by a decent regard for the opinions of Americans.

* * * * *

A surprising number of Senators from the hunting states—among them Mike Mansfield of Montana, the Majority Leader—are moving into the pro-control ranks. Senator George McGovern of South Dakota, a pheasant-hunting state, has for the first time called for a stronger Federal gun law (persuaded in part, perhaps, by the fact that Robert Kennedy won 50 per cent of the votes in South Dakota's Presidential primary). Senators William Proxmire and Gaylord Nelson of Wisconsin and Warren Magnuson of Washington, chairman of the Commerce Committee, through which the bills may have to pass, are typical of those who used to fight controls and have been converted in the last two weeks. They are cosponsors of a new Administration bill.

Perhaps it was a change of heart that did it, or the shock of Kennedy's death, but more likely—since past assassinations had no effect—the explanation lies in the fact that, for example, the mail in Proxmire's office has been running 12-to-1 for tighter controls. Nelson's office reported mail "10- or 20-to-1 in favor of controls—a real avalanche," and that seems to be a fairly typical ratio on Capitol Hill. Edward Kennedy's office reported that "99 out of every 100 letters favored controls." (But Congressional offices have reported a new wave of anti-control mail, the response to an emergency call from the National Rifle Association.)

The uprising of the public has even shifted one portion of the gun industry; perhaps fearing tough laws if they don't support easy ones, three major manufacturers, Remington, Winchester and Savage, came out over last weekend in support of Federal control of mail-order rifles and shotguns if the states have the right to opt out. Major non-Congressional political groups such as the Republican Governors' Conference and the Conference of Mayors are becoming more insistent, the Mayors *(by a 55 to 20 vote)* urging a ban on all mail-order guns and asking the owners of handguns voluntarily to turn them in to the police. So when the rest of the nation seems ready to leap, Congress might just take that step.

The Administration is now asking Congress to prohibit the interstate shipment of rifles and shotguns to individuals and the sale of guns or ammunition to anyone younger than 18 or to out-of-state customers. (As approved by Congress earlier in June, these prohibitions apply only to handguns.) One now hears also a little more talk in Congress of how—well, maybe, after all, a registration law such as a couple of Senators have proposed might not be out of the question, at least for handguns.

* * * * *

All the arguments for stiffer controls have been made, and heard in both houses, many times. They must be well known by now: in most states laws are so lax that children, perverts, alcoholics and ex-cons can purchase any gun they want whenever they want it; each year Americans buy about two million guns made in this country and a million imported guns, adding to the 50 million to 200 million guns already in private hands (in fact, nobody has even a good guess how many guns are floating around). Spot checks have shown that up to one-fourth of all mail-order buyers of guns have serious criminal records. Last year there were 18,000 deaths from gunshot, about one-third of them murders. Six of every ten murders are committed with guns. Since 1900 more Americans have died from gunshot crimes or accidents (about 750,000) than have been killed in battle in all our wars since the country began. Where restrictive laws are in force, gun violence drops; New Jersey in 1966 put into effect one of the toughest licensing and registration laws in the country, and last year its murder-by-gun rate was nearly 50 per cent below the national average, as was its murder rate from rifles and shotguns, which are—uniquely—covered by its law.

Editorially, 93 per cent of the nation's newspaper circulation has repeatedly called for stronger gun controls. So have President Johnson, J. Edgar Hoover, every big-city police chief in the country, most major church organizations, the American Bar Association—and, incidentally, according to several surveys, a majority of American citizens.

And yet, despite this reasonably strong and responsible advocacy of tighter controls, Congress for three decades successfully refused to permit a vote on major gun legislation.

The new crime-control law, which prohibits mail-order handgun sales, is the first step forward since 1938. Passed by Congress within a few hours of Senator Kennedy's murder, it has no requirements for licensing buyers and registering guns so that law-enforcement officials can weed out the thugs and have some idea where the guns are, nor does it provide for confiscating ill-placed weapons.

It was clearly, as James Bennett, former director of the Federal Prison System, called it, "a halfway measure." But Bennett added: "Since we've been working for 30 years to get even this much, and since this bill at least breaks through the argument that everybody has the Constitutional right to bear arms, for that much we ought to rejoice."

The people who had been working on Congress longest usually did respond to the crime-control law with a kind of shrugging gratitude. It's not much, but—Congress being Congress—what do you expect? "In Japan only a couple of dozen people other than policemen are permitted to own handguns," said Bennett, "and they have to bring them in every six months for inspection and registration. In my business I like that idea very much. But for this country that's an extremist position. In this country we can't get more than a licensing and registration law, and we won't get even that during my lifetime and never *without some gimmicks*."

Men like Bennett based their pessimism on the quality of Congress. "If they want to," he said, "*a little handful of fellows on the* Judiciary can filibuster our proposals. [Senator James O.] Eastland can just stick the bill in his pocket and go hunting."

* * * * *

For measuring the gap between *Congress* and the nation, 1959 is a good year. Gallup found that 75 per cent of all adults (and a majority even in the South, where controls are supposedly taboo) favored requiring a police permit for gun purchases; 59 per cent even went so far as to say they favored making it unlawful for anyone but a policeman to own a handgun. Congress, meanwhile, was operating on another plane of thought that year. The only gun legislation offered in the Senate (with five companion bills on the House side) encouraged the gun traffic by lowering the tax on some dealers. *That one came from the Republican leader,* Everett Dirksen.

Surveys in 1967 showed that 75 per cent of the nation opposed all mail-order sales of guns, and that an even higher percentage favored the registration of all guns, not just pistols. Congress did not respond. Legislation that would have set much less stringent requirements than the nation was ready for could not get out of committee. (In these surveys Gallup could, of course, be wrong; but it is not likely that even pollsters could be that wrong that consistently.)

* * * * *

In one respect, the National Rifle Association is a great convenience. Every time someone gets cold feet in the gun-control controversy, he obliquely or directly blames for his condition the N.R.A., an organization with 900,000 members, $10-million in assets and very rich and visible ties with the arms and ammunition and sporting goods industries.

* * * * *

If the N.R.A. was an easy out in 1963, when it had only about 600,000 members, it has become a much easier out. But on close inspection, it is hard to understand how its seeming invincibility developed. The N.R.A. is, by any sophisticated measure, a transparent, awkward primitive organization—but then this may be why it has had such influence in Congress. Its membership is much too varied to fit snugly under any simple description. More than 30 Congressmen—and that's no insignificant built-in-lobby itself, representing one of every 17 men in Congress—are said to belong. But so do members of the Ku Klux Klan and the even more violent Minutemen; any one who sends in $5 can get into the N.R.A. because it runs no police check on its members. Up to three months ago, when the Army temporarily cut them off, they were getting free ammunition and cheap guns from the Government. The N.R.A. is an organization whose avowed enemies are, in the words of its president, H. W. Glassen, "big-city sophisticates, their legislators and their news media." Its goal is to develop a nation around the principle that "youngsters who own and learn to use rifles and shotguns make better citizens than those who don't."

* * * * *

The N.R.A. has encouraged the legend that it is capable of stirring up its members so rapidly and passionately that they can smother Congress under a million letters and wires on 24 hours' notice, but this has never actually happened; it is just a threat—one made most recently about a week ago. Still, Senator Joseph Tydings discovered how effective the N.R.A. is in arousing its militant membership. After an N.R.A. bulletin was issued damning his antigun bill and misspelling his name "Tidings," he received thousands of letters in opposition, some abusive and all addressed to "Senator Tidings."

Now and then N.R.A. officials get a bit personal. For months. Glassen, the group's president, has been going around the country saying that "the Kennedy brothers" were to blame for blocking *reasonable* gun controls, and in a speech to Los Angeles Rotarians in February he went so far as to call Robert Kennedy a liar. Even in its anti-Kennedy ploy, however, the N.R.A. is almost comic. Last year, when Senator Edward Kennedy decided to open an all-out drive for controls, he heard that the N.R.A. had invited those noted pro-gunners, Dingell and Hruska, to make speeches at its national convention. Kennedy thought this would be a good place to kick off his own drive, so he asked N.R.A. officials if he could present the other side. They accepted his offer reluctantly, but suddenly shifted plans and restricted all speeches to the private session of the national board. They explained that they did not want to spread controversy among the rank and file.

The N.R.A. fears any shaking of its membership, and for good reason. The solidarity of opinion among hunters which it has convinced many Congressmen exists does not exist, and the N.R.A. heirarchy is itself divided. Not long ago a former top executive in the organization's Washington headquarters wrote Senator Edward Kennedy: "A strong mail-order firearms bill is necessary for the welfare of this country and is long overdue. And I say this as one who knows the N.R.A.'s position and rationale as well as anyone else. It is untenable, and it becomes increasingly more so every day as the N.R.A.'s ranks are being swelled by people who are, literally, reactionaries."

Even if this kind of organization appeals to Congress, the N.R.A. cannot fairly be blamed for misleading the lawmakers. It is simply a matter of choice. Over and over again, the Justice Department has sent to every Congressional office a detailed rebuttal to show that N.R.A. analyses of gun-control legislation are chronically distorted. Senators Dodd, Kennedy and Tydings have issued similar rebuttals. As a matter of fact, N.R.A. officials have admitted that they distort the content of legislation, although Orth does not, of course, admit to lying but merely to "regrettable excesses . . . born in misunderstanding."

And the National Council for a Responsible Firearms Policy—the only sizable pro-control propaganda outfit operating in Washington—also regularly sends around to Congress its arguments counterbalancing those of the N.R.A. The preference Congressmen show in believing the N.R.A. over others may, in fact, be a clue to the character of Congress itself and to the sort of front that impresses it.

The N.R.A. gives cocktail parties for Congressmen; the Committee for a Responsible Policy can't afford to. The N.R.A., organized in 1871, has an annual budget of more than $5-million and owns a nine-story marble-and-glass office building; the committee, organized last year, is usually broke and operates out of one room in the Methodist Building, across from the Capitol. The N.R.A.'s membership is approaching a million, and its executive board is replete with military and ex-military brass; the committee has a membership of about 1,000, and its executive board includes such men as Mayor Lindsay of New York, Illinois Treasurer Adlai Stevenson III, Charles P. Taft, Dr. Karl Menninger and Cleveland Amory; its president is James Bennett, the former Federal prisons director.

Congress, obviously, has a great many responsible people advising it to vote for strict gun controls. If it prefers to take the National Rifle Association's contrary advice, that is simply a matter of its own preference, not a matter of coercion. In a recent television interview, Senator Tydings complained that the N.R.A. has "a tremendous amount of power in Congress" and later went so far as to say that it "has been able to control Congress." If this is true, Congress is a willing captive. There are only 15 million hunters in America, and even if the N.R.A. represented them all, which it certainly does not, there would still be 185 million Americans for whom it does not speak. It took Congress long enough to do that simple bit of math—or to draw any conclusions from it.

"This body is not an ostrich," Dodd once said hopefully. "It cannot forever keep its head submerged and this year, for the 28th *consecutive year, refuse to pass legislation* that would help to keep deadly weapons out of the hands of those who should not have them."

He said that in 1966. Now, in the 30th consecutive year, there may be some "wriggling" in the legislative sands.

A STATE LEGISLATURE LOOKS AT FEDERAL GUN CONTROL

HON. LOUIS C. WYMAN

OF NEW HAMPSHIRE

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 10, 1968

Mr. WYMAN. Mr. Speaker, one of the continuing problems of all Members is how to ascertain what constituents think about current problems before Congress. In New Hampshire one of my constituents, himself a member of the New Hampshire Legislature, took it upon himself at his own expense, to conduct a personal telephone poll of all members of the New Hampshire House of Representatives, the New Hampshire Governor and Council, and the New Hampshire Senate. That this was no small task is evidenced by the fact that the New Hampshire Legislature has more than 400 members.

The question this constituent asked was how these elected public officials felt about Federal registration and licensing of firearms. The response he received was most interesting to me and I presume to my colleagues here on both sides of the aisle. In the New Hampshire House there were 198 opposed, 54 in favor, and the remainder undecided; out of 321 contacted—all he could reach. In the senate 10 senators were opposed, two for, and the remainder undecided. The Governor's council—five members in my State elected from councilor districts—were unanimous in opposition and the Governor has been recorded publicly as supporting the President's position in favor of Federal registration and licensure.

I want to commend this constituent, Hon. George Gordon, of Pembroke, N.H., for his efforts, and to respectfully suggest to my colleagues in the Congress that it might be helpful to them if they could prevail upon some constituent in their respective districts to do likewise. I do not believe that many districts would show a majority in favor of Federal registration of firearms, much less licensing of Americans to own firearms by Washington bureaucracy.

MEDICAL MISSION SISTER DIES IN SERVICE TO HUMANITY

HON. JOSHUA EILBERG

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 10, 1968

Mr. EILBERG. Mr. Speaker, in these days when we accept materialism as a way of life, sometimes an act occurs which gives us cause to pause and reflect upon those people who devote their lives to selfless service to humanity.

Within my constituency is the world headquarters of such a group of people—the Medical Mission Sisters, which maintains 36 hospitals in 13 developing nations of Asia, Africa, and South America, and whose members serve as doctors, nurses, pharmacists, technicians, and administrators.

These remarkable ladies perform their merciful duties on a day-to-day basis without headlines and, unfortunately, often without thanks or recognition.

Recently I received some delayed information from India concerning one of the Medical Mission Sisters—Sister Constance—Mathias—Zimmerman, M.D., had died June 14 in New Delhi, of a rare disease, stricken even as she labored to cure and care for many thousands of ill Indians.

Sister Constance, who was 38, had served at the 200-bed Holy Family Hospital on the Ganges at Patna since 1965. She was stricken with acute idiopathic polyneuritis and was flown to New Delhi by a U.S. Embassy plane. She died a week later at Safdarjung Hospital in New Delhi.

Born in Fort Loramie, Ohio, Sister Constance joined the Medical Mission Sisters in 1948. She was graduated from George Washington University in 1955 and received her M.D. from Georgetown University in 1959.

She interned at Misericordia Hospital in Philadelphia and had a 4-year residency in surgery at City Hospital in St. Louis. She was a diplomate of the American Board of Surgery.

In Patna, Sister Constance was also chief of the medical staff and head of the department of surgery. She was instrumental in bringing together all medical workers in the Patna area into the regional health Committee to improve and coordinate available medical facilities.

Personally, she planned research programs and a public health project to combat tuberculosis in the wake of recent famines.

To almost her last moment of life, she labored to give life and health to others. Mr. Speaker, she was surely a women of valor. Let us bow our heads and give thanks for such people as Sister Constance. She will be sorely missed.

POLICE ASSOCIATION OF THE DISTRICT OF COLUMBIA

HON. JOHN R. RARICK

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 10, 1968

Mr. RARICK. Mr. Speaker, the efforts of the Black United Front to call the murder of a District police officer justifiable homicide is an affront against civilization itself.

This brazen effort by a mob to justify brutality must be severely dealt with by Congress and public opinion.

Promotional moves to eulogize Washington, D.C., as a model city are for naught when the appointed Vice Chairman of the District Council, himself a member of the terrorist movement, is tolerated by the politicians.

The American people demand law and order and sanity in our Nation's Capital.

Mr. Speaker, the press release of the District of Columbia's Policemen's Association and a news clipping from the Washington Evening Star follow:

PRESS RELEASE BY POLICEMEN'S ASSOCIATION OF THE DISTRICT OF COLUMBIA

The members of the Policemen's Association of the District of Columbia have demanded that we issue a statement of our position in answer to the outrageous and ill-tempered resolution adopted by the Black United Front calling the execution of Officer Stephen Williams justifiable homicide. Our members are particularly incensed by the fact that the Vice Chairman of the City Council of the District of Columbia, Walter E. Fauntroy, a member of the Black United Front, has not repudiated the resolution.

The resolution was adopted by 150 militants and reached the front page of every newspaper in the City of Washington. It was not only a condemnation of the policeman who lost his life and of the other man who lies critically wounded and paralyzed in the hospital, but it was an effort to condemn the police department and all of its members. No decent law abiding citizen of any ethnic background can condone the execution of a policeman in cold blood while performing his duty as justifiable homicide. Therefore, the least that we can expect is to have a full and forthright repudiation, not only of the resolution but of its intendment. This Reverend Fauntroy has refused to do.

As a matter of fact, Reverend Fauntroy in his statement from the pulpit and to the press in condemning all killings has been critical of the police when they have found it necessary to use their guns in protection of their lives and the lives of others. For the death of Private Stephen Williams, three persons face criminal charges. A resolution such as adopted by the Black United Front and concurred by Reverend Channing Phillips constitutes undue interference with the administration of justice in the same manner as Mayor Yorty of Los Angeles when he made public statements shortly after the assassination of Senator Robert Kennedy concerning an arrested suspect. This alone was sufficient for Reverend Fauntroy, as a member of the governing body of the District of Columbia, sworn to uphold and enforce the laws, to repudiate not only the resolution but the action of the Black United Front just as Mayor Washington and Public Safety Director Patrick Murphy did. This is the least that can be expected from a responsible official of the District of Columbia.

Moreover, Reverend Fauntroy in his statements has morally condemned the actions of members of our police department who have been compelled to take a life while carrying out their sworn duties. He has stated that such killings is not justifiable. How can a responsible official of the District Government override the decisions of the coroner's jury and the grand jury which in each case heard evidence and under the law made a decision. Or would Reverend Fauntroy, like his militant comrades, have our policemen walk the streets as targets for every discontented rabel rousing militant to shoot at. If this is what he wants, where are we to get recruits?

Therefore, we believe that his serving as Vice Chairman of the District of Columbia City Council and his continued affiliation with some other organizations represents a definite conflict of interest to the overall good and welfare of the city and we request that the President of the United States, the Mayor and other responsible persons to join with us in immediately calling for the resignation of Reverend Fauntroy from the City Council. We further request that the National Democratic Committee take appropriate action to the remarks made by Reverend Channing Phillips.

Our association has nothing but praise and admiration for our Mayor, Chief of Police and our Public Safety Director, in the statements they have made and support they have given us in this ordeal. We are hopeful that prompt action will be taken by the President of the United States with reference to the Vice Chairman, Reverend Fauntroy. We are convinced that the President in his recent messages meant what he said we must have law and order and make our Nation's Capital a model city.

[From the Washington (D.C.) Evening Star, July 10, 1968]

QUIT FRONT OR PARTY JOB, JACKSON TELLS PHILLIPS

Washington's Democratic national committeeman, the Rev. E. Franklin Jackson, yesterday called on the committeeman-elect, the Rev. E. Channing Phillips, to choose between his membership in the Black United Front or his position with the party.

"He cannot hold both," Jackson said at a press conference at which he called the Black

United Front unrepresentative of the majority of the Negro community.

Jackson said no elected official could be a member of a group that "tends to be divisive and polarize the community."

The Democratic Central Committee, of which Jackson and Phillips are members, will meet in open session tomorrow and reportedly will act on the front's controversial resolution which called last week's slaying of a District policeman "justifiable homicide."

REFUSES TO RESIGN

Phillips, in reply to Jackson, said he had no intention of quitting his national committeeman post. He said the committeeman must serve all the people, as well as represent them, and added:

"I think that voicing the hurts alluded to by the Black United Front, and hopefully moving to a solution of the hurts is a service to all the people."

Phillips invited Jackson to join the front and charged that Jackson knows nothing about the organization nor who belongs.

The Democratic leader said he thought it was his duty to belong to organizations such as the front: "It is important that I accurately hear and understand the multiple problems that afflict our city."

In his statement, Jackson said the Rev. Walter Fauntroy, a member of the Black United Front and vice chairman of the city council, should not resign from either the Front or his council position. He said Fauntroy's two positions do not conflict because he is an appointed official, while Phillips was elected.

Sen. Daniel B. Brewster, D-Md., said in a statement that * * * city under the circumstances by denouncing the Black United Front and resigning from it. If he cannot do that, Brewster said, he should resign his public office.

Calling the Front's statement "an affront to the community" that requires "an immediate public apology," Brewster said Fauntroy and others of his stature "should realize that there is no place in this community for organizations that exhibit the malicious irresponsibility of the Black United Front."

"He also should realize that he has an obligation to the community at large that overrides his obligation to a smaller special interest group," the legislator declared.

ACTION THREATENED

Meanwhile, the Rev. Jefferson P. Rogers, a board member of the Southern Christian Leadership Conference, threatened massive action if Fauntroy was removed from his city council office.

"If Congress, by its typical institutionalized racist attitude, removes the Rev. Fauntroy from office, it would create a problem in the black community that would dwarf past troubles," he declared.

In contrast, the Policemen's Association of the District of Columbia issued a statement calling on President Johnson, Mayor Walter E. Washington and "other responsible persons" to seek the resignation of Fauntroy from the council.

The association called the slaying "the execution of a policeman in cold blood while performing his duty."

THE "PUEBLO": HOW LONG, MR. PRESIDENT?

HON. WILLIAM J. SCHERLE

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 10, 1968

Mr. SCHERLE. Mr. Speaker, this is the 170th day the U.S.S. *Pueblo* and her crew have been in North Korean hands.

STATEMENT OF THE DISTRICT OF COLUMBIA POLICEMEN'S ASSOCIATION

HON. BASIL L. WHITENER

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 10, 1968

Mr. WHITENER. Mr. Speaker, Vice Chairman Walter E. Fauntroy of the City Council of the District of Columbia has refused to repudiate the shocking resolution adopted recently by the Black United Front calling the murder of officer Stephen Williams justifiable homicide. Officer Williams of the Metropolitan Police Department was slain recently in line of duty and a fellow officer was seriously wounded and lies paralyzed in a hospital.

As Vice Chairman of the City Council of the District of Columbia, Walter E. Fauntroy occupies a position of trust, honor, and responsibility. Fauntroy is a member of the United Black Front. The resolution adopted by his organization has no place in a civilized society. It can only further alienate the people of the District of Columbia, and discourage those who are laboring for harmonious race relations in the face of seemingly insurmountable obstacles.

Fauntroy's position as Vice Chairman of the City Council of the Nation's Capital is incompatible with membership in an organization which justifies murder. He should disassociate himself from the violent resolution adopted by the Black United Front or he should resign from the Washington City Council.

The Policemen's Association of the District of Columbia has set the issue in proper perspective. The association issued a statement on July 9, 1968, which expresses the feelings of the vast majority of law-abiding citizens of the District of Columbia and the Nation. Under unanimous consent I submit the statement for inclusion in the Congressional Record as I feel every Member of the Congress will wish to read it.

The statement follows:

Statement of Policemen's Association of the District of Columbia

The members of the Policemen's Association of the District of Columbia have demanded that we issue a statement of our position in answer to the outrageous and ill-tempered resolution adopted by the Black United Front calling the execution of Officer Stephen Williams justifiable homicide. Our members are particularly incensed by the fact that the Vice Chairman of the City Council of the District of Columbia, Walter E. Fauntroy, a member of the Black United Front, has not repudiated the resolution.

The resolution was adopted by 150 militants and reached the front page of every newspaper in the City of Washington. It was not only a condemnation of the policeman who lost his life and of the other man who lies critically wounded and paralyzed in the hospital, but it was an effort to condemn the police department and all of the members. No decent law abiding citizen of any ethnic background can condone the execution of a policeman in cold blood while performing his duty as justiable homicide. Therefore, the least that we can expect is to have a full and forthright repudiation, not only of the resolution but of its intendment. This Reverend Fauntroy has refused to do.

As a matter of fact, Reverend Fauntroy in his statement from the pulpit and to the press in condemning all killings has been critical of the police when they have found it necessary to use their guns in protection of their lives and the lives of others. For the death of Private Stephen Williams, three persons face criminal charges. A resolution such as adopted by the Black United Front and concurred by Reverend Channing Phillips constitutes undue interference with the administration of justice in the same manner as Mayor Yorty of Los Angeles when he made public statements shortly after the assassination of Senator Robert Kennedy concerning an arrested suspect. This alone was sufficient for Reverend Fauntroy, as a member of the governing body of the District of Columbia, sworn to uphold and enforce the laws, to repudiate not only the resolution but the action of the Black United Front just as Mayor Washington and Public Safety Director Patrick Murphy did. This is the least that can be expected from a responsible official of the District of Columbia.

Moreover, Reverend Fauntroy in his statements has morally condemned the actions of members of our police department who have been compelled to take a life while carrying out their sworn duties. He has stated that such killings is not justifiable. How can a responsible official of the District Government override the decisions of the coroner's jury and the grand jury which in each case heard evidence and under the law made a decision. Or would Reverend Fauntroy, like his militant comrades, have our policemen walk the streets as targets for every discontented rabel rousing militant to shoot at. If this is what he wants, where are we to get recruits?

Therefore, we believe that his serving as Vice Chairman of the District of Columbia City Council and his continued affiliation with some other organizations represents a definite conflict of interest to the overall good and welfare of the city and we request that the President of the United States, the Mayor and other responsible persons to join with us in immediately calling for the resignation of Reverend Fauntroy from the City Council. We further request that the National Democratic Committee take appropriate action to the remarks made by Reverend Channing Phillips.

Our association has nothing but praise and admiration for our Mayor, Chief of Police and our Public Safety Director, in the statements they have made and support they have given us in this ordeal. We are hopeful that prompt action will be taken by the President of the United States with reference to the Vice Chairman, Reverend Fauntroy. We are convinced that the President in his recent messages meant what he said we must have law and order and make our Nation's Capital a model city.

MORE POWER FOR KANSAS

HON. GARNER E. SHRIVER

OF KANSAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 10, 1968

Mr. SHRIVER. Mr. Speaker, as the Nation continues to grow and progress, more and more electrical power will be required. Private power companies in the great State of Kansas recognize the need to look down the road as to future needs for power and are planning for construction of new generating plants. The following editorial from the July 5, 1968, issue of the Hutchinson News of Hutchinson, Kans., is in recognition of the efforts of privately owned power companies in the great State of Kansas to meet this growing need:

MORE POWER FOR KANSAS

Work will begin next year on what will be Kansas' largest electric generating plant. It will be put in operation in 1973. It will have a capacity of 840,000 kilowatts.

There are unusual features about this new plant. It will be a joint venture of the Kansas Gas & Electric and the Kansas City Light & Power companies. While the primary markets it will serve will be Wichita and Kansas City, it will be located at La Cygne which is a considerable distance from both cities.

The location is economically sound, however. La Cygne is only a few miles from the strip coal mining fields of southeast Kansas. With the present extremely high voltage transmission lines it has become much cheaper to deliver the power to distant markets than it is to ship fuel any distance.

The construction of this new facility, which will represent an investment of $100 million, points to three significant facts in the field of electrical energy.

One is that the demand for power will increase by at least the present rate of 10 percent a year into the indefinite future. A second is that, at least in Kansas, atomic energy has not yet become competitive as a source of fuel.

A third is that the new plant is to be built by two separate companies. This fact seems to suggest that ultimately there will be mergers among the four or five power companies that now serve this state.

THE CENTRAL AMERICAN COMMON MARKET IS IN U.S. INTEREST

HON. LEONARD FARBSTEIN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 10, 1968

Mr. FARBSTEIN. Mr. Speaker, as a member of the Foreign Affairs Committee, I have had the opportunity to understand and appreciate the vital contribution that regional economic cooperation can make to both the member nations of these regional groupings and the world economy as a whole. The success of the European Common Market is an outstanding example.

On his recent trip south of the border, President Johnson directed special attention to the Central American Common Market, an organization that the United States has encouraged and supported since its inception. This common market faces great problems, but the spirit of economic cooperation is already quite deeply entrenched. The President's trip was most timely in terms of both morale and material aid. A New York Times editorial summed up the effect of the President's visit in these words: "Timely Boost From L. B. J." The editorial discusses the challenges and the problems facing the member nations in very concise and lucid fashion, and I insert the editorial in the RECORD, as follows:

TIMELY BOOST FROM L. B. J.

President Johnson could not have picked a better time to go to San Salvador to pay tribute to the Central American Common Market. This organization, as he said, has become a "testament to regionalism" of value to developing countries everywhere.

The five members, however, have recently been mired on a plateau in both economic cooperation and industrial development, arousing friction between Nicaragua and the others. It was an opportune moment for Mr. Johnson to come along with his boost for the Common Market's morale and also its resources—small loans for projects in each country and a $30-million loan for the Central American Development.

Trade among the five nations has expanded nearly seven times; investment has increased 65 per cent, and the area has maintained an average annual growth rate of 6 per cent since the Common Market was launched in 1961. But the members have found it difficult to diversify their economies and thus lessen dependence on coffee, cotton, bananas and sugar. New industries lured by tax concessions often prove high-cost producers, and imports necessary to sustain them have sent balance-of-payments deficits soaring.

Nicaragua had threatened to quit the Common Market unless the other four promptly ratified an agreement reached last month to impose a 30 per cent surcharge on imports from outside the area. At San Salvador, all five presidents have now promised to implement this levy to cut imports and ease payments deficits.

Regional economic cooperation among developing countries is a subject dear to Mr. Johnson—in Asia and Africa, as well as in this hemisphere. With this trip, he has helped restore momentum to a promising development involving thirteen million people in an area of great importance to the United States.

THE RAILROAD PASSENGER PROBLEM

HON. SAMUEL N. FRIEDEL

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 10, 1968

Mr. FRIEDEL. Mr. Speaker, as chairman of the Subcommittee on Transportation and Aeronautics of the House Interstate and Foreign Commerce Committee, it is natural that transportation matters are of prime interest to me. The duties and responsibilities of the chairmanship have better enabled me to fully appreciate the importance to our economy of the railroads of our great country.

In this present age when air travel is commonplace and atomic power and earth satellites are accepted realities, we tend to forget the magnitude of the impact that railroads have had on the development of our country. These carriers unified the country and contributed greatly to the settlement and development of much of our Nation. The Greater Baltimore area, the section of Maryland that I have the honor to represent in the Congress, is the home of the first railroad in the United States.

The Pennsylvania Railroad, now merged with the New York Central to become the Penn Central, has over the years contributed greatly to the economy of Baltimore and has hauled vast amounts of freight to that city's piers. This has helped to make Baltimore the No. 2 port in the country.

The chairman of the board of the Penn Central Co., Mr. Stuart T. Saunders, is perhaps one of the most knowledgeable men in the railroad industry. A graduate of Harvard University Law School and a member of the District of Columbia bar, he rose from assistant general solicitor of the Norfolk & Western Railway to become its president in 1958. In 1963 Mr. Saunders was chosen as the chief executive officer of the Pennsylvania Railroad and is now the chairman of the board of Penn Central.

The fact that all railroad systems in the country are beset by problems is common knowledge and the vexing problems relating to passenger service is foremost in the minds of the traveling public. Mr. Saunders has realistically faced these matters and when he makes a statement on the railroad passenger problem, it is important to know his views irrespective of whether one agrees with him or not.

On June 6, 1968, Mr. Saunders delivered a thought-provoking address at the bicentennial year luncheon of the New York Chamber of Commerce. Because of its interest to the general public, I insert it to be reprinted in the pages of the CONGRESSIONAL RECORD. It is as follows:

THE RAILROAD PASSENGER PROBLEM

(Address by Stuart T. Saunders, chairman of the board, Penn Central Co., at the bicentennial year luncheon of the New York Chamber of Commerce, New York, N.Y., June 6, 1968)

A PROPOSAL

We must have a coordinated plan as to how transportation subsidies are to be allocated. The railroads should not continue to be isolated from Federal support. They have been neglected too long while public attention has been focused on interstate highways and the aviation industry. The billions of Federal dollars spent for these two forms of transportation has produced a lopsided and haphazard national transportation system, with little regard to a balanced utilization of all methods.

I would like to propose, either as a corollary or an alternative to a Congressional review, that a National Railroad Passenger Council be created by appropriate Governmental action to expedite solution of this problem. This Council should be a group representative of the public, the railroads, and the governmental agencies concerned with transportation policy.

It should move promptly, in as brief a time as possible, to study the problem and issue a report as a basis for formulating a railroad passenger service program within the larger context of the national transportation policy.

Such a study is fundamental in determining the extent to which the Federal government must support rail passenger service. In addition to investigating the requirements of Federal participation in commuter, intercity and long-haul passenger service, it should analyze the need for Federal sponsorship of railroad research and development. The railroad industry alone cannot catch up in technological progress with other forms of transportation which have enjoyed abundant largesse from Washington.

Few people are more aware than New York businessmen of the importance of transportation. You are, I am sure, deeply concerned about the creeping paralysis which seriously threatens to strangle this great city.

Transportation is one of the most frequently discussed topics in our country today, and perhaps the most controversial aspects of the subject is the mass movement of people. This situation is highlighted by the request last week of the Interstate Commerce Commission that Congress conduct hearings on the adequacy of railroad passenger service for the present and future needs of our country.

A public debate of this nature would give fresh exposure to the divergence of opinions on the subject. The misconceptions which surround the railroad passenger business have been intensified by the hardening of extreme viewpoints. On the other hand, there is the outcry that regardless of need or cost the status quo should be maintained and the heavy losses should be borne by freight and non-railroad revenues. At the other extreme, there are those who think that most, if not all, railroad passenger service is no longer needed and should be discontinued at the earliest possible date.

Such extremes, of course, are oversimplifications which do not take cognizance of the different types of railroad passenger operations and the varying degrees to which each is utilized. I think that rail commutation is essential—indeed, indispensable, in metropolitan areas. It is also evident that the need for short and medium range intercity railroad passenger service in crowded urban corridors will become greater with the growth of the megalopolis. But, in my opinion, long-haul passenger service no longer is warranted from the standpoint of public need. Such service cannot compete with the jet airplane and should be phased out in a relatively short but orderly fashion.

The emotionalism surrounding rail passenger service grossly exaggerates the current use of such trains. Less than 1½ per cent of intercity passenger travel is currently handled by railroads, and the great bulk of this meager market is in suburban and short intercity patronage. Last year, parlor and sleeping car passenger were only one per cent of this small total of railroad travelers.

It is astonishing that, although passenger trains produce only about 5 per cent of all railroad revenues, most people think of railroads only in terms of passenger service. They tend to overlook the fact that railroad freight service is the backbone of our national transportation system. Likewise, they brush aside the extent to which passenger deficits penalize the ability of railroads to provide first-class freight service.

THE LAND GRANT MYTH

It is also shocking that many people who should know better believe that, since some of the railroads received land grants a hundred years or more ago, all railroads have a responsibility to subsidize the traveling public by absorbing passenger deficits. The myth of land grants should be permanently laid to rest. Over the years, the railroads which received these concessions have repaid the government about a billion and a quarter dollars in reduced transportation charges, or ten times the value of the land grants they received. If there were ever an obligation by the railroads to carry passengers at a loss, this has long since ceased to exist.

Similarly, the affluence of railroads which fifty years ago enabled them to underwrite passenger service has vanished. Many of our railroads today are in serious financial trouble. Our industry has the lowest rate of return on capital investment of any American industry. Last year, this chronically inadequate rate fell to 2.45 per cent for all Class I railroads and to 1.58 per cent for the Eastern lines.

Obviously, the railroad industry cannot live indefinitely on such a starvation diet. This is already reflected in the bankruptcy of the New Haven and the Central of New Jersey and the precarious financial condition of roads such as the Reading, the Boston & Maine, the Erie-Lackawanna, the Rock Island, the Milwaukee and the Katy.

The railroad industry has not earned as much as 4¼ per cent on its investment in any year since World War II, and the figure for most years has been about 2 per cent or less. This is in striking contrast with the 7.3 per cent return of public utilities and the 8 per cent return that American Telephone & Telegraph Company says it must have in order to meet the needs of its customers.

DRAIN OF PASSENGER LOSSES

One of the biggest financial drains keeping railroad rate of return so low is the passenger deficit which is reducing net income, on an industry-wide basis by at least 25 per cent. For Penn Central alone, these losses totaled $85 million last year. Such chronic deficits will continue to be a drain on resources unless sweeping changes are made in the present approach to passenger operations.

If any of you, in your own businesses, were faced with a similar problem, I am sure that you would do everything possible to reduce your costs and curtail the money-losing services. Yet there are many—particularly in Washington—who apparently do not believe that such a course is applicable to the railroad passenger business.

On the Penn Central railroad system, we believe that we have formulated a sound basic approach to resolving the problem. Simply stated, it comes down to a twofold program, namely:

1. To strengthen and improve passenger services which are essential to people in the territory we cover, and

2. To discontinue trains whose use clearly indicates that the public no longer needs them.

In the first category are our communter-suburban services in the New York and Philadelphia metropolitan areas and our intercity main line service between New York and Washington in the highly populated Northeast Corridor. Within our limited resources, we are making considerable progress in keeping them viable for the current and future needs of the public.

Our commuter program is based on the concept that commutation by rail has become a public service, and as such it is entitled to public support. Over the past ten years, we have worked closely with governmental officials on Federal, state and local levels in promoting this concept. We have developed a program under which we are acquiring some new cars through public financing, and we have limited operating contracts with public authorities which are reducing to some degree our commuter deficits.

We have established an excellent working relationship with such groups as the Southeastern Pennsylvania Transportation Authority in Philadelphia, the Metropolitan Transportation Authority in New York, the State of New York, the State of New Jersey and other public groups. There is mutual understanding of the necessity for public support—and there is cooperation in the common objective of improving rail service as the most economical means of relieving traffic congestion.

HIGH-SPEED SERVICE

On our New York-Washington line, we are developing an ultramodern high-speed service which will be tested for public acceptance in a two-year demonstration project. Our co-sponsorship of this project with the United States Department of Transportation represents the first extensive Federal participation in railroad development in this century.

We have upgraded our roadway, installed new catenary wire for electric power delivery, and are ready to start when the special fleet of 50 Metroliner cars meets acceptable standards for performance, safety and dependability.

These Metroliners are the most sophisticated railroad passenger cars ever built. They will surpass any other cars in the world in speed, power, comfort and luxury. It is not unexpected that technical difficulties have been experienced in their manufacture.

The delays we have experienced in getting this service under way are, of course, regrettable, but I would like to point out that the developmental time is relatively short, considering the five years the Japanese put into research and development on their Tokaido Line. In addition, they spent two more years testing their equipment before beginning regularly scheduled operations.

With regard to our long-haul trains and virtually all the rest of our intercity trains, we have none of the redeeming features that are present in our commuter and New York-Washington service. There is little market potential, there is no predictable need, and there is no program of public support. We therefore have no alternative other than to phase out our long-haul and poorly patronized intercity trains as rapidly as possible. The urgency for this course is intensified by cancellation by the United States Post Office Department of many mail contracts which were a major source of revenues for some of this service.

There is no comprehensive regulatory policy for dealing with unnecessary, poorly patronized passenger trains other than on a case-by-case, train-by-train basis. At Penn Central, we have been studying this problem for years, trying to develop a passenger transportation program for the future. We are acutely aware of the need for a reliable national formula which weighs public need against the private and public costs involved.

GUIDANCE ON PASSENGER POLICY

The best guideline at present is found in a decision of the Interstate Commerce Commission two years ago on an application by the New Haven Railroad to discontinue all interstate passenger service. At that time, the Commission stated that a common carrier must make a reasonable effort to promote its economically viable passenger service, but that no railroad should be required to exert such an effort where "no evidence exists to support a conclusion that the public needs or is willing to pay a reasonable price for such service . . ."

The Commission also declared that "public policy—which by its past emphasis has aggravated the sickness of our national rail passenger system—(must) recognize its role in the rejuvenation of essential rail passenger service."

Penn Central, for its part, is willing to measure its passenger service responsibilities by this yardstick, and I believe that this criterion has met with general acceptance throughout the industry. But this is still, at best, a piecemeal approach that does not fit the broad proportions of the overall problem.

Finding solutions to this problem can no longer be left to conventional treatment or analysis. This task demands that the railroad industry and governmental transportation agencies join forces in a soundly structured program far greater in scope than any which has been undertaken before.

Some degree of progress has been made in this direction. We know, for example, that regional authorities with public financial aid are workable. We must intensify such programs and policies within the context of a much broader understanding of what needs to be done about railroad passenger service as it relates to the entire pattern of national transportation resources.

We need to project these workable concepts on a national scale and to determine for the first time just how much of what type of railroad passenger service is needed, how it is going to be financed and what role the railroads will play in the total requirements for moving people from place to place.

We must have a coordinated plan as to how transportation subsidies are to be allocated. The railroads should not continue to be isolated from Federal support. They have been neglected too long while public attention has been focused on interstate highways and the aviation industry. The billions of Federal dollars spent for these two forms of transportation has produced a lopsided and haphazard national transportation system, with little regard to a balanced utilization of all methods. The obsolescence of present railroad passenger service is a byproduct of the over-emphasis that has been given to other modes.

If Congress wishes to explore railroad passenger service, its findings will no doubt reveal the severity of the problem. I would hope that such a forum would result in better understanding within the Congress, as well as the public, of the situation.

PROPOSAL OF PASSENGER COUNCIL

I would like to propose, either as a corollary or an alternative to a Congressional review, that a National Railroad Passenger Council be created by appropriate Governmental action to expedite solution of this problem. This Council should be a group representative of the public, the railroads, and the governmental agencies concerned with transportation policy.

It should move promptly, in as brief a time as possible, to study the problem and issue a report as a basis for formulating a railroad passenger service program within the larger context of the national transportation policy.

Such a study is fundamental in determining the extent to which the Federal government must support rail passenger service. In addition to investigating the requirements of Federal participation in commuter, intercity and long-haul passenger service, it should analyze the need for Federal sponsorship of railroad research and development. The railroad industry alone cannot catch up in technological progress with other forms of transportation which have enjoyed abundant largesse from Washington.

We cannot obtain a true national perspective on rail passenger service unless it is investigated in an atmosphere of mutual understanding which encourages the cooperation of diverse interests. A National Railroad Passenger Council could give this quality to its deliberations.

We must halt the drift and indecision that has prevailed for many years. The lack of a cohesive rail passenger policy has been exorbitantly costly to the American public, to the railroad industry and to its shippers.

The railroads are entitled to a careful, dispassionate consideration of the problem. A thorough, deliberate national effort is imperative if our country's requirements are to be assessed accurately.

This is no easy task, but it is one that must not be delayed. I am confident that this important question of national transportation policy can be answered if we give it the attention it deserves.

ELECTION REFORM

HON. GLENARD P. LIPSCOMB

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 10, 1968

Mr. LIPSCOMB. Mr. Speaker, the Los Angeles Times in a July 5 editorial expressed strong support for the election reform bill, H.R. 11233, which on June 27 was reported out by the House Administration Committee. The Times called on the House to take up the measure for consideration and vote without delay.

I believe the Los Angeles Times editorial on this legislation will be of interest to the Congress and under leave to extend my remarks submit it for inclusion in the Record.

Election Finance Reform Is Overdue

Issue: Is Congress ready to close loopholes in campaign reporting laws, or will opponents manage to stall action once again?

Whether or not the Democratic majority in Congress is truly interested in campaign finance reform will be demonstrated within the next few days.

After more than a year of parliamentary stalling by powerful opponents, the House Administration Committee has reported out a tough new bill which goes far beyond the measure passed by the Senate last year with support of the Johnson Administration.

Speaker John W. McCormack (D-Mass.) has promised to schedule the bill for floor debate if it is cleared by the Rules Committee. But time is running and the Rules Committee has indicated that after Tuesday it will not meet except to consider "emergency" legislation. Clearly election reform does not fall in that category in the minds of many congressmen.

The House bill would require all candidates and many political committees to disclose major contributions and expenses connected with nominating conventions, primary and general elections. Enforcement would be handled by a bipartisan Federal Elections Commission to be appointed by the President.

Another section of the measure would force members of Congress and candidates for Congress to report every gift or honorarium in excess of $100. The commission would publish a list of such gifts annually.

Primary election reporting is not covered under existing law and the Senate bill does not provide for an independent commission to oversee the filings. That would be left to employes of the House and Senate—which is hardly a satisfactory solution.

The new measure represents the joint efforts of Reps. Robert T. Ashmore (D-S.C.) and Charles E. Goodell (R-N.Y.). First submitted in 1966, it expired with the 89th Congress. Reintroduced last year it won subcommittee approval on June 27, 1967, but opponents stalled consideration by the full committee.

Now that it has finally been cleared, the Rules Committee should give its stamp of approval without delay.

Although still far from perfect, the measure is far superior to the Senate bill and deserves passage.

Modernization and improvement of a loophole-filled campaign reporting law is way past due.

Majority leaders should not permit further foot-dragging.

PROGRAMS FAILURE SHOWS OUR SELF-RULE INABILITY

HON. BOB WILSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 10, 1968

Mr. BOB WILSON. Mr. Speaker, under leave to extend my remarks in the Record, I include the following:

[From the Indianapolis Star, July 8, 1968]

Programs Failure Shows Our Self-Rule Inability

(By Holmes Alexander)

Washington.—How have we bungled? Let us count the ways.

Agriculture in the 1930's was the first modern proof of a burgeoning inability at self-government, and only the other day Charles Shuman, president of the Farm Bureau Foundation, was pleading again for the discontinuation of virtually all the Federal farm laws

Slum clearance by Federal action also started in the mid-1930's, and today the best solution is Senator Percy's bill to end public housing by instigating private ownership in the inner cities.

J. Edgar Hoover has been gang-busting as director of FBI since prohibition days, but his bureau recently reported still another leap in violent crime. There are so many "assistance" programs, domestic and foreign, that Congressman William Roth (R-Del.) has turned himself into an encyclopedist by trying to list them.

We have had over six years of unbroken prosperity, and have spent over $2 billion since 1964 in a specific drive to abolish poverty. But we've got a $25 billion deficit and an emergency tax program this year, and we have had to capitalize the plural noun Poor. The Federal involvement is so big in people's lives that men of good will in Congress can't find a single report on riots, racism and civil disobedience with which they can agree.

The most alarming failure at self-rule in America, it seems to me, is the breakdown of the vaunted military-industrial complex. This was supposed to be a Moloch of unconscienable efficiency. No matter how ruthless the munitions makers might be, they were supposed to be omnipotent at home and to provide us with invincible weapons of war. But the industrial planners of military development have been chased off a half-dozen campuses. What's worse, they are failing us in the merchandise of death.

Partly because of Pentagon policies under Secretary McNamara, the Russians are at a gallop to close the missile gap. Why did the military industries, if they're so powerful, ever let the nation "consent" through its political system to allowing the Soviet catchup?

In 1966–67–68, the USA has had a constant number of intercontinental missile-launchers. That figure is 1,054. But in 1966, the Russians had only 340. In 1967 Russia had 720. In 1968 the Russians have 1,000. Why haven't we retained our open lead?

We have supposedly countered USSR's seeming parity by deploying multiple-war heads, so as to hit several targets with one shot. But meanwhile the Russians have got an orbital weapons capability in space, and are building a missile defense system around Moscow. We have nothing to match these advances. Why not? We're a self-governing people, aren't we? If "democracy" works, and "capitalism" is superior, we should be far ahead of dictatorial socialism.

We keep spending money on weapons, but still we lag. Senator Symington, who knows more than most, says we haven't even designed a fighter plane since 1954. We have no contract definition for any bomber later than the 1946-designed B–52. The TFX system is still non-operative. The Navy version, the F–111–B has been grounded by Congressional committees. The Air Force version, the F–111–A, got as far as Thailand, but has been laid up for repairs. In the Mediterranean, the U.S. Sixth Fleet has been almost-stymied by the upstart Russian Navy. In the Pacific, the Seventh Fleet has been only so-so effective against North Vietnam.

All this has many sub-excuses, but only one cover-all explanation. We are a free country. Our people, through the election process and the watchful press, can have it their own way.

So the failure, which is manifest, is the failure of self-rule, and frightening to behold.

RIOT WITHOUT REASON

HON. JOHN M. ASHBROOK

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 10, 1968

Mr. ASHBROOK. Mr. Speaker, recent student demonstrations on campus have made a mockery of the first amendment and the right of free speech and peaceable assembly. Under the claimed purpose of righting school administration abuses or to increase student influence in academe, various efforts on campuses have actually resorted to criminal offenses. At times aided by wavering and inept handling by school officials, activist efforts have resulted in the loss of an untold number of student-hours suffered by those truly seeking to advance their educational pursuits. Though belatedly, the necessity for firm action by those responsible is becoming more widely appreciated.

The New York Times of June 15 quotes Dr. Grayson Kirk, president of Columbia University as vowing that future troubles would be met firmly:

> If any of our alumni have any doubt on this score, I wish they could read even a sampling of the thousands of telegrams and letters we have received from every part of the country.

Dr. Kirk goes on to say:

> Hundreds of college and university professors, deans, presidents and trustees have written to say to us that the outcome of our controversy will have a profound effect on their ability to preserve the future integrity of their institutions.

It is certainly hoped that future efforts by student troublemakers to foment trouble will be met fairly but firmly in our institutions of learning.

The Wall Street Journal of July 10 carried an article by Charles J. Hamilton, Jr., entitled "Riot Without Reason," which describes disrupters at the university at Berkeley who wanted action, justification or not. So hardpressed for a reason for demonstrating were the Berkeley malcontents that they conjured up a solidarity day in support of rebellious French students. As has happended in the past, this effort ended in violence.

This is the sort of nonsense that makes a mockery of first amendment rights. It is high time that the rights of other students or citizens of the community be accorded the opportunity to pursue their goals in peace and tranquillity even at the cost of bouncing unlawful perpetrators off campuses or in jail.

I insert at this point in the RECORD the article, "Riot Without Reason," by Charles J. Hamilton, Jr., which appeared in the Wall Street Journal of July 10:

RIOT WITHOUT REASON—POINTLESS PROTEST GOES NOWHERE FOR BERKELEY ANARCHISTS

(By Charles J. Hamilton, Jr.)

BERKELEY.—Around here they reverently refer to Columbia University as Berkeley East.

The term reflects the local feeling that this campus town is the capital of student activism but that things were hot enough at Columbia for awhile this spring that it deserves some standing in the movement.

After Berkeley's recent round of rioting and street fighting, however, one might excuse the Columbia activists (some of whom supposedly were here) for referring to this place as Columbia West. For in the latest disturbances here (and the first that produced street barricades, tear gas charges by police and the city's first curfew since a big 1923 fire) there was a marked similarity to the issues and the tactics of the demonstrators at Columbia.

At Columbia, student leaders were preaching a sort of anarchism, based on the theory that the system must be brought to its knees before it can be reformed. According to this theory, a specific issue isn't important except to rally the forces and get disruption going.

A BREAD CRUMB

And what was the titanic issue here in Berkeley that produced more disruption than the free speech, civil rights and anti-draft movements of the past? It was "Solidarity Day," a demonstration supporting rebellious French students—as one Berkeley activist leader disgustedly conceded, "a bread crumb of a political issue."

From that crumb, the activists gained their aim: Bedlam, battles with police and, in the end, a cave-in by the city over whether the students could use the business districts for a July 4 rally.

There was another similarity between Berkeley and Columbia. The leaders of both affairs hoped to rally to their cause many of the more solidly problem-oriented protest groups—especially the black groups—and thus gain greater muscle.

In their first aim, disruption, the young anarchists can claim considerable success. But in their second goal, unity with more solid groups, they failed. Though the failure was only apparent behind the scenes at Columbia, it was more plainly evident here at Berkeley. Moreover, the disgust of that young Berkeley activist mentioned earlier, a veteran of some of the prior movements here, suggests that some of the anarchists themselves find pointless rebellion a bit uncomfortable.

Just how quickly "Solidarity Day" faded as the "issue" here became clear at a meeting of the Young Socialists Alliance, the organizers of the affair, after the second night of street fighting.

Seated on folding chairs in a make-shift second story office over the alliance's bookstore, a score of the movement's leaders struggled to maintain a mood appropriate for the oppressed and to talk of the need for revolution. But it sounded forced. The dialogue was a potpourri of gripe and dogma, none of which defined a purpose or cause for the previous nights' trouble. The only clear message of the discussion was that the students had embarked upon something that had to be kept going.

Hence, in the main, what kept coming up was simply how to foment the violence and "police brutality" that could in itself produce an issue. "It's us against the fascist cops," blurted one t-shirted youth grimly.

There was never a mention of Solidarity Day or France.

How much appeal could such pointless demonstrating have for various other protest elements? Some of the anarchists admitted they knew the answer. Even before the movement could start something in Berkeley, the black community in neighboring Richmond was in a state of riot. In days past, the Berkeley activists might have rallied to that cause.

They didn't, explained one young socialist leader sadly, not because they didn't want to but because "we know that we're not wanted there by the blacks. We can't even get blacks to join the Young Socialists, much less get them into the streets with us."

That lesson was learned by other anarchists at Columbia. It was the black students who moved first to mount what ballooned into the massive demonstration at that school. For the blacks, the issue was specific: The construction of a gymnasium on an adjacent Harlem playground area. Seeing a chance to mobilize support for a broader demonstration, white activists led by Mark Rudd, campus head of the Students for a Democratic Society, tried to caucus with the black leadership. But the white leaders were locked out of the key planning sessions. The black students, apparently, wanted no part of anarchism for anarchism's sake.

SEGREGATED AFFAIR

As a result, the take-over of university buildings was a segregated affair. The blacks took Hamilton Hall, the whites several others. And at the height of the fray, one black leader was heard to remark, "We have got the issues and the legitimate protest. The whites are the ones who are going to get the beatings and clubbings."

He was right. The white students went on to paste together their own reasons for revolt. When the police arrived to clear the buildings, the blacks, having won their specific demand (construction of the gymnasium was halted), went peacefully into police vans. For the whites, police force was required.

Both at Columbia and here, the white socialists advertised black backing. But there was no black face in that meeting over the Berkeley book store. And even a later speech by Eldridge Cleaver, leader of the militant Black Panther organization, to a group of the demonstrators came off looking like desperate window dressing. There was no contingent of the Black Panthers apparent in the crowd.

The insurgents did win one victory, though: The right to hold that demonstration on the city's busiest street. And that massive demonstration in support of the downtrodden students in France turned into a mammoth "be-in" with a carnival spirit instead of a political rally. It almost mocked the pretensions of seriousness by the Young Socialists Alliance. It was a fitting testament to their rebellion without a cause.

SERTOMA INTERNATIONAL ON LAW ENFORCEMENT

HON. LOUIS C. WYMAN

OF NEW HAMPSHIRE

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 10, 1968

Mr. WYMAN. Mr. Speaker, in these times of shockingly increased crime rates, various representative organizations are expressing their concern and calling for firmness in law enforcement. An example of this is the resolution of the Sertoma International at its annual convention in June at Miami Beach, Fla.

I commend the reading of this resolution to all who are concerned with the problem of effective law enforcement in this great Nation, as follows:

RESOLUTION 1—SERTOMA INTERNATIONAL

Whereas: This nation was conceived as a government of law rather than of men and by reason thereof, our democracy's existence is dependent upon the enforcement of law and order; and

Whereas: For several years certain segments of our citizens have, and are now, publicly and openly advocating the disobedience of the laws of our land; and

Whereas: Even religious denominations have recently resolved the disobedience to laws that conflict with the individual's conscience; and

Whereas: In certain instances our law enforcement officers have been ordered by our duly and legally elected officials to overlook the complete disregard for law by those who, innocently or by design, have caused havoc to rage in this land of ours; and

Whereas: In so ordering our law enforcement officers, our public officials did and have failed in the performance of the duty and the responsibility they owed not only to the citizens of this nation, including those responsible for the strife, rape, burning and looting, but also to the citizens of future generations, and to the dishonor of the said public officials; and

Whereas: Injustice and inequities are, for the most part, the result of human emotions and are subject to the individual's sensibility of conscience and are incapable of defining, but may be best defined as the treatment of others in a manner which, we, as an individual described would not care to be treated.

Now, therefore, be it resolved: That we, as Sertomans of this Nation, exert our full and complete efforts and energies to obey and keep the law of the land and thereby, as Sertomans, set such an example for all citizens.

That we as Sertomans encourage the citizens who claim injustices and inequities to petition for redress thereof through peaceful assembly and lawful methods.

That we as Sertomans fully and completely support our law enforcement officers in the performance of their duty and responsibility to maintain law and order.

That we as Sertomans demand that our elected officials perform their constitutional duty and responsibility to uphold and enforce law and order.

And be it further resolved: That the citizens of this nation rally to the cause of law and order and the preservation of this nation and the principles upon which is was founded and for which it stands by strictly obeying the laws of the land.

That the citizens of this nation demand that where injustices and inequities exists that same be resolved by due process of law.

That the citizens of this nation fully and completely support our law enforcement officers in the performance of their duty and responsibility to maintain law and order, including the inherent right to personal safety and the protection of property.

That the citizens of this nation demand that our elected officials perform their constitutional duty and responsibility which includes the support of law enforcement agencies in the difficult and dangerous task of preventing lawlessness and restoring order where lawlessness occurs.

That the citizens of this nation will conduct their relations with others, and thereby eliminating such injustices and inequities as may exist, by treating others as they themselves would be treated.

Attest:

ELTON G. VANN,
Chairman, Resolutions Committee, 1968 Sertoma International Convention.
GEORGE B. WILLIAMS,
Managing Director, Sertoma International.
JUNE 29, 1968.

TENTH ANNIVERSARY OF THE CHRYSLER ART MUSEUM, PROVINCETOWN, MASS.

HON. HASTINGS KEITH

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 10, 1968

Mr. KEITH. Mr. Speaker, this Friday the people of Cape Cod will celebrate the 10th anniversary of the founding of the Chrysler Art Museum by Mr. Walter P. Chrysler, Jr. This renowned institution, located in Provincetown, Mass., continues to enrich the cultural life of both our permanent residents and summer visitors.

For the benefit of the Members and, indeed, of all those citizens across the Nation interested in visiting one of the country's leading cultural institutions, I should like to outline briefly the history and extent of the Chrysler's collection.

Established in 1958 by Mr. Chrysler, the son of the Chrysler Corp.'s founder, the museum has thrived amidst Provincetown's famed colony of artists, poets, authors, and playwrights. Mr. Chrysler housed his collection in a neoclassic structure commanding an impressive view of Provincetown Harbor. Built as a Methodist Church in 1850, the building was redesigned and now contains two and one-half floors of modern galleries.

The Chrysler's art collection rivals that of any of our major metropolitan museums in its complexity. The serious student and casual visitor alike will marvel at the museum's wide variety of objets d'art: From Mediterranean antiquities and pre-Columbian gold to modern abstract expressionism, most major periods of art history are represented.

However, the museum is not limited to traditional exhibits. The recently formed department of textile research and design endeavors to enhance public interest in this important art form. The institute of glass, located a few blocks away from the museum, contains the world's largest collection of 19th century American and French art glass and its English, German, Oriental and ancient excavation glass are of equal quality. In addition to its permanent exhibits, the museum regularly sponsors concerts, lectures, and film programs.

In just 10 years the Chrysler Art Museum has developed into one of the finest collections in Massachusetts and, I daresay, the Nation. We Cape Codders join with visitors from across America in wishing Mr. Chrysler and the museum even greater success for the future.

THE REPAIRMAN

HON. BENJAMIN S. ROSENTHAL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 10, 1968

Mr. ROSENTHAL. Mr. Speaker, it is clear that American consumers pay a high price for our dependence on complex machines. No other culture in the history of the world has come to rely as heavily as we have on mechanical tools whose workings continue to mystify most laymen. Because we need air conditioners, televisions, furnaces, and most especially automobiles, and because most of us have not troubled ourselves to master these tools, we have come to delegate that chore to a new breed of fix-it men.

These new repairmen are endowed with a jargon that could confuse a sociologist and with keen competitive skills but without professional standards or public licenses to protect uninformed consumers.

I remain convinced that most automobile repairmen perform their necessary work honestly. But a growing number of drivers are voicing their grave doubts about the quality of the car repairing services now being received.

An article in the July 1 issue of New York magazine by Joe Flaherty, titled "The Repairman" gives dramatic testimony in the case against the connivers in the repair industry. Hopefully, "Red" does not speak for the bulk of his colleagues. I am afraid, though, that he does speak for too many of them.

The article follows:

THE REPAIRMAN

(By Joe Flaherty)

A mechanic we'll call Red operates a service and repair station in the East Flatbush section of Brooklyn. The area is populated by upper middle-class professionals, mostly Jewish. The neighborhood is clean and pleasant, dotted with fashionable women's boutiques, Chinese and Italian restaurants, Kosher delis and a movie house that leans towards "art films." According to Red, it's perfect "sucker territory."

Red, from Tennessee, picked up his trade in a repair shop in his native state and later spent three years in the motor pool while he was in the Army in Germany. He explained his diagnosis. "Hell, don't get me wrong, I don't have anything against these people, it's just that they don't know a damn thing about a car. Back home every kid had his head under a hood before they were 14. Hell, the average New Yorker wouldn't know where to check his oil." Delivering a country-boy grin, he continued: "Now most of my customers are pretty rich Jewish professional people. When they come in here they're looking for quick service. They depend on their car and they're not about to go around shopping for bargains. People only shop for bargains when they know the product. You tell me what college man knows a damn thing about cars. Only the tough kids around here ever take time to fiddle with their cars. The rest of them are so damn ignorant you can steal them blind."

But, unlike most places where one goes to be debauched, Red's station has no red light in front to symbolize his service. His service station has the pristine quality of an operating room. Four gas pumps stand like squat antiseptic interns ready to deliver life-giving transfusions to ailing patients. The repair shop, which can service three cars simultaneously, is kept spotless. Tools hang glistening like a surgeon's instrument on pegboards. In this aura of professional purity the unsuspecting layman would never suspect corruption.

Since my knowledge of cars coincides with the average American's—that is, what model will guarantee me a blonde in the back seat—I spent many days with Red trying to discover the art of the chiseler.

One cold morning a 1962 compact pulled into the garage. A woman in her mid-thirties sat behind the wheel while her two small daughters played in the back seat. The car was a standard-shift type and the woman complained that the car was stuck in first gear. She was first approached by one of the two Negro gas pumpers Red employs. Upon hearing the complaint the gas jockey called over to Stan, Red's second mechanic. Then the ritual began. Stan fiddled with the gear shift, peered perplexed as he looked under the hood and with weary resignation summoned Red. Red reached into a cigar box in the office and took two lollipops for the kids. As he strode towards the car he put on what he describes as his "Ridgerunner accent": "Howdy maam, what seems to be the trouble? As the woman and Stan both described the malady Red handed each girl a lollipop. Suddenly, with an aggrieved conscience he looked at the woman and apologetically said: "I'm sorry, maam, I hope I didn't ruin their lunch." The woman, overwhelmed stammered, "Of course not." With the con established, the super specialist went to work. After a lengthy diagnosis the verdict was that there was trouble in the transmission and the customer would have to leave the car. The abject female agreed and said she could take a taxi home. Red ever the Southern gentleman, would hear none of this and ordered Jimmy, his gas-pump man, to drive the family home. Ever so touched, the lady relented.

The real problem with the car was a frozen emergency-brake cable. If the job was done honestly the cost would be about eight dollars for freeing the frozen cable and lubricating it. If the cable had to be replaced the cost would be twenty dollars. These figures of course are valid if you are mystic enough to find a saint in coveralls. Needless to say, Red is not a candidate for canonization.

The frozen cable was freed and lubricated within 45 minutes. Then the car was placed on a hoist and the pan and the outside of the pan was washed down with gasoline. The strategy behind this was to give the illusion that the pan was removed and work was done inside the transmission. Hours later the owner was called and was told her car was ready. When she arrived her car was still up on the lift. Red pointed out his handiwork, explaining about replacing damaged gaskets and linkage. The woman looked with pride at the spotless underpinnings of the car as if she was viewing her first sibling's shiny backside. The last touch of finesse was to inform the customer how lucky she was to catch the trouble before it resulted in a major transmission overhaul. The price for this eight-dollar job was a mere $63 including labor and nonexistent parts. The woman smiled, humbly offered her thanks and drove off poorer and no wiser into the land of happy motoring.

After spending many wintry days with Red you came to realize that the cold was a great ally of the mechanic. Not only does frigid weather contribute to many malfunctions in cars but it offers a great psychological edge to the mechanic. A doubting customer is in a poor bargaining position when he's confronted with mechanical trouble on a 10-degree day.

On one such day a young salesman drove a 1965 model into the garage complaining about his car lurching to one side when he applied the brakes. After driving around the block in the car with the customer Red diagnosed the trouble as worn-out brake linings. To replace all four linings and repack them with grease Red estimated the cost at $85. Unlike the grateful housewife the man questioned Red's analysis: "Come on, how could the brakes be worn out on a 1965 car?" The salesman, like Hickey in *The Iceman Cometh*, spoke with that certain drummer's knowledge that all life was a hustle. His clothes were very expensive but they smacked of the hustler's idea of class. His suit had a little too much splash, the black loafers a little too pointy, his ring a bit ostentatious. Noticing a stack of books in the back seat Red casually asked the salesman what line he was in. "I sell books on Negro heritage and culture—it's a very rewarding line. And believe me, my car is essential to me." Obviously, it was the wrong reply. Red looked like he was going to throw up.

Red stuck by his quoted price and informed the salesman he could have the car ready by that evening. "But how could the linings go in such a new car?" the salesman protested. Laconically Red replied, "If you want a car to last you should buy a German model. Friend Detroit has to keep the economy moving." Perfect! The salesman, confronted with the fact that corruption is universal—the first commandment in the hustler's canon—withered and agreed to the deal.

Henry, Red's other gas attendant, moved to put the car in the heated shed. "Leave it in the cold by the curb," Red ordered. "That young punk will be back." Besides all his other demonic talents, Red's understanding of human nature could qualify him for a shingle in Vienna. In about an hour and a half the salesman was back asking if his car had been worked on yet. Receiving a negative answer he asked if it be all right if he ran it around the corner to a friend who works on cars in his spare time. Red couldn't have been more understanding. After a decent interval of a half hour the salesman returned, his brakes still pulling, and instructed Red to do the job and he would be by in the evening. Red grinned maliciously when he left. "Oh God, I love to take a guy like that," he said.

Obviously a triumph like this was something special to him. "Did you hear him about that Negro culture crap. That punk is out screwing the poor and then he comes in here telling me how rewarding it is. You think I'm just a crook," he continued, "why don't you go outside and ask my men what kind of money I pay them. Never mind about the culture—ask them who feeds their wife and kids. My men make top dollar here but I don't go around telling anybody how rewarding it is. It's just like when the local cops come in here with their cars looking for a break. They pull their lousy little tin and moan about not being able to find an honest mechanic. The nerve of those bastards—if they stole any more they'd need a bushel basket to carry it in."

Indeed Red seems to have a strong case going for himself. His three employees say they are totally satisfied with their salaries and say proudly, "There is always a pint on a cold day and something extra in the envelope every holiday."

Life in America to Red is still a class struggle. "Look," he said, "if a guy came in here in work overalls I wouldn't break him. Okay, I would take him for a few bucks but I wouldn't bust him. I'm 37 years old and have a wife and three rabbits at home to feed. Do you mean to tell me I should worry about some businessman driving a $4,000 car and his old lady has a $3,000 station wagon sitting home in the garage. Supposing I went to him to invest in his business or buy some real estate—hell, I'd be lucky to get out with my pants on."

It was now about two hours before the shop's closing and Red decided "to fix" the salesman's car. Red felt the trouble was moisture frozen in the brake linings. "Damn, I hope I'm right—I want to nail this guy." Red drove the car at approximately 25 miles per hour for 20 minutes with one foot on the brake pedal. One could smell the linings burning. Repeatedly Red brought the car to a full stop and the pulling toward one side became less and less. If Red's theory was correct the linings would become hot enough and melt the frozen water. After about 20 minutes of overheating the linings, the car stopped, proper and straight. Like a grease-stained Henry Higgins, Red reared back his head and roared: "God, I got him."

During the many days I spent with Red he performed many operations that are difficult to put into layman's language. When he successfully explained some esoteric tinkering to me he beamed with the confidence of a great teacher. When he failed to get across a point I was looked upon as a decadent aristocrat who idled his hours away in a cherry orchard and at best should be shot. Afternoons were pleasantly spent sipping coffee laced with whiskey while Red expounded on the cynicism of life. When I agreed with him, the afternoons were spent in boozy companionship. When the booze sparked my already sagging idealism, I received the courtesy rendered an idiot son.

Realizing my mechanical stupidity he began to touch on broader subjects. What about big business? Why do we need periodical wars to keep the buck healthy? Why did I have to approach a small-time operation to get my information? The answer to him was simple. If I approached a big business with the proposition to look over their shoulder I would get my stupid head blown off. At hostile moments I was a phony trying to crucify a small businessman. And furthermore, who did I know among my "liberal friends" who employed two Negroes out of a staff of four and "paid them a damn good living wage to boot." After two weeks I realized I had no more resistance than his customers. I began to feel like the Sheriff of Nottingham censuring Robin Hood.

As we spent more time together the mood became more hostile. Using a term that is often associated with the cops and the underworld he asked me if I was stupid enough to think that everybody didn't make "a contract" in this world. Not just cops and robbers, politicians and voters, governments and governed. He challenged me on my Jack Armstrong hangup on sports. How many sporting events in the last five years he asked did I think the fix "was in on"?

At other times he scornfully showed me how he could turn a $7 job into a $33 tuneup. A customer pulled in with a car that had had trouble starting. It was a simple job of filing down the points that had closed because of wear on the cam. Because the points didn't create a spark the car only started intermittently. An honest mechanic would file down the points so they wouldn't lock and create enough friction to kick the car over. Red "sold" the customer points and plugs and charged for a complete tuneup. In reality all he did was file down the points and gas wash the plugs to make it look like an extensive job. Then there was the luxury car that had trouble starting. The car was driven by the kind of guy who most disgusted Red—a fat cat. Red's diagnosis was simple and acceptable to the customer. A new battery was needed. The real problem was that every 12-volt battery needs 14.3 volts from the voltage to fill the battery. An adjustment to make "an honest living" would cost anywhere from $5 to $7. Red sold a new battery at the price of $27 dollars and never adjusted the voltage regulator. Within a few days the customer would be having the same problem. On this residual-type basis the mark would then be sold a voltage regulator and a generator. The price for the whole shill would be about $66 or an illegal profit of $60.

Endless hoaxes were perpetrated on the unsuspecting A blown fuse which can be replaced for a dollar is turned into "a rewiring job" of thirty dollars. A spark plug that is grounded and running on 7 instead of 8 cylinders causing the car to vibrate is transformed into a carbon and valve job costing $150. The cost to replace a plug with wiring? Three to four dollars! Truly only an affluent America could offer a man an illegal profit of $146 for 15 minutes work.

Red's so-called "social conscience" should be examined. His self-defined morality comes from the fact that he is only a robber, not a robber baron. Honesty is geared on the romantic notion that one is only guilty if he deals in Major League corruption. To him the "small guy" is just a victim of the system. The rich are corrupt and why shouldn't the peasant. Historically he is so painfully right. Today's revolutionary is tomorrow's dictator.

He complains of the large franchise repair shops that dominate New York State. To him their advertising is prolific and unfair. The transmission business seems to be the heart transplant of the car industry. It is the prime organ of the automobile. When it goes the car has been sentenced to death. The death of the transmission has the finality of cancer. But according to Red the death sentence in this town has been passed on many a healthy patient.

According to Red the franchise outlets put forth misleading ads. The ads state your transmission trouble may be discovered for as low as $35. What they don't state is that all they will be is discovered. Curing them is something else again. The unsuspecting sucker thinks the low quoted price includes repairs. But the fact of the matter is that when your transmission is disassembled the repair price is often quoted near two hundred dollars. The consumer's option according to Red is that you either buy the price or you have your car towed away to another swindler with a dismantled transmission in your trunk.

One of Red's favorite stories is that of a car which had its passing gear linkage disconnected. The car in question was examined by the Better Business Bureau and a qualified mechanic and found totally fit except for this minor repair.

After traveling to 80 franchise shops 77 of them recommended a major overhaul costing anywhere from $125 to $285. Three honest men were found on this quest. One connected the linkage for $4, another for $2 and the last found the service so menial he did it on the house.

Red also delights in telling the story of a franchise dealer who quoted a price of $212 for repairs to customers over the phone. When the irate customer arrived at the dealer's he heard the same voice quoting the exact same price and the exact same needed work to another mark over the phone. The would-be sucker pulled a revolver and wounded his tormentor in the shoulder. To Red this is something of a parable about the corruption of big business.

STUDY OF AUTO INSURANCE RATES

HON. CHARLES A. VANIK

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 10, 1968

Mr. VANIK. Mr. Speaker, I was shocked to read in a Cleveland newspaper this morning that auto insurance rates were going up 7.9 percent in the Cleveland area. This rate increase was brought about by the action of a Cincinnati insurance rating board and directly affects the rates paid by 100,000 Greater Cleveland motorists.

This latest increase is just one in a long series of rate increases over recent years. These continual burdensome rate increases have convinced the American people and the Congress that something is drastically wrong with the present system and operation of auto insurance in America.

A little earlier this year, on May 22, the Congress passed a law authorizing the Department of Transportation to make a study and review of the operation of our present auto insurance system with the purpose in mind of making recommendations for the overhaul and improvement of the system.

Unfortunately, although the study has been authorized, no money has been provided yet. The administration is asking for $2 million for the study to be done in 2 years. I am requesting the House Appropriations Committee to take immediate action to insure that the study is funded this year.

In addition, I am contacting the Secretary of Transportation and requesting that, through an immediate application of resources, the study be completed within a year, so that action to improve the auto insurance system can be taken in the near future.

The American people, who are enduring auto insurance rate increases every few months, cannot wait 2 years for a study to be completed. Action is needed now, today, before the system becomes any more burdensome.

CUBA FOR CUBANS

HON. JOHN R. RARICK

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 10, 1968

Mr. RARICK. Mr. Speaker, I wish to draw the attention of our colleagues to an article appearing in the June 29 issue of the Washington Daily News, page 10, headed "ABM No Defense Against Cuba." In the light of these revelations, it is apparent that Cuba continues to constitute a major threat to the security of the United States. Not only are the military implications grave, but the financial burden to the American taxpayer is most alarming, particularly at this time with the difficulty in the national economy.

So long as the Castro government and the Soviet buildup continues in Cuba, there will be a real threat to the peace and security of the hemisphere. With a democratic government in Cuba, these countries need not have any fear.

But from where is this democratic government to come? What of the Cubans themselves? The thousands of refugees that swell the population of Florida and other parts of our country know the reality of the Castro threat and they desire to remove this tyranny and the stain of communism from their homeland. As loyal Cubans they wish to make this removal a Cuban venture.

Foremost in the arguments for such a move is the knowledge that there is unification among the Cuban refugees and approval of the underground fighters in Cuba.

I have a proclamation issued on June 20, 1962, in Havana, and signed by the major groups of the underground now fighting in Cuba. The signers of this proclamation represent 45,000 underground fighters. That these groups are genuine can be attested by the fact that 75 of their members were identified and have been since murdered by Castro.

This proclamation pledges the support of the underground and offers the provisional presidency to Mario Garcia Kohly, leader of the United Organizations for the Liberation of Cuba. It begs him to form a government in exile.

Senor Kohly's group is a union of 96 Cuban refugee groups embracing about 118,000 refugees. The program of the group is contained in a document entitled "Message to the People of Cuba."

I believe this should be called to the attention of the Members, since the various proposals dealing with a government in exile have all been rejected because of the supposed lack of unity between the refugees and the underground.

These documents reflect a high degree of union among a minimum 118,000 refugees and 45,000 underground fighters. This seems to be a significant unification, and one worthy of serious consideration by our Government. I believe that selection of a leader is a matter to be decided by the Cubans themselves. I believe, Mr. Speaker, that only by the free selection of their own leader can the Cuban refugees hope to remain united in their determined effort to restore liberty to their enslaved homeland. It is very obvious that they have made their selection in Senor Mario Garcia Kohly.

Mr. Speaker, we cannot sidestep or explain away popular sentiment, nor can we any longer evade the issue of the necessity for the restoration of a free Cuba. Only by restoration of an anti-Communist government in Cuba can the threat to such countries as Bolivia, Haiti, Dominican Republic, and all of Latin America be removed.

Our Government has delayed long enough and must now give serious consideration to the recognition of the exile government of Senor Mario Garcia Kohly and the Cuban military junta, which has been formed at the request of, and selected by, the free Cubans themselves.

The news account, the proclamation, Senor Kohly's address, and the release of the Knights of Malta, follow:

[From the Washington (D.C.) Daily News, June 29, 1968]

PROTECTION AGAINST CHINESE MISSILE, BUT ABM NO DEFENSE AGAINST CUBA

(By Mike Miller)

As currently designed, the Sentinel Anti-Ballistic Missile system could protect the U.S. against missiles fired from Red China 6000 miles away—but not from any missiles that might be fired from Cuba 90 miles away.

That's what Army officials have told the House Defense Appropriations Sub-committee, according to testimony the Sub-committee made public today.

Lt. Gen. A. D. Starbird said Sentinel would not defend against potential missile threats from Cuba because "it would not have the over-all country-wide coverage that you can get by looking out (by radar) and catching the missile coming in from a long distance."

Nor are there any other U.S. defensive systems to stop a missile attack from Cuba. In response to Subcommittee inquires, the Army supplied this statement for the record of the hearings:

"The Army has no active defense today against a missile aimed at the United States from Cuba once the missile is launched."

The Army added that an additional Spartan missile site with accompanying radar installations at an undisclosed location "would be required to protect Florida against Cuban-based ballistic missiles."

But no plans were disclosed to provide that additional site.

The Spartan will be the long-range missile of the Sentinel system. A shorter-range defensive missile will be known as the Sprint.

There have been no confirmed reports of strategic offensive missiles in Cuba since 1962 when the late President John F. Kennedy successfully demanded removal from the island of imported Soviet missiles. But Rep. Robert L. F. Sikes (D., Fla.) raised the possibility during the recent hearings of a recurrence of the 1961 crisis.

Scientists estimated in 1962 that the missiles in Cuba could hit the U.S. mainland less than five minutes after launching.

Gen. Starbird also said Sentinel would have only limited effect against the Fractional Orbital Bombardment System Russia is reported to be developing. FOBS would approach the U.S. on a low trajectory designed to cut down radar warning time.

Gen. Starbird said it would be possible to design Sentinel to defend against both FOBS and missiles fired from Russian submarines off the U.S. coast. But this would require more ABMs than currently planned, the Army said.

The Defense Department has said there will be 15 to 20 missile batteries in the $5.5 billion Sentinel system. Thirteen potential sites are being surveyed, the closest to Cuba being the

Albany, Ga., area. Sentinel is scheduled to become fully operational in five or six years.

PROCLAMATION

In a certain place in the city of Havana, Cuba, on the 20th day of the month of June 1962, and made mandatory by the agreement taken by the signers of this document, we proceed to draw the same. This agreement will be signed by the directors of each organization as the circumstances will permit.

The agreements taken heretofore and ratified in this document are the following:

1. The directors of the clandestine organization Christian Civic Military Junta, which was organized on the 24th of August 1960, after having brought about the unification of nine other organizations who were fighting in the underground against the communism established in our country, make another patriotic advance in obtaining the incorporation in this organization of the remaining six organizations which have signed this document.

2. We, the signers of this document, responsibility state that in so doing we have pledged the unity of the major organizations existing within Cuba.

This union of organizations consists of approximately 45,000 men and women. Apart from the 90 per cent of the citizens who are against the regime which tyrannizes our country, there may be some small groups which, while they deserve our complete respect because of their love of country and the courage they have shown in the struggle, are not effectively organized.

3. We, the signers of this document, hereby state that we do not recognize any representative of these organizations operating in exile, leaving our militant men to their own struggle.

4. We make one exception to paragraph 3 above of this document, the foreign-based representative of the Christian Civic Military Junta, Col. Jose Pineiro Paez.

5. We designate as command in chief inside Cuba, Col. (deleted), who will at all times take whatever measures he deems best to accomplish the overthrow of the Communist regime, and who will report to the signers of this document as circumstances permit.

6. In accordance with the information in the possession of the signers of this document, and especially so because of the reports furnished by the foreign-based representative of the Christian Civic Military Junta, Col. Jose Pineiro Paez, we make the following special agreement which states:

SPECIAL AGREEMENT

The signers of this document, who represent the organizations which signed the body of this document and which represents the majority union of all the major organizations who are fighting inside of Cuba, agree and accept that Sr. Mario Garcia Kohly occupy the provisional presidency of our country during the struggle against communism which tyrannizes it, as well as during the period following liberation.

7. It is agreed by the signers of this document to recognize as the only foreign based representative of the unity inside of Cuba, hereinafter to be known by the name of Christian Civic Military Junta, Col. Jose Pineiro Paez, to whom this Document will be sent, through whatever secure means are available to us, with a request that he make this document known, omitting the names of the signers in order to protect the lives of the signers, and to specially advise Sr. Mario Garcia Kohly, of the decision taken by the signers with an appeal to his patriotism to accept this honorable mission and assure him of our heartfelt desires that he may be able to quickly obtain the necessary support so that we start the final struggle for the liberation of our country, at which time we will proclaim on our soil the establishment of a provisional government under his direction.

8. The signers of this union of organization will append their signatures on the reverse side of this page.

LIST OF SIGNERS

Christian Civic Military Junta, signed by the Commander-in-Chief; Anti-Communist Youth of America, the national director; Revolutionary Air Forces, national director; Democratic Christian Movement, national director; Revolutionary Recuperation Movement, national director; Free Workers of Cuba, national director; and the Anti-Communist Movement of the People, national director.

MARIO GARCIA KOHLY'S MESSAGE TO THE PEOPLE OF CUBA, AUGUST 1962

I listened to Fidel Castro's hypocritical speech in which he said, "Arms * * * arms for what?" from within the prison bars where I had been taken that same afternoon, accused of the terrible crime of having refused to cooperate with the "26 of July revolution," a movement I considered too Communist and felt, therefore, my duty to combat. Three days later I was able to escape to the United States due to the disorder prevalent during those first days of January of 1959.

I think it is important to stress this point, in view of the arrival to the North American shores of so many last-minute so-called "repentants." About 6 months had gone by, when the first disillusioned Castro follower, convinced of the treason to the people of Cuba perpetrated by the Castro brothers, came to Florida. I am referring to Col. Pedro Diaz Lanz, commander in chief of the rebel air forces (an old personal friend of mine). Upon his arrival, he found that we were already conspiring in Miami. After many conferences held in my home in Coral Gables, a small group of us began work to create the first organized anti-Communist force. In those days, the American people, and why deny it, even the greater part of the Cuban people, still believed in Castro's promises, and our work was very difficult. We were even badly looked upon by the local authorities, and harrassed by the "barbudos," who about the time ran about the streets of Miami as if it were an extension of Havana.

Little by little other Cubans began to arrive, and our organization grew; we had conferences, press meetings, and began to create an anti-revolutionary, anti-Communist feeling in exile. When our efforts seemed about to crystallize, I came to Washington on the 10th of June, 1960, to arrange to obtain economic help with which to obtain arms and launch a strong invasion, to put an end to the Communist regime. In Washington, I heard many encouraging statements and promises of help, messages of hope, which I was to pass on to our compatriots in exile. The U.S. presidential elections were close at hand and this made my work all the more difficult. Neither of the two great political parties appeared to have an interest in taking the initiative in declaring Castro's mismanagement of the Cuban Government, "an enemy of democracy," and there were many who thought there was the possibility of "coexistence" with Castro.

But about this time an unexpected event totally changed the destiny of our beloved country.

The arrival in the United States of a group of men, who until a few days before their arrival as political refugees, had been praising and even actively participating in the anti-American, anti-democratic, anti-judicial, and anti-Cuban measures of Castro's and Miro Cardona's government. With them also arrived, the famous theory of the ex-Ambassador of the United States to Cuba, Mr. Phillip Bonsal, who popularized "Fidelismo without Fidel" and coined the phrase of the "betrayed revolution." From that moment on, only those "last-minute repentants," founders of the Revolutionary Democratic Front, and later, the Revolutionary Council, were able to obtain the friendly ear of the State Department and the CIA.

The true anti-Communist Cubans fell into disgrace. We were all labeled "Batistianos" (even though we were not), as if this were the worst and most offensive accusation, as if we carried on our foreheads the mark of Cain, or as if all of us were responsible for "the imaginary 20,000 deal," with which the communistic propaganda of "the 26th of July" tried to stain the good name and destroy the morale of the honorable national Cuban Army, the only bulwark of our nation against the Marxist intentions of the Castro brothers.

However, we did not give up our efforts to liberate the fatherland which these so-called "last minute repentants" tried to maintain under Communist subjugation, assuming all the rights to form the "exclusive club of patriots" wherein, the only ones who could participate, were those who only a short time ago, had dishonored the sacred memory and patriotic ideals of Marti. Of the Republic which had been founded with so many sacrifices and such lavish heroism by the Maceos, the Calixto Garcia, Agramonte, and Cespedes, and so many other great patriots, to turn Cuba into a sad appendage of despotic Soviet Russia.

After the fruitless invasion of the 17th of April, which could really be called "the betrayed invasion," 90 organizations or anti-Communist groups, united around the political, economic, and social platform, which during my almost 3 years as an exile in Washington, I had been developing. Thus was created the first union or force of large anti-Communist sectors under the banner of the United Organizations for the Liberation of Cuba. This platform has as its fundamental basis, the return to the 1940 Cuban Constitution, which is an example, without equal, of liberty and true democracy—absolute respect for the rights of man as guaranteed by our constitution, such as the pursuit of happiness, economic well-being, freedom of expression, of reunion, and equality of all men before the law. We call for breaking of relations with the Communist countries and reestablishment of relations with all free governments; absolute respect of international treaties and obligations; respect of private property; absolute freedom of worship; reorganization of political parties and prompt elections supervised by the Organization of American States, as a guarantee of our confidence in the good sense of the democratic and Christian principles of our people, who will repudiate without any doubt, in a free election, all Marxist, anti-Cuban and anti-Christian theories.

Although we have made studies and great preparations, which have been continued, we cannot speak here about military matters with which to put an end to communism in Cuba. We have always considered that success will be ours and in the not too distant future, we will return to our beloved country. It was not enough, therefore, to dedicate our sleepless hours and our efforts to the overthrow of Castro, it was necessary also to think about the future of Cuba, destroyed, vandalized, bankrupt and bled white, by these traitors who had brought Cuba to ruin. I put this responsibility equally on the Castros and the Cardonas, who sold our country to the Sino-Russian Communists as well as on the "last minute repentant exiles," who with their music of "a betrayed revolution" and their aberrations of being the only ones capable of directing the liberation movement, in spite of the total repudiation by most of the exiles, delayed the true revolution. We cannot, upon returning to Cuba, begin to improvise formulas, study plans, make promises and ask for votes of confidence, as Castro did.

For these reasons the United Organizations for the Liberation of Cuba have accepted, along with the authorities of this country, our plans and studies for the economic transformation of Cuba which will make our country one of the most prosperous of the Americas.

Here are the salient points of our programs, which, for obvious reasons, cannot be stated in great detail:

We have prepared a budget of $1.5 billion which will be obtained in an advance on the sugar differential and which will be distributed in the following manner:

1. Emergency assistance ($50 million): To take care of the victims of this Communist imposed civil war. These funds will be used to obtain and distribute, food, medicines, clothing and to lend assistance to the people of Cuba, including temporary housing.

2. Public works program ($200 million): These funds will be immediately used in the reconstruction of roads and bridges, creating immediate work in all the six provinces.

3. Public education ($100 million): We will establish in all rural areas, high schools, technical schools as well as a university in each province. The school must come to the people, they cannot be asked to come to Havana to obtain their education. Preferential attention will be given in this program to vocational schools.

4. Modernization of the Cuban sugar industry ($100 million): We must not forget that Cuba is predominantly a producer of sugar. Our Government will establish a credit of $100 million to be employed in the modernization of our first industry through the extension of credit facilities to the "colonos" (independent sugar cane growers) and to the "hacendados" (owners of sugar mills) whose properties have suffered greatly due to the Communist occupation of Cuba and which are today in great need of repairs. It is necessary, it is imperative, that Cuba may be able to compete in the future world market, and only with a total modernization, can we hope to sell our sugars at a competitive price in the world market and pay the decent salaries which our Cuban workers are entitled to receive.

5. Construction of hotels and promotion of tourism ($50 million): It has been said, and truly so, that tourism was the second largest money crop in Cuba, second only to sugar. After the defeat of the Communist "Barbudos," there is no doubt that hundreds of thousands of tourists will come to Cuba to see the transformation of a Communist satellite into a civilized nation. We will need many hotels in which to lodge this great flood of tourism which will favor our incipient economy greatly.

6. The People's Bank ($300 million): This bank will be different from any bank in the world. It shall constitute a risk which the Government of Cuba shall assume, based on the good faith of our people. I believe in the good faith of the Cuban people. This bank will serve, so that those persons, those thousands of honest Cubans with good reputations with considerable knowledge and training, and a desire to live with dignity, may obtain credit to establish themselves in small industry or business, even though they may be lacking in the usual guarantees demanded by the commercial banks for this type of operation. This bank will lend $50 to $100 to a humble peasant, whose only aspiration is to purchase a pushcart from which to sell fruits and vegetables, or $5,000 to $10,000 to a small business man who wishes to operate a grocery store, a shoe store or a small general store. No longer will Cubans with initiative fall into the hands of the moneylenders or depend upon political appointments in order to obtain the means of supporting their families.

The Peoples' Bank will create in Cuba a new class of small merchants and industrialists and will give employment and the means of earning a livelihood to those Cubans who have been forgotten by our governments and our capitalists. This will be the future middle class of Cuba, the greatest bulwark against Communist penetration. To implant this ideal we will be dedicated without rest.

7. The land bank ($500 million): The agrarian reform established by the Castros constitutes, in our opinion, a theft and a cruel fraud perpetrated upon the Cuban farmers. We cannot accept that one Cuban's farm should be taken away from him, to promise it, or give it to another. This is exactly what Castro has done. Therefore, we will establish the Land Bank with a credit of $500 million so that the Government, through this bank, may acquire sufficient vacant land to parcel into lots and sell on long-term credit to the Cuban farmer. Under this plan, the farmers will receive land and they will own the titles to their property, titles which Castro promised them and never gave them.

8. The capitalist manifesto ($200 million): One of our greatest preoccupations will be the industrialization of Cuba and the creation of great sources of work. Here we will develop great sources of employment instead of just work. To this end and to make the workers and the people of Cuba coparticipants in the wealth of the national production, we shall establish an official institution directed by delegates from each of the bank members of the Cuban Clearing House and a delegate from the National Bank of Cuba. This institution will have as its objective the study of every projected new industry requiring investment of Cuban capital, and may participate through the purchase of the common stocks in any of the new enterprises, up to 50 percent of the capital required. The main concern of almost all foreign industrialists and investors is the fear of expropriation of their industries or investments as has happened in Cuba, Mexico, and Brazil. We believe that our plan will help to vanquish these false fears, insofar as the future Cuba, for once they know that through this institution the Cuban people themselves, being coparticipants, will become their best defense against any attempt of expropriation on the part of any future government in our country. With the creation of this institution, we expect to attract thousands of new industries which will bring employment and prosperity to our citizens. Our plan does not end here. This plan might be called the "capitalist manifesto" in opposition to the "Communist manifesto" of Karl Marx, which preached the destruction of capitalism as the only means to bring happiness to the people. The shares of this bank will not be the property of the Government. We are not creating a state monopoly, these shares will be sold exclusively to the people of Cuba. They will be sold with the same right to pay for the shares subscribed, with the same facilities which, before Castro, they were able to buy a house under an FHA plan; that is, on long terms, and with the added advantage of being able to receive dividends on the shares subscribed, including the unpaid balance. In this manner, each Cuban will be able to subscribe to, and in the future be the absolute owner of, a number of shares which represent the Cuban participation in all the industries of the country. These shares will be, and will constitute, a safeguard for the aged, as assistance in times of need, and of pride in the possession of a share of the national wealth. For this purpose as we have stated, we will devote $200 million which will be doubled by the foreign investments in Cuba, allowing the immediate creation of new industries with a value of $400 million. As these shares are subscribed and paid for, new financing of other industries can take place.

If we have extended ourselves in the explanation of our "capitalist manifesto," which distributes the national wealth amongst all of the Cubans, based on sound capitalist principles, and we have extended ourselves in talking about the "land bank," to help the Cuban farmer, those farmers who have been so villainously fooled by the Castro's Communists with their unfulfilled promises, if we have gone into great detail in the exposition of "the people's bank", yes, the bank of the people of Cuba, we are not offering any excuses. We want the people of Cuba to understand well, that very much to the contrary of wanting to turn back the hands of the clock of time to the Cuba of yesterday, we want to carry to Cuba the true revolution, the one she desires, which she never had, the revolution to redeem the Cuban people from economic dependency, to bring the economic independence which will permit them to live proudly as Cubans.

We want the man of the new Cuba to be a cultured man, prepared to develop the mission which destiny has reserved for him in the history of the Americas. Therefore, our reasons, to establish specialized schools.

The reason we will establish "the people's bank," is so that the Cuban people, with their capacity for bettering their condition in life, will never again be pariahs searching after small Government jobs, depending on political sergeants or selling their votes—that sacred right guaranteed under our Constitution. We do not want to see the farmer of the future, living, like they have lived until the present, almost like slaves, without a small piece of land and always so mistreated. No, we want the Cuban farmer to feel proud of being a "guajiro", we want him to be the owner, the real owner, of the land he works. But we also want him to work it with the pride of knowing that if the Cuban nation has helped him, through "the land bank", he has paid with the sweat of his brow for this little piece of land, which he purchased honorably, and did not steal, as Castro forced him.

"The capitalist manifesto," too complicated and extensive to detail here, we believe, will solve, once and for all, the lack of employment, that "chronic sickness" of Cuba. It will attract an unlimited number of new industries and new capital to our beloved land, and will make each Cuban a coowner in this great new national wealth.

We want to see a Cuba without unemployed, a Cuba with the highest salaries of Latin America, and, while it is true that we will return all foreign properties confiscated to their legitimate owners, they will be obliged by law to pay to the Cuban worker the same salaries which they pay to their nationals in their own country. I am referring specifically to the telephone company, the electric light and power companies and to those so-called Cuban companies which were only exploitation capital firms. They will not be able to charge higher rates for their services in Cuba in comparison to their charges in their own countries. They will also have to pay the Cuban employees the same wages or salaries which employees or workers of the same category receive in the United States. Cuba will never again be a "factory" of low wages and high prices. There will be work for all, employment for all and a new standard of life.

We do not want to return to Cuba as "avenging angels." We recognize the errors of the past. We wish to return to Cuba as the creators of a new Cuba, a new nation. The United Organizations for the Liberation of Cuba will accomplish this and Cuba will be free of Castro and of Communists.

PRESS RELEASE OF KNIGHTS OF MALTA

Whereas the Knights of Malta recognize the alarming aspects and implications involved in the Washington Daily News article of June 29th, 1968, (p 10) entitled "A.B.M. No Defense Against Cuba", to wit:

1. That it will take 5 or 6 years for the United States to complete an A.B.M. defense against a sneak missile attack from Cuba, and

2. That such a defense would cost about 5 Billion Dollars, representing a severe burden on the American economy at this crucial time, and

Whereas the Knights of Malta recognize that the President-in-exile of Free Cuba, Mario G. Kohly has established a program for the restoration of democratic rule to Cuba, a program which in no way affects our existing agreements regarding Cuba, particularly the Kennedy-Khrushchev Agreement of 1962, and

Whereas it would immensely benefit the United States of America to have in Cuba a government which is Christian, democratic, free-enterprise in philosophy, and friendly to the United States, rather than one, such as the present regime, which is Atheist, tyrranical, regimented, and subservient to Moscow,

Therefore the Knights of Malta have resolved:

1. That President Mario G. Kohly and the Cuban Military Junta represent the legitimate aspirations to freedom of the People of Cuba.

2. That recognition of the Free Government of Cuba in Exile is in the best interests of the United States of America, and free men everywhere.

3. That the Knights of Malta extend their full recognition and support, consistent with law, and highest standards of honor and morality, to President Mario G. Kohly and The Cuban Military Junta, and to his program for the re-establishment of liberty and Constitutional Government to Cuba.

"BODY BY FISHER" MARKS 60TH YEAR

HON. WILLIAM S. BROOMFIELD

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 10, 1968

Mr. BROOMFIELD. Mr. Speaker, on July 22, 1968, Fisher Body Division of General Motors Corp., will celebrate 60 years of craftsmanship in the automobile industry.

Since its founding in Detroit in 1908, the famous "Body by Fisher" trademark has appeared on more than 100 million car bodies. From the start, the Fisher founders envisioned high quality craftsmanship as the key to success.

Throughout its history, this Michigan-based organization has pioneered many important developments in passenger safety and comfort.

Today, there are more than 95,000 men and women employed at 34 Fisher body plants in 11 States across the country. The headquarters of the division is located at the General Motors Technical Center in Warren, Mich.

Together, Fisher body plants cover more than 35 million square feet of space for fabricating, assembly and engineering operations. They are located in Detroit, Flint, Grand Blanc, Grand Rapids, Kalamazoo, Lansing, Livonia, Pontiac, Tecumseh, and Willow Run, Mich.; Cleveland, Euclid, Hamilton, Lordstown, Mansfield and Norwood, Ohio; Chicago, Ill.; Marion, Ind.; McKeesport, Pa.; Atlanta, Ga.; Baltimore, Md.; Janesville, Wis.; Kansas City and St. Louis, Mo.; Van Nuys, Calif.; and Tarrytown, N.Y.

During 1967, total payrolls and local purchases at Fisher body plants across the country added $1.3 billion to the Nation's economy.

Mr. Speaker, I am sure many of my colleagues will want to join in paying tribute to the outstanding achievements of the Fisher Body Division on its 60th anniversary on July 22.

GENERAL SIKORSKI: SOLDIER, STATESMAN

HON. THADDEUS J. DULSKI

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 10, 1968

Mr. DULSKI. Mr. Speaker, 25 years ago a great Polish soldier and statesman, Gen. Wladyslaw Sikorski, was killed when his airplane crashed into the sea off Gibraltar.

The tragedy occurred on July 6, 1943, when the general was enroute to England while serving as Polish Prime Minister and Commander in Chief of the Polish Armed Forces in exile.

General Sikorski had a long and brilliant career in the service of his country, as has been well detailed in the following article from the July 3 edition of the Am-Pol Eagle, published in Buffalo, N.Y.:

GENERAL SIKORSKI—A GREAT SOLDIER AND STATESMAN

On July 6th 1943 General Wladyslaw Sikorski, Polish Prime Minister and Commander-in-Chief of the Polish Armed Forces in exile, was killed when the plane, which was to carry him to England crashed into the sea near Gibraltar.

Twenty-five years ago the Polish nation and the cause of the United Nations suffered the most grievous loss of General Sikorski—statesman and outstanding leader of the Second World War. He owed his position to his noble character, his energy in all his actions.

He was born in 1881, at a time when Poland did not exist in European politics. Her name had been blotted out from the map and she was partitioned between Russia, Austria and Germany. The Polish nation, however, never accepted such a situation and towards the end of the 19th century Sikorski's generation believed as firmly as previous generations had in an ultimate liberation of Poland. Maybe the younger generation, in whose political life Sikorski took an active part believed in it more sincerely and more strongly before the outbreak of the First World War, hoping the fight between her three oppressors would bring freedom to the Polish nation.

Sikorski studied civil engineering at the Polytechnic Institute at Lvov. Long before the First World War, Sikorski had already begun his military studies. He was one of the organizers of the underground forces formed in those parts of Poland which had been occupied by the Austrians. At the outbreak of war in 1914, a National Committee was formed in Cracow which soon afterwards led to the organization of the Legions of Joseph Pilsudski, and in that Committee, thirty-three-year-old Colonel Sikorski became chief of the military department and acted with dynamic energy.

After the war, Sikorski occupied an important position in the organization of the Polish State. He fought for the liberation of Lvov and Przemysl in 1919 and in the Polish-Russian war of 1920 gaining great popularity in Poland as an outstanding soldier. During the Russian offensive against Warsaw, he commanded the Northern Army winning one of the decisive battles of the war. During the post-war period Sikorski became the Chief of the General Staff.

In 1922 Sikorski was named Prime Minister. After the coup d'etat by Marshal Pilsudski in 1926, Sikorski severed his relationship with Marshal Pilsudski and his party. While this political group was in power, Sikorski remained in opposition. The catastrophe of 1939 found him at the head of the opposition, and consequently the entire nation looked to him for guidance.

A TRUE LEADER

While living in exile in Paris he kept busy as a writer, publishing books dealing with a future war and strategical problems. He also wrote political articles for various newspapers. On September 24th, 1939 he was chosen as the head of the new Polish Government and Commander-in-Chief. He immediately formed a government on a democratic basis. It included representatives of the most important political parties. Immediately the Sikorski government summoned a National Council in exile as a kind of provisional parliament, proving that the Government wished to exercise its authority in a democratic spirit. At the same time Sikorski issued the appeal. Poles from the homeland and from all over the world began to arrive in France to join the nucleus of the Polish Army in exile.

While organizing the Polish Army in November 1939, he foresaw Germany's attack on the neutral countries, America's entry into the war, and the attack on Russia. He went to London to find understanding for the Polish cause repeatedly attending conferences with the allies.

During the defeat of France, Sikorski did not give to despair and doubt. His arrival in England and Churchill's quick decision to evacuate the Polish army from France, enabled most of it to get away safely. The Polish army began to organize in Scotland and units of the Polish Navy were fighting side by side with the Royal Navy. Polish airmen distinguished themselves in the Battle of Britain.

He travelled extensively. He visted his fighting men in the Middle east and Africa. He came to the United States and was greeted warmly by President Roosevelt. When Germany attacked Russia, he was first to suggest that he was willing to come to an understanding with Russia in the name of the Polish Government, and that he was prepared to forget all misunderstandings alienating Poland from Russia. As a result of the Russian-Polish agreement of 1941 and the subsequent meeting with Stalin in Moscow, thousands of Polish men, women and children, imprisoned and deported from Poland to Russia were enabled to leave Soviet Russia. Two years later, for various reasons, the agreement was broken by the Soviets. Nevertheless, the Polish-Russian pact was instrumental in closer relationship between Russia, Britain and America.

He died at the very moment when his country most needed his help in the difficult situation in which it found itself after the failure of Polish-Russian agreements. His death meant an irreparable loss to Poland. It still is.

SOLE SURVIVING SON

HON. CLARENCE J. BROWN, JR.

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 10, 1968

Mr. BROWN of Ohio. Mr. Speaker, I have introduced a bill today to correct an inequity in the policy of our Defense Department regarding assignment of men to duty in combat areas.

I am sure my colleagues are aware of the DOD definition of "Sole Surviving Sons." It states that—

> A sole surviving son is defined as the only remaining son in a family of which, because of hazards incident to service in the Armed Forces of the United States, the father or one or more sons or daughters have been killed; have died as a result of wounds, accident or disease; are in a captured or missing-in-action status; or are permanently 100% physically or mentally disabled as determined by the Veterans Administration or one of the miltary services and by virtue of such disability are hospitalized on a continuing basis and are not gainfully employed.

Present Defense Department policy excuses a sole surviving son from combat duty except on a voluntary basis.

My bill would expand the policy to include all other surviving members of the family whose father, brother, or sister has died while serving or as a result of service in the Armed Forces in Vietnam.

The hardship and anguish suffered by the American families who have already lost one of their members in the Vietnam struggle is great enough, Mr. Speaker, that these families should not be asked or required by policy to offer up another son or daughter to combat duty.

The bill I have introduced would prohibit a member of such a family from being assigned to the Vietnam combat area unless he or she volunteers for that duty.

I believe that the number of armed service personnel affected by my bill would not be great. But the effect of this legislation on those 28,000 and more families who have already made their contribution and their sacrifice to the cause of freedom in Vietnam will be immeasurable.

The bill is concise and uncomplicated. I include it in the RECORD for the reference of our colleagues:

A bill to amend title 10 of the United States Code to prohibit the assignment of a member of an armed force to combat area duty if certain relatives of such member died while serving in the armed forces in Vietnam

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That chapter 39 of title 10, United States Code, is amended by adding immediately after section 671 the following new section: "§ 671a. Certain members not to be assigned to combat areas.

"Except during the period of a war or a national emergency declared by Congress, no member of an armed force may be assigned to active duty in an area in which the armed forces are engaged in combat, unless he volunteers for such duty, if, after December 31, 1963, the father or a brother or a sister of such member was killed in action or died in line of duty while serving in the armed forces within the combat area designated in Executive Order No. 11216, dated April 24, 1965, or died after such date as a result of injuries received or disease incurred during such service."

SEC. 2. The table of sections at the beginning of chapter 39 of such title is amended by inserting immediately after "671. Members not to be assigned outside United States before completing training."
the following:

"671a. Certain members not to be assigned to combat areas."

AMBASSADOR EGIDIO ORTONA—DIPLOMACY, ITALIAN STYLE

HON. ROMAN C. PUCINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 10, 1968

Mr. PUCINSKI. Mr. Speaker, the excellently edited monthly magazine The Washingtonian carried a most inspiring article in its July edition about Italy's new Ambassador to the United States, Ambassador Egidio Ortona.

I am particularly pleased that this article quite properly observes that "Italy has become America's closest friend in the world."

I am taking the privilege of including this article in the CONGRESSIONAL RECORD today because I would want my colleagues to become better acquainted with the outstanding qualifications of Ambassador Ortona. I am certain his presence in Washington will have meaningful significance for all Americans. We are grateful to the Government of Italy for assigning one of its top diplomats to Washington.

The article follows:

DIPLOMACY, ITALIAN STYLE

As the capital of world diplomacy, Washington is also the center of the hidden-facet industry. Here, nothing is so cherished as a subtle truth that seems to lie even deeper than some previous revelation. Yesterday's insights are themselves peeled away, onion-like, to reveal new layers of thought. It has become banal, for instance, to say that France wrecked Kennedy's grand design for Europe; but a diplomatic dinner party can be aroused by the suggestion that a group of schemers in our Government had planned all along to divide and dominate Europe, so that General de Gaulle has really been their dupe.

One of the latest new twists from the hidden-facet factories is of much higher quality and likely to endure.

Go back to the fact that Italy's government had long urged us to negotiate in Vietnam. "We want to draw America closer to Europe, not see you squander your reputation for the sake of Southeast Asia," one leading Italian said. Keenest in pushing for Vietnam peace was Italy's Foreign Minister Fanfani. But the Ambassador in Washington, Sergio Fenoaltea, was so attached to Lyndon Johnson's policies that he angrily resigned. When a replacement was announced, some insiders pointed out that as the new man was a close associate of Fanfani's, he must be coming to throw down the gauntlet to LBJ. This reckoned without the hidden facet that was sure to be uncovered.

The fact is that when the name of Egidio Ortona was proposed Washington set a speed record in declaring him to be *persona grata*. The cabled okay went back to Rome within less than an hour. It had little to do with friendships, although Ortona's eighteen years in the U.S. had created as many ties here as in Rome. What pleased Washington was that Italy had, for the first time in decades sent us a professional diplomat, rather than a politician. As Secretary General of the Foreign Ministry, Ortona had become Number One man in the Italian foreign service. Rome's choice was typical of the pliant Italian way that so often wins in the end. By sending its top pro, Italy was signalling a desire to sidestep partisan pressure and start working out practical arrangements for peace. Ortona's way of putting it is that he came not to insist on anything, but just to offer Italy's help in creating the conditions for peace.

Not only among officials, but even among Washington's cynical diplomatic correspondents, Egidio Ortona is regarded as the perfect professional who can keep innumerable friendly channels open while pursuing the heads-I-win-tails-I-win-something-else game that he is paid to play. He manages to be Europe's keenest crusader for Atlantic partnership while insisting that he adores France and admires every Frenchman whose name is mentioned. He champions Western solidarity, but is especially proud that he started the huge Fiat automobile deal with Russia. As President of the UN Security Council during the 1960 Laos crisis he was, as a colleague puts it, "pretty hard on those boys from the USSR"; but he is well liked in East Europe, where skilled diplomacy is respected.

An alumnus of the London School of Economics, as well as of the University of Turin, the fifty-seven-year-old Ambassador epitomizes the changeless urbanity that has marked the diplomat through the centuries. He looks neither young nor old. His ruddy face has the timeless imperturbability of Rome's russet buildings. His words—whether in Italian, English, or French—have a touch of elegance that sets him a little apart from his era. Yet he has the modern Italian's passion for speed, loves to fly, and averages two to three trips a week to visit Italian consulates and clubs across the U.S. It is easy to picture Ortona taking his place at the Congress of Vienna—having just alighted from an Alitalia Caravelle.

Behind Ortona's mission to Washington is another facet of even broader significance than Vietnam policy: Italy has become America's closest friend in the world. Talk about England's "special relationship" with the U.S. is out of fashion just now. And anyone who suggests that Germany is our key ally risks being regarded as a peasant, for that country is known to cause our policy makers private nightmares. NATO, in fact, is preserved mainly to contain the Germans, rather than the Soviets. But Italy . . .

Cabinet crises notwithstanding, no other nation agrees with us on so many points. Italy carries the ball on our ceaseless end runs to move Britain over the Common Market's goal line. Italy tries to help us rouse Europe to Russia's potential rule of the Mediterranean. Italy helped the U.S. dollar for the past two years by being more willing and able than any other country to hold our paper money and seldom ask for gold.

Our three enemies of World War II days have all been turned into allies, but only one has become a trusted friend. Italy, as the old saying goes, is often beaten but never conquered. Its successful opponents soon find themselves thinking like Italians.

WHERE JULY 4 STILL GETS A BIG SALUTE

HON. FERNAND J. ST GERMAIN

OF RHODE ISLAND

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 10, 1968

Mr. ST GERMAIN. Mr. Speaker, on the Fourth of July, Americans gather across our land to commemorate our Nation's independence and birth, but probably nowhere in all America is this great anniversary celebrated in a more significant or magnificent manner than in the picturesque and historically rich town of Bristol, R.I.

So great is the enviable spirit which

emanates from this big-small town of 14,000 patriotic Americans, that the residents of this exemplary town are unable to confine their celebration to the customary fourth day of July. For the town of Bristol, R.I., it is a year-round affair which culminates in an official observance of our Nation's anniversary for a period of almost a week.

Being privileged with the honor of representing this spirited town in the Congress, I have special affection for the manner in which it celebrates our Nation's anniversary. For the thousands of outsiders who are privileged each year to join in the town's Fourth of July celebration, it is a memorable event which probably knows no equal.

A very eloquent account of this big event in the relatively small town of Bristol, R.I., appeared in the June 9 edition of the New York Times. It was written by the distinguished author, educator, and world traveler, Walter Hackett, who also happens to be a Bristol resident. In an effort to acquaint others with the extraordinary manner in which the Fourth of July is celebrated in Bristol, I include this literary glimpse of Independence Day in Bristol, R.I., in the RECORD.

During the 1967 Fourth of July address to the people of Bristol, I stated:

> This day has become a day of dedication to all the principles of American democracy, a salute to all the men and women who kept the nation advancing through adversity as well as prosperity.

Bristol, R.I., is truly a place "Where July Fourth Still Gets a Big Salute," as the New York Times article is so aptly entitled, and the people of Bristol, in turn, deserve a big salute for their admirable efforts.

In this dark age of patriotism, the town of Bristol stands as a bright light—a beacon for other towns and cities to shine forth with the blazing light of patriotism which, I am pleased to note, is never out of style and never outstyled in the town of Bristol, R.I.

The article follows:

WHERE JULY 4 STILL GETS A BIG SALUTE

(By Walter Hackett)

BRISTOL, R.I.—At 10:30 A.M. on July 4, this history-steeped town of 14,000 will stage the oldest, and possibly the biggest annual Independence Day parade in the country.

Last year, 80,000 out-of-town visitors lined the tree-shaded streets to watch more than 3,000 marchers and 35 bands pass in review. Officials predict that this year's parade will surpass 1967's in the number of both marchers and viewers.

RETURN OF THE NATIVES

The Fourth of July in Bristol is the time for former residents to return home; in fact, many of them would rather be here for this celebration than for Christmas. To them, the Fourth is a time for family reunions, and so in they flock from many states in the Union, bringing home with them their grand-children and great-grand-children.

Bristol's Fourth of July celebration is not a one-day party. Since that would not be fair to the people who return from great distances, it is spread over the better part of a week. Second only to the parade is the holiday ball, to be held in the old stone armory overlooking the harbor. This year, it will take place on June 29.

On July 1, there will be an old-timers' baseball game on the Common. The players traditionally wear their everyday clothes rather than uniforms. Why? Because it has been done that way for 62 years. The next afternoon, there will be a softball game.

On the Fourth, there will be an old-style firemen's muster on the Common at 2 P.M. Participating will be the town's volunteer fire companies, which are named Defiance, Dreadnaught, Ever Ready and Hydraulion. That same afternoon, a Seabee band and drill team from Davisville, across Narragansett Bay, will perform; they also will take part in the morning parade.

A carnival has been held on the Common for more than 100 years, and there will be one in full swing this year. For good measure, there is a greased-pole climb.

PRAYERS ON THE COMMON

Bristol's first official July 4 celebration was held in 1785, three years after the Revolutionary War. It featured prayers on the Common led by Parson John Wright, recently mustered out of the Continental Army. In the following year, the event became more frolicsome.

In 1835, however, the holiday celebration, under the leadership of the Young Men's Temperance Union, became a "dry affair." The day then included a lecture on the evils of demon rum, and a song on the same theme was sung by the Cold Water Army as it marched in the parade. By 1849, the Fourth had become more "liquid" again.

The night before is almost as important as July 4 itself. By noon of July 3, family reunions are in full swing. Formal gardens, patios and plain backyards are populated with people who have not seen each other in a year.

PUBS ARE BUSY

The same night also sees the local pubs doing a Gold Rush sort of business. Even local people who never enter them the remaining 364 nights of the year wander in and out. On the east side of Hope Street, near the corner of State, is a raised wall, and there people sit late into the night, an orderly but talkative assembly.

On Fourth of July morning, out-of-town people start arriving as early as 6 o'clock. They come in family groups, with their folding chairs, lunch baskets and coolers, to lay temporary squatters' rights to advantageous spots along the parade route. If inhabitants of the Colonial homes on High and Hope Streets find strangers sitting on their front steps and leaning against their white picket fences, they do not mind, for this is Bristol's most hospitable hour.

The parade starts on the large Common promptly at 10:30 A.M. and lasts for at least three hours. Rhode Island's Congressional delegation is always on hand, as are the Governor and other assorted political leaders.

The parade this year will have 15 divisions and an estimated 3,500 marchers. There will be 37 bands, military and civilian; included is the Redman's Band of Wakefield, Mass., a group that dates to post-Revolutionary War days.

There will be drill teams, Reserve Officer Training Corps units and old-line infantry and artillery companies in full-dress Continental uniforms, circa 1775. Too, there will be drum and bugle corps, mounted "cowboys," antique cars and floats.

FOR THE BEST VIEW

The best panoramic view of Bristol—it was settled in 1669 by Englishmen, who named it after the British seaport—is from the curve in the harbor near the beginning of Poppasquash Road, just off Hope Street. In the foreground are marshland and the harbor; beyond, seeming to float mistily on the water, is Bristol proper, with its stabbing church steeples and parade of white houses.

Traditionally, it never rains in Bristol on the Fourth. A local police sergeant, with 40 years of service behind him, recalls that, the few times it has rained, the parade has gone on as scheduled.

FORTY-FOUR LINES OF FREEDOM

HON. SAMUEL L. DEVINE

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 10, 1968

Mr. DEVINE. Mr. Speaker, our colleague, CHALMERS P. WYLIE, of the 15th District of Ohio, made an address on Independence Day which is worthy of the attention of all Members of Congress.

The address follows:

FORTY-FOUR LINES OF FREEDOM

One hundred and ninety two (192) years ago today Thomas Jefferson wrote: "We hold these truths to be self-evident—that all men are endowed by their creator with certain inalienable rights." Jefferson, John Adams, Benjamin Franklin and 52 other signers defined these rights as life, liberty and the pursuit of happiness.

The Declaration was bold. Yet, in less than two centuries, nation after nation has adopted this very theory of government: That men are (or should be) equally entitled to liberty.

Americans have battled side-by-side with other nations to defend this principle in World War I, World War II—18 years ago in Korea, and now in Vietnam.

Freedom no longer lies in independence alone. It lies also in interdependence. Today, in the age of dictatorship—of the right and of the left—the idea that governments "derive their just powers from the consent of the governed" remains a daring concept, and is more important than ever. "Those who expect to reap the blessings of freedom must, *like men*, undergo the fatigue of supporting it" Thomas Paine said.

I am a member of the most powerful legislative body in the history of the world—each time I approach the Capitol, I get a thrill and a lump rises in my throat because I feel the contributions to history and to our way of life that have been made and are being made there—and I know that I am a small part of something big. Yet, I know that I would not be there except for you and I know that my title as representative to Congress which means I represent someone—and that someone is you and the other people of the 15th District. This is why I welcome your letters, your comments and send out questionnaires on the theory that many heads are better than one and that we all as freedom loving people will give our lives, our fortunes and our sacred honor—as Patrick Henry put it—"to remain free and independent."

Another of my functions as your representative is to keep you informed as to what is going on in your Congress.

I am apprehensive about our huge national debt which reflects additional federal spending and programs which make us dependent on our federal government. In the Declaration of Independence the *federal government* is to derive its just powers from the consent of the governed. The Government is to be dependent on the people it governs.

I was concerned when the United States Export-Import bank announced a plan to finance the construction of a Fiat automobile plant in Russia and a cold rolling steel mill in Yugoslavia. I introduced an amendment to prohibit loans to nations with which we are engaged in armed conflict or any nation dealing, directly or indirectly, with such nation. I am pleased that the amendment was approved and is now law.

What I am attempting to say is that we must not rest on our oars on this day of celebration.

On this July 4th, take a moment and ponder the imposing message of the Declaration of Independence.

The Declaration of Independence of July 4, 1776 marked one of those moments in history which was radically to alter the entire course of history—a moment that was to have profound impact not only upon the lives of all generations of Americans to come but upon the lives of all mankind as well.

I do not think we are always aware of how extraordinary that moment was in history of man—how unique is America (and) all it means.

"America", wrote the Englishman G. K. Chesterton, "is the only nation in the world that is founded on a creed. That creed is set forth with dogmatic and even theological lucidity in the Declaration of Independence perhaps the only piece of practical politics that is also theoretical politics and also great literature".

Or to quote the words of a contemporary American Scholar: "It can be said that the revolution which gave birth to the United States is the only true revolution in history, because it is the only one in which men as creatures of history rationally chose to become its creators, to start history afresh by ridding themselves of its burdens and heeding its lessons, to give their nation a novel purpose—The American revolution was an attempt not at restoring an ancient order that was supposed to have existed previously, but at creating a new order of things the like of which had never been seen before".

That revolution didn't end with the surrender of Cornwallis. It continues and will never cease to continue as each generation of Americans seeks, in the context of its own times, to bring the America its knows closer to the America it dreams of. It continues and will never cease to continue as each generation of Americans seeks, in the context of its own times, to give new life to those beliefs that first gave life to the nation in which we now live.

Today, as nearly two centuries ago, that revolution rests upon the conviction that all men equally and alike are members of the same human race, no man more than any other—that all men equally and alike share those responsibilities that are inherently human and beyond this—that every man, in common with every other man, has a unique dignity and destiny.

This, then, is our faith—that all men are equal and that every man is unique, that all men have an equal right to the freedom and the opportunity to fulfill themselves both as men sharing a common humanity and as men possessing a distinct and unique individuality.

We know, as our forefathers knew, that no man is like another—one is brighter than another, one has different interests than another, one works harder than another. These are natural differences—the very differences we seek to afford the freedom and the opportunity to flourish and so immeasurably to enrich our lives as individuals and as a people.

We must also know, as our forefathers knew, that these differences cannot flourish—that we cannot fulfill ourselves as individuals unless we are assured the full and free exercise of those rights we all share in common. We must know that these differences cannot flourish—that we cannot fulfill ourselves as individuals when we seize upon other differences, of race, of religion, of economic circumstance—differences innocent enough in themselves until we make of them artificial barriers that stifle talent, that diminish individual opportunity and deny human rights.

If we would live the faith that is ours, we cannot deny of others the rights we demand for ourselves. We cannot deny the dignity of another (as an individual or as a man) without demeaning our own.

For this is our creed, if it has not always been our conduct. In that we are no different from other men—for it has always been in the history of man that between the creed and the conduct, the ideal and the deed, the distance is often very great, but we do differ from other men in that we are the direct heirs of a revolution that requires of us, as it gives us, more than is required of others or given to them.

And it can be said of us that if the distance is still great between what our deeds and what our ideals declare, it is not as great today as it was five, ten or even twenty years ago, and growing smaller everyday.

This is a time of danger as great as that of 1776. But who can hear the quiet ticking of the nuclear clock, or mark the silent hardening of hatred between two peoples. We are not accustomed to danger in these subtle forms.

And yet we have a heritage of resourcefulness through two hundred years that has seen us through a catalog of crises from the black agony of the Civil War to the present situation in Vietnam. A new generation now trying to drown the tolling of the doomsday clock in the tintinnabulation of the amplified guitar—the first children of the nuclear age—will hear a trumpet over the din and get back in touch with destiny as were our forefathers when they gathered around a small table and signed the Declaration of Independence.

As I close I would like to leave one thought embedded in the minds of each and everyone of you present, the Declaration of Independence is more than a document, it is—forty-four lines of freedom.

FORGET THE POLLSTERS—ON TO MIAMI, REPUBLICANS

HON. JAMES G. FULTON

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 10, 1968

Mr. FULTON of Pennsylvania. Mr. Speaker, it is a pleasure to place in the Congressional Record this excellent article by Morrie Ryskind, which appeared in the Evening Star on Tuesday July 9, 1968. This article expresses my sentiments on "skimmed milk type" polls that are superficial and limited as to coverage. These polltakers circulate among a few handpicked "opinion loaders" who are questioned, praised, and psychoanalyzed by the polltakers to keep their pleasant relationship going and keep the candidate buying. They have been so badly out of joint with the actual results in the primary elections in 1968, everybody with experience and commonsense knows this to be the case.

We must realize that conditions are changing, opinions are changing, candidates are changing, events are changing, and political realities are changing. Under these circumstances, opinion polls should be taken, even if accurate at the time, for merely a slice of public opinion at a specific instant of time, and a very thin slice of opinion factor at that.

Unless the polls are taken contemporaneously and opinions sought concurrently at about the same time, a large error factor enters simply because of the lapse of time or the variety of situations in which the polltakers take the count and the opinions are given.

Having taken a course on statistics, as well as a number of mathematics courses, I wonder what the correlation would be between a poll of the same people taken on a Monday morning after a rainy summer weekend and immediately after a tremendous local high school football victory.

Polls should be taken for just what they are—of some value, but really just feathers in the wind. The article follows:

Forget the Pollsters—On to Miami, Republicans!

Though utterly without faith in the pretense of the professional pollsters to dip into the future, I admit to a sneaking admiration for their Phoenix-like ability to rise from the ashes and blithely go ahead forecasting again. These cats have at least nine lives.

This hasn't been what you'd call a spectacular year for them. From that first primary in New Hampshire, where they erred by so many percentage points in their predictions, and continuing through Indiana, Nebraska, Oregon, Texas and California, these Delphic oracles have demonstrated that fortune-telling is still far from an exact science.

And the result in New York, where McCarthy's surprise showing caught them with their Ouija boards down to here, would in ancient times have warranted their exile to whatever far land the Literary Digest emigrated to.

But darned if the boys aren't back at the old stand, prognosticating as cheerfully as ever. Here's Louis Harris, for example, offering his latest tip sheet. On the basis of interviewing a massive 1,524 voters (out of the estimated 75 million who will opt this November), he tells us that either Vice President Humphrey or Sen. McCarthy can defeat either Dick Nixon or Nelson Rockefeller.

Accept this crystal-gazing as truth, and it seems foolhardy for the GOP to proceed with its Miami convention, what with all the intramural blood-letting bound to occur there. And why spend all that money for an August-to-November campaign in which you are certain to be licked? There surely must be some honorable way of getting out of a war that cannot be won.

The wise thing to do would be to sit back and relax, and watch the Democrats claw at each other in Chicago. I am against violence normally, but I regard a good Democratic brawl as cultural entertainment. And this one promises to show Hubert in his dangerous tight-rope act in which he firmly backs LBJ all the way, but thinks we ought to get out of Vietnam and make friends with Red China.

The prospect is tempting, and I wish I could bring myself to believe Harris' 1,524 genuinely represented the American people. In which case, of course, our Congress and the legislatures of our 50 states should resign in favor of this elite. It would certainly be the patriotic thing to do.

And LBJ might do well to choose one from this honor roll to take the seat on the Supreme Court that Justice Warren is willing to vacate. No one, liberal or conservative, could challenge such a choice.

Alas, I remain an unbeliever. Considering the polls, I am not certain Mr. Harris' selections are really the cream—and even he must have his doubts. My reading is that the 1,524 have a union and cannot be fired simply for holding unpopluar opinions. And they probably have tenure—so Harris is stuck with them.

Wherefore I stand on my constitutional rights and will wait for November to see how the rest of the 75 million voted. I grant that involves a considerable waste of time and money, but I want to see the official returns before conceding.

I realize I will be regarded as a horse-and-buggy conservative for opposing the oracle, and not taking the shortcut his alchemy suggests. But how about the liberal Nelson Rockefeller, who gives no credence even to the returns? He has a 5 percent write-in vote in Nebraska, and in Oregon, where he believed he had real strength, he got only 4 percent. Yet you can't tell him there isn't a grass-roots demand for Rocky.

Nor should it be forgotten that Harold Stassen, just as progressive as Nels, is still in there pitching. He has one delegate already pledged to him—one more than many expected—and if the convention should decide on a compromise candidate, who knows?

After all, the Harris poll showed only that Dick and Nels could be beaten—but it said nothing about Harold. And in a race between Hubert and Harold, anything may happen. Granted that some folk might decide to flee the country in that event, but there would probably be more han 1,524 who would remain to vote.

Damn the torpedoes—and the pollsters, too! On to Miami, Republicans!

SOME LESSONS OF RHODESIA

HON. JOHN R. RARICK

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 10, 1968

Mr. RARICK. Mr. Speaker, on many previous occasions I have expressed my feelings on our retrogressive foreign policy toward Rhodesia, to seek political justification of the economic attack initiated by Socialist Britain and the United States under the ridiculous United Nations charge that this small African country constitutes a threat to international peace.

Unfortunately, the Rhodesian situation is not adequately nor impartially covered in the greater part of our communications agencies that are seemingly intent on dodging the truth and facts to comply with strong policy controls. There are, however, independent writers and honest publications that do not fear to speak out.

One such writer is William Henry Chamberlin, distinguished author, editor, lecturer and contributor to the Wall Street Journal who recently visited Rhodesia and wrote an illuminating article summarizing his impressions that was published in the July 1968 issue of the Freeman.

To give the article a wider circulation, I quote it as part of my remarks:

SOME LESSONS OF RHODESIA

(By William Henry Chamberlin)[1]

There is nothing like a visit to a distant and controversial land to give a sense of perspective and realism. I have recently returned from such a visit to Rhodesia, a landlocked country of 150,000 square miles in south central Africa, which has been under economic siege by the United Nations—with the participation of the United States—for much of the period of two and a half years since its declaration of independence in November, 1965.

The basic cause of Britain's refusal to accept Rhodesia's self-proclaimed independence—a status it has accepted for many former dependencies with less literate and educated electorates—was a difference of opinion with the Rhodesian government, headed by Ian Smith, as to how far and how fast the African population (about 4 million, compared with some 235,000 whites, mostly of British and South African stock) should be enfranchised. Rhodesia had been practically self-governing for almost half a century; the British connection had been mainly formal, finding expression in such details as the nomination of a governor-general as representative of the Queen. There had been no British interference in Rhodesian domestic legislation.

The United Nations Charter does not authorize the imposition of such sanctions and trade restrictions as have been imposed on Rhodesia because of domestic legislation. So the excuse for this declaration of economic war was that Rhodesia, under its present regime, was a threat to the peace of the world—an allegation without a shred of serious proof.

It should be noted that Rhodesia, unlike South Africa, is not a country of racial *apartheid*. There are 13 Africans in the 65-member legislature. There could be more if the two radical African parties, Zapu and Zanu, had not demanded a one-man, one-vote system and urged a boycott of elections until this was established. Under the present system, the franchise is limited by property and educational qualifications. Fifty members are elected on an A roll, with higher qualifications; fifteen on a B roll, where the qualifications are lower.

Hotels and higher education in Rhodesia, again in contrast to South Africa, are multiracial. Perhaps of greater significance is that more than half the police force is African and a considerable part of the small army is composed of Africans. Notwithstanding the UN's curious excuse for sanctions, Rhodesia has never sent any military force outside its own borders. There have been two invasions of its territory by terrorist guerrillas, mostly refugees from Rhodesia who received training in sabotage and guerrilla warfare in adjacent Zambia (formerly Northern Rhodesia) and from communist-ruled countries farther afield: Cuba, the Soviet Union, and Red China. Both incursions failed to achieve anything except virtual wiping out of the guerrilla forces and minor casualties for the Rhodesians. Significantly, an African unit, the Rhodesian African Rifles, bore the brunt of the second incursion, and with no apparent strain on its loyalty.

Since the declaration of independence, Rhodesia has been under double attack, from hostile incursions across the Zambezi River on its northern border, and from such forces of African nationalist subversion as may exist within the country. It has also been the object of an economic blockade, first launched by Great Britain, then extended by the United Nations.

SIGNS OF TRANQUILLITY

The British Viscount plane used by Rhodesian Airways landed at Salisbury, capital of Rhodesia and named after a famous British Conservative Prime Minister of the late nineteenth century. I should not have been surprised to find here and there signs of tension and unrest. But nothing of the kind appeared on the horizon. Salisbury on a Sunday afternoon in the clear heat of its high prairie altitude was about as peaceful a spot as one could imagine.

There were few police and no soldiers in sight. Many Africans lay stretched out in the city parks, quite at ease. Rhodesian acquaintances told me that unscrupulous foreign photographers took pictures of these recumbent figures and published them with captions indicating that here were victims of repression. Our acquaintances drove us into the suburban environs of the capital, where we enjoyed a typical British tea at the country home of some friends. If those present were sitting on a powder keg, they gave a pretty good impression of being totally unaware of it.

These friends and other Rhodesians I met reported that the state of public order had very much improved since UDI (unilateral declaration of independence). This, so they told me, was because previous governments had been weak on law enforcement. The African political groups, Zapu and Zanu, had taken advantage of this situation to run a fierce competition for recruiting new members at high entrance fees. Europeans were not much endangered; but law-abiding Africans who refused to pay were apt to have crude bombs hurled through their windows; their thatched huts were set on fire and the occupants beaten and left for dead. Tribal chiefs (most Rhodesian Africans live under the traditional tribal organization) were stabbed, shot, strangled, and clubbed.

KEEPING THE PEACE

The Smith regime put a stop to these disorders, using some methods that would not be approved by the American Civil Liberties Union, notably detention and restriction of residence without trial. The leaders of the two parties, Nkomo and Sithole, and some other agitators were placed in detention. According to Minister of the Interior Nicolle, some 20 to 30 persons are held in indefinite detention. A larger number, perhaps three or four hundred, are subjected to residence restriction and forbidden to move out of their own districts until the authorities are convinced they are bent on no mischief.

Practically all the Europeans in Rhodesia and probably a considerable number of Africans (although here the only testimony has been the marked absence of unrest since UDI) believe that restraints on the liberty of a few hundred individuals, reaching the rigor of detention for perhaps thirty of them, is a price worth paying for domestic order.

Of two factors that might have shaken the stability of the Rhodesia Front regime—internal subversion and harassment by guerrilla bands from abroad—both have so far proved nonstarters. Rhodesia is an open country, which welcomes a quarter of a million tourists every year and incidentally offers some scenes of great natural beauty such as Victoria Falls and some fine preserves of African wildlife. Had there been serious trouble from domestic insurrection or foreign invasion, it could not have been concealed. There was no such trouble; and this might suggest to an inquiring mind that African as well as European Rhodesians welcomed the measures taken to stop arson, assaults, and thuggery. As a result of these measures, residents of Salisbury, Bulowayo, and other Rhodesian towns could sleep a good deal more soundly in early April than could those of Washington, Chicago, Baltimore, Pittsburgh, and other American cities plagued or threatened by hoodlumism and vandalism.

SANCTIONS NO PROBLEM

What of the economic war declared on Rhodesia, first by Great Britain, then by the United Nations? This interference with the normal course of the country's import and export trade has inflicted some damage on Rhodesia's economy, but not nearly enough to induce any talk of running up the white flag of surrender. Tobacco, formerly a principal export and fairly easy to identify, has been hard hit and has caused some shifting to other crops and to a different type of tobacco which the Rhodesians hope will be easier to market abroad. Sugar exports also have been affected; and the inflow of foreign capital, while it has not stopped altogether, has slowed down. Ironically enough, this slowing down of the economic growth rate has injured less the Europeans than the Africans, for whose welfare the British Labor Party and the United Nations profess so much concern. It is the Africans, with their high birth rate, who are most in need of new job openings.

---

[1] Mr. Chamberlin is a skilled observer and reporter of economic and political conditions at home and abroad. In addition to writing a number of books, he has lectured widely and is a contributor to *The Wall Street Journal* and numerous magazines.

Rhodesia is self-sufficient in food and cannot be starved, or even inconvenienced, into surrender. The United Nations could have struck a harder blow if it had been able to make its oil sanctions effective, because Rhodesia has no domestic source of this fuel. But oil sanctions have become a joke. In the beginning, their effect was blunted by improvised shipments from Rhodesia's friendly southern neighbor, South Africa, which rushed supplies by train and truck. Sympathetic students at the University of Pretoria, the capital of South Africa, rolled a big drum of oil to Salisbury as a gesture of solidarity.

Now, the need for these emergency shipments is over. Rhodesian oil supplies come in regularly through the port of Laurenco Marques, in Portuguese Mozambique. Thence, they are shipped through South Africa to Rhodesia. The price has gone up a little; but no Rhodesian motorist is seriously inconvenienced.

The sanctions have also speeded up considerably the development of Rhodesia's home industries, notably in the field of clothing. Rhodesian manufacturers not only have begun to supply many home needs; they also have pushed energetically into the nearest available export market, South Africa, and so vigorously that South African firms are asking for protection.

BRITISH MEDDLING

British-Rhodesian relations, which at one time had seemed close to a settlement following a conference of Prime Minister Ian Smith with British Prime Minister Harold Wilson, took a turn for the worse in March when Wilson invoked an authority never before claimed for the British Privy Council and also pushed Queen Elizabeth into the situation by having her reprieve three convicted African murderers whose sentences of death were about to be executed.

The Rhodesian government went ahead with these executions, then with two more of Africans who had committed murder under especially henious circumstances. The left-wing press in England and some Afro-Asian circles at the UN had a field day denouncing "Hangman Smith." There was no reflection of this sentiment in Rhodesia, where it was felt that some shabby common criminals had been given an utterly undeserved status as martyrs in an atmosphere of ignorant emotionalism. It was felt, however, that the government had made its point with five executions, decisively rejecting British interference with the course of Rhodesian justice. So, there was no protest when some thirty other Africans held in cells reserved for those condemned to death were given commutations of sentence.

I had an opportunity for a personal talk with Mr. Ian Smith, head of the independence movement and Prime Minister of the existing government. (Incidentally, Mr. Smith was recently refused permission to visit the United States to accept a speaking invitation at the University of Virginia. Mr. Smith had fought on the allied side during World War II as an aviator and suffered serious facial injuries, requiring considerable reconstruction surgery. With what may be considered a rather strange scale of comparative values, the same State Department that barred Mr. Smith as a presumably undesirable alien was willing to spread out the red carpet for Mr. Oginga Odinga of Kenya, who has been strongly linked by rumor with Chinese communist activities in Kenya. Mr. Odinga, notorious for his hostility to what he calls neo-colonialism, i.e., Western economic and financial aid, was only prevented from coming at the time because his own government withheld his passport.)

Mr. Smith conveyed the impression of being a straightforward, outdoor type of man, a good representative of his countrymen and as frankly outspoken as might be expected of the Governor of Kansas or Nebraska.

WILLING AND ABLE LEADER

Had all prospect of agreement with Britain disappeared with the executions?

Mr. Smith made it clear that he did not believe this was necessarily the case. The executions were a matter of internal Rhodesian jurisdiction, with which Britain had never claimed the right to interfere in the past. If, however, the British government was inclined to press the situation to the point of a final breach, Rhodesia was prepared to go it alone as an independent republic. "We are independent now," Mr. Smith emphasized. "But we still consider ourselves in the Commonwealth and recognize the sovereignty of the Queen."

The Prime Minister dismissed as quite unrealistic a question about the possibility of black rule in Rhodesia. He declared that Rhodesia's military and police security forces could easily handle the problem of guerrilla infiltration across the border from Zambia. To a question whether some form of federation with South Africa might follow a complete dissolution of the tie with Great Britain he remarked that this subject had not come up for consideration, although the possibility could not be ruled out. A number of South Africans came up with the first pioneer settlers with Cecil Rhodes (who gave his name to the country) and Rhodesia's ties with South Africa have always been closer than with any other country.

REASON FOR OPTIMISM AND LESSONS TO BE LEARNED

Mr. Smith expressed confidence that the African population supports the present regime. Most of them live, he said, in a tribal form of organization, where the chief sets forth the sense of the tribal group after consultation with village headmen. Discussing the subject further, he said: "So far as the educated African is concerned, he can be consulted and he can express his opinion. These people are the minority. The majority don't even understand what a constitution is. So it is difficult to ask them to express an opinion on a particular type of constitution."

Expressing gratitude to Americans who had shown understanding of the situation in Rhodesia. Mr. Smith topped the interview with the following statement of confidence in the future of his country: "We are winning the economic war without any question; sanctions have advanced the output of our domestic economy by five or ten years, or even more. As far as security is concerned, I think the record shows that we have less trouble now than we had before our independence. I think we have less trouble than most other countries in the world, and with a lower ratio of police than in your own country and Britain, and a lower ratio of armed servicemen, also. We are a happy, peaceful, prosperous, and expanding economy. I would say all these things give us just cause to be optimistic."

I left Rhodesia with the feeling that several lessons may be learned from its recent experience.

First, a politically conscious, well-educated group of people, convinced that their civilization and way of life are at stake, can maintain a predominant political position, provided there is no strong movement of rebellion. So far, there are no signs of any such movement in Rhodesia.

Second, sanctions applied against such a group are much less effective than is commonly supposed. There are always loopholes in the machinery, and the energy and skill of the Rhodesians in evading economic boycotts considerably exceed the will and ability of the outside world in enforcing them.

Third, while it is always difficult to predict the longevity of administrations, I think it is quite likely that Mr. Smith, with the support of the great majority of his countrymen, will outlast more than one head of a contemporary African state, and also his principal opponent, Mr. Harold Wilson. Britain's Labor Party is in a decline and Rhodesians are confident that an alternative Conservative administration would leap at the chance to find some face-saving means of burying the dismal flasco of sanctions.

HOUSE OF REPRESENTATIVES—*Thursday, July 11, 1968*

The House met at 12 o'clock noon.

The Chaplain, Rev. Edward G. Latch, D.D., offered the following prayer:

Let Thy work appear unto Thy servants and Thy glory unto their children.
—Psalm 90: 16.

O God and Father of us all, from the tumult of a troubled world and the demands of a disturbing day we would seek the quiet of Thy presence, not to evade our responsibilities, not to escape our duties but to turn to the tasks of this time with strong spirits, wise minds, and *gentle hearts.*

Dwelling in the secret place of the Most High and under the shadow of Thy spirit may we be given wisdom to make wise decisions, strength to carry heavy burdens, insight to see clearly, and courage to walk in Thy way as the wards of our wonderful country.

"Lord of the nations, thus to Thee
  Our country we commend;
Be Thou her refuge and her strength,
  Her everlasting friend,
Both now and forevermore."

Amen.

THE JOURNAL

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Arrington, one of its clerks, announced that the Senate had passed without amendment bills of the House of the following titles:

H.R. 4739. An act to authorize the Secretary of the Interior to grant long-term leases with respect to lands in the El Portal administrative site adjacent to Yosemite National Park, Calif., and for other purposes;

H.R. 13402. An act authorizing the use of certain buildings in the District of Columbia for chancery purposes;

H.R. 15562. An act to extend the expiration date of the act of September 19, 1966; and

H.R. 16065. An act to direct the Secretary of Agriculture to release on behalf of the United States conditions in deeds conveying certain lands to the State of Iowa, and for other purposes.

The message also announced that the Senate agrees to the amendments of the House to a bill of the Senate of the following title:

S. 3102. An act to postpone for 2 years the date on which passenger vessels operating solely on the inland rivers and waterways must comply with certain safety standards.

The message also announced that the Senate had passed bills of the following titles, in which the concurrence of the House is requested:

S. 2445. An act to amend part I of the Federal Power Act to clarify the manner in which the licensing authority of the Commission and the right of the United States to take over a project or projects upon or after the expiration of any license shall be exercised;

S. 3206. An act to amend the Federal Water Pollution Control Act, as amended, relating to the construction of waste treatment works, and for other purposes;

S. 3343. An act to designate certain lands in the Pelican Island National Wildlife Refuge, Indian River County, Fla., as wilderness;

S. 3379. An act to designate certain lands in the Great Swamp National Wildlife Refuge, Morris County, N.J., as wilderness;

S. 3425. An act to designate certain lands in the Monomoy National Wildlife Refuge, Barnstable County, Mass., as wilderness;

S. 3495. An act to authorize the Secretary of the Army to modify certain use restrictions on a tract of land in the State of Iowa in order that such land may be used as a site for the construction of buildings or other improvements for the Iowa Law Enforcement Academy;

S. 3502. An act to designate certain lands in the Seney, Huron Islands, and Michigan Islands National Wildlife Refuges in Michigan, the Gravel Island, and Green Bay National Wildlife Refuges in Wisconsin, and the Moosehorn National Wildlife Refuge in Maine, as wilderness; and

S. 3638. An act to extend for 3 years the authority of the Secretary of Agriculture to make indemnity payments to dairy farmers for milk required to be withheld from commercial markets because it contains residues of chemicals registered and approved for use by the Federal Government.

PERMISSION TO FILE CONFERENCE REPORT ON H.R. 16913, AGRICULTURAL APPROPRIATIONS, 1969, UNTIL MIDNIGHT, JULY 12

Mr. WHITTEN. Mr. Speaker, I ask unanimous consent that the managers on the part of the House may have until midnight Friday, July 12, to file a conference report on H.R. 16913, the 1969 agricultural appropriation bill, and that the report be printed in the RECORD notwithstanding the adjournment of the House.

The SPEAKER. Is there objection to the request of the gentleman from Mississippi?

Mr. HALL. Mr. Speaker, reserving the right to object, may I inquire of the distinguished chairman of the subcommittee and of the managers on the part of the House, has the conference met and is the report ready for printing?

Mr. WHITTEN. No. The conference has met and it meets again tomorrow. May I say to the gentleman, I may be optimistic in getting this permission, but in case we should get together, we would like to go ahead and do it as quickly as we can.

This has been cleared by my colleagues on the subcommittee on the gentleman's side.

Mr. HALL. Mr. Speaker, as I understand it, it is the plan of the House to meet tomorrow, and at that time permission could be obtained if the work of the conference would be completed then. Is that not correct?

Mr. WHITTEN. Yes. I was anticipating, not being on the floor all the time, that in case the House should go over to Monday, I might be caught without having gotten this permission. I thought I would get the permission as a hedge, so it would keep me from having to be on the floor all the time, and I would have it in case I need it.

Mr. HALL. Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

PERMISSION FOR SUBCOMMITTEE ON INDIAN AFFAIRS, COMMITTEE ON INTERIOR AND INSULAR AFFAIRS, TO SIT DURING GENERAL DEBATE TODAY

Mr. HALEY. Mr. Speaker, I ask unanimous consent that the Subcommittee on Indian Affairs of the Committee on Interior and Insular Affairs be permitted to sit during general debate today.

The SPEAKER. Is there objection to the request of the gentleman from Florida?

There was no objection.

THREAT TO SECURITY IN AIR TRAVEL

Mr. VANIK. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. VANIK. Mr. Speaker, I was shocked to learn that, as a result of the personnel cutback directed by the conference report on the surtax bill, vital personnel who monitor the movement of air traffic in the Federal Aviation Administration will be reduced by 2,400 employees at the very time that air traffic is increasing at an annual rate of over 15 percent. As a result of this policy, commercial aircraft is being directed to stack up all over America waiting clearance for landing.

It is my understanding that 10 days ago the airspace as far off as Utah was filled with aircraft, some of which was awaiting clearance for landing at Kennedy Airport in New York. The stacking of aircraft exposes every air traveler to a grave and unnecessary hazard. One misdirected aircraft, one human error could compound into a chilling disaster.

I do not believe that the American people would approve of this threat to their security in air travel. Congress must recant and pass legislation this session to insure the safety of our airways.

AN INVITATION TO OKLAHOMA FOR PORTER'S PEACH FESTIVAL

Mr. EDMONDSON. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. EDMONDSON. Mr. Speaker, I would like to invite all of my colleagues to come to Porter, Okla., on August 3 for a pleasant and unusual annual event. Once again, the Porter Peach Festival will be held, and the folks in that area are going to prove that Porter is the peach capital of Oklahoma—with the finest peaches in the country.

Porter not only promises the best peaches, but a wonderful time for all. As with all great festivals, a little time will be taken out to find the fairest of them all, and you can be sure that the young lady who is selected "Miss Peach" will be a lovely queen in the finest tradition of Oklahoma beauties.

A lot of time has been devoted, along with a lot of care, to make these peaches the best. Porter historians tell us that peaches came to this area in 1890, when settlers first gazed along the broad, flat Arkansas River bottomlands at "Pretty Porter, Creek Nation, Indian Territory." Since then, Porter has cultivated the tastiest peach in the world, with fine orchards dating back to 1913.

Mr. Speaker, come on down to Porter, Okla., and see it for yourself. You will be singing the praises of this peach capital and this wonderful festival until you go back for the next one in 1969.

POVERTY AND LACK OF JOBS AND INCENTIVES ON INDIAN RESERVATIONS

Mr. BERRY. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from South Dakota?

There was no objection.

Mr. BERRY. Mr. Speaker, some interest has developed over poverty and lack of jobs and incentives on Indian reservations as a result of my calling this problem to the attention of the House on a number of occasions.

I want to repeat and repeat and repeat the fact that there is no poverty anywhere as drastic as that on the Indian reservations in the United States.

Congress is appropriating a half billion dollars each year for the operation of the Bureau of Indian Affairs and for funds through OEO, education, housing and what not, but they fail to realize that this is not the answer to the problem.

Government handouts and Government spending cannot solve the Indian problem. It can only be done through jobs, salaries, income, and the individual initiative that comes to the individual as a result of being able to earn his own living.

PROGRAM INFORMATION ACT

Mr. KLEPPE. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from North Dakota?

There was no objection.

Mr. KLEPPE. Mr. Speaker, I am today introducing for reference to the appropriate committee a bill entitled the "Program Information Act," the purpose of which is to create a catalog of Federal assistance programs.

This bill is similar to that introduced earlier by the gentleman from Delaware, William V. Roth, Jr., and others. I wish to commend him for the enormous job he undertook in compiling his catalog, and in the legislation he has proposed as a result of that study.

The bill would require the President to publish a comprehensive compendium of Federal assistance programs yearly, and to update the compendium monthly. Annual recommendations on simplifying and consolidating program guidelines and access requirements are also required of the President.

A number of benefits would result from passage of this bill. It would give Congress a meaningful tool to use in determining the worth of the various Federal programs already in operation. Such a tool is of vital necessity in allocating priorities of the Federal Government. It would also give us a good guideline for use in asessing the value of programs proposed for the future.

Mr. Speaker, a common request that I receive from people throughout my district is for information on Federal assistance programs that may be of some help to them. The answer to that question often requires a long and tedious search, and one can never be sure that he has covered the entire field, simply because there are so many programs available. It is high time we had some concise and indexed catalog of programs of Federal assistance in one place. The catalogs now available do not accomplish this. The bill I introduce today would go a long way in answering the need for such a catalog.

APPOINTMENT OF CONFEREES ON H.R. 18038, LEGISLATIVE BRANCH APPROPRIATIONS, 1969

Mr. ANDREWS of Alabama. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H.R. 18038) making appropriations for the legislative branch for the fiscal year ending June 30, 1969, and for other purposes, with Senate amendments thereto, disagree to the Senate amendments, and agree to the conference asked by the Senate.

The SPEAKER. Is there objection to the request of the gentleman from Alabama? The Chair hears none, and appoints the following conferees: Messrs. Andrews of Alabama, Steed, Kirwan, Yates, Casey, Mahon, Langen, Reifel, Andrews of North Dakota, Wyman, and Bow.

DEPARTMENT OF THE INTERIOR AND RELATED AGENCIES APPROPRIATIONS, 1969—CONFERENCE REPORT

Mrs. HANSEN of Washington. Mr. Speaker, I call up the conference report on the bill (H.R. 17354) making appropriations for the Department of the Interior and related agencies for the fiscal year ending June 30, 1969, and for other purposes, and ask unanimous consent that the statement of the managers on the part of the House be read in lieu of the report.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentlewoman from Washington?

There was no objection.

The Clerk read the statement.

The conference report and statement are as follows:

Conference Report (H. Rept. No. 1664)

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 17354) "making appropriations for the Department of the Interior and related agencies for the fiscal year ending June 30, 1969, and for other purposes," having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 15 and 30.

That the House recede from its disagreement to the amendments of the Senate numbered 1, 2, 4, 5, 9, 10, 12, 14, 16, 17, 18, 19, 20, 21, 22, 23, 25, 27, 28, 31, 32, 33, and 35, and agree to the same.

Amendment numbered 3: That the House recede from its disagreement to the amendment of the Senate numbered 3, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$140,693,000"; and the Senate agree to the same.

Amendment numbered 13: That the House recede from its disagreement to the amendment of the Senate numbered 13, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$88,675,000"; and the Senate agree to the same.

Amendment numbered 24: That the House recede from its disagreement to the amendment of the Senate numbered 24, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$1,491,000"; and the Senate agree to the same.

Amendment numbered 26: That the House recede from its disagreement to the amendment of the Senate numbered 26, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$583,000"; and the Senate agree to the same.

Amendment numbered 29: That the House recede from its disagreement to the amendment of the Senate numbered 29, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$5,385,000"; and the Senate agree to the same.

Amendment numbered 34: That the House recede from its disagreement to the amendment of the Senate numbered 34, and agree to the same with an amendment, as follows: In lieu of the matter proposed by said amendment insert:

"NATIONAL FOUNDATION ON THE ARTS AND THE HUMANITIES SALARIES AND EXPENSES

"For expenses necessary to carry out the National Foundation on the Arts and the Humanities Act of 1965, as amended, $10,500,000, of which $5,400,000 shall be available until expended to the National Endowment for the Arts for the support of projects and productions in the arts through assistance to groups, individuals, and States pursuant to sections 5(c) and 5(h) of the Act and for support of the functions of the National Council on the Arts set forth in Public Law 88–579; $3,700,000 shall be available until expended to the National Endowment for the Humanities for support of activities in the humanities pursuant to section 7(c) of the Act; and $1,400,000 shall be available for administering the provisions of the Act: *Provided*, That, in addition, there is appropriated in accordance with the authorization contained in section 11(b) of the Act, to remain available until expended, amounts equal to the total amounts of gifts, bequests, and devises of money, and other property received by each Endowment during the current fiscal year, under the provisions of section 10(a)(2) of the Act, but not to exceed a total of $1,000,000: *Provided further*, That not to exceed 3 percent of the funds appropriated to the National Endowment for the Arts for the purposes of sections 5(c), 5(h) and functions under Public Law 88–579 and not to exceed 3 percent of the funds appropriated to the National Endowment for the Humanities for the purposes of section 7(c) shall be available for program development and evaluation."

And the Senate agree to the same.

The committee of conference report in disagreement amendments numbered 6, 7, 8, 11, and 36.

Julia Butler Hansen,
Michael J. Kirwan,
John O. Marsh, Jr.,
John J. Flynt, Jr.,
Charles S. Joelson,
George Mahon,
Ben Reifel,
Joseph M. McDade,
William H. Harrison,
Charles R. Jonas
(except amendment No. 36),
Managers on the Part of the House.

Carl Hayden,
Alan Bible,
Robert C. Byrd,
Karl E. Mundt,
Milton R. Young,
Managers on the Part of the Senate.

Statement

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 17354) making appropriations for the Department of the Interior and related agencies for the fiscal year ending June 30, 1969, and for other purposes, submit the following statement in explanation of the effect of the action agreed upon and recommended in the accompanying conference report as to each of such amendments, namely:

TITLE I—DEPARTMENT OF THE INTERIOR

Public land management

Bureau of Land Management

Amendment No. 1: Appropriates $50,751,000 for management of lands and resources as proposed by the Senate instead of $51,196,000 as proposed by the House.

Amendment No. 2: Appropriates $3,081,000 for construction and maintenance as proposed by the Senate instead of $3,156,000 as proposed by the House.

Bureau of Indian Affairs

Amendment No. 3: Appropriates $140,693,000 for education and welfare services instead of $145,693,000 as proposed by the House and $139,843,000 as proposed by the Senate. The increase over the Senate bill provides $850,000 for the operation of kindergartens in Bureau schools.

Amendment No. 4: Appropriates $50,240,000 for resources management as proposed by the Senate instead of $50,776,000 as proposed by the House.

Amendment No. 5: Appropriates $25,471,000 for construction as proposed by the Senate instead of $24,921,000 as proposed by the House.

Amendment No. 6: Reported in technical disagreement. The Managers on the part of the House will offer a motion to include language regarding Indian tribal funds proposed by the Senate.

Amendment No. 7: Reported in technical disagreement. The Managers on the part of the House will offer a motion to provide language as proposed by the Senate which would exclude judgment proceeds or other funds, revenues or receipts to the Shoshone Indian tribe of the Wind River Reservation, Wyoming, from the general restriction on the distribution of such funds.

Bureau of Outdoor Recreation

Amendment No. 8: Reported in technical disagreement. The Managers on the part of the House will offer a motion to provide language as proposed by the Senate which will permit the use of $225,000 of 1968 funds for salaries and expenses in fiscal year 1969 for the printing of the Nationwide Outdoor Recreation Plan.

Land and Water Conservation

Amendment No. 9: Appropriates $90,000,000 for the Land and Water Conservation Fund as proposed by the Senate instead of $100,000,000 as proposed by the House. The amount provided includes the following increases over the House bill for the Federal program: $200,000, Guadalupe Mountains National Park, Texas; and $375,000, Patuxent Endangered Species Research Center, Maryland. It also includes the following reductions below the amount provided in the House bill for the Federal program: $100,000, Assateague Island National Seashore, Maryland; $100,000, Fire Island National Seashore, New York; and $375,000, Mason Neck-Bald Eagle Habitat, Virginia.

Amendment No. 10: Provides $45,000,000 for State grants as proposed by the Senate instead of $55,000,000 as proposed by the House.

Amendment No. 11: Reported in technical disagreement. The Managers on the part of the House will offer a motion to provide language as proposed by the Senate for the payment of $106,018.69 to the State of Washington to compensate for timber cutting rights in the Queets Corridor of the Olympic National Park.

Trust Territory of the Pacific Islands

Amendment No. 12: Appropriates $30,000,000 for the development program in the Trust Territory of the Pacific Islands as proposed by the Senate instead of $31,606,000 as proposed by the House.

Geological Survey

Amendment No. 13: Appropriates $88,675,000 for surveys, investigations, and research instead of $89,470,000 as proposed by the House and $88,575,000 proposed by the Senate. The amount includes an increase of $150,000 over the Senate bill for studies of artificial ground water recharge, and a decrease of $50,000 in the $250,000 provided by the Senate for Project EROS.

Bureau of Mines

Amendment No. 14: Appropriates $36,818,000 for conservation and development of mineral resources as proposed by the Senate instead of $36,886,000 as proposed by the House.

Amendment No. 15: Appropriates $1,917,000 for solid waste disposal as proposed by the House instead of $1,667,000 as proposed by the Senate. The increase of $250,000 over the Senate bill is for extinguishing the culm dump fires in Eastern Pennsylvania.

Office of Coal Research

Amendment No. 16: Appropriates $13,700,000 for salaries and expenses as proposed by the Senate instead of $13,350,000 as proposed by the House. The amount includes an increase of $50,000 over the Senate bill for a new coal research project in Wyoming and a decrease of $50,000 below the $400,000 provided by the Senate for Project Gasoline.

Office of Oil and Gas

Amendment No. 17: Appropriates $818,900 for salaries and expenses as proposed by the Senate instead of $768,900 as proposed by the House.

Bureau of Commercial Fisheries

Amendment No. 18: Appropriates $24,597,000 for management and investigations of resources as proposed by the Senate instead of $23,997,000 as proposed by the House.

Amendment No. 19: Appropriates $15,000 for management and investigations of resources (special foreign currency program) as proposed by the Senate instead of $100,000 as proposed by the House.

Amendment No. 20: Appropriates $4,319,000 for Federal aid for commercial fisheries as proposed by the Senate instead of $4,719,000 as proposed by the House.

Amendment No. 21: Deletes the provision under Federal aid for commercial fisheries research and development of $400,000 for section 4(b) of the Act providing fishery resources disaster aid.

Amendment No. 22: Appropriates $2,300,000 for Anadromous and Great Lakes Fishery Conservation as proposed by the Senate instead of $2,333,000 as proposed by the House.

Bureau of Sport Fisheries and Wildlife

Amendment No. 23: Appropriates $45,893,000 for management and investigations of resources as proposed by the Senate instead of $45,784,000 as proposed by the House.

Amendment No. 24: Appropriates $1,491,000 for construction instead of $1,541,000 as proposed by the Senate and $1,203,000 as proposed by the House. The increase over the House bill includes $38,000 for paving a portion of Woodward Drive which passes through the Natchitoches National Fish Hatchery, Louisiana; and $250,000 for development of waterfowl production areas in South Dakota.

National Park Service

Amendment No. 25: Appropriates $43,049,000 for management and protection as proposed by the Senate instead of $43,429,000 as proposed by the House.

Amendment No. 26: Appropriates $583,000 for preservation of historic property instead of $783,000 as proposed by the House and $483,000 as proposed by the Senate.

Office of Water Resources Research

Amendment No. 27: Appropriates $11,150,000 for salaries and expenses as proposed by the Senate instead of $11,217,000 as proposed by the House.

Amendment No. 28: Provides a limitation on administrative expenses of $550,000 as proposed by the Senate instead of $617,000 as proposed by the House.

Office of the Solicitor

Amendment No. 29: Appropriates $5,385,000 for salaries and expenses instead of $5,415,000 as proposed by the House and $5,355,000 as proposed by the Senate.

Office of the Secretary

Amendment No. 30: Appropriates $8,301,000 for salaries and expenses as proposed by the House instead of $8,264,500 as proposed by the Senate.

TITLE II—RELATED AGENCIES

Department of Agriculture

Forest Service

Amendment No. 31: Appropriates $184,444,000 for Forest Land Management as proposed by the Senate instead of $185,374,000 as proposed by the House.

Amendment No. 32: Provides $1,300,000 for acquisition of land under the Act of March 1, 1911, as amended (16 U.S.C. 513–519) as proposed by the Senate instead of $1,800,000 as proposed by the House.

Amendment No. 33: Appropriates $38,865,000 for forest research as proposed by the Senate instead of $39,067,000 as proposed by the House.

National Foundation on the Arts and the Humanities

Amendment No. 34: Appropriates $10,500,000 for salaries and expenses instead of $11,200,000 as proposed by the Senate. Of the amount provided, $3,700,000 is for National Endowment for the Arts under section 5(c) of the Act; $1,700,000 is for the National Endowment for the Arts under section 5(h) of the Act; $3,700,000 is for the National Endowment for the Humanities under section 5(c) of the Act; and $1,400,000 for administrative expenses; and not to exceed $1,000,000 for matching contributions as provided in section 11(b) of the Act.

Smithsonian Institution

Amendment No. 35: Appropriates $2,316,000 for museum programs and related research (special foreign currency program) as provided by the Senate instead of $3,000,000 as proposed by the House.

Amendment No. 36: Reported in technical disagreement. The managers on the part of the House will offer a motion to provide contract authorization to the Administrator of the General Service Administration in an amount not to exceed $14,197,000 for the construction of the Joseph H. Hirshhorn Museum and Sculpture Garden as proposed by the Senate.

JULIA BUTLER HANSEN,
MICHAEL J. KIRWAN,
JOHN O. MARSH, Jr.,
JOHN J. FLYNT, Jr.,
CHARLES S. JOELSON,
GEORGE MAHON,
BEN REIFEL,
JOSEPH M. MCDADE,
WILLIAM H. HARRISON,
CHARLES R. JONAS,
(Except amendment No. 36).
Managers on the Part of the House.

Mrs. HANSEN of Washington (during the reading). Mr. Speaker, I ask unanimous consent that further reading of the statement be dispensed with.

The SPEAKER. Is there objection to the request of the gentlewoman from Washington?

There was no objection.

The SPEAKER. The gentlewoman from Washington is recognized for 1 hour.

Mrs. HANSEN of Washington. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I ask unanimous consent to revise and extend my remarks and to include miscellaneous tables.

The SPEAKER. Is there objection to the request of the gentlewoman from Washington?

There was no objection.

Mrs. HANSEN of Washington. Mr. Speaker, I believe the conference report rather completely describes the conference action taken on H.R. 17354, making appropriations for the Department of the Interior and related agencies for fiscal year 1969. However, I think it would be well to take a few minutes at this time to further explain some of the more important items that were considered in the conference.

First of all I would like to point out that this is a rather unusual conference report and one that, in my opinion, reflects the attitude of this House with regard to economy in Government operations.

The conference total is $1,415,789,300. It is below the appropriations for fiscal year 1968 in the amount of $69,923,050.

It is below the 1969 budget estimate by $161,323,000. This represents about a 10-percent reduction in the budget estimate.

It is above the House bill by $4,109,000 and is above the Senate bill by $616,500.

Two items are mainly responsible for the conference amount exceeding the House bill. The largest increase which actually represents new obligational authority and is not an actual appropriation of funds, relates to the contract authority in the amount of $14,197,000 included in the bill by the Senate for the construction of the Joseph H. Hirshhorn Museum. As you will probably recall, the agreement between Mr. Hirshhorn and the Smithsonian Institution stipulated that provision of funds for the construction of the museum was to be consummated by the end of the 90th Congress. The budget estimate included the request for the total appropriation of $14,197,000. In its action on this item, the House provided an appropriation of $2,000,000. The Senate concurred in this action as far as the actual appropriation of funds was concerned but added the contract authorization for the total amount. This was done for two reasons—first to comply with the provisions of the agreement and second to provide for the construction of the museum at the most economical cost. It was reported to the committee that incremental contracting for this museum would increase the cost by approximately $850,000, so you can readily see that if authority is available for total contracting, a material savings can be achieved. This does not necessarily mean however that the Congress will be called on to furnish the full amount of the authorization during the next fiscal year. We are informed that construction of the museum can proceed on an incremental basis with annual appropriations being made to cover construction costs as the work progresses. In my opinion, this is a most satisfactory arrangement.

The other item mainly responsible for the increase over the House figure is the $11,700,000 included in the conference amount for the National Foundation on the Arts and the Humanities. At the time the House acted on this bill, the authorization for the National Foundation on the Arts and the Humanities had not been enacted. Therefore, the House passed over this item without prejudice. Subsequent to that action, the authorizing legislation was enacted and the Senate provided $12,200,000 in its version of the bill for this activity.

I would like to point out that the $11,500,000 provided in the bill is actually $700,000 less than was available for this activity in 1968 and I might add, considerably below the amount authorized for fiscal year 1969. Personally, I wish we could have provided funding at a higher level for this activity, but in these times of fiscal crisis, accessions must be made in the face of the greater overall need for fiscal restraint.

While I am on this subject, I would like to say that the current financial situation of this country has impelled restrictions on many activities in this bill, which in my estimation, are sound and beneficial activities and certainly work for the ultimate good of the country. It was with great reluctance and after much discussion, that these restrictions were made. As I have mentioned on several previous occasions with regard to this bill, the income produced by activities funded in this bill is just about equal to the appropriations. This factor alone made the restriction of funds for good and necessary programs all the more difficult. Only in view of the fact of the serious financial situation of this country would the committee have been inclined to restrict appropriations to the extent we have.

A specific example which falls within this category is the funding for forest surveys. The Senate reduced the budget estimate by $201,000. The House eventually concurred in this reduction. This is an area where money invested for this purpose will pay off manyfold in the future with regard to our timber resources. Only the fact that a reasonable amount of funding remained after this reduction persuaded me to concur with the Senate action on this particular item.

Another area of activity which gives me concern with the funding provided in this bill are the various appropriation items for our American Indians. While it is a fact that some of the largest budgetary increases in the bill related to activities of the Bureau of Indian Affairs, it is in this area that some of the largest reductions were made as the bill progressed through the House and the Senate and ultimately through the conference. I have carefully appraised the fund availability for Indians in the 1969 appropriation bill. While rather extensive reductions have been made, I believe there still remains sufficient funding to accomplish reasonable progress in bettering the lot of our American Indians. And once again these reductions in the budget estimate were approved only in the face of the dire need to curtail Government expenditures at this time.

The conference report before you for consideration today reflects various reductions in connection with work on the oil shale program. Without question, the income to be derived by our Government from the proper development of oil shale lands can be immense if these lands are properly developed. It is my personal feeling that we should spare neither effort nor expense to fully explore the potential of these lands and to prepare the best defense possible in connection with impending litigation regarding title to the various lands. While these reductions have been made, there are still sizable amounts in this bill for this particular activity and I trust that the committee will be immediately notified of any instance where the position of the United States is endangered in this respect because of lack of funds.

In closing, I would like to say that I am certain that this bill as it came out of conference will not please everyone. That is too much to hope for. I feel perfectly confident, however, that no essential program has been crippled, and I would also say that funds provided in this bill have been maintained at a reasonable minimum in consonance with our current financial picture.

We have worked long and hard on this bill and I believe I can say to you in all candor that the conference report that we are presenting to the House today deserves your support.

Mr. Speaker, I include at this point pertinent tables relating to the funds provided in this conference report:

INTERIOR AND RELATED AGENCIES APPROPRIATION BILL, 1969

Item	1968 appropriation	1969 budget estimate	Passed House	Passed Senate	Conference action	Conference action compared with—			
						1968 appropriation	Budget estimate	House	Senate
TITLE I—DEPARTMENT OF THE INTERIOR									
Bureau of Land Management	$75,211,000	$69,581,000	$68,027,000	$67,507,000	$67,507,000	−$7,704,000	−$2,074,000	−$520,000	
Bureau of Indian Affairs	226,423,000	244,577,000	225,307,000	219,471,000	220,321,000	−6,102,000	−24,256,000	−4,986,000	+$850,000
Bureau of Outdoor Recreation	123,476,000	134,215,000	103,915,000	93,915,000	93,915,000	−29,561,000	−40,300,000	−10,000,000	
Office of Territories	45,813,000	50,219,000	45,353,000	43,747,000	43,747,000	−2,066,000	−6,472,000	−1,606,000	
Total, public land management	470,923,000	498,592,000	442,602,000	424,640,000	425,490,000	−45,433,000	−73,102,000	−17,112,000	+850,000
Geological Survey	86,919,000	94,756,000	89,470,000	88,575,000	88,675,000	+1,756,000	−6,081,000	−795,000	+100,000
Bureau of Mines	68,388,000	71,823,000	67,817,000	67,499,000	67,749,000	−639,000	−4,074,000	−68,000	+250,000
Office of Coal Research	10,980,000	13,900,000	13,350,000	13,700,000	13,700,000	+2,720,000	−200,000	+350,000	
Office of Oil and Gas	763,000	868,900	768,900	818,900	818,900	+55,900	−50,000	+50,000	
Total, mineral resources	167,050,000	181,347,900	171,405,900	170,592,900	170,942,900	+3,892,900	−10,405,000	−463,000	+350,000

INTERIOR AND RELATED AGENCIES APPROPRIATION BILL, 1969—Continued

Item	1968 appropriation	1969 budget estimate	Passed House	Passed Senate	Conference action	Conference action compared with—			
						1968 appropriation	Budget estimate	House	Senate
TITLE I—DEPARTMENT OF THE INTERIOR—Continued									
Bureau of Commercial Fisheries	$41,910,650	$43,537,400	$40,502,400	$40,584,400	$40,584,400	−$1,326,250	−$2,953,000	+$82,000	
Bureau of Sport Fisheries and Wildlife	60,890,400	59,016,000	58,389,000	58,836,000	58,786,000	−2,104,400	−230,000	+397,000	−$50,000
National Park Service	90,235,800	95,547,000	83,646,000	82,966,000	83,066,000	−7,169,800	−12,481,000	−580,000	+100,000
Total, fish and wildlife and parks	193,036,850	198,100,400	182,537,400	182,386,400	182,436,400	−10,600,450	−15,664,000	−101,000	+50,000
Office of Saline Water	20,800,000	30,358,000	25,556,000	25,556,000	25,556,000	+4,756,000	−4,802,000		
Office of Water Resources Research	11,130,000	12,717,000	11,217,000	11,150,000	11,150,000	+20,000	−1,567,000	−67,000	
Office of the Solicitor	5,244,000	5,530,000	5,415,000	5,355,000	5,385,000	+141,000	−145,000	−30,000	+30,000
Office of the Secretary	7,114,500	8,530,000	8,301,000	8,264,500	8,301,000	+1,186,500	−229,000		+36,500
Total, new budget (obligational) authority, Department of the Interior	875,298,350	935,175,300	847,034,300	827,944,800	829,261,300	−46,037,050	−105,914,000	−17,773,000	+1,316,500
Consisting of—									
Appropriations	859,098,350	917,575,300	830,834,300	811,744,800	813,061,300	−46,037,050	−104,514,000	−17,773,000	+1,316,500
Definite Appropriations	(734,277,350)	(801,266,900)	(714,525,900)	(705,436,400)	(706,752,900)	(−27,524,450)	(−94,514,000)	(−7,773,000)	(+1,3-6,500)
Indefinite Appropriations	(124,821,000)	(116,308,400)	(116,308,400)	(106,308,400)	(106,308,400)	(−18,512,600)	(−10,000,000)	(−10,000,000)	
Authorization to spend from public debt receipts	16,200,000	17,600,000	16,200,000	16,200,000	16,200,000		−1,400,000		
Memorandums:									
Appropriations to liquidate contract authorization	(59,510,000)	(52,800,000)	(39,800,000)	(39,800,000)	(39,800,000)	(−19,710,000)	(−13,000,000)		
Appropriations, including appropriations for liquidation of contract authorization	(918,608,350)	(970,375,300)	(870,634,300)	(851,544,800)	(852,861,300)	(−65,747,050)	(−117,514,000)	(−17,773,000)	(+1,316,500
Total, new budget (obligational) authority and appropriations to liquidate contract authorization	(934,808,350)	(987,975,300)	(886,834,300)	(867,744,800)	(869,061,300)	(−65,747,050)	(−118,914,000)	(−17,773,000)	(+1,316,500
TITLE II—RELATED AGENCIES									
Department of Agriculture, Forest Service:									
Definite appropriations	286,601,000	250,149,000	245,274,000	244,143,000	244,143,000	−42,458,000	−6,006,000	−1,131,000	
Indefinite appropriations	780,000	780,000	780,000	780,000	780,000				
Total, Forest Service	287,381,000	250,929,000	246,054,000	244,923,000	244,923,000	−42,458,000	−6,006,000	−1,131,000	
Federal Coal Mine Safety Board of Review	162,000	157,000	157,000	157,000	157,000	−5,000			
Commission of Fine Arts	115,000	115,000	115,000	115,000	115,000				
Department of Health, Education, and Welfare, Public Health Service, Indian Health Activities	102,710,000	112,007,000	104,960,000	104,960,000	104,960,000	+2,250,000	−7,047,000		
Indian Claims Commission	500,000	619,000	619,000	619,000	619,000	+119,000			
National Capital Planning Commission	995,000	1,073,000	1,017,000	1,017,000	1,017,000	+22,000	− 6,000		
Department of Housing and Urban Development, Washington Metropolitan Area Transit Authority		55,147,000	43,772,000	43,772,000	43,772,000	+43,772,000	−11,375,000		
National Foundation on the Arts and the Humanities	12,200,000	22,000,000		12,200,000	11,500,000	−700,000	−10,500,000	+11,500,000	−700,000
Public Land Law Review Commission	3,060,000	944,000	944,000	944,000	944,000	−2,116,000			
Smithsonian Institution	32,066,000	52,478,000	34,648,000	33,964,000	33,964,000	+1,898,000	−18,514,000	−684,000	
Construction, contract authority				12,197,000	12,197,000	+12,197,000	+12,197,000	+12,197,000	
National Council on Marine Resources and Engineering Development, and Commission on Marine Science, Engineering and Resources	1,300,000	1,375,000	1,300,000	1,300,000	1,300,000		−75,000		
Federal Field Committee for Development Planning in Alaska	240,000	298,000	235,000	235,000	235,000	−5,000	−63,000		
Lewis and Clark Trail Commission	25,000	25,000	25,000	25,000	25,000				
American Revolution Bicentennial Commission	150,000					−150,000			
Total, new budget (obligational) authority, related agencies	440,904,000	497,167,000	433,846,000	456,428,000	455,728,000	+14,824,000	−41,439,000	+21,882,000	−700,000
Consisting of:									
Appropriations	440,904,000	497,167,000	433,846,000	444,231,000	443,531,000	+2,627,000	−53,636,000	+9,685,000	−700,000
Definite appropriations	(440,124,000)	(496,387,000)	(433,066,000)	(443,451,000)	(442,751,000)	(+2,627,000)	(−53,636,000)	(+9,685,000)	(−700,000)
Indefinite appropriations	(780,000)	(780,000)	(780,000)	(780,000)	(780,000)				
Contract authorization				12,197,000	12,197,000	+12,197,000	+12,197,000	+12,197,000	
Memorandums:									
Appropriations to liquidate contract authorization	(110,000,000)	(91,970,000)	(91,000,000)	(91,000,000)	(91,000,000)	(−19,000,000)	(−970,000)		
Appropriations, including appropriations for liquidation of contract authorization	(550,904,000)	(589,137,000)	(524,846,000)	(535,231,000)	(534,531,000)	(−16,373,000)	(−54,606,000)	(+9,685,000)	(−700,000)
Total, new budget (obligational) authority and appropriations to liquidate contract authorization	(550,904,000)	(589,137,000)	(524,846,000)	(547,428,000)	(546,728,000)	(−4,176,000)	(−42,409,000)	(+21,882,000)	(−700,000)
RECAPITULATION									
Grand total, new budget (obligational) authority, all titles	1,316,202,350	1,432,342,300	1,280,880,300	1,284,372,800	1,284,989,300	−31,213,050	−147,353,000	+4,109,000	+616,500
Consisting of:									
1. Appropriations	1,300,002,350	1,414,742,300	1,264,680,300	1,255,975,800	1,256,592,300	−43,410,050	−158,150,000	−8,088,000	+616,500
Definite appropriations	(1,174,401,350)	(1,297,653,900)	(1,147,591,900)	(1,148,887,400)	(1,149,503,900)	(−24,897,450)	(−148,150,000)	(+1,912,000)	(+616,500)
Indefinite appropriations	(125,601,000)	(117,088,400)	(117,088,400)	(107,088,400)	(107,088,400)	(−18,512,600)	(−10,000,000)	(−10,000,000)	
2. Authorization to spend from public debt receipts	16,200,000	17,600,000	16,200,000	16,200,000	16,200,000		−1,400,000		
3. Contract authorization				12,197,000	12,197,000	+12,197,000	+12,197,000	+12,197,000	

INTERIOR AND RELATED AGENCIES APPROPRIATION BILL, 1969—Continued

Item	1968 appropriation	1969 budget estimate	Passed House	Passed Senate	Conference action	Conference action compared with—			
						1968 appropriation	Budget estimate	House	Senate
RECAPITULATION—Continued									
Memorandums:									
1. Appropriations to liquidate contract authorization	($169, 510, 000)	($144, 770, 000)	($130, 800, 000)	($130, 800, 000)	($130, 800, 000)	(−$38, 710, 000)	(−$13, 970, 000)		
2. Appropriations, including appropriations for liquidation of contract authorization	(1, 469, 512, 350)	(1, 559, 512, 300)	(1, 395, 480, 300)	(1, 386, 775, 800)	(1, 387, 392, 300)	(−82, 120, 050)	(−172, 120, 000)	(−$8, 088, 000)	(+$616, 500)
3. Grand total, new budget (obligational) authority and appropriations to liquidate contract authorization	(1, 485, 712, 350)	(1, 577, 112, 300)	(1, 411, 680, 300)	(1, 415, 172, 800)	(1, 415, 789, 300)	(−69, 923, 050)	(−161, 323, 000)	(+4, 109, 000)	(+616, 500)

Mr. Speaker, the foregoing table summarizes the conference action on the bill. Translated into reduction of expenditures, it is estimated the bill as presented today will reduce expenditures by about $103 million below the budget estimate.

Mr. JONAS. Mr. Speaker, will the gentlewoman yield?

Mrs. HANSEN of Washington. I yield to the gentleman from North Carolina.

Mr. JONAS. Mr. Speaker, I would like to clarify something that is uncertain to me. I would direct the attention of the gentlewoman to amendment No. 36 on page 8 of the conference report which provides contract authority in the amount of $14,197,000 for the construction of the Joseph H. Hirshhorn Museum. The budget estimate called for that same amount, $14,197,000, but my recollection is that there are another item in conference which was not in dispute of $2 million that the House allowed for the site and planning and construction of the museum.

Now, amendment No. 36 would indicate that the $14,197,000 is in addition to the $2 million. Is that correct or not?

Mrs. HANSEN of Washington. In reply to the inquiry of the gentleman from North Carolina I would state his assumption is not correct.

Perhaps I had better review the history of this. As the gentleman from North Carolina is well aware, the terminology of the agreement was that the art collection Mr. Hirshhorn was to give to the people of the United States was contingent upon the construction of a museum to house these art treasures.

This matter was discussed at length in the House hearings, and later as we proceeded to mark up the bill. We had the problem of meeting the terms of the agreement and at the same time keeping appropriations at an absolute minimum. We discussed this with Dr. Ripley of the Smithsonian, who in turn contacted representatives of Mr. Hirshhorn. An understanding was achieved that if Congress provided the funds on an incremental basis, that is, in appropriations for each stage of the construction in the amounts that could be used during the particular year of construction, the terms of the agreement would have been met.

Then the bill passed the House and went to the other body. On the basis of testimony received there, it was determined that as much as $850,000 could be saved if the total construction contract could be let. It was for this reason the Senate inserted the contract authorization. This would still enable the actual expenditure of funds on an incremental basis as the construction work progressed—that is, the $2 million cash provided this year, and then whatever the actual amount of construction costs might be needed for next year.

Mr. JONAS. I understand that, but if the gentlewoman will yield further, when the bill left the House it contained a direct appropriation of $2 million.

Mrs. HANSEN of Washington. That is correct.

Mr. JONAS. That was for sites, planning and construction.

Mrs. HANSEN of Washington. That is right.

Mr. JONAS. Then the other body added $14,197,000 in contract authority.

Mrs. HANSEN of Washington. The Senate added the contract authority but by doing this definitely did not increase the total amount above $14,197,000 for the museum. The $14,197,000 is the total contract authority and the $2 million cash included in the bill is to liquidate a portion of that contract authorization.

Mr. JONAS. That is what is not clear to me, because the $2 million was not in controversy in conference—it was in both bills.

Mrs. HANSEN of Washington. The $2 million is the cash, to apply against the total $14,197,000 contract authority.

Mr. JONAS. What happened to the $2 million that was appropriated directly?

Mrs. HANSEN of Washington. It will be expended to liquidate a portion of the total contract authority.

Mr. JONAS. They did not need any contract authority for the $2 million because that is provided in a direct appropriation.

Mrs. HANSEN of Washington. The $2 million is a direct appropriation for the first stage of construction.

The total cost of the job is estimated at $14,197,000. Then there is $2 million cash, which is the first amount of cash. Next year there will probably be another direct appropriation of cash to fund the next increment of construction. This too will be applied against the $14,197,000 contract authority.

Mr. JONAS. The reason I am asking the question is because the language in amendment No. 36 clearly indicates that the $14,197,000 in contract authority is in addition to the direct appropriation of $2,000,000 which was not disturbed by the other body.

Mrs. HANSEN of Washington. No; let me make the legislative record perfectly clear. This $2 million is the first liquidating cash against the $14,197,000 contract authority.

Mr. JONAS. May I call the gentlewoman's attention to page 41 of the Senate bill and to amendment No. 36.

The first line on page 41 deals with the $2 million which was in the House bill was for "plans, specifications and construction." Then the other body added amendment No. 36 which is as follows:

> *Provided further,* That the Administrator of the General Services Administration is authorized to enter into contracts in an amount not to exceed $14,197,000 for the purposes hereof.

They would not need that contract authority for the $2 million—that is a direct appropriation.

Mrs. HANSEN of Washington. If the gentleman will yield, that is to be used as liquidating cash for part of this contract authority. I did not write the Senate language.

Mr. JONAS. I understand.

Mrs. HANSEN of Washington. I want to make it completely plain that the $14,197,000 is the contract authority and the $2 million cash is only part of the liquidation of that.

I also wish to make it plain on the floor of the House today that it does not imply that we are using anything but the incremental approach in funding the construction of this museum rather than appropriating the total amount of cash this year when it all could not be used this year.

Mr. JONAS. I am very glad that this is made clear because it certainly is not clear from the language in the Senate bill. A reading of the Senate bill and Amendment No. 36 would indicate that it was the intention of the Senate to approve the $2 million of direct appropriations, and then grant additional contracting authority for $14,197,000. I would respectfully suggest that if this is not true, the contracting authority item should be $12,197,000, because there is a direct appropriation of $2 million in addition to this contract authority, in my judgment.

Mrs. HANSEN of Washington. If the gentleman will yield, I appreciate the effort he has made today to clarify this matter so that the legislative record is completely clear. The $2 million cash appropriation is a part of the $14,197,000, and it is not the intention of the committee to provide $2 million plus the $14,197,000. The $2 million is a part of the liquidating cash for the contract authority. I do thank the gentleman from North Carolina.

Mr. JONAS. I thank the gentlewoman from Washington.

Mr. ALBERT. Mr. Speaker, will the gentlewoman yield?

Mrs. HANSEN of Washington. I am delighted to yield to the distinguished majority leader.

Mr. ALBERT. I rise to commend the gentlewoman on the explanation she has made of the bill. She has handled this legislation in an outstanding manner. I believe the gentlewoman is the first lady chairman of this or any other appropriations subcommittee. No Member ever did a better job in the management of any bill from any committee. The gentlewoman, as all Members know, is an outstanding legislator.

Mrs. HANSEN of Washington. I thank the distinguished majority leader.

I would like also to call the attention of the House to another point, because I think if we spend money, it is well to relate the facts of those expenditures.

The Interior appropriations bill is about two-thirds of 1 percent of the total U.S. budget. I would like again to remind you that this bill is almost self-sustaining fundwise. I would also like to remind you that despite the small fraction of our national budget this bill represents, this bill is responsible for the management of one-third of the land of the United States; and 2,000 islands in the Trust Territory, 100 of them inhabited, coextensive in size with the United States, 3 million square miles, mostly water, occupied by 93,000 people.

The bill also provides for the management of Guam and American Samoa. In this country it funds the maintenance of 268,234 miles of road, 64,000 miles of which are in the U.S. Forest Service. The Forest Service alone in 1967 cut 10.9 billion board feet of timber. It is also responsible for 435,000 American Indians, and 59,025 young American people in Indian day and boarding schools, and 68,000 Indians in public schools.

Mr. MAHON. Mr. Speaker, will the gentlewoman yield?

Mrs. HANSEN of Washington. I am delighted to yield to the chairman of the full committee.

Mr. MAHON. The adoption of this conference report will bring us further along toward completion of the appropriation bills of the session. I am increasingly hopeful that we are going to be able to complete action on all of them by August 3.

I would certainly hope that if Congress does not adjourn sine die on or about August 3, it will be for reasons other than failure to enact the appropriations bills.

Among the people in this Congress who have performed valiantly for the people and for the taxpayers and for the Congress itself, the gentlewoman, who is chairman of this subcommittee, is one of the top. As chairman of the committee, I know of the tireless work which she and her coworkers on the subcommittee have devoted to this bill. I do not know if people in the country are generally aware of the efforts which have been made, but I have had firsthand opportunity to know of the good work and tireless efforts and successful endeavors of the gentlewoman from Washington.

As chairman of the committee I commend her for her good work and for the cooperation she has secured from the members of the subcommittee.

Mrs. HANSEN of Washington. Mr. Speaker, I thank the distinguished gentleman from Texas, the chairman of the committee.

Mr. REIFEL. Mr. Speaker, will the gentlewoman yield?

Mrs. HANSEN of Washington. I yield to the distinguished ranking minority member on the subcommittee, the gentleman from South Dakota.

Mr. REIFEL. I thank the gentlewoman for yielding.

Mr. Speaker, I call attention of the House to the leadership of the able gentlewoman from Washington, the chairman of this subcommittee, and especially to her fairness in dealing with all the Members of this House. If one were to review the projects that were budgeted—and the many requests that were unbudgeted—he would find they were all considered on their merits, and it would also show the results to be more than fair to the Members of my side of the aisle.

As to the Indian Americans of this country and particularly to those of the State of the gentlewoman and especially those in her district I would address these remarks to them: This great lady, the chairman of our subcommittee, is looking out for their interests in a matter that is commensurate with the needs required to be met taking into account the budget constraints we face. I express my appreciation in their behalf for her leadership in this regard.

We come to the floor with a report that I wholeheartedly support. I am disappointed we could not do more because of the fiscal crisis which we face, but it is a good conference report. The gentlewoman admirably upheld the position of the House with the conferees of the other body and we were able to return with what I believe is a very fair compromise in every respect. I compliment the gentlewoman for her leadership in this regard.

In addition, I do want to touch briefly on an item that was discussed during the conference yesterday.

Senate Report No. 1275 on the Interior Department and related agencies appropriation bill, 1969, contained the following language:

> Although the committee recommends less than the budget estimate for the Bureau of Indian Affairs, this is not an indication of lack of interest in the Indians. However, in view of the fiscal situation the committee took into consideration that in addition to the amount recommended for direct appropriation to the Bureau of Indian Affairs in this bill, it is estimated that more than $202,576,000 will be available from other Federal agencies in the coming fiscal year.

I should like to comment upon this language as it pertains to the funding of various Indian programs and projects on Indian reservations from agencies other than the BIA and Department of the Interior. It is true that various Federal agencies are more and more applying their programs to Indian reservations to alleviate unemployment, poor housing, and to raise the level of income of Indian Americans. I support and applaud these efforts. As much as these programs are needed, they should be looked upon as supplements to the efforts of the BIA as they are with other Federal, State, and local governmental agencies. They should not be considered in lieu of the Bureau's substantive programs such as education, adult vocational training, housing, and the various other programs of the BIA.

Under the economy measures taken by this Congress, I fully appreciate the actions of the Senate Appropriations Committee in its reduction of some of the BIA budget requests. However, I wish to explain to the Members of this body that the funding from other government agencies for various programs on Indian reservations will not replace the losses in the BIA programs specified by the Senate committee. I do not wish to be critical of the Senate committee's action, I merely wish to go on record with the plea that the programs of other Federal agencies continue to be available to Indian communities on the same basis as they are available to other eligible citizens or communities. The assistance from the other agencies of Government serving the total population cannot be used as a basis for offsetting the normal assistance to Indian people through the BIA. The programs of these other agencies are designed and do provide aid and assistance to the poor and disadvantaged groups of this country over and above the services historically provided to the general population. More and more the Indian people are participating in the various Federal programs designed to alleviate poverty, to provide better housing and improvements in their communities.

This Congress as well as this administration's actions should encourage the Indian people in this direction.

Mrs. HANSEN of Washington. Mr. Speaker, I thank the gentleman for his remarks.

Mr. Speaker, earlier the distinguished gentleman from Iowa [Mr. GROSS] had asked if I would yield, but I wished to complete my statement. Therefore I now yield to the gentleman from Iowa at this time.

Mr. GROSS. I thank the gentlewoman for yielding.

I have a couple of quick questions. The first, is there any money at all as a result of this conference for payment of the unusual and substantial expenditures of the Interior Department with respect to that fiasco on the Mall as a result of the so-called march on Washington?

Mrs. HANSEN of Washington. Mr. Speaker, will the distinguished gentleman yield?

Mr. GROSS. I yield to the gentlewoman.

Mrs. HANSEN of Washington. No. This is the 1969 funding bill. The total Interior cost of $159,000 for payment of Resurrection costs will come out of the regular maintenance and operation funds of the Park Department for the fiscal year 1968. They had to economize in other places in maintenance and operations to pay those costs.

As the gentleman is probably aware, there is a printed list in the RECORD, published last week, summarizing those costs.

This morning we called the Department of the Interior and asked if there had been any change in the costs, and were told there was no change in the costs as reported.

There is some discussion about recouping some of these costs from the sale of the lumber used at Resurrection City. *However, that is a legal question I do not* care to get into. I am sure the gentleman understands that.

Mr. GROSS. I thank the gentlewoman for her response, and regret that I did not see the insertion in the RECORD of last week. I will look for it.

Mrs. HANSEN of Washington. If I may point it out to the gentleman, on July 1, 1968, at page 19467, in the right hand column of the page, is a full listing. Senator ROBERT BYRD placed this in the RECORD as the chairman of the District of *Columbia Appropriations Subcommittee.* That includes the Interior Department money.

I may say to the gentleman that week by week, at my request, we have asked the Department to present the costs of that entire encampment. We have tried to keep aware of the total cost at all times.

Mr. GROSS. Again I thank the gentlewoman.

I have one more quick question. I assume the gentlewoman has this summary sheet available to her. At the bottom of the page there are listed appropriations, definite appropriations, and indefinite appropriations. I had always thought that appropriations were appropriations. I did not quite realize there are indefinite appropriations as well as appropriations.

Mrs. HANSEN of Washington. Mr. Speaker, will the gentleman yield?

Mr. GROSS. I yield to the gentlewoman.

Mrs. HANSEN of Washington. That involves the appropriation of receipts. We cannot peer into the future as to the amount of these receipts in advance. We anticipate, but we have to make it indefinite because it is an appropriation of receipts.

As an example, the sale of timber depends upon the amount of access roads built into an area at a given time. Will this particular stand be available to be sold? If the roads are constructed and in order, then the sale will proceed and those receipts accrue. This is particularly true of the BLM and forest lands. It is also true for a wide multiplicity of categories, where the receipts many times in recent years have been much higher than anticipated, I am delighted to report to the gentleman.

Mr. McDADE. Mr. Speaker the conference report which is presented to the House today represents the final work of many months of hard committee work. It contains, I believe, the best refinement of the Interior appropriations bill passed earlier in this session by the House and that which was also passed by the other body.

As one of the conferees who met to resolve the differences between the House and Senate versions, I can asure my colleagues that no line of this conference report was written lightly. Every appropriation was studied carefully, thoroughly, and critically.

The scope of this bill is so significant that it literally covers the earth.

Through the Office of Geological Survey, this bill will fund new and continuing research for the minerals which have become so vital for our domestic *economy, and for the future expansion* of that economy. Through the Bureau of Commercial Fisheries this bill will push our ever-expanding frontiers of research far out into the deepest recesses of the ocean. Here, as my colleagues know very well, is the most fruitful portion of the earth in our search for new foods for our own people as well as for the hungry in other nations.

Through the Bureau of Sport Fisheries and Wildlife, we will fund our own developing fishing and hunting preserves, and we will be investing some of our money of today into a guarantee that the same magnificent wildlife in America will be there for our children and our children's children.

Through the Office of Territories, we will be meeting our responsibilities to those people living in the territories over which the United States exercises jurisdiction, from the Virgin Islands to the islands of Micronesia.

I would, however, call particular attention to one item in the appropriations which brings the value of this bill into particularly sharp focus.

We have, in my own congressional district, a serious situation which represents a hazard to the health, the property, and the development of the region. I am speaking of the presence of burning culm banks. These banks represent the residue of anthracite mining in earlier times. They are enormous piles of mixed coal and other minerals which grew to vast sizes as the mining went on in the neighborhood. Many of them are now burning. Some have been burning for the past 50 years, and left untouched, would surely burn for another 50. From these culm banks comes a steady flow of sulfurous fumes which are a threat to the health of the people of the area, and whose presence could seriously deter industrial growth in the future.

In considering this serious problem, the committee approved my amendment of $750,000 in funds for the solid waste disposal program in the Bureau of Mines, expressly for the purpose of extinguishing culm dump fires in eastern Pennsylvania. The amount was provided on the condition that the State of Pennsylvania would provide matching funds in the amount of $250,000 for the same purpose. This, with the $300,000 included in the budget at my request for the same purpose, will make available $1,300,000 to *fight burning culm banks in this coming* fiscal year.

So seriously did my colleagues on the Interior Appropriations Subcommittee view this problem that the final report of the committee noted that "if it were not for our critical budget situation, the committee would have been inclined to fund this activity at a higher level."

The House wisely passed the bill, leaving this section intact. To my dismay, and to the dismay of my colleagues on the committee, the other body reduced the amount by $250,000 in its version of the Interior appropriations bill. Yesterday morning, however, my distinguished House colleagues on the conference committee joined me in a most determined effort to restore that money, to fund fully the effort against this serious problem in *solid waste disposal.*

The conferees from the other body were finally persuaded of the wisdom of this expenditure, and graciously deferred to the House version of this particular item. It comes before you now in the same amount as we passed it originally, and it is certainly proper that the funding of this item is the full funding we decreed in the passage of the Interior appropriations bill in the first instance.

Here, then, is one item from this bill, and a picture of what it will mean for the fine citizens of my own congressional district. It will represent a truly significant step forward in the fight against burning culm banks. If we are able to mount a massive attack against these burning banks, we will have reduced the threat they pose to lungs and hearts all throughout this district. We will have added a new incentive to industry to continue its development in this area. We will have made many valuable acres of land available which are not now being put to any use at all. In fact, we will have done the best possible thing we might do with our appropriations—we will have invested our money in a program which will reap great benefits, both physical and financial, for American citizens.

I wish to commend my colleagues on the committee for the meticulous work they put into the writing of the original appropriations bill, and for the equally arduous work they put into the conference with the other body.

I want to thank them particularly for the assistance they gave in supporting this particular item in the appropriations bill. I know what immense good this money will do in my own District. It is a very wise investment.

I will conclude by urging the acceptance of this conference report on Interior appropriations in the form in which it is presented to this House. I am proud of the work of our committee in the writing of this bill. I am sure the votes of my colleagues will show their own overwhelming approval also.

Mrs. HANSEN of Washington. Mr. Speaker, I move the previous question on the conference report.

The previous question was ordered.

The conference report was agreed to.

AMENDMENTS IN DISAGREEMENT

The SPEAKER. The Clerk will report the first amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 6: On page 8, line 17, after the word "paragraph" insert "or in any other provision of law".

MOTION OFFERED BY MRS. HANSEN OF WASHINGTON

Mrs. HANSEN of Washington. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mrs. HANSEN of Washington moves that the House recede from its disagreement to the amendment of the Senate numbered 6 and concur therein.

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 7: Page 8, line 24, insert: "*Provided further*, That the limitations contained in the foregoing paragraph shall not apply to any judgment proceeds or other funds, revenues, or receipts due the Shoshone Indian Tribe of the Wind River Reservation, Wyoming, and any such funds may be distributed to them under the provisions of the Act of May 19, 1947, as amended".

MOTION OFFERED BY MRS. HANSEN OF WASHINGTON

Mrs. HANSEN of Washington. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mrs. HANSEN of Washington moves that the House recede from its disagreement to the amendment of the Senate numbered 7 and concur therein.

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 8: Page 10, line 8, insert: ": *Provided*, That not to exceed $225,000 of the unobligated balance remaining on June 30, 1968, of the appropriation granted under this head in the Department of the Interior and Related Agencies Appropriation Act, 1968, for printing the Nationwide Outdoor Recreation Plan shall continue available until June 30, 1969."

MOTION OFFERED BY MRS. HANSEN OF WASHINGTON

Mrs. HANSEN of Washington. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mrs. HANSEN of Washington moves that the House recede from its disagreement to the amendment of the Senate numbered 8 and concur therein.

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 11: Page 11, line 5, insert: ", of which $106,018.69 shall be payable to the State of Washington to compensate the State for its loss of timber-cutting rights in the Queets Corridor of the Olympic National Park;".

MOTION OFFERED BY MRS. HANSEN OF WASHINGTON

Mrs. HANSEN of Washington. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mrs. HANSEN of Washington moves that the House recede from its disagreement to the amendment of the Senate numbered 11 and concur therein.

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 36: Page 41, line 4, insert: "*Provided further*, That the Administrator of the General Services Administration is authorized to enter into contracts in an amount not to exceed $14,197,000 for the purposes hereof."

MOTION OFFERED BY MRS. HANSEN OF WASHINGTON

Mrs. HANSEN of Washington. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mrs. HANSEN of Washington moves that the House recede from its disagreement to the amendment of the Senate numbered 36 and concur therein.

Mr. JONAS. Mr. Speaker, will the gentlewoman yield?

Mrs. HANSEN of Washington. I yield.

Mr. JONAS. Mr. Speaker, I offer a substitute motion.

The SPEAKER. Does the gentlewoman yield for that purpose?

Mrs. HANSEN of Washington. No; I do not.

Mr. JONAS. Mr. Speaker, if the gentlewoman will yield—may I ask her to yield for 1 second?

Mrs. HANSEN of Washington. I will yield for the purpose of discussion.

Mr. JONAS. Mr. Speaker, I am personally satisfied with the explanation that the gentlewoman made about amendment No. 36, but unfortunately I am not able to agree with her interpretation of this language. The substitute motion that I would respectfully ask her to yield to me in order to permit me to offer it would simply say that after the $14,197,000 insert a comma and say "including the $2,000,000 appropriation herein for the purposes hereof," which would make it crystal clear that the $14,197,000 is supposed to be the total cost and the $2,000,000 is to come out of that.

Mrs. HANSEN of Washington. I may say I am not going to agree with the gentleman. I think we made it crystal clear that this was the amount in the legislative history. The gentleman was present at the conference yesterday, and he could have offered the language there. Probably the conferees would have accepted it, although we did not feel there was any necessity for it, because this is crystal clear. If this is adopted, it may require that we go back to conference. If the gentleman from North Carolina knew the difficulties of collecting Senators to get conferences cleared, he would know this could well set this bill back until the end of the month or as late as August, or it could even be September.

Mr. JONAS. Mr. Speaker, if the distinguished gentlewoman from Washington will yield further, I do not believe it would require another conference. This is in technical disagreement and all that would be required would be for the other body to agree to this amendment.

Mrs. HANSEN of Washington. One cannot presume what the other body will do.

Mr. JONAS. Mr. Speaker, if the gentlewoman will yield further, I think legislative history is all right. But I do not think two Members of Congress can stand here and bind the whole Government to what we think this language means. I do not believe there is any doubt about this language and what it does. I believe it appropriates $2 million and in addition to that it grants contract authority for $14,197,000.

Mrs. HANSEN of Washington. The gentleman from North Carolina will recall, there was a discussion of this in the conference.

Mr. JONAS. Not about this aspect of it. The discussion was about committee jurisdiction.

Mrs. HANSEN of Washington. All aspects of it. The matter was entirely discussed and I would frankly recommend not considering this at all, because it is my opinion that the legislative history is clear. Further, it is not the intention of the Committee on Appropriations or the Smithsonian Institution or anyone else to put $2 million on top of the $14 million. We think it is crystal clear in the legislative explanation of the matter.

The SPEAKER. The question is on the motion offered by the gentlewoman from Washington.

The motion was agreed to.

A motion to reconsider the votes by which action was taken on the conference report and the several motions was laid on the table.

GENERAL LEAVE TO EXTEND

Mrs. HANSEN of Washington. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to extend their remarks on the conference report just agreed to.

The SPEAKER. Is there objection to the request of the gentlewoman from Washington?

There was no objection.

APPOINTMENT OF CONFEREES ON S. 222, PUBLIC BUILDINGS ACCESSIBLE TO THE PHYSICALLY HANDICAPPED

Mr. KLUCZYNSKI. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (S. 222) to insure that public buildings financed with Federal funds are so designed and constructed as to be accessible to the physically handicapped, with a House amendment thereto, insist upon the House amendment, and agree to the conference requested by the Senate.

The SPEAKER. Is there objection to the request of the gentleman from Illinois? The Chair hears none, and appoints the following conferees: Messrs. GRAY, JONES of Alabama, WRIGHT, GROVER, and MCEWEN.

PERMISSION FOR COMMITTEE ON PUBLIC WORKS TO FILE REPORT ON S. 3710, PUBLIC WORKS AND FLOOD CONTROL

Mr. KLUCZYNSKI. Mr. Speaker, I ask unanimous consent that the Committee on Public Works may have until midnight tonight to file the report on the bill (S. 3710) authorizing the construction, repair, and preservation of certain public works on rivers and harbors for navigation, flood control, and for other purposes.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

APPOINTMENT OF CONFEREES ON S. 3418, HIGHWAY CONSTRUCTION

Mr. KLUCZYNSKI. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (S. 3418), to authorize appropriations for fiscal years 1970 and 1971 for the construction of certain highways in accordance with title 23 of the United States Code, and for other purposes, with a House amendment thereto, insist upon the House amendment, and agree to the conference requested by the Senate.

The SPEAKER. Is there objection to the request of the gentleman from Illinois? The Chair hears none, and appoints the following conferees: Messrs. Fallon, Kluczynski, Wright, Edmondson, Cramer, Harsha, and Don H. Clausen.

"CINDERELLA SCHOOLBOY ROWING CREW TEAM" FROM J. E. B. STUART HIGH SCHOOL OF FALLS CHURCH, VA.

Mr. LEGGETT. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. LEGGETT. Mr. Speaker, in recent days photos and stories have appeared in papers across America, relating the "Cinderella Schoolboy Rowing Crew Team" from J. E. B. Stuart High School, Falls Church, Va. Through the generosity of fellow students, friends, businessmen, and community leaders, the crew raised the money to buy a boat and pay its way to England.

Yesterday the Stuart crew scored the only American success at the Henley Regatta in England. The American high school champions drew away fast at the start and were one length up at the quarter-mile mark. They increased their lead steadily to three lengths at the mile mark and were drawing away with ease at the finish.

In these trying days when the Nation is faced with many problems and the solutions seem to be few, the J. E. B. Stuart crew calls our attention to the future strength of our great country. In winning their first heat yesterday, these young men and their dedicated coaches have accomplished a leg up on their "Impossible Dream" of which we can all be proud and in which we all share. In their row today with Eton, I know I reflect the wishes of this Congress when I say J. E. B. Stuart crew—Go.

PAY OF THE U.S. CAPITOL POLICE FORCE FOR DUTY PERFORMED IN EMERGENCIES

Mr. DAVIS of Georgia. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk House Concurrent Resolution 785, relating to the pay of the U.S. Capitol Police force for duty performed in emergencies, with Senate amendments thereto, and concur in the Senate amendments.

The Clerk read the title of the bill.

The Clerk read the Senate amendments, as follows:

Page 1, lines 2 and 3, strike out "the date of adoption of this resolution" and insert "May 1, 1968,".

Page 1, line 5, after "determines" insert "(or determined)".

Page 1, line 6, after "exist" insert "(or existed)".

Page 1, line 6, after "require" insert "(or required)".

Page 2, line 9, strike out "The" and insert "For the purpose of this concurrent resolution only, the".

The SPEAKER. Is there objection to the request of the gentleman from Georgia?

Mr. GROSS. Mr. Speaker, reserving the right to object, I would ask the gentleman from Georgia if the amendments are all germane to this bill?

Mr. DAVIS of Georgia. In reply to the inquiry of the gentleman from Iowa, I will say yes, indeed, they are germane.

Mr. GROSS. Mr. Speaker, I thank the gentleman, and I withdraw my reservation of objection.

The SPEAKER. Is there objection to the request of the gentleman from Georgia?

There was no objection.

The Senate amendments were concurred in.

A motion to reconsider was laid on the table.

AMENDMENTS TO INTERNATIONAL CLAIMS SETTLEMENT ACT OF 1949—CONFERENCE REPORT

Mrs. KELLY. Mr. Speaker, I call up the conference report on the bill (H.R. 9063) to amend the International Claims Settlement Act of 1949, as amended, to provide for the timely determination of certain claims of American nationals, and for other purposes, and ask unanimous consent that the statement of the managers on the part of the House be read in lieu of the report.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentlewoman from New York?

There was no objection.

The Clerk read the statement.

The conference report and statement are as follows:

Conference Report (H. Rept. No. 1648)

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 9063) to amend the International Claims Settlement Act of 1949, as amended, to provide for the timely determination of certain claims of American nationals, and for other purposes, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendments of the Senate numbered 1, 2, 3, 4, 5, 6, 7, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, and 20, and agree to the same.

Amendment numbered 8: That the House recede from its disagreement to the amendment of the Senate numbered 8, and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert the following:

"(b) The Commission shall receive and determine, or redetermine, as the case may be, in accordance with applicable substantive law, including international law, the validity and amounts of claims owned by persons who were eligible to file claims under the first sentence of subsection (a) of this section on the date of enactment of this title, but failed to file such claims or, if they filed such claims, failed to file such claims within the limit of time required therefor: *Provided*, That no awards shall be made to persons who have received compensation in any amount pursuant to the treaty of peace with Italy, subsection (a) of this section, or section 202 of the War Claims Act of 1948, as amended."

And the Senate agree to the same.

Edna F. Kelly,
Wayne L. Hays,
Peter H. B. Frelinghuysen,
Managers on the Part of the House.

John Sparkman,
(by Frank J. Lausche),
Wayne Morse,
(by Frank J. Lausche),
Frank J. Lausche,
Bourke B. Hickenlooper,
Clifford P. Case.
Managers on the Part of the Senate.

Statement

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 9063) to amend the International Claims Settlement Act of 1949, as amended, to provide for the timely determination of certain claims of American nationals, and for other purposes, submit the following statement in explanation of the effect of the action agreed upon by the conferees and recommended in the accompanying conference report:

The following Senate amendments made technical, clerical, clarifying, or conforming changes: 1, 2, 4, 5, 6, 7, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, and 20. With respect to these amendments the House recedes.

Amendment No. 3: This Senate amendment contained language intended to eliminate certain inequities in the present law by permitting the return to persecutees and non-enemy nationals of the proportionate share in the vested assets of corporations of Bulgaria, Hungary, and Rumania in which they hold interests. According to its legislative history, the amendment will affect four stockholders, or their heirs, of the Chinion Chemical & Pharmaceutical Works, Ltd., a Hungarian firm. The claimants dealt with here have never been American citizens but were persecuted by their own governments during World War II. Similar legislation was approved by the Senate on three occasions since 1960, and its enactment is supported by the Executive Branch.

The House recedes.

Amendment No. 8: This Senate amendment contained language proposing to reopen the Italian claims program to two groups of claimants: (1) persons who were American nationals at the time when their claims arose during World War II but who did not file timely claims under the original Italian claims program; and (2) persons who were not American nationals at the time of loss but became such nationals by August 9, 1955, and did not file claims under the Italian claims program.

The House recedes with an amendment substituting new language for the above-described provisions of the Senate amendment. The substitute language would authorize the reopening of the Italian claims program only to those persons who were American nationals at the time of loss and at the time of the enactment of title II of the International Claims Settlement Act of 1949, and who did not file timely claims under that program. The new language further provides that no awards shall be made to persons who have received compensation in any amount pursuant to the Treaty of Peace with Italy, subsection (a) of section 304 of the International Claims Settlement Act of 1949, as amended, or section 202 of the War Claims Act of 1948, as amended.

EDNA F. KELLY,
WAYNE L. HAYS,
PETER H. B. FRELINGHUYSEN,
Managers on the Part of the House.

Mrs. KELLY (during the reading). Mr. Speaker, I ask unanimous consent that further reading of the statement of the managers on the part of the House be dispensed with.

The SPEAKER. Is there objection to the request of the gentlewoman from New York?

There was no objection.

Mrs. KELLY. Mr. Speaker, the conference report on H.R. 9063 represents, I believe, a fair compromise between the House and the Senate versions of this legislation.

Apart from technical amendments which numbered 18, there were only two issues which divided the House and the Senate conferees on this legislation.

Both of these issues arose as a result of amendments added in the other body to the House-approved bill.

The first Senate amendment, referred to as amendment No. 3 in the statement of managers on the part of the House, contained language intended to eliminate certain inequities in the present law by permitting the return to persecutees and nonenemy nationals of the proportionate share of the vested assets of corporations of Bulgaria, Hungary, and Rumania in which they held interest.

This legislative change was endorsed by the executive branch and approved on three separate occasions during the past 7 years by the other body.

The need for this legislation arose from the following:

Under the Trading With the Enemy Act, certain properties vested by the U.S. Government during World War II, were allowed to be returned to individuals who were nationals of former enemy countries but who were persecuted for religious, ethnic, or other reasons by the authorities of such countries. In short, those individuals—the persecutees—were allowed to be treated as nonenemies.

However, the Trading With the Enemy Act did not provide for the return to such persecutees, or to nonenemy nationals, of their proportionate share in the vested assets of enemy corporations in which they had an interest.

Now with respect to the International Claims Settlement Act, title II of that act permitted nonenemy nationals to obtain the return of their proportionate share of assets of corporations of Bulgaria, Hungary, or Rumania if 25 percent or more of the outstanding stock was owned at the date of vesting by such persons.

That latter law, however, did not make a similar provision in the case of stock of such corporations owned by persecutees.

In the view of the other body, in which the executive branch concurred, there appeared to be no valid reason for making a distinction between nonenemy nationals and persecutees since both categories are considered as having nonenemy character; nor for making a distinction between vested assets under the Trading With the Enemy Act and vested assets under title II of the International Claims Settlement Act.

The Senate amendment was designed to effectuate fair treatment in these respects.

The committee of conference agreed to recommend that the House recede from its disagreement to this amendment.

It is our understanding that although there may be a few other persons who will benefit from this change in the law, the amendment is primarily designed to provide relief for four stockholders of a Hungarian corporation; and that the total amount involved is approximately $120,000.

The managers on the part of the House were further informed that there remained under the control of the U.S. Government sufficient vested assets to cover any payments that may arise out of the operation of this new provision.

The second amendment added by the other body—referred to as amendment No. 8 in the statement of the House managers—dealt with the Italian claims program.

Briefly, that amendment proposed to reopen the Italian claims programs to persons who did not file timely claims previously, as well as to persons who were not U.S. nationals at the time when they suffered loss but who became U.S. nationals by August 9, 1955, and had not filed under the earlier program.

The latter part of this particular amendment gave us considerable trouble.

At the time when H.R. 9063 was considered by the House, this body voted overwhelmingly to uphold the principle that the U.S. Government should espouse only the claims of persons who were American nationals at the time when they suffered loss.

In other words, the House did not indicate the will to open the Italian claims program or other claims programs to persons who became American nationals after losing some of their properties abroad.

The conferees representing the other body were adamant in upholding the position of the Senate.

After a series of meetings, a compromise was worked out pursuant to which the Senate receded on the issue of "late nationals" and the House accepted the provision dealing with "late filers."

This compromise is consistent with the relevant principle of international law and with precedents established in our various claims programs.

The managers on the part of the House were advised that during the operation of the Italian claims program, the Foreign Claims Settlement Commission denied 40 claims of persons who were American nationals at the time of loss but who did not file timely claims.

The proposed legislation will, of course, apply to these cases, as well as to a handful of others that may not have filed at all because they learned about the Italian claims program too late.

I would like to add, Mr. Speaker, that in our opinion, the authority of the International Claims Settlement Act of 1949, as amended in 1958, and again this year, will be fully adequate to cover certain personal injury and related cases which were discussed in the House report on H.R. 9063 and in my exchange with the gentleman from Ohio [Mr. TAFT] on the Floor of the House at the time when that bill was considered and approved.

Mr. Speaker, I believe that the conference report on H.R. 9063 represents a workable compromise. I urge strongly that it be accepted by the House, thereby advancing this legislation towards a much-delayed enactment.

Mr. FRELINGHUYSEN. Mr. Speaker, will the gentlewoman yield?

Mrs. KELLY. I yield to the gentleman from New Jersey.

Mr. FRELINGHUYSEN. Mr. Speaker, I wish to join with the gentlewoman from New York [Mrs. KELLY] in urging the adoption of the conference report.

I would like to take this opportunity to point out that some of the claimants affected by this legislation have been waiting nearly 8 years for the Congress to act. This applies particularly to the Rumanian and Bulgarian claims programs.

On March 30, 1960, the Government of Rumania agreed to the final settlement of claims of U.S. nationals arising out of the nationalization or other taking of property belonging to such persons, which occurred prior to the date of the agreement.

On July 2, 1963, a similar agreement was entered into by the Government of the United States and the Government of Bulgaria.

The moneys involved in both of these agreements have been paid some time ago and deposited in a special account in the U.S. Treasury. However, the Foreign Claims Settlement Commission can take no action to disburse these funds to eligible claimants without the legislative authorization contained in this bill.

In addition, Mr. Speaker, the bill contains certain provisions relating to the Italian claims program and makes a number of overdue improvements in the administration of various other programs.

The compromise embodied in the conference report entailed a considerable amount of effort and good will on the part of both the House and Senate managers. I believe that this is a fair compromise and I urge its approval by the House.

Mr. TAFT. Mr. Speaker, will the gentlewoman yield?

Mrs. KELLY. I yield to the gentleman from Ohio.

Mr. TAFT. I would like to address an inquiry particularly with reference to a matter that came up here in the House when the bill was up here. There seem to have been some changes in the Senate and in the conference report with regard to it.

Specifically, I would like to inquire whether it was the intention of the conferees in any manner to detract from the continuing authority of the Foreign Claims Settlement Commission to reconsider the personal injury claims of U.S.-born citizens after the 1943 armistice but before the termination of hostilities, which had been previously denied.

This was assured in our colloquy here on the floor at the time of the passage of the bill, H.R. 9063, but it seems to me that some of the language in amendment No. 3 on page 6 of the Senate bill might possibly interfere with the authority of the Foreign Claims Settlement Commission.

Mrs. KELLY. Mr. Speaker, in reply to the question of the gentleman from Ohio [Mr. TAFT], I would like to note that the issue which he raised was presented in the committee on conference.

As the gentleman knows, however, there was no difference or dispute between the two Houses on this point.

I should like to repeat what I said earlier in the House, namely, that the existing law, together with the amendments proposed in H.R. 9063, is fully sufficient to cover the personal injury and related cases referred to by the gentleman from Ohio [Mr. TAFT].

The restrictions outlined in the bill and in the conference report are most certainly not intended to preclude fair and favorable action on these claims. They do not apply to this particular group of cases.

Mr. TAFT. I thank the gentlewoman.

Mr. GILBERT. Mr. Speaker, will the gentlewoman yield?

Mrs. KELLY. I yield to the gentleman from New York.

Mr. GILBERT. Mr. Speaker, as I understand it, amendment No. 3 discussed in the statement of the managers on the part of the House allows persecutees and nonenemy nationals a period of 6 months within which to file claims for the return of their interests, if they have not previously done so.

I know that in other claims programs heirs of property whose owners were killed by the Nazis were recognized as inheriting their interests. I am thinking, for example, of Hungarian Jews who were killed by the Nazis, but whose children managed to escape from Hungary during the anti-Communist revolution. Do you have any reason to believe that the same humanitarian attitude that has been followed in the past would not be applied, if these children were now to file claims? In other words, do we have reason to feel that the people who will be benefited by this legislation will be given every possible opportunity to file and have their claims considered, as in the past?

Mrs. KELLY. Mr. Speaker, in reply to the gentleman's question, I would like to point out that the legislation before the House attempts to equalize the treatment of persecutees under both the Trading With the Enemy Act and the International Claims Settlement Act. We have not in the conference discussed the passing of eligibility to claimants' heirs. In this respect I should think that the applicable law and precedents would govern. The amendment itself does not refer to heirs or the passing of eligibility to another generation.

Mr. GILBERT. I thank the gentlewoman for her response.

For the first time, by the passage of H.R. 9063, we have provided that stockholders of Bulgarian, Hungarian, and Rumanian corporations should have the right to apply, within 6 months from the enactment of the legislation, for the return of the proportion of the property vested during World War II belonging to those corporations. This conforms both with our international commitments and basic principles of justice and equity, and the conference committee is to be congratulated on accepting the provision making such relief possible.

For the first time our allies, persecutees, and Americans, who owned interests in these corporations, have been recognized as eligible to have their interests paid to them. We have decided that these people, if they have not previously filed claim, should have the right to apply for return within 6 months, and although many may have died in the period since World War II, without knowing that there would be any relief forthcoming so many years later, their heirs may still be able to obtain the benefits now made available.

Mr. DANIELS. Mr. Speaker, will the gentlewoman yield?

Mrs. KELLY. I yield to the gentleman from New Jersey.

Mr. DANIELS. I want to thank the gentlewoman for yielding.

I rise to express opposition to amendment No. 8.

Mr. Speaker, I have in the past expressed my opposition to what I consider the unduly restrictive language in the House version of this bill which denied relief to persons who became naturalized American citizens by August 9, 1955. I think the Senate-passed version containing amendment No. 8 which reopened the Italian claims program to two groups of claimants, American nationals at the time of the claim and persons who became American citizens by August 9, 1955, is a more reasonable approach.

Is it not a fact that the provision which I favor would not cost the taxpayers a single cent? Is it not also true that the funds to pay these claims would come not from the Treasury of the United States but rather from funds made available by the Government of Italy?

Mrs. KELLY. In reply to the gentleman from New Jersey, I wish to say that it is not within my power to make decisions regarding the eligibility of particular groups of claimants. I agree with the gentleman, however, that the payment of claims covered by this legislation does not involve a financial burden for the U.S. Treasury.

I would like to add that H.R. 9063, in its present final form, is intended to apply to several types of claims under the Italian claims program. It will apply to American nationals in the ceded territories, including the Dodecanese Islands, who have not received compensation previously. It will also apply to the post-1943 injury cases and similar claims discussed in my exchange with the gentleman from Ohio [Mr. TAFT]. It will apply further to those eligible claimants who failed to file under the original 1955 program, or who filed late.

Consequently, if the gentleman's constituent falls into one of these categories, his claim assuredly would be covered.

Mr. DANIELS. Mr. Speaker, will the gentlewoman yield further?

Mrs. KELLY. I yield further to the gentleman from New Jersey.

Mr. DANIELS. Mr. Speaker, is it not a fact that there is a basic inconsistency between the position the conferees have taken and the fact that under the provision of Public Law 85-604 persons who filed a claim incorrectly have been paid while those who sought legal advice have not been and will not be paid? Is there any justice in this position?

Mrs. KELLY. Mr. Speaker, I do not think that the position of the conferees is at all inconsistent. I think that the position outlined in the conference report is consistent with the principles of international law which has been the foundation of all our claims programs. That principle holds that our Government is only responsible for the claims of its own citizens.

Mr. DANIELS. Mr. Speaker, I thank the gentlewoman for her response, but unfortunately I respectfully disagree with her position.

Mr. MONAGAN. Mr. Speaker, will the gentlewoman yield?

Mrs. KELLY. Mr. Speaker, I yield to the gentleman from Connecticut, a member of the Committee on Foreign Affairs.

Mr. MONAGAN. Mr. Speaker, I would like to ask the gentlewoman some questions concerning amendment No. 3. As I understand it, this is the provision which would permit enemy nationals who otherwise would not be eligible under this program to come in under the Bulgarian-Rumanian-Hungarian claims program. Is that correct?

Mrs. KELLY. Yes, but only to the extent that it involves the vested assets in which certain persecutees and nonenemy aliens had an interest.

Mr. MONAGAN. Mr. Speaker, this was a recommendation that had been made to our subcommittee, but it was turned down by us and was not included in the version of the amendments that the committee recommended and which passed the House.

Mrs. KELLY. This legislation was endorsed by the executive branch, as the Member knows.

Mr. MONAGAN. I know, but it was included only in the Senate version?

Mrs. KELLY. That is correct.

Mr. MONAGAN. And this covers the case that was referred to at times in the hearings as having, I think it was, four possible beneficiaries, and it was criticized as being essentially a private claim bill rather than general legislation.

Mrs. KELLY. Mr. Speaker, it may be true that this amendment will only benefit four stockholders in a particular Hungarian firm. However, I do not agree with the remarks of the gentleman from Connecticut because this is general legislation designed to correct an inequity in the existing law.

Allow me to explain.

Under the Trading With the Enemy Act, certain properties vested by the U.S. Government during World War II were allowed to be returned to individuals who were nationals of former enemy countries, but who were persecuted for religious, ethnic, or other reasons by the authorities of such countries. In short, those individuals—the persecutees—were allowed to be treated as nonenemies.

However, the Trading With the Enemy Act did not provide for the return to such persecutees, or to nonenemy nationals, of their proportionate share in the vested assets of enemy corporations in which they had an interest.

Now under title II of the International Claims Settlement Act, nonenemy nationals were permitted to obtain the return of their proportionate share of assets of corporations of Bulgaria, Hungary, or Rumania if 25 percent or more of the outstanding stock was owned at the date of vesting by such persons.

However, title II of the International Claims Settlement Act did not make a similar provision in the case of stock of such corporations owned by persecutees.

All this amendment attempts to do is to treat nonenemy aliens and persecutees equally, and to apply the same principle to vested properties whether they were owned directly or indirectly, through stock.

Mr. MONAGAN. I recall the discussions in the committee and the fact that the committee did not adopt this reasoning at the time because of the variance from the general provisions of international law which oppose benefit to enemy aliens. Therefore, since I was not a member of the conference committee, I wanted to ask the gentlewoman the basis on which the conference had surprisingly taken the opposite point of view and had gone along with this provision of the other body, which had not previously been accepted although offered over a period of some 10 years.

Mrs. KELLY. Mr. Speaker, I would like to point out that the managers on the part of the House did their very best to uphold the position of the House. As the gentleman from Connecticut knows, however, a compromise is sometimes necessary if we are to have any legislation at all.

We did the best we could. I feel that we arrived at a very fair resolution of the differences between the two Houses because we managed to win acceptance for the wishes of this House with respect to leaving these claims programs open only to persons who were American nationals at the time when they pay fixed loss. On that point we did not compromise.

I hope the House will agree with our assessment of the Conference Report and adopt it without delay.

Mr. MONAGAN. Having in view the background which I have described, the gentlewoman recommends that the House accept this version?

Mrs. KELLY. I certainly do.

Mr. MONAGAN. I thank the gentlewoman.

Mrs. KELLY. Mr. Speaker, I move the previous question on the conference report.

The previous question was ordered.

The conference report was agreed to.

A motion to reconsider was laid on the table.

CALL OF THE HOUSE

Mr. PELLY. Mr. Speaker, I make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

Mr. RIVERS. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 241]

Ashley
Ashmore
Bell
Brademas
Brown, Ohio
Esch
Evins, Tenn.
Flood
Gardner
Halleck
Hansen, Idaho
Hansen, Wash.
Hawkins
Holifield
Holland
Howard
Karsten
McEwen
Mayne
Pool
Resnick
Stuckey
Teague, Tex.
Van Deerlin
Willis

The SPEAKER. On this rollcall 407 Members have answered to their names, a quorum.

By unanimous consent, further proceedings under the call were dispensed with.

MILITARY CONSTRUCTION AUTHORIZATION, FISCAL YEAR 1969—CONFERENCE REPORT

Mr. RIVERS. Mr. Speaker, I call up the conference report on the bill (H.R. 16703) to authorize certain construction at military installations, and for other purposes, and ask unanimous consent that the statement of the managers on the part of the House be read in lieu of the report.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from South Carolina?

There was no objection.

The Clerk read the statement.

The conference report and statement are as follows:

CONFERENCE REPORT (H. REPT. No. 1658)

The committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 16703) to authorize certain construction at military installations, and for other purposes, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendment of the Senate and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert the following:

"TITLE I

"SEC. 101. The Secretary of the Army may establish or develop military installations and facilities by acquiring, constructing, converting, rehabilitating, or installing permanent or temporary public works, including site preparation, appurtenances, utilities, and equipment for the following projects:

"INSIDE THE UNITED STATES

"UNITED STATES CONTINENTAL ARMY COMMAND

"(First Army)

"Fort Belvoir, Virginia: Operational and training facilities, research, development, and test facilities, and medical facilities, $2,175,000.

"Fort Dix, New Jersey: Training facilities, and utilities, $2,449,000.

"Fort Eustis, Virginia: Operational and training facilities, and troop housing, $3,312,000.

"Fort Hamilton, New York: Utilities, $160,000.

"A. P. Hill Military Reservation, Virginia: Troop housing, $501,000.

"Fort Knox, Kentucky: Research, development, and test facilities, and medical facilities, $727,000.

"Fort Lee, Virginia: Training facilities, and troop housing, $2,021,000.

"(Third Army)

"Fort Benning, Georgia: Training facilities, maintenance facilities, research, development, and test facilities, troop housing, and utilities, $4,126,000.

"Fort Bragg, North Carolina: Maintenance facilities, medical facilities, and administrative facilities, $953,000.

"Fort Gordon, Georgia: Hospital facilities, $21,362,000.

"Fort Jackson, South Carolina: Operational facilities, and medical facilities, $1,661,000.

"Fort McPherson, Georgia: Operational facilities, $596,000.

"Fort Rucker, Alabama: Operational facilities, $2,298,000.

"(Fourth Army)

"Fort Bliss, Texas: Training facilities, $465,000.

"Fort Hood, Texas: Maintenance facilities, $877,000.

"Fort Sam Houston, Texas: Operational facilities, $1,226,000.

"Fort Polk, Louisiana: Training facilities, $1,690,000.

"Fort Sill, Oklahoma: Research, development, and test facilities, and medical facilities $581,000.

"Fort Wolters, Texas: Maintenance facilities, and troop housing, $1,021,000.

"(Fifth Army)

"Fort Carson, Colorado: Troop housing, $270,000.

"Fort Benjamin Harrison, Indiana, Hospital facilities, $4,590,000.

"Fort Riley, Kansas: Troop housing, $245,000.

"Fort Sheridan, Illinois: Troop housing, $1,111,000.

"Fort Leonard Wood, Missouri: Training facilities, $462,000.

"(Sixth Army)

"Hunter-Liggett Military Reservation, California: Maintenance facilities, and troop housing, $1,055,000.

"Fort Irwin, California: Utilities, $52,000.

"Fort Lewis, Washington: Training facilities, and utilities, $1,871,000.

"Presidio of San Francisco, California: Troop housing, $1,666,000.

"(Military District of Washington)

"Fort McNair, District of Columbia: Troop housing, $167,000.

"UNITED STATES ARMY MATERIEL COMMAND

"Aeronautical Maintenance Center, Texas: Maintenance facilities, $3,656,000.

"Atlanta Army Depot, Georgia: Operational facilities, $107,000.

"Burlington Army Ammunition Plant, New Jersey: Utilities, $164,000.

"Fort Detrick, Maryland: Research, development, and test facilities, $6,433,000.

"Dugway Proving Ground, Utah: Operational facilities, $1,787,000.

"Joliet Army Ammunition Plant, Illinois: Utilities, $2,188,000.

"Lake City Army Ammunition Plant, Missouri: Utilities, $472,000.

"Lexington Army Depot, Kentucky: Maintenance facilities, $75,000.

"Fort Monmouth, New Jersey: Operational facilities, and troop housing, $1,307,000.

"New Cumberland Army Depot, Pennsylvania: Operational facilities, $638,000.

"Picatinny Arsenal, New Jersey: Research, development, and test facilities, $337,000.

"Pine Bluff Arsenal, Arkansas: Utilities, $169,000.

"Pueblo Army Depot, Colorado: Maintenance facilities, $846,000.

"Red River Army Depot, Texas: Maintenance facilities, $372,000.

"Redstone Arsenal, Alabama: Research, development, and test facilities, $3,255,000.

"Rock Island Arsenal, Illinois: Production facilities, $432,000.

"Sacramento Army Depot, California: Maintenance facilities, $855,000.

"Savanna Army Depot, Illinois: Maintenance facilities, $297,000.

"Sierra Army Depot, California: Training facilities and troop housing, $170,000.

"Sunflower Army Ammunition Plant, Kansas: Utilities, $460,000.

"Tooele Army Depot, Utah: Operational facilities, and maintenance facilities, $2,283,000.

"White Sands Missile Range, New Mexico: Research, development, and test facilities, $1,435,000.

"Fort Wingate Army Depot, New Mexico: Utilities, $162,000.

"Yuma Test Station, Arizona: Maintenance facilities, $736,000.

"UNITED STATES ARMY AIR DEFENSE COMMAND

"CONUS, various locations: Operational and training facilities, maintenance facilities, supply facilities, medical facilities, administrative facilities, troop housing, community facilities, utilities, and real estate, $227,460,000.

"UNITED STATES ARMY STRATEGIC COMMUNICATIONS COMMAND

"Fort Huachuca, Arizona: Maintenance facilities, research, development, and test facilities, troop housing, and utilities, $8,948,000.

"Fort Ritchie, Maryland: Utilities, $167,000.

"UNITED STATES MILITARY ACADEMY

"United States Military Academy, West Point, New York: Cadet housing, $16,000,000.

"ARMY MEDICAL SERVICE

"William Beaumont General Hospital, Texas: Hospital facilities, $17,545,000.

"Walter Reed Army Medical Center, District of Columbia: Research, development, and test facilities, $2,856,000.

"MILITARY TRAFFIC MANAGEMENT AND TERMINAL SERVICE

"Bayonne Naval Supply Center, New Jersey: Supply facilities, and utilities, $812,000.

"Oakland Army Terminal, California: Supply facilities, $312,000.

"UNITED STATES ARMY, ALASKA

"Fort Richardson, Alaska: Utilities, $112,000.

"UNITED STATES ARMY, HAWAII

"Fort Shafter, Hawaii: Administrative facilities, $312,000.

"Tripler Army Hospital, Hawaii: Utilities, $621,000.

"OUTSIDE THE UNITED STATES

"UNITED STATES ARMY, PACIFIC

"Japan, various: Maintenance facilities, and utilities, $909,000.

"Korea, various: Maintenance facilities, $377,000.

"Okinawa, various: Utilities, $129,000.

"UNITED STATES ARMY FORCES, SOUTHERN COMMAND

"Canal Zone, various: Training facilities, troop housing, and utilities, $300,000.

"UNITED STATES ARMY MATERIEL COMMAND

"Kwajalein Atoll: Research, development, and test facilities, and housing, $3,925,000.

"UNITED STATES ARMY SECURITY AGENCY

"Various locations: Operational facilities, troop housing, and utilities, $5,386,000.

"UNITED STATES ARMY, EUROPE

"Germany, various: Operational facilities, maintenance facilities, and supply facilities, $17,384,000.

"Various locations: For the United States share of the cost of multilateral programs for the acquisition or construction of military facilities and installations, including international military headquarters, for the collective defense of the North Atlantic Treaty Area, $55,000,000: *Provided*, That, within thirty days after the end of each quarter, the Secretary of the Army shall furnish to the Committees on Armed Services and on Appropriations of the Senate and the House of Representatives a description of obligations incurred as the United States share of such multilateral programs.

"UNITED STATES ARMY STRATEGIC COMMUNICATIONS COMMAND

"Various locations: Utilities, $2,200,000.

"Sec. 102. The Secretary of the Army may establish or develop Army installations and facilities by proceeding with construction made necessary by changes in Army missions and responsibilities which have been occasioned by: (a) unforeseen security considerations, (b) new weapons developments, (c) new and unforeseen research and development requirements, or (d) improved production schedules, if the Secretary of Defense determines that deferral of such construction for inclusion in the next Military Construction Authorization Act would be inconsistent with interests of national security, and in connection therewith to acquire, construct, convert, rehabilitate, or install permanent or temporary public works, including land acquisition, site preparation, appurtenances, utilities, and equipment, in the total amount of $10,000,000: *Provided*, That the Secretary of the Army, or his designee, shall notify the Committees on Armed Services of the Senate and House of Representatives, immediately upon reaching a final decision to implement, of the cost of construction of any public work undertaken under this section, including those real estate actions pertaining thereto. This authorization will expire as of September 30, 1969, except for those public works projects concerning which the Committees on Armed Services of the Senate and House of Representatives have been notified pursuant to this section prior to that date.

"Sec. 103. (a) Public Law 89–188, as amended, is amended under the heading 'INSIDE THE UNITED STATES', in section 101, as follows:

"(1) Under the subheading 'CONTINENTAL UNITED STATES, Less Army Materiel Command (First Army)' with respect to 'Fort Devens, Massachusetts', strike out '$11,964,000' and insert in place thereof '$13,258,000'.

"(2) Under the subheading 'CONTINENTAL UNITED STATES, Less Army Materiel Command (First Army)' with respect to 'United States Military Academy, West Point, New York', strike out '$18,089,000' and insert in place thereof '$20,635,000'.

"(3) Under the subheading 'CONTINENTAL UNITED STATES, Less Army Materiel Command (Second Army)' with respect to 'Fort Knox, Kentucky', strike out '$15,422,000' and insert in place thereof '$15,511,000'.

"(4) Under the subheading 'CONTINENTAL UNITED STATES, Less Army Materiel Command (Third Army)' with respect to 'Fort Campbell, Kentucky', strike out '$1,992,000' and insert in place thereof '$2,092,000'.

"(5) Under the subheading 'CONTINENTAL UNITED STATES, Less Army Materiel Command (Third Army)' with respect to 'Fort Stewart, Georgia', strike out '$2,317,000' and insert in place thereof '$2,872,000'.

"(6) Under the subheading 'CONTINENTAL UNITED STATES, Less Army Materiel Command (Fifth Army)' with respect to 'Fort Benjamin Harrison, Indiana', strike out '$4,017,000' and insert in place thereof '$4,513,000'.

"(7) Under the subheading 'CONTINENTAL UNITED STATES, Less Army Materiel Command (Fifth Army)' with respect to 'Fort Leonard Wood, Missouri', strike out '$16,536,000' and insert in place thereof '$16,848,000'.

"(8) Under the subheading 'CONTINENTAL UNITED STATES, Less Army Materiel Command (Sixth Army)' with respect to 'Presidio of Monterey, California', strike out '$3,046,000' and insert in place thereof '$3,249,000'.

"(9) Under the subheading 'CONTINENTAL UNITED STATES, Less Army Materiel Command (Military District of Washington)' with respect to 'Fort Myer, Virginia', strike out '$5,409,000', and insert in place thereof '$5,631,000'.

"(10) Under the subheading, 'UNITED STATES ARMY, HAWAII' with respect to 'Schofield Barracks, Hawaii', strike out '$3,175,000' and insert in place thereof '$3,884,000'.

"(b) Public Law 89–188 as amended, is amended by striking out in clause (1) of section 602 '$254,399,000' and '$311,260,000', and inserting '$260,925,000' and '$317,786,000', respectively.

"Sec. 104. (a) Public Law 89–568, as amended, is amended under the heading 'INSIDE THE UNITED STATES', in section 101 as follows:

"(1) Under the subheading, 'UNITED STATES CONTINENTAL ARMY COMMAND (First Army)' with respect to 'Fort Eustis, Virginia', strike out '$957,000' and insert in place thereof '$1,110,000'.

"(2) Under the subheading, 'UNITED STATES CONTINENTAL ARMY COMMAND (Third Army)' with respect to 'Fort Jackson, South Carolina', strike out '$4,072,000' and insert in place thereof '$5,565,000'.

"(3) Under the subheading 'UNITED STATES ARMY MATERIEL COMMAND' with respect to 'Atlanta Army Depot, Georgia', strike out '$237,000' and insert in place thereof '$470,000'.

"(b) Public Law 89–568, as amended, is amended by striking out in clause (1) of section 602 '$57,473,000' and '$132,188,000' and inserting '$59,352,000' and '$134,067,000', respectively.

"Sec. 105. (a) Public Law 90–110 is amended under the heading 'INSIDE THE UNITED STATES' in section 101, as follows:

"(1) Under the heading 'INSIDE THE UNITED STATES' and under the subheading, 'UNITED STATES ARMY AIR DEFENSE COMMAND' with respect to 'CONUS various locations,' strike out the words 'Operational facilities, and utilities, $64,846,000' and insert in place thereof 'Operational facilities, utilities and real estate, $64,846,000'.

"(2) Subsection 106(a) (2), Public Law 90–110, amending Public Law 88–390, as amended, in section 101 under the subheading 'CONTINENTAL ARMY COMMAND (Military District of Washington, District of Columbia)' with respect to 'Fort Myer, Virginia,' having inserted erroneous figures, is amended by striking out '$4,052,000' and '$4,330,000' and inserting in place thereof '$4,524,000' and '$4,802,000', respectively.

"(3) Under the subheading 'OUTSIDE THE UNITED STATES (United States Army, Pacific)' with respect to 'Korea', strike out '$2,810,000' and insert in place thereof '$2,850,000'.

"(b) Public Law 90–110 is amended by striking out in clause (1) of section 802 '$100,480,000' and '$385,712,000' and inserting in place thereof '$100,520,000' and '$385,752,000'.

"TITLE II

"Sec. 201. The Secretary of the Navy may establish or develop military installations and facilities by acquiring, constructing, converting, rehabilitating, or installing permanent or temporary public works, including site preparation, appurtenances, utilities, and equipment for the following projects:

"INSIDE THE UNITED STATES

"FIRST NAVAL DISTRICT

"Naval Air Station, Brunswick, Maine: Ground improvements, $75,000.

"Naval Shipyard, Boston, Massachusetts: Maintenance facilities, and utilities, $2,737,000.

"Naval Schools Command, Newport, Rhode Island: Troop housing, $1,151,000.

"Navy Public Works Center, Newport, Rhode Island: Utilities, $2,874,000.

"Naval Air Station, Quonset Point, Rhode Island: Operational facilities, and maintenance facilities, $1,152,000.

"THIRD NAVAL DISTRICT

"Naval Submarine Base, New London, Connecticut: Operational facilities, $1,225,000.

"Naval Station, Brooklyn, New York: Community facilities, $370,000.

"FOURTH NAVAL DISTRICT

"Naval Air Station, Lakehurst, New Jersey: Operational facilities, and troop housing, $1,284,000.

"Naval Air Test Facility, Lakehurst, New Jersey: Operational facilities, $770,000.

"Naval Air Propulsion Test Center, Trenton, New Jersey: Utilities, $152,000.

"Navy Ships Parts Control Center, Mechanicsburg, Pennsylvania: Administrative facilities, $645,000.

"Naval Supply Depot, Mechanicsburg, Pennsylvania: Utilities, $497,000.

"Naval Shipyard, Philadelphia, Pennsylvania: Operational facilities, maintenance facilities, and utilities, $6,030,000.

"Naval Station, Philadelphia, Pennsylvania: Troop housing, $2,581,000.

"Naval Supply Depot, Philadelphia, Pennsylvania: Utilities, $327,000.

"DISTRICT OF COLUMBIA NAVAL DISTRICT

"Naval Academy, Annapolis, Maryland: Ground improvements, $2,000,000.

"Naval Ordnance Station, Indian Head, Maryland: Research, development, and test facilities, $1,376,000.

"Naval School, Explosive Ordnance Disposal, Indian Head, Maryland: Training facilities, $134,000.

"Naval Air Test Center, Pautuxent River, Maryland: Operational facilities, research, development, and test facilities, $3,257,000.

"Naval Weapons Laboratory, Dahlgren, Virginia: Research, development, and test facilities, $468,000.

"FIFTH NAVAL DISTRICT

"Naval Training Center, Bainbridge, Maryland: Utilities, $50,000.

"Fleet Anti-Air Warfare Training Center, Dam Neck, Virginia: Troop housing, and utilities, $1,213,000.

"Naval Amphibious Base, Little Creek, Virginia: Troop housing, and utilities, $1,582,000.

"Naval Shipyard, Norfolk, Virginia: Maintenance facilities, and utilities, $4,869,000.

"Fleet Operations Control Center, Norfolk, Virginia: Operational facilities, $888,000.

"Naval Station, Norfolk, Virginia: Troop housing, $1,959,000.

"Naval Air Station, Norfolk, Virginia: Operational facilities, and maintenance facilities, $7,441,000.

"Naval Supply Center, Norfolk, Virginia: Operational facilities, $601,000.

"Atlantic Fleet Anti-Submarine Warfare Tactical School, Norfolk, Virginia: Training facilities, $205,000.

"Navy Public Works Center, Norfolk, Virginia: Utilities and ground improvements, $1,950,000.

"Naval Radio Station, Northwest, Virginia: Administrative facilities, and medical facilities, $175,000.

"Naval Air Station, Oceana, Virginia: Operational facilities, troop housing, and utilities, $3,020,000.

"Naval Weapons Station, Yorktown, Virginia: Maintenance facilities, $156,000.

"SIXTH NAVAL DISTRICT

"Naval Air Station, Cecil Field, Florida: Maintenance facilities, $3,379,000.

"Naval Air Station, Jacksonville, Florida: Maintenance facilities, $1,085,000.

"Naval Station, Mayport, Florida: Community facilities, $550,000.

"Naval Air Station, Key West, Florida: Operational facilities, $97,000.

"Naval School, Underwater Swimmers, Key West, Florida: Training facilities, $100,000.

"Naval Hospital, Key West, Florida: Utilities, $140,000.

"Naval Training Center, Orlando, Florida: Training facilities, troop housing, and utilities and ground improvements, $5,266,000.

"Naval Auxiliary Air Station, Ellyson Field, Florida: Supply facilities, $79,000.

"Navy Mine Defense Laboratory, Panama City, Florida: Research, development, and test facilities, $7,411,000.

"Naval Air Station, Pensacola, Florida: Operational and training facilities, maintenance facilities, troop housing, and real estate, $8,041,000.

"Naval Communications Training Center, Pensacola, Florida: Troop housing, $866,000.

"Navy Public Works Center, Pensacola, Florida: Utilities, $3,100,000.

"Naval Auxiliary Air Station, Saufley Field, Florida: Operational and training facilities, and maintenance facilities, $700,000.

"Naval Auxiliary Air Station, Whiting Field, Florida: Operational and training facilities, maintenance facilities, and utilities, $626,000.

"Naval Air Station, Albany, Georgia: Operational facilities, $181,000.

"Naval Supply Corps School, Athens, Georgia: Troop housing, $1,372,000.

"Naval Air Station, Glynco, Georgia: Training facilities, $141,000.

"Naval Auxiliary Air Station, Meridian, Mississippi: Operational and training facilities, maintenance facilities, troop housing, and utilities, $1,204,000.

"Naval Shipyard, Charleston, South Carolina: Training facilities, maintenance facilities, and utilities, $4,160,000.

"Naval Station, Charleston, South Carolina: Administrative facilities, and troop housing, $1,487,000.

"Naval Weapons Station, Charleston, South Carolina: Maintenance facilities, supply facilities, and utilities and ground improvements, $4,734,000.

"Fleet Ballistic Missile Submarine Training Center, Charleston, South Carolina: Training facilities, $2,540,000.

"Fleet Training Center, Charleston, South Carolina: Training facilities, $180,000.

"Naval Schools, Mine Warfare, Charleston, South Carolina: Training facilities, $1,639,000.

"Naval Hospital, Charleston, South Carolina: Hospital and medical facilities, $13,356,000.

"Naval Air Station, Memphis, Tennessee: Troop housing, $2,366,000.

"Navy Training Publications Center, Memphis, Tennessee: Administrative facilities, $289,000.

"EIGHTH NAVAL DISTRICT

"Naval Support Activity, New Orleans, Louisiana: Troop Housing, $400,000.

"Naval Ordnance Missile Test Facility, White Sands, New Mexico: Research, development, and test facilities, $698,000.

"Naval Auxiliary Air Station, Chase Field, Texas: Operational and training facilities, maintenance facilities, troop housing, and utilities, $5,106,000.

"Naval Hospital, Corpus Christi, Texas: Hospital and medical facilities, $8,000,000.

"Naval Auxiliary Air Station, Kingsville, Texas: Operational and training facilities, $721,000.

"NINTH NAVAL DISTRICT

"Naval Training Center, Great Lakes, Illinois: Training facilities, $1,199,000.

"Navy Public Works Center, Great Lakes, Illinois: Utilities, $667,000.

"Naval Ammunition Depot, Crane, Indiana: Operational facilities, and production facilities, $150,000.

"ELEVENTH NAVAL DISTRICT

"Naval Air Facility, El Centro, California: Maintenance facilities, $2,223,000.

"Naval Shipyard, Long Beach, California: Operational facilities, and maintenance facilities, $10,398,000.

"Naval Undersea Warfare Center, Pasadena, California: (San Clemente Annex): Research, development, and test facilities, troop housing, and utilities, $2,802,000.

"Pacific Missile Range, Point Mugu, California: Operational and training facilities at Naval Missile Center; and utilities on San Nicolas Island, $159,000.

"Naval Construction Battalion Center, Port Hueneme, California: Training facilities, $94,000.

"Naval Weapons Station, Seal Beach, California: Supply facilities, $465,000.

"Naval Amphibious Base, Coronado, California: Training facilities, maintenance facilities, troop housing, and utilities, $5,798,000.

"Naval Air Station, Imperial Beach, California: Maintenance facilities, troop housing, utilities, and real estate, $5,674,000.

"Naval Air Station, Miramar, California: Maintenance facilities, $390,000.

"Naval Air Station, North Island, California: Maintenance facilities, and utilities, $17,630,000.

"Naval Station, San Diego, California: Operational facilities, and troop housing, $3.313,000.

"Fleet Anti-Submarine Warfare School, San Diego, California: Utilities, $90,000.

"Naval Training Center, San Diego, California: Troop housing, $2,569,000.

"Naval Hospital, San Diego, California: Ground improvements, $123,000.

"TWELFTH NAVAL DISTRICT

"Naval Weapons Station, Concord, California: Troop housing, $395,000.

"Naval Schools Command, Mare Island, California: Training facilities, $183,000.

"Naval Air Station, Moffett Field, California: Operational and training facilities, troop housing, and utilities, $1,871,000.

"Naval Postgraduate School, Monterey, California: Training facilities, $1,847,000.

"Naval Supply Center, Oakland, California: Utilities, $123,000.

"Naval Shipyard, San Francisco Bay, California: Maintenance facilities, and utilities at Hunters Point Division; and maintenance facilities, research, development, and test facilities, and utilities at Mare Island Division, $7,995,000.

"Naval Auxiliary Air Station, Fallon, Nevada: Operational and training facilities, $120,000.

"THIRTEENTH NAVAL DISTRICT

"Naval Ammunition Depot, Bangor, Washington: Utilities, $63,000.

"Naval Shipyard, Bremerton, Washington: Maintenance facilities, and utilities, $1,640,000.

"Naval Torpedo Station, Keyport, Washington: Maintenance facilities, and utilities, $918,000.

"Naval Air Station, Whidbey Island, Washington: Operational facilities, $2,430,000.

"FOURTEENTH NAVAL DISTRICT

"Naval Shipyard, Pearl Harbor, Oahu, Hawaii: Maintenance facilities, and utilities, $2,330,000.

"Naval Air Station, Barbers Point, Oahu, Hawaii: Ground improvements, $30,000.

"Naval Communication Station, Wahiawa, Oahu, Hawaii: Medical facilities; and, at Naval Radio Station, Lualualei, troop housing, $817,000.

"Pacific Missile Range Facility, Barking Sands, Kauai, Hawaii: Operational facilities, $854,000.

"SEVENTEENTH NAVAL DISTRICT

"Naval Arctic Research Laboratory, Barrow, Alaska: Operational facilities, and maintenance facilities, $1,985,000.

"VARIOUS LOCATIONS

"Various Naval and Marine Corps Air Activities: Operational facilities, $1,337,000.

"MARINE CORPS FACILITIES

"Marine Corps Supply Activity, Philadelphia, Pennsylvania: Administrative facilities, $200,000.

"Marine Corps Development and Education Command, Quantico, Virginia: Training facilities, $466,000.

"Marine Corps Base, Camp Lejeune, North Carolina: Operational and training facilities, $213,000.

"Marine Corps Air Station, Cherry Point, North Carolina: Maintenance facilities and utilities, $3,413,000.

"Marine Corps Air Facility, New River, North Carolina: Operational facilities, supply facilities, administrative facilities, troop housing, and utilities, $1,966,000.

"Headquarters Fleet Marine Force, Atlantic, Norfolk, Virginia: Administrative facilities, $70,000.

"Marine Corps Supply Center, Albany, Georgia: Maintenance facilities, $188,000.

"Marine Corps Recruit Depot, Parris Island, South Carolina: Utilities, $65,000.

"Marine Corps Air Station, Yuma, Arizona: Operational and training facilities, maintenance facilities, administrative facilities, and troop housing, $3,565,000.

"Marine Corps Supply Center, Barstow, California: Utilities, $60,000.

"Marine Corps Air Facility, Santa Ana, California: Maintenance facilities, $2,220,000.

"Marine Corps Base, Camp Pendleton, California: Operational and training facilities, medical facilities, administrative facilities, and utilities, $1,838,000.

"Marine Corps Recruit Depot, San Diego, California: Troop housing, $2,788,000.

"Marine Barracks, Bremerton, Washington: Troop housing, $764,000.

"OUTSIDE THE UNITED STATES

"MARINE CORPS FACILITIES

"Camp Smedley D. Butler, Okinawa: Utilities, $38,000.

"Marine Corps Air Station, Iwakuni, Japan: Maintenance facilities, $501,000.

"TENTH NAVAL DISTRICT

"Naval Station, Roosevelt Roads, Puerto Rico: Supply facilities, and utilities, $1,568,000.

"ATLANTIC OCEAN AREA

"Naval Station, Keflavik, Iceland: Operational facilities, $138,000.

"EUROPEAN AREA

"Naval Activities, United Kingdom Detachment, Greenock, Scotland: Community facilities, $440,000.

"PACIFIC OCEAN AREA

"Naval Communication Station, North West Cape, Australia: Administrative facilities, and supply facilities, $1,544,000.

"Naval Air Station, Agana, Guam, Mariana Islands: Utilities, $55,000.

"Fleet Activities, Sasebo, Japan: Operational facilities, $137,000.

"Fleet Activities, Yokosuka, Japan: Administrative facilities, $63,000.

"Naval Ordnance Facility, Yokosuka, Japan: Maintenance facilities, $29,000.

"Naval Air Facility, Naha, Okinawa: Maintenance facilities, $251,000.

"Naval Station, Sangley Point, Republic of the Philippines: Operational facilities, $92,000.

"Naval Magazine, Subic Bay, Republic of the Philippines: Community facilities, $69,000.

"Navy Public Works Center, Subic Bay, Republic of the Philippines: Utilities, $138,000.

"VARIOUS LOCATIONS

"Various Naval Air Activities: Operational facilities, $293,000.

"SEC. 202. The Secretary of the Navy may establish or develop classified Navy installations and facilities by acquiring, converting, rehabilitating, or installing permanent or temporary public works, including land acquisition, site preparation, appurtenances, utilities, and equipment in the total amount of $1,509,000.

"SEC. 203. The Secretary of the Navy may establish or develop Navy installations and facilities by proceeding with construction made necessary by changes in Navy missions and responsibilities which have been occasioned by: (a) unforseen security considerations, (b) new weapons developments, (c) new and unforeseen research and development requirements, or (d) improved production schedules, if the Secretary of Defense determines that deferral of such construction for inclusion in the next military construction authorization Act would be inconsistent with interests of national security, and in connection therewith to acquire, construct, convert, rehabilitate, or install permanent or temporary public works, including land acquisition, site preparation, appurtenances, utilities, and equipment, in the total amount of $10,000,000: *Provided*, That the Secretary of the Navy, or his designee, *shall notify the Committee on Armed Serv*ices of the Senate and House of Representatives, immediately upon reaching a decision to implement, of the cost of construction of any public work undertaken under this section, including those real estate actions pertaining thereto. This authorization will expire as of September 30, 1969, except for those public works projects concerning which the Committees on Armed Services of the Senate and House of Representatives have been notified pursuant to this section prior to that date.

"SEC. 204. (a) Public Law 89–188, as amended, is amended in section 201 under the heading 'INSIDE THE UNITED STATES' as *follows:*

"(1) Under the subheading 'BUREAU OF SHIPS FACILITIES (Naval Shipyards)' with respect to Naval Shipyard, Bremerton, Washington, strike out '$1,692,000' and insert in place thereof '$2,211,000'.

"(2) Under the subheading 'NAVAL WEAPONS FACILITIES (Field Support Stations)' with respect to Naval Station, Adak, Alaska, strike out '$5,000,000' and insert in place thereof '$5,931,000'.

"(3) Under the subheading 'NAVAL WEAPONS FACILITIES (Fleet Readiness Stations)' with respect to Naval Ammunition Depot, Charleston, South Carolina, strike out '$1,355,000' and insert in place thereof '$1,489,000'.

"(4) Under the subheading 'MEDICAL FACILITIES' with respect to Naval Hospital Corps School, Great Lakes, Illinois, strike out '$1,696,000' and insert in place thereof '$2,431,000'.

"(b) Public Law 89–188, as amended, is amended in section 201 under the heading 'OUTSIDE THE UNITED STATES' and subheading 'MARINE CORPS FACILITIES' with respect to Camp Smedley D. Butler, Okinawa, by striking out '$841,000' and inserting in place thereof '$1,125,000'.

"(c) Public Law 89–188, as amended, is amended by striking out in clause (2) of section 602 '$236,590,000', '$34,607,000', and '$322,296,000' and inserting respectively in place thereof '$238,909,000', '$34,891,000', and '$324,899,000'.

"SEC. 205. (a) Public Law 89–568 is amended in section 201 under the heading 'INSIDE THE UNITED STATES' as follows:

"(1) Under the subheading 'NAVAL SHIP SYSTEM COMMAND (Naval Shipyards)' with respect to Naval Shipyard, Bremerton, Washington, and Naval Shipyard, San Francisco Bay, California, strike out '$1,928,000' and '$2,782,000', respectively, and insert respectively in place thereof '$3,128,000' and '$3,412,000'.

"(2) Under the subheading 'NAVAL AIR SYSTEMS COMMAND (Field Support Stations)' with respect to Naval Air Station, Cecil Field, Florida, and Naval Air Station, Lemoore, California, strike out '$619,000' and '$251,000', respectively, and insert respectively in place thereof '$876,000' and '$502,000'.

"(3) Under the subheading 'NAVAL AIR SYSTEMS COMMAND (Research, Development, Test, and Evaluation Stations)' with respect to Naval Air Test Center, Patuxent River, Maryland, strike out '$283,000' and insert in place thereof '$432,000'.

"(4) Under the subheading 'MEDICAL FACILITIES' with respect to Naval Hospital, Chelsea, Massachusetts, strike out '$9,300,000' and insert in place thereof '$10,300,000'; and with respect to Naval Submarine Medical Center, New London, Connecticut, strike out '$4,957,000' and insert in place thereof '$6,101,000'.

"(b) Public Law 89–568 is amended in section 201 under the heading 'OUTSIDE THE UNITED STATES' and subheading 'NAVAL SHIP SYSTEMS COMMAND' with respect to Atlantic Undersea Test and Evaluation Center, West Indies, by striking out '$1,371,000' and inserting in place thereof '$1,798,000'.

"(c) Public Law 89–568 is amended by *striking out in clause (2) of section 602* '$114,138,000', '$9,948,000' and '$137,874,000' and inserting respectively in place thereof '$118,769,000', '$10,375,000', and '$142,932,000'.

"SEC. 206. (a) Public Law 90–110 is amended in section 201 under the heading 'INSIDE THE UNITED STATES' as follows:

"(1) Under the subheading 'FIFTH NAVAL DISTRICT' with respect to Naval Amphibious Base, Little Creek, Virginia, strike out '$6,072,000' and insert in place thereof '$6,220,000'.

"(2) Under the subheading 'SIXTH NAVAL DISTRICT' with respect to Naval Hospital, Key West, Florida, strike out '$243,000' and insert in place thereof '$370,000'.

"(b) Public Law 90–110 is amended in clause (2) of section 802 by striking out '$414,833,000' and '$461,132,000' and inserting respectively in place thereof '$415,108,000' and '$461,407,000'.

"TITLE III

"SEC. 301. The Secretary of the Air Force may establish or develop military installations and facilities by acquiring, constructing, converting, rehabilitating, or installing permanent or temporary public works, including site preparation, appurtenances, utilities, and equipment, for the following projects:

"INSIDE THE UNITED STATES

"AEROSPACE DEFENSE COMMAND

"Duluth Municipal Airport, Duluth, Minnesota: Operational facilities, $494,000.

"Logan Field, Billings, Montana: Utilities, $46,000.

"McChord Air Force Base, Tacoma, Washington: Utilities, $695,000.

"NORAD Headquarters, Colorado Springs, Colorado: Utilities, $900,000.

"Perrin Air Force Base, Sherman, Texas: Troop housing, $1,136,000.

"Peterson Field, Colorado Springs, Colorado: Operational and training facilities, $369,000.

"Phelps-Collins Airport, Alpena, Michigan: Operational facilities, $51,000.

"Richards-Gebaur Air Force Base, Kansas City, Missouri: Utilities, $146,000.

"Stewart Air Force Base, Newburgh, New York: Operational facilities, $50,000.

"Tyndall Air Force Base, Panama City, Florida: Operational facilities and troop housing, $954,000.

"AIR FORCE LOGISTICS COMMAND

"Griffiss Air Force Base, Rome, New York: Research, development, and test facilities, and utilities, $976,000.

"Hill Air Force Base, Ogden, Utah: Operational and training facilities, administrative facilities, and utilities, $1,058,000.

"Kelly Air Force Base, San Antonio, Texas: Maintenance facilities, administrative facilities, and utilities, $999,000.

"Lynn Haven POL Annex, Panama City, Florida: Operational facilities, $71,000.

"McClellan Air Force Base, Sacramento, California: Operational facilities, maintenance facilities, and utilities, $1,397,000.

"Newark Air Force Station, Newark, Ohio: Operational facilities, $265,000.

"Robins Air Force Base, Macon, Georgia: Operational and training facilities, maintenance facilities, and administrative facilities, $924,000.

"Tampa Air Force POL, Tampa, Florida: Operational facilities, $53,000.

"Tinker Air Force Base, Oklahoma City, Oklahoma: Operational facilities and maintenance facilities, and administrative facilities, $3,445,000.

"Wright-Patterson Air Force Base, Dayton, Ohio: Research, development and test facilities, $2,454,000.

"AIR FORCE SYSTEMS COMMAND

"Arnold Engineering Development Center, Tullahoma, Tennessee: Research, development, and test facilities, $4,089,000.

"Brooks Air Force Base, San Antonio, Texas: Research, development and test facilities, $350,000.

"Edwards Air Force Base, Muroc, California: Maintenance facilities and utilities, $656,000.

"Eglin Air Force Base, Valparaiso, Florida: Operational and training facilities, research, development, and test facilities, and supply facilities, $3,681,000.

"Holloman Air Force Base, Alamogordo, New Mexico: Operational facilities, research, development, and test facilities, troop housing and utilities, $2,808,000.

"Kirtland Air Force Base, Albuquerque, New Mexico: Utilities, $360,000.

"Laurence G. Hanscom Field, Bedford, Massachusetts: Research, development, and test facilities and real estate, $2,184,000.

"Patrick Air Force Base, Cocoa, Florida: Maintenance facilities, $476,000.

"Eastern Test Range, Cocoa, Florida: Research, development, and test facilities and utilities, $560,000.

"Western Test Range, Lompoc, California: Research, development, and test facilities, $1,766,000.

"Satellite Tracking Facilities: Research, development, and test facilities, $1,773,000.

"AIR TRAINING COMMAND

"Chanute Air Force Base, Rantoul, Illinois: Medical facilities, administrative facilities, troop housing, and utilities, $1,478,000.

"Craig Air Force Base, Selma, Alabama: Training facilities, $415,000.

"Keesler Air Force Base, Biloxi, Mississippi: Troop housing, $919,000.

"Lackland Air Force Base, San Antonio, Texas: Operational facilities, troop housing and community facilities, and utilities, $1,615,000.

"Laredo Air Force Base, Laredo, Texas: Operational facilities, maintenance facilities, troop housing, and utilities, $1,157,000.

"Laughlin Air Force Base, Del Rio, Texas: Utilities, $107,000.

"Lowry Air Force Base, Denver, Colorado: Utilities, $281,000.

"Mather Air Force Base, Sacramento, California: Training facilities, $900,000.

"Moody Air Force Base, Valdosta, Georgia: Training facilities, $513,000.

"Randolph Air Force Base, San Antonio, Texas: Operational facilities and real estate, $1,074,000.

"Reese Air Force Base, Lubbock, Texas: Training facilities, $101,000.

"Sheppard Air Force Base, Wichita Falls, Texas: Hospital facilities and troop housing, $3,708,000.

"Vance Air Force Base, Enid, Oklahoma: Operational facilities, $165,000.

"Webb Air Force Base, Big Spring, Texas: Operational and training facilities, $2,796,000.

"Williams Air Force Base, Chandler, Arizona: Operational facilities and utilities, $545,000.

"AIR UNIVERSITY

"Gunter Air Force Base, Montgomery, Alabama: Utilities, $87,000.

"Maxwell Air Force Base, Montgomery, Alabama: Operational facilities and maintenance facilities, $652,000.

"AERONAUTICAL CHART AND INFORMATION CENTER

"Aeronautical Chart and Information Center, Saint Louis, Missouri: Administrative facilities, $456,000.

"ALASKAN AIR COMMAND

"Elmendorf Air Force Base, Anchorage, Alaska: Operational and training facilities and maintenance facilities $2,940,000.

"Various locations: Maintenance facilities, troop housing, and utilities, $2,068,000.

"HEADQUARTERS COMMAND

"Andrews Air Force Base, Camp Springs, Maryland: Operational facilities and utilities, $110,000.

"MILITARY AIRLIFT COMMAND

"Altus Air Force Base, Altus, Oklahoma: Operational facilities and maintenance facilities, $1,672,000.

"Dover Air Force Base, Dover, Delaware: Operational and training facilities, and maintenance facilities, $7,671,000.

"McGuire Air Force Base, Wrightstown, New Jersey: Operational facilities and utilities, $1,172,000.

"Norton Air Force Base, San Bernardino, California: Operational facilities, maintenance facilities, and real estate, $1,403,000.

"Travis Air Force Base, Fairfield, California: Maintenance facilities, and utilities, $1,067,000.

"PACIFIC AIR FORCES

"Hickam Air Force Base, Honolulu, Hawaii: Operational facilities, administrative facilities, and utilities, $278,000.

"STRATEGIC AIR COMMAND

"Barksdale Air Force Base, Shreveport, Louisiana: Training facilities, $291,000.

"Beale Air Force Base, Marysville, California: Operational facilities and utilities, $498,000.

"Columbus Air Force Base, Columbus, Mississippi: Operational and training facilities, maintenance facilities, and troop housing, $5,791,000.

"Davis-Monthan Air Force Base, Tucson, Arizona: Operational facilities, maintenance facilities, supply facilities, troop housing, and utilities, $5,456,000.

"Ellsworth Air Force Base, Rapid City, South Dakota: Operational facilities and maintenance facilities, $1,151,000.

"Francis E. Warren Air Force Base, Cheyenne, Wyoming: Administrative facilities, $53,000.

"Fairchild Air Force Base, Spokane, Washington: Operational facilities, maintenance facilities, and administrative facilities, $210,000.

"Grand Forks Air Force Base, Grand Forks, North Dakota: Maintenance facilities, $400,000.

"Grissom Air Force Base, Peru, Indiana: Utilities, $70,000.

"K. I. Sawyer Municipal Airport: Marquette, Michigan: Maintenance facilities, $560,000.

"Loring Air Force Base, Limestone, Maine: Operational facilities, $59,000.

"Malmstrom Air Force Base, Great Falls, Montana: Troop housing, $969,000.

"Matagorda Air Force Range, Matagorda Island, Texas: Real estate, $607,000.

"Minot Air Force Base, Minot, North Dakota: Administrative facilities and utilities, $639,000.

"Offutt Air Force Base, Omaha, Nebraska: Operational facilities, administrative facilities and utilities, $2,369,000.

"Pease Air Force Base, Portsmouth, New Hampshire: Utilities, $194,000.

"Vandenberg Air Force Base, Lompoc, California: Utilities, $631,000.

"Westover Air Force Base, Chicopee Falls, Massachusetts: Operational facilities, $150,000.

"Wurtsmith Air Force Base, Oscoda, Michigan: Operational and training facilities, maintenance facilities, supply facilities, troop housing, and utilities, $2,731,000.

"TACTICAL AIR COMMAND

"Bergstrom Air Force Base, Austin, Texas: Operational facilities and administrative facilities, $354,000.

"Blytheville Air Force Base, Blytheville, Arkansas: Operational facilities, $1,641,000.

"Cannon Air Force Base, Clovis, New Mexico: Training facilities, maintenance facilities, and utilities, $479,000.

"England Air Force Base, Alexandria, Louisiana: Operational facilities and hospital facilities, $3,949,000.

"Forbes Air Force Base, Topeka, Kansas: Operational facilities, $702,000.

"George Air Force Base, Victorville, California: Operational facilities, administrative facilities, and utilities, $1,152,000.

"Homestead Air Force Base, Homestead, Florida: Operational facilities, $75,000.

"Langley Air Force Base, Hampton, Virginia: Training facilities, maintenance facilities, and utilities, $537,000.

"Lockbourne Air Force Base, Columbus, Ohio: Operational facilities, maintenance facilities, and utilities, $1,090,000.

"Luke Air Force Base, Phoenix, Arizona: Operational and training facilities, maintenance facilities, administrative facilities, troop housing, and utilities, $2,006,000.

"MacDill Air Force Base, Tampa, Florida: Operational facilities, $542,000.

"McConnell Air Force Base, Wichita, Kansas: Operational facilities, maintenance facilities, and utilities, $1,116,000.

"Mountain Home Air Force Base, Mountain Home, Idaho: Operational facilities, maintenance facilities, and troop housing, $2,710,00.

"Myrtle Beach Air Force Base, Myrtle Beach, South Carolina: Operational facilities and maintenance facilities, $254,000.

"Nellis Air Force Base, Las Vegas, Nevada: Operational and training facilities, maintenance facilities, supply facilities, hospital facilities, administrative facilities, and troop housing, $9,668,000.

"Pope Air Force Base, Fayetteville, North Carolina: Operational facilities, $257,000.

"Seymour-Johnson Air Force Base, Goldsboro, North Carolina: Operational facilities, $99,000.

"Shaw Air Force Base, Sumter, South Carolina: Operational facilities, maintenance facilities, and utilities, $614,000.

"UNITED STATES AIR FORCE ACADEMY

"United States Air Force Academy, Colorado Springs, Colorado: Training facilities, and administrative facilities, $530,000.

"AIRCRAFT CONTROL AND WARNING

"Various locations: Operational facilities, maintenance facilities, and utilities, $777,000.

"Outside the United States

"AEROSPACE DEFENSE COMMAND

"Various locations: Maintenance facilities, $278,000.

"AIR FORCE SYSTEMS COMMAND

"Eastern Test Range: Research, development, and test facilities, and utilities, $647,000.

"Western Test Range: Utilities, $118,000.

"Satellite Tracking Facilities: Research, development, and test facilities, $558,000.

"PACIFIC AIR FORCES

"Okinawa: Operational and training facilities, maintenance facilities, supply facilities, community facilities, and utilities, $2,170,000.

"Various locations: Operational and training facilities, maintenance facilities, supply facilities, administrative facilities, and utilities, $4,180,000.

"STRATEGIC AIR COMMAND

"Goose Air Base, Canada: Utilities, $84,000.

"UNITED STATES AIR FORCE IN EUROPE

"Germany: Operational facilities, maintenance facilities, and utilities, $522,000.

"United Kingdom: Operational facilities, maintenance facilities, supply facilities, administrative facilities, troop housing, and utilities, $6,326,000.

"Various locations: Operational facilities and maintenance facilities, $1,121,000.

"UNITED STATES AIR FORCES SOUTHERN COMMAND

"Albrook Air Force Base, Canal Zone: Operational facilities and administrative facilities, $326,000.

"Howard Air Force Base, Canal Zone: Operational facilities, $140,000.

"UNITED STATES AIR FORCE SECURITY SERVICE

"Various locations: Operational facilities and utilities, $1,184,000.

"SEC. 302. The Secretary of the Air Force may establish or develop classified military installations and facilities by acquiring, constructing, converting, rehabilitating, or installing permanent or temporary public works, including land acquisition, site preparation, appurtenances, utilities, and equipment in the total amount of $54,001,000.

"SEC. 303. The Secretary of the Air Force may establish or develop Air Force installations and facilities by proceeding with construction made necessary by changes in Air Force missions and responsibilities which have been occasioned by: (a) unforeseen security considerations, (b) new weapons developments, (c) new and unforeseen research and development requirements, or (d) improved production schedules, if the Secretary of Defense determines that deferral of such construction for inclusion in the next Military Construction Authorization Act would be inconsistent with interests of national security, and in connection therewith to acquire, construct, convert, rehabilitate, or install permanent or temporary public works, including land acquisition, site preparation, appurtenances, utilities, and equipment in the total amount of $10,000,000: *Provided*, That the Secretary of the Air Force, or his designee, shall notify the Committees on Armed Services of the Senate and the House of Representatives, immediately upon reaching a final decision to implement, of the cost of construction of any public work undertaken under this section, including those real estate actions pertaining thereto. This authorization will expire as of September 30, 1969, except for those public work projects concerning which the Committees on Armed Services of the Senate and House of Representatives have been notified pursuant to this section prior to that date.

"SEC. 304. Section 9 of the Air Force Academy Act, as amended (68 Stat. 49), is further amended by striking out in the first sentence the figure '$141,797,000' and inserting in place thereof the figure '$141,978,000'.

"SEC. 305. (a) Public Law 89–188, as amended, is amended in section 301 under the heading 'INSIDE THE UNITED STATES' and subheading 'STRATEGIC AIR COMMAND', with respect to Barksdale Air Force Base, Shreveport, Louisiana, strike out '$3,015,000' and insert in place thereof '$3,744,000'.

"(b) Public Law 89–188, as amended, is amended by striking out in clause (3) of of section 602 the amounts '$215,631,000' and '$339,377,000' and inserting in place thereof '$216,360,000' and '$340,106,000', respectively.

"SEC. 306. (a) Public Law 89–568, as amended, is amended under the heading 'INSIDE THE UNITED STATES' in section 301, as follows:

"(1) Under the subheading 'Air Force Logistic Command', with respect to Robins Air Force Base, Macon, Georgia, strike out '$154,000' and insert in place thereof '$210,000'.

"(2) Under the subheading 'Strategic Air Command', with respect to Westover Air Force Base, Chicopee Falls, Massachusetts, strike out '$350,000' and insert in place thereof '$368,000'.

"(b) Public Law 89–568, as amended, is amended by striking out in clause (3) of section 602 the amounts '$109,786,000' and '$200,702,000' and inserting in place thereof '$109,860,000' and '$200,773,000', respectively.

"TITLE IV

"SEC. 401. The Secretary of Defense may establish or develop military installations and facilities by acquiring, constructing, converting, rehabilitating, or installing permanent or temporary public works, including site preparation, appurtenances, utilities and equipment, for defense agencies for the following projects:

"INSIDE THE UNITED STATES

"DEFENSE ATOMIC SUPPORT AGENCY

"Sandia Base, New Mexico: Utilities, $35,000.

"Manzano Base, New Mexico: Utilities, $28,000.

"Naval Ordnance Laboratory, White Oak, Maryland: Research, development, and test facilities, $1,697,000.

"DEFENSE COMMUNICATIONS AGENCY

"Headquarters, Defense Communications Agency, Building 12, Navy Department Service Center, Arlington, Virginia: Operational and administrative facilities, $575,000.

"DEFENSE INTELLIGENCE AGENCY

"Headquarters, Defense Intelligence Agency, Arlington Hall Station, Virginia: Utilities, $290,000.

"DEFENSE SUPPLY AGENCY

"Defense Depot, Memphis, Tennessee: Supply facilities, $120,000.

"Defense General Supply Center, Richmond, Virginia: Supply facilities, $415,000.

"Defense Depot, Tracy, California: Supply facilities and administrative facilities, $2,937,000.

"Defense Depot, Ogden, Utah: Utilities, $195,000.

"Defense Electronics Supply Center, Dayton, Ohio: Supply facilities, $134,000.

"Defense Logistics Services Center, Battle Creek, Michigan: Administrative facilities, $2,500,000.

"NATIONAL SECURITY AGENCY

"Fort Meade, Maryland: Training facilities and troop housing, $2,121,000.

"OUTSIDE THE UNITED STATES

"DEFENSE ATOMIC SUPPORT AGENCY

"Johnston Island: Operational facilities, $649,000.

"SEC. 402. The Secretary of Defense may establish or develop installations and facilities which he determines to be vital to the security of the United States, and in connection therewith to acquire, construct, convert, rehabilitate, or install permanent or temporary public works, including land acquisition, site preparation, appurtenances, utilities, and equipment in the total amount of $70,000,000: *Provided*, That the Secretary of Defense, or his designee, shall notify the Committees on Armed Services of the Senate and the House of Representatives, immediately upon reaching a final decision to implement, of the cost of construction of any public work undertaken under this section, including real estate actions pertaining thereto.

"TITLE V

"SEC. 501. The Secretary of each military department may establish or develop military installations and facilities by acquiring, constructing, converting, rehabilitating, or installing permanent or temporary public works, including land acquisition, site preparation, appurtenances, utilities, and equipment, which are necessary outside the United States in connection with military activities in Southeast Asia, or in support of such activities, in the total amount as follows:

"Department of the Army, $139,247,000.

"Department of the Navy, $51,357,000.

"Department of the Air Force, $16,500,000.

"SEC. 502. The Secretary of Defense, in connection with construction projects undertaken in South Vietnam pursuant to section 501 above, shall furnish to the Committees on Armed Services of the Senate and House of Representatives such reports as were heretofore furnished pursuant to section 401(c) of Public Law 89–367 (80 Stat. 36, 37).

"TITLE VI

"MILITARY FAMILY HOUSING

"SEC. 601. The Secretary of Defense, or his designee, is authorized to construct, at the locations hereinafter named, family housing units and trailer court facilities in the numbers hereinafter listed, but no family housing construction shall be commenced at any such locations in the United States, until the Secretary shall have consulted with the Secretary, Department of Housing and Urban Development, as to the availability of adequate private housing at such locations. If agreement cannot be reached with respect to the availability of adequate private housing at any location, the Secretary of Defense shall immediately notify the Committees on Armed Services of the House of Representatives and the Senate, in writing, of such difference of opinion, and no contract for construction at such location shall be entered into for a period of thirty days after such notification has been given. This authority shall include the authority to acquire land, and interests in land, by gift, purchase, exchange of Government-owned land, or otherwise.

"Family housing units—

"(a) The Department of the Army, five hundred units, $9,750,000:

"Fort Gordon, Georgia, two hundred units.

"Fort Leavenworth, Kansas, one hundred units.

"Fort Hood, Texas, two hundred units.

"(b) The Department of the Navy, seven hundred and fifty units, $15,725,000:

"Marine Corps Air Station, Yuma, Arizona, one hundred units.

"Naval Complex, Oahu, Hawaii, one hundred and fifty units.

"Pacific Missile Range Facility, Kauai, Hawaii, fifty-six units.

"Naval Air Test Center, Patuxent River, Maryland, one hundred units.

"Naval Auxiliary Air Station, Fallon, Nevada, forty-four units.

"Naval Complex, Newport, Rhode Island, one hundred units.

"Naval Auxiliary Air Station, Chase Field, Texas, one hundred units.

"Naval Air Station, Whidbey Island, Washington, one hundred units.

"(c) The Department of the Air Force, seven hundred and fifty units, $17,375,000:

"George Air Force Base, California, two hundred units.

"Mountain Home Air Force Base, Idaho, two hundred and fifty units.

"Holloman Air Force Base. New Mexico, three hundred units.

"SEC. 602. Authorization for the construction of family housing provided in this Act shall be subject, under such regulations as the Secretary of Defense may prescribe, to the following limitations on cost, which shall include shades, screen, ranges, refrigerators, and all other installed equipment and fixtures:

"(a) The average unit cost for each military department for all units of family housing constructed in the United States (other than Hawaii and Alaska) and Puerto Rico shall not exceed $19,500, including the cost of the family unit and the proportionate costs of land acquisition, site preparation, and installation of utilities.

"(b) No family housing unit in the areas listed in subsection (a) shall be constructed at a total cost exceeding $35,000, including the cost of the family unit and the proportionate costs of land acquisition, site preparation, and installation of utilities.

"(c) When family housing units are constructed in areas other than those listed in subsection (a) the average cost of all such units shall not exceed $32,000, and in no event shall the cost of any unit exceed $40,000. The cost limitations of this subsection shall include the cost of the family unit and the proportionate costs of land acquisition, site preparation, and installation of utilities.

"(d) Units constructed at George Air Force Base, California, shall not be subject to the limitations of subsections (a) and (b) of this section, but the average cost of such units shall not exceed $30,000, including the cost of the family unit and the proportionate costs of land acquisition, site preparation, and installation of utilities.

"Sec. 603. Nothing contained in this Act and nothing contained in section 603 of Public Law 90–110 (81 Stat. 279, 304) shall be deemed to affect the cost limitations provided in section 502(f) of Public Law 89–188 (79 Stat. 793, 813) with respect to construction of family housing units at the United States Military Academy, West Point.

"Sec. 604. Except as provided in section 603 of this Act, and notwithstanding the limitations contained in prior Military Construction Authorization Acts on cost of construction of family housing, the limitations on such cost contained in section 602 of this Act shall apply to all prior authorizations for construction of family housing not heretofore repealed and for which construction contracts have not been executed by the date of enactment of this Act.

"Sec. 605. The Secretary of Defense, or his designee, is authorized to construct, or otherwise acquire, in foreign countries, fourteen family housing units. This authority shall include the authority to acquire land and interests in land, and shall be limited to such projects as may be funded by use of excess foreign currencies when so provided in Department of Defense Appropriation Acts. The authorization contained in this section shall not be subject to the cost limitations set forth in section 602 of this Act: *Provided*, That no family housing unit constructed or acquired pursuant to this authorization shall cost in excess of $50,000, including the cost of the family unit and the proportionate costs of land acquisition, site preparation, and installation of utilities.

"Sec. 606. The first sentence of section 515 of Public Law 84–161 (69 Stat. 324, 352) as amended, is amended by striking out '1968 and 1969' and inserting in lieu thereof '1969 and 1970', and by adding the following sentence at the end thereof: 'As to any such housing facilities to be leased at or near Fort Leavenworth, Kansas, the numbered conditions set forth hereinabove shall not apply.'

"Sec. 607. Section 507 of Public Law 88–174 (77 Stat. 307, 326, as amended, is amended by striking out '1968 and 1969' and inserting in lieu thereof '1969 and 1970'.

"Sec. 608. Subsection 610(a) of Public Law 90–110 (81 Stat. 279, 305) is amended to read as follows:

"'Sec. 610. (a) None of the funds authorized by this or any other Act may be expended for projects for the improvement of any single family housing unit, or for the improvement of two or more housing units when such units are to be converted into or used as a single family housing unit, the costs of which exceed $10,000 per unit including costs of repairs undertaken in connection therewith, and including any costs in connection with (1) the furnishing of electricity, gas, water, and sewage disposal; (2) roads and walks; and (3) grading and drainage, unless such improvement in connection with such unit or units is specifically authorized by law. As used in this section, the term "improvement" includes alteration, expansion, extension, or rehabilitation of any housing unit or units, including that maintenance and repair which is to be accomplished concurrently with an improvement project. The provisions of this section shall not apply to projects authorized for restoration or replacement of housing units damaged or destroyed.'

"Sec. 609. The Secretary of Defense or his designee is authorized to relocate one hundred units of relocatable housing to Fort Polk, Louisiana, from other military installations where the requirement for such housing shall have been terminated: *Provided*, That the Secretary of Defense shall notify the committees on Armed Services of the House of Representatives and the Senate, and not less than thirty days prior thereto, of the proposed relocations and estimated costs.

"Sec. 610. There is authorized to be appropriated for use by the Secretary of Defense, or his designee, for military family housing as authorized by law for the following purposes:

"(a) for construction and acquisition of family housing, including improvements to adequate quarters, improvements to inadequate quarters, minor construction, rental guarantee payments, construction and acquisition of trailer court facilities, and planning, an amount not to exceed $48,740,000, and

"(b) for support of military family housing, including operating expenses, leasing, maintenance of real property, payments of principal and interest on mortgage debts incurred, payments to the Commodity Credit Corporation, and mortgage insurance premiums authorized under section 222 of the National Housing Act, as amended (12 U.S.C. 1715m), an amount not to exceed $537,960,000.

"TITLE VII

"HOMEOWNERS ASSISTANCE

"Sec. 701. In accordance with subsection 1013(i) of Public Law 89–754 (80 Stat. 1255, 1292) there is authorized to be appropriated for use by the Secretary of Defense for the purposes of section 1013 of Public Law 89–754, including acquisition of properties, an amount not to exceed $11,800,000.

"TITLE VIII

"GENERAL PROVISIONS

"Sec. 801. The Secretary of each military department may proceed to establish or develop installations and facilities under this Act without regard to section 3648 of the Revised Statutes, as amended (31 U.S.C. 529) and sections 4774(d) and 9774(d) of title 10, United States Code. The authority to place permanent or temporary improvements on land includes authority for surveys, administration, overhead, planning, and supervision incident to construction. That authority may be exercised before title to the land is approved under section 355 of the Revised Statutes, as amended (40 U.S.C. 255), and even though the land is held temporarily. The authority to acquire real estate or land includes authority to make surveys and to acquire land, and interests in land (including temporary use), by gift, purchase, exchange of Government-owned land, or otherwise.

"Sec. 802. There are authorized to be appropriated such sums as may be necessary for the purposes of this Act, but appropriations for public works projects authorized by titles I, II, III, IV, V, VI, and VII shall not exceed—

"(1) for title I: Inside the United States, $363,471,000; outside the United States, $85,610,000; or a total of $449,081,000.

"(2) for title II: Inside the United States, $229,726,000; outside the United States, $5,356,000; section 202, $1,509,000; or a total of $236,591,000.

"(3) for title III: Inside the United States, $121,917,000; outside the United States, $17,654,000; section 302, $54,001,000; or a total of $193,572,000.

"(4) for title IV: A total of $81,696,000.

"(5) for title V: Southeast Asia support—Department of the Army, $139,247,000; Department of the Navy, $51,357,000; Department of the Air Force, $16,500,000.

"(6) for title VI: Military family housing, $586,700,000.

"(7) for title VII: Homeowners assistance, $11,800,000.

"Sec. 803. Any of the amounts named in titles I, II, III, and IV of this Act, may, in the discretion of the Secretary concerned, be increased by 5 per centum for projects inside the United States (other than Alaska) and by 10 per centum for projects outside the United States or in Alaska, if he determines in the case of any particular project that such increase (1) is required for the sole purpose of meeting unusual variations in cost arising in connection with that project, and (2) could not have been reasonably anticipated at the time such project was submitted to the Congress. However, the total costs of all projects in each such title may not be more than the total amount authorized to be appropriated for projects in that title.

"Sec. 804. Contracts for construction made by the United States for performance within the United States and its possessions under this Act shall be executed under the jurisdiction and supervision of the Corps of Engineers, Department of the Army, or the Naval Facilities Engineering Command, Department of the Navy, unless the Secretary of Defense or his designee determines that because such jurisdiction and supervision is wholly impracticable such contracts should be executed under the jurisdiction and supervision of another department or Government agency, and shall be awarded, insofar as practicable, on a competitive basis to the lowest responsible bidder, if the national security will not be impaired and the award is consistent with chapter 137 of title 10, United States Code. Regulations issued by the Secretary of Defense implementing the provisions of this section shall provide the department or agency requiring such construction with the right to select either the Corps of Engineers, Department of the Army, or the Naval Facilities Engineering Command, Department of the Navy, as its construction agent providing that under the facts and circumstances that exist at the time of the selection of the construction agent, such selection will not result in any increased cost to the United States. The Secretaries of the military departments shall report semiannually to the President of the Senate and the Speaker of the House of Representatives with respect to all contracts awarded on other than a comptitive basis to the lowest responsible bidder.

"Sec. 805. (a) As of October 1, 1969, all authorizations for military public works (other than family housing) to be accomplished by the Secretary of a military department in connection with the establishment or development of military installations and facilities, and all authorizations for appropriations therefor, that are contained in titles I, II, III, IV, and V of the Act of October 21, 1967, Public Law 90–110 (81 Stat. 279), and all such authorizations contained in Acts approved before October 22, 1967, and not superseded or otherwise modified by a later authorization are repealed except—

"(1) authorizations for public works and for appropriations therefor that are set forth in those Acts in the titles that contain the general provisions;

"(2) authorizations for public works projects as to which appropriated funds have been obligated for construction contracts or land acquisitions in whole or in part before October 1, 1969, and authorizations for appropriations therefor; and

"(3) notwithstanding the repeal provision of section 606(a) of the Act of September 12, 1966 (80 Stat. 739, 755) or of section 805(a) of the Act of October 21, 1967 (81 Stat. 279, 308), authorizations for the following items which shall remain in effect until October 1, 1970:

"(a) utilities in the amount of $843,000 at Fort Greely, Alaska, that is contained in title I, section 102 of the Act of September 16, 1965 (79 Stat. 796).

"(b) maintenance facilities in the amount of $7,393,000 for Naval Shipyard, Boston, Massachusetts, that is contained in title II, section 201, under the heading 'BUREAU OF SHIPS FACILITIES (Naval Shipyards)' of the Act of September 16, 1965 (78 Stat. 797) and amended in section 205 of the Act of September 12, 1966 (80 Stat. 747).

"(c) hospital and medical facilities in the amount of $4,736,000 for Naval Hospital, Newport, Rhode Island, that is contained in title II, section 201, under the heading 'MEDICAL FACILITIES' of the Act of September 16, 1965 (79 Stat. 801).

"(d) maintenance facilities in the amount of $412,000 for Naval Air Station, Oceana, Virginia, that is contained in title II, section 201, under the heading 'NAVAL AIR SYSTEMS COMMAND (Field Support Stations)' of the Act of September 12, 1966 (80 Stat. 744).

"(e) administrative facilities in the amount of $236,000 for Naval Oceanographic Distribution Office, Ogden, Utah, that is contained in title II, section 201, under the heading 'NAVAL SUPPLY SYSTEMS COMMAND' of the Act of September 12, 1966 (80 Stat. 745).

"(f) medical facilities in the amount of $2,442,000 for Naval Training Center, location to be determined (Orlando, Florida), that is contained in title II, section 201, under the heading 'SERVICE SCHOOL FACILITIES' of the Act of September 12, 1966 (80 Stat. 745).

"(b) Effective fifteen months from the date of enactment of this Act, all authorizations for construction of family housing, including trailer court facilities, all authorizations to accomplish alterations, additions, expansions, or extensions to existing family housing, and all authorizations for related facilities projects, which are contained in this or any previous Act, are hereby repealed, except—

"(1) authorizations for family housing projects as to which appropriated funds have been obligated for construction contracts or land acquisitions or manufactured structural component contracts in whole or in part before such date;

"(2) notwithstanding the repeal provision of section 606(b) of the Act of September 12, 1966 (80 Stat. 739, 755) or of section 805 (b) of the Act of October 21, 1967 (81 Stat. 279, 308) the authorization for two hundred family housing units at the United States Military Academy, West Point, New York, that is contained in the Act of September 16, 1965 (79 Stat. 793, 811); and

"(3) authorizations to accomplish alterations, additions, expansions, or extensions to existing family housing, and authorizations for related facilities projects, as to which appropriated funds have been obligated for construction contracts before such date.

"SEC. 806. None of the authority contained in titles I, II, III, IV, and V of this Act shall be deemed to authorize any building construction projects inside the United States (other than Alaska) at a unit cost in excess of—

"(1) $36 per square foot for cold-storage warehousing;

"(2) $9 per square foot for regular warehousing;

"(3) $2,500 per man for permanent barracks;

"(4) $9,200 per man for bachelor officer quarters; unless the Secretary of Defense or his designee determines that, because of special circumstances, application to such project of the limitations on unit costs contained in this section is impracticable: *Provided*, That notwithstanding the limitations contained in prior Military Construction Authorization Acts on unit costs, the limitations on such costs contained in this section shall apply to all prior authorizations for such construction not heretofore repealed and for which construction contracts have not been awarded by the date of enactment of this Act.

"SEC. 807. None of the funds authorized by this Act or by any military construction authorization Act hereafter enacted shall be expended for the construction of any waste treatment or waste disposal system at or in connection with any military installation until after the Secretary of Defense or his designee has consulted with the Federal Water Pollution Control Administration of the Department of the Interior and determined that the degree and type of waste disposal and treatment required in the area in which such military installation is located are consistent with applicable Federal or State water quality standards or other requirements and that the planned system will be coordinated in timing with a State, county, or municipal program which requires communities to take such related abatement measures as are necessary to achieve areawide water pollution cleanup.

"SEC. 808. Titles I, II, III, IV, V, VI, VII, and VIII of this Act may be cited as the 'Military Construction Authorization Act, 1969'.

"TITLE IX

"RESERVE FORCES FACILITIES

"SEC. 901. Subject to chapter 133 of title 10, United States Code, the Secretary of Defense may establish or develop additional facilities for the Reserve Forces, including the acquisition of land therefor, but the cost of such facilities shall not exceed—

"(1) For Department of the Navy: Naval and Marine Corps Reserves, $4,600,000.

"(2) For Department of the Air Force:

"(a) Air National Guard of the United States, $7,700,000.

"(b) Air Force Reserve, $4,000,000.

"SEC. 902. The Secretary of Defense may establish or develop installations and facilities under this title without regard to section 3648 of the Revised Statutes, as amended (31 U.S.C. 529), and sections 4774(d) and 9774(d) of title 10, United States Code. The authority to place permanent or temporary improvements on land includes authority for surveys, administration, overhead, planning, and supervision incident to construction. That authority may be exercised before title to the land is approved under section 355 of the Revised Statutes, as amended (40 U.S.C. 255), and even though the land is held temporarily. The authority to acquire real estate or land includes authority to make surveys and to acquire land, and interests in land (including temporary use), by gift, purchase, exchange of Government-owned land, or otherwise.

"SEC. 903. This title may be cited as the 'Reserve Forces Facilities Authorization Act, 1969'."

And the Senate agree to the same.

L. MENDEL RIVERS,
PORTER HARDY, JR.,
RICHARD ICHORD,
DONALD J. IRWIN,
HERVEY H. MACHEN,
WILLIAM H. BATES,
CHARLES S. GUBSER,
CARLETON J. KING,
WILLIAM L. DICKINSON,
Managers on the Part of the House.

HENRY M. JACKSON,
SAM J. ERVIN, JR.,
HOWARD W. CANNON,
DANIEL K. INOUYE,
STROM THURMOND,
JOHN G. TOWER,
Managers on the Part of the Senate.

STATEMENT

LEGISLATION IN CONFERENCE

On April 25, 1968, the House of Representatives passed H.R. 16703, which is the fiscal year 1969 military construction authorization for the Department of Defense and Reserve components.

On June 25, 1968, the Senate considered the legislation and amended it by striking out all language after the enacting clause and wrote a new bill.

COMPARISON OF HOUSE AND SENATE BILLS

H.R. 16703, as passed by the House of Representatives, provided construction authorization to the military departments and the Department of Defense for fiscal year 1969 in the total amount of $1,818,493,000.

The bill as passed by the Senate, provided new authorizations in the amount of $1,789,718,000.

The Senate bill, therefore, represented a decrease of $28,775,000 in the amount previously approved by the House of Representatives. While this figure is correct, it does not reflect the over 90 differences in line items between the House and Senate versions of the bill. These differences total more than $90,000,000.

SUMMARY OF RESOLUTION OF DIFFERENCES

As a consequence of a conference between the House and Senate on the differences in H.R. 16703, the conferees agreed to a new adjusted authorization for military construction for fiscal year 1969 in the amount of $1,782,844,000. The total new authorization, therefore, represents a decrease in the amount previously approved by the Senate of $6,874,000 and represents a reduction of $35,649,000 in the amount previously authorized by the House.

The total construction authorization recommended by the conferees for fiscal year 1969 is $520,448,000 less than the amount of military construction authorization in fiscal year 1968 by Public Law 90-110, that figure being $2,303,292,000.

The Department of Defense and the respective military departments had requested a total of $1,877,687,000 for new construction authorization for fiscal year 1969. The action of the conferees, therefore, reduces this departmental request by $94,843,000.

Total new authorization granted, fiscal year 1969 (Brief of authorizations)

Title I (Army):	
Inside the United States	$363, 471, 000
Outside the United States	85, 052, 000
Total	449, 081, 000
Title II (Navy):	
Inside the United States	229, 726, 000
Outside the United States	5, 356, 000
Section 202	1, 509, 000
Total	236, 591, 000
Title III (Air Force):	
Inside the United States	121, 917, 000
Outside the United States	17, 654, 000
Section 302	54, 001, 000
Total	193, 572, 000
Title IV (defense agencies)	81, 696, 000
Title V (Southeast Asia support):	
Army	139, 247, 000
Navy	51, 357, 000
Air Force	16, 500, 000
Total	207, 104, 000
Title VI (housing)	586, 700, 000
Title VII (homeowners's assistance)	11, 800, 000
Total	598, 500, 000

Total new authorization granted, fiscal year 1969 (Brief of authorizations)—Continued

Title IX (Reserve components):	
Naval and Marine Corps Reserve	$4,600,000
Air National Guard	7,700,000
Air Force Reserve	4,000,000
Total	16,300,000
Grand total of authorities granted by titles I, II, III, IV, V, VI, VII, and IX	1,782,844,000

TITLE I—ARMY

The House had approved construction authorization in the amount of $467,530,000 for the Department of the Army.

The Senate reduced this amount by $15,920,000, but in so doing, added 9 items totaling $6,696,000 which were not in the House version, and deleted 11 items totaling $21,623,000.

The conferees agreed on a total new authorization for the Army in the amount of $449,081,000.

The position of the House prevailed in denying 4 items which were added by the Senate while the Senate prevailed in 5 instances.

The House prevailed in restoring 2 items which were deleted by the Senate. These are:

Fort Bragg, N.C.—CONARC Intelligence Center

The Army requested $335,000 for a CONARC Intelligence Center. The House conferees pointed out that the productive and security control capabilities of the CONARC Intelligence Center are adversely affected by their location in widely scattered, substandard accommodations at Fort Bragg.

None of the assigned spaces is equipped with the humidity and other environment controls required for the operation of much of the assigned equipment. CONTIC is authorized over $600,000 in government-owned equipment and $1,000,000 in rental equipment, including an IBM 360/40 computer system for which adequate housing with temperature and humidity control is essential. The cost of providing piecemeal alterations to provide an adequate environment would approach the cost of the proposed building. Extensive alteration of the temporary structures which provide over half of the assigned space is unjustified.

Although the CONTIC organization has expanded since submission of the building request, this project can provide space for working personnel at 70 square feet per person, and accommodate the equipment in an appropriately austere, but secure environment.

DIA plans to provide communications and display terminal equipment in Intelligence Data Handling Systems facilities. It is therefore desirable that the CONTIC equipment and production personnel be collocated. Continued occupancy of scattered sites will increase the cost of providing communications equipment, as well as hazarding security control of intelligence information.

Under existing conditions CONTIC production is limited to 50% of validated requirements. Early installations of the authorized computer will speed production; however, provision of adequate working space, and collocation of working personnel to provide for administrative supervision and positive security control is required in order to realize CONTIC production of intelligence and exploit its full potential for the support of ground force tactical elements in the many contingency situations which could arise in the Caribbean and Middle East, Southern Asia and Africa South of the Sahara areas.

The Senate receded.

Fort Benjamin Harrison, Ind., obstetrical facility

The Army requested a 55-bed replacement hospital at Fort Benjamin Harrison, Indiana, at a cost of $4,320,000. The programmed military strength is 3,960 and their dependents are estimated to be 5,310 persons. The present hospital is improved in a former 1,100-bed World War II mobilization hospital which is obsolete and inefficient.

During the hearings, it was learned that no obstetrical facilities had been requested for this hospital because it was the belief of the Service that these facilities could be provided in nearby civilian facilities.

In 1964, a Special Subcommittee on Construction of Military Construction issued House Report No. 67 which stated as follows:

"That the Department of Defense program beds for dependents of active duty personnel in new military hospital construction on the basis of projected mission, and not depend on civilian hospitals in nearby communities which are subject to local fluctuating conditions.

"That the Department of Defense keep always in mind potential mobilization usefulness which will be met by beds programmed for other than active duty military personnel."

And specifically directed the following statement to obstetrical care:

"The subcommittee is particularly concerned by the Department of Defense policy under which women in labor might be required to travel in ambulances for 40 minutes from a military base to the nearest civilian hospital because the base hospital—on grounds of false economy—was denied OB facilities.

"The subcommittee accepts as sound and persuasive the argument advanced by the Surgeons General that an obstetrical delivery suite serves in a dual capacity: under normal operations to function as designed, but in an emergency, it provides the hospital with a vitally needed additional surgical capability.

"No explanation was offered the subcommittee as to why the Department of Defense's professional growth policy for Medical Corps officers covers all aspects of medicine except obstetrics."

Therefore, the House Committee on Armed Services added to the request $270,000 for OB facilities. This would provide approximately 7,500 square feet and would contain a seven-bed nursing unit, a nursery, and a labor and delivery suite.

When the bill reached the Senate, the hospital was accepted minus the $270,000 for an obstetrical facility.

The House conferees were adamant and believe the policy as enunciated by the Special Subcommittee is the correct one and should be followed in all future hospital construction programs.

The Senate receded.

TITLE II—NAVY

The House had approved $240,436,000 in new construction authorization for the Department of the Navy.

The Senate reduced this amount by $6,411,000, but in so doing, added 21 projects totaling $16,256,000 which had been disapproved by the House, and deleted 14 projects totaling $20,599,000.

The conferees agreed on a new total authorization for the Navy in the amount of $236,591,000.

The position of the House prevailed in postponing eight items which had been either denied by the House or added in the Senate, while the Senate position prevailed in 13 instances.

The House prevailed in restoring five items which were deleted by the Senate. These are:

Navy Shipyard, Boston, Mass.—Personnel service building

The House conferees pointed out that the existing service building on Pier 5, one of the most active industrial piers in the Shipyard, has deteriorated beyond economical repair and is a fire hazard. It will soon become necessary to close this facility for safety reasons. Built in 1942 of wood construction, it houses toilets and storage space for shops 72 and 99, the Riggers and Laborers and Temporary Service Shops, respectively. During the past 4 years, annual maintenance costs for this structure averaged $6,500. However continued maintenance is no longer economically feasible. The subsequent closure of this facility will necessitate that workers use toilet facilities at various buildings and other piers which are an average of 1500' away. It is estimated that this arrangement will result in a loss of 160 man hours daily. The estimated present value of benefits to be derived from this line item during its economic life equals $143,600. A new floodlight tower is necessary to correct the existing inadequate lighting in this area and will increase operational efficiency and correct hazards which are synonymous with poor lighting.

The Senate receded.

Naval Station, Brooklyn, N.Y.—Commissary store rehabilitation

The Navy requested $370,000 for rehabilitation of a commissary store. The House conferees pointed out that the rehabilitation of the commissary store at Naval Station Brooklyn is urgently required so that the approximately 8,000 military personnel in that area will not be deprived of commissary privileges when the U.S. Army Commissary at Fort Totten is closed. The high cost of living in the New York area makes it imperative that military families continue to be provided a commissary in order to save from 30% to 36% on purchases of food and household items. This project will assure that the active duty and retired personnel of all services in the New York metropolitan area continue to receive a service and benefit which is considered part of their compensation.

The rehabilitation of the commissary store at Naval Station Brooklyn should be provided by military construction appropriated funds. Funds from other sources are not available for the purpose in that there are far more needs requiring non-appropriated funding than there are funds available. Funding of this commissary will assist greatly in maintaining our military families as first class citizens.

The Senate receded.

Naval Training Center, Orlando, Fla.—Second male recruit camp recruit barracks (first increment)

As the Senate Armed Services Committee report noted, the Navy modified the project by withdrawing facilities intended to start the WAVE recruit camp and substituted, instead, a 1600 male recruit barracks and supporting utilities line items in the same total amount for the first increment of the 2nd recruit camp. This substitution was necessary in view of the grave urgency to obtain added male recruit capacity at the earliest possible time. The three recruit training centers have a current capacity of 22,000 recruit spaces. Into these spaces must be crowded an average on board load of 31,200 recruits, or an overload of 42%. In making the determination to proceed first with the male recruit barracks as requested, full consideration was given to the need for supporting facilities. It was determined that the common support facilities already provided in previous authorizations are capable of supporting this increased barracks capacity without jeopardizing health, safety and effectiveness of training. These common support facilities previously approved in connection with the first 4,000-man camp were designed to accommodate both recruit camps, and include the dispensary and dental clinic, staff barracks, fire fighting facilities, warehousing, administrative spaces, recruit reception center and the first increment of the community center.

The House conferees pointed out that we had made a commitment to build an 8,000-man recruit camp at Orlando, and that procrastination or delay would only end up costing the Government more money.

A compromise was reached wherein barracks space for 800 would be provided rather than 1600 male recruit barracks spaces as requested. Utilities to service this barracks were also approved.

Naval Postgraduate School, Monterey, Calif.—Library

The Navy had requested $1,847,000 for a technical library. The House conferees pointed out that the technical library for the Postgraduate School is considered to be within the higher 50% of all Navy projects.

The urgency of this technical library as an operational need is emphasized by the experience of the current world situation, including the Southeast Asia conflict. This experience indicates that advanced education is imperative for naval officers who will direct the development and utilization of combatant weapons systems ships and airplanes and who will plan for their tactical use.

The Navy's Postgraduate School is dependent for the adequacy of its technical education upon faculty strength, laboratory and classroom facilities and an atmosphere in which advanced study and research are feasible. For this purpose the presently available facilities are adequate, except in technical library space and related services. In this aspect, the Postgraduate School is woefully inadequate. Attention has been directed to the deficit of library facilities by both the Western Association of Schools and Colleges and the Engineer's Council for Professional Development. These two educational inspection authorities, on which the accreditation of the Navy's Postgraduate School depends, have been highly critical of this library deficiency.

This project will provide space for more than 400,000 needed volumes of technical reference materials in support of approximately 2300 student/faculty personnel and will release space required for classrooms, laboratories and faculty offices. To delay this project is to deny the Navy an urgently needed capability of providing an adequate educational background in highly scientific and technical areas for its naval officers.

The Senate receded.

Naval Arctic Research Laboratory, Barrow, Alaska—Aircraft maintenance hangar

The Navy requested $1,700,000 for an aircraft maintenance hangar in Alaska. The House conferees pointed out that two R&D aircraft must be parked and maintained outside because they are too large for the small, wood-canvas hangar at NARL. These planes are the work horses of NARL in providing logistic support to the Laboratory and its major field sites, including the vital resupplying of the Ice Island T-3, now about 700 miles from Point Barrow on the ice of the Arctic Ocean. Only three of the small Cessna-180 aircraft can be accommodated in the existing hangar at one time, and the others must be parked outside. This creates very difficult maintenance and operating problems in the extreme arctic climate where temperatures reach −50°F and the winter dark periods are long. It is difficult and expensive to maintain and operate aircraft under these conditions. After prolonged cold-soaking, it often requires over six hours to start the aircraft engines. It is also difficult to retain maintenance and flight personnel to operate under these difficult and hazardous conditions.

Military air operations from NARL air support facility are limited during the months of October through April because of restrictions set by the Area Commander that C-130 type aircraft must be hangared when temperatures fall below −20°F. This precludes the basing of these aircraft at Barrow most of the year. They have to return to Fairbanks which is the closest base having hangars capable of housing this type of aircraft. This nearly doubles the cost of this type of support.

Even in such areas as California, with a warm climate, regular aircraft operations are not conducted without hangars for maintenance, and it is impractical and hazardous to continue operating in the severe climate at Barrow, Alaska, without suitable hangar facilities.

NARL is the only U.S. Laboratory in the Arctic. The construction of this hangar is vital to the accomplishment of the permanent and increasing research mission of NARL required to exploit the potential of the Arctic for naval undersea, surface and air operations.

The Senate receded.

Naval Hospital, Chelsea, Mass.

In the FY 1967 military construction authorization Act, $9,300,000 was approved for construction of a 342-bed hospital and alterations to an existing 120-bed dependents' hospital building. This hospital was funded at $9 million in the FY 1968 Appropriations Act. During the time the House was considering the military construction authorization bill for FY 1969, it had not been learned that it was impossible to build the hospital at its contemplated scope within the amount authorized and funded.

However, when the Senate was considering the bill, the Navy presented a deficiency request for $2,047,000. Of this, $1 million was authorized. It was the position of the House conferees that the entire amount should be authorized but under the parliamentary rules of the House, no line item including a deficiency authorization can be increased during a conference. Therefore, the House agreed to the figure of $1 million but pointed out that it expected the hospital to be built at its original scope and that the Armed Services Committee would be receptive to a further deficiency authorization if required in next year's program.

Naturally, however, it is the hope of the conferees that they will be able to build at the original scope within the $1 million additional which has been authorized.

TITLE III—AIR FORCE

The House had approved $197,508,000 in new construction authority for the Department of the Air Force.

The Senate reduced this amount by $5,027,000, but in so doing, added 21 projects totaling $8,354,000 which were either denied by the House or were not considered by the House. The Senate deleted 12 projects which had been approved by the House. In addition, it reduced one deficiency authorization by $160,000.

The conferees agreed on a total new authorization for the Air Force in the amount of $193,572,000.

The House conferees were able to prevail in 3 instances in restoring items which the House had approved but which the Senate denied. These items are:

Griffiss Air Force Base, N.Y.—Electronic Research Laboratory

The use of this new powerful computer with its advanced hardware design features would allow the development of new techniques to help solve important Air Force operational problems. The development of new computer programming techniques for intelligence and command control system that will cut the high cost of developing and maintaining operational capabilities on computers as well as reducing the time required to add new required capabilities is essential to Air Force progress.

Present computer equipment installed at RADC is not capable of providing the processing support needed by RADC to perform its development mission. The GE 645, which will replace the existing equipment, has advanced hardware design features which are essential for developing the needed new operating "executive" programs and advanced programming techniques. The GE 645 is a $7.5 million computer which will be leased by the Air Force for approximately $70 thousand per month and will be operated 24 hours a day. Its proper operation is critically linked to special environmental protection (temperature and humidity control) and ready access to peripheral equipment. The existing computer laboratory at RADC is inadequate to house the GE 645 and its peripheral equipment both from a standpoint of environmental control and space availability.

If the laboratory addition is not provided in this Military Construction Program, the GE 645 will have to be installed and used without proper environmental control and without the necessary peripheral equipment. This will obviate most of the advantages which the advanced computer was to provide. It will also create costs for contractor storage of the new peripheral equipment which cannot be accommodated; it will result eventually in a cost of approximately $130,000 of lost computer time during transfer of the equipment to a permanent location; and could result, in a 20% degradation in capability ($168,000 loss of computer time per year) due to downtime for repairs which result from operating the computer without proper environmental control. The price of delaying the development of critically needed new data handling concepts for reconnaissance, intelligence activities, and for military command and control can be avoided by including this item in the FY 1969 authorization.

The Senate receded.

Andrews Air Force Base, Md.—Steam head mains additions

The House conferees pointed out that this project reduces the operating and maintenance cost by $8,000 annually. It will eliminate three small heating plants which are approximately 20 years old.

The Senate receded.

Malmstrom Air Force Base, Mont.

The House authorized officers quarters in the amount of $409,000. The Senate substituted for this item an airmen's dormitory in the amount of $560,000. A compromise was reached whereby both items were included.

TITLE IV—DEFENSE AGENCIES

The House authorized $72,598,000 for the Defense Agencies while the Senate authorized $81,696,000, an increase of $9,098,000.

During the hearings before the Senate Armed Services Committee, the Department of Defense withdrew two items which it had previously requested totaling $902,000.

The Departmental request contained a provision providing to each of the Service Secretaries the sum of $10,000,000 for construction contingencies and $70,000,000 construction contingency to the Secretary of Defense. The House authorized $10,000,000 to each Service Secretary but reduced the contingency authorization to the Secretary of Defense by $10,000,000, making available to him the sum of $60,000,000.

The Senate denied any contingency authorization to the Service Secretaries and granted $70,000,000 as requested for the Secretary of Defense. The House receded.

TITLE V—SOUTHEAST ASIA

The Department of Defense requested a total of $225,375,000, as follows:

Department of the Army	$153, 058, 000
Department of the Navy	54, 700, 000
Department of the Air Force	17, 617, 000

The House reduced this request by $17,800,000 for Vietnam and $471,000 for Thailand, making the House approved authorization as follows:

Department of the Army	$139, 247, 000
Department of the Navy	51, 357, 000
Department of the Air Force	16, 500, 000

The Senate restored $8,021,000 of the House reduction, thus making the following authorization:

Department of the Army	$142, 808, 000
Department of the Navy	54, 700, 000
Department of the Air Force	17, 617, 000

The conferees agreed on the authorization as approved by the House for the reasons stated in the House report.

TITLE VI—FAMILY HOUSING

There was no difference in Title VI, the Family Housing authorization, between the House and the Senate.

TITLE VII—HOMEOWNERS RELIEF

There was no difference in Title VII, Homeowners Relief, between the House and the Senate.

TITLE VIII—GENERAL PROVISIONS

Section 803

The House accepted the language of Section 803 requested by the Department of Defense. In essence, it is the same provision contained heretofore which allows the concerned Service Secretary to increase within a statutory percentage the amount of authorization as it is contained in Titles I, II, and III under certain exceptional circumstances; however, it expands the authority of the Service Secretary and permits him to authorize project cost in excess of the percentage increases, upon notification to the Armed Services Committees when the Secretary of Defense determines that the additional expense is necessary to accomplish the project. However, the total cost of all projects in each such title may not be more than the total amount authorized to be appropriated for projects in that title.

The Senate, however, rejected this provision and in lieu thereof continued the same language of former years. The Senate believed that the Committees on Armed Services should have an opportunity to explore each request for a deficiency authorization on its merits.

The House receded.

Section 807

The House added a provision identical to the one contained in Public Law 90–180. The language was designed to assure, insofar as possible, that waste disposal projects authorized were carried out in those areas where the local government is also complying with the Water Pollution Control Act.

The Senate revised this provision to make it permanent law. The House receded.

SECTION 807 OF THE HOUSE BILL

Section 807 of the House version of H.R. 16703 prohibited the use of any of the funds authorized by this Act or any other Act for the operation of the Department of Defense for the purpose of providing construction of or materials for dependent military housing facilities for other than U.S. forces except as specifically authorized by a military construction authorization Act. This language was added during the consideration in the House when it was learned that the former Secretary of Defense, without notification to the Armed Services Committees, agreed to supply materials on a self-help program for 35,000 units of family housing for the Vietnamese military forces. This program was projected as a pilot program and was designed to encourage the Government of South Vietnam to undertake such a program for the benefit of their forces. The purpose was to encourage a stronger South Vietnamese military.

The House conferees were not opposed to the program per se but objected to the fact that operations and maintenance funds were used to furnish the materials, thus bypassing their legislative committees in the programming of such an effort.

The Senate did not include such a provision, and strongly endorsed the concept of the program as a possible means of shifting the principal effort from U.S. forces to the Vietnamese forces.

All of the conferees, however, were in agreement that O&M funds should not be utilized without notification to the Committees on Armed Services of the Senate and House of Representatives. Therefore, it is expected that prior to the commitment of any funds exceeding $100,000, the Secretary of Defense will notify the Committees on Armed Services of both legislative bodies of his intent to spend such funds, together with a detailed description of the program for which such funds are to be expended.

TITLE IX—RESERVE FORCES FACILITIES

In the House version of Title IX, Reserve Forces facilities, $10,617,000 was added for construction of Army National Guard facilities and $7,900,000 was added for Army Reserve facilities. In addition, the House version restored the concept of line item authorization for Reserve Forces facilities.

The Senate version was identical to the request made by DOD, providing for lump-sum authorizations and did not include any amounts for the Army National Guard or Army Reserve program.

As of July 5, 1968, the Army National Guard has an uncommitted lump-sum authority of $11.3 million, of which $7.8 million was unfunded.

The Army Reserve had $10.4 million of outstanding authority, of which $8.3 million had not been funded.

The conferees were in complete agreement that a construction program for the Reserve components should be accelerated because for some time construction has been in a deferred status because of the unresolved status of the restructuring of the Army National Guard and Army Reserve. Now that this matter has finally been resolved, an attempt should be made to accelerate construction to make up for the slippage during the freeze imposed upon the program for the last several years.

The line items under the Army National Guard and Reserve program have been thoroughly scrutinized by the conferees who agree that the items are of a priority nature and should be built as rapidly as possible barring any unforeseen circumstances making constructon impracticable, and given priority over other Army National Guard and Reserve construction projects. So that there may be no misunderstanding as to the desire of the conferees, the items listed below in the Army National Guard and Reserve program which were included in the House version of the bill, are the items which the Armed Services Committees expect to be built within the existing uncommitted lump-sum authorization now available to the Department of Defense.

ARMY NATIONAL GUARD OF THE UNITED STATES (ARMORY)

Alliance, Nebraska: Training facilities, $131,000.

Bellefonte, Pennsylvania: Training facilities, $210,000.

Bellingham, Washington: Training facilities, $224,000.

Berlin, Vermont: Training facilities, $243,000.

Carolina, Puerto Rico: Training facilities, $176,000.

Casper, Wyoming: Training facilities, $199,000.

Cleveland, Ohio: Training facilities, $415,000.

Darlington, South Carolina: Training facilities, $99,000.

Dillon, South Carolina: Training facilities, $115,000.

Easley, South Carolina: Training facilities, $110,000.

Galveston (Le Marque), Texas: Training facilities, $108,000.

Glendale, Arizona: Training facilities, $71,000.

Greensburg, Pennsylvania: Training facilities, $256,000.

Helena-West Helena, Arkansas: Training facilities, $134,000.

Jackson Barracks (New Orleans), Louisiana: Training facilities, $620,000.

Kansas City, Missouri: Training facilities, $761,000.

Lewiston, Maine: Training facilities, $282,000.

Magnolia, Mississippi: Training facilities, $94,000.

Morris, Minnesota: Training facilities, $219,000.

Norwalk, Connecticut: Training facilities, $482,000.

Roseboro, North Carolina: Training facilities, $104,000.

Sioux City, Iowa: Training facilities, $141,000.

Suffolk, Virginia: Training facilities, $160,000.

Troy, New York: Training facilities, $390,000.

Valley City, North Dakota: Training facilities, $243,000.

Walterboro, South Carolina: Training facilities, $134,000.

Winona, Minnesota: Training facilities, $220,000.

ARMY NATIONAL GUARD OF THE UNITED STATES (NONARMORY)

Austin, Texas: Administrative facilities, $260,000.

Bethel, Alaska: Maintenance facilities, $230,000.

Camp Drum, New York: Training support facilities, $590,000.

Camp Grayling, Michigan: Training support facilities, $300,000.

Camp Irwin, California: Training support facilities, $450,000.

Camp Ripley, Minnesota: Training support facilities, $200,000.

Camp Shelby, Mississippi: Training support facilities, $400,000.

Gurabo, Puerto Rico: Maintenance facilities, $65,000.

Lancaster, South Carolina: Maintenance facilities, $66,000.

Montgomery, Alabama: Maintenance facilities, $55,000.

Nome, Alaska: Maintenance facilities, $210,000.

Omaha, Nebraska: Maintenance facilities, $55,000.

Riverside, Illinois: Maintenance facilities, $70,000.

Salinas, Puerto Rico: Training support facilities, $200,000.

Sioux City, Iowa: Maintenance facilities, $55,000.

Trenton, New Jersey: Administrative and supply facilities, $1,070,000.

ARMY RESERVE

Birmingham, Alabama: Training facilities, $500,000.

Caven Point, New Jersey: Training facilities, $1,100,000.

Chicago (Number 6), Illinois: Training facilities, $980,000.

Columbia (Number 2), South Carolina: Training facilities, $500,000.

Decatur, Illinois: Training facilities, $457,000.

Dubuque, Iowa: Training facilities, $598,000.

Edison (Camp Kilmer), New Jersey: Training facilities, $1,100,000.

Flint, Michigan: Training facilities, $200,000.

Hattiesburg, Mississippi: Training facilities, $167,000.

Huntsville, Alabama: Training facilities, $361,000.

Lynn, Massachusetts: Training facilities, $740,000.

Rock Island, Illinois: Training facilities, $457,000.

Sunnyvale, California: Training facilities, $740,000.

While this, in effect, means a reduction of $18,517,000 in authorization from the House version of the bill, it in no way implies that the facilities listed in the Army National Guard and Reserve portions of Title IX should not be constructed. To the contrary, it means that priority should be given to these items within the framework of the uncommitted authorization.

It is hoped that the Appropriations Committee will recommend sufficient appropriations to cover the unfunded authorization so that the projects listed above may be immediately constructed. New appropriations are required in the amount of $8,900,000.

Both Committees on Armed Services have correspondence signed by the Secretary of Defense which states in effect that the projects listed in this conference report and which were included in the House version of the military construction authorization bill, will be the priority projects for the respective Reserve components if appropriations are made.

L. Mendel Rivers,
Porter Hardy, Jr.,
Richard Ichord,
Donald J. Irwin,
Hervey G. Machen,
William H. Bates,
Charles S. Gubser,
Carleton J. King,
William L. Dickinson,
Managers on the Part of the House.

Mr. RIVERS (during the reading). Mr. Speaker, I ask unanimous consent that further reading of the statement of the managers on the part of the House be dispensed with.

The SPEAKER. Is there objection to the request of the gentleman from South Carolina?

There was no objection.

The SPEAKER. The gentleman from South Carolina is recognized for 1 hour.

Mr. RIVERS. Mr. Speaker, I shall yield 30 minutes to the distinguished gentleman from Massachusetts [Mr. Bates] pending which I yield myself such time as I may consume.

Mr. Speaker, today I bring you the conference report on H.R. 16703, the military construction authorization bill for fiscal year 1969.

I wish I could say that the position of the House conferees prevailed on all matters but, like most conferences, it was a give-and-take proposition and the original House figure of $1,818,493,000 has been reduced to $1,782,844,000 a reduction of $35,649,000.

The bill passed by the Senate represented a decrease of $28,775,000 in the amount previously approved by the House. But the difference between the totals of the House and Senate bills do not reflect that there were more than 90 differences to be resolved, and the area of these differences total more than $90 million, and when a military construction authorization bill is reduced, certain projects have to be eliminated.

I think that most of the projects which were eliminated will eventually be required, but the conferees acting in the spirit reflective of what I believe to be the attitude of Congress, deleted the projects which were not of the greatest military necessity.

I will not attempt to detail the more than 90 differences that existed between the bills as passed by the respective Houses. The conference report shows the items which we were able to get restored which the Senate had eliminated as well as those items which the Senate added which we were able to delete.

Frankly, when the bill was sent to us this year it represented the minimum requirements and, at this time, let me tell you that the services have a need for replacement of $35 billion worth of obsolete facilities in addition to construction designed to meet new military missions.

In this latter category, this bill authorizes over $225 million of new construction authority for deployment of the ABM missile. Countless millions will be required for the new C–5A aircraft as the production of this plane begins.

So you see, the magnitude of this program is somewhat staggering, and I think the Congress must face up to its responsibilities in the field of military construction for years to come.

Unlike former years, there was little controversy in areas other than specific line item authorization, and in these areas we were able to effect compromises.

The request from the Department was for a $10 million contingency fund to each of the service Secretaries and a $70 million contingency fund to the Secretary of Defense. The House had granted the request insofar as it pertained to the individual service Secretaries and reduced the contingency available to the Secretary of Defense by $10 million.

The Senate, on the other hand, eliminated the contingency funds to the service Secretaries and granted the contingency fund to the Secretary of Defense as requested by the Department.

The House yielded to the Senate, thus reducing the amount of contingency authorization by $20 million.

In title V, the request for Southeast Asia, the House reduced the request by $18,271,000.

The Senate agreed with a $10,250,000 reduction for the road and bridge construction in the Army program. During the conference, however, the Senate receded to the House, and the reduction made by the House stands.

Under the general provisions, there were three differences between the House and Senate versions of the bill. One related to providing greater flexibility to the Secretary of each of the services in constructing projects within the total framework of authorization when the cost of any individual project exceeded the authorization.

While the House version would grant this greater flexibility, the Senate felt that they wanted to review each cost when cost increases occurred, and the House yielded to the Senate.

Secondly, the Senate made into permanent law a section dealing with water pollution matters while the House version would have made it applicable only to the authorizations contained in the particular bill. Again, the House yielded, so that we now have as permanent law a requirement that pollution facilities built by the Department of Defense will be coordinated in timing with similar projects sponsored by the local communities.

Thirdly, the House prohibited the use of any of the funds authorized for the operation of the Department of Defense for the purpose of providing construction materials for dependent military housing facilities for other than U.S. forces. The Senate version did not contain this provision. Basically, it was the objection of the House that we should be providing out of operation and maintenance funds materials for the construction of a Vietnamese family housing program, thus bypassing the Armed Services Committee.

The Senate did not include this provision and strongly endorsed the concept of the program as a possible means of shifting the principal effort from the U.S. forces to those of the Vietnamese.

While the House position did not prevail, it was agreed to include language in the conference report requiring notification to the Armed Services Committees before any O. & M. funds could be expended for this purpose.

The last major difference between the two bills concern Reserve Forces facilities. In the House version of the bill, we listed a number of armories and Reserve facilities for the Army on a line item basis and included authorization for construction of these facilities. The Senate was adamant in its position that line item authorization should not be included.

While we yielded on the language contained in the House version of the bill, we won the principle involved, and we now have an agreement among the conferees that the line items listed in the House version of the bill would be given priority by the Department of Defense.

In addition, we have a letter from the Secretary of Defense making a commitment that the items listed in the House version would be built on a priority basis before other armory and Reserve projects would be constructed.

Gentlemen, I feel confident that we have before you a sound conference report. I feel that we have considered and met our responsibility to the military. I feel equally confident that we have been responsible to the American taxpayer by eliminating projects which could be deferred in this time of national austerity without impairing our military missions.

Let me recaptulate the figures for you:

The Department of Defense requested new authorization in the amount of $1,877,687,000.

The action of the conferees reduces this departmental request by $94,843,000.

Gentlemen, that is the conference report. I urge your support.

Now, Mr. Speaker, I yield 30 minutes to the gentleman from Massachusetts [Mr. Bates].

Mr. BATES. Mr. Speaker, I am pleased to rise in support of the conference report on H.R. 16703, the military construction authorization bill for fiscal year 1969.

I believe we have provided those operational requirements essential to provide the facilities to take care of new equipment coming into the military inventory while at the same time, deleting the less essential projects that were contained in the original request by the Department of Defense.

The bill, when it was submitted to us, was in my opinion one of the soundest bills of this nature ever sent by the Department. Nearly every project in the bill was urgently needed, and it was a difficult task to make any reductions. Nevertheless, we have succeeded in reducing the departmental request by $94,843,000.

This bill is not exactly as I would have had it, but then what bill of this magnitude ever is after it has gone through intensive hearings before both the House and the Senate and then the differences are resolved in conference.

I recognize that you, too, may have desired some items which were omitted or conversely, some items which were included, you may have desired that they be omitted. But, on balance, we are very satisfied with the conference report.

I particularly am pleased that the Senate accepted our reduction for construction efforts in Southeast Asia—and we carefully made selective cuts without jeopardizing any essential facilities for our fighting forces. The reductions were in the projects which are to be utilized by allies. We believe that they must bear a greater share of the burdens and responsibilities—not only in the fighting forces but also in monetary contributions toward the total effort.

One area that I believe is generally overlooked relates to the family housing program. For instance, in this conference report $586,700,000 is provided for the family housing program, but we certainly are not building houses costing that amount. Rather, this bill authorizes the construction of only 2,000 family housing units at an average cost of $19,500 per unit or a grand total of $39 million. The balance authorizes the payments of rents where we have not provided family housing, operational funds for the family housing program, and debt payments for such things as Wherry and Capehart housing.

Thus, the new construction authorization is reduced by over $500 million to pay for fixed costs because of our failure to have authorized and appropriated a sufficient number of units of family housing.

I think that on a majority of the issues the House achieved substantially what we set out to obtain; that is, careful deletion of unnecessary projects. The chairman has generally detailed what we accomplished in conference, and I refer you to the conference report rather than using time on this busy day to go over the more than 90 differences that we were required to resolve.

Gentlemen, we believe that we have done a good, thoughtful, constructive job on this bill both during House consideration and in the conference. We have provided that which the military necessity requires and we have eliminated that which safely could be eliminated without impairing national defense.

I hope each of you will join me in supporting H.R. 16703.

Mr. RIVERS. Mr. Speaker, I yield 5 minutes to the gentleman from California [Mr. LEGGETT].

Mr. LEGGETT. Mr. Speaker, I want to thank the chairman very much for yielding me this time.

The reason why I wanted to get the extra time a moment ago was to point up to the House, in response to the tremendous enthusiasm of the Congress, that the J. E. B. Stuart team in Falls Church, Va., brought home the bacon again today and beat Eton. However, we still have a few more days to go over there with this tremendous international schoolboy crew competition. The Congress wishes continued success.

Mr. Speaker, it is rather late in the day to bring up in this House under this bill the question of the deployment of the Sentinel ABM system.

Mr. Speaker, I would like to point out, however, that when this matter was considered by this House over a month ago an item was included in this bill in the amount of $227 million for the deployment of an ABM system. This is in addition to and complements about $700 million in the bill as contained in section 412 of the military procurement authorization which will be pending before us in about a half hour or 1 hour.

This is the first step, of $1 billion this year; $1.2 billion next year, and maybe $10 billion over the next few years, and ultimately reaching the total of $50 billion spending program.

Mr. Speaker, hardly a word was said in this House about the system or the magnitude of the expenditure that is envisioned. The other body reviewed the matter in full in a full week of debate, and by a close vote of 53 to 34 approved the deployment.

Today during the debate on the 412 Military Procurement Authorization I intend to raise at the appropriate time this entire issue. I will offer amendments to strike better than $525 million contained in that bill for the ABM system, and if this amendment passes the indirect effect will also be to cut the $227 million out of this military construction bill for this system.

Mr. Speaker, I believe one of the best arguments made on this issue in the other body was by Senator SYMINGTON, who certainly could not be considered a "dove" in any sense of that term.

I intend to vote against the military construction bill today primarily to be consistent with the motions I intend to make this afternoon on the military procurement bill. I do this with reluctance because I have a large number of items which are located in the congressional district which it is my honor to represent, and I hope we can have them funded at a later date. However, I do want to be consistent.

Mr. ADAMS. Mr. Speaker, will the gentleman yield?

Mr. LEGGETT. I yield to the gentleman from Washington.

Mr. ADAMS. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Washington?

There was no objection.

Mr. ADAMS. Mr. Speaker, I wish to associate myself with the remarks of the gentleman from California against the ABM system and under my unanimous-consent request insert a statement by the Seattle Chapter of the American Federation of Scientists on the Sentinel ABM system, pointing out that they are not against defense, but that they are against this system because the system will not work. During this time of fiscal difficulty we should not start a possible $240 billion project when it is so doubtful it ever will work.

The extraneous matter referred to follows:

The Sentinel ABM System

(An Analysis by the ABM Committee of the Seattle Association of Scientists of The Federation of American Scientists, May 29, 1968)

The Seattle Association of Scientists is a Chapter of The Federation of American Scientists. The ABM Committee of SAS is composed of scientists and laymen concerned with the implications of ABM defense. The Committee has conducted a study of certain technical, strategic, and economic aspects of the proposed Sentinel System. This report of its study is being made available to Members of Congress, national organizations concerned with technical-political issues, and others.

Members of the Committee (affiliations noted for purposes of identification only):

J. Gregory Dash, Professor of Physics, University of Washington.

Chairman, Philip A. Ekstrom, Predoctoral Research Associate in Physics, University of Washington.

Diane M. Hartzell, Secretary, Department of Physics, University of Washington.

Newell B. Mack, Fellow, Physiology and Biophysics, University of Washington.

Edward A. Stern, Professor of Physics, University of Washington.

TABLE OF CONTENTS

1. Summary 4
2. Military Effectiveness 5
3. Soviet Response to ABM Sites near Cities 13
4. Nuclear Defense Strategies and Destabilization 20
5. Costs of Missile Defense 24

SUMMARY

Our study of the ABM question has resulted in the following disturbing conclusions:

We find that the Sentinel system would be of *doubtful effectiveness*. Without substantial expansion of the proposed "light" Sentinel deployment, the protection offered against China would be both uncertain and short-lived. A greatly expanded "heavy" deployment, strongly urged in some quarters as the goal of our ABM effort, would certainly *not* provide effective defense against a continually developing Soviet attack capability.

Despite the many assurances that the "light" system is not in any way directed against them, we find that our deployment would *cause an increase in Soviet military preparedness*. The sites being considered for battery locations are so close to major cities as to "defend" the cities. Even though directed against China, the Sentinel system may be viewed by the Soviets as a start toward blunting their deterrent. In order to preserve their deterrent, they will respond.

ABM makes sense only if it changes our present strategy of deterrence to a better one. *An ABM defense which provides an imperfect shield cannot replace the strategy of deterrence.* Since the USSR perceives that its safety lies in its nuclear deterrent (as we do), any partial lessening of their strategic effectiveness will provoke strenuous efforts to improve and expand their weapons. The result will not be greater security in our country, but a new round in the arms race with a probable loss of security on all sides.

We oppose the deployment of the Sentinel system *because the system cannot work, not because defense is bad*. Thus, we believe that research and development funds for the ABM system should be maintained, in the hope that an effective defense can someday be found, and deployment postponed until that time.

For such an adventure in missile defense, the cost will be large, but cannot be reliably predicted. Quoted uncertainties in cost estimates of the system which Congress is now asked to deploy suggest that the system will cost at least $10 billion. No provision is being made for a coordinated civilian defense program, which is demanded by the rationale of an anti-Chinese ABM system. Voices are already calling for the expansion of Sentinel to a "heavy" system. Unless drastic reallocations of priorities among the three armed services are to be made, the realistic *cost of a heavy system* is likely to approach *$240 billion*. Escalation of the arms race, inflation, and a meaningful civilian defense program would lead to substantially yet higher costs. Since the growth of total defense budgets are unlikely to be sufficient to support such a massive expenditure in the next decade, it is almost certain that a heavy system could not be completed within 10 years, by which time it will be *totally obsolete*.

MILITARY EFFECTIVENESS

There are two important estimates of ABM effectiveness: a cautious adversary's perception of what it might possibly do, and our estimate of what we can be sure it will do. The huge gap between them is what may make the Sentinel system both dangerous and futile. We will later discuss the destabilizing effect of even a token system in triggering over-reaction. The question now is: "How much could we trust the Sentinel ABM system to protect us?"

Expert opinion is deeply divided on the question of ABM effectiveness. Military and defense industry personnel line up with substantially unanimous approval, and while conceding that problems remain to be overcome, seem anxious to begin deployment immediately. Recent secretaries of defense, whose concerns have been to obtain the greatest national security for our money, have generally agreed with the last three presidential science advisors and the last four Department of Defense science advisors, that an ABM deployment would be, at best, a waste. Our investigations have led us to conclude that the effectiveness of the anti-Chinese Sentinal deployment is open to serious question; that an expanded anti-Russian system would certainly not be effective.

Nuclear missile defense is unique in that it must work the first time it is tried, and be extremely effective to provide any real protection. In conventional warfare, many bombs, or planeloads of bombs are necessary to destroy substantial parts of a large target. Therefore a defense against conventional bombardment need not be perfect. If one plane slips through, it will cause some damage, but not total destruction. In contrast to this, one nuclear warhead can destroy an entire large city. If several are directed at a city, a meaningful defense cannot let even one slip through.

The best recent example of a field-tested defense missile is the Russian SAM presently being used against our aircraft in Viet Nam. Although it has to deal only with aircraft, and although it could be tested under realistic conditions during development, its kill ratios are not particularly high. Although it is representative of modern ground-based anti-aircraft missile performance, it would rate as a total failure against nuclear bombardment.

Throughout history, as in the case of the SAM, offense has generally predominated over defense, and been sucessful. Occasionally defense innovations, like body armor or the castle, held the field for awhile, but in recent years the useful life of a defense system has decreased to the vanishing point. With today's rapidly changing technology, a defense system may well be obsolete before it is deployed. Certainly this would have been true of the $14 billion Nike-X ABM system which we fortunately decided not to deploy. Against this background, let us examine the proposed Sentinel deployment to see whether it, too, might not prove ineffective.

If we could assume that any nuclear attack would come via a small number of ordinary ICBM's, one to each target, meaningful defense might well be possible. The missiles and radar now available for inclusion in an ABM system might be able to detect and knock down most of the warheads in such an attack. Each Spartan missile battery would defend an area perhaps as large as 800 by 1000 miles. The proposed Sentinel deployment, seventeen or so sites, would defend the entire country.

However, there is no country in the world which will likely prepare such a simple attack upon us. Since such an attack would be ineffective against an ABM system, any adversary will be strongly motivated to modify his strategic forces or his tactics in order to mount a more effective attack. There are many such alternate approaches available—several of which are both within the capabilities of China, and sufficient to penetrate the Sentinel system. Let us consider some of them.

Radar decoys, the simplest of the "penetration aids," are relatively easy for an adversary to make and deploy and would be quite effective in foiling Sentinel area defense. An attacker can easily arrange to have a cloud of reflecting objects accompany any warhead he launches. Objects such as fragments of the booster, metallized balloons, corner reflectors, etc. would appear much like warheads when seen by the defender's radars. If sufficient care is taken by the attacker, it will be extremely difficult for the ABM system to identify its target.

When the attack re-enters the atmosphere near the target simple decoys will either burn up or be slowed by air friction; the real warhead can be identified, but it is then too late for the area defense (Spartan) to make an intercept. In order to defend its large area, the Spartan must be launched as much as a minute before intercept—2 minutes before the attacking warhead would reach its target. At that time the attack is still far above the atmosphere, and we cannot count on air friction to help sift out the real warhead. Although various techniques of trajectory analysis, extraction of radar signature, etc. can help discriminate warheads from decoys, they require more versatile (and expensive) radars and computers, and can be countered by moderate changes in attack hardware or tactics. By the time the attack re-enters the atmosphere, the warhead is only twenty seconds away from its target. There is too little time left for the Spartan to do its work; the system has been penetrated.

If we are to defend against a missile attack which includes simple decoys, we must resort to "terminal" or "point" defense. The Sprint missile, scheduled for limited deployment with the Sentinel system, is designed to intercept warheads after they enter the atmosphere. The Sprint's quick reaction and high speed allow the system to wait until the attack re-enters the atmosphere before firing. Air friction will sweep away or burn up any simple decoys, leaving only heavy or heat-resistant objects, which are presumed to be the real warheads. Sprint interceptors may then be launched at the remaining objects in an engagement which takes place at relatively low altitudes over our territory.

The reason that this is referred to as "point" defense is that only a limited area can be defended by any one battery. Even against a simple attack, the Sprint battery provides no defense outside a footprint 50 by 60 miles. A separate battery, complete with radars, must be sited near each major target to be defended.

An attempt to provide point defense of fifty cities corresponds to the proposed "thick" ABM system, estimated to cost at least $40 billion. Although such a deployment is usually discussed only with reference to defense against the USSR, we have seen that if China uses even simple decoys, nothing less will be effective against her either.

The Department of Defense, in recommending the deployment of the Sentinel system, must certainly have considered these possibilities, but concluded for some reason that China would not use penetration aids. This is at first glance a reasonable assumption, since our first missiles and those of the USSR were of the standard sort which the Sentinel could handle. But until recently neither we nor they faced the challenge of an opposing ABM system. As mentioned before, the Chinese would have a strong incentive to include good decoys in their *first* missiles, and will certainly try to do so. The only real question is: "Are they *able* to do so?"

In our opinion, constructing simple penetration aids is a small task for a nation that can build both nuclear weapons and missiles. Not only are the devices inherently simple, but much of the technology has been described in the world's technical literature. China, or any other nuclear newcomer, would not have to start from scratch. Even if the details were not available, it is true here, as with building nuclear weapons, that "the only real secret is that it can be done."

China's probable use of decoys puts an entirely new light on the claim that "*with some expansion of the system*, the Sentinel deployment would be effective against Chinese attack through the 1970's." (emphasis ours) To be effective against simple decoys, the system would have to be expanded into one relying primarily upon point or terminal defense. It is significant that the system is designed to be expandable. Even so, a thick ABM may well not be the end of the story.

Indeed there are more complicated and more effective penetration aids which are still fairly easy to build. A dartlike projectile, shaped to resemble a real warhead, could be made light and heat-resistant, yet would be slowed very little by the atmosphere. Its ballistic properties could, in fact, be chosen to match those of the real warhead. Its ion trail could even be seeded to match (or to confuse). If several such decoys were launched along with each warhead, the attack would penetrate deep into the atmosphere before the real target could be discerned.

Even the quick-reaction Sprint missile requires a few seconds warning. If intercept is to be made twelve miles up in order to avoid ground damage, the real warhead must be identified while still at least 20 miles up—long before it encounters the dense lower layers of the atmosphere. If the defender waits longer for a dense ion trail to form, about 11 miles up, even a 6 mile intercept becomes impossible and the Sprint's defensive footprint has shrunk dramatically.

Intercept cannot be allowed to take place so low over a city unless elaborate civil defense is provided. To do so would expose the city to damage in three ways. First, the Sprint's own nuclear warhead is capable of causing large amounts of damage if detonated too low. Second, the attacking warhead may be designed to explode just before it is destroyed, in order to do as much damage as possible. Third, the adversary, betting that his decoys are good enough to usher his attack down to the six mile level, may program a high airburst.

Unless he provides civil defense measures for the population, the defender dare not let any suspicious object penetrate below some fixed danger level. If he cannot be sufficiently certain that an oncoming object is *not* a warhead, he must commit an interceptor to shoot it down. In an actual engagement, the system's computers must weigh the chance that a suspicious object really is a warhead against the available stock of interceptors, the number of objects in sight and the chance that there will be more attack coming. One can easily see that the use of persistent decoys presents the defense with a terribly ambiguous problem, one which the computers cannot solve with certainty.

Using such decoys, China could confuse even a thick system relying heavily upon Sprint missiles. The crucial question again is "Can she build them?" They will be more difficult to build than the simple decoys discussed earlier, and will require extensive testing to make sure that they can counterfeit a real warhead accurately. Even so, the effort required is not large in comparison with known Chinese accomplishments. It is at least possible that China could develop them in the reasonably near future.

It should be clear by now that the business of ABM defense is not at all like putting up an umbrella, but more like designing armor to resist ever more powerful shells. Each side will strive to improve its capabilities, and will constantly do so. An estimate that the Sentinel will provide "defense against China for ten years" depends strongly on certain assumptions about China's progress. One must assume that she will not develop good penetration aids before 1980.

It is instructive here to recall how badly and consistently our planners have underestimated other nations' abilities. In 1945 General Groves, head of the Manhattan Project, confidently assured Congress that no other country could have nuclear weapons within 20 years. With some help obtained via espionage, the USSR exploded their first fission bomb in 1949, their first fusion bomb in 1953.

China's nuclear development has been correspondingly fast. Cut loose at an early stage by the Soviet Union in 1958, she first proposed that Asia be made a nuclear free zone. Rebuffed in this attempt, she continued her development and exploded her first fission bomb in 1964. Although intelligence reports kept her first test from coming as a surprise, analysis of the fallout it produced gave us a rude shock. It was made of uranium, not plutonium as we expected, and bespoke a development far down the road toward fusion weapons. Their first fusion bomb came in 1967. Against this background we do not find the DOD's estimate of China's slow future progress reassuring.

Besides use of penetration aids, there are other possible frontal assaults which China could use to defeat the Sentinel system. A high-altitude nuclear blast preceding the main attack could be used to "blind" an ABM system's radar. The large ion cloud created by the blast could bend or reflect the radar beams, and prevent them from locating their target or tracking it accurately. There is a real possibility that the interceptor's own nuclear blasts will themselves blind the radars in this manner. These effects as well as the whole decoy question, have been well presented in an article by Bethe and Garwin in *Scientific American (March, 1968)*.

Besides the direct assaults discussed so far, there are other possible attacks, known as "end runs," which entirely circumvent any ABM system. The most dramatic of these is the smuggled bomb. We have for at least ten years had in our arsenal a nuclear warhead six inches in diameter for use in an artillery shell. Even much larger warheads could be smuggled into the country in innumerable ways, and delivered by hand to their targets. Any of the normal means of transportation into the country could be used to deliver warheads. Aircraft and ships flying nearly any flag can enter our airports and harbors. An airliner could carry many megatons, and a friendly looking ship, hundreds. If we are to remain a trading nation, the possibility of smuggled bombs is unavoidable.

Other possibilities are offered by a very "dirty" bomb detonated upwind from its target. Such a weapon could be delivered by missile to a point far from its real target. Rather than to waste a valuable interceptor on a probable dud, any ABM system would probably let it pass. Winds would deliver the resulting radioactivity to the desired target. Alternately a dirty underwater burst just off our west coast would literally rain destruction on coastal cities. Here again, a large civil defense program would certainly be a necessary adjunct to an effective anti-ballistic missile defense.

We conclude from all of the above that a missile defense against China, effective even until 1980 would require far more than the proposed Sentinel deployment, and would still leave us completely undefended against many unconventional but highly effective styles of attack.

Against the USSR, defense is certainly hopeless within the present technology. If China could eventually penetrate our heaviest system, the USSR could do so quickly. They have demonstrated a capability for building FOBS type weapons, and could quickly mount hardened or multiple warheads on their large launch vehicles. Even without such aids they presently have enough missiles to "gang up" on the defenses of any given area and overwhelm any feasible defense. One can hardly refer to the loss of "only" New York, Dallas and San Francisco, for instance, as successful defense. The actual results would undoubtedly be much worse.

The range of attack styles open to an industrially advanced nation like the USSR (or USA) is enormous. Besides *all* of those mentioned with reference to China, there are others requiring more technical sophistication or industrial strength. A few of these are:

1. Low-flying submarine launched missiles which would slip under the system.
2. Electronic counter-measures that could jam or deceive the system's radars.
3. Multiple warheads which would overload the defense.
4. Lifting bodies carrying warheads which would maneuver after re-entering the atmosphere to confuse or evade the defense. A sort of skip-bomb is the simplest example of this type.
5. A small rocket included in the warhead could be used to home in on and shoot down an ABM interceptor: an AABM.

If we wish to defend ourselves against a possible Russian attack, we must, in short, erect a defense which even we could not penetrate. No such defense is even remotely in sight.

The real weakness of any presently available defense is its dependence upon nuclear armed missiles for intercept. Since each defensive missile costs about as much as an ICBM, and must carry a comparably expensive warhead, offense is cheaper than defense by the time the rest of the systems are considered. Moreover, a defender must stockpile *in each area to be defended* enough missiles to handle the largest attack his adversary may choose to mount. Beyond this, the requirements of a perfect defense places impossible demands on system reliability, particularly in the "dirty" environment created by the interceptors nuclear blasts.

If future research makes available a new means of intercept the whole question of effectiveness would have to be re-examined. An intercept device which was instant, inexpensive, reusable and clean would remove many of the faults inherent in present systems. Recent development of very high power lasers hold out the hope that such a device might eventually be developed, but so far, such systems are not available.

THE SOVIET RESPONSE TO ABM SITES NEAR CITIES

This section asks: Will the Soviet Union be forced to respond to the anti-Chinese Sentinel ABM system? We shall see that the answer apparently hinges on whether or not the short-range Sprint missiles "defend" large US cities. As is shown below, current US plans are to place Sprint missiles (which will be deployed next to most ABM radar sites) so close to major US cities as to "defend" the cities. The USSR may well feel this deployment will threaten its deterrent unless it responds. The answer, then, appears to be that the Soviet Union will respond to the US ABM.

The Soviet response might be to add penetration aids to existing ICBMs and to build more ICBMs. Another likely response by the Soviet Union would be to build a large ABM. (The Department of Defense reports that the Soviet Union does not now have an ABM which is effective against the US. The Tallinn system appears not to be directed against missiles but against bombers. The Galosh system is reported to be incapable of defending against the penetration aids on our missiles, and is located only around Moscow). The US ABM and Soviet response may lead to a new arms spiral.

The current US position is that the Soviet Union will not need to respond to the "anti-China" Sentinel system. The reason for this position is that the US feels that the Soviet Union, without responding at all to the US ABM, will be able to inflict at least 90 million fatalities in reply to any first strike by the United States. Thus, the Department of Defense claims that the Soviet Union's deterrent against a first strike by the United States is not threatened by the "anti-Chinese" Sentinel system.

The Soviet Union may feel differently. They will recall that in testimony before the Senate Arms Services Committee last February Secretary McNamara made two estimates (among others) of US fatalities resulting from Soviet retaliation following a hypothetical first strike by the United States against the Soviet Union.

The two estimates differed because they assumed two different types of U.S. ABM. If the U.S. deployed only an "area" defense, and *if the Soviet Union did not respond*, the Secretary estimated 90 million fatalities in in the United States. On the other hand, if the U.S. ABM included the more effective "point" defense of 25 cities in addition to the "area" defense, and *if the Soviet Union did not respond*, the Secretary estimated U.S. fatalities would decrease to 10 million. The distinction between the two types of ABM is crucial. The assumption made by the United States is that the Soviet Union would not find it necessary to respond to the "area defense" because the Soviet Union would still retain 90 million hostages. But if the U.S. also put an ABM system around 25 cities, says the Department of Defense, the Soviet

Union would have to respond. This response might be a large (though ultimately useless) ABM system, or (and this was the DOD's prediction) penetration aids, MIRV's and 100 mobile ICBM's. (The result of the latter response, according to the DOD, would be to cancel the "protection" offered by the U.S. ABM, and to return U.S. fatalities to 90 million).

The question which will face the Soviet Union is, "Which of these two deployments is the Sentinel system?" Does the Sentinel deployment defend cities? If not, the Soviet Union need not reply. If the Sentinel system were to grow so as to protect 25 cities, then, in the opinion of the Department of Defense, the Soviet Union must reply. The Office of the Director of Defense Research and Engineering of the Department of Defense made the distinction explicit when it wrote, in a reply to our committee, "If we were defending our cities against Russia, we would be deploying terminal defenses at our principal cities." As will be shown below, this is precisely what we are doing.

In his September 29, 1967, Life interview, Secretary McNamara stated, "Our deployment isn't designed to protect the cities of America against a Soviet strategic attack, and thus it in no way threatens the Soviet ability to deter an American attack." The Soviet deterrent rests on their ability to destroy U.S. cities. If their missiles can reach the cities, they need not be concerned—in the view of the Department of Defense—by their inability to destroy Sprint-defended radars and Minutemen silos. And Sprint missiles were to be used, said Secretary McNamara, as "defense *only* for the ABM radar and the Minuteman missile silos . . ." (italics added).

But there is a catch. If the radar sites are put next to the cities, then the area protected by the short-range Sprint missiles includes not only the radar site, but also the adjoining city. It thus becomes crucial to ask: 1. What is the area "defended" by the short-range Sprint missiles? and 2. Are the Sprint missiles (accompanying the radars) to be placed so close to the cities as to include cities in this "defended" area?

The area "defended" against *unmodified* Soviet missiles can be calculated from a knowledge of rather elementary physics and from data on missiles available in the unclassified technical literature. We have made these calculations, and find that the area "defended" by Sprint missiles (called a "footprint") has the shape of an egg, and is roughly 60 miles long and about 50 miles wide at its wide end. The precise shape and dimensions of the footprint vary slightly, depending on assumptions made about the offense (angle of entry, detonation height, etc.) and defense (Sprint range, velocity, etc.). The Sprint missile site is located in the large end of this egg, about ten miles from the top. This egg-shaped "footprint" rotates around the missile base so that the blunt end of the footprint always faces the direction of the attacking ICBM's.

Second, are the proposed Sentinel radar sites (with accompanying Sprint missiles) to be placed so close to major cities as to defend those cities, i.e., are the cities inside the "protected" area? For most of the sites, the answer is "Yes." On November 15, 1967 the Army announced it would survey potential ABM sites in the vicinity of 10 cities; additional sites are to be announced later. The specific sites under study near each city have not been announced by the Army. However, the potential sites have been reported—primarily by local newspapers—for seven of the largest cities. All three sites under consideration for New York City would defend the city; Tenafly, New Jersey would provide a particularly effective defense. The same holds true for most all the six Boston sites. Reading, just north of Boston, would permit an especially effective defense of the Boston area. The Chicago sites, such as that considered for Libertyville, defend Chicago. The same is true of most of the six Detroit sites; indeed, the site being considered at Dearborn is located inside metropolitan Detroit. In Seattle, several of the four sites would defend the city, and Ft. Lawton is within the city limits of Seattle. All three Salt Lake City sites, such as that at Magna, and all four at Honolulu, such as Ford Island, would defend the adjoining city. General Melville B. Coburn, who commands the Army's Air Defense Missile Forces for the northeastern United States, is reported as saying that the sites in the New York area were chosen with the idea of getting away from the center of the city, but not too far away to defend it effectively. This rule—to defend the cities—appears to have been followed in all seven cities.

Why is it that, for all seven cities, the radar sites (and accompanying Sprint missiles) are so close to the cities? The radars need not be next to the cities to achieve the announced main goal of the ABM: to defend the US against a primitive nuclear attack such as that from China.

In the system announced, the Chinese attack was to be blunted by the long-range Spartan missiles; the goal of the short-range Sprint missiles were merely to defend the radar "eyes" of the system. This goal is crucial since the radar sites must survive a first wave of ICBMs, aimed at destroying the radars, if the system is to defend the country against the second and ensuing waves.

Nor is proximity to cities listed among the criteria announced for the choice of sites. The only guidelines mentioned publicly or in replies by the Department of Defense to our specific queries on the nearness-to-cities problem are: 1. That complete area defense be provided against expected Chinese nuclear capability, including a) that the radar be able to "see" over the horizon and so not be blocked by buildings or mountains and b) that the geology of the site be such that it would permit construction of hardened silos and firing missiles from them. 2. That the land for the site be acquired at minimum cost and with minimum disruption of other activities (e.g. preferably land already owned by the DOD.

Perhaps an additional guideline for choosing the location of ABM radars is being followed, namely, placing the radars so close to major cities as to defend them. This criterion is not necessary for an "area" defense which—by definition—is not designed to protect small areas such as a particular city. If this guideline is being followed, the public has not been informed.

This reticence about including among the criteria the fact that the radars and Sprint missiles are to be placed next to cities is understandable because there are good reasons for keeping the sites away from cities. Probably the most important reason is to prevent the Soviet response and the enormously expensive US counter-response, and the resulting arms spiral. But there are other reasons. We shall briefly mention only three.

1. *Cities become "megaton magnets."*—The Chinese may attempt to knock out the ABM radar sites in a first wave of ICBMs (so that following waves would not be blunted by the long-range Spartan missiles) and so might attack the sites heavily. This implies that the radar sites may become, in Ralph Lapp's phrase, "megaton magnets," drawing a disproportionately large number of atom bombs to the site, and (if the sites are next to cities) to the adjoining cities. If the Sprint missile system should fail, this large number of bombs would explode near the sites and their adjoining cities.

2. *Civil Defense.*—Even if the system does not fail and Sprints are detonated in the atmosphere above the radar sites, the resulting heat, light and blast may cause very great damage in nearby cities, as Lapp and others have pointed out. As discussed in the section on ABM effectiveness, the use of increasingly good decoys will mean these explosions will occur at lower altitudes—nearer people. In other words, the presence of an ABM radar near a city may require civil defense shelters in order to protect the city not merely from incoming bombs but from atomic bombs used by its own ABM. The question of the need for civil defense to accompany ABM is in dispute and has not been frankly discussed by the Department of Defense at any great length.

3. *Accidents.*—If ABM sites are placed next to cities, there is a very slim but emotionally-charged possibility that radioactive debris might conceivably be scattered around the area of a missile site in the event of an accident.

The key point, however, remains the fact that if US cities are defended by Sprint missiles, the Russians may feel their ability to deter an attack on Russia has been destroyed for they will not be able significantly to threaten retaliation against US cities. Whether in fact they will have lost their deterrent—in the opinion of the U.S. Department of Defense—is not the issue. The point is that they must assume the worst—that they may have lost their deterrent. Therefore, the Russians will have to respond so as to regain their deterrent. They may respond by modifying their missiles so they can penetrate the Sprint, increasing the number of their missiles, shifting the attack to undefended cities, concentrating their attack on a few defended cities, and in many other ways (some of which are discussed in the accompanying section on ABM effectiveness). But after the Soviet Union responds so as to cancel the US defense, the US would have lost its missile defense, and would have to respond by admitting that it had wasted billions of dollars, or by patching up its anti-ballistic missile system. The Russians would have to respond again, and then the US, and so on . . . and we would become locked in an arms race. Unlike the current US–Soviet Union policy of deterrence, which is now near a level plateau, this new arms race is a spiral without apparent end.

This arms spiral can be avoided. The US can decide against deploying an ABM. We can overcome any future ABM which the Soviets might be foolish enough to build (as the current Galosh system, around only Moscow, has already been countered, according to the Department of Defense). We can do so merely by adding more penetration aids to our existing ICBMs, by equipping ourselves to explode dirty bombs upwind from and out of the range of the "defended" area, by increasing our submarine-launched ballistic missile force, or by any of the myriad other counter measures which can be used against any ABM—whether Russian or American.

If instead we insist on deploying an "anti-China" ABM, we can do so in a way which will reduce our chances of stumbling into the trap of an unending arms spiral with the Soviet Union: we can place the ABM radars and Sprint missiles far from major cities (say, more than 100 miles). This deployment would meet the goals announced for the ABM system: to deter a primitive Chinese attack, and to guard against any accidental launching of an ICBM. And it would fulfill all the requirements for siting announced by the Defense Department: the deployment would provide area defense against the Chinese (including radar and geological constraints), and it might save money by allowing land to be purchased, far from cities, at less cost than the expensive urban-area sites currently under study. It should be emphasized: *this far-from-cities deployment would provide the same area defense as the near-the-cities deployment now planned.*

To ensure the national security of the United States is the goal of all discussion of ABM area defense. The disagreement is only on how to achieve that goal.

Three *options* for ABM policy are:

(1) Deployment with radar sites and accompanying Sprint missiles *near cities,*

(2) Deployment with radar sites and accompanying Sprint missiles *far from cities,* and

(3) *Offense increased* (penetration aids, further hardening of our missiles, penetration aids, etc.) but no ABM deployment.

The *consequences* of each policy appear to be:

(1) Near-cities ABM: A prompt response by the Soviet Union, either rational (increased offense) or irrational (a large ABM system). Then a US counter-response (more money on US ABM to the first Soviet response; more missiles and penetration aids to the latter). And then more responses as each side in turn tries desperately to retain its deterrent. Result: We would be locked in an arms spiral without apparent end, and would have spent billions but lost our national security.

(2) Far-from-cities ABM: If we're very lucky, no response by the Soviet Union. Far more likely, an arms spiral as above, though perhaps less cancerous and costly. Result: Less security, US weakened.

(3) Offense increased: no ABM. We increase our capability to annihilate either the Soviet Union or China. Result: Increased US national security.

NUCLEAR DEFENSE STRATEGIES AND DESTABILIZATION

One difficulty in arguing against the deployment of the presently proposed ABM system is that the arguments for are more simplistic than the counter arguments. For instance, it is stated by its proponents that ABM is a defensive system and that, even if it is not perfect, some measure of defense is better than nothing. In addition, the deployment of a defensive weapon system is claimed to be less threatening to the Russians or Chinese as would be a comparable expenditure for offensive weapons. Such reasoning shows a misunderstanding of the present world situation with respect to nuclear weapons. It is not true that ABM's are purely defensive. As paradoxical as it may seem, in our present world, ICBM's and ABM's have both offensive and defensive characteristics. Secretary McNamara specifically points this out in his discussion of the ABM system. To understand this, one must understand the cause of the present stability in the nuclear arsenals of the USSR and the USA.

We already have a defense against the Russian ICBM's, the deterrence of our second strike capability. The reason why neither we nor the Russians would presently use nuclear weapons against one another is that we both realize that nothing would be gained and everything would be lost. In any first strike by one country against the other, the recipient's country is destroyed but enough of its ICBM strength remains to destroy the attacker's civilization in return. This second strike capability is possessed by both the USSR and the US.

If the US or the USSR deploy an ABM system which jeopardizes the second strike capability of the other, the rational response is to counteract it in some manner. We see this happening in the US response to the very limited USSR ABM system around Moscow. We have already improved the penetrability of our missiles to nullify the Russian ABM system. Another contemplated step is to deploy ABM's to defend our Minuteman sites. At the same time, we see a concerted effort by the Russians to increase their ICBM stockpile to maintain their second strike capability. In short, the net result of our employing an ABM system would be a corresponding response by the Russians to counteract this system by increasing their number of deliverable warheads. Thus, an ABM system would not give us any increased protection against a determined Russian attack. Instead, it is likely that we would sustain more damage in such a case because the Russians are likely to be conservative in their estimate of what it takes to overcome our ABM system and thus have more effective destructive power than at present.

Another way to state our nuclear situation vis-a-vis Russia is that we have presently a defense of mutual deterrence. The proposed ABM system cannot improve our defense against Russia because it cannot be made sufficiently effective. If we deploy this system, we will still, after spending many tens of billions, have the same defense of mutual deterrence. We are thus against the deployment of the ABM system at this time because it will not improve our defensive posture. Funds for research, however, should be continued in order to improve the ABM system with the hope that one can be developed which would give an "effective" shield against nuclear attack.

We have directed the previous arguments against a Russian-oriented system because the conclusions are so clear-cut. It is, of course, for these reasons that Secretary McNamara had continually decided against a Russian-oriented system. He did, however, give the go-ahead on a limited, so-called Chinese-oriented Sentinel system .Yet if this system is studied in some detail, one realizes that, in spite of some statements to the contrary, the system is also partially Russian-oriented.

Secretary McNamara has explicitly stated that the Sentinel system will include Sprint missile batteries around our Minuteman sites to help maintain our second strike capability against *Russia*. This would be used as an alternative to increasing the number of our ICBM's. If the Russians threaten to obtain enough delivery vehicles to be able to destroy a large fraction of our ICBM's in a first strike, so that we would lose a substantial fraction of our second strike capability, we would have two alternatives to counteract this. Either build more ICBM's or protect those that we presently have by an ABM system. If the ABM's can destroy enough of the incoming missiles to save a certain number of ICBM's, that is equivalent to adding those ICBM's to our arsenal. The ABM's are equivalent in their deterrent effect to a number of ICBM's. By the same token, the so-called offensive ICBM's have the defensive character of protecting us from a Russian attack by deterrence.

The main proponents of the Sentinel system make it clear in public debate that they consider this as the first step to a Russian-oriented system. They make no bones about the fact that the real threat in their minds is Russia and not China. Also, realistically, one must conclude that such a system, once started, must naturally expand, even if it is supposed to be only Chinese-oriented. As the Chinese increase their nuclear capabilities, the ABM system must correspondingly increase in sophistication and cost till it will be a heavy system, which Russia must react to.

If we direct our considerations to China only, we must ask why our nuclear defense of deterrence, which is effective against Russia, should not also be effective against China, a very much weaker adversary. The answer is that it should indeed be effective against China. However, an ABM system may also be effective against China for a very limited period since we are presently so far advanced compared to China. Yet, in a comparatively short time, China will have advanced in her nuclear capability to make our ABM system obsolete and require us to return to the defense of deterrence. Is it worth the additional tens of billions of dollars to get an ABM defense against China, of dubious value, for a limited time, when we already have a defense which we know is effective against a much stronger nuclear power, namely Russia?

At this point it might be appropriate to answer the argument that we need an ABM system because the Russians have one. The Russian ABM system can be neutralized by increasing the penetration capability and numbers of our deliverable weapons. In fact we are doing just this. To build our own ABM system does not neutralize the Russian ABM system. In our present state of the art, the effect of deploying ABM's is not increased security against the Russians but an escalation of the arms race at a cost which we cannot predict.

It is almost universally agreed that the best path to a more secure United States is a controlled and inspected decrease in the level of nuclear armaments of all nuclear powers and prospective nuclear powers. The deployment of an ABM system will move in the opposite direction, that is, of increasing the arms race between, at the least, the United States and the U.S.S.R. How can we, in good conscience, hope to convince other countries of the world to not enter the nuclear arms race if we, by our own actions, heat up the arms race? We will be in effect telling other nations to do as we say, not as we do. Such a hypocritical attitude would surely decrease the chances of success of such constructive steps as a non-proliferation treaty and some controlled disarmament. There is a good chance that our deployment of an ABM system now would, in the long run, decrease our security and not increase it.

We must recognize that there is simply no military system presently available which can guarantee the national security of any country. Our best course is to move in directions which offer the greatest probability of success in achieving it. For the technical and strategic reasons given above, it seems clear that our future security would be lessened by deployment of the present ineffective system.

COSTS OF MISSILE DEFENSE

No one can predict how much an ABM system will cost, or how effective it will be if a definite sum is spent. The acquisition of a thin anti-Chinese system is now estimated to cost $5 billion over a period of 4–5 years. The system to be deployed consists of several components which are still in development, and are hence largely untested. It is impossible in these circumstances to predict within very large factors of uncertainty, how much money will be eventually spent on the system, even if it is never enlarged to become a heavy, anti-Soviet deployment. For example, according to the Army Air Defense Command announcements describing the proposed Sentinel system, each of the 15 to 20 sites will employ 400 to 700 civilian and military personnel, with a combined payroll of $2 to 3.5 million at each site. They therefore envision an annual payroll of $30–70 million for 5,000 to 14,000 people at today's wage scales. Even barring unusually rapid wage and price inflation, the salary costs to which we would be committed are uncertain by over a factor of two.

It is disturbing that the Sentinel Command should not now have much better estimates for the number of people they will require to operate their system, and it suggests that there is considerable uncertainty as to what each site will actually contain, or how the components will be operated. It is not surprising that military systems cost more than originally estimated—they almost always do—but it is surprising that the official estimates are now so imprecise for a system which we are now asked to deploy.

If this example is an indication of uncertainty about the system as a whole, then the so-called $5 billion deployment may well cost more than $10 billion, even without taking inflation into account.

But the implied cost of a decision to proceed with deployment now is likely to be much more than $10 billion. It is now generally recognized in the Congress and in the Department of Defense that the thin system is to be only the first stage of a much heavier, anti-Soviet system. Estimates for the cost of such a system can hardly be made at all. Some comments on its possible cost are truly shocking. Dr. Edward Teller, in arguing for its deployment, has said that we should proceed even if it were to cost $60 billion. Secretary McNamara, in arguing against the deployment of a heavy ABM defense, asserted that, because of Soviet counter-response, it is not likely to be effective even if we were to spend $400 billion.

If any ABM system—even an austere, anti-Chinese system—is to be an effective system in saving American lives, then it should also include an adequate shelter system for our civilian population. To build an ABM system without providing blast and fallout protection for the population would remove any aspect of credibility in the argument that ABM is primarily intended to defend the population. This point has been made many times by responsible authorities, including General Earl Wheeler, Secretary McNamara and President Johnson. The present Department of Defense budget does indeed include an amount for the civilian defense program: $77 million for FY 1969. Of this amount, approximately $31 million is for shelter development and acquisition. To compare with estimates of costs for realistic protection against nuclear attack, we can cite the engineering study made in 1965 by Holmes and Narver, Inc. for the Oak Ridge National Laboratory. This study analyzed the tunnel grid blast shelter concept developed by the Project Harbor Civil Defense Study Group which was directed by Professor Eugene Wigner of Princeton University. It provides for one month's occupancy by urban populations, against fallout and to withstand blast over-pressures up to 100 pounds per square inch. This degree of blast protection, incidentally, is substantially less than that now given to Minuteman missiles in hardened silos. The cost for such shelters was estimated to be $515 per person, at 1968 prices. The estimate does not include the cost of land or maintenance and stocking of food and medical supplies. At the estimated price, the cost to afford this degree of protection to our urban population of about 75 million people would be more than $38 billion. To provide such protection for our population in small towns and rural areas would cost much more. Therefore, protection of our civilian population, which is the principal stated reason for deploying a Chinese-oriented ABM, should cost about 10 times the estimated cost of the ABM hardware. Instead, we find that the present DOD budget calls for a total civilian defense outlay in FY 1969 of only 6 percent of the 1969 ABM allocation. At this point one is forced to ask whether the proponents of the ABM system are indeed concerned with saving American lives. Even those who are normally found on the side of the military have expressed their doubts. Senator Margaret Chase Smith a Republican member of the Armed Services Committee, stated on the floor of the Senate on April 18, 1968:

"We are now proceeding on a $5 to $6 billion ABM program that is intended to protect the United States against a missile attack from Red China or other nations, but not the Soviet Union. When the United States is relying upon the certainty of devastating retaliation in order to deter an attack from the Soviet Union, it makes little sense to deploy a ballastic missile defense system against Red China, which could have over the next ten years, at least, only a small part of the destructive power that the Soviet Union now possesses. There are strong possibilities, if not probabilities, that by the time this so-called thin defense against Red China is completed it will have become obsolete because of the rapid rate of development and change in the state of the art. This program has strong characteristics of being only a sop to those who have insisted on a full-scale ABM system."

We are forced to agree with Senator Smith, that the presently proposed system is a sop to those who wish a heavy system. We are also forced to the conclusion that those who favor a heavy system are not willing to jeopardize their success in obtaining its authorization by coupling it with an unpopular civilian defense program. But we must realize that a blast and fallout shelter program is as much a part of the cost of missile defense as the radar and the missiles.

There is yet another aspect of cost that we find disturbing. If the austere system is to be the first stage of a heavy system, it is likely to fuel an arms race not only between the U.S. and U.S.S.R., but also among the three armed services of the U.S.A. In the present FY 1969 budget the total obligational authority requested is split nearly equally among the three services: Army, $26 billion; Air Force, $27 billion; Navy and Marine Corps, $24 billion. We suggest that the present balance among Army, Air Force and Navy funds is no accident: the history of interservice rivalries can leave no one in doubt that each service continues to regard itself distinct from the others, and jealously guards what it considers to be its rightful share of the total defense budget. The Sentinel ABM system is under Army command, and it is likely to remain an Army operation if it is expanded to become a heavy system. If the heavy system will cost only twice the present estimated amount, we are now on the verge of a major increase in future demands for Army funds. Therefore, if we must consider a beginning to the heavy ABM system, we must also realistically contemplate a commensurate escalation in total defense expenditures of, not twice $40 billion, but six times that figure, even if civilian defense is neglected. $240 billion is three times the total FY 1969 defense budget and 33% greater than the total FY 1969 federal budget. It is unlikely that defense budgets will grow to the extent necessary to fund new systems to such levels within the next 10 years. Therefore, it seems that a heavy ABM defense could not be fully deployed even by a decade hence. It would be built only as fast as the sustaining demands of the services and the total federal budget will allow, unless we were to make severe readjustments in the shares of the Air Force and the Navy. But the Air Force and the Navy also have programs which they deem essential to the future security of the nation, and we therefore think it unlikely that they would acquiesce in such a reallocation of priorities. Therefore, it seems unavoidable that a heavy ABM system could not be operational until a long time hence, and by that time it would be almost certain to be totally obsolete.

To commit ourselves to this porgram but not to recognize that, if we follow the rationale of its proponents, it must cost many times its advertised price, is the height of fiscal irresponsibility. It will add fresh evidence to those who distrust our financial policies and will hasten the wreck of the dollar. It will mortgage our future.

Where is this money to come from, and what will we not be able to afford, if we proceed? Dr. Teller has said that we cannot be "too cost-effective" when it comes to an ABM system that can save American lives. But what if it means that we will not be able to afford adequate medical care, food and housing? There are many ways of saving lives, and it is obvious that we cannot afford all of the things our society needs desperately right now. Lives are being lost today because we have not been willing to see our social problems with the same urgency as we view our military posture. If we commit ourselves to a large, unproven and open-ended ABM deployment, we will forfeit much of what that system is supposed to defend. And if we do proceed with the system, we will still achieve no more security vis-a-vis nuclear war, than we have achieved at the present time.

Since the end of World War II the world has spent in the neighborhood of $1.5 trillion in military budgets. At the rate of the pending Department of Defense appropriations bill, it will take only 12 more years for the U.S. to spend another trillion dollars. In the face of such fantastic amounts, how can we afford not to be cost-effective?

Mr. LEGGETT. Mr. Speaker, I would like to point out at this time the caliber of men who opposed this system are in the other body, and they are not all doves. These included the following Senators: AIKEN, BROOKE, BURDICK, CASE, CLARK, COOPER, ELLENDER, GORE, HART, HATFIELD, JAVITS, LAUSCHE, MANSFIELD, MCCARTHY, MCGOVERN, METCALF, MONDALE, MORSE, MORTON, MOSS, MUSKIE, NELSON, PELL, PERCY, PROUTY, PROXMIRE, RANDOLPH, SCOTT, SMITH, SYMINGTON, TYDINGS, WILLIAMS of New Jersey, WILLIAMS of Delaware, and YOUNG of Ohio.

Mr. STRATTON. Mr. Speaker, will the gentleman yield?

Mr. LEGGETT. I yield to the gentleman from New York.

Mr. STRATTON. I just wondered in view of the gentleman's remarks, is the gentleman in favor of the negotiations that are now apparently going to be entered into between us and the Soviet Union with reference to our ballistic-missiles system?

Mr. LEGGETT. Mr. Speaker, I certainly do. However, I decline to yield further at this time.

Mr. STRATTON. Mr. Speaker, would the gentleman yield further?

Mr. LEGGETT. I decline to yield further.

Mr. Speaker, I would point out the fact that a statement was made by Senator SYMINGTON over in the other body, that advocates of the deployment of the system at this time have taken too literally the question of national defense; namely, defense against a Chinese nuclear threat.

It was recently stated that the Sentinel was designed as a defense against China, and not a defense against the Soviet Union. In order to emphasize the type of technology involved, we just do not know how to build such a defense at this time.

Mr. MACHEN. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Maryland?

There was no objection.

Mr. MACHEN. Mr. Speaker, I am pleased to support the conference report on H.R. 16703, the Military Construction Authorization Act for fiscal year 1969. As a member of the House Armed Services Committee and its Subcommittee on Military Construction Authorization, and as a member of the conference committee on this bill, I believe that it will provide the Defense Department with the necessary and vital construction authorizations required to meet our commitment in Vietnam and national defense needs.

The legislation has been trimmed and cut in order to provide the basic military construction needs. We were very cognizant of the fiscal and budgetary problems facing us. It is noteworthy that the conference committee report recommends enactment of a military construction authorization bill for fiscal year 1969 that is a half billion dollars less than the one we enacted for fiscal year 1968. Even at that, I believe this bill will meet our needs without being excessive, nor regressive.

Mr. Speaker, I wish to commend the chairman of our committee, the distinguished gentleman from South Carolina [Mr. Rivers], for his fine leadership on behalf of national defense, the ranking minority member, the gentleman from Massachusetts [Mr. Bates] and his colleagues, for the nonpartisan manner with which this vital legislation was handled. I strongly urge my colleagues to support the report of the conference committee on this legislation.

Mr. McClory. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the Record.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. McCLORY. Mr. Speaker, it is with great disappointment that I note reductions in the military construction authorization for fiscal year 1969 at Fort Sheridan, Ill. Approximately $4,000,000 out of a total authorization of $5,100,000 has been eliminated at this location. The House Armed Services Committee authorized improvements and modifications of facilities in order for the 5th Army Command to fulfill its responsibilities in the 13-State area which the 5th Army Command administers.

It is unfortunate, indeed, that the position of the other body has succeeded in eliminating the entire authorization for these vital headquarters improvements.

Mr. Speaker, I am reasonably well acquainted with the multiple missions performed by the 5th Army and the essential contributions which are made by the 5th Army in the defense of our Nation.

The troop housing improvements which will total slightly more than $1 million are retained in the authorization bill. These quarters are most important, of course. However, it is with deep regret that I note the complete elimination of construction funds for the Headquarters Command. The historic and attractive environment at Fort Sheridan is already serving the needs of the 5th Army Headquarters in a manner far superior to that which existed prior to the Headquarters' move last year. I am confident that Gen. John H. Michaelis, his successor Lt. Gen. John W. Bowen and the other officers and men at 5th Army Headquarters will perform their missions capably in the remodeled facilities which have already been provided. Indeed, the transfer of the Headquarters to Fort Sheridan has been orderly and successful without any of the dire consequences which were predicted by those who objected to this move.

I hope that in the 91st Congress the committee will take early action to authorize the funds which have been deleted by the conferees to the end that the 5th Army Command may have the facilities which it deems essential to an efficient and modern administration of the critical business of the 5th Army.

Mr. Speaker, the only thing I can add today is my feeling of disappointment at the decision which the conferees have reached and to express again my earnest hope that the authorization deleted by the conference report will be restored at the earliest date possible. If there is a lingering sense of disappointment at the removal of the 5th Army Headquarters to Fort Sheridan, these feelings should be put aside.

Mr. Speaker, let me express further my confidence in the important and capable manner in which the chairman and members of the House Armed Services Committee have performed their important tasks in behalf of military construction needs of the Nation. The members of the committee have recognized the need for effecting economies. Substantial reductions have been made to help meet the critical fiscal problems which our Nation faces. Reductions in authorization wherever effected are going to result in criticism and disappointment. In expressing myself as I do today, I want to avoid being critical. At the same time I must reiterate my personal disappointment.

Mr. RIVERS. Mr. Speaker, I might say to the House that the chairman of our Committee on Armed Services was as quiet as a tomb in the committee when this came before the committee.

Mr. Speaker, I move the previous question on the conference report.

The previous question was ordered.

The conference report was agreed to.

A motion to reconsider was laid on the table.

FURTHER MESSAGE FROM THE SENATE

A further message from the Senate by Mr. Arrington, one of its clerks, announced that the Senate disagrees to the amendments of the House to the bill (S. 1166) entitled "An act to authorize the Secretary of Transportation to prescribe safety standards for the transportation of natural and other gas by pipeline, and for other purposes," requests a conference with the House on the disagreeing votes of the two Houses thereon, and appoints Mr. Magnuson, Mr. Pastore, Mr. Monroney, Mr. Hartke, Mr. Cotton, and Mr. Morton to be the conferees on the part of the Senate.

The message also announced that the Senate disagrees to the amendments of the House to the bill (S. 3497) entitled "An act to assist in the provision of housing for low and moderate income families, and to extend and amend laws relating to housing and urban development," agrees to the conference asked by the House on the disagreeing votes of the two Houses thereon, and appoints Mr. Sparkman, Mr. Proxmire, Mr. Williams of New Jersey, Mr. Muskie, Mr. Bennett, Mr. Tower, and Mr. Percy to be the conferees on the part of the Senate.

The message also announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 17354) entitled "An act making appropriations for the Department of the Interior and related agencies for the fiscal year ending June 30, 1969, and for other purposes."

PERMISSION FOR COMMITTEE ON RULES TO FILE CERTAIN PRIVILEGED REPORTS

Mr. SISK. Mr. Speaker, I ask unanimous consent that the Committee on Rules may have until midnight tonight to file certain privileged reports.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

AUTHORIZING APPROPRIATIONS FOR MILITARY PROCUREMENT, RESEARCH, AND DEVELOPMENT, FISCAL YEAR 1969, AND RESERVE STRENGTH

Mr. SISK. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 1258 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. Res. 1258

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (S. 3293) to authorize appropriations during the fiscal year 1969 for procurement of aircraft, missiles, naval vessels, and tracked combat vehicles, research, development, test, and evaluation for the Armed Forces, and to prescribe the authorized personnel strength of the Selected Reserve of each Reserve component of the Armed Forces, and for other purposes. After general debate, which shall be confined to the bill and shall continue not to exceed two hours, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Armed Services, the bill shall be read for amendment under the five-minute rule. It shall be in order to consider without the intervention of any point of order the amendment in the nature of a substitute recommended by the Committee on Armed Services now printed in the bill, and such substitute for the purpose of amendment shall be considered under the five-minute rule as an original bill. At the conclusion of such consideration, the Committee shall rise and report the bill to the House with such amendments as may have been adopted, and any Member may demand a separate vote in the House on any amendment adopted in the Committee of the Whole to the bill or committee amendment in the nature of a substitute. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

The SPEAKER. The gentleman from California [Mr. Sisk] is recognized for 1 hour.

Mr. SISK. Mr. Speaker, House Resolution 1258 provides for consideration of

S. 3293 to authorize appropriations during fiscal year 1969 for procurement of aircraft, missiles, naval vessels, and tracked combat vehicles, research, development, test, and evaluation for the Armed Forces, and to prescribe the authorized personnel strength of the selected Reserve of each Reserve component of the Armed Forces, and for other purposes. The resolution provides an open rule with 2 hours of general debate. It further provides that it shall be in order to consider without the intervention of a point of order the amendment in the nature of a substitute, and such substitute shall be considered as an original bill for the purpose of amendment.

The reasons for waiving points of order follow:

Three of the sections of title IV of the committee amendment amend title 10 and could be held as nongermane. Another section deals with civilian employee manning levels at naval shipyards and could be held as nongermane. Several sections of the committee amendment could be held as being in violation of clause 7, rule XVI. In addition, section 401 of title IV is technically in violation of clause 4, rule XXI, since it provides for a transfer of funds.

S. 3293 is essentially the same as reported each year. The bill provides a total authorization of $21,636,964,000, which is $748,088,000 less than the amount requested by the Executive.

The Army procurement authorization totals $1,991,013,000.

The Navy and Marine Corps procurement authorization totals $4,790,000,000.

The Air Force procurement authorization totals $6,980,000,000.

The total authorization for research, development, test, and evaluation is $7,875,951,000.

S. 3293, as does similar legislation each year, represents the largest single authorization for appropriations. Let us look forward with the hope that legislation of this magnitude will not be necessary in the future.

Mr. Speaker, I urge the adoption of House Resolution 1258 in order that S. 3293 may be considered.

Also in connection specifically with section 403 that I want to discuss briefly, and again I commend the committee for their concern about our airlift capabilities because we have all heard this discussed at great length for years.

I know of the concern of the gentleman from South Carolina, the distinguished chairman of the committee, and also the concern of the gentleman from Illinois [Mr. Price] as chairman of a subcommittee dealing specifically with this question.

I do wish to call the attention of the House to the fact that in spite of the fact that over the years the committee has urged various contracting companies to update their equipment, this for the first time specifically legislates in this field by setting a limit of 6 months in which any company still using piston type aircraft to make the changeover to turbine.

Now I recognize in all probability that all the companies seeking to bid on these contracts probably should have made the conversion during the years gone by. However, it has been called to my attention, and I recognize there are always two sides to each question, that this does represent some considerable problem, and that some companies who are today contracting with the military, will have real difficulties and also there is the question of the costs involved.

It is my understanding that there will be later on an amendment offered to section 403 to extend for 1 year rather than the 6 months allowed for such conversion.

In line with previous discussions that I have had with the distinguished gentleman from South Carolina, I recognize that these people over the years have been urged to go ahead and update—and I am not defending the fact that they have not done so—however, as I say, since this is the first time that we are attempting to legislate in this field and absolutely require that the changes be made, I would hope that the distinguished gentleman from South Carolina and his committee would be willing to grant these people at least a 12-month period to make such conversions.

Mr. GONZALEZ. Mr. Speaker, will the gentleman yield?

Mr. SISK. I am glad to yield to my colleague, the gentleman from Texas.

Mr. GONZALEZ. I appreciate the gentleman bringing out the fact that this will cause hardship because this is the case. I know specifically that with one company in the district that it will involve 100 families, 100 men.

This is quick notice. These people have been competing on the basis of prop or piston engines because they have been told they would not be able to have a low bid to compete if they went jet.

Actually, the truth is that they have been encouraged to stay in the prop business.

This particular company, for instance, has two jets and about 15 DC-6's. Therefore, if they were to be compelled to go 100-percent jet by January 1, 1969, everyone of those people would be out of a job.

So I hope that this amendment will be adopted which will at least permit 1 year's time for those companies to convert and to be fully competitive.

Mr. SISK. I thank my colleague from Texas for his comments. As I have said I commend the great Committee on Armed Services for the job they are doing. I agree 100 percent with the objectives that they seek to achieve in section 403. All I am asking here, if I can put it in this way, throwing myself to some extent on the mercy of the court, is an additional 6 months period of grace.

Mr. CHARLES H. WILSON. Mr. Speaker, will the gentleman yield?

Mr. SISK. I yield to my colleague from California [Mr. Wilson].

Mr. CHARLES H. WILSON. I thank the gentleman.

Mr. Speaker, I wonder if the gentleman realizes that in the committee we discussed this very problem quite thoroughly, and we made the 6-month extension as a compromise in order to accommodate the one or two companies which would be affected by the amendment the committee had adopted.

Mr. SISK. I thank my colleague for calling that to my attention. I am aware of that. Of course, not being a member of that committee, I do not have that direct knowledge, but the situation was discussed quite thoroughly before the Committee on Rules, and I am aware of the fact that this did represent a compromise.

I recognize, as I have said, the problem that your committee has. I am sympathetic to it. I agree 100 percent with the objectives. I merely say that since this is the first time that we have attempted to legislate on this subject, it seems to me that 12 months is not an unusually long time for a conversion of this type. That is the reason for the proposal.

Mr. CHARLES H. WILSON. I dislike taking the time of my distinguished chairman, who wishes the gentleman to yield, but I may further state that the company that has been doing the most lobbying in connection with trying to protect their position in this matter has a long record of doing this very thing. They have been urged for many years to update their equipment and to do what the Air Force has for several years said they are going to do. It seems to me we are just going over and over again something that should have been done long ago.

It seems to me there is a limit to how long you take care of and accommodate a single company in a situation like this.

Mr. SISK. I recognize the statement of my colleague.

Again, as I have said, we are talking only about a difference of 6 months, which seems to me a rather simple and straightforward request. Let me say this. There is this, and I am sure my colleague from California agrees: The military itself has made some statements in connection with this and have some feelings with reference to it. There is also some difference of policy involved.

Mr. RIVERS. Mr. Speaker, will the gentleman yield?

Mr. SISK. I am glad to yield to the distinguished chairman of the Armed Services Committee.

Mr. RIVERS. Just so I can keep the record straight, Mr. Speaker, and perfectly straight, this company 8 years ago had another name. Eight years ago, when we started begging these people to modernize, they had eight or nine DC-6's and had asked the CAB to allow them to suspend the operation for which they were certificated, all cargo scheduled operation. For years that company relied on military business almost exclusively. Eight years later now they have 15 DC-6's and another name. They have had 8 years to get right. We had to do the same thing in our intercontinental personnel transportation. It was the Military Air Transport Service then. Incidentally, we had to change that name. We have not had one moment's cooperation from the Department of the Air Force in modernizing the Military Airlift Transport Service or the Military Airlift Command. They have not cooperated with this committee.

Here we are almost 9 years later, and here comes this crowd under a new name saying, "Save us lest we perish."

There are contractors now with modern aircraft, turbine aircraft, both in the turboprop field and in the turbojet field, begging for an opportunity to comply with the request of the distinguished chairman, the gentleman from Illinois [Mr. Price], and his distinguished committee of 11 men, who are trying to modernize our airlift. Now they want additional time.

My God, what on earth is a reasonable time? Why should we favor any crowd? We want the chips to fall where they may, and let those who can qualify give us something that is responsive in time of emergency.

Now they say they will save $1 million. Everybody who knows anything about any aircraft knows that a turbine aircraft can make the circuit in the domestic airlift about 10 times quicker than a worn-out C-46 that nobody would ever ride on—or the DC-6 which is obsolescent, to say it in the most charitable way.

What do these people want? The gentleman from Illinois [Mr. Price] has begged and begged and begged in his distinguished committee, and here they go around lobbying, "save us." What do they want? I want modern airlift, Mr. Speaker, and so does my distinguished subcommittee, and we are paying for it. Why not get it? It is as simple as that.

Mr. SISK. Mr. Speaker, I well appreciate the statement of my good friend, the distinguished gentleman from South Carolina, and I am very sympathetic with the position he takes. I simply say, the only thing I am requesting, is a simple matter of 6 months' extension. That is what the amendment provides that I am asking—for that 6 months.

Mr. RIVERS. Mr. Speaker, will the gentleman yield one more time?

Mr. SISK. I will yield briefly to the gentleman from South Carolina.

Mr. RIVERS. Mr. Speaker, I am not fussing at the gentleman. Please do not misunderstand me.

Mr. SISK. I understand that.

Mr. RIVERS. The gentleman from Illinois [Mr. Price] has been on these people every day for months on end.

Mr. SISK. I recognize that.

Mr. RIVERS. In addition to that, we got no cooperation at DOD—none. But in committee the gentleman from Massachusetts [Mr. Bates] said, "Let us give them an additional 6 months." I said, "All right." So we gave them 6 months, and a month, and a month, a total of at least 8 months. I do not know what else we can do.

Mr. SISK. I appreciate that. I recognize the gentleman's position, and I agree completely with the gentleman, but let me make clear we are not talking about simply one airline or one company. When we adopt an amendment like that, we may put one company into a problem and we may, on the other hand, discriminate in favor of another company, whose name I have heard tossed around here. So I think we might as well stay away from companies per se. I doubt seriously that we are dealing specifically in favor of only one company and against only one company. I am quite sure there are other aspects to the overall problem.

As I say, I am 100 percent sympathetic to what the Committee on Armed Services seeks to do, but all I am asking, as I have said, is a simple 6 months' extension.

Mr. GONZALEZ. Mr. Speaker, will the gentleman yield?

Mr. SISK. I will yield briefly to the gentleman from Texas. However, I do not wish to delay the House further in its consideration of this measure.

Mr. GONZALEZ. Mr. Speaker, I want to make one point. The company I speak of is actually operating in the San Antonio area, and it is not a company that had any direct advance notice, and it has acted in good faith, and it did not do any lobbying at all.

We did not find out about this in advance, because this was a rider added in the committee, but it will affect a bona fide company trying to do its best, and to save these jobs of 100 families is all they are asking—they are asking for a reasonable time. In order for them to stay competitive and keep their bids low, they would have to stay in the prop business and not go into jets. Had they been given any anticipatory notice, with any reasonable amount of time, they would have been able to convert. It will knock out the jobs of 100 families, with no real time to convert.

Mr. SISK. I thank my friend from Texas. I do not know to what company he is referring. I do not have any company in my district operating in this field, so I have no personal or political interest in this matter.

However, certain facts have been called to my attention, and I am here merely taking this time to ask for a 6 months' grace period.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. SISK. I yield to the gentleman from Iowa.

Mr. GROSS. Mr. Speaker, is this the first time the Armed Services Committee has attempted to fix a firm date?

Mr. SISK. As far as I am aware, this is the first time any deadline has been set. At the present time it would prohibit the use of funds, as I am sure the gentleman understands the limitation, for any company that, let us say, did not meet the criteria of the turbine.

Mr. GROSS. Then this is a pretty arbitrary action being set here. I have no company affected in my district, nor anywhere near it, to my knowledge, but, if I remember correctly, there is something of a rule of thumb of depreciation of 33⅓ percent per year, at least upon new equipment. I do not know how old this equipment is. That is beside the point.

However, it seems to me they are entitled to much more than the less than 6 months' notice to either convert or get out of the business.

Moreover, I am not so sure we may not be involved in some kind of fracas in which we are going to need some pistons for short haul to transport military equipment and supplies of one kind or another. We found out we could not use jets under certain conditions in Vietnam. What is all this rush about anyway?

Mr. SISK. I thank my colleague from Iowa for his comments.

As I said, I am only seeking a brief extension of 6 months.

Mr. LEGGETT. Mr. Speaker, will the gentleman yield?

Mr. SISK. I yield to my colleague from California briefly.

Mr. LEGGETT. I want to commend my colleague for raising this point on the floor. This is an excellent opportunity for the House to save perhaps $2 million to $5 million this year by giving this small business company which is concerned with this particular amendment an opportunity to get ready and to buy some jet aircraft and to come in and be responsive to whatever procurement the Air Force wants.

I do wish to say, so far as the notice we have given to these small companies is concerned, perhaps in partial modification of some of the things which have been said, is the report of the committee headed by the gentleman from Illinois [Mr. Price] filed on May 16, 1966.

In that report it is stated:

> Consideration should be given by the Air Force to restricting future bids on Logair and Quicktrains to modern jet equipment.

Those are the Air Force and Navy domestic procurement operations.

> If this is found to be impractical, then at least jet equipment offered at a competitive price should receive preferential consideration.

Cost was a consideration.

On the last page of the report it is said:

> In contracting for domestic airlift by the military departments, preference should be given to modern jet aircraft whenever and wherever the rates are competitive.

There has been not one word of testimony taken before my Committee on Armed Services since this report was published. The Air Force went to bid with its procurement. It was ready to award bids to these small firms around the country with piston type aircraft. That satisfied Air Force requirements completely until we determined we wanted to review this matter in this bill.

I say that if we want to go to all jet aircraft and want to spend $10 million extra a year for this kind of transportation I am frankly for it, but let us do it next year.

At the appropriate time I intend to offer an amendment to this section to make it effective 1 year hence. I would certainly think this would be an economy vote and in the interests of small business for every Member of the House.

Mr. SISK. I thank my colleague from California.

Mr. Speaker, I urge adoption of this resolution in order to permit the distinguished Committee on Armed Services to proceed to explain this legislation.

Mr. ANDERSON of Illinois. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, let me say at the outset that I shall certainly not endeavor to engage in any detailed discussion or explanation of the bill because, as has been indicated, the members of this committee are thoroughly familiar with it and I am sure will provide an adequate explanation for the benefit of Members of the House.

I do want to pay the Committee on

Armed Services a compliment. I believe that the report which has been prepared for us on this bill is one of the most truly literary I have seen in a long time. The controversy which has erupted here on the floor on the subject of military airlift should not be permitted to obscure the fact that we are meeting in a new atmosphere, an ambiance of cooperation as a result of a truly synergistic alliance between the committee and the Secretary of Defense.

If Members do not believe my words, turn to page 5 of the report, and they will find that as a description of the harmonious relations now existing between the new Secretary of Defense and the committee, for which we are all truly thankful.

I would also point out that this is not just a money bill. Even though it authorizes some $21.6 billion, it also includes some very important policy decisions not the least of which deals with the final scrapping, as I understand it, of the F-111B, the TFX plane, as far as the Navy is concerned.

I use this opportunity to express the hope that perhaps members of the committee in their discussion of this subject this afternoon would advise those of us in the House how much more cost will be involved in each aircraft that will be produced for the Air Force. I seem to remember having read somewhere just this week the actual order of cancellation has now been issued as far as any Navy aircraft are concerned. As a result, the unit cost will go up very considerably for those aircraft that will be produced for the Air Force. This is information that the House would be interested in getting.

Finally, I certainly would pay my sincere tribute and compliments to the committee for the very excellent section of their report beginning at page 42 and continuing over to page 44 which deals with the Soviet submarine menace. Having the privilege, as I do, of serving with the distinguished ranking minority member of this committee, the gentleman from Massachusetts [Mr. Bates], on the Joint Committee on Atomic Energy and having heard on more than one occasion the concern that Admiral Rickover has expressed on this subject of a growing Soviet submarine menace, I am happy to know that this committee, the Committee on Armed Services of the House, has not been taken in by any false euphoria as a result of the indications on the part of the Soviet that they are interested in talking about a reduction in strategic delivery systems or antiballistic missiles.

We welcome that development, of course, but it is apparent from the report that the committee is concerned about the Soviet submarine threat and are not only concerned but have taken the steps necessary to add the funds that would improve our capability in this very important area.

So, Mr. Speaker, I join my colleague, the gentleman from California [Mr. Sisk] in congratulating the committee on the report that they have prepared and also in urging the adoption of this rule.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. ANDERSON of Illinois. Yes. I am glad to yield to the gentleman from Iowa.

Mr. GROSS. I thank the gentleman for yielding.

The gentleman from California [Mr. Sisk] made a brief explanation of the reasons for the waiver of points of order on this bill. I would like to ask the gentleman when it may be expected we are going to get a major bill out of the Committee on Rules on which points of order are not waived. This is a bill calling for more than $21 billion.

Mr. ANDERSON of Illinois. If I may respond to the question raised by the gentleman from Iowa, it is true that there is a general waiver of points of order against the bill. However, that is somewhat misleading. Perhaps I can clear it up if I point out to the gentleman that actually the waiver is necessary only because of the general provisions contained in title IV, which begins on page 10 of the bill.

In section 401 there is a provision providing for the transfer of funds. Therefore it might be subject to a point of order on the grounds that it was an appropriation within a legislative authorization bill.

The other section is a new section which was added by the House Committee on Armed Services which would not be germane to the Senate bill. Actually this bill we are working on today is an amendment in the nature of a committee substitute for the Senate bill. Therefore, it is indivisible. It is one amendment.

Therefore, you must have a waiver of points of order against the entire committee substitute. That is true, but, in effect, as I have pointed out, what we are doing is waiving points of order against these two sections in title IV, one dealing with the transfer of funds and the other dealing with a section which relates to obsolete and surplus military equipment, the sale to State and local law enforcement and firefighting agencies. Here the sole reason for requesting the waiver is in adding that section, as the Committee on Armed Services did; they were adding a section to the Senate-passed bill which would not be germane under the rules of this House.

Mr. GROSS. Well, whatever the reason or reasons, it seems to me we ought to stop this shilly-shallying through the waiving of points of order. Either that or abolish the rule governing points of order.

Mr. Speaker, it was only yesterday that we completed action on a 280-page bill involving uncounted billions of dollars, on which all points of order were waived. This is unconscionable.

Mr. ANDERSON of Illinois. Mr. Speaker, if the gentleman will permit. I may be able to clarify this situation. I think the difficulty here might have been cured perhaps if the Committee on Armed Services had introduced a clean bill. But it was in the interest of time, the fact that we are now, hopefully, down to the time when many Members of Congress are willing for the Congress to adjourn sine die and in order to save the time of introducing and drawing up a clean bill, it merely seemed to be the proper approach to take in view of the circumstances. There are some exigencies in this particular situation and I refer particularly to the time involved to justify the decision which the committee made to adopt an amendment in the nature of a substitute to the Senate-passed bill and then seek a waiver of points of order.

Mr. GROSS. Mr. Speaker, if the gentleman will yield further, I hope the gentleman is right, that sine die adjournment is near. As for myself, I hope for the best, and fear the worst.

Mr. ANDERSON of Illinois. Mr. Speaker, I have no further requests for time. I reserve the balance of my time.

Mr. SISK. Mr. Speaker, I yield 4 minutes to the gentleman from California [Mr. Leggett].

Mr. LEGGETT. Mr. Speaker, today the House is being asked to vote on an authorization to fund a defensive missile program.

This is the most expensive program ever conceived by man which I feel deserves more than just a paragraph in the report of our committee.

First, the anti-ballistic-missile program flies directly in the face of the most important and delicate diplomatic negotiations since the test ban treaty. We are today being asked to fund a program which the President just last week proposed to stop.

The threat of a nuclear exchange has been escalating ever since the two major powers became capable of a nuclear exchange. Now at the precise time that this tide of escalation may recede we are about to embark upon the next step program to continue the escalation to nuclear war.

The proponents of the ABM system, however, claim that deployment of the Sentinel system will give the United States a stronger bargaining position in the deescalation negotiations. This argument is fallacious. How can we expect serious talks to develop when we announce in advance that we are stacking the deck.

If the Sentinel system is a credible defense as the proponents believe, then its existence as a program in research and development will exert sufficient influence on the proposed talks without building the hardware. If the Sentinel system is not credible, as I believe it is not, it will not only be useless as a bargaining point if deployed, but rather will give clear indication of our lack of serious purpose.

Continued research on ABM systems will certainly protect our interests. Deployment at this time will not. Continued research will indicate to all parties that we intend to strengthen our nuclear deterrent in a meaningful and intelligent way without jeopardizing the chances of successful talks in advance. In the amendments that I propose to offer to the bill there is retained $100 million for research and development of this system.

Second, it is senseless to embark on a program when there is clear evidence that the system is not technically feasible at this time and in all probability will not be feasible in the future.

The original proposal for the Sentinel ABM system envisaged a "moderate" $3½ billion outlay to protect against a primitive Chinese missile attack. This "moderate" $3½ billion is now estimated to be at least a "modest" $6 billion at the present time. By 1975, the target date for full deployment, the system will have cost $15 billion.

It will be no good against a fractional orbital ballistic system, or a southern orbital ballistic system, or a multiple independent reentry system, or a group of multiple independent reentry rockets, or against a submarine close-range missile.

And we heard the Stanford report here over the weekend that said that they fully expected by 1975 that the Chinese would have a diesel submarine ballistic missile capability against which this system will not do any good.

The yearly upkeep of this system will cost at least $1 billion. This, mind you, is the very basic cost and I need not remind anyone in this Chamber that the basic estimated cost can be easily exceeded in geometric proportions before the first missile site is positioned. I might point out that these costs do not include extras or operation and maintenance of hundreds of sites around the country and pay for the thousands of military personnel.

It might be instructive to ask at this point, What we will get for our $15 billion? The answer is nothing if we are lucky and an expensive arms race if we are not lucky.

The advocates of the Chinese-oriented ABM system claim protection against a primitive Chinese missile attack. By primitive they mean an attack by missiles in conventional orbit, with no penetration aids. They also mean an attack with a limited number of missiles.

Why any country would launch a limited attack against the United States with the knowledge that retaliation would be swift and complete devastation beyond any comprehension is inconceivable. Why is this system of retaliation good as to the Soviet Union but not effective as to China? See page 9009. But assuming that such an attack may be launched, what are the chances of a successful defense?

If 20 simple Chinese missiles are launched against a target defended by 50 Spartan ABM's there is an 81 percent probability of successful defense.

However, again I must stress that this statistical analysis predicates only a very primitive Chinese attack. If penetration aids such as multiple reentry vehicles are used the Sentinel system will be useless. If multiple independently guided reentry vehicles are employed the Sentinel system will be useless. If decoys are employed the Sentinel system will be useless. If low-flying missiles—fractional orbital missiles—are employed the Sentinel system will be useless.

There is a theoretical possibility of 100-percent success against a simple Chinese attack. This can be accomplished by massive escalation of the Sentinel program. But I for one will not advocate a Spartan in every garage and two Sprints in every pot, and that gentlemen is what will be necessary.

An excellent statement on the scientific deficiency of the proposed "thin" Chinese oriented ABM was presented by Hans Bethe and Richard L. Garwin in the March 1968 issue of Scientific American.

I include the article at this point:

ANTI-BALLISTIC-MISSILE SYSTEMS

(By Richard L. Garwin and Hans A. Bethe)

Last September, Secretary of Defense McNamara announced that the U.S. would build "a relatively light and reliable Chinese-oriented ABM system." With this statement he apparently ended a long and complex debate on the merits of any kind of anti-ballistic-missile system in an age of intercontinental ballistic missiles carrying multi-megaton thermonuclear warheads. Secretary McNamara added that the U.S. would "begin actual production of such a system at the end of this year," meaning the end of 1967.

As two physicists who have been concerned for many years with the development and deployment of modern nuclear weapons we wish to offer some comments on this important matter. On examining the capabilities of ABM systems of various types, and on considering the stratagems available to a determined enemy who sought to nullify the effectiveness of such a system, we have come to the conclusion that the "light" system described by Secretary McNamara will add little, if anything, to the influences that should retrain China indefinitely from an attack on the U.S. First among these factors is China's certain knowledge that, in McNamara's words, "we have the power not only to destroy completely her entire nuclear offensive forces but to devastate her society as well."

An even more pertinent argument against the proposed ABM system, in our view, is that it will nourish the illusion that in effective defense against ballistic missiles is possible and will lead almost inevitably to demands that the light system, the estimated cost of which exceeds $5 billion, be expanded into a heavy system that could cost upward of $40 billion. The folly of undertaking to build such a system was vigorously stated by Secretary McNamara. "It is important to understand," he said, "that none of the [ABM] systems at the present or foreseeable state of the art would provide an impenetrable shield over the United States . . . Let me make it very clear that the [cost] in itself is not the problem: the penetrability of the proposed shield is the problem."

In our view the penetrability of the light, Chinese-oriented shield is also a problem. It does not seem credible to us that, even if the Chinese succumbed to the "insane and suicidal" impulse to launch a nuclear attack on the U.S. within the next decade, they would also be foolish enough to have built complex and expensive missiles and nuclear warheads peculiarly vulnerable to the light ABM system now presumably under construction (a system whose characteristics and capabilities have been well publicized). In the area of strategic weapons a common understanding of the major elements and technical possibilities is essential to an informed and reasoned choice by the people, through their government, of a proper course of action. In this article we shall outline in general terms, using nonsecret information, the techniques an enemy could employ at no great cost to reduce the effectiveness of an ABM system even more elaborate than the one the Chinese will face. First, however, let us describe that system.

Known as the Sentinel system, it will provide for long-range interception by Spartan antimissile missiles and short-range interception by Sprint antimissile missiles. Both types of missile will be armed with thermonuclear warheads for the purpose of destroying or inactivating the attacker's thermonuclear weapons, which will be borne through the atmosphere and to their targets by reentry vehicles (RV's). The Spartan missiles, whose range is a few hundred kilometers, will be fired when an attacker's reentry vehicles are first detected rising above the horizon by perimeter acquisition radar (PAR).

If the attacker is using his available propulsion to deliver maximum payload, his reentry vehicles will follow a normal minimum-energy trajectory, and they will first be sighted by one of the PAR's when they are about 4,000 kilometers, or about 10 minutes, away [*see illustration on page 26*]. If the attacker chooses to launch his rockets with less than maximum payload, he can put them either in a lofted trajectory or in a depressed one. The lofted trajectory has certain advantages against a terminal defense system. The most extreme example of a depressed trajectory is the path followed by a low-orbit satellite. On such a trajectory a reentry vehicle could remain below an altitude of 160 kilometers and would not be visible to the horizon-search radar until it was some 1,400 kilometers, or about three minutes, away. This is FOBS: the fractional-orbit bombardment system, which allows intercontinental ballistic missiles to deliver perhaps 50 to 75 percent of their normal payload.

In the Sentinel system Spartans will be launched when PAR has sighted an incoming missile, they will be capable of intercepting the missile at a distance of several hundred kilometers. To provide a light shield for the entire U.S. about half a dozen PAR units will be deployed along the northern border of the country to detect missiles approaching from the general direction of the North Pole [*see illustration at left*]. Each PAR will be linked to several "farms" of long-range Spartan missiles, which can be hundreds of kilometers away. Next to each Spartan farm will be a farm of Sprint missiles together with missile-site radar (MSR), whose function is to help guide both the Spartans and the shorter-range Sprints to their targets. The task of the Sprints is to provide terminal protection for the important Spartans and MSR's. The PAR's will also be protected by Sprints and thus will require MSR's nearby.

Whereas the Spartans are expected to intercept an enemy missile well above the upper atmosphere, the Sprints are designed to be effective within the atmosphere, at altitudes below 35 kilometers. The explosion of an ABM missile's thermonuclear warhead will produce a huge flux of X rays, neutrons and other particles, and within the atmosphere a powerful blast wave as well. We shall describe later how X rays, particles and blast can incapacitate a reentry vehicle.

Before we consider in detail the capabilities and limitations of ABM systems, one of us (Garwin) will briefly summarize the present strategic position of the U.S. The primary fact is that the U.S. and the U.S.S.R. can annihilate each other as viable civilizations within a day and perhaps within an hour. Each can at will inflict on the other more than 120 million immediate deaths, to which must be added deaths that will be caused by fire, fallout, disease and starvation. In addition more than 75 percent of the productive capacity of each country would be destroyed, regardless of who strikes first. At present, therefore, each of the two countries has an assured destruction capability with respect to the other. It is usually assumed that a nation faced with the assured destruction of 30 percent of its population and productive capacity will be deterred from destroying another nation, no matter how serious the grievance. Assured destruction is therefore not a very flexible political or military tool. It serves only to preserve a nation from complete destruction. More conventional military forces are needed to fill the more conventional military role.

Assured destruction was not possible until the advent of thermonuclear weapons in the middle 1950's. At first, when one had to depend on aircraft to deliver such weapons, destruction was not really assured because a strategic air force is subject to surprise attack, to problems of command and control and to attrition by the air defenses of the other side. All of this was changed by the development of the intercontinental ballistic missile and also, although to a lesser extent, by modifications of our B–52 force that would enable it to penetrate enemy defenses at low altitude. There is no doubt today that the U.S.S.R. and the U.S. have achieved mutual assured destruction.

The U.S. has 1,000 Minuteman missiles in hardened "silos" and 54 much larger Titan II missiles. In addition we have 656 Polaris missiles in 41 submarines and nearly 700 long-range bombers. The Minutemen alone could survive a surprise attack and achieve assured destruction of the attacker. In his recent annual report the Secretary of Defense estimated that as of October, 1967, the U.S.S.R had some 720 intercontinental ballistic missiles, about 30 submarine-launched ballistic missiles (excluding many that are airborne rather than ballistic) and about 155 long-range bombers. This force provides assured destruction of the U.S.

Secretary McNamara has also stated that U.S. forces can deliver more than 2,000 thermonuclear weapons with an average yield of one megaton, and that fewer than 400 such weapons would be needed for assured destruction of a third of the U.S.S.R.'s population and three-fourths of its industry. The U.S.S.R. would need somewhat fewer weapons to achieve the same results against the U.S.

It is worth remembering that intercontinental missiles and nuclear weapons are not the only means of mass destruction. They are, however, among the most reliable, as they were even when they were first made in the 1940's and 1950's. One might build a strategic force somewhat differently today, but the U.S. and the U.S.S.R. have no incentive for doing so. In fact, the chief virtue of assured destruction may be that it removes the need to race—there is no reward for getting ahead. One really should not worry too much about new means for delivering nuclear weapons (such as bombs in orbit or fractional-orbit systems) or about advances in chemical or biological warfare. A single thermonuclear assured-destruction force can deter such novel kinds of attack as well.

Now, as Secretary McNamara stated in his September speech, our defense experts reckoned conservatively six to 10 years ago, when our present strategic-force levels were planned. The result is that we have right now many more missiles than we need for assured destruction of the U.S.S.R. If war comes, therefore, the U.S. will use the excess force in a "damage-limiting" role, which means firing the excess at those elements of the Russian strategic force that would do the most damage to the U.S. Inasmuch as the U.S.S.R. has achieved the level of assured destruction, this action will not preserve the U.S., but it should reduce the damage, perhaps sparing a small city here or there or reducing somewhat the forces the U.S.S.R. can use against our allies. To the extent that this damage-limiting use of our forces reduces the damage done to the U.S.S.R. it may slightly reduce the deterrent effect resulting from assured destruction. It must be clear that only surplus forces will be used in this way. It should be said, however, that the exact level of casualties and industrial damage required to destroy a nation as a viable society has been the subject of surprisingly little research or even argument.

One can conceive of three threats to the present rather comforting situation of mutual assured destruction. The first would be an effective counterforce system: a system that would enable the U.S. (or the U.S.S.R.) to incapacitate the other side's strategic forces before they could be used. The second would be an effective ballistic-missile defense combined with an effective antiaircraft system. The third would be a transition from a bipolar world, in which the U.S. and the U.S.S.R. alone possess overwhelming power, to a multipolar world including, for instance, China. Such threats are of course more worrisome in combination than individually.

American and Russian defense planners are constantly evaluating less-than-perfect intelligence to see if any or all of these threats are developing. For purposes of discussion let us ask what responses a White side might make to various moves made by a Black side. Assume that Black has threatened to negate White's capability of assured destruction by doing one of the following things: (1) it has procured more intercontinental missiles, (2) it has installed some missile defense or (3) it has built up a large operational force of missiles each of which can attack several targets, using "multiple independently targetable reentry vehicles" (MIRV's).

White's goal is to maintain assured destruction. He is now worried that Black may be able to reduce to a dangerous level the number of White warheads that will reach their target. White's simplest response to all three threats—but not necessarily the most effective or the cheapest—is to provide himself with more launch vehicles. In addition, in order to meet the first and third threats White will try to make his launchers more difficult to destroy by one or more of the following means: by making them mobile (for example by placing them in submarines or on railroad cars), by further hardening their permanent sites or by defending them with an ABM system.

Another possibility that is less often discussed would be for White to arrange to fire the bulk of his warheads on "evaluation of threat." In other words, White could fire his land-based ballistic missiles when some fraction of them had already been destroyed by enemy warheads, or when an overwhelming attack is about to destroy them. To implement such a capability responsibly requires excellent communications, and the decision to fire would have to be made within minutes, leading to the execution of a prearranged firing plan. As a complete alternative to hardening and mobility, this fire-now-or-never capability would lead to tension and even, in the event of an accident, to catastrophe. Still, as a supplemental capability to ease fears of effective counterforce action, it may have some merit.

White's response to the second threat—an increase in Black's ABM defenses—might be limited to deploying more launchers, with the simple goal of saturating and exhausting Black's defenses. But White would also want to consider the cost and effectiveness of the following: penetration aids, concentrating on undefended or lightly defended targets, maneuvering reentry vehicles or multiple reentry vehicles. The last refers to several reentry vehicles carried by the same missile; the defense would have to destroy all of them to avoid damage. Finally, White could reopen the question of whether he should seek assured destruction solely by means of missiles. For example, he might reexamine the effectiveness of low-altitude bombers or he might turn his attention to chemical or biological weapons. It does not much matter how assured destruction is achieved. The important thing, as Secretary McNamara has emphasized, is that the other side find it credible. ("The point is that a potential aggressor must himself believe that our assured destruction capability is in fact actual, and that our will to use it in retaliation to an attack is in fact unwavering.")

It is clear that White has many options, and that he will choose those that are most reliable or those that are cheapest for a given level of assured destruction. Although relative costs do depend on the level of destruction required, the important technical conclusion is that for conventional levels of assured destruction it is considerably cheaper for White to provide more offensive capability than it is for Black to defend his people and industry against a concerted strike.

As an aside, it might be mentioned that scientists newly engaged in the evaluation of military systems often have trouble grasping that large systems of the type created by or for the military are divided quite rigidly into several chronological stages, namely, in reverse order: operation, deployment, development and research. An operational system is not threatened by a system that is still in development; the threat is not real until the new system is in fact deployed, shaken down and fully operative. This is particularly true for an ABM system, which is obliged to operate against large numbers of relatively independent intercontinental ballistic missiles. It is equally true, however, for counterforce reentry vehicles, which can be ignored unless they are built by the hundreds of thousands. The same goes for MIRV's, a development of the multiple reentry vehicle in which each reentry vehicle is independently directed to a separate target. One must distinguish clearly between the *possibility* of development and the development itself, and similarly between development and actual operation. One must refrain from attributing to a specific defense system, such as Sentinel, those capabilities that *might* be obtained by further development of a different system.

It follows that the Sentinel light ABM system, to be built now and to be operational in the early 1970's against a possible Chinese intercontinental ballistic-missile threat, will have to reckon with a missile force unlike either the Russian or the American force, both of which were, after all, built when there was no ballistic missile defense. The Chinese will probably build even their first operational intercontinental ballistic missiles so that they will have a chance to penetrate. Moreover, we believe it is well within China's capabilities to do a good job at this without intensive testing or tremendous sacrifice in payload.

Temporarily leaving aside penetration aids, there are two pure strategies for attack against a ballistic-missile defense. The first is an all-warhead attack in which one uses large booster rockets to transport many small (that is, fractional-megaton) warheads. These warheads are separated at some instant between the time the missile leaves the atmosphere and the time of reentry. The warheads from one missile can all be directed against the same large target (such as a city), these multiply reentry vehicles (MRV's) are purely a penetration aid. Alternatively each of the reentry vehicles can be given an independent boost to a different target, thus making them into MIRV's. MIRV is not a penetration aid but is rather a counterforce weapon. If each of the reentry vehicles has very high accuracy, then it is conceivable that each of them may destroy an enemy missile silo. The Titan II liquid-fuel rocket, designed more than 10 years ago, could carry 20 or more thermonuclear weapons. If these were employed simply as MRV's, the 54 Titans could provide more than 1,000 reentry vehicles for the defense to deal with.

Since the Spartan interceptors will each cost $1 million to $2 million, including their thermonuclear warheads, it is reasonable to believe thermonuclear warheads can be delivered for less than it will cost the defender to intercept them. The attacker can make a further relative saving by concentrating his strike so that most of the interceptors, all bought and paid for, have nothing to shoot at. This is a high-reliability penetration strategy open to any country that can afford to spend a reasonable fraction of the amount its opponent can spend for defense.

The second pure strategy for attack against an ABM defense is to precede the actual attack with an all-decoy attack or to mix real warheads with decoys. This can be achieved rather cheaply by firing large rockets from unhardened sites to send light, unguided decoys more or less in the direction of plausible city targets. If the ABM defense is an area defense like the Sentinel system, it must fire against these threatening objects at very long range before they reenter the atmosphere, where because of their lightness they would behave differently from real warheads. Several hundred to several thousand such decoys launched by a few large vehicles could readily exhaust a Sentinel-like system. The attack with real warheads would then follow.

The key point is that since the putative Chinese intercontinental ballistic-missile force is still in the early research and development stage it can and will be designed to deal with the Sentinel system, whose interceptors and sensors are nearing production and are rather well publicized. It is much easier to design a missile force to counter a defense that is already being deployed than to design one for any of the possible defense systems that might or might not be deployed sometime in the future.

One of us (Bethe) will now describe (1) the physical mechanisms by which an ABM missile can destroy or damage an incoming warhead and (2) some of the penetration aids available to an attacker who is determined to have his warheads reach their targets.

Much study has been given to the possibility of using conventional explosives rather than a thermonuclear explosive in the warhead of a defense missile. The answer is that the "kill" radius of a conventional explosive is much too small to be practical in a likely tactical engagement. We shall consider here only the more important effects of the defensive thermonuclear weapons, the emission of neutrons, the emission of X-rays and, when the weapon is exploded in the atmosphere, blast.

Neutrons have the ability to penetrate matter of any kind. Those released by defensive weapons could penetrate the heat shield and outer jackets of an offensive warhead and enter the fissile material itself, causing the atoms to fission and generating large amounts of heat. If sufficient heat is generated, the fissile material will melt and lose its carefully designed shape. Thereafter it can no longer be detonated.

The kill radius for neutrons depends on the design of the offensive weapon and the yield or energy release, of the defensive weapon. The miss distance, or distance of closest approach between the defensive and the offensive missiles, can be made small enough to achieve a kill by the neutron mechanism. This is particularly true if the defensive missile and radar have high performance and the interception is made no more than a few tens of kilometers from the ABM launch site. The neutron kill mechanism is therefore practical for the short-range defense of a city or other important target. It is highly desirable that the yield of the defensive warhead be kept low to minimize the effects of blast and heat on the city being defended.

The attacker can, of course, attempt to shield the fissile material in the offensive warhead from neutron damage, but the mass of shielding needed is substantial. Witness the massive shield required to keep neutrons from escaping from nuclear reactors. The size of the reentry vehicle will enable the defense to make a rough estimate of the amount of shielding that can be carried and thus to estimate the intensity of neutrons required to melt the warhead's fissile material.

Let us consider next the effect of X rays. These rays carry off most of the energy emitted by nuclear weapons, especially those in the megaton range. If sufficient X-ray energy falls on a reentry vehicle, it will cause the surface layer of the vehicle's heat shield to evaporate. This in itself may not be too damaging, but the vapor leaves the surface at high velocity in a very brief time and the recoil sets up a powerful shock wave in the heat shield. The shock may destroy the heat shield material or the underlying structure.

X rays are particularly effective above the upper atmosphere, where they can travel to their target without being absorbed by air molecules. The defense can therefore use megaton weapons without endangering the population below; it is protected by the intervening atmosphere. The kill radius can then be many kilometers. This reduces the accuracy required of the defensive missile and allows successful interception at ranges of hundreds of kilometers from the ABM launch site. Thus X rays make possible an area defense and provide the key to the Sentinel system.

On the other hand, the reentry vehicle can be hardened against X-ray damage to a considerable extent. And in general the defender will not know if the vehicle has been damaged until it reenters the atmosphere. If it has been severely damaged, it may break up or burn up. If this does not happen, however, the defender is helpless unless he has also constructed an effective terminal, or short-range, defense system.

The third kill mechanism—blast—can operate only in the atmosphere and requires little comment. Ordinarily when an offensive warhead reenters the atmosphere it is decelerated by a force that, at maximum, is on the order of 100 g. (One g is the acceleration due to the earth's gravity.) The increased atmospheric density reached within a shock wave from a nuclear explosion in air can produce a deceleration several times greater. But just as one can shield against neutrons and X rays one can shield against blast by designing the reentry vehicle to have great structural strength. Moreover, the defense, not knowing the detailed design of the reentry vehicle, has little way of knowing if it has destroyed a given vehicle by blast until the warhead either goes off or fails to do so.

The main difficulty for the defense is the fact that in all probability the offensive reentry vehicle will not arrive as a single object that can be tracked and fired on but will be accompanied by many other objects deliberately placed there by the offense. These objects come under the heading of penetration aids. We shall discuss only a few of the many types of such aids. They include fragments of the booster rocket, decoys, fine metal wires called chaff, electronic countermeasures and blackout mechanisms of several kinds.

The last stage of the booster that has propelled the offensive missile may disintegrate into fragments or it can be fragmented deliberately. Some of the pieces will have a radar cross section comparable to or larger than the cross section of the reentry vehicle itself. The defensive radar therefore has the task of discriminating between a mass of debris and the warhead. Although various means of discrimination are effective to some extent, radar and data processing must be specifically set up for this purpose. In any case the radar must deal with tens of objects for each genuine target, and this imposes considerable complexity on the system.

There is, of course, an easy way to discriminate among such objects: let the whole swarm reenter the atmosphere. The lighter booster fragments will soon be slowed down, whereas the heavier reentry vehicle will continue to fall with essentially undiminished speed. If a swarm of objects is allowed to reenter, however, one must abandon the concept of area defense and construct a terminal defense system. If a nation insists on retaining a pure area defense, it must be prepared to shoot at every threatening object. Not only is this extremely costly but also it can quickly exhaust the supply of antimissile missiles.

Instead of relying on the accidental targets provided by booster fragments, the offense will almost certainly want to employ decoys that closely imitate the radar reflectivity of the reentry vehicle. One cheap and simple decoy is a balloon with the same shape as the reentry vehicle. It can be made of thin plastic covered with metal in the form of foil, strips or wire mesh. A considerable number of such balloons can be carried uninflated by a single offensive missile and released when the missile has risen above the atmosphere.

The chief difficulty with balloons is putting them on a "credible" trajectory, that is, a trajectory aimed at a city or some other plausible target. Nonetheless, if the defending force employs an area defense and really seeks to protect the entire country, it must try to intercept every suspicious object, including balloon decoys. The defense may, however, decide not to shoot at incoming objects that seem to be directed against nonvital targets: thus it may choose to limit possible damage to the country rather than to avoid all damage. The offense could then take the option of directing live warheads against points on the outskirts of cities, where a nuclear explosion would still produce radioactivity and possibly severe fallout over densely populated regions. Worse, the possibility that reentry vehicles can be built to maneuver makes it dangerous to ignore objects even 100 kilometers off target.

Balloon decoys, even more than booster fragments, will be rapidly slowed by the atmosphere and will tend to burn up when they reenter it. Here again a terminal ABM system has a far better chance than an area defense system to discriminate between decoys and warheads. One possibility for an area system is "active" discrimination. If a defensive nuclear missile is exploded somewhere in the cloud of balloon decoys traveling with a reentry vehicle, the balloons will either be destroyed by radiation from the explosion or will be blown far off course. The reentry vehicle presumably will survive. If the remaining set of objects is examined by radar, the reentry vehicle may stand out clearly. It can then be killed by a second interceptor shot. Such a shoot-look-shoot tactic may be effective, but it obviously places severe demands on the ABM missiles and the radar tracking system. Moreover, it can be countered by the use of small dense decoys within the balloon swarms.

Moreover, it may be possible to develop decoys that are as resistant to X rays as the reentry vehicle and also are simple and compact. Their radar reflectivity could be made to simulate that of a reentry vehicle over a wide range of frequencies. The decoys could also be made to reenter the atmosphere—at least down to a fairly low altitude—in a way that closely mimicked an actual reentry vehicle. The design of such decoys, however, would require considerable experimentation and development.

Another way to confuse the defensive radar is to scatter the fine metal wires of chaff. If such wires are cut to about half the wavelength of the defensive radar, each wire will act as a reflecting dipole with a radar cross section approximately equal to the wavelength squared divided by 2 pi. The actual length of the wires is not critical; a wire of a given length is also effective against radar of shorter wavelength. Assuming that the radar wavelength is one meter and that one-mil copper wire is cut to half-meter lengths, one can easily calculate that 100 million chaff wires will weigh only 200 kilograms (440 pounds).

The chaff wires could be dispersed over a large volume of space; the chaff could be so dense and provide such large radar reflection that the reentry vehicle could not be seen against the background noise. The defense would then not know where in the large reflecting cloud the reentry vehicle is concealed. The defense would be induced to spend several interceptors to cover the entire cloud with no certainty, even so, that the hidden reentry vehicle will be killed. How much of the chaff would survive the defensive nuclear explosion is another difficult question. The main problem for the attacker is to develop a way to disperse chaff more or less uniformly.

An active alternative to the use of chaff is to equip some decoys with electronic devices that generate radio noise at frequencies selected to jam the defensive radar. There are many variations on such electronic countermeasures, among them the use of jammers on the reentry vehicles themselves.

The last of the penetration aids that will be mentioned here is the radar blackout caused by the large number of free electrons released by a nuclear explosion. These electrons, except for a few are removed from atoms or molecules of air, which thereby become ions. There are two main causes for the formation of ions: the fireball of the explosion, which produces ions because of its high temperature, and the radioactive debris of the explosion, which releases beta rays (high-energy electrons) that ionize the air they traverse. The second mechanism is important only at high attitude.

The electrons in an ionized cloud of gas have the property of bending and absorbing electromagnetic waves, particularly those of low frequency. Attenuation can reach such high values that the defensive radar is prevented from seeing any object behind the ionized cloud (unlike chaff, which confuses the radar only at the chaff range and not beyond).

Blackout is a severe problem for an area defensive designed to intercept missiles above the upper atmosphere. The problem is aggravated because area-defense radar is likely to employ low-frequency (long) waves, which are the most suitable for detecting enemy missiles at long range. In some recent popular articles long-wave radar has been hailed as the cure for the problems of the ABM missile. It is not. Even though it increases the capability of the radar in some ways, it makes the system more vulnerable to blackout.

Blackout can be caused in two ways: by the defensive nuclear explosions themselves and by deliberate explosions set off at high altitude by the attacker. Although the former are unavoidable, the defense has the choice of setting them off at altitudes and in locations that will cause the minimum blackout of its radar. The offense can sacrifice a few early missiles to cause blackout at strategic locations. In what follows we shall assume for purposes of discussion that the radar wavelength is one meter. Translation to other wavelengths is not difficult.

In order to totally reflect the one-meter waves from our hypothetical radar it is necessary for the attacker, to create an ionized cloud containing 10^9 electrons per cubic centimer. Much smaller electron densities, however, will suffice for considerable attenuation. For the benefit of technically minded readers, the equation for attenuation in decibels per kilometer is:

$$\alpha = \frac{4.34}{3\times10^5}\frac{\omega_p^2}{\omega^2+\gamma_c^2}\gamma_c.$$

Here ω_p is the plasma frequency for the given electron density, ω is the radar frequency in radians per second and γ_e is the frequency of collisions of an electron with atoms of air. At normal temperatures this frequency γ_e is the number 2×10^{11} multiplied by the density of the air (ρ) compared with sea-level density (ρ_0), or $\gamma_e = 2 \times 10^{11}\ \rho/\rho_0$. At altitudes above 30 kilometers, where an area-defense system will have to make most of its interceptions, the density of air is less than .01 of the density at sea level. Under these conditions the electron collision frequency γ_e is less than the value of $\omega = (2\pi \times 3 \times 10^8)$ and therefore can be neglected in the denominator of the equation. Using that equation, we can then specify the number of electrons, N_e, needed to attenuate one-meter radar waves by a factor of more than one decibel per kilometer: $N_e > 350\rho_0/\rho$. At an altitude of 30 kilometers, where ρ_0/ρ is about 100, N_e is about 3×10^4, and at 60 kilometers N_e is still only about 3×10^6. Thus the electron densities needed for the substantial attenuation of a radar signal are well under the 10^9 electrons per cubic centimeter required for total reflection. The ionized cloud created by the fireball of a nuclear explosion is typically 10 kilometers thick; if the attenuation is one decibel per kilometer, such a cloud would produce a total attenuation of 10 decibels. This implies a tenfold reduction of the outgoing radar signal and another tenfold reduction of the reflected signal, which amounts to effective blackout.

The temperature of the fireball created by a nuclear explosion in the atmosphere is initially hundreds of thousands of degrees centigrade. It quickly cools by radiation to about 5,000 degrees C. Thereafter cooling is produced primarily by the cold air entrained by the fireball as it rises slowly through the atmosphere, a process that takes several minutes.

When air is heated to 5,000 degrees C., it is strongly ionized. To produce a radar attenuation of one decibel per kilometer at an altitude of 90 kilometers the fireball temperature need be only 3,000 degrees, and at 50 kilometers a temperature of 2,000 degrees will suffice. Ionization may be enhanced by the presence in the fireball of iron, uranium and other metals, which are normally present in the debris of nuclear explosion.

The size of the fireball can easily be estimated. Its diameter is about one kilometer for a one-megaton explosion at sea level. For other altitudes and yields there is a simple scaling law: the fireball diameter is equal to $(Yp_0/p)^{1/3}$, where Y is the yield in megatons. Thus a fireball one kilometer in diameter can be produced at an altitude of 30 kilometers (where $p_0/p = 100$) by an explosion of only 10 kilotons. At an altitude of 50 kilometers (where $p_0/p = 1{,}000$), a one-megaton explosion will produce a fireball 10 kilometers in diameter. At still higher altitudes matters become complicated because the density of the atmosphere falls off so sharply and the mechanism of heating the atmosphere changes. Nevertheless, fireballs of very large diameter can be expected when megaton weapons are exploded above 100 kilometers. These could well black out areas of the sky measured in thousands of square kilometers.

For explosions at very high altitudes (between 100 and 200 kilometers) other phenomena become significant. Collisions between electrons and air molecules are now unimportant. The condition for blackout is simply that there be more than 10^9 electrons per cubic centimeter.

At the same time very little mass of air is available to cool the fireball. If the air is at first fully ionized by the explosion, the air molecules will be dissociated into atoms. The atomic ions combine very slowly with electrons. When the density is low enough, as it is at high altitude, the recombination can take place only by radiation. The radiative recombination constant (call it C_r) is about 10^{-12} cubic centimer per second. When the initial electron density is well above 10^9 per cubic centimeter, the number of electrons remaining after time t is roughly equal to $1/C_R t$. Thus if the initial electron density is 10^{12} per cubic centimeter, the density will remain above 10^9 for 1,000 seconds, or some 17 minutes. The conclusion is that nuclear explosions at very high altitude can produce long-lasting blackouts over large areas.

The second of the two mechanisms for producing an ionized cloud, the beta rays issuing from the radioactive debris of a nuclear explosion, can be even more effective than the fireball mechanism. If the debris is at high altitude, the beta rays will follow the lines of force in the earth's magnetic field, with about half of the beta rays going immediately down into the atmosphere and the other half traveling out into space before returning earthward. These beta rays have an average energy of about 500,000 electron volts, and when they strike the atmosphere, they ionize air molecules. Beta rays of average energy penetrate to an altitude of about 60 kilometers; some of the more energetic rays go down to about 50 kilometers. At these levels, then, a high-altitude explosion will give rise to sustained ionization as long as the debris to the explosion stays in the vicinity.

One can show that blackout will occur if $y \times t^{1.2} > 10^2$, where t is the time after the explosion in seconds and y is the fission yield deposited per unit horizontal area of the debris cloud, measured in tons of TNT equivalent per square kilometer. The factor $t^{1.2}$ expresses the rate of decay of the radioactive debris. If the attacker wishes to cause a blackout lasting five minutes ($t = 300$), he can achieve it with a debris level y equal to 10 tons of fission yield per square kilometer. This could be attained by spreading one megaton of fission products over a circular area about 400 kilometers in diameter at an altitude of, say, 60 kilometers. Very little could be seen by an area-defense radar attempting to look out from under such a blackout disk. Whether or not such a disk could actually be produced is another question. Terminal defense would not, of course, be greatly disturbed by a beta ray blackout.

The foregoing discussion has concentrated mainly on the penetration aids that can be devised against an area-defense system. By this we do not mean to suggest that a terminal-defense system can be effective, and we certainly do not wish to imply that we favor the development and deployment of such a system.

Terminal defense has a vulnerability all its own. Since it defends only a small area, it can easily be bypassed. Suppose that the 20 largest American cities were provided with terminal defense. It would be easy for an enemy to attack the 21st largest city and as many other undefended cities as he chose. Although the population per target would be less than if the largest cities were attacked, casualties would still be heavy. Alternatively the offense could concentrate on just a few of the 20 largest cities and exhaust their supply of antimissile missiles, which could readily be done by the use of multiple warheads even without decoys.

It was pointed out by Charles M. Herzfeld in *The Bulletin of the Atomic Scientists* a few years ago that a judicious employment of ABM defenses could equalize the risks of living in cities of various sizes. Suppose New York, with a population of about 10 million, were defended well enough to require 50 enemy warheads to penetrate the defenses, plus a few more to destroy the city. If cities of 200,000 inhabitants were left undefended, it would be equally "attractive" for an enemy to attack New York and penetrate its defenses as to attack an undefended city.

Even if such a "logical" pattern of ABM defense were to be seriously proposed, it is hard to believe that people in the undefended cities would accept their statistical security. To satisfy everyone would require a terminal system of enormous extent. The highest cost estimate made in public discussions, $50 billion, cannot be far wrong.

Although such a massive system would afford some protection against the U.S.S.R.'s present armament, it is virtually certain that the Russians would react to the deployment of the system. It would be easy for them to increase the number of their offensive war-

> heads and thereby raise the level of expected damage back to the one now estimated. In his recent forecast of defense needs for the next five years. Secretary McNamara estimated the relative cost of ABM defenses and the cost of countermeasures that the offense can take. He finds invariably that the offense, by spending considerably less money than the defense, can restore casualties and destruction to the original level before defenses were installed. Since the offense is likely to be "conservative," it is our belief that the actual casualty figures in a nuclear exchange, after both sides had deployed ABM systems and simultaneously increased offensive forces, would be worse than these estimates suggest.
>
> Any such massive escalation of offensive and defensive armaments could hardly be accomplished in a democracy without strong social and psychological effects. The nation would think more of war, prepare more for war, hate the potential enemy and thereby make war more likely. The policy of both the U.S. and the U.S.S.R. in the past decade has been to reduce tensions to provide more understanding and to devise weapon systems that make war less likely. It seems to us that this should remain our policy.

Mr. Speaker, this article has been brought to the attention of the Department of Defense and a rebuttal was issued by General Starbird, manager of the Sentinel program.

This rebuttal does indicate that the Sentinel system has some potential. The rebuttal is lacking, however, in any convincing arguments that deployment of the system is necessary at this time.

General Starbird calls for a vigorous research and deployment program. I second this whole heartedly. There may be a time when an ABM system is capable of real as opposed to illusory protection. At that time deployment may be necessary. It is not only not necessary now, but needlessly wasteful. We certainly can wait 1 more year to deploy this $15 billion system.

While the original proposal envisioned only a Chinese defense, the debate in the Senate 2 weeks ago escalated very quickly and soon we found ourselves discussing a defense against Soviet ICBM's.

Former Secretary McNamara considered the problem of the ABM at length before the House Armed Services Committee last year. The former Secretary's views were given at a time when there was a possibility of Soviet-American arms limitation talks.

Since these talks are now a reality the Secretary's testimony is our best analysis of the current situation.

The Secretary recommended against deployment of the ABM system last year. This recommendation was predicated on an estimate of its usefulness against Soviet as well as Chinese ICBM's. The Secretary said:

> Assured destruction with regard to Red China presents a somewhat different problem. China is far from being an industrialized nation. However, what industry it has is heavily concentrated in a comparatively few cities. We estimate, for example, that a relatively small number of warheads detonated over 50 Chinese urban centers would destroy half of the urban population (more than 50 million people) and more than one-half of the industrial capacity. Moreover, such an attack would also destroy most of the key governmental, technical, and managerial personnel and a large proportion of the skilled workers. Since Red China's capacity to attack the United States with nuclear weapons will be very limited, even during the 1970's the ability of even a very small portion of our strategic offensive forces to inflict such heavy damage upon them should serve as an effective deterrent to the deliberate initiation of such an attack on their part.
>
> Once sufficient forces have been procured to give us high confidence of achieving our assured destruction objective, we can then consider the kinds and amounts of forces which might be added to reduce damage to our population and industry in the event deterrence fails. But here we must note another important point; namely, the possible interaction of our strategic forces programs with those of the Soviet Union. If the general nuclear war policy of the Soviet Union also has as its objective the deterrence of a U.S. first strike (which I believe to be the case), then we must assume that any attempt on our part to reduce damage to ourselves (to what they would estimate we might consider an acceptable level) would put pressure on them to strive for an offsetting improvement in their deterrent forces. Conversely, an increase in their damage limiting capability would require us to make greater investments in assured destruction, which, as I will describe later, is precisely what we now propose to do.
>
> It is this interaction between our strategic forces programs and those of the Soviet Union which leads us to believe that there is a mutuality of interests in limiting the deployment of anti-ballistic missile defense systems. If our assumption that the Soviets are also striving to achieve an assured destruction capability is correct, and I am convinced that it is, then in all probability all we would accomplish by deploying ABM systems against one another would be to increase greatly our respective defense expenditures, without any gain in real security for either side. It was for this reason that President Johnson decided to initiate negotiations with the Soviet Union, designed, through formal or informal agreement, to limit the deployment of anti-ballistic-missile systems, while including at the same time about $375 million in his fiscal year 1968 budget to provide for such actions—for example, protection of our offensive weapon systems—as may be required if these discussions prove unsuccessful.
>
> The principal issue in this area of the strategic forces program concerns the deployment of an anti-ballistic missile defense system, that is, Nike X. There are three somewhat overlapping but distinct major purposes for which we might want to deploy such a system at this time:
>
> 1. To protect our cities (and their population and industry) against a Soviet missile attack.
> 2. To protect our cities against a Red Chinese missile attack in the mid-1970's.
> 3. To help protect our land-based strategic offensive forces (i.e., Minuteman) against a Soviet missile attack.
>
> After studying the subject exhaustively, and after hearing the views of our principal military and civilian advisers, we have concluded that we should not initiate an ABM deployment at this time for any of these purposes. We believe that:
>
> 1. The Soviet Union would be forced to react to a U.S. ABM deployment by increasing its offensive nuclear force still further with the result that:
>
> (a) The risk of a Soviet nuclear attack on the United States would not be further decreased.
>
> (b) The damage to the United States from a Soviet nuclear attack, in the event deterrence failed, would not be reduced in any meaningful sense.
>
> As I noted earlier, the foundation of our security is the deterrence of a Soviet nuclear attack. We believe such an attack can be prevented if it is understood by the Soviets that we possess strategic nuclear forces so powerful as to be capable of absorbing a Soviet first strike and surviving with sufficient strength to impose unacceptable damage on them.
>
> We have such power today. We must maintain it in the future, adjusting our forces to offset actual or potential changes in theirs.
>
> There is nothing we have seen in either our own or the Soviet Union's technology which would lead us to believe we cannot do this. From the beginning of the Nike-Zeus project in 1955 through the end of this current fiscal year, we will have invested a total of about $4 billion on ballistic missile defense research—including Nike-Zeus, Nike X, and Project Defender. And during the last 5 or 6 years, we have spent about $1.2 billion on the development of penetration aids to help insure that our missiles could penetrate the enemy's defenses. As a result of these efforts, we have the technology already in hand to counter any offensive or defensive force changes the Soviet Union might undertake in the foreseeable future.
>
> We believe the Soviet Union has essentially the same requirement for a deterrent or "assured destruction" force as the United States. Therefore, deployment by the United States of an ABM defense which would degrade the destruction capability of the Soviet's offensive force to an unacceptable level would lead to expansion of that force. This would leave us no better off than we were before.
>
> 2. With respect to protection of the United States against possible Red Chinese nuclear attack, the leadtime required for China to develop a significant ICBM force is greater than that required for deployment of our defense—therefore the Chinese threat in itself would not dictate the production of an ABM system at this time.
>
> 3. Similarly, although the protection of our land-based strategic offensive forces against the kind of heavy, sophisticated missile attack the Soviets may be able to mount in the mid-1970's or late 1970's might later prove to be worth while, it is not yet necessary to produce and deploy the Nike X for that purpose.

Talking additionally about waste in early procurement of hardware for an incomplete system the Secretary stated:

> But even after this elaborate test program is completed, some technical uncertainties will still remain unresolved; this is to be expected in a system designed for such a highly complex mission. Moreover, we have learned from bitter experience that even when the development problems have been solved, a system can run into trouble in production or when it is put into operation. All too often the development prototype cannot be produced in quantity without extensive reengineering. Production delays are encountered and costs begin to spiral. Sometimes these problems are not discovered until the new system actually enters the inventory and has to function in an operational environment. The Terrier, Talos, and Tartar ship-to-air missiles are a good example; after spending about $2 billion on development and production of these missiles, we had to spend another $350 million correcting the faults of those already installed, and we still plan to spend another $550 million modernizing these systems.
>
> In this connection, it is worth noting that had we produced and deployed the Nike-Zeus system proposed by the Army in 1959 at an estimated cost of $13 to $14 billion, most of it would have had to be torn out and replaced, almost before it became operational, by the new missiles and radars of the Nike X system. By the same token, other technological developments in offensive forces over the next 7 years may make obsolete or drastically degrade the Nike X system as presently envisioned. We can predict with certaintly that there will be substantial additional costs for updating any system we

might consider installing at this time against the Soviet missile threat.

Relative to Soviet action in response to a U.S. ABM buildup, the Secretary stated:

Although the fatality estimates shown for both the Soviet Union and the United States reflect some variations in the performance of their respective ABM systems, they are still based on the assumption that these systems will work at relatively high levels of effectiveness. If these ABM systems do not perform as well as our technical people postulate, fatalities on both sides could be considerably higher than shown in the table above, or the costs would be considerably higher if major improvements or additions had to be made in the systems to bring them up to the postulated level of performance.

If the Soviets are determined to maintain an assured destruction capability against us and they believe that our development of an ABM defense would reduce our fatalities in the "U.S. Strikes First, Soviets Retaliate" case to the levels shown in the table above, they would have no alternative but to increase the second strike damage potential of their offensive forces. They could do so in several different ways. Shown in the table below are the relative costs to the Soviet Union of responding to a U.S. ABM deployment in one of these possible ways:

Level of U.S. fatalities which Soviets believe will provide deterrence [1]	Cost to the Soviets of offsetting U.S. cost to deploy an ABM
40,000,000	$1 Soviet cost to $4 U.S. cost.
60,000,000	$1 Soviet cost to $2 U.S. cost.
90,000,000	$1 Soviet cost to $1 U.S. cost.

[1] U.S. fatalities if United States strikes 1st and Soviets retaliates.

If the Soviets choose to respond in that way to our ABM deployment, the results would be as shown below:

NUMBER OF FATALITIES IN AN ALL-OUT STRATEGIC EXCHANGE (ASSUMES SOVIET REACTION TO U.S. ABM DEPLOYMENT)

[In millions]

U.S. programs	Soviets strike 1st, United States retaliates		United States strikes 1st, Soviets retaliate	
	U.S. fatalities	Soviet fatalities	U.S. fatalities	Soviet fatalities
Approved (no response)	120	120+	100	70
Posture A	120	120+	90	70
Posture B	120	120+	90	70

In short, the Soviets have it within their technical and economic capacity to offset any further damage limiting measures we might undertake, provided they are determined to maintain their deterrent against us. It is the virtual certainty that the Soviets will act to maintain their deterrent which casts such grave doubts on the advisability of our deploying the Nike-X system for the protection of our cities against the kind of heavy, sophisticated missile attack they could launch in the 1970's. In all probability, all we would accomplish would be to increase greatly both their defense expenditures and ours without any gain in real security to either side.

With respect to the Chinese threat the Secretary stated:

With regard to the Red Chinese nuclear threat, an austere ABM defense might offer a high degree of protection to the Nation against a missile attack, at least through the 1970's. The total investment cost of such a program might amount to $3.5 billion, including the cost of the nuclear warheads.

The effectiveness of this deployment in reducing U.S. fatalities from a Red Chinese attack in the 1970's is shown in the table below:

	Chinese strike 1st (operational inventory)	
	X missiles	3X missiles
U.S. fatalities (in millions):		
Without ABM	5	10
With ABM	+0	1

This austere defense could probably preclude damage in the 1970's almost entirely. As the Chinese force grows to the level it might achieve by 1980–85, additions and improvements might be required, but relatively modest additional outlays could probably limit the Chinese damage potential to low levels well beyond 1985.

It is not clear that we need an ABM defense against China. In any event, the leadtime for deployment of a significant Chinese offensive force is longer than that required for U.S. ABM deployment; therefore, the decision for the latter need not be made now.

In the light of the foregoing analysis, we propose:

(1) To pursue with undiminished vigor the development, test, and evaluation of the Nike-X system (for which purpose a total of about $440 million has been included in the fiscal year 1968 budget), but to take no action now to deploy the system.

(2) To initiate negotiations with the Soviet Union designed, through formal or informal agreement, to limit the deployment of antiballistic missile systems.

(3) To reconsider the deployment decision in the event these discussions prove unsuccessful, approximately $375 million has been included in the fiscal year 1968 budget to provide for such actions as may be required at that time—for example, the production of Nike-X for the defense of our offensive weapon systems.

I would now like to turn to our specific proposals for the strategic forces in the fiscal year 1968–72 period.

In light of the latest action taken by the President, I think that the Secretary's recommendations first made last year are good and deployment of ABM's can wait at least until we can afford it.

The Secretary concluded his statement to our committee last year with this pertinent analysis:

Secretary McNamara. I have said that I think it is going to cost $40 billion. I believe that if we go ahead with an ABM deployment now, we will come back [deleted] years from now and we will find that it will have cost $40 billion; but that is not the issue. The cost is not the issue. The issue is: Would we be safer as a result of it? I submit to you we would not be; I don't want to argue this because it sounds like an extreme position, but I think I could prove to you we would be less safe.

The Secretary was supported in his views last year by Dr. Harold Brown, Secretary of the Air Force, as follows:

The idea of trying to see whether we can get an agreement with the Soviets not to deploy ABM defenses, thus preserving the present situation, is a rational approach to this problem. We stand to gain considerable if a satisfactory agreement can be arrived at, yet we will not have endangered our security if the negotiations are unsuccessful. There is, as you know, $377 million in the President's budget for fiscal year 1968 for production money which would allow deployment of a limited ABM system.

If these talks do not succeed, then it might be well worthwhile to deploy a light defense system (say $3 to $5 billion) to protect our own missiles, or for other such limited purposes. Because our missile sites are small hardened targets, they are much easier to defend than cities. The exchange ratio is favorable to us for the defense of this type of target. Making our missiles more survivable improves our deterrent capability which, in turn, makes nuclear war less likely, which results in a potential saving of many more lives than would even a large-scale U.S. missile defense system.

For these reasons, I agree with the Secretary of Defense that it is not possible with any confidence to protect our population against a heavy Soviet attack. If a verifiable agreement not to deploy ABM's cannot be consummated, then the most we should do in the way of deployment is a thin defense involving such purposes as a defense of our land-based strategic missiles.

It is interesting to note that late last year when Secretary McNamara yielded to congressional pressure to move in development of an ABM system against the Chinese, he alluded to two imminent dangers, one of which is already upon us.

In a speech September 18, in San Francisco, the Secretary said:

In reaching this decision, I want to emphasize that it contains two possible dangers—and we should guard carefully against each.

The first danger is that we may psychologically lapse into the old over-simplification about the adequacy of nuclear power. The simple truth is that nuclear weapons can serve to deter only a narrow range of threats. This ABM deployment will strengthen our defensive posture—and will enhance the effectiveness of our land-based ICBM offensive forces. But the independent nations of Asia must realize that these benefits are no substitute for their maintaining, and where necessary strengthening, their own conventional forces in order to deal with the more likely threats to the security of the region.

The second danger is also psychological. There is a kind of mad momentum intrinsic to the development of all new nuclear weaponry. If a weapon system works—and works well—there is strong pressure from many directions to procure and deploy the weapon out of all proportion to the prudent level required.

The danger in deploying this relatively light and reliable Chinese-oriented ABM system is going to be that pressures will develop to expand it into a heavy Soviet-oriented ABM system.

We must resist that temptation firmly—not because we can for a moment afford to relax our vigilance against a possible Soviet first-strike—but precisely because our greatest deterrent against such a strike is not a massive, costly, but highly penetrable ABM shield, but rather a fully credible offensive assured destruction capability.

The so-called heavy ABM shield—at the present state of technology—would in effect be no adequate shield at all against a Soviet attack, but rather a strong inducement for the Soviets to vastly increase their own offensive forces. That, as I have pointed out would make it necessary for us to respond in turn—and so the arms race would rush hopelessly on to no sensible purpose on either side.

Let me emphasize—and cannot do so too strongly—that our decision to go ahead with a *limited* ABM deployment in no way indicates that we feel an agreement with the Soviet Union, or the limitation of strategic nuclear offensive and defensive forces, is any the less urgent or desirable.

The road leading from the stone axe to the ICBM—though it may have been more than a million years in the building—seems to have run in a single direction.

If one is inclined to be cynical, one might conclude that man's history seems to be characterized not so much by consistent periods of peace, occasionally punctuated by warfare, but rather by persistent outbreaks of warfare, wearily put aside from time to time by periods of exhaustion and recovery—that parade under the name of peace.

I do not view man's history with that degree of cynicism, but I do believe that man's wisdom is avoiding war is often surpassed by his folly in promoting it.

However foolish unlimited war may have been in the past it is now no longer foolish, but suicidal as well.

It is said that nothing can prevent a man from suicide, if he is sufficiently determined to commit it.

The question is what is our determination in an era when unlimited war will mean the death of hundreds of millions—and the possible genetic impairment of a million generations to follow?

Man is clearly a compound of folly and wisdom—and history is clearly a consequence of the admixture of those two contradictory traits.

History has placed our particular lives in an era when the consequences of human folly are waxing more and more catastrophic in the matters of war and peace.

In the end, the root of man's security lies in his mind.

What the world requires in its 22nd Year of the Atomic Age is not a new race towards armament.

What the world requires in its 22nd Year of the Atomic Age is a new race towards reasonableness.

We had better all run that race.

Not merely we the administrators. But we the people.

Thank you, and good afternoon.

As is easily seen, the ABM program is one of eminent importance, not only from an economic view but also from the standpoint of international relations. This program is one of the most delicate to face this body in the 90th Congress. Yet, if I may direct your attention to the report of the House Armed Services Committee—No. 1645—and specifically to page 48 of this report, we will find that a total of one short paragraph has been devoted to the Sentinel system. A total of eight lines sandwiched between praise of the Hawk and the Tow—other type missiles.

I feel this House has the duty to give ABM the examination it deserves. We cannot appropriate billions of dollars in this cursory manner. Debate on this item in my committee lasted about 45 seconds.

It is just simply poor economics to commence this year a $1 billion annual premium on an insurance policy that will be due in 10 years, where the policy has no cash surrender value because of obsolescence from the start and where an unplanned dividend probably would be a maximized Soviet threat retaliation.

Congress must pass a considered judgment on this issue.

Mr. ANDERSON of Illinois. Mr. Speaker, I yield 2 minutes to the gentleman from Massachusetts [Mr. KEITH].

Mr. KEITH. Mr. Speaker, most of us in the House are laymen in the very complex and technical matters of defense procurement, and we must of necessity depend on our colleagues in the Armed Services Committee to guide the House in its debates. The question of investing in a new and tremendously expensive ABM system is a national policy matter of great importance, and I think it is well to bring this issue out into the open now.

I regret, Mr. Speaker, that we have not had an opportunity for a full debate on the ABM question at an earlier date. It would have been far better to have raised these issues back in April, when the House authorized construction on the missile site. That vote was the first step in the commitment to begin work on the Sentinel, and the full range of political, technical, and economic issues should have been placed before us at that time.

But today's debate is an appropriate time for us to air this question of the thin ballistic missile system. I would hope that the chairman of the committee would answer some of the questions about the Sentinel system which have been raised in the press and in the Senate debates.

First, for example, there is the issue of technological feasibility. Many members of the military and of the scientific community feel that an anti-ballistic-missile system cannot be perfected against sophisticated methods of attack. I am referring here to an incoming enemy's ability to use multiple independent reentry vehicles—MIRV's—or altered missile trajectories to out-fox our ABM defenses. If these doubts should prove to be correct, is it worth our money to build a system which may be useless against all but a small attack such as the Chinese might be able to mount using relatively primitive missiles?

Second, the possibility has been raised that development of an ABM system will only spur our enemies to multiply the strength of their offensive forces—just as we can build our forces to overcome any Soviet ABM system. Could this mean that we will not have improved our strategic position, but will only have moved the arms race to a higher plateau?

Last, Mr. Speaker, it has been said that the Chinese threat—against which the Sentinel system is now chiefly designed—is not yet materializing as expected. If indeed Red China's offensive missile development is lagging behind by a year or so, is this reason enough to postpone procurement of the Sentinel system components for another year?

I remind the House of these questions, Mr. Speaker, because they are the ones most often raised in the public debates about the ABM. I feel that our colleagues on the Armed Services Committee should assist the House by addressing themselves to these points.

The objections we are being asked to consider during this vote on authorization should have been raised much earlier. Speaking for myself, I would not be inclined to reject the advice of our defense leaders, unless compelling reasons were advanced for doing so. In this light, Mr. Speaker, I hope that we will have a full, fair, and responsible airing of the issues in this debate.

Mr. SISK. Mr. Speaker, I yield 4½ minutes to the gentleman from Texas [Mr. WRIGHT].

Mr. WRIGHT. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and include a newspaper article.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. WRIGHT. Mr. Speaker, I take this time primarily because of the question that was raised by the gentleman from Illinois with respect to the F–111 program and the effect that the elimination of the F–111B program may have upon the cost of the F–111A.

I must confess in the very beginning that I may be somewhat prejudiced in favor of the F–111A program for the very natural reasons that it is built in my district, that I know most of the people who construct it, and that I have personally flown this aircraft and seen what it actually can do.

The Navy from the very inception of the project did not want to participate in the joint program with the Air Force. It disagreed with the basic McNamara concept of one plane for two services. Its admirals are implacably opposed to receiving any aircraft for which the Air Force is the management agency. The Navy has not changed, and is determined not to change, its position in this regard. That longstanding controversy is at the heart of the Navy's desire for a different plane. It will cost the Navy much more. It will delay the date of receiving an operational aircraft. The Navy and the Nation in the long run will be the losers as result of the Navy's termination of the F–111B. But, obviously, there is no point in Congress attempting to cram down the throat of any of the services a weapons system that it does not want.

The Air Force, however, very much does desire the F–111A. It values this weapons system highly. The Air Force is extremely well satisfied with the truly outstanding performance record achieved thus far by the F–111.

I want to compliment the committee on its recognition of this fact, and of the really remarkable accomplishments that the F–111A has demonstrated.

Some of these accomplishments need to be enumerated here, today, to give the proper perspective to the F–111, in view of the great volume of sensational and often completely inaccurate publicity which has attended this aircraft since its very inception.

So let us examine the facts:

In the first place, the F–111 has a considerably better safety record in the accident-and-crash category than any other fighter aircraft of the Century series—that series of planes that began with the F–100.

No doubt this fact will be a great surprise to some who have read the highly sensationalized accounts of each failure of an F–111. No other aircraft has ever had to face such a handicap of carping criticism and negative emphasis.

But the demonstrable fact, I repeat, is that in the first 10,000 hours of flight, *the F–111 has the best record of all.* Here are the statistics of major accidents in the first 10,000 flight hours:

Aircraft:	*Major accidents*
F–100	13
F–101	16
F–102	12
F–104	17
F–105	12
F–111	6

The accident record of the F-111 is twice as good as that of any other that I have cited.

The F-111 has proved to be beyond any doubt the most versatile aircraft ever built. This fact in the long run means unquestionable economy. Obviously the Nation simply cannot afford the fantastic cost of tooling up a separate design for a separate new plane for each separate tactical mission.

One F-111 aircraft can carry 105 different kinds of weapons, and one F-111 can deliver on target the destructive equivalent that was carried by 60 to 70 bomber planes of World War II vintage.

The navigation accuracy of the F-111, according to the Air Force, is eight times better than that of the closest contemporary fighter aircraft in our inventory.

Due in part to its superb terrain-avoidance system, the F-111 is capable of the lowest altitude, high-speed target approach of any aircraft in the inventory. It will fly reliably over target at about one-fifth the altitude of the nearest contemporary, will do so in any weather and at night. This is a priceless asset in avoiding enemy radar and firepower.

Compared with any other aircraft the F-111 presents a minimum reflection to enemy radar, even at higher altitudes and in clear weather.

The F-111's own radar target tracking device is approximately five times more effective than that of any other military aircraft.

The F-111 is the only fighter plane in the inventory with sufficient range to fly nonstop across the ocean without refueling and without external tanks.

Because of its minimal maintenance requirements, the Tactical Air Command was delighted to discover that the F-111 will fly about twice the number of operational hours monthly than had been advertised or expected.

This also means that the airplane is much less expensive to maintain than was expected and, regardless of first cost, the real expense of owning and operating the plane is considerably less than expected.

So far as unit cost is concerned, two facts need to be recognized.

First, each successive military airplane for the past 25 years has cost more than its predecessor.

Also, it goes without saying that unit cost is directly and inversely related to volume of production.

Therefore, it is obvious that the Navy will spend many hundreds of millions dollars more when it scraps the F-111B and starts all over with a few design.

The Navy would pay more, wait longer and ultimately get an inferior aircraft.

Mr. ANDERSON of Illinois. Mr. Speaker, will the gentleman yield?

Mr. WRIGHT. I yield to the gentleman.

Mr. ANDERSON of Illinois. Is it, however, still true that because of the inability to achieve a commonality of design for the Navy and the Air Force that the Air Force is going to have to pay an awful lot more for every plane than it was originally said would be paid because original per-plane costs were projected on the assumption of the development of one airplane for the two services?

Mr. WRIGHT. I think there is unquestionably some truth in the gentleman's assertion. It is obviously true that if you are going to cut down the number of planes in the total package, each one will cost more. I am not at all certain that the cost will be "an awful lot more", in response to the gentleman's question, but unavoidably the Navy decision to abandon the F-111B will boost costs in a number of ways. The principal increase, in my judgment, will come in the extra cost to produce the VF-X for the Navy.

In order that the RECORD may more fully reflect a balanced perspective on the real accomplishments of the F-111A, I am including for printing in the RECORD at this point a copy of an article by Seth Kantor which appeared in Scripps-Howard newspapers throughout the country:

SUCCESS STORY: THE FACTS BEHIND THE F-111A—SECRECY HIDES WARPLANE'S GOOD RECORD

(By Seth Kantor)

WASHINGTON.—Key members of Congress and Air Force Secretary Harold Brown agree that the cape of secrecy must be removed from the real story of F-111A combat missions in Vietnam this year.

The Fort Worth-built supersonic warplane began flying its first missions March 26 from the 428th Tactical Fighter Sqdn. base in Thailand.

It is expected that a "declassified version" of top-flight F-111A success in combat "will be released by the end of this summer," predicts Air Force Magazine in its current issue.

Meanwhile, Air Force authorities are anxious to publicize whatever they can on the plus-side about the F-111A, the Air Force version of the sweep-wing fighter that had been programmed to serve both the Air Force and Navy.

They point to the record which shows the number of major accidents in the first 10,000 hours of flying of the F-111A, compared to other fighters of the Century series. It goes like this:

	Major accidents
F-100	13
F-101	16
F-102	12
F-104	17
F-105	12
F-106	8
F-111	5

The Pentagon points out that the five F-111A accidents do not include one loss after the 10,000-hour mark was passed and one accident involving the Navy's F-111B version.

Air Force Magazine reports that in June there were just two test F-111As airborne. This month, though, "it is expected the entire inventory will be back in the air after replacement of a defective hydraulic actuator valve in the elevon system.

"Basically, the problem was that a small rod, screwed into the assembly and then welded into place, worked its way loose under the stress of vibration.

The crashes of three F-111s in Southeast Asia, shortly after they were pressed into service there this year, received wide coverage in U.S. newspapers, while the successes still remain garbed in the olive drab of government secrecy.

Air Force valuators have told the Pentagon privately that Combat Lancer, the code name for the F-111A operation, has been a walloping success. Frequently the missions have been flown in bad weather and all were flown at night.

Reportedly, radar bombing accuracy of the F-111 under combat conditions has exceeded F-104 and F-105 efficiencies.

Mr. SISK. Mr. Speaker, I move the previous question on the resolution.

The previous question was ordered.

The resolution was agreed to.

A motion to reconsider was laid on the table.

Mr. RIVERS. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (S. 3293) to authorize appropriations during the fiscal year 1969 for procurement of aircraft, missiles, naval vessels, and tracked combat vehicles, research, development, test, and evaluation for the Armed Forces, and to prescribe the authorized personnel strength of the Selected Reserve of each Reserve component of the Armed Forces, and for other purposes.

The SPEAKER. The question is on the motion offered by the gentleman from South Carolina.

The motion was agreed to.

IN THE COMMITTEE OF THE WHOLE

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill S. 3293, with Mr. ROSTENKOWSKI in the chair.

The Clerk read the title of the bill.

By unanimous consent, the first reading of the bill was dispensed with.

The CHAIRMAN. Under the rule, the gentleman from South Carolina [Mr. RIVERS] will be recognized for 1 hour, and the gentleman from Massachusetts [Mr. BATES] will be recognized for 1 hour.

The Chair recognizes the gentleman from South Carolina.

Mr. RIVERS. Mr. Chairman, this bill, S. 3293, is the annual military procurement and research and development bill.

This bill is, except in detail, the same kind of bill that is presented to the House each year. It constitutes the authorization for appropriations for those weapons that are subject to specific authorization, and covers all research and development of the Department of Defense.

The bill totals $21,636,964,000 which is $748,088,000 less than the bill as submitted by the executive branch.

Although the Senate has taken action on this legislation, the bill before you is not, except in a technical sense, an amendment of the Senate's bill but is our own bill—the bill of the House Armed Services Committee. In some instances we agreed with the Senate and in other instances we did not agree.

Two important modifications to the basic program that the Senate made and to which we do not agree is the Senate committee action which cut the R. & D. program by 3 percent across the board. We do not believe in across-the-board cuts; we believe in studying the specifics of a program and taking out what we disagree with and putting in what we feel the country needs.

That R. & D. cut that I just referred to was made in the Senate committee. The other across-the-board cut that we did not agree with was an amendment on the floor of the Senate which cut the whole bill by approximately 3 percent.

Again this was on a wholly nonselective basis and left it to the Appropriations Committees or the executive branch to pick and choose where the cuts would be made. This approach was rejected for the same reasons that I cited with respect to the R. & D. cuts.

The committee report is very long—over 90 pages—and I realize that all of you will not have the time to read every word of it. Because of this I intend to make reference to particular parts of it as I go through my statement.

Two tables that will give a ready understanding of the program as submitted and the changes recommended by the committee appear on pages 5 and 10. The first of these tables gives a quick overall picture and the second one a much more detailed one. The second one, for example, shows at a glance that we have cut out the Navy F–111B aircraft but have added some EA–6B's. And it shows that we made a great many individual changes, up and down, in the research and development programs of the military departments. In the light of the long familiarity that the House has with this kind of bill, I intend to deal only with the highlights of the Army, Navy, and Air Force programs, directing your attention as I go through them to the pertinent pages of the report. Next, I intend to touch on committee changes in the program as submitted, both from the standpoint of money and language, and lastly I want to point out some rather special portions of the report that deal with overall defense problems.

I will start with the Army.

ARMY

On page 45, the Army procurement program begins. It totals almost $2 billion. The amounts for aircraft, missiles, and tracked combat vehicles making up this total are indicated on that page, as are the particular kinds of aircraft, types of missiles, and tracked combat vehicles.

As you turn the pages from there on each aircraft, missile, and tracked combat vehicle is described in unclassified detail. The committee made no changes in the Army procurement program but did make some changes in its R. & D. program where we cut $20 million. Exactly where we cut in R. & D. will be found on page 11 of the report. The total Army R. & D. program is somewhat over $1.6 billion.

Most of the Army program is as you have seen it before. Two things of particular interest this year however are the Cheyenne helicopter which represents a new concept in helicopters in that it has a rigid rotor and short wings. This is a truly noteworthy advance in this field and the Cheyenne will be a tremendously effective weapon in supporting ground troops all the way from small guerrilla warfare to general warfare.

The other notable element of the Army program—and it is found in both procurement and R. & D.—is the large amount of authorization for an antiballistic-missile system—the Sentinel system. In this bill there is $342.7 million authorization for procurement and $312.9 million authorization for research and development, a total of $655.6 million. Preliminaries for this "thin" anti-Chinese system are already underway and this bill will constitute our first major step toward an ABM system capable of countering the Red Chinese threat in the middle seventies.

NAVY AND MARINE CORPS

The Navy and Marine Corps program starts on page 52 of the report. Procurement totals almost $4.8 billion and again you will see on that and succeeding pages the aircraft, missiles, and ships proposed for procurement and a description of each of them. One of the highlights of the Navy program is an absence from the bill rather than a presence. I am referring, of course, to the F–111B which simply was not working out but still was absorbing a great deal of money. We cut this program out entirely, saving over $300 million, and gave the Navy authority under the R. & D. program to proceed with an airplane now designated as the VFX–1. This will be a smaller, lighter and much more carrier-adapted aircraft. The prospects for real success here look very good. I would like to point out that the VFX program needed $170 million this year but we were able to find $100 million of this in already appropriated but unexpended F–111B funds which would have been spent if we had not cut off the F–111B program. This $100 million is in a very real sense a true saving, almost a windfall.

We made some relatively small but very important changes in the Navy's program which are designed primarily to put us ahead of Soviet developments in the submarine field—and their advances are not inconsiderable. We managed to cut a substantial sum, $221 million, from the DX program—that will be the new destroyer-type ship—because we found that amount simply was not needed this year. We picked up $183 million by cutting out the four fast logistic deployment ships, called FDL's, and made a number of other changes, up and down, in the Navy program. I should mention that we added $50 million—and this goes back to my reference to advances by the Soviet in submarines—for research and development in antisubmarine warfare. We get into a classified area here but let me assure the House that this addition is an important one, a really needed one. All of our changes in Navy research and development—and there were a considerable number of them—leaves the Navy and Marine Corps research and development program at almost $2.2 billion.

AIR FORCE

The Air Force procurement program starts at page 58. It totals almost $7 billion and all of the aircraft and missiles are set out and described in the succeeding pages.

The Air Force program is very much like last year's in the kinds of aircraft and missiles to be procured but I make special mention of the C–5A airlift aircraft, the biggest in the world, which had its maiden flight only several days ago. The committee, of course, takes some special pride in the advances that have been made in our airlift and the C–5A is one of the evidences—as is the C–141—of the pressure that the Armed Services Committee exerted on the Department of Defense over a long period of time. We never rest on our laurels but if we were to rest on any laurel, airlift could be one.

The Air Force research and development program is about $3.5 billion. Our changes in this program were relatively small because the program appeared to be well thought out and supported by the testimony that the committee received.

Mr. Chairman, that is a quick rundown of the major elements of the Army, Navy, and Air Force programs in this bill. I have not, of course, covered every element but I have tried to give you and the House an overall picture of the programs as they came up to us and the actions that we are recommending to you and to the House.

RESERVE FORCES

I now want to draw your attention to title III of the bill relating to Reserve Forces.

Title III of the bill, as reported by the Committee on Armed Services, relates entirely to the Reserve components of our Armed Forces.

Sections 301 and 302 establish the personnel strength for the Selected Reserve for each of the Reserve components for fiscal year 1969. These sections represent, as now required by law, the first legislative authorization providing for the personnel strength of the Selected Reserve for each of the Reserve components on a fiscal year basis.

Prior to the enactment of Public Law 90–168, no authorizing legislation on an annual basis was required with respect to the strength of these Reserve components. This matter had formerly been dealt with in the annual Department of Defense Appropriations Acts. However, with the enactment of Public Law 90–168 there is a statutory requirement that the personnel strength of each of the Selected Reserves be authorized on an annual basis as a prior condition for the appropriation of pay and allowances for the Reserve components. Sections 301 and 302 of title III of this bill, therefore, satisfy this statutory requirement.

The strength figures for each of the Reserve components for fiscal year 1969 are essentially those recommended by the Department of Defense with one major exception. In the case of the Naval Reserve, the Department had recommended a strength figure of 126,000, whereas committee hearings conclusively demonstrated a genuine requirement for a strength substantially in excess of this amount. Therefore, the committee increased this figure to 129,000, an increase of 3,000 during fiscal year 1969 so as to enable the Naval Reserve to gradually increase its strength to that required for mobilization purposes.

The strength figures recommended for the Selected Reserve for fiscal year 1969; that is, the drilling reserve, are set out in the bill.

The bill also contains appropriate language to reflect adjustments in authorized strength figures necessitated by the call to active duty of certain of these Reserve units.

In addition to establishing Selected Reserve strengths for fiscal year 1969, the bill provides as section 303 an extension of the authority of the President to order units of the Ready Reserve to active duty. The Department of Defense had requested the Committee on Armed Services to incorporate into this bill language which would provide the President with authority until July 1, 1969, to order units of the Ready Reserve to active duty.

Stated another way, the Department requested a 12 months' extension of the authority previously granted the President in Public Law 89-687 to order "to active duty any unit of the Ready Reserve of an armed force for a period not to exceed 24 months."

The Department, in urging this action by the committee, among other things stated:

> This action would appear to be a prudent course of action in view of the problems we face in Vietnam and Korea. It would preserve the status quo with respect to necessary flexibility for rapidly augmenting our forces in Vietnam should the necessity arise.
>
> Furthermore, if such an extension is not provided, there will be no authority, short of declaring a national emergency, to use Reserve component units (unless they are National Guard forces) in connection with the preservation or restoration of domestic law and order.

The committee fully concurs in the Department's recommendation and has provided this authority in section 303 of the bill.

GENERAL PROVISIONS

Mr. Chairman, the committee recommends a number of new sections to this bill that you will find under title IV, "General Provisions." I will run over these briefly.

Our new section 402 is designed for one thing and one thing only—the removal of any artificial ceilings on naval shipyard personnel wherever these ceilings may come from. The committee was in full agreement that the number of people employed by naval shipyards should relate directly to the amount of necessary work that is being done at the shipyard. The amendment is not going to cause any great rise in the number of people in our naval shipyards but it does remove what can best be described as an artificiality that has no place in our manpower planning.

Section 403: I have mentioned the pride that the committee has in the growth of our airlift. This amendment is simply another extension of this interest. What it will do is this: it will bring about an earlier modernization of our domestic Civil Reserve Air Fleet. As has been done in the international portion of that Civil Reserve Air Fleet, this will be done at rates established by the Civil Aeronautics Board which are intended to be reasonable both from the standpoint of the Government and the civil air carrier. It is only with this reasonable rate that the civil carriers are able to convert their profits from military airlift contracts into modern turbine-powered equipment which will be more productive and more reliable in times of national emergency.

Section 404: The amendment to authorize the sale of obsolete and surplus military equipment to State and local law enforcement and firefighting agencies will correct a situation under which surplus, usable weapons and equipment could serve a beneficial purpose.

At the present time when equipment of this type becomes surplus to military needs it is disposed of according to regulations promulgated by the General Services Administration.

The demands now being placed upon many of these State and local agencies has taxed not only their manpower, but also their equipment resources. It therefore makes absolutely no sense whatsoever to have these agencies, so desperately in need of this equipment, useful in carrying out their functions and duties, denied them, while at the same time the Federal Government, by virtue of GSA regulations, is required to destroy or render them useless.

A considerable savings would accrue to the Federal and local government if equipment of this type could be made available. This amendment will enable these agencies the opportunity to equip their forces at minimum cost while returning a fair market value for the material to the Federal Government. It also provides the necessary control over the transfer of such equipment by requiring that requests for surplus equipment be approved by the Governors of the States concerned, or by their designated representatives.

Section 405 has one simple purpose and that is to do whatever is possible to insure that U.S. produced buses are used in our overseas areas. Today in Southeast Asia and in Europe we are using foreign made buses and there is good evidence that this is not saving us any money. Wherever we can use a U.S. bus without paying a premium for doing this, we will do it under this amendment.

Section 406: The purpose of this section is to close the loophole which allowed the Army to make the recent awards for the procurement of M-16 rifles without considering price proposals from all four qualified bidders. It would insure that on future negotiated procurements of the type mentioned, the military departments will have to consider at least ceiling prices proposed by all qualified bidders.

Section 407: The Committee on Armed Services has long been interested in seeing that the servicemen and women receive the best of medical attention that the country has to offer. The amendment to designate one of the Assistant Secretaries of Defense as Assistant Secretary for Health Affairs is the direct result of this concern. By this designation, it is the intention of the committee to bring the emphasis on the medical aspects of service back to the importance it once held before the medical affairs were put under the Assistant Secretary for Personnel Affairs.

By this amendment, it is also the desire of the committee that the man who has been and now is responsible for the medical matters in the services be retained and promoted to the new position.

I said at the beginning of my remarks that I was going to draw your attention to some rather special portions of the report that deal with overall defense problems. I am going to do only that—draw your attention—because they are quite long. The first of these begins on page 22 of the report under the heading "Manned Aircraft Systems." This portion of the report is a short treatise, so to speak, on why this country must never depend on missiles alone—why we must have manned aircraft systems.

The first part of it deals with AMSA, advanced manned strategic aircraft, and the second part of it deals with the need for a new interceptor, and specifically with the vital requirement for a mix of F-106's and F-12's in our air defense force for the immediate future.

Mr. Chairman, these two matters are most important to our country and they are completely, and I think persuasively, documented in this report. I commend this section to your reading. I think you will find it rewarding.

Mr. Chairman, this was an austere program when it was presented to us. Substantial cuts had been made within the executive branch before it was sent up to the Congress. I think that those cuts plus the modifications made by the committee presents to the House a very solid bill and I urge prompt passage.

Mr. PELLY. Mr. Chairman, will the gentleman yield at that point?

Mr. RIVERS. I am delighted to yield.

Mr. PELLY. I would feel remiss if I did not compliment your great committee and the chairman for eliminating these FDL's. I think those of us who studied the problem feel that what we need is a privately owned merchant marine and especially the new LASH type vessels which will do much the same work that the FDL's were intended to do. Private ships can be used in peacetime as well as wartime. I think the committee is to be commended. We hope you will join with the Committee on Merchant Marine in trying to persuade the Administration to give us a proper and adequate merchant marine for national security purposes.

Mr. RIVERS. I thank the gentleman and appreciate those words of commendation. I am sure that along with that commendation is your pledge of supporting us on this entire bill.

Let me say this, also: Of course, we are interested in the Merchant Marine and we are trying to save it. You will remember 2 years ago we gave the DOD two of these FDL's. They elected not to build them. In the meantime private industry has gotten busy and expended many millions of dollars of their own money to try to meet this need. It is to the credit of both the subsidized and unsubsidized elements of the merchant marine industry that they are working on something to fulfill the needs of the military. I think we should give them the opportunity to respond. There are numbers of programs, LASH and Respond. There is much progress in containerization, palletization, and all sorts of handling of cargo in the shortest period of time. And this is by private industry with private capital. That is the reason why we feel we should give industry an opportunity to serve this country. Our merchant marine is disappearing from the oceans, and we must save it. We are late in this area. I thank the gentleman for those remarks.

Now, Mr. Chairman, I yield to the very distinguished chairman of the Committee on Merchant Marine.

Mr. GARMATZ. Mr. Chairman, I, too, want to congratulate the chairman of the Committee on Armed Services for taking out the four FDL's programed, which I understand would cost approximately $50 million apiece. The money could very well be spent by private industry and private merchant marine, as my colleague from Washington said. It could be used very wisely. I want to congratulate the chairman of the committee in getting it out of the bill.

Mr. RIVERS. I thank the gentleman. We would appreciate your support on the entire bill, also.

We have had instances of reports that many Japanese buses were being used where our own could be used at a much more reasonable figure.

Section 406—the purpose of this section is to close a loophole which allows the Army to make certain unreasonable awards—the recent controversy over the M–16 rifle is an example.

I would like to say here with respect to the M–16 rifles, we would consider price proposals from all qualified bidders. It would insure that on future negotiated procurements of the type mentioned, the military departments will have to consider at least a ceiling price proposed by the qualified bidders. It is not, may I say to my colleague, the gentleman from Texas [Mr. Brooks]—it is not our intention that this would apply to architect and engineering contracts which are always and have historically been awarded by different methods.

This has nothing to do with architect and engineering contracts, in our opinion, and it was not designed for that at all.

Mr. BROOKS. Mr. Chairman, will the gentleman yield?

Mr. RIVERS. I yield to the gentleman.

Mr. BROOKS. I want to thank the distinguished chairman for reading my mind and pointing out that this amendment does not in any way affect—and you do not intend for it to affect the procurement of architect and engineering services which in the Defense Department and in many branches of this Government are acquired in the traditional manner of evaluating the capability of architects and engineers and then negotiating with those that they feel are best qualified, to determining their fee. If they cannot reach an agreement on a reasonable fee with the most qualified architect or engineer, they negotiate with the next architect or engineer as the case may be.

I deeply appreciate your keen and fair understanding of this matter, Mr. Chairman.

Mr. RIVERS. Let me say this to the gentleman, under our construction bills over 95 percent of our military construction program is on competitive bidding. But you cannot have competitive bidding in the architect and engineering field. There is a human element involved there. It has never been "competitive" in that sense. It must be selective. There is a list of qualified architects and engineers and this is the only way it can be handled, and this amendment in no wise affects this category of service procurement.

Mr. BROOKS. I thank the gentleman very much.

Mr. CHARLES H. WILSON. Mr. Chairman, will the gentleman yield?

Mr. RIVERS. I yield to a distinguished member of the committee, the gentleman from California [Mr. Charles H. Wilson].

Mr. CHARLES H. WILSON. Mr. Chairman, in discussions of Vietnam one often hears the expression "The night belongs to the Vietcong." For several years now the Army has been actively pursuing a program entitled "Night Vision," which will change that ownership. The impact of this program on future warfare is enormous. No longer will the fall of darkness mark the stop or even slow down of the tempo of operations. No longer will darkness offer our enemies either opportunity for counterattack or even rest from our own relentless pressure. The accomplishments and promise of the night vision program are such that this dramatic change will be a reality.

This is not a new program, it is one that the Army has been pursuing for a number of years. The Army's early recognition of the promise and wholehearted support of the program has pioneered the way in developing items of night vision equipment.

The Army has also prepared a program, taking advantage of these new developments to provide our forces in Vietnam with interrelated sets of night vision and radar equipments to further improve our night combat capabilities. The basic objective is to so equip our infantry and airmobile forces along with their supporting artillery and surveillance units so that they can extend their daylight successes into the night. The program is entitled "Sea Niteops." As this program is completed, the Vietcong, who resupply, move, and fight predominately at night will find themselves as exposed and vulnerable to our superior forces as though it were daylight.

Because the Army is leading the way in this new and expanding technology, its program has been growing rapidly over the past few years. The current budget provides for both the continued expansion of the night vision R. & D. program and the Vietnam oriented "Sea Niteops." The Army is to be commended for its aggressive leadership in this area.

The CHAIRMAN. The Chair recognizes the gentleman from Massachusetts [Mr. Bates].

Mr. BATES. Mr. Chairman, I yield myself such time as I may desire.

Mr. Chairman, I shall not repeat what the chairman of the committee has already so well covered, but instead I wish to turn my thoughts to other matters which I believe are specifically related to the bill before us.

Some 28 years ago I sat in the gallery of this Chamber and heard Franklin D. Roosevelt promise the production of 50,000 fighter planes a year in the defense of our country. This House rose almost as one man, and a deep sense of patriotic pride was reflected in the applause that reverberated through these Halls. America was to be second to none. But it would take time.

Not long thereafter, from the podium behind me, I heard the inspiring voice of Winston Churchill say, as he disdainfully pointed his finger, that his country would teach the Nazis a lesson that they and the world would never forget.

We can only conjecture as to how this prophecy was reechoed in the ears of Adolph Hitler during the waning days of World War II.

But what is important today, Mr. Chairman, is the question of whether we, here in America, have learned a lesson that we will never forget. Did we learn that unpreparedness contributed greatly, if not primarily, to World Wars I and II? The answer to that question must be in the negative.

When the shooting was over in Japan, our troops came home, our defenses were torn down, and our fantastic offensive capability was left for the historians to discuss. Only 5 short years later a decision was made overnight to defend Korea, and into this breach was thrown the only readily available troops we had—marines stationed in Japan, whose only training was in functions pertaining to our Embassy in Tokyo.

Soon thereafter the backs of our troops were almost to the sea in the ever-decreasing perimeter around Pusan. Again we learned the lesson—too late—and we paid a heavy price in lives and in treasure.

It became clear during these years that our wartime ally—Russia—was the greatest threat to us and the free world.

From the early fifties to the early sixties, Russia in a series of actions by itself or by its partners in the Communist conspiracy or by the bellicoseness of Stalin and Khrushchev kept the free world alerted to the dangers confronting it, and the free world responded as it developed a military posture decidedly superior to that of Soviet Russia.

Today there is no Stalin, there is no Khrushchev whose belligerence was for us a danger signal only a few years ago. Today we in America have a people who are tired of war. Today there is no resounding applause as we promise to make this the greatest military power in the world. We never hear the strength of America discussed any more. We hear more about the weakness of America. We hear about America being criticized in Vietnam, especially about bombing places in the north, but we hear very little criticism about the bombing by the Vietcong in Saigon, killing women and children.

Times have changed. Yet I want to say to the Members today that the military superiority that marked our strength not long ago has been compromised and it has been weakened, and each year our relative strength has been dissipated.

Need I recall to Members the *Pueblo* incident that found us without a single—without a single—fighter plane in Korea to respond to the dastardly action of one-half a small nation—not a full nation, but one-half. We, the great military power of the world, the United States, could not even respond.

In the eyes of the world and certainly in our own eyes, when we think of our self-respect, we lost a lot more than the ship and the men on it—on that black day in January.

The cross-currents in which we had to navigate as we considered this bill made our task a very difficult one. Of course, we are well aware of the young men in our country who are giving their lives and youth without complaint in Southeast Asia. We wanted to make sure, as far as we possibly could, that they had the best kind of equipment that it was within our power to give them.

We are also aware of the recent action of the Congress and the administration which requires us to cut this budget.

At the same time we cannot lose sight of the fact that our principal enemy is still arming in Moscow with its military expenditures rising 15 percent this year over a year ago. And they are not wasting their resources in Vietnam, as are we. When they build, they are building for tomorrow and they are building fast.

There is no doubt of the great effort the Soviets are making in their military work. Their space program continues apace, as it has since 1957 with their sputnik effort. They have tripled—and listen to this—they have tripled the number of their ballistic missiles in the last 2 years. They have also installed at least one anti-ballistic-missile defense system around Moscow—and we have none. I do not know whether it is possible—nor does anyone I have talked to know whether it is possible—to develop an antiballistic missile system that will be effective against a sophisticated nuclear attack.

I do not think the question today is whether we want to spend the money for this. I think the question is: Dare we not do it? Do we want to wake up some morning and find that the Russian threat and their ABM system is truly effective, but we did not go down that road and we never found out that it could be effective until it was too late?

It well might be that we might lose some money in this effort, but I would rather lose some money than lose our country—and we can, if we prove to be wrong on this issue.

Russia has a fractional orbital bomb, but we have none. They have conducted more nuclear tests and know more about the phenomena associated with those tests than do we.

Its 23-millimeter gun now in Vietnam can outshoot any of our counterparts which are presently there. Regrettably we are moving at a snail's pace to correct the situation.

Their planes continue to break records. Their new Foxbat fighter has flown faster than any other plane. It is 5 years ahead of anything we have in development.

Only yesterday, as has been discussed here today, the Navy canceled its F–111B. I believe it was the right decision. I believe it was the wrong decision originally when we tried to compromise two aircraft because of commonality. I never believed, and I do not believe now, that one can compromise a weapons system and have it fight successfully against one that is not compromised. So the Navy canceled the plane. The Navy did not want it. Even the plane manufacturers of this country thought it should have been canceled.

The Russians have a new supersonic transport which is also usable as a bomber, and it is expected to have its first flight next year.

On the seas their efforts have not flagged at all. They now have one of the largest merchant marine fleets in the world, and it is growing. While the American merchant marine fleet has shrunk by 26 percent, since 1951 the Soviet merchant marine has increased 500 percent.

Their Navy, which was so insignificant in the early postwar period, is now second only to our own and is growing rapidly.

Certainly one of our highly prized military attainments has been our nuclear submarine fleet, with our production capability for nuclear submarines only a small fraction of that which the Russians presently have. The Russian submarine fleet has been built entirely, 100 percent, since 1945. Sixty-six percent of our submarines today were developed and produced before the end of World War II, and this is an area in which we have had such great pride. Russia has over 350 submarines, and I will remind the Members that Hitler had only 65 submarines at the beginning of World War II, and all of us recall rather vividly the devastation this number of submarines wrought right off our own coasts. And we have only 104 submarines to cope with the 350 of the Soviets.

Make no mistake about it, we cannot take our eyes off the Soviets, not even for a moment, not even for all of Southeast Asia, not even for our needs at home, and not even for the purposes of balancing the budget.

Nor can we forget that the Chinese have built and tested atomic weapons way ahead of the time we thought they would be ready, and they, too, have a growing submarine fleet. Some have predicted that Red China will have a ballistic missile submarine fleet of 12 or 15 by the middle of the 1970's.

While we are trying to keep ahead of these countries, the complexities and the prices of our defense systems mount rapidly. While in World War II a submarine cost only $4 million, today a Polaris submarine costs $150 million.

We are spending $86 billion this year. People are asking, "Where does all the money go?" It is all in the price escalation and the advances of technology, with submarines going from $4 million to $150 million from World War II to the present time.

In World War II a destroyer cost only $7 million. Today it costs $33 million, and one with nuclear power is $180 million.

In World War II an aircraft carrier cost $55 million. Today a nuclear-powered aircraft carrier, without its planes, costs $555 million.

In World War II a fighter for the Air Force cost under $100,000. Today, the F–111A costs between $7 million and $10 million each, depending upon the cost allocations.

As much of these increases are caused by the complexities of the new systems as by the inflation which has hit all of us alike.

This does not mean that the Department of Defense should not be concerned with the cuts that the Congress has ordered—it is concerned. However, not even the Joint Chiefs of Staff have any idea at this time just which programs will bear the brunt of the cut. I, for one, had the Joint Chiefs over to examine this question most carefully with me. They, of course, have given the matter much consideration. The problem of making the cut so as to minimize its effect upon the security of the Nation is a very grave one. It looks at the moment as though the cuts would be accomplished by putting off programs which may not be as immediately required as had been anticipated.

The Armed Services Committee has very carefully listened to the witnesses, both civilian and military, who have come before the committee in an effort to establish the best military defense for our country with all due consideration to its cost. We firmly believe that the program which is being presented to you here today will improve the defense of our country at a cost that we can afford to pay. While we held hearings for 24 days, this does not mean that only 24 days of consideration went into the bill. On the contrary, this bill is the result of the work of all of our subcommittees, all of our daily contacts with the departments, and all of our trips which our men have made, both in this country and overseas. All of this is on top of our experience of years before. The bill with which we come before you had not been lightly considered in committee.

It is most pleasing to report that since the new Secretary of Defense has assumed his position, there has been a completely new and very refreshing relationship arising between him and our committee. We have found that we can talk openly with him about the problems that are uppermost in our minds and get frank responses. More than that, we get action. Indeed, in the case of the nuclear-powered frigates for which we have pressed so long, he was finally in accord with the recommendation which we have made.

We have long sought a cooperative effort between the Congress and the Department of Defense. There have been many occasions when the suggestions of the Congress became realities, and our defense was considerably strengthened. For instance, the Congress has always been the primary sponsor of new nuclear naval matters. As you have often been reminded, it was the Congress that authorized the *Nautilus*. It was the Congress that insisted nuclear submarines be built. Strange as it may seem, at this time it was over the objections of the Navy Department itself. Now that there is a new submarine threat which is becoming clearer to those of us in both the Senate and the House who have had a chance to study the facts, we have been pushing for two new kinds of submarines. Last year we fully funded one of those. This year we are providing funds to get another kind started, and we plan to fund it fully next year. I understand this submarine has been approved by the Department today for development and procurement of long leadtime items, while the Department is still studying last year's submarine.

There has been talk, too, of stopping a large number of other programs—the manned orbiting laboratory, our attack aircraft carriers and our antisubmarine aircraft carriers, among other programs. I think that at this point it would be well to remind the Department of Defense underlings that section 401 of Public Law 89-501 contains the provision:

> However, notwithstanding any other provision of this Act or any other law, the Secretary of Defense shall not direct or approve a plan to initiate or effect a substantial reduction or elimination of a major weapons system until the Secretary of Defense has reported the pertinent details of the proposed action to the Congress of the United States while the Congress is in session. The Congress shall within ninety days thereafter advise the Secretary of Defense through the Committees on Armed Services of the Senate and House of Representatives respectively, of the recommendations of these Committees on the proposed action.

We are hearing rumors from all angles that any program which receives any additional moneys from congressional additions has to find equal funds in the program to cut out. This ruling has been heard in conjunction with the ruling that funds added by the Congress were not in the President's budget and so are not to be approved for obligation. I sincerely trust that such is not the case.

In the report we have recommended that there be serious personnel reductions within the Department of Defense, since it has burgeoned to an extent that the Congress never contemplated when we approved the formation of the Department. Two of the areas we specifically select for cutting are the Assistant Secretary of Defense for Public Affairs and the Assistant Secretary of Defense for Systems Analysis.

It was not until this year that the Congress is finally calling the Navy version of the F-111 to a halt. The Senate has already done so, and we are recommending that you concur in that result. The former Secretary of Defense had the idea that one fighter could serve the needs of both the Air Force and the Navy. However, the needs of the Air Force predominated in the basic design of the body of the airplane since the Air Force was buying so many more. This meant that the Navy's needs for a good fighter plane which could be operated from aircraft carriers were subjected to the Air Force requirements.

It has only been the proof from the actual flying of the planes that has finally made almost everyone decide that the time had come to let the Navy try to get a fighter specifically designed to meet carrier requirements. We do not believe that the Navy's needs would have been so long neglected if there had not been an excessive smokescreen built up around the entire project by the public relations people of the Department of Defense. At every opportunity they praised the commonality idea of having one basic plane for two forces. What they did not say was that the high percentage of commonality that they praised was in part reached by counting the number of rivets and fasteners in each plane that were identical. In the meantime the Navy has suffered. I understand that yesterday the F-111B was canceled by the Navy Department.

The systems analysis people in the Department of Defense have also contributed greatly to our present problems. Let me give you an example. Both the Joint Chiefs of Staff and the Navy have been insisting that, in order to provide and adequate first line of defense against the over 350 submarines of the Soviets, the Navy should have over 100 nuclear attack submarines. The Department of Defense systems analysts have insisted on limiting the number to 69. Under cross examination Dr. Enthoven could not provide the basis on which he had overruled the strong recommendation of the military. He referred to studies by the Navy insisting that the Navy refused to follow the implications of their own studies.

The result of the Enthoven treatment was that at no time was there adequate consideration given to our possible loss of any submarine by enemy action or otherwise. Not even the possible loss of one of our submarines not in wartime—such as the *Scorpion*—was included in their thinking. Indeed, using studies of the Navy which were specifically limited not to be used for setting force levels, the systems analysts used them for setting force levels.

It has now been established that one of the main functions of the systems analysts in the Department of Defense is to prepare papers which are called draft presidential memoranda. These papers are initiated within the Systems Analysis Office of the Secretary of Defense and are then circulated to the Joint Chiefs of Staff for comment. These papers then become the fundamental paper for the establishment of our forces for the next year—or indeed until the paper is changed. In arriving at the decisions, the systems analysts use cost-effectiveness studies, purporting to find the most effective military system for the least cost. The usual premise is to spend an equal sum of money for various possible alternatives. In the end it is the cost which principally governs, the effectiveness is too often downgraded in the equation.

I believe there should be a better balance. The result is that the systems analysts are the ones who decide the budget levels and the force structures.

This is indeed an interesting development. Section 141(d) of title 10 of the United States Code says that the Joint Chiefs of Staff shall—

> (1) prepare strategic plans and provide for the strategic direction of the Armed Forces;
>
> (2) prepare joint logistic plans and assign logistic responsibilities to the Armed Forces in accordance with those plans;
>
> (3) establish unified commands in strategic areas;
>
> (4) review the major material and personnel requirements of the Armed Forces in accordance with strategic and logistic plans; . . .

Section 136(b) of title 10 of the United States Code provides for a Comptroller who shall—

> (1) advise and assist the Secretary in performing such budgetary and fiscal functions and duties, and in exercising such budgetary and fiscal powers, as are needed to carry out the powers of the Secretary;
>
> (2) supervise and direct the preparation of budget estimates of the Department of Defense;
>
> (3) establish and direct the execution of principles, policies, and procedures to be followed in connection with organizational and administrative matters relating to—
>
> (A) the preparation and execution of budgets;
>
> (B) fiscal, cost operating and capital property accounting;
>
> (C) progress and statistical reporting; and
>
> (D) internal audit. . . ."

Thus it is that the former Secretary of Defense took two responsibilities especially assigned by statute to the Joint Chiefs of Staff and to the Comptroller, respectively, and merged those statutory responsibilities in an Assistant Secretary of Defense for Systems Analysis, reporting directly to himself. From the number of complaints that we have heard that the systems analysts disregard the military advice available to them, perhaps this group should be put under and made to report to the Joint Chiefs of Staff. Then we would be sure that the military point of view was given adequate weight in their studies before they were transmitted to the Secretary of Defense.

In conclusion, Mr. Chairman, the decisions before us are of a great magnitude. The very security of our country and the free world might well depend on what we do here today and in the immediate years ahead. The background I have given you occasions more reason for concern than for comfort.

Mr. Chairman, our newspapers quote General Wheeler, the Chairman of the Joint Chiefs of Staff, as stating that "the growth of Soviet nuclear power, and the trend of certain additional defense policies combine to make him"—our top military adviser—"anxious about our Nation's future capacity for survival."

Mr. Chairman, Vice Adm. Hyman Rickover, the father of our nuclear submarine fleet, states on page 9844 of the hearings before us—and I want you to listen to this because if there has been any area of defense in which we had great pride, it was in our submarine fleet. This is what Admiral Rickover, the father of our submarine fleet, said to our committee, and I want to quote him. He said that he was asked the question by the Senate Armed Services Committee which submarine force he would rather command, and he instantly answered "the Soviet submarine force."

Admiral Rickover, the father of the American nuclear submarine, said he would rather have the Soviet fleet as it exists and as it is programed rather than ours as it exists and as it is programed.

Mr. Chairman, I have recounted for the Members of the Committee of the Whole House on the State of the Union how the Soviets have tripled the number of their ballistic missiles in the last 3 years, how our merchant marine fleet is now 26-percent smaller today than it was in 1951 while the Russian merchant marine fleet is 500-percent larger. I have told you that her submarine fleet is newer and is better programed than ours. Also I have told you that we are 5 years behind the Russians in fighter planes; that she has an anti-ballistic-missile system in place, and we have none; that she has a short takeoff and landing airplane in being and we have canceled ours. Also I have told you that the Russian Army is in many respects more modern than our own. And, in the last 2 years of military effort she has made amazing strides.

Mr. Chairman, we have no Stalin today to remind us to keep up our guard—we have no Khrushchev today to remind us to keep up our guard.

If we consider also the deep concern of our top military leaders—and I have gone to some great lengths to advise you of these facts—I would much rather today as I have in the past advise you of our strengths and its contribution toward preventing war among the great powers.

I also state these positions to indicate that if the Vietnam conflict should end tomorrow, that there is much catching up to do in our military program.

Mr. Chairman, as one who for the last 28 years has either been on active duty or a member of the House Armed Services Committee, I can understand the absolute necessity for the world to somehow bring the arms race under control. I know what modern weapons are.

As I told you only a year ago, we have in our arsenal a type of bomb which contains more destructive power than a trainload of TNT extending from Boston to Mexico City, and we have them in numbers and the Russians have them in numbers.

Mr. Chairman, this is the kind of world in which we have to live, and if there is some way in which we can guarantee peace throughout the world, this is something that we should undertake to do.

Mr. Chairman, the magnitudes of present-day weapons to defend ourselves in an emergency defy our imagination. However, we must be relentless in our pursuit of peace. But the tragic events of the past should remind us to negotiate from a position of strength.

Mr. Chairman, there have been those who have taken the floor today and who have said that since the Russians have started to talk, let us abandon our program of armed defense.

I say let us continue to build until we know where we are going. Let us vigorously and prayerfully dedicate ourselves to the most important task of our times, the attainment of a just and a lasting peace, but let it be a peace by willing agreement—not by pious submission.

Mr. LEGGETT. Mr. Chairman, I make the point of order that a quorum is not present.

The CHAIRMAN. The Chair will count.

Seventy-five Members are present, not a quorum. The Clerk will call the roll.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 242]

Anderson, Tenn.
Ashley
Bell
Brademas
Culver
Diggs
Evins, Tenn.
Fulton, Tenn.
Gardner
Hansen, Idaho
Hawkins
Holifield
Holland
Karsten
Kastenmeier
McEwen
Mayne
Michel
Minshall
Pool
Pucinski
Resnick
Rosenthal
Stephens
Stuckey
Teague, Tex.
Utt
Van Deerlin
Willis

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. ROSTENKOWSKI, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill S. 3293, and finding itself without a quorum, he had directed the roll to be called, when 405 Members responded to their names, a quorum, and he submitted herewith the names of the absentees to be spread upon the Journal.

The Committee resumed its sitting.

The CHAIRMAN. When the Committee rose, the gentleman from Massachusetts had completed his statement.

The gentleman from South Carolina [Mr. RIVERS] had consumed 33 minutes, and the gentleman from Massachusetts had consumed 24 minutes.

Mr. PIRNIE. Mr. Chairman, will the gentleman yield?

Mr. BATES. I yield to my distinguished colleague, the gentleman from New York [Mr. PIRNIE].

Mr. PIRNIE. Mr. Chairman, I thank the gentleman for yielding. I wish to take this opportunity to commend to every member of the House Armed Services Committee the clear and concise statement which the gentleman in the well has just made concerning the security problems facing this Nation the subjects which he so well discussed provide a proper foundation for consideration of this important measure which is before us today.

Also, I would like to commend the gentleman in the well and the chairman of the full Committee on Armed Services, the gentleman from South Carolina [Mr. RIVERS] for the type of leadership which they have provided during the long hours of consideration of this bill. This leadership has been very strong and the wealth of their experience and the soundness of their judgment are reflected in the measure before us.

The fundamental question before us is not the dollar amount of the bill but whether the expenditure of these dollars will meet our defense needs in a way which is wise and responsible.

Mr. Chairman, the military procurement bill presently under consideration reflects not only our commitment to insure that the existing needs of our Armed Forces are met but also our concern about the defense of the United States in the years ahead. While we have taken appropriate steps to defer in the name of economy, certain projects not vital to maintaining a solid military posture, we have been careful to resist the temptation of broad, indiscriminate reductions which would clearly hamper military effectiveness during the middle and late 1970's.

In recent months there has been considerable discussion in the news media and in the Congress about cutting defense research and development. Some have even suggested that this area be among the first affected by the expenditure reduction mandate enacted by Congress last month. They point out that last year over $7 billion was appropriated for this purpose while other vital domestic programs were cut severely. In my view, defense spending is not something which can be weighed against other items in the budget. We cannot rightly say that we have the option to spend less on defense so as to provide more money for the cities since if we do not have any adequate defense programs to protect our cities, there will be little use considering funds to improve the lives of those who inhabit them.

Research and development is a vital part of our continuing defense program and must proceed at a pace consistent with our future responsibilities. For this reason, we on the House Armed Services Committee viewed with concern the approach taken by the other body in slashing the R. & D. program by 3 percent across-the-board. We do not believe this shotgun method will serve any useful purpose and may very well prove, financially as well as militarily, more costly in the long run. We have studied the specifics of each item presented and omitted those projects judged less essential while, at the same time, retaining those required to assure present and future capabilities.

I hope that the other body will reconsider its approach and accept our recommendations in this vital area.

Mr. KEITH. Mr. Chairman, will the gentleman yield?

Mr. BATES. I yield to the gentleman from Massachusetts [Mr. KEITH].

Mr. KEITH. Mr. Chairman, we all have listened with great interest to the eloquent statement which has just been made by my friend and colleague, the distinguished gentleman from Massachusetts [Mr. BATES].

I have been in this Chamber since the start of the debate on this measure, and I have been very much impressed by the eloquence and the enlightened commentary that has been made in this most crucial matter by the gentleman in the well.

Mr. Chairman, those of us who were here earlier will recall that during the time we discussed the rule, I raised several questions. In my view these matters are of concern not only to the Congress, but, of course, to the entire country and to the free world because there have been questions raised in the past among the military as to the adequacy of certain aspects of our defense system.

Therefore, Mr. Chairman, I would like to repeat for the record these questions and ask the gentleman from Massachusetts if he would comment upon them.

The first question that I pose is on the issue of technological feasibility of the so-called thin anti-ballistic-missile system. Many members, as I have said, of the military and of the scientific community feel that an anti-ballistic-missile system cannot be protection against sophisticated methods of attack.

I am referring here to an incoming

enemy's ability to use multiple independent reentry vehicles—MIRV's, as they are called—to outfox our ABM defenses. If these doubts should prove to be correct, is it worth our money to build a system which may be useless against all but a small attack, such as the Chinese might be able to mount, using relatively primitive missiles?

Mr. BATES. The gentleman has asked several questions, the first about the defense system. The answer to that is in the affirmative, and we should keep devising such a system. The Spartan has already been tested, and the radar array has been tested. And I have been satisfied from the experts who have appeared before our committee that a thin system can be established to successfully meet the Chinese Communist threat between now and, well, in the early 1970's.

Respecting the second part of the question propounded by the gentleman from Massachusetts as to whether or not we can develop an ABM system that can successfully compete against the Soviet's sophisticated missiles, I believe my answer—and I believe the answer of most people associated with the problem—is that I do not know. I believe the question then becomes what should we do about it.

I believe we ought to proceed with a thin system as a building block to a later system. I believe we should continue the research and development on an advanced system in order to determine whether or not such a system might be feasible.

In the long run it seems to me it is better to go down the road in order to determine what is down there, or find out too late that if we had gone we would have advanced in different ways.

In other words, it would be better if we should try to develop a system, as Russia has developed a system, and find out whether we can meet a sophisticated missile threat successfully. If we do not, I believe we are in serious trouble, and I do not want to put our country in that kind of a position.

Mr. LEGGETT. Mr. Chairman, will the gentleman yield?

Mr. KEITH. If the gentleman will yield further, the second point I wanted to make, if I may, was that the possibility has been raised—and this may be one question that is in the mind of the gentleman who just asked for the floor—the possibility has been raised that development of an ABM system would only spur our enemies to multiply the strength of their offensive forces—just as we can build our defenses to overcome any Soviet ballistic missile system. Could this mean that we will not have improved our strategic position, but would only have moved the arms race to a higher plateau?

Mr. BATES. The fact of the matter is the Russians have already bought an ABM system, they have already affected what we are trying to do. I do not believe that we can just stand still while the Russians advance.

Mr. LEGGETT. Mr. Chairman, will the gentleman yield at that point?

Mr. KEITH. If the gentleman will yield still further, has it not been argued that if we do this it will cause the Russians to expend much more to overcome that?

Mr. BATES. That is the situation that we face; that is correct.

Mr. KEITH. Finally, Mr. Chairman, it has been said that the Chinese threat—against which the Sentinel system is now chiefly designed—is not materializing as fast as was expected. If indeed Red China's offensive missile development is lagging behind by a year or so, is this reason enough to postpone procurement of the Sentinel system components for another year?

Mr. BATES. Not in my judgment. Because I believe as far as I am concerned—and everybody must make their own judgment with regard to this matter—what I am really trying to find out is whether or not an anti-ballistic-missile system is possible. I do not believe we ought to lose any time in doing it, whether or not the Chinese have lost time in development in the last year or not, I still believe our big threat is Soviet Russia, and we ought to try and find out whether or not we can devise a system that can meet the Soviet sophisticated threat.

I do not believe that we should base any action today on any estimate that Chinese are slipping behind in their schedules. We do not really know what the Chinese are doing or planning. Too often we have guessed and guessed wrong about the progress of the Chinese. Let us not repeat these errors.

I would not waste any time on that.

Mr. LEGGETT. Mr. Chairman, will the gentleman yield?

Mr. BATES. I yield to the gentleman.

Mr. LEGGETT. I was interested in the gentleman's reply and his comments concerning the MIRV multiple independent reentry vehicle missile. I believe the gentleman said he did not know whether the Sentinel system would be effective in respect to that kind of a rocket system.

Is it not a fact that we have testimony on this subject at page 9009 in our committee hearings by General Starbird? Is it not a fact that you questioned him on this very point, and is it not a fact that you said this system would not be effective against MIRV?

Mr. BATES. It would not what?

Mr. LEGGETT. It would not be effective against MIRV.

Mr. BATES. Nobody contends that there is a defense system that would be effective against MIRV. Nobody, I do not believe, contends that.

Mr. LEGGETT. Is not the answer then not that you do not know—but what General Starbird says—that the Sentinel is not designed to take care of such a full-scale attack?

Mr. BATES. Precisely, there is no question about that.

Mr. RIVERS. Mr. Chairman, will the gentleman yield?

Mr. BATES. I yield to the gentleman.

Mr. RIVERS. This is a beginning. We are late now. We can move into the more sophisticated areas after we make this first step. This is a design now for high altitude types of ICBM's and we are still learning. We do not contend that this system can do everything. It will do what we anticipate we will need in the mid 70's with respect to Red China.

Mr. BATES. Nobody contends that it will do everything.

Mr. LEGGETT. I think this is the first time I have heard that there is any question about our going ahead with this program.

Mr. BATES. Which program? There are two programs.

Mr. LEGGETT. If the chairman says we are moving ahead with this program and this is the first step, then necessarily what he means is that we are then going ahead with $40 billion or $50 billion or $60 billion program to provide some sort of capability to handle the Soviets or any or all of the aggressors that may be on the face of the globe.

Mr. BATES. The gentleman has made the point all afternoon and he is incorrect in his assumption.

Whatever we are trying to do here is to develop a Sentinel system which will be good against a Chinese threat, and in addition to this, waiting for research and development that can be used for an advance system. Whether or not we can develop an advance system—nobody knows.

Mr. RIVERS. The gentleman is right.

I want to quote to you what Secretary of Defense Clifford says in his letter of July 10, 1968:

> Finally, we can only make progress in defense (as in other programs) by moving from the drawing board to the actual deployment when the time is ripe. I believe that that time has now arrived.

He goes on to say:

> In summary, I strongly urge that the House support the Sentinel deployment.

That is what Secretary of Defense Clifford said on July 10.

We do not claim to have a panacea for all our problems, but we had better move while the time we have. This is our position.

Mr. FINDLEY. Mr. Chairman, will the gentleman yield?

Mr. BATES. I yield to the gentleman.

Mr. FINDLEY. I thank the gentleman for yielding. I compliment him on his excellent statement.

I would like to turn his thoughts briefly at least to the war in Vietnam.

It seems to me a little bit academic for us to be talking about future missile wars when we cannot even deal effectively with a war with what is obviously a rather fourth rate power in Southeast Asia.

I get a lot of correspondence from my constituents who are concerned about what appears to be a stalemate in Southeast Asia.

This is a big bill—a $21 billion bill for military equipment.

Could I fairly and responsibly report to my constituents that this authorization might be regarded as an end of the war or a wind-up-of-the-war authorization? Is this going to give the military men the equipment that they feel they need to bring this war to a termination?

Mr. BATES. I do not think the gentleman can reach that conclusion for two reasons.

There are many items which could be used in Vietnam which do not come under the jurisdiction of our committee specifically the M-16 rifles which are so badly needed over there not only by our own troops but by the South Vietnamese.

But I think of more importance is this: The thing we have to do in Vietnam is to have will, to make up our minds to do something. This we never did. If when we found out that diplomacy was not working and we decided to use force, then we should have used force. If we were not going to use force, we should not have gotten involved there in the first place.

Mr. FINDLEY. I appreciate the gentleman's comments. I recall that earlier this year I had assurances from other Members in this body that the problem on the military policy was Secretary McNamara. Now he has been out of office since February 1, I believe, and I have been waiting hopefully, as many Americans have been, for a turn of events in Vietnam. Can the gentleman give us any assurance that with this authorization or with the new Secretary we can have a promising new day to look forward to in Vietnam?

Mr. BATES. We look forward to a new day, but I think the only one who can give you an answer to that question is the President of the United States.

Mr. HALLECK. Mr. Chairman, will the gentleman yield to me?

Mr. BATES. I am glad to yield to the gentleman from Indiana.

Mr. HALLECK. Mr. Chairman, I am a member of the Armed Services Committee. I have been since this Congress started. I have been here long enough that I guess I could be put on just about any committee I wanted to be assigned to. I wanted to go on this committee. I want to say here and now to all of you that people on that committee have worked hard and long. They are dedicated people. I will leave myself out of it, because I do not pretend to be an expert on all the intricacies of the business of national defense. But I have seen enough of it to know that that committee, when it forms a judgment, ought to have the respect of all the Members of the House.

I might say to my friend from Illinois that I did not have anything to do with getting us into the war in Vietnam. That was a decision and a determination made downtown. Beyond that, the Subcommittee of the Armed Services Committee, of which I am a member, has reported that some time ago, 2 or 3 years ago, we could have won that war. But I think that is beside the point. Right now this country is threatened on one side and on another by the Communist conspiracy, and if anybody thinks they would not destroy us if they could, he has another guess coming.

So when we bring this bill in, it is not, may I say to my friend from Illinois, just to deal with the Vietnam situation. That situation has been dealt with by people of higher authority in the direction of our military affairs than any one of us here. We can complain about it, and I have complained. But in the final analysis what we have got to do as the representatives of the people is to see to it that we do the best we can so that no enemy can destroy us, or even that they would dare molest us in a fashion as is contemplated by some.

Mr. BATES. I thank the gentleman.

Mr. Chairman, I reserve the remainder of my time.

Mr. ARENDS. Mr. Chairman, I rise in support of this bill. It is one of the most important bills to come before us. It provides for our national defense, for our national security.

The bill authorizes $21.6 billion for the procurement of missiles, planes, ships, and other equipment, and for research and development. It is a tremendous sum, but we have no alternative if we are to insure our safety in a period of international uncertainties and crises.

The bill reflects our committee's determination to be austere, as evidenced by a cut of $748 million below the President's request, and at the same time our determination to make the reductions with a razor blade instead of a meat ax. In this sense, I think the bill is entirely consistent with the call for strict economy some of us have been making here in the House this year.

The bill before us also reflects our committee's determination that Congress should play its rightful role in determination of Defense policy. We rejected the idea of an across-the-board percentage cut, which would in effect allow Defense Department to make the determinations of where the money is spent, and made the hard decision ourselves.

We decided, for example, that the FDL, the fast deployment logistic ship, is something we could certainly do without at this time in view of our budget limitations and we eliminated $183 million for this purpose.

We also decided the time had come not to send any more good money after bad in that forlorn attempt at commonality in connection with the F-111 program and we cut the $388 million for the F-111B.

We found that funds for certain new Navy ships—the new type destroyer, known now as simply DX; and the new type guided missile destroyer, known as DXG—would not have to be obligated in fiscal year 1969 and we cut $241 million from the bill for those purposes.

We cut $139 million from the bill in the category of research, development, test, and evaluation. Some $71 million of this was money requested for the F-111B, which we eliminated. Approximately $60 million is a reduction in line with our attempt to enforce more prudent and economical management of research and development programs. There remains $7.8 billion in the bill for R.D.T. & E.

Mr. Chairman, I would also like the House to be aware that the additions we have made to the bill, beyond what the President initially requested, were either for new programs to take the place of eliminated items, or instances where we found the military requirement so compelling that delay might seriously degrade our national defense.

For example, with the elimination of the F-111B it is necessary for the Navy to have capable aircraft to perform its unchanged mission. For its immediate needs we provided $24 million for procurement of additional F-4J's. And we also provided $70 million in new authorizations for research and development on the VFX-1.

This is the airplane the Navy will develop to take the place of the ill-fated F-111B. In addition to this $70 million new money, there will be $100 million available that can be transferred from funds previously appropriated for the F-111B. The VFX-1 is the airplane which will provide fleet defense in the 1970's.

The committee provided an additional $139 million for procurement of EA-6B aircraft, an electronic countermeasures aircraft which provides valuable protection to pilots flying in hostile areas. The committee felt this type of aircraft should be available at the earliest possible date.

We authorized an additional $50 million for research and development in the antisubmarine warfare area and an additional $20 million for submarine research and development. These are crucial areas where we felt they were not progressing as fast as our strategic defense requires. And we added $13.5 million for additional submarine procurement.

Another important item we added is $39 million for the procurement of spare parts for the nuclear systems of the three *Nimitz* class nuclear aircraft carriers. Each of these ships has two reactors, and a failure of one would take the carrier out of action. Since we have such a large investment in these ships the committee considered it prudent to have sufficient spares available to be able to maintain these ships in a ready status.

Mr. Chairman, I have hit only the highlights of the Committee's additions and subtractions and its major decisions. A bill of this magnitude is beyond any detailed explanation on the floor. It is the sum of millions of small necessities. It is the sum of millions upon millions of necessities large and small.

What all this adds up to in this measure is the cost of keeping the American people safe and free, and prepared for any emergency. With our involvement in Vietnam, the situation in Korea, and the unchanging threat of Communist aggression, we have two unavoidable obligations: to provide all the military strength we presently need, and to take the necessary steps to assure that we will not lose our military superiority in the future. We are dealing with the present and the future. This bill meets those obligations.

Mr. RIVERS. Mr. Chairman, I yield whatever time he may desire to the ranking member of the committee, the distinguished gentleman from Massachusetts [Mr. PHILBIN].

Mr. PHILBIN. Mr. Chairman, I would like to present a brief overview of the work going on regarding the Navy's contribution to the strategic offensive and defensive posture of our Nation.

A most serious menace to our country today is posed by the growing strategic nuclear offensive forces threat. If a nuclear exchange were to take place at this time, there is no doubt that severe damage would be inflicted upon the United States. It must therefore be our primary objective to deter an enemy from initiating a nuclear attack upon our homeland. We must design and deploy our own strategic forces so that they cannot be seriously crippled by a nuclear first strike on the United States.

We can make the offensive and defensive problems more complex and uncertain for any adversaries by deploying a greater percentage of U.S. payload to come from many directions in their defense perimeters. This would require them to invest their resources in weapons and systems other than ICBM's aimed at the United States. By optimizing our strategic deployments and mixes, we thus reduce the risk to the United States itself. Analyses show that an optimum mix of land-based and sea-based strategic systems is superior in most respects to any single system. Thus the Navy, with its ability to deploy and maintain worldwide offensive forces—far removed from the United States itself—must make a greater contribution to our overall strategic force posture.

Our 41 ballistic-missile submarines constitute a very survivable and important component of today's strategic offensive posture. Some 31 of these submarines are to be converted to carry the Poseidon C–3 missile with its increased penetrability and payload. Completion of the Poseidon conversions will increase the percentage of U.S. offensive payload based at sea.

The Navy is examining a ballistic missile ship, a conventional merchant or auxiliary type hull armed wtih Poseidon missiles. This is a way that the Navy can produce additional survivable payload both quickly and relatively inexpensively in the event that an increased threat requires additional payload. The Navy has devoted considerable effort to analyzing the survivability of a ballistic-missile-ship force operating singly, randomly and undefended in regular shipping lanes. One study was completed by the weapons system evaluation group about a year ago for the Office of the Secretary of Defense. In general the studies have concluded that the force would still retain its effectiveness many hours after an attack began; and that it is extremely difficult, as we see it today, to devise a means of knocking out a mobile force at sea quickly by surprise attack. In addition, we can install defense weapons in the ships themselves and operate them in company with other combat ships, to further increase their ability to survive.

For a follow-on to Polaris/Poseidon the Navy is planning on a completely new submarine system. Called ULMS, for undersea long-range missile system, this new design submarine will carry ICBM-range missiles and incorporate many new missile system techniques. The increased range of the missile will enable the ULMS to be on target as soon as the ship leaves port, and of course the additional sea room will increase survivability.

Another new Navy system is a surface ship configuration for carrying ICBM-range missiles. These ship-based long-range missile system, or SLMS, ships could utilize any of several modes of operation and still be within range of their targets. They could operate in U.S. coastal or inland waters, in merchant shipping lanes, or at anchor or moored in port. They would have point defense and ASW capabilities as required.

Regarding defensive systems, the Navy has one promising baseline design, SABMIS—the sea-based ballistic missile intercept system. The advantages of a sea-based ABM system are mobility, early midcourse intercept, and defense in depth. Mobility prevents pretargeting, enhancing survivability; it permits defense of allies and overseas bases in support of U.S. policy without proliferating weapons on foreign soil; and it permits intercept far from the Conus battlespace. Midcourse intercept permits economy in interceptor attacks, since the threat cloud is still relatively small and undispersed as contrasted to the threat at the Conus terminal. SABMIS ships deployed in various areas around the world could also provide the United States with an anti-FOBS capability. Calculations show that SABMIS and the Army's Nike X system would constitute an effective defense-in-depth mix to deal with future sophisticated weaponry that any adversary might be able to produce.

This, then, is a brief look at our Navy's plans for future strategic forces. More extensive use of the oceans for deployment of strategic system will increase the ability of our country to survive in this nuclear age.

The committee has labored hard and diligently to produce a good procurement bill. While it is extremely costly, it is necessary to the national security at this crucial time in world history. I am confident the House will approve it without too much delay.

Mr. RIVERS. Mr. Chairman, I yield whatever time he may desire to the gentleman from Louisiana [Mr. HÉBERT].

Mr. HÉBERT. Mr. Chairman, the Navy is currently using many varieties of unguided airborne ordnance and armament equipment in the Vietnam war. By far the greatest number of such items being used were conceived, developed, and procured solely by the Navy. The implementation of Department of Defense and naval weapons requirements is carried out by highly specialized technical laboratory personnel utilizing contractor assistance when necessary. Results are reviewed by Navy technical divisions and the most practicable technical solution to an operational problem is pursued.

Among the weapons now in use which have resulted from this Navy-contractor team approach are the Mark 80 series of low drag bombs. These bombs, of streamlined shape and ranging in weight from 250 to 2,000 pounds, were designed to allow high-speed carriage on modern jet aircraft. By reducing parasitic drag, aircraft performance and operating range are significantly extended over that attainable with World War II type bombs. When used in conjunction with the Navy developed multiple bomb racks, an impressive aircraft sortie capability for general purpose bombing is achieved. To permit safe and more accurate low level bombing the Snakeye tail was designed for the Mark 81, 250-pound and the Mark 82, 500-pound bombs. Bombs fitted with this tail can be dropped selectively in either the high or low drag mode. The Air Force is using large numbers of the Mark 80 series bombs and the Navy designed Snakeye.

The 2.75-inch folding fin aircraft—FFAR—is widely and effectively employed by the Army, Air Force, and Navy in both helicopters and fixed wing aircraft. The rocket was designed by the Navy: However, central procurement authority recently has been assigned to the Army.

Another rocket which was developed by the Navy is the air-to-ground, high-speed, 5-inch Zuni. The Zuni, with its combination shaped charge and fragmentation warhead, is useful against a wide variety of targets.

Among the more recent Navy developments is the 20-millimeter gun pod Mark 4. Contained within a pod which can be attached to several stations on the F–4, A–6, and A–7 aircraft is a self-contained gun, ammunition supply, feed system, and power supply. With a maximum firing rate of 4,200 rounds per pod per minute and ammunition supply of 750 pounds per pod, the Mark 4 is a formidable weapon against a variety of ground targets.

Both the Air Force and Navy use great quantities of the Mark 24 target illumination parachute flare. The flare was developed by the Navy and procurement for all services is currently done by the Navy.

The weapons just described represent the backbone of the Navy's strike warfare capability with conventional, unguided weapons. With the exception of the Mark 4 gun pod and the Zuni, they are also extensively used by the Air Force. New weapons are nearing completion of development and subsequent fleet introduction which will soon result in even increased effectiveness and enhanced operational capabilities. These include Rockeye, a cluster munition; Briteye, a new-high intensity flare; the helicopter trap weapon—HTW—designed to clear obstacles from helicopter landing sites; the fuel-air explosive weapon—FAE—which will effectively reach targets masked from the effects of conventional HE blast weapons; and the Zap weapon which is a hypervelocity rocket for use against a variety of targets and allows an increased standoff range.

Navy R. & D. has made other significant contributions to the air war in Vietnam. Many of the delivery systems, guided weapons, and electronic countermeasure devices being employed by the Navy and Air Force are the result. The A–1, A–7, and the F–4 are examples in the field of aircraft. The air-to-air weapons Sparrow and Sidewinder are Navy guided-missile developments. A major strike weapon capability is represented by the Shrike, Walleye, and Bullpup and standard arm air-to-surface missiles.

The very significant long-range Navy investment in man-hours and money devoted to the improvement of air weapons and delivery system is now providing all of the services with effective means of pursuing the air war in Southeast Asia.

Mr. RIVERS. Mr. Chairman, I yield whatever time he may desire to the gentleman from Florida [Mr. BENNETT].

Mr. BENNETT. Mr. Chairman, this is an important bill and a comprehensive one. I would like to speak briefly on one aspect of this bill at this point.

The Air Force is beginning an advanced development of a superhard silo for land-based missiles. Pertinent questions that may be asked are for what reason and why now.

The basic reason lies in our desire to maintain an assured destruction posture even though the magnitude and precise nature of the threat is uncertain. That is, will the Soviets level off at parity or will they increase their intercontinental ballistic missile—ICBM—deployment, place multiple independent reentry vehicles—MIRV—on their missile, or will they add considerably to their submarine launched missile force? At the same time, will they greatly expand their anti-ballistic-missile—ABM—defense system and anti-submarine warfare—ASW—capabilities?

The testimony before our committee addressed these questions. The most severe threat to be considered in structuring the strategic missile force would be a Soviet deployment of a substantial offensive capability in the form of highly accurate warheads, MIRV, large yield weapons, and submarines carrying nuclear equipped missiles. This offensive capability when coupled with an extensive and effective ABM and ASW would seriously degrade confidence in our ability to maintain an assured destructive capability.

Since it takes as much as 5 to 7 years for a reasonable program to develop and deploy a new ICBM weapon system, we should not wait for evidence of concrete intentions by the Soviets. Today, we are concerned with developing land-based systems with survivability against a postulated large improvement in Soviet reentry vehicle accuracy and capability to penetrate a Soviet anti-ballistic-missile defense. The MIRVed Minuteman III Mark 12 reentry system addresses the penetrability problem. The request to initiate the superhard silo is the hedge against Soviet reentry accuracy improvements.

The superhard, dual facilities development program not only provides increased survivability for Minuteman III in the early seventies, but it is a critical item for an advanced ICBM development. Consequently, these facilities are to be sized to handle either the Minuteman or a large payload missile weapon system. The proposed development program, supported by this bill, includes the building and testing of a prototype silo and launch control facility.

Testing techniques have been developed in the advanced ICBM technology program over the past several years and are continuing to be refined. The program has also examined many other aspects of advanced land-based systems such as guidance and missile propulsion to name but a few. The second critical item for an advanced ICBM after development of the superhard facilities is a hardened guidance system. This bill includes funds to initiate a hardened guidance development program to improve in-flight survivability. The guidance system can be retrofitted to Minuteman III or used in an advanced ICBM.

In summary, this bill will permit the Air Force to pursue the development of an advanced ICBM on an orderly basis by giving due attention to the pacing items.

Mr. RIVERS. Mr. Chairman, I yield whatever time he desires to the distinguished gentleman from Maryland [Mr. MACHEN].

Mr. MACHEN. Mr. Chairman, I rise in support of the $21.6 billion Defense Procurement Authorization Act for fiscal year 1969 as reported by the House Armed Services Committee. Prompt enactment of this legislation is vital to our national defense, and I urge my colleagues to support it.

There is one section of the bill which I feel highly important to preservation of law and order and effective law enforcement. That is section 404 of S. 3293 as we on the Armed Services Committee reported it out. This section authorizes and directs the Secretary of Defense to sell at fair market value obsolete and surplus military equipment to State, local law enforcement and firefighting agencies under regulations the Secretary will prescribe.

We have seen instances where criminals, felons, and rioters use more sophisticated equipment and arms than the police have. Existing law permits the Army to sell weapons and ammunition to the National Rifle Association but they cannot be sold to law-enforcement agencies. I think it is a ridiculous situation when criminals and lawbreakers can outgun our policemen. When this section goes into effect, I am not certain how much advantage law-enforcement and firefighting agencies would take of it, but there undoubtedly will be some sales of military equipment that is obsolete and surplus and this will return some money to the Treasury. There are benefits for both the Federal Government and local law-enforcement agencies in this section, and I strongly support it.

Mr. Chairman, the defense procurement bill we reported out is a good bill and it should provide the proper authorization for the equipment and research and development needed by the Defense Department to meet our national defense obligations. We must have the best arms and in sufficient quantity for our servicemen in Vietnam and elsewhere, and this legislation is a necessary and major step in that direction.

Mr. RIVERS. Mr. Chairman, I yield to the distinguished member of the committee, the gentleman from Pennsylvania [Mr. BYRNE], such time as he may consume.

Mr. BYRNE of Pennsylvania. Mr. Chairman, I rise in support of this legislation 100 percent as a member of the Armed Services Committee.

The supply support program included in this budget is costing $9 million less than it did in 1968. This represents over a 2-percent reduction in cost for this important program. This reduction in funding requirements has taken place in spite of the fact that over $156 million of the requested amount relates directly to the support of our operations in Southeast Asia. Included in the support operations in this area is the payment for movement of all Department of Defense material and supplies by water within the Vietnam area and along the Vietnam coast, the cost of transporting supplies to our Navy and Marine forces in Southeast Asia, the cost of transporting mail to our fighting men in Vietnam and bringing back home their letters to their families. The funds requested in this program pay the cost of operating the system of supply centers, depots, and shipyard supply departments that form the core of the Navy supply system network that has so ably supported our Navy operating forces afloat and overseas. It also pays for the cost of operating the Navy inventory control points and purchasing offices whose business is the purchase of each item of supply and the subsequent distribution of these supplies for direct support of our Navy.

In view of the reduced level of funding reflected in the budget, any further action to reduce funding of the supply support program could seriously jeopardize the ability of the Navy to support its operating forces.

Mr. RIVERS. Mr. Chairman, I yield such time as he may consume to the disguished member of the committee, the gentleman from Texas [Mr. FISHER].

Mr. FISHER. Mr. Chairman, as has been noted during debate, the committee saw fit to delete from the bill funds for the FDL—fast deployment logistics—ships. In this connection, it should be of interest to take note of the progress that has been and is being made by private industry in ship construction in this country. I shall now list the construction that has been contracted for and delivered during the past 8 years.

It is, unfortunately, not an impressive list when compared to the vastly increased Soviet ship construction program, but these U.S. ships are modern, automated, and fast.

Particular attention is called, however, to the ships under construction and those for which bids have been received. Some of the new types may well be capable of performing the missions contemplated for the FDL's.

The list follows:

A. DRY CARGO LINERS CONTRACTED FOR AND DELIVERED 1960 THROUGH JUNE 1968 TO THE FOLLOWING INDICATED OWNERS

All ships listed are 20-knot or greater in speed, up to a maximum of 27.5 knots. All have varying forms of modern cargo handling equipment. Most of these ships have significant degrees of machinery automation. Other specifics of the ships are listed:

1960

Lykes Bros. Steamship Co., Inc. (C-3 cargo liners, 495' length, 568,000 bale cubic, 11,340 DWT)	5
Moore-McCormack Lines, Inc. (C-3 cargo liners, 485' length, 594,000 bale cubic, 12,290 DWT)	2
American Export Isbrandtsen (C-3 cargo liners, 492' length, 594,000 bale cubic, 10,980 DWT)	2
Total 1960 (C-3's)	9

1961

American Export Isbrandtsen (C–3 cargo liners, 492′ length, 592,000 bale cubic, 10,980 DWT)	2
(C–3 cargo liners, 492′ length, 702,000 bale cubic, 12,800 DWT)	4
Moore-McCormack Lines, Inc. (C–3 cargo liners, 484′ length, 586,000 bale cubic, 12,381 DWT)	5
Delta Steamship Lines, Inc. (C–3 cargo liners, 500′ length, 657,000 bale cubic, 13,065 DWT)	3
American President Lines, Ltd. (C–4 cargo liners, 563′ length, 724,000 bale cubic, 14,300 DWT)	2
American Mail Line Ltd. (C–4 cargo liner, 563′ length, 761,000 bale cubic, 14,925 DWT)	1
Lykes Bros. Steamship Co., Inc. (C–3 cargo liners, 495′ length, 568,000 bale cubic, 11,340 DWT)	3
Subtotal 1961 (C–3′s)	15
Subtotal 1961 (C–4′s)	3
Total 1961	18

1962

States Steamship Company, (C–4 cargo liners, 565′ length, 747,000 bale cubic, 14,370 DWT)	5
Lykes Bros. Steamship Co., Inc. (C–3 cargo liners, 495′ length, 568,000 bale cubic, 11,300 DWT)	4
American Export Isbrandtsen (C–3 cargo liners, 492′ length, 594,000 bale cubic, 10,980 DWT)	3
Pacific Far East Line, Inc. (C–4 cargo liners, 563′ length, 761,000 bale cubic, 14,020 DWT)	2
American Mail Line Ltd. (C–4 cargo liners, 565′ length, 761,000 bale cubic, 14,925 DWT)	2
Moore-McCormack Lines, Inc. (C–3 cargo liner, 484′ length, 586,000 bale cubic, 12,381 DWT)	1
Farrell Lines, Inc. (C–4 cargo liners, 572′ length, 687,000 bale cubic, 12,670 DWT)	3
United States Lines, Inc. (C–4 cargo liners, 560′ length, 676,000 bale cubic, 10,926 DWT)	3
Subtotal 1962 (C–4′s)	15
Subtotal 1962 (C–3′s)	8
Total 1962	23

1963

Grace Line, Inc. (C–4 combo liner, 545′ length, 9,380 DWT., 110 passenger capacity)	3
United States Lines, Inc. (C–4 cargo liners, 560′ length, 567,000 bale, 10,926 DWT)	8
Farrell Lines, Inc. (C–4 cargo liners, 572′ length, 687,000 bale, 12,670 DWT)	3
Lykes Bros. Steamship Co., Inc. (C–3 cargo liners, 495′ length, 568,000 bale, 11,230 DWT)	8
States Steamship Company (C–4 cargo liner, 565′ length, 789,000 bale, 14,260 DWT)	1
American Export Isbrandtsen (C–4 cargo liners, 493′ length, 731,000 bale, 12,809 DWT)	3
Subtotal 1963 (C–4′s)	23
Subtotal 1963 (Combo)	3
Total 1963	26

1964

Lykes Bros. Steamship Co., Inc. (C–3 cargo liners, 495′ length, 568,000 bale cubic, 11,230 DWT)	1
Gulf & South American Steamship Co. (C–3 cargo liners, 495′ length, 560,000 bale cubic, 11,207 DWT)	4
Grace Line, Inc. (C–4 combo liner, 546′ length, 9,008 DWT, 110 passenger capacity)	1

1964—continued

Moore-McCormack Lines, Inc. (C–4′s cargo liners, 550′ length, 615,000 bale cubic, 12,505 DWT)	3
United States Lines, Inc. (C–4 cargo liner, 560′ length, 676,000 bale cubic, 10,990 DWT)	1
American Mail Line, Ltd. (C–4 cargo liner, 563′ length, 787,000 bale cubic, 14,925 DWT)	1
Subtotal 1964 (C–3′s)	5
Subtotal 1964 (C–4′s)	6
Total 1964	11

1965

Gulf & South American Steamship Co. (C–3 cargo liner, 494′ length, 560,000 bale cubic, 10,857 DWT)	1
Moore-McCormack Lines, Inc. (C–4 cargo liners, 550′ length, 615,000 bale cubic, 12,055 DWT)	3
United States Lines, Inc. (C–4 cargo liners, 534′ length, 697,000 bale cubic, 13,340 DWT)	4
American Mail Line Ltd. (C–4 cargo liner, 563′ length, 787,000 bale cubic, 14,925 DWT)	1
Lykes Bros. Steamship Co., Inc. (C–4 cargo liner, 540′ length, 727,000 bale cubic, 13,694 DWT)	1
American President Lines, Ltd. (C–4 cargo liner, 563′ length, 740,000 bale cubic, 14,120 DWT)	1
Subtotal 1965 (C–4′s)	10
Subtotal 1965 (C–3)	1
Total 1965	11

1966

Lykes Bros. Steamship Co., Inc. (C–4 cargo liners, 540′ length, 727,000 bale cubic, 13,646 DWT)	5
American President Lines, Ltd.:	
C–4 cargo liner, 563′ length, 740,000 bale cubic, 14,120 DWT	1
C–4 cargo liner, 572′ length, 770,000 bale cubic, 12,830 DWT	1
Prudential Lines, Inc. (C–4 cargo liners, 544′ length, 745,000 bale cubic, 13,458 DWT)	2
Grace Line, Inc. (C–4 cargo liners, 560′ length, 957,000 bale cubic, 13,702 DWT)	3
Total 1966 (C–4′s)	12

1967

Lykes Bros. Steamship Co., Inc. (C–4 cargo liners, 540′ length, 727,000 bale cubic, 13,646 DWT)	4
Grace Line, Inc. (C–4 cargo liners, 560′ length, 957,000 bale cubic, 13,702 DWT)	3
American President Lines, Ltd. (C–4 cargo liners, 572′ length, 770,000 bale cubic, 12,830 DWT)	3
American Export Isbrandtsen (roll/on-roll/off)	1
Subtotal 1967 (C–4′s)	10
Subtotal 1967 (roll-on roll-off)	1
Total 1967	11

TO JUNE 1968

Lykes Bros. Steamship Co., Inc. (C–4 cargo liners, 540′ length, 727,000 bale cubic, 13,646 DWT)	2
American President Lines, Ltd. (C–4 cargo liners, 572′ length, 770,000 bale cubic, 12,830 DWT)	2
United States Lines, Inc. (C–7 cargo liners, 700′ length, 23,060 DWT, 498 40′ containers and 212 20′ containers	3
Subtotal to June 1968 (C–4′s)	4
Subtotal to June 1968 (C–7′s)	3
Total to June 1968	7

SUMMARY—GRAND TOTAL NEW SHIPS DELIVERED, 1960–68

Year	C–3′s	C–4′s	C–7′s
1960	9		
1961	15	3	
1962	15	8	
1963	23	3	
1964	5	6	
1965	1	10	
1966		12	
1967		11	
Part, 1968		4	3
Total	68	57	3
Grand total		128	

B. ADDITIONAL SHIPS STILL UNDER CONSTRUCTION

Prudential Lines, Inc. (Lash ships)	5
Pacific Far East Line, Inc. (Lash ships—817′ length, 1,120,000 bale cubic, 30,450 DWT, 73 barges 61½′ length x 31′ beam)	6
Moore-McCormack Lines, Inc. (C–5 container roro ships, 602′ length, 1,300,000 bale cubic, 16,830 DWT)	4
United States Lines, Inc. (C–7, 700′ length, 23,060 DWT, 498 40′ containers and 212 20′ containers)	3
Delta Steamship Lines, Inc. (C–3, 522′ length, 662,000 bale cubic, 13,350 DWT)	4
American Mail Line Ltd. (C–5, 605′ length, 1,054,000 bale cubic, 21,590 DWT)	4
States Steamship Co. (C–4, 579′ length, 815,000 bale cubic, 14,250 DWT)	5
American Export Isbrandtsen (C–3, 565′ length, 746,000 bale cubic, 15,040 DWT)	3
Total under construction:	
Lash	11
C–7	3
C–5	8
C–4	8
C–3	4
Total ships	34

C. ADDITIONAL SHIPS FOR WHICH BIDS HAVE BEEN RECEIVED BUT CONSTRUCTION CONTRACTS NOT YET SIGNED

Lykes Bros. Steamship Co., Inc. (C–8 barge carriers, 873′ length, 1,500,000 bale cubic, 39,653 DWT, 36 97½′ x 36′ barges)	3
Farrell Lines, Inc. (C–6 containers/unitized cargo, 668′ length, 872 20′ x 8′ x 8′ containers, 19,750 DWT)	5
American President Lines, Ltd. (C–6 containers/unitized cargo, 668′ length, 860 20′ x 8′ x 8′ containers, 20,000 DWT)	3
Total	11

Mr. RIVERS. Mr. Chairman, I yield 8 minutes to the distinguished gentleman from New York [Mr. PIKE], also a member of the committee.

Mr. PIKE. Mr. Chairman, I too support this legislation in general. I have never asked for a quorum call in my life here. I am glad we had one, however, because I think it is a little sad to note that we are debating for 120 minutes a bill covering $21,636,000,000—$180 million a minute—and until the quorum call, there were perhaps 10 percent of the Members present.

We hear so much talk these days about priorities and we engage in so much talk about priorities, and I would like to say to my distinguished chairman that there was not one thing he said in his statement with which I could disagree—not one thing.

Mr. Chairman, I have an amendment pending to strike procurement of a certain helicopter. The chairman of the committee discussed that helicopter, and he said the helicopter can fly upside down—and it can; and he said it can loop the loop—and it can; and he said it can go very fast—and it can. But the question becomes: At what price can it loop the loop? At what price can it fly upside down? At what price can it fly terribly fast?

We will never get that out of the hearings, because all these things are deleted. The military does not have the right to revise and extend, but there are some 26,000 people who have the right to classify. So if we will look at page 9057 of the hearings, we will see that when I tried to get at the price of this bird, we can read this, when I asked the Secretary of the Army a question:

> Mr. PIKE. The trouble is that none of the figures we have gotten have been meaningful on this program, Mr. Secretary.
>
> Last year, for example, on the R.D.T. & E. budget you asked for $48 million—this is on AAFSS still—and said that an additional [deleted] would be needed for completion for a total of [deleted] just for R.T.D. & E. on this bird. You not only got your $48 million you got [deleted] dollars which should have cut the estimated amount to completion down to [deleted] dollars, and yet this year you are back asking for an additional [deleted] dollars for completion after [deleted] dollars for fiscal 1969.

I got the information, but it is deleted for you.

Now, how can we make any judgments on priorities if they delete everything that you need in order to make an intelligent judgment? So I have gone and shown these figures in a letter which I sent to all of my colleagues, and the figures are that for R.D.T. & E. alone, and this was to build 10 prototypes, the Army told us in 1966 they would need $126 million. In 1967 they told us they would need $141 million for the same prototypes. This year they tell us they will need, for the same 10 prototypes, $186 million—an increase in 1 year of $4.5 million per bird.

The chairman also said—and this was a true statement—that I was unhappy with this procurement. He is right. I am unhappy with this procurement. I am unhappy when I read, on page 47 of the committee report in the discussion of this bird, the statement:

> A contract was awarded to Lockheed Aircraft Corporation on January 5, 1968, for the first group of operational models.

We are authorizing it today. We have not appropriated the money, but they awarded the contract on January 5, 1968.

Yes, I am unhappy with this procurement. I am unhappy with it for another reason. The Assistant Secretary of the Army for Research and Development at the time the request for proposals went out was a man who had been a vice president of Lockheed, and he participated in the drafting of the request for proposals, and he approved the request for proposals before it went out.

Twelve companies responded. He got briefings from at least some of the competitors. He signed a document requesting authorization for the program definition phase.

Now, at this same time, the Army told us that 305 experts had studied for 3 months to evaluate these 12 proposals. This was true. And they rated Boeing Vertol first, Bell second, Lockheed third, and Sikorsky fourth. That is the way they rated them.

A group of generals in 4 days turned that around to Lockheed first, Vertol second, Sikorsky third. And they gave the final R. & D. contracts to Lockheed and Sikorsky.

The two companies which were first and second in the initial evaluation were out of it completely. That is another reason why I object to this proposal.

Three months after the development contract was awarded to Lockheed the Assistant Secretary of the Army for Research and Development resigned, and then he went back to Lockheed.

I do object to this procurement, but I object to the whole concept of trying to assign priorities on any kind of spending in the dark, trying to assign priorities with everything one needs deleted from the testimony.

We have not been told the complete truth by the Army in this operation here. I asked the Secretary of the Army, for example, whether this procurement was part of the money which they had earmarked as necessary for Vietnam. And in the unclassified testimony, the secret testimony, his answer was, "I do not think it is." So what do they delete for security? For security they delete the words "I do not think," and the answer comes out, "It is."

Now, if one can delete for security words to change "yes" to "no" and words to change "no" to "yes" then we simply are not being fair with the Members of Congress of the United States of America.

I intend to offer an amendment which will strike the procurement money for this helicopter from this bill.

Mr. RIVERS. Mr. Chairman, I yield 2 minutes to the gentleman from Washington [Mr. HICKS].

Mr. HICKS. Mr. Chairman, the budget request for the behavioral and social science research and study program of the Department of Defense is $50.6 million in fiscal year 1969. This amounts to six-tenths of 1 percent of the total DOD R.D.T. & E. request.

It has been alleged that part of the DOD behavioral and social sciences research and study program is more appropriate for sponsorship by other Federal agencies. Some say part of this work is not needed at all. Thus, some say this is an appropriate area for large budget reductions. I do not agree.

What are the facts? The program includes research in five, quite different categories. Let me briefly explain each one.

First, human performance, $9 million for fiscal year 1969: This work aims to measure the individual capabilities of our military personnel to do their jobs in military operations in hostile environments under very adverse conditions—for example, in a mach 3 aircraft, and at the bottom of the sea.

Second, manpower selection, $18.7 million for fiscal year 1969: This work develops methods to improve the selection, classification, training, and use of military personnel. The military departments induct and enlist about 800,000 unskilled new people each year—this makes DOD the largest training establishment in the world. They have to select and train these people for the jobs that they can carry out most effectively.

Third, human factors engineering, $4.6 million for fiscal year 1969: This work focuses on the human component in man/machine systems. As we have increased the sophistication of our weapon systems, we approach the limit of a human operator's capability. This effort contributes to man/machine system design to achieve the most effective operator functions.

As you can see, these three R. & D. areas—totaling $32.3 million in fiscal year 1969—are highly relevant to defense needs and have been consistently productive. They should not be cut.

Most of the criticism concerns the last two areas:

Fourth, cultural and social factors, $10.1 million for fiscal year 1969: This work is relevant to training defense groups for overseas adviser assignments in the areas of counterinsurgency, psychological operation, military assistance, and pacification.

Fifth, policy planning studies, $8.2 million for fiscal year 1969: This effort includes much of the strategic planning in response to changing patterns of political and power alinements. The results form part of the basis for threat analysis, and important aspects of contingency planning, force level planning, logistic and manpower policies, and weapon system and mobility requirements. R. & D. requirements are also based in part on such assessments.

These latter two categories amount to $18.3 million for fiscal year 1969 and are clearly highly relevant to Defense operational missions and to the R. & D. needed to improve our capability. DOD witnesses have repeatedly testified before congressional committees that some of the foreign area social science research and policy planning studies must be sponsored by Defense because of their prime importance to DOD. Some of the work, however, is relevant but of secondary importance to DOD, and could be sponsored by other Federal agencies. There is a much greater national demand for high-quality work than any agency can meet. Essentially all results from the Defense-sponsored research are used widely throughout the Government. DOD is taking a number of steps to further improve the quality of the program and to tighten the already established review and coordination procedures.

The real question is not "Why is Defense sponsoring such a high percentage of the national effort in this sensitive area?" but, rather, "Why are several agencies which clearly need the results of this kind of work sponsoring so little?"

Regarding the proposed fund increase of $9.8 million in fiscal year 1969, I fully support the DOD request. Let me simply list each area of increase:

First. Military education and training, $2.5 million to improve training methods for counterinsurgency, aviation/maintenance, and project 100,000; and to apply and evaluate recent advances in training methods to Defense programs, for example, computer asssisted and programed instruction, and video applications in student pilot training.

Second. An automated system for developing shipboard manning requirements for more effective assignment of operators and tasks on system design, $1 million.

Third. Human factors engineering on helicopters, tanks, communications, and night vision devices, $0.5 million.

Fourth. Applied research related to human performance capabilities and manpower selection and training, $1 million.

Fifth. Themis program—building new centers of excellence at academic institutions that do not now receive substantial Federal or Defense support, $2.4 million.

Sixth. Social/cultural factors foreign area social science research related to counterinsurgency, psychological operations, pacification, and unconventional warfare—almost entirely related to Southeast Asia, $1.6 million.

Part of the problem in criticism of the behavioral and social sciences seems to be related to a superficial analysis of the work. Let me give you an example. DOD has been sponsoring a project entitled, "Vietcong Motivation and Morale" since 1964. The objective is to understand VC motivation and morale so that improved South Vietnamese and U.S. actions and programs can be developed. These studies have led to information on how the VC recruit and train troops and cadres; how they maintain political control over their troops; how they operate to attain and maintain political control over villages; factors making for internal cohesion in the VC movement in the face of intensified allied military operations; and why some VC cadres and troops defect to the Chieu Hoi program, and why many are afraid to or cannot. This study was requested by General Westmoreland and the results have been used broadly by him and his staff. This area represents a difficult problem that clearly is not yet solved. But the kinds of information provided through this research afford a vital means to improve our pacification effort in Vietnam.

Overall, I think the Defense Department has sound reasons for their programs in the social and behavioral sciences research and studies. I am encouraged by the steps being taken to improve quality controls and the review-and-coordination procedures. I suggest that the Defense Department needs the flexibility to decide whether to cut the budget for this program after other, more significant budget reductions are decided. For the reasons stated I support our committee's move to restore a portion of the cuts made in this area by the other body.

Mr. RIVERS. Mr. Chairman, I yield 10 minutes to the distinguished gentleman from Illinois [Mr. PRICE].

Mr. PRICE of Illinois. Mr. Chairman, at this time I will not attempt to discuss the statement made by the gentleman from New York [Mr. PIKE] on the giant helicopter. I am certain under the 5-minute rule, when an amendment is offered, there will be an opportunity to answer the position taken by the gentleman from New York. I do, however, regard it as a very essential combat weapon. I know both the Army and the Navy are vitally interested in it. I know they have been trying to push through development of it as rapidly as possible.

Mr. Chairman, the Department of Defense requested authorization to build two nuclear-powered attack submarines of the 637 Sturgeon class in fiscal year 1969 and requested authorization of $18 million to purchase long leadtime propulsion plant equipment for two additional 637 Sturgeon class nuclear-powered attack submarines to be built in fiscal year 1970. The Department of Defense further indicated that it intended to build no more nuclear attack submarines after fiscal year 1970.

The members of our committee are deeply disturbed over the testimony concerning the growing Soviet nuclear submarine threat and the lack of action by the Department of Defense to counter this new threat. The committee considers that the Navy proposal to build an improved nuclear-powered attack submarine in fiscal year 1970 is so essential to our national defense that we have added funds to the authorization to get started immediately on procurement of long leadtime items. The committee considers that a far greater and more aggressive effort must be made by the Navy and the Department of Defense to provide more effective nuclear-powered attack submarines for the future.

Our committee hearings have produced the following information:

The Navy has been insisting that we should have at least 100 to 110 nuclear attack submarines, our primary antisubmarine weapon.

The systems analysts in the Department of Defense have set 69 as the maximum number of nuclear attack submarines we should have. In arriving at this total number, the systems analysts have:

First, cut the number of stations to be manned by the nuclear attack submarines substantially from the number set by the Joint Chiefs of Staff.

Second, failed to include any submarines for other significant missions.

Third, failed to include realistic factors for attrition.

In the meantime, the Soviet submarine fleet consists of new submarines, all built since World War II. It now numbers about 350, of which about 50 are nuclear-powered. The Soviets now have new nuclear submarines of greatly improved capability.

Soviet submarine operations are increasing in intensity. Their submarines are spending much more time out of area; that is, away from the home port area. They have introduced a new technique of having a submarine tender and a missile tender form the basis of a submarine replenishment site in the middle of any ocean. They used this system last year to replenish submarines in the South Atlantic. They are increasing their use of submarines in the Mediterranean.

The U.S. submarine construction program has been adversely affected by the Department of Defense's announced end of our nuclear attack submarine construction. Many of the engineers do not want to be associated with a dying program and have already left for other employment. This is also true of the better construction workers. An actual cessation of nuclear submarine construction in a yard will make it even more difficult to get back into submarine construction work again. In addition, unless the Navy has a firm building program for its nuclear ships, the manufacturers of nuclear equipment will become saturated with orders for the much larger nuclear utility business.

We need more, faster, and quieter submarines. We also need greater research and development effort on submarine detection and countering.

The committee was shocked to learn recently that the Department of Defense is considering cancellation of the new design nuclear attack submarine authorized and funded by the Congress for fiscal year 1968. The Chief of Naval Operations has told the Congress that he and the most experienced submarine operators in the Navy believe that it is extremely important that we build this new design submarine as soon as possible. He has made it clear that the construction of this submarine as rapidly as possible is essential in order to test and evaluate certain design features of a classified nature which may be of great importance for application to future submarine designs. Our committee report on page 44 states:

> The need for the submarine is clear to the committee. The committee again wants to record its opinion that this submarine, one of the 69 allowed to be constructed by the Department of Defense, should be built as quickly as possible, especially since the contracts have been awarded and the approval to proceed was to have been issued within a scant half-hour when the order to stop was received.

I urge the Congress to take whatever steps are necessary to prevent the Department of Defense from canceling this vital nuclear submarine.

The Senate has called for a reevaluation of the decision to stop construction of nuclear attack submarines subsequent to the two submarines to be authorized next year—which would make the total 69. The Senate added $13.5 million to the fiscal year 1969 authorization bill for additional construction authorization to provide for procurement of long lead time propulsion plant components for the higher performance submarine recommended by the Navy, and $4 million for additional research and development for this submarine to be built in the 1970 program. The Senate also added $16.4 million for additional research and development for improved submarine nuclear propulsion plants to be required after 1970.

Our committee concurred in the action of the Senate and our report recommends that the House add the same sums to the fiscal year 1969 authorization bill.

I have already explained the importance of proceeding now at high priority with the design, development, and procurement of long leadtime items for the improved nuclear attack submarine to be included in the fiscal year 1970 shipbuilding program.

Let me explain further the purpose of the $16.4 million the committee has added for additional research and development for improved nuclear propulsion plants to be required after 1970. This money has been added to both the Senate and House versions of the authorization bill to permit Admiral Rickover to get started on development of a new nuclear propulsion plant so that our future submarines can have capabilities superior to those now attainable. It is important to recognize that this money has been added to the bill by Congress to get this work started immediately. It will be detrimental to our national security if these funds are not released to the Navy as soon as possible. Further, since Congress is providing these funds for this specific purpose it would be totally improper if anyone were to ask the Navy to reduce other approved programs in return for release of these funds. Both the Armed Services Committees have made it clear they want this work started now.

The committee and its subcommittee on antisubmarine warfare have held extensive hearings on the nuclear submarine issue. In response to the request of the chairman, Admiral Rickover summarized his views in a letter to the chairman on June 13, 1968, as follows:

> In order to put my comments in proper perspective I must state, as I testified this morning, that I am extremely concerned over the rapid progress being made by the Soviets in the design and construction of nuclear submarines.
>
> The progress made by the Soviets over the past few years in nuclear submarine design, construction, and operation could only have been accomplished through the efforts of a large group of highly competent technical personnel. We must assume that this group is continuing to apply its talents and efforts to provide the Soviets with additional advances in nuclear submarines.
>
> The Soviets are treating their nuclear submarine program as being of prime national importance. It must be recognized at the highest levels of our Government that there is now *prima facie* evidence that the Soviets will surpass the United States in the nuclear submarine field within a few years, unless extraordinary efforts are taken to apply the necessary emphasis and talent to our nuclear submarine program.
>
> If we are to remain competitive with the Soviets in submarines, we must act without the delay which in recent years has characterized our own attempts to improve nuclear submarines.
>
> I deeply appreciate your interest and that of your Committee in this matter. I know of nothing that could have more serious consequences to our national security than to continue delaying our nuclear submarine program.

I am deeply disturbed by the rapid progress being made by the Soviets in nuclear submarine design and construction. It is now clear that our own Department of Defense has for years grossly underestimated the rate at which the Soviets are improving their nuclear submarines. I am concerned that the Department of Defense does not and apparently refuses fully to appreciate the significance of the rapid strides being made by the Soviets in this field.

The Navy should take steps to insure that proper and sufficient priority is given to submarines and submarine warfare within the Naval Command structure. The most senior position within the Office of the Chief of Naval Operations which is required to be staffed with a submarine officer is the Director, Submarine Warfare. He is three echelons below the Chief of Naval Operations. I suggest that the Navy consider establishing a Deputy Chief of Naval Operations for submarines in view of the increasing importance of this phase of naval warfare.

I regard our nuclear submarine program as one of the most vital programs of our national defense. We must do everything possible to increase the building rate and capabilities of our nuclear submarines without delay; also, we must reverse the trend of increased leadtime which has resulted from over-administration by Department of Defense Headquarters. From my many years experience as chairman of the subcommittees of the Armed Services Committee and the Joint Committee on Atomic Energy which act on the research and development programs of the Defense Department and the Atomic Energy Commission, I must agree with the recent statement of my colleague, the gentleman from Massachusetts [Mr. BATES], that—

> I do not believe that any program so important to our national security has been so mis-handled and delayed by the Department of Defense as this one.

Congress is well aware of the continuing battle the committee has had with the Defense Department to build nuclear-powered surface ships. Now the same sort of "studies instead of construction" policy which we faced in the Department of Defense is being applied to our nuclear submarine program. While the Soviets are building submarines at an increasingly rapid rate, our Department of Defense is delaying and holding up our nuclear submarine program. The Department of Defense is substituting studies for submarines—a course that can end in a national disaster.

Now I will discuss the current status of nuclear-powered surface escorts for our naval striking forces. This year the Navy has finally recognized the validity of what the Congress has been urging for years; namely, that the guided-missile escorts for nuclear-powered aircraft carriers should also be nuclear powered. The Department of Defense has accepted the need for nuclear escorts for two nuclear carriers, and has agreed that the Navy should solicit options for nuclear escorts for the planned third and fourth nuclear carriers.

Thus far, the nuclear carrier *Enterprise* and three nuclear escorts, the cruiser *Long Beach* and the frigates *Bainbridge* and *Truxtun*, are in the fleet. Usually the *Long Beach* is not available to escort the *Enterprise*. For example, the *Long Beach* is deployed on her second tour in the Tonkin Gulf where she serves on independent ship duty fulfilling a vital mission in support of air operations over Vietnam.

The Navy expects to award a contract soon for the fourth nuclear escort, the guided missile frigate called DLGN–36 which Congress added to the fiscal year 1967 program. When the DLGN–36 joins the fleet in 1972, the *Enterprise* will have been serving in the fleet 11 years before she has a full complement of four nuclear escorts. This assumes that the *Long Beach*, which is seldom available to operate with the *Enterprise* because of her other important missions, can be counted as one of these four.

The second nuclear carrier, U.S.S. *Nimitz*—CVAN–68—for which the keel was laid on June 22, 1968, as also expected to be delivered in 1972. Under current plans, the Department of Defense will complete the first nuclear escort for the *Nimitz* in 1973; this is the DLGN–37 which Congress added to the fiscal year 1968 program and the Department of Defense has now agreed to build after must prodding by Congress.

In order to attain two all-nuclear carrier task groups, the President has agreed to also build four nuclear-powered guided-missile destroyers of a new class yet to be designed, called DXGN's. The Department of Defense plans to include two DXGN's in the fiscal year 1970 program and two in the fiscal year 1971 program. This Department of Defense plan will provide a total of nine nuclear escorts; four each for two nuclear carriers with one extra available to allow for overhaul requirements.

Both the DLGN and the DXGN use the same type nuclear propulsion plant. The principal difference between the two ships is that the DLGN has two anti-air-warfare—AAW—missile systems; whereas, there is only one specified in the conceptual design of the DXGN.

By following the present Department of Defense plan to build the DLGN36 and DLGN37 and follow these with four ships of the DXGN class, it will be 1976 before we have four nuclear escorts for the nuclear carrier *Nimitz*, which will then have been in operation for 4 years. It should be noted that by this time the third nuclear carrier, the CVAN69, for which $50.5 million was appropriated in fiscal year 1968 and $82.4 million is included in the authorization bill before you, will also have been delivered with no nuclear escorts available for her. The fourth nuclear carrier, the CVAN70, will join the fleet in 1976 with no nuclear escorts available for her either, according to present Department of Defense plans.

It is essential that adequate air and submarine defense be provided for our carrier striking forces. This is particularly so for our new nuclear carriers. Since they are the most modern and the best we have, they will be expected to carry out the most difficult assignments and will thus need the best possible protection. The rapidly improving and expanding Soviet nuclear submarine fleet makes the need for additional nuclear powered escorts for attack carriers especially urgent. The Congress has repeatedly made it clear that the Department of Defense must take urgent action to increase the number of nuclear powered escorts to be authorized in the next several years.

The fiscal year 1969 Department of Defense budget request includes $52 million for the procurement of long leadtime nuclear components for two DXGN's the Department of Defense plans to include in the fiscal year 1970 program. Before the building program for DLGN's with their two AAW missile systems is stopped in favor of building DXGN's with their single AAW missile system, thorough consideration should be given to the design and capabilities of the DXGN and the delivery schedule and cost that will actually be attained. Before the nuclear escort building program is committed to a series of ships with only one AAW missile system, Congress should be given assurance that a high degree of reliability and performance of the single missile system will be attained.

In this regard, Senate Armed Services Committee Report No. 1087, of April 10, 1968, on the fiscal year 1969 defense authorization bill stated:

> The DLGN is a larger ship than the DXGN and has two surface-to-air missile systems instead of one. The cost estimates on the DXGN are indefinite at the moment, but from the information now available it appears that the DLGN will cost $20 to $30 million more than the DXGN. Considering the difference in the antiair capability of the two ships, the committee believes that the decision to procure DXGN's instead of more DLGN's should be reviewed. Consequently, the committee has amended the bill to provide that the $52 million in authorization is available only for components that would be used in either a DLGN or a DXGN.

Our committee report recommends that the House concur in this Senate action. The committee will expect the Department of Defense to proceed as rapidly as possible with the procurement of the two ship-sets of nuclear propulsion plant components so that the two fiscal year 1970 nuclear escorts—whether it is decided next year to make them DXGN's or DLGN's—can be delivered to the fleet at the earliest possible date.

The committee has also included the $17.4 million requested by the Department of Defense in the Navy research, development, test, and evaluation authorization for the contract definition of the DXGN.

The three *Nimitz* class nuclear powered aircraft carriers now planned will represent a major portion of the Navy aircraft carrier strength in the 1970's and the 1980's. It is essential that they be completed as soon as possible.

Admiral Rickover testified to our committee that:

> Since we are now procuring equipment for the second *Nimitz* class carrier and the Department of Defense has programmed a third in fiscal year 1971, I felt it was prudent to proceed in fiscal year 1969 with procurement of spare fuel and major components as a backup for construction of these ships.

Admiral Rickover's recommendation to include $39.3 million for *Nimitz* class nuclear carrier propulsion plant spares in the fiscal year 1969 budget was deleted from the budget by the Department of Defense over the Navy's objection. The Secretary of the Navy requested the Department of Defense to reinstate these funds, but his request was denied.

The risk of delaying delivery of any of these three nuclear carriers should be minimized. With no spares on order, if any of the nuclear propulsion plant components for the *Nimitz* class carriers are damaged, backup components will not be available and the ships involved may well be delayed a considerable time until replacement components can be obtained.

The committee considered that the risk of delaying construction of these nuclear aircraft carriers should be minimized and accordingly has included in the authorization bill an addition of $39.3 million for procurement of spare and replacement fuel and major components for *Nimitz* class aircraft carrier nuclear propulsion plants.

In summary, I want to remind you that the House and Senate Armed Services and Appropriations Committees and the Joint Committee on Atomic Energy have issued voluminous and multitudinous reports supporting in detail their rationale for insisting that nuclear propulsion be provided in new warships to be constructed for our naval striking forces and that we have an aggressive nuclear submarine development and building program. During the many times this subject has been discussed on the floor of the House and the Senate many of our congressional leaders have spoken at length in support of a nuclear Navy; none has spoken against it. In our constitutional democracy the people speak through their representatives in Congress. A study of the record of the last 7 years—since the first nuclear powered surface warship went to sea—shows that the people of the United States have said that they want nuclear powered naval striking forces and the best nuclear submarines in the world. It is time that our Defense Department listened to the people.

Mr. BATES. Mr. Chairman, I yield 10 minutes to the gentleman from New York [Mr. STRATTON].

Mr. STRATTON. Mr. Chairman, I rise in support of S. 3293 as reported by the Committee on Armed Services.

There is one area to which I would like to devote my special attention while speaking in support of the bill; namely, antisubmarine warfare.

Because of his concern for the general area, the chairman appointed a special Subcommittee on Antisubmarine Warfare in 1966; CHAMBERLAIN, LEGGETT, STAFFORD, HICKS, SCHWEIKER, and myself. Since that time the subcommittee has been very active and has received considerable testimony as to our present antisubmarine warfare posture.

The situation is not good. In fact I believe there is already a submarine gap. The Soviets have been building up a fleet of submarines since World War II. Recent evidence shows that this fleet is growing in size, in quality, and in deployment. Let me compare a few simple facts. There are over 350 submarines in the Soviet fleet, of which over 50 are nuclear. We have only 145 submarines in our fleet of which we have 34 nuclear attack submarines and 41 Polaris type submarines. Since the Polaris submarines are given a different role to play, they cannot be considered in connection with our antisubmarine defenses. This means we have 104 submarines to defend against over 350. Of the 350 there are a good number which are missile carrying—both ballistic missile and cruise missile. Some of these are regularly stationed off our coastlines. Attack submarines are our first and primary method of defense against the Soviet submarines. It is no wonder then that the Navy wants to have many more than the number of nuclear attack submarines presently allocated to it by the Department of Defense.

Now there are two additional matters that I want to bring to the attention of the Committee that further complicate this overall submarine picture and that this bill will help to correct.

The first item I want to bring to your attention is some disturbing new intelligence about Soviet submarine developments that was not known at the time the Department of Defense prepared its 1969 budget and was also not known when Department officials testified before the Senate earlier this year. What our subcommittee learned, and what we subsequently passed on to the full committee was the knowledge coming from top Pentagon sources, that the Soviet Union has reached a stage in its submarine development program which our Pentagon planners and intelligence experts had expected the Soviets would not be able to reach for another 7 years—until 1975. Instead, we find the Russian submarines have reached today, in 1968, an advanced stage of progress and development which we had assumed they would not reach until 1975. You can imagine just how sweeping and disturbing are the implications. These sensational new developments in Soviet submarine construction in recent months gravely threaten the position of America's important anti-submarine-warfare defenses. The case is just as simple as that.

I am convinced—and the committee was convinced—that we cannot possibly risk any delay in stepping up our own research in anti-submarine-warfare matters to meet such an expanded and unexpected threat.

So what the committee has included in this bill is an additional $50 million for this necessary and very urgent antisubmarine research. The inclusion of this money was urgently recommended by the Navy's top officer charged with coordinating anti-submarine-warfare matters, Vice Adm. Turner Caldwell, and also by Vice Adm. Hyman G. Rickover, a man who knows more about submarines and the matter of submarine warfare than anybody else either in the Pentagon or out.

Admiral Caldwell put the matter this way in a letter addressed to me:

DEPARTMENT OF THE NAVY, OFFICE OF THE CHIEF OF NAVAL OPERATIONS,
Washington, D.C., July 10, 1968.

Hon. SAMUEL S. STRATTON,
Chairman, Subcommittee on Antisubmarine Warfare, Committee on Armed Services, U.S. House of Representatives, Washington, D.C.

DEAR MR. CHAIRMAN: This is in response to your telephone request for amplification of certain aspects of my testimony before the House Armed Services Committee.

I tried to make clear to the Committee that the Soviet Union is now embarking on a new

> phase in their continuing program to develop and make operational a massive and effective submarine force. I think the Soviets are rapidly orienting their defense machinery to a Soviet counterpart of the U.S. strategy of "flexible response." I related that they have in the water new submarines of improved capability, and that our ASW forces, therefore, must continue to be improved in order to be responsive and effective not only to this new threat, but to expected threat changes in the future.
>
> I must emphasize, from a professional naval point of view, that the alarming thing about the apparent change in the Soviet submarine posture is not the presence of any given number of their submarines on the high seas, so long as that number does not reach critical dimensions. Rather, it is the obvious growth of professional competence, growth in both quantity and quality, that is evidenced by the steady growth of their submarine operations on the high seas. These operations call for skills in navigation, seamanship, and the prolonged maintenance of sophisticated systems which are simply not attainable in limited operations in home waters close to supporting shore bases. When one adds the increasing capabilities now beginning to be introduced, it is clear that a critical point for our ASW forces could be achieved in the early 1970's if we do not promptly accelerate the development of certain appropriate counter-capabilities which I have identified specifically to the Committee.
>
> As long as a balanced ASW posture of numbers and capabilities is maintained, I think the Soviet Union would not intentionally provoke a situation involving submarine warfare. This capability that we have obtained over many years, however, can be lost through our delay or failure now to protect our technological advantage by appropriate additional investments in our Research and Development program.
>
> Although the Soviet Union now has a sizable submarine force, a force that could cause devastation to our shipping, vital naval ships at sea, and a force that is capable of delivering a significant nuclear attack on the United States, it is not as serious a threat as that which the Soviet apparently plan for the future. In view of the changing and increasing threat, I indicated in response to the Committee's questions that it was my personal view that we should devote about $50 million more to ASW R&D in FY 69, over that requested in the budget. This would be used in areas directly related to countering near-term future improvements in Soviet capabilities as we see them generating. If this information had been available when the budget was formulated, I would hope that the projects involved would have been included. Now that firmer evidence of the new threat is in hand, we should not delay in expanding and accelerating our ASW R&D work in the appropriate areas I have cited to you.
>
> I appreciate the concern of your Committee and the time and hard work devoted to the vital area of ASW readiness.
>
> Sincerely,
>
> T. F. CALDWELL, Jr.,
> *Vice Admiral, U.S. Navy,*
> *Director, ASW Programs.*

Mr. Chairman, I wish our subcommittee could make available to every Member of the House all of the information which has been presented to us. In that case I am sure all of you would understand our deep concern on that question. But let me just say that the information comes from the highest sources and it has been presented to every member of the full Armed Services Committee. I know they all join in our wish that this vital area of defense shall not suffer even though more dramatic public attention is still focused on developments in Southeast Asia.

As it is we already face a disturbing "submarine gap" in terms of numbers in relation to the Soviet underwater force. Any failure to approve this additional sum would leave us in a position that could well make the missile gap of the 1960's look tame by comparison.

Now, Mr. Chairman, let me just make one other observation on this particular point. I am distressed to have to report to this committee that some officials in the Pentagon are already hard at work, I am sorry to say, trying to undermine congressional efforts to meet this new and increased threat by planning to negate any funds added by Congress to this bill.

My information is that these officials are already quietly passing the word down the chain of command that any sums which Congress adds this year to the defense budget for any purpose will have to be made up by corresponding cuts in other parts of the defense program.

I find it almost incredible that any Pentagon official would take this kind of defiant attitude toward Congress and our wishes. Let me just say that if any effort is made to reduce any other parts of our vital antisubmarine defenses by $50 million as a punishment for the action of this Congress in trying to improve our defenses against unexpected growth in Soviet submarine capabilities, those who order such a cut will be tinkering with the vital security of our country.

In fact, our committee takes the position that our antisubmarine warfare programs are so vital to the Nation's survival that there should be no cuts of any ASW research and development. Indeed, there should be no cuts in the dangerously thin line of our ASW operational forces which presently separate us from the Soviet submarine menace.

Mr. Chairman, the other major issue with regard to submarines which I wish to bring to the attention of the Committee has to do with the total number of nuclear attack submarines which the Navy is to be permitted to have on hand to meet the growing Soviet submarine threat. The Navy and the Joint Chiefs of Staff wants and believe we need over 100 of these submarines. But the Department of Defense has insisted that they cannot have more than 69. The two submarines which are included in this bill, together with the two submarines which are expected to be requested next year—one of them a fast submarine the Secretary of Defense announced just this morning he was going to proceed with—will complete the run of 69 and thus end the American nuclear attack submarine construction program while the Soviets already have 55 nuclear submarines and are constructing new ones at a fantastic rate.

The Committee on Armed Services has seriously questioned this decision. We found that the real decision in this case was made by Dr. Alain Enthoven, Assistant Secretary of Defense for Systems Analysis. In his testimony before our committee. Dr. Enthoven flatly said that his office only followed the recommendations of the military people unless there was some clear rational reason for some other decisions.

In the case of the numbers of nuclear attack submarines, it had been brought out that the Joint Chiefs of Staff as well as the Navy supported a figure of well over 100. I quoted Dr. Enthoven's own testimony back to him that first he considered what the service wanted, then considered what the Joint Chiefs wanted and last he asked whether there was any reasonable basis for concluding that these recommendations are wrong. At first he tried to pin it on the Navy's own studies, then he tried to put it on the fact that the Navy "refused to accept the implications of its studies." Finally it came down to this explanation—page 8892 in the hearings:

> The basis for a different conclusion, is the judgment as to, at what point do you stop buying forces. Naturally, I would expect the submariners, believing in what they are doing, to be vigorous supporters of larger submarine programs. Not only is that natural, but I think it is desirable.

At that point, the chairman interrupted to ask:

> Is this an assumption on which you start, that all of them have this same reaction?—Answer "yes" or "no."

Dr. Enthoven responded:

> Mr. Chairman, I think that in most cases the military men operating our forces and programs believe in what they are doing; that is right, and they are, therefore, vigorous, effective proponents of their programs.

In other words the real basis of the decision by the Assistant Secretary for Systems Analysis was nothing rational at all, but only the suspicion that the military are always just naturally going to ask for more than they really need, and somebody has got to cut them down.

Mr. Chairman, the more I looked into the operations of the systems analysis group, the more astounded I became. Repeatedly I have asked for some of the studies on which the Department of Defense Systems Analysis group is supposed to have made these very crucial decisions bearing on our security. And to this day Mr. Enthoven has not given me any better or more rationale and he will not because there is none. This is just old-fashioned pennypinching surrounded with scientific mumbo-jumbo. What a way to run a Navy in this predatory world. I have never received a single study from that office. What really happens is that this Department of Defense group relies on departmental studies, which others have produced. It accepts those portions it wants to accept and rejects those portions it does not want. And it is not bound by any logic or consistency, although you have to dig to find out this very simple truth.

When it came to the number of nuclear attack submarines, where the DOD Systems Analysis apparently had the governing voice, they had not only ignored the professional advice of the Joint Chiefs of Staff but they had not even considered any attrition for our own submarines, either in peacetime or in war. In fact they were not even making a reasonable assumption as to the number of Soviet submarines one submarine of our could sink before being put out of action.

After listening to all of this, Mr. Chairman, it became apparent to me that we had to proceed with our submarine construction program in spite of Mr. Enthoven. Therefore the Subcommittee on Antisubmarine Warfare unanimously recommended to the full committee and the full committee has now unanimously recommended to this House that we continue with nuclear submarine construction in the years ahead to catch up with the Soviets and get something like the 100-plus nuclear attack submarines the Navy, the submariners, and the Joint Chiefs of Staff are deeply persuaded we need and must have.

In order to achieve this we accepted the Senate add-on of $13.5 million for the procurement of long-leadtime items for a new type submarine to be fully funded next year; we added $4 million for research and development for that submarine; and we added $16.4 million for research and development on the propulsion system for a new class of submarines to be built in the 1970's. Please note especially that this last research and development is for the propulsion system of this new class of submarines—not for any other research and development which undoubtedly will be needed for that class. This is the decision which Secretary Clifford has finally said the DOD is prepared to go ahead on.

Mr. Chairman, we found the Soviet submarine situation to be so alarming that we added two special provisions to the report. First we said:

> The committee takes the position that the antisubmarine warfare programs are so vital to our Nation at this time that there should be no cuts in any of its research and development.

Thereafter we added:

> The present antisubmarine warfare operations are also so vital to the Nation at this time that there should be no cuts in the dangerously thin line which is presently protecting us.

I fear that acting in the guise of carrying out the congressional wishes to have a cut in Federal expenditures the Systems Analysis Office in the Department of Defense will cut along the lines they have long indicated that they desire to cut—submarine strength, escort strength, even antisubmarine aircraft carrier strength, and we will not find out about it until it is too late to repair the damage.

Mr. CHAMBERLAIN. Mr. Chairman, will the gentleman yield?

Mr. STRATTON. I am glad to yield to the distinguished and outstanding ranking minority member of our subcommittee, the gentleman from Michigan [Mr. CHAMBERLAIN].

Mr. CHAMBERLAIN. I thank the gentleman. I would like to commend the gentleman in the well for his statement to the House, and I would like to advise my colleagues that I share his grave apprehension with respect to the situation in which we now find the submarine forces of our country. In my judgment, the funds that have been added to the bill for research and development are desperately needed to insure our national security.

Mr. STRATTON. I thank the gentleman for his contribution.

Mr. CAREY. Mr. Chairman, will the gentleman yield?

Mr. STRATTON. I am glad to yield to the gentleman from New York.

Mr. CAREY. I thank the gentleman for yielding. Mr. Chairman, I take this time to pursue a line of questioning which I do not want the gentleman to misunderstand. I have supported the defense program, the building of submarines, and Admiral Rickover's activities in this field for all of my time in Congress. But there is no question that the submarine menace that we now perceive is imminent and is another step toward escalation, because it is involved with the delivery of nuclear missiles. I think history records now that when the other body took action to decide to set up an antiballistic net, this precipitated very quickly discussions with the Soviet Union that probably did a great deal to result in producing the agreement on nonproliferation and on controlling ballistic missiles, hopefully, someday.

Mr. STRATTON. And I am sure the gentleman will agree with me that we ought not to tear this protective net down until we get some firm agreement from the Soviets with regard to cooperation on their part in the mutual effort toward peace and disarmament.

Mr. CAREY. Can the gentleman look far enough ahead, down the range, to see that it is possible, since the undersea method of warfare is just one more way of deilvering nuclear missiles—them to us and us to them—that by activating a new submarine program indicating that we intend to match up to their acknowledged strength, this might produce some disarmament discussion on submarine warfare?

The CHAIRMAN. The time of the gentleman from New York has expired.

Mr. BRAY. Mr. Chairman, I yield the gentleman 2 additional minutes. I would like to suggest to the gentleman that he might answer the question that has just been propounded to him by pointing out that we are discussing attack submarines and not Polaris submarines.

Mr. STRATTON. I thank the gentleman for making that point clear. What we are talking about is our defense against an escalated step-up on the part of the Soviet Union. They are the ones who have not only escalated the production of their submarines, but they have also escalated the technical capabilities of their submarines. I cannot publicly say any more than that. It is this disturbing information, which is much more serious than the Pentagon has chosen to pinpoint, that we need to improve our own underwater defenses.

We would be doing a grave disservice to our families and our country if we did not protect ourselves now against that kind of escalation from the other side.

Mr. CAREY. I am certain my colleague would agree that nothing could be more serious than the continued movement in technology toward the delivery of nuclear weaponry through space and other means in the stratosphere and atmosphere, is there any chance that some day we can agree on outlawing underseas movement of such weaponry?

Mr. STRATTON. I would be happy to see any kind of workable agreement that we could reach with the Soviet Union on disarmament, and I am certainly glad that we are soon to be talking with them on the question of missiles. I think the amendment of the gentleman from California [Mr. LEGGETT] to knock out the ABM system would do very grave damage to those talks, because it would take away from the Soviet Union any incentive for their talking.

Mr. BRAY. Mr. Chairman, I yield such time as he may desire to the gentleman from Michigan [Mr. CHAMBERLAIN].

Mr. CHAMBERLAIN. Mr. Chairman, I rise in support of S. 3293 and wish to direct the attention of the Committee to three specific amendments to this bill which, in my judgment, have considerable merit.

In providing equipment for our Armed Forces, it is imperative that we exercise as much economy as is consistent with national security. Similarly, we must consider the balance-of-payments problem. Two of these amendments deal directly with these matters, and correct existing situations which needed attention.

The first of these relates to the serious problem our State and local governments are facing in equipping their law enforcement forces. In recent years, crime and civil disobedience have increased tremendously and because of this it has been necessary for our law enforcement agencies to acquire large quantities of expensive equipment in order to properly meet their responsibilities of protecting the general public.

Because of the urgent need for this equipment, State and local governments, already hard pressed to find tax dollars for their normal functions, are being further challenged by the added costs that the law enforcement agencies must pay.

At the same time, however, the Federal Government, disposing of millions of dollars' worth of surplus equipment every year, has put embargoes on the sale of usable surplus weapons and other materials useful in equipping these law enforcement agencies. Thus, we have an absurd situation in which the Department of Defense is destroying certain usable surplus equipment at the same time our State and local agencies are seeking this very same type of equipment.

The difficulty was most vividly demonstrated last year during the Detroit riots when members of the Detroit Police Department were forced to buy surplus weapons for riot control duty through membership in the NRA, because the Department of Defense would not sell these same weapons directly to the Detroit Police Department.

On inquiry to the General Services Administration, I was advised that, although combat-type equipment had been sold to State and local law enforcement agencies in the past, such sales were banned by administrative action in 1965. I was further advised by the Army that:

> There is currently no authorized exception which would permit the sale of this type of surplus equipment to State and local law enforcement agencies.

As a consequence of these existing restrictions, equipment usable for riot control missions is being destroyed rather than being sold as surplus to other Government agencies. In fact, the Army this year has asked for $294,000 with which to build a special furnace for destroying surplus weapons which many of our law enforcement agencies are trying desperately to acquire.

The net result is well summed up in a recent procurement action by the Michigan State Police, in which American-made surplus carbines had to be purchased at more than twice the Army surplus price through a commercial supplier because the Army would not sell these same weapons to the Michigan State Police. Equally disturbing is the fact that ammunition that was procured for these weapons was imported from France.

We are all well aware of the increasing tax burdens at all levels of government, and it is neither economical nor practical to destroy usable surplus equipment which is needed by State and local governments. On the contrary, every effort should be made to make certain that usable obsolete and surplus military equipment is available through surplus channels to other tax-supported institutions before sales are made on the open market or the materials destroyed.

Accordingly, section 404 was added to this bill which will correct this intolerable situation. If enacted, section 404 will save State and local governments money, it will permit the sale of equipment which would otherwise be destroyed, and it will return a "fair market value" to the Federal Government for this equipment. The usefulness of this new surpus channel to hard-pressed tax-supported organizations should be apparent, and I am hopeful that this economy measure will be approved.

With respect to another amendment I would like to state that, in view of the great concern expressed by the administration over the balance-of-payments problem, I was distressed to discover during an inspection trip to Southeast Asia last January that the Army was providing Japanese-made buses for use in Southeast Asia through a leasing arrangement with a Japanese firm, rather than through procurement or lease from American sources. This matter has been carefully investigated, and both the Army Audit Agency and the General Accounting Office have advised that such procurement is not in accordance with the existing "Buy American" procedures. Additionally it has been shown that this lease arrangement was actually more expensive than the same service would have been if provided by buses made in the United States. In fact, figures provided by the General Accounting Office show that if the existing 50 percent "Buy American" differential were applied, two American buses could be leased for the price of one Japanese bus.

The fiscal year 1969 contract for the leasing of these buses will represent a balance-of-payments loss to our country of at least $1,198,043, or $3,154 for every bus we lease from Japanese firms. This will also cost the taxpayers considerably more than the equivalent American products.

It is to correct this uneconomical procurement and leasing procedure that I offered an amendment, which was approved by the Committee on Armed Services, and which now appears as section 405 of this bill. This amendment will prohibit such uneconomical leasing arrangements in the future, thus closing the loophole in existing regulations and helping to reduce our balance-of-payments deficit.

In another vitally important matter, the committee has acted on the recommendations of the Antisubmarine Warfare Subcommittee and added $50,000,000 to this bill for antisubmarine warfare research and development. This is considered to be a minimum figure, but one which will enable the Navy to maintain its progress and its technological lead in this field.

As my colleagues are aware from press accounts and other sources, the menace posed by the Soviet submarine fleet today is greater than at any previous time. Although the Soviet Navy has maintained a large submarine force for many years, it was not until recently that their level of technology and professional expertise approached that of our own. And while our own silent service has been numerically inferior to the Soviet submarine fleet since the end of World War II, we have always had a technological superiority that worked to our advantage. Now, however, because of the great strides the Soviets have made in modernizing their Navy, our advantage is fast disappearing.

Although we could probably outbuild the Soviets in submarines and could achieve some sort of superiority through numbers, this is neither practical nor economical. Defense against Soviet submarines can be achieved at a lesser cost by providing the most modern hardware for our submarine fleet. Research and development is the key to our continued technological superiority, and the $50 million added by the committee for this purpose is urgently needed.

Mr. Chairman, I urge the favorable consideration of this legislation.

Mr. BRAY. Mr. Chairman, I yield 5 minutes to the gentleman from Illinois [Mr. RAILSBACK].

Mr. RAILSBACK. Mr. Chairman, I am one of those who join with the gentleman from New York in the concern that he has expressed concerning our procurement policies. I think that every Member here wants a strong national defense system, a strong national security system.

Yet I think many of us are concerned when we pick up the newspaper, as we have on many occasions, and see where the Federal Government is paying more for some of the materials and equipment it purchases than an individual citizen or an individual firm would be expected to pay. I think we are concerned about the lack in some instances of competitive bidding and about the fact that there is not some kind of central procurement agency.

As I understand it—and maybe the chairman can correct me if I am in error—the bill before us as reported out by the House committee increases the funds authorized by about $295 million over the funds passed by the other body. At the appropriate time I intend to offer an amendment to take the authorization back to that level that was passed by the other body.

Mr. RIVERS. Mr. Chairman, will the gentleman yield?

Mr. RAILSBACK. Mr. Chairman, I would like to ask a question if I may, and then I will be glad to yield to the chairman.

Mr. RIVERS. Yes.

Mr. RAILSBACK. I am wondering if the chairman of the committee can tell us what has been the cost to date of developing the F–111B, which I understand is going to be discontinued, and is going to be replaced.

Mr. RIVERS. I do not have that here, but I will get it.

Mr. RAILSBACK. I will appreciate it very much if the gentleman can get that.

Mr. RIVERS. By action today we rescind $300 million.

Mr. RAILSBACK. Mr. Chairman, I wonder if the gentleman can tell us what will be the expected cost in completing this new plane which I understand is replacing the F–111B. I think it is expected to be the same cost as the F–111B.

Mr. RIVERS. I do not think anybody can tell that with any degree of certainty. These costs, unfortunately, are going up all the time. There has been an escalation of 20 percent in 1 year in labor alone on the west coast. I do not know the answer and I do not think anyone can tell the gentleman the answer. But I can tell the gentleman that the $295 million that is referred to results from an across-the-board cut made by the other body—a cut of 3 percent. We made our cut selectively and carefully. If the gentleman wants to approach this bill that way, that is the right of the gentleman.

Mr. RAILSBACK. May I ask one more question. I am concerned about the fact that apparently, even though it is my understanding we have passed legislation permitting the GAO to inspect the contractor's records, one of the defense contractors has challenged the right of GAO to inspect his records. I wonder if we can have any kind of status report on what has happened there. I believe this was the Hewlett-Packard Co. which challenged the right of the GAO to go in and inspect their records to see what kind of production and cost figures they were using in their negotiated bid.

Mr. RIVERS. Is the gentleman asking me that?

Mr. RAILSBACK. Yes.

Mr. RIVERS. I do not know anything about it. I thought GAO could look at any contractor's record.

Mr. RAILSBACK. Mr. Chairman, I will yield to the distinguished ranking minority member on the committee if he can answer that.

Mr. BATES. Mr. Chairman, I am not familiar with this case, but the GAO does have the authority, of course, to look at the costs involved in a negotiated contract, and Government Operations Committee also here in the House has the authority to make an inquiry into it. But if the gentleman will give us the details we will be happy to look into this case, as we do in numerous cases, but this matter has not been brought to our attention.

Mr. RIVERS. Mr. Chairman, how much time have I remaining?

The CHAIRMAN. The gentleman from South Carolina has 5 minutes remaining.

Mr. RIVERS. Mr. Chairman, I yield 1 minute to the gentleman from Missouri [Mr. RANDALL].

Mr. RANDALL. Mr. Chairman, I rise in support of the defense procurement bill. It seems two issues have come to the focus of attention in this debate. One is the Cheyenne helicopters and the other the so-called thin ABM system.

We all realize that there has been and will be criticism of this procurement bill. Some will say that it is too large and others that it is not large enough. The facts are that, while it does contain an authorization for over $21 billion in expenditures, it is three-quarters of a billion less than submitted by the executive branch.

We are not proposing here an amendment to the Senate-passed bill, because those of us who are on the Armed Services Committee believe the Senate reductions were on a nonselective basis. We have made cuts, but they have been in those places which we believe will not impair the national security. For instance, we have cut out the F–111B. We have cut out the FDLS—Fast Deployed Logistic Ships.

One item of Army procurement over which there has been differences of opinion is the Cheyenne helicopter. For my part I am willing to rely on the recommendation of Gen. Creighton Abrams, who pointed out that after the Tet offensive and for 29 days of February 1968, there were 24 days when the ceiling varied from 100 to 600 feet and visibility varied from one-quarter of a mile to 3 miles in fog and drizzle. In Vietnam fixed-wing, close support missions could not be flown on these 24 days except by radar, but during every one of these days our helicopter gunships flew regardless of the weather and gave dramatic fire support to our troops.

The Cheyenne is a rapid rotor, short-wing helicopter with two jet engines that can literally "loop the loop". It can quite properly be said to be one of the few new things ever to come out of the McNamara era. Questions have been raised as to its cost. I have no facilities to investigate whether the costs have been excessive or not, but I do know the need for helicopters in Vietnam and we should all remember that we have the Renegotiation Board and the Truth in Negotiation Act to protect us from excessive costs.

Someone has said that the jeep was the most valuable piece of equipment in World War II. I think it could be said with equal truth that no military machine is as important to this war as the helicopter. But with the Cheyenne we are not talking about an ordinary helicopter. We are talking about one that will move twice as fast as any other and we are talking about a helicopter that will make a 180° turn.

Now Mr. Chairman, there are some things which need to be said in this debate about our new faith and trust in the Russians as a result of their willingness to talk about a nonproliferation nuclear treaty. For my own part I have great difficulty in bringing myself to believe anything the Russians may tell us. Their recent sweet talk may very well be intended to dissuade us from strengthening our defenses. Funds for the Vietnam war fall into this category, but the defense and security of our own continental United States and our homeland fall into a category of much greater importance. I recognize this is an expensive authorization bill, but the Soviets have not allowed the price tag to deter their preparations for defense. Their defense budget is 15 percent higher this year than last year. They do not intend to stand still. Instead, the Soviets are preparing for tomorrow. When it comes to a matter of cost or expense, for my part I would rather spend some money than to lose our national security. We know that the Soviets have a fractional orbiting bomb and we have none. It is believed that they have a new supersonic transport which may be usable as a bomber. They have developed some new sophisticated submarines.

Mr. Chairman, we cannot take our eyes off of Russia, no matter how willing they seem to be to want to talk now about a mutual treaty.

This bill today is so important that the security of not only our own country but the entire free world will depend upon what we do. If the Vietnamese conflict were to end tomorrow there is a lot of catching up to do. We are all interested in keeping the arms race under control. It is well to be relentless in the pursuit of peace. But we can only bargain with the Communists from a position of strength.

Those of us who are on the committee believe that there has been considerable progress made in what could be called the post-McNamara era. We have found that we can talk to Secretary Clifford. He has given us frank responses to our questions. More than that, when we present to him a reasonable request, we get some action. There is a better relationship between the Armed Services Committee and the executive branch. Such improved relations are long overdue.

If I may, Mr. Chairman, I want to make some more observations about the dollar amount of this procurement bill, in terms of our national security, and in fact with respect to the lives of all of us here in these United States. While I said it was well to keep our eyes upon Russia, I submit it is equally important to keep our eyes upon Red China. Red China is the most irresponsible country in the world. They are the biggest hate mongers in the world. Even if we may be able to trust the Russians, which I for one will continue to doubt, how can we ever bring ourselves to trust Red China? And that brings us squarely back to the question of the sufficiency of our defense in terms of the Communist world. The international Communist conspiracy, whether it is that faction led by the Soviets or that part of the Communist world which is led by the Red Chinese, is bent upon our destruction, and anyone who tries to make themselves believe otherwise is only living in a dream world of hope and wishful thinking.

It may well be that some of us are wrong in the amounts that have been authorized here, but if there has been an error in our judgment, I want to make it very plain by these remarks that I want to err on what I sincerely believe to be in the interest of our own national security. Of course, sophisticated weapons are expensive. Weapons have increased in complexity. Prices have escalated. But remember, the price of defense does not come cheap. I would like to emphasize the words of my chairman, the chairman of the House Armed Services Committee, who compared the lack of an adequate defense to being out in the rain without an umbrella. It is far better to look ahead and have an effective defense system, than to want one when you need it and find that there is none around.

Mr. BATES. Mr. Chairman, I yield to the gentleman from Ohio [Mr. CLANCY] such time as he may consume.

Mr. CLANCY. Mr. Chairman, I rise in support of S. 3293, now under consideration by this body. This bill, authorizing appropriations for military procurement as well as research and development is of primary importance. In it we designate the largest single sum authorized for fiscal 1969; and by it we make a determination of the defense posture necessary to be maintained by this country to insure our national security. It is difficult to calculate or assign values in dollars and cents to this proposition. It is impossible to regret or repair whatever damage may be caused by the lapse of time or the lack of effort applied in keeping our defenses strong and secure.

This measure is one which attempts to deal realistically with the responsibilities the United States faces in an uncertain and complex international setting. It endorses a posture of constant readiness of our defenses. It underwrites a policy of diversification of those defenses permitting a flexible response to any contests. And it provides for the modernization and supplementation of our defense system in accordance with contemporary developments of those who would challenge that security. This legislation takes action in several areas that merit particular note and commendation.

A reduction of $388.8 million from the procurement portion of the bill has been recommended by the committee and with it the discontinuance of the F–111B from the naval aircraft program. The initial objective of a single aircraft with a common airframe cannot, because of the extra weight needed to meet structural requirements, be adapted to carrier based aircraft without adversely affecting performance characteristics to a significant degree. However, the committee urges the Defense Department and the Navy Department to explore development of a replacement aircraft so as to minimize the loss of time and funds committed to an adequate fighter plane.

The committee has recommended in section 406 of the bill additional requirements in the area of negotiated procurement. This section would close a loophole in the present system and insure future negotiated procurements will have to consider at least ceiling prices proposed by all qualified bidders. This would prevent recurrence of the situation which permitted the Army to make the recent award for the M–16 rifle without considering price proposals from the four qualified bidders and would have saved the taxpayer $20 million.

Also in this bill, the Sentinel anti-ballistic-missile system has been designated to receive considerable authorization for appropriations. This system contains the latest advances in communications, radar technology, and rocketry. It utilizes a long-range intercept missile, the Spartan, and terminal intercept missile, the Sprint, along with search and tracking radars and ground support equipment. The Sentinel system is designed to counter the anticipated threat of the Red Chinese ballistic missile. It is expected to have the capability to intercept and defeat enemy missiles whether launched from another continent or surface or subsurface seagoing vessels.

The most critical area of our defense system and on which is worthy of the utmost consideration and support by this body involves the submarine program.

At the present time we have only 104 attack submarines of which two-thirds were built during World War II. Of this number, only 34 are nuclear powered. According to present plans, a force of only 69 nuclear submarines is contemplated for completion of the submarine force. By comparison, the activity of the Soviet Union in expanding its submarine force is increasing at an unprecedented rate. The Soviets now have over 350 submarines, nearly all of which have been constructed within the last 13 years. The scope of Soviet submarine operations has also changed drastically within the recent year. The Soviet submarines are engaged in longer patrols farther from their home ports. The most conspicuous and certainly noteworthy buildup of Soviet submarine activity has been in the Mediterranean Sea which for many years was distinguished by being an arena of exclusive U.S. naval presence. Along with the new operations of the Soviets in the South Atlantic and the acknowledgement that the submarine force of the Soviet Union is presently at a strength which intelligence experts had estimated it could not possibly reach before 1975, the committee urges the need for decisive action. Accordingly, continued research and development in this area is of the highest priority and none of the requested funds for this program have been cut by the committee. There is an immediate need for this amount to maintain our technical position and to regain U.S. technical superiority.

Also, the remaining four submarines of the approved force of 69 are scheduled for completion by 1970. Beyond that, no new construction is planned despite the radical shift in submarine preponderance. It is the committee's earnest conviction that our submarine lines must not be terminated. The situation must not be allowed to deteriorate further. The allocation of funds to support this commitment is reflected in this bill. The committee strongly wants all of the submarines authorized thus far to be built as well as a continued effort to build more submarines of new classes to prevent an impending major submarine gap.

The committee is very much aware of the importance of the advanced manned strategic aircraft program, and the committee has urged that the needed follow-on strategic bomber proceed with contract definition during this fiscal year.

Finally, the committee has been mindful of economic considerations wherever possible. The budgetary request of the Department of Defense was approximately $22.4 billion and the bill approved by the committee recommends an expenditure of $21.6 billion. In every instance the committee has worked to provide a bill which balances budgetary considerations against the realities of power and the impact of dollars saved against the security of the Nation. The result of such considerations is the bill which is before you. It is one which I give my full support and recommend for your favorable consideration.

Mr. BATES. Mr. Chairman, I have no further requests for time, and I yield back the balance of my time.

Mr. RIVERS. Mr. Chairman, I yield the remaining time on our side to the distinguished gentleman from Missouri [Mr. Ichord].

Mr. ICHORD. Mr. Chairman, I rise in support of Senate bill 3293, and I take this time to address myself to title IV of the bill, and particularly to section 406, relating to negotiated procurement.

Section 406 contains all of the provisions of H.R. 18066 which was introduced by the gentleman from Louisiana [Mr. Long], the gentleman from Indiana [Mr. Bray], and myself for the express purpose of prohibiting in the future the waste of public funds which occurred recently in the M–16 contract awards. H.R. 18066 was attached to Senate bill 3293, in section 406, at my request in order to block up the loophole immediately.

I should like to make it clear that section 406 will not eliminate all of the waste in military contracting procedure.

I should like to point out to the gentlemen who are deeply concerned about defense contract prices that I feel that our contracting procedures should be the subject of a thorough and detailed congressional investigation, and the procedures should be revised extensively in order to reduce the cost to the American taxpayer. This is the way waste and excess profits should be eliminated, rather than through the Renegotiation Board procedures or through the Truth in Negotiations Act.

We should reach the matter before the fact, rather than after the fact. Neither the Renegotiation Act nor the Truth in Negotiations Act eliminates waste and efficiency.

Every possible step must be taken to introduce true price competition into all contract awards insofar as is humanly possible. The taxpayer is not, in many cases, getting a dollar's worth of value for each dollar expended, and he has no chance of ever getting it until such a comprehensive review is made and the necessary reforms are effected.

The M–16 contract awards are a shameful and conspicuous example of the cavalier disregard of the American taxpayer which I fear is occurring quite regularly in defense procurement. Here the contracting officials not only refused to look at price proposals, but they arrogantly canceled out phase two of the competition, calling for the submission of price proposals, and actually advised the offerors that under no circumstances did they want them to submit prices.

In this case they awarded a contract to an offeror solely on the basis of a confidence factor at a price $20 million greater than the unsuccessful contractor bid, for 240,000 M–16 rifles. There was no question about the ability of the unsuccessful contractor to perform. It was admitted that the company had the ability to meet contract schedules.

Section 406 is not going to preclude negotiated contracts—I believe we all recognize that negotiated contracts are necessary in many cases—but it will require the contracting officials to at least receive and consider ceiling prices before the contracts are awarded.

Mr. KYROS. Mr. Chairman, I rise in opposition to the reduction in the DX—new type destroyer—program. The Navy had requested $246 million in the defense procurement authorization bill for the first five of a 40-ship buy as the start of this program. But the House Armed Services Committee reduced fiscal year 1969 funding for the DX from $246 million to $25 million; a cut of $221 million.

I feel these funds should be restored, because the impact of this reduction, if carried through as part of the final congressional action on the program, will create an atmosphere of uncertainty on the future of the entire program.

The hesitation to provide full funding in fiscal year 1969 implies further time-consuming "reviews".

The change in the administration to take place in January 1969 could lead to additional stretchout. Will the 91st Congress regard as binding actions of the 90th Congress?

The DX program is undertaking for the first time a completely new approach in warship design and procurement. It has a sizable percentage of the country's best design and engineering talent committed to it. Until the intentions of Congress are clear with respect to moving the program forward as conceived, industry's confidence will be lessened in the almost revolutionary process they are engaged in. The challenge confronting the Navy-industry team requires the strong incentive of congressional support which is made clear by full funding.

The three shipbuilders participating in the competition for the DX production contract expect to submit proposals and prices for large buys of these ships in April 1969 for a contract to be awarded in August 1969.

Lack of full funding in fiscal year 1969 and uncertainties with respect to fiscal year 1970 funding can be expected to result in higher prices to cover contingencies, escalation, and costs of keeping teams together until fiscal year 1970 funding decisions are firm. At the best, fiscal year 1970 funds would not be available in time to meet the scheduled August 1969 contract award date. Thus, a real delay can be anticipated in getting these vitally needed ships to the fleet.

Related to the above, uncertainties with respect to the amount and/or rate of dollar funding as the program moves out to have a direct impact on industry's management decisions with respect to facilities, labor, production, commitments to vendors, and other business risks. Finally, the concerns in Government with respect to funding are amplified in industry where dollars on the line are the sine qua non of their certainty.

Finally, we have had missile gaps and submarine gaps, and I do not think we should now create a destroyer gap.

Mr. REUSS. Mr. Chairman, I cannot support the military procurement authorization in its present swollen form.

I particularly object to the authorization for the antiballistic missile Sentinel program, the first installment on an expenditure of at least $5 billion in the next 5 years.

The President announced just 10 days ago that the United States and the Soviet Union have agreed to enter "in the nearest future into discussions on the limitation and reduction of both offensive strategic nuclear weapons delivery systems and systems of defense against ballistic missiles." If we go ahead with ABM development now we run the grave risk of undermining these discussions.

We are presently in a position of rough strategic balance vis-a-vis the Soviet Union. Neither the Soviet Union nor the United States can attack the other without being destroyed in retaliation. We know that; the Russians know that. It is in a time of relative stability such as this that disarmament negotiations can be most fruitful. Both sides know where they stand and can be confident that a disarmament agreement will not freeze them into a position of permanent disadvantage.

But a wider deployment of ABM's can upset all this by creating uncertainty on both sides as to the effectiveness of their own and their rivals' forces. Disturbing unknowns are injected into the equation, and the danger of overreaction becomes grave. Moves on one side must be countered by moves on the other, and so the deadly spiral begins again.

Arms control agreements are difficult to reach under the best of circumstances, and the atmosphere of mutual distrust and fear that ABM deployment will foster can only compound this difficulty.

There is no need to press headlong into an ABM system. The Chinese will not have an operational ICBM force until the early 1970's, and even then it is hard to imagine a set of circumstances in which they would strike first with their few ICBM's. A small fraction of the U.S. missiles surviving a Soviet first strike, if directed against China, would destroy half of China's urban population and more than one-half of its industrial capacity. Most of its key governmental, technical, and managerial personnel and a large proportion of its skilled workers would be wiped out. For the Chinese to attack, or to threaten to attack, American cities in the face of our strategic superiority would be a suicidal act.

Even if the Chinese threat should become less improbable at some future date, our advantage in lead time is such that we could deploy a "thin" ABM system before that threat became serious. The amendment of the gentleman from California would leave $100 million for further research on the ABM in the fiscal 1969 budget, so that our lead time advantage would be preserved.

We are now being told, however, that this is not really an anti-Chinese defense, but rather an anti-Soviet one. The debate in the other body last month made this shift in ground clear. Yet former Secretary of Defense McNamara, in his speech announcing the decision to go ahead with a "thin" anti-Chinese ABM system said:

> The so-called heavy ABM shield—at the present state of technology—would in effect be no adequate shield at all against a Soviet attack, but rather a strong inducement for the Soviets to vastly increase their own offensive forces.

The Soviet Union has apparently already concluded that the ABM is not presently an effective defensive weapon against the United States. Former Defense Secretary McNamara, in his budget statement of last January, reported that the Soviets no longer appear to be installing a full-scale ABM system. He said that the Galosh system around Moscow had not been expanded or extended to other cities, and that the Tallinn system across the Soviets' northwestern approaches is no longer believed to have "any significant ABM capability."

The June 28, 1968 edition of Congressional Quarterly quotes a Pentagon official as saying:

> For the present we can make greater strides (in the direction of an effective ABM) by spending small sums of money to advance technology until we have a really useful capability, rather than spending a lot to produce hardware that we know won't work.

A second area of obvious overauthorization is in research, development, testing, and evaluation. The bill before us would increase the authorization passed by the Senate by $23 million, for a total of $7.8 billion.

Apart from the domestic impact of these research and development expenditures, a measurable portion of the research is conducted overseas, and thus contributes directly to our balance of payment loss. In fiscal 1967, for example, Department of Defense foreign research expenditures exceeded $8 million, out of a total of $21 million by all agencies. In the developed countries, well able to pay for their own research, defense research totaled $5.8 million.

In a recent report of the House Committee on Government Operations, dated June 24, 1968, "Foreign Research Dollar Drain," many of these research programs were criticized as either nonurgent, or as projects which could as well as have been performed in the United States. The committee cited, for example, an Army research grant to medical scientists in Japan to determine the effects of air pollution. As the Government Operations Committee report pointed out:

> There are, unfortunately, many cities in the United States which suffer from heavy air pollution and many asthma victims in those cities. Moreover, there are many competent U.S. medical scientists who could have undertaken these projects and, indeed, may be already doing so in great range and depth. The need to perform these projects in Japan is, therefore, not at all apparent.

It is high time that the Pentagon began paying some attention to the foreign exchange cost of our governmental research programs. Increasing the departmental request, as this bill does in the case of Navy research and development, is a poor way to get the message across.

A third unjustifiable authorization is the $137.9 million for procurement of the Army's Cheyenne helicopter. The gentleman from New York [Mr. PIKE] has related the strange story of the apparent conflict of interest between a former Assistant Secretary of the Army for Research and Development and Lockheed. The authorization should be deleted.

Mr. BINGHAM. Mr. Chairman, although the military procurement authorization bill before us contains many items which are undoubtedly needed, or at least desirable, and although I am sure that the overwhelming majority of the Members will support it, I shall vote against it for several reasons: first, because there has been a disgracefully insufficient time for the House to debate a bill of such magnitude and importance, especially with respect to some of the amendments proposed; second, because the bill, especially as described and defended by the chairman and some members of the Armed Services Committee, indicates no recognition of the need to reassess our national priorities so as to defer nonessential or questionable defense expenditures and to do what we have to do to meet our problems at home and to meet other grave responsibilities that we carry in the world; because under the bill our country is committeed to embarking on the deployment of an antiballistic system which may well lead to a fantastically expensive armaments race without contributing measurably to our national security—which, in my judgment, is best provided for militarily by maintaining an effective deterrent—and finally because the bill, especially as interpreted by some of its leading proponents, appears to be based on the thesis that the Vietnam conflict can and will be ended by military means, a thesis with which I thoroughly disagree and which I believe has been disapproved by events.

If by some chance the bill were to be defeated today, there would be ample time for the Armed Services Committee to consider and report out a different bill, to be fully debated and acted upon in a fashion consistent with the importance of the issues and the best traditions of this House.

Mr. TENZER. Mr. Chairman, it is now 8 years since President Eisenhower, in his final address to the Nation, warned us about the ever-increasing influence of the military-industrial complex.

The Congress of the United States will be asked to approve approximately $77 billion in Federal expenditures for national defense for fiscal year 1969—a figure seven times greater than the defense expenditure 20 years ago—in 1948 and $27 billion greater than in 1950.

The present extent of the growing influence of the military-industrial complex is difficult to assess except in terms of the relationship between our military and human priorities. It is in this area that the statistics are frightening.

The present economic situation has resulted in a demand for a $6 billion expenditure reduction. The question remains—where should the budget be cut?

Only a few have suggested that we take a hard look at the military budget, while many have suggested reducing expenditures for the war on poverty. How is it possible to justify such an agenda of the Nation's priorities?

I direct the attention of my colleagues on both sides of the aisle to General Eisenhower's address of January 17, 1961, for the answer. In that statement, the former President said:

> This conjunction of an immense military establishment and a large arms industry is new in American experience. The total influence—economic, political, even spiritual—is felt in every city, every state house, every office of the Federal Government. We recognize the imperative need for this development. Yet we must not fail to comprehend its grave implications. Our toil, resources and livelihood are all involved; so is the very structure of our society.
>
> In the councils of government, we must guard against the acquisition of unwarranted influence, whether sought or unsought, by the military-industrial complex. The potential for the disastrous rise of misplaced power exists and will persist. . . .

These are the words of a military man—a man who became President of the United States and saw the dangers of increased power in the hands of the military complex.

President Eisenhower's warning has not been heeded and now 8 years later we find ourselves further endangered by the military-industrial complex.

Taking a look at the proposed $77 billion military budget for fiscal 1969, we should be able to reduce the amount requested—and at the same time restore a semblance of balance between our commitment to military programs and programs designed to meet human needs.

First, omitting the nearly $30 billion related directly or indirectly to the war in Vietnam, and regardless of our respective views on the wisdom of our policy in Southeast Asia, we should be able to separate from the military budget such items which can be eliminated or deferred without endangering our servicemen.

The question therefore is which items in the military budget can be classified as nonessential to the national interest when weighed against domestic priorities?

First. Nuclear weapons development: More than one-half of the Atomic Energy Commission appropriation request is for weapons development. The $1.5 billion request in this area highlights the lack of progress we have made since the 1964 Test Ban Treaty. It also alerts us to the possibilities of a new arms race—in the area of antiballistic missile systems.

Second. Research and development: $8 billion has been requested for military research and development—16 percent more than the 1964 request. $1.3 billion of this amount is earmarked for military astronautics covering some items which have already received more than adequate funding under the $4 billion appropriation for the National Aeronautics and Space Administration.

In addition to possible duplication of the space program, there is also a question of violation of the intent of the 1967 Space Treaty which spelled out agreement that space exploration would be limited to peaceful purposes.

Third. Personnel: At the present time the United States has nearly 3.5 million men in military service—more than 1 million stationed overseas, including 337,000 in Europe and 783,000 in the Far East.

It has been estimated that bringing our troops home from Europe would result in a saving of some $2.5 billion a year to the United States. In addition our balance-of-payments picture would change dramatically.

Fourth. ABM: The Sentinel antiballistic-missile system is estimated to cost $343 million in fiscal year 1969. With the failure to establish an immediate need for this "thin line" ABM system, the Congress or the President should defer this huge expenditure.

Fifth. Military construction: It has been estimated that the United States has at the present time about 132 bases outside the United States, occupying about 2.7 million acres of land overseas. In the fiscal 1969 budget, there is allocated approximately $315 million for overseas construction plus about $227 million in funds for construction under the Sentinel missile system. Both of these items, totaling some $542 million should be carefully reviewed and perhaps some of the items can be eliminated or deferred in full or in part.

There are undoubtedly other portions of the military budget which could be trimmed. The programs outlined above total $6.8 billion. I suggest that a substantial part of this $6.8 billion—probably as much as $2 to $3 billion could be cut for fiscal year 1969 without in anyway prejudicing our national interest.

The suggested reductions in military spending would be sound even without the present economic pressures for reduction of Federal spending and efforts to curb inflation.

The economic forecasts are an added factor in the present situation.

The gap between the priorities assigned to the military-industrial complex and the human needs of America has grown to serious proportions. We certainly need a fresh look at our balance of military and domestic priorities.

Our present situation was predicted 8 years ago and was prophetically forecast by former President Eisenhower. It is indeed time we heard the warning and took steps to prevent the influence of the military complex from so dominating our sense of priorities that we find ourselves drifting away from the needs of Americans at home.

Mr. SCHEUER. Mr. Chairman, I am opposed to this bill and I am totally opposed to the procedure this House has adopted to discuss its provisions.

The Members of this Chamber have been allowed a mere 2 hours to debate a bill which will authorize more than $21 billion expenditure in military procurement and research.

In a year in which we have spent weeks and sometimes months haggling over the authorization of a few hundred thousand more dollars for poverty programs, we now propose to dispense with more than 10 percent of the Federal budget in 120 minutes—a rate of $175 million a minute.

To add insult to injury, we are not only given no time to debate the bill, but we have been virtually denied any opportunity of examining its provisions in depth. The report on this bill, which runs to 91 pages, was only made available 3 days ago.

The manner in which this bill is being railroaded through Congress is distressing. The provisions within the bill for the funding of a laundry list of unnecessary and superfluous military programs is a disgrace.

Mr. Chairman, I would like to draw to the attention of the Members of this House, a five-page review of our defense budget prepared by the Congressional Quarterly, a journal well known to Members and renowned for its political neutrality, objectivity and pursuit of factual and sober reporting.

The journal, with the assistance of defense experts in and outside the Pentagon, has prepared a defense budget which is $10 billion below the proposed national defense budget.

In the opinion of these experts, the national security would not only be unimpaired, but in many ways would be improved by the proposed defense cuts.

One Pentagon official quoted by the journal, stated it would "border on the irresponsible if these—defense—programs are not cut back. These areas should be cut anyway, but in view of the Nation's other pressing needs, the case is overwhelming."

Mr. Chairman, we cannot let these inflated defense expenditures continue. Unless we are prepared to call a halt, defense expenditures this year may exceed $80 billion.

I recognize that any Member who calls for a defense cut today is vulnerable to the charge of "deserting our American boys in Vietnam." I am totally opposed to the war, but I have always supported every provision for protecting the American forces in Southeast Asia. Having transported them 10,000 miles across the world to fight this futile war, that is the least we can do. But much of this bill before us today, has little to do with Vietnam.

This Chamber has resounded with calls for economy throughout this year. Week after week, vital urban and social programs have been slashed. We now have a package with many nonvital programs. Never was there a more appropriate moment for the Congress to pick up its meat axe.

I believe my colleagues would be interested in the full text of the Congressional Quarterly article. Under unanimous consent I submit the article for inclusion in the CONGRESSIONAL RECORD:

ON DEFENSE SPENDING CUTS—DEFENSE BUDGET CUTS OF $10.8 BILLION SEEN FEASIBLE

Defense experts both in and outside the Government have told Congressional Quarterly that huge cuts can be made in the defense budget while retaining or even improving the current level of the nation's defense.

Highly placed sources in the Pentagon and industry told CQ that cuts totaling at least $10.8 billion could be made in areas they classified as "fat." None of the cuts would affect U.S. combat capabilities, they said. Instead, only logistical elements they view as excessive and weapon systems they consider overlapping, unnecessary or of doubtful combat effectiveness would be cut back.

Although numerous officials in the Pentagon favor the massive cuts, the actual decisionmakers remain unconvinced. Defense Secretary Clark M. Clifford told a June 20 press conference that the Administration probably would impose defense spending cuts of $2 to $3 billion as part of the $6-billion reduction ordered by Congress as the price of enactment of President Johnson's coveted tax increase. One Pentagon source who favors the higher cuts told CQ it was surprising that Clifford would accept any reductions at all, in view of "pressures from the military and defense industries to keep the budget intact."

In addition to the logistical support, the major areas cited by sources as "fat" include the new antiballistic missile system (ABM), "unnecessarily sophisticated" equipment in both Air Force and Navy aircraft, an expensive air defense system deployed against what sources see as "weak and outmoded" Soviet bomber forces, the Army's helicopter program and antisubmarine carrier task forces of high cost and, sources said, "dubious" combat effectiveness.

One Pentagon civilian said these areas tied down "fantastic amounts of manpower despite the generally low level of combat effectiveness they afford. Cutting them back in many cases actually would improve the nation's defense. Not only would additional manpower be freed for direct combat needs, but the mobility of U.S. forces would be enhanced by the lack of extraneous equipment and a sluggish logistical tail." By "de-escalating sophistication," he concluded, "we could escalate combat effectiveness."

In view of the Government's financial crisis, another official said, it would "border on the irresponsible if these programs are not cut back. These areas should be cut anyway, but in view of the nation's other pressing needs, the case is overwhelming."

Another Pentagon civilian said other funds might be saved by deferring desirable projects until later fiscal years. The source said there were "a lot of nice things the military would like to have and probably should have under normal circumstances. But with the dollar under attack, we can't just go on with business as usual. For the next year, at the very least, we've got to drive a Volkswagen instead of a Cadillac."

Sources emphasized that the cuts not only would mean dollar savings but also balance-of-payments gains. Cuts affecting overseas forces would be worth direct payments savings of almost $1 billion. As the spending cuts cool the economy, they said, there would be further payments savings due to returns of capital which had flowed abroad to escape the U.S. inflation.

Clifford has not yet spelled out which areas will be cut to make up the planned reductions of $2 to $3 billion. Sources told CQ, however, that the most likely action will be deferral of weapon systems rather than stripping programs they consider "fat." Some of the items Clifford reportedly is considering include the Navy's $1.7 billion shipbuilding program, the Air Force's military space project, formation of a new 6th Army division, and new air defense missiles.

What follows is a compilation of major areas in which substantial cuts are thought feasible without reduction in the country's military strength; it is the result of detailed interviews in each area with numerous defense industry experts, civilian and military officials. The Administration's justification for funding each program also is presented.

BREAKDOWN OF PROPOSED CUTS

Following is a compilation of cuts that a consensus of CQ's sources feel could be made in the fiscal 1969 defense budget without diminishing U.S. combat capabilities (*for details and Administration justifications, see text*). Figures in parentheses are sub-totals.

[In millions]

Item	*Suggested cut*
Anti-ballistic-missile system (ABM)	$1,100
Bomber defense system (SAGE)	1,000
Surface-to-air missiles	850
Manpower	4,200
Army	2,200
Navy	900
Air Force	675
Marine Corps	400
Tactical aircraft programs	1,800
Army	510
Navy	635
Air Force	700
Antisubmarine carrier forces	400
Attack carrier forces	360
Amphibious forces and fast deployment logistic ships (FDLs)	500
Manned Orbiting Laboratory	600
Total	10,800

STRATEGIC FORCES

ABM System. Probably one of the most clear-cut items of "fat," in the view of most of CQ's sources, was the ABM system, designed to protect the nation against an intercontinental ballistic missile attack. Currently programmed for a "thin" deployment (termed "Sentinel") to defend against a small attack, the ABM employs nuclear tipped missiles to seek out and destroy enemy missiles in the upper atmosphere. CQ's sources doubt the system will have any chance of working against a realistic attack; consequently, they would cut the fiscal 1969 request figure of $1.2 billion for ABM deployment and development down to $100 million for further development work. In addition, they would cut back some $200 million more then was appropriated for ABM deployment in previous fiscal years but not yet spent. (About $200 million more in previously appropriated deployment money already is obligated.) The funds were the first installment on a total installation cost of $5 to $7 billion for the "thin" ABM deployment; subsequent expansion of the system to a "heavy" shield would cost an estimated $40 to $50 billion.

The sources listed several reasons for opposing the system: (1) because of the nuclear test ban treaty, the ABM has not yet been tested in the atmosphere; thus, they said, there is no assurance that the system's radars or its tracking and guidance systems will survive the first blast the ABM sets off; (2) counter-measures on the part of an enemy would be relatively simple; there are many devices to confuse a radar system, particularly the use of a number of dummy targets; and (3) thus far, the United States has been unable to attain acceptable reliability with far simpler missile systems designed for antiaircraft use. In simulated combat tests, these missiles have shown both a low level of readiness and a poor "kill" ratio.

"With missile technology in its current state," one Pentagon civilian said, "an effective ABM would be worth almost any price we would have to pay for it. But for the present we can make greater strides in that direction by spending small sums of money to advance technology until we have a really useful capability, rather than spending a lot to produce hardware that we know won't work."

Administration position—After opposing ABM deployment for years, then Defense Secretary Robert S. McNamara late in 1967 gave in to pressure by Congress, the military and industry, and ordered the system deployed. In his speech announcing the deployment, McNamara said there were marginal grounds for concluding that a light deployment of U.S. ABMs against (Red China) is prudent." McNamara warned, however, that "if we . . . opt for heavy ABM deployment—at whatever price—we can be certain that the Soviets will react to offset the advantage we would hope to gain." McNamara concluded that the nation must resist that temptation firmly," because the "greatest deterrent against such a strike is not a massive, costly, but highly penetrable ABM shield, but rather a full credible offensive assured destruction capability." (*For McNamara statement, see 1967 Almanac p. 966*).

In recent weeks, McNamara's successor, Clark Clifford, has argued far more vigorously than McNamara for installing the ABM. Clifford June 19 sent a letter to Senate Armed Services Committee Chairman Richard B. Russell (D Ga.) warning that it would be a "serious mistake" for the Senate to turn down the Sentinel deployment. Clifford's letter placed new emphasis on the potential of the system to protect U.S. offensive missile sites from Soviet attack or to limit damage from an accidental Soviet firing.

In a press conference, the following day, Clifford said the system now had "real significance" vis-a-vis the Soviet Union. Citing U.S. intelligence reports that the Soviets were installing such a system, Clifford said the United States would be "in a better position to reach agreement with them on an ultimate step toward disarming if we also go about the deployment of a system." Clifford did not spell out, however, whether that would involve escalation to the level of a "heavy" ABM.

Senate ABM Hassle—The year's first skirmish over the ABM came in the Senate in April during consideration of the fiscal 1969 defense procurement bill (S 3293). By a 17–41 roll-call vote, the Senate April 18 rejected an amendment by Gaylord Nelson (D Wis.) to drop the bill's $342.7 million in Sentinel procurement funds. Later in the day, by a 28–31 roll-call vote, the Senate rejected an amendment by John Sherman Cooper (R Ky.) to prohibit deployment of an ABM system until the Defense Secretary certified that it was "practicable" and that its cost was known "with reasonable accuracy." (See votes 81–82, Weekly Report p. 963; for story see p. 904.)

Opponents of the system were encouraged several weeks later by press reports that the Administration intended to drop the ABM system as part of the $6-billion economy cut. The reports proved wrong, however, as Clifford launched his vigorous defense of the system. On June 24, the Senate by a 34–52 roll-call vote rejected an amendment by Cooper and Philip A. Hart (D Mich.) to add language to the defense construction authorization bill (HR 16703) prohibiting expenditure of any ABM funds authorized by the bill before July 1, 1969. The Senate then went on to reject by a 12–72 roll-call vote an amendment by Stephen M. Young (D Ohio) to delete the bill's authorization of $227.3 million in ABM construction money. It was expected that the anti-ABM group would renew its attacks on the system when the program later was considered in the appropriations stage.

At one point in debate, Sen. Henry M. Jackson (D Wash.), the bill's floor manager, went beyond Clifford's statement in praising the anti-Soviet capability of the system. Jackson June 19 said some Senators apparently had "taken too literally the public rationale for the system previously given by officials of the Defense Department. As a result, these Senators have missed the most significant feature of the system: it will have definite capabilities for defense against the Soviet missile threat." Not only would the system defend U.S. missile sites against that threat, Jackson said, but it would also "provide a limited degree of protection of American cities and other strategic forces from Soviet attack, as well as improve our capacity to detect and assess any missile attack."

BOMBER DEFENSE SYSTEM

Another big item CQ's sources view as unnecessary is the complex warning and intercept system designed for defense against long-range bomber attack. Called SAGE for Semiautomatic Ground Environment, the system employs elaborate radars both to detect incoming bombers and to guide interceptors to shoot them down.

Sources said it was widely accepted in the Pentagon that the Soviet Union no longer could muster an appreciable bomber threat. "Despite intelligence reports that the Soviets have dropped their long-range bomber development effort," one military source told CQ, "we retain the SAGE system as a hedge that they might again shift course. It would make more sense to phase out the SAGE system now and then build up our air defense fighter forces later if the threat should reappear."

As in the case of the ABM system, CQ's technical sources in this area fear SAGE would be subject to a wide range of countermeasures which would render it ineffective against an enemy attack. A higher degree of effectiveness can be attained, these sources said, by phasing out the SAGE system and relying solely on Federal Aviation Administration (FAA) surveillance capabilities and normal U.S.-based fighter squadrons, combat training squadrons and the Air National Guard. One source said this would be a system "based on weapons and detection equipment that maximize kills, not automation." Savings from such a move would be an estimated $1 billion a year.

Despite the $18 billion cost of installing the SAGE system, one Pentagon civilian said, the Air Force had been aware of "crippling flaws" in the system ever since the outset of installation in the mid-1950s. "The Air Force apparently felt it should get the system first and then make it work," he said. "A number of costly modifications have failed, and so we're right back where we started." The source noted that the Air Force was about to embark on another costly modification program but predicted it would be no better than previous efforts. Designated AWACS for Airborne Warning and Control System, the project envisions an improved radar system that is claimed to track incoming aircraft at levels far below the present capability. CQ's sources said the AWACS radars would be just as unreliable and vulnerable to countermeasures as are those in the current SAGE system.

Administration Position—McNamara in his 1968 defense posture statement said the Defense Department had conducted extensive *studies of the antibomber defense problem* and that in all the alternative force structures examined, the "indispensible element" was AWACS. If perfected, McNamara said, AWACS would be important for several reasons: (1) its ability to track aircraft at low altitudes; (2) its ability to provide detection at greater distances from the United States; and (3) its low vulnerability to missile attack compared with the SAGE system.

McNamara conceded, however, that the feasibility of AWACS depended upon the successful deployment of a "downward-looking" airborne radar. Although McNamara said the required technology was "within our reach" he did not comment on the over-all need for a bomber defense system or on the present level of effectiveness.

Surface-to-Air Missiles. CQ's sources said $850 million per year could be saved by phasing out "ineffective" air defense missiles and deferring heavy hardware development on new missiles. Sources said there was little reason to believe these missiles would work any better in combat than Soviet missiles used by the North Vietnamese, stated in the May 6 issue of *Aviation Week* to have attained a kill ratio of less than 1 percent. According to one military source, "the North Vietnamese have apparently learned much more quickly than we have that their real defense against bombing rests on antiaircraft guns." The source said the current and planned antiaircraft gun units would be "more than enough" for good air defense.

The U.S. missiles, called Hawk, Nike-Hercules and Bomarc, are deployed heavily around U.S. forces in Vietnam, Korea, Europe, Alaska and the continental United States. Like the SAGE system, their performance tests have been so unsatisfactory that they have required constant programs of modification and improvement. Commenting on both the SAGE and the missile programs, one source said "large get-well programs are always a symptom of a basic blunder."

Administration Position—Administration analyses indicate that the "get well" programs should yield substantial reliability improvements. Furthermore, it is felt that the guidance technology of at least the newer U.S. missiles is considerably more sophisticated and advanced than that of the Soviet missiles, even though the U.S. missiles have not yet been demonstrated in combat.

GENERAL PURPOSE FORCES

Manpower. Sources indicated that sums totaling a minimum of $4.2 billion could be saved by paring "fat" from logistical elements of all the services. (The cost savings of the manpower cuts were figured on the basis of an average annual cost of $10,000 per serviceman. The figure included the serviceman's salary and allowances, medical care, pension, food, billeting, training, supervision and other supporting expenses.) For each of the services, CQ's sources recommended cuts ranging from 10 to 20 percent, but among most sources, recommendations tended to cluster around the lower figure. For purposes of this study, CQ assumed the lower cut.

One Pentagon civilian told CQ that "anyone who's ever been in the service is aware of the tremendous wastage of manpower—the vast number of support troops who sit around with little or nothing to do. Beyond that, there are tremendous overlapping areas even in functions that keep people busy. By sensible reorganization, massive cuts could be made in the support area and we'd have a better, more streamlined force."

Army. Of the total Army strength of 1,550,000, about 360,000 are in combat units (divisions, brigades, artillery and missile units), 110,000 are transients (men en route between assignments) and 1,080,000 are in additional support roles beyond those already provided in the combat units. Sources agreed that the Army should not be allowed to carry the large transient category but, as *a well-placed civilian put it, should have to* "take it out of their hide just like a corporation would." Elimination of the transient figure plus a 10-percent cut in support would yield a reduction of 218,000 troops, worth estimated savings of almost $2.2 billion.

Navy. The Navy lists a total strength of 775,000, including 330,000 assigned to combat units, vessels or air wings, 50,000 transients and 395,000 in support. A reduction of 90,000 including, as a minimum, the elimination of the transient category and a 10-percent cut in support, would mean cost savings of $900 million.

Air Force. Of total Air Force strength of 900,000, the breakdown includes 270,000 in combat air or missile units, 5,000 transients and 625,000 in the support function. The minimum cut recommended by CQ's sources would mean reductions of 67,500 and savings of $675 million.

Marines. Current Marine strength is 300,000, with 120,000 in combat ground or air units, 25,000 transients and 155,000 in support. The minimum cut would amount to about 40,000 and savings of $400 million.

NATO Forces. CQ's sources said it would be desirable to cut back the U.S. commitment to the North Atlantic Treaty Organization (NATO), but most of the sources agreed that as long as the commitment remained, U.S. forces located in Europe added far more strength to the West's posture than they would if brought home and kept in reserve for possible redeployment. One former high-ranking Pentagon civilian told CQ, however, that the United States should press West Germany to provide full logistical support for the U.S. combat forces deployed on German soil. The source said this should be more desirable to the Germans than the present arrangement of German offset purchases of U.S. weapons and probably would mean an even greater balance-of-payments savings for the United States. The source estimated that such an arrangement would enable the United States to pull out an additional 95,000 troops (above the standard 10-percent cut discussed above) and would amount to cost savings of almost $1 billion a year and $600 million in balance-of-payment gains. (CQ did not include this item in the value of over-all cuts, however, because it would necessitate an agreement with a foreign government while the other cuts could be undertaken by unilateral Pentagon or Congressional action.)

Administration Position.—The Administration has contended that manpower allotments are the results of intensive studies on the requirements of all the forces. Present strength levels, it contends, provide optimum combat support.

Tactical Aircraft. Aviation experts interviewed by CQ said cuts totaling $1.8 billion could be made in the next fiscal year's aircraft procurement programs, primarily by dropping "elaborate and impractical" electronics systems and buying more austere versions of the craft.

Air Force. Cuts of at least $700 million could be made in the Air Force program, sources said, by purchasing simpler versions of the $2.5 million F–4E, the $8 million F–111D, and dropping production of the $2.6 million A–7D in favor of the A–37, which costs only $350,000. Despite their high costs, sources said, the F–4 has failed to provide clear superiority over Soviet fighters and the F–111 was too vulnerable to enemy fighters and antiaircraft defenses to be useful; consequently, these aircraft should be prime candidates for further cuts. One civilian expert said the A–7 was "neither accurate nor maneuverable enough to be effective in its assigned role of close air support." In the interim, he said, the highly maneuverable, combat-proven A–37 could serve effectively in the close-support role until a new generation of attack aircraft more appropriately tailored to the mission could be built.

Shifting from production of the A–7D to the A–37 would save about $210 million if the same number of aircraft budgeted for fiscal 1969 were bought. Sources said an additional $30 million could be saved by dropping the F–4E's "long list of combat-inessential" equipment such as sophisticated navigation and fire control systems. Another

$350 million or more in research and procurement money could be saved, they said, by dropping the $2-million Mark II electronics system in the F–111D (thus leaving the plane in effect an F–111A). One civilian official said the sophisticated electronics gear in each of the two latter craft would be "highly unreliable, contribute little or nothing to combat effectiveness, and decrease aircraft performance and daily utilization rates." Likewise, $110 million could be saved by continuing A–7A production rather than introducing the substantially more expensive A–7E, an aircraft termed by one civilian source as "90-percent gold-plate."

Several sources also emphasized that great scrutiny should be placed on the F–111A program, which has encountered extensive problems in recent combat tests in Vietnam. Unless the plane begins showing "marked improvement," they said, the program should be cut back until a better aircraft can be developed.

Navy. By applying the above austerity program to the even more complex Navy F–4J electronics systems, sources said fiscal 1969 savings of $50 million could be attained. They applauded the Senate Armed Services Committee's recent action in denying a $585 million authorization request for the controversial F–111B program, but they said the Committee committed "the worst possible error" in providing $287 million for accelerated development of a substitute craft, the VFX–1. A military source termed the VFX a "warmed-over version" of the F–111 which will cost substantially more and perform only slightly better than the plane it would replace. (*For story on the VFX and F–111B, see Weekly Report p. 1007.*)

Army. An area of increasing "fat," sources said, was the Army's helicopter program, and particularly the Hueys and Chinooks that are prevalent in Vietnam. "There are so many of those things in Vietnam," one military source said, "that even a sergeant complains if he has to ride in a truck." Sources recommended that the approximately $600 million request for helicopters in fiscal 1969 (excluding the Cheyenne helicopter which they would drop) should be scaled back to attrition levels—an approximate buy of 650 helicopters. Savings would be an estimated $360 million, including $300 million on the helicopter buy and $60 million in helicopter operating costs.

Several civilian and military sources said the helicopters had presented a "tremendous logistical burden in Vietnam in terms of fuel, ammunition, spares and manpower." One Pentagon source said the limitations of helicopters had "influenced us heavily toward short one- or several-day operations to the extent that the Army in Vietnam has largely abandoned the mission of holding and patroling territory."

Sources also recommended dropping the new Cheyenne helicopter—an advanced craft based on a complex missile/gun fire control system, which they say is now slipping badly. One former Pentagon official said the Cheyenne, which costs $3.1 million, was "the biggest boondoggle the Army ever got dragged into—a complete waste." In a close support attack, he said, it would take the helicopter a minimum of 16 seconds to home in and guide its missile to target. In the meantime, he said, "you'll be blasted out of the sky by every weapon from small arms to tank or antiaircraft fire. This concept might work if you were up against a single tank in the desert. But if you're in the midst of a Soviet division, there's just too much around that they can throw back at you." Dropping the Cheyenne program would mean fiscal 1969 savings of about $150 million in costs of procurement and continuing R. and D.

Administration Position—Aircraft Electronics Gear. A military spokesman told CQ that in every case, the aircraft under discussion were equipped with gear "necessary for them to meet their assigned combat roles. Sure, you might gain a maneuverability advantage by removing gear from a plane. But you also pay a penalty. And in these cases, the penalty would far offset the gains."

Helicopters—The Administration has maintained that more helicopters are necessary to increase U.S. mobility in the war in Vietnam. In the months ahead, it is estimated that helicopter sorties in the war will double to the level of almost 1 million a month.

With regard to the new Cheyenne helicopter, studies have shown that the predicted accuracy of the craft's gun and missile guidance systems add so much to combat effectiveness that they more than compensate for the cost and logistics burdens. Despite the slips, the Administration argues that over-all program risk is so low that the recent production go-ahead is justified.

Antisubmarine Forces. Another area where a consensus of CQ's sources would make substantial cuts is in the Navy's antisubmarine warfare (ASW) force. Sources said they would eliminate the entire fleet of eight ASW aircraft carriers, whose planes have never been effective in locating or destroying modern submarines in simulated combat exercises. The sources would leave the job to existing attack submarines, destroyers and high-endurance land-based patrol aircraft. These forces, one military source said, "should be more than enough to carry the full load."

Mothballing the entire ASW carrier force, sources said, would mean savings of at least $400 million, including $160 million in carrier operating costs, $110 million on the 32 other ships associated with the ASW carrier fleet, $100 million in operating expenses of the ASW aircraft and a large classified allotment for development of a new ASW plane of unprecedented complexity and sophistication—the VSX. (Eventual costs of the VSX program have been estimated at $2.5 billion.)

Administration Position—McNamara in his defense posture statement conceded that the present ASW carrier force was a "relatively high-cost system in relationship to its effectiveness." McNamara added, however, that intensive studies had determined that "the advantages and flexibility inherent in such a force would marginally warrant its continuation in the 1970s—provided that its effectiveness could be greatly improved." To make these improvements, McNamara said, would entail "a very expensive undertaking"—the development of "a new and much more capable aircraft," the VSX.

Attack Carrier Forces. Another large sum of money could be saved, CQ's sources said, by changing the concept of deployment of attack carrier forces. Sources said that by counting on carriers only for quick reaction and an initial power surge, then substituting land-base aircraft for the long haul, it would be possible to mothball three of the 15 carriers currently in use and still meet all the nation's worldwide commitments. The sources added that cutting the force down to 12 carriers also would mean that construction could be deferred on three expensive nuclear-powered carriers programmed for construction over the next six years (estimated total cost: $2 billion) and that two air wings of the oldest aircraft could be phased out. Savings would amount to $360 million for the 1969 fiscal year, including $120 million in carrier operating costs, $130 million in costs of operating escort ships, $27 million in air wing operating costs, and about $85 million in fiscal 1969 advance funding toward the first of the three additional nuclear carriers (plus an unexpended $50 million for this purpose from fiscal 1968).

CQ's sources said one illustration of "irrationality" in carrier deployment was the current stationing of three carriers in the waters off North Vietnam. One Pentagon source said that "no other aircraft deployment could be more expensive, because we have to keep two carriers in support for every one on line—a total of nine attack carriers tied up in the war. We would phase out six of those carriers by pulling only two out of Vietnam, leaving one there for the purpose of keeping Naval Air current in combat experience. Then, at far less cost, we could achieve the same aircraft strength by redeploying land-based aircraft from areas throughout the Pacific."

Since the role of the carrier is to support rapid force buildings rather than sustained operations, another source told CQ, proper utilization would mean "instant availability" of the entire carrier force. "If you keep your carriers ready for quick reaction rather than long deployments," he explained, "you can put almost all of them in action because there's no requirement for support." Noting that chances were "remote" that the United States might invade Russia or China, the source said it was "impossible to dream up enough other contingencies to justify retention of all 15 carriers."

Administration Position—The Administration has not evolved any specific justification for carrier employment concepts or Naval Air force levels. The last change in position was in 1962, when the 15 wings attached to the 15 carriers were reduced to 12, since three carriers were normally in overhaul at any one time.

Amphibious Forces. Because of the lack of real or potential island powers, officials interviewed by CQ think substantial cuts should be made in the number of amphibious assault vessels. One official said "the Soviets are no amphibious power to speak of and neither are the Chinese. Who else could you be fighting that would necessitate a World War II-type landing operation? Although it is clear that our concept of employing the Marines has changed radically, we still maintain a huge amphibious fleet."

Of a total amphibious force of 142 ships, CQ's sources recommended mothballing 50 of the most obsolete, without making any change in the composition of Marine combat forces. Savings would be worth about $100 million. In addition, they were agreed on dropping $216 million in the fiscal 1969 budget for a new type of assault ship—the LHA.

In a related matter, sources said they also would drop a new procurement request for fast deployment logistic ships (FDLs)—a mamoth military warehouse designed for deployment off potential trouble spots for possible fast deployment of heavy combat equipment. (Unlike the LHA, the FDL was not an assault vessel but a type of cargo ship. It was designed to support Army forces, whereas the LHA was for the Marines.) Fiscal 1969 savings from eliminating the FDLs would be $184 million.

Sources said the cuts envisioned in amphibious force strength would leave the capability of simultaneously assaulting with one division team in the Pacific and one brigade in the Atlantic. The lower level of strength, one source said, would be sufficient to stage "a strong show of landing assault force in any island crisis or even a good-sized war."

Administration Position—As in the case of carrier force levels, there appears to be no specific set of situations which form a basis for assault transport requirements. There has only been a general increase in assault shipping to improve the mobility of the Marines.

MOL. A final area deemed ripe for cuts is the Manned Orbiting Laboratory project (MOL)—the Air Force's probe into the military uses of space. One Defense Department official said the Air Force at this stage "has no more idea what they'll do with men floating around in space than NASA (the National Aeronautics and Space Administration) does with its Apollo Applications program. This is one activity that can wait." Postponing MOL would mean fiscal 1969 savings of $600 million.

Administration Position.—The Administration maintains that possibilities still are strong that space may be put to military advantage. McNamara in his defense posture statement said he had insisted that space projects undertaken by the Defense Department "must hold the distinct promise of enhancing our military power and effectiveness" and that they "mesh in all vital areas" with those undertaken by NASA.

OUTLOOK

Sources emphasized that the areas probed by CQ were only the "most glaring examples" of Defense Department "fat." According to one Pentagon source, "A really detailed probe by the Congressional Appropriations Committees would reveal millions if not billions in other possible savings."

Because of political realities, however, most of CQ's Capitol Hill sources thought the defense budget cutters faced a stiff uphill fight. This theme was sounded by Republican Presidential candidate Richard M. Nixon June 23 when he warned it would be "irresponsible and potentially dangerous" for the Administration to consider any defense budget cuts.

Congress' hesitance to question major Pentagon programs was seen June 24 when the Senate voted to proceed with full funding of the ABM. In doing so it went against the advice of Majority Leader Mike Mansfield (D Mont.), among others. Mansfield told his colleagues before the vote, "I think it is up to this institution (Congress) to fulfill its responsibilities to check, to recheck, and not be taken in by what the Joint Chiefs of Staff or the Secretary of Defense . . . say they must have, because we never can satisfy them."

Mr. WOLFF. Mr. Chairman, I recognize and appreciate the importance of maintaining our national security by providing the Department of Defense with needed funds to carry out their missions. My support for essential appropriations results from a realization that we clearly need a fully equipped, properly trained defensive military force.

However, I am disturbed and greatly concerned by the inappropriate deference accorded the defense budget in the necessary reduction of Federal expenditures. It has never been demonstrated that all our defense spending is, in fact, essential to our national security. For this reason the defense budget need not and must not become so sacred as to be inviolate.

An article in the June 28 issue of the respected publication, Congressional Quarterly, reports that the defense budget could reasonably be reduced by $10.8 billion without impairing the security of our forces in Vietnam or endangering our national security. That article specifies where cuts may be made and it must receive our very serious attention.

One area mentioned in the Congressional Quarterly article that I have contested since I became a member of the Space Committee is the manned orbiting laboratory. I have long maintained that the MOL is a duplication of work that can be done in our civilian space program. Mr. Chairman, I cannot understand why we continue to permit expenditure, redundant expenditure on the MOL because of the departmental pride. That departmental pride will cost the American taxpayers billions upon billions of dollars. Exactly how much money is involved cannot be determined because the "sacred" defense budget does not have to clearly state forth how appropriations are being spent.

The point I wish to emphasize, Mr. Chairman, is that we will not have fully carried out our responsibility until the defense budget is gone over time and again to uncover and eliminate wasteful and unnecessary expenditures. We must not permit General Eisenhower's clear warning against "the Military-Industrial Establishment" to go unheeded. We must not accord special status to defense spending other than that directly associated with our national security. We must not permit great sums of money, especially in this time of crisis, to be spent unnecessarily because of the aura of immediacy and ultimate significance of all appropriations in an excessive defense budget.

Under leave to extend my remarks I include in the RECORD for the serious consideration of all Members the article from Congressional Quarterly to which I have referred:

ON DEFENSE SPENDING CUTS: DEFENSE BUDGET CUTS OF $10.8 BILLION SEEN FEASIBLE

Defense experts both in and outside the Government have told Congressional Quarterly that huge cuts can be made in the defense budget while retaining or even improving the current level of the nation's defense.

Highly placed sources in the Pentagon and industry told CQ that cuts totaling at least $10.8 billion could be made in areas they classified as "fat." None of the cuts would affect U.S. combat capabilities, they said. Instead, only logistical elements they view as excessive and weapon systems they consider overlapping, unnecessary or of doubtful combat effectiveness would be cut back.

Although numerous officials in the Pentagon favor the massive cuts, the actual decisionmakers remain unconvinced. Defense Secretary Clark M. Clifford told a June 20 press conference that the Administration probably would impose defense spending cuts of $2 to $3 billion as part of the $6-billion reduction ordered by Congress as the price of enactment of President Johnson's coveted tax increase. One Pentagon source who favors the higher cuts told CQ it was surprising that Clifford would accept any reductions at all, in view of "pressures from the military and defense industries to keep the budget intact."

In addition to the logistical support, the major areas cited by sources as "fat" include the new antiballistic missile system (ABM), "unnecessarily sophisticated" equipment in both Air Force and Navy aircraft, an expensive air defense system deployed against what sources see as "weak and outmoded" Soviet bomber forces, the Army's helicopter program and antisubmarine carrier task forces of high cost and, sources said, "dubious" combat effectiveness.

One Pentagon civilian said these areas tied down "fantastic amounts of manpower despite the generally low level of combat effectiveness they afford. Cutting them back in many cases actually would improve the nation's defense. Not only would additional manpower be freed for direct combat needs, but the mobility of U.S. forces would be enhanced by the lack of extraneous equipment and a sluggish logistical tail." By "de-escalating sophistication," he concluded, "we could escalate combat effectiveness."

In view of the Government's financial crisis, another official said, it would "border on the irresponsible if these programs are not cut back. These areas should be cut anyway, but in view of the nation's other pressing needs, the case is overwhelming."

Another Pentagon civilian said other funds might be saved by deferring desirable projects until later fiscal years. The source said there were "a lot of nice things the military would like to have and probably should have under normal circumstances. But with the dollar under attack, we can't just go on with business as usual. For the next year, at the very least, we've got to drive a Volkswagen instead of a Cadillac."

Sources emphasized that the cuts not only would mean dollar savings but also balance-of-payments gains. Cuts affecting overseas forces would be worth direct payments savings of almost $1 billion. As the spending cuts cool the economy, they said, there would be further payments savings due to returns of capital which had flowed abroad to escape the U.S. inflation.

Clifford has not yet spelled out which areas will be cut to make up the planned reductions of $2 to $3 billion. Sources told CQ, however, that the most likely action will be deferral of weapon systems rather than stripping programs they consider "fat." Some of the items Clifford reportedly is considering include the Navy's $1.7 billion shipbuilding program, the Air Force's military space project, formation of a new 6th Army division, and new air defense missiles.

What follows is a compilation of major areas in which substantial cuts are thought feasible without reduction in the country's military strength; it is the result of detailed interviews in each area with numerous defense industry experts, civilian and military officials. The Administration's justification for funding each program also is presented.

BREAKDOWN OF PROPOSED CUTS

Following is a compilation of cuts that a consensus of CQ's sources feel could be made in the fiscal 1969 defense budget without diminishing U.S. combat capabilities (*for details and Administration justifications, see text*). Figures in parentheses are subtotals:

[In millions]

Anti-ballistic-missile system (ABM)	$1,100
Bomber defense system (SAGE)	1,000
Surface-to-air missiles	850
Manpower	4,200
Army	2,200
Navy	900
Air Force	675
Marine Corps	400
Tactical aircraft programs	1,800
Army	510
Navy	635
Air Force	700
Antisubmarine carrier forces	400
Attack carrier forces	360
Amphibious forces and fast deployment logistic ships (FDI's)	500
Manned orbiting laboratory	600
Total	10,800

STRATEGIC FORCES

ABM System: Probably one of the most clear-cut items of "fat," in the view of most of CQ's sources, was the ABM system, designed to protect the nation against an intercontinental ballistic missile attack. Currently programmed for a "thin" deployment (termed "Sentinel") to defend against a small attack, the ABM employs nuclear-tipped missiles to seek out and destroy enemy missiles in the upper atmosphere. CQ's sources doubt the system will have any chance of working against a realistic attack; consequently, they would cut the fiscal 1969 request figure of $1.2 billion for ABM deployment and development down to $100 million for further develepoment work. In addition, they would cut back some $200 million more that was appropriated for ABM deployment in previous fiscal years but not yet spent. (About $200 million more in previously appropriated deployment money already is obligated.) The funds were the first installment on a total installation cost of $5 to $7 billion for the "thin" ABM deployment; subsequent expansion of the system to a "heavy" shield would cost an estimated $40 to $50 billion.

The sources listed several reasons for opposing the system: (1) because of the nuclear test ban treaty, the ABM has not yet been tested in the atmosphere; thus they said, there is no assurance that the system's radars or its tracking and guidance systems will survive the first blast the ABM set off; (2) counter-measures on the part of an enemy would be relatively simple; there are many devices to confuse a radar system, particularly the use of a number of dummy targets; and (3) thus far, the United States has been unable to attain acceptable reliability with far simpler missile systems designed for antiaircraft use. In simulated combat tests, these missiles have shown both a low level of readiness and a poor "kill" ratio. "With missile technology in its current state, one Pentagon civilian said, "an effective ABM would be worth almost any price we would have to pay for it. But for the present we can make greater strides in that direction by spending small sums of money to advance technology until we have a really useful capability, rather than spending a lot to produce hardware that we know won't work."

Administration position

After opposing ABM deployment for years then Defense Secretary Robert S. McNamara late in 1967 gave in to pressures by Congress, the military and industry, and ordered the system deployed. In his speech announcing the deployment McNamara said there were "marginal grounds for concluding that a light deployment of U.S. ABMs against (Red China) is prudent." McNamara warned however, that "if we . . . opt for heavy ABM deployment—at whatever price—we can be certain that the Soviets will react to offset the advantage we would hope to gain." McNamara concluded that the nation must "resist that temptation firmly," because the "greatest deterrent against such a strike is not a massive, costly, but highly penetrable ABM shield, but rather a full credible offensive assured destruction capability." *(For McNamara statement, see 1967 Almanac p. 966.)*

In recent weeks, McNamara's successor, Clark Clifford, has argued far more vigorously than McNamara for installing the ABM. Clifford June 19 sent a letter to Senate Armed Services Committee Chairman Richard B. Russell (D Ga.) warning that it would be a "serious mistake" for the Senate to turn down the Sentinel deployment. Clifford's letter placed new emphasis on the potential of the system to protect U.S. offensive missile sites from Soviet attack or to limit damage from an accidental Soviet firing.

In a press conference, the following day, Clifford said the system now had "real significance" vis-a-vis the Soviet Union. Citing U.S. intelligence reports that the Soviets were installing such a system. Clifford said the United States would be "in a better position to reach agreement with them on an ultimate step toward disarming if we also go about the deployment of a system." Clifford did not spell out, however, whether that would involve escalation to the level of a "heavy" ABM.

Senate ABM hassle

The year's first skirmish over the ABM came in the Senate in April during consideration of the fiscal 1969 defense procurement bill (S 3293). By a 17–41 roll-call vote, the Senate April 18 rejected an amendment by Gaylord Nelson (D Wis.) to drop the bill's $342.7 million in Sentinel procurement funds. Later in the day, by a 28–31 roll-call vote, the Senate rejected an amendment by John Sherman Cooper (R Ky.) to prohibit deployment of an ABM system until the Defense Secretary certified that it was "practicable" and that its cost was known "with reasonable accuracy." *(See votes 81–82, Weekly Report p. 963; for story see p. 904.)*

Opponents of the system were encouraged several weeks later by press reports that the Administration intended to drop the ABM system as part of the $6-billion economy cut. The reports proved wrong, however, as Clifford launched his vigorous defense of the system. On June 24, the Senate by a 34–52 roll-call vote rejected an amendment by Cooper and Philip A. Hart (D Mich.) to add language to the defense construction authorization bill (HR 16703) prohibiting expenditure of any ABM funds authorized by the bill before July 1, 1969. The Senate then went on to reject, by a 12–72 roll-call vote, an amendment by Stephen M. Young (D Ohio) to delete the bill's authorization of $227.3 million in ABM construction money. It was expected that the anti-ABM group would renew its attacks on the system when the program later was considered in the appropriations stage.

At one point in debate, Sen. Henry M. Jackson (D Wash.), the bill's floor manager, went beyond Clifford's statement in praising the anti-Soviet capability of the system. Jackson June 19 said some Senator's apparently had "taken too literally the public rationale for the system previously given by officials of the Defense Department. As a result, these Senators have missed the most significant feature of the system: it will have definite capabilities for defense against the Soviet missile threat." Not only would the system defend U.S. missile sites against that threat, Jackson said, but it would also "provide a limited degree of protection of American cities and other strategic forces from Soviet attack, as well as improve our capacity to detect and assess any missile attack."

Bomber Defense System: Another big item CQ's sources view as unnecessary is the complex warning and intercept system designed for defense against long-range bomber attack. Called SAGE for Semiautomatic Ground Environment, the system employs elaborate radars both to detect incoming bombers and to guide interceptors to shoot them down.

Sources said it was widely accepted in the Pentagon that the Soviet Union no longer could muster an appreciable bomber threat. "Despite intelligence reports that the Soviets have dropped their long-range bomber development effort," one military source told CQ, "we retain the SAGE system as a hedge that they might again shift course. It would make more sense to phase out the SAGE system now and then build up our air defense fighter forces later if the threat should reappear."

As in the case of the ABM system, CQ's technical sources in this area fear SAGE would be subject to a wide range of countermeasures which would render it ineffective against an enemy attack. A higher degree of effectiveness can be attained, these sources said, by phasing out the SAGE system and relying solely on Federal Aviation Administration (FAA) surveillance capabilities and normal U.S.-based fighter squadrons, combat training squadrons and the Air National Guard. One source said this would be a system "based on weapons and detection equipment that maximize kills, not automation." Savings from such a move would be an estimated $1 billion a year.

Despite the $18 billion cost of installing the SAGE system, one Pentagon civilian said, the Air Force had been aware of "crippling flaws" in the system ever since the outset of installation in the mid-1950s. "The Air Force apparently felt it should get the system first and then make it work," he said. "A number of costly modifications have failed, and so we're right back where we started." The source noted that the Air Force was about to embark on another costly modification program but predicted it would be no better than previous efforts. Designated AWACS for *Airborne Warning and Control System*, the project envisions an improved radar system that is claimed to track incoming aircraft at levels far below the present capability. CQ's sources said the AWACS radars would be just as unreliable and vulnerable to countermeasures as are those in the current SAGE system.

Administration position

McNamara in his 1968 defense posture statement said the Defense Department had conducted extensive studies of the antibomber defense problem and that in all the alternative force structures examined, the "indispensible element" was AWACS. If perfected, McNamara said, AWACS would be important for several reasons: (1) its ability to track aircraft at low altitudes; (2) its ability to provide detection at greater distances from the United States; and (3) its low vulnerability to missile attack compared with the SAGE system.

McNamara conceded, however, that the feasibility of AWACS depended upon the successful deployment of a "downward-looking" airborne radar. Although McNamara said the required technology was "within our reach," he did not comment on the over-all need for a bomber defense system or on the present level of effectiveness.

Surface-to-Air Missiles: CQ's sources said $850 million per year could be saved by phasing out "ineffective" air defense missiles and deferring heavy hardware development on new missiles. Sources said there was little reason to believe these missiles would work any better in combat than Soviet missiles used by the North Vietnamese, stated in the May 6 issue of *Aviation Week* to have attained a kill ratio of less than 1 percent. According to one military source, "the North Vietnamese have apparently learned much more quickly than we have that their real defense against bombing rests on antiaircraft guns." The source said the current and planned antiaircraft gun units would be "more than enough" for good air defense.

The U.S. missiles, called Hawk, Nike-Hercules and Bomarc, are deployed heavily around U.S. forces in Vietnam, Korea, Europe, Alaska and the continental United States. Like the SAGE system, their performance tests have been so unsatisfactory that they have required constant programs of modification and improvement. Commenting on both the SAGE and the missile programs, one source said "large get-well programs are always a symptom of a basic blunder."

Administration position

Administration analyses indicate that the "get well" programs should yield substantial reliability improvements. Furthermore, it is felt that the guidance technology of at least the newer U.S. missiles is considerably more sophisticated and advanced than that of the Soviet missiles, even though the U.S. missiles have not yet been demonstrated in combat.

GENERAL PURPOSE FORCES

Manpower: Sources indicated that sums totaling a minimum of $4.2 billion could be saved by paring "fat" from logistical elements of all the services. (The cost savings of the manpower cuts were figured on the basis of an average annual cost of $10,000 per serviceman. The figure included the serviceman's salary and allowances, medical care, pension, food, billeting, training, supervision and other supporting expenses.) For each of the services, CQ's sources recommended cuts ranging from 10 to 20 percent, but among most sources, recommendations tended to cluster around the lower figure. For purposes of this study, CQ assumed the lower cut.

One Pentagon civilian told CQ that "anyone who's ever been in the service is aware of the tremendous wastage of manpower—the vast number of support troops who sit around with little or nothing to do. Beyond that, there are tremendous overlapping areas even in functions that keep people busy. By sensible reorganization, massive cuts could be made in the support area and we'd have a better, more streamlined force."

Army: Of the total Army strength of 1,550,000, about 360,000 are in combat units (divisions, brigades, artillery and missile units), 110,000 are transients (men en route between assignments) and 1,080,000 are in additional support roles beyond those already provided in the combat units. Sources agreed that the Army should not be allowed to carry the large transient category but, as a well-placed civilian put it, should have to "take it out of their hide just like a corporation would." Elimination of the transient figure plus a 10-percent cut in support would yield a reduction of 218,000 troops, worth estimated savings of almost $2.2 billion.

Navy: The Navy lists a total strength of 775,000, including 330,000 assigned to combat units, vessels or air wings, 50,000 transients and 395,000 in support. A reduction of 90,000 including, as a minimum, the elimination of the transient category and a 10-percent cut in support, would mean cost savings of $900 million.

Air Force: Of total Air Force strength of 900,000, the breakdown includes 270,000 in combat air or missile units, 5,000 transients and 625,000 in the support function. The minimum cut recommended by CQ's sources would mean reductions of 67,500 and savings of $675 million.

Marines: Current Marine strength is 300,000, with 120,000 in combat ground or air units, 25,000 transients and 155,000 in support. The minimum cut would amount to about 40,000 and savings of $400 million.

NATO Forces: CQ's sources said it would be desirable to cut back the U.S. commitment to the North Atlantic Treaty Organization (NATO), but most of the sources agreed that as long as the commitment remained, U.S. forces located in Europe added far more strength to the West's posture than they would if brought home and kept in reserve for possible redeployment. One former high-ranking Pentagon civilian told CQ, however, that the United States should press West Germany to provide full logistical support for the U.S. combat forces deployed on German soil. The sources said this should be more desirable to the Germans than the present arrangement of German offset purchases of U.S. weapons and probably would mean an even greater balance-of-payments savings for the United States. The source estimated that such an arrangement would enable the United States to pull out an additional 95,000 troops (above the standard 10-percent cut discussed above) and would amount to cost savings of almost $1 billion a year and $600 million in balance-of-payments gains. (CQ did not include this item in the value of over-all cuts, however, because it would necessitate an agreement with a foreign government while the other cuts could be undertaken by unilateral Pentagon or Congressional action.)

Administration position

The Administration has contended that manpower allotments are the results of intensive studies on the requirements of all the forces. Present strength levels, it contends, provide optimum combat support.

Tactical Aircraft: Aviation experts interviewed by CQ said cuts totaling $1.8 billion could be made in the next fiscal year's aircraft procurement programs, primarily by dropping "elaborate and impractical" electronics systems and buying more austere versions of the craft.

Air Force: Cuts of at least $700 million could be made in the Air Force program, sources said, by purchasing simpler versions of the $2.5 million F–4E, the $8 million F–111D, and dropping production of the $2.6 million A–7D in favor of the A–37, which costs only $350,000. Despite their high costs, sources said, the F–4 had failed to provide clear superiority over Soviet fighters and the F–111 was too vulnerable to enemy fighters and antiaircraft defenses to be useful; consequently, these aircraft should be prime candidates for further cuts. One civilian expert said the A–7 was "neither accurate nor maneuverable enough to be effective in its assigned role of close air support." In the interim, he said, the highly maneuverable, combat-proven A–37 could serve effectively in the close-support role until a new generation of attack aircraft more appropriately tailored to the mission could be built.

Shifting from production of the A–7D to the A–37 would save about $210 million if the same number of aircraft budgeted for fiscal 1969 were bought. Sources said an additional $30 million could be saved by dropping the F–4E's "long list of combat-inessential" equipment such as sophisticated navigation and fire control systems. Another $350 million or more in research and procurement money could be saved, they said, by dropping the $2-million Mark II electronics system in the F–111D (thus leaving the plane in effect an F–111A). One civilian official said the sophisticated electronics gear in each of the two latter craft would be "highly unreliable, contribute little or nothing to combat effectiveness, and decrease aircraft performance and daily utilization rates." Likewise, $110 million could be saved by continuing A–7A production rather than introducing the substantially more expensive A–7E, an aircraft termed by one civilian source as "90-percent gold-plate."

Several sources also emphasized that great scrutiny should be placed on the F–111A program, which has encountered extensive problems in recent combat tests in Vietnam. Unless the plane begins showing "marked improvement," they said, the program should be cut back until a better aircraft can be developed.

Navy: By applying the above austerity program to the even more complex Navy F–4J electronics systems, sources said fiscal 1969 savings of $50 million could be attained. They applauded the Senate Armed Services Committee's recent action in denying a $585 million authorization request for the controversial F–111B program, but they said the Committee committed "the worst possible error" in providing $287 million for accelerated development of a substitute craft, the VFX–1. A military source termed the VFX a "warmed-over version" of the F–111 which will cost substantially more and perform only slightly better than the plane it would replace. (*For story on the VFX and F–111B, see Weekly Report p. 1007*.)

Army: An area of increasing "fat," sources said, was the Army's helicopter program, and particularly the Hueys and Chinooks that are prevalent in Vietnam. "There are so many of those things in Vietnam," one military source said, "that even a sergeant complains if he has to ride in a truck." Sources recommended that the approximately $600 million request for helicopters in fiscal 1969 (excluding the Cheyenne helicopter which they would drop) should be scaled back to attrition levels—an approximate buy of 650 helicopters. Savings would be an estimated $360 million, including $300 million on the helicopter buy and $60 million in helicopter operating costs.

Several civilian and military sources said the helicopters had presented a "tremendous logistical burden in Vietnam in terms of fuel, ammunition, spares and manpower." One Pentagon source said the limitations of helicopters had "influenced us heavily toward short one- or several-day operations to the extent that the Army in Vietnam has largely abandoned the mission of holding and patrolling territory."

Sources also recommended dropping the new Cheyenne helicopter—an advanced craft based on a complex missile/gun fire control system, which they say is now slipping badly. One former Pentagon official said the Cheyenne, which costs $3.1 million, was "the biggest boon-doggle the Army ever got dragged into—a complete waste." In a close support attack, he said, it would take the helicopter a minimum of 16 seconds to home in and guide its missile to target. In the meantime, he said, "you'll be blasted out of the sky by every weapon from small arms to tank or anticraft fire. This concept might work if you were up against a single tank in the desert. But if you're in the midst of a Soviet division, there's just too much around that they can throw back at you." Dropping the Cheyenne program would mean fiscal 1969 savings of about $150 million in costs of procurement and continuing R and D.

Administration position

Aircraft Electronics Gear. A military spokesman told CQ that in every case, the aircraft under discussion were equipped with gear "necessary for them to meet their assigned combat roles. Sure, you might gain a maneuverability advantage by removing gear from a plane. But you also pay a penalty. And in these cases, the penalty would far offset the gains."

Helicopters: The Administration has maintained that more helicopters are necessary to increase U.S. mobility in the war in Vietnam. In the months ahead, it is estimated that helicopter sorties in the war will double to the level of almost 1 million a month.

With regard to the new Cheyenne helicopter, studies have shown that the predicted accuracy of the craft's gun and missile guidance systems add so much to combat effectiveness that they more than compensate for the cost and logistics burdens. Despite the slips, the Administration argues that over-all program risk is so low that the recent production go-ahead is justified.

Antisubmarine Forces: Another area where a consensus of CQ's sources would make substantial cuts is in the Navy's antisubmarine warfare (ASW) force. Sources said they would eliminate the entire fleet of eight ASW aircraft carriers, whose planes have never been effective in locating or destroying modern submarines in simulated combat exercises. The sources would leave the job to existing attack submarines, destroyers and high-endurance land-based patrol aircraft. These forces, one military source said, "should be more than enough to carry the full load."

Mothballing the entire ASW carrier force, sources said, would mean savings of at least $400 million, including $160 million in carrier operating costs, $110 million on the 32 other ships associated with the ASW carrier fleet, $100 million in operating expenses of the ASW aircraft and a large classified allotment for development of a new ASW plane of unprecedented complexity and sophistication—the VSX. (Eventual costs of the VSX program have been estimated at $2.5 billion.)

Administration position

McNamara in his defense posture statement conceded that the present ASW carrier force was a "relatively high-cost system in relationship to its effectiveness." McNamara added, however, that intensive studies had determined that "the advantages and flexibility inherent in such a force would marginally warrant its continuation in the 1970s—provided that its effectiveness could be greatly improved." To make these improvements McNamara said, would entail "a very expensive undertaking"—the development of 'a new and much more capable aircraft," the VSX.

Attack Carrier Forces: Another large sum of money could be saved. CQ's sources said, by changing the concept of deployment of attack carrier forces. Sources said that by counting on carriers only for quick reaction and an initial power surge, then substituting land-based aircraft for the long haul, it would be possible to mothball three of the 15 carriers currently in use and still meet all the nation's worldwide commitments. The sources added that cutting the force down to 12 carriers also would mean that construction could be deferred on three expensive nuclear-powered carriers programmed for construction over the next six years (estimated total cost: $2 billion) and that two air wings of the oldest aircraft could be phased out. Savings would amount to $360 million for the 1969 fiscal year, including $120 million in carrier operating costs, $130 million in costs of operating escort ships, $27 million in air wing operating costs, and about $85 million in fiscal 1969 advance funding toward the first of the three additional nuclear carriers (plus an unexpended $50 million for this purpose from fiscal 1968).

CQ's sources said one illustration of "irrationality" in carrier deployment was the current stationing of three carriers in the waters off North Vietnam. One Pentagon source said that "no other aircraft deployment could be more expensive, because we have to keep two carriers in support for every one on line—a total of nine attack carriers tied up in the war. We could phase out six of those carriers by pulling only two out of Vietnam, leaving one there for the purpose of keeping Naval Air current in combat experience. Then, at far less cost, we could achieve the same aircraft strength by redeploying land-based aircraft from areas throughout the Pacific."

Since the role of the carrier is to support rapid force buildups rather than sustained operations, another source told CQ, proper utilization would mean "instant availability" of the entire carrier force. "If you keep your carriers ready for quick reaction rather than long deployments," he explained, "you can put almost all of them in action because there's no requirement for support." Noting that chances were "remote" that the United States might invade Russia or China, the source said it was "impossible to dream up enough other contingencies to justify retention of all 15 carriers."

Administration position

The Administration has not evolved any specific justification for carrier employment concepts or Naval Air force levels. The last change in position was in 1962, when the 15 wings attached to the 15 carriers were reduced to 12, since three carriers were normally in overhaul at any one time.

Amphibious Forces: Because of the lack of real or potential island powers, officials interviewed by CQ think substantial cuts should be made in the number of amphibious assault vessels. One official said "the Soviets are no amphibious power to speak of and neither are the Chinese. Who else could you be fighting that would necessitate a World War II-type landing operation? Although it is clear that our concept of employing the Marines has changed radically, we still maintain a huge amphibious fleet."

Of a total amphibious force of 142 ships, CQ's sources recommended mothballing 50 of the most obsolete, without making any change in the composition of Marine combat forces. Savings would be worth about $100 million. In addition, they were agreed on dropping $216 million in the fiscal 1969 budget for a new type of assault ship—the LHA.

In a related matter, sources said they also would drop a new procurement request for fast deployment logistic ships (FDLs)—a mammoth military warehouse designed for deployment off potential trouble spots for possible fast deployment of heavy combat equipment. (Unlike the LHA, the FDL was not an assault vessel but a type of cargo ship. It was designed to support Army forces, whereas the LHA was for the Marines.) Fiscal 1969 savings from eliminating the FDLs would be $184 million.

Sources said the cuts envisioned in amphibious force strength would leave the capability of simultaneously assaulting with one division team in the Pacific and one brigade in the Atlantic. The lower level of strength, one source said, would be sufficient to stage "a strong show of landing assault force in any island crisis or even a good-sized war."

Administration position

As in the case of carrier force levels, there appears to be no specific set of situations which form a basis for assault transport requirements. There has only been a general increase in assault shipping to improve the mobility of the Marines.

MOL: A final area deemed ripe for cuts is the Manned Orbiting Laboratory project (MOL)—the Air Force's probe into the military uses of space. One Defense Department official said the Air Force at this stage "has no more idea what they'll do with men floating around in space than NASA (the National Aeronautics and Space Administration) does with its Apollo Applications program. This is one activity that can wait." Postponing MOL would mean fiscal 1969 savings of $600 million.

ADMINISTRATION POSITION

The Administration maintains that possibilities still are strong that space may be put to military advantage. McNamara in his defense posture statement said he had insisted that space projects undertaken by the Defense Department "must hold the distinct promise of enhancing our military power and effectiveness" and that they "mesh in all vital areas" with those undertaken by NASA.

OUTLOOK

Sources emphasized that the areas probed by CQ were only the "most glaring examples" of Defense Department "fat." According to one Pentagon source, "A really detailed probe by the Congressional Appropriations Committees would reveal millions if not billions in other possible savings."

Because of political realities, however, most of CQ's Capitol Hill sources thought the defense budget cutters faced a stiff uphill fight. This theme was sounded by Republican Presidential candidate Richard M. Nixon June 23 when he warned it would be "irresponsible and potentially dangerous" for the Administration to consider any defense budget cuts.

Congress hesitance to question major Pentagon programs was seen June 24 when the Senate voted to proceed with full funding of the ABM. In doing so it went against the advice of Majority Leader Mike Mansfield (D Mont.), among others. Mansfield told his colleagues before the vote, "I think it is up to this institution (Congress) to fulfill its responsibilities to check, to recheck, and not be taken in by what the Joint Chiefs of Staff or the Secretary of Defense . . . say they must have, because we never can satisfy them."

Mr. ROBISON. Mr. Chairman, I note that on yesterday the President suggested that this Congress still had much unfinished business to attend to, and then implied that he might be obliged to call us back into session after the nominating conventions if we had not finished action on—in his words—"the many programs vitally needed by our people."

I checked the morning's paper for details on what programs he had in mind, and found listed such items as higher education, poverty appropriations, gun controls, housing, health manpower, redwoods, scenic rivers and trails, pipeline safety, wholesome poultry, hazardous radiation, occupational health, mutual fund reform and, as a sort of catchall, many other bills now before Congress.

Well, undoubtedly, all or most of these are important items and one could agree, Mr. Chairman, that there is some urgency about several of them.

However, it comes as a certain disappointment to me—and perhaps to the American people—to notice what I believe to be a glaring omission from that Presidential list of priorities for congressional consideration.

For there is no mention on that list of what—despite all the mail all of us have been receiving on the issue of gun controls—must still remain the No. 1 issue on the minds of the American people, today. And that is the issue of Vietnam.

I do not raise this issue this afternoon out of any desire to rock the boat insofar as the ongoing Paris peace talks are concerned. None of us would want to do that. But I do not see why the mere fact that such peace talks have commenced should, in any way, lead us to feel that somehow a moratorium had been imposed on us with respect to further discussions of the policy that led us into such deep waters in Vietnam, where some of the worst fighting in that tragic conflict has recently been taking place, nor with respect to consideration of where we may be required to go from here should—as is always a possibility—those peace talks break down.

I suppose all of us, like most of the American people have tended to be somewhat lulled by the very fact of the Paris discussions, and a concurrently growing sense of urgency about certain of our more difficult domestic problems, into a certain sense of resignation concerning this war. And, if we have, this is surely understandable.

But, Mr. Chairman, I submit that this would be a very dangerous attitude for us to take at the moment.

It would be an attitude reminiscent of that which pertained here in these halls during that period, from 1965 through 1966, when "while Congress slept" the President undertook, with his advisers, to escalate this conflict through what I have come to view as a most unwise policy of military gradualism and Americanization of the war effort to its present proportions, tying our "first team" down in a seemingly unending war against the Communist "fourth team"—or something like that—in their kind of fighting, on their kind of terrain, in a place where we can do no real harm to what might be considered the "main force" of international communism, insofar as that philosophy may yet pose a threat to our own national security.

I noticed a cartoon the other day—as reprinted from the Minneapolis Tribune—depicting a small "Uncle Sam" type of figure labeled "U.S.A." standing alone and forlorn at the bottom of a very deep, straight-walled shaft, the sides of which were marked "Asia," and with the caption reading: "There's No Reason for It—It's Just Policy."

Mr. Chairman, that cartoon message struck home to me. It ought to strike home to all of us here this afternoon, as we consider this measure to authorize the appropriation of some $21.6 billion in new and, I am sure, necessary funds to replace certain military items lost or worn out in Vietnam, as well as to conduct continuing research and development and testing into and of new and better weapons of warfare, and to establish the personnel strengths of our Reserve Armed Forces.

Mr. Chairman, as I have just said I accept the fact that this bill's passage is necessary, under the circumstances in which we find ourselves, and I presume that, in the end, I shall vote for it, but I cannot do so without protesting the fact that, once again, we have here been presented with an after-the-fact measure, validating to an extent more than I would wish to a policy which, as I have already indicated, I have come to believe is unwise.

I have carefully read the committee report.

I have noted the majority statement that with respect to the anti-ballistic-missile system, concerning which I personally have very grave reservations:

> There will be, we can assure, no abandonment of principle for the sake of a policy of compromise, for compromise in today's world is little more than an avoidance of, or blindness to, the realities of power.

Strong words, Mr. Chairman—I have also read that subsequent paragraph in the report where the majority also states:

> But we can never surrender to the temptation of mere hope. We must live in an attitude of unreserved realism. (For) at this juncture in world affairs there is no real answer but strength—lest faith move but mustard seeds.

Again strong words, Mr. Chairman, and—if I were more convinced than I am that the policy we have been and are apparently still following was the right policy—they would be for me compelling words.

However, I have also read Mr. LEGGETT's separate views—in the presentation of which he must feel rather lonely—and I would like to compliment him on what he has said, and the manner in which he has said it. I do not feel I have the technical competence to make the same flatout statement concerning the wisdom of deferring all but $100 million of the funds in the bill for the ABM system, which $100 million would still be available for R.D.T. & E. work on the same, but I am inclined to support him in this respect, though he may be cutting a bit too deep, for I feel that, here again, is another "policy" decision that involves tremendous ramifications for our future—and the future of the world—but that has not yet been adequately and fully considered and debated by this body.

Finally, Mr. Chairman, I am also impressed by Mr. LEGGETT's statement that he—as have I so far as I could—"have steadily resisted 'escalation' of our Southeast Asia policy, having in mind that our $850 billion economy should be able to resolve its problems with North Vietnam's $1 billion economy on something less than this high rate of indefinite expenditure or nuclear war as the other alternative."

So, where are we? Apparently rushing toward a day uncertain as yet for final adjournment, with a President resisting that mood on the part of our leadership at least until we have given some further consideration to such matters as scenic rivers and trails and domestic occupational hazards while, each week, more and more American boys are making the supreme sacrifice for a "policy" in Vietnam.

I would, therefore, like to say to the President that I would be more than pleased to have him keep us here on the job between and after the nominating conventions if—and this is something I deeply believe we owe the American people—he would expand his agenda of "other" matters before Congress so as to permit, say, the Committee on Foreign Affairs of this House to take up and consider the Findley resolution, of which I am a cosponsor—my bill bearing number House Concurrent Resolution 509—which would permit a full-scale consideration and discussion of our so-called policy in Southeast Asia, with an eye toward such further congressional action concerning it as may thereafter be deemed appropriate.

Mr. VANIK. Mr. Chairman, it was my intention today to offer the following amendment:

> NEW SECTION 408
>
> Insofar as it is practicable, defense procurement contracts shall not be entered into under circumstances where the production will increase the Federal Government obligation or expenditure under Public Laws 874 and 815. The evaluation of a bid shall include the cost to the Government in providing Federal aid to impacted areas.

However, under the parliamentary situation which resulted, there was neither the opportunity to discuss or seriously consider this kind of effort. Therefore, I am submitting this suggestion for the RECORD in the hope that it may be considered in next year's bill.

Mr. Chairman, this amendment is an attempt to insure that the Federal Government, in its procurement contracts, obtains its goods and services at the very minimum cost possible. This amendment is an attempt to save the Government and the taxpayer money.

Under the aid to federally impacted areas laws, Public Laws 874 and 815, passed in 1950, school districts are eligible for Federal payments and assistance for several reasons. One of these reasons is a "sudden and substantial increase in school attendance as a direct result of activities of the United States carried on either directly or through a contractor." As the program operates, a school district is eligible if 3 percent of the children in average daily attendance in the school are there because of some activity of the Federal Government. In addition, once an area is eligible for assistance, it may receive increased assistance as the number of children in attendance because of the Federal Government's activities increases.

This means that every time the Federal Government lets a major defense procurement contract, it raises the possibility of making a school district eligible for Federal education assistance or, if the district is already eligible, of increasing the level of payments to that district.

The operation of Public Laws 874 and 815 is a hidden cost in the purchase of over $20 billion in defense items. That cost should be brought into the open and made a cost consideration. Thus in the evaluation of two close bids, the contract could be awarded to the contractor whose location adds the least to the cost of the Office of Education's budget.

In addition, the amendment would provide that "insofar as it is practicable," contracts would not be awarded if it is awarded to any area which will receive increased assistance payments as a result of the award.

I think that few of us realize what an expensive program the aid for federally impacted areas is. The Public Law 874 program began in 1951 with a budget of $29.6 million. It is now running around $400 million a year. The program seems to know no bounds. In 1966 there were 4,100 school districts receiving payments. In 1969, it is estimated that 4,500 school districts will receive payments. Between 1966 and 1969, it is estimated that the number of children assisted will increase by over 500,000.

I believe that Congress should do everything in its power to hold down this overhead, extra expense in defense procurement.

Mr. PIKE. Mr. Chairman, perhaps the most popular phrase in American political life today is: "We must reexamine our national priorities." It is usually used by someone who wants more money for something dear to his heart. Usually, again, he does not know exactly where to get it, but refers vaguely to the cost of the war. This vagueness is a necessary result of the system of military procurement under which the average American—and perhaps the average Congressman—has no idea of how much a plane or a missile or a tank or a ship costs. The responsible committees are told, in executive session, but the information is called classified, and it does not appear in the report. This year, for example, you can read in the report on page 5 fulsome praise of the new Secretary—"ambience of cooperation that foretells what the Committee on Armed Services has always sought: a truly synergistic alliance with the Secretary of Defense, fabulous"—but you cannot find out how much a plane costs, or even that the bill is $295,226,000 larger than the bill as passed by the Senate.

If you are diligent enough to read the hearings you will find that the 1969 program calls for—deleted—of certain helicopters at a cost of—deleted—each, or a total cost of—deleted—and you do not know whether they are a bargain or a disaster, so to support our boys in Vietnam, and to be on the safe side, you vote for them and so do I.

I intend to offer on the floor an amendment to cut $137,900,000 from the bill for one procurement which is a disaster, and the particular procurement is the Army's Cheyenne helicopter. At the risk of disclosing some highly confidential information, here are facts and figures to enable you to use your own judgment on priorities.

In the bill there is $137.9 million for initial procurement of this helicopter. What this buys is just 15 helicopters and some long leadtime items on additional helicopters.

Now this is a staggering figure for a helicopter, but it is worse than that. This is what the Army now estimates this future procurement will cost. How have their past estimates worked out?

We have already procured, or authorized the procurement of, 10 prototypes with R. & D. funds. In 1966 the Army estimated total R. & D. cost of $126 million. Up until last year the Army had received $70.8 million for developing these 10 research helicopters. Last year they asked for an additional $48 million and told us the research and development could be completed for $22.3 million after that—a total of $141.1 million for the 10.

We gave them the $48 million, and they came back for $12 million more on a reprograming. We gave it to them.

This year they have asked for more research and development funds on this same helicopter—not the balance of $10.3 million but $25.4 million. We gave it to them. Does this complete the R. & D.? Mercy, no. They now say that after this year's money they will still need an additional $33 million just to complete the research and development. They have already been given $15 million more than they said they would need in total a year ago, and they now say they are further behind than a year ago. This year's guess is $186.5 million to complete the research and development—$18.6 million per bird—an increase of $4.5 million each in 1 year.

Why? No one knows, but there is another fascinating aspect to this sad story. A new Assistant Secretary of the Army for Research and Development took office on October 14, 1963. He had been a vice president of Lockheed. He was a consistent supporter of this program, then called AAFSS—advanced aerial fire support system. In the spring and summer of 1964 he participated in formulating the proposal which went out to industry and approved that proposal before it was submitted to industry. Twelve competitors, including Lockheed, responded. In the fall of 1964 he received briefings from certain competitors.

An evaluation group of 305 experts from the Army, Navy, Air Force, and NASA met at Fort Eustis, Va., from November 23, 1964, to January 19, 1965, to evaluate the 12 proposals. They rated Vertol first, Bell second, Lockheed third, and Sikorsky fourth.

On January 29, 1965, the Assistant Secretary of the Army for Research and Development executed a paper asking the Director of Defense Research and Engineering to allow the Army to proceed with the project definition phase. He said:

> It is anticipated that three contractors will compete and that . . . the Five-Year Force Structure and Financial Plan for the AAFSS, to include avionics, currently reflects $81.5 million FY 1966 through FY 1970.

From February 1 to 4, 1965, the evaluation group presented their findings to a source selection group of generals. The generals changed the weights given to different elements of the proposal and came out with Lockheed first, Vertol second, Sikorsky third, and Bell fourth. The Board recommended that Lockheed and Sikorsky be given contracts in the program definition phase.

On February 10, 1965, the Assistant Secretary of the Army for Research and Development was advised that the Army could proceed with the project definition phase.

On March 12, 1965, program definition contracts were awarded to Lockheed and Sikorsky.

The final evaluation was done from October 4 to 9 by a source selection advisory council which rated the Sikorsky proposal better technically and for operational suitability but rated Lockheed's management sufficiently better to award the contract to them.

The council said Lockheed could produce the 10 prototypes for $77,511,491. Lockheed said less. This figure is now $186 million.

The council said Lockheed could produce the production model for $992,364 each. Lockheed said less. Production has not yet started, but this cost is already $1.5 million over the full life of the contract, hopefully, and $5.8 million each in this year's initial procurement.

The $81.5 million force structure figure will be closer to half a billion.

On November 3, 1965, Lockheed was announced as the winner of the competition.

On March 23, 1966, the R. & D. contract was awarded to Lockheed.

On June 24, 1966, the Assistant Secretary of the Army for Research and Development resigned. He went back to Lockheed.

My amendment would fully fund the remaining research and development. It would delay procurement until the research and development was done and we had more realistic figures as to cost. In my scheme of priorities this makes sense.

Mr. HAGAN. Mr. Chairman, since U.S.S. *Enterprise,* the largest attack aircraft carrier ever built with nuclear propulsion, was commissioned in 1961 the Navy has made modest progress in construction of other nuclear-powered surface ships. In addition to U.S.S. *Enterprise,* surface ships in the fleet today equipped with nuclear propulsion are the guided missile cruiser U.S.S. *Long Beach* and guided missile frigates U.S.S. *Bainbridge* and U.S. *Truxtun*.

It is planned that all future aircraft carriers will be equipped with nuclear propulsion. The second nuclear carrier U.S.S. *Chester W. Nimitz* is currently under construction. Two additional nuclear-powered guided missile frigates, DLGN 36 and DLGN 37, have been approved, authorized, and soon will be under contract.

The President's budget request to the Congress for fiscal year 1969 included funds to purchase long-lead-time items leading to construction of a third nuclear-powered carrier and two more nuclear-powered guided missile frigates, which are part of a five-ship program to provide escorts for two all-nuclear task groups.

There is no question that operational experience with the active fleet nuclear-powered ships has clearly demonstrated their increased offensive and defensive military capability over conventionally powered ships. The application of nuclear propulsion in surface ships must be pursued. The question is how many nuclear-powered ships should we build to provide the proper mix of nuclear-powered and conventionally powered ships.

Nuclear-powered ships cost more to build than conventionally powered ships. The initial investment is not the full indication of true cost as the operating costs over the ship's service life must also be considered. Here again life-cycle costs of nuclear ships exceed conventionally powered ships. Therefore in our new construction program we must be selective in resolving the choice of a finite number of conventionally powered ships or a smaller number of nuclear-powered ships for the same total cost.

Apart from the cost there are other factors that tend to limit the number of nuclear-powered ships. The rate at which the Navy would be able to train officers and men to operate and maintain a substantial increase in nuclear powerplants would be limited. Retention of such highly skilled technicians continues to be a problem. The industrial base for making nuclear propulsion equipment is limited. While the industrial base can be expanded it will take time and tend to increase costs.

The Navy believes it should go forward with a program to construct both nuclear-powered and conventionally powered ships. It is clear that some ships should not be nuclear powered because of additional costs not offset by operational advantages and it is equally clear that some ships should be nuclear-powered.

Although we are increasingly conscious of the advantages and need for nuclear-powered ships, it is not necessary or desirable to nuclearize the Navy overnight. We should pursue the use of nuclear propulsion at a moderate rate. The payoff in a Navy properly balanced with nuclear power is high and can be achieved by your authorization of the fiscal year 1969 program.

Another aspect of the Navy program deserving special attention is the short-range attack missile—SRAM.

As all of you well know, our committee has continually advocated and at times, insisted that our strategic offensive forces be composed of a mix of missiles and manned aircraft. To provide these aircraft with the greatest possible capability, development is well underway on the short-range attack missile—SRAM. The SRAM is a supersonic strategic missile with a nuclear warhead that is designed to be carried by the FB–111 and late-model B–52 aircraft. Equipped with the SRAM, these aircraft can stand off from their targets while the missiles penetrate enemy defenses.

Our recently completed hearings have reaffirmed the position that the SRAM will be a vital addition to our strategic inventory in the face of increasing sophistication of defensive systems. With development still not underway on an advanced bomber, the availability of SRAM takes on even greater significance as a contributor to our nuclear superiority. I am pleased to report that all of the various components of the SRAM weapon system are currently undergoing laboratory tests prior to flight testing for both the B–52 and FB–111 scheduled to begin in early fiscal year 1969. In conjunction with the flight test program, the necessary environmental qualification tests will be conducted to insure that a smooth working operational system is available for service when nedeed.

It has been gratifying to have participated in the formulation of the fiscal year 1969 authorization bill that provides funds for the continued development and timely acquisition of this new strategic weapon system.

The CHAIRMAN. Pursuant to the rule, the Clerk will now read the substitute committee amendment printed in the reported bill as an original bill for the purpose of amendment.

The Clerk read as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

TITLE I—PROCUREMENT

Sec. 101. Funds are hereby authorized to be appropriated during the fiscal year 1969 for the use of the Armed Forces of the United States for procurement of aircraft, missiles, naval vessels, and tracked combat vehicles, as authorized by law, in amounts as follows:

Mr. RIVERS. Mr. Chairman, I ask unanimous consent that the bill be considered as read, printed in the Record, and open to amendment at any point.

The CHAIRMAN. Is there objection to the request of the gentleman from South Carolina?

Mr. LEGGETT. Mr. Chairman, I object.

The CHAIRMAN. Objection is heard. The Clerk will read.

The Clerk read as follows:

AIRCRAFT

For aircraft: for the Army, $735,447,000; for the Navy and Marine Corps, $2,556,988,000, of which $241,800,000 is authorized to be appropriated only for F–4J aircraft and $162,800,000 is authorized to be appropriated only for EA–6B aircraft; for the Air Force, $5,212,000,000.

MISSILES

For missiles: for the Army, $956,140,000; for the Navy, $848,212,000, of which $55,500,000 is authorized to be appropriated only for the Phoenix missile; for the Marine Corps, $13,500,000; for the Air Force, $1,768,000,000.

NAVAL VESSELS

For naval vessels: for the Navy, $1,360,500,000, of which $52,000,000 is authorized to be appropriated only for the procurement of long leadtime components that could be used in vessels of either the DXGN or DLGN types and $22,500,000 is authorized to be appropriated only for long leadtime components for an improved nuclear-powered attack submarine of new design.

TRACKED COMBAT VEHICLES

For tracked combat vehicles: for the Army, $299,426,000; for the Marine Corps, $10,800,000.

AMENDMENT OFFERED BY MR. PIKE

Mr. PIKE. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. Pike: On page 6, line 21, after "for the Army", strike out "$735,447,000" and insert "$597,547,000".

Mr. PIKE. Mr. Chairman and members of the committee, this amendment strikes from the bill the sum of $137.9 million, which is the figure that the backup sheets on Army procurement gave us as the procurement figure for the Phoenix helicopter in fiscal year 1969.

It does not affect the research, development, test, and evaluation of this helicopter. There is more money in the budget for R. & D., T. & E. which is not affected by this amendment. But it would affect the money for procurement.

Now, Mr. Chairman, why do I put it this way? Well, just a year ago they told us that all they would need was $141 million to complete the research, development, test, and evaluation of the helicopter. We gave them everything they asked for last year, which was $48 million. At the time we gave it to them they told us after last year's budget they would need another $22 million.

After we gave them the $48 million, they came in on a reprograming and they asked for another $12 million. We gave them that. That should have cut the $22 million down to $10 million. But this year they came in and said they needed $25 million this year and that money is in the budget and they said they would need after this year an additional $33 million to complete the research, development, test, and evaluation of these prototype helicopters.

Mr. Chairman, we gave them $12 million more than they asked for last year. Yet right now they say they need more money to complete the research than they told us they would need a year ago to complete the research.

Mr. Chairman, the chairman of the full Committee on Armed Services said one other thing in his statement with which I agree. We do not know what the cost of these helicopters will be, but it is forever going up. We have not gotten, really, anything on cost and, in my opinion, the Department of the Army has not been completely candid with us on this subject.

Mr. Chairman, in response to a question in the committee posed by one of the staff men, they said that this procurement contract was a fixed-price contract. So, as recently as this morning, I asked the Department of the Army what is the price of this so-called fixed-price contract. The answer is they do not today know the price of this fixed-price contract which was awarded back last January 5. It was awarded by one of these letter deals. It is subject to negotiation about this and it is subject to negotiation about that and it is subject to negotiation on the engines and it is subject to negotiation on the avionics.

Mr. Chairman, what I am saying is this: In view of the very peculiar circumstances under which this program was begotten, let us at least wait until we have some idea of what this bird is going to cost before we start to procure it. Once the research has been done on the thing, let us find out what is the matter with it. But when they tell us they need more money today than they told us they needed a year ago to finish the research, development, test, and evaluation why on earth are we going into this procurement in a blind manner?

It is a beautiful thing. It is a lovely piece of hardware. Everyone likes to fly it. I am an old pilot. I know the joys of looping the loop and flying upside down. This is a great thing to do. But, Mr. Chairman, there has to be a price on these things and there has to be some order of priority on these things. If we do not know what we are getting or what we are spending, for heaven's sake let us not spend it until we do know about these matters.

Mr. Chairman, I hope that this amendment will be adopted.

Mr. LEGGETT. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I rise in support of the amendment of my colleague on the committee, the gentleman from New York [Mr. Pike].

I think if it is the attitude of this body that we are going to rely upon the experts on our committee to make the judgments for us and if we do not want to debate the merits upon an issue of an $81 billion defense bill, then I say with reference to these aircraft that we ought to listen to the chairman of the Tactical Air Subcommittee, and that is the gentleman from New York [Mr. Pike].

He has well and adequately explained the reasons why this matter should be reviewed. He has submitted an amendment, and I say that in this area we should yield to his excellent judgment.

Now, Mr. Chairman, I rise to get a little time to speak on this bill.

I have mentioned before under the argument under the rule when I received a generous 5 minutes for some of my views on the ABM program. I tried to get some time to debate this bill under general debate time. This bill represents the military procurement for an $81 billion national defense expenditure. I have the only dissent on record on the report of the bill, and there was no time whatsoever to hear my remarks. A great deliberative body we have here.

And I say a bipartisan foreign policy and a bipartisan defense policy is in the national interest; many times it is great if we are monolithic and we are all together, and we are going in the right direction, but I say when we are spending $40 billion for Vietnam expenditures then they tell you they are going to spend $5 billion more in 1969 for Vietnam, and when we are pioneering a new ABM program, and it may be $50 billion or $60 billion, and we are talking about a new VFX aircraft program, at a $2 billion cost, and there are other things in this bill that we talk about being developed in the future, and so on, then I say a monolithic bipartisan policy is not in the public interest, or in the national interest.

Mr. RIVERS. Mr. Chairman, would the gentleman yield?

Mr. LEGGETT. Not at this point.

And I would say that the chairman has always seen fit to give all members of the committee some questions, but it does not really work out to the benefit of a balanced questioning in the sense of an open congressional inquiry when all of the questions are asked at the top, and none of the questions are asked at the bottom. And with our ABM program we had just a scintilla of inquiry about the program.

And when I moved in committee to review this item I was given the generous amount of 35 seconds to make my motion, and put the argument in.

That is the kind of debate and the benefit of debate that this body has had, a 35-second debate in committee, and a $60 billion bill comes out to the floor.

You look at the ABM program that is spelled out in this bill, I believe it is over on page 48, and, sure, we have a big report, and we have a little 14-page bill.

The ABM program is included in two items. The item for the Army for missiles procurement, and the item for the Army for R.D.T. & E. are both of a billion-dollar magnitude. The ABM features are not spelled out, nor does the report go into detail.

The CHAIRMAN. The time of the gentleman from California has expired.

Mr. RIVERS. Mr. Chairman, I ask unanimous consent that the gentleman may proceed for 5 additional minutes.

Mr. HALL. Mr. Chairman, I object.

Mr. PRICE of Illinois. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, I do not believe that the proponent of the amendment opposes the aircraft itself. I think the gentleman and those who may be inclined to support the amendment recognize the requirement for this aircraft.

The Department of the Army—the combat force in Vietnam—have stated a very definite and urgent requirement for this type of aircraft.

Now the statement was made by the previous speaker that there was little time to discuss these matters in committee. I sat through the particular hearings in which this topic was discussed and I know that no one in the committee had more time made available to him to question witnesses than the gentleman from New York. I think he did a superb job of questioning.

The gentleman concentrated on the cost factor. I think the gentleman is sincerely concerned over the cost factor—as we all are, in these important and big programs.

Mr. PIKE. Mr. Chairman, will the gentleman yield?

Mr. PRICE of Illinois. I yield to the gentleman.

Mr. PIKE. If we are concerned with the cost factor—and I am and you are—should not we find out something about what it is going to be before we proceed to buy the machine?

Mr. PRICE of Illinois. Yes; and I think the committee has done that and I would be glad during my 5 minutes to read some of the figures to give the Members of the House some idea of the cost factor.

But in no new development program in the field of aeronautics are you going to be firm in determining the cost factors until you put this aircraft into production.

This is not only true in the field of aircraft. This is also true in the atomic energy program—where in the early days of that program, we never even got within 100 percent of getting the estimates on building the reactors—which is comparatively simple, in comparison to the development of avionics and new weapons systems.

Mr. PIKE. Mr. Chairman, will the gentleman yield?

Mr. PRICE of Illinois. I yield to the gentleman.

Mr. PIKE. I would like to remind the gentleman that with the light observation helicopter, they were very firm with the price and they stuck them with it.

Mr. PRICE of Illinois. I think the gentleman will agree with me that the light observation helicopter was much more simple to devise and to construct than this. It was practically an off-the-shelf procurement. This is one of the most sophisticated helicopters ever built. This is the first rigid-rotor helicopter. This is as maneuverable as a fixed-wing aircraft.

This is an entirely new weapons system.

It is a very necessary weapons system to the Army. I might also say in the testimony that the gentleman sought through an answer to one of his questions and brought out the fact that the Navy is interested in this helicopter because they see the great potential of it.

I do not think anyone even of those who support the amendment does not agree that there is a very definite requirement for this new type helicopter.

Mr. PIKE. If the gentleman will yield further, I will simply say that we have requirements for a thousand things in this country.

Mr. PRICE of Illinois. Yes.

Mr. PIKE. But I will not agree that we have requirements for any piece of military hardware regardless of the price—and they cannot tell you the price.

Mr. PRICE of Illinois. I would say that that could possibly be true.

But as to the price in this instance, this is something that I would like to explain to the membership right now.

The gentleman is giving the impression that we do not have any concept of what the price might be.

We do not know accurately because you never know in any new development what the cost is going to be.

I would like to offer some of these figures on the basic contract for design, development, and testing of 375 aircraft including logistic support.

The basic contract for the design, development, and test of 10 aircraft, including logistics support during the test span was awarded to Lockheed under a fixed-price, cost-incentive-type contract at a ceiling price of approximately $90 million.

At the mock-up review of this aircraft, the Army and Lockheed agreed to amendments to the contract for various configuration changes. As of June 30, 1968, these changes amounted to an increased price in the contract totalling approximately a half million dollars. As of now, there are additional changes in the process of being considered which relate, first, to changes in Government-furnished materials; second, expanding the operational capability of the AH-56A system; and, third, providing for flight risk damage sustained in test flights.

These proposed changes, I am told, will result in amendments to the contract totalling a price increase of approximately $12 million. Therefore, it appears that Lockheed's part in the AH-56A R.D.T. & E. program will cost the Army approximately $102.5 million.

In addition, the Army has direct contracts with other companies for engines in various other subsystems of the aircraft. The production contract price has not been established but will be negotiated later this year. For either the Army or Lockheed to estimate this price in advance of negotiations would be inappropriate and might prejudice their positions during the negotiations.

Between the period January 1966 and April 1967 cost increases to this program totalled $33.6 million. These are broken down as follows:

First. Studies and contract definition: $5.2 million. This was for costs associated with studies prior to January 1966 that were not included in the basic program.

Second. Engineering change proposals: $6.3 million. Estimated costs of engineering change proposals for the price contract. This addresses program impact based on changes to weapons and other Government-furnished equipment.

Third. Price increases: $2.3 million. Program increase to provide for price increase applicable to the armament systems and the engine.

Fourth. Avionics equipment: $4.7 million. Program increase to address the development of the avionics portion of the Cheyenne which was being jointly developed with the Navy.

Fifth. Government testing: $10.1 million. Program increases to provide ammunition and related spares to be used for Government tests.

Sixth. Miscellaneous GFM and in-house support: $5 million. Program increase to provide for accomplishment of Army in-house support and for miscellaneous GFM.

Program increases from April 1967 through June 1968 will increase the cost to the approximate level cited by the gentleman from New York. These cost increases are for, first, an improved night vision capability which was not a part of the original contract; second, engineering changes required due to modification of Government-furnished material; third, commodity command support or those costs which include technical support for night vision and support by the electronics, aviation, missile, and weapons commands; and, fourth, test cost not identified in detail at the outset of the development. These costs include: ground support equipment for testing, range instrumentation at the test site, avionics support, automode tests, Army performance and qualities handling tests and engineering and service tests—with the required ammunitions and missiles.

I might also say that the gentleman made reference and the gentleman from California made reference, to the fact that the figures were deleted. They were deleted in the printed hearings.

The gentleman knew what the figures were. The gentleman from California knew what the figures were, and every member of the Armed Services Committee knew what the figures were.

The CHAIRMAN. The time of the gentleman from Illinois has expired.

Mr. PIKE. I would submit that the Army does not know what the figures are.

Mr. RIVERS. Mr. Chairman, I ask unanimous consent that the distinguished chairman of the Subcommittee on Research and Development be given an additional 5 minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from South Carolina?

Mr. MOSS. Mr. Chairman, most reluctantly, in view of the action against my colleague from California, I object.

Mr. BRAY. Mr. Chairman, I move to strike the requisite number of words.

The CHAIRMAN. The gentleman from Indiana is recognized.

Mr. BRAY. Mr. Chairman, I do not claim to be an expert on airplanes or helicopters. However, I am aware that there is no machine that is as important to this war as the helicopter. It was said that in World War II the first of the two great developments was the Jeep; the second was the LST. That being true, I would say the helicopter is a weapon that is now first.

I agree with my good friend, the gentleman from New York [Mr. PIKE], for whom I have the greatest admiration, that the estimates of the costs of this new helicopter AH56A Cheyenne, made by the Army, is in great error. This helicopter is the most valuable weapon that we are adding to our arms inventory. It goes twice as fast as any present helicopter. In a sense, it is more than a helicopter. It is an entire system. There is a necessity for that helicopter today. A great number of men we have lost because our helicopter is not quite as good as it should be. We must brook no further delay.

I think every member of the Armed Services Committee would say that no one of that committee has fought what is apparently excessive expenditures and made as many motions to cut down expenditures or eliminate them as I have. If this was not a weapon of the utmost importance—and there is nothing in the field that even approaches it—I might view the problem differently. But even if there was an error in not choosing another developer at the very beginning, it would result in unpardonable delay in the program.

It is true that this amendment only goes to procurement, not with development. Every one of us on the committee knows that the actual builders of the equipment itself is really a part of the development. The quicker we get those helicopters on the battlefield, the quicker we will see the improvements that we need.

Mr. HALLECK. Mr. Chairman, will the gentleman yield?

Mr. BRAY. I yield to the gentleman from Indiana.

Mr. HALLECK. I was privileged to take a trip to Vietnam. We were at Khesanh; we are all over the place. I want to confirm and reaffirm what the gentleman has said about helicopters. As far as I am concerned, I think that every advance that we can make in that part of the art of war we ought to make. I think the committee studied this question very carefully and, as far as I am concerned, I hope the amendment is defeated.

Mr. BRAY. I thank the gentleman.

Also, General Westmoreland some time ago—in fact, in January, as I recall—when I was last there gave the greatest emphasis to the development of the helicopter.

Mr. PIKE. Mr. Chairman, will the gentleman yield?

Mr. BRAY. I yield to the gentleman from New York

Mr. PIKE. You would concede that even if we go ahead with this program, they will not be available before 1970?

Mr. BRAY. No, I would not say that.

Mr. PIKE. That is what the Army says.

Mr. BRAY. I think it would be developed late in 1969. I may be in error on that.

Mr. PIKE. By January 1, 1970, there will be fewer helicopters produced than I can count on the fingers of one hand.

Mr. BRAY. That may be. But the helicopters will be there, and I think by January of 1970 the bugs will be out of these new helicopters and then we can really get into procurement. I have been in Vietnam quite a few times. I have seen helicopters returning, bringing in the wounded, carrying men and ammunition into battle.

I believe deeply this helicopter is necessary to save American lives—I do want to do everything possible to save the lives of our men and to give them the very best weapons possible to fight with. I think this new helicopter is a most needed weapon.

Mr. HARDY. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I want to comment very briefly on this matter. This is a most important weapons system, but primarily I have taken this time in order to yield to the gentleman from Illinois to give him an opportunity to present the figures he did not get an opportunity to present under his own time. I think it important that the information be submitted to the committee.

Mr. PRICE of Illinois. Mr. Chairman, I thank the gentleman very much.

Mr. Chairman, I would like to read into the RECORD some of the figures. I would also like to point out a lot of the costs going on in the early models include the ground support facilities and other items.

At the mockup review of this aircraft, Army and Lockheed agreed to amendments in the contract for various configuration changes which amounted to, as of June 30, 1968, totals of approximately a half million dollars. As of now additional changes are in process relating to changes in Government-furnished materials, expanding the operational capability of the AH–56A system, and to correct flight risk damage sustained in test flights. These changes will result in amendments which will total to a price increase of approximately $12 million. Therefore, it appears that Lockheed's part in the AH–56A R.D.T. & E. program costs will be, I believe, $102.5 million.

Lockheed directs the various subcontractors' production under the program and that price has not been established, but it will be negotiated later this year. For either the Army or Lockheed to estimate this price in advance of negotiation would be inappropriate and might prejudice their position during negotiation.

But the period January 1966 to April 1967, cost increases to this program total $33.6 million. These are broken down as follows: Studies and subcontract definition, $5.2 million; engineering change proposals, $6.3 million; price increases, $2.3 million; avionics equipment, $4.7 million; Government testing, $10.1 million; miscellaneous GFM and in-house support, $5 million.

Program increases from April 1967 to June 1968, increased the cost largely as cited by the gentleman from New York. There are no secrets about costs. We have had them all before our committee. These cost increases are for improved night vision capability, which was not a part of the original contract. There are engineering changes required due to modification of Government-furnished materials. There are changes in commodity command support for those costs which include technical support for night vision, and support by the electronics and aviation and missile and weapons commands. There are test costs not identified in detail at the outset of development. These costs include ground support equipment for testing, range instrumentation equipment at the test site, avionics support, automode tests, Army performance, and qualities handling tests, and engineering and service tests.

The Army anticipated before the completion of this contract, it will produce about 375 of this type aircraft. On that basis, we estimate the unit flyaway cost will be about $1.5 million.

I am not naive enough to think they will hit that unit cost, but I am pretty confident they will accomplish it within the range of any other comparable type aircraft.

Mr. HARDY. Mr. Chairman, I thank the gentleman for these figures. I thought Members ought to know what those figures really were.

Mr. CHARLES H. WILSON. Mr. Chairman, the conflict in Vietnam has shown us tactics and equipment developed in Korea and World War II need to be specially tailored to meet the situation. Each day this conflict continues, we learn more about how to meet the challenges of irregular forces supplied and trained for guerrilla warfare. The outcome of land warfare in World War II in Europe was determined by armored forces, which had their origin on a limited scale in World War I. The present conflict once again proves that fire and movement are all-important in land warfare. The helicopter has proven itself an indispensable new means for fire and movement in Vietnam.

We have now reached a critical decision point in determining the future of our land combat forces. Will we rest on our oars and be content with current models of equipment, and hope that our enemies will do likewise; or will we continue to maintain our lead in this area and give our forces the advantage of the improved equipment which American ingenuity has developed?

I am sure there is no question as to what we should do, but in view of the questions raised I think it is important that you know where we now stand.

The basic nature of land combat and the Army's requirement for integrated fire support of its forces must be understood to appreciate the factors behind the development and procurement of the AH-56A Cheyenne helicopter. The greater mobility of maneuver forces has emphasized the Army's need for a highly mobile responsive means of fire support, completely integrated with the operations of the combat arms. It is to satisfy this requirement that the Army has developed this specialized fire support helicopter. Neither organic artillery nor any other means can satisfy this need.

The application of the airmobile concept in the Vietnam war has confirmed the great value of the armed helicopter in furnishing direct aerial fire support. It can operate in weather conditions that either prevent operations of fixed wing aircraft or force them to use radar bombing with much degraded accuracy. It can operate from unprepared forward sites and can therefore be available in a shorter time to support a specific ongoing operation. It can discriminate better between friend, foe, and neutral, and can fire safely at targets much closer to friendly troops. The ability of the armed helicopter to maneuver with the supported land force and to provide discriminate fire in support of close-in engagements with the enemy, has provided the ground commander with a new dimension of firepower.

Our experience shows that our combat forces need fire support aircraft to be based in the forward combat area, capable of responding within minutes, to support attacking or defending friendly units. Targets are constantly moving and points of enemy contact do not follow any well-defined lineal pattern. Direct fire support for maximum effectiveness requires continuous communications, reference to the same operations map and intimate knowledge of the rapidly changing combat situation by both the maneuver force commander and fire support commander. This capability must be available at night and in virtually all-weather conditions.

The requirement for near all-weather operation, for accurate, selective lethal fires against individual targets, and for a capability to stand off beyond light antiaircraft weapons while delivering ordnance, demands performance far in excess of that provided by our current armed helicopters. The AH-56A will fulfill this requirement.

It has a combat loaded dash speed of 220 knots compared to 137 knots for the Huey Cobra, armed helicopter, thus making the Cheyenne a very effective escort gunship. It will carry three times the ordnance payload of the Cobra. Tests, study results, and available firing data show that the AH-56A Cheyenne can kill 16 times more squad targets on a typical sortie than the Huey Cobra. Ammunition cost per kill is expected to be only 20 percent that of the Cobra. The AH-56A compound configuration using a rigid rotor in conjunction with a pusher propeller will provide a highly maneuverable yet stable gun platform. In addition to increased speed, payload, firepower, and maneuverability, the AH-56A will have a night capability that will fill the longstanding requirement to detect and engage targets during the hours of darkness.

Additionally, this helicopter has: a continuous solution, 360-degree fire control system that combines a 12-power stabilized sight for superior target acquisition and automatic tracking to provide a high kill probability; an effective antitank capability; a self-contained navigation system that provides continuous position readout; an attitude control system that permits delivery of ordnance at any speed; an ability to continuously engage targets while maneuvering the aircraft; and a ferry range sufficient to make it virtually self-deployable.

The self-contained navigation system in conjunction with the fire control system will provide coordinates of enemy targets as well as range and bearing from friendly to enemy positions. The AH-56A pilot can direct fire against the enemy target from all friendly artillery within range, using the information from the AH-56A computer. This unique capability further illustrates how the Army will integrate the AH-56A with other organic means of fire support.

The effectiveness of the AH-56A is not limited to the counterinsurgency environment. The Army has recently completed a midintensity warfare analysis which indicates that the AH-56A can make a significant contribution to our effectiveness in the antimech and antitank role.

In view of the importance of this weapons system to the Army's future in the successful conduct of land combat operation—wherever the need arises—I believe that the Congress should do all we can to support this program and field it at the earliest possible date. We should defeat the amendment of the gentleman from New York [Mr. Pike].

Mr. McCORMACK. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I did not intend to get into this debate, but I feel that the gentleman from California [Mr. Leggett] should be given an opportunity to present his views.

I am not in agreement with the gentleman's views. I am opposed to this amendment.

It would be wise for us to accept the recommendations and the action taken by the clear majority on both sides of the House Committee on Armed Services.

I have served here during many trying periods of our Nation's history. I served here in the 1930's, when Hitler was around, and he got away with weakness on the part of the leadership in Britain and France.

I am still here, while we face international communism. If anyone thinks international communism is not still bent on world domination, in my opinion, with all due respect to his views, he is living in a dream world of hope.

The national interest of our country is of paramount importance. I have followed the basic policy throughout the years which has brought me an abiding feeling of satisfaction: Where the national interest of our country is concerned, if I am going to err in judgment I would rather err on the side of strength than on the side of weakness.

I am willing to follow the leadership of the gentleman from South Carolina [Mr. Rivers], the gentleman from Massachusetts [Mr. Bates], and others on this question, with all due respect to my friend, the gentleman from New York [Mr. Pike].

So I give these few observations, broadly speaking, but convincing to me based on experience, why I oppose this amendment.

I now yield to the gentleman from California [Mr. Leggett].

Mr. LEGGETT. I thank the Speaker for yielding.

We have under consideration now not my amendment but the amendment offered by the gentleman from New York [Mr. Pike].

I do want to take the time the Speaker has made available to further express myself on amendments which I will offer immediately after we vote on the amendment offered by Mr. Pike.

Particularly I wish to call the attention of this body to the ABM debate and discussion that we have had on the bill and which is in the report.

It merely says this, in explanation of a probable $40 billion program:

> Sentinel is an antiballistic missile defense system which is the latest generation of the Nike X. It is not only the latest hardware, but the latest in communications, rocketry, and radar technology. This system employs two missiles—the Spartan, a long-range intercept missile, and the Sprint, terminal intercept missile, plus various search and tracking radars and ground support equipment. This system is designed to intercept and defeat enemy incoming missiles whether launched from some other continent or from some surface or subsurface seagoing vessel.

That is the extent of the explanation. That is why I have taken this time to try to explain a little bit about where we are. The debate which we have had here so far on the military construction bill indicates the ABM program passed the House with better than $200 million and not a word was said. I pointed out, when the conference report came to the floor a few hours ago, that we were passing on the ABM program in that bill without so much as a whisper of debate on the floor of the Congress.

At a time when we weigh precariously in the House, the extension or curtailment of critical Headstart, education and health programs on the basis of a few million dollars expenditure; on the Armed Services Committee we move ahead adding hundreds of millions of dollars to programs with hardly time to reflect on the magnitude of our act.

After committee action, our bill moves quickly. The bill before us today was in the Rules Committee yesterday. Everything was swept off the calendar today.

I had notice at 5 o'clock last night that this bill would be debated today, and here we are. I have had no time for debate under the 2-hour time limit.

The CHAIRMAN. The time of the gentleman from Massachusetts has expired.

Mr. RIVERS. Mr. Chairman, I wonder if we can arrive at some agreement to limit time for debate.

The CHAIRMAN. Will the gentleman state his request?

Mr. RIVERS. Mr. Chairman, I ask unanimous consent that all debate on this amendment and all amendments thereto conclude in 15 minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from South Carolina?

Mr. MOSS. Mr. Chairman, I object.

The CHAIRMAN. Objection is heard.

Mr. MOSS. Mr. Chairman, I move to strike the last word.

Mr. Chairman, at a time when we here in this Nation know that in many areas important public services are being sharply curtailed, I think it is important that we consider the heart of the amendment which has been proposed by the gentleman from New York.

He is not asking that we stop any of the research or the development or the testing of this new weapons system. The timetable he has given—and it has not been challenged—is a 1970 timetable for the completion of research and development. He has asked only that we strike $137.9 million for procurement in order that we are prevented from becoming locked in with this supplier at whatever the cost might ultimately be and be tied irrevocably to it.

Mr. Chairman, I can mention some rather embarrassing things we have had in the way of military research that had to be done and development that had to be carried forward. I read where the naval version of the TFX was being canceled. I realize this did not come out of the committee, but I also realize that the figures that the gentleman from Illinois [Mr. Price] read to us here a little while ago are anticipatory figures. They are not firm, and if they are as accurate as the estimates contained in the letter that Mr. Pike sent to the members of this committee, then they are not worth very much.

I am conscious of the fact of many of these essential civilian services which we are curtailing at this moment. We almost have a crisis in our domestic air transportation because we do not have enough controllers and will not expand them to meet the needs. However, if it has a military label on it, you can come in here and get any amount of money authorized and you are not supposed to question it.

I think it is time we must question it, because it is becoming one gigantic octopus that is crowding out every other type of program we need in this Nation. There are serious dangers to this Nation from within, in my judgment as serious as many of those from without. I want us to be able to meet both of them, to measure them on balance; and to authorize for something the cost of which we know not and the success of which we know not, in my judgment, does not represent sound or prudent policy but, rather, an emotional response to the cry of "communism." I yield to no Member of this House in my hate, in my distrust of communism, but let us not have it become a weapon against us by merely waving the specter of it and have it so panic us into action that it is not well considered or in the interests of the Nation.

And, let them come here in order that we may find out where we are going.

Mr. Chairman, I urge the adoption of the amendment which has been offered by the gentleman from New York [Mr. Pike].

Mr. RIVERS. Mr. Chairman, I move that all debate on this amendment and all amendments thereto close at 6:15, with the last 3 minutes left to the committee.

The CHAIRMAN. The question is on the motion of the gentleman from South Carolina [Mr. Rivers].

The motion was agreed to.

The CHAIRMAN. The Chair recognizes the gentleman from New Jersey [Mr. Joelson].

Mr. JOELSON. Mr. Chairman, what I have to say is very unimportant, but it is important enough to require more than three-quarters of a minute and, therefore, I yield back the balance of my time.

The CHAIRMAN. The Chair recognizes the gentleman from New York [Mr. Bingham].

Mr. BINGHAM. Mr. Chairman, I rise in support of the amendment, and I commend the gentleman from New York for the amendment and for the work that he has done on this matter. I feel all the better for the fact that the gentleman, such as our colleague from New York, is looking into these items with a seriously questioning eye.

Mr. Chairman, I notice a great contrast between items on research and development in the military field and items of expenditure in other fields.

Therefore, Mr. Chairman, I hope that some of the comments that have been made here about the Communist threat to the world will be made next week when we are considering other legislation.

The CHAIRMAN. The Chair recognizes the gentleman from Minnesota [Mr. Fraser].

(By unanimous consent, Mr. Fraser yielded his time to Mr. Pike).

The CHAIRMAN. The Chair recognizes the gentleman from New York [Mr. Pike].

Mr. PIKE. Mr. Chairman, I would simply like to reiterate what the gentleman from California [Mr. Moss] said during his remarks and to refer to the remarks of the gentleman from Illinois [Mr. Price], which were made today. When he said that these were honest figures, I agree, they are the figures the Army gave him.

Mr. Price is an honest man. But the question today is what is going to happen in the future. If we can judge the future by what has happened in the past and if the past is prologue, those figures would not mean a thing.

Mr. Chairman, the figures have escalated one-third in the last year; the figures have escalated 50 percent in the last 2 years. These are the figures which the Army gave us. The Army said this contract was a fixed-price contract. Not yet, it is not. The Army said that Lockheed had the superior proposal. They told Mr. Price that, but that does not appear to be correct. Sikorsky had the superior technical proposal, but they let the bid to Lockheed on the basis of better management capability. All of this took place when the Assistant Secretary of the Army for Research and Development, was involved in the negotiations and 3 months after the award of the contract to Lockheed, he went to work with Lockheed.

The CHAIRMAN. The Chair recognizes the gentleman from New York [Mr. Carey].

Mr. CAREY. Mr. Chairman, I rise in support of the amendment which has been offered by my colleague the gentleman from New York [Mr. Pike].

Mr. Chairman, I suggest that what he has done on the floor of this House today makes you a great American or a good American depends upon how much your opinion is with reference to the expenditures which have been made for defense and whether they have been made wisely when we have expended them.

Mr. Chairman, it is my opinion that the gentleman from New York has brought great wisdom and courage to the House in his effort to determine how wisely we spend this money.

The CHAIRMAN. The Chair recognizes the gentleman from Michigan [Mr. Nedzi].

Mr. NEDZI. Mr. Chairman, I rise in support of the amendment.

I yield back the balance of my time.

The CHAIRMAN. The Chair recognizes the gentleman from California [Mr. Leggett].

Mr. LEGGETT. Mr. Chairman, I just take this time to say that we voted—at least some of the Members here voted, but not myself—to reduce spending to the extent of $6 billion for fiscal 1969. We all know what we have done about that. We have reduced spending to the extent of about $2 billion, by action of this House but we still have $4 billion to go. This means that $2 billion has got to come from cuts in defense. But if we cannot cut a specific program pointed out to be defective in the amount of $137 million, then we are not meeting our responsibilities. If we cannot do that and if all we want to do is sit back and funnel this whole program over to the Department of Defense or to the President, it is my opinion that that does not represent good government.

The CHAIRMAN. The Chair recognizes the gentleman from Massachusetts [Mr. Bates].

Mr. BATES. Mr. Chairman, I rise in opposition to the amendment, although I think the gentleman from New York is serving a useful purpose that will keep the Army on its toes, his primary point is that we should cut certain costs of programs which we have under consideration today.

Mr. Chairman, as I indicated in my opening statement, the cost of a destroyer years ago was $4 million, Now, a destroyer costs around $35 million. At one time a fighter plane could be purchased for $100,000. Now it approaches $10 million. Today the price of freedom does not come cheap.

Mr. Chairman, if the Army made a mistake at all they were wise to correct the figures. We have here the figures which are the best estimates at this time and I think the amendment should be defeated. This weapon system is vital. It is not wise to postpone it. We should, of course, monitor its progress and its costs.

The CHAIRMAN. The Chair recognizes the gentleman from South Carolina [Mr. RIVERS].

Mr. RIVERS. Now, Mr. Chairman, so far I have not said anything on this amendment. The gentleman from New York [Mr. PIKE], who is a member and who sits on the committee, knows that no one has denied him the right to inquire into any facet of anything under the jurisdiction of the committee. The gentleman from California [Mr. LEGGETT] should know this, also, and he knows he has never been precluded from entering into any discussions in the hearings of the committee.

Mr. Chairman, to get back to this weapons system, this is not just a helicopter. You heard my explanation on this. This is a weapons system. The gentleman from New York [Mr. PIKE] had asked the Department of the Army for certain figures since he was interested in the matter, and we discussed it with Mr. PIKE and got the information he wanted.

Mr. Chairman, it is not the policy of our committee to permit anyone to delete material from the record, or to distort the record in any fashion. You may be sure I will check into this matter very closely.

Now here is a weapons system. The Army says that they need it. I had rather have it than want it. This is not just a helicopter. We have got to get this out of our heads. This is a complete weapons system. There is no one on our committee who arrogates unto himself the authority to tell those experts in the Department of the Army what they have to have.

I called and talked to General Westmoreland just this morning. He told me how badly needed these weapons systems were, and asked me please to make sure our forces got them.

And I am not questioning the honesty or integrity of anyone involved in this procurement. I do not do that. I just generally assume that people are as honest as I believe I am myself.

Mr. Chairman, our committee has done the best it could. I have asked our experts to thoroughly explore this matter, and the gentleman from Illinois [Mr. PRICE] has explained it and the committee has approved it and now I am ready for you to make your decision.

The CHAIRMAN. The question is on the amendment offered by the gentleman from New York [Mr. PIKE].

The question was taken; and on a division (demanded by Mr. PIKE) there were—ayes 47, noes 121.

So the amendment was rejected.

Mr. RIVERS. Mr. Chairman, I again ask unanimous consent that the bill be considered as read, printed in the RECORD, and open to amendment at any point.

The CHAIRMAN. Is there objection to the request of the gentleman from South Carolina?

Mr. LEGGETT. Mr. Chairman, I object.

The CHAIRMAN. Objection is heard.

AMENDMENT OFFERED BY MR. LEGGETT

Mr. LEGGETT. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

> Amendment offered by Mr. LEGGETT: On page 7, line 2, after the words "For missiles: for the Army," strike out "$956,140,000" and substitute "$613,440,000".

Mr. LEGGETT. Mr. Chairman, this is the amendment that knocks out just the hardware for the ABM program, the Sentinel anti-ballistic-missile program. This is a subject matter that the Senate debated for a full week and finally passed by a vote of 52 to 34 before the President announced that he was commencing serious negotiations with the Soviet Union about a detente. The Congress I believe has the option to make a preliminary judgment on the future of our defense policy, that is the purpose of the amendment that I am offering at this time, so that the Congress can exercise some restraint and get the country back into balance by closely reviewing the ABM Sentinel system.

The ABM, ballistic missiles was conceded by Secretary McNamara last September to be perhaps marginally effective and perhaps could handle the Chinese threat in the middle of the 1970's.

Secretary McNamara warned that there were dangers.

He said that we could become psychologically dependent upon this system which was going to be ineffective against the Soviet Union and, secondly, that we could be lulled into the position where we might develop an ABM system with respect to the Soviet Union and then we would be off in an arms race.

That is exactly what has happened.

If you will look back to the debates of the June 18, 20, 24, and 25 in the Senate and hear the debate that has taken place and the inuendos and the expert statements made about the ABM program in debate here today, you can see that the dangers apprehended by Secretary McNamara are upon us.

Secretary McNamara reviewed this matter at length before our committee. Of course, he is an expert. I do not think Secretary Clifford has been with the Department long enough to overcome the tremendous capability of Secretary McNamara in this field.

Secretary McNamara stated:

> It is this interaction between our strategic forces programs and those of the Soviet Union which leads us to believe that there is a mutuality of interests in limiting the deployment of anti-ballistic-missile defense systems.
>
> If our assumption that the Soviets are also striving to achieve an assured destruction capability is correct, and I am convinced that it is, then in all probability all we would accomplish by deploying ABM systems against one another would be to increase greatly our respective defense expenditures, without any gain in real security for either side. It was for this reason that President Johnson decided to initiate negotiations with the Soviet Union, designed, through formal or informal agreement, to limit the deployment of antiballistic-missile systems, while including at the same time about $375 million in his fiscal year 1968 budget to provide for such actions—

And we spent that money—

> The principal issue in this area of the strategic forces program concerns the deployment of an anti-ballistic-missile defense system that is, Nike X. There are three somewhat overlapping but distinct major purposes for which we might want to deploy such a system at this time:
>
> 1. To protect our cities (and their population and industry) against a Soviet attack.
>
> 2. To protect our cities against a Red Chinese missile attack in the mid-1970's.
>
> 3. To help protect our land-based strategic offensive forces * * *.
>
> After studying the subject exhaustively, and after hearing the views of our principal military and civilian advisers, we have concluded that we should not initiate an ABM deployment at this time for any of these purposes. We believe that:
>
> 1. The Soviet Union would be forced to react to a U.S. ABM deployment by increasing its offensive nuclear force still further with the result that:
>
> (a) The risk of a Soviet nuclear attack on the United States would not be further decreased.
>
> (b) The damage to the United States from a Soviet nuclear attack, in the event deterrence failed, would not be reduced in any meaningful sense.

So in simple effect, what we are doing is starting out on the first leg of this alleged $10 billion program, but probably is really a $40 or $50 billion program, to handle what some have said is a Chinese threat in the mid-1970's, and that is maybe 25 missiles or intercontinental ballistic rockets. Everyone will agree that the system we are spending this money on today is no good as to a multiple independent reentry vehicles which the United States and the Soviet Union have today. It is no good as to a submarine cruise-launch missile, which the Stanford-Hoover Research Agency said over the weekend would be in the hands of the Chinese by 1975. It is no good as to multiple rockets or low-level bombers and many other threats already referred to.

The CHAIRMAN. The time of the gentleman has expired.

Mr. SIKES. Mr. Chairman, I rise in opposition to the amendment.

Mr. HALLECK. Mr. Chairman, will the gentleman yield to me for a parliamentary inquiry?

Mr. SIKES. I yield to the gentleman from Indiana.

Mr. HALLECK. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. HALLECK. Would it be in order after one speech for the amendment and one against it to move to close all debate on the amendment?

The CHAIRMAN. It would be.

The Chair recognizes the gentleman from Florida.

Mr. SIKES. Mr. Chairman, I have watched the efforts for the development of an effective ABM system in this country for a long time. I have supported it from the beginning.

I helped to provide funds for it long before the Secretary of Defense would admit that the Russians were building an ABM system. Congress had the facts and Congress knew the danger of permitting this defense advantage to go to the Russians. Now it is generally known that they have such a system. Because of delays in starting our program we are far behind in its construction. This, I have felt, is an untenable situation.

We are not in an arms race with the Soviet Union. Definitely we are not in an ABM systems race. There is not any race. We are just not in the picture. They are far, far ahead of us, because they did not wait when they saw a need. That is why they now have some ABM capability. That gives them a defense advantage that is very important—and no Member here should ever discount it.

China now is moving toward a nuclear missile capability. They are moving faster than any of our experts thought they could—and the experts now will tell us they were wrong when they placed a low assessment on China's potential in this field. If we keep our ABM program going at the rate it is now going—and it is a slower rate than I like to see—but if it is kept moving forward at the present rate, we will have an ABM capability in this country at about the time that China can have an ICBM capability which is effective enough for a strike.

Do the Members of the House think we can trust Red China enough to disregard the nuclear threat they are building up across the Pacific? China—the worst hatemonger in the world, the most irresponsible nation in the Pacific. Are we willing to trust her? Do we not realize that as soon as China has an effective nuclear capability it will be used for blackmail wherever and whenever it will serve Red China's purposes?

The argument has been advanced that the ABM system will not work. It has never been tested in war, but neither has the ICBM system. I wouldn't want to take the chance. Not when Russia has 1,000 missiles looking down our throats. I would rather have an ABM system regardless of the cost. It may save 90 million American lives if we were to expand this program to the point that it can defend against Russian missiles as well as Chinese missiles. But today we are talking about the thin program, designed primarily to curb the Chinese threat.

The test models, which would be the same for both, are working and working effectively. That is the same answer we can give for the ICBM's. All we know is the program we have is working so far.

The most important thing to keep in mind is that negotiations are now about to begin on nuclear weapons limitations between this country and Russia. If we jerk the rug out from under our negotiators before the negotiations even start, would Russia have any incentive to hold back on additions and improvements to her ABM system? Would they have any reason to hold back on any improvements or additions to their nuclear capability? This action would destroy the negotiations before they begin.

There are other negotiations in progress in Paris also. They have to do with the war in Vietnam, and they are not making very good progress. But if we were to take this step today, we would be further weakening our negotiators in Paris in their efforts to bring reason out of those thus far fruitless talks. We are being asked to take a backward step, a step dangerous to América's security.

Mr. MILLER of California. Mr. Chairman, will the gentleman yield?

Mr. SIKES. I yield to the gentleman from California.

Mr. MILLER of California. Would the gentleman agree with me that the first nation that comes within an effiective ABM can then dominate the field, because if they can only put through 50 percent of their ICBM's and we can deliver 100 percent of ours, this would be the greatest deterrent we can possibly have and the greatest contribution to peace?

Mr. SIKES. Of course. That is exactly the point I am arguing today. We need this system to help insure America's survival. We should move ahead as fast as we possibly can—much faster than we are doing now.

Mr. BATES. Mr. Chairman, I rise in opposition to the amendment.

Mr. RIVERS. Mr. Chairman, will the gentleman yield for a unanimous consent request?

Mr. BATES. I yield to the gentleman from South Carolina.

Mr. RIVERS. Mr. Chairman, I wonder if we can arrive at a unanimous-consent agreement to close debate on this at 20 minutes before 7?

Mr. BURTON of California. Mr. Chairman, I object.

The CHAIRMAN. Objection is heard.

Mr. BATES. Mr. Chairman, on page 73 of the committee report, it is stated by the gentleman from California [Mr. LEGGETT] that:

> The thin ABM Sentinel ballistic missile system was conceded by Secretary McNamara last September to perhaps be 'marginally effective' in perhaps handling the Chinese threat in the middle 1970's.

This is a quotation which is to me quite a bit out of context. He did not state that the system would be marginally effective; rather, he said:

> There are marginal grounds for concluding that a light deployment of U.S. ABM against this possibility is prudent.

At no time did Secretary McNamara indicate there was question as to whether the ABM deployment would meet effectively the Red Chinese threat. In fact, he earlier stated, as is quoted on page 79:

> This austere defense could probably preclude damage in the 1970's almost entirely. As the Chinese force grows to the level it might achieve by 1980–85, additions and improvements might be required, but relatively modest additional outlays could probably limit the Chinese damage potential to low levels well beyond 1985.

But I do not have to read this testimony. I remember so distinctly having breakfast one morning with the Secretary of Defense. He said at that time precisely what I have quoted, that we could develop a system that would be effective against the Chinese threat.

So far as an arms race is concerned, by us developing this kind of system, the cold, hard fact of the matter is that Russia already has such a system. The gentleman from California can negotiate, if he wants, from weakness, but so far as I am concerned, I intend to negotiate from strength.

Mr. EVANS of Colorado. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I shall not use all my time. I believe, as the chairman told me, most Members have made up their minds. However, I should like to put on the record my thoughts in regard to some half billion dollars that we are talking about here.

May I preface my comments by saying this is a question upon which there has been a great deal of good faith disagreement. When I was on the committee there was much discussion and the then Secretary of Defense, Mr. McNamara, first recommended against the deployment of the system, and later on he changed his mind and asked for this thin anti-ballistic-missile defense spread.

The Senate, in good faith, differed very narrowly on this question.

We have had discussion, and full discussion. I should like to tell the Members that I believe both on the part of the chairman and the part of the ranking minority member we have had all the time necessary to discuss this. I believe it has been thoroughly discussed in the committee.

But I do not believe it is true that the best way we can defend this country at this time is by the deployment of a $5 billion anti-ballistic-missile defense system. I say that for several reasons.

First, I believe on the basis of the testimony the cheapest and the best way to proceed is by production of additional and better intercontinental ballistic missiles with multiple reentry vehicles. We worse off and be not better off in terms of cost, it will cost $4 for every one of these antiballistic missiles whereas it would cost $1 for an ICBM.

I believe that when we say our thin defense is going to be $5 billion we are kidding ourselves. It will cost much more than that. We will graduate into $20 billion or $30 billion or $40 billion or $50 billion of expenditures.

I am also concerned about this, in all good faith. If we proceed to develop this system, if we were the Russians I believe we would do as we would in regard to their system, and proceed to develop those things needed to protect against attack. The chances are, after 5 or 10 years, both nations will not be $5 or $10 billion, but possibly $40 to $100 billion worse off and be no better off in terms of our military posture. I would rather see the money put in our ICBM system with multiple reentry vehicles than to launch on this course of action.

So, Mr. Chairman, I will support this amendment.

Mr. FRASER. Mr. Chairman, will the gentleman yield?

Mr. EVANS of Colorado. I am glad to yield to the gentleman.

Mr. FRASER. I just wish to commend the gentleman for a very well reasoned and proper statement. I wish to associate myself with the reasoning which he has brought forth so plainly before the committee this evening. I think the gentleman has pointed out very perceptively our real defense lies in our deterrent capability and we get more safety and security by maintaining a strong deterrent posture than in trying to develop safety.

Again, Mr. Chairman, I wish to say I commend the gentleman for a very excellent statement.

Mr. HUNGATE. Mr. Chairman, will the gentleman yield?

Mr. EVANS of Colorado. I yield to the gentleman from Missouri.

Mr. HUNGATE. Mr. Chairman, I would like to commend the gentleman on his statement and state that I support it.

Mr. RIVERS. Mr. Chairman, I move that all debate on this amendment and all amendments thereto close in 10 minutes.

The CHAIRMAN. The question is on the motion of the gentleman from South Carolina.

The motion was agreed to.

The CHAIRMAN. The Chair recognizes the gentleman from California [Mr. Burton].

Mr. BURTON of California. Mr. Chairman, I rise in support of the amendment.

I would like to commend my colleague from California [Mr. Leggett], for his statement.

Mr. LEGGETT. Mr. Chairman, will the gentleman yield?

Mr. BURTON of California. I yield to the gentleman.

Mr. LEGGETT. Mr. Chairman, I would like to say that Secretary McNamara has been quoted at length as to what he believes. We know very well from the 50 pages of testimony that he gave to our committee last year, all through last year and for many years before that, he thought not only was the ABM system marginally effective but that we should not deploy the ABM system. He pointed out if we did as the Soviets did and deployed the system they started to deploy around Moscow, we would be worse off than we are today. Under general care to extend at this point include any complete remarks under additional views at page 71 of the report, terminating at page 82:

Additional Views of Hon. Robert L. Leggett, Democrat, of California

The pending military procurement bill, S. 3293, in the amount of $21,636,964 is, in general, good legislation and in the interests of sound national defense policy. In this simple four-page bill, however, the Congress authorizes more money per page than in any other legislation presented to this House. Needless to say, when funds are authorized at the rate of $1 billion per paragraph a certain amount of obscurity is the necessary fallout. It is, therefore, necessary to refer to the report on the bill for further details. Beyond this report, information is available, but the bulk of backup material is contained in classified documents and is, therefore, not available to the public or even to Members of Congress many times.

Many times a bipartisan foreign policy and defense policy is in the national interest. However, it is not always in the best interests to let all aspects of these policies be accepted without debate in the Committee or in the House of Representatives.

At a time when we weigh precariously in the House, the extension or curtailment of critical Headstart, education and health programs on the basis of a few million dollars expdeniture; on the Armed Services Committee we move ahead adding hundreds of millions of dollars to programs with hardly times to reflect on the magnitude of our act.

After committee action, our bill moves quickly to the floor, objectors are laid asunder and an irrevocable cornerstone of 'escalation' is lain many times without consuming the full debate time. Thereafter the Appropriations Committee again in an atmosphere of giving the boys what they need, substantially approves the programs authorized. As a result, except in rare instances, this House never gets the benefit of a broad exchange of the merits of our House military procurement bill. The pros of the bill are spelled out at length on the floor. It devolves upon the Senate, however, to discuss the demerits of the legislation according to past history.

As an example, I find it no real credit to our House system to have the other body debate the anti-ballistics-missile system (ABM) construction deployment for a week in the military construction bill passing the item by a close vote of 52 to 34, after our House considered the item and passed over the whole issue without an objection being made. The effect of the Senate vote was to defeat the delay in authorizing a $227.3 million construction procurement of the so-called Sentinel ABM system.

I say two wrongs never make a right and therefore to the extent that the ABM sentinel system is included in the present bill, I believe that the House should exercise its discretion of review of this item.

In committee I moved therefore that two items in the pending bill relating to the ABM program be deleted—the first item for $342.7 billion, which funds are contained in the item on page 2 of the bill for missiles for the Army $956,140,000.

On the next page under R.D.T. & E. items, I suggested additionally that the item for the Army $1,661,900,000 be reduced by $212.9 million leaving a residual of $100 million stand for further research on the ABM system.

Our policy committee did take commendable action in killing the FDL (Fast Deployment Logistics) Ships $2 billion program which involved $183 million authorization in this bill.

Our committee determined to reject the Senate 3-percent reduction of R.D.T. & E. expenditures totaling $162.6 million. This action is taken I think callously without any reflection on the overall effects of excessive Defense expenditures on our deficit and our fiscal extremes.

The country has lost $2.2 billion in gold in 9 months; our corrected deficit balance of payments remains at $2.5 billion per year; 55 percent of our gross national product increase last year was in fact inflation. Cost of living over the past 15 months exceeds 5 percent; a budget deficit last year of $12 billion was exceeded by this year's $25 billion figure. With the "built in escalations" in the pending bill which will be directly reflected in Vietnam, expenditures this fiscal year, in spite of the 10 percent war tax and $6 billion spending cut effected last week, we still will experience a $17 billion deficit by next June 30, 1969.

Try as we might to pick up a few billion dollars in domestic frugality, we simply cannot continue to endure with fiscal responsibility and spend $81 billion annually for the Nation's war policy—war spending is the nub of the problem. I believe that we can grow strong domestically and internationally by staging down our money commitment overseas in Southeast Asia from the $35–40 billion level current to a $5 billion level we could support on a continuing basis. We would still be the strongest Nation many times in the Atlantic or Pacific. *It will do us little good to beat the Communists with dollars overseas if so many dollars are skimmed from domestic programs that the masses rise up domestically.*

I want to further say that DOD does not "cost account" the alleged $30 billion Vietnam expenditure costs submitted in the President's budget. They are apparently "backed into" by speculating as to the magnitude that our *actual* Defense budget exceeds our estimated *normal* budget. While Department of Defense guesses at a $30 billion war cost, I have estimated the cost at nearer to $40 billion as has the Symington committee considering depletions in inventory and intentional curtailments in our normal military budget expenditures.

I have steadily resisted "escalation" of our Southeast Asia policy having in mind that an $850 billion economy should be able to resolve its problems with a $1 billion economy in something less than this high rate of indefinite expenditure or nuclear war as the other alternative.

THE ABM PROGRAM

This Congress I believe has the option to make a partial judgment on the future of our Defense policy. This Congress can exercise some restraint to get the country back into balance by closely reviewing the ABM sentinel program.

The thin ABM Sentinel ballistic missile system was conceded by Secretary McNamara last September to perhaps be 'marginally effective' in perhaps handling the Chinese threat in the middle 1970's.

At the appropriate time I do intend to offer an amendment to strike the afore referred to $555.6 million from this bill for the reference ABM system ($342.7 million for missile procurement, $212.9 million R.D.T. & E.).

The effect of this amendment would leave remaining $100 million for R.D.T. & E. in the ABM program—not an inconsiderate amount. *The projected total cost of the ABM system this year will be $918.9 million including $263.3 million in construction items.*

Considering the fact that the President announced this week the intention to commence talks immediately with the Soviets on arms limitation, this Congress should go slow. The President's exact statement on this new international agreement is as follows:

"Agreement has been reached between the Governments of the Union of Socialist Republics and the United States to enter in the nearest future into discussions on the limitation and the reduction of both offensive strategic nuclear weapons delivery systems and systems of defense against ballistic missiles.

"Discussion of this most complex subject will not be easy. And we have no illusions that it will be. I know the stubborn, patience, persistence that it has required to come this far. And we do not underestimate the difficulties that may lie ahead. I know the fears and the suspicions and the anxieties that we shall have to overcome. But we do believe that the same spirit of accommodation that's reflected in the negotiation of the present treaty can bring us to a good and fruitful result.

"Man can still shape his destiny in the nuclear age—and learn to live as brothers.

"And toward that goal—the day when the world moves out of the night of war into the light of sanity and security, I solemnly pledge the resources, the resolve and the unrelenting efforts of the people of the United States and their Government."

I do not believe that sanity, security or frugality are promoted by stampeding ahead with a new $6 billion program at a time when the President talks about 'reciprocal limitation.'

It can be argued that we must proceed with the authorization to show the U.S. *threat* and *capability*. I think this is senseless. It can be argued that the present system is not intended against the Soviets. However, Senator Jackson in the Senate argued vehemently to the contrary.

There are elements in the Kremlin attacking today any efforts by that country's leadership to engage in meaningful arms limitation discussions with the United States. For this Congress to forthwith approve a billion dollar new ABM program expenditure on the hells of the tentative agreements to talk, without a mention of the international agreements might be construed abroad as evidence of insincerity.

The dissenting view on the recommendation for funds to begin deployment of an anti-ballistic-missile system is not grounded only on the basis of priorities of spending. It is based on the clear evidence that such a system is not technically feasible at this time, and in all probability will not be feasible in the future at the time it will be constructed in 1974.

The proposed Sentinel system was estimated to cost $5 billion last year. The system would include 25 Spartan missiles and a lesser number of short range Sprint missiles and is programed to handle a low grade Chinese threat by 1975. *Experts estimate that the system will be 72 percent effective against 25 primitive Chinese missiles estimated to be in existence by the middle 1970's.* The experts have no real evidence whatsoever as to the number of Chinese weapons that will actually be in existence in this time period. *If we are slightly wrong in our basic estimate and the Chinese have 35 missiles rather than 25, then the program that we plan will slide from 72 to 1.6 percent in effectiveness.* We of course can counter this misestimate by escalation of our ABM system and if we escalate far enough it is possible that some day it might be modestly effective against the Soviets. *Unfortunately in the meantime the American people and the world are going to be victimized by the most costly 'arms race' in history.* The cost of this program this year jumped from $5 billion to an excessive $6 billion plus. *I would estimate that even the subject primitive system will cost $15 billion by 1975 and it will have borderline utility at that time. We will spend this year $1 billion on this system, $1.2 billion is programed for next year and thereafter at the $1 billion plus per year rate. For the rest of the natural lives of the Members of this Congress we will be spending $1 billion per year in an effort to make this system work.*

The proposed system will be relatively useless as against several systems currently in operation.

(*a*) The Sentinel system is not effective against MIRV (Multiple Independent Reentry Vehicle) type missiles now held by the Soviet Union.

(*b*) The Sentinel system is not intended to be operative against submarine-launched cruise missiles now operative by the Soviet Union and being developed by the Chinese.

(*c*) The Sentinel system is not effective against FOBS (Fractional Orbital Bombardment System) or southern missiles both within the capability of the Soviets.

Our knowledge of Communist systems many times is primitive. We were surprised last year to see the Chinese detonate a hydrogen type bomb without going through the laborious American history of pioneered development. We were surprised last year to discover that the Soviets had several hundred more (ICBM) missiles than previous national intelligence estimates indicated. We were surprised recently to find the Soviets have developed and built some new submarines (submarines take 4 years to build).

Certainly we can't turn our back on the Chinese or Soviets but in our panic fear of communism we must spend our money wisely or we will destroy ourselves within by the misbalance in our economy.

I think reasonable people should support a continuing program of research and development in this ballistics program. However, this can be accomplished at the $100 million rather than the $1 billion annual level.

Former Secretary McNamara considered this problem at length last year before our committee. The *unclassified committee report* contains his testimony here material. The former Secretary's views were stated at a time when we were asking the Soviets to talk about limitations. They were silent which led to the Secretary's statements before referred to on "marginal deployment." Since talks have now been scheduled the Secretary's testimony is our best analysis of current position.

The Secretary recommended *against* deployment of the ABM System as follows early last year (pp. 390, 395–396, 1967 Armed Services Committee hearings):

"Assured destruction with regard to Red China presents a somewhat different problem. China is far from being an industrialized nation. However, what industry it has is heavily concentrated in a comparatively few cities. We estimate, for example, that a relatively small number of warheads detonated over 50 Chinese urban centers would destroy half of the urban population (more than 50 million people) and more than one-half of the industrial capacity. Moreover, such an attack would also destroy most of the key governmental, technical, and managerial personnel and a large proportion of the skilled workers. Since Red China's capacity to attack the United States with nuclear weapons will be very limited, even during the 1970's, the ability of even a very small portion of our strategic offensive forces to inflict such heavy damage upon them should serve as an effective deterrent to the deliberate initiation of such an attack on their part.

"Once sufficient forces have been procured to give us high confidence of achieving our assured destruction objective, we can then consider the kinds and amounts of forces which might be added to reduce damage to our population and industry in the event deterrence fails. But here we must note another important point; namely, the possible interaction of our strategic forces programs with those of the Soviet Union. If the general nuclear war policy of the Soviet Union also has as its objective the deterrence of a U.S. first strike (which I believe to be the case), then we must assume that any attempt on our part to reduce damage to ourselves (to what they would estimate we might consider an acceptable level) would put pressure on them to strive for an offsetting improvement in their deterrent forces. Conversely, an increase in their damage limiting capability would require us to make greater investments in assured destruction, which, as I will describe later, is precisely what we now propose to do.

"*It is this interaction between our strategic forces programs and those of the Soviet Union which leads us to believe that there is a mutuality of interests in limiting the deployment of anti-ballistic-missile defense systems.* If our assumption that the Soviets are also striving to achieve an assured destruction capability is correct, and I am convinced that it is, then in all probability *all we would accomplish by deploying ABM systems against one another would be to increase greatly our respective defense expenditures, without any gain in real security for either side. It was for this reason that President Johnson decided to initiate negotiations with the Soviet Union, designed, through formal or informal agreement, to limit the deployment of anti-ballistic-missile systems, while including at the same time about $375 million in his fiscal year 1968 budget* to provide for such actions—for example, protection of our offensive weapon systems—as may be required if these discussions prove unsuccessful.

"The principal issue in this area of the strategic forces program concerns the deployment of an anti-ballistic missile defense system, that is, Nike-X. There are three somewhat overlapping but distinct major purposes for which we might want to deploy such a system at this time:

"1. To protect our cities (and their population and industry) against a Soviet missile attack.

"2. To protect our cities against a Red Chinese missile attack in the mid-1970's.

"3. To help protect our land-based strategic offensive forces (that is, Minuteman) against a Soviet missile attack.

"After studying the subject exhaustively, and after hearing the views of our principal military and civilian advisers, we have concluded that *we should not initiate an ABM deployment at this time for any of these purposes.* We believe that:

"1. *The Soviet Union would be forced to react to a U.S. ABM deployment by increasing its offensive nuclear force still further with the result that:*

"(*a*) *The risk of a Soviet nuclear attack on the United States would not be further decreased.*

"(*b*) *The damage to the United States from a Soviet nuclear attack, in the event deterrence failed, would not be reduced in any meaningful sense.*

"As I noted earlier, the foundation of our security is the deterrence of a Soviet nuclear attack. We believe such an attack can be prevented if it is understood by the Soviets that we possess strategic nuclear forces so powerful as to be capable of absorbing a Soviet first strike and surviving with sufficient strength to impose unacceptable damage on them.

"We have such power today. We must maintain it in the future, adjusting our forces to offset actual or potential changes in theirs.

"There is nothing we have seen in either our own or the Soviet Union's technology which would lead us to believe we cannot do this. From the beginning of the Nike-Zeus project in 1955 through the end of this current fiscal year, *we will have invested a total of about $4 billion on ballistic missile defense research—including Nike-Zeus, Nike X, and Project Defender.* And during the last 5 or 6 years, we have spent about $1.2 billion on the development of penetration aids to help insure that our missiles could penetrate the enemy's defenses. As a result of these efforts, we have the technology already in hand to counter any offensive or defensive force changes the Soviet Union might undertake in the foreseeable future.

We believe the Soviet Union has essentially the same requirement for a deterrent or "assured destruction" force as the United States. *Therefore, deployment by the United States of an ABM defense which would degrade the destruction capability of the Soviet's offensive force to an unacceptable level would lead to expansion of that force.* This would leave us no better off than we were before.

"2. With respect to protection of the United States against possible Red Chinese nuclear attack, *the leadtime required for China to develop a significant ICBM force is greater than that required for deployment of our defense—therefore the Chinese threat in itself would not dictate the production of an ABM system at this time.*

"3. Similarly, although the protection of our land-based strategic offensive forces against the kind of heavy, sophisticated missile attack the Soviets may be able to mount in the mid-1970's or late 1970's might later prove to be worthwhile, it is not yet necessary to produce and deploy the Nike X for that purpose."

Talking additionally about waste in early procurement of hardware for an incomplete system, the Secretary stated (pp. 399–400):

"But even after this elaborate test program is completed, some technical uncertainties will still remain unresolved; this is to be expected in a system designed for such a highly complex mission. Moreover, we have learned from *bitter experience that even when the development problems have been solved, a system can run into trouble in production or when it is put into operation.* All too often the development prototype cannot be produced in quantity without extensive re-engineering. *Production delays are encountered and costs begin to spiral.* Sometimes these problems are not discovered until the new system actually enters the inventory and has to function in an operational environment. The Terrier, Talos, and Tartar ship-to-air missiles are a good example; after spending about $2 billion on development and production of these missiles, we had to spend another $530 million correcting the faults of those already installed, and we still plan to spend another $550 million modernizing these systems.

In this connection, it is *worth noting that had we produced and deployed the Nike-Zeus system proposed by the Army in 1959 at an estimated cost of $13 to $14 billion, most of it would have had to be torn out and replaced, almost before it became operational, by the new missiles and radars of the Nike X system. By the same token, other technological developments in offensive forces over the next 7 years may make obsolete or drastically degrade the Nike X system as presently envisioned. We can predict with certainty that there will be substantial additional costs for updating any system we might consider installing at this time against the Soviet missile threat."*

Relative to Soviet action in response to a U.S. ABM buildup, the Secretary stated: (pp. 405–406).

"Although the fatality estimates shown for both the Soviet Union and the United States reflect some variations in the performance of their respective ABM systems, they are still based on the assumption that these systems will work at relatively high levels of effectiveness. *If these ABM systems do not perform as well as our technical people postulate, fatalities on both sides could be considerably higher than shown in the table above, or the costs would be considerably higher if major improvements or additions had to be made in the systems to bring them up to the postulated level of performance.*

"If the Soviets are determined to maintain an assured destruction capability against us and they believe that our development of an ABM defense would reduce our fatalities in the 'U.S. Strikes First, Soviets Retaliate' case to the levels shown in the table above, they would have no alternative but to increase the second strike damage potential of their offensive forces. They could do so in several different ways. *Shown in the table below are the relative costs to the Soviet Union of responding to a U.S. ABM deployment in one of these possible ways:*

"Cost to the Soviets of offsetting U.S. cost to deploy an ABM

Level of U.S. fatalities which Soviets believe will provide deterrence: [1]

40,000,000	$1 Soviet cost to $4 U.S. cost.
60,000,000	$1 Soviet cost to $2 U.S. cost.
90,000,000	$1 Soviet cost to $1 U.S. cost.

[1] U.S. fatalities if United States strikes first and Soviets retaliate.

"If the Soviets choose to respond in that way to our ABM deployment, the results would be as shown below:

"NUMBER OF FATALITIES IN AN ALL-OUT STRATEGIC EXCHANGE (ASSUMES SOVIET REACTION TO U.S. ABM DEPLOYMENT)

[In millions]

U.S. programs	Soviets strike first United States retaliates		United States strikes first Soviets retaliate	
	U.S. fatalities	Soviet fatalities	U.S. fatalities	Soviet fatalities
Approved (no response)	120	120+	100	70
Posture A	120	120+	90	70
Posture B	120	120+	90	70

"In short, the Soviets have it within their technical and economic capacity to offset any further damage limiting measures we might undertake, provided they are determined to maintain their deterrent against us. It is the virtual certainly that the Soviets will act to maintain their deterrent which casts such grave doubts on the advisability of our deploying the Nike X system for the protection of our cities against the kind of heavy, sophisticated missile attack they could launch in the 1970's. *In all probability, all we would accomplish would be to increase greatly both their defense expenditures and ours without any gain in real security to either side."*

With the respect to the "Chinese threat" the Secretary stated (pp. 406–407):

"With regard to the Red Chinese nuclear threat, an austere ABM defense might offer a high degree of protection to the Nation against a missile attack, at least through the 1970's. The total investment cost of such a program might amount to *$3.5 billion,* including the cost of nuclear warheads.

"The effectiveness of this deployment in reducing U.S. fatalities from a Red Chinese attack in the 1970's is shown in the table below:

"Chinese strike first (*operational inventory*)

U.S. fatalities (in millions):	*X missiles*	*3X missiles*
Without ABM	5	10
With ABM	0+	1

"This austere defense could probably preclude damage in the 1970's almost entirely. As the Chinese force grows to the level it might achieve by 1980–85, additions and improvements might be required, but relatively modest additional outlays could probably limit the Chinese damage potential to low levels well beyond 1985.

"It is not clear that we need an ABM defense against China. In any event, the lead-time for deployment of a significant Chinese offensive force is longer than that required for U.S. ABM deployment; therefore the decision for the latter need not be made now.

"In the light of the foregoing analysis, we propose:

"(1) To pursue with undiminished vigor the development, test, and evaluation of the Nike–X system (for which purpose a total of about $440 million has been included in the fiscal year 1968 budget), but to take no action now to deploy the system.

"(2) *To initiate negotiations with the Soviet Union designed, through formal or informal agreement, to limit the deployment of antiballistic missile systems.*

"(3) To reconsider the deployment decision in the event these discussions prove unsuccessful, approximately $375 million has been included in the fiscal year 1968 budget to provide for such actions as may be required at that time—for example, the production of Nike–X for the defense of our offensive weapon systems.

"I would now like to turn to our specific proposals for the strategic forces in the fiscal year 1968–72 period."

In light of the latest action taken by the President, I think that the Secretary's recommendations first made last year are good and deployment of ABM's can wait at least until we can "afford it."

The Secretary concluded his statement to our committee last year with this pertinent analysis:

"Secretary McNamara. I have said that I think it is going to cost $40 billion. I believe that if we go ahead with an ABM deployment now, we will come back [deleted] years from now and we will find that it will have cost $40 billion; but that is not the issue. The cost is not the issue. The issue is: Would we be safer as a result of it? I submit to you we would not be; I don't want to argue this because it sounds like an extreme position, but I think I could prove to you we would be less safe."

The Secretary was supported in his views last year by Dr. Harold Brown, Secretary of the Air Force as follows (pp. 445–446):

"The idea of trying to see whether we can get an agreement with the Soviets not to deploy ABM defenses, thus preserving the present situation, is a rational approach to this problem. We stand to gain considerable if a satisfactory agreement can be arrived at, yet we will not have endangered our security if the negotiations are unsuccessful. There is, as you know, $377 million in the President's budget for fiscal year 1968 for production money which would allow deployment of a limited ABM system.

"If these talks do not succeed, then it might be well worthwhile to deploy a light defense system (say $3 to $5 billion) to protect our own missiles, or for other such limited purposes. Because our missile sites are small hardened targets, they are much easier to defend than cities. The exchange ratio is favorable to us for the defense of this type of target. Making our missiles more survivable improves our deterrent capability which, in turn, makes nuclear war less likely, which results in a potential saving of many more lives than would even a large-scale U.S. missile defense system.

"For these reasons, I agree with the Secretary of Defense that it is not possible with any confidence to protect our population against a heavy Soviet attack. *If a verifiable agreement not to deploy* ABM's *cannot be consummated, then the most we should do in the way of deployment is a thin defense involving such purposes as a defense of our land-based strategic missiles."*

It is interesting to note that late last year when Secretary McNamara yielded to congressional pressure to move in development of an ABM system against the Chinese, he alluded to two imminent dangers, one of which is already upon us (Speech Sept. 18, 1967 in San Francisco):

"In reaching this decision, I want to emphasize that it contains two possible dangers, and we should guard carefully against each.

"The first danger is that we may psychologically lapse into the old oversimplification about the adequacy of nuclear power. The simple truth is that nuclear weapons can serve to deter only a narrow range of threats. This ABM deployment will strengthen our defensive posture—and will enhance the effectiveness of our land-based ICBM offensive forces. But the independent nations of Asia must realize that these benefits are no substitute for their maintaining, and where necessary strengthening, their own conventional forces in order to deal with the more likely threats to the security of the region.

"The second danger is also psychological. *There is a kind of mad momentum intrinsic to the development of all new nuclear weaponry. If a weapon system works—and works well—there is strong pressure from many directions to procure and deploy the* weapon out of all proportion to the prudent level required.

"The danger in deploying this relatively light and reliable Chinese-oriented ABM system is going to be that pressures will develop to expand it into a heavy Soviet-oriented ABM system.

"We must resist that temptation firmly—not because we can for a moment afford to relax our vigilance against a possible Soviet first-strike—but precisely because our greatest deterrent against such a strike is not a massive, costly, but highly penetrable ABM shield, but rather a fully credible offensive assured destruction capability.

"The so-called heavy ABM shield—at the present state of technology—would in effect be no adequate shield at all against a Soviet attack, but rather a strong inducement for the Soviets to vastly increase their own offensive forces. That, as I have pointed out, would make it necessary for us to respond in turn—and so the arms race would rush hopelessly on to no sensible purpose on either side.

"Let me emphasize—and I cannot do so too strongly—that our decision to go ahead with a limited ABM deployment in no way indicates that we feel an agreement with the Soviet Union, or on the limitation of strategic nuclear offensive and defensive forces, is any the less urgent or desirable.

"The road leading from the stone ax to the ICBM—though it may have been more than a million years in the building—seems to have run in a single direction.

"If one is inclined to be cynical, one might conclude that man's history seems to be characterized not so much by consistent periods of peace, occasionally punctuated by warfare; but rather by persistent outbreaks of warfare, wearily put aside from time to time by periods of exhaustion and recovery—that parade under the name of peace.

"I do not view man's history with that degree of cynicism, but I do believe that man's wisdom in avoiding war is often surpassed by his folly in promoting it.

"However foolish unlimited war may have been in the past, it is now no longer merely foolish, but suicidal as well.

"It is said that nothing can prevent a man from suicide, if he is sufficiently determined to commit it.

"The question is what is our determination in an era when unlimited war will mean the death of hundreds of millions—and the possible genetic impairment of a million generations to follow?

"Man is clearly a compound of folly and wisdom—and history is clearly a consequence of the admixture of those two contradictory traits.

"History has placed our particular lives in an era when the consequences of human folly are waxing more and more catastrophic in the matters of war and peace.

"In the end, the root of man's security does not lie in his weaponry.

"In the end, the root of man's security lies in his mind.

"What the world requires in its 22d year of the atomic age is not a new race towards armament.

"What the world requires in its 22d year of the atomic age is a new race towards reasonableness.

"We had better all run that race.

"Not merely we the administrators. But we the people.

"Thank you, and good afternoon."

In summary I would conclude that it is just simply poor economics to commence this year to pay $1 billion annual premiums on an insurance policy that will be due in 10 years, that may limit damage by 5 million casualties from a Chinese threat and maybe not, where the policy has no cash surrender value because of obsolescence from the start and where an unplanned dividend probably would be maximized Soviet threat retaliation. On this simple issue the Congress should pass a judgment.

The CHAIRMAN. The Chair recognizes the gentleman from California [Mr. HOSMER].

Mr. HOSMER. Mr. Chairman, we are being asked for a curious reason, not because the ABM system is defective or is a bad idea of anything else—we are being asked to stop it simply because some negotiations have been announced. Unilaterally we are supposed to stop it. What happened during the last 4 years, I ask, during the negotiations on the nonproliferation of nuclear weapons treaty? The Soviet Union did not stop. As a matter of fact, they quadrupled the deliverable on the United States megatonnage. It boosted the quality of its submarines in the order of magnitude of many times and boosted its quantity by an amazing amount. I submit that the man's logic is illogic.

The CHAIRMAN. The Chair recognizes the gentleman from New York [Mr. RYAN].

Mr. RYAN. Mr. Chairman, I rise in support of the amendment offered by the gentleman from California [Mr. LEGGETT]. The arguments against the deployment of an anti-ballistic-missile system at this time have been presented widely in the cogent additional views of the gentleman from California [Mr. LEGGETT], in last month's Senate debate, by Senator SYMINGTON, who is certainly no foe of the Department of Defense, and by Secretary McNamara himself.

In his statement of January 1967, Secretary McNamara summarized the arguments against ABM as follows:

First, an anti-ballistic-missile system would only encourage the Soviet Union to increase its offensive missile capability, which would in turn necessitate that the United States do the same. The result would be a costly and destabilizing increase in the missile race.

Second, our superiority over the Chinese capability is such that an ICBM attack by them would be suicidal and irrational. Where their national survival is concerned, are the Chinese any less prudent than the Soviets?

Third, by the time we mount such a system, it will be virtually technologically obsolete. The gentleman from California has detailed in his views the Soviet offensive systems already in existence which could penetrate a "thin" ABM screen.

Fourth, Secretary McNamara said that it is simply more economic to devote our resources to maintaining offensive superiority or parity than to pursue an ABM system.

And fifth, an ABM deployment would have a negative effect on stabilization of the arms race. This statement is made more vivid and immediate by the conclusion of the Nuclear Nonproliferation Treaty and the statement by Premier Kosygin, which the United States welcomed, that the Soviet Union would agree to talks on the limitation of the missile race.

Another factor which Secretary McNamara did not allude to directly in his January 1967 statement is cost. At a time when expenditures for the next fiscal year are to be cut back by $6 billion, with a resulting drastic effect on vital social welfare programs, it is an affront that a $5.5 billion missile system should be called "thin." This is an indication of the extravagance of the military planners and the warped national priorities of our time.

No ABM system can save this country from internal decay and disruption.

Yet, last September, after essentially reiterating the arguments against deployment of the ABM, Secretary McNamara made a decision at odds with his own logic: to proceed with a "thin" ABM on the dubious theory that it would be available to meet an irrational act by China. This is an indication of the power of the military, which virtually compelled, against sound strategic logic, the decision to begin the journey down this road. Surely, once we have a thin ABM, some general will point out what was known all along—that it is useless against Soviet missiles—and the demand will be raised to "thicken" the screen. The estimated cost for that is $40 to $50 billion.

To proceed at this time will upset the strategic balance, poison the climate for serious arms limitations, encourage the Soviets to increase their missile capability, and cost new billions which we can ill afford.

Congressional Quarterly on June 28, 1868, quoted highly placed Pentagon officials as acknowledging that some $10.8 billion could be cut from non-Vietnam military spending without impairing national security. The place to begin is with the open-ended Sentinel program.

This bill represents about 25 percent of the $80 billion military budget. This imbalance in the allocation of our national resources must be reversed.

Mr. Chairman, there is another point about this bill which I want to raise. Section 303 of title III extends for another year the authority of the President to order units of the Ready Reserve to active duty. We are approaching the state of permanent warfare in Vietnam. Even though public criticism has been muted by the President's announcement that he would not seek reelection coupled with the initiation of preliminary negotiations, the war continues. It is just as bloody, the destruction is just as great, and the premises are just as false as they have been since it was Americanized in 1965.

By extending the authority for the President to call up the reserves, Congress accepts the continuation of the war, and mortgages our young men and our commitment to solve the Nation's domestic problems for another year.

The CHAIRMAN. The Chair recognizes the gentleman from California [Mr. BROWN].

Mr. BROWN of California. Mr. Chairman, I rise in support of this amendment. I associate myself with the arguments which have previously been made. I feel to proceed at this time with this expenditure of money is an unwise allocation of our resources which will not contribute to the strengthening of our country but probably will contribute to its basic weakening. For that reason I support the amendment.

The CHAIRMAN. The Chair recognizes the gentleman from New York [Mr. Dow].

Mr. DOW. Mr. Chairman, I support the Leggett amendment. I believe that this country is going to keep going on spending billions upon billions of dollars of cold cash out of nothing except fear and fantasy of Red China. We are committing ourselves here to more and more of the same in the future.

Mr. Chairman, my recommendation would be to find out a little bit more about Red China and have an opportunity to bring her into the United Nations where we can talk to her and find out just what she is like. This, I think, will save us money in the future.

The CHAIRMAN. The Chair recognizes the gentleman from Minnesota [Mr. FRASER].

Mr. FRASER. Mr. Chairman, I am deeply concerned that in discussing this issue we are allocated only 45 seconds each. I really do not think that this reflects very favorably upon the House of Representatives or upon the committee this afternoon.

Mr. Chairman, there are some very large issues involved in this decision and I am sorry that we will not have the time during which to fully discuss them and bring out some of these other issues.

Mr. Chairman, I support the amendment and I hope it will pass.

The CHAIRMAN. The Chair recognizes the gentleman from New York [Mr. BINGHAM].

Mr. BINGHAM. Mr. Chairman, I also would like to express my regret that on a matter of this importance, a matter involving almost one-half billion dollars that more time is not allowed for discussion thereof. But more importantly there is involved a policy of this country that will affect us for years and years to come. Yet we have less than one-half hour during which to debate this amendment.

I think if the amendment is rejected we are headed into an armaments race and it will not contribute to our security and we are competing with the Russians where we will not be successful.

Mr. Chairman, our security will depend upon our power to destroy them offensively.

The CHAIRMAN. The Chair recognizes the gentleman from California [Mr. COHELAN].

Mr. COHELAN. Mr. Chairman, I am especially pleased to see that there are members of the committee who have taken the place of the old fearless five. As a former member of that very distinguished group, I want to say that I favor the amendment of the gentleman from California.

After a considerable study I find myself unconvinced that it is in the best interests of the United States to proceed with the deployment of a limited anti-ballistic-missile defense at this time. I believe that ABM deployment now would be unnecessary, unwise, and a misuse of precious resources.

These are conclusions not idly arrived at. They are drawn largely from five simple facts.

Limited ABM deployment will not save American lives;

ABM deployment this year is not necessary to our security against China;

ABM deployment threatens to renew the arms race;

ABM is enormously costly, especially at this time; and

ABM may be obsolete or ineffective even before it is operational.

These are striking facts. But they are all ones which I believe can be supported with expert testimony.

I would like to proceed with a brief review of each of these points.

First. The limited Sentinel ABM will not save American lives. This may seem startling—but it is the fact. It results simply because the Soviets like ourselves, cannot refuse to respond to developments by the other side which threaten our assured deterrence capability.

Accordingly, to overcome our ABM the Soviets would most likely deploy more and better equipped offensive missiles, and perhaps continue with the deployment of their own light ABM. Because the Soviets, like ourselves, must prepare for the worst plausible case, they must prepare for an ABM which will be nearly perfect until it is overwhelmed. They will thus build far more offensive missiles than they need, and in the event of an exchange, more damage will be done to the United States than if they had not been forced to respond to our ABM deployment.

Simply put, this means ABM will cost American lives, not save them.

Second. ABM deployment this year is not necessary to our security against China. Again, this fact may seem striking in view of the common response to the Secretary of Defense statement in September 1967 that we had to act then to have our ABM in time for the supposed Chinese threat. Yet, statements made only a few weeks and months ago to the Congress by high officials of the Defense Department show that the Chinese are at least 1 year behind the timetable we estimated they would have to follow to have an ICBM in the mid-1970's. The turmoil in China continues. It would appear that with the Chinese a year behind or more, we could afford to postpone this decision for at least a year while developments in technology and in arms control have an opportunity to work their will.

In addition, I still find it remarkable that we do not believe that the deterrent we possess against the Soviets will also be an adequate deterrent against the weaker Chinese. Further still we do not even know if the Chinese will deploy intercontinental missiles against which an ABM would be a defense, or if they do whether they will not also build cheaper and less vulnerable submarine launched missiles, against which ABM will not be effective.

In sum, the Chinese threat does not force us to deploy ABM at this time.

Third. ABM deployment threatens to renew the arms race. This is a fact which must be clear to us all. In the past several months we have heard of the development of fantastic new destructive weapons—multiple guided warheads, orbiting bombs—these are not deployed weapons, but weapons which could be deployed in response to the need to protect the strategic capability of either ourselves of the Soviet Union. A threat to this capability, like the ABM, will likely set off a new round of increased numbers and sophistication of offensive weapons—a renewed arms race. In the end we will both have to remain capable of making the other side believe that it will be destroyed if it engages in nuclear war. Quite simply, effective parity or ability to inflict nuclear destruction is the basis of our defense. Every improvement we make will be reflected by the Soviets. Neither we nor they can hope to get more defense simply by deploying more systems—unless the other side does nothing.

This is the logic of the mutual interest of the U.S.S.R. and ourselves in arms limitation discussions. I believe that if we were to delay the ABM decision for another year it would serve to give Soviet negotiators a chance to show their true colors before Congress acted on this system.

ABM will launch us into a new round in the arms race. It is a decision involving billions of dollars and millions of lives. We should tread slowly and carefully. We can afford to wait a year.

Fourth. ABM is enormously costly, especially at this time, $5 billion—or is it $15 billion—is an immense amount of money. It is the annual wages of 500,000 families earning $10,000 a year. But this year it is even more because it will come at the expense of desperately needed programs for deserving people right here in this country. How can we explain spending hundreds of millions for antimissile missiles, against hypothetical threats, when we say we cannot afford smaller sums for food stamps, health care for starving children?

We voted this year to reduce Federal expenditures by $6 billion. If these cuts are not to come from the programs providing vital, and that means in some cases life-preserving services, they must come from in good measure from defense. ABM is in the view of the former Secretary of Defense only marginally desirable. If cuts must be made, and surely they must, let us cut out the marginal items and preserve the vital ones.

Fifth. ABM may be obsolete or ineffective even before it is operational.

Shocking? It should not be. The Nike-Zeus ABM which we were urged to deploy in 1959 would have been by common consent obsolete and ineffective by 1963 when it would have been deployed. The same fate is built in to the Sentinel. By the admission of our experts it will have no capability against incoming weapons with any penetration aids. Yet any enemy building ICBM's today must certainly include penetration aids if we have an ABM. Accordingly, our unsophisticated system may already be passed by. Certainly it would constantly have to be updated and remodeled. Some experts have even estimated that we would have to be prepared to turn over the whole system every 10 to 15 years. That means it would be obsolete almost as fast as we built it. Is this the kind of stable defense on which we want to rest the security of this country and invest billions of dollars of taxes in the future without surcease?

Gentlemen, I say to you we should not dash headlong into these decisions. The subtleties of strategic theory are difficult, but they are worth the pain of the attention it takes to master them, for I can think of no decisions we make which are more important than those we make in connection with nuclear arms.

I believe that with patient study the vast majority of you would believe with me that the Sentinel ABM is a luxury we can do without this year.

Mr. Chairman, there have been some excellent arguments made here today and I particularly wish to compliment the gentleman from California [Mr. LEGGETT] for the excellent presentation of this amendment to the bill before us today and for the efficient manner in which he has argued his case.

The CHAIRMAN. The Chair recognizes the gentleman from Florida [Mr. BENNETT].

Mr. BENNETT. Mr. Chairman, I rise in opposition to the amendment because it seems to me there are three main reasons why we should oppose this amendment.

First of all, to protect ourselves against Red China and the threat of Red China's offensive activities.

Secondly, to give us the know-how with which to build a weapons system against any other possible enemy. And third, which I think is a most important issue: our country is the most effective peace-minded country in the world and I do not feel that we can fulfill this responsibility in the world unless we can negotiate from strength. Therefore, I think we should do everything we can to see that these funds are made available.

The CHAIRMAN. The Chair recognizes the gentleman from California [Mr. LEGGETT].

Mr. LEGGETT. Mr. Chairman, I think most of the Members of the House today have really just a thumbnail's opinion of what this program is all about. When you spend $1 billion a year you affect the whole country. This ABM program creates about 100 sites, and many of these sites will have 700 personnel attached to them. The $40 billion will largely purchase the hardware. It will cost us additionally $1 billion a year to maintain the most expensive fire department ever created in the United States.

There has been some discussion to the effect that the adoption of my amendment, as the gentleman from southern California said, would stop our ABM program. That is not true, because there is one-half billion dollars left in this bill.

The CHAIRMAN. The Chair recognizes the gentleman from Texas [Mr. WRIGHT].

Mr. WRIGHT. Mr. Chairman, this system is, by its very nature, a defensive system. It poses no offensive threat against anyone and poses no threat at all against anyone who has no offensive designs against this country.

I ardently wish, and earnestly hope, successful negotiations with the Russians on disarmament, but I do not believe that taking down our defenses will assist us in these negotiations at this time. For that reason, Mr. Chairman, I oppose the amendment.

Mr. LEGGETT. Mr. Chairman, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The CHAIRMAN. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. LEGGETT. Mr. Chairman, I take this additional time to point up one of the actions of a major magnitude being taken in the pending authorization bill. That action is to concur with a crusade that has been carried on in the Senate for the past 3 years to terminate the F–111B Navy version of the sweep wing aircraft.

In the pending bill our House committee has eliminated $388.8 million for the procurement of this aircraft and an additional item of $71.84 million for further research, development, test, and evaluation.

I am personally satisfied that our committee action in past years spending over one-half billion dollars in this program was not erroneous.

I am satisfied that the original purpose to develop a common aircraft between the Air Force and Navy was sound in principle.

I am satisfied that the contractor, General Dynamics, has substantially satisfied their part of the bargain in providing aircraft to substantially meet the requirements set by the Air Force and the Navy.

However, I am also cognizant that the Navy Department has restudied its overall requirements for fleet air defense and close air-to-air combat and has determined that the size of the F–111B aircraft is inconsistent with their new objectives. This being the case it is probably in the public interest that this program be terminated at this time.

I would like to include in the RECORD, however, at this point an editorial which appeared in this morning's Washington Post which sets forth perhaps the real rationale of why the Navy Department is scuttling this program in favor of a new VFX–1 aircraft which undoubtedly will have many of the characteristics pioneered in the development of the F–111B.

CARRIER VERSION OF F–111 IS HALTED BY PENTAGON

(By John Maffre)

The Pentagon yesterday issued a stop-production order on a plane the Navy never wanted, the carrier version of the swing-wing F–111 fighter-bomber.

Air Force Secretary Harold Brown told the prime contractor at Fort Worth, Tex., General Dynamics Corp., to stop development, production and support work on the F–111B.

The decision, inevitable after Congress refused to vote more money for the F–111B, will not affect production of well over 1000 fighter, bomber and reconnaissance versions—generally called the F–111A—for the Air Force.

But industry sources say unit costs for the cheaper Air Force versions, reckoned at just over $6 million per operational plane, will rise considerably.

ONLY SIX DELIVERED

The Navy version with its Phoenix missile had been expected to cost at least $8.2 million each. Only six of some 277 programmed were ever delivered to the Navy, and none has ever landed on a carrier.

The move writes off a long-standing fight by former Defense Secretary Robert S. McNamara to build a plane suitable for both the Air Force and Navy.

It also means hope of providing the Navy with a fleet defender by 1971 will be set back at least two years, despite Navy success in getting five planemakers to expedite action on proposals to build an alternative known so far as the VF–X1.

Yesterday's order to the Air Force-Navy Systems Program Office at Wright Patterson AFB in Ohio does not stop work on the turbofan engine planned for the VF–X1 as well as F–111 versions, or on the Phoenix missile for the Navy that the VF–X1 must carry.

TO BE NARROWED DOWN

The bids by the five planemakers are expected to be narrowed down to two next month, and a selection made in October. The firms are: General Dynamics; Grumman Corp., major subcontractor on the F–111 program; North American Rockwell; McDonnell Douglas; and LTV (Ling-Temco-Vought).

The Navy said yesterday about $200 million had been spent on the F–111B, much of it for test aircraft that will be used in continuing engine and missile tests.

On July 2 the House virtually shot down the F–111B when it upheld Senate action to deny $460 million to continue with the project, though the Pentagon had lowered its request from 30 to 8 additional planes.

Funds for 17 were appropriated by Congress over the years and six were delivered to the Navy, including one which crashed in 1967. A seventh is to be delivered next month.

The Navy's chief objection—in public—had been the weight of the F–111B, which had run to some 75,000 pounds ready for combat. But privately it resented having to accept a plane programmed mainly by the Air Force, because the Navy has always felt its own history of developing combat planes was superior.

The CHAIRMAN. The Chair recognizes the gentleman from Missouri [Mr. RANDALL].

Mr. RANDALL. Mr. Chairman, there has been a lot said about the cost of the thin ABM being $5 billion. There has been a lot said today about priorities. Now in the first place, we are not talking about $5 billion. The amendment of the gentleman from California involves only about $600 million. Then turning to priorities I can think of no higher priority than our own national security and our own national defense. Therefore, Mr. Chairman, I have no alternative but to oppose the amendment.

Whether or not the Sentinel system will be effective against the Soviets' sophisticated MIRS, the answer is, no one can be sure. The Spartan has been tested and we know that our thin system can meet the Chinese threat. I repeat, we cannot take our eyes off a country as irresponsible as Red China. What this thin system will accomplish, however, is that it will enable us to continue on in our research and development, leading perhaps to a more sophisticated system. The argument is fallacious, that an ABM system will only spur our enemies to greater activity, because the fact is that the Russians may already have an effective ABM system. If we are going to forego our activities in the area of a thin ABM just to avoid spurring the Russians to greater activity for their own defense, then it was so aptly put by the ranking minority member of our committee, we had just as well go back to the use of bow and arrow.

The best way to put the use of an ABM in perspective is to say again that we know it would be effective against the Chinese threat, and the only way we will know whether it will be effective against the Soviets is to go ahead and continue to develop it or make it more sophisticated. It is far better to try to improve an ABM system than it is to wait until it is too late and wake up to find that we have no defense at all, while our enemies have perfected a defense against our ICBM's.

True, our thin ABM is only a beginning. We are late getting started. But the only way you ever make progress is to get started.

The time to start is now. We had better move while we still have time.

The CHAIRMAN. The Chair recognizes the gentleman from Illinois [Mr. Price].

Mr. PRICE of Illinois. Mr. Chairman, I oppose the amendment offered by the gentleman from California for the good, sound reasons just given by our colleague from Texas [Mr. Wright].

The CHAIRMAN. The Chair recognizes the gentleman from South Carolina [Mr. Rivers].

Mr. RIVERS. Mr. Chairman, this is not a full-fledged ABM system, this is a "thin" system, as it is called. The Secretary of Defense wants to get this off the drawing board. This thin deployment is a simple recognition of the current situation in the world, so that our country will not come out second, for if we were to come out second in this race, Mr. Chairman, it would mean that we would come out last.

I, for one, am not willing for our country to come out last. Mr. Chairman, I oppose the amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from California [Mr. Leggett].

The question was taken; and on a division (demanded by Mr. Leggett) there were—yeas 40, nays, 147.

So the amendment was rejected.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

TITLE II—RESEARCH, DEVELOPMENT, TEST, AND EVALUATION

Sec. 201. Funds are hereby authorized to be appropriated during the fiscal year 1969 for the use of the Armed Forces of the United States for research, development, test, and evaluation, as authorized by law, in amounts as follows:

For the Army, $1,641,900,000.

For the Navy (including the Marine Corps), $2,192,721,000, of which (a) $46,900,000 is authorized to be appropriated only for the development of the PHOENIX missile system, (b) $70,000,000 is authorized to be appropriated only for the development of the VFX–1 aircraft, (c) $4,000,000 is authorized to be appropriated only for development of an improved nuclear attack submarine to be included in the fiscal year 1970 procurement program, and (d) $16,400,000 is authorized to be appropriated only for an improved nuclear-powered attack submarine of new design to be procured in years after fiscal year 1970.

For the Air Force, $3,553,808,000; and

For the Defense Agencies, $487,522,000.

Sec. 202. None of the funds authorized to be appropriated by this Act may be used for development or procurement of the F–111B aircraft.

TITLE III—RESERVE FORCES

Sec. 301. For the fiscal year beginning July 1, 1968, and ending June 30, 1969, the Selected Reserve of each reserve component of the Armed Forces will be programed to attain an average strength of not less than the following:

(1) The Army National Guard of the United States, 400,000.

(2) The Army Reserve, 260,000.

(3) The Naval Reserve, 128,407.

(4) The Marine Corps Reserve, 47,204.

(5) The Air National Guard of the United States, 77,371.

(6) The Air Force Reserve, 45,526.

(7) The Coast Guard Reserve, 17,700.

Sec. 302. The average strength prescribed by section 301 of this title for the Selected Reserve of any reserve component shall be proportionately reduced by (1) the total authorized strength of units organized to serve as units of the Selected Reserve of such component which are on active duty (other than for training) at any time during the fiscal year, not including those units ordered to active duty in January 1968, and (2) the total number of individual members not in units organized to serve as units of the Selected Reserve of such component who are on active duty (other than for training or for unsatisfactory participation in training) without their consent at any time during the fiscal year. Whenever any such units, including those units ordered to active duty in January 1968, or such individual members are released from active duty during any fiscal year, the average strength for such fiscal year for the Selected Reserve of such reserve component shall be proportionately increased by the total authorized strength of such units and by the total number of such individual members.

Sec. 303. Subsection (e) of title I of Public Law 89–687 (80 Stat. 981) is amended by deleting "June 30, 1968" and substituting "June 30, 1969".

TITLE IV—GENERAL PROVISIONS

Sec. 401. Subsection (a) of section 401 of Public Law 89–367, approved March 15, 1966 (80 Stat. 37), as amended, is hereby amended to read as follows: "Funds authorized for appropriation for the use of the Armed Forces of the United States under this or any other Act are authorized to be made available for their stated purposes to support (1) Vietnamese and other Free World Forces in Vietnam, (2) local forces in Laos and Thailand; and for related costs, during the fiscal year 1969 on such terms and conditions as the Secretary of Defense may determine."

Sec. 402. Notwithstanding any other provision of the law, the civilian employee manning levels at naval shipyards shall be exempt from any numerical manpower limitations applicable to the Navy, but shall be governed by the availability of funds allocated for ship construction, conversion, overhaul, alteration, and repair.

Sec. 403. No funds authorized to be appropriated by this Act, or any other Act, shall be expended after January 1, 1969, by any armed force of the United States for the contract procurement of commercial airlift utilizing piston powered aircraft until contract preference has been given to offerors of modern turbine powered aircraft of comparable capacity. *Provided,* That no funds may be appropriated after January 1, 1969, or expended after January 1, 1969, to or for the use of any armed force of the United States for the contract procurement of commercial airlift unless the appropriation of such funds has been authorized by legislation enacted after June 30, 1968.

Sec. 404. (a) Chapter 163 of title 10. United States Code, is amended by adding at the end thereof the following new section:

"§ 2576. Obsolete and surplus military equipment: sale to State, local law enforcement, and firefighting agencies

"(a) The Secretary of Defense, under regulations prescribed by him, shall sell to State, local law enforcement and firefighting agencies, at fair market value, obsolete and surplus military equipment which is useful in equipping such agencies to carry out their functions and duties.

"(b) Obsolete and surplus military equipment shall not be sold under the provisions of this section to a State, local law enforcement or firefighting agency unless request therefor is made by such agency, in such form and manner as the Secretary of Defense shall prescribe, and such request, with respect to the type and amount of equipment so requested, is certified as being necessary for the operation of such agency by the Governor (or such State official as he may designate) of the State in which such agency is located. Equipment sold to a State, local law enforcement or firefighting agency under this section shall not exceed, in quantity, the amount requested and certified for such agency and shall be for the exclusive use of such agency. Such equipment may not be sold, or otherwise transferred, by such agency to any individual or public or private organization or agency."

(b) The table of sections at the beginning of chapter 153 of such title is amended by adding to the end thereof the following:

"2576. Obsolete and surplus military equipment: sale to State, local law enforcement, and firefighting agencies."

Sec. 405. No funds authorized for appropriation for the use of the Armed Forces of the United States under the provisions of this Act or the provisions of any other law shall be available for the purchase, lease, rental, or other acquisition of multipassenger motor vehicles (buses) other than multipassenger motor vehicles (buses) manufactured in the United States, except as may be authorized by regulations promulgated by the Secretary of Defense solely to insure that compliance with this prohibition will not result in either an uneconomical procurement action or one which would adversely affect the national interests of the United States.

Sec. 406. Section 2304(g) of title 10, United States Code is amended by inserting a comma after the word "proposals" where first used in that section and inserting after the comma the words "including price,".

Sec. 407. (a) Section 136 of title 10, United States Code, is amended—

(1) by inserting after the first sentence in subsection (b) the following new sentences: "One of the Assistant Secretaries shall be the Assistant Secretary of Defense for Health Affairs. He shall have as his principal duty the overall supervision of health affairs of the Department of Defense,", and

(2) by adding at the end thereof the following new subsection:

"(g) Within the Office of the Assistant Secretary of Defense for Health Affairs there shall be a Deputy Assistant Secretary of Defense for Dental Affairs who shall be appointed from civilian life by the President, by and with the advice and consent of the Senate. Subject to the supervision and control of the Assistant Secretary of Defense for Health Affairs, the Deputy Assistant Secretary shall be responsible for all matters relating to dental affairs within the Office of the Assistant Secretary of Defense for Health Affairs."

(b) Until otherwise provided by operation of law, the individual holding office as the Deputy Assistant Secretary of Defense (Health and Medical) on the effective date of this section shall perform the duties of the office of the Assistant Secretary of Defense for Health Affairs established by this section.

Mr. ICHORD (during the reading). Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state his parliamentary inquiry.

Mr. ICHORD. Mr. Chairman, my parliamentary inquiry is this: Is the bill open for amendment at any point?

The CHAIRMAN. The Chair will state that the bill is not open for amendment at any point.

Mr. ICHORD. Mr. Chairman, I ask unanimous consent that the further reading of the bill be dispensed with, and that the bill be printed in the RECORD and open to amendment at any point.

The CHAIRMAN. Is there objection to the request of the gentleman from Missouri?

There was no objection.

AMENDMENT OFFERED BY MR. ICHORD

Mr. ICHORD. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

> Amendment offered by Mr. ICHORD: On page 7, line 23, strike out "1,641,900,000" and insert "$1,631,900,000 of which $70,400,000 is authorized to be appropriated only for programwide management and support."

Mr. ICHORD. Mr. Chairman, the amendment, I have offered is not subject to the arguments directed against the amendment of the gentleman from New York [Mr. PIKE]. In the first place, the amendment involves a much smaller sum—only $10 million; second, it does not concern the procurement of hardware; and third, it can in no way be construed to be detrimental to the defense of the Nation.

I had intended to offer an amendment reducing Army programwide management and support in the amount of $20 million in the committee when the bill was marked up; however, I was necessarily absent due to my presence in my congressional district to fulfill a previous engagement. The amendment was courteously considered by the committee but was reduced by $10 million. Had I been present I am sure that I would have been able to convince the committee of the full merits of the amendment. Therefore, I offer this amendment which will make a total cut of $20 million.

This amount happens to be the difference between the General Motors contract price and the Maremont proposal. I can think of no better place to recoup the $20 million waste than out of the budget of management and support where the mistakes were made in the M-16 program that should not have been made by BB gun experts. This amendment cannot be construed as too harsh a penalty because the budget activity will still receive the same amount of money it received last year if the amendment is adopted and there is a total amount elsewhere in the bill for program support in the amount of approximately $280 million. The security of the Nation may well be enhanced if the personnel of the activity are reduced in number. In the investigation by my subcommittee, we found so many people involved in the decisionmaking process that no one seemed to know what was going on. It was extremely difficult to pinpoint responsibility. The left hand did not know what the right hand was doing. There was a failure to act or the managers were too slow to act and there were people making decisions who did not possess the facts with which to make an intelligent decision. Therefore, this program is an excellent place to recoup a part of the waste in the program. I would hope that the committee will agree to the amendment.

Mr. RIVERS. Mr. Chairman, will the gentleman yield?

Mr. ICHORD. I yield to the distinguished chairman of the committee, the gentleman from South Carolina [Mr. RIVERS].

Mr. RIVERS. The gentleman is absolutely right, and we accept the amendment.

Mr. BATES. Mr. Chairman, will the gentleman yield?

Mr. ICHORD. I yield to the distinguished gentleman from Massachusetts.

Mr. BATES. We are happy to accept the amendment.

Mr. JOELSON. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I think the Committee on Armed Services has been involved in top secret material for so long that perhaps they have taken to writing their committee report in code. Because I read it very carefully and I understood the first sentence which says that there is a good relationship between the Congress and the Department of Defense.

Then let me read the second sentence:

> This—

Referring to this good relationship—

> is brought about by a new atmosphere, an ambiance (a-m-b-i-a-n-c-e) of cooperation that foretells what the Committee on Armed Services has always sought; a truly synergistic (s-y-n-e-r-g-i-s-t-i-c) alliance with the Secretary of Defense.

I will yield to the gentleman from South Carolina [Mr. RIVERS] for a definition of the word "ambiance" and "synergistic". I think I know what they mean——

Mr. RIVERS. The gentleman knows as well as I do.

Mr. JOELSON. I think I know what they mean. I think they mean "Department of Defense will get another massive authorization." I was a Phi Beta Kappa in my junior year, but I must confess my uncertainty.

This ovation that I have received has restored my faith in the House of Representatives because I thought you were not interested in scholarship.

Now let me go on and read some more of this:

> We must avoid with equal care a pessimistic apathy and a querulous activitism, an activism which suggests, but does not fulfill, an image of purposive movement.
>
> In matters of defense the Congress has always represented the holding up of absolute standards of aggressive responsibility as against an ethos of compromise;

Now I want to congratulate the committee on its erudition.

Then it goes to quote Carl Sandburg. It says:

> From a budgetary standpoint we can all look with hope to a time when legislation of this magnitude will not be necessary—
>
> "Sometime," the little girl in the Carl Sandburg poem said,
>
> "Sometime they'll give a war and nobody will come."

I would suggest that peace is to be desired from much more than a budgetary standpoint, and I think Mr. Sandburg would be desolate about the context in which his words were used.

But let me just conclude by quoting this from the report:

> At this juncture in world affairs, there is no real answer but strength—lest faith move but mustard seeds.

I congratulate the committee on its erudition and poesy.

Mr. RIVERS. Mr. Chairman, will the gentleman yield?

Mr. JOELSON. I yield to the gentleman from South Carolina.

Mr. RIVERS. I do agree that maybe we have too many Phi Beta Kappas on our side.

Mr. JOELSON. Mr. Chairman, I yield back the balance of my time.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Missouri [Mr. ICHORD].

The amendment was agreed to.

Mr. LEGGETT. Mr. Chairman, I move to strike the last word.

I had another amendment on the ABM system, but considering the fact that this House has pretty well expressed itself on this issue—I do not know how knowledgeably, but I am willing to yield to majority rule, and particularly the strong majority that has been recorded—I am not going to offer any further amendments on this program.

AMENDMENT OFFERED BY MR. SISK

Mr. SISK. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

> Amendment offered by Mr. SISK: On page 10, lines 21 and 22, strike out "January 1, 1969" and insert "July 1, 1969".
>
> On page 11, line 2, strike out "January 1, 1969" each time it appears and insert in lieu thereof "July 1, 1969".

The CHAIRMAN. The gentleman from California is recognized in support of his amendment.

Mr. SISK. Mr. Chairman, I hesitate to take the time of the committee at this late hour because I am sure we are all anxious to vote tonight and get out of here. I want to commend the committee, as I did earlier in my discussion during the discussion on the rule, for bringing us a very fine bill, as they always do.

I want to say with reference to section 403 of title IV, that again I join with my good friend from South Carolina and the gentleman from Illinois [Mr. PRICE] in the objectives that they seek in improving our airlift capability and the changeovers that are necessary in order to improve it. As I discussed at that time, I asked for an additional six months for this changeover period. That is all this amendment amounts to.

If you will note, section 403 of title IV provides actually for only 6 months. In other words, any company doing contract work for the military must have converted to jet-operated aircraft by January 1. The amendment would change that date to July 1, 1969, which simply gives them 1 year rather than 6 months.

I would urge my good friend from South Carolina and the Members to go along with this, because I am sure that in spite of their efforts—and I know they have been great—there will be no substantial losses and there will be no substantial endangering of our security by the allowance of these extra 6 months. I further understand from the Air Force that it would actually amount to some little savings in funds.

I would hope that the House would support the giving of the smaller company—and there are a number of them over the country—an opportunity to make this conversion and to convert their fleet to jet engines. I urge the adoption of the amendment.

Mr. RIVERS. Mr. Chairman, I wonder if we can arrive at a time limitation on all amendments. I ask unanimous consent that all debate on the bill terminate at 7:15, and I ask unanimous consent that 5 minutes of that time be granted the gentleman from Florida [Mr. PEPPER].

Mr. LEGGETT. Mr. Chairman, I object.

Mr. RIVERS. Mr. Chairman, I move that all debate on this bill——

Mr. RAILSBACK. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. RAILSBACK. There are several amendments still pending. I wonder whether time will be made available for those of us who have pending amendments.

The CHAIRMAN. That will depend upon the motion offered by the gentleman from South Carolina.

Mr. RIVERS. Mr. Chairman, I move that all debate on the bill and all amendments thereto terminate at 7:15 p.m.

The CHAIRMAN. The question is on the motion offered by the gentleman from South Carolina.

The motion was agreed to.

The CHAIRMAN. The Chair recognizes the gentleman from Florida [Mr. PEPPER].

Mr. PEPPER. Mr. Chairman, I rise in support of the amendment offered by the able gentleman from California. All this does is to ask for 6 months more than the 6 months which are accorded by the committee to the carriers who transport Air Force supplies between airbases by piston airplane. Give them 6 months more—1 year—as the Air Force wants to have done, to convert to the turboprop planes. This is a reasonable request. It will save the Air Force $2 million a year.

The CHAIRMAN. The Chair recognizes the gentleman from Illinois [Mr. PRICE].

Mr. PRICE of Illinois. Mr. Chairman, I rise in opposition to the amendment.

The procurement policy adopted some 7 or 8 years ago, whereby preference was given to participants in the Civil Reserve Air Fleet program, had the objective of strengthening the Civil Reserve Air Fleet on the premise that the full and proper use of civilian airlift resources in peacetime and war emergencies ultimately would produce savings in military capital equipment and benefit the public through a healthier industry and lower cost air transportation. I believe this objective in the main has been met. However, the award of contracts to those carriers who refuse to modernize or are too slow to modernize does not contribute to this objective.

It has been said that section 403, if adopted, would put one supplemental airline out of business. Let us examine the facts. This particular airline has received a substantial amount of the military airlift contracts for 16 years. What has it done in modernizing its domestic fleet? It has acquired obsolescent DC–6's and DC–7's. With that obsolete equipment, this carrier received over $44 million in airlift contracts from the Military Airlift Command during the past 2 fiscal years.

An argument used against section 403 is that the carriers should be given time to acquire modern turbine-powered equipment. Carriers other than the complainant have taken note of the long-established policy of modernizing the Civil Reserve Air Fleet and have acquired or ordered turbine-powered equipment. In response to the recent Air Force request for proposal for domestic airlift for fiscal year 1969, some 33 turbine-powered aircraft were offered to the Air Force in the proposals submitted. This number is more than sufficient to perform the domestic airlift mission. Also, this would provide an expansion capability of an additional 100 percent and more.

Is it fair to give preferential treatment to one carrier at the expense of others who have invested money in more modern equipment on the basis of the announced policy that contract preference would be given to modern turbine powered equipment? One carrier reported to the Committee on Armed Services that it had invested over $47 million in modernizing to meet the domestic military airlift requirement. Should this airline be penalized and forced to let its equipment stand idle and personnel furloughed while a late starter is given a chance to catch up? I do not think so.

Another carrier reports it has invested approximately $34 million in anticipation that the modernization policy would be carried out as previously described. Should that carrier also be forced to lay off workers and to leave this equipment idle or find other uses for it while the carrier operating obsolescent equipment is given preference?

If preference is given, clearly it should be to those who have invested their funds in acquiring modern turbine-powered equipment and not to one that has acquired cheap obsolescent piston aircraft.

The CHAIRMAN. The Chair recognizes the gentleman from Florida [Mr. SIKES].

Mr. SIKES. Mr. Chairman, I oppose the amendment offered by the distinguished gentleman from California [Mr. SISK]. What it would do would be to stop modernization, and everything we are doing is in the other direction. This would force the continued use of obsolete piston aircraft to protect one carrier at the expense of all the others.

The CHAIRMAN. The Chair recognizes the gentleman from Missouri [Mr. HALL].

Mr. HALL. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, the charter establishing the Military Airlift Command—MAC—assigns to this organization the responsibility of furnishing all airlift required by the Defense Establishment, for the transportation of cargo and passengers, whether performed by military aircraft or by purchase of civil airlift support. MAC is not authorized to perform scheduled passenger or cargo airlift services within the United States. Thus when a need developed for a domestic logistical support system between military installations, this requirement was met by contractual arrangement with civil carriers.

There are two such domestic systems; one—Quicktrans—serving naval bases, the other—Logair—operating between Air Force installations. Under the single-manager concept MAC is assigned the responsibility of procuring contract services to satisfy the requirement of these two logistical support systems.

Hearings before the Special Subcommittee on National Military Airlift in 1960 revealed the need for an increased civil reserve airlift fleet, composed of long-range convertible aircraft, to provide MAC with a reliable, responsive, emergency reserve capability. To accomplish this objective, the Civil Reserve Air Fleet—CRAF—program was expanded. Under this program civil carriers desiring to participate in military contracts were required to modernize their fleets, acquiring long-range convertible aircraft particularly suitable to the needs of the Department of Defense, and to assign those aircraft to CRAF. This commitment required the carriers to make the aircraft available to DOD in the event of an emergency, as determined by the Secretary of Defense, under previously established contract terms and conditions.

In turn, to encourage this modernization of the civil fleet, the Defense Department agreed to give carriers acquiring modern turbine aircraft priority in the award of military airlift contracts. This plan resulted in the successful modernization of the MAC long-range Civil Reserve Fleet, now virtually complete.

In 1966, Congressman PRICE's Airlift Subcommittee recommended and urged the companion modernization of the domestic Logair and Quicktrans supply systems. The modernization of these twin support systems is not proceeding at the pace sought by the committee, and which we had a reason to expect based upon the experience of modernizing the international civil fleet.

A primary reason for this failure appears to be the application of a recently designed cost-effectiveness selection criterion for the determination of MAC international awards to Logair and Quicktrans contract awards. Whether this cost effectiveness technique is useful in determining contract awards involving the modernized international fleet has not been examined, but it seems clear that it fails to encourage the modernization of the domestic civil support fleet. As an incentive for the modernization of the international civil fleet, carriers who acquired long-range convertible aircraft were assured of a priority in the award of military civil airlift contracts, and they were not required to compete against obsolete piston engine aircraft. In the same manner carriers who undertake the acquisition of expensive turbine equipment to modernize the domestic civil fleet must be given assurance of priority for such requirements as exist, and not be required to compete against obsolete, depreciated piston engine aircraft. This is particularly necessary in view of the specialized nature of mechanized system requirements of Logair and Quicktrans.

One important feature of the CRAF program was a requirement that carriers holding military contracts furnish upon request, and without a formal declaration of an emergency by the Secretary of Defense, a specified amount of "expansion" airlift. Usually, this contractual "expansion" requirement was 100 percent of the basic contract award, or put another way, the carriers guarantee to double its award utilization when needed. Unfortunately, in the initial phase of the CRAF program this requirement produced, in the case of some carriers, "phantom" fleets; that is, aircraft, while meeting the test of numbers, were in reality "mothballed," and not immediately operational as represented.

The reason for this is economic—no carrier can afford to maintain aircraft on a purely standby basis, complete with currently qualified crews, maintenance facilities, ground and spare parts support, and so forth. It thus became obvious that the only source of immediately responsive emergency airlift was diversion from nonessential operations. This realization resulted in a change in procurement policy to relate, or limit, the amount of military contract awards to the amount of commercial business being operated by each carrier. The policy today is to grant to no carrier a military contract that exceeds 60 percent of that carrier's projected total business.

In the case of the domestic logistical supply systems, Logair and Quicktrans, experience has not shown a need for this "double" expansion capability. During the past 3 years the expansion requirements on these systems have been less than 5 percent per annum. This small requirement increase is possibly due to the fact that these support systems are geared to the procurement of materiel, as compared to MAC expansion requirements which involve the movement of personnel and cargo over long distances, often on short notice.

Since the aircraft utilized in Logair and Quicktrans are specially configured to accommodate mechanized military cargo systems, which systems are not in general commercial use, to require excess expansion—or standby—capability would obviously reflect in higher rates. It thus follows that expansion requirements in Logair and Quicktrans should be realistically related to probable needs. Excess standby capability would be prohibitively expensive.

For the same reason there is no justification for relating domestic logistical contracts to an equivalent commercial business volume, since the size and configuration of the aircraft most useful to Logair and Quicktrans are not in general commercial use.

The revenue rates for aircraft utilized in Logair and Quicktrans are established by the Civil Aeronautics Board. Quite naturally, rates for modern turbine aircraft, taking into account depreciation and return on much higher investment, are initially greater than rates for obsolete depreciated piston engine equipment. Even in buying airlift you do not *get something for nothing. But history,* in the case of MAC civil airlift rates for modern turbine aircraft, shows that as carriers gain experience dramatic reductions can be expected, finally resulting in overall savings, not even considering the vastly increased reliability of turbine aircraft as opposed to older piston engine aircraft.

The proposed fiscal year 1969 Logair and Quicktrans awards actually are a step backward, as they contemplate the continuation of, and possibly an increase in, the use of older piston engine aircraft, notwithstanding the availability of suitable turbine aircraft. Certainly nothing in this proposed procurement could possibly encourage any carrier to undertake the further modernization of the domestic logistic support civil fleet. In fact, it will more likely serve to diminish what modernization has already been accomplished.

It seems conclusive that if the DC–6A, the remaining piston engine aircraft considered for use on Logair, were an efficient, reliable economically productive aircraft, it would still be in use by the scheduled airlines who will spend millions to shave a fraction of a cent from their costs. Today, only one such aircraft is known to be in cargo use by a scheduled airline.

To insure compliance with its recommendations it, therefore, seems necessary for the Committee to oversee the modernization of the Logair and Quicktrans systems. Accordingly, section 403 will enable the Congress to accomplish its consistently stated goals.

The CHAIRMAN. The question is on the amendment offered by the gentleman from California [Mr. Sisk].

For what purpose does the gentleman from California [Mr. Leggett] rise?

Mr. LEGGETT. Mr. Chairman, I believe I was on the list to be recognized.

The CHAIRMAN. Does the gentleman wish to speak on this amendment?

Mr. LEGGETT. I do.

The CHAIRMAN. The gentleman is recognized.

Mr. LEGGETT. Mr. Chairman, this committee amendment really is in the nature of a private bill, because it is one company against another company. In this kind of a situation we ought to try to preserve the status quo. We ought to try to help out small business. We ought to try to give everyone an opportunity to get contracts and to obtain modern aircraft this committee says the Air Force should want.

This is an opportunity for the Congress to save perhaps $10 million this year. I urge support of the Sisk amendment.

Mr. Chairman, section 403 of title 4 is an amendment added in committee. It is an extremely unwise piece of legislation which would cause serious injury to established air carriers and achieve no positive result.

The provision compels the military agencies effective January 1, 1969, to procure turbine-powered aircraft in preference to piston-powered aircraft for domestic airlift regardless of cost considerations. The amendment which would defer the effectiveness of this mandatory *directive for 6 months until July 1, 1969.* This simple 6-month extension would serve to cure many of the evils of the proposed legislation and itself has no drawbacks.

The legislation would have primary impact upon the Air Force Logair program which consists of daily cargo flights between continental Air Force bases and is performed by private contractors under annual contracts. Unlike international services where turbine equipment is required by the military because of its greater productivity and lower cost, many of the domestic Logair routes involve short hauls and small loads which cannot be economically or efficiently performed by turbine equipment. The result is that it costs the Air Force 30 percent less to procure piston aircraft for many of the Logair services under rates established by the Civil Aeronautics Board. Since piston aircraft can operate these routes as efficiently as turbine equipment, it has been the stated Air Force policy since 1961 to procure these Logair aircraft services largely on the basis of cost. The proposed legislation is unwise for the following reasons:

First. It would override the wishes and policy of the Air Force and Department of Defense and compel them to expend 30 percent more procurement money with no significant resulting benefit to the Government.

Second. It overrides the 1966 recommendation of the Subcommittee on Military Airlift that preference should be given to modern jet aircraft only when the rates are competitive.

Third. It compels the Air Force to procure high cost turbine aircraft for certain Logair services which the military have determined offer no operational or other advantage. Turbine aircraft do not represent a step in the direction of meaningful modernization on the milk-run Logair route patterns.

Fourth. The legislation would not promote the national defense. The fact is that all turbine equipment owned by Logair operators already are committed to the CRAF program for fiscal year 1969, and are available in times of emergency. The proposed legislation will not assist our defense position during fiscal year 1969 in any case.

Fifth. The Air Force has procured turbine equipment in Logair when it has found that such aircraft would perform the job more effectively. An example of this is the introduction of Electra aircraft and the phasing out of piston DC–7 aircraft. Indeed, about two-thirds of the domestic airlift services in fiscal year 1969 will be performed by turbine aircraft without this legislation. Turbine aircraft are being procured as and where they are needed and offer advantages.

Sixth. The basic conflict is between the piston-powered DC–6A aircraft and the turbine-powered DC–9 aircraft which is operated by a single Logair contractor. Not only is the DC–9 30 percent more costly under CAB established rates, but the Air Force recognizes it as a distinctly inferior aircraft for many Logair routes in that it possesses only one cargo door as contrasted with two doors on the DC–6A.

Seventh. The proposed legislation was adopted without prior notice or hearings and would have a disastrous effect upon carriers presently operating piston aircraft such as World Airways and Saturn Airways, which has been in this business for 16 years. Saturn, which is now the largest Logair operator, would be compelled to ground 15 DC–6 aircraft and would be required to layoff approximately 400 of its 580 personnel employed at various of its bases throughout the United States. Many are my constituents.

Eighth. The January 1 effective date of the proposal simply does not give existing piston operators sufficient time to order new turbine equipment. Not only would they be foreclosed from the business but the result would be sole source procurement. Only one Logair carrier—Overseas National Airways—possesses DC–9 equipment which it could offer to the Air Force during fiscal year 1969. Under the existing rules, ONA would obtain a fiscal year 1969 contract of $12.3 million or slightly more than double its fiscal year 1968 level. If the amendment is adopted, ONA will secure a fiscal year 1969 contract of at least $20.8 million—3½ times its fiscal year 1968 level while the participation of Saturn Airways will drop from some $17 million to almost zero.

Ninth. The legislation places the military in a very difficult position. It would have to conduct two procurements during fiscal year 1969 and believes that such a procedure is costly, inefficient and contrary to sound procurement management practices.

Tenth. The legislation is poorly drafted. It may well compel mandatory preference for old and high-cost prop-jet as well as modern, pure jet aircraft. This is anomalous in view of the 1966 recommendation of the Airlift Subcommittee that high cost foreign manufactured prop-jet aircraft be phased out of domestic airlift services.

Eleventh. This legislation tells the military to ignore cost factors. Yet the committee in section 406 of the bill specifically directs the military to consider price factors in future negotiated procurements. I fail to understand the consistency between economy and sound procurement on one hand and wasteful and unnecessary expenditure on the other.

My amendment which delays matters for only 6 months would cure most of the difficulties.

It would give present Logair participants the minimum necessary time to buy turbine equipment and remain in competition.

The Government would not be compelled to resort to sole source procurement and would pay 30 percent less for its procurement during the last 6 months of fiscal year 1969.

The national interest would not be jeopardized as the military are satisfied that piston aircraft can effectively perform the job and all turbine-powered aircraft owned by Logair operators already are available under the CRAF program should a national emergency arise.

The 6-month extension also would give the Military Airlift Subcommittee sufficient time to hold hearings to determine whether we should compel the military to disregard cost and pay 30 percent more for aircraft which they feel offer no advantage and are not required.

In view of the additional cost involved, the disastrous effect upon established carriers who first received notice of this legislation less than 2 weeks ago and have not had an opportunity to be heard, I ask the honorable and distinguished chairman and Members of the House to support my amendment which simply defers the implementation of the turbine-powered preference policy in section 402 for an additional 6 months until July 1, 1969.

I include a letter at this point:

SATURN AIRWAYS, INC.

Hon. ROBERT L. LEGGETT,
U.S. House of Representatives,
Washington, D.C.

DEAR CONGRESSMAN LEGGETT: We understand that an amendment to S. 3932 will be offered in committee which would have disastrous consequences for our company. We first learned of the possibility of legislative action only last week, and our request for a hearing has been unavailing.

The proposed legislation would *prohibit* the military services from procuring any low cost piston aircraft for commercial airlift until all available high cost turbine powered aircraft have been contracted. If enacted, Saturn Airways would be compelled to ground its DC–6A fleet, to lay off the bulk of its employees and to shut down various of its operations and maintenance facilities throughout the country. The proposal is a completely unexpected last minute reversal of existing policies and would force the military agencies to incur a 30% greater procurement cost for domestic airlift with no significant resulting benefits to the Government. We ask your help in defeating the amendment or at least in securing a deferral of its effectiveness until FY–70.

1. I founded AAXICO Airlines in Miami 23 years ago, and in 1965, it merged with Saturn Airways, a smaller supplemental carrier whose name was retained. We have grown steadily and have operated profitably for all but one of our 23 years in business. Saturn today is a financially sound and publicly held company which enjoys a good reputation as a reliable and efficient operator. We are the oldest carrier operating Logair services as AAXICO Airlines received its first Logair contract over 16 years ago. During FY–68 Saturn held a $17.5 million Logair contract making it the largest operator in the program. We today are flying one million miles monthly in Logair with 15 DC–6 aircraft.

The Company presently employs 580 personnel of which over 400 are assigned to the domestic Logair service. The balance is assigned to our international services to Southeast Asia and Europe which are operated with stretched DC–8 jets. In addition to our main operating and maintenance base at Oakland, California, we have bases at Sacramento, California; Ogden, Utah; San Antonio, Texas; Macon, Georgia; Dayton, Ohio; Miami, Florida and New York City. We also have sales offices throughout the United States and Europe.

As the Air Force is procuring large capacity Electra aircraft for FY–69, we would experience approximately a 38% decline in our FY–69 Logair contract even if the proposed legislation were not enacted. If the amendment becomes law, Saturn apparently would be completely forced out of the Logair program. We would have no alternative but to ground our entire DC–6A fleet, to lay off all 400 of our trained employees and to shut down our facilities at Sacramento, Ogden, San Antonio, Macon, Dayton and Miami; our work force at the remaining bases would be substantially reduced.

2. The proposed legislation offers no real benefit to the Government. Its immediate purpose is to force the use of DC–9 aircraft for Logair routes which require a maximum payload of up to 30,000 lbs. Its effect is to compel the Air Force against its wishes to spend 30% more money to obtain turbine equipment for routes which the military has found can be as efficiently and more economically operated by piston equipment.

The DC–9 does not represent any real modernization insofar as these "milk run" Logair routes are concerned. The greater speed of pure jet equipment is of no advantage on short stage length, multi-stop Logair routes. Moreover, the DC–9 is an inferior aircraft as it has only one loading door and provides less flexibility in cargo handling. Unlike longhaul international services, the introduction of pure jet equipment in domestic airlift services has not meant a reduction in cost; just the opposite is true.

The rates which military agencies pay for Logair services are set by the Civil Aeronautics Board after their anual review of the operators' own cost submissions. The FY–69 rate for the DC–9 is 30% higher than that for the DC–6A ($1.51 v. $1.97 per aircraft mile); both aircraft have equivalent payload capability.

The use of turbine equipment on Logair routes 6–7 would cost the Government at least $2.1 million or 30% more than if piston equipment were contracted. And turbine preference for Logair routes 1–5, would cost an additional $2.7 million—again a 30% differential (See Attachment).

Only one other airline (Overseas National Airways) presently is able to offer DC–9 aircraft for Logair. The legislation thus would compel sole source procurement which hardly is required. Under the existing rules, Overseas National would obtain an FY–69 contract of $12.3 million, or slightly more than double its FY–68 level. On the other hand, Saturn would end up with a $10.9 million award which is 38% below last year's level. If the amendment is adopted, Overseas National will secure a FY–69 contract of at least $20.8 million—three and a half times last year's level, while Saturn's participation in all likelihood will sink to zero.

3. The proposed legislation which completely discards cost considerations is an abrupt and unexpected departure both from the last stated position of the Committee and the clear policy of the Air Force upon which we have relied.

I had the pleasure of testifying before the Special Subcommittee on Military Airlift in 1966. I then advised the Subcommittee that Saturn had made a very complete study of the DC–9 aircraft as a possible vehicle for Logair services and had concluded that the DC–9 would cost substantially more than the DC–6A to do exactly the same job. My predictions have been fully borne out by subsequent developments.

The Subcommittee apparently recognized that turbine aircraft might be more costly than piston equipment, and we agree with the conclusion stated in its Findings and Recommendations:

"In contracting for domestic airlift by the Military Departments, preference should be given to modern jet aircraft *whenever and wherever the rates are competitive*" (Emphasis added).

Both the industry and the Air Force have conducted their equipment planning and procurement in accordance with this cost conscious policy. As late as April 11 of this year, Assistant Secretary Charles advised the CAB and the industry:

"The Department of Defense has publicly announced each year since 1961 that price would be a major factor in determining the award of contracts . . . DOD wants to emphasize clearly that its evaluation of cost will be based on selection of the aircraft which will perform the DOD requirements, as they have been identified in the Request for Proposals sent to the industry, at the lowest cost. Variations in capacity of the aircraft would not be considered a valid basis for obtaining services of higher cost aircraft unless the DOD had identified a requirement for the increased capacity."

Our bids for FY-69 were submitted on May 18th 1968 after we had expended considerable sums in modifying the DC-6A so that it could transport 30,000 lbs. through certain high altitude airports such as Hill Air Force Base, Utah. Until we learned of the proposed legislation less than a week ago, we had no intimation that an eleventh hour attempt would be made to override the recomendation of the Airlift Subcommittee and the consistent policy of the Air Force in emphasizing cost considerations in procurement, a policy with which the Armed Services Committee has taken no exception in the last few years so far as we are aware.

While we continue to question the desirability of compelling Air Force to procure more costly aircraft for services in which they provide no operational advantage, Saturn would be more than willing to offer turbine aircraft if Congress decides that this is in the long term interest of the Nation. All that we ask is that Saturn and other members of the industry be given fair notice of any such change in policy so that we can purchase turbine equipment and continue in Logair as we have for 16 years. All that Saturn wants is that fundamental fairness which is basic to our way of life. If the rules are going to be changed, there must be time for all the runners to get to the starting gate together, rather than forcing some of us to hang up our spikes. We plead that any change in policy not be put into effect until FY-70. That will give us and other DC-6A operators sufficient time to purchase turbine equipment and stay in competition, and the Government will be spared from putting all its eggs in one basket.

4. The proposed legislation suffers from infirmities in other respects. The Airlift Subcommittee recommended a limited preference (where rates are competitive) only for new, modern pure jet aircraft. Moreover, it suggested the elimination of the high cost Argosy, a foreign manufactured prop-jet aircraft. Yet the proposed amendment appears to compel the military to give preference regardless of cost to old and high cost prop-jet equipment such as the Argosy (AW-650) and Electra (L-188) as well as to pure jets like the DC-9. We are at a loss to understand the rationale for any prop-jet preference.

Mr. Congressman, we would be most appreciative of any efforts that you might undertake to assist us and to inform members of the Committee of the real facts. Our business and the jobs of constituents are involved. As deeply involved is the fairness of the governmental process.

Very sincerely yours,
HOWARD J. KORTH,
President.

COMPARATIVE ANNUAL COST DATA FOR OPERATION OF FISCAL YEAR 1969 LOGAIR ROUTE PATTERNS

	Annual cost	Annual savings using DC-6A
Patterns 1-5, 25,000 lbs. ACL:		
DC-6A (piston)	$8,459,617	
AW-650 (propjet)	9,361,458	$901,841
L-188 (propjet)	11,078,546	2,618,929
DC-9 (pure jet)	11,140,115	2,680,498
Patterns 6-7, 30,000 lbs. ACL:		
DC-6A (piston)	6,343,005	
L-188 (propjet)	8,407,988	2,064,983
DC-9 (pure jet)	8,460,870	2,117,865
L-100 (propjet)	9,007,609	2,664,604

Mr. GROSS. Mr. Chairman, I rise in support of the amendment offered by the gentleman from California [Mr. SISK].

This is the first time for this to be stated by law, even though the carriers have been urged to change to the turbine engines. This is the first time by law they will have been ordered to do it, unless the amendment is adopted, and that within 6 months.

This is brutal treatment. I hope the amendment will prevail.

Mr. NEDZI. Mr. Chairman, I rise in support of the amendment.

I should like to associate myself with the remarks made by the gentleman from Iowa.

One fact which has not been mentioned is the problem of cost. Piston aircraft cost the Air Force substantially less than jet aircraft, which are proposed in the bill before us at the present time.

I submit that at a time when we are trying to cut the budget and trying to economize we could at least do the right thing and grant this additional 6 months proposed in the amendment to enable the companies with piston aircraft to convert, particularly since this is the first time they have been advised of proposed legislation of this kind.

Mr. KAZEN. Mr. Chairman, I rise in support of the amendment and ask unanimous consent to yield the remainder of my time to the gentleman from Texas [Mr. GONZALEZ].

The CHAIRMAN. Is there objection to the request of the gentleman from Texas?

There was no objection.

The CHAIRMAN. The Chair recognizes the gentleman from Texas [Mr. GONZALEZ].

Mr. GONZALEZ. Mr. Chairman, I rise in support of the amendment offered by the gentleman from California [Mr. SISK]. I fully agree with the gentleman from Iowa when he calls this brutal treatment.

Not only is it brutal treatment; it is highly unfair and it is, in fact, vindictive.

Although the allegation has been made that this affects only one company, the truth is it will affect more, but it will affect one company favorably, and that will be the only one to take advantage of this highly discriminatory action if the House approves the committee action.

No one knew of this until the committee added it to a rider to this particular bill. On top of this, the January 1, 1969, date would require the Government to go to two procurement cycles for airlift in 1 year. This would not only be difficult, but also it would be wasteful.

Mr. BATES. Mr. Chairman, I rise in opposition to the amendment.

When this amendment was before our committee there were those who considered that the present July date should be incorporated in the amendment. There were others who thought we should extend it for 1 year.

I offered a compromise, to make it next January 1, and without objection this was accepted.

There are some companies, as I understand it, which do not have time to make this adjustment immediately, as they would have had to do under the original amendment. On the other hand, there are those which already have spent money for new equipment.

It seems to me the January 1 date is proper.

Mr. RANDALL. Mr. Chairman, I rise in opposition to the amendment, and I should like to correct the statement made awhile ago that this is the first time this kind of action has ever been attempted in law.

I have here an excerpt from the Defense Appropriation Act of 1968, where the very same thing was attempted.

Each year since 1959 the Appropriations Committees have written into the Defense Appropriation Act language earmarking funds to be available only for procurement of commercial airlift. The language in last year's Defense Appropriation Act was as follows:

SEC. 630. Of the funds made available by this Act for the services of the Military Airlift Command, $100,000,000 shall be available only for the procurement of commercial transportation service from carriers participating in the civil reserve air fleet program; and the Secretary of Defense shall utilize the services of such carriers which qualify as small business to the fullest extent found practicable: *Provided*, That the Secretary of Defense shall specify in such procurement, performance characteristics for aircraft to be used based upon *modern aircraft*[1] operated by the civil air fleet.

The Air Force admits that DC-6A's are not modern aircraft. Yet, they propose to award contracts for fiscal year 1969 totaling approximately $13 million to two carriers operating these obsolescent aircraft. This proposed action clearly violates the language of section 603 of Public Law 90-96.

Mr. FRASER. Mr. Chairman, I rise in support of the amendment and I yield to the gentleman from Florida [Mr. PEPPER].

Mr. PEPPER. Mr. Chairman, this is not overseas long-distance transportation. These are flights of an average of 400 miles each, where the piston type aircraft can perform just as well as the jets and save the Air Force $2 million a year.

This committee in 1966 said that in contracting for domestic airlift by the military departments preference should be given to modern jet aircraft whenever and wherever the rates are competitive. The piston craft and the jets are not cost competitive.

It will cost $2 million more, for the jets.

---

[1] Emphasis added.

The CHAIRMAN. The Chair recognizes the gentleman from Texas [Mr. FISHER].

Mr. FISHER. Mr. Chairman, I ask unanimous consent to extend my remarks at this point in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. FISHER. Mr. Chairman, it is, of course, most important that the companies with cargo contracts be given ample time to convert their aircraft to designs which are sought. That has been the policy of the Armed Services Committee for some 8 years. The Appropriations Committee has likewise joined in that urgent request. Much progress has been made. Millions of dollars have been expended in the conversion process by several carriers.

Perhaps the additional 6 months is not long enough for one or two contractors, although it was the view of the Committee on Armed Services that in view of the well established policies of long standing, most of the carriers should have been able to comply by this time. It would seem that a slightly longer period than the 6 months would be in order, and that has been requested in the pending amendment. In any event, it is most important that the conversion to modern type aircraft be expedited, and I would hope it can be accomplished within the period provided in the bill.

The CHAIRMAN. The question is on the amendment offered by the gentleman from California [Mr. SISK].

The question was taken; and on a division (demanded by Mr. SISK) there were—ayes 66, noes 111.

So the amendment was rejected.

Mr. RIVERS. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. RIVERS. I would just like to know why I was not included in that last list of speakers.

The CHAIRMAN. Would the gentleman care to speak to that particular amendment?

Mr. RIVERS. No.

AMENDMENT OFFERED BY MR. YATES

Mr. YATES. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. YATES: On page 11, line 17, strike out the period and substitute a comma and insert the following: "*Provided, however,* That no surplus or obsolete military guns or ammunition shall be sold or loaned or otherwise transferred to any private individual, association, board, club, or organization."

The CHAIRMAN. The gentleman is recognized in support of his amendment.

Mr. HALL. Mr. Chairman, I reserve a point of order.

Mr. YATES. Mr. Chairman, on what basis is the point of order made? Let us argue the point of order now.

The CHAIRMAN. Would the gentleman care to be heard on the point of order?

Mr. HALL. I would be glad to be heard on the point of order, but I asked that it be reserved in order that the gentleman might speak in the time allotted to his amendment.

Mr. YATES. I only have 30 seconds to speak, and I would just as soon have the gentleman make his point of order so that I can reply at length.

Mr. HALL. The point of order is that the amendment is out of order because this is an amendment pertaining to the domestic distribution of firearms and firefighting equipment. It is not consistent with the essence of the bill as prescribed under section 2576 and the actions of the Secretary of Defense.

The CHAIRMAN. The whole section, the Chair will state, deals with obsolete and surplus military equipment. This is a further limitation on that. The Chair overrules the point of order.

The gentleman is recognized.

Mr. YATES. Mr. Chairman, the purpose of my amendment is simple: It is to prevent the Secretary of the Army from selling or loaning to any private individual, organization, club, or board any surplus military guns or ammunition.

This section of the bill authorizes the Secretary to sell surplus equipment to a law-enforcement agency or fire department. The next section establishes controls to make sure that any such equipment is not later sold or transferred to any private individual or public group that should not have such equipment. This is a very good restriction. My amendment carries that restriction further by prohibiting the Secretary in the first instance from making available by sale or loan to a private individual or group guns or ammunition.

Over the last 10 years the Department of the Army has sold on loans thousands of surplus firearms to individuals or groups. Usually these have been affiliated with the National Rifle Association. Why this group or its members should have this preference I do not know. I say it is wrong to continue this practice and I think it should be terminated. My amendment would do that.

As the distinguished Senator from Massachusetts said some months ago:

> Whether in peacetime or wartime the Army can make much better use of its funds for training its recruits in the skills they will need, rather than by encouraging civilians—most of whom are too old to serve in the Armed Forces—to buy and use guns for sporting purposes. If we are going to subsidize sports in the United States, we should do so openly and thoughtfully, and I hardly think the sport we would subsidize first is shooting.

I urge adoption of my amendment.

Mr. BOLAND. Mr. Chairman, I rise in support of the amendment.

(By unanimous consent, Mr. BOLAND yielded his time to Mr. YATES.)

Mr. YATES. I thank the gentleman for yielding his time.

The purpose of our amendment is to carry out that limitation. In other words, the committee is seeking to prevent that military equipment from getting into the hands of any private individual or corporation.

My amendment not only does apply to the equipment, but all military equipment, and prescribes that it shall not go into the hands of any particular individual.

The CHAIRMAN. The Chair recognizes the gentleman from South Carolina [Mr. RIVERS].

Mr. RIVERS. Frankly neither I nor anyone else knows what this amendment does. It came out of the dark of the night. It was not brought to our attention. I think, Mr. Chairman, we should know what we are doing here. Nobody knows upon what he is voting. Therefore, I oppose the amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Illinois [Mr. YATES].

The question was taken; and on a division (demanded by Mr. YATES), there were—ayes 45, noes 130.

So the amendment was rejected.

The CHAIRMAN. All time for debate on the bill has expired.

AMENDMENT OFFERED BY MR. RAILSBACK

Mr. RAILSBACK. Mr. Chairman, I offer an amendment which I would briefly like to explain.

The Clerk read as follows:

Amendment offered by Mr. RAILSBACK: On page 14, after line 3, insert the following:

"SEC. 408. Notwithstanding any other provision of this act, the aggregate amount which may be appropriated under this act shall not exceed $21,341,738,000."

The CHAIRMAN. The question is on the amendment offered by the gentleman from Illinois.

Mr. FRASER. Mr. Chairman, I ask unanimous consent that the gentleman from Illinois be given 3 minutes during which to explain his amendment.

Mr. DANIELS. Mr. Chairman, I object.

Mr. ERLENBORN. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state the parliamentary inquiry.

Mr. ERLENBORN. Mr. Chairman, under the motion made earlier to limit debate, Members were put on the list, each to be treated equally as to the time to which they were entitled. The gentleman has equal rights with other Members of the House and should have an opportunity to be heard.

The CHAIRMAN. The Chair will state that the Chair endeavored to allocate the time equally to all the Members standing. However, the motion that was made by the gentleman from South Carolina was to the effect that the debate conclude at 7:15 p.m. and that time has arrived.

Mr. ERLENBORN. Mr. Chairman, I move that the gentleman from Illinois [Mr. RAILSBACK] be given 1 minute's time to explain his amendment.

The CHAIRMAN. The question is on the motion offered by the gentleman from Illinois [Mr. ERLENBORN].

The motion was agreed to.

The CHAIRMAN. The gentleman from Illinois [Mr. RAILSBACK] is recognized for 1 minute.

Mr. RAILSBACK. Mr. Chairman, it is not often that I find myself in agreement with the other body. However, this House Committee on Armed Services has reported a bill out which increases the authorization $295 million from what the other body did. In the light of the statements that I have heard on the floor, the debate which has taken place, and the fact that I have picked up many newspaper articles in regard to our rather poor defense procurement policies, I believe that we can make substantial savings. Also I believe that, since we are economizing in every other area—we have cut the Teachers Corps something like 50 percent, we made drastic reductions in HEW, I believe it is no more than fair that we try to economize in this instance. This is simply a token. It would amount to something like a 1.4-percentage reduction over what the House Committee on Armed Services has reported out.

Mr. RIVERS. Mr. Chairman, I ask unanimous consent that I, too, may be permitted to speak for 1 minute on this amendment, since my time was cut off previously in the debate.

The CHAIRMAN. Is there objection to the request of the gentleman from South Carolina?

There was no objection.

Mr. RIVERS. Mr. Chairman, if we cut this bill in an across the board fashion we will be doing ourselves and the country a disservice. Our committee cut this bill in a most selective fashion not just across the board. That is no way to legislate. We cannot just use the club of 3-percent cutting. It is not the responsible way to legislate.

Mr. Chairman, I ask that the amendment be defeated.

Mr. RIEGLE. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state his parliamentary inquiry.

Mr. RIEGLE. Mr. Chairman, I also was on my feet a while ago, and as I understood the arrangement and the way the time was divided, that the Members who were standing at that time were to receive 30 seconds to speak.

My parliamentary inquiry is why was I not included among those who were permitted to speak, and the others who were on their feet who were not permitted to speak?

The CHAIRMAN. The Chair will state in response to the inquiry of the gentleman from Michigan that those Members would have been recognized by the Chair if time had not expired.

The motion that had been made by the gentleman from South Carolina was that all debate conclude at 7:15, and that time had come.

Mr. RIEGLE. Mr. Chairman, then I ask unanimous consent that the gentleman from Pennsylvania [Mr. Biester] and I who, as I say, were on our feet at that time and were offered 30 seconds to speak, be given that 30 seconds to speak.

The CHAIRMAN. Is there objection to the request of the gentleman from Michigan?

Mr. THOMPSON of New Jersey. Mr. Chairman, I object.

The CHAIRMAN. Objection is heard.

The question is on the amendment offered by the gentleman from Illinois [Mr. Railsback].

The question was taken; and on a division (demanded by Mr. Railsback) there were—ayes 71, noes 133.

So the amendment was rejected.

The CHAIRMAN. The question is on the committee amendment, as amended.

The committee amendment, as amended, was agreed to.

Mr. LEGGETT. Mr. Chairman, I have an amendment at the desk which has not been read.

The CHAIRMAN. The Chair understood that the gentleman withdrew all his amendments.

Mr. LEGGETT. No,. Mr. Chairman, just the one on the ABM section.

The CHAIRMAN. Without objection, the Chair will vacate the previous action of agreeing to the committee amendment, as amended.

There was no objection.

AMENDMENT OFFERED BY MR. LEGGETT

Mr. LEGGETT. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

> Amendment offered by Mr. Leggett: On page 9, line 23, after the word "Members," add a new sentence as follows: "The Department of Defense shall in approving and setting the aforementioned Reserve Strengths by states and units, attempt to correlate the Reserve Strength in each state with factors such as population, geographic size, availability of trainable personnel and state experience with civil disorder."

The CHAIRMAN. The question is on the amendment offered by the gentleman from California [Mr. Leggett].

The amendment was rejected.

The CHAIRMAN. The question is on the committee amendment, as amended.

The committee amendment, as amended, was agreed to.

The CHAIRMAN. Under the rule, the Committee rises.

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. Rostenkowski, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee having had under consideration the bill (S. 3293) to authorize appropriations during the fiscal year 1969 for procurement of aircraft, missiles, naval vessels, and tracked combat vehicles, research, development, tests, and evaluation for the Armed Forces, and to prescribe the authorized personnel strength of the Selected Reserve of each Reserve component of the Armed Forces, and for other purposes, pursuant to House Resolution 1258, he reported the bill back to the House with an amendment adopted by the Committee of the Whole.

The SPEAKER. Under the rule, the previous question is ordered.

Is a separate vote demanded on any amendment to the committee amendment? If not, the question is on the amendment.

The amendment was agreed to.

The SPEAKER. The question is on the third reading of the bill.

The bill was orderd to be read a third time, and was read the third time.

MOTION TO RECOMMIT OFFERED BY MR. KUPFERMAN

Mr. KUPFERMAN. Mr. Speaker, I offer a motion to recommit.

The SPEAKER. Is the gentleman opposed to the bill?

Mr. KUPFERMAN. In its present form I am, Mr. Speaker.

The SPEAKER. The Clerk will report the motion to recommit.

The Clerk read as follows:

> Mr. Kupferman moves to recommit the bill, S. 3293, to the Committee on Armed Services.

The SPEAKER. Without objection, the previous question is ordered on the motion to recommit.

There was no objection.

The SPEAKER. The question is on the motion to recommit.

The motion to recommit was rejected.

The SPEAKER. The question is on the passage of the bill.

Mr. RIVERS. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 363, nays 15, not voting 55, as follows:

[Roll No. 243]

YEAS—363

Abbitt
Abernethy
Adair
Adams
Addabbo
Albert
Anderson, Ill.
Andrews, Ala.
Andrews, N. Dak.
Annunzio
Ashbrook
Ashley
Ashmore
Aspinall
Ayres
Baring
Barrett
Bates
Battin
Belcher
Bennett
Berry
Betts
Bevill
Biester
Blackburn
Blatnik
Boggs
Boland
Bolling
Bolton
Brasco
Bray
Brinkley
Brock
Brooks
Broomfield
Brotzman
Brown, Mich.
Brown, Ohio
Broyhill, N.C.
Broyhill, Va.
Buchanan
Burke, Fla.
Burke, Mass.
Burleson
Burton, Calif.
Bush
Button
Byrne, Pa.
Byrnes, Wis.
Cabell
Cahill
Carey
Carter
Casey
Cederberg
Chamberlain
Clancy
Clark
Clausen, Don H.
Clawson, Del
Cleveland
Cohelan
Collier
Colmer
Conable
Conte
Corbett
Corman
Cowger
Cramer
Cunningham
Curtis
Daddario
Daniels
Davis, Ga.
Davis, Wis.
Dawson
de la Garza
Delaney
Dellenback
Denney
Dent
Derwinski
Devine
Dickinson
Diggs
Dingell
Donohue
Dow
Dowdy
Downing
Dulski
Duncan
Dwyer
Eckhardt
Edmondson
Edwards, Ala.
Erlenborn
Esch
Eshleman
Evans, Colo.
Everett
Fallon
Fascell
Feighan
Findley
Fisher
Flood
Flynt
Foley
Ford, Gerald R.
Fountain
Frelinghuysen
Friedel
Fulton, Pa.
Fuqua
Galifianakis
Gallagher
Gardner
Garmatz
Gathings
Gettys
Giaimo
Gibbons
Gonzalez
Goodell
Goodling
Gray
Green, Oreg.
Green, Pa.
Griffin
Griffiths
Gross
Grover
Gubser
Gude
Gurney
Hagan
Haley
Hall
Halleck
Halpern
Hamilton
Hanna
Hansen, Wash.
Hardy
Harvey
Hathaway
Hays
Hébert
Hechler, W. Va.
Heckler, Mass.
Henderson
Hicks
Horton
Hosmer
Howard
Hull
Hungate
Hunt
Hutchinson
Ichord
Irwin
Jacobs
Jarman
Joelson
Johnson, Calif.
Johnson, Pa.
Jonas
Jones, Ala.
Jones, Mo.
Jones, N.C.
Karth
Kazen
Kee
Keith
Kelly
King, N.Y.
Kleppe
Kluczynski
Kornegay
Kuykendall
Kyl
Kyros
Landrum
Langen
Latta
Leggett
Lennon
Lipscomb
Long, La.
Long, Md.
Lukens
McCarthy
McClory
McCulloch
McDade
McDonald, Mich.
McFall
McMillan
Macdonald, Mass.
MacGregor
Machen
Madden
Mahon
Mailliard
Marsh
Martin
Mathias, Calif.
Mathias, Md.
Matsunaga
May
Meeds
Meskill
Miller, Calif.
Miller, Ohio
Mills
Minish
Mink
Minshall
Mize
Monagan
Montgomery
Moore
Moorhead
Morgan
Morris, N. Mex.
Morse, Mass.
Morton
Moss
Murphy, Ill.

Murphy, N.Y.
Myers
Natcher
Nedzi
Nelsen
Nichols
Nix
O'Hara, Ill.
O'Hara, Mich.
O'Konski
Olsen
O'Neill, Mass.
Ottinger
Passman
Patman
Patten
Pelly
Pepper
Perkins
Pettis
Philbin
Pickle
Pike
Pirnie
Poage
Poff
Pollock
Price, Ill.
Price, Tex.
Pryor
Purcell
Quie
Railsback
Randall
Rarick
Reid, Ill.
Reid, N.Y.
Rhodes, Ariz.
Rhodes, Pa.
Riegle
Rivers
Roberts
Robison
Rodino
Rogers, Colo.
Rogers, Fla.
Ronan
Rooney, N.Y.
Rooney, Pa.
Rostenkowski
Roth
Roudebush
Rumsfeld
St Germain
St. Onge
Sandman
Satterfield
Saylor
Schadeberg
Scherle
Schneebeli
Schweiker
Schwengel
Scott
Selden
Shipley
Shriver
Sikes
Sisk
Skubitz
Slack
Smith, Calif.
Smith, N.Y.
Smith, Okla.
Snyder
Springer
Stafford
Staggers
Stanton
Steed
Steiger, Ariz.
Steiger, Wis.
Stephens
Stratton
Stubblefield
Stuckey
Sullivan
Taft
Talcott
Taylor
Teague, Calif.
Tenzer
Thompson, Ga.
Thompson, N.J.
Thomson, Wis.
Tiernan
Tuck
Tunney
Udall
Ullman
Vanik
Vigorito
Waggonner
Waldie
Walker
Wampler
Watkins
Watson
Watts
Whalen
Whalley
White
Whitener
Whitten
Widnall
Wiggins
Williams, Pa.
Wilson, Bob
Winn
Wolff
Wright
Wyatt
Wydler
Wylie
Wyman
Yates
Young
Zablocki
Zion
Zwach

NAYS—15

Bingham
Brown, Calif.
Farbstein
Fraser
Gilbert
Helstoski
Kastenmeier
Kupferman
Mosher
Rees
Reuss
Rosenthal
Roybal
Ryan
Scheuer

NOT VOTING—55

Anderson, Tenn.
Arends
Bell
Blanton
Bow
Brademas
Burton, Utah
Celler
Conyers
Culver
Dole
Dorn
Edwards, Calif.
Edwards, La.
Eilberg
Evins, Tenn.
Fino
Ford, William D.
Fulton, Tenn.
Hammerschmidt
Hanley
Hansen, Idaho
Harrison
Harsha
Hawkins
Herlong
Holifield
Holland
Karsten
King, Calif.
Kirwan
Laird
Lloyd
McCloskey
McClure
McEwen
Mayne
Michel
O'Neal, Ga.
Podell
Pool
Pucinski
Quillen
Reifel
Reinecke
Resnick
Roush
Ruppe
Smith, Iowa
Teague, Tex.
Utt
Van Deerlin
Vander Jagt
Willis
Wilson, Charles H.

So the bill was passed.

The Clerk announced the following pairs:

On this vote:

Mr. Kirwan for, with Mr. Edwards of California against.

Until further notice:

Mr. Celler with Mr. Arends.
Mr. Willis with Mr. Fino.
Mr. Fulton of Tennessee with Mr. Utt.
Mr. Holifield with Mr. Bow.
Mr. Hanley with Mr. Reifel.
Mr. Dorn with Mr. Harrison.
Mr. Eilberg with Mr. Harsha.
Mr. King of California with Mr. Reinecke.
Mr. Brademas with Mr. Burton of Utah.
Mr. O'Neal of Georgia with Mr. Bell.
Mr. Anderson of Tennessee with Mr. Michel.
Mr. Karsten with Mr. McEwen.
Mr. Teague of Texas with Mr. Laird.
Mr. Charles H. Wilson with Mr. Dole.
Mr. Pucinski with Mr. Ruppe.
Mr. Pool with Mr. McClure.
Mr. Blanton with Mr. Lloyd.
Mr. Podell with Mr. Mayne.
Mr. Fraser with Mr. Quillen.
Mr. William D. Ford with Mr. Vander Jagt.
Mr. Culver with Mr. Hansen of Idaho.
Mr. Roush with Mr. Hammerschmidt.
Mr. Van Deerlin with Mr. McCloskey.
Mr. Hawkins with Mr. Resnick.
Mr. Holland with Mr. Conyers.
Mr. Smith of Iowa with Mr. Edwards of Louisiana.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

GENERAL LEAVE TO EXTEND

Mr. RIVERS. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days in which to extend their remarks on the bill just passed.

The SPEAKER. Is there objection to the request of the gentleman from South Carolina?

There was no objection.

PERMISSION FOR COMMITTEE ON EDUCATION AND LABOR TO FILE REPORT ON H.R. 17144

Mr. PERKINS. Mr. Speaker, I ask unanimous consent that the Committee on Education and Labor may have until midnight tonight to file a report on H.R. 17144.

The SPEAKER. Is there objection to the request of the gentleman from Kentucky?

There was no objection.

LEGISLATIVE PROGRAM FOR THE BALANCE OF THE WEEK

Mr. SMITH of California. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. SMITH of California. Mr. Speaker, I have requested this time in order to determine what the program is for the balance of the week.

Mr. ALBERT. Mr. Speaker, will the gentleman yield?

Mr. SMITH of California. I yield to the gentleman from Oklahoma.

Mr. ALBERT. Mr. Speaker, in response to the inquiry of the gentleman from California, tomorrow the first order of business will be the conference report on the Public Law 480 amendments, and that will take only a few minutes.

That will be followed by H.R. 15758, to amend the Public Health Service Act, with an open rule and 2 hours of debate.

Following that, House Joint Resolution 1, creating a Joint Committee To Investigate Crime;

H.R. 15651, to facilitate the entry of foreign tourists into the United States, with an open rule and 1 hour of debate;

H.R. 14096, penalties for unlawful acts involving LSD and other drugs, with an open rule and 1 hour of debate;

H.R. 16024, high-speed ground transportation extension, with an open rule and 1 hour of debate; and

H.R. 16824, the State Technical Services Act Amendments, with an open rule and 1 hour of debate.

Mr. Speaker, I would like to make this further observation: that we are putting all of these bills down for tomorrow in the hope that we can consider all of them. Perhaps some of them can be considered in the House as in the Committee of the Whole. However, we do not intend to go beyond 5 o'clock tomorrow. If we are approaching that hour and finish any one of these bills, we intend to rise. We are putting them down in case they are expeditiously handled on the floor, and I am sure they will be.

Mr. SMITH of California. Mr. Speaker, may I ask the gentleman from Oklahoma whether we will come in at a different hour tomorrow?

Mr. ALBERT. If the gentleman will yield further on that subject:

Mr. Speaker, I ask unanimous consent that when the House adjourns today it adjourn to meet at 11 o'clock tomorrow.

The SPEAKER pro tempore (Mr. ROSTENKOWSKI). Is there objection to the request of the gentleman from Oklahoma?

Mr. HALEY. Mr. Speaker, I object.

The SPEAKER pro tempore. Objection is heard.

PERSONAL EXPLANATION

Mr. RUPPE. Mr. Speaker, during the rollcall on the passage of the bill S. 3293, I was called from the floor, and was unable to be present and vote. I would like the RECORD to show that had I been here I would have voted "yea" on the bill.

HOUR OF MEETING TOMORROW

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that when the House adjourns today it adjourn to meet at 11 a.m., tomorrow.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

PERMISSION FOR COMMITTEE ON INTERIOR AND INSULAR AFFAIRS AND ANY SUBCOMMITTEE THEREOF TO SIT DURING GENERAL DEBATE

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that notwithstanding the fact that the House will meet tomorrow morning at 11 o'clock a.m., that the Committee on Interior and Insular Affairs, or any subcommittee thereof, may sit during general debate.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

SUPREME COURT NOMINEES QUALIFIED

Mr. WRIGHT. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. WRIGHT. Mr. Speaker, the little group of Republican U.S. Senators who hastily announced that they would oppose confirmation of Justic Abe Fortas and Judge Homer Thornberry appear to have spoken without thinking.

They talked themselves into an embarrassing trap, and today as the Senate committee begins its formal inquiry into the fitness of the appointees, some of the early objectors, on sober second thought, are seeking some window of rationale through which to escape from their self-imposed entrapment.

Interestingly, the reasons they gave for opposing confirmation of these two extremely able jurists had nothing whatever to do with the judicial qualifications of either man. And that, after all, is supposed to be the basis of the Senate decision in questions of confirmation.

Obviously, both men are highly qualified. Mr. Justice Fortas came to the Court from a long and active and truly distinguished law career and from a background of outstanding service to the Government. During his tenure on the Supreme Court, he has amply demonstrated the attributes of a keen and incisive legal mind and an unusual capacity for independent judgment.

Judge Thornberry, following a very productive career in the House, now has to his credit more actual judicial experience on the Federal bench than was brought to the Court by any save one of the present members at the time of his appointment. There is no question of his qualifications.

The excuses given by the little group of objecting Senators are tissue paper thin and just as flimsy.

The claim that no vacancy exists and that therefore no appointment is in order is the most transparent sort of nit-picking. Chief Justice Warren himself has thoroughly demolished that claim.

The further argument that a "lame-duck" President should not appoint a successor falls of its own weight. The Constitution clearly confers upon the President that duty and responsibility. If we were to carry that argument to its logical conclusion, we would deny any President the right to fill a vacancy during his entire second term in office, since the 22d amendment prohibits a third term and every second-term President is by definition a "lameduck."

PHANTOM JETS FOR ISRAEL

Mr. MORRIS of New Mexico. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New Mexico?

There was no objection.

Mr. MORRIS of New Mexico. Mr. Speaker, it was recently announced that the United States had agreed to sell more Phantom jet fighters to Iran. According to the various reports of the transaction, the Iranians will purchase between $60 and $100 million worth of the supersonic fighters this year and may get an additional $500 million in arms over the next 5 years. In 1966, the Iranians purchased 16 F-4D Phantoms from the United States and were granted an option at that time to purchase a second squadron of what many have described as the finest fighter plane in the American defense arsenal.

For many months, the nation of Israel has been asking for the opportunity to purchase Phantom jets and Hawk missiles from the United States. The United States recently announced the sale of Hawks to Israel, but we have refused to sell them the planes they need to defend themselves against another Arab invasion. The Israelis have paid for 50 Mirage fighters, but the French have placed an embargo on the planes and will not release them for delivery to Israel. In the meantime, the Arab countries continue to receive planes and other arms from the Russians and the other members of the Communist bloc until the Arabs are as strong today as they were before the June war of 1967.

Israel is an ally of the United States and has been our constant friend since the rebirth of the nation 20 years ago. In those two, short decades, the Israeli people have built a strong democracy and a thriving economy and have shown themselves to be capable, forthright, and courageous. On three occasions in the past 20 years, the Israeli people have had to defend themselves from probable annihilation at the hands of their Arab neighbors and the threat of further aggression grows more ominous daily. At this critical time the nation and people of Israel must have the best possible defense against their enemies, a defensive capability that includes, besides the Hawk missile, a strike-force of Phantom jets. But the friend of Israel, the United States, has refused to provide Phantom jets necessary for that defense.

If Israel is to survive and if the United States is to honor the commitments made to this valiant nation, then we must insure the security of Israel by providing Phantom jets to the Israel defense forces.

PARLIAMENTARY REFORM

Mr. TAFT. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. TAFT. Mr. Speaker, I note with interest that the exciting new leader of our admirable neighbor to the North, Prime Minister Pierre Elliott Trudeau, has taken a significant first step which we might well emulate. Mr. Trudeau has singled parliamentary reform as a vital factor in continuing to build his nation. In doing so, he has assigned to Mr. MacDonald, the President of the Privy Council and Government leader in the House of Commons, the responsibility for reforming procedures in the House of Commons and for the introduction of new techniques for the review of legislation.

We might well take a note from this step and get on with the necessary business of reforming our own procedures here in the House of Representatives. Such a measure would be most welcome to the country as a whole and would do much to refurbish the somewhat damaged image of the Congress held by so many Americans today. Admittedly the majority party, bogged down as it is by prerogatives and private domains that make it impossible even to move a congressional reform measure through the Rules Committee, holds out little hope of such a step. But it seems to me that Republican Members of the House are missing a bet in failing to make congressional reform a major party commitment, should we take over control of this body as we hope to after the November elections. In this regard, I suggest that Republicans in the House should commit themselves to a specific program of congressional reform when they take over control, and that our party leaders in the House should immediately commence consideration as to what reforms they would advocate and cause to be effected. Unless we do so, it seems entirely possible, if we achieve a majority, we will find ourselves handcuffed by our own rules to an extent that will make any meaningful congressional reform far more difficult than it would be had a commitment been made to such a program in advance.

THE GEORGE WASHINGTON MEMORIAL PARKWAY SEGMENT IN MONTGOMERY COUNTY

Mr. GUDE. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Maryland?

There was no objection.

Mr. GUDE. Mr. Speaker, the George Washington Memorial Parkway segment in Montgomery County is literally a road to nowhere. This 6-mile parkway built by the National Park Service at a cost of $8 million still has no genuinely usable connection to the District of Columbia.

Last year, hoping to reach an agreement to make the parkway usable, my staff and I met with representatives of the affected local and Federal agencies. An element of our concern was the protection of the 100-year-old water conduit of the Washington Aqueduct which runs under the heavily traveled MacArthur Boulevard. Our efforts were to transfer some of this traffic to the adjacent roadway.

After a series of consultations, an inexpensive, simple solution was developed and agreed upon unaminously by all representatives of all agencies including the Park Service. This was an inexpensive, slip-type ramp linking MacArthur Boulevard and the parkway.

Although the negotiation had been underway for 6 months the Park Service Director suddenly reversed the decision of Interior officials under him. In rejecting the agreed upon solution, which would have given additional use of the parkway and protected a vital section of the conduit carrying up to 260,000,000 gallons of water daily to Washington, this Interior official stated that even this minimal expenditure for a temporary connection could not be justified, because more money would have to be spent later for a permanent connection to the city.

He cited the Budget Bureau as looking with disfavor on any such arrangement, and in fact brought with him the Bureau representative to express such disapproval.

I appealed to the Secretary of Interior in the interest of the taxpayers' money to reverse this decision. However, the Department remains adamantly opposed to this simple solution and, as far as I know their Budget Bureau advisers haven't questioned the sense of economy of the $8 million "road to nowhere' remaining virtually idle. Nor does the Interior Department show any interest in accepting other solutions. In the past few years at the Interior's request the Bureau of Public Roads has prepared 22 plans and modifications of plans to connect the George Washington Parkway to the District of Columbia roads.

We might say the Department has tried and deserves credit for trying, but I am concerned with the taxpayers' money which has been spent on 22 plans never implemented.

And so—the George Washington Memorial Parkway stands as a beautifully engineered monument to a bureaucratic, dog in the manger attitude, oblivious to the citizens whom the Department of Interior, like all the Government, serves.

SUSPENSION OF OIL DEPLETION ALLOWANCES

Mr. WOLFF. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. WOLFF. Mr. Speaker, I am apalled and repelled by the basic fact that while American taxpayers are required to pay increased taxes, special interests such as the oil and gas companies are continuing to receive excessive, inexcusable tax credits.

The outrageous oil and depletion allowances are costing the American taxpayers approximately $3 billion a year at a time of great economic stress in this Nation.

Therefore I am introducing legislation today to institute a 1-year suspension of these depletion allowances. If individual, overtaxed Americans can be required to pay additional taxes at a time of national crisis then it is imperative that oil and gas interests not have special, excessive tax credits.

It is time we paid more attention to the depletion of human resources and redirected Government concern from special interests to the interests of all Americans.

We must constantly call attention to the inequity of these oil and gas depletion allowances if we are ever to secure needed tax reforms. The American people cannot afford, either in monetary terms or in human terms, the high cost of these allowances.

For example, in 1966, the last year for which figures are available, Standard Oil of New Jersey paid 6.3 percent in Federal taxes on a net income of $1,830,944,000. In the same year, International Business Machines had a net income of $1,054,130,000 of which 50.1 percent was paid in Federal taxes.

Such discrepancies are repeated again and gain. The point is clear—the American people are subsidizing oil and gas interests at a time of great financial and human need in this country. We must stop that subsidy for 1 year and then permit the institution of the depletion allowances at more realistic and equitable rates.

Under leave to extend my remarks, and for the Members' attention I include a copy of the short but very important legislation I am introducing.

H.R. 18498

A bill to suspend percentage depletion allowances for oil and gas under the Internal Revenue Code of 1954 for one year.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in the case of oil and gas wells, no allowance for depletion shall be allowed under section 613 of the Internal Revenue Code of 1954 (relating to percentage depletion) for any taxable year beginning after December 31, 1967, and before January 1, 1968.

IN MEMORY OF THE LATE FORMER CONGRESSMAN FRED BIERMANN OF IOWA

Mr. CULVER. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from Iowa?

There was no objection.

Mr. CULVER. Mr. Speaker, it is my sad duty to inform the House of the death on July 1 of former Congessman Fred Biermann, who represented northeast Iowa in this body from 1933 to 1938. Memorial services were held for him Tuesday in his hometown of Decorah, Iowa.

A graduate of Columbia College in New York, Fred Biermann also attended the University of Minnesota and Harvard Law School.

Before his election to the 73d Congress, he owned and operated a newspaper in Decorah for 23 years, and served as local postmaster and park commissioner for much of that time. He volunteered for military service in 1917 and saw duty in this country and in France during World War I. He was discharged from the Army as a first lieutenant in 1919.

Fred Biermann was elected to Congress from the old Fourth District of Iowa in 1932, and reelected in 1934 and 1936. He was a member of the House Agriculture Committee and a delegate to the Interparliamentary Union Conference in Paris in 1937.

Following his return to Iowa, he served as U.S. marshal for northern Iowa until his retirement in 1953. Even after his retirement, however, he remained active and directly involved in community affairs and local and national politics—so much so that just several months ago the Cedar Rapids Gazette described him as "Mr. Politics of Northeast Iowa," in a feature article which was included in the CONGRESSIONAL RECORD on February 29 of this year.

Throughout his life, as a local official, a newspaper editor, an Army officer, and a Congressman, Fred Biermann devoted himself to the problems and the needs of his community and his country. All of us may learn from the record of his public service. It has been a privilege and an enriching experience for me personally to have known him, and to have received the invaluable benefit of his knowledge, his advice, and most importantly his friendship.

Mr. Speaker, I ask unanimous consent that all Members of the House have 5 legislative days to extend their remarks in honor of the late Fred Biermann.

OMNIBUS CRIME AND SAFE STREETS ACT

The **SPEAKER** pro tempore (Mr. ROSTENKOWSKI). Under previous order of the House, the gentleman from Alaska [Mr. POLLOCK] is recognized for 60 minutes.

Mr. POLLOCK. Mr. Speaker, I am personally saddened that a rule was granted for H.R. 17735, but since it was, I am glad it will come to the floor under an open rule for 3 hours of debate, so that some very necessary amendments can be considered. This bill would amend title IV of the recently enacted Omnibus Crime and Safe Streets Act—Public Law 90-351—in that it would, among other things, add long guns and all ammunition to the Federal coverage now provided for handguns and destructive devices.

Mr. Speaker, the issue of Federal gun legislation has generated more correspondence from Alaskans than any other single issue that has been before the 90th Congress. To date, I have received more than 2,500 telegrams, letters, and signatures on petitions expressing very strong opposition to any further Federal controls. At the same time I have received about 25 letters favoring new Federal firearm legislation. This is a ratio of 99 percent to 1 percent against further regulations and prohibitions, of course. Since my district and the State of Alaska are one and the same, this is an accurate reflection of the State as a whole. I might also add that I have just returned from a brief visit to Alaska and am even more firmly convinced that Alaskans do not need, or desire any more Federal firearms controls. In case you might be wondering, there has been no major organizational pattern to these strong objections to H.R. 17735 and similar bills now in both Houses of Congress. There has been no rash of form letters or identical letters or telegrams which are the hallmark of an organizational push to write your Congressman. In fact, the major motivating force seems to be the syndicated newspaper coverage in favor of controls and a single TV appearance by a Member of the other body who has actively sponsored Federal firearm legislation, plus responses to my own firm opposition to gun control measures pending in both Houses.

This is not to say that Alaskans are not concerned about crime, but rather that they are genuinely disturbed over the apparent rush to push new Federal gun controls as a placebo which can do little if anything to solve the shocking national rate of crime. Alaskans believe that a responsible approach to the use of firearms in the commission of crimes is to penalize the person who wrongfully uses a firearm against society, not to punish all of society for the crimes of the few.

The Alaskan approach attacks the very cancer of crime and the missuse of firearms by placing maximum responsibility where it belongs—with each and every citizen. Mr. Speaker, the last Alaska State Legislature passed and the Governor signed into law an amendment to Alaska's criminal statutes which provides that a person who uses or carries a firearm during the commission of a robbery, assault, murder, rape, burglary, or kidnaping and is convicted of such a crime for the first time is to be imprisoned for a minimum of 10 years, and, for a second offense, the term is to be not less than 25 years imprisonment.

We have heard much about how the United States is a highly urbanized area. This most certainly is true of some areas, but is far from the case in Alaska which I am privileged to represent in the U.S. House of Representatives.

Much of Alaska is still today a challenging, roadless wilderness. Firearms in many parts of Alaska are a necessity, not a frivolous luxury for our natives or miners or others in the remote areas, and Alaska is a land of sportsmen, of hunters and fishermen and campers and hikers and mountain climbers, who must carry guns for protection from bears and other animals. This very difference from New York or Philadelphia or Chicago or Cincinnati or Los Angeles points up to the obvious fact that different parts of the country have different problems which should be handled at the local level. The Alaskan trapper spends much of his time traveling afoot between camps along his trapline. He carries a gun wherever he goes, since it is his source of food, protection, and in emergencies a crutch, a paddle, or boathook as occasion demands. A handgun, because it is light and compact, as is its supply of ammunition, is frequently used.

Alaska probably has the highest incidence of firearms use and the lowest incidence of crime when considering the per capita ownership of firearms of any State. I might add that Alaskans are quite displeased to be lumped into the "massive arsenal which arms the murderer and robber." So blithefully alluded to by the President in his June 24 message urging additional Federal antigun legislation to register every gun and gunowner in America.

I might also add that H.R. 17735 is largely premised upon statistical data showing that there were 133,700 crimes committed with firearms during 1967. Yet, we should balance the positive side of the ledger by noting that in 1965—the last year data are available—there were more than 200,000,000 times when rifles and shotguns were used lawfully to hunt for sport and food in the United States. Assuming that no more than 20 percent of the firearms crimes in the United States, in 1967 involved rifles and shotguns—and that is most assuredly high—we have a ratio of one unlawful use of a long gun for each 7,482 lawful uses. Not only was the ratio of unlawful to lawful uses of shotguns and rifles 1 to 7,482, but the 200,000,000 times of lawful use included the active participation of some 2.2 million youths between the ages of 12 and 18.

The Associated Press ran a nationwide, weeklong survey on gun deaths that finished last Sunday. Without drawing any conclusions, the wire service reported that guns killed 198 people in the United States. Of the 198 deaths, 114 were homicides, 65 were suicides, and 19 were accidental shootings.

From the philosophical point of view it can be argued that the value of any single human life is infinite. I do not intend to step into that area of discussion.

I do wish to point out that if the 198 death figure is rounded off to 200 and put over a total United States population figure of 200,000,000, then another perspective on gun deaths appears. In other words, for every 1 million persons in the United States, one death by shooting occurs each week, or 52 deaths a year. And that figure includes suicides and accidental deaths.

In essence, Alaska does not believe that it should be saddled with a uniform Federal law which is intended to cope with the 25,860 murders, aggravated assaults, and robberies in New York City during 1965. Alaskans firmly believe that this is a matter for each of the several States to legislate according to their differing needs.

The Congress has been informed by the President that we have been dilly-dallying long enough and that now we must act. I most certainly agree that we must act, but I respectfully disagree that the President's proposal as now embodied in H.R. 17735 is the proper course for the Federal Government, a course that I believe to be of questionable constitutionality. If Federal action is needed, it would seem to me that the best approach would be to enact legislation which would provide swift, certain, decisive and predictable justice for acts of violence *against society, particularly in instances* where firearms are used. To do this would follow the patterns established by the Mann Act, the Lindberg Act and the Harrison Act. I have introduced H.R. 18258 in this regard to provide stiff penalties for crimes of violence in which firearms are involved.

Mr. Speaker, I would like to briefly touch on two aspects of the Omnibus Crime and Safe Streets Act—Public Law 90-351—which just passed the Congress and which relate directly to H.R. 17735. First, title IV is what the President called the halfway measure, which, among other things, prohibits the interstate sale of handguns. But sections 922(a)(3)(B) and (a)(5)(B) also provide that it is a Federal crime for anyone to transport, receive, transfer, sell, trade, give, or deliver any firearm obtained outside his State of residence which would be unlawful to purchase in the State or local subdivision where he resides. Further, title VII of that act makes it a Federal crime for a person who has: First, been convicted by any court of a crime punishable by imprisonment for more than 1 year; second, been discharged from the armed services for reasons other than honorable; third, been declared by any court as mentally incompetent; fourth, renounced his U.S. citizenship; fifth, entered the United States illegally; or sixth, been employed by any of the above persons, to receive, possess, or transport any firearm in interstate commerce or to perform any related act affecting interstate commerce. This is substantial gun law now on the books.

In reviewing the hearings before the House and Senate Judiciary Committees last year, Attorney General Clark said that the primary reason for distinguishing handguns from rifles and shotguns was the "conceal ability" of handguns. He stated that the use of concealable weapons or handguns for criminal purposes, when compared with rifles and shotguns—and the fact that rifles and shotguns are what we use for hunting and sporting; that they are needed by ranchers and farmers; and that there is a broader variety of legitimate need and lawful use for them—was the basis for distinguishing definitions.[1]

H.R. 17735 provides for Federal restrictions on rifles and shotguns similar to those now in effect for handguns. This action is based upon two primary assumptions: First, rifles and shotguns can be easily converted to a concealable weapon by a criminal by sawing off a part of the barrel and the stock; and second, rifles and shotguns are used in crime. Since no hearings have been held on these matters, the record of last year's hearings have to provide the evidence to establish the need for the rifle and shotgun provisions of H.R. 17735. I have been unable to find such evidence to warrant passage of the legislation.

First, sawed-off shotguns and short-barreled rifles have been federally controlled since 1934, under the provisions of the National Firearms Act—26 U.S.C. 53—and to date they have had little use in the commissions of crimes.

Second, the President has cited the shocking fact that firearms were used in 7,700 murders; 55,000 aggravated as*saults; and over 71,000 robberies during* 1967. Does he honestly think registration, which he now seeks, would somehow reduce these statistics or does he have ultimate confiscation in mind, either by excessive annual registration fees or outright expropriation? On June 28, I requested from the President a detailed State-by-State listing of these crimes—and all other crimes, by type of weapon used. I also requested information as to how many of the firearms crimes would be a violation of the several existing Federal laws including titles IV and VII of the Omnibus Crime and Safe Streets Act. Does the President presume enactment of further legislation will cause the criminal to comply, and that this crime will be reduced? I have not received a reply to my letter yet, so I've done some checking with the preliminary crime statistics during 1967 for the District of Columbia. I find that there were 157 murders; 3,257 aggravated assults and 6,394 robberies for a total of 9,809 serious crimes. These 9,809 crimes were classified by 40 different types of weapons. It is interesting to note that of these crimes, rifles and shotguns accounted for less than 3 percent of the murders and aggravated assaults and less than 1 percent of the robberies. Rifles and shotguns—including 11 aggravated assaults with air rifles—accounted for less than 2 percent of the total murders, aggravated assaults and robberies in the District of Columbia during 1967. At the same time use of "hands" or "fists" and knives—not switch blades—were involved in less than 3 percent of the murders, but were used in more than 32 percent of the aggravated assaults and more than 50 percent of the robberies. If you add the use of feet and all sharp instruments, more than 56 percent of the total serious crimes in the District of Columbia are accounted for. Most of these weapons were classified as "hands" or "fists." I have not included revolvers and pistols—more than 24 percent of the total—since these are now under Federal controls by reason of the passage of the Crime Prevention and Safe Streets Act. In fact the whole set of statistics used to "prove" the need for Federal firearm controls are rife with innuendo and half-truths.

---

[1] P. 252, hearings before subcommittee No. 5, House committee on Judiciary 90th Congress, 1st session, March 22, 1967.

On the matter of Federal regulation of ammunition for rifles and shotguns, or for that matter pistols and revolvers, this has not been included in title IV of the existing Omnibus Crime and Safe Streets Act. Again the record shows Senator Dodd as saying:

> I think a careful reading will indicate we did not include ammunition (other than for destructive devices). We went all through that a couple of years ago, and I think it was unanimously decided that because of the cases you cite, the small crossroads dealer, we would eliminate ammunition . . . I think this legislation (S. 1, amendment 90) does not cover the ammunition. Perhaps it should be spelled out, *but I feel it was not our intention to include ammunition* (other than for destructive devices).[2]

If you will indulge me a few moments more, I would like to discuss some of the oversights or apparent errors in draftsmanship which further cloud the picture as to what might or might not be federally lawful under the measure. The bill we now consider could be construed to:

First. Make it illegal to move firearms or ammunition from one point in Alaska to another. This is purely intrastate movement, but might well utilize carriers involved in interstate or international commerce—page 8, lines 12 to 14.

Second. Make it unlawful for anyone with so much as an outstanding parking ticket in another State to own or possess any firearm or ammunition—page 8, lines 9 to 12; page 16, line 3; page 17, line 21.

Third. Delete all Federal controls over ammunition for destructive devices—page 8, line 24; page 9, lines 1 to 2.

Fourth. Make it unlawful to import any ammunition, including ammunition for handguns, shotguns, and rifles—page 30, lines 3 to 21.

Fifth. Raise doubt as to whether anyone under age 18 can lawfully hunt with a rifle or shotgun, or whether anyone under 21 can lawfully use a handgun—page 1A, lines 1 to 7.

Sixth. Include handloaders of ammunition under "manufacturers" for licensing purposes—page 7, lines 13 to 17; page 20, lines 24 to 25.

Seventh. Permit residents of the "lower 48" States to enter into interstate compacts, giving them at least the potential opportunity to allow their residents to shop for rifles and shotguns and ammunition in at least four contiguous States. Alaskans can only shop in Alaska unless it is allowed to enter into compacts with States with which it is not contiguous—page 14, lines 21 to 24; page 15, lines 1 to 3.

Since there have been no hearings on the inclusion of rifles and shotguns and ammunition during the second session of the 90th Congress, and the hearings from the first session of the 90th Congress do not support their inclusion, I was disappointed to see a rule be granted for H.R. 17735—Union Calendar No. 631, 90th Congress, second session, dated June 21, 1968.

We should not rush in a time of national hysteria to undo the constitutional guarantees which have withstood the test of time for 192 years and more. If we waited until the 91st Congress to engage in calm and searching study and deliberation in this important area, I feel the Nation would be better served.

I will introduce a number of amendments when the measure reaches the floor of this body next week, in order to correct what I think are some of the major deficiencies of the bill. Whether or not the amendments are adopted, I intend to vote against this unnecessary and harmful piece of legislation.

Mr. Speaker, I appreciate the opportunity to state my views as well as the views of the vast majority of Alaskans on this controversial issue.

Mr. Speaker, I ask unanimous consent that the gentleman from Montana [Mr. Battin] *may extend his remarks at this* point in the Record.

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

WHO ARE WE AIMING AT?

Mr. BATTIN. Mr. Speaker, a loaded proposition has been placed before Congress and again we are implored to enact major legislation to cover a supposed emergency. Gun-control legislation, the like of which we would not have considered seriously during the beginning months of this session, is being rushed through committee for fast action.

At first, there was the legislation called the Dodd and Celler bills, after the authors of the initial proposals. Now, this legislation has been extended and amplified to provisions that would not have even been proposed as recently as this past May. I suspect that we are being offered a modified version that originated in the Congress, but lurking in the wings there is a stricter, more restrictive version recommended by the administration that is being held as a threat of what can be expected if the modified version is not approved. Proceed with caution, because a compromise between these two proposals amounts to a sellout.

A choice between a strong firearms restriction and an even stronger restriction is really no choice at all. This might be an effective method of forcing passage, but I would not say it is a responsible way of going about our duty. The legislation which we write and approve should be fair above all. It should also be effective and necessary to the conduct of Government. The U.S. Congress should never function as an arbitrator of the lesser of two ill-conceived proposals.

I call this legislation ill-conceived, but in the same sense I do not charge that the supporters of either of these proposals are wrongly motivated. There is more than ample motivation for solutions to crime and violence in the United States. The Federal Government must take steps to turn around the skyrocketing inclination toward increased criminal activity and Congress should be at the front of a new mood to restore reason to our society and safety in our streets. Urgency is needed to give the American people security. The public demands action from Congress and the agencies of the Federal Government. Crime in our civilized and refined society is a threat to the country and to the way of life which we have worked so hard to reach.

In a culture that considers itself to be enlightened, we have the commendable tendency to sympathize with the unenlightened. The United States has assumed the duty of feeding and educating what we consider to be the undeveloped countries of the world. We have not succeeded in bringing the rest of the world up to our standard of living, but we have spent more than $120 billion trying to. Congress has also passed much legislation to either extend or redefine the rights of the minorities here in our own counrty.

Now, after monumental legislative measures under the title of "Civil Rights," we have racial violence worse than ever before. Our courts have gone *to great lengths in protecting the rights* of the accused and the convicted criminal is given every opportunity of legal appeal and early probation. But still the incidence of crime increased by 17 percent last year. The American people have seen failure following failure in their Government's social experiments. Our civil rights program has failed. Our foreign policy has failed. All morally motivated, but ill-conceived or at least unworkable, the cure-alls of the Federal Government have failed to produce solutions. New programs can be expected to have flaws, to need time to show improvement, but worsening conditions should tell us that we are going the wrong direction.

This loaded proposition of gun restrictions is also pointing at the wrong target. Is it not the criminal use of firearms that we seek to control? Should the Federal Government not direct its efforts toward taking guns out of the hands of robbers and murderers?

---

[2] P. A25, hearings before Subcommittee To Investigate Juvenile Delinquency, Senate Committee on Judiciary, 90th Congress, first sess. (July 19, 1967).

I know that proponents of gun controls have in mind the dishonest and violent use of firearms in this legislature, but let us be practical.

No thief is going to have himself mugged and printed to purchase a gun.

No assassin is going to forget his plans because he cannot order a telescope-equipped rifle through the mail.

No crazed killer is going to give up in frustration because he cannot run to a gun store and buy a pistol without a waiting period.

Who are we aiming at with this legislation?

The gun collector who will have to either travel great distances to buy a special piece or forget about it?

The sportsman who travels to Montana and then cannot buy ammunition because he is not a resident of the State?

The handloader who reloads ammunition for himself and friends?

The gun club that buys surplus weapons and teaches safety habits to young people?

The National Rifle Association, which devotes itself to the promotion of safe and responsible use of firearms?

The good people of America will register their weapons if Congress passes compulsory legislation. The great bulk of our country, the strength of our Nation, will abide by the law whether they like it or not because they believe in our Government.

And what do you accomplish if the only guns registered are those that will not be used violently against fellow human beings?

Do not be deluded into thinking that you will cut off the criminals' access by enacting these restrictions. Normal avenues of gun purchase are already avoided by the criminal. About all that will be accomplished by these restrictions is an increase in the price of blackmarket weapons.

Unless this legislation can be amended on very short notice to assure that criminals, not law-abiding citizens, are deprived of firearms, it should be voted down. Here is another area in which we could fail. Imagine if these restrictions are enacted and another prominent person is gunned down. If this proposal is logical, would the next logical step not be total prohibition of private gun ownership, and systematic confiscation of all weapons made easy through a nationwide list of gunowners? Surely the aspect of disarming our entire populace is frightening to even the most ardent supporters of gun restrictions. This seemingly remote possibility must be considered in the context of our discussion today.

I have deep faith in the ability of Congress to solve the problem of gun violence in America. Working with the other nations of the world, we will also someday be able to alleviate hunger and illiteracy in the underdeveloped countries.

America through the normal process of government will correct past mistakes, create new programs and make new errors, but we will progress.

But as we legislate and deliberate new laws and programs, we must move very cautiously in the areas of the rights of all citizens. Through emotion and pressure of the moods of our society, Congress could remove essential priviliges with all good intentions.

The current firearms proposals should be returned to the proper committees and should be reviewed under conscientious deliberation of the effects to both the law-abiding and the dishonest citizens in our society. The Congress can surely arrive at legislation that aims at the misuse of firearms while protecting the constitutional rights of the responsible citizens.

Next year a fresh approach can be made against the real cause of the emotion that prompts us to act now.

In the jargon of gun enthusiasts, "Don't go off half-cocked and miss the whole target."

FULL EMPLOYMENT AND PRICE STABILITY: THE CRITICAL BALANCE

The **SPEAKER** pro tempore. Under previous order of the House, the gentleman from Illinois [Mr. FINDLEY] is recognized for 60 minutes.

Mr. FINDLEY. Mr. Speaker, 21 years ago, the Congress of the United States, after considerable study and debate, enacted into law the now famous Employment Act of 1946, which for the first time in our Nation's history put the Congress officially on record as supporting the view that the Government of the United States must use all practicable means consistent with its needs and obligations and other essential considerations of national policy, to promote maximum employment, production, and purchasing power.

Aside from this official declaration of policy, the act itself did not provide any guidelines as to how the Government should go about promoting "maximum employment, production, and purchasing power." It did, however, provide a foundation upon which the Government could build a national economic policy directed toward the achievement of such objectives. It also established the Council of Economic Advisers and the Joint Economic Committee, as the chief Government instrumentalities to provide economic advice and formulate economic policy.

The act reflected, essentially, the mood of the times. The war was over. Vivid in the minds of most Americans were memories of large-scale unemployment and economic depression during the decade of the 1930's. Americans generally were deeply apprehensive about the Nation's ability to make the transition from a wartime to a peacetime economy. At the war's end, unemployment stood at the exceptionally low level of 2 percent of the labor force—in marked contrast to the 15-percent level recorded in 1938, the year before the outbreak of the war. Obviously, no one wished to return to the period of high level unemployment comparable to that which existed during the 1930's.

A cursory glance at the long-term performance of the economy since the enactment of the Employment Act shows that, despite the fears of many Americans at the time, the Nation has not only succeeded in avoiding high level unemployment comparable to the 1930's but, it has likewise succeeded in avoiding any serious and prolonged downswing in economic activity. Although unemployment during the late 1950's and early 1960's did exceed desirable levels, it fell far short of the excessively high levels experienced in the 1930's. We have experienced four postwar business recessions. They were, however, quite mild and represented only monetary disruptions in the continued and impressive growth and expansion of the American economy. Thus, in many respects we can look upon the postwar performance of the national economy with considerable pride. The economy had demonstrated significant gains.

On the other hand, we must not let the successes of the past 21 years blind us to the real and serious economic difficulties which our Nation is faced with today, both at home and abroad. Though the economy at the moment is still expanding, it is not behaving in a healthy fashion. It is clearly out of balance. Monetary and fiscal policies are unable to complement one another in an effective manner. Interest rates have been forced to excessively high levels—their highest in almost a century. Industrial production activity has been uncertain and occasionally sluggish. Inflationary pressures for some time have been strong and threaten to get worse. Due to high interest rates, housing still faces a shaky future, following a mild recovery from a severe slump. Most observers are convinced that Federal spending has gotten out of hand, resulting in a burdensome deficit of something in excess of $15 billion. Last, but not least, agriculture has had to face much uncertainty and contend with falling prices and incomes due to overproduction in many quarters and a marked fall-off in foreign demand.

On the international scene, the economy, for some time, has had to contend with a serious deterioration in its balance-of-payments position, due largely to a marked increase in U.S. imports, a much slower rate of export expansion; that is, merchandise exports—the continued rapid rise in U.S. investment abroad, and, most important of all, the continued sizable outflow of U.S. funds for military and nonmilitary aid purposes abroad. Also, the national economy has had to shoulder some of the impact of Britain's devaluation of the pound and subsequent raids on our Nation's dwindling gold reserves. The dollar, the basic reserve currency in world markets, is in serious trouble.

Given this background, it is obvious that the problems which we face today are fundamentally different from those faced by the Nation in 1946. Therefore, the question naturally follows: Does the Employment Act still properly reflect the policy objectives and needs of the economy in 1968? In my view, it does not. In its present form, section 2, the key provision of the act, its declaration of policy, states:

> The Congress hereby declares that it is the continuing policy and responsibility of the

> Federal Government to use all practicable means consistent with its needs and obligations and other essential considerations of national policy, with the assistance and cooperation of industry, agriculture, labor, and State and local governments, to coordinate and utilize all its plans, functions, and resources for the purpose of creating and maintaining, in a manner calculated to foster and promote free competitive enterprise and the general welfare, conditions under which there will be afforded useful employment opportunities, including self-employment, for those able, willing, and seeking to work, and to promote maximum employment, production, and purchasing power. (15 U.S.C. 1021.)

Aside from this very general declaration of policy, the act, as I have already noted, provides no clear guidelines concerning the administration of national policy. Though I am in complete agreement with the stated objectives of section 2, it is abundantly clear to me that this key section of the act is in need of basic amendment.

Given: first, the troubled state of the Nation's economic affairs today; second, the significant changes which have taken place in the role of government in the economic affairs of the Nation; and third, the many marked changes that have taken place in the character and institutional framework of the national economy since 1946, I firmly believe that the Congress should now take steps to make section 2 far more explicit on the problem of price stability.

The need for such action becomes all the more convincing when one reviews in particular the significant changes which have taken place in the role of economic policy since the early 1960's. Shortly after assuming office in January of 1961, the Kennedy administration took the position that the Federal Government, in its execution of economic policy, would have to play a far more active and direct role in the economic affairs of the Nation, if we were going to succeed in getting the economy "moving again."

It pointed to the fact that the economy at that time, the beginning of 1961, was operating at well below its full potential. Unemployment was at an excessively high level. The Nation for the second time in 5 years was in the midst of mild recession. Profits, investment, and industrial production had exhibited little, if no advancement, during the period 1957–60. The Nation was faced with a serious and persistent deterioration in its foreign trade position.

In light of these circumstances, the administration felt the economy needed a hefty shot in the arm; a policy of fiscal expansion, based on deficit financing, was considered to be in order.

This approach to national economic policy was obviously in direct contrast to the Government's approach to policy during most of the 1950's. Under the previous philosophy, it was generally held that every effort should be made to administer national policy in a manner which would not add undue inflationary pressures on the economy. As long as prices could be kept within a relatively stable range, it was held that the economy, operating under such conditions of stability, could and should be largely depended upon to grow and prosper on its own.

Direct stimulation of economic activity by Government manipulation of fiscal policy was frowned upon. To put it another way, expansionary fiscal policy in the form of deficit financing was seen as inherently inflationary.

This longstanding view of national economic policy was rejected by both the Kennedy and Johnson administrations. They held, on the contrary, that the poor performance of the economy since 1957 was due in part to an overly restrictive fiscal policy and continued reliance on an outdated tax system which was designed to restrain inflationary pressures confronting the economy during the immediate post-war era. Additionally, since price had remained relatively stable since 1958—but at the same time the economy was operating at well below its full potential, both in terms of output and employment—Kennedy administration economists and policymakers held that inflation posed no serious threat to the economy in the foreseeable future.

Therefore, in its drive to make fiscal policy a decisive and expansionary influence in the economy, the administration, with the support and approval of Congress, during the period 1962–65, succeeded in instituting four major tax reductions. By 1965, these had reduced the burden of Federal taxation on individuals and corporations by some $20 billion annually.

In taking such steps, the administration conceded that the budget would remain considerably out of balance for some time. Nonetheless, it believed that the short-run loss in revenue resulting from reduced taxes would be more than offset, within a reasonable period, by the revenue derived from a rapidly expanding economy.

A review of budget data over the past several years shows, however, that this objective has not been fulfilled. Today, we are faced with the prospect of the largest budget deficit since World War II.

In addition to its advocacy of expansionary fiscal policy, the Kennedy and Johnson administrations, through 1965, succeeded in getting the Federal Reserve Board to maintain a policy of monetary ease, in order to provide the funds needed to bring the economy up to its so-called potential rate of output, and to bring unemployment down to the "interim" full employment goal of 4 percent of the total civilian labor force.

Finally, we should note that, in 1962, the administration formulated some general guideposts on wages and prices with the clear intent of discouraging the development of cost-push pressures on the general price level. In short, these guideposts were designed to persuade labor and management to exert themselves to keep wages and prices in line with the overall trend rate in productivity recorded by the economy during a given period of time. In every year from 1962 through 1966, the administration took great pains to emphasize the importance of general voluntary compliance with the wage-price guideposts. In fact, in 1965 and 1966, it went so far as to cite a specific guidepost figure which it deemed to be consistent with the Nation's drive to keep inflationary pressures and particularly cost-push inflationary pressures to a minimum. It knew full well that its policy of deliberate expansion of economic activity could be quickly negated by the renewal of strong inflationary pressures.

Thus, not only was the administration taking it upon itself to play an active role in getting the Nation moving again, but it fully intended to keep close watch on the wage and price decisions of labor and management, with particular attention being directed to the activities of big business and big labor.

From 1962 through 1965, expansionary monetary and fiscal policy had a generally salutary effect on the economy. By the end of 1965, the economy for the first time in several years was operating near to its full potential, both in terms of production and employment.

Though many were jumping on the bandwagon of the "new economics," numerous careful students of economic policy continued to remain skeptical as to the Government's ability to keep the economy on an even keel once it had achieved full steam.

The crucial test of the so-called new economic philosophy of the administration came in 1966. Though expansionary policy had proven itself effective in pulling the economy out of a state of sluggishness, there remained one important question to be answered: Could such a policy likewise keep the lid on economic excesses—particularly inflationary pressures—which unquestionably would evolve once the economy achieved its full potential rate of growth?

As the economy approached full potential in early 1966 and spending for Vietnam and domestic programs continue to increase at a rapid pace, the Johnson administration quickly began to encounter difficulty. Many observers were contending that the economy was on the verge of overheating. The Nation, for the first time since the late 1950's, clearly faced the threat of runaway inflation. Accordingly, some advocated greater fiscal restraint in the form of increased taxes, while others advocated a cutback in nondefense spending, particularly in light of the growing economic burden of Vietnam.

The administration rejected both recommendations, however, taking the position that a shift to fiscal restraint might apply too firm a brake on economic activity and thereby force the economy into a premature slowdown. Unfortunately, it assumed the position that the Nation could afford both guns and butter.

This attitude on the part of the administration quickly resulted in a serious split among our Nation's policymakers. The Federal Reserve Board, which had worked very closely with the administration in its drive to bring the economy to its full potential during the period 1961–65, in late 1965 came up with a different prognosis of the economy. It took the position that the money supply could no longer expand at the rate that it had in recent years. Given increasing evidence that the economy was on the verge of overheating, the Fed held that the continuation of an easy money policy would be both self-defeating and inflationary. The administration urged the Fed to withhold such action, but the Fed wisely refused to accept this advice.

In the months that followed, monetary policy became increasingly restrictive as it became apparent that the administration would not take the appropriate fiscal steps needed to restrain the economy, which was clearly advancing at an unsustainable pace. Heavy reliance upon monetary policy as a restraining influence on the economy naturally had a severe impact on certain sectors of the economy.

Tight money coupled with an extraordinary expansion of capital spending quickly dried up the sources of loanable funds in the housing market, thereby further intensifying an already bad situation in the housing sector. New housing starts as a result fell off sharply to an annual level of 850,000 in October of 1966—the lowest level recorded since 1945. Moreover, interest rates rose sharply, reaching their highest level in 40 years. These developments soon led to near panic in money markets through the Nation by late summer and early fall of 1966. Overall, the economy was clearly out of balance.

In sum, the year 1966 proved to be one of confusion and indecision as far as fiscal policy was concerned. The administration refused to support the idea of a tax increase. Federal spending proved highly expansionary, increasing sharply by some $23 billion during the year. This was substantially above the $8 billion increase recorded during 1965. Despite a sizable rise. Federal receipts were not enough to cover the rise in spending. As a result the Government recorded a deficit of some $5.7 billion, $1.2 billion higher than the deficit recorded in 1965.

In retrospect, 1966 was a year when the Government should have given top priority to a balance or near balance in Federal receipts and expenditures. Restrictive, not expansionary, fiscal policy was clearly called for.

The administration in the fall of 1966 did take action to dampen the capital investment boom, hoping to bring some order back to financial markets by recommending the temporary suspension of the investment tax credit. It also expressed the hope of reducing nondefense spending by some $3 billion during the remainder of the fiscal year. Congress approved the tax request and also took other steps designed to help bring some order to financial markets and also provide a badly needed transfusion of funds to the credit starved housing market.

Moreover, in a move calculated to improve the psychology of financial markets and to reduce pressure on interest rates, the Federal Reserve announced that it would make every effort to ease its restrictions on the money supply, especially since there was increasing evidence that inflationary pressures were subsiding.

These moves, by the administration and the Fed, did serve to tide the economy over for the remainder of 1966, but no one could really take pride over the manner in which the economy performed throughout the year. Consequently, due to an overreliance upon monetary restraint and mismanagement of fiscal policy by the administration, the economy in 1966 in no way resembled the orderly and impressive performance of 1965.

The guidepost policy of the administration on wages and prices was also dealt a severe blow by the events of 1966. As the year progressed, organized labor expressed increasing disenchantment with the guideposts, taking the stand that they were meaningless and unworkable since inflation would more than offset the 3.2 percent wage increase recommended by the administration. Many industries, too, were finding it more difficult to comply with the administration's wishes simply because of their inability to absorb rising labor and material costs and maintain adequate profit margins. And the American farmers are faced with absolutely impossible conditions. The cost-price squeeze hit farmers doubly hard as commodity prices have dropped in a period of steadily rising costs. The newspapers in my district are carrying large numbers of farm closing-out auction sales which are the end result of reckless, destructive administration economic policies. Given these conditions, the administration soon found that its success of previous years, in keeping unit labor costs fairly stable, was unlikely to continue in 1966. Due to the frequent violations of the guideposts throughout the year, unit labor costs in the private economy, following several years of relative stability, increased by 3.7 percent—the largest such gain in over a decade.

Overall, the year 1966 proved to be a highly eventful, troublesome, and disappointing year for administration national economic policy. The policy objectives outlined at the beginning of the year were considerably altered by the escalation of Vietnam war costs and the general overheating of the economy. A policy split arose with the Federal Reserve over tight money; fiscal policy did not live up to its responsibilities; and there developed serious trouble spots in various parts of the economy, especially in housing and in capital markets.

Likewise, 1967 has proven disappointing from the standpoint of both the Nation's economic performance and the administration's conduct of national economic policy. Despite the fact that the economy was showing clear signs of slowdown, the administration, in January of 1967, requested that Congress enact a 6-percent surtax on corporate and individual income taxes. It reasoned that the economy, following a temporary pause in the first half of the year, would show strong signs of recovery sometime in the second half. Because, in its view, such a resumption of economic progress, coupled with a continued sharp rise in Vietnam spending, could mean a resumption of inflationary pressures, fiscal restraint in the form of increased taxes would be needed.

Many felt that it was already too late for the administration to correct its policy mistakes of 1966. Restrictive fiscal action, whether it be in the form of a tax increase or reduced Federal spending, or both, should have been taken to slow the economy down in the early months of 1966, when it was clearly expanding at an unsustainable pace.

Due largely to the fact that the economy proceeded to slow down far more than had been originally anticipated by administration forecasts for the first half of 1967, Congress prudently put off action on the matter of increased taxes. And looking back, if it had not been for a significant rise in Federal, State, and local spending during this period, a serious recession would have been very probable. The sudden restoration of the business investment tax credit by Congress in May of 1967 gave clear indication of the concern felt about the condition of the economy at the time.

After looking into its highly tarnished crystal ball around the middle of last year, however, the administration resumed its efforts to get favorable passage of its tax request. With increasing emphasis, it told the Nation that the economy would not only exhibit marked improvement in the second half of 1967 but that it would experience continued strong expansion in 1968. Moreover, the administration was becoming increasingly concerned over the prospect of a budgetary deficit ranging somewhere between $20 and $30 billion. Such a deficit would be unsustainable and would place undue pressures on the economy, intensifying already existing inflation pressures and bringing general confusion again to money markets.

Congress has withheld approval of the administration's tax request largely because of the administration's reluctance to put its own finances in order. The President has again pushed for passage of a surtax early this year, as his 1968 state of the Union message clearly demonstrated. However, I believe Congress will take affirmative action only if it seems clearly desirable and the administration has agreed to an appropriate and meaningful reduction on overall Federal spending.

The administration theory that the taxpayer will support both "guns and butter" has proved false beyond question. On the other hand, the administration has demonstrated to the American public—albeit halfheartedly—that it can make reductions in spending levels without really hurting valuable domestic programs.

Many Government employees have assured me, in private, that the "congressional crunch" on budgetary requests has really been healthy, as it has caused a much needed reexamination of priorities and a considerable degree of competition between different programs. In the process, some unproductive or unworkable items have been shelved or eliminated. Although but a token tightening, this suggests what can be done.

Finally, in addition to the many far-ranging difficulties which the national economy faces at home, we are clearly faced with some very serious challenges in the world economy. The dollar, as I noted earlier, is faced with its most severe challenge in many decades. Our gold reserves continue to dwindle at an alarming rate. The administration's decision, at the beginning of this year, to impose restrictions on U.S. business investment abroad and to request congressional approval of restrictions on American tourism abroad clearly indicates the severity of our current difficulties in the international field.

The Morgan Guaranty Trust Co., of New York, in its December 1967 newsletter, placed the issue squarely when it said:

> There can be little doubt that the United States has already paid a high price internationally and internally for its failure to manage its economic affairs prudently and effectively. But the cost to date could eventually look trifling unless the pattern of drift in national policy making is broken—broken soon and emphatically.

Based on this cursory glance at the evolution of national economic policy and its corresponding effect on the economy since 1961, we come up with some very telling conclusions. First, we have been witnessing a radical change in the approach to national economic policy. Government today plays a far more active and direct role in the affairs of the Nation than in any period in our Nation's history. The new economic policies of the Kennedy and Johnson administrations did indeed prove effective in spurring the economy to relatively full capacity and full employment. But, as this survey has clearly documented, such policy, since early 1966, has as many had feared, failed to keep the economy in balance and keep the lid on inflation, once it achieved relative full employment and capacity. Quite clearly the once golden image of the "new economics" has been severely tarnished by this poor performance of the economy during the past 2 years. It is now necessary for the Congress to approve legislation which would make the Employment Act far more explicit on the manner in which the national economic policy should be executed. Therefore I propose an amendment to section 2 of the act which in my view would provide a more precise and meaningful guideline concerning the Federal Government's conduct of national economic policy. My amendment reads as follows:

> Section 1021 of chapter 15, United States Code is amended to read, "and to promote maximum price stability, employment, production, and purchasing power."

First, my amendment would make the Employment Act more explicit on the matter of full employment and price stability. It is true that when the act was initially introduced it was called the Full Employment Act. However, after considerable debate, the term "full employment" was dropped and the measure was subsequently renamed the Employment Act. It may be contended that the basic policy objectives cited in my proposed amendment to section 2 are already implicit in the act as it now stands.

I submit, however, that the prime concern of Congress in 1946 was with the problem of threatening high level unemployment and serious economic decline following the conversion from a wartime to a peacetime economy; and not the policy dilemma growing out of the trade-off between full employment and price stability which is the key problem facing our policymakers today and in the foreseeable future.

Accordingly, my proposed amendment, in large part, serves to update the intent of Congress on matters concerning the conduct of national policy, and to give price stability the priority it deserves.

Therefore, since the maintenance of relative price stability and relative full employment are the two most important objectives of national policy today, and in the foreseeable future, it stands to reason that specific reference should be made to these two very basic and essential policy objectives. My amendment would also serve to place the Congress on record as supporting the view that it is imperative that national economic policy always be conducted in a manner which will not only insure relative full employment but place highest emphasis on the maintenance of relative price stability as well. This consideration becomes all the more important when the economy approaches full capacity and full employment.

The overriding consideration of economic policy will always be: How can a free nation simultaneously achieve reasonably stable prices and reasonably high employment? My study of the problem indicates that the solution to this question is becoming more and more difficult, not less difficult, as the new economic policies of the Kennedy and Johnson administration led us to believe.

Today, and in the future, it is imperative that Government strive for maximum coordination and cooperation between the managers of the Nation's monetary and fiscal policies. The policy split which occurred over the conduct of such policies in 1966 obviously did considerable harm to the economy. It should, therefore, be the clear intent of Congress in amending the Employment Act, as I have suggested, to assure that such policy splits be avoided in the future.

So far I have made only general reference to the terms "full employment" and "price stability." In order to insure reasonable flexibility in our interpretation of the Employment Act as amended, it is essential that we understand precisely what is meant by the terms "full employment" and "price stability." A closer look at the language of the proposed amendment shows that particular emphasis is placed on the word "relative." We are not speaking in terms of absolute full employment and absolute price stability. The overriding objectives of national policy must always be spoken of in relative terms. Obviously, as the economy changes over time, relative full employment and price stability will be subject to different interpretations. It is clearly not the intent of this amendment to establish and maintain a rigorous and inflexible definition of these two fundamental objectives of policy.

Let us never forget that the maintenance of relative full employment and price stability is a two-way street and excessive emphasis on one will upset the other. The responsibility is not only that of the administration in power but clearly that of the Congress as well. This is already explicitly recognized in the Employment Act with the creation of both the Council of Economic Advisers and the Joint Economic Committee of the Congress.

Let me conclude by making a few remarks on what we mean when we refer to the terms relative full employment and price stability.

First, the question of relative full employment.

I have no argument with humanitarian and social aspect of "full employment." On moral grounds, any unemployment is too much. However, given the inherent nature of the marketplace system, there is quite clearly a practical limit placed on our full employment objectives. Shortly after President Kennedy entered office in 1961, we will recall that he said that national economic policy will be geared to the achievement of an "interim full employment rate" of 4 percent annually of the civilian labor force. In the administration's view, an unemployment target below the 4-percent level would have proven unduly inflationary, given the then estimated productive potential of the economy.

Since 1961, we have seen the unemployment rate fall steadily and markedly from 6.7 percent to an average of 3.8 percent for 1967—lowest level recorded in 14 years. Prices remained relatively stable through the early months of 1965. Yet, once unemployment fell below 5 percent in April, 1965, for the first time in a number of years, the Nation began to experience price difficulty. And we experienced increasing difficulty as unemployment approached the 4-percent level.

Moreover, unemployment today cannot be defined solely in terms of those members of the work force 14 years and over who are out of work but are ready, willing, and able to seek employment. Essentially, the unemployed can be broken down into four categories:

First. Frictional unemployment: This involves that percentage of the labor force temporarily unemployed due to certain functional imperfections in the labor market. For example, a sudden decrease in demand for goods may cause unemployment until the specialized labor force of that industry can shift to other jobs.

Second. Seasonal unemployment: This involves the periodic loss of jobs caused by seasonal variations in the production cycle of certain industries.

Third. Structural unemployment: This involves the loss of jobs resulting from structural changes in the economic system over time. Among the more important structural changes believed to have a significant effect on employment are changes in consumer tastes, the level of technology, population growth, and Government policies. This is the category in which we find most of the unemployable workers who lack the skill and/or the knowledge to compete effectively on the job market.

Fourth. Finally, there is the matter of surplus unemployment. This is generally a serious problem when the economy overall is down and is operating at well below its full capacity. Persons unemployed because of these circumstances, however, have no trouble finding employment when the economy is operating reasonably near its full potential. Currently we are not faced with a surplus unemployment problem. Nearly all the unemployed today are out of work due to frictional, seasonal, and structural factors.

Though our current economic situation warns against monetary and fiscal policies geared to a further reduction in unemployment as a primary objective, this consideration does not preclude our Government from intensifying its efforts in the area of manpower policy to reduce existing frictional and structural rigidities in the Nation's labor market.

Continued efforts by the Federal Government as well as State and local government to reduce such barriers to labor mobility and job opportunity are always welcomed, since such efforts greatly assist in reducing pressures on those labor markets which currently—and in the foreseeable future—are experiencing severe labor shortages. Effective programs in these areas not only have a desirable deflationary effect on the economy, but enable us to reduce the tolerable level of unemployment to even lower levels without generating inflationary pressures.

Finally we come to the matter of relative price stability. Like relative full employment, relative price stability cannot be defined in precise numerical terms. Nevertheless, given the current makeup of the economy, prices are considered to be within a relatively stable range when their increase—as measured by the Consumer Price Index—remains somewhere between 1 and 2 percent annually—preferably below the 1-percent level. However, once the rise in the general price level begins to exceed the 2-percent annual rate—particularly if the price rise is fairly general throughout the economy—then we must begin to give serious attention to the question of inflation.

If we look, for example, at the period 1958–64, we find that consumer prices remained remarkably stable, increasing by an average annual rate of 1.2 percent. As we are well aware, the situation since early 1965 has been markedly different. Prices in general have increased by an average annual rate of about 3 percent. And based on the current outlook, we will no doubt have to contend with the erosive effects of general price inflation for at least months to come.

Economic research to date has not provided us with the means to determine to any degree of precision the point at which efforts to bring about further reduction in unemployment prove inflationary, and thereby upset the balance of the economy. However, based on the experience of the economy over the past several years, it can be demonstrated that the pursuit of full employment begins to have an adverse effect on price stability once the unemployment rate is reduced somewhere within the range of 4 to 5 percent of the total labor force. At this stage, national policy must give top priority instead to the maintenance of price stability.

Certainly the record of national policy over the past 2 years has shown clearly what happens when a fully employed economy does not give top priority to the maintenance of relative price stability.

Many have contended over the past that our Nation cannot maintain a healthy rate of expansion without experiencing some inflation. Yes; price increases somewhere between 1 and 2 percent annually undoubtedly will be experienced, regardless of how carefully we administer national economic policy. Nevertheless, once prices begin to rise at a rate greater than 2 percent annually, inflation becomes a real and serious problem. Such a development begins to have profound and adverse effects on the welfare of the poor, those on relatively fixed incomes—particularly the elderly—and the farmer. To these Americans, inflation proves to be the cruelest tax of all. Although there is no escaping the fact that our Nation currently faces some very real and critical challenges in areas of social and economic reform, we will make little headway in these areas as long as we continue to experience inflation. No. 1 priority must now be given to the maintenance of relative price stability. It is an essential foundation for success in our day-to-day efforts to build a greater and more fulfilling society for all Americans.

This is precisely the spirit which my proposed amendment to the Employment Act wishes to convey to our managers of national economic policy and to Americans generally.

CHALLENGING THE ALLEGATION OF "WAR PROFITEERING"

The SPEAKER pro tempore. Under previous order of the House, the gentleman from California [Mr. GUBSER] is recognized for 15 minutes.

Mr. GUBSER. Mr. Speaker, no American in or out of Congress sanctions war profiteering or excessive profits by defense contractors. We all oppose profiteering.

When an evil is so universally condemned, it is easy for one who does not study the problem in depth to repeat the cliche and point the finger at a profiteering strawman who is hated by all. It is easy to paint all industry with the wide brush of prejudice and create the impression that excessive profits are being made across the board in defense industry.

Unfortunately, I must seriously question the implications contained in recent articles by Congressional Quarterly and the New York Times. I will not bother to refute the implication by Congressional Quarterly that, in seeking the truth and speaking out about it, I am adopting a provincial attitude in support of industries in my district. Had Congressional Quarterly studied the facts before publishing one of its recent articles, it would have been revealed that two of the industries mentioned as being in my district are Government-supported research laboratories producing no hardware; further, that others allegedly in my district are not there at all.

Mr. Speaker, I have consistently made these points:

First, in the last 5 years the Renegotiation Board has cost the taxpayers more than it has produced. Second, the Renegotiation Act is no longer necessary because of Public Law 87–653—the Truth in Negotiations Act—improvements in contracting procedures and the increased use of incentive fixed-price contracts.

I have argued against the imposition of uniform accounting procedures as an impossible, ridiculous and inefficient requirement which will unjustly increase the cost of items procured by the Federal Government. My argument is well backed by the simple fact that the accounting experts themselves have not been able to agree upon a feasible system of uniform accounting procedures.

Lastly, I have argued that defense profits are trending steadily downward while commercial profits have followed the reverse trend. This, coupled with the harassment of additional redtape in dealing with the Government, has caused small- and medium-sized companies to concentrate their future growth upon commercial rather than defense business. It has caused them to seriously curtail research and development efforts for possible defense use which are paid for with company funds. This in turn has shrunk the base of expertise which should be available to the Defense Department at a time when the Soviet Union is continuing in pursuit of its goal to dominate the field of military research and development.

These arguments, Mr. Speaker, are not arguments in favor of profiteering or a provincial defense of industry in my congressional district. They are commonsense based upon a long study of defense procurement. I am proud to say they are arguments which dare to probe behind the cliche and resist the temptation to scatter guilt with a shotgun.

In this continuing argument, one of the points at issue is whether defense profits are too high and whether there is in fact widespread war profiteering. I have frequently quoted the Logistics Management Institute's report in support of my negative answer to the above question. Some have misconstrued and distorted a General Accounting Office report as a rebuttal of the LMI report, but recently in testimony before the Senate Banking and Currency Committee a representative of the GAO clearly showed that the assumption on the part of those who would debunk the LMI report was not based upon sound ground. As I read the testimony by GAO, they do not question the findings of LMI.

The Defense Department has become so concerned with shrinking profits in defense industry and the narrowing of competition because contractors are leaving the defense field for commercial production that an Armed Services Procurement Regulation—ASPR 3–808.1—was promulgated which states that a fair profit level must be maintained in order to insure the availability of weapons and defense items to the Department.

In the July 6 issue of the Armed Forces Journal, Secretary of Defense Clark Clifford took sharp issue with recent congressional comments and press reports alleging that U.S. businessmen are making excessive profits on defense contracts. This article is worth reading and I include it herewith:

CLIFFORD SAYS DEFENSE PROFITS SHOW DECLINE; CHALLENGES ALLEGATIONS OF "WAR PROFITEERING"

Defense Secretary Clark Clifford has taken sharp issue with recent Congressional comments and press reports alleging that U.S. businessmen are making excessive profits on defense contracts.

Just the opposite is true, the Defense Secretary said in a letter to the Chairmen of the House and Senate Appropriations and Armed Services Committees.

"The trend in Defense companies' earnings has been downward," Secretary Clifford said. So much so, he said, that Department of Defense officials "frequently have expressed concern with the steady decline in profit rates."

The Defense Secretary acknowledged that, in the handling of some 15-million purchase transactions annually "some mistakes are inevitable." The available factual data, however, "tell a story of significant progress in military procurement," he said.

Here is the text of the Clifford letter:

"DEAR MR. CHAIRMAN: During recent weeks there have been several Congressional and press comments, implying that there has been a sharp increase in profits on Defense contracts—or expressing concern that the increased volume of Vietnam procurement has given rise to 'war profiteering.'

"I have examined the best available data on this matter and do not find a basis for such conclusions. I would like to report to you on the data which this Department has available.

"We continue to strive for maximum effective competition in procurement, at minimum costs possible. I acknowledge that some mistakes are inevitable, but the facts tell a story of significant progress in military procurement.

"The Defense Department is now processing approximately 15 million purchase transactions annually. While most of these are small, we entered into more than 229,000 transactions last year with a face value of $10,000 or greater. In such numerous transactions, spanning purchases ranging from simple parts and services to the most complex weapon systems, there will always be a range of profit results— from occasional substantial losses to occasional instances of relatively high profits. To protect the public against any abnormal trend to high profits, Congress has established the Renegotiation Board. We support the continuation of the Board.

"Permit me now to relate to you the factual data which are available.

"Published reports of the Renegotiation Board

"As you know, the Renegotiation Act of 1951 provides that the Renegotiation Board is to review the total profit derived by a contractor, during the year, from all of his renegotiable contracts and subcontracts in order to determine whether or not this profit is excessive. Each year the Board reports the total sales contained in the filings it receives, and the total profit on these sales. The tabulation below, from the Renegotiation Board reports for 1956–1967, shows sales and pretax profits, and the over-all percent of pretax profit on sales.

[Dollar amounts in billions]

"Year ending June 30	Renegotiable sales	Renegotiable profits	Profit on sales (percent)
1956	$28.2	$1.8	6.5
1957	27.7	1.6	5.8
1958	26.6	1.3	4.9
1959	26.3	1.1	4.2
1960	28.5	1.1	4.0
1961	25.1	.9	3.6
1962	29.3	.9	3.1
1963	31.2	.9	2.9
1964	39.3	1.1	2.9
1965	34.8	1.0	3.0
1966	31.8	1.0	3.0
1967	33.1	1.2	3.5

"It is reported that, due to Vietnam, the number of filings with the Renegotiation Board has begun to show an increase. This, of course, is to be expected. The number of contract awards with a face value of $10,000 or greater has increased from 149,700 in 1963 to 229,400 in 1967. During the same period, the net value of Defense awards increased from $29.4-billion to $44.6-billion.

"Based on the above data, I find no grounds for concluding that a sharp increase in Defense profits has occurred. To the contrary, Department of Defense officials frequently have expressed concern with the steady decline in profit rates between 1956–1963. This was one of the factors that led us to conduct a *Special Study of Profits Earned by Forty Defense Hardware Contractors.*

"Two years ago, the Defense Department determined that more detailed information was required on profit trends related to sales, capital invested, and type of contract—especially among companies engaged in the development and production of military hardware.

"We obtained the assistance of a research organization (the Logistics Management Institute) to gather such detailed information on a confidential basis from a number of medium volume ($25–$200-million annually) and high volume (over $200-million annually) Defense contractors. The survey covered 40 companies (23 high volume and 17 medium volume). This group represents a significant sample, since its aggregate Defense sales have ranged between $13–$15-billion annually since 1958.

"Thus far, sales and profit data have been obtained and analyzed for the calendar years 1958 through 1966. We are currently in the process of obtaining data covering earnings through Calendar Year 1967.

"The following summary shows the profit performance, before taxes, for this group of Defense companies, compared with 3,500 durable goods companies reporting to the Federal Trade Commission and the Securities and Exchange Commission.

[In percent]

Year	"40 defense companies		3,500 FTC/SEC companies	
	Profit to sales	Profit to total capital invested	Profit to sales	Profit to total capital invested
1958	5.4	20.4	7.1	14.1
1959	5.1	19.1	8.9	18.8
1960	4.5	17.0	7.8	15.9
1961	4.3	14.6	7.7	15.1
1962	4.2	14.3	8.9	18.5
1963	3.9	12.5	9.1	19.2
1964	4.0	12.2	9.5	20.4
1965	4.8	14.3	10.4	23.1
1966	4.5	13.0	10.0	22.6

"As the above data show, the trend in Defense companies' earnings has been downward, while that of the commercial companies has steadily increased. The Logistics Management Institute has also obtained data on Defense company profit trends by type of contract. These show that the lowest profit rates since 1963 have been earned on firm-fixed-price contracts, and on those awarded under competitive conditions.

"A copy of the study containing the above data is enclosed. When this report is supplemented to show 1967 data, we will be pleased to furnish you a copy if you wish. *Trends in 'Going-In' Profit Rates on Negotiated Contracts.*

"A misunderstood and misinterpreted profit statistic which has been discussed recently is the negotiated 'going-in' profit on noncompetitive contracts. Some people apparently assume that this profit is a guarantee of what the contractor will actually earn when the contract is completed.

"This is not the case. It simply means that if the contractor's actual costs are the same as the estimated, allowable costs established by negotiation—then he can expect to earn the profit percentage which is negotiated. However, costs incurred above the negotiated estimate, (1) either do not change the amount of profit negotiated, or (2) decrease the amount earned—depending on the type of contract. Hence, the contractor's profit percentage can be expected to decrease to the extent that his actual costs are higher than negotiated at the outset—a very frequent occurrence on development and initial production of complex military items.

"Furthermore, by law and regulation there are many contractor costs which are not allowed on Government work and which thus must be paid by the contractor out of his profits. These unallowable costs include interest on borrowed capital, donations and contributions, advertising, and others; in the aggregate such unallowables average in excess of 1.5% of the contractor's actual costs.

"The statement has been made that since 1964 'going-in' negotiated profits have increased 25% over the 1959–1963 period. The actual increase from January 1, 1964 through December 31, 1967 has been 22%. A principal reason for this increase in 'going-in' profit rates is the fact that we have consistently increased the use of firm-fixed-price and incentive type contracts, while reducing the use of cost-plus-fixed-fee (CPFF) contracts. This shifts responsibility and risk from the Government to the contractor, and provides an incentive for better management. Our experience shows that the *total cost* to the Government is thereby reduced. Hence, it is sound practice to share the cost savings with the contractor.

"Since 1961 the percent of awards based on firm-fixed-price contracts has increased from 31.5% to 56.3% of all awards; incentive contracts have increased from 14.4% to 26.1%; while the percent of CPFF awards has dropped from 36.6% to 10.4%.

"We would indeed be exacting unreasonable penalties if such dramatic shifts in risk were not accompanied by improved profit *opportunities*. As a consequence, the average negotiated 'going-in' profit has increased from 7.7% on estimated cost, to 9.4% since January 1964—a 22% increase.

"Despite this apparent improvement in profit opportunities, the limited data available to us thus far on completed contracts show no improvement in realized profits—that is, they are remaining at the 1959–1963 level.

"We are currently examining why the anticipated improvement has not occurred, because we cannot properly expect industry to accept greater risks, and to apply an ever larger share of their own financial resources to the performance of complex military undertakings, without a valid opportunity to obtain profit results commensurate with the lower cost to the Government.

"Unless such improvements do occur in the future, we can only expect strong pressures to revert to much greater use of CPFF type contracts. I am sure that you will agree, as I find industry leaders do, that this would be a retrogressive step.

"CONCLUSION

"In the light of the above evidence, I can only conclude that those who express alarm about 'profiteering' are making assumptions as to the future without a factual basis. Of course, no one can predict future results in each individual contract or company. It is possible that the high volume, long production runs, which characterize some Vietnam procurement programs, may produce different patterns of profits from those of the past seven years. Again, it should be noted that the Renegotiation Board has been established to protect the taxpayer against any individual instances of excessive profits.

"I can assure you that we will continue to keep Defense costs and profits under the closest scrutiny; that we will continue to pursue the objective of wisely using the profit motive and competition to attract the best industrial capabilities to Defense work. and reward contracts appropriately for their performance as measured by on-time performance, technical achievements, and costs.

"Sincerely,

"CLARK M. CLIFFORD."

Mr. Speaker, this is a problem so serious, I suggest that inept scholars should find another field in which to use their talents of misrepresentation. The national security is involved and, despite proliferation treaties, peace talks in Paris, and noble intentions, the fact still remains that Russia has never let up in her quest for more powerful weapons and a stronger military machine. We should not, by reckless talk and unfounded implications, be weakening our potential to remain a strong and secure nation.

TACTICAL NUCLEAR WEAPONS: SOME RETHINKING NEEDED

The SPEAKER pro tempore. Under previous order of the House, the gentleman from California [Mr. HOSMER] is recognized for 5 minutes.

Mr. HOSMER. Mr. Speaker, the reluctance of the Defense Department to perform an adequate research and development job on new tactical nuclear weapons is a source of great concern to me and to others interested in defense strategy in the nuclear age.

Consequently, I recently sent a letter to Mr. Clark Clifford, the new Secretary of Defense, pointing out certain inconsistencies in our policies relating to tactical nuclear weapons, and urging that this entire area be subjected to a reexamination.

For the information of colleagues, the letter follows:

JULY 1, 1968.

Re: Tactical nuclear weapons development.

Hon. CLARK CLIFFORD,
Secretary of Defense,
Department of Defense,
Washington, D.C.

DEAR MR. SECRETARY: Now that you have had several months time to assess some of DOD's major problems, especially those stemming from NATO and Vietnam, I would like to pass on for your consideration and possible action a subject of great concern to me during the past several years. This relates to the need to refashion our tactical nuclear capability with the cleanest and most discriminate systems that have been developed or can be developed in the near future.

The Department of Defense has come in for major criticism for its alleged failure to have undertaken adequate research and development and force modernization in the area of conventional munitions. The lack of forward motion in this area has cost us greatly in terms of equipping our forces with more effective conventional capabilities, and our dismal results thus far in Vietnam have borne out our inefficiency in fighting conventional wars.

If we are not prudent, however, we may well find ourselves with a problem of comparable, or even greater, importance in the nuclear area.

Considering the trend of current events, before this decade is up the pressing need for a family of *politically credible* tactical nuclear weapons may arise from two sources:

(1) At our allies' insistence, a restructuring of NATO forces along the lines of a nuclear response as contrasted to a conventional response posture; and

(2) An inability to meet our own far ranging military commitments over the world with conventional forces.

Should the latter situation arise, a President might well ask why his nuclear options have remained so limited in the small, discrete tactical nuclear choices as to add measurably to the enormity and gravity of a possible reluctant decision to resort to the use of nuclear weapons.

No doubt, excuses will be readily available but they will hardly alleviate the magnitude of the problem, for it is public knowledge, as evidenced by Mr. McNamara's past statements, that our tactical nuclear stockpile mostly represents a destructive power far in excess of the bombs which destroyed Hiroshima and Nagasaki. Such weapons give little comfort to our allies that we can defend them without destroying their countries in the process.

During my years on the Joint Committee on Atomic Energy, I have devoted a good deal of my efforts toward trying to avoid this possible contingency. So have some of my colleagues on the JCAE. We have been well briefed on the great technical advances made by the AEC weapon laboratories and have been highly impressed with the potential of this progress, as could be reflected in an updating of our tactical stockpile.

To date, however, I have seen little encouragement in terms of obtaining specific decisions to modernize the stockpile with highly discriminate tactical nuclear weapons systems which could be made available if requirements were established. There seems to have been a lack of will, desire, or inclination, as the case might be, on the part of the Department of Defense to define requirements for such new weapons. There has been little, if any, real encouragement from an OSD level toward exploiting the very considerable technical progress made in this area.

It would seem that this over-all inertia and disbelief on this critical issue has blinded us to the possibility that our past national policies on conventional response to aggression might not work out successfully. Judging from our sorry experiences in NATO and Vietnam it would seem that these policies have fared quite poorly thus far. However, should a change be called for in the future I fear that our so-called "flexible response" posture will be very inflexible in the tactical nuclear part of the spectrum.

There is also another consideration that we should not loose sight of. This is the question of providing continuing guidance and interest to the AEC and DOD laboratories in the future development of more advanced tactical weapons systems.

The laboratories have already, in essence, offered us new capabilities one generation or more ahead of that which we now have in stockpile. Unless we are serious about embracing these new capabilities and act to exploit them, it is hard to see how we can move forward and give the laboratories the kind of guidance they need to work on a generation thereafter of refinements. I fear that in the present environment both their interests and their capabilities in pushing ahead are declining and that this could one day leave the country in an unfavorable position vis-a-vis even such small but vigorous development efforts as are going on in France, let alone those of Russia and China.

I have grave doubts that our past and current attitudes will produce a change of environment adequate to generate the kinds of decisions needed in this area. Therefore, I am writing to you to suggest that you personally apprise yourself on this vital matter. It has been neglected much too long and in view of a rapidly worsening world situation any further neglect could work toward seriously weakening our national security interests.

The time might well come when the demanding questions will be asked about the tactical nuclear R&D and procurement efforts of the 1960's, perhaps far more demanding than those being asked today about our lack of pace with conventional munition development efforts. We can still see to it that these questions can be largely avoided, if we act promptly.

I would appreciate your response on this matter.

Sincerely,

CRAIG HOSMER,
Member of Congress.

ELECTION OF THE PRESIDENT IN THE HOUSE OF REPRESENTATIVES

The SPEAKER pro tempore. Under previous order of the House, the gentleman from New York [Mr. GOODELL] is recognized for 30 minutes.

Mr. GOODELL. Mr. Speaker, for the past several days I have been discussing the serious possibility that no presidential candidate will receive a majority of the votes in the electoral college. I have offered a bipartisan plan to insure the election of the candidate who receives the highest number of popular votes if the election is decided in the House of Representatives. At this critical juncture in our Nation's history, we cannot afford prolonged negotiation and voting before electing our next President.

I think it is important that as we discuss the merits of this plan we keep in mind the laws and precedents relevant to a House election. There have, fortunately, been only two elections by the House in our history: in 1801 and in 1825. No one can say that these elections were unifying experiences for our country. The election in 1801 took 36 ballots to complete and brought about the 12th amendment to the Constitution regarding voting procedures in the electoral college. After the election of 1825, the Nation abounded with rumors of deals. Certainly our Nation cannot now tolerate either of these circumstances.

The purpose of my discussion today is to outline briefly the procedures governing an election of a President in the House of Representatives on January 6, 1969, if there is a deadlocked electoral college. The election of a President in the House is primarily based upon the constitutional provisions of the 12th and 20th amendments and the rules and precedents of the House of Representatives.

TWELFTH AMENDMENT

First. The House "shall choose immediately, by ballot," from among the three candidates receiving the highest number of electoral votes.

Second. A quorum of the House will consist of a Member or Members from two-thirds of the States.

Third. The votes will be taken by States, each State having one vote.

Fourth. A majority of all the States—26—is needed to elect a President.

TWENTIETH AMENDMENT

The 20th amendment provides that if a new President is not chosen by noon on January 20, the Vice-President-elect will serve as President until the new President is chosen.

RULES AND PRECEDENTS

Should the election fall into the House in 1969, the voting procedures in the House could be based upon the rules adopted by the House in its two prior elections, in particular the election of 1825. Although these rules are technically binding only on that session of Congress—the 91st Congress must adopt its own set of rules prior to balloting—they serve as guidelines for us to consider. These rules were adopted on February 7, 1825, and are set forth in Hinds' Precedents of the House of Representatives, Vol. III.

First. Balloting in State delegations: Members of State delegations first cast secret, written ballots among themselves to determine the vote of their States. If one candidate receives a majority of the votes cast by the members of the State delegation, the candidate's name is written on the State ballot. If no majority is received, the word "divided" is written on the ballot. There is some question as to whether an absolute majority of the State's delegation is necessary for a State to cast its ballot for President.

Second. Balloting by States: The rules provide for continuous balloting by the House, "without interruption by other business, until a President is chosen." Once the balloting begins, there is to be no debate on the question—although probably a Member could raise a point of order which could be debated. The House may adjourn, however, upon the motion of one State, seconded by another, the motion being voted upon by the States. If there is a tie in the Presidential vote, reballoting must take place. The vote of each State is cast by written ballot, and the separate vote of each State is not revealed when the ballots are counted and announced.

In conclusion, there are two observations which I would like to make regarding the possibilities for one major party presidential candidate to obtain a majority of State delegation votes.

First, a State is not bound to vote for the candidate who receives the highest number of popular votes in that State. The only stipulation with regard to the vote of States is that they may not vote for any but one of the three candidates with the highest number of electoral votes. Therefore, there is no way to know for certain what the vote of a State delegation would be if George Wallace won the popular vote of that State.

Second, since a majority of all States is needed to win, a large number of "tied" delegations distinctly reduces the possibility of one candidate receiving a majority. Significantly, as I illustrated yesterday, there may be a large increase in the number of "tied" delegations in the 91st House of Representatives.

We must act promptly to be sure that the House of Representatives will not incur the undesirable possibility of a lengthy "deadlock." The basic premise behind my plan is to provide, in effect, for the direct popular election of the President should one candidate not have a majority of the electoral college votes. This would be done through a previous agreement among candidates—seated and nonseated—for the 91st House of Representatives that they would vote for the presidential candidate who received a plurality of the nationwide vote.

SUBSIDIZED SEX AND INSTANT WELFARE

Mr. ABERNETHY. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

Mr. ABERNETHY. Mr. Speaker, the well known Mr. Dan Smoot, who publishes the Dan Smoot Report, has recently released a timely and impressive article on the abuses of the aid to dependent children program and the horrible decisions thereon by the Federal courts. The cost of the program, its encouragement of misconduct and these court decisions should have the attention of the Congress. The taxpayers should not be required to bear the high cost of promiscuity of irresponsible people.

Mr. Smoot has very thoroughly reviewed this subject. He has also suggested a method of action which will relieve the taxpayer from the nonsensical decisions of the courts. His suggestion may or may not be effective. But whether or not, some kind of action is certainly in order and necessary.

Mr. Smoot's review of this matter is as follows:

Subsidized Sex and Instant Welfare

The Social Security Act of 1935 provides that a woman can get ADC funds (aid for dependent children) if the father of her children is continually absent from the home and contributes nothing to the support of his offspring. She cannot get ADC funds if her husband lives with her, even if he provides no support for her and the children.

This provision has encouraged paternal desertion and the breeding of illegitimate children. There are cases of fathers deliberately abandoning wife and children to make them eligible for ADC funds. There are cases of women refusing to marry the fathers of their children in order to qualify for ADC funds. There are cases of women having as many as a dozen illegitimate children, because they get additional ADC funds for each child.

Indeed, breeding children as a cash crop has become a way of life for many women. The burden that this imposes on taxpayers—not to mention the grave social and political problems it creates—is truly enormous.

Recent statistics released by the U.S. Department of Health, Education, and Welfare indicate how grave the problem of illegitimacy has become in the 30 years since the social security act was passed. Since the mid-1950's, the general birth rate in the United States has been declining rapidly. In the same period, the illegitimate birth rate has almost doubled. Today, approximately 1 out of every 20 white babies and 1 out of every 4 nonwhite babies are illegitimate.

At the end of 1966, aid to families with dependent children was costing about $1.5 billion a year—a 150% increase over 10 years before, and the swarms of fatherless youngsters were multiplying in the big cities. More than half of the 8.25 million persons on welfare in the U.S. are in "ADC families."

Recognizing that tax-subsidized illegitimacy is a destructive social malignancy, Alabama and 19 other states formulated welfare rules to discourage it. Under these rules, a woman cannot get aid for her dependent children if she is cohabiting with a man, whether legally married to him or not. In other words, if a woman keeps "a man in the house" who is not the legal father of her children, he is considered, under the welfare regulations, a "substitute father" who should help support the children; and the woman is not eligible for ADC funds.

The welfare policies of the federal government have caused another, and related, social problem of disastrous dimensions: the piling up in big cities of unemployed people who do not work because they do not want to work. They go to cities where they can get more welfare benefits for doing nothing, than self-supporting, tax-paying citizens can earn by working.

A man and wife who work, paying the maximum social security taxes until they retire at age 65, can draw $3311 a year in social security retirement benefits. If the woman spent her life as a housewife and the man was the only wage earner, their maximum retirement benefits under social security would be $2447 a year. Relief families who have large broods of children and who never paid any taxes or otherwise contributed to the productivity of the nation can get as much as $7000 a year in welfare benefits.

As the relief rolls grow, the burden on workers who pay taxes becomes crushing. Hordes of idle reliefers, demonstrating for bigger handouts, are goaded into hatred of, and outright warfare against, the society which supports them in idleness.

Some 46 states and the District of Columbia, trying to stem the dangerous influx of reliefers, establishing waiting periods to keep people off relief rolls until they had resided in the state for a minimum time (usually 1 year).

In 1967, poverty war agencies and the American Civil Liberties Union (supported by ultra-liberal civil rights groups, religious organizations, and others) induced and financed reliefers in various states to bring suits in federal courts challenging the "substitute father" rules and residency requirement regulations which states had adopted to alleviate the social and financial problems caused by the breeding of illegitimate children and the excessive migration of unemployed persons into overcrowded cities for the purpose of living on welfare.

A Connecticut community action group (poverty-war agency funded with tax money provided by the Office of Economic Opportunity) sued to outlaw the Connecticut welfare residency requirement. On June 19, 1967, a 3-judge federal court in Hartford ruled that Connecticut's 1-year residency requirement was unconstitutional.

In the District of Columbia, the Neighborhood Legal Services (poverty-war agency funded with tax money from the OEO) brought suit on behalf of welfare "clients," challenging the District's residency requirement. In November, 1967, a 3-judge federal court in Washington nullified the residency requirement.

A similar case, challenging a residency requirement in Pennsylvania, was decided in favor of reliefers by a federal court in Pennsylvania.

The federal courts invalidated the welfare residency requirements on the grounds that they violate reliefers' rights to travel freely from one state to another, and that they violate the "equal protection" clause of the 14th Amendment by denying some needy persons in the state benefits which other needy persons get.

In Alabama, the mothers of about 16,000 children (63% of them Negro) were removed from welfare rolls after the "substitute father" regulation was implemented in July, 1964. On behalf of a Negro woman in Selma, Alabama, the American Civil Liberties Union brought suit challenging the State's "substitute father" welfare policy. Alabama welfare officials had denied the woman aid for dependent children after determining that she was having illicit relations with a man who was married to another woman. In November, 1967, a 3-judge federal court nullified Alabama's "substitute father" rule.

In Louisiana, a "non-legal union" policy (in effect since 1936) denies aid to a mother for dependent children if she lives permanently with a man other than her husband. On March 11, 1968, a federal court in Shreveport nullified the "non-legal union" policy, and ordered the State of Louisiana to give dependent-children aid to the mothers of some 10,000 children—mothers who had been denied the aid because of their illegal cohabitation with men. Under the court order, the State must reimburse mothers who do not now have dependent children but who were denied ADC funds years ago when their children were minors—in some cases, as long ago as 1936. The order will cost Louisiana about $20 million.

The federal courts invalidated the states' "substitute father" welfare rules on the grounds that there was no rational basis for denying welfare benefits to children because of their parents' misconduct. The courts overlooked the obvious fact that the welfare benefits do not go to the hapless children, but to mothers—many of whom let their children run wild, improperly fed and clothed, while the ADC funds (taken out of the paychecks of decent parents who support their own children and respect the laws and mores of society) are spent on vices, luxuries, and boyfriends.

Four of the welfare cases I have mentioned came before the Supreme Court during the term that ended June 17, 1968: the Alabama "substitute father" case, and the "instant welfare" cases from Connecticut, Pennsylvania, and the District of Columbia.

On May 1, 1968, the Supreme Court heard arguments in the 3 "instant welfare" cases. Briefs in support of the "instant welfare" decisions of the lower federal courts were filed by the National Conference of Catholic Charities; the American Jewish Congress; the Council of Jewish Federations and Welfare Funds; the National Council of Churches; the Scholarship, Education and Defense Fund for Social Equality; and the National Board of the Young Women's Christian Association.

Several of the Supreme Court Justices—especially Thurgood Marshall—sharply questioned attorneys defending the state residency requirements. Marshall twice referred to the requirements as laws which "fence out the poor." He sarcastically asked the attorney defending Pennsylvania's residency requirement, "Are you afraid of a march on Harrisburg?"

On May 3, 1968 (2 days after the Supreme Court heard arguments on the "instant welfare" cases), James Bevel (an organizer of the Southern Christian Leadership Conference's Poor People's Campaign) was in Mississippi recruiting participants for the Poor People's March on Washington, promising them they could all go on welfare as soon as they arrived in Washington (thanks to the "instant welfare" ruling already in effect under a lower court ukase and apparently *supported by the Supreme Court)*.

The Supreme Court did not, however, hand down a decision on the 3 "instant welfare" cases. On June 17, 1968, the Court ordered the 3 cases held over for reargument at the next term (beginning in the fall of 1968).

On June 17, the Supreme Court handed *down a decision in the Alabama "substitute* father" case—upholding the lower court decision which had nullified the Alabama rule.

The Supreme Court's "substitute father" decision in the Alabama case is, in effect, an order for the 20 states that have such welfare rules to appropriate and use tax money *for subsidizing illegitimacy. If complied with,* it will force these 20 states to add hundreds of thousands of persons to their welfare rolls.

If, at the next term, the Supreme Court upholds the "instant welfare" rulings of lower courts (as seems almost certain), the problems of crime, rioting, and tax-subsidized unemployment in big cities will be aggravated.

The federal courts have no constitutional authority to dictate welfare policies to state governments, even though state governments are receiving (unconstitutionally) matching funds from the federal government for their welfare programs.

What can be done? There is plenty that the national Congress could do; but it will do nothing until we elect a Congress of men who understand and respect our Constitution. Meanwhile, states and cities need *immediate* relief.

They could get that relief by *interposition*. According to Thomas Jefferson, author of the Declaration of Independence, and James Madison, often called the Father of our Constitution, each state government has a right to *interpose* its own power to protect its own citizens from illegal acts and orders of the federal government—and has an obligation to do so when the matter involved is of "palpable importance." In short, in matters of great importance, state governments should refuse to obey federal court decrees which are manifestly unconstitutional.

That is what officials of some states (Michigan, for one) say they plan to do. The welfare director of Louisiana has the best plan of all. He says "we may decide to do away with aid to dependent children completely." If the federal bureaucracy retaliates by eliminating all federal aid to the state for all purposes, the state should stick to its course. If all state governments did that, the unconstitutional federal welfare-state dictatorship would be dismantled. The people should support state officials who show sense and courage in this matter, refusing to be intimidated by the greedy who complain about "losing our federal aid."

INVOCATION DELIVERED BY CLIFTON SAPER AT BETHLEHEM CENTRAL HIGH SCHOOL GRADUATION, DELMAR, N.Y.

Mr. HANLEY. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. HANLEY. Mr. Speaker, the other day, I had an opportunity to read the invocation delivered at the Bethlehem Central High School graduation in Delmar, N.Y. The author and speaker was a young man who was a member of the graduating class, Mr. Clifton Saper. In an era when some of the frustrated elements of our society are advocating that our young people "tune in and drop out," Mr. Saper's remarks are most timely and *provocative. I urge my colleagues to take* a minute and reflect on these thoughts:

Invocation Bethlehem Central Senior High School, Delmar, N.Y.

As the Bethlehem Central Senior High School class of 1968 graduates today, so too *at this same moment, are thousands of* other graduating students across the country taking part in their commencement ceremonies. Dear God, invoke the grace and good that reside within us toward the betterment of all mankind. Our mission and our hope are unique. All those graduating tonight have *lived through the same seventeen or eighteen* years—a period marred by violence, hatred, bigotry, and prejudice. We were born to the blast of guns in Korea, and we assemble on this solemn and important evening sadly contemplating wielding such guns tomorrow in Viet Nam.

In domestic affairs, it was not until we were twelve years old that a Negro was permitted to enter the University of Mississippi (he was shot a few years later). It is also easy to recall the incident in 1957 when the Arkansas National Guard was called to prevent desegregation in Little Rock. Recent violence in Watts, Detroit, and Newark still have not forced people to realize that there is a tragic flaw within American society—the impoverished conditions in the slums and the complacent attitude of so many Suburbanites. Racial prejudice does exist, and poverty does exist, and war does exist, and they have existed, unfortunately, during these eighteen years with little relief.

When we were freshmen, we lost our president. When we were seniors, we lost our senator and a great Civil Rights leader. All of these men were youthful reformers—men who moved America and demanded changes. They spoke of issues swept under the couch by too many. Civil Rights, and peace, and the elimination of poverty were their watchwords. And our generation must not let the bullets of assassins extinguish the flame which they ignited.

Eighteen years of violence and suffering apparently have not moved you to change America and our lives. God grant that we, standing on these risers today can—for we are, unfortunately, the only ones equipped and willing to work for a better and freer nation.

God give us the courage, wisdom and humility to meet the challenge that face us as we begin this task.

God grant that we can make you understand our quest, and God grant that other high school students graduating tonight throughout the nation share our sentiments.

May we go forth resolute and strong, dedicated to make this a better, loving, more responsive America. Amen.

EFFECTS OF CIVIL DISORDER

Mr. McMILLAN. Mr. Speaker, I ask *unanimous consent to extend my re*marks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from South Carolina?

There was no objection.

Mr. McMILLAN. Mr. Speaker, under unanimous consent, I insert a statement from the Policemen's Association of the District of Columbia concerning the recent death of a Washington policeman and a resolution adopted by the Black *United Front. Also, I include letters* from the Hotel Association of Washington and the Restaurant Beverage Association of Washington. I think every Member of Congress should be well aware of the fact that at least 40 percent of *the conventions that had been scheduled* by the hotels here in Washington were canceled on account of the rioting in the Nation's Capital during the month of April. I am certain that more than 50 percent of the school children who usually visit Washington canceled their *reservations at the hotels and these* unusual events have greatly reduced the revenue collected by the Washington restaurants and hotels during the tourist season.

In the recent tax bill I presented to the *House, the members of my committee* were well acquainted with this problem and refused to increase the sales tax on hotels and restaurants from 3 to 5 percent. We recommended that the tax be increased from 3 to 4 percent; however, as you will remember the House approved an amendment offered by the Honorable BROCK ADAMS increasing this tax to 5 percent, which I think is unreasonable and unwarranted unless the Congress is interested in losing all the taxpaying industry in the Nation's Capital.

We will soon be called on to make a decision as to whether the taxpayers in the individual States pay all the expense of the people who are privileged to reside in the Nation's Capital and from the sentiment the House expressed during the past few months, I presume that the Congress will take on the full responsibility of paying all the expenses of every person who comes to Washington and gets on public welfare and fills the schools with children who pay no taxes.

I hope every Member will take time to read the attached enclosures I am inserting at this point in the RECORD:

HOTEL ASSOCIATION
OF WASHINGTON, D.C.,
Washington, D.C., July 8, 1968.

Hon. JOHN L. MCMILLAN,
House of Representatives,
Washington, D.C.

DEAR MR. MCMILLAN: The Hotel Industry of Washington, D.C. has been seriously damaged as a result of the recent civil disorder and the Poor People's Campaign.

Within the next few days, one of our members will be calling you for an appointment to discuss this problem. We hope that you will be able to give our representative a few minutes of your time.

Reduction in tourists automatically causes a reduction in employment and it follows that the entire economic balance of the community is upset, including that of the government itself.

A current survey indicates that our 43 member hotels now have 874 fewer employees compared to the same period last year. This represents a monthly loss in payroll to the city of approximately three hundred eleven thousand dollars. These hotels are paying one hundred eight thousand less per month in District Sales taxes as a result of this loss of business. For the April, May and June period, losses in sales ran well over five million dollars.

If the tourist and convention business is to be re-established in the Nation's Capital, we will need your help. We feel there are many positive statements which could be made by you to your constituents. The enclosed Press Release indicates the type of information we would like to see released.

On behalf of our members, I would like to thank you in advance for your cooperation in this urgent matter.

Sincerely,

HUDSON S. MOSES,
President.

THIS YEAR DISCOVER WASHINGTON, D.C. AND ITS SUMMER JUBILEE

As your Congressman, I urge you to see America first . . . and nowhere can you see the real America better than the Nation's Capital, right now! The Poor People's Campaign is America in action . . . history in the making . . . a peaceful petition of Congress by its people and a chance for you to see firsthand the meaning and value of American rights while you tour Washington's beautiful monuments, historical sights, and landmarks.

In addition, you can participate in Washington D.C.'s long run summer bargain, "The Summer Jubilee." For those who have not heard, this is a combination of free summer programs, special reduced hotel rates and family plans, and a series of outstanding special events.

The Summer Jubilee program started on June 15 and it continues through Labor Day. The family plan provides that children staying in the same room as their parents stay at no extra charge, even though the parents are paying the reduced summer rate.

The Hotel Association of Washington, D.C. and the Washington Convention and Visitors Bureau have prepared a Summer Jubilee brochure listing all of the many free and inexpensive special events and programs scheduled for the Capital during this period of time.

A sampling of the Summer Jubilee program shows that the great majority of events are free, many are programs unique to Washington, and all are staged against the background of Washington's famous monuments and memorials.

Some of the most impressive performances are the military parades and pageants developed and presented by the Capital's military community. The Marine Evening Parade, for example, is staged each Friday evening during the summer months and is a stirring full dress review incorporating the famed United States Marine Band and the Drum and Bugle Corps. The Evening Parade is held at the Marine Barracks, Eighth and Eye Streets, S.W., which is the headquarters for the Marine Corps. Admission is free, though tickets are required, and it is suggested that interested visitors write at least one month ahead for reservations.

The United States Army's Third Infantry, "The Old Guard", which is the ceremonial unit of the Army and participates in all state visits, reviews, and special activities of the President, presents "Torchlight Tattoo" on selected Tuesday evenings during the summer. This performance is a military pageant incorporating the growth of the United States since the revolutionary war. The Tattoo is performed at the Jefferson Memorial and admission is free.

Musical programs are presented almost nightly in Washington during the Summer Jubilee. The service bands, some of the finest musical units in the world, perform at the Watergate Theater near the Lincoln Memorial and at the Capitol Building weekday evenings. The District of Columbia Recreation Department also presents special programs at the Watergate during the summer.

Special events programs include the National Independence Day Celebration with fireworks at the Washington Monument on the Fourth of July, the Smithsonian Sponsored Folk Festival which includes the most authentic American folk music performers over the Fourth Holiday, and many special programs of the National Park Service during this period.

Shakespeare is performed with nightly performances, except Monday, at the Sylvan Theater on the Washington Monument Grounds. The admission is free for this professionally done program at this natural amphitheater.

Washington also provides visitors the diversion of professional baseball, outdoor programs at the Carter Barron Amphitheater, boat cruises down the Potomac, relaxing walks in its natural parks or horseback riding in the same areas. Challenging public golf courses are close to the downtown attractions in Washington.

Sightseeing in Washington is every visitor's main objective, and this year will be no different. The public buildings, monuments and memorials are open late during the summer months and virtually all are free of admission charge. One of the most popular attractions during the Summer Jubilee is the Washington Monument at night where, for a ten-cent elevator ride or for free admission if you choose to walk to the top, visitors get a grand panoramic view of the city and surrounding states of Maryland and Virginia.

This year the sightseeing tours of Washington will have an additional attraction in the completely renovated Ford's Theater. This is, of course, where Lincoln was assassinated by John Wilkes Booth. The theater has been restored to the appearance of the night he was shot and details down to wallpaper, chairs, and bunting are authentic. Live performances will be presented in the Theater and a Lincoln Museum is adjacent.

The Washington, D.C. Summer Jubilee Calendar of Events is available from the Washington Convention and Visitors Bureau, 1616 K Street, N.W., Washington, D.C., 20006. The Bureau will also provide a city map, a listing of major attractions, and restaurant guide.

POLICEMEN'S ASSOCIATION OF THE
DISTRICT OF COLUMBIA,
Washington, D.C., July 9, 1968.

PRESS RELEASE

The members of the Policemen's Association of the District of Columbia have demanded that we issue a statement of our position in answer to the outrageous and ill-tempered resolution adopted by the Black United Front calling the execution of Officer Stephen Williams justifiable homicide. Our members are particularly incensed by the fact that the Vice Chairman of the City Council of the District of Columbia, Walter F. Fauntroy, a member of the Black United Front, has not repudiated the resolution.

The resolution was adopted by 150 militants and reached the front page of every newspaper in the City of Washington. It was not only a condemnation of the policeman who lost his life and of the other man who lies critically wounded and paralyzed in the hospital, but it was an effort to condemn the police department and all of its members. No decent law abiding citizen of any ethnic background can condone the execution of a policeman in cold blood while performing his duty as justifiable homicide. Therefore, the least that we can expect is to have a full and forthright repudiation, not only of the resolution but of its intendment. This Reverend Fauntroy has refused to do.

As a matter of fact, Reverend Fauntroy in his statement from the pulpit and to the press in condemning all killings has been critical of the police when they have found it necessary to use their guns in protection of their lives and the lives of others. For the death of Private Stephen Williams, three persons face criminal charges. A resolution such as adopted by the Black United Front and concurred by Reverend Channing Phillips constitutes undue interference with the administration of justice in the same manner as Mayor Yorty of Los Angeles when he made public statements shortly after the assassination of Senator Robert Kennedy concerning an arrested suspect. This alone was sufficient for Reverend Fauntroy, as a member of the governing body of the District of Columbia, sworn to uphold and enforce the laws, to repudiate not only the resolution but the action of the Black United Front just as Mayor Washington and Public Safety Director Patrick Murphy did. This is the least that can be expected from a responsible official of the District of Columbia.

Moreover, Reverend Fauntroy in his statements has morally condemned the actions of members of our police department who have been compelled to take a life while carrying out their sworn duties. He has stated that such killing is not justifiable. How can a responsible official of the District Government override the decisions of the coroner's jury and the grand jury which in each case heard evidence and under the law made a decision. Or would Reverend Fauntroy, like his militant comrades, have our policemen walk the streets as targets for every discontented rabble rousing militant to shoot at. If this is what he wants, where are we to get recruits?

Therefore, we believe that his serving as Vice Chairman of the District of Columbia City Council and his continued affiliation with some other organizations represents a definite conflict of interest to the overall good and welfare of the city and we request that the President of the United States, the Mayor and other responsible persons to join with us in immediately calling for the resignation of Reverend Fauntroy from the City Council. We further request that the National Democratic Committee take appropriate action to the remarks made by Reverend Channing Phillips.

Our association has nothing but praise and admiration for our Mayor, Chief of Police and our Public Safety Director, in the statements they have made and support they have given us in this ordeal. We are hopeful that prompt action will be taken by the President of the United States with reference to the Vice Chairman, Reverend Fauntroy. We are convinced that the President in his recent messages meant what he said we must have law and order and make our Nation's Capital a model city.

RESTAURANT BEVERAGE ASSOCIATION,
Washington, D.C., June 13, 1968.

Hon. JOHN L. MCMILLAN,
Chairman, Committee on the District of Columbia, U.S. House of Representatives, Washington, D.C.

DEAR MR. CHAIRMAN: The ability of the all important D.C. restaurant and hotel industries to produce revenue required for our City's budget has been severely crippled by the events of April and May, 1968. The resulting loss of tourist and convention trade continues. April and May resulted in hotel business here alone being off by about * * * dollars and the reluctant lay-off of over 500 hotel employees. In the restaurant industry, where business has been off by from 35% to 50%, evening trade is almost limited to Friday and Saturday nights. On the latter all beverages must be taken from the patrons at midnight.

The hotel and restaurant industry here desperately needs review by the City Council of archaic business-killing restrictions against weekend beverage hours in the city's entertainment and dining rooms. When such a proposal was considered by the House of Representatives in September, 1967 (HR 13025) and lost by about 30 votes, the situation was very different than what prevails now. The new D.C. Government was not then operating. The members of the Council were not then nominated. To a background of Washington Post editorial shouts for appointment of militants to the Council, many Members of the House opposed giving such a Council any broadened authority to make rules and regulations, and they said so.

The Council since then has been appointed, confirmed and has operated responsibly. During the recent April riots the Council acted with Mayor Washington to impose a curfew on the sale of alcohol beverages in restaurants and hotels—as well as in package stores. The industry accepted this judgment, which was hardly the act of a group that wants so-called "unbridled drinking" here.

In short we *have a Council* that is *responsible* and that *has demonstrated* this *responsibility* in the beverage area during the April riots. We have important revenue producing industry which is in serious financial distress.

We know that most recently Mayor Washington through Deputy Mayor Fletcher presented to the House District Committee staff a proposed amendment to the Revenue Bill (H.R. 16361) that would arm the Council with authority to set the appropriate hours for sale of drinks in restaurants and hotels with the corresponding ability to improve the economic climate of all Washington's service industries and resulting revenue improvements to the D.C. Treasury.

We urge that this amendment of the Mayor's is one step to increase revenue and business vitality without actually increasing the tax burden on business having difficulty competing for patrons with the surrounding suburban community, and their new beverage laws.

Please use your persuasiveness and skills to have included in the D.C. Revenue Bill the amendment as proposed by Mayor Washington.

Thank you for your constant interest in problems vital to the health of the entire D.C. business, tax-producing, community.

Respectfully yours,
JAMES KATSON,
President.

TEXT OF NEWSLETTER

Mr. RIEGLE. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. RIEGLE. Mr. Speaker, as a matter of record, I would like to include the text from our most recent newsletter. The newsletter was sent to 145,000 of our constituents in Genesee and Lapeer Counties. It follows:

CONGRESSMAN DON RIEGLE REPORTS

YOUR CONGRESSIONAL ACTION LINE

Over 2500 people from Genesee and Lapeer counties have contacted your District Congressional Office and your Washington Office to ask for assistance in cutting red tape and solving individual problems.

Veterans

I was wounded in Vietnam and only have sight in one eye. I would like to get a job but I need some training to overcome my disability. How do I go about it?

We talked with him about the Vocational Rehabilitation program and helped him prepare his application for benefits and training.

Internal revenue

I am a single woman and have my 82 year old mother living with me. For the 5th year in a row the IRS tells me they are going to audit my tax return. I have an accountant and there has never been a mistake in my return. I see no reason for this repeated harrassment.

After our inquiry, the IRS decided that another audit was unnecessary and accepted her return as filed.

Social security

I am partially blind and it is hard for me to get a job which pays well enough to support myself.

We explained to her that under the new Social Security law a person with very bad vision can apply for disability benefits. We monitored her application and it was approved.

Military

I am a father with two sons in combat. Is it right that one family should have two sons serving in Vietnam? Isn't one enough?

There is a policy which states that two members of the same family do not have to serve in a combat zone at the same time. We told the father about the policy and assisted one son in applying for a transfer. He was restationed in another country.

Senior citizens

I am a widow and am entitled to receive benefits from the Veterans Administration. However, I do not have a copy of my husband's retirement orders and the Records Center has not answered my letters.

We contacted the Records Center and located the papers. They were on the way in two days.

My son was killed in World War II. My daughter-in-law remarried and I have not seen my grandson since he was 8 years old. A friend recently told me my grandson was in the Army stationed near Washington. I have many mementos of his father I would like to give him. Can you find him?

With the information she gave us, we were able to locate him. Grandmother and grandson had a happy weekend reunion in Flint.

Personal

I am planning to move near Flint in June and am wondering if there is some type of training program for a young man willing to work hard. I would like to participate in one. Also, could you send me information on the action of Congress so I can be a well-informed citizen of Michigan.

At our request, a Michigan Employment Security Commission training officer contacted this man and helped him train for a job. We also sent him a complete set of all our newsletters and other information on the activities of Congress.

A NEW PARTNERSHIP—FLINT AND THE MOTT FOUNDATION HELP WASHINGTON, D.C., START COMMUNITY SCHOOLS

A new experiment in community schools is now underway in our nation's capital thanks to a co-ordinated effort between the Mott Foundation, your Congressional Office and the D.C. school officials. Flint and the Mott Foundation will supply training, community school experience, and financial help. D.C. will develop two community schools in Washington, where they are badly needed. With our D.C. Appropriations Subcommittee, we are working to see this pilot program succeed.

We recently arranged an exchange visit between a fifth grade class in Flint and one in Washington, D.C. The Washington class of 34 students, along with six parents and the school principal, visited Flint the week of May 20.

President Johnson in a recent, special message to Congress praised this new initiative: "With a small grant from the Mott Foundation of Flint, Michigan, the D.C. schools have already begun to pioneer community schools. To enlarge this effort, I am directing the Commissioner of Education to work out a large-scale community school experiment."

THE FIGHT TO CUT SPENDING

Today, every family and wage-earner is hurt by rising prices, high interest rates, excessive government debt, and the gold crisis, because soaring Vietnam expenditures were carried on without cutting back on Great Society spending.

Our first attack on our economic problems must be to significantly cut federal spending before considering a tax increase. This requires a careful and tough re-assessment of our nation's priorities—with emphasis on human needs here in America rather than on space exploration, public works projects, the supersonic airliner, foreign aid, and nonessential military and agriculture spending. We are constantly trying to cut spending in the Appropriations Committee but do not have enough votes to make the deep cuts that are so badly needed.

I am opposed to passing the burden to the taxpayer, especially when a tax increase will not get at the cause of our problems, and when we cannot be sure extra taxes will not be wasted on costly, low priority programs.

Thus far this year, we have cut the President's budget request by $4.5 billion in obligational authority. I expect several billions more to be trimmed, but the Senate may restore these cuts. On the Foreign Operations Subcommittee, we are investigating measures of the Foreign Aid Bill, and I feel we can justify cutting it by at least $1 billion. To combat inflation and the rising cost of living, I have drafted and am seeking support for new reforms included in a bill called the "Inflation Control Act" outlining steps the President and Congress can take to fight rising prices.

VIETNAM NEGOTIATIONS

The United States must re-evaluate its objectives and strategies in Southeast Asia in order to:

1. better define national and free world security interests in Asia;
2. understand the costs and benefits of the political and military options still open to us;
3. take positive action based on U.S. strategic interests *rather than* surrender to indecision or remain on the defensive by reacting to the initiative of others.

We are continuing to examine alternative policies the U.S. might pursue in Vietnam. Recent steps include:

Full audit of U.S. Aid Program and Vietnam Government failures, and recommendations for correction;

Comparative study of "undeclared" Vietnam War with U.S. action in World Wars I and II and Korea;

Having our University of Michigan Vietnam Study Group evaluate U.S. strategies for an honorable, negotiated settlement; and

Analysis of South Korea, 1953–68, to determine steps required to get South Vietnam on its feet if a settlement is reached.

THE POOR PEOPLE'S MARCH AND POVERTY

As this newsletter goes to press, the Poor Peoples' March in Washington is stirring national controversy on three issues:

The extent and impact of poverty in America, and what can be done to help the poor become productive and self-sufficient. How to correct present Federal poverty and welfare programs that are failing to reach and help the needy;

Whether we, as a nation, can make needed social progress while, *at the same time*, maintaining law and order; and

Whether the poor peoples' encampment and demonstrations in Washington, D.C. will help or hurt the efforts to assist the poor.

Serving on the D.C. Subcommittee, we have called in Administration and District of Columbia officials to explain the arrangements they have made with organizers of the March to insure that public facilities, health, safety, and civil order are safeguarded.

While we should respect the legal right of any citizen to come to Washington to petition his government, this does not mean it is wise or proper for large numbers of people to camp on Federal Park property for unspecified periods of time. The Administration issued the camping permits without consulting or working with the Congress.

Beyond this immediate concern, however, there is grim evidence—recently documented on national television, studies and hearings—that at least 10 to 20 million Americans, of all races and backgrounds, lack the bare essentials of food, skills, and education necessary to build an independent and productive life. Beginning with malnutrition at birth, causing an infant mortality rate of 25%, conditions of poverty and disadvantage follow a person through life—unstable family life, poor education, underdeveloped skills, juvenile delinquency, welfare, crime, urban and rural blight.

It is becoming increasingly clear that existing Federal Poverty and Welfare Programs are not working—not helping the poor to become productive citizens. *Like the exhausted taxpayer, the poor also* say frankly they have lost all confidence in present federal programs which don't even reach the people who most need a helping hand. On a recent walking tour of "Resurrection City," I found many of the poor there were *not* asking for a hand-out, or more wasteful give-away programs, *but* rather for equality of opportunity and the chance to participate more fully in America—although extremist statements and tactics by some march "leaders" often give a distorted picture.

With a national economic crisis at hand, it is clear that massive new federal spending programs cannot be undertaken at this time. Our main avenue for helping the poor lies with carefully directed emergency assistance programs, a top-to-bottom overhaul of existing federal programs, and new public and private initiative at the local level. I will continue to fight for these, plus work to see that every citizen receives a fair fighting chance to develop his own potential.

FLINT MODEL CITY GRANT—A COMMUNITY CHALLENGE

The teamwork of Flint and Genesee County officials and your Congressional office has earned Flint a $200,000 "model city" grant in the nationwide competition for new approaches to solving urban problems. This financial boost will enable the City of Flint, Mt. Morris and Genesee Townships to move ahead immediately on a master plan for community improvement. Over the next five years, this plan will be developed and implemented by local people.

But this is only the beginning—every citizen, every public agency, and all elected officials now have the opportunity and responsibility to make Flint and Genesee County truly a "model" community so that other cities across the country can learn from our experience. However, some cities are seeing their model city program turn into a political "pork barrel" to benefit a select few. This cannot be allowed to happen in our community.

We have always been a do-it-yourself community and we will continue to pioneer further progress if every citizen will pitch-in and contribute his ideas and energy.

AN HONOR—AN UNFINISHED JOB

Earlier this year, the U.S. Junior Chamber of Commerce (Jaycees) named Congressman Don Riegle one of the ten outstanding young men in the United States. In accepting the award in St. Paul, Minnesota, Congressman Riegle said, "This honor does not belong to me alone. It belongs to everyone in Flint who provided the opportunity for me and thousands of other young men and women to have a good education and grow up in a community which allowed and encouraged us to develop ourselves. The award also belongs to the citizens of my area whose help and support have given me the opportunity to do this Congressional job."

"So I accept this honor—in their name—*not* just for what we have done thus far, *but* as a challenge to the unfinished job ahead. That job is to see that *every* citizen has a fair, fighting chance to develop his unique potential. Because no man is free to grow unless all men are free to grow, because our own efforts are diminished if we are denied the very keenest competition that encourages and includes all comers."

WORK ON ETHICS BILL—A VICTORY

The recent passage of a Congressional Code of Ethics marked a very special victory for all the people who have been working toward rebuilding public confidence in elected representatives. After a year of study and debate, and work, we *now* have a firm, fair set of standards which all Congressmen must live by. This code covers: Conflicts of interest, financial disclosure, testimonial dinners and other sources of outside income, and includes strict methods of investigation and enforcement.

(Follow the peace talks—Special Vietnam Background Information—Just write to your district congressional office—(425 Detroit St., Flint, 48502)—and we will send it right to you.)

A STUDY OF THE WAR IN VIETNAM

Mr. RIEGLE. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. RIEGLE. Mr. Speaker, last year, in a continuing search for relevant information on the Vietnam war, my staff and I sought the independent opinions of Southeast Asian experts who were outside the Federal Government.

This search led to the University of Michigan in Ann Arbor, where contact was made with a group of distinguished scholars. These men, under the leadership of Dr. Alexander Eckstein chairman of the China Studies School at the University of Michigan, formed themselves into a formal Vietnam Study Group to make a precise interdisciplinary analysis of the strategic implications of the Vietnam war. Last December, the Vietnam Study Group came to Washington to present a detailed series of research papers on the War in Vietnam. That presentation involved:

First. A complete and precise definition of the Vietnam problem;

Second. A listing and assessment of the various major alternative courses of action available for resolving the war;

Third. A measurement of the impact on U.S. national security of the different tactical or strategic alternative plans; and

Fourth. Development of a specific recommendation for moving the war to a U.S. best interests conclusion.

These papers were presented to a closed-door, bipartisan group of some 20 Congressmen, on November 28, 1967, were published in the CONGRESSIONAL RECORD of December 15, 1967, and have since been published in the University of Michigan Quarterly.

With the recent development of the peace talks in Paris, and an apparent change in both strategy and tactics in Vietnam, it was felt that a second research effort ought to be undertaken by the Vietnam Study Group. The thrust of this new effort was to make an updated assessment of the military situation in Vietnam, examine negotiation alternatives and possible settlement terms, and clarify U.S. strategic interests in Asia in a postwar environment.

Under the same arrangements used for the 1967 trip to Washington, the study group traveled to Washington on June 21, 1968 and made a second closed-door presentation to a bipartisan group of some 20 Members of Congress. The travel costs of the study group were underwritten by Congressman GEORGE BUSH and myself.

Their presentation was presented in the five sections outlined below:

First. "U.S. Policy in Asia: An Appraisal of Underlying Assumptions," by Dr. Alexander Eckstein;

Second. "An Exploration of Negotiating Positions, and Possible Alternatives," by Dr. Rhodes Murphy;

Third. "Vietnam: The Current Military Situation," by Walter Goldstein;

Fourth. "Southeast Asia: Implications of a Vietnam Settlement," by Dr. Gayl D. Ness;

Fifth. "The Sino-Soviet Conflict and a Vietnam Settlement," by Dr. Richard H. Solomon.

The general reaction to this presentation from the Members of Congress attending was sufficiently complementary that I thought the analysis should be inserted in the RECORD so that it might be available to all Members.

So that the objectively of this work can be verified and this material can be assessed on its own merits, I want to disclaim any influence over these men and their papers. The thoughts expressed in these papers are solely their own and were arrived at independently after considerable research and effort. I am hopeful that all Members of Congress will find the ideas in these papers informative and useful. The papers follow:

U.S. POLICY IN ASIA: AN APPRAISAL OF UNDERLYING ASSUMPTIONS

(By Dr. Alexander Eckstein)

1. INTRODUCTION

Containment and fear of appeasement, two concepts growing out of our experience in Europe, have dominated the postwar policy of the United States in Asia. Today, I would like first to explore the meaning of these concepts, the assumptions on which they are based and their applicability to the Asian scene. With this background in mind, I want then to examine the implications for U.S. policy in Asia, particularly looking beyond Vietnam.

2. THE CONCEPT OF CONTAINMENT

The containment thesis was first advanced by George Kennan in a celebrated article published in Foreign Affairs, in July 1947. Kennan's argument can be summarized in terms of five main propositions:

(a) The Soviet Union exhibits strong expansive tendencies

(b) In pursuit of its objectives, the Soviet Union, convinced that time is on its side, tends to be patient and very conscious of power realities

(c) Soviet leaders are more impressed by facts, that is by the concrete behavior of their adversaries, than by words

(d) Therefore U.S. policy toward the Soviet Union must be based on a long-term, patient but firm, vigilant and adroit application of counter-force at a series of constantly shifting geographic and political points

(e) The pursuit of this policy coupled with a healthy development of the U.S. at home could "increase enormously the strains under which Soviet policy must operate and force upon the Kremlin a far greater degree of moderate and circumspection than it had had to observe in recent years, and in this way to promote tendencies which must eventually find their outlet in either the break-up or the gradual mellowing of Soviet power."

This thesis was then further elaborated by others and developed into the following guidelines for U.S. policy in Europe since World War II: The containment of the Soviet Union must be based on more than a token U.S. military presence in Europe. Moreover, this U.S. military presence should provide the basis for a speedy development of Western Europe's own military capability. At the same time, the U.S. and NATO as a whole must make it absolutely clear that any attempt to expand the Soviet empire beyond its existing boundaries will be met by force. This military posture would be linked to an ambitious program of national recovery in Western Europe. Hence the Marshall Plan.

This two-pronged program of containment—economic and military—was based on certain assumptions and expectations concerning the future pattern of evolution in Western Europe on the one hand and the Soviet Union on the other. Western Europe emerged from the war with its economy devastated, its social fabric weakened, and its polity in a state of disarray. The Communist parties came out of the war greatly strengthened. They acquired a considerable degree of national legitimacy through their role in the wartime resistance movements. At the same time, political, economic and social instability provided a fertile ground for communist agitation and organization. Moreover, the rise of communist strength was viewed at the time as a serious threat most particularly because these parties were then more or less completely dominated by Moscow. They could thus serve as agents of Soviet foreign policy and Soviet expansionism in Western Europe.

However, it was generally felt at the time that Europe's prime task was recovery. It was assumed that instability was a short-term, war-engendered phenomenon, unfolding in societies with a long history of national existence, national identity and national integration. These societies were assumed to possess great regenerative capabilities given sufficient time and propitious conditions to complete the task of national recovery. It was the historic task of the containment policy to buy time and provide propitious conditions.

Furthermore, it was hoped that containing Soviet expansionist tendencies coupled with certain subtle internal changes taking place within Russia could indeed in time lead to the break-up or gradual mellowing of Soviet power" postulated by Kennan. Specifically, it was projected by some that rapid industrialization was bound to bring with it a "revolution of rising expectations" even in the Soviet Union. This, in turn, was expected to lead to a host of other internal changes forcing Soviet leaders to place greater emphasis on personal consumption and housing, thus aggravating the competition for resources between consumption, investment, and defense. It was also believed that Stalinist terror would prove to be increasingly dysfunctional in a rapidly modernizing industrial society and that the removal of such terror would further reinforce the aforementioned changes and contribute to them. As we survey the European scene from the vantage point of 1968, there is no doubt that many of these assumptions and expectations were borne out.

3. APPLICABILITY OF THE CONTAINMENT POLICY TO ASIA

As we can see, the containment concept and policy was born in Europe and grew out of European experience. To what extent is it applicable to Asia? More specifically, to what extent do we find that built-in regenerative tendencies, which were so crucial in the European context, present in Asia? Conversely, in what ways and degree does Chinese Communist foreign policy behavior correspond to Soviet behavior? Finally, to what extent are the structural characteristics of the power constellation the same or different in the two settings?

The collapse of the Japanese empire created a power vacuum in Asia just as that of the Nazi empire created a similar vacuum in Europe. However, in the European case this vacuum occurred in an environment populated by highly industrialized nation-states, with a long history of national identity and national integration, and with far-reaching recuperative powers.

In sharp contrast, before World War II there were only three sovereign states in Asia (i.e. east of Afghanistan): China, Japan, and Thailand. The rest of the continent was under various forms of colonial rule and, of course, even parts of China were under foreign tutelage or some form of foreign influence. Thus the postwar power vacuum in Asia occurred in an environment of newly emerging nation states seeking national identity and national integration, seeking industrialization, seeking rising standards of living and national dignity, and seeking social reform.

This power vacuum was being filled by a rising and newly unified China allied with the Soviet Union, by a reasonably dynamic India and by increasing American presence in Asia. In China a new and dynamic Communist regime came to power with a sense of mission and self-assertion. This communist regime succeeded in appropriating the nationalist symbols and in infusing the inert Chinese mass with a sense of movement and momentum. Therefore a dynamic China amidst a prostrated Japan and a sea of newly emerging and weak nation-states was perceived as a serious threat.

It is against this background that the containment policy was applied in Asia. However, the problem in Asia was not recovery and regeneration, but new construction and creation. It did not involve provision of a security shield for just a few years, behind which large injections of foreign aid would enable countries to stand on their own feet in a short period of time. Moreover, the cultural distance between the new Asian states and the United States was much greater than that between us and Europe. This complicated further the application of the containment policy, presenting serious obstacles to American military and economic aid efforts in Asia.

4. NATURE OF THE CHINESE THREAT AND THE APPLICABILITY OF THE APPEASEMENT CONCEPT TO ASIA

There were, and still are, also very vast differences between China and the Soviet Union. Not only is the cultural distance between Russia and the West narrower than between China and the West, but China is much more backward and underdeveloped than the Soviet Union was at its birth or is now. As a result, the power gap between China and the West is much greater too than between us and Russia. Moreover, the Chinese threat in Asia is not preponderantly one of invasion, but one of internal subversion with an external aid element added. It is much more a Spanish Civil War type of situation than a Berlin or Korea-type confrontation, with the latter serving as one case where the European analogy may be applicable. However, in this case expansionism was Soviet-sponsored rather than inspired by China.

Moreover, the whole geopolitical situation in Asia has changed in the sixties as compared to the fifties. While, in the last decade we could see on the Asian landscape a dynamic China, a reasonably dynamic India, and a weak Japan, the current decade brought with it a rapidly developing and at least economically very strong Japan, a weak India and a weak China. China has an extremely limited capacity for overt military aggression even if she had the propensity. This limited capacity has, in turn, infused Chinese foreign policy behavior with a great sense of military caution. Moreover, in the sixties we are no longer dealing with a monolithic world communist movement with Moscow as its center. Nor are we dealing with an Asian communist monolith with Peking as its center. Rather, the preponderant phenomenon of our age is national communism with the two largest communist countries—China and the Soviet Union—vying for influence and control over the different national parties. Thus the victory of communism in one particular country does not necessarily represent a victory either for Moscow or Peking.

Our postwar policy in Asia has been dominated by an ever-present fear of China. Is this fear based on realities or is it one of our own making? We seem to be mesmerized by China's size, vast population, and future power potential. This potential is undoubtedly there given the capacities of the Chinese people and the country's resources. However, for these assets to be translated into economic and military power will necessarily take decades. In the meantime, China's power potential is very limited, particularly for waging offensive wars. Its vast population and economic backwardness may be well suited to fighting defensive, guerilla-type wars, but such capabilities certainly do not represent a great external threat.

What about the appeasement concept, another obsession of postwar U.S. policy in Asia? We must remember that Munich occurred against the background of vast marching Nazi armies. The People's Liberation Army of China is small (2.5 to 3.0 million) relative to the size of the country, and the economic and internal peacekeeping functions it has to perform. Moreover, unlike Europe, it does not operate in a setting of more or less well defined and fairly generally accepted spheres of influence. Furthermore, given the fact that Asian communism does not have a single power center in Peking, compromises with communist or communist controlled political and/or military forces in a specific national setting cannot be considered as appeasement of Communist China.

5. IMPLICATIONS FOR U.S. POLICY IN ASIA

U.S. policy in Asia must operate in a setting of economic backwardness and political underdevelopment. These states are likely to remain weak for a long period of time and therefore vulnerable to continuing instability, civil war, and subversion.

Correspondingly, China is likely to remain underdeveloped for many decades to come. It will be a long time before industrialization and urbanization will reach levels such that its benefits can be diffused widely throughout the society thereby leading to a mellowing process such as we have witnessed in the Soviet Union during the last fifteen years. This means that for these internal mellowing influences to have any impact on Chinese Communist foreign policy behavior will take much more time than was the case in the Soviet Union. By the same token, while China may exhibit a *propensity* for expansion, its *capacity* to translate this into military aggression may be quite limited. This would be particularly the case if Chinese territorial expansion and/or overt aggression entailed confrontation with the United States.

Therefore the task in Asia is to create favorable conditions for national and economic development. This is a long-term task which can only be influenced or assisted by the U.S. through a sustained, sizeable and systematic program of economic aid. One of the great lessons of Vietnam is that our armies cannot provide internal, political, and military security in these countries. Our attempts to intervene militarily in civil war type situations are bound to lead to physical destruction and weakening of the very political and social fabric we would like to strengthen. Thus massive U.S. military presence within countries torn by instability, instead of providing a security shield for nation-building, undermines the very bases of such construction.

It seems to me that for all of these reasons combined, our presence in Asia should be primarily economic and diplomatic, rather than military, even if this means instability, subversion, and civil war in some countries. It seems to me essential that we get conditioned to the fact that revolutionary movements in remote countries do not threaten the security or the world position of the U.S. and do not necessarily expand the area of Peking's or Moscow's domain. However, in pursuing this policy, we must provide a nuclear shield and maintain a regional military capability sufficient to act as a conventional force (non-unclear) deterrent against overt military aggression by China.

In essence then the U.S. should maintain an active interest in Asia, but the character of our presence there should be preponderantly economic rather than military. One of the most dangerous consequences of Vietnam could be a reversion to isolationism. In terms of our national interest, the worst thing that could happen is for the pendulum to swing from one extreme to another, from a $30 billion military commitment to no commitment whatsoever. Let us hope that you Gentlemen and your congressional colleagues will find a way of revitalizing the foreign aid programs, recognizing that what is needed is large, massive commitments of development assistance over long periods of time. In the long run this is the cheapest and most assured way of securing political and social stability in the countries of Asia.

AN EXPLORATION OF NEGOTIATING POSITIONS, AND POSSIBLE ALTERNATIVES

(By Rhoads Murphey)

Of all the matters we are considering today, this is the most uncertain. The political context in the south is at best confused, and offers little prospect of stability. This affects both the possibilities of a settlement, and the process of negotiation, which must deal with political realities and potentials; these are difficult to see clearly, let alone project into the future. The Saigon government is unstable, and the variety of other power or opinion groups in the south are politically untried and weakly organized. Their strength and coherence, and that of the Saigon government, will continue to be eroded as long as the war continues, especially given the increasingly successful strategy of Hanoi and the NLF to disintegrate the fabric of life in the south. In contrast, the NLF, now increasingly a direct agent of Hanoi, is highly coordinated and politically effective, although it represents or would be voluntarily supported probably by a minority of the southern population. However it seems clear that the outlines and perhaps the details of a political settlement must be agreed on before rather than after a truce can be arranged. Some framework must be devised from this confused, lopsided, and deteriorating context which can produce at least short-run stability. In light of the above political realities, the sooner such a settlement can be achieved, the better. Vietnam does not offer, as Korea did, two rival governments in north and south of roughly equal viability, but rather an infinitely stronger northern government, with its effective agents in the south, while the ostensible government of the south is not viable except with massive outside support. A Korean-type solution which leaves in power in the south the same government which existed before the outbreak of fighting and which seeks to perpetuate the division of the country is unattainable.

Let me attempt briefly to summarize the positions of what have become the two major belligerents and designers of policy, the Hanoi government and the United States, and their motives for seeking a settlement to the conflict. Hanoi is in a strong position in the south, both militarily and politically, especially as it would appear that during the past few months and following the Tet offensive it has to a large extent absorbed or taken command of the NLF. Its regular forces in the south now outnumber those of the NLF, which have suffered in the attacks on the cities, and Hanoi appears to dominate both strategy and tactics. This effort confronts a crumbling political and military position on the part of Saigon, which is kept going at all only with enormous U.S. support. Why should Hanoi be willing to negotiate a settlement? The answer is far from clear, but there are a number of possible explanations.

The North Vietnamese national will and ability to continue the war are of a high order, a factor which will stiffen their posture in the talks. After all, it is their country which is being contested. They may have elected to pursue a strategy of fighting-while-negotiating in the hope not only of further improving their position but of wearing down the American commitment, and perhaps also of splitting the opposition. This would not be inconsistent with what may have been an earlier inclination, before March 31, to begin talks as a means of reducing or removing American bombing and overall northern military losses in what has become for them a major and costly military effort, especially given the tiny scale of the country. In any case, Hanoi's prompt response to President Johnson's initiative suggests that they may have been previously ready to talk. His announcement may also have helped to crystallize Hanoi's judgments about the political climate in this country, their possible fear of a Nixon victory in November, or their expectations of obtaining an acceptable settlement during the lame-duck months of the present administration. These must be matters of speculation, for which there is little evidence one way or the other.

But there are some larger and more lasting realities which may also have influenced Hanoi to seek a settlement. In the longer run, continuation of the war, especially if it is to be escalated, might impinge on their freedom of action vis-a-vis China, and might further raise the possibility of increased Chinese influence. Faced with such risks, and given the two-thousand-year history of Vietnamese national resistance against Chinese pressures, Hanoi would probably prefer an accommodation with what is by comparison the temporary presence of the United States, if it can be obtained on minimally acceptable terms. In the shorter run, it is also possible that Hanoi sees in China's present and probably temporary weakness, resulting from internal turmoil, an opportunity to work out a settlement with maximum freedom from Chinese interference, a situation most unlikely when China again becomes fully capable of exerting its coherent power internationally in this immediately bordering state. The U.S.S.R. is another interested power whose military aid has been crucial. We and the Russians may share a mutual interest in bringing the war to an end. There is good reason to believe that they would welcome a settlement to a conflict which for them involves much risk and whose propaganda and strategic values are now largely exhausted. This too will tend to push Hanoi toward accommodation.

From the American point of view, we must frankly face the fact that our military objectives are unattainable, and that there is little hope for the continued existence of the Saigon government without a large-scale American military presence. There are recent indications from highly-placed officials in Washington that the U.S. is ready to abandon its original military goals; a realistic appraisal is also evident in the decision not to send the 206,000 additional troops requested by General Westmoreland. Time is not on our side in Vietnam. We are the outside, and hence the temporary element, and we have ranged ourselves in opposition to the strongest permanent indigenous forces. The longer we remain as a military presence, the more Vietnamese nationalist resentment—and Chinese pressure—will continue to build up against us. The longer we keep a client government in being in the south, dependent on our support, the weaker that government and its army become as viable forces in Vietnamese national life. We must pay a high price for a settlement, but to delay will only increase it. By paying this price in the short run in Vietnam, we would gain in the longer run toward restoring the consistency and moral force of the United States in international affairs, without which no pattern of foreign policy, military, political, or economic, can be effective. Our involvement in Vietnam has never been conceived primarily in terms of what happened in that country, but rather in defense of much wider issues. As it has worked out, those issues, far from being served by continuing this war, are being critically jeopardized. American policy, postures, goals, and effectiveness are neither properly exemplified nor affirmed by our actions in Vietnam; they are instead being contradicted and questioned. What form a settlement in Vietnam may take is not the critical issue, except as it *affects* the moral force, integrity, and international effectiveness of the United States. That is what we must seek to restore, for it is our only ultimate power in the world.

Neither side can expect to win at the conference table what it has been unable to make good in the field. Although Hanoi can and will continue to erode Vietnamese opposition in the south while the fighting continues, neither they nor the United States can militarily eliminate the other. The only possible alternative is political compromise. In this process, the United States must avoid negotiating as a prisoner of the Saigon government, whose announced position on such matters as coalition or international neutrality has long been unrealistic and would make any negotiation meaningless. We are engaged in bilateral talks with Hanoi, aimed at a settlement between what have become the two major contestants. Hanoi is unlikely to accept any settlement which leaves the present Saigon government in power, nor, from our point of view, could that ineffective and unrepresentative regime offer political stability in the south. Our concern is not for the perpetuation of any particular government, but rather for a settlement which makes maximum provision for the welfare of the people of South Vietnam. Fortunately, a pattern of compromise is already built into the agreement to talk before the cessation of U.S. bombing of the north (as opposed to earlier-stated North Vietnamese conditions), and to discuss "other matters" as well as the bombing. Agreement on a site for the talks was reached by compromise, and both sides quickly agreed to merge the originally distinct stages of "contacts", "talks", and "negotiations". Neither side has, even at the beginning, insisted that its original maximum objectives must be met as pre-conditions for a settlement: the complete evacuation or surrender of the opponent's forces in the south. Each has merely demanded that the other scale down its military effort, an accommodation which should be attainable and in which it now appears the United States is willing to lead, as recent news from Paris suggests. The structure of the talks conveniently by-passes the awkwardness of official representation for the NLF and the Saigon government. Most encouraging of all, Hanoi has indicated its willingness to discuss a political settlement for the south, which must be the goal of the talks; it has thus at least tacitly acknowledged that it now holds the whip hand in the south and that its forces and interests are deeply committed there.

There are four alternatives to be confronted:

1. continued fighting and mounting chaos in the south as the Hanoi-NLF effort proceeds with the destruction of the cities, which even the American military is powerless to prevent, and the further deterioration of the power and effectiveness of the Saigon government.

2. a revolution or military takeover which gives power in the south to Hanoi or its client regime.

3. an American surrender and unconditional withdrawal, which would have the same effect as 2.

4. a settlement based on a coalition government in the south.

Of these alternatives, only the last is acceptable. It is conceivable that a coup might reshuffle or replace the existing Saigon regime with a somewhat broader based collection of political groups, but the prospects that any such coup could create a stable and effective government are virtually nil. We are left with the solution of a coalition, where we can make use of our presence in Vietnam (and our ability to continue punishing Hanoi and the NLF militarily) to extract the best obtainable conditions for the protection of the welfare of the people of South Vietnam, and at the same time to help ensure civil order and equitable procedures while a coalition was being formed.

South Vietnam has always been politically fractionated. In this sense, there is no universal political interest, except in the achievement of peace. A coalition is the appropriate political form on which to base a settlement. To be viable, and to be acceptable to both major parties, it would have to be widely representative. This means that it would have to include the NLF or some successor organization. It would also have to include representatives of the groups now in control of the Saigon government, and of the great variety of other (now largely powerless) political associations and opinion blocs whose absence from that government contributes to its political weakness. Such a coalition should be acceptable to Hanoi as a basis for de-escalation toward an armistice. It would realize Hanoi's only stated objective of a phased withdrawal of U.S. forces from Vietnam, and would leave open the possibility of ultimate reunification of the country through peaceful political adjustment. For the United States, it should also be acceptable, as offering the means for military disengagement from a war where American aims have never been clear or consistent but where we have stressed our purpose as the defense of the south against invasion and internal subversion. A settlement based on a coalition, under international supervision, would end both the invasion (as we have defined it) and the effort at subversion against which we have ranged our forces. We cannot hope, by any means including permanent military involvement, to bring into being in the south a government along the lines of American democracy. The world is and will remain politically various, as a reflection of widely varying conditions. In Vietnam, as in much of Southeast Asia, the political climate is not conducive to Western-style parliamentary democracy. And, as the neighboring great power, China under any conceivable government will also assert its interest in Vietnam's international posture. As long as any part of Vietnam serves as a base for the forces of a great power from outside the region, or is governed by a belligerently anti-communist regime, dangerous and unstable tensions will remain.

Some form of international supervision and security would have to be provided while a truce and a political settlement were being implemented. The scale of the problem makes this difficult, and it may thus be necessary to use U.S./Allied and North Vietnamese/NLF or bloc troops, under U.N. or I.C.C. auspices—for which there is a workable precedent in the use of Japanese troops to maintain order in many areas immediately after World War *II*. An interim government, agreed to by and with representatives from both major parties, might be used to administer elections in the south. But elections need not necessarily be part of the process of forming a coalition. They may in balance be unsuited to the politically fractionated and democratically untried potential electorate, and might fail to produce a viable or effective government. As an alternative, existing and identifiable political groups might be asked to form a coalition, whose composition and structure would be specified in the foregoing negotiations. If elections were held, they would have to be administered either by an internationally supported interim government, or by the international body which supervised the truce and which included representatives of the U.S. and Hanoi; the same body could also administer any alternative process of creating a coalition government. In any case, the international supervisory force, however constituted, would remain in South Vietnam for an agreed time, during which the coalition could form a functioning government and ensure civil order. This should be followed by a massive program of economic and technical assistance, through the United Nations or other multilateral body, to assist the new government in repairing the damages of three decades of war.

There is an obvious risk, perhaps a certainty, that leftist groups would sooner or later dominate the coalition. But this is not and has never been an American responsibility. We have indicated repeatedly that we are willing to have the Vietnamese choose, by their own processes, whatever form of government they want. So long as this is not done by overt military force, which the presence of the international supervisory body would prevent, our responsibility in Vietnam ends with our part in setting up the machinery whereby a representative coalition can be brought into being. Our military efforts to defeat leftist drives for power in Vietnam have failed. They were inappropriate to begin with, and they have accomplished only the near-destruction of South Vietnam and its people. We have lived in peace with socialist, leftist, and communist governments in every part of the world for many years, and we no longer see, if we ever saw, communism in other countries as a threat to our national interest, or as something which we must oppose by our intervention. As I have stressed above, our goals are wider than the precise coloration of the political outcome in Vietnam.

The long-run outcome either of continued war in Vietnam or of any political settlement is at best uncertain. But continued war carries by far the greater risks, including those for the United States. For the Vietnamese, the international supervision and restraints envisaged above would prevent any mass retaliation or terrorism following a settlement. Whatever the political character of the government which emerged, it would represent a great step forward from the present deteriorating circumstances in which we are entrapped, and in which the people of Vietnam continue to suffer. The United States, Hanoi, the NLF, and the Vietnamese people cannot emerge from this morass with their original objectives intact, or without deep wounds and heavy costs. For us especially, the costs of a settlement will be high, but those of any alternative would be far higher. A settlement along the lines suggested will however enable us to rebuild the shattered international image of the United States, and to restore its powerful and proper role in world affairs.

VIETNAM: THE CURRENT MILITARY SITUATION

(By Walter Goldstein)

No sane person indulges casually in prophecies of doom or violence in a society as wracked by turbulence as our own. Reason dictates, however, that after so many years of bloody and fruitless war in Vietnam that a reappraisal should be made of the U.S. military position in the war. In attempting a candid appraisal, it would be false patriotism indeed if we were to deny some of the gloomy prospects in sight or to insist as doggedly as General Westmoreland that the war of attrition is being won and therefore can still be decisively concluded. Few of the assurances and intelligence estimates given so confidently by the military over the past four years have been justified by events; now they look more dubious than ever before. If the Vietnam war should be ranked one day with World War I as a prime example of poor Intelligence and strategic miscalculation, none of us will be able to claim surprise.

Though the heroic persistence of the military analysts is widely commended, there is little evidence to support the three basic predictions upon which they now rely:

A. That the Viet Cong has been so gravely depleted in strength and morale that in the foreseeable future it is sure to be exhausted;

B. That the army of South Vietnam (the ARVN) has been built into so competent a fighting force that it will be able to de-Americanize the war and to secure an ever-greater area of South Vietnam;

C. That time is on our side, and that if doubt is suppressed the military position can be improved in a manner that will strengthen our bargaining position in the negotiations in Paris.

Developments since the Tet onslaught on nearly every provincial capital, and the current bombardment of Saigon with Soviet artillery weapons, oblige us to question the reality of each of these predictions. Though U.S. forces still enjoy a sufficient superiority in firepower to deny the adversary any remote possibility of victory, there remains no feasible chance of wearing out and finally liquidating the enemy's strength. The cities and the countryside are not secure from attack; the artillery and operations of the V.C. are constantly increasing; and in its efforts to "liberate" urban strongholds (such as the Saigon suburb of Cholon, in which a V.C. battalion held out for 9 days), the U.S. military command has aided and abetted the Viet Cong's primary purpose of maximizing terror and destruction.

At this point of questioning the Administration's unshaken optimism it is logical to examine the strength of the combatants. U.S. forces presently number 530,000 and are due to rise to 548,000 by December. In addition to 60,000 SEATO member troops, the ARVN forces total 750,000; these include 340,000 regular troops as well as 400,000 regional, popular, pacification, and police forces. But the usefulness of the ARVN forces has long been suspect and their leadership has been poor ever since their officer corps fought with the French against their own Vietminh nationalists. For example, the ARVN was responsible for the maintenance of security in the cities and in the Delta but its ability to deny combat initiative and freedom of movement to the V.C. was utterly feeble. Though a few elite units have distinguished themselves in battle, desertion rates in the ARVN as a whole have soared to an all-time high and now exceed 10,000 a month. In contrast to the unreliable quality of the ARVN, the adversary relies upon 160,000 hard-core units—two-thirds of which are north Vietnamese and one-third come from the most experienced cadres of the Viet Cong. In addition to these main-force units, there are 400,000 largely South Vietnamese contingents responsible for administrative, logistic and political duties; thus the adversary total is in excess of 600,000 men. The value of these irregular cadres should not be minimized; during the assault upon the cities they cooperated strongly in supplying ammunition and troops and they prevented information from reaching Saigon about the widespread preparations undertaken in strategic hamlets, village outposts and even in the city suburbs. Though the V.C. has lately met difficulty in recruiting in the South and must rely to an ever greater extent upon Northern replacements, the combat effectiveness of the adversary is still considerable.

In light of the increasing disruption and insecurity of life in South Vietnam, one must ask at this late stage of the war what can possibly be done to shore up our desperately fragile friends in Saigon and to improve the deteriorating military position? Though we can hope to maintain the stalemate on the battlefield for another year or more while peace talks continue, a hard look at the situation suggests that new strategies must be sought once the doctrines of enforced optimism and undefinable "victory" are set.

The first strategic suggestion invariably advanced is to increase the bombing of Vietnam north of the 20th parallel. This, however, is likely to prove to be false in practice. Two years' bombing of North Vietnam failed to attain any of the objectives which were originally stated in 1965. For, as Secretary McNamara divulged in a recent interview, "the evidence is that bombing cannot prevent the movement of military personnel and supplies" in an agrarian economy, "nor have the raids significantly reduced the flow of materials into South Vietnam." (Moreover, a RAND Corporation study in December 1966 confirmed the Secretary's belief that airpower could not critically disrupt an underdeveloped transport and a primitive economic system.) It is worth noting, too, that while U.S. bombing has been concentrated just north of the DMZ, the North Vietnamese have been able to build the Ho Chi Minh trail through this area into an all-weather highway capable of carrying 50- to 100-truck convoys a day. Faced by our enormous and costly losses of aircraft while flying 3,000 bombing sorties each month, there is no reliable data to suggest that a resumption of the bombing would cheaply or materially improve the U.S. military position in the South. Neither the bombing of Hanoi or Haiphong nor the busting of the Northern dikes could be relied upon to cripple the war-fighting capability and determination of the DRV; but the reaction of world opinion to such action would surely be hurtful to our diplomatic standing.

Secondly, it has been suggested that U.S. forces should considerably intensify their search-and-destroy operations—but this, too, has been sharply questioned on the grounds both of costs and effectiveness. U.S. forces involved in such warfare sustained 55% of all casualties in the last few years, but they gained remarkably little real estate and at remarkably high cost. The pitched battles at Con Thien, Dak To, Song Bhe, Loc Ninh and Khe Sanh failed to seal off South Vietnam from the North; though the Marines and the First Airborne imposed high casualties upon the adversary, they impeded neither the flow of replacements nor of new weaponry into the South. Since the North Vietnamese could still afford to pour hundreds of thousands of reserves into such battles (no matter how unskilled or inexperienced they might be), it is improbable that the U.S. could gain appreciably by doubling its own number of infantry on the ground. Recent search-and-destroy campaigns (like those in Junction City or Operation Final Victory) failed to prevent the DRV and NLF from carefully staging their waves of assault upon Saigon or from consolidating their military and political infrastructure. They also failed to increase V.C. defection rates or to restore the sense of security which the South Vietnamese had once invested in the U.S. and ARVN war effort. Of course, it is erroneous to presume that the U.S. will meet with no success whatever in continuing the ground war; nor that an intensification of it will not hurt the adversary gravely. But it will be in error to assume that the U.S. can ultimately prevail in a war of attrition. At some point we must regain our cool and call a halt. We cannot commit another 200,000 men simply to escalate the level of combat. The price of killing each 1,000 enemy soldiers has risen steeply since 1964 from 8.6 to 106.5 U.S. fatalities, and the cost has risen from $24,000 to $234,000 for the killing of each V.C. Were this increase to continue as the enemy force expands in numbers, the war in Vietnam will surpass that in Korea in blood and cost by 1969.[1]

The third strategy to be recommended has been to increase the pacification and clear-and-hold operations waged throughout the country—but this too can hold little promise after all these years of failure. There are 12,722 villages or agrovilles or new-life hamlets in the South but few of them have ever been firmly and permanently pacified by Saigon's rural development teams. Three thousand U.S. assistants (two-thirds of them drawn from the military) have tried to back up this faltering and hopeless operation but it now seems that the pacification effort virtually crumbled after the Tet offensive began. Unhappily, the former White House aide in charge of pacification has never been candid about the impossible difficulties which he faces. If he were the czar of welfare in Harlem, instead of the director of all welfare programs for 7,000,000 destitute or homeless South Vietnamese, the futility of his work would long ago have provoked outrage. Unfortunately, out of a misplaced concern for the self-esteem of the Saigon authorities, the U.S. Military Command has helped conceal the corruption, the inhumane neglect, and the incredible mismanagement of Saigon's pacification responsibilities. Since most of the villagers with whom it must deal have refused to place their personal safety within the program, all too many have chosen to cooperate with the V.C. or to withhold support from the transient pacification teams. At the present rate of progress, it would take at least 25 years before the pacification effort succeeded in fulfilling the single most critical task of the war: restoring the allegiance of the population to the regime in Saigon.

Nor should we be misled by the claims of success which have been publicized in the last year by Robert Komer and W. W. Rostow. Their claim that 67% of the population lived in "secure" areas necessarily implied that the one-half of the Vietnamese people living in the cities or refugee camps were safely under Saigon control. The Tet offensive proved this claim to be false. Moreover, the harsh treatment of the rural population sheltering in the cities and camps from U.S. bombing could not possibly win affection for so incompetent and tyrannical a regime. There are now more than 4 million refugees and displaced persons out of a population of 17 million. They have received so little assistance from A.I.D. and other sources—due once again to corruption and incompetence—that many of them might eventually turn to the NLF to express their resentment of the destructive "liberation" efforts waged by the U.S. military and by our uncaring friends in Saigon. After all, the Saigon junta is too committed and the other political factions are too fragmented to serve as a vehicle of national protest. Once the stirrings of protest at the devastation of the nation are heard, only the NLF might be able to provide the channels which the nation requires.

Another strategy to improve the political aspects of the war has focused upon the strengthening of the government in Saigon. A reshuffling of the political leadership has at last taken place but little acclaim has been heard for its results within South Vietnam. A new prime minister, Tran Van Huong, has been instated but many recall that he was only the fourth runner-up in the recent election. (It should also be recalled that more popular figures, such as Big Minh or Thich Tri Quang or Mr. Dzu, were unable to campaign or have since been clapped in "protective custody" for urging an end to the war.) Meanwhile, the Saigon regime has been powerless to halt an unprecedented runaway inflation or to impose any form of price control or food rationing, and it has forfeited the last visible enthusiasm of its own electors. Faced with a widespread ruin of its communications and food distribution system, and the awesome havoc of the battle for the cities, it seems evident that the Thieu-Ky regime is a spent force. Though it recently managed to purge many of the province chiefs and military leaders, its days are clearly numbered. If the regime were our enemy rather than our indispensable ally, we would dismiss its hopes of survival with contempt. That it still claims to represent the authentic voice of Vietnamese nationalism is surely one of the cruellest hoaxes of a terribly cruel war.

---

[1] Most of this data was found in the carefully compiled and checked research conducted by Congressman Don Riegle (R-Michigan).

It must be faced squarely, then, that the United States today faces in Vietnam the prospect of an impossible and exorbitantly costly military impasse. Of course, patriotic pride might force us to deny this reality and it is still possible that the next Administration will insist upon prolonging the war—after the Presidential election debates have finally concluded. It might even be tempted to engage in high risk and low profit initiatives—such as mining Haiphong harbor, flattening Hanoi, demolishing the irrigation dikes in densely populated areas, or even landing an invasion force in North Vietnam. But in taking these initiatives of desperation, we should be sure, we could not aim at winning the war—but only at concealing the long string of political miscalculations that have been made since 1956. The U.S. has invested high hopes in the skills of our Special Forces and in the policy significance of counterinsurgency; it has also spent more than 80 billion dollars in Vietnam in the past four years (for a variety of changing reasons) to eradicate a low-level insurgency campaign. It may be difficult to accept, therefore, that our nation has experienced not so much a failure of military strength but a devastating failure of political intelligence.

By now it is apparent that the military situation is fraught with absurdity. Instead of cooperating with our war to safeguard the Saigon regime, too many of its inhabitants are actively involved with the V.C.'s political or military operations. Our attempts to "win hearts and minds" (ironically called WHAM) have failed to rally Vietnamese national hopes or to manifest our own humane and philanthropic concern for the nation's destitution. The inability of the Saigon regime to galvanize popular support and to turn the ARVN into an effective security force has at long last imposed a brutal choice upon the U.S.: Either we must considerably increase the number of our troops on the ground to wage a bloody war of attrition (somewhat like the massacre trench-warfare of World War I); or we must look for a political settlement to what is obviously a hopeless political conflict.

The hard data at our command suggests that the tempo of war and of political upheaval in Vietnam is likely to increase and not decrease in the next year. Though we can still preserve a certain type of stalemate—so that we can go on "fighting while talking"—the long-range prospects are not favorable. Of course, the military action and the scorched-earth retaliation continues to look impressive on our TV screens, but we must strictly question whether we are progressing with the real task of the war: eliminating the Viet Cong cadres in the city and in the countryside and suppressing their psychological appeal to an exhausted population. From the evidence in the public press it is certain that success is nowhere in sight and that time is definitely not on our side. Though gravely hurt himself, the adversary recognizes the difficulties we face and he will certainly not concede at the conference table what we have failed to secure with military might. It is the wisdom of caution and not of defeatism, therefore, to conclude that the sooner we are able to end the war, the better will be our chance to achieve a viable and durable existence for a post-war Vietnam. To secure a negotiated and honorable settlement is more in the U.S. national interest than to cling to desperate hopes of "victory" that were forfeited many thousands of casualties ago.

SOUTHEAST ASIA: IMPLICATIONS OF A VIETNAM SETTLEMENT

(By Gayl D. Ness)

Let me begin with a general appraisal of the nations of Southeast Asia, focusing on those characteristics most relevant for the Vietnamese war and its settlement. In this part of the discussion, I shall for the most part, exclude the two Vietnams.

1. *Variation in the strength of National Organization*. By national organization I mean the capacity to provide external defense, internal order, a meaningful and legitimate place for all major groups, and the capacity to mobilize human resources for national goals. One of the most significant facts about Southeast Asia is that the strength of national organization varies considerably. While this is admittedly difficult to measure precisely, there is probably widespread agreement on a crude rank ordering. At the top would be Singapore and Malaysia, followed by the Philippines, Thailand, Cambodia, Burma and Indonesia, with Laos at the bottom. (North Vietnam would rank very near the top, South Vietnam very near the bottom. In both cases there is a long and consistent history of this characteristic; it does not indicate any particular unique strength of the North's Communism or any unique weakness of the South's government.)

This also provides a ranking of the ability to deal with the generally rising internal demands for change and with the internal-external pressures embodied in the wars of *national liberation*. I should judge the countries down through Thailand as capable of dealing with these pressures; the countries below this on the list are far more precarious. We should also recognize that the strength of national organization is largely an internal matter, and is not easily influenced from the outside. At the same time, our ranking also indicates the different capacity to use external assistance to develop a stronger national organization. This capacity is high in Singapore and Malaysia, lower in the Philippines, Thailand and Cambodia, and very low in the other countries. Finally, I should argue that on the whole economic assistance is far more effective in promoting the growth of internal national organization than is military assistance.

2. *Weak but growing regional integration*. The external orientation of the nations of Southeast Asia is still more western than regional. Ancient national or tribal animosities, conflicts between highland and lowland peoples and other religious and cultural characteristics continue to provide powerful divisive forces in the region. Further, these forces are not easily influenced or controlled by external powers. If any degree of regional integration is achieved, it will be achieved largely from within and it will depend greatly upon the strength of the organization of the individual nations.

There are, however, small but significant moves in the direction of regional integration. The best examples are in the Mekong development program and in two quite new regional organizations, the Southeast Asia Ministers of Education (SEAMES) and the Association of Southeast Asian Nations *(ASEAN). These are especially significant be*cause they provide mechanisms through which external assistance can most effectively be used to enhance both regional cooperation and national organization. The difference in effectiveness between military and economic assistance is here underscored by noting that the one regional military organization, SEATO, has been of very low utility in enhancing either regional integration and development or regional stability. In contrast, the effectiveness of the economic regional organizations is quite impressive.

3. *Popular sentiments in the region*. Two major popular sentiments are found pervasively in the region. One is anti-Chinese, the other is anti-western or anti-colonial. The anti-Chinese sentiment is by far the most powerful. It exists on the level of mass prejudices that are widely shared and provide one of the most common characteristics in the region. It also exists among regional elites on the more sophisticated level of geopolitical analysis. To most elites in the region China represents a massive and threatening land force to the north. There is also a strong tendency to identify Communist and Chinese. This arises in part from the fact that China is a Communist nation and in part from the involvement of Southeast Asian Chinese in local Communist movements and insurgencies.

While this anti-Chinese sentiment may currently appear advantageous to the U.S., it is also a very dangerous double-edged sword. On the one hand it acts as an obstacle to Communist China's ideological or national leadership in the region. At the same time, however, to the extent that it renders Chinese in each nation dispossessed people, it makes them a source of internal instability and it makes them easy targets for externally directed mobilization.

We should also note that the greater the strength of national organization, the greater is the capacity to resolve internal Chinese problems and to deal with the Chinese in a non-violent manner. The contrast of Chinese political integration in Malaysia, and massacres of Chinese in Indonesia is illustrative of this relationship. It should be noted that the current destruction of the cities of South Vietnam presents a particularly explosive situation, because the Chinese population is largely urban. One of the effects of the destruction may be to swell refugee camps, previously filled with Vietnamese, with urban Chinese.

The anti-western sentiment is more ambiguous. On the one hand there is the deep resentment against the economic imbalance, and the racial discrimination and its chronic insult, which the colonial experience embodied. On the other hand is a residue of admiration for the past colonial masters. While this anti-western sentiment is far less powerful than the anti-Chinese sentiment it nonetheless provides an important undercurrent on which social movements and government policies can be based.

These popular sentiments are important because they are shared by elites and masses alike. They thus provide both proclivities and limitations for action. Large scale social movements and widely supported national policies can be built on either.

4. *Views of the Vietnamese war and the U.S. involvement*. Southeast Asian views of the Vietnamese war vary considerably and contain a significant amount of ambivalence. The range extends from the official Communist view of U.S. imperialist aggression to the official positions of Malaysia, Thailand and the Philippines. The latter hold the view that the U.S. is arresting Chinese Communist encroachment in the region. The central tendency in the region is much closer to the pro-U.S. position than to the anti-U.S. position. It is important to note, however, that this support derives from deep rooted anti-Chinese sentiments and *from the specific national interests of most* of the countries in the region. The latter is capable of producing strong hostility to the U.S. as well as support. Thailand is especially supportive because we are at war with what is probably her most feared ancient enemy—

North Vietnam. On the other hand, Cambodia is hostile because we are supporting her most feared ancient enemies.

The ambivalence over the U.S. involvement derives from the anti-western sentiments, which produce a natural tendency to see racial and neo-colonial elements in the war, and from the increasing revulsion at the destruction of the war. It is intensified by the sensitive issue of U.S. military bases, which are causing increasing friction in the Philippines and Thailand. This aspect of Southeast Asian views has the greatest potential for growth; it has grown rapidly in the past year and it can be expected to grow most rapidly, even to overbalance the pro-U.S., anti-Chinese aspect, if the present level of destruction continues or is increased.

Given these characteristics, I should like to make four interrelated points on the implications of a Vietnam settlement.

a. First, a complete American withdrawal from the region would not be welcomed by any government in the region except the government in Hanoi. Further, our withdrawal would leave a vacuum, which would certainly be filled, but with considerable dislocation.

b. Our military effort, currently slightly more supported than opposed, raises the danger, even the inevitability of alienating our supporters without the realistic prospect of achieving our aims of arresting the emergence of Communist regimes.

c. It is essentially impossible to sustain a government that cannot sustain itself, without American troop commitments at a level of which we are probably currently incapable. As a specific example, given its low level of national organization and its long border with North Vietnam, Laos could probably not be prevented from coming under the direct influence of Hanoi—after a Vietnam settlement—without a virtual occupation of the country. And it is doubtful that even this could be any more successful than we have been in Vietnam.

d. On the other hand the internal strength and the location of other nations in the region offers the United States the opportunity to play a significant role even if we are forced publicly to acknowledge a military setback in Vietnam. A more effective policy would require the reduction or abandonment of land bases and troop involvement, and the increase of economic assistance programs. Only in this way can we help to strengthen the internal capacity of individual nations in the region to promote their own development and to defend themselves. In general multilateral assistance programs offer greater potential for success and less danger from repercussions of failure than do bilateral programs.

Finally, it must be recognized that our economic assistance programs in the region have not yet been crowning successes. This is partly because of the generally low quality of national organization in the region. These are not the European nations that needed little more than the injection of Marshall Plan capital to reactivate a previously complex and developed organization of production. Southeast Asian nations require much physical building and much institutional change to correct the great imbalances in economic structure and to enable them to stand more independently in the world. But all the difficulty does not lie with Southeast Asian nations alone. There is much in the posture and the character of our economic assistance and in its specific organization in the A.I.D. that obstructs and often completely precludes successful assistance. And I cannot avoid mentioning here that much of the debility in our foreign economic assistance in the region is the responsibility of the Congress itself. An A.I.D. organization that is forced into a yearly crisis over its budget, and whose existence is constantly threatened and abused, is not thereby made into an effective instrument for administering rational economic assistance.

THE SINO-SOVIET CONFLICT AND A VIETNAM SETTLEMENT

(By Richard H. Solomon, Department of Political Science and Center for Chinese Studies, the University of Michigan, Ann Arbor)

One of the ironies of the Vietnam war is that the daily flow of battle reports, the soaring economic costs, and peripheral political effect of this conflict have acquired a life and meaning all of their own, almost independent of the reasons that the United States has steadily increased its commitments in this sliver of a country since 1950. As we readjust our view of the importance of Vietnam in the context of the present peace "conversations" in Paris, it is well to recall these earlier policy assumptions, and to reexamine them in the light of the experience of the 1960's.

The key event triggering our initial involvement in Vietnam, of course, was the Soviet-supported Korean war. Our policymakers evaluated this unprovoked attack in the light of Stalin's demonstrated intention to spread Russian influence in Europe with the aid of the Red Army, the recent Communist victory in China's civil war, and in terms of the Sino-Soviet Treaty of Friendship and Alliance signed in early 1950. They assumed, quite understandably, that in the Far East we faced a threat in the form of a unified and aggressive political-military bloc which would seek to expand its influence by sending national armies across international boundaries. The fact that "Korea" had occurred within the geographical context of one nation, and that America's economic or security interests in Indochina were not particularly significant in themselves, was glossed over at the time in terms of fears of what *might* happen if we failed to respond to this test of our will; and in particular our fear of what might happen in Europe. Our commitments in Vietnam were seen as part of a larger effort to contain military expansion by the Chinese element of the Sino-Soviet bloc.

Events of the 1960's have challenged these assumptions, primarily for two reasons: The breaking down of the Sino-Soviet alliance has diminished the sense of threat that came with the image of a super-continental and aggressive political alliance. [Whether or not the Sino-Soviet dispute has, in fact, served to reduce the level of international conflict is quite another matter, to which I will allude below.] Secondly, we have come to see that our assumptions about the nature of "aggression"—not only of its form as a clear attack across international boundaries, but also our ability to "contain" political violence through a direct military presence—have been proven wrong. Or perhaps more accurately, these assumptions have altered with the passage of time and events, and with strategic adjustments by our adversaries.

Two of the most important lessons of the Vietnam war are related to these altered assumptions: America's international commitments acquire a life and meaning of their own that go well beyond the immediate historical and political context in which they are undertaken; and while the reality of power relationships may change, political commitments are much less malleable. Secondly, we are belatedly coming to see that an American presence in certain underdeveloped countries may *decrease* rather than increase their domestic political stability, and may actually enhance the capacity of our adversaries to pursue their ends of supporting subversive political movements.

What are the implications of these lessons of Vietnam, and of the altered set of assumptions about the political and military challenges we face? In particular, what is the meaning of the Sino-Soviet dispute, and of the demonstrated efficacy of a "people's war" strategy for countering U.S. military power and political influence, as we seek to attain conflicting goals of international security and reduced national commitments abroad?

In seeking to provide some guidelines, not answers, to these questions, I should begin by asserting that the world of the late 1960's presents greater political complexities than it did in the 1950's during the period of bipolar confrontation. As a result of their increasingly bitter feud with Mao Tse-tung's China, the Russians have come to perceive a common interest with the United States in countering a verbally and politically assertive China. This common U.S.-Soviet interest was first made obvious to the world when the Russians gave military aid to India in her border confrontation with the Chinese. And while the Kremlin leaders may be pleased to see us burdened with the Vietnam war, they also must perceive that without a U.S. presence in Indochina there would be few checks—save their own presence, perhaps—on the expansion of Chinese influence into the region, and fewer distractions to a more intense Sino-Soviet confrontation along their long mutual border. The most perplexing question of the moment is whether this area of Soviet-American common interest is strong enough to become a significant element in the current search for peace and regional order in South-East Asia.

Ironically, the 1954 and 1962 Indochina peace agreements reached at Geneva were possible in part because of the influence which the Russians exercised over their (then) Chinese and Vietnamese comrades. In 1954, in particular, the Russians successfully urged on their allies a "moderate" settlement so as not to drive the French into the then pending American-backed European Defense Community. Today all indications are, however, that the Russians will be able to exercise *no* restraining influence over the Chinese; and their ability to apply leverage on the North Vietnamese has been significantly weakened by the dispute with the Chinese, which enables Hanoi to seek greater support in Peking when it feels that its interests are not being met in Moscow. The Sino-Soviet dispute, paradoxically, has given greater freedom of action to small regional Communist movements, such as the North Vietnamese, who can bargain for support with their capacity to back one side or the other in the continuing Soviet-Chinese contest for influence within the world Communist movement.

The Chinese, in part because of their desire to exclude Soviet influence from Hanoi, in part because of their attempt to posture as a "revolutionary" power in contrast to the "revisionist" Russians, and partly because of the continuing struggle for power within China, are vigorously opposed to a negotiated settlement of the Vietnam war. As the Chinese Communist Party paper *People's Daily* asserted after President Johnson's March 31 offer of a bombing limitation in exchange for peace talks:

"Only by thoroughly defeating the U.S. aggressors on the battlefield and driving each and every aggressive soldier from Vietnam soil can the Vietnamese people attain their sacred goal of national liberation and reunification of their motherland."

A negotiated settlement is resisted by the Chinese for several reasons: successful peace talks would give unwanted "face" to the Soviets, and strengthen their position in both Hanoi and among the other Communist parties and countries; they would detract from the efficacy of a "people's war" at a time when the Chinese have not only made their revolutionary experience and determination one basis of their claim to be the new center of world revolution, but also when the Maoists have supported a "people's war" national defense policy for China over the objections of certain of their domestic rivals for power; and finally, a negotiated peace would degrade Peking's image of "U.S. imperialism" as an implacably hostile and expansionist world power.

Thus far the Chinese have chosen to isolate themselves from the current peace talks—even to the extent of withdrawing their newsmen from France and resorting to minor harassment of the French government for their sponsoring of the Washington-Hanoi peace "conversations." The full extent of their ability to obstruct an immediate settlement—as opposed to their long-term capability for promoting instability in Indochina—however, seems quite limited. Their army is fully occupied with tasks of domestic peace-keeping and political control in the aftermath of the "Cultural Revolution." And the Soviet Union, largely by virtue of North Vietnam's own interest in exploring negotiations, has greater options for influence in Hanoi through her diplomatic good offices, and economic and military aid. How long this situation will maintain, however, seems largely a matter of choice for Hanoi.

What are the implications of this complex "triangular" power relationship between Peking, Hanoi, and Moscow for a peace settlement? "Uncertainty" and "instability" are the words that most readily come to mind. A basic question remains Hanoi's intentions regarding its immediate neighbors, Laos and Cambodia. Would the North Vietnamese accept a settlement of the war which publicly committed them to respect Cambodia's sovereignty, and to withdraw their troops from Laos? Would the Chinese, fearing increased Russian influence in Hanoi, or Hanoi's own preeminence in Indochina, feel compelled to expand their influence in Laos, Thailand, or Burma at the expense not only of Hanoi and Moscow, but also of Washington? The Chinese at this moment are host to, and supporters of, Thai and Burmese "national liberation" movements. Will the Russians, through their aid to Hanoi, and by virtue of Hanoi's desire to use them as a counterweight to Chinese influence, be able to moderate North Vietnamese designs on Laos, Cambodia, and Thailand? And will the Kremlin leaders assume, or accept, the role of a guardian power for the non-Communist nations of Indochina so as to counter the expansion of Chinese influence?

These uncertainties, grown from the Sino-Soviet dispute, are further enhanced by the instability internal to China. At the moment the more radical Mao Tse-tung leadership faction seems in command of Peking's verbally strident, if largely inactive, foreign policy. But one *possible* development in the aftermath of the "Cultural Revolution" would be a leadership change in China which would bring more moderate elements to power; new leaders anxious to restore domestic stability, promote economic development, and repair their strained relations with the Soviets.

Such uncertainties suggest, at the least, that a formal, public resolution of the political tensions of Indochina—on the order of the earlier Geneva settlements—committing all concerned parties to a solution, is less likely now than in the bygone days when the Soviet Union was the accepted leader of the Communist world. Further conflict on the Indochina Peninsula, encompassing Laos, Cambodia, Thailand, and Burma seems a real possibility, given not only Hanoi's apparent ambitions, but also competitive pressures among the three Communist states involved, and the enduring rivalries and animosities among the non-Communist states of this region.

The prospect of further regional instability, however, must be evaluated in terms of a world in which the Chinese and Russians confront each other in a bitter fued, where unambiguous aggression—in the form of direct invasion of one country by another—seems less likely than indirect support for subversive political movements, and where great power influence is likely to be projected through aid to parties to regional disputes (as the Russians have now done in the Middle East, and the Chinese have attempted with varying degrees of success in Pakistan, Indonesia, and Africa). Should the United States fear that its national interests will be significantly affected by further instability and even "Communist takeovers" in Indochina, now that monolithic Communism and direct Chinese military expansion are seen to be false readings of the challenges we face?

This latter question, I personally feel, must be answered with a *qualified* "yes." "Yes" because the manner in which we resolve the Vietnam conflict and reassess our commitments to Thailand, is likely to have a significant effect on the behavior of other regional powers—the Philippines, Indonesia, India, and Japan—to whom our political and economic interests are directly tied. Our efforts to prevent nuclear proliferation are closely related to the degree to which the Japanese, Indians, and other regional powers feel our commitments are credible and our interests coincide with their own. "Yes" because regional conflicts tend to draw in great powers, and hold the risk of nuclear confrontation over small-nation disputes. And "yes" because our adversaries will continue to draw conclusions about our intentions and degree of purpose from our behavior in one region, and apply it to their actions elsewhere. Fear of international conflicts and confrontations resulting from mistaken readings of our resolve remains a significant concern in a nuclear age.

Our concern over this region must be qualified, however, for several reasons: Too direct an American presence in small, underdeveloped countries such as comprise the Indochina Peninsula can actually *increase* economic dislocation and political demoralization. The Chinese and their proteges have proven themselves adept at using a direct American presence to turn the issue of nationalism to their advantage. And of course the Vietnam war has demonstrated that even America's vast technical military superiority is not always capable of winning a decisive "victory" against a political-military guerrilla war in an underdeveloped country. To undertake commitments where our effectiveness is in doubt is obviously most unwise.

We must also affirm in retrospect that it was America's *commitment*, and what were perceived to be the *implication* of Vietnam for the world balance of power and international stability—rather than Vietnam itself—which made the present war of such concern to us. Given the Sino-Soviet dispute and the internal turmoil now weakening China, we are probably more likely to encourage the evolution of a "moderate" leadership in China, or at least a leadership less hostile to us, through an attitude of conciliation and aloofness rather than a posture of "close-in containment."

These various considerations seem to require that we make the American presence in Indochina as *indirect* and as *internationalized* as possible; perhaps limited to economic aid and technical assistance (isolated from politics through such agencies as the World Bank), weapons assistance, and the training of military and police cadre largely in this country.

One implication of the experience of Vietnam seems to be that we define more explicitly to ourselves, and to those who seek our aid, the limits of American intervention with military "advisors" or troops in basically civil "national liberation" conflicts. A general precondition to our direct intervention would seem to be the introduction of *foreign* advisors or troops by a third power across a recognized international boundary.

As we now seek to end the Vietnam war through negotiations, we should return our attention to the larger regional concerns which motivated our initial commitments in this country. Our failure to make these regional issues an important element in our talks with Hanoi will only leave unresolved political tensions which seem likely, before long, to confront us with new "Vietnams" in this area. Such an objective seems to require that we seek two major goals in a peace settlement.

1. We should seek a resolution of those boundary disputes which continue to be points of friction between the various Indochina states, and which provide a political context within which the North Vietnamese and Chinese can seek to expand their influence. We should seek to publicly commit the Hanoi government to the acceptance of these boundary settlements, and to respect the territorial and political integrity of the various states of the region. While such formal agreement would not of itself stop clandestine aid to insurgents, it would at least remove areas of ambiguity which could provide a cover for hostile action, or a pretext for intervention. The future security of Laos and Cambodia seems particularly related to the settlement of boundary disputes and Hanoi's acceptance of their territorial integrity.

2. We should encourage the nations of this region to assume tasks of self-defense in a more direct and cooperative manner. A reduced and indirect American presence in the area will not only have fewer unsettling effects on the political life of these countries; it will also provide less of a pretext for intervention, and a reduced sense of threat, to both the Chinese and North Vietnamese.

We should also encourage the non-Communist states of the region to seek international guarantees for the integrity of their borders—hopefully involving such nations as France, India, Japan, and particularly the Soviet Union as counterweights against Chinese or North Vietnamese pressures.

In addition we should urge the Chinese to accept, and participate in, the international guaranteeing of stability in this region. While a positive response by the Chinese now seems unlikely, the offer at least would provoke further debate among her quarreling leaders, strengthen the hand of more moderate elements, and place on China the onus of rejection and the responsibility of maintaining her own political isolation.

Such a settlement of regional scope seems the major alternative to a situation where either the United States continues to assume the costly burdens of intervention in a context where her power has proven to be less than effective, or where we withdraw to leave a highly unstable situation where regional and Sino-Soviet rivalries lead to further violence, with the consequent serious implications such conflict would have for America's more significant interests in Asia.

POLLUTION OF OUR NAVIGABLE RIVERS

Mr. RUMSFELD. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. RUMSFELD. Mr. Speaker, because of my continuing concern over the pollution of our environment, I have joined in introducing H.R. 18452, a bill to amend the act of March 3, 1905, relating to the dumping of certain materials into the navigable waters of the United States.

This bill is designed to check activities contributing to the pollution of our navigable waters, in particular the Great Lakes, on the part of one of the largest offenders, the Federal Government.

In 1967 a report by the Natural Resources and Power Subcommittee of the House Committee on Government Operations stated that America's lakes, and in particular the Great Lakes, would soon be destroyed by the aging process if the acceleration of this process by pollution is allowed to go unchecked.

Despite this warning, and despite a national commitment to eliminate all possible sources of pollution, the Army Corps of Engineers has continued to both carry out and issue permits for dredging activities which result in millions of cubic yards of polluted soil being dumped each year in so-called authorized dumping areas in the Great Lakes.

It is a paradox that, in the midst of efforts to insure a habitable environment, we should find the Federal Government allowing and condoning actions which contribute to the environment's further determination.

This bill will require that the Department of the Army shall be prohibited from dumping or approving the dumping of polluted materials in navigable waterways unless there is a determination on the part of the Secretary of the Interior that such activities will not result in further pollution of such water.

Enactment of this measure is mandatory unless we are willing to find one day that we have passed the point of no return in efforts to control the pollution of our Nation's waterways.

HONORABLE LES ARENDS

Mr. RUMSFELD. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. RUMSFELD. Mr. Speaker, few men have the distinction of 25 years of service in the House of Representatives, fewer still have carried the heavy responsibility of leadership for such a period. It is with a special pleasure that I join other Members in paying tribute to a man now completing his 33d year in the Congress, and his 25th as Republican whip of the House of Representatives. I speak, of course, of my fellow Illinoisan, Les Arends.

Those of us who have worked with Les Arends in his capacity as Republican whip know well the service he has rendered to his party, to this House, and to the Nation. Those of us—and we are many—who have benefited from his counsel look forward to the continuation of this relationship in the years to come. Given the esteem with which Les Arends is held in the 17th District of Illinois as well as in this House, we know those years will be many.

THE OPENING OF THE CHEROKEE STRIP

Mr. SKUBITZ. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the Record.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Kansas?

There was no objection.

Mr. SKUBITZ. Mr. Speaker, I am today introducing a bill which provides for the commemoration of the opening of the Cherokee Strip to homesteading, and for other purposes.

The opening of the Cherokee Strip holds an important place in the annals of American history. Land, land possession, and ownership was an American idea from the coming of the first colonists until 1890. The American ideal was that any responsible head of a family should have land available to support himself and his family. In fact, the strongest lure for the majority of colonists of the 17th and 18th centuries was the prospect of free land.

Consequently, our expansion was a rapid one—much more rapid than most thoughtful people foresaw. Thomas Jefferson, for example, felt it would take a hundred years to settle the land to the Mississippi. However, in less than half that time, States were being formed even across the Mississippi River.

By the census of 1890, there was no longer a continuous frontier line, although there were still pockets of unclaimed, untamed land—largely Indian lands. The major method used for opening these areas was the rush or run, a method ascribed to President Grover Cleveland, and one which was supposed to be a fair and democratic way of assigning the land. The Dawes Act of 1887 provided for allotments of 160 acres to homesteading families. Subsequently, five great land rushes over a period from 1889 to 1895 drew hundreds of thousands of settlers.

The Cherokee Strip opening of September 1893 was the largest of these. Although no accurate account could be kept of numbers, the Government issued 115,000 certificates at various registration booths. As early as January of that year, homesteaders gathered on the Kansas border in anticipation of the run, and long before starting time there was a solid wall of people massed along the Kansas border. The most popular starting point was at Arkansas City, Kans. On the first 2 days of registration, for example, 31,000 people registered for the run there.

These land rushes were peculiar to the Kansas-Oklahoma border region, other openings being by auction or lottery, and if one can focus attention on only one spot, it is logical to choose Arkansas City because of the great numbers of people starting at that point. The continued interest of Arkansas City in the event is yet another reason for commemorating the opening of the Cherokee Strip at this site.

Mr. Speaker, if the United States, its ideals, its culture, and much of its history have been influenced and shaped by the frontier, then it is our duty to preserve that history and mark the territory involved. For this reason, I am introducing this bill to commemorate a most colorful and important phase of American development.

EDUCATION: THE KEY TO INDUSTRIAL GROWTH IN THE SOUTH

Mr. DORN. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from South Carolina?

There was no objection.

Mr. DORN. Mr. Speaker, I commend to the attenton of my colleagues in the Congress and the people of our country the following very excellent and timely address of the Honorable Glenn T. Seaborg, Chairman of the U.S. Atomic Energy Commission at the 34th annual meeting of the Southern Governors' Conference in Charleston, S.C., on June 17:

EDUCATION: THE KEY TO INDUSTRIAL GROWTH IN THE SOUTH

(Remarks by Dr. Glenn T. Seaborg, Chairman U.S. Atomic Energy Commission at the Thirty-fourth Annual Meeting of the Southern Governors' Conference Charleston, South Carolina, June 17, 1968)

This is the second time during the last four years that I have been privileged to speak at the Southern Governors' Conference. Both times have been in years of Presidential elections and I'm beginning to wonder if this is merely coincidental.

In this particular Presidential election year our country is filled with deep sense of sorrow and loss. As President Johnson said on the passing of Senator Robert Kennedy, he "affirmed this country—affirmed the essential decency of its people, their longing for peace, their desire to improve conditions of life for all." His loss is a tragedy—not only for those of us who knew him personally, as I did, but for the entire Nation, to which he was so profoundly dedicated.

Even in an election year the atom is nonpolitical; it doesn't favor any particular party, candidate, or region. But if atoms did vote they would surely cast a vote of confidence in behalf of the Southern Governors' Conference and the Southern Interstate Nuclear Board for their efforts in promoting nuclear developments in the South. Six years ago the southern states showed great foresight by establishing the Southern Interstate Nuclear Compact for regional development in nuclear energy, a pattern that is now being followed by other regions of our great Nation. The Southern Governors' Conference and the Southern Interstate Nuclear Board are fortunate in having the very able and effective support of Governor Hulett Smith of West Virginia, who is Chairman of the Nuclear Energy and Space Subcommittee of the Conference; Governor Dewey Bartlett of Oklahoma and Governor Mills Godwin of Virginia, who are members of that Subcommittee; Mr. Victor Johnson and Mr. Robert Gifford, the Chairman and Executive Director, respectively, of the SINB; and the other officials, members, and staff of the Board, whose fine work I am pleased to acknowledge.

Today the benefits of the peaceful atom—a peaceful form of nuclear proliferation—are becoming more and more important not only in the South but also in the Nation and throughout the world. This beneficial form of nuclear proliferation is taking many forms. While I don't have time today to make a progress report on all the applications of the peaceful atom, I would like to mention that the most spectacular growth in nuclear energy during recent years has been its use to generate electricity. At a time when the demand for electricity is rapidly expanding there has been a surge of orders for nuclear power plants. Many of the large nuclear plants being built and planned today are expected to produce electricity more cheaply than conventional plants—even in or adjacent to areas where fossil fuels are naturally abundant. In addition to this increasing economic competitiveness, nuclear generating plants are getting favorable consideration for another important reason: they do not create combustion products and therefore do not add to the growing burden of air pollution.

A couple of statistics show the effect of these economic and environmental considerations in favor of nuclear power—in both the South and the Nation. In the entire United States during the past two years more than one half of the announced new steam generating capacity was nuclear-powered. Today the U.S. has a nuclear-powered generating capacity of 2,800,000 kilowatts, and the AEC believes this figure will increase to about 150,000,000 kilowatts by 1980.

Back in 1964 when I spoke to the Southern Governors in San Antonio, Texas, the closest thing to a commercial nuclear power plant anywhere in the South was a small demonstration power reactor, which was rated at only 17,000 kilowatts and located here in Governor McNair's state over at Parr. Furthermore, there were no commercial nuclear power plants being built and no firm plans for building any. Today, however, in the southern states composing the Southern Interstate Nuclear Board there are altogether 24 central station nuclear power plants now being constructed, ordered, or planned. These plants will generate 20,000,000 kilowatts of electricity and constitute an estimated investment of $2,700,000,000. Together with the many additional nuclear power stations that will follow them to the developing South, they will bring major economic benefits in the form of jobs for construction and operations, purchases of materials, and tax revenues for state and local governments.

But the most significant benefit will be an increase in the available supply of electricity in the South during the coming years. For example, the three nuclear reactors that the Duke Power Company has been granted construction permits to build here in South Carolina will have a total generating capacity of more than 2,500,000 kilowatts. I understand that this is approximately three times the generating capacity of the 30 hydroelectric dams in the Duke system. When we consider that in the United States the demand for electricity is doubling every ten years, we can appreciate the importance of adding to the generating capacity that is so essential to attract and support many significant forms of industrial expansion.

But nuclear power is important to economic growth not only because of its potential for generating the energy to support non-nuclear industries. The nuclear power revolution and other proliferating applications of the peaceful atom are bringing with them a new kind of industrial development that is the direct outgrowth of the increasing demand for nuclear energy. Last year, for example, several corporations in the nuclear industry announced their intent to expand their operations in the South.

Here in South Carolina, General Electric said it would build a factory near our host city to manufacture exhaust systems for steam generators in both nuclear and conventional power plants, and another facility at Greenville that will make heavy-duty gas turbines for electric utilities. Also here in Governor McNair's state, at Columbia, Westinghouse said it plans to build a fabricating plant for fuel elements to be used in commercial nuclear-powered generating stations.

Along the South Carolina-Georgia border, the AEC's Savannah River location has been tentatively selected as the site for the Allied Chemical Company's new plant for reprocessing nuclear fuel. In processing spent fuel for re-use in power reactors, this plant would serve as an essential component in the rapidly growing Southeastern nuclear utility industry and also move the Aiken-Augusta area toward becoming a major center for nuclear power activities.

In Governor Moore's state (North Carolina), both GE and Westinghouse plan to build major additions to their nuclear manufacturing operations. The GE plant at Wilmington for manufacturing reactor fuel elements will more than triple the production capacity of that company's existing atomic power equipment department at San Jose, California. The Westinghouse plant near Charlotte will make turbines for nuclear power stations.

Two more Westinghouse nuclear manufacturing plants will be going up in Governor Kirk's state (Florida), one at Tampa and another at Pensacola. Both will make components for nuclear reactors and electric power stations.

In Governor Godwin's state (Virginia), Lynchburg is the home of Babcock & Wilcox's Atomic Energy Division. Last year B&W's plutonium development laboratory came into full operation, and the company is also planning to expand its fabrication facilities for nuclear fuel.

In Governor Smith's state (West Virginia), American Metal Climax, at Parkersburg, is expanding its facility for producing materials that are used in components for nuclear power plants.

In Governor Ellington's state (Tennessee), which at Oak Ridge has pioneered in nuclear science and technology, Combustion Engineering, located at Chattanooga, is expanding its plant for manufacturing reactor pressure vessels and other nuclear power equipment. At Memphis, Chicago Bridge and Iron is expanding its pressure vessel fabrication facilities.

In Governor Connally's state (Texas), Susquehanna-Western has expanded its activities for exploring, acquiring sources for, and milling uranium.

And in Governor Bartlett's state (Oklahoma), the Kerr-McGee Corporation, which is engaged in a wide range of nuclear activities, substantially increased its operations during 1967.

For only one year in one region of the country this is an impressive list of industrial expansions in the nuclear sector of the economy. The overall importance of this growth of nuclear manufacturing in the South is suggested by an estimate that these new projects will result in more than $170 million in capital outlay and will create more than 3,700 new jobs.

The economically significant nuclear developments that I have been talking about today are important by themselves. But the point I would like to emphasize most is that they symbolize the dynamic force of science and technology, the benefits that spring from progress in these fields, and the necessity to acquire the educational and intellectual basis for scientific and technological excellence.

As the technological foundations of our economy continue to evolve, education and our intellectual institutions become the primary factor in economic growth and change. To be convinced of this we have only to consider the value of university-dependent industrial concerns, such as those clustered around Harvard and Massachusetts Institute of Technology in the Boston area or the University of California at Berkeley and Stanford in the San Francisco area. These and other examples show how strong centers of education and research can stimulate economic growth both locally and regionally. The effect of outstanding educational institutions is double-barreled. They attract talented and trained people from the outside, and they also serve as local and regional sources of brainpower.

The reason why universities are so vital is that in our scientific and technological society the central role is played by knowledge and those people who are educated to discover and use it. Knowledge and people with advanced education are the keys to the innovating forces of science and technology upon which economic growth depends. So our universities—where knowledge is discovered, codified, tested, and taught—are the primary wellsprings of growth and progress in today's world.

These implications of the economic role of science and technology for our educational needs can be illustrated by a couple of statistics. In the United States less than half of both the work force and the gross national product are accounted for by manufacturing. Our economy is primarily a service economy, and services generally require a more highly educated labor force than does the production of tangible goods. Today there are five white collar workers for every four blue collar workers. The percentage of the United States labor force engaged in professional and technical employment is expected to double during the 35-year period between 1940 and 1975.

Figures such as those I have just cited go a long way toward explaining why new industries gravitate to and spring up around our strongest centers of learning and research, the Nation's outstanding graduate schools. It is through the graduate schools that people attain true scientific competence, because progress in science now demands work at the far frontiers of knowledge, which is usually done by people holding doctoral degrees. Graduate schools combine education and basic research, and it is from this combination that new knowledge and new industries will flow. Today's industries need people with doctoral training for functions requiring high scientific and technical qualifications and creative talent, not only for research and development but also for management.

The strength of its graduate schools is probably the greatest single factor in determining how much a state or region will benefit from tomorrow's science and technology. For example, about 40 percent of the engineers holding bachelor's degrees now go on to graduate work, and this percentage is steadily increasing. It is also an urgent necessity that we greatly increase our supply of chemists, physicists, life scientists, and mathematicians with graduate training.

To do this we must strengthen and expand our resources for graduate education. In those areas where industrial developments have lagged behind other parts of the country, there is a special need to increase both the number of graduate students and the number of institutions offering graduate study. There is no question that the costs of graduate research education are high. To educate an engineering graduate student, for example, costs an average of $20,000 per year. The teachers, the laboratories, and all the other necessary facilities must be made available. I believe that federal support should continue to increase. But I also think that state governments and private industry will have to do more. The crucial need for graduate education is something an enlightened and progressive people cannot afford to neglect. For there is no investment in the future that will yield a bigger social and economic dividend than money invested toward building centers of excellence in graduate learning and research.

But graduate school is only the final link in the educational chain that supports today's complex scientific and technological society. Excellence at the level of graduate study requires that students progress through excellence in nursery schools, kindergartens, elementary schools, high schools, and colleges. I have been personally involved in studies to strengthen the teaching of science at various levels in this educational progression and I have seen how the success of students at the more advanced levels depends on the soundness of their previous preparation.

Strengthening all the links in the educational chain is essential to making the most efficient use of our potential human brainpower. Below the graduate level our schools and universities must stimulate the interests of students, cultivate their ambitions, and motivate their abilities by providing good facilities, effective teachers, and courses that are kept up to date with our rapidly changing times. Unfortunately, there are indications that we have failed to motivate and offer adequate opportunities for many of our young people to realize their educational potential. Studies conducted by the National Academy of Sciences indicate that among those high school students ranking in the upper 25 percent in terms of ability only about one-half graduate from college. On the basis of other studies made by the Academy it has been estimated that among those people whose IQ is equal to the average for Ph. Ds. only about two percent continue their education to the doctoral level. I don't think there is any doubt that we are failing to develop the talents of a large number of people or that we must vigorously attack this problem throughout our entire educational system.

The economic well-being of an area and its people intimately depends on the quality of its education. In the future those areas that are distressed are likely to be those areas that lack strong centers of graduate education and research. You must carry out vigorous programs to move the educational systems in all of your states and areas to the forefront of excellence. Only in this way will it be possible to produce the new scientific and technological manpower, to retread and advance the old manpower, and to attract other advanced scientific and technological activities to an area—thereby creating the scientific and technological base for economic well-being.

Perhaps the greatest contribution that you, the leaders of your states, can make to the welfare of your people is to mobilize public and legislative support for strengthening education. Just as you, the Governors of the southern states, have taken a very strong lead in promoting industrial development in the South, so must you also play an equally strong role in leading the educational progress in your states—because education is the key to economic progress.

In my talk today I have tried to capture the essence of some of the major developments and problems that I think concern all of us here today—which concern you as the primary leaders of your states and region and concern me as an official of a federal agency that has deep roots, permanent interests, and important responsibilities in the states belonging to the Southern Interstate Nuclear Board. As one who has been rather deeply involved in some of the scientific and technological progress during the middle third of this century, I'm especially interested in seeing its benefits spread to the maximum number of people. The Southern Interstate Nuclear Board and other forms of cooperation on scientific programs among the states and between the states and the federal government are an essential mechanism for obtaining these benefits. In the coming years nuclear energy will be in the forefront of industrial growth and economic progress in the South. But the key to maximum progress lies in the fullest development of the educational resources within the region. I believe that the rapid progress the South has already made in recent years shows that the southern states have both the people and the leaders to rise to new heights of achievement in the scientific age.

SAVANNAH RIVER PLANT MAKES SUPERB SAFETY RECORD

Mr. DORN. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from South Carolina?

There was no objection.

Mr. DORN. Mr. Speaker, I am proud of the dedication, loyalty, and patriotism of the personnel at the AEC Savannah River plant in Aiken County which is now in my congressional district. My friends at Savannah River recently compiled a superb record in the field of safety of which I am extremely proud.

Mr. Speaker, I commend to the attention of my colleagues in the Congress and the people of our country the following release of July 3, 1968, by the U.S. Atomic Energy Commission and a splendid editorial from the July 6 Augusta Chronicle:

AEC AND CONTRACTORS WIN 8TH AWARD OF HONOR FOR SAFETY; SAVANNAH RIVER PLANT MAKES OUTSTANDING CONTRIBUTION

The Atomic Energy Commission and its contractors have received their eighth Award of Honor from the National Safety Council for their safety record in 1967—the safest year in the AEC's 21-year history. The Award of Honor is the highest industrial safety award that the National Safety Council presents.

The injury frequency rate of the AEC and its contractors (the number of disabling injuries for each one million man-hours worked) was 1.43 in 1967, down from 1.54 in 1966.

The AEC's Savannah River Plant, one of the AEC's major field operations which employs some 6,500 persons, recorded a frequency rate of 0.41—the best record among all major AEC sites.

Of the 41 industries reporting to the National Safety Council only one, the communications industry—whose 1967 rate was 1.40, had a lower rate than that of the AEC. The average injury frequency rate for all industries reporting to the Council was 7.22 in 1967.

In 1967 the more than 130,000 AEC and contractor employes did not suffer a single lost-time injury from radiation causes. From 1947 to date, radiation injuries constitute less than one-half of one per cent of the total number of injuries suffered.

More than half of AEC's contractors had no lost-time injuries during 1967. Included in this group were four Savannah River Plant contractors and cooperating agencies including: the Savannah River Laboratory, operated by E. I. du Pont de Nemours and Company; the Savannah River Ecology Laboratory, operated by the University of Georgia; the Canteen Corporation of America (cafeteria), and the U.S. Forest Service.

One of the interesting aspects of safety at the Savannah River Plant is the fact that Du Pont Security Patrol forces have driven approximately 40 million safe miles of travel over plant roads during a 17-year period.

[From the Augusta Chronicle, July 6, 1968]

SAFEST IN THE NATION

Possibly the greatest tribute to the safety with which the Atomic Energy Commission and its contractors operate the nuclear facilities at the Savannah River Plant is the fact that hardly any one of the hundreds of thousands of persons in the South Carolina and nearby Georgia vicinity gives a second thought to potential danger.

Even so, it is well to be reminded occasionally of the great thought, care and effort which go into the safety of this operation—to renew our appreciation, if this is necessary, of what is being done.

Such a reminder came the other day when the Atomic Energy Commission and its contractors received their eighth Award of Honor from the National Safety Council for their splendid record in 1967—the safest year in the AEC's 21-year-history. The significance of this distinction lies in the fact that the Award of Honor is the highest industrial safety award the National Safety Council presents.

For all AEC installations, there were only 1.43 disabling injuries for each million man-hours worked last year. This was down from 1.54 in 1966.

It is the record of the Savannah River Plant, however, in which we take greatest pride—and with reason. SRP made the best record among all major AEC sites in the nation, with only 0.41 disabling injuries per million man-hours. When you consider that some 6,500 persons are employed at the Aiken County installation, the magnitude of the achievement assumes awesome proportions.

More than half of AEC's contractors had no lost-time injuries during 1967, and this included four at the Savannah River Plant: The Savannah River Laboratory operated by Du Pont; the Savannah River Ecology Laboratory operated by the University of Georgia; the Canteen Corp. of America (cafeteria); and the U.S. Forest Service.

A further contribution to the splendid safety record at SRP was the fact that Du Pont security patrol forces have driven about 40 million miles without accident over plant roads during the past 17 years.

The danger which uniformed persons fear when they do fear nuclear operations is that of radiation. This being the case, it is significant that in 1967 the more than 130,000, AEC and contractor employes in the nation did not suffer one single lost-time injury from radiation causes.

And furthermore, radiation injuries from 1947 to date for all the AEC installations in America constitute less than one-half of 1 per cent of the comparatively small number of injuries suffered.

Of the 41 industries reporting to the National Safety Council only one had a better record than the AEC plants in 1967, and that was the communications industry with 1.40 disabling injuries per million man-hours worked.

If you are looking for a safe place to work, an atomic energy installation has just about as few hazards as you can find anywhere.

AMENDMENTS TO THE CONSTITUTION

Mr. JACOBS. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Indiana?

There was no objection.

Mr. JACOBS. Mr. Speaker, yesterday I introduced in the House of Representatives, a resolution to add four words to the fifth and one word to the sixth article of the amendment to the U.S. Constitution.

The fifth amendment protection against a criminal defendant's testifying against himself would continue under all circumstances "except in open court."

To the sixth amendment requirement that a criminal defendant be informed of the "nature and cause of the accusation" would be added the requirement that he be informed of the "evidence" of the accusation.

My proposal, then, might be called "The tell it like it is" amendment.

The administration of criminal justice is far too serious to be governed by a game of hide and seek. The basic question which has bothered me since my law school days is: Why the big secret when it comes to ascertaining truth in a criminal case?

Why should the State's evidence be a secret to spring as a surprise on the defendant in court? Why, once in open court, with the full protection of due process, rules of evidence, counsel, and all the world looking on, should the defendant not be required simply to tell what he knows relevant to his case?

In other words, my proposal would open the door both ways to prosecution and defense for the purpose of shedding reasonable light on truth.

Without doubt some will charge that I want to deny logical rights to a criminal defendant. I do not at all. I support the recent Supreme Court decision protecting jealously the accused's right to remain silent where the authorities control his environment. That is the logical basis of the fifth amendment, to protect a defendant where only one side of the adversary system is in control.

But the logical basis of the fifth amendment could never support obscuring truth in the balanced safety of open court.

Some will say a practice so long standing as excusing testimony from a criminal defendant in open court is too sacred to be questioned. And my answer is that no human law is above an open-minded test of logic.

Accordingly, I am requesting thoughtful analyses of my proposal from legal scholars around the country.

I would have been opposed to my proposal 4 months ago. That would be the first blush reaction of almost any lawyer.

But having thought it through for a few months, I have concluded that this proposed amendment at the very least deserves a full hearing. It deserves a full hearing to determine whether it would not improve criminal justice's dual role of fairness and ferreting out those who commit crime.

TO CLARIFY AMERICA'S POSITION ON RED CHINA

Mr. SAYLOR. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. SAYLOR. Mr. Speaker, all presidential candidates should declare without equivocation their unalterable opposition to admitting Red China to the United Nations.

Such a step is necessary to counteract world reaction to retiring U.N. Ambassador Arthur Goldberg's private observation to the effect that this country would be better off if Communist China were allowed membership in the international organization. Otherwise, those nations that have voted against giving Peiping a seat in the General Assembly might assume that the United States has reversed its position and that the time has come to begin bargaining with the Red bloc.

If Mao Tse-tung has in any way relaxed the terroristic totalitarianism and animalistic aggression that began with the advent of the People's Republic in 1949, the evidence has escaped the rest of the world. There is no more reason to bring his tyranny into the U.N. than there is to invite Soviet secret police into the FBI.

The Goldberg statement was tragically ironic in view of the capture of the U.S.S. *Pueblo* by North Korea, which owes its existence to Red China's support during the war in 1950–53. It must also be assumed that White House failure to act decisively on the *Pueblo* up to this time is dictated by the persisting threat of Red China to intervene on the side of the North Korean pirates.

Mr. Speaker, I am disappointed in the administration's refusal to refute the Goldberg statement, and I consider it mandatory for all presidential candidates to put the world on notice that this country has no intention of associating itself with any more of the established enemies of humanity and of society. We are already "in bed" with too many of them.

THE 50TH ANNIVERSARY OF THE AMERICAN LEGION

Mr. LEGGETT. Mr. Speaker, I ask unanimous consent that the gentleman from Massachusetts [Mr. MCCORMACK] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. McCORMACK. Mr. Speaker, there has been a great deal of activity in the field of veterans' affairs this year. Two major laws have been enacted, one related to the non-service-connected pension program and the other to the program providing home loans to veterans. A number of other bills have been passed by the House of Representatives and are now awaiting action in Senate committees. I believe prospects for enactment of these bills are very good. It will give you some idea of just how "major" these bills are if I tell you that if all are enacted the additional first-year cost to the Federal Government will be very close to $800 million. When you consider that the budget for all Veterans' Administration activities in fiscal year 1969 is almost $6,975,000,000, you will, I am sure, agree that the current legislation is of great importance to veterans and their families.

The pension law which I referred to as having been enacted is Public Law 90–275. Legislative action on this law was begun in the first session of this Congress and completed on March 28, when the President signed the bill into law. This law liberalizes pension income limitations and rates and provides protection for social security recipients so that they will not receive an immediate reduction in pension when they receive a social security increase. The new rates and income limitations will become effective January 1 of next year.

Public Law 90–301, approved by the President on May 7, increased the amount of the Federal Government's guaranty on a GI home loan from $7,500 to $12,500, and made a number of other changes in the laws related to the housing program, all designed to make GI home loans more competitive in the money market, so that more veterans will be able to obtain this kind of loan.

On May 20, the House passed four bills which were then referred to the Senate Labor and Public Welfare Committee. A subcommittee of that committee has now completed hearings on all of these bills, and I expect that action will be taken soon to permit consideration on the Senate floor.

One of the bills to which I refer, H.R. 16902, is of particular interest to me. Many of the States—and Massachusetts is one of those States—have established State homes for veterans. The States bear a large portion of the cost of these facilities, but the Veterans' Administration does reimburse them for a portion of the cost of care of veterans who are eligible to be admitted to a VA facility. The present rate of reimbursement is $2.50 per day per veteran—or $3.50 if the State home is providing nursing home care. H.R. 16902 increases this per diem payment to $3.50—or $5 if the veteran is receiving nursing home care.

Another of these bills, H.R. 7481, has to do with the nursing home care program which was provided for veterans last Congress. Under this program, VA may reimburse private and community nursing homes which provide nursing home care to veterans who have been patients in VA hospitals. This reimbursement may not exceed one-third of the cost of care for veterans who are patients in VA general medical and surgical hospitals—now $10.50 a day. If H.R. 7481 is enacted, the agency will be permitted to reimburse these nursing homes at a maximum of 40 percent of cost of care of veterans in VA general medical hospitals, or about $12.50 a day.

Two other bills in the Senate Labor and Public Welfare Committee relate to education programs. One, H.R. 14954, allows part-time vocational rehabilitation training for service-connected disabled veterans, which now is permitted only on a full-time basis. The other bill, H.R. 16025, is of particular interest to widows of veterans who died of a service-connected cause or to wives of totally disabled service-connected veterans. This bill will extend eligibility to benefits under provisions of the War Orphans Educational Assistance Act to these widows or wives.

On June 6, the House passed H.R. 16027, a bill which would grant an 8-percent cost of living increase in compensation payments for 10- through 90-percent and $100 a month increase for 100-percent service-connected disabled veterans. This bill was referred to the Finance Committee in the Senate, and

I believe it has a good chance of enactment before Congress adjourns.

On July 2, the House Committee on Veteran's Affairs reported H.R. 12801, a bill which transfers jurisdiction over national cemeteries now operated by the Department of the Army to the Veterans' Administration, except for Arlington National Cemetery and the cemetery at the U.S. Soldiers' Home in Washington, D.C. The bill directs the Administrator of Veterans' Affairs to make a study and submit recommendations to the Congress next year on the future utilization of Arlington National Cemetery, as well as on criteria for development of the new national cemetery system to be created by the bill and placed under his jurisdiction. This legislation would bring together under one administration overseas cemeteries, national cemeteries, VA cemeteries, and military post cemeteries. It will provide the basis for future planning of the national cemetery system, which will carry out the recommendation of the President to assure that veterans in all parts of the country have a reasonable opportunity to utilize a national cemetery.

For those of us who served in World War I, and therefore remember the Legion's beginnings just after the First World War, it is difficult indeed to come to grips with the idea that almost 50 years have passed since the American Legion was founded.

"For God and Country"—those were the ringing words of the motto adopted by the Legion nearly a half century ago. Those are the words which inspired the Legion during its distinguished past. They are the words which continue to inspire the Legion today. From the time of its birth immediately following our country's successful struggle to preserve liberty in World War I, the American Legion has ever labored for the causes of religious freedom, for free government, for the protection of the rights of American citizens, and for a more profound spiritual strength in the United States of America.

Time has taken its toll of more than 1,700 men who first met in 1919 at the Paris caucus or at the St. Louis meeting in May of that year, the two gatherings which founded the Legion. At the 1966 national convention in Washington, only 22 members of the Society of American Legion Founders were able to attend their annual banquet. There will no doubt be even fewer at this year's national convention.

Yet, as the number of its founders dwindle, the American Legion marches on to newer achievements and an even more significant place in our national life. All Americans familiar with public affairs are aware of the significant and lasting contributions made by the American Legion, to community, State, and Nation—contributions made "For God and Country."

The American Legion is made up of patriotic, humanitarian, hard-working and goodhearted Americans who have championed many worthy causes over the years, and have achieved much indeed that deserves the deepest and most sincere praise from their fellow Americans. The Legion's patriotic men and women have always fought the menace of communism. The Legion has encouraged an understanding of communism by our people. It has helped to foster an enlightened public opinion of the evil intent and purpose of this international conspiracy. There is just as much need today to keep America on the alert.

In the forefront of the Legion's concerns have always been the best interests of American young people. The lives of thousands upon thousands of boys and girls have been influenced by the Legion's effective and enthusiastic programs for youth: Boys' State and Nation, Girls' State and Nation, the National High School Oratorical Contest, American Legion Baseball, and many others. Participating in these activities, young Americans have learned what their Legionnaire fathers have long known, that every individual in our free society has duties and responsibilities as well as rights and privileges.

During almost half a century, the Legion has shown its faith in freedom, its belief in our country, in democratic ideals, and in constitutional principles of government, and its devotion to the security, welfare, and destiny of the United States. The American Legion's golden anniversary of patriotic service to community and Nation will be observed next year. Bills have been passed in both the House of Representatives and the Senate authorizing the Treasury to strike a million medals honoring the event.

Those golden anniversary ceremonies and medals will honor the gallant men who founded the American Legion in 1919 and will express the admiration of Americans for the millions of veterans who have joined the Legion and contributed so unselfishly to its growth and its effectiveness as a force for good in our society.

The Legion is the largest of our veterans' organizations. It has now grown to a membership of over 2,600,000 in 16,500 posts in this country and abroad. Its objectives have always included the strengthening of our democratic way of life, the maintenance of our national security, the care of American children, and assistance for those who have been wounded or otherwise disabled during active military service and for the widows, orphans, and dependents of those who have defended our country in time of war.

Through its rehabilitation program, the Legion stands watch over the treatment accorded to all veterans and their dependents and exerts special effort to protect and advance the interests of disabled veterans and their loved ones.

It was the American Legion which recommended against the neglect experienced by our armed services during the years between the two World Wars. In the period since the end of World War II, the Legion has continued to urge a strong defense and to support the efforts of the armed services to maintain a state of readiness which would deter aggressors and, failing that, enable the United States to defend itself if attacked.

While it has always been deeply involved in matters affecting the defense and security of the country, the Legion has never forgotten that the future of this country it loves so well depends upon its younger citizens. The Legion's child-welfare program has demonstrated its intense concern for America's children. With its thousands of volunteers from the Legion and the Legion auxiliary, the American Legion is recognized as having one of the leading nonprofessional private child-care programs in the country.

Through the years, the Legion has spent hundreds of millions of dollars in direct assistance to children, and has helped obtain the passage of enlightened child welfare legislation by the States and the Federal Government.

The American Legion continues its indomitable course as a responsible and vigilant defenders of civil order and of the precious American ideals which have brought greatness to the United States.

It was the Legion which conceived and helped guide through Congress the broad structure of compensation, pension, and medical programs which now guard the safety, financial security, and health of the wounded and disabled. The crowning achievement of the Legion in this field of its responsibilities was the GI bill for World War II veterans. That milestone in the history of veterans' affairs was sponsored by the Legion and approved by Congress to insure that the men and women who served in that terrible conflict would not return to a society as unprepared to receive them as America had been when the victorious doughboys of the A.E.F. came home after World War I. The grants of GI bill benefits to Korean veterans and now to the veterans of Vietnam have been logical extensions of the Legion's magnificent work in behalf of the original GI bill.

Today, as in the past, the American Legion devotes its energies to the well-being of our country and of its citizens.

The late Gen. Douglas MacArthur, himself a Legionnaire, praised the American Legion in these words:

> One of the greatest contributions the American Legion has made to the Nation has been in the strengthening of the potentialities of the citizen soldier. Since the Minute Men of 1776 formed the ranks of the Continental Army and brought victory to its arms in the American Revolution, the security of the United States has rested more than all else upon the competence, the indomitable will and the resolute patriotism of the citizen soldier. The professional has had his role . . . but in all of our wars, from the Revolution to Korea, the citizen soldier has met the full shock of battle, has contributed all but a fraction of the dead and maimed and has accepted the responsibility.

Legionnaires will always accept their responsibilities.

If General MacArthur were alive today, he would have included South Vietnam. For our citizen soldiers, with the professional in his role, who are serving in South Vietnam, are carrying on with honor and vision the high traditions of all Americans who have served in past wars in which our country has been engaged, for they are serving and fighting in the national interest of our country and for the objective of "peace with justice" and not "peace with abdication."

And they are entitled to praise and

commendation on their return to our shores and a very enthusiastic and wholehearted welcome.

I know that already over 70,000 veterans of South Vietnam are now members of the American Legion.

And I want to make the following observation: that all we hear about the United States is the things that are wrong. We very seldom read or see anything about what is right with our beloved country. It is about time that all speak up and talk about the good things that our country stands for. Of course we have challenges and problems to solve, but without going into all the details, our beloved country is the greatest country in the world.

I repeat, it is about time that good things about our country be said and written.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. Adams, for July 12, 1968, to July 15, 1968, on account of official business.

Mr. Randall, for Friday, July 12, 1968, on account of official business in district—REA annual meeting (letter carriers State convention).

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

(The following Members (at the request of Mr. Dickinson) to revise and extend their remarks and include extraneous matter:)

Mr. Findley, for 60 minutes, today.

Mr. Gubser, for 15 minutes, today.

Mr. Hosmer, for 5 minutes, today.

Mr. Goodell, for 30 minutes, today.

EXTENSIONS OF REMARKS

By unanimous consent, permission to extend remarks was granted to:

Mr. Selden and to include extraneous matter.

Mr. Joelson.

Mr. Gross and to include extraneous matter.

Mr. Rumsfeld and to include extraneous matter.

Mr. Leggett to include with his remarks extraneous matter.

Mr. Charles H. Wilson (at the request of Mr. Price of Illinois) to extend his remarks immediately following the remarks of Mr. Price of Illinois on the Pike amendment in the Committee of the Whole today.

Mr. Yates and to include extraneous matter during the consideration of his amendment.

Mr. McCormack (at the request of Mr. Leggett) to extend his remarks in the body of the Record and to include extraneous matter.

Mr. Kee and to include extraneous material.

(The following Members (at the request of Mr. Dickinson) and to include extraneous matter:)

Mr. Mize.

Mr. Rumsfeld in two instances.

Mrs. Bolton.

Mr. Reinecke.

Mr. Curtis in three instances.

Mr. Zwach.

Mr. Scherle.

Mr. Gude.

Mr. Mathias of California.

Mr. O'Konski.

Mr. Reid of New York.

Mr. Scott.

Mr. Gerald R. Ford.

Mr. Ashbrook in two instances.

Mr. Mathias of Maryland in two instances.

Mr. Battin.

Mr. Blackburn in five instances.

Mr. Taft.

Mr. Goodell.

Mr. Watson.

Mr. Esch.

Mr. Buchanan in two instances.

(The following Members (at the request of Mr. Leggett) and to include extraneous matter:)

Mr. Moorhead.

Mrs. Griffiths in three instances.

Mr. Casey.

Mr. Podell in three instances.

Mr. Long of Maryland in two instances.

Mr. Adams.

Mr. Fascell in three instances.

Mr. Nichols.

Mr. Gallagher in two instances.

Mr. Friedel.

Mr. Rivers.

Mr. Gonzalez in three instances.

Mr. Pool.

Mr. Jacobs in two instances.

Mr. Nix.

Mr. Cabell.

Mr. Rarick in six instances.

Mr. Downing in two instances.

Mr. O'Neill of Massachusetts in two instances.

Mr. Montgomery.

Mr. Patten.

Mr. Rooney of New York.

Mr. Kee.

Mr. Satterfield.

Mr. Watts.

Mr. Johnson of California in three instances.

SENATE BILLS REFERRED

Bills of the Senate of the following titles were taken from the Speaker's table and, under the rule, referred as follows:

S. 3206. An act to amend the Federal Water Pollution Control Act, as amended, relating to the construction of waste treatment works, and for other purposes; to the Committee on Public Works.

S. 3343. An act to designate certain lands in the Pelican Island National Wildlife Refuge, Indian River County, Fla., as wilderness; to the Committee on Interior and Insular Affairs.

S. 3379. An act to designate certain lands in the Great Swamp National Wildlife Refuge, Morris County, N.J., as wilderness; to the Committee on Interior and Insular Affairs.

S. 3425. An act to designate certain lands in the Monomoy National Wildlife Refuge, Barnstable County, Mass., as wilderness; to the Committee on Interior and Insular Affairs.

S. 3495. An act to authorize the Secretary of the Army to modify certain use restrictions on a tract of land in the State of Iowa in order that such land may be used as a site for the construction of buildings or other improvements for the Iowa Law Enforcement Academy; to the Committee on Armed Services.

S. 3502. An act to designate certain lands in the Seney, Huron Islands, and Michigan Islands National Wildlife Refuges in Michigan, the Gravel Island and Green Bay National Wildlife Refuges in Wisconsin, and the Moosehorn National Wildlife Refuge in Maine, as wilderness; to the Committee on Interior and Insular Affairs.

S. 3638. An act to extend for 3 years the authority of the Secretary of Agriculture to make indemnity payments to dairy farmers for milk required to be withheld from commercial markets because it contains residues of chemicals registered and approved for use by the Federal Government; to the Committee on Agriculture.

ENROLLED BILLS SIGNED

Mr. BURLESON, from the Committee on House Administration, reported that that committee had examined and found truly enrolled bills of the House of the following titles, which were thereupon signed by the Speaker:

H.R. 4739. An act to authorize the Secretary of the Interior to grant long-term leases with respect to lands in the El Portal administrative site adjacent to Yosemite National Park, Calif., and for other purposes;

H.R. 13402. An act authorizing the use of certain buildings in the District of Columbia for chancery purposes;

H.R. 15562. An act to extend the expiration date of the act of September 19, 1966; and

H.R. 16065. An act to direct the Secretary of Agriculture to release on behalf of the United States conditions in deeds conveying certain lands to the State of Iowa, and for other purposes.

SENATE ENROLLED BILLS SIGNED

The SPEAKER announced his signature to an enrolled bill of the Senate of the following title:

S. 3102. An act to extend until November 1, 1970, the period for compliance with certain safety standards in the case of passenger vessels operating on the inland rivers and waterways.

ADJOURNMENT

Mr. LEGGETT. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 8 o'clock and 1 minute p.m.) the House, under its previous order, adjourned until tomorrow, Friday, July 12, 1968, at 11 o'clock a.m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

2045. A letter from the Chairman, Federal Deposit Insurance Corporation, transmitting the annual report of the Corporation for the calendar year 1967, pursuant to the provisions of section 17(a) of the Federal Deposit Insurance Act; to the Committee on Banking and Currency.

2046. A letter from the Chairman, Federal Trade Commission, transmitting the report of the Commission on the District of Columbia Consumer Protection Program; to the Committee on the District of Columbia.

2047. A letter from the Assistant to the Commissioner, District of Columbia, transmitting a draft of proposed legislation to amend the District of Columbia Legal Aid Act, and for other purposes; to the Committee on the District of Columbia.

2048. A letter from the Secretary of Health, Education, and Welfare, transmitting a draft of proposed legislation to establish in the Department of Health, Education, and Welfare the positions of Deputy Secretary of Health, Education, and Welfare and Under Secretary for Health and Science; to the Committee on Interstate and Foreign Commerce.

2049. A letter from the executive director, the Military Chaplains Association of the U.S.A., transmitting a report of audit of the association for the year 1967, pursuant to the provisions of 36 U.S.C. 1103; to the Committee on the Judiciary.

2050. A letter from the Attorney General, transmitting a report on the proceedings instituted before the Subversive Activities Control Board since January 2, 1968, together with a list of the persons involved, pursuant to the provisions of the Subversive Activities Control Act of 1950: to the Committee on Un-American Activities.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. PERKINS: Committee on Education and Labor. H.R. 18203. A bill to increase the size of the Board of Directors of Gallaudet College, and for other purposes (Rept. No. 1689). Referred to the Committee of the Whole House on the State of the Union.

Mr. MILLS: Committee on Ways and Means. H.R. 18299. A bill to carry out the obligations of the United States under the International Coffee Agreement, 1968, signed at New York on March 21, 1968, and for other purposes; with amendment (Rept. No. 1704). Referred to the Committee of the Whole House on the State of the Union.

Mr. SISK: Committee on Rules. House Resolution 1259. Resolution providing for the consideration of H.R. 15067, a bill to amend the Higher Education Act of 1965, the National Defense Education Act of 1958, the National Vocational Student Loan Insurance Act of 1965, the Higher Education Facilities Act of 1963, and related acts (Rept. No. 1705). Referred to the House Calendar.

Mr. YOUNG: Committee on Rules. House Resolution 1260. Resolution providing for the consideration of H.R. 18249, a bill to amend the Food Stamp Act of 1964, as amended (Rept. No. 1706). Referred to the House Calendar.

Mr. DELANEY: Committee on Rules. House Resolution 1261. Resolution providing for the consideration of S. 945, an act to abolish the office of U.S. commissioner, to establish in place thereof within the judicial branch of the Government the office of U.S. magistrate, and for other purposes (Rept. No. 1707). Referred to the House Calendar.

Mr. PERKINS: Committee on Education and Labor. H.R. 17144. A bill to establish a Commission on Hunger; with amendment (Rept. No. 1708). Referred to the Committee of the Whole House on the State of the Union.

Mr. FALLON: Committee on Public Works. S. 3710. An act authorizing the construction, repair, and preservation of certain public works on rivers and harbors for navigation, flood control, and for other purposes; with amendment (Rept. No. 1709). Referred to the Committee of the Whole House on the State of the Union.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. TENZER: Committee on the Judiciary. H.R. 1722. A bill for the relief of Mrs. Beatrice Jaffe; with amendment (Rept. No. 1690). Referred to the Committee of the Whole House.

Mr. SMITH of New York: Committee on the Judiciary. House Resolution 1216. Resolution to refer the bill (H.R. 3736) entitled "A bill for the relief of Stephen H. Clarkson", to the Chief Commissioner of the Court of Claims pursuant to sections 1492 and 2509 of title 28, United States Code (Rept. No. 1691). Referred to the Committee of the Whole House.

Mr. HUNGATE: Committee on the Judiciary. H.R. 7502. A bill for the relief of the estate of Pierre Samuel du Pont Darden (Rept. No. 1692). Referred to the Committee of the Whole House.

Mr. SMITH of New York: Committee on the Judiciary. H.R. 8588. A bill for the relief of the Beasley Engineering Co., Inc.; with amendment (Rept. No. 1693). Referred to the Committee of the Whole House.

Mr. TENZER: Committee on the Judiciary. House Resolution 743. Resolution to refer the bill (H.R. 9826) entitled "A bill for the relief of Branka Mardessich and Sonia S. Silvani" to the Chief Commissioner of the Court of Claims pursuant to sections 1492 and 2509 of title 28, United States Code (Rept. No. 1694). Referred to the Committee of the Whole House.

Mr. ASHMORE: Committee on the Judiciary. House Resolution 954. Resolution referring the bill (H.R. 13642) to the Chief Commissioner of the Court of Claims (Rept. No. 1695). Referred to the Committee of the Whole House.

Mr. HUNGATE: Committee on the Judiciary. H.R. 1756. A bill for the relief of Mr. and Mrs. Joseph E. Begnoche (Rept. No. 1696). Referred to the Committee of the Whole House.

Mr. HUNGATE: Committee on the Judiciary. H.R. 3472. A bill for the relief of Walter A. Radeloff; with amendment (Rept. No. 1697). Referred to the Committee of the Whole House.

Mr. SMITH of New York: Committee on the Judiciary. H.R. 9567. A bill for the relief of Noel S. Marston; with amendment (Rept. No. 1698). Referred to the Committee of the Whole House.

Mr. TENZER: Committee on the Judiciary. H.R. 13374. A bill for the relief of Sfc. Patrick Marratto, U.S. Army (retired); with amendment (Rept. No. 1699). Referred to the Committee of the Whole House.

Mr. EILBERG: Committee on the Judiciary. H.R. 14467. A bill for the relief of John Thomas Cosby, Jr.; with amendment (Rept. No. 1700). Referred to the Committee of the Whole House.

Mr. ASHMORE: Committee on the Judiciary. H.R. 17109. A bill for the relief of Henry E. Dooley (Rept. No. 1701). Referred to the Committee of the Whole House.

Mr. TENZER: Committee on the Judiciary. S. 1470. An act for the relief of the Ida group of mining claims in Josephine County, Oreg. (Rept. No. 1702). Referred to the Committee of the Whole House.

Mr. RODINO: Committee on the Judiciary. House Joint Resolution 1034. Joint resolution granting the status of permanent residence to certain aliens; with amendment (Rept. No. 1703). Referred to the Committee of the Whole House.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. CELLER:

H.R. 18482. A bill to amend the act of April 29, 1941, as amended, to authorize the waiving of the requirement of performance and payment bonds in connection with certain contracts entered into by the Secretary of Commerce; to the Committee on the Judiciary.

By Mr. DONOHUE:

H.R. 18483. A bill to amend the Immigration and Nationality Act to make additional immigrant visas available for immigrants from certain foreign countries, and for other purposes; to the Committee on the Judiciary.

By Mr. DORN:

H.R. 18484. A bill to encourage the growth of international trade on a fair and equitable basis; to the Committee on Ways and Means.

By Mr. HOSMER:

H.R. 18485. A bill to amend section 403(b) of the Federal Aviation Act of 1958 to permit the granting of free transportation to guides or dog guides accompanying totally blind persons, and attendants of disabled persons requiring such attendants; to the Committee on Interstate and Foreign Commerce.

By Mr. KING of California:

H.R. 18486. A bill to amend the Internal Revenue Code of 1954 with respect to the treatment of income from the operation of a communications satellite system; to the Committee on Ways and Means.

By Mr. KLEPPE:

H.R. 18487. A bill to create a catalog of Federal assistance programs, and for other purposes; to the Committee on Government Operations.

By Mr. LATTA:

H.R. 18491. A bill to amend title 10 of the United States Code to prohibit the assignment of a member of an armed force to combat area duty if certain relatives of such member died while serving in the Armed Forces in Vietnam; to the Committee on Armed Services.

By Mr. MATHIAS of Maryland:

H.R. 18489. A bill to amend the Internal Revenue Code of 1954 to provide for a deduction from gross income for expenses of one visit annually between a member of the U.S. Armed Forces and his immediate family; to the Committee on Ways and Means.

By Mr. MEEDS:

H.R. 18490. A bill to amend the Agricultural Adjustment Act, as reenacted and amended by the Agricultural Marketing Agreement Act of 1937, as amended, and for other purposes; to the Committee on Agriculture.

By Mr. RIEGLE:

H.R. 18491. A bill to amend title 10 of the United States Code to prohibit the assignment of a member of an armed force to combat area duty if certain relatives of such member died while serving in the Armed Forces in Vietnam; to the Committee on Armed Services.

By Mr. ROSENTHAL:

H.R. 18492. A bill to amend the Immigration and Nationality Act to make additional immigrant visas available for immigrants from certain foreign countries, and for other purposes; to the Committee on the Judiciary.

By Mr. SKUBITZ:

H.R. 18493. A bill to provide for the commemoration of the opening of the Cherokee Strip to homesteading, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. TAFT:

H.R. 18494. A bill to create a catalog of Federal assistance programs, and for other purposes; to the Committee on Government Operations.

H.R. 18495. A bill to amend the act of March 3, 1905, relating to the dumping of certain materials into the navigable waters of the United States; to the Committee on Public Works.

By Mr. WALKER:

H.R. 18496. A bill to authorize the Secretary of Agriculture to sell to the village of Central, State of New Mexico, certain lands administered by him formerly part of the Fort Bayard Military Reservation, N. Mex.; to the Committee on Agriculture.

By Mr. WHALLEY:

H.R. 18497. A bill to create a catalog of Federal assistance programs, and for other purposes; to the Committee on Government Operations.

By Mr. WOLFF:

H.R. 18498. A bill to suspend percentage depletion allowances for oil and gas under the Internal Revenue Code of 1954 for 1 year; to the Committee on Ways and Means.

By Mr. BROTZMAN (for himself and Mr. Denney):

H.R. 18499. A bill to provide additional penalties for the use of firearms in the commission of certain crimes of violence; to the Committee on the Judiciary.

By Mr. DELLENBACK:

H.R. 18500. A bill to create a catalog of Federal assistance programs, and for other purposes; to the Committee on Government Operations.

By Mr. KING of New York:

H.R. 18501. A bill to amend title 10 of the United States Code to prohibit the assignment of a member of an armed force to combat area duty if certain relatives of such member died while serving in the Armed Forces in Vietnam; to the Committee on Armed Services.

By Mr. PUCINSKI:

H.R. 18502. A bill to amend the Fair Labor Standards Act of 1966 to clarify the exemptions accorded mechanics in certain nonmanufacturing establishments; to the Committee on Education and Labor.

By Mr. ROTH (for himself, Mr. Bray, Mr. Culver, Mr. Derwinski, Mr. Dickinson, Mr. Dorn, Mr. Edwards of California, Mr. Flynt, Mr. Fulton of Tennessee, Mr. Hammerschmidt, Mrs. Kelly, Mr. Lloyd, Mr. Mathias of California, Mr. Meskill, Mr. Mize, Mr. Montgomery, Mr. Price of Illinois, Mr. Rees, Mr. Reinecke, Mr. Robison, Mr. Shriver, and Mr. Williams of Pennsylvania):

H.R. 18503. A bill to create a catalog of Federal assistance programs, and for other purposes; to the Committee on Government Operations.

By Mr. YATES:

H.R. 18504. A bill to permit State agreements for coverage under the hospital insurance program for the aged; to the Committee on Ways and Means.

By Mr. CARTER (for himself, Mr. Morgan, and Mr. Dole):

H.J. Res. 1404. Joint resolution authorizing and requesting the President to proclaim the week of November 17 through 23, 1968, as National Family Health Week; to the Committee on the Judiciary.

By Mr. FLOOD:

H.J. Res. 1405. Joint resolution authorizing the President to proclaim October 26, 1968, as the date commemorating the 50th anniversary of the declaration of independence of the Republic of Czechoslovakia; to the Committee on the Judiciary.

By Mr. REID of New York:

H.J. Res. 1406. Joint resolution proposing an amendment to the Constitution of the United States relating to the election of the President and Vice President; to the Committee on the Judiciary.

By Mr. ROGERS of Florida:

H.J. Res. 1407. Joint resolution proposing an amendment to the Constitution of the United States prohibiting Judges of the Supreme Court from serving after they attain the age of 70; to the Committee on the Judiciary.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ADDABBO:

H.R. 18505. A bill for the relief of Argyrios Bambakaris also known as Argirios Vambakaris and his wife, Kyroussia Bambakaris, also known as Soula Vambakaris, and their minor children, Nicoletta, Marie Elpis, and Leonardo Bambakaris; to the Committee on the Judiciary.

By Mr. BINGHAM:

H.R. 18506. A bill for the relief of Mary Lou Joseph; to the Committee on the Judiciary.

By Mr. CAREY:

H.R. 18507. A bill for the relief of Ludovic But and his wife, Leontina But; to the Committee on the Judiciary.

By Mr. FARBSTEIN:

H.R. 18508. A bill for the relief of Dorothy Yin-Chu Fung; to the Committee on the Judiciary.

H.R. 18509. A bill for the relief of Eugenia La Grutta; to the Committee on the Judiciary.

H.R. 18510. A bill for the relief of Shmuel Moallem; to the Committee on the Judiciary.

By Mr. GUDE:

H.R. 18511. A bill for the relief of Shih Shuo-Ting; to the Committee on the Judiciary.

By Mr. HELSTOSKI:

H.R. 18512. A bill for the relief of Domenico Lo Faro; to the Committee on the Judiciary.

H.R. 18513. A bill for the relief of Domocrate Gabaldi; to the Committee on the Judiciary.

By Mr. HORTON:

H.R. 18514. A bill to confer U.S. citizenship posthumously upon L. Cpl. Frank J. Krec; to the Committee on the Judiciary.

By Mr. KUPFERMAN:

H.R. 18515. A bill for the relief of Guiseppe Montemaggiore; to the Committee on the Judiciary.

By Mr. MAHON:

H.R. 18516. A bill for the relief of Szeto Kit Hang; to the Committee on the Judiciary.

By Mr. O'NEILL of Massachusetts:

H.R. 18517. A bill for the relief of Guiseppe and Acursia Friscia; to the Committee on the Judiciary.

H.R. 18518. A bill for the relief of Rosario Campos Zita; to the Committee on the Judiciary.

By Mr. PATTEN:

H.R. 18519. A bill for the relief of Kostas Parlapanides; to the Committee on the Judiciary.

By Mr. PELLY:

H.R. 18520. A bill for the relief of Arturo P. Punzal; to the Committee on the Judiciary.

H.R. 18521. A bill for the relief of Crisostomo P. Punzal; to the Committee on the Judiciary.

By Mr. ROONEY of New York:

H.R. 18522. A bill for the relief of Mr. Giovanni Rugeri; to the Committee on the Judiciary.

By Mr. ROSTENKOWSKI:

H.R. 18523. A bill for the relief of Olga Cibin; to the Committee on the Judiciary.

By Mr. SMITH of New York:

H.R. 18524. A bill for the relief of Novakovich Mladen; to the Committee on the Judiciary.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

374. By the SPEAKER: Petition of the Fish and Game Commission, State of California, Sacramento, Calif., relative to the rights of citizens to bear arms; to the Committee on the Judiciary.

375. Also, petition of Josephine Scarminaci, Brooklyn, N.Y., relative to redress of grievances; to the Committee on the Judiciary.

SENATE—*Thursday, July 11, 1968*

The Senate met at 12 noon, and was called to order by the President pro tempore.

The Chaplain, Rev. Frederick Brown Harris, D.D., offered the following prayer:

O Thou seeking shepherd of our souls, who leadest us beside still waters and in green pastures: Unto the hills of Thy strength and glory, we lift the expectant eyes of our faith, for from Thee cometh our help.

Even as with bending backs we toil in the valley, we are grateful that the light of Heaven falls upon our daily tasks and that in the beauty of common things we may partake of the holy sacrament of Thy presence.

Give us a sobering realization that our individual attitudes go to make the national and international climate of these dangerous days in which we live.

By our very failures and fallibilities and by tasks too difficult for us, we are driven unto Thee for strength to endure and wisdom to rightly interpret the signs of these trying times.

Amid all life's changes, Thou who changest not, abide with us and guide us, now and forever. Amen.

THE JOURNAL

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the reading of the Journal of the proceedings of Wednesday, July 10, 1968, be dispensed with.

The PRESIDENT pro tempore. Without objection, it is so ordered.

MESSAGES FROM THE PRESIDENT

Messages in writing from the President of the United States submitting nominations were communicated to the Senate by Mr. Leonard, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

As in executive session,

The PRESIDENT pro tempore laid before the Senate messages from the

President of the United States submitting sundry nominations, and withdrawing the nomination of Francis W. Whitmore to be postmaster at East Setauket, N.Y., which nominating messages were referred to the appropriate committees.

(For nominations this day received, see the end of Senate proceedings.)

LIMITATION ON STATEMENTS DURING TRANSACTION OF ROUTINE MORNING BUSINESS

Mr. MANSFIELD. Mr. President, I ask unanimous consent that statements in relation to the transaction of routine morning business be limited to 3 minutes.

The **PRESIDENT** pro tempore. Without objection, it is so ordered.

CALENDAR

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar Nos. 1351 and 1352.

The **PRESIDENT** pro tempore. Without objection, it is so ordered.

U.S. GRAIN STANDARDS ACT

The Senate proceeded to consider the bill (H.R. 15794) to provide for U.S. standards and a national inspection system for grain, and for other purposes which had been reported from the Committee on Agriculture and Forestry, with amendments, on page 3, line 7, after the word "means" strike out "ony" and insert "any" in line 23, after the word "quality," strike out "condition, or quantity of sacks of grain, under standards provided for in this Act or, upon request of the interested person applying for inspection," and insert "or condition of grain, under standards provided for in this Act; or, upon request of the interested person applying for inspection, the quantity of sacks of grain, or other facts relating to grain under"; on page 4, line 19, after the word "of" strike out "the kind, class, quality, condition, or quantity of, or other facts relating to grain, under standards provided for in this Act or, upon request of the interested person applying for inspection, other criteria approved by the Secretary under this Act" and insert "an official inspection;"; on page 5, line 7, after the word "the" strike out "term" and insert "terms"; on page 7, line 14, after the word "loaded" strike out "abroad" and insert "aboard"; on page 8, line 13, after the word "That" strike out the comma and "with respect to interstate commerce,"; in line 16, after the word "or," insert "with respect to interstate commerce,"; on page 9, line 14, after the word "United" strike out "State" and insert "States"; in line 17, after the word "quality," strike out "condition, or quantity of, or other facts relating to, grain" and insert "or condition of grain, or quantity of sacks of grain, or other facts relating to grain,"; on page 11, line 1, after the word "into" strike out "the United States Treasury as miscellaneous receipts" and insert "a fund which shall be available without fiscal year limitation for the expenses of the Department of Agriculture incident to providing official inspection services."; in line 8, after the word "area," insert "but this subsection shall not be applicable to prevent any inspection agency from operating in any area in which it was operative on the date of enactment of this subsection."; on page 13, line 10, after the word "has" strike out "otherwise" and insert "knowingly or carelessly"; on page 14, line 2, after the word "under" strike out "the" and insert "this"; in line 6, after the word "director" strike out "holder, or owner" and insert "or holder or owner"; in line 10, after the word "has" strike out "been convicted of any" and insert "committed any repeated or flagrant"; in line 21, after the word "director," strike out "holder, or owner" and insert "or holder or owner"; on page 16, at the beginning of line 11, insert "after consultation with the grain trade and taking into account the needs and circumstances of local markets,"; on page 22, line 22, after the word "from" insert "whom"; on page 25, line 6, after the word "Act" insert "to the extent that financing is not obtained from the fees and sale of samples as provided for in section 7 of this Act.'"; at the beginning of line 9 strike out the quotation mark; at the beginning of line 10 strike out "'Sec. 20." and insert "Sec. 2."; in line 15, after the word "of" strike out "paragraphs 6(a) and 13(a) (5) of" and insert "sections 6(a) and 13(a)(5) of the United States Grain Standards Act, as amended by"; and in line 18, after the word "such" strike out the quotation mark after the word "grain".

The amendments were agreed to.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the Record an excerpt from the report (No. 1372), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the Record, as follows:

SHORT EXPLANATION

This bill would revise the U.S. Grain Standards Act. The significant changes made by it are as follows:

(1) Inspection would not be required for any shipment of grain in domestic commerce, except grain in a container bearing a grade designation;

(2) Additional inspection services, such as inspection of U.S. grain in Canadian ports (now furnished under the Agricultural Marketing Act of 1946), protein tests, and weighing of sacked grain, would be available upon request (now only grading services in the United States are available under the act);

(3) The lead time for effecting changes in the standards would be increased from 90 days to 1 year;

(4) Submitted samples could be used in lieu of official samples in official inspection of interstate shipments and of grain in Canadian ports;

(5) Samplers and laboratory technicians employed by official inspection agencies would be required to have licenses;

(6) Inspectors' licenses would be issued for 3-year periods (instead of permanently); and

(7) New enforcement procedures would be provided, including refusal of inspection service; examination of records; subpena power; exemption from prosecution of witnesses compelled to give self-incriminating testimony; additional specified offenses; and increased penalties.

PRINCIPAL PURPOSE

The principal purpose of the bill is to make inspection with respect to interstate grain shipments permissive, rather than mandatory, in all cases except grain in a container bearing a grade designation. At present inspection is mandatory where the grain is sold in interstate commerce by grade if a licensed inspector is located at the point from which, or to which the grain is shipped. In its letter requesting this legislation, the Department points out that transportation methods have changed greatly since the act was passed. A large percentage of the grain now shipped in interstate commerce is shipped by truck. An ever-increasing percentage is being shipped by rail under special point-to-point rates. (Under point-to-point rates, the carrier limits the time for loading and unloading, permits no diversion or rerouting, and permits no stops for inspection.) Official inspection of much of the trucklot grain and most of the grain moving under the special point-to-point rates is apparently not desired and is not obtained by the trade even though official inspection of much of such grain is technically required by the act. To provide official inspection for trucklot grain would require stationing official inspection personnel on a 24-hour basis, particularly during the harvest season, or require that the trucks and the loading and receiving elevators wait for official inspection. Official inspection of trucklot grain has been found feasible in only a few of the larger terminal markets. If the mandatory inspection requirements were enforced with respect to trucklot grain, it would increase the cost of merchandizing the grain and would apparently serve no useful purpose to the trade. Furthermore, the Department asserts that it is discriminatory to require the official inspection of grain shipped by water, or by rail under conventional rates, and not require the official inspection of grain shipped by truck or by rail under special point-to-point rates. It is also discriminatory to require the official inspection of grain shipped from or to a place where a licensed inspector is located and not require the official inspection of grain shipped from or to other points.

COMMITTEE CONSIDERATION

The committee's Subcommittee on Agricultural Research and General Legislation held hearings on June 17 on S. 272, S. 2069, and H.R. 15794. S. 2069 and H.R. 15794 are companion bills, but H.R. 15794 contains a number of improvements made by the House of Representatives. Both of these bills would accomplish the objectives of S. 272, to permit use of submitted samples where that is desired. All witnesses who desired to testify were heard, and witnesses were generally favorable. The National Association of State Departments of Agriculture and the National Association of Chief Grain Inspectors offered a number of amendments, most of which were directed to maintaining requirements for inspection of interstate shipments. Since these amendments were contrary to the basic objectives of the bill, the committee rejected them. An amendment of a technical nature proposed by the National Association of State Departments of Agriculture was adopted, and another amendment proposed by the chief grain inspectors was adopted in part. They will be referred to in the discussion herein of committee amendments.

Several witnesses testified that the bill would do much to relieve the freight car shortage by eliminating the need to hold cars for inspection. In addition to aiding in the movement of grain, this should result in considerable savings to the trade and the railroads in demurrage and equipment charges.

COMMITTEE AMENDMENTS

The committee amendments would make the following substantive changes in the bill.

(1) They would permit fees for appeal and Canadian port inspections and proceeds from the sale of samples to be deposited in a revolving fund and used to provide inspection service rather than being covered into miscellaneous receipts in the Treasury. This amendment would restore language which was proposed by the Department of Agriculture and contained in H.R. 15794 as it was introduced, but which was deleted by the House. The Department requested the committee to restore the original language and furnished the following information in support of this request:

"First, we are opposed to the House action in amending section 7(e) and section 19 in H.R. 15794. These amendments require that all fees received for appeal inspections and Canadian port inspection of U.S. grain and all proceeds from the sale of samples shall be deposited as miscellaneous receipts in the U.S. Treasury. The U.S. Grain Standards Act was amended in 1958 to provide that the Department could accept reimbursement for overtime, night, or holiday work in connection with appeal inspections. Currently, these charges are deposited in a special fund for our use in meeting these extra costs. They amount to about $100,000 per year and are needed to pay the extra compensation to Federal inspectors who perform this kind of work.

"The inspection service in Canada for U.S. grain shipments at certain points along the St. Lawrence Seaway is provided on a fee-supported basis and no appropriated funds are involved. Seasonal fluctuation in the workload on the St. Lawrence requires the services of from two to seven inspectors at different times during the year. Collections in Canada this year will amount to approximately $75,000.

"Unless the authorization for the Department to retain these funds is kept in the bill, it will be necessary to request an increase in the 1969 appropriation of between $175,000 to $200,000.

"There are sound reasons why the revolving fund arrangement, as initially provided in H.R. 15794 and as provided in S. 2069, is best. The grain trade wants and needs appeal inspection in the United States. This is true also of initial inspections of U.S. grain moving through Canada for export. The volume of appeal inspections in the United States, including overtime fees, and the volume of inspections of U.S. grain in Canada varies from year to year. It is impossible, therefore, to estimate accurately in advance the funds which will be needed to provide these services. During the last 5 years the number of appeal inspections has ranged from 26,651, to 37,433 yearly; the overtime fees for appeal inspections have ranged from $75,551 to $147,200; and the volume of inspections of U.S. grain in Canada has ranged from 1.5 to 2.9 million tons.

"We strongly urge that, as originally provided in H.R. 15794 and as provided in S. 2069, the Department should be authorized to use all appeal fees which are collected and retained and all money obtained from the sale of surplus Federal samples of grain to partially offset its cost under the U.S. Grain Standards Act. During the last fiscal year, these collections amounted to about $700,000. It is the Department's recommendation that it should retain these collections and that there should be a corresponding reduction made in the Federal appropriation. This would result in reducing the 1969 appropriation for the administration of this act from about $2.9 million to about $2.2 million.

"The reason for this recommendation is that the volume of appeal work is highly unpredictable. It fluctuates greatly by markets and by seasons. Also, no one can foretell what the effect of the proposed revision of the act may be in increasing or decreasing the number of appeals received from grain shippers or buyers. Therefore, it would be highly advantageous for the Department to be authorized to use the appeal fees which it retains so that the available funds can be more closely correlated with the appeal inspection workload."

It should be noted that while the bill, with this committee amendment, would provide that the Department would retain the fees and charges which it collects for appeal inspections, the bill would not make any provisions for the Department to share in any of the fees or charges which are assessed and collected by the official inspection agencies. It is intended, therefore, that the Department's costs of providing supervisory and administrative services under the act will be borne by appropriated funds and, except for inspections in Canada, not by inspection fees.

(2) The committee amendments would authorize the Secretary to refuse inspection service on account of repeated or flagrant violations, without the necessity of a conviction. This amendment was requested by the Department of Agriculture, which advised the committee as follows:

"Secondly, we are opposed to the House action in amending section 10(a) from the original provision of H.R. 15794 so as to authorize withdrawal of inspection service as an administrative sanction against violations of the act only if the person had first been 'convicted' of a criminal violation. We believe that the original wording of H.R. 15794 under which such withdrawal would be authorized in case of commission of 'any repeated or flagrant violation' should be retained. Otherwise, the constructive contribution of section 10 in protecting the integrity of the official grain inspection service is largely nullified. Criminal convictions against individuals or business firms for violation of agricultural statutes like this one are rare. In many instances, although the violation may be irrefutable, the identity of a person cannot be established adequately for the purpose of filing criminal charges. Effective means are needed to protect the great majority of the industry against the actions of a few dishonest persons. We believe that, in order to provide this protection, section 10(a), as set forth in H.R. 15794, originally, should be retained.

"Further, we believe that adequate safeguards against any capricious or unreasonable use of this administrative authority is provided in H.R. 15794 because service cannot be withdrawn except in cases in which it is determined that the person or firm has committed 'repeated or flagrant violation' of section 13 of the act and that providing inspection would be inimical to the grain inspection service. Further, before inspection can be refused, the respondent must be afforded opportunity for a hearing at which all evidence against him must be produced by the Department, and any decision by the Department to refuse service is subject to review by a Federal district court prior to withdrawal."

The Department advised the committee that the most common example of flagrant or repeated violation is that where inspection certificates are altered. In some cases there are numerous altered inspection certificates for various lots of grain in which a single company is interested. It may be difficult to ascertain the individual or individuals who made the alterations and obtain criminal convictions. The only way to protect the integrity of the inspection service is to withdraw inspection.

(3) Section 7(f) of the act, as it would be amended by the bill, prohibits the operation of more than one inspection agency at one time for any one area. At the present time there is at least one area in the country in which two agencies are authorized to operate. As passed by the House, section 7(f) would require revocation of the authority of one of these agencies. The committee did not feel that it was appropriate to legislate one of these agencies out of business, and has therefore recommended an amendment making section 7(f) inapplicable to prevent any inspection agency from operating in any area in which it is operative on the date of enactment of the bill. The National Association of Chief Grain Inspectors recommended a somewhat similar amendment.

In addition to these three substantive changes, the committee has recommended a number of technical corrections. Most of these, such as corrections in spelling and punctuation, need no explanation. Those that may require some explanation are as follows:

(A) The National Association of State Departments of Agriculture suggested that it be made clear that withdrawal of an inspector's license for improper inspection be authorized only where the inspection was "knowingly or carelessly" made in an improper manner. The committee has recommended this clarification.

(B) The definition of "official inspection" would be amended to make it consistent with section 7(b) and to make it clearly applicable to bulk grain, except with respect to quantitative determination. Quantitative determination would clearly be restricted to sacked grain.

(C) Section 6 would be amended to avoid any inference that sale by proprietary brand or trademark would constitute a sale by grade in the case of an export sale.

(D) Section 12(b) would be amended to provide specifically that, before prescribing the period for which samples must be retained, the Secretary would consult with the grain trade and take into consideration the needs and circumstances of local markets. This would carry out in the statute the intention of the House of Representatives and the Department of Agriculture as expressed in the Congressional Record at pages H4438 and H4439 on May 29, as follows:

"Mr. MAHON. In reading through the language of the bill, I call the gentleman's attention to the provision in section 12(b), where it states, and I quote:

" 'That grain samples shall be required to be maintained only for such period not in excess of ninety days as the Secretary shall prescribe.'

"It has been called to my attention that a number of inspection agencies have expressed a great deal of concern over the wording of that section, due to the undue burden and strain on storage facilities that would occur in the event that the Department of Agriculture chooses to require these grain samples to be maintained for a full 90 days. In a volume operation such as that conducted by many of these exchanges, these samples will quickly accumulate, creating storage problems, and additional expense to comply with such a requirement.

"Accordingly, I want to inquire of the gentleman, as author of the bill before us, and as chairman of the subcommittee examining this legislation, whether or not it is the intent of this bill that the grain samples will be maintained for a full 90 days? I hope the gentleman will clarify the whole matter.

"Mr. PURCELL. I thank the gentleman for raising this point, and I will be happy to clarify what is involved.

"The 90-day figure referred to in section 12(b) represents a limitation for the period that the grain sample can be required to be maintained. Since the legislation also deals with export grain, it was necessary to use a longer period than would be necessary for samples of grain shipped within the United States. There is little reason for requiring a sample to be kept more than a limited time after the arrival of the grain at its destination, and naturally, this will be a function of the distance the grain is to be transported, and the mode of transportation.

"It is the intent of the bill that the Secretary will study the transportation statistics, and provide reasonable figures for retention of the sample which should be worked out with the grain industry itself. Certainly there would be no call for shipments of grain via barge or rail to be maintained for 90 days. A reasonable figure, in view of the needs of the trade, and the need to always insure the orderly marketing of grain would be 45 days for shipment by barge, and 15 days for truck or rail shipment. There would certainly be no need to require the sample to be kept beyond these limitations, except in the most peculiar circumstances.

In order that factors that would affect the ultimate decision on this matter might be more readily available, I asked the Department of Agriculture to comment on this problem. I have with me a letter from Mr. George Grange, Deputy Administrator for Marketing Services, indicating what factors will influence the final decision, which would be within the guidelines I have mentioned.

At this point, I insert Mr. Grange's letter in the record:

"U.S. Department of Agriculture,
"Consumer and Marketing Service,
"Washington, D.C., May 23, 1968.

"Hon. Graham Purcell,
"House of Representatives.

"Dear Mr. Purcell: This is in response to your request for further details concerning the Department's plans for implementing the provision in H.R. 15794 under which inspection agencies would be required to maintain file samples of grain for a period of time not in excess of 90 days.

"Our grain inspection officials intend to require that the file samples be retained until normal transit time to destination and normal unloading time have expired. This will give inspectors an opportunity to check the file sample whenever there are complaints or questions concerning the initial certification. If the grain dealers are to trade on the basis of U.S. grades and official inspection certificates, they should have this opportunity for review of file samples while the transaction is still in process if the service is to be of maximum usefulness.

"The retention time would vary dependent upon destination and mode of transportation. Domestic shipments by truck and rail would require the shortest time and export shipments the longest.

"The retention times would be part of revised regulations which would not become effective until 180 days after enactment of H.R. 15794. These regulations, under the Administrative Procedures Act, would involve the issue of a rulemaking proposal and consideration of views and comments from interested persons prior to final promulgation.

"We believe that reasonable and realistic retention periods for grain samples can be established which will meet the needs of the grain industry and, at the same time, will not overtax the facilities of Federal, State, or private grain inspection offices.

"We hope that this information provides the additional details on this matter which you desired.

"Sincerely yours,
"G. R. Grange,
"Deputy Administrator, Marketing Services.

"I hope that this helps answer the gentleman's question. This bill has been carefully worked out in order to meet the needs of all, but occasionally there may be questions still to be answered. In a similar vein, there was a question raised as to whether or not cottonseed is included under this bill. It is not.

"I would also hope that members of the grain trade are aware of the outstanding job that my distinguished colleague has done in calling this problem to our attention. I learned immediately after coming to Congress that when he speaks, all within the sound of his voice should listen. I know of no man for whom I have greater respect.

"Mr. Belcher. Mr. Speaker, will the gentleman yield?

"Mr. Purcell. I yield to the distinguished minority leader of our Agricultural Committee.

"Mr. Belcher. I thank the gentleman for yielding, and I am glad that the gentleman from Texas clarified this matter, because to maintain these samples for 90 days would in some instances be almost impossible. In Enid, Okla., for example, they have unloaded as many as 2,177 carloads of wheat and sampled them in a 21-hour period, and the gentleman can see how many samples would be needed, as the grain inspector at Enid, Okla., described it to me. He said that we would have to build another warehouse just to store these samples. So I am glad the gentleman has gotten this matter cleared up, because, as I say, it would be an absolute impossibility to keep all the samples for 90 days.

"Mr. Purcell. That is correct, and I wish to assure the gentleman from Oklahoma, just as I have endeavored to assure the gentleman from Texas (Mr. Mahon) that after passage of this bill it will take 180 days before it goes into effect. The Department of Agriculture assures me that they will hold hearings and make detailed studies as to the practical length of time in which to keep these grain samples. And, as I say, I am sure it will be in line with the good judgment of the trade itself."

(E) Section 20 of the act, as it would be amended by the bill, would be redesignated as section 2 of the bill. This would make it clear that this section relates to the effective date of the amending bill, rather than the effective date of the original act.

AMENDMENT OF INTERSTATE COMMERCE ACT TO ELIMINATE CERTAIN VALUATION REQUIREMENTS

The Senate proceeded to consider the bill (S. 757) to amend section 19(a) of the Interstate Commerce Act to eliminate certain valuation requirements, and for other purposes, which had been reported from the Committee on Commerce, with amendments, on page 2, line 8, after the word "made," insert "shall make annual valuations of all oil pipeline companies as to which original valuations have been made," and in line 12, after the word "properties" insert "of other common carriers subject to this part,"; so as to make the bill read:

S. 757

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) subsection (b) of section 19a of part I of the Interstate Commerce Act (49 U.S.C. 19a (b)) is amended as follows:

(1) In the paragraph which begins "Second", strike out ", and the present value of the same".

(2) Strike out the paragraph which begins "Third" and the paragraph which begins "Fifth".

(3) In the paragraph which begins "Fourth", strike out "Fourth" and insert in lieu thereof "Third".

(b) Subsection (f) of such section 19a (49 U.S.C. 19a(f)) is amended to read as follows:

"(f) Upon completion of the original valuations herein provided for, the Commission shall thereafter keep itself informed of the cost of all new construction, extensions, improvements, retirements, or other changes in the condition, use, and classification of the property of all common carriers as to which original valuations have been made, shall make annual valuations of all oil pipeline companies as to which original valuations have been made, and may keep itself informed of current changes in quantities, costs, and values of such properties of other common carriers subject to this part, in order that it may have available at all times the information deemed by it to be necessary to enable it to revise and correct its previous inventories, classifications, and values of the properties; and when deemed necessary, may revise, correct, and supplement any of its inventories and valuations."

The amendments were agreed to.

The bill was ordered to be engrossed for a third reading, was read the third time, and passed.

Mr. MANSFIELD subsequently said: Mr. President, I have learned that there was a "hold" on Calendar No. 1352, S. 757. Therefore, I ask unanimous consent that the action of the Senate in passing the bill be rescinded and that the bill be placed back on the calendar.

The PRESIDING OFFICER. Without objection, it is so ordered.

ORDER OF BUSINESS

Mr. MANSFIELD. Mr. President, I suggest the absence of a quorum.

The PRESIDENT pro tempore. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. Spong in the chair). Without objection, it is so ordered.

THE NONPROLIFERATION TREATY

Mr. MANSFIELD. Mr. President, as Senators know, the Nonproliferation Treaty has been signatured by the United States, the U.S.S.R., Great Britian, and a number of other nations.

In my opinion, this treaty is an augury of hope; it lays the ground, perhaps, for a new era in better relations; very possibly it may be responsible for a reduction in armaments; and it is, of course, a recognition of the dangers which confront the world in this nuclear age if something is not done to cope with them.

I am delighted that the hearings have been conducted so responsibly by the distinguished Senator from Alabama [Mr. Sparkman] and that they have been attended by members of the Joint Committee on Atomic Energy. It is my hope that this start, in such good spirit, will bring about the consideration of the Nonproliferation Treaty by the Senate shortly after it is reported by the Committee on Foreign Relations.

Mr. President, I ask unanimous consent that an editorial published in the Nashville Banner of July 2, 1968, and an editorial published in the Cleveland, Ohio, Plain Dealer, of June 30, 1968, be printed at this point in the RECORD.

There being no objection, the editorials were ordered to be printed in the RECORD, as follows:

[From the Nashville Banner, July 2, 1968]

WITH APPROPRIATE SAFEGUARDS: AN AUGURY FOR HOPE

President Johnson's remarks attending signature of the Non-proliferation (nuclear) Treaty were expressive of a hope shared—and profoundly—by the people of these United States. By the successful negotiation of this compact, signed almost simultaneously in Moscow and London, a long step was taken toward abatement of world dangers ushered in with the Nuclear Age.

The President did not depict the accomplishment as an automatic guarantee of peace and security. Obviously it is not that; but its purposes, plural, lead in the direction of deliverance by mutual effort from the nuclear threat. As a binding instrument it would:

Commit the nations which do not have such weapons not to produce, nor receive them in the future;

Assure equally that such nations have the full peaceful benefits of the atom;

Commit the nuclear powers to move forward toward effective measures of arms control and disarmament.

In reality this agreement, yesterday formalized, conforms with the offer magnanimously made by the United States, almost from the outset, when it was almost alone in possession of nuclear capability. Neither then nor now could any prospective rival in truth accuse this nation of destructive or monopolistic design.

The stumbling block on this path to date has been refusal of the Soviet to accept the premise of mutual inspection; the elementary enforcement aspect that still is essential. In stipulating that in the past, the United States has laid down no condition for these treaty associates that would not be equally binding on itself—the right of signatory powers to verify by periodic on-site inspections that every member nation is abiding by its agreement. It is the qualifying particular that must be spelled out and accepted to implement against defect the present treaty arrangement.

It fell to President Johnson, as a challenge to patient effort and statesmanship to push and mature this program to the point of international acceptance; the agreement for which, as he stated Monday with pardonable pride, "I have actively sought and worked for since January, 1964."

As a colleague in that effort—bearing a responsibility for the diplomatic processes essential to it—Secretary of State Dean Rusk deserves credit, too, for its successful advancement to this stage.

Tirelessly, and not infrequently the targets of international abuse, they labored for an objective of promise, worthy of humanity's hope—undeterred by either impatience or tirade.

In dedicated treatment of an awesome responsibility—of world importance, and national interest certainly not secondary to it—President Johnson well may have brought to pass the most signal achievement of his career.

It is a step-by-step procedure—this newest stride a long one in the fact that for the first time the major nuclear powers are at least outwardly in agreement; with mutual obligations recognized between them. Of necessary implication, too, is the collateral fact that it may expand further the Soviet-Red China cleavage. As a non-signatory power—in a suspect position differing from that of France—it could be Mao-Tse-tung & Co., against the world.

Realism does not discount the dangers and tensions of the era through which the world is passing, and the Chief Executive did not speak of them as in the past tense. He did accent the responsibility factor of guarded steps forward, dictated by reason, intelligence and conscience; and the opportunity at each waypoint on that upward path to demonstrate and test good faith.

No treaty is perfect, nor an end in itself. But it is the basis for understanding, and a declaration of international intent. Never more than in this case does it prompt a fervent world hope; expressly that in the agreement reached a formula has been presented—and accepted—that will restrain the skid toward disaster, and be productive of the world peace and security that are America's objectives as co-sponsor.

[From the Cleveland (Ohio) Plain Dealer, June 30, 1968]

NUCLEAR TALKS CREDIT TO L. B. J.

Russia's announced willingness to enter into talks with the United States on the subject of limiting both offensive and defensive nuclear weapons is a personal triumph for the perseverance of President Lyndon B. Johnson.

Getting the Soviet Union into a meaningful discussion of the need of freeing the world from the awful threat of nuclear war could become one of the greatest accomplishments of Mr. Johnson's administration.

Mr. Johnson will have more to say on the disarmament situation at the nuclear non-proliferation treaty-signing ceremony tomorrow in Washington.

The President, early in his career in the White House, was firm in his belief that the two giant nuclear powers must cooperate—despite other trying differences—in keeping peace in the human family. Ambassadors and state secretaries worked toward this meeting of minds but nothing much happened. Still, the President persisted in his efforts and the real groundwork finally was laid at Glassboro, N.J., a little over a year ago during his famous confrontation with Soviet Premier Alexi Kosygin.

The process of bringing along the Russians to a point where they would seriously take a long look at the great expenditure of money for a defensive nuclear system—money that could be more productive in social progress—necessarily was delicate. The attitudes and the incidents that lined the path to the eventual decision to hold talks on the nuclear missiles of attack and defense are well delineated today by John P. Leacacos, chief of The Plain Dealer Washington Bureau, in his weekly column in this section of the newspaper.

Statesmanship, to a large degree, is akin to salesmanship and President Johnson, by everlastingly holding the thought that the Soviet Union eventually could be sold on the wisdom of missile prudence, should get credit for his determination in a cause which often seemed hopeless.

ORDER OF BUSINESS

Mr. MANSFIELD. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. MAGNUSON. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

ADDRESS BY WILLIAM F. McKEE, ADMINISTRATOR, FEDERAL AVIATION ADMINISTRATION, BEFORE AIR LINE PILOTS ASSOCIATION, SEATTLE, WASH.

Mr. MAGNUSON. Mr. President, Gen. William F. McKee, who is the head of the Federal Aviation Administration, made a speech last night in Seattle, Wash., at the Air Line Pilots Association 15th Air Safety Forum Awards banquet. General McKee's remarkable speech relates to a very important subject, air safety in the United States.

I ask unanimous consent to have printed in the RECORD at the conclusion of my remarks the speech made by William F. McKee, Administrator, Federal Aviation Administration, before the Air Line Pilots Association.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 1.)

Mr. MAGNUSON. Mr. President, General McKee announced last week that he is retiring on July 31. I know of no man who has served his nation with greater diligence and dedication than William F. McKee. I think that air safety in the United States is not all we would like it to be, but our record is one of the best in the world.

General McKee's programs are well underway. I know we are all sorry to see him leave, particularly those of us who serve on appropriation subcommittees that handle matters relating to the Federal Aviation Administration.

General McKee has done a remarkable job. The other day when he came in to see me and I asked why he was quitting, he said:

> I am not angry with anyone. I just figure I have gotten my programs going, and my wife told me she would rather have an ex-administrator at home than some indispensable man in Arlington Cemetery.

That was the basis of his decision, and I think his decision was a wise one. Those of us who serve on the Committee on Commerce are sorry to see him leave.

Mr. COTTON. Mr. President, will the Senator yield?

Mr. MAGNUSON. I yield.

Mr. COTTON. Mr. President, as the ranking minority member of the Committee on Commerce and ex officio member of the Subcommittee on Surface Transportation, both of which have worked with General McKee, I wish to join emphatically with the distinguished Senator from Washington in the expressions he has just voiced with regard to General McKee.

This Nation is in debt to General McKee as one of the most hard-working and effective men in one of the most, if not the most, sensitive areas in this country, air traffic safety.

All of us who have worked with him regret that he is retiring, although we understand his reasons. I am sure that the distinguished Senator from Washington is speaking for every member of our committee and for most Members of the Senate who are familiar with his work when he states we deeply regret that General McKee is retiring.

Mr. MAGNUSON. I thank the Senator from New Hampshire.

EXHIBIT 1

REMARKS BY WILLIAM F. MCKEE, ADMINISTRATOR, FEDERAL AVIATION ADMINISTRATION, TO THE AIR LINE PILOTS ASSOCIATION, 15TH AIR SAFETY FORUM AWARDS BANQUET, SEATTLE, WASH., JULY 10, 1968

It's a real pleasure to participate in this 15th Air Safety Forum Awards Program. Your association and the members of the aviation industry represented here are to be commended for convening this forum, and for assembling in one place so many of the people and the products dedicated to safer flight.

It's become increasingly clear in recent times that those who have any part in providing transportation for the public must share a responsibility for making that transportation as safe and as dependable as possible.

I think it's to the credit of our profession that the aviation industry has always put *safety first*. The challenge today is to extend aviation's reputation for safety into the growth period ahead. This is what I want to talk about tonight, and since this is the last opportunity I will have to meet with you in my capacity as Administrator of the Federal Aviation Administration, I am particularly pleased to have this occasion and this platform for what I consider a very important subject.

To begin with, we must understand that the growth and progress of civil aviation will always be accomplished consistent with safety, never at odds with it. This means we will not entertain any expansion of the air services under Federal control if the safety of the public would be compromised or jeopardized in any way. As I've pointed out many times, whoever sits in the Administrator's chair must think first and always of safety. In any decision situation, the Administrator must rule in the interests of safety every time. When it comes right down to it so would every one of you.

I say this to be emphatic, not argumentative. I realize there is no basic disagreement between the FAA and ALPA on the subject of safety. A safe system is a smoothly operating system. A system with the minimum of delays or inconveniences also stands to provide the greatest accommodation to the flying public and, therefore, to be the most profitable system for the airlines.

Unfortunately, we do not have this "perfect" system throughout the United States today. We have already experienced the phenomenon of having a transcontinental flight delayed *on the ground* in Los Angeles because of traffic congestion at JFK. On a given day recently, a total of 519 aircraft were delayed, before takeoff or in the air, in the vicinity of New York City—some for as long as 45 minutes or an hour.

This situation is not economical for the airlines, it is not popular with public or pilot, and as a trend, it certainly is not compatible with the vast increases in air travel being universally forecast for the seventies. As a menace to safety, any unrelieved congestion beyond today's levels appears intolerable.

I see by the agenda for this forum that many of you plan to visit the Boeing plant tomorrow for a look at the mockup of their 747, a plane that some of you will probably be flying soon. Maybe you'll also get a briefing on the status of the SST. These planes exemplify the revolutions in size and speed soon to impact on the air carrier industry. Add to these two factors the growing acceptance of flight as the favored form of public transport—for both people and products—and you get a vivid picture of aviation's potentials and an instant image of its worst problems.

As a part of this picture you see an expansion of the jet airline fleet from 1,344 aircraft today to 3,300 by 1979.

You see a doubling of total flying hours and a quadrupling of airline revenue passenger miles.

You see the air transport share of the common carrier passenger miles traveled in the United States increasing from today's 66 per cent to better than 70 per cent over the next 10 years. By 1979 the airlines will be serving 445 million passengers.

But you don't see all these prospects for progress without being equally aware of the *problems* attendant to growth—airport access, terminal accommodations, baggage handling, and the host of challenges sure to be encountered in trying to fit a 440 per cent increase in passenger traffic into available ground facilities. In addition to these problems, there is the matter of blending more aircraft, in a greater variety of sizes and speeds, into the already crowded air lanes connecting the nation's 22 major air transportation "hubs."

These are the same problems we're looking at in the Federal Aviation Administration, and we see them first and foremost from the point of view of *safety*.

While the present safety record is good, it's not good enough for the future. Even if the accident rates of today were to remain constant, the projected surge in aviation operations over the next decade would result in a sharp increase in fatalities, personal injuries, and property damage. This must be our first concern as we scan the future.

Secondly, then, what steps can we take if we're to avoid the two unacceptable alternatives—one, of compromising safety; and, two, restricting growth, with the heavy penalty to the nation's economy which that alternative implies?

Broadly speaking, there are three steps open to us—we can *plan* for a better system, we can *propose* the legislation needed to support it, and we can *promote* new safety technologies. We're actually doing all of these things, with your help and—in my opinion—with some degree of success.

For example, we've been spending a great deal of time and effort in planning and implementing the national airspace system. The present system, as you well know, has suffered somewhat from budgetary limitations in the past and is, of course, seriously threatened today by the prospects of greatly increased traffic tomorrow.

We have long held to the view, and still do, that we pay for traffic saturation in delay not in accidents; the conseqences of congestion traditionally have been measured in economics rather than in safety.

However, all of us have experienced the problem of air traffic communications when the pressure is so great that the controller barely has time to breathe between clearances, when the pilot on the ramp in exasperation struggles to interrupt the torrent of air traffic communications with a plea for taxi clearance, when the patience of pilots and controllers alike wears thin under the constant pressure of making every maneuver add to the capacity of the system. The extent of the discomfort, the exasperation and the fatigue which daily becomes more evident in our high density air traffic facilities should be warning enough that we are approaching the bursting point.

Theoretically, the system is self-regulating. As we approach saturation, the system formally or informally invokes "flow restriction" and only that amount of traffic which is capable of effective control is permitted to enter the system. But controllers are human. They will strain with the challenge to accommodate the public need for mobility.

In my opinion, we are now in a period in aviation history where we cannot permit safety margins to be compromised in the hope that dedication and good judgment will somehow protect us from a catastrophic breakdown of the system. The additional resources to improve the system and the additional staffing required to absorb the increased workload must be sought. I believe further restrictive action will be unavoidable. I believe some reallocation of existing FAA resources will be required. We must identify low priority facilities and functions and curtail or eliminate them in the interest of satisfying our most pressing requirements.

Since the growth rate is expected not just to continue, but to *accelerate*, the need for a higher capacity more precise air traffic control system, is both evident and urgent.

The system now underway has been designed in two separate but compatible packages: the en route system and the automated radar terminal system. Hopefully, both systems will be in full operation by the mid-70's.

Through a greater use of newer and larger computers, we're extensively automating the existing en route air traffic control system. As an example, the solid-state computer recently installed in our Cleveland center can process more than 500 flight plans an hour. Eventually it will also be able to detect potentially hazardous situations and, perhaps, suggest remedies.

In addition to the increased storage information and the faster analysis computers make possible, the automated system greatly reduces the manual workload. By processing flight data automatically and electronically attaching the "alpha-numeric tags" to the correct blip on the radar screen, the system will substantially reduce the diverse demands on the controller's time, freeing him to handle the growing traffic loads we anticipate.

En route automation is scheduled for all FAA centers by the end of 1973. To accommodate the 250 per cent increase in terminal air traffic expected by 1979, we also have a companion program of automated terminal facilities under way. The first of these facilities was installed in the Atlanta tower in 1964. A similar system is now in place in the Common IFR Room being dedicated tomorrow at JFK Airport. These facilities promise to be increasingly valuable.

Two points I'd like to make about the automated terminal program: One, the systems are fully compatible with the NAS en route system for the exchange of flight plan and tracking information; and, two, we're building for the future—therefore, subsequent improvements contributing to added safety or capacity can be incorporated into the system.

For example, at controlled airports we hope to install computer-aided approach sequencing. We've been experimenting with this technique, both in simulation at the National Aviation Facilities Experimental Center and in field trials, at JFK and Atlanta, and we're encouraged by the results. It's quite clear that radar-linked computers *can* safely schedule the flow of inbound traffic at shorter intervals than when the traffic is being monitored by the human eye. By the mid-70's it's possible that computer-aided sequencing systems may be fully operational at key terminals.

Along with the national airspace system, our country also badly needs a broader network of more and better airports. In fact, the inadequacy of our airports is at present the greatest single limitation on the capacity of the nation's air transportation system. Superimposed against the traffic picture we forecast over the next several years, this limitation could also become the biggest threat to air safety.

Frankly, I am becoming increasingly concerned over our collective inability to insure a national airport system which effectively matches the projected growth of demand. In our large urban regions, the development of new airports has come almost to a halt and many existing airports, including public airports, face a precarious future indeed. It is clear that the balance of the interest and rights of those who live or desire to live in the vicinity of an airport with those of the traveling public is becoming more and more difficult. Further, airports and their approach and departure routes cover a growing multiplicity of political jurisdictions.

It's also becoming apparent that the center of population and commerce which generates the need for increased airport capacity is prone to pass on to its neighboring communities the burden of finding real estate and accommodating the airport as a neighbor. Conflicts among local, regional, and national interests are already straining our ingenuity as we face the still greater demands of the future. New Governmental machinery for airport planning is required and new relationships between the varied jurisdictions involved must be established. The FAA proposes to inaugurate consultation with State and local Government officials looking toward the development of such improved machinery as soon as the Federal Airport Program has been defined in legislation now under consideration.

In the face of all this, we estimate—conservatively, we think—that 2,000 of the 3,200 publicly-owned airports now in use in the United States will have to be improved over the next 10 years. We also see a need for some 900 new airports in the same time period.

Most of these new airports would be small ones, designed to serve general aviation, and ideally many of them would be located convenient to busy "hub" areas to serve as "reliever" airports. Yet even if these are provided, we still see a requirement for about 25 major airports to meet the demands of the air carriers.

Now, all of this planning gets us nowhere, and it benefits the users of the airways not one iota, if we don't make provisions for the funds needed to support the improvement and expansion of our air transportation system. Our second step, therefore, has been to propose the means for acquiring much of the revenue that will have to be realized if aviation progress is not to be stifled or air travel strangled.

The issues here are safety and economics. While we are not yet in a crisis condition with respect to the nation's overall air transportation system, we are—as indicated—approaching a saturation situation in the "hub" areas and at peak travel times. Similarly, if we don't find a solution to present fiscal deficiencies, civil aviation in the United States—I am afraid—will soon be experiencing a slowdown rather than the acceleration clearly forecast. The result will be a severe economic penalty not only to the industry, but for the entire nation.

To produce the revenues necessary to avoid a slowdown for which we can see no end, we have proposed to the Congress a program of user charges which we feel is reasonable, equitable, and sensible. The proposals contained in this program are, I believe, familiar to everyone here. Briefly, they entail an increase from five to eight per cent in the current passenger ticket tax, a new eight per cent tax on air freight, and a graduated increase in the tax on gasoline and jet fuel used by general aviation, reaching 10 cents a gallon by 1972. I have testified before Congress on the importance of having this or similar revenue legislation enacted during this session.

Such legislation is not just timely, it is urgent. Early action providing broader Federal assistance to airports is equally imperative. I am encouraged, in the contacts I have had with our lawmakers these past few months and in my appearances before Congressional Committees, by the understanding that I find there of the critical problems we face. I am hopeful that the differences of opinion that do exist, with respect to the best ways of raising the funds needed, will be resolved quickly so that favorable action can be taken before Congress adjourns in August. I intend to continue to give such support as I can to the passage of this much-needed legislation. I consider it vital to the interests of the industry, the carriers, the manufacturers, and the American public alike.

It must be apparent to every pilot that efforts to obtain necessary resources are not a Federal burden alone, although leadership must be exercised primarily by the Federal Government. Obtaining resources for the system is a challenge to the entire aviation community, including you in ALPA who, as airline pilots, are in a particularly advantageous position to articulate the needs of the industry.

It is not too late to respond to this challenge. All industry must support a reasonable user charge program if we are to accommodate the growth and satisfy the requirements of the years just ahead.

A third step toward greater air safety lies along the route of research and development. The commercial airlines have invested $8.4 billion in aircraft and ground facilities, and will spend $18 billion more by 1975, in a constant quest of product improvements to serve the public better and in greater safety. Many new technical advances are on the horizon today which will further assure the safety of flight tomorrow.

For example, collision-avoidance devices that are technically feasible and economically practical may not be far off. Research and development flight tests are being conducted now on three types of equipment for a separation-assurance system.

Eventual communications by satellite may serve the interests of safety by replacing much of today's complex microwave and cable system, with its many potential failure points.

Fool-proof methods of detecting explosive materials are also being explored with one device now being field-tested. These and other technical approaches to safety are being pursued in concert with the military, with the manufacturers, and with the air carriers. Our common purpose has little value, however, unless we exhibit *uncommon* motivation.

The matter of motivation, of course, rests ultimately with the individual and with his personal sense of responsibility. Where safety-consciousness is not inherent it must be acquired, then practiced religiously. Organizations like yours help to instill and foster this sensitivity to safety, and all those who fly the airways and we who regulate them are grateful for your efforts in this area.

Given the resources needed to do the job, the next 10 years will surely be the most exciting and the most productive in aviation history. They can also be the safest. We have the technical means to surround ourselves in safety. We need only the means and the will to sustain "safety first" as the cardinal rule of conduct in our control and use of the airways.

Now, in leaving the post I have held for three years, I want to thank you personally for the loyal support—and, yes, for the equally loyal opposition—the Air Line Pilots Association has demonstrated through all of our many professional relationships. Your faith in the future of aviation and your confidence in our collective ability to realize that future are the best assurances I can think of to leave the scene believing that we have made a good start toward the greatest years yet in aviation progress.

Thank you, good night, and good luck.

ORDER OF BUSINESS

Mr. MAGNUSON. Mr. President, I ask unanimous consent that I may proceed for 3 additional minutes.

The **PRESIDING OFFICER.** Without objection, it is so ordered.

ADDRESS BY T. A. WILSON, PRESIDENT OF THE BOEING CO. BEFORE THE CALIFORNIA INSTITUTE OF TECHNOLOGY

Mr. MAGNUSON. Mr. President, there is a world of meaning packed in a sentence which T. A. Wilson, new president of the Boeing Co. used to close his address before the California Institute of Technology recently. He said:

> We have a head of steam up in this country and it would be disastrous to turn off the engine just as we're coming to the grade.

He was referring to many things. The tendency to curtail research and development. The failure to use all of our combined effort in evaluating—and then working to effectively solve—our urban crisis. On this point, Wilson observed:

> To get at the answers will no doubt require the combined efforts of government, universities and industry in defining the jobs to be done and creating the market that mobilizes the required effort. Government may have to be the enabler, the university the thinker, industry the doer, although these are certainly not mutually exclusive roles.

But not all of the reflective, quotable material came at the end of the speech. There was a great deal at the start.

I ask unanimous consent that the address by T. A. Wilson be printed in the RECORD.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

A CRUCIAL TIME FOR TECHNOLOGY

(By T. A. Wilson, president, the Boeing Co.)

(NOTE.—This is a condensation of an address given in May at the California Institute of Technology. Wilson, who joined Boeing in 1943 after his graduation from Iowa State University, received a master of science degree in aeronautical engineering from Caltech 20 years ago. A Sloan Fellow in industrial management at Massachusetts Institute of Technology in 1952, he became a Boeing vice president 10 years later. Wilson was elected to the board of directors in 1966, named executive vice president later that year and advanced to the presidency last April when William M. Allen was named chairman of the board and chief executive officer.)

At the very time when the case for technology seems obvious, we are in danger of seeing a de-emphasis of activity in this realm. We are in a period when the focus is on the dollar—for very good reason. People are becoming aware—or congressmen are, at least—that some $137 billion have gone into research and development in the past ten years and that more than half of those dollars have been public funds. A few years ago, when the focus was more on our technological race with the Soviet Union, that fact would have been generally applauded.

Now it is viewed in the environment of other problems such as minority unrest, equal opportunity, crime in our streets, population pressures, disease, poverty, hunger, urban blight, pollution.

These problems are real. They cry for attention. I'm thoroughly in favor of intercepting these problems—or retrieving the ball if we've lost it—but I think a further advance of technology must be a part of the process. Certainly technology should not be cast in the role of a competitor to the main stream of this effort.

One of the fundamental factors that has made us strong as a nation has been our constantly advancing technology, which has fed our growth. It is the yeast in the economy that expands in all directions—and now it has an urgent new direction in which to expand.

However, some seek the remedy for our problems in another direction in the form of a cutback in research and development—

in scientific exploration and invention. There is talk about the moratorium on science until society gains the wisdom to use technology safely. Congressman Emilio Daddario, reporting on the findings of his science, research and development subcommittee said, "We are warned that mankind can know too much for its own good. A catch-up period is proposed—so that mores and national conduct can develop which are equal to the choices forced by science."

He and his committee disagreed with this viewpoint, but the threat of serious cutback exists. On the other hand, if the appropriate relationship between technology and the solution to the pressing problems of the day can be seen, there is an unprecedented opportunity before us.

The really basic solutions in the realm of power, food, water, and increase of wealth versus population growth, depend on *continued advance* of technology. Atomic power offers a remedy for parts of the world that are without the natural resources for power generation. A new strain of rice is proving to be a partial answer to food production in the Philippines. Large-scale desalination of seawater is being proposed for the desert Middle East. New forms of locomotion and traffic control are being forced by urban transportation tie-ups. The demands for change and the expectations of change are so great that just pecking at the problems of society by conventional methods is not going to get us to the post office.

The all-important reason for continuing to move forward technologically is economic. Applied science is basic to the advance of our standard of living—both in the generation of wealth and the distribution of it. Our economic growth is not brought about by everyone working that much harder; in fact, man works less. It comes from accomplishing more with the work that each does.

Economists attribute from 50 to 80 percent of the growth of our gross national product to increased productivity stemming principally from investment in application of new technology. It is activity generated by technology that employs people. So, in seeking remedies for our social problems, a great many of which have an economic base, we need to keep technology *in* the equation. Creation of new jobs and acquiring the funds needed to solve problems *both* depend on a strong economy, well supported by research investment.

We have become accustomed to talking in terms of spin-offs from scientific discovery and experimentation which result in new employment and business activity. The television industry was spun off the microwave radar developments prior to World War II. Lesser spin-offs such as Teflon frypans are constantly occurring from science and engineering, and they will continue to occur, along with more substantial ones.

Our space people get very enthusiastic about the long-range prospects for bigger effects. They envision a whole new order of communication in which the individual's pictophone console will connect him with anyone anywhere via the satellites, and will bring in any type of needed information whether library research or an orbital view of fish migration in the Caribbean or crop growth in Kansas.

But you can't tell in advance in just what direction spin-offs are going to occur. You have to accept the basic proposition that they do occur.

There is another compelling reason for maintaining at least the present level of technological effort in this country. As you increase the performance of an article or a system to meet the demands of society, each increment of improvement requires progressively more effort, until finally you reach a point where the constraints fence you in. Then it takes a breakthrough to get outside the fence.

Transportation, for example, has progressed to the point where now we encounter the constraint of traffic congestion—in our city streets, at our airports, even on the airways. Yet the requirement for growth continues—the population grows, the GNP grows, the individual's aspirations grow, the market grows. The pressures won't let you shut off progress. To try to meet one aspect of this challenge we have a five-year program at Boeing—aimed at automatic flight managment of commercial air transports from takeoff to landing, including provision for zero-zero weather. This is being accomplished with an assist from missile and space-age technology. When operational it should relieve the airways portion of the constraint.

But new breakthroughs, like spin-offs, defy programming. In all fields there is still a great need for open-ended research, without an application in sight—the type in which many universities participate and where Caltech excels.

We carry it on in our Boeing Scientific Research Laboratories. One of the ground rules there is that when the use of a piece of research becomes clear, you move it to an engineering project and get back to your research. Our lab is staffed with outstanding scientists in their fields and they are required to fish in new waters. Nothing is classified. There is freedom to exchange experiences with any member of the scientific community anywhere.

It is highly important that this type of activity continue in as many places as possible. Peter Drucker contends that there is now a conscious discipline for the imaginative leap into the unknown, saying, "We are developing rigorous methods for creative perception. Unlike the science of yesterday, it is not based on organizing our knowledge. It is based on organizing our ignorance."

Some of the same freedom from boundaries that exists in basic research is required in applied R&D. You can get trapped by the planning process, although I am categorically in favor of that process as a means of conserving funds and directing energy toward achievable goals. The problem comes when you make 100 percent assurance of a successful conclusion the prerequisite to a start. This puts unreasonable constraints on development and does not recognize the process of growth and learning along the way.

All government R&D should not be oriented to provable ends. The military is not advancing technically as it should. There is still a place for the experimental model. A national security policy that does not insure technological leadership is not security—it is insecurity.

The space program is a classic example of a truly open-ended endeavor. We ought to make sure that its ends stay open, at least in part, after the current goal of the moon is reached. In addition to the direct returns in scientific discovery and the continuing technological spin-offs, there are unseen revenues from the space effort in the stimulus it provides to youth, to education and to the enlarging of all our perspectives. It tends to push away the limitations to thinking, at a time when society is crowded, frustrated and depressed by limitation. It provides a fresh outlook, which is precisely the type of outlook that must be taken toward solving our problems on the surface of the earth.

Assuming that it is going to take a generation of effort to solve our most urgent social problems, then today's youth is going to play a large part in arriving at the solutions. The *attitude* of youth is important.

The advance of technology is something our young people can understand and tie to. Its starting point is not one of despondency and frustration but an attitude of: "Yes, we can do this thing if we'll apply ourselves to it." We need to make the transfer of that attitude from technology to social affairs—or marry the two.

Of course social and urban problems are more difficult to solve than those such as food production, communication and transportation that industry has more successfully dealt with in the past. The present urban situation presents a very muddy picture, with a fantastic array of interrelated problems and pressures. Someone has to perform a clarifying role if we are to have novel and effective approaches to these problems. It may be that the key universities can serve in this capacity and become the catalysts to action.

Getting back to the proposition that technological R&D is fundamental to the process of moving ahead on all fronts, the question arises: "Whose responsibility is this basic advance? The government's? The academic community's? Industry's?" It is inescapable that all these must be involved. The government must certainly, and in a strong supporting role. National goals are at stake. These goals have to be a few marks higher than can be met with known technology. The element of venture or risk cannot be completely removed from government policy any more than it can from corporate policy if we are to remain viable and dynamic as a nation, avoiding stagnation and decline.

Basic research is a venture. Space exploration is a venture. The supersonic transport is a venture. If we wait until we fully see the end rewards before starting, we never start.

How much credit do we deserve as a nation for the original decision to establish moon landings as a national goal? Did we do it mainly under the goad of Soviet competition? We are dependent on public opinion for national objectives, and the Soviet challenge gave public opinion its motivation. However, if a move is not pressed on us as an answer to a threat, does the public appreciate the rewards enough to embark on technology advance as a policy in its own right and be willing to pay the bill? The determination of whether or not we have a science moratorium may lie in the answer to this question.

The challenge presented by our urban crises and the effects of poverty at home and in other countries can be taken as a prod to action just as Soviet military and space rivalry has been. In those cases, technology was accepted as the method of meeting the challenges, whereas with urban emergencies we are in effect being told we must draw back from technology. I have faith that an informed and aware citizenry will make the right decision, but we all share the obligation of informing the public.

The advancement of technology should not depend just on government money. But I'm distressed at the criticism of the use of government money. Industry should share in the costs of R&D, to provide an incentive for efficiency. But it must be appreciated also that industry puts a lot of money into research in commercial areas that subsequently benefits the government sector.

I am not putting a halo around the large company as the technological fountainhead. Very often the large corporation's interests will run along certain lines and it must focus its main stream of effort in the directions that appear most promising. Consequently, it is most often the small group or the dedicated individual that does the real pioneering—much of this on the university campus.

But over-all, the tendency is to place more and more of the research cost burden on the private sector. The government, for example, is increasingly disallowing the costs of independent research and development on the part of government contractors. The effect is to restrain R&D.

In some countries the whole burden of R&D is public—or national. We would not want that arrangement. But I think public and private interests do run parallel. Aerospace is an excellent example of a business where technology advance is vital to our international competitive position. This industry is not asking for barriers against imports, it generates large exports and large favorable balance of payments by application of technology.

Experience has shown that where significant long-term needs exist, industry eventually finds solutions, and at a profit. Often it is with government support, at least initially, as has been the case in all major forms of transportation development—rails, roads, ships, airports—and in the development of our petroleum supply.

It is not hard to conceive of industry solutions to things such as low-cost housing, cost-effective urban transportation, and even vocational training on a broad scale. If this results from the profit motive, I don't think that requires an apology. If industry gets a job done well, it is recognized by society as performing a useful, legitimate role, and society is willing to pay it a reasonable fee to make this result possible.

But the market for what we might call "improvement" or "problem solving" in the urban area is not very clearly defined, to say the least. It is diffuse and multi-customer. It is not well researched. And the customer—the urban entity, if you can identify it—is not skilled in specifying requirements.

To get at the answers will no doubt require the combined efforts of government, universities and industry in defining the jobs to be done and creating the market that mobilizes the required effort. Government may have to be the enabler, the university the thinker, industry the doer, although these are certainly not mutually exclusive roles. Quite possibly the universities can provide the independent non-political "data banks" of pertinent information and "know-how" for local governments and citizen groups to consult.

There are some jillion committees concerned with our urban situation; in fact, several in each community and at every level of both government and industry. I would hesitate to call this effort chaotic, but it is far from integrated.

It would be regrettable if these groups leave an aggressive, purposeful national technology advancement effort out of the process of finding solutions to today's problems. I think this effort is mandatory. We have a head of steam up in this country and it would be disastrous to turn off the engine just as we're coming to the grade.

SAFETY IN THE HOME

Mr. MAGNUSON. Mr. President, more than 20,000,000 accidents a year occur in and about the home, bringing injury and personal tragedy into the lives of American families.

More than 28,000 of these accidents prove fatal. Included in this total are 5,500 children under age 5.

Most of these accidents need not happen. They involve a variety of mishaps resulting from human carelessness and ignorance: accidental ingestion of medicines and household chemicals by adults and children, fires, burns, falls, suffocation, electric shock and drowning, among others.

Congress has enacted legislation in a number of important areas of safety where the consumer needs help. The objective of this legislation is to increase the margin of safety of products when used as directed.

However, no amount of legislation and Government regulation can abolish carelessness and ignorance—the root cause of most accidents.

Education of the public by Government and by private industry offers great promise in the reduction of accidents.

I am happy to report that one sector of private industry has been actively conducting, for more than 2 years, an educational program designed to reduce the accident toll. This industry group, consisting of leading members of the drug industry, sponsors the Council on Family Health as a nonprofit, public service organization to promote home safety and family health. Its president is Howard A. Prentice, Ed. D. of Washington, D.C.

While the primary interest of the council lies in the proper use and storage of medicines, the council's program is operated on a much broader scale, namely, to alert mother to all types of accident hazards in the home and how to prevent them, and to give her simple hints on family health.

The council is reaching mothers by the millions through the newspapers and periodicals they read, the television screens they watch, the radio broadcasts they listen to, the club meetings they attend.

As an example, last fall the council began a campaign entitled "Home Safety Tips From the Stars." The time and talent of well-known personalities of the entertainment world were freely given. Stars who contributed their efforts were Danny Thomas, Donna Reed, Lorne Greene, Connie Francis, Eddie Albert, Greta Thyssen, and Emilia Conde and two clergymen, the Reverend Dr. Frederick L. Long and the Reverend Dana F. Kennedy, whose voices are well-known on the air. This project has resulted in bringing tips on home safety to the public through more than 10,000 radio broadcasts in public service time. This type of endeavor is a most effective way of bringing the message of home safety to the homemaker and to the family.

The council currently is preparing specialized program materials relating to the home hazard problems of youngsters, young adults, and senior citizens.

The Council on Family Health has received an award of merit from the National Committee on Films for Safety for a series of three half-minute color TV spot films on "Safety with Medicines," "Safety With Garden Sprays," and "Safety With Household Chemicals." These films also have been endorsed by the Public Health Service, U.S. Department of Health, Education, and Welfare.

I am glad to say that the Council on Family Health is cooperating with educational programs of the Food and Drug Administration, the Public Health Service, the Department of Agriculture Home Extension Service and many State and local departments of health—in addition to major private organizations.

I am also informed that the council's program is being emulated in other countries. Leading members of the Canadian drug industry have established a Council on Family Health in Canada. Interest in the idea has been expressed in the United Kingdom, Europe, and Australia.

I have been a supporter of programs which pick up where legislation leaves off. I applaud the council's efforts. I for one will always encourage the private sector in helping to educate the public and in developing additional approaches to bring the safety story to every home in America.

Members of the board of directors of the Council on Family Health are: William F. Laporte, chairman and president, American Home Products Corp.; William M. Bristol III, senior vice president, Bristol-Myers Co.; Charles T. Silloway, president, Ciba Pharmaceutical Co.; Ivan D. Combe, president, Combe Chemical, Inc.; Peter Godfrey, president, Menley & James Laboratories; Walter R. Beardsley, chairman of the board, Miles Laboratories, Inc.; Hermon A. High, senior vice president, Richardson-Merrell, Inc.; Alfred E. Driscoll, honorary chairman, Warner-Lambert Pharmaceutical Co.; J. Mark Hiebert, M.D., chairman of the board, Sterling Drug, Inc.; Austin Smith, M.D., chairman of the board, Parke, Davis & Co., and Howard A. Prentice, Ed. D., president of the Council on Family Health.

ADDRESS BY FREDERICK E. BAKER BEFORE THE ANNUAL MARKETING CONFERENCE

Mr. MAGNUSON. Mr. President, Mr. Frederick E. Baker, who is one of the distinguished members of the advertising fraternity in the United States and the advertising agency of N. W. Ayer & F. E. Baker, Inc., in Seattle, Wash., made a speech before the annual marketing conference of the Northwest Electric Light & Power Association in Spokane, Wash., on June 24, 1968, dealing with much the same subject. Mr. Baker is a man of great perceptiveness in this field. He points out in his speech the role that advertising should take not only in the American economy but also in some of the things previously mentioned by Mr. Wilson in his speech, and what we should do collectively to meet some of the problems of today.

I ask unanimous consent to have Mr. Baker's speech printed in the RECORD.

There being no objection, the speech was ordered to be printed in the RECORD, as follows:

IS THERE ANY MUD ON YOUR HANDS?

(By Frederick E. Baker, before the annual marketing conference of the Northwest Electric Light & Power Association, Spokane, Wash., June 24, 1968)

As I understand it, most of you at this conference are sales and marketing-oriented people. Some of you have considerable knowledge of the advertising field.

Because your advertising is the public exposure of your company posture and policy—and because I am a professional advertising man, with a fairly substantial background in advertising ethics—this will be the main thrust of my remarks.

Permit me to approach it in both broad and specific terms.

Advertising continues to play an increasingly vital role in the marketing mix of American business. With expanding national and world markets, business must communicate to more and more people. This communication must be both effective and economical, *persuasive yet factual.*

With the average individual exposed daily to something like 1,600 advertising impressions, print or broadcast, the communication of business has to be arresting, yet it need not "shout."

Elemental as it may sound, behind each product or service provided by business is the character and personality of the individual firm. Advertising should communicate such corporate character and personality just as honestly and effectively as it communicates the message of specific products or services.

Some advertising looks good, or sounds good, yet falls far short of its proper mark. *This because it is not communicating in the* language of, or to the minds of the individuals it must reach. A highly technical message to the technically unsophisticated cannot be very effective. Likewise, a bland message intended to motivate the scientific or technical person on behalf of a scientific or technical product or service is a waste of the advertiser's dollar.

Every advertiser has a sound and proper target range. This can be with respect to age, income or geography. Or it may be behavioral. The retailer and the manufacturer of consumer products, in fact all advertisers, must understand how people think, act, respond. *Here we need know how people play,* plan, work, vacation, eat, drink, socialize, travel, dress, worship, spend, relax, live.

Just as exacting is the basic marketing knowledge needed by the manufacturer in the sophisticated industrial fields. Perhaps even more so. These new products are the result of immense effort in research and development. It is to the credit of our own area that we have been able to develop a diversified complex of highly sophisticated performance. Our largest industry is a world leader in this regard. All around us other industries of similar nature have come into being—smaller, yes, but still a monumental *tribute to what happens when men of courage*, intelligence and imagination set a course toward filling the needs modern technology demands.

Their products have to be successfully marketed and, as a part of marketing, be effectively advertised.

It is currently estimated that eighteen *billion dollars a year is spent by American* business in advertising products and services. As a percentage of sales, it varies from a fraction of one percent for some industrial advertisers to a substantial percentage for certain consumer products of a nature where advertising carries the heaviest burden of *the marketing program.*

This amounts to a lot of communication. It is evident around us in all forms—magazines, newspapers, television, radio, outdoor, direct mail, brochures, pamphlets, flyers and wherever we turn as point of purchase in the market place.

This also places on advertisers, and their *advertising agencies, a very great responsibility.* A responsibility to not only be effective, but also to be truthful and ethical in all advertising communication.

To this end the advertising industry, together with the better business bureaus throughout the country, developed and adopted the advertising code for American business. *Its salient points are:*

1. Truth—Advertising shall tell the truth and reveal significant facts.

2. Responsibility—Advertising agencies and advertisers shall be willing to provide substantiation of claims.

3. Taste and decency—Advertising shall be *free of statements, illustrations or implications* offensive to good taste or public decency.

4. Disparagement—Advertising shall offer merchandise or service on its merits, and refrain from attacking competitors unfairly or disparaging their products or services.

5. Bait advertising—Advertising shall offer only merchandise or services readily available at the advertised price.

6. Guarantees and warranties—advertising of guarantees and warranties shall be explicit.

7. Price claims—advertising shall avoid false or misleading price or savings claims.

8. Unprovable claims—advertising shall avoid use of exaggerated or unprovable claims.

9. Testimonials—advertising containing testimonials shall be limited to those of competent witnesses reflecting a real and honest choice.

Strict adherence to the advertising code provides the ethical perspective on advertising. Not all advertising measures up to these standards. Responsible advertising does.

Now, why is all this so important?

Frankly, when I first structured the ethics program for our American Advertising Federation *I felt* this program, being positive and constructive, would help improve our government relations posture. Having previously served two years as the advertising association of the west vice president for legislation I was acutely aware of the continuing problems our industry faces with *government on all levels: local, state and* national.

So it appeared if we were to deserve to be heard—and our voice respected—we needed a strong program of action. The kind of action that would assure all concerned that we were keeping our own advertising house in order.

In July of last year I presented this program of ethics in detail by memorandum to the presidents of our then 165 clubs in the American Advertising Federation.

Very simply, the local ad club, together with the local Better Business Bureau, joined forces to form and operate a joint *committee on advertising ethics. Advertising* clearly in violation of the code—or advertising which some consumer believed to be untruthful, offensive to good taste or public decency, disparaging, false or misleading, etc., is referred to the joint ethics committee. If the committee agrees, members of the committee call on the advertiser, and his advertising agency, *if he has one, and point* out what is wrong with the advertisement. Often a simple change of a few words removes the ad from any reasonable criticism.

Usually the advertiser concurs. Sometimes not. If not, the matter is then left to the normal pattern of the Better Business *Bureau.*

We are very seriously considering at this time, the question as to whether the American Advertising Federation should take the initiative and sponsor legislation in the States which do not already have same, that would put some real teeth into our action with respect to the flagrant advertiser. Some *thirteen States, I believe, now have such* laws. The federal trade commission has no jurisdiction over intra-state advertising. A model law is now being studied and drafted which would place the necessary powers, probably under the State Attorney General, into being.

I think we have made substantial impressions on both the legislative and administrative branches of our National and State governments with our ethics program. I think this has strengthened our legislative effort. I think it helps to keep us from appearing heavily negative.

We have experienced some problems in *the energy field. We have had some problems* with oil heat and some problems with gas. I am sure it has been trying for the electric utilities who face this type of competition to temper their advertising and promotion campaigns with good sense and good judgment in the heat of competitive battle. But *it is extremely important that we do, frustrating* though this is at times.

I have been closely associated with the private electric utility business for nearly thirty years. I know of no other industry with such ramified pressures. It seems like every day one or another of you is at a critical point in the corporate fight for survival. Not all of you have the same problems but there are many that persist for most. In some market areas the programs of public power raise the greatest threat. In others it is financing, in order to maintain an adequate source of energy. You do not get an even break from the Federal Government. There *are even some in high places whose main* object in life seems to be to destroy you. Montana's Senator Metcalf is a good example.

You are a regulated industry. There is a definite restriction on your profit potential. As compared with many other fields, you are an industry which must take tremendous capital risks, yet with a known limited yield.

You simply must conduct sales promotions and advertising programs in order to develop desirable load growth to increase both your revenue and efficiency.

The average consumer does not really understand your business. On June 11, speaking at a broadcasters meeting in Florida, Howard Bell, president of the American Advertising Federation, said, "The overwhelmingly favorable public reaction to consumer protection legislation has given Government a leg up on future attempts to confront any industry *on any and all matters* concerning the public welfare."

We used to call the messages aimed at educating the public about your company and its business "institutional." I now call them "vital." For the past several years I have represented my industry, from a lay official standpoint, with those in high places in Washington, D.C.—Esther Peterson, and now Betty Furness, Senator Magnuson, Paul Rand Dixon, Dr. Goddard, and all the rest concerned with consumerism and related legislation. Thus far, to my knowledge at least, the electric power and light business has not been a prime target. But it quickly could, particularly if such matters as the Dingle committee gets out of hand.

Our best defense is a sound offense. So far as I am aware, there is *not* any mud on the hands of you people in this room. Naturally I do not see all the ads, broadcasts, or promotion pieces that you use. However, it is entirely possible that there is some unethical advertising by electric utilities.

The oil heat situation I mentioned was local—right here in the Pacific Northwest, and most of you are familiar with it—and it was pretty bad. The gas situation was not local but we have had some real problems. For example, I have in my hand a copy of an advertisement put out by the Arkansas Louisiana Gas Company. It is based on an *unsubstantiated claim, "heating water with* electricity costs four times more than heating water with gas." It is disparaging advertising. It is in violation of the advertising code of American business, which I outlined to you earlier. Yet, while admitting this ad is disparaging, the company rejects all effort of the local Better Business Bureau for them *to refrain from this type of advertising.* This gas company refuses to exercise responsible self-discipline. And there is no State law there which permits things to be carried further.

So while we are making much progress in our ethics program, we still have much to *accomplish.*

But as I visit with you today I have some much stronger thoughts. It is my belief now that our integrity—our ethical posture—has an importance that far transcends any self-interest on our part.

Today—our country—the world—is truly at the crossroads. I do not believe we are a sick Nation, but we are distraught. People are worried—upset—confused—disappointed—disillusioned—doubtful—puzzled—some even frightened.

American morals has been our bulwark—our morale today is not what it should be.

We have great concern over Vietnam. It is much more than just concern. Personally I am neither a hawk or a dove. We are the champions of freedom. This we must always be. Else we ourselves will be free no longer. Yet the time has come—if not overdue—when either we must negotiate an honorable and just peace—or win a war by strength.

Some of us in this room are old enough to remember what happened to the German mark—when it took hundreds of thousands just to buy a loaf of bread.

How about what is happening to the American dollar? Sure, we have much more road to travel before utter disaster. Sure, we have the national wealth and basic economy to sustain a great deal more pressure. But how much inflation *can* we take? Or *should* we take?

It surely will be on satisfaction to me if I go to my grave personally solvent in a still solvent Nation if inevitably my children, or my grandchildren, or my great-grandchildren are domed to a day of economic chaos and all the human misery it portends.

Through the ages some people have been very poor and others very rich. I wonder though if the world has ever experienced a situation quite like we now have in the ghettos of our cities. Not since the civil war has there been such pronounced division between white and black.

Isn't the time *now*—for *total dedication?* Total dedication, no matter what the *privation*—or *inconvenience* or *personal cost!*

Really now, can we have guns *and* butter? Can we conquer space—with all the implications involved as to hostile governments if we fail —and still live on the fat of the land? Can we save our unity of people—white or black or any shades between—can we eradicate the slums—can we provide jobs for the presently unqualified and incompetent—can we contain the wage-price spiral—without *Total Dedication?*

No, we cannot have guns *and* butter. No—we cannot conquer space, prevent civil disruption, if not civil war, eliminate the slums, provide the needed jobs and stamp out inflation—if we are to continue *business as usual.*

Normal politics be damned! The fate of this nation and the free world is at stake. The fate of every freedom loving individual is at stake—yours and mine—our children, our grandchildren and all to come.

The time is now for us and our government to put the lid on—the brakes on—*now—right now!*

If this means wage controls and price controls—*so be it.*

If it means a higher share of our income through taxes so that these problems can be met—*so be it.*

If it means limitation of profit—just as it means limitation of pay—*so be it.*

There is something you and I can do about it. First, we can let our representatives in government—local, state and national—know exactly how we feel. They represent us—it is as much our government as anyone's.

Further, we can build confidence in American business. Not only confidence that we can produce—but also confidence that we are *fair*—confidence that we are *honest*—confidence that we are *ethical.*

Truth in advertising means truth in business. We *are* a substantial part of the power of business.

The awesome problems of today will disappear only when people of good faith so conduct themselves—in their personal affairs—in their business affairs—in their relationships one with another—as God must have intended when the golden rule was written.

Never—since the days of a declining Rome—has there been such an opportunity for men and women of vision and courage to change the course of human and world events for the better.

This is not our parents', or grandparents', or great-grandparents' responsibility and opportunity—*it is ours!*

NATURAL GAS PIPELINE SAFETY ACT OF 1968

Mr. MAGNUSON. Mr. President, I ask the Chair to lay before the Senate a message from the House of Representatives on S. 1166.

The PRESIDING OFFICER laid before the Senate the amendment of the House of Representatives to the bill (S. 1166) to authorize the Secretary of Transportation to prescribe safety standards for the transportation of natural and other gas by pipeline, and for other purposes, which was, strike out all after the enacting clause and insert:

That this Act may be cited as the "Natural Gas Pipeline Safety Act of 1968".

DEFINITIONS

Sec. 2. As used in this Act—

(1) "Person" means any individual firm, joint venture, partnership, corporation, association, State, municipality, cooperative association, or joint stock association, and includes any trustee, receiver, assignee, or personal representative thereof;

(2) "Gas" means natural gas, flammable gas, or gas which is toxic or corrosive;

(3) "Transportation of gas" means the gathering, transmission or distribution of gas by pipeline or its storage in or affecting interstate or foreign commerce; except that it shall not include the gathering of gas in those rural locations which lie outside the limits of any incorporated or unincorporated city, town, village, or any other designated residential or commercial area such as a subdivision, a business or shopping center, a community development, or any similiar populated area which the Secretary may define as a nonrural area;

(4) "Pipeline facilities" includes, without limitation, new and existing pipe, rights-of-way, and any equipment, facility, or building used in the transportation of gas or the treatment of gas during the course of transportation, but "rights-of-way" as used in this Act does not authorize the Secretary to prescribe the location or routing of any pipeline facility;

(5) "State" includes each of the several States, the District of Columbia, and the Commonwealth of Puerto Rico;

(6) "Municipality" means a city, county, or any other political subdivision of a State;

(7) "National organization of State commissions" means the national organization of the State commissions referred to in part II of the Interstate Commerce Act;

(8) "Interstate transmission facilities" means pipeline facilities used in the transportation of gas which are subject to the jurisdiction of the Federal Power Commission under the Natural Gas Act; and

(9) "Secretary" means the Secretary of Transportation.

STANDARDS ESTABLISHED

Sec. 3. (a) As soon as practicable but not later than three months after the enactment of this Act, the Secretary shall, by order, adopt as interim minimum Federal safety standards for pipeline facilities and the transportation of gas in each State the State standards regulating pipeline facilities and the transportation of gas within such State on the date of enactment of the Act. In any State in which no such standards are in effect, the Secretary shall, by order, establish interim Federal safety standards for pipeline facilities and the transportation of gas in such State which shall be such standards as are common to a majority of States having safety standards for the transportation of gas and pipeline facilities on such date. Interim standards shall remain in effect until amended or revoked pursuant to this section. Any State agency may adopt such additional or more stringent standards for pipeline facilities and the transportation of gas not subject to the jurisdiction of the Federal Power Commission under the Natural Gas Act as are not incompatible with the Federal minimum standards, but may not adopt or continue in force after the interim standards provided for above become effective any such standards applicable to interstate transmission facilities.

(b) Not later than twenty-four months after the enactment of this Act, and from time to time thereafter, the Secretary shall, by order, establish minimum Federal safety standards for the transportation of gas and pipeline facilities. Such standards may apply to the design, installation, inspection, testing, construction, extension, operation, replacement, and maintenance of pipeline facilities. Standards affecting the design, installation, construction, initial inspection, and initial testing shall not be applicable to pipeline facilites in existence on the date such standards are adopted. Whenever the Secretary shall find a particular facility to be hazardous to life or property, he shall be empowered by order to require the person operating such facility to take such steps necessary to remove such hazards. Such Federal safety standards shall be practicable and designed to meet the need for pipeline safety. In prescribing such standards, the Secretary shall consider—

(1) relevant available pipeline safety data;

(2) whether such standards are appropriate for the particular type of pipeline transportation;

(3) the reasonableness of any proposed standards; and

(4) the extent to which such standards will contribute to public safety.

Any State agency may adopt such additional or more stringent standards for pipeline facilities and the transportation of gas not subject to the jurisdiction of the Federal Power Commission under the Natural Gas Act as are not incompatible with the Federal minimum standards, but may not adopt or continue in force after the minimum Federal safety standards referred to in this subsection become effective any such standards applicable to interstate transmission facilities.

(c) Any standards prescribed under this section, and amendments thereto, shall become effective thirty days after the date of issuance of such standards unless the Secretary, for good cause recited, determines an earlier or later effective date is required as a result of the period reasonably necessary for compliance.

(d) The provisions of subchapter II of chapter 5 of title 5 of the United States Code shall apply to all orders establishing, amending, revoking, or waiving compliance with, any standard established under this Act. The Secretary shall afford interested persons an opportunity to participate fully in the establishment of such safety standards through submission of written data, views, or arguments with opportunity to present oral testimony and argument.

(e) Upon application by any person engaged in the transportation of gas or the operation of pipeline facilities, the Secretary may, after notice and opportunity for hearing and under such terms and conditions and to such extent as he deems appropriate, waive in whole or in part compliance with any standard established under this Act, if he determines that a waiver of compliance with such standard is not inconsistent with gas pipeline safety. The Secretary shall state his reasons for any such waiver. A State agency, with respect to which there is in effect a certification pursuant to section 5(a) or an agreement pursuant to section 5(b), may waive compliance with a safety standard in the same manner as the Secretary, provided such State agency gives the Secretary written notice at least sixty days prior to the effective date of the waiver. If, before the effective date of a waiver to be granted by a State agency, the Secretary objects in writing to the granting of the waiver, any State agency action granting the waiver will be stayed. After notifying such State agency of his objection, the Secretary shall afford such agency a prompt opportunity to present its request for waiver, with opportunity for hearing, and the Secretary shall determine finally whether the requested waiver may be granted.

TECHNICAL PIPELINE SAFETY STANDARDS COMMITTEE

SEC. 4. (a) The Secretary shall establish a Technical Safety Standards Committee. The Committee shall be appointed by the Secretary, after consultation with public and private agencies concerned with the technical aspect of the transportation of gas or the operation of pipeline facilities, and shall be composed of fifteen members each of whom shall be experienced in the safety regulation of the transportation of gas and of pipeline facilities or technically qualified by training and experience in one or more fields of engineering applied in the transaction of gas or the operation of pipeline facilities to evaluate gas pipeline safety standards, as follows:

(1) Five members shall be selected from governmental agencies, including State and Federal Governments, two of whom, after consultation with representatives of the national organizations of State commissions shall be State commissioners;

(2) Four members shall be selected from the natural gas industry after consultation with industry representatives, not less than three of whom shall be currently engaged in the active operation of natural gas pipelines; and

(3) Six members shall be selected from the general public.

(b) The Secretary shall submit to the Committee all proposed standards and amendments to such standards and afford such Committee a reasonable opportunity, not to exceed ninety days, unless extended by the Secretary, to prepare a report on the technical feasibility, reasonableness, and practicability of each such proposal. Each report by the Committee, including any minority views, shall be published by the Secretary and form a part of the proceedings for the promulgation of standards. In the event that the Secretary rejects the conclusions of the majority of the Committee, he shall not be bound by such conclusions but shall publish his reasons for rejection thereof. The Committee may propose safety standards for pipeline facilities and the transportation of gas to the Secretary for his consideration. All proceedings of the Committee shall be recorded and the record of each such proceeding shall be available for public inspection.

(c) Members of the Committee other than Federal employees may be compensated at a rate to be fixed by the Secretary not to exceed $100 per diem (including travel time) when engaged in the actual duties of the Committee. All members, while away from their homes or regular places of business, may be allowed travel expenses, including per diem in lieu of subsistence as authorized by section 5703 of title 5, United States Code, for persons in the Government service employed intermittently. Payments under this section shall not render members of the Committee employees or officials of the United States for any purpose.

STATE CERTIFICATIONS AND AGREEMENTS

SEC. 5. (a) Except for the fourth sentence of section 3(b), section 12(b), and except as otherwise provided in this section, the provisions of this Act shall not apply to pipeline facilities and the transportation of gas (not subject to the jurisdiction of the Federal Power Commission under the Natural Gas Act) within a State when the safety standards and practices applicable to same are regulated by a State agency (including a municipality) which submits to the Secretary an annual certification that such State agency (1) has regulatory jurisdiction over the safety standards and practices of such pipeline facilities and transportation of gas; (2) has adopted each Federal safety standard applicable to such pipeline facilities and transportation of gas established under this Act as of the date of the certification; (3) is enforcing each such standard; and (4) has the authority to require record maintenance, reporting, and inspection substantially the same as are provided under section 12 and the filing for approval of plans of inspection and maintenance described in section 11; and that the law of the State makes provision for the enforcement of the safety standards of such State agency by way of injunctive and monetary sanctions. Each annual certification shall include a report, in such form as the Secretary may by regulation provide, showing (i) name and address of each person subject to the safety jurisdiction of the State agency; (ii) all accidents or incidents reported during the preceding twelve months by each such person involving a personal injury requiring hospitalization, fatality, or property damage exceeding $1,000, together with a summary of the State agency's investigation as to the cause and circumstances surrounding such accident or incident; (iii) the record maintenance, reporting, and inspection practiced by the State agency to enforce compliance with such Federal safety standards, including a detail of the number of inspections made of pipeline facilities by the State agency during the preceding twelve months; and (iv) such other information as the Secretary may require. The report included with the first annual certification need not show information unavailable at that time. If after receipt of annual certification, the Secretary determines that the State agency is not satisfactorily enforcing compliance with Federal safety standards, he may, on reasonable notice and after opportunity for hearing, reject the certification or take such other action as he deems appropriate to achieve adequate enforcement including the assertion of Federal jurisdiction.

(b) With respect to any pipeline facilities and transportation of gas (not subject to the jurisdiction of the Federal Power Commission under the Natural Gas Act) for which the Secretary does not receive an annual certification under subsection (a) of this section, the Secretary is authorized by agreement with a State agency (including a municipality) to authorize such agency to assume responsibility for, and carry out on behalf of the Secretary as it relates to pipeline facilities and the transportation of gas not subject to the jurisdiction of the Federal Power Commission under the Natural Gas Act the necessary actions to—

(1) establish an adequate program for record maintenance, reporting, and inspection designed to assist compliance with Federal safety standards;

(2) establish procedures for approval of plans of inspection and maintenance substantially the same as are required under section 11;

(3) implement a compliance program acceptable to the Secretary including provision for inspection of pipeline facilities used in such transportation of gas; and

(4) cooperate fully in a system of Federal monitoring of such compliance program and reporting under regulations prescribed by the Secretary.

Any agreement executed to this subsection shall require the State agency promptly to notify the Secretary of any violation or probable violation of a Federal safety standard which it discovers as a result of its program.

(c)(1) Upon an application submitted not later than September 30 in any calendar year, the Secretary is authorized to pay out of funds appropriated pursuant to section 15 up to 50 per centum of the cost of the personnel, equipment, and activities of a State agency reasonably required to carry out a safety program under a certification under subsection (a) or an agreement under subsection (b) of this section during the following calendar year. No such payment may be made unless the State agency making application under this subsection gives assurances satisfactory to the Secretary that the State agency will provide the remaining cost of such a safety program and that the aggregate expenditures of funds of the State, exclusive of Federal grants, for gas safety programs will be maintained at a level which does not fall below the average level of such expenditures for the last two fiscal years preceding the date of enactment of this section.

(2) Payments under this section may be made in installments, in advance or by way of reimbursement, with necessary adjustments on account of overpayments and underpayments.

(3) The Secretary may, by regulation, provide for the form and manner of filing of applications under this section, and for such reporting and fiscal procedures as he deems necessary to assure the proper accounting for Federal funds.

(d) A certification which is in effect under subsection (a) of this section shall not apply with respect to any new or amended Federal safety standard for pipeline facilities or the transportation of gas, not subject to the jurisdiction of the Federal Power Commission under the Natural Gas Act, established pursuant to this Act after the date of such certification. The provisions of this Act shall apply to any such new or amended Federal safety standard until the State agency has adopted such standard and has submitted an appropriate certification in accordance with the provisions of subsection (a) of this section.

(e) Any agreement under this section may be terminated by the Secretary if, after notice and opportunity for a hearing, he finds that the State agency has failed to comply with any provision of such agreement. Such finding and termination shall be published in the Federal Register, and shall become effective no sooner than fifteen days after the date of publication.

JUDICIAL REVIEW OF ORDERS

SEC. 6. (a) Any person who is or will be adversely affected or aggrieved by any order issued under this Act may at any time prior to the sixtieth day after such order is issued file a petition for a judicial review with the United States Court of Appeals for the District of Columbia or for the circuit wherein such petitioner is located or has his principal place of business. A copy of the petition shall be forthwith transmitted by the clerk of the court to the Secretary or other officer designated by him for that purpose.

(b) Upon the filing of the petition referred to in subsection (a), the court shall have jurisdiction to review the order in accordance with chapter 7 of title 5 of the United States Code and to grant appropriate relief as provided in such chapter.

(c) The judgment of the court affirming or setting aside, in whole or in part, any such order of the Secretary shall be final, subject to review by the Supreme Court of the United States upon certiorari or certification as provided in section 1254 of title 28 of the United States Code.

(d) Any action instituted under this section shall survive, notwithstanding any change in the person occupying the office of Secretary or any vacancy in such office.

(e) The remedies provided for in this section shall be in addition to and not in substitution for any other remedies provided by law.

COOPERATION WITH FEDERAL POWER COMMISSION AND STATE COMMISSIONS

SEC. 7. Whenever the establishment of a standard or action upon application for waiver under the provisions of this Act, would affect continuity of any gas services, the Secretary shall consult with and advise the Federal Power Commission or State commission having jurisdiction over the affected pipeline facility before establishing the standard or acting on the waiver application and shall defer the effective date until the Federal Power Commission or any such commission has had reasonable opportunity to grant the authorizations it deems necessary. In any proceedings under section 7 of the Natural Gas Act (15 U.S.C. 717f) for authority to establish, construct, operate, or extend a gas pipeline which is or will be subject to Federal or other applicable safety standards, any applicant shall certify that it will design, install, inspect, test, construct, operate, replace, and maintain the pipeline facilities in accordance with Federal and other applicable safety standards and plans for maintenance and inspection. Such certification shall be binding and conclusive upon the Commission unless the relevant enforcement agency has timely advised the Commission in writing that the applicant has violated safety standards established pursuant to this Act.

COMPLIANCE

SEC. 8. (a) Each person who engages in the transportation of gas or who owns or operates pipeline facilities shall—

(1) at all times after the date any applicable safety standard established under this Act takes effect comply with the requirements of such standard; and

(2) file and comply with a plan of inspection and maintenance required by section 11; and

(3) permit access to or copying of records, and make reports or provide information, and permit entry or inspection, as required under section 12.

(b) Nothing in this Act shall affect the common law or statutory tort liability of any person.

CIVIL PENALTY

SEC. 9. (a) Whenever the Secretary has reason to believe any person is violating any portion of section 8(a), or any regulation issued under this Act, he shall give notice to such person and permit such person reasonable opportunity to achieve compliance prior to imposing the penalties hereinafter provided. If compliance has not been achieved in a reasonable time, the Secretary may impose a civil penalty not to exceed $500 for each day that such violation persists, except that the maximum civil penalty shall not exceed $100,000 for any related series of violations. In addition, the Secretary may seek injunctive relief under the provisions set forth in section 10.

(b) Any such civil penalty may be compromised by the Secretary. In determining the amount of such penalty, or the amount agreed upon in compromise, the appropriateness of such penalty to the size of the business of the person charged, the gravity of the violation, and the good faith of the person charged in attempting to achieve compliance, after notification of a violation, shall be considered. The amount of such penalty, when finally determined, or the amount agreed upon in compromise, may be deducted from any sums owing by the United States to the person charged or may be recovered in a civil action in the United States district courts.

INJUNCTION AND JURISDICTION

SEC. 10. (a) The United States district courts shall have jurisdiction, subject to the provisions of rule 65 (a) and (b) of the Federal Rules of Civil Procedure, to restrain violations of this Act (including the restraint of transportation of gas or the operation of a pipeline facility) or to enforce standards established hereunder upon petition by the appropriate United States attorney or the Attorney General on behalf of the United States. Whenever practicable, the Secretary shall give notice to any person against whom an action for injunctive relief is contemplated and afford him an opportunity to present his views, and, except in the case of a knowing and willful violation, shall afford him reasonable opportunity to achieve compliance. However, the failure to give such notice and afford such opportunity shall not preclude the granting of appropriate relief.

(b) In any proceeding for criminal contempt for violation of an injunction or restraining order issued under this section, which violation also constitutes a violation of this Act, trial shall be by the court or, upon demand of the accused, by a jury. Such trial shall be conducted in accordance with the practice and procedure applicable in the case of proceedings subject to the provisions of rule 42(b) of the Federal Rules of Criminal Procedure.

(c) Actions under subsection (a) of this section and section 9 may be brought in the district wherein any act or transaction constituting the violation occurred, or in the district wherein the defendant is found or is an inhabitant or transacts business, and process in such cases may be served in any other district of which the defendant is an inhabitant or transacts business or wherever the defendant may be found.

(d) In any action brought under subsection (a) of this section and section 9, subpenas for witnesses who are required to attend a United States district court may run into any other district.

INSPECTION AND MAINTENANCE PLANS

SEC. 11. Each person who engages in the transportation of gas or who owns or operates pipeline facilities not subject to the jurisdiction of the Federal Power Commission under the Natural Gas Act shall file with the Secretary or, where a certification or an agreement pursuant to section 5 is in effect, with the State agency, a plan for inspection and maintenance of each such pipeline facility owned or operated by such person, and any changes in such plan, in accordance with regulations prescribed by the Secretary or appropriate State agency. The Secretary may, by regulation, also require persons who engage in the transportation of gas or who own or operate pipeline facilities subject to the provisions of this Act to file such plans for approval. If at any time the agency with responsibility for enforcement of compliance with the standards established under this Act finds that such plan is inadequate to achieve safe operation, such agency shall, after notice and opportunity for a hearing, require such plan to be revised. The plan required by the agency shall be practicable and designed to meet the need for pipeline safety. In determining the adequacy of any such plan, such agency shall consider—

(1) relevant available pipeline safety data;

(2) whether the plan is appropriate for the particular type of pipeline transportation;

(3) the reasonableness of the plan; and

(4) the extent to which such plan will contribute to public safety.

RECORDS, REPORTS, AND INSPECTION FOR COMPLIANCE

SEC. 12. (a) Each person who engages in the transportation of gas or who owns or operates pipeline facilities shall establish and maintain such records, make such reports, and provide such information as the Secretary may reasonably require to enable him to determine whether such person has acted or is acting in compliance with this Act and the standards established under this Act. Each such person shall, upon request of an officer, employee, or agent authorized by the Secretary, permit such officer, employee, or agent to inspect books, papers, records, and documents relevant to determining whether such person has acted or is acting in compliance with this Act and the standards established pursuant to this Act.

(b) The Secretary is authorized to conduct such monitoring of State enforcement practices and such other inspection and investigation as may be necessary to aid in the enforcement of the provisions of this Act and the standards established pursuant to this Act. He shall furnish the Attorney General any information obtained indicating noncompliance with such standards for appropriate action. For purposes of enforcement of this Act, officers, employees, or agents authorized by the Secretary, upon presenting appropriate credentials to the individual in charge, are authorized (1) to enter upon, at reasonable times, pipeline facilities, and (2) to inspect, at reasonable times and within reasonable limits and in a reasonable manner, such facilities. Each such inspection shall be commenced and completed with reasonable promptness.

(c) Accident reports made by any officer, employee, or agent of the Department of Transportation shall be available for use in any civil, criminal, or other judicial proceeding arising out of such accident. Any such officer, employee, or agent may be required to testify in such proceedings as to the facts developed in such investigations. Any such report shall be made available to the public in a manner which need not identify individuals. All reports on research projects, demonstration projects, and other related activities shall be public information.

(d) All information reported to or otherwise obtained by the Secretary or his representative pursuant to subsection (a), (b), or (c) which information contains or relates to a trade secret referred to in section 1905 of title 18 of the United States Code shall be considered confidential for the purpose of that section, except that such information may be disclosed to other officers or employees concerned with carrying out this Act or when relevant in any proceeding under this Act. Nothing in this section shall authorize the withholding of information by the Secretary of any officer, employee, or agent under his control, from the duly authorized committees of the Congress.

ADMINISTRATION

SEC. 13. (a) The Secretary shall conduct research, testing, development, and training necessary to carry out the provisions of this Act. The Secretary is authorized to carry out the provisions of this section by contract, or by grants to individuals, States, and nonprofit institutions.

(b) Upon request, the Secretary shall furnish to the Federal Power Commission any information he has concerning the safety of any materials, operations, devices, or processes relating to the transportation of gas or the operation of pipeline facilities.

(c) The Secretary is authorized to advise, assist, and cooperate with other Federal departments and agencies and State and other interested public and private agencies and persons, in the planning and development of (1) Federal safety standards, and (2) methods for inspecting and testing to determine compliance with Federal safety standards.

ANNUAL REPORT

SEC. 14. (a) The Secretary shall prepare and submit to the President for transmittal to the Congress on March 17 of each year a comprehensive report on the administration of this Act for the preceding calendar year. Such report shall include—

(1) a thorough compilation of the accidents and casualties occurring in such year with a statement of cause whenever investigated and determined by the National Transportation Safety Board;

(2) a list of Federal gas pipeline safety standards established or in effect in such year with identification of standards newly established during such year;

(3) a summary of the reasons for each waiver granted under section 3(e) during such year;

(4) an evaluation of the degree of observance of applicable safety standards for the transportation of gas and pipeline facilities including a list of enforcement actions, and compromises of alleged violations by location and company name;

(5) a summary of outstanding problems confronting the administration of this Act in order of priority;

(6) an analysis and evaluation of research activities, including the policy implications thereof, completed as a result of Government and private sponsorship and technological progress for safety achieved during such year;

(7) a list, with a brief statement of the issues, of completed or pending judicial actions under the Act;

(8) the extent to which technical information was disseminated to the scientific community and consumer-oriented information was made available to the public;

(9) a compilation of—

(A) certifications filed by State agencies (including municipalities) under section 5(a) which were in effect during the preceding calendar year, and

(B) certifications filed under section 5(a) which were rejected by the Secretary during the preceding calendar year, together with a summary of the reasons for each such rejection; and

(10) a compilation of—

(A) agreements entered into with State agencies (including municipalities) under section 5(b) which were in effect during the preceding calendar year, and

(B) agreements entered into under section 5(b) which were terminated by the Secretary during the preceding calendar year, together with a summary of the reasons for each such termination.

(b) The report required by subsection (a) shall contain such recommendations for additional legislation as the Secretary deems necessary to promote cooperation among the several States in the improvement of gas pipeline safety and to strengthen the national gas pipeline safety program.

APPROPRIATIONS AUTHORIZED

SEC. 15. For the purpose of carrying out the provisions of this Act over a period of three fiscal years, beginning with the fiscal year ending June 30, 1969, there is authorized to be appropriated not to exceed $500,000 for the fiscal year ending June 30, 1969; not to exceed $2,000,000 for the fiscal year ending June 30, 1970; and not to exceed $3,000,000 for the fiscal year ending June 30, 1971.

Mr. MAGNUSON. Mr. President, I move that the Senate disagree to the amendments of the House and request a conference with the House on the disagreeing votes of the two Houses, and that the Chair be authorized to appoint the conferees on the part of the Senate.

The motion was agreed to; and the Presiding Officer appointed Mr. MAGNUSON, Mr. PASTORE, Mr. MONRONEY, Mr. HARTKE, Mr. COTTON, and Mr. MORTON conferees on the part of the Senate.

Mr. MAGNUSON. Mr. President, for the information of the Senate, and of the majority leader, who is now in the Chamber, let me say that we hope to have a conference on Monday or Tuesday of next week so that we can clean up the amendments and see if we cannot finalize the whole bill.

EMPLOYMENT OF CONSULTANTS BY THE OFFICE OF ECONOMIC OPPORTUNITY

Mr. WILLIAMS of Delaware. Mr. President, questions have been raised as to the extent of employment of consultants by the Office of Economic Opportunity and the amounts being paid.

Upon my request, Mr. Bertrand M. Harding, Acting Director of OEO, has furnished a list of these consultants, the number of days worked, and the per diem payments.

I ask unanimous consent that Mr. Harding's letter to me, and the report, be printed in the RECORD.

There being no objection, the letter and report were ordered to be printed in the RECORD, as follows:

OFFICE OF ECONOMIC OPPORTUNITY,
EXECUTIVE OFFICE OF THE PRESIDENT,
Washington, D.C.

Hon. JOHN J. WILLIAMS,
U.S. Senate,
Washington, D.C.

DEAR SENATOR WILLIAMS: Thank you for your letter of May 14 requesting further information on the employment of consultants in the Office of Economic Opportunity. Please forgive my delay in replying.

The information you have requested can be found in the tabulation attached. This tabulation includes the name, address, position, program assignment, and the per diem rate of payment for each consultant, as well as the number of days each consultant was paid during the twelve month period ending March 9, 1968. It also shows that out of a total of seventy-one consultants available to OEO during that same period, we were able to limit the utilization of consultants to fifty-two.

If we may provide further information, please be sure to let me know.

Sincerely,

BERTRAND M. HARDING,
Acting Director.

CONSULTANTS—FULL TIME AND INTERMITTENT FOR 12-MONTH PERIOD ENDING MAR. 9, 1968

Name and address	Field of expertise	Program assignment	Per diem	Days worked
Matsumoto, Franklin, Portola Valley, Calif	Medical doctor	Director's staff offices, health affairs	$100	15
Scherl, Donald J., Brookline, Mass	Psychiatrist	Staff offices, health affairs	100	31
Wong, Vernon G., Kensington, Md	Ophthalmologist	do	[1]	0
Bicknell, William J., Berkeley, Calif	Medical doctor	do	70	71
Gordon, Gene, Bethesda, Md	Psychiatrist	do	100	12
Kershaw, Joseph A., Williamstown, Mass	Economist	Staff offices, R.P.P. & E	100	1
Rosen, Lewis J., Rockville, Md	Educator	do	55	0
Zeckhauser, Robert A., Great Neck, N.Y	do	do	50	38
Moscovitch, Edward H., Williamstown, Mass	Economist	Staff offices, R.R.P. & E	50	49
Price, Daniel O., Austin, Tex	Educator	do	90	0
Guthrie, Harold W., Urbana, Ill	Economist	do	75	55
Stern, Alfred L., Detroit, Mich	Teacher	do	60	10
Ritz, Philip M., Silver Spring, Md	Economist	do	100	0
Hoffman, Lois Wladis, Ann Arbor, Mich	Educator	do	80	20
Bradford, David F., Princeton, N. J	do	do	75	0
Edwards, John B., Rockville, Md	Audiovisual specialist	Staff offices, public affairs	65	174
Idar, Edward, Jr., San Angelo, Tex	Attorney	Staff offices, inspection	55	41
Horan, Laurence P., Carmel, Calif	do	Office of the Director	100	10
Elwell, Albert R., Durham, N.H	Educator	Job Corps	55	21
Porter, Douglas, Cambridge, Mass	Psychologist	do	80	60
Casson, A. Mort, Cos Cob, Conn	Clinical psychologist	do	70	42
Wilkins, William D., Great Neck, N.Y	Program development	do	75	18
Smiley, Marjorie B., New York, N.Y	Educator	do	70	0
Soldwedel, Bette J., Washington, D.C	Administrator	do	75	70
Weaver, Ella H., Washington, D.C	Speech therapist	do	70	0
Shelden, Miriam A., Urbana, Ill	Education administrator	do	75	11
Pines, Marion W., Baltimore, Md	Economist	do	50	21
Hall, C. Mitchell, Washington, D.C	Educator	do	85	220
Clock, Charles J., Jr., Silver Spring, Md	do	Community action	50	119
Brain, George B., Pullman, Wash	Education administrator	do	100	0
Porter, Dennis R., Washington, D.C	Educator	do	55	68
Bronfenbrenner, Urie, Ithaca, N.Y	Phychologist	do	100	15
Clark, Mamie P., Hastings-on-Hudson, N.Y	do	qo	100	7

See footnote at end of table.

CONSULTANTS—FULL TIME AND INTERMITTENT FOR 12-MONTH PERIOD ENDING MAR. 9, 1968—Continued

Name and address	Field of expertise	Program assignment	Per diem	Days worked
Arens, Shirley M., Washington, D.C	Social worker	Community action	$50	9
Wishik, Samuel M., Pittsburg, Pa	Medical doctor	d9	100	1
Anastasum, Anne, New York, N.Y	Educator	do	80	0
Remsberg, Charles A., Evanston, Ill	Journalist	Staff offices, inspection	60	36
Shipler, Guy E., Jr., Carson City, Nev	Editor	do	50	89
Smith, John T., Syracuse, N.Y	Attorney	do	40	115
Caliber, J. L., New York, N.Y	Social worker	do	55	27
Kostopulos, Nicholas P., Virginia Beach, Va	Investigator	do	70	8
Branche, Alfred V., Los Angeles, Calif	do	do	45	39
Gottlieb, David, College of Human Development, Pennsylvania State University, University Park, Pa.	Educator	Job Corps	100	15
Spiegel, Seymour, Piscataway, N.J	do	do	60	3
Lorber, Max J., Miami Beach, Fla	Business administration	do	65	74
Richmond, Julius B., Fayetteville, N.Y	Medical doctor	Community action	100	9
Gordon, Edmund W., Pomona, N.Y	Psychologist	do	100	50
Frankel, Hyman H., Washington, D.C	Sociologist	do	95	15
Haase, Ronald W., Pelham, N.Y	Architecture	do	75	20
Crump, E. Perry, Nashville, Tenn	Medical doctor	do	100	0
O'Reilly, William M., Bloomingdale, Ohio	Accountant	do	80	54
Dupre, Constance L., Washington, D.C	Editor	do	45	0
Niemeyer, John, New York, N.Y	Educator	do	90	2
Osborn, Donald K., Taylor, Mich	Psychologist	do	80	5
Davens, Edward, Baltimore, Md	Medical doctor	do	100	3
Happe, Donald L., Washington, D.C	Administrator	do	60	107
Wegman, Myron E., Ann Arbor, Mich	Medical doctor	do	100	0
Lourie, Reginald S., Chevy Chase, Md	do	do	100	2
Hymes, James L., Jr., Washington, D.C	Educator	do	90	2
Cooke, Robert E., Baltimore, Md	Medical doctor	do	100	3
Grennan, Jacqueline, St. Louis, Mo	Educator	do	100	0
Ginsberg, Mitchell I., New York, N.Y	Social worker	do	85	0
Weightman, Philip M., Washington, D.C	Manpower specialist	do	60	34
Ridder, Marie W., McLean, Va	Editor	do	55	22
Boasberg, Emanuel 3d, Washington, D.C	Attorney	do	75	0
Kostick, Abraham, Troy, N.Y	Social worker	do	60	0
Johnson, Kenneth, Bethesda, Md	Speech pathologist	do	85	0
Fleming, Edward S., Washington, D.C	Medical doctor	VISTA	100	0
Regional offices:				
Bronheim, David, Cambridge, Mass	Attorney	Mid-Atlantic region	100	6
Thompson, A. C., New York, N.Y	Administrator	do	100	5
Sloan, Frank K., Columbia, S.C	Attorney	Southeast region	100	0

[1] Without compensation.

THE UNITED STATES SHOULD WRITE OFF THE WAR IN VIETNAM

Mr. YOUNG of Ohio. Mr. President, Field Marshal Montgomery, hero of Alamein, recently made one of his very infrequent public statements. In commenting on the war in Vietnam he said:

> The United States should write off the war in south Vietnam and eventually in all Vietnam.

He went on to say:

> You Americans have got to stop this war. You can't win. What is the point of all these casualties?

As the first step Field Marshal Montgomery proposed that the bombing of North Vietnam should be stopped. Then, he proposed that we Americans try to get the leaders of North and South Vietnam together for talks. He said:

> You have got to realize there will be in the whole of Vietnam one government which will be communist controlled. I don't think this matters to the United States.

Field Marshal Montgomery added a statement akin to the statement of Georges Clemenceau, French Premier in World War I, who at that time said:

> War is too serious a matter to be entrusted to generals.

The Field Marshal said:

> The bombing must be halted. Generals must do as they are told. The higher conduct of this war has got to be in political hands. Once war gets in the hands of generals, you are done. The Americans can't win on the battlefield in Vietnam, they have lost the damn war already.

Field Marshal Montgomery also expressed the opinion that Communist China will inevitably dominate mainland Asia and that we Americans cannot stop this from happening. Furthermore, as to our intervening in the civil war in South Vietnam, he said:

> The United States has broken the second rule of war. That is, don't go fighting with your land army on the mainland in Asia. Rule one is don't march on Moscow. Napoleon Bonaparte and Adolf Hitler learned that the hard way.

He added:

> I realize it is very difficult for a great nation (United States) which has made a mistake to come out. But you aren't the policemen of the world, you Americans, are you?

Well, he asked quite a pointed question, because at the White House and in the Pentagon there are unfortunately, a lot of top officials who seem to think that the United States has a mandate from Almighty God to police the entire world.

He continued:

> The whole of world opinion is against you on this issue. You are becoming a very unpopular nation, which I think is a tragedy.

Montgomery explained:

> It is a tragedy because when you think of what your nation did after World War II to help the nations recover; the generosity of the United States is without precedent. Now you are becoming one of the most hated people in the world.

Field Marshal Montgomery's final words of advice were:

> The Western World must make quite certain that it has complete domination of the oceans. Chinese domination of the Asian land mass is inevitable, not by military conquest but by ideological and economic pressure. Including Communist China, half the people in the world are nationalist communist. This is not the Communism of Marx and Lenin. It is a new brand of nationalist communism which they like and which suits them.

Mr. President, Field Marshal Montgomery is known for his bluntness and for his outspoken opinions. In the past he has on a few occasions been wrong, but more often right. Administration leaders, including Secretary of State Rusk and Presidential Adviser Walt Rostow, and the generals of the Joint Chiefs of Staff would do well to heed his latest statements. The fact is they reflect the views and conclusions of leaders of nations the world over.

Mr. MURPHY. Mr. President, I am very pleased that the Senator from Ohio [Mr. YOUNG] has quoted from one of the most famous generals of World War II—namely, Field Marshal Montgomery, who for a time was known as the hero of Alamein—but it seems there has been some discussion since then as to whether he was really responsible for that victory. Also, there is a question in my mind, when he says that we must leave China to the Chinese, whether he means Communist Chinese or free Chinese.

I am sure that the distinguished Senator from Ohio knows that there are millions of Chinese who want to be free. In fact, one group of Chinese went to the Island of Taiwan and are now doing very well, having organized themselves into an outstanding community, where they no longer need our help or aid. It might be, one of these days, that these people, who prefer freedom, will be permitted to go back to the mainland of China and reorganize a country which is now in chaos.

However, that is not my reason for

speaking today. Mr. President, I wish to compliment the Vice President of the United States on a story which has just come over the ticker which quotes him as saying:

> Until permanent peace is achieved and the arms race ended, I believe continued U.S. military assistance, including jet planes, to Israel is justified and desirable.

However, I am much less pleased to find that many other people seem inclined to believe that the administration has successfully countered the Soviet thrust into the Middle East by selling additional Hawk antiaircraft missiles to Israel. For instance, a New York Times editorial of July 10 applauded the administration's move in the following words:

> Washington's decision to sell additional Hawk antiaircraft missiles to Israel represents an appropriately measured defensive response to Soviet arms shipments to Egypt.
>
> The missiles will shore up Israel's defenses against a restored Egyptian threat. But they should not set off a new round in the Middle Eastern arms race, as the shipment of American F-4 Phantom jets, requested by Israel, almost certainly would do.

In my view it is almost ludicrous to imagine that the shipment of a few additional antiaircraft missiles, even when they are as fine as the Hawk missiles, can possibly counterbalance the tremendous flow of Soviet arms to several of Israel's opponents—not just to Egypt as implied in the New York Times editorial. Can two additional batteries of Hawk missiles be said to offset the more than $250 million worth of new Soviet arms which were rushed into the explosive Middle East by the U.S.S.R. in the wake of the June 1967 Arab-Israel war?

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. YOUNG of Ohio. Mr. President, I ask unanimous consent that the Senator from California may proceed for an additional 5 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MURPHY. Israel defense experts seem to have a much more realistic appraisal of the situation in the Middle East than either our administration in Washington or the New York Times. They have made it clear that while they are pleased to be given the opportunity to purchase additional Hawk missiles, they are in desperate need of supersonic Phantom fighter-bombers. Only the F-4 Phantoms are comparable in performance to the new SU-7 aircraft provided to the Arabs by the U.S.S.R. Moreover, it is well known that the Israel prime minister came here many months ago primarily to get fighter aircraft, not missiles.

I ask unanimous consent that excerpts from an article which appeared in the Chicago Tribune bearing out this point be inserted in the RECORD at this point.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

EXCERPT FROM THE CHICAGO TRIBUNE, JULY 8, 1968

> Israel defense circles yesterday expressed little enthusiasm at the United States decision Saturday to supply Israel with more Hawk anti-aircraft missiles. Jet bombers are what Israel really needs, the Israelis said.
>
> Informed sources said the promised missiles were compensation for the Pentagon's continued refusal to sell Israel 50 badly needed Phantom fighter bombers.
>
> "They're avoiding the real issue," an informant said. "The Hawks are a good anti-aircraft defense, but the Phantoms are what Israel really needs."
>
> Washington already has supplied Israel 72 four-rocket batteries of Hawks. It is believed two more batteries of 64 rockets each will be sent, but there was no official confirmation of these figures.

Mr. MURPHY. Current U.S. policies are incomprehensible to many Americans, who, like myself, are not only concerned with the survival of Israel but also with seeing genuine peace and prosperity prevail in the entire Middle East. I cannot understand why the administration continues to ignore and downplay the ominous developments in the critical Middle Eastern region.

It is amazing and it is frustrating to find that the administration still clings to the forlorn idea that the U.S.S.R. will join with the United States in seeking a peaceful settlement to the Arab-Israel conflict. Why does the administration persist in pursuing this unrewarding policy after more than a year of being confronted by Soviet intransigence on the subject?

Apparently even the Vice President is feeling uncomfortable about the administration's rather poor record in the Middle East, for as I noted at the onset, he has just issued a statement saying he believes the United States should continue to provide "military assistance, including jet planes, to Israel."

In fact, to date, the United States has only agreed to provide subsonic A-4 Skyhawks to Israel, so if the Vice President wants to continue current administration arms policies, his position may also be inadequate.

However, the Vice President avoided mentioning what kind of jet fighters he wants to provide to Israel. If he is talking about supersonic F-4 Phantoms, he is breaking with current administration policy and he should say so emphatically.

I would congratulate him emphatically if he would do so, because given the present unsatisfactory situation, this seems to be the only practical way to redress the growing arms imbalance in the Middle East.

Mr. President, I am proud to say that the position of the leadership of the Republican Party is not clouded with such ambiguities. We have regularly and vigorously criticized the administration for its unrealistic attitude toward the smoldering crisis in the Middle East.

As long ago as last July, only a month after the Arab-Israel war, the Republican coordinating committee issued a policy paper delineating constructive policies for the United States in the Middle East. These recommendations were ignored, as were even more urgent warnings about the increasing Soviet threat in the area issued by the coordinating committee in March 1968.

Moreover, we have repeatedly urged the President to sell F-4 Phantom jets to Israel. In March 1968, the coordinating committee endorsed such a policy if agreement on limiting arms shipments to the Middle East should fail to materialize. Senator DIRKSEN and Congressman FORD, speaking at a Republican joint leadership press conference in May 1968, reinforced the decision to sell Phantoms to Israel in decisive terms.

Yet, not only has President Johnson steadfastly refused to consider our recommendations, he has instead authorized the sale of supersonic aircraft to other Middle Eastern countries such as Jordan and Iran, while refusing to sell comparable equipment to Israel.

In order to further emphasize our concern, Republican leaders in the House of Representatives have recently introduced a resolution stating that it is the sense of the House that the United States should provide Israel with the needed supersonic Phantom aircraft.

Mr. President, I wish to announce that I intend to circulate a similarly worded resolution among my colleagues in the belief that many Senators who are disturbed over the rapidly deteriorating situation in the Middle East will wish to associate themselves with the proposal.

Mr. YOUNG of Ohio. Mr. President, will the Senator yield?

Mr. MURPHY. I am glad to yield.

Mr. YOUNG of Ohio. May I congratulate and compliment the Senator from California on the statement he has made regarding our relationship with Israel. I was in that fine country last January. I concur with the statement the Senator has made urging the sale of F-4 Phantom jets to Israel and other weapons necessary for the defense of that valiant nation.

May I thank the Senator for his reference to my remarks. I liked in particular his reference regarding Taiwan. We can be proud of our efforts there. By the way, that exemplifies what Field Marshal Montgomery said about the generosity of the United States following World War II, because we have paid out $9 billion in economic and military aid to Taiwan, formerly known as Formosa.

That investment of American generosity has paid off, because Taiwan is now one of the stable places in the Orient. Its advances in the standard of living of its people have been high. That country is now on its own, due to the generosity of the United States.

Mr. MURPHY. I thank my distinguished colleague from Ohio.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. MURPHY. Mr. President, I ask unanimous consent for 1 additional minute.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MURPHY. I thank my distinguished colleague for his most welcome remarks. I would hope that in the future he and I, together, may be joined by many of our colleagues to begin telling the success stories, to tell the positive stories, to tell where the great generosity of America has begun to take firm root, and where freedom, progress, the raising of living conditions, the increase in health aid and education, and the rest that we so fervently hope for, are happening in the world, and happening properly. Perhaps we can discover why it took place there, and explain it to the rest of the world. Perhaps some day—hopefully while the Senator from Ohio and I are still Members of the Senate—we can see peace and prosperity spread across the great globe, as I am sure the good Lord intended from the beginning.

ORDER OF BUSINESS

Mr. BROOKE. Mr. President, I ask unanimous consent to proceed for 10 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

EXTRACT FROM LETTER OF SP4C. PAUL J. PELLETIER, OF WILBRAHAM, MASS., KILLED IN ACTION IN VIETNAM

Mr. BROOKE. Mr. President, Sp4c. Paul J. Pelletier, of Wilbraham, Mass., was killed in action in Vietnam on June 6, 1968.

His parents, Mr. and Mrs. Lucien H. Pelletier, have sent me some extracts from a letter he wrote home following the news of the assassination of Dr. Martin Luther King, Jr.

This is a moving and poignant letter, having a very special meaning and relevance for each and every one of us. I think it will make the same impression on my colleagues at it did on me.

I ask unanimous consent that the extracts from the letter of the late Sp4c. Paul J. Pelletier be printed at this point in the RECORD.

There being no objection, the extracts were ordered to be printed in the RECORD, *as follows:*

I am a soldier in Vietnam fighting for peace.

When I heard of the death of Dr. King and the rioting and looting that followed, I could not hold back my tears!

Here I am, All of us GI's fighting for peace in our time, looking forward to returning home and seeing a peaceful world again and we hear this awful, disgraceful news!

Is the mind of man so sick? What is the matter with people? Why do people kill and fight?

Is there no desire to have peace? Where is the conscience of man? Has God left man?

No! man has left his God for his machines, money and all his worldly treasures! God help my country!

I will die here before I will return to my country at war with itself!

I am writing this letter in the hopes that someone will be affected by it. If even one person is affected, it will have been worth it!

I have been in Vietnam three months now! I pray on my knees every night for peace! I talk with God often! Maybe someone back home will hear me!

I hope war in the U.S. will never come! Please tell my people, my friends, my fellow Americans, that without God in their hearts, they are mere animals and animals don't care about living or dying! Without God, Peace, everlasting peace will never be won!

I can vouch for this! There are no atheists in foxholes!

Pfc. PAUL J. PELLETIER.

VIETNAM.

COMPREHENSIVE COMMUNITY SERVICE PROGRAMS

Mr. BROOKE. Mr. President, a few days ago, Gov. Nelson A. Rockefeller proposed the creation of comprehensive service programs by the States, designed to meet the financial and technical needs of private organizations which are willing to provide services to our urban poor but lack the facilities to do so.

His proposal meets several important criteria:

It involves the maximum utilization of private resources;

It paves the way for deeper involvement on the part of the residents of the community;

It gives to the States the responsibility for overall enactment and supervision of the program.

In the belief that the Governor's suggestions will be of interest to Senators and to the States which they represent, I ask unanimous consent that his remarks be printed in the RECORD.

There being no objection the remarks were ordered to be printed in the RECORD, as follows:

Governor Nelson A. Rockefeller today urged the creation of new Community Services Programs *by the States designed so that* community groups and private citizens—including the disadvantaged—can play more extensive and meaningful roles in their communities.

Such a program would provide the following services to non-profit community service organizations in defined poverty areas:

(1) Low-interest loans;
(2) Loan guarantees;
(3) Grants-in-aid; and
(4) Technical assistance.

The Governor stressed that the State Community Services programs should be supported and assisted by the federal government.

In commenting on his proposal, the Governor said:

"The key to this program is that it would be used to provide the funds to allow non-profit community service organizations and private citizens' groups to acquire and equip facilities needed to operate public service programs.

"Too often, the initial seed money or technical advice is not available because of limited scope and reach of present government programs.

"With the kind of assistance and technical advice I am recommending, more community *groups would be in a position to* operate services such as day care centers, multi-purpose neighborhood centers, adult education programs, health clinics, remedial education services, and job training programs.

"These State Community Service Programs, with the appropriate federal government support, and combined with a more flexible approach to government programs generally, would enable individual citizens to play a more meaningful role in the community and in determining their own futures.

"All citizens, particularly the poor and the minorities, are demanding a greater voice in the development and delivery of public service programs. For many, these programs are a basic element of daily life, but for most there is no chance to help plan or direct them. Without such involvement, these service activities often lose touch with people and, I fear, people lose touch with their government. This must be changed.

"Too often, programs are conceived, designed, developed and delivered by people who lack real knowledge or understanding of the lives and problems of those served.

"While federal, state and local governments must retain elements of direction of overall policy and management, they must also give a broader scope to groups of citizens who have the ability to organize and direct programs designed to serve their community.

"It is through such direct participation that we can give meaning to the basic idea that Americans have a real role in their own community and in their country's destiny.

"In actual operation, these State Community Service Programs could serve, in cooperation with OEO and its Community Action Agencies, as clearing houses in aiding groups to make the fullest use of available government aid. In such a role, they could also provide valuable assistance in developing packaged applications for coordinated community services and the creation of community-run, multipurpose neighborhood centers in poverty areas.

"Clearly, one program approach such as this is not the full answer. But this kind of mobilization by the States of private citizens is a clear example of how government can be made to work for the people and of how we can provide a meaningful role for the citizen in a way that promotes both social responsibility and economic well being."

THE CIVIL WAR IN NIGERIA

Mr. BROOKE. Mr. President, the civil war in Nigeria has been in progress for well over a year. During that time—and before—thousands of people have lost their lives, either in direct combat, *through accident, or through other* effects of war. The death of the innocent is always deplorable, but a situation is developing in eastern Nigeria where the suffering exceeds all tolerable bounds or expectations. The Federal Mil*itary Government and the Government* of Biafra are locked in a deadly impasse, which is resulting in the loss of hundreds of lives each day.

We must all be deeply concerned that mutual apprehension and distrust have combined with diplomatic and military considerations to block the provision of desperately needed food and medical assistance to those who are starving. Their welfare is the principal concern of the peoples of the world; it must be the foremost consideration of the contend*ing governments* as well.

It is true that the Federal Military Government of Nigeria has made numerous offers to permit relief supplies to enter the territory still in rebel hands. They have suggested a ceasefire along *certain overland routes to permit goods to be brought in from Federal areas.* Colonel Ojukwu and his government in the former Eastern Region have rejected this source of supply. The FMG has offered to bring supplies to the border and leave them for the Biafrans. This, too, has proved unacceptable to the Eastern government. Though the airstrip is rudimentary and the hazards great, it is my understanding that the FMG has offered to permit some supplies to be flown in by the International Red Cross, with the sole reservation that Federal forces be allowed to approve the flight and the cargo to prevent the simultaneous transport of additional weapons. The Biafran regime insists on unrestricted air transit. The Nigerian Government fears that this would make it possible for the Biafrans to fly in weapons as well as relief articles. Biafra has refused to accept supplies brought overland because of its firm opposition to any indication of reliance upon the Federal government.

The political considerations involved are certainly understandable. The leaders on both sides, and a large portion of the people, have pledged what the founders of the United States declared to be "their lives, their fortunes, and their sacred honor" in the cause of seemingly irreconcilable goals. The principles involved cannot be ignored. But neither can the suffering, the loss of life, and the bitterness which will remain for years to come if this situation is allowed to continue.

Underlying all the differences, the leaders of Nigera and of Biafra share some common goals: they all want a better life for their people; they all want peace; they all want personal security and political freedom. Surely, there is a point at which all these goals can be accommodated with a political settlement.

But negotiations, as Americans know from hard experience, are time consuming. Thousands of people in imminent danger of death by starvation cannot be allowed to wait until all political differences have been resolved.

It is my urgent and sincere hope that the leaders of both sides will quickly accept, in the name of humanity, an arrangement whereby food and medical supplies can be brought into the region on a continuing basis under mutually acceptable international auspices. A recommended route for continuing provision remains the land route. The best organization to perform this function is, in my opinion, the International Red Cross. The Red Cross, presently, has the confidence of both sides in the conflict. It could bring in limited emergency supplies by air, and at the same time develop substantial overland transport facilities which could accommodate the immediate political sensibilities of both sides, while meetng the needs of the suffering people as well.

Presently, facilities in Biafra are inadequate to support an airlift large enough to meet the population's needs. As another alternative to the road route, international agencies should cooperate in an emergency construction program to improve runways and other facilities in the area in order to provide the necessary airlift capability.

Mr. President, a clear distinction must be made between humanitarian necessities and political considerations, and both sides should be willing to separate these issues. No leader, in Nigeria, Biafra, or anywhere else, has the right to sacrifice innocent men, women, and children on the brutal altar of political controversy.

LEAVES OF ABSENCE

Mr. ALLOTT. Mr. President, I ask unanimous consent that I may be excused from additional attendance on the Senate through Monday, July 15, to attend to official business in my home State of Colorado.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MAGNUSON. Mr. President, I ask unanimous consent that I may be excused from attendance on the session of the Senate tomorrow, because I must also go to my home State on official business.

The PRESIDING OFFICER. Without objection, it is so ordered.

SUBCOMMITTEE MEETING DURING SENATE SESSION TODAY

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the Subcommittee on Executive Reorganization of the Committee on Government Operations be authorized to meet during the session of the Senate today.

The PRESIDING OFFICER. Without objection, it is so ordered.

EXECUTIVE COMMUNICATIONS, ETC.

The PRESIDING OFFICER laid before the Senate the following letters, which were referred as indicated:

Reports of Agreements for Use of Foreign Currencies

A letter from the Administrator, United States Department of Agriculture, Foreign Agricultural Service, transmitting, pursuant to law, a report of agreements signed in May and June 1968 for use of foreign currencies (with an accompanying report); to the Committee on Agriculture and Forestry.

Plans for Works of Improvement Under Provisions of Watershed Protection and Flood Prevention Act, as Amended

Two letters from the Assistant Secretary of Agriculture, transmitting plans for works of improvement which have been prepared under the provisions of the Watershed Protection and Flood Prevention Act, as amended (with accompanying papers); to the Committee on Agriculture and Forestry.

Collection and Evaluation of Scientific and Engineering Data in Connection With Canal Connecting Atlantic and Pacific

A letter from the Secretary of the Army, transmitting a draft of proposed legislation to authorize the collection and evaluation of scientific and engineering data (with an accompanying paper); to the Committee on Armed Services.

Report of Federal Deposit Insurance Corporation

A letter from the Chairman, Federal Deposit Insurance Corporation, transmitting, pursuant to law, the annual report of the Corporation for the calendar year 1967 (with an accompanying report); to the Committee on Banking and Currency.

Proposed Waiving of Requirements of Performance and Payment Bonds in Connection With Certain Contracts

A letter from the Secretary of Commerce, transmitting a draft of proposed legislation to amend the act of April 29, 1941, as amended, to authorize the waiving of the requirement of performance and payment bonds in connection with certain contracts entered into by the Secretary of Commerce (with accompanying papers); to the Committee on Commerce.

Proposed Amendment of Shipping Act, 1916

A letter from the Chairman, Federal Maritime Commission, transmitting a draft of proposed legislation to amend the Shipping Act, 1916, to convert criminal penalties to civil penalties in certain instances (with accompanying papers); to the Committee on Commerce.

Proposed Amendment of District of Columbia Legal Aid Act

A letter from the Assistant to the Commissioner, Executive Office, Government of the District of Columbia, transmitting a draft of proposed legislation to amend the District of Columbia Legal Aid Act, and for other purposes (with an accompanying paper); to the Committee on the District of Columbia.

Reports of Comptroller General

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on the need to strengthen management controls to improve accounting for property, Panama Canal Company, dated July 9, 1968 (with an accompanying report); to the Committee on Government Operations.

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report of the need for improvement in the management of laboratory equipment at the Boulder Laboratories, National Bureau of Standards, Environmental Science Services Administration, Department of Commerce, dated July 9, 1968 (with an accompanying report); to the Committee on Government Operations.

Public Laws Enacted by the Ninth Guam Legislature

A letter from the Assistant Secretary of the Interior, transmitting, pursuant to law, copies of public laws enacted by the Ninth Guam Legislature in its 1967 sessions (with an accompanying paper); to the Committee on Interior and Insular Affairs.

Audit Report of the American Society of International Law

A letter from the President of the American Society of International Law, transmitting, pursuant to law, the annual audit by a certified public accountant of the financial transactions of said Society for the period April 1, 1967 through March 31, 1968 (with an accompanying report); to the Committee on the Judiciary.

Plans for Works of Improvement Under Provisions of Watershed Protection and Flood Prevention Act, as Amended

Three letters from the Assistant Secretary of Agriculture, transmitting plans for works of improvement which have been prepared under the provisions of the Watershed Protection and Flood Prevention Act, as amended (with accompanying papers); to the Committee on Public Works.

PETITIONS AND MEMORIALS

Petitions, etc., were laid before the Senate, or presented, and referred as indicated:

By the PRESIDING OFFICER:

Resolutions of the House of Representatives, Commonwealth of Massachusetts; to the Committee on Commerce:

"RESOLUTIONS MEMORIALIZING THE CONGRESS OF THE UNITED STATES TO ENACT LEGISLATION REQUIRING MANUFACTURERS AND IMPORTERS TO PUT A SERIAL NUMBER ON THE SHOULDER WEAPONS, SO CALLED

"*Whereas,* The Congress of the United States has recently enacted a gun control law; and

"*Whereas,* It is the sense of the Massachusetts House of Representatives that such a law is a step in the right direction but that in a country where guns are involved in more than 6500 murders each year as compared to 30 in England, 99 in Canada, 68 in West Germany and 37 in Japan, stricter controls are necessary; and

"*Whereas,* Rifles and shotguns, shoulder weapons so called, do not have any identifying numbers; and

"*Whereas,* It is the sense of the Massachusetts House of Representatives that more adequate gun control could be accomplished by requiring manufacturers and importers of rifles and shotguns, shoulder weapons so called, to put a serial number on these weapons; therefore be it

"*Resolved,* That the Massachusetts House of Representatives respectfully urges the Congress of the United States to enact such legislation as may be necessary to require manufacturers and importers to put an identifying number such as a serial number on rifles and shotguns, shoulder weapons so called; and be it further

"*Resolved,* That the Secretary of the Commonwealth transmit forthwith copies of these resolutions to the President of the United States, to the presiding officer of each branch of the Congress of the United States and to each member thereof from this Commonwealth.

"House of Representatives, adopted, July 1, 1968.

"WILLIAM C. MAIERS,
"Clerk.

"Attest:

"JOHN F. X. DAVOREN,
"Secretary of the Commonwealth."

A resolution of the House of Representatives, Commonwealth of Pennsylvania; to the Committee on the Judiciary:

"HOUSE RESOLUTION 262

"In the House of Representatives, June 11, 1968.

"In 1976, the entire Nation will celebrate the two hundredth birthday of the United States. It is entirely fitting that such a momentous occasion should be memorialized by an official observance, and to this end, a Federal Committee has been formed to plan for the Bicentennial celebration.

"The City of Philadelphia has prepared a unique and appropriate plan for this important once-in-a-lifetime event and has formed 'The Philadelphia 1976 Corporation,' a group of distinguished Philadelphia citizens, for the purpose of implementing that plan.

"On January 31, 1967, the Senate of Pennsylvania memorialized the Federal Bicentennial Committee and the Congress of the United States to select the City of Brotherly Love as the site of the Bicentennial celebration of the United States in 1976, and since that time, the Philadelphia plan has ripened into a detailed program for an appropriate and fitting birthday celebration for this Nation; therefore be it

"Resolved, That the House of Representatives memorializes the Federal Bicentennial Committee and the Congress of the United States to adopt the program of The Philadelphia 1976 Bicentennial Corporation, and to select the City of Brotherly Love as the site of the Bicentennial celebration of the United States in 1976; and be it further

"Resolved, That copies of this resolution be forwarded to the Federal Bicentennial Committee, to the two Senators from Pennsylvania, and to each member of the House from the Commonwealth."

Resolutions adopted by the Southern Association of State Departments of Agriculture, at its annual meeting at Myrtle Beach, S.C., praying for the enactment of certain legislation relating to agriculture; to the Committee on Agriculture and Forestry.

A petition, signed by R. A. Fladeland White Earth, and sundry other citizens of the State of North Dakota, remonstrating against the enactment of additional gun control legislation; to the Committee on the Judiciary.

RESOLUTION RELATING TO DEATH OF HON. ROBERT F. KENNEDY

Mr. CLARK. Mr. President, I present a resolution adopted by the City Council of Hazleton, Pa., offering condolences on the death of the Honorable Robert F. Kennedy. I ask unanimous consent that the resolution be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution is as follows:

RESOLUTION

Whereas, on Thursday, the 6th day of June, A.D., 1968, Senator Robert F. Kennedy died as the direct result of mortal wounds inflicted by an assassin's bullets; and

Whereas, Senator Robert F. Kennedy was a most fervent advocate for peace, love of neighbor, aiding the poverty stricken and those discriminated against because of race, creed or color; and

Whereas, the United States of America, has suffered a grievous loss of a learned and compassionate statesman; and

Whereas, the Senator's Wife and Children; Parents; Brothers and Sisters have lost a loving Husband and Father; a devoted Son; and a loyal Brother; and

Whereas, Robert F. Kennedy and John F. Kennedy were struck down in pursuit of seeking a better way of life for the poor and minority groups; and

Whereas, our national leaders are presently speaking of legislation and sincere efforts to wipe out crime and violence in America; and

Whereas, our leaders cannot do anything, unless our people from the smallest hamlet, village, town or city, join in the effort and when this is accomplished, then and only then, the lives of these great Americans will not have been given in vain; now

Therefore be it resolved by the Council of the City of Hazleton, Pennsylvania, as officials of the City of Hazleton, herewith extend our sympathy and love to all members of the Kennedy Families and assure them their loved ones have not died in vain; and

Be it further resolved, that we hereby pledge, as elected officials of the City of Hazleton along with our citizenry, to make a sincere, concerted effort, as a living memorial to the Kennedy boys, to eradicate prejudice, poverty, corruption and any violence that may exist in our community by instituting a policy of love of neighbor; regardless of race, creed or color; and

Be it further resolved, that we pray to God, who is all knowing and all loving, for the eternal peace of Robert F. Kennedy.

Adopted by Council this 10th Day of June, A.D. 1968.

JOSEPH B. ———,
Mayor.

Attest:

HUBERT C. CANNON,
City Clerk.

RESOLUTIONS OF MASSACHUSETTS HOUSE OF REPRESENTATIVES AND GENERAL COURT

Mr. BROOKE. Mr. President, the Massachusetts House of Representatives recently passed a resolution calling on the Congress to enact legislation dealing with imported weapons, a resolution urging that the "Battle Hymn of the Republic" be adopted as our national anthem, and a resolution urging that daylight saving time be established on a year-long basis.

In addition, the Massachusetts House and Senate have joined in urging the Congress to take prompt and constructive action on the recommendation of the Kerner Commission that the Federal Government absorb the full cost of public welfare.

I ask unanimous consent, for myself and for Mr. KENNEDY, that the full text of these resolutions be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The texts of the resolutions are as follows:

RESOLUTIONS MEMORIALIZING THE CONGRESS OF THE UNITED STATES TO ENACT LEGISLATION REQUIRING MANUFACTURERS AND IMPORTERS TO PUT A SERIAL NUMBER ON THE SHOULDER WEAPONS, SO CALLED

Whereas, The Congress of the United States has recently enacted a gun control law; and

Whereas, It is the sense of the Massachusetts House of Representatives that such a law is a step in the right direction but that in a country where guns are involved in more than 6500 murders each year as compared to 30 in England, 99 in Canada, 68 in West Germany and 37 in Japan, stricter controls are necessary; and

Whereas, Rifles and shotguns, shoulder weapons so called, do not have any identifying numbers; and

Whereas, It is the sense of the Massachusetts House of Representatives that more adequate gun control could be accomplished by requiring manufacturers and importers of rifles and shotguns, shoulder weapons so called, to put a serial number on these weapons; therefore be it

Resolved, That the Massachusetts House of Representatives respectfully urges the Congress of the United States to enact such legislation as may be necessary to require manufacturers and importers to put an identifying number such as a serial number on rifles and shotguns, shoulder weapons so called; and be it further

Resolved, That the Secretary of the Commonwealth transmit forthwith copies of these resolutions to the President of the United States, to the presiding officer of each branch of the Congress of the United States and to each member thereof from this Commonwealth.

House of Representatives, adopted, July 1, 1968.

WILLIAM C. MAIERS,
Clerk.

Attest:

JOHN F. X. DAVOREN,
Secretary of the Commonwealth.

RESOLUTIONS MEMORIALIZING THE CONGRESS OF THE UNITED STATES TO ADOPT "THE BATTLE HYMN OF THE REPUBLIC" AS THE OFFICIAL HYMN OF THE UNITED STATES

Whereas, The national life of our great country is weakened by disunity, distrust and assassination of our great leaders; and

Whereas, In recent days when America in paying final tribute to one of its great leaders, Robert F. Kennedy, the singing and playing of "The Battle Hymn of the Republic" renewed in all of us a new sense of allegiance to our flag, loyalty to our government and concern for our fellowman; therefore be it

Resolved, That the Massachusetts House of Representatives urges the Congress of the United States to adopt the hymn "The Battle Hymn of the Republic" as our national hymn; and be it further

Resolved, That copies of these resolutions be transmitted forthwith by the Secretary of the Commonwealth to the presiding officer of each branch of Congress and to each member thereof from this Commonwealth.

House of Representatives, adopted, June 12, 1968.

William C. Maiers,
Clerk.

Attest:

John F. X. Davoren,
Secretary of the Commonwealth.

Resolutions Memorializing the Congress of the United States to Enact Legislation To Establish Daylight Saving Time on a Year Long Basis

Whereas, The question of establishing Daylight Saving Time on a uniform basis for twelve months of the year has long been the subject of debate; and

Whereas, Investigation and study of this question has resulted in a finding that some of the benefits to be derived from such systems are: workers and many school children would arrive home in Daylight between 51 and 85 more days than they do under the present system; a savings in fuel and electric bills; a reduction in motor vehicle accidents; more Daylight hours for leisure sports and recreational activities and greater personal safety for adults and children from criminal attack; therefore be it

Resolved, That the Massachusetts House of Representatives respectively urges the Congress of the United States to enact legislation establishing Daylight Saving Time on a year long basis; and be it further

Resolved, That copies of these resolutions be transmitted forthwith by the Secretary of the Commonwealth to the presiding officer of each branch of Congress and the members thereof from this Commonwealth.

House of Representatives, adopted, June 20, 1968.

William C. Maiers,
Clerk.

Attest:

John F. X. Davoren,
Secretary of the Commonwealth.

Resolutions Memorializing the Congress of the United States to Enact Legislation Providing for the Absorption by the Federal Government of the Total Cost of Public Welfare

Whereas, The Kerner Commission, so-called, has recommended that the federal government absorb the total cost of public welfare; and

Whereas, Public welfare currently comprises thirty-seven per cent of Massachusetts' annual budget; and

Whereas, The present budget of the commonwealth for public welfare amounts to approximately four hundred and fifty million dollars; and

Whereas, The increasing costs of Medicaid under present conditions will appreciably add to budgets of the commonwealth in the future; and

Whereas, Medicaid is a valuable program for the people of Massachusetts and should be continued; and

Whereas, The cost of welfare programs is basically a federal responsibility; and

Whereas, Absorption of welfare costs by the federal government would release hundreds of millions of dollars for both property tax reduction and needed new progressive programs for the underprivileged at the state level; now, therefore, be it

Resolved, That the general court of Massachusetts strongly urges the Congress of the United States to take early favorable action on the aforementioned Kerner Commission recommendation so that appropriate planning for property tax reduction and needed new programs for the underprivileged can be initiated in the commonwealth; and be it further

Resolved, That copies of these resolutions be forwarded by the State Secretary to the President of the United States, to the presiding officer of each branch of the Congress and to each member thereof from the Commonwealth.

Senate, adopted, June 24, 1968.

Norman L. Pidgeon,
Clerk.

House of Representatives, adopted in concurrence, June 26, 1968.

William C. Maiers,
Clerk.

Attest:

John F. X. Davoren,
Secretary of the Commonwealth.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. ELLENDER, from the Committee on Agriculture and Forestry, with amendments:

S. 3590. A bill to extend and improve legislation for maintaining farm income, stabilizing prices and assuring adequate supplies of agricultural commodities (Rept. No. 1378).

By Mr. EASTLAND, from the Committee on the Judiciary, without amendment:

S. 3173. A bill for the relief of Dr. Joaquin Francisco Palmerola Cabrera (Rept. No. 1382).

By Mr. JORDAN of North Carolina, from the Committee on Agriculture and Forestry, without amendment:

S. 3687. A bill to direct the Secretary of Agriculture to release on behalf of the United States a condition in a deed conveying certain lands to the State of Ohio, and for other purposes (Rept. No. 1379).

By Mr. DIRKSEN, from the Committee on the Judiciary, without amendment:

H.R. 2756. An act for the relief of Arley L. Beem, aviation electrician's mate chief, U.S. Navy (Rept. No. 1384).

By Mr. EASTLAND, from the Committee on the Judiciary, with an amendment:

S. 3083. A bill for the relief of Dr. Juan M. Ortiz (Rept. No. 1383).

By Mr. HOLLINGS, from the Committee on Agriculture and Forestry, with an amendment:

S. 3578. A bill to direct the Secretary of Agriculture to release, on behalf of the United States, a condition in a deed conveying certain land to the South Carolina State Commission of Forestry so as to permit such Commission, subject to a certain condition, to exchange such lands (Rept. No. 1380).

By Mr. LONG of Louisiana, from the Committee on Finance, with amendments:

H R. 17324. An act to extend and amend the Renegotiation Act of 1951 (Rept. No. 1385).

By Mr. MAGNUSON, from the Committee on Commerce, with amendments:

H.R. 13781. An act to amend title II of the Marine Resources and Engineering Development Act of 1966 (Rept. No. 1381).

By Mr. YARBOROUGH (for Mr. Kennedy), from the Committee on Labor and Public Welfare, without amendment:

H.R. 7481. An act to amend section 620, title 38, United States Code, to authorize payment of a higher proportion of hospital costs in establishing amounts payable for nursing home care of certain veterans (Rept. No. 1390);

H.R. 14954. An act to amend title 38 of the United States Code to improve vocational rehabilitation training for service-connected veterans by authorizing pursuit of such training on a part-time basis (Rept. No. 1391); and

H.R. 16902. An act to amend title 38 of the United States Code in order to promote the care and treatment of veterans in State veterans' homes (Rept. No. 1392).

By Mr. YARBOROUGH (for Mr. Kennedy), from the Committee on Labor and Public Welfare, with amendments:

H.R. 3593. An act to amend title 38 of the United States Code to eliminate certain requirements for the furnishing of nursing home care in the case of veterans hospitalized by the Veterans' Administration in Alaska or Hawaii (Rept. No. 1393); and

H.R. 16025. An act to amend title 38 of the United States Code with respect to eligibility for, and the period of limitation on, educational assistance available under part III of such title, and for other purposes (Rept. No. 1394).

AMENDMENT OF INTERSTATE COMMERCE ACT RELATING TO RECOVERY OF REASONABLE ATTORNEY'S FEE IN CERTAIN CASES—REPORT OF A COMMITTEE—INDIVIDUAL VIEWS (S. REPT. NO. 1389)

Mr. MAGNUSON. Mr. President, from the Committee on Commerce, I report favorably, with an amendment, the bill (S. 858) to amend the Interstate Commerce Act, with respect to recovery of a reasonable attorney's fee in case of successful maintenance of an action for recovery of damages sustained in transportation of property. I ask unanimous consent that the report be printed, together with the individual views of Senators Pearson and Hartke.

The PRESIDING OFFICER. The report will be received and the bill will be placed on the calendar; and, without objection, the report will be printed, as requested by the Senator from Washington.

S. 3770—REPORTED BILL ENTITLED "VOCATIONAL EDUCATION AMENDMENTS OF 1968"—REPORT OF A COMMITTEE—SUPPLEMENTAL VIEWS (S. REPT. NO. 1386)

Mr. MORSE. Mr. President, from the Committee on Labor and Public Welfare, I report favorably an original bill (S. 3770) to amend the Vocational Education Act of 1963, and for other purposes, and I submit a report thereon. I ask unanimous consent that the report be printed, together with supplemental views.

The PRESIDING OFFICER. The report will be received and the bill will be placed on the calendar; and, without objection, the report will be printed, as requested by the Senator from Oregon.

S. 3769—REPORTED BILL ENTITLED "OMNIBUS EDUCATION ACT OF 1968"—REPORT OF A COMMITTEE—SUPPLEMENTAL VIEWS (S. REPT. NO. 1387)

Mr. MORSE. Mr. President, from the Committee on Labor and Public Welfare, I report favorably an original bill (S. 3769), to amend the Higher Education Act of 1965, the National Defense Education Act of 1958, the National Vocational Student Loan Insurance Act of 1965, the Higher Education Facilities Act of 1963, and related acts, and I submit a report thereon. I ask unanimous consent that the report be printed, together with supplemental views.

The PRESIDING OFFICER. The report will be received and the bill will be placed on the calendar; and, without objection, the report will be printed, as requested by the Senator from Oregon.

REPORT ENTITLED "SEPARATION OF POWERS"—REPORT OF A COMMITTEE (S. REPT. NO. 1388)

Mr. ERVIN, from the Committee on the Judiciary, submitted a report entitled "Separation of Powers," pursuant to Senate Resoultion 40, 90th Congress, first session, which was ordered to be printed.

PRINTING OF REVIEW OF REPORT ON MISSISSIPPI RIVER-GULF OUTLET, MICHOUD CANAL, LA. (S. DOC. NO. 97)

Mr. BYRD of West Virginia. Mr. President, at the request of my colleague, the senior Senator from West Virginia [Mr. Randolph], I present a letter from the Secretary of the Army, transmitting a report dated June 3, 1968, from the Chief of Engineers, Department of the Army, together with accompanying papers and illustrations, on a review of the report on Mississippi River-Gulf outlet, Michoud Canal, La., requested by a resolution of the Committee on Public Works, U.S. Senate, adopted June 9, 1964. I ask unanimous consent that the report be printed as a Senate document, with illustrations, and referred to the Committee on Public Works.

The PRESIDING OFFICER. Without objection, it is so ordered.

EXECUTIVE REPORTS OF COMMITTEES

As in executive session,

The following favorable reports of nominations were submitted:

By Mr. MOSS, from the Committee on Commerce:

Louis M. Thayer, of Florida, to be a member of the National Transportation Safety Board.

Mr. DOMINICK. Mr. President, from the Committee on Armed Services I report favorably the nominations of 2,423 officers for appointment in the Regular Air Force in the grade of captain and below.

Since these names have already been printed in the Congressional Record, in order to save the expense of printing on the Executive Calendar, I ask unanimous consent that they be ordered to lie on the Secretary's desk for the information of any Senator.

The PRESIDING OFFICER. Without objection, it is so ordered.

The nominations, ordered to lie on the desk, are as follows:

James W. Abbott, and sundry other officers, for appointment in the Regular Air Force; and

Richard L. Berry, and sundry other distinguished graduates of the officer training school, for appointment in the Regular Air Force.

By Mr. PELL, from the Committee on Labor and Public Welfare:

Thomas M. Healy, of Illinois, to be a member of the Railroad Retirement Board.

By Mr. YARBOROUGH, from the Committee on Labor and Public Welfare:

Howard Jenkins, Jr., of Colorado, to be a member of the National Labor Relations Board.

Mr. HILL. Mr. President, from the Committee on Labor and Public Welfare, I report favorably sundry nominations in the Public Health Service. Since these names have previously appeared in the Congressional Record, in order to save the expense of printing them on the Executive Calendar, I ask unanimous consent that they be ordered to lie on the Secretary's desk for the information of any Senator.

The PRESIDING OFFICER. Without objection, it is so ordered.

The nominations, ordered to lie on the desk, are as follows:

Leon R. Jellerson, and sundry other candidates, for personnel action in the Public Health Service.

BILLS AND JOINT RESOLUTION INTRODUCED

Bills and a joint resolution were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. TYDINGS:

S. 3758. A bill for the relief of Gisela Hanke; to the Committee on the Judiciary.

By Mr. MAGNUSON (by request):

S. 3759. A bill to improve the laws relating to the documentation of seamen, and for other purposes;

S. 3760. A bill to amend the act of April 29, 1941, as amended, to authorize the waiving of the requirement of performance and payment bonds in connection with certain contracts entered into by the Secretary of Commerce; and

S. 3761. A bill to eliminate requirements for disclosure of construction details on passenger vessels meeting prescribed safety standards; to the Committee on Commerce.

(See the remarks of Mr. Magnuson when he introduced the above bills, which appear under separate headings.)

By Mr. BIBLE (by request):

S. 3762. A bill to amend the Act of August 9, 1955, relating to regulation of fares for the transportation of schoolchildren in the District of Columbia; to the Committee on the District of Columbia.

By Mr. TOWER:

S. 3763. A bill to provide for the appointment of an advisory committee to recommend improvements in and simplification of Federal tax return forms and procedures; to the Committee on Finance.

(See the remarks of Mr. Tower when he introduced the above bill, which appear under a separate heading.)

By Mr. ALLOTT:

S. 3764. A bill for the relief of Irmgard Andrae; to the Committee on the Judiciary.

By Mr. ALLOTT (for himself and Mr. Dominick):

S. 3765. A bill for the relief of the Southwest Metropolitan Water and Sanitation District, Colorado; to the Committee on the Judiciary.

By Mr. CLARK:

S. 3766. A bill for the relief of Rosa Coppolecchia;

S. 3767. A bill for the relief of Comasia De Tommaso; and

S. 3768. A bill for the relief of Giustino Tucci; to the Committee on the Judiciary.

By Mr. MORSE:

S. 3769. A bill to amend the Higher Education Act of 1965, the National Defense Education Act of 1958, the National Vocational Student Loan Insurance Act of 1965, the Higher Education Facilities Act of 1963, and related acts; and

S. 3770. A bill to amend the Vocational Education Act of 1963, and for other purposes; placed on the calendar.

(See reference to the above bills when reported by Mr. Morse, which appears under the heading "Reports of Committees.")

By Mr. MURPHY:

S. 3771. A bill to amend the Federal Food, Drug, and Cosmetic Act to include a definition of food supplements, and for other purposes; to the Committee on Labor and Public Welfare.

(See the remarks of Mr. Murphy when he introduced the above bill, which appear under a separate heading.)

By Mr. MILLER (for himself and Mr. Fannin):

S. 3772. A bill to require the giving of indemnity bonds to the United States and to States and localities of the United States in the case of certain aliens from the Western Hemisphere who are seeking to enter the United States to perform skilled or unskilled labor (other than members of professions or aliens with exceptional ability in the sciences or arts); to the Committee on the Judiciary.

(See the remarks of Mr. Miller when he introduced the above bill, which appear under a separate heading.)

By Mr. GRUENING:

S.J. Res. 189. Joint resolution to authorize the President to designate the period beginning November 17, 1968, and ending November 23, 1968, as "National Family Health Week"; to the Committee on the Judiciary.

(See the remarks of Mr. Gruening when he introduced the above joint resolution, which appear under a separate heading.)

S. 3759—INTRODUCTION OF BILL TO IMPROVE THE LAWS RELATING TO DOCUMENTATION OF SEAMEN

Mr. MAGNUSON. Mr. President, by request, I introduce, for appropriate reference, a bill to improve the laws relating to the documentation of seamen, and for other purposes. I ask unanimous consent that the letter from the Secretary of Transportation, transmitting the proposed bill, together with certain other matters relating to the bill, be printed in the Record.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the matters referred to by the Senator from Washington will be printed in the Record.

The bill (S. 3759) to improve the laws relating to the documentation of seamen, and for other purposes, introduced by Mr. MAGNUSON, by request, was received, read twice by its title, and referred to the Committee on Commerce.

The material, presented by Mr. MAGNUSON, is as follows:

THE SECRETARY OF TRANSPORTATION,
Washington, D.C., July 2, 1968.

Hon. HUBERT H. HUMPHREY,
President of the Senate,
Washington, D.C.

DEAR MR. PRESIDENT: There is enclosed a draft of a bill, "To improve the laws relating to the documentation of seamen and for other purposes."

The proposed bill would replace a substantial portion of the statutory law relating to "Shipping Articles", engagement and discharge of seamen, seamen's certificates, and government maintained records concerning seamen. The statutes to be replaced are an inter-related maze of laws enacted during the years between 1872 and 1940 to cope with several separate and distinct conditions. Among the objectives of those statutes were:

(1) the protection of individual seamen in their contractual relationship with ship owners;

(2) the adequate manning of American vessels;

(3) the identification of American seamen;

(4) the providing of records of shipboard experience and employment for seamen; and

(5) the maximum utilization of American citizens in the manning of U.S. flag vessels.

The Coast Guard has a statutory responsibility for the performance of numerous functions essential to the achievement of those objectives, including the maintenance of a vast number of records. Not contemplated at the time the various statutes were enacted, there has subsequently developed several additional worthwhile needs for data pertaining to seamen. Some of the additional needs are being served to a limited degree by the existing statutory scheme. For example, certificates of discharge issued to seamen at the termination of each voyage are a principal source of information from which maritime labor organizations and pension funds compute seamen's employment time to establish their eligibility for certain benefits. In addition, every federal agency with an interest in maritime activities looks to the Coast Guard's procedures and records for data pertaining to seamen.

The primary source of information on American maritime manpower is gathered through the Coast Guard's issuance of identification documents to seamen, supplemented and updated by the shipboard engagement and discharge process. Accurate data capable of rapid retrieval and evaluation is vital to proper planning for national defense and for a healthy peacetime merchant marine. Unfortunately the present statutory scheme, especially the form of "Shipping Articles" prescribed for use on foreign voyages, does not lend itself to modern, efficient paperwork and record keeping. The proposed enabling legislation is in keeping with President Johnson's statement of June 20, when he signed a bill updating archaic postal laws:

"To be effective, laws must be in step with the needs of our people. An effective government of laws must not be burdened by the dead weight of past problems and obsolete provisions."

This is one of the Department's priority facilitation projects using the systems approach to simplify and improve transportation documentation and procedures. A study sponsored by the Coast Guard, and staffed by personnel from the Department, the Coast Guard, and the General Services Administration, has resulted in a comprehensive examination of the existing statutes and procedures. The purpose of the study was to develop a program for simplifying and modernizing the engagement, discharge and record keeping procedures so that they could still meet the needs of efficient and effective operation of the Merchant Marine, but would no longer require the time and costs included in the present system. Maritime labor and management and other interested government officials contributed immeasurably to the study. The proposed bill was developed as a product of that study. These are the principal features of the proposed bill:

(1) It embraces the objectives attributed to the statutes which it would replace;

(2) It recognizes national and industrial needs for information concerning American seamen; and

(3) It replaces detailed and rigid statutory forms and procedures from another era with provisions for their re-design and periodic revision through accepted modern rule making means.

The proposed bill also is designed to give cohesiveness to the combined body of preexisting statutes. The Coast Guard's statutory functions associated with the engagement and discharge of seamen and related record keeping are now performed at an annual cost of $1,100,000. It is contemplated that during the first year following enactment of the proposed bill an automated data processing system, keyed to embossed seamen's identification cards, will be established. The cost of the new system offset by savings that will be immediately realized will result in a first year total cost of $1,800,000 for the same functions. During the second and subsequent years the cost will be $850,000, or lower depending upon the return realized from user charges on the data and statistical reports which the system will generate.

It would be appreciated if you would lay the proposed bill before the Senate. A similar bill has been transmitted to the Speaker of the House.

The Bureau of the Budget advises that from the standpoint of the Administration's program there is no objection to the submission of this proposed legislation to the Congress.

Sincerely,

ALAN S. BOYD.

SECTION-BY-SECTION ANALYSIS OF A BILL TO IMPROVE THE LAWS RELATING TO THE DOCUMENTATION OF SEAMEN AND FOR OTHER PURPOSES

Section 1 contains the short title.

Section 2 defines certain terms used in the Bill. The definitions are consistent with those in closely related existing statutes. "Secretary" would mean the Secretary of Transportation or, when the Coast Guard is operating as a service in the Navy, it would mean the Secretary of the Navy.

Section 3 identifies generally the vessels subject to the Bill. Vessels subject to particular parts of the Bill are more specifically identified in the Bill's individual operative sections.

Section 4 establishes a uniform means of identification for United States seamen. Provisions for the licensing of qualified ship's officers have been in the Federal statutes for over 100 years. It was not until 1936 that unlicensed seamen were provided with any form of documentation, the controversial "continuous discharge book". Also commencing in 1936 seamen were issued "certificates of service" as evidence of their special shipboard qualification. In 1937 "certificates of identification" came into being. Several years later, without statutory change, these two "certificates" were combined in a single document called a "United States Merchant Mariner's Document". Although the statutes do not expressly require it, "Merchant Mariner's Documents" are also issued to licensed officers. The "Merchant Mariner's Document" serves the additional function of a passport for American seamen on a vessel in the foreign trade.

The 1937 Act that created the "certificate of identification" gave the seaman an option. In lieu of a "certificate of identification" he could receive the "continuous discharge book" which served him both as a means of identification and a cumulative record of his shipboard employment. Over the years this option has been exercised by a very limited number of seamen. Today the "Merchant Mariner's Document" is not only issued in place of the "certificates" but also as a companion document to the seaman electing to receive a "continuous discharge book". One effect of this section would be to discontinue issuance of "books". (The cumulative records of service that would be established under section 12 would replace the cumulative records now kept in the "books".) It also authorizes a reasonable fee to cover the cost of issuance. This fee provision would not be applied to the expected conversion of existing Merchant Mariner's Documents.

Section 5 prescribes the minimum information to be included on Merchant Mariner's Documents.

Section 6 requires the possession of a "Merchant Mariner's Document" for employment on foreign voyages and certain interstate voyages on vessels of 100 gross tons or larger. Subsection (b) authorizes the Secretary to extend this requirement to other vessels when the public interest requires. Under subsection (a) a vessel would be required to employ persons who possessed Merchant Mariner's Documents except in those situations for which the Secretary had prescribed a relaxation under subsection (c).

Section 7 requires that written agreements be executed between the master and the crew of (1) vessels on foreign voyages and (2) vessels of 100 gross tons or larger on coastwise voyages other than between immediately neighboring States. Subsection (c) expressly exempts certain kinds of vessels and ventures.

Subsection (b) provides that the agreements must contain a description of the period of employment and may contain any other lawful terms.

Section 8 provides legal remedies for the seaman who is improperly taken into a vessel's employ in violation of the preceding section. They are essentially the same as those now available under 46 U.S.C. 575 and 578.

Section 9 requires that a Federal official, historically identified as a "shipping commissioner", supervise engagements and discharges of crews for (1) foreign voyages (with certain specified exceptions) and (2) intercoastal voyages. It also vests the Secretary with authority to prescribe the form of written agreement to be employed on those voyages.

Subsection (b) allows other vessels to employ the services of a Federal official for the supervision of engagements and discharges.

Subsection (c) requires public display of the terms of the agreement to be signed prior to the actual sign-on before the official.

Section 10 requires masters of vessels in which written agreements are required, to provide the crew members with written certification of their service on his vessel. The form of the certificate would be prescribed by the Secretary. To prevent an improper use of such certificates, masters are prohibited from including any evaluation of the crew members or their performance.

Section 11 provides authority for the Secretary to prescribe procedures for the engagement and discharge of seamen during foreign voyages. Under existing statutes it is contemplated that such engagements and discharges be performed in the presence of an American consul, if there is one available or reported to the consul at the next port of call where there is one available. This section of the Bill would allow the Secretary and the Secretary of State to jointly develop and implement improved procedures to better meet the needs of all concerned including consuls, vessel operators, seamen, and the Coast Guard.

Section 12 requires the Secretary to maintain a record of sea service for each documented seaman.

Section 13 prohibits publication or disclosure of information about a named seaman from his record of service. It authorizes the Secretary to use such information for statistical purposes and to publish useful data derived from seamen's records of service. Through the employment of modern data processing techniques a vast store of previously unretrievable or unmanageable information can be harnessed for the beneficial use of the American maritime industry and government.

Section 14 authorizes the Secretary to require the submission of reports to assist him in the proper enforcement of the laws relating to the engagement and discharge of seamen and the manning of vessels with qualified crews and to provide information necessary to maintain seamen's records of service. In cases where the engagement and discharge of crews are supervised by Federal officials under section 8 of the Bill most of the necessary information will be assembled by that official. This section provides a means for collecting the information from vessels not serviced by Federal officials under section 9.

Section 15 prescribes civil penalties applicable to violations of sections 6, 7, 9, 11, and 14.

Sections 16, 17, and 18 would replace the existing 46 U.S.C. 201, 202, and 203 relating to official log books. Section 16 would require log books to be maintained by all vessels upon which written agreements are required under section 7. It would allow the Secretary to prescribe the matters about which entries should be made in addition to certain matters prescribed elsewhere by statute. Sections 17 and 18 are essentially the same as 46 U.S.C. 202 and 203.

Section 19 requires the Secretary to establish and publish procedures for the imposition of civil penalties that may be incurred from the Bill and vests him with certain specified discretionary powers to assist in the proper disposition of civil penalty cases. It also prescribes the means available for the enforcement of civil penalties for which vessels may be liable under the Bill.

Section 20 authorizes the Secretary to delegate responsibility for administration of the Bill and to prescribe regulations for its implementation.

Section 21 perpetuates the legal remedy available to a seaman denied a proper ration of food or water. Under the statute which this section amends the court hearing the complaint is directed to look to the antiquated "scale of provisions" on the statutory form for "Shipping Articles" (annexed to Title 53 of the Revised Statutes following R.S. 4612) to determine a proper ration. As amended by this section determination of a proper ration would be a function of the court.

Section 22 eliminates the statutory form for "Shipping Articles" in the foreign and intercoastal trade. Under section 8 the Secretary will prescribe the form.

Section 23 amends the statute relating to seamen's allotments by—

(1) eliminating the restriction which denies seamen on voyages other than foreign or intercoastal the opportunity to make allotments from their wages;

(2) eliminating the no longer existent "postal savings" from the list of approved allottees and adding "Credit Unions"; and

(3) modifying the criminal penalty provisions to include any person who falsely seeks the benefits of the allotment system.

Section 24 amends the statute relating to (1) the engagement of seamen in the coastwise trade by shipping commissioners at the option of the vessel and (2) the exemption of seamen's clothing from liens. It eliminates the former, now covered by section 8(b), and perpetuates the latter. This section also extends the penalty for wrongful detention of a seaman's clothing to cover his Merchant Mariner's Document and marine licenses.

Secion 25 repeals exising statutes replaced by this Bill and several related statutes superseded by Reorganization Plan No. 3 of 1946. The 1946 Reorganization Plan transferred the statutory functions of individual "Shipping Commissioners" to the Commandant of the Coast Guard. Through Reorganization Plan No. 20 of 1950 and Section 6(b) of the Department of Transportation Act [49 U.S.C. 1655(b)] those functions are now vested in the Secretary of Transportation.

Section 26 provides for an effective date 6 months after enactment to allow implementation of the modified engagement, discharge, and reporting procedures.

Text of Statutes for Repeal by a Bill To Improve the Laws Relating to the Documentation of Seamen and for Other Purposes

REVISED STATUTES

SEC. 4290. Every vessel making voyages from a port in the United States to any foreign port, or, being of the burden of seventy-five tons or upward, from a port on the Atlantic to a port on the Pacific, or vice versa, shall have an official logbook; and every master of such vessel shall make, or cause to be made therein, entries of the following matters, that is to say:

First. Every legal conviction of any member of his crew, and the punishment inflicted.

Second. Every offense committed by any member of his crew for which it is intended to prosecute, or to enforce a forfeiture, together with such statement concerning the reading over such entry, and concerning the reply, if any, made to the charge, as is required by the provisions of section forty-five hundred and ninety-seven.

Third. Every offense for which punishment is inflicted on board, and the punishment inflicted.

Fourth. A statement of the conduct, character, and qualifications of each of his crew; or a statement that he declines to give an opinion of such particulars.

Fifth. Every case of illness or injury happening to any member of the crew, with the nature thereof, and the medical treatment.

Sixth. Every case of death happening on board, with the cause thereof.

Seventh. Every birth happening on board, with the sex of the infant, and the names of the parents.

Eighth. Every marriage taking place on board, with the names and ages of the parties.

Ninth. The name of every seaman or apprentice who ceases to be a member of the crew otherwise than by death, with the place, time, manner, and cause thereof.

Tenth. The wages due to any seaman or apprentice who dies during the voyage, and the gross amount of all deductions to be made therefrom.

Eleventh. The sale of the effects of any seaman or apprentice who dies during the voyage, including a statement of each article sold, and the sum received for it.

SEC. 4291. Every entry hereby required to be made in the official logbook, shall be signed by the master and by the mate, or some other one of the crew, and every entry in the official logbook shall be made as soon as possible after the occurrence to which it relates, and, if not made on the same day as the occurrence to which it relates, shall be made and dated so as to show the date of the occurrence, and of the entry respecting it; and in no case shall any entry therein, in respect of any occurrence happening previously to the arrival of the vessel at her final port, be made more than twenty-four hours after such arrival.

SEC. 4292. If in any case the official logbook is not kept in the manner hereby required, or if any entry hereby directed to be made in any such logbook is not made at the time and in the manner hereby directed, the master shall, for each such offense, be liable to a penalty of not more than twenty-five dollars; and every person who makes, or procures to be made, or assists in making, any entry in any official logbook in respect of any occurrence happening previously to the arrival of the vessel at her final port of discharge, more than twenty-four hours after such arrival, shall, for each offense, be liable to a penalty of not more than one hundred and fifty dollars.

SEC. 4501. The several circuit courts within the jurisdiction of which there is a port of entry which is also a port of ocean navigation, shall appoint a commissioner for each such port which in their judgment may require the same, such commissioners to be termed shipping commissioners; and may, from time to time, remove from office any commissioner whom the court may have reason to believe does not properly perform his duties, and shall then provide for the proper performance of his duties until another person is duly appointed in his place. Such courts shall regulate the mode of conducting business in the shipping offices to be established by the shipping commissioners as hereinafter provided; and shall have full and complete control over the same, subject to the provisions herein contained.

SEC. 4502. Every shipping commissioner so appointed shall give bond to the United States, conditioned for the faithful performance of the duties of his office, for a sum, in the discretion of the circuit judge, of not less than five thousand dollars, with two good and sufficient sureties therefor, to be approved by such judge; and shall take and subscribe the following oath before entering upon the duties of his office: "I do solemnly swear (or affirm, as the case may be) that I will support the Constitution of the United States, and that I will truly and faithfully discharge the duties of a shipping commissioner to the best of my ability, and according to law." Such oath shall be indorsed on the commission or certificate of appointment, and signed by him, and certified by the officer before whom such oath shall have been taken.

SEC. 4503. In any port in which no shipping-commissioner shall have been appointed, the whole or any part of the business of a shipping-commissioner shall be conducted by the collector or deputy collector of customs of such port; and in respect of such business such custom-house shall be deemed a shipping-office, and the collector or deputy collector of customs to whom such business shall be committed, shall, for all purposes, be deemed a shipping-commissioner within the meaning of this Title.

SEC. 4504. Any person other than a commissioner under this Title, who shall perform or attempt to perform, either directly or indirectly, the duties which are by this Title set forth as pertaining to a shipping-commissioner, shall be liable to a penalty of not more than five hundred dollars. Nothing in this Title, however, shall prevent the owner, or consignee, or master or any vessel except vessels bound from a port in the United States to any foreign port, other than vessels engaged in trade between the United States and the British North American possessions, or the West India Islands, or the republic of Mexico, and vessels of the burden of seventy-five tons or upward bound from a port on the Atlantic to a port on the Pacific, or vice versa, from performing, himself, so far as his vessel is concerned, the duties of shipping-commissioner under this Title. Whenever the master of any vessel shall engage his crew, or any part of the same, in any collection-district where no shipping-commissioner shall have been appointed, he may perform for himself the duties of such commissioner.

Sec. 4505. Any shipping-commissioner may engage clerks to assist him in the transaction of the business of the shipping-office, at his own proper cost, and may, in case of necessity, depute such clerks to act for him in his official capacity; but the shipping-commissioner shall be held responsible for the acts of every such clerk or deputy, and will be personally liable for any penalties such clerk or deputy may incur by the violation of any of the provisions of this Title; and all acts done by a clerk, as such deputy, shall be as valid and binding as if done by the shipping-commissioner.

Seb. 4506. Each shipping-commissioner shall provide a seal with which he shall authenticate all his official acts, on which seal shall be engraved the arms of the United States, and the name of the port or district for which he is commissioned. Any instrument, either printed or written, purporting to be the official act of a shipping-commissioner, and purporting to be under the seal and signature of such shipping-commissioner, shall be received as presumptive evidence of the official character of such instrument, and of the truth of the facts therein set forth.

Sec. 4507. Every shipping-commissioner shall lease, rent, or procure, at his own cost, suitable premises for the transaction of business, and for the preservation of the books and other documents connected therewith; and these premises shall be styled the shipping-commissioner's office.

Sec. 4508. The general duties of a shipping-commissioner shall be:

First. To afford facilities for engaging seamen by keeping a register of their names and characters.

Second. To superintend their engagement and discharge, in manner prescribed by law.

Third. To provide means for securing the presence on board at the proper times of men who are so engaged.

Fourth. To facilitate the making of apprenticeships to the sea-service.

Fifth. To perform such other duties relating to merchant seamen or merchant ships as are now or may hereafter be required by law.

Sec. 4509. Every shipping-commissioner appointed under this Title shall, if applied to for the purpose of apprenticing boys to the sea-service, by any master or owner of a vessel, or by any person legally qualified, give such assistance as is in his power for facilitating the making of such apprenticeships; but the shipping-commissioner shall ascertain that the boy has voluntarily consented to be bound, and that the parents or guardian of such boy have consented to such apprenticeship, and that he has attained the age of twelve years, and is of sufficient health and strength, and that the master to whom such boy is to be bound is a proper person for the purpose. Such apprenticeship shall terminate when the apprentice becomes eighteen years of age. The shipping-commissioner shall keep a register of all indentures of apprenticeship made before him.

Sec. 4510. The master of every foreign-going vessel shall, before carrying any apprentice to sea from any place in the United States, cause such apprentice to appear before the shipping-commissioner before whom the crew is engaged, and shall produce to him the indenture by which such apprentice is bound, and the assignment or assignments thereof, if any; and the name of the apprentice, with the date of the indenture and of the assignment or assignments thereof, if any, shall be entered on the agreement; shall be in the form as near as may be given in the table marked "A" in the schedule annexed to this Title; and no such assignment shall be made without the approval of a commissioner, of the apprentice, and of his parents or his guardian. For any violation of this section, the master shall be liable to a penalty of not more than one hundred dollars.

Sec. 4511. The master of every vessel bound from a port in the United States to any foreign port other than vessels engaged in trade between the United States and the British North American possessions, or the West India Islands, or the republic of Mexico, or of any vessel of the burden of seventy-five tons or upward, bound from a port on the Atlantic to a port on the Pacific, or vice versa, shall, before he proceeds on such voyage, make an agreement, in writing or in print, with every seaman who he carries to sea as one of the crew, in the manner hereinafter mentioned; and every such agreement shall be as near as may be, in the form given in the table marked A, in the schedule annexed to this Title, and shall be dated at the time of the first signature thereof, and shall be signed by the master before any seaman signs the same, and shall contain the following particulars:

First. The nature and, as far as practicable, the duration of the intended voyage or engagement, and the port or country at which the voyage is to terminate.

Second. The number and description of the crew, specifying their respective employments.

Third. The time at which each seaman is to be on board, to begin work.

Fourth. The capacity in which each seaman is to serve.

Fifth. The amount of wages which each seaman is to receive.

Sixth. A scale of the provisions which are to be furnished to each seaman.

Seventh. Any regulations as to conduct on board, and as to fines, short allowance of provisions, or other lawful punishments for misconduct, which may be sanctioned by Congress as proper to be adopted, and which the parties agree to adopt.

Eighth. Any stipulations in reference to advance and allotment of wages, or other matters not contrary to law.

Sec. 4512. The following rules shall be observed with respect to agreements:

First. Every agreement, except such as are otherwise specially provided for, shall be signed by each seaman in the presence of a shipping-commissioner.

Second. When the crew is first engaged the agreement shall be signed in duplicate, and one part shall be retained by the shipping-commissioner, and the other part shall contain a special place or form for the description and signatures of persons engaged subsequently to the first departure of the ship, and shall be delivered to the master.

Third. Every agreement entered into before a shipping-commissioner shall be acknowledged and certified under the hand and official seal of such commissioner. The certificate of acknowledgement shall be indorsed on or annexed to the agreement; and shall be in the following form:

"State of ——, County of ——:

On this —— day of ——, personally appeared before me, a shipping-commissioner in and for the said county, A. B., C. D., and E. F., severally known to me to be the same persons who executed the foregoing instrument, who each for himself acknowledged to me that he had read or had heard read the same; that he was by me made acquainted with the conditions thereof, and understood the same; and that, while sober and not in a state of intoxication, he signed it freely and voluntarily, for the uses and purposes therein mentioned."

Sec. 4513. The section forty-five hundred and eleven shall not apply to masters of vessels where the seamen are by custom or agreement entitled to participate in the profits or results of a cruise or voyage, nor to masters of coastwise nor to masters of lake-going vessels that touch at foreign ports; but seamen may, by agreement, serve on board such vessels a definite time, or, on the return of any vessel to a port in the United States, may reship and sail in the same vessel or another voyage, without the payment of additional fees to the shipping-commissioner, by either the seaman or the master.

Sec. 4514. If any person shall be carried to sea, as one of the crew on board of any vessel making a voyage as hereinbefore specified, without entering into an agreement with the master of such vessel, in the form and manner, and at the place and times in such cases required, the vessel shall be held liable for each such offense to a penalty of not more than two hundred dollars. But the vessel shall not be held liable for any person carried to sea, who shall have secretly stowed away himself without the knowledge of the master, mate, or of any of the officers of the vessel, or who shall have falsely personated himself to the master, mate or officers of the vessel, for the purpose of being carried to sea.

Sec. 4515. If any master, mate, or other officer of a vessel knowingly receives, or accepts, to be entered on board of any merchant vessel, any seaman who has been engaged or supplied contrary to the provisions of this Title, the vessel on board of which such seaman shall be found shall, for every such seaman, be liable to a penalty of not more than two hundred dollars.

Sec. 4516. In case of desertion, or of casualty resulting in the loss of one or more seamen, the master may ship a number equal to the number of whose services he has been deprived by desertion or casualty, and report the same to the United States consul at the first port at which he shall arrive, without incurring the penalty prescribed by the two preceding sections.

Sec. 4517. Every master of a merchant-vessel who engages any seaman at a place out of the United States, in which there is a consular officer or commercial agent, shall, before carrying such seaman to sea, procure the sanction of such officer, and shall engage seamen in his presence; and the rules governing the engagement of seamen before a shipping-commissioner in the United States, shall apply to such engagements made before a consular officer or commercial agent; and upon every such engagement the consular officer or commercial agent shall indorse upon the agreement his sanction thereof, and an attestation to the effect that the same has been signed in his presence, and otherwise duly made.

Sec. 4518. Every master who engages any seaman in any place in which there is a consular officer or commercial agent, otherwise than as required by the preceding section, shall incur a penalty of not more than one hundred dollars, for which penalty the vessel shall be held liable.

SEC. 4519. The master shall, at the commencement of every voyage or engagement, cause a legible copy of the agreement, omitting signatures, to be placed or posted up in such part of the vessel as to be accessible to the crew; and on default shall be liable to a penalty of not more than one hundred dollars.

SEC. 4520. Every master of any vessel of the burden of fifty tons or upward, bound from a port in one State to a port in any other than an adjoining State, except vessels of the burden of seventy-five tons or upward, bound from a port on the Atlantic to a port on the Pacific, or vice versa, shall, before he proceeds on such voyage, make an agreement in writing or in print, with every seaman on board such vessel except such as shall be apprentice or servant to himself or owners, declaring the voyage or term of time for which such seaman shall be shipped.

SEC. 4521. If any master of such vessel of the burden of fifty tons or upward shall carry out any seaman or mariner, except apprentices or servants, without such contract or agreement being first made and signed by the seaman, such master shall pay to every such seaman the highest price or wages which shall have been given at the port or place where such seaman was shipped, for a similar voyage, within three months next before the time of such shipping, of such seaman shall perform such voyage; or if not, then for such time as he shall continue to do duty on board such vessel; and shall moreover be liable to a penalty of twenty dollars for every such seaman, recoverable, one-half to the use of the person prosecuting for the same, and the other half to the use of the United States. Any seaman who has not signed such a contract shall not be bound by the regulations nor subject to the penalties and forfeitures contained in this Title.

SEC. 4522. At the foot of every such contract to a ship upon such a vessel of the burden of fifty tons or upward, there shall be a memorandum in writing of the day and the hour on which the seamen who ship and subscribe shall render themselves on board to begin the voyage agreed upon. If any such seaman shall neglect to render himself on board the vessel, for which he has shipped, at the time mentioned in such memorandum, and if the master of the vessel shall, on the day on which such neglect happened, make an entry in the logbook of such vessel, of the name of such seaman, and shall in like manner note the time that he so neglected to render himself, after the time appointed, every such seaman shall forfeit for every hour which he shall so neglect to render himself, one day's pay, according to the rate of wages agreed up, to be deducted out of his wages. If any such seaman shall wholly neglect to render himself on board such vessel, or having rendered himself on board, shall afterward desert and escape, so that the vessel proceed to sea without him, he shall be liable to pay to the master, owner, or consignee of the vessel, a sum equal to that paid to him by advance at the time of signing the contract, over and besides the sum so advanced, both which sums shall be recoverable in any court, or before any justice of any State, city, town, or county within the United States, which, by the laws thereof, have cognizance of debts of equal value, against such seaman or mariner, or his surety or sureties, in case he shall have given surety to proceed on the voyage.

SEC. 4523. All shipments of seamen made contrary to the provisions of any act of Congress shall be void; and any seaman so shipped may leave the service at any time, and shall be entitled to recover the highest rate of wages of the port from which the seaman was shipped, or the sum agreed to be given him at his shipment.

SEC. 4548. Moneys paid under the laws of the United States, by direction of consular officers or agents, at any foreign port or place, as wages, extra or otherwise, due American seamen, shall be paid in gold or its equivalent, without any deduction whatever, any contract to the contrary notwithstanding.

SEC. 4549. All seamen discharged in the United States from merchant-vessels engaged in voyages from a port in the United States to any foreign port, or, being of the burden of seventy-five tons or upward, from a port on the Atlantic to a port on the Pacific, or vice versa, shall be discharged and receive their wages in the presence of a duly authorized shipping-commissioner under this Title, except in cases where some competent court otherwise directs; and by any master or owner of any such vessel who discharges any such seamen belonging thereto, or pays his wages within the United States in any other manner, shall be liable to a penalty of not more than fifty dollars.

SEC. 4551. Upon the discharge of any seaman, or upon payment of his wages, the master shall sign and give him a certificate of discharge, specifying the period of his service and the time and place of his discharge, in the form marked Table B in the scheduled annexed to this Title; and every master who fails to sign and give to such seaman such certificate and discharge, shall, for each such offense, incur a penalty not exceeding fifty dollars. But whenever the master shall discharge his crew or any part thereof in any collection-district where no shipping-commissioner has been appointed, he may perform for himself the duties of such commissioner.

SEC. 4553. Upon every discharge affected before a shipping-commissioner, the master shall make and sign, in the form given in the table marked "B," in the schedule annexed to this Title, a report of the conduct, character, and qualifications of the persons discharged; or may state in such form, that he declines to give any opinion upon such particulars, or upon any of them; and the commissioner shall keep a register of the same, and shall, if desired so to do by any seaman, give to him or indorse on his certificate of discharge a copy of so much of such report as concerns him.

SEC. 4595. Every shipping-commissioner, and every clerk or employee in any shipping-office, who demands or receives any remuneration whatever, either directy or indirectly, for hiring or supplying any seaman for any merchant-vessels, excepting the lawful fees payable under this Title, shall, for every such offense, be liable to a penalty of not more than two hundred dollars.

STATUTES AT LARGE

Feb. 27, 1877, ch. 69 § 1 (part amending certain sections of the Revised Statutes), 19 Stat. 250.

Section forty-two hundred and ninety is amended by striking out, in the second subdivision, the last word "thirty", and inserting therefor the words "ninety-seven".

Section forty-five hundred and thirteen is amended by striking out of the first line the words "preceding section", and inserting in lieu thereof the words "section forty-five hundred and eleven".

Section forty-five hundred and twenty-two is amended by inserting in the last line, after the word "proceed", the word "on".

June 26, 1884, ch. 121 §§ 19, 20, 27, 23 Stat. 58.

SEC. 19. That a master of a vessel in the foreign trade may engage a seaman at any port in the United States, in the manner provided by law, to serve on a voyage to any port in the United States, in the manner provided by law, to serve on a voyage to any port, or for the round trip from and to the port of departure, or for a definite time, whatever the destination. The master of a vessel making regular and stated trips between the United States and a foreign country may engage a seaman for one or more round trips, or for a definite time, or on the return of said vessel to the United States may reship such seaman for another voyage in the same vessel, in the manner provided by law, without the payment of additional fees to any officer for such reshipment or re-engagement.

SEC. 20. That every master of a vessel in the foreign trade may engage any seaman at any port out of the United States, in the manner provided by law, to serve for one or more round trips from and to the port of departure, or for a definite time, whatever the destination; and the master of a vessel clearing from a port of the United States with one or more seamen engaged in a foreign port as herein provided shall not be required to reship in a port of the United States the seamen so engaged, or to give bond, as required by section forty-five hundred and seventy-six of the Revised Statutes, to produce said seamen before a boarding officer on the return of said vessel to the United States.

SEC. 27. That section forty-five hundred and one of the Revised Statutes is hereby amended *so as to read as follows:*

"SEC. 4501. The Secretary of the Treasury shall appoint a commissioner for each port of entry, which is also a port of ocean navigation, and which, in his judgment, may require the same; such commissioner to be termed a shipping commissioner, and may, from time to time, remove from office any such commissioner whom he may have reason to believe does not properly perform his duty, and shall then provide for the proper performance of his duties until another person is duly appointed in his place: *Provided,* That Shipping Commissioners now in office shall continue to perform the duties thereof until others shall be appointed in their places. Shipping Commissioners shall monthly render in full, exact, and itemized account of their receipts and expenditures to the Secretary of the Treasury, who shall determine their compensation, and shall from time to time determine the number and compensation of the clerks appointed by such commissioner, with the approval of the Secretary of the Treasury, subject to the limitations now fixed by law. The Secretary of the Treasury shall regulate the mode of conducting business in the shipping offices to be established by the shipping commissioners as hereinafter provided, and shall have full and complete control over the same, subject to the provisions herein contained; and all expenditures by shipping commissioners shall be audited and adjusted in the Treasury Department in the mode and manner provided for expenditures in the collection of customs. All fees of Shipping Commissioners shall be paid into the Treasury of the United States and shall constitute a fund which shall be used under the direction of the Secretary of the Treasury to pay the compensation of said Commissioners and their clerks and such other expenses as he may find necessary to endure the proper administration of their duties."

June 19, 1886, ch. 421, § 2, 24 Stat. 80

SEC. 2. That shipping commissioners may ship and discharge crews for any vessel engaged in the coastwise trade, or the trade between the United States and the Dominion of Canada, or Newfoundland, or the West Indies, or the Republic of Mexico, at the request of the master or owner of such vessel, the shipping and discharging fees in such cases to be one-half that prescribed by section forty-six hundred and twelve of the Revised Statutes, for the purpose of determining the compensation of shipping commissioners.

March 3, 1897, ch. 389, §§ 1, 19, 29 Stat 687

That section forty-five hundred and seven of the Revised Statutes be, and is hereby, amended to read as follows:

"Sec. 4507. The Secretary of the Treasury shall assign in public buildings or otherwise procure suitable offices and room for the shipment and discharge of seamen, to be known as shipping commissioners' offices, and shall procure furniture, stationery, printing, and other requisites for the transaction of the business of such offices."

Sec. 19. That article seven of section forty-five hundred and eleven of the Revised Statutes be, and is hereby, amended to read:

"Seventh. Any regulations as to conduct on board and as to fines, short allowances of provisions, or other lawful punishments for misconduct, which may be sanctioned by Congress or authorized by the Secretary of the Treasury not contrary to or not otherwise provided for by law, which the parties agree to adopt."

December 21, 1898, ch. 28, §§ 1, 2, 30 Stat. 755

That section forty-five hundred and sixteen of the Revised Statutes be, and is hereby, amended so as to read as follows:

"Sec. 4516. In case of desertion or casualty resulting in the loss of one or more seamen, the master must ship, if obtainable, a number equal to the number of those whose services he has been deprived of by desertion or casualty, who must be of the same grade or rating and equally expert with those whose place or position they refill, and report the same to the United States consul at the first port at which he shall arrive, without incurring the penalty prescribed by the two preceding sections."

Sec. 2. That section forty-five hundred and twenty-two of the Revised Statutes be, and is hereby, amended so as to read as follows:

"Sec. 4522. At the foot of every such contract to ship upon such a vessel of the burden of fifty tons or upward there shall be a memorandum in writing of the day and the hour when such seaman who shipped and subscribed shall render himself on board to begin the voyage agreed upon. If any seaman shall neglect to render himself on board the vessel for which he has shipped at the time mentioned in such memorandum without giving twenty-four hours' notice of his inability to do so, and if the master of the vessel shall, on the day in which such neglect happened, make an entry in the log book of such vessel of the name of such seaman, and shall in like manner note the time that he so neglected to render himself after the time appointed, then every such seaman shall forfeit for every hour which he shall so neglect to render himself one-half of one day's pay, according to the rate of wages agreed upon, to be deducted out of the wages. If any such seaman shall wholly neglect to render himself on board of such vessel, or having, rendered himself on board shall afterwards desert, he shall forfeit all of his wages or emoluments which he has then earned."

Feb. 14, 1900, ch. 19, § 1, 31 Stat. 29

That section forty-two hundred and ninety of the Revised Statutes be amended by adding the following:

"Twelfth. In every case of collision in which it is practicable so to do, the master shall, immediately after the occurrence, cause a statement thereof, and of the circumstances under which the same occurred, to be entered in the official log book. Such entry shall be made in the manner prescribed in section forty-two hundred and ninety-one, and failure to make such entry shall subject the offender to the penalties prescribed by section forty-two hundred and ninety-two."

April 26, 1906, ch. 1875, 34 Stat. 137

That section forty-five hundred and two of the Revised Statutes of the United States be, and the same is hereby, amended so as to read as follows:

"Sec. 4502. Every shipping commissioner so appointed shall give bond to the United States, conditioned for the faithful performance of the duties of his office, for a sum, in the discretion of the Secretary of Commerce and Labor, of not less than five thousand dollars, in such form and with such security as the Secretary of Commerce and Labor shall direct and approve; and shall take and subscribe the oath prescribed by section seventeen hundred and fifty-seven of the Revised Statutes before entering upon the duties of his office: *Provided*, That nothing in this section shall be construed to affect in any respect the liability of principal or sureties on any bond heretofore given by any shipping commissioner."

March 4, 1915, ch. 153, § 1, 38 Stat. 1164

That section forty-five hundred and sixteen of the Revised Statutes of the United States be, and is hereby, amended to read as follows:

"Sec. 4516. In case of desertion or casualty resulting in the loss of one or more of the seamen, the master must ship, if obtainable, a number equal to the number of those whose services he has been deprived of by desertion or casualty, who must be of the same or higher grade or rating with those whose places they fill, and report the same to the United States consul at the first port at which he shall arrive, without incurring the penalty prescribed by the two preceding sections. This section shall not apply to fishing or whaling vessels or yachts."

June 25, 1936, ch. 816, § 3, 49 Stat. 1934.

Sec. 3. Section 4551 of the Revised Statutes (U.S.C., title 46, sec. 643) is amended to read as follows:

"Sec. 4551. (a) Every seaman upon a merchant vessel of the United States of the burden of one hundred gross tons or upward, except vessels employed exclusively in trade on the navigable rivers of the United States, shall be furnished with a book, to be known as a 'continuous discharge book,' which shall be retained by him and which shall contain the signature of the seaman to whom it is so furnished and a statement of his nationality, age, personal description, photograph, and home address. Such books shall be in such form and issued by the shipping commissioners and collectors and deputy collectors of customs at ports where no shipping commissioners have been appointed in such manner as the Director of Bureau of Marine Inspection and Navigation, subject to the approval of the Secretary of Commerce, shall determine. Any person, corporation, or association other than a shipping commissioner, or collector or deputy collector of customs, who shall issue or cause to be issued any such book or imitation thereof, or any person, other than the real owner, who uses or endeavors to use any such book, or who makes any statement or endorsement in any such book not herein authorized, shall be deemed guilty of a misdemeanor and shall be imprisoned not less than one month nor more than three months, in the discretion of the court.

"(b) Upon the discharge of any seaman and the payment of his wages, the shipping commissioner shall enter in the continuous discharge book of such seaman the name of the vessel, the nature of the voyage (foreign or coastwise), the class to which the vessel belongs (steam, motor, sail, or barge), the date and place of the shipment and of the discharge of such seaman, and the rating then held by such seaman. Whenever a seaman is discharged in any collection district where no shipping commissioner has been appointed, the master of the vessel shall perform the duties of such commissioner and shall make the proper entries in such continuous discharge book; and when the seamen are not required by law to be signed on and discharged before a shipping commissioner, the master shall make such proper entries in the discharge book. Any master who fails to make such entries shall be fined the sum of $50 for each such offense. This subsection shall take effect as to vessels engaged in foreign and intercoastal voyages six months after the enactment of this Act and as to all other vessels within one year after the enactment of this Act.

"(c) There shall be maintained in the Bureau of Marine Inspection and Navigation in Washington a record of every discharge book and certificate issued under the provisions of this Act, together with the name and address of the seaman to whom it is issued, his next of kin, and a certified copy of all discharge entries in such book, which copy shall be forwarded to such Bureau by the shipping commissioner or person duly authorized to act as such before whom such holder is discharged.

"(d) In case of the loss of a book by shipwreck or other casualty the seaman shall be supplied with another discharge book so far as this may be available from copies of records kept by the Bureau of Marine Inspection and Navigation; in other cases of loss the seaman may obtain a duplicate of such book containing the same entries upon payment of a sum equivalent to the cost thereof to the Government, to be determined from time to time by the Secretary of Commerce."

March 24, 1937, ch. 49, §§ 1, 2, 50 Stat. 49.

That section 4551 of the Revised Statutes of the United States, as amended (U.S.C., 1934 ed., Supp. II, title 46, 643), is amended to read as follows:

"Sec. 4551. (a) Every seaman upon a merchant vessel of the United States of the burden of one hundred gross tons or upward, except vessels employed exclusively in trade on the navigable rivers of the United States, shall be furnished, at the option of the seaman, with a book to be known as a continuous discharge book or with a certificate of identification, which book or certificate shall be retained by the seaman and shall contain the signature of the seaman to whom it is so furnished and a statement of his nationality, age, personal description, photograph, thumbprint, and home address. Such books or certificates shall be issued by the shipping commissioners, or, at ports where no shipping commissioners have been appointed, by collectors or deputy collectors of customs or United States local inspectors of steam vessels, in such manner and form as the Director of the Bureau of Marine Inspection and Navigation, subject to the approval of the Secretary of Commerce, shall determine. Any individual, firm, partnership, corporation, or association which shall issue any such book or certificate, or make any statement or endorsement therein, except as authorized by the provisions of this section, or issue any imitation of any such book or certificate, shall be deemed guilty of a misdemeanor and shall be imprisoned not less than one month nor more than three months, in the discretion of the court.

"(b) Any person applying for such book or certificate and claiming to be a citizen of the United States shall furnish satisfactory evidence of such citizenship.

"(c) No seaman shall be employed on any vessel to which this section applies until he has exhibited a certificate of identification or a continuous discharge book to the shipping commissioner, or in cases where seamen are not signed on before the shipping commissioner, to the master of the vessel: *Provided*, That the provisions of this subsection shall not apply to the employment of seamen at a foreign port or place, in which case seamen so employed shall be furnished a continuous discharge book or a certificate of identification, in accordance with the provisions of subsection (a) of this section, at the first port of entry in the United States or its territories at which the vessel arrives after such seamen are so employed.

"(d) Upon the discharge of any seaman and the payment of his wages, the shipping commissioner shall enter in the continuous discharge book of such seaman, if the seaman carries such a book, the name and official number of the vessel, the nature of the voyage (foreign, intercoastal, or otherwise), the class to which the vessel belongs (steam, motor, sail, or barge), the date and place of the shipment and of the discharge of such seaman, the rating (capacity in which employed) then held by such seaman, and the signature of the person making such entries and nothing more.

"(e) For the purpose of furnishing evidence of sea service in the case of seamen preferring the certificate of identification instead of the continuous discharge book, the Bureau of Marine Inspection and Navigation shall provide a certificate of discharge, printed on durable paper, in such form as to specify the name and citizenship of the seaman to whom it is issued, the serial number of his certificate of identification, the name and official number of the vessel, the nature of the voyage (foreign, intercoastal, or coastwise), the class to which the vessel belongs (steam, motor, sail, or barge), the date and place of the shipment and of the discharge of such seaman, and the rating (capacity in which employed) then held by such seaman. Records of service entered in either continuous discharge books or certificates of discharge shall contain no reference to the character or ability of the seaman. The shipping commissioner shall issue such certificate of discharge and make the proper entries therein, which certificate shall be signed by the seaman to whom it is issued and the master of the vessel and shall be witnessed by such shipping commissioner.

"(f) There shall be maintained in the Bureau of Marine Inspection and Navigation in Washington, District of Columbia, a record of every continuous discharge book, certificate of identification, certificate of discharge, and any other certificate issued by the Bureau of Marine Inspection and Navigation, together with the name and address of the seaman to whom it is issued and of his next of kin, and certified copies of all entries made in continuous discharge books or certificates of discharge, which entries shall be forwarded to the Bureau by the shipping commissioner or other person making such entries in accordance with the provisions of this section. Records so maintained shall not be open for general or public use or inspection.

"(g) Any person, partnership, company, or corporation who shall require any seaman employed or applying for employment to possess, produce, or carry a continuous discharge book, if and when such seaman possesses or carries an identification certificate, or to carry an identification certificate, if and when such seaman possesses and carries a continuous discharge book, or who shall exchange or give to any person, partnership, company, or corporation information to cause discrimination against a seaman for electing to carry either an identification certificate or a continuous discharge book, or to prevent a seaman from obtaining employment on that account, shall be deemed guilty of a misdemeanor; and, on conviction thereof, shall be punishable by a fine of not more than $1,000 or imprisonment for not more than one year, at the discretion of the court.

"Seamen shall apply for certificates of identification or continuous discharge books hereunder; and, if any application contains any statement known by the applicant to be false, he shall be deemed guilty of a misdemeanor and, on conviction thereof before any district court of the United States, shall be fined not more than $1,000 or imprisoned for not more than one year, in the discretion of the court.

"(h) In case of the loss of a continuous discharge book, a certificate of identification, or of any certificate of discharge by shipwreck or other casualty, the seaman shall be supplied with a duplicate of such continuous discharge book, certificate of identification, or certificate of discharge in which shall be entered all data that may be available from the copies of records kept by the Bureau of Marine Inspection and Navigation. In other cases of loss the seaman may obtain a duplicate of such continuous discharge book, certificate of identification, or certificates of discharge, containing the same entries, upon a payment of a sum equivalent to the cost thereof to the Government to be determined from time to time by the Secretary of Commerce.

"(i) The provisions of this section shall not apply to fishing or whaling vessels or yachts.

"(j) The Secretary of Commerce shall enforce this section as to all vessels of the United States subject to the provisions hereof through collectors of customs and other Government officers acting under the direction of the Bureau of Marine Inspection and Navigation, and shall make such rules and regulations as he may deem necessary to carry out the provisions of this section.

"(k) Where vessels are required to sign on and discharge the crew before a shipping commissioner and no shipping commissioner is appointed or is available the functions and duties required by sections (d) and (e) of this section to be performed by such shipping commissioner may be performed by a collector or deputy collector of customs; and where vessels are not required to sign on and discharge the crew before a shipping commissioner the duties and functions required by subsections (d) and (e) of this section to be performed by the shipping commissioner shall be performed by the master of such vessel. Any master who shall fail to perform such duties or functions shall be fined in the sum of $50 for each offense."

SEC. 2. This Act shall take effect as to vessels within the provisions of section 4551 of the Revised Statutes, as amended, as follows: (a) Upon its enactment in the case of such vessels engaged in foreign or intercoastal voyages, and (b) on June 25, 1937, in the case of all other such vessels: *Provided*, That, until June 25, 1937, the Secretary of Commerce is hereby authorized, pending the issuance of permanent certificates of identification and permanent certificates of discharge under such section, to provide for temporary certificates of identification and temporary certificates of discharge, which shall have the same force and effect as the permanent certificates.

June 16, 1938, ch. 467, § 3, 52 Stat. 754.

SEC. 3. Provisions of section 4551 of the Revised Statutes of the United States, as amended, approved March 24, 1937 (Public, Numbered, 25, Seventy-fifth Congress), shall not apply to unrigged vessels except seagoing barges.

October 17, 1940, ch. 896, §§ 1, 2, 54 Stat. 1200.

That section 4551 of the Revised Statutes as amended (U.S.C. 1934 edition, Supp, V, title 46, sec. 643), is amended by the addition of a new subsection lettered (1), reading as follows:

"(1) The master of every vessel subject to the provisions of this section shall submit, over his signature, reports to the Bureau of Marine Inspection and Navigation of the employment, discharge, or termination of services of every seaman not shipped or discharged before a shipping commissioner, which reports shall contain such of the following information as may be required by regulation of the Secretary of Commerce: (1) name of vessel, official number, voyage number, port, date, description of voyage, name in full of each seaman, number of continuous discharge book or certificate of identification and of license, certificate of registry, or service, and efficiency for rating in which employed, age, citizenship, capacity in which engaged, date and place of engagement, date and place of discharge or separation from service of vessel, the percentage of citizens of the United States in the crew, and name in full to the master and the serial number of his license; (2) a statement showing (a) that the master has entered into an agreement with each seaman on board such vessel as required by law; (b) that at least 65 per centum of the deck crew (exclusive of licensed officers) are of a rating not less than able seamen; (c) that at least 75 per centum of the crew in each department are able to understand orders given by the officers; (d) that the vessel has in her service the number of lifeboatmen required by her certificate of inspection; (e) that each member of the crew possesses a license, certificate of registry, or certificate of service for the rating in which he is engaged, and (f) that each lifeboatman possesses a certificate of efficiency. The Secretary of Commerce shall, by regulation, prescribe the form and content of such reports and time of submitting them. This subsection shall not apply to any ferry or any tug used in connection with a ferry operation, if such ferry or tug is employed exclusively in trade on the Great Lakes, lakes (other than the Great Lakes), bays, sounds, bayous, canals, and harbors, and is not engaged on an international voyage. Any master who shall violate any provision of this subsection or regulations established hereunder shall be subject to a penalty of $500."

SEC. 2. The President is hereby authorized whenever in his judgment the national interest requires, to extend the provisions of subsection (1) of section 4551, Revised Statutes, as amended, to such additional class or classes of vessels and to such waters as he may designate.

Comparative Text of Statutes for Amendment by a Bill To Improve the Laws Relating to the Documentation of Seamen and for Other Purposes

[Omissions are indicated by black brackets and additions are in italics]

Section 21 of the Bill Amends Revised Statute 4568, as amended (46 U.S.C. 665).

Comparative text—

[If, during a voyage, the allowance of any of the provisions which any seaman is entitled to under section forty-six hundred and twelve of the Revised Statutes is reduced except for any time during which such seaman willfully and without sufficient cause refuses or neglects to perform his duty, or is lawfully under confinement for misconduct either on board or on shore; or if it shall be shown that any of such provisions are, or have been during the voyage, bad in quality or unfit for use, the seaman shall receive, by way of compensation for such reduction or bad quality, according to the time of its continuance, the following sums, to be paid to him in addition to and to be recoverable as wages:

First. If his allowance is reduced by any quantity not exceeding one-third of the quantity specified by law, a sum not exceeding 50 cents a day.

Second. If his allowance is reduced by more than one-third of such quantity, a sum not exceeding $1 a day.

Third. In respect of bad quality, a sum not exceeding $1 a day.

But if it is shown to the satisfaction of the court before which the case is tried that any provisions the allowance of which has been reduced, could not be procured or supplied in sufficient quantities or were unavoidably injured or lost, or if by reason of its innate qualities any article becomes unfit for use and that proper and equivalent substitutes were supplied in lieu thereof, the court shall take such circumstances into consideration and shall modify or refuse compensation, as the justice of the case may require.] *If a seaman while serving on a vessel on which a written agreement is required under section 7 of the Seamen's Act of 1968 if forced to accept less than a proper ration of food or water, he is entitled to such allowance for the reduction as the court hearing the case considers reasonable.*

This section does not apply when the reduction in rations was for a period of time during which the seaman willfully and without sufficient cause refused or neglected to perform his duty, or was lawfully under confinement on board or ashore for misconduct, unless the reduction is shown to have been unreasonable.

Section 22 of the Bill Amends Revised Statute 4612, as amended (46 U.S.C. 713).

Comparative text—Definitions, [schedule, and tables].

In the construction of title 53 of the Revised Statutes, every person having the command of any vessel belonging to any citizen of the United States shall be deemed to be the "master" thereof; and every person (apprentices excepted) who shall be employed or engaged to serve in any capacity on board the same shall be deemed and taken to be a "seaman"; and the term "vessel" shall be understood to comprehend every description of vessel navigating on any sea or channel, lake or river, to which the provisions of such title may be applicable, and the term "owner" shall be taken and understood to comprehend all the several persons, if more than one, to whom the vessel shall belong.

[SCHEDULE]

[TABLE A]

[*Form of articles of agreement*]

[United States of America.

(Date and place of first signature of agreement, including name of shipping office):

It is agreed between the master and seamen or mariners of the ———, of which ——— ——— is at present master, or whoever shall go for master, now bound from the port of ———, ———, to ———, ———, (here the voyage is to be described, and the places named at which the vessel is to touch, or if that cannot be done, the general nature and probable length of the voyage is to be stated.)

And the said crew agree to conduct themselves in an orderly, faithful, honest, and sober manner, and to be at all times diligent in their respective duties, and to be obedient to the lawful commands of the said master, or of any person who shall lawfully succeed him, and of their superior officers in everything relating to the vessel, and the stores and cargo thereof, whether on board, in boats, or on shore; and in consideration of which service, to be duly performed, the said master hereby agrees to pay the said crew, as wages, the sums against their names respectively expressed, and to supply them with provisions according to the annexed scale. And it is hereby agreed that any embezzlement, or willful or negligent destruction of any part of the vessel's cargo or stores, shall be made good to the owner out of the wages of the person guilty of the same; and if any person enters himself as qualified for a duty which he proves himself incompetent to perform, his wages shall be reduced in proportion to his incompetency. And it is also agreed that if any member of the crew considers himself to be aggrieved by any breach of the agreement or otherwise, he shall present the same to the master or officer in charge of the vessel, in a quiet and orderly manner, who shall thereupon take such steps as the case may require. And it is also agreed that (here any other stipulations may be inserted to which the parties agree, and which are not contrary to law).

In witness whereof the said parties have subscribed their names hereto, on the days against their respective signatures mentioned.

Signed by ——— ———, master, on the ——— day of ———, nineteen hundred and ———.

Signature of crew	Birthplace	Age	Height		Description		Wages per month	Wages per run	Advance wages	Amount of monthly allotment	Time of service		Hospital [illegible]	Whole wages	Wages due	Place and time of entry	Time at which he is to be on board	In what capacity	Coast Guard official's signature or initials	Allotment payable to—	Conduct qualifications
			Feet	Inches	Complexion	Hair					Months	Days									

NOTE.—In the place for signatures and descriptions of men engaged after the 1st departure of the ship, the entries are to be made as above, except that the signatures of the consul or vice counsul, officer of customs, or witness before whom the man is engaged, is to be substituted for that of the shipping master.]

[ACCOUNT OF APPRENTICES ON BOARD]

[Christian and surname of apprentice in full	Date of registry of indenture	Port at which indenture was registered	Date of register of assignment	Port at which assignment was registered]

[SCALE OF PROVISIONS TO BE ALLOWED AND SERVED OUT TO THE CREW DURING THE VOYAGE]

		Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
[Water	quarts	5	5	5	5	5	5	5
Biscuit	pound	½	½	½	½	½	½	½
Beef, salt	pounds			1¼		1¼		1¼
Pork, salt	pound		1		1		1	
Flour	do	½		½		½		
Canned meat	do	1			1			
Fresh bread	pounds	1½ pounds daily						
Fish, dry, preserved, or fresh	pound						1	
Potatoes or yams	do	1	1	1	1	1	1	1
Canned tomatoes	do	½					½	
Peas	pint			⅓			⅓	
Beans	do		⅓		⅓			
Rice	do		⅓					⅓
Coffee (green berry)	ounce	¾	¾	¾	¾	¾	¾	¾
Tea	do	⅛	⅛	⅛	⅛	⅛	⅛	⅛
Sugar	ounces	3	3	3	3	3	3	3
Molasses	pint	½		½		½		
Dried fruit	ounces	3		3		3		
Pickles	pint		¼		¼		¼	
Vinegar	do			½				½
Corn meal	ounces	4				4		
Onions	do	4				4		4
Lard	ounce	1	1	1	1	1	1	1
Butter	do	2	2	2	2	2	2	2

Mustard, pepper, and salt sufficient for seasoning.]

[SUBSTITUTES]

[One pound of flour daily may be substituted for the daily ration of biscuit or fresh bread; two ounces of desiccated vegetables for one pound of potatoes or yams; six ounces of hominy, oatmeal, or cracked wheat, or two ounces of tapioca, for six ounces of rice, six ounces of canned vegetables for one-half pound of canned tomatoes; one-eighth of an ounce of tea for three-fourths of an ounce of coffee; three-fourths of an ounce of coffee for one-eighth of an ounce of tea; six ounces of canned fruit for three ounces of dried fruit; one-half ounce of lime juice for the daily ration of vinegar; four ounces of oatmeal or cracked wheat for one-half of corn meal; two ounces of pickled onions for four ounces of fresh onions.

When the vessel is in port and it is possible to obtain the same, one and one-half pounds of fresh meat shall be substituted for the daily rations of salt and canned meat; one-half pound of green cabbage for one ration of canned tomatoes; one-half pound of fresh fruit for one ration of dried fruit. Fresh fruit and vegetables shall be served while in port if obtainable. The seamen shall have the option of accepting the fare the master may provide, but the right at any time to demand the foregoing scale of provisions.

The foregoing scale of provisions shall be inserted in every article of agreement, and shall not be reduced by any contract, except as above, and a copy of the same shall be posted in a conspicuous place in the galley and in the forecastle of each vessel.

The three preceding paragraphs and the scale of provisions shall not apply to fishing or whaling vessels or yachts.]

TABLE 8

CERTIFICATE OF DISCHARGE

Name and official number of ship	Port of registry	Tonnage	Description of voyage or employment	Name of seaman	Place of birth	Date of birth	Character	Declines to give statement of character	Capacity	Date of entry	Date of discharge	Place of discharge

I certify that the above particulars are correct, and that the above-named seaman was discharged accordingly.
Dated ________ day of ________, nineteen hundred and ________.
(Signed) ________ ________, Master.
(Countersigned) ________ ________, Seaman.
Given to the above-named seaman in my presence this ________ day of ________, nineteen hundred and ________
(Signed) ________ ________,
Coast Guard official.]

Section 23 of the Bill amends section 10 of the Act of June 26, 1884, as amended (23 Stat. 55; 46 U.S.C. 599).

Comparative text—

(a) It shall be unlawful in any case to pay any seaman wages in advance of the time when he has actually earned the same, or to pay such advance wages, or to make any order, or note, or other evidence of indebtedness therefor to any other person, or to pay any person, for the shipment of seamen when payment is deducted or to be deducted from a seaman's wages. Any person violating any of the foregoing provisions of this section shall be deemed guilty of a misdemeanor, and upon conviction shall be punished by a fine of not less than $25 nor more than $100, and may also be imprisoned for a period of not exceeding six months, at the discretion of the court. The payment of such advance wages or allotment, whether made within or without the United States or territory subject to the jurisdiction thereof, shall in no case except as herein provided absolve the vessel or the master or the owner thereof from the full payment of wages after the same shall have been actually earned, and shall be no defense to a libel suit or action for the recovery of such wages. If any person shall demand or receive, either directly or indirectly, from any seaman or other person seeking employment, as seaman, or from any person on his behalf, any remuneration what ever for providing him with employment, he shall for every such offense be deemed guilty of a misdemeanor and shall be imprisoned not more than six months or fined not more than $500.

(b) It shall be lawful for any seaman to stipulate [in his shipping agreement] *at the time he enters into a shipping agreement,* for an allotment of any portion of the wages he may earn (1) to his grandparents, parents, wife, sister, or children; (2) to an agency duly designated by the Secretary of the Treasury for the handling of applications for United Savings Bonds, for the purpose of purchasing such bonds for the seaman; or (3) for deposits to be made in an account [for savings, or investment] opened by him and maintained in his name [either] at a *federal or state credit union or at a* [savings bank or a United States postal savings depository subject to the governing regulations thereof,] or a savings institution in which such accounts are insured by the Federal Deposit Insurance Corporation or the Federal Savings and Loan Insurance Corporation.

[(c) No allotment shall be valid unless in writing and signed by and approved by the Coast Guard official to whom the duties of shipping commissioner have been delegated. It shall be the duty of the said Coast Guard official to examine such allotments and the parties to them and enforce compliance with the law. All stipulations for the allotment of any part of the wages of a seaman during his absence which are made at the commencement of the voyage shall be inserted in the agreement and shall state the amounts and times of the payments to be made and the persons to whom the payments are to be made, or by directing the payments to be made to a savings bank or a United States postal savings depository in an account maintained in his name.]

(d) No allotment except as provided in this section shall be [legal] *lawful.* [Any person who shall falsely claim to be such relation, as above described, or to be a savings bank or a United States postal savings depository and as such an allottee of the seaman under this section shall for every such offense be punished by a fine not exceeding $500 or imprisonment not exceeding six months, at the discretion of the Court.] *Whoever falsely claims for himself, or for another, qualification as an allottee under this section shall be fined not more than $500 or imprisoned not more than six months or both.*

(e) This section shall apply as well to foreign vessels while in waters of the United States, and any master, owner, consignee, or agent of any foreign vessel who has violated its provisions shall be liable to the same penalty that the master, owner, or agent of a vessel of the United States would be for similar violation.

The master, owner, consignee, or agent of any vessel of the United States, or of any foreign vessel seeking clearance from a port of the United States shall present his shipping articles at the office of clearance, and no clearance shall be granted any such vessel unless the provisions of this section have been complied with.

(f) [The Commandant of the Coast Guard shall make regulations to carry out this section.] This section shall not apply to fishing or whaling vessels or yachts.

(g) The provisions of this section shall not apply to, or render unlawful, deductions made by an employer from the wages of a seaman, pursuant to the written consent of the seaman, if (1) such deductions are paid into a trust fund established for the sole and exclusive benefit of seamen employed by such employer, and their families and dependents (or of such seamen, families, and dependents jointly with seamen employed by other employers and their families and dependents); and (2) such payments are held in trust for the purpose of providing, either from principal or income or both, for the benefit of such seamen, their families, and dependents, medical and/or hospital care, pensions, or retirement or death of the seamen, life insurance, unemployment benefits, compensation for illness or injuries resulting from occupational activity, sickness, accident and disability compensation, or any one or more of the foregoing benefits, or for the purpose of purchasing insurance to provide any one or more of such benefits.

Section 24 of the Bill Amends the Act of Aug. 19, 1890, as amended (26 Stat. 320; 46 U.S.C. 563, 2d paragraph).

Comparative text—

[When a crew is shipped by such Coast Guard official for any American vessel in the coastwise trade, or the trade between the United States and the Dominion of Canada, or Newfoundland, or the West Indies, or Mexico, as authorized by this section, an agreement shall be made with each seaman engaged as one of such crew in the same manner as is provided by sections 564 and 565 of this title, not however including the sixth and eighth items of section 564 of this title, and such agreement shall be posted as provided in section 577 of this title, and such seaman shall be discharged and receive their wages as provided by the first clause of section 596 of this title, and also by sections 593–595, 597, 600, 603, 604, 625–628, 641–643, 644, 645 and 651 of this title; but in all other respects such shipment of seamen and such shipping agreement shall be regarded as if both shipment and agreement had been entered into between the master of a vessel and a seaman without going before such Coast Guard official; Provided, That the clothing of any seaman shall be exempt from attachment, and that any person who shall detain such clothing when demanded by the owner shall be deemed guilty of a misdemeanor, and shall be imprisoned not more than six months or fined not more that $500, or both] *The clothing of a seaman is exempt from attachments and liens. Whoever detains a seaman's clothing or any license certificate of registry, or merchant mariner's document issued to a seaman by the Coast Guard shall be fined not more than $500 or imprisoned not more than six months, or both.*

TABLE OF UNITED STATES CODE SECTIONS AFFECTED BY A BILL TO IMPROVE THE LAWS RELATING TO SEAMEN, AND FOR OTHER PURPOSES

Title 46 United States Code, section—	Revised Statute/Statute at Large	Repealed by bill	Amended by bill	Related section of bill
201	R.S. 4290; Feb. 27, 1877, C. 69, § 1 (pt.), 19 Stat. 250; Feb. 14, 1900, c. 19, § 1, 31 Stat. 29.	X	----------	16.
202	R.S. 4291	X	----------	17.
203	R.S. 4292	X	----------	18.
541	R.S. 4501; June 26, 1884, C. 121, § 27, 23 Stat. 58	X	----------	9(a).
542	R.S. 4502; Apr. 26, 1906, C. 1875, 34 Stat. 137	X	----------	
542a	R.S. 4595	X	----------	
543	R.S. 4503	X	----------	
545	R.S. 4508	X	----------	9(a).
546	R.S. 4504	X	----------	
547	R.S. 4505	X	----------	
548	R.S. 4506	X	----------	
549	R.S. 4507; Mar. 3, 1897, C. 389, § 1, 29 Stat. 687	X	----------	
561	R.S. 4509	X	----------	
562	R.S. 4510	X	----------	
563 (1st paragraph)	June 19, 1886, C. 421, § 2, 24 Stat. 80	X	----------	9(b).
563 (2d paragraph)	Aug. 19, 1890, C. 801, 26 Stat. 320; Feb. 18, 1895, C. 97, 28 Stat. 667; Mar. 3, 1897, C. 389, § 8, 29 Stat. 687; Apr. 11, 1904, C. 1875, 33 Stat. 168.	----------	X	24.

TABLE OF UNITED STATES CODE SECTIONS AFFECTED BY A BILL TO IMPROVE THE LAWS RELATING TO SEAMEN, AND FOR OTHER PURPOSES—Continued

Title 46 United States Code, section—	Revised Statute/Statute at Large	Repealed by bill	Amended by bill	Related section of bill
564	R.S. 4511; Mar. 3, 1897, C. 389, § 19, 29 Stat. 687	X		7(a)(b) and 9(a)(b).
565	R.S. 4512	X		9(a).
566	R.S. 4513; Feb. 27, 1877, C. 69, § 1 (pt.), 19 Stat. 250	X		7(c).
567	R.S. 4514	X		15.
568	R.S. 4515	X		15.
569	R.S. 4516; Dec. 21, 1898, C. 28, § 1, 30 Stat. 755; Mar. 4, 1915, C. 153 § 1, 38 Stat. 1164.	X		11.
570	R.S. 4517	X		11.
571	R.S. 4518	X		15.
572	June 26, 1884, C. 121, § 19, 23 Stat. 58	X		
573	June 26, 1884, C. 121, § 20, 23 Stat. 58	X		
574	R.S. 4520	X		7(a)(b).
575	R.S. 4521	X		8.
576	R.S. 4522, Feb. 27, 1877, C. 69, § 1 (pt.), 19 Stat. 250; Dec. 21, 1898, C. 28, § 2, 30 Stat. 755.	X		
577	R.S. 4519	X		9(c) and 15.
578	R.S. 4523	X		8.
599	June 26, 1884, C. 121, § 10, 23 Stat.55; Dec. 21, 1898, C. 28, §§ 24, 26, 30 Stat. 763, 764; Apr. 26, 1904, C. 1603, § 1, 33 Stat. 308; Mar. 4, 1915, C. 153, § 11, 38 Stat. 1168; June 5, 1920, C. 250, § 32, 41 Stat. 1006; June 30 1932, C. 314, § 501, 47 Stat. 415; May 27, 1936, C. 463, § 1, 49 Stat. 1380; May 31, 1939, C. 158, 53 Stat. 794; 1946 Reorg. Plan No. 3, §§ 101-104, eff. July 16, 1946, 11 F.R. 7875, 60 Stat. 1097; Sept. 29, 1950, C. 1109, 64 Stat. 1081; Jan. 10, 1951, C. 1222, 64 Stat. 1239.		X X	23. 23.
605	R.S. 4548	X		
641	R.S. 4549	X		9(a) and 15.
643	R.S. 4551; June 25, 1936, C.816, § 3, 49 Stat. 1934; Mar. 24, 1937, C. 49, §§ 1, 2, 50 Stat. 49; Oct. 17, 1940, C. 896, § 1, 54 Stat. 1200.	X		4-6, 10, and 12-14.
643a	June 16, 1938, C. 467, § 3, 52 Stat. 754	X		
643b	Oct. 17, 1940, C. 896, § 2, 54 Stat. 1200	X		6(b).
645	R.S. 4553	X		
646	June 19, 1886, C. 421, § 2, 24 Stat. 80	X		9(b).
665	R.S. 4568; Dec. 21, 1898, C. 28, §§ 14, 26, 30 Stat. 758, 764.		X	21.
713	R.S. 4612; Dec. 21, 1898, C. 28, §§ 23, 26, 30 Stat. 762, 764; Mar. 4, 1915, C. 153, § 10, 38 Stat. 1168; 1946 Reorg. Plan No. 3, §§ 101–104, eff. July 16, 1946, 11 F.R. 7875, 60 Stat. 1097.		X	22.

S. 3760—INTRODUCTION OF BILL TO AUTHORIZE THE WAIVING OF REQUIREMENT OF PERFORMANCE AND PAYMENT BONDS IN CONNECTION WITH CERTAIN CONTRACTS ENTERED INTO BY THE SECRETARY OF COMMERCE

Mr. MAGNUSON. Mr. President, by request, I introduce, for appropriate reference, a bill to amend the act of April 29, 1941, as amended, to authorize the waiving of the requirement of performance and payment bonds in connection with certain contracts entered into by the Secretary of Commerce. I ask unanimous consent to have printed in the Record a letter from the Secretary of Commerce, requesting the proposed legislation, together with a statement of the purposes and provisions of the proposed legislation.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the letter and statement will be printed in the Record.

The bill (S. 3760) to amend the act of April 29, 1941, as amended, to authorize the waiving of the requirement of performance and payment bonds in connection with certain contracts entered into by the Secretary of Commerce, introduced by Mr. Magnuson, by request, was received, read twice by its title, and referred to the Committee on Commerce.

The letter and statement, presented by Mr. Magnuson, are as follows:

July 8, 1968.

Hon. Hubert H. Humphrey,
President of the Senate,
Washington, D.C.
Hon. John W. McCormack,
Speaker of the House of Representatives,
Washington, D.C.

Dear Mr. President, Dear Mr. Speaker: Enclosed are four copies of a draft bill "To amend the Act of April 29, 1941, as amended, to authorize the waiving of the requirement of performance and payment bonds in connection with certain contracts entered into by the Secretary of Commerce," and four copies of a statement of purposes and provisions in support thereof.

We have been advised by the Bureau of the Budget that there would be no objection to the submission of this proposed legislation to the Congress from the standpoint of the Administration's program.

Sincerely yours,

C. R. Smith,
Secretary of Commerce.

Statement of the Purposes and Provisions of the Draft Bill To Amend the Act of April 29, 1941, as Amended, To Authorize the Waiving of the Requirement of Performance and Payment Bonds in Connection With Certain Contracts Entered Into by the Secretary of Commerce

The Miller Act, 49 Stat. 793-4 (P.L. 74-321, 1st Sess.), 40 U.S.C. 270a, provides that any contractor constructing a "public work" in excess of $2,000 for the United States shall furnish a performance bond for the protection of the United States and a payment bond for the protection of persons furnishing materials and labor.

The Maritime Administration presently is required to obtain such bonds from the contractor in the following instances:

(1) when it constructs ships under the Economy Act, 47 Stat. 382, 417-8 (P.L. 72-212, 1st Sess.), as amended, 31 U.S.C. 686, for other Government agencies;

(2) when it constructs a vessel pursuant to section 502, Merchant Marine Act, 1936, whereby it concurrently contracts with the applicant for the purchase by the applicant of the vessel upon its completion;

(3) when it repairs a vessel, such as in the process of "breaking it out" from the national defense reserve fleet for operation under a general agency agreement, or in the process of making it available to any State maintaining a marine school, as is authorized by section 11 of the Merchant Ship Sales Act of 1946, or in the process of making a vessel available for charter under section 6 of that Act; and

(4) when it constructs, reconditions or remodels vessels under title VII, Merchant Marine Act, 1936, in those cases where it has determined, and the determination is approved by the President, that the national policy and objectives set forth in the Act cannot be fully realized within a reasonable time under the provisions of title V.

Under the Act of April 29, 1941, as amended (40 U.S.C. 270e), the Army, Navy, Air Force, and Coast Guard have been given statutory authority to waive the bond provisions of the Miller Act.

The purpose of this bill is to obtain similar authority with respect to vessels constructed, altered, or repaired, by the Maritime Administration in the above-enumerated instances.

Requiring these bonds increases the cost of constructing the ships. When the risk involved does not require such bonds, the presently mandatory provisions of the Miller Act result in an unnecessary expense.

S. 3761—INTRODUCTION OF BILL TO ELIMINATE REQUIREMENTS FOR DISCLOSURE OF CONSTRUCTION DETAILS ON PASSENGER VESSELS MEETING PRESCRIBED SAFETY STANDARDS

Mr. MAGNUSON. Mr. President, by request, I introduce, for appropriate reference, a bill to eliminate requirements for disclosure of construction details on passenger vessels meeting prescribed safety standards. I ask unanimous consent that a letter from the acting executive director of the Committee of American Steamship Lines, requesting the legislation, be printed in the Record, together with a justification of the proposed legislation.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the letter and justification will be printed in the Record.

The bill (S. 3761) to eliminate requirements for disclosure of construction details on passenger vessels meeting prescribed safety standards, introduced by Mr. Magnuson, by request, was received, read twice by its title, and referred to the Committee on Commerce.

The letter and justification, presented by Mr. Magnuson, are as follows:

June 21, 1968.

Hon. Warren G. Magnuson,
Chairman, Senate Commerce Committee, U.S. Senate, Washington, D.C.

Dear Senator Magnuson: The Committee of American Steamship Lines wishes to express appreciation for your many services in the public interest to insure increased standards of safety of life at sea, particularly with respect to foreign vessels embarking United States nationals in U.S. ports. Specific reference is made to Public Law 89-777.

A major purpose of Public Law 89-777 has been to establish minimum standards for passenger vessels. After 1 November, 1968, passenger vessels departing U.S. ports will meet the standards required by law or will not sail.

Another purpose of Public Law 89-777 has been to require disclosure of construction details on passenger vessels. For those vessels which will in fact have met the standards prescribed by law as of 2 November, 1968, this feature of the Act will have served its purpose. However, the requirement for disclosure would continue to inhibit bookings on these vessels.

Enclosed is a proposed amendment to Public Law 89-777 which is designed to eliminate the requirement for disclosure on voyages by passenger vessels which meet the prescribed standards, but which continues the requirement for disclosure on voyages by vessels that do not meet the prescribed standards, thereby retaining the protection of the public interest. Justification for the proposed amendment is attached.

It is respectfully requested that you introduce the proposed amendment in the Senate. The Committee of American Steamship Lines considers passage of a bill prior to adjournment of the Congress to be a matter of urgency in order to preclude those operators who have brought their passenger vessels up to the standards prescribed by law from being unfairly penalized by purposeless and undesirable disclosure requirements.

Sincerely,

ALBERT E. MAY,
Acting Executive Director.

JUSTIFICATION FOR AMENDMENT

P.L. 89-777 provides that "Owners, Operators, agents, etc. . . ." shall notify prospective passengers of the safety standards . . . with which the vessel complies or does not comply." "In addition, all promotional literature or advertising in or over any medium of communication within the United States offering passage or soliciting passengers for ocean voyages anywhere in the world shall include similar information as a part of the advertisement or description of the voyages in a manner prescribed by regulations promulgated" . . . etc.

The necessity for inclusion of the safety information in all carrier and agents' advertising and other forms of promotion is especially harmful when it appears repetitively several times on the same page, for example, in the multipage Sunday travel sections of major newspapers. The effect is to single out the steamship industry as representing a mode of unsafe transportation. During hearings on the bill the extreme harmful effects of carrying out the provisions relating to disclosure of safety standards in advertising was not then fully visualized.

It is well to examine all sections of P.L. 89-777 in the light of the intent of the Congress to protect the traveling public.

A purpose was to protect U.S. citizens against the loss of passage money. Section 3(a) of P.L. 89-777 requires that anyone arranging, offering, advertising, or providing passage on ships of 50 or more accommodations, which embark passengers at U.S. ports, must file with the Federal Maritime Commission evidence sufficient to such Agency to establish their financial responsibility to indemnify passengers for nonperformance.

Another purpose was to indemnify passengers and other persons for injuries or death. Section 2(a) requires all owners or charterers of ships embarking passengers at U.S. ports to demonstrate to the Federal Maritime Commission their financial ability to meet any liability they may incur for death or injury to passengers or other persons on voyages to or from U.S. ports. The statute prescribes a schedule of dollar requirements in relationship to passenger accommodations to ensure the availability of funds to carry out this Section of the law.

A further primary purpose was to eliminate substandard ships from the U.S. passenger trades. This is accomplished by Section 4 of the law which prescribes the standards that all passenger vessels, U.S. and Foreign, are required to meet after November 2, 1968, if they wish to embark U.S. citizen passengers from our ports. Responsible operators have begun where needed, to comply with Section 4 of the law, in the upgrading of ships even though the requirement does not become effective until November 2, 1968. Because of the cost involved vessels which cannot meet the requirement of Section 4 will not be permitted to sail from U.S. ports. Having achieved the objectives of the law outlined above, it should be readily apparent that the requirement to advertise safety standard is unnecessary after November 2, 1968, for those vessels which in fact meet the standards.

The continued requirement to advertise the safety standards of the responsible U.S. and foreign flag carriers who meet the criteria of the law unnecessarily penalizes them by reason of the repetitive disclosure of safety legends in all advertisements and literature. The ultimate effect is most damaging. This creates a false impression that sea travel is perilous irrespective of the safety classification of a vessel. It also imposes an unnecessary additional cost in the promotion of ship traffic and particularly to the travel agent who cannot afford to purchase the additional advertising space required. The result is that travel agents have uniformly indicated they will curtail or discontinue advertising steamship services. Moreover, the additional prohibitive cost of disclosing the safety standard of each vessel has practically eliminated the possibility of steamship advertising by the carrier on radio and television.

While ocean transportation is the safest travel medium, it is the only mode of transportation saddled with the necessity of informing the traveling public in several ways the "hazards" which they may incur should they take a trip on a ship. The effect is highly discriminatory, unfair and untruthful.

The passenger steamship industry is a marginal one, and one which national policy and defense considerations dictate we must have. The constant attempts to label it as unsafe will make it even more marginal.

Reliance is heavily placed on advertising as a means of stimulating the desire to travel. Moreover, the carriers must rely on the travel agents to produce a reasonable share of this growing market and in fact approximately 80% of the passengers booked to travel on passenger ships originate through travel agents. It is just as easy for an agent to sell other means of transportation, and if it costs him more to advertise ocean transportation he is reluctant to deplete his commissions by doing so.

There is no logical reason why the passenger ship industry, the safest travel medium there is, should be unfairly discriminated against by requiring publication of safety standards when such requirement will produce no net benefit to the traveling public since the law eliminates the possibility of ships which do not conform with the prescribed safety requirements sailing from U.S. ports after November 2, 1968.

The proposed amendment to Public Law 89-777 would eliminate the requirement for disclosure in the cases of vessels which meet the safety standards established by law and still maintain the requirement for disclosure by vessels which do not meet such standards, thereby protecting the public interest as intended.

S. 3763—INTRODUCTION OF BILL TO SIMPLIFY AND IMPROVE FEDERAL INCOME TAX PROCEDURES

Mr. TOWER. Mr. President, we live in a society that becomes more complex every year. The Government gets bigger, too; and the average people get more and more frustrated in their dealings with their Government. People today have the feeling that Washington is like Big Brother in George Orwell's book, "1984." The Government tries to control their actions and often limits their freedom of choice with restrictive legislation. I have time and time again on the floor of this august Chamber fought against the unwarranted enlargement of the Federal Government and its encroachment on personal liberties. But not only has the Government become overbearing in many ways against the average citizen in spending money and controlling everyday activities, but also in the way it collects taxes.

Regardless of one's views toward the size of Government, everyone agrees, Mr. President, that taxes ought to be collected in the fairest and most efficient manner. As long as we are going to collect taxes, we should do it so that there is a minimum of trouble and frustration on the part of this Nation's taxpayers. People work hard to earn the money they pay in taxes. They should not have to work even harder to fill out difficult forms and pay their taxes. Of course, there must be some paperwork and there must be some bother; but I must ask, Mr. President, "Isn't enough not enough?"

To this end I today introduce a bill to provide for the appointment of an advisory committee to recommend improvements in and simplifications of Federal tax return forms and procedures. This bill has no provisions for changing the Internal Revenue Code of 1954. In fact, it does not even contain any specific recommendations. I realize that our existing tax law is very complicated and detailed. And while certain ways to simplify the forms and procedures are frequently spoken about, one reason that all of these proposals have failed is because we need a general overhaul of Federal income tax procedures. If we reform existing law in a patchwork way, then the resulting changes may be even more confusing and stultifying to our Nation's citizens.

My bill authorizes the Secretary of the Treasury to appoint an advisory committee to make recommendations. This committee will consist of nine members, well versed in the problems involved. The committee will have tax lawyers and accountants who know how the forms and procedures work. The advisory committee will also have representative taxpayers who can present views on the difficulties confronting them, as well as specialists who know the Government's needs.

The committee will make recommendations for the simplification of tax returns and other documents. We already have form 1040A which enables certain people to fill out tax returns in a matter of minutes. This advisory committee will make recommendations so that an even greater number of people can avail themselves of such simpler tax forms.

There should also be changes in the methods of paying taxes. We need modifications in the Federal income tax withholding. The great inconveniences that nonsalaried professional and business people go through in their tax payments should be eliminated.

All of us pay taxes. We all know how complicated a process it is, and something must be done to get us out of this morass of redtape. This bill provides for a committee of experts who will make recommendations to free the American people of as many of these burdens as possible. This bill changes nothing of substance in existing tax law. But it will give us an opportunity for a close examination of many defects of administration and their correction.

The PRESIDING OFFICER. The bill will be received and appropriately referred.

The bill (S. 3763) to provide for the appointment of an advisory committee to recommend improvements in and simplification of Federal tax return forms and procedures, introduced by Mr. TOWER, was received, read twice by its title, and referred to the Committee on Finance.

S. 3771—INTRODUCTION OF BILL TO AMEND THE FEDERAL FOOD, DRUG, AND COSMETIC ACT TO INCLUDE A DEFINITION OF FOOD SUPPLEMENTS

Mr. MURPHY. Mr. President, on June 18, 1966, and December 14, 1966, the Food and Drug Administration published as orders its proposed changes in the regulations governing the labeling of containers in which vitamins and other dietary supplements are sold. Had enforcement of these orders not been stayed, the label of each bottle or package would have been required to contain the following statement:

> Vitamins and minerals are supplied in abundant amounts by the food we eat. The Food and Nutrition Board of the National Research Council recommends that dietary needs be satisfied by food. Except for persons with special medical needs, there is no scientific basis for recommending routine use of dietary supplements.

W. H. Sebrell, Jr., Chairman of the Committee on Recommended Dietary Allowances of the National Academy of Science-National Research Council, however, called the statement "objectionable and misleading." Similarly, George L. Mehrer, Assistant Secretary of Agriculture, denounced the proposed statement as "inaccurate and misleading."

Subsequently, the Food and Drug Administration deleted the second sentence and made one other minor change so that no food supplement could be sold without the following admission printed on its label:

> Vitamins and minerals are supplied in abundant amounts by normally available foods. Except for people with special medical needs, there is no scientific basis for recommending routine use of dietary supplements.

Yet, 48 percent of American households do not consume the approved amount of one or more nutrients and recently we learned that there may be up to 10 million people facing starvation or at least malnutrition here in America. In light of these facts, it is difficult to see how it can be said that the average American received adequate nutrients in his average diet. I wonder if we might not regard the average American as we do the "reasonably prudent man" in the law of torts, and remember that the reason for the existence of this law is that everyone is not a reasonably prudent man.

Therefore, I would recommend that a warning label should not be required on any food supplement "unless such article is intrinsically injurious to health in its recommended dosage."

Nor do I believe that the Commissioner of the Food and Drug Administration should have the prerogative to limit the "potency, number, combination, amount, or variety of any synthetic or natural vitamin, mineral substance, or ingredient of any food supplement" unless it, too, is found to be intrinsically injurious to health in such dosage.

Should he be permitted to do so, the number of vitamins and minerals that could be purchased without a prescription would be limited. We are all aware of the additional cost which this would place on consumers who wished to purchase regulated vitamins and minerals. The economic effect on senior citizens, many of whom live on fixed incomes, would be particularly severe, if not prohibitive.

Likewise, it would work a hardship on the operators of health food stores and other businesses dispensing vitamins and minerals, and it is estimated that this is a $500 million business today. All manufacturers would be required to produce practically the same product with the same limited ingredients and labeling. This administratively enforced lack of competition would destroy the incentive for continued nutritional research.

Of course, there are instances when the consumption of a substance should be medically regulated. Obviously, this is so with many drugs for which prescriptions are required. An overdose of such a drug might produce results detrimental to health or threatening to life itself. It should be noted, however, that no death from a vitamin or mineral overdose has ever been reported and I would contend that if the Food and Drug Administration is to be allowed to prohibit the purchase of certain vitamins and minerals without a prescription, the results would be that more lives would be lost than saved.

When the Congress amended the Food, Drug, and Cosmetic Act in 1938, definitions of "food" and "drug" were included. The definition of "food supplement" was not. At that time, Congress clearly indicated that it was their intent to have FDA classify foods and drugs if the label on the food made any claim that the food was sold to "cure, mitigate, diagnose, treat, or prevent disease in man."

The intent was made even more clear by the language in the Senate Commerce Committee's report accompanying the proposed amendments—Senate Report No. 361, 74th Congress, first session:

> The use to which a product is to be put will determine the category into which it will fall. If it is to be used only as a food it will come within the definitions of food and no other. If it contains nutritive ingredients but is sold for drug use only, as clearly shown by the labeling and advertising, it will come within the definition of drug, but not that of food. If it is sold to be used both as a food and for the prevention or treatment of disease it would satisfy both definitions and be subject to the substantive requirements of both. The manufacturer of the article, through his representations in connection with its sale, can determine the use to which the article is to be put. For example, the manufacturer of a laxative which is a medicated candy or chewing gum can bring his product within the definition of drug and escape that of food by representing the article fairly and unequivocally as a drug product.

Three years after this legislative history was written in the Senate, the FDA, in 1941, established a regulatory definition for food supplements which is the precise wording of the definition in the bill I intend to introduce:

> The term "food supplement" means food for special dietary uses.
>
> The term "special dietary uses," as applied to food for man, means particular—as distinguished from general—uses of food, as follows:
>
> Uses of supplying particular dietary needs which exist by reason of a physical, physiological, pathological, or other condition, including but not limited to the conditions of diseases, convalescence, pregnancy, lactatation, allergic hypersensitivity to food, underweight, and overweight;
>
> Uses for supplying particular dietary needs which exist by reason of age, including but not limited to the ages of infancy and childhood;
>
> Uses for supplementing or fortifying the ordinary or usual diet with any vitamin, mineral, or other dietary property.
>
> Any such particular use of a food is a special dietary use, regardless of whether such food also purports to be or is represented for general use.

It should be noted carefully that the addition of this definition of "food supplement" as a subcategory under "food" will not prevent the FDA from seizing misbranded or adulterated food supplements. It will simply require them to be seized as "foods," which they are, and not as "drugs."

The question that often arises in this regard is: "Why is it not a "drug" if it makes a therapeutic nutritional claim?" I believe the answer is simple. Such a claim only states that the product supplies certain nutrients essential to an adequate diet for persons under certain conditions. Of course, if the claim is false, the product would still be subject to seizure as a misbranded food.

Yet, on the strength of the language and legislative history of the 1938 act, and ignoring their own 1941 definition, the FDA has seized such items as wheat germ, whole wheat cookies, carrot juice, kelp tablets, honey, and high protein fudge. These items were called misbranded drugs merely because the manufacturer stated in his labeling that the product had some therapeutic nutritional value.

It is time to remedy this situation before the food supplement industry falls victim to FDA's bureaucratic inflexibility and congressional inaction. To this end, I am pleased to introduce on behalf of my distinguished colleagues, Senators CURTIS, EASTLAND, HATFIELD, INOUYE, KUCHEL, LONG of Missouri, SCOTT, THURMOND, TOWER, and myself, the Food Supplement Amendment of 1968.

The key provisions of this bill are section 2, which clearly defines "food supplement" and "food for special dietary uses," and section 3, which limits the authority of the Secretary of the Department of Health, Education, and Welfare by prohibiting him from limiting the potency, number, combination, amount, or variety of any synthetic or natural vitamin, mineral, substance, or ingredient of any food supplement or from requiring a warning label unless such article is intrinsically injurious to health in the recommended dosage.

Mr. President, I ask unanimous consent that the text of the bill be printed at this point in the RECORD.

The **PRESIDING OFFICER**. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the RECORD.

The bill (S. 3771) to amend the Federal Food, Drug, and Cosmetic Act to include a definition of food supplements, and for other purposes, introduced by Mr. MURPHY, was received, read twice by its title, referred to the Committee on Labor and Public Welfare, and ordered to be printed in the RECORD, as follows:

S. 3771

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Food Supplement Amendment of 1968."

SEC. 2. (a) Paragraph (f) of section 201 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 321 (f)) is amended by (1) redesignating clauses (1) and (2) as clauses "(A)" and "(B)", respectively, (2) inserting "(1)" immediately after "(f)", and (3) adding at the end thereof the following:

"(2) The term 'food supplement' means food for special dietary uses.

"(3) The term 'special dietary uses', as applied to food for man, means particular (as distinguished from general) uses of food, as follows:

"(A) Uses of supplying particular dietary needs which exist by reason of a physical, physiological, pathological, or other condition, including but not limited to the conditions of diseases, convalescence, pregnancy, lactation, allergic hypersensitivity to food, underweight, and overweight;

"(B) Uses for supplying particular dietary needs which exist by reason of age, including but not limited to the ages of infancy and childhood;

"(C) Uses for supplementing or fortifying the ordinary or usual diet with any vitamin, mineral, or other dietary property.

Any such particular use of a food is a special dietary use, regardless of whether such food also purports to be or is represented for general use."

(b) Paragraph (g)(2) of section 201 is amended by inserting after the word "articles" and before the word "intended" the words "other than food supplements."

(c) Paragraph (g)(3) of section 201 is amended by striking out "(other than food)" and inserting in lieu thereof "(other than food or food supplements)".

(d) Paragraph (g)(4) of section 201 is amended by inserting after the word "include" the words "food supplements or".

SEC. 3. Title VII of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 371–377) is amended by adding at the end thereof the following new section:

"*LIMITATION OF AUTHORITY*

"SEC. 708. In administering this Act the Secretary—

"(1) shall not limit the potency, number, combination, amount, or variety of any synthetic or natural vitamin, mineral, substance, or ingredient of any food supplement unless such article is intrinsically injurious to health in the recommended dosage, and

"(2) shall not require a warning label on any food supplement unless such article is intrinsically injurious to health in the recommended dosage."

S. 3772—INTRODUCTION OF BILL TO PROVIDE BOND FOR SPONSORS OF CERTAIN ALIENS

Mr. **MILLER**. Mr. President, I introduce a bill and ask that it be printed in the RECORD and appropriately referred.

The **PRESIDING OFFICER**. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the RECORD.

The bill (S. 3772) to require the giving of indemnity bonds to the United States and to States and localities of the United States in the case of certain aliens from the Western Hemisphere who are seeking to enter the United States to perform skilled or unskilled labor—other than members of professions or aliens with exceptional ability in the sciences or arts—introduced by Mr. MILLER (for himself and Mr. FANNIN), was received, read twice by its title, referred to the Committee on the Judiciary, and ordered to be printed in the RECORD, as follows:

S. 3772

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That subsection (a) of section 212 of the Immigration and Nationality Act (8 U.S.C. 1182) is amended by striking out the period at the end thereof and inserting a semicolon and a new paragraph as follows:

"(32) Any alien who is within the class of special immigrants defined in section 101 (a)(27)(A) and who seeks to enter the United States for the purpose of performing skilled or unskilled labor (other than an alien who is a member of the professions or who has an exceptional ability in the sciences or the arts), except that such alien may be issued a visa and admitted into the United States upon the giving of a suitable and proper bond, undertaking, or cash deposit providing indemnity as in the case of aliens admitted under section 213: *Provided,* That, in the event such alien becomes a public charge, the provisions of section 213 shall be applicable to such bond, undertaking, or cash deposit and suit may be brought thereon as provided in such section."

Mr. **MILLER**. Mr. President, the bill would provide that in the case of certain aliens coming from a Western Hemisphere country to perform skilled or unskilled labor in the United States, a suitable bond be provided either by them or by their sponsors which would be used in the event that these individuals became public charges. Aliens who are members of the professions or who have abilities in the arts and sciences would be exempt from the provisions of the bill.

I should point out that the idea of the bill originated with a very timely article which was published in the San Diego, Calif., Union newspaper under date of *February 13, 1968.*

Mr. President, the article points out that a county supervisor there has disclosed that the county is being put to the expense of upward of a million dollars a year as a result of the many green-card workers coming into California under appropriate sponsorship, and then, due to the failure of the sponsor, becoming public charges.

My bill would effectively put a stop to this practice. I hope the bill receives early consideration.

Mr. President, I ask unanimous consent that the article which was printed in the San Diego, Calif., Union be printed in the RECORD.

The **PRESIDING OFFICER**. Without objection, it is so ordered.

(See exhibit 1.)

EXHIBIT I

ALIEN WELFARE CHANGES ASKED

County Supervisor Henry Boney has asked federal law changes to relieve local taxpayers of the burden of aliens on welfare rolls.

Backing his plea with results of a study of the county's welfare recipients, Boney asked federal immigration authorities to work for laws that would force citizens who sponsor aliens to care for their charges.

The Board of Supervisors chairman estimated that resident aliens on welfare make up almost 10 percent of the 30,000-plus county caseload on general and categorical relief programs.

COST $1 MILLION

The resident aliens, called Green Card workers, cost the county over $1 million a year for welfare, including $660,000 in aid payments, Boney said. He believes sponsors of the noncitizens should share this cost.

Sponsors are U.S. citizens who sign agreements pledging they will not allow the resident aliens to become public charges. Most sponsors are relatives of the aliens, although potential employers and others also may sponsor them.

He urged an amendment to the federal Immigration and Naturalization Act which would require sponsors to sign an enforceable agrement or furnish a bond to insure that aliens residing in the United States do not become public charges.

A three-month check of county welfare recipients, completed Jan. 31, listed 492 alien recipients contacted, with 357 of them stating they had citizen sponsors.

Boney said the check showed only 110 of the sponsors had contributed any support for their charges on welfare.

"Not only are the present informal sponsorship affidavits legally questionable, but the sponsors themselves are, by and large, not reliable," Boney told an investigating commission on immigration. He urged that rules be tightened to prevent U.S. entry of aliens likely to become public charges.

"It is apparent from these specific cases that the intent of the Immigration Act is being ignored and circumvented by those consular officers who accept questionable affidavits from even more questionable sponsors," Boney charged.

The welfare department check, still incomplete, will be presented to the Board of Supervisors this month to aid the county officials in their consideration of Boney's proposal to crack down on sponsors not meeting their commitments.

The initial results of the Welfare Department study showed that 287 of the 462 aliens on welfare checked were sponsored by another member of their immediate family or other relative. Another 75 had sponsors not related.

Welfare records showed that 81 of the sponsors had been themselves welfare recipients during the past five years, and that only 47 of the sponsors were known to have an annual income of $5,400 or more—the minimum income (for a family of five) at which the department could expect a sponsor to assume financial responsibility for his alien.

DECEPTION CITED

Boney cited as an example of irresponsibility of sponsors a report by District Attorney Don Keller that nine alien welfare recipients under review by his department "themselves sponsored a total of 30 other alien registration record (green) card holders."

The board chairman said that laxity in requiring responsible sponsors for resident aliens "may be encouraging unprincipled businessmen on both sides of the border who will obtain 'sponsors' for needy immigrants, sometimes at exorbitant fees."

"In recent weeks, several reports have come to my office indicating that such a business may be flourishing in this immediate area," Boney said. "Unsubstantiated testimony indicates that sponsors obtained in this manner may themselves be receiving payment and have no real moral interest in guaranteeing that the alien who seeks residence in the U.S. will not become a public charge."

SENATE JOINT RESOLUTION 189—INTRODUCTION OF JOINT RESOLUTION TO DESIGNATE "NATIONAL FAMILY HEALTH WEEK"

Mr. GRUENING. Mr. President, today I am introducing, for appropriate referral, Senate Joint Resolution 189 to authorize the President to designate the period beginning November 17, 1968, and ending November 23, 1968, as National Family Health Week.

Good health is a treasure beyond value. Throughout America thousands of family physicians work around the clock to safeguard the health of the Nation. Truly the dedication and skill of family physicians have served as the foundation of medical progress in the United States. Our health care system is a viable, dynamic achievement for which they deserve great credit.

The family doctor serves devotedly. His responsibilities are endless. Counselor and friend, he walks among us daily, and we are the better for his being here.

I am pleased to note that this resolution is being introduced in the other body today by Representative Tim Lee Carter, of Kentucky, on behalf of himself and other House Members.

As a member of the medical profession, I am privileged to join with them today in introducing this resolution which I hope can be acted on favorably during this session of the Congress.

I ask unanimous consent that the full text of the joint resolution be printed at the close of my remarks.

The PRESIDING OFFICER. The joint resolution will be received and appropriately referred; and, without objection, the joint resolution will be printed in the Record.

The joint resolution (S.J. Res. 189) to authorize the President to designate the period beginning November 17, 1968, and ending November 23, 1968, as "National Family Health Week," introduced by Mr. Gruening, was received, read twice by its title, referred to the Committee on the Judiciary, and ordered to be printed in the Record, as follows:

S.J. Res. 189

Whereas good health is a blessing prized above all others by every citizen, and

Whereas the well-being of the Nation depends upon the maintenance of good health among all segments and elements of our population, and

Whereas the family physician performs a critical service to the Nation in the maintenance of health and the prevention of disease, and

Whereas the Nation's family doctors have a unique responsibility in the American health care system, since they are the individual's primary source of contact with the medical profession, and

Whereas the dedication and skill of family physicians have served as the foundation of medical progress in this Nation, and

Whereas the family doctor's role as a physician and counselor to the whole person and the entire family embraces the widest scope of basic medical necessity, including advice on subjects ranging from personal health to family planning to emotional well-being, and

Whereas the American Academy of General Practice, national professional association of family physicians is conducting a continuing effort to educate the public in the progress of our health care system and supports measures for its improvement: Now, therefore, be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the Members of the 90th Congress request the President of the United States officially to proclaim the week of November 17-23 as National Family Health Week as a means of focusing national attention during the years upon the accomplishments of the American health care system and the central role played by the family physicians in the maintenance of superior medical care for Americans of all ages and from all walks of life.

ADDITIONAL COSPONSORS OF BILLS

Mr. BROOKE. Mr. President, I ask unanimous consent that, at its next printing, the name of the junior Senator from Pennsylvania [Mr. Scott] be added as a cosponsor of the bill (S. 3727) to establish a Commission on Air Traffic Control.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BIBLE. Mr. President, I am today joining in sponsoring a bill (S. 3681) introduced by Senator Dominick, of Colorado, which provides an added penalty of up to life imprisonment for use of any kind of firearm in a Federal crime of violence.

I take a substantial measure of personal satisfaction in this proposed legislation. It is intended to give broad national application to a key provision of the omnibus crime bill for the District of Columbia which I authored and the Congress enacted last year.

Specifically, Senator Dominick's bill is aimed at serving two important purposes. First, it provides severe sentences for felons who use a firearm to commit certain Federal crimes of a violent nature. Second, it offers a practical model to State and local jurisdictions which may very well view it as ideally suited for legislative enactment at their respective levels of government.

Certainly it is hoped such affirmative action will be forthcoming. For despite the leadership of the 90th Congress in passing strong anticrime legislation, the ultimate success of our Nation's war against lawlessness depends upon the responsiveness of State and local government.

The bill stipulates that those convicted of Federal crimes of violence involving use of a firearm should, in addition to the punishment provided for the crime, be punished by imprisonment for an indeterminate number of years up to life, as determined by the court.

Equally important, the bill would require the courts to impose mandatory prison sentences upon those convicted of two or more offenses, with no possibility of suspended or probationary sentences.

Mr. President, I strongly believe this measure, now applicable only in the District of Columbia, would prove effective in sharply reducing crimes involving firearms throughout the Nation. Indeed, if the Congress is to consider additional gun control measures, surely this will be regarded as "must" legislation.

Mr. BYRD of West Virginia. Mr. President, on behalf of the Senator from Maryland [Mr. Brewster] I ask unanimous consent that, at its next printing, the names of the Senator from New Mexico [Mr. Montoya], the Senator from Wisconsin [Mr. Nelson], and the Senator from Texas [Mr. Yarborough] be added as cosponsors of the bill (S. 341) to provide for improved employee-management relations in the Federal service, and for other purposes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. WILLIAMS of New Jersey. Mr. President, I ask unanimous consent that the following Senators be added as cosponsers to the bill (S. 3677) the Older Americans Act Amendments, and that their names appear on the bill at the next printing: the Senator from Missouri [Mr. Long], the Senator from Florida [Mr. Smathers], the Senator from Minnesota [Mr. Mondale], and the Senator from Massachusetts [Mr. Kennedy].

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. WILLIAMS of New Jersey. Mr. President, I ask unanimous consent that the Senator from Massachusetts [Mr. Kennedy] be added as a cosponsor to amendment No. 870 to S. 3677, the Older Americans Act Amendments, and that his name appear thereon at the next printing.

The PRESIDING OFFICER. Without objection, is it so ordered.

Mr. WILLIAMS of New Jersey. Mr. President, I ask unanimous consent that the Senator from Minnesota [Mr. Mondale] be added as a cosponsor to the bill (S. 3707) to provide for corporate democracy in banking, and that his name appear thereon at the next printing.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. WILLIAMS of New Jersey. Mr. President, I ask unanimous consent that the following Senators be added as cosponsors to the resolution (S. Res. 302) concerning the climate of violence in the United States, and that their names appear thereon at the next printing: The Senator from Maryland [Mr. Brewster] the Senator from Massachusetts [Mr. Brooke], the Senator from Pennsylvania [Mr. Clark], the Senator from Hawaii [Mr. Fong], the Senator from South Dakota [Mr. McGovern], the Senator from Wisconsin [Mr. Nelson], the Senator from Rhode Island [Mr. Pell], the Senator from West Virginia [Mr. Randolph] the Senator from Maryland [Mr. Tydings], the Senator from Texas [Mr. Yarborough], and the Senator from Iowa [Mr. Miller].

The PRESIDING OFFICER. Without objection, it is so ordered.

SENATE RESOLUTION 315—RESOLUTION AUTHORIZING COMPILATION OF KENNEDY SPEECHES

Mr. YARBOROUGH. Mr. President, I submit today a Senate resolution to authorize the compilation and printing of the speeches and statements of the late Senator Robert Francis Kennedy while he was in the Senate.

Our late colleague had experience in domestic and international affairs the breadth and depth of which made him a great leader. The understanding born of that experience was articulated on this floor in speeches that provided a fresh insight into the problems we face.

Robert Kennedy shared his experiences with this body in such a way that a compilation of his speeches would be a valuable chronicle of one phase of an admirable career. His speeches made a distinct contribution to this body; a contribution that should be preserved intact and shared with others.

I ask unanimous consent that the resolution be printed at this point in the Record.

The PRESIDING OFFICER. The resolution will be received and appropriately referred; and, under the rule, the resolution will be printed in the Record.

The resolution (S. Res. 315) was referred to the Committee on Rules and Administration, as follows:

S. Res. 315

Resolved, that the 90th Congress, second session, authorizes that there shall be printed as a Senate document a compilation, to be prepared by the Legislative Reference Service, Library of Congress, of statements and speeches of Robert Francis Kennedy which were made in the Senate and the campaign for the Presidency during the time he was serving as a Senator.

SENATE RESOLUTION 316—RESOLUTION RELATING TO REFERENCE OF SENATE BILL 3765 to U.S. COURT OF CLAIMS

Mr. ALLOTT (for himself and Mr. Dominick) submitted the following resolution (S. Res. 316); which was referred to the Committee on the Judiciary:

S. Res. 316

Resolved, That the bill (S. 3765) entitled "A bill for the relief of the Southwest Metropolitan Water and Sanitation District, Colorado", now pending in the Senate, together with all the accompanying papers, is hereby referred to the chief commissioner of the United States Court of Claims; and the chief commissioner of the United States Court of Claims shall proceed with the same in accordance with the provisions of sections 1492 and 2509 of title 28 of the United States Code, and report to the Senate, at the earliest practicable date, giving such findings of fact and conclusions thereon as shall be sufficient to inform the Congress of the nature and character of the demand as a claim, legal or equitable, against the United States and the amount, if any, legally or equitably due from the United States to the claimant.

SENATE RESOLUTION 317—RESOLUTION TO INCREASE FUNDS FOR INVESTIGATION OF MATTERS PERTAINING TO REVISION AND CODIFICATION—REPORT OF A COMMITTEE

Mr. ERVIN, from the Committee on the Judiciary, reported the following original resolution (S. Res. 317); which was referred to the Committee on Rules and Administration:

S. Res. 317

Resolved, That S. Res. 244, Ninetieth Congress, agreed to March 15, 1968 (authorizing a complete study of any and all matters pertaining to revision and codification of the statutes of the United States), is hereby amended by striking out "$46,500" and inserting in lieu thereof "$47,500."

SENATE RESOLUTION 318—RESOLUTION TO INCREASE FUNDS FOR INVESTIGATION OF MATTERS PERTAINING TO CONSTITUTIONAL RIGHTS—REPORT OF A COMMITTEE

Mr. ERVIN, from the Committee on the Judiciary, reported the following original resolution (S. Res. 318); which was referred to the Committee on Rules and Administration:

S. Res. 318

Resolved, That S. Res. 236, Ninetieth Congress, agreed to March 15, 1968 (authorizing a complete study of any and all matters pertaining to constitutional rights), is hereby amended by striking out "$210,000" and inserting in lieu thereof "$220,000".

SENATE RESOLUTION 319—RESOLUTION TO INCREASE FUNDS FOR INVESTIGATION OF MATTERS PERTAINING TO THE SEPARATION OF POWERS—REPORT OF A COMMITTEE

Mr. ERVIN, from the Committee on the Judiciary, reported the following original resolution (S. Res. 319); which was referred to the Committee on Rules and Administration:

S. Res. 319

Resolved, That S. Res. 245, Ninetieth Congress, agreed to March 15, 1968 (authorizing a complete study of the separation of powers between the executive, judicial, and legislative branches of Government provided by the Constitution) is hereby amended by striking out "$90,000" and inserting in lieu thereof "$95,000".

SENATE RESOLUTION 320—RESOLUTION TO INCREASE FUNDS FOR INVESTIGATION OF MATTERS PERTAINING TO IMMIGRATION AND NATURALIZATION—REPORT OF A COMMITTEE

Mr. EASTLAND, from the Committee on the Judiciary, reported the following original resolution (S. Res. 320); which was referred to the Committee on Rules and Administration:

S. Res. 320

Resolved, That S. Res. 238, Ninetieth Congress, agreed to March 15, 1968 (to investigate matters pertaining to immigration and naturalization), is hereby amended on page 2, line 16, by striking out "$170,000" and inserting in lieu thereof, "$185,000".

SENATE RESOLUTION 321—RESOLUTION TO INCREASE FUNDS FOR INVESTIGATION OF MATTERS PERTAINING TO ANTITRUST AND MONOPOLY—REPORT OF A COMMITTEE

Mr. HART, from the Committee on the Judiciary, reported the following original resolution (S. Res. 321); which was referred to the Committee on Rules and Administration:

S. Res. 321

Resolved, That S. Res. 233, Ninetieth Congress, agreed to March 15, 1968 (authorizing an investigation of antitrust and monopoly laws of the United States), is hereby amended on page 3, line 4, by striking out "$560,000" and inserting in lieu thereof "$577,500."

SENATE RESOLUTION 322—RESOLUTION TO INCREASE FUNDS FOR INVESTIGATION OF MATTERS PERTAINING TO CONSTITUTIONAL AMENDMENTS—REPORT OF A COMMITTEE

Mr. BAYH, from the Committee on the Judiciary, reported the following original resolution (S. Res. 322); which was referred to the Committee on Rules and Administration:

S. Res. 322

Resolved, That S. Res. 235, Ninetieth Congress, agreed to March 15, 1968 (authorizing a study of matters pertaining to constitutional amendments), is hereby amended by striking out "$110,000" and inserting in lieu thereof "$120,000".

SENATE RESOLUTION 323—RESOLUTION TO INCREASE FUNDS FOR INVESTIGATION OF MATTERS PERTAINING TO ADMINISTRATIVE PRACTICE AND PROCEDURE—REPORT OF A COMMITTEE

Mr. LONG of Missouri, from the Committee on the Judiciary, reported the following original resolution (S. Res. 323); which was referred to the Committee on Rules and Administration:

S. Res. 323

Resolved, That S. Res. 232, Ninetieth Congress, agreed to March 15, 1968 (authorizing a study and investigation of administrative practices and procedures within the departments and agencies of the United States), is hereby amended on page 2, line 22, by striking out "$200,000" and inserting in lieu thereof "$210,000".

INDEPENDENT OFFICES AND DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT APPROPRIATION BILL, 1969—AMENDMENTS

AMENDMENT NO. 880

Mr. YOUNG of Ohio submitted amendments, intended to be proposed by him, to the bill (H.R. 17023) making appropriations for sundry independent executive bureaus, boards, commissions, corporations, agencies, offices, and the Department of Housing and Urban Development for the fiscal year ending June 30, 1969, and for other purposes, which were ordered to lie on the table and to be printed.

NOTICE OF HEARING ON USEFULNESS OF THE MODEL CITIES PROGRAM TO THE ELDERLY

Mr. MOSS. Mr. President, I wish to announce that the U.S. Senate Special Committee on Aging will begin hearings July 23 on the subject of "Usefulness of the Model Cities Program to the Elderly." Senator HARRISON A. WILLIAMS, chairman of the committee, has asked me to conduct a study of the subject given above, and I am pleased to do so. My interest in the model cities program arises partially because I am chairman of the Subcommittee on Housing of the Committee on Aging. Housing will, of course, be a major component in model city projects throughout the Nation; but the program will call for innovation in many fields, including: delivery of social and health services, improvement of transportation, opening of employment opportunity, and much more.

Preliminary inquiries by the committee staff indicate that a significant number of older Americans live in many of the model neighborhood areas for which planning has begun or for which planning is contemplated. It seems timely and appropriate—at a time when this promising new program is still in its formative stages—to ask whether local sponsors and the Federal agencies involved are giving adequate attention to both the needs and the potential contributions of the elderly in those areas. The Committee on Aging, in its study of the war on poverty and the older American 2 years ago, discovered that many constructive ideas could be incorporated into that program, and progress has been made since the committee issued its recommendations relevant to OEO activities. With the model cities program, too, similar opportunities for improvement will—I am sure—arise.

The first hearing will begin at 9:30 a.m. on July 23 in room 4200, New Senate Office Building. Dates for later hearings have not yet been set.

SUBCOMMITTEE ON LABOR TO HOLD HEARINGS ON WELFARE AND PENSION PLAN LEGISLATION

Mr. YARBOROUGH. Mr. President, as chairman of the Labor Subcommittee of the Committee on Labor and Public Welfare, I wish to announce that hearings will commence on Thursday, July 25, on S. 3421, the Pension Benefit Security Act, S. 1024, to amend the Welfare and Pension Plans Disclosure Act, and related bills in the welfare and pension plan field.

On that date, testimony is expected from Assistant Secretary of Labor Donahue and Assistant Secretary of the Treasury Surrey.

Other individuals desiring to testify on this legislation should contact Subcommittee Counsel Robert Harris, room 4230, New Senate Office Building.

NOTICE OF HEARING

Mr. SPARKMAN. Mr. President, I wish to announce that the Banking and Currency Committee will hold hearings on the nomination of Howard J. Samuels as Administrator of the Small Business Administration. Anyone wishing to testify on this nomination should call Mr. Reginald Barnes, assistant counsel, Committee on Banking and Currency, 225–3921.

The hearing will be held in room 5302, New Senate Office Building, on Tuesday, July 16, 1968, at 10 a.m.

Mr. BYRD of West Virginia. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. CLARK. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

ARMS CONTROL AND DISARMAMENT

Mr. CLARK. Mr. President, it is of great importance, in my view, that the Senate and the country at large should begin to engage in a meaningful dialog and debate on the subject of arms control and disarmament. The occasion for this debate is not only the treaty to stop the spread of nuclear weapons, which is at present pending before the Committee on Foreign Relations, but also it is the consideration we shall still be giving in this body to the enormous and, to my way of thinking, very much too large military budget.

The pushing forward of this huge military budget in the face of efforts by our President and the Russians and diplomats of almost every country in the world to turn the arms race downward, I believe, deserves the careful attention of all Members of the Senate and all interested citizens.

In my view, it is quite inconsistent to push forward with a total budget of $82 billion for military forces and weapons of destruction while at the same time urging with our other hand the nations of the world to move forward in the area of arms control and disarmament.

This morning before the Foreign Relations Committee, of which I have the honor to be a member, Under Secretary of Defense Paul Nitze and the Chairman of the Joint Chiefs of Staff, Gen. Earle Wheeler, testified on behalf of the Department of Defense that they strongly supported the treaty providing for the nonproliferation of nuclear weapons. As a member of the committee, I congratulated them on what I thought was a rather courageous stand, for it would have been reasonably easy for the generals and civilians in charge of the Defense Department to say: "No. It is our function to protect the security of our country. That can best be done by piling arms on arms and billions of dollars on billions of dollars, and we are not going to support a treaty which would turn the arms race downward or which would even suggest that it might be turned downward."

These fine public servants did not take that position. I think it is a great day for the country when the Pentagon, as represented by two such able citizens, comes down four square in support of a treaty for the nonproliferation of nuclear weapons. This is particularly true since that treaty contains, both in its preamble and in one of its operative clauses, a commitment by all signing nations to work immediately and forthrightly and with all zeal toward achieving complete disarmament under strict international control, which has been the express goal of our country ever since it was laid down by President John F. Kennedy back in 1962 and 1963.

I questioned the two witnesses as to whether they were both in accord with the objectives of the treaty. They gave me a categorical yes.

Accordingly, I would hope that President Johnson's announcement of July 12 that this country is about to engage in talks with respect to the limitation of both offensive and defensive missiles with the Soviet Union is a harbinger of even greater and more effective arms control and disarmament agreements in the near future.

Mr. President, I ask unanimous consent that the complete statement by the President on this subject be printed at this point in the RECORD.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT BY THE PRESIDENT ON MISSILE TALKS WITH MOSCOW

(NOTE.—Following, as recorded by The New York Times, is the text of a statement in Washington yesterday by President Johnson on the signing of the treaty to halt the spread of nuclear weapons.)

Secretary Rusk, your excellencies, honored members of Congress, distinguished guests, ladies and gentlemen:

This is a very reassuring and hopeful moment in the relations among nations. We have come here today to the East Room of the White House to sign a treaty which limits the spread of nuclear weapons.

More than 55 nations are here in Washington this morning to commit their governments to this treaty. Their representatives are also signing today in Moscow and London. We hope and expect that virtually all the nations will move in the weeks and months ahead to accept this treaty, which was commended to the world by the overwhelming majority of the members of the United Nations General Assembly.

The treaty's purposes are very simple: To commit the nations of the world which do not now have nuclear weapons not to produce or receive them in the future, to assure equally that such nations have the full peaceful benefits of the atom and to commit the nuclear powers to move forward toward effective measures of arm control and disarmament.

It was just a year ago this month when Chairman Kosygin and I agreed at Glassboro that we would work intensively in the time ahead to try to achieve this result.

After nearly a quarter of a century of danger and fear, reason and sanity have prevailed to reduce the danger and to greatly lessen the fear.

Thus all mankind is reassured and as the moment is reassuring, so it is even more hopeful and heartening. For this treaty is evidence that amid the tensions and the strife and the struggle and the sorrow of these years, men of many nations have not lost the way or have not lost the will toward peace.

The conclusion of this treaty encourages the hope that other steps may be taken toward a peaceful world. And it is for these reasons and in this perspective that I have described this treaty as the most important international agreement since the beginning of the nuclear age.

It enhances the security of all nations by significantly reducing the danger of nuclear war among nations. It encourages the peaceful use of nuclear energy by assuring safeguards against its destructive use.

But perhaps most significantly the signing of this treaty keeps alive and keeps active the impulse toward a safer world.

We're inclined to neglect and to overlook what that impulse has brought about in recent years. These have been fruitful times for the quiet works of diplomacy.

TOWARD THE SUMMIT

After long seasons of patient and painstaking negotiation, we have concluded just within the past five years the limited test-ban treaty, the outer space treaty, the treaty creating a nuclear-free zone in Latin America. And the march of mankind is toward the summit and not the chasm.

And we must not and we shall not allow that march to be interrupted.

This treaty like the treaties that it follows, is not the work, as Secretary of Rusk said, of any one particular nation. It is the accomplishment of nations which seek to exercise their responsibilities for maintaining peace and maintaining a stable world order.

And it is my hope and the common will of mankind that all nations will agree that this treaty affords them some added protection.

We hope they will accept the treaty and thereby contribute further to international peace and security.

As one of the nations having nuclear weapons, the United States all through these years has borne an awesome responsibility. And this treaty increases that responsibility. For we have pledged that we shall use our weapons only in conformity with the charter of the United Nations.

Furthermore, we have made clear to the United Nations Security Council what I would like to repeat today.

U.S. WOULD ASK ACTION

If a state which has accepted this treaty does not have nuclear weapons and is a victim of aggression or is subject to a threat of aggression involving nuclear weapons, the United States shall be prepared to ask immediate Security Council action to provide assistance in accordance with the charter.

In welcoming the treaty that prevents the spread of nuclear weapons, I should like to repeat the United States commitment to honor all of our obligations under existing treaties of mutual security.

Such agreements have added greatly, we think, to the security of our nation and the nations with which such agreements exist.

They have created the degree of stability in a sometimes unstable world. And this treaty is a very important security measure. But it also lays an indispensable foundation for expanded cooperation in the peaceful application of nuclear energy for additional measures to halt the nuclear arms race.

And we will cooperate fully to bring the treaty safeguards into being and we shall thus help provide the basis of confidence that's necessary for increased cooperation in the peaceful nuclear field.

After the treaty has come into force, we will permit the International Atomic Energy Agency to apply its safeguards to all nuclear activities in the United States excluding only those with direct national security significance.

AID IN PEACEFUL USES

Thus the Unted States is not asking any country to accept any safeguards that we're not willing to accept ourselves.

As the treaty requires, we shall also engage in the fullest possible exchange of equipment and materials and scientific and technological information for the peaceful uses of nuclear energy. And the needs of the developing nations will be given especially particular attention.

We shall make readily available to the non-nuclear treaty partners the benefits of nuclear explosions for peaceful purposes. And we shall do so without delay and under the treaty's provisions.

Now at this moment of achievement and great hope, I am gratified to be able to report and to announce to the world a significant agreement—an agreement that we've actively sought and worked for since January, 1964.

Agreement has been reached between the Governments of the Union of Socialist Republics and the United States to enter in the nearest future into discussions on the limitation and the reduction of both offensive strategic nuclear weapons delivery systems and systems of defense against ballistic missiles.

Discussion of this most complex subject will not be easy. And we have no illusions that it will be. I know the stubborn, patience, persistence that it has required to come this far. And we do not underestimate the difficulties that may lie ahead. I know the fears and the suspicions and the anxieties that we shall have to overcome. But we do believe that the same spirit of accommodation that's reflected in the negotiation of the present treaty can bring us to a good and fruitful result.

Man can still shape his destiny in the nuclear age—and learn to live as brothers.

And toward that goal—the day when the world moves out of the night of war into the light of sanity and security. I solemnly pledge the resources, the resolve, and the unrelenting efforts of the people of the United States and their Government.

Mr. CLARK. Mr. President, in the same issue of the New York Times appear excerpts from Premier Kosygin's remarks and a memorandum in which he outlines nine separate areas in which he believes progress can be made between our two countries and with any other country in the general area of arms control and disarmament.

I ask unanimous consent that a copy of Mr. Kosygin's memorandum may be printed at this point in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

EXCERPTS FROM KOSYGIN REMARKS AND ARMS MEMO

(NOTE.—Following are excerpts from remarks by Premier Aleksei N. Kosygin and from a Soviet memorandum on steps to reduce the arms race, as made public in English by Tass, Soviet press agency.)

(By Premier Kosygin)

Permit me on the instructions of the Soviet Government to express profound satisfaction over the fact that today commences the signing of the treaty on the nonproliferation of nuclear weapons which is an important international document commended by the overwhelming majority of the United Nations members.

The conclusion of a treaty on the nonproliferation of nuclear weapons is a major success of the cause of peace. Since the very emergence of nuclear weapons, the Soviet Union has firmly and consistently come out for delivering mankind from the nuclear threat. The treaty is an important step toward this goal since it bars further proliferation of nucelar weapons, thus reducing the danger of an outbreak of a nuclear war.

The participation of a great number of states in the signing of the treaty today is a convincing proof that states are capable of finding mutually acceptance solutions of complicated international problems of vital importance for the whole of mankind.

The preparation of the treaty required great efforts and prolonged negotiations, taking part in which were nuclear and non-nuclear, big and small, developed and developing nations, countries belonging to different social systems.

NUMEROUS VIEWS REFLECTED

The treaty reflects numerous wishes and proposals expressed by states, takes into account various points of view on the solution of the nonproliferation problem; under these circumstances, all the states approving it have agreed about the main thing: the necessity of barring further proliferation of nuclear weapons.

A significant supplement to the treaty is furnished by the Security Council decision on security assurances for non-nuclear weapon countries, party to the treaty, adopted quite recently. As was stated in the Security Council, the Soviet Government intends to comply with this decision unswervingly.

Five years ago here in Moscow we signed the treaty banning nuclear weapon tests in three environments. After that the treaty prohibiting the use of outer space for military purposes was concluded. Alongside with the treaty on the nonproliferation of nuclear weapons, there are practical steps towards limiting the arms race which creates more favorable conditions for progress in disarmament.

MEMORANDUM SENT

The Soviet Government, assigning great significance to the provisions of the treaty on the nonproliferation of nuclear weapons, whereby its parties undertake to pursue negotiations in good faith on effective measures relating to cessation of the nuclear race and to nuclear disarmament, decided and sent to all governments a memorandum on some urgent measures for stopping the arms race and for disarmament, which lists such measures as prohibition of the use of nuclear weapons, cessation of the manufacture of nuclear weapons, and reduction and destruction of their stockpiles, limitation and subsequent reduction of means of delivery of strategic weapons, and others.

The Soviet Government attaches exclusively great importance to the memorandum as it is aimed at the strengthening of peace. Simultaneous or stage-by-stage implementation of the measures for disarmament proposed by the Soviet Union would be a serious contribution to the struggle for the cessation of the arms race and for a radical solution of the disarmament problem.

May I express a hope that the memorandum will receive due consideration from the governments of the world nations, that it will be a subject of comprehensive discussion in the 18-nation committee on disarmament which is going to resume its work shortly, and that this will make it possible to achieve specific results in the field of disarmament, which peoples of the whole world are longing for.

SOVIET MEMORANDUM

Following the conclusion of the treaty on the nonproliferation of nuclear weapons, the Soviet Government proposes that an understanding be reached on the implementation of the following urgent measures on an end to the arms race and on disarmament in the near future.

1. A Ban on the Use Nuclear Weapons

An important advance towards a solution of this problem, towards the elimination of the threat of nuclear war, would be the conclusion of an international agreement, banning the use of nuclear weapons.

With the object of facilitating the earliest possible solution of this problem, the Government of the U.S.S.R. submitted to the 22nd session of the United Nations General Assembly a draft convention on a ban on the use of nuclear weapons.

The Assembly urged all states to study the draft convention on a ban on the use of nuclear weapons, submitted by the Soviet Union, and also other proposals, which may be made on this question, and to hold talks concerning the conclusion of an appropriate convention through convocation of an international conference, in the 18-nations Disarmament Committee or directly between states.

With the object of a practical solution to the problem of banning the use of nuclear weapons, the Soviet Government proposes that the 18-nations committee should discuss as a priority item the draft convention on banning the use of such weapons and exchange opinions on the convocation of an international conference for its signing.

2. Measures on Ending the Manufacture of Nuclear Weapons, Reducing and Liquidating Their Stockpiles.

The Soviet Government proposes that all nuclear powers immediately open talks on an end to the manufacture of nuclear weapons, the reduction of its stockpiles and the subsequent total ban on and liquidation of nuclear weapons under appropriate international control.

The Soviet Government expresses its readiness to open such talks with all other nuclear powers at any time.

3. Limitation and Subsequent Reduction of Means of Delivery of Strategic Weapons

The Soviet Government proposes that an understanding be reached on concrete steps in the limitation and subsequent reduction of strategic means of delivery of strategic nuclear weapons. In doing so the Soviet Government proceeds from the assumption that the destruction of the entire arsenal of means of strategic delivery and, in any case, the reduction of this arsenal to the absolute minimum, with the retention, and this only temporarily, of only a strictly limited quantity of such means, would be a measure leading to the elimination of the threat of nuclear war.

The Soviet Government expresses its readiness to hold an exchange of opinion with concerned states on mutual limitation and subsequent reduction of strategic means of delivery of nuclear weapons.

4. Ban on flights of bombers, carrying nuclear weapons, beyond national frontiers. Limitation of zones of voyages of submarines carrying missiles

The Soviet Government has more than once drawn the attention of the governments of other states and world opinion to the danger of flights of bombers, carrying nuclear weapons, beyond the boundaries of national frontiers. The increasing crashes of American bombers, carrying nuclear weapons beyond the territory of the United States, arouse the legitimate anxiety of various countries.

From a military point of view, these flights of bombers are devoid of sense in conditions of the existence of nuclear rocket weapons.

The Soviet Government proposes that flights of bombers, carrying nuclear weapons, beyond the boundaries of national frontiers be banned without delay.

In order to reduce the risk of the outbreak of a nuclear war, the Soviet Government also proposes that an agreement be reached on an end to the patrolling by submarines, carrying nuclear missiles, within missile-striking range of the borders of the contracting sides.

5. Ban on underground tests of nuclear weapons

The Soviet Government is prepared to reach an immediate understanding on the banning of underground tests of nuclear weapons on the basis of using national means of detection to control this ban.

6. Ban on the use of chemical and bacteriological weapons

The Soviet Government has more than once drawn the attention of states to the threat for mankind from the use of chemical and bacteriological weapons.

Reflecting the common anxiety of the peoples in view of such a threat, the 21st session of the United Nations General Assembly passed a resolution, calling for strict observance by all states of the principles of the Geneva protocol of 1925 on a ban on the use of chemical and bacteriological weapons, denouncing all actions contradicting this aim, and proposing that all states accede to the Geneva protocol.

However, this important decision of the General Assembly, is not fulfilled by some countries, first and foremost the United States. The United States uses chemical weapons in its aggressive war in Vietnam.

In view of this, the Soviet Government proposes that the 18-nation committee examine ways and means of securing observance by all states of the Geneva Protocol on a ban on the use of chemical and bacteriological weapons.

7. Liquidation of foreign military bases

Foreign military bases on alien territories create a serious threat to the peace. Such bases serve as a source of outbreak of military conflicts, threaten the freedom and independence of the peoples. This is convincingly borne out by the continuing aggressive war of the United States in Vietnam, by the tension and conflicts in other parts of the world, where foreign bases are located.

The Soviet Government proposes that, in conformity with instructions of the 21st session of the United Nations General Assembly, the 18-nation Disarmament Committee urgently examine the question of the liquidation of foreign military bases.

The Soviet Government supports the setting up of denuclearized zones in various parts of the world.

The Soviet Government believes that not only groups of states, embracing whole continents or major geographic regions, but also more limited groups of states or even individual countries, may assume commitments for the establishment of denuclearized zones.

8. Measures on regional disarmament

The Soviet Government also supports proposals concerning the implementation of measures for regional disarmament and for the reduction of armaments in various regions of the world, including the Middle East. The question of such measures for slackening the arms race in the Middle East, of course, could be considered only in conditions of elimination of the consequences of the Israeli aggression against the Arab countries, and, above all, the full evacuation of the Israeli forces from the territories of Arab countries occupied by them.

9. Peaceful uses of the sea bed and ocean floor

The progress of research and the prospect for the development of the sea bed and the ocean floor make it possible to raise the question of the timely recording in a proper form of conditions that would insure the utilization of the sea bed beyond the limits of existing territorial waters exclusively for peaceful purposes.

This would ban, specifically, the establishment of fixed military installations on the sea and also any other military activity.

The Soviet Government proposes that the 18-nation committee open talks on the use of the sea bed beyond the limits of existing territorial waters exclusively for peaceful purposes.

Mr. CLARK. Mr. President, I asked Secretary Nitze and General Wheeler to submit to the Foreign Relations Committee a memorandum which would outline the positions of the Department of Defense on these various proposals for arms control and disarmament put forward by the Russians. I would hope they would also give us some views as to what the Defense Department itself thinks should be the necessary step forward in this general area of disarmament.

My belief is that, with this information before us, we can view the proposed military appropriations with a far better perspective. We can make an intelligent judgment on whether it is wise for us to continue these enormous expenditures which plunge our budget into an ever-growing deficit and plunge our dollar into ever-greater difficulty and increase the difficulty of curing the ills of our cities, coping with crime in our streets, and the situation involving crime in the streets of our cities and even wiping out hunger in America.

There was another breath of fresh air yesterday morning when our colleague, also a member of the Foreign Relations Committee, the Senator from Minnesota [Mr. McCARTHY] issued a position paper on arms control.

The press tells us he was assisted in the preparation of this position paper by those two outstanding scientists who have done so much for the cause of arms control over many past years—Dr. Jerome Wiesner of the Massachusetts Institute of Technology and Dr. Kistiakowsky of Harvard University.

I had the opportunity to call this position paper of the Senator from Minnesota [Mr. McCARTHY] to the attention of both General Wheeler and Under Secretary Nitze. And I asked them what their opinion was as to the various proposals made by our colleague.

They replied—and not without reason—that they wanted to give the matter more mature thought. They promised to furnish the Foreign Relations Committee with a memorandum stating their position with respect to each of the proposals of the Senator from Minnesota.

I believe this position paper on arms control published by our colleagues deserves careful attention and scrutiny. Indeed, I invite debate on it by all of our colleagues.

I ask unanimous consent that the position paper to which I have referred may be printed at the conclusion of my remarks.

The **PRESIDING OFFICER.** Without objection, it is so ordered.

(See exhibit 1.)

Mr. CLARK. I find the proposals of the Senator from Minnesota most interesting. I am entirely in accord with them, and I hope that they can in the near future become the basis for the U.S. negotiating position from which we may move forward toward further steps in the area of arms control and disarmament.

EXHIBIT 1

POSITION PAPER ON ARMS CONTROL—SENATOR EUGENE J. McCARTHY

THE PROBLEM

In 1959 the Antarctic Treaty barred nuclear weapons from the Antarctic continent and provided for free and open inspection of Antarctic bases. The test-ban treaty of 1963 prohibited nuclear explosions in the atmosphere, in the seas and in outer space. The

1967 treaty governed the exploration and use of outer space. And just recently, after years of negotiation, the Non-Proliferation Treaty was aimed at preventing the spread of nuclear weapons.

These have been necessary steps toward a more peaceful world. But we will have to do better in the future. There is today special urgency for sustained progress.

First, broader arms control measures among the great powers may be essential to convince other nations to sign the Nuclear Non-Proliferation Treaty.

Second, we are at a particularly critical period in terms of technological development. At present there exists a strategic stability which results from the presence, on both sides of invulnerable deterrent forces capable of inflicting substantial damage in a retaliatory attack. But the introduction of sophisticated anti-ballistic missile systems and new missiles equipped with multiple warheads threaten to make the situation unstable. With the deployment of such weapons systems, each side will become concerned as to whether, in the event of a preemptive attack, it will be able to inflict sufficient damage in retaliation—if not, its deterrent will not be credible. The arms race will thus be impelled to a new intensity. In crises, there could be an incentive to launch a first strike—an incentive which does not now exist because each side can have confidence in its deterrent.

Further progress, then, is particularly urgent today. There is also reason to believe it is possible. Agreement on the Nuclear Non-Proliferation Treaty, Soviet ratification of the consular agreement, implementation of direct airline routes between the United States and the U.S.S.R., the Soviet proposals to discuss other specific measures at the Eighteen Nation Disarmament Conference, and most importantly the Soviet acceptance of our offer to conduct discussions on the control of strategic offensive and defensive weapons, all suggest that much more significant steps might be taken.

It is imperative that we exploit the momentum of these events. Highest priority should be given to the achievement of international agreements. We must invite China to participate in all disarmament and arms control discussions. This makes a change in our overall diplomatic policy desirable—by recognizing China, by opening up trade and cultural exchange, and by revising our general military policy in Asia. In the meantime, important arms control agreements can be safely reached without the participation of China.

INTERNATIONAL AGREEMENTS

Implementation of a comprehensive arms control and disarmament program will require the following initial steps:

(1) We must seek an immediate international moratorium—a freeze—on the number and characteristics of strategic weapons, both offensive and defensive. Such a moratorium would prevent ABM deployments by the United States and the Soviet Union. It would mean there would be no deployment by the United States of new offensive missiles, for example the multiple warhead missiles, Minuteman III and Poseidon. The Soviet Union in turn would terminate the very considerable expansion of its offensive strategic program that is now underway. It is particularly important that this moratorium come into effect before there is any major ABM deployment by the United States and before the Soviet ABM is extended.

So long as the moratorium is effective there should also be an agreement that there shall be no flight testing of new ICBM's or new submarine-launched missiles. Fortunately it appears feasible to verify compliance with all these prohibitions—on ABM deployment, on significant new offensive missile deployment and on flight testing of new offensive missiles—without there being any need for intrusive verification procedures. Both sides now have other verification capabilities, including observation satellites, which are sufficiently dependable to minimize the risks of significant undetected evasions even in the absence of specific inspection agreements.

As an initial step toward reaching agreements to limit strategic armaments we should announce that we are delaying deployment of the Sentinel ABM system and the Poseidon and Minuteman III ICBM pending speedy agreement with the U.S.S.R. We can do this without putting our security in jeopardy, since neither the Chinese nuclear threat against which we are deploying Sentinel, nor the Soviet ABM which is the rationale for the Poseidon and Minuteman III developments, are moving ahead perceptibly. At the very least we would be deferring expenditures in a year when our economy is seriously strained; and if our restraint should promote an agreement on strategic forces we would have gained greatly from our unilateral initiatives in this area.

(2) As part of a freeze on strategic offensive and defensive systems, we should also seek an international agreement to prohibit both development and deployment of new intercontinental bombers. Compliance in this case too could be easily verified.

(3) Following a freeze on strategic offensive systems and ABMs, there should be an agreement to reduce the number of strategic weapons. Reaching agreement on this point may be more difficult because of the problems of establishing the levels to be retained, and balancing dissimilar weapons systems. Reductions of strategic systems to very low levels will be extremely difficult and we should not make the mistake of believing otherwise. It will be necessary but not easy to persuade all countries having nuclear weapon capabilities to accede to such agreements. It will also be difficult to secure agreement on the intrusive inspection procedures that will be necessary when the retained levels are so low that small evasions could affect the strategic balance. These problems, however, are not beyond solution if they are not beyond political will.

(4) A freeze on strategic delivery systems and ABMs should significantly reduce the military demand for production of additional nuclear warheads, and encourage the Soviets to agree finally to prohibit further production of fissionable material for military purposes. Such an agreement too, could be verified without intrusive inspection. It would require merely the same International Atomic Energy Agency controls on reactors and on the facilities that are used for peaceful purposes.

With a reduction or elimination of the production of fissionable materials, there could also be a program wherein both sides would transfer specified amounts of fissionable material to stockpiles to be used for peaceful purposes under International Atomic Energy Agency controls.

(5) The time has come for a renewed effort to achieve a Comprehensive Nuclear Test Ban Treaty. There is now only a marginal need for testing nuclear warheads. If we secure a moratorium on deployment of new strategic systems, virtually all need for testing will have been eliminated. Capabilities for detecting underground tests and for discriminating between tests and earthquakes have greatly improved in recent years. Both factors suggest that agreement can now be more easily achieved.

We have almost certainly reached the point where any clandestine explosions that could escape detection and identification would be militarily insignificant. However, an agreement with provision for two or three on-site inspections (a number at one time acceptable to the Soviet Union) or some system of inspection by challenge, would be more viable, because means would be available for resolving doubts about the origin of some unidentified seismic events.

(6) Unrestricted use of chemical and biological weapons could lead to the development of devices which would be at least as great a threat to life as thermonuclear bombs. It is therefore vital to implement all measures which would inhibit the initiation of chemical and biological warfare. The United States is the only major power which is not at this time a party to the 1925 Geneva Protocol which prohibits the use of chemical and biological weapons. We should be prepared to accede to an updated version of the Protocol. Under the auspices of the Eighteen Nation Disarmament Conference, a meeting of technical experts should be convened immediately to establish the criteria which specify chemical and biological weapons and thereby make it possible to update the 1925 protocol consistent with more recent developments.

(7) We should support the establishment of a technical committee of members of the Eighteen Nations Disarmament Conference as a forum where parties to arms control agreements may raise questions concerning the activities of other parties in areas where the treaty is applicable. This would be particularly important in the case of a comprehensive test ban treaty verified only by unilateral means.

(8) A conscientious and vigorous effort should be made to strengthen the role of the United Nations in peace keeping operations.

All these measures are made more possible by a confluence of interest now developing between the United States and the Soviet Union which may well express itself in the area of arms control and disarmament. In view of this confluence, the initial steps suggested above are far more feasible than is generally acknowledged. There is no question that they can be taken without affecting our national security adversely.

UNILATERAL ACTIONS

While we are attempting to reach agreements to limit armaments through international agreements, it is important to recognize that there is a great deal we can achieve simply by having the courage to exercise self-restraint on our own military activities. We must recognize that if we continue to equate security with ever growing weaponry we may be marching toward disaster.

We should also recognize that our decisions to procure certain weapon systems will normally provoke equivalent responses by our potential adversaries which, if one judges by the past record, negate our own efforts. We must consider military expenditures as critically as we do those for nonmilitary programs. There are indications that the Congress is at long last beginning to do this. It should continue to do so.

With respect to our commitments abroad there are also important opportunities for us to profit by restraining our military activities unilaterally.

First, there is our military presence in Europe. To adjust to the change of Soviet strategy we must seek to reduce tensions further. In addition to dealing with the problems of men and conventional armaments in Europe, we must attend to the problem of tactical nuclear weapons. The situation could be improved considerably by our withdrawing from Europe large quantities of unneeded nuclear weapons.

Second, there are our activities in the developing nations of Asia, Latin America and Africa. In these countries we have competed with both our allies and our adversaries in the sale and supply of arms. An alarming increase has taken place, particularly within the past few years, in the number and sophistication of arms we supply to the developing countries. Across the globe, wars are being fought with American weapons—often on both sides. We have become the principal weapon suppliers of the world. And that policy must change.

We have often in the past acceded to requests for military aid simply because a military clique desired to maintain its influence and position. We have too often been motivated by our desire to buy or maintain influence in recipient countries, to secure military bases, or to generate sales to help our balance of payments problems. None of these reasons can justify our arms sales program.

Ideally, this problem should be dealt with by international agreements. The United States should use its influence to persuade other major suppliers to agree to some sort of arms moratorium. In any case, the United States must unilaterally limit its arms sales abroad.

CONCLUSION

We seek, finally, a new era for arms control and disarmament. The United States should again become the leader in the search for a rational world security system. There is good reason for optimism. Many of the obstacles in the past have been the product of the Cold War between the U.S. and Soviet Union. The detente between the two great powers, interrupted by the war in Vietnam, can be renewed with peace in Southeast Asia. If each of the powers is willing to enter accords in a spirit of conciliation, arms control agreements can be the principal expression of a renewed detente. An end to the war in Vietnam must occasion a complete reappraisal of our diplomacy and a new thrust toward peace.

ORDER OF BUSINESS

Mr. BYRD of West Virginia. Mr. President, I suggest the absence of a quorum.

The **PRESIDING OFFICER**. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The **PRESIDING OFFICER**. Without objection, it is so ordered.

THE VIETNAM PEACE NEGOTIATIONS

Mr. McGEE. Mr. President, in Paris yesterday, Ambassador W. Averell Harriman sat down again with representatatives of North Vietnam and offered them peace, assuring them that the United States "has no designs upon the people or the territory of North Vietnam," and adding that reconciliation of the Vietnamese people would be possible if peace were restored.

Ambassador Harriman, in yesterday's official conversations, spoke of what peace would mean to Southeast Asia and restated America's willingness to participate in cooperative programs for educational, cultural, economic, and humanitarian progress:

> The sooner we can begin to move here toward ending the conflict in Vietnam, the sooner your people and your neighbors—with help from others—can begin to attack the only real enemies modern man should have—hunger, poverty, illiteracy, disease, and suffering—

Mr. President, I ask unanimous consent that the official text of the notes used by Ambassador Harriman in yesterday's Paris session appear in the RECORD.

There being no objection, the text of the notes were ordered to be printed in the RECORD, as follows:

TEXT OF NOTES USED BY AMBASSADOR W. AVERELL HARRIMAN AT THE JULY 10 SESSION OF OFFICIAL CONVERSATIONS BETWEEN THE UNITED STATES AND NORTH VIETNAM, PARIS, FRANCE, JULY 10, 1968

We have come to Paris to find the path to peace. The United States has no designs upon the people or the territory of North Viet-Nam. We seek no military presence, no military bases, no special privileges in South Viet-Nam. We will support any political settlement for the reunification of Viet-Nam that is based on the free choice of the people of the North and of the South. But the future of Vietnam—indeed of all of Southeast Asia—awaits peace. With peace, reconciliation among Vietnamese becomes possible, as well as economic and social progress throughout Southeast Asia. It is to these topics—peace, and what it would mean—that I should like to address myself today.

Your Excellency, your belief that the American people deplore the war in Viet-Nam is correct. Their leaders and their Government deplore it. We did not seek this war. You will find as you continue to study the history of my country, and particularly its record in the 20th century, that Americans are a people who only reluctantly take up arms. But hundreds of thousands of Americans have laid down their lives for the principle that one nation has no right to impose its will upon another by force. The people of the world have benefited from our adherence to this principle.

I want you to understand that in our search for peace in Viet-Nam we will not abandon the principles which impelled us to take up arms in the first instance. We have noted that the only proposal for peace advanced by the Democratic Republic of Viet-Nam to date is for us to withdraw our forces from South Viet-Nam. Your Excellency, you must understand that such abandonment of the South Vietnamese people would be inconsistent with American principles.

The United States stands pledged, however, together with the other allies of the Republic of Viet-Nam, to withdraw its forces, and to do so promptly—as North Viet-Nam withdraws its forces to its own territory, ceases infiltration, and the level of violence thus subsides.

What we seek in South Viet-Nam is that its people be allowed to develop politically, economically, and socially, free of violence or coercion. We seek a South Viet-Nam where all can live without fear.

We have taken the first concrete steps toward peace by freeing most of your territory and most of your people from the weight of the war. We are prepared at the appropriate time and in the appropriate circumstances to take further steps. We have suggested some we might take together. We stand ready to welcome your suggestions for others. We persist in our search for peace with no less determination than we persist in our defense of South Viet-Nam from aggression.

There is one more lesson I hope you will discover as you read our history. As you look through the record, you will find a solid base for confidence that we abide by our word in any settlement. Moreover, we are a people who believe in helping heal as quickly as possible the emotional and physical wounds of war.

I am sure that the record in Europe after World War II is known to you. You know what the American people and the American Government together with our allies—and our former enemies—did to erase the scars of war and to rebuild their shattered economies. The same was true in Asia after the Pacific war.

The same can be true in Viet-Nam and in Southeast Asia—if you will work with us to end the present conflict—and then move on to the serious business of peace and reconciliation.

Surely peace—real peace—is what the people of Viet-Nam want most. They want an end to violence—and an end to efforts to impose political solutions upon them by force and terror. If we can succeed here in finding a way to an honorable and just peace, it is the people of Viet-Nam—of North and South alike—who stand to gain the most.

Pending unification, the two parts of Viet-Nam would benefit greatly by immediate agreement for the free flow of goods, by technical cooperation and cultural exchanges, and by the visits of people back and forth.

An end to fighting in Viet-Nam should be accompanied by a genuine peace in neighboring Laos—a return to the agreement on Laos worked out in Geneva in 1962. Cambodia, too, would profit by peaceful cooperation.

A genuine and just peace can only bring great benefits to all the peoples of former Indo-China. And each of them can take an increasingly important role in the encouraging process of regional development in Southeast Asia that has already been started. Through such efforts as the Mekong Valley Development Program, the entire region can become one of the most productive in the world.

Cooperative programs for education—primary, advanced and technical—have already begun. A number of Asian nations are already working together to improve the communications and transportation systems of their nations and of the region. They are sharing technical know-how in raising food production. An outstanding example is the miracle rice, IR–8, developed through international cooperation in the Philippines and now benefitting the farmers of other countries in Asia.

More than three years ago, President Johnson—speaking at Johns Hopkins University in April 1965—voiced his hopes and his support for a vastly increased effort to improve conditions of life in Southeast Asia. He said:

> "The first step is for the countries of Southeast Asia to associate themselves in a greatly expanded cooperative effort for development. We would hope that North Viet-Nam would take its place in the common effort just as soon as peaceful cooperation is possible."

He added that he, "would hope that all other industrialized countries including the Soviet Union, will join in this effort to replace despair with hope and terror with progress."

In his March 31 speech this year—in which he announced the major de-escalation of the Viet-Nam war which has brought us to Paris—President Johnson repeated his Johns Hopkins promise—including his hope that North Viet-Nam would take its place in this common effort "just as soon as peace comes."

"Over time, a wider framework of peace and security in Southeast Asia may become possible," the President said. "The new cooperation of the nations of such a Southeast Asia is what the United States seeks—and that is all the United States seeks."

Your Excellency, I have talked today about our goals in Viet-Nam and our hopes for Southeast Asia.

The United States Government has furnished assistance both to individual countries and to new groupings of countries which share these goals. Together with France, the United Kingdom and the Soviet Union from outside the region, our Government is a member of the Economic Commission for Asia and the Far East. We would welcome other members. Over the years, this Commission has carried out extensive research and consultation in the fields of social and economic development.

Another important regional organization has now been launched on the initiative of a number of Asian nations. This is the Asian Development Bank The United States welcomed its creation and supports its activities. Membership in the bank is open to all who wish to share in its activities and responsibilities, regardless of differing ideologies or economic systems. President Johnson has asked our Congress to authorize funds intended to increase further the Bank's financial and technical capabilities.

Thus, Your Excellency, Asian institutions ready to undertake increasingly challenging tasks now exist and are working actively.

The sooner we can begin to move here toward ending the conflict in Viet-Nam, the sooner your people and your neighbors—with help from others—can begin to attack the only real enemies modern man should have—hunger, poverty, illiteracy, disease, and suffering.

Choose the path of peace. Then we can work together for progress—and the sooner the better.

COMMENDATION OF SENATORS RANDOLPH AND YOUNG ON PASSAGE OF OMNIBUS RIVERS AND HARBORS-FLOOD CONTROL AUTHORIZATION

Mr. MANSFIELD. Mr. President, on July 2, last week, the Senate passed the public works rivers and harbors-flood control authorization. With its adoption, the Senate reaffirmed the highly thoughtful and well-informed opinions of the articulate chairman of the Public Works Committee, Senator RANDOLPH. This legislation will certainly be considered one of the major accomplishments of this Congress, because it is indeed, in the words of the extremely competent chairman of the Public Works Committee, "an investment in America." Under the direction of Senator RANDOLPH, and with the cooperation of the distinguished Senator from Ohio [Mr. YOUNG], the chairman of the Subcommittee on Flood Control-Rivers and Harbors, this measure was led expertly through to overwhelming adoption. The dedication and hard work of these Senators assured the success.

I wish to thank the Senate for the exemplary manner in which it responded in disposing of this bill. We appreciate immensely the work and efforts of the members of the committee and subcommittee who sat through extensive hearings and received testimony on more than 120 projects which had been recommended to them. This success is a fine achievement.

OIL IMPORT PROGRAM NEEDS COST-EFFECTIVENESS ANALYSIS

Mr. PROXMIRE. Mr. President, once again I am forced to invite the attention of the Senate to the need for a reexamination of the oil import program. Many of the goals sought to be served by our present complex oil import program bear little relation to the simple goal of national security originally envisioned. Yet, the present program remains unexamined in the context of our national needs. For too long have the special interests been able to present their special needs and get relief at the expense of a rational program which would best fill all our Nation's needs.

We ought to subject the present program to a searching cost-effectiveness analysis. We ought to decide what goals should be achieved through the use of an oil import program and then decide what is the most effective way of achieving them. Only a thorough cost-effectiveness analysis of the oil import program in the context of our Nation's total energy needs will produce a rational program. Only a rational program will enable us to meet our defense and other needs at the lowest possible cost to the consumer.

The Department of the Interior study entitled "U.S. Petroleum Through 1980" is a start, but it falls far short of the in-depth analysis which is required.

The original rationale for the oil import program was that by limiting the amounts of low-cost foreign crude which could be imported into the United States the price of oil would be protected so that producers would have a sufficient incentive to search for and develop new domestic sources of oil. Whether this goal has been achieved is not clear. Although the number of new wells drilled has declined despite the rising demand for oil, it is not clear whether this decline *is a result of lack of incentive or is* attributable to technological improvements. In any case, we now hear cries for an additional subsidy in the form of more stringent import restrictions in order to give a greater incentive to those who would explore for new sources of domestic oil. Well, there is a limit to the amount of subsidy the American consumer can be expected to bear. During the almost 10 years the program has been in effect, it has cost the American consumer over $40 billion in increased prices.

It is true that a strong domestic oil industry is vital to our Nation's defense, but if the 27½-percent depletion allowance, the 7-percent investment tax credit, and the ability to write off the cost of drilling in 1 year is not enough incentive, perhaps it is time to find some other alternative energy sources.

The oil import program has been used by the Department of the Interior to aid the Virgin Islands, help the economically depressed area of Puerto Rico, give the domestic petrochemical industry limited access to cheap foreign feedstock, and now proposes to use it to encourage the production of low sulfur residual fuel oil. While all these are laudable goals, at no time has the oil import program been reexamined to find out what the effect of these actions were on the concept of the program. The end result has been the construction of a rickety maze infested structure. And, unfortunately, the only ones who can thread their way through the maze are the special interests. Nor can this be done by the woefully understaffed Oil Import Administration. The OIA has enough trouble just administering the present program let alone doing an in-depth analysis of the underlying concepts.

The first thing that should be done is to adequately fund the Oil Import Administration. No one in the Senate has fought harder for economy in Government than I, but the inadequate funding of the OIA seems to me to be a false economy. The OIA administers a program which dispenses import licenses worth literally millions of dollars a year to the recipients, yet, cannot afford even one field investigator to find out whether the recipients are really entitled to the licenses they are issued.

I would strongly urge Secretary Udall to exercise the power that Congress has already given him and impose a 1-cent-a-barrel fee on the recipients of import licenses. There is no reason why the recipients of these lucrative licenses which are worth about $1.25 a barrel to them should not contribute 1 cent a barrel to the cost of running this program. There is no reason why the American consumer who already pays dearly for the program in higher petroleum product costs should be forced to contribute even more to keep the program running.

Likewise there is no justification for continuing the historical finished product quota. Certain companies have the privilege of importing 76,000 barrels a day of finished products merely because they did so in the past. This privilege should have been phased out long ago. There is no justification for continuing *this anachronism.*

A suggestion has been made that the 76,000-barrels-a-day quota of finished products should be shifted to a 76,000-barrels-a-day quota of No. 2 fuel and asphalt to alleviate the apparent tight supply on the east coast. Some people feel that if the small independent terminal operators were given access to this amount of foreign No. 2 fuel oil, they would have sufficient leverage to bring down the price of No. 2 fuel oil to the many homeowners who use it to heat their homes. This proposal bears investigation. Although the supply of No. 2 fuel has been increasing this year, this has not been reflected by a drop in price. Something is wrong. Something should be done about it.

Another area which bears investigation is the amount of imports granted to the petrochemicals. Several studies have been done showing, depending on who hired the "experts," that the domestic petrochemical industry does or does not need access to foreign feedstock to remain competitive. Nothing seems to have been done by the Department of the Interior to determine which study is correct.

The petrochemical quota seems to reflect politics more than it does any rational plan. In 1967, when "refineries" were redefined in the regulations, the petrochemicals received an additional 27,000 barrels a day of imports. Yet, when "refinery" was redefined this year to prevent the double dip, the increase of 27,000 barrels a day granted in 1967 to the petrochemicals was continued for the second half of 1968. Although the result of the new regulations was to redistribute this 27,000 barrels a day among the petrochemical sector, no one seems to have considered whether this would help or hurt our drive to increase exports.

Alternatives to supplant or supplement the present program should be investigated. The use of foreign-trade zones seems to be gaining increased interest. An application was recently filed for one in Maine. Although I do not know much about the proposal, I presume the refinery to be established in the foreign-trade zone would be geared to produce low-sulfur residual fuel. Besides the actual cash contribution such a refinery would make, it could provide a core for a new petrochemical complex which would bring prosperity to an economically depressed area, help our balance of payments, and strengthen our Nation's defense posture.

I have been searching for alternatives. I recently learned of two plans which would use the oil import program to conserve our domestic oil supply without causing a severe economic dislocation within the domestic producing industry. Although at this stage I certainly cannot endorse either plan, I think both should be carefully examined to see whether these plans can achieve their stated goals. Therefore, I have sent both plans out to certain interested parties for comment. Perhaps, something may come of it.

Whatever course of action we take, I think the first step is a complete reexamination of the goals which can and should be sought through an oil import program. I cannot understand how the Department of the Interior can say that there is no need to hold hearings to reexamine the program. This view is obviously not shared by the House Interior and Ways and Means Committees. The publication of "U.S. Petroleum Through 1980" is a start, but only a start. We must push on without delay. Each year the program continues in its present form it costs the American consumers about $4.5 billion and may actually be impairing our national security.

WESTERN DEMOCRATS SUPPORT PRESIDENT JOHNSON

Mr. McGEE. Mr. President, in a meeting in Phoenix, Ariz., June 13–16, 1968, the Western States Democratic Conference passed a number of resolutions. Some of these resolutions are of a local or regional nature, but others address themselves to major national problems.

To give my colleagues a sense of the opinion of Democrats in the western part of America toward these national problems, I should like to quote a few of the resolutions:

> Resolved that we call on all Americans to recognize and support the efforts of the President to bring peace in Vietnam and trust that the meetings in Paris will bring about a peace with honor to all concerned.

> Now, therefore, be it resolved that we support the President's programs to provide educational, economical and political equality and opportunity for all, and that we support legislation for the necessary funding to expand and implement these programs.

> Whereas the Democratic Party traditionally has been dedicated to the achievement of a society in which men live in a spirit of tolerance and freedom, and
>
> Whereas the Democratic administrations of the last seven and one-half years will be remembered for successful sponsorship of legislation that represents steps toward dignity and freedom for all Americans—strengthening civil rights, expanded educational and health care, anti-poverty and urban renewal programs and the beginning of meaningful local participation in such activities:

> Be it resolved that we commend these Democratic administrations and call for continued election to the Congress of people who will continue to build upon this record in the future.

As these resolutions indicate western Democrats heartily endorse the Johnson administration and their thinking is clearly in the mainstream of the progressive Democratic Party tradition.

THE BUDGET

Mr. CASE. Mr. President, it cannot be disputed that in our concern to meet the economic and social problems of the Nation we have placed increasing reliance upon the Federal budget and direct Federal expenditures. The proliferation of Federal programs and dollars has not, however, disposed of our problems, and it seems to me that there is good reason to ask "How Much Can the Federal Budget Do?" as Duncan K. Foley does in the July issue of the Ripon Forum. I ask unanimous consent that Mr. Foley's perceptive article be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

HOW MUCH CAN THE FEDERAL BUDGET DO?

(By Duncan K. Foley)

A new political division is beginning to appear in the country between those who instinctively turn to the Federal budget and to direct Federal expenditures to attack our economic and social problems and a smaller group in both parties who would rather use Federal and State tax policy to redistribute income and reconstruct incentives. This division is obscured by the fact that both groups are activist. Both want the Government to undertake responsibility for social justice and a correction of laissez-faire inefficiencies. In the perspective of the people's rejection in 1964 of laissez-faire and reaffirmation of activist goals, this growing disagreement over means may produce the important political divisions of the future.

I have frequently argued in specific cases and in general theory the positive merits of incentive manipulation. This approach also has its relevance to the present crisis in the Federal budget.

Federal programs are, to begin with, haunted by politics at every level. Since we do not have a well agreed upon set of social priorities and goals, programs come into being only as the result of political bargaining. Administrators who try to execute Congressional decisions begin without clear guidelines. Their decisions are further entangled by the fact that any choice between alternative ways of achieving a goal have political ramifications. If the goal can best be served by a centralized office, there will be pressures to spread offices around the country to build up "local constituencies." The location of facilities becomes a matter of intense political conflict and bargaining. Not only are the overall goals blurred and contradictory, but the actual implementation of even small parts of the program are compromises in which efficiency and political influence are combined.

This leads directly to the profusion of small, underfinanced programs so characteristic of the Federal government. Model Cities money, for instance, is so widely spread that almost no meaningful experiments can be made anywhere.

Attempts, heroic attempts at that, are now being made to bring some rationality into the budgeting process. The Bureau of the Budget especially, has championed the use of modern management techniques to try to control expenditures. But these methods of control themselves decay in the political atmosphere. To illustrate this, consider our treatment of water-resource projects, on which we spend hundreds of millions of dollars per year.

There are irrigation projects that sell water substantially below cost to a few prosperous but politically influential farmers in the Southwest. The justification for selling below cost is that there are "non-market-valued benefits" from results such as flood control. This is proper, and it is proper also to count in these benefits in deciding whether or not to invest in a given project. We should add up the benefits and compare them to the cost of the projects. This is done. The benefits, though, come strung out for years after the dams have been built, while the cost is concentrated now. To make costs and benefits comparable, we have to use an interest rate to decide what the stream of benefits is worth to us right now as a single sum. This is like asking how much we would have to put in a savings account right now at some rate of interest to be able to withdraw certain benefits over a period of time. Obviously, the lower the rate of interest we get on the account, the larger the initial deposit must be to get out the benefits.

What rate does the government use? Should it be 18%, since that is the before-tax rate of return to corporate investment? 12%, since that is what the market valued benefits of education amount to? The 6–8% we pay for mortgages on houses, which is still another alternative use of the money? 4–5%, the return ordinary citizens get from holding government bonds? There are arguments for using any of these. In fact the government costs out water resource projects using the incredibly low interest rate of 2½%. All the motions of cost benefit analysis are then performed, but the allocation figure is nonsense.

It is situations like this that lead me to be skeptical of the Federal budget as an effective instrument for managing our society. It is perhaps very good to legislate by compromise and coalition when matters of law and social order are concerned. It is not a good thing when fairly simple economic results are the goal. And our goals are not very complicated. We want to house, feed, clothe and educate ourselves, all matters in which productivity and efficiency are better than confusion and compromise. We want to build houses cheaply and in areas where they do people the most good. These are matters the market manages well if it builds houses at all. We certainly want to do something to make the market build more housing for poor people, but we want to retain the other efficient features.

At this moment the administration of Federal expenditure is in a crisis. This may be temporary and I can imagine it being alleviated by technical advances and management science. But it will not hurt now to shift the emphasis from direct expenditure to incentive systems, from "decision-making" to policy. The only real danger is that the political machinery is really set up to avoid doing anything effective at all. If this is the case, it is easy to see why attacking and defending the Federal budget is so popular with some politicians. It produces a maximum of noise and a minimum of motion.

"THE AMERICAN CRISIS IN VIETNAM"—SENATOR HARTKE'S NEW BOOK

Mr. NELSON. Mr. President, "The American Crisis in Vietnam" is the title of a new book to be published by Bobbs-Merrill on July 15. I call it to the attention of the Senate both because of its contents and because of its authorship. For the author is one whom we all know, one who has frequently raised a voice of protest in this body over the American involvement in Vietnam, our colleague, the senior Senator from Indiana VANCE HARTKE.

I look forward to reading this book,

as I am sure many of you also will do. I look forward to it not only because its author is Vance Hartke but because the first brief review, which appeared in the latest issue of Publisher's Weekly, is so laudatory in its comments. That magazine calls the book "cogent, informed, often vividly written and plainspoken." It calls the work a "forceful study" and stresses particularly the contribution made by its "detailed analysis of the economic effects of the conflict."

Senator Hartke is one of those who has made a courageous and valuable contribution to the dialog in this country about our policies in Southeast Asia.

Mr. President, I ask unanimous consent that the book review from the July 1 issue of Publisher's Weekly be printed in the Record.

There being no objection, the book review was ordered to be printed in the Record, as follows:

The American Crisis in Vietnam—Senator Vance Hartke

Senator Hartke's addition to the growing literature on the Vietnam tragedy is cogent, informed, often vividly written and plainspoken in his consistently-held conviction that from "wrong assumptions" we made "wrong decisions" and got into our present mess. More emphatically than most of his fellow dissenters, he characterizes the Saigon regime as one we have attempted to impose upon the people of South Vietnam. He documents this with devastating effect. What is relatively new about this forceful study of the "American crisis" in Vietnam is his detailed analysis of the *economic* effects of the conflict; this terrible accounting is too often overlooked in favor of body-counts. Senator Hartke's prose at times seems oral, as befits a politician familiar with grass-roots communications.

CONGLOMERATE CORPORATIONS

Mr. HART. Mr. President, as Members of the Senate know, my concern over the impact the recent merger wave has on economic concentration in this country is a deepfelt—and growing—one.

The work of the Senate Antitrust and Monopoly Subcommittee has convinced me that real dangers for our economy—and our way of life—lurk in the headlong rush toward formation of conglomerate corporations.

Some of these concerns were voiced by me to Federal Trade Commission Chairman Paul Rand Dixon on May 17 when I requested FTC investigate the economic aspects of conglomerate mergers.

This week the FTC agreed to undertake the study—much along the lines requested. Needless to say, I am pleased and it is a study which Congress will await with greatest interest.

Mr. President, I ask unanimous consent that my letter outlining the need for the FTC investigation and the FTC press release announcing plans for it be printed in full at this point in the Record.

There being no objection, the material was ordered to be printed in the Record, as follows:

May 17, 1968.

Hon. Paul Rand Dixon,
Chairman, Federal Trade Commission,
Washington, D.C.

Dear Rand: The disclosure in the Commission's recent report that merger activity in 1967 experienced "the sharpest increase in modern industrial history" is a matter of real concern, a concern I know you share. It is particularly discouraging to note that the number of manufacturing and mining companies acquired in 1967 was seven times the number absorbed in 1950—the year in which the Celler-Kefauver Amendment to Section 7 was enacted.

Progress has been made, of course, by the antitrust agencies in the enforcement of the 1950 amendment, particularly against horizontal and vertical mergers. But, as the report points out, mergers and acquisitions in recent years have been of the conglomerate variety—the type which offers the fewest opportunities for greater efficiency.

During its hearings on economic concentration the subcommittee has received sufficient evidence to cast a cloud over the long-run viability of many present-day mergers. Thus, one study of the 500 largest industrial companies has shown that the greater the number of mergers, the lower tends to be the profit rate. According to another witness, at least one-sixth of all mergers are failures.

It seems to me that in the long run competition will be adversely affected if what had been a vigorous and independent competitive enterprise is transformed into a less efficient division or subsidiary of a conglomerate corporation. The recent sharp decline in stock values of many leading conglomerates underscores the possibility that some may indeed by "jerry-built" structures, sustained by various forms of financial and stock manipulation and the high growth rate resulting from frenetic merger activity.

If, in fact, any substantial portions of the conglomerate corporate structures now being put together are poorly conceived, badly managed, or generally inefficient, the inevitable day of reckoning must come. But with it will also come serious consequences not only for the economy but for stockholders and workers. What occurred early in the 1930's to the seemingly impregnable private utility holding companies is history not to be forgotten.

These circumstances suggest that a Federal Trade Commission investigation into the economic aspects of conglomerate mergers would be desirable. Among other things, such an inquiry properly should be concerned not only with the effects of competition and the tendency to create a monopoly, but, also, with such broader issues as the economies or diseconomies resulting from such mergers and the effects on corporate behavior and performance.

Since time is important here, such an investigation could be pinpointed to some of these more specific issues involved rather than the kind of exhaustive study which could require several years to complete. Investigations of specific conglomerate mergers by both the Commission and the Department of Justice provide an existing body of material, but a meaningful study would also require new information to be secured under sections 6 and 9 of the FTC Act.

The importance to Congress of such an investigation for a full understanding of the issues and problems involved cannot be overstated. On the one hand we have been told that bigness is both inevitable and desirable, that the antitrust laws are an anachronism, and that competition must give way to centralized planning and regulation.

On the other hand, we have seen substantial evidence indicating that in many instances levels of existing concentration have little or nothing to do with economies of production. Indeed, Donald Turner of the Antitrust Division has recommended that Congress enact new legislation to curb further growth by mergers of large firms.

However, before any action should be taken by Congress, we need more and better information concerning the nature, causes, effects and performance of those acquisitions now dominating the industrial scene—the conglomerate acquisition.

In providing this information the FTC would be carrying out its historical role as an arm of Congress.

Best personal regards.

Sincerely,

Philip A. Hart,
Chairman.

Federal Trade Commission Announces In-Depth Investigation of Conglomerate Merger Movement

The Federal Trade Commission announced today that it has directed its Bureau of Economics to undertake an in-depth investigation of the causes, effects and implications of the conglomerate merger movement in this country. Merger activity, the Commission noted, appears to have reached the highest levels in American industrial history with no signs of an early abatement. Unlike earlier merger movements, which were dominated by horizontal or vertical mergers among competitors or between buyers and sellers, the current wave of mergers reflects a proliferation of conglomerate mergers.

Conglomerate mergers may be of various types, but are usually divided into three categories, market extension, product extension, and other. Market extension mergers are those in which the two parties to a merger are engaged in the same general line of business activity, but operating in different geographical markets. Product extension mergers represent an extension of a firm's activity into another product line, but one that may be related functionally either in production, distribution or sale of products. The remaining category of conglomerates includes those in which there is very little discernible relationship between the acquiring and acquired firms.

Under the Celler-Kefauver Act of 1950 the Commission and the Antitrust Division of the Department of Justice have concurrent jurisdiction over mergers which may substantially lessen competition or tend to create a monopoly in any line of commerce in any section of the country. A number of conglomerate cases have been decided by the Commission and the courts and certain rules of law have been established. Both the Commission and the Antitrust Division have also issued merger enforcement guidelines to assist business firms in the determination of the metes and bounds of merger activity within the context of interpretations of the law.

There is growing concern, however, on the part of the Commission, as well as Congressional committees, including the Senate and House Antitrust Subcommittees and the Joint Economic Committee, as to the long-run dangers of the continuation of the conglomerate merger movement. The Commission has already conducted a limited investigation of this matter, but has now directed its staff to expand the scope of the investigation to cover not only the short-run anticompetitive aspects of such mergers, but also broader issues, including the relationship between conglomerate mergers and technical or business efficiencies, the economic performance of conglomerate firms in the market place, and the effect of conglomerate mergers on the competitive vigor of enterprises by their change in status from independent firms to subsidiaries or divisions of conglomerates, and the impact of such structural changes on long run competitive activity. A review will be made of recent merger developments in the light of the basic policy objectives of the Celler-Kefauver Act to prevent increases in the concentration of economic power, to encourage internal growth as a competition-promoting process, to preserve the competitive opportunities of medium-size and small businesses and to eliminate monopolistic tendencies in their incipient stages. The study will also explore various causes of mergers and whether new legislation may be necessary to bring the conglomerate merger movement under control. After the completion of the staff investigation, the Commission plans to hold a public hearing on this matter.

The Commission Resolution directing the investigation is attached.

FEDERAL TRADE COMMISSION RESOLUTION

RESOLUTION DIRECTING AN INVESTIGATION OF ACQUISITIONS AND MERGERS

Whereas, the Commission has statutory responsibilities to enforce the Celler-Kefauver Act of 1950 in respect to acquisitions and mergers that may substantially lessen competition or tend to create a monopoly in any line of commerce in any section of the country; and

Whereas, the Commission is cognizant of the broad policy objectives of the Congress to prevent increases in the concentration of economic power, to encourage internal growth as a competition-promoting process, to preserve the competitive opportunities of medium-size and small businesses and to eliminate monopolistic tendencies in their incipient stages; and

Whereas, the merger movement appears to have reached the highest levels in American industrial history; and

Whereas, there is growing concern on the part of the Commission as well as on the part of Congressional committees in respect to the long-run consequences of the merger movement and in particular in regard to the growth of conglomerate mergers: Now, therefore, be it

Resolved, That the Commission in the exercise of the powers vested in it by Sections 6 and 9 of the Federal Trade Commission Act, and with the aid of any and all powers conferred upon it by law and any and all compulsory processes available to it, including non-public investigational hearings, do forthwith proceed to investigate and study the causes, effects and implications of the merger movement.

By the Commission.

JOSEPH W. SHEA,
Secretary.

Date: July 2, 1968.

JUVENILE DELINQUENCY PREVENTION—THE KEY TO CRIME CONTROL

Mr. YARBOROUGH. Mr. President, the President's Crime Commission and our Senate committee, after hearings on the Juvenile Delinquency Prevention and Control Act of 1968, reached the same unqualified conclusion:

> The key to controlling crime in this country is to prevent juvenile crime and to provide effective rehabilitation of juvenile offenders.

The reasons are as clear as the statistics, and the statistics show that the crime rate is growing most rapidly among our young people. Last year arrests of adults declined 1 percent while arrests of juveniles increased. While the population under 18 grew by 17 percent from 1960 to 1965, the arrests in that age bracket for serious crimes rose by 47 percent. Eight of every 10 automobile theft arrests, seven of every 10 arrests for burglary and larceny, and five of every 10 arrests for robbery were of persons under 21. The age group 15 to 17 years old is arrested more frequently than any other age group. As the Crime Commission concluded from such evidence:

> A substantial change in any of these figures would make a substantial change in the total crime figures for the nation.

This legislation which we passed Monday is needed because our present efforts are not enough. Four out of five felons today were first convicted for misdemeanors when they were youths. The "correctional process" did not correct them, and as a matter of fact it may have injured them and influenced them toward further crime. Former Health, Education, and Welfare Secretary John W. Gardner summed up the paradox of our present correctional attempts:

> The mere involvement of an individual with the juvenile justice system increases the chances that he will return to that system: and commitment to correctional institutions may serve to reinforce delinquent values and negative attitudes toward authority.

This legislation takes a needed step in creating innovative services for prevention and rehabilitation of youthful offenders.

For a successful attack on juvenile crime we must touch all the causes of such offenses. Many ask for the easy solutions of stricter laws, tougher enforcement, and speedier punishment. This bill profits from the guidance of the distinguished chairman of our Poverty Subcommittee, the Senator from Pennsylvania [Mr. CLARK]. He realized that what we need is an integrated network of antipoverty, antislum, and youth programs. This legislation is aimed at filling a role in that network.

The search for the causes of youth crime lead us into the inner cities of our urban centers. The highest incidence of juvenile delinquency is in areas of high population density with lower economic status. It is in areas with stifling overcrowding of housing, schools, and recreation areas, and with restricted access to jobs and limited upward mobility. We can even sketch a profile of the youth most likely to be an offender. He is 15 or 16 years old and comes from a poor but large family. The family is female-centered; perhaps it is a broken home, or the nominal male head is absent enough of the time that the youth has no male figure to emulate and no respect for adult males. He has dropped out of school but is unemployed. He travels in small gangs built more on companionship than conspiracy and commits small crimes that are more for belligerence than any other purpose. If he is not helped, he will drift from those minor violations into major crimes.

This bill is a realistic attempt to offer help in time. Rehabilitative services for the diagnosis, treatment, and rehabilitation of delinquent youths will be conducted by public agencies. The Senate version provides for grants to any public agency, not just to the States. The bill calls for community-based preventive services, for youths in danger of becoming delinquent, by local public and nonprofit agencies; and a significant Senate committee amendment provides for appropriate participation by youth in the formulation and operation of the projects. Funds will be authorized for the construction of community-based rehabilitation and prevention facilities. The Senate committee limited the scope of construction authorized to prevent a few large construction projects and promote many smaller community-based facilities.

Two additional features of the committee bill add significantly to the House version. The committee bill contains provisions for research into the development and demonstration of improved techniques to prevent or rehabilitate delinquents. And it includes planning provisions so that this program will not operate in isolation but will reinforce other antipoverty and youth programs.

The sums authorized over a 3-year program are $25 million in fiscal year 1969; $50 million in 1970; and $75 million in 1971. One hundred and fifty million dollars in 3 years is a small investment, but the cost of doing nothing is immense. The average juvenile beginning a career of crime will cost the governmental system $11,000. In 1965, the States spent $144 million to confine 48,500 teenagers and an additional $75 million to supervise 224,000 youths on probation during that year. The total juvenile crime cost to the Nation this last year was $4 billion.

I supported this bill because it called for a reasonable investment in a sound program which we should begin now.

HUMAN RIGHTS GUARANTEES NEEDED FOR AFRICANS: AMERICAN NEGROES HAVE PROTECTION UNDER LAW

Mr. PROXMIRE. Mr. President, this country, through bipartisan cooperation, has done much to afford the protection of the law to all men regardless of how they differ from each other as to race, religion, political beliefs, or national origin. We have, by passing and enforcing these laws, declared that they merely spell out those natural and inherent rights contained in the Declaration of Independence and guaranteed in the Constitution by the Bill of Rights.

Thus, while much needs to be done in seeing that all Americans have equality of opportunity, we have kept faith with our Founding Fathers.

But, Mr. President, what is happening now in Africa? What madness now prevails that allows nations or even factions within a nation to permit their own people to die like flies? What perversity permits nations or factions to use their own brothers so cruelly? What dehumanization could be so complete as to permit women and children, innocent of any wrongdoing and ignorant of the basic lust for power that motivates their leaders, to die from the agonies of starvation?

Mr. President, these are not rhetorical questions. They represent questions aimed at possible genocide, denial of basic human rights to life and liberty, and the looming sacrifice of a people on the altar of unbelievable and inhuman callousness.

Nigeria and Biafra are now involved in a civil war. I do not wish to go into the reasons why these two entities are involved in conflict. The reasons range from rank prejudice to religious controversy to economic exploitation. I deplore the fact of war anywhere. I despise that basic rejection of our finest instincts and powers of intellect that permits man, along with praying mantises to destroy his own kind.

Yet, even more horrible to contemplate is the means used to fight this war. The poor and innocent of Biafra are being expended as propaganda bullets as surely as if they were being mowed down in actual battle.

Nigeria blockades Biafra and has effective control of all overland sources of food. The Biafrans receive airlifted food from the Red Cross that has been contributed from throughout the world. However, this food can only be flown in at night and unless severe, indeed, near-total starvation is not to result, there must be massive overland shipments of food.

Neither party moves. Both seem content right now to sit and watch their own and their country's future drain from the wasted bodies of their own brothers. The Nigerians will permit no overland shipment of food. The Biafrans make no move that will permit some kind of settlement that will grant access to food. The United States has sent nearly $3 million in emergency food aid but it cannot reach the starving.

Thus the impasse continues while the innocent die. What a tragedy. What a commentary on our modern times. Yet, Mr. President, while the United States has sent $3 million to aid the starving, we have, through Senate failure to ratify the pending Human Rights Conventions, put the lie to these efforts at feeding the starving.

The very rights that are being violated and trampled upon in Nigeria and Biafra are the very ones embodied in the Human Rights Conventions before the Senate.

Mr. President, the Senate must ratify these conventions and ratify them now. What more forceful impetus is needed to move us to ratification than the deaths of thousands and thousands of our fellow human beings?

RECIPIENTS OF THE ANNUAL NEKOOSA-EDWARDS FOUNDATION SPECIAL SCHOLARSHIPS

Mr. NELSON. Mr. President, recently, the Nekoosa-Edwards Co., a leading paper producer, announced that four central Wisconsin high school seniors have been selected to receive the annual Nekoosa-Edwards Foundation special scholarships. The four were selected by the National Merit Scholarship Corp. which administers the program of scholarships for the foundation. These scholarships can be used at any college of the students' choice.

The awarding of these scholarships brings to 73 the number of outstanding students who have received awards from the foundation. The students receiving the foundation grants are: Darrell Kolstad, Auburndale High School, Auburndale; Kerry Spees, John Edwards High School, Port Edwards; William Squires, Tri-County High School, Plainfield; and Susan Yeager of John Edwards High School, Port Edwards.

Some of the accomplishments of these students appeared in the Nekoosa News, a publication of the Nekoosa-Edwards Paper Co. I think the record of these fine students is worthy of your attention. Accordingly, I ask unanimous consent that the article, appearing in the May–June 1968 issue, be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

THE 1968 FOUNDATION SCHOLARSHIP WINNERS ANNOUNCED

Four Central Wisconsin high school seniors have been selected to receive the annual Nekoosa-Edwards Foundation special scholarships, bringing to 73 the number of outstanding students who have received the foundation's awards since the program was initiated in 1953.

The recipients are: Darrell Kolstad, Auburndale High School, Auburndale; William Squires, Tri-County High School, Plainfield; and Susan Yeager and Kerry Spees, both of John Edwards High School, Port Edwards.

The four were selected by National Merit Scholarship Corporation, which administers the program for Nekoosa-Edwards Foundation. The scholarships apply to four years of study at any college of the student's choice.

An unusual feature about this year's awards is that Darrell Kolstad is the second member of his family to be so honored. His brother, Russell, received a scholarship last year and is presently attending the University of Wisconsin at Madison. Darrell also plans to enroll at the Madison campus and study biochemistry. He is president of his school's National Honor Society, secretary of the Student Council, and treasurer of Future Farmers of America. Darrell is the son of Mr. and Mrs. Harold G. Kolstad, RFD 2, Arpin. His father and a brother are employed by Nekoosa-Edwards Paper Company.

William Squires intends to apply his scholarship award toward the study of medicine at the University of Wisconsin at Madison. He has been vice president and president of his Student Council and has held several class and club offices at Tri-County High School. He is the son of Mr. and Mrs. Harvey W. Squires, R. R. 1, Plainfield. Mr. Squires is a paper mill employe of Nekoosa-Edwards.

Kerry Spees is a scholar-athlete at John Edwards High School. He has consistently been on the honor roll for scholastic achievement and was a starting member of the school's basketball team, which was undefeated in regular season play. He has been a member of the Student Council, the Student American Foreign Service Board, and a YMCA Junior Leader. He intends to enroll in Wisconsin State University at Stevens Point. His parents are Mr. & Mrs. Robert Spees, 391 Wisconsin River Drive, Port Edwards. Mr. Spees is a salesman for Ginn and Company, book publishers.

Besides being the only girl among this year's scholarship winners, Susan Yeager is also the only artist. She is art editor of her school newspaper at John Edwards High and has had several of her cartoons published in the paper. She plans to continue her art education at the University of Wisconsin at Madison. In addition to art, her interests in school have been in music and drama, and she had the lead in this year's school play. She is secretary of the senior class. Susan is the daughter of Mr. and Mr. Howard J. Yeager, Port Edwards. Mr. Yeager is an accountant for Nekoosa-Edwards.

Children of employees of the company and its subsidiaries and of residents of Port Edwards and Nekoosa are eligible for scholarships sponsored by the foundation. No member of the foundation or any Nekoosa-Edwards employe plays any part in the selection of scholarship winners.

STATEMENT IN SUPPORT OF CONFIRMATION OF JUSTICE FORTAS AS CHIEF JUSTICE; ABLE ABE WILL BE A GREAT CHIEF JUSTICE

Mr. YARBOROUGH. Mr. President, it is with great pleasure that I speak in favor of Senate confirmation of Justice Abe Fortas as Chief Justice of the Supreme Court. For over 30 years, Mr. Fortas has been involved in the tasks of either private law practice, administrative work, or work in the judiciary. Coming to Washington first as a lawyer, he soon was an aid to Interior Secretary Ickes in the Roosevelt administration. After this he was an adviser at the founding of the United Nations. This was followed shortly by his return to private law practice with the well-known lawyers, Thurman Arnold and Paul Porter. Until his appointment to the Supreme Court in 1965, Fortas was legal counselor in a number of important cases coming before the Government.

Mr. Fortas has had an impact on the Court as a lawyer long before he was appointed to it. In the background work leading to several Supreme Court decisions, Fortas displayed his magnificent competence as a lawyer arguing before the Court. Most particularly in the Gideon against Wainwright case, Abe Fortas argued eloquently for the right of all suspects, whether rich or poor, to have counsel. This decision was significant enough to be ingrained in our legal system by Fortas' able advocacy several years before Fortas reached the Court.

Since being appointed to the Court, Fortas has participated in a number of decisions which are of great magnitude to all of us. In doing so, he has had numerous opportunities to display his legal and judicial competence, his sound judgment, and his logical reasoning.

With the Supreme Court's increasing importance in American life, it is imperative that judicial appointees be men of great experience and high caliber. Mr. Justice Fortas admirably fulfills both these qualifications. For this reason I actively support Senate confirmation of Abe Fortas as Chief Justice of the Supreme Court. He has already earned and accomplished enough to be called "Able Abe."

CONGRESS OBLIGED TO MODERATE FEDERAL RESERVE POLICY

Mr. PROXMIRE. Mr. President, recently the Joint Economic Committee of the Congress issued a report recommending that the Federal Reserve Board moderate its creation of money. The committee proposed that the Board should strive to match the growth of the economy in its money creation so that the impact of monetary creation would be neutralized.

Since the long-term growth of the economy has been estimated to be in the area of 4 percent, and since it was considered desirable to provide a leeway within which the Board might function, the committee proposed that the Fed should increase the money supply at an annual rate of between 2 and 6 percent.

In order to provide an effective framework for this limitation, the committee recommended that whenever the Board failed in any quarter to increase the money supply by at least one-half percent—annual rate, 2 percent—or whenever it exceeded 1½ percent—annual rate 6 percent—it should come before the Joint Economic Committee to explain the deviation.

This proposal was of very great significance indeed for our economy, because it was the observation of the committee after extended hearings that the Fed had deepened virtually every depression and heightened almost every boom by monetary tightness in depression periods and excessive monetary expansion in periods of inflationary boom.

On July 10 Mr. Albert Kraus wrote a column in the New York Times criticizing the committee's action. On July 11, I responded in a letter to the New York Times.

Mr. President, because of the very considerable importance of this matter to Members of Congress in determining economic policy, I ask unanimous consent that an excerpt from the report, the article by Mr. Kraus and the letter I have written in reply to Mr. Kraus' column be printed in the Record at this point.

There being no objection, the material was ordered to be printed in the Record, as follows:

INTRODUCTION

Under the Constitution, the Congress has been given the responsibility for determining matters involving coinage and the stock of money. The Congress has chosen to delegate the exercise of this authority to the Federal Reserve authorities, giving them a considerable degree of independence both from the Congress and from the Chief Executive. For their part, representatives of the Federal Reserve System have repeatedly acknowledged before the Joint Economic Committee and elsewhere that the Declaration of Policy contained in the Employment Act of 1946, along with the Federal Reserve Act itself, provides in broad and general terms directives for their guidance. Discussion persists, however, as to whether such broad language of the Employment Act is adequate or sufficiently specific to serve as guidance for the Federal Reserve authorities, acting as the monetary agent for Congress.

(Notes.—Due to pressure of other responsibilities, Senator Fulbright was unable to participate in the hearings and other committee deliberations pertaining to this report and reserves judgment on the specific recommendations made therein.)

(Senator Symington states: "Because of unusually heavy commitments in connection with other committee responsibilities, I was unable to participate in all the hearings on which this report is based; therefore I do not wish to endorse it.")

For its part, the Joint Economic Committee has heard much evidence over the years on the role of monetary policy and, in its recent annual report, has made some specific policy recommendations. Nevertheless, there remains some very difficult unsettled questions about monetary management. Some of these arise from our experience of credit scarcity in the "credit crunch" of late 1966. Most of them have to do with actual operations and market responses, rather than with theory.

This report, relying heavily upon the testimony at our hearings on May 8, 9, 15, and 16, 1938, and in many cases making use of the language of the expert witnesses, is directed especially at the following issues:

(1) What are the interrelations between monetary policy and fiscal policy and to what extent can they be regarded as alternatives?

(2) Is the monetary authority able accurately to manage the stock of money, however money may be defined?

(3) How do actions taken by the monetary authorities work their way through the financial markets to affect interest rates and the stock of money?

(4) Has the Congress been sufficiently explicit in providing guidance to the Federal Reserve authorities—its agent in monetary management?

(5) What considerations would be most appropriate and most helpful as guidelines for monetary action?

I. MONETARY AND FISCAL POLICIES ARE NOT ALTERNATIVES BUT MUST BE COORDINATED

An overall objective of both fiscal and monetary policy is to keep total spending, public and private, in such balance with the output of goods and services as to maintain a high level of economic activity at stable prices. Monetary policy can limit total private spending by having private credit demand accommodate to Government credit demand. However, it cannot limit Government spending, which comprises a sizable part of the total. Fiscal policy can limit Government spending, but its effects on private spending may be either supported or largely frustrated, depending upon debt management and the choice of a concomitant monetary policy. Under most economic conditions, fiscal and monetary actions are thus complementary, not alternative, instruments and should be used together as parts of a coordinated economic policy.

For example, if the executive branch, acting under authorizations from the Congress, were to undertake a large increase in spending, and if at the same time the Congress did not assure adequate tax revenues, there would be a large increase in the budget deficit, which the Treasury would have to finance by offering new U.S. Government securities for sale. Fiscal policy, in this case, would require monetary action to accommodate management of the Federal debt.

Conceivably, the nonbank public would be willing to acquire all of the new debt offered without change in the Treasury's terms of offer, in which case the monetary authorities would have to cope with the consequences of a lower supply of funds loanable to the private sector. More probably, the Federal Reserve System would be required to act through open-market operations in Federal Government securities.

Thus the Federal Reserve has a choice when faced with a Treasury deficit: the Federal Reserve can increase the money stock as a side effect of open-market purchases while maintaining interest rates about the same, or hold the money stock fixed while permitting interest rates to go up. Of course, one could choose a policy somewhere between these two; that is, permit some increases in both the money stock and interest rates. But the Federal Reserve cannot stabilize both the money stock and interest rates in this situation.

Similarly, when faced with a Treasury surplus, the Federal Reserve has a choice between stabilizing the money stock while interest rates fall, or stabilizing interest rates while the money stock falls, but cannot stabilize both.

Although the Fed, as we shall see, can control the stock of money within limits, as a practical matter its choice in doing so must inevitably give great weight to the reality that the Federal Government's needs for credit cannot and will not be denied. The money needs of the sovereign will be served even though this may mean higher interest rates to other would-be borrowers competing for restricted funds, or by an expansionary policy resulting in an inflationary levy upon investors and consumers.

The policies that regulate money and credit availability and use, as well as the policies controlling debt management operations and the expenditures and receipts of the Treasury, are all integral parts of an overall combination of policies. When the President, the Congress, and the Treasury have decided on a particular combination of expenditure and tax policies, they have already determined the magnitude of the Treasury's debt management operations, and by this channel have decided in large part the limits within which monetary policy will operate. If, as in fiscal year 1968, a deficit of over $20 billion has to be financed, and this makes up a high proportion of the total of new credit sources, then clearly the Federal Reserve System and its managers are limited either to buying enough Treasury securities in the open market to facilitate absorption of the residue of this huge addition or, alternatively, to inducing a very sharp reduction in funding of private requirements.

II. THE FED CAN EFFECTIVELY CONTROL THE SIZE OF THE MONEY STOCK

It was evident that if the committee were to outline a number of guidelines for monetary actions of the Federal Reserve System, they should be within the effective control of the monetary authority. Targets have no meaning if the range of inaccuracy is too wide or if the constraints that have to be reckoned with are too numerous or too confining.

The testimony of witnesses in the recent hearings showed a large degree of agreement in speaking to these issues. The obligation of the monetary authority to keep financial markets functioning and to maintain the quality of the Federal Government's debt was recognized as constraints that, on occasion, acquired the status of priorities. In particular, as noted above, the severe burden imposed on the monetary authority by the growth of the Federal budget deficit in 1967 reduced the options of the monetary policymakers.

It was noted, moreover, that private-sector demand—and in particular corporate demand—for liquid assets to hold as protection against foreseen and unforeseen needs was not under the direct control of the monetary authority. Rather, it was indirectly influenced by the results of monetary actions and, in particular, by the interest foregone in the choice to hold demand deposits. Thus the so-called credit crunch of 1966, when the availability of credit, at any cost, was for a time sharply and embarrassingly reduced, was widely viewed as an important cause of the broad corporate policy of building up liquidity in 1967. While the acceleration of corporate tax payments was a contingency that the Federal Reserve System could provide for, on a reasonably accurate quantitative estimate, the identification of the temporary surge in demand for money—money that was intended to be kept, rather than to be spent, and thus to generate an increase in the credit flow—was not easy. Moreover, there was no assurance that this abnormal increase in the money supply would not, at some future date, be used to fuel an inflationary increase in credit.

This particular example was held up as typical of the dilemma that regularly faced the Federal Reserve System. On balance, a majority of the witnesses felt that in 1967 monetary policy had been circumspect and, in view of the fiscal limitations, as moderate as could have been devised. That feeling, however, was not shared by those who emphasized the importance and the future potential of a very large increase in the money supply.

The sole conclusion was that the choice of tempering the surge of interest rates was explainable, whether or not with approval, as an exception to a rule of stable growth of money supply and as a concession to an increase in the demand for money, despite the inflationary potential.

As a less important factor in the calculation of the Federal Reserve System, member banks' initiative in changing the level of their borrowings from the System could in the short run change the money supply from the intended level. Yet the control of the discount window was recognized as an effective means of limiting any longer-run deviation from the monetary authority's intent.

The consensus of the witnesses, with which the committee agrees, was that in normal times and with few exceptions, the Federal Reserve System could, if it chose, reach with reasonable accuracy any given preferred level of money supply, within a range of sensible and responsible action. The money supply might be defined narrowly as currency in circulation plus demand deposits adjusted to exclude interbank and governmental accounts; it could be defined broadly to include also time deposits; or it could be replaced by the Federal Reserve System's credit proxy—a limited measure of demand deposits including, however, governmental accounts. In each case, the targets could be reached in normal times and within a narrow range.

Given that the Federal Reserve System can usually control the quantity of money, the question arises how the public would use it. On this, the quantity theorists base their prescriptions on the view that moneyholding is a relatively constant aspect of economic performance; the velocity of circulation of a given money supply, or its rate of turnover in meeting monetary obligations, they argue, would not vary significantly if there were no disturbances induced by changing monetary policies.

Other witnesses were less prepared to accept the downgrading of velocity as a financial reality. In the short run, for example, the wish of the public to hold money balances is clearly affected by the alternatives available. In particular, the cost of holding demand deposits is the interest that might be earned on holding other assets. A high interest rate would, therefore, lead to efforts to reduce the level of demand deposits, making a given amount of money circulate faster. The behavior of moneyholders might depend, moreover, on expectations, degree of uncertainty, and liquidity targets.

Two observations are in order. The Federal Reserve System bases a large part of its case for discretionary leeway on the grounds that short-run changes in market behavior are not predictable. Secondly, the greatly increased variety and quantity of interest-yielding and relatively liquid assets that can serve as alternatives to noninterest-yielding demand deposits has in the past three decades introduced a new complexity into the analysis of money-holding and money-velocity. Hopefully, research in progress and improved analysis will help us understand people's choices and hence the role of velocity.

The functional exceptions to the Federal Reserve System's control of the money supply were associated with severe pressure from Federal Government demand for credit to accommodate public needs—a demand which, unlike private demand, could not ordinarily be suppressed. Secondly, there was the swift, often unexpected variation in private liquidity needs.

The historical exceptions to the Federal Reserve System's ability to control the money supply were mostly presented by other witnesses as examples of the perversity of Federal Reserve policy in circumstances over which it had perfectly adequate control. In either evaluation, these examples appeared to have only limited contemporary relevance. Thus there was a contraction of money supply by one-quarter between mid-1929 and mid-1933; while banks with loanable funds chose to restrict their business because they saw no chance of coping with lending risks, this was a result of persistently erroneous Federal Reserve policies. Again, the fantastic doubling of banks' required reserve ratios in 1936–37, accompanying a check to the growth of money supply, precipitated trouble in money markets and in the economy. So, it could be said, it was the loss of confidence, the malfunction of the credit markets and the relative cheapness of money holding, especially when prices were falling, a situation compounded by the incapacity or harmfulness of Federal Reserve policy, that should be held responsible. More recent experience too, for example, the vagaries of Federal Reserve policies in the late 1950's, shows how wrong it is to ascribe limitless perspicacity to any human institution. Nonetheless, the committee is of the view that the management of the entire economy, still beset by imperfections and uncertainties, has at least developed to the level of never again having to undergo or tolerate such a vast monetary and economic disorder as the depression of the 1930's.

III. THE EFFECTS OF FEDERAL RESERVE ACTION ARE FELT OVER A LONG TIME INTERVAL

The processes by which Federal Reserve policy affects the economy are complex and indirect. Nevertheless, there was virtual unanimity in the recent hearings that a steadily growing economy with stable prices was likely to be best assisted by a comparable steady growth of money supply. It would also be natural to expect that the monetary authority would wish to adhere to such policy in the absence of disturbance.

To say that steady growth in the money supply is a necessary condition for the maintenance of general economic stability and growth is, however, not to say that a policy of creating steady growth in the money supply will be sufficient to induce steady growth in the economy.

This critical issue was examined by the Joint Economic Committee in terms not only of rules of conduct for monetary policy, but also in terms of the pattern of changes that could be expected to follow actions by the Federal Reserve System.

Subject to the demands of the Federal Government for support and to the short-term variations in discounting for member banks, the Federal Reserve can make a firm decision on the creation of its own credit. It has therefore good control over the maximum availability of credit for the private sector. The willingness of the commercial banks to lend or of businesses and persons to borrow merely sets the terms on which financial deals are transacted.

The pattern of interest rates, then, is to be regarded as an outcome of a large number of forces of supply and demand to which the open market operations of the Federal Reserve System contribute a very powerful influence.

The strength of these forces and the market responses they set in motion can be estimated in a general and not very accurate way, but cannot be surely forecast. The capacity of the monetary authority to achieve a chosen pattern of interest rates is therefore substantially less than its control over the supply of money or of bank credit. For this reason the committee endorses the recommendation of one witness who regarded interest rates as generally an unsuitable major objective of monetary policy action.

Nevertheless, there are differential impacts on different sectors of the economy resulting from changes in interest rates. It is clear therefore that the monetary authority, in adhering to some policy rule—for example, of steady growth of money supply—cannot wholly ignore the side effects of such a policy on the pattern of interest rates. The monetary authority cannot be indifferent if its policy threatens to create such stringency that the mortgage and municipal bond markets verge on collapse. Nor can it ignore the deterioration of monetary contracts in any important market.

The committee recognizes that in tempering the pressures of rising interest rates, the Federal Reserve System is unable to avoid alternative risks associated with the higher growth rate of money supply, although it must take account of other forces in the economy so as to minimize these risks as much as possible. For this reason, the committee is prepared to regard some short-term increases in the growth rate of the money stock as reasonable, so long as they do not stimulate an immediate inflationary rise in bank credit.

The least satisfactory aspect of the problem was that neither the monetary authority itself nor the private witnesses were able to outline in any but the most general terms the manner in which the credit flow generated a flow of real output over time. Apparently the guidance offered by econometric models has not yet reached the stage of refinement that would yield a sufficient accurate estimate. This is also the conclusion of the staff study of the Federal Reserve-MIT model, reported in the January 1968 Federal Reserve Bulletin.

Imperfections of knowledge notwithstanding, the monetary policymakers have not given the committee or the public an adequate assurance that their time horizon is distant enough when they evaluate their alternatives. There was no hint that decisions were evaluated in the light of any agreed or stable priorities of aims. There was no description of the resolution of conflicts between competing aims, which must assuredly generate a high proportion of internal debate within the Open Market Committee. Above all, there was no allaying of the widespread doubt that the deliberations of the Open Market Committee were overly influenced by the most recent developments and the atmosphere generated by them, a process which, if it occurs frequently, could cause damaging variability of intentions and actions by the Federal Reserve Board. The suspicions have been increased rather than allayed by the ambiguous, nonquantitative, imprecise language of the directives to the Manager of the Open Market Committee which are now published with a 3-month delay in the Federal Reserve Bulletin.

The committee is aware of the high quality of the analysis performed within the offices of the Board of Governors, and of the advance in monetary analysis to which the Board has made a notable contribution. It would be gratifying to have some assurance that these new methods are being subjected to operational testing. In this way, the Federal Reserve System might best answer their critics whose testimony the Joint Economic Committee has heard with some sympathy, for it is certain that the current debate is not, to any extent, on the nature of the ends to be pursued, but almost entirely, on the methods and decisionmaking in their pursuit.

It behooves the Federal Reserve System, in brief, to show that it is taking adequate account of the income-generating potential over a long period that results from its making credit available, and is recognizing that an overfast increase has an inflationary potential.

IV. EVEN A DISCRETIONARY MONETARY POLICY NEEDS DIRECTION AND EVALUATION

Since actions taken to affect the volume of bank reserves are necessarily and inherently quantitative in nature, it comes rather as a shock to note how imprecise the standards guiding monetary management are at all levels. The lack of guidelines is even more disconcerting since the built-in uncertainty precedent to action makes it impossible to assess or test after the event whether an action taken was of the character, scale, or timing that was intended or should have been expected in the public interest. Little wonder that without standards of direction or evaluation there is a generally uneasy feeling about, or a dissatisfaction with, the performance of monetary management.

It will be useful to divide the possible guidelines for monetary policy into three levels in what might be regarded as a descending order from objectives to policy to execution. First, there are guidelines relating to the ends or objectives to be promoted by the monetary authorities. Next are those relating to the specific monetary actions to be taken to promote these selected ends. And finally there are guidelines for carrying out the actions, that is, open-market purchases or sales, once policy has been determined. The central issue growing out of the present lack of guidelines is not the choice between a broadly discretionary system and a mechanistic system governing policy. It involves rather the level at which discretion is to be exercised—the Congress or its legally constituted agents, the Board of Governors and the Federal Open Market Committee, or an employee of the system commonly known as the manager of "the desk."

(1) Let us deal first with guidelines relating to the objectives of monetary policy. The Employment Act is quite specific in setting forth major objectives of economic policy: maximum employment, production, and purchasing power. As interpreted by numerous executive department statements and actions, in which the Congress has concurred, these are generally understood to involve maintenance of low rates of unemployment; reasonable stability in the purchasing power of the dollar; a high and stable rate of economic growth; and a stable exchange rate for the dollar. Likewise, the administration and the Congress have interpreted the Employment Act mandate as contemplating a harmonious integration of fiscal and monetary policies. Yet, neither the Federal Reserve System nor monetary policy are mentioned in the Employment Act.

These omissions are difficult to comprehend today, but more understandable when considered in the light of conditions that prevailed at the time of the Employment Act's passage. The country then was fearful that reconversion to a peacetime economy would be accompanied by mass unemployment. Preoccupied with the prospect of a recurrence of unemployment that characterized the thirties, when interest rates were low, the Congress did not give much weight to monetary policies. Nevertheles, there is now general agreement that monetary policy is a basic instrument of public economic policy.

The Federal Reserve continually and explicitly recognizes the Employment Act objectives in its announced policies and, indeed, it has been zealous in exercising its own judgment in respect to the policy mix shown to achieve these objectives. It should be noted, too, that in addition to the aforementioned objectives of the Employment Act, there is often official pressure on the Federal Reserve to adapt its policy to other objectives or considerations—to avoid significant changes in money market conditions at times of new Treasury issues, to avoid "excessively high interest rates," to protect the flow of funds to nonbank financial intermediaries, and to ameliorate adverse effects on the residential construction industry.

Thus, the Federal Reserve suffers from no lack in the number of guidelines relating to its goals or objectives. However, it has been given virtually no official help as to how it should weigh the various objectives, assign priorities, or select among them when they come into conflict. Some of these objectives are likely to be at least partially incompatible, even under the most favorable circumstances. They will almost certainly be incompatible if monetary policy is not assisted by timely and appropriate flexible fiscal policies, or when overall fiscal policies throw an undue burden on monetary policy.

The Congress should give serious consideration to providing more specific guidelines relating to the objectives of monetary policy—guides relating to the weights and priorities to be attached to the various objectives. Such an attempt by Congress might yield two beneficial results. First, it might provide more specific guidance to the Federal Reserve in terms of goals or objectives. Second, the very process, including periodic reports by the Federal Reserve on its achievement of objectives, would afford Congress an opportunity to evaluate better the relative roles of monetary policies and of other policies, including various types of fiscal policies, in promoting and reconciling our economic objectives.

(2) We then come to the second level of shadowy standards upon which monetary action hinges—the intermediate targets of policy. These have been debated extensively in the professional journals, although without sufficient agreement having been reached to provide any automatic guide for monetary policy decisions.

Some economists tend to focus attention exclusively, or primarily, on changes in the rate of credit expansion, either in terms of total credit expansion or some critical segment thereof, such as bank credit. Others look principally to changes in the economy's liquid assets, either in the aggregate or in some segment of the total, such as the money stock. Others look principally to the terms and conditions on which funds can be borrowed, regarding changes in the level and structure of interest rates as the basis for establishing the course of monetary policy.

Stating the problem another way, what financial variable or variables should be used as intermediate targets of monetary policy? More specifically, in assessing whether monetary policy has been tight or easy, what interpretation should be assigned to the movements in the stock of money, as against movements in other financial variables such as broader measures of liquid assets, credit flows and terms, money market conditions, or the level and structure of interest rates?

Section 12A of the Federal Reserve Act, as amended in 1933, reads simply:

"The time, character, and volume of all purchases and sales of paper described in Section 14 of the Act as eligible for open-market operations shall be governed with a view to accommodating commerce and business and with regard to their bearing upon the general credit situation of the country."

Clearly, the Congress, apart from specifying eligible paper, has not been explicit in providing guidance or setting standards for Federal Reserve authorities in the choice of instruments to be used in performance of the duties which have been delegated to them. Even when supplemented by the Declaration of Policy contained in the Employment Act of 1946, the statutory directives are broad and most general. This does not mean, however, that the agency charged by those statutes with day-to-day responsibility can do without some quantitative formulation of its objectives.

Unfortunately, the Federal Reserve itself does not appear to have developed a set of priorities for its own guidance. This lack of firm working criteria has troubled monetary students and members of this committee ever since the Board exposed its methods by making generally available the Record of Policy Actions of the Board of Governors and the Federal Open Market Committee. The minutes made available are couched in the most general, nonquantitative monetary and stabilization terms. They have tended to indicate a considerable reliance on intuition and mystique in shaping actions rather than giving Congress, or observers of monetary affairs, a full opportunity to follow the developing and sometimes conflicting concepts or reasons which have influenced decisions.

A single example will illustrate the lack of rules. One will suffice, although similar statements reporting procedures are made available with a 3-month lag in the monthly Federal Reserve Bulletin and may be read by all. The minutes of the July 18, 1967, Open Market Committee meeting report that:

"In the course of the Committee's discussion considerable concern was expressed about the recent high rates of growth of bank credit and the money supply, particularly in view of the prospects for more rapid economic expansion later in the year. It was generally agreed, however, that the Treasury's forthcoming financing militated against seeking a change in money market conditions at present. Moreover, even apart from the Treasury financing, most members felt that it would be premature to seek firmer money market conditions at a time when resumption of expansion in overall economic activity was in a fairly early stage; and some also referred in this connection to the growing expectations that the administration would press for measures of fiscal restraint. In addition, some members expressed concern about the possibility that any significant further increases in market interest rates might reduce the flows of funds into mortgages and slow the recovery under way in residential construction activity."

A member of the Joint Economic Committee is certainly not alone in asking, "Was the Fed continuing to create money at the rate of 9 percent [as it had been] because of Treasury borrowing, the level of production, expectations about future tax increases, worries about residential construction, or what? What weight was assigned to these factors? We are not told."

(3) Open Market Committee policy, thus arrived at without any apparent overriding rules or criteria, is summed up at each meeting in a broadly worded "policy directive," which, taken by itself, is admittedly not an adequate guide for day-to-day action. The full text of the several directives in effect during parts of the past year appear, as is usual, in the Board's annual report. Stripped of essentially repetitive and formal language, changes in the critical "policy" words during the year called upon the Account Manager to conduct operations with a view to:

Date of meeting and directive

Dec. 13, 1966: Attaining somewhat easier conditions in the money market, unless bank credit appears to be resuming a rapid rate of expansion.

Jan. 10, 1967: Attaining somewhat easier conditions in the money mraket, unless bank credit appears to be expanding significantly faster than currently anticipated.

Feb. 7, 1967: Maintaining the prevailing conditions of ease in the money market, but operations shall be modified as necessary to moderate any apparently significant deviations of bank credit from current expectations.

Mar. 7, 1967: Attaining somewhat easier conditions in the money market, and to attaining still easier conditions if bank credit appears to be expanding significantly less than currently anticipated.

Apr. 4, 1967: [No change.]

May 2, 1967: Maintaining the prevailing conditions in the money market.

May 23, 1967: Maintaining the prevailing conditions in the money market, while utilizing operations in coupon issues in supplying part of the reserve needs.

June 20, 1967: Maintaining about the same conditions in the money market as have prevailed since the preceding meeting of the Committee, while continuing to utilize operations in coupon issues in supplying part of reserve needs.

July 18, 1967: Maintaining about the prevailing conditions in the money market; but operations shall be modified insofar as the

Treasury financing permits to moderate any apparent tendency for bank credit and money to expand more than currently expected.

Aug. 15, 1967: Maintaining about the prevailing conditons in the money market; but operations shall be modified, insofar as Treasury financing permits, to moderate any apparent tendency for bank credit to expand more than currently expected.

Sept. 12, 1967: Maintaining about the prevailing conditions in the money market; but operations shall be modified as necessary to moderate any apparent tendency for bank credit to expand significantly more than currently expected.

Oct. 3, 1967: Maintaining about the prevailing conditions in the money market; but operations shall be modified, to the extent permitted by Treasury financing, to moderate any apparent tendency for bank credit to expand significantly more than currently expected.

Oct. 24, 1967: [No change.]

Nov. 14, 1967: Maintaining about the prevailing conditions in the money market, but operations shall be modified as necessary to moderate any apparent tendency for bank credit to expand significantly more than currently expected.

Nov. 27, 1967: Facilitating orderly market adjustments to the increase in Federal Reserve discount rates; but operations may be modified as needed to moderate any unusual pressures stemming from international financial uncertainties.

Dec. 12, 1967: Moving slightly beyond the firmer conditions that have developed in money markets partly as a result of the increase in Federal Reserve discount rates; provided, however, that operations shall be modified as needed to moderate any apparently significant deviations of bank credit from current expectations or any unusual liquidity pressures.

Jan. 9, 1968: Maintaining the somewhat firmer conditions that have developed in the money market in recent weeks, partly as a result of the increase in reserve requirements announced to become effective in mid-January; provided, however, that operations shall be modified as needed to moderate any apparently significant deviations in bank credit from current expectations.

All that one can safely infer from such language changes in directives is that the Open Market Committee sought to have open market operations move in the direction of relative ease until the December meeting. Except for that shift in policy, the semantic changes in the various versions of the directive, standing by themselves, appear to have little operational meaning. Presumably they mean something, but the operational or quantitative significance is not clear. Outsiders, including the Congress, can judge neither the degree of change intended by revisions of the direcitves nor the extent to which the manager implemented the intended change in policy.

It may well be that members of the Open Market Committee talk in rather more quantitative terms and arrive at a consensus in more concrete terms, providing a more substantial guideline for operations in the interim between meetings. If there are indeed any quantitative guides or standards for action at this level—the operational level—it is not clear why the outside reader, seeking to understand the niceties of policy, must always be sent back to reread and compare the old and new fine print in order to understand what has been going on in monetary administration.

The vagueness and obscurity of the reports on policy actions (and, at the succeeding level, the resultant directives to the "desk") arise, one may be sure, not so much from willful veiling in reporting marching orders as from an inherent imprecision in the objectives, policy standards, and operations themselves.

One might have hoped, of course, that, under the admittedly broad delegation from the Congress, the monetary authorities themselves would have tested and developed working criteria or quantitative rules of thumb by which to guide and later test policy decisions and results.

While some recent progress has apparently been made in developing economic and computer models, the uneasiness and dissatisfaction with the results of past policy actions have prompted many people to wonder whether monetary management must forever remain an "art" dependent upon the "color, tone, and feel" of the money and credit situation. Is it necessary, as was suggested at the hearings, that the monetary authorities must forever "fly by the seat of the pants"? The Joint Economic Committee has consistently thought not. To this end, it has sought ways of improving the situation. The evolution of its search for some rules or standards is discussed in the following section.

V. A SET OF PROJECTIONS AND RULES FOR MONETARY ACTION, WITH OPPORTUNITY TO EXPLAIN DEVIATIONS, WOULD BE BETTER THAN NO GUIDELINES AT ALL

The Joint Economic Committee has on occasion made some rather specific recommendations for the conduct of monetary policy. These have been put forward with the intention of pointing directions in which Congress and the monetary authorities hopefully can improve the actions and policy of monetary management, through more explicitly stated objectives and guidelines. An awareness that almost any rule of guidance will have some drawbacks as well as advantages has been an important consideration in prompting this particuar set of hearings.

The testimony and advice of the experts, together with the resultant exchange of ideas, lead us to what we believe is an improved restatement or refinement of our earlier proposals. These modifications are set forth more fully later in this report; but since the earlier statements have been so largely the focus of this study, it seems appropriate to repeat them here in this report as the best way of bringing out the types of problems involved and the kinds of revised rules which we hope will advance the discussion and sharpen the use of the monetary instruments.

In our report of March 1967, we said:

"The committee urges that the monetary authorities adopt the policy of moderate and relatively steady increases in the money supply, avoiding the disruptive effects of wide swings in the rate of increase or decrease.

"The committee is impressed with the increasing weight that many economists give to the importance of a steady rise in the money supply. Such rate of increase should be more or less consistent with the projected rate of growth—generally within a range of 3 to 5 percent per year. Sudden changes in the money supply give rise to instabilities in the economy. We are convinced that restoration of economic growth and avoidance of a recession demand such increases in the money supply as recommended above." [p. 14.]

The Joint Economic Committee, in its recent annual Economic Report of March 1968, again reiterated this recommendation of earlier years. The words in the current report are these:

"We are thus convinced that a steady rise in the money supply more or less consistent with the projected rate of economic growth—generally within a range of 3 to 5 percent per year—would be a healthy, long-run ideal. But the very essence of such a policy is to avoid large and sudden changes or reversals."

The paragraph just preceding reads:

"* * * the Joint Economic Committee has consistently * * * [urged] that the preferred course would be to follow a pattern of steadily creating money in keeping with the growth in the economy, aiming perhaps at the higher side of some range at times of slow economic growth, and in years of inflationary pressures leaning toward the lower end of the register * * *."

The guidelines that can be devised for monetary action ought not to be interpreted as rigid directives. The evidence presented before the committee, by witnesses of different viewpoints, gave examples of exceptions to strict rules that were by no means rare contingencies. There has to be room for deviation from rules, and for the exercise of discretion in response to need.

On the other hand, a prolonged departure from what could be called a reasonable long-term range of variation of such an indicator as seasonally adjusted money stock, or credit proxy for money stock, does not appear to be justified. Even if neither the Fed, proclaiming its entitlement to be unrestricted by rules, nor its critics, asserting the need for such rules, has precisely traced the effect of, say, a zero or negative growth rate of money or a prolonged growth rate in excess of an annual rate of 6 percent, it is still reasonable to believe that such abnormal policies would generate instability.

One question faced by the committee was to designate an approximate time span for the measurement of changes in the money stock. The time basis used by Governor Mitchell in his testimony appears to be entirely adequate—the comparison of change from one quarter to another. A 3-month period is sufficiently long to allow abnormal and extreme temporary movements to be absorbed in an average, and it is short enough to provide a reasonably frequent measure of the course of events. Of course, seasonal adjustment will eliminate regularly recurrent variations in the course of any year.

The committee estimated that, on a quarter-by-quarter comparison, an appropriate normal range of increase in the money stock seasonally adjusted would be 2 to 6 percent per annum and that, on occasions when the rate of increase was outside this range, it would be wise for the Congress to take a prompt look at the Federal Reserve System's actions. Moreover, the Congress should have the benefit of periodic reports to review actions taken within the above range.

There is no intention to make the 2 to 6 percent range a permanent and unchanging one. Advances in banking techniques, economization in the use of those forms of credit within the definition of money, changes in business practices, in the rates of growth of population or productivity, or even in personal preferences—all can modify the desirable range of money growth rates. In the meantime, however, the pragmatic choice of 2 to 6 percent requires the Federal Reserve System to explain only significant abnormalities in monetary developments.

Furthermore, the Federal Reserve should give valuable guidance to the Congress in a reciprocal fashion, by making known its own estimates of quantitative developments in the national accounts, estimates that are prepared early in each calendar year and on which the broad lines of monetary policy would be based. Unlike the periodic directive to the Manager of the Open Market Account, these projections are not required to be secret at all. While it is likely that the projections are similar to those used by the Council of Economic Advisers for the President's Annual Economic Report, there is some need for greater detail in the Federal Reserve System's expectations on monetary developments. These figures would, moreover, be useful in assisting Congress to pursue fiscal policies that would be compatible with the Federal Reserve's monetary policy.

Until about ten years ago, U.S. economic policies, and monetary policy in particular, enjoyed an unprecedented exemption from the need to take account of external reactions. Now, the U.S. balance of payments exerts a strategically important, if quantitatively small, influence on our fiscal and monetary posture. Relatively free movements of short-term funds between the United States and the increasingly developed Eurodollar market have the incidental effect of lessening the precision of Federal Reserve policy, in regard to money supply and in other ways. It is not the purpose of this report to go into detail on these problems, still less to advocate deflationary action in order to moderate the U.S. overall international deficit. But it is appropriate that the report recognize that at this time there is no conflict of prescriptions for attaining domestic and international objectives. At some other time, however, there may be conflict between domestic and international monetary prescriptions, in which case it will be necessary to decide on priorities, as well as to enlist the aid of fiscal policies.

FINDINGS AND RECOMMENDATIONS

I

The Congress should give serious consideration to providing more specific guidelines relating to the objectives of monetary policy—guidelines relating to the weights to be attached to the various objectives, among which are maintenance of continuously low rates of unemployment, reasonable stability in the purchasing power of the dollar, a high and stable rate of economic growth, and a stable exchange rate for the dollar. Such an attempt by Congress might yield two beneficial results: First, it might provide more specific guidance to the Federal Reserve in terms of goals or objectives. Second, the very process would afford Congress an opportunity to evaluate better the relative roles of monetary policies and of other policies, including various types of fiscal policies, in promoting and reconciling our economic objectives. However, as noted earlier in the report, these guidelines ought not to be interpreted as rigid directives.

II

Just as the Congress has the authority to fix Government expenditures and taxes, and thus largely to determine the budget surplus or deficit, the Congress has the responsibility of reckoning with the monetary consequences of its action. While the monetary authority granted to the Congress by the Constitution has been delegated to the Federal Reserve System, it behooves the Congress to provide some guidance to the Federal Reserve on how the System should see to the support of the Government's credit and, in particular, to what extent Congress regards the expansion of Federal Reserve credit as an appropriate way to finance any part of the deficit.

III

To provide a first approximation to an economic posture that would manage to maintain price stability while encouraging maximum employment and rapid economic growth, the Congress should advise the Federal Reserve System that variations in the rate of increase of the money stock (currency plus demand deposits adjusted) ought not to be too great or too sharp. In normal times, for the present, the desirable range of variation appears to be within the limits of 2 to 6 percent per annum, measured on a quarter-by-quarter basis—a range that centers on the rate of long-run increase in the potential gross national product in constant dollars, which is our sustainable real growth rate.

On any occasion on which the Federal Reserve System, deliberately or as a result of external monetary developments, has not maintained a money-stock growth rate within the desired range, the committee requests that the monetary authority report promptly to it, or to another appropriate body of the Congress, on the reasons that the Federal Reserve System would give for this divergence. Periodic reports on the reasons for action taken within the desired range should also be made.

If, after several years' experience with a rule, refinements in the guidelines seem warranted, they could, and should, of course, be made.

IV

Finally, as a regular procedure, the Federal Reserve authorities should, at the beginning of each year, set forth publicly as specifically as possible their notion of what kind of monetary policy the expected state of the economy calls for. This would supplement in the monetary field the review of the Federal Government's economic programs which the President is now required to set forth in the Economic Report. Such a public projection (which we understand is already available internally) would present a picture of what the financial world—money supply, flows through financial intermediaries, the appropriate course of interest rates—would look like. This would also tie in with the gross national product projection indicated in the report of the Council of Economic Advisers. It would certainly help Congress to adopt the necessary fiscal policies and to foresee and forestall potential problems such as those resulting from disintermediation, oppressive interest rates in the housing field, international capital flows, and the like.

SUPPLEMENTARY VIEWS OF REPRESENTATIVE PATMAN

While I agree with many of the conclusions reached by my colleagues concerning the policies that have been pursued by the Federal Reserve System, I do not think that the remedies proposed go far enough.

I have long believed that a monetary policy directed toward the goals of the Employment Act will not be achieved within the present institutional structure. As long as we allow the Federal Reserve System to act independently, even in defiance, of the Government, and as long as we allow control of our monetary powers to rest in the hands of a self-appointed money trust, we cannot hope to reverse the direction of our current monetary policy.

My views on the so-called "independence" of the Federal Reserve are set forth in detail in the Report of the Joint Economic Committee on the January 1965 Economic Report of the President, and I will not repeat them in detail here. Briefly, the main points raised in that statement were the following:

1. Despite the original intent of the Congress, the Federal Reserve System over the years has become increasingly banker-oriented.

2. Polls and studies have shown heavy preponderance of banking background among the directors of the 12 Federal Reserve banks who, in turn, select the bank presidents.

3. These developments have led to a lessening of public control, as represented by the Federal Reserve Board, and toward increased domination by the banking interests.

4. This unfortunate situation is especially apparent in the representation on the Federal Open Market Committee, which, through the purchase and sale of Government securities, exercises the fundamental monetary powers of the Nation. Although the Committee is made up, on the record, of five Reserve bank presidents and the seven members of the Board, all 12 bank presidents participate in the secret deliberations of the Committee.

5. Public control of the Federal Reserve Board itself is diluted by the length and distribution of members' terms. The members serve for 14-year terms, staggered at 2-year intervals. Consequently, a President serving for two full terms could not appoint a majority of the Board until the end of his second term. He is also restricted in his choice of Chairman to the present membership of the board.

The fact that the existing situation is intolerable and dangerous is underscored by two issues raised in the Committee Report. The first is the need for coordination of all of the Government's economic instruments and policies. Coordination of our economic policies is the first priority toward achievement of the goals set forth in the Employment Act. But the independent and sometimes actually defiant attitude of the Federal Reserve makes coordination of the Government's economic policies difficult, if not impossible. A dramatic example of this predicament occurred in December 1965, when the Federal Reserve ignored the pleas of the President and raised interest rates without waiting just a few weeks until the Government's budget and fiscal plans could be completed. In effect, the Federal Reserve openly defied the President, the Secretary of the Treasury, the Budget Director, and the Council of Economic Advisers, and forced the President to adopt budgetary and fiscal policies in light of the Federal Reserve's action. I think it is intolerable to allow the Federal Reserve to dictate economic policy decisions to the President.

The other point I would like to emphasize is the Federal Reserve's interest rate policies. As the Report states, our interest rates are now at their highest level for a century. Rates have been rising consistently since World War II, and are now at a dangerous level.

I think there can be little doubt that we can thank the bankers who control the Federal Reserve for this situation. Interest rates are the bankers' income, and, of course, the higher the rates, the greater bank profits.

I think it is clear that we have reached a point where banker domination of our monetary system has imperiled the welfare of our citizens. In my view, the most important economic and governmental problem facing the Nation today is the need for immediate rehabilitation of the Federal Reserve System, so that it is again subject to the will of the people, acting through their elected representatives. The Constitution clearly vests the monetary power in the Congress. It is high time that the Congress reassert its proper control.

Another aspect of the Federal Reserve that is absolutely wrong is the $50 billion portfolio of bonds kept in the Federal Reserve bank vaults. The Federal Reserve is collecting $2 billion of interest each year as if it were a private citizen investing in U.S. bonds. Yet the fact is that these bonds have already been paid for by the U.S. Government, an event that occurs when the Federal Reserve, acting as the Government's agent, *repurchases* these bonds. It is absolutely absurd to permit the Fed, as the Government's agent, to collect this massive amount of interest; moreover, it permits the Fed to operate completely free of the whole appropriation process. They spend as much as they want of this huge flow of interest without any outside controls whatsoever. As I have often observed, this situation can be compared to that of a private individual who pays off his mortgage but then has to continue to pay interest to the mortgage company that acts as his agent. This would be absurd and illegal in the case of a private individual, but we permit the Federal Reserve to get away with it.

The Joint Economic Committee made an extensive study of this situation, under my direction, 2 years ago. We solicited the views of a large number of economists and monetary experts and a great many of them suggested that this practice be stopped because there is no need for it and no point to it. I urge Members of Congress to consider this situation and correct it.

[From the New York Times, July 10, 1968]

THE MONEY MACHINE—SEARCH FOR MONETARY DEVICE CONTINUES, BUT ULTIMATELY CONGRESS IS RESPONSIBLE

(By Albert L. Kraus)

"Money will not manage itself."

This is not the exasperated cry of a newlywed, frustrated at her inability to reconcile the checkbook. Rather, it is the considered judgment of Walter Bagehot, the father of modern central banking. A century ago, this British lawyer-philosopher turned businessman, editor and economist concluded that there was no automatic device to control the creation of money, that the job must be entrusted to men and to their judgment.

Such a device would be comforting. The sovereign in this country, Congress, could establish the rules, put the machine in motion, and sit back and enjoy continued prosperity—certain that just the right amount of money, not too little and not too much, was being cranked out.

The device doesn't exist, but not for lack of search. Like Medieval alchemists in pursuit of the philosopher's stone, Congressmen, economists and the Federal Reserve itself continue to seek the ultimate link between money and the real world, the world of jobs, incomes and goods.

The latest evidence of this search is the report of the Joint Economic Committee of Congress which proposed guidelines for the operation of the Federal Open Market Committee, the policy-making body of the Federal Reserve System.

The committee proposed that the Federal Reserve increase the money supply at a more or less steady rate paralleling the growth rate of the economy. Specifically, it recommended an annual growth rate ranging from 2 to 6 per cent.

CREDIT FLOWS CONSIDERED

For the moment at least, the committee has accepted the view of Prof. Milton Friedman, head of the so-called Chicago school of economists, that the money supply—checking account deposits and currency outside banks—is the key link between money and the real world.

In hearings, however, members indicated that they would not be adverse to accepting some better link, overall credit flows, for instance, if one could be found. Chairman William Proxmire, Democrat of Wisconsin, expressed interest in similar studies the Federal Reserve itself is conducting in association with the Massachusetts Institute of Technology.

The committee wouldn't deprive the Federal Reserve of the right to exercise discretion. But it would like for the Federal Reserve to be more judicious in this exercise. In particular, it is highly critical of the wide swings in the rate of growth of the money supply over the last three years.

Such criticism may seem singularly inappropriate from a Congress that has demonstrated its own inability over the same period to act responsibly in fashioning tax and spending policy. It may seem even more inappropriate when it is recalled that members of the Joint Economic Committee were highly critical of the Federal Reserve early in 1966, when it attempted to operate within a somewhat narrower range of monetary growth.

CONGRESS HAS RESPONSIBILITY

Nevertheless, the responsibility for monetary as well as fiscal policy lies ultimately with the Congress. If it chooses to accept this responsibility instead of shrugging it off, it can hardly be faulted for doing so.

The committee has discovered that attempting to fashion an appropriate monetary policy involves some sizable technical problems. How capably, for instance, can we forecast the future? Because changes in monetary policy take hold months after decisions are made, how can we be sure that forces set in motion now won't be inappropriate when they take effect?

How about the simple problem of definition? When we talk about the money supply, do we include time deposits in commercial banks? And if we do, why not savings bank deposits and shares in savings and loan associations?

What is the appropriate time to measure changes in the growth of the money supply? And what about the knotty problem of adjusting for seasonal variation?

One non-technical problem the Congress can appreciate is that the Federal Open Market Committee is comprised of 12 members and that all 12 seldom think alike. On any decision, not only may there be an opposition vote, but the majority may find a half dozen or more different reasons for voting approval.

Congress may have no greater success than the money managers in finding the philosopher's stone. The Joint Economic Committee's effort can't be written off, however, as a total loss.

One plus is the committee's recognition that if the Congress fails to act responsibly in connection with tax and spending policy, it cannot expect the Federal Reserve to offset the effects entirely by limiting the growth of the money supply.

Another must be the realization by the Federal Reserve that it can lean against the wind, but that single-handedly, it cannot reverse an ill-considered policy of Congress.

In large measure, the 1966 credit crunch represented an educational effort by the Federal Reserve. It sought to convince bankers and the business community—as much as Congress—that restraint was essential.

Congress responded by doing nothing. The business community acted opposite to expectation, rushing to obtain at once the liquidity it might need for years to come. As a result, the Federal Reserve was forced to expand the money supply last year at a much greater rate than it would have preferred.

The point, quite simply, is that monetary and fiscal policies must go hand in hand. Congress has the ultimate responsibility for both.

U.S. SENATE,
Washington, D.C., July 11, 1968.

EDITOR,
New York Times,
New York City, N.Y.

DEAR SIR: Albert L. Kraus in his July 10 article "The Money Machine" criticizes the Joint Economic Committee for recommending that the Federal Reserve increase our money stock, conventionally defined, between 2 and 6 percent per year. As Chairman of the Committee, I disagree in these respects:

(1) Mr. Kraus states that the JEC was critical of the Fed's 1966 policy "when it attempted to operate within a somewhat narrower range of monetary growth." In fact the Fed's policy was bad then because monetary growth fell below the 2 percent guideline in the spring and summer quarters. In the second quarter the money stock actually fell and in the third quarter growth was zero. Moreover, the JEC's 1966 report was critical of the Fed for its further failure to coordinate monetary and fiscal policy particularly in their December 1965 discount action.

(2) Mr. Kraus asserts that the members of the Open Market Committee "seldom think alike." I checked the votes as reported by the Federal Reserve for the 35 meetings between January 1966 and May 1968. There were only 18 dissents in the 419 total cast, or about one in every 25. Thank goodness the Congress disagrees more often.

(3) Mr. Kraus says that the Committee "cannot expect the Federal Reserve to offset the effects (of irresponsible actions) entirely by limiting the growth of the money supply." True enough! But Congress surely is right to insist that the Fed not compound assumed fiscal errors. Present criticism of Fed policy centers on the fact that the Fed has intensified the assumed fiscal policy errors. The latest quarterly growth rate of the money stock, for example, was over 8 percent per year, an inflationary rate almost regardless of fiscal policy in a period of near full employment. The JEC is concerned rightly about this excessive growth and also about the prospect that when the Fed finally recognizes what the JEC now knows it will overreact and cut monetary growth below 2 percent per year.

(4) Last, on the major issue, Mr. Kraus concludes that we lack complete knowledge about lags, definitions and linkages in monetary economics and leaps to the conclusion that a monetary growth guideline is, therefore, simplistic. Somehow from this he recommends that money management "be entrusted to men and their judgment." The logic escapes me. It is naive and romantic to believe that discretionary authority will work well if, as Kraus says, monetary policy necessarily is formulated in darkness about the best definitions and about lags and linkages between actions by the monetary authorities and their consequences.

We need a guideline precisely because we live in a world of uncertainty and operate with incomplete knowledge.

Sincerely,

WILLIAM PROXMIRE,
U.S. Senator.

"WHAT'S A FAIR DRAFT POLICY": ESSAYS IN McGEE SENATE INTERNSHIP CONTEST

Mr. McGEE. Mr. President, for several years it has been my good fortune to be able to conduct for high school students in my State of Wyoming the McGee Senate internship contest, which brings back to Washington one boy and one girl for a week of observing democracy in action—here in the Senate and in Washington.

As a part of the contest each student was required to complete an essay on "What's a Fair Draft Policy?" This year, as I am each year, I was impressed with the depth of understanding and the dedication to our democratic principles displayed by these young people in their essays. This topic is one of vital interest to this age group, and their essays reflect sound reasoning which should be of interest to us all. For the participants, the topic took on added importance when it was subsequently chosen as the national high school debate topic.

Of course, it would be impossible for everyone to read all these essays, but I think some of the most outstanding ones selected by an impartial panel of three judges should receive wider circulation, and I ask unanimous consent that two of these essays, written by Miss Jane Warren, of Torrington, Wyo.; and Brec A. Cooke, of Powell, Wyo., which received honorable mention in the McGee Senate internship contest, be printed in the RECORD.

There being no objection, the essays were ordered to be printed in the RECORD, as follows:

WHAT'S A FAIR DRAFT POLICY?

(By Jane Warren, Torrington, Wyo.)

One of the most controversial topics in the United States today is the draft policy. As with so many controversial subjects, often too much emotion and too little thought is given to the basic issues involved. But before we can answer the question "What's a Fair Draft Policy?" we must ask the question "Fair to whom?" What do we mean "fair?" And what do we mean "whom?"

Webster defines the word "fair" as "just and honest." Is it possible to develop a draft policy that is efficient and, at the same time, just and honest in regard to all parts of our society? Or will each change result in a policy that is more inequitable than the one discarded?

"The draft not only touches directly the lives of many of our young men, but it seriously affects the educational, economic, and social structure of our country." There is no question but that the security needs of our nation must be the first consideration, but it is important to meet these needs as fairly as possible and in such a way as to cause as little disruption in our society as necessary.

It seems that a more fair and honest draft policy is needed, yet each time changes are made in existing policies, new groups claim undue hardship as a result of the changes. Recently, for example, when graduate students were made subject to the draft, colleges and universities protested that wholesale drafting of these students would severely hamper the teaching efforts in already overloaded college classes. As Harvard President Nathan Pusey said, "The graduate schools will be left with the lame, the halt, the blind, and the female." Regardless of what change is made in the direction of equity, apparently some group feels it is unfairly affected.

In order to be fair to the security needs of our nation, young men must be recruited to serve for a time in the armed forces. Some have argued that the draft is not necessary and that, if pay was increased, young men would make careers of the military service. In a recent poll at Eastern Wyoming College, however, college men were asked how they felt about choosing the military as a career, and eighty percent of the students rejected the idea. If they are typical of our young men, it does not seem likely that our military needs could be met by career soldiers. The job of professional soldiering has never been looked upon as very desirable by the average American man, not from the very beginning when the hated Hessian professionals fought against the patriots in the American Revolution. It would seem, then, at least for the present, that our military needs will best be met by some kind of draft. If a policy were adopted that failed to raise the necessary military forces, the security needs of our country would be unfairly treated.

At the same time, however, we must consider the needs of the rest of our society. We know that there is no place today for the undereducated in our country. But we cannot take all those capable of receiving education of a technical or professional nature at the same time, nor can we take all of those who are being trained to be their teachers. Neither education nor industry can be suddenly stripped of trained personnel without causing undue hardship.

Nor is it fair to defer only those who are fortunate enough to be able to continue post-high school education. Present draft policies have discriminated against young men in the lower socio-economic classes. Because young men from these levels usually cannot go to college or technical-vocational school, and often cannot even finish high school, they have been arbitrarily drafted. Because minority groups are over-represented in the lower socio-economic classes, present policies have resulted in an over-representation of the minority groups in the armed forces. This, in turn, has contributed to racial unrest and to cries of discrimination. Too often the young men who have gained the least from our form of government because of prejudice and lack of opportunity, are the first to have to defend it against its enemies. They who have the least to lose are asked to give the most.

At the other end of the economic scale, students from wealthy families are able to enroll in private colleges which protect them from the competition of public schools. Because a student's draft status depends upon his successful completion of college courses, this situation is unfair to those who must go to state colleges and universities. Students who must work their way through school have to carry a full college load and sometimes fail because of overwork. Often they would succeed if they could carry fewer college hours, but if they do, they get drafted.

Present draft policies also tend to turn college faculties into pseudo-draft boards. Teachers hesitate to flunk a student knowing that the grade may result in the student being sent to Vietnam. Such grading is neither realistic for the student, nor fair to the teacher.

Industry, too, is affected by the uncertainties of the draft. It does not like to hire a person who may be drafted next week or next month. Yet it needs young men to train early to replace older men who retire or who can no longer do the required work. But training employees is often a very expensive process and it is unfair to ask industry to train men who will not be able to work for them.

But even more important present draft board policies cause tremendous uncertainties for the young men of our country. At this particular time of his life, during late adolescence, a boy finds adjustment to life difficult at best, and the threat of the draft adds to his adjustment problems. He can make no plans for education except for a semester at a time; he can usually not find a job; he cannot think seriously of starting a home and a family. He has to "tread water" until the draft board decides what to do with him. This pressure often prevents a boy from doing his best on a job or in the classroom.

What policy, then could be adopted that would guarantee that the nation's security would be maintained, cause the least amount of disruption in our society, and, at the same time, be just and fair to all concerned? It is my opinion that the following would be a realistic, workable, and fair draft policy.

1. Nineteen year-olds should be drafted on a lottery basis. By that time, boys should have had time to finish high school. The army has stated that this age boy can be more easily and efficiently trained to be a good soldier. The lottery would eliminate discrimination of any kind and all levels of ability, socio-economic class, race, and education would be represented evenly.

2. The lottery should be held twice a year, immediately before school semesters or quarters begin so that boys would know whether or not to enroll. If a boy's name is not drawn the first time, it would be put back to be subject to the next lottery. If his name was not selected the second time, he would know he would not be subject to the draft except in time of extreme emergency. If his name should be picked and he still is not called because of smaller draft quotas, he would still be free from future draft calls. This system would cut the period of uncertainty down to a year.

3. All branches of the military service should draw their recruits from the lottery provided their quotas have not been met by enlistments. As the National Guard is a preferred assignment, however, future enlistments should be eliminated, and the Guard should draw its men from the lottery.

4. High school graduates not yet subject to the draft, but so desiring, should be able to volunteer for the same period of time as the normal draft term. The volunteering should be counted as part of the area's quota, lessening the need to draft as many others.

5. Draft quotas should be based on its percentage of young men from 16 to 25 years of age in each state, not on the basis of total population of the state to eliminate an unfair rate of induction from areas having a relatively high average age level. The lottery should be done impartially with a computer.

6. The first lottery should be held the first of December and should include the names of all men who have reached their 19th birthday and who have not otherwise met their military obligations. Except for undue hardship cases or others now set down by law, there should be no deferments except for the first two years of the lottery. During that time student deferments should be given to boys who have successfully completed four semesters or six quarters of college work for them to finish a normal four-year program. In this way, much needed college graduates would become available to whatever part of society that needed them. Their names, along with the names of graduate students, should be added to the regular list of names subject to draft and should be treated as the names of the 19-year-olds. Part, but not all, of each group would become available to the military, and part would remain as civilian. No student who was doing unsatisfactory work in college would be permitted to transfer, but those who were performing satisfactorily could transfer. The drafting of part of the graduate students would be partially offset by smaller freshman and sophomore classes during the adjustment period.

7. Conscientious objectors would be inducted and placed in non-combatant units.

Such a plan, I believe, would remove most of the inequities of the draft. It would permit impartial selection of draftees and would result in an equal representation of men from all intellectual, economic, social, and educational levels. It would not discriminate against any segment of our society. It would be fair to the military services, to the draftees, and to the nation as a whole.

What Is a Fair Draft Policy?

(By Brec A. Cooke, Powell, Wyo.)

Every year approximately two million boys become eighteen years of age, and with the coming of age comes a small dossier which rides in the boy's wallet, keeping company with his driver's license, which proves he is a man. This small notice reminds him constantly that the United States Government has a definite lien on his career plans.

In most states he is not given the right to vote, purchase liquor, marry without parental consent, but he is given the right to spend two years of his irreplaceable youth serving in the armed forces of his country, and, if necessary, to give his life for that country.

Most boys go to war when the government calls, without saying a word. Many who don't want to go seek a deferment. All boys, though, willing or unwilling, are subject to their local draft boards.

Many a question arises among today's Americans. Is the draft fair? What would be a fair draft policy?

The draft is something of a medicine the American people have lived with for many a year, and for many people it leaves a bitter taste in their mouth, but they still swallow it. Some would condemn it and abolish it immediately, while others would welcome it as a good medicine, necessary to this nation's health. Whatever the differences, most people are in agreement that there have to be some changes in the organization and practices of the present Selective Service System. The purposes of these changes would be to establish a more fair system.

Among the criticisms of the draft is the entangling unfairness of the local draft boards, and their uncertain methods of selection and rejection. Many Americans feel that the people on the present local draft boards, who are placed there neither by election nor examination, have a biased feeling toward certain men instead of the impartial one they should have to present a fair system. That these biased feelings influence them in their selections and rejections is one of the things argued. This is definitely a fallacy in the present system. A fairness must be established so that every eligible male will be on the same basis as every other eligible male. With local people on local boards, no matter how honest they may be, there will always be a tendency to be partial in some instances. This is not a fault of the program, but a fault of the human mind which is reflected in the program.

Another point often argued is the basis on which an applicant is granted or denied a deferment. Up until this year there were many obsolete laws along these lines. Any man who was "over 6 ft. 6 in., an astronomer, student, sheet-metal worker, tool maker, or structural linguist" had a good chance of obtaining a deferment "in the national interest" In February of this year these laws were changed, abolishing almost all deferments to graduate students, and the list of "essential activities" and "critical occupations" was revised. Now many college graduates who were planning graduate study, who were able to obtain deferments before, will be open to induction. This has raised some resentment among educators who feel they will be losing too many promising graduate students. Also, many schools will now be left with a surge of the younger undergraduate groups. This plan goes along with the "oldest man first" policy which is all standard in the present draft system. Under this plan the military is denied the younger men it prefers, while it receives the older men. One can easily see the reason for question in this area.

Another point is the deferments are decided by the local board members, who, possibly, are often unconcerned in their judgment. The board does not, by law, have to justify its decisions on deferments to a higher court, and the person seeking the deferment cannot appeal the decision to a higher court. All that is necessary is that the board keeps a record that a deferment was requested, and whether it was granted or denied.

These points are the points that make the present draft system unfair. In the words of Senator Edward Kennedy, they are a "haphazard collection of outdated policies".

I therefore feel that a fair draft policy would be one that would place everything on an equal basis to every individual. I have a policy that I feel will accomplish this. It is necessary for a nation like the United States to have a Selective Service System that will draft with some certain effective fairness the rich and the poor, the black and the white, and the intelligent and average alike.

Under my program every individual would register for the draft, as today, at eighteen years of age. The local offices would be maintained solely for the purposes of registering and classifying individuals. The local selection boards would be done away with. In their place would be a local "Review Board", which will be explained later. The actual selection of boys would be done on a State basis, as today, with each filling their necessary quota, but all selections would be done by a State lottery, instead of by the present method. The lottery would be like drawing the names out of a big hat. No one would know whose name was being chosen. This would allow for a more uniform fairness than the present system, and there could not be any personal feelings expressed in the selection of the men to go. It would all be done mechanically and fairly.

Another phase that would be changed would be the policy of "oldest man first". The reason for this is that many young men at this time in their life don't know exactly what they are going to do, and the service would allow them some time in which to grow. Even if they had some idea as to what they wanted, it would not be a critical point in their plans, as it would be to the older boys. The younger ones would probably have just graduated from high school, or would have finished, possibly, one or two years of college, as in contrast to the older boys who would be attempting graduate work. This part of the plan would have to be put into action gradually so as not to exempt some of the boys who are in the middle ages now.

The final change would be in the deferment department. Anybody wishing a deferment would request one of the State, which would, in turn, notify him on what day he would meet with his local Review Board. He would then meet with this board, but he would be allowed to have legal counsel present with him. One may say, "Well, here is the chance for someone locally to be prejudiced again". The reason for selecting a group of local people is because they are *local*, and may *know* the individual. They will possibly know many of the men close enough to know if he should be deferred, as in special cases such as family hardship. To avoid prejudices the board will have to file with the State records of why the individual was, or was not, deferred. This is not required today, and it would make the local group a little more conscious of their decisions. Also, the board members would be required to take an examination before they were appointed. They would be qualified for the position of local reviewer.

This plan would take some time to install, but as soon as the law would be passed things could be converted to this policy very shortly. The states could set up their lotteries, and the review board members could be examined in a short time. A certain time would be allowed between the time of passing of the act and the actual date when it would go into effect.

This plan is quite feasible, practical, and would not be too difficult to adopt. But most important of all, it would establish a fair draft policy in the United States.

THE CONGLOMERATE MERGER TREND

Mr. PROXMIRE. Mr. President, I strongly endorse Tuesday's announcement that the Federal Trade Commission is initiating a broad study into the conglomerate merger trend. According to the release of the FTC, in the course of its study, it will require corporations involved in conglomerate activity to supply sales and costs and other detailed financial data. The study will look into causal relationships between mergers and tax incentives, stock valuations, and possible anticompetitive consequences of conglomerate mergers.

An in-depth probe of the conglomerate merger trend and its implications for our economic system, in fact, is long overdue. The Joint Economic Committee, for example, has expressed its concern with conglomerate merger activity and the potential violations of antitrust law reflected by such mergers. The dangers of an overcentralized economy are being brought ever closer by the tendency toward a higher and higher degree of concentration in industry, with a few large firms accounting for most of the output. As was stated in the Joint Economic Committee Annual Report of 1967:

> Given also the powerful influence of conglomerate (diversification) mergers, the likelihood—*absent strong antitrust intervention*—is that concentration will increase and that the number of firms with substantial discretionary pricing power will rise sharply.

In the 1968 report of the Joint Economic Committee, issued last March, the committee focused on the continuing and alarming conglomerate merger trend, and in a section entitled "Competition and the Growing Concentration of Economic Power," the report made the following recommendation:

> We urge that the antitrust agencies reassess their role to determine whether they are employing all the resources at their command in meeting this challenge of an ever-increasing tide of conglomerate mergers. At the same time, we believe that the Federal Trade Commission, in particular, should probe deeply into the ramifications of the growing concentration of economic power flowing from the increasing conglomerate mergers.

It is time, it seems to me, to recognize the eternal truth that we cannot have our cake and eat it too. We cannot have, in America, an overconcentrated, overcentralized economy and have a free enterprise system at the same time.

The announced plans of the Federal Trade Commission are, therefore, a most welcome sign that a comprehensive investigation of conglomerate mergers is about to commence.

I ask unanimous consent to have printed the Record the text of the FTC press release on the study.

There being no objection, the news release was ordered to be printed in the Record, as follows:

Federal Trade Commission Announces In-Depth Investigation of Conglomerate Merger Movement

The Federal Trade Commission announced today that it has directed its Bureau of Economics to undertake an in-depth investigation of the causes, effects and implications of the conglomerate merger movement in this country. Merger activity, the Commission noted, appears to have reached the highest levels in American industrial history with no signs of an early abatement. Unlike earlier merger movements, which were dominated by horizontal or vertical mergers among competitors or between buyers and sellers, the current wave of mergers reflects a proliferation of conglomerate mergers.

Conglomerate mergers may be of various types, but are usually divided into three categories, market extension, product extension, and other. Market extension mergers are those in which the two parties to a merger are engaged in the same general line of business activity, but operating in different geographical markets. Product extension mergers represent an extension of a firm's activity into another product line, but one that may be related functionaly either in production, distribution or sale of products. The remaining category of conglomerates includes those in which there is very little discernible relationship between the acquiring and acquired firms.

Under the Celler-Kefauver Act of 1950 the Commission and the Antitrust Division of the Department of Justice have concurrent jurisdiction over mergers which may substantially lessen competition or tend to create a monopoly in any line of commerce in any section of the country. A number of conglomerate cases have been decided by the Commission and the courts and certain rules of law have been established. Both the Commission and the Antitrust Division have also issued merger enforcement guidelines to assist business firms in the determination of the metes and bounds of merger activity within the context of interpretations of the law.

There is growing concern, however, on the part of the Commission, as well as Congressional committees, including the Senate and House Antitrust Subcommittees and the Joint Economic Committee, as to the long-run dangers of the continuation of the conglomerate merger movement. The Commission has already conducted a limited investigation of this matter, but has now directed its staff to expand the scope of the investigation to cover not only the short-run anticompetitive aspects of such mergers, but also broader issues, including the relationship between conglomerate mergers and technical or business efficiencies, the economic performance of conglomerate firms in the market place, and the effect of conglomerate mergers on the competitive vigor of enterprises by their change in status from independent firms to subsidiaries or divisions of conglomerates, and the impact of such structural changes on long run competitive activity. A review will be made of recent merger developments in the light of the basic policy objectives of the Celler-Kefauver Act to prevent increases in the concentration of economic power, to encourage internal growth as a competition-promoting process, to preserve the competitive opportunities of medium-size and small businesses and to eliminate monopolistic tendencies in their incipient stages. The study will also explore various causes of mergers and whether new legislation may be necessary to bring the conglomerate merger movement under control. After the completion of the staff investigation, the Commission plans to hold a public hearing on this matter.

The Commission Resolution directing the investigation is attached.

United States of America Before the Federal Trade Commission: Resolution Directing an Investigation of Acquisitions and Mergers

Commissioners: Paul Rand Dixon, Chairman; Philip Elman; Everette MacIntyre; Mary Gardiner Jones; James M. Nicholson.

Whereas, the Commission has statutory responsibilities to enforce the Celler-Kefauver Act of 1950 in respect to acquisitions and mergers that may substantially lessen competition or tend to create a monopoly in any line of commerce in any section of the country; and

Whereas, the Commission is cognizant of the broad policy objectives of the Congress to prevent increases in the concentration of economic power, to encourage internal growth as a competition-promoting process, to preserve the competitive opportunities of medium-size and small businesses and to eliminate monopolistic tendencies in their incipient stages; and

Whereas, the merger movement appears to have reached the highest levels in American industrial history; and

Whereas, there is growing concern on the part of the Commission as well as on the part of Congressional committees in respect to the long-run consequences of the merger movement and in particular in regard to the growth of conglomerate mergers: Now, therefore, be it

Resolved, that the Commission in the exercise of the powers vested in it by Sections 6 and 9 of the Federal Trade Commission Act, and with the aid of any and all powers conferred upon it by law and any and all compulsory processes available to it, including non-public investigational hearings, do forthwith proceed to investigate and study the causes, effects and implications of the merger movement.

By the Commission.

Joseph W. Shea,
Secretary.

July 2, 1968.

WILL SCIENTIFIC AND INDUSTRIAL PROGRESS RUIN THE EARTH?

Mr. YARBOROUGH. Mr. President, the Ford Foundation recently made grants totaling nearly $4 million to promote the science of ecology. Man is exploiting his environment to the fullest with little regard for the consequences of this development. Ecology is the science by which men can understand the relations between man and his environment and thereby avoid upsetting any of the balances in nature. The expanded study in seven universities made possible by the Ford Foundation will work toward enabling man to continue his technological progress without precipitating new crises.

I ask unanimous consent that an article in the New York Times of June 30, 1968, entitled "Ford Foundation Grants Millions to Advance Science of Ecology" be printed at this point in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

Ford Foundation Grants Millions To Advance Science of Ecology

The science of ecology is getting a multimillion-dollar grant from the Ford Foundation on the assumption that it can help rescue mankind from the dire consequences of one of its own follies. That folly is the exploitation of the environment without regard for the other creatures and the plants in it.

Ecology is the science that deals with the interrelations of living things with their common environment and with one another. In science it has a respected place even though there are not enough highly trained ecologists.

The newly announced Ford grants, totaling $3,964,550, reflected the foundation's efforts to remedy this.

They went to seven universities. Yale gets $909,655, Johns Hopkins, $858,000; the University of Washington, $587,695; University of British Columbia, $483,200; Missouri Botanical Gardens, affiliated with Washington University, $420,000; University of California, Davis Campus, $174,000, and Colorado State University, $62,000.

TO EXPAND TRAINING

Last year the foundation gave the University of Chicago $1,036,000 and Princeton $372,000 to expand ecological training programs, and all but two of the new grants were for that purpose. Those two illustrated the prime usefulness of ecology in blueprinting and thereby avoiding the consequences of upsetting balances established by nature.

The University of California will use its $174,000 to forecast, from mathematical models, using a computer, the consequences of that state's rapid population growth on urban transportation, pollution, public health and welfare, natural resources and the law. By knowing dire consequences in advance, they can be avoided.

Colorado State University will spend its $62,000 on mathematical models of the interrelations of vegetation, animal life and climate in Western grasslands from which accurate forecasts of the consequences of weather modifications could be made. The science of modifying the weather by controlling rainfall is far advanced, but no one now knows how it would rebound on interdependent communities of plants and animals.

Gordon Harrison, in charge of the foundation's natural resources and environment program, emphasized that there was no intention of stopping or even slowing mankind's exploitation of environments. On the contrary, the intention is to enable man to exploit wisely and avoid catastrophic consequences of thoughtless, unplanned exploitation.

RESULTS OF EXPLOITATION

Industry creates civilizations, but so far industrial exploitation has polluted the environments in which man must make his living, Mr. Harrison said, and gave these other examples. Inorganic fertilizers increase crop yields but deplete the soil. New fishing techniques greatly increase the catch but encourage overfishing and threaten the survival of species of food fish on which people and large industries depend.

Now, Mr. Harrison continued, add the population explosion.

"The precipitous increase in human population has begun all over the world to put unprecedented demands on natural resources to feed and clothe the multiplying generations, to absorb wastes of industrial and life processes, and to provide living environments conducive to human well-being," he said.

"Some of the first consequences of these population pressures are already critical and highly visible—inadequate food supply in the less developed nations, pollution in developed areas."

But the technological remedies that goverments are applying, even though they work for a time, can well have "consequences in the longer run that precipitate other crises," he added, unless ecology and related sciences produce the solutions.

Mr. YARBOROUGH. Mr. President, the degree to which environmental balances are already being strained was the subject of a speech entitled "Progress May Ruin the Earth" that I delivered on June 23, 1968, to the 32d annual educational conference on environmental health of the National Association of Sanitarians here in Washington, D.C. The evidence is mounting that the results of our technological advances are so unfavorable to our environment that our progress may be ruining the earth.

I ask unanimous consent that excerpts from my speech be printed at this point in the Record.

There being no objection, the excerpts from the speech were ordered to be printed in the Record, as follows:

Progress May Ruin the Earth

(Excerpts from a speech by Senator Ralph W. Yarborough on June 23, 1968, before the 32d annual Education Conference on Environmental Health of the National Association of Sanitarians, Sheraton Park Hotel, Washington, D.C.)

Environmental health is an area to which all of us must give increasing attention if we intend to remain inhabitants of this planet. We are profiting from the greatest technology of any society in history; but we must be in sufficient control of that technology to assure that our progress will not ruin the earth.

For many years no one was troubled about industrial wastes billowing into the sky. Industrialists felt that the capacity of rivers and streams to absorb chemicals was one of our great natural resources to be utilized to its fullest.

But a people that welcomed every advance in transportation has begun to choke on automobile fumes and watch property values fluctuate as noisy aircraft are routed overhead. We can no longer stand back and simply observe these phenomena. The environmental systems that support life on earth are being strained, possibly beyond repair.

Some scientists have predicted the following grim future for our major cities: The warmth from general urban activity already causes air above the city to be about 10 degrees warmer than in surrounding areas. A resulting inversion of cool air, overlaying the city's warm air in a bubble, can trap all the city's smog and keep it from being disspelled into the atmosphere. This happened for four days in New York City in 1966. It happened two weeks ago in Houston. The city lay helpless, with sunlight filtering through a yellow haze, until wind cleared away what Houston's pollution director termed "the usual urban and industrial air pollution."

But the prognosis worsens. Automobile exhausts pour lead into the air. Iodine from city smoke combines with it to form lead-iodide particles—the material used to seed clouds. These particles gather water and produce droplets or mist. So the city of the future, enveloped in a bubble of smog, may constantly rain on itself.

That time of constant rain may be in the future, but unbearable air pollution is here today. Each motor vehicle pours about one ton of pollution into the air each year, for a total of 88 million tons. Factories, power plants, and refuse disposal spew almost an equal amount of debris into the atmosphere. A jet airplane pours about three tons of carbon monoxide into the air each ten minutes. The combined result is an increasing respiratory irritation of the population with all of us heading toward a chronic bronchitis. Some persons have already died from the effects of smog.

This problem, caused mainly in the cities, affects the rural areas as well. The rainfall in the farm area of LaPorte, Indiana, has been directly correlated to steel production in Chicago and the smog it produces. The precipitation there is much heavier than in surrounding localities—including 246 percent more hail—and the rain is not exactly pure water. Consequently air pollution causes crop damage. In California alone, it caused more than $10 million damage last year. Accumulated by-products in the stable air layers of the atmosphere modify the amount of sunlight reaching the farming areas of our nation. So the waste created by the city is beginning to blot out the sun and pour abnormal precipitation on our croplands.

The people, represented in organizations like your, must be heard on this problem, because private vested interests are opposed to change. Industry's usual reply to comments about pollution is that the Federal Government itself is a polluter. Industries subsidize publications under inocuous public service titles and blame other industries for our problems. The chemical companies point at auto fumes; auto manufacturers point at factory smokestacks; factories cite statistics "proving" that their smoke is harmless. When the government talks of regulation the companies insist that it is not the government's business and that to change their practices would cost too much.

It is time we stop looking at this from the business perspective and look at it from the human perspective. And we can begin by removing the profits from pollution.

The study of environmental health reveals that polluting our environment is only one half of the problem; the other half is our destruction of the capacity to produce new clean air. Oxygen comes from photosynthesis of the type characterized by green plants which take in carbon dioxide and give off oxygen, thus sustaining the vital amount of exygen needed in the air. But our treatment of our atmosphere is damaging green plants. In addition, we pave over nearly a million acres of green plants each year and we are cutting down our forests.

Our treatment of the seas is equally bad. Seventy percent of the world's photosynthetic oxygen comes from microorganisms suspended near the surface of the seas, but we put more waste in the seas today than they can absorb and it is a type of waste the sea cannot tolerate. It includes pesticides and detergents and over one-half million other substances whose effect on marine biology we do not know. But what we do know is that we put wastes into the environment at the same time we reduce the environment's capacity to cleanse itself. The result is that the oxygen-carbon balance is tipping unfavorably.

We must study the relation between how our technology relates to the interdependence of living things with one another so that we do not unwittingly make life unlivable on our planet. Your organization supports the need of the Federal Government to encourage and fund further study in environmental health. We need to support, with necessary appropriations, this investment in our future. We need such a vast increase in trained manpower in this field that the Government must lend its assistance. This is the only way to guarantee that we will avoid things which may do irreparable harm to our environment.

Let me add that we must also avoid those things we definitely know will make life unlivable. I have discussed ways that could change our environment in a few generations; a nuclear exchange could do it in a matter of minutes. We must support efforts to decrease the chance of any such occurrence. In Vietnam we are changing that country permanently. The tons of herbicides we spread over that land to make our military objectives easier are rendering sterile what was once the rice bowl of Asia. Evidence of a laterization of the soil—the last step before soil becomes non-productive rock—is occurring. Unless this war is ended soon a people with a 4000-year history, a people dependent on agriculture, will be left with a country that is rock-like.

No one can doubt any longer that man can change his environment. The question is whether we will choose to reverse the unfavorable processes we have already started. Our current preoccupation with the things provided by technology must give way to a critical examination of the way they are produced, and an understanding of the conflict between man and the environmental systems that insure the continuation of life as we know it on this planet. It is not a matter of learning for the sake of scholarship. It is learning for survival.

TODAY'S YOUTH: A HOPEFUL GENERATION

Mr. NELSON. Mr. President, "Ye shall know the truth, and the truth shall make ye free" is an inscription on a plaque at the University of Wisconsin, Madison. This statement describes the atmosphere which allows for the free exchange of ideas at the university in Wisconsin.

This tradition of sifting and winnowing of ideas has not only been an integral part of the University of Wisconsin, but has become the policy of another great Wisconsin institution, the Progressive magazine. The Progressive deserves commendation for the outstanding articles and editorials it has published over the years.

One such article deserves our special attention today.

In a time when there is so much student unrest and so great a need for understanding that which provokes this uneasiness, few men have spoken out as forthrightly as the distinguished Senator from Oregon [Mr. Hatfield]. "Today's Youth: A Hopeful Generation," written by Senator Hatfield, and appearing in the July Progressive, is well worth reading and careful reflection.

I ask unanimous consent that it be printed in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

Today's Youth: A Hopeful Generation

(By Senator Mark Hatfield)

(Mark O. Hatfield, Oregon Republican, was elected to the U.S. Senate in 1966. He was governor of Oregon from 1959 to 1967. An educator, he was formerly an associate professor of political science and dean of students at Willamette University. This article is adapted from Senator Hatfield's forthcoming book, Not Quite So Simple, copyright © 1968 by Mark O. Hatfield, and it is published with the permission of Harper & Row, Publishers.—The Editors.)

I suppose, technically, I left the classroom in 1956 when I resigned my position as dean of students at Willamette University in Salem, Oregon, to campaign for the office of Secretary of State. But I was never very far from the campus—physically or mentally. During my ten years in the state capitol I could always look out my office windows, across State Street, to the magnificent trees and historic buildings of the Willamette campus. I also tried to make as many trips as possible back across that street to talk with the students—sometimes in political science classes, sometimes in their residences, and occasionally before a more formal gathering of the whole student body.

Students have always been my favorite audience, and I have found that addressing them as a political figure is little different from facing them as a political science teacher. And the subject is not always different.

Whenever the speaking format permits, I pattern my speeches after the approach I used in the classroom. This approach was based on the premise that there are few absolutes, no final authorities to cite with which to crush the opposition, but instead room for interpolation and debate. In the classroom I would make as convincing an argument as I could in support of some political analysis and then immediately subject it to review by the students. Now when I appear before a student audience, I make a statement of my views on a given issue and then submit this view to the challenge of a question-and-answer period. As in the classroom, I want the stimulus of that challenge for the students as well as for myself.

But an even more important reason behind my preference for this speaking format over a declarative speech with no possibility for rebuttal is the opportunity it provides for the *exchange* of ideas. In office jargon, we often refer to my appearances before student audiences as "confrontations." This is exactly what I hope they will be, for it is the clash of ideas, the face-to-face collision of various points of view, that dogma is modified by tolerance and both the students and I are forced to maintain our perspective and to accommodate divergent views.

Students, and the faculty members who are usually present at such gathering, are able skillfully to analyze and articulate views that oppose those I accept. By constantly exposing myself to this challenge I hope to help assure myself against the pitfall of positivism—the slide into arrogant self-assurance that never questions basic premises and that is never modified by changing events and circumstances. Effective debate and persuasion in the political arena require that the spokesmen of various views present these views honestly, but in their strongest and most convincing form. The protagonists, however, must not delude themselves with the smug assumption that they have a monopoly on the "truth." This leads them to propose simplistic solutions that are doomed to failure.

I schedule as many speaking engagements with students as possible in an effort to help maintain a dialogue between their generation and mine. Too often, I feel, adults make an insufficient effort to bridge the "generation gap." Either they become resentful of the attitudes and "antics of alienated youth" or they rather indifferently assume that young people will one day outgrow this "rebelliousness" and everything will be all right again. Instead of making an effort to communicate with the younger generation they often retire to nurse the wounds inflicted upon their egos by irreverent youth.

There have been many perceptive analyses of the causes of this alienation of young people. Some people see it as basically an exaggeration of youth's traditional rebellion against symbols of authority. But I believe it goes much deeper than this.

My generation also rejected authority, but, as one analyst, Lewis Yablonsky, put it, "The pre-World War II students . . . simply wanted a 'piece of the action.' " Today's students often reject "the action" entirely. They may disassociate themselves from society altogether and withdraw into apathy, or they may set out to alter society drastically and transform its values and priorities.

To today's young people the conventional forms of authority are shams. Adults, to whose wisdom youth is expected to defer, seem to have produced a dangerous and hate-filled world obsessed with goals and values youth finds repugnant. They reject the tyranny of the pay check, the job-house-mortgage-suburbia complex which they sum up as the "rat race." They are repulsed by an adult world that reveres material possessions, that is motivated by the search for status and the unrelenting compulsion to succeed. They resent the hyprocrisy of an older generation that presents idealistic guideposts for the young at the same time it rejects them for itself, that self-righteously denies prejudice at the same time it votes down open-housing laws.

Many young people reject the traditional authority of religious faith. To them a personal relationship with God has been suffocated by "the institutionalized church." This idea was captured by a placard carried in a recent student demonstration which read, "Christ yes, Christianity no."

Finally, the authority of government has fallen into the chasm created by its own credibility gap. Youth, more than any other age group, has suffered the disillusionment of discovering that its government and its highest elected officials are not believable. Their loss of faith has been matched by their growing cynicism—not just toward the current Administration but toward our entire governmental system. They seriously question the validity of political processes that allow them few opportunities to make their views felt. They feel helpless and frustrated in attempting to influence governmental institutions effectively insulated from the desires of the people by a moat of bureaucratic red tape. Perhaps most important of all, young people resent the impersonalization of a government more preoccupied with producing institutional efficiency than with protecting human individuality. They resent a paternalistic government that assigns its citizens a number, categorizes them into groups, and then promises to provide for their corporate needs.

I once had a student point out to me a poem by W. H. Auden titled "The Unknown Citizen (To JS/07/M/378 This Marble Monument Is Erected by the State)." The poem represented the final entry on the government's record of this unnamed citizen, listing numerous agencies' evaluation of his life. It began:

"He was found by the Bureau of Statistics to be
  One against whom there was no official complaint.
And all the reports on his conduct agree
  That, in the modern sense of an old-fashioned word, he was a saint.

Both Producers Research and High-Grade Living declare
  He was fully sensible to the advantages of the Installment Plan
And had every thing necessary to the Modern Man,
  A phonograph, a radio, a car and a frigidaire.

Our researchers into Public Opinion are content
  That he held the proper opinions for the time of year;
When there was peace, he was for peace;
  When there was war, he went.

Was he free? Was he happy? The question is absurd:
  Had anything been wrong, we should certainly have heard."

Youth's alienation and rejection of traditional forms of authority have been magnified by the Vietnam war. On my many visits to college campuses, I have found this subject uppermost in the minds of students. They are extremely concerned with the morality and legitimacy of our involvement in Vietnam.

To me, the resentment that the war in Vietnam has bred into these young people is one of its most alarming effects. Nearly every day my mail includes a letter from some young man who must reconcile his duty to serve his conscience. I sympathize deeply with his torment. He must choose either to move to Canada, to declare himself a conscientious objector, or go to jail, or he must choose to kill men he does not hate, in a war he cannot justify, for a cause he does not believe in. Whatever course he chooses, he *resents* being forced to make such a decision.

Even more tragic are the letters I receive from parents of the young men who have given their lives in this confused and mixed-up war. Following is a representative letter:

"DEAR SIR: First I wish to thank you for your letter of March 5, 1968, expressing sympathy for the death of our son in Vietnam. It helps to know men of your stature and position care enough to write.

"The hardest part to take in this whole affair is the fact that he died in a war that *he* thought was wrong. He stated in his letters, 'These people don't want us here. They don't do us any favors.'

"This is the first war where the parents are forced to send their sons food, rain gear, razor blades, toothbrushes, toothpaste, insect repellent, prescriptions for medicine to kill mites. There were so many things that a normal army makes sure its men have. If we hadn't sent them, he would have done without. I would estimate the cost to us at over $50 a month.

"I wanted to write to you last fall, but when Bobby heard about it he wrote, 'Mom! Tell Dad don't do it. The word gets back here and they make it rough on us.' From then on my hands were tied. Those bonds were cut by a Vietcong bullet on February 18. They can't make it rough on him any more.

"If there is any information that we have that would aid in your fight against this mess we are in over there, we will send photocopies or help in any way we can.

"It is with deepest respect that we thank you for what you have done and will continue to do to stop this needless and futile war.

"Respectfully,

"(*Names withheld.*)"

I can't help contrasting the bitterness of many of today's young men about to be sent to Vietnam with the exhilaration my generation felt at the *privilege* of serving in World War II. We knew what we were fighting for. We knew that the survival of the United States was at stake. And we knew that taking up arms was the only way to save our country. I was a student at Willamette when Pearl Harbor came and I remember, vividly, hearing President Roosevelt's war message to Congress on the radio in our fraternity house.

To a man, we marched down to the recruiting office to sign up, and we sincerely pitied those unable to join a service.

But today the young man often pitied by his peers is the young man who has been drafted to fight in Vietnam. Unfortunately, and unjustifiably, their reluctance to go to Vietnam is interpreted by an older generation—who fought with pride in Korea or World War II—as a lack of patriotism. This, on the whole, is not true. These young men who question our commitment in Vietnam are often motivated by the highest form of love for their country and the principles upon which it was founded. They honestly believe that the war in Vietnam does *not* serve the best interests of this nation and that it betrays its principles. It is not easy for them to go to Vietnam and aid a policy they feel harms their country. It is also extremely difficult for them to participate in a policy they believe to be morally wrong.

They view the purposes of the war as unjust. They reject the various justifications given by the Administration for our involvement in Vietnam as an inadequate and an insufficient basis on which to kill other men. Many also view the methods used in Vietnam as immoral. They are repulsed by the inadvertent but persistent killing and maiming of civilians by indiscriminant bombing of populated areas and by the use of such cruel and terrifying weapons as napalm. They find it impossible morally to condone our "scorched earth" policies of leveling villages and chemically destroying vegetation and food crops—perhaps for generations to come.

Many of our nation's most idealistic young men are torn between their recognition of their duty to serve their country and their duty to apply an individual moral standard to the actions they perform. Early in 1968, I received a copy of a very moving letter written by a young man who had volunteered for service in the Army and had already served two of his four years. In the face of being transferred to Vietnam he had written to his commanding officer requesting that he be reduced to E–1 rank and "that all salaries, bonuses, and privileges, monetary or otherwise, granted to those serving in Vietnam be denied me." He continued:

"The above-requested action represents the only means by which I can simultaneously fulfill my responsibilities as a member of the armed forces and my responsibilities to my own conscience. The Nuremberg Principle existed, in fact, long before the Allies codified it at the end of the last war; for persons of any maturity whatever, the old moral soporific that "I was ordered to do it" has never been effective—one cannot contradict one's own conscience without trauma and I, for one, do not intend to do so.

"Whether or not a tribunal is ever actually convened to try Americans upon charges of war crimes or crimes against humanity in Vietnam, every man is tried in balance against his own values; if he does not measure up, he is lost—he could not even live with himself."

I also received correspondence from another American serviceman who had just returned from a year in Vietnam. Because of his outstanding service to his country in this conflict, he had been awarded the

Bronze Star Medal. He sent me a copy of a letter he had written to his commanding officer in Vietnam rejecting this award:

"I recognize that the Army considers the medal a high honor, but to me it is a worthless memento, a scrap of ribbon, an object which stands for two years in the military where I was reduced to a common criminal and a participant in a war that lacks all reason. . . .

"The medal represents the insult and degradation I have received . . . as a human, thinking being who was told not to question any part of my value system, which has . . . been smashed by my participation in the wrecking of Vietnam. . . .

"Your medal is worthless and insulting. I cannot accept it. I will, instead, hope for peace in Vietnam which circumvents your military solutions, and then perhaps I can find something to be proud of."

In his letter to me this young man confessed: "I have felt guilty about my participation in the war. . . . I know that nothing will assuage that guilt."

These are the words not of "unpatriotic shirkers" but of highly idealistic and sensitive young men who are deeply tormented by the sacrifice of values that is demanded of them by their participation in a war they believe to be immoral.

My heart aches for the other young men who face the agony of choosing between their duty to their country and their duty to their consciences. And their fellow Americans must not be hasty to condemn the choice these young men—who genuinely face this dilemma—make. It is a very personal dilemma that each man must privately resolve on the basis of *his own* values, and the torment of this decision should not be heightened by the harsh judgment of someone who would have chosen a different course.

Unfortunately, this decision does not always remain the private problem that it should be. Out of feelings of guilt, frustration, and resentment, young men are sometimes prompted to burn draft cards, boo public speakers, and join in other forms of public protest that not only harm their cause in opposing the war but incite others to question their motives and discredit the legitimacy of the dilemma they face. In the eyes of many people the burning of a draft card is a symbolic renunciation of the United States and the duty to serve one's country rather than an expression of frustration at being forced to compromise either this duty or the duty to one's conscience. This and other forms of public protest often generate more anger than sympathy; they alienate more people than they persuade and are therefore counter-productive.

For instance, when students boo Administration officials and prevent them from speaking, public sympathy lies with the speaker who was denied the right to be heard. I spoke on the Harvard and Stanford campuses within a short time after Secretary of Defense Robert McNamara (at Harvard) and Vice President Hubert Humphrey (at Stanford) had made attempts to present the Administration's Vietnam position. Instead of receiving a fair hearing they had received boos, hisses, and jeers.

When I appeared on these campuses shortly after those incidents, I opened my remarks by sharing with the students an experience I had had on the platform of the Republican National Convention in 1964. This was a convention hall dominated by extremists who were then in full cry against Governor Nelson Rockefeller. They moved against him with the full force of their venom, booing, and hooting, deriding him as he attempted to defend his civil rights position. I had never before witnessed such intolerance and viciousness. I came away from this experience with a greater appreciation for the democratic right, and *necessity*, for every man—whatever his views—to be heard. There is no difference in denying one man or another the right to be heard, I told the students. "I cannot condone discourtesy to the President of the United States, or the Vice President of the United States, or the Secretary of Defense, or *anyone*." Such conduct, I finished quietly, was particularly reprehensible on academic campuses, the traditional guardians of our libertarian principles.

The shouting-down of speakers representing the Administration is not a reasonable way to oppose the President's Vietnam policies. Just like many other forms of protest, it is impotent to bring a solution of this conflict and betrays a sense of defeat that is not justified. The burning of draft cards, for instance, is a rather simplistic reaction to the Vietnam war and announces a despair about other possible approaches. Young people are understandably impatient; they want immediate solutions. And they are prone to opt for dramatic action in search for these solutions rather than undertake the slower, more arduous task of seeking them through accepted political processes.

Draft-card burning is not only a technique used to protest the war, but it is also used to express the rapidly growing dissatisfaction with the draft system itself. Instead of setting fire to pieces of paper, draft protestors should "set fire" to, in the sense of energizing, legislation before Congress that would eliminate the Selective Service System and return military personnel recruitment to a volunteer basis. The first piece of legislation I sponsored in the U.S. Senate was a bill designed to upgrade the opportunities and rewards of military service in order to make this a career possibility attractive enough to generate the necessary number of volunteers. When hearings were held to explore suggested changes in the Selective Service System, there were no young men asking to testify and protest the inequities of the draft. There were no movements on college campuses supporting legislation designed to correct these inequities.

There are many symptoms and causes of the alienation of young people today. I only hope that the symptoms are temporary and that the causes are corrected. I am both concerned and encouraged by youth's questioning of the values of the world they are about to inherit. I am concerned that their frustration may lead some to despair and finally to withdrawal from productive roles in a society that does not share their values. I don't anticipate this as the general pattern, however, but believe that the idealism of today's younger generation will serve as the catalyst for change, for the remolding and redirection of our society to conform with the needs and values of individuals. As I told the 1967 graduating class during a commencement address at Willamette University: "I want to congratulate you on an excellent beginning as one of the most hopeful generations our nation has produced. I am excited about your enthusiasm; I am encouraged by your determination; and I am humbled by your idealism. I have no doubt that, if you retain these qualities, you will be the match for any burdens you inherit."

UNITED STATES STEEL, AIR, AND WATER QUALITY CONTROL CAMPAIGN

Mr. BAYH. Mr. President, several major industries in the State of Indiana have been devoting much time and effort and investing large sums in recent years to reduce both air and water pollution. One of the leaders in this very encouraging movement has been United States Steel, which for over 50 years has operated one of the largest steel mills in the world at Gary.

Recently there was brought to my attention two interesting and informative articles which describe the antipollution activities of this company. One summarizes the overall air and water quality-control program of United States Steel, pointing out that some $200 million has been devoted to this purpose in the last 15 years. The other portrays the fourfold waste treatment procedures to safeguard water quality followed at the Gary Sheet & Tin Works. In view of the danger of contamination in lower Lake Michigan, the latter development is most significant.

Mr. President, I ask unanimous consent that excerpts from these two articles, depicting how this company has embarked on a massive program to combat air and water pollution, be printed in the RECORD. It is to be hoped that other industries throughout the Nation will emulate these commendable steps.

There being no objection, the excerpts were ordered to be printed in the RECORD, as follows:

[From U.S. Steel Quarterly, August 1966]

CONTINUOUS, COORDINATED CAMPAIGN FOR AIR AND WATER QUALITY CONTROL CARRIED ON BY UNITED STATES STEEL

An estimated $200 million out of some $5 billion that U.S. Steel has invested in new facilities during the past 15 years has been committed to the installation of devices for the abatement of air and water pollution—devices that in some cases tower nine and 10 stories high, in others occupy tracts the size of a city block, and in most cases involve operating and maintenance costs of no mean proportions.

The new facilities encompassed in the corporation's current program, which calls for average annual expenditures in excess of $600 million during the three-year period 1966-68, will incorporate, as part of their basic design, the latest air and water quality-protection equipment devised by modern technology.

The outlays, past and prospective, for the apparatus of air and water quality-management are in pursuance of U.S. Steel's continuing objective in this field:*To strive to curtail the impairment of air and water that is inherent in the corporation's operations and that affects the usefulness of these resources by the plant-community neighbors of U.S. Steel.*

COORDINATED EFFORT

Administrative co-ordination of all the activities bearing upon this objective was brought about in 1952, with the creation of a committee on air and water quality-management. The committee, which reports directly to the top administrative unit of the corporation—the Operations Policy Committee—is composed of representatives of the Engineering and Research, Law, Personnel Services, and Production Departments.

The committee co-ordinates the continuous efforts by U.S. Steel to diminish impairment of air and water quality resulting from the production of steel, chemicals, and cement, and by the operation of mines and raw-materials-hauling steamships. The committee has also carried out an identification of all the remaining "trouble spots" within its province, and has estimated the cost of alleviating them. Important headway will be accomplished under the current $600 million-a-year program.

The money for the generally non-productive air and water quality-control equipment must, of course, come from the same sources as the money for constructing the facilities of production that strengthen the corporation's competitive position and help it operate profitably.

But the problem of reducing and, where feasible, precluding air and water pollution is a multi-dimensional one, ranging beyond the matter of investment capital, vital though that is.

One dimension of the problem is found in the case of steel plants hemmed in by natural barriers or by the urban build-up that has pre-empted the availability of land for, say, construction of a huge lagoon in which to permit solid wastes from steel production to settle for ultimate disposal in a way that will have no adverse effects on the community.

INTENSE ENGINEERING STUDY APPLIED

Situations like this, which do confront U.S. Steel, demand—and get—intense engineering studies for technological discovery, or for refinement and new application of knowledge already yielded by research, that can be effectively applied under severe limitations of space and under complex conditions, including the presence of continuous-operation steelmaking.

Where, as is true wtih some U.S. Steel plants, installations are in relatively uncramped areas, the problem is somewhat simpler.

Another dimension of the problem is supplied by older steel plants where air and water quality-control apparatus, which was adequate when the plants began operating, now needs enlargement, in order to keep pace with greater production capabilities resulting from the application of new developments in steel-making technology.

What one U.S. Steel expert on air and water pollution control called "the toughest dimension of all" is supplied by the so-called marginal plants—those heading toward obsolescence, where costs per unit of production are relatively high, or plants where, because of the nation's constantly changing economic pattern, the market for their product has diminished.

In every one of those situations, the corporation is endeavoring to discover means of curtailing air and/or water quality impairment that will, at the same time, not jeopardize the plants as economic resources of the communities in which they operate.

RESEARCH CONTRIBUTIONS

Still another dimension of the problem is presented by the law of diminishing return at work in the management of air and water quality: to remedy the final five per cent of air or water pollutants generally costs as much as, sometimes more than, the first 95 per cent of undesirable emissions.

In work that stretches over a long period of years, U.S. Steel research has developed new applications of air and water pollution-control technology.

A noteworthy example of this has been the application by U.S. Steel, after considerable research study, of the "wet scrubber" to control dust-laden gaseous emissions from open hearth steel-making furnaces and from iron ore sintering plants. For many years previously, application of this device had been confined to blast furnaces, in which iron—the basic ingredient of all steels—is produced. The "wet scrubber" pulls dirty gas through water in a state of turbulence and actually washes away dust caught up in water droplets.

Another example of research adaptation is an electrostatic precipitator, for cleaning air, which came into being only after 10 years of engineering study, backed up by additional years of research

Right now in U.S. Steel, research is going forward on air and water quality-control problems for which the present state of technology has not yet supplied the answers. One effort in this direction is aimed at eliminating entirely the occasional slippage of the blast furnace's burden (iron ore, coke and limestone). The slippage produces what would be, in a human being, acute indigestion. This increases pressure in the furnace to the point where a relief value must be opened, for safety's sake; then, unavoidably, a dusty emission is released into the outside air.

MANY PROCESSES EMPLOYED

What is surely the major, though by no means only, sector in the day-in-day-out war against air and water pollution that is carried on by U.S. Steel, can be described in a few words: *Containment* of air and water to permit *retention* of the pollutants in them. This means that, in large measure, the attack must take the form of providing adequate space, and/or time, for pollutants to drop out, or to be drawn out, of industrial-process air and water.

In an older technology, containment periods of a minute or so were considered an achievement; now environmental quality-control technology adapted to U.S. Steel's needs supplies as much as 30 minutes for settling out pollutants that must be removed from steel at a certain stage, and up to several hours for settling out flue dust. In providing this time, an eye must be kept on the future—on insuring space for the protection of air and water quality, against expected future growth of a steel plant.

The processes employed by U.S. Steel in curtailing impairment of air and water quality range from applications of simple physical principles to the operation of massive, multi-million-dollar equipment of great mechanical, electrical, or hydraulic complexity.

WATER TREATMENT

Where water is involved, the principal processes are these:

Settling—This involves pits, tanks, and lagoons, some of the latter looking like serene country lakes, to permit solids to settle at the bottoms, for harmless removal.

Skimming—This is applied to steel-making process oil that rises to the surface of retention basins, or lagoons. The material skimmed off is non-saleable; the best to be expected is that it will be trucked away, at no cost to the corporation, for use as road oil or for reprocessing.

Filtration—This usually involves filtering process water through deep sands, or through fabric filter-cloth, to remove the micron-sized particles acquired by the water in its use for steelmaking.

Chemical Treatment—This is used in neutralizing acid and alkaline materials, and to agglomerate solids and oils.

Recycling—To an increasingly greater extent, and in order to conserve water, U.S. Steel is installing systems—designed for fail-safe operation—for both the treatment and the reuse, over and over again, of water previously utilized in steelmaking. Today, in many U.S. Steel plants, the same water is used five to 10 times, with adequate safeguards functioning to prevent the water's escape, untreated.

Sanitary Treatment—Close to 100 per cent of the sanitary wastes at U.S. Steel plants is channeled into the plants' own or municipal sewerage systems, for treatment. As a taxpayer-user of the public sewerage systems, U.S. Steel pays its proportionate share for the municipal service.

AIR TREATMENT

The principal processes employed by U.S. Steel in reducing deterioration of air quality are these:

Mechanical—This usually takes the form of subjecting dust-laden air to centrifugal force, which removes heavier particles.

Electrostatic—This involves cleaning air that has been used in the steel-making process, by passing it through an electrostatic field, which imparts a negative charge, so that the dust in the air collects on positively-charged precipitator elements.

Washing—"Wet scrubbers," described earlier in this article, are the outstanding example of this process.

Vacuum-cleaning—In this process, dust-laden air is drawn through a filter consisting of slender bags standing the height of a three-story building.

Burning—Some objectionable gases are destroyed by incineration.

In addition to the employment of these processes, U.S. Steel has achieved changes in the steel-making process itself that minimize the imparting of unpleasant odorous quality to air, and thus reduce the treatment subsequently necessary.

The ultimate goal, one not even dimly perceivable in the present, is, of course, the discovery of ways to prevent pollutants of air and water from arising to begin with. U.S. Steel recently participated in a truly basic research effort in this direction—an endeavor to discover how smoke originates in a major steel-making process. This constituted a quest to eliminate, at its very source, a substance that is costly to control and that can adversely affect the environment.

As matters now stand, action must be directed primarily to containing or trapping, as near their source as possible, the pollutants that do develop in the corporation's operations—a costly, multi-dimensional effort. An acquaintance with the cost of amortizing air and water treatment facilities, of operating and maintaining them, and of paying taxes on the treatment equipment, which is non-productive and yields virtually no revenue)—an acquaintance with those factors supplies a firm basis for stating that, today, the curtailment of air and water pollution adds substantially to the cost of producing a ton of steel.

But, in U.S. Steel, the objective still holds force, and will continue to do so: *To strive to curtail the impairment of air and water that is inherent in the corporation's operations and that affects the usefulness of these resources by the plant-community neighbors of U.S. Steel.*

Four Major Advances in Safeguarding Water Quality; Gary Sheet & Tin Strides Forward in Water Conservation

Four major water conservation systems are coming into operation at Gary Sheet and Tin Works. These systems hold particular significance for our community neighbors and will be of interest to anyone having responsibility for water quality.

The first system employs three basins and related equipment to contain the effluent water from a new 84-inch hot strip mill long enough to settle out scale and skim off surface oil. Filters then treat the scale pit effluent by a method similar to that used in city systems for the final clarification of drinking water.

The second system disposes of spent acids from the pickling lines by thrusting them 4300 feet underground where they are permanently isolated from ground and surface water, while the third permanently neutralizes several acid and caustic wastes.

Emulsified oils which refuse to settle out of the water are the target of the fourth system. This new water quality control employs gravity separation, polyelectrolyte treatment, chemical agglomeration, and centrifuging in removing these oily wastes from the mill effluent.

The water conservation history of Gary Sheet & Tin Works reflects the participation of U.S. Steel in the economic growth of the Gary-Chicago area.

The first scale pit at Gary Sheet & Tin was dug in the Indiana Dunes in 1911. A major water conservation project for those times, Pit No. 1 was more than adequate to handle its assignment. It measured 12 feet by 12 feet. Today, just one of the new scale pits is 120 times the size of the original.

1. WATER QUALITY PROTECTED ON THE NEW 84-INCH HOT STRIP MILL

A hot steel slab measuring 40 feet long and 10 inches thick enters the roughing stands of the new 84-inch mill, flattens down to 1/20 inch thickness under the finishing rolls and completes its one-minute trip through the mill as a coiled ribbon of steel a mile in length.

Scale forming on the slab as it is reheated to rolling temperature is the principal waste generated on this new mill. Blasted loose by high pressure water sprays during the rolling process, the scale is sluiced away to the scale pits for removal.

Another waste results from the use of 14 different lubricants required to operate this facility. Oily wastes are kept to a minimum by the use of self-lubricating equipment wherever possible. Inevitably, there is some loss, however, and these "tramp oils" are sluiced with the scale to three scale pits.

Rid of its heaviest burden, the roughing section effluent flows from the first pit to the wet well and is pumped to the three secondary pits, beyond, where the smaller scale settles out.

Waste collected ahead of the skimmers on the run-out table scale pit and clear effluent water supply a vivid "before-and-after" illustration of results achieved by the scale pits in water quality control.

This basin entraps scale knocked off the steel in the finishing stands. As the steel progresses from the roughing section through the finishing section, the scale becomes increasingly fine—until, at the last two stands, the particles are smaller than a micron (30 one-millionths of an inch). The equipment includes scrapers which move continuously along the bottom of the basin to remove the settled scale.

Like the roughing section and run-out table scale pits, the finishing section scale pit collects waste oils as well as scale.

This filter contains 93 tons of stratified anthracite coal, sand, gravel and stone. It is one of 12 that apply a method similar to that used in the final clarification of drinking water to the effluent from the finishing section scale pit.

The backwash water containing the concentrated sub-micron scale is drawn from the filter surface to a thickener. The particles of scale settling to the bottom are pumped to two vacuum filters where they are removed for disposal. Effluent water is sent back into the settling basin for reprocessing.

Vacuum filter creates "cake" of sub-micron particles, dewatered by vacuum pumping through the filter medium on the surface of the revolving drum. The caked particles are removed by a scraper, and conveyed on a continuous belt to a storage area for removal.

Thus ends the turbulent trip of the submicron scale particle. Starting on its way from the finishing section, coursing unimpeded through the scale pit, then caught in the sand filter and thickened in the clarifier, the elusive speck of iron oxide finally emerges on dry land in the form of filter cake.

2. DEEP WELL ISOLATES PICKLING WASTES

"Pickling" in steel mill language refers to the immersion in dilute sulfuric or hydrochloric acid solution by which steel rids itself of the oxide film which has formed during the heating, rolling, and cooling process. Reaction between acid and scale gradually reduces the strength of the pickle solution, and ultimate disposal of the weakened pickle liquor presents one of the steel industry's most difficult waste problems.

Process change has alleviated that problem: the volume of this stubborn waste has been reduced by temper rolling the steel to reduce pickling time.

After findings by geologists revealed that deep well injection to the Mt. Simon Strata underlying Northern Indiana would not affect ground or surface water, this method has been installed at Gary Sheet & Tin Works.

One of the processes "spent" pickle liquor must undergo prior to deep well injection is filtering out specks that could slow its flow into the porous rock in the Mt. Simon Strata.

3. NEW TREATMENT FOR CHEMICAL WASTE

The new chemical waste treatment plant exemplifies the use of waste segregation to improve control efficiency. Acid and caustic wastes from No. 5 and No. 6 tinning lines, and nitric hydrofluoric acid wastes from the stainless steel pickle line are neutralized. The different acid wastes generated in these processes have one common characteristic. All of them are effectively treated by lime neutralization. The caustic wastes, as they undergo treatment, also serve as an additional neutralizing agent in the reactor tanks.

The acid neutralization structure occupies a site adjacent to the deep injection well. Two outside feeder bins introduce lime into two mixing tanks inside the structure. Motor driven paddles mix the lime with water to form a slurry which serves as the neutralizing agent.

In the waste acid treatment plant, technician monitors automatic control board which registers the flow of acid and caustic wastes to the reactor tanks. Neutralization takes place in the reactor tanks, located at the right of the neutralization building, where the tinning and stainless pickling wastes mix with the lime slurry. Here the caustic wastes from the tinning lines make their contribution to the neutralization process.

4. TERMINAL TREATMENT REMOVES EMULSIFIED OILS FROM PROCESS WATER

Cold rolling oils, serving as both lubricant and coolant in reducing the thickness of steel from hot strip mill gauges down to sheet gauges, present an entirely different problem. These emulsified oils are only partially separable by gravity and require chemical treatment to break the emulsion before the oil can be removed.

The wastes flow from the new six-stand cold reduction mill, No. 7 cleaning line and the three-stand, four-stand, and west five-stand cold reduction mills.

Suspended solids settling to the bottom of each separator are removed by continuous scrapers and deposited in two settling tanks inside the building for further treatment.

The continuous skimmers dip into the floating oils at the intake end of the separator and skim them toward the effluent end where a screw conveyor carries them to an oil sump. The oils are then pumped to concentration tanks.

The effluent emulsion from the primary separators flows to two mixing tanks.

Two coagulating agents, pickle liquor and lime slurry, mix with the wastes in the first tank. Thus, two per cent of the plant's waste pickle liquor output is diverted from deep well injection to serve as an aid in waste control.

In the second tank, polyelectrolytes, which cause the suspended oils to form a stringy substance, are mixed in the solution.

The emulsified waste cold rolling oils make their departure from the cold rolling effluent by agglomeration, sedimentation, concentration and surface skimming in this flocculator-clarifier.

The intake from the mixing tanks enters the center of the flocculator-clarifier where the combined actions of the pickle liquor, polyelectrolyte and lime slurry on the emulsified oil are hastened by stirring with vertical paddles.

The flocculated waste flows at a uniform rate to the outer clarification compartment where sedimentation occurs.

Surface oil is collected by a revolving collector, beached on surface "run out" boxes and pumped to oil concentration tanks for disposal. Bottom rakes collect the material at the bottom, where pumps move it to centrifuges for dewatering. This clear water is the end result of the flocculator-clarifier process.

WATER CONSERVATION PROCESSES

Waste treatment at Gary Sheet & Tin Works employs six basic processes in separating pollutants from the effluent water.

Settling: Solids drop out of the water when it is contained in the scale pits, the filter plant thickener in the 84-inch mill, and the separator basins and flocculator-clarifier at the terminal treatment plant.

Flocculation is a process employed to gather particles into larger—and more readily removable—flakes. It is one of the methods employed in the terminal treatment plant's flocculator-clarifier.

Skimming, the gathering of floating oils, is the function of the arms rotating on the surface of the flocculator-clarifier. The roughing stands scale pit, the finishing stands scale pit, and run-out table pit serving the 84-inch hot strip mill also have oil skimmers.

Chemical Treatment uses lime mixed in water to neutralize tinning line acids and stainless steel pickling acids in the acid neutralization plant. In two instances of chemical treatment, the wastes themselves serve as treating agents. Waste pickle liquor is used in treating emulsified cold rolling oils in the terminal treatment plant, and caustic wastes are used for acid treatment in the acid neutralization plant.

Polyelectrolytes facilitate the removal of waste particles from the effluent water by attracting them into a stringy form. This method is utilized in the filter plant and the terminal treatment plant.

Filtering, through deep sand beds by gravity and by vacuum through a cloth filter medium, removes fine scale in the 84-inch hot strip mill process water. Waste pickle liquor is filtered through leaves of polyethylene prior to deep well injection.

Deep Well Injection thrusts spent acid solutions far below the lowest level at which potable water exists.

LICENSING X-RAY TECHNICIANS

Mr. HART. Mr. President, today the Senate Committee on Commerce reported out H.R. 10790, as amended by several proposals by the senior Senator from Alaska [Mr. BARTLETT].

I ask unanimous consent that Senator BARTLETT's statement supporting his amendment dealing with the licensing of X-ray technicians be printed in the RECORD.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR BARTLETT

Today I wish to outline the case for my amendment to H.R. 10790, the Radiation Control for Health and Safety Act of 1968, dealing with licensing of medical X-ray technicians and with accrediting training schools for such technicians.

However, before turning to that discussion, I would first like to reemphasize what I said in my July 1 statement, and that is in proposing a series of amendments to H.R. 10790, I in no way intend to detract from the value of the bill as it passed the House. I think it is most appropriate at this time to pay tribute to the gentleman from Florida, Representative Paul C. Rogers, who, like I, has had a long interest in the problem of protecting the public against potential hazards of radiation, an interest which predates recent incidents involving color television sets, a concern which extends far beyond the problem of color television sets. I am certain that history will record Representative Rogers as one of the pioneers in the effort to bring the health hazard of radiation under control.

Generations yet to be born, generations which will be born without radiation-created birth defects will be the beneficiaries of the efforts and concern of such persons as Representative Rogers.

While I have proposed several amendments to H.R. 10790, I believe that there is no difference in the approach to the problem of radiation control. That approach is, quite simply, because of the ever-increasing use of varying forms of radiation in medicine, industry and in the home, and because of the types of injuries various types of radiation cause, it is extremely important, particularly in terms of population exposure, to eliminate excessive exposure to radiation. Any unnecessary manmade exposure is excessive exposure.

As I noted in my statement yesterday, the Public Health Service has made an analysis which shows that with the proper equipment the annual genetically significant dose of radiation received from medical diagnostic X-rays can be reduced by 65 percent without affecting the quality of the X-ray. Inasmuch as diagnostic medical X-rays are the major source of manmade radiation in the nation, a reduction of that magnitude is of great importance to the health of the nation. Let me again call attention to the fact that I am not advocating the elimination of the use of X-rays as an important diagnostic tool. I am only urging that steps be taken to eliminate unnecessary exposure to radiation in the use of this most important medical tool.

There are two ways to eliminate unnecessary radiation from this source:

(1) To insure by the establishment of performance standards that X-ray equipment does not emit unnecessary radiation, and

(2) To insure through licensing of individuals and accrediting of training schools that technicians operating medical X-ray equipment are qualified.

Considerable information has been brought to the attention of the Senate Commerce Committee which clearly indicates that if we are to eliminate all unnecessary radiation from this source, licensing of X-ray technicians and accreditation of X-ray technician schools must be established, preferably by the states, but in the absence of state action, by the federal government.

At this time, as far as I know, only one state, the State of New York, has licensing and accrediting programs.

To support the case for licensing and accrediting, I could refer to the eloquent testimony of Dr. Karl Z. Morgan, Director of Health Physics Division of the Oak Ridge National Laboratory, in which he stressed the importance of testing X-ray technicians to determine their qualifications.

I could refer to the findings of New York state officials which led them to press for licensing and accediting programs.

Prior to passage of legislation establishing these programs in 1964, there were 12,000 to 14,000 persons other than physicians and other practitioners of the healing arts who were giving X-rays to humans in New York. Of that total, only 2,000 had undergone any objective testing of their competence, and those were certified by the American Registry of Radiologic Technologists, a voluntary national accrediting agency cosponsored by the American College of Radiology and the American Society of Radiologic Technologists.

Inasmuch as less than 7,000 were licensed initially after the New York program was instituted, it appears as if many of the original 14,000 persons chose not to risk failing the licensing exam.

New York state officials also found that many training schools for X-ray technicians were doing an inadequate job.

Or to support the case for licensing and accrediting, I could refer to figures which indicate that of an estimated 100,000 persons engaged in giving X-rays to humans across the nation, only 53,000 are registered as qualified by the American Society of Radiologic Technologists.

However, I think I can best make the case for licensing and accrediting by quoting from a report to the Public Health Service by the Medical X-Ray Advisory Committee on "Public Health Considerations in Medical Diagnostic Radiology (X-Rays)."

The committee concluded: ". . . The effectiveness of State licensing is controversial and the subject has been debated with self-interest and emotion as well as objective assessment.

"The committee believes, however, that the prime consideration should be the total public health interest and that the stage has been reached when mandatory requirements of examination, training, and experience are appropriate. The committee holds no brief for licensing per se, but recognizes that in many instances it may be the best mechanism for assuring the fulfillment of minimum requirements. It can be accomplished gradually, however, with a transition period to avoid the disruption of vital radiological services if such programs are put into effect. Uniformity in standards for such actions would be highly desirable.

"Implicit in a mandatory training requirement is the necessity for accreditation of the schools of X-ray technology to insure that the standards of quality and quantity of training are adequate and maintained."

The members of that committee who worked on the report, which was issued last October were:

Dr. Richard H. Chamberlain (Chairman), Professor and Chairman, Department of Radiology, University of Pennsylvania School of Medicine, Philadelphia, Pennsylvania; Professor Hanson Blatz, Director, Office of Radiation Control, New York City Department of Health, New York, New York; Dr. Carl B. Braestrup, Director, Physics Laboratory, Francis Delafield Hospital, New York, New York; Dr. Armand E. Brodeur, Radiologist-in-Chief, Cardinal Glennon Memorial Hospital for Children, Saint Louis, Missouri; Dr. Reynold F. Brown, Department of Radiology, University of California Hospital, San Francisco, California; Mr. Russell F. Cowing, Radiological Physicist, Cancer Research Institute, New England Deaconess Hospital, Boston, Massachusetts; Mr. Robert O. Gorson, Professor of Radiology (Medical Physics), Department of Radiology, Jefferson Medical College Hospital, Philadelphia, Pennsylvania; Dr. John M. Heslep, Chief, Division of Environmental Sanitation, State of California Department of Public Health, Berkeley, California; Dr. John S. Laughlin, Head, Department of Medical Physics, Memorial Hospital for Cancer and Allied Diseases, New York, New York; Dr. E. Dale Trout, Professor of Radiological Physics, X-Ray Science and Engineering Laboratory, Oregon State University, Corvallis, Oregon; Dr. Marvin Williams, 1013 Northwest 2nd Street, Rochester, Minnesota; and Dr. Harold O. Wychoff, Deputy Director, Scientific Armed Forces Radiobiology Research Institute, Bethesda, Maryland.

There is an extremely good case supporting the need to license X-ray technicians and to accredit schools training these technicians so that the public can be more certain of obtaining the full benefit of the protection afforded by establishing performance standards on X-ray equipment.

This matter is of such importance that I believe the federal government should and must give leadership to the states in developing such programs.

It was for this reason that I proposed an amendment to H.R. 10790, the Radiation Control for Health and Safety Act of 1968, instructing the Secretary of Health, Education, and Welfare:

To develop and recommend for adoption by the individual states model laws and standards for licensing X-ray technicians.

To devise advisory criteria and standards for accrediting schools of X-ray technology.

To report back to Congress within three years of publication of such standards or criteria on the progress the states have made in adopting and implementing such programs and to recommend to Congress additional legislation, if needed, and

Expressing the sense of Congress that all X-ray technicians who become federal employees, or whose salaries are reimbursed by federal grants or contracts, should pass the voluntary qualification examination as a condition of employment; and that all such X-ray technicians who are presently in a supervisory capacity should pass that examination within a reasonable time after the examinations become available.

I am gratified that in reporting out H.R. 10790 this morning the Senate Committee on Commerce approved this and several other amendments I had proposed to the bill.

In taking this important step to encourage the states to establish licensing of X-ray technicians and accrediting of X-ray technician schools, Congress will demonstrate significant leadership in protecting future generations against radiation health hazards. Does it not seem strange that while most states license barbers and beauticians, they do not require the same proof of competence from operators of X-ray equipment? I think the question answers itself.

SMALL BUSINESS AND ECONOMIC GROWTH

Mr. BAYH. Mr. President, it is commonly agreed that strong, diversified and well-managed small business establishments contribute greatly to the stability and prosperity of our economy. Through the Small Business Administration and other agencies, the Government of the United States has attempted to assist in the creation and development of small business firms.

In view of the general concern about the need for a favorable economic climate for small business, I was very interested in an address delivered recently by Prof. Arthur M. Weimer, Indiana University School of Business, at a Small Business Administration Conference held in Evansville, Ind. After outlining why economic growth is important, Professor Weimer examined six factors which help contribute to the growth of small business firms: training and education; invention, innovation, and research; management; capital; land and natural resources; and suitable climate or environment. In connection with the last point he emphasized the need for special tax treatment as an incentive toward economic growth for small business.

Mr. President, I ask unanimous consent that this important address by Professor Weimer be printed in full in the RECORD in order that his analysis and suggestions will be available for use by other Members and by the general public.

There being no objection, the speech was ordered to be printed in the RECORD, as follows:

SMALL BUSINESS—PARTNER IN BALANCED ECONOMIC GROWTH

(Presented by Arthur M. Weimer at the Small Business Administration Conference, Evansville, Ind., June 27, 1968)

The basic economic problem at home and abroad is growth. It may well be the major sociological and psychological problem as well. "Growth comes from change and causes change," as the late David McCord Wright often said.

James McKay, in his ***Management of Time,*** said "happiness is neither virtue nor pleasure, neither this nor that, but simply growth. We are happy when we are growing."

John K. Galbraith stresses the importance of economic growth. He says, ". . . no other social goal is more strongly avowed than economic growth; no other test of social success has more unanimous acceptance. . . . Corporations can easily identify with this goal." Galbraith suggests that growth involves more than a rising Gross National Product. He is concerned with the quality as well as the quantity of growth. Indeed most of us have tended increasingly to emphasize quality factors as we have grown more prosperous.

Why is economic growth so important? First, we have not repealed the law of supply and demand; despite much affluence we still live in an economy and a world of *scarcity;* we are still in a race between the *inventor and investor* on the one hand and the *stork* on the other.

Second, growth leads to expanding opportunity and this is what we need for the disadvantaged at home and the less developed nations abroad. *Expanding opportunity* is the best avenue to a great society. The real democracy is democracy of aspiration backed up by equality of economic opportunity. Only through expanding opportunity can we hope to maintain a virtually classless society with avenues upward for all who have the ability and the will to travel them. Growth cuts through such problems as those posed by rich and poor, poverty and affluence, equality and excellence. Growth means a bigger pie with opportunity for bigger slices of this larger pie for all, rather than a pie of fixed size with increasingly intense competition for the pieces that can be cut from it.

Third, growth provides the best opportunity for a resolution of the differences between the "have" and "have not" nations. For us it is *clearly better to have rich neighbors than poor ones.*

Fourth, and of special interest to the business community, *growth allows business to identify with the basic goals of our society; and to contribute to their achievement.* Business is more than a quest for profit—it is a quest for growth, for expanding economic opportunity, for expanding resources that can add to the quality of our lives: growth enables us "to pursue nobler things in a nobler way," as Wright put it.

Thus, I suggest that the problems of both large and small business may be identified with growth, or as the title of our conference suggests, balanced growth. Small business has a special concern with growth, both selfishly and in the interests of our society as a whole.

How do we achieve economic growth? How does it take place? What are the major ingredients of growth?

Economic growth for a small business firm, a large business firm or the American economy as a whole, can result, as economists—especially Edward Dennison—tell us, from a variety of factors, but especially from

(1) the training and education of the work force.

(2) additions to knowledge resulting from invention, innovation and research.

(3) improved management and entrepreneurship.

(4) capital and capital formation.

(5) land and other natural resources.

(6) the climate or environment for growth.

Of special importance for a growth climate are attitudes toward growth, saving and investment, stable government, incentives for growth, respect for law, widespread decision-making—as provided through a system of small business, market competition and private property, a belief in the potential of the human race for improvement, and the *will* to grow.

All of us know how important it is to improve the capabilities of our people; within the firm, the community, or the country as a whole, and so I will not dwell on the importance of education for growth processes, much as I am tempted, as a university professor, to do so. Whether at the elementary school level, or in management development programs for executives or clinics for practicing physicians or other continuing education programs, we all know that education can add greatly to the capabilities of people and hence to their productivity and growth. Often small business needs special help in the education and training of its workers as well as its managers and programs for these purposes have been provided by the Small Business Administration as well as by many of our colleges and universities.

In recent years we have all grown more aware of the importance of research, invention, innovation and creativity in the growth of small or large firms, or our communities as a whole. *New ideas generate growth.* Those who know how to manage the production and development of ideas are very likely to reap rich rewards. R & D programs have added much to the growth of companies and the economy as a whole. One of the problems of small business is the high cost of research and development these days. Although it is true that many of our new ideas, inventions and innovations still come from small businesses, there is growing competition in this area from the R & D divisions of larger firms. Indeed, *the importance of small business in leading to new innovations is one of the reasons we must make sure that small business continues to be a major force in our economy.*

We have tried to help small business in this area at Indiana University, by providing ready access to the results of federal research and development programs, through the Aerospace Research Applications Center, better known as ARAC, which was established over five years ago. We have cooperated with the Small Business Administration in experiments to determine how best to make the results of federal R & D programs such as those of NASA, AEC, Defense and others, available to small business. We have made some progress, but still have a long way to go.

Improved management for small business is resulting from better programs in our schools and from the efforts of the Small Business Administration. As Executive Vice President of the American Association of Collegiate Schools of Business I can personally testify to the improvements that our business schools are making. Of special importance are executive and management development programs, special courses often offered in cooperation with the Small Business Administration, and the increasing willingness of managers of small business firms to improve their performance.

Capital is always a problem for small business and in periods of tight money such as the one we are in now, for most of us. The Small Business Administration has helped to improve conditions in this area, in part through the SBICs and various cooperative programs with financial institutions. A major problem is the difficulty of small business to compete for funds, especially in periods of tight money. Small business firms, small municipalities, and the housing industry appear to have the most difficulty in competing for funds during such periods. I believe some special studies ought to be undertaken in this area.

I will not consider land and natural resources here, other than to recognized their importance in economic growth processes. Many small business firms need to improve their longer-range planning so that their growth is not inhibited by a lack of land and facilities. Those firms operating in extractive industries, such as oil or mining, encounter special types of problems, but we will not undertake to consider these here.

Now for a few comments about the climate for small business and for balanced economic growth. Of special importance are incentives; for example, I believe there is need for special tax treatment of small business. What is needed especially, I believe, is an added chance to accumulate capital in the small firm. Professor Robert R. Milroy of Indiana University and I, along with some others have a few suggestions for this area.

Let us take, for example, the proprietorship, or small corporation owned by a single stockholder. Here the owner would, as now, be fully taxed on the earnings, drawings, or salary taken from the business for non-business purposes. But earnings left in the business and left for bona-fide business purposes—R & D, employee incentive plans, plant and equipment—would not be immediately taxed at all. After the business had reached a certain level of non-taxed retained earnings, or had enjoyed this non-tax status for a certain period, say 5 years, the tax which had not been paid under regular tax rates and provisions could be computed. The business would then be liable for this amount spread in equal annual payments over a period of say 10 years. Thus, the incentive would in effect be an interest free advance of expansion capital in varying amounts over the period involved. In a sense this would be similar to the allowance of accelerated depreciation over the straight line depreciation rates which, in many instances, amount to a tax free advance from the government.

Of course, a plan such as the one I have suggested would have to be hemmed about with several safeguards to prevent abuses and would have to be integrated with other taxes, such as the gift and estate taxes. Congress and the Treasury certainly have had a vast experience in developing legislation designed to accomplish certain economic and social objectives without thereby bringing about impairments to the federal revenues. As a minimum, I suggest that a careful study be made of a plan of this type. I believe such a plan would go a long way toward assuring the continuation of small business as a vital force in our economy.

A study of the type suggested might also take a careful look at estate taxes. It seems to me that such taxes now encourage the sale of small businesses by owners, usually to larger firms, rather than trying to keep them going into the next generation of the family or by other small business operators. Similarly, trust officers of banks often encourage the liquidation of small firms when they are in estates, turning the assets into marketable securities. I wonder if this is in the best interest of the heirs to the estate or the best interest of our economy. This is another area that may merit further study.

Personally I would like to see the State of Indana make a special effort in the small business area to encourage existing small business firms as well as to induce new firms to start here. Our State is becoming, to an increasing extent, a branch office and branch plant state. It is true that some of the branches were originally independent companies that have subsequently become affiliated with larger concerns. In any event, when the major decisions are made outside the state it is not always clear that the interests of the state or of local communities are given the attention some of us would like. By contrast, small business firms identify themselves closely with their local communities and with the state. If it is at all possible to do so, I should like to see us try to develop a climate that is especially favorable to the establishment and development of small business firms in this state.

I am happy to recognize the excellent work that the Small Business Administration has done in this state and throughout the country. I am sure the SBA will continue to contribute much to our development in the future. Our universities have made special efforts in this area, not only through their regular educational and research programs, but through their special efforts such as those of the Indiana Executive Program and the Aerospace Research Applications Center at Indiana University, as well as those of Bureaus of Business Research, Extension Courses and Study Conferences in a number of our universities. It may shortly be possible to implement the State Technical Services Act in Indiana and this may provide another important area of assistance to smaller firms.

Regardless of the programs of government agencies, educational institutions, and other organizations, the growth of small business firms depends on a final analysis on their managers and owners. If they have the will to grow and if there is a favorable climate for growth, they will contribute substantially to the economic growth of our communities, the state and the nation as a whole.

Let me close with a short quotation from David McCord Wright, to whom I referred earlier:

"It is impossible to understand modern society without thinking of it, first and foremost, as a continuing process of change, adaptation and growth . . .

"The thing which distinguishes our period, with all its shortcomings, is still that surging process of experiment and hope which shows itself, among other things, in economic development. Each recent generation has found its horizon larger than the one before, until now the process of expansion and discovery has been built into the very fabric of our culture."

UNITED STATES NOT SICK

Mr. FANNIN. Mr. President, last week the New York Times published the results of the Gallup poll that reflects the view of the majority of the American public that America is not sick.

There have been some few who have tried to counteract the pronouncements of our prophets of doom who take their greatest pleasure from diagnosing the state of the collective American psyche. May I say that I do not take the results of the popular pollsters as "ex cathedra" pronouncements. I think they are a tabulation of what approximately 1,500 people say they think about a certain question. Sometimes these results check out at the real polls, sometimes not. However, I think the results of the Gallup organization in polling their 1,500 national sample may be of interest to the Senate on its own merit and accordingly ask unanimous consent that it be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

MOST IN POLL SAY UNITED STATES IS NOT SICK—NEGROES AND WHITES DIFFER ON QUESTION BY GALLUP

PRINCETON, N.J., July 2.—A majority of the American people reject the notion that the United States is a "sick society," but as many as one-third do hold such a view, the Gallup Poll indicated today.

Strangely, the two groups in the United States most inclined to view the nation as a "sick society" are widely disparate ones—Negroes on the one hand, supporters of Presidential candidate George C. Wallace on the other.

Negroes by the ratio of about 8 to 7 say this country is "sick," but white people by the ratio of more than 3 to 2 hold the opposite opinion.

Some light on the nature of support for three leading candidates is seen from an analysis of attitudes toward United States society.

Backers of Vice President Humphrey are somewhat less inclined to view this country as "sick" than are supporters of Richard M. Nixon and considerably less so than are backers of Mr. Wallace.

"You can't judge a nation by a few individuals who make headlines," said a 39-year-old California resident, echoing the sentiments of many others who believe this is not a "sick" society.

Here is a summary of reasons given by the proportion (58 per cent) who hold the majority opinion:

Only a small number are to blame.

Too much publicity is given crime.

Society today is no worse than in the earlier years.

The United States is no worse in this respect than other countries.

Our society is not "sick," but confused.

Those who hold the minority point of view about society frequently comment along the lines of a young Cleveland housewife:

"There are too many uncalled for, brutal things happening these days."

Those who think the nation is "sick" offer reasons of two types, causes and symptoms, here summarized:

The amount of rioting, killing and crime.

Lack of sufficient law enforcement.

Laxity of the courts.

Selfishness of the people.

Insufficient individual initiative

Poor upbringing.

A breakdown in morals.

A turning away from religion.

Little difference is found between the views of men and women, by age groups, or between churchgoers and non-churchgoers.

Marked differences, on the other hand, are found in terms of educational background and race.

The following question was asked of a total of 1,538 adults in the latest national survey conducted between June 15 and 18:

"Some people are calling this country a 'sick society.' Do you agree or disagree with them?"

Here are the national results and findings by key groups:

[Percent]

	Agree	Disagree	No opinion
National	36	58	6
Negroes	48	43	9
Whites	35	60	5
Wallace supporters[1]	42	51	7
Nixon supporters	36	61	3
Humphrey supporters	32	61	7
Men	35	59	6
Women	37	57	6
21 to 29 years	37	57	6
30 to 49 years	34	62	4
50 and over	37	56	7
College trained	30	67	3
High school	37	58	5
Grade school	39	52	9
Protestants	38	57	5
Roman Catholics	32	61	7
Churchgoers	34	59	7
Nonchurchgoers	38	57	5

[1] Based on latest Nixon-Humphrey-Wallace trial beat.

THE F–111A

Mr. CURTIS. Mr. President, I would like to call the attention of the Senate to two recent articles in Washington newspapers describing a failure that occurred during ground testing of the structural strength of the F–111A airplane, the Air Force tactical version of the TFX. The stories originate from recently released testimony before the Senate Preparedness Investigating Subcommittee. These two articles were written by the Associated Press and, judging by my mail, were seen by many people beyond the immediate Washington area. The first of these stories appeared in the Washington Post of Sunday, July 7, 1968, and the second followed in the next day's issue of the Post, on Monday, July 8. Mr. President, I ask unanimous consent that the colloquy from the transcript of the hearing on this subject and also these two articles be printed in the RECORD at the conclusion of my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 1.)

Mr. CURTIS. The discussion in the hearing reveals the story of how the wings of the F–111A were broken off during the normal testing program that is supposed to verify the strength of the airplane's design. I had questioned Dr. John Foster, Director of Defense Research and Engineering, as to whether he knew that this failure had occurred just 6 weeks before the F–111's were sent to combat in Southeast Asia, since he had said earlier that he had reviewed the deployment plans very carefully, and he admitted that he was aware of it. Then an explanatory insert was put into the hearing record at a later date to try to minimize the significance of this failure, and I might add that the recent statements in the newspaper articles attempt the same effect.

Now this is exactly the point that I have to quarrel with. The bare facts of this matter are that the airplane's structure failed short of its required strength, and, as a result, the pilots that fly it in combat have a "flight restriction" on the number of "g.'s" that they are allowed to use in maneuvering the airplane, so they are not allowed to use the airplane's full maneuvering capability if they are attacked in combat.

All of this is admitted by the Pentagon. The Pentagon apparently decided to take a calculated risk that this situation would not occur in combat, that the pilot would not need to perform maximum maneuvers, and they sent the airplanes over there anyway—as we all well know.

Now, why cannot these people tell the American people the truth about this matter and admit unequivocally that it was a calculated risk and that the test failure does restrict the pilot's maneuverability. Instead we get a lot of obfuscation that is deliberately intended to be misleading, and I have in mind such quotes as:

> When one is making a test on aircraft components, one frequently stresses them to the very limit.

Or—

> Before we finish testing, every part on the plane will be broken.

These statements are cleverly designed to imply that the airplane deliberately was being tested to the point of failure, which it absolutely was not. In fact, if as Dr. Foster said—

> Tests to limit design load, required to clear the F–111A aircraft for flight, generally were satisfactory and did not disclose any major structural difficulties—

Then there would be no reason to apply any maneuvering restrictions below the airplane's design capabilities. I would submit that, although the testing involved here is normal, it is the failure that is abnormal, and certainly sending a plane into combat with these known weaknesses is extremely questionable judgment.

Mr. President, I want to close by saying that I hope these remarks will serve to clarify this question for my colleagues in the Congress and let all of us hope that some day soon there will be a new spirit of truthfulness in the Pentagon so that the American people again will be able to believe the facts and explanations that they hear from that source.

Exhibit 1

DEPLOYMENT OF F-111A'S TO SEA

Senator Curtis. Dr. Foster, you said this morning that you reviewed the plans to deploy the F-111A to Southeast Asia very carefully before the go-ahead was given to send these planes. Did you do this just before they were sent over in March?

Dr. Foster. Yes, I did it before they were sent over.

FAILURES IN F-111A'S DURING STRUCTURAL TESTING

Senator Curtis. Were you aware at the time the decision was made that the wings had been broken off of the F-111A during structural testing on the ground in late January 1968?

Dr. Foster. Yes, I was aware of that. There was a test made to determine the structural strength of those components on the F-111A, and the aircraft components did withstand the tests required of them. There was an indication, however, of failure more abruptly than was expected.

Senator Curtis. The wings broke?

Dr. Foster. Yes, but when one is making a test on aircraft components, one frequently stresses them to the very limit.

Senator Curtis. The information that I have is that the failure occurred on January 23, 1968, at test conditions that would be comparable to a fight at match [deleted] feet altitude. The wings were at a [deleted] degree sweep. The structure was supposed to be able to withstand a load of [deleted] g at an aircraft weight of [deleted] pounds with a 50-percent overload safety margin.

At a [deleted] percent load, as opposed to the requirement of 150 percent, the wing [deleted] buckled and broke. When it broke, there was considerable secondary damage to other parts of the structure. Is that your understanding of what happened?

Dr. Foster. I believe, Senator Curtis, that is substantially correct. However, I believe you cannot make it as simple as you did in your initial statement. There was a structural deformation, that is correct, but it was an overtest of the aircraft's capability.

Senator Curtis. It didn't reach the 150 percent?

Dr. Foster. That is correct. It reached [deleted] before the yield set in, that is correct.

STATUS OF STRUCTURAL FIX

Senator Curtis. I understand that a structural fix has now been devised, and that hopefully it will bring the structural strength up to requirements. Has this structural fix been put into the airplanes that were sent to Vietnam?

Dr. Foster. I will check and provide this for the record.

(The information furnished follows:)

"No, the structural fix was not incorporated in the F-111As that were sent to Vietnam. At the present time the F-111 aircraft are operated under temporary limitations that restrict the flight envelope to conditions producing stresses of no more than [deleted] percent of the limit design load. The ultimate failing strength of the structure under static loads is required to be 50 percent greater than the limit design load. Where structural tests to failure have been performed, flight conditions were limited to those producing loads of two-thirds of the failure load. Tests to limit design load, required to clear the F-111A aircraft for flight, generally were satisfactory and did not disclose any major structural difficulties.

"In static tests to ultimate load, the wing [deleted] failed at [deleted] percent of design limit load, or [deleted] percent of the required ultimate load [deleted]. This failure was the buckling of a panel and did not involve actual fracture of the material. Fixes appropriate to this type of failure involve stiffening the structure and providing intermediate supports to the panel to cut down the free buckling length. According to current plans, static testing of all major structure to critical design conditions will be completed by [deleted]."

Senator Curtis. Well, information has been given to me that it has not.

Dr. Foster. Yes, sir.

[From the Washington (D.C.) Post, July 7, 1968]

F-111A Wings Snapped Off During Ground Test

The wings of an F-111A broke off during a ground test for structural strength two months before the controversial warplane was sent to the Vietnam War zone, it was disclosed yesterday.

The Defense Department said a structural change designed to correct the condition had not been incorporated into the planes sent to the war zone but they were operating under limitations to reduce the amount of stress.

And, the Department said, the incident in which the wings broke off involved "an overtest of the aircraft's capability" involving strains far beyond those expected in normal flight.

The wing failure was brought out by Sen. Carl Curtis (R-Neb.), at a closed hearing of the Senate Military Preparedness Subcommittee April 24.

A transcript, censored by the Defense Department, was made public yesterday.

Dr. John S. Foster Jr., director of defense research and engineering, told Curtis that "when one is making a test on aircraft components, one frequently stresses them to the very limit."

Foster said in a later report to the Subcommittee that normal tests required to clear the plane for flight "generally were satisfactory and did not disclose any major structural difficulties."

Three of the first eight F-111As sent to the war zone—they were based in Thailand—crashed during combat flights. The flight controls of one were jammed by a tube of sealing liquid. The cause of the other two crashes has not been determined. In May, an F-111A flown by a test pilot crashed in Nevada. The cause was traced to a defective valve part.

[From the Washington Post, Monday, July 8, 1968]

F-111 Maker Calls Tough Test Normal

Fort Worth, Tex., July 7.—The president of General Dynamics said today that Defense Department ground testing of the type that reportedly broke the wings off an Air Force F-111A fighter-bomber was normal.

The Fort Worth General Dynamics plant builds the controversial aircraft.

Testimony at a Senate hearing made public yesterday revealed that the wings of an F-111A broke off in testing two months before the first F-111As were sent to the Vietnam war zone.

"Before we finish testing, every part on the plane will be broken," Frank W. Davis, General Dynamics president, said today.

"That's what we test for—stress limitations."

"We've had no failures of any planes at stress simulation to be expected in combat," he added.

According to a news story Saturday, the wings broke off in an over-test of the aircraft's capability.

The Defense Department said a structural change designed to correct the condition was not incorporated into the planes sent to Vietnam combat.

CHANGING NATIONAL PRIORITIES REQUIRE A NEW LOOK AT VIETNAM

Mr. McINTYRE. Mr. President, no issues have occupied the attention of Members of Congress and the citizens of our Nation over the past 3 years more than those posed by our military involvement in Vietnam. For the past 3 years, the pursuit of our objectives in Vietnam has received the highest national priority. I have fully supported this policy in the past, as I have fully supported the gradual increase in the American commitment of men and money to our military involvement.

I have taken this position in the past because I believed that our foreign policy goals of resisting aggression in Southeast Asia held a higher priority than our goals at home and in other parts of the world. I can no longer justify this position to myself and to my constituents. I can no longer espouse it without feeling that doing so will mislead the people of my State.

I suppose that I can best illustrate my feeling by reference to the two standing committees of the Senate on which I serve. In the Committee on Armed Services, I have for years been exposed to the ever-increasing needs—and they are quite legitimate needs—of our Military Establishment for increased funds. These needs have received the highest possible priority from Congress.

I also serve on the Committee on Banking and Currency, where each year the Subcommittee on Housing and Urban Affairs hears weeks of testimony about the needs of our Nation's citizens for decent housing, jobs, opportunity to grow and share in the promise of our Nation, and for protection from the crimes of violence increasing each day in our cities. Each year Congress has assigned these needs a considerably lower priority than our military needs. I have felt that this action was justified in the past. I no longer feel so.

I believe that all of us must recognize that the world has changed about us during these past years. In particular, our own world, within the borders of our Nation, has changed. We are now paying the price of centuries of governmental neglect of the magnitude of poverty, of discrimination, of suffering. If those qualities of life in the United States which we love are to endure, we must act now to preserve them by attacking those forces which bid to wreck our society—hunger, slums, and crime. These are matters directly affecting the preservation of our Nation. They, not the war in Vietnam, now deserve the highest priority.

What does this mean in terms of specific, concrete action? To me, it means that we must move in the one area where Congress holds full and complete jurisdiction over the setting of national priorities—the budget. I can no longer give my support to the appropriation of more and more funds for increasing the American commitment of men and money to Vietnam. I can no longer give my support to increases in our expenditures in Vietnam in any program, unless they be for the purpose of replacing American men and determination with that of the people of South Vietnam and their neighbors in Southeast Asia.

I should like to add a personal note, Mr. President, in closing. I am not a candidate for reelection to the Senate at this time. My term has 4½ years to go, and I rather suspect that any words I say at this time will have little effect in any campaign for reelection which I might wage. This March I was a candidate for the office of delegate to the national convention of my political party. In a campaign in which Vietnam was the principal issue, I received more votes than any other candidate in my State—and I campaigned on a platform of firm support for all of our military activities in Vietnam. So I would not have it gossiped about in newspaper columns that the change in my views is based upon any political advantage which it might gain for me. I am not in the political arena searching for votes. Changing national needs require changing national priorities. Congress must itself meet these changing needs. I stand ready to do my part.

AMENDMENT OF THE INTERNATIONAL CLAIMS SETTLEMENT ACT OF 1949

Mr. DODD. Mr. President, I am pleased that the House of Representatives today passed H.R. 9063 to amend the International Claims Settlement Act of 1949 with the addition of the Senate amendment providing for the return to persecutees and allied nationals of their interests in corporations seized during World War II.

It is my hope that these provisions will be widely publicized so that all those who should be compensated under this measure will promptly file their claims and have them duly considered. I am gratified that even those who were not able to file a claim before the original period for doing so expired under the previous statute, are now eligible to also file their claims.

I believe that this amendment is a fair and just solution to this longstanding problem.

A THREATENED MONETARY CRISIS

Mr. BREWSTER. Mr. President, the United States, along with the rest of the world, faces an intolerable monetary crisis. A long-term solution must be paramount among our priorities if international depression is to be avoided.

As I have stated often before, much of the problem is subject to fiscal remedies such as a decreasing emphasis on reaching the moon and a cutback in U.S. troop strength in Europe. But the problem cannot be finally resolved unless we continually address ourselves to the international money crisis. Several months ago the Congress wisely removed the 25-percent gold cover on our currency. But this action was nothing more than a token. Lasting treatment of the problem is still needed. In the interest of continued congressional and public awareness of the specific issues at hand, and in the interest of stimulating further corrective measures, I would like to recommend a series of five articles, by J. A. Livingston, which appeared in the Baltimore Evening Sun from June 24 through July 3, 1968.

Mr. President, I ask unanimous consent that these Evening Sun articles be printed in the RECORD.

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

[From the Baltimore (Md.) Evening Sun, June 24, 1968]

GOLD VERSUS THE LESS THAN ALMIGHTY DOLLAR: NATIONS MOVE CAUTIOUSLY TOWARD A SYSTEM OF MANAGED RESTRAINT—I

(By J. A. Livingston)

The international monetary system which nurtured postwar prosperity is in trouble. That means that world prosperity—the rise in employment, sales and living standards in the United States, Europe, Japan and the rest of the world—faces trouble.

The system is in trouble because the dollar is no longer almighty. It limps from crisis to crisis—first the devaluation of sterling in November, 1967, then the forced shutdown of the gold pool in March, 1968. A prudent man will expect more crises.

If the dollar gets through the storms ahead, then the world's money managers will have outdone the alchemists of old. They will have produced gold—"paper gold."

A new international monetary instrument has been fashioned—Special Drawings Rights (SDRs)—to be administered by the International Monetary Fund (IMF). In time, SDRs could develop into a substitute for and a supplement to gold. In settling balances between nations they would meet the touchstone of George Herbert, early Seventeenth Century British poet: "That is gold which is worth gold."

But even this prospective creation has suffered a setback. Gold now sells in the free market above $40 an ounce. Yet the central bankers intend to peg the price of "paper gold" at $35, the official United States price. Will it be possible to have paper gold at one price and metallic gold at another?

MANHANDLED

Once the dollar was better than gold. But it has been manhandled. To paraphrase the annual report of Gabriel Ferras, general manager of the Bank for International Settlements, the dollar for many years has "run a poor second" to domestic expansion and wage and price increases.

Persistent balance-of-payments deficits—living beyond even America's great means—have piled up short-term liabilities to the world of more than $30,000,000,000. At the same time, the United States gold stock has fallen to about $10,000,000,000.

The United States is like a bank whose assets are frozen. It has massive long-term investments. But if depositors, en masse, line up at the tellers' windows—curtains! Consequently, international financiers use words such as "fragile" or "uncomfortable" or "tense" or "critical" to describe the six, twelve and eighteen months that lie ahead and for which they lie awake nights.

Fear holds the system together. The consequences of breakdown are too dreadful for finance ministers or central bankers to contemplate. Devaluation of the dollar—breaking its tie with gold—would open a Pandora's box, says Otmar Emminger, a director of the German Bundesbank and a co-creator of "paper gold."

RESTRUCTURING SURE

This is sure: The system will be restructured—either by plan or crisis, either by international collaboration or the coercion of events.

So finance ministers and central bankers compromise and improvise. Edwin Stopper, president of the Swiss National Bank, which corresponds to the Federal Reserve Board, said to me: "We are a monetary community. We can always find intermediate solutions in order to gain time for a permanent solution."

International cooperation—we're all in the same leaking boat—has brought forth currency swaps, special loans by West Germany to the United States and Roosa bonds, named after Robert V. Roosa, former Under Secretary of the Treasury. Object: To avoid pulling down the United States gold stock further.

Central banks have the right to turn in dollars for United States gold. Yet the United States gold stock has dropped so low that further reductions might destroy the system by forcing the United States to embargo gold payments. So central bankers hold dollars they neither need nor want. Their right to gold exists. But caution dictates forebearance in the exercise of that right.

WAR CHEST

In an unpeaceful world, a major power requires gold as a war chest—a last-resort medium of exchange for scarce materials. Were United States gold holdings to shrink another billion or two, a sign might be placed in the gold window of the Federal Reserve Bank in New York: "Out to lunch." And it would be a long lunch hour. The President has to think of the Pentagon as well as the dollar.

The prayer behind this fore-bearance is: if only the United States, if only the dollar, can get through the next twelve to eighteen months without a crisis! If only there's no run on sterling to harry the dollar! If only there's no further escalation in Vietnam; If only there are no riots to force added Federal expenditures to buy quiet in the ghettoes! If only Israel and the Arabs don't go at one another again! If only French disorders don't flare into runs on paper currencies—the franc, the pound, the dollar!

The American Bankers Association held an international monetary conference in Puerto Rico from May 19 to May 24. Government officials, commercial bankers and economists from major countries, such as Japan, Sweden, Germany, Italy, Finland, Denmark, the Netherlands attended. French officials didn't arrive. They were moored by the riots in Paris. But even without the French, misgivings were plentiful.

TAX SURCHARGE

Secretary of the Treasury Henry H. Fowler was the concluding speaker. He declared that failure of Congress to pass the 10 per cent tax surcharge would:

"Hamper our efforts to bring our balance of payments into equilibrium . . . risk a full scale international crisis . . . .undermine faith in the ability of the United States to conduct its affairs responsibly—a faith that is and has been fundamental to the strength of the dollar."

Then he added: "We are no longer faced with dangerous future contingencies but with a current movement toward damaging inflation, financial deterioration and a loss of confidence." One listener commented: "Fowler isn't pressing the panic button. The panic button is pressing Fowler." Obviously an international monetary structure which depends on a United States tax bill is rickety.

A month earlier, William McChesney Martin, Jr., chairman of the Federal Reserve Board, chose a sophisticated audience, the American Society of Newspaper Editors, to declare: "The nation is in the midst of the worst financial crisis since 1931. Then, the problem was deflation. Today it is inflation and equally intolerable."

POUND DEVALUATION

In September, 1931, Great Britain was forced to devalue the pound from its proud $4.86 perch. That precipitated a succession of currency devaluations. One nation after another refused to be underpriced in the fierce competition for a diminishing volume of world trade. Cut-throat commercial policies—high tariffs, quotas, restrictions—exacerbated the Great Depression.

But Britain never corrected its internal inflation. It lost out in world competition. World War II prompted a devaluation from $4.03 to $2.80. Then Britain's persistent balance-of-payments trouble forced another markdown in the exchange rate to $2.40 last year.

America, many Europeans fear, is following the British example—indulging an expansive taste on an overdue-credit card.

Financial physicians—treasury officials, central bankers and commercial bankers around the world—recognize the symptoms:

1. Too much money around the world, specifically too many dollars.

2. Overspending by the United States at home and abroad. This explains the inability of the United States to pay its current bills and contributes to:

3. World-wide inflation: Excessive wage and price increases in the United States, Sweden, the Netherlands, France, Italy and other nations. (Germany is a mild exception. It has just gone through a recession which disinflated the boom and improved productivity.)

SPIRAL SHOWDOWN

An economical tranquilizer has been prescribed—a slowdown in the wage-price spiral, particularly in the United States.

That perhaps—but only perhaps—will diminish United States balance-of-payments deficits.

If that happens, fears and misgivings will abate. The money managers then will have "acquired time—surcease from tension—to modify and modernize the monetary system with 'paper gold.' "

Nations then won't be beholden to South Africa or the Soviet Union for increases in their monetary reserves. And men will be able—by multilateral watchfullness within the IMF—to escape from the mastery of gold. This is why defense of the dollar is so important.

[From the Baltimore (Md.) Evening Sun, June 26, 1968]

ARE WE LIVING OVER OUR HEAD?—TAKING A LOOK AT THE U.S. DOLLAR AND AT OTHER NATIONS—II

(By J. A. Livingston)

Must the United States worker's wage rate be slashed to meet the competition of lower-paid foreign workers?

Has the American standard of living become too much for advanced United States technology to overcome?

If the answers are yes, then the dollar is overpriced. It will have to be devalued vis a vis the German mark, Japanese yen, Swiss or French franc and Dutch guilder.

Instead of four marks to the dollar, perhaps the exchange will be 3½; instead of 360 yen 315; instead of 3.6 guilders 3.15.

DOLLAR DEVALUATION NOT RECOMMENDED

This is a dreaded contingency. "No responsible banker could recommend devaluation of the dollar," says Otmar Emminger, a director of the German Bundesbank and an architect of the plan for Special Drawing Rights—paper gold. It would:

1. Unhinge the international monetary system from its dollar base. There'd be disruption if not chaos. From day to day, no exported or importer could be sure how much his products would sell for and how much his materials would cost.

2. Repudiate the United States pledge to keep the dollar as good as gold at $35 an ounce. Nations—central banks—which relied on that promise and held dollars would feel cheated. They would have the same number of dollars, but those dollars would command fewer ounces of gold and fewer marks, francs and other currencies.

3. Derange the United States budget. Dollars appropriated for military outlays, economic aid and diplomatic expenses abroad would buy less.

Everywhere on my tour of European financial capitals, I asked: "Do you think the dollar is overvalued?"

SURPRISE ANSWER GIVEN IN PARIS

In Paris, I got a surprise answer: "All currencies are overvalued in terms of gold."

But even the French, when I made clear that I was talking of currencies, not gold, protested:

"No. If the dollar is overvalued, it's overvalued so slightly that a little domestic restraint will bring it into line with other currencies."

These hopeful appraisals, however, are not supported by economic results. Under Presidents Eisenhower, Kennedy and Johnson, Americans—you and I—have not paid our way in the world.

We've behaved like the lordly rich man who year after year runs up debts to the butcher, baker and electricity maker. All the while, he entertains royally, lavishes funds on favorite charities, helps out poor relations and maintains a huge police force around his estate.

SPENT $26 BILLION BEYOND OUR CURRENT INCOME

In no year since 1957 have we generated enough international income from the sale of goods and services and from earnings on investments to meet outlays for imports, tourist deficits, grants and aid, military undertaking (including Vietnam), and investments by American corporations and individuals. We've spent $26,000,000,000 beyond our current income in ten years. This has been met, in part, by:

1. Paying out $12,000,000,000 in gold.

2. Increasing liabilities to foreign central banks and governments by $9,000,000,000—from $9,000,000,000 to $18,000,000,000.

3. Reducing the United States net creditor position at the International Monetary Fund by $1,500,000,000.

Thus we have impaired our reserve strength—our gold and borrowing cushion—by more than $22,000,000,000. In addition, we added to dollars owed to banks, businessmen and individuals.

CREDITORS EXAMINE OUR ABILITY

Our creditors have begun to examine our ability—at present rates of exchange—to pay our monthly bills. This is what they see:

One: The United States share of world exports declined from 18.2 per cent in 1960 to 16.6 per cent in 1967. Simultaneously, the United States share of world imports rose from 13.7 per cent to 14.5 per cent. Inference: Foreign products—either because of price or quality or United States boom—have been muscling a larger share of markets here and abroad.

Two: United States companies are constantly buying companies and pianos abroad. This is why President Johnson has imposed controls on capital exports. Sure, American companies want foreign subsidiaries to escape tariffs and save on shipping costs. But they venture abroad only when convinced that American productivity and knowhow won't scale tariff walls, differences in labor costs and distance.

Three: The United States trade surplus—exports minus imports—dropped from a high of $6,700,000,000 in 1964 to $3,700,000,000 in 1966 and came back to only $4,300,000,000 last year. The figures are even more dismal than they appear. About $3,000,000,000 of United States exports are "subsidized"—tied to foreign aid. So the "unsubsidized" surplus was only about $4,000,000,000 in 1964 and $1,000,000,000 last year.

THE ECONOMISTS JUMP TO CONCLUSION

When a nation over many years fails to meet its payments, economists jump to a prima facie conclusion: Devaluation is needed to restore balance.

Prime Minister Harold Wilson finally chose this course. This reduced the price of British workmanship in world markets by lowering the international value of the pound. At the same time, it raised the price of foreign workmanship on imports to Britain. Expectation: British sales will increase faster than British purchases. Its trade balance will improve.

Let's examine the arithmetic of this for the United States. Suppose the dollar is devalued by 12½ per cent. An American manufacturer who shipped a product to Germany for $1 could then cut his price from four marks to 3.5 and still be just as well off. (The 3.5 marks would be equal to $1.) Presumably sales would rise.

On the other side, however, a German manufacturer would have to raise his United States price to come out in the same place. Assume he had been selling a product for $1. He'd have to ask $1.14 to get four marks as before. (A 12½ percent devaluation of the dollar revalues the mark from 25 to 28.5 cents.) Presumably sales would drop.

Assumption: United States exports would rise, imports fall, and thereby the United States trade balance would improve.

But world opinion—expert opinion—recoils from this solution. Alfred Hartman, general manager of the Union Bank, largest commercial bank in Switzerland, says: "Devaluation of the dollar is impossible. The United States has an export surplus. Great Britain's difficulty was that it had not the ability to produce more or the marketing ability to sell more."

To Eric Hoffmayer, chairman of the National Bank of Denmark, "The long-run competitive position of the dollar is impressive."

Emile van Lennep, treasurer general of the Netherlands, feels that "United States tax increase, careful demand management and export controls will reduce the balance-of-payments deficit" and avert devaluation.

PAYMENTS NOT UNDER CONTROL

Yet, for seven years before escalation in Vietnam (1958–1964 inclusive), Americans—you and I and three Presidents—couldn't get our balance of payments under control. We got into bad habits—living beyond current income. Can we—will we—change these habits now?

Until we do, until the deficit is reduced noticeably, there won't be confidence in the world monetary system. Until then, the dollar will be subject to speculative doubts, pressures, rumors and fantasy. Until then, no one will be sure whether the dollar, whether American labor, is overpriced in world markets, expressions of hope, faith and confidence notwithstanding.

[From the Baltimore (Md.) Evening Sun, June 28, 1968]

MASTER OR SERVANT?—DO MEN MINE GOLD OR GET UNDERMINED?—III

(By J. A. Livingston)

A little statistical detective work discloses that Germany and Great Britain were the two American allies in the London gold pool that did not tap the United States Treasury for part of their recent losses.

From January through March the United States poured $900,000,000 of gold into the futile effort to hold the price down to $35 an ounce. In addition, $282,500,000 went to these four pool members:

Belgium	$25, 000, 000
Italy	184, 000, 000
The Netherlands	48, 500, 000
Switzerland	25, 000, 000

Moreover, Belgium increased its gold store by $32,000,000 and Italy by $25,000,000 in April. Presumably, this came from the United States.

These gold takings epitomize the dilemma, the tension, in the international monetary system. The finance ministers and central bankers of the world want to move forward—by evolution—into the "paper gold" epoch. They have voted—as have the directors of the International Monetary Fund—for the creation of Special Drawing Rights as a supplement to bullion. They don't want to precipitate a crisis by forcing the United States off gold, but . . .

At a meeting of central bankers, one of the most ardent advocates of SDR's declared: "Gold's not important."

A colleague held up a bank report: "If gold is so unimportant, why did you recently increase your holdings?"

"I had to—for domestic political reasons. I had too many dollars."

DEAR MONEY GOES INTO HIDING

Gresham's Law is working: "Bad money drives out good money—cheap money stays in circulation, dear money goes into hiding."

The dollar has become "cheap money," for these reasons:

One: Jewelers, industrial users, hoarders and speculators have been paying more than $40 an ounce for gold in the free market. The monetary price—at $35—is cheap vis a vis the supply-and-demand price.

Two: The amount of monetary gold is virtually frozen at $40,000,000,000. The newly mined gold—at $35 an ounce—was more than absorbed in both 1966 and 1967 by jewelers, industrial users, hoarders, and speculators. And output is falling, and demand rising—especially in industrial applications.

WOULD YOU USE YOUR GOLD?

So put yourself in the role of a central banker. You have debts to pay. You hold gold, dollars, I.M.F. reserves and have borrowing power. Would you use your gold?

No, you'd behave like the French!

When economic paralysis battered the franc, France first tried currency swaps, I.M.F. borrowings and arrangements with the Bank for International Settlements. Yet France had the second largest pot of gold in the Western world—more than $5,000,000,000. It would spare some. Even President de Gaulle obeys Gresham's Law!

Despite the F.H.B.—friends hold back—signon the United States gold supply, it will decline. This is true even if the United States brings its balance-of-payments deficit down to zero, even if it gets into surplus.

Nations with deficits to the United States will avoid paying in gold. They'll borrow dollars. Some nations with surpluses won't be able to resist the temptation to get more gold. They'll cash dollars.

S.D.R.'s will be similarly Greshamized. Central bankers will pay them out in lieu of gold.

THE CHEAPEST THING IN THE WORLD

Says Julien-Pierre Koszul, senior vice president for Europe of the First National City Bank of New York and a former official of the Bank of France, "Gold has become the cheapest thing in the world—the only thing that hasn't gone up in a generation."

Wall Street inclines toward this argument. Since 1960, gold shares have increased 2½ times as much as the 500 stocks in the Standard & Poor's index. Since 1934, the monetary price of gold has stayed put, but the cost of living has advanced 155 per cent, silver 360 per cent, copper 345 per cent.

And here's a confounding Gilbert & Sullivan paradox: A rise in the monetary price of gold would make it less precious.

Why? Because at $40, or $45, or $50, or $60, gold would lose its scarcity value. Production would rise. There'd be a double plus—more ounces times a higher price. Speculators would look elsewhere for quick gains:

A rise in the price of gold would work contrarily. It would benefit only those who hold gold. It would not create reserves—year by year and by plan. It would not correct the United States deficit. It would impose no discipline. It would merely give the United States more rope.

Gold's monetary usefulness predated modern statistics, fiduciary currency and the memory tube.

"Paper gold" puts responsibility for the management of money where it belongs—on those who issue and manage it.

[From the Baltimore (Md.) Evening Sun, July 1, 1968]

ANATOMY OF A PANIC; MARCH 18, 1967—A DATE TO LIVE IN MONETARY HISTORY—IV

(By J. A. Livingston)

Financial panics don't just happen. They're like hurricanes. They cast their warnings before them.

In 1929, falling commodity prices, rising interest rates, a drop in home building, soaring broker's loans, thin stock exchange margins, erratic ups and downs in Wall Street, and warnings from the Federal Reserve Bank of New York foreshadowed trouble ahead. Then came the crash!

Today signals are again admonitory. In ten years, United States gold holdings have dropped from $23,000,000,000 to $10,000,000,000, while foreign short-term claims against the dollar have risen to more than $3,000,000,000. A persistent balance-of-payments deficit has aroused concern.

Corporate interest rates approach those of Civil War reconstruction days. Government bond rates have been at post-World War I levels. In Wall Street, trading activity congests—brokers can't handle it. New construction, plant and equipment outlays and bank loans are at unprecedented levels. All this, accompanied by accelerating inflation, suggests the terminal stage of a boom. Is the Kennedy-Johnson era of up-up-up prosperity coming to a close?

DEVALUATION BRINGS SHIVERS TO DOLLAR

Already, two crises have occurred. On November 18, 1967, Prime Minister Harold Wilson devalued the pound from $2.80 to $2.40. This sent shivers around the world about the dollar.

The dollar, like sterling, is a reserve currency. It is held by central banks as an offset, a cushion against payments deficits.

When apprehensions arose about the pound sterling, holders ran out of it into gold or other currencies. Then came further apprehension. "The dollar is next! The United States will stop buying gold at $35 an ounce. The gold price will rise!" became key points of the thinking.

A second crisis was at hand. But central bankers grouped forces to meet it.

Karl Blessing, president of the German Bundesbank, called a meeting of paricipants in the seven-nation gold pool in Frankfurt on Sunday, November 26, 1967. The topic: Should they keep paying out gold at $35 to stabilize the price in the free market?

Three courses of action were debated:

One: To pay out all the gold needed to beat back speculation. This was the American position.

Two: To end the gold pool. The monetary price for gold would be held at $35 an ounce and central bankers would not interfere in the free market. Guido Carli, governor of the Bank of Italy, had long been an advocate of such a two-tier market.

Three: Close the London gold market altogether. This didn't seem feasible.

The United States position prevailed. The United States had put up 59 per cent of the gold and had picked up the 9 per cent French share when France quit the pool five months earlier.

But the gold rush continued. Mr. Blessing proposed another meeting at Frankfurt. But gold-pool colleagues noted that on December 9 and 10 they'd be in Basel for the monthly directors' meeting of the Bank for International Settlements.

Why not hold both meetings there, they suggested?

Basel was selected and this was a mistake.

Basel is a central-banker sanctuary and newspapermen decided the United States Treasury represented by Frederick L. Deming wouldn't be there unless something serious was up.

FAVORABLE EFFECTS OF MEASURES

The meetings on gold were held in a hotel across from the bank. Mr. Deming carefully avoided the B.I.S. sessions. But he gave out a statement saying: "We have noted the favorable effects of measures recently taken . . . and we have agreed upon even closer coordination."

It boomeranged.

The London Economist described Deming's presence in Basel as a $210,000,000 plane ride, that being the estimated gold loss in the next week.

Yet, if nervousness and rumor had not abounded, Mr. Blessing would not have convened the gold pool, and newspapermen would not have been in Basel for a routine B.I.S. session.

Mr. Deming was caught in an eddy of rumor, fact and theory. The Vietnam war was escalating and seemed endless. Inflation had gained force. Congress still dawdled over President Johnson's request for a 10 per cent tax surcharge. And the balance of payments, instead of improving as promised, got worse.

SPECULATION STAYED BUT ONLY TEMPORARILY

Action had to replace communiques. On January 1, President Johnson announced further controls on bank lending and capital exports. Soon this arrested speculation against the dollar, but only temporarily.

The pool lost more gold. The members became restive. Another monthly B.I.S. meeting on March 9 and 10 in Basel: William McChesney Martin, Jr., chairman of the Federal Reserve Board, was the principal United States spokesman. As the nation's top central banker, he belonged. Yet newsman marked his presence as unusual.

Mr. Martin offered three arguments for continuing the pool:

Second, the United States was whipping its tax program into shape. When it finally jelled, it might reduce gold speculation.

Third, the United States Senate would shortly vote on the bill to remove the 25 per cent gold cover against Federal Reserve notes. Enough votes were in hand to pass it. However, if the price of gold shot up, the bill might fail. Then the United States gold stock would not be available to meet central bank demands for gold.

GOLD EMBARGO IS FEARED

This last argument had impact. The central bankers feared a gold embargo. This would unhinge the monetary system.

Reluctantly, they voted to feed out more gold, hoping that speculators would get their fill. No such luck.

Late Thursday, March 14, the Senate passed the bill making the United States dollar a strictly fiat currency. The fiction that gold backed paper money was forsaken.

Mr. Martin busied himself at the telephone. He called central bankers to a meeting in Washington that weekend.

The meeting ended on Sunday, March 18—a date which will live in monetary history. A credit was arranged for Britain to bolster sterling. The gold pool formally went out of business. The monetary price of gold would stay at $35 an ounce for dealings of central banks with central banks. In the free market gold could find its own level.

By their action, the pool members changed the course of a prospective hurricane. No longer could holders of paper currencies storm out of them and into gold. This established a new line of defense for the dollar.

[From the Baltimore (Md.) Evening Sun, July 3, 1968]

GOLD VERSUS THE LESS-THAN-ALMIGHTY DOLLAR: TRYING TO BUILD A BARRICADE AGAINST THE MONETARY PANIC

(By J. A. Livingston)

Can a massive defeat, brought on by panic, be converted into a strategic victory?

The strong men of international finance—the finance ministers and central bankers of the world—think so, hope so.

They've regrouped after two lost battles. The first was the devaluation of sterling. The second was the surrender to gold speculators. The free market price was allowed to go above $35 an ounce.

The third battle, like the others, rages around paper money. And international bankers have taken the defense in their own hands. They have erected a barricade against fear-born flight from the dollar.

Today, $33,000,000,000 are at large around the world. That's a lot of loose money.

About $18,000,000,000 are held by central banks as reserves—far more than they want. But how can they get rid of them?

Only by asking for United States gold. And the United States gold stock is already down to about $10,000,000,000. Normally, this would amply cover swings in balance-of-payments surpluses or deficits. But the United States has been running consistent deficits of $2,000,000,000 and $3,000,000,000 yearly.

Another $15,000,000,000 are held by bankers, business men and individuals. This is working capital for all sorts of commercial transactions—payments for imports and exports, financing of new construction, the acquisition of plants and companies.

CASH CAN BECOME "HOT MONEY"

Like unsecured ballast on a ship, such dollar balances can swish from Rome to Zurich to London to Frankfurt to New York. In a fear environment, cash can become "hot money."

Until only recently—say the last three to five years—the dollar was preferred to gold. Dollars earn interest if invested in Treasury bills or deposited in banks. They can be lent out in the Euro-dollar market.

Gold is a negative earner. It costs money to store. It has to be insured. It can't be physically transferred by cable. It's a pure speculation on a price increase.

But the dollar fails as a store of value. That's why it has ceased to be almighty. That's why it can become "hot money."

$1,000 BOND SELLS FOR 91 CENTS ON DOLLAR

A United States Treasury 3⅞ per cent bond, bought a decade ago for $1,000, sells for about 91 cents on the dollar. Capital has depreciated 9 per cent and the bond yields nothing to the original purchaser; inflation at 3.5 per cent to 4 per cent a year clips the coupon. Or take an E bond. The interest rate has been boosted to 4.25 per cent. But after inflation, real income is less than ½ per cent per annum.

The dollar is not alone. Inflation attacks all currencies—the mark, the Swiss franc, the French franc, the Dutch guilder. In this age of avant-Keynesianism, money has become a catalytic agent—an expediter of economic expansion, a proliferator of employment, an improver of living standards. But money does not emerge catalytically unchanged. It gets eaten away in the process.

Taxes rise, prices rise, the cost of services rises. A ten-dollar bill buys less and less. Workers demand higher wages to keep up with the groceries. And people with savings become skittish and fretful: How to hedge against inflation?

Some try Wall Street. Common stocks are just about at an all-time peak in the Standard & Poor's and New York Stock Exchange averages. (The Dow-Jones index is unrepresentative.) And trading swamps brokers. They can't keep up with transactions. The year 1929 was nothing like this.

PROTECTION AGAINST CASH AND ITS EQUIVALENTS

Anything that might advance in price supersedes income as a protection against cash and its equivalent—antiques, paintings, jewelry, diamonds and real estate, for instance.

And then, of course, there's gold—the first metal in the Bible (Genesis 2:11) and man's legendary store of value.

Gold, as a store of value and medium of exchange, antedates the dollar.

But escape from paper money into gold is no longer possible. Industrial users, jewelers, hoarders and speculators can still buy gold in London, or Zurich, or anywhere else with paper money—dollars or pounds or marks or francs. But their purchases won't deplete monetary stocks now down to $40,000,000. This is the big change, the new defense.

If A wants gold he has to get it from B, and then B gets the paper money. Central banks no longer cough up gold and swallow paper.

This doesn't mean that paper money, and specifically the dollar as the world's dominant currency, is "home free," far from it.

"THING" STAMPEDE IS POSSIBLE

If a "thing" stampede takes place prices would go wild all over the world. Such a flight from paper money has never happened before. Always there has been some exit. One was gold, the other was the dollar. Now gold is out and the dollar is distrusted.

There's another possibility: A rush of foreign holders of dollars into their own or other currencies—marks, Swiss francs, Italian lire, and so on. If this happened on a large scale, it would constitute dethronement of the dollar after 50 years of supremacy as the No. 1 world currency.

Any such tendency would exacerbate the dollar problem. A German, who wants to convert dollars into marks would take them to the German Bundesbank; a Swiss would convert dollars at the Swiss National Bank, and so on. But these banks already have enough dollars.

NUMBER OF DOLLARS WILL INCREASE

And they're likely, in the months ahead, to get more. The United States balance of payments will be in deficit most of this year and probably into next. The number of dollars around the world will increase. Some of these dollars, if not all, will lodge with central banks.

Central bankers aren't apt to panic. They'll try to act calmly, deliberately, and, presumably, in concert.

Yet, each central banker has to save himself first in case of trouble. He must keep his eye on friendly neighbors: Is some colleague helping himself to United States gold?

The comment on Edwin Stopper, head of the Swiss National Bank, is no overstatement: "We are not in a comfortable monetary environment."

WHO OWNS GOLD

World monetary stocks of gold amount to about $40,000,000,000. The United States still holds the largest pile—about $10,400,000,000. However, the International Monetary Fund has a claim on one billion of this. Here are the major holdings of monetary gold (in billions):

	Gold	Percent of total
United States	$10.4	26.00
United Kingdom	1.3	3.25
Belgium	1.5	3.75
France	5.2	13.00
Germany	4.2	10.50
Italy	2.5	6.25
Netherlands	1.7	4.25
Switzerland	2.6	6.50
Canada	1.0	2.50
Japan	.4	1.00
Other	$1.0	2.50
Industrial countries	31.8	79.50
Less-developed areas	2.7	6.75
Latin America	1.3	3.25
Middle East	1.0	2.50
Other	1.0	2.50
All countries	37.8	94.50
International Monetary Fund	2.2	5.50
Total	40.0	100.00

To accommodate France and Great Britain with foreign currencies, the International Monetary Fund sold $547,000,000 in gold in May. These transactions are not yet included in official reports, but are reflected in the above tabulation.

MILITARY RECRUITMENT ON COLLEGE CAMPUSES

Mr. CURTIS. Mr. President, at the time of offering an amendment to the space authorization bill a letter was inserted in the RECORD concerning military recruiting on college campuses. Certain questions were raised as to some of the facts in that letter.

I ask unanimous consent to insert in the RECORD a letter dated July 2, 1968, from Assistant Secretary of Defense Alfred B. Fitt, which sets forth the facts as to several institutions.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

ASSISTANT SECRETARY OF DEFENSE,
Washington, D.C., July 2, 1968.

Hon. CARL T. CURTIS,
U.S. Senate,
Washington, D.C.

DEAR SENATOR CURTIS: Secretary Clifford has asked me to reply to your letter of 26 June concerning the accuracy of the statements made in my letter of 8 May 1968 to Mr. Gerald Mossinghoff of NASA.

In that letter I advised Mr. Mossinghoff that "at this time", i.e. early May, twenty-two colleges officially did not permit military recruiting.

I also expressed the judgment that the twenty-two were "in the large majority of the cases, considered temporary suspensions rather than permanent prohibitions."

The information in my letter of 8 May was based on reports given me by the Navy and Marine Corps, reports which were double-checked by those Services at my insistence.

Through a series of errors distressing to me, to you, to the Services and most of all to the institutions involved, some of the information furnished by me to Mr. Mossinghoff was inexcusably wrong.

To set the record straight:

Columbia University, New York University and Rutgers University had not barred Navy recruiters from their campuses. They had limited the recruiters to the institutional placement offices, an unsatisfactory and ineffective arrangement so far as the recruiters were concerned, but clearly there had been no ban on recruiting.

At Fordham University there were difficulties in conjunction with a Navy recruiting visit on 4 December 1967. The Dean of Students suggested that the visit scheduled for 5 December 1967 be postponed and it was. Another visit was requested for 28 March 1968, at which time the Navy was told that the question was under review. A visit was tentatively scheduled for 10–11 April, but this was cancelled by University authorities and no additional date was authorized.

At Queens College, the Navy was advised

on 16 February 1968 that recruiting would be permitted but that recruiters would face an "open forum prior to recruitment". Although the open forum subjects were not specified, the Navy was of the view that its recruiters would be drawn into foreign policy debates inappropriate for public discussion by military personnel, and that the open forum requirement effectively precluded recruitment visits.

At Upsala College the Director of the Placement Advisory Service on 1 April 1968 cancelled a Navy recruitment visit scheduled for 6–10 May, saying "Please contact me in the fall and we will discuss possibilities for the new school year."

At Brandeis University a Marine recruiting visit scheduled for 5 December 1967 was cancelled by the University on 4 December. The Marine Corps did not attempt to reschedule the visit.

At the Agricultural and Technical Institute of Long Island University (Farmingdale) on 22 April 1968 the Placement Director cancelled a scheduled Marine Corps recruiting visit. The Marine Corps did not attempt to reschedule the visit.

At Pratt Institute the Assistant Director of Placement Service on 30 January 1968 advised the Marine Corps the Institute would "hold off the scheduling of (military) recruiting dates until the matter has been thoroughly aired". On 25 June 1968 the Director of Placement Service advised the Marine Corps that after a May 1968 student referendum the Institute had decided to maintain its policy of non-discriminatory open recruitment.

At Syracuse University following student demonstrations in the week of 11–15 March 1968 the Chancellor suspended industrial and military on-campus recruiting activities pending formulation of a suitable policy. The suspension was still in effect in early May 1968.

At the Universtiy of Massachusetts (Boston Campus) a Oct. 25, 1967, Marine Corps visit was cancelled by the Director of Student Affairs. On March 19, 1968, the University Director of Placement and Financial Aid Services wrote the Marine Corps refusing permission for a spring visit but expressing a hope that arrangements could be made for the 1968–1969 academic year.

At Central State University, Wilberforce, Ohio there were disturbances which ended a Marine recruiting visit on April 1, 1968, and resulted in cancelling the recruiting scheduled for the following day. The Marine Corps had not in early May 1968 attempted to reschedule a visit.

At Wilberforce University, Wilberforce, Ohio, the disturbances referred to above caused the University to cancel a scheduled April 3, 1968, Marine recruitment visit. On April 29, 1968, the Director, Cooperative Education, advised the Marine Corps it would be welcome on-campus provided only that the visit was not linked with a visit to Central State.

At Hood College the institution requested a single annual visit rather than multiple visits from Marine recruiters. There was no ban on military recruiting.

At Howard University a scheduled November 14–16, 1967, Marine recruitment visit was indefinitely postponed by the institution. On January 4, 1968, President Nabrit wrote the Marine Corps deferring "any campus recruitment until after the current school year, at which time we would be able to assess our own campus situation as well as the other factors which have affected the recruiting program".

At Oberlin College in early May 1968 all on-campus recruitment, military and non-military, was suspended. The suspension was not aimed at military recruiters as such.

At the University of Puerto Rico the Dean of Students on 5 April 1968 wrote the Marine Corps refusing permission for on-campus recruiting, adding that "military recruiting has no part in academia".

At Barnard College the Marine Corps was advised on 22 March 1968 that military recruiting should be scheduled through the Columbia University placement office. There was no ban on military recruiting.

At Finch College, the College of New Rochelle and Sarah Lawrence College, all of them small, female institutions, the Marine Corps was in each case advised that there was little student interest in officer programs, and furthermore in each case the Marine Corps now concludes there was no official action which could reasonably be considered as barring recruitment.

I am sending a copy of this letter to each of the institutions mentioned in my 8 May 1968 letter and to the American Council on Education. The Navy and the Marine Corps have sent or will send appropriate letters of apology to those institutions which were incorrectly identified in the Service reports furnished me as having in May 1968 an official ban on military recruitment.

This entire affair is a matter of deep regret to me and to all of us in the Department of Defense. Inasmuch as you placed my 8 May letter to Mr. Mossinghoff in the Congressional Record, I would appreciate your doing the same with this letter.

Sincerely,

ALFRED B. FITT.

SPEECH BY UNDER SECRETARY OF STATE EUGENE V. ROSTOW

Mr. DODD. Mr. President, within the past week I had occasion to read an exceptionally cogent speech, appropriately captioned "The Cost of Fealty," delivered on March 22 of this year by the Honorable Eugene V. Rostow, Under Secretary of State for Political Affairs, before the New Hampshire Chamber of Commerce.

I consider this speech one of the ablest defenses of our Vietnam commitment that has come to my attention. Although the situation has changed in certain respects since the speech was made. I believe that it has lost none of its timeliness.

I would call the attention of the Senators in particular to the concluding paragraph of Under Secretary Rostow's speech. This is what he said:

> The critics of the Administration have not yet succeeded in defining an alternative to our policy in Viet-Nam. Save for the few who frankly advocate surrender, and others who would support a major expansion of our military effort, it is impossible on analysis to discover in what respects the President's critics would modify his policy of firmness and restraint. They oppose unilateral withdrawal. So does the Administration. They favor negotiation with Hanoi, but so does the Administration which has explored literally hundreds of leads. . . . They suggest negotiations with the NLF. But any reputable authority on Viet-Nam, whatever his position, understands that the Liberation Front is not essentially different from Hanoi and that the fundamental conflict in Viet-Nam is squarely between Communists and non-Communists. They favor enlisting the cooperation of the Soviet Union. We have sought to do so many times. They urge larger participation of South Vietnamese forces. That small country has just called another 135,000 men to the colors. True, some would try once again the device of suspending our bombing of North Viet-Nam. But they offer no reason to suggest that such a step would produce better results now than on the previous occasions it was tried.

Mr. President, I ask unanimous consent to insert into the RECORD at this point the full text of Mr. Rostow's speech.

There being no objection, the speech was ordered to be printed in the RECORD, as follows:

THE COST OF FEALTY

(By Eugene V. Rostow, Secretary of State for Political Affairs, address before Manchester, N.H., Chamber of Commerce, March 22, 1968)

An American election is and should be an educational process, a process of sifting and canvassing the great issues of policy which the nation faces. But an election is something more than a seminar. It is also a regenerative process—a communion through which we draw fresh strength from the source of all authority in a democracy, the mandate of the people's will.

The election we face this year is one of the most important in a generation. It will be dominated by two immense issues, each central to our history, and to our fate.

One is the challenge to make good at long last our promise of equality to the Negro. From the beginnings of the nation, more than three hundred years ago, Americans have lived with inner tension about the status of the Negro in American society. Slavery, and after slavery, racial discrimination, were accepted by custom and sanctioned by law. But the conscience of the community and the conscience of the law knew these customs were evil, contrary to the most fundamental ideal of our life as a community, the principle "that all men are created equal."

Through a long and painful series of stages, we have sought from the beginnings of the Republic to remake society in the image of this ideal. Within the last few years, under the powerful leadership of President Johnson, the nation has made giant strides to fulfill in action the pledge of honor we made so long ago, and have so long neglected.

Our new programs in the field of education, welfare and urban affairs seek to initiate irreversible flows of change. They undertake to create new opportunities for the Negro in education, in the economy, in his freedom to live, to work, and to study where he chooses, and to take advantage of every opportunity his talents may command. And we are seeking also to help the Negro, and others who have been disadvantaged by inheritance, to overcome the handicaps of the past, and step through the door in dignity as full members of American society.

These processes of change have costs. They stir resistance, and revive cruel patterns of inhumanity. The contest between the actual and the ideal is never easy, and is often bitter. Today the challenge and the burden of our problems of poverty, of crime and of protest have been made clear. President Johnson is asking us to honor our pledges, and to carry this burden. Some people would now retreat, discouraged by the costs our national commitment entails. But most of us know we must not falter. No American can doubt the outcome. The values of our Constitutional tradition are the strongest force in our minds, and in our hearts. They will prevail, because they must.

II

The second great issue in the election will be our foreign policy. Like every other citizen, I welcome the recent intensification of debate about our foreign policy, and particularly about our course in Viet-Nam. Foreign policy is too serious a matter to be left to the experts, or even to the State Department. It must be understood and accepted by the people if it is to have the strength of the nation behind it.

The debate over foreign policy has many parallels to the debate over Negro rights.

Like that debate, it requires us to determine what kind of people we are, and how we propose to meet the tasks which have come to our hands.

The issue of foreign policy we are facing in the election, make no mistake about it, is not alone our policies in Viet-Nam, but whether we continue on the path we have followed since the war, or seek once more to retreat into the isolationism of the nineteenth century, as we did in 1920.

The issue was clearly and correctly posed by Senator Fulbright in his statement on March 11, opening the Senate Foreign Relations Committee's examination of Secretary Rusk. The distinguished Senator pointed out that the American people are "aroused and disturbed" about the issues of the day, particularly about Viet-Nam. The present policies of the United States, he said, call into question what he called one of the traditional values of America. "There was a time not long ago when Americans believed that whatever else they might have to do in the world—whatever wars they might have to fight, whatever aid they might have to provide—their principal contribution to the world would be their own example as a decent and democratic society." The fading of this dream, he said, was dimming the light of optimism among the American people. He pointed to fears of another summer of violence, to an unpopular war, and to what he called a "spiritual rebellion" among many of our youth.

I share the Senator's conviction that this is a time of testing in our history. But I do not believe these two great tests, in our cities, and in Viet-Nam, came about as aberrant phenomena, or as acts of human will contrary to the course of our national development.

Senator Fulbright is perfectly right in saying that we once thought our main contribution to the world should be the force of our example as a model society at home. That belief came to have a tenacious hold on the American spirit because of the circumstances of our life before 1914. For more than a century, we lived in a system of international order maintained by the European nations. We were safe in that system, and never had to take responsibility for its functioning.

But the old system of order has gone, and cannot be restored. Our safety as a nation now requires us to take the lead in helping to construct a new system of peace, built around regional coalitions that could deter aggression, and organize the conditions of progress. We have not sought this responsibility. It has come to us because the old condition of peace has vanished, and a new one has not yet been born. We must participate in the effort because our national security depends upon our success.

The ideal of which Senator Fulbright spoke so feelingly has become an illusion. Our security cannot be protected by a quick intervention abroad, followed by a return to the comfortable patterns of the nineteenth century. For the first time in our experience as a nation, we must deal directly and continuously with the problem of power, and the effort to continue it within a system of agreed rules:—the rules of a new international law.

That fact defines our role in the world, now and for as far ahead as we can foresee. We are now engaged in the painful effort to accept that fact, and to clear our minds of notions about ourselves which are no longer relevant. It is necessarily a difficult effort, requiring us to confront cherished memories, and hopes, and dreams. But reality is implacable, and cannot be exercised by prayer. Senator Fulbright says this means the end of optimism. I should rather say it marks the end of innocence.

We are involved today in Viet-Nam, as in our cities, because commitments we made, in quieter times, are being put to the test. We made a commitment to give our Negro citizens true equality—we cannot now give up on that commitment because its fulfillment is difficult, more difficult perhaps than many may have expected. We have made commitments to our friends in the world, first in Europe, then in Asia, to help them resist aggression. I propose to you that we cannot now give up those commitments—made with open eyes, and with the support of both political parties, representing an overwhelming majority of our people—because they too are more difficult than we may have hoped they would be.

Since the Administration of President Truman, since the days when the voice of Senator Vandenberg was heard in the Senate, most Americans have been convinced that our own freedom at home has depended upon stability in the world. The experience of two wars, and of the tragic, fumbling period between the wars, brought home to us the fact that American freedom cannot exist behind fortress walls, with hostile forces dominating large parts of a contracting world outside.

After the Second World War ended, and the threat of Communist aggression became clear to us, we Americans realized that we could not again retreat to isolation, and leave the rest of the world to its own devices. We had no quarrel with the institution of Communism within the Soviet Union. We have no quarrel today with any state simply because it has adopted a socialist system. But we recognized that Communist aggression, like Nazi aggression, could not be tolerated. When the Communists threatened to use force, we made clear our willingness to reply with force. This is the essence of the Truman Doctrine—called forth by Communist designs in Greece and Turkey.

Following that Doctrine, successive American Presidents have faced down Communist aggression time and time again—in Greece and Turkey, in Iran, in Berlin, in Korea and in Cuba. On each occasion, we have made it perfectly clear that we were not trying to destroy the Communists in their own countries, but only helping others to resist Communist aggression in the non-Communist world.

In this assumption the basic foreign policy of President Eisenhower was the same as President Truman's and indeed, as that of President Kennedy and now of President Johnson.

All four administrations also recognized that besides the naked use of force, there are other means by which an aggressive power can menace another. While these means include the threat of force, they do not require its use. These means can be described by the term subversion—that is, preying upon economic weakness and political and social discontent to undermine a state which harbors them. We came to see that this form of aggression could not be countered by soldiers and alliances alone—that the causes of the grievances had to be faced. This was the origin of the Marshall Plan, Point Four, and the programs of economic assistance supported by every administration since then. The United States supports progress and democracy wherever its influence can reach. We do this because such ideas are deep in our nature, and because we know that only progressive societies can develop the inner strength to resist take-over from within, or from without.

In the 1940's, the major thrust of Communist aggression was Europe—Greece and Turkey, then Berlin. As the nations of Europe achieved military security—through NATO—and economic and political stability, Communist aggression found new outlets in Asia. In Korea, Americans demonstrated that aggression on the shores of the Pacific could no more be tolerated than in the North Atlantic area. We halted aggression in Korea, and we took steps to prevent its spread elsewhere in Asia. Programs of economic assistance, from South Korea to Indonesia, have helped to build economic and political stability, and helped to reduce the danger of subversion. Defense agreements, with Japan, with South Korea and the Republic of China, with Australia and New Zealand, and with our allies in the SEATO treaty, have reduced the threat of Soviet aggression.

In many places in Asia, we have had notable successes. Dramatic improvements have been registered in such countries as Pakistan, Thailand, the Republic of China and South Korea. Others, like Indonesia, have recently taken highly encouraging steps to put themselves on the road to steady economic growth and progress.

But there is no point in fooling ourselves by looking only at the bright spots. Both local and international Communist forces continue in their determination to overwhelm their neighbors, both through outright force and through subversion. At the moment, the Communist offensive is focused on Viet-Nam. But what is being attacked is more than one country, it is our whole position in Asia and, in fact, the worth of America's pledges through the world.

As long as these pledges required some substantial, but not overwhelming sums for foreign aid, and a considerable, but not massive concentration of military force in the area, the great majority of Americans in both parties, in both Houses of Congress, accepted them as a necessary development in our nation's, in the world's, history. Our reason told us they were right. Our hearts, our personal lives were little touched by them.

Today, these pledges are being put to a real test—they cost us something more substantial, in money, and in lives. They affect each of us personally. They can no longer, like the Supreme Court's decision on integration, be neatly hung on the wall, to receive an occasional pious glance. Do we still want to back them up? We must choose. We can say "Well, all this talk, all these pledges about helping nations resist aggression are all fine and good—but this isn't what we thought they meant. Sorry, but you'll have to excuse us now—it costs too much."

Or, we can say, with the late President Kennedy:

> "Let every nation know, whether it wishes us well or ill, that we shall pay any price, bear any burden, meet any hardship, support any friend, oppose any foe to assure the survival and the success of liberty."

The choice is ours—but let us know what it means. Three administrations have given their word not to abandon South Viet-Nam. Fortified by our support, local leaders in Viet-Nam and in neighboring countries have risked their necks, marshalled their own forces, and stood up to the Communists. We should have no illusions about what will happen to these people if we abandon them now, nor of the effect of our withdrawal on free people around the world who have shown their willingness to work and struggle to build their nations, and join with us in creating an open world society based on the idea of freedom and of progress.

The credibility of the U.S. commitment to each of these countries will stand or fall on our willingness to keep our commitments to the Vietnamese. In theory, there may be better places to fight; in fact, we have no real alternative.

III

What is it that makes Viet-Nam so different, so disturbing? For one thing, as I have said, it is an acid test of our commitments—it demonstrates how serious they are, it demonstrates that being a great power necessarily involves great burdens. For another, it is a war unlike any we have fought before.

It is different in its origins. Here there was no Lusitania, no Pearl Harbor, no massive attack across the 38th parallel. But was it any less of an act of aggression when, as early as 1957, Ho Chi Minh ordered those of his supporters whom he left behind in the South after the Geneva Accords to pick up their hidden arms and begin a campaign of terror that has seen about 14,000 civilians killed, and another 45,000 kidnaped since its inception? Is it any less of an act of aggression when other Communists trained in the North after the Geneva Accords were sent back South to forcibly change the system in that half of the country? Is it any less of an act of aggression when both sides speak the same language, and consider themselves part of one nation? The Germans too are one nation—involuntarily divided. They were promised their unity through free elections, which the Soviets have refused to consider. Yet no one believes that these facts give them the right to reunify their country by force of arms.

The war in Viet-Nam is also different in the way it is being fought. It is a war in which the election of a village chief, the grant of a title to land, the actions of a youth group in rebuilding a Saigon slum are of crucial importance. These events cannot occur unless there is a military shield. And the military shield will be of no avail unless they occur. It is a war in which 500,000 Americans are engaged, and yet one which only the Vietnamese can really win.

It is not easy for a great nation to send its troops overseas to a distant and strange continent, not to fight by themselves, or in alliance with peoples of similar background, but to fight in support of a people whose traditions and attitudes are different from its own, a people whose experience in self-government is limited, a people whose capacity to govern itself has never really been tested.

Much has been said about the South Vietnamese, these people we find so difficult to understand. We are told their devotion to self-interest and self-aggrandizement dominates all other sentiments—that it places in question their very will to win in the war we are engaged in together. How can we hope to succeed with such Allies?

Let me take a moment to read some slightly edited excerpts from a few diplomatic despatches which illustrate the kind of exasperated feeling many of us seem to have. I quote:

"The majority of . . . [them] were chosen for their political views . . . with no regard to the complex administrative tasks they have to perform. . . . As soon as someone does begin to distinguish himself, personal jealousies and the principle of never allowing another's star to rise soon serve to get him out of the way. . . .

"A businessman . . . placed in charge of foreign affairs, resigned under suspicion of using state secrets to his own commercial advantage . . .

"It pains me to have to report that financial probity and the separation of public good and private gain are not among the qualities which grace this young Republic. . . . All of its officials are making exorbitant personal profits. Self-interest is dominant everywhere; it is not condemned, but unabashedly practiced . . . Commercial cupidity is indeed a distinguished characteristic of the citizens . . . and will certainly influence the future of the Republic . . .

"I will not recall here my previous remarks on the questions which divide [them] . . . and on the arrangements . . . which result in uncoordinated efforts, indecision, delay in numerous essential operations, and in the impossibility of taking necessary steps which the resources of the State would otherwise permit . . .

"This lack of order, in the whole and in its parts, has existed from the beginning . . . and has often placed the young Republic in danger . . . If [the enemy] . . . is as aggressive as we have all too often seen him to be before, as confident and as courageous, he won't find much resistance.

"[Their soldiers] are permitted to hire substitutes . . .

"[Their officers] are unrestrained in their ambitions to command in their vanity for rank and titles. This epidemic disease grows faster here than anywhere else in the world . . ."

It is a wonder that the official who received these reports did not throw up his hands and urge his superiors to give up a bad project. We can all consider ourselves fortunate that the Count de Vergennes, Foreign Minister of the Kingdom of France, had a little more patience with our Continental Congress, and with the American Army, than M. Gerard, the French Minister to Philadelphia, demonstrated in these lines he wrote in 1778. Perhaps we should all emulate Vergennes' patience in reading reports about our Vietnamese allies, and their will to win.

The reports I cited, like some we receive from Viet-Nam, have good sensational content. Most of the others in the collection from which they were drawn show the firm will of the Americans to succeed, despite their problems. Relative to those I read you, they make dull reading. So too, I suppose, are the daily reports on the number of Vietnamese men and women who give their lives every day—not in dramatic battles—but in the defense of hamlets and villages throughout the country. That these deaths surpassed ours last year, and were double ours during the Tet offensive, likewise seems to attract little attention. Nor do we recall that the 700,000 Vietnamese bearing arms today relative to population, are the equivalent of about 8,000,000 in the United States. We are all aware that, until recently, 18 and 19 year old Vietnamese were excluded from the draft. Now let us all note that they will be part of the 135,000 new recruits President Thieu has pledged to add to the Vietnamese Armed Forces this year. We are all aware of negative evaluations of the ability of these men—but we forget the evaluations given by General Westmoreland, or the simple statistics which show that whereas once the Vietnamese armed forces lost twice as many weapons to the Communists as they captured, they have now reversed the ratio to about 1–1.5 in their favor.

We are all aware of the corruption of some Vietnamese officials, but the reports on those dismissed for it—on every level—rarely attract attention. Nor, it seems to me, is much attention given to the bold measures now being taken to eliminate the roots and causes of corruption throughout the Vietnamese government.

No one recognizes the need to combat corruption more than President Thieu, who has called it "a shame for the whole nation." In a radio address given just yesterday, President Thieu pledged to his people: "I will not pass up any infraction . . . I shall not treat with indulgence any clearly established case of corruption . . ., in the present and in the future."

I am not proposing that we should ignore the Vietnamese faults. I ask only that we, like the Count de Vergennes in reading of those of our forefathers, weigh them against less dramatic, but concrete, realities. In making our criticisms, let us also recall that we went through exactly the same cycle of complaints about the government and fighting forces of South Korea, eighteen years ago.

Finally, our effort in Viet-Nam is different in what we and our Allies hope to win. We seek no Kaiser going into exile, no Nazi state to be uncompromisingly destroyed, no unconditional surrender aboard the Battleship Missouri. We plan no occupation, no residue of military bases. Of Ho Chi Minh, we ask only that he cease trying to impose his system upon South Viet-Nam by force. We have no quarrel with that system which exists in North Viet-Nam—no reservations as to how the two states, once at peace, should resolve their common interests and problems. For the South Vietnamese, we have no textbooks in Jeffersonian Democracy, no formulas of the "American Way"—we want no more than that they develop, in peace, their own Vietnamese state, in keeping with their own aspirations and traditions. For the Viet-Cong, we foresee no Nuremberg trials, no forced exile similar to that into which Ho Chi Minh sent nearly nine hundred thousand of his countrymen. The Government of South Viet-Nam has made it quite clear, in word, and in deed, that it is quite willing to open its arms to any Viet-Cong who renounces armed insurrection, and to permit him to aspire to whatever position his talents, or his popular role, can bring him.

President Thieu has said that while he cannot recognize the NLF as a rival government of South Viet-Nam, he is prepared for informal talks with individuals now associated with the NLF, which might bring good results. President Johnson has stressed, most recently in his television interview on December 19, that we should welcome such contacts, and would support arrangements that might be made to build the public life of South Viet-Nam on the principle of one-man, one-vote.

For ourselves, finally what we want is the same as what we wanted in Korea, to convince the aggressor that he cannot win, to demonstrate that we will not tolerate the success of Communist military aggression, direct or indirect, in Asia any more than in Europe.

These are modest objectives. They are, you will note, essentially political objectives. They are objectives that demand that the enemy surrender nothing that is his—neither the freedom of the North Vietnamese State nor that of the Viet-Cong as citizens of the South. They are objectives which the Administration believes could, and should, best be obtained not on the battlefield, but at the negotiating table.

There are many critics and commentators who tell us we must stop seeking a solution in the political and military arenas of South Viet-Nam, and negotiate.

Have these critics really found something new? Is it really an unexplored area the Administration fears to venture into? I believe the facts show the opposite is true—that there is no one in this country who has given more time, more thought, and more action to the question of negotiations than President Johnson.

We have made and continue to make any number of approaches to negotiations. We have pressed for effective actions by the United Nations Security Council. But Hanoi totally rejects the competence of the UN—and the Soviet Union has uncompromisingly reflected its ally's attitude. So, that channel has been closed to us.

We have turned to North Viet-Nam. Over and over again, directly and through intermediaries, we have offered to discuss any question, any time, without preconditions of any sort by either side. If the larger questions were still too much for Hanoi to consider, we have offered on several occasions to engage the other side in discussions of some form of mutual de-escalation of violence, leading perhaps to a cease-fire, or at least improving the atmosphere for more substantive discussions. They have refused.

Hanoi has claimed that the bombing raids north of the 17th parallel were the impediment to talks. We heard them. In May of 1965, and again, for 37 days in December that year and January 1966, we stopped the bombing outright. We now know that Hanoi used this latter pause to undertake a major increase in its infiltration into the South. In respect for Vietnamese tradition, we continued to stop the bombing over the holiday truce periods. This year, as you know, Hanoi honored its promise of a seven-day military standdown during Tet by launching a long-planned major attack on Saigon and urban centers throughout the country.

In the Spring of 1966, when Hanoi began talking of a "permanent" cessation of the bombing, we indicated our willingness to consider this and asked only for some restraints on their part in turn. Mindful of their sense of face, we made it clear to Hanoi that we required no public announcements, and made no demands for immediate action. No answer. In February 1967, the President wrote to Ho Chi Minh and offered to stop the bombing and the reinforcement of U.S. troops in Viet-Nam if Ho would stop its infiltration. The offer was brusquely dismissed.

Later in 1967, first privately, then publicly, we offered what is now called the San Antonio formula. We proposed a halt to the bombing, provided only that it led to productive discussions within a reasonable time. We would assume that the Communists not take military advantage of our doing so. From late August to mid-October, while discussions on the formula were under way through third parties, we restrained our bombing in the Hanoi area, just as we had in the first quarter of the year, when we had hopes of arriving at something through direct contacts in Moscow. Hanoi broke contact.

After North Vietnamese Foreign Minister Trinh's statement of December 29, we again undertook explorations as to the possibilities of working from this statement towards agreement on the San Antonio formula. And again showed restraint in our bombing in the Hanoi area.

To clear up the persistent misunderstanding that we were trying to exact conditions from Hanoi, Secretary of Defense Clifford made clear that we did not interpret the San Antonio formula to mean that it must stop normal levels of assistance to the Viet-Cong—but only that we assumed that Hanoi would not take undue advantage of our pause to drastically increase these levels. Nonetheless, the response to our explorations has been and remains negative.

We have sought also to engage the Soviet Union in talks about the problem of Viet-Nam—to enforce the Geneva Accords of 1954 and of 1962, and to consider de-escalation of its aid. Thus far, these approaches have not been productive.

This is the record of some of our efforts. We have left no stones unturned. We have made new approaches, and expressed the continued validity of our older approaches. From all the evidence, we must conclude today that Hanoi still hopes for a military victory, and is therefore unwilling to talk peace except on terms that would violate the legally expressed will of the South Vietnamese people by imposing a foreign dominated minority government upon them.

When this attitude changes, Hanoi will find us ready to talk, as we are now, as we have been. Negotiations are no unexplored alternative to us. Rather, our continued military action is the costly and regretted alternative to a negotiated settlement which we much prefer, but which Hanoi still refuses to explore with us.

There is, of course, the other alternative suggested to us—that of admitting that preventing aggression is only acceptable when it is cheap. This is the alternative of withdrawal. What would it mean for Southeast Asia? What would it mean, in the end, for America?

The nations of Southeast Asia today are as diverse as those in any part of the world—and they are developing, and relating to each other, and to the world, in a variety of ways which reflect this diversity. Virtually each of them has been confronted by a Communist threat at some time in its history—most of them are still confronted by this threat today. They are meeting this threat on their own, without American combat troops, often without any formal ties of alliance to any country at all. In Indonesia, in Malaysia, active communist subversion has been successfully met. In Burma, in Thailand, in Cambodia, local forces continue to hold Communist insurgents in check. Yet, each of these countries is weak compared to the Alliance of China and North Viet-Nam. What has given them, what continues to give them, the confidence to resist?

In the first instance, it is their national and religious traditions—all of them contrary to Marxian Communism. Yet, history has shown them all that proud traditions alone cannot stop armies, cannot stop subversion or the conditions it feeds on. What tips the balance, then, is their knowledge that they are not alone. Their conviction that there is a great power, the United States, that is willing to help stop aggression. In Asia as well as in Europe, as long as this conviction is secure, as long as our willingness to assist remains credible, this confidence will remain. South East Asians will deal with their own problems, including insurgency and subversion.

If that confidence is removed, however, these nations would again feel themselves alone. Then, not even the most determined of the free governments of Southeast Asia could long resist the combination of external pressure and internal subversion the Communists employ. Indeed, most of them recognize there would be no point in resisting such pressure single handed. We could expect, then, that most of Southeast Asia would soon be under the control of one or the other of the Communist allies—which one hardly matters. Hanoi's would be just as oppressive to the Lao or Cambodian as Peking's to the Burmese or Malaysian.

You need not take my word that our stand in Viet-Nam is the touchstone of that confidence. You need not take my word that our withdrawal from Viet-Nam, and the fall of that country to the Communists, would bring down the rest of Southeast Asia as well. Last July, Mr. Lee Kuan Yew, Prime Minister of neutral Singapore, pointed out:

"I feel the fate of Asia—South and Southeast Asia—will be decided in the next few years by what happens out in Viet-Nam. I mean, that this is the contest. Depending on how that is resolved, the rest of South and Southeast Asia will fall in place."

Of course, there are those who believe that wouldn't matter either—there are those who are perfectly willing to sacrifice South and Southeast Asia if that is what we must do to "get out of Viet-Nam". But what then of India, what, eventually, of the rest of Asia? They would, at the least, be confronted with very grave dangers. And the United States might then be faced by the choice between not one but a number of massive interventions, on the one hand, or the possible collapse of all of Asia on the other.

I am not talking about "monolithic Communism". Even the State Department knows that Hanoi is not a simple satellite of Peking, and that a Communist Indonesia wouldn't be either. But it seems to me that an alliance of such states, and of others transformed into their images, would be no less dangerous to us than any single power dominating the region. We could then be confronted, in a contracting world of jets and missiles, with the threat of a hostile Asia—a threat comparable at least in its potentialities to the threat we recognized thirty years ago as a grave menace to our security.

No one, of course, can give ironclad guarantees about the course of history. But no responsible statesman has the right to close his eyes to its possibilities that lie within it—especially when his nation's security is at stake.

All of our recent Presidents have kept their eyes open. All of them recognized the dangers that could arise if aggression were to go unchecked. Today, however, because the costs are higher, President Johnson is being asked to close his eyes and to ignore the dangers—to us—which a unilateral withdrawal from Viet-Nam would entail. I am pleased to tell you he has no intention of doing that. He has no intention of ignoring the words with which his predecessor began his term of office—or the cautions of the other men who have held the office of the Presidency in the last twenty years. He has no intention of abandoning his quest for a just, negotiated peace in Viet-Nam—or of abandoning that country before such a peace is attained.

The debate about our course in Viet-Nam has only begun. There is of course an outpouring of feeling and concern about our engagement in Viet-Nam. But protest is not necessarily policy. Thus far the issues have not been sharply defined. But the process of debate, particularly of debate under the fierce lights of an election, will require the contestants to declare themselves. It is natural for politicians to seek vantage points which will seem to offer new hopes for peace in a period of troubled opinion. But the American people will see through verbal formulas, or vague programs which pretend to be alternatives.

The critics of the Administration have not yet succeeded in defining an alternative to our policy in Viet-Nam. Save for the few who frankly advocate surrender, and others who would support a major expansion of our military effort, it is impossible on analysis to discover in what respects the President's critics would modify his policy of firmness and restraint. They oppose unilateral withdrawal. So does the Administration. They favor negotiation with Hanoi, but so does the Administration which has explored literally hundreds of leads, only to find the other side hanging up the phone. They suggest negotiations with the NLF. But any reputable authority on Viet-Nam, whatever his position, understands that the Liberation Front is not essentially different from Hanoi and that the fundamental conflict in Viet-Nam is squarely between Communists and non-Communists. They favor enlisting the cooperation of the Soviet Union. We have sough to do so many times. They urge larger participation of South Vietnamese forces. Tha small country has just called another 135,00 men to the colors. True, some would try onc again the device of suspending our bombin of North Viet-Nam. But they offer no reaso to suggest that such a step would produc better results now than on the previous occasions it was tried.

The plain fact is that Hanoi is not ready to negotiate, save perhaps to preside at our ritual surrender. These are the facts which every American voter should consider very carefully in the months ahead.

CONCLUSION OF MORNING BUSINESS

Mr. BYRD of West Virginia. Mr. President, is there further morning business?

The PRESIDING OFFICER. Is there further morning business? If not, morning business is closed.

MESSAGE FROM THE HOUSE

A message from the House of Representatives by Mr. Hackney, one of its reading clerks, announced that the House had passed the bill (S. 3497) to assist in the provision of housing for low- and moderate-income families, and to extend and amend laws relating to housing and urban development, with an amendment in which it requested the concurrence of the Senate; that the House insisted upon its amendment to the bill, asked a conference with the Senate on the disagreeing votes of the two Houses thereon, and that Mr. PATMAN, Mr. BARRETT, Mrs. SULLIVAN, Mr. REUSS, Mr. ASHLEY, Mr. MOORHEAD, Mr. WIDNALL, Mrs. DWYER, and Mr. BROWN of Michigan were appointed managers on the part of the House at the conference.

DECEPTIVE SALES ACT OF 1968

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 1290, S. 3065.

The PRESIDING OFFICER. The bill will be stated by title.

The ASSISTANT LEGISLATIVE CLERK. A bill (S. 3065) to amend the Federal Trade Commission Act, as amended, by providing for temporary injunctions or restraining orders for certain violations of that act.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill.

Mr. COTTON. Mr. President, I call up my amendment No. 866. I ask unanimous consent that reading of the amendment be dispensed with, but that the amendment be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

> On page 2, in lines 18 and 19, it is proposed to strike out "Upon proper showing a temporary injunction or restraining order shall be granted without bond" and insert in place thereof the following: "Upon proper showing a preliminary injunction shall be granted without bond".

Mr. COTTON. Mr. President, I ask for the yeas and nays on my amendment.

The yeas and nays were ordered.

Mr. MAGNUSON. Mr. President, at the present time, when the Federal Trade Commission takes action against a person who it has strong reason to believe is engaged in an unfair or deceptive act or practice which violates section 5 of the FTC Act, it may have to wait for a period of up to 3 years before it can issue a final cease-and-desist order. During this time, large numbers of consumers may be lured into participating in schemes which ultimately will defraud them of hundreds of dollars. For certain fraudulent operators, recognizing this deficiency in FTC procedures, may deliberately eke out the maximum period of grace afforded by exercising their complete procedural rights in order to continue to milk their deceptive schemes. As President Johnson stated when proposing this Deceptive Sales Act in his consumer message last February:

> In matters so flagrantly deceptive, the consumer and the honest businessman deserve greater—and speedier—protection.

The Commission must have available an effective means of stopping unscrupulous practices when they are discovered.

This amendment to the FTC Act, by authorizing the Commission to seek injunctive relief pending final adjudication of the case on its merits, will make available to the Commission the same procedures presently available to a private litigant in a Federal court. Where a private party demonstrates to a court that continuation of an adverse party's conduct will result in irreparable harm or injury, he may be able to obtain injunctive relief until the merits of the case are resolved. This bill would authorize the FTC, acting on behalf of consumers, to obtain similar traditional judicial relief in order to move quickly to prevent severe and irreparable economic harm or physical injury.

S. 3065 will help tremendously in equipping the Commission to combat consumer fraud. Consumers need this added assistance, so I hope that the Senate will act quickly and favorably upon this bill.

Some question has been raised about whether this bill, in applying to "any act or practice in commerce within the meaning of section 5 which is unfair or deceptive to the consumer," would confer jurisdiction upon the Commission to seek injunctions in antitrust cases. Without intending to comment upon the Supreme Court's opinion in the Dean Foods case, which could be construed as holding that the Commission has jurisdiction to seek preliminary injunctions generally in antitrust cases under the All Writs Act, it is the committee's intention that this bill is to apply solely to consumer fraud cases—generally speaking to those cases which today are within the purview of the Commission's Bureau of Deceptive Practices.

It is my belief that under section 5 of the FTC Act, the words "unfair methods of competition" are generally understood to apply to antitrust violations, while the words "unfair or deceptive acts or practices," which were added by the Wheeler-Lea amendments of 1938, apply to consumer fraud cases. Since S. 3065 refers to "any act or practice in commerce within the meaning of section 5 which is unfair or deceptive to the consumer," we intend that this language, which is merely the Wheeler-Lea amendment in transposed form, have the same interpretation as that language.

Since hearings were held on S. 3065, certain individuals have expressed the fear that once an injunction has been issued, the Commission will have no incentive to proceed diligently to bring the case to a conclusion, for the injunctive relief will be as effective as a final cease and desist order. It is certainly not the committee's intention, however, that this relief should serve as a substitute for a prompt resolution of the case by the Commission in proceedings incorporating the safeguards to which the respondent is entitled under the Administrative Procedure Act.

In traditional equity proceedings, a complainant, who has been granted injunctive relief, must employ due diligence in the prosecution of his case or the injunction will be dissolved, especially where the defendant is being deprived of the use of property or is otherwise suffering loss because of the restraint. It is the committee's intention that this right be protected. Should the Commission drag its feet in proceeding with a case in which an injunction has been obtained, we would expect the Federal court to retain jurisdiction to modify or dissolve its injunction.

Mr. BYRD of West Virginia. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. COTTON. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. COTTON. Mr. President, may I take a moment to explain the amendment.

In the first place, the bill under consideration, S. 3065, I believe is unanimously considered by the Committee on Commerce as being a meritorious measure. It would, however, amend the Federal Trade Commission Act, conferring powers on the Federal Trade Commission with respect to deceptive advertising. Among the powers that it would confer on the Federal Trade Commission is this, as indicated near the end of the bill: "Upon proper showing a temporary injunction or restraining order shall be granted without bond."

In other words, it would permit the Federal Trade Commission to go into court for either a restraining order or a temporary injunction, without bond.

When the matter was considered first in the Committee on Commerce, the Senator from New Hampshire raised the query as to whether we should confer upon the Federal Trade Commission the power, in an ex parte proceeding, without notice to the adverse party, to secure a restraining order which might conceivably put him out of business for a considerable period of time before the matter could proceed to a hearing on an injunction, and it certainly would involve considerable publicity and bad advertising.

At that time, a member of the majority staff advised the committee that under the Administrative Procedure Act, that was already taken care of, that it could not be done that way, and that there would have to be notice to the adverse party. So the Senator from New Hampshire did not pursue the matter further, and the bill was reported.

Upon examination, however, and after consultation with the minority counsel, I discovered that the information, at least in my opinion, was erroneous; because under the Federal rules of civil procedure there is this difference between a preliminary injunction and a temporary restraining order. To obtain a temporary restraining order, all that the applicant need do is to get a hearing before the court, indicate that he has not been able to notify the opposing party, that he has attempted to, or something to that effect, and he gets his temporary restraining order. To get a preliminary injunction, actual notice must be given to the opposing party, and he must be given an opportunity to be heard at the inauguration of the proceedings.

With that in mind, I prepared this amendment, which simply would strike out the temporary restraining order or temporary injunction and provides that, upon proper showing, a preliminary injunction shall be granted without bond. In other words, my amendment simply means that before any concern or corporation or individual is put out of business and is advertised in newspapers as being temporarily compelled to suspend business activities because of deceptive advertising, that adverse party, that concern, shall receive notice and have the opportunity to be heard. I believe this is highly important. The bill is good, but I believe this is highly important.

In the first place, this bill confers upon the Federal Trade Commission powers that it has never had before. In the second place, I do not suggest that there would be many cases of injustice, but it has been my experience as an attorney that many times the matter of obtaining a temporary restraining order consists of someone going into court and telling the judge that he tried to find the defendant, he could not find him, and asks for the order. The order is granted; and then, of course, the adverse party has a right to ask for a hearing on the injunctive process.

I am not suggesting any lack of diligence on the part of the court or lack of honesty and sincerity on the part of the Federal Trade Commission, but we are all human. The dockets of the Federal courts are crowded. These matters must receive rather hasty attention. In many cases, as every Member of the Senate knows, an executive department does not operate through a commissioner but through some underling or an official somewhere down the line; and this presents an opportunity for arbitrary action by a Government commission, which has never had this power before, to bring about—unintentionally perhaps—injustice upon anyone operating a business.

The temporary restraining order is supposed to be only temporary, to be extended, under the Federal rules of civil procedure, 10 days on cause, or 10 days more. The fact that this plain distinction is drawn in the Administrative Procedure Act between a preliminary injunction and a temporary restraining order reveals that the process of obtaining a temporary restraining order is fraught with the danger of injustice to individuals and to others in business.

I believed, frankly, Mr. President—I am not saying this in a complaining way—that this amendment would be accepted immediately.

The Senator from Nebraska [Mr. HRUSKA] was so concerned about this matter he requested that the committee send the bill to the Committee on the Judiciary, to be considered by them, and the committee declined to do so. I am not criticizing that in the closing days of the session. The distinguished chairman, of course, is trying to finish our business.

Mr. President, the Senator from New Hampshire does not regard this as a minor point; he regards this as a very serious and dangerous flaw in an act which is meritorious in itself and which has proper objectives. However, it is a flaw that may work an injustice.

My amendment could not work any injustice toward anyone. It could not cause a long or considerable delay to do any harm to the expeditious actions by the Federal Trade Commission because it is well known that courts give preference on the docket to applications for temporary injunctions over requests for temporary restraining orders. It is a serious matter and courts give the matter serious consideration. Both parties are notified, and, to me, that is the "guts" of justice in this matter.

If Congress is about to confer new powers upon the Federal Trade Commission, it is our duty to be very careful and meticulous in seeing to it that we do not leave a loophole which could cause this measure to be an instrument of injustice.

I have been amazed, frankly, at the resistance to the very simple amendment I have offered. My amendment would leave in the bill that this shall be without bond. Therefore, Mr. President, there is no recourse on the part of a businessman if he has irreparable injury worked upon him; there is no recourse for damages from the Government because of the action of the Federal Trade Commission.

It was suggested, I believe, by one of by distinguished colleagues on the committee that he preferred an amendment which would require a bond. I felt that this simple amendment, making it an injunction instead of a restraining order, would remedy the situation so that no bond would be necessary. However, Mr. President, I can assure you that if this amendment is not agreed to, I shall then offer the amendment which would provide for bond and I shall ask for a rollcall vote because here is one instance—and I think my opinion is shared by several members of the Committee on Commerce who speak for themselves, and by at least one other member of the Committee on the Judiciary—that offers a chance for unjust and tyrannical action by a government commission.

I hope my amendment is agreed to.

Mr. MAGNUSON. Mr. President, the Senator from New Hampshire is absolutely correct in stating that this amendment did cause some lively discussion in committee as it applies to this bill and one other bill. Many members of the committee felt that the Federal Trade Commission should have this authority to seek temporary restraining orders, which is not new as it is contained in four other acts which the Feredal Trade Commission administers. Therefore, it is a matter which has been on the statute books previously.

I appreciate the fact that the Senator from New Hampshire believes that what we intend to do in the bill regarding temporary restraining orders might do some harm to some persons engaged in practices that were not deceptive. However, his amendment would limit the Federal Trade Commission to obtaining a preliminary injunction, thereby denying it the right to seek a temporary restraining order. Many of us felt that this might severely restrict the power of the Commission to prevent fraud under this act, especially since in other acts it administers, they have the same authority to seek restraining orders. Where fraud is obvious and patent, and the matter clearly, on its face, is a violation of the laws and is also deceptive in its nature, the Commission should be able to proceed against it.

In some jurisdictions a period up to 2 weeks or more may elapse before the hearing on a preliminary injunction is actually held. During that period the Commission would be unable to take effective action against any party if it were denied the authority to request a temporary restraining order. And since the bill itself would amend that section of the Federal Trade Commission Act presently dealing with food and drug advertising where a temporary restraining order is permitted, the proposed amendment would weaken protection in an area where it now exists.

Although a temporary restraining order is a temporary remedy, it is a remedy the Commission may find necessary to employ in limited and rare circumstances. For example, they might seek to enjoin the blatant and false advertising of products which are harmful to the health or safety of persons who use that product as suggested. If they were unable to stop such advertising immediately, the complete advertising campaign could have run its course within a 2-week period to the detriment and possibly physical harm of large numbers of consumers. Similarly in flagrant home improvement frauds, many individuals may suffer severe economic injury if the injunctive relief is delayed for 2 weeks or more. It is for reasons such as these, that judicial procedure recognizes that it may be necessary to permit the issuance of a temporary restraining order and provides for it in its rules.

The courts permit an applicant to seek a temporary restraining order, but again the rules are quite explicit on the safeguards which must be met before a temporary restraining order can be issued. Rule 65 states that a temporary restraining order can be issued without notice to the adverse party only if two conditions are met: First, that it clearly appears from specific facts that immediate and irreparable injury, loss, or damage will result to the applicant before the adverse party can be heard in opposition; and, second, that the applicant's attorney certifies to the court the efforts, if any, which have been made to give notice, and the reasons supporting his claim that notice should not be required.

The existence of this second requirement, which was added in the most recent amendment of this rule, indicates that a court is expected to look closely at whether an attempt has been made to contact the adverse party. And in the note on this subsection by the advisory committee which helped draft this rule, the committee indicates that when formal notice cannot be given to the adverse party, that informal notice, such as a telephone call, should be attempted. The Commission indicates that this is its practice.

In addition, there are other practices and provisions designed to guard against unduly harming a person through the issuance of a temporary restraining order. First, a court, recognizing that this is an extraordinary remedy, tends to restrict the scope of the order very narrowly to a specific practice employed by the party, and not to the conduct of his entire business. Second, the rule specifically requires that the order expire after such brief period, not to exceed 10 days, as the court fixes. It can be renewed only once, and again for a period not to exceed 10 days. Third, the rule specifically states that any person who is placed under a temporary restraining order without having received notice may, within 2 days, appear before the court to seek a modification or dissolution of that order.

The committee agreed that it is extremely important that an adverse party receive notice of any injunctive proceeding commenced against it. It believes, however, that the safeguards provided in rule 65 will be adequate for that purpose, and no witness at the hearings on this bill suggested otherwise. The committee report, therefore, contains strong language expressing the committee's intention that the Commission, in exercising the authority conferred by S. 3065, closely follow the requirements of rule 65 of the Federal Rules of Civil Procedure, and in those limited instances where it seeks a temporary restraining order, that it must make a serious effort to contact the adverse party informally where formal notice cannot be given.

In the report we say this: In committee, an amendment which would restrict the Commission to obtaining a preliminary injunction only—and thereby denying authority of a temporary restraining order—was defeated.

The committee understands, however, that the Commission in any proceeding under the amended section shall in turn observe the requirements of rule 65 of the Federal Rules of Civil Procedure relating to the issuance of an injunction.

For rule 65 clearly requires that notice and a hearing be granted the adverse party before a preliminary injunction can be issued, and rule 65(b) is explicit on safeguards which must be met in those instances where a temporary restraining order, which can be issued for no more than 10 days and is renewable only once, is issued without notice to the adverse party. The note on this subsection 65(b) by the advisory committee, which helped to draft rule 65, indicates that when formal notice cannot be given—and this is in the report, I repeat—informal notice such as a telephone call, should be attempted. The committee agrees that the Commission should make a serious effort to notify the adverse party informally in advance of such proceedings when a formal notice cannot be given and understands that this is Commission policy.

In a letter in the committee, Chairman Dixon of the Federal Trade Commission has stated—which again clears it up:

> The practice of the Commission has been, and is, to comply with the requirements of Rule 65 of the Federal Rules of Civil Procedure. Accordingly, in seeking a temporary restraining order, where statutory authority has been given to the Commission, we attempt in all instances to give notice in writing, or at least by telephone, to the party who would be affected by such an order, or his attorney, of the Commission's intention to seek an order from the district court.
>
> Should S. 3065 be enacted, the Commission will continue this practice.

As stated earlier, the committee believes strongly that these procedures should be followed.

Mr. ALLOTT. Mr. President, will the Senator from Washington yield?

Mr. MAGNUSON. I yield.

Mr. ALLOTT. I appreciate very much the Senator's yielding to me, and I ask unanimous consent that my remarks appear in a different place in the RECORD so that this discourse may not be interrupted.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. COTTON. Mr. President, will the Senator yield?

Mr. MAGNUSON. I yield.

Mr. COTTON. Other Senators want to be heard, and I shall not go into detail at this time. However, two or three times the Senator referred to the 2-week lapse before obtaining a preliminary injunction. It has not been my experience that that delay was common at all. It has been my experience that a hearing on a preliminary injunction is given preference over everything else by a court. There is not anything in the rules of procedure that indicates there is a 2-week waiting period; is there?

Mr. MAGNUSON. The 2-week period strikes an average, because in many States and in many jurisdictions motion day is on a certain day in the week. After the motions are filed, they are taken up after a waiting period—sometimes 10 to 15 days—expires. It is a question of court procedure. I suppose there are instances where one does not have to wait even a day, but can have the motion heard immediately.

Mr. COTTON. The rules do not refer to preliminary injunctions on motions day.

Mr. MAGNUSON. The court can decide to hear it. The whole purpose is that if a person has committed an obvious, patent fraud, whether it is in home improvements or otherwise, if there is a waiting period, harm might be done to people by not having the product restrained from going on the market. I suppose sometimes it could be done in 2 or 3 days, but 2 weeks was an example. In New York, for example, motions day is on Tuesday, and then there is a 10-day waiting period afterward.

Mr. COTTON. The Senator from New Hampshire is not interested in the welfare of the person who has committed a patent, culpable, obvious fraud. He is interested in what may happen to a person who has not committed it. In this country people are innocent until they are proven guilty. I have been through the business of people saying, "We have tried to notify somebody by telephone," and then have a temporary restraining order issued, and have that appear in the newspaper, concerning a reputable businessman who may later prove himself innocent, and who does not have any recourse under a bond. That is what I am interested in.

Mr. MAGNUSON. I am interested in him. I do not know of any cases where they have had temporary orders in those cases. Where they have been obtained, they have been usually against scalawags, moving from State to State in their deceptions. The safeguards are very clear. The safeguards provide 10 days.

I think the Senator from New Hampshire and I may be in disagreement on the interpretation of the safeguards under rule 65.

I am perfectly willing to have the Senate vote on the matter. If this procedure did not exist in other legislation that must be administered by the Federal Trade Commission, it would be different. We might want to discuss the whole matter and debate whether we should have temporary orders in other cases. That has not been the case so far in either the Senate or the House of Representatives.

Mr. President, I am a lawyer, but I have not practiced very much in the last few years. I am merely giving what I think an honest and legal interpretation of the safeguards, and I am sure the Senator from New Hampshire is doing the same.

Mr. COTTON. I think the Senator is very fortunate in having the staff he has. He has some very able young people on it. I was surprised when the Senator talked about spirited discussion in the Commerce Committee, because the only discussion I recall was between two or three members on our side. I did not hear anybody on the majority side say anything about it.

Mr. MAGNUSON. I talked about it. As I recall, we listened to both sides. I expressed my opinion that I thought the temporary restraining order provision should stay in the bill in the beginning, mainly because of the four pieces of legislation that the Federal Trade Commission must administer. I suppose harm could be done either way, but I think, when we weigh the cases on the scale, very few will be found where harm was done. There may be some, but I do not know of a case where somebody has been severely injured by a temporary restraining order, because before one is obtained, it must be an obvious, patent, and flagrant fraud. Normally one will forget about the order and disappear, or voluntarily take the product off the market and cease doing business. There may be some cases where harm has been done a respondent, but I have never heard of one. On the other hand, there have been cases in which, if a certain procedure were not stopped immediately—I know this has happened under the Food and Drug Act—irreparable harm could have been done not only to the health but to the safety of people.

Mr. HRUSKA. Mr. President, I rise in support of the amendment proposed by the Senator from New Hampshire.

It was with a great deal of interest that I listened to the explanation of the bill by the very learned and able Senator from Washington, chairman of the committee. The thoughts he expressed, particularly in his closing remarks, were very much the same as when he introduced the bill in the first place.

I am sure the Senator from Nebraska

is in full sympathy with stopping a situation which could be highly damaging and irreparably harmful, on a showing of what is referred to as strict prooof. Nobody would have any doubts about the impact of this bill in such case. However, when we speak about strict proof, we get into a divergence of opinions regarding preliminary injunctions, indeed any injunctions at all, and it is to that which I wish to address myself.

What is strict proof and what must be proved? I think the bill is directed against a bad situation. I think it has laudable objectives. Where there is flagrant fraud, we want to have this kind of bill in operation. However, there ought to be some safeguards on the power vested in the Federal Trade Commission to ask for an injunction. One of them is that there should be language in the bill that would put the power to grant the injunction in the equitable discretion of the court, and not merely on a "proper showing" of the Commission's reasonable belief of a violation of law and in the public interest.

In my judgment, the amendment of the Senator from New Hampshire is a good one. It should be adopted. At a little later time in this discussion and debate, I propose to add another amendment that would go to the proposition of requiring and empowering the court to use equitable discretion as to whether an injunction should be granted as opposed to putting it simply on a routine basis that since the Federal Trade Commission believes there is a flagrant abuse, therefore, an injunction ought to issue.

A difference of opinion exists among the Federal courts of the land under section 13 of the Federal Trade Commission Act. For instance, there is a case of *Federal Trade Commission* v. *Rhodes Pharmacal Co.* (191, Fed. 2d 744) in the Seventh Circuit. The case is about 15 or 16 years old. In that case, the court of appeals granted a temporary injunction, but it limited the lower court's function in the following language:

> It is true that there is nothing in the Act or in its legislative history to indicate what should be considered as a "proper showing." We think, however, that it is fair to say that all the Commission had to show was a justifiable basis for believing, derived from reasonable inquiry or other credible information, that such a state of facts probably existed as reasonable would lead the Commission to believe that the defendants were engaged in the dissemination of false advertisements of a drug in violation of the Act. . . . This is to say . . . *the court had only to resolve the narrow issue of whether there was "reasonable cause" to believe that the alleged violation had taken place.*

It is submitted, in all seriousness and all earnestness, that the Commission would not file an application for a temporary restraining order or a temporary injunction if it did not believe it was entitled to it. If that is the fact, I may say to the Senator from Washington, the court would be compelled as a matter of mere ministerial followup to grant an injunction requested by the Federal Trade Commission. The other alternative would be to construe the statute by saying that if the court should be convinced that there is reasonable cause to believe that there is flagrant abuse, such as the chairman of the committee has referred to, it may issue an injunction.

If the chairman would be willing to suggest that the decision in Federal Trade Commission against National Health Aids, a Maryland case decided in 1952, should be the law of the land; namely, that the court would apply its equitable discretion to an application for injunction, and that the court would have to be persuaded that there is reasonable cause to believe that there was flagrant abuse, we could go along with that. Then there would be safeguards to which the public is entitled, to which businessmen are entitled, and to which the courts are entitled. But if we are to say that once the Commission believes that there has been flagrant abuse, having been persuaded in its own mind that the court must issue an injunction, that then the court must automatically grant the application, the situation will be intolerable.

Mr. COTTON. Mr. President, will the Senator yield.

Mr. HRUSKA. I am happy to yield.

Mr. COTTON. As indicated by the language of the bill, the obvious purpose—and it is a perfectly proper purpose—of the Federal Trade Commission's seeking this authority, the conferral of authority is to seek injunctive relief, to stop deceptive practices pending a Federal Trade Commission investigation. Such an investigation may last 2 or 3 years before sufficient evidence can be adduced to warrant the granting of a cease-and-desist order. It is going to take a couple of years for the Commission to investigate a case, so it would seem that they are merely seeking to put someone out of business. If the abuse were so horrible, why could they not wait 2, 3, 4, or 5 days to have a hearing at which the adverse party would have a chance to be heard?

Mr. HRUSKA. That is the essence of the amendment which the Senator from New Hampshire submits. I think it is a good argument, because there could be irreparable harm visited within even so short a time upon the person enjoined, if it were improperly done.

The case to which I referred, the National Health Aids case, indicated that it was not the intention of Congress to require a district court in the granting of the extraordinary remedy of an injunction to proceed merely on the basis of reasonable belief of the administrative agency; that the reasonable belief of the Commission is sufficient to warrant its application for the injunction. But the action of the court should be based on traditional equitable standards that properly flow in the issuance of preliminary injunctions.

I should like to ask the chairman of the committee which one or the other of those cases is the root of the bill now before the Senate? Which of the alternatives is it, may I ask? Is it that there will be an automatic, routine issuance of a preliminary injunction upon the application of the Commission, in which it states, in effect, "We are the Commission. We are convinced that this is a flagrant case and that, therefore, an injunction should issue"? Or is it the other alternative, that the court should be convinced it is a flagrant case; that it is the court's equitable discretion that should be called into play at that time, and that that is the root that would be described by the bill before the Senate?

Mr. MAGNUSON. The Senator from Nebraska is an able lawyer. The interpretation has been made in two different ways. But I would suggest that, in my opinion, the interpretation should be in between the two: that the court would not grant an injunction unless it thought the facts that gave them the right to a reasonable belief might lead to that conclusion. If after the court is satisfied the Commission has reason to believe that the practice which is unfair or deceptive is about to be committed, it must also consider whether the granting of injunctive relief would be "to the interest of the public."

Mr. HRUSKA. That is correct.

Mr. MAGNUSON. That gives broad authority to the court to say, "Even though, Mr. Commissioner, you have reason to believe the violation is flagrant, I do not believe it is in the best interest to grant the injunction." The court has wide authority to use discretion. That is a part of the bill.

Mr. HRUSKA. Yes, but the court should be convinced that there is irreparable harm.

Mr. MAGNUSON. The court has to be convinced.

Mr. HRUSKA. Where is that language?

Mr. MAGNUSON. The whole theory of injunction is that the whole case is not to be tried at that time.

Mr. HRUSKA. But under section 13 procedures, there can be an application for injunction, and there is one line of decisions within the Federal court system which holds that the mere filing of a recitation by an administrative agency that a case of flagrant abuse exists is enough for the court to issue an injunction, and it is only upon that narrow issue that the decision is made.

Mr. MAGNUSON. If the court wished to do that.

Mr. HRUSKA. No.

Mr. MAGNUSON. The court must examine the nature of this colloquy, the committee report, and all the cases. He has to look at the prima facie case the Commission presents. If the court does not think it is a prima facie case, but the Commission stubbornly says that it believes an injunction is proper, the court has discretion whether to issue it. It does not have to do so.

Mr. HRUSKA. So, that is in keeping with the traditional and equitable doctrine that the court exercise its discretion.

Mr. MAGNUSON. I hope it would be.

Mr. HRUSKA. I think that is what the Senator is describing. If so, later in the day I hope to offer an amendment which I hope the Senator will accept because it will say in words precisely what the Senator has now said—that the court can exercise its equitable discretion, and that would be in keeping also with the reason for the amendment of the distinguished Senator from New Hampshire.

Mr. MAGNUSON. Mr. President, the court would have to exercise its discretion and look closely at whether the Commission has presented all the prima facie evidence in the case. And I do not think it is mandatory on the court—I may be wrong—that just because the Commission says it has "reason to believe," even though the prima facie case is not what it ought to be or one that would cause a reasonable person to have "reason to believe" that the court would be bound by it.

Mr. HRUSKA. Mr. President, I am glad the Senator from Washington made the remarks he has just made. It shows that he is a very careful lawyer.

Mr. MAGNUSON. It also require that the injunction be to the "interest of the public." That is a pretty broad test.

Mr. HRUSKA. Mr. President, so that I understand correctly, it is the position and the interpretation of the chairman of the committee that the provisions of the bill would enable the judge to look at the recitations and the showing made by the Commission and defendant, and that he would want to be persuaded and satisfied from all of these circumstances that a case of flagrant abuse does exist and therefore should be stopped.

Mr. MAGNUSON. I do not have cases here. However, I understand that the court on many occasions has refused to act upon a Commission. But application for injunctive relief. But it is clear that it would involve determining whether the Commission has presented a prima facie case, and also—as the bill states—it must consider whether the granting of injunctive relief would be "to the interest of the public." In determining whether this requirement is satisfied, the committee intends that a court should employ its customary balancing test, by weighting the potential harm to consumers from continuation of the challenged conduct against the injury which a defendant might suffer if his conduct is enjoined unfairly.

I do not know how they can define it plainer than that.

Mr. HRUSKA. That is fine. I think that is a declaration and a restatement of the sense of the amendment which I will offer later.

Mr. MAGNUSON. Mr. President, only if the court is satisfied that these two conditions have been met, has the Commission made the "proper showing" necessary to justify the issuance of an injunction.

Mr. HRUSKA. What proper showing? A proper showing that the Commission is satisfied or that the court is satisfied?

Mr. MAGNUSON. No. The court would have to be satisfied that these two conditions have been met.

Mr. HRUSKA. Then that would be very fine. I hope that the memorandum to which the Senator has referred will be preserved as against the time when I would like to confer with him and show him the language of my amendment. I believe it will be within the memorandum to which he referred and should render the amendment acceptable to him.

It is my hope that there will be a favorable action upon the amendment of the Senator from New Hampshire. It will, however, be preliminary to my amendment which I intend to follow up on at a later time during the debate.

Mr. COTTON. Mr. President, will the Senator yield?

Mr. HRUSKA. I yield.

Mr. COTTON. Mr. President, the Senator from Nebraska was not present when I stated the portion of the bill that I am attempting to deal with. It is in the very last part. It states: "Upon a proper showing, a temporary injunction or restraining order shall be granted without bond."

My amendment would provide that it must be a preliminary injunction which calls for notice.

I stated that if the amendment is not agreed to, I would offer immediately another amendment which would require a bond, because it seems to be only ordinary commonsense to me that if we are going to deal with a businessman or concern and operate upon him in an ex parte proceeding and deal with a temporary injunctive process, one of two things should be involved: He should either have notice and an opportunity to present his case or, if he does not, there should be a bond so that if irreparable injury is caused him or his business, he has recourse. One or the other condition should be involved.

If my amendment is agreed to, I will be satisfied. If the amendment is rejected, I intend immediately to offer another amendment which would require a bond.

Mr. HRUSKA. Mr. President, I hope it will not be necessary for me to support the second amendment the Senator will offer. It is my hope that his first amendment will be agreed to.

Mr. COTTON. Mr. President, I merely explain that because the Senator from Nebraska has an amendment he intends to offer.

Mr. HRUSKA. The Senator is correct. The amendment I am seeking to offer would go particularly to the words "proper showing." What does a proper showing consist of?

Mr. COTTON. I understand that. However, I hope the Senator will not have to offer it now. I hope the Senator will let me get a quick vot: on my second amendment before he offers his amendment.

Mr. HRUSKA. That will be fine.

Mr. MAGNUSON. Mr. President, I would think a proper showing would mean that the judge would be convinced. I also would suppose that before the Federal Trade Commission went into court they would make up their minds. Many times they have gone into court and the judge would say: "No. I will not grant the injunction."

Mr. HRUSKA. That is fine. Then the Senator will not have any objection to the amendment I may offer.

Mr. MAGNUSON. The Commission would have made up their minds that they have reason to believe these facts.

Mr. HRUSKA. And that is why they are in court.

Mr. MAGNUSON. The Senator is correct. And if the court decides that matter, it must be exercising some discretion.

Mr. HRUSKA. That is why I say in the amendment, to make the colloquy clear, the following:

> Upon proper showing, the court, in its sound discretion, may grant a preliminary injunction or restraining order without bond as it shall deem just in the premises, under the same conditions and principles as injunctive relief against conduct or threatened conduct that will cause loss or damage is granted by courts of equity and upon a showing that the danger of irreparable loss or damage to the public is over immediately.

I submit that is a paraphrasing of what the Senator said relating to the exercise by the court of its sound, judicial discretion.

Mr. MAGNUSON. And it would be in the public interest.

Mr. HRUSKA. The Senator is correct.

Mr. MAGNUSON. Mr. President, I wanted it to be clear. I think we are all in close agreement about this matter. We are making a good legislative history and understand what we mean. However, we are using language that is identical in the injunction provisions of the Flammable Fabrics Act. Nobody offered an amendment to that language. The language in the Fur Products Labeling Act—and I handled both of these measures on the floor—is identical. There was no amendment offered to that language. It is identical.

The same language is in the Wool Labeling Act. All of those laws are administered by the Commission. The language is identical to the injunctive provisions contained in the Federal Power Act. Now we are proposing to change it.

I think that as a matter of policy, we ought to have the language in all of them or in none of them.

Mr. HRUSKA. The courts are the ones who have changed it. The courts have said in some instances that it is enough for the Commission to be satisfied. In other instances, they have said that the court must be satisfied.

Mr. MAGNUSON. Mr. President, how are we going to legislate satisfaction in a court?

Mr. HRUSKA. By agreeing to my amendment.

Mr. MAGNUSON. It would just give the court authority which it now has. The court can turn it down now.

Mr. HRUSKA. Some courts say that they do not have this power. All they have to do is to consider that the Commission recites in its application that it, the Commission, is convinced that the case is one of flagrant abuse and detrimental to the interest of the public. That is all they have to show.

I know that the Senator from Washington would not be satisfied with that interpretation.

Mr. MAGNUSON. All that the Commission has to say is: "Mr. Judge, we have reason to believe," and the judge can say it is mandatory and grant the injunction.

Mr. HRUSKA. Exactly. And that is what the court said.

Mr. MAGNUSON. That is not what many courts have done.

Mr. HRUSKA. That is what the court said in the case of Federal Trade Commission against Rhodes Pharmacal Co. The court said:

> We think it is fair to say that all the Commission had to show was a justifiable basis for believing. . . .

And then the injunction must issue.

Mr. MAGNUSON. I suppose they have denied injunctions, too.

I know some Federal judges who would not grant a temporary restraining order under any circumstances. They would rather let it be appealed. I know others who will say, "You have not made a prima facie case."

Some judges may accept what the Senator has read. They do not even need to say anything. All that is necessary is to bring the paper in and say, "We have reason to believe."

Mr. HRUSKA. And it is that contingency that the amendment seeks to prevent.

Mr. MAGNUSON. In any event, we have made some legislative history.

Mr. HRUSKA. That is correct.

Mr. MAGNUSON. If that is to be the policy, I hope the Senator from Nebraska, who is a prominent member of the Committee on the Judiciary, would seek to have that language included in all the other acts.

Mr. HRUSKA. I would be in favor of it. I believe it should be done, Mr. President. That is not to say that the Senator from Washington did not do a good job in the other acts.

We get into trouble because of the inconsistent rulings within the Federal judiciary system in construing those acts.

Mr. MAGNUSON. I have heard many times that when the Federal Trade Commission comes in, the Federal judges think they ought to go along with the Federal Government.

Mr. HRUSKA. Because of their expertise.

Mr. MAGNUSON. Because of their expertise, and because they are part of it. But my experience with Federal judges is that they are the most independent people in the world once they get on the bench.

AUTO THEFT PREVENTION ACT

The PRESIDING OFFICER (Mr. Hollings in the chair). The hour of 2 o'clock having arrived, the Chair lays before the Senate the unfinished business, which will be stated.

The Bill Clerk. A bill (H.R. 14935) to amend title 39, United States Code, to regulate the mailing of master keys for motor vehicle ignition switches, and for other purposes.

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the unfinished business be temporarily laid aside and that the Senate continue its consideration of S. 3065.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

AMENDMENT OF THE FEDERAL TRADE COMMISSION ACT

The Senate resumed the consideration of the bill (S. 3065) to amend the Federal Trade Commission Act, as amended, by providing for temporary injunctions or restraining orders for certain violations of that act.

Mr. COTTON. Mr. President, I am sure that all 100 Members of the Senate have listened to these arguments and will be able to vote with full knowledge. I hope we can vote at this time.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from New Hampshire. On this question the yeas and nays have been ordered, and the clerk will call the roll.

The bill clerk called the roll.

Mr. BYRD of West Virginia. I announce that the Senator from Nevada [Mr. Cannon], is absent on official business.

I also announce that the Senator from Alaska [Mr. Bartlett], the Senator from Idaho [Mr. Church], the Senator from Louisiana [Mr. Ellender], the Senator from Arkansas [Mr. Fulbright], the Senator from Alaska [Mr. Gruening], the Senator from Oklahoma [Mr. Harris], the Senator from Indiana [Mr. Hartke], the Senator from Massachusetts [Mr. Kennedy], the Senator from Ohio [Mr. Lausche], the Senator from Missouri [Mr. Long], the Senator from Louisiana [Mr. Long], the Senator from Minnesota [Mr. McCarthy], the Senator from Arkansas [Mr. McClellan], the Senator from South Dakota [Mr. McGovern], and the Senator from Minnesota [Mr. Mondale], are necessarily absent.

I further announce that, if present and voting, the Senator from Alaska [Mr. Bartlett], the Senator from Louisiana [Mr. Ellender], the Senator from Oklahoma [Mr. Harris], the Senator from Alaska [Mr. Gruening], and the Senator from Louisiana [Mr. Long] would each vote "nay."

Mr. KUCHEL. I announce that the Senator from Colorado [Mr. Allott] is absent on official business.

The Senator from New York [Mr. Javits] and the Senators from Illinois [Mr. Dirksen and Mr. Percy] are necessarily absent.

If present and voting, the Senator from Colorado [Mr. Allott] and the Senator from Illinois [Mr. Percy] would each vote "yea."

On this vote, the Senator from Illinois [Mr. Dirksen] is paired with the Senator from New York [Mr. Javits]. If present and voting, the Senator from Illinois would vote "yea" and the Senator from New York would vote "nay."

The result was announced—yeas 42, nays 37, as follows:

[No. 209 Leg.]

YEAS—42

Aiken
Baker
Bennett
Boggs
Brooke
Byrd, Va.
Carlson
Cooper
Cotton
Curtis
Dominick
Eastland
Ervin
Fannin
Fong
Griffin
Hansen
Hatfield
Hickenlooper
Hill
Hollings
Hruska
Jordan, N.C.
Jordan, Idaho
Kuchel
McIntyre
Miller
Morton
Mundt
Murphy
Pearson
Prouty
Scott
Smith
Spong
Stennis
Talmadge
Thurmond
Tower
Williams, Del.
Young, N. Dak.
Young, Ohio

NAYS—37

Anderson
Bayh
Bible
Brewster
Burdick
Byrd, W. Va.
Case
Clark
Dodd
Gore
Hart
Hayden
Holland
Inouye
Jackson
Magnuson
Mansfield
McGee
Metcalf
Monroney
Montoya
Morse
Moss
Muskie
Nelson
Pastore
Pell
Proxmire
Randolph
Ribicoff
Russell
Smathers
Sparkman
Symington
Tydings
Williams, N.J.
Yarborough

NOT VOTING—20

Allott
Bartlett
Cannon
Church
Dirksen
Ellender
Fulbright
Gruening
Harris
Hartke
Javits
Kennedy
Lausche
Long, Mo
Long, La.
McCarthy
McClellan
McGovern
Mondale
Percy

So Mr. Cotton's amendment was agreed to.

Mr. COTTON. Mr. President, I move that the vote by which the amendment was adopted be reconsidered.

Mr. HRUSKA. Mr. President, I move that the motion to reconsider be laid on the table.

The motion to lay on the table was agreed to.

HOUSING AND URBAN DEVELOPMENT ACT OF 1968

Mr. SPARKMAN. Mr. President, I ask the Chair to lay before the Senate a message from the House of Representatives on S. 3497.

The PRESIDING OFFICER (Mr. Hollings in the chair) laid before the Senate the amendment of the House of Representatives to the bill (S. 3497) to assist in the provisions of housing for low- and moderate-income families, and to extend and amend laws relating to housing and urban development, which was to strike out all after the enacting clause, and insert:

(For text of the amendment see House proceedings of July 10, 1968, pages 20562–20596, inclusive, Congressional Record.)

Mr. SPARKMAN. Mr. President, I move that the Senate disagree to the amendment of the House and agree to a conference with the House of Representatives thereon, and that the Chair appoint the conferees on the part of the Senate.

The motion was agreed to; and the Presiding Officer (Mr. Hollings in the chair), appointed Mr. Sparkman, Mr. Proxmire, Mr. Williams of New Jersey, Mr. Muskie, Mr. Bennett, Mr. Tower, and Mr. Percy conferees on the part of the Senate.

MESSAGE FROM THE HOUSE

A message from the House of Representatives by Mr. Bartlett, one of its reading clerks, announced that the House had agreed to the report of the committee of conference on the disagreeing votes the two Houses on the amendments of the Senate to the bill (H.R. 17354) making appropriations for the Department of the Interior and related agencies for the fiscal year ending June 30, 1969, and for other purposes; that the House receded from its disagreement to the amendments of the Senate numbered 6, 7, 8, 11, and 36 to the bill, and concurred therein.

The message also announced that the House had agreed to the report of the committee on conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 9063) to amend the International Claims Settlement Act of 1949, as amended, to provide for the timely determination of certain claims of American nationals, and for other purposes.

The message further announced that

House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 16703) to authorize certain construction at military installations, and for other purposes.

The message also announced that the House insisted upon its amendments to the bill (S. 222) to insure that public buildings financed with Federal funds are so designed and constructed as to be accessible to the physically handicapped, disagreed to by the Senate; agreed to the conference asked by the Senate on the disagreeing votes of the two Houses thereon, and that Mr. GRAY, Mr. JONES of Alabama, Mr. WRIGHT, Mr. GROVER, and Mr. MCEWEN were appointed managers on the part of the House at the conference.

The message further announced that the House insisted upon its amendment to the bill (S. 3418) to authorize appropriations for the fiscal years 1970 and 1971 for the construction of certain highways in accordance with title 23 of the United States Code, and for other purposes, disagreed to by the Senate; agreed to the conference asked by the Senate on the disagreeing votes of the two Houses thereon, and that Mr. FALLON, Mr. KLUCZYNSKI, Mr. WRIGHT, Mr. EDMONDSON, Mr. CRAMER, Mr. HARSHA, and Mr. DON H. CLAUSEN were appointed managers on the part of the House at the conference.

The message also announced that the House had disagreed to the amendments of the Senate to the bill (H.R. 18038) making appropriations for the legislative branch for the fiscal year ending June 30, 1969, and for other purposes; agreed to the conference asked by the Senate on the disagreeing votes of the two Houses thereon, and that Mr. ANDREWS of Alabama, Mr. STEED, Mr. KIRWAN, Mr. YATES, Mr. CASEY, Mr. MAHON, Mr. LANGEN, Mr. REIFEL, Mr. ANDREWS of Alabama, Mr. STEED, Mr. and Mr. BOW were appointed managers on the part of the House at the conference.

The message further announced that the House had agreed to the amendments of the Senate to the concurrent resolution (H. Con. Res. 735) relating to the pay of the U.S. Capitol Police force for duty performed in emergencies.

ENROLLED BILL SIGNED

The message also announced that the Speaker had affixed his signature to the enrolled bill (S. 3102) to extend until November 1, 1970, the period for compliance with certain safety standards in the case of passenger vessels operating on the inland rivers and waterways.

PRESIDENT JOHNSON'S SUPREME COURT NOMINATIONS

Mr. MORSE. Mr. President, I have two letters I wish to read into the RECORD. An oncoming issue which will confront the Senate concerns the confirmation of Supreme Court Justices, including a Chief Justice. I wish to make available to the Senate two very interesting letters; the first is dated July 2, 1902, and was written by Justice Horace Gray, of the U.S. Supreme Court, to President Theodore Roosevelt, which reads as follows:

DEAR MR. PRESIDENT: Being advised by my physicians that to hold the office of Justice of the Supreme Court for another term may seriously endanger my health, I have decided to avail myself of the privilege allowed by Congress to judges of seventy years of age and who have held office more than ten years. I should resign to take effect immediately, but for a doubt whether a resignation to take effect at a future day, or on the appointment of my successor, may be more agreeable to you.

Wishing that the first notice of my intention should go to yourself, I have not as yet mentioned it to any one else.

Very respectfully and truly yours
HORACE GRAY.

Mr. President, President Theodore Roosevelt replied to Justice Gray's letter on July 11, 1902, from Oyster Bay, N.Y., as follows:

MY DEAR JUDGE GRAY: It is with deep regret that I receive your letter of the 9th instant, and accept your resignation. As you know, it has always been my hope that you would continue on the bench for many years. If agreeable to you, I will ask that the resignation take effect on the appointment of your successor.

It seems to me that the valiant captain who takes off his harness at the close of a long career of high service faithfully rendered, holds a position more enviable than that of almost any other man; and this position is yours. It has been your good fortune to render striking and distinguished service to the whole country in certain crises while you have been on the court—and this in addition of course to uniformly helping shape its action so as to keep it on the highest standard set by the great constitutional jurists of the past. I am very sorry that you have to leave, but you go with your honors thick upon you, and with behind you a career such as few Americans have had the chance to have.

With warm regards to Mrs. Gray, believe me,

Faithfully yours,
THEODORE ROOSEVELT.

Mr. President, then, an interesting P.S.:

Hon. HORACE GRAY,
Nahant, Mass.
Personal.

P.S.—The sentence I am about to write I suppose must not be made public because it might mistakenly be held to imply that I had anticipated a change in the Chief Justiceship. If through any accident to my good friend, the Chief Justice, there had been such a vacancy, it had been my intention to appoint you to it.

Mr. President, it is very interesting, with reference to the exchange of letters, that on August 11, 1902, President Theodore Roosevelt announced his intention to appoint Oliver Wendell Holmes to succeed Justice Gray.

On September 15, 1902, Mr. Justice Gray died before Holmes took office. On December 4, 1902—not very long before the adjournment of that session of Congress, by the way—the Senate confirmed Holmes' nomination.

Mr. President, I thought this bit of information, which I gleaned from trying to do my study work, bears a very interesting application to the oncoming confirmation debate which I think will take place in the Senate before adjournment. It is appropriate to mention this today because we cannot read this historic incident without recognizing its application to the current vacancy in the Chief Justiceship of the Supreme Court to which President Johnson has nominated a very, very able Justice of the Supreme Court. I trust it will be kept in mind by Senators as they review this nomination and that of Judge Thornberry of Texas to be Associate Justice.

VIEWS OF FARMERS ON EXTENSION OF NATIONAL LABOR RELATIONS BOARD

Mr. MORSE. Mr. President, while I am on my feet, I ask unanimous consent to have printed in the RECORD some material I recently received reflecting the views of farmers concerning the matter of extension of the National Labor Relations Board to agricultural workers. I submit both letters and attachments which consist of some questionnaires to my colleagues for their inspection because I believe it behooves everyone to glean as many insights as possible about this problem for this purpose.

I ask unanimous consent that the letters which I have received from Mr. Robert W. Hukari, president of the Hood River County Farm Bureau, and Mr. James P. Mallon, president of the Hood River County Chamber of Commerce, together with the questionnaires which are attached, be printed in the RECORD.

There being no objection, the letters and questionnaires ordered to be printed in the RECORD, as follows:

HOOD RIVER COUNTY CHAMBER OF COMMERCE,
Hood River, Oreg., May 23, 1968.

Hon. WAYNE MORSE,
Senate Office Building,
Washington, D.C.

DEAR SENATOR MORSE: The Hood River County Farm Bureau and the Chamber of Commerce conducted a survey of nearly 600 farmers in the county in an attempt to determine how they would be affected by provisions in HR 16014. We are forwarding to you the questionnaires which were returned along with a tabulation of the results. To date we find that:

From a total sample of 190, 88 farmers would be covered under the present provisions of more than 12 workers on any day of the preceding year, or total labor costs in excess of $10,000. These 88 farmers operate a total of 6,550 acres for an average farm of 74.4 acres. They paid a gross of $1,533,190 in wages last year; an average payroll of $17,422. At the peak period they employed a total of 2,107 workers, which figures 24 workers per farm. To a man, these 88 farmers were opposed to the concept embodied in HR 16014, with typical comments such as:

123 acres Mr. Aubert: "This bill would eliminate a lot of people from employment that need the money. Today agriculture utilizes many people who otherwise would be on the welfare roles. I'm speaking of the wino and the older citizen who is supplementing his social security. Neither group can be classed as productive workers in that their physical conditions or emotional stability prevents them from regular employment but because of the flexibility of farm routine, agriculture can utilize their labor for possibly 2 or 3 days a week. There is no other industry who can absorb this kind of employee and if they are phased out of agriculture you can be sure their needs

will have to be met out of welfare. I hope serious consideration will be given to this measure because it's sure to injure more people than it will ever help."

45 acres Mr. Mainwaring: "Unions have, over the past years, forced cost of labor up in all industries; so now foreign-made steel, plastics, tools, endless products are as good and much cheaper than domestic-made articles. (Japanese plastic pipe is 10c per foot cheaper than domestic—I just had 2,000 feet installed.) How many American workers did this help? None! Many agricultural workers can't get jobs in industry because of drinking problems, health, poor education, and lack of skills. If their wages are advanced higher than farmers can afford by federal government *bungling*, we and the workers will all go on welfare. Is this the American way?

55 acres Mr. Moller: "I would like to point out that this migrant problem is also a SOCIAL problem. These people could not hold a job in a factory. Industry does not want them, and they don't want industry and its time clocks. They like to roam from job to job. If my apple and pear harvest lasts over a month, they can't wait to get out of Hood River and see what is around the next bend in the road. They (most) don't want any responsibilities—so don't pin this whole problen on the poor farmer!"

152 acres Mr. Moore: "While we oppose this legislation in its present form, it is my firm belief that before many years, farm workers will be organized; so rather than be opposed to all legislation along this line, we had better come up with some positive proposals that would give some protection to the grower of perishable crops in case of a labor dispute. Compulsory arbitration if nothing better is found."

72 acres Mr. Nakamura: "HR 16014 may be the straw to break the camel's back. Fruit farmers are already receiving a poor return on their investment caused by high taxes, high costs of equipment replacement, and higher costs of practically everything, but receive no higher returns proportionately on their fruit products."

130 acres Mr. Scott: "Passage of this bill could mean that a crop would be left on the trees. The *real* workers have been getting a fair wage for years in this area—they will not be interested in paying dues or in losing work time in case of a strike. It is only the professional agitators, malcontents, and *other bums* who will welcome this type of legislation. The farmers and local businessmen who pay the taxes will suffer. Let's take a step toward putting government back into the hands of responsible citizens!"

44 acres Mr. Gale: "In piecework on perishable crops, where we pay our skilled workers $15 to $30 per day and more, but unskilled or lazy individuals on the same job may make only $7 or $8 per day. Neither the farmer nor the skilled, hard worker want or would benefit from a union. To unionize just for the sake of the union movement may be good politics, but it is non-productive and poor economics. Like most growers, I pay my workers as much as I can and wish I could do even more for them, but I *must* control my own work schedule and harvest or sell out."

From this same sample of 190 responses, 84 farmers would be exempt from specific coverage by the terms of the bill. However, in every instance, these smaller farmers were opposed to the concept embodied in HR 16014. In a small close-knit community like the Hood River Valley, and especially where we have historically been hard-pressed to secure adequate hand harvest laborers at the peak of apple picking season, the small acreage growers realize that they must compete favorably in wages and working conditions with their neighbor in order to secure and keep pickers. Therefore, any legislatively imposed requirements, any collective bargaining negotiated terms levied against the so-called "large" farmer would equally affect each and every farmer in the area. In fact, the small family farmer would likely be harder pressed to survive, since he has fewer pieces of produce to absorb an increased cost of doing business. The net effect of this proposed legislation would be to force the establishment of the large corporate farm—the exact opposite from what its proponents claim.

The 84 "not covered" farmers operate a total of 2,838 acres for an average farm size of 33.8 acres. They paid out a gross of $287,163 in wages last year, an average of $3,418 per farmer. These 84 farms employed a total of 670 workers, or the equivalent of 8 per farm. Following are some of the typical comments submitted with the questionnaire:

7 acres cherry grower Mr. Adams: "What benefit would the workers receive by being unionized? We all pay the same wages on picking which is piece work and always give more if the crop is slight and picking scattered. Our workers make $20 to $25 per day and a family does well by $40 to $50 a day. Our Congressmen certainly haven't looked into this matter very carefully if they are for it in Oregon where farms are small and we depend on migrant help."

40 acres Mr. Alcorn: "If unions ever get control in Hood River Valley we might as well take out all the trees and raise sheep and cattle on pasture."

28 acres Mr. Christforth: "There's too much agriculture legislation against small growers. I'd like to be independent. It's getting harder and harder to stay in business."

23½ acres Mr. Edwards: "I believe its time Labor Lobbyists get out of law making. Every year seems like the screws get tightened more and more on the farmer. I know labor would like nothing better than to deal only with a few large corporate farmers rather than with many smaller farmers. To me this seems their aim. To stamp out smaller farms, by labor legislation crippling too many."

65 acres Mr. Kamper: "Maybe more effort should be concentrated on the fact that the farm labor migrants and work force is *very* considerably less than the total of *all* non-unionized labor in the nation. It is well recognized that all the do-gooders have a good thing going with the migrant labor dilemma. *And* the Union promoters and his moguls are really wringing their grubby hands with glee. All the footwork being done for free. I doubt that most labor is really interested in forced unionization."

20 acres Mr. Larch: "I feel this will work as big a hardship on help as it will on the farmers, and the only ones who will gain will be the union and the officials who will administer it."

100 acres Mr. Sieverkropp (all young trees): "Due to the short harvesting period of 4 to 5 days for top quality of any variety of apples and pears, it is critical that picking not be delayed by any labor dispute. I will vote against any congressman that votes in any legislation that in effect would ruin a farmer's crop. No group in the U.S. is more discriminated against than a farmer—with the exception of a Negro farmer."

20 acres Mr. Von Lubkin, Jr.: "I can't see how Congress or anybody else can even think of passing a bill which would give the control of agriculture to a few union bosses. Many of the laborers I have talked with either do not want the union or just plain don't care; so all I think this bill will do is give a few men big salaries for pushing around both farmers and their employees. Some people in Oregon might be surprised at how fairly paid and treated are many of the laborers in this area, at least."

The balance of the questionnaires returned were incomplete so could not be tabulated. 9 of the farmers expressed opposition to HR 16014. 6 of them queried did not express an opinion because they were no longer actively farming. 3 of the returns expressed doubt or requested more information.

Yours very truly,

ROBERT W. HUKARI,
President.

QUESTIONNAIRES

I am a farmer with 70 acres.

My principal crops are Apples, Pears, Cherries and Peaches.

My payroll total for 1967 was $19,000.

The maximum number of workers I employed on any one day was 25.

Under the provisions of HR 16014 I would be covered by the proposed act. (If not covered complete next question)

I have ——— neighbors who will be covered under HR 16014, and as a result it will be necessary for me to meet their wage and working conditions if I am going to get my crop harvested.

I oppose the concept embodied in HR 16014.

TED S. EKKER.

I am a farmer with 60 acres.

My principal crops are Apples and Pears.

My payroll total for 1967 was $18,000.

The maximum number of workers I employed on any one day was 15.

Under the provisions of HR 16014 I would be covered by the proposed act. (If not covered complete next question)

I have a large number of neighbors who will be covered under HR 16014, and as a result it will be necessary for me to meet their wage and working conditions if I am going to get my crop harvested.

I oppose the concept embodied in HR 16014.

Comments: Impress on the farmer to clean up labor camps. This will help and be in our favor.

RAY SNODGRASS.

PARKDALE, OREG.

I am a farmer with 123 acres.

My principal crops are Apples and Pears.

My payroll total for 1967 was $10,265.11.

The maximum number of workers I employed on any one day was 18.

Under the provisions of HR 16014 I would be covered by the proposed act. (If not covered complete next question.)

I have ——— neighbors who will be covered under HR 16014, and as a result it will be necessary for me to meet their wage and working conditions if I am going to get my crop harvested.

I oppose the concept embodied in HR 16014.

Comments: This bill would eliminate a lot of people from employment that need the money. Today agriculture utilizes many people who otherwise would be on the welfare roles. I'm speaking of the wino and the older citizen who is supplementing his social security. Neither group can be classed as productive workers in that their physical condition or emotional stability prevents them from regular employment but because of the flexibility of farm routine, agriculture can utilize their labor for 1 or possibly 2 or 3 days a week.

There is no other industry who can absorb this kind of employee and if they are phased out of agriculture you can be sure their needs will have to be met by welfare.

I hope serious consideration will be given to this measure because it's sure to injure more people than it will ever help.

PAUL N. AUBERT.

I am a farmer with 45 acres.

My principal crops are Apples, Pears and Cherries.

My payroll total for 1967 was just under $8,000.

The maximum number of workers I employed on any one day was 14.

Under the provisions of HR 16014 I would be covered by the proposed act. (If not covered complete next question.)

I have ——— neighbors who will be covered under HR 16014, and as a result it will be necessary for me to meet their wage and working conditions if I am going to get my crop harvested.

I oppose the concept embodied in HR 16014

Comments: Unions have, over the past years, forced cost of labor up in all industries; so now foreign made steel, plastics, tools and endless products are as good and much cheaper than domestic-made articles. (Japanese plastic pipe is 10¢ per foot cheaper than domestic made.) I just had 2000 feet installed. How many American workers did this help? None.

Many agricultural workers can't get jobs in industries because of drinking problems, health, poor education, and lack of skills. If their wages are advanced higher than farmers can afford by Federal Govt. Bungling, we and the workers will have to go on Welfare. Is this the American way?

RAY MAINWARING.

I am a farmer with 55 acres.

My principal crops are apples, pears and cherries.

My payroll total for 1967 was $15,000.

The maximum number of workers I employed on any one day was 18.

Under the provisions of HR 16014 I would be covered by the proposed act. (If not covered complete next question)

I have ——— neighbors who will be covered under HR 16014, and as a result it will be necessary for me to meet their wage and working conditions if I am going to get my crop harvested.

I oppose the concept embodied in HR 16014.

Comments: I would like to point out that this migrant problem is also a social problem. These people could not hold a job in a factory. Industry does not want them and they don't want industry and its time clocks. They like to roam from job to job. If my apple and pear harvest lasts over a month, they can't wait to get out of Hood River and see what is around the next bend in the road. They (most) don't want any responsibilities so don't pin this whole problem on the farmer.

ROBERT F. MOLLER.

I am a farmer with 152 acres.

My principal crops are pears, cherries, and apples.

My payroll total for 1967 was $70,000.

The maximum number of workers I employed on any one day was 75.

Under the provisions of HR 16014 I would be covered by the proposed act. (If not covered complete next question)

I have ——— neighbors who will be covered under HR 16014, and as a result it will be necessary for me to meet their wage and working conditions if I am going to get my crop harvested.

I oppose the concept embodied in HR 16014.

Comments: While we oppose this legislation in its present form, it is my firm belief that before many years farm workers will be organized; so rather than be opposed to all legislation along this line, we had better come up with some positive proposals that would give some protection to the grower of perishable crops in case of a labor dispute. Compulsory arbitration if nothing better is found.

EARL A. MOORE.

I am a farmer with 72 acres.

My principal crops are apples, pears, cherries.

My payroll total for 1967 was $9,665.

The maximum number of workers I employed on any one day was 15.

Under the provisions of HR 16014 I would be covered by the proposed act. (If not covered complete next question)

I have ——— neighbors who will be covered under HR 16014, and as a result it will be necessary for me to meet their wage and working conditions if I am going to get my crop harvested.

I oppose the concept embodied in HR 16014.

Comments: HR 16014 may be the straw to break the camel's back. Fruit farmers are already receiving a poor return on their investment caused by high taxes, high cost of equipment replacement, and higher cost of practically everything, but receive no higher return proportionately on their fruit.

——— ———.

I am a farmer with 130 acres.

My principal crops are pears, cherries, peaches, cattle.

My payroll total for 1967 was $12,000.

The maximum number of workers I employed on any one day was 15.

Under the provisions of HR 16014 I would be covered by the proposed act. (If not covered complete next question)

I have ——— neighbors who will be covered under HR 16014, and as a result it will be necessary for me to meet their wage and working conditions if I am going to get my crop harvested.

I oppose the concept embodied in HR 16014.

Comments: Passage of this bill could mean that a crop would be left on the trees. The real workers have been getting a fair wage for years in this area—they will not be interested in paying dues or in losing work time in case of a strike. It is only the professional agitators, malcontents, and other bums who will welcome this type of legislation. The farmers and local businessmen who pay the taxes will suffer. Let's take a step toward putting Government back into the hands of responsible citizens.

JOHN D. SCOTT.

I am a farmer with 44 acres.

My principal crops are apples, pears, cherries.

My payroll total for 1967 was $13,000.

The maximum number of workers I employed on any one day was 12.

Under the provisions of HR 16014 I would be covered by the proposed act. (If not covered complete next question.)

I have ——— neighbors who will be covered under HR 16014, and as a result it will be necessary for me to meet their wage and working conditions if I am going to get my crop harvested.

I oppose the concept embodied in HR 16014.

Comments: In peacework on perishable crops where we pay our skilled workers $15.00 to $30.00 a day and more but unskilled, or lazy people on the same job may make only $7.00 or $8.00 per day neither the farmer nor the skilled hardworker want or would benefit from a union. To unionize just for the sake of the union movement may be good politics, but it is nonproductive and poor economics. Like most growers I pay my workers as much as I can and wish I could do even more for them, but I must control by own work schedule and harvest or sell out.

WILLIAM R. GALE.

I am a farmer with 35 acres.

My principal crops are apples and pears.

My payroll total for 1967 was $12,000.

The maximum number of workers I employed on any one day was 20.

Under the provisions of HR 16014 I would be covered by the proposed act. (If not covered complete next question.)

I have ——— neighbors who will be covered under HR 16014, and as a result it will be necessary for me to meet their wage and working conditions if I am going to get my crop harvested.

I oppose the concept embodied in HR 16014.

Comments: I oppose any kind of unionizing on farms or any other place as far as that goes. All they think of is to raise their wages with less work. People are getting too lazy and have too much time on hand and that is one of the reasons we have so much riots and etc.

MASARIC TUYAKAWA.

I am a farmer with 32 acres.

My principal crops are apples and pears.

My payroll total for 1967 was $12,787.50.

The maximum number of workers I employed on any one day was 30.

Under the provisions of H.R. 16014 I would be covered by the proposed act. (If not covered complete next question.)

I have ——— neighbors who will be covered under H.R. 16014, and as a result it will be necessary for me to meet their wage and working conditions if I am going to get my crop harvested.

I oppose the concept embodied in H.R. 16014.

Comments: Bill H.R. 16014 would place me in a precarious position because of the crop I produce. Apples and pears in order to be marketed at a profit must be picked at the proper maturity. A strike during picking season could cause a complete loss in the crops I grow.

E. J. LABREE.

I am a farmer with 65 acres.

My principal crops are apples and pears.

My payroll total for 1967 was $17,914.69.

The maximum number of workers I employed on any one day was 22.

Under the provisions of H.R. 16014 I would be covered by the proposed act. (If not covered complete next question).

I have ——— neighbors who will be covered under H.R. 16014, and as a result it will be necessary for me to meet their wage and working conditions if I am going to get my crop harvested.

I oppose the concept embodied in H.R. 16014.

Comments: I am opposed to the bill H.R. 16014 because our crops are our living and we cannot afford to even hire one man the whole calendar year. Here is the reason we have 22 workers during Bartlett harvest for 5 to 8 days. The cannery will not take our fruit if it takes more than 8 days to get it picked. During Danjous pears and apple harvest the crew is reduced to 10 to 12 because we have 10 to 14 days allowed to harvest. The only other time I have to hire anyone is during pruning and thinning season. I hire 304 local Hood River people at these times.

I understand I am not required by law under this bill to sign up for this union contract, but if I do not will anyone pick my apples and pears?

ALLEN L. POASCH.

I am a farmer with 120 acres.

My principal crops are pears, apples, cherries.

My payroll total for 1967 was $33,243.24.

The maximum number of workers I employed on any one day was 41.

Under the provisions of H.R. 16014 I would be covered by the proposed act. (If not covered complete next question)

I have ——— neighbors who will be covered under H.R. 16014, and as a result it will be necessary for me to meet their wage and working conditions if I am going to get my crop harvested.

I oppose the concept embodied in H.R. 16014.

Comments: This would force middle-sized growers such as myself to either form large corporate-type organizations or force us out of business. Probably the latter. Minimum price would have to be guaranteed by someone? Government? Labor?

ROY T. YASUI.

I am a farmer with 60 acres.

My principal crops are apples, pears, and cherries.

My payroll total for 1967 was $12,000 approx.

The maximum number of workers I employed on any one day was 15.

Under the provisions of H.R. 16014 I would be covered by the proposed act. (If not covered complete next question)

I have 4 neighbors who will be covered under H.R. 16014, and as a result it will be necessary for me to meet their wage and working conditions if I am going to get my crops harvested.

I oppose the concept embodied in H.R. 16014.

Comments: This bill will not benefit farming in any way. It will not help labor too much either as it will force farms to mechanize even further, taking away jobs from the unskilled, adding those people to welfare and poverty groups, that normally could earn a living by working in agriculture. This bill will also force more small farms out of business because it will force higher labor costs and with the already slim profit margin they cannot survive.

GEORGE M. ACKERMAN.

I am a farmer with 43 acres.

My principal crops are apples, pears, cherries.

My payroll total for 1967 was $16,000.

The maximum number of workers I employed on any one day was 18.

Under the provisions of HR 16014 I would be covered by the proposed act. (If not covered complete next question.)

I have ——— neighbors who will be covered under H.R. 16014, and as a result it will be necessary for me to meet their wage and working conditions if I am going to get my crop harvested.

I oppose the concept embodied in HR 16014.

GEORGE AKIZAMA.

We are a corporation with 42 acres.

My principal crops are pears and apples.

My payroll total for 1967 was $17,000.

The maximum number of workers I employed on any one day was 20.

Under the provisions of HR 16014 I would be covered by the proposed act. (If not covered complete next question.)

I have ——— neighbors who will be covered under HR 16014, and as a result it will be necessary for me to meet their wage and working conditions if I am going to get my crop harvested.

I oppose the concept embodied in HR 16014.

BABSON BROS. RANCH INC.,
P. D. COSNER.

I am a farmer with 55 acres.

My principal crops are apples and pears.

My payroll total for 1967 was $22,000.

The maximum number of workers I employed on any one day was 22.

Under the provisions of HR 16014 I would be covered by the proposed act. (If not covered complete next question.)

I have ——— neighbors who will be covered under HR 16014, and as a result it will be necessary for me to meet their wage and working conditions if I am going to get my crop harvested.

I oppose the concept embodied in HR 16014.

WILLIAM C. BEACHMAN.

I am a farmer with 65 acres.

My principal crops are pears and apples.

My payroll total for 1967 was $13,672.

The maximum number of workers I employed on any one day was 19.

Under the provisions of H.R. 16014 I would be covered by the proposed act. (If not covered complete next question)

I have ——— neighbors who will be covered under H.R. 16014, and as a result it will be necessary for me to meet their wage and working conditions if I am going to get my crop harvested.

I oppose the concept embodied in H.R. 16014.

JOHN H. BENNETT.

I am a farmer with 115 acres.

My principal crops are apple and pears.

My payroll total for 1967 was $65,000.

The maximum number of workers I employed on any one day was 35.

Under the provisions of H.R. 16014 I would be covered by the proposed act. (If not covered complete next question)

I have ——— neighbors who will be covered under H.R. 16014, and as a result it will be necessary for me to meet their wage and working conditions if I am going to get my crop harvested.

I oppose the concept embodied in H.R. 16014.

BICKFORD ORCHARDS, INC.
ALAN C. BICKFORD, *President.*

I am a farmer with 65 acres.

My principal crops are pears and ———.

My payroll total for 1967 was $12,578.

The maximum number of workers I employed on any one day was 35.

Under the provisions of H.R. 16014 I would be covered by the proposed act. (If not covered complete next question)

I have ——— neighbors who will be covered under H.R. 16014, and as a result it will be necessary for me to meet their wages and working conditions if I am going to get my crop harvested.

I oppose the concept embodied in H.R. 16014.

Comments: Small farms, such as mine, are being forced out of existence by higher prices for materials, while returns continue low. Unionizing labor will not solve the farmers' problems.

CHARLES S. BOWE.

I am a farmer with 33 acres.

My principal crops are pears, apples, and a few peaches.

My payroll total for 1967 was $4,000.

The maximum number of workers I employed on any one day was 14.

Under the provisions of HR 16014 I would be covered by the proposed act. (If not covered complete next question)

I have ——— neighbors who will be covered under HR 16014, and as a result it will be necessary for me to meet their wage and working conditions if I am going to get my crop harvested.

I oppose the concept embodied in HR 16014.

Comments: Farm labor in this area is generally well treated and well-compensated. Any advantages to worker or grower by passing HR 16014 would be outweighed by the disadvantages.

ROBERT V. BRYANT.

I am a farmer with 150 acres.

My principal crops are apples, pears, turkeys and cattle.

My payroll total for 1967 was $24,554.11.

The maximum number of workers I employed on any one day was about 45.

Under the provisions of HR 16014 I would be covered by the proposed act. (If not covered complete next question)

I have ——— neighbors who will be covered under HR 16014, and as a result it will be necessary for me to meet their wage and working conditions if I am going to get my crop harvested.

I oppose the concept embodied in HR 16014.

D. R. COOPER.

I am a farmer with 23½ acres.

My principal crops are pears.

My payroll total for 1967 was $8,685.20.

The maximum number of workers I employed on any one day was 30.

Under the provisions of HR 16014 I would be covered by the proposed act. (If not covered complete next question)

I have ——— neighbors who will be covered under HR 16014, and as a result it will be necessary for me to meet their wage and working conditions if I am going to get my crop harvested.

I oppose the concept embodied in HR 16014.

JOHN H. COUCH.

I am a farmer with 40 acres.

My principal crops are pears, apples, peaches, cherries.

My payroll total for 1967 was $6,700.

The maximum number of workers I employed on any one day was 13.

Under the provisions of HR 16014 I would be covered by the proposed act. (If not covered complete next question)

I have ——— neighbors who will be covered under HR 16014, and as a result it will be necessary for me to meet their wage and working conditions if I am going to get my crop harvested.

I oppose the concept embodied in HR 16014.

Comments: The unionization of farm labor could be disastrous in event of a strike at harvest time. This is especially true with perishable crops.

JAMES B. COX.

I am a farmer with 35 acres.

My principal crops are apples, pears, cherries.

My payroll total for 1967 was $9,127.95.

The maximum number of workers I employed on any one day was fourteen.

Under the provisions of HR 16014 I would be covered by the proposed act. (If not covered complete next question)

I have ——— neighbors who will be covered under HR 16014, and as a result it will be necessary for me to meet their wage and working conditions if I am going to get my crop harvested.

I oppose the concept embodied in HR 16014.

Comments: With farm profits on the decline (12% I believe in 1967). It seems like something should be done to help farmers—not further encumber us.

DONALD A. CLARK.

I am a farmer with 27 acres.

My principal crops are pears, apples, cherries, peaches.

My payroll total for 1967 was $ 7,000.

The maximum number of workers I employed on any one day was 15.

Under the provisions of HR 16014 I would be covered by the proposed act. (If not covered complete next question)

I have ——— neighbors who will be covered under HR 16014, and as a result it will be necessary for me to meet their wage and working conditions if I am going to get my crop harvested.

I oppose the concept embodied in HR 16014.

Comments: Unionism would be the ruination of the entire farm group of the U.S. Don't let it happen. It can't work.

C. C. CUTLER.

I am a farmer with 65 acres.

My principal crops are apples, pears.

My payroll total for 1967 was $21,000.

The maximum number of workers I employed on any one day was 30.

Under the provisions of HR 16014 I would be covered by the proposed act. (If not covered complete next question)

I have ——— neighbors who will be covered under HR 16014, and as a result it will be necessary for me to meet their wage and working conditions if I am going to get my crop harvested.

I oppose the concept embodied in HR 16014.

CHARLES DEACH.

I am a farmer with 50 acres.

My principal crops are fruit.

My payroll total for 1967 was $12,000.

The maximum number of workers I employed on any one day was 20.

Under the provisions of HR 16014 I would be covered by the proposed act. (If not covered complete next question.)

I have ——— neighbors who will be covered under HR 16014, and as a result it will be necessary for me to meet their wage and and working conditions if I am going to get my crop harvested.

I oppose the concept embodied in HR 16014.

I. W. EUDAN, Jr.

I am a farmer with 95 acres.

My principal crops are pears, apples, strawberries.

My payroll total for 1967 was $30,000.

The maximum number of workers I employed on any one day was 32.

Under the provisions of HR 16014 I would be covered by the proposed act. (If not covered complete next question.)

I have ——— neighbors who will be covered under HR 16014, and as a result it will be necessary for me to meet their wage and working conditions if I am going to get my crop harvested.

I oppose the concept embodied in HR 16014.

EUGENE C. ERUVER.

I am a farmer with 35 acres.

My principal crop is apples.

My payroll total for 1967 was $10,500.

The maximum number of workers I employed on any one day was 16.

Under the provisions of HR 16014 I would be covered by the proposed act. (If not covered complete next question)

I have ——— neighbors who will be covered under HR 16014, and as a result it will be necessary for me to meet their wage and working conditions if I am going to get my crop harvested.

I oppose the concept embodied in HR 16014.

LOREN W. FLETCHER.

I am a farmer with 30 acres.

My principal crops are pears, apples, cherries, peaches.

My payroll total for 1967 was $5,500.

The maximum number of workers I employed on any one day was 15.

Under the provisions of HR 16014 I would be covered by the proposed act. (If not covered complete next question

I have 4 neighbors who will be covered under HR 16014, and as a result it will be necessary for me to meet their wage and working conditions if I am going to get my crop harvested.

I oppose the concept embodied in HR 16014.

W. H. FURROW.

I am a farmer with 40 acres.

My principal crops are pears, apples, and cherries.

My payroll total for 1967 was $10,760.

The maximum number of workers I employed on any one day was 14.

Under the provisions of HR 16014 I would be covered by the proposed act. (If not covered complete next question)

I have ——— neighbors who will be covered under HR 16014, and as a result it will be necessary for me to meet their wage and working conditions if I am going to get my crop harvested.

I oppose the concept embodied in HR 16014.

LOLA B. GALLIGAN.

I am a farmer with 27 acres.

My principal crops are pears and apples—cherries.

My payroll total for 1967 was $3,000.

The maximum number of workers I employed in any one day was 14.

Under the provisions of HR 16014 I would be covered by the proposed act. (If not covered complete next question)

I have ——— neighbors who will be covered under HR 16014, and as a result it will be necessary for me to meet their wages and working conditions if I am going to get my crop harvested.

I oppose the concept embodied in HR 16014.

EDMUND J. GEHRIG.

I am a farmer with 35 acres.

My principal crops are pears.

My payroll total for 1967 was $400.

The maximum number of workers I employed on any one day was 14.

Under the provisions of HR 16014 I would be covered by the proposed act. (If not covered complete next question)

I have ——— neighbors who will be covered under HR 16014, and as a result it will be necessary for me to meet their wage and working conditions if I am going to get my crop harvested.

I oppose the concept embodied in HR 16014.

Comments: 13 of the 35 acres was purchased after harvest last year.

CLYDE O. GRAY.

I am a farmer with 20 acres.

My principal crops are pears.

My payroll total for 1967 was $1,450.

The maximum number of workers I employed on any one day was 15.

Under the provisions of HR 16014 I would be covered by the proposed act. (If not covered complete next question)

I have 4 adjoining neighbors who will be covered under HR 16014, and as a result it will be necessary for me to meet their wage and working conditions if I am going to get my crop harvested.

I oppose the concept embodied in HR 16014.

CLARENCE F. HALE.

GOOD RIVER, OREG.

I am a farmer with 150 acres.

My principal crops are apples and pears.

My payroll total for 1967 was $27,000.

The maximum number of workers I employed on any one day was 30.

Under the provisions of HR 16014 I would be covered by the proposed act. (If not covered complete next question)

I have ——— neighbors who will be covered under HR 16014, and as a result it will be necessary for me to meet their wage and working conditions if I am going to get my crop harvested.

I oppose the concept embodied in HR 16014.

HOLLIDAY ORCHARDS, INC.

I am a farmer with 110 acres.

My principal crops are pears and apples.

My payroll total for 1967 was $18,000.

The maximum number of workers I employed on any one day was 15.

Under the provisions of HR 16014 I would be covered by the proposed act. (If not covered complete next question)

I have ——— neighbors who will be covered under HR 16014, and as a result it will be necessary for me to meet their wage and working conditions if I am going to get my crop harvested.

I oppose the concept embodied in HR 16014.

NOBORA HAMADA.

I am a farmer with 55 acres.

My principal crops are apples and pears.

My payroll total for 1967 was $12,314.78.

The maximum number of workers I employed on any one day was 30.

Under the provisions of HR 16014 I would be covered by the proopsed act. (If not covered complete next question)

I have ——— neighbors who will be covered under HR 16014, and as a result it will be necessary for me to meet their wage and working conditions if I am going to get my crop harvested.

I oppose the concept embodied in HR 16014.

D. W. HIGGINS.

I am a farmer with 50 acres.

My principal crops are pears.

My payroll total for 1967 was $9 to $10 thousand.

The maximum number of workers I employed on any one day was 12.

Under the provisions of H.R. 16014 I would be covered by the proposed act. (If not covered complete next question)

I have many neighbors who will be covered under H.R. 16014, and as a result it will be necessary for me to meet their wage and working conditions if I am going to get my crop harvested.

I oppose the concept embodied in H.R. 16014.

N. C. HIGGINS.

I am a farmer with 20 acres.

My principal crops are pears.

My payroll total for 1967 was $1,500.

The maximum number of workers I employed on any one day was 16.

Under the provisions of H.R. 16014 I would be covered by the proposed act. (If not covered complete next question)

I have 3 neighbors who will be covered under H.R. 16014, and as a result it will be necessary for me to meet their wage and working conditions if I am going to get my crop harvested.

I oppose the concept embodied in H.R. 16014.

FRANK M. HOOD.

I am a farmer with 250 acres.

My principal crops are apples, pears, cherries.

My payroll total for 1967 was $66,510.97.

The maximum number of workers I employed on any one day was 84.

Under the provisions of HR 16014 (I would) be covered by the proposed act. (If not covered complete next question.)

I have ——— neighbors who will be covered under HR 16014, and as a result it will be necessary for me to meet their wage and working conditions if I am going to get my crop harvested.

I oppose the concept embodied in HR 16014.

——— ———.

I am a farmer with 20 acres.

My principal crops are pears and apples.

My payroll total for 1967 was $5,895.65.

The maximum number of workers I employed on any one day was 13.

Under the provisions of HR 16014 I would be covered by the proposed act. (If not covered complete next question.)

I have ——— neighbors who will be covered under HR 16014, and as a result it will be necessary for me to meet their wage and working conditions if I am going to get my crop harvested.

I oppose the concept embodied in HR 16014.

Comments: By its very nature, fruit growing is too uncertain to be covered by this bill, HR 16014. The elements and other factors beyond our control dictate our production, not someone behind a desk with economic laws of supply and demand to go by.

ARNE ONEY HUKARI.

I am a farmer with 85 acres.

My principal crops are apples, pears, cherries.

My payroll total for 1967 was $16,000.

The maximum number of workers I employed on any one day was 15.

Under the provisions of HR 16014 I would be covered by the proposed act. (If not covered complete next question)

I have ——— neighbors who will be covered under HR 16014, and as a result it will be necessary for me to meet their wage and working conditions if I am going to get my crop harvested.

I oppose the concept embodied in HR 16014.

Bruno and Ramona Hukari.

I am a farmer with 180 acres.

My principal crops are apples, pears, cherries.

My payroll total for 1967 was $42,250.

The maximum number of workers I employed on any one day was 35.

Under the provisions of HR 16014 I would be covered by the proposed act. (If not covered complete next question)

I have ——— neighbors who will be covered under HR 16014, and as a result it will be necessary for me to meet their wage and working conditions if I am going to get my crop harvested.

I oppose the concept embodied in HR 16014.

Comments: I have personally spoken to Senator Morse twice in reference to this legislation—once in his office in Washington, D.C. & again at a luncheon at the Ramada Inn near Portland. I am sure my brief comments here could do little to augment my vocally expressed concern over what position this bill could place me as a family farmer in the tree fruits business—a high user of hand harvest labor!

Robert W. Hukari.

I am a farmer with 65 acres.

My principal crops are Newtown Apples, Red Delicious Apples, Golden Delicious Apples, Bartlett Pears, Bosc Pears, and Anjou Pears.

My payroll total for 1967 was $13,500.

The maximum number of workers I employed on any one day was 22.

Under the provisions of HR 16014 I would be covered by the proposed act. (If not covered complete next question).

I have ——— neighbors who will be covered under HR 16014, and as a result it will be necessary for me to meet their wage and working conditions if I am going to get my crop harvested.

I oppose the concept embodied in HR 16014.

Comments: Agriculture should not be covered by the identical same rules and regulations as industry. The problems are entirely different and the relative bargaining position of the farmer and a union are completely different than industry due to one turn over in any given year. This bill will create more problems than it proposes to solve.

Ron T. Huhair.

We are farmers with 86 acres.

My principal crops are De Anjou and Bartlett pears, Newtown and W. Bamma apples.

Our payroll total for 1967 was $10,150.87.

The maximum number of workers we employed on any one day was 14.

Under the provisions of HR 16014 we would be covered by the proposed act. (If not covered complete next question).

We have ——— neighbors who will be covered under HR 16014, and as a result it will be necessary for us to meet their wage and working conditions if we are going to get our crop harvested.

We oppose the concept embodied in HR 16014.

Samuel J. Hutson.
W. A. Hutson.

I am a farmer with 113 acres.

My principal crops are apples, pears, cherries.

My payroll total for 1967 was $12,000 approximate.

The maximum number of workers I employed on any one day was 18.

Under the provisions of H.R. 16014 I would be covered by the proposed act. (If not covered complete next question.)

I have ——— neighbors who will be covered under H.R. 16014, and as a result it will be necessary for me to meet their wage and working conditions if I am going to get my crop harvested.

I oppose the concept embodied in H.R. 16014.

Comments: I am thoroughly opposed to this bill, H.R. 16014, that we should do everything we can to fight it.

Harry Y. Iwatsuki.

I am a farmer with 31 acres.

My principal crops are pears and apples.

My payroll total for 1967 was $1,3041.61.

The maximum number of workers I employed on any one day was 21.

Under the provisions of H.R. 16014 I would be covered by the proposed act. (If not covered complete next question.)

I have ——— neighbors who will be covered under H.R. 16014, and as a result it will be necessary for me to meet their wage and working conditions if I am going to get my crop harvested.

I oppose the concept embodied in H.R. 16014.

Viljo E. Jaaskelainen.

Hood River, Oreg.

I am a farmer with 140 acres.

My principal crops are apples and pears.

My payroll total for 1967 was $36,435.07.

The maximum number of workers I employed on any one day was 35.

Under the provisions of H.R. 16014 I would be covered by the proposed act. (If not covered complete next question.)

I have ——— neighbors who will be covered under H.R. 16014, and as a result it will be necessary for me to meet their wage and working conditions if I am going to get my crop harvested.

I oppose the concept embodied in H.R. 16014.

Comments: If the bill H.R. 16014 is passed, the union will demand outrageous wage increase at harvest time. We have no choice but to give in to the union demand; or let our whole year's work rot on the ground. The bill is too one-sided.

Kay Kiyokawa.

I am a farmer with 36 acres.

My principal crops are apples, cherries, pears.

My payroll total for 1967 was $12,000.00.

The maximum number of workers I employed on any one day was 35.

Under the provisions of H.R. 16014 I would be covered by the proposed act. (If not covered complete next question)

I have ——— neighbors who will be covered under H.R. 16014, and as a result it will be necessary for me to meet their wage and working conditions if I am going to get my crop harvested.

I oppose the concept embodied in H.R. 16014.

Alphonse Kollas Jr.

I am a farmer with 33 acres.

My principal crops are pears, cherries, apples.

My payroll total for 1967 was $3800.

The maximum number of workers I employed on any one day was 12.

Under the provisions of HR 16014 I would be covered by the proposed act. (If not covered complete the next question)

I have ——— neighbors who will be covered under HR 16014, and as a result it will be necessary for me to meet their wage and working conditions if I am going to get my crop harvested.

I oppose the concept embodied in HR 16014.

W. Keith Lage.

I am a farmer with 250 acres.

My principal crops are apples, pears, and cherries.

My payroll total for 1967 was $143,461.00.

The maximum number of workers I employed on any one day was 74.

Under the provisions of HR 16014 I would be covered by the proposed act. (If not covered complete next question)

I have ——— neighbors who will be covered under HR 16014, and as a result it will be necessary for me to meet their wage and working conditions if I am going to get my crop harvested.

I oppose the concept embodied in HR 16014.

E. Riddell Lage.

I am a farmer with 85 acres.

My principal crops are apples, pears.

My payroll total for 1967 was $13,126 22.

The maximum number of workers I employed on any one day was 10.

Under the provisions of H.R. 16014 I would be covered by the proposed act. (If not covered complete next question).

I have ——— neighbors who will be covered under H.R. 16014, and as a result it will be necessary for me to meet their wage and working conditions if I am going to get my crop harvested.

I oppose the concept embodied in H.R. 16014.

W. C. Faraway.

I am a farmer with 13 acres.

My principal crops are Bartlett and D'Anjou Pears.

My payroll total for 1967 was $651.31.

The maximum number of workers I employed on any one day was 16.

Under the provisions of H.R. 16014 I would be covered by the proposed act. (If not covered complete next question)

I have ——— neighbors who will be covered under H.R. 16014, and as a result it will be necessary for me to meet their wage and working conditions if I am going to get my crop harvested.

I oppose the concept embodied in H.R. 16014.

Comments: Should this bill pass it will just be one more factor that is rapidly forcing a family farmer such as I am, out of business.

Dale H. Lyddon.

I am a farmer with 147 acres.

My principal crops are strawberries, cherries, pears and apples.

My payroll total for 1967 was $4,400.

The maximum number of workers I employed on any one day was 32.

Under the provisions of HR 16014 I would be covered by the proposed act. (If not covered complete next question)

I have ——— neighbors who will be covered under HR 16014, and as a result it will be necessary for me to meet their wage and working conditions if I am going to get my crop harvested.

I oppose the concept embodied in HR 16014.

Raymond Martin.

I am a farmer with 140 acres.

My principal crops are pears, apples, cattle.

My payroll total for 1967 was $24,000.

The maximum number of workers I employed on any one day was 35.

Under the provisions of HR 16014 I would be covered by the proposed act. (If not covered complete next question)

I have ——— neighbors who will be covered under HR 16014, and as a result it will be necessary for me to meet their wage and working conditions if I am going to get my crop harvested.

I oppose the concept embodied in HR 16014.

Robert M. McIsaac.

I am a farmer with 75 acres.

My principal crops are strawberries, potatoes, cucumbers, pears, apples.

My payroll total for 1967 was $9000.00.

The maximum number of workers I employed on any one day was 75.

Under the provisions of HR 16014 I would be covered by the proposed act. (If not covered complete next question.)

I have ——— neighbors who will be covered under HR 16014, and as a result it will be necessary for me to meet their wage and working conditions if I am going to get my crop harvested.

I oppose the concept embodied in HR 16014.

JOHN A. MERZ.

I am a farmer with 55 acres.

My principal crops are pears, apples, strawberries.

My payroll total for 1967 was $11,000.

The maximum number of workers I employed on any one day was 22.

Under the provisions of HR 16014 I would be covered by the proposed act. (If not covered complete next question.)

I have ——— neighbors who will be covered under HR 16014, and as a result it will be necessary for me to meet their wage and working conditions if I am going to get my crop harvested.

I oppose the concept embodied in HR 16014.

MARK NAMBA.

I am a farmer with 35 acres.

My principal crops are ———.

My payroll total for 1967 was $3500.

The maximum number of workers I employ on any one day was 13.

Under the provisions of HR 16014 I would be covered by the proposed act. (If not covered complete next question)

I have ——— neighbors who will be covered under HR 16014, and as a result it will be necessary for me to meet their wage and working conditions if I am going to get my crop harvested.

I oppose the concept embodied in HR 16014.

Comments: It wouldn't matter if I weren't covered as outlined in HR 16014 because as stated above I would still have to compete with the large farmer.

If we have to be so concerned about the employee why not go down into areas where they are underpaid. Around here they are paid well.

It would appear the people in Washington DC are trying to drive the small farmer out of business.

RAYMOND E. NELSEN.

I am a farmer with 60 acres.

My principal crops are pears, and apples.

My payroll total for 1967 was $19,800.

The maximum number of workers I employed on any one day was 35.

Under the provisions of HR 16014 I would be covered by the proposed act. (If not covered complete next question.)

I have ——— neighbors who will be covered under HR 16014, and as a result it will be necessary for me to meet their wage and working conditions if I am going to get my crop harvested.

I oppose the concept embodied in HR 16014.

ROBERT L. NICKELSEN.

HOOD RIVER, OREG.

I am a farmer with 60 acres.

My principal crops are apples and pears.

My payroll total for 1967 was $18,000.00.

The maximum number of workers I employed on any one day was 32.

Under the provisions of HR 16014 I would be covered by the proposed act. (If not covered complete next question)

I have many neighbors who will be covered under HR 16014, and as a result it will be necessary for me to meet their wage and working conditions if I am going to get my crop harvested.

I oppose the concept embodied in HR 16014.

——— ———.

I am a farmer with 60 acres.

My principal crops are apples and pears.

My payroll total for 1967 for $17,442.31.

The maximum number of workers I employed on any one day was 15.

Under the provisions of HR 16014 I would be covered by the proposed act. (If not covered complete next question)

I have no neighbors who will be covered under HR 16014, and as a result it will be necessary for me to meet their wage and working conditions if I am going to get my crop harvested.

I oppose the concept embodied in HR 16014.

Comments: For the quality of workers we use it would be unfair for us to have to unionize although we cannot afford to delay our harvest.

S. NAP.

I am a farmer with 45 acres.

My principal crop is cherries.

My payroll total for 1967 was $6,000.00.

The maximum number of workers I employed on any one day was 20.

Under the provisions of H.R. 16014 I would be covered by the proposed act. (If not covered complete next question)

I have 4 neighbors in my community who will be covered under H.R. 16014, and as a result it will be necessary for me to meet their wage and working conditions if I am going to get my crop harvested.

I oppose the concept embodied in H.R. 16014.

Comments: I lease an orchard in the Dalles area, Dasco County.

MEL G. OMY.

I am a farmer with 35 acres.

My principal crops are pears and apples.

My payroll total for 1967 was $7,540.

The maximum number of workers I employed on any one day was 15.

Under the provisions of H.R. 16014 I would be covered by the proposed act. (If not covered complete next question)

I have 4 neighbors who will be covered under H.R. 16014, and as a result it will be necessary for me to meet their wage and working conditions if I am going to get my crop harvested.

I oppose the concept embodied in H.R. 16014.

PERRY H. PAOSCH.

I am a farmer with 50 acres.

My principal crops are apples, pears.

My payroll total for 1967 was $8,600.00.

The maximum number of workers I employed on any one day was 12.

Under the provisions of HR 16014 (I would not be covered by the proposed act. (If not covered complete next question.)

I have ——— neighbors who will be covered under HR 16014, and as a result it will be necessary for me to meet their wage and working conditions if I am going to get my crop harvested.

I oppose the concept embodied in HR 16014.

GEO. L. PERKINS.

I am a farmer with 160 acres.

My principal crops are apples, pears.

My payroll total for 1967 was $20,000, plus.

The maximum number of workers I employed on any one day was 15 to 20 in harvest.

Under the provisions of HR 16014 I would be covered by the proposed act. (If not covered complete next question.)

I have ——— neighbors who will be covered under HR 16014, and as a result it will be necessary for me to meet their wage and working conditions if I am going to get my crop harvested.

I oppose the concept embodied in HR 16014.

Comments: Face the facts. The politician is going where the votes are.

BILL PERRY.

I am a farmer with 70 acres.

My principal crops are apples and pears.

My payroll total for 1967 was $18,000.00.

The maximum number of workers I employed on any one day was 19.

Under the provisions of HR 16014 I would be covered by the proposed act. (If not covered complete next question.)

I have ——— neighbors who will be covered under HR 16014, and as a result it will be necessary for me to meet their wage and working conditions if I am going to get my crop harvested.

I oppose the concept embodied in HR 16014.

Comments: This is designed to help all farmers, not just corporation farmers.

DAN B. PIERSON.

I am a farmer with 135 acres.

My principal crops are pears and apples.

My payroll total for 1967 was over $50,000.00.

The maximum number of workers I employed on any one day was 35.

Under the provisions of HR 16014 I would be covered by the proposed act. (If not covered complete next question.)

I have ——— neighbors who will be covered under HR 16014, and as a result it will be necessary for me to meet their wage and working conditions if I am going to get my crop harvested.

I oppose the concept embodied in HR 16014.

POOLEY ORCHARDS.
M. S. WALTON, *Owner.*

I am a farmer with 16 acres.

My principal crops are Bartlett Pears and strawberries.

My payroll total for 1967 was $3,800.

The maximum number of workers I employed on any one day was 22.

Under the provisions of H.R. 16014 I would not be covered by the proposed act. (If not covered complete next question)

I have 3 neighbors who will be covered under H.R. 16014, and as a result it will be necessary for me to meet their wage and working conditions if I am going to get my crop harvested.

I oppose the concept embodied in H.R. 16014.

Comments: If I can receive a fair price for my crops, I believe in paying top wages for good help.

E. L. POTTS.

I am a farmer with 120 acres.

My principal crops are Apples, Pears, Cherries.

My payroll total for 1967 was $21,339.51.

The maximum number of workers I employed on any one day was 18.

Under the provisions of H.R. 16014 I would be covered by the proposed act. (If not covered complete next question)

I have ——— neighbors who will be covered under H.R. 16014, and as a result it will be necessary for me to meet their wage and working conditions if I am going to get *my crop harvested.*

I oppose the concept embodied in H.R. 16014.

RADLIFF & SON.
RICHARD A. RADLIFF.

I am a farmer with 120 acres.

My principal crops are apples & pears.

My payroll total for 1967 was $35,000.

The maximum number of workers I employed on any one day was 42.

Under the provisions of HR 16014 I would be covered by the proposed act. (If not covered complete next question)

I have ——— neighbors who will be cov-

ered under HR 16014, and as a result it will be necessary for me to meet their wage and working conditions if I am going to get my crop harvested.

I oppose the concept embodied in HR 16014.

Comments: I feel that if this legislation went into effect, and we farmers were forced to negotiate with the union, that eventually many of the farmers will be forced to bankruptcy because of the potential losses encurred with our product.

Ray Sato.

I am a farmer with 85 acres.

My principal crops are pears and apples.

My payroll total for 1967 was $16,219.81.

The maximum number of workers I employed on any one day was 33.

Under the provisions of HR 16014 I would be covered by the proposed act. (If not complete next question)

I have ——— neighbors who will be covered under HR 16014, and as a result it will be necessary for me to meet their wage and working conditions if I am going to get my crop harvested.

I oppose the concept embodied in HR 16014.

Ralph Smiley.

I am a farmer with 10 acres.

My principal crop is pears.

My payroll total for 1967 was $1,100.00.

The maximum number of workers I employed on any one day was 18.

Under the provisions of HR 16014 I would be covered by the proposed act. (If not covered complete next question)

I have ——— neighbors who will be covered under HR 16014, and as a result it will be necessary for me to meet their wage and working conditions if I am going to get my crop harvested.

I oppose the concept embodied in HR 16014.

Walter K. Shute.

Hood River, Oreg.

I am a farmer with 125 acres.

My principal crops are apples and pears.

My payroll total for 1967 was $25,000.00.

The maximum number of workers I employed on any one day was 40.

Under the provisions of HR 16014 I would be covered by the proposed act. (If not covered complete next question)

I have ——— neighbors who will be covered under HR 16014, and as a result it will be necessary for me to meet their wage and working conditions if I am going to get my crop harvested.

I oppose the concept embodied in HR 16014.

J. D. Smullin.

I am a farmer with 60 acres.

My principal crops are apples and pears.

My payroll total for 1967 was $5050.

The maximum number of workers I employed on any one day was 18.

Under the provisions of HR 16014 I would be covered by the proposed act. (If not covered complete next question)

I have ——— neighbors who will be covered under HR 16014, and as a result it will be necessary for me to meet their wage and working conditions if I am going to get my crop harvested.

I oppose the concept embodied in HR 16014.

Anna Derr.

I am a farmer with 40 acres.

My principal crops are fruit, apples and pears.

My payroll total for 1967 was $6,579.98.

The maximum number of workers I employed on any one day was 8.

Under the provisions of HR 16014 I would be covered by the proposed act. (If not covered complete next question)

I have 4 neighbors who will be covered under HR 16014, and as a result it will be necessary for me to meet their wage and working conditions if I am going to get my crop harvested.

I oppose the concept embodied in HR 16014.

Comments: With considerable of my acreage in trees yet to come into full bearing, it is only a question of a few years before I would be covered by this act.

Floyd J. Stifel.

I am a farmer with 50 acres.

My principal crops are pears, apples, strawberries.

My payroll total for 1967 was $16,500.00.

The maximum number of workers I employed on any one day was over 15.

Under the provisions of H.R. 16014 I would be covered by the proposed act. (If not covered complete next question.)

I have ——— neighbors who will be covered under H.R. 16014, and as a result it will be necessary for me to meet their wage and working conditions if I am going to get my crop harvested.

I oppose the concept embodied in H.R. 16014.

Tom Sumoze.

I am a farmer with 60 acres.

My principal crops are apples and pears.

My payroll total for 1967 was $11,000.00.

The maximum number of workers I employed on any one day was 18.

Under the provisions of H.R. 16014 I would be covered by the proposed act. (If not covered complete next question.)

I have ——— neighbors who will be covered under H.R. 16014, and as a result it will be necessary for me to meet their wage and working conditions if I am going to get my crop harvested.

I oppose the concept embodied in H.R. 16014.

Suzaki & Tambara.
H. Suzaki.

I am a farmer with 60 acres.

My principal crops are apples, pears and cherries.

My payroll total for 1967 was $20,000.

The maximum number of workers I employed on any one day was 25.

Under the provisions of HR 16014 I would be covered by the proposed act. (If not covered complete next question)

I have ——— neighbors who will be covered under HR 16014, and as a result it will be necessary for me to meet their wage and working conditions if I am going to get my crop harvested.

I oppose the concept embodied in HR 16014.

Comments: Due to different and perishable products that we farmers handle, the unionization could not be applied like to an industry when 10 days or even a month will not affect the products.

Mitsuo Takasumi.

I am a farmer with 85 acres.

My principal crops are pears and apples.

My payroll total for 1967 was $13,500.00.

The maximum number of workers I employed on any one day was 15.

Under the provisions of HR 16014 I would be covered by the proposed act. (If not covered complete next question)

I have ——— neighbors who will be covered under HR 16014, and as a result it will be necessary for me to meet their wage and working conditions if I am going to get my crop harvested.

I oppose the concept embodied in HR 16014.

Comments: Let's face it. Our seasonal help are people no other employer wants as steady help. The only thing steady about them is their undependability and turn-over. As we understand it, the method of recruiting help would be through a union hiring hall. We know of no union with proven experience in the field of providing seasonal farm employees. We doubt their ability to do the job and get the crops harvested in the required time. Our long time established State employment office is taxed now to get the job done. Now to ask for union dues—Man that takes away a few bottles of wine!

Robert O. Tallman
Tallman Orchard, Inc.

I am a farmer with 23½ acres.

My principal crops are pears and beef.

My payroll total for 1967 was approximately $1,000.

The maximum number of workers I employed on any one day was 12 (2 days) picking pears.

Under the provisions of HR 16014 I would be covered by the proposed act. (If not covered complete next question)

I have several neighbors who will be covered under HR 16014, and as a result it will be necessary for me to meet their wage and working conditions if I am going to get my crop harvested.

I oppose the concept embodied in HR 16014.

Comments: On a small acreage I have to pay more now sometimes to get the pears picked. (Bartletts)

Gladys Tomlinson.

I am a farmer with 80 acres.

My principal crops are apples and pears.

My payroll total for 1967 was $15,014.14.

The maximum number of workers I employed on any one day was 19.

Under the provisions of HR 16014 I would be covered by the proposed act. (If not covered complete next question)

I have ——— neighbors who will be covered under HR 16014, and as a result it will be necessary for me to meet their wage and working conditions if I am going to get my crop harvested.

I oppose the concept embodied in HR 16014.

Comments: Apples and pears are a perishable commodity. The grower can not be tied up in labor negotiations during harvest.

Arne E. Udeline.

I am a farmer with 22 acres.

My principal crops are pears and apples.

My payroll total for 1967 was $2,500.

The maximum number of workers I employed on any one day was 15.

Under the provisions of HR 16014 I would be covered by the proposed act. (If not covered complete next question).

I have no neighbors who will be covered under HR 16014, and as a result it will be necessary for me to meet their wage and working conditions if I am going to get my crop harvested.

I oppose the concept embodied in HR 16014.

Wayne Van Riper.

Parkdale, Oreg.

I am a farmer with 250 acres.

My principal crops are pears and apples.

My payroll total for 1967 was over $50,000.00.

The maximum number of workers I employed on any one day was 30.

Under the provisions of the HR 16014 I would be covered by the proposed act. (If not covered complete next question).

I have ——— neighbors who will be covered under HR 16014, and as a result it will be necessary for me to meet their wage and working conditions if I am going to get my crop harvested.

I oppose the concept embodied in HR 16014.

Walton Inc.
M. S. Walton, *Family Owned Farm.*

I am a farmer with 78 acres.

My principal crops are fruit.

My payroll total for 1967 was $8,000.

The maximum number of workers I employed on any one day was 12.

Under the provisions of HR 16014 I would be covered by the proposed act. (If not covered complete next question)

I have ——— neighbors who will be covered under HR 16014, and as a result it will be necessary for me to meet their wage and working conditions if I am going to get my crop harvested.

I oppose the concept embodied in HR 16014.

——— ———.

I am a farmer with 50 acres.

My principal crops are apples, pears and cherries.

My payroll total for 1967 was $17,500.00.

The maximum number of workers I employed on any one day was 20.

Under the provisions of HR 16014 I would be covered by the proposed act. (If not covered complete next question)

I have ——— neighbors who will be covered under HR 16014, and as a result it will be necessary for me to meet their wage and working conditions if I am going to get my crop harvested.

I oppose the concept embodied in HR 16014.

MITSUO WATANABE.

I am a farmer with 110 acres.

My principal crops are apples, pears, cherries.

My payroll total for 1967 was $28,000.

The maximum number of workers I employed on any one day was 22.

Under the provisions of HR 16014 I would be covered by the proposed act. (If not covered complete next question)

I have ——— neighboors who will be covered under HR 16014, and as a result it will be necessary for me to meet their wage and working conditions if I am going to get my crop harvested.

I oppose the concept embodied in HR 16014.

Comments: A fruit grower, due to perishable nature of his crops has no bargaining leverage. He is at the mercy of any well organized strike effort.

We are paying the equivalent of union scale for all ranch and warehouse operations. Our crops being highly perishable leave us without any bargaining power against unwarranted opposition.

C. W. (BILL) WELLS.

I am a farmer with 70 acres.

My principal crops are pears, apples, cherries and peaches.

My payroll total for 1967 was $17,000.

The maximum number of workers I employed on any one day was 20.

Under the provisions of HR 16014 I would be covered by the proposed act. (If not covered complete next question)

I have many neighbors who will be covered under HR 16014, and as a result it will be necessary for me to meet their wage and working conditions if I am going to get my crop harvested.

I oppose the concept embodied in HR 16014.

Comments: We pay above minimum wages, have good housing and good labor relations with our employees. Our big worry, if farm labor is unionized, that a strike may be called when our fruit is ready to pick and just a few days delay could ruin a crop and cause a whole year's work and crop to be lost. We are fearful because the crops we grow are highly perishable.

WALTER WELLS.

HOOD RIVER, OREG.

I am a farmer with 14 acres.

My principal crops are pears.

My payroll total for 1967 was $1970.

The maximum number of workers I employed on any one day was 13.

Under the provisions of H.R. 16014 I would be covered by the proposed act. (If not covered complete next question)

I have 3 neighbors who will be covered under H.R. 16014, and as a result it will be necessary for me to meet their wage and working conditions if I am going to get my crop harvested.

I oppose the concept embodied in H.R. 16014.

ESTLE LEROY WITHERELL.

I am a farmer with 60 acres.

My principal crops are apples and pears.

My payroll total for 1967 was $12,000.

The maximum number of workers I employed on any one day was 18.

Under the provisions of H.R. 16014 I would be covered by the proposed act. (If not covered complete next question)

I have ——— neighbors who will be covered under H.R. 16014, and as a result it will be necessary for me to meet their wage and working conditions if I am going to get my crop harvested.

I oppose the concept embodied in H.R. 16014.

——— ———.

HOOD RIVER COUNTY CHAMBER OF COMMERCE,
Hood River, Oreg., June 6, 1968.

Hon. WAYNE MORSE,
Senate Office Building,
Washington, D.C.

DEAR SENATOR MORSE: Enclosed you will find the results of a brief joint study from the Hood River County Chamber of Commerce and the Hood River office of the Oregon Farm Bureau. The results of this study are interesting from several perspectives. In the first place, there was close to a 40% return on our mail sampler. Based on similar surveys in the past this would seem to indicate an extremely high degree of interest in the subject matter. Similar surveys at other times on legislative issues have illicited a much lesser response.

In responses, there is a near *total* unanimity in opposition to the concepts embodied in H.R. 16014. It is interesting to note the number of growers who took the time to add personal comments to the questionnaire form. I would like to recommend your attention to these comments, as they represent some rather pointed and succinct commentary from the agricultural side of the question.

Wages paid in the Hood River County fruit industry are based on an incentive system. Workers capable and willing to work can earn an extremely good living during the time they are here. On the other hand, those not capable, not willing to work, or incapacitated through the use of excessive alcohol fare no better here than they would anywhere else. In fact, the low productivity and high degree of risk associated with many of the so-called "migrant stream" workers insures that no industry other than agriculture will hire them at all! The fear of growers here, and perhaps in many other areas, is being saddled with these indolent and incapable workers within the migrant stream at an institutionalized wage far beyond any realistic measure of their ability to produce. Certainly this is a well founded concern.

The Hood River County Chamber of Commerce shares these concerns and perhaps in a much broader sense our overall concern is for the future of the small family farm, and for the future of agriculture in general. I include for your perusal two newspaper articles: one of which appeared in the May 23 issue of the Hood River News, the other of which was taken from the May 22 issue of the Portland Oregonian.

The Hood River News article provides a report of a recent farm labor management conference wherein a grower, a labor-management specialist and a labor-organizer discussed some of these very problems. It would appear that an increase in farm income must precede any increase in farm wages if agriculture is going to survive. We have a national administration which has been traditionally in favor of inexpensive food commodities. The consumer is most selective as to the cost of food commodities which are purchased. As such, any increase in the cost of raising farm crops and commodities will be extremely difficult to pass on and cannot realistically be absorbed. The extremely low yield per dollar invested in farming raises some very serious doubts as to the future of agriculture, and most particularly in relation to the future of the family farm. We are told that the purpose of HR 16014 and other such bills is to unionize *only* large corporate farms, and that these Bills will have *no* effect on the family farm. Referring again to our sample, in an area of predominantly family farms, better than half would come under the Bill as proposed! The average size of such a *"large corporate farm"* would be less than 75 acres, with an average payroll of $17,422.00 and employing an average of 24 workers on a peak day. With any increase in farm wages, the great majority of Hood River County farms, regardless of size, would come under the Bill. At this point, you have done exactly what we are assured you have no intention of doing, to wit; you will have legislated the small family farm completely out of existence! It is at this point that we would direct your attention to the second article, that from the Portland Oregonian, which comments on the loss of family farms, and the detrimental effect of this loss to business in general.

We sincerely hope that you will give the most careful study to this problem and attempt to balance all factors before coming to a decision. Unionization of farm workers is not apt to be readily accepted by Hood River County growers, considering the currently existent cost-price squeeze. However, if legislation is pushed through the Congress, the following would appear to be minimal considerations:

1. More realistic standards as to what constitutes a "small family farm", with built in wage-cost equalization factors to provide some continuing measure of protection for these smaller farms as this legislation proceeds to further inflate the cost of doing business.

2. Protection from the threat of strike in the case of perishable crops with a very limited time to harvest.

3. Higher farm income in order that the grower can afford to pay a higher wage without fear of further decreasing present low rates of return on his rather sizeable investment. For example, the devaluation of currencies in the countries on the silver standard has critically affected growers in the Hood River Valley. The Hood River area historically exports up to 50% of the total crop of apples and winter pears. Brokers in these countries now inform us that unless we devalue the dollar they must purchase these fruit items from Italy, France, and South Africa where they can purchase at *less* than our present cost of production!

4. Finally, some certainty that the overall quality of workers, and reliability of same, would be better than that which is currently found in the migrant stream in order that higher wages paid would be justified in terms of productivity.

Thank you very much for your attention to the points raised herein.

Yours very truly,

JAMES P. MALLON,
President.

QUESTIONNAIRES

I am a farmer with 7 acres.

My principal crops are cherries.

My payroll total for 1967 was $1050.00.

The maximum number of workers I employed on any one day was 5 to 7.

Under the provisions of HR 16014 I would not be covered by the proposed act. (If not covered complete next question)

I have 5 neighbors who will be covered under HR 16014, and as a result it will be necessary for me to meet their wage and working conditions if I am going to get my crop harvested.

I oppose the concept embodied in HR 16014.

Comments: What benefits would the workers receive by being unionized? We all pay the same wages on picking which is piece work and always give more if the crop is slight and picking scattered. Our workers make $20 to $25 a day and a family really does well by $40 to $50 a day.

Our Congressman certainly hasn't looked into this matter very carefully if they are for it in Oregon where farms are small & we depend on migrant help.

CLAIR E. ADAMS.

I am a farmer with 40 acres.

My principal crops are pears and apples.

My payroll total for 1967 was $7,000.00.

The maximum number of workers I employed on any one day was 7.

Under the provisions of HR 16014 I would not be covered by the proposed act. (If not covered complete next question)

I have 2 neighbors who will be covered under HR 16014, and as a result it will be necessary for me to meet their wage and working conditions if I am going to get my crop harvested.

I oppose the concept embodied in HR 16014.

Comments: If unions ever get control in Hood River Valley we might as well take out all the trees & raise sheep & cattle on pasture.

O'HENRY ALCORN.

I am a farmer with 28 acres.

My principal crops are apples, pears and cherries.

My payroll total for 1967 was $1800.00.

The maximum number of workers I employed on any one day was 8.

Under the provisions of HR 16014 I would be covered by the proposed act. (If not covered complete next question)

I have 4 neighbors who will be covered under HR 16014, and as a result it will be necessary for me to meet their wage and working conditions if I am going to get my crop harvested.

I oppose the concept embodied in HR 16014.

Comments: There's too much agriculture legislation against the small grower. I'd like to be independent. It's getting harder and harder to stay in business.

——— ———.

I am a farmer with 23½ acres.

My principal crops are cherries, pears, apples.

My payroll total for 1967 was $9,422.63.

The maximum number of workers I employed on any one day was 10.

Under the provisions of HR 16014 I would be covered by the proposed act. (If not covered complete next question)

I have Websters as neighbors who will be covered under HR 16014, and as a result it will be necessary for me to meet their wage and working conditions if I am going to get my crop harvested.

I oppose the concept embodied in HR 16014.

Comments: I believe it's time Labor Lobbyists get out of law making. Every year seems like the screws get tightened more and more on the farmer. I know labor would like nothing better than to deal only with a few large corporate farmers rather than many smaller farms. To me this seems their aim, to stamp out smaller farms, by labor legislation crippling too many.

CHARLES E. EDWARDS.

I am a farmer with 65 acres.

My principal crops are pears, apples, clover.

My payroll total for 1967 was less than $8,000.

The maximum number of workers I employed on any one day was 10.

Under the provisions of HR 16014 I would not be covered by the proposed act. (If not covered complete next question.)

I have 4 neighbors who will be covered under HR 16014, and as a result it will be necessary for me to meet their wage and working conditions if I am going to get my crop harvested.

I oppose the concept embodied in HR 16014.

Comments: Maybe more effort should be concentrated on the fact that the farm labor migrants and work force is very considerably less than the total of all non-unionized labor in all the nation—It is well recognized that all the do-gooders have a good thing going with the migrant labor dilemma. And the union pimps and his moguls are really wringing their grubby hands with glee. All the footwork being done for free. I doubt that most labor is really interested in forced unionization.

BEN KEMPER.

KEMPER, WHITE ORCHARDS.

I am a farmer with 20 acres.

My principal crops are apples and pears.

My payroll total for 1967 was $1700.00.

The maximum number of workers I employed on any one day was 4.

Under the provisions of HR 16014 I would not be covered by the porposed act. (If not covered complete next question.)

All my neighbors will be covered under HR 16014 and as a result it will be necessary for me to meet their wage and working conditions if I am going to get my crop harvested.

I oppose the concept embodied in HR 16014.

Comments: I feel this will work as big a hardship on help as it will the farmers, and the only ones who will gain will be the union and the officials who will administer it.

WM. E. LAND.

I am a farmer with 100 plus acres.

My principal crops are apple and pear orchard.

My payroll total for 1967 was $2,500.00—all young orchard.

The maximum number of workers I employed on any one day was 5.

Under the provisions of HR 16014 I would not be covered by the proposed act. (If not covered complete next question.)

I have many neighbors who will be covered under HR 16014, and as a result it will be necessary for me to meet their wage and working conditions if I am going to get my crop harvested.

I oppose the concept embodied in HR 16014.

Comments: Due to the short harvesting period of 4 or 5 days for good quality of any variety of apples or pears it is critical that picking not be delayed by a labor dispute. I will vote against any congressman that votes in any legislation that in effect would ruin a farmer's crop. No group in the U.S. is more discriminated against than a farmer—with the exception of a negro farmer.

——— ———.

I am a farmer with 20 acres.

My principal crops are apples and pears.

My payroll total for 1967 was $1500.

The maximum number of workers I employed on any one day was 6.

Under the provisions of HR 16014 I would not be covered by the proposed act. (If not covered complete next question.) I will be covered in the future.

I have several neighbors who will be covered under HR 16014, and as a result it will be necessary for me to meet their wage and working conditions if I am going to get my crop harvested.

I oppose the concept embodied in HR 16014.

Comments: I can't see how Congress or anybody else can even think of passing a bill which could give the control of agriculture to a few union bosses. Many of the laborers I have talked with either do not want the union or just plain don't care, so all I think this bill will do is give a few men big salaries for pushing around both farmers and their employees. Some people in Congress might be surprised at how fairly paid and treated are many of the laborers in this area, at least.

FREDERICK B. VON LUBKEN, Jr.

I am a farmer with 18 acres.

My principal crops are Pears.

My payroll total for 1967 was $2,102.

The maximum number of workers I employed on any one day was 11.

Under the provisions of HR 16014 I would not be covered by the proposed act. (If not covered complete next question)

I have 2 neighbors who will be covered under HR 16014, and as a result it will be necessary for me to meet their wage and working conditions if I am going to get my crop harvested.

I oppose the concept embodied in HR 16014.

GEORGE C. ALLEN.

I am a farmer with 15 acres.

My principal crops are Apples, Pears, Cherries.

My payroll total for 1967 was $4,704.04.

The maximum number of workers I employed on any one day was 8.

Under the provisions of HR 16014 I would be covered by the proposed act. (If not covered complete next question)

I have 6 neighbors who will be covered under HR 16014, and as a result it will be necessary for me to meet their wage and working conditions if I am going to get my crop harvested.

I oppose the concept embodied in HR 16014.

Comments: The Constitution of the United States of America guarantees equal rights to every citizen of this Nation—it guarantees the freedom of speech, freedom of the press, freedom of religion, etc. Each freedom is a basic principle of life in the pursuit of happiness of these citizens. Any law that is passed that would deny a citizen the privilege of exercising these freedoms is unconstitutional. HR 16014 would force citizens to join a labor union against their will. There are thousands and thousands of citizens who do not care or wish to belong to a labor organization. HR 16014 would deny them the guaranteed principle of freedom of choice.

Let's get back to basis in the government of the United States of America, the Constitution.

ARVO R. ANNALA.

I am a farmer with 48 acres.

My principal crops are apples and pears.

My payroll total for 1967 was $9400.00.

The maximum number of workers I employed on any one day was 10.

Under the provisions of HR 16014 I would not be covered by the proposed act. (If not covered complete next question.)

I have 2 neighbors who will be covered under HR 16014, and as a result it will be necessary for me to meet their wage and working conditions if I am going to get my crop harvested.

I oppose the concept embodied in HR 16014.

Tari Asai.

I am a farmer with 33 acres.

My principal crops are pears and mink.

My payroll total for 1967 was $3000.00.

The maximum number of workers I employed on any one day was 6.

Under the provisions of HR 16014 I would not be covered by the proposed act. (If not covered complete next question.)

I have some neighbors who will be covered under HR 16014, and as a result it will be necessary for me to meet their wage and working conditions if I am going to get my crop harvested.

I oppose the concept embodied in HR 16014.

Ray Bailey, Elsie Bailey.

I am a farmer with 6 acres.

My principal crops are Pears

My payroll total for 1967 was $1222.00.

The maximum number of workers I employed on any one day was 6.

Under the provisions of H.R. 16014 I would not be covered by the proposed act. (If not covered complete next question.)

I have one neighbor who will be covered under H.R. 16014, and as a result it will be necessary for me to meet their wage and working conditions if I am going to get my crop harvested.

I oppose the concept embodied in H.R. 16014.

Comments: I am too old to be concerned. 10 years ago a friend of mine and I joked about a $50.00 day for working men. Now we have passed that and trying for $100.00.

L. M. Bacaroon.

I am a farmer with ——— acres.

My principal crops are Cherries and Bartletts.

My payroll total for 1967 was less than $600.

The maximum number of workers I employed on any one day was 4.

Under the provisions of H.R. 16014 I would not be covered by the proposed act. (If not covered complete next question.)

I have 6 neighbors who will be covered under H.R. 16014, and as result it will be necessary for met to meet their wage and working conditions if I am going to get my crop harvested.

I oppose the concept embodied in H.R. 16014.

Comments: Just can't see how farmers could stand any such bill.

Ervin Beard.

I am a farmer with 57 acres.

My principal crops are apples and pears.

My payroll total for 1967 was $6521.49.

The maximum number of workers I employ on any one day was 10–12.

Under the provisions of HR 16014 I would not be covered by the proposed act. (If not covered complete next question.)

I have close neighbors who will be covered under HR 16014, and as a result it will be necessary for me to meet their wage and working conditions if I am going to get my crop harvested.

I oppose the concept embodied in HR 16014.

Comments: This bill is unrealistic because of type of people who follow this work, so many will only work 1–2–3 days and move on; earn enough for a bottle and they are thru work. More help is used because of above reasons, than is actually needed.

Mr. and Mrs. A. D. Benedetti.

I am a farmer with 7 acres.

My principal crops are Bartlett and Anjou pears.

My payroll total for 1967 was $1450.00.

The maximum number of workers I employed on any one day was 10.

Under the provisions of HR 16014 I would not be covered by the proopsed act. (If not covered complete next question.)

I have 5 neighbors who will be covered under HR 16014, and as a result it will be necessary for me to meet their wage and working conditions if I am going to get my crop harvested.

I oppose the concept embodied in HR 16014.

Harold Benson.

Hood River, Oreg.,
April 16, 1968.

Re: H.R. 16014, Amendment of National Labor Relations Act to Cover Agriculture.

Hon. William M. Colmer,
Chairman, House Rules Committee, Rayburn House Office Building, Washington, D.C.

Dear Mr. Colmer: I am a fruit grower in the Hood River Valley of Oregon.

I am opposed to the proposed amendment to the National Labor Relations Act. The fruit crops that I grow are very perishable, and the decline in value can be as much as $1.00 per box per week once they have reached an optimum maturity. H.R. 16014 would give excessive power to the union, and I could stand to lose my entire crop if I did not accept the union demands.

There is not sufficient time for the regular bargaining procedure at harvest time, nor does it contribute to a balance of power. The agricultural sector is already suffering as compared to all other sectors of our economy; to further expose agriculture to losses is taking undue liberties with our very vital food supply.

I am considered a small operator by today's standards, but I would still come under the provisions of this Act. I operate 26 acres of orchard and at the peak of the season I employ seven people.

I urge you to oppose the enactment of H.R. 16014.

Yours very truly,

Charles A. Best.

I am a farmer with 26 acres.

My principal crops are apples and pears.

My payroll total for 1967 was $4,300.00.

The maximum number of workers I employed on any one day was 7.

Under the provisions of HR 16014 I would be covered by the proposed act. (If not covered complete next question)

I have 5 neighbors who will be covered under HR 16014, and as a result it will be necessary for me to meet their wage and working conditions if I am going to get my crop harvested.

I oppose the concept embodied in HR 16014.

Charles A. Best.

I am a farmer with 49 acres.

My principal crops are pears.

My payroll total for 1967 was $4,000.00.

The maximum number of workers I employed on any one day was 6.

Under the provisions of HR 16014 I would not be covered by the proposed act. (If not covered complete next question)

I have 4 or 5 neighbors who will be covered under HR 16014, and as a result it will be necessary for me to meet their wage and working conditions if I am going to get my crop harvested.

I oppose the concept embodied in HR 16014.

Chas. D. Bronson.

I am a farmer with 18 acres.

My principal crops are Lambs-wool. Nonbearing orchard.

My payroll total for 1967 was $500.00.

The maximum number of workers I employed on any one day was 1.

Under the provisions of H.R. 16014 I would not be covered by the proposed act. (If not covered complete next question.)

I have ——— neighbors who will be covered under H.R. 16014, and as a result it will be necessary for me to meet their wage and working conditions if I am going to get my crop harvested.

I oppose the concept embodied in H.R. 16014.

Grover C. Carter.

I am a farmer with 51 acres.

My principal crops are pears, apples, cherries.

My payroll total for 1967 was $6,000.

The maximum number of workers I employed on any one day was 7 or 8.

Under the provisions of H.R. 16014 I would not be covered by the proposed act. (If not covered complete next question.)

I have 3 neighbors who will be covered under H.R. 16014, and as a result it will be necessary for me to meet their wage and working conditions if I am going to get my crop harvested.

I oppose the concept embodied in H.R. 16014.

Robert W. Chamberlin.

I am a farmer with 20 acres.

My principal crops are pears.

My payroll total for 1967 was $250.00.

The maximum number of workers I employed on any one day was 5.

Under the provisions of HR 16014 I would be covered by the proposed act. (If not covered complete next question)

I have some neighbors who will be covered under HR 16014, and as a result it will be necessary for me to meet their wage and working conditions if I am going to get my crop harvested.

I oppose the concept embodied in HR 16014.

Elroy M. Christiansen.

I am a farmer with 160 acres.

My principal crops are orchard and hay.

My payroll total for 1967 was $1500.00.

The maximum number of workers I employed on any one day was 10.

Under the provisions of HR 16014 I would not be covered by the proposed act. (If not covered complete next question)

I have several neighbors who will be covered under HR 16014, and as a result it will be necessary for me to meet their wage and working conditions if I am going to get my crop harvested.

I oppose the concept embodied in HR 16014.

Comments: For the small family type farmer this would be an added hardship.

C. C. Christopher.

I am a farmer with 9 acres.

My principal crops are apples, pears.

My payroll total for 1967 was $840.27.

The maximum number of workers I employed on any one day was 8.

Under the provisions of HR 16014 I would be covered by the proposed act. (If not covered complete next question)

I have 5 neighbors who will be covered under HR 16014, and as a result it will be necessary for me to meet their wage and working conditions if I am going to get my crop harvested.

I oppose the concept embodied in HR 16014.

Keith Clymer.

I am a farmer with 42 acres.

My principal crops are apples and pears.

My payroll total for 1967 was $3,800.00.

The maximum number of workers I employed on any one day was 9.

Under the provisions of HR 16014 I would not be covered by the proposed act. (If not covered complete next question)

I have several neighbors who will be covered under HR 16014, and as a result it will be necessary for me to meet their wage and working conditions if I am going to get my crop harvested.

I oppose the concept embodied in HR 16014.

CHARLES E. CODY.

I am a farmer with 17 acres.

My principal crops are pears (Bartletts and Anjou).

My payroll total for 1967 was $2,887.56.

The maximum number of workers I employed on any one day was 6.

Under the provisions of H.R. 16014 I would not be covered by the proposed act. (If not covered complete next question)

I have 5 neighbors who will be covered under H.R. 16014, and as a result it will be necessary for me to meet their wage and working conditions if I am going to get my crop harvested.

I oppose the concept embodied in H.R. 16014.

Comments: Through Diamond Fruit Growers, I sent letters to the congressional delegation. Wayne Morse approves of the bill, Al Ullman, neither confirmed or denied his position on the bill. Mark Hatfield said he would study the issue. No doubt you have read the letters, some of the growers have received, in reply, to their letters.

Mrs. PERRY D. COSNER.

I am a farmer with 10 acres.

My principal crops are pears.

My payroll total for 1967 was $1,600.00.

The maximum number of workers I employed on any one day was 6.

Under the provisions of H.R. 16014 I would not be covered by the proposed act, (If not covered complete next question)

I have all my neighbors who will be covered under H.R. 16014, and as a result it will be necessary for me to meet their wage and working conditions if I am going to get my crop harvested.

I oppose the concept embodied in H.R. 16014.

Comments: The problems and expense in agriculture are tremendous. The majority of labor does not wish to work. We are at the mercy of insects and weather and a tempermental market. I do not see anything in this law that would ease any of these situations.

W. H. CREWS.

I am a farmer with 80 acres.

My principal crops are pears and apples.

My payroll total for 1967 was $4,800.00 plus.

The maximum number of workers I employed on any one day was 10.

Under the provisions of HR 16014 I would not be covered by the proposed act in 1968. (If not covered complete next question).

I have 5 or more neighbors who will be covered under HR 16014, and as a result it will be necessary for me to meet their wage and working conditions if I am going to get my crop harvested.

I oppose the concept embodied in HR 10614.

Comments: In 1966 we employed 13 workers on one day during harvest and may employ 13 or more again and so would come under the proposed act (HR 16014).

HORACE A. DAUM.
RUTH L. DAUM.

I am a farmer with 67 acres.

My principal crops are apples and pears.

My payroll total for 1967 was $6,500.00.

The maximum number of workers I employed on any one day was 7.

Under the provisions of HR 16014 I would not be covered by the proposed act. (If not covered complete next question).

I have 5 neighbors who will be covered under HR 16014, and as a result it will be necessary for me to meet their wage and working conditions if I am going to get my crop harvested.

I oppose the concept embodied in HR 16014.

Comments: I am opposed to the Government interference and forcing the small family farms out of business.

J. L. DOUGLAS.

I am a farmer with 25 acres.

My principal crops are pears and apples.

My payroll total for 1967 was $1,700.

The maximum number of. workers I employed on any one day was 9.

Under the provisions of HR 16014 I would not be covered by the proposed act. (If not covered complete next question)

I have 12 neighbors who will be covered under HR 16014, and as a result it will be necessary for me to meet their wage and working conditions if I am going to get my crop harvested.

I oppose the concept embodied in HR 16014.

HAROLD W. DYKSTER.

I am a farmer with 45 acres.

My principal crops are pears and apples.

My payroll total for 1967 was $5,835.81.

The maximum number of workers I employed on any one day was 12.

Under the provisions of HR 16014 I would not be covered by the proposed act. (If not covered complete next question.)

I have 2 neighbors who will be covered under HR 16014, and as a result it will be necessary for me to meet their wage and working conditions if I am going to get my crop harvested.

I oppose the concept embodied in HR 16014.

Comments: According to last years records I would not be covered by this bill. However, in any future year I would probably come under the provisions of the bill.

BRUCE D. ECCLES.

I am a farmer with 60 acres.

My principal crops are hay and pasture.

My payroll total for 1967 was less than two hundred dollars.

The maximum number of workers I employed on any one day was two.

Under the provisions of HR 16014, I would be covered by the proposed act. (If not covered complete next question)

I have several neighbors who will be covered under HR 16014, and as a result it will be necessary for me to meet their wage and working conditions if I am going to get my crop harvested.

I oppose the concept embodied in HR 16014.

R. C. ELDER.

HOOD RIVER, OREG.

I am a farmer with 15 acres.

My principal crops are apples, pears, and cherries.

My payroll total for 1967 was $5150.00.

The maximum number of workers I employed on any one day was 8.

Under the provisions of HR 16014 I would not be covered by the proposed act. (If not covered complete next question)

I have several neighbors who will be covered under HR 16014, and as a result it will be necessary for me to meet their wage and working conditions if I am going to get my crop harvested.

I oppose the concept embodied in HR 16014.

JAYEN W. ENGLISH.

I am a farmer with 21 acres.

My principal crops are Bartletts and Anjous Pears.

My payroll total for 1967 was about $1,500.

The maximum number of workers I employed on any one day was 10 to 12.

Under the provisions of HR 16014 I would be covered by the proposed act. (If not covered complete next question)

I have two neighbors who will be covered under HR 16014, and as a result it will be necessary for me to meet their wage and working conditions if I am going to get my crop harvested.

I oppose the concept embodied in HR 16014.

Comments: I don't want any union in here—what if they did get in. They would strike just when the fruit would have to be pick—(It would be a mess).

Mr. and Mrs. NEIL CLARE EVANS.

I am a farmer with 19 acres.

My principal crops are pears, apples, cherries, peaches.

My payroll total for 1967 was $1500.00.

The maximum number of workers I employed on any one day was 8.

Under the provisions of HR 16014 I would not be covered by the proposed act. (If not covered complete next question)

I have 3 neighbors who will be covered under HR 16014, and as a result it will be necessary for me to meet their wage and working conditions if I am going to get my crop harvested.

I oppose the concept embodied in HR 16014.

OLEEN A. FAIRCHILD.

I am a farmer with 10½ acres.

My principal crops are apples and pears.

My payroll total for 1967 was $2402.50.

The maximum number of workers I employed on any one day was 2.

Under the provisions of HR 16014 I would not be covered by the proposed act. (If not covered complete next question)

I have 2 neighbors who will be covered under HR 16014, and as result it will be necessary for me to meet their wage and working conditions if I am going to get my crop harvested.

I oppose the concept embodied in HR 16014.

CHARLES FIORETTI.

I am a farmer with 57 acres.

My principal crops are apples and pears.

My payroll total for 1967 was $8000.

The maximum number of workers I employed on any one day was ten.

Under the provisions of HR 16014 I would be covered by the proposed act. (If not covered complete next question)

I have a number of neighbors who will be covered under HR 16014, and as a result it will be necessary for me to meet their wage and working conditions if I am going to get my crop harvested.

I oppose the concept embodied in HR 16014.

DONALD L. GOE.

I am a farmer with 75 acres.

My principal crops are apples and pears.

My payroll total for 1967 was $4,960.00.

The maximum number of workers I employed on any one day was 12.

Under the provisions of HR 16014 I would not be covered by the proposed act. (If not covered complete next question)

I have ——— neighbors who will be covered under HR 16014, and as a result it will be necessary for me to meet their wage and working conditions if I am going to get my crop harvested.

I oppose the concept embodied in HR 16014.

NOBLE GOSS.

I am a farmer with 30 acres.

My principal crops are pears and apples

My payroll total for 1967 was $3,000.

The maximum number of workers I employed on any one day was 9.

Under the provisions of HR 16014 I would not be covered by the proposed act. (If not covered complete next question)

I have one neighbor who will be covered under HR 16014, and as a result it will be necessary for me to meet their wage and working conditions if I am going to get my crop harvested.

I oppose the concept embodied in HR 16014.

TRUMAN E. GOSS.

I am a farmer with 30 acres.

My principal crops are pears.

My payroll total for 1967 was $2,200.

The maximum number of workers I employed on any one day was 12.

Under the provisions of HR 16014 I would not be covered by the proposed act. (If not covered complete next question)

I have 3 neighbors who will be covered under HR 16014, and as a result it will be necessary for me to meet their wage and working conditions if I am going to get my crop harvested.

I oppose the concept embodied in HR 16014.

MERRILL R. GROVE.

I am a farmer with 60 acres.

My principal crops are apples, pears, cherries.

My payroll total for 1967 was $3,000.

The maximum number of workers I employed on any one day was 5.

Under the provisions of HR 16014 I would be covered by the proposed act. (If not covered complete next question)

I have ——— neighbors who will be covered under HR 16014, and as a result it will be necessary for me to meet their wage and working conditions if I am going to get my crop harvested.

I oppose the concept embodied in HR 16014.

Comments: Can't afford to be striking on perishable fruit, so that's reason I oppose unionizing HR 16014.

MARK HAUGAWA.

I am a farmer with 25 acres.

My principal crops are Apples, Pears and Cherries.

My payroll total for 1967 was $9,615.

The maximum number of workers I employed on any one day was 12.

Under the provisions of HR 16014 I would not be covered by the proposed act. (If not covered complete next question)

I have 25 plus neighbors who will be covered under HR 16014, and as a result it will be necessary for me to meet their wage and working conditions if I am going to get my crop harvested.

I oppose the concept embodied in HR 16014.

J. W. HENDERSON.

I am a farmer with 10 acres.

My principal crops are Pears.

My payroll total for 1967 was $1425.

The maximum number of workers I employed on any one day was 10 for picking.

Under the provisions of HR 16014 I would not be covered by the proposed act. (If not covered complete next question)

I have several neighbors who will be covered under HR 16014, and as a result it will be necessary for me to meet their wage and working conditions if I am going to get my crop harvested.

I oppose the concept embodied in HR 16014.

JACK L. HOSKINS.

I am a part time farmer with 5 acres, orchard.

My principal crops are pears-Bartletts.

My payroll total for 1967 was $350.00.

The maximum number of workers I employed on any one day was 8 for 2 days.

Under the provisions of HR 16014 I would not be covered by the proposed act. (If not covered complete next question)

I have ——— neighbors who will be covered under HR 16014, and as a result it will be necessary for me to meet their wage and working conditions if I am going to get my crop harvested.

I oppose the concept embodied in HR 16014.

ALBERT HUTSON.

I am a farmer with 11½ acres.

My principal crop is pears.

My payroll total for 1967 was $1,800.00.

The maximum number of workers I employed on any one day was 7.

Under the provisions of HR 16014 I would not be covered by the proposed act. (If not covered complete next question)

I have 3 neighbors who will be covered under HR 16014, and as a result it will be necessary for me to meet their wage and working conditions if I am going to get my crop harvested.

I oppose the concept embodied in HR 16014.

DOUBLE H RANCH
LEONARD & RICHARD HUTSON.

I am a farmer with 20 acres.

My principal crops are pears.

My payroll total for 1967 was $3,000.

The maximum number of workers I employed on any day was seven.

Under the provisions of HR 16014 I would not be covered by the proposed act. If not covered complete next question)

I have 5 neighbors who will be covered under HR 16014, and as a result it will be necessary for me to meet their wage and working conditions if I am going to get my crop harvested.

I oppose the concept embodied in HR 16014.

Comments: I have already sent letter of opposition to all the congressional delegation from Oregon in fact some have sent reply letter to me.

SHIGE S. IMAI.

I am a farmer with 20 acres.

My principal crops are pears and apples.

My payroll total for 1967 was $1870.96.

The maximum number of workers I employed on any one day was 10.

Under the provisions of HR 16014 I would not be covered by the proposed act. (If not covered complete next question)

I have 3 neighbors who will be covered under HR 16014, and as a result it will be necessary for me to meet their wage and working conditions if I am going to get my crop harvested.

I oppose the concept embodied in HR 16014.

A. E. IRISH.

I am a farmer with 18 acres.

Mr. principal crops are apples and pears.

My payroll total for 1967 was $500.

The maximum number of workers I employed on any one day was 4.

Under the provisions of HR 16014 I would not be covered by the proposed act. (If not covered complete the next question)

I have 3 neighbors who will be covered under HR 16014, and as a result it will be necessary for me to meet their wage and working conditions if I am going to get my crop harvested.

I oppose the concept embodied in HR 16014.

JAMES JIRHIZAKA.

I am a farmer with 7 acres.

My principal crops are cherries and B. pears.

My payroll total for 1967 was $5,000–6,000.

The maximum number of workers I employed on any one day was 10—1 day only.

Under the provisions of HR 16014 I would not be covered by the proposed act. (If not covered complete next question)

I have (see comments) neighbors who will be covered under HR 16014, and as a result it will be necessary for me to meet their wage and working conditions if I am going to get my crop harvested.

I oppose the concept embodied in HR 16014.

Comments: In an area as small as the valley any farmer would be one's competitor . . . that has been my experience in the past.

BERNICE M. JACKSON.

I am a farmer with 24 acres.

My principal crops are pears and apples.

My payroll total for $167 was $4,000.

The maximum number of workers I employed on any one day was 10.

Under the provisions of H.R. 16014 I would not be covered by the proposed act. (If not covered complete next question.)

I have 8 neighbors who will be covered under H.R. 16014, and as a result it will be necessary for me to meet their wage and working conditions if I am going to get my crop harvested.

I oppose the concept embodied in H.R. 16014.

FRED N. JAMES.

Comments: Labor unions are the cause of the condition our United States is in now. They are a source for Communist control.

I am a farmer with 17 acres.

My principal crop is pears.

My payroll total for 1967 was $800.

The maximum number of workers I employed on any one day was 8.

Under the provisions of H.R. 16014 I would not be covered by the proposed act. (If not covered complete next question.)

I have 2 neighbors who will be covered under H.R. 16014, and as a result it will be necessary for me to meet their wage and working conditions if I am going to get my crop harvested.

I oppose the concept embodied in H.R. 16014.

W. KANEMASEN.

I am a farmer with 5 acres.

My principal crops are winter pears.

My payroll total for 1967 was $1,000.00.

The maximum number of workers I employed on any one day was 8.

Under the provisions of HR 16014 I would not be covered by the proposed act. (If not covered complete next question)

I have 4 neighbors who will be covered under HR 16014, and as a result it will be necessary for me to meet their wage and working conditions if I am going to get my crop harvested.

I oppose the concept embodied in HR 16014.

SCOTT B. KELLY.

I am a farmer with 33 acres.

My principal crops are pears and cherries.

My payroll total for 1967 was $7,000.00.

The maximum number of workers I employed on any one day was nine workers.

Under the provisions of HR 13014 I would not be covered by the proposed act. (If not covered complete next question)

I have numerous neigbhors who will be covered under HR 16014, and as a result it will be necessary for me to meet their wage and working conditions if I am going to get my crop harvested.

I oppose the concept embodied in HR 16014.

FRED W. ———.

Comments: Less than one farm worker out of a hundred could be considered a conscientious worker. My fruit is harvested by the misfits in this society. Would it be reasonable to entrust union power to such people as the alcoholics and those that can't pass a physical examination for any other work?

I am a farmer with 31.3 acres.

My principal crops are Pears.

My payroll total for 1967 was $4354.69.

The maximum number of workers I employed on any one day was 12.

Under the provisions of HR 16014 I would

I have several neighbors who will be covered under HR 16014, and as a result it will be necessary for me to meet their wage and working conditions if I am going to get my crop harvested.

I oppose the concept embodied in HR 16014.

Charles E. Cody.

I am a farmer with 17 acres.

My principal crops are pears (Bartletts and Anjou).

My payroll total for 1967 was $2,887.56.

The maximum number of workers I employed on any one day was 6.

Under the provisions of H.R. 16014 I would not be covered by the proposed act. (If not covered complete next question)

I have 5 neighbors who will be covered under H.R. 16014, and as a result it will be necessary for me to meet their wage and working conditions if I am going to get my crop harvested.

I oppose the concept embodied in H.R. 16014.

Comments: Through Diamond Fruit Growers, I sent letters to the congressional delegation. Wayne Morse approves of the bill, Al Ullman, neither confirmed or denied his position on the bill. Mark Hatfield said he would study the issue. No doubt you have read the letters, some of the growers have received, in reply, to their letters.

Mrs. Perry D. Cosner.

I am a farmer with 10 acres.

My principal crops are pears.

My payroll total for 1967 was $1,600.00.

The maximum number of workers I employed on any one day was 6.

Under the provisions of H.R. 16014 I would not be covered by the proposed act. (If not covered complete next question)

I have all my neighbors who will be covered under H.R. 16014, and as a result it will be necessary for me to meet their wage and working conditions if I am going to get my crop harvested.

I oppose the concept embodied in H.R. 16014.

Comments: The problems and expense in agriculture are tremendous. The majority of labor does not wish to work. We are at the mercy of insects and weather and a tempermental market. I do not see anything in this law that would ease any of these situations.

W. H. Crews.

I am a farmer with 80 acres.

My principal crops are pears and apples.

My payroll total for 1967 was $4,800.00 plus.

The maximum number of workers I employed on any one day was 10.

Under the provisions of HR 16014 I would not be covered by the proposed act in 1968. (If not covered complete next question).

I have 5 or more neighbors who will be covered under HR 16014, and as a result it will be necessary for me to meet their wage and working conditions if I am going to get my crop harvested.

I oppose the concept embodied in HR 10614.

Comments: In 1966 we employed 13 workers on one day during harvest and may employ 13 or more again and so would come under the proposed act (HR 16014).

Horace A. Daum.
Ruth L. Daum.

I am a farmer with 67 acres.

My principal crops are apples and pears.

My payroll total for 1967 was $6,500.00.

The maximum number of workers I employed on any one day was 7.

Under the provisions of HR 16014 I would not be covered by the proposed act. (If not covered complete next question).

I have 5 neighbors who will be covered under HR 16014, and as a result it will be necessary for me to meet their wage and working conditions if I am going to get my crop harvested.

I oppose the concept embodied in HR 16014.

Comments: I am opposed to the Government interference and forcing the small family farms out of business.

J. L. Douglas.

I am a farmer with 25 acres.

My principal crops are pears and apples.

My payroll total for 1967 was $1,700.

The maximum number of workers I employed on any one day was 9.

Under the provisions of HR 16014 I would not be covered by the proposed act. (If not covered complete next question)

I have 12 neighbors who will be covered under HR 16014, and as a result it will be necessary for me to meet their wage and working conditions if I am going to get my crop harvested.

I oppose the concept embodied in HR 16014.

Harold W. Dykster.

I am a farmer with 45 acres.

My principal crops are pears and apples.

My payroll total for 1967 was $5,835.81.

The maximum number of workers I employed on any one day was 12.

Under the provisions of HR 16014 I would not be covered by the proposed act. (If not covered complete next question.)

I have 2 neighbors who will be covered under HR 16014, and as a result it will be necessary for me to meet their wage and working conditions if I am going to get my crop harvested.

I oppose the concept embodied in HR 16014.

Comments: According to last years records I would not be covered by this bill. However, in any future year I would probably come under the provisions of the bill.

Bruce D. Eccles.

I am a farmer with 60 acres.

My principal crops are hay and pasture.

My payroll total for 1967 was less than two hundred dollars.

The maximum number of workers I employed on any one day was two.

Under the provisions of HR 16014, I would be covered by the proposed act. (If not covered complete next question)

I have several neighbors who will be covered under HR 16014, and as a result it will be necessary for me to meet their wage and working conditions if I am going to get my crop harvested.

I oppose the concept embodied in HR 16014.

R. C. Elder.

Hood River, Oreg.

I am a farmer with 15 acres.

My principal crops are apples, pears, and cherries.

My payroll total for 1967 was $5150.00.

The maximum number of workers I employed on any one day was 8.

Under the provisions of HR 16014 I would not be covered by the proposed act. (If not covered complete next question)

I have several neighbors who will be covered under HR 16014, and as a result it will be necessary for me to meet their wage and working conditions if I am going to get my crop harvested.

I oppose the concept embodied in HR 16014.

Jayen W. English.

I am a farmer with 21 acres.

My principal crops are Bartletts and Anjous Pears.

My payroll total for 1967 was about $1,500.

The maximum number of workers I employed on any one day was 10 to 12.

Under the provisions of HR 16014 I would be covered by the proposed act. (If not covered complete next question)

I have two neighbors who will be covered under HR 16014, and as a result it will be necessary for me to meet their wage and working conditions if I am going to get my crop harvested.

I oppose the concept embodied in HR 16014.

Comments: I don't want any union in here—what if they did get in. They would strike just when the fruit would have to be pick—(It would be a mess).

Mr. and Mrs. Neil Clare Evans.

I am a farmer with 19 acres.

My principal crops are pears, apples, cherries, peaches.

My payroll total for 1967 was $1500.00.

The maximum number of workers I employed on any one day was 8.

Under the provisions of HR 16014 I would not be covered by the proposed act. (If not covered complete next question)

I have 3 neighbors who will be covered under HR 16014, and as a result it will be necessary for me to meet their wage and working conditions if I am going to get my crop harvested.

I oppose the concept embodied in HR 16014.

Oleen A. Fairchild.

I am a farmer with 10½ acres.

My principal crops are apples and pears.

My payroll total for 1967 was $2402.50.

The maximum number of workers I employed on any one day was 2.

Under the provisions of HR 16014 I would not be covered by the proposed act. (If not covered complete next question)

I have 2 neighbors who will be covered under HR 16014, and as result it will be necessary for me to meet their wage and working conditions if I am going to get my crop harvested.

I oppose the concept embodied in HR 16014.

Charles Fioretti.

I am a farmer with 57 acres.

My principal crops are apples and pears.

My payroll total for 1967 was $8000.

The maximum number of workers I employed on any one day was ten.

Under the provisions of HR 16014 I would be covered by the proposed act. (If not covered complete next question)

I have a number of neighbors who will be covered under HR 16014, and as a result it will be necessary for me to meet their wage and working conditions if I am going to get my crop harvested.

I oppose the concept embodied in HR 16014.

Donald L. Goe.

I am a farmer with 75 acres.

My principal crops are apples and pears.

My payroll total for 1967 was $4,960.00.

The maximum number of workers I employed on any one day was 12.

Under the provisions of HR 16014 I would not be covered by the proposed act. (If not covered complete next question)

I have ——— neighbors who will be covered under HR 16014, and as a result it will be necessary for me to meet their wage and working conditions if I am going to get my crop harvested.

I oppose the concept embodied in HR 16014.

Noble Goss.

I am a farmer with 30 acres.

My principal crops are pears and apples

My payroll total for 1967 was $3,000.

The maximum number of workers I employed on any one day was 9.

Under the provisions of HR 16014 I would not be covered by the proposed act. (If not covered complete next question)

I have one neighbor who will be covered under HR 16014, and as a result it will be necessary for me to meet their wage and working conditions if I am going to get my crop harvested.

I oppose the concept embodied in HR 16014.

Truman E. Goss.

I am a farmer with 30 acres.

My principal crops are pears.

My payroll total for 1967 was $2,200.

The maximum number of workers I employed on any one day was 12.

Under the provisions of HR 16014 I would not be covered by the proposed act. (If not covered complete next question)

I have 3 neighbors who will be covered under HR 16014, and as a result it will be necessary for me to meet their wage and working conditions if I am going to get my crop harvested.

I oppose the concept embodied in HR 16014.

Merrill R. Grove.

I am a farmer with 60 acres.

My principal crops are apples, pears, cherries.

My payroll total for 1967 was $3,000.

The maximum number of workers I employed on any one day was 5.

Under the provisions of HR 16014 I would be covered by the proposed act. (If not covered complete next question)

I have ——— neighbors who will be covered under HR 16014, and as a result it will be necessary for me to meet their wage and working conditions if I am going to get my crop harvested.

I oppose the concept embodied in HR 16014.

Comments: Can't afford to be striking on perishable fruit, so that's reason I oppose unionizing HR 16014.

Mark Haugawa.

I am a farmer with 25 acres.

My principal crops are Apples, Pears and Cherries.

My payroll total for 1967 was $9,615.

The maximum number of workers I employed on any one day was 12.

Under the provisions of HR 16014 I would not be covered by the proposed act. (If not covered complete next question)

I have 25 plus neighbors who will be covered under HR 16014, and as a result it will be necessary for me to meet their wage and working conditions if I am going to get my crop harvested.

I oppose the concept embodied in HR 16014.

J. W. Henderson.

I am a farmer with 10 acres.

My principal crops are Pears.

My payroll total for 1967 was $1425.

The maximum number of workers I employed on any one day was 10 for picking.

Under the provisions of HR 16014 I would not be covered by the proposed act. (If not covered complete next question)

I have several neighbors who will be covered under HR 16014, and as a result it will be necessary for me to meet their wage and working conditions if I am going to get my crop harvested.

I oppose the concept embodied in HR 16014.

Jack L. Hoskins.

I am a part time farmer with 5 acres, orchard.

My principal crops are pears-Bartletts.

My payroll total for 1967 was $350.00.

The maximum number of workers I employed on any one day was 8 for 2 days.

Under the provisions of HR 16014 I would not be covered by the proposed act. (If not covered complete next question)

I have ——— neighbors who will be covered under HR 16014, and as a result it will be necessary for me to meet their wage and working conditions if I am going to get my crop harvested.

I oppose the concept embodied in HR 16014.

Albert Hutson.

I am a farmer with 11½ acres.

My principal crop is pears.

My payroll total for 1967 was $1,800.00.

The maximum number of workers I employed on any one day was 7.

Under the provisions of HR 16014 I would not be covered by the proposed act. (If not covered complete next question)

I have 3 neighbors who will be covered under HR 16014, and as a result it will be necessary for me to meet their wage and working conditions if I am going to get my crop harvested.

I oppose the concept embodied in HR 16014.

Double H Ranch
Leonard & Richard Hutson.

I am a farmer with 20 acres.

My principal crops are pears.

My payroll total for 1967 was $3,000.

The maximum number of workers I employed on any day was seven.

Under the provisions of HR 16014 I would not be covered by the proposed act. If not covered complete next question)

I have 5 neighbors who will be covered under HR 16014, and as a result it will be necessary for me to meet their wage and working conditions if I am going to get my crop harvested.

I oppose the concept embodied in HR 16014.

Comments: I have already sent letter of opposition to all the congressional delegation from Oregon in fact some have sent reply letter to me.

Shige S. Imai.

I am a farmer with 20 acres.

My principal crops are pears and apples.

My payroll total for 1967 was $1870.96.

The maximum number of workers I employed on any one day was 10.

Under the provisions of HR 16014 I would not be covered by the proposed act. (If not covered complete next question)

I have 3 neighbors who will be covered under HR 16014, and as a result it will be necessary for me to meet their wage and working conditions if I am going to get my crop harvested.

I oppose the concept embodied in HR 16014.

A. E. Irish.

I am a farmer with 18 acres.

Mr. principal crops are apples and pears.

My payroll total for 1967 was $500.

The maximum number of workers I employed on any one day was 4.

Under the provisions of HR 16014 I would not be covered by the proposed act. (If not covered complete the next question)

I have 3 neighbors who will be covered under HR 16014, and as a result it will be necessary for me to meet their wage and working conditions if I am going to get my crop harvested.

I oppose the concept embodied in HR 16014.

James Jirhizaka.

I am a farmer with 7 acres.

My principal crops are cherries and B. pears.

My payroll total for 1967 was $5,000–6,000.

The maximum number of workers I employed on any one day was 10—1 day only.

Under the provisions of HR 16014 I would not be covered by the proposed act. (If not covered complete next question)

I have (see comments) neighbors who will be covered under HR 16014, and as a result it will be necessary for me to meet their wage and working conditions if I am going to get my crop harvested.

I oppose the concept embodied in HR 16014.

Comments: In an area as small as the valley any farmer would be one's competitor . . . that has been my experience in the past.

Bernice M. Jackson.

I am a farmer with 24 acres.

My principal crops are pears and apples.

My payroll total for $167 was $4,000.

The maximum number of workers I employed on any one day was 10.

Under the provisions of H.R. 16014 I would not be covered by the proposed act. (If not covered complete next question.)

I have 8 neighbors who will be covered under H.R. 16014, and as a result it will be necessary for me to meet their wage and working conditions if I am going to get my crop harvested.

I oppose the concept embodied in H.R. 16014.

Fred N. James.

Comments: Labor unions are the cause of the condition our United States is in now. They are a source for Communist control.

I am a farmer with 17 acres.

My principal crop is pears.

My payroll total for 1967 was $800.

The maximum number of workers I employed on any one day was 8.

Under the provisions of H.R. 16014 I would not be covered by the proposed act. (If not covered complete next question.)

I have 2 neighbors who will be covered under H.R. 16014, and as a result it will be necessary for me to meet their wage and working conditions if I am going to get my crop harvested.

I oppose the concept embodied in H.R. 16014.

W. Kanemasen.

I am a farmer with 5 acres.

My principal crops are winter pears.

My payroll total for 1967 was $1,000.00.

The maximum number of workers I employed on any one day was 8.

Under the provisions of HR 16014 I would not be covered by the proposed act. (If not covered complete next question)

I have 4 neighbors who will be covered under HR 16014, and as a result it will be necessary for me to meet their wage and working conditions if I am going to get my crop harvested.

I oppose the concept embodied in HR 16014.

Scott B. Kelly.

I am a farmer with 33 acres.

My principal crops are pears and cherries.

My payroll total for 1967 was $7,000.00.

The maximum number of workers I employed on any one day was nine workers.

Under the provisions of HR 16014 I would not be covered by the proposed act. (If not covered complete next question)

I have numerous neighbors who will be covered under HR 16014, and as a result it will be necessary for me to meet their wage and working conditions if I am going to get my crop harvested.

I oppose the concept embodied in HR 16014.

Fred W. ———.

Comments: Less than one farm worker out of a hundred could be considered a conscientious worker. My fruit is harvested by the misfits in this society. Would it be reasonable to entrust union power to such people as the alcoholics and those that can't pass a physical examination for any other work?

I am a farmer with 31.3 acres.

My principal crops are Pears.

My payroll total for 1967 was $4354.69.

The maximum number of workers I employed on any one day was 12.

Under the provisions of HR 16014 I would *not be covered by the proposed act. (If not covered complete next question)*

I have a majority of neighbors who will be covered under HR 16014, and as a result it will be necessary for me to meet their wage and working conditions if I am going to get my crop harvested.

I oppose the concept embodied in HR *16014.*

GEORGE N. KINOSHITO.

I am a farmer with 40 acres.

My principal crops are apples and pears.

My payroll total for 1967 was $6278.45.

The maximum number of workers I employed on any one day was 10.

Under the provisions of HR 16014 I could be covered by the proposed act. (If not covered complete next question)

I have many neighbors who will be covered under HR 16014, and as a result it will be necessary for me to meet their wage and working conditions if I am going to get my crop harvested.

I oppose the concept embodied in HR 16014.

Comments: With perishable crops, and the "dregs" of society, I feel this is unfair legislation. Farmers have enough problems without legislating against them.

RALPH W. KIRBY.

I am a farmer with 10 acres.

My principal crops are apples and pears.

My payroll total for 1967 was $2,000.00.

The maximum number of workers I employed on any one day was 5.

Under the provisions of H.R. 16014 I would not be covered by the proposed act. (If not covered complete next question)

I have ——— neighbors who will be covered under H.R. 16014, and as a result it will be necessary for me to meet their wage and working conditions if I am going to get my crop harvested.

I oppose the concept embodied in H.R. 16014.

Comments: In answer to last question I have not made inquire if my neighbors are covered or not. But I will make inquire this summer.

EDGAR G. KRUSSOW.

I am a farmer with 20 acres.

My principal crops are apples and pears.

My payroll total for 1967 was $1,500.00.

The maximum number of workers I employed on any one day was 5.

Under the provisions of H.R. 16014 I would not be covered by the proposed act. (If not covered complete next question)

I have 6 neighbors who will be covered under H.R. 16014, and as a result it will be necessary for me to meet their wage and working conditions if I am going to get my crop harvested.

I oppose the concept embodied in H.R. 16014.

RICHARD H. LANCH.

I am a farmer with 50 acres.

My principal crops are cherries, pears, apples.

My payroll total for 1967 was $2500.

The maximum number of workers I employed on any one day was 12.

Under the provisions of HR 16014 I would not be covered by the proposed act. (If not covered complete next question)

I have 5 neighbors who will be covered under HR 16014, and as a result it will be necessary for me to meet their wage and working conditions if I am going to get my crop harvested.

I (oppose) (support) the concept embodied in HR 16014. I don't know.

HAROLD H. LARSON.

I am a farmer with 2½ acres.

My principal crops are cherries.

My payroll total for 1967 was $683.25.

The maximum number of workers I employed on any one day was 7.

Under the provisions of HR 16014 I would not be covered by the proposed act. (If not covered complete next question)

I have at least 5 neighbors who will be covered under HR 16014, and as a result it will be necessary for me to meet their wage *and working conditions if I am going to get* my crop harvested.

I oppose the concept embodied in HR 16014.

DONALD R. MANLEY.

I am a farmer with 65 acres.

My principal crops are pears, just 20 acres, *rest of acres in woods.*

My payroll total for 1967 was $1,953.00.

The maximum number of workers I employed on any one day was 10.

Under the provisions of HR 16014 I would not be covered by the proposed act. (If not covered complete next question.)

I have 3 neighbors who will be covered under HR 16014, and as a result it will be necessary for me to meet their wage and working conditions if I am going to get my crop harvested.

I oppose the concept embodied in HR 16014.

WILLIAM J. MATHISON.

I am a farmer with 43 acres.

My principal crops are pears, peaches, strawberries, hay and pasture.

My payroll total for 1967 was $741.37.

The maximum number of workers I employed on any one day was 12.

Under the provisions of HR 16014 I would not be covered by the proposed act. (If not covered complete next question.)

I have 2 neighbors who will be covered under HR 16014, and as a result it will be necessary for me to meet their wage and working conditions if I am going to get my crop harvested.

I oppose the concept embodied in HR 16014.

GLENN R. MATTSON.

Comments: This farm is not selfsupporting. I work for my neighbor Sheldon Laurance. We will not have strawberries next year so will not hire as many people.

I am a farmer with 28 acres.

My principal crops are pears and apples.

My payroll total for 1967 was $960.00.

The maximum number of workers I employed on any one day was 6.

Under the provisions of HR 16014 I would not be covered by the proposed act. (If not covered complete next question).

I have ——— neighbors who will be covered under HR 16014, and as a result it will be necessary for me to meet their wage and working conditions if I am going to get my crop harvested.

I oppose the concept embodied in HR 16014.

ALBERT F. MAURER.

Comments: Dear sirs: Up to January 4, 1968—I just owned 10 acres. On January 4, 1968, I bought 18 acres of pears on default.

I am a farmer with 30 acres.

My principal crop is pears.

My payroll total for 1967 was $1000.

The maximum number of workers I employed on any one day was 9.

Under the provisions of HR 16014 I would not be covered by the proposed act. (If not covered complete next question).

I have 2 neighbors who will be covered under HR 16014, and as a result it will be necessary for me to meet their wage and working conditions if I am going to get my crop harvested.

I oppose the concept embodied in HR 16014.

ARCHIE L. MARTIN.

I am a farmer with 70 acres.

My principal crops are Pears and Apples.

My payroll total for 1967 was $3,000.

The maximum number of workers I employed on any one day was 8.

Under the provisions of HR 16014 I would not be covered by the proposed act. (If not covered complete next question).

I have 4 neighbors who will be covered under HR 16014, and as a result it will be necessary *for me to meet their wage and working* conditions if I am going to get my crop harvested.

I oppose the concept embodied in HR 16014.

DONALD G. MILLER.

Comments: Even a 3 or 4 day strike during a critical period would cause me to lose up to one half my crop or at least to reduce the *quality and selling price.*

I am a farmer with 53 acres.

My principal crops are pears and apples.

My payroll total for 1967 was $3,380.32.

The maximum number of workers I employed on any one day was 8.

Under the provisions of HR *16014* I would not be covered by the proposed act. If not covered complete next question).

I have ——— neighbors who will be covered under HR 16014, and as a result it will be necessary for me to meet their wage and working conditions if I am going to get my crop harvested.

I oppose the concept embodied in HR 16014.

ALBERT NACK.

I am a farmer with 56 acres.

My principal crops are hay and cattle.

My payroll total for 1967 was $467.

The maximum number of workers I employed on any one day was 6.

Under the provisions of HR 16014 I would not be covered by the proposed act. (If not covered complete next question)

I have 26 neighbors who will be covered under HR 16014, and as a result it will be necessary for me to meet their wage and working conditions if I am going to get my crop harvested.

I oppose the concept embodied in HR 16014.

NOEL M. NEAL.

Comments: Any person or politician who would enact the unreasonable and inadequate law that this is, need not be voted for. This bill is unreasonable because of the crops being affected. It is inadequate because it will never cover the needs of the people it is supposedly designed to protect.

I am a farmer with 30 acres.

My principal crops are apples and pears.

My payroll total for 1967 was $6,000.

The maximum number of workers I employed on any one day was 8.

Under the provisions of HR 16014 I would not be covered by the proposed act. (If not covered complete next question)

I have no neighbors who will be covered under HR 16014, and as a result it will be necessary for me to meet their wage and working conditions if I am going to get my crop harvested.

I oppose the concept embodied in HR 16014.

KOE NISHIMOTO.

I am a farmer with 17 acres.

My principal crops are apples and pears.

My payroll total for 1967 was $350.00.

The maximum number of workers I employed on any one day was 8.

Under the provisions of HR 16014 I would not be covered by the proposed act. (If not covered complete next question)

I have 5 neighbors who will be covered under HR 16014, and as a result it will be necessary for me to meet their wage and working conditions if I am going to get my crop harvested.

I oppose the concept embodied in HR 16014.

ROBERT O. NORTON.

I am a farmer with 50 acres.

My principal crops are apples and pears.

My payroll total for 1967 was $5000.00.

The maximum number of workers I employed on any one day was 10.

Under the provisions of HR 16014 I would not be covered by the proposed act. (If not covered complete next question)

I have several neighbors who will be covered under HR 16014, and as a result it will be necessary for me to meet their wage and working conditions if I am going to get my crop harvested.

I oppose the concept embodied in HR 16014.

J. Robert Nunomaker.

I am a farmer with 4 acres.

My principal crops are cherries.

My payroll total for 1967 was $600.00.

The maximum number of workers I employed on any one day was 6.

Under the provisions of HR 16014 I would not be covered by the proposed act. (If not covered complete next question)

I have 3 neighbors who will be covered under HR 16014, and as result it will be necessary for me to meet their wage and working conditions if I am going to get my crop harvested.

I oppose the concept embodied in HR 16014.

Joe Orcutt.

I am a farmer with 25 acres.

My principal crops are pears and apples.

My payroll total for 1967 was $5–6,000.

The maximum number of workers I employed on any one day was 6.

Under the provisions of HR 16014 I would not be covered by the proposed act. (If not covered complete next question)

I have 2 neighbors who will be covered under HR 16014, and as a result it will be necessary for me to meet their wage and working conditions if I am going to get my crop harvested.

I oppose the concept embodied in HR 16014.

Toru Omori.

I am a farmer with 1 acre.

My principal crops are fruit.

My payroll total for 1967 was $100.00.

The maximum number of workers I employed on any one day was 1.

Under the provisions of HR 16014 I would not be covered by the proposed act. (If not covered complete next question)

I have 4 neighbors who will be covered under HR 16014, and as a result it will be necessary for me to meet their wage and working conditions if I am going to get my crop harvested.

I oppose the concept embodied in HR 16014.

R. W. Perry.

I am a farmer with 1 acre. All the rest of my place is leased.

My principal crops are pears, peaches, and cherries.

My payroll total for 1967 was $120.00.

The maximum number of workers I employed on any one day was ———.

Under the provisions of HR 16014 I would not be covered by the proposed act. (If not covered complete next question)

I do not know how many neighbors will be covered under HR 16014, and as a result it will be necessary for me to meet their wage and working conditions if I am going to get my crop harvested.

I oppose the concept embodied in HR 16014.

Comments: If the union gets what they want then all the little farmers are done, some of the labor I had working for me was not worth 50 cents per day.

Robert Peshall.

I am a farmer with 33 acres.

My principal crops are apples and pears.

My payroll total for 1967 was $7,500.00.

The maximum number of workers I employed on any one day was 12.

Under the provisions of HR 16014 I would not be covered by the proposed act. (If not covered complete next question)

I have many neighbors who will be covered under HR 16014, and as a result it will be necessary for me to meet their wage and working conditions if I am going to get my crop harvested.

I oppose the concept embodied in HR 16014.

Tad L. Ploy.

I am a farmer with 30 acres.

My principal crops are livestock.

My payroll total for 1967 was none.

The maximum number of workers I employed on any one day was none.

Under the provisions of HR 16014 I would not be covered by the proposed act. (If not covered complete next question)

I have several neighbors who will be covered under HR16014, and as a result it will be necessary for me to meet their wage and working conditions if I am going to get my crop harvested.

I oppose the concept embodied in HR 16014.

Comments: I oppose any kind of unionization of farm labor on the farm.

LeRoy L. Ramm.

I am a farmer with 2 acres.

My principal crops are pears and cherries.

My payroll total for 1967 was $150.00.

The maximum number of workers I employed on any one day was 2.

Under the provisions of HR 16014 (I would) (I would not) be covered by the proposed act. (If not covered complete next question)

I have ——— neighbors who will be covered under HR 16014, and as a result it will be necessary for me to meet their wage and working conditions if I am going to get my crop harvested.

I oppose the concept embodied in HR 16014.

Karl H. G. Schmott.

Comments: I am with the small farmers.

I am a farmer with 25 acres.

My principal crops are cherries-pears and apples.

My payroll total for 1967 was $3835.

The maximum number of workers I employed on any one day was 5.

Under the provisions of HR 16014 I would be covered by the proposed act. (If not covered complete next question)

I have two neighbors who will be covered under HR 16014, and as a result it will be necessary for me to meet their wage and working conditions if I am going to get my crop harvested.

I oppose the concept embodied in HR 16014.

Dale P. Scobel.

Comments: The white man is being discriminated against.

We are farmers with 50 acres.

Our principal crop is fruit (apples, pears, cherries).

Our payroll total for 1967 was $8,486.87.

The maximum number of workers we employed on any one day was eleven.

Under the provisions of HR 16014 we would not be covered by the proposed act. (If not covered complete next question)

We have several neighbors who will be covered under HR 16014, and as a result it will be necessary for me to meet their wage and working conditions if I am going to get my crop harvested.

We oppose the concept embodied in HR 16014.

G. H. Sheppard,
R. B. Sheppard.

I am a farmer with 12 acres.

My principal crops are pears and apples.

My payroll total for 1967 was $1,600.

The maximum number of workers I employed on any one day was 5.

Under the provisions of HR 16014 I would not be covered by the proposed act. (If not covered complete next question)

I have 3 neighbors who will be covered under HR 16014, and as a result it will be necessary for me to meet their wage and working conditions if I am going to get my crop harvested.

I oppose the concept embodied in HR 16014.

George Sopler.

I am a farmer with 38 acres.

My principal crops are pears.

My payroll total for 1967 was $3,800.

The maximum number of workers I employed on any one day was 8.

Under the provisions of HR 16014 I would not be covered by the proposed act. (If not covered complete next question)

I have ——— neighbors who will be covered under HR 16014, and as a result it will be necessary for me to meet their wage and working conditions if I am going to get my crop harvested.

I oppose the concept embodied in HR 16014.

M. Flannigan.

I am a farmer with 20 acres.

My principal crops are apples and pears and cherries.

My payroll total for 1967 was $1,950.00.

The maximum number of workers I employed on any one day was 10.

Under the provisions of HR 16014 (I would) (I would not) be covered by the proposed act. (If not covered complete next question)

I have no neighbors who will be covered under HR 16014, and as a result it will be necessary for me to meet their wage and working conditions if I am going to get my crop harvested.

I oppose the concept embodied in HR 16014.

Lloyd Van Riper.

Comments: Who is the wise guy who thinks up all this stuff?

I am a farmer with 6 acres.

My principal crops are cherries and pears.

My payroll total for 1967 was $1500.

The maximum number of workers I employed on any one day was 6.

Under the provisions of HR 16014 I would not be covered by the rpoposed act. (If not covered complete next question)

I have 2 neighbors who will be covered under HR 16014, and as a result it will be necessary for me to meet their wage and working conditions if I am going to get my crop harvested.

I oppose the concept embodied in HR 16014.

James Wakamatsu.

I am a farmer with ——— acres.

My principal crops are apples, pears.

My payroll total for 1967 was $2,500.

The maximum number of workers I employed on any one day was 6.

Under the provisions of HR 16014 I would not be covered by the proposed act. (If not covered complete next question.)

I have 3 neighbors who will be covered under HR 16014, and as a result it will be necessary for me to meet their wage and working conditions if I am going to get my crop harvested.

I oppose the concept embodied in HR 16014.

Comments: Let's see some action on this.

John Y. Watmatson.

I am a farmer with 38 acres.

My principal crops are apples and pears.

My payroll total for 1967 was $8,518.

The maximum number of workers I employed on any one day was 8.

Under the provisions of HR 16014 I would not be covered by the proposed act. (If not covered complete next question.)

I have several neighbors who will be covered under HR 16014, and as a result it will be necessary for me to meet their wage and working conditions if I am going to get my crop harvested.

I oppose the concept embodied in HR 16014.

Comments: Passage of H.R. 16014 would put any and all growers of perishable crops at the mercy of unions. The bill is unfair to the employer. At harvest time the grower is in no position to bargain with the union. Any delay would be most disastrous for the growers.

GARLAND WERTZER.

I am a farmer with 65 acres.

My principal crops are pears, apples, hay.

My payroll total for 1967 was less than $8,000.

The maximum number of workers I employed on any one day was 10.

Under the provisions of HR 16014 I would not be covered by the proposed act. (If not covered complete next question)

I have 4 neighbors who will be covered under HR 16014, and as a result it will be necessary for me to meet their wage and working conditions if I am going to get my crop harvested.

I oppose the concept embodied in HR 16014.

Comments: We can't pay a union scale without getting more favorable returns on our products.

BERNISE WHITE,
Kemper-White Orchards.

I am a farmer with 20 acres.

My principal crops are pears.

My payroll total for 1967 was $1,726.63.

The maximum number of workers I employed on any one day was 9.

Under the provisions of HR 16014 I would not be covered by the proposed act. (If not covered complete next question)

I have 4 neighbors who will be covered under HR 16014, and as a result it will be necessary for me to meet their wage and working conditions if I am going to get my crop harvested.

I oppose the concept embodied in HR 16014.

RICHARD WHITECOTTON.

I am a farmer with 8 acres.

My principal crops are pears, cherries and peaches.

My payroll total for 1967 was $3,150.42.

The maximum number of workers I employed on any one day was 10.

Under the provisions of HR 16014 I would not be covered by the proposed act. (If not covered complete next question).

I have at least 3 neighbors who will be covered under HR 16014, and as a result it will be necessary for me to meet their wage and working conditions if I am going to get my crop harvested.

I oppose the concept embodied in HR 16014.

Comments: Agriculture is unusual in that its labor requirements do not permit use of the same collective bargaining procedures as in industry because of the perishability of the product. Small farmers would be forced to sell out because their crops couldn't wait while a larger growers crop was being harvested first.

JOHN R. WILCOX.

I am a farmer with 17 acres.

My principal crops are apples and pears.

My payroll total for 1967 was $700.00.

The maximum number of workers I employed on any one day was 5.

Under the provisions of HR 16014 I would not be covered by the proposed act. (If not covered complete next question).

I have several neighbors who will be covered under HR 16014, and as a result it will be necessary for me to meet their wage and working conditions if I am going to get my crop harvested.

I oppose the concept embodied in HR 16014.

DAVID WILLIAMS.

I am a farmer with 30 acres.

My principal crops are apples and pears.

My payroll total for 1967 was $6,600.

The maximum number of workers I employed on any one day was 12.

Under the provisions of HR 16014 I would not be covered by the proposed act. (If not covered complete next question)

I have 5 neighbors who will be covered under HR 16014, and as a result it will be necessary for me to meet their wage and working conditions if I am going to get my crop harvested.

I oppose the concept embodied in HR 16014.

SHIG YAMAKI.

I am a farmer with 5 acres.

My principal crops are pears.

My payroll total for 1967 was none (I'm a new owner).

The maximum number of workers I employed on any one day was ———.

Under the provisions of HR 16014 I would not be covered by the proposed act. (If not covered complete next question)

I have several neighbors who will be covered under HR 16014, and as a result it will be necessary for me to meet their wage and working conditions if I am going to get my crop harvested.

I oppose the concept embodied in HR 16014.

DONALD W. WALKER.

I am a farmer with 110 acres.

My principal crops are hay and livestock.

My payroll total for 1967 was small.

The maximum number of workers I employed on any one day was 2.

Under the provisions of HR 16014 I would not be covered by the proposed act. (If not covered complete next question)

I have numerous neighbors who will be covered under HR 16014, and as a result it will be necessary for me to meet their wage and working conditions if I am going to get my crop harvested.

I oppose the concept embodied in HR 16014.

LEO E. SHARKEY.

I am a farmer with 7½ acres.

My principal crops are apples and pears.

My payroll total for 1967 was $———.

The maximum number of workers I employed on any one day was 10.

Under the provisions of HR 16014 I would not be covered by the proposed act. (If not covered complete next question)

I have 2 neighbors who will be covered under HR 16014, and as a result it will be necessary for me to meet their wage and working conditions if I am going to get my crop harvested.

I oppose the concept embodied in HR 16014.

Comments: Letters have been sent direct to our Congressmen opposing the bill.

R. G. SEEACRE.

I am a farmer with 5 acres.

My principal crops are only cherries for market.

My payroll total for 1967 was $———.

The maximum number of workers I employed on any one day was ———.

Under the provisions of HR 16014 (I would not) be covered by the proposed act. (If not covered complete next question.)

I have ——— neighbors who will be covered under HR 16014, and as a result it will be necessary for me to meet their wage and working conditions if I am going to get my crop harvested.

I oppose the concept embodied in HR 16014.

B. B. POWELL.

Comments: Only have a small orchard but not in favor of unionizing.

I am a farmer with 40 acres (20 acres orchard).

My principal crops are pears, apples, and cherries.

My payroll total for 1967 was $———.

The maximum number of workers I employed on any one day was 8.

Under the provisions of HR 16014 I would not be covered by the proposed act. (If not covered complete next question)

I have 3 neighbors who will be covered under HR 16014, and as a result it will be necessary for me to meet their wage and working conditions if I am going to get my crop harvested.

I oppose the concept embodied in HR 16014.

EDWARD GOETZ.

I am a farmer with 40 acres.

My principal crops are fruit.

My payroll total for 1967 was $———.

The maximum number of workers I employed on any one day was ———.

Under the provisions of HR 16014 (I would) (I would not) be covered by the proposed act. (If not covered complete next question)

I have ——— neighbors who will be covered under HR 16014, and as a result it will be necessary for me to meet their wage and working conditions if I am going to get my crop harvested.

I oppose the concept embodied in HR 16014.

Comments: If it comes to the point where we can't hire our own help we'll do the work ourselves.

ROMAN C. BRAUN.

I am a farmer with 9.384 acres.

My principal crops are hay.

My payroll total for 1967 was none.

The maximum number of workers I employed on any one day was none. I do the work myself.

Under the provisions of HR 16014 (I would) (I would not) be covered by the proposed act. (If not covered complete next question)

I have ——— neighbors who will be covered under HR 16014, and as a result it will be necessary for me to meet their wage and working conditions if I am going to get my crop harvested.

I oppose the concept embodied in HR 16014.

Comments: I don't think the farmers in the Hood River Valley need a union. They are picked at enough. Let them have a little saying on how to run their business.

DENVER HARPER.

I am a farmer with ——— acres.

My principal crops are ———.

My payroll total for 1967 was $———.

The maximum number of workers I employed on any one day was ———.

Under the provisions of HR 16014 (I would) (I would not) be covered by the proposed act. (If not covered complete next question).

I have ——— neighbors who will be covered under HR 16014, and as a result it will be necessary for me to meet their wage and working conditions if I am going to get my crop harvested.

I oppose the concept embodied in HR 16014.

Comments: I have 24½ acres of land of which approximately 16 acres are suitable for cherries.

JULES C. STANTON.

I am a farmer with ——— acres.
My principal crops are ———.
My payroll total for 1967 was $———.
The maximum number of workers I employed on any one day was ———.
Under the provisions of HR 16014 (I would) (I would not) be covered by the proposed act. (If not covered complete next question)
I have ——— neighbors who will be covered under HR 16014, and as a result it will be necessary for me to meet their wage and working conditions if I am going to get my crop harvested.
I oppose the concept embodied in HR 16014.
Comments: H.R. 16014 must be recognized as inflationary and will increase welfare burdens.

GEORGE M. ALEXANDER.

I am a farmer with ——— acres.
My principal crops are ———.
My payroll total for 1967 was $———.
The maximum number of workers I employed on any one day was ———.
Under the provisions of HR 16014 (I would) (I would not) be covered by the proposed act. (If not covered complete next question)
I have ——— neighbors who will be covered under HR 16014, and as a result it will be necessary for me to meet their wage and working conditions if I am going to get my crop harvested.
I (oppose) (support) the concept embodied in HR 16014.
Comments: P. D. George has passed away and is no more.

Mrs. P. D. GEORGE.

I am a farmer with ——— acres.
My principal crops are ———.
My payroll total for 1967 was $———.
The maximum number of workers I employed on any one day was ———.
Under the provisions of HR 16014 (I would) (I would not) be covered by the proposed act. (If not covered complete next question)
I have ——— neighbors who will be covered under HR 16014, and as a result it will be necessary for me to meet their wage and working conditions if I am going to get my crop harvested.
I (oppose) (support) the concept embodied in HR 16014.
Comments: I have leased my farm, so will not be hiring labor.

ROY MARVEL.

I am a farmer with ½ acre.
My principal crops are ———.
My payroll total for 1967 was $———.
The maximum number of workers I employed on any one day was ———.
Under the provisions of HR 16014 (I would) (I would not) be covered by the proposed act. (If not covered complete next question)
I have ——— neighbors who will be covered under HR 16014, and as a result it will be necessary for me to meet their wage and working conditions if I am going to get my crop harvested.
I (oppose) (support) the concept embodied in HR 16014.
Comments: Retired farmer.

W. H. TALLMAN.

I am a farmer with ——— acres.
My principal crops are ———.
My payroll total for 1967 was $———.
The maximum number of workers I employed on any one day was ———.
Under the provisions of HR 16014 (I would) (I would not) be covered by the proposed act. (If not covered complete next question)
I have ——— neighbors who will be covered under HR 16014, and as a result it will be necessary for me to meet their wage and working conditions if I am going to get my crop harvested.
I (oppose) (support) the concept embodied in HR 16014.
Comments: Submitted under the firm name of G. H. & R. B. Sheppard.

BOB SHEPPARD.

I am a farmer with ——— acres.
My principal crops are ———.
My payroll total for 1967 was $ ———.
The maximum number of workers I employed on any one day was ———.
Under the provisions of HR 16014 (I would) (I would not) be covered by the proposed act. (If not covered complete next question)
I have one neighbor who will be covered under HR 16014, and as a result it will be necessary for me to meet their wage and working conditions if I am going to get my crop harvested.
I oppose the concept embodied in HR 16014.
Comments: We have 18 acres, but only a few cherry, pear and apple trees which we harvest ourselves. But we will vote against this measure.

SHERIDAN M. DELEPINE.

I am a farmer with ——— acres.
My principal crops are ———.
My payroll total for 1967 was $ ———.
The maximum number of workers I employed on any one day was ———.
Under the provisions of HR 16014 (I would) (I would not) be covered by the proposed act. (If not covered complete next question)
I have ——— neighbors who will be covered under HR 16014, and as a result it will be necessary for me to meet their wage and working conditions if I am going to get my crop harvested.
I oppose the concept embodied in HR 16014.
Comments: I am an entirely retired fruit grower. I no longer own any land, or have any active partnership in any orchard. If active I would absolutely oppose the threatened legislation.

ARTHUR F. BULZIN.

I am a farmer with only 7 acres.
My principal crops are D'anjou and Bartlett pears.
My payroll total for 1967 was $900.
The maximum number of workers I employed on any one day was 10.
Under the provisions of HR 16014 (I would) (I would not) be covered by the proposed act. (If not covered complete next question) (Not familiar with proposed bill.)
I have 3 neighbors who will be covered under HR 16014, and as a result it will be necessary for me to meet their wage and working conditions if I am going to get my crop harvested.
I (oppose) (support) the concept embodied in HR 16014. I don't know.
Comments: Wish more information regarding this proposed bill as to wage requirements, etc.
Thank you,

Mrs. S. E. DELANEY.

I am a farmer with 30 acres.
My principal crops are fruit.
My payroll total for 1967 was $5,000.
The maximum number of workers I employed on any one day was 8.
Under the provisions of HR 16014 I would not be covered by the proposed act. (If not covered complete next question)
I have many neighbors who will be covered under HR 16014, and as a result it will be necessary for me to meet their wage and working conditions if I am going to get my crop harvested.
I (oppose) (support) the concept embodied in HR 16014. No opinion.
Comments: Some people like the union and some don't. Therefore I think it would be best to let the workers do as they wish.

J. E. RICE.

I am a farmer with 5 acres.
My principal crops are Bartletts.
My payroll total for 1967 was above average.
The maximum number of workers I employed on any one day was 7.
Under the provisions of HR 16014 (I would) (I would not) be covered by the proposed act. (If not covered complete next question)
I have some neighbors who will be covered under HR 16014, and as a result it will be necessary for me to meet their wage and working conditions if I am going to get my crop harvested.
I (oppose) (support) the concept embodied in HR 16014. I don't know.
Comments: Let's take a look at both sides of this. But for the grace of God, the position of you or I could be reversed.

L. E. ZADE,
Member of I.W. of A. Local 3–18.

Mr. MORSE. Mr. President, my colleagues on the Senate Labor and Public Welfare Committee know that I favor the objectives of S. 8, and I have made clear that if amendments can be proved to be necessary, particularly an amendment that will provide for a procedure that will gives some assurance that when a crop can be picked, whether it is 100 acres of tomatoes or 100 acres of strawberries, or any other acreage of perishable crops, a procedure will be worked out whereby the crop can be picked without a work stoppage, but the principle of retroactivity will be guaranteed for the final payment to the workers on the basis of the final settlement. That is one of the amendments that we have pending before the Labor and Public Welfare Committee and to which I think very careful study and consideration should be given.

I also want to say, however, that I think both bodies should do what they can to bring out of the committee a marked-up bill to the floor of Congress for action before adjournment.

DEPARTMENT OF INTERIOR AND RELATED AGENCIES APPROPRIATION BILL, 1969—CONFERENCE REPORT

Mr. HAYDEN. Mr. President, I submit a report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 17354) making appropriations for the Department of the Interior and related agencies for the fiscal year ending June 30, 1969, and for other purposes. I ask unanimous consent for the present consideration of the report.

The PRESIDING OFFICER. The report will be read for the information of the Senate.

The legislative clerk read the report.

(For conference report, see House proceedings of today.

The PRESIDING OFFICER. Is there objection to the present consideration of the report?

There being no objection, the Senate proceeded to consider the report.

Mr. HAYDEN. Mr. President, as this bill passed the Senate it provided for appropriations totaling $1,284,372,800 for the agencies and bureaus of the Department of the Interior, exclusive of the Federal Water Pollution Control Administration, the Bureau of Reclamation and the power-marketing agencies, and various related agencies, including the U.S. Forest Service and the Division of Indian Health.

The conference committee bill provides appropriations totaling $1,284,989,300 for the programs and activities of these agencies. This total is under the budget estimates of $1,432,342,300 by $147,353,000; over the House bill of $1,280,880,300 by $4,109,000; and over the Senate bill of $1,284,372,800 by $616,500.

I ask unanimous consent to have included in the RECORD, at the conclusion of my remarks, a tabulation setting out the appropriation for the current year, the budget estimate, the House allowance, the Senate allowance, and the conference allowance for each appropriation in the bill.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 1.)

Mr. HAYDEN. Mr. President, the major changes from the Senate bill was restoration of $850,000 allowed by the House for kindergartens in Bureau of Indian Affairs schools; and a reduction in the amount allowed by the Senate for the National Foundation on the Arts and the Humanities which was not considered by the House. Instead of $12,200,000 in the Senate bill, the conferees agreed on $11,500,000. The House has agreed to a cost-saving proviso in the Senate bill which will permit letting a contract for the entire Hirshhorn Museum and Sculpture Garden to be located on the Mall.

The land and water conservation fund allocations were worked out on a compromise basis. Funds are allocated for the Guadalupe Mountains National Park, for which no provision was made by the House; and for both Mason Neck bald eagle habitat in Virginia and the Patuxent Endangered Species Center.

The conference was friendly and cooperative. As she was last year, the House chairman, Representative JULIA BUTLER HANSEN, was pleasant, gracious, and capable. I believe that the report represents a reasonable agreement on the differing views of the two branches of the Congress.

EXHIBIT 1

Agency and item	New budget (obligational) authority, 1968	Budget estimates of new (obligational) authority, 1969	Allowances			Conference allowance compared with—		
			House	Senate	Conference	Budget estimates of new (obligational) authority, 1969	House allowances	Senate allowances
TITLE I—DEPARTMENT OF THE INTERIOR								
PUBLIC LAND MANAGEMENT								
BUREAU OF LAND MANAGEMENT								
Management of lands and resources	$58,986,000	$51,750,000	$51,196,000	$50,751,000	$50,751,000	−$999,000	−$445,000	
Construction and maintenance	3,900,000	4,156,000	3,156,000	3,081,000	3,081,000	−1,075,000	−75,000	
Public lands development roads and trails (appropriation to liquidate contract authorization)	*(2,600,000)*	*(4,500,000)*	*(3,500,000)*	*(3,500,000)*	*(3,500,000)*	*(−1,000,000)*		
Oregon and California grant lands (indefinite, appropriation of receipts)	10,881,000	12,175,000	12,175,000	12,175,000	12,175,000			
Range improvements (indefinite, appropriation of receipts)	1,444,000	1,500,000	1,500,000	1,500,000	1,500,000			
Total, Bureau of Land Management	75,211,000	69,581,000	68,027,000	67,507,000	67,507,000	−2,074,000	−520,000	
BUREAU OF INDIAN AFFAIRS								
Education and welfare services	131,300,000	153,423,000	144,393,000	138,543,000	139,393,000	−14,030,000	−5,000,000	+850,000
Education and welfare services (appropriation to liquidate contract authorization)	*(910,000)*	*(1,300,000)*	*(1,300,000)*	*(1,300,000)*	*(1,300,000)*			
Resources management	49,151,000	53,588,000	50,776,000	50,240,000	50,240,000	−3,348,000	−536,000	
Construction	40,770,000	32,299,000	24,921,000	25,471,000	25,471,000	−6,828,000	+550,000	
Road construction (appropriation to liquidate contract authorization)	*(18,000,000)*	*(20,000,000)*	*(18,000,000)*	*(18,000,000)*	*(18,000,000)*	*(−2,000,000)*		
Revolving fund for loans	450,000	450,000	450,000	450,000	450,000			
General administrative expenses	4,752,000	4,817,000	4,767,000	4,767,000	4,767,000	−50,000		
Total, Bureau of Indian Affairs, exclusive of tribal funds	226,423,000	244,577,000	225,307,000	219,471,000	220,321,000	−24,256,000	−4,986,000	+850,000
Tribal funds (limitations on use of trust funds)	*(3,000,000)*	*(3,000,000)*	*(3,000,000)*	*(3,000,000)*	*(3,000,000)*			
BUREAU OF OUTDOOR RECREATION								
Salaries and expenses	4,285,000	4,215,000	3,915,000	3,915,000	3,915,000	−300,000		
Land and water conservation:								
Appropriation of receipts (indefinite)	110,000,000	100,000,000	100,000,000	90,000,000	90,000,000	−10,000,000	−10,000,000	
Appropriation (definite, repayable advance)	9,191,000	30,000,000				−30,000,000		
Total, Bureau of Outdoor Recreation	123,476,000	134,215,000	103,915,000	93,915,000	93,915,000	−40,300,000	−10,000,000	
OFFICE OF TERRITORIES								
Administration of territories	15,613,000	16,219,000	13,747,000	13,747,000	13,747,000	−2,472,000		
Trust Territory of the Pacific Islands	30,200,000	34,000,000	31,606,000	30,000,000	30,000,000	−4,000,000	−1,606,000	
Total, Office of Territories	45,813,000	50,219,000	45,353,000	43,747,000	43,747,000	−6,472,000	−1,606,000	
Total, Public Land Management	470,923,000	498,592,000	442,602,000	424,640,000	425,490,000	−73,102,000	−17,112,000	+850,000
MINERAL RESOURCES								
GEOLOGICAL SURVEY								
Surveys, investigations, and research	86,919,000	94,756,000	89,470,000	88,575,000	88,675,000	−6,081,000	−795,000	+100,000
BUREAU OF MINES								
Conservation and development of mineral resources	36,466,000	39,015,000	36,886,000	36,818,000	36,818,000	−2,197,000	−68,000	
Health and safety	10,782,000	11,449,000	11,237,000	11,237,000	11,237,000	−212,000		
Solid waste disposal	3,367,000	2,167,000	1,917,000	1,667,000	1,917,000	−250,000		+250,000
General administrative expenses	1,573,000	1,592,000	1,577,000	1,577,000	1,577,000	−15,000		
Helium fund (authorization to spend from public debt receipts)	16,200,000	17,600,000	16,200,000	16,200,000	16,200,000	−1,400,000		
Total, Bureau of Mines	68,388,000	71,823,000	67,817,000	67,499,000	67,749,000	−4,074,000	−68,000	+250,000

EXHIBIT 1—Continued

Agency and item	New budget (obligational) authority, 1968	Budget estimates of new (obligational) authority, 1969	Allowances			Conference allowance compared with—		
			House	Senate	Conference	Budget estimates of new (obligational) authority, 1969	House allowances	Senate allowances
TITLE I—DEPARTMENT OF THE INTERIOR—Continued								
MINERAL RESOURCES—Continued								
OFFICE OF COAL RESEARCH								
Salaries and expenses	$10,980,000	$13,900,000	$13,350,000	$13,700,000	$13,700,000	−$200,000	+$350,000	
OFFICE OF OIL AND GAS								
Salaries and expenses	763,000	868,900	768,900	818,900	818,900	−50,000	+50,000	
Total, Mineral Resources	167,050,000	181,347,900	171,405,900	170,592,900	170,942,900	−10,405,000	−463,000	+$350,000
FISH AND WILDLIFE AND PARKS								
BUREAU OF COMMERCIAL FISHERIES								
Management and investigations of resources	23,809,650	27,014,000	23,997,000	24,597,000	24,597,000	−2,417,000	+600,000	
Management and investigations of resources (special foreign currency program)	100,000	100,000	100,000	15,000	15,000	−85,000	−85,000	
Construction	1,730,000							
Construction of fishing vessels	6,002,500	6,004,000	6,000,000	6,000,000	6,000,000	−4,000		
Federal aid for commercial fisheries research and development	4,719,500	4,722,000	4,719,000	4,319,000	4,319,000	−403,000	−400,000	
Anadromous and Great Lakes fisheries conservation	2,333,000	2,334,000	2,333,000	2,300,000	2,300,000	−34,000	−33,000	
General administrative expenses	720,000	730,000	720,000	720,000	720,000	−10,000		
Administration of Pribilof Islands (indefinite, appropriation of receipts)	2,496,000	2,633,400	2,633,400	2,633,400	2,633,400			
Limitation on administrative expenses, Fisheries loan fund	*(344,200)*	*(347,200)*	*(347,200)*	*(347,200)*	*(347,200)*			
Total, Bureau of Commercial Fisheries	41,910,650	43,537,400	40,502,400	40,584,400	40,584,400	−2,953,000	+82,000	
BUREAU OF SPORT FISHERIES AND WILDLIFE								
Management and investigations of resources	44,867,800	46,354,000	45,784,000	45,893,000	45,893,000	−461,000	+109,000	
Construction	4,475,600	1,203,000	1,203,000	1,541,000	1,491,000	+288,000	+288,000	−50,000
Migratory bird conservation account (definite, repayable advance)	7,500,000	7,500,000	7,500,000	7,500,000	7,500,000			
Anadromous and Great Lakes fisheries conservation	2,430,000	2,325,000	2,285,000	2,285,000	2,285,000	−40,000		
General administrative expenses	1,617,000	1,634,000	1,617,000	1,617,000	1,617,000	−17,000		
Total, Bureau of Sport Fisheries and Wildlife	60,890,400	59,016,000	58,389,000	58,836,000	58,786,000	−230,000	+397,000	−50,000
NATIONAL PARK SERVICE								
Management and protection	44,854,000	44,531,000	43,429,000	43,049,000	43,049,000	−1,482,000	−380,000	
Maintenance and rehabilitation of physical facilities	30,327,800	32,990,000	32,125,000	32,125,000	32,125,000	−865,000		
Construction	11,627,000	13,889,000	4,368,000	4,368,000	4,368,000	−9,521,000		
Parkway and road construction (appropriation to liquidate contract authorization)	*(38,000,000)*	*(27,000,000)*	*(17,000,000)*	*(17,000,000)*	*(17,000,000)*	*(−10,000,000)*		
Preservation of historic properties	783,000	1,168,000	783,000	483,000	583,000	−585,000	−200,000	+100,000
General administrative expenses	2,644,000	2,969,000	2,941,000	2,941,000	2,941,000	−28,000		
Total, National Park Service	90,235,800	95,547,000	83,646,000	82,966,000	83,066,000	−12,481,000	−580,000	+100,000
Total, Fish and Wildlife and Parks	193,036,850	198,100,400	182,537,400	182,386,400	182,436,400	−15,664,000	−101,000	+50,000
OFFICE OF SALINE WATER								
Saline water conversions [1]	19,800,000	27,358,000	24,556,000	24,556,000	24,556,000	−2,802,000		
Prototype desalting plant	1,000,000	3,000,000	1,000,000	1,000,000	1,000,000	−2,000,000		
Total, Office of Saline Water	20,800,000	30,358,000	25,556,000	25,556,000	25,556,000	−4,802,000		
OFFICE OF WATER RESOURCES RESEARCH								
Salaries and expenses	11,130,000	12,717,000	11,217,000	11,150,000	11,150,000	−1,567,000	−67,000	
OFFICE OF THE SOLICITOR								
Salaries and expenses	5,244,000	5,530,000	5,415,000	5,355,000	5,385,000	−145,000	−30,000	+30,000
OFFICE OF THE SECRETARY								
Salaries and expenses	7,114,500	8,530,000	8,301,000	8,264,500	8,301,000	−229,000		+36,500
Total, new budget (obligational) authority, Department of Interior	875,298,350	935,175,300	847,034,300	827,944,800	829,261,300	−105,914,000	−17,773,000	+1,316,500
Consisting of—								
Appropriations	859,098,350	917,575,300	830,834,300	811,744,800	813,061,300	−104,514,000	−17,773,000	+1,316,500
Definite appropriations	(734,277,350)	(801,266,900)	(714,525,900)	(705,436,400)	(706,752,900)	(−94,514,000)	(−7,773,000)	(+1,316,500)
Indefinite appropriations	(124,821,000)	(116,308,400)	(116,308,400)	(106,308,400)	(106,308,400)	(−10,000,000)	(−10,000,000)	
Authorization to spend from public debt receipts	16,200,000	17,600,000	16,200,000	16,200,000	16,200,000	−1,400,000		

See footnotes at end of table.

EXHIBIT 1—Continued

Agency and item	New budget (obligational) authority, 1968	Budget estimates of new (obligational) authority, 1969	Allowances			Conference allowance compared with—		
			House	Senate	Conference	Budget estimates of new (obligational) authority, 1969	House allowances	Senate allowances
TITLE I—DEPARTMENT OF THE INTERIOR—Continued								
OFFICE OF THE SECRETARY—Continued								
Memorandums—								
Appropriations to liquidate contract authorization	($59,510,000)	($52,800,000)	($39,800,000)	($39,800,000)	($39,800,000)	(−$13,000,000)		
Appropriations, *including* appropriation for liquidation of contract authorization	(918,608,350)	(970,375,300)	(870,634,300)	(851,544,800)	(852,861,300)	(−117,514,000)	(−$17,773,000)	(+$1,316,500)
Total, new budget (obligational) authority and appropriation to liquidate contract authorization	(934,808,350)	(987,975,300)	(886,834,300)	(867,744,800)	(869,061,300)	(−118,914,000)	(−17,773,000)	(+1,316,500)
TITLE II—RELATED AGENCIES								
DEPARTMENT OF AGRICULTURE								
FOREST SERVICE								
Forest protection and utilization:								
Forest land management	224,593,000	189,175,000	185,374,000	184,444,000	184,444,000	−4,731,000	−930,000	
Forest research	41,257,000	40,127,000	39,067,000	38,866,000	38,866,000	−1,261,000	−201,000	
State and private forestry cooperation	19,751,000	19,847,000	19,833,000	19,833,000	19,833,000	−14,000		
Total, forest protection and utilization	285,601,000	249,149,000	244,274,000	243,143,000	243,143,000	−6,006,000	−1,131,000	
Forest roads and trails (appropriation to liquidate contract authorization)	*(110,000,000)*	*(91,970,000)*	*(91,000,000)*	*(91,000,000)*	*(91,000,000)*	*(−970,000)*		
Acquisition of lands for national forests:								
Special acts (special fund, indefinite)	80,000	80,000	80,000	80,000	80,000			
Cooperative range improvements (special fund, indefinite	700,000	700,000	700,000	700,000	700,000			
Assistance to States for tree planting	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000			
Total, new budget (obligational) authority, Forest Service	287,381,000	250,929,000	246,054,000	244,923,000	244,923,000	−6,006,000	−1,131,000	
FEDERAL COAL MINE SAFETY BOARD OF REVIEW								
Salaries and expenses	162,000	157,000	157,000	157,000	157,000			
COMMISSION OF FINE ARTS								
Salaries and expenses	115,000	115,000	115,000	115,000	115,000			
DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE								
PUBLIC HEALTH SERVICE								
Indian health activities	84,862,000	95,907,000	90,860,000	90,860,000	90,860,000	−5,047,000		
Construction of Indian health facilities	16,848,000	16,100,000	14,100,000	14,100,000	14,100,000	−2,000,000		
Total, Public Health Service	*101,710,000*	*112,007,000*	*104,960,000*	*104,960,000*	*104,960,000*	−7,047,000		
OFFICE OF EDUCATION								
Arts and humanities educational activities	1,000,000	(2)						
Total, Health, Education, and Welfare	102,710,000	112,007,000	104,960,000	104,960,000	104,960,000	−7,047,000		
INDIAN CLAIMS COMMISSION								
Salaries and expenses	500,000	619,000	619,000	619,000	619,000			
NATIONAL CAPITAL PLANNING COMMISSION								
Salaries and expenses	995,000	1,073,000	1,017,000	1,017,000	1,017,000	−56,000		
NATIONAL FOUNDATION ON THE ARTS AND THE HUMANITIES								
Salaries and expenses	1,200,000	1,900,000		1,400,000	1,400,000	−500,000	+1,400,000	
Endowment for the Arts	7,000,000	10,050,000		6,400,000	5,900,000	−4,150,000	+5,900,000	−500,000
Endowment for the Humanities	4,000,000	10,050,000		4,400,000	4,200,000	−5,850,000	+4,200,000	−200,000
Total, National Foundation on the Arts and the Humanities	12,200,000	22,000,000	(3)	12,200,000	11,500,000	−10,500,000	+11,500,000	−700,000
PUBLIC LAND LAW REVIEW COMMISSION								
Salaries and expenses	*3,060,000*	944,000	944,000	944,000	944,000			
SMITHSONIAN INSTITUTION								
Salaries and expenses	24,340,000	27,130,000	25,748,000	25,748,000	25,748,000	−1,382,000		
Museum programs and related research (special foreign currency program)	2,316,000	6,000,000	3,000,000	2,316,000	2,316,000	−3,684,000	−684,000	
Construction and improvements, National Zoological Park	400,000	660,000	300,000	300,000	300,000	−360,000		
Restoration and renovation of buildings	*1,125,000*	*1,200,000*	*400,000*	*400,000*	*400,000*	−800,000		
Construction	*803,000*	*14,197,000*	*2,000,000*	*2,000,000*	*2,000,000*	−12,197,000		
Construction (new contract authorization)				12,197,000	12,197,000	+12,197,000	+12,197,000	
Salaries and expenses, National Gallery of Art	3,082,000	3,291,000	3,200,000	3,200,000	3,200,000	−91,000		
Total, Smithsonian Institution	32,066,000	52,478,000	34,648,000	46,161,000	46,161,000	−6,317,000	+11,513,000	

See footnotes at end of table.

EXHIBIT 1—Continued

Agency and item	New budget (obligational) authority, 1968	Budget estimates of new (obligational) authority, 1969	Allowances			Conference allowance compared with—		
			House	Senate	Conference	Budget estimates of new (obligational) authority, 1969	House allowances	Senate allowances
TITLE II—RELATED AGENCIES—Continued								
EXECUTIVE OFFICE OF THE PRESIDENT								
Salaries and expenses, National Council on Marine Resources and Engineering Development, and Commission on Marine Science, Engineering, and Resources	$1,300,000	$1,375,000	$1,300,000	$1,300,000	$1,300,000	−$75,000		
FEDERAL FIELD COMMITTEE FOR DEVELOPMENT PLANNING IN ALASKA								
Salaries and expenses	240,000	298,000	235,000	235,000	235,000	−63,000		
HISTORICAL AND MEMORIAL COMMISSIONS								
LEWIS AND CLARK TRAIL COMMISSION								
Salaries and expenses	25,000	25,000	25,000	25,000	25,000			
AMERICAN REVOLUTION BICENTENNIAL COMMISSION								
Salaries and expenses	150,000							
Total, Historical and Memorial Commissions	175,000	25,000	25,000	25,000	25,000			
DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT								
WASHINGTON METROPOLITAN AREA TRANSIT AUTHORITY								
Federal contribution		55,147,000	43,772,000	43,772,000	43,772,000	−11,375,000		
Total, Department of Housing and Urban Development		55,147,000	43,772,000	43.772,000	43,772,000	−11,375,000		
Total, new budget (obligational) authority, including new contract authorization related agencies	440,904,000	497,167,000	433,846,000	456,428,000	455,728,000	−41,439,000	+$21,882,000	−$700,000
Consisting of—								
Appropriations	*440,904,000*	*497,167,000*	*433,846,000*	*444,231,000*	*443,531,000*	*−53,636,000*	*+9,685,000*	*−700,000*
Definite appropriations	(440,124,000)	(496,387,000)	(433,066,000)	(443,451,000)	(442,751,000)	(−53,636,000)	(+9,685,000)	(−700,000)
Indefinite appropriations	(780,000)	(780,000)	(780,000)	(780,000)	(780,000)			
New contract authorization				12,197,000	12,197,000	+12,197,000	+12,197,000	
Memorandums—								
Appropriations to liquidate contract authorization	(110,000,000)	(91,970,000)	(91,000,000)	(91,000,000)	(91,000,000)	(−970,000)		
Appropriations, including appropriation for liquidation of contract authorization	*(550,904,000)*	*(589,137,000)*	*(524,846,000)*	*(535,231,000)*	*(534,531,000)*	*(−54,606,000)*	*(+9,685,000)*	*(−700,000)*
Total new budget (obligational) authority, including new contract authorization, and appropriation to liquidate contract authorization	(550,904,000)	(589,137,000)	(524,846,000)	(547,428,000)	(546,728,000)	(−42 409,000)	(+21,882,000)	(−700,000)
RECAPITULATION								
Grand total, new budget (obligational) authority, including new contract authorization, all titles	1,316,202,350	1,432,342,300	1,280,880,300	1,284,372,800	1,284,989,300	−147,353,000	+4,109,000	+616,500
Consisting of—								
1. Appropriations	1,300,002,350	1,414,742,300	1,264,680,300	1,255,975,800	1,256,592,300	−158,150,000	−8,088,000	+616 500
Definite appropriations	(1,174,401,350)	(1,297,653,900)	(1,147,591,900)	(1,148,887,400)	(1,149,503,900)	(−148,150,000)	(+1,912,000)	(+618,500)
Indefinite appropriations	(125,601,000)	(117,088,400)	(117,088,400)	(107,088,400)	(107,088,400)	(−10,000,000)	(−10,000,000)	
2. Authorization to spend from public debt receipts	16,200,000	17,600,000	16,200,000	16,200,000	16,200,000	−1,400,000		
3. New contract authorization				12,197,000	12,197,000	+12,197,000	+12,197,000	
Memorandums—								
1. Appropriations to liquidate contract authorization	(169,510,000)	(144,770,000)	(130,800,000)	(130,800,000)	(130,800,000)	(−13,970,000)		
2. Appropriations, including appropriation for liquidation of contract authorization	(1,469,512,350)	(1,559,512,300)	(1,395,480,300)	(1,386,775,800)	(1,387,392,300)	(−172,120,000)	(−8,088,000)	(+616,500)
3. Grand total, new budget (obligational) authority including new contract authorization, and appropriation to liquidate contract authorization	(1,485,712,350)	(1,577,112,300)	(1,411,680,300)	(1,415,172,800)	(1,415,789,300)	(−161,323,000)	(+4,109,000)	(+616,500)

---

[1] Funding for this activity previously carried under "Salaries and expenses" and "Operation and maintenance."

[2] 1969 budget estimate included in Labor-HEW appropriation bill.

[3] Not considered by the House of Representatives.

Mr. YARBOROUGH. Mr. President, I commend the Senate conferees on the Interior appropriations bill for their efforts and success in retaining the $200,000 appropriation for purchase of land to the Guadalupe Mountains National Park in west Texas.

Although the bill passed in the House did not contain any funds for this park, the Senate wisely appropriated this $200,000 so that we could begin purchase of the area for this outstanding park.

All America should be proud of this beginning in the purchase of the land for the creation of a 77,000-acre park for all citizens.

The **PRESIDING OFFICER.** The question is on adoption of the conference report.

The report was agreed to.

DECEPTIVE SALES ACT OF 1968

The Senate resumed the consideration of the bill (S. 3065) to amend the Federal Trade Commission Act as amended, by providing for temporary injunctions or restraining orders for certain violations of that act.

Mr. MAGNUSON. Mr. President, if I may have the attention of the Senator from Nebraska [Mr. HRUSKA], I should like to ask him if he has submitted his amendment.

Mr. HRUSKA. Mr. President, I have sent an amendment to the desk, which I ask to be stated.

The PRESIDING OFFICER. The amendment of the Senator from Nebraska will be stated.

The bill clerk read the amendment, as follows:

On page 2, line 19, add after the word "bond" the following:

"The court, in its sound discretion, may grant such preliminary injunction without bond as it shall deem just in the premises, under the same conditions and principles as injunctive relief against conduct or threatened conduct that will cause loss or damage is granted by courts of equity."

Mr. HRUSKA. Mr. President, this is the amendment which has been discussed at length in colloquy between the chairman of the committee and the Senator from Nebraska. I believe all the considerations we had before us at that time were ample to lay the foundation for acceptance of the amendment by the chairman. It is my hope he will do so.

Mr. MAGNUSON. Mr. President, the amendment merely clarifies and enlarges on what we are talking about.

Mr. HRUSKA. Precisely.

Mr. MAGNUSON. Mr. President, I talked with the ranking minority member of the committee about the amendment. As far as I am concerned, if the Senator from New Hampshire [Mr. COTTON] is willing, we can accept the amendment.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Nebraska.

The amendment was agreed to.

The PRESIDING OFFICER. The bill is open to further amendment.

If there be no further amendment to be proposed, the question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and to be read a third time.

The bill was read the third time.

The PRESIDING OFFICER. The question is, Shall the bill pass?

The bill (S. 3065) was passed, as follows:

S. 3065

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Deceptive Sales Act of 1968".

SEC. 2. That section 13(a) of the Federal Trade Commission Act (15 U.S.C. 53(a)) be amended as follows:

"SEC. 13. (a) Whenever the Commission has reason to believe—

"(1) that any person, partnership, or corporation is engaged in, or is about to engage in, the dissemination or the causing of the dissemination of any advertisement in violation of section 12, or any act or practice in commerce within the meaning of section 5 which is unfair or deceptive to the consumer, and

"(2) that the enjoining thereof pending the issuance of a complaint by the Commission under section 5, and until such complaint is dismissed by the Commission or set aside by the court on review, or the order of the Commission to cease and desist made thereon has become final within the meaning of section 5, would be to the interest of the public,

the Commission by any of its attorneys designated by it for such purpose may bring suit in a district court of the United States or in the United States court of any territory, to enjoin such dissemination or the causing of such dissemination or any act or practice in commerce within the meaning of section 5 which is unfair or deceptive to the consumer. Upon proper showing a preliminary injunction shall be granted without bond. The court, in its sound discretion, may grant such preliminary injunction without bond as it shall deem just in the premises, under the same conditions and principles as injunctive relief against conduct or threatened conduct that will cause loss or damage is granted by courts of equity. Any such suit shall be brought in the district in which such person, partnership, or corporation resides or transacts business."

Mr. COTTON. Mr. President, I ask unanimous consent that the title of the bill be amended appropriately.

The PRESIDING OFFICER. Without objection, it is so ordered.

The title was amended, so as to read: "A bill to amend the Federal Trade Commission Act, as amended, by providing for preliminary injunctions for certain violations of that act."

INVESTIGATION OF THE HOME IMPROVEMENT INDUSTRY

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate turn to the consideration of Calendar No. 1291, Senate Joint Resolution 130.

The PRESIDING OFFICER. The joint resolution will be stated by title.

The LEGISLATIVE CLERK. A joint resolution (S.J. Res. 130) to authorize and direct the Federal Trade Commission to conduct a comprehensive investigation of unfair methods of competition and unfair or deceptive acts or practices in the home improvement industry, to expand its enforcement activities in this area, and for other purposes.

The PRESIDING OFFICER. Is there objection to the present consideration of the joint resolution?

There being no objection, the Senate proceeded to consider the joint resolution, which had been reported from the Committee on Commerce, with an amendment, on page 4, line 15, after the word "of" strike out "$500,000" and insert "$300,000"; so as to make the joint resolution read:

S.J. RES. 130

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the Federal Trade Commission is authorized and directed to—

(a) conduct a full and complete investigation of the purchasing, processing, marketing (including advertising and franchising), pricing, and financing practices of persons, partnerships, and corporations engaged in producing, selling, installing, or financing home improvement products, or services in connection therewith, in commerce (as that term is defined in section 4 of the Federal Trade Commission Act) with a view to determining whether any such practices are in violation of the provisions of the Federal Trade Commission Act, and whether further legislation is needed to protect competitors and consumers adequately from such practices;

(b) transmit to the Congress within one year after the effective date of this joint resolution, a report which shall include a comprehensive statement of (1) the facts and circumstances disclosed by such investigation, (2) the action taken and contemplated by the Commission with respect to violations of law disclosed by such investigation, and (3) such recommendations for further legislation as the Commission may deem appropriate;

(c) undertake a rigorous and expanded enforcement program with respect to any such violations of the Federal Trade Commission Act within the home improvement industry; and

(d) transmit to the Congress within six months after the effective date of this joint resolution, and annually thereafter for three years, a report which shall include a comprehensive statement of (1) the status of these enforcement activities, including a brief description of the action taken and contemplated by the Commission under its enforcement program, and (2) such recommendations for further legislation as the Commission may deem appropriate.

SEC. 2. (a) The Commission is authorized, whenever it has reason to believe—

(1) that any person, partnership, or corporation is engaged in, or is about to engage in, an unfair method of competition in commerce, or an unfair or deceptive act or practice in commerce within the meaning of section 5 of the Federal Trade Commission Act, and in connection with the production, sale, installation, or financing of home improvement products, or the performance of any services in connection therewith, and

(2) that the enjoining thereof, pending the issuance of a complaint by the Commission under section 5, and until such complaint is dismissed by the Commission or set aside by the court on review, or the order of the Commission to cease and desist made thereon has become final within the meaning of section 5, would be to the interest of the public,

to bring suit, by any of its attorneys designated by it for such purpose, in a district court of the United States or in the United States court of any territory, to enjoin such unfair method of competition or such unfair or deceptive act or practice. Upon proper showing a temporary injunction or restraining order shall be granted without bond. Any such suit shall be brought in the district in which such person, partnership, or corporation resides or transacts business.

(b) Authorization conferred upon the Commission by this section shall not continue in effect after a date which follows by three years and six months the effective date of this Act. Nothing contained in this subsection shall be effective to abate any proceeding instituted by the Commission during the effective period of this section, or to prevent the enforcement of any injunction or order issued by any court in any such proceeding.

SEC. 3. There is hereby authorized to be appropriated to the Federal Trade Commission the sum of $300,000 each year for three years to carry into effect the provisions of this joint resolution.

SEC. 4. This joint resolution shall take effect on the date on which funds to carry into effect the provisions of this Act first become available to the Federal Trade Commission pursuant to an appropriation Act enacted after the date of enactment of this Act.

Mr. MAGNUSON. Mr. President, 2 years ago the President's Consumer Advisory Council submitted a report to the President on consumer problems. This report identified home improvement frauds as one of the major areas of consumer exploitation. It estimated consumer losses at $500 to $1 billion annually, or roughly between 4 and 8 percent of the entire home improvement business, which was estimated in 1965 to be between $12.5 and $13 billion. Since that the home improvement business has continued to grow. Today, industry trade journals state that it exceeds $15 billion per year. But there is no indication that the percentage of this business which is based on consumer deception has declined.

Invariably home improvement frauds tend to focus upon those persons least able to afford them: the poor, the uneducated, the unsophisticated, and the elderly. In Texas, for example, where home improvement frauds are estimated to cost consumers $20 to $30 million annually, the Office of the Consumer Credit Commissioner conducted a random survey of 400 fraudulent home improvement transactions. This survey indicated that 68 percent of the persons affected were employed as blue-collar workers. Forty percent earned less than $400 per month. Forty percent had three or more dependents. And nearly 25 percent had become involved in transactions costing them $2,500 or more. These figures, which reveal a startling number of low-income consumers hopelessly saddled under long-term debts for services which were poorly performed or grossly overpriced, could be repeated in nearly every State of the Union. They demonstrate the pressing need for immediate action.

The Federal Trade Commission, in a letter sent to me last November, summarized some of the techniques employed by home improvement swindlers to defraud their victims. Fictitious and inflated prices, "model home" pitches, bogus contests, "factory deals" or "wholesale prices," bait and switch tactics, referral selling schemes, misleading guarantees, distribution of free gifts and samples, phony bargains, and the use of scare tactics, are some of the more commonly used unethical sales approaches. And the products which are promoted by these devious means—siding, storm doors and windows, roofing, wall-to-wall carpets, central vacuum systems, intercoms, fire alarm systems, awnings, gutters, chimney repairs, furnace repairs, driveway repairs, and many more—are as numerous as the con man's imagination can conceive. Once the initial sales approach for these products has been successful, however, the buyer may still encounter additional difficulties. For unconscionable contractual and financial arrangements, false notarizations, inflated interest charges, and balloon payments may entangle him even more deeply in a hopeless web of financial problems.

Closely related to the contractor's deception is the cloudy role played by both finance companies and product suppliers. The FTC has indicated that it suspects "that many of the producers and fabricators of home improvement products may be placing in the hands of the home improvement swindlers certain sales promotional material which is so employed as to assist them in the consummation of home improvement frauds." In addition, many of the fraudulent contractors remain solvent only because they are able to negotiate the buyer's promissory note to a finance company which is then able to assert the holder-in-due-course defense against the purchaser who otherwise would have a defense in any action by the contractor to collect on the debt.

The Commission has indicated that it believes that many of these finance companies may also be closely linked with the actual sales fraud. To the extent that the Commission is able to take action directly against a product fabricator or a finance company, many additional fraudulent sales schemes will be choked off as their sources of support dry up.

Over the past 3 years, the Federal Trade Commission has had, on the average, only one man spending two-thirds of his time on home improvement frauds. Certainly this allocation of resources is inadequate to deal with a problem which today has escalated into a national scandal. The resolution, which was broadly supported by both State and Federal officials and industry witnesses, will provide the Commission with a clear congressional mandate and additional authority, through limited injunctive powers, to take firm action to deal with a deplorable situation.

The PRESIDING OFFICER. The question is on agreeing to the committee amendment.

The committee amendment was agreed to.

Mr. HRUSKA. Mr. President, I send to the desk an amendment and ask for its immediate consideration.

The PRESIDING OFFICER. The amendment will be stated.

The legislative clerk read as follows:

> On page 4, lines 2 and 3, it is proposed to strike out "Upon proper showing a temporary injunction or restraining order shall be granted without bond" and insert in lieu thereof the following:
>
> "Upon proper showing, the court, in its sound discretion, may grant a preliminary injunction without bond as it shall deem just in the premises, under the same conditions and principles as injunctive relief against conduct or threatened conduct that will cause loss or damage is granted by courts of equity."

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Nebraska.

Mr. MAGNUSON. Mr. President, I have conferred with the distinguished Senator from New Hampshire [Mr. COTTON], the ranking minority member of the committee. I think that the amendment will not only clarify the section of the joint resolution to which it relates, but will also lead to what was done in the preceding measure, namely, a more equitable approach to the handling of the practices about which we have been speaking.

Mr. HRUSKA. The purpose of the amendment is to conform the procedure under the joint resolution to the injunction procedures provided for in the bill (S. 3065).

Mr. GRIFFIN obtained the floor.

Mr. MAGNUSON. Mr. President, will the Senator from Michigan yield for 1 minute, to enable us to act on the amendment?

Mr. GRIFFIN. Mr. President, I should like to know whether the Senate is operating under the rule of germaneness.

Mr. MANSFIELD. Mr. President, I would hope that the Senator from Michigan would be willing to yield to the Senator from Oklahoma.

Mr. GRIFFIN. Mr. President, we have sat here and listened to the distinguished Senator from Oregon speak on a subject that was not germane, and no objection was raised.

Mr. MANSFIELD. Exactly.

Mr. GRIFFIN. I have been trying to get the floor. May I have some assurance that I shall be able to obtain the floor soon?

Mr. MONRONEY. Mr. President, if the distinguished majority leader and the distinguished Senator from Michigan will permit me to say so, I should like to dispose of four legislative bills. It will take probably 30 minutes to dispose of them. I would deeply appreciate it. If the subject of the remarks of the Senator from Michigan is not one of legislation and is not subject to a time limitation, I should like to dispose of these bills, because several Senators who are interested in them are in the Chamber now to discuss proposed amendments or to enable the completion of action on the bills merely by a colloquy or an explanation. Because of the presence of the Senators in the Chamber now—not because of my program, but because of theirs—I would appreciate it if the Senator from Michigan would enable us to dispose of these legislative bills.

If the discussion of them should extend to a longer period of time, I certainly would not raise objection to a nongermane discussion, because I know that the distinguished Senator from Michigan has been waiting in the Chamber, as I have, for well over an hour to obtain recognition.

Mr. MANSFIELD. If I had known that it was intended to discuss extraneous matters at this time, I would have objected.

Mr. GRIFFIN. In deference to the majority leader, may I ask unanimous consent that, without losing my right to the floor, I may yield for the transaction of the business referred to?

Mr. MANSFIELD. Surely.

Mr. GRIFFIN. Mr. President, I make that unanimous-consent request.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

The question is on agreeing to the amendment offered by the Senator from Nebraska.

The amendment was agreed to.

The PRESIDING OFFICER. The joint resolution is open to further amendment. If there be no further amendment to be proposed, the question is on the engrossment and third reading of the joint resolution.

The joint resolution (S.J. Res. 130) was ordered to be engrossed for a third reading, was read the third time, and passed, as follows:

S.J. Res. 130

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the Federal Trade Commission is authorized and directed to—

(a) conduct a full and complete investigation of the purchasing, processing, marketing (including advertising and franchising), pricing and financing practices of persons, partnerships, and corporations engaged in producing, selling, installing, or financing home improvement products, or services in connection therewith, in commerce (as that term is defined in section 4 of the Federal Trade Commission Act) with a view to determining whether any such practices are in violation of the provisions of the Federal Trade Commission Act, and whether further legislation is needed to protect competitors and consumers adequately from such practices;

(b) transmit to the Congress within one year after the effective date of this joint resolution, a report which shall include a comprehensive statement of (1) the facts and circumstances disclosed by such investigation, (2) the action taken and contemplated by the Commission with respect to violations of law disclosed by such investigation, and (3) such recommendations for further legislation as the Commission may deem appropriate;

(c) undertake a rigorous and expanded enforcement program with respect to any such violations of the Federal Trade Commission Act within the home improvement industry and

(d) transmit to the Congress within six months after the effective date of this joint resolution, and annually thereafter for three years, a report which shall include a comprehensive statement of (1) the status of these enforcement activities, including a brief description of the action taken and contemplated by the Commission under its enforcement program, and (2) such recommendations for further legislation as the Commission may deem appropriate.

Sec. 2. (a) The Commission is authorized, whenever it has reason to believe—

(1) that any person, partnership, or corporation is engaged in, or is about to engage in, an unfair method of competition in commerce, or an unfair or deceptive act or practice in commerce within the meaning of section 5 of the Federal Trade Commission Act, and in connection with the production, sale, installation, or financing of home improvement products, or the performance of any services in connection therewith, and

(2) that the enjoining thereof, pending the issuance of a complaint by the Commission under section 5, and until such complaint is dismissed by the Commission or set aside by the court on review, or the order of the Commission to cease and desist made thereon has become final within the meaning of section 5, would be to the interest of the public,

to bring suit, by any of its attorneys designated by it for such purpose, in a district court of the United States or in the United States court of any territory, to enjoin such unfair method of competition or such unfair or deceptive act or practice. Upon proper showing, the court, in its sound discretion, may grant a preliminary injunction without bond as it shall deem just in the premises, under the same conditions and principles as injunctive relief against conduct or threatened conduct that will cause loss or damage is granted by courts of equity. Any such suit shall be brought in the district in which such person, partnership, or corporation resides or transacts business.

(b) Authorization conferred upon the Commission by this section shall not continue in effect after a date which follows by three years and six months the effective date of this Act. Nothing contained in this subsection shall be effective to abate any proceeding instituted by the Commission during the effective period of this section, or to prevent the enforcement of any injunction or order issued by any court in any such proceeding.

Sec. 3. There is hereby authorized to be appropriated to the Federal Trade Commission the sum of $300,000 each year for three years to carry into effect the provisions of this joint resolution.

Sec. 4. This joint resolution shall take effect on the date on which funds to carry into effect the provisions of this Act first become available to the Federal Trade Commission pursuant to an appropriation Act enacted after the date of enactment of this Act.

Mr. MONRONEY. Mr. President, I move that the Senate reconsider the vote by which the joint resolution was passed.

Mr. MANSFIELD. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

The PRESIDING OFFICER. Does the Senator from Michigan yield to the Senator from Oklahoma?

Mr. GRIFFIN. Mr. President, for what purpose does the Senator from Oklahoma wish me to yield, and for how long?

Mr. MONRONEY. I should like to ask the Senator from Michigan to yield for perhaps 30 minutes, hopefully less, because these are all legislative items which have been passed by the House or which the House is waiting to pass.

Mr. GRIFFIN. Mr. President, I understand there are several amendments, the disposition of which will take an hour or so. Under the circumstances, I should like to proceed with my statement, if I may do so.

The PRESIDING OFFICER. The Senator from Michigan has the floor.

THE NOMINATIONS OF MR. FORTAS AND MR. THORNBERRY

Mr. GRIFFIN. Mr. President, positions on the Supreme Court of the United States should never be regarded as ordinary political plums; and when they are, the Senate has a clear responsibility.

Mr. President, a good deal of the current controversy revolves around the appropriate functions of the President and of the Senate in circumstances such as these. There are some who suggest that the Senate's role is limited to merely ascertaining whether a nominee is "qualified" in the sense that he possesses some minimum measure of academic background or experience.

It should be emphasized, at the outset, that any such view of the Senate's function with respect to nominations for the separate judicial branch of Government is wrong; and it does not square with the precedents or with the intention of those who conferred the "advice and consent" power upon the Senate.

In the Constitutional Convention of 1787, James Madison generally favored the creation of a strong executive; he advocated giving the President an absolute power of appointment within the executive branch of the Goverment. Madison stood with Alexander Hamilton against Benjamin Franklin and others who were concerned about granting the President such power on the ground that it might tend toward a monarchy.

While he argued for the power of the President to appoint within his own executive branch, it is very important to note that Madison drew a sharp distinction with respect to appointments to the Supreme Court—the judicial branch. Madison did not believe that judges should be appointed by the President; he was inclined to give this power to "a senatorial branch as numerous enough to be confided in—and not so numerous as to be governed by the motives of the other branch; as being sufficiently stable and independent to follow clear, deliberate judgments."

At one point during the Convention, after considerable debate and delay, the Committee on Detail reported a draft which provided for the appointment of judges of the Supreme Court by the Senate.

Gouverneur Morris and others would not go along, and the matter was put aside. It was not finally resolved until next to the last day of the Constitutional Convention.

The compromise language agreed upon provides that the President "shall nominate, and by and with the advice and consent of the Senate, shall appoint judges of the Supreme Court and all other officers of the United States."

Clearly, the compromise language does not confer upon the President an unlimited power to appoint within the executive branch. And, by its terms, the language does not give the Senate a similar power of appointment with respect to the judiciary, as Madison suggested. But it is interesting and significant to observe how far we have moved in actual practice over the years toward those original objectives of Madison.

It is a fact, though sometimes deplored by political scientists, that judges of the lower Federal courts are actually "nominated" by Senators—and that the President really has nothing more than a veto authority.

On the other hand, the Senate has generally accorded the widest latitude to the President in the selection of the members of his Cabinet. It is recognized that unless he is given a free hand in the choice of his Cabinet, he cannot be held accountable for the administration of the executive branch of Government.

Throughout our history, only eight out of 564 Cabinet nominations have failed to win Senate confirmation. The last such instance, of course, was the refusal in 1959 of a Senate majority, led by Senator Lyndon Johnson, to confirm the nomination of Lewis Strauss to be Secretary of Commerce in President Eisenhower's Cabinet.

But the general attitude of the Senate over the years with respect to Cabinet nominations was expressed by Senator Guy Gillette in these words:

> One of the last men on earth I would want in my cabinet is Harry Hopkins. However, the President wants him. He is entitled to him . . . I shall vote for the confirmation of Harry Hopkins . . .

In this context, it is interesting to take note of the Senate's approach toward nominations for regulatory boards and commissions—agencies which are "neither fish nor fowl" in the scheme of Government and perform quasi-executive functions and quasi-judicial functions.

For example, in 1949, President Truman nominated Leland Olds for a third term as a member of the Federal Power Commission. Since Olds had served on the Commission for 10 years, it was difficult to argue that he lacked qualifications.

Senator HUBERT HUMPHREY supported the reappointment of Olds. But Senator Lyndon Johnson was a leading opponent, and the Senate finally voted to reject the nomination. Afterward, there was general comment in the press that the real issue had little or nothing to do with the nominee's qualifications but everything to do with regulation of the price of natural gas.

In considering such nominations, it has not been unusual for the Senate to focus on the charge of "cronyism." For example, that was the issue in 1946 when President Truman nominated a close personal friend, George Allen—not to a lifetime position on the Supreme Court but as a member of the Reconstruction Finance Corporation.

Not only did such columnists as David Lawrence react sharply, but the New York Times opposed the nomination as well.

Senator Taft led the opposition and declared that Allen was one of three who were nominated "only because they are personal friends of the President. Such appointments as these are a public affront."

In 1949, the Washington Post severely criticized the nomination by President Truman of Mon C. Wallgren—not for a lifetime position on the Supreme Court, but to be a member of the National Security Resources Board. A former Governor and Senator, the nominee had become a close friend of President Truman when the two served together on the Truman committee.

The Washington Post characterized this nomination as a "revival of government by crony which we thought went out of fashion with Warren G. Harding."

The Senate Committee which considered Wallgren's nomination voted 7 to 6 against confirmation and the matter never reached the Senate floor.

One may argue reasonably with respect to nominations within the executive branch, for which the President can be held accountable, that it should be enough for the Senate merely to ask: "Is he qualified?" But, obviously, even in that sphere there is nothing new about the Senate considering "cronyism" or other matters beyond the mere qualifications of a nominee.

However, it is very important to recognize, against the backdrop of history, that the Senate has, not only the right, but the responsibility, to consider more than the mere qualifications of a nominee to the Supreme Court of the United States—the highest tribunal in a separate, independent and coordinate branch of the Government. It is clear that in the case of nominations to the Supreme Court, the Senate has a duty to look beyond the question: "Is he qualified?"

A distinguished former colleague, Senator Paul Douglas of Illinois, put it this way:

> The "advice and consent" of the Senate required by the Constitution for such appointments (to the Judiciary) was intended to be *real*, and *not* nominal. A large proportion of the members of the (Constitutional) Convention were fearful that if judges owed their appointments solely to the President the Judiciary, even with life tenure, would then become dependent upon the executive and the powers of the latter would become overweening. By requiring *joint* action of the legislature and the executive, it was believed that the Judiciary would be made more independent.

To assure the independence of the judiciary as a separate and coordinate branch, it is important then to recognize that the "advice and consent" power of the Senate with respect to the judiciary is not only real—but it is at least as important as the power of the President to nominate.

Of course, the service of a Cabinet officer usually ends with the term of the appointing President. But when a President and the Senate jointly fill a vacancy on the Supreme Court, they affect judicial policy with all its impact on the lives of the people for generations to come.

Throughout our history as a Nation, up until the pending nominations were submitted, 125 persons have been nominated to be Justice of the Supreme Court. Of that number, 21, or one-sixth, have failed to receive confirmation by the Senate.

It may be of interest that the question of qualifications or fitness was an issue on only four of the 21 instances when Supreme Court nominations failed to win Senate approval.

In debating nominations for the Supreme Court, the Senate has never hesitated to take into account a nominee's political views, his philosophy, writings, and attitude on particular issues, or other matters.

No less a spokesman than Felix Frankfurter has emphasized the responsibility of the Senate to look beyond mere qualifications in the case of a Supreme Court nominee. He said:

> The meaning of "due process" and the content of terms like "liberty" are not revealed by the Constitution. It is the Justices who make the meaning. They read into the neutral language of the Constitution their own economic and social views . . . Let us face the fact that five justices of the Supreme Court are the molders of policy rather than the impersonal vehicles of revealed truth.

Of course, everyone is familiar with the oft-quoted statement of Chief Justice Hughes:

> We are under a Constitution, but the Constitution is what the judges say it is.

If there are some who believe, even for purely political reasons, that the opportunity to make such nominations at this particular point in time should be reserved for the new President soon to be elected by the people, there is ample precedent for such a position.

In September, before the election of 1828, when Andrew Jackson defeated John Quincy Adams, a Justice died, leaving a vacancy on the Supreme Court. Well aware of the problems he might face with a politically hostile Senate, Adams sought out and nominated—not a personal "crony," but the most distinguished lawyer he could find, John J. Crittenden of Kentucky. Even Chief Justice Marshall praised this nomination in the highest terms by writing:

> I do not know of a man I could prefer to him.

But the position of a majority in the Senate was simple and straightforward: the appointment should be left to the next President. The Senate stood its ground, refused to confirm, and the new President, Andrew Jackson, a Democrat, filled the vacancy.

In August 1852, Whig President Fillmore tried to fill a Supreme Court vacancy by nominating—not a personal crony, but a very distinguished lawyer, Edward A. Bradford of Louisiana. But a majority in the Senate took the position that the appointment should be made by the President about to be elected that November.

After election of Franklin Pierce, but before his inauguration, Fillmore tried once again to fill the vacancy. Thinking that the nomination of one of its own members might commend itself to the Senate, Fillmore sent up the name of Senator Badger of North Carolina, a most able, eloquent lawyer and former Secretary of the Navy under two Presidents. But the Senate refused to budge and the new President, Franklin Pierce, made the appointment following his inauguration in March 1853, nearly 8 months after the vacancy occurred.

Mr. President, I have dwelled at some length upon this background because I believe it is significant to a realization of the breadth, as well as the importance, of the Senate's responsibility as we turn our attention to the nominations before us.

Mr. President, despite what I have said, I recognize full well that it would be unusual for this Senate in this century to reject the pending nominations. But the circumstances which surround these nominations are highly unusual, and they should be rejected.

It is true, that in this century, only one nomination to the Supreme Court has failed to win Senate confirmation. That was the nomination by President Hoover of John J. Parker, who was bitterly opposed by some groups, not because he lacked outstanding qualifications, but because of his alleged views on social and economic issues.

That the Senate has asserted itself on only one such occasion in this century might attest to the high quality of the nominations which have been submitted by the several Presidents.

On the other hand, it could be evidence of a withdrawal, if not an abandonment, by the Senate of its historic and intended role in the perpetuation of an independent Supreme Court. Any such tendency to be dominated by the Executive would be a dangerous development, out of step with the high purposes and responsibilities of the Senate.

However, I suggest, Mr. President, that the principal and most significant reason relates to the fact that in this century there have been no "lameduck" nominations to the Supreme Court—except and until the two which are before the Senate. By "lameduck" I mean nominations for the Supreme Court made by a President in the final year of his last term in office.

There have been 16 such "lameduck" nominations to the Supreme Court. History records that the Senate confirmed 7 of those nominations—including Chief Justice Marshall. But the Senate refused to confirm the other nine.

I ask unanimous consent that a list of those nominations, as furnished by the Library of Congress, be printed at the conclusion of my statement.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 1.)

Mr. GRIFFIN. Mr. President, in almost every previous instance, when "lameduck" nominations to the Supreme Court were submitted, the vacancy to be filled had been left by the death of a sitting Justice. In only three out of the 16 instances were such nominations submitted to fill vacancies which resulted from resignations.

Never before has there been such obvious political maneuvering to create a "vacancy" so that an outgoing President can fill it and thereby deny the opportunity to a new President about to be elected by the people.

Such maneuvering at a time when the people are in the process of choosing a new government is an affront to the electorate. It suggests a shocking lack of faith in our system and the people who make it work.

It should surprise no one that such a political maneuver has been met head-on by a political response from within the Senate. Indeed, it would signal a failure of our system if there were no reaction to such a blatant political move.

Those who oppose these nominations are engaged in politics—but this is nonpartisan politics in the purest and finest sense. I have no way of knowing who will be elected President in November, and the polls now indicate that the likely nominee of my party would probably lose.

But I do know that this Nation is seething with unrest and is calling for change. A new generation wants to be heard and demands a voice in charting the future of America. Particularly at this point in our history, the Senate would be unwise to put its stamp of approval on a cynical effort to thwart the orderly processes of change.

What is the reason for such haste in denying the people a voice in shaping the course of the Supreme Court for years to come?

There is no urgent reason. There is not even a vacancy on the Supreme Court.

As previously indicated, the charge of "cronyism" is not new to Senate confirmation debates. Although frequently mentioned with respect to lesser offices, it is highly unusual for a President to subject himself to the charge of "cronyism" in connection with a nomination to the Supreme Court of the United States. And never before in history has any President been so bold as to subject himself to the charge of "cronyism" with respect to two such nominations at the same time.

The argument has been advanced that if a "crony"—nominated because he is a "crony"—is "qualified," he should be approved. I reject such a view because it demeans the Senate and the Supreme Court.

At a time when there is a desperate need to restore respect for law and order, as well as respect for the institutions which bear responsibility for maintaining law and order, the cause is not well served by nominations to the Highest Court which can be branded as "cronyism"—and legitimately so.

In this connection, Mr. President, it is necessary to call attention to another matter—an issue raised in the public press which should not be ignored by this Senate.

I need not state in detail what the Members of this Senate already know: That the doctrine of separation of powers is the most fundamental concept embodied in our Constitution and that its preservation is crucial to the survival of free government.

Separation of powers was not an invention of the delegates assembled at Philadelphia in 1787. Even before the Constitutional Convention, those who drafted every State Constitution made or revised during the Revolutionary period, took the doctrine of separation of powers as the very starting point—creating in each instance separate and distinct executive, judicial, and legislative branches.

As James Madison told the Convention, separation of powers is "a fundamental principle of free government." Only when power is divided, under a system of checks and balances, can we expect to find government limited, responsible, and free.

Surely, those who assume positions of high responsibility in any of the several branches have no license to ignore this fundamental principle which is at the core of our system.

Of course, I do not suggest that a Justice of the Supreme Court should have no contact whatever with the President or with members of the legislative branch while he sits on the Bench. But I do believe the people have a right to expect that such contacts will not breach the line which necessarily separates the branches of our Government, and that such contacts will recognize the restraints customarily observed by members of the judiciary.

President Harry Truman stated very succinctly what should be the principle when he said:

> Whenever you put a man on the Supreme Court, he *ceases* to be your friend.

In this connection, it has been alleged that Mr. Fortas, since his elevation to the Bench, has continued to play an active, important role in the executive decisionmaking process.

For example, according to the New York Times Magazine of June 4, 1967:

> It doesn't occur to him (President Johnson) not to call Fortas just because he's on the Supreme Court. Fortas is also drawn into nonjudicial matters by friends who want Government jobs and know he still carries weight at the White House.
>
> Periodically word leaks out about Fortas' involvement in such matters as the unsuccessful campaign to land Bill D. Moyers the job as Under Secretary of State and his efforts to secure a Federal judgeship for David G. Bress, the United States Attorney for the District of Columbia. Other moonlighting chores are White House assignments—advising the President on coping with steel price increases and helping to frame measures to head off transportation strikes. With the increasing intensity of war in Vietnam, Fortas is also consulted more and more on foreign policy.

The relationship over the years between President Johnson and Mr. Fortas was described in the Newsweek magazine issue of July 8, 1968, as follows:

> When "Landslide Lyndon" squeaked through his first Senate primary by a disputed 87-vote margin, it was Fortas who argued him onto the November ballot—and saved his nascent career in the bargain. It was Fortas who first took on the Bobby Baker case . . . Fortas who mapped the Warren Commission and the Johnson family-trust agreement, Fortas who got Walter Jenkins into the hospital after his morals arrest and helped try to talk the papers out of printing the story. * * *

Referring to a continuing relationship after Mr. Fortas went on the Bench, the same Newsweek article reads:

> More mornings than not, says one intimate, Fortas wakes up to a phone call from the President and a pithy reading of the "literary gems" from the eight or ten morning papers Mr. Johnson peruses regularly. And *few* important Presidential problems are settled without an opinion from Mr. Justice Fortas. "My guess," says an insider well placed to make one, "is that the first person the President consults on anything is Abe Fortas."

According to the July 5, 1968, issue of Time magazine:

> No one outside knows accurately how many times Fortas has come through the back door of the White House, but any figure would probably be too low.
>
> * * * * *
>
> It probably never occurred to Johnson that his friend's elevation to the high court would make him any less a Presidential adviser. *And to date, it has not.*

The same issue of Time reported:

> One achievement for which Fortas can claim no laurels was Johnson's response to last summer's Detroit riot. *Fortas wrote the President's message ordering Federal troops into the city.*
>
> It was an unfortunate speech, blatantly political and overly technical at a time that called for reassurance. Johnson, however, was shocked that anyone would dare criticize it. "Why," he told a visitor, "I had the best Constitutional lawyer in the United States right here, and he wrote that."

Mr. President, the Senate does not know how many times Mr. Fortas has been consulted, or the extent to which he has been involved, if at all, in actions and decisions of the White House while he has been a member of the Court.

The Senate does not know whether, in fact, Mr. Fortas participated in the making of decisions and the drafting of the President's statement concerning the Detroit riots last summer.

Mr. President, if a Justice of the Supreme Court can serve as legal adviser to the President, would the Chief Executive not be better served by utilizing the legal talent and speech-writing abilities of three or four sitting Justices—or, for that matter, the whole Court?

Of course, it is not unusual for a member of the judicial branch to disqualify himself from consideration of a case because of his activity within the executive branch before going on the Bench. But if the doctrine of separate powers is important, what justification could be offered in the event a member of the judicial branch should actively participate on a regular, undisclosed basis in decisions of the executive branch while serving on the Bench?

The principle involved was clearly established long ago in 1793, when Secretary of State Thomas Jefferson, acting in behalf of President George Washington, sought the advice of the Justices of the Supreme Court on 29 controversial matters.

At that time, Jefferson asked the Justices "whether the public may, with propriety, be availed of their advice on these questions."

The Supreme Court, however, firmly declined to give its opinion to the executive branch on such matters.

The Court said, in part:

> We have considered the previous question stated . . . regarding the lines of separation, drawn by the Constitution between the three departments of government. These being in certain respects checks upon each other, and our being Judges of a Court in the last resort, are considerations which afford strong arguments against the *propriety* of our extrajudicially deciding the questions alluded to, especially as the power given by the Constitution to the President, of calling on the heads of departments for opinions, seems to have been *purposely* as well as expressly united in the *Executive* departments."

It will be recalled that in April 1952, President Truman issued an Executive order seizing the steel mills; and shortly thereafter in June 1952, the Supreme Court ruled that he had no authority as President to take such action.

Let us assume for a moment that several Justices of the Supreme Court had privately participated with President Truman in making the executive decision which culminated in seizure of the mills.

Is it in the public interest to assume that Justices who have engaged privately in such executive activity would disqualify themselves from consideration of resulting litigation?

If Justices who engage privately in such executive activity while sitting on the bench do disqualify themselves, of course, the number of Justices available on the Court to decide particular cases is reduced.

If the Senate should be satisfied that there is nothing wrong in the case of one or two Justices participating in executive decisions, then surely there could be nothing wrong if the President consults regularly and privately with four or five Justices—or more.

In such a situation who will decide the cases that come to the Supreme Court?

Mr. President, in view of the widespread reports in the press such as those to which I have called attention, it would seem incumbent upon the Senate to reexamine the matter of this relationship which was raised in the committee in 1965 when Mr. Fortas was first appointed to the Court. During the committee hearing at that time, the following colloquy took place:

> Senator Hruska. Now, there is another general proposition that also has been widely discussed. Through the years, you have formed a very close friendship and relationship with our President, which is not merely personal and social, it has also involved professional, business, and political dealings including many personal transactions with the President's own estate, and so on . . .
>
> I presume in due time various aspects of this administration's program will wind up before the Supreme Court of the United States. Now, for the benefit of those who have asked me to ask this question, is there anything in your relationship with the President that would militate in any way against your being able to sit on that bench and pass judgment on cases that come along and thus would affect your ability to function in the true judicial fashion and tradition?
>
> Mr. Fortas. The short answer to that, Senator, is absolutely not, but let me take this opportunity to say to you that there are two things which have been vastly exaggerated with respect to me.
>
> One is the extent to which I am a Presidential adviser, and the other is the extent to which I am a proficient violinist. I am a very poor violinist but very enthusiastic, and my relations with the President have been exaggerated out of all connections with reality.

Mr. President, questions raised by the relationship between Mr. Fortas and President Johnson are brought into sharper focus by the President's simultaneous nomination of Mr. Thornberry.

The fact that Mr. Thornberry is known to be one of the President's closest confidants is not reason alone to foreclose his confirmation if the Senate is satisfied that he is one of the "best qualified" in the Nation for appointment to the Supreme Court.

Perhaps it can be overlooked that Mr. Thornberry's nomination in 1963 to the Federal District Court in Texas was generally regarded as a reward for past support of administration policies.

However, I wish to call attention to the New York Times of July 21, 1963, which reported that although Mr. Thornberry's appointment "was confirmed by the Senate last Monday, it has not yet been signed by the President and the Attorney General, as required. Mr. Thornberry plans to stay in the House until the commission is signed. Sources privy to the arrangement said they understood the commission might be held up for nearly all this session of Congress."

It is more disturbing to recall, Mr. President, that Mr. Thornberry continued to serve in the House of Representatives for more than 5 months, after being nominated to the Court and confirmed by the Senate, while the White House held onto his commission.

When a member of the legislative branch is nominated and confirmed to become a member of the judicial branch—and then continues to serve in the House of Representatives, with the President holding his commission—a question is necessarily raised. Particularly amid reports that the arrangement was designed to insure Mr. Thornberry's vote on legislative issues during the interim, this situation again suggests a flagrant disregard of the constitutional doctrine of separation of powers.

Mr. President, I have not had an opportunity to read all of the opinions of Judge Thornberry, but I have read some of them. I believe the Senate's attention should be focused on one decision in particular.

In April of this year, in a case arising out of civil disturbances surrounding a visit by President Johnson to Central Texas College near Killeen, Tex., a three judge Federal court, in a per curiam opinion signed by Judge Thornberry, held as follows:

> We reach the conclusion that *Article 474 (of the Texas statutes) is impermissibly and unconstitutionally broad*. The Plaintiffs herein are entitled to their declaratory judgment to that effect, and to injunctive relief against the enforcement of Article 474 as now worded, insofar as it may affect rights guaranteed under the First Amendment. *However*, it is the Order of this Court *that the mandate shall be stayed and this Court shall retain jurisdiction of the cause pending the next session, special or general, of the Texas legislature, at which time the State of Texas may, if it so desires, enact such disturbing-the-peace statute as will meet constitutional requirements*. (Emphasis added) [*University Committee, et al. v. Lester Gunn, et al*. (Civil Action 67–63W, W.D. Texas).]

As a lawyer, I have always thought that a statute was either constitutional or unconstitutional. And that a Federal court when confronted with a Constitutional issue, appropriately raised, is under an obligation to resolve it.

In this case, however, Judge Thornberry and his two colleagues seem to be saying that a State statute which they declare to be unconstitutional shall remain in effect, affording the plaintiffs no relief whatever, until and unless the legislature may get around to changing it.

This Senate, which is composed of distinguished members of the bar, might wish to consider whether this unusual—if not unique—decision is indicative of the contribution which Mr. Thornberry would bring to the highest court in the land.

Mr. President, the circumstances surrounding these nominations raise the most serious, fundamental questions.

There are times in the course of history when the Senate of the United States must draw a line and stand up.

This is such a time.

Mr. President, I ask unanimous consent to have printed in the Record a number of editorials and articles.

The PRESIDING OFFICER. Without objection, it is so ordered.

There being no objection, the editorials and articles were ordered to be printed in the Record, as follows:

[From the Wall Street Journal, June 27, 1968]

THE POLITICAL COURT

The appointment of Abe Fortas as Chief Justice may turn out to be a good one, even an outstanding one. Certainly in his brief time on the Supreme Court he has exhibited level-headedness and a commendable concern for law and order.

Yet the manner of the appointment carries an especially heavy aura of politics. And this we think most unfortunate.

The resignation of Chief Justice Warren at a time when President Johnson has only half a year or so left in office was bound to create the suspicion that the idea was to permit the President—and not, say, a President Nixon—to pick his own man.

Mr. Johnson was criticized for naming

Mr. Fortas to the Court in the first place, not on the issue of the latter's merits but because he is a long-standing crony of the President. Such criticism is bound to be intensified now, especially with the simultaneous appointment of a relatively unknown fellow-Texan, and we believe with justification.

Politics, cronyism are nothing new in the history of the Court; indeed, in the nature of things the Court cannot be wholly immune from politics. So it comes down to a matter of degree. The circumstances of this particular shift must impress many as a fairly flagrant example of making the highest tribunal a political football.

Unhappily it is not an isolated instance. One of the more thoughtful objections to the Johnson Administration's general conduct of Government is that its excessive politicking has tended to undermine the institutions of Government—Congress, the Court, the Presidency and lesser entities.

We wish Mr. Fortas well, but we are constrained to say we consider it little service to the Supreme Court, at a time when it is under attack anyway, to have this impression generated. And while the Court cannot be entirely divorced from politics, it is little service to the nation to have politics so forcefully injected into what should be impartial institutions.

[From the Port Huron Times Herald, July 2, 1968]

Too Important For Cronyism

There's a key paragraph in the following statement by Michigan's Sen. Robert P. Griffin. It reads as follows:

"The appointments announced (to the Supreme Court of the United States) smack of 'cronyism' at its worst and everybody knows it."

We heartily support Senator Griffin in his objection to the naming by President Johnson of Justice Fortas as Chief of the Supreme Court and the naming of the President's friend, Thornberry, to a position on the Nation's highest court.

Here's what Senator Griffin has to say about these appointments:

"If an appropriate balance is to be maintained among the branches of our government, there are times in the course of history when the United States Senate must draw a line and stand up.

"I am convinced that this is such a time.

"Positions on the Supreme Court of the United States cannot be regarded as ordinary political plums. Such deviations as may have been condoned in the past cannot serve as a guide for the present or the future.

"The importance of the Supreme Court as an institution cannot be over-emphasized. Its decisions reach out and touch the lives of every American every day.

"It was the intention of our founding fathers that an appointment to the Supreme Court should represent the pinnacle of achievement and recognition in the field of law.

"At the very least, nominations to the Supreme Court should never be based on 'cronyism.' If and when they are, the Senate's responsibility is clear.

"I reject the view that the Senate should rubber-stamp its approval of every Presidential appointment simply because a nominee doesn't beat his wife. The responsibility of the Senate must be of a higher order, particularly with respect to the Supreme Court of the United States.

"At the present time, the American people are in the process of choosing a new government. By their votes in November the people will designate new leadership and new direction for our nation.

"Of course, a 'lame duck' President has the Constitutional power to submit nominations for the Supreme Court. But the Senate need not confirm them—and, in this case, should not do so.

"The maneuvering to deny the people and the next President their choice in this instance is wrong in principle—and everybody knows it.

"The appointments announced Wednesday smack of 'cronyism' at its worst—and everybody knows it.

"It should be recognized that if the Senate does assert itself to reject these nominations, the Court need not be shorthanded when it reconvenes in October after the summer recess.

"In the letter tendering his resignation, Chief Justice Warren made it clear that his retirement was effective at the pleasure of the President and that his action was not taken '. . . because of reasons of health or on account of any personal or association problem, but solely because of age.'

"In his reply to the letter of Chief Justice Warren, President Johnson said he would accept his decision to retire '. . . effective at such time as a successor is qualified.'

"Under the circumstances, if the Senate refuses to confirm the new appointees, I am confident that the Chief Justice, after serving his country so long and nobly, would be willing and able to continue in office a few more months until a new President takes over."

[From the Washington Star, June 26, 1968]

Stiffer Tests Needed for Justices

(By David Lawrence)

Weaknesses in government are sometimes not fully exposed until glaring cases arise. Oddly enough, the Constitution of the United States does not provide a method whereby the people can actually have a direct voice in choosing the nine men who comprise the Supreme Court of the United States. It is more than ever necessary, therefore, in view of recent developments, that a Constitutional amendment be adopted which will set forth clearly the qualifications of those individuals who may be selected to sit on the Supreme Court and perform the all-important task of interpreting the Constitution.

Today a president can appoint a political crony or a lawyer with little professional experience and ignore the many able and highly qualified judges who have served their country and are worthy of promotion. One way to cure this defect is to adopt a new amendment to the Constitution, which might read somewhat as follows:

"No person shall be eligible for appointment to the Supreme Court of the United States who has not served at least five years either in the federal or state judiciary.

"Any person nominated for the position of an associate justice or chief justice shall be confirmed only by a two-thirds vote of the Senate.

"No justice of the Supreme Court of the United States shall be eligible to serve after the age of 75. While a member of the Supreme Court, he shall not participate directly or indirectly in any political or governmental operations, including advisory or personal activities, and shall refrain from public comment on issues which are currently involved in cases pending before the courts.

"No person who has been engaged in raising funds for any political party or candidate during a period of at least five years prior to his nomination shall be eligible for an appointment to the bench.

"Before the Senate Judiciary Committee acts upon any nomination submitted by the president for an associate justice or chief justice, full public hearings shall be held at which the previous record of the nominee whether in the federal or state judiciary, shall be subjected to thorough examination."

These reforms have long been overdue. The fact that a vast number of decisions have been rendered by 5-to-4 majorities is in itself an indication of how far apart many of the justices are in their interpretation of the principles of the Constitution. Likewise, too often the opinions of Supreme Court justices have read like political speeches or treatises on sociological subjects. The high court's opinions have not always adhered to the basic rules of law which have for centuries guided English-speaking peoples. For many years, there have been appointments of judges with conscientious points of view but with prejudices based upon their long-time affiliation with one side or the other of highly controversial questions.

Again and again, federal judicial appointments have been handled as political patronage. Judges for the lower courts have really been sometimes picked through the pressures of members of congress. Many of the judges, of course, are well qualified, but frequently they are politically-minded persons whose training actually doesn't qualify them to sit in judgment upon the many important cases that come before the federal courts.

The Constitution speaks of the "Supreme Court" of the United States. This means that the people expect not merely dispassionate and impartial judgments but an adherence to the basic principles of the American Constitution. The Founding Fathers intended the document to be applied impartially and without regard to the benefits that can be bestowed by various decisions which vitally affect one or the other of the parties to the dispute.

What kind of man really makes a good judge? Certainly a lawyer with a distinctly partisan mind is not as well qualified as another person, who, however deep may be his prejudices, knows in all honesty how to be impartial and fair.

Too many justices who have sat on the Supreme Court have been ill-equipped to interpret the Constitution, yet they have had the deciding voice in many a 5-to-4 decision. The time has come for appointments to the highest court of the United States to be completely detached from the ruses and chicanery of American politics.

[From the Grand Rapids Press]

Appointment of Thornberry Misuse of Presidential Power

(By David Lawrence)

Once again the membership of the Supreme Court of the United States has been cynically made an instrument of personal and political manipulation. The audacity of presidents in giving judicial appointments to political cronies was pointed out by this correspondent in what he wrote at the time when the man now named to fill a vacancy on the nation's highest court, Homer Thornberry, was first nominated to serve on the Federal bench.

Back in July, 1963, President Kennedy announced he was naming to the federal district court Rep. Thornberry, a Texas Democrat and for many years a political ally of Lyndon Johnson, then Vice President. On July 11, 1963, this correspondent wrote:

"It is reported on Capitol Hill the administration plans to defer action in the Senate on the Thornberry nomination until toward the end of the present session in order to assure his vote for administration polices in the closely divided Rules Committee of the House while important legislation is being considered by the committee in the next few months . . . .

"But why should Rep. Thornberry be rewarded with a Federal judgeship? He never has served on the bench in any court. Why should the President of the United States give anyone a lifetime post in the judicial system on the basis of favors done of a political nature? How can there be confidence in the federal judiciary if judgeships become a matter of political patronage? Were there no lawyers or state judges in west Texas better qualified for the judgeship in question?

"Does the system of using judgeships as a reward for political favors mean that judges already on the bench can expect promotions to the United States Court of Appeals only if they 'play ball' with the administration in power?"

President Johnson in 1965 advanced Thornberry to the Court of Appeals and now has named him an associate justice of the Supreme Court.

What redress do the American people have when there is such blatant politics in appointments to the nation's highest court? The voters cannot express themselves on this issue directly at the polls, but they can hold responsible the members of the Senate who soon may vote to confirm the Thornberry appointment. One third of the senators will be seeking re-election in November, and the people will have a chance to reject those candidates who go along with the "packing" of the Supreme Court with lifetime appointments of political cronies by a "lame-duck" President.

Senators of both parties who will be voting on whether or not to confirm but who do not happen to be up for reelection this year will hardly be indifferent, moreover, to the way public opinion reacts to this strange episode. For when a President with just a few months left in office undertakes to deprive the next president of an opportunity to appoint a chief justice of the United States—a position vitally affecting the operation of the American constitutional system—it is hardly likely the American people will approve what appears to them to be a case of political manipulation.

There could be a filibuster in the Senate to prevent action until the convening of the newly elected Congress in January.

[From the Washington Star, July 2, 1968]

VACANCY ON SUPREME COURT ISN'T

(By David Lawrence)

Suprising as it may seem to many people, there is actually no "vacancy" today in the office of chief justice of the Supreme Court of the United States. Nor is there any "vacancy" in the office of associate justice, for which judge Homer Thornberry of Texas has been slated.

These strange paradoxes reveal the need for a clarification of the present law. When Chief Justice Earl Warren recently wrote to President Johnson, he did not actually resign from the Supreme Court. What he did write was this statement: "I hereby advise you of my intention to retire as chief justice of the United States effective at your pleasure."

President Johnson, in his reply, used similar language which also makes clear that there is no "vacancy" today in the office of chief justice. Johnson wrote to Warren as follows:

"In deference to your wishes, I will seek a replacement to fill the vacancy in the office of chief justice that will be occasioned when you depart. With your agreement, I will accept your decision to retire effective at such time as a successor is qualified."

The Supreme Court cannot, by statute, consist of any more than nine justices. If one justice announces that he "intends" to retire, this is not a termination of his service. He actually must specify a date for his retirement so that a successor will then be able to take office.

What has happened thus far is that Chief Justice Warren has merely announced his "intention" to retire. President Johnson, in stating that Warren will "retire" at a time when "a successor is qualified," is, in effect, affirming that there is today no vacancy in the office of chief justice.

The position which Abe Fortas now occupies as associate justice is also not vacant. The Senate cannot act, therefore, on the nomination of Judge Thornberry as his successor until an actual vacancy has been created through the withdrawal of Fortas from his present post.

The present retirement law for judges is full of weaknesses. It gives the president of the United States a tremendous power. For the device of retirement can be utilized "at the pleasure of the president," and it permits him to dangle nominations before Congress. If the Senate, for instance, doesn't currently confirm the nominees for the prospective vacancies, the president can acquiesce in Warren's stay in office indefinitely and thus can assure a continuance of a particular kind of judicial philosophy. Chief Justice Warren will not be relieved of his duties until the Senate has actually confirmed a successor.

Another prevalent misconception is that a chief justice or an associate justice really severs all connection with the judicial system upon retirement. An existing statute, however, provides that the chief justice, after stepping down from the Supreme Court, may be asked at any time to serve as a judge in the U.S. Court of Appeals or in the Court of Claims. He cannot, however, be called upon to sit on the Supreme Court.

Even though a new chief justice takes office, Warren continues to be paid the same salary he received while serving on the Supreme Court. This compensation continues during the remainder of a justice's lifetime.

The procedures described by present law can have a far-reaching significance. Thus, there are many members of the Senate who do not wish to confirm Associate Justice Fortas for the post of chief justice, and they may delay action by filibustering. Also, it is difficult to see how there can be actual "vacancies" while both Chief Justice Warren and Associate Justice Fortas continue to serve in their present posts.

The spirit of protest among senators of both parties is growing. An example is the statement by Sen. Robert P. Griffin, Republican of Michigan, who summed up the attitude of the opposition as follows:

"Positions on the Supreme Court of the United States cannot be regarded as ordinary political plums. Such deviations as may have been condoned in the past cannot serve as a guide for the present or the future. . . .

"At the present time, the American people are in the process of choosing a new government. By their votes in November the people will designate new leadership and new direction for our nation. . . .

"The maneuvering to deny the people and the next president their choice in this instance is wrong in principle—and everybody knows it."

[From the Traverse City (Mich.) Record Eagle, July 6, 1968]

GRIFFIN VERSUS L. B. J.

U.S. Senator Robert P. Griffin of Traverse City does not have a reputation for flamboyance of headline grabbing. On the contrary, he is widely respected by his fellow legislators in Washington as one who does his home work and who acts with a sense of responsibility.

It is of more than passing interest, then, that Senator Griffin has taken such an adamant stand on President Johnson's appointments of Abe Fortas as Chief Justice of the Supreme Court and of Homer Thornberry as a new member of the court. Griffin has said that he will head a filibuster, if necessary, to block Senate approval of the appointments.

"Positions on the Supreme court of the United States cannot be regarded as ordinary political plums. Such deviations as may have been condoned in the past cannot serve as a guide for the present or the future." Griffin said.

"At the very least, nominations to the Supreme Court should never be based on cronyism. If and when they are, the Senate's responsibility is clear," he said. "At the present time, the American people are in the process of choosing a new government. By their votes in November the people will designate new leadership and new direction for our nation."

Chief Justice Earl Warren said that his retirement would be effective at the pleasure of the President, and Johnson accepted Warren's retirement "effective at such time as a successor is qualified." Such an arrangement does seem a bit cozy, and certainly less than urgent.

Griffin believes that the solution is for Warren to stay on a few more months "until a new President takes over." This would leave the choice of new justices, to some degree, up to the people, for their choice of a President would be a major determinant.

It appears that "politics," in the meaner sense of the word, is involved in the Warren-Johnson maneuver. One political move deserves another—in this case a threatened filibuster to stop some "lame duck" appointment.

[From the Pontiac (Mich.) Press, June 29, 1968]

COURT APPOINTMENTS AFFRONT NATION

In his "lame-duck" appointments to fill vacancies on the U.S. Supreme Court, President Johnson has ignobly exercised the power of his office.

The Nation's highest tribunal, envisioned by the makers of the Constitution as a nonpartisan body safeguarding the high ideals of American democracy, has by Johnson's act seen its prestige tarred with the brush of political expediency.

Regardless of the qualifications of Associate Justice Abe Fortas to assume the chief justiceship of the Court and those of Federal Judge Homer Thornberry to fill Fortas' place on the Supreme bench, the appointments at this time are open to strongest criticism.

Coming within six months of the President's announced retirement from office, the resignation of Chief Justice Earl Warren smacks of a political maneuver of the lowest order.

By every test of respect for the integrity of the Supreme Court and obligation to the American people Warren, one of the weakest chief justices ever to hold that office, should have deferred his retirement until the inauguration of the next President.

The joint action of Warren and Johnson thus forecloses the new Chief Executive in this case from exercise of his prerogative of filling vacancies on the Supreme Court and national judiciary.

Lines of Senate opposition to the White House appointments have been drawn, with promise of a battle over their confirmation.

We urge the Senate to meet its national responsibility and reject the Administration's blatant affront to the American people as evidenced by the egregious impropriety of the Supreme Court appointments.

[From the Milwaukee Sentinel, June 22, 1968]

CHIEF JUSTICE

It may be too good to be true, but as this is written the report is that Chief Justice Earl Warren, one of the prime movers in changing America's constitutional foundation from bedrock to shifting sand, has resigned.

An immediate reaction is to wonder whether his departure from the supreme court is timed to allow President Johnson to nominate a new chief justice before he leaves the White House in January, thereby perpetuating the court's far left leanings, possibly for years to come.

The supreme court recently adjourned for the summer. It is to begin a new term Oct. 7, a month before the presidential election, Nov. 5. The new president will not take office until Jan. 20.

A chief justice nomination would have to be acted on by the senate. Unless someone is nominated before late July, the chances are that congress will not be in session for the remainder of the year. This means that the nomination might not be acted on until the new congress convenes early in January.

The situation appears fraught with complications, Mr. Johnson might avoid them by abstaining from making a chief justice nomination, unless it is necessary to designate one in order for the court to function this fall.

But even if Mr. Johnson were to surprise the nation in this year of shocks by naming a staunch conservative to be chief justice, the question would remain whether it would be proper for him to do so.

Sen. Robert P. Griffin (R-Mich.) made a good point when he said, in reacting to the report of Warren's retirement, that he would oppose confirmation of any chief justice nominated by Mr. Johnson.

As Griffin says, "for a lame duck president to designate the leadership of the supreme court for many years in the future would break faith with our system, and it would be an affront to the American people."

EXHIBIT 1

[Information supplied by the Library of Congress, Legislative Reference Service]

SUPREME COURT NOMINATIONS MADE DURING THE LAST YEAR OF A PRESIDENT'S LAST TERM IN OFFICE

Nominations made during the last year of a President's last term in office which were not confirmed by the Senate:

John Jordan Crittenden. nominated Dec. 17, 1828, postponed Feb. 12, 1829. John Quincy Adams made this nomination after being defeated in the election of 1828 and left office March 3, 1829

Reuben Hyde Walworth. nominated March 13, 1844, postponed June 15, 1844, withdrawn June 17, 1844. John Tyler did not run for re-election in the election of 1844 and left office March 3, 1845.

Edward King. nominated June 5, 1844, postponed June 15, 1844, renominated Dec. 4, 1844, postponed Jan. 23, 1845. John Tyler did not run for re-election in the election of 1844 and left office March 3, 1845.

John Meredith Read. nominated Feb. 7, 1845, not acted upon. John Tyler did not run for re-election in the election of 1844 and left office March 3, 1845.

Edward A. Bradford. nominated Aug. 16, 1852, not acted upon. Millard Fillmore did not receive his party's nomination for President in the election of 1852 and left office March 3, 1853

George E. Badger. nominated Jan. 10, 1853, postponed Feb. 11, 1853. Millard Fillmore did not receive his party's nomination for President in the election of 1852 and left office March 3, 1853.

William C. Micou. nominated Feb. 24, 1853, not acted upon. Millard Fillmore did not receive his party's nomination for President in the election of 1852 and left office March 3, 1853.

Jeremiah S. Black. nominated Feb. 5, 1861, rejected Feb. 21, 1861. James Buchanan did not run for reelection in the election of 1860 and left office March 3, 1861.

Stanley Matthews. nominated Jan 26, 1881, not acted upon. Rutherford B. Hayes did not seek reelection in 1880 and left office March 3, 1881. Matthews was subsequenty re-appointed on March 14, 1881 by James Garfield and the appointment was confirmed May 12, 1881.

Nominations made during the last year of a President's last term which were confirmed by the Senate:*

John Marshall. nominated Jan. 20, 1801, confirmed Jan. 27, 1801. John Adams had been defeated in the election of 1800 when this appointment was made.

John Catron. nominated March 3, 1837, confirmed March 8, 1837. Andrew Jackson had not run for reelection, and his Vice President, Martin Van Buren, had been elected when Jackson made this appointment.

Peter V. Daniel. nominated Feb. 26, 1841, confirmed March 2, 1841. Martin Van Buren had lost the election of 1840 when he made this appointment.

Samuel Nelson. nominated Feb. 4, 1845, confirmed Feb. 14, 1845. John Tyler made this appointment after the election of 1844, in which he did not run.

William B. Woods. nominated Dec. 15, 1880, confirmed Dec. 21, 1880. Rutherford B. Hayes made this appointment after the election of 1880, in which he did not run.

George Shiras, Jr. nominated July 19, 1892, confirmed July 26, 1892. Benjamin Harrison made this appointment before losing the election of 1892.

Howell E. Jackson. nominated Feb. 2, 1893, confirmed Feb. 18, 1893. Benjamin Harrison had lost the election of 1892 when he made this appointment.

Mr. MILLER. Mr. President, will the Senator from Michigan yield?

Mr. GORE. Mr. President, will the Senator from Michigan yield?

Mr. GRIFFIN. I had promised to yield to the senior Senator from Tennessee.

Mr. GORE. The Senator has said that the nominations pending before the Senate to the U.S. Supreme Court have raised some fundamental questions. I respectfully suggest that the able Senator, in his eloquent speech, has raised some fundamental questions. I hope that he will cooperate in clarification of some of the terms which he has used.

He has referred to this as a "lame-duck" appointment. He has also referred to the President of the United States as an "outgoing president."

Because the country does have an outgoing President, to use the able Senator's term, the distinguished Senator brands the nomination of Justice Fortas as a "lameduck" appointment.

My first question is, What is an outgoing President?

Mr. GRIFFIN. Mr. President, responding to the question of the Senator from Tennessee, the term "lameduck" is not magic. Perhaps, in some ways, it might be inappropriate. Some people would use "lameduck" as meaning a President who is continuing to serve during the period after he has been defeated. Others have used the term with reference to mean the final year of a President's last term.

In my statement, I made it clear that I was referring to nominations made by a President during the final year of a President's last term in office. However, let it also be clear that I have not contended that a President during such a period suddenly loses the power of his office. There is no contention that a President should not continue to make decisions, that he should not continue to make nominations, or that he should not continue to run the affairs of Government. No one is suggesting that—least of all the junior Senator from Michigan.

I recognize full well that the President has the power, and authority, under the Constitution, to make nominations for the Supreme Court.

My argument focuses rather on the coequal—and just as important—power of the Senate to confirm.

I have pointed out in my statement that over the period of history there have been 16 times when a President in the last year of his final term of office has sent up nominations to the Supreme Court. On seven of those occasions the Senate has seen fit in its wisdom to confirm the nominations; however, the Senate, in its wisdom, refused to confirm such nominations in the other instances.

My argument and my position is purely addressed to the Senate and its responsibility and what is in the public interest.

In view of all the circumstances which surround these nominations: the appearance of a maneuver to create a vacancy, the appearance of some connivance to keep the public from having a say in who will be the next Chief of the United States, and then add to that both nominations are subject legitimately to the question of "cronyism," I am convinced that the public interest requires that the Senate refuse to confirm.

Mr. GORE. I have listened with interest to the able Senator's explanation of the term he used, "lame duck," and I should like to inquire whether he used the term "outgoing President" in the same light?

Mr. GRIFFIN. No, I did not—not necessarily.

Mr. GORE. Would the Senator explain what he means by that term?

Mr. GRIFFIN. I attach no special significance, other than the meaning that is on its face. It seems to me that President Johnson has announced he is not running for reelection and he is a President about to go out of office. That is all.

Mr. GORE. Would it alter the able Senator's position if the President should reassess the situation and announce that, after all, he would be a candidate for reelection?

Mr. GRIFFIN. I would say to the Senator from Tennessee that it would change the set of circumstances which I have described. However, I think the other circumstances provide reasons so strong that the junior Senator from Michigan would still be persuaded to vote the same way, but I do acknowledge that it would be a different set of circumstances.

Mr. MURPHY. Mr. President, will the Senator from Michigan yield right there for a question?

Mr. GORE. If I may continue first. With respect to the Senator's meaning of the term "lame duck" and the term "outgoing President," would not any President serving his second term be an outgoing President because of the recent constitutional amendment?

Mr. GRIFFIN. If any other President serving a second term were, in his final year of office, to submit nominations under the circumstances surrounding the pending nominations, or under similar circumstances, he would be in the same kind of position that President Johnson is in, yes.

Mr. GORE. Then the Senator, it seems to me, is taking the position, or has taken the position, that he does not question the President's constitutional right to make this nomination. Does the Senator question the President's constitutional responsibility so to do?

---

*This list does not include Melville W. Fuller who was nominated April 30, 1888 and confirmed July 20, 1888. Although Grover Cleveland made this appointment before losing the election of 1888, his last term of office was from 1893–1897.

Mr. GRIFFIN. No, the Senator does not.

Mr. GORE. Does the Senator question the President's right—political, moral, and legal—so to do?

Mr. GRIFFIN. I will say to the Senator from Tennessee that if it should be the fact that the President and the Chief Justice, as charged or intimated in the press, have some kind of an arrangement which is designed for the purpose of depriving the people and the next President of a voice in the leadership and the policies of the Supreme Court, I do not think he has a right. I would say that, in such an event, he would have exceeded such rights and powers as he has.

Mr. GORE. I do not refer to newspaper articles or innuendos. I refer to the Constitution; the responsibility of the President.

Mr. GRIFFIN. If there were a vacancy because of a death or if there were a resignation or retirement effective on a date certain, the responsibility of the President would be much clearer than in this situation.

Mr. GORE. Will the Senator yield further?

Mr. GRIFFIN. Yes.

Mr. GORE. Now that the Senator has said that he does not question the President's constitutional power or his constitutional responsibility to make this appointment, nevertheless, for some reason, he questions it because it is made in June, by a President who has said he will not be a candidate for reelection. There are 7 months between June and January. I wonder if the Senator would indicate what other functions of the office of President would appear proper——

Mr. GRIFFIN. May I say——

Mr. GORE. May I complete my question? What other functions of the Presidency should President Johnson fail to exercise? Should he postpone trying to reach peace in Vietnam because this is a function so important that it should be reserved for the next President, and thus continue the war until January? What other functions, under the constitutional responsibility and the constitutional duty and the constitutional right, which the Senator has indicated he believes are vested in the President, than the nomination by the President to the Supreme Court should he fail to exercise?

Mr. GRIFFIN. May I respond by saying the point the Senator makes is beside the point. I am not addressing myself to what the President can or cannot do, or to what he should or should not do. My argument is completely and solely addressed to the Senate; what the Senate's responsibilities are; what we have a right and duty to do; and what I think we should do.

Now I yield to the junior Senator from Tennessee.

Mr. BAKER. I thank the Senator.

The distinguished senior Senator from Tennessee and the junior Senator from Tennessee have a relation to the nomination of Justice Fortas to be Chief Justice of the United States which is unique, since Justice Fortas is a Tennessean. It has been with great regret that I have risen previously on the floor of this body to oppose that nomination, for I have no disrespect for and I have no real question about the legal competence of Justice Fortas to serve this country in virtually any capacity.

I say—and this is in part a reply to the queries put by the senior Senator from Tennessee—that, in my judgment, no one really doubts the constitutional authority of this or any President to make this nomination to the office of Chief Justice of the United States. The President has the unquestioned authority to do it in the last minute of his term.

On the other hand, the Senate of the United States has the unquestioned authority to advise and consent on the propriety or even the desirability of that appointment even until the last minute of this session of the 90th Congress.

The point I make is this. There are a thousand things the President could do between now and January that I fervently hope he does not do. To use my colleague's example, he could unilaterally escalate the war in Vietnam in massive proportions. I prayerfully hope he does not. He could go a long way to proceed to unilaterally disarm this Nation. I prayerfully hope he does not.

The question is not the legalism, "Can the President do these things?" It is a question of the respective judgments of the President of the United States and the Senate of the United States, as to whether it is the best thing to do under the circumstances.

My distinguished colleague, Mr. GORE, and I share the honor of representing the same people, the people of a great State. We share the experience of having traveled its length and breadth and listened intently, I think, to the expression of opinions, desires, and dissent of the people of that great State. In the course of my travels across the State and other parts of this Nation, I have heard, not once, but many times, the frustrations over many of the decisions, policies, and philosophy of the Supreme Court. This stems in large measure from the fact that the people say, "There is nothing we can do about it. We cannot vote for them. We cannot vote against them, as we can our Congressmen and Senators and the President of the United States." The people cannot do one single thing about one-third of the coordinate governing authority prescribed by the Constitution of the United States, except by indirection as the Constitution prescribes, to make sure that the popularly elected President and the popularly elected Senate of the United States set out and determine the attitudes, the viewpoints, he demands, and the dissent of the people of this Nation, in the course of the exercise of their constitutional authority to make this and other appointments.

To continue with the example, in the conversation I had with one person, he went on to say, in his colloquialism, "I can't vote for or against them. The only way I can get to them is in the November election for the President and the Senate."

Those who would say the Constitution of the United States creates a sterile, isolated, academic, judiciary branch of Government, unresponsive to the sentiment of the people of this Nation, are wrong. All three branches of this Government are, in one way or another, responsive to the will of the people. In the judicial branch, properly, it is a slower response. Fortunately, it is less direct, and thus less affected by the undulations of popular political sentiment. The Supreme Court is insulated, but not isolated by the requirements that the President shall appoint for life tenure, and that the Senate shall advise and consent as equal copartners in the process.

I suggest, then, that the question at hand is not the legalism of the authority of the President to appoint; we are not here as legal technicians, as Justice Hand once said, "shoveling smoke." We are here to exercise our very best judgment on whether this is a good idea or not, at this time and place.

In view of the fact that, unquestionably, the Supreme Court of the United States suffers from a lack of public confidence and esteem in the minds of so many, in view of the fact that the Court is one of the three coordinate branches of Government in which the confidence of the people must be restored if we are to preserve this Republic, it seems to me that, not legally, but from the standpoint of desirability, this is too good an opportunity for the Republic to miss. We must let the appointment of the next Chief Justice of the United States and one or more Associate Justices respond to the mandate of the people in November, with the confirmation of the Senate of the 91st Congress on the recommendation of the next President. We can in this way implement the intricacies of the constitutional design for the public expression of demands and dissent in connection with the appointments of a Chief Justice of the United States and Associate Justices of the Supreme Court.

Consonant with this logic, I am prepared to say that in January 1969, if the new President of the United States chooses to send these nominations to the Senate, after the voice of the people has been heard in November 1968, I very much doubt whether the junior Senator from Tennessee will object. But I do object in July 1968, because I feel that this is a remarkable opportunity to exercise not a legal right, but good-conscience judgment on what should and what should not be done in this time of turbulence, in this time when the Court has fallen to low esteem, and in this time when we must restore it to its former high esteem.

I conclude by saying that these remarks are made against the background of my record in the Senate of not being a baiter of the Supreme Court. I have fought vigorously on the floor of the Senate to uphold the decisions of the Supreme Court in matters of congressional redistricting, of civil rights, and others. I am proud of that. I am proud of the Court as an institution. I am eager to restore the confidence of the people in that institution. I believe that this can best be done by deferring the appointment of a Chief Justice until a new President takes office.

Mr. GRIFFIN. I thank the junior Senator from Tennessee for his brilliant and eloquent contribution to the debate.

I now yield to the Senator from Iowa.

Mr. MILLER. I thank the Senator from Michigan. I, too, should like to commend him for his scholarly and temperate statement, and to make a comment which may possibly satisfy the questions of the senior Senator from Tennessee [Mr. Gore].

The Senator from Michigan [Mr. Griffin] mentioned the problem, or a possible problem, of connivance between the retiring Chief Justice and the President. This, of course, would be something that we would all deplore. There is no hard evidence on that point. However, I invite the attention of Senators to an article published in the Chicago Tribune of June 29. The article was written by Willard Edwards, the able Washington correspondent of the Chicago Tribune, and gives his judgment of the background of the present situation. I would have to say that a reading of the article would spell out only one word, and that would be "connivance," no matter how high the places in which it took place.

Mr. President, I ask unanimous consent that the article be printed in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

Capitol Views

(By Willard Edwards)

Washington, June 28.—Chief Justice Earl Warren's decision to resign his post was precipitated last June 5 when he picked up his morning newspaper and learned that California Republicans had put an end to the political career of his protege, Sen. Thomas Kuchel.

Kuchel's unexpected defeat in the California primary aroused both anger and apprehension in the chief justice. His sense of outrage was compounded by the identity of the winner—State Superintendent of Schools Max Rafferty—a conservative who had vigorously criticized "the Warren court."

As the story is told by a Democratic leader on intimate terms with President Johnson, Warren promptly confided to the President his fears that a conservative tide was rising in the nation that would sweep into office next January a Republican President, most probably Richard M. Nixon, whom Warren personally detests.

With Warren, 77, and three other elderly justices as prospective retirees within a few months or years, such a Chief Executive would have power to select replacements who could alter what liberals describe as the "activist" role of the high court. Opponents describe it as an invasion of the legislative field.

With time running out to save the court from this obnoxious development, the chief justice was prepared, he informed the President, to resign, permitting Johnson to name his successor in the few months of his term.

He might even be able, he hinted, to prevail upon one or two of his brethren to join him in this sacrificial act.

APPROVES NAMING OF FORTAS

The President wasted little time trying to persuade Warren to remain. The two men discussed possible nominees. When Johnson suggested the elevation of Associate Justice Abe Fortas, Warren voiced his warm approval.

A tentative bargain was also reached—to "take care of" lame duck Kuchel with an appointment to the Circuit Court of Appeals. A new law has provided the President with the authority to fill a number of judicial vacancies.

The Senate judiciary committee, acquainted with this proposal, studied Kuchel's record and found that he has had so little legal experience that he lacks a rating in the official California listing of lawyers from that state. The Senate, however, routinely approves nominations for colleagues in distress.

Warren's official letter of resignation and an accompanying note of explanation were sent to the White House June 13, one week after the President and the chief justice had conferred. Not until Sunday, June 23, however, did the President, in a series of telephone calls to Capitol hill leaders, confirm its receipt and his intention to nominate Fortas and another old friend. Judge Homer Thornberry of Texas. They warned him that these appointments would arouse criticism but promised to do their utmost in securing the Senate's confirmation in the five weeks remaining before congressional adjournment.

FAITH IN POLLS DESTROYED

The Capitol Hill informant discounted Warren's contention that he was quitting solely because of his advancing years. The chief justice, healthy and happy with his prestige, would have remained, he said, if he had believed that a liberal Democrat like Vice President Humphrey would be elected in November or a liberal Republican like Gov. Nelson A. Rockefeller. He had taken comfort from polls indicating that Nixon would be defeated by Humphrey.

But Rafferty's upset of Kuchel destroyed his faith in polls. They had shown Kuchel, a previous winner in three relection campaigns, with a long lead over Rafferty.

Warren enjoyed almost a father-son relationship to Kuchel. As governor of California, Warren had plucked Kuchel from obscurity to make him state controller and later had sent him to Washington to fill a Senate vacancy. Kuchel responded by loyal obeisance to the Warren brand of Republicanism which is virtually indistinguishable from the philosophy of liberal Democrats.

"He took Kuchel's defeat as a personal affront, as the President got the message," the congressional source said. "It was clear that he wanted revenge on both California Republicans and the party as a whole. He could not tolerate the prospect of Nixon as President.

"President Johnson did not agree with these gloomy views of a Democratic defeat. But he could not reject this marvelous farewell gift in the closing months of his Administration."

Mr. CURTIS. Mr. President, will the Senator from Iowa yield?

Mr. MILLER. The Senator from Michigan has the floor, and he has yielded to me. I should like to continue with my remarks.

There is also the matter which the Senator from Michigan mentioned, which some persons have referred to as cronyism. There is no question about the President's right or power to appoint, barring connivance. If there was connivance, I should say that would cancel his right or responsibility. But it would seem to me that for the well-being of the country, and the well-being of the Supreme Court, any President should bend over backward to avoid any argument of cronyism or any other undesirable argument concerning appointment to the Supreme Court.

The President could have avoided this unfortunate situation if he had selected an experienced, distinguished jurist from one of the circuit courts of appeals, or if he had asked the American Bar Association to submit to him a panel of, say, 10 distinguished lawyers or jurists from which to fill these positions. My guess would be that if he had done so, neither of the two names which have been sent to the Senate would be on that list, although I suggest that the name of former Justice Goldberg would be on such a list.

The President's failure to do this—either to ask the American Bar Association for its recommendations, or to select experienced, distinguished jurists, having 10 or 15 years of experience on a court of appeals—has laid the foundation for this unfortunate but, I think, rather accurate criticism of cronyism.

The senior Senator from Tennessee asked whether there was a responsibility on the part of the President to make such an appointment. I suggest that that responsibility would be vitiated by any connivance along the lines referred to in the article which I earlier placed in the Record.

Finally, I suggest to the senior Senator from Tennessee that, while the right of the President may be clear in his mind, there is one right that is above the President's, one right that is above the right of Congress, and that is the right of the people of the country. That fundamentally, is the position of the Senator from Michigan [Mr. Griffin] and the position of the Senator from Iowa. We feel that that right is above all others. What we seek to do is to persuade the Senate that its judgment should be, in the public interest, to preserve that right of the people to reflect, through their mandate in the presidential election in only a few short months, the direction they wish the country to take through the election of a new President. Then, hopefully, the President will make appointments, appointments which may last for 20 or 25 years, because of the life tenure in a coequal branch of the Government.

Unless Senators can be persuaded to exercise their power to vote against the confirmation of these nominations, the people of the United States will be deprived of that right.

I invite the attention of the senior Senator from Tennessee to the fact that this is not the first time since he became a Member of the Senate that a matter similar to this one came before the Senate. On August 29, 1960, a resolution was adopted by the Senate by a yea-and-nay vote of 48 to 37. It is significant that the present President and the present Vice President of the United States, who were Members of the Senate at that time, voted "yea" on the resolution.

In deference to the consistency of the senior Senator from Tennessee, I should say that he was one of only four Democrats who voted "nay," and for this I think he deserves commendation.

The resolution reads as follows:

Resolved, That it is the sense of the Senate that the making of recess appointments to the Supreme Court of the United States may not be wholly consistent with the best interests of the Supreme Court, the nominee who may be involved, the litigants before the court, nor, indeed, the people of the United States; and that such appointments therefore should not be made except in unusual circumstances and for the purpose of preventing or ending a demonstrable breakdown of the administration of the court's business.

Mr. President, I certainly understand that there is a technical difference between a recess appointment and an appointment confirmed by the Senate a day or two or, perhaps, a week or two before Congress adjourns. However, at this late date, in the last year of an outgoing President, I think the technical difference is without a basic, substantial distinction as far as the rights of the people and the prestige of the Supreme Court are concerned.

Mr. President, I ask unanimous consent that an extract from the CONGRESSIONAL RECORD of August 29, 1960, be printed at this point in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

The PRESIDING OFFICER. The question now is on agreeing to the resolution, as amended. On this question, the yeas and nays have been ordered; and the clerk will call the roll.

The legislative clerk called the roll.

Mr. MANSFIELD. I announce that the Senator from Virginia [Mr. BYRD], the Senator from New Mexico [Mr. CHAVEZ], the Senator from Illinois [Mr. DOUGLAS], the Senator from Arkansas [Mr. FULBRIGHT], the Senator from Indiana [Mr. HARTKE], the Senator from Arizona [Mr. HAYDEN], the Senator from Minnesota [Mr. HUMPHREY], the Senator from Tennessee [Mr. KEFAUVER], the Senator from Oklahoma [Mr. KERR], the Senator from Oregon [Mr. LUSK], the Senator from Montana [Mr. MURRAY], the Senator from Wyoming [Mr. O'MAHONEY], and the Senator from Florida [Mr. SMATHERS], are absent on official business.

I further announce that the Senator from Missouri [Mr. HENNINGS] is absent because of illness.

I further announce that, if present and voting, the Senator from New Mexico [Mr. CHAVEZ], the Senator from Illinois [Mr. DOUGLAS], the Senator from Arkansas [Mr. FULBRIGHT], the Senator from Indiana [Mr. HARTKE], the Senator from Arizona [Mr. HAYDEN], the Senator from Missouri [Mr. HENNINGS], the Senator from Minnesota [Mr. HUMPHREY], the Senator from Tennessee [Mr. KEFAUVER], the Senator from Oklahoma [Mr. KERR], the Senator from Montana [Mr. MURRAY], the Senator from Wyoming O'MAHONEY], and the Senator from Florida [Mr. SMATHERS] would each vote "yea."

Mr. KUCHEL. I announce that the Senator from Iowa [Mr. MARTIN] is absent, by leave of the Senate, on official business.

The results was announced—yeas 48, nays 37, as follows:

[No. 318]

Yeas, 48: Anderson, Bartlett, Bible, Burdick, Byrd, W. Va., Cannon, Carroll, Church, Clark, Dodd, Eastland, Ellender, Engle, Ervin, Frear, Green, Gruening, Hart, Hill, Holland, Jackson Johnson, Tex., Johnston, S.C., Jordan, Kennedy, Long, Hawaii, Long, La., McCarthy, McClellan, McGee, McNamara, Magnuson, Mansfield, Monroney, Morse, Moss, Proxmire, Randolph, Robertson, Russell, Sparkman, Stennis, Symington, Talmadge, Thurmond, Williams, N.J., Yarborough, Young, Ohio.

Nays, 37: Aiken, Allott, Beall, Bennett, Bridges, Bush, Butler, Capehart, Carlson, Case, N.J., Case, S. Dak., Cooper, Cotton, Curtis, Dirksen, Dworshak, Fong, Goldwater, Gore, Hickenlooper, Hruska, Javits, Keating, Kuchel, Lausche, Morton, Mundt, Muskie, Pastore, Prouty, Saltonstall, Schoeppel, Scott, Smith, Wiley, Williams, Del., Young, N. Dak.

Not voting, 15: Byrd, Va., Chavez, Douglas, Fulbright, Hartke, Hayden, Hennings, Humphrey, Kefauver, Kerr, Lusk, Martin, Murray, O'Mahoney, Smathers.

So the resolution (S. Res. 334) was agreed to, as follows:

"*Resolved*, That it is the sense of the Senate that the making of recess appointments to the Supreme Court of the United States may not be wholly consistent with the best interest of the Supreme Court, the nominee who may be involved, the litigants before the Court, nor indeed the people of the United States, and that such appointments, therefore, should not be made except under unusual circumstances and for the purpose of preventing or ending a demonstrable breakdown in the administration of the Court's business."

Mr. HART. Mr. President, I move to reconsider the vote by which the resolution was agreed to.

Mr. JOHNSTON of South Carolina. Mr. President, I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. GRIFFIN. Mr. President, I yield to the Senator from California.

Mr. MURPHY. Mr. President, I am pleased to associate myself with the remarks of my distinguished colleague, the Senator from Michigan.

I compliment the Senator on what has been one of the finest presentations I have heard affirming the importance of the voice of the people in the perpetuation of this democracy.

I compliment and congratulate the Senator also for carefully delineating the position of those of us who oppose the nominations. There is no question of the President's power and right to make the appointments, but there is a question as to the propriety of his action in doing so at this time.

Mr. President, the people of this Nation are restless. Since I have been a Member of this body, I have traveled in 48 States and I have sensed it.

I can say, without equivocation, that this turbulence, this sense of unsureness, has been caused by some of the Court's recent decisions.

I think it is most commendable that my colleague has pointed out clearly that our opposition is not a matter of personalities. Nor is it a matter of politics. More accurately it is a question of whether the President, under whose leadership this mental quandry of the people arose and under whose policies the people too often question, should appoint a new Supreme Court Justice and a new Chief Justice before the people of this great Nation have the opportunity at the polls in November to determine whether they want to change the course which we have been taking.

What is in the best interest of the people of this great Nation? This Government does not belong to Members of the Senate or House of Representatives. We are sent here as representatives to do to the best of our ability and judgment what the people of this great Nation want done in their name. That is why I will oppose confirmation of the nominations. I simply do not believe the people would want confirmation before they have had the opportunity to speak in November.

The presentation made by the distinguished Senator from Michigan is one of the most statesmanlike dissertations that it has been my privilege to hear. I only hope that those members of the press and broadcast media who are present today will transmit this statement to the people of our great Nation. It is certainly worthy of their consideration.

I also congratulate my distinguished colleague from Tennessee for adding to the dialog in clear, simple, and concise terms—saying, for one thing, that we do not question the power or the constitutional right of the President to make these appointments, but that we do question the commonsense and the judgment involved.

Those of us who will oppose these appointments on this basis hope sincerely that there might be a reconsideration and that the voice of the people be made paramount. This was the basic tenet upon which our Government was founded. That is the way it should be today.

Mr. GRIFFIN. Mr. President, I thank my colleague, the Senator from California, very much for his generous comments and the contribution he has made.

Mr. President, I yield to the Senator from Nebraska.

Mr. CURTIS. Mr. President, I thank the distinguished Senator.

I rise primarily to congratulate the distinguished Senator from Michigan on his statement and the clearness with which he has portrayed the responsibility that rests in us. That is the extent of our duty to do what we have to do in this Chamber. We can be guided by no other principle than what is best in the interest of the country.

We have no reason or compulsion to be for a nomination or to oppose a nomination merely because it is made. The power to confirm was vested in the Senate as a way in which the Senate would exercise authority. And that authority should be exercised on the basis of whether confirmation is good for the country.

This problem arises at a rather unusual time—after the processes are already in motion in this country to hold an election. The election is about here. The candidates are carrying their messages to the people at this time and have been doing so for weeks.

There apparently has been some communication between the President and the Chief Justice. And out of that communication, we have received information concerning what has been referred to as a retirement. However, to say the least, it is ambiguous and susceptible of questionable interpretation.

To concur in this matter means that we must act quickly when we are on the verge of an election.

If there is one principle of government that is submerged in all branches of the Government, it is that acts of the Government should be responsive to the wishes of the people.

We have had decisions of the Supreme Court. I recall one that has been referred to as the one-man, one-vote principle.

I submit that 60 million or 70 million people are about to vote. The Senate should consider whether action should be taken by the Senate—not questioning what the President has done. Our job is to decide whether the Senate should act hastily as the people are about to vote and decide whether their votes—on a matter indirectly affecting the judiciary—are to be counted or cast aside.

I thank the distinguished Senator.

Mr. GRIFFIN. Mr. President, I thank the Senator from Nebraska for his contribution.

Mr. President, I yield to the Senator from Delaware.

Mr. WILLIAMS of Delaware. Mr. President, I associate myself with my colleague from Michigan on his statement made here this afternoon.

He has pointed out that our Government—which we think is one of the best forms of government—is founded on the principle that we have three separate branches of Government—legislative, executive, and judicial.

I think, as the junior Senator from Tennessee mentioned a moment ago, it is very proper that this confirmation be held over until the appointment can be sent down by a President who will be selected by the electorate this November. It then can be considered and confirmed by a Senate one-third of whose Members will likewise have faced the same electorate.

I believe it is proper that this matter should wait until such time as the election is over and the newly elected and reelected sworn in.

A second point is the question as to whether a vacancy actually exists. We know of the questionable circumstances concerning the conditional resignation of the Chief Justice, and this question comes to my mind in connection with both nominations that are before the committee at this time: Suppose, for example, the committee approves both nominations and sends them to the Senate. Suppose the Senate decides to reject the nomination of Mr. Fortas to be Chief Justice but decides to confirm the nomination of Mr. Thornberry. What kind of situation would we have? We would have 10 members of the Court, because unless Mr. Fortas is confirmed there is no Associate Justice vacancy. I believe that, in itself, shows the fallacy of the argument that there are bona fide vacancies on the Court at this time.

I realize that we have many times confirmed members of the Court subject to a resignation which had been submitted to be effective as of a given date. But this is the first time I have seen the Senate asked to consider the confirmation of a nomination for a vacancy which is conditional only, as I understand it, upon the Senate's approving the nominee who is the choice of the present President. My understanding is that unless Mr. Fortas is confirmed the Chief Justice will continue to serve indefinitely. There is no vacancy until a man makes a bona fide resignation effective as of a given date.

Mr. GRIFFIN. I thank the distinguished Senator.

Mr. President, I yield the floor.

Mr. GORE. Mr. President, we have listened to what appears to me to be a very strained, strange logic. It has been freely acknowledged and agreed that the President of the United States has the constitutional and the legal right, responsibility, and duty to make the nominations that have been submitted to the Senate. It also has been said during the course of the debate, by my distinguished junior colleague from Tennessee, for whom I have a warm personal affection and with whom I find myself in disagreement on this nomination with regret, that he does not question the capacity, the ability, the merit, or the fitness of Justice Fortas to hold any position of trust in the United States.

Indeed, no speaker in the Senate during this day has questioned the fitness, the character, the ability, the professional attainment, or the quality of service rendered by Justice Fortas.

Now, what does that add up to, Mr. President? It adds up to the reluctance to agree to the confirmation of the nomination of Justice Fortas on the ground that it is a function that should be reserved for the next President. Well, now, that is a strange and strained doctrine. It is justified, or sought to be justified, on the ground that the democratic process should operate, that the appointment should be made by a man who has been popularily elected President of the United States.

I must recall that President Johnson was elected by the people of the United States, I believe the record will show, by the largest majority in the history of the country. He is a popularly chosen President. It is said that this nomination should be made by a popularly elected President and confirmed by a popularly elected Senate. Well, when was there a President in all our history who received a greater popular majority? There is none. What Senator will say that he is not in the Senate as a subject of a popular election?

But it is said that because this nomination was made in June, a President whose present term of office will expire in January should not perform the constitutional duty and responsibility devolving upon him as the principal officer of this Government, chosen by the American people in a popular election, by the largest majority in the history of the country. What kind of logic is this? It is not logic; it is illogic. It is an illogical and groundless objection to a lawful, orderly function of this Government.

What more important function does a President have than to nominate the Chief Justice of the United States? I have heard the opinion expressed that, in the long run, a Chief Justice may be more important to the United States than a President. I am not prepared to take that position, but I do say that it is surely the second most important position in the United States. And the Constitution vests in the President not only the authority but also the responsibility of nominating to the Senate men to fill such vacancies as may occur with the advice and consent of the Senate.

Mr. MONRONEY. Mr. President, will the Senator yield?

Mr. GORE. I yield.

Mr. MONRONEY. Would it not seem a travesty on presidential powers if the President of the United States, having decided not to run and still having some 7 months of his term remaining, would be considered to lack the power to nominate such a man, subject to confirmation by the U.S. Senate, and it would still be possible to entrust him, as we have done and will continue to do, with the negotiation of such vital treaties as the nonproliferation of atomic weapons and other matters of vital importance?

If a man is going to be put on the bench, so to speak—to use a football term—in the last 7 months of his term for one particular purpose, because someone would like to reserve the filling of a high judicial appointment, because his term is only 7 months from expiration, then should not all Presidential powers be so restricted? We would then have in our country a period of inactivity, of suspended animation, of a lack of executive determination in the various branches of our Government. The Government machine could not possibly work. The vast apparatus of Government could not possibly run without the fulcrum of the Presidency, which is the basis of the source of all Executive power and includes the selection of those who are appointed to the Federal district courts, the Federal circuit courts, the Federal Supreme Court, and the various commissions.

Should we leave those positions vacant? Should we deny filling the position of Administrator of the Federal Aviation Administration because the term of the Presidency is to expire on January 20 by decision of the President himself and not the adverse decision of the people of this country?

It seems to me that if this kind of pattern were carried to its logical conclusion, as the Senator from Michigan has stated, we would have a hiatus of 7 months. Perhaps there might be a time when the President might announce at the beginning of his second term, and call attention to the law, that he is not going to be able to succeed himself. Therefore, should he be considered unworthy to fill positions that might continue for years or for a lifetime.

Mr. President, this opposition does not make rhyme or reason to me when a man's integrity is not in question, when his ability is not in question, so long as the appointment process is legal, and no one has denied that. We are the judges of the qualifications of these men to carry this great office, and, thus, we are entrusted with the power of confirmation. We judge them on ability, record, and service in Government. If they meet that test, we should not have any political right, because they are of another political complexion, to try to stymie or prevent filling these vital positions.

I thank the distinguished senior Senator from Tennessee who has brought out vital points connected with the confirmation.

Mr. GORE. I thank the distinguished Senator from Oklahoma for his eloquent statement and sound position.

The Senator raised the point as to what Presidential powers should not be exercised. The people elected Lyndon Baines Johnson as President, not for 3½ years, but for a constitutional term. Every power vested in him, every responsibility resting with him, every duty placed upon him on his first day in office rests with him to the last day of his term.

If we adopt the theory that an outgoing President should not exercise the full power and responsibility of the office of President, then what about outgoing Senators? There are a number of Senators who have indicated they will not seek reelection. I would refer to the able senior Senator from Iowa [Mr. HICKENLOOPER] and the distinguished senior Senator from Alabama [Mr. HILL]. I heard the senior Senator from Iowa this morning asking very able questions with respect to the ratification of the pending Treaty on Nonproliferation of Nuclear Weapons. Shall we say that because the Senator from Iowa is an "outgoing" Senator he should not exercise the responsibility of a Senator on a matter so important as a nuclear nonproliferation treaty? Where would we stop? Mr. President, I say this is not logical. This is illogical.

Mr. President, I wish to say something about Justice Fortas. I had not intended to refer to the fact that he was a Tennessean, but inasmuch as my able and distinguished colleague has brought that matter into debate, let me say to the Senate that I am proud of Justice Fortas. I am proud that the record he has written typifies what can happen in America. His father came to this country penniless. He began his work in this country in a lowly state of manual labor, and by his diligence, by his work, by his devotion to duty, by the law-abiding respect in which he was held, the Fortas family entered into the middle class of America.

But still there was not money in the family to give the children all the education and the benefits which are desired by any parent. However, young Abe Fortas got an education anyway, working his way through school, graduating with honors. As soon as he was graduated from Yale University Law School his talents were so recognized that he was made a member of the Yale University Law School faculty.

He came into Government service at a lowly echelon, but not for long did he remain there. His talents, his abilities, and his integrity were recognized. He gained promotion after promotion. But eventually, as has happened to the loss of the country in so many instances, able young men in Government seek to better their fortunes, and so did young Abe Fortas, then Under Secretary of Interior.

Was he the ill-equipped young man who could not make it on his own? Ah, Mr. President, every Member of the Senate knows that he became recognized in the private practice of law as one of the eminent barristers in the United States.

Oh, it is said that he has been a friend of President Johnson, and that he would not be a member of the Supreme Court except for that friendship. I say that, too, but I say it from a different point of view because I know personally of some of the circumstances. He did not wish to be appointed a justice of the Supreme Court. Mrs. Fortas did not wish him to accept it, if I may be so personal as to say so.

Together they had built a law practice that was so far more remunerative than service in the Government and they had such a happy family life and success in their mutually professional career that neither wished it to be disturbed.

I happen to know what the President said to lawyer Abe Fortas, who was resisting the appointment to the Supreme Court. The President said, "Abe, we are drafting boys to go to Vietnam. I call upon you to accept this position and make whatever sacrifice it entails." Mr. President, you know the answer. This young man was confirmed by the Senate. By what vote? He was confirmed by a unanimous vote.

(At this point, Mr. MCGEE assumed the chair.)

Mr. THURMOND. Mr. President, will the Senator yield?

Mr. GORE. Have I erred? I yield.

Mr. THURMOND. I would advise the distinguished Senator from Tennessee to check the record, and he will see that it was not a unanimous vote.

Mr. GORE. I thought it was. Would the Senate give the vote?

Mr. THURMOND. There were at least three votes against him. I was one, the distinguished Senator from Delaware was another, and the distinguished Senator from Nebraska [Mr. CURTIS] was another.

Mr. GORE. I thank the Senator. I thought the vote was unanimous. It was so nearly unanimous it led me to that recollection. I thank the Senator.

Mr. THURMOND. There were very few Senators in the Chamber at that time. If there had been more, there probably would have been more recorded against it. [Laughter.]

Mr. GORE. Let the RECORD stand that there were three votes against his confirmation.

Mr. President, what of the character of his service? I do not wish to review the written opinions with which the Justice associated himself. If in the course of debate it becomes necessary so to do, I shall be glad to do so. Suffice it to say, insofar as debate today is concerned, no one has questioned his professional ability, or his integrity, no one has questioned his character or the service he has rendered as a Justice of the Supreme Court. Indeed, the able junior Senator from Tennessee has said that he would not question his merit for any position of trust in the United States. I believe he went so far as to say that if he were to be nominated by the next President, he might well support him. I may not be quoting the able Senator exactly, but I am trying to be as accurate as possible.

So, what does this add up to? It adds up to the fact that Lyndon Johnson, President of the United States, chosen by the American people in a free election, should not, in June, make a nomination to fill a vacancy on the U.S. Supreme Court because he has indicated he will not seek reelection and just, perchance, because there might be a Republican President elected in November.

I do not believe that kind of performance is helping to bring that event about, because the American people will not look favorably upon that kind of performance.

The Senator from Michigan said that this was not politics in its purest and finest sense.

Well, I will agree with him that it is not politics in its finest sense. I am not so sure, though, that it is not politics, pure and simple. If it is not that, what is it?

Mr. GRIFFIN. Mr. President, will the Senator yield me 1 minute right there?

Mr. GORE. I am happy to do so.

Mr. GRIFFIN. I think perhaps the Senator misunderstood me. I did say that it was politics in its purest and finest sense, but that it was nonpartisan politics in its purest and finest sense.

I want to be sure that the Senator understands what I said.

Mr. GORE. I appreciate the correction of the able Senator from Michigan.

Mr. GRIFFIN. Even though he does not agree with me, I want him to understand what I said.

Mr. GORE. What did the Senator mean? I would be interested in what the Senator really means. Would the Senator be willing to say exactly what he does mean by that?

Mr. GRIFFIN. I believe the point of view which was very eloquently expressed by the junior Senator from Tennessee [Mr. BAKER] and also by the Senator from California, when they stressed the importance of the will of the people. As I indicated in my remarks, I have no way of knowing who will be nominated by either party, let alone who will be elected President of the United States next November.

It is not a question of partisan politics as such. If there are those who approach it from that point of view, I only add that it is a much bigger issue than partisan politics. We are talking here about the basic, fundamental right of the American people. We are concerned about what has all the appearances of a rather cynical manipulation to thwart the efforts of the people to have a voice in the future and the leadership of the Supreme Court.

Mr. GORE. I thank the able Senator.

Mr. President, members of the U.S. Supreme Court are not elected by popular franchise. Members of the U.S. Supreme Court, under the Constitution, are chosen by this method: The President of the United States nominates and then the nominees are subject to the advice and consent of the Senate. So, what right is being denied to the American people? If the Senate confirms this nomination, what right will have been filched from the American people by President Johnson because of his nomination of Justice Fortas for a vacancy as Chief Justice?

I say, he would have been derelict in his duty had he failed to submit a nomination to the Senate. He is the elected President of the United States, clothed with all the functions and responsibilities of the Presidency, and is dutybound to perform the functions of this, our highest office.

One other point to which I wish to make reference—and I shall do so briefly—it is said that this nomination should be rejected. I believe the senior

Senator from Delaware said that it should be rejected because of restlessness in the country.

Is that not a strange reason to reject the nomination of a Chief Justice?

Like my colleague from Tennessee [Mr. BAKER], with whom I voted identically, I believe, on amendments to the crime bill, I have not been happy with all the decisions of the Supreme Court. But I say to you, Mr. President, that playing partisan politics with the U.S. Supreme Court will not add to the confidence, the probity, and the esteem of that Court.

Mr. President, I have confidence in Justice Fortas. I believe that his appointment and confirmation as Chief Justice will add to the confidence and esteem in which the Highest Court will be held by the American people.

Here is an eminent lawyer, an able jurist, and a patriot, who has made great sacrifices financially to accept public service—one of the ablest and most scholarly men ever to grace the U.S. Supreme Court.

I am proud of this nomination. I have not always agreed with President Johnson, let me repeat but when he is right I am going to support him. This is his rightful duty, his lawful duty, which he has performed.

It is now the responsibility of the Senate to exercise its lawful duty and responsibility.

That is not to say that the Senate should confirm the nomination. Not at all. It should consider it. It should take action upon it and work its will.

I believe that when that is done, this man, whose merits are not brought into question, will be confirmed again, as he has been previously.

MILITARY CONSTRUCTION AUTHORIZATION, FISCAL YEAR 1969—CONFERENCE REPORT

Mr. JACKSON. Mr. President, I submit a report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 16703) to authorize certain construction at military installations, and for other purposes. I ask unanimous consent for the present consideration of the report.

The PRESIDING OFFICER. The report will be read for the information of the Senate.

The legislative clerk read the report.

(For conference report, see House proceedings of today.)

The PRESIDING OFFICER. Is there objection to the present consideration of the report?

There being no objection, the Senate proceeded to consider the report.

Mr. JACKSON. Mr. President, the report was signed by all the conferees on the part of the House of Representatives and the Senate and has now been agreed to by the House.

The bill as agreed to in conference provides a total new authority of $1,782,844,000 and an increase in prior years' authority of $17,375,000 for a total authorization of $1,800,219,000. The amount of new authority granted represents a reduction of $6,874,000 in the amount previously authorized by the Senate and a reduction of $35,649,000 in the amount authorized by the House. The action of the conferees resulted in a decrease in the overall departmental request of $95,780,000, which I believe is a substantial reduction considering the austerity of this year's program.

As an indication that the Senate position prevailed in most instances, there were some 102 amendments in dispute and the Senate position prevailed in 75 instances. The end result, I believe, is an improvement upon the product of either House.

Most of the points in dispute related to making a determination of priorities and only those projects were deferred where it was apparent a year's delay would not adversely affect the overall program of the Department of Defense.

There are two matters of some interest which I should like to mention. First is the requirements for Southeast Asia as contained in the bill. This year the Congress was requested to approve a total new construction authority for the three military departments in Southeast Asia of $225,375,000. During the consideration of this request by the House, it was reduced by $18,271,000, primarily for roads and military assistance projects. Based upon a request by the Department, the Senate restored $8,021,000 of the House reduction. Subsequent thereto, however, the Congress approved the supplemental appropriation bill for fiscal year 1968, which contained $140 million for Southeast Asia construction requirements. This, together with the amount of unobligated carryover funds and the $201.7 million approved in the House-passed bill, would seem to be ample for the construction needs of Southeast Asia during this fiscal year. Accordingly, the Senate receded to the House position. This primarily accounts for the overall reduction in the bill of the amount previously approved by the Senate.

The second matter I wish to mention relates to the provisions made for the Reserve Forces. As I pointed out when this measure was passed on the floor of the Senate last month, no new authority was requested this year for the Army National Guard or the Army Reserve because prior years' authorities, still unused and partly unfunded, are adequate to cover the scope of the programs now envisioned. Nevertheless, the House of Representatives in their consideration of the bill saw fit to add above the budget $10.6 million for the Army National Guard and $7.9 million for the Army Reserve, and reverted to the detailing of projects on a line item basis. This procedure was tried from 1959 to 1962, but was abandoned since it proved to be unworkable. As you recall, Mr. President, the Senate in considering the bill did not include the additional funds provided by the House, nor did it approve the line item basis of authorization. I am pleased to inform you that the Senate position prevailed in conference. The Secretary of Defense has advised in writing, however, that if sufficient funds are provided, those projects listed in the House-passed bill and again in the report of the managers will be considered as the first priority for construction within those respective component programs following the projects already planned for execution from prior years' authorization and funding.

This concludes my statement.

Mr. President, I move the adoption of the conference report on the military construction authorization bill for fiscal year 1969.

Mr. THURMOND. Mr. President, will the Senator yield?

Mr. JACKSON. I yield.

Mr. THURMOND. Mr. President, in my judgment this is an excellent bill. It was concurred in by every member of the conference committee. We hope the conference report will be promptly adopted by the Senate.

I want to say further that the distinguished Senator from Washington State, as chairman of the subcommittee, not only did an outstanding job, but also during the conference he handled the matter in a most able manner, pleasing to all of the conferees.

Mr. JACKSON. Mr. President, I wish to express my appreciation to the able Senator from South Carolina for his fine support in our efforts to get the bill out of the Senate committee and through the Senate, and in the adoption of the conference report by the conferees.

I move the adoption of the conference report.

The PRESIDING OFFICER. The question is on agreeing to the conference report.

The report was agreed to.

AUTO THEFT PREVENTION ACT

The PRESIDING OFFICER. The Chair lays before the Senate the unfinished business.

The Senate resumed the consideration of the bill (H.R. 14935) to amend title 39 United States Code to regulate the mailing of master keys for motor vehicles ignition switches and for other purposes.

ORDER OF BUSINESS

Mr. MONRONEY. Mr. President, I desire to yield first to my distinguished colleague the senior Senator from New Hampshire [Mr. COTTON], who has filed notice of a motion for reconsideration of the action the Senate earlier took with respect to S. 3566, the supplemental air transportation bill.

I am happy to yield to the distinguished Senator from New Hampshire for that purpose.

Mr. COTTON. I thank the Senator from Oklahoma.

MOTION TO RECONSIDER PASSAGE OF S. 3566, AMENDMENT OF FEDERAL AVIATION ACT

Mr. COTTON. Mr. President, my purpose in filing the motion was to permit the clearing up of some legislative history in connection with the bill before it is passed. Therefore, I would like the opinion of the Senator from Oklahoma, author of the bill, on two points.

I understand that the bill is intended to permit the supplemental air carriers to sell inclusive tours only through tour operators who are specifically authorized for this purpose by the Civil Aeronautics Board under rules it prescribes, and that it will not permit them to sell individually ticketed passage to members of the general public.

Mr. MONRONEY. That is correct, as the action of the committee and the bill clearly provide. It also, however, is provided in the bill that, through the process by which the Civil Aeronautics Board has provided for all-inclusive tours, where a large number of people desire to travel together to three or more tour points, with hotels, meals, and other facilities provided, the travel agency may individually ticket those wishing to go on such a trip. That has been the custom. It was the custom under what I think were very wise decisions of the Civil Aeronautics Board in the past. The bill clarifies merely a situation which was clouded and confused by two conflicting Federal court decisions, one decision holding that the Civil Aeronautics Board had no right to do that, and the other holding that the Civil Aeronautics Board had a right to do it. The case went to the Supreme Court, and there was a 4-to-4 tie.

With this confusion, it was necessary to reinstate the position to what it is now proposed, with the power of the Civil Aeronautics Board, as the original bill provided, to specify the types of services that can be performed.

For that reason, I think it insures that this very important tour operation, which is not competitive with individual ticketing of the individual airlines, and will not be, will be allowed to serve excursion type, all-expense, all-inclusive, tours.

Mr. COTTON. But it was not the Senator's intention or, according to his understanding, the intention of the committee to authorize individually ticketed passage to members of the general public except under the terms which have already been included with tours with certain restrictions.

Mr. MONRONEY. That is correct.

May I call attention to the language beginning on page 7 of the committee report, which reads:

> The committee specifically reaffirms the intent expressed in Report No. 688 which accompanied S. 1969 . . . .

And sets out the purpose for which the original bill was passed, and which has worked successfully, without detriment to the scheduled airlines, and which has helped build up this reserve air transportation. I quote from report No. 688:

> However, it is not the intention of the committee to permit individually ticketed service to be offered to the general public under the guise of charter. The proposed statutory definition, therefore, provides that charter shall not include such individually ticketed service whether offered by an air carrier directly or by a travel agent.
>
> This restriction is subject to one exception because there is one circumstance in which a carrier or travel agent may offer the services to individual members of the public and still conform to the traditional concept of charter. This is in connection with an all-expense-paid group tour. If a travel agent charters an aircraft for an all-expense-paid tour and then offers to individual members of the public the right to participate as a member of the group, this is a very different sort of service from individually ticketed transportation.
>
> The committee has received representations that this exception is open to the abuse that it might be used as a guise to offer individually ticketed service. However, the Civil Aeronautics Board has ample authority, because of its power to specify the terms, conditions, and limitations of the certificate under section 401 and its general power to make any necessary rules or regulations to carry out the provisions of the act under section 204, to prevent any violation of the clear intent of the statute. This the Board can accomplish by specifying in its regulations the minimum requirements which must be met before the service offered qualifies under the statutory exception.

That is about as clear as the English language can express that we want no individual ticketing and this is a specialized type of service and must comply with stringent regulations applying to tour services as laid down by the Board.

Mr. COTTON. The Senator has already partially answered my other question. I understand that the Civil Aeronautics Board prescribes rules that define the requirements for inclusive tours, such as the number of stops, the inclusion of land arrangements, the price in relation to scheduled air fares and size of group which must travel together throughout the tour, and that the Chairman of the Civil Aeronautics Board has given assurances that these rules will continue requirements for inclusive tours that will insure that they are not used as a device for selling individually ticketed passage to members of the general public and thus divert traffic from the scheduled carriers.

Mr. MONRONEY. The Senator is exactly correct. I think the Board has diligently enforced it and has seen to it that this type of service is not competitive with normal travel service which provides individual ticketing.

Mr. COTTON. I thank the Senator.

Mr. MONRONEY. Does the Senator withdraw his motion?

Mr. MAGNUSON. Mr. President, from the colloquy between the Senator from New Hampshire and the Senator from Oklahoma, I think it is clear that the only purpose of this legislation is to put these people in the same position they were in before the court ruled—no more and no less.

Mr. COTTON. I thank both the chairman of the full committee and the Senator from Oklahoma. I do not want to preclude what other Senators may wish to say. I withdraw my motion.

Mr. MONRONEY. Mr. President, may I join with the chairman of the full committee in saying that is the purpose of the bill. That is the way it was reported by the Commerce Committee. That is the way it is before the Senate.

Mr. COTTON. May I withdraw the motion before the Senator yields to the Senator from Alaska?

Mr. MONRONEY. I think the Senator from Alaska has a comment to make on this matter.

S. 3566 WOULD BE INJURIOUS TO SCHEDULED AIR CARRIERS

Mr. GRUENING. I wish to add my comment to that of the Senator from New Hampshire [Mr. COTTON] in opposition to S. 3566.

Mr. COTTON. Not exactly my opposition; I wanted to clarify my position.

Mr. GRUENING. A clarification.

The bill, if enacted, would clearly open the door for the supplemental air carriers to engage extensively in the carriage of individually ticketed passengers and would thus destroy Congress previously enacted careful and sensible definition of the respective roles of the supplemental air carriers as charter operators and the scheduled certificated carriers as operators of service for individually ticketed passengers and individually waybilled cargo.

Indeed the proposed legislation would go even further than the CAB itself went in letting down the gates for the performance of individually ticketed transportation by supplemental air carriers.

The type of travel package which could be sold to individual purchasers under the inclusive tour concept as embodied in the proposed legislation is exactly like the all-expense tour travel now promoted and sold extensively by the scheduled airlines. To permit the supplemental air carriers to invade this field would divert their efforts from the true charter function which has been properly assigned them by Congress to direct competition with the scheduled carriers for individually ticketed passengers, and will inevitably cause diversion of traffic from the scheduled carriers. This would be an unfair result under the circumstances, since the scheduled carriers are obligated to maintain regular services over established routes day in and day out, however light the traffic flow, while the supplemental air carriers are free to choose the markets they will serve at random, and to enter and leave a market at will, serving it only during its peak session.

The volume of traffic in the Seattle-Anchorage market, which is served by three scheduled carriers, is barely sufficient to sustain economically the scheduled services now offered in that market on a year-round basis. The carriers serving the Alaska markets must necessarily rely on the heavier traffic during the seasonal summer peak to provide economic support for the level of services that they have maintained during the low traffic winter months. Thus, any diversion of traffic from the States-Alaska carriers due to seasonal competition from supplemental air carriers would threaten the continuation at the present level of scheduled service between Seattle, on the one hand, and Anchorage and Fairbanks, on the other. The scheduled carriers which bear the obligation of providing service in the market cannot fairly be subjected to competition during peak traffic periods when operations are most profitable by a class of carriers which are not under the same obligation to provide year-round service.

Northwest Airlines, Alaska Airlines, and Western Airlines provide year-round service to Anchorage, during the lean winter season as well as the short peak summer season. The economics of this seasonality require that these scheduled carriers not be subject during the high traffic season to the siphoning off of such traffic by a "good-time Charlie" who serves the market only when the traffic is at its peak, and then departs for other and greener pastures for the rest of the year, leaving the scheduled carriers with the obligation of providing adequate service during the lean season. The hit-and-run approach which characterizes the supplemental carrier inclusive tour service is not in the best interest of a year-around level of adequate service. Legitimate full-plane charters are the proper role of the supplemental air carriers, not the sale of individually ticketed trips to the general public under the guise of inclusive tours, which are nothing but all-expense tours sold to individual members of the public, a business in which the scheduled airlines are extensively engaged, and have been for years, and on which traffic they must rely to make economically feasible the provision of year-around, day-in and day-out service.

A history and economic analysis of the situation of the supplemental air carriers and the issue of inclusive tour authority is well set forth in the statement of Stuart Tipton, president of the Air Transport Association, submitted to the Senate Aviation Subcommittee in the hearing on S. 3566.

The proposed legislation, if enacted, would destroy the line between the roles which Congress by Public Law 87-528, enacted in July 1962, assigned to the supplemental air carriers and the scheduled air carriers and, by putting them in competition for the same business but under different obligations as to the provision of service to the public, would create unsound and uneconomic conditions in air transportation to the serious detriment of the long-range development of our air transport system.

Mr. COTTON. Mr. President, with the assurance I have received, I ask unanimous consent that I may be permitted to withdraw the motion for reconsideration which I entered.

The PRESIDING OFFICER. Without objection, it is so ordered.

AUTO THEFT PREVENTION ACT

The Senate resumed the consideration of the bill (H.R. 14935) to amend title 39 United States Code to regulate the mailing of master keys for motor vehicles ignition switches and for other purposes.

Mr. MONRONEY. Mr. President, the bill provides a control over the indiscriminate mailing of master keys which has contributed to rising crime and automobile theft.

I ask unanimous consent to have printed in the RECORD at this point an excerpt from the report of the Post Office and Civil Service Committee which explains in detail the meaning of the bill and the committee amendment which redefined some language and added criminal penalties for violation.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE

This legislation will deter the mailing of master keys designed to operate motor vehicle ignition switches, by making master keys and advertisements offering master keys for sale nonmailable. Criminal penalties are provided for violation of the statute.

AMENDMENT

The committee has stricken out all language after the enacting clause and inserted a new text.

The bill as referred from the House of Representatives provided that, with certain enumerated exceptions, master keys would be nonmailable by the general public. The exceptions included locksmiths, motor vehicle dealers, parking lot officers and employees, and other individuals who might have a legitimate use for master keys. In order to mail master keys, both the sender and the addressee had to be within the class excepted by the legislation. A certification that both the sender and the addressee are eligible was required. No criminal penalties were provided.

The committee has changed the bill so that no exceptions will be made by the legislation, but the Postmaster General may issue regulations making such exemptions as he deems necessary. A certification process, such as that proposed in the language of the House bill, may be included in the regulations issued by the Postmaster General.

The committee has provided a penalty of a $1,000 fine or 1 year in jail, or both, upon conviction of violation of the statute.

JUSTIFICATION

Automobile theft is the third most frequent crime in the United States. During 1966, there were more than one-half million automobile thefts, resulting in a direct financial loss of more than $140 million. In 1967 there were more than 650,000 thefts. Most cars were stolen by persons less than 18 years of age.

In 81 percent of the cases of automobile theft in 1966, the reason for the theft was temporary transportation or joyriding. Entry was frequently gained by the use of a stolen key, a master key, or some other manipulation device designed to open an automobile ignition switch.

The widespread and well-advertised sale of master keys has contributed to auto theft. The Senate Subcommittee on Juvenile Delinquency revealed in a recent study that one master key seller sold 22,000 sets of keys in 18 months, largely by direct mail advertising and advertising in magazines, and that in 11 cities a total of 950 mail-order key buyers had police records.

The bill recommended by the committee will drastically curtail illegitimate distribution of master keys by making them nonmailable by the general public, and prohibiting the mailing of advertisements for the sale of master keys. The committee believes that persons, businesses, or Government agencies which have a legitimate reason to mail master keys can present evidence to the Postmaster General to obtain exemption from the provisions of the statute. Automobile manufacturers, for instance frequently mail sets of master keys to automobile dealers. They are probably the largest business in the United States to use the mail for the distribution of master keys directly related to their business. Automobile parking lot attendants or automobile clubs, however, have a much less discernible need for distribution of master keys. In any case, the Post Office Department is in a better position than the committee to evaluate evidence and issue regulations governing exemptions from the statute.

Mr. MONRONEY. Mr. President, the bill has the support of the Post Office Department and the Department of Justice. I know of no opposition to the proposed legislation.

I now send to the desk amendments to the bill and ask for their consideration.

The PRESIDING OFFICER. The amendments will be stated.

Mr. MONRONEY. Mr. President, I ask that the amendments not be read but that they be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendments, en bloc, are as follows:

On page 3, line 17, it is proposed to insert immediately after the word "That" the phrase "sections 1 through 4 of".

On page 5, line 8, insert immediately after the words "made by" the phrase "sections 1, 2, and 3 of".

At the end of the bill add the following new sections:

SEC. 5. Section 5341 of title 5, United States Code, is amended by adding at the end thereof the following new subsection:

"(c) Whenever any Federal board, agency, or other group makes wage surveys for the purpose of establishing wage schedules for employees referred to in section 5102(c)(7) of this title, such board, agency, or other group shall make a determination of whether there exists in the wage area a sufficient number or kind of comparable positions or activities to establish prevailing rates for one or more Federal positions or activities. After consideration of relevant evidence, including evidence submitted by employee organizations recognized as representative of employees in the area, a written decision shall be issued. If the board, agency, or other group finds that there is not a sufficient number or kind of comparable positions or activities, the rates for the area shall be in accordance with prevailing rates paid in another area which has a sufficient number of comparable positions or activities and which is determined by the board, agency, or other group to be most similar in the nature of its population, employment, manpower, and industry to the wage area for which rates are being determined.".

SEC. 6. (a) Chapter 203 of title 18, United States Code, is amended by adding at the end thereof the following new section:

"§ 3061. Powers of postal inspectors

"(a) Subject to subsection (b) of this section, postal inspectors may, to the extent authorized by the Postmaster General—

"(1) serve warrants and subpenas issued under the authority of the United States;

"(2) make arrests without warrant for an offense against the United States committed in their presence; and

"(3) make arrests without warrant for a felony cognizable under the laws of the United States if they have reasonable grounds to believe that the person to be arrested has committed or is committing such a felony.

"(b) The powers granted by subsection (a) of this section shall be exercised only in the enforcement of laws regarding property of the United States in the custody of the postal service, the use of the mails, and other postal offenses.".

(b) The analysis of chapter 203 of title 18, United States Code, immediately preceding section 3041, is amended by adding at the end thereof the following new item:

"3061. Powers of postal inspectors.".

Mr. MONRONEY. Mr. President, the amendments are extraneous to the purpose of H.R. 14935, but because of the severe limits of time now imposed upon the Senate by our hopes for adjournment, I hope the Senate will adopt the amendments, to expedite the business of the Senate.

The amendments have two purposes. First, they will clarify Federal law concerning the authority of a postal inspector to arrest persons who violate Federal criminal statutes relating to postal operations.

The language of title 39, United States Code, uses the words "effects arrests" rather than "makes arrests" or some other word that clearly authorizes arrest authority. I do not believe either Congress or the postal inspection service has ever had any doubt about an inspector's authority to make arrests, but in several lower courts of the Federal judiciary, a question has arisen, and in at least one case a Federal district court held specifically that postal inspectors do not have the authority to arrest violators of postal laws.

My amendments, which have the very strong support of the Postmaster General, would amend title 18 of the U.S. Code to make clear beyond doubt that postal inspectors can make arrests pursuant to a warrant, make arrests for crimes committed in their presence, and make arrests when they have reasonable grounds to believe that a Federal felony has been committed. The authority will relate only to violations of postal laws.

The amendments have been discussed with the chairman of the Committee on the Judiciary and have his approval.

The second portion of the amendments include language which was in S. 2303, a bill which I sponsored last year and which passed the Senate unanimously last October 12.

Unfortunately, it appears that S. 2303 will not be enacted into law because of time limits in the House of Representatives. I believe it is vitally important that this one provision of S. 2303 be enacted, and for that reason I ask that it be accepted as an amendment to this bill.

The provision will enable the Federal Government to make fair and relevant wage comparisons for Federal blue collar employees whose skills and training do not compare with private enterprise jobs in the locality where they are working.

The nature of some positions in the Federal service is such that a reasonable comparison to positions in local private enterprise is difficult or in some cases impossible. This is certainly true when in a nonindustrial area a Federal installation, such as an Air Force base, has highly skilled technicians doing work for which there is no comparable position in private enterprise in the locality.

The language of my amendments will require that the wage-determining committees or boards determine whether comparable jobs exist, issue a written decision, and go beyond the immediate area if they do not find comparable jobs in the area.

I ask that the Senate adopt the amendments and pass the bill.

Mr. KUCHEL. Mr. President, I am most pleased to see the Senate, at long last, about to act against one of the leading causes of auto theft in America. This legislation will deter the mailing of master keys designed to operate motor vehicle ignition switches.

In September of 1965, I introduced the first proposal in this area—S. 2524. This bill would have required that no master key could be shipped in interstate commerce to a person prohibited by State law from receiving or possessing master keys. It was designed to encourage States to establish appropriate controls dealing with the sale of master keys. The 89th Congress failed to act on this proposal.

In January of 1967, I again introduced the same legislation. But again, the 90th Congress has failed to act.

Automobile theft is the third most frequent crime in the United States. It is an offense which is usually a stepping stone to more serious crimes. More than one-half million cars were stolen in this country in 1967. The number of auto thefts has doubled since 1955. The Senate Subcommittee on Juvenile Delinquency, the Justice Department, and law enforcement officials throughout the Nation have indicated that the master key is a principal cause of such auto theft.

For a small, minimal price, any citizen—law-abiding and criminal alike—can today obtain a key from anywhere in America which will open the door of literally hundreds of cars. The time is long overdue for action in this area.

The bill now before the Senate will drastically curtail the illegitimate distribution of master keys by making them nonmailable by the general public, and prohibiting the mailing of advertisements for the sale of such keys. I congratulate the members of the Committee on Post Office and Civil Service for their efforts in bringing the bill to the floor of the Senate and enthusiastically urge the passage of this needed proposal.

I ask unanimous consent that the text of the bill which I have introduced in the current session, S. 644, be printed at this point in the RECORD.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

S. 644

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That for the purposes of this Act—

(1) The term "interstate or foreign commerce" means commerce—

(A) between any State, the Commonwealth of Puerto Rico, any territory or possession, or the District of Columbia and any place outside thereof;

(B) between points within the Commonwealth of Puerto Rico or within the same State, but through any place outside thereof; or

(C) within or between points within the District of Columbia or any territory or possession.

(2) The term "master key" means a key which will operate all the locks in a given group of locks each of which can be operated by a key which will not operate one or more of the other locks in such group.

SEC. 2. (a) It shall be unlawful for any person to sell, offer for sale, transport, or ship a master key in interstate or foreign commerce, knowing that such key is a master key, if, upon the delivery of such shipment or the conclusion of such sale or transportation, the key will be received or possessed by any person prohibited by the law of the jurisdiction within which such receipt or possession occurs from receiving or possessing master keys.

(b) Any person who violates any prohibition contained in subsection (a) of this section shall be fined not more than $5,000, or imprisoned not more than one year, or both.

Mr. RIBICOFF. Mr. President, today marks the culmination of a 2-year legislative effort to establish regulation of automobile master keys. I first introduced legislation on this subject in the second session of the 89th Congress.

The bill we are considering today is very similar to the one I proposed. It prohibits the mailing of master keys to the general public, under regulations to be issued by the Postmaster General, and forbids advertisements for these devices.

Automobile theft is the third largest category of crime in this country and master keys play a major role in these crimes. In a survey of 11 cities, 35 percent of the buyers of these keys had a police record. These keys are used not only by criminals, but also by juveniles to take a car joy riding. The legislation now before us will significantly reduce this type of conduct and add to the public safety.

This is a time of national concern about crime. This bill is an important, practical step which we can take to make our streets safer and protect the property of millions of our citizens. I urge the Senate to approve the bill.

The PRESIDING OFFICER. The question is on agreeing to the amendments, en bloc, offered by the Senator from Oklahoma.

The amendments, en bloc, were agreed to.

The PRESIDING OFFICER. The bill is open to further amendment. If there be no further amendment to be proposed, the question is on agreeing to the committee amendment in the nature of a substitute, as amended.

The committee amendment in the nature of a substitute, as amended, was agreed to.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill (H.R. 14935) was read the third time, and passed.

Mr. MONRONEY. Mr. President, I move that the Senate reconsider the vote by which the bill was passed.

Mr. BYRD of West Virginia. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

AIRCRAFT NOISE ABATEMENT

Mr. MONRONEY. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of H.R. 3400, Calendar No. 1333.

The PRESIDING OFFICER. The bill will be stated by title.

The ASSISTANT LEGISLATIVE CLERK. A bill (H.R. 3400) to amend the Federal Aviation Act of 1958 to require aircraft noise abatement regulation, and for other purposes.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill.

PRIVILEGE OF THE FLOOR

Mr. CASE. Mr. President, I ask unanimous consent that Mr. Richard A. Carpenter, senior specialist in science and technology, Legislative Reference Service, Library of Congress, be permitted to sit beside me during the consideration of the bill.

The PRESIDING OFFICER. Is there objection. The Chair hears none, and it is so ordered.

Mr. MONRONEY. Mr. President, the President, in his message to Congress in March 1966 recognized that "aircraft noise is a growing source of annoyance and concern to the thousands of citizens who live near many of our large airports." The President directed several agencies of the Government to pursue a program aimed at reducing the noise pollution of our skyways, and there was introduced into the House H.R. 3400, which is, in effect, a noise abatement bill authorizing the Federal Aviation Administrator to certify aircraft for noise control as well as for safety.

I am convinced that this legislation would effectively authorize suitable procedures for the Administrator to develop any such rules and regulations he may need to reduce aircraft noise and sonic boom.

Today, when the hazards and inconveniences caused by jet noise are becoming more serious, Congress must act, and I believe that, even though only an initial step, this legislation is mandatory. Until quieter aircraft engines are developed, the Federal Government must do something to effectively limit aircraft noise. H.R. 3400 does exactly that. Not only does it authorize the Federal Aviation Administrator to prescribe standards for the measurement of aircraft noise; it also requires him to issue such rules and regulations as are necessary to control such noise and sonic boom. Before issuing any standards, rules, or regulations, the Administrator is required to take into consideration the relevant technical data, the needs of public safety, the economic reasonableness, and the suggestions of such Federal, State, and interstate agencies as are appropriate. He must also consult with the Secretary of Transportation before prescribing or amending any standards affecting the issuance, amendment, modification, suspension or revocation of any certificate authorized by the Federal Aviation Act of 1958. All affected certificate holders may appeal a decision of the Administrator to the National Transportation Safety Board, and this Board may amend, modify, or reverse the order of the Administrator if it finds that the control of aircraft noise and sonic boom do not require the affirmation of such order, or that such order is not consistent with air safety.

Our skys are now filled with modern jets which, due to their increased numbers, are producing an increasing amount of noise. Larger aircraft with quieter engines are now being produced which may eventually decrease the discomfort of those Americans living near our major airports. This may afford them relief in a number of years, but not now, and now is the time that such relief is so desperately needed. It was needed yesterday—it will be needed tomorrow. The sooner we can provide that relief, the sooner those unfortunate residents will be able to conduct their normal lives without interference from excessive aircraft noise.

The attention given this legislation today does not, in any way, denigrate the importance of safety in air commerce or air transportation. Safety does, and always will, receive the highest priority in dealing with air travel. It is not our intention to place noise considerations ahead of air safety. However, we can now offer safety to those flying and relief to those on the ground. This is the intent of the legislation, and I strongly recommend that it receive the solid support of the Senate.

Mr. FONG. Mr. President, I commend the Committee on Commerce for recommending legislation designed to abate aircraft noise, a serious problem in many areas of our Nation, including my own State of Hawaii.

I support the general purpose of the pending bill, H.R. 3400.

Relief from such noise would be especially welcome in Hawaii, particularly in those areas near our airports. Probably no other State in the Union is so heavily dependent upon air transport as Hawaii. More than 90 percent of mainland to Hawaii passenger travel is by airplane. The only available public transportation for persons to get from one island to another in my State is by airplane. Air freight operations, too, are growing rapidly and air cargo flights are on a sharp rise.

Consequently, we have airports on every major island. Small jets can use every airport. The large mainland to Hawaii jets use Honolulu International Airport and General Lyman Field at Hilo, island of Hawaii.

In addition to civilian aircraft, Hawaii is subjected to noise from military jets which make heavy use of airfields on Oahu.

Jet training flights add to the din, as for example on Hilo where citizens strongly protested the noise from frequent takeoff and landing practice runs.

In a recent statement Dr. Fujio Matsuda, director of the Hawaii Department of Transportation, pointed out that:

> Honolulu has had a long history of aircraft noise dating back to the arrival of the first jet transports in 1959.
>
> Information available to us now indicates that the Concorde Supersonic Transport, which is expected to be operational through Hawaii in 1969, will be somewhat noisier in the vicinity of airports than any aircraft with which we are now familiar. A conceptual plan for Honolulu International Airport has just been completed and is in the final stages of refinement within our department. The recommedations include a new jet runway and the extension of the existing runway to reduce community noise levels during takeoffs, and landings. This effort will be negated, however, if the noise level created by aircraft is permitted to increase appreciably.

I can assure the Senate that the noise from the big jets—military and civilian—is far more than just a nuisance to residents of areas adjacent to our jet runways. It is a real headache to them. I have had numerous letters from citizens of Hawaii stating their alarm and concern. Noise from aircraft landings and takeoffs interrupts conversations; drowns out radio, phonograph, and television reception; awakens sleeping children and interferes with sleep at night. It becomes a continuing irritant, day and night, making life most unpleasant at times.

Recently, a group of interested citizens in Honolulu formed a noise control committee. This group has set out to accomplish three objectives for this serious problem: First, physical control; second, legislation; and third, public education. These efforts are not limited to aircraft noise, but to other sources of undue noise as well. Such activities give evidence of the growing concern among Americans with the deleterious effects of noise and the need to keep the noise level in our environment at an acceptable level.

I ask unanimous consent, Mr. President, that several articles appearing in Hawaii newspapers describing the noise problem be printed in the record at the conclusion of my remarks.

The Preamble of the Constitution of the United States sets forth as one of its purposes the insuring of "domestic tranquillity." More and more today, as the sound effects of modern life bombard Americans, there is a need to promote "domestic tranquillity" by reducing noise.

Aircraft are not the only source of unusually loud noise, but since they are a significant source, the pending bill directs the Federal Aviation Administartor to establish noise abatement standards for aircraft noise and sonic boom. Procedural safeguards are included, as well as provisions to assure that aircraft safety will be paramount in any noise abatement requirements.

Briefly, H.R. 3400 requires that the Federal Aviation Administration must establish and apply standards, rules and regulations to reduce unnecessary aircraft noise and sonic boom. The goal is the lowest possible level of disturbance consistent with safety and the public interest. Promulgation of rules and regulations must be in the manner prescribed by law to afford all interested parties notice and opportunity to be heard.

The Administrator is required to consider, among other things, relevant data on aircraft noise and sonic boom, to consult with other agencies, to consider safety and the public interest in an air transportation system, and to consider economic reasonableness and technological practicability.

Certificate holders would have the same notice and appeal rights that exist under section 609 of the Federal Aviation Act for application of safety standards in amending, modifying, suspending or revoking a certificate. Except in an emergency, the Administrator must afford the certificate holder opportunity to be heard before issuing any order.

On appeal to the National Transportation Safety Board, the Board is not bound by the Administrator's findings of fact. The Board may amend, modify, or reverse his order. Provision is also included for judicial review.

As the Senate Commerce Committee stated in its report:

> A completely quiet airplane will not be developed within the foreseeable future. However, with the technological and regulatory means now at hand, it is possible to reduce both the level and the impact of aircraft noise.

We know that much research remains to be done to find ways to quiet aircraft engines and operations. I believe this bill will offer incentive to step up such research.

Secretary Alan S. Boyd, of the Department of Transportation, in his recent remarks before the Senate Commerce Committee Aviation Subcommittee, reported that his Department has established study panels in eight major areas in which investigations are being conducted to identify the noise reduction potential within each of these areas: First, aircraft noise research; second, aircraft operations; third, sonic boom research; fourth, aircraft and land use; fifth, natural environment; sixth, legal; seventh, structures; and, eighth, human response.

It is further reported that the Departments of Housing and Urban Development—HUD, Interior, Defense, Transportation and National Aeronautics and Space Administration—NASA—are providing assistance for the panels and support for studies in these areas. In addition, representatives from outside the Government have been and will continue to be solicited for their advice and recommendations on this program.

I am encouraged by the concerted effort on the part of Government departments and agencies that have combined to cooperate with their respective resources and abilities in confronting this most serious problem to our country. I support this effort.

The cooperation, understanding and assistance of all are vitally needed in this difficult area to find the answers. Aircraft designers, engine designers, manufacturers, pilots, government at all levels, and citizens must work together.

Even though there are no easy or fast answers, I believe the pending bill can be an effective lever in giving great impetus to all concerned to find solutions.

I urge the passage of H.R. 3400.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Hawaii?

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

[From the Honolulu Star-Bulletin, Mar. 18, 1968]

DAILY NOISE DIET

SIR: The airport in Kahului has long been a bone of contention and irritation between the State and Spreckelsville residents. Miles of beautiful beach from Kahului to Paia have been ruined with noise pollution and condemnation for airport expansion.

Our beach property which is adjacent to the airport, has become increasingly noisy in the last 14 years. I smile when I think back on the DC3s that bothered us at one time . . . then the Convairs, and now jets.

But my everlasting enmity and rage are directed at an interloper. Since September 1967, Japan Air Lines has been practicing blind-flying, using the instruments at Kahului airport. They began with a three engine jet and now have added one with four jets.

It is the kind of noise that jars the fillings in teeth, pierces sinuses, and paralyzes all activity. It takes 25 seconds for the noise to dissipate sufficiently to talk to a person standing just feet away from you. Phone conversations stop. And I have come to, after such a pass-over, and found myself rooted to the floor, hands gripping a chair. And the noise doesn't happen just once in a while but is a grinding day-after-day occurrence.

Condemnation of a quarter of a mile of beach property about one-half mile down the road from us and the subsequent leveling of all buildings and trees in that area have made a difference. The trees which were thick and forest-like (iron-woods and coconuts) absorbed much of the sound that now is reflected off cleared, barren sand.

As I never will willfully fly JAL I cannot see that any benefits will accrue to me as a result of better trained JAL pilots nor do I see how the citizenry in general benefits in the least from the noise.

To quote President Johnson in the Star-Bulletin, March 8, noise pollution . . . "intrudes on privacy, shatters serenity, and can inflict pain . . ." a neat summary of what JAL is doing to residents in Spreckelsville. Certainly our nerves are frayed, and our children may grow up with hearing losses.

MARGARET H. CAMERON.

[From the Honolulu Advertiser, June 8, 1968]

NEW GROUP IS ANTINOISE

A new Honolulu committee is seeking to stamp out noise in Honolulu.

Chairman is Emmett A. Cahill, one of the organizers of the committee.

Cahill said the group met about a month ago "simply because we read stories in The Advertiser that this was a problem and we wanted to do something about it.

"We've been amazed to find that a wide segment of the community is interested in this problem and is volunteering to help."

He said that after initial informal meetings, the group asked Mayor Neal S. Blaisdell for help.

Blaisdell agreed. He will name representatives of the City Planning Department, Public Works Department and Traffic Department to the committee.

Officials of the committee, in addition to Cahill, include Clare Beck, vice chairman; Scott Hamilton, chairman of the subcommittee on residential noise; Robert W. Hall, chairman of the subcommittee on aircraft noice; Louis Pursel, chairman of the subcommittee on industrial noise; and Noel Thompson, chairman of the subcommittee on vehicular noise.

Other founding members are Mrs. Dee Prather of the Hawaii Visitors Bureau; Robert Rinker of the Hawaii Hotel Association; and William Grant of the Oahu Development Conference.

Cahill said, "We expect that in about six months we will have our preliminary research, evaluation and recommendations prepared.

"We can't eliminate all noise, but we can cut it down."

[From the Honolulu Advertiser, June 12, 1968]

SCHOOL ADVISORY BOARD HEARS ALL ABOUT JET NOISE

(Note.—Ronald Kiaaina, president of the Kalakaua Intermediate PTA, stood up at Monday night's meeting of the Honolulu District School Advisory Council, and shouted at the top of his voice:

("We've . . . got . . . to . . . do . . . something . . . about . . . these . . . planes . . ."

(Kiaaina had to shout to compete with the roar of a passing jet.

(" I've been keeping count throughout this meeting," he said. "During the past two hours, we've had 12 interruptions by jet noises.")

Among the people being disturbed by jet aircraft noises are students, the Honolulu District School Advisory Council was told Monday night.

The council passed a motion by Philip R. Mayer that jet noises "should not be allowed to continue to interfere with the education of the children of Hawaii."

The Board of Education and other interested agencies will be advised of the council's concern.

The meeting, at the Kalakaua Intermediate School auditorium, was told that attempts to have the planes change their flight patterns had met with "a series of frustrations."

Dr. Richard E. Ando, chairman of the Board of Education, said attempts are being made to make new school buildings soundproof "Wherever it is deemed necessary by the architects."

Members discussed how the council could help in such areas as child-parent communication, encouraging more involvement of the community in the school, counseling and guidance programs, and the problem of foreign students with little or no command of English.

A report on the effectiveness of various methods of punishment to discipline students was deferred to the next meeting.

Stanley G. Mitsuo, principal of Kalakaua Intermediate, read a report on disciplinary problems at the school.

He said they included fighting, insubordination, cutting classes, smoking, gambling by coin-flipping and hijacking.

"We had 32 reported hijacking cases between September and June," he said. "Most of them were ninth grade bullies who demanded lunch money from seventh graders. Sometimes older children from other schools in the area will pull the same trick on our youngsters outside the school.

"We would like to have the students help us with some of the problems we have had in school."

He said attempts are made to investigate a child's home background before disciplinary measures are taken.

"We also seek the cooperation of parents wherever possible," he said.

Willard P. Mirasol, council chairman, presided at the meeting.

[From the Honolulu Advertiser, Apr. 6, 1968]

JAL'S HILO TAKEOFF

Japan Air Lines' decision to give up its jet training, operation in Hilo is well for everyone concerned.

Whatever economic benefits the program brought or further promised were cancelled out by the noise and pollution from the big jets winging in and out.

Not only does Hilo cater to an increasing number of visitors, its leaders have their own ideas of what constitutes progress. As County Chairman Shunichi Kimura said, it was a matter of "the kind of life we want here."

Under such circumstances, JAL is wise to withdraw for its own public-relations good. On balance, Iwo Jima should prove better for such necessarily-noisy training.

In the process, the decision is a good one for Governor Burns who found himself at odds with Chairman Kimura and many other Big Islanders. The Governor had some points, but they were balanced out by citizen concern.

His most important point may be the one about the future of the Big Island city:

"When Hilo joined Honolulu in the handling of overseas air traffic, it also accepted the concurrent shift to industrialization, noise and air pollution that inevitably accompany a major jet airport."

Hilo is far from the major jet airport class yet, and its citizens are wise in not wanting to hasten the impact with training flights of empty jets carrying no tourists.

But in this sense the Governor may be right in that they have had a taste of their future.

[From the Honolulu Advertiser, June 28, 1968]

WAR AGAINST NOISE OPENS ON SEVERAL FRONTS

The war against noise in Honolulu is moving forward on several fronts. Generated by a series of articles on noise pollution in The Advertiser, the campaign has grown from a small committee started by Emmett Cahill to the Mayor's Noise Control Committee, with numerous sub-committees.

One of the first sub-committees to blast off is the residential noise group headed by Scott D. Hamilton Jr.

Invitations have been issued to 63 neighborhood and community association groups to attend a meeting tentatively slated for July 17, though time and place have not been determined.

"We plan to hold public hearings at selected sites throughout Oahu and involve the public on a large scale, because residential noise affects everyone," Hamilton said.

Hamilton, who is also an urban planner and president of the Conservation Council for Hawaii, says his committee will cover most frequent abuses such as firecrackers, animal noise, entertainment, business activity, vehicle racing and traffic patterns.

"We plan to zero in on means of action, and decide whether cases need public education, physical control, law enforcement, law suit, or another type of remedy."

Hamilton said Dr. James Shoemaker, executive director of the Waikiki Improvement Association is a member of the committee, as well as Dr. C. M. Burgess, Honolulu surgeon who recently won a dog noise suit in court.

Other committee members and plans will be announced later, he said. "Final reports should be ready for the mayor by September."

Meanwhile, the main committee, under the direction of Cahill, will meet July 3 for breakfast at the Green Turtle. They plan to discuss ordinances that are effective on the Mainland.

"But we are trying to cure noise problems, more by letting people know they can do something about it," Cahill said. "If people are aware that we already have some regulations to control noise on the law books, maybe they will start complaining. We need something to jar them out of apathy, though I must say, so far, everyone has been most cooperative.

"We've had many calls, but we expect more. If you have a gripe, let us hear it," he said.

Calls may be made directly to Mr. Cahill, or one of the members.

Committee chairmen are: Clare Beck, vice chairman; Robert W. Hall, aircraft noise; Louise Pursel, industrial noise; Robert Rinker, vehicular; Dee Prather, co-chairmen of residential.

Others serving on the executive committee are Allan B. Bell, William Grant, Larry Ching, Noel Thompson.

City and County representatives appointed by the Mayor are: Captain Eugene Fletcher, police; Roy Ho, city traffic; Tooru Murakami, public works; Robert Nui, urban renewal; John Peters, prosecuting attorney; Verne Winquist, city planning.

A city councilman will be appointed by the mayor later.

Mr. PROUTY. Mr. President, the pending bill, H.R. 3400, has been reported from the Committee on Commerce without objection.

Everyone who has been near an airport for a very short time knows what a great problem the question of aircraft noise has become. This noise is a problem especially for people who live or work in the proximity or airports, but it is an inconvenience for anyone whether or not he has ever flown. Indeed, those of us who live in Washington are acutely aware of the problem of aircraft noise. There are few busy airports which can handle jet traffic that are located as close to the center of the city as is Washington National Airport. Washington National Airport is the perfect justification for studies in aircraft noise abatement. Mr. President, in support of H.R. 3400, I make no effort to chastise the operators of airlines or the manufacturers of aircraft. It simply is an effort to recognize a very great problem with which we must come to grips. This, in turn, can be done only through an effort to abate aircraft noise to the point where it no longer is the disruptive force in our lives that it is at the present time.

I am well aware of the efforts which industry itself has made in an effort to reduce aircraft noise. They are doing a great deal, and deserve praise for their efforts in this direction.

There are areas, however, in which Government research and effort can supplement those of industry. Since aircraft noise involves our entire population, cooperative efforts are necessary to accomplish the goals which we have set for ourselves.

As the committee report points out, there are several approaches to the abatement of aircraft noise. We can, of course, reduce the noise problem through improved techniques of manufacture and design. It is in this area where industry, I think, has done such good work. There are, of course, other approaches to this noise reduction which include techniques and procedures for flight operations. Since the operation of the airways has been preempted as a National Government concern, it is in this area where, I hope, progress can be made by FAA. State and local governments can contribute through zoning and through the wise use of land in close proximity to airports.

The pending bill seems to me to be a proper approach to this increasingly serious matter. The appropriate agency to handle this problem, the FAA, is, I think, admirably equipped to perform the tasks assigned to it under this bill.

I would not endorse legislation which would give to any Federal agency life or death jurisdiction over aircraft travel. Indeed, the traveling American public simply would not stand for such legislation.

While the bill gives to FAA the authority it needs to begin abatement of aircraft noise, it also includes what I think are necessary and desirable restrictive criteria. Among other things, the Administrator is certainly required to consult with State and interstate agencies on the problem and to consider all safety aspects, as well as economic reasonableness. In addition, an opportunity to be heard, which is so necessary in the orderly procedure in such cases, is part of this bill. Before any standards can be set, certain procedural safeguards, protective of all interests, are required to be exercised.

One other feature of the bill which I think is important is that included within the term "noise for purposes of abatement" is the term "sonic boom." There is certainly a difference between the simple noise of aircraft as they take off and land and what is called sonic boom. Since sonic boom is an "inflight" phenomenon, it is certainly peculiarly within the jurisdiction of the Federal agency. I would certainly hope, therefore, that the progress which can be made in this area of noise abatement might be directed as much toward the adverse effects of sonic boom as toward jet noise generally. This, I think, was certainly our intention as we considered this legislation.

Mr. President, I wish to thank and to congratulate the subcommittee chairman, the Senior Senator from Oklahoma, for his work with this bill. His concern in the field of noise abatement is indeed genuine and his labors to come to grips with it have been dedicated.

Several Senators addressed the Chair.

The PRESIDING OFFICER. The Chair recognizes the Senator from New Jersey.

AMENDMENT NO. 876

Mr. CASE. Mr. President, on behalf of the Senator from Wisconsin [Mr. Proxmire] and myself, I call up amendment No. 876 and ask that it be stated.

The PRESIDING OFFICER. The amendment will be stated.

The legislative clerk proceeded to state the amendment.

Mr. CASE. Mr. President, I ask unanimous consent that further reading of the amendment be dispensed with and that the amendment be printed at this point in the Record.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment, ordered to be printed in the Record, is as follows:

On the first page, line 10, strike out "and sonic boom".

On page 2, line 2, strike out "and sonic boom".

On page 2, line 5, strike out "and sonic boom".

On page 2, line 12, strike out "and sonic boom".

On page 3, lines 9 and 10, strike out "or sonic boom standards, rules, or regulations" and insert in lieu thereof "standards, rules, or regulations issued pursuant to subsection (a)".

On page 3, line 15, strike out "or sonic boom".

On page 3, line 18, strike out the quotation marks and between such line and line 19 insert the following:

"(d) The Administrator shall (1) prohibit nonmilitary aircraft, singly or in any combination thereof, from being operated over the United States (including territories and possessions thereof) in such a way as to produce sonic booms, but such prohibition shall not apply to aircraft used in the investigation and study herein authorized; (2) conduct a full and complete investigation and study for the purpose of determining what exposures to sonic booms (amount and frequency) are detrimental to the health and welfare of any persons, and such investigation and study shall include (A) consultation with the Secretary of Health, Education, and Welfare, the Secretary of Defense, the Secretary of Housing and Urban Development, the Secretary of Interior, the Secretary of Commerce, the Administrator of the National Aeronautics and Space Administration, and the President of the National Academy of Sciences, and (B) such research as may be necessary, which shall include, but not be limited to, the startle effect and physiological or psychological problems that result from sonic booms and the possible detrimental effects on preservation of natural beauty and historic shrines; (3) within one year from the date of enactment of this subsection make a report to the Congress on his findings as of that time, together with the written comments of the above-mentioned officials; and (4) no later than two years from the date of enactment of this subsection, report to Congress on the final results of his findings, together with the final written comments of such Federal officials."

Mr. CASE. Mr. President, H.R. 3400 is a bill to control aircraft noise and sonic boom. Its purpose is altogether admirable. Insofar as the measure deals with aircraft noise, it seems adequate. Insofar as it purports to deal with sonic boom, it is less than adequate.

Our amendment would transfer all provisions relating to sonic boom to a new section which would deal exclusively and, I believe, more effectively with this problem. Our amendment would strengthen the sonic boom provisions by incorporating in the bill the provisions of S. 3399, a measure I introduced earlier this year to deal with sonic boom from commercial supersonic transports—SST's.

The new section we would add to H.R. 3400 would, first, provide for a 2-year scientific investigation of the sonic boom and its effects by the Federal Aviation Administration in consultation with seven departments and agencies; and, second, ban all nonmilitary flights at supersonic speeds over the United States and its territories and possessions until Congress, after reviewing the results of the investigation, determines whether the prohibition against supersonic overflights should be continued.

The study we propose would touch on all aspects of the sonic boom—from the impact on human beings and physical structures, to the potential for minimizing the boom itself. Interim and final reports to the Congress would be required.

Our amendment recognizes, as no one can dispute, that sufficient knowledge is not now on hand to permit setting sonic boom standards. It says, in effect, that much more must be learned of the boom, and particularly its effects on people, before we can determine how to deal with it.

The prohibition of overland flights of SST's is necessary to protect the public until the results of the proposed investigation can be evaluated.

Mr. BYRD of West Virginia. Mr. President, will the Senator yield so that we may ask for the yeas and nays?

Mr. CASE. Mr. President, I am happy to yield.

I ask for the yeas and nays.

The yeas and nays were ordered.

Mr. CASE. Mr. President, the Federal Aviation Administration could impose such a ban, but it has not done so to date. In this connection, I want to stress that the Administrator of FAA is charged by law with providing "leadership and direction to a national Government-industry program leading to the design and development of a commercial supersonic transport aircraft which is safe, economically sound, and superior in operating performance"—U.S. Government Organization Manual of 1967–68.

In the circumstances, it seems clear that to place upon the FAA the responsibility for restrictions on overland flights is like putting the fox in the chicken coop.

Congress itself must act clearly to see that the public interest is adequately protected. Under our amendment, Congress, and Congress alone, would make the decision on overflights. Only Congress will have the final say on whether the American public will be subjected to an incessant bombardment of sonic booms.

In 3 years or less, the Anglo-French SST, the Concorde, is scheduled to enter commercial service. Seventy-four of these planes have been reserved both by U.S. airlines and foreign airlines which fly to our shores. Barring further design delays, the first U.S. SST may roll off production lines by 1975 or 1976. The American fleet may number anywhere from 200 to 1,200 planes.

Sonic booms will follow continuously in the wake of each of these planes flying at supersonic speeds. The booms will be heard for between 20 and 40 miles on either side of the SST's. The booms will be at least as noisy as a thunderclap and certainly more destructive.

In the recent "booming" of the Air Force Academy in Colorado by a supersonic F–105 Thunderchief jet, an estimated 300 windows were shattered by the sonic blast and, according to news reports, 15 persons were injured.

While much more remains to be learned about the effects of the boom on structures, we do know already that it also can crack plaster, pop nails, and shake bric-a-brac from walls. It has also caused damage to ancient geological formations. The Citizens League Against the Sonic Boom has estimated that "200 SST's flying routinely over the United States would do about $1,500,000 damage a day."

Dean DeWitt Stetten of the Rutgers Medical School in New Brunswick, N.J., wrote me recently that he had experienced some of the Oklahoma City boom tests. He states that the booms were responsible for "shattering windows, morale, sleep, and conservation."

Because the boom comes with such suddeness, its "startle" effect may be one of its most dangerous aspects. Little is known about "startle," and it is, therefore, one of the prime problems that would be explored by our proposed investigation.

Presently, little hope is held out for reducing the sonic boom. For example, the National Academy of Sciences warns us not to expect any "dramatic" reductions in sonic boom intensities in the foreseeable future. The Air Force is even gloomier, saying that there is no known way in the present state of the art to reduce the pressure wave produced by a plane going faster than the speed of sound.

A recent issue of the magazine Aerospace Technology states that no one in either NASA or the Department of Transportation believes that the current research program will yield results measurably reducing the boom from the SST model currently being developed.

In a recent report on human responses to the sonic boom, the National Academy of Sciences questions the usability of the current version of the SST for overland flights because of the psychological impact of the sonic boom. The NAS recommends further study of human responses, particularly the effect on sleepers; it also urges measuring the full range of social costs of the SST against the foreseeable benefits.

The question may be asked—and it will no doubt be asked—as to the necessity of our amendment. Some will say that H.R. 3400 provides everything that is necessary to protect the public.

The simple answer is that our amendment puts the ban before the boom, rather than attempting to impose such a prohibition afterward, when the atmosphere will be charged with emotional as well as economic considerations, not to mention sonic explosions.

Our amendment allows the long, difficult but essential research effort to go forward in an atmosphere of intellectual and scientific, rather than emotional concern. I would think the air transport industry would get much fairer treatment under our plan than if regulations are attempted to be developed while the public is being boomed daily.

Ordinary aircraft noise is not the same as sonic boom. The physical phenomena are quite different and the effects on human beings are not comparable. The boom is heard by persons everywhere along the flight path; noise is troublesome mainly in the vicinity of airports. The boom is a function of size and shape; noise is related chiefly to engine characteristics.

These two problems are lumped together in H.R. 3400 as reported. They need to be treated separately to avoid confusion in the administration of the law and in the scientific and technical effort necessary for their elucidation.

Our amendment preserves the regulatory approach to aircraft noise contained in H.R. 3400. Aircraft noise is with us now and will have to be reduced in a context of airline economics and safety.

Boom is not with us now. It can be, and it must be, prevented from becoming encumbered with economic commitments of an overland fleet of SST's before the knowledge to control it is in hand.

Aircraft noise will be controlled by difficult trade-off decisions which society will be forced to make under considerable economic pressure.

But under our amendment the boom control regulations can be developed objectively before, and only before, overland flight economics become involved.

Only by voting for our amendment can those concerned about the boom assure that this hazard will be judged as it should be—that is, before it becomes entangled with vested interests. If one votes against our amendment, he is missing an opportunity to simplify and clarify the separate tasks of noise abatement and boom avoidance.

We have here the chance to assess a technological consequence before it engulfs us. We have here the chance to find out the price of progress before we are required to pay it.

I believe Congress must make the final decision on overland flights because Congress is the only institution of government which can integrate all the needs of society into such a profound policy decision. The executive branch necessarily defends its programs and is loath to adopt a regulation which would limit the success of a project.

Only Congress can meld the differences of public opinion, industrial, economic, and social gains and costs, and the long-range implications for national security and strength which go into such a decision.

This is the historic role of Congress in major technological matters. We do not leave the decisions on major water resource projects to the Department of the Interior. Had Congress, for example, not acted to resolve conflicting interests and values in the central Arizona project, two hydroelectric dams might today be ticketed for the Grand Canyon of the Colorado.

Congress must make high-policy decisions of this nature. They cannot be, and should not be, left to the agencies of Government which are understandably prone to a philosophy—naturally enough, and laudably, too—of project success and self-perpetuation, and also vulnerable to pressures by narrow and parochial interests.

We cannot—we must not—leave the decision on overland supersonic flights to the agency that, as I have already pointed out, is by law the chief advocate and director of development of the SST, the Federal Aviation Administration. There is no body other than Congress to make this decision, which carries such profound social and economic consequences.

I believe we should face our responsibility and reserve to Congress the final decision on SST overflights.

Mr. President, I ask unanimous consent to have printed in the Record the following documents: an article entitled "Sonic Booms Threatening Indian Cliff Dwellings in Arizona National Parks," published in the New York Times of July 5, 1968; a letter dated February 23, 1967, from the Assistant Director of the National Park Service; a resolution adopted by the Wilderness Society and reported in their magazine of the fall of 1967; an article entitled "The Boom Over the Sea," published in the New York Times of June 17, 1967, written by Bo Lundberg; an article entitled "Ban the Boom," published in the Washington Star of July 2, 1968; an equally splendid editorial published in my home State newspaper, the Elizabeth Daily Journal of June 25, 1968, entitled "Here Comes the Boom"; an article entitled "Concern Over Sonic Booms," published in the Weekly News Spotlight of June 10, 1968; an article written by John E. Gibson, dean of engineering of Oakland University in Michigan, printed in the Record on July 22, 1966.

There being no objection, the material was ordered to be printed in the Record, as follows:

[From the New York Times, July 5, 1968]

Sonic Booms Threatening Indian Cliff Dwellings in Arizona National Parks

(By Ralph Blumenthal)

Canyon de Chelly National Monument, Ariz.—The jet age phenomenon of sonic boom continues to threaten the stone age phenomenon of prehistoric Indian cliff dwellings and natural rock formations here and elsewhere.

Since Aug. 11, 1966, when a Navajo Indian saw a sandstone cliff crumble and crush a cliff dwelling as a wave of air from an invisible military jet roared through Canyon del Muerto here, the number of sonic booms has generally been rising.

The dangers that the still mysterious booms pose for humans and animals, for 1,000-year-old Indian pueblos and 100-million-year-old rock are the subject of a new study being planned.

Meantime, however, park rangers and personnel flinch not only from the booms but also from what they imagine to be happening to the walls of the monuments the Government sends them to protect.

"Everytime it booms," said Donna J. Byrne a park employee at the 700-year-old Montezuma Castle Indian pueblo at Camp Verde, Ariz., "I run out to see if it's still there."

DAMAGE REPORTED

Utah's Bryce Canyon, with its lacework of red sandstone columns carved by erosion, and the Indian dwellings at Mesa Verde, Colo., are reported to have suffered damage from booms.

At Canyon de Chelley (pronounced duh Shay) within the Navajo reservations that takes up much of northeast Arizona, the chief park ranger, Kevin McKibbin, said:

"I've even seen them (the booms) move our front glass doors. Sometimes when they're really intense, they'll open a door."

He did not reply when asked what he thought such shocks might be doing to the pueblos.

The vastness and isolation of the 35-mile-long canyon, which is 1,000 feet deep at some points, he noted, made it unlikely that any further damage short of another collapse would be witnessed or even noticed afterward.

The booms are a shattering noise at ground level from the shock of air being compressed by an overhead jet flying faster than the 660-mile-an-hour speed of sound.

At the request of the National Park Service in Washington, Mr. McKibbin and his counterparts at other parks have been keeping a log of the booms they hear.

The Canyon de Chelly record shows that since the '66 collapse there have been about eight booms a month.

In April of 1967, the number of booms hit 16. Last April there were 19, four of them classified as "extreme," in May 20, half of them extreme, and in June nine light-to-medium booms. There have been other dips after particularly noisy months.

The possibility of new collapses is especially distressing to Mr. McKibbin and his aides because none of the several hundred pueblos and ruins have been excavated yet.

Those concerned about the boom problem may find some encouragement in the study being planned by the Natural Environment Panel, one of eight panels participating in the interagency Aircraft Noise Abatement Program under the Secretary of Transportation.

The panel chairman, Dr. Robert Linn, said that plans called for placing "transient data recorders" at four national parks—Yellowstone, Yosemite, Bryce and Mesa Verde.

The instruments, he said, will turn on automatically and record the frequency and intensity of the booms. In addition, he said, tests are being devised to examine the effect of the booms on human and animal life.

Dr. Linn said that the Air Force "has been notified on several occasions" of the danger to national park treasures. Commercial jets now do not break the sound barrier. The Air Force likes the wide-open Western skies above the desert for its test flights.

After the study results are in, Dr. Linn said, "we believe it possible to get some adjustment [from the Air Force.]"

"So far there's been no real effort to document the commandment: 'Thou shalt not make sonic boom in certain areas'," he said.

Hon. ——— ———,
U.S. Senate,
Washington, D.C.

Dear Senator ———: Secretary of the Interior Udall has asked us to respond to your recent inquiry concerning the effect of sonic booms on areas within the National Park System. We are able to provide the following information which points to instances when damage to archeological artifacts and geological formations has either been caused or is suspected to have been caused by sonic booms.

CANYON DE CHELLY NATIONAL MONUMENT, ARIZ.

High-flying jet aircraft have broken the sound barrier from time to time over this national monument. During 1966, the number of such incidents increased sharply. On August 11, 1966, a Navajo Indian witnessed a large portion of an overhanging cliff fall and demolish a prehistoric cliff dwelling in Canyon del Muerto. A sonic boom was heard immediately before the cliff section fell. The slide area continues to break and slide with each additional sonic boom. On October 4, 1966, a Park Ranger, qualified as an archeologist, observed continuing damage attributed to sonic booms between 12:27 and 12:31 p.m. and at 2:33 p.m.

Since August 11, 1966, precise records have been kept and from that date through December 22, 1966, the sound barrier has been broken 83 times over the monument. With the extensive back country and side canyons in the monument, the total damage from this cause is impossible to assess; however, it is reasonable to assume that it is extensive in view of the on-site observation in Canyon del Muerto.

On September 25, 1966, a Park Ranger observed a military jet aircraft make a pass over Spider Rock Overlook at an altitude estimated to be approximately 80 feet above the canyon rim. The sound barrier was not broken but ground vibrations resulted. Such vibrations may be destructive to the fragile features of the area. Another low-flying jet aircraft was observed by a Park Archeologist over Spider Rock on October 7, 1966, at an altitude estimated to be approximately 100 feet. Ground vibrations were also created.

BRYCE CANYON NATIONAL PARK, UTAH

The frequency of sonic booms has increased considerably during the past year. Since November 2, 1966, sonic booms have occurred 15 times over the park.

On October 12, 1966, shortly after three exceptionally sharp booms, approximately 10 to 15 tons of dirt and rock were found to have fallen from one of the formations near the bottom of the Navajo Loop Trail. This is the only known damage in the park possibly associated with sonic booms. However, it appears reasonable to assume that other damage has occurred in the remote sections of the park.

MESA VERDE NATIONAL PARK, COLORADO

The frequency of flights by supersonic planes increased noticeably during the year. Flights occurred almost daily during the latter half of December 1966. Two such flights occurred within a period of two hours on December 21, 1966. The intensity of the second boom was great enough to cause a sharp rattling of all windows, doors, and fluorescent lighting fixtures in the administration buildings.

There has been no known instance of direct damage to any of the Mesa Verde cliff dwellings; however, such could have occurred in the remote areas of the park and be as yet undiscovered.

ROCKY MOUNTAIN NATIONAL PARK, COLORADO

Two years ago a visitor reported an incident of rolling rocks down a mountainside ostensibly triggered by a sonic boom. While this information has not been documented, it is likely that sonic booms could trigger rockslides and avalanches in mountain areas.

Several other areas of the National Park System in the Southwest are potentially subject to damage by sonic booms. Many of these areas preserve significant scenic and geologic formations carved in delicate and fragile design by wind and rain during tens of thousands of years. Many of these areas also contain cliff dwellings and other priceless archeological evidences of the habitations of early day man upon this continent. The cliff dwellings have survived the ravages of centuries because of their sheltered location in caves and overhangs. We are now deeply concerned that natural formations and the remains of the habitations of prehistoric man may be threatened by the invisible shock waves of supersonic aircraft. We are interested in technological progress but we believe some way must be found to protect our heritage either from alteration or destruction by this factor.

We are initiating action with the Federal Aviation Agency and the Department of the Air Force to develop some method of eliminating the problem. A similar reply has been sent to the Honorable ——— ———, United States Senate, in response to his inquiry in this regard.

Sincerely yours,

Harthon L. Bill,
Assistant Director,
National Park Service.

[From the Living Wilderness, Autumn, 1967]

Resolution 12—Sonic Booms

The silence and peace of wilderness, to whose protection and preservation The Wilderness Society long has been dedicated, will be shattered by the frequent sonic booms of supersonic planes if they are permitted to fly over wilderness and adjoining areas. It would be next to impossible for such planes to cross the United States without being heard in one or more wilderness areas;

Therefore, The Wilderness Society urges that the use of commercial and private aircraft which produce sonic booms which may be heard on the surface of the land be prohibited; and

To the extent that it would not endanger national defense, this prohibition should also apply to all aircraft.

[From the New York Times, June 17, 1967]

Topics: The Boom Over the Sea

(By Bo Lundberg)[1]

The boom tests over Oklahoma City in 1964 indicated that supersonic flight over land of the British-French Concorde as well as the United States Boeing supersonic transport (SST's) will be hard to take. Although the average boom intensity beneath the flight path was never more than 1.6 pounds per square foot, considerable damage to buildings occurred. Fewer than 27 per cent of Oklahoma citizens who were polled declared they could not "learn to live" with eight daytime booms per day. No booms at night were produced (the really critical test), but practically all day sleepers were awakened. The 7 A.M. boom was widely used as an alarm clock!

UNACCEPTABLE SITUATIONS

Both the International Civil Aviation Organization and the International Air Transport Association have already, by implication, condemned the SST.

I.C.A.O. demands that "the SST's must be able to operate without creating unacceptable situations due to sonic boom." *Surely regular sleep disturbance is unacceptable.* I.A.T.A. demands that "economic operation at supersonic speed must be practicable over inhabited areas at any time of the day or night."

Yet the United States Congress is expected to grant funds for building prototypes of the Boeing SST—on the totally unsupported hope that the sonic boom will be acceptable to people at sea.

Building prototypes of the American SST would throw mankind into the Sonic Boom Age. It would encourage Britain and France to launch quantity production of the Concorde. A few years later this would result in quantity production of the American SST.

No doubt a sonic boom of a given strength will usually be of less concern for people at sea. But why assume that people on ships can accept booms many times stronger than the level acceptable to people on land? Surely it would be ruthless to consider people at sea an insignificant minority.

The SST's will produce a "nominal" boom of 2.5 pounds per square foot in supersonic climb over water. Due to focusing effects the intensity will often exceed five or six pounds per square foot. By reflection close to cabin walls, the intensity could exceed ten or even fifteen pounds. Such booms are exceedingly frightening and potentially dangerous to people with heart disease.

The disturbance, fright and danger will, of course, be especially pronounced in areas with heavy concentrations of both SST's and ship traffic, in particular south of Nova Scotia and Newfoundland. Conservative calculations suggest that there will be, every year, many thousands of cases of people on boat decks being struck by booms exceeding five pounds per square foot (disregarding wall reflection).

TESTS AT SEA

I wish to make a plea that boom tests on different types of ships—from sailboats to ocean liners—be conducted before the final decision on building prototypes of the SST's is made. All nations and representatives of people at sea should be invited to send observers, who would be subjected to the booms on the test vessels. As magnified booms are the most significant ones, the overflights should be at a low altitude yielding an average boom intensity of, say, four pounds per square foot, whereby a considerable number of booms, of five to six pounds, would be obtained relatively cheaply by a few hundred overflights.

ECONOMIC RISKS

Clearly, adequate boom tests on ships are in the best interest of civil aviation in general. If such tests are not made before the Western world proceeds further on the supersonic road, there is a staggering risk of an economic disaster. People at sea will certainly find ways and means of putting an end to supersonic over-water flight—once the activity has reached such a scale that the incessant boom thunder has become unbearable and there have been a number of cases of serious incidents or fatal accidents, such as heart attacks. These would mean that most of the many hundreds of SST's then flying would have to be scrapped.

Supersonic flying—over land and sea—requires fresh study of its effects on people.

[From the Washington Star, July 2, 1968]

Ban the Boom

The National Academy of Sciences has completed an extensive research project on sonic boom caused by supersonic airplanes and concludes that people don't like it.

The report, by a panel of distinguished boomers in psychology, sociology and, for some reason, the Harvard Business School, says more work is needed on individual, group and communal reactions to the big boom and to lesser booms. "Community reactions," it claims, "cannot be predicted with certainty."

Yes, they can. Any community subjected to the boom will be appalled at what human greed—remember the man from the business school—can inflict upon human beings.

The report seems to be a shoehorn in the door of booming for all. Noting that the first supersonic flights are scheduled for over water, the scientists, in a note of "optimism," said that overland flights could be developed if engineers had more solid data on the "levels of acceptability" of booms. "We can only speak in terms of the probability of effective organized reaction. This will increase as the annoyance of the individuals increases. The effective expression may depend on some dramatic trigger incident or the emergence of a vocal leader of public opinion."

For a dramatic trigger, try the first flight over the Washington area. For a vocal leader of opinion against the whole idea—here we are.

There comes a time when the convenience of the few and the profit of the even fewer simply have to be made secondary to the sanity of the many. That time is arriving in the sonic boom business. There is no imaginable excuse for unleashing the boom against defenseless citizens.

[From the Elizabeth (N.J.) Daily Journal, June 25, 1968]

Here Comes the Boom

Elizabeth has had more than its share of exposure to the high decibel noise fallout of jet age aircraft.

Now there is the prospect of a new noise nuisance, louder and more nerve shattering than the others, being extended to the entire nation.

The supersonic transport (SST) is well along in the development stage. The Anglo-French Concorde may be ready for commercial service in three years or less and four or five years after that the United States version may begin rolling off production lines.

Traveling at speeds up to 1,800 miles an hour, these aircraft will generate sonic booms that will follow continuously in their wakes—from coast to coast.

All those within the "boom zone"—approximately a 50–80 mile area—will hear the sonic blasts. The explosions will be at least as loud as a thunderclap and considerably more destructive.

A recent sonic boom at the Air Force Academy shattered about 300 windows and injured 15 persons. Sonic booms can crack plaster, shake bric-a-brac from walls and damage geological formations to say nothing of interrupting conversation and disrupting sleep.

U.S. Sen. Clifford P. Case proposes to curb the boom before it is too late.

He has introduced a bill that would ban all non-military supersonic flights over the U.S. for two years; provide for a comprehensive study of the sonic boom and its effects and leave it up to Congress, rather than the Federal Aviation Administration, to determine whether the prohibition on supersonic flights should be continued.

Sen. Case points out that it is imperative to act now. Otherwise the SST will have arrived and will be impossible to stop "progress."

That's the way it was with the jets at Newark Airport.

We think Sen. Case's bill is a good one and should be adopted.

[From the Weekly News Spotlight, June 10, 1968]

Concern Over Sonic Booms

For impatient airline travelers in the 1970s, the 2,000-mile-an-hour supersonic transport (SST) will be a dream come true. But for those who remain on the ground, the noise left behind in the SST's wake could be a nightmare—unless legislation is passed to control it or technology ends it.

The aerospace-age noise is known as a sonic boom.

It results from pressure waves building up around an airplane flying faster than the speed of sound, or 1,088 feet per second at sea level. These waves come together to form two cones, extending back from the nose and the tail of the plane, much like those formed by a boat speeding through the water. Where the cones touch the earth, they produce a booming sound as they pass the human ear.

---

[1] Mr. Lundberg is director general of the Aeronautical Research Institute of Sweden.

The width of the path and the intensity with which the boom may be heard vary, depending upon the altitude, size, weight, and speed of the airplane. The temperature, wind, amount of moisture in the air, and terrain over which the plane flies also affect the intensity of the boom.

At present only military aircraft are capable of causing a sonic boom. But civilian SSTs are being designed by private companies according to Federal Aviation Administration (FAA) regulations. The aviation agency has decreed that the SST must fly at 2.2 times the speed of sound or better at a range of 4,000 miles and carry from 125 to 160 passengers plus cargo. And it must not create more than a two-pound sonic boom; that is, it must not exert a force of more than two pounds per square foot of pressure in excess of the normal atmospheric pressure.

Believing that Americans want technological and physical progress, but on "acceptable terms," Senator Clifford P. Case, a New Jersey Republican, recently introduced a bill to ban sonic booms by nonmilitary aircraft flying over the country pending further study of their effects.

The bill, now before the Senate Commerce Committee, has three parts.

First, it would curb all nonmilitary flights at supersonic speeds over the United States and its territories and possessions for an indefinite period. Military tests, however, would not be affected.

Second, over a two-year period the FAA, in consultation with seven interested Federal departments and agencies, would carry out an intensive research program on sonic booms, reporting to Congress at the end of each year.

Third, after the two years it would be up to Congress to decide whether it wants to permit non-military flights at supersonic speeds over the United States.

The New Jersey senator had two reasons for introducing the bill.

The first is his concern over the effect of sonic booms on the quality of the environment, and on the health and welfare of the people. Sonic booms have been shown to have some detrimental effects on people and property.

Extensive testing in Oklahoma City in 1964 showed that a significant portion of the population could not tolerate multiple booms. At the very least they are annoying, and most highly disruptive. Continuing tests reveal that they have harmful effects on persons with certain physical ailments.

Continuing tests also show that the booms are capable of breaking windows, cracking paint and plaster. According to the National Park Service, prehistoric cliff dwellings in the Southwest are being damaged by the sound wave shocks.

Senator Case's second reason is of a different nature. At present it is up to the FAA to decide whether the SSTs will fly over land at supersonic speeds, since air space is considered to be the province of that agency. But because the FAA is developing the SST and is its stanchest advocate, the senator believes it is hardly in a position to make an objective decision. That decision, he feels, should be left up to Congress.

Developers of the American SST say they "assume" that it will fly at supersonic speeds only over water, leaving those on land unaffected by its boom. Passage of a bill, such as Senator Case's, would assure Americans that protection.

In an article in *Harper's Magazine* printed in the *Congressional Record* on July 22, 1966, John E. Gibson, Dean of Engineering at Oakland University in Michigan and a Yale Phd. who has done research for the Navy, the Signal Corps, the Air Force, and NASA, said:

"Airport noise is a minor headache compared with the sonic-boom problem. A supersonic aircraft lays down a path of pressure disturbance which may be as wide as 100 miles. The boom may only be a dull, window-rattling crack but it can easily be more. By failing to minimize the effect by flying at just the proper speed and altitude, an SST can inflict property damage and pain. Studies reveal that low-altitude supersonic flight may be a more effective weapon on an enemy population than an atom bomb. Properly done, a sonic boom attack can maim and kill people while knocking down buildings in a wide swath from one end of the country to the other.

"A propaganda effort in the fall of 1964 to soothe fears about the sonic boom backfired in amusing fashion in full view of millions of television viewers. Those watching Chet and David that evening saw a film report on an FAA study at White Sands Proving Ground, New Mexico, on the effect of sonic booms on typical home construction. The day was almost complete with a number of tame booms that did no damage. On the last pass, however, the Air Force plane came over 'a little too close and a little too fast. Plaster fell from the walls, picture windows were shattered as were the nerves of the newsmen, and foundations of the buildings were damaged along with the confidence of the FAA." CONGRESSIONAL RECORD, vol. 112, pt. 13, p. 16775.

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that all time on this amendment and all amendments thereto be limited to 30 minutes, with the time to be equally divided between the distinguished Senator from Oklahoma [Mr. MONRONEY] and the distinguished Senator from New Jersey [Mr. CASE].

Mr. CASE. Mr. President, reserving the right to object, how much time does the Senator from Wisconsin desire?

Mr. PROXMIRE. Five minutes.

Mr. CASE. I suggest that we make it 40 minutes, 20 minutes to each side.

Mr. BYRD of West Virginia. Forty minutes on each amendment, 20 minutes to each side.

The PRESIDING OFFICER. Without objection, the order is entered.

Mr. PROXMIRE. I ask the Senator from New Jersey to yield me 5 minutes.

Mr. CASE. I yield 5 minutes to the Senator from Wisconsin. Will the Senator yield one-half minute to me for a correction of the amendment?

Mr. PROXMIRE. I yield.

Mr. CASE. Mr. President, apparently, in the printing of the amendment some clerical mistakes were made. I ask unanimous consent that five clerical errors in the amendment, as to numbers, be corrected.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment as modified is as follows:

On the first page, line 10, strike out "and sonic boom".

On page 2, line 2, strike out "and sonic boom".

On page 2, line 5, strike out "and sonic boom".

On page 2, line 12, strike out "and sonic boom".

On page 3, lines 5 and 6, strike out "or sonic boom standards, rules, or regulations" and insert in lieu thereof "standards, rules, or regulations issued pursuant to subsection (a)".

On page 3, line 11, strike out "or sonic boom".

On page 3, line 14, strike out the quotation marks and between such line and line 15 insert the following:

"(d) The Administrator shall (1) prohibit nonmilitary aircraft, singly or in any combination thereof, from being operated over the United States (including territories and possessions thereof) in such a way as to produce sonic booms, but such prohibition shall not apply to aircraft used in the investigation and study herein authorized; (2) conduct a full and complete investigation and study for the purpose of determining what exposures to sonic booms (amount and frequency) are detrimental to the health and welfare of any persons, and such investigation and study shall include (A) consultation with the Secretary of Health, Education, and Welfare, the Secretary of Defense, the Secretary of Housing and Urban Development, the Secretary of the Interior, the Secretary of Commerce, the Administrator of the National Aeronautics and Space Administration, and the President of the National Academy of Sciences, and (B) such research as may be necessary, which shall include, but not be limited to, the startle effect and physiological or psychological problems that result from sonic booms and the possible detrimental effects on preservation of natural beauty and historic shrines; (3) within one year from the date of enactment of this subsection make a report to the Congress on his findings as of that time, together with the written comments of the abovementioned officials; and (4) no later than two years from the date of enactment of this subsection, report to Congress on the final results of his findings, together with the final written comments of such Federal officials."

Mr. PROXMIRE. Mr. President, the amendment to H.R. 3400 introduced by Senator CASE, which I am cosponsoring, asks Congress to try a small, inexpensive dose of preventive medicine in dealing with the health of our environment rather than waiting—as we have with air and water pollution—until the disease rages out of control, when only massive and punishingly expensive surgery will provide a cure.

There is no question that if the sonic boom is permitted to become a routine part of our daily lives, the quality of our environment will be reduced by several dangerous notches. And coming as it would on top of decades of an almost studied neglect of the environment, that is something we cannot afford.

We do not really know what the human cost of a daily diet of sonic booms would be. But we cannot allow ourselves to be dissuaded from finding out by accepting as the final word such studies as the one conducted recently at Edwards Air Force Base. That study concluded that structural damage caused by the boom and physiological damage to human beings and animals would be negligible. These studies, in many respects, have only scratched the surface. Far more needs to be done—and this amendment would insure that it would be.

Physiological damage to human beings may well be very high after years of being subjected to the punishment of sonic booms four or five times every hour or so. We have recently become aware, for example, of the radiation hazards of watching color television and of the hazards of working for long periods of time with asbestos. And, of course, we have long known of the serious risk of years of exposure to X-rays. These are dangers that are not—or were not—immediately apparent but which, nevertheless, are unfortunately real. Too often in the past, the danger has not been discovered until it was too late. Long after miners, for instance, had become accustomed to dusty mine shafts, silicosis—a serious disease of the lungs—was discovered.

We must be absolutely sure of what the sonic boom will do to human beings and physical structures while we still have some reasonable options open to us—while preventive medicine is still feasible. After the SST's begin flying—the Anglo-French entry in the supersonic competition may be in service in 3 or 4 years—it may be too late. The heavy economic commitments of an overland fleet of SST's—as Senator CASE points out—would make it far more difficult to arrive at a solution. Only major surgery would do it then. And—at least in the case of air and water pollution—the body politick has so far proved exceedingly reluctant to submit to the knife.

I am well aware that the Federal Aviation Administration has issued comforting statements assuring us that the supersonic transport they are developing will not fly over populated land areas if the sonic boom problem is not overcome.

But I am aware, too, that market projections and studies commissioned by the FAA itself cast considerable doubt on the FAA's contention that the SST will be an "economically sound" proposition if it is not permitted to fly at supersonic speeds over populated land areas.

If that is true—and I truly hope it is not—then economic pressure demanding that the SST be permitted to fly on all air routes will be brought into a direct clash with the public interest. And the public has seldom—if ever come out the victor in such a contest.

The amendment before us would go far toward preventing such a clash from ever occurring.

Without this amendment, H.R. 3400 represents an effort to do two completely different jobs with a tool designed for only one. It is all right when you are talking only about aircraft noise control to require, as H.R. 3400 does, that the Federal Aviation Administrator consider when proposing any standard, rule or regulation whether his proposal is "economically reasonable, technologically practicable, and appropriate for the particular type of aircraft, aircraft engine, appliance, or certificate to which it will apply." Ordinary aircraft noise—primarily noise made by planes when they are landing and taking off—is a problem that is with us now. Obviously tradeoffs and compromises are going to have to be made in solving this problem. You can not turn back the clock. We can not start with a clean slate.

But when it comes to the sonic boom, we still have a clean slate. Nothing hinders us from doing what the public interest demands. Why should the Administrator have to consider whether a regulation he issues regarding the sonic boom is economically reasonable or technologically practicable for the SST? The SST has not been built. The shoe is on the wrong foot in H.R. 3400. The SST should be reasonable and practical and desirable from the standpoint of the average citizen. The full social costs of the SST have to be written into the equation somewhere before we can make a proper assessment. By banning overland supersonic flights of a nonmilitary nature pending the studies proposed by this amendment there is, at least, a good chance that such an assessment will at long last be made.

It is about time that we decided that people come first and machines second instead of the other way around.

I agree with Wilbur H. Ferry, a vice president of the Fund for the Republic, who wrote recently that:

> The regulation of technology is the most important intellectual and political task on the American agenda.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. PROXMIRE. Mr. President, will the Senator yield to me for 1 additional minute?

Mr. CASE. I yield 1 minute to the Senator from Wisconsin.

Mr. PROXMIRE. Mr. President, in that essay Mr. Ferry argued that there is "growing evidence that technology is substracting as much or more from the sum of human welfare as it is adding" and that the bottomless infatuation of Americans with science and technology may lead us to disaster. Mr. Ferry's view, as he summed it up, is that "toxic and tonic potentialities are mingled in technology and that our most challenging task is to sort them out."

This amendment gives the Congress an opportunity to do just that. I support the amendment with enthusiasm.

I yield back whatever time I have remaining.

Mr. MONRONEY. Mr. President, I yield to no one in the Senate on experience with sonic booms. For some reason, my home State, Oklahoma, and my home city, Oklahoma City, were given the honor and distinction of sonic boom testing for an entire 6 months. We were awakened in the morning at 7 o'clock by a sonic boom, noontime was announced by sonic booms, and then, in the evening, about 6 o'clock, we had still another series of sonic booms.

I have received many letters from constituents to the effect that they do not like sonic booms, and, although a good many less letters were received, others found them not necessarily distracting and not necessarily damaging.

My personal feeling with repect to sonic booms after 6 months of testing in my home city is that the present state of the art would deter any administrator knowledgeable in the art of aviation from scheduling any sonic booms over heavily populated areas because the noise factor is too great.

I have great respect for academicians who in 2 days are able to come out with answers, and people from Sweden who know all about sonic booms but who have never heard a sonic boom or had to live with constituents who heard sonic booms for 6 months.

There is a great deal of misunderstanding about the SST plane. It can fly subsonic across America and make no more noise than a Boeing 707, a DC-8, or a Jet Star. It is only when they go through the sound barrier that the boom occurs.

For that reason I am certain as I can be that no one in his right mind is going to accept the liability and risk of shattered windows or physical damage on the ground beneath a corridor 35 miles wide across the country from the continual sonic boom of a plane flying across this land.

So, Mr. President (Mr. McINTYRE in the chair), I am not saying that there is a noise factor that is unimportant. I am saying, let us intelligently go about it. Let us not legislate as a result of some professor who has read a book, or maybe visited Oklahoma City, or maybe even looked at the canyons, but try to find out the true facts. All the experts I have heard testify, and from reading articles, still do not understand what they are talking about. They are talking about the sonic boom as an ordinary noise. It is not an ordinary noise. It is a noise that comes from about 70,000 feet up in the air as the airplane goes through the speed regimen of about 700 miles an hour and the air compression creates the sonic boom.

But I doubt if any of the people mentioned—the Secretary of HEW and people like that—are well advised about what canyoning is. I do not think even the experts cited by my distinguished colleague who is offering the amendment know what canyoning is. It happens to be something which our engineers in their study of 6 months' tests at Oklahoma State University and found to be the phenomenon known as canyoning. It is the downward thrust of air compressed on the ground as the boom comes down and ricochets between tall buildings.

I cannot think of anything worse on the part of an airline operation, such as Pan American Airways, say, for one of its planes to overshoot its outer marker and be flying at a supersonic speed down the glass canyons of Park Avenue or Fifth Avenue in New York City—figure out what the damage would be. I predict that the Pittsburgh Plate Glass Co. would soon be running Pan American if that ever happened, because the damage would be so great from just the sonic boom in canyoning.

Now what the bill does, and it was carefully studied out, and was not the product of some professors' advice, is to try to effect a systematic understanding of how this canyoning acts. The only way I can figure it out—and I have worked in the field for 4 years and have had full-time experience with military flight information—is that civilian flights may be anticipated in 1973, but not before that. I would hate to see us creating confusion in this field because that is what this group would do.

What does the Secretary of Commerce know about this situation, unless we still had C. R. Smith, president of American Airlines, as our Secretary of Commerce?

What does the Secretary of the Interior know? I do not believe he has ever found out about canyoning.

But let us put him on they say. If we are going to do that, then I suppose we shall go on now with the Secretary of Health, Education, and Welfare. But I do not think there has been anything proved that people will get the heebie-jeebies, the delirium tremors, or anything else.

Park Avenue would probably be hit a little harder. So, we have the Housing and Urban Development Department in it, and we have a conglomerate group in this, because someone does not trust the one man who directs the safety of hundreds of millions of passengers and regulates them every day—that is, the Director of the Federal Aviation Administration. But we will throw him out and substitute a bunch of people who will have their third, fourth, or even 10th assistants come up with a report in 1 year from the day of the subsection, and then another report in 2 years.

The Government has been in this thing since 1958.

Mr. President, I ask unanimous consent to have printed in the RECORD a history of sonic boom research from 1958 through 1967; the sonic boom research program for fiscal year 1969; and a summary of Government research projects on sonic boom generation, propagation, and minimization.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

THE HISTORY OF SONIC BOOM RESEARCH

(1958–67)

Research projects or programs relative to the sonic boom have been conducted by Government agencies of the United States since 1958. A list of these programs, identifying the responsible agency, and a brief program description follows:

1958

NASA—Ground Measurements of Shock Wave Noise from Airplanes in Level Flight at Mach Numbers to 1.4 and at Altitudes to 45,000 feet. Tests using F–101 and F–100 at Wallops Island, Virginia; six flights, Mach number range from 1.25 to 1.4 at altitudes from 25,000 to 45,000 feet. Maximum pressure of 2.0 psf measured. First known test program to record sonic boom for steady level flight conditions. It was found that the measured and calculated values of the pressure rise across the shock wave were generally in good agreement. There was a tendency for the theory to overestimate the pressures for conditions of high tailwind at altitude.

Reference: NASA TN–D 48.

1959

NASA—Ground Measurements of Airplane Shock Wave Noise to Mach Numbers to 2.0 and at Altitudes to 60,000 Feet. Tests using F8U–3, 26 flights. First flight at 60,000 feet and Mach 2.0. Range of altitudes 20,000 to 60,000 feet. Maximum pressure, 1.5 psf. Measurements made on the flight track and laterally, structural response data obtained on buildings at Wallops Island. Two B–58 passes were also included at 41,000 feet. It was found that the measured variation of sonic boom intensity, with altitudes up to 60,000 feet, was in good agreement with the variation calculated, using the prediction methods given in TN–D 48. It was also found that level cruising flight at an altitude of 60,000 feet and a Mach number of 2.0 produced sonic booms which were considered to be tolerable, and it is reasonable to expect that cruising flight at higher altitudes will produce booms of tolerable intensity for airplanes of the size and weight of the test airplanes.

Reference: NASA TN–D 235.

1960

NASA/USAF/ Tactical Air Command—Ground Measurements of Shock Wave Pressure for Fighter Airplanes Flying at Very Low Altitudes and Comments on Associated Response Phenomena. Project Little Boom at Nellis Air Force Base, using F–104 and F–105 aircraft. Twenty-five flights at Mach 1.09 to 1.2 and altitudes from 50 to 900 feet. Maximum pressures measured wère 120 psf. No F–104 flights were made at overpressure levels of 0 to 20.0 psf during the tests; however, using F–105 aircraft, no glass breakage was experienced for sonic boom levels from 0 to 20.0 psf. There were 2.4 possible breakages of small and colonial residence-type windows. Fifty-one breakages occurred within the pressure range of 20.0 to 100.0 psf. A large group of individuals was subjected to sonic booms up to 120.0 psf. No physiological or psychological reactions were noted.

Reference: NASA TMX–611.

1960

NASA/USAF/FAA—Ground Measurements of Shock Wave Noise From Supersonic Bomber Airplanes in the Altitude Range of from 30,000 to 50,000 Feet. Project Big Boom at Nellis Air Force Base. Sixteen flights at Mach 1.5 at altitudes from 30,000 to 50,000 feet. Maximum pressures 2.1 psf. Measurements made on the track and laterally. First check on lift effects weight of B–38 aircraft used varied from 82,000 to 120,000 pounds. Using the B–58, it was found that the measured overpressures were generally higher than would be predicted by the theory that accounts only for volume effects. Lift effects were verified for this type aircraft in the altitude range from 30,000 to 50,000 feet.

Reference: NASA TN–D 880.

1961

NASA/USAF/FAA—Ground Measurements of Sonic Boom Pressures for the Altitude of 10,000 to 75,000 feet. At Edwards Air Force Base, thirty-eight F–104 flights were made from 10,000 to 50,000 feet and Mach numbers from 1.2 to 2.0 and twenty-five B–58 flights were conducted at altitudes from 30,000 to 75,000 feet and Mach numbers from 1.5 to 2.0. Lateral measurements of overpressure extended out to 20 miles. This was the first very high altitude, large lateral spread and first good atmospheric effects research flights. Super booms were generated by linear acceleration and turning maneuvers and measments made using the F–104. It was found that the shape of the pressure signature from a supersonic airplane is a function of atmospheric conditions, altitude, Mach number, flight path, configuration of the airplane, and relative position of the observer. It was found that turbulent atmospheric conditions resulted in erratic wave shapes and in considerable variation in the measured peak overpressures for given flight conditions.

Reference: NASA TMX–633; NASA TN–D 2021.

1961

NASA/USAF—In-Flight Shock Wave Measurements Above and Below a Bomber Airplane at Mach Numbers from 1.42 to 1.69. Tests were made with an F–106, flying under and over B–58 at altitudes from 30,000 to 50,000 feet. The probe aircraft flew from 1,600 to 10,000 feet from B–58. There were 7 flights at Edwards Air Force Base. It was found that as the distance from the airplane increases, the wave length (distance between the bow and tail waves) increases and the number of individual shock waves diminishes until the classical N-wave shape is approximated at a distance of 50 to 90 body lengths for the conditions of these tests. These tests also further verified lift effects and provided a check on the lift-volume theory.

Reference: NASA TN–D 1968.

1961–62

NASA/FAA/USAF—Community and Structural Response Program at St. Louis, Missouri. Seventy-six flights were made with B–58 aircraft at altitudes from 30,000 to 41,000 feet, but measurements were obtained on only 66 flights. Maximum pressure measured was 3.2 psf. The result of personal-interview studies indicated that about 90 per cent of those contacted experienced some interference as a result of sonic booms, about 35 per cent were annoyed by them, less than 10 per cent had contemplated complaint action, and less than 1 per cent had actually filed a formal complaint. From field investigations and analysis, it was apparent that reported damage to structure normally occurs at stress points within a structure. The overpressures from supersonic test flights of B–58 and F–106 aircraft to overpressures of 2.6 psf were not sufficient magnitude to cause damage to sound plaster and good quality glass to break.

Reference: NASA TN–D 2705.

DECEMBER 1962

NASA/USAF/USN—Program to Obtain Response Data of Buildings. Building response data was obtained at Wallops Island, using F–104, F4H, and B–58 aircraft, at altitudes from 32,000 and 62,000 feet. It was found that, as a result of overpressures to 3 psf, sonic boom damage consisted mainly of cracks in brittle construction materials, such as plaster, glass masonry, tile, etc. This type of damage is believed to result from the triggering action of sonic booms in instances where prior stress concentrations existed in the buildings.

FEBRUARY 1963

NASA/FAA/USAF—Sonic Boom Effects on Light Aircraft—Project Littleman—Light aircraft on the ground and in the air were overflown by F–104 aircraft at supersonic speeds. Twenty-three passes were made by F–104 aircraft at distances from 3,600 to 36,000 feet. Light aircraft carried NASA flight instrumentation. No significant sonic boom effects on light aircraft on the ground and in flight, were found at sonic boom overpressures up to 16.0 psf.

Reference: NASA TN–D 1941.

1964

FAA/NASA/USAF—Oklahoma City, Oklahoma Public Reaction Study. Conducted February 3 through July 31, 1964. This six month program was designed to determine public reaction to the sonic boom at nominal overpressure levels of 1.5 and 2.0 psf. Boom runs were conducted on a precise time schedule during daylight hours, for a total of eight flights a day, seven days per week. A total of 1,253 booms were included in the program. Nine "control" houses, in various geographic locations throughout the city, were included in the program. These houses were used as a means of identifying any structural component damage. This was to ensure that the overpressures generated would not exceed the damage threshold, although prior research, as previously summarized, indicated that no structural damage should be anticipated at programmed overpressure levels. Two of the test houses were extensively instrumented for structural response identification. Two additional test houses were selected, outside of the boom area, to afford comparison of house deterioration due to natural causes as compared with that observed in the boom exposed test houses. Also, included in the program was an investigation of the influence of meteorological effects on the sonic boom and an analysis of wave pattern characteristics as observed at ground level.

Conclusions resulting from the Oklahoma City Public Reaction Study were as follows:

1. Public reaction data indicates that an overwhelming majority (73%) of the public felt they could live with the numbers and kinds of booms experienced during the six month period. However, a large percentage (40%) of the public polled during the program believed that the sonic boom causes structural damage. This finding accentuated the need to establish sonic boom overpressure

damage index levels for various types of structural materials. This index should be established through practical tests rather than laboratory experimentation to assure public acceptance.

2. Structural reaction data obtained from the test houses indicates no significant damage resulted from 1,253 sonic booms.

3. Wave pattern analysis of the sonic booms recorded at various geographic locations in the boom area, shows a significant overpressure scatter characteristic. One per cent of the measured overpressures equaled or exceeded the predicted values by a factor of approximately 1.5 to 3.0 depending on the distance relative to the ground track; the greater factor is associated with the larger distances and with the lower predicted value.

Meteorological conditions have a significant effect on sonic boom overpressure scatter. Low altitude turbulence is suspected at the primary causal factor.

References: NASA TN–D 2539. Final Report "Structural Response to Sonic Booms," Vol. I, AD610822 (FAA Sponsored); Vol. II, AD610823 (FAA Sponsored). "Community Reactions to Sonic Booms in the Oklahoma City Area," Vol I, AD613620 (FAA Sponsored); Vol II, AD625332 (FAA Sponsored); Vol. III, AD637563 (FAA Sponsored). Final Report "Meteorological Aspects of the Sonic Boom," The Boeing Company, AD610463 (FAA Sponsored).

1964–65

FAA/USAF—White Sands Missile Range, New Mexico—Conducted November 18, 1964, through February 15, 1965. This program was designed to determine structural response characteristics through a measured overpressure range from 2.0 through 28.0 psf, with a flight frequency of 30 per day. This study was conducted at the White Sands Missile Range, New Mexico, and consisted of two phases.

The first phase began on November 18 and ran through December 15, 1964, and generated a total of 615 sonic booms over the instrumented test site. The nominal overpressure ranged from 2.0 psf through 16.0 psf progressing at scheduled increments of 2.0 psf. Thirty flights were scheduled for each overpressure level. The second phase began January 15, 1965, and ended February 15, 1965. A total of 879 booms were generated during this period. The cumulative effect of sonic boom was explored by exposing structures to 680 sonic booms at a nominal overpressure of 5.0 psf. Damage index data was obtained from 123 sonic booms ranging in overpressures of 7.0 psf to 19.0 psf. A total of 76 flights were conducted to obtain data on the effects of focusing of sonic booms due to aircraft maneuvers.

Sixteen types of structures were included in the test, seven of which were built specifically for this program. Five types of plaster, interior finishings and a variety of commercial glass installations were studied during the two phases. Prior to progam initiation, a thorough engineering inspection was conducted for each structure to establish a state of repair and over-all condition. This included marking of existing plaster cracks and photographing any structural component deficiency found in the structures. Daily inspections were conducted at 30 minute intervals on each of the structures by a 22-man engineering team. This team included representatives from the National Bureau of Standards, Boeing and Lockheed Aircraft companies, United States Air Force, England, France, FAA and engineering personnel provided by the contractor. Additional technical assistance was provided by a team from the National Academy of Sciences.

Subsidiary test objectives included the determination of the effect of sonic booms on the hatchability of chicken eggs; human hearing impairment or adverse physiological effects caused by sonic boom at high overpressure levels; and sonic boom characteristics associated with certain aircraft maneuvers.

Conclusions:

1. *Plaster.* Plaster on metal lath, concrete block or on gypsum lath was not observed to to crack under any of the booms during the program.

2. *Plasterboard.* New plasterboard tested was not damaged by any sonic booms generated during the program. Crack extensions occurred in predamaged plasterboard at designed overpressures of 7.9 psf. Incipient damage to plasterboard is characterized more by slight nail popping. This condition, normal in houses using this material, begins to be accelerated by booms at an average overpressure of 8.0 psf. Suspended plasterboard ceilings may experience minor paint chipping along the edges by repeated booms at a design overpressure of 5.0 psf.

3. *Bathroom Tile.* Booms at a designed overpressure of 7.9 psf may begin to extend cracks in predamaged bathroom tile. These crack extensions were very difficult to see.

4. *Glass.* Poorly mounted, undamaged glass in the greenhouse was chipped by impact against nail holding points at a sonic boom overpressure of 12.1 psf. The same type of glass, which was already damaged, was further damaged at a designed overpressure of 7.9 psf. A large one-ninth of an inch thick window, intentionally precracked from corner to corner, was further damaged by booms of an average 6.5 psf overpressure.

5. *Bric-a-brac.* Of several pieces of bric-a-brac observed during the program, some bric-a-brac fell and broke at a designed overpressure of 10.4 psf.

6. *Stucco.* Cracks that existed in stucco prior to booms, extended under a designed overpressure of 7.9 psf. No new cracks were identified as caused by booms.

Observations made during the cumulative-effect portion of the structural response test indicate no significant structural component damage in any of the sixteen structures that were exposed to 680 sonic booms at a 5.0 psf nominal overpressure level.

Several thousand chicken eggs were also used in this program to study sonic boom effects in regard to hatchability. The technical report issued by the Regional Environmental Health Laboratory at Kelly Air Force Base, Texas, concluded that sonic booms do not lower or adversely affect hatchability of chicken eggs incubated in forced-air or convective-air-type incubators.

A flight surgeon was on duty during the test program. No adverse physiological effects were identified for any of the more than 20 personnel involved in the daily program operation.

Continuous audiometric examination of twenty subjects throughout the duration of the test program indicated no hearing impairment caused by sonic booms at very high overpressures.

References: "Structural Reaction Program—Summary, Conclusions and Analysis," Vol I, AD474778 (FAA Sponsored); "Structural Reaction Program—Appendicies," Vol II, AD474779 (FAA Sponsored); "Effects of Sonic Boom on Structural Behavior-Supplementary Analysis Report," AD475662 (FAA Sponsored); "Effect of Sonic Booms on the Hatchability of Chicken Eggs—USAF," AD619720 (FAA Sponsored).

1965

FAA/NASA/FAA/USFC—Effect of Sonic Booms of Varying Over-pressures on Snow Avalanches. This study, conducted March 18–20, 1965, was to determine the effects of sonic boom over-pressures ranging from 1.5 to 5.0 psf on potential snow "slab" avalanches during periods of high hazard. No avalanche was observed as a direct result of sonic booms at these overpressures.

Reference: SST 65–9—AD468794.

1966–67

National Sonic Boom Evaluation Office (NSBEO)—Sonic Boom Experiments at Edwards Air Force Base, California. This study, conducted June 3–23, 1966 and October 31, 1966, through January 17, 1967, was to determine the subjective/structural response of people, animals, and structures to sonic booms of varying intensities and subsonic noises of varying PNdB levels. This report, "Sonic Boom Experiments at Edwards Air Force Base," dated July 28, 1967, has been released to the public as of August 2, 1967, and is obtainable through the Clearinghouse for Federal Scientific and Technical Information, U.S. Department of Commerce, Springfield, Virginia 22151.

Reference: NSBEO–1–67—AD655310.

1967

University Research on the Generation and Propagation of Sonic Booms.

Columbia University

Investigators: M. B. Friedman and M. K. Myers.

Objective: To understand the basic mechanism of the superbooms caused by nonuniform motions of the aircraft and refractive effects of temperature gradients in the atmosphere.

Approach: Extend present linear theory of the superboom to include various atmospheric effects and to develop the appropriate nonlinear corrections to the theory.

Funds: NASA Headquarters.

Cornell University

Investigators: F. K. Moore and E. L. Resler, Jr.

Objective: To study the effects of multipole distributions and configuration changes in delaying the formation of the ultimate N-wave. To explore the effects of high Mach numbers on the near-field.

Approach: Theoretical investigation using an asymptotic expansion about the ultimate N-wave for large radial distance. Utilization of hypersonic blast wave theory.

Funds: NASA Headquarters and AFOSR.

Cornell University

Investigators: A. R. Seebass and A. R. George.

Objective: To further understanding of our ability to predict and minimize sonic booms of present and future generations of aircraft.

Approach: Theoretical investigation into the validity of the basic theory, the extent of the mid-field region, atmospheric effects and the sonic booms of hypersonic aircraft.

Funds: NASA Headquarters and AFOSR.

New York University

Investigators: A Ferri and L. Ting.

Objective: To determine whether or not substantial reductions may be obtained by novel configurations. To initiate work on the modification of existing shock propagation theories and their applications. To calculate the effects of engine streamtube area changes.

Approach: Theoretical determination of the pressure signature of novel configurations, including higher-order effects. Theoretical study of shock wave propagation theories. Study of engine characteristics at supersonic speeds.

Funds: NASA Headquarters.

Oklahoma State University

Investigator: G. W. Zumwalt.

Objective: To develop procedures to study the diffusion of disturbances on sonic boom waves.

Approach: Numerical techniques to permit solution of equations by digital computer.

Funds: NASA Langley.

Princeton University

Investigator: W. D. Hayes.

Objective: To determine the appropriate analytical techniques to account for atmospheric and unsteady effects. To determine second-order wave structure and the nonlinear behavior of an N-wave at a caustic.

Approach: Geometrical Acoustics. Matched asymptotic expansions.

Funds: NASA Headquarters—NASA (ERC).

Royal Institute of Technology and the Aeronautical Research Institute of Sweden

Investigators: M. T. Landahl and G. Drougge.

Objective: To further understanding of non-linear effects on the generation of sonic booms.

Approach: The theoretical investigation will employ the technique of parametric differentiation which has proved useful in other phenomena governed by non-linear partial differential equations. It is anticipated that this theoretical investigation will be complimented by lateral experimental studies.

Funds: NASA Headquarters.

University of Colorado

Investigator: A Busemann.

Objective: To determine the feasibility of large sonic boom reductions through a lateral redistribution of pressure intensities. To study the possibility of creating an I-wave signature with a more rapid decay than the present N-wave signature.

Approach: Theoretical investigation of these possibilities by examining appropriate combinations of singular solutions to the linear wave equation and various exotic aircraft configurations.

Funds: NASA Headquarters.

1967

University Research Sponsored by NASA on Other Aspects of the Sonic Boom.

City University of New York

Investigator: D. H. Cheng.

Objective: To study the response of various structures to sonic booms.

Approach: Analytical investigation of the response of plates and beams with various constraints to impulsive loads.

Funds: NASA Langley.

Massachusetts Institute of Technology

Investigator: S. Crandall.

Objective: To obtain basic research information on the response of building structures to sonic booms, acoustic vibrations, and sonic boom induced seismic waves.

Approach: Experimental and analytical studies of the transmission of vibrational energy, effects of isolation pads, etc., on building structures subjected to acoustic and sonic boom pressure loadings.

Funds: NASA Langley.

Oklahoma State University

Investigator: R. L. Lowery.

Objective: To obtain detailed information on the response of structural elements of buildings to sonic booms.

Approach: Analytical studies of structural elements and cavities having various acoustic coupling characteristics.

Funds: NASA Langley.

University of Southampton

Investigator: B. Clarkson.

Objective: More general understanding of the dynamic response of buildings to sonic booms.

Approach: Study of building response to impulsive loads, the effects of cavity coupling and window dynamics.

Funds: NASA Langley.

SONIC BOOM RESEARCH PROGRAM FISCAL YEAR 1969

PROGRAM CONTENT

A. Generation and Propagation.

1. Sonic Boom Reduction and Control.

a. NASA in-house work to continue.

b. Industry Research, $550,000.

Initiate research in industry to investigate new theoretical concepts, prediction techniques and unconventional configurations aimed at reducing boom generation and or suppressing its effects.

c. University Research Program, $400,000.

Initiate University Research Program with additional participants and research activities not included in current NASA program.

2. Propagation and Meteorological Research, $225,000.

Theoretical investigations conducted by ESSA in addition to the collection, analysis, and processing of data currently being obtained from SR–71 booms recorded at Pendleton, Oregon.

B. Response.

1. Human Response, $450,000.

a. Simulator studies to determine the parameter or combination of parameters which most influence subjective response.

b. Sonic boom assessment and evaluation to develop technical and social criteria for sonic boom "acceptability".

c. Development and installation of promising new simulator (operations to be funded in FY '70).

2. Structural Response, $350.000.

a. Simulator and analytical studies to correlate sonic boom induced structural response with damage criteria for glass and plaster.

b. Development and installation of promising new simulator (operations to be funded in FY '70).

c. Analysis of seismological and topographical effects of sonic booms.

3. Animal Response, $50,000.

Simulator studies of animal behavioral and reproductive response, if any, to sonic boom.

Research funding summary

[In millions]

Fiscal year 1969 program plan	$2.025
Fiscal year 1970 estimate	2.500
Fiscal year 1971 estimate	2.000
Total	6.525

SUMMARY OF GOVERNMENT RESEARCH PROJECTS ON SONIC BOOM GENERATION, PROPAGATION AND MINIMIZATION

ENVIRONMENTAL STUDIES

In support of activities of the Environmental Panel of the Interagency Aircraft Noise Abatement Program, the Department of Interior and the FAA have initiated action to collect sonic boom data in selected national parks.

The data will be used in planned studies to determine whether or not sonic boom may have any effect on archeological and historic structures, wildlife, and visitors to the parks.

Installation of recorders should be completed by early August at the following locations:

Mesa Verdes, 1 recorder.
Bryce Canyon, 1 recorder.
Yosemite, 1 recorder.
Yellowstone, 2 recorders.

COMMUNITY RESPONSE STUDY

Work is in progress on the NASA Contract Study with TRACOR, Inc., to analyze the public response to sonic boom in the cities overflown by the SR–71 aircraft for military purposes between July and October 1967. The study encompasses factors underlying individual complaints, effects of publicity, reaction of the community as a whole, and correlations of the results of this study with prior sonic boom studies at Edwards AFB and Oklahoma City.

BOOM GENERATION RESEARCH

1. Continued studies of boom generation in the supersonic speed region:

(a) further correleation of present theory with data from various sources, NASA/Langley.

(b) wind-tunnel tests of SST prototype model, NASA/Langley.

(d) development of means of extrapolating wind-tunnel signature measurements in making estimates of airplane sonic boom characteristics, NASA/Langley.

Although current prediction methods have been found to be generally valid there remain some cases where discrepancies between predictions and measured results are found to exist (for example, there are many cases for a variety of airplanes where the tail wave is not properly located.) Further correlation work can result in disclosure of discrepancies and in provisions for remedies. An alternate prediction method is offered by the extrapolation of tunnel data being explored at the Ames Center.

2. Preliminary studies of boom generation at hypersonic speeds

(a) analysis of X–15 data ($M=3$ to 5.3), NASA/Ames.

(b) wind-tunnel tests of bodies ($M=3$ to 4.5), NASA/Langley.

(c) theoretical studies, NASA/Langley & Ames.

Boom phenomena at hypersonic speeds may not be fully covered by existing theoretical prediction techniques which are based on linearized theory concepts. The experimental data obtained in the planned wind-tunnel tests and from the X–15 will help to assess the applicability of the theory and will aid in arriving at any modifications that may be necessary.

BOOM PROPAGATION AND ATMOSPHERIC EFFECTS

1. Statistical studies of the effects of the atmosphere on overpressure variability, ESSA, NASA/Langley.

An attempt will be made to identify measurable features of the atmosphere, both large scale and small scale, which cause statistical variations in sonic boom measurements. Attention will then be given to establishment of a correlation between observed overpressure variability and local atmospheric conditions to provide a basis for prediction of that variability.

2. Theoretical study of atmospheric inversions in relation to long period changes in overpressure distribution and turbulent eddies in relation to short period change, ESSA.

Analytical studies now being pursued may provide a knowledge of the fundamental mechanism of atmospheric dispersion and may aid in developing methods of predicting overpressure variability.

3. Comparisons of flight program test results with computer program results which include non-uniform but steady atmospheric effects, ESSA, NASA/Langley.

A careful study of test data obtained under various measured conditions of temperature, pressure, and wind gradients will be utilized in establishing the applicability of present theory in predicting the large scale atmospheric effects.

4. Ballistic range studies of shock wave propagation through a non-uniform atmosphere with temperature and velocity gradients, NASA/Langley.

Controlled tests under laboratory conditions could be very helpful in assessing the applicability of present propagation theory. Particular attention will be given to the critical transonic Mach numbers. This work is in a very preliminary stage.

5. Studies of theoretical prediction methods in treating the complete signature in its propagation through a non-uniform atmosphere, NASA/Langley.

Present propagation prediction methods supply only a single factor to be applied throughout the length of a signature calculated for a uniform atmosphere. A more complete treatment may indicate changes in signature shape and magnitude not covered in the simpler methods.

SONIC BOOM MINIMIZATION

1. The use of advanced aerodynamic concepts in minimizing the sonic boom of complete configurations, NASA/Langley.

Aerodynamic advances of the past few years have led to an improved understanding of the relationships between airplane arrangement and sonic boom. These fundamental relationships will be explored in an effort to find further means for minimizing the sonic boom of complete airplane configurations.

2. Application of recent technology advances to the development of a low-boom domestic SST, NASA/Langley.

Recent investigations indicate that long, slender, and blended configurations (meeting prescribed area development requirements), lead to increased aerodynamics performance and low sonic boom levels. These considerations may require departures from traditional airplane design philosophy particularly with regard to structural arrangements. Studies in this area probably will require participation from the airframe industry.

3. Analysis of unconventional configuration concepts aimed at minimizing or eliminating the sonic boom, NASA/Ames.

Unconventional or exotic concepts aimed at minimizing or eliminating the shock field of a lifting configuration have to this date demonstrated little fundamental or practical potential. However, it is possible that a reasonable, but unconventional configuration approach to low sonic boom has been overlooked. An experimental and theoretical program will be undertaken to explore this possibility.

4. Studies of signature and corresponding equivalent body shapes for minimization of auditory response, NASA/Lewis.

The character of the initial sonic boom pressure rise has been noted to have a significant effect on human response. This study will explore desirable signature characteristics and will relate them to the corresponding airplane shape factors.

UNIVERSITY RESEARCH ON THE GENERATION AND PROPAGATION OF SONIC BOOMS

1. Columbia University:

Investigators: M. B. Friedman and M. K. Myers.

Objective: To understand the basic mechanism of the superbooms caused by nonuniform motions of the aircraft and refractive effects of temperature gradients in the atmosphere.

Approach. Extend present linear theory of the superboom to include various atmospheric effects and to develop the appropriate non-linear corrections to the theory.

Funds: NASA Headquarters

2. Cornell University:

Investigators: F. K. Moore and E. L. Resler, Jr.

Objective: To study the effects of multiple distributions and configuration changes in delaying the formation of the ultimate N-wave. To explore the effects of high Mach numbers on the near-field.

Approach: Theoretical investigation using an asymptotic expansion about the ultimate N-wave for large radial distance. Utilization of hypersonic blast wave theory.

Funds: NASA Headquarters and AFOSR

3. Cornell University:

Investigators: A. R. Seebass and A. R. George.

Objective: To further understanding of our ability to predict and minimize sonic booms of present and future generations of aircraft.

Approach: Theoretical investigation into the validity of the basic theory, the extent of the mid-field region, atmospheric effects and the sonic booms of hypersonic aircraft.

Funds: NASA Headquarters and AFOSR.

4. New York University:

Investigators: A. Ferri and L. Ting.

Objective: To determine whether or not substantial reductions may be obtained by novel configurations. To initiate work on the modification of existing shock propagation theories and their applications. To calculate the effects of engine streamtube area changes.

Approach: Theoretical determination of the pressure signature of novel configurations including higher-order effects. Theoretical study of shock wave propagation theories. Study of engine characteristics at supersonic speeds.

Funds: NASA Headquarters.

5. Oklahoma State University:

Investigator: G. W. Zumwalt.

Objective: To develop procedures to study the diffusion of disturbances on sonic boom waves.

Approach: Numerical techniques to permit solution of equations by digital computer.

Funds: NASA Langley.

6. Princeton University:

Investigator: W. D. Hayes.

Objective: To determine the appropriate analytical techniques to account for atmospheric and unsteady effects. To determine second-order wave structure and the nonlinear behavior of an N-wave at a caustic.

Approach: Geometrical acoustics. Matched asymptotic expansions.

Funds: NASA Headquarters — NASA (ERC).

7. Royal Institute of Technology and The Aeronautical Research Institute of Sweden:

Investigators: M. T. Landahl and G. Drougge.

Objective: To further understanding of non-linear effects on the generation of sonic booms.

Approach: The theoretical investigation will employ the technique of parametric differentiation which has proved useful in other phenomena governed by non-linear partial differential equations. It is anticipated that this theoretical investigation will be complemented by later experimental studies.

Funds: NASA Headquarters.

8. University of Colorado:

Investigator: A. Busemann.

Objective: To determine the feasibility of large sonic boom reductions through a lateral redistribution of pressure intensities. To study the possibility of creating an I–wave signature with a more rapid decay than the present N–wave signature.

Approach: Theoretical investigation of these possibilities by examining appropriate combinations of singular solutions to the linear wave equation and various exotic aircraft configurations.

Funds: NASA Headquarters.

UNIVERSITY RESEARCH SPONSORED BY NASA ON OTHER ASPECTS OF THE SONIC BOOM

1. City University of New York:

Investigator: D. H. Cheng.

Objective: To study the response of various structures to sonic booms.

Approach: Analytical investigation of the response of plates and beams with various constraints to impulsive loads.

Funds: NASA Langley.

2. Massachusetts Institute of Technology:

Investigator: S. Crandall.

Objective: To obtain basic research information on the response of building structures to sonic booms, acoustic vibrations, and sonic boom induced seismic waves.

Approach: Experimental and analytical studies of the transmission of vibrational energy, effects of isolation pads, etc., on building structures subjected to acoustic and sonic boom pressure loadings.

Funds: NASA Langley.

3. Oklahoma State University:

Investigator: R. L. Lowery.

Objective: To obtain detailed information on the response of structural elements of buildings to sonic booms.

Approach: Analytical studies of structural elements and cavities having various acoustic coupling characteristics.

Funds: NASA Langley.

4. University of Southampton:

Investigator: B. Clarkson.

Objective: More general understanding of the dynamic response of buildings to sonic booms.

Approach: Study of building response to impulsive loads, the effects of cavity coupling and window dynamics.

Funds: NASA Langley.

Mr. MONRONEY. Mr. President, what I am trying to say is that the pending bill is a result of careful study and will do exactly what the Senator from New Jersey wishes the bill to do, but we do not include a whole bunch of "sewing circles" to confuse the matter or try to make it not understandable.

If we will study the bill, Senators will find that we have mentioned every detail on noise matters. Certainly noise is a certain decibel of sound. The sonic boom is a decibel of sound as well as a repercussion of sound hitting the earth.

For that reason, I should like to see the bill adopted which the committee has reported. So far as the landing of the Concorde is concerned, which may come over here in another year, and the landing of the Russians with their supersonic plane which will probably beat us, and beat the British and the French Concorde, they will go subsonic 25 miles off the coast, and they will then come in for a quieter landing, I venture, as does the 707 and the DC–8. But they had better not try to fly over land or we will soon own a pretty big piece of Russia as a result of the damage suits which will follow.

We have got good sense and we will not permit clearance to do that kind of thing. They would not be certificated to do it. Thus, there is no reason to fear this as a thunderstroke from the outer world, because the science of trying to reduce this noise, to my way of thinking, will be long delayed.

Mr. President, (Mr. WILLIAMS of New Jersey in the chair), proper guidance is through the Secretary of Transportation, as well as the Administrator of the Federal Aviation Administration who is given the sound and control responsibilities. I would hate to see it spread all over the lot and delayed for 2 years.

We do not want to have another commission come before the Appropriations Committee asking to escalate funds each year. There is no one trying to have a sonic boom over the United States. I say to you today, Mr. President, that this is a water bird, so far as we know now. Such a plane would take off over land and it will be 100 miles out to sea before it goes supersonic and reaches its cruising altitude of 70,000 feet.

Do not worry about men like Najeeb Malaby, Pete Quesada, and Bozo McKee, who headed up this great Federal Aviation Administration, also Alan Boyd, who is heading up the Department of Transportation, because all these men are very much concerned about reducing noise and the acceptance of aviation by the American people. They know that care, determination, and regulation are effective.

These men will proceed carefully and properly, not like such a conglomerate accumulation of unknowing experts as is provided by the superimposition of this amendment to go into individual research which will be only duplicative of that which is now being well done.

Mr. CASE. Mr. President, may I ask what the situation is as to time?

The PRESIDING OFFICER. The Senator from New Jersey has 11 minutes remaining; the Senator from Oklahoma has 6 minutes remaining.

Mr. CASE. Mr. President, I yield myself such time as I may take.

My colleague from Oklahoma is a lovable character. He has a heart of gold. It is only once in a while that his tongue runs away, when he gets excited about something. He talks about such agencies and officials as the Secretary of Health, Education, and Welfare, the Secretary of Defense, the Secretary of Housing and Urban Development, the Secretary of the Interior, that estimable westerner Stewart Udall, the Secretary of Commerce, the President of the National Academy of Sciences, the Administrator of the National Aeronautics and Space Administration as constituting a sewing circle. These are administration officials of the highest character, with deep involvement in problems with which the sonic boom is also deeply involved. I am sure that if it were not for the fact that this is my amendment and differs from his bill, and if the situation were reversed, these would be the highest type of public officials, with dedication to their duty and great competence.

I accept the fact that they are. That is why the Senator from Wisconsin [Mr. Proxmire] and I have made these officials participants in the study proposed in this amendment. We need the resources of all the departments represented in the amendment to be brought to bear on this problem. And we want the final decision to be made by the representative of all the people, the Congress of the United States, and not a bureaucracy.

I am not damning the Federal Aviation Administration at all, but it is a narrow, single-minded instrument for the development of aviation. That is fine. But what in the world has safety of air passengers got to do with the general effects of sonic boom on the American environment? That agency should not be given that responsibility, which is inconsistent with the performance of the specific duty which we have given that agency to perform. Let us, the Congress of the United States, make the decision and the general evaluation of the interests and concerns of all the people in relation to this problem. That is what this amendment would do.

The amendment would not hold up anything. We would get to work immediately. As the Senator from Oklahoma has stated, there are a good many surveys underway in this field. Our amendment would have them all drawn together and their results coordinated and focused into a single report to the Congress of the United States, which would then make up its mind, and the public would know what the considerations were that had been studied, and the whole public would have a place to go to. Congress is the natural instrument for public decisions of great moment. That is what we propose here.

Mr. GRUENING. Mr. President, will the Senator yield?

Mr. CASE. I yield.

Mr. GRUENING. Is there any evidence of adverse effects on the hearing of individuals, ruptured eardrums, or anything like that?

Mr. CASE. The effects on human beings are still uncertain. As far as I know, such studies as have been made, and they have not been completed, have not indicated there is a direct physiological disturbance to human beings; but the National Academy of Sciences report concluded that it was by no means satisfied that all the effects upon human beings, particularly psychological effects, had been adequately studied, and that we were not in a position to make decisions as to what was and what was not tolerable as to sonic boom.

Mr. PROXMIRE. Mr. President, will the Senator yield?

Mr. CASE. *I yield.*

Mr. PROXMIRE. Is it true that the Federal Aviation Administration has the responsibility for developing the SST?

Mr. CASE. That is true.

Mr. PROXMIRE. Is it not also true that the FAA has the responsibility for approving the SST?

Mr. CASE. There is no question that it has that specific responsibility under the law.

Mr. PROXMIRE. Is it not also true that the Case amendment authorizes the FAA to make the study we are discussing here? It seems to me that what we are providing cannot be criticized as being biased against the FAA. The FAA is going to be judged on the basis of whether it can make the SST commercially and technically feasible. The Senator from New Jersey is saying that we should consider the effect of the sonic boom on all the people. He is saying we need to bring the so-called sewing circle the administration officials who are responsible for the health of the people, the commerce of the people, the construction of housing, and so forth, into this picture so that they can have a voice in this matter. The amendment of the Senator from New Jersey still provides that it is the FAA which will have final responsibility for the study. I think this a very modest amendment.

Mr. CASE. I thank my colleague.

Mr. President, how much time do I have remaining?

The PRESIDING OFFICER. The Senator from New Jersey has 6 minutes remaining.

Mr. CASE. I reserve the balance of my time.

Mr. MONRONEY. Mr. President, I yield such time to the distinguished chairman of the committee as he may need.

Mr. MAGNUSON. Mr. President, I ask unanimous consent to have printed at this point in the Record a letter I received from the Secretary of Transportation regarding this amendment.

There being no objection, the letter was ordered to be printed in the Record, as follows:

Office of the Secretary
of Transportation,
Washington, D.C., July 11, 1968.

Hon. Warren G. Magnuson,
Chairman, Committee on Commerce,
U.S. Senate, Washington, D.C.

Dear Mr. Chairman: The Department is pleased to furnish the following comments on S. 3399, a bill "To amend the Federal Aviation Act of 1958 in order to provide for regulation of public exposure to sonic booms by certain aircraft over the United States."

The bill would amend the Federal Aviation Act of 1958 in order to prohibit flights over the United States by certain aircraft creating sonic booms. This prohibition would be effective immediately upon enactment, and would remain in force until Congress directs otherwise pending completion of the full-scale investigation and study also authorized by the bill.

The position of DOT is one of opposition to the bill.

Regarding the aspect of the bill which would direct the Department to conduct in-depth sonic boom research, it should be noted that, in fact, Government agencies have, since 1958, been making just that kind of research effort. The Interagency Aircraft Noise Abatement Program provides now for the investigation and study of sonic boom levels and frequency with respect to the health and welfare of the public. The Advisory Committee to the Secretary of Transportation includes high level representation of the agencies mentioned in the bill. The areas which are being or will be investigated include psychological, physiological, startle effect, community reaction, possible detrimental effects on historical and archeological artifacts, and many other areas such as in generation and propagation of the sonic boom.

The noise legislation now being considered by the Senate would empower the FAA Administrator to prescribe standards, rules, and regulations necessary to provide for measurement and control of sonic boom. This legislation would be a more appropriate vehicle since it provides for a systematic, scientific approach in setting standards by which sonic boom can be measured, in addition to providing regulatory power to control such noise, including the prevention of overland flights if that were found necessary. Under section 307(c) of the Federal Aviation Act, the Administration also has the authority, given the necessary findings, to prescribe air traffic rules prohibiting overland flights of supersonic aircraft. We consider the regulatory approach to sonic boom preferable to a flat statutory mandate without the power of discretion.

Due to the urgency of the Committee's request, time has not permitted securing advice from the Bureau of the Budget as to the relationship of this report to the Administration program.

Sincerely yours,
John L. Sweeney,
Assistant Secretary for Public Affairs.

Mr. MAGNUSON. Of course, what this letter suggests makes real commonsense. It states in part:

> We consider the regulatory approach to sonic boom preferable to a flat statutory mandate without the power of discretion.

Mr. President, this is one of the most amazing amendments I have seen on the floor of the Senate. We are legislating against something we know nothing about, absolutely nothing. We are talking about a commercial airplane that will cause sonic boom in 1972, 4 years from now. We know nothing about it. The only thing we know about it is some scientific opinions of some individuals I could name, who get into an argument on sonic boom. What about the military?

This amendment prohibits the flying of such an airplane forever unless Congress does something about it later on, 4 or 5 years from now, about which we know nothing now. We have not the faintest idea what the sonic boom will be when an SST commercial plane is developed. But we know about the military. The Senator from Oklahoma has been familiar with it for a long time.

There were experiments at Edwards Air Force Base. Some of the sonic boom experiments were deliberately made as bad as possible.

When we legislate in the Senate, let us legislate on subjects we know something about. I would like to learn something about it. I have sat in the Appropriations Committee. We have appropriated money since 1958 for research. We have farmed those funds out. We have provided them to NASA to make such research. We have given money to some airplane manufacturers to do it. We have given some of those funds to the National Academy of Sciences Advisory Committee. They are all working on the problem.

I know scientists can get into arguments with each other. One of them writes an article and then gets his feet in concrete on it and will not change his mind. If this amendment is really wanted, why not prohibit the flight of all airplanes that have created sonic booms and about which we know? I may offer an amendment to include all aircraft, so it will not be discriminatory.

Who is going to define "over land"?

The Senator from Wisconsin talks about radiation and technological developments. Who has been doing all that work in the Commerce Committee? We do not legislate against something we know nothing about. We do not suggest, because there is some testimony that color TV sets may emit some radiation that may do harm, that we will abolish the sales of all such television sets. We know something about laser beams.

That is why the amendment is faulty. I cannot understand why the Senator offers it. If he would offer an amendment that would affect all aircraft, I would go along with him, because I would like to have the problem solved. I think it will be solved.

As the Senator from Oklahoma [Mr. Monroney] said, articles have been written on this subject, and I could produce them this afternoon. So could the Senator from Oklahoma and the Committee on Commerce, which reported the bill unanimously. There are just as many arguments on the other side of the question, perhaps more; I do not know.

This is an amazing amendment. It proposes to legislate with respect to something about which we know nothing, and to make it permanent.

Mr. MONRONEY. Mr. President, will the Senator yield?

Mr. MAGNUSON. I yield.

Mr. MONRONEY. The ridiculous part of the proposal is that a professor, a fine young man, did not seem to understand too much about the situation, because he proposes to prohibit any sort of sonic flight over the United States. Windows could be knocked out starting at Boston and continuing down the entire seacoast, including the big cities of New Jersey and New York, and the plane still not be over the United States. To get a 35-mile pyramid boom, it would only be necessary to be 3 miles out from shore, over international waters.

So the proposal is ineffectual; it is premature.

The bill creates an interagency group of officers to study the condition. It does not undertake to write rules and regulations.

In the early days, an automobile had to stop on a highway or a country road until a farmer could get his team past. We can't stand such progress. Someday supersonic flights will be customary. Whether it will be possible to fly over land, we do not yet know. But scientific development will take place.

The airlines will bear the financial responsibility. The information we have from the Director of the Office of Noise Abatement is:

> If an airline proposed to operate supersonically over the United States before "levels of acceptability" were established, the burden of proof of acceptability and the responsibility for any resulting damage would have to fall upon the airline proposing such operations.

That is a statement by Mr. I. H. Hoover, Director of the Office of Noise Abatement.

So the bill establishes levels of acceptability; the amendment of the Senator from New Jersey does not.

The PRESIDING OFFICER. The time of the Senator from Washington has expired.

Mr. CASE. Mr. President, I ask unanimous consent that the chairman of the Committee on Commerce be allowed to proceed, notwithstanding the expiration of the time.

Mr. BYRD of West Virginia. For how long?

Mr. MAGNUSON. For half a minute.

The Committee on Commerce, as I have said, is trying to solve the problem. The House passed the bill unanimously. It proposes to control directly the sonic boom of aircraft. The committee thinks that is the proper way to proceed, rather than the way suggested by the Senator from New Jersey and the Senator from Wisconsin [Mr. Proxmire]. The Senator from Wisconsin has long been a foe of the SST altogether. I understand that. He has his reasons—maybe. So has the Senator from New Jersey—possibly. So now they are trying to legislate against something that does not even exist.

The PRESIDING OFFICER. The time of the Senator from Washington has expired.

Mr. CASE. Mr. President, I yield myself such time as I may require.

This is not a subject about which we know nothing. We know enough about sonic boom to understand that it is destructive and harmful. How harmful and destructive, we do not know. That is what the study is intended to determine.

The Senator from Washington, the Senator from Oklahoma, and I are, generally, on the same wavelength. It is offensive to them that anyone except the Federal Aviation Administration should make a final decision in the matter. It is offensive to me that that agency should make the final decision in this matter, for reasons which I have emphasized time and again. This question is tied in with the development of a supersonic plane by those responsible for its development. But how can they take into account all the considerations that ought to be taken into account before it is decided how much, if any, supersonic boom shall be permitted?

In the environment in which we live, it seems to me the issue has been drawn to this narrow point. No one will charge the FAA with being a bunch of professors; I want to add I do not share the general view that that is a term of opprobrium at all.

Mr. President, I have a feeling that the Senator from New Hampshire would like me to yield to him.

Mr. COTTON. Mr. President, will the Senator yield for a quick question?

Mr. CASE. I yield.

Mr. COTTON. I have been studying the Senator's amendment. Does the amendment propose to outlaw the sonic boom itself or the flying of aircraft capable of creating a sonic boom?

Mr. CASE. It provides for the prohibition of flights by nonmilitary aircraft over the United States in such a way as to produce a sonic boom. That is the exact language. It is the production of a sonic boom that is prohibited, not necessarily the flight of a plane that could go faster and produce a sonic boom. It is the production of the sonic boom.

Mr. COTTON. I thank the Senator.

Mr. CASE. It is highly important that we all understand the issue. Are we going to let the Federal Aviation Agency, which is totally responsible, and at least involved in a deep conflict of interest, make the decision for all the people, or are we going to reserve that decision, which should be our responsibility, to Congress?

I yield back the remainder of my time, unless the Senator from Wisconsin desires to use additional time.

Mr. MAGNUSON. Mr. President, will the Senator yield me another half minute?

Mr. CASE. I yield.

Mr. MAGNUSON. I think Congress should settle the matter when the facts are known.

Mr. CASE. Mr. President, the Senator from Washington and I could continue the discussion on my time, or the Senate's time, and neither of us would persuade the other. If he would like to continue, I will listen to him. But I fully agree that we should not make a decision until we know the facts.

Our amendment provides for a determination of the facts by a disinterested study of the highest caliber, represented by and participated in by a responsible agency of the Government of the United States.

Mr. President, I ask unanimous consent that certain additional comments which I shall provide be printed at this point in the Record.

There being no objection, the comments were ordered to be printed in the Record, as follows:

The FAA must be seen as an instrument of executive branch programs. The agency must defend the SST against many competing and conflicting claims for funding and attention. For example in 1966 Maj. Gen. J. C. Maxwell, USAF Director, Supersonic Transport Development, was quoted as saying in an interview:

"People in time will come to accept the sonic boom as they have the rather unpleasant side effects which have accompanied other advances in transportation."

In 1968 he explains in a letter to the Honorable Philip J. Philbin, House of Representatives:

"The SST program is based on the premise that because of the sonic boom the SST's supersonic operation will be limited to the overocean routes. Our economic studies show an adequate market even under those conditions."

But if the over ocean routes do not provide an adequate market, will he retreat to the 1966 position?

The question of whether the SST is a profitable project *without* overland flights is very much in doubt. The recent delays and talk of redesign can only increase total project cost and individual aircraft price. Thus more production will be needed to bring the operating costs to a profitable basis. The pressure to allow overland routes will be enormous. I am advised that the potential loss to the project would be several billions of dollars unless overland flights are allowed. The government would of course share this loss and the pressure on the FAA can easily be imagined.

In such circumstances, is it realistic to expect the FAA to act?

The record over the past few years suggests the answer is "no."

The FAA could have prevented the noise problem from getting to its present stage all through the years—either by using existing authority or coming to Congress as it finally has with HR 3400. But it is years too late and we are condemned to years more of noise before relief will be apparent.

So let us learn from this history the limitations of the agency and the responsibility of the Congress. Let me quote from the Congressional Record of June 10, 1968, page 16391. In 1962 the House Committee on Interstate and Foreign Commerce issued a report saying:

"Should the authority of the Federal Aviation Administrator to promulgate air traffic rules which seek to alleviate the impact of aircraft noise on persons and property on the ground be found by him to be inadequate, he should report this fact to the Congress and seek whatever additional authority is necessary to achieve that end."

For years the agency did not move in the noise problem and I do not believe it will move promptly to control the sonic boom.

We know enough to ban the boom *now* and approach the acceptability threshold (whenever it is defined) from the "no boom" condition rather than allow SST flights to begin and then try to cut back the boom hazard.

The National Academy of Sciences report says that the current version should not be allowed to fly over land because of a consensus that the psychological impact would be unacceptable.

The *ban now* is prudent. Later we will know what the threshold of acceptability is.

Then Congress can make a judgment on the trade off of economic gain and social costs.

Only now do we have the chance to *preserve* a no-boom environment.

Only our amendment can *preserve* the role of the Congress in balancing all of the values which should be considered in a decision which will affect the mental health and wellbeing of a majority of Americans for years to come.

We cannot let this responsiblity slip away to a bureaucracy which cannot be totally objective.

The PRESIDING OFFICER. One minute remains.

Mr. CASE. I yield back the remainder of my time.

The PRESIDING OFFICER. All time has been yielded back. The question is on agreeing to the amendment offered by the Senator from New Jersey and the Senator from Wisconsin. The yeas and nays have been ordered, and the clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. BYRD of West Virginia. I announce that the Senator from Alaska [Mr. Bartlett], the Senator from Idaho [Mr. Church], the Senator from Pennsylvania [Mr. Clark], the Senator from Arkansas [Mr. Fulbright], the Senator from Oklahoma [Mr. Harris], the Senator from Indiana [Mr. Hartke], the Senator from Arizona [Mr. Hayden], the Senator from Massachusetts [Mr. Kennedy], the Senator from Ohio [Mr. Lausche], the Senator from Missouri [Mr. Long], the Senator from Montana [Mr. Mansfield], the Senator from Minnesota [Mr. McCarthy], the Senator from Arkansas [Mr. McClellan], the Senator from South Dakota [Mr. McGovern], the Senator from Montana [Mr. Metcalf], the Senator from Minnesota [Mr. Mondale], the Senator from Oregon [Mr. Morse], the Senator from Maine [Mr. Muskie] the Senator from Wisconsin [Mr. Nelson], the Senator from Rhode Island [Mr. Pell], and the Senator from Florida [Mr. Smathers] are necessarily absent.

I further announce that, if present and voting, the Senator from Alaska [Mr. Bartlett] would vote "nay."

On this vote, the Senator from Pennsylvania [Mr. Clark] is paired with the Senator from Oklahoma [Mr. Harris]. If present and voting, the Senator from Pennsylvania would vote "yea," and the Senator from Oklahoma would vote "nay."

Mr. KUCHEL. I announce that the Senator from Colorado [Mr. Allott] is absent on official business.

The Senator from Utah [Mr. Bennett], the Senator from New York [Mr. Javits] and the Senators from Illinois [Mr. Dirksen and Mr. Percy] are necessarily absent.

The Senator from Massachusetts [Mr. Brooke], the Senator from Kentucky [Mr. Cooper], the Senator from Iowa [Mr. Hickenlooper], the Senator from California [Mr. Murphy], the Senator from Texas [Mr. Tower], and the Senator from North Dakota [Mr. Young] are detained on official business.

If present and voting, the Senator from Colorado [Mr. Allott], the Senator from Massachusetts [Mr. Brooke], the Senator from California [Mr. Murphy], the Senator from Illinois [Mr. Percy], and the Senator from Texas [Mr. Tower] would each vote "nay."

On this vote, the Senator from New York [Mr. Javits] is paired with the Senator from Illinois [Mr. Dirksen]. If present and voting, the Senator from New York would vote "yea" and the Senator from Illinois would vote "nay."

The result was announced—yeas 12, nays 55, as follows:

[No. 210 Leg.]

YEAS—12

Byrd, Va.
Case
Griffin
Gruening
Long, La.
Proxmire
Ribicoff
Scott
Smith
Tydings
Yarborough
Young, Ohio

NAYS—55

Aiken
Anderson
Baker
Bayh
Bible
Boggs
Brewster
Burdick
Byrd, W. Va.
Cannon
Carlson
Cotton
Curtis
Dodd
Dominick
Eastland
Ellender
Ervin
Fannin
Fong
Gore
Hansen
Hart
Hatfield
Hill
Holland
Hollings
Hruska
Inouye
Jackson
Jordan, N.C.
Jordan, Idaho
Kuchel
Magnuson
McGee
McIntyre
Miller
Monroney
Montoya
Morton
Moss
Mundt
Pastore
Pearson
Prouty
Randolph
Russell
Sparkman
Spong
Stennis
Symington
Talmadge
Thurmond
Williams, N.J.
Williams, Del.

NOT VOTING—32

Allott
Bartlett
Bennett
Brooke
Church
Clark
Cooper
Dirksen
Fulbright
Harris
Hartke
Hayden
Hickenlooper
Javits
Kennedy
Lausche
Long, Mo
Mansfield
McCarthy
McClellan
McGovern
Metcalf
Mondale
Morse
Murphy
Muskie
Nelson
Pell
Percy
Smathers
Tower
Young, N. Dak.

So Mr. Case's amendment was rejected.

Mr. MONRONEY. Mr. President, I move to reconsider the vote by which the amendment was rejected.

Mr. BYRD of West Virginia. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. TYDINGS. Mr. President, I strongly support H.R. 3400, the Aircraft Noise Abatement Act. This legislation was passed unanimously by the House of Representatives and has been favorably reported without amendments by the Senate Commerce Committee. I intend to vote for it.

In summary, the bill provides for the control and abatement of aircraft noise, and marks Congress first attempt to try to protect America's eardrums. It authorizes and requires the Administrator of the Federal Aviation Administration to establish noise reduction standards for the measurement of aircraft noise and sonic boom, and to apply these standards in the issuance of certificates under title VI of the Federal Aviation Act.

While the impressive growth of aviation in recent years has improved our transportation system and strengthened our national economy, it has also disrupted our environment and well-being. Aircraft noise is a growing source of annoyance and concern to the thousands of citizens who live near many of our large urban airports or under their flight paths. It has truly become a national problem.

The victimization of the public by noise pollution has been, I might add, very democratic. Jet noise disturbance touches nearly all residential areas alike, from the fashionable neighborhood in the Georgetown section of Washington, to the low-income housing project in Anacostia. It reaches us everywhere, whether we are at work, in school, at a concert, or in church.

The steadily rising level of this sound promises to shatter, if it hasn't already, the peace and quiet of many American communities across the land.

In particular, Mr. President, I am keenly aware of the intolerable situation that exists here in the Washington metropolitan area as a result of the aircraft noise and disturbance from Washington National Airport. Regularly, I receive letters of adamant protest from my constituents in Montgomery and Prince Georges Counties, and from residents of the District of Columbia urging that the Federal Government do something to alleviate their present situation.

From reading these letters, I know that these families are continually subjected to the hammering and shrieking noise of aircraft flying in and out of National. For them, normal life is made almost impossible. A housewife from Glen Echo Heights, in Montgomery County, wrote me recently:

> The matter of noise from aircraft results in an undiminishing roar! We hear this too frequently during the 7:00 a.m. to 11:00 p.m. period, especially in the evening when there are scores of aircraft per hour flying over our vicinity and dozens of these aircraft in a half hour period. Under these conditions, we are forced to live in a harassment totally unreasonable and seemingly not with any moral consideration of human interest.

A portion of a letter I received from a District resident cogently touches on another aspect of this entire problem. He wrote:

> The traditional activities of the Nation's Capital which have attracted and delighted millions of tourists as well as local residents—Watergate, for years a joy to us all; the Sylvan Theater, an increasingly respected and appreciated cultural effort; or just the quiet pleasures of walking along the Mall—all these have been seriously curtailed, or even totally destroyed by the continued thunder of aircraft from National. And has any study been made of the effect of the vibrations on some of our national monuments?

Another resident called jet noise in the Washington metropolitan area, "a real nuisance, another Kenilworth Dump-type problem."

I could go on and on quoting similar passages of protest from the scores of mail I have received, Mr. President, but I feel the point has been made. The facts are clear that the impact of aircraft-generated noise interrupts and intrudes on the daily activities of our lives.

In addition, life is made more costly by the disturbance. I understand that the construction of soundproofing at the Kennedy Center for the Performing Arts, which will be required because of the noise of flights in and out of National Airport, has increased the costs of the Center by about $5 million. Even with this additional expense, I am told there is no assurance that concerts will not be interrupted by the noise; $70,000 worth of soundproof doors will be required for the new addition to the Arena stage in an attempt to block out aircraft noise disturbances. Furthermore, the vibrations and booms from low-flying planes on takeoff and landing can cause damage to underlying dwellings. Shattered windowpanes or cracked plaster walls force homeowners to make costly repairs.

I realize that this bill is not a panacea, that jet noise is a complex problem, and that, unfortunately, there are no easy solutions to be found. Further research and development of aircraft engines which generate less noise are urgently needed. But H.R. 3400 is a long-needed step in the right direction. Sufficient technological and regulatory means exist today for us to begin to deal with this problem. By employing them, the Government can reduce the impact of aircraft noise exposure and the level of sounds.

The situation can only grow worse if action by the Congress is not taken. I hope that my colleagues in the Senate will join with me today in supporting this measure.

Mr. MONRONEY. Mr. President, I ask for third reading.

The PRESIDING OFFICER. The bill is open to amendment. If there be no further amendment to be proposed, the question is on the third reading of the bill.

The bill (H.R. 3400) was read the third time and passed.

Mr. MONRONEY. Mr. President, I move to reconsider the vote by which the bill was passed.

Mr. BYRD of West Virginia. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

ESTABLISHMENT AND OPERATION OF CERTAIN BRANCH OFFICES BY THE MICHIGAN NATIONAL BANK

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 1353.

The PRESIDING OFFICER. The bill will be stated by title.

The LEGISLATIVE CLERK. A bill (S. 356) *to permit the establishment and operation* of certain branch offices by the Michigan National Bank, Lansing, Mich.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the Senate *proceeded to consider the bill.*

Mr. GRIFFIN. Mr. President, I wish to indicate my opposition to the pending bill as special legislation for one banking corporation which circumvents the branch-banking policies of the State.

During the course of committee hearings, opposition to the measure was registered by the State of Michigan Financial Institutions Bureau, the Michigan Bankers Association, the Michigan State Banking Commissioner, the Independent Bankers Association of America, the National Association of Supervisors of State Banks, the Federal Deposit Insurance Corporation, the Federal Reserve Board of Governors, and the Department of Justice.

Mr. HART. Mr. President, this bill was introduced in order that the Senate Members expert in banking matters could make a full record on which they could evaluate the equities involved. To those in Michigan who were interested and concerned, both for and against, I made clear that I would rely on the study, judgment, and conclusion of the Banking and Currency Committee. To those on that committee who inquired of me my attitude on the bill I made this same explanation. In short, my interest was and is to have the judgment of the members experienced in this field on a matter of admitted technical judgment, after full hearing of all parties who had views and positions. We now have the conclusions, judgment, and recommendations of this committee and I accept it.

The PRESIDING OFFICER. The bill is open to amendment. If there be no amendment to be proposed, the question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed for a third reading, read the third time, and passed, as follows:

S. 356

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, notwithstanding any other provision of law, the Michigan National Bank, Lansing, Michigan, may, with the approval of the Comptroller of the Currency, reestablish and operate as branches, at such locations as shall be approved by the Comptroller of the Currency, the office in Saginaw, Michigan, and the three offices in Grand Rapids, Michigan, or any of them, which were in lawful operation as branches of the Saginaw National Bank, Saginaw, Michigan, and the First National Bank, Grand Rapids, Michigan, prior to their consolidation with the Lansing National Bank under the name of Michigan National Bank, Lansing, Michigan.

ORDER FOR ADJOURNMENT

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that when the Senate completes it business today, it stand in adjournment until 12 o'clock noon tomorrow.

The PRESIDING OFFICER. Without objection, it is so ordered.

DISPOSITION OF MONEYS OBTAINED FROM THE SALE OF MATERIALS FROM PUBLIC LANDS

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 1356, S. 1385. I do this so that the bill will become the pending business.

The PRESIDING OFFICER. The bill will be stated by title.

The LEGISLATIVE CLERK. A bill (S. 1385) to amend section 3 of the act entitled "An act to provide for the disposal of materials on the public lands of the United States" approved July 31, 1947, relating to the disposition by the Secretary of the Interior of moneys obtained from the sale of materials from public lands.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to the consideration of the bill, which had been reported from the Committee on Interior and Insular Affairs, with amendments, on page 2, line 20, after "SEC. 2." strike out "Section" and insert "The Act of May 23, 1908 (35 Stat. 260) and section"; and in line 22, after "(36 Stat. 961, 963; 16 U.S.C. 500)" strike out "is" and insert "are"; so as to make the bill read:

S. 1385

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 3 of the Act entitled "An Act to provide for the disposal of materials on the public lands of the United States" approved July 31, 1947 (61 Stat. 681; 30 U.S.C. 603), is amended by adding at the end thereof the following: "Notwithstanding any other provision of law, 25 per centum of the total amount paid or deposited by purchasers during any fiscal year from the disposition of timber from unreserved public domain lands under the jurisdiction of the Secretary of the Interior shall be disbursed, at the end of such year, by the Secretary of the Treasury to the State in which such public lands are situated, to be expended as the State legislature may prescribe for the benefit of the public schools and public roads of the county or counties in which such public lands are situated. Whenever any such public lands are in more than one State or county the distributive share to each from the total amounts paid by purchasers from the disposition of timber from such public lands shall be proportional to the area of public lands therein. In sales of logs, ties, poles, posts, cordwood, pulpwood, and other forest products, the amounts made available for schools and roads by this section shall be 25 per centum of the total amount paid by the purchaser. Such total amount shall include, but shall not be limited to, stumpage payments, slash and brush disposal deposits, sale area betterment deposits, erosion control deposits, and other collections.

SEC. 2. The Act of May 23, 1908 (35 Stat. 260) and section 13 of the Act of March 1, 1911, as amended, (36 Stat. 961, 963; 16 U.S.C. 500) are further amended to read as follows:

"Twenty-five per centum of the total amount of all moneys paid or deposited by purchasers during any fiscal year for all resources of each national forest shall be disbursed, at the end of such year, by the Secretary of the Treasury to the State in which such national forest is situated, to be expended as the State legislature may prescribe for the benefit of the public schools and public roads of the county or counties in which such national forest is situated: *Provided*, That when any national forest is in more than one State or county the distributive share to each from the proceeds of such forest shall be proportioned to its area therein. In sales of logs, ties, poles, posts, cordwood, pulpwood, and other forest products the amounts made available for schools and roads by this section shall be 25 per centum of the total amount paid or deposited by purchasers, and shall include but not be limited to, stumpage payments, slash and brush disposal deposits, sale area betterment deposits, erosion control deposits, and collections under the Act of June 9, 1930 (46 Stat. 527; 16 U.S.C. 576)."

SEC. 3. The amendments made by the first two sections of this Act shall become effective with the fiscal year beginning July 1, 1968.

HOMEOWNERSHIP FOR LOW-INCOME FAMILIES

Mr. MILLER. Mr. President, in a recent editorial the Mason City, Iowa, Globe-Gazette lauded my colleague from Illinois [Mr. PERCY] for taking the initiative in pushing a program of homeownership for low-income families.

The bill, of which I and other Republicans were cosponsors, became an integral part of the housing bill which the Senate recently passed.

The editorial writer views the passage as "a hopeful movement toward pride in ownership as a way of providing, and maintaining, better housing for low-income families."

I ask unanimous consent that the editorial which appeared in the Globe-Gazette's editions of June 13, be printed in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

PERCY'S HOUSING IDEA ACCEPTED

Most of the tenements in the Woodlawn ghetto of Chicago are desolate. Windows are cracked and broken. There are no flowers, no shrubs, no grass.

The 6600 block on Minerva, located in the heart of this rundown area, is a delightful contrast.

For one full block, the three-story buildings are clean, the trim is painted and each has neatly clipped grass, a variety of flowers and shrubs, and shade trees.

Why the difference?

Residents of the area said the people in the 6600 block on Minerva own their own homes. They keep them up and others respect them for it; they escape the vandalism that is a part of the area life.

Most of the rundown tenements are owned by absentee landlords.

Charles H. Percy knew this and in his 1966 campaign for election to the U.S. Senate he advocated a program of home ownership for low-income families.

Once elected, he sold the idea to many of his Republican colleagues and obviously influenced the majority Democratic party because home ownership is at the core of the major housing bill just passed by the Senate.

Responsible citizenship and home ownership go hand in hand, he reasoned. He sought a system of federal subsidization of a portion of the mortgage interest, adapted on a sliding scale geared to family income.

The Chicago Daily News said Percy has estimated that his staff put in $65,000 worth of work on the housing bill. Much of the cost was borne by Percy personally.

The Republican bill offered in the Senate had no chance of passage, but President Johnson adopted much of the home ownership idea in the housing portion of his State of the Union message last January. It led to passage of the housing bill by a 67–4 vote.

The bill leans on private enterprise for basic financing and insurance and does not go overboard on spending in the initial phases. Authorized homeownership payments are limited to $75 million in fiscal 1969, $175 million in fiscal 1970 and $300 million in subsequent years.

This is a hopeful movement toward pride in ownership as a way of providing, and maintaining, better housing for low-income families.

Anyone who owns his home (or is in the process of buying a home) needn't be sold on this idea.

HOW MANY HUMILIATIONS FOR THE UNITED STATES?

Mr. MILLER. Mr. President, the lead editorial in the Sioux City, Iowa, Sunday Journal of July 7 examined some recent humiliations suffered by the United States at the hands of the Communist bloc.

The editorial writer pointed to the *Pueblo* incident, the hijacking of our planes by Cuban Communists, and the downing by Soviet Mig fighter planes of a Vietnam-bound airliner.

In each instance—

The writer emphasizes—

> it seems the United States gets kicked in the teeth by the Communists and then merely says, in effect, "pardon us for getting our teeth in your way."

He then suggests:

> Maybe it's time for the United States to begin initiating a similar war of nerves against the Communist bloc and quit treading softly, while attempting to negotiate peace agreements with Red Governments who by their acts prove they are not peacefully inclined.

He concludes by remarking:

> These incidents, and the Johnson Administration's indecision on how to handle them, likely will have a profound effect on the national elections this fall. The people of the United States, we'd venture a guess, will stand by only so long before expressing their displeasure at the polls.

Mr. President, these are timely observations.

I ask unanimous consent that the editorial, entitled "How Many Humiliations for the United States?" be printed in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

HOW MANY HUMILIATIONS FOR THE UNITED STATES?

There is an ever-growing tendency on the part of Communist bloc countries to humiliate Uncle Sam wherever and whenever possible. The list of such incidents keeps expanding, but aside from an occasional protest by our government little else is done to protect this country's international integrity.

In recent months the people of the United States have seen several demonstrations of this kind. There was the Pueblo incident, in which North Korea took over a U.S. naval vessel and her crew and still refuses to release either, after many months have passed. Of more recent vintage were two incidents involving Red Cuba. In one of these, Communists hijacked an American airliner, kidnaping crew and passengers in a forced landing at Havana. The pilot is a naturalized American citizen and the Red objective was to get him to Cuba where he could be charged with desertion and tried by the Castro government. Although he is a U.S. citizen, he was kidnaped by Cuba and is still being held there.

The other day another U.S. airliner was hijacked and taken to Cuba. Its passengers were not allowed to return with the plane to the states. Cuban authorities claimed Havana's runways were "too short" for safe takeoff, although the plane's pilot denied this. Plane, passengers and crew eventually were released and reached Miami, but the Reds had chalked up another insulting gesture against the United States.

Then there was the big U.S. commercial plane carrying 214 soldiers and sailors to Vietnam that was forced by Soviet MIG fighter planes to land on a Soviet island in the Pacific. The airliner apparently had strayed off course, but instead of guiding it back on the beam, the Soviet fighter planes forced it down on Iturup Island and held passengers and crew. Washington made the usual protest but got action only with a U.S. apology for violating Soviet airspace. Moscow finally let the plane continue the flight after a two-day delay.

In each instance it seems the United States gets kicked in the teeth by the Communists and then merely says, in effect, "pardon us for getting our teeth in your way."

This harassment by the Soviet Union and its satellites, and the lack of retaliation on the part of the United States, makes a good many American citizens feel that a change in attitude and approach is necessary. Maybe it's time for the United States to begin initiating a similar war of nerves against the Communist bloc and quit treading softly while attempting to negotiate peace agreements with Red governments who by their acts prove they are not peacefully inclined.

These incidents, and the Johnson Administration's indecision on how to handle them, likely will have a profound effect on the national elections this fall. The people of the United States, we'd venture a guess, will stand by only so long before expressing their displeasure at the polls.

OLDER AMERICANS

Mr. MILLER. Mr. President, I have been most encouraged by reports of the progress made in the area of helping our senior citizens since the enactment of the Older Americans Act in 1965.

But this is not to say that we, as citizens and as Members of Congress, can afford to rest on our laurels. Much has yet to be done. Only a beginning has been made.

As former Iowa Gov. Robert D. Blue, one of the Nation's outstanding leaders in this field, comments:

> The public must realize the importance of the problem of the aged. It does not apply only to those over 65. It involves tremendous numbers of people—the elderly themselves, those who are approaching retirement, and the younger members of families who must face the problem of caring for older people.

What one State—Iowa—is doing in bringing fulfillment to the lives of our older citizens was described in an article which appeared in the Des Moines, Iowa Sunday Register of July 7.

I commend this article to my colleagues. I ask unanimous consent that it be printed in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

New Concept for the Care of Retired—Most Are Living in Small Towns

Excepting the retirement state of Florida, Iowa has the highest percentage of persons age 65 and over of any state in the nation.

Approximately 12.6 per cent of the state's population is in this age group. This is about 345,000 persons.

Until Jan. 1, 1967, however, only a few pioneer pilot programs for older Iowans were in existence. There was nothing of broad, statewide scope for this age group.

Today, a year and a half later, programs for them are functioning in 66 counties.

The growth has followed the creation of the Commission on the Aging.

The first executive secretary, Ray L. Schwartz, took office in April, 1966.

Former Gov. Robert D. Blue was named commission chairman and continues in this capacity today.

By January 1967 the first programs had been organized and were started. Since then, with financial help from the commission, programs have developed to their present range throughout the state.

Grants of federal and state funds in the amount of $382,000 have been made during this time.

For the most part Iowa's elderly are located in the smaller communities and towns, and the majority of the programs are operating in these places.

One of the main activities has been organizing and working with Senior Citizen groups in developing Senior Citizen centers. Other developments have been programs in nursing and retirement homes, Homemaker services, mobile meals, volunteer services, employment programs, and many more.

A three-phase program which reaches all of the counties of the state is conducted by the Institute of Gerontology, University of Iowa, Iowa City.

This program includes public education regarding the problems of aging, aid to nursing and retirement homes in developing program activities and research to locate retiree and Senior Citizen groups to familiarize them with program materials, project ideas and other aspects of the work relating to aging.

"We believe a solid beginning has been made to bring older Iowans more fully into the life of the state," Schwartz says.

"The strength of the programs which have been started is that most all of them were conceived and developed locally, generally in consultation with older Iowans themselves.

"Assistance in planning and securing funds has been given by the commission.

"The programs are examples of Iowa localities seizing their own opportunities in this field and doing something about them.

"Significantly, the present day outlook is that centers and services are no longer merely conveniences for the community's older people, but instruments through which they can contribute to community life and continue to have the place which they have earned in it."

Former Governor Blue said, "Up until the time the commission was created there was no unit of the state government to deal specifically with the problems of older people.

"We had literally dozens of nursing and retirement homes but no central place where problems could be discussed and met.

"We have made a beginning, and while important activities have been started, now we have to come to grip with the hard problems, housing, for example.

"The public must realize the importance of the problem of the aged. It does not apply only to those over 65. It involves tremendous numbers of people—the elderly themselves, those who are approaching retirement and the younger members of families who must face the problem of caring for older people."

INTERNATIONAL WHEAT TRADE CONVENTION AGREEMENT

Mr. MILLER. Mr. President, on June 13, this U.S. Senate considered, and voted to ratify, the International Wheat Trade Convention. I opposed the ratification because I believed that this international commodity agreement for wheat would require a U.S. export tax on wheat, restrict U.S. wheat exports, depress U.S. wheat prices, reduce net income of U.S. wheat farmers.

In my opinion, a deceptive myth was created concerning the IWTC—the illusion that, by an international agreement to increase export prices to a level substantially above the market price, the American farmer would somehow receive a higher price for his production.

At that time, I tried to make clear that my analysis indicated that the increased price would not go to the farmer but would, in fact, be an artificial price arrived at by the application of an export tax—sometimes euphemistically described as an "inverse subsidy."

I believe it is important for the Senate to note the events which have occurred subsequent to our action to ratify this ill-conceived treaty. The Secretary of Agriculture on the day after ratification proceeded to calculate the export taxes which would be required to implement the IWTC. For example, on June 17, the announcement was made that U.S. exporters would be required to pay the following export taxes for the "privilege" of exporting U.S. wheat:

[Cents per bushel]

	Gulf	East coast	West coast
Hard Red Spring	7	8	[1] 14
Hard Red Winter	18	18	1
Soft and other	24	24	0

[1] Export subsidy.

What has been the effect on U.S. wheat prices? On June 13, July wheat futures at Chicago were $1.30 per bushel; on July 8, July wheat futures closed at $1.24½—a 5½-cent drop. The situation at the Kansas City market was similar. On June 13, July futures in Kansas City closed at $1.38 per bushel; on July 8, July wheat futures closed at $1.31—a 7-cent drop.

In the first full week after the establishment of export taxes, sales of U.S. wheat dropped to 182,792 tons—less than one-third of the tonnage sold in the previous week. As a matter of fact, in just 2 weeks time U.S. wheat sales had dropped from 602,495 tons to 182,792 tons. Unfortunately, the bad news does not stop here.

The announcement of wheat export taxes has caused the drastic reduction in bookings of future wheat exports. In the first full week after the export taxes were announced, only 1.9 million bushels of wheat were booked for export. This compares to over 13.7 million bushels just 2 weeks previously. The conclusion is inescapable—U.S. wheat exports have gone down, and the facts indicate that they will continue to go down unless the current policy is changed.

While we were assured that U.S. wheat would be kept competitive on the world market, what has been the response of the Secretary of Agriculture with respect to this dismal export situation that has been created over the past 2 to 3 weeks? Wheat export taxes will be increased. For example, the export tax on Hard Red Winter wheat at the gulf and east coast ports has been increased by 3 cents to 21 cents per bushel; and for our soft wheats, the export tax is now 28 cents—4 cents above the June 17 level.

The U.S. Department of Agriculture forecasts a U.S. wheat harvest in excess of 1.5 billion bushels. Yet we are restricting U.S. wheat exports. This will cost the wheat farmer dearly. Ratification of the International Wheat Trade Convention was a tragic mistake.

ORDER OF BUSINESS

Mr. BYRD of West Virginia. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

PROGRAM

Mr. BYRD of West Virginia. Mr. President, for the information of the Senate, I desire to ask the Chair to state what the unfinished business will be when the Senate meets on tomorrow.

The PRESIDING OFFICER. S. 1385, a bill to amend section 3 of the act entitled "An act to provide for the disposal of materials on the public lands of the United States" approved July 31, 1947, relating to the disposition by the Secretary of the Interior of moneys obtained from the sale of materials from public lands, will be the unfinished business.

Mr. BYRD of West Virginia. I thank the Chair.

ORDER FOR ADJOURNMENT FROM TOMORROW UNTIL 10 A.M. ON MONDAY, JULY 15, 1968

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that when the Senate completes its business tomorrow, it stand in adjournment until 10 a.m., Monday next, July 15, 1968.

The PRESIDING OFFICER. Without objection, it is so ordered.

ADJOURNMENT

Mr. BYRD of West Virginia. Mr. President, in accordance with the order previously entered, I move that the Senate stand in adjournment until 12 o'clock noon tomorrow.

The motion was agreed to; and (at 6 o'clock and 27 minutes p.m.) the Senate adjourned until tomorrow, Friday, July 12, 1968, at 12 noon.

NOMINATIONS

Executive nominations received by the Senate July 11, 1968:

DIPLOMATIC AND FOREIGN SERVICE

The following-named person for appointment as a Foreign Service officer of class 1, a consular officer, and a secretary in the diplomatic service of the United States of America:

James W. Spain, of the District of Columbia.

Now Foreign Service officers of class 2 and secretaries in the diplomatic service, to be also consular officers of the United States of America:

John R. Diggins, Jr., of Maine.
Ellwood M. Rabenold, Jr., of Pennsylvania.

For appointment as Foreign Service officers of class 2, consular officers, and secretaries in the diplomatic service of the United States of America:

Maurice D. Bean, of New Jersey.
William B. Jones, of California.

Now a Foreign Service officer of class 3 and a secretary in the diplomatic service, to be also a consular officer of the United States of America:

Richard Straus, of Maryland.

For appointment as a Foreign Service officer of class 5, a consular officer, and a secretary in the diplomatic service of the United States of America:

William E. Spruce, of Texas.

For promotion from Foreign Service officer of class 6 to class 5:

Arnold P. Schifferdecker, of Missouri.

For promotion from Foreign Service officers of class 7 to class 6:

Paul B. Altemus, of New Jersey.
Richard W. Baker III, of New Jersey.
John B. Barton, of South Carolina.
Robert D. Blackwill, of Nevada.
David Bloch, of New York.
Michael Carpenter, of Florida.
Louis E. Chappuie, of Maryland.
Henry L. Clarke, of South Carolina.
Brian G. Crowe, of New York.
James C. Dean, of Illinois.
Paul R. Dekar, of California.
Michael L. Durkee, of New York.
Bernard Engel, of Ohio.
John David Forbes, of Pennsylvania.
Galen W. Fox, of Hawaii.
Robert M. Fresco, of New York.
Jon M. Gibney, of New York.
Larry C. Grahl, of Ohio.
Thomas P. Hamilton, of Hawaii.
Roger G. Harrison, of California.
Frederick H. Hassett, of Missouri.
Miss Eleanor Hicks, of Ohio.
Stanley R. Ifshin, of New York.
John J. Kadilis, of Maryland.
Harry Kopp, of New York.
Ralph L. Lowry, of Pennsylvania.
Charles A. Mast, of South Dakota.
David C. McGaffey, of Michigan.
Michael S. McGill, of Missouri.
Miss Jo Ann McMahon, of Massachusetts.
Miss Mary Rose Noberini, of New York.
Jason H. Parker, of the District of Columbia.
Alec M. Peltier, of California.
Robert M. Perito, of Colorado.
Kenneth E. Rakin, of New York.
Floyd A. Riggs, of Virginia.
Richard E. Schwartz, of Missouri.
Jack M. Seymour, Jr., of Pennsylvania.
Dane F. Smith, Jr., of New Mexico.
David A. Souse, of Massachusetts.
J. Clagett Taylor, Jr., of Florida.
Ward C. Thompson, of New Hampshire.
Dan E. Turnquist, of Colorado.
Edward S. Walker, Jr., of Pennsylvania.
John Kendall Ward, of New York.
Louis B. Warren, Jr., of New Jersey.

For promotion from a Foreign Service officer of class 7 to class 6 and to be also a consular officer of the United States of America:

Warren A. Lavorel, of California.

For promotion from Foreign Service officers of class 8 to class 7:

Eugene C. Bailey, of California.
Richard M. Bash, of Oklahoma.
Charles R. Bowers, of California.
Clifford Lloyd Brody, of Virginia.
Guy Burton, of New York.
Gary E. Chafin, of Texas.
Robert T. Coonrod, of New York.
John B. Craig, of Pennsylvania.
Jeffrey R. Cunningham, of Idaho.
Robert F. Dorr, of California.
Tabor E. Duncan, Jr., of Virginia.
Thomas Humphrey Gerth, of New York.
Miss Katherine Mary Kane, of the District of Columbia.
Allen L. Keiswetter, of Kansas.
Terrence H. Kneebone, of Utah.
William U. Lawrence, of Michigan.
Michael K. Lewis, of the District of Columbia.
Thomas D. Maher, of New Jersey.
Stevenson McIlvaine, of Virginia.
Robert C. Myers, of Virginia.
Roger G. Nord, of Wisconsin.
William H. Poole, of Massachusetts.
Timothy M. Randall, of Illinois.
Dennis A. Sandberg, of Minnesota.
Donald J. Sutter, of New Jersey.
J. Richard Thurman, of Kentucky.
Miss Dena-Kay E. Wade, of Virginia.
Richard LeVerne Williamson, Jr., of California.

For appointment as Foreign Service officers of class 7, consular officers, and secretaries in the diplomatic service of the United States of America:

Frederick Brenne Bachmann, of the District of Columbia.
Russell T. Campbell, of Colorado.
Ronald D. Clifton, of Florida.
Ludlow Flower III, of California.
Jon D. Glassman, of California.
Wayne F. Gledhill, of Utah.
David Crane Halsted, of Vermont.
David Taylor Jones, of Pennsylvania.
Miss Alexandra B. Keith, of New York.
Thomas L. Lauer, of California.
Robert E. McDowell, Jr., of New York.
Robert Bruce McMullen, of Illinois.
Jack A. Sears, of South Dakota.
Joseph C. Snyder III, of Connecticut.
Michael M. Yeki, of California.

For appointment as Foreign Service officers of class 8, consular officers, and secretaries in the diplomatic service of the United States of America:

Morton R. Dworken, Jr., of Ohio.
Hartford Jennings, of Ohio.
George L. Knox, Jr., of Alabama.
Nicholas R. Lang, of New York.
Miss Caroline V. Meirs, of New York.
Boyd Poush, of Virginia.
Leonardo M. Williams, of Minnesota.

Foreign Service Reserve officers to be consular officers of the United States of America:

Leslie Albion Squires, of Hawaii.
Alan P. White, of Maryland.

Foreign Service Reserve officers to be consular officers and secretaries in the diplomatic service of the United States of America:

Francis L. Albert, Jr., of the District of Columbia.
Gilbert F. Austin, of Washington.
Albert Ball, of California.
Robert D. Barton, of Maine.
Brian Bell, of the District of Columbia.
Bernard Blankenheimer, of Maryland.
Charles B. Blosser, of the District of Columbia.
William C. Boner, Jr., of Virginia.
John L. Bright, of Ohio.
Edward R. Brown, of Virginia.
Mario L. Cioci, of Maryland.
Duane R. Clarridge, of Virginia.
Arthur C. Close, of Virginia.
Bertram F. Dunn, of Maryland.
James E. Flannery, of Virginia.
Jay W. Gildner, of the District of Columbia.
Vernon J. Goertz, Jr., of Florida.
Edward J. Gotchef, of Illinois.
Thomas J. Gunning, of Florida.
Daniel J. Hafrey, of Minnesota.
David Hakim, of Pennsylvania.
Jonathan G. Hanke, of New York.
Awad Hanna, of California.
Joseph P. Hayes, of New Jersey,
George H. Hazelrigg, of Oklahoma.
Fredric B. Irvin, of Arizona.
Alvin Kapusta, of the Virgin Islands.
Raymond Frank Kemery, of Oregon.
Howard E. Kirchwehm, of Illinois.
Robert H. Larson, of Minnesota.
Alfred A. Laun III, of Wisconsin.
Robert H. Lochner, of New Jersey.
Charles A. McGinley, Jr., of Maryland.
Thomas J. Mills, Jr., of Virginia.
Wallace A. Mills, of the District of Columbia.
Daniel E. Moore, of Virginia.
Warren J. Obluck, of California.
Paul J. Redmond, Jr., of Massachusetts.
James H. Savery, of New York.
Earle V. Sears, of Virginia.
Benno H. Selcke, of Illinois.
Jack H. Shellenberger, of Maryland.
Joseph W. Smith, of Maryland.
Marvin Sorkin, of the District of Columbia.
Michael S. Thompson, of the District of Columbia.
John H. Waller, of the District of Columbia.
Edward O. Walles, of the District of Columbia.
Robert B. Whittinghill, of New York.
Edward Williams, Jr., of Virginia.
Earl J. Williamson, of Florida.
Dorwin M. Wilson, of the District of Columbia.
Robert T. Wood, of Virginia.

Foreign Service Reserve officer to be a secretary in the diplomatic service of the United States of America:

Henry John Costanzo, of the District of Columbia.

Foreign Service staff officers to be consular officers of the United States of America:

Frank J. Abrams, Jr., of Maine.
J. Leonard Buflo, of Pennsylvania.
Robert L. Kirby, of California.
Albert D. Krehbiel, of Kansas.
Louis N. Lemieux, Jr., of Maine.
Miss M. Jane Parker, of California.
Miss Gwendolyn L. Quarterman, of Illinois.
Miss Laura M. Schmidt, of Michigan.
William G. Smallwood, of Washington.
James C. Smelley, of Alabama.
Richard B. Sorg, of Ohio.
Meldon R. Thomas, of Texas.
Frank Urbonas, of California.
William N. Wilkes, Jr., of Virginia.

In the Army

The following-named officers for temporary appointment in the Army of the United States to the grade indicated under the provisions of title 10, United States Code, sections 3442 and 3447:

To be major generals

Brig. Gen. Andrew Peach Rollins, Jr., O24237, Army of the United States (colonel, U.S. Army).

Brig. Gen. William Thomas Bradley, O21768, Army of the United States (colonel, U.S. Army).

Brig. Gen. Salve Hugo Matheson, O36253, Army of the United States (colonel, U.S. Army).

Brig. Gen. Karl William Gustafson, O45560, Army of the United States (colonel, U.S. Army).

Brig. Gen. William Robertson Desobry, O24262, Army of the United States (colonel, U.S. Army).

Brig. Gen. Leo Henry Schweiter, O34334, Army of the United States (colonel, U.S. Army).

Brig. Gen. John Louis Klingenhagen, O39223, Army of the United States (colonel, U.S. Army).

Brig. Gen. Walter James Woolwine, O23795, Army of the United States (colonel, U.S. Army).

Brig. Gen. Ralph Longwell Foster, O22669, Army of the United States (colonel, U.S. Army).

Brig. Gen. Herron Nichols Maples, O45920, Army of the United States (colonel, U.S. Army).

Brig. Gen. John Frederick Freund, O23334, Army of the United States (colonel, U.S. Army).

Brig. Gen. Leo Bond Jones, O24255, Army of the United States (colonel, U.S. Army).

Brig. Gen. William Allen Knowlton, O25436, Army of the United States (colonel, U.S. Army).

Brig. Gen. Jack Jennings Wagstaff, O35585, Army of the United States (colonel, U.S. Army).

Brig. Gen. Linton Sinclair Boatwright, O23968, Army of the United States (colonel, U.S. Army).

Brig. Gen. Hugh Franklin Foster, Junior, 023837, Army of the United States (colonel, U.S. Army).

Brig. Gen. Donald Hugh McGovern, O36851, Army of the United States (colonel, U.S. Army).

Brig. Gen. Orwin Clark Talbott, O24617, Army of the United States (colonel, U.S. Army).

Brig. Gen. Kenneth Lawson Johnson, O36285, Army of the United States (colonel, U.S. Army).

Brig. Gen. Willard Roper, O33605, Army of the United States (colonel, U.S. Army).

Brig. Gen. Albert Ernest Milloy, O35289, Army of the United States (colonel, U.S. Army).

Brig. Gen. Donn Royce Pepke, O25188, Army of the United States (colonel, U.S. Army).

Brig. Gen. Willis Dale Crittenberger, Jr., O24893, Army of the United States (colonel, U.S. Army).

Brig. Gen. Harris Whitton Hollis, O53724, Army of the United States (colonel, U.S. Army).

Brig. Gen. Francis Paul Koisch, O24669, Army of the United States (colonel, U.S. Army).

Brig Gen. Robert Bruce Smith, O46241, Army of the United States (colonel, U.S. Army).

Brig. Gen. William John Durrenberger, O25099, Army of the United States (colonel, U.S. Army).

Brig. Gen. James Leon Baldwin, O36864, Army of the United States (colonel, U.S. Army).

Brig. Gen. Morgan Garrott Roseborough, O22681, Army of the United States (colonel, U.S. Army).

Brig. Gen. Edward Bautz, Jr., O34750, Army of the United States (colonel, U.S. Army).

Brig. Gen. Jack Carter Fuson, O36184, Army of the United States (colonel, U.S. Army).

Brig. Gen. William Henry Blakefield, O33927, Army of the United States (colonel, U.S. Army).

Brig. Gen. Elvy Benton Roberts, O25781, Army of the United States (colonel, U.S. Army).

Brig. Gen. George Samuel Beatty, Jr., O25268, Army of the United States (colonel, U.S. Army).

2. I nominate the following-named officers for appointment in the Regular Army of the United States to the grade indicated, under the provisions of title 10, United States Code, sections 3284 and 3306:

To be brigadier general

Brig. Gen. William Thomas Bradley, O21768, Army of the United States (colonel, U.S. Army).

Brig. Gen. Ralph Longwell Foster, O22669, Army of the United States (colonel, U.S. Army).

Brig. Gen. Morgan Garrott Roseborough, O22681, Army of the United States (colonel, U.S. Army).

Brig. Gen. John Frederick Freund, O23334, Army of the United States (colonel, U.S. Army).

Brig. Gen. Walter James Woolwine, O23795, Army of the United States (colonel, U.S. Army).

Brig. Gen. Hugh Franklin Foster, Jr., O23837, Army of the United States (colonel, U.S. Army).

Brig. Gen. Linton Sinclair Boatwright, O23968, Army of the United States (colonel, U.S. Army).

Maj. Gen. James William Sutherland, Jr., O24202, Army of the United States (colonel, U.S. Army).

Maj. Gen. Elmer Hugo Almquist, Jr., O24228, Army of the United States (colonel, U.S. Army).

Brig. Gen. Andrew Peach Rollins, Jr., O24237, Army of the United States (colonel, U.S. Army).

Brig. Gen. Leo Bond Jones, O24255, Army of the United States (colonel, U.S. Army).

Brig. Gen. William Robertson Desorbry, O24262, Army of the United States (colonel, U.S. Army).

Maj. Gen. William Albert Becker, O24267, Army of the United States (colonel, U.S. Army).

Brig. Gen. Williard Roper, O33605, Army of the United States (colonel, U.S. Army).

Lt. Gen. Frederick Carlton Weyand, O33736, Army of the United States (colonel, U.S. Army).

Maj. Gen. George Irvin Forsythe, O24510, Army of the United States (colonel, U.S. Army).

Maj. Gen. Robert Charles Forbes, O24511, Army of the United States (colonel, U.S. Army).

Brig. Gen. Orwin Clark Talbott, O24617, Army of the United States (colonel, U.S. Army).

Brig. Gen. William John Durrenberger, O25099, Army of the United States (colonel, U.S. Army).

Maj. Gen. Walter Philip Leber, O25130, Army of the United States (colonel, U.S. Army).

Brig. Gen. Donn Royce Pepke, O25188, Army of the United States (colonel, U.S. Army).

Maj. Gen. Robert Edmondston Coffin, O25234, Army of the United States (colonel, U.S. Army).

Maj. Gen. John Hancock Hay, Jr., O25290, Army of the United States (colonel, U.S. Army)

Brig. Gen. James Joseph Gibbons, O25355, Army of the United States (colonel, U.S. Army).

Brig. Gen. William Henry Blakefield, O33927, Army of the United States (colonel, U.S. Army).

Maj. Gen. Richard Joe Seitz, O33979, Army of the United States (colonel, U.S. Army).

Maj. Gen. Clarence Joseph Lang, O40705, Army of the United States (colonel, U.S. Army).

Maj. Gen. George Lafayette Mabry, Jr., O34047, Army of the United States (colonel, U.S. Army).

Maj. Gen. John Scarborough Hughes, O34271, Army of the United States (colonel, U.S. Army).

Brig. Gen. Herron Nichols Maples, O45920, Army of the United States (colonel, U.S. Army).

Brig. Gen. Leo Henry Schweiter, O34334, Army of the United States (colonel, U.S. Army).

Maj. Gen. Ellis Warner Williamson, O34484, Army of the United States (colonel, U.S. Army).

Maj. Gen. William Eugene DePuy, O34710, Army of the United States (colonel, U.S. Army).

Brig. Gen. Karl William Gustafson, O45560, Army of the United States (colonel, U.S. Army).

Brig. Gen. Robert Bruce Smith, O46241, Army of the United States (colonel, U.S. Army).

Brig. Gen. Edward Bautz, Jr., O34750, Army of the United States (colonel, U.S. Army).

Maj. Gen. Richard Thomas Knowles, O35418, Army of the United States (colonel, U.S. Army).

Maj. Gen. Donald Harry Cowles, O35735, Army of the United States (colonel, U.S. Army).

Maj. Gen. John Russell Deane, Jr., O24835, Army of the United States (colonel, U.S. Army).

Maj. Gen. Samuel William Koster, O24873, Army of the United States (colonel, U.S. Army).

Maj. Gen. George Marion Seignious II, O47226, Army of the United States (colonel, U.S. Army).

The following-named officers for temporary appointment in the Army of the United States to the grade indicated, under the provisions of title 10, United States Code, sections 3442 and 3447:

To be brigadier general

Col. Harold Gregory Moore, Jr. O27678, Army of the United States (lieutenant colonel, U.S. Army).

Col. George William Casey, O27609, Army of the United States (lieutenant colonel, U.S. Army).

Col. Judson Frederick Miller, O38518, Army of the United States (lieutenant colonel, U.S. Army).

Col. C J. LeVan, O38124, Army of the United States (lieutenant colonel, U.S. Army)

Col. William Ward Watkin, Jr., O24664, U.S. Army

Col. Robert Carter McAlister, O27159, Army of the United States (lieutenant colonel, U.S. Army).

Col. Alexander Russell Bolling, Jr., O26066, U.S. Army.

Col. Frederic Ellis Davison, O45682, U.S. Army.

Col. William Love Starnes, O25475, U.S. Army.

Col. Marlin Watson Camp, O35999, U.S. Army.

Col. John Holloway Cushman, O26483, Army of the United States (lieutenant colonel, U.S. Army).

Col. DeWitt Clinton Armstrong III, O25441, U.S. Army.

Col. Fred Ernest Karhohs, O56540, Army of the United States (lieutenant colonel, U.S. Army).

Col. Richard Carter Horne III, O40863, U.S. Army.

Col. Samuel Lafayette Reid, O35160, U.S. Army.

Col. Robert Creel Marshall, O25467, U.S. Army.

Col. James William Gunn, O40896, U.S. Army.

Col. James Joseph Ursano, O37890, Army of the United States (lieutenant colonel, U.S. Army).

Col. Donald Volney Rattan, O27695, Army of the United States (lieutenant colonel, U.S. Army).

Col. John Howard Elder, Jr., O53453, U.S. Army.

Col. John Charles Bennett, O27263, Army of the United States (lieutenant colonel, U.S. Army).

Col. George Washington Putnam, Jr., O39206, U.S. Army.

Col. Emmett Robinson Reynolds, O25489, U.S. Army.

Col. George Monroe Bush, O27072, Army of the United States (lieutenant colonel, U.S. Army).

Col. Dennis Philip McAuliffe, A26609, Army of the United States (lieutenant colonel, U.S. Army).

Col. Sidney Michael Marks, O36977, U.S. Army.

Col. George Gordon Cantlay, O25979, U.S. Army.

Col. Arthur Hamilton Sweeney, Jr., O40865, U.S. Army.

Col. George Murrell Snead, Jr., O27028, Army of the United States (lieutenant colonel, U.S. Army).

Col. James Cliffton Smith, O38314, Army of the United States (lieutenant colonel, U.S. Army).

Col. William Ross Bond, O36618, U.S. Army.

Col. Bertram Kall Gorwitz, O80092, Army of the United States (lieutenant colonel, U.S. Army).

Col. John Kirk Singlaub, O37040, Army of the United States (lieutenant colonel, U.S. Army).

Col. John Woodland Morris, O25992, U.S. Army.

Col. Harold Arthur Kissinger, O39445, Army of the United States (lieutenant colonel, U.S. Army).

Col. Claude Monroe McQuarrie, Jr., O27434, Army of the United States (lieutenant colonel, U.S. Army).

Col. Joseph Edward Pieklik, O36942, U.S. Army.

Col. Henry John Schroeder, Jr., O26028, U.S. Army.

Col. Thomas Fuller McCord, O414849, U.S. Army Reserve.

Col. Edward Michael Dooley, O38166, Army of the United States (lieutenant colonel, U.S. Army).

Col. Hubert Summers Cunningham, O39303, Army of the United States (lieutenant colonel, U.S. Army).

Col. Wallace Clifton Magathan, Jr., O25861, U.S. Army.

Col. Jack MacFarlane, O38463, Army of the United States (lieutenant colonel, U.S. Army).

Col. Maurice Wesley Kendall, O27003, U.S. Army.

Col. Harold Robert Parfitt, O25914, U.S. Army.

Col. Richard Hulbert Groves, O27141, Army of the United States (lieutenant colonel, U.S. Army).

Col. Richard Harold Johnson, O27179, Army of the United States (lieutenant colonel, U.S. Army).

Col. Stewart Canfield Meyer, O25560, U.S. Army.

Col. Edwin Bradstreet Owen, O47079, U.S. Army.

Col. Michael Edward Leeper, O46552, U.S. Army.

Col. David Ewing Ott, O26522, Army of the United States (lieutenant colonel, U.S. Army).

Col. Clarke Tileston Baldwin, Jr., O26037, U.S. Army.

Col. Jack Alvin Albright, O40870, U.S. Army.

Col. Hugh Richard Higgins, O36183, U.S. Army.

Col. Charles Morton Young, Jr., O47107, U.S. Army.

Col. Bert Alison David, O28441, Army of the United States (lieutenant colonel, U.S. Army).

Col. Sam Sims Walker, O28197, Army of the United States (lieutenant colonel, U.S. Army).

Col. William Burns Caldwell III, O57280, Army of the United States (major, U.S. Army).

Postmasters

The following named persons to be postmasters:

GEORGIA

Carlton T. Warmack, Fairmount, Ga., in place of D. D. Warmack, deceased.

Charlotte D. Bridges, Pineview, Ga., in place of D. T. Clements, retired.

ILLINOIS

Linda T. Wilson, Robbins, Ill., in place of N. F. McCrary, retired.

MICHIGAN

Alice S. Schyllander, Erie, Mich., in place of W. C. Uckele, retired.

James E. Robb, Imlay City, Mich., in place of E. E. Secor, retired.

NEBRASKA

R. Bruce Sweenie, Nemaha, Nebr., in place of E. B. Sweenie, retired.

NEW HAMPSHIRE

Marion E. Boyce, Hill, N.H., in place of Nelson Liden, retired.

NEW YORK

John E. Deegan, Amsterdam, N.Y., in place of T. J. Tighe, Jr., deceased.

NORTH DAKOTA

Leona M. Schwab, Rogers, N. Dak., in place of A. C. Kelly, retired.

OKLAHOMA

Lee T. Goodwin, Concho, Okla., in place of L. G. Wyrick, retired.

PENNSYLVANIA

Henry A. Bauman, Chalfont, Pa., in place of W. I. Wolfinger, retired.

Francis A. Solla, Freeport, Pa., in place of W. M. Kerr, retired.

Myrtle E. Keuling, Tafton, Pa., in place of Elizabeth Robinson, deceased.

Stanford L. McFarland, Walnutport, Pa., in place of C. N. Jarinko, deceased.

SOUTH CAROLINA

Woodrow W. Williams, Springfield, S.C., in place of H. T. Fanning, retired.

TENNESSEE

Jack O. Lambert, Alamo, Tenn., in place of R. J. Thomas, retired.

Margaret M. Toomey, Delano, Tenn., in place of M. C. Pack, retired.

Lena M. Shannon, Green Brier, Tenn., in place of E. A. Williams, retired.

TEXAS

Ralph H. Walton, Grapeland, Tex., in place of A. S. Clewis, retired.

Allen E. Mieth, New Ulm, Tex., in place of D. F. Arndt, transferred.

Herbert M. Nichols, Winters, Tex., in place of G. R. Pace, retired.

WITHDRAWAL

Executive nomination withdrawn from the Senate July 11, 1968:

Francis W. Whitmore to be postmaster at East Setauket in the State of New York.

EXTENSIONS OF REMARKS

LIEUTENANT SPRAYBERRY'S HEROICS GAIN HIM THE SILVER STAR

HON. BILL NICHOLS

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 11, 1968

Mr. NICHOLS. Mr. Speaker, we hear and read much today about the juvenile delinquents, the draft dodgers, peaceniks, and others who claim to be dissenters to the many of our American traditions and ways of life. Very little is heard about the young Americans who are not trying to be noticed because of their differences and their defiance.

Today, I would like to share with you the story of a young American and a young Alabamian who staged another type of defiance, this time on the treacherous battlefield of Vietnam. A native of my hometown of Sylacauga, 1st Lt. James M. Sprayberry, has just been awarded the Silver Star for bravery. Lieutenant Sprayberry is the son of Mr. and Mrs. O. H. Sprayberry of Sylacauga, and is married to the former Nancy Herd. They have one son. Lieutenant Sprayberry is also a graduate of B. B. Comer High School in Sylacauga.

I, at this point, insert in the RECORD an article from the Tuesday, July 9, edition of the Birmingham News which describes Lieutenant Sprayberry's action which earned him the coveted Silver Star:

IN VIET ACTION: LIEUTENANT SPRAYBERRY'S HEROICS GAIN HIM THE SILVER STAR

It sounds like the script of a John Wayne movie, but the Silver Star-winning efforts of 1st Lt. James M. Sprayberry would better be called just another day in the war life of the Sylacauga native.

It all began late one afternoon when a platoon in the 21-year-old soldier's company started down a thickly vegetated mountain in the northwestern part of Vietnam's Tinh Thua Thion Province.

The platoon, according to Army reports, had almost reached a major enemy supply route when an ambush unfolded on two sides. Several GIs were killed immediately, and the others took cover and radioed for help.

Sprayberry, executive officer of the 5th Battalion, 7th Cavalry Co., quickly sent another of his platoons forward to relieve the trapped soldiers.

Murderous enemy fire drove the rescuers back.

So Sprayberry—like in the movies—decided to wait until dark.

By 8 p.m. the young lieutenant was ready—loaded down with as many fragmentation grenades as he could carry. He asked his men for volunteers. No one, he said, would be ordered to go with him. Several quickly volunteered.

They set out, walking slowly along the almost trail-like road, keeping low and trying to avoid twigs and stems that might break noisily if stepped on.

Then, barely out of sight of the base, in a thicket so dark it was hard to tell friend from foe, a sudden rat-tat-tat exploded from a bunker beside the road and bullets zipped through the dust at Sprayberry's feet.

He dived forward flat on his face, not looking up until the burst of fire was over.

His volunteers were all safe. "Stay still," he told them. He had seen where the flashes came from and he was going after their source.

He crawled toward the bunker, and praying as he moved closer that he wouldn't be spotted. He wasn't, and, when less than 15 yards away, he quietly unsnapped one of his grenades, pulled the pin, tossed it and ducked.

Yells. An explosion. Darkness.

Jumping up, the young lieutenant ran toward the site of the explosion, saw the enemy dead, then returned to lead his volunteer patrol silently on toward the pinned-down platoon.

Into every bunker they found along the route, Sprayberry tossed another grenade.

Before Sprayberry had found the beleaguered platoon and led it back to safety, a dozen enemy had been killed, and two machine gun positions and countless bunkers eliminated.

In presenting the lieutenant with the Silver Star last week, Maj. Gen. John J. Tolvon, 1st Air Cavalry commanding general, called Sprayberry's act "the bravest single act that I have heard of during the time that I have commanded the 'First Team'."

A COMMONSENSE VIEW

HON. ROBERT C. BYRD

OF WEST VIRGINIA

IN THE SENATE OF THE UNITED STATES

Thursday, July 11, 1968

Mr. BYRD of West Virginia. Mr. President, an editorial that takes a very commonsense view of the gun-control proposals pending in the Congress appeared in the Washington Daily News for July 10.

Entitled "Gun-Control Compromise," it points out that it is more important at this point to get the ban on mail-order sales of guns than it is to attempt to compel all gun owners to register their weapons—something the criminal element is not likely to do, law or no law.

I ask unanimous consent that the editorial from the Daily News be printed in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

GUN-CONTROL COMPROMISE

In Capitol Hill the hottest dispute of the summer has to do with so-called gun-control legislation.

The war chiefly is between two extremes—those who want no gun legislation at all, and those who favor what they call tight controls.

In the recent anti-crime law, Congress already has clapped a ban on mail-order sales of handguns. Now, it appears, this will be extended to "long" guns—rifles and shotguns.

To get this much, there has been a "compromise" on the House side—key members have said they would oppose for the time being a bill to compel registration of all gun-owners if the proposal for a mail-order ban on long guns were released for a House vote.

This is a reasonable arrangement.

Altho handguns are the principal weapons in crime, there is just as much reason to outlaw mail-order purchase of long guns as pistols. This imposes no real hardship on anybody, and will make it tougher for misfits to acquire weapons.

The sweeping bill to compel the registration of all firearms is another question. It is encumbered with reams of red tape. And there is a valid argument in the contention that it would affect only the legitimate gun-owners while the criminal element, which would ignore the law, still could acquire weapons.

Moreover, as it stands the bill would not be wholly effective for more than two years anyway. Even then, it would apply only in those states which failed to enact gun-control laws deemed "adequate" by the Secretary of the Treasury, who also would be given wide discretion in concocting rules and regulations.

So, if there is no hasty action by Congress now, not much would be lost, if anything, other than a political issue. And Congress meanwhile, by hearings and investigation, might be able to determine whether a registration law would be as effective in curbing crime as Attorney General Clark, for instance, says.

More to the point would be stricter enforcement of laws against carrying concealed weapons, and tougher penalties for violators. And tougher penalties for using weapons in any type of crime.

Finally, it is more useful to get the ban on mail-order sales than not to get it; and in this the compromisers at least are taking a constructive step.

"YOUR POLICE NEED HELP"—ADDRESS BY QUINN TAMM, EXECUTIVE DIRECTOR, INTERNATIONAL ASSOCIATION OF CHIEFS OF POLICE, TO THE CAR AND TRUCK RENTING AND LEASING ASSOCIATION

HON. JOSEPH D. TYDINGS

OF MARYLAND

IN THE SENATE OF THE UNITED STATES

Thursday, July 11, 1968

Mr. TYDINGS. Mr. President, we are devoting an increasing amount of time to the crime problem. We know that our best hope for reducing crime is changing the environment which breeds it.

But we also know that our first and most urgent need is to improve the criminal justice system which apprehends suspects, judges them, and attempts to rehabilitate them.

At the forefront of the system is, of course, the policeman. A man like the rest of us—with a family, friends, a mortgage, auto payments, and the rest. A man like the rest of us except that he is required to practice medicine and law while acting as a counselor of children and married couples. Like the rest of us except for thing: Every day, he puts his life on the line.

The policeman needs help. He is underpaid, overworked, and underequipped. He is also poorly trained, and is all too frequently regarded as a semiskilled worker, not the professional we say we want him to be.

Along with a growing number of citizens, I am concerned that our police departments are not what they ought to be. Title I of the Omnibus Crime Control and Safe Streets Act will help. The growth of vigorous State and local interest in law enforcement will help. And the involvement of private citizens, through their organizations, will help.

One of these organizations is the Car and Truck Renting and Leasing Association. At its annual meeting in Las Vegas on February 8, CATRALA heard an address by Mr. Quinn Tamm, executive director of the International Association of Chiefs of Police and one of the Nation's foremost experts on the police.

I ask unanimous consent that Mr. Tamm's address, followed by the introduction of Mr. Tamm by Mr. John Hoving, be printed in the RECORD.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

YOUR POLICE DEPARTMENT NEEDS HELP

(By Quinn Tamm)

Next to Viet Nam, crime is our most serious national problem. I am here today to tell you what the police are doing about it, and what you as businessmen can do to help them in what appears to be a losing battle, although I steadfastly refuse to accept this premise.

THE RISING TIDE OF CRIME

As you and I confer here today, the police of our nation are making extensive preparations to prevent another "long, hot summer" of civil disorder. In addition to girding for this threat, they are stretching their capabilities to the breaking point every hour of every day in attempts to stem the rising tide of crime that intimidates many of our law-abiding citizens, making them hostages in their own homes—afraid to venture into some areas of our cities at any time—afraid to leave their homes after dark to shop, visit friends or seek recreation.

It is not easy to accept such facts in our nation which prides itself on being "the land of the free and the home of the brave." But is any man free when he is being blackmailed out of four percent of his income by the forces of crime? And is it bravery or foolhardiness to venture out on the streets when the chances are one in 50 that you will be the victim of a serious crime?

Am I exaggerating? Let's look at the facts.

According to the estimate of the President's Commission on Law Enforcement and Administration of Justice, the cost of crime in our nation in 1965 was some $21 billion. This is slightly more than four percent of our annual personal income. Last year, nearly two out of every 100 inhabitants were victims of a serious crime.

In the period 1960 through 1966, the number of criminal offenses per 100,000 population rose 48 percent. The first nine months of 1967 showed a 16 percent increase over the same period in 1966. Can we hope that this is a relatively short-time phenomenon? The President's Commission on Law Enforcement and Administration of Justice doesn't think so. The Commission has declared that the crime rate will continue to rise even if the U.S. adopts every proposal of the Crime Commission.

CRIMES' CRIPPLING EFFECTS

What we also have to keep in mind are the intangible losses from a sociological standpoint. We know for an historical certainty that a nation that lacks social ethics is ripe for decay; and we must hope that this does not happen in our country.

We cannot measure in statistics or figures the crippling effects of crime to communities, whose citizens fear to talk to one another, much less to strangers, and who will not walk the streets of their own neighborhoods. There is no way to measure our loss when we lose trust in our fellow citizens and feel insecure even within the boundaries of our own local community. To tolerate such blows to our spirit is to lose faith in the philosophy of personal freedom and security which brought our forefathers to these American shores.

When we talk about fighting crime, we are not discussing only the need to preserve our own property and safety, we are speaking also of preserving our character and our American heritage.

When we talk about fighting crime, we are also talking about action. It must be action impelled by informed citizens and propelled by their support and participation in the police efforts of our local governments. A concerned community must first inform itself, to find the programs which best answer its own dilemmas, and then build the kind of police department it needs to carry these programs into action.

YEAR OF THE POLICEMAN

At this very moment, the International Association of Chiefs of Police and the U.S. Department of Justice are jointly conducting a series of seminars for police officials. Their emphasis is on riot prevention, not just control, and on community relations programs.

Attorney General Ramsey Clark calls 1968 "the year of the policeman." On the balance between the policeman's courage and self-restraint depend our hopes of a peaceful summer.

Never before in our history have the police been so closely observed, criticized (whether rightly or wrongly), nor have they encountered court decisions that questioned certain police practices. As a result, the law enforcement officer has in many instances found himself incapable of readjustment because of the very nature of this social and legal upheaval.

Even while we are afraid to walk our streets, the citizens of our enlightened society are more aware today than ever before of the dignity of man and the guarantees given to him under the constitution. This awakening has in turn brought about great changes in the attitudes and physical operations of law enforcement agencies all across this country.

Most policemen know that fear and hatred are bad for their profession and for your business, but it exists, and ways must be found to adapt to it, to protect against it, and finally to overcome it.

Every government, local, state or national, is charged with the responsibility for the health and welfare of its citizens. The personal safety of the individual is, however, government's highest responsibility. That safety, within the nation, depends most upon the qualifications and capabilities of your local police officer.

CRIME IS A LOCAL PROBLEM

Law enforcement, as has been repeatedly stressed by President Johnson, is a local responsibility. I can't imagine that any of us would prefer the alternative of a Federal police force. It was to escape from such an authoritarian status that our forefathers of all ethnic derivations came to America and built our nation to its present preeminence.

The problem of crime is a local problem. It's a problem that affects each and every one of your communities. It's a problem that you, as a businessmen, should be concerned about in your local communities. It's a problem that you should try to do something about in your local community. You can't blame it on the Federal government. You will have to look around at home and blame it on somebody else, because it is a local problem. We don't want a national police force. We are not constituted that way in this country.

How well equipped are you to fight crime in your local community? Are you using modern methods to fight modern crime or is your support simply a slogan? Have you taken a look at your own police operation and tried to understand what's going on and what's happening?

THE MAN IN THE MIDDLE

First, let us clearly understand what the police officer's position is in our nation. As an element of the executive branch of local government, it is his sworn trust to enforce the law—not some of the laws some of the time, but all of the laws all of the time. It is not within his purview to establish these laws; it is not within his purview to adjudicate them. The policeman is not responsible for initiating or thwarting social changes. It is his mandate in a government of laws to maintain social order for the protection of lives, liberties and properties of all citizens, and I repeat—all citizens—black or white, young or old, rich or poor.

The social revolution that is presently taking place in our country has made the policeman the man in the middle. It is he, the symbol of the force of law in a distinctive uniform, who is blamed by those who would hasten the due processes of law on one hand, and those who would maintain the status quo; regardless of the social changes taking place in our nation. Law and order must prevail, and this is the ultimate responsibility of the policeman.

From my vantage point as the Executive Director of an international association comprised of over 7,000 law enforcement executives, I can say to you with the deepest conviction that your policeman has not failed his trust despite inadequate resources, low prestige and financial compensation at the lower end of our economic scale.

POLICE ARE HANDICAPPED

But, we must face the facts: Police resources are grossly inadequate. I know of no major police agency in our nation today that is manned to its authorized strength. Despite every conceivable attempt to enlist qualified personnel, they continue to be undermanned.

This is not difficult to understand when we compare their job and its requirements and compensations with others of like responsibilities. In the first place, the median salary for a patrolman in our nation today is something less than $6,000 a year, the lowest for any professional occupation.

Secondly, the police are handicapped by inadequate material resources. They are attempting to cope with 20th century problems with the tools of the frontier days. The police are still operating in large part with the weapons of the 19th century—the gun and the nightstick. Our nation spent some $18 billion on research and development last year but practically none of it was expended in law enforcement.

I wonder how many of you have ever visited the police department or precinct station in your own community. Have you looked at the basement rooms they occupy, usually in City Hall? How many of you have ever smelled a police station? Many are at least 150 years old and some are older. The Chief of Police is usually relegated to something resembling a mop closet. Hundreds of precinct stations are sweat holes without air-conditioning, and many without fans to keep the air circulating.

Yes, I know that every year now we have a "be kind to your policeman" week when we tell him he is a great guy, and award him a plaque for pulling children out of a flaming building or for facing a gunman in a dark alley and apprehending him.

This adulation is appreciated. But, that plaque doesn't buy many groceries. It doesn't add anything to the three hundred dollar take-home pay the officer receives by moonlighting industriously eight and ten hours beyond his police shift. It doesn't help much in supporting two children and a wife.

The businessmen of a community, who best understand these processes, are the ones, most of all, who should take a look at the local police department. Find out what's going on; find out what you are paying your men, what is their educational background, and what type of equipment they have. Then, make recommendations for improvement to your local politicians.

Face the fact that your policeman is still carrying a billy club and that a club doesn't reach very far in a space age. This is your responsibility.

POLICE WORK SHOULD BE BY PROFESSIONALS

I rode part way to Las Vegas with the Commissioner of one of our major cities. He complained that 900 members of his police force of some 3,000 members had an 8th grade education or less. He was concerned about their reactions in these times of stress. He should be.

Our association is trying to raise the standards of law enforcement. Some encouraging progress has been made in the training and education field. But, not enough. Today, as in the past, most departments require only a high school education as the academic qualification for a recruit. If the police of our nation are to attain truly professional status, this qualification must be raised.

The move to professionalize through licensing has been extended to many fields. Licensing is a method of control for the benefit of society. The several states have enacted licensing legislation to protect the health, safety and morals of their citizens from those who might adversely affect them.

As any population expands, living becomes more complex. Safeguards are needed not only to protect society from the outright criminal activity of individuals, but also from the less apparent unskilled and untrained individual, whose services can affect the people.

Doesn't it seem strange to you that this control by states of professions has not been extended to the one group which must make life and death decisions, decisions where a citizen's life, liberty and property may be arrested—the law enforcement officers (the police) of the United States?

The development of professions in the United States, and indeed in the rest of the world, has been based upon (1) a careful selection of individuals to make certain they have the basic qualifications needed to perform, and (2) an established and tested body of knowledge that the practitioners must master and use in performing their tasks.

You, who are the businessmen of your community, should demand and expect that your policeman be an expert in his field. You should assent by giving to your state representatives the authority through legislation to determine and regulate, on a statewide basis, whether individuals holding themselves out as experts in the police profession are indeed qualified.

The International Association of Chiefs of Police has promulgated the "Model Police Standards Council Act" as a guide to the states to provide minimal training standards. This legislation, among other things, calls for an ultimate requirement of a Bachelor's degree for entrance into police service.

We need to attract and recruit skilled, educated men who look on police work as professional labor, rewarded and honored as such.

IMPROVEMENTS IN PERSONNEL AND EQUIPMENT NEEDED

Hundreds of businessmen throughout these United States devote vast amounts of energy and money to attracting baseball, basketball and football stars for their local teams. If only a fraction of the same amount of attention was given to scouting out and recruiting for the local police department, what a difference it would make.

In addition to the need to increase educational facilities for policemen there is a great need to enhance on-the-job career development opportunities for police officers. Nothing is so stultifying to a young recruit than to know that the only growth he can achieve in 30 years of police work will be on the toes of his flattened feet. Training programs and materials are available from the IACP. They need to be used to the benefit of several thousand individual police officers. The demand for them must be made at the local level.

As I previously mentioned one of the major deficiencies in police service is in the research and development area. We have been particularly active in this area. We maintain a facility unique in the police service, a Center for Law Enforcement Research Information. A steady flow of material from individuals and departments comes into this center and is disseminated throughout our membership. Progressive methods developed by one department should be utilized by other departments. You, as businessmen, should know better than anyone else the advantages of research and development. You should insist that progressive methods be tried and used in your local departments.

BUSINESS SHOULD GET INVOLVED

The support of businessmen is not enough. We also require your participation. You cannot escape responsibility simply by hiring policemen and locking your doors.

To be effective in building better police departments, you must be active. Support cannot be given by a slogan. You should exchange ideas; debate and help police as members of a local business-police support group. Police practice that has the "active" support of the business community will be far more effective, and welcome, than that imposed by a remote authority.

If modern crime is to be fought with modern methods there must be a willingness to spend local tax dollars. Business support will mean a willingness to spend money so that policemen can make law enforcement a full-time professional career. Active support means obtaining money so that police departments can modernize their equipment for crime detection and the gathering of intelligence.

The police departments of our nation are undermanned, underpaid, poorly equipped and poorly financed. The businessmen of our country have the qualifications necessary to lead in this struggle against crime and I'm asking that you and your colleagues in your association get involved.

No one knows better the importance of good management than the businessmen of a community. Our Association provides a managerial consultant service. We have a permanent cadre of some 10 veteran police executives with academic training through the Master's degree level in our Field Operations Division. At the request of a community executive, local crime commission and/or police chief, this division conducts a detailed analysis of the department's administration and operations. Based on this analysis explicit recommendations are made to increase its efficiency. This service is provided on an at-cost basis and has been utilized by over 100 law enforcement agencies throughout the nation. We have a continuing backlog of requests for this service. Cities like New York, Chicago, Dallas, Baltimore, Boston have utilized it to the betterment of their police departments and you can, too, by obtaining a local resolution for payment, and by getting into the line up for the service.

A NEW "CRIME CHECK" PROGRAM

In speaking of the work of our Association I would now like to make public for the first time another program that is in the developmental state—and on which we need your help.

The police service badly needs broad-scale information programs that apprise the individual citizen of the conditions that exist and enlist his active support in alleviating them. In some major cities these programs have been developed either through police initiative, civic initiative, or a combinaton of the two. Two excellent examples of programs developed through police initiative are the "Crime Stop" program in Chicago, and the "Crime Alert" program in Kansas City, Missouri. In these programs every possible communications medium was utilized to inform the citizens of their responsibilities and how they can fulfill them. In both cases citizens rallied behind their police and became working partners with their police by reporting crimes and suspicious circumstances. In Indianapolis, a woman's organization conceived such a program, and with the enthusiastic cooperation of the police department has achieved astonishing results in reducing crime.

While resources and technical expertise have been available in the larger cities for such programs, this is not normally the case in the smaller communities. To provide such programs for these communities is the purpose of our IACP "Crime Check" program. Our information specialists are borrowing liberally from the experience gained in existing programs and, through the use of mass production techniques, will develop timely brochures, posters, radio and television announcements, speech outlines, visual aids, movies, portable display units, etc., for these smaller and medium-sized communities.

We hope to accomplish on a national basis what has proved so successful on an isolated, large-city basis. A dramatic enlistment of citizens in the fight against crime on a national basis is the goal. Most citizens want to help, and police chiefs want that help. The problem is how to meld these desires into an action program. We are developing detailed guidelines to establish this essential partnership, since no such plan can succeed without total citizen involvement.

We require about $100,000 to get this national program underway and thereafter it will be self-sustaining, since materials will be provided to communities on a virtual cost basis. We would welcome the sponsorship of CATRALA, or you as individuals in this vital program.

At this moment, we do not have a single dollar for this effort at bringing tranquillity to our streets, but I assure you that we will not flag in bringing this citizen-police partnership plan to life.

That a requirement for such program exists was overwhelmingly demonstrated by our preliminary survey. We canvassed some 2,000 police chiefs, and within a week following our canvass, over a thousand replies were received indicating an interest in utilizing our capabilities to provide such an information program.

If you will accept my professional assurance that the quality of law enforcement in our nation today is the highest I have seen it in my thirty years of experience, the question then is: what remains to be done? Gentlemen, that answer lies with you and businessmen like you. With the freedoms we inherit as Americans are corollary responsibilities, and two of the most vital are respect for the law and support of law enforcement. Effective law enforcement cannot prevail solely from police actions. It can only result from total community involvement. The indifference of one citizen handicaps law enforcement and contributes to the rising rates of crime and civil disorder.

CONTRIBUTIONS BUSINESS CAN MAKE

Certainly no group of citizens has a greater stake in rectifying this situation than does the business community. Our free enterprise system can only function within the framework of law and order that insures equal justice for all. It lies dormant under an authoritarian form of government, and it vanishes in a climate of anarchy.

How, then, can you as citizens and businessmen contribute to achieving respect for the law and support of law enforcement?

You can take active and continuing steps to correct or eliminate the causes of crime in your own community—and I suggest the first man to see about this is the chief of police in your city. No one knows better where the breeding grounds of crime are in your city than he does. No one knows better where the root-causes of crime are buried than he does. No one knows better where the pockets of poverty and ignorance are than he does, and what needs to be done in getting jobs for the disadvantaged or providing hope for those who feel there is no hope.

Another contribution within every businessman's capability is to increase his own security capabilities. Every time a policeman has to investigate a crime that could have been avoided by proper industrial security measures, he is being diverted from furnishing protection to the citizen on the street and in the home. Conversely, every time a businessman fails to prosecute a criminal employee, every time he condones a criminal action or a lowering of business ethics, he contributes to disrespect for the law and the disintegration of law enforcement.

The potential contribution that business leaders can make in the political arena is incalculable. Individually, and in aggregate, your influence probably outweighs by a hundredfold that of the pseudo-intellectuals, the militant dissidents, and self-proclaimed messiahs. I am confident that if every businessman who has suffered from a criminal action had written his Senator and Congressman urging enactment of the Safe Streets and Crime Control bill, that legislation would have been on the books for many months now, and police services and resources would have been improved immeasurably. In your own community, I have no doubt that your support of a local ordnance requiring each motorist to lock his car and remove the key would reduce auto theft, and thereby juvenile criminality, by 50 percent in a month's time.

It is possible for the leaders of business to provide general financial support to enhance the capabilities of law enforcement. You cannot, of course as a private individual or company, contribute financially to your local police department. However, you can contribute to non-profit, tax-exempt professional associations such as the one I represent.

Our Association derives only about 10 percent of its operating revenue from membership dues. The bulk of our operational revenues comes from the many at-cost services we provide. Also many of our services are funded through grants-in-aid from such foundations as the Ford Foundation and such governmental agencies as the Department of Justice and the Department of Health, Education and Welfare.

We are also pleased that many industrial organizations feel that our work is worthy of their support. Some of our major contributors in industry include American Airlines, Hertz, TWA, Eastman Kodak, Bristol-Myers, Du Pont, AT&T and its affiliates, Prudential Life Insurance Company, Reynolds Metals, American Trucking Association, General Telephone and Electronics Foundation, and the Insurance Institute for Highway Safety. These contributions are, of course, tax-deductible. I am not here to "shake the tambourine" but there are many anti-crime plans in our arsenal which cannot be brought to bear because of the absence of financial ammunition.

Gentlemen, I am not a pessimist, but, having served in law enforcement since graduating from college, I am a realist. As such, I have tried to make it clear that we are rapidly approaching a point of no return as far as law enforcement in our nation is concerned. Civil disorders and conventional crimes are growing threats to the economic and social well-being of our country. This rapidly escalating trend can be reversed only by total involvement of all resources of the nation. While the police are willing and prepared to accept their responsibilities, they alone cannot stem this growing menace. Their dedicated service must be augmented by support from every segment of our society.

HOW TO BUILD BETTER POLICE DEPARTMENTS

You, the businessmen of our nation have all the qualifications necessary to lead in this struggle. You are trained and experienced leaders, your influence is far-reaching, you command much of the nation's personnel and material resources, and, finally, yours is the major stake in maintaining a free enterprise democracy that can function only within the framework of law and order.

Gentlemen, the police of our nation are facing the challenge of crime in our free society with unswerving dedication and perseverance. They will continue to do so with all the resources at their command.

You can improve those resources and you can build better police departments. In summary, you can:

1. get to know and understand your police chief and give him and his precinct station leaders up-to-date efficient facilities for more effective work;

2. help determine the policing requirements of your community through a business-police support group which exchanges ideas and advice with local law enforcement officials;

3. obtain IACP managerial consulting services for a detailed analysis of the administration and operations of your local department;

4. work with your local police department through the budget and legislative process, back its request for legitimate fund increases and lobby them through your local political officies;

5. inform your neighbors and obtain their assent for police improvements;

6. speak to your local and state officials about introducing and passing resolutions in favor of and legislation for the IACP developed "Model Police Standards Council Act";

7. scout out and recruit the best of men for your local police department; and

8. make police work a challenging career by—

Equipping your officers with the most up-to-date crime prevention and fighting tools,

Paying a professional wage,

Developing on-the-job training programs,

Endowing scholarships for local police service degree candidates, and

Providing realistic promotional opportunities

These are a few of the things you can do.

Most of all you can refuse to tolerate lawlessness, in any form. Without your help, this spreading criminal effort will never end. Its roots are everywhere. They are in business, labor and government. They are not restricted to the slums of our cities. No place is more vulnerable than the small suburban community.

Support for your police is an elementary task of citizenship and I know I speak for them in hoping that they will not stand alone. I would also hope that in the forefront of citizen support will be those who can contribute so importantly—the business leaders of our nation.

INTRODUCTION OF QUINN TAMM BY JOHN HOVING, EXECUTIVE DIRECTOR, CAR AND TRUCK RENTING AND LEASING ASSOCIATION, WASHINGTON, D.C.

Our grandfathers knew the West as a lawless and wild country where every man packed a gun. Our children learn of the West by watching TV. They also know the West as a land where Indians and cowboys rioted all over the place.

What really tamed the West and made it a land where our migrating pioneers could finally live in personal freedom and security? Our children tell us it was tamed by pistol packing marshals who stood at high-noon in the streets of Tombstone, Arizona and Kansas City, Kansas and gunned down the meanest men that came to town.

What really happened is this—the businessmen of the community realized they could not conduct normal profitable enterprises while lawlessness prevailed. They insisted that their town leaders hire the best law enforcement officials available to protect their property, police their streets, and otherwise maintain law and order. It wasn't until the "police" came and tamed the town that businessmen could safely foresee that their enterprises would become permanent institutions with profitable possibilities for expansion.

It was the businessmen who took the lead in bringing police personnel to town, built the jails and offices to keep the disorderly and violent off the streets, and financed the payroll, many times through personal contributions, and later through taxes.

If there were no police, the car and truck renting and leasing industry could not operate. Joy riders could wreck the vehicles which they rent and lease, and criminals could steal them with impunity.

It is for his own profit and protection that the businessman needs to support his local police department. Never since the days of the Wild West has this need been so apparent as it is today.

Quinn Tamm has eloquently outlined the need, and has given local businessmen direction on what to do individually and collectively to provide law and order in our communities and to build better police departments.

Tamm is one of the most aggressive and progressive crime fighters our Nation has known. But not one man, or a small group of men, are enough to do the job. All of us must aid our men in blue and especially if each is to be the "Officer Friendly" we want our children to love and to respect. It is now up to the businessmen of America to respond to Quinn Tamm's challenge by assuming the responsibilities of community leadership which he has so frankly and forthrightly defined for us.

HAMNER COBBS—ONE OF THE MOST FORCEFUL EDITORS IN THE HISTORY OF ALABAMA JOURNALISM

HON. ARMISTEAD I. SELDEN, JR.

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 11, 1968

Mr. SELDEN. Mr. Speaker, recently, Alabama lost by death one of its most prominent citizens, Hamner Cobbs. Editor of my hometown newspaper—the Greensboro Watchman—Hamner was not only my kinsman, but he was also a close personal friend and adviser. He will be greatly missed by me personally.

Hamner Cobbs also will be sadly missed by all Alabamians who recognized him as one of the most forceful editors in the history of Alabama journalism.

His journalistic career in Alabama spanned four decades, and he was known as a fighting weekly editor. He was a stylist, a wit.

Ed Dannelly, editor of the Andalusia Star-News, expressed the view of most of Hamner's journalistic colleagues when he wrote:

> The editorial page of the Heavenly Weekly will bristle with some sparkling opinions and observations now that Hamner Cobbs has taken his pen to a higher world.

Mr. Speaker, almost every leading daily newspaper in Alabama carried editorials following the death of Hamner Cobbs. The two that follow are examples of the esteem in which he was held by the members of his profession and the people of his State:

[From the Selma (Ala.) Times-Journal, June 28, 1968]

HAMNER COBBS, EDITOR

There is a sadness beyond expression here today.

The eloquent editorial voice of Hamner Cobbs, editor of the Greensboro Watchman, has been stilled. And through his untimely death yesterday morning, the state has lost a brilliant thinker, a facile writer and a champion of good government and common sense. The loss to this newspaper and to Alabama journalism is great; one that creates a devastating and tragic vacancy in the ranks of the Fourth Estate which the Times-Journal doubts can ever again be filled with talents comparable to those possessed by the remarkably gifted Cobbs.

Hamner Cobbs was a veteran of the newspaper profession; a vibrant and exciting editor of the old school who wrote forcefully in the tradition inherent to journalism's greatest days. He spoke courageously and with conviction at all times, yet throughout his distinguished career he was never unjust in his summaries nor did he persecute in his attacks.

His unquestioned leadership was consistently constructive and never destructive. He held, through his work, as well as his personal relationships, the respect and esteem of his acquaintances and colleagues and the love of his friends. His enemies—if, indeed, there were any—were those he felt violated the principles of honor and decency. They, in turn, were always aware of his courage and his strength.

The Greensboro Watchman, under his capable direction, established a reputation of fearlessness and honesty which gained widespread admiration throughout the state. Those of the newspaper profession who knew him so well will feel his loss most keenly. A kindly and patient counselor, he was ever willing to share his experience and abundant knowledge, yet he was unobtrusive and tolerant at all times. In his work, Hamner maintained a sharp incisiveness that drove straight to the point. His reasoning was direct and clear and his decisions were unequivocal. Both friends and foes will attest to the force of his character and the straightforward direction of his efforts.

But the uncommonly gifted Cobbs was more than an exceptionally talented journalist and superb editor. He was a churchman. His devotion and service to the Episcopal Church, which he loved, is well known and never was it confined simply to the church he attended in Greensboro. His rare stewardship spanned years of distinguished activity as a truly dedicated layman in the Diocese of Alabama and throughout the South. His church will mourn his passing and sorely miss his devoted stewardship.

And in another field he will also be missed. The Alabama Historical Association, in which he was a dynamic force and to which he enthusiastically contributed his vast knowledge of Alabama lore and historical data, has been deprived of one of the stalwart rocks upon which it was founded.

Yes, The State of Alabama and the South suffer a grievous bereavement through the death of Hamner Cobbs. And here at the Times-Journal we have lost a great and lovable colleague who we respected and admired far beyond these mere words which we know are inadequate to express our true sorrow.

[From the Birmingham (Ala.) News, June 28, 1968]

HAMNER COBBS

The Greensboro *Watchman's* late Hamner Cobbs was a man of firm convictions who held a willingness to express them. He enjoyed having a place from which he could observe the joys, the frailties and the triumphs of his people and, occasionally, inject humor or issue admonitions in the process.

He enjoyed being part of life, good conversation and companionship. To many he was truly the "conscience of the Black Belt" and a devoted citizen of Greensboro which sits in the heart of it.

He never turned away from the task of

speaking for the right as he saw it no matter how strong the tide of public emotion ran to the contrary.

He was a devoted member of the Episcopal Church, a stout supporter of the University of the South of which he was an alumnus and a long-time servant of both.

Hamner Cobbs was what a legion of newspaper people either openly or secretly long to be—an effective and respected editor and publisher of a weekly newspaper who looked at the world around him and let the chips fall.

HOW DO YOU GET A FEDERAL GRANT?

HON. J. CALEB BOGGS

OF DELAWARE

IN THE SENATE OF THE UNITED STATES

Thursday, July 11, 1968

Mr. BOGGS. Mr. President, the proposed Program Information Act of 1968 which was originated by my colleague from Delaware, the Honorable WILLIAM V. ROTH, JR., has been getting a considerable amount of favorable recognition in the press. I was happy to sponsor the same proposal in the Senate.

The Christian Science Monitor of July 9 carrier a front page article, by Lyn Shepard, on "How Do You Get a Federal Grant?"

In the interest of giving this excellent article greater circulation, I ask unanimous consent that it be included at this point in the Extensions of Remarks.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

HOW DO YOU GET A FEDERAL GRANT?

(By Lyn Shepard)

WASHINGTON.—For a long time the game of "grantsmanship" has been confined to an elite set of expert players who know the ways and wiles of Washington firsthand.

But now—thanks to the zeal of a little-known freshman congressman—every small-town official in the nation may soon master the knack.

That, in a nutshell, is the intent of a House bill titled the "Program Information Act of 1968" which Rep. William V. Roth (R) of Delaware filed a few weeks ago.

It requires the president to issue an annual catalogue of federal grant programs and to update it monthly. The president would also be expected to report to Congress each year on his progress in unifying the myriad of aid programs.

SUSPICIONS SUPPORTED

The measure resulted from an eight-month study by Mr. Roth's staff which confirmed what many congressmen strongly suspected, namely, as the Delaware lawmaker told his colleagues:

"We found that no one, anywhere, knows exactly how many federal programs there are.

"We found that nowhere is there a central, comprehensive repository where meaningful information on all operating programs can be found.

"We found that more than $20 billion a year is being spent on such programs, yet only with long and great effort can one begin to find meaningful information about all of them.

"We found that there is no common denomination—that is, widely used definition, of just what a 'program' is.

"We found that only the largest cities and states and universities have the necessary money and staff required just to keep abreast of the programs from which they might benefit."

A number of House members—Democrats and Republicans—have stepped forward to laud Mr. Roth's research effort and his bill.

One of these, Rep. Florence P. Dwyer of New Jersey, is the ranking GOP member of the House Committee on Government Operations, where the Roth bill is under study. If her party wins the House in November, Mrs. Dwyer will become the panel's new chairman.

"As a congressman seeking to help local officials utilize federal programs," Mrs. Dwyer charged, "I have seen frustration, delay, and disappointment."

The influential congresswoman recalled memories distressingly familiar to her colleagues: "The numberless telephone calls where only one should do; the endless round of meetings and conferences that produce nothing; the volumes of information and reams of paperwork that hinder instead of help."

Another congresswoman, Rep. Margaret M. Heckler (R) of Massachusetts, told of the groups of officials in her district who come to Washington seeking aid for sewer systems or other public-service projects.

"Just as often," Mrs. Heckler said, "they return home both empty handed and just as bewildered as when they came."

Mr. Roth has also enlisted strong Democratic allies in the House. These include senior members like Reps. Wilbur D. Mills of Arkansas, Henry S. Reuss of Wisconsin, and Dante B. Fascell of Florida.

Messrs Reuss and Fascell expect the Roth bill to win broad bipartisan support in Congress.

"I've heard only one argument against it," Mr. Roth says. "This is that it will increase demand for more federal spending."

PROGRAMS LISTED, 1,090

The congressman, a conservative on fiscal issues, counters that spending won't increase but its dispersion will be fairer and more clearly based on need.

As things stand, he maintains, a "fourth establishment" has sprung up amid all the grants programs "responsible to no one, self-perpetuating in nature, and too often duplicative in effort."

The Roth study found that 1,090 grant programs exist today, although the most complete federal catalog (compiled by the Office of Economic Opportunity) lists only 530. The differing figures are traced largely to the confusing issue: What is a program?

Mr. Roth feels that the Bureau of the Budget should prepare an annual compendium to unify all such programs governmentwide.

Only one federal department refused to answer the Roth questionnaire on grant programs. But this one, the Department of Health, Education, and Welfare, handles nearly half the total programs.

When Mr. Roth sent 478 questionnaires to HEW "program administrators," the department contended that it would take 1,600 man-hours to complete them. That's too much time to be spent for a single congressman, the HEW officials said.

WHAT CAN I DO TO HELP?

HON. HUGH SCOTT

OF PENNSYLVANIA

IN THE SENATE OF THE UNITED STATES

Thursday, July 11, 1968

Mr. SCOTT. Mr. President, when the question, "What can I do to help?" is asked it is a good yardstick with which sincerity can be measured. If indeed a long journey begins with a single step forward, then so does positive nationwide progress begin in the individual hearts of our citizenry as each asks himself what can he do to help eliminate such disasters as the recent riots which dotted our Nation.

Henry T. Reath, a fellow Philadelphian, feels that help begins with understanding and recommends that concerned people read the U.S. Riot Commission Report. This recommendation is contained in a letter Mr. Reath recently forwarded to me and I ask unanimous consent that it be printed in the RECORD. Although I do not necessarily concur with every line of Mr. Reath's letter, I do think it can be shared with those who have not yet found a satisfactory answer to "What can I do to help?"

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

WHAT CAN I DO TO HELP?

(By Henry T. Reath, CHCA board member)

The tragic events of Dr. Martin King's death, followed by the riots and racism of last week have prompted many people to ask: "What can I as an individual person do to help solve the dreadful racial conflict that continues to divide and despoil our nation?"

The short answer is: "Lots!"

First and foremost, one can become truly informed and concerned about the problem, its causes and solutions. Secondly, one can express his or her concern to others and motivate them to the same degree of concern and dedication. Finally, there is much that all of us can do in living our daily lives to demonstrate through deeds, as well as words, our compassion and respect for the human worth and dignity of all persons, regardless of the color of their skin.

Specifically here are a few concrete suggestions:

1. BECOME INFORMED AND CONCERNED

For one of the most timely, comprehensive and readable books on our current racial problems, get and read a copy of the U.S. Riot Commission Report—(Report of the National Advisory Commission on Civil Disorders) Bantam Books—QZ4273. In paperback—$1.25.

Tom Wicker's excellent introduction should pique your interest to read on. Likewise the Official Summary (pages 1–34) is excellent, as are Chapters 8–13, 16 and 17 for one who wishes to scan the report for its most significant portions.

Make no mistake, the Riot Report is no "pie in the sky" program by fuzzy-headed liberals bent only on adding to the national debt. Many of their recommendations costing little or no money apply to "community response," as well as to specific actions to be taken by municipal and state governments, (See Chapter 10–12). Others costing no money at all apply to all of us—matters such as prejudices, attitudes, and state of mind.

2. TELL OTHERS OF YOUR CONCERN

It takes well informed, concerned, and articulate people to get things done.

Take every opportunity you get to tell others about the problems, solutions and your view of priorities on the use of your tax monies to help solve the underlying social and economic problems. (See Chapter 16 of the Riot Report, "The Future of the Cities.")

Exhort all employers to actively seek, and participate in programs to train and employ unskilled negroes for meaningful jobs.

3. SHOW YOUR CONCERN AND PERSONAL CONVICTIONS BY DEEDS AS WELL AS WORDS

Resolve that you will never permit an act or word of racial prejudice to go unanswered.

Resolve that by your every word and deed you will respect the human worth and dignity of every person, white or black, you meet.

Follow through with all, or one or more, of the specific suggestions for individual action described below.

4. ACT NOW!

Specific Suggestions For Action And Inducing Others To Act Regarding Racial Problems In Our Country.

A. Make copies of this material and distribute them among your own business associates, friends, and family and ask them to do likewise.

B. Write personal letters to your duly elected representatives in local and state government, as well as your representative in Congress and your U.S. Senators—and ask them honestly: Have they read the Report of the National Advisory Commission on Civil Disorders?—and if not, will they?—and then, will they tell you where they stand on the major recommendations for priorities and action in the Report?

C. Visit personally or write to the publishers, editors, or managers of your local newspapers and other news media and suggest that they run a series of articles or stories highhighting some of of the Commission's major recommendations for local and state action, accompanied by a continuing box score record comparing performance to announced policies regarding the Commission's very specific recommendations for action contained in Chapters 10, 11, 12 and 17.

D. Write to the Presidents of Corporations in which you own stock inquiring as to what your companies' policy and performance is with regard to hiring and training of unskilled negroes from urban ghetto areas—and enclose a copy of this material suggesting distribution among the officers and employees.

E. Form a local citizen's "Watch Dog" Committee to publicly report from time to time on the progress, or lack of same, by public officials on the implementation of the Commission's very specific recommendations affecting elected officials and local and state government action.

PROPHETIC WORDS OF CPL. BERNARD T. HANSEN

HON. ALVIN E. O'KONSKI

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 11, 1968

Mr. O'KONSKI. Mr. Speaker, Mrs. David Goossen, sister of Cpl. Bernard T. Hansen, has sent me a copy of a poem written on May 9 by Corporal Hansen while serving with the Marine Corps in Vietnam.

The poem, "My Prophecy," is most aptly titled as just 1 month later, on June 9, Cpl. Bernard T. Hansen was killed in battle.

Mrs. Goossen wrote me as follows:

> My brother was proud of his uniform and his country. He gave his life for it. Now, I think the least we can do is see that Bernie receives recognition for his description of the thoughts that must surely run through the minds of all of our young men in Vietnam. I surely can't see how anyone can read that poem without an emotional reaction.

I agree with the dead marine's sister that reading Corporal Hansen's prophetic words is a deeply emotional experience. So that we may pay full tribute to the young man who gave his life for his country, I am placing his poem in the RECORD. The poem, "My Prophecy," by Cpl. Bernard T. Hansen, follows:

MY PROPHECY

I have this feeling I can't shake, God I know
not why.
But I know I will never live to see this year
end pass me by.
I may be wrong inside my head, yet this I
know is so.
That I will die a thousand deaths with one
tremendous blow.
I fear not death for death itself is nothing
short of life.
But the agonies of dying are my greatest
mental strife.
I play my game of cheating death with an
almost passionate drive.
And steal from death the air I breathe each
day that I'm alive.
I'll live my life from day to day as well may
be my last.
Though I know not when or where or why,
I know the die is cast.

CAPT. DEAN L. HOAR, OF IDANA, KANS., ONE OF THE RECIPIENTS OF THE MacKAY TROPHY FOR 1967

HON. CHESTER L. MIZE

OF KANSAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 11, 1968

Mr. MIZE. Mr. Speaker, at 10:30 this morning, the Department of the Air Force honored the officers and crew of a KC–135 aircraft with the presentation of the MacKay Trophy for 1967. This is an award which has been made each year since 1911 to the person or persons who make the most meritorious flight of the year. The MacKay Trophy for 1967 has been awarded to Maj. John H. Casteel, Capt. Dean L. Hoar, Capt. Richard L. Trail, and M. Sgt. Nathan C. Campbell, of the Strategic Air Command.

This award is of special importance to the State of Kansas and to me as the Representative of the Second District because Capt. Dean L. Hoar, the navigator of this crew, is a native of Kansas and regards Idana, Kans., as his home. All of us are proud of the recognition which has come to Captain Hoar because of the contribution he made during the flight, which has been cited as the most meritorious during the year of 1967.

Under leave to extend my remarks, I direct the attention of my colleagues to the MacKay Trophy citation and to the citation of Captain Hoar's role in the flight. I am sure that all of us will agree with the Air Force in designating this flight as the most meritorious of 1967 and thus worthy of the MacKay Trophy. The citations and a brief biographical sketch of Captain Hoar follow:

THE MACKAY TROPHY FOR THE YEAR 1967 (AWARDED TO MAJ. JOHN H. CASTEEL, CAPT. DEAN L. HOAR, CAPT. RICHARD L. TRAIL, M. SGT. NATHAN C. CAMPBELL, STRATEGIC AIR COMMAND)

For the most meritorious flight of the year as the crew of a KC–135 aircraft on May 31, 1967. On this date, the aircraft commanded by Major Casteel departed a Southeast Asia base on a scheduled tactical refueling mission. This crew distinguished themselves by extraordinary achievement during this flight when they were suddenly called upon to perform the first multiple air refueling between a KC–135 aircraft and an A–3 Navy Tanker which simultaneously refueled a Navy F–8 aircraft, under emergency fuel shortages and combat conditions. Along with this historic refueling feat, the exactness and professional competence of this crew resulted in the saving of six Navy aircraft and their crews. Their outstanding aerial and navigational skill, devotion to duty, and humanitarian interest in their fellow servicemen reflect the highest credit upon themselves and the United States Air Force.

——— ———,
Chief of Staff, U.S. Air Force.

CAPTAIN HOAR'S ROLE

On 31 May 1967, Captain Dean L. Hoar was the navigator aboard a KC–135 aircraft that departed a Southeast Asia base on a scheduled tactical refueling mission. With completion of the first scheduled refueling, a request was received from the U.S. Navy to proceed northward for a possible emergency air refueling. The just refueled F–104s escorted the KC–135. The Navy vectored the KC–135 to a rendezvous with two A–3 Skywarrior tankers. The A–3s' fuel condition was so critical that the KC–135 had to descend to a very low altitude to effect the hook-up. The A–3 tanker reported three minutes of fuel remaining at refueling contact. After a small offload, the number two A–3 was refueled. During this operation, the entire flight made rendezvous with two F–8 Crusaders, also at a critically low fuel state. The F–8s elected to hook-up and refuel with the A–3 tanker while still in contact onloading fuel from the KC–135. The F–8s estimated only 300 pounds of fuel remaining at the time. The Navy aircraft received enough fuel to return to their carriers. Another emergency call was received from two Navy F–4B Phantoms. After rendezvous, the first F–4 made his initial contact with only 800 pounds of fuel. The two F–4s were refueled and returned to their carriers. By this time, the KC–135 was in a low fuel state and diverted to the nearest suitable base for recovery.

Captain Hoar distinguished himself by extraordinary achievement during this flight when he was suddenly diverted to effect rendezvous with new types of aircraft while under combat conditions. He rapidly adjusted known techniques and methods to accomplish the rendezvous and air refueling of the Navy aircraft in the flight. The exactness and professional competence of Captain Hoar were responsible for saving six aircraft and their crews. Captain Hoar displayed outstanding navigational skill, devotion to duty and a humanitarian interest for his fellow servicemen.

CAPT. DEAN L. HOAR

Captain Dean L. Hoar was born in Horton, Kansas, 10 April 1938. He graduated from Clay County Community High School, Clay County, Kansas in 1956. Captain Hoar rereived his navigator wings upon graduation from James Connelly Air Force Base, Texas in 1961.

Captain Hoar attended KC–97 transition school at Randolph Air Force Base, Texas and was assigned to Forbes Air Force Base, Kansas. Captain Hoar attended KC–135 transition schools at Castle Air Force Base, California and Walker Air Force Base, New Mexico, prior to reporting to the 902nd Air Refueling Squadron, Clinton-Sherman Air Force, Oklahoma in June 1963.

Captain Hoar has flown forty-seven combat missions in Southeast Asia and was awarded the Distinguished Flying Cross and the Air Medal.

Captain Hoar resides on Clinton-Sherman Air Force Base with his wife, the former Darlene Johnson of Idana, Kansas, and their three children.

MONETARY POLICY OF THE FEDERAL RESERVE SYSTEM

HON. JOHN G. TOWER

OF TEXAS

IN THE SENATE OF THE UNITED STATES

Thursday, July 11, 1968

Mr. TOWER. Mr. President, last week, the Banking and Currency Committee reported a bill containing an amendment which could sabotage monetary policy of the Federal Reserve System. The amendment was unanimously opposed by the minority members of the committee despite our desire to assist housing and the mortgage market in periods of monetary restraint.

This is an issue of such importance that all Members of this body should become acquainted with its ramifications before they are called upon to support or reject it.

I ask unanimous consent that an article on this subject by Dr. Paul S. Nadler, associate professor of finance, New York University, which appeared in the American Banker, be included in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

FORCED FED SUPPORT OF MORTGAGES COULD SABOTAGE MONETARY POLICY

(By Dr. Paul S. Nadler)

The recent action of the Senate Banking and Currency Committee, directing the Federal Reserve Board to take a more active role in the mortgage market, is only the latest in a long series of efforts to direct a steady stream of money into housing, no matter what the state of the economy and the credit markets. The present attempt, however, appears to be the most dangerous from the viewpoint of effective monetary policy, at least in this observer's eyes.

Two years ago, the Federal Reserve was given the authority to purchase obligations of the Federal National Mortgage Association and the Federal Home Loan Bank Board as part of its regular open market operations. Now, since this authority has not been used by the Fed, the Senate Committee wants to change the law so that the Fed is directed to take a more active role in the mortgage market through this route. If the law passes, then the entire concept of open market operations and of monetary policy's role in the economy should be altered markedly.

There is good economic reason why the proponents of continuous growth in the housing industry should want some new drastic step to channel money into the mortgage market at the present time.

At present, with money extremely tight, the Treasury still gets all the funds it needs, since it must have the money and is willing to pay going rates. Similarly, many business firms find that interest cost is of little concern to them and they too will pay what they must in order to get the funds they need for expansion and continued operations.

Consumer credit is not greatly affected by tight money, as consumer loan rates are generally so far above market rates on other borrowings that money always is made available for personal loans no matter the state of the credit markets. It is largely mortgage finance and state and local government borrowings that are interest rate sensitive and suffer when credit conditions are tight. And right now, obtaining a mortgage loan in most areas of the nation is a difficult task indeed.

A number of programs have been suggested to gain more funds for the mortgage market in times when credit is tight, some of which have been effective and some of which have not. But the latest idea—forcing the Fed to buy obligations backed by mortgage—appears to be the most direct effort to rechannel capital market flows and obtain more mortgage money. For basically the Senate Committee is saying that if mortgage guarantee programs and other efforts to make the mortgage more attractive as an investment form when money is tight do not work, we simply can force the Fed to accept them and solve our problem by developing a captive buyer of home loan paper.

The problem with this approach is that it completely distorts the role of open market operations. Up to now the Federal Reserve has looked at open market operations as a way of providing funds to the economy or taking them away in a completely impersonal manner, letting the market place decide where the impact of the restraint would fall.

Were the Fed forced to buy mortgages as a way of helping the mortgage market, where would such a precedent stop? Next it might be forced to buy state and local paper, then small business paper, then urban renewal paper, and finally it would cease to be a controller of credit and would become simply the garbage can for all securities that no free market buyer wanted, but that Congress felt should have a market.

The end product of this might be complete impotence for the Federal Reserve. Its powers could be as minimal as they were before 1951 when it had to buy all Government securities sold to it at pegged prices.

Or else it might be that the Federal Reserve eventually would have to help out so many groups in its open market operations that unless it gives up the ghost and buys everything (despite the inflationary result), no group will gain many benefits.

In any event, it would certainly make the Federal Reserve such an important buyer in all the credit markets that other buyers would become wary. And the capital market would again return to conditions such as those of the early 1950's, when the Government security markets were extremely thin because of the continual wonder of what the "Big Buyer"—the Fed—would do.

Making the Fed eat mortgages when no one else wants them would definitely hamper effective monetary policy. And its advantage to the housing market would be bought at the price of either greater inflation to the nation, or unfair restraints on the availability of money to other areas that in a free market economy would be more deserving of credit accommodation than mortgages.

With such the case, one can wonder why housing deserves such favored treatment. Already home ownership is subsidized greatly in our nation in a number of ways. For not only are home mortgages guaranteed by the government—placing them ahead of other, more worth-while borrowers in the line waiting for credit accommodation, but in addition our whole tax structure favors the home owner. A renter of an apartment can not deduct the mortgage interest cost or the real estate tax portion of his rent from his Federal taxes. The home owner can. This is a decided advantage to home ownership. Why should it gain even more subsidies?

What must be remembered is that the real reason why the mortgage market does not get more money in periods of credit stringency is simply that, at least until recently, the home buyer and builder have not been willing to pay going rates for money in many cases. They want ready credit accommodation, but unlike the Treasury and most corporate borrowers, they want their credit at interest rate levels that no longer exist in this nation.

What must be remembered is that housing is not that important in the preference at the expense of the rest of the economy. For it is not our whole housing stock of 65,000,000 units that is affected by preferential legislation, but rather the 500,000 or so extra new houses that might be built each year were money readily available. And the owners of the 65,000,000 have little reason to worry about the 500,000 who would like new homes but can't have them, in the same way that a man whose children have all been accepted in college usually loses interest in the problem of how to get more college seats so that more children can be accepted.

The nation has a lot of priorities far more important at the present than finding more money for traditional housing. And when efforts to get more money for housing now also involve seriously harming the effectiveness of the major economic stabilization weapon of the nation—Federal Reserve open market operations—then the efforts to obtain more housing money not only are unjustified but also damaging to our overall economic strength.

The secret of finding more housing money in a period of high interest rates is for the home buyer and builder to pay going rates and for the states to get rid of interest ceilings that don't provide cheaper money but merely prevent lenders from channeling money into mortgages.

This is the secret of success in the mortgage market. Not turning the Federal Reserve into the garbage can that has to take whatever securities no one else wants.

THE NEW WOMEN'S RIGHTS MOVEMENT

HON. MARTHA W. GRIFFITHS

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 11, 1968

Mrs. GRIFFITHS. Mr. Speaker, the people of this country in the past 15 years have been in the midst of a great revolution in the laws, practices, and attitudes affecting the civil rights of racial minorities. The press, radio, television, and other media of information are constantly informing the people about the fight to eliminate discrimination based on race, color, religion, and national origin.

However, very few people are aware that in the midst of, and parallel with, these great developments in civil rights relating to racial and ethnic minorities there is a growing revolution in the fight to expand equal employment opportunities for women.

During the past 5 years, there has been greater demonstration of concern for the legal status of women than at any time since the adoption of the 19th amendment which, in 1920, gave women the right to vote. President Kennedy and President Johnson issued Executive orders expanding employment opportunities for women in Government and by companies holding Government contracts. Congress enacted several laws, including the Equal Pay Act of 1963 and title VII of the Civil Rights Act of 1964, which have broadened the employment rights of women. Thirteen States now have laws which prohibit employment discrimination on the basis of sex. All over the country, organizations and persons are becoming increasingly involved in this struggle to end sex discrimination in employment.

But this struggle is still largely unnoticed by the public at large. Most newspapers throughout the country have still not yet begun to give adequate coverage to these efforts, or when they do mention them, it is on the segregated women's pages, where the story will be found, as the noted writer Marya Mannes has pointed out, right next to the recipe for "shrimp marinara."

Women now comprise a majority of the people of the United States. They had 10 percent of all households, and 23 percent of all nonwhite households, three-fourths of which live in dire poverty. These stark facts demonstrate that the fight against sex discrimination in employment is a matter which vitally affects all of us, and it deserves recognition far beyond the traditionally limited areas of the women's pages.

Miss Sonia Pressman, an outstanding lawyer who is senior attorney with the Equal Opportunity Commission, recently delivered a speech at the Iota Alpha Pi Sorority convention held on June 22, 1968, in Washington, D.C., concerning the current developments relating to sex discrimination in employment. Miss Pressman's speech contains much information and perceptive insights on this subject which will be very useful to Members of Congress and the general public. I am therefore glad to insert the text of her speech at this point in the Record, as follows:

THE NEW WOMEN'S RIGHTS MOVEMENT

(By Sonia Pressman, senior attorney, office of the General Counsel, Equal Employment Opportunity Commission, Panhellenic Luncheon, Iota Alpha Pi Sorority convention, Washington, D.C., June 2, 1968)

Good afternoon. It's wonderful to be with you today, although I still can't believe I've been invited to address a Panhellenic Conference. Someone once said, if you wait long enough, all things come to you. I needed this invitation 20 years ago when I was a freshman at Cornell. Then, I was a hick kid my first time away from home, complete with braces on my teeth, horn-rims covering my eyes, and a lack of poise matched only by my anxiety. You didn't want me then—and I'm afraid I didn't want you either. Sororities at that time struck me as organizations devoted to the pursuit of frivolity. I think we've both grown up since then.

When Jackie was kind enough to invite me to be your speaker, several possible topics suggested themselves. My first idea was to discuss Title VII of the Civil Rights Act, which my agency administers, and the special area of my interest—the developing law in the area of employment discrimination based on sex. I could have discussed with you our problems and rulings in areas such as separate jobs and seniority lines for men and women; separate union locals based on sex; classified advertising which seeks men or women only or which is placed in sex-segregated columns; the problems we have with state laws which restrict the jobs women may do, the hours they may work, and the weight they may lift; the issues raised by the cases involving airline stewardesses; and the problems of different retirement age and pension benefits based on sex. While our work in these areas is interesting and meaningful, I thought it would be preferable to discuss something of more immediate significance to *you*.

My next impulse was to tell you the story of my life since *I was* where you now are—in the hope that you might find therein some insights for your own futures. While the opportunity to talk about myself is one I rarely resist—I decided to resist it today for several reasons. Firstly, I couldn't possibly do justice to the subject in the short time allotted to me. And, more importantly, when I sought my way in my own early floundering days, I never found it in the lives of others. We are all doomed to live our own lives—to do "our own thing", as it were—and the paths trod by others are never the ones upon which we find ourselves. And so, instead of talking to you about what the Commission is doing—and what I have done—I decided to talk to you about what women such as yourselves are doing in the new movement for women's rights, and the part you can play in that struggle if you so choose.

What I'm talking about is the sexual revolution, and in particular one phase of it—the struggle for equality of employment opportunity for women in this country. Like all struggles, the struggle for women's rights has been going on since the beginning of time. And also like all struggles, it begins anew for each generation. For me, the new sexual revolution began in 1961, when President Kennedy, by Executive Order,[1] established the President's Commission on the Status of Women, to review the status of women and make recommendations for improvement. The Commission, with Eleanor Roosevelt as Chairman and Esther Peterson as Executive Vice President, submitted its report, American Women, to the President in 1963. That year, President Kennedy established the Interdepartmental Committee and Citizens Advisory Council on the Status of Women to facilitate carrying out the recommendations of the President's Commission.[2] The Interdepartmental Committee, which consists of 10 cabinet officers and heads of federal agencies whose work is of a particular interest to women,[3] is currently chaired by Secretary of Labor W. Willard Wirtz. The Citizens Advisory Council, which consists of private citizens selected by the President, is currently chaired by Senator Maurine B. Neuberger. Also in 1963, Congress passed the Equal Pay for Equal Work Act[4]—incredibly enough, the first piece of federal legislation prohibiting discrimination based on sex. The following year, the Congress enacted Title VII of the Civil Rights Act of 1964, and established the Equal Employment Opportunity Commission to administer it, beginning on July 2, 1965. Among other things, that Act prohibits discrimination in employment based on sex. It is, however, broader than the Equal Pay Act in that it prohibits such discrimination not only with regard to pay but with regard to all terms and conditions of employment and union membership—classified advertising, referral for employment, hire, job classifications and seniority lines, insurance and pension benefits, transfers, promotions, layoff, discharge, retirement age, physical facilities, and the like.

Prior to 1965, only two states had fair employment practice statutes which prohibited employment discrimination based on sex—Wisconsin, whose law became effective in 1961, and Hawaii, whose law became effective in 1964. Beginning in 1965, eleven other states and the District of Columbia have enacted such prohibitions. That, of course, still leaves 35 other states where it is lawful to discriminate in employment on the basis of sex.

The states have also been active recently in other respects. Each of the 50 states now has a Governor's Commission on the Status of Women. This very day, these State Commissions and the Canadian Commission are concluding their Fourth National Conference here in Washington. Since the passage of Title VII, the states have also taken a second look at their legislation restricting the emplyoyment of women with regard to hours, jobs, weight, etc. and have amended or repealed their statutes so as to broaden opportunities for women.

On October 13, 1967, President Johnson issued Executive Order 11375, amending Executive Order 11246, so as to provide for a new two-pronged attack on sex discrimination. One part of the Executive Order, which went into effect on November 12, 1967, prohibits discrimination in the executive branch of the Federal Government, and is administered by the Civil Service Commission.

In implementation of the Order, that Commission in September 1967, established the Federal Women's Program and in March of this year issued a survey on white-collar employment by sex in the federal government as of October 31, 1966.

The survey revealed that while at that time women occupied ⅓ of all full-time white-collar government positions, they represented over 62% of white-collar employees in each of the four lowest grades (where the initial rates then were all below $5,000) and 2.4% and below in each of the four highest grades (where the initial rates were from about $18,000 to $26,000). The survey also gives some interesting background on the role of women in the federal government. It points out that the first woman appointed to a civil service position made the highest score on the first civil service examination given in Washington in 1883, and, as fate would have it, received the *second* appointment.

It reminds us that the last *legal barrier* to equality for women in the federal service was not removed until 1962. Prior to that time, an 1870 statute was interpreted so as to permit agency heads to request men only for appointments, promotions, and other personnel actions. A 1962 ruling by the then Attorney General Robert F. Kennedy invalidated this interpretation, and, in 1965, the law itself was repealed.

I mentioned that Executive Order 11375 had two prongs. The other aspect of the Order, which will become effective October 13, 1968, prohibits discrimination based on sex by Federal government contractors and subcontractors and under Federally-assisted construction contracts. It will be administered by the Office of Federal Contract Compliance in the Department of Labor, which has authority to require employers to develop and implement written affirmative action programs to eliminate sex discrimination, and to cancel government contracts and debar employers from receiving such contracts for noncompliance.

Another recent statute, which went into effect 10 days ago, will also have a significant effect on women's job opportunities, although it is not directed at discrimination based on sex. This is the Age Discrimination in Employment Act of 1967[5], administered by the Department of Labor, which prohibits discrimination based on age where the individual involved is between the ages of 40 to 65. Recently, before the effective date of this statute, I received a telephone call from a woman mathematician, which demonstrated the need for such legislation. She had decided to reenter the job market at the age of 40, and found the search for employment fruitless and frustrating. One employer told her that it wouldn't hire her because she was a woman and 40, and that her college diploma was "worthless" because it was received 20 years ago.

---

[1] Exec. Order No. 10980, 26 Fed. Reg. 12059 (1961).

[2] Exec. Order No. 11126, 28 Fed. Reg. 11717 (1963), as amended by Exec. Order No. 11221, 30 Fed. Reg. 6427 (1965).

[3] Secretary of State, Secretary of Defense, the Attorney General, Secretary of Agriculture, Secretary of Commerce, Secretary of Labor, Secretary of Health, Education and Welfare, Chairman of the Civil Service Commission, Director of the Office of Economic Opportunity, and the Chairman of the Equal Employment Opportunity Commission.

[4] 77 Stat. 56 (1963), 29 U.S.C. Sec. 206(d) (1964).

[5] P.L. 90–202, 81 Stat 602, enacted December 15, 1967, effective June 12, 1968.

While at that time, this woman had a right to file a charge of sex discrimination, she now also has a right to file a charge of age discrimination.

These are just some of the major federal and state legislative changes which have occurred in the past few years. However, much of the impetus for progress has come from many other individuals and organizations, some of which have recently entered the struggle while others have been involved for a long, long time. In the latter class is the National Woman's Party, whose history is a microcosm of the struggle for equality without regard to sex.

The organization began in 1913 as part of the National American Women's Suffrage Association, in order to continue and conclude the campaign for woman's suffrage. After suffrage was achieved in 1920, the National American Suffrage Association went on to become the League of Women Voters, and the National Woman's Party went on to campaign against other forms of discrimination based on sex. Since 1923, it has sought to secure passage in the Congress of the Equal Rights Amendment to the Constitution which provides that "equality of rights under the law shall not be abridged by the United States or any State on account of sex". Its honorary chairman today, Miss Alice Paul, has been with the organization in its efforts since 1913.

Since 1920, the Woman's Bureau in the Department of Labor has been engaged in efforts to enhance the status of working women; its activities and publications have made a significant contribution.

In 1966, the Federal Woman's Award Study Group on Careers for Women was established by President Johnson. This is an organization of women who since 1960 have received the Federal Woman's Award for outstanding contribution to the federal service, and who now strive to enhance the status of all women in the government, and to stimulate the recruitment of able women for government service.

In October 1966, the National Organization for Women—NOW—was formed "to take action to bring women into full participation in the mainstream of American society NOW, exercising all the privileges and responsibilities thereof in truly equal partnership with men". Under its president, Betty Friedan, author of "The Feminine Mystique", the organization is involved in a multitude of endeavors to promote the status of women—from employment, to divorce and alimony proceedings, to abortion reform, to media coverage of women's activities, to assistance for women living in poverty. Along with the National Federation of Business and Professional Women's Clubs, Inc. and a new organization named Quid Pro Quo, NOW has been active in representing women in the many lawsuits currently pending across the country challenging employment discrimination under the Equal Pay Act, Title VII, and on constitutional grounds.

Various labor organizations are also engaged in the struggle for women's rights. Among those that immediately come to mind are the Women's Department of the United Auto Workers, and the International Chemical Workers Union, AFL–CIO, both of which are engaged in a lawsuit challenging the right of a company to refuse to employ women on jobs requiring the lifting or carrying of over 35 pounds;[6] and the International Union of Electrical, Radio, and Machine Workers, AFL–CIO, which recently held a Women's Conference.

On the Hill, an outstanding exponent of women's employment rights is Congresswoman Martha Griffiths, who frequently speaks on this issue on the floor of the House.

Here in Washington, and across the country, other individuals—male and female—are increasingly concerning themselves with this issue. More and more, books, and magazine, newspaper and law review articles are dealing with the subject. In this connection, I commend to you two recent law review articles written by Professor Leo Kanowitz of the University of New Mexico in the St. Louis Law Journal detailing how our entire system of civil and criminal law is permeated with second-class treatment for women.[7] You may also be interested in a book by Caroline Bird, to be published next week, entitled *Born Female: The High Cost of Keeping Women Down.*

This is what the federal and state governments and various individuals and organizations have been doing to promote equality for women in recent years. What have you been doing, what should you be doing, and what can you do?

I suppose before we address ourselves to those questions, we ought to consider whether you want to become involved in this struggle at all. After all, there are hazards to entering the fight for women's rights, just as there are to entering any struggle to change the structure of our society. Recent events have surely demonstrated that.

What are some of these hazards? Firstly, if you join the fight for women's rights, you will be embarking on a struggle that is opposed by most men and many women. Men, unless they are secure in themselves—and few people today are—oppose equality for women on the job because the competition poses a threat to them. Their independence has already been diminished by the advent of big government, big business and big unions. Now the small domain left to them on the job is also being invaded—and by the only adult group they may still dominate—women. Women, too, oppose equality. They know it is a double-edged sword, and brings with it not only additional opportunity but additional responsibility. Moreover, they fear the loss of special privileges to which they have become accustomed.

If you enter the fight for women's rights, you will not only incur the wrath of *these* men and women, but perhaps also of those closest to you—family, friends, business associates—all of whom may fear change and question your involvement in it. And far worse than wrath—you will encounter ridicule. For as Barbara Bates Gunderson, former U.S. Civil Service Commissioner has observed, the weapon which has traditionally been used to keep women from engaging in the struggle to secure equal rights is "the weapon of ridicule".[8] Furthermore, both men and women wonder whether the sexual revolution will result in chaos, or a better social order. Men are already wearing cosmetics, jewelry and clothes they shunned a short while ago, and are demonstrating other characteristics previously considered exclusively feminine. Some fear that we are heading towards a de-sexed society, while others claim that the de-emphasis of sex in areas where it is not relevant is a wholesome approach.

And yet, in the midst of all this, I ask you to involve yourselves in the struggle for women's rights. Why should you do so? Firstly, because you are women.

Women through the ages have been in the forefront of efforts to improve the quality of life—the human condition. Too rarely, however, have we fought to improve our own lot. In this respect, we must take a leaf from the book of the civil rights movement which has demonstrated that a people only achieve their rights when they themselves stand up and fight for them. Secondly, it has been my experience that life is only meaningful when one is committed to a cause which is larger than one's own existence—and the struggle for women's rights is such a cause. It is one of today's struggles. Nor is it a frivolous struggle, as some would have you believe. We are not talking about the mythical man who wants to be a Playboy bunny. We are talking about the women who head 1/10 of the families in this country. We are talking about the women who head 23% of the nonwhite families, nearly three-quarters which live in poverty.

You should be involved in this struggle because women are intellectually, emotionally and physically at least the equal of men, except with regard to sheer brawn—which is becoming increasingly irrelevant—and it is, therefore, immoral to relegate them to second-class status.

You should become involved in this struggle because our current double standard of expectations places an impossible burden on both males and females. Not all females are adept at cooking, sewing, and childrearing; not all men are inclined to athletic prowess, business acumen, or political leadership. By equalizing opportunities and expectations regardless of sex, we will permit both men and women to pursue meaningful lives attuned to their own abilities and inclinations

And, lastly, you should become involved in the struggle to eliminate sex discrimination so that you, your husband, and your children may have opportunities bounded only by your desires and abilities.

What then can you do to play a part in the women's rights movement? Firstly, you can speak up for women's rights whenever the situation presents itself—not with stridency or fanaticism—but as an article of faith and with a sense of humor about the human predicament.

You may decide that you yourself wish to work—either on a paid or volunteer basis—and that you want to pursue a career only, or to combine that career with marriage, if you are so inclined.

If you have children, raise them to participate equally in the cooperation and competition of the world around them. Let them know—whether they are male or famale—that you expect them to develop their unique potential.

You may want to join organizations engaged in this struggle, or promote activities in this area by organizations you are already in. Make sure that such organizations do not themselves discriminate, and relegate women to less-meaningful endeavors.

Become familiar with the laws of your municipality and state, and with those of the federal government in this area, and let your legislators know of your interests and concerns. Keep in touch with the federal and state agencies in the area of sex discrimination, and with their pronouncements.

Advise political candidates of your views on women's rights, and solicit their support in your endeavors.

In short—become involved.

All this was said many years ago, before the birth of Christ, by a Jewish sage, Rabbi Hillel—and I should like to close my remarks by quoting him: "If I am not for myself, who will be for me? If I am only for myself, what am I? And if not now—when?"

---

[6] *Bowe v. Colgate-Palmolive Company* 56 LC para. 9069 (S.D., Ind., New Albany Div., June 30, 1967).

[7] Kanowitz, *Sex-Based Discrimination in American Law, I. Law and the Single Girl*, 11 St. Louis Univ. L.J. 293 (1967); and *II, Law and the Married Woman*, 12 St. Louis Univ. L.J. 3 (1967).

[8] Gunderson, *The Implication of Rivalry* in The Potential of Woman 165, 174–175 (1963).

HIGH SCHOOL ORIENTATION PROGRAM

HON. WILLIAM B. SPONG, JR.

OF VIRGINIA

IN THE SENATE OF THE UNITED STATES

Thursday, July 11, 1968

Mr. SPONG. Mr. President, education is unquestionably one of our Nation's most important endeavors.

It is the key to enabling each individual to compete for the affluence which our Nation has to offer and to make rational decisions for his future.

It is also the key to strength and progress in our Nation. The United States can be only as enlightened as its individual citizens. It can develop only as far as its people have the capacity and training to carry it. It can be only as wealthy as the sum of the goods and services its individuals produce.

Our country's economic development, cultural attainments, and general standard of living ultimately depend on each of our citizens. Such a circumstance places a great responsibility on higher education. It also places a great responsibility on all our citizens.

To help meet this responsibility, the Virginia Association of Student Governments is currently preparing a high school orientation program to encourage secondary students to seek additional education. The program, which will be presented at Virginia colleges and universities this fall, will acquaint high school students with the many benefits of higher education. It is being organized and will be presented by college students themselves—by young people who are close contemporaries of those who must soon make decisions as to their post-secondary activities.

The purpose of the program is a commendable one. The efforts of the college and university students in Virginia who are working diligently on this project are also commendable.

In order to inform the Senate and students from other States of this worthwhile project, I include in the RECORD an outline of the high school orientation program.

There being no objection, the outline was ordered to be printed in the RECORD, as follows:

HIGH SCHOOL ORIENTATION PROGRAM

I. BACKGROUND INFORMATION

The Virginia Association of Student Governments, an organization which includes over eighty percent of the colleges in the Commonwealth, has been in existence since May of 1967. When the Association was originally formed a committee was established to study the possibilities of encouraging more of Virginia's youth to continue in some form of higher education past the secondary level. The committee, known as the High School Orientation Committee, began by first studying the Governor's report of 1967. The report showed Virginia to be third from the bottom in the South in terms of the percentage of college age students who were enrolled in an institution of higher learning. Virginia, according to the latest statistics, sends only thirty percent of all high school graduates to college in comparison to the national average of fifty percent, and the Southern average of thirty-seven percent.

II. DEVELOPMENT OF THE PROGRAM

The committee began investigating the feasibility of the program by discussing the idea with distinguished educators and leaders throughout the state. The idea was applauded and encouraged by state leaders. The committee began to take positive action; students from numerous colleges across the state took a strong interest in the program. An Advisory Committee was established and the open exchange of information and ideas which occurred between college students and educators resulted in the development of the program.

The overall idea of the program is to transport high school students to the college nearest to their high school. At this time, they will take part in a program which will show them that they can benefit from a higher education. The program will be presented during the week of October 13–19, 1968. It will last for approximately an hour and a half. The Committee agreed that a general format for the program was necessary to provide for uniformity throughout the state, but that each of the participating colleges could use a certain degree of discretion in the presentation of the program.

III. THEORY BEHIND THE PROGRAM

The program is totally unique in its approach since it will be completely carried out by students. The reasoning used in developing the program is that college students will be able to attack the problem on the level of a peer group contact rather than as a program of advice from "older and wiser" sources. It is the feeling of the committee that high school students will be more relaxed in an environment that includes people closer in age to themselves. Before the program can be effective, rapport must be established between the two elements. It is the obligation of those students who carry out the program to establish this rapport. The main ideas of the program, which will be discussed later, will be repeated several times so that the high school students will understand the program completely. Repetition will clarify and emphasize.

IV. THE PROGRAM ITSELF

The program itself is divided into several parts:

A. To begin the program, the Student Government Association president of the host institution will deliver a welcoming address. His address will explain the purpose of the program. It is essential that the president's speech touch on all the major issues to be discussed in the total presentation. Points to be introduced by the president include the economic and social values of a college education, opportunities in the state for continuing education on a college level, and the availability of scholarships and loans. Emphasized also will be the idea that anyone who successfully finishes high school should be able to complete college. Finally, the president will introduce the guest speaker. This speaker will be one of three individuals: a student enrolled in a community college or a vocational school; an individual who did not go to college immediately after high school but has since enrolled in colleges or wishes to be enrolled; or an individual from the specific locality who did not go to college and regrets not having attended. This speaker, perhaps more convincingly than any other, will reach many of the students on their own level; he will be able to establish the communication link that is basic to the success of the program. He will be able to express many of the same doubts, handicaps, and fears of those students who have rejected the possibility of a college education because of a lack of funds, confidence, information, or interest.

B. Following the guest speaker, a short film will be shown. The film will stress three main points:

1. The economic and social benefits of a college education i.e., the increased earning power and the higher standard of living.

2. The existence of community colleges which not only provide a good education but do so cheaply. The convenience of community colleges will be stressed as well as the opportunity they provide for a well-rounded social life. The dignity of the community college will be emphasized as well as the fact that upon graduation from a community college, one is able to continue his education in a four-year institution.

3. The other institutes of higher learning that have the same educational, social, and economic benefits as the community colleges.

Discussion of the film will bring out several good points. Most importantly, the film will emphasize that there is a place somewhere for every student who wants to go to college. The students will be shown that it is not necessary to be wealthy or exceptionally intelligent to attend college. It will be stressed that thousands of dollars in scholarships and loans go unfilled in Virginia each year because of a lack of applications. These points will help to counteract the fear on the part of students that they will not be able to afford to go to college.

A short break will follow the film at which time pencils and paper will be handed out to the students. The students will have the opportunity to write down any questions they might have, and the questions will be discussed in the forthcoming question and answer period.

C. The next section of the program will be a panel discussion. The suggested composition of this panel is students from state colleges other than the host institution. The purpose of the panel will be to bring out new points on the subject of colleges and a college education and to recapitulate the important points that have already been made. In this discussion no one college will be emphasized, and although emphasis will be placed on the colleges in Virginia, out-of-state colleges will also be considered. It has been suggested that a more effective panel would be one composed of students outside of the student government. A student who is in college and has gone to high school in the area, or a high school student from one of the underprivileged high schools who has decided to go to college are two of the suggestions for representation on the panel.

D. Following the panel discussion, there will be a question and answer period. A number of prepared questions—important questions that should be asked—and questions chosen from those submitted by students in the audience will be answered by the panel.

E. Finally, a booklet will be handed out to each student as he leaves.

The booklet will contain the following information:

1. Where a student can write to obtain information on applications.

2. A discussion of Virginia's community colleges.

3. A brief discussion of each of the colleges in the state with specific distinguishing information about each school. There will also be information about the enrollment of the college, the social life, and the types of studies offered.

4. Statistics on the amount of scholarships and loans that are available and specific addresses where further information may be obtained.

5. A restatement of the basic economic and social benefits of a college education.

V. WORK COMPLETED ON THE PROGRAM THUS FAR

The following items have occurred as of July 1, 1968:

1. Five students are working full time in Richmond this summer to develop the program and work out the details of its implementation.

2. Mr. Herman H. Pevler, President of the

Norfolk and Western Railway Company, is working to raise $25,000 to finance the work this summer and next fall. Mr. Pevler is calling upon businessmen across the state to support the program.

3. Tas Schultz, chairman of the Committee, addressed the Virginia Association of Secondary School Principals in Roanoke in early June. The group voted unanimously in favor of a resolution commending the program and offered their support.

4. Twenty-six of the thirty-two member schools of the VASG have agreed to hold the program on their campuses next fall; the remaining six member schools as well as non-member schools have been asked to participate in the program.

5. It has been agreed that the title "Educational Opportunity Week" fully represents the intent of the program. A letter has been sent to Governor Mills E. Godwin, Jr. requesting him to declare the week of October 13–19, 1968 as "Educational Opportunity Week" throughout the state.

6. John Van Landingham is in charge of the twenty-minute movie. He has received a film from Mr. Richard Poff, a member of the United States House of Representatives. The possibility of splicing together sections of several films has been considered. On June 24, several members of the committee traveled to Washington for a meeting with Senator William B. Spong, Jr. In offering his full assistance, Senator Spong directed the group to several organizations which would be helpful in obtaining a film. These organizations include the National Education Association, the Council on Higher Education and the Ford Foundation. In addition, it was suggested that the Committee contact educational television networks about films.

7. Bruce Oliver is in charge of formulating a booklet. He has contacted Mr. Harry Smith from the State Department of Education for information. Mr. Smith estimated that a standard size, 36-page booklet would cost approximately $12,000. Mr. Smith also provided the names of several Richmond printers. It has been suggested that the booklet could be produced less expensively if it were done using the multilith method. This possibility is being investigated. Dr. John Logan, president of Hollins College, is contacting several Virginia corporations to help finance the booklet.

8. Isabelle Claxton is in charge of transportation arrangements. She has contacted Mr. Richard Gillis from the Virginia State Chamber of Commerce for information on the state bus systems and the possibilities of either free or reduced rates for chartered buses. It has been suggested that many high schools could afford to pay for their own transportation costs.

9. A large wall map of Virginia has been acquired and all of the high schools and colleges in the state have been located. A preliminary estimate of which high schools will attend which college has been completed.

10. Letters have been sent to the district superintendents and the high school principals asking for their advice and support.

WORK OF THE PASSPORT OFFICE

HON. FRANCES P. BOLTON

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 11, 1968

Mrs. BOLTON. Mr. Speaker, today's mail brought me a most illuminating and exciting letter from the Director of our Passport Office. We hear so little of the work of that Office and are so apt to criticize if we get half a chance.

Miss Knight enclosed a copy of her annual letter to her staff, which I have cleared with her for insertion here. It is such a delightful relief from deficits everywhere that I want the Members to share it with me. Some might even want to thank her.

The letter follows:

DEPARTMENT OF STATE,
Washington, D.C., July 9, 1968.

DEAR COLLEAGUE: At the end of each fiscal year, June 30, I try to prepare a comprehensive report to the entire Passport Office staff taking cognizance of our combined efforts to enhance productivity, efficiency and general well-being.

We have made such phenomenal progress, thanks to each one of you, that it is getting increasingly difficult to reach new highs. But each year we manage to show substantial improvement. For instance, in 1955 the number of passports issued per man years of employment was 1,404. In 1960 this rose to 2,164 and in 1964 it increased to 2,469. In 1967 the figure hit 3,078 and in 1968 it reached 3,190.

We have made some notable strides in bringing about management and administrative improvements as a result of working smarter, rather than harder; thinking forward rather than backward and examining carefully operational details in our constant search for more economy.

Since all of us are involved in maintaining and enhancing the efficiency of the Passport Office and at the same time giving the best possible service to the public, you will be interested in a review of how we have progressed in the past year. You will remember that in 1966 we adopted the Passport Improvement Program, known as PIP, designed to reach new highs in every phase of our operation. A modest annual savings goal was established at $25,000. To help meet this goal 89 Passport Office employees, at all levels, were given ten weeks of methods engineering indoctrination. This training was programed so as not to interfere with our daily operation. As a consequence, there was widespread employee participation in the program with the result that 15 projects for operational improvements were adopted for action in 1966 saving a total of $25,275.17 for that year. In 1967, nineteen projects were adopted which resulted in a savings of $34,931.71 for the year. These projects were related to man hours of work, utilization of equipment, economy in the use of office supplies and improved methods of work. Subsequently all of these projects have become part of our routine administrative practices.

*But this is not all we saved. We have re*duced the cost of issuing a passport from $3.47 per book in 1955 to a current figure of $2.77 per book, despite the increased cost of paper, printing and salaries.

We thought we had reached a peak of efficiency in the past few years when we speeded up our searching techniques so that we could give one or two days service on the name clearances required by our ten Passport Agencies. But we realized that the supersonic transport age was just around the corner and while we were fast and accurate, we were sure that the 1970's would require action in minutes instead of hours.

Our office in Washington received 82,000 telephone calls last year compared with 49,000 in 1959. As a result of this increase in telephone traffic, we have had to enlarge our switchboards and related facilities. We have recently installed modern telecommunications equipment which clears our name checks by computer in a matter of seconds. In this respect we are ready for the impact of speed in the 1970's. A side issue of this advanced planning and programming which should not be overlooked is the $90,000 we turned back to the Department of State by a reduction of 19 employees during fiscal year 1968.

The Passport Office estimates that from fiscal year 1959 through fiscal year 1968, it saved over $13,000,000 for the United States Taxpayer. During this ten year period 11,440,000 passports were issued and renewed, and the fees collected therefrom, totaling in excess of $86,000,000, were deposited into the United States Treasury.

These figures may seem puny to some people, but we are a small office in comparison to other establishments within the Federal Government. I think we can be proud of these savings and I want to take this opportunity to thank each one of you who has contributed to the making of such a fine record. I have a hunch that if the taxpayers knew of our efforts on their behalf, we would get a loud "thank you" from virtually every corner of the country. When you talk to your family and friends about your work, don't hesitate to mention your contribution to good government. It is worth talking about.

Sincerely,

FRANCES G. KNIGHT,
Director, Passport Office.

PIONEER AIRMAIL SERVICE

HON. HERMAN E. TALMADGE

OF GEORGIA

IN THE SENATE OF THE UNITED STATES

Thursday, July 11, 1968

Mr. TALMADGE. Mr. President, this year marks the 50th anniversary of airmail postal service in the United States. I invite the attention of the Senate to an article of historical importance, not only to Atlanta and the Southeast, but to the Nation as well. The article, written by J. K. Ottley, Jr., appeared in 1929 in the first edition of Dixie Business magazine, whose editor and founder is Hubert F. Lee, of Decatur, Ga. I ask unanimous consent that this article be printed in the Extensions of Remarks.

Mr. Lee wrote an article, while he was *a reporter for the Atlanta Constitution,* concerning efforts by the Army Air Service to locate a suitable field for an airmail route. The article was published in the August 3, 1921, edition of the Constitution. I ask unanimous consent that it also be printed in the RECORD.

Forty years ago, in 1928, two now outstanding transportation firms were started—the Georgia Highway Express, Inc., by H. Dillon Winship, and Pitcairn Aviation, Inc., now Eastern Air Lines.

Here is a report on aviation from the first issue of Dixie Business in November 1929—39 years ago—by J. K. Ottley, Jr., whose father was president of Atlanta's First National Bank at that time.

There being no objection, the items were ordered to be printed in the RECORD, as follows:

AVIATION FORGES AHEAD

(By J. K. Ottley, Jr., Atlanta Manager, Pitcairn Aviation, Inc.)

In spite of the wonderful advantages of mild climate, splendid labor conditions, the availability of many raw materials, and other facilities which gave the South the impetus for the development that has taken place in the last ten years, one great barrier has been a handicap in the competition with northern manufactories and other northern businesses. This handicap has been time. Southern industries were hours, even days, from the center of the nation's business.

On the first of May, 1928, correspondence grew wings when the Atlanta-New York and the Atlanta-New Orleans Air Mail routes were inaugurated, the first routes coming into the South to aid in wiping out this barrier of time. Mail began to travel overnight between the South and the northern business centers. No business time was lost in transit.

Before the advent of Air Mail service, the selling agent in New York city, requiring data upon which to proceed in closing a deal with his buyer, was ordinarily delayed as much as a week in correspondence with his mill in the South. Under the new method of procedure, correspondence of any nature may be mailed by Air Mail at one end in the evening at the close of business and the reply expected the second morning following.

A specific incident of this, which has been brought to the writer's attention within the last two weeks, might better illustrate what air mail is doing for the South. The selling office in New York called by telephone the manufacturing plant of a hosiery mill in a North Georgia city explaining that there was a possibility of selling a style of hose just becoming popular in New York. The manufacturer finding it impossible to understand just what colors, designs, etc., were wanted suggested that specific instructions and sketches be sent from New York by air mail. This letter was written and mailed Friday afternoon, and received by the manufacturing plant the following, Saturday, morning. The proper machines were set up with samples being gotten out some time Saturday night, and forwarded by air mail to New York Sunday. The southern office received a wire before noon on Monday to start work on an order of $27,000 worth of the goods sampled.

In the case above mentioned, as in others between the South and the East, two days were saved in the exchange of the correspondence, giving the southern manufacturer an equal opportunity to compete with the eastern manufacturer. It might also be added that the southern manufacturer had no direct air connection with New York, but an air-rail connection.

Banks are regular patrons of the air mail and are consistently increasing their use of the service. It is hard to estimate the yearly saving that is being effected for the southern banks by the elimination of a day's "float" interest on their checks. A conservative estimate made by Atlanta bankers set the saving to banks in that city, in a year's use of the air mail at $92,000. The figure for the Atlanta banks would indicate $500,000 as a reasonable estimate of the saving effected for all southern banks.

Feeling their way very carefully when air mail was first inaugurated, banks first dispatched only a few checks, and these of large denominations. Now several banks are sending all checks and drafts by air mail, and practically all banks are sending checks for $100 and over.

Anything that helps Florida's large number of wealth bringing tourists to keep in closer touch with their businesses in New York or other cities in the East, is, obviously, certain to be a boon to the Florida cities. And that is precisely what air mail is doing for those winter tourists in Florida, who like to maintain a constant and close touch with the interests back home. Thanks to air mail, the distance between Florida and these offices in New York, Boston, or Philadelphia, is a matter of relatively few hours.

A fairly definite conception of what this means to the State of Florida, in aiding them with the tourist business, is gained when one realizes that last season the tourists brought into the state some five times as much money as was received from the sale of the fruit crop, the state's second greatest money maker.

The splendid growth of the air mail in the South in the last year and a half, as illustrated by using the figures of one line alone, is profoundly interesting and something to gratify those interested in southern progress. During the first month of operation, May 1928, the Atlanta-New York line carried 8,622 pounds of mail, while in August 1929, the same line handled well over the 34,000 pound mark, according to figures given out by the Post Office Department. In the first year of its operation the total figures for mail carried over the Atlanta-New York run was an amount of almost 100 tons, representing according to the weight of the average letter, some 78,000,000 pieces. This probably bespeaks better than a multiplicity of words the value of air mail to the South.

Today the South has direct connections to some 6,200 miles of air mail operations throughout the United States and also connecting to foreign countries. Pitcairn Aviation Incorporated is operating a line from New York city to Miami, through Atlanta, connecting at the southern terminus with Pan-American Airways to Cuba, Central America, and South America. Interstate Airlines, Inc., is operating a line from Chicago to Atlanta, while Southern Air Transport is carrying mail from Atlanta, through New Orleans to Dallas, Fort Worth, Houston, and Brownsville, Texas, at the last mentioned, making connections to Mexico City and other foreign points.

All of the air lines handling air mail throughout the South are fast making plans to start a net work of passenger airways as complete as their present operation. There is a proposed line from Chicago to New Orleans, handling both mail and passengers between those points, and serving cities along the route.

Airports are being built or improved all over the South, and with the southern people becoming more air-minded each day the time is fast approaching when it will be the common thing for one to go as nonchalantly by air as it is today by train. The airlines will have passenger waiting rooms, ticket offices, and service much the same as the railways have now, but with speed that will give the traveler more time at his point of destination for business or pleasure.

[From the Atlanta (Ga.) Constitution, Aug. 3, 1921]

Army Air Service Flyer Is Coming To Survey Fields

(By Hubert F. Lee)

Charles E. Robertson, secretary of the Atlanta Chamber of Commerce, has received announcement from the Washington air director that an army air service officer will be here in the near future to survey Atlanta's possibilities as a trans-continental air route station, on the Washington-to-San Diego, Cal., route. Approval has been expressed by local army officers for the use of the Camp Gordon parade grounds for that purpose. Consent of higher authorities is being sought to this plan.

The Aerial Transport corporation of New York has asked the chamber of commerce what are the possibilities of Atlanta as a commercial center.

The chamber has for the past year investigated the surrounding territory with the view of selecting just a site as is now sought by the army officers and the New York aerial concern. The parade ground, according to Mr. Robertson, is the best place that has been found.

A temporary landing field, marked so that it can be seen by the survey officer when he arrives, is also requested of the chamber by the office of the director of air service. Conference with local citizens will be held by the surveying officer, who will also fly over the surrounding country seeking possible locations.

AUTOMATION EXPANDING JOB OPPORTUNITIES

HON. THOMAS B. CURTIS

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 11, 1968

Mr. CURTIS. Mr. Speaker, I have long argued that automation or cybernation are massively expanding meaningful, productive employment opportunities at all skill levels and that the appropriate Federal response would enable and encourage all our citizens to avail themselves of these opportunities. At the same time, dissenting analysts have persistently bandied the supposition that technological advance threatens to render large segments of the labor force economically impotent. The important issues involved here merit keen analysis, not this vacuous speculation. For this reason I have repeatedly emphasized the need for realistically and comprehensively anticipating future labor demands and making our education, training, and development programs sensitive to these expectations.

An incisive study in this area is "The Labor Market Framework of Job Development: Some Problems and Prospects," by R. A. Nixon, director of institutes and curriculum development at the Center for the Study of Unemployed Youth at New York University. On pages 29 to 33 of this booklet, Mr. Nixon evaluates and rejects the "prevalent myth" that "technological advance and changes in our economy are largely eliminating job openings for workers with no special skills and for blue-collar jobs" and the corollary that—

> Only specially trained and qualified workers can have realistic expectations for secure jobs, that the disadvantaged person with relative limits on his skills cannot expect to be anything more than a transient, marginal worker.

Mr. Nixon writes:

> It is true, that the trained and skilled person has an advantage in the labor market, but current and anticipated facts of the labor market make clear:
>
> 1. Factory employment is and will continue to provide about one third of all civilian nongovernmental jobs in the economy. Such jobs will increase in number to about 20 million in 1975.
>
> 2. About one-third of all employed persons are now and will be in 1975 "blue-collar" workers. In 1975, it is anticipated that—while a somewhat lesser proportion of the total labor force than now—"operative" or semi-skilled workers—will increase in number to 15 million. Even non-farm and non-mine laborers will be as numerous in 1975 as now.
>
> 3. There is no confirmed evidence that there has been any major increase in the general skill, training, or personal qualifications required to work productively in our economy. It is true that simple "strong back, weak mind" labor has decreased in importance and that high premiums are paid

> both in opportunity and income for the specially skilled craftsman and technician. But the most careful and complete study on this subject conducted by the Bureau of Labor Statistics for the National Commission on Technology, Automation and Economic Progress reported: "The major conclusion of this study, which takes into account every technological change in American industry that can be identified and makes a careful appraisal of its potential effect on employment, is that the overall demand for less-skilled workers will not decrease over this 11-year period (1964–1975), although it will decline somewhat as a percentage of the total."

Mr. Nixon's study also refers to C. A. Pierce, director of research and statistics, of the New York State Department of Labor, who states:

> Misinterpretation concerning future skill needs can easily result not only from poor projections but also—as happens too often—from publicizing projections without benefit of the kind of realistic interpretation that the manpower statistician or economist can give the data.
>
> An example of inadequate reading of the data is found in assertions that automation, space-age technology, and so on, are rapidly carrying us into a situation where high-school education will no longer suffice as preparation for a job; that practically everyone will need some sort of post-secondary education or else specialized, protracted job training.
>
> One cannot talk with an assurance about the situation 50 or even 25 years from now, but insofar as we can glimpse the picture of the next ten years, this view is not realistic.
>
> Actually, we figure that jobs of higher skill did not account for much more than one-third of the employed labor force in New York in 1964, and probably won't amount to over 38 percent or so in 1975. I include here professional, technical, and craftsman jobs. The situation in the nation as a whole probably is not much different. The lower-skill jobs such as those of clerical workers, sales people, operatives, service workers, laborers, and farm workers—jobs that for the most part do not require post-high school education or protracted job training (there are exceptions, of course)—will continue to be the vast bulk of all jobs. We figure that, including both replacement and expansion needs, up to two-thirds of all jobs to be filled during the next decade will be in this lower-skill category. . . .
>
> Our recently completed New York State survey of technicians and technical specialists shows them to be only about 2.5 percent of the total employed labor force. Even when professional engineers and scientists are added to the technicians, their combined number does not come to over 5 percent of the total. Despite the large growth that is expected to take place (over 50 percent in the case of technicians and technical specialists, somewhat less in the case of engineers and scientists), at the end of the ten years total employment in these technical fields will fall considerably short of 10 percent of employment in all fields.

Further research of this nature and scope is paramount. Only when we fully understand the overall industrial impact of automation and delineate its specific effect on particular businesses can we effectively grapple with unemployment and its kindred effects. As I stressed in "87 Million Jobs," which I wrote in 1962, full employment at low skill levels depends significantly on job escalation at higher skill levels. And both escalation and employment, integral as they are to our human development and economic progress, must be rooted in lucid, comprehensive analyses of our manpower prospects.

HELP FOR URBAN AREAS

HON. THEODORE R. KUPFERMAN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 11, 1968

Mr. KUPFERMAN. Mr. Speaker, in the first session of the 90th Congress, along with a number of my colleagues, on August 10, 1967, I introduced House Resolution 886 to establish a House Committee on Urban Affairs. Ever since 1961 when then Congressman John V. Lindsay, my predecessor introduced this proposal in the 87th Congress, this has been a Republican initiative later carried on under the leadership of Congressman F. Bradford Morse of Massachusetts.

Earlier this year with Congressman Lester L. Wolff, Democrat, of New York, I called for a bipartisan metropolitan coalition to work together on problems of the cities and suburban areas.

City Club Comments—the publication of the City Club of New York, the oldest civic organization in New York City, of which organization I am a past president—in its issue of June 18, mentions the need for congressional action on the special problems of the cities.

I know that these comments will be of interest to my colleagues and especially those from urban areas.

The excerpt follows:

The National Election and the Cities

> The 1968 election may mark the end of effective anticity hostility in the U.S. The national candidates of both parties will to some extent at least acknowledge the problems of the cities and pledge themselves to solve them. But actual results will depend on how the Congress reacts. The Congress has had a powerful farm bloc obtaining enormous subventions for agriculture long after American agriculture has been thoroughly industrialized and reduced to a relatively small number of enterprises. Congress sheds tears for the farmers. Nearing the end of the 20th century, a thoroughly urbanized nation still has no organized bloc in the Congress representing the interests of the cities.
>
> The crisis of the cities should be almost instantly amenable to the expenditure of reasonable amounts of money, but the cities go begging while the Congress and Administration waste our wealth on foreign adventures and weapons of destruction.
>
> The big political task for the cities is to help organize the Congress, directing it toward the solution of the problems of our age. There is as yet no really effective spokesman for the cities in the House or Senate, no one who has been able to capture the imagination of the American people on behalf of the cities. No Congressman has effectively challenged the work as opposed to the promises and pretensions of the Johnson administration in the domestic field. No Congressman has called upon the President to journey to every large city with trouble and there urge the people to rally behind an effective domestic program.
>
> There are many components to an effective national program for the cities. These include Federal assumption of responsibility for housing, welfare, air and water pollution control, for health standards and care, and adequate mass rapid transit transportation systems as well as highways.
>
> But until the Congress is organized behind city programs, it is not likely that adequate legislation will be passed. And even if passed, it will take the threat of Congressional follow through to get administrators to do their work.
>
> If there were a strong big city bloc in Congress reflecting the needs of the cities and getting the necessary appropriations, the Representatives and Senators who comprise it would also find themselves with vastly increased power in their home communities. Local politicians and administrators would lose some of their present ability to delay programs willfully or by reason of their own inadequacy.

INTERNATIONAL FEDERATION OF SPORTS, INC.

HON. GLENN R. DAVIS

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 11, 1968

Mr. DAVIS of Wisconsin. Mr. Speaker, I take this opportunity to bring to the attention of my colleagues and to other civic-minded citizens who will be taking note of this issue of the Congressional Record, the incorporation, a few months ago in the State of Wisconsin, of a nonprofit corporation named International Federation of Sports, Inc. The purpose of this organization, as set forth in the articles of incorporation are as follows:

To actively promote international good will and understanding by encouraging and facilitating the personal contact of sports-minded individuals, teams, or clubs who are interested in meeting and/or competing with their domestic or foreign counterparts;

To promote interest and participation in and disseminate information concerning local, interregional and international sports and sporting events;

To promote sportsmanship at all levels of athletic competition;

To engage in any lawful activity or affiliation to promote and protect any legitimate common interests of the members.

For the benefit of those who find themselves interested in contacting the federation, its registered agent is Robert E. Kuelthau, 324 East Wisconsin Avenue, Milwaukee, Wis., 53202.

The interesting prospects for the individual and the tremendous potential for international good will are apparent. Unique in the world as to purpose, it will act as a clearinghouse year round in arranging sports competition of any type, between teams of various nationalities, including viewing of the event by team adherents who otherwise might never have the opportunity to enjoy such an occasion. This will be made possible in various nations by resident representatives of the International Federation of Sports. Travel will be arranged on a group basis and costs will be minimized by arranging for members of the organization to house visitors. Plans already are underway to initiate the program by bringing rugby teams from England to this country to compete against American teams. Membership is open to all and arrangements are now being readied for enrollments in Switzerland, Italy, Austria, Sweden, Denmark, Germany, England, and the United States with other foreign nations to be added as rapidly as possible. The ultimate goal is several hundred thousand members.

As an example of the scope of planning, let us assume that a Milwaukee area amateur baseball team wanted to match its skills with those of teams in Japan. As members of the federation they would notify the offices at 324 E. Wisconsin Avenue in Milwaukee of their interest and the agent of the federation in Japan would arrange a schedule of games with similar amateur teams in that nation and, probably, ultimately would work out a home and home schedule. The same might apply to groups interested in football, soccer, basketball, curling, skating, swimming, golfing, skiing, or any other sport.

Obviously when average individuals of different nations, bound by a common interest in sports, meet together on such a basis, international understanding and appreciation of the dignity of humans everywhere will benefit. Who can tell?—stranger things have happened—the ultimate contribution to international good will may be greater than governments have been able to achieve through cooperation in much more skilled competition such as the Olympic games.

NEW JERSEY POSTAL CLERKS DAYS

HON. CHARLES S. JOELSON

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 11, 1968

Mr. JOELSON. Mr. Speaker, Gov. Richard J. Hughes recently declared June 28–30 as Postal Clerks Days in New Jersey. During this period of time the New Jersey Federation of Postal Clerks held its convention and endorsed its State president, John R. Napurano, for the position of national executive vice president.

Because of my high admiration for the New Jersey postal clerks, I am pleased to insert in the record the following resolution by Governor Hughes:

Whereas, the postal clerk of the United States postal service, performs various duties for the public, requiring the employment of skilled personnel; and whereas, the postal clerk, a skilled technician, as a representative of the postal service, when called upon, maintains pleasant and effective public relations with patrons and others requiring a general familiarity with postal laws, regulations and procedures commonly used; and whereas, postal clerks, by their devotion, loyalty and integrity for the postal service, have earned the respect and admiration of all citizens of New Jersey; and whereas the New Jersey Federation of Postal Clerks, AFL–CIO, Affiliated with the United States Federation of Postal Clerks, Washington, D.C. has served postal clerks in the State for 46 years, will hold their convention at Asbury Park, June 28–30, 1968; Now, therefore, I, Richard J. Hughes, Governor of the State of New Jersey do hereby proclaim June 28–30, 1968 as New Jersey Postal Clerks Days in New Jersey.

THE PROBLEMS WITH PRESIDENTIAL COMMISSIONS

HON. THOMAS B. CURTIS

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 11, 1968

Mr. CURTIS. Mr. Speaker, a recent, July 9, 1968, article in the Wall Street Journal once again cogently points out why Presidentially appointed commissions tend to accomplish nothing. The article by Amitai Etzioni, professor of sociology at Columbia University, is entitled "Why Task-Force Studies Go Wrong."

Whenever the United States has faced a crisis in recent years, the President has appointed a commission to study the problem. But the persons typically chosen to be members of the commission are not experts in the field to be studied. Rather they are selected for their civic status or political standing. They normally also have other full-time jobs and can devote little time to the work of the commission.

Not knowing anything and spending little time on the work of the commission, the members appoint a staff. But the staff is normally composed of lawyers as they are normally available. They are not trained in the subject matter though.

Not knowing much is bad enough but then the commissions also are always in a hurry—in such a hurry that often members and staff don't even read what goes in the final report.

The only thing commissions do is get the President off the hook. After all, he is doing something, although nothing material or good will ever result.

Commissions could be useful, Professor Etzioni concludes, but only if: First, they are composed of experts; second, they include representatives of those Federal agencies, corporations, or universities that would have to implement the recommendations, and, third, some politicians and other citizens to represent the public at large.

I would add a fourth suggestion: That the appropriate congressional committees then hold public hearings on the commission's report and backup studies.

This type of commission would not solve all our problems, but it might make our thinking more expert and hardheaded.

The article follows:

WHY TASK-FORCE STUDIES GO WRONG

(By Amitai Etzioni)

If a major corporation faced a sharp and continuing drop in the demand for its products or a prolonged crisis in its labor relations, it might well appoint a high-level, inter-divisionary task force to study the problem and suggest new policies. If the issue involved highly technical matters, experts would likely be appointed to the task force.

When the nation faces riots, political assassinations and a crime wave, the President appoints a commission too. But the members of these national task forces are neither part of his Executive agencies, nor are they experts. Commissions' recommendations are freqeuntly criticized by specialists, opposed by the government agencies that must participate in their implementation, or simply disregarded.

The report of the National Commission of Technology, Automation and Economic Progress, for instance, was carefully filed away. The McCone Report (following the Watts riots) was dismembered by Berkeley sociologist Robert Blauner, and its conclusions contradicted by a U.C.L.A. study. The Kerner Report was received with studied indifference by President Johnson, who himself had appointed the Kerner Commission. The numerous unplugged loopholes of the Warren report encouraged speculation about conspiracy in the assassination of President Kennedy, instead of abating these suspicions, one of its major purposes.

NO EXCEPTION

The membership, staff and mode of operation of the newest commission—appointed after the murder of Senator Robert F. Kennedy—are so far typical of earlier ones; unless changes are introduced, and soon, one can hardly feel sanguine about the quality of its expected work.

The new National Commission on the Causes and Prevention of Violence is to provide, in the President's words:

"First, an understanding and insight into the levels of violent aberrations which have struck down public figures and private citizens alike. . . . Second (it is) to uncover the causes of disrespect for law and order. . . . Third, (suggest) sensible and practical actions to control or prevent these outbreaks of violence."

The commission typically includes eminent citizens chosen not because of their expert knowledge but because of their civic stature or political standing. And these are citizens most of whom already have full time "jobs" and scores of other civic commitments. See, for example, Archbishop Terence J. Cooke, who recently took over the guidance of one of the biggest, most affluent and complex Catholic dioceses in the world. He cannot be expected to drop his pressing duties to study the causes of prevention of violence any more than Mayor Lindsay—an active member of the Kerner Commission—could drop his mayoral duties to study riots.

The Eisenhower Commission—the short name derives from that of its chairman, Milton Eisenhower—like its predecessors includes four Congressmen: A Democrat and a Republican from each of the Senate and the House. Commissions now tend to include one or two members of minority groups. Roy Wilkins was the Negro on the Kerner Commission. Former Ambassador Patricia Harris, a member of the newest commission, "represents" two power-structure minority groups at once: The ladies and the Negroes.

Experts are usually not appointed to national commissions dealing wih social issues; the most nearly a social scientist on this one is President Johnson's admirer, longshoreman and popular philosopher Eric Hoffer. Commenting on the Kerner Commission's lack of social scientists, Prof. G. Marx of Harvard wrote, "This is a little like setting up a National Commission to study cancer and then excluding doctors from it."

Since the members have neither the qualifications nor the time to study such a complex matter as the causes and cures of mass violence, they appoint a staff to deal with the matter. As were those of the Kerner Commission and others before it, however, the first three staff appointments of the Eisenhower Commission are men of legal training and background. The executive director of the Eisenhower Commission is a Washington lawyer, Lloyd N. Cuter.

There are many reasons why lawyers play such a central role in staffing commissions; none of them are good reasons. More politicians come from a legal background than from any other profession; it is lawyers they understand best and know most. Lawyers are available on short order; few outstanding social scientists, criminologists or other experts could or would drop their research, consulting or teaching jobs on short order to work for a temporary commission. For a lawyer, such an appointment is considered part of his career; getting to know people is likely to make him valuable. For a social scientist a rush job on a Government commission is more likely to retard his career than to advance it. The facilities and methods under which commissions work would have to be modified if social scientists were to effectively supplement lawyers.

While commissions have no prescribed procedures, most of them are set up to investigate (in the legislative tradition) and build consensus (in typical committee work), but not to conduct research. They hold hearings, collect documents, occasionally visit in "the field" (e.g. Watts). They have no computers or libraries, and rely on short-order consultants, a minuscule research staff, and some farming out of research contracts to universities and private advisory corporations (the Kerner Commission asked the University of Michigan to conduct a survey on Negro attitudes).

Since commissions cannot be expected to set up serious research facilities of their own the latter procedure might be a second best. But such methods of obtaining data are rendered ineffectual because usually the lawyer staff-directors have little of the background needed to work with social scientists, and above all because everybody is in a rush. More than anything else, commissions are part of government by fire-brigade. The Kerner Commission was given a year in which to study the problem, but its report was handed in seven months after its initiation; its writing staff did not even have a chance to read significant parts of what the farmed-out research was turning up.

The Eisenhower Commission was also given a year but has already been asked by the President to report within a few months. The average social science research project lasts about two to three years. It is not that social science data cannot be used if less time is available for their collection, but the output will be less professional the more rushed the job. While a competent job might be delivered in a year, little fresh research can be conducted in a few months. To plan a study for a year and demand a report after several months seems even less effective. If the time is short, heavy reliance on specialists already well familiar with existing data, issues and analysis of available information is called for, rather than rush collection of new data.

RESULTS OF A SORT

The Eisenhower Commission, like its predecessors, was appointed at the height of a crisis. Such commissions, it has been said, are not meant to come up with new understandings and policies; they are to treat the "politics of the situation rather than the situation." Their very appointment gets results—it gets the national leadership off the hook. Nobody can say that nothing was done in the face of a crisis, yet action is postponed by the implication that unless you wish to act in panic and hysteria, you should wait for the finding of the commission.

Actually, those who follow this line of analysis admit that we often know quite well what to do, but that for various economic and political reasons are unwilling or unable to act. Thus, there is very little new in the recommendations of the Kerner Commission (e.g. more jobs, education, houses and welfare for Negroes). Nor need we await the Eisenhower Commission's report to know the close connection between domestic disarmament and the level of serious crimes, between alienation of Negroes and youth and rebelions, between education and respect for authority, law and order.

Others see commissions as not really in the business of national study of causes and cures but rather in that of consensus-building. The President, speaking to the Eisenhower Commission, himself emphasized this. "You come here from the church, the universities, the Senate and the House, the judiciary, the ranks of the working man, the professions," he said, as if to stress the broad social base of the commission rather than its expertise. If 10 wise men drawn from such a cross-section of the nation support a set of conclusions, the country is more likely to go along with them than if these conclusions are advocated by 10 experts.

Consensus-building is a perfectly legitimate function, essential for a democracy. Actually, one major reason we have so much violence is that we have acted too often without adequate consensus-building or have disregarded the consensus that has emerged. But the question remains: Around which recommendations will consensus be built and on the basis of whose analysis of the situation?

SOME RECOMMENDATIONS

As I see it, commissions should include three sub-divisions:

—Expert bodies composed of the most outstanding specialists and men of experience the country can draw upon: When the subject is violence, it should include criminologists, psychiatrists, sociologists, etc. They should be in charge of whatever research is carried out.

—An administrative task force composed of high-ranking representatives of the Federal agencies, universities, corporations and whatever other Executive agencies will have to be involved in implementing the recommendations. How can one study cures for violence without conferring with some representatives of the Justice Department, the F.B.I., city police departments and educational systems?

—Politicians and eminent citizens to represent the sentiments and interests of the public at large.

The expert and administrative task-forces should do their work in confidence, as they do in Britain and Sweden, reporting to the political wing. The political wing should set the specific targets for investigation and meet regularly with the expert and administrative sub-commissions to keep them from becoming utopian (as the Kerner staff became in recommending a hundred-billion-dollar-a-year program without any suggestion as to how it would be paid for). At the same time, the political subcommission should face as equals the experts, who command the most recent relevant information, and the administrators, who are familiar with the limitations of the organizations with which most new programs must cope.

This would not solve all our problems, but it might make our national thinking, to the extent that it is carried out by commissions, more expert and hard-headed; after all, what is consensus for if that which is agreed upon is less professional and less realistic than the nation's experts and administrators can put forth?

ONE-HUNDREDTH BIRTHDAY

HON. H. R. GROSS

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 11, 1968

Mr. GROSS. Mr. Speaker, on July 18, 1968, a resident of the Third Congressional District of Iowa, Dr. Dora N. Newman, will celebrate her 100th birthday and I take this means of congratulating and paying tribute to her.

Dr. Newman was born Dora Nell Odekirk on July 18, 1868, at Fayette, Iowa. She received her elementary education at West Union, Iowa. She attended a girl's academy at Osage, Iowa, and received a degree from Upper Iowa University at Fayette.

Thereafter she was a teacher in the Indian Service in Montana, Idaho, Nebraska, and the Oklahoma Territory. It was during the years as a teacher in the Indian schools that she met and married an officer in the Indian medical service, Dr. Horace W. Newman.

In 1915, Dr. Dora Newman began the study of chiropody and practised that profession in Chicago until her retirement in 1953. She is now a resident of Hillcrest Rest Home in Sumner, Iowa.

Mr. Speaker, it is not given to many of the human family to know the joys and the disappointments of 100 summers and winters of life and to be mentally active and concerned.

Again I salute and congratuate Dr. Newman and wish for her an abundance of good health as she continues to travel the western slope of life.

GUARANTEED ANNUAL INCOME HEARINGS

HON. MARTHA W. GRIFFITHS

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 11, 1968

Mrs. GRIFFITHS. Mr. Speaker, recently I had the privilege of holding hearings through the Joint Economic Committee on guaranteed annual income. The Honorable WILLIAM F. RYAN, from New York, appeared before my subcommittee explaining his own bill. His testimony goes into the specifics of the cost of the guaranteed annual income and how it would work and where savings would be instituted. I commend to all of you the reading of Congressman RYAN's lucid and interesting testimony, as follows:

STATEMENT OF HON. WILLIAM F. RYAN BEFORE THE SUBCOMMITTEE ON FISCAL POLICY OF THE JOINT ECONOMIC COMMITTEE, JUNE 26, 1968

I wish to express my appreciation for this opportunity to testify before the Subcommittee on Fiscal Policy of the Joint Economic Committee on the question of income maintenance. And especially, I want to commend the Chairman for her foresight in scheduling these hearings. I can think of no idea in recent times which has moved from the wilderness of theoretical speculation into the arena of serious policy discussion with the rapidity of the guaranteed income concept. These hearings constitute an important forum for discussion.

It has been widely recognized that income supplementation, which is presently carried out largely through public assistance, is a national problem, and, as such, should be dealt with nationally. Standards should be national, and the burden of costs should be distributed nationally.

The present total national expenditure for public assistance is $5.1 billion annually.

The average AFDC benefit ranges from about $8 per month per person in Mississippi to about $51 per month per person in New York, Wisconsin, and Minnesota. Surely, this disparity is not reflective of the differences in the relative cost of living in these States. The result is that one state is being forced to pay for the social outcasts of other states, who are, of course, indicative of a national social problem.

New York City's welfare load in FY 1969 will cost $1.346 billion, of which $516 million is paid by the Federal Government. The remainder is the burden of the City and State governments. (City—$399 million; State—$431 million).

In preference to the present welfare system, therefore, there should be national welfare standards, with a much larger share paid by the Federal Government. This was the conclusion of the Report of the National Advisory Counsil on Public Welfare, issued in June 1966, now two years old.

However, I believe that ideally there must be a shift entirely from conventional welfare programs to a Federal income maintenance or "guaranteed income" approach. There are several basic reasons for this approach. In the first place, under an income maintenance system the only criterion for assistance would be need. There would be no artificial requirements. Secondly, the income supplement function would be divorced from social services. Thirdly, income maintenance would proved income supplements to the working poor, families below the poverty line who are now excluded from welfare benefits. Fourth, the application process would be greatly simplified and dignified, and administration would be improved. Fifth, there would be a much greater incentive to work.

Some of these advantages might accrue from a greatly modified national welfare system. However, the achievement of all of them could only be obtained under a guaranteed income plan.

Recent guaranteed income proposals derive from two rather different philosophical underpinnings.

The first, represented by Robert Theobald, who testified yesterday, suggests that the "work ethic" is an anachronism in a society as wealthy as ours and that persons should be guaranteed the necessities of life, so that they can dedicate themselves to higher pursuits. Then work will be done only because it is personally satisfying.

The second approach believes guaranteed income is *less* destructive of the work ethic. It contains financial incentives for the recipient to work which the present welfare system lacks. It is further appealing because it can operate more efficiently and economically than welfare, and because it greatly reduces violations of personal liberties, which are now all too characteristic of the present welfare system. My own sympathies are with the latter position.

As the sponsor of the first, and thus far the only, bill to have been introduced in Congress to provide a system of income maintenance (H.R. 17331), I have a great interest in seeing this discussion move forward. Let me summarize H.R. 17331 briefly for the purposes of the discussion this morning:

H.R. 17331 establishes a maximum annual payment based on approximately two-thirds of the personal exemption plus minimum standard deduction for each member of the family. Translated into dollars and cents per month, this equals $50 for the head of the family plus $39 for each dependent. A family of four with no other income whatever could expect $2004 per year. Additional payments will not be made beyond the sixth dependent, so the maximum payment for a family of seven or larger is $3408.

My bill proposed a 50% "tax" on work earnings. Benefits are reduced by fifty cents for each dollar of work earnings. A higher tax, as now exists under most public assistance programs, destroys the financial incentive to work. A lower "tax"—for example the 33% which has been proposed in some guaranteed income plans, would either necessitate lower base benefits, or would permit persons well above the poverty line to receive benefits and greatly increase the cost of the program.

The system would be administered through a Bureau of Income Maintenance located in the Treasury Department. Persons wishing to apply for benefits would make application by submitting quarterly income statements. They would receive monthly maintenance payments based on the deficiency of their earnings. Since there would be a reasonable time lag for administration, the May check might be based on income during the January-February-March quarter.

The administrative procedure for checking the accuracy and honesty of applications would be similar to the Internal Revenue system now in force for checking positive tax returns. All applications would be scrutinized for internal inconsistencies, errors, and suspicious claims. But only a small fraction—perhaps one in fifteen or twenty—would be subject to full investigations on a random sample basis. This spot-check system would prevent most willful cheating and would replace the present demeaning practice of routine intrusions into the private lives of all welfare recipients.

The level of benefits proposed in my bill—a guaranteed minimum income of approximately $2000 for a family of four—is still below the poverty line. However, they are above the AFDC average benefits in all but twelve states.

At this level of benefits the gross cost would be $8.1 billion to the Federal Government. However, since this program would replace about 80% of the existing $5.1 billion welfare costs, there would be a saving of approximately $4 billion in total federal and state welfare costs. Since the Federal Government pays some 60% of the welfare costs, the federal saving will be about $2.4 billion, and the states will save $1.6. On balance, therefore, the program will cost the Federal government some $5.7 billion ($8.1 billion minus $2.4 billion) and save the states $1.6 billion in existing welfare costs. Thus, the net cost will be $4.1 billion.

At this level the income position of nearly 80% of present welfare recipients will be improved. More significantly, nearly all of the twenty-two million Americans, who now live in poverty but do not receive public assistance, will get some income supplementation.

Ideally, the poverty gap should be closed entirely. However, to close it solely by means of a guaranteed income system would cost in the neighborhood of $25 billion yearly. The principal reason for the geometrically increasing cost is the problem of "leakage" to the non-poor. If the maximum benefit for a family of four is $2000, as my bill proposes, and work earnings are "taxed" at the fifty per cent rate, then all benefits will cease when total income reaches $4000 per year. However, if the maximum benefit for a family of four is placed at $3000, then every family of four with income of less than $6000 will be eligible for some benefits; and there will be a great deal of "leakage." Even to increase the maximum benefit from $2000 to $2400 for a family of four will double the cost of the program.

One difficulty with a base benefit of $2000 is that twelve states now have higher average AFDC benefits. The assumption of my bill is that in these states the Federal income maintenance benefit would pay the first $2000, and the welfare program would make up the difference between that and whatever level it is now paying. So that if a welfare standard for a family of four in a given state is $2400 a year, the Federal income maintenance program would pay the basic $2000, and the welfare program would pay the last $400. The recipient in those few states would be no worse off. And, of course, in the majority of states, where welfare benefits are below the standards of H.R. 17331, the recipients would be considerably better off. Where the Federal income maintenance benefit it supplemented through welfare, Section 1604 of my bill provides that, as earnings increase, welfare benefits are to be reduced by two-thirds of earnings, until welfare benefits are eliminated. Further earnings reduce income maintenance benefits by two-thirds of earnings, until the position of the recipient is identical to that of a recipient who was never receiving welfare, at which point income maintenance benefits are reduced by fifty per cent of further earnings. This formula is necessary to harmonize the income maintenance system with supplementary welfare in those states where it will continue.

Let me mention several significant advantages of the income maintenance system envisioned in H.R. 17331, as compared with the existing welfare system.

Perhaps the most important is the establishment of a national standard of assistance based on the sole criterion of need. This would eliminate the confusion of diverse state criteria and levels of benefits. It would save those parts of the country which now have the heaviest welfare burdens the most money.

In New York City, with nearly one person in nine on welfare, a substantial portion of this welfare cost would be saved to the City and State, making it available for other needs.

A national income maintenance system would reduce the migration to the cities by rural residents ill-equipped for available city jobs.

It would remove the indignities and intrusions into personal matters which now characterize the welfare system.

It would provide an incentive to work for people receiving benefits.

It would free social workers to perform needed and wanted services and eliminate the welfare bureaucracy's police functions.

I think that it has been nearly universally agreed that the present public assistance system is not working. However, it should be clear that an income maintenance system or a guaranteed income—although it can improve upon the income supplementing functions of welfare—is not, and cannot be in and of itself, a solution to the poverty problem.

Let me take a few moments to describe what I believe income maintenance *is*, and what it is *not:*

It is, clearly, a system of income supplements for two groups—individuals and families with no income, and also the working poor. A family of four with no work income, under my bill, would receive $2000 annually. A family of four with $2000 work income would receive $1000 in benefits for a total income of $3000. Thus, work incentives are built into the system. It is important to keep in mind that this is a program for persons capable of working. Otherwise, it makes no sense to build in work incentives. For the aged, it makes much more sense to establish a higher basic benefit under a federalized Old Age Assistance program. The disabled would be offered an option to continue on Aid to the Totally and Permanently Disabled, or to shift to Income Maintenance.

This program is not a substitute for jobs; indeed, it cannot work unless expanded manpower programs are available so that those who want to work can find training and employment. Nor is it a substitute for unemployment compensation. A subsistence benefit is of marginal use to a regular wage earner who is suddenly thrown out of work for a temporary period. Increased unemployment benefits are necessary to take care of him.

Income maintenance is rather a residual program for the chronic low-income family, the under-employed, the mother with dependent children, and other categories of persons only able to work part-time or sporadically.

Let me make it clear that this is not a program "to pay people not to work." That label is much more applicable to the existing welfare system, which in most cases taxes work earnings at 100%. An income maintenance system, on the other hand, would have built in financial incentives for a recipient to better his total income position by working. That is why a parallel job program is such an important complement to a workable income maintenance system.

There is in Section 1605 of my bill a provision designed to permit low-income seasonal workers to benefit from the income maintenance system without taking unfair advantage of it by deliberately not working part of the year. Section 1605 provides that, if total annual income exceeds 150% of exemptions plus minimum standard deduction, any benefits which were collected during any part of the year must be repaid at a 50% rate. In the case of a family of four, this is $4500 yearly. Thus, if a migrant agricultural worker with three dependents earned $3000 during the summer months, but was idle during the rest of the year, he could keep the $500 income maintenance benefit. However, if a skilled worker with three dependents earned $5000 during an eight-month period and collected benefits during the other four months, he would be required to pay back $250.

Since I introduced H.R. 17331 on May 16, I have received the benefit of wide comment and analysis from interested parties. I'd like to share with the committee some suggestions which I am seriously considering incoporating into the next draft of the bill when I re-introduce it.

First, it has been suggested that the husband and wife should be entitled to $50 monthly each, instead of $50 for the head of the family and $39 for each dependent. I agree that this would be more equitable.

Secondly, there should be a limit on assets. For example, benefits might be reduced by 10% of assets over $10,000.

Third, full-time students should not be eligible for benefits.

Fourth, there should be deductions from stated income for medical care and exemptions of earnings by children under 16 and gifts up to $100 yearly.

Fifth, there should be a statutory escalator provision adjusting the level of benefits upward according to a new low-income consumer price index which would be established in the Department of Labor.

Finally, let me raise for discussion one possibility of which I am not fully convinced but which might cast an income maintenance program in a different light. That is the question of a mandatory work program which would provide that any adult in a recipient family, which has received at least 75% of the maximum benefit for a period of nine months or more, may be required at the discretion of the Federal Government to accept employment in a public employment program, retraining program, or basic education program where such programs are available in the immediate geographic area. Otherwise, benefits would be reduced by 10% per month till they are exhausted. The work program would have to pay at least the minimum wage. Participants in the basic education program would continue to receive income maintenance benefit payments. Persons over sixty years of age, mothers with small children, and the disabled would be excluded.

In certain areas such as small towns with only a handful of beneficiaries, the Administrator might decide that it simply would not be worth the expense to establish a training program.

This kind of work training program puts the burden of establishing an acceptable job program or basic education program on the Federal Government before beneficiaries can be disqualified. Needless to say, regulations would have to be drawn very narrowly to prevent administrative abuse.

In summary, a Federal income maintenance program is a sound proposal which can be enacted in the near future. Few proposals have been received with such intense interest and discussion as this one. I believe that income maintenance is a key part of a multiple strategy for breaking the cycle of poverty. That strategy needs to include job creation and training; it needs to include higher benefits under social security for the elderly and the disabled; and it also requires expanded programs in areas such as intensive education and health and social services.

A system of income maintenance to replace the present inefficient and inadequate welfare system must, in my judgment, be a central part of that strategy.

SEX DISCRIMINATION: STATE PROTECTIVE LAWS VERSUS TITLE VII OF THE CIVIL RIGHTS ACT OF 1964

HON. MARTHA W. GRIFFITHS

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 11, 1968

Mrs. GRIFFITHS. Mr. Speaker, the gross discriminations inflicted upon women with respect to their employment opportunities under the guise of State laws which restrict women's hours and time of employment, or weights they may lift, are being increasingly recognized as detriments, rather than protection, to women.

Congress intended to eliminate sex discrimination in employment when it enacted title VII of the Civil Rights Act of 1964. But a substantial amount of sex discrimination continues because the Equal Employment Opportunity Commission had, until recently, taken the position that State restrictive laws on hours of employment and weight lifting by women qualify as "bona fide occupational qualifications" under title VII.

Certainly, I am glad that the Commission's recent ruling of February 21 retreating from that position evidences its intention to examine more closely the effect of such restrictive State laws upon the equality of employment opportunities which Congress intended to assure to all persons without sex discrimination.

Mr. Raymond P. Buschmann, who has just completed his second year at the University of Illinois College of Law, has written an excellent article showing that most, if not all, of the State laws which restrict women in employment ought to be invalidated either under the 14th amendment or title VII of the Civil Rights Act of 1964. His well-researched article should be very helpful to Member of Congress and others interested in the subject of sex discrimination and the State protective—or, as I prefer to call them, State restrictive—laws. His article, entitled "Sex Discrimination: State Protective Laws Versus Title VII of the Civil Rights Act of 1964," follows:

SEX DISCRIMINATION: STATE PROTECTIVE LAWS VERSUS TITLE VII OF THE CIVIL RIGHTS ACT OF 1964

The Civil Rights Act of 1964 is primarily designed to end discrimination against the Negro in voting, employment, and the use of public accommodations and facilities.[1] Title VII of the Act prohibits discrimination in employment on the basis of race or color by employers, labor unions, employment agencies, and training programs.[2]

Aside from the central purpose of providing equal employment opportunities to the Negro, Title VII also seeks to provide American citizens with equal employment opportunities regardless of their sex.[3] This provision could have far reaching effects on the employment opportunities of females.

However, the prohibition of discrimination based on sex has come into conflict with those laws of most states which "protect'" women by denying them employment in certain jobs solely on the basis of their sex. As evidence of this conflict, several cases are now pending in federal courts in which certain state labor laws are alleged to be pre-empted by Title VII.[4]

In the near future, federal courts will most likely be confronted with an increased number of cases involving this issue. In the hope of serving a useful purpose for the judiciary, this Comment will examine the interaction between Title VII and such laws, and will explore some possible means of resolving the resultant conflict.[5]

Prior to the enactment of Title VIII, all but a few states had adopted laws purporting to protect women in employment. These protective laws may be divided primarily into two groups: those which prohibit the employment of women in certain capacities, and those which confer special benefits on women.[6] Most common to the first group are laws which prescribe maximum daily and weekly hours for women,[7] prohibit nighttime employment of women,[8] limit the amount of weight to be lifted by women,[9] and prohibit the employment of women in certain occupations, such as bartending.[10] Special benefits are conferred on women by laws which require restroom facilities or extra break time for women.[11]

The state's special interest in enacting legislation for the protection of women in employment was recognized by the Supreme Court as early as 1908.[12] The Court stated "that her physical structure and a proper discharge of her maternal functions—having in view not merely her own health, but the well-being of the race—justify legislation to protect her from the greed as well as the passion of man." [13]

With protective legislation on the books of most states, Congress passed the Civil Rights Act of 1964. The Act became effective July 2, 1965, and by July 2, 1968, it will cover all employers of 25 or more employees engaged merce.[14] An employer covered by the Act commits an unlawful employment practice if he discriminatorily hires or fires individuals or if he discriminates against an individual with respect to the terms, conditions, or privileges of employment.[15] The Act also prohibits limiting, segregating, or classifying employees in a discriminatory manner.[16]

Title VII does, however, provide an exception for some discrimination based on sex:

> "Notwithstanding any other provision of this subchapter, (1) it shall not be an unlawful employment practice for an employer to hire and employ employees . . . on the basis of his religion, sex, or national origin in those certain instances where religion, sex, or national origin is a bona fide occupational qualification reasonably necessary to the normal operation of that particular business or enterprise. . . ." [17]

A job illustrative of this exception would be a masseuse for women; here the employer seems justified in limiting applicants to the female sex. But unless the discrimination is based on the bona fide occupational qualification exception, the Act prohibits unequal treatment in employment of a man or a woman based solely on that person's sex.

Title VII itself does not provide that the state protective laws are valid. Only in parts of section 706 [18] and in section 708 [19] of the Act are state laws mentioned, and these sections were intended to give effect to state fair employment practice statutes.[20] Section 708 further provides that any state law which would require or permit an unfair employment practice under Title VII is to be rendered inoperative. A state law which would deny job opportunities to an individual because of that person's sex, therefore, would apparently violate the Act.

The state protective laws currently in

Footnotes at end of article.

existence frequently do prohibit the employment of any woman at certain jobs regardless of her individual merit. The only possible means of conforming such state protective laws to Title VII is to find that the employment practices required by them qualify for the bona fide occupational qualification exception.[21]

The task of determining the bona fides of occupational qualifications was left to the Equal Employment Opportunity Commission—the agency created to administer the Act.[22] However, the task is difficult due to the absence of precedent and of a clear statement of legislative intent.[23] The bill which passed through the congressional hearings did not include sex as a basis of impermissable discrimination.[24] Discussion on it began when Representative Smith of Virginia, with the intent of jeopardizing the 1964 Act, [25] introduced sex as the fifth basis for an unfair employment practice. But the analysis of its repercussions was short-lived, because the next time the House met, the amendment and the Civil Rights Bill were passed.[26]

During the brief House debate on the sex amendment, Representative Celler recognized the serious problems presented by it and pointed out that the amendment would have an adverse effect on the state laws.[27] Even though another representative felt that the states' protective laws would not be invalidated,[28] the other representatives, who expressed their views, both in opposition to and in favor of the bill, believed the amendment would impliedly repeal these state laws.[29] On the whole, they considered this invalidation not to be detrimental.[30]

Thus, when the EEOC adopted its "Guidelines on Discrimination Because of Sex",[31] it did so with only an inference that the state protective laws would be overridden. The Commission decided to interpret the bona fide occupational qualification exception narrowly.[32] So interpreted, the exception does not include the "refusal to hire a woman because of her sex, based on assumptions of the comparative employment characteristics of women in general" [33] or the "refusal to hire an individual based on stereotyped characterizations of the sexes." [34]

However, the Commission realizes that most states have enacted protective laws affecting women in employment. Even though some of these laws can be critized as being out-dated and unresponsive to the demands of equal employment opportunity,[35] the Commission originally expressed the policy that limitations or prohibitions imposed by state protective laws would qualify as a bona fide occupational qualification exception, except when the clear effect of the law is not to protect women but to subject them to discrimination.[36]

Recently the Commission has taken a more enlightened view [37] and has rescinded this policy statement. Instead, the Commission will procede to decide whether state protective legislation is superseded by the Act where the effect of the state legislation appears to be discriminatory rather than protective.[38]

The first case to question the bona fides of an occupational qualification came before the courts in 1966.[39] A company policy, similar to the laws of several states which set weight-lifting limits for women, was challenged. Relying on Title VII, female employees of the Colgate-Palmolive Company alleged that they were discriminated against when they were laid off and men with less seniority were retained and assigned to tasks the women were capable of performing. The Equal Employment Opportunity Commission found probable cause that plaintiff's allegation was valid and in violation of Title VII.[40]

Unable to obtain Colgate's voluntary compliance with the Commission's finding of probable cause, the women sought money damages and injunctive relief in the District Court.[41] Colgate relied on numerous authorities to justify its policy of limiting certain jobs requiring the lifting of weights over thirty-five pounds to men only. In particular, it pointed to the statutes and regulations of twelve or thirteen states in the United States which limit the maximum weight women may lift or carry.[42] It also relied upon the conclusion of the International Labor Organization Conference that the maximum permissible limits for women in employment should be between 33 and 41.1 pounds,[43] and a bulletin issued by the United States Secretary of Labor adopting the 33 to 41.1 pound standard and recommending it to employers.[44]

Thus, Colgate claimed that its policy was reasonable and designed to promote the health and safety of its female employees. The court agreed and found that this motive was complementary to the necessity of efficient operation of the plant because to deny the right to set this limit would make any reasonable operation of the plant impossible. Therefore, the weight limit was a bona fide occupational qualification under Title VII.[45]

In determining the legality of the weight limit as an exception under title VII, the court analyzed the meaning of "bona fide occupational qualification." It recognized three possible interpretations: a strict necessity test, a "traditional role" test, and an equal protection test.[46] The strict necessity test involves construing the exception narrowly and applying it only to those jobs which can be performed by only one sex. The "traditional roles" test permits the exclusion of females from jobs from which they have been traditionally excluded.[47] The court rejected these two tests and adopted the equal protection test.

The principle of equal protection permits a legislative classification, made pursuant to the police power of the State, to stand so long as it is rational.[48] The court applied this principle for the determination of a bona fide occupational qualification exception—indicating that a legislative classification based on sex qualifies if such classification is rational.[49] The principle was also held applicable to rules established by individual employers, although indicating that the rationality of the classification will be more closely examined in such cases since the interests asserted by employers may not be as paramount as the public objectives of the State.[50] "Still, the basic premise would be that employers may discriminate, but they must do so rationally." [51] Applying the equal protection test, the court found that the Company's policy was rational because it promoted safety and fostered efficient operation of the plant.

The court, in relying on the conclusion of the International Labor Organization Conference and the bulletin by the Secretary of Labor, failed to read these documents in their proper light. At the conference, the United States Government was opposed to any limitation of employment from being based on sex as far as the transporting of loads was concerned. Rather, the U.S. proposed an unsuccessful amendment in order that employment would be based on the physical capacity of the worker.[52] The Department of Labor neither adopted nor endorsed the conclusions of the conference. Instead, the policy of the Department is to replace rigid weight lifting limits by flexible regulations, applicable to both men and women.[53]

Nevertheless, the thirty-five pound weight-lifting limitation may certainly be deemed reasonable for the majority of women. However, in holding this classification to be rational, the court failed to recognize that women vary widely in their activities and as individuals.[54] Although there admittedly are women (just as there are men) who are unable to lift thirty-five pounds, many women could definitely lift this weight without strains.[55]

Thus, Colgate was allowed to refuse jobs to plaintiffs because of their sex without assessing their particular physical capabilities. They were denied the job because of their class and not because of their individual merit. If this result is permissible under the equal protection test, it is submitted that the use of such test is inconsistent with the goals of Title VII.

To qualify for the exception to the Act's ban on sex discrimination, section 703(e) specifically provides that the normal operation of the particular business must *reasonably necessitate* an occupational restriction based on sex.[56] Thus, the criteria most consonant with the language of the statute would be a test of reasonable necessity. The strict necessity test is undesirable because of its rigidity and inability to encompass various individual abilities and types of employment situations. As has been noted, the equal protection test is little better.[57] The test of "traditional roles" seems certainly repugnant to Title VII since it would legalize the discrimination which gave rise to the Act.[58]

Under the reasonable necessity test, all jobs not reasonably requiring performance by one sex exclusively should be open to both male and female. It seems probable that most women, like men, would recognize their capabilities and would not apply for a job beyond their abilities. Even though most women may find that a certain job entails an excessive physical strain, some women may be capable of performing that very job.

If an individual woman desires the job, it should not be denied her merely because most females could not qualify. Her own individual merit and potential should be the determining factors. After consideration of these factors, the employer would be justified in denying the job to the individual if he reasonably believes that the applicant or worker is unable to fulfill the requirements due to personal inability or if another individual is more capable. If the applicant or worker disagrees with her employer, she may file a charge of discrimination before the EEOC, which would investigate and determine whether she was denied the job because of her sex, and if so, whether business operations reasonably necessitate a man for the job.

If the reasonably necessity test had been applied in *Bowe*, the court undoubtedly would have held in favor of the plaintiffs. Plaintiffs, who claimed to be capable of performing the job, were denied it simply because of their sex and without consideration of their abilities. Furthermore, no adverse effect on Colgate's normal business operation would conceivably have resulted had they been given the job. The normal operations of Colgate did not reasonably necessitate that a person of the male sex alone be allowed jobs requiring the lifting of weights greater than thirty-five pounds.[59] In fact, employing an across-the-board seniority system to both men and women as to promotion to add jobs would probably bolster the morale of the female employees, thus enhancing relations between Colgate and its employees.

The reasonable necessity test can be applied not only to company policies but also to state statutes which discriminate against women in employment. Congress explicitly provided that sex discrimination is prohibited unless the job reasonably necessitates performance by a particular sex. And Congress further provided that any state law must be considered invalid if it "purports to require or permit the doing of any act which would be an unlawful employment practice under [Title VII]." [60]

Furthermore, the general assumption is that state laws must yield to federal legislation when the latter is nationwide and when the federal program would be impaired if the state laws were to control.[61] Title VII does have nationwide application and the goal of ending job discrimination based on sex is impaired by the state protective laws.

Footnotes at end of article.

Thus, the Equal Employment Opportunity Commission should interpret Title VII as pre-empting these state laws, since state laws which require behavior forbidden by federal laws are invalid under the supremacy clause.[62] If the charge alleging discrimination is true, the Commission should fulfill its legislative mandate by finding probable cause that Title VII was violated, despite the contrary language of the state protective laws.[63]

State protective legislation also is subject to attack as being unconstitutional under the Fourteenth Amendment's due process and equal protection clauses. An argument might be made that since the right to pursue lawful employment for a livelihood is a right protected by the due process clause,[64] a denial of this right by state laws which bear no reasonable relation to any proper governmental purpose is unconstitutional.[65]

A better constitutional argument can be made under the Equal Protection clause, which is violated by a state statute operating "unequally" upon all members of a group.[66] But even if the statute is applied to all women without exception, the statute may still be invalid if the classification does not bear a rational relationship to the purpose of the statute.[67]

Recent civil rights cases have defined what is reasonable in terms of the individual, and not in terms of the group.[68] A deprivation of an individual's constitutional rights cannot be based on a legislative determination that they belong to an inferior group. Rather, individual merit and abilities seem to be the relevant factors.

Nevertheless, the courts have been consistent in holding that the state classification of the sexes in employment is a valid and reasonable exercise of the police power.[69] The modern trend, however, is towards insuring equality and eliminating discrimination in employment.[70] In fact, a recent decision by a Los Angeles Municipal Court regarding a California law prohibiting female bartenders did indicate that the law might well be unconstitutional, though the court declined to so hold.[71]

In New York, an administrative regulation was interpreted by the administrator as prohibiting the promotion of any policewoman to the rank of sergeant—even though she could properly perform the command and administrative functions required. The court found that this construction was unwarranted, unreasonable, and archaic, and indicated that, were the administrator's interpretation the proper one, the regulation would constitute a violation of equal protection.[72]

Despite the possibility of conflict between state protective laws and the equal protection clause, the issue has likely been rendered secondary by the enactment of Title VII. Those state protective laws which have the effect of unreasonably and unnecessarily restricting the employment opportunities of qualified women should be considered preempted by the federal statute. Thus, for example, restricting women—without regard to individual ability—to certain occupations, to maximum hours of work, or to jobs that do not require physical exertion, should be invalidated.[73]

The court in *Bowe* wrongly construed the bona fide occupational qualification exception. The ban on sex discrimination is rendered valueless if any individual is to be allowed to liberally construe the Title VII exception to fit his personal desires, and meeting only the requirement that his regulations be rational as *class* regulations. Rather, standards of merit and individual quality should control unless reasonable necessity requires otherwise.

Our society has changed to such an extent that the classification of women in employment for protective purposes is, for the most part, unnecessary. Women have taken a new and more forceful role in American society; they should no longer be stereotyped as a class to be pampered—and thereby prejudiced—in regard to employment.

FOOTNOTES

[1] The major substantive provisions of the Civil Rights Act of 1964 are Title I (voting), 42 U.S.C. § 1971 (1964), Title II (public accommodations), 42 U.S.C. §§ 2000a to a–6 (1964), Title III (public facilities), 42 U.S.C. §§ 2000b to b–3 (1964), and Title VII (employment), 42 U.S.C. §§ 2000e to e–15 (1964).

[2] Civil Rights Act of 1964, 42 U.S.C. § 2000e–2 (1964).

[3] Id. Title VII also prohibits employment discrimination based on religion and national origin.

[4] Weeks v. Southern Bell Telephone & Telegraph Co., 277 F. Supp. 117 (S.D. Ga. 1967), appeal docketed, No. 25725, 5th Cir. 1967 (Georgia regulation setting weight lifting limits); Dixon v. AVCO, No. 6660 (S.D. Ohio, filed Feb. 13, 1968) (Ohio law setting weight lifting limits); Ward v. Luttrell, Civil No. 67–1622 (E.D. La., filed Nov. 6, 1967) (Louisiana maximum hour law); Roig v. Southern Bell Telephone & Telegraph Co., Civil No. 67–574 (E.D. La., filed April 20, 1967) (Louisiana maximum hours law); Megelkoch v. Industrial Welfare Comm., Civil No. 66–16–18–S (C.D. Calif., filed Oct. 10, 1966) (California maximum hours law) (3-judge court denied and suit dismissed, in two opinions by Judge Stephens, on May 10, 1968); Reguinti v. Rocketdyne, No. 66–1445 P.H. (S.D. Calif., filed Sept. 7, 1966) (California law classifying jobs as "male only").

[5] This Comment will not examine the Equal Pay Act of 1963, 29 U.S.C. § 206(d) (1964), which forbids pay differential based solely on sex. No conflict exists between the Equal Pay Act and Title VII, for Title VII explicitly acknowledges sex differentiation authorized by the Equal Pay Act. Civil Rights Act of 1964, 42 U.S.C. § 2000e–2(b) (1964). Nor is there a conflict between the state protective laws and the Equal Pay Act. 29 C.F.R. § 800.163 (1966). Although some states have minimum wage laws applicable only to women (see, e.g., Ark. Stat. Ann. § 81–613 (1960)), these minimum wages must also be paid to male employees doing the same work in order to satisfy the federal equal-pay requirement. CCH Lab. L. Rep. 25,980 (1967); accord, 29 C.F.R. § 800.161 (1966). The ramifications of the Equal Pay Act of 1963 are discussed in Comment, 1967 U. Ill. L. F. 202; the Act's lack of success is indicated by figures given in Changing Times, March 1968, at 5.

[6] Another type of law, which exists in more than half the states, is the fair employment practice act. These state acts will not be examined in this Comment since Title VII explicitly provides that this type of law remains valid and effective.

"Nothing in this subchapter shall be deemed to exempt or relieve any person from any liability, duty, penalty, or punishment provided by any present or future law of any State or political subdivision of a State, other than any such law which purports to require or permit the doing of any act which would be an unlawful employment practice under this subchapter." Civil Rights Act of 1964, 42 U.S.C. § 2000e–7 (1964).

[7] Forty-one states and the District of Columbia have such laws. *See, e.g.*, ILL. REV. STAT. ch. 48 § 5 (1967). Alabama, Alaska, Delaware, Florida, Hawaii, Idaho, Indiana, Iowa, and West Virginia are the nine states, besides Puerto Rico, that do not have such laws. However, Alaska, Hawaii, Idaho, West Virginia, and Puerto Rico require premium payment for time worked over specified hours. WOMEN'S BUREAU, U.S. DEP'T OF LABOR, FEBRUARY 1967 SUMMARY OF STATE LABOR LAWS FOR WOMEN 8–9 (1967) [hereinafter cited as WOMEN'S BUREAU].

[8] Twenty states and Puerto Rico prohibit and/or regulate night-time employment of women. These states are: California, Connecticut, Illinois, Kansas, Maryland, Massachusetts, Nebraska, New Hampshire, New Jersey, New Mexico, New York, North Dakota, Ohio, Oregon, Pennsylvania, Rhode Island, South Carolina, Utah, Washington, and Wisconsin. *Women's Bureau* 11; *see*, e.g., *Conn. Gen. Stat. Rev.* § 31–19 (1962).

[9] Eleven states have such weight-lifting limits. They are: Alaska, California, Georgia, Maryland, Massachusetts, Minnesota, New York, Ohio, Oregon, Utah, and Washington. *Women's Bureau* 17; *see, e.g., Cal. Labor Code* § 1251 (West 1955). A labor standard formerly printed by the Michigan Department of Labor purported to prescribe limits on weight-lifting by women, but it had no legal basis and was deleted. See Michigan Labor Department's Bulletin L 50 (Dec. 1966 Revision).

[10] Twenty-six states have such occupational limitations. *See, e.g., Ohio Rev. Code Ann.* § 4107.43 (Page 1965). Seventeen states which prohibit the employment of women in or about mines are: Alabama, Arizona, Arkansas, Colorado, Illinois, Indiana, Maryland, Missouri, New York, Ohio, Oklahoma, Pennsylvania, Utah, Virginia, Washington, Wisconsin, and Wyoming. Ten states which prohibit women from bartending are: Alaska, California, Connecticut, Illinois, Indiana, Kentucky, Ohio, Pennsylvania, Rhode Island, and Wyoming. *Women's Bureau* 15–16.

[11] Rest periods for women workers are provided for by Puerto Rico and the following twelve states: Alaska, Arizona, California, Colorado, Kentucky, Nevada, New York, Oregon, Pennsylvania, Utah, Washington, and Wyoming. *Women's Bureau* 10–11; *see, e.g*, *Pa. Stat. Ann.* tit 43, § 107 (supp 1967).

[12] Muller v. Oregon, 208 U.S. 412, 28 S. Ct. 324 (1908).

[13] *Id.* at 422, 28 S. Ct. at 327, State legislatures passed these various types of laws ostensibly in the public interest to protect the "weaker" sex in the world of business. The inherent physical and functional differences peculiar to the two sexes are used to vindicate the special care given to women. *See, e.g.*, Radice v. New York, 264 U.S. 292, 44 S. Ct. 325 (1924), where the Court upheld the validity of a state statute prohibiting the employment of women in restaurants during nocturnal hours.

The state argued that the statute was passed because "night work of he kind prohibited so injuriously affects the physical condition of women, and so threatens to impair their peculiar and natural functions, and so exposes them to the dangers and menaces incident to night life in large cities, that a statute prohibiting such work falls within the police power of the state to preserve and promote the public health and welfare." *Id.* at 294, 44 S. Ct. at 326.

[14] Civil Rights Act of 1964, 42 U.S.C. § 2000e (b) (1964).

[15] *Id.* §2000e–2(a)(1) (1964) states that it shall be unlawful employment practice for an employer to: "fail or refuse to hire or discharge any individual, or otherwise to discriminate against any individual, with respect to his compensation, terms, conditions, or privileges or [sic] employment, because of such individual's race, color, religion, sex, or national origin. . . ."

[16] *Id.* § 2000e–2(a)(2) states that it shall be an unlawful employment practice for an employer to: "limit, segregate, or classify his employees in any way which would deprive or tend to deprive any individual of employment opportunities or otherwise adversely affect his status as an employee, because of such individual's race, color, religion, sex, or national origin."

Once the Commission makes a finding that probable cause exists to believe that the employer committed an unlawful employment practice, a voluntary conciliation between the charging party and the employer is attempted. If conciliation fails, the charging party is advised of his right to institute a civil action in a federal district

---

Footnotes at end of article.

court seeking damages and injunctive relief. *Id.* § 2000e–5(a) and (e).

[17] *Id.* § 2000e–2(e).

[18] *Id.* § 2000e–5(b) to (d).

[19] *Id.* § 2000e–7, quoted in note 6 *supra.*

[20] *See* Murray, *Jane Crow and the Law: Sex Discrimination and Title VII,* 34 Geo. Wash. L. Rev. 232, 249 (1965).

[21] *Cf.* Waters, *Sex, State Protective Laws and the Civil Rights Act of 1964,* 533 Ins. L. J. 341, 349 (1967).

[22] Civil Rights Act of 1964, 42 U.S.C. § 2000e–4 (1964).

[23] Note, *Classification on the Basis of Sex and the 1964 Civil Rights Act,* 50 Iowa L. Rev. 778, 792 (1965). Only Hawaii, Hawaii Rev. Laws § 90A–1 (Supp. 1965), and Wisconsin, Wis. Stat. Ann. §§ 111.31–.32(5) (Supp. 1967), had laws prohibiting discrimination based on sex in employment when the 1964 Civil Rights Act was passed, and their analysis of bona fide occupational qualification is hardly adequate. In order to qualify for the exception, Wisconsin requires valid reasons to exist in the nature of the working conditions, and Hawaii requires that members of one sex be unable to perform the task. Waters, *supra* note 21, at 346. Since the passage of the Civil Rights Act, ten other states have amended their laws so as to prohibit sex discrimination. These states are Arizona, Idaho, Maryland, Massachusetts, Missouri, Nebraska, Nevada, New York, Utah and Wyoming. Since 1890 the State of Washington has prohibited the disqualification of any person from employment on account of sex, but this prohibition is not connected with Washington's fair employment practice act, which prohibits discrimination in employment based on age, race, creed, color, or national origin.

[24] Representative Green commented that "there were no hearings by any committee of the House; not a single word of testimony was taken; and the full implications could not have been understood." 110 Cong. Rec. 2720 (1964).

[25] Since Representative Smith was a principal opponent of the Civil Rights Bill, his obvious purpose in proposing the sex amendment was to elicit further opposition to the bill. *See* Miller, *Sex Discrimination and Title VII of the Civil Rights Act of 1964,* 51 Minn. L. Rev. 877, 880 (1967). In the ensuing debate, which lasted less than two hours, it was alleged that this amendment placed an additional burden upon the proponents of the bill and jeopardized the bill's primary purpose. 110 Cong. Rec. 2581, 2720 (1964) (remarks of Representative Green). After passage of the Act, Congresswoman Green commented informally that "I believed then, and I believe now, that the 'intent' of the sponsor of the [amendment] was to enlist additional opposition to Title VII of the Civil Rights Bill." Miller, *supra* at 883 n. 34.

[26] The sex amendment to the Civil Rights Bill was proposed on February 8, 1964. 110 Cong. Rec. 2577 (1964). No session was held on Sunday, February 9, but when the House met on the following day, the sex amendment and the Civil Rights Bill were passed. *Id.* at 2804–05.

[27] Representative Celler stated: "In many States we have laws favorable to women. Are you going to strike those laws down? [The sex amendment] is the entering wedge . . ." *Id.* at 2577–78.

[28] *Id.* at 2582 (remarks of Representative Kelly).

[29] *See* Murray, *supra* note 20, at 248.

[30] Congresswoman Griffiths believed that most of the so-called protective legislation for women had actually been used to protect men's rights in better paying jobs. She further expressed the opinion that "when this bill is passed, some of these arbitrary classifications passed in State statutes will be tested again by colored women, and I have yet to find a lawyer on this floor who cares to state equivocally that the State law will continue to prevail." 110 Cong. Rec. 2580 (1964). Another Congresswoman, Representative St. George clearly favored pre-emption of the state protective laws. *Id.* at 2580–81. Some states have recognized the prejudicial effect of their "protective" laws. Thus, the Arizona Civil Rights Commission has stated:

"Protective legislation [limiting the number of hours a woman may work] limits the employment opportunities of women mainly in three ways. First, it prevents women from obtaining employment in those positions which require working more than the specified maximum number of hours per day or week. Secondly, it prevents women from obtaining promotions to a higher paying job when that position calls for working more than the maximum number of hours permitted by law. Lastly, it prevents women from obtaining premium pay for overtime work. The effect then . . . . is to keep women unemployed and in the lowest paying positions." Reynolds v. Mountain States Telephone & Telegraph Co., CCH Employment Practices 8111 (Ariz. Civil Rights Comm., Case No. 17–12E, 1966).

[31] 29 C.F.R. § 1604 (1968).

[32] *Id.* § 1604.1(a). One writer lists three possible interpretations: necessity, traditional roles, and equal protection. That writer prefers the equal protection test, but the EEOC's interpretation seems to be closest to the necessity test. Note, *Classification on the Basis of Sex and the 1964 Civil Rights Act,* 50 Iowa L. Rev. 778, 794–95 (1965). *See* note 47 and accompanying text *infra* for a brief explanation of the tests.

[33] 29 C.F.R. § 1604.1(a)(1)(i) (1968).

[34] *Id.* § 1604.1(a)(1)(ii).

[35] *Id.* § 1604.1(b).

[36] *Id.* § 1604.1(c).

[37] *But see* Miller, *supra* note 25, at 897, where the EEOC's prior position is praised as being flexible and sensible.

[38] 33 Fed. Reg. 3344 (1968).

[39] Bowe v. Colgate-Palmolive Co., 272 F. Supp. 332 (S.D. Ind. 1967). An earlier case, Ward v. Firestone Tire & Rubber Co., 260 F. Supp. 579 (W.D. Tenn. 1966), was disposed of by finding that the job sought by the plaintiff would not bring to him the tangible benefits that he desired. In that case, the court, in dictum, went on to say that even if the job sought had such benefits, he could be denied the job earmarked for women because it had a bona fide relation to occupational qualification. *Id.* at 581.

[40] Bowe v. Colgate-Palmolive Co., 272 F. Supp. 332, 338 (S.D. Ind. 1967).

[41] *Id.* at 332.

[42] *Id.* at 354.

[43] *Id.* at 355.

[44] *Id.*

[45] *Id.* at 365, where the court concluded that, "as a matter of law under the circumstances of this case . . . restrictions and limits on the weights that may be lifted by female employees may be imposed and enforced under the terms of Title VII of the Civil Rights Act of 1964 by Colgate as an employer, as a 'bona fide occupational qualification reasonably necessary to the normal operation of that [employer's] particular business or enterprise.' "

Cf. Ward v. Firestone Tire & Rubber Co., 260 F. Supp. 579 (W.D. Tenn. 1966) (dictum) (the earmarking of a job for women and men with physical disability had a bona fide relation to occupational qualification); Missouri Attorney General's Opinion, CCH Employment Practices 8136 (1967) (women's overtime law of Missouri found to be a bona fide occupational qualification exception under Title VII). *But cf.* EECC Opinion Letter of Jan. 18, 1966, CCH Employment Practices 17,252.07 (1966), which held: "Absent a bona fide occupational qualification, an employer may not refuse to consider a male applicant for a position merely because it is highly routine in nature and traditionally staffed by females."

[46] Bowe v. Colgate-Palmolive Co., 272 F. Supp. 332, 361–62 (S.D. Ind. 1967).

[47] *See* Note, *Classification on the Basis of Sex and the 1964 Civil Rights Act,* 50 Iowa L. Rev. 778, 794–95 (1965), where examples of jobs qualifying under the necessity test are listed as restroom attendants and bridal gown models, and where the job of truck driver is given as an example of an occupation qualifying under the "traditional-role" test.

[48] *See* Carrington v. Rash, 380 U.S. 89, 85 S. Ct. 775 (1965).

[49] Bowe v. Colgate-Palmolive Co., 272 F. Supp. 332, 362 (S.D. Ind. 1967).

[50] *Id.*

[51] *Id.; cf.* Cook v. Dixie Cup Div. of American Can Co., 274 F. Supp. 131 (W.D. Ark. 1967), where the test of reasonableness under the equal protection clause was held to be also applicable to classifications established by the employer.

[52] International Labour Conference, Provisional Record, p. iv (51st session, Geneva 1967).

[53] Letter from W. Willard Wirtz, Secretary of Labor, to Marguerite Rawalt, Attorney, Washington, D.C., Nov. 13, 1967.

[54] *See* Murray, *supra* note 20, at 238. In National Safety Council, The Woman on the Job v (1954), the major premise "is that, with few exceptions, working conditions which are safe for men are likewise safe for women. The premise is amply borne out by the studies which have been made of various aspects of the subject, and by the experience of those who have been responsible for the welfare of women working in many kinds of jobs."

[55] *See* Bowe v. Colgate-Palmolive Co., 272 F. Supp. 332, 356 (S.D. Ind. 1967), where plaintiffs alleged that they were able to perform the work required for the jobs sought without undue stress and strain. "There are probably no tasks that some where and at some time women have not done." National Safety Council, *supra* note 54, at 1.

[56] Civil Rights Act of 1964, 42 U.S.C. § 2000e–2(e) (1964).

[57] The equal protection test is also undesirable when the employer justifies his conduct on the basis of state laws discriminating between the sexes. The sex discrimination prohibition of Title VII would add nothing, for the state may not constitutionally classify persons without a rational purpose. *See, e.g.,* Morey v. Doud, 354 U.S. 457, 77 S. Ct. 1344 (1957).

[58] *Cf.* Note, *Classification on the Basis of Sex and the 1964 Civil Rights Act,* 50 Iowa L. Rev. 778, 795 (1965).

[59] It appears that Colgate never asserted that a disruption of the normal operation of the plant would result if females were employed at jobs requiring lifting of over 35 lbs. Colgate's sole reason for limiting females to certain jobs was to protect the health and v. Colgate-Palmolive Co., 272 F. Supp. 332, 345–47, 354 (S.D. Ind. 1967). The case has been appealed. Bowe v. Colgate-Palmolive Co., 272 F. Supp. 332 (S.D. Ind. 1967), *appeal docketed,* No. 16625, 16632, 16626, and 16624, 7th Cir., 1967.

[60] Civil Rights Act of 1964, 42 U.S.C. § 2000e–7 (1964). *See also id.* § 2000h–4, where no provision of the Act is to be construed as invalidating any provision of a state law, unless such provision is inconsistent with any of the purposes of this Act.

[61] *See* Jerome v. United States, 318 U.S. 101, 104, 63 S. Ct. 483, 485–86 (1943); NLRB v. Hearst Publications, Inc., 322 U.S. 111, 64 S. Ct. 851 (1944); Reynolds v. Mountain States Telephone & Telegraph Co., CCH Employment Practices 8111 (Ariz. Civil Rights Comm., Case No. 17–12E, 1966); *cf.* Campbell v. Hussey, 368 U.S. 297, 82 S. Ct. 327 (1961), where the state regulation failed because it conflicted with the federal scheme.

[62] *See* Gibbons v. Ogden, 22 U.S. (9 Wheat.) 1, 211 (1824); *cf.* Hill v. Florida, 325 U.S. 538, 65 S. Ct. 1373 (1945) (a state statute was

held invalid because its requirements frustrated the purpose of the federal statute). *See generally* Comment, *The Impact of Preemption on Federal-State Cooperation*, 1967 U. Ill. L.F. 656.

[63] Civil Rights Act of 1964, 42 U.S.C. § 2000e-3(a). *See* EEOC Opinion Letter of July 28, 1966, CCH Employment Practices 17,304.07 (1966) (the fact that most females lack the physical capabilities does not justify under Title VII a blanket exclusion of females from jobs with heavy physical demands); *cf.* EEOC Opinion Letter of Jan. 18, 1966, CCH Employment Practices 17,252.07 (1966) (employers may not refuse to consider male applicants for a position merely because it is highly routine in nature and traditionally staffed by females).

[64] Colorado Anti-Discrimination Comm. v. Continental Air Lines, 372 U.S. 714, 721, 83 S. Ct. 1022, 1026 (1963).

[65] "If the laws passed are seen to have a reasonable relation to a proper legislative purpose, and are neither arbitrary nor discriminatory, the requirements of due process are satisfied, and judicial determination to that effect renders a court functus officio." Nebbia v. New York, 291 U.S. 502, 537, 54 S. Ct. 505, 516 (1934).

[66] *See* Goesaert v. Cleary, 335 U.S. 464, 69 S. Ct. 198 (1948) (dissenting opinion). The state statute, which was challenged as unconstitutional, prohibited all women, except owners' wives, from being employed as a bartender. The dissent noted that the statute permits some females to bartend without a man being present to keep order, while other females may not bartend under any circumstances, even when a man is present. The dissent concluded that the statute created an unreasonable classification which "belies the assumption that the statute was motivated by a legislative solicitude for the moral and physical well-being of women. . . ." *Id.* at 468, 69 S. Ct. at 201, *Cf.* Metropolitan Cas. Ins. Co. v. Brownell, 294 U.S. 580, 55 S. Ct. 538 (1935).

[67] *See* Morey v. Doud, 354 U.S. 457, 77 S. Ct. 1344 (1957); *cf.* McLaughlin v. Florida, 379 U.S. 184, 190, 85 S. Ct. 283, 287 (1964), where the Court stated: "Classification must always rest upon some difference which bears a reasonable and just relation to the act in respect to which the classification is proposed, and can never be made arbitrarily and without any such basis." Regarding bartending statutes, the rationality of the classification can be questioned since waitresses are employed in restaurants, lounges, and bars without anti-social results. These females work without protection even though they have closer contact with the clientele than female bartenders would have. *Cf.* Kanowitz, *Sex-Based Discrimination in American Law*, 11 St. Louis Univ. L.J. 293, 328 (1967).

[68] *See* Stell v. Savannah-Chatham County Bd. of Educ., 333 F.2d 55 (5th Cir.), *cert. denied*, Roberts v. Stell, 379 U.S. 933, 85 S. Ct. 332 (1964); Orleans Parish School Bd. v. Bush, 242 F.2d 156 (5th Cir.), *cert. denied*, 354 U.S. 921, 77 S. Ct. 1380 (1957).

[69] *See, e.g.*, Muller v. Oregon, 208 U.S. 412, 28 S. Ct. 324 (1908).

[70] *Cf.* E. Fisch & M. Schmartz, State Laws on the Employment of Women 5 (1953). In the Preface to their book listing state employment laws relating to women, the authors stated that discrimination based on race, color, national origin or sex is contrary to American principles They continued: "It is hoped that the material found in this book will help legislators, lawyers and laymen to eliminate discrimination and permit women to contribute fully to the community without any restriction other than their ability and willingness to serve."

[71] People v. Gardner, CCH Employment Practices 9015 (L.A. Mun. Ct. 1966).

[72] Shpritzer v. Lang, 17 App. Div. 2d 285, 290, 234 N.Y.S.2d 285, 290 (1962), *aff'd*, 13 N.Y.2d 744, 191 N.E.2d 919, 241 N.Y.S.2d 869 (1963), *modifying* 32 Misc.2d 693, 224 N.Y.S. 2d 105 (Sup. Ct. 1961).

[73] To be distinguished from restrictive laws are the state laws which give employment benefits to women when sex does not reasonably necessitate such benefits. These laws can meet the requirements of Title VII if men are also required to be so treated. For example, a Pennsylvania statute requires at least thirty minutes for meal time for female employees. Pa. Stat. Ann. tit. 43, § 107 (Supp. 1967). This statute, to be valid under Title VII, should also apply to male employees. *Cf.* EEOC Opinion Letter of March 10, 1966, CCH Employment Practices 17,252.07 (1966).

EL SUENO IMPOSIBLE

HON. EDWARD P. BOLAND

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 11, 1968

Mr. BOLAND. Mr. Speaker, Dr. Wilbert E. Locklin, president of Springfield College in my home city of Springfield, Mass., on June 14 gave a moving baccalaureate address before the college's class of 1968.

Urging his students to look beyond the conventional middle-class goals of a good job and an ample income, Dr. Locklin said today's youth should embrace the visionary philosophy set forth in the song "The Impossible Dream" from the play "Man of La Mancha."

President Locklin said:

> The greatest of visions is to see life as it should be, and not as it is.

With permission I would like to put the complete text of President Locklin's address in the Record at this point:

El Sueno Imposible

(Baccalaureate address to class of 1968 by Dr. Wilbert E. Locklin, president of Springfield College, June 14, 1968)

Members of the College Family: With this service tonight, we come to the first of the formal events of this year's Commencement, *your* Commencement. At times the President of the College invites a clergyman to give the Baccalaureate Address because it is looked upon as being within a religious framework; and, of course, it is given in a church.

But this year I have deliberately taken the responsibility upon myself. I think the real reason why I wanted to do this is that I have known you longer than the members of any other class at Springfield College. I have a warm spot in my heart for you and for the relationships we have had together. No man with sons and daughters like you could approach this opportunity with a greater desire than I have at this moment. And that desire is to say something worthwhile and meaningful; something you will remember long after you have forgotten who said it. That, you will agree, is a rather large responsibility.

The academic year we are now completing has been one of the most unusual and perhaps the most stimulating of all the years I have known since I have been associated with higher education. More questions have been asked; more questions have gone unanswered than in any time within the memory of man. And our misfortune seems to be that we have much more than our share of confusion on simple matters that we all thought had been settled long ago. Perhaps an explanation could be that, all too often, while we live forward, we must understand backward.

In a very few words I can express what I have to say to you tonight. In fact, I can put it all into two wishes. First, I wish for you that your life will be characterized by a search for, and the finding of, those aspects of this universe which, for lack of a better term, we call the spiritual. And second, I wish for you that in your life's work you will dream, and you will attempt, and you will accomplish the impossible. And all I mean by those statements is that I hope you have, or come by, a faith in God that will stand by you in adversity as well as in success, and that also in your daily life you dedicate yourself to doing what your College and humanity will thank you for having done.

You may wonder why I dare trespass upon your private realm of the spiritual. I think it is because I have found that many of our present ills, both public and private, and too many of our problems, have been caused by people with little belief in anything except their personal satisfaction. Sometimes it almost seems that your generation is being dominated by the self-centered concept expressed in the words, "I have a right to do anything I want to do so long as I think it does no harm to anyone else." As if any man can be an island unto himself!

Any man who has ever had the responsibility for others that affects their lives and welfare; any man who has ever ministered to the sick either of body or of mind; any man who has ever seen others die knows that merely mortal man can do very little in and of himself. It is only when man has the extra surge of spiritual power that he can dare attempt things beyond his own physical and mental strength.

"... a man's reach should exceed his grasp, or what's a heaven for?"

And the experience of probing, and perhaps discovering something of what otherwise might be unkown, can be done so simply—just by reasoning about it with one's intellect. Others have done it time and time again. For example, Rene Descartes said, "Let us assume nothing. Let us start without any 'givens.' Starting without any assumptions at all, what do I know? First of all, I know that I exist. I know, too, that I exist somewhere. And I know that I did not put myself here." And therefore, without any assumptions, I believe Descartes was able to establish, merely by reasoning, the existence of Man, the existence of the Cosmos, and the existence of God.

But you and I cannot stop there. We do not live in an abstract world of philosophical thinking. We live in a real world, a world of reality. We must translate or reduce concepts to modes of conduct and action. To do it, all we need do is to look about us to see how some people live and then make our choice. Shall we choose good or evil, honesty or dishonesty, loyalty or deception, wisdom or ignorance? It would seem to me that, for an educated man, the choice should be easy.

Thus by reasoning and choosing, the educated man can develop standards of spirituality that will stand by him for his entire life. It might even result in a code that could easily include such admonitions as:

> "Fear God, for the fear of God is the beginning of wisdom.
> Know thyself, the most difficult thing in the world.
> Let virtue be the guide for your every action.
> Choose honesty, justice, and truth so that you may have integrity."

Is it too much to ask that college graduates, educated men and women, furnish us with examples that other, less fortunate people might emulate? Would it be unreasonable for pepole to accept the prayer of Hippolytos who said, "Grant me to end life's race as I began." We start clean. Can we not end clean? Perhaps the best reason for my first wish that you be known for your spirituality, or your integrity in daily living, can be found in the realization that the largest public debt is the one each of us owes to God. And perhaps that statement has been underwritten best by the fact that the true giants of human history have been inspired by spiritual values.

I have a second wish for you. It is that you combine your learning, your abilities, and your ambitions to dare to attempt the impossible. And I say it in spite of the reality of our world. Realism has its place in the scheme of things albeit ever-changing and transient. My message tonight is to urge you to touch your realism with faith in yourself and with the magic of dreams.

And there is nothing new about that. From the Book of Joel in the Old Testament we are reminded, in the scriptual passage you heard read a few minutes ago, that the Lord your God hath dealt wondrously with you and that you, our sons and daughters, shall prophesy and dream dreams and see visions. And you may well ask: What kinds of dreams? Are they needed? Why?

The answers *are* in the Judeo-Christian heritage. But they are also in my modern source which could hold for you the same electrifying experience it held for me. I refer to the Broadway presentation of *The Man of La Mancha* which is an adaptation of the life of the great Spanish writer, Miguel de Cervantes. As I watched that performance, which came close to being a religious experience for me, I thought of you students, and of the fact that you, like the central character of the play—*Don Quixote*, are going out into this turbulent world, perhaps as an accident about to happen. It was at that moment, sitting in that theatre, that I decide to deliver this Baccalaureate to you, and I knew what I would be compelled to say to you.

The man Cervantes was many men in his lifetime—soldier, actor, playwright, novelist, tax collector, and even an ex-convict. But, most of all, he was a great soul with the sentiments and sensitivities of an artist, and he had a grand compassion for the human spirit. As one man put it, "Using his native Spain as a microcosm for an imperfect world, Cervantes created in Don Quixote the incarnation of man's search for the ideal, the ultimate perfection in this life." He created a character that shines for all the world to see because he was primarily a monument to the human desire for a better world.

Many presumed Don Quixote to be mad because he believed himself to be a knight in shining armor hundreds of years after knights had ceased to exist; because he believed wayside inns to be castles; because he believed a kitchen maid to be a princess; because he believed windmills to be giants; and because he believed capital punishment, at its apex during the Spanish Inquisition of his time, to be wrong.

But it *was* his belief that made the innkeeper feel like the lord of a castle, and it *was* his belief that transformed the scullery maid into his lady fair. And reality emerged from what he thought and dared to dream.

And in his dreaming there poured forth a timeless philosophy that had its effect upon mankind. He it was who first pointed out the two kinds of families in the world: the Haves and the Have-nots. He it was who showed us that man can govern himself if only he is given an opportunity. He it was who pointed out that it is still the same old sin whether it is committed in the most priceless of silks and satins, or in the foulest of rags. And it was he who made all mankind realize that there is no adversity so great but that the human spirit can rise above it; for the greatest of visions is to see life as it *should be*, and not as it *is*. Like his enduring philosophy, his dreams were massive. And as some of them came to realization, this common man (this UNcommon man) was recognized for what he was, a master man, and the world became a richer and better place for generations yet unborn—all because he gave mankind the message of hope.

This, of course, is where you come in. For in addition to taking away from here the reality of your educational experience, I hope you will develop within yourselves the courage to dream—and those of you who will dream the most ambitious of dreams will accomplish the most.

Every success in the history of civilization began with an impossible dream. The very language you speak is but the manifestation of some primitive man's dream that he could communicate with his fellow man. This church in which you sit is but the manifestation of the dream of Jesus Christ. An Egyptian first dreamt of the paper you hold in your hand. Gutenberg first dreamt of the type upon it. Thomas Edison first dreamt of the light which enables you to read it. David Allen Reed first dreamt of the College from which you are being graduated. Perhaps it was your own parents who first dreamt you would earn the undergraduate or graduate degree you now have earned.

But most of you do not dream of inventing paper, movable type, or electric lights. You may even ask: "Are not such accomplishments reserved for a tiny representation in the totality of mankind? Why should the *average* man, the *average* woman, for that matter the *average* Springfield College graduate dream or even want to dream?" The answer is that because so few have the courage to dream these days, the moment one begins to dream he eases himself out ahead, above and beyond the *average* person. This becomes the mark of the leader. And I do not need to remind you that this world of ours desperately needs leaders, leaders, leaders—creative, inspired, and visionary.

In our current quantitative society, with its overwhelming numbers and impersonality, too many are content just to glide along with the flow of the current. Routine doers we now have in abundance. But where are the dreamers—men and women with the dreamlike vision foretold in the Book of Joel: "Fear not, O land; be glad and rejoice; for the Lord will do great things. And it shall come to pass afterward that I will pour out my spirit upon all flesh; and your sons and daughters shall prophesy, your old men shall dream dreams, your young men shall see visions."

To you, the graduates of Springfield College in 1968, I have my own dream for you tonight. It is in the fervent wish that you shall find and serve God, and that you will have vision or what Cervantes would have called *El Sueno Imposible,* the Impossible Dream.

All I have tried to say tonight has been said exquisitely by lyricist Joseph Darion when he wrote the following in *The Man of La Mancha:*

"To dream the impossible dream,
To fight the unbeatable foe,
To bear with unbearable sorrow,
To run where the brave dare not go.

To right the unrightable wrong,
To be far better than you are,
To try, when your arms are too weary,
To reach the unreachable star.
This is my Quest, to follow that star,

No matter how hopeless, no matter how far,
To fight for the right, without question or pause,
To be willing to march into hell for a heavenly cause!

And I know if I'll only be true to this glorious quest,
That my heart will lie peaceful and calm when I'm laid to my rest.

And the world will be better for this,
That one man, scorned and covered with scars,
Still strove, with his last ounce of courage,
To reach the unreachable stars!"

(The lyrics quoted and reproduced herein are from the song, "The Impossible Dream" (The Quest), from the musical play, *Man of La Mancha*, words by Joe Darion and music by Mitch Leigh. Copyright 1965 by Andrew Scott, Inc., Helena Music Corp., and Sam Fox Publishing Company, Inc. By Special permission of the Sam Fox Publishing Company, Inc., Sole Agents.)

READERS POLL SHOWS SUPPORT OF VOLUNTARY MILITARY

HON. THOMAS B. CURTIS

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 11, 1968

Mr. CURTIS. Mr. Speaker, I have long urged the subsitution of a volunteer army for our antiquated and inequitable process of procuring manpower for the military. In recent months and years, parents, students, educators, civil rights workers, veterans organizations, and Congressmen like myself have persistently challenged both the principle and practice of the draft.

A recent reflection of popular sentiment was the "Sound Off" poll reported in the St. Louis Globe Democrat on Tuesday, May 21. This survey, which does not claim scientific accuracy, recorded 44 percent of the respondents in favor of scrapping the present draft system and maintaining the volunteer force. Only 8.7 percent favored continuing present draft procedures.

The full article follows:

GLOBE READERS FAVOR ELIMINATING DRAFT

A large percentage of Globe-Democrat readers favors eliminating the draft entirely, substituting for it well-paid, all-volunteer professional armed forces.

This was the result of the second Sound Off question submitted to readers.

Of the persons responding to the survey in the Globe-Democrat, 44.4 per cent favored scrapping the present draft system and maintaining the voluntary force.

OFFERED 3 CHOICES

This reaction was nearly the same in each of three age groups. In the 16–25 age group, 43.4 per cent gave this response; in the 26–49 age group, 49 per cent; and in the 50-up age group, 40.6 per cent.

The ballot offered three other choices: Turn the draft into a nationwide lottery for which young men are eligible during their 18th year; leave draftboards as they are, but revise the entire deferment system; and continue present draft laws as they are.

The computer-tabulated results showed that only 16.5 percent of the St. Louis readers preferred the lottery. Each of the three age groups ran very close to this percentage.

The choice of obtaining the draft boards but revising the deferment system received 30.3 per cent of the St. Louis vote. The lower age group registered 21.7 per cent for this choice; the middle age group, 27.7 per cent; and the upper age group, 34.6 per cent.

NATIONAL POLL SAME

There was little desire among the survey response in St. Louis to retain the present draft laws. Only 8.7 per cent (all ages) favored continuing present draft laws. In the lower age group, 15.7 per cent checked this choice; in the middle age group, 8.1 per cent; and in the upper age group, 7.5 per cent.

Results of the local poll were close to those of the national poll. Nationally, 52.5 per cent favored eliminating the draft entirely, 15.9 per cent favored the lottery; 22.6 per cent favored revising the deferment system; and 9 per cent approved retention of the present draft laws.

One of the St. Louis area readers suggested that the armed forces be turned into "a kind of foreign legion, with small pay but lots of prestige for those who belong." This, he said, would eliminate all inequities that might exist under the current draft.

DISLIKE DEFERMENT

Independent of the ballot count, reader letters were slanted against deferments of college students, because, as one reader pointed out: "I have three sons, and all of them are now serving in the armed forces. If we had the money to send them to college, they might be spared . . ."

Sound Off ballots appear in the weekend and Wednesday editions of The Globe-Democrat and results are announced two weeks after the question appears.

ARTICLE BY CHAIRMAN WILBUR D. MILLS ENTITLED "WE MUST CONTROL FEDERAL SPENDING"

HON. JOHN C. WATTS

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 11, 1968

Mr. WATTS. Mr. Speaker, under leave to extend my remarks I am placing in the RECORD a reprint of an article which appeared in the July 1968 Reader's Digest entitled "We Must Control Federal Spending," by the distinguished chairman of the Committee on Ways and Means, our esteemed colleague, the Honorable WILBUR D. MILLS.

This article is thought provoking, timely, and straight to the point. I commend it to the attention of the Members and others who are interested in an understanding of the serious fiscal situation which we face at this time.

The article follows:

WE MUST CONTROL FEDERAL SPENDING

(By Representative WILBUR D. MILLS)

Today, as the United States faces exceedingly serious fiscal problems, with both domestic and international implications, all of us must come to grips with a crucial question: *Can we put limitations on federal spending?*

I believe the answer must be *Yes,* if we are to keep our economy strong. I also know from long experience that the task will be difficult. The broad variety of demands that hit the Congress one day last winter is indicative of the problem confronting us.

On February 8, 1968, eleven Congressional committees met to consider numerous spending proposals—from about $1.3 billion for the Colorado River Basin project to additional billions for aid to higher education. At noon, the President's $3-billion foreign-aid message was presented to Congress. On the House floor that afternoon, two money bills were debated and passed: the $5-million Fire Research Act, and the "Wetlands" conservation bill.

That same day, more than 70 new bills were introduced, calling for everything from a new $60,444,000 federal building to a $150-million-a-year scientific research program. Meanwhile, demands for still more money were being presented. The White House was requesting a $1.2-billion supplemental appropriation for welfare spending. Secretary of Interior Stewart Udall announced that funds were needed to make poet Carl Sandburg's North Carolina home a national shrine.

Even as this demand for new tax dollars mounted, the spending on old programs continued. During that 24-hour period, the government paid out $474 million—$54 million more than it took in.

NEED FOR RESTRAINT

With such complex, large and differing requests for funds, how can we determine which programs to adopt or continue, and which to reject, postpone or terminate? Many of my friends in Congress tell me privately that we can no longer control government spending. I disagree. Meritorious as many programs and services may be, and many of them *are* highly meritorious, we simply cannot continue expanding in all directions at once. We *must* set priorities.

The President advised us that his new $186-billion budget was "tight" when he unveiled it in January. Yet it was $10 billion higher than last year, $28 billion higher than two years ago, and $68 billion higher than the budget during fiscal 1965. A crucial point is that many of these increases were not requested to pay national-defense costs: nondefense spending and lending, including outlays for interest on the national debt and Social Security benefits, were set to climb $7.1 billion while defense outlays were to increase by $3.3 billion. Health, labor, welfare and education costs were set to go up $31.5 billion from their 1962 level—$2.7 billion more than the increase in defense costs.

The fact of the matter is that the budget has not set tough priorities. The United States is simultaneously battling communist aggression in Vietnam and trying to give help not only to the poverty-stricken but to many other groups as well. There are demands for help with education, air pollution, wildlife conservation, dams, supersonic transport planes, travel to the moon. Each of us can argue that we have a right to these things. *But what good will the expenditures do us if we endanger the position of the dollar in the process?*

For, make no mistake about it: our country is facing a serious economic crisis. Huge budget deficits and massive borrowing to pay federal bills have threatened to propel prices into an inflationary spiral that could rob all of us of our savings and earnings. This in turn leads foreigners to question the soundness of the dollar. A chronic imbalance of payments has led to a serious loss of our gold—some $4-billion worth in the last three years.

Such emergency steps as the new two-tier price system for gold and restrictions on U.S. investments abroad, while helpful, have not solved the problem. Only tough, long-term curbs on federal spending will effectively ease the crisis and protect the dollar.

GROWTH AND DUPLICATION

Five years ago, after months of hearings and executive-session discussion, the House Ways and Means Committee led the way in reducing taxes in order to boost the private sector of the economy and ultimately bring about higher total tax revenues. At that time, we specifically called upon both the Executive Branch and Congress to restrain government expenditures so that this increase in revenues could reduce deficits and bring us closer to the goal of a balanced budget in a prosperous economy.

Initially, the Administration did hold the line on spending, and, as predicted, tax revenues increased greatly. The stimulus to the economy provided by the 1964 tax reduction helped to push revenues up $4.1 billion in fiscal 1965 and another $14 billion in fiscal 1966. But, beginning in late 1965, both spending and budget deficits began to increase rapidly.

Unfortunately, it seems that the traditional ways of restraining government have largely lost their effectiveness, while no new system of discipline has yet been evolved. Federal programs, once set in motion, almost invariably increase in scope and cost. "Few are ever reduced in cost, and even fewer disappear," says a recent Tax Foundation study which states that, during the last 13 years, no fewer than 112 new federal programs have been launched.

Together, these new programs cost $3.6 billion in their respective first year. But, by fiscal 1968, their annual costs had risen to a $16.5 billion total. The tiny Office of Coal Research, for example, had an average of five employes in its first year (1961), and spent $47,000; by 1968 it had ballooned to 20 workers, and cost more than $8 million. The Office of Economic Opportunity was started in fiscal 1965 with $194 million and 608 workers; by fiscal 1968 it was expected to spend more than eight times that much and employ four times as many workers.

Most discouraging are the endless overlapping and duplication of programs and agencies. At present, 30 separate programs help with teacher training, 57 have been set up for job training, 35 for housing. More than 260 programs administered by 16 separate agencies and departments are included in the war on poverty.

Since last fall, when the Ways and Means Committee asked for spending controls before considering tax increases, letters of concern—often as many as 1500 a day—have poured into my office. One point is made again and again: someone must do something about excessive government spending.

POLICING THE PRIORITIES

One step toward sensible control is spelled out in a widely supported bill which I have introduced. It provides for a new Hoover-style commission—a 12-man, independent, bipartisan Government Program Evaluation Commission drawn from the top ranks of American leadership *outside* government—to be set up to go over federal programs periodically to determine whether our tax dollars are being well spent. In contrast to the original Hoover Commission, this body would study the substance rather than just the efficiency of each federal activity. Its report to Congress would recommend a set of hard priorities, downgrading some programs, suggesting fresh approaches to others.

This high-level study is needed for two reasons: First, it is difficult for the Executive Branch to look objectively at functions it has developed and worked with. Asking those who run the agencies to weed out their own progams is like asking a child to take away part of his own allowance. Second, we in Congress have our hands full merely keeping up with new legislation. We are not able to find as much time as is probably necessary to see whether the programs we've enacted in the past are performing as expected. In addition, Congress is specialized, with each of us serving on one or two committees and becoming really knowledgeable about only a few programs. Then, too, we who have originated programs may not always take an objective view of their operation.

The commission, on the other hand, should be in a better position to judge all programs, old and new, thoughtfuly and in an objective manner. Such a commission should help pinpoint low-priority spending.

The program reforms recommended by a blue-ribbon, independent Evaluation Commission would carry great weight with Congress. I feel confident that with such a report in hand Congress, backed by an aroused public, could save much more than the millions saved by the first Hoover Commission.

THE ISSUE AHEAD

Those of us who do not favor an ever expanding role for the federal government must recognize the obstacles ahead, however.

Groups seeking government money beat a persistent path to almost every Congressional door. A survey reported to me indicates that, during 1967, the average Senator received 28,625 pro-spending letters. Certainly, I received a large number. Many of the some 4000 lobbyists who have bases in Washington add their weight to the constant push for specific projects. A review of the House Appropriations Committee hearings last year shows that 2122 spokesmen and technicians for the various executive departments appeared, to testify in behalf of agency budget requests. Consider also the departmental agents known as "legislative liaison" men who supply Congress with information and actively lobby for programs that the Executive Branch wants enacted. In this atmosphere, it's not surprising that saving federal tax dollars is difficult.

Clearly, the fight for *sensible* spending can be won only if the American people themselves become conscious of the need for establishing priorities. For, even if we could eliminate every obviously wasteful government project, the expansion in federal spending would still not be curbed. Unfortunately, under today's conditions, certain programs enjoying wide popular support—education, housing, job training—may have to be restrained, too, and better, less expensive ways to meet these pressing needs will have to be found. My proposal for an independent commission to study federal programs is only one step in the necessary direction. Other possibilities include expenditure ceilings and reductions in outstanding authority to spend federal funds.

There are no easy solutions, no panaceas for the fiscal crisis. There must be a national realization of our problem and a thorough, thought-provoking discussion of ways of regaining control over federal expendtiures. More national self-discipline is urgently needed.

A real evaluation of spending programs, omitting no one, favoring no one, can be politically acceptable, even popular, when people grasp what the stakes are. This is the message I received, loud and clear, from the people of Conway, Ark., in my home district, when construction of their new post office was held up in a spending freeze last fall. "We don't mind doing without," they told me time after time, "if it helps get this government of ours under rein!"

GENOCIDE IN AFRICA

HON. JOHN R. RARICK

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 11, 1968

Mr. RARICK. Mr. Speaker, I am in receipt of an appeal from the Biafra Women's Association protesting death and pestilence resulting from the war between Nigeria and Biafra.

The association charges the Nigerians with genocide by mass starvation of the Biafra refugees. The facts presented are serious enough to require investigation toward economic intervention in the name of humanity.

It is unbelievable that such a blight on the conscience of man can occur in Africa—during the U.N.'s Year of Human Rights, and yet those voices of the Red-black power bloc so quick to attack racism elsewhere are silent as to this atrocity.

The interesting question is: What is defunct Britain doing involved in the massacre?

The full text of the letter follows so it can be brought to the attention of our State Department and Red Cross:

BIAFRA WOMENS ASSOCIATION,
Brooklyn, N.Y., July 5, 1968.

DEAR SIR: A tragedy has befallen the Republic of Biafra. Since July, 1967, the Nigerian government has been waging a war designed not to preserve unity, but rather to annihilate entire groups of people from the former Eastern Region. This same government had failed to protect the lives and property of citizens of the Eastern Region. In fact, federal army and police officials participated in the Pogroms against Easterners. This government was obviously irresponsible and unable, or unwilling, to prevent lootings, atrocities and massacres.

In May, 1966, Northern Nigerians massacred over 3,000 Eastern Nigerians. Again in the Pogrom of September, 1966, 30,000 were killed and countless people were wounded and maimed. Over 2,000,000 people were forced to flee to the Eastern Region, returning as refugees in their own country. There was an attempt to reach a compromise at Aburi, Ghana, in January, 1967. Although the agreements were unanimous and independent observers were present, Nigeria's General Gowon repudiated the entire accord. Gowon then imposed an economic blockade on the Eastern Region.

It was under these punitive circumstances that the people of the Eastern Region, in order to obtain basic personal security, proclaimed themselves the sovereign and independent Republic of Biafra on May 30, 1967. No other alternative was available after being pushed out of the Federation of Nigeria. On July 6, 1967, the Federation of Nigeria declared a war of aggression on the peace loving people of Biafra.

An unprecedented refugee problem and death rate have been imposed on Biafra by the war of genocide which Britain and Nigeria are waging against Biafran people. Among the 5,000,000 refugees are people whose cases are absolutely miserable and helpless. 1,000,000 people are forced to live in improvised camps. They are dying by the thousands every week from starvation and malnutrition. Already the extended family system in Biafra has been stretched to the breaking point by being forced to absorb 4,000,000 displaced persons within the past year. One in every three Biafrans is now a refugee and faces inevitable death unless this war is brought to an immediate end.

We, the women of Biafra, plead with you to speak out strongly in public. Condemn this war of genocide. Insist on making massive relief aid available directly to Biafra's refugees. So long as responsible public officials ignore this massive international problem, children and widowed mothers will continue to starve to death and live in subhuman conditions. Demand a cease-fire. The real solution which removes poverty, hunger and disease is peace.

Sincerely yours,
Mrs. NWANYIAMAKA OKOYE,
President.
Mrs. ROBERTA NWANKWO,
Secretary.

ONE-SIDED DISARMAMENT IS FOLLY

HON. STROM THURMOND

OF SOUTH CAROLINA

IN THE SENATE OF THE UNITED STATES

Thursday, July 11, 1968

Mr. THURMOND. Mr. President, in the July 6, 1968, edition of the Greenville News, Greenville, S.C., appears an interesting editorial entitled, "One-sided Disarmament Is Folly." Editor Wayne Freeman holds out hope that perhaps some good may come from the forthcoming nuclear arms discussions by the United States and the Soviet Union. At the same time, he warns that straightforward negotiations should not lead to unilateral disarmament.

The editor cites the great advances made by the Soviet Union in increasing their strategic weapon delivery systems and in the deployment of antiballistic missiles around Leningrad and Moscow. He also points out that it would be sheer folly for the United States to begin a unilateral or one-sided deescalation. Here again we find an able editor of a large newspaper joining the large group of Americans who believe that we can negotiate with the Communists only from a position of strength.

Mr. President, I invite the attention of Senators to this editorial and request unanimous consent that it be printed in the Extensions of Remarks.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

ONE-SIDED DISARMAMENT IS FOLLY

Agreement by the United States and the Soviet Union to discuss halting the nuclear arms race is encouraging news. Maybe—but only maybe—some good will come of it.

Reaction of some Americans to the announcement, however, is not so encouraging. Senate Democratic Leader Mike Mansfield says the United States should not start work on a recently authorized missile defense system, known as Sentinel.

As pointed out in an editorial shortly before the agreement was reached, this could be exactly what the Soviet Union hopes to gain by at least pretending to talk about the arms race.

The USSR already has deployed a missile defense system and rapidly is closing the offensive missile gap. If the Kremlin could lull the United States into remaining almost totally defenseless against possible Soviet nuclear attack, while major Russian centers are at least partially protected, the balance of nuclear power would shift dangerously to the Red side next year.

It is possible, however, that the USSR wants to enter serious negotiations about limiting nuclear arms, both offensive and defensive.

The Soviet Union is troubled by unrest and a growing freedom movement in satellite countries of Europe. It fears Red China.

It has serious economic problems made more burdensome by the huge cost of developing and producing nuclear arms. The Russian people demand, now, the material benefits denied them because of military expenses.

Because all this may be true, because world peace would be closer to reality if nuclear arms could be limited or eliminated bilaterally, because the United States has the same problems of cost as the Russians, this country should make every effort to promote fruitful talks with the Kremlin.

It should be clear, however, that nuclear arms limitations must be bilateral. Each side must cut back on equal terms. Safeguards to guarantee compliance must be built into any treaty.

Senator Mansfield's idea is for a a unilateral de-escalation of the arms race on the part of the United States, even before talks begin.

This would be sheer folly. In addition to exposing the United States to the possibility of attack or nuclear blackmail by the Soviet Union, it would seriously weaken American negotiators when the discussions get under way.

An American-Soviet discussion of nuclear armaments is the most important item on the world agenda in many a year. World peace could depend upon the outcome.

It is of paramount importance, therefore, that the USA be in position to negotiate on equal terms with the USSR. In the final analysis, the only thing that counts when dealing with Communists is comparative strength.

The problem of nuclear disarmament is complex, but this country's approach to the forthcoming discussions should be relatively simple:

Straightforward negotiations, yes; unilateral disarmament, no.

RESULTS OF ZWACH QUESTIONNAIRE

HON. JOHN M. ZWACH

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 11, 1968

Mr. ZWACH. Mr. Speaker, I have just completed analyzing and tabulating over 15,000 returns of the second annual questionnaire for the Sixth Congressional District of Minnesota. Even though some returns are still coming into my office, it was necessary that a cutoff be made in order to get the following tabulation.

In this questionnaire, 19 issue questions were placed before the citizens dealing with many of the multitude of problems facing this Congress and the Nation. Many of the questions provided for a multiple-choice answer so that is some cases the percentages given will not add to an even 100 percent, while in others, some respondents failed to reply to all questions.

In addition, several thousand took the time by additional comments to enlarge their particular views on these questions.

I am highly gratified with the overwhelming return, and I commend the high degree of interest in governmental affairs by the citizens of the Sixth District, as follows:

RESULTS OF ZWACH QUESTIONNAIRE, 1968

1. In effort to halt inflation, 85.7 percent favored reduced government spending, 22.6 percent favored voluntary restraint on wages and prices, 19.2 percent favored government wage and price controls, and 15.9 percent favored a general tax increase.

2. The Administration's proposed Travel Tax was favored by 48.4 percent and 39.4 percent were opposed.

3. If Federal spending is reduced, the Sixth District would cut programs in the following order: Foreign Aid, Space Program, Poverty Program, Urban Aid, Public Works, Defense, Farm Program, Health and Welfare, and Education.

4. The Administration's proposed 10-percent surtax on income tax was opposed by 65.6 percent and 28.4 percent favored it.

5. In regard to Foreign Aid, 67.8 percent favored decreasing expenditures, 20.3 percent were in favor of discontinuing it, 8.4 percent were in favor of maintaining at current level, and 1.2 percent were in favor of increasing expenditures.

6. 77 percent of those answering were opposed to the United States continuing trade with nations that are aiding North Vietnam, 17.2 percent approved.

7. In regard to the conflict in Vietnam, 35.4 percent favored issuing ultimatum to Southeast Asia to contribute troops or U.S. will pull out, 32.2 percent favored altering our military strategy to achieve victory, 23.6 percent would turn entire problem over to United Nations, 16.4 percent would withdraw all U.S. Military forces, 15.6 percent favor increasing bombing of North Vietnam, 11.4 percent would halt bombing in hopes of negotiation, 6 percent favor present course of action, 5.6 percent want increased U.S. ground strength, and 2.8 percent want to give more economic assistance.

8. 67.2 percent did not believe the Pueblo incident was handled in the best interest of the nation and 19.7 percent approved the way it was handled.

9. 80.6 percent believe the Administration has not adequately stated and defined U.S. objectives in the Vietnam conflict while 18.5 percent believe it has.

10. Federal registration of all firearms was opposed by 54 percent, and 38.6 percent were in favor.

11. In order to improve farm income, 64.4 percent want to increase the farmers' bargaining power, 26.2 percent believe the farmer should work out his own future, and 10.8 percent were in favor of increased Federal support payments and programs.

12. 54 percent of the people favored the establishment of a Countryside Commission to study rural problems and 36.8 percent didn't think it would be a good idea.

13. Stricter import quotas to better protect American producers were favored by 78.5 percent and opposed by 15.7 percent.

14. To combat civil turmoil, 48.6 percent call for stricter enforcement of existing law, 27.2 percent would expand and improve training of law enforcement agencies, 20.2 percent would call out troops at first suggestion of trouble, 19.3 percent would increase programs of slum clearance, housing and recreation. A combination of the above solutions was favored by 56.4 percent.

15. 80.4 percent of those answering believe that recent Court decisions have overstressed the rights of the law-breaker at the expense of the victim, 12.4 percent believe they have had no particular effect on the increase in crime, and 5.7 percent believe the Court decisions have given the law-breaker his rights.

16. The Medicare Program was judged adequate by 69 percent, 19.6 percent view it as inadequate.

17. That the local units of government should be given a greater voice in the spending of federal aid funds was favored by 86.6 percent and 12.7 percent thought they should not.

18. 67.8 percent believed that the smaller communities are not getting their fair share of federal funds for community development, 21.8 percent believe they are.

19. The establishment of the Voyageurs National Park in Minnesota was favored by 65.6 percent and opposed by 22.9 percent.

Of those answering the Questionnaire, 30.6 percent are farmers, 25.2 percent are businessmen, 16.1 percent are professional, 14 percent are retired, and 13.4 percent classified themselves as "other".

THE PROBLEM: VIOLENCE

HON. JEFFERY COHELAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 11, 1968

Mr. COHELAN. Mr. Speaker, we have examined ourselves and our country intensively in the last month, attempting to find reasons for the seemingly commonplace violence that surrounds us. We have called it everything from a national disease or disaster to a national heritage arising out of our frontier past. This national soul searching, in many ways a uniquely American characteristic, has led us no closer to the correction of a very real and very terrible situation.

McCall's magazine, which reaches approximately 15 million women, recently sent a letter from the editors to all its readers. This letter dealt with the problem of violence and outlined a five-point program toward reduction of violence. The program is a good one. And although it is directed at the unique role of the American woman, it could be followed equally well by the other half of our population.

The letter stresses the need to reinforce the action of world law, specifically through the United Nations. It dwells, however, on the personal actions that may be taken in the home—letters to Congress supporting gun legislation; letters to executives protesting violence whether it be on television, in movies, in magazines, or in books; and a determined boycott of toys that foster violence.

Mr. Speaker, I include McCall magazine's positive suggestions for action to mobilize the protest against violence in the RECORD at this point:

A LETTER FROM THE EDITORS TO THE READERS OF MCCALL'S: WHAT WOMEN CAN DO TO END VIOLENCE IN AMERICA

Many years ago in London, a severe outbreak of cholera devastated the population. An English physician named John Snow had a hunch. He looked up the addresses of all the cholera victims and found that every one of them drew their drinking water from the same pump on Broad Street. Dr. Snow knew little of the nature of the cholera organism or how it transmitted the disease in the water. But he removed the handle of the Broad Street pump. And he stopped the epidemic.

American women may not know the precise reasons for the contagious violence and brutality of our times, where it comes from, what makes it flourish. But they do know some of the sources from which their children are drinking in this violence, and they know they have to turn it off before the poison gets beyond reach.

American women will turn it off because they are weary of the bomb-burst, the gunshot, the fisted hand. They have had enough of violence late and soon, and of the people and groups who use it for their own ends. They are sick with the collective havoc of the mindless crowd, and the individual savagery of those whose discontent has festered into rash destruction.

The bullet that killed Robert F. Kennedy has wounded us all. John F. Kennedy, Martin King—each of these murders set off acute phases of our anxiety. There is a pervasive sense of fear, the feeling we are in the grip of terrible forces we cannot even name—within the borders of our country, within the setting of the entire world.

The sickness has been here a long time. It simmers and flares in the ghettos where people have felt its curse for years and would now pay it back in kind. It mows down our men—and theirs—in Vietnam. It erupts on the campuses of the nation, where some of our young men and women have turned against their own proclaimed abhorrence of violence and have disfigured not just their universities but their own lives. It stalks our cities, our parks and subways, and destroys the green and gentle calm of the countryside.

It rams its way into our homes, on the television screen that brings instant brutality and savagery, instructing children in the ease and casualness with which life can be humiliated, tormented, twisted. The need to respect the fragility and preciousness of life is blotted out by the thousands of good-man-bad-man deaths that make up the daily television-tube feeding of children.

It weakens those precious arts of gentleness, of compassion, of moderation, of love that women alone can give to their families and the world.

McCall's believes that the violence in our land is not a shameful national flaw of character that must be regarded as inevitable.

Violence is not the accidental product of a few crazed assassins that can be cured by adding some Secret Service men. Nor is it simply a lapse in what is known as "law and order" that can be corrected just by a massive crackdown on youth or restless minorities.

The attack on violence must be basic. It must be knowledgeable. It must be thorough.

McCall's makes no rigid distinction between the breakdown of law and order in the nation and the breakdown of law and order in the world. Violence is airborne. Violence among nations cannot be separated from the violence within nations.

In a very real sense, Robert F. Kennedy paid with his life for the failure of the world's nations to develop an effective mechanism of world law. If the United Nations had been given the workable authority to resolve the crisis in the Middle East, Robert Kennedy might be alive today.

The Middle East is not the only area in the world on which an American President or a Presidential aspirant must take a position. Nor is the Middle East the only area in which passions are attached to triggers.

American women can see to it that the first order of business for American policy makers is to move mightily inside the United Nations in the effort to equip it with the responsible authority to substitute law for force in the affairs of nations.

Attacking the basic causes of violence in the world is inseparable from the need to eradicate it at home. Here, within the United States, there is much that women can do if only they are willing to use the power that is clearly theirs.

Approximately fifteen million women read McCall's magazine. We believe that these women, by acting together and acting promptly, can play a pivotal role in combating violence where it occurs.

Here is a five-point program that can make a difference if enough women get behind it:

1. Guns: The present gun-control legislation, existing or proposed, must be drastically strengthened. Millions of letters to Representatives could do it. Sit down today and write informed letters to your Congressmen and two Senators. Tell them it makes no sense to have a gun readily available, as Robert Kennedy pointed out, to every child, every insane persons, every criminal who wants one.

2. Television and movies: Women can stop the outpouring of violence and sordidness on our television screens and in the motion-picture theaters. Supposedly, television and the movie industry give the public what it wants; i.e., sexual brutality, depravity, sadism, and everything else that contributes to human desensitization and violence. If this is the case, American women should be loud and clear in letting television and movie executives know that such bilge is most certainly not what they want. Hold their top men responsible. Write to Julian Goodman, president of NBC, 30 Rockefeller Plaza; Frank Stanton, president of CBS, 51 West 52nd Street; and Leonard Goldenson, president of ABC, 1330 Avenue of the Americas, all in New York City. Let them feel the weight of millions of letters. There is a direct connection between the decisions these men make and the violence in the land. Hold them to account. Have you seen a picture lately that sickens you, pains you, makes you fear for your children? You can write to Jack Valenti, at the Motion Picture Association of America, 522 Fifth Avenue, in New York, and tell him so.

3. Toys: Mothers and grandmothers of this country can wage a determined boycott against toys that foster and glorify killing. No letters or telegrams are necessary. Just don't buy them, and tell the man in the toy store why you won't.

4. Books and magazines: This includes McCall's. If we or our colleagues have done something that you feel adds to the spread of violence, let us know. We can testify to the power of strong, reasoned letters. Keep us to the mark.

5. World law: As we said earlier, women must be heard on the most urgent question of our time—world law in time to prevent war. The long, dismal negotiations in Paris over Vietnam would seem to dramatize the need for a third party at the peace table. The United States cannot indefinitely act as world policeman. If we are to prevent future Vietnams, we will have to do it through a strengthened UN.

There is no point in trying to restore sanity and balance to life in America if the human race is going to be incinerated in a flash of nuclear violence. Both President Dwight D. Eisenhower and President John F. Kennedy called for world law inside the United Nations but did not receive the kind of response from the American people that would have enabled them to press forward in that direction.

This is an election year. Your letters to the Presidential candidates on all these questions couldn't be sent at a more opportune time. And don't forget that your ultimate power is the ballot box.

The women of this country have heard enough about black power, white power, student power, senior-citizen power. The greatest power of all for good is theirs—woman power. No force on earth can stand against it.

The EDITORS.

(*NOTE.—This letter to McCall's readers was written after the rest of the issue went to press. The various articles containing references to Senator Robert F. Kennedy in this issue were already printed and bound before the tragedy occurred.*)

THE MANTLE OF RESPONSIBILITY

HON. HAROLD T. JOHNSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 11, 1968

Mr. JOHNSON of California. Mr. Speaker, somehow it seems appropriate in this month that we observed Independence Day to talk about young Americans and their right to participate in self-government. It is time to take the action necessary to enfranchise our 18- to 21-year-old citizens.

These people reflect honor on our country. As America matured—so did our youth. Through the mass communications media they have been eyewitnesses to the making of history and the problems of this Nation. The wisdom of upgrading our school systems has been sustained by the higher intellectual ability of today's high school and college graduates. Military leaders tell us that modern service personnel are among the best the Nation has produced—more mature physically and mentally. They have brought esteem to the Peace Corps and demonstrated compassion by their work in VISTA and other domestic programs.

Through their own efforts they have become a power to be desired and a voice to be reckoned with on the political scene. By the thousands they have knocked on doors explaining issues and urging voters to exercise the right which youth is still denied.

I commend President Johnson for igniting the spark which caused the Congress and the Nation to reevaluate the ability of young Americans to more readily assume the mantle of responsibility. I support the President's recommendation and urge its immediate consideration.

VIETNAM: A MILITARY APPRAISAL

HON. STROM THURMOND

OF SOUTH CAROLINA

IN THE SENATE OF THE UNITED STATES

Thursday, July 11, 1968

Mr. THURMOND. Mr. President, on June 24, 1968, the Chairman of the Joint Chiefs of Staff, Gen. Earle Wheeler, spoke to the New York Society of Newspaper Editors at Long Island, N.Y., on the subject of "Vietnam: A Military Appraisal."

I find this illuminating talk by General Wheeler to be one of the clearest and most complete coverages of the status of the war in Vietnam. The Chairman of the Joint Chiefs of Staff is in an excellent position to view this conflict in its entirety, and to take a long range look at the future. He cites the splendid performance of our men on the battlefield, and the excellent support given them by the controlled use of massive air power. General Wheeler states that much hard fighting lies ahead, but he concludes his speech with an excellent analysis of our contribution to world peace and security through this great effort in Southeast Asia.

Mr. President, I ask unanimous consent that this speech be printed in the Extensions of Remarks.

There being no objection, the speech was ordered to be printed in the RECORD, as follows:

VIETNAM: A MILITARY APPRAISAL

(Address by Gen. Earle G. Wheeler, U.S. Army, Chairman, Joint Chiefs of Staff)

I am pleased to have the opportunity to reverse the day-to-day order of things and to hold captive, however briefly, executives of the newspaper profession. It occurs to me that your calling, and mine, have more things in common than might at first meet the eye.

Neither newspaper editor nor soldier lacks lay advice on how to run his business; letters-to-the-editor columns serve as one means of advising you gentlemen of your "transgressions." Editorial comments, not always on the editorial page, are prompt to point out mine and those of my colleagues. While personally we may all survive the querulous corrections of our would-be mentors, I do not believe that a balanced military appraisal of the course of events in Vietnam has even emerged, let alone survived.

Therefore, my purpose here tonight is expressed in the title of my remarks: "Vietnam: A Military Appraisal."

Let me state at the outset that I understand full well the complex character of the war in Southeast Asia. Interacting forces are political, military, economic, psychological, and even ethnic in nature. However, I do not agree that this is the most complex war in which we have ever engaged; that pre-eminence I accord to the American Civil War—the most traumatic experience this Republic has endured. However, there is to my mind one major likeness between the two conflicts; that is the issue of slavery.

I wish to make clear that, while I recognize the many important forces at play, I am convinced that the military outcome in Southeast Asia is fundamental to the nature of the settlement which will someday be reached.

Let me define war as I understand it. War is a political act; it is the employment of military force to achieve a political objective. Put another way, war is violence organized and utilized to destroy the capability and will of a hostile state to pursue a course of action inimical to national interests.

The political objective established by our government to be gained in Southeast Asia is simple and limited—indeed, the most limited war objective of which I have knowledge. It is, as the President reminded us on the 31st of March, "to bring about a recognition in Hanoi that its objective—taking over the South by force—could not be achieved."

Implicit in my definition of war is the thesis that war is not a passive act; it must be dynamic. That is, a war cannot be conducted defensively; strategically, it must be prosecuted offensively if the war effort is to be successful.

The two foregoing statements express in *basic terms the problem with which the* American military have been dealing. Our limited political objective has established the following policy guidelines.

a. We seek to avoid widening the war.

b. We have no intention of invading North Vietnam.

c. We do not seek the overthrow of the *Government of North Vietnam;* and

d. We are guided by the principles set forth in the Geneva Accords of 1954 and 1962.

In consonance with these guidelines, our war effort in South Vietnam is a strategic defensive, although it is conducted tactically in a major way by offensive operations. In *contrast with our operations in South Vietnam, our air and naval campaign against* North Vietnam is a strategic offensive. The difference is this: in South Vietnam the enemy can control—at a cost—the type and level of combat activity and, hence, the degree of destruction and number of casualties. The contrary is true in North Vietnam; *there we have the strategic initiative, and* it is we, not the enemy, who can control the combat situation.

Viewed against our own limited war objective—causing Hanoi to recognize they cannot take over the South by force—what are Hanoi's objectives? General Giap in September, and again *in October of last year, spelled them out in major policy addresses.* These objectives are:

a. To protect NVN;

b. To overthrow the present government of SVN and to seize its apparatus; and,

c. To unite all of Vietnam under Communist control.

It is instructive, I believe, to contrast our limited, and essentially defensive, objective with Giap's last two goals. No one could argue, in the normal course of events, with his aim of protecting NVN. This is a central purpose of governments in all lands. The war, however, came to pass when our objective—*causing Hanoi to recognize that they could not take over the South by force*—was directly challenged by Hanoi's twin aims of overthrowing the government of SVN and uniting all of Vietnam under Communist control. Let us make no mistake on this score. As the *Economist* of London pointed out, however the war ends—and personally I support our negotiators and hope for their success—there will be a "winner" and there will be a "loser." The North Vietnamese Communists either will impose their control on the South, or they won't. This is the inescapable issue. . . .

Now, as Governor "Al" Smith used to say to the New Yorkers of his day, let's take a look at the record.

By late 1964, South Vietnam was under heavy and increasing assault from the VC who had moved from hit and run guerrilla tactics to mounting, often with relative impunity, company and battalion-sized attacks. Sensing the kill, North Vietnam dispatched regular units of the NVA to the south. By early February 1965, the total situation in the south was desperate. It was at this point that we began air action against the north and, later in the year, the initial commitment of US land power in South Vietnam in the form of the Marine Corps' logement near Da Nang.

There is no doubt in my mind that this conjoined application of the air campaign in the north and limited, yet bold, ground forays in the south, saved South Vietnam from collapse and forcible "reunification" with the north.

The US military performance during 1965, then, saved South Vietnam as a political entity. If this feat of arms was not fully appreciated here at home, make no mistake about the surge of new hope and confidence it gave to our Asian allies, as well many who choose, publicly, to sit on the fence.

The balance of 1965 and 1966 were spent in (1) building a logistical base to support extended military operations; (2) mounting, with daring, aggressiveness and unbroken success, offensive actions against an enemy never before challenged in many of his sanctuaries; and (3) extending in scope and power the air and naval campaigns against the north.

I should like to underscore the incomparable *logistical performance* our forces have demonstrated in carrying this war to an enemy 10,000 miles from our shores. Given the level of strategic and tactical mobility we have developed, we have clearly projected more usable combat power in, over, and off Vietnam than is possible for any combination of actual or potential enemies. We are then, *in a real sense, "closer" to any point in SVN* than are those who have made themselves our enemies. This is a strategic fact of unmistakable significance—and one, which I believe, is well understood in military circles around the globe . . .

In 1967, the payoff began. In *every objective area of military endeavor we made* unmistakable progress. There is no doubt in my mind that the pattern of enemy actions in the opening months of 1968 arose because of Hanoi's growing awareness that they were losing the military conflict. Giap's objectives were becoming more remote. There is an analogy to a gaming situation here: *never change a winning game; always change* a losing effort. I credit Giap for seeing his situation clearly and changing his "game." His response became known as the "TET offensive;" a psychologically-conceived assault on the government, the people, and the army of South Vietnam. As there still may be some *residual doubt as to who won that fight, I* should like to make a brief factual announcement: While the TET offensive did produce wide-spread disruption and time was needed to verify and appraise the results, the enemy offensive failed. Giap captured the headlines, but certainly not the cities. The ARVN *and the government stood firm. The general uprising the enemy counted on never* occurred. Pacification, whose demise was intoned immediately following TET, is on a steady recovery curve. I suggest that the bloody losses suffered by the enemy during TET, at Khe Sanh, in the A Shau Valley, and in many other less known actions, were, in total, a major defeat which will affect the course of the war.

In fact, there is impressive evidence that planning by the communist for the TET offensive began as early as last September—that is before the President promulgated the "San Antonio Formula" on the 29th of that month in an attempt to induce negotiations. As you know, our enemies rejected the "San Antonio Formula" out of hand. They reckoned they were going to sweep the board militarily.

At the beginning of my remarks, I mentioned that editors and soldiers alike do not suffer from any lack of lay exhortation and advice. As a part of this military appraisal, let me cite two or three examples of exhortations and advice which have obscured the real war in Vietnam.

You will recall the hue and cry early on that "American boys" could never defeat the wily, elusive Viet Cong fighting on tough terrain and in tropical heat. What has the record been: not one, I repeat not one, defeat of any consequence in nearly three years of land warfare. I make this statement of fact in the form of an announcement because this unchallangeable portion of our military record in Vietnam has never clearly emerged.

The ineffectiveness of an ARVN, of course, has been played up by many people in many ways for a long time. This stream of "poor mouthing" may have had one happy effect. As a staff officer in Saigon speculated toward the end of the TET offensive, perhaps the Hanoi leadership had read and believed that derogatory material about ARVN and concluded that they wouldn't fight. In any event, the conduct of the South Vietnamese Army during and after TET gives clear evidence of an army which can and will fight.

An appraisal of the performance of the ARVN during TET was given to me by our newly designated commander, General Creighton Abrams, one of whose tasks was to work closely with our South Vietnamese allies. *Following a personal vertification of* the performance during TET of the 149 combat battalions of the ARVN, he reported that (a) 42 battalions performed with distinction; (b) 99 battalions performed effectively; and (c) only eight battalions performed poorly. Every bit of evidence I have suggests that the *Army of the new republic is on an improving course. The NVA/VC* found this out the hard way.

I must confess that those who argue for an enclave strategy in Vietnam, which accepts an "enclosed" or "locked in" position as being sensible, confound me. I believe that the "enclave" concept is seriously deficient for the following reasons: (1) it would largely negate our clear superiority in mobility and firepower, and permit the enemy unhampered access to the very edges of centers of population; and (2) those who argue for some variants of an "enclave strategy" would have to accept the TET and more recent attacks against the cities, with all the attendant *civilian suffering, as the normal mode of* conflict rather than an all-out, short-run, psychologically-motivated pattern of actions.

I certainly wouldn't mention "enclave" around Hue. Those who survived the mass executions would have good cause to wonder about your common sense. In a like fashion, *the civilian targets of the current* rocket terror attacks in Saigon would produce some strong rejoinders to any "enclave" proponents . . .

I turn to the recent victory at Khe Sanh with both pride in my fellow American soldiers and professional relish.

I believe a scenario, widely accepted by the *public, went something like this:*

a. We were sucked into an indefensible position by Ho Chi Minh and his brilliant lieutenant, Giap;

b. This foolish action was all the more inexcusable in light of the French defeat at Dien Bien Phu some 14 years ago; Q.E.D.:

c. Khe Sanh equals a current Dien Bien Phu where a crushing American defeat, *brought about by wrong-headed US military* advice, is inevitable. (This last point was registered in a rather widely reported letter to the editor decrying "the Agony of Khe Sanh.")

To this scenario was added the (to some) shocking information that the Commander-in-Chief sought military advice on this situation from his principal military advisors. To this latter revelation, I plead guilty. On the 29th of January, I advised the President on behalf of my JCS colleagues, of General Westmoreland's military measures at and near the Khe Sanh combat base and concluded that the "Joint Chiefs of Staff have reviewed the situation at Khe Sanh and concur with General Westmoreland's assessment of the situation. They recommended that we maintain our position at Khe Sanh."

Again in the "Al" Smith manner, take another look at the record.

Khe Sanh, a combat base about 3 kilometers long by 1 kilometer wide, was defended by some 5700 US Marines and 500 South Vietnamese soldiers. It had at the time tactical, strategic and psychological importance.

Now for a box score of the battle:

From 20 January until April 1st: KIA, US, 199; WIA, US, 1,600 (845 evacuated); KIA, Enemy, in excess of 10,000—or more than 50:1.

Enemy rounds "incoming" at Khe Sanh, 11,114, or about 150 rounds per day average. High was 1400 rounds on 23 February. Our "outgoing" artillery rounds 117,600, or more than 10:1.

BUT, the real punch was in the closely controlled use of massive airpower. We averaged 45 B–52 sorties and 300 tactical air sorties per day. An average day saw 1,800 tons of bombs used to destroy the enemy with radar bombing extending the fire support into night and foul weather. Moreover, Khe Sanh was resupplied by air every day—good weather (seldom had) and bad.

Three points are worthy of your attention: (1) General Westmoreland's Khe Sanh campaign plan, as he told me before the fact, was to let the enemy commit himself and then beat him to death with air power;

(2) Two enemy divisions were tied down during TET by 6,000 allied troops and the enemy lost at least 50% of his 20–25,000 committed troops.

(3) One can speculate the outcome had these hostile forces been free to attack Quang Tri or Hue.

Not a US victory? Tell *that* to the Marines . . .

A footnote to Khe Sanh is the attempt by some to depict the enemy's retreat as a de-escalation in response to the President's 31 March speech. This accords Hanoi a prescience of sibylline proportions since the 325C NVA division began withdrawing southward and westward into Laos nineteen days before the President spoke.

The situation today finds our enemy avoiding major contact while he resorts to attacks by fire, ambush, and harassment. Since early May, the indiscriminate rocket attacks on Saigon have made the capital city proper a critical point. Clearly the enemy's purposes are to sustain pressure on the capitol, to raise tension, create havoc, and to induce a sense of hopelessness and despair. (These means are used to achieve Giap's object #2—overthrowing the GVN and seizing its apparatus.) To date, civilian casualties total 515 killed and 4416 wounded for a total of 4931. Additionally 176,000 have been made homeless.

I agree with General Westmoreland that these attacks are militarily meaningless; they are, in a phrase, random murder. However, one cannot discount the effect over time on the targeted civilian population.

Now I should like to return to my central purpose and carry forward military appraisal of Vietnam. My thoughts are these:

(a) The US Armed Forces in South Vietnam remain unbeaten and unbeatable. The enemy has lost whatever chance he had of taking over South Vietnam by military force;

(b) Our forces have achieved an unbroken string of victories which, in the aggregate, is something new in our military history. They won while they were learning. There were no Bladensburgs or Bull Runs.

(c) The combat effectiveness of the ARVN has improved steadily over the past few years;

(d) Much hard fighting lies ahead. The NVA/VC will fight for your headlines, as much as for military purposes, during the months ahead. No one can have more reasons than the person occupying my position to want an honorable end to the fighting; but if our efforts toward a peaceful settlement are to succeed, we must continue to convince the enemy that they are not going to achieve their objectives by military force and its psychological by-products.

(e) Despite the torrents of words and pictures that have come from Vietnam, this war remains the least understood in our history. Americans, as they more fully understand the magnificent record of our armed forces in Vietnam, will accord these young men that full measure of respect and honor which is their due. I hope and trust you gentlemen will help in this regard.

In closing let me make this point:

Just as tigers breed tiger cubs, not lambs; so aggression begets aggression, not peace. From the vantage point of nearly 30 years, I have come to believe that World War II probably could have been averted if the capacity and will of the democratic nations to employ national power had been more clearly evidenced. There was nothing inevitable or irrepressible about the Panzers and Stukas of September 1939. If the policy makers of the day had foreseen the catastrophic results of inaction, certainly they would have acted rather than letting events run their course until World War II erupted.

Similarly, I am inclined to believe that, by acting when and how we did in Vietnam, we may well have averted a larger conflict at a later time. Many people have pointed out the price we are paying in Southeast Asia. I think we should also recall the cost to us of World War II—300,000 American dead and, to date, 400 billion dollars. In this context, our expenditures in blood and treasure in Vietnam are placed in better perspective.

If my thesis has any merit, an observation I heard attributed to General Dwight D. Eisenhower is apt:

"Hindsight is more accurate, but foresight is more valuable."

SENATE—*Friday, July 12, 1968*

The Senate met at 12 noon, and was called to order by Hon. HERMAN E. TALMADGE, a Senator from the State of Georgia.

Rev. James Wilson, St. Paul's Episcopal Church, Lamar, Colo., offered the following prayer:

Almighty and most merciful God, look down with favor upon this great Nation. Where there is strife, give us peace. Where there is hatred, give us charity. Where there is division, give us unity. Where there is discord, give us harmony. Where there is despair, give us hope. Where there is oppression, give us the precious gift of liberty. Bind us by Thy power into one united people devoted to Thy will.

More especially we commend to Thine eternal care the Senate of the United States. Send down upon these representatives of the American people the spirit of wisdom. Help them to fashion for us just laws which will set forth Thy glory and establish peace among men of good will. By the grace of Thy holy spirit guide them in their decisions and bring their work to a happy end knowing that Thou art ever with them. All of this we ask in the name of Thy son, Jesus Christ our Lord. Amen.

DESIGNATION OF ACTING PRESIDENT PRO TEMPORE

The legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, D.C., July 12, 1968.

To the Senate:

Being temporarily absent from the Senate, I appoint Hon. HERMAN E. TALMADGE, a Senator from the State of Georgia, to perform the duties of the Chair during my absence.

CARL HAYDEN,
President pro tempore.

Mr. TALMADGE thereupon took the chair as Acting President pro tempore.

THE JOURNAL

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the reading of the Journal of the proceedings of Thursday, July 11, 1968, be dispensed with.

The ACTING PRESIDENT pro tempore. With objection, it is so ordered.

MESSAGES FROM THE PRESIDENT—APPROVAL OF BILLS

Messages in writing from the President of the United States were communicated to the Senate by Mr. Geisler, one of his secretaries, and he announced that on July 11, 1968, the President had approved and signed the following acts:

S. 102. An act to authorize the Secretary of the Interior to consider a petition for reinstatement of an oil and gas lease (Wyoming 0310090);

S. 203. An act to amend sections 13(b) of the act of October 3, 1962 (76 Stat. 698, 704), and for other purposes;

S. 443. An act to authorize the Secretary of the Interior to consider a petition for reinstatement of an oil and gas lease (Wyoming 0280122);

S. 823. An act to authorize the Secretary of the Interior to reinstate oil and gas lease (Las Cruces 063610);

S. 2047. An act to exempt certain vessels engaged in the fishing industry from the requirements of certain laws; and

S. 2837. An act to authorize the Secretary of Agriculture to establish the Cradle of Forestry in America in the Pisgah National Forest in North Carolina, and for other purposes.

MESSAGE FROM THE HOUSE—*ENROLLED BILLS SIGNED*

A message from the House of Representatives by Mr. Bartlett, one of its reading clerks, announced that the Speaker had affixed his signature to the following enrolled bills:

H.R. 4739. An act to authorize the Secretary of the Interior to grant long-term leases with respect to lands in the El Portal administrative site adjacent to Yosemite National Park, Calif., and for other purposes;

H.R. 13402. An act authorizing the use of certain buildings in the District of Columbia for chancery purposes;

H.R. 15562. An act to extend the expiration date of the act of September 19, 1966; and

H.R. 16065. An act to direct the Secretary of Agriculture to release on behalf of the United States conditions in deeds conveying certain lands to the State of Iowa, and for other purposes.

LIMITATION ON STATEMENTS DURING TRANSACTION OF ROUTINE MORNING BUSINESS

Mr. MANSFIELD. Mr. President, I ask unanimous consent that statements in relation to the transaction of routine morning business be limited to 3 minutes.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

COMMITTEE MEETING DURING SENATE SESSION

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Committee on Interior and Insular Affairs be authorized to meet during the session of the Senate today.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

EXECUTIVE SESSION

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate go into executive session to consider the nominations on the Executive Calendar.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

NATIONAL TRANSPORTATION SAFETY BOARD

The bill clerk read the nomination of Louis M. Thayer, of Florida, to be a member of the National Transportation Safety Board.

The ACTING PRESIDENT pro tempore. Without objection, the nomination is considered and confirmed.

RAILROAD RETIREMENT BOARD

The bill clerk read the nomination of Thomas M. Healy, of Illinois, to be a member of the Railroad Retirement Board.

The ACTING PRESIDENT pro tempore. Without objection, the nomination is considered and confirmed.

NATIONAL LABOR RELATIONS BOARD

The bill clerk read the nomination of Howard Jenkins, Jr., of Colorado, to be a member of the National Labor Relations Board.

The *ACTING PRESIDENT pro tempore*. Without objection, the nomination is considered and confirmed.

NOMINATIONS PLACED ON THE SECRETARY'S DESK—*THE AIR FORCE AND THE PUBLIC HEALTH SERVICE*

The bill clerk proceeded to read sundry nominations in the Air Force and the Public Health Service which had been placed on the Secretary's desk.

The ACTING PRESIDENT pro tempore. Without objection, the nominations are considered and confirmed en bloc.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the President be immediately notified of the confirmation of these nominations.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

LEGISLATIVE SESSION

Mr. MANSFIELD. Mr. President, I move that the Senate resume the consideration of legislative business.

The motion was agreed to, and the Senate resumed the consideration of legislative business.

CALENDAR

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar Nos. 1361, 1362, and 1363.

The PRESIDING OFFICER (Mr. Byrd of Virginia in the chair). Without objection, it is so ordered.

DR. JOAQUIN FRANCISCO PALMEROLA CABRERA

The bill (S. 3173) for the relief of Dr. Joaquin Francisco Palmerola Cabrera was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

S. 3173

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of the Immigration and Nationality Act, Doctor Joaquin Francisco Palmerola Cabrera shall be held and considered to have been lawfully admitted to the United States for permanent residence as of January 6, 1963.

DR. JUAN M. ORTIZ

The Senate proceeded to consider the bill (S. 3083) for the relief of Dr. Juan M. Ortiz which had been reported from the Committee on the Judiciary, with an amendment in line 6, after the word "of" strike out "February 18, 1963" and insert "February 8, 1963."; so as to make the bill read:

S. 3083

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That for the purposes of the Immigration and Nationality Act, Doctor Juan M. Ortiz shall be held and considered to have been lawfully admitted to the United States for permanent residence as of February 8, 1963.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, was read the third time, and passed.

ARLEY L. BEEM

The bill (*H.R. 2756*) *for the relief of* Arley L. Beem, aviation electrician's mate chief, U.S. Navy, was considered, ordered to a third reading, read the third time, and passed.

LEGISLATIVE PROGRAM

Mr. MANSFIELD. Mr. President, it is the intention of the leadership to come in early and stay late, if necesssary, each day next week, in an effort to realize our August 3 sine die adjournment. I believe that next week will be the crucial test of the Senate in determining whether this goal will ever be a reality.

As the order for convening on Monday indicates we will commence at 10 o'clock Monday morning with Calendar No. 1366, S. 3769, the Higher Education Act. This will be followed on Monday by the Vocational Education Act amendments. Upon completion of these bills, the Senate will commence consideration of Calendar No. 1354, H.R. 17023, the independent offices appropriation bill. It is to be followed, hopefully, on that day or as soon thereafter as possible, by Calendar No. 1331, S. 3724, the mutual funds bill. Following that, we hope that H.R. 18188, the Transportation Department appropriations bill, will be ready for floor consideration, and that will be followed by Calendar No. 1357, S. 3590, the farm bill.

The latter part of the week, we should be considering H.R. 17903, the public works appropriation bill; H.R. 18027, the Labor-HEW appropriation; and H.R. 17522, the State-Justice-Commerce appropriations bill.

Other matters on the calendar will be considered as time permits.

The leadership requests that all Members arrange their schedules to permit the fullest attendance. We are fully appreciative of the demands for time on all Members seeking reelection. It would be our hope, however, that Senators not in this category would be on the floor during this week, as well as any candidates who may arrange their schedules accordingly.

As was stated earlier, next week could be the crucial week in realizing our August 3 sine die adjournment. For the convenience of scheduling, all Members should be alerted to the intention on the part of the leadership to schedule a Saturday session next week, if necessary, to fulfill this schedule.

I need not remind Senators of the joys of returning to session after the political conventions. With the cooperation of the entire Senate, we can all be spared that experience.

TEXAS VERSION OF AMERICAN HISTORY

Mr. WILLIAMS of Delaware. Mr. President, the Johnson administration has launched a massive new program, the purpose of which is to write a Texas version of American history during the 6 years of the Great Society.

Under White House orders, each department and agency has been instructed to assign two high-salaried individuals on a full-time basis to the sole task of preparing a written history of that agency's activities during the Johnson administration. All reports are to be sent to the White House, so naturally they had better be flattering to the President.

I quote from the White House memorandum, which will later be placed in the Record in its entirety:

> The basic purpose of this project is to compile for the use of future historians a compilation of significant events in the various departments and agencies of the Government during the Johnson Administration. To accomplish this purpose, we are asking each department and agency to prepare a full written history of this period. . . . This effort should be given close supervision by a high official of your department. At least two highly qualified individuals with knowledge of the department's major activities, should be assigned to this task on a full-time basis.

This project is being directed by Mr. John Robsin, Under Secretary of Transportation, and by two members of the White House staff, Mr. Matthew Nimetz and Mr. Don Furtado. Special orders to initiate this high-powered staff were transmitted to the various agencies and departments over the signature of Mr. Joseph A. Califano, Jr., special assistant to the President.

Heretofore, American Presidents have been satisfied to allow historians to write their own versions of history; but apparently the Johnson administration is fearful of the results, and it is, therefore, at the taxpayers' expense, preparing to make sure that history emphasizes his achievements and forgets his mistakes.

In my opinion this is an unnecessary and irresponsible waste of the taxpayers' money since the writing of American history as regards the work of any administration should be left to the historians and should not be distorted by a lot of high-powered propaganda initiated at the taxpayers' expense.

If, however, history is to be written at the taxpayers' expense I would suggest that they make note of the following facts.

First. That the Johnson administration has been the greatest spendthrift that has occupied the White House since the initiation of the American Republic, with the deficit for the current fiscal year, 1968, approaching $25 billion.

Second. That the value of the American dollar has deteriorated at a faster rate under the Johnson administration than at any time in American history with the inflationary result that the purchasing value of our retirees' savings accounts, pensions, social security, et cetera, has been greatly depreciated. The rapid rise in the cost of living, which has been fanned by the planned deficit-spending policies of the Great Society has destroyed their security.

Third. These historians should record some of President Johnson's many promises during the 1964 election campaign concerning his attitude toward the Vietnam war and compare them to the actions taken by the administration after the votes were counted. Emphasis should be made of the fact that the "prosperity" of which they boast so loudly is in effect a prosperity based on war spending.

Fourth. Mention should be made of how our crime rate has soared in the past 4 years. As our courts became more lenient in sentences imposed upon the criminals and as the Department of Justice—under White House direction—has expressed more concern over the rights of the criminal than over the rights of the victims of these crimes our national crime rate has jumped fantastically.

Fifth. Surely some mention should be made that interest rates under the Johnson administration have soared to the highest level in the past 100 years. During the Eisenhower administration when interest rates were around 4 to 4¼ percent both President Johnson and Vice President Humphrey, as Members of the U.S. Senate, made almost daily speeches on what they referred to as the high interest rates of that administration. These historians should make note that today when the Government pays 6 percent for a 7-year note not one word of complaint about these high interest rates has been heard from either the President or the Vice President.

This task force to write a Texas version of American history represents an unnecessary expenditure of the taxpayers' money; however, when we realize the low level of esteem which the American people hold for the policies of the Johnson administration, perhaps we can better understand why the President thought this pretentious project necessary.

I ask unanimous consent that the White House orders initiating this project, dated May 31, 1968, signed by Mr. Joseph A. Califano, Jr., special assistant to the President, be printed at this point in the Record.

There being no objection, the memorandum was ordered to be printed in the Record, as follows:

The White House,
Washington, May 31, 1968.

Memorandum for ——.

In accordance with our discussion concerning the Departmental Histories Project, the following information will establish the guidelines and schedule for this endeavor.

The basic purpose of this project is to compile for the use of future historians a compilation of significant events in the various departments and agencies of the Government during the Johnson administration. To accomplish this purpose, we are asking each department and agency to prepare a full written history of this period, backed up by complete documentation. Emphasis should be placed on the process of arriving at and implementing major decisions, as well as on publicized events. Although these histories will vary by department, we believe they should all focus at least on the following:

Organizational changes;

Personnel and staffing changes;

Program changes, emphasis or de-emphasis;

Operating methods (e.g., regional or field efforts);

Interagency relations;

Legislative relations;

External relations (e.g., industry, labor, academic, etc.);

Changes in character or emphasis of mission;

Legislative history and implementation of major Johnson Administration legislation.

This effort should be given close supervision by a high official of your department. At least two highly qualified individuals with knowledge of the department's major activities, should be assigned to this task on a full-time basis. The names of the supervising and full-time officials on this project should be reported to my office by 12 noon, Monday, June 3, 1968. (Code 145, X-2634.)

This project will be coordinated by John Robson, Under Secretary of Transportation, and by Matthew Nimetz and Don Furtado of the White House staff. The following schedule has been established:

May 31: Meeting with Departmental Representatives;
June 7: Outlines Submitted;
June 21: Progress Report;
July 5: Progress Report;
July 19: Progress Report;
August 2: Progress Report;
August 16: Progress Report;
August 30: First Drafts Submitted;
November 1: Final Drafts Submitted (with documentation);
January 15: Supplements Submitted.

A schedule of meetings for the week of June 10 will shortly be circulated. At that time, outlines will be reviewed by the White House staff, the Bureau of the Budget, and a representative of the Archivist, together with the department or agency involved.

Initial questions should be addressed to John Robson (13/20825), Matt Nimetz (145/2634), or Don Furtado (145/2363).

Joseph A. Califano, Jr.,
Special Assistant to the President.

TRIBUTE TO REPRESENTATIVE WILLIAM V. ROTH

Mr. WILLIAMS of Delaware. Mr. President, in the Chicago Tribune of July 11 there appeared an article by Willard Edwards paying a well-deserved tribute to Representative Roth from our State. I quote from that article:

> When the time comes to single out the greatest individual achievement by any Member of Congress at this session, the award might well be given to a virtually unknown Republican freshman from the small state of Delaware.

The article then proceeds to comment on his work in compiling a 200,000-word catalog of the more than 1,000 domestic aid programs which funnel $20 billion a year to the public.

I ask unanimous consent that this article, entitled "Freshman Congressman Bares Aid Jungle," be printed in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

Freshman Congressman Bares Aid Jungle

(By Willard Edwards)

Washington, July 10.—When the time comes to single out the greatest individual achievement by any member of Congress at this session, the award might well be given to a virtually unknown Republican freshman from the small state of Delaware.

Rep. William V. Roth, as the result of awesome labors with his staff over an 8-month period, has compiled a 200,000-word catalog of more than 1,000 domestic aid programs which funnel 20 billion dollars a year to the public. He placed it in the Congressional Record where it consumed 144 pages of agate type.

Such a publication, of course, should have been provided by the Johnson administration, which spends 425 million dollars a year on publicity and public relations, turning out mountainous piles of propaganda material.

Roth soon learned why the bureaucracy for years has avoided a detailed listing in one place of its assistance programs. He discovered as many as 25 agencies doling out money in the same area, duplicating each other's efforts in a welter of confusion and waste.

He began to suspect, moreover, that the pattern of red tape and confusion was deliberate. He found that most citizens were baffled by this planned hodgepodge. They might be qualified for a share in this bounty, provided by their tax dollars, but they became lost in a wilderness of rules and regulations.

A GAME CALLED GRANTSMANSHIP

Most of the loot, Roth learned, was being grabbed by groups who employ professionals in the art of pursuing federal funds. They maintain skilled staffs to keep track of the multiplying programs and establish personal contacts with the officials who approve money grants.

This game is known as "grantsmanship" in Washington, and it has a large corps of high-salaried practitioners. Without their help, few can thread the bureaucratic maze to qualify for the financial assistance to which they may be legally entitled.

Roth, 46, is one of the comparatively young congressmen who have breathed new life into the House. After World War II service, rising from an enlisted private to captain on Gen. Douglas MacArthur's intelligence staff, he came home to get his law degree at Harvard on the GI bill. He forsook a high income as a lawyer to get into politics in the 60s and won his first elective post in the surge which added 47 G.O.P. seats to the House in 1966.

When he came to Washington 18 months ago, he quickly learned that members of Congress were constantly besieged with requests for information on government assistance programs. He was appalled to find that among the thousands of federal publications, catalogs, and press releases there was no genuine information about these programs.

"No one, anywhere, knew how many programs there were," he said. "There was not even a definition of what a 'program' was."

EIGHT MONTHS LATER: EXHAUSTION, TRIUMPH

Not quite realizing what they were getting into, Roth and his staff began the gargantuan task of attempting to bring order out of chaos. Eight months later, exhausted but triumphant, they had produced the first up-to-date conpendium of federal programs. It was not complete—the department of health, education, and welfare would not cooperate—but it listed 1,050 program descriptions and titles, with information about them.

It was a stupendous accomplishment, so recognized by members of both parties, conservatives and liberals. When Roth sponsored a bill to require the government to publish annually a comprehensive catalog of all federal assistance programs, 73 members joined him in its co-sponsorship. Nine senators, saluting Roth's achievement, sponsored a similar bill in the Senate.

The fate of this measure rests with Chairman William Dawson [D., Ill.] of the House government operations committee. He's under administration pressures to kill it.

Such a catalog, for example, could destroy the dominance over small colleges now enjoyed in obtaining educational and research grants by great universities who can afford high-priced consultants. It would place small towns and school districts on an equal basis with states and cities who employ influence-peddlers.

But, most of all, it would expose the folly of countless spending programs, now hidden in the bureaucratic jungle from the public.

MONEYS OBTAINED FROM THE SALE OF MATERIALS FROM PUBLIC LANDS

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of the unfinished business.

The **PRESIDING OFFICER.** The bill will be stated by title for the information of the Senate.

The LEGISLATIVE CLERK. A bill (S. 1385) to amend section 3 of the act entitled "An act to provide for the disposal of materials on the public lands of the United States" approved July 31, 1947, relating to the disposition by the Secretary of the Interior of moneys obtained from the sale of materials from public lands.

The **PRESIDING OFFICER.** Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the committee amendments be considered en bloc.

The **PRESIDING OFFICER.** Without objection, the amendments are considered and agreed to en bloc.

The bill is open to further amendment. If there be no further amendment to be proposed, the question is on the engrossment and the third reading of the bill.

The bill was ordered to be engrossed for a third reading, was read the third time, and passed.

THREATENED CURTAILMENT OF AGENCY SERVICES

Mr. WILLIAMS of Delaware. Mr. President, yesterday the Postmaster General was quoted as stating that as a result of expenditure reductions and employment restrictions in the recent tax increase bill he was going to curtail all Saturday deliveries of mail. This threat of reduced services is in line with statements we have been hearing from various other agencies, which likewise have threatened catastrophic results in services rendered if their particular agency is affected by these expenditure reductions.

For example, under date of May 9, 1968, the Director of the Budget, Mr. Charles J. Zwick, was quoted in the Washington Post as follows:

> Budget Director Charles J. Zwick said these were among the programs that would bear the brunt of the reductions: Elementary and secondary education, cancer and heart research; rural electrification and telephone loans, veterans' medical care, anti-crime activities; maternal and child welfare grants, school lunch and food stamp programs, operations of airways by the Federal Aviation Administration, the model cities program; and air and water pollution control.

Significantly not one Great Society bureaucrat has as yet suggested the possibility of reducing such items as the space program, new public works projects, the foreign aid program, or the multimillion-dollar subsidiary payments that are made to farmers for corporate-type farm operations. None of these programs is mentioned in potential cuts.

Mr. President, I want the RECORD to show and I want the heads of these agencies to take notice that we are not going to be intimidated in the least by any such threats or blackmail attempts to exclude their agencies from accepting their portion of these cuts. I point out that the Director of the Budget has complete discretionary authority to assign these cuts to those agencies in a manner which will have the least disturbing effect on public service. The Director of the Budget has that authority. That authority was given to him on agreement reached between the conferees and the Director of the Budget.

The mandatory reduction in employment does not require the removal or the firing of a single Federal employee. It restricts the Government only to the extent that they can fill only three out of each four normal resignations and retirements until they return to the July 1966 level. There is nothing wrong with returning to the July 1966 level.

I wish to point out that all we did in the bill was to write into the law President Johnson's own Executive order of September 20, 1966. Surely, he must have made that order in good faith.

Mr. President, in order that the agencies may understand we mean business I am today sending the following telegram to the Postmaster General:

> JULY 11, 1968.
>
> Hon. MARVIN WATSON,
> *The Postmaster General,*
> *Washington, D.C.:*
>
> The press quotes you as having announced that as the result of the expenditures and employment restriction in the recent tax bill all Saturday mail deliveries will be stopped. Please advise how much reduction in employment and the full amount of dollar savings that will result from this action in order that we can make the proper recisions.
>
> JOHN J. WILLIAMS,
> *U.S. Senator.*

Mr. President, when I receive a reply I shall be glad to cooperate by offering an amendment to rescind that portion of his appropriation which he proposes to save by this action.

As author of the proposal to force a mandatory $6 billion expenditure reduction for fiscal 1969 along with a mandatory rollback in Federal civilian employment I want every agency of the Government to be on notice that I do not intend that this action be nullified through a series of exemptions.

Mr. MANSFIELD. Mr. President, I suggest the absence of a quorum.

The **PRESIDING OFFICER.** The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The **PRESIDING OFFICER.** Without objection, it is so ordered.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. **EASTLAND**, from the Committee on the Judiciary, without amendment:

S. 3042. A bill for the relief of Dr. Mario E. Comas (Rept. No. 1395);

S. 3043. A bill for the relief of Dr. Juan C. Arrabal (Rept. No. 1396);

S. 3051. A bill for the relief of Dr. David Alfredo Orta-Menendez (Rept. No. 1397);

S. 3075. A bill for the relief of Dr. Richard Francis Power (Rept. No. 1398);

S. 3076. A bill for the relief of Dr. Miguel A. Gomez (Rept. No. 1399);

S. 3081. A bill for the relief of Eduardo Raul Fernandez Santalla (Rept. No. 1400);

S. 3082. A bill for the relief of Dr. Narciso A. Lores (Rept. No. 1401);

S. 3085. A bill for the relief of Hector Mere Hidalgo (Rept. No. 1402);

S. 3152. A bill for the relief of Sein Lin (Rept. No. 1403); and

S. 3166. A bill for the relief of Dr. Jagir Singh Randhawa (Rept. No. 1404).

REPORT ON DISPOSITION OF EXECUTIVE PAPERS

Mr. BYRD of West Virginia (for Mr. MONRONEY), from the Joint Committee on the Dispositon of Papers in the Executive Departments to which was referred for examination and recommendation a list of records transmitted to the Senate by the Archivist of the United States, dated June 27, 1968, that appeared to have no permanent value or historical interest, submitted a report thereon, pursuant to law.

CONVENTION ON TRANSIT TRADE OF LAND-LOCKED STATES—REMOVAL OF INJUNCTION OF SECRECY

Mr. MANSFIELD. Mr. President, as in executive session, I ask unanimous consent that the injunction of secrecy be removed from Executive I, 90th Congress, second session, the Convention on Transit Trade of Land-Locked States, transmitted to the Senate today by the President of the United States, and that the convention, together with the President's message, be referred to the Committee on Foreign Relations and ordered to be printed, and that the President's message be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The message from the President is as follows:

To the Senate of the United States:

Today, I ask the Senate to give its advice and consent to ratification by the United States of the Convention on Transit Trade of Land-Locked States.

This Convention was adopted by the United Nations Conference on Transit Trade of Land-Locked Countries on July 8, 1965. It was signed on behalf of the United States on December 30, 1965.

The purpose of the Convention is to incorporate into treaty law the rights and obligations of land-locked States, and of their transit state neighbors, regarding the movement of goods in international transit trade.

Though the Convention does not directly affect the United States, it would benefit our trading community, by helping to lessen administrative difficulties encountered in transit trade.

By becoming a party to the Convention, the United States would show its support for solving many of the transit problems of land-locked States, long a source of irritation in several areas of the world.

I enclose, for the information of the Senate, the report of the Secretary of State on the Convention.

I recommend that the Senate give favorable consideration to United States ratification of the Convention.

LYNDON B. JOHNSON.

THE WHITE HOUSE, *July 12, 1968.*

BILL INTRODUCED

A bill was introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. JAVITS:

S. 3773. A bill for the relief of Dr. Adnan Abu Ghazaleh, his wife Samira Abu Ghazaleh, and his son, Samir Abu Ghazaleh; to the Committee on the Judiciary.

PRAISE FOR PRESIDENT JOHNSON'S COMMITMENT TO PROGRESS IN CENTRAL AMERICA

Mr. SMATHERS. Mr. President, President Johnson has met successfully with the Central American chiefs of state at an unprecedented conference in El Salvador. It was the first time a North American President had visited all five Central American countries and conferred with their leaders.

The meeting's major goals have been achieved. We have seen the reaffirmation of their determination to push ahead with a common market and thereby bring about perfect regional unity with the resultant social and economic benefits. New impulse has been generated for the Alliance for Progress.

Our Chief Executive—in his own inimitable style—met formally and informally with his political peers from Guatemala, El Salvador, Honduras, Nicaragua, and Costa Rica to pave the way for a new era of physical and economic unity of the area. His presence there undoubtedly have given intense stimulation to the Central American leaders to move ahead despite obstacles.

This is a milestone in inter-American affairs and we can do not less than rise to warmly applaud his earnest and effective efforts. The democratic traditions of our country as well as of the host nations were represented in a manner that does honor to both our President and his well-chosen advisers.

The President has long viewed Central and South America as a whole force for the accomplishment of great and lasting measures toward economic and social advances. Through his persistence and extraordinary efforts this country has continued to participate in and contribute effectively to the Alliance for Progress.

Permit me to take the liberty of assuring President Johnson and the leaders of our neighbor nations that the Congress and people of this country—conceived in revolution and reared in unity—within the capabilities, stand solidly behind these efforts to help themselves.

JUSTICE ABE FORTAS, IMPATIENT SCHOLAR

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent to insert in the RECORD an article which appeared in the Evening Star of July 10, 1968, entitled "Impatient Scholar."

There being no objection, the article was ordered to be printed in the RECORD as follows:

IMPATIENT SCHOLAR: THE CHIEF JUSTICE-DESIGNATE EMERGES AS OWN MAN

(By Lyle Denniston)

Abe Fortas, the man who could soon be the chief magistrate of the nation, is a self-made aristocrat, a man long on learning and short on patience, a drawing-room liberal with little visible passion, and Lyndon Johnson's friend for 30 years.

If the Senate approves him as chief justice of the United States, Fortas could be the most persuasive yet least understood man ever to hold that job. He is certain to be the most quotable.

Just turned 58, he has been moving toward—or around—the center of power for so long that there is a certain inevitability about his rising to the top of one of the three branches of government.

But his power has been largely "shadow" power, the kind of semi-hidden exertion of forceful logic by a practitioner of the Washington art of "political law."

And so tomorrow, when the Senate Judiciary Committee examines his fitness to be Earl Warren's successor, it will be with no definite feeling—in the Senate or in the country—that this is a man who just ought to be, almost of right, the chief justice.

Though Fortas has been on the Supreme Court for three years, he is just now emerging into a national personality as his own man. Indeed, even that personality is his only because Lyndon Johnson took him from the shadow and nominated him to the court.

But he very likely will be on the court long after the passing of Johnson's Great Society, to which he has been close counselor.

After the Johnson years, and, perhaps more significantly, after the Warren era, Fortas is faced with helping to open a new era. He apparently has little feeling that it will be his mandate only to fulfill what others have proclaimed.

SEES LAW CHANGING

Fortas has a sense of history progressing, and law moving with it—assisted, significantly, by judges and lawyers who can make it move.

As a fast-rising government official of New Deal days, and even more as a $150,000-a-year private lawyer, he did much to make public law move and change. He seems to feel that a Supreme Court justice can do the same.

For example, he has said that court decision in the two most controversial areas of modern law—rights of Negroes and criminal suspects—"have provided powerful impetus, even imperatives, for the drive towards a greater social order."

It has often been said that Fortas was one of only a few lawyers in history who could feel that moving to the Supreme Court was, at most, a sideways movement. But it seems plain that he does not feel that way.

Four years ago, before he became a justice, he described one potential of a court seat which obviously appealed to him:

"For a justice of this ultimate tribunal, the opportunity for self-discovery and occasion for self-revelation are unusually great. Judging is a lonely job in which a man is, as near as may be, an island entire. The moment is likely to come when he realizes that he is, in essential fact, answerable only to himself."

In that posture of "splendid isolation," as Fortas called it, he saw the possibility that a justice could—sooner or later—discover and then "expose to public view the inner views that lie close to the secret heart."

A DOUGLAS ADMIRER

As a justice himself, that came sooner rather than later for Fortas. Rarely has a freshman jurist displayed his "inner views" as prominently, and as certainly, as Fortas has in three years of judging. In fact, he almost never displays doubt about his views.

He once said, perhaps mostly in jest, that a justice must—in trying to get a majority to go his way—do "more un-thinking and rethinking than any man ought to have to do in a lifetime."

Fortas is more likely than almost any of the other justices to write down separately what he personally thinks is significant in a case where he agrees with the majority's result but someone else is writing the majority opinion.

It may be significant that the court's other most prominent "loner," Justice William O. Douglas, is the colleague whom Fortas seems to admire most. They have been close for years; Fortas was a student of Douglas' at Yale Law School, and wrote one of his first law review articles on an idea suggested by Douglas; Fortas also was one of Douglas' bright young men at the Securities and Exchange Commission in the 1930s.

Four years ago, in a tribute to Douglas, Fortas suggested qualities which he found attractive, if not worthy of limitation:

"To himself, to friend and foe alike, Mr. Justice Douglas is a harsh critic who lies in wait for the slothful, the untidy, the drooling, the soft and sappy."

Furthermore, the younger man wrote, "for this man of intense sentiment, sentiment which cannot be sharply and effectively deployed is slop."

It is in sentiment that the two differ the most. Fortas takes his liberalism out of history and reason, while Douglas seems to get it from a passionate feel for what simply ought to be.

It will be this quality about Fortas that could make it difficult for him to be widely understood as chief justice. He often speaks in the complexities of deep philosophy, and tends to pronounce judgments that are too refined to permit easy translation into popular prose. When he inserts one of his especially quotable phrases, it is to illustrate, not to paraphrase, his result.

For example, it is common for Fortas to explain a ruling on the rights of persons accused of crime in terms of the ethical and political theory that—in law—the individual stands as a full equal to the government. From this he extracts limits upon the power of police or judges in handling suspects.

He may draw a colorful phrase out of this process, but it is not likely to say exactly what he has concluded. In last year's ruling laying down the rights of juvenile delinquents, he wrote: "Under our Constitution, the condition of being a boy does not justify a kangaroo court." But the decision was not that simple.

The justice is known to be fastidious about the words he uses, not only for opinions or formal public speeches but also in personal conversations.

In good preacher fashion, Fortas tends at times to make his points by saying the same thing several ways in rapid succession. This progression may rise to the point of overstatement at the end, as in this comment about a ruling on the defamation of a public official:

"The First Amendment is not a shelter for the character assassinator, whether his action is heedless or reckless or deliberate. The First Amendment does not require that we license shotgun attacks on public officials in virtually unlimited open-season. The occupation of public officeholder does not forfeit one's membership in the human race."

Again, though, the quote is not the point. It is argument. And the intensity displayed in Fortas' arguments, his friends say, is somewhat alien to the animated and frequently light-hearted conversation he makes in private.

Some of the justice's personal tastes and private habits add further to the image of an aristocrat much more polished than the fifth child of an immigrant cabinetmaker in Memphis, Tenn., Fortas' origins. He and his lawyer wife, Carolyn, are part of Georgetown society. He is as well-tailored as any Farragut Square attorney. The summer-home and the winter ski vacation are apparently fixtures in his year. Fortas is a violinist of competence if not renown.

And yet, in one of the many paradoxes that are easy to find in Fortas, his closest personal association in Washington seems to be with the earthy and plain-spoken Texan in the White House.

The popular impression here is that President Johnson and Fortas have been in more-or-less continuous association and consultation for the better part of 30 years. Fortas insists that is exaggeration. But the confirmed facts of their relationship are enough to make exaggeration unnecessary; they are close confidents.

THE FRIENDSHIP

Over the years, Johnson may have done much for Fortas, but his most conspicuous favors, of course, were to make him a Supreme Court justice, and now to attempt to make him chief justice.

In general, Fortas' many associations with Johnson fall into four categories:

Official advice: Of a small handful of men outside the White House known to be close to Johnson, Fortas is closest. He helped advise in the transition after President John F. Kennedy's assassination. He helped draft the plan for the Warren Commission on the assassination. He has helped write speeches on a variety of subjects. He has given advice, of a generally "hard" line, on the Vietnam war. He has written key documents in the midst of the crisis of city riots. And he did secret negotiating during the Dominican Republic uprising in 1965.

Personal aid: He and his wife have been lawyers for the Johnson family, at times on a continuing basis. He led a team of lawyers drafting a trust plan to insulate Johnson, as President, from his television properties. He attempted to protect a Johnson aide, Walter Jenkins, from unfavorable publicity on a morals charge.

Political chores: From time to time, he has been a campaign adviser to the President, including almost daily service during the 1964 campaign. He has tried to shield the President from some of the unfavorable news accounts on the troubles of former Johnson protege, Robert G. (Bobby) Baker, who retained Fortas as a lawyer for a time. Fortas helped Johnson get into the Senate in 1948 by taking the legal steps needed to keep the Texan on the ballot.

Close friendship: Fortas and Johnson have been in close personal terms since their first meeting in New Deal days. Social observers report that the Fortases are frequent callers on the Johnsons, or vice versa.

FORTAS ROSE FIRST

Although Fortas came to Washington later—he came in 1933, Johnson in 1931—the young lawyer rose faster to prominence. When he was only 32, Fortas became the No. 2 man to Interior Secretary Harold Ickes, and occasionally went to Cabinet meetings. At the time, Johnson was only in his fifth year in the House.

Before the Texan went to the Senate, Fortas had been to San Francisco to be an adviser at the founding of the United Nations. In 1947, a year before Johnson's first Senate election, Fortas went into private law practice with President Truman's trust-buster, Thurman Arnold, and the wartime price controller, Paul Porter.

That firm's reputation as one of the two or three most influential in Washington came from a curious—if not contradictory—combination of practice. It spoke in the nation's capital, and in many courts, for some of the biggest of U.S. big business. It also spoke—usually without fee—in some of the same forums for the politically and socially outcast.

Fortas himself became a frequent, and frustrated, legal counselor in the 1950s to government employes and others facing hostile congressional committee probes of their loyalty. He became so disturbed over the lack of "due process" that he came as close as he ever has to the role of an evangelist; he spoke and wrote frequently about committees which he said were acting "outside the law."

Although today's Communist-hunting congressmen still complain of Fortas' role in those days, he was not a challenger of the basic power and right of congressional committees to look for subversives.

Indeed, he wrote in 1954: "If there had been produced a well-documented, authoritative disclosure of individual government officials or defense workers who were engaged in passing secret information to Soviet agents, informed and responsible public opinion would probably have been profoundly altered. This did not occur.

"Instead, the bedlam of charges continued . . . The result was that the people were not marshaled to battle the invader. Rather, most of them were induced to lock the doors to keep out the wild clamor and uproar. . ."

A KEY DECISION

And Fortas, in one of the most significant decisions he has written for the Supreme Court, has prescribed a rule-of-thumb which has significantly relaxed the long years of court-Congress tension over legislative hearings.

The rule gives Congress free reign to conduct its investigations, but says that, if the lawmakers want to back up their right to probe with criminal sanctions, they must observe the limits a court must follow in criminal cases.

There is a similar continuity from Fortas' private law practice through his court service in the field of criminal suspects' right.

In a way, he can be considered the one who opened the court's modern "revolution" on criminal law. At the court's request in 1963, he acted as the pleader for the right of all suspects, rich and poor, to have a lawyer when they face serious criminal charges.

He won the case, and the high court's decision was the key to the later ruling that a suspect has a right to a lawyer when a police investigation focuses on him. That, in turn, led to the famous "Miranda" decision on the limits of police questioning of suspects in the stationhouse. By the time the court got to the Miranda ruling Fortas was on the court; his vote was crucial in the 5-4 result.

Since then, he has joined a few other justices in arguing that the court must now consider applying the right to a lawyer to persons charged only with "minor" crimes which can lead to significant jail terms or fines.

As a private attorney and as judge, Fortas has worked for limits on the power of government to punish as criminals persons who are not responsible for their behavior—for example, mentally ill or chronic alcoholics.

WON DURHAM CASE

He was the lawyer who won the "Durham case" here in 1954, with new definitions of the level of mental competence needed to prove criminal responsibility. And just last month, as a member of the court, he dissented when the court refused to ban criminal prosecution of chronic drunks.

It is also possible to find links between Fortas' former business law practice and his votes and opinions in commercial cases at the court. But he is by no means the predictable protector of business-against-government that some observers have noted.

For example, he has upheld prosecution of General Motors for controlling too closely who can buy its cars; he has favored limits on differing prices based only on the difference in labels on identical products; has argued—unsuccessfully—for state power to tax mail-order merchandisers; has upheld government rules controlling the money-making railroad "piggyback" business and has voted in favor of federal regulation of cable television.

But these stands have been overshadowed, perhaps, by some of his strongly worded criticism of his colleagues for ignoring the "realities" of business operation, and by his defense—ultimately successful—of the giant merger of the Pennsylvania and New York Central Railroads.

If Congress has shown what Fortas interprets to be a clear step to regulate or oversee a field of activity—such as some business operation and most of labor union tactics—he is likely to be a jealous guardian of the congressional move.

A JUVENILE EXPERT

Since most of what the lawmakers have done in the labor field favors the bargaining powers and contract rights of workers. Fortas has appeared to be distinctly pro-labor. However, in one of his first opinions as a justice, he rejected a key labor plea for the right to avoid anti-union bias in local courts because Congress had done nothing to support that plea.

In some areas of national legislation, though, Fortas is notably sensitive to what he considers intrusions on basic rights of individuals. He favored letting taxpayers sue to block federal aid to church-related institutions; he opposed Communist party registration laws; he was against the gamblers' tax and registration laws; he objected to total bans on defense plant jobs for all Communist party members, and he opposed the kidnaping law's death penalty clause.

Because so much of the court's docket in criminal law and racial equality cases involves state or local laws, Fortas—with the rest of the current court majority in those fields—has voted often against state and city government action.

On the rights of the criminally accused, he has emerged prominently as the court's expert on the rights of juvenile delinquents. Perhaps his most famous, and most learned, opinion came last year in a decision granting juveniles the right to a lawyer and several procedural protections in hearings on their delinquency.

In cases involving adults, he has been pressing the court to impose a broad duty on state prosecutors to share, with the suspect's defense lawyer, all significant evidence in the state's hands before the trial. In one of his quotable sentences, he said "The state's pursuit is justice, not a victim."

He has favored suspects' right to a lawyer in police identification lineups and the same right for convicts faced with loss of their probation. He agreed that states should be required to provide jury trials in serious criminal cases, but suggested they be allowed to experiment with the specific form.

On police actions, he approved of the newly defined power of a policeman to stop suspicious people on the street and frisk them, and he was in favor—within limits—of added authority for police to gather evidence other than weapons and stolen goods.

However, he has opposed police wire-tapping and electronic "bugging" practices brought before the court, and he has supported the extension of the area protected from electronic "intrusion" to include not just homes or private offices, but any place that a person is treating as private—such as a public telephone booth.

BACKS NEGRO RIGHTS

For policemen themselves, Fortas has supported their right to remain silent rather than give evidence against themselves in official probes of misconduct.

He also has joined in the rule freeing public employes to speak out publicly on official issues without losing their jobs, and he has supported every decision nullifying "loyalty oaths" for public servants, including teachers.

Fortas has gone as far as any member of the court in upholding the equal rights of Negroes and of persons demonstrating in favor of such equality.

His most significant opinions in this field probably have been those broadening a century-old conspiracy law for use against accused killers of civil rights worker, and upholding the right of demonstrators to peacefully protest segregation in public facilities.

With the court's clear majority, he has opposed the poll tax and favored strict federal controls over state voting laws used against Negro voters.

In the two biggest race cases of his terms on the court, he favored applying an 1866 law as a complete ban on housing discrimination, and he joined in nullifying laws against mixed marriage.

NOT ALL LIBERAL

Fortas' most significant departures from the liberal trends of the court have come in three areas involving state and local government—control of obscene books and films, control of some news coverage and demands for equal-sized districts for elected city and county officials.

Although he has shown some uncertainty about what he considered to be "obscenity," Fortas has voted in favor of punishment for those who "pander" in dirty publications, or those who sell racy publications to youths.

He has used some of his most strenuous language in condemning newspapers and magazines for printing stories that either threaten the reputation of public officials or private persons, or interfere with the privacy of individuals or families.

"I do not believe," he wrote last year, "that whatever is in words, however much of an aggression it may be upon individual rights, is beyond the reach of the law."

It was a claim of individual rights which also prompted Fortas to dissent in the significant "one-man, one-vote" government districting case this year.

While he has fully favored the principle, and has argued in favor of equal districts for state legislators and against giving any legislature power to choose a state governor, Fortas balked when the court held that elected city and county government officials could only be chosen from equal-sized districts.

He condemned this as "arithmetic simplicity," and argued that, if the real facts were examined, it would be clear that some individuals' right of representation in local government would actually be frustrated by a rigid rule of "one-man, one-vote."

HUMAN RIGHTS GUARANTEES CALLED FOR BY SENATOR BROOKE

Mr. PROXMIRE. Mr. President, I was very pleased to notice in the RECORD this morning that my distinguished colleague, the junior Senator from Massachusetts [Mr. BROOKE] has spoken out on the civil war in Nigeria. His remarks appear on page 20816 in the RECORD of July 11, 1968.

I was particularly gratified to see the Senator's statement, deploring the unbelievable situation in Nigeria-Biafra, since the same day I spoke on this very same subject—page 20843. The Senator stated midway through his remarks:

> Underlying all the differences, the leaders of Nigeria and Biafra share some common goals: they all want a better life for their people; they all want peace; they all want personal security and political freedom. Surely, there is a point at which all these goals can be accommodated with a political settlement.

While I do not mean to put words in the Senator's mouth nor impute a meaning he did not intend, surely, it is clear from what the distinguished Senator says that he is referring to the need for protecting the inherent, natural rights of Nigerians and Biafrans; indeed the rights of all men.

Mr. President, the Senate well knows that for nearly 2 years I have spoken daily on the need for ratification of the human rights conventions. While I deplore the situation that gives rise to the remarks of the distinguished Senator from Massachusetts [Mr. BROOKE], I am happy to see his words calling for respect for the rights not only of American citizens but for the rights of peoples thousands of miles from our shores.

There is war in Nigeria-Biafra and the world deplores it. There is deliberate starvation of brother by brother in Nigeria-Biafra and the world is horrified by it. The United States has given food aid to the starving while refusing to send arms to either side. But the point here is that this kind of instability, particularly that resulting from deliberate starvation of Biafran by Biafran, is an invitation to the kind of intervention that the United States and other world powers are becoming very wary of. Simply stated, this kind of instability is a prelude to a perhaps wider conflict involving countries other than the principal combatants. It is a threat to world peace.

Mr. President, we have a classic example here of how the whole world is threatened by violence anywhere, and where you have large scale violence you automatically have large scale violations of basic human rights.

Mr. President, another Senator, Mr. BROOKE, has spoken out calling for protection of the human rights of all men. And I say now, as I have said for so long, that the Senate must ratify the pending Human Rights Conventions and others to which we are signatory. Continued failure to have the United States formally on record for international guarantees for human rights deprives every Senator who speaks out against violations of human rights of the support he needs to make his point forcefully and credibly. Indeed, sadly, it deprives every American of a deserved probity of position when speaking in favor of guaranteeing for all men those same rights which we enjoy in America.

A CEASE-FIRE IN VIETNAM

Mr. PERCY. Mr. President, on June 21, at a meeting with the editors of the New York Times, Vice President HUMPHREY was asked the question:

> Are you prepared to offer a cease-fire?

He replied:

> You bet we are. We're prepared for a cease-fire any hour of the day. However, Hanoi has shown no such interest. But it may. I think we ought to keep pounding away at it.

The Vice President thus implied that the administration is working hard for a cease-fire. Regrettably, the facts will not support this, for there is no evidence that the American negotiators in Paris have ever been instructed to offer a cease-fire proposal.

Last January, in his state of the Union message, President Johnson said:

> If a basis for peace talks can be established on the San Antonio foundations—and it is my hope and my prayer that it can—we would consult with our allies and with the other side to see if a complete cessation of hostilities—a really true cease-fire—could be made first order of business.

Mr. President, I agreed with President Johnson that a cease-fire should be the first order of business in any negotiations. Now Vice President HUMPHREY says we are prepared for a cease-fire at any time. Today marks the end of 2 months of negotiations in Paris. Why has not the administration directed the American delegation in Paris to introduce a cease-fire proposal? Such a proposal is long overdue.

Casualties are mounting in Vietnam while the negotiations in Paris make pitifully slow progress. Already American fatalities this year have been greater than those suffered in all of last year. The shooting must be brought to an end now, not months from now, or a year or two from now after a political settlement has been reached. If we are negotiating the peace, we must not allow tens of thousands more men to be killed and wounded while we work out a settlement. Let us try to stop the killing now.

The recent intensification of the war serves the interest of neither side, and the lack of success in the Paris talks leaves open the danger of further military escalation. A cease-fire would restore the hope of personal survival to all the combatants and all the people of Vietnam.

SECTION 204 OF THE DEMONSTRATION CITIES AND METROPOLITAN DEVELOPMENT ACT

Mr. MUSKIE. Mr. President, I was disappointed in the action that the House took on Wednesday in repealing section 204 of the Demonstration Cities and Metropolitan Development Act of 1966. Section 204 provides that all applications for Federal assistance for certain physical development projects be accompanied by the comments of an areawide planning agency. For the past several months the Bureau of the Budget has had the responsibility for implenting section 204. In reviewing the first 6 months of its implementation, the Budget Bureau learned that the review process under section 204 has stimulated rational and comprehensive planning throughout the country.

In another recent study, the National Association of Counties and the National League of Cities jointly examined the results of the first year of section 204. This study brought to light many examples of significant savings to local governments and a prevention of duplication and inconsistent planning. I ask unanimous consent that these examples of section 204's success be printed at this point in the RECORD.

There being no objection, the examples were ordered to be printed in the RECORD, as follows:

(1) Regional Planning Council (Baltimore, Maryland): The City of Annapolis and Anne Arundel County each submitted applications for financial assistance from the Department of Interior for the construction of sewage treatment plants. In reviewing the plans the Regional Planning Council noted that the two plants were proposed to be constructed relatively close to each other, south of Annapolis. The Council gave aproval to the plan for construction of a sewage treatment plant but only on condition that one plant was constructed to serve the purposes of the two originally proposed. The Council felt that one plant could more efficiently serve the residents of both jurisdictions. In addition to money savings as a result of cutting operating expenses, it is estimated that over $700,000 would be saved in constructing one plant, instead of two.

The City and the County are currently negotiating to determine what changes will be necessary in their plans and to develop a working relationship for such an operation.

(2) Columbia Region Association of Governments (Portland, Oregon):

(a) Seventeen separate sewage treatment facilities in five cities and three counties in the Portland area were under condemnation and applications for Federal assistance to upgrade these facilities to meet state standards were received by CRAG. After receiving the applications, CRAG recommended that the jurisdictions involved consider the construction of one larger, more advanced facility to replace the others instead of upgrading them. This recommendation was accepted unanimously by the jurisdictions and, in addition to operating savings, resulted in savings of $1.5 million over the cost of upgrading.

(b) The City of Troutdale, 1,500 population, submitted an application for a sewage system designed to accommodate the city's projected population for the next 20 years. In reviewing the application CRAG indicated that their population estimate showed considerably more growth than the city had designed for. After additional study, the application was revised to combine the facilities of three cities and one-half of the county, a population of 20,000, and which would have the capability to handle the actual expected population growth.

(c) A water district in Washington State submitted an application for review which requested funds from Farmers Home Administration for the provision of a 2-inch water line to serve a school and 20 residences. CRAG reviewed the project application and recommended that an additional $10,000 be requested to construct a 6-inch water line because CRAG's population estimates showed substantial growth in the area and the larger line would also be sufficient for fire protection purposes. Farmers Home Administration chose not to follow the recommendation and funded the 2-inch line.

(3) Metropolitan Area Planning Council (Boston, Mass.): A relatively small jurisdiction submitted an application for review providing for waste treatment plant facility. The application, in the opinion of the Council, was inadequate in design and construction and was directed to an inappropriate federal agency and was subsequently rejected by that agency. The Council worked with the City re-studying their needs and goals. This reevaluation resulted in a revised application providing for two plants to adequately handle a larger projected population and an already deteriorating health situation, which was forwarded to the appropriate agency where the project was funded.

(4) Erie and Niagara Counties Regional Planning Board (Buffalo, N.Y.):

(a) An application from the State for assistance to fund a major highway interchange in the Downtown Buffalo area was received by the Board. This project would have resulted in an island of about two acres of prime downtown real estate. The City of Buffalo was brought into the discussion of the application and, due to the potentially adverse effects on the Downtown area the project has been put in abeyance.

(b) A number of applications for 701 planning assistance were subsequently amended, prior to submission to HUD, as a result of the review process. In each case the problem was that money was being requested to collect data and information which had already been collected by some other government or regional agency.

(5) Metropolitan Council (St. Paul, Minnesota): Recently the Metropolitan Council, the "204" review and comment agency, had a request from several communities in southwestern section of the metropolitan area for sewer service. These communities (including cities of Minnetonka and Ocono) were applying for federal funds to develop a sewer district facility. The Metropolitan Council in having prepared a total sewer service plan for the region was in a position to review the pollution problems of Lake Minnetonka (which the communities border) and provide an economically feasible treatment facility. The grant application of the communities was approved with request they enlarge their service district to pick up existing and future sewage treatment problems in the southwest area to assist in the cleanup of the lake. The inter-community facility will also provide significant construction and operational savings.

(6) East West Gateway Coordinating Council (St. Louis, Missouri):

(a) An application for funds to construct a section of an interstate highway in Illinois was received for review by the Council. In examining the plans it was apparent that the highway would be built so as to cross at the end of the proposed runway extension at the Parks Bi-State Airport. FAA funds had just been approved for the extension of the runway. Through negotiations, the highway plans were adjusted to move the highway further from the end of the runway, out of the immediate flight path of departing aircraft.

(7) Denver Regional Council of Governments (Denver, Colorado): The review process in the Denver area has led to a substantially improved planning process at all levels of government. With 264 taxing jurisdictions in the immediate area, it was necessary to establish a system for coordination of applications which required that each local planning board application just be submitted to the responsible city planning board for review, and then to other planning agencies with an interest before submission to the council of governments. This sophistication of the 204 review process has, through substantial involvement of the local governments, considerably improved local and federal program coordination and cooperation.

(8) Association of Bay Area Governmentments (San Francisco, Calif.):

(a) Special districts and authorities in the Bay area are particularly conscious of the regional review process. In at least one case, a smaller suburban city submitted plans for the expansion of existing water facilities. During the review process, it was noted that the developing poor water supply condition would be increased if the city's proposal was approved. It was recommended that consideration be given to contract to receive water from the special district's facilities, the cost of which would be the same or less than that obtained through an expanded city facility.

(b) In reviewing an application for funds for outdoor recreation by Santa Clara county it was determined that ABAG had already collected substantial portions of the data that was proposed to be collected in the application. The application was amended at a savings to the county.

(9) Metropolitan Planning Commission (Kansas City, Missouri):

(a) Four counties in the area each separately submitted applications for 701 planning assistance. In reviewing the applications, the MPC recommended that the proposed projects be consolidated and that one application be submitted for the entire four county area. The subregional planning program would go through the MPC resulting in considerable savings in staff and administrative costs and eliminate the possibility of conflicting, uncoordinated local plans designed separately. The jurisdictions have accepted this proposal.

(b) A water district in a sparsely settled portion of the SMSA submitted an application for funds to provide expanded water services. The funding agency was to be Farmers Home Administration. The MPC population estimates predicted that within five years there would be a considerable influx of population into the area in question and recommended that the system be designed to handle this more realistic population load. The application is now in abeyance pending further studies.

(c) An application was received from a community bordering the City of Kansas City. The application was for establishment of a sewage treatment plant. Upon review it was determined that the plant was proposed to be located approximately one mile from an existing Kansas City facility. The MPC recommended that a line be extended to the Kansas City plant from the suburban community. There would be operational and construction savings. Negotiations are now in process to determine if this procedure will be feasible.

CONCLUSION

Both the National League of Cities and National Association of Counties have supported Section 204 for regional review and comment of local government applications for federal grants. They believe this function is extremely useful in coordinating federal programs, in promoting local government cooperation and in preventing facility duplications or inconsistencies.

The National Association of Counties also supports the application of the "204" regional review and comment principle to nonmetropolitan areas. In several of these areas this process has already been established by the local governments.

Mr. MUSKIE. Mr. President, because I am convinced of the importance of section 204 it is my hope that the conferees on S. 3497 will act to restore this effective review process.

MONETARY POLICY GUIDELINES

Mr. PROXMIRE. Mr. President, I should like to call attention to the editorial in today's Wall Street Journal discussing the recently issued Joint Economic Committee report on guidelines for monetary policy. In light of the tendency of the Federal Reserve System toward erratic swings in its monetary policy, and given the disruptive ramifications of such shocks on our economy, the Journal editorial assesses the committee recommendations as worthy of serious consideration by the Congress and the Federal Reserve System.

I welcome the widespread attention accorded the committee's report by the press. I would hope that it indicates an understanding within the economic community of the significant impact of monetary policy on our economic health, and a growing recognition that an economic instrument of such potency must be encouraged to operate in the closest possible cooperation with the other facets of national economic policy.

The committee's recommendations reflect the rising recognition among economic experts that wide movements in monetary policy, and thus in the growth of the money supply, have a destabilizing influence on the economy. The committee thus suggested that the Federal Reserve System be advised by Congress to embark on such policies as would maintain the growth of the money supply within a specified range—2 to 6 percent under normal conditions at present. Whenever deviations from this range occur, the Federal Reserve System should promptly report to the appropriate body of the Congress with an explanation or justification for this divergence.

To apply rigid constraints to the operations of the Federal Reserve System would serve only to limit the ability of our economy to adjust to natural fluctuations in economic conditions. On the other hand, erratic policy swings must not be confused with essential flexibility. Monetary policy must operate in such a fashion as to stabilize, not disrupt, our economy, and it can best do so when acting in close touch with the other economic policy instruments, whose operations are also within the province of the Congress. Congressional guidelines for monetary policy can promote this coordinated effectiveness of national economic policy.

Mr. President, I ask unanimous consent to include in the Record the Wall Street Journal editorial to which I have previously referred.

There being no objection, the editorial was ordered to be printed in the Record, as follows:

Fiddling With the Fed

The Federal Reserve System's cherished "independence" is under attack again, this time by the Joint Congressional Economic Committee. Both the committee's criticisms and recommendations, however, are more reasonable than those of most earlier critics.

What chiefly disturbs the committee is the Federal Reserve's habit of permitting sharp swings in the money supply, defined as currency plus bank checking accounts. During much of the 1966 credit "crunch" the money supply increased hardly at all, but last year the growth rate spurted to 70%.

Abrupt changes in monetary policy, the Joint Committee argues, tend to produce excessive economic shocks. Senator William Proxmire, chairman of the group, contends "the Federal Reserve Board has a record of deepening almost every recession or depression we have suffered in the last 30 years by reducing the money supply. . . . It has often excessively increased the money supply to fan the flames of inflation when the economy has been booming."

Whether the Wisconsin Democrat's indictment is fully justified or not, the remedy his committee proposes seems largely unobjectionable. In essence it suggests that the Fed limit the expansion of the money supply to a range of 2% to 6% a year. The sensible idea is simply that the money supply should grow smoothly at about the same rate that the economy does.

Though the Joint Committee is only a study group and cannot initiate legislation, there's no question that Congress has the power to impart such advice to the Reserve System. No matter how much the Fed officials may talk of their independence, Congress created the System, can issue directives to it, can alter its basic legislative authority and can, in fact, abolish it at any time.

At the very least, then, it would appear worthwhile to consider what's standing in the way of a more smoothly functioning monetary policy.

A prime obstacle in recent years has of course been haphazard Federal fiscal policy. The 1966 crunch was especially severe because the Fed waited overlong for the Administration to help fight growing inflationary pressures by adopting a measure of fiscal restraint. When the System finally acted it felt that it had to crack down hard to be effective at all.

In addition to not helping the Fed, the fiscal managers have in a real sense been actively obstructionists. The heavy budget deficits have meant that the Treasury has had to be continually offering huge issues of new securities. The Federal Reserve has had to see to it that people have enough money to buy the securities, even at times when it would have preferred a policy of monetary restraint. As an agency of Government it could hardly let the Government whistle for its money.

Assuming the Administration finally gets its fiscal affairs under control, there will still remain a need for changes within the Reserve System. In part, these are organizational. The Federal Reserve, for instance, is one of three Federal agencies with overlapping powers of bank supervision; it might handle its main central-banking tasks better if its regulatory responsibilities were assigned elsewhere.

Beyond that, the Fed needs to rethink its basic guides to policy. In recent years it has worried so much about rising interest rates, and their effects on housing and other industries, that it has allowed itself to drift into monetary intemperance. Neither housing nor the rest of the economy really benefits from abandonment of responsible monetary policy.

In the circumstances the Economic Committee's proposal for policy changes appears sound enough. If Federal Reserve officials want to forestall more foolish fiddling with the Fed, the least they should do is listen.

FAMINE IN BIAFRA

Mr. DODD. Mr. President, on Monday of this week I wrote a letter to the Secretary of State in which I urged that the State Department ask for an emergency session of the United Nations Security Council to consider the Biafran famine.

I believe that this is the kind of situation in which the United Nations can and should intervene, at least to the extent of using its good offices.

If the United Nations cannot act when millions of civilians are threatened with starvation, it will forever diminish its usefulness in the eyes of mankind.

The emergency action which I propose cannot wait on a solution of the larger issues involved in the Nigerian-Biafran war because every day thousands of people are dying. The governments of both Nigeria and Biafra have offered certain objections to unilateral proposals that have been made to them by the British Government and by the International Red Cross. It seems clear to me that the impasse can only be resolved if the relief action is undertaken on an international basis, with all the authority of the United Nations behind it.

Mr. President, I ask unanimous consent to have printed in the Record the text of my letter to the Secretary of State.

I also ask unanimous consent to have printed in the RECORD the following documents bearing on the tragedy of the Nigerian-Biafran conflict and on the terrible famine which is now raging in *little Biafra:*

An article from the London Sunday Times of May 12, 1968, captioned "Gutted Hamlets, Rotting Corpses—This Is Genocide";

An article from the London Observer, June 22, 1968, captioned "Three Million People Starving to Death in Biafra";

An article from the New York Times of June 30, 1968, captioned "Blockaded Biafrans Are Facing Mass Starvation";

An article from Life magazine of July 12, 1968, captioned "Biafra: A War of Extinction and Starvation";

A statement made on the Nigeria/Biafra conflict by His Excellency Felix Houphouet-Boigny, President of Ivory Coast, on May 9, 1968, at the Ivory Coast Embassy, Paris, entitled "Biafra: A Human Problem, a Human Tragedy"; and

The statement issued by the Government of the Republic of Zambia on May 20, 1968, announcing its recognition of the Republic of Biafra.

There being no objection, the material was ordered to be printed in the *RECORD, as follows:*

U.S. SENATE,
COMMITTEE ON FOREIGN RELATIONS,
Washington, D.C., July 8, 1968.

Hon. DEAN RUSK,
Secretary of State,
Department of State,
Washington, D.C.

DEAR MR. SECRETARY: According to recent reports in the press, hunger in Biafra resulting from the continuing Nigerian blockade has reached crisis proportions. Most accounts are agreed that almost one million Biafrans will die of famine this month if emergency food shipments cannot be brought into the country. One estimate I have seen says that the toll may rise as high as five or six million over the next three months.

The civilized world cannot stand idly by and watch this unspeakable tragedy unfold. Immediate and concerted action is essential. And since the free world looks to the United States for leadership, I would like to propose that we take the initiative in organizing such action. This would be in keeping with our humanitarian tradition, which, in situation after situation, has led us to feed the hungry despite any political differences we may have had with their governments.

Specifically, I wish to urge that the State Department ask for an emergency session of the United Nations Security Council to consider the terrible famine in Biafra and the threat it poses to the security of the area. It is my earnest hope that the Security Council will vote unanimously to instruct the Secretary General to use his good offices, in consultation with the OAU, in an effort to break the impasse between the Nigerian and Biafran authorities on the question of food shipments to Biafra.

Once this is done, it is my further hope that international emergency shipments to Biafra can be organized under UN auspices. Because every days' delay means many thousands of deaths, it is my belief that this emergency action should not be made contingent on the acceptance of any conditions by either side, nor should it be complicated by tying it in with the larger issues involved in the Nigerian-Biafran war.

It is my hope, however, that this humanitarian action, carried out with the cooperation of the Nigerian and Biafran authorities, will pave the way at an early date to a just settlement of this tragic conflict.

I also wish to urge that, in anticipation of an early international agreement to deal with the famine in Biafra, the United States make ready massive shipments of food stuffs and medicines so that they can be delivered with a minimum of delay.

Because of the urgency I attach to this matter, I would be grateful if the Department could advise me immediately of the action it plans to take.

With every best wish.

Sincerely,

THOMAS J. DODD.

[From the London Times]

GUTTED HAMLETS, ROTTING CORPSES: THIS IS GENOCIDE—"THERE ARE FORCES LET LOOSE IN BIAFRA THAT WHITE MEN CANNOT UNDERSTAND"

(*NOTE.—After eight weeks in the bush with* Biafran troops, Frederick Forsyth flies out of the secessionist former Eastern Region of Nigeria with this disturbing report of brutality and massacre. Mr. Forsyth, 29, a former Reuter foreign correspondent, first went to Biafra as assistant diplomatic correspondent of the BBC last summer, when he accurately predicted the future savage outcome of the war. After criticisms of his reporting by the Commonwealth Office and the Federal Nigerian Government, Mr. Forsyth was transferred to the BBC's political staff in London, but in February he resigned and returned independently to Port Harcourt.)

The war raging between Nigeria and her former breakaway Eastern Region of Biafra has just ended its tenth and bloodiest month, but at least peace talks are due to start in Kampala next week. After 10 weeks in the bush with the Biafran Army commandos I have emerged sickened by the senseless violence that this war has wreaked upon a West African nation that could have been an example of harmonious progress to the whole of the continent.

The most disturbing aspect is that inside 10 months it has deteriorated steadily from a war in which the original motivation was the re-incorporation of the breakaway East into Nigeria into a spectacle of racial hatred run amok.

General Gowon, the head of the Federal Government, is unleashing a war that he himself thought could be ended within 48 hours, has let loose forces that white men do not understand and which the Nigerians cannot control.

At the start, on my first visit to Biafra, I believed it had the most dangerous potential but that Biafran claims that they faced genocide were wildly exaggerated. Ten months later I am convinced that the very thing they claimed at that time has indeed become a reality.

The Lagos Government, to judge from its public utterances, seems blandly unaware just how far its own army is out of their control.

If Lagos is to be believed on what it says about the rehabilitation of the Ibos of Biafra, about non-discrimination, about equal job opportunity and so forth, and then see what is actually going on at the battle fronts and behind them, one must come to the conclusion that either Lagos is lying, or it has lost control.

I give General Gowon the benefit of the doubt regarding his intentions towards the Biafrans—which the Biafrans do not—but everything I have seen confirms my original suspicions that in building up this conscript army of 80,000 he has constructed a machine that he can now neither influence, nor halt, nor dismantle.

In six forays behind Nigerian lines, accompanying the Biafran commandos, I was able to observe Nigerian-occupied Biafra. It is being turned into a charnel-house of gutted hamlets and rotting corpses. From afar the fluttering black clouds of vultures can be seen; beneath them one finds what was once a small rural community.

From the bush a timorous Ibo native emerges, seeing the Rising Sun flashes on the shoulders of the Biafrans, to explain what happened when "Hausa man come." The descriptions tally so closely that they are almost standardized—the menfolk lined against the wall of the biggest building and machine-gunned, the women raped to the accompaniment of the all-too-ritualistic mutilations, the children spitted on machete-knives.

Needless to say, very few wait for this fate. Most flee to join the tide of five million refugees inside unoccupied Biafra. Most of these people find shelter with relatives, however distant, under the "extended family" system, but more than a quarter of a million live in camps.

Genocide is an ugly word, and an even uglier reality. I do not use it lightly, but my judgment that it really could be the extermination of an entire race does not go unsupported.

The two Papal delegates who visited both sides in the conflict submitted a report to the Pope which caused the latter to condemn the war for its "strong genocidal overtones." The World Council of Churches agreed with this verdict, as did the Anglican Church mission, half a dozen British correspondents and several African heads of state. Whatever the original motivation of the Federal Army, hatred of the Ibos seems now to be the prime stimulus.

I spoke to nearly a hundred Nigerian prisoners of war and, once their Ibo captors had been sent out of earshot, they spoke quite freely. All admitted they had not volunteered, but had been conscripted by no-nonsense recruiting sergeants on street corners and in market places. After a week's training they were sent up the front with a rifle and a pouch of ammunition.

These new soldiers loot, rape, kill and torture. When asked why, they shrug and say, "Kill Ibo." Have they any feeling for one Federal Nigeria? "Yes, one Nigeria—without Ibo." What about General Gowon's Code of Conduct? Blank non-comprehension. I found only eight men who had ever heard of it, and not one who had read it.

At Onitsha, under seige from the Federal troops, the 300-strong congregation of the Apostolic Church decided to stay on while others fled and to pray for deliverance. Col. Mohammed's Second Division found them in the church, dragged them out, tied their hands behind their backs and executed them. Three hours later, entering Onitsha on the heels of the Second Division with Col. Achuzie's Biafran 29th Battalion, I found the corpses stacked in the road.

It took the Biafran soldiers so badly that they refused to march past the bodies, and for 18 hours the pursuit was halted while the corpses were cleared. By this time the Federal Army was entrenched in the town, and it took five weeks to clear them out.

Militarily the Federal Army is not very impressive. Individually the soldiers seem to have little stomach for the fight, and veteran Biafran officers refer to them contemptuously as "an undisciplined rabble." Over and again the Biafrans have shown that they are more than a match in pure infantry combat. The Federal Army makes its advances due to its enormous artillery and mortar fire-power and its armoured cars. The massacres follow the advances.

When an infantry attack is thrown in without support, the Yoruba are sent in first in straggling waves. They are the cannon fodder. After the Yoruba, the Yoruba prisoners claim, comes a line of the more fanatical Hausa, with orders to shoot anyone who turns and runs. I have seen them carry out these orders without flinching.

After the Hausa come the Gwodo-Gwodo, giant black mercenaries from Chad, recruited through the good offices of the Northern Emirs who have contacts across the border. These Chads are of very animaline intelligence, and will shoot anyone to order. Behind the Gwodo-Gwodo, one can hear British voices screaming "Come on you black bastards—move."

Occasionally, one can catch a glimpse of the mercenaries, and some 35 have been killed. One Federal prisoner told me that the whole company would face a firing squad if a white man's body alive or dead was allowed to fall into Biafran hands.

It is the Biafrans' firm belief, which seemed to be supported by a lot of evidence, that the great majority of the weapons in Nigerian hands are being supplied by Britain. Certainly our High Commissioner in Nigeria, Sir David Hunt, has claimed this, and it may well be true.

And British Government spokesmen, both in Parliament and elsewhere, have been remarkably evasive about just what *has* been sent to Nigeria.

The Biafrans vigorously refute Britain's claim that she is obliged to support General Gowon's war with arms because he is the legal Government of Nigeria. The Biafran leader, Lt. Col. Ojukwu, points out that Britain does not always feel obliged to arm military regimes particulary when the use to which the weapons might be put is dubious in the extreme.

His attitude towards the British Government has gone from one of regret that they chose to reject the role of the impartial mediator, to one of great anger at what he regards as a betrayal of all the tenets for which a Christian and democratic country is supposed to stand.

But his attitude is, as usual, moderate compared to that of his more emotional countrymen. The hatred of Britain has steadily grown as 80,000 Biafrans, more than 65,000 of them civilians, have died. Now they believe that just about everything being thrown at them is of British origin—including bombs and rockets.

The Biafrans are quick to point out that they have nothing against the British people as such—only against the British Government. But in their helpless frustration they find no outlet for their disgust than to burn the buildings of the foremost British companies who used to operate there. In Port Harcourt especially, the imposing Shell-BP building, the Kingsway store and the United Africa company offices have been gutted by fire.

Last month, Col. Ojukwu issued an ultimatum to all companies who once operated there, requesting them to state clearly whether they wished to resume operations in Biafra. If so, he said, they should make some provision for their staff and the upkeep of their premises, or be presumed to have abandoned them. In this case, he would regard both assets and concessions as being renegotiable to anyone prepared to help Biafra survive.

Time is running short, as the Biafrans are squeezed ever more tightly into the centre of the ring, with a vengeful Nigerian Army seeking its pound of flesh for its own 35,000 causalties. Negotiation is one road; the other leads to the biggest bloodbath the Commonwealth has ever seen.

Three Million People Starving to Death in Biafra

(By Matthew Rosa)

Emekuku, Biafra, June 22.—Many missionaries here in Biafra believe that three million people are doomed to die from malnutrition. They say the disease has already gone too far for the victims to be saved, help or no help.

Dr. Aaron Ifekwunigwe, a Biafran pediatrician trained at St. Thomas's and Hammersmith hospitals in London, agrees with this estimate.

At his clinic six miles east of Owerri in western Biafra he saw 120 children yesterday, of whom only 10 had conditions other than severe malnutrition.

The children's ward at the clinic has 150 children on 35 cots, five to a cot. These children are lucky—most of them will survive because of the special treatment, although an average of three die each day.

They are swollen with body sores and reddish-yellow hair. The disease is known by the Ghanaian word 'kwashiorkor,' meaning 'red man' or 'deprived one.' Its medical term is protein-calorie malnutrition.

Dr. Ifekwunigwe says the first cases came in March 1967, among the children of refugees from Northern Nigeria. By early this year it had reached epidemic proportions and last month became 'catastrophic.'

At the Ogwa refugee camp are 1,200 Okrika people from just below Port Harcourt. They fled from the approach of Nigerian troops two months ago. They are a fishing people. This afternoon the food had run out again, so there would be no dinner.

Half the 1,200 are children, and one out of three has kwashiorkor. Unless a nun or nurse comes within two or three days, picks out the kwashiorkor children, and gets them to a unit where they can receive a powdered milk and egg mixture, they will all be dead within two weeks.

Ogwa is likely to lose half its children within the next month. Father Frederick Fullen, 60, says: 'Every day some children die in every village compound. You hear about it afterwards.'

There are 330 parish priests and nuns in Biafra, about half Irish of the Holy Ghost Congregation and half Biafran. They are the best source of intelligence on the total need.

Their reports go to Fr. Patrick Devine in Owerri, and he gives reports to Caritas, the International Catholic Charity Organization and to the International Red Cross representative here. The Red Cross uses the priests as a distribution system for a little food for the villages. But it is not up to a bag of food a village a month.

Father Devine says: 'We calculate working on a "per person" basis, that Biafra must get in 200 tons of protein food a day from now until six months after the end of the war. This is minimal. 300 to 400 tons a day is really needed. The Red Cross agrees. Otherwise, up to 4,500,000 people are just going to die in the next few months.'

[From the New York Times, June 30, 1968]

Blockaded Biafrans Are Facing Mass Starvation

Emekuku, Biafra, June 27.—Hundreds of thousands of Biafrans face death from starvation in the next several months. Some independent authorities expect the toll to reach more than a million unless emergency food shipments soon reach the area, the secessionist former Eastern Region of Nigeria.

Leslie Kirkley, director of the Oxford Committee for Famine Relief, or Oxfam, a well-known nongovernmental and nonsectarian British relief organization, assessed the situation this way:

"Unless we pull out all the stops in Britain and other countries, we will have a terrifying disaster in Biafra before the end of August. By then, two million may have died."

Mr. Kirkley's organization spend about 3.25-million pounds ($7.8-million) a year in relief efforts in 84 countries.

His conclusion was confirmed by physicians, priests and nursing sisters interviewed during a week's tour of refugee camps and villages in Biafra.

Mr. Kirkley, who is on an inspection visit, estimated that the current death toll from malnutrition was 200 a day. There was an especially urgent need, he said, for proteinous food for children under five and for pregnant and nursing mothers.

Blockaded by sea and surrounded by federal Nigerian forces on land, Biafra's only link to the outside world is a tenuous airlift to nearby Spanish and Portuguese islands in the Gulf of Guinea.

WAR STARTED IN JULY

The former Eastern Region, which has a population of nearly 13 million, seceded in May 1967 and declared itself an autonomous republic. On July 7, federal Nigerian troops invaded Biafra and civil war broke out.

The secession was preceded by a massacre of 30,000 Ibos, the dominant tribal group in the East, in September 1966. Odumegwu Ojukwu, the Eastern leader, has asserted that "sovereignty in the absolute" was essential to protect the region froom a bloodbath. The Biafrans have fared poorly in the war, and have lost Enugu, the capital, and other major cities, to the federal forces.

"I fear that between two million and three million people are going to die," Sister Mary Lorcan of the Holy Rosary Sisters said at Emekuku Hospital, near Owerri in western Biafra. "Even if the war stopped tomorrow, hundreds of thousands are condemned to death now. I go out to the Odube camps every fortnight to look for severe malnutrition cases among the children. Last week there were 700 to 800 cases." The Odube refugee camps have about 2,500 people.

SISTERS RUN HOSPITAL

At the hospital, which is run by the sisters, Dr. Alfred Ikeme, a 36-year-old Biafran physician trained at Edinburgh and London, stated: "I see 60 to 80 women a day, and one out of three of them has severe protein malnutrition."

The Biafran pediatrician at Emekuku is Dr. Aaron Ifekwunigwe, 32. He explained that the medical term for the condition is "protein calorie malnutrition." It is known in Africa as "kwashiorkor," a Ghanian word meaning "red man" or "deprived one." The term refers to the reddish-yellow hair color that is a prominent symptom of the disease.

Dr. Ifekwunigwe led an inspection tour around the children's wards. All the children had yellowish, almost golden hair, scaling skin, body sores, swollen ankles and legs, diarrhea, lack of appetite and an apathetic lethargic look.

Dr. Ifekwunigwe said: "When the child's body gets swollen and the child won't eat and has diarrhea, it is almost an irreversible cycle. The only proper help is protein, nothing else."

TEN CHILDREN DIE IN 2 WEEKS

"In one compound nearby, we've lost 10 out of 30 children in the past two weeks," said the Rev. Frederick Fullen, an Irish priest at Azaraegebelu. "All the joy has gone out of life. In the old days, you used to drive with the right hand and wave with your left. Now, the children don't even have the energy to wave."

Of the priests and nuns at Emekuku, half are Biafran and half are Irish from the Holy Ghost congregation and the Holy Rosary sisters. There are at least half a million refugees living in camps in Biafra, about half of them in Ibo and half minority tribes from areas now in federal hands.

The priests and sisters say of the village compounds near their parishes that the villages are as badly off as the camps, or worse.

At the Odube camps, at Izombe where there are thousands of Calabar and Ibibio people, at Umuagwu with Ogoni people, around Origwe where tens of thousands of refugees who were at Awgu gathered after a Nigerian advance, at Imerienwe, Ogbeke and Nbutu-Ngwa—all in western Biafra—the situation is the same.

About half of the children under 12 seen in the tour appeared to have the signs of kwashiorkor. The same proportion is seen among old people and mothers nursing babies.

At Owerri, reports from the parish priests are sent to the Rev. Patrick Devine, 36, of the Holy Ghost congregation, a large man with a sharp nose and a shy smile. He has worked out with the International Red Cross representative in Biafra, Henry Jaggi, the minimum daily amount of protein food that would have to be brought into Biafra to arrest the crisis.

"We need 200 tons of protein food per day as a minimum and 300 to 400 tons per day would probably be more accurate," Father Devine said. "The planes in the Biafran airlift can only handle 10 tons each. Port Harcourt must be opened to ships right away, either by a breaking of the blockade or by a cease-fire."

"The death rate is an upward sloping curve," said Mr. Jaggi. "In a month there will be more than a million dead here, before the end of August, two million are likely to die, and either we sit still and watch six million people go down the drain within six months or we pressure for a cease-fire."

A cease-fire was also stressed by Dr. Herman Middlekoop, a specialist in rural health who was appointed in March to supervise the help coming in from the World Council of Churches.

"Our present goal, 40 tons a day, will only postpone the death of a few people," he said. "It is like giving a drip feed to a person with a stroke. The catastrophe cannot be averted without a complete cease-fire within a month, opening up all transportation into and within Biafra. The figure of several million people likely to be dead by the end of August is quite correct, and that six million people will die in the next six months without a cease-fire and massive help, I have no doubt."

UNICEF Efforts Thwarted

United Nations, N.Y., June 29.—A spokesman for the United Nations Children's Fund said this week that it had been trying "desperately" to reach the victims of the Biafran-Nigerian war and that supplies were "in position and available."

He added that both UNICEF and the International Red Cross had been trying repeatedly to bring the condition to the attention of the Nigerian Government without success and that their representatives had not been able to obtain permission to reach the victims.

[From Life, July 12, 1968]

Biafra: A War of Extinction and Starvation

In a West African rain forest a group of Ibo tribesmen swore blood allegiance to Biafra, a tiny and desperate breakaway nation threatened with extinction. For a year now the Biafrans have been trying to secede from the central government of Nigeria, and civil war has raged with a savagery barely noticed by the rest of the world. In recent weeks, as federal troops tightened their stranglehold on Biafra, the secessionist Ibos faced the possibility of mass starvation. Hundreds are dying daily of malnutrition, and relief experts fear that unless massive food shipments reach the beleaguered Biafrans soon, more than a million will die before summer's end.

Behind the savagery are the old regional rivalries (250 principal tribes and languages) which have troubled Nigeria since independence in 1960. In 1966, Ibo officers seized the Lagos central government in a coup and killed the prime minister. Then, backed by northern tribesmen, a military junta staged a countercoup. Thousands of Ibos—envied and hated for their adaptability to modern ways and technology—were slaughtered, and 4.5 million were left homeless in the tribal lands of the east, where refugees now make up a third of Biafra's population. Last summer the Ibos declared Biafra independent, and the war was on.

At least 50,000 died in the fighting as the federal armies pocketed the Ibos into an area less than one third Biafra's original size. The federal forces had arms from the Soviet Union, the United Arab Republic and Britain, which was anxious—for political and economic reasons—to keep Nigeria from disintegrating. Outnumbered militarily two to one, the Biafrans have broken off peace talks—and they vow to fight on.

As Devastating as Bombs, the Lack of Protein Food

Aba Biafra.—The shell-cratered road from Aba to the front some 20 miles away winds through a crowded marketplace. Piles of juicy pineapples, tart oranges and stalks of golden bananas are everywhere. Their colorful presence mocks the cadaverous faces in the throng—and in the refugee camps that ring the city. But, our driver complains, there is no meat, no fish, no milk—and no protein means starvation. Vendors hawk cigarettes, but in Biafra there are few customers at nearly $5 a pack. The briskest business is at the stands selling chestnut-sized kola nuts. Chewed with cracked pepper, they have a mild narcotic effort that deadens hunger. A kola nut for pennies kills appetite for 24 hours.

Outside town we ditched the car and transferred to a dugout canoe on a swift-running river. The stern paddler let it drift with the current. The gunwales dipped dangerously, and then he stroked strongly for the opposite shore, where we were met by the major in charge. He was with a tall, scrubbily bearded sergeant whose vaguely clownish appearance was accentuated by a grin. The sergeant's plastic helmet liner was stenciled with the identification "Dangerous Mosquito on the Way." He wore his weapon, a captured Russian submachine gun, slung around his neck.

"We liberated this area—except for the usual infiltrators—just three days ago," the major said. The Nigerians—sometimes referred to as "Hausa," the North's dominant ethnic group—had artillery, air support and even a team of white mercenaries with a jeep-mounted mortar. "Oh, would I like to get my hands on those chaps—but we smashed them," said the major.

The story was interrupted by a sudden rustling in the brush. "Dangerous Mosquito" went into action. Like a child rolling a Hula Hoop, he swung the machine gun from around his neck and sprayed the bushes.

"A lizard, a lizard," jerred the troopers who ran to search the jungle. "Mosquito is a great lizard killer."

"He killed nine Hausa lizards on this same spot three days ago," said the major. The sergeant's vague smile was still flickering on his lips.

We moved out again, seeing no sign of human life except for the grave markers one encounters so frequently in this part of Africa. Some of them depict a man enthroned. Others are stone carvings of a man and wife seated side by side—strange sights in the dripping jungle, silent save for the scissor-grinding shrieks of birds.

"The local people," explained the major with a shade of condescension (for the Ibo are Christians), "go in for ancestor worship and things like that. Even the poorest man will make a shrine to his papa on the land he farmed—for under ancient law, no one is able to take your land away if you can point and say, 'It is mine—see, there is the grave of my father.' "

We came to a cluster of huts made of rudely braided palm fronds. Out front was a little boy, bewildered and scared of us. "He's one of the abandoned ones," the major said. "Parents took off when the federals moved in, leaving the kids behind. When we attacked, the Hausa shoved the youngsters into the houses and nailed the doors shut." Dangerous Mosquito and some of the others ripped the doors off with pineapple knives and carried the kids out in their arms. Framed in a hut entrance was one such: a girl about 5, eyes mirroring despair. Madonnalike, she cradled her little sister. The baby made a high keening noise, like an injured rabbit. There were other children in the huts, dead or dying. I don't want to remember their wasted bodies.

The worst sight was an elderly man we found kneeling in the road on the way back. His motionless figure was as frail as a dried grasshopper. His head was covered by a rush mat that hung down over his bony chest and back. I thought he was dead, but one of our group peered under the mat and found himself looking into live, unblinking eyes.

"Maybe the Hausa did something to him before they ran away," the major said, motioning Dangerous Mosquito toward the dugout canoe that was to take us out of the battle zone. "But probably not. I think he is just starving and waiting to die."

—Michael Mok.

Biafra: A Human Problem, a Human Tragedy

(Statement made on the Nigeria/Biafra conflict by His Excellency Felix Houpouet-Boigny, President of Ivory Coast, on May 9, 1968, at the Ivory Coast Embassy, Paris)

Gentleman, since my departure in 1959 from the Government of Debre for Ivory Coast, in the course of several visits effected in your great and beautiful country, I have never accepted to hold a press conference in Paris except those I have held during my official visit, convinced that French public opinion is sufficiently informed about our modest action at the head of our young State.

If I break today this voluntary silence it is because I want to seize the opportunity, from this high place of liberty, equality and peace among men and among people, to cry out my indignation in the face of the inexplicable indifference—culpable indifference—of the whole world with respect to the massacres of which Biafra has been the theatre for more than ten months. I rejoin my country, pained, indignant, deeply upset and revolted by the prolongation of this atrocious war which rages in Biafra and which has already cost more than 200,000 human lives, not to count the immeasurable cost in destruction of all kinds, in a country definitely rich but still under-developed.

One will have to, one day, multiply by two, by three, the number of these deaths, a list that increases from day to day, if not from hour to hour when one thinks of the wounded who die for lack of care, of the so many people, in particular infants and the old, who are dying of hunger—food having been quantitatively and qualitatively lacking due to the fact that Biafra, overpopulated, is surviving only as a result of its miraculous resistance, having been cut off from the sea, from the banks of the Niger and its tributaries, from the North which used to furnish it with meat, has known for more than ten months neither fish nor meat, and has been subjected to aerial bombings by pilots—mostly foreigners—outstanding heroes more redoubtable for the fact that they do not meet any obstacle (fighter planes, rockets, D.C.A. shots) in their dirty duty of massive destruction and systematic extermination of a people without defence.

Do people know that there have been in Biafra in ten months more deaths than in three years in Vietnam? In Vietnam, in the North as well as in the South, people eat at least when they are hungry, furnished as they are by their allies. In spite of the incontestable superiority in materials of the United States, the North Vietnamese lack neither planes nor D.C.A. nor rockets to defend themselves with.

In front of the French T.V. screen, in the course of the programme "Cinq Colonnes a la une" of last May 3, the poignant film projected on this forgotten war carried my indignation to the state of paroxysm.

I am addressing myself first of all to my African brothers in general, and also to my black African brothers in particular. (Let others excuse me for we, black people, have relatively suffered more and continue to suffer relatively still more racial discrimination with their evil consequences which we all know.)

When, therefore, will my black brothers understand the necessity of breaking with this fatality which has wanted and still wants, alas, that blacks be killed with impunity or kill themselves with impunity? If we cannot as yet, as a result of the present weakness of our material means (and there is the sad evidence), prevent people from killing us, at least we have the possibility of stopping not only killing ourselves but also allowing others to help us massacre ourselves.

But our race continues to bleed this double hemorrhage. What is it then that justifies our culpable, I would even say criminal, indifference in the face of the massacres of our brothers, because Nigerians and Biafrans who fall are all very much our brothers? An internal problem, respect for the territorial integrity of every member state of the O.A.U., the sacrosanct respect of unity, religious quarrel, an intentional secession decided by foreign powers so as to safeguard their egotistical interest? Nothing of the sort excuses our apathy in the face of the kind of crimes perpetrated by black brothers on other black brothers.

Among ourselves we must tell ourselves the truth, even if it hurts; even if it goes contrary to what we believe to be our own interest. We have all inherited from our ancient masters not nations but states—states that have within them extremely fragile links between the different ethnic groups put together by the colonisers.

Our number one objective is to build a nation, to realize national unity which is a pre-condition for all harmonious development. But it is a difficult task, a long range operation which necessitates, on the part of all, and of leaders in particular, constant efforts of patience, tolerance, comprehension, generosity, and love of a transcendental nature—rising above personal consideration, above tribe and quarrels between generations. It also necessitates an obstinate search for peace through dialogue and negotiation; the search no less obstinate for all that unites by the rational organisation of democratic parties, really democratic, without distinction of race or religion.

Unity will be the fruit of the common will to live together. It should not be imposed by force by one group upon another.

What happened in this vast, rich Nigeria, yesterday our source of pride, today a shame for everyone?

In Nigeria, as a result of the absence of a political organisation covering the entire Federation, opposition was never of an ideological nature, but of an essentially tribal one. When an Ibo committed a crime, people did not judge him as a misguided citizen of Nigeria; people held his whole race responsible for his crime. They killed 30,000 people residing in the North; from there they drove away more than a million of them after maltreating and expropriating them. By doing this they have broken, certainly without desiring it, the fragile links that united it with the other parts of Nigeria. The Ibos were thus forced to consider themselves as strangers in Nigeria and to return to their homes to proclaim their independence.

Instead of engaging in a fraternal dialogue, the Government, obviously overwhelmed by the explosion of hatred and vengeance which it had not foreseen (to govern is to be able to foresee) replied by dividing the country and could only offer blockade and war to these people distressed, humiliated and rejected by the Nigerian family.

Where is the Region in Africa which, placed in the same situation as the Ibos as a result of a crime perpetrated by one of its sons, would accept to continue to live with other parts of a state which considers it as an enemy? It is, therefore, necessary to bring back the problem between the Federation of Nigeria and Biafra under its one and only true aspect, the human aspect, and to find a solution to it.

It is not a religious problem. The two military leaders who are engaged in a murderous and unequal combat are both Christians. That takes away from the trouble all religious considerations. Moreover, in our days this problem should be considered as no longer valid, especially in Black Africa after the battle we all waged together against colonisation irrespective of our religious differences.

I, speaking to you, became a Christian not so long ago. As was the case with the majority of my Moslem and Christian brothers, I was converted from animism. A simple and practising believer, I consider all monotheists as my brothers, if not in religion, at least in God; that is the essential thing. I have more Moslem than Christian friends for the simple reason that there are more Moslems than Christians in Ivory Coast as well as in other parts of Africa. In any case, all these religions are based on charity and the love of one's neighbour. It is exactly this charity, this love of one's neighbour, which dictates my duty and which makes me cry out and proclaim my indignation in the face of this fratricidal conflict. It is because I know that I am a brother to all Niegerians, to all Biafrans, that I cannot support these massacres, this genocide which one century of British occupation itself did not inflict on Nigeria.

Secession manipulated from abroad so as to safeguard egotistical interests? We have all condemned this and we will all fight this kind of secession. Truth requires that we recognize that this is not the case in this lamentable affair.

No one can suspect Nyerere of serving any kind of interest. Whether the mineral and oil riches are exploited within the framework of one Nigeria or at the level of a region, it is always the same taxes and royalties the investors will pay since, as much as we know, the policy of the one and the other is not immediately one of nationalisation.

If Nyerere and myself who have different political and economic opinions are in agreement in recognising the necessity of withdrawing this conflict from a legal framework within which one would restrict us, it is because we nourish, with respect to the martyred people of Biafra, the same sentiments of compassion and because we consider their problem an essentially human one.

If we all are in agreement in the O.A.U. in recognising the imperious necessity of unity, unity as the ideal of framework for the full development of the African man, we cannot admit as for ourselves that it should become his grave. We say yes to unity in peace and through peace, unity in love and through brotherhood. We say no to unity in war and through war, or unity in hatred. Unity is for the living and not for the dead. It is banal to say it, but one has to repeat it quite often: war is evil for man; peace is salutary to him.

We must, therefore, sacrifice everything for peace. If our brothers fighting cannot live together in a Federation, let them both accept peace as neighbours, peace between neighbours being finally a bridge of love and of fraternity linking the two of them.

The example of Mali and Senegal teaches us that two countries that separate can meet again within a regional grouping on the basis of equality, of reciprocal confidence and of frank and loyal co-operation, conscious of their solidarity.

Tomorrow Nigerians and Biafrans, as good neighbours, will know how to heal their wounds, forget their quarrels.

The French and the Germans are considered as hereditary enemies, but are they not in the process of erecting a bridge over the great gulf of blood which has kept them apart for a long time in order to achieve, partly as a result of a close economic cooperation, an European grouping politically solid?

Meantime let us recognize that so many crimes which have been committed against Biafra and so much ruins which have accumulated make difficult—in fact, impossible—life in common between the Ibos and their other Nigerian brothers.

The culpable indifference of Africans does not excuse however that of the whole world. We maintain, alas, with sorrow—with the most profound sorrow—that no official voice has been raised outside Africa to denounce or condemn this genocide in our unhappy continent.

The French who, looking at their small television screen, have lived in a moment like the revolting drama going on in Biafra; the French who have known the horrors of war; the French who have a cult of human liberty and who are fundamentally attached to peace; could they remain for long insensitive to the sorrow which hangs on a people of admirable courage and who is fighting under the most difficult and most inhuman conditions for its independence?

How could one understand the attitude of the British Government in this tragedy?

Since my country's concession to independence, we in the Ivory Coast have shown the greatest possible consideration and understanding for the British nation. Personally, I have never hidden my admiration for the great effort at decolonisation undertaken by Britain by giving back freedom to hundreds of millions of her colonised subjects, particularly in Asia and Africa. I even understood and admitted the complexity of the problem posed by the unilateral declaration of independence by the whites in Southern Rhodesia. Opposed always to all generalised condemnations, to all actions that do not lead to the desired results, being a convinced advocate of non-violence and negotiation, my country did not break diplomatic relations with England, although I was very pessimistic about the effectiveness of the methods prescribed by England to order to re-establish legality in Rhodesia.

I have always been opposed to the use of violence in Rhodesia for two reasons: first of all from political conviction (my constant and natural hostility to all violence is well known), and because I know surely that the English would never accept going to war against their white brothers in Rhodesia. I cannot condemn fratricidal conflict in Nigeria and approve of it in Rhodesia. I still continue to have confidence that Britain would herself find the means to put an end to this rebellion which is unacceptable to Africans.

From this premise, I hardly understand, and find it difficult to accept, the attitude of the British Government towards the people of Biafra.

That the Russians, faithful to their policies, even though it would be embarrassing for them to consider Biafrans as imperialists that should be crushed, should furnish all sorts of arms to the Government of Federal Nigeria, we can, to a certain extent, understand. But that the British Government, leader of the Commonwealth, whose duty it should have been, in the face of such a terrible drama, to play the role of mediator; that England, hostile to all use of violence in Rhodesia; that England which had gracefully recognised the independence of Ireland after several centuries of living together under the United Kingdom, should furnish the most lethal weapons for the massacre of Biafrans, who themselves are citizens of the Commonwealth, surpasses our comprehension; indignant and revolted as I am, being their old friend, so I want to remain, in spite of everything.

Insofar as we Africans form a part of the world, we could not but be astonished at how little we are valued; at the indifference with which people treat everything that concerns us.

Certainly, we deplore, all of us, this war that the unfortunate Vietnamese people have had to bear since 30 years. The Vietnamese war cannot, however, compare in horror with the war in Biafra. More people die in Biafra from hunger than in Vietnam. The Biafrans, without arms, are fighting desperately for their independence, crushed by their own brothers who are assisted by two great Powers in their work of extermination.

The Westerners who have condemned the military junta in Greece astonish us—that is the least we could say—by their indifference in the face of the misfortune which has struck Africa. And, moreover, it is there essentially a Greek internal problem and the unity of Greece is not in question, neither are human lives there in danger. One could condemn the rape of individual and democratic freedoms by the new leaders.

All this should incite us, Africans, to reflect deeply on our common future. Let us avoid, at all costs, all that can pitch us one against the other. No one will help us in overcoming our crises. On the contrary, several are those who will venture to pour oil on the flames of our division. Where we cannot live under the same roof, let us try to live in peace in different cabins. Concord will not hesitate in coming back. Let us not clothe ourselves with considerations of a juridical nature when the life of men is at stake. Law is made by men for men. Law does not make a man. Let us take care that people do not exploit, at our expense, our own apathy, our flight in the face of our own responsibilities posed by the hundreds of thousands who have died in Biafra.

How do you want people to take seriously our complaints, our protests against South Africa, Rhodesia and Portugal when we accept with joy of heart this real genocide that Biafra is experiencing?

I condemn all fanaticism except one. I am and remain, in fact (I shall not be able to espouse it sufficiently), a fanatic for dialogue, negotiation, thus for non-violence and peace.

Finally, we must realize this ineluctable fact: even if, as a result of this military superiority in men and material, Nigeria succeeds in occupying the whole of Biafra, the problem of the secession will not be solved. There will, therefore, be no real peace in Nigeria as long as Biafra fights for its independence.

May universal conscience take a sympathetic interest in this sorrowful drama and impose the solution which men of flesh and blood, who love liberty, are waiting for: the "cease-fire" and negotiation which alone will bring peace to Biafra.

Statement on the Recognition of the Republic of Biafra by the Government of the Republic of Zambia, May 20, 1968

The tragedy which has befallen the Federation of Nigeria is a most unwelcome event in this phase of Africa's development. The current war and the atrocious excesses committed in waging the war, the loss of human life and property, have shaken this continent and there are no prospects yet that Biafra can yield to what has almost become a war of attrition.

The Zambian Government has been concerned about the future of this area of Africa. We have been, and are still, most concerned about peace, stability and unity among the peoples of that area. We have been even more concerned about the amount of blood which is being shed for what is obviously a futile cause. War in our opinion will not induce surrender. It will, as has already been seen, continue to widen the gap between the two combatants and increase fear among those who are the victims of war.

Even before the crisis burst into military hostilities the Zambian Government did everything in its power to prevent the increasing tension from escalating into a shooting war. Since the outbreak of war, Zambia has employed all available means to avert further loss of life and property. But the indiscriminate massacre of the innocent civilian population has filled us with horror. Whereas it is our ardent desire to foster African unity it would be morally wrong to force anybody into unity founded on blood. For unity to be meaningful and beneficial it must be based on the consent of all the parties concerned, offering security and justice to all. This Government is convinced that the heritage of bitterness stemming from this horrifying war will make it impossible to create any basis for political unity of Biafra and Nigeria. The Zambian Government therefore has decided to recognise the Republic of Biafra as a sovereign and independent state.

We hope that the establishment of this Republic will now allow Nigeria and the people of Biafra to work out a better frame work for co-operation in order to ensure a better platform for more realistic unity among themselves in order to live in peace and to foster African unity in the spirit of brotherhood and mutual co-operation for the benefit of all the peoples of that region.

U.S. POLICY TOWARD COMMUNIST CHINA

Mr. MURPHY. Mr. President, on June 10, I spoke at some length concerning what might be termed subtle indications that the administration may be attempting to alter our established policy toward Communist China. I drew attention to statements made this year by the President, the Vice President, the Under Secretary of State, and the Under Secretary for Political Affairs which seem to run counter to previous statements by these same people and by other administration officials.

The new statements conveniently ignore the fact that the Government of China which the United States and a large majority of other countries in the world recognize as the legitimate representative of the Chinese people is at this moment suffering a long exile in the Chinese province of Taiwan.

The new statements specifically contradict the request of the former Secretary of Defense for $5 billion for a "thin" ABM system designed to protect us from "the growing Chinese Communist nuclear threat," and the often-repeated assurance of the Secretary of State that one of the main reasons American troops are in Vietnam is to prevent Chinese Communist expansion into Southeast Asia.

In my original speech on the Senate floor, I suggested that the administration owes the American people a succinct, straightforward explanation of its policy toward Communist China. In furtherance of that objective, I have written directly to the Secretary of State asking for clarification of the many seeming contradictions in recent administration statements about Communist China.

Mr. President, I regret to say that there are now further indications that the thinking of certain administration figures concerning Communist China is perhaps out of touch with reality.

I wish specifically to invite the attention of Senators to two articles published in the New York Times at the end of June. In an interview published on June 23, Vice President Hubert Humphrey is quoted as saying:

> Mr. Humphrey. I think we must initiate a constant, persistent effort to open up China, and to get away from the isolation of China to peaceful engagement with her, or at a minimum, a policy of containment without isolation—but at least that she has contact. And we actively pursue that.
>
> Now, I don't think it'll work right away, but I think we've got to pursue it. In trade—I don't mean just cultural exchanges, I don't mean just journalist exchanges, doctors and educators—I mean commerce. Most all political developments follow functional activities.
>
> Question: Does that apply to China?
>
> Mr. Humphrey. I say so. Yes, very definitely, to China.
>
> Question: What about our embargo, sir?
>
> Mr. Humphrey. I think that this is not serving our national interest. I think that on strategic goods, that is, military goods, yes, we must have an embargo. But to embargo, for example, the sale of food stuffs, or soft goods, is no longer relevant to the kind of world in which we live.

So here we have an absolutely crystal clear statement by the Vice President indicating that he wants to abandon our embargo on trade with Communist China. He indicates he wants to send American cultural delegations, journalists, doctors, educators, and trade officials to Peking in hopes of making the men in power there more reasonable and friendly towards the West.

I regret to say that although the Vice President obviously has access to information about what is going on in Communist China from many sources, including those which are classified and not available to other citizens, he seems to be seriously misinformed about the situation on the mainland. In fact, newspaper reports—which are readily accessible to those in public office as well as to the public in general—strongly suggest that this is hardly the time for the U.S. Government to send Americans on peaceful missions to the Chinese capital.

I call the attention of the Senate to an article which appeared in the New York Times on June 28 which indicates that the Chinese Communists are becoming more confused and even less civil—if that is possible—than ever before. This article states in part:

> An increasingly edgy, xenophobic regime in Peking has cut down Communist China's contacts with the outside world to its lowest level to date.
>
> Very few individuals get permits to go to China these days. Fewer still are allowed to live there, and those who do run the risk of being jailed or deported.
>
> A member of the diplomatic mission in Peking who visited Hong Kong recently reported that most of the 160-odd foreigners who had been living in a sprawling three-story apartment complex in Peking called Friendship Hotel had disappeared.
>
> They include Communists, fellow travelers and visiting specialists of many nationalities.
>
> Some are known to be under arrest . . . some are thought to have left the country, either voluntarily or as a result of deportation.
>
> The diplomatic visitor from Peking reported only two new arrivals at Friendship Hotel in the last three months. . .
>
> More than 30 foreigners have been arrested. These include several ships' officers, a number of businessmen, a British engineer who had been working on the installation of a factory in Kansu and two British journalists.

Twelve Japanese trade representatives are known to be in prison. Several weeks ago the Peking correspondent of the Japanese daily, Nihon Keizai, was jailed on unspecified charges.

Only three Japanese correspondents of the eight who were in Peking a year ago are still there. . . .

Mr. President, I wonder if it is truly responsible for high administration officials to suggest that American journalists and trade representatives should go to Peking in light of what has happened to Japanese journalists and trade representatives who were also there seeking to establish peaceful contacts with the Chinese Communists?

Mr. President, is it responsible to suggest that American officials should seek visas to go to Communist China when Edgar Snow, the American writer who has been on very friendly terms with the Chinese Communists since his laudatory book, "Red Star Over China," was first published in 1937, has just been refused a visa to visit his old friends on the mainland?

Finally, I wish to inquire whether it is responsible for the second highest elected official in the land to be talking enthusiastically about closer relations with Communist China—an enthusiasm which the Chinese Communists themselves quite obviously do not share—when America is engaged in the longest war in the Nation's history and the Chinese Communists are urging our enemies in Hanoi to prolong the conflict and are supplying arms, equipment, and support personnel so that the North Vietnamese can prosecute the war even more vigorously.

We must not permit the same type of disastrous miscalculations which beset America's China policy in the late 1940's to reoccur.

This is the time for a continuing unemotional, clear, and deliberate assessment of the mainland situation. It is no time for the United States to offer the hand of friendship to a belligerent Chinese Communist regime on the basis of a contrived urgency that implies great new opportunities for improved relations are being lost.

It is no time to clamor for the substitution of current policies, which are based upon the almost universally accepted realities of the situation, by ill-defined new policies based upon wishful thinking and untested conjecture about what the future may bring.

SENATOR SPONG ADDRESSES HAMPDEN-SYDNEY COLLEGE

Mr. MUSKIE. Mr. President, consideration of the historical perspectives of the critical problems facing the United States at this time need not imply an abdication of their immediacy. Indeed, the awareness that this country has failed to solve the problems of the central city, of equal opportunities, of a relevant foreign policy, and of a liveable environment for far too many years can only heighten the immediate burden.

The distinguished Senator from Virginia [Mr. Spong] recently delivered the commencement address to the graduating class of Hampden-Sydney College, in Hampden-Sydney, Va. A member of the Hampden-Sydney class of 1941, he also received an honorary doctor of laws degree during the commencement exercises. He spoke to this class of its burden, and of the burdens that previous classes had been forced to assume. Yet he avoided historical rationalization in favor of a thoughtful perspective that sharpens, rather than weakens, the relevance of their burdens.

This is most characteristic of the junior Senator from Virginia. He has displayed the same thoughtfulness, imagination, and ability that mark this commencement address since he first came to the Senate.

I commend this address to Senators and ask unanimous consent that it be printed in the Record.

There being no objection, the address was ordered to be printed in the Record, as follows:

Text of Commencement Address by U.S. Senator William B. Spong, Jr., Hampden-Sydney College, Hampden-Sydney, Va., Sunday, June 2, 1968

I am pleased to be able to share your commencement exercises with you, yet I was somewhat hesitant in preparing these remarks. Commencement exercises should, in a way, be optimistic. There is much before you and there are many things to do. Hopefully, you are well-prepared to make the most of your future. But there is pessimism today we cannot escape. There are problems we cannot overlook. There are questions we cannot easily answer. There will be difficult days we cannot avoid.

We have begun peace negotiations which are currently underway in Paris, yet in Viet Nam the week after peace talks began we suffered the highest casualty rate of any week during the war. And, in Paris itself, the initial weeks of negotiations appear to be little more than jousting tournaments of words.

We are the richest nation the world has ever known, yet the basis of our economy is threatened from abroad, with even our allies testing the strength of the dollar. Here at home, the affluence, and the means of obtaining the affluence, which so many of our people have found, has totally escaped some 30 million of our people.

We are the most powerful nation yet to exist, but we have often belittled the traditions and mores of the nations we have tried to help. We have often dominated co-operative efforts with our allies in an arrogant manner. Too often, we have reacted impulsively to situations, without taking into account the long-range potentialities of a situation. And many times, in many places, we find ourselves without friends.

For years, we talked about the rural-to-urban trend, about the migration of our people to the cities. And talk is about all we did, with the result that we created core city nightmares, suburbs without adequate transportation to places of work, air and water pollution problems and inadequately planned school, housing and medical facilities.

We have many problems and seemingly few answers. Yet, our situation is a little ironic. We are the richest and most powerful nation. We have offered our people more freedom, more opportunity than any other nation. We do today. At the same time, however, we have glossed over the problems which did exist. We have closed our eyes and wished they would go away. We have waited for things to work themselves out. And we have tacitly hoped, that no matter how little we did ourselves, a Supreme Being would take care of children, drunkards and the United States of America.

As a result, old problems still plague us, unsolved problems take on new faces and new complications and give rise to more intense problems.

In 1962 Michael Harrington published a book entitled The Other America. His subject was the poverty which exists in many of our large cities. Another author, Robert Hunter, wrote a book called *Poverty*, in which he defined the term as the condition in which persons "though using their best efforts, are failing to obtain sufficient necessities for maintaining physical efficiency." After studying all available statistics, Hunter concluded that "about 10 million Americans were living in poverty."

If the name of Robert Hunter is less familiar than that of Michael Harrington, it may be because Robert Hunter wrote in 1904.

People demonstrate—for civil rights, against the war in Vietnam, and for various other causes. But such activities are not without their antecedents. In the early years of our century, Susan Anthony waved picket signs for women's suffrage. The Women's Christian Temperance Union and the Anti-Saloon League carried their crusades into the bars and saloons themselves. The so-called "bonus army" of veterans marched on Washington in 1932 demanding cash bonuses and was dispersed only after regular troops had been called out.

And student involvement in such activities is not original with our decade. If today's anti-war signs say "Draft Beer, not Students" rather than "Schools, not Battleships," it may be because this is 1968 and not the 1930's. And, although there is undoubtedly a new dimension to student dissent today, the dissent itself is not new.

Racial riots erupt in Watts, Newark, Detroit and hundreds of other U.S. cities, including the nation's capital. Unfortunately, this is not singular to our times either. As early as 1844, there were anti-Irish disturbances in Philadelphia. Anti-Chinese disorders occurred in San Francisco in 1877. And, there are numerous instances throughout our history when riots involving Negroes and Whites have taken place, including Atlanta in 1906, Springfield, Illinois in 1908, East St. Louis in 1917 and Chicago, New York, Omaha and Washington in the summer of 1919, the summer the peace talks of World War I were concluded in Paris.

Furthermore, in testifying before the Kerner Commission, Kenneth B. Clark, characterized the commission reports which were issued on the 1919 Chicago riot and the Harlem riots of 1935 and 1943, as follows: "I must again in candor say . . . it is a kind of Alice in Wonderland—with the same moving picture reshown over and over again, the same analysis, the same recommendations, and the same inaction."

Today, some adults, including members of the academic community, encourage students to refuse to fight in Vietnam. Yet Charles Eliot Norton, Harvard professor emeritus at the time, advised students not to enlist for service in the Spanish-American War, because it was an "unrighteous war."

Pointing to antiwar demonstrators and draft card burners, some persons have concluded that the United States is losing its patriotic tradition. But it was in 1933 that the magazine, *The Nation*, after describing antiwar demonstrations, predicted, "It will take more than flag waving and bugle calls to empty the colleges for another war." Of course, only a few years later the colleges were emptied as Americans went to try where they had failed before "to make the world safe for democracy."

Unfortunately, the world is still not so safe for democracy—as evidenced by Cuba, Berlin, the Middle East, some of the developing nations and the Southeast Asia country of Vietnam.

Although negotiations are underway, we are still fighting a so-called "limited war."

Furthermore, we are told that our people are confused and uncertain about our involvement in this "limited" conflict.

But that is not so novel either. *U.S. News and World Report* once wrote "Down at the grass roots, what people want is peace, if they can get it. Failing that, they want to fight a war, when they must, that they have a real chance to win. They don't see this chance in an all-out war with Communist China." The same article quotes one person as saying "It's foolish to fight little fires until Russia is ready to launch an all-out attack," while another person suggests "pull all our men out, cut the losses short."

The article is 18 years old and refers, of course, to the Korean conflict.

Observers speak of a breakdown in respect for law and order. Organized crime is said to present a particular threat. If we refer to the problem today as organized crime rather than gangsterism or racketeering, it is perhaps because crime has become more subtle, more sophisticated, if you like. But to say that it is a recent threat is to ignore the Al Capone era and such things as the 500 gang murders which took place in Chicago alone between 1920 and 1929.

Likewise, to point to a moral breakdown among youth is to disregard much of what took place in the 1920's and to point to a Billie Sol Estes or other corruption in government is to forget a Tammany Hall, the teapot dome and a Boss Tweed.

This does not mean that our problems are the same as they were in previous years. In fact, the complexity and magnitude of these problems, and even their focus has changed dramatically.

What I am suggesting is that many of our problems are in general the old industrial-age problems in the new wrappings of a further developed technological and urbanized nation. We have, for example, had the problem of war before, but not the same threat of destruction. We have had poverty before, but not on the same scale; war demonstrations, but not with the same implications; a previous relaxation of moral standards, but not with the same results. We have had urban problems but not the questions of air and water pollution, rapid transit, health and educational manpower on the same massive level.

Yet, despite this increase in the scope and intensity of our problems, advanced technology and expanding educational opportunities have offered a new insight into our problems and an increase in the capacity for solving them.

More and more this capacity will now be exercised by you. This does not mean that you must reject all that has come before. Much has been done; much has been accomplished. And if it has been brought about in ways of which you disapprove, you must also remember that situations and events color outlooks. You have lived outside of the immediate influence of two events which had significant materialistic and profound psychological implications for your elders. These events were the depression and a world war. In the same way that these events influenced your parents' attitudes and outlooks, your life in a world of materialistic plenty and a world alerted to the potentialities of nuclear power has affected many of your attitudes and outlooks.

You have spent four years here in preparation for your life ahead. The question now is, "What are you going to do with that preparation?"

There are many places you can go from here. There are many things you can do. And there are many ways you can hide. You can put on flowers and robes, smoke one thing or another and find your own world. You can seek the ivy-covered walls of some other institution. You can find a slot in the bureaucratic jungle of the military-industrial complex or in a federal government agency. Or, you can find a job in a business which will let you melt into the chamber of commerce, the country club and suburbia and disappear from relevancy.

It is not, of course, your actual involvement in any of these groups or situations, which determines your life, but the attitudes which you take with you. Those attitudes decide whether your life is a venture or a retreat. I urge you to opt for the venture.

A retreat is only self-delusion. Government is not an impersonal institution which sits in Washington and disperses favors—either to those who clamor or to those who wait patiently. It is you. There is no one in the nation's capital with an endless amount of dollars or roads or schools or police protection. Government has only your money. It does only what is has been told or convinced that a majority of you want it to do. And it will survive only as long as it has your support and your willingness to make good. If all refuse to defend it or fail to labor to turn its resources to utilitarian goods and services, then it will not endure.

Likewise, society cannot be separated from its components. It is only as wealthy as the amount of goods and services which its members produce. Its activities are only as organized as the efforts of its citizens. Its social courtesies and pleasantries are only as genuine and widespread as each member takes it upon himself to make them. Its mores, attitudes and traditions are only as strong as its members' support and exist only as long as its members uphold them.

Thus, you determine, you influence, you destroy—or you abdicate responsibility entirely. Each day, no matter where you go from here, you accept or challenge. To a great extent, it makes no difference which you do. What is important is that neither your acceptance nor your challenge be a retreat—that your acceptance not be determined by laziness or unconcern or fear; that your challenge not be a dissent based on an inability or refusal to accept discipline and responsibility. Certainly dissent should be permitted, but it should be constructive and within the framework of the law.

Both government and society, then, can be your servant, or you can be their slave—depending on the role you choose to play. If you choose not to participate, you have given up a chance to help determine your own destiny and to ensure that many of your needs are met. And if you refrain from involvement, you surrender the right to disparage the policies and practices of your government and community.

You must choose your own course. Involvement will not always be easy and it will not always come out right. Life is a combination of victory and defeat. But if victory were always predetermined, there would be no challenge; and if defeat were always certain, there would be only eternal frustration.

I cannot give you the answers, but I can tell you that you must try, with me, to find them. Cities are not built without strength and youth and ideas and ideals. And dreams are not brought to fruition by the noise of demagogic oratory and violence, but by the reasonable and responsible comination of thought, discussion and action. The future of our government, our society, our nation, and perhaps the world, depends on individual effort, individual ability, individual commitment and constructive individual involvement. Justice Oliver Wendell Holmes, Jr., once noted, "I think that, as life is action and passion, it is required of a man that he should share the passion and action of his time at peril of being judged not to have lived."

I again urge you to make your life a venture and wish you well.

McGEE SENATE INTERNSHIP CONTEST

Mr. McGEE. Mr. President, for several years it has been my good fortune to be able to conduct for high school students in my State of Wyoming the McGee Senate internship contest, which brings back to Washington one boy and one girl for a week of observing democracy in action—here in the Senate and in Washington.

As a part of the contest each student was required to complete an essay on "What's A Fair Draft Policy?" This year, as I am each year, I was impressed with the depth of understanding and the dedication to our democratic principles displayed by these young people in their essays. This topic is one of vital interest to this age group, and their essays reflect sound reasoning which should be of interest to us all. For the participants, the topic took on added importance when it was subsequently chosen as the national high school debate topic.

Of course, it would be impossible for everyone to read all these essays, but I think some of the most outstanding ones selected by an impartial panel of three judges should receive wider circulation, and I ask unanimous consent that two of these essays, written by Miss Mary Margaret McKeown, of Casper, Wyo., and Jay H. Jolley, of Lovell, Wyo., which received honorable mention in the McGee Senate internship contest, be printed in the RECORD.

There being no objection, the essays were ordered to be printed in the RECORD, as follows:

THERE'S A COUNTRY TO SERVE

(By Margaret McKeown)

Draft card burner! Rioter! Traitor! These are the cries of the American people. They give evidence to much of the discontent about those who do not comply with the present draft laws. Although it is a basic American right to dissent and express one's opinion, recent demonstrations against the draft have gone far beyond the original right to dissent. It has even been suggested that it may be a Communist conspiracy that provokes the demonstrations. "With this build-up of discontent and doubt about our draft system, a major facet of our government, it would be frivolous to ignore it." Instead, it is our duty as American citizens to inform ourselves before passing judgment and then join in an effort to correct the wrong or supposed wrong. A challenge has been put before us and it now becomes a challenge to protect our United States.

Those dissenting often ask why it is necessary to maintain such a military force for a strong world power. They doubt the worth of serving in a military regiment, for they have not looked into the future. Our changing world can no longer conform to standards of the past, it must create and conform to ideas and practices applicable to the present and future. For this reason it is not only logical but vitally necessary to maintain a large military force. The rise of new world powers, technological advances, perfection of nuclear missile facilities, and the position of the United States in the world today have created the situation. Our ideas and practices must now be ready to meet that situation.

With Communist advances not only in the Middle East, but in Cuba and South America, the security of our nation becomes less stable. Our security is dependent upon the security of our fellow nations in today's world. As they become less powerful, we too must re-evaluate our status and strive hard to maintain our position. One of the best ways to do so is the establishment of a substantial military power.

When other nations continue to increase their armies and expand military facilities, would it not be dangerous for us not to do the same? To protect themselves these nations produce armies that show progressing quality with each passing year. Will we meet that advance?

Now that the necessity for maintainment of a substantial military force has been established, the question arises as to the best type of system to obtain people for our country's defense purposes. Before outlining one of the systems that perhaps, is one of the fairest and most advantageous, one should first consider two other basic arguments and then relate their favorable points to the proposed system. These two considerations are the voluntary service method and the universal draft method.

Lately there has been wide acclaim for a voluntary service method. This type of system would involve a pay increase and an attempt to make serving in the armies an attractive career. Unfortunately, we can only hope for such a program. The situation before us demands a large force and this system could not supply such a force. Also, it would not attract the men who excell in their field, for the military certainly could not compete with private industry. This would create a force lacking in many technological aspects. Representative Stratton, a Democrat from New York, reported that this kind of change would cost us six to twelve billion dollars annually. Thus, a defense system of this type would lack in both quality and quantity.

In view of this, others have proposed a universal draft. In this sense, they mean a "really" universal draft. Women would be taken out of the homes and put into service. Throughout the ages, although women may have been suitable for such service, their place has been in the home. To raise and provide for leaders of the future should be a woman's role.

On the basis of the advantages and disadvantages of these ideas, I believe there can be a system that would be a more probable solution in light of its combined advantages. The editor of "science" spoke of a similar idea, but he merely employed the use of the "prime-age" group.

Those who are first eligible for the draft, men between the ages of eighteen and twenty-two are undoubtedly most fit for service to their country. They are young, physically fit, and hold a great spirit of adventure. For these reasons it is to the Army's advantage to contain as many of these men as possible. Under my suggested solution, there will be three primary age groups; the "prime-age" group, ages eighteen through twenty-two, a "middle" group, ages twenty-three through twenty-seven, and the last group composed of those twenty-eight or older. It would be set up entirely on a lottery basis, thus avoiding accusations of possible partiality. It is only practical because of population density to have the system set up within the states. When the Defense Department issued orders for a certain quota, the request would be filled in proportion to population and men eligible to serve. Eligibility here is stated merely as the attainment of the age of eighteen. Most of the draftees should be from the group that is beneficial to the nation, this group being the "prime-age" group. The remainder of the needed men would be drawn from the other two groups.

Strict stipulations are necessary for college students. The draft call would be issued at a time such that those planning to enter college would know whether or not to complete their plans. If this type of person were not drafted at this time, he could not be conscripted during his initial four years in an institution of higher learning. Higher learning being here not only a college or university, but also art, trade, and apprentice type schools. After graduation he would once again be up for draft, but if he were not taken at this time, he could enter graduate school and once again be exempt from the draft until after graduation. Any schooling after graduate school would not be considered reason for deferment.

Men out of the first four years of college or schooling or graduate school would be put back into the lottery with the "prime-age" group. A continued existence of this plan would create a mixed selection from the initial "prime-age" group. Those not entering school and not drafted while they were in that category would then be in the "middle" group. This would continue until they were in the last group. The last two groups would be smaller, but a larger proportion compared to the size would be taken from them so as to include these men in the service. If, at the age of thirty, a man by some unlikely chance had not been drafted he would be the first to be drafted during a draft call.

Deferment should be closely limited and examined. Those physically disabled or some who are or claim to be conscientious objectors shall be drafted and put in non-combat duty. There are also places for these people in positions that civilians now occupy and adoption of this method will allow for a cut in the civilian payroll. Only men with prison records, proven mental defects and disabilities that would prevent any type of work involved in the defense program would be given exemptions permanently.

Certain questions would again arise as to the practicability of this possible solution. The advantages of this method will be further discussed.

Now there is a looming uncertainty for men hoping to enter or finish college. Letting them complete their education benefits not only them, but the Army and the country as a whole. By permitting them to finish this education and then putting them back into the group from which the majority of the draftees are taken, the service will gain an advantageous variety of men, many of whom will have had training and education applicable to their assignments in the Army.

The lottery system to be conducted under military and civilian supervision is an advantage for all. Too many of the agitators today claim that they are not chosen fairly for the draft. Whether or not these accusations are true, an attempt must be made to eliminate them and provide for acceptance of the draft system.

"Hippies" or "flower children" in today's society would be given the same consideration as the "scholars". It is assuredly unfair to favor one group, for in accordance with our basic beliefs, both are equal.

A limited amount of deferments will create a more equalized system. Today many civilians are employed in jobs that can be filled by the increased amount of men obtained due to fewer deferments. An equalized method provides an opportunity for individuality. As each person enters the Army, he is considered on the same level as his comrades and only through his initiative and achievement will he be different. This would be a very favorable condition for character development.

To establish, maintain, and sustain an army with both quality and quantity is, at least, a most difficult task. Public interest and cooperation helping to fulfill the challenge of protecting our nation will be a step toward fulfillment of the task before us. But, as John F. Kennedy once told us, "American citizenship involves duties no less than privileges."

WHAT IS A FAIR DRAFT POLICY?

(By Jay H. Jolley)

I am a male approaching draft age; therefore I am vitally concerned with the "draft system" or any of its replacements. Until man has found a way to stay at peace with his fellows, there is not any doubt about the need for a method of retaining a defense force. I strongly believe that the fairest possible method is the Universal Military Training System. In this essay I am going to prove this statement.

Before I go about working up a new draft policy, I am going to point out the inequities and deficiencies in the old system. First of all, wars are always going to be unfair to the youth who have to fight them. The injustice, however, in the present system is much more prevalent than necessary. In the present system many unnecessary deferments are given. Students taking undergraduate or graduate courses in college were automatically given deferments. This action created a rather privileged class. The IA classed potential draftees cried that this made the draft system a "poor man's army". They pointed out that the boys who could afford to go to college "bought" their way out of the draft. Married men also received deferments. Many men not yet ready for marriage jumped at the chance to "sneak" out of the draft.

When the Viet Nam conflict necessitated a change, only married men with children received deferments. Men began to father children as soon as possible after marriage. This is known as "babying out". With the many deferments being given for almost any reason, the ones who are drafted develop a "sucker" complex. The men become more interested in finding loopholes in the draft than they are in serving their country. They become militant in their refusal to fulfill their obligations to their country. This is evident in the marches, riots, and other demonstrations being staged against the draft. I believe that the injustice in the present system is killing the patriotism in our youth. A change is needed and *now!*

The change should be to Universal Military Training. Of course, Universal Military Training would have its problems too, but they could be worked out. In the long run it would be a much better program. The framework of the Universal Military Training that I propose would be this: Every eighteen year old male would serve in one of the armed forces. Only the lowest minimum of exceptions would be permitted; the mentally retarded, and those with some drastic physical defect. For instance, a person born without the use of a limb could be given tasks that he could perform. This would better prepare him for a more normal life. Upon his eighteenth birthday if he is still in high school or college the trainee would be allowed to finish the school year.

The new draftees would choose between joining the regular armed forces for a two year hitch or staying within the Universal Military Training program. In the regular armed forces they would receive all the pay, privileges, and benefits due the regulars. In Universal Military Training they would receive clothing, shelter, sustenance and other necessities but only a small stipend. Five or ten dollars for pocket change for extras. The trainees would spend their year in military training and other instruction necessary to military, and all-round preparedness. Also the trainees would be used in time of emergencies such as: floods, storms, riots, and fires. After serving their year of active duty, the Universal Military Training trainee would spend two weeks of his summer in a "refresher" camp. He would continue coming to these camps until age thirty-five at which he would go into the reserves. In this way America would have a continuous regular armed force, yet the rest of the total manpower of the country would have had some military training, and could be available as a backup force.

In preparing a new draft policy, certain objectives must be met. The system must be able to supply the men needed in our armed forces. It must be able to "enlarge" itself in times of emergency to bring great numbers of additional men into our armed forces. It should also build physical fitness and self-discipline in the young men. The system should accept the large number of presently unnecessarily exempted boys.

It should include those who are exempted because of moderate or correctable disabilities. The system should as far as possible eliminate the present unfairness. The system should create a desire for a man to serve his country.

Universal Military Training completes these objectives very well. With two million boys becoming of age eighteen every year, there isn't any doubt that Universal Military Training could not supply the men needed in the armed forces. In times of emergency it could bring almost the total manpower of the United States into action already trained. If every young male went through a year of intensive military training, it would bring forth the qualities of physical fitness, and self-discipline. It would better prepare him for life. It would give to many presently exempted boys the chance to gain the benefits of Universal Military Training and to serve their country. By taking almost all of the young men Universal Military Training eliminates the idea of a "poor man's army." With the unfairness eliminated, the men would be able to gain a sense of pride in serving their country.

The following is a quote from former General and former President of the United States, Dwight D. Eisenhower. "During the years in which I served as Chief of Staff of the Army, I tried hard but unsuccessfully to persuade Congress to establish a sound system of Universal Military Training in this country.

"I felt that UMT was desirable not only from the standpoint of military preparedness, but for reasons of fitness and discipline among our youth. I also believed that it would provide the fairest approach to the always thorny problem of manpower procurement."

Universal Military Training would be a practical and workable plan. Universal Military Training would also be the *fairest* policy possible!

SUPREME COURT NOMINATIONS

Mr. GRIFFIN. Mr. President, in light of the current controversy over the nominations made by the President to the Supreme Court and the propriety of a member of the Federal judiciary participating in the actions and decisions of the executive branch of our Government, I ask unanimous consent that the following article which appeared in the American Bar Association Journal for August 1947 be printed in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

[From the American Bar Association Journal, August 1947]

INDEPENDENCE OF JUDGES: SHOULD THEY BE USED FOR NONJUDICIAL WORK?

(Note.—The nominations, by the President, of Judge Marvin Jones, of Texas, to be Chief Justice of the Court of Claims and of United States District Judge John Caskie Collet, of Missouri, to be a judge of the United States Circuit Court of Appeals for the Eighth Circuit, were deemed by the Senate Committee on the Judiciary to call for a report and commentary on the undesirability of the practice of calling on judges of the Courts of the United States to perform tasks, perhaps political as well as controversial, in Executive departments and agencies of the federal Government. This aspect as to Judge Jones had been adverted to in the *Journal* at the time of his nomination (33 A.B.A.J. 271; March, 1947), and as to Judge Collet, at the time his non-judicial services had been performed, as cited in the Committee's statement, (32 A.B.A.J. 279, 682; May and October, 1946; see, also, 33 A.B.A.J. 710; July, 1947).

(The Senate Committee reported the Jones and Collet nominations favorably, and they were confirmed on July 8. The selection of Judge Collet had been approved by our Association's Committee because of his State and federal judicial experience and his qualifications for promotion. Judge Jones had been nominated before our Association's Committee had begun to function, and his nomination was not referred to the Committee for action. The statement from the Committee on the Judiciary, as submitted to the Senate on July 2, went deeply into the question of using judges for nonjudicial services in Executive agencies of the Government, and brings to the fore again an issue which has been vigorously debated in the House of Delegates and also discussed in an editorial in the *Journal* (32 A.B.A.J. 862, 863; December, 1946), as well as in previous issues. In that editorial the significant views of Justice Robert H. Jackson, generally adverse to the practice save perhaps in limited and extremely emergent circumstances, were cited.

(A significant feature of the report is the extent to which it cites our Association's Canons of Judicial Ethics, the Opinions of the Committee on Professional Ethics and Grievances, and other matter published in the *Journal*. We give the report of the Senate Committee in full.)

On this occasion your Committee has been requested to go beyond the simple report on these nominations and to offer some commentary on the propriety of employing Court justices in Executive agencies of the Federal Government.

The growing practice of drafting judges to fill Executive posts is a matter of serious concern. Justices of the Supreme Court have been used in this manner, as in the case of Justice Roberts in the Pearl Harbor inquiry and Justice Jackson in the Nuremberg trials. In like manner Federal Circuit Judges, District Judges, and justices of the Court of Claims, have been called upon to perform executive and other nonjudicial functions.

Sometimes the assignment results in the permanent withdrawal of the judge from the Nation's judiciary. At other times the judge is merely "borrowed" for temporary Executive duty and then is returned to the bench. On still other occasions the judge leaves one judicial post to engage in Executive activities and is subsequently appointed to another judgeship often higher in rank than the one previously held.

Seriously disturbed by the growing frequency of this practice, and deeply concerned about its effect on the Nation's judiciary, the Committee requested this report on the subject.

LEGAL STATUS OF THE QUESTION

Existing law does not provide adequate rules of conduct for all the situations involved in this practice. On the contrary, the propriety of taking men from the bench to fill Executive posts is governed almost wholly by judicial ethics and public policy. The problem is presented in its most acute form when a federal judge is asked to act in some other official capacity in the Government without resignation from his office as judge.

The only statutory restriction upon such a practice is found in the Act of July 31, 1894 (sec. 2, 28 Stat. 205, 5 U.S.C. sec. 62, as amended), which provides in part that—

"No person who holds an office the salary or annual compensation attached to which amounts to the sum of two thousand five hundred dollars shall be appointed to or hold any other office to which compensation is attached unless specially authorized thereto by law . . ."

Even this law has been weakened by rulings which narrowly confine its operations. The word "office", for example, has been construed to apply only to "constitutional" offices, thus creating a large number of instances in which judges may accept nonjudicial posts wholly outside the statutory restriction.[1] Where the nonjudicial office carries with it no compensation, the statutory restriction does not apply at all.[2] Yet it is precisely this class of cases which raise the most serious questions of public policy.

When historical precedent is examined, it appears that the practice of using federal judges in non-judicial capacities has been defended in some quarters and strongly disapproved in others.[3] A dearth of capable men in the early public life of the Nation gave rise to the frequent use of judges in nonjudicial activities, but objections to the practice were voiced by many, including Jefferson, Madison, and Pinckney. It was said that the choice of federal judges for nonjudicial duties made the bench an "annex" of a political party and an "auxiliary" to the Executive. The situation was criticized as "unwise and degrading."[4]

Where the pratice is infrequent, it may well be reasoned that the situation will take care of itself; but where there is an increasing tendency to draft members of the judiciary for executive and nonjudicial duties, as is the case in modern times, the propriety of the practice should be examined anew if the integrity of the judiciary in American life is to be preserved.

INDEPENDENCE OF THE JUDICIARY

When the architects of the Constitution embodied in it the principle of the separation of powers—legislative, executive, judicial—they wisely gave to each the power to resist encroachment on the part of the others.[5] Strongest of these powers in the case of the judiciary is independence of the judges maintained by security in tenure of office, by fixed salaries, and by clear delineation of jurisdiction. "The judiciary," wrote Hamilton, "is in continual jeopardy of being overpowered, awed or influenced by its coordinate branches."[6]

What may happen to judges in the exercise of their judicial functions if the tendency increases to appoint them to Executive offices? Will it not be difficult for them to maintain the integrity and independence of the judicial office if the practice becomes common of selecting them for executive positions carrying exceptional privileges and prestige? Would not the suspicion be ever present that the President might gain desired ends by favoring judges in Executive appointments? Ill motives need not be charged at all; they will be present as a matter of course where the situation, by its very nature, carries the seeds of suspicion.

How would the people regard a judiciary whose members were judges today, high public officials in the Executive branch tomorrow, and perhaps judges again when the Executive mission is ended?

The whole independence and integrity of judicial office must at least be embarrassed, if not compromised, by the easy flow from bench to political office. Yet this is where the practice of appointing judges to Executive offices tends to lead.

FREEDOM OF CHOICE

It is well settled that judges of constitutional Courts cannot be compelled to perform nonjudicial functions or duties.[7] Whether they may do so voluntarily at the behest of the Chief Executive is another matter. Elements other than statutory are present. Public opinion is a compelling factor. It is difficult for a judge to refuse the Executive when the request is placed on the plane of patriotism in time of war. Even without the compelling argument of war a judge is embarrassed in refusing an appointment when urged to serve on the grounds of indispensability, even though the doctrine of the indispensable man has no real place in American public life.

---

[1] 22 Op. Atty. Gen. 184 (1898).

[2] 40 Op. Atty. Gen. 99 (1945.

[3] Opinions of the Atty. Gen., ibid. See also Frank; *If Men Were Angels* (1942) pages 218–219; Comment (1938) 7 J. B. A. Kan. 172.

[4] See account in 1 Warren, *The Supreme Court in United States History* (rev. ed. 1935), pages 167–168.

[5] Federalist, No. 51.

[6] Ibid, No. 78.

[7] *Hayburns Case* (1792), 2 Dall. 409; *Muskrat* v. *U.S.* (1911) 219 U.S. 346; Harris: *The Judicial Power of the United States* (1940), pages 45–51.

Personal motives may easily join with the urgent call to duty in exerting strong pressure on the judge to accept nonjudicial appointments. Ambition is a wholesome human trait and judges are human. If it becomes common to expect Executive appointments, judges may slip into that frame of mind which seeks promotional opportunity at the hand of the Executive and the quality of the judicial character may be impaired. This could take on an ugly political tinge if judges came to see in the Executive appointment a chance to advance themselves politically or a chance to aid the Chief Executive politically.

Thus, while judges may not be compelled to accept executive posts, their freedom of voluntary choice is readily susceptible to strong public and personal forces. The judge is placed in a worse position than that of mere embarrassment; except in rare cases he has little freedom to choose. It is not conducive to an independent judiciary or in keeping with public respect for the impartial dispensation of justice to place judges in a position where they may feel the pressure or influence of the Executive branch.

ETHICS

In the realm of judicial ethics, one of the great figures in Anglo-American law, Sir Matthew Hale, when he became in 1660 the Chief Baron of the Exchequer, laid down the precept "to be continually had in remembrance" that—

"I be wholly intent upon the business I am about, remitting all other cares and thoughts as unseasonable, and interruptions." [8]

It was on this ground that Justice Harlan F. Stone declined to consider the chairmanship of the Atomic Energy Commission in September 1945. In a letter to Senator Arthur H. Vandenberg, Justice Stone observed that—"the duties of a Justice of the Supreme Court of the United States are difficult and exacting. Their adequate performance is in a very real sense a 'full-time job.' I have accepted the office, and acceptance carries with it the obligation on my part to give whatever time and energy are needful for the performance of its functions." [9]

Bar Associations have long been aware of the need to safeguard the independence of the judiciary and to preserve its high quality. The Canons of Judicial Ethics of the American Bar Association admonish a judge not to accept "inconsistent duties" (Canon 24); that "his conduct should be above reproach" (Canon 34); and that he may not practice law; although he may "act as arbitrator or lecturer upon or instruct in law, or write upon the subject, and accept compensation therefor" but only so long as "such course does not interfere with the due performance of his judicial duties" (Canon 31).

Upon another occasion the American Bar Association's Committee on Professional Ethics and Grievances was asked to rule whether a judge might also properly hold an office in another branch of the Government—such as the executive. The Committee held that this was clearly improper, since it "might easily involve conflicting obligations." [10]

It was on this ground that Justice Stone declined a second opportunity to serve in the executive branch of the Government. It was proposed to make him the decisive arbiter of a five-man United States Ballot Commission set up to handle the problem of soldier voting during the late war. In response to a request for his views, the Justice wrote:

". . . I regard the performance of such a function as incompatible with obligations which I assumed with the office of Chief Justice, and as likely to impair my usefulness in that office.

"It is enough to say, without more, which might be said, that action taken by the Chief Justice in connection with the administration of the proposed legislation might become subject to review in the Court over which he presides and that it might have political implications and political consequences which should be wholly disassociated from the duties of the judicial office." [11]

In light of the above Canons, the Committee on Professional Ethics and Grievances of the American Bar Association was asked to rule whether it was proper for a judge to conduct, for a newspaper, a column of comment on current news items and matters of general interest. The Committee held that, while such conduct involved no wrongdoing, it was not in accordance with Canon 24 that a judge should not accept "inconsistent duties," and that such activity might lead, or be thought by the public to lead, "to impairment of judicial efficiency." It was also pointed out that since Canon 34 requires judicial conduct to be "above reproach, any activity which may be viewed with disfavor by many people as not consistent with judicial obligations comes within the scope of the Canon.[12] In the same vein, a former judge has written that a judge—"should not allow other affairs . . . to interfere with the prompt and proper performance of his judicial duties . . ." [13]

THE CHARACTER OF THE JUDGES MUST BE IMPECCABLE—THE OFFICE INVIOLATE

It should be remembered that a judge is the human embodiment of an office dedicated to impartial justice and fair dealings—an office which must have and demand the highest public respect. Many forms of activity which are permissible in the ordinary affairs of the everyday world are not permissible to the bench. A judge who embarks upon official nonjudicial activities in another branch of the Government lays himself open to the charge that he is undertaking "conflicting obligations" or "inconsistent duties";[14] that in spirit he is violating the doctrine of the separation of powers;[15] and that in discharging his nonjudicial duties he is neglecting the proper performance of the judicial ones.[16]

Such charges or beliefs, even if entertained only by a few, may readily bring the bench into reproach.[17] While it has been argued that a judge may properly act in two separate capacities, one judicial and one nonjudicial,[18] this ignores the human element that the same man is the tangible representative of intangible offices. He cannot be divided in fact or in spirit so that at one time he sits as judge and another as a public official of a nonjudicial character. The detachment with which judges normally surround themselves, and which the public expects, is one of the safeguards of the proper administration of justice.[19] The mantle of judicial probity cannot and should not be worn or laid aside as convenience suits. Particularly in matters of internal concern, to step from the justice seat to next day direct participation in controversial public activities "runs counter to accepted ideas of propriety" and brings judicial and other affairs into too close an association.[19]

FEDERAL JUDICIARY MUST MAINTAIN THE HIGHEST STANDARDS

The high standard demanded of the Federal judiciary and its complete attachment to things judicial should not be subjected to the disintegrating erosion of particular exceptions. The business of judges is and should remain judging. The great respect with which courts generally, and the federal judiciary especially, are regarded has been attained through an unremitting devotion to the highest ideals. At one time in Anglo-American history, judges were in low repute because of their improper conduct both on and off the bench.[20] The personal touch in judicature may be a blighting touch, and even slight deviations from a superior norm of behavior may destroy the respect of Courts as tribunals of impersonal justice. In the words of Judge Bond:

"Perhaps it is only by preserving the conception of a court of justice as something larger than the men who carry it on, as something which transcends them, and compels their reverence, that the ground gained through the centuries and left to us of the later generations, can be held secure." [21]

DUTY OF THE EXECUTIVE

Where there are no legal rules of conduct precisely laid down in statute law, and where the judge may be in a difficult position in declining the request to serve in an executive post, the burden of discretion falls heavily upon the Chief Executive. He must exercise exceptional care in making appointments of this kind.

The nominating power is far reaching; it has significances and implications not always easy to see. An Executive appointment praiseworthy in the public service may imperceptibly work greater harm to the judiciary. The Executive must forbear the temptation of using judges for their presige. He must decline to use public opinion against the bench. Judicial eminence is the great intangible value of public faith in justice; and faith in public institutions is the very foundation of the good society.

UNDESIRABLE RESULTS

In cases where federal judges accept the responsibility of extrajudicial duties or functions in the executive branch of the Government, several undesirable results may follow:

(1) Reward may be conferred or expected in the form of elevation to a higher judicial post.[22]

(2) The judicial and Executive functions may be improperly merged.[23]

(3) The absence of the judge from his regular duties increases the work load of

---

[8] Warvelle: *Legal Ethics* (1902), pages 207–208; Hale: *History of the Common Law* (1792, 4th ed.), pages xv-xvi.

[9] Congressional Record, 79th Cong., 1st sess., (September 25, 1945), vol. 91, pt. 7, pages 8950–8951.

[10] Opinion No. 22, January 24, 1930.

[11] Letter from Chief Justice Harlan F. Stone to Senator Arthur H. Vandenberg, November 22, 1943, Congressional Record, 78th Cong., 1st sess., vol. 89, pt. 7, page 9791.

[12] Opinion No. 52, Committee on Professional Ethics and Grievances, American Bar Association, December 14, 1931.

[13] Andrews: Judicial Ethics—The Judge and His Relations to the Lawyer, the Jury, and the Public (1935), 9 Florida Law Journal, pages 525, 529.

[14] Opinion No. 22, Committee on Professional Ethics and Grievances, American Bar Association, Jan. 24, 1930; Opinion No. 52, op. cit. *supra*, Dec. 14, 1931.

[15] See I. Warren: *The Supreme Court in United States History* (rev. ed. 1935), pages 167–168.

[16] Opinion No. 52, op. cit. *supra*, Dec. 14, 1931.

[17] Carter: *Ethics of the Legal Profession* (1915), page 78.

[18] Frank: *If Men Were Angels* (1942), pages 218–219.

[19] *Judicial Detachment* (1935), 11 *New Zealand Law Journal*, page 216.

[20] Bond: *The Growth of Judicial Ethics* (1925), 10 Massachusetts Law Quarterly, page 1.

[21] Bond: *The Growth of Judicial Ethics* (1925), 10 Massachusetts Law Quarterly, page 20.

[22] See also 1 Warren, *The Supreme Court in United States History* (rev. ed. 1935), pages 120–121.

[23] Ibid., pages 119–120.

the other judges of the Court, if any, and may result in an impairment of judicial efficiency in the disposition of cases.[24]

(4) Nonjudicial activities may produce dissension or criticism and may be destructive of the prestige and respect of the federal judiciary.[25]

(5) A judge, upon resumption of his regular duties, may be called upon to justify of defend his activities under an Executive commission.[26]

CONCLUSION

The Committee on the Judiciary of the United States Senate declares that the practice of using Federal judges for nonjudicial activities is undesirable. The practice holds great danger of working a diminution of the prestige of the judiciary. It is a determent to the proper functioning of the judicial branch of the Government.

The Committee is not now disposed to recommend legislative action. It believes the remedy lies, in the first instance, in the good sense and discretion of the Chief Executive. His is the prime initiative in the matter of these appointments and that is the point where the independence of the judges and the prestige of the judiciary may best be preserved.

LIST OF SOME FEDERAL JUDGES WHO HAVE BEEN COMMISSIONED BY THE PRESIDENT FOR DUTIES OTHER THAN THOSE OF THE FEDERAL BENCH

Although the following list is not exhaustive, it contains some of the more recent appointments of federal judges to executive and nonjudicial posts:

Associate Justice Owen J. Roberts: In 1942 acted as chairman of a committee to investigate the Pearl Harbor disaster.[27]

Associate Justice Robert H. Jackson: Appointed on May 2, 1945, as United States chief counsel for the prosecution of Axis criminality before an international military tribunal.[28]

Circuit Judge John J. Parker: Appointed October 15, 1943, as member of Advisory Board on Just Compensation, to assist the War Shipping Administration; reappointed September 10, 1945.[29] Also appointed in 1945 as alternate judicial member of the International Military Tribunal for trial of persons charged with war crimes; no compensation.[30]

Circuit Judge Learned Hand: Appointed October 15, 1943, as member of Advisory Board on Just Compensation, to assist the War Shipping Administraion.[31]

Circuit Judge Joseph C. Hutcheson, Jr.: Appointed October 15, 1943, as member of Advisory Board on Just Compensation, to assist the War Shipping Administration; reappointed September 10, 1945.[32]

District Judge John C. Collet: Acted as Chairman of Economic Stabilization Board.[33] Later, in 1946, undertook further duties as "over-all associate" of Director John R. Steelman, in Office of War Mobilization and Reconversion.[34]

Justice Marvin Jones, of the Court of Claims, served as assistant adviser to the Honorable James F. Byrnes, chairman of the American delegation to the United Nations Conference on Food and Agriculture. On June 28, 1943, he was appointed United States Food Administrator. After an absence of some three years he was appointed Chief Justice of the United States Court of Claims.

Judges Mathew McGuire and Alexander Holtzoff, of the United States District Court for the District of Columbia, left the bench to assist the Army and Navy in the renovation of their court-martial systems.

Judge Simeon Riskind, of the District Court for the Southern District of New York, aided a survey of the problems of the Jews in Germany.

Judge Peirson Hall, of the District Court of the Southern District of California, assisted the Army in the review of court-martial sentences.

Judge Joseph W. Madden, of the Court of Claims, went to Germany in July 1945 on leave of absence to become a legal adviser to the United States Military Governor of Germany.

SBA AIDS MAINE POTATO FARMERS

Mr. MUSKIE. Mr. President, the farmers of Maine are justly celebrated for growing the finest potatoes that anyone can produce. The popularity of Maine potatoes is demonstrated by the fact that Maine produces one out of every seven potatoes grown in this country.

But agriculture and industry are closely allied. They are mutually dependent. Agriculture cannot prosper without modern marketing and shipping facilities.

The H. Smith Packing Corp., of Mars Hill, Maine, one of the most modern plants of its kind in the country, is Maine's largest potato storage facility designed for fresh potato shipments.

This company, combining agricultural excellence with improved processing techniques, has made successful and imaginative use of a Small Business Administration loan. The Mars Hill experience is a fine example of the increasing trend toward the creative use of Federal funds to benefit both the producer and the consumer.

I share with the people of Mars Hill and the rest of Maine their pride in this new facility and in the reputation the firm has earned as a packer and shipper of high-quality Maine potatoes.

The story of this remarkable facility, and of the part the Small Business Administration played in making it possible, was brought to mind by an article published in the newspaper Potato Counciller.

Because of its interest to all small businessmen, and particularly to the people of Maine who derive their living from the potato industry, I ask unanimous consent that the article be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

SMITH STORAGE IN MARS HILL MAINE'S LARGEST MODERN PACKING PLANT

The H. Smith Packing Corporation's new plant in Mars Hill is Maine's largest potato storage designed for fresh shipments, and one of the most modern packing plants in the state.

The huge storage and packing facility is a Stran-Steel building with concrete floor and steel partitions. The storage building, measuring 140 by 320 feet, contains 23 bulk bins, each with a storage capacity of 15 cars of potatoes. Each bin has an outside door for loading. The main walk or rollway runs between the bins. The storage has a total capacity of 140,000 barrels, or about 420 cars of potatoes. The 70 by 140-foot grading and packing wing is at right angles to the storage structure.

Eight automatic forced air ventilators, each with a gas heating unit, take care of ventilating and heating the storage bins. The heating and ventilating units are equipped with low limit thermostats as a safety feature. The entire plant is sprinklered.

The plant has a complete Meuret fluming system, built in Oregon, to move the potatoes from the bulk bins to the grading line. A flume in the center of each bin runs to the central flume which runs the length of the rollway to the packing shed. A slope of one inch to ten feet in the bins moves the potatoes into and along the bin flume to the main flume.

When the potatoes reach the packing room, a Draper chain pulls the tubers out of the flume and into the pump, with variable speed control to maintain the desired volume of potatoes entering the grading line. A rock eliminator gets stones out of the potatoes before they enter the pump, which lifts the tubers about 15 feet to the grading line. Head of water gravity flow is used to flume more potatoes.

The plant is now using water from a drilled well which has a capacity of more than 4,000 gallons an hour. An eight-inch main has been laid to connect the plant to the Mars Hill municipal water supply.

The grading and packing plant has completely new and modern equipment, most of which was custom built by WASA of Mars Hill. The washing and drying unit was built by Boneville Manufacturing of Presque Isle.

Equipment includes a 14-head Baker bagger, and an Adcox-Smith electronic sizer for packing count boxes.

Most of the potatoes in the new Smith storage are of the Russet Variety, and the fluming system and full grading line is used only for Russets. All the potatoes are bagged, boxed, or loaded in bulk for some commercial outlet as they run through the grading line.

Size B potatoes are bagged for shipment to such processors as salad makers and prepeeling plants. Off grades are trimmed and graded as U.S. No. 2, and shipped in bulk to french fry plants.

Expanding roll sizes take off the top grade potatoes in three sizes. Ten-ounce bakers are drawn off to the one table, and 6 to 12 ounce tubers are perfectly graded by the electronic sizer for count boxes and tray packs. The U.S. 1 size A potatoes go to the Baker bagger to be loaded in consumer packs—5 and 10 pound poly or mesh bags.

The Smith storage contains some Katahdin type potatoes this season, and the round whites are handled dry, brushed and graded out of the bin.

"This is basically a Russet deal," Herschel Smith, head of the firm commented. "The plant is designed and built for storing fluming, washing, and packing Russet Burbanks and Norgold Russets."

The plant can set 10 rail cars and three trailers outside the building at one time, and four trailers can be set inside the building for loading in severe cold weather. The packing plant has a capacity of about 10 cars a day. With the plant running at full capacity, 65 to 75 people would be required for the grading and loading operation.

The Smith firm will own about 1,500 to 2,000 acres which will be planted to potatoes this season, either grown by the firm itself or contracted. Herschel Smith said this year's plant will be mostly Russet Burbanks, with about 300 acres of Norgold Russets.

---

[24] See 15 L. W. 3109, "Review of Supreme Court's Docket," pointing out that with the resumption of a full bench at the beginning of the 1946–47 term, 14 cases from the previous term were scheduled for reargument before the full bench.

[25] 1 Warren, op. cit., pages 119–121, 167–168.

[26] 1 Warren, op. cit., *supra*, pages 119–120.

[27] 40 Op. Atty. Gen. No. 99 (1945); Frank, op. cit. *supra*, page 219.

[28] Seen Gregory, *Murder Is Murder and the Guilty Can Be Punished* (1946), 32 American Bar Association Journal, pages 545, 546.

[29] Executive Order 9387, 8 Fed. Reg., page 14105; Executive Order 9611, 10 Fed. Reg., page 11637.

[30] 40 Op. Atty. Gen. No. 99 (1945); 31 American Bar Association Journal, page 515 (1945).

[31] Executive Order 9387, 8 Fed. Reg., page 14105.

[32] Executive Order 9387, 8 Fed. Reg., page 14105; Executive Order 9611, 10 Fed. Reg., page 11637.

[33] 32 American Bar Association Journal, page 279 (1946).

[34] 32 American Bar Association Journal, page 682 (1946).

ASSISTANCE FOR RETURNING VIETNAM VETERANS

Mr. JAVITS. Mr. President, on May 11, 1968, a group of Federal, State, and local officials and representatives of New York State's veterans organizations and of a wide variety of local community and service organizations met in New York City at my invitation. The objective of this conference was to discuss public and private programs of assistance for those Vietnam veterans who are returning to homes in city slums or areas of high unemployment. Too many of these men, who have gained new self-assurance and belief in their own abilities, are unable to find proper housing or adequate jobs or job training, upon their return to civilian society.

I have, over the past few months, discussed and investigated this issue and offered legislative proposals to meet this challenge—most recently, the Veterans' Employment and Relocation Assistance Act of 1968 (S. 3408), which would assist veterans in locating job opportunities in any part of the country and give them financial assistance if relocation were necessary. Such a program is crucial, for it is my belief that those veterans who return to ghetto areas are still experiencing great difficulty in locating jobs—particularly, jobs that afford real security and opportunity.

However, in the long run, real opportunity can be assured the Vietnam veterans only if there is local private action. It was the purpose of this conference to stimulate that action. Representatives of many veterans' and community organizations were urged to mobilize the energies and resources of their local units throughout the State to search out jobs and training opportunities and homes for these returning veterans.

As a result of the discussions which took place at this conference, certain conclusions emerged:

Most important, there was broad agreement that minority group veterans returning to areas of high unemployment offer special problems which the present program of GI benefits is not specifically designed to meet. Such veterans face particularly severe problems of transition and readjustment in regard to housing, jobs, disabilities and, in some cases, addiction. On the other hand, these men also present American society with a unique opportunity for leadership and initiative in these areas.

The discussion at the conference indicated that a wide variety of programs to meet the needs of these veterans have been initiated by government at all levels and by certain private organizations. However, these programs are late in getting started. What is worse, there is a "communications gap," so that those who are to be benefited by the variety of programs often are unaware of their existence. Most important, the services have not been—and must be—brought to the ghetto veterans. This would require for example, a decentralization of veterans' benefits services and locating the counseling and service centers in the ghetto areas. The "gap" is also, often, attributable to language barriers—in the case of Spanish-speaking veterans—and timing; that is, the young minority group serviceman is not aware of the programs and benefits available to assist his transition to civilian life at the crucial moment—the moment when he must decide whether to reenlist or not.

It appeared to be the almost universal feeling among the conferees that, in the long run, real opportunity can be guaranteed these Vietnam veterans only if there is local action which supports existing governmental and private programs. Government can train—and is training—these men, but industry and labor unions must cooperate in guiding these men into "open-ended" jobs, jobs which promise real security and opportunity. We must use the facilities of existing private organizations to supplement existing public programs.

It should also be emphasized that the conferees stressed the opportunity of assisting these veterans to own and manage businesses. The Vietnam veteran has acquired the skills and discipline to enable him to become an entrepreneur if there are sufficient forms of assistance to him once he has returned to civilian life.

It is necessary to turn our attention away from training veterans for entrance level jobs. The concern should really be for training minority group veterans for middle and upper level management jobs. The veteran returns to civilian life with a whole set of disciplines which the hard-core unemployed often does not possess. He often has skills which can be transferred to the management level. It is necessary that he be offered training to achieve that.

It is my hope that, as a result of this conference, the following program of action will be established:

First. A continuing dialog between private organizations and Government agencies must be maintained, so that such organizations are informed of changes in the program of veterans' rights and benefits, and public authorities are informed of the effects of and necessary improvements, both legislative and administrative, in these programs. In this regard, my staff and I are anxious and prepared to play a role in establishing and maintaining that dialog.

Second. Voluntary organizations in each community of New York State should establish a coordinated effort to assist the Veterans' Administration, other public agencies and those organizations, such as the National Urban League and the National Association of Manufacturers, which have established programs of veterans assistance, in reaching each veteran and in bringing these programs and benefits to the attention of every veteran returning to that particular locality.

Third. Attempts should be made by such local voluntary veterans' "action coalitions" to identify every single veteran returning to the community, to reach them personally and to identify the skills, training, and needs of all veterans. Each veteran should then receive assistance in the location of job, home, training, and/or education, depending upon his needs. Such assistance is particularly crucial in regard to minority group veterans returning to depressed areas, for they are the least likely to be aware of existing opportunities.

Fourth. Private organizations, industry and labor unions must cooperate in each community in opening up new opportunities for returning veterans. We must set as our goal the opportunity for job, home, training, and education for every returning veteran and the existence of full freedom of choice for each of these men in the manner in which he pursues his life once he has returned to civilian society.

I hope to supply any needed assistance in this regard and look forward to working, on a regular basis, with those organizations which act to meet the objectives of the conference and this program.

Mr. President, I believe that this conference and this program can serve as an example to other States. Most importantly, I hope that all of us can move forward together in guaranteeing a life of full opportunity to the brave men who have been asked to bear the burdens of the tragic conflict in Vietnam.

Mr. President, I ask unanimous consent to have printed in the RECORD the text of the program for this conference, summaries of the opening speeches, and recent articles which deal with the issue of the returning minority group veteran and with those programs which, like "Operation Transition," have been established to assist them.

There being no objection, the items were ordered to be printed in the RECORD, as follows:

THE NEW YORK STATE VETERANS' RIGHTS AND BENEFITS CONFERENCE, SPONSORED BY U.S. SENATOR JACOB K. JAVITS, NEW YORK ACADEMY OF MEDICINE, NEW YORK, N.Y., MAY 11, 1968

PROGRAM

Introduction of Senator Javits, Hon. William H. Booth.

Opening Address: Senator Jacob K. Javits.

"Veterans Benefits": E. J. Raus, Assistant Manager, New York Regional Office, Veterans Administration.

"Project Transition": Frank M. McKernan, Director, "Project Transition," Office of the Assistant Secretary of Defense for Manpower and Reserve Affairs, Department of Defense, Washington, D.C.

"Employment": Benjamin I. Trotter, Program Policy Coordinator, Veterans Employment Service, U.S. Department of Labor, Washington, D.C.

WORKING SESSION

"Housing, Education and Training."

Panel

Archibald Murray, esq. Patterson, Michaels and Murray, Moderator.

Robert Schrank, Assistant Commissioner for Manpower, Human Resources Administration, City of New York.

William F. Flynn, Director, Urban Affairs Division, National Association of Manufacturers.

Robert J. DeSanctis, Chairman, Rehabilitation Committee, New York Department, American Legion.

James O. Casey, esq. Counsel, New York State Division of Veterans Affairs.

"Jobs for Veterans."

Panel

Jay A. Best, Addiction Services Agency, Moderator.

William G. Pegg, Veterans' Employment Representative for New York State, U.S. Department of Labor.

Peter Brennan, President, New York Building Trades Council.

Frank Steele, National Urban League.

John R. Ray, New York Department Commander, Veterans of Foreign Wars.

John Silvera, Governor Rockefeller's Staff, State of New York.

Local Action Vital To Assure Opportunity for All Vietnam Veterans

(Remarks by Senator Jacob K. Javits at the New York State Veterans' Rights and Benefits Conference sponsored by Senator Javits, New York Academy of Medicine, New York City, May 11, 1968)

I welcome you to this Conference on veterans' rights and benefits. I appreciate the fact that you have taken the time and trouble to attend this Conference. You represent a wide cross-section of communities and organizations and individuals. May I also take this opportunity to thank those who have kindly consented to address this conference or to serve as panelists for the "working sessions."

We are today addressing ourselves to an issue of great significance, one that has only recently begun to receive the attention it deserves. This nation has long recognized that it has a particular obligation to the men who have served it in the armed services—in the immortal words of Lincoln, "to care for him who shall have borne the battle and for his widow and orphan." Since the end of World War II we have adopted a policy of greater commitment to our returning veterans—that is, to assist each one in his transition to civilian life.

The GI "Bill of Rights"—and its subsequent extensions—has had great impact on American society. The enormously wide dispersion of affluence in this Nation, the great increase in the number and percentage of the college educated, the explosion of the suburbs—all of these "revolutions" which have characterized American society since World War II have been accelerated—in some cases, caused—by the broad extension of GI benefits.

However, the existing program of GI benefits—even as they would be altered by recommendations of the President recently passed or now pending before the Congress—is not sufficient to meet all the needs of men now serving in the armed forces; and certainly it is inadequate to give the needed and deserved help in the transition to civilian life of minority group veterans from poverty areas.

Many of the men who are recruited or drafted from such areas enter the armed services without prior skill training, even without a background of regular employment or adequate education. For such men, their return to civilian life may only be a return to an existence of limited opportunity.

This need not be the result. Despite the dissension which has characterized our involvement in Vietnam, we should not lose sight of the fact that, for many men of this background, military service in Vietnam has afforded them their first opportunity to contribute to a national effort on a basis of equality and personal dignity. In the process, some are acquiring a renewed sense of self-assurance and of belief in themselves.

It is estimated that approximately 7000 veterans are now returning to New York State each month. The Veterans' Employment Service of the U.S. Department of Labor in New York, as of March 31st, had an active file of over 32,000 men it is assisting. In the month of March alone, the Veterans' Employment Service in New York received over 8,000 new applications for assistance in locating jobs. Nonetheless, too many veterans are unemployed. In Fiscal Year 1967, 161,878 veterans filed for unemployment compensation throuhout the nation and drew such compensation for an average period of 9.3 weeks. There is no way to measure whether those veterans who do find work, find employment commensurate with the skills and experience they have acquired while in the armed services or whether they have found employment with a future. The impression exists that those veterans who return to ghetto areas are still experiencing great difficulty in locating jobs—particularly jobs that afford real security and opportunity. For such men, the present program of GI benefits is not enough.

We must guarantee *all* of our returning veterans—no matter what their economic status or race—at least the chance to live in an open society, receptive to their talents, skills and commitments. These men have met their duty to us; it is now time for us to meet our duty to them.

The system of veterans' benefits and its administration must be restructured to fit new needs and to meet new challenges.

First, particular benefits must be tailored to assist those veterans who are returning to central city slums. Specific VA housing, training and counseling benefits should be made available to such men. Accordingly, in March of this year I introduced three bills to amend the veterans law to expand opportunity in this regard. The first of those bills would *expand the program of direct VA loans for the purchase or construction of homes so as to include veterans living in the ghettos of our cities.* Many veterans can obtain housing only or may choose to live in such areas and often are unable to obtain mortgages through normal private channels. Such veterans cannot take full advantage of the home loan guaranty program. This bill which has also been offered as an amendment to the omnibus housing bill soon to be reported, seeks to alleviate this situation.

The second of those bills would give the VA new authority to provide counseling and technical assistance to veterans with regard to business and home loans. This would include advising veterans as to available housing and equal housing opportunity rights. The technical assistance would seek to promote and train veterans as owners and managers of businesses. To make this assistance meaningful I have also proposed the extension of the business loan program to Cold War and Vietnam veterans.

The third of those bills would give the Administrator of Veterans' Affairs authority to *accredit training programs which have been in existence for less than two years* to allow the enrollment of veterans. Such a waiver procedure should be of assistance to new training programs—attributable to the great new private and public interest in such programs—made available by government, industry and labor to the residents of depressed areas.

Second, an attempt must be made to build upon the potential mobility of young veterans and to direct them away from areas of high unemployment to those sections of the country where there will be a market for the skills they have acquired or practiced while in the military. The "Veterans' Employment and Relocation Assistance Act of 1968," which I have recently introduced would assist veterans in locating job opportunities in any part of the country and give them financial assistance if relocation were necessary. This would be accomplished by requiring the USES to compile data on employment opportunities listed with USES throughout the country and to match that data with the military skills as supplied by the Department of Defense upon discharge. A veteran, unable to find suitable employment in his home area, would then be enabled to take advantage of openings anywhere in the country by providing him, as a GI benefit, with transportation expenses for interviews and a moving allowance if he found a job away from home as a result.

Third, services presently being provided by government at various levels must be brought to those veterans who are most in need of them. Thus, for example, the VA's offices—and particularly the new "one stop" centers—should be located in the depressed areas of our core cities. Armed Forces recruiting centers are frequently located in such areas; certainly a similar effort can and must be made to reach these men *after* their military service is completed. Moreover, the hours of all agencies of veterans' assistance—Federal, state and local—should be long and flexible. Assistance and counseling should be brought to these returning veterans to advise them fully as to all GI benefits and other community resources available to them.

Finally, the ultimate responsibility for meeting this challenge rests with you. Although public authorities bear a major responsibility in insuring full and equal participation in society for returning veterans, in the long run, *the capacity of American society to guarantee such opportunity is a matter for private action.*

It is the purpose of this Conference to stimulate such private action. It is my hope that, through the exchange of ideas and information, each of you will return to your communities and your organizations and will establish, in each area of this state, specific programs for private action to assist veterans. Permit me to emphasize that these programs must be active, rather than passive. It is not enough to let returning veterans know that assistance is available. Instead, we must go to the veterans who are returning to depressed poverty areas; we must seek them out and recruit them into industry and unions and training programs and organizations. They should be urged to take advantage of their rights and benefits so as to become owners of businesses and homeowners anywhere and everywhere in this State. These men can become constructive leaders of the community; and they have the capacity to fill this role. It is our obligation to make sure that this yearning will not be frustrated; that this opportunity will not be lost; that these men will not be allowed to return to the "same old life" that they left.

The Government cannot do this job alone, nor would be wish it to. Similarly, the resources of a single organization like the National Urban League which has sought to meet this problem, are alone too limited to offer the sort of active assistance and counseling which is required in every city and town of New York State. Established groups, such as the veterans' organizations, must become actively involved in this task. Changing times and complex problems demand that traditional organizations assume new roles and new tasks. Only in this way will private organizations and institutions remain relevant to our exploding urban society.

At the conclusion of the "working sessions" today, a summary of your discussions will be reported. My office will prepare a more formal report of the proceedings of this Conference and make that report available to each of you. It is my sincere hope that, from these proceedings and from our discussions and conclusions, there will emerge a renewed commitment to make the veterans' return one of hope and promise.

Summaries of Opening Speeches

E. J. Raus, Acting Manager, New York Regional Office, Veterans' Administration. The Veterans' Administration is concerned about the veterans returning from the Vietnam conflict, especially those veterans returning to the disadvantaged sectors of our larger cities. In addition to such GI benefits as those for education, home loans, disability and death pensions, the amputee car, civil service preference, and special medical care; for the first time, a Vietnam veteran can go to high school under the GI bill without utilizing his overall entitlement. The VA is also doing things that it has never done before. We are sending counselors to Vietnam to advise soldiers of veterans benefits. This is the first battlefield counseling service ever given in our history. When the boys come back home to the separation points scattered around the country for discharge, we are, also for the first time, making contact with them. Of even greater importance than the separation centers is the contract made with the disabled veterans who are in military hospitals all over the country. We're visiting every one of those military hospitals. Finally, the VA is contacting veterans in their home towns. Cards are sent to each of them to be sure that he has filed for all benefits. Their applications are being expedited. These stepped up efforts will bring the word on veterans benefits to an average of 70,000 veterans who are receiving our monthly, country-wide contact. One-stop assistance centers were opened in 20 major cities with representatives from the Veterans' Administration, Department of Labor, Civil Service Commission, Department of Health, Education, and Welfare, Office of Economic Opportunity, Department of Housing and Urban Development, Small Business Administration, state and local government and community and veterans organizations. The primary purpose of the centers is to seek out individual veterans, particularly those who have never finished high school. We seek to motivate them to return to school, to get them a part-time job, and other veterans' benefits and reemployment rights. If we can't get them to come to us, we write them, we call them on the phone. The New York center is 211 Seventh Avenue. As a corollary program of assistance to Vietnam veterans, the President in February issued an Executive Order for the purpose of making federal employment easier for certain Vietnam veterans who need jobs while continuing their education.

Frank M. McKernan, Director "Project Transition" Office of the Assistant Secretary of Defense for Manpower and Reserve Affairs, Department of Defense, Washington, D.C. The Department of Defense, during the last six months of a man's enlistment, when he is beginning to think about returning to civilian life, seeks to help him, to direct him, to move him toward the kind of decisions that are going to be very important for him. The Department of Defense's program, named Operation Transition, has four basic elements: 1) Counselling 2) Education 3) Training and 4) Placement. Next year, over 800,000 men will be leaving the service. However, there is a group of men, about whom we are concerned, who do not go back to a suburban community, to college, do not have jobs waiting for them, do not have people able to assist them. We prioritied our people: the combat disabled, the man who cannot reenlist, the man who has low educational achievement, the man who does not have a convertible civilian skill that either was learned before he came into the service or while he was in the service, and men who would like to do something different than they have ever done before. During those last six months those men who have low educational achievement we're trying to do three things, through the kind of program which the armed forces themselves already have, to move the men either toward equivalency of 8th grade completion, high school completion, or specific kinds of courses like shop and math which would assist them in the kinds of employment to which they may be desiring to go.

The Department of Defense is attempting to assume the responsibility for trying to train as many men as we desire to do in this program alone. We are utilizing the facilities of the government agencies, who have opportunities near or on a military base to assist us. In addition to that, we are using some of the Manpower and Development Training Act funds for providing training—courses in welding, small appliance repair and the like. This is done on or near a military base. Finally, American industry is providing training for many of these men on or near a military base. I am very heartened by what American industry is doing, and can do, in this area, and I think one of the important things I have learned is you have got to ask.

In all of this program of training, whether by government agencies or by private industries, the essential thing at the end is placement. The important thing is to get the trained man into a job waiting for him. I have found that if the veteran knows that there is a good opportunity at the end of the line, he will line up for that kind of training.

In the placement effort itself, we are utilizing two facilities: one, the United States Employment Service and two, American industry itself. We have been operating at 202 military centers since about the 6th of January. Since this time, we have contacted 103,000 men; we have counselled 55,000; we have about 5300 in our training or education programs now. We will attempt to cover some 150,000 of these men per year. I can't accent too strongly that anything that can be done primarily in the placement area of getting the man to the kind of community and job he wants in terms of the training he has had, is extremely important.

Benjamin I. Trotter, Program Policy Officer, Veterans Employment Service, U.S. Department of Labor, Washington, D.C. The Veterans Employment Service is a very small unit of the U.S. Employment Service of the Labor Department. We have a Field Representative in each state. At the 2200 local offices last year, 1,800,000 veterans applied for employment assistance, a fifty percent increase over the previous year. Under a program announced by the President last August, the local employment offices are attempting to contact the returning veterans to explain to them their employment benefits. Job finding is one of the services of the Employment Office. Manpower training is another. Last year (1967) about 70,000 veterans were enrolled in MDTA training. Finally, reemployment rights, the right to his old job that he held before he went into the service, or another one that he would have attained had he not been absent, is another right administered by the Labor Department. Where disability disqualified a veteran for his old job—he is entitled to one that he can perform, which is most nearly like the job to which he would have returned if he were not disabled.

[From the Reporter, Apr. 18, 1968]

A Belated Job Program for Vietnam Veterans

(By John I. Brooks)

A Defense Department survey last year showed that about half of the men who leave the armed services need some sort of help in making the shift from military to civilian life. The assistance they most often require is in preparing for and finding a job. Yet even though the discharge rate from the services is one of the easiest and most reliable statistical projections the government can make, efforts to help veterans in their job hunts are lagging behind the need. It was not until last April—nearly two years after the Southeast Asian buildup began in earnest—that a White House report to Congress on manpower clearly established jobs for veterans as a national goal. And it was not until January of this year that President Johnson, in a message to Congress on veterans' benefits, outlined a broad program for achieving that goal.

Last year about 750,000 men left the services, and this year the total will rise to about 813,000. Thousands of veterans—the exact total is unknown—are now back home and unemployed, but most of the government's programs are either just getting under way or still in the proposal stage. The task ahead is enormous, for the President's plan calls for counseling 500,000 of the men due for discharge; furnishing education, job training, and placement service to those who need it; and trying to reach as many as possible of those who already have returned to civilian life.

There are urgencies on the home front that cry out for a serious approach to the problem of finding jobs for these men. The talent-hungry public sector needs them, and many private firms have openings for them. Those veterans with acute employment handicaps—notably urban Negroes and men who are going home to depressed rural areas—threaten to aggravate some of the administration's knottiest economic problems. In the case of the urban Negro, there is also the haunting fear that his grievances could find violent expression if he isn't given a fair chance to lead a productive life.

A NEW TRANSITION

In the April 1967, manpower report, the first to call attention to veterans' job needs, the President spoke of "making military service a path to productive careers." He noted that while some servicemen had civilian skills before they reached the induction center and other learned them while in uniform, there remained many whose civilian background and military training fitted them for nothing in the labor market. The President said he had asked Robert S. McNamara, then Secretary of Defense, to see what could be done.

McNamara's response was Project Transition, plans for which had begun a month before the President's message. The framers of the project at the Pentagon quickly decided to draw upon non-Defense agencies and private industry to broaden the program's scope. Frank M. McKernan, a twenty-two-year veteran of the Defense bureaucracy who is the program's director, says that his office merely acts as a catalyst in pulling together the available resources to cope with the employment problem.

The pulling together is by no means complete. The basic elements in Project Transition are counseling, education, vocational training, and placement. The first two phases of the program are fairly well under way, because the military services had men and materials ready to begin counseling and education efforts on short notice.

No such rapid mobilization could take place in the job-training and placement fields. These efforts required a large-scale co-ordination among a number of government agencies and private employers. Pilot programs were conducted during the latter half of 1967 at Fort Knox, Kentucky, and four other installations. Counselors talked to 4,674 men with one to six months' service time remaining—the limits of eligibility for the program. Thirty-eight enrolled in courses leading to eighth-grade certificates, 408 did similar work toward a high-school diploma, 477 entered vocational training, and 391 signed up for academic courses beyond the high-school level. Many of the soldiers interviewed needed no assistance, but a substantial segment of the more than 3,300 who took no training wanted courses that weren't available, McKernan reported.

Some servicemen were counseled and some educational courses were offered at other bases during this initial phase of the program, but fighter pilot bases offered the only vocational instruction. Labor Department manpower figures showed widespread needs for industrial electricians, small-appliance repairmen, draftsmen, welders, and computer technicians, so these were the original vocational offerings. Most of the instruction was done on the bases, with courses from the Labor Department prepared under the Manpower Training and Development Act and instructors from both the services and civilian technical institutes near the bases. Where distances were not prohibitive, some men were bussed to the technical schools.

McKernan hopes eventually to have five or six MDTA courses, some of which will be adapted from training programs in private industry, at each of the fifty-nine major Army, Navy, and Marine Corps separation points in the United States. But this will take many months because each of the courses must be approved by two state and two Federal agencies. (The Air Force is a special case because it does not collect men at central points for discharge. It will concentrate on counseling and programmed instruction at 183 installations, and in some cases may send men to be trained at neighboring bases of other services.)

The Pentagon is beginning to get direct support from industry in the form of company-sponsored courses taught on bases. Humble Oil supplemented the pilot program with a course to train service-station managers at Fort Knox. Nineteen soldiers were enrolled in this 240-hour course, and all seventeen who finished were offered jobs.

Meanwhile, McKernan in January asked the fifty top Defense contractors to consider similar efforts, and nearly all have agreed to establish courses or have indicated active interest. IBM has started equipment-repair instruction at four bases. The Electronics Industry Association is training men at Great Lakes Naval Training Station in television and radio repair, and it hopes to set up programs at twenty other bases. Mobil, Shell, and Sun oil companies are preparing courses following the Humble model, and Humble plans to expand its operation to thirty more bases. Around May 1, General Motors will begin training auto mechanics from among servicemen in the Washington area and the region around Fort Dix, New Jersey. New commitments are coming in to McKernan's office every week, and fifty more major firms are now being asked to take part in the program. At he same time, the AFL–CIO has agreed to support Project Transition. Union leaders now are studying ways of adapting training available under the program to apprenticeships.

Some major firms that are not geared to such training programs are offering job-opportunity information to assist in the counseling program. Smaller companies in the area of the major separation points are being solicited by Project Transition officers for job information and training possibilities. McKernan is heartened by the response to date, and he has reason to be optimistic about the outlook for private support. Whatever misgivings there may be about the "military-industrial complex," in the case of Project Transition it is only realistic to observe that the Pentagon's huge procurement budget gives it more leverage with industry than any other Federal agency could have.

Two government agencies already are turning to Transition to help fill their manpower needs. The Post Office, which can use up to thirty thousand new workers a year, is conducting classes at forty-one bases. Officials of the General Services Administration are making their needs in each area known to project officers at local bases. Other branches of the government are expected to follow suit in the near future.

The placement record to date is too limited to be significant. The results of the program will be closely measured, however, because the Defense Department is insisting on a follow-up on every man who takes part in Project Transition. Statistically significant results may be available this summer.

SPOTTING THE DRAWBACKS

While the outlook for the program seems bright, there are problems. The limitation on eligibility of one to six months' service time remaining is a constraint, and many men return to the United States too close to their discharge date for more than counseling. Many others have too little time left for academic courses or job training. At some discharge centers, thousands of men have left the service with no opportunity to be trained because courses were not yet available. Mobility presents another difficulty, because much of Project Transition's success depends on a man's willingness to go where the job is. The results of past government experiments in shifting workers from areas of high unemployment to more promising places have been discouraging, but McKernan believes that the returning veteran is at "a point of high mobility" in his life because of his recent separation from home and his travels in the service.

Military sponsorship of Transition may have inherent drawbacks. Men who harbor hostilities toward the military may not communicate well with counselors who represent the Defense Department, and some base commanders hard pressed for manpower may be reluctant to release personnel long enough to complete the more time-consuming courses. While the Defense Department can't ignore its need to stimulate re-enlistment, the word from Washington to the counselors is to "think civilian," and base commanders have been asked to be "flexible" about releasing men for training.

The urban Negro presents a special problem. Outlining the new project in a speech last November, Secretary McNamara bluntly stressed the problem of "the Negro veteran who without help might be compelled to drift back into the stagnation of the urban ghetto." While overemphasis of the Negro's plight could amount to a "reverse bias," the shocking Negro unemployment rate in the slums justified considerable attention. McKernan realizes this, and he sees the need for steering a cautious course in guiding the Negro veteran. His counselors are being told to avoid two great dangers: first, sending men back to the ghetto with no job opportunity; and second, encouraging too much movement away from the inner cities. The second and subtler point is based on the theory that many returning Negro servicemen have a potential for needed community leadership in the neighborhoods from which they came. To strike a balance between aggravation of city unemployment and excessive emigration will be difficult.

Of course the Defense Department can do nothing to help the Negro already released without training, but McKernan and his associates think that the problem ahead may be manageable. One main reason for this view is the fact that Negroes reenlist at a far higher rate than do whites. In 1968 the armed forces expect to discharge only about 41,000 Negroes, even though about twice that number will become eligible for separation. The security and general absence of discrimination in service life appeal to many Negroes, particularly in the Army, where their re-enlistment rate runs about sixty per cent. Some Negro leaders deplore this trend, feeling that the talents of many of these soldiers are needed outside the armed services, but the trend is a fact and it will give counselors in Project Transition more time to deal with the needs of those who do elect to return to civilian life.

To help the Negroes of the cities, particularly those missed by Transition, a special effort has been undertaken by the National Urban League. In each of the eight cities with the highest number of Negroes entering the armed forces, the League has named a staff to devote special attention to veterans' problems. This project is backed with some starting money from the Rockefeller Brothers Fund and is the brainchild of Whitney M. Young, Jr., head of the League. The program goes beyond jobs and advises veterans about housing, education, operating a small business, and health. The primary target is employment, however, and Frank Steele, who as national director of veterans' affairs is coordinating operations from the League's New York headquarters considers the response from industry and government generally good so far. Because the League has been in the employment field a long time, its reputation may draw to its offices some of the Negroes who have been discharged while the new government programs were getting under way.

At the Washington office of the Urban League, the local program is headed by Leaford Williams, an intense young man who helped place nearly a hundred men in jobs between last October and early April. Williams had a complaint that shows a dark side of the Federal government's efforts. He said that while private firms had been cooperative, he had been able to place only one man on the Federal payroll in Washington. And of course in the District of Columbia, the government is the biggest supplier of jobs. Williams's experience suggests that the urgency felt by President Johnson about the jobs-for-veterans drive hasn't communicated itself to the slow-moving Civil Service Commission or to other parts of the bureaucracy.

This situation soon may change. Fulfilling a pledge in his January message on veterans, President Johnson recently signed an Executive order directing the Civil Service Commission to waive examination requirements for veterans seeking jobs at the lowest five levels of the Federal pay scale, provided the men take courses under the G.I. Bill. This already has produced predictable lamentations from the government workers' unions, but it is sure to stand. It should serve as a signal to the bureaucracy that the White House will insist on better performance than Williams's experience indicates has been turned in so far.

CITY CENTERS

The Civil Service directive is only one of a number of major efforts the President outlined in his message. The new programs are largely the result of recommendations from an interagency task force that was assembled only last fall to tackle the veterans' employment problem. It faced quite a problem: using the Pentagon's own statement that half of the returning servicemen need help and its projection of 813,000 discharges in 1968, it appears that upwards of 400,000 men will be seeking assistance this year.

At the recommendation of the task force, the President announced in his message that Project Transition will be expanded to "reach" 500,000 men during the year ahead. McKernan said this must be interpreted as providing counseling for that number, because training programs probably will be able to accommodate only about 150,000.

One new action announced by the President should be a help in meeting the problem created by the sizable backlog that has built up during the months when the government programs were taking shape. He ordered establishment of a "one-stop center" in each of twenty major cities to provide the man coming home with personal attention and counsel on all his benefits. This program, coming several months after the similar Urban League project for Negroes, clearly is aimed at men who have slipped past Pentagon and Veterans Affairs counselors without learning how to take advantage of what the law affords them. These centers already are open, with VA officials in charge and representatives from the Labor Department and Civil Service Commission on hand.

Tracing men who have returned home, particularly in the ghettos, can be difficult, and in his message the President reported a program launched last August to help overcome this problem. The addresses of men leaving the service are sent to the Federal-state employment office nearest their homes, and the local office tries to get in touch with each man to offer assistance in his job hunt. More than 300,000 names now have been fed into this system. The Labor Department has no figures to show how many have been reached, but the President said servicemen, parents, and veterans' organizations have praised the results.

One of the new programs, aimed at attracting veterans into public service, requires action by Congress. The President ask $50 million to subsidize the training and starting salaries of men coming out of the services who were willing to become teachers in deprived areas, policemen, firemen, hospital workers, or Federal employees in any one of a number of social-service programs. In a sense this is a major expansion of a program started last November by the Defense Department, under which police officials from several cities have been permitted to recruit men soon to leave active duty.

The public-service proposal, which probably will be approved soon by Congress, is the only one advanced by the President that carries a price tag. White House officials declined to put a cost figure on the total effort for veterans' employment, explaining that in many cases the sums involved cannot be separated from other programs. Most of the costs are small, however, in terms of the Federal budget or even in terms of the $7.3 billion that the administration is seeking for all veterans' programs in the year beginning July 1.

If the cost is not staggering, the scope and variety of the job programs are tremendous. Indeed, the attack on employment problems of veterans is so broad that it could suffer from fragmentation. Its besetting weakness, however, is more apt to be the government's slow start, and the nation can only hope that this will not induce the kind of ineffectual panic that *so often characterizes crash* programs.

[From the New York Times, Apr. 29, 1968]

The Negro in Vietnam: Strides Toward Partnership Contrast With Lag at Home—Military Career a Road to Dignity—*But Cost in Lives Is High*—Many Civilians Attracted Abroad by Premium Pay

(By Thomas A. Johnson)

Saigon, South Vietnam.—The Army sergeant with the coal-black face muttered: "What in the hell am I doing here? Tell me that—what in the hell am I doing here?"

But there was a smile on his face.

At the moment, he and the men of his under-strength platoon—about half of them Negroes—were crouching on a jungle trail as artillery shells pounded the brush 100 yards away.

At the same time, some 50,000 other Negroes *in Vietnam* were *unloading ships* and commanding battalions, walking mountain ranges and flying warplanes, cowering in bunkers and relaxing in Saigon villas.

They were planning battles, moving supplies, baking bread, advising the South Vietnamese Army, practicing international law, *patrolling Mekong Delta canals, repairing* jets on carriers in the Tonkin Gulf, guarding the United States Embassy, drinking in sleazy bars and dining in the best French restaurants in Saigon, running press centers, digging latrines, driving trucks and serving on the staff of Gen. William C. Westmoreland, the American commander.

They were doing everything and they were everywhere. In this highly controversial and exhaustively documented war, the Negro, and particularly the Negro fighting man, has attained a sudden visibility—a visibility his forefathers never realized while fighting in past American wars.

Fourteen weeks of interviews with black and white Americans serving here reveal that Vietnam is like a speeded-up film of recent racial progress at home. But Vietnam also demonstrates that the United States has not yet come close to solving its volatile racial problem.

Why was the sergeant—a 34-year-old career soldier—in Vietnam?

He talked with good humor of the "good Regular Army" to a Negro correspondent, he shuddered with anger recalling that his home-town paper in the Deep South called his parents "Mr. and Mrs." only when referring to their hero son, and he pointed out that he had stayed in the Army because his hometown offered only "colored" jobs in a clothing factory where whites did the same work for higher pay.

ONLY WAR WE'VE GOT

Most often, Negro and white civilians and career soldiers see Vietnam as a boon to their careers and as a source of greater income than at home. It was not unusual to hear civilians and career soldiers—Negro and white—express such views as, "Hell, Vietnam's the only war we've got."

For the Negro there is the additional inducement that Southeast Asia offers an environment almost free of discrimination.

One civilian remarked, "Bread and freedom, *man, bread and freedom.*"

To the ordinary Negro fighting man, Vietnam means not only integration but also an integral role in American life—or at least this aspect of American life.

"'The man' can't overlook talent when he wants the job done," said S. Sgt. James *Frost, a 29-year-old Negro from* Youngstown, Ohio.

In the job of battle, fighting prowess and dependability quickly erase color barriers. Staying alive becomes more important than keeping stateside racial patterns.

During the battle for Hue in February, a knot of white and Negro marines *stood knee deep in the mean red mud beside their tank.* They were grimy-faced, beard-stubbled and grease-spattered.

A TOAST AT 9 A.M.

They peered across the Huong (Perfume) River, where, more than 300 yards away, unseen North Vietnamese gunners had just *given up a mortar and artillery duel.*

"They're through for now," said Sgt. Eddie Dailey, a Negro from York, Pa.

"It looks like it," said a white marine with field glasses.

It was 9 A.M., but from somewhere a bottle of liberated Black and White scotch was produced and passed around. "Integration *whisky," someone commented.*

"And that's just what's winning this Goddamn battle," the Negro sergeant said.

A white lance corporal agreed. "You're damn straight, bro," he said. The Negro shorthand for "soul brother" seemed to slip out naturally.

As the corporal, John Tice *of* Savannah, Ga., passed the bottle, a tattoo could be seen on his bare right arm. It showed a Confederate flag and the words "Johnny Rebel."

That's just what's gonna win this Goddamn war," Sergeant Dailey spat. Integration, Goddamn it."

With the integration of the armed forces *in the late nineteen-forties and early fifties,* the military quickly outdistanced civilian efforts at breaking down color barriers. This has continued to a point where young Negro men flock to military service for the status, careers and security that many cannot find in civilian life.

A junior infantry officer, who is white, commented:

It's an awful indictment of America that many young Negroes must go into the military for fulfillment, for status—and that they prefer service overseas to their homeland."

The war in Vietnam is filled with ironies, and one of the biggest is that the ordinary Negro fighting man—and especially the teenage front-line soldier—is not aware of the Negro's participation in previous American wars.

An 18-year-old Marine private at Dongha said proudly: "The brother is here, and he's *raising hell. We're proving ourselves.*"

Officers in Saigon at the headquarters of the Military Assistance Command, Vietnam, say the heavily Negro 173d Airborne Brigade is the best performing unit in Vietnam.

YOU TELL THEM

This correspondent went in with the second helicopter wave when the Fourth Battalion of the 173d struck a Vietcong supply base in a thickly forested area of Phuyen Province.

Taking cover in tall grass, he found himself with a young Negro paratrooper, a private first class whose face had not yet sprouted a serious growth of beard.

"What you doin' here, bro?" the paratrooper asked. "You gonna do a story on the Fourth Battalion?"

Without waiting for an answer he kept talking.

"You tell them that the 173d is the best Goddamn outfit on this rock. We were the first brigade-size combat unit in Vietnam."

His squad was ordered forward, but he kept talking:

"Tell them we made the first combat jump in Vietnam on Operation Junction City, and that the Fourth Battalion is the best in the 173d. You tell them that—tell them we took Hill 875 at Dakto and that we are steadily kicking Charlie's rear."

Only then did the paratrooper stand up, and as he ran with his squad he called back:

"You tell them, you hear?"

WHAT HISTORY BOOKS OMIT

Capt. Robert Fitzgerald, a Harlem-born intelligence officer on General Westmoreland's staff, commented:

"They feel they're the first Negroes to fight because their history books told only of white soldiers, and their movies showed that John Wayne and Errol Flynn won all American wars."

The 31-year-old officer went on: "The only uniform they've seen on Sidney Poitier was *a chain-gang suit, and—oh, yes—that of an* Army truckdriver once."

Talk of race often leaves white servicemen bored, embarrassed or annoyed. Many say the problem is overly stressed, and many Negro servicemen, especially the teenaged, first-hitch foot soldiers, say the same thing.

But a Negro sailor stationed in Saigon *noted:*

"The question of race is always there for the Negro. He would either be blind or insane if it were not. But Vietnam is a buffer or isolation ward to the whole question of race as we know it."

If Vietnam is an isolation ward, then combat is a private room off the ward where the ordinary *G.I. can* bring to bear *the special* skill for which he has been trained—killing. And white or black, the G.I.—usually referred to here as a "grunt" or a "crunch"—is adept at his specialty. The elite units—the airborne, Marines, air cavalry and Special Forces—to which Negro youths flock are *among the best of these specialists.*

A paratroop officer commented:

"The crunch wants to fight, pure and simple. He's one hell of a fighter, and we couldn't win any war without him because he lives, eats and sleeps to fight. You don't fight wars with gentlemen—that is, you don't win wars *with gentlemen.*"

The grunt is no gentleman.

His average age is 19, and he left high school without finishing. His skills are with the M–16 rifle, the M–60 machine gun, the M–79 grenade launcher, hand grenades and bayonets.

He brags and swears and swaggers, and *he runs to a fight. He runs into battle when* the first shot is fired, screaming or cursing, as if he does not believe he can be killed.

He can be, however, and he is.

He is killed and wrapped in a green paper blanket and put off to one side until a truck or a helicopter can take him to the rear.

Then he is remembered during quiet times by other young soldiers and marines who still rush into battle, screaming and cursing as if they cannot be killed.

LIKE GIRL SCOUTS

And during those quiet times other things come out.

Like that night in a *pitchblack front-line* bunker, when it was comforting to hear one another's voices, and the correspondent learned how it was after the Fourth Battalion of the 173d took Hill 875 from a determined enemy force, a force that "had chewed up the Second Battalion."

"We hugged and kissed one another like Girl Scouts, and we cried," said a voice in the darkness.

An Army chaplain comments: "Their anxiousness to prove themselves as men makes them quickly absorb the lesson the military is anxious to teach."

That lesson, an infantry platoon sergeant said, "is to make every man feel that he's in the best army, the best division, the best brigade, the best battalion, the best company, the best platoon, the best squad—and that he's the best ——— man in that squad."

And the Negro youngster—from the high-school basketball team, the sharecropper's farm or the riot-ready slums—has consistently volunteered for the élite of the military fighting forces.

"You take a good look at an airborne rifle company and it'll look like there ain't no foreign (white) troops there," one Negro commented.

Dr. Kenneth B. Clark, the Negro psychologist, has noted that a "status not readily available in civilian life" causes Negroes to join the military service at a rate two to three times greater than that for whites, and then to volunteer for élite units.

"There is no chance of asserting his manhood and demonstrating his sense of worth in civilian life," said Dr. Clark, who heads the Metropolitan Applied Research Center in New York.

The 1943 interview recalled

Dr. Clark said the ferocity demonstrated by young front-line soldiers could be related to their youth and their eagerness to prove themselves. He noted that after the 1943 riots in Harlem he interviewed a youth who "got a terrific boost out of the destruction."

Dr. Clark added: "A few months later he was a soldier, in uniform and with a riding crop, and getting an even bigger kick out of potential destruction he could legally cause."

The Negro makes up 9.8 per cent of the military forces in Vietnam, but close to 20 per cent of the combat troops and more than 25 per cent of such élite Army units as the paratroops. Estimates of Negro participation in some airborne units have been as high as 45 per cent, and up to 60 per cent of some airborne rifle platoons.

A Negro private first class in the Fourth Battalion of the 173d Airborne Brigade said that when he joined the unit in the summer of 1967 "there were 20 brothers and 8 foreign troops" in his platoon.

About one in every four of the Army's front-line supervisors in the grades of sergeant first class and master sergeant is a Negro, a fact attesting to the higher Negro re-enlistment rate in the armed forces in general and the Army in particular.

The re-enlistment rate for first-term Army men in 1965 was 49.3 per cent for Negroes and 13.7 per cent for whites; in 1966 the figures were 66.5 and 20.0. Re-enlistment figures for 1967 have not been completed, a Pentagon spokesman said. Generally, the rate in the Army runs at least three times as high as for whites, and in the other services two times as high.

DEATH RATE IS 14.1 PERCENT

The present Negro death rate in Vietnam is 14.1 per cent of total American fatalities; for 1961 to 1967 it was 12.7 per cent. Late in 1965 and early in 1966 the Negro death rate soared to about 25 per cent, and the Pentagon ordered a cutback in front-line participation by Negroes.

It is in the front lines that commonly shared adversity has always sprouted quickly into group loyalty and brotherhood. And whether between white and white, Negro and Negro, or Negro and white, Vietnam is no exception to the tradition of battlefield brotherhood.

"The stereotypes they had believed just sort of melt away," said Capt. Richard Traegerman, a 25-year-old West Pointer from Philadelphia. "Whites see Negroes are as intelligent and brave as anyone else, and Negroes see whites are just guys with the same strengths and weaknesses as anyone else."

A Negro soldier said he felt that the Negro underwent more of a change than the white.

"The Negro sees the white boy—really sees him—for the first time," he said. "He's just another dude without all those things to back him up and make him bigger than he is—things like a police department, big job or salary."

CLOSER THAN BROTHERS

And a long-time front-line observer said: "It's the most natural thing in the world to come out closer than brothers after a few days on the line. Up here it's a real pleasure to just be warm and dry or to feel a cool breeze; to have fresh water, a heat cube for C rations; to wash or take off your shoes or to be alive when others are dying. This will make any two people brothers."

For the most part, Negroes in Vietnam say that the closest thing to real integration that America has produced exists here.

"It's the kind of integration that could kill you, though," a Negro sailor remarked.

There are reports of racial discrimination, racial fights and instances of self-segregation, but most Negroes interviewed said these instances were greatly outweighed by racial cooperation.

In effect, while participating in a war that pits yellow people against yellow people, America is demonstrating that its black and white people can get along.

SYMPATHY FOR MONTAGNARDS

So pervasive is this demonstration that some Negroes, in discussing the prejudice of lowland Vietnamese toward the mountain-dwelling and usually primitive montagnard tribesmen, convey the idea that discrimination against Negroes has ended at home as well as in Vietnam.

Oscar Roberts, an Army captain stationed at Pleiku as an adviser to the South Vietnamese Army, pointed up this attitude when he remarked: "The montagnards are treated the way we used to be treated back home."

But then he smiled and added: "The way we used to be and still are treated some places back home."

Other Negroes did not remember, or smile, or correct themselves.

Race is quite often a laughing matter among servicemen in Vietnam.

Sgt. Charles C. Hardy, a 21-year-old marine from Chicago, was on duty one night in Danang and gave his bed to a visiting white friend, but not without some specific admonitions.

"That sack has lots of soul," he said. "It's a soul-recharging station, so you'd better be careful. I don't want to see you wake up tomorrow morning thinking you can talk trash and trying to dance the boogaloo and the philly dog, you hear me?"

Some of the "brothers" in an airborne unit held a "soul session" to "cuss Chuck," the white man. When a late-arriving brother inquired what a "couple of Chucks" were doing attending a soul session, it was explained that they were "honorary souls," and the Chuck-cussing continued.

And after watching a plea for brotherhood on a television set in a bunker in the Central Highlands, a youth of Mexican origin spoke up.

"All right," he said. "What one of my Goddamn brothers is going to buy me a beer?"

He got the beer, but not before the whites and Negroes unleashed a barrage of anti-Mexican remarks that included: "Give me, give me, give me! A Goddamn spec 4 in the Regular Army and he still thinks he's on relief! Give me, give me, give me!"

Even the highly potent taboo on interracial sex is much less a taboo in Vietnam than it was in the military in past years.

A white officer from North Carolina visited the luxurious Saigon apartment of a Negro officer from Illinois, carrying a dozen red roses for the Vietnamese Lunar New Year, Tet. Their friendship dated from the time they both commanded segregated airborne companies at Fort Bragg, N.C., in the late forties.

PINUPS ARE INTEGRATED

While discussing a double date with Vietnamese girls that the Negro was arranging, they reminisced about the "German broads" and Japanese women they had known.

Walls and lockers, from neat hotels in Saigon to red-earth bunkers in Khesanh, have both white and Negro pinups, regardless of the race of the serviceman.

Some bars tend to be predominantly white or predominantly Negro. This is especially true in the rear areas where the permanently assigned and normally noncombatant troops gather every day. In Saigon, for example, it is mostly whites who frequent the bars along Tu Do Street, while Negroes predominate in the Khanh Hoi area across the Saigon River along Trinh Minh The Street.

It is not uncommon, though, to find both races in both locations, and to see integrated teams making "skivvy runs"—forays in search of bar girls. And white and Negro servicemen talk to the same bar girls.

Still, there is much off-duty separation of the races, and most of it is voluntary separation by Negroes. There are several reasons, not the least of which was expressed by a high Negro civilian official:

"Wherever you have a lot of American whites with a lot of time for relaxing," he said, "then you can figure that the brother is in for a little difficulty."

A German in Vietnam asked a Negro civilian if he was aware of how some American whites talked about Negroes when they were alone. The Negro said he was.

"Do you know that they call you animals," the German said, "that they say you have tails and that they seem especially anxious that foreigners—myself and the Vietnamese—hear this?"

"I know," the Negro said.

"What's wrong with them?" the German asked.

"They're white Americans," he was told, "a strange breed of people."

ALOOF AROUND WHITES

A Negro field-grade officer said he relaxed only around Negroes and put up an "aloof" and "even unfriendly" front around whites.

"You don't want to overextend yourself because you never know when whites are for real," he explained. He went on to suggest that the Negro officer must often be a "super Negro."

"I see white officers bringing Vietnamese girls into our quarters and getting away with it," he said, "and I wouldn't think of joining them. Whites prove every day how vulnerable the 'successful' Negro is in our society. If they can go to such great length and bend the rules to kick Adam Powell out of Congress and take Cassius Clay's title, they can certainly get to me. I don't intend to give them the chance."

Still, separation and aloofness are not rigid situations and attitudes.

A Negro specialist 4 in an infantry outfit said:

"I got some white friends who are 'for real' studs, and, hell, they could call me anything and do anything they want, because I know they are for real. I know some other Chucks who I'd most likely punch in the mouth if they said good morning to me, because I know they are some wrong studs."

A rear-echlon Negro private first class, sitting in a bar in Saigon's Khan Hoi with a white friend with a Deep South accent, started to discuss why Negroes segregate themselves.

"White people are dull," he said. "They have no style and they don't know how to relax."

"What do you mean?" the white youth interrupted.

"Shut up," the Negro said. "I'm not talking about you, nigger. I'm talking about white people."

LIKE THE CRUSADES

Another Negro, explaining why he frequented the Negro-owned "soul food" places in Saigon—such as the L & M and the C.M.G. Guest House, both of which have white and Negro clientele—said:

"Look, you've proven your point when you go out and work and soldier with Chuck all day. It's like you went to the Crusades and now you're back relaxing around the Round Table—ain't no need bringing the dragon home with you."

The term "soul session" is often used here to describe Negro efforts to "get away from 'the man.'" to luxuriate in blackness or to "get the black view." These sessions occur in front-line bunkers and in Saigon villas, and quite often they include some "for real" whites.

Negro V.I.P.'s who come to Vietnam find that despite full schedule a "brother" will get to them with a dinner invitation so the visitors can get "down to the nitty-gritty."

Senator Edward W. Brooke of Massachusetts, Whitney M. Young Jr. of the Urban League and the Rev. Ralph D. Abernathy of the Southern Christian Leadership Conference are among those who have got the benefit of the black view.

"Sometimes it doesn't do too much good, from what some of the black V.I.P.'s have said when they got back home," one soul-session advocate said later.

Self-segregation does not attract all Negroes, and there are some who shun any appearance of Negroes' getting together, no matter what the purpose.

There are Negro officers and civilians in Saigon hotels who prominently display record albums by Mantovani and Lawrence Welk and hide albums by such soul-sound purveyors as James Brown and Aretha Franklin.

"A lot of the brothers feel they can't be themselves and integrated," said Lieut. Col. Felix L. Goodwin, a Negro veteran of 27 years of Army service.

"This dates back to the time the Army was first integrated and we all felt we had to show whites we were not prejudiced," the colonel added. "Most of us feel comfortable enough now to be both black and integrated, and we think this is healthy."

While integration is fairly recent in the military, Negro participation in American wars is as old as the country's history.

Negroes were with Columbus, the Conquistadors and Henry Hudson. They fought the Indians in Nieuw Amsterdam and the English in the Revolutionary War. Three thousand fought in the War of 1812, and Commodore Oliver H. Perry described them as "insensible to danger."

MORE THAN 200,000 IN CIVIL WAR

In the Civil War, more than 200,000 black men wore Union uniforms, and the Confederacy began organizing Negro units toward the end of the war.

Negroes were at Little Big Horn with Custer. They helped to chase the Sioux into Canada, they captured Geronimo and they pursued Billy the Kid across the Southwest. Some runaway black slaves and their descendants fought on the side of the Indians.

Ten thousand Negroes fought in the Spanish-American War, and a group of Negro cavalrymen rescued Theodore Roosevelt's Rough Riders in the battle of El Caney.

A controversy over the fighting qualities of the Negro combat soldier began in World War I. The all-Negro 369th Infantry Regiment stayed under fire for 191 days without relief—longer than any other American unit—and was the first to fight its way to the Rhine.

But the 368th, also all Negro, was sent to the rear as a result of confusion and disorder after five days at the front in the Oise-Aisne offensive.

LACK OF WILL IN FORTIES

The controversy was renewed in World War II as a result of reports that the all-Negro 92d Infantry Division in Italy "melted" when it met German troops. After an investigation a Negro aide to the Secretary of War reported that some units—not all—had made "panicky and disorderly" retreats and had shown "a lack of will to fight."

But the report also pointed out that many of the men did not know how to use their weapons, and the Army learned during World War II that the efficiency of any unit fell off sharply when more than 10 per cent of its men had scored in the lowest grade of the general classification test. The 92d went into battle with 50 per cent of its men in the lowest grade and 90 per cent in the two lowest.

The controversy subsided during the Korean war as a growing number of units were integrated racially.

The Negro's ability and willingness have not been questioned in the war in Vietnam, and have in fact been consistently praised.

PRAISE FROM WESTMORELAND

In a speech to fellow South Carolinians last year, General Westmoreland said: "The performance of the Negro serviceman has been particularly inspirational to me. They have served with distinction. He has been courageous on the battle field, proficient, and a possessor of technical skills."

Courage—and often bravado—is the young combat soldier's long suit.

"When America invented the grunt, she legalized thuggery," one front-line observer said. "When I'm out with grunts and the Vietcong fires on us, I'm damn glad she invented them."

A young Negro marine in war-ravaged Hue typified the grunt's bravado, his eagerness to fight, his disbelief that he can be hurt or killed.

The marine sat on a naval landing craft on the Huong River, bound for the Citadel, once the seat of the Vietnamese imperial government and now, during the Tet fighting, South Vietnam's major killing ground.

"Put me in your paper," the marine told a correspondent.

"What can I say about you?" the newsman asked.

"You can say Lance Cpl. Raymond Howard, 18, better known as 'Trouble,' from Bay Manette, Ala., squad leader, Second Platoon, Delta Company, First Battalion, Fifth Marine Regiment, is going 'cross the river to kick him a few behinds."

[From the New York Times, May 1, 1968]

Negro in Vietnam Uneasy About United States—Many Saddened by Turmoil—Intent on Bringing Home Rights Enjoyed Abroad

(By Thomas A. Johnson)

Saigon, South Vietnam.—"The big question is whether the black cat can walk like a dragon here in South Vietnam and like a fairy back in the Land of the Big PX.

"Also, can America expect him to?"

The Speaker, who said he had observed "America's wars both at home and abroad," was at a Negro civilian's villa on Cong Ly Street, near Independence Palace.

The year 1968 was just a few hours old, and a "soul session" was in full swing at the villa.

The answers to the questions about Negroes in the war zone and Negroes back home in a bountiful America were, for the most part, that "the black cat" could not accept a double standard and should not, but that "while America could not honestly expect him to, she would—in that undying hypocrisy for which she is so justly famous."

THE PROBLEM ARISES

The session was a gathering of "soul brothers"—Negro military men and civilians, including a correspondent. Earlier, several had made their appearances at the American community's most "in" New Year's party, on Phan Thanh Gian Street (the invitation had read: "The flower people of Saigon invite you to see the light at the end of the tunnel"), and now they had got down to "the problem."

Saigon's 11 P.M. curfew was not strictly enforced that night, and the first dawn of 1968 found the soul-session participants in general agreement that the presence of the Negro in Vietnam raised more questions than it answered.

With his sudden visibility on the battlefield, the Negro has achieved the most genuine integration and the fullest participation in policies that America has yet granted. "And," it was pointed out during the soul session, "the brother is dying in order to participate—again."

The Negro is 9.8 per cent of all United States military forces here, close to 20 per cent of the combat forces, about 25 per cent of the front-line combat leaders and currently 14.1 per cent of those killed in action.

Front-line commanders are partial to whoever will volunteer to fight, white or black. And the prime requirement, when a G.I., black or white, looks for a bunker companion, is a man who will stick with him when the shooting starts.

But the Negro here has achieved his blood-spattered "equality" in America's most unpopular war. While some Americans praise him as a hero, others condemn him as a mercenary.

While he battles the Vietcong and the North Vietnamese, he reads of racial outbreaks at home, and of authorities putting down these outbreaks with varying degrees of force and counterviolence. He hears predictions of more to come.

Discharged from the service, he is approached by black ultra-militants eager to capitalize on his battle skills and on his resentment—a resentment that the militants are certain will follow when a former serviceman realizes that at-home America has not reached the state of racial integration that Vietnam-America has.

ROLE IN QUELLING RIOTS

Those who stay in the service—especially in the élite units—can expect to be used to help put down any racial outbreaks.

The Negro in Vietnam has achieved this war-zone integration 10,000 miles from home and at a time when the loudest black voices—if not the most representative—clamor for racial separation.

And there is an undeniable truth in the most effective argument of these voices: The degree of equality that has been struggled into here is not available in some places in the United States, and is not yet a hope in many places at home.

This is the first time in the history of American wars that national Negro figures are not urging black youths to take up arms in support of American policy to improve the lot of the black man in the United States.

One of the first Negroes to subscribe to this "prove yourself worthy" theory was Benjamin Banneker, a freedman and architect who helped lay out the streets of Washington. He urged Negro freedmen to fight against the British during the Revolutionary War, and according to historians, he was heartsick when he was not accepted for service.

Black slaves were sent off to war in the place of their masters as a matter of course.

BETTER TO DIE FREE

The Negro abolitionist Frederick Douglass helped to raise several black regiments—and sent his two sons—to fight against the South during the Civil War. He preached: "Men of color, to arms! Better to die free than live slaves!"

During World War I, Dr. W. E. B. DuBois, then the editor of Crisis, the publication of the National Association for the Advancement of Colored People wrote:

"The Crisis says, first your country, then your Rights! Certain honest thinkers among us hesitate at that last sentence. They say it is all well to be idealistic, but is it not true that while we have fought our country's battles for one hundred fifty years, we have not gained our rights? No, we have gained them rapidly and effectively by our loyalty in time of trial."

Dr. DuBois later gave up on America's willingness to grant equality to Negroes and embraced Communism at the age of 93 while living in Ghana. A nationwide network of leftist student organizations named for him sprang up in the United States after his death in 1963.

During World War II and the Korean conflict, a parade of Negro athletes, entertainers and public figures assured white America that blacks would fight.

Vietnam is a far different story.

MANY FACTIONS UNITED

The Rev. Dr. Martin Luther King Jr., who was perhaps the most charismatic of contemporary Negro spokesmen, directly opposed the war.

Also opposed to the war are H. Rap Brown and Stokely Carmichael, the present and former chairman of the Student Nonviolent Coordinating Committee, who are believed to have significant influence among young Negro militants in the ghettos.

Floyd B. McKissick, head of the Congress of Racial Equality, which seeks to carry its economic, social and political concept of black power into Negro population centers, is also opposed to the war.

The national board of the largest civil-rights organization, the 450,000-member N.A.A.C.P., has refused to take a public stand on the war, stating that peace efforts and civil rights should not be mixed. But the New York State conference of the association, the largest state unit, voted last autumn, after a stormy session in Albany, to oppose the war.

CAUSE AND EFFECT

Whitney M. Young, Jr., executive director of the Urban League, a civil-rights group that enjoys good cooperation with government and industry, takes an after-the-fact position: "since" the Negro performs well in Vietnam, he should not suffer discrimination in America.

The most hawkish statements from blacks on the war in Vietnam have come from Negro military men. A Negro field-grade officer commented:

"You won't find many public doves—if any at all—among Negro or white career military men, no more than you'd find ambitious executives in a Ford plant urging company workers to buy Chevrolets. An executive is product-conscious."

The war's lack of popularity at home seems to have had little effect on the Negro soldier's willingness to fight it. The job, the mission, takes precedence.

"I think we're on the wrong side in this war, but I'm going to do my job as long as I'm here," said a Negro junior officer in the Army's Americal Division.

"Your job includes killing people," he was told.

"Yes, it does, doesn't it?" he replied.

HOLDING THE LINE

Most Negro servicemen interviewed in Vietnam over three and a half months felt that their uniforms kept them from participating in traditional civil-rights activities, but many career men contended that their staying in the service was in itself a civil-rights battle.

"We were working our show the same as Negroes back home," said Sgt. George Terry of the Army. "We brought democracy to the service by sticking it out."

"Many people called us Uncle Toms, but we were actually holding the line," said Lieut. Col. Felix L. Goodwin, a 27-year veteran who is information officer for the First Logistical Command.

Another Negro lieutenant colonel recalled that when he was graduated from infantry officer candidate school at Fort Benning, Ga., in the late nineteen-forties a party was given in the back room of a Negro beauty parlor in "colored town" for the few Negro graduates.

"A Negro chaplain told us 'not to make trouble' by insisting on attending the main graduation party on the base," he said. "We should have 'made trouble,' but we did not. I simply can't conceive of anything happening like that nowadays. Anyway, I went back to Benning a few years ago and I lived on Colonels' Row."

SOME FAVOR QUITTING

A minority of Negro career men say they will get out of the service because "our fight is back home."

"No honest Negro can stay in the service," said a junior officer. "I can't send a man to die to give the Vietnamese a democracy that he does not have himself."

Ultramilitancy in the civil-rights movement is neither consistently condemned nor condoned by Negro servicemen in Vietnam. Many career men say they can readily understand how the militants evolved. "They are created by white people, not by Negroes," an officer said.

Lieut. Col. Howard L. Moon of Pemberton, N.J., the senior military adviser to the South Vietnamese province chief of Thuathien, near the northern border, noted that "the main problem with Negro leadership is that the militants, who speak for very few people, are now in the forefront and the real leaders are silent."

Another field-grade officer complained that newsmen came to him "for some kind of anti-Rap Brown statement every time Brown spoke against the war."

"Once," he went on, "I told a reporter I loved Rap Brown, agreed with everything he said—and the story was never used. What annoyed me was that he expected me to tell in two minutes what it has taken me 40 years to conceive. I know the Rap Browns and their frustrations too well."

A CHALLENGE TO WHITE

A Negro sergeant in the Marines commented that he planned to come out against Stokely Carmichael publicly "as soon as General Westmoreland comes out against George Wallace."

An Army officer said he had always wanted an R.O.T.C. instructor's appointment at one of the large predominantly Negro colleges, "until recently."

"Look," he said, "I feel Negroes should be in the service, and many more of them as officers. I saw myself advising a lot of young people on what I think is a pretty good career. I also had visions of a relaxed, stimulating couple of years in an academic atmosphere."

"But hell," he continued, "with Negro kids taking such a violent antiwar position on the college campuses I would hate to oppose them. After all, what do you do? Do you punch them in the mouth? Do you shoot them? And when they argue that America is not fair to black people—damn it, nobody knows this better than I do."

"And just what would you do if you did get an R.O.T.C. assignment?" the officer was asked.

"I hope I don't now," he said, "but if I did, I'd do my job."

FOCUS OF DEBATE

The job—what it does and what it does not include and whether a Negro soldier should continue to do it if war breaks out between white America and its Negro ghettos—is another topic Negroes take up in Vietnam, among themselves for the most part.

A group of Negro officers and civilians sat one hot Sunday afternoon in the Continental Hotel's patio in Saigon watching the slow-moving crowds of Vietnamese along Tu Do and Le Loi Streets.

For a time they joked about how French officers had sat in the same chairs 15 years ago, sipping cognac and talking about how they would defeat the Vietminh "after this disturbance around Dienbienphu is settled."

Then one young officer asked, "Did you read where police departments are buying armored personnel carriers to stop riots back home this summer?"

The others had.

"No police force can stop a riot," a captain said. "They'll need the Army to zap those hoodlums, just like in Detroit."

Then, with mock seriousness, another captain pretended to be talking into a field radio: "All right, Sergeant Do Funny, take your platoon up 125th Street and zap those hostiles in the Apollo Theater. Sergeant What's-Your-Name, fire on that soul-food joint."

A civilian picked up the game.

"Snipers firing from the window of the Greater Mount Moriah Solid Rock True Holiness and All-Believing Baptist Church—get 'em!"

The group laughed for a time.

"That's why I'm getting out of the service," said the officer who had brought up the topic. "It's coming to that."

"It's not coming to that," a captain assured him, "and besides, it's just hoodlums looting. They've got to be stopped before they give us all a bad name."

"Have you ever seen a riot?" the young officer asked. "They're not all hoodlums."

"I've seen a riot—I say they're hoodlums."

"Aw, cut it out," a civilian interrupted. "I'll tell you about how the French planned this big attack from Dienbienphu."

"I'm getting out," the young officer said. "We're building to a black and white civil war and black troops—look at the high percentages of black troops in the élite units—black troops will be used to zap black civilians. I'm getting out."

Among Negroes in Vietnam not only can one hear frightened talk of future racial violence but also talk of past riots and sometimes first-hand accounts.

Three young Negro marines in Hue, watching the thickly jungled shores of the Huong (Perfume) River from the deck of a naval landing craft, talked freely about the riots in Watts in 1965 and in several northern New Jersey communities the year before.

Two of them told how, as teen-agers, they had joined the mobs in the streets, fought policemen and helped to ransack stores. The other youngster, from a small town in the South, greeted the reminiscences with "Damn!" and "No kidding!" and "Man, oh man, that must have been a bitch of a time!"

Then small-arms fire chattered from the shore. Several explosions went off near the landing craft.

As one man, the scores of marines on board rushed to the side of the landing craft and fired at the jungle.

"Get some! Get some! the three Negroes shouted as they fired.

At once the cry was taken up by several other marines. "Get some!" they shouted. "Get some!"

NOT TO MESS WITH US

The landing craft was struck twice, apparently by rocket fire, but the marines ducked their heads only to reload. After several minutes it was over.

There had been no casualties among the Americans, and the young marines were proud of themselves.

"They'll know not to mess with us," a white youth of about 17 was saying, over and over again, while he walked from one cluster of marines to another. "They'll know not to mess with us," he said, approaching the three Negroes.

"Aw, man, we put a hurting on Charlie's hips that time," the Negro from the Watts area said to the white youth.

"Didn't we?" asked the Negro youth from the Southern town. "Baby, we zapped us some gooks."

And the Negro from New Jersey put in: "We damn sure did. It was gook-zapping time on the Perfume River."

"They'll know not to mess with us," the white youth said, slapping each of their hands. "They'll know not to mess with us."

After several moments of reliving the enemy attack on the landing craft, the three Negro marines recounted an attack on their truck convoy and then other battles in other areas.

"Charlie don't mess with us for too long," one marine assured the correspondent.

At one point the correspondent asked if they would put down riots, as marines, if ordered to do so. The answers were "yes," and they came without hesitation.

And back in the civilian world, if they found themselves on the side opposite the police, would they fight?

After some hesitation, the youth from California said, "That depends, you know, that depends on a lot of things."

"Yeah," the other two agreed. "That depends."

Many front-line supervisors believe that the "grunt," the foot soldier or marine, usually 17 to 22 years old, who performs so well as a fighting man in South Vietnam with official sanction, would probably fight just as well outside the law from a personal need to "prove himself" as a man.

Capt. Norman K. McInnis, a white Navy officer who commands the aircraft carrier Ticonderoga said: "There's nothing wrong with American youth. What he needs mostly is strong leadership and the feeling that he is a part of things."

Without these, he said, youths can get into trouble.

The Louisiana-born officer spoke as he observed hundreds of white and Negro youths in yellow, blue, red and green sweatshirts, scurrying about the carrier deck preparing jet fighter-bombers for raids on North Vietnam.

"My men—we have no boys here, only men—work 10 or 12 hours a day," he said, "and they never complain. They know they have a responsible job to do and that they are a part of what's going on."

Negro sailors were the most vocal of military men to complain about "lingering discrimination." But many, like Chief Petty Officer Robert M. Johnston, a St. Louisan aboard the Ticonderoga, felt that "the Navy's changing fast—and for the better.

"It's a lot better than it was," Chief Johnston said.

OUTLOOK FOR VETERANS

Should recent trends continue, about two-thirds of the first-term Negro servicemen will re-enlist. Some 41,000 Negroes will be discharged this year, and about 5,000 of these will have served in Vietnam.

While some Negro militants predict that the returning Vietnam veteran will supply the cadre for a black-vs.-white civil war, some Government spokesmen say he will be a leader for integration.

There is evidence to support both predictions.

Some groups that are considered extremist have added returning veterans to their number. One such recruit in New York remarked to a Negro correspondent: "I saved two white boys' lives in Vietnam. I must have been out of my Goddamn mind."

"You were," said the militant who had recruited him, "but you're on Straight Street now."

On the other hand, some returning veterans have ignored the pleas of ultramilitants.

Melvin Murrel Smith, a Negro from Syracuse who served as a Marine sergeant, maintains that "the friendships formed between whites and Negroes in Vietnam will never die because of what we went through together."

Mr. Smith, whose organization of self-defense units in the Vietnamese village of Tuyloan caused the Vietcong to place a $1,700 price on his head, said that he and several white buddies from Vietnam now often telephoned and visited one another.

"Civilians can't see this because they've never been through what we went through together," Mr. Smith said.

The big question is still what will happen to the Negro grunt whose skills with the M–16 rifle and the M–79 grenade launcher are hardly marketable and who, if historical patterns prevail, will find employers much less interested in him than front-line commanders were.

There are programs trying to reverse the historic patterns. The Urban League and the American Legion are seeking jobs for the returning veteran. And an armed forces training program—Project Transition, set up on 86 military posts—gives courses in civilian skills for the serviceman who is to be discharged.

PROJECTS UNDER FIRE

Although relatively new, these programs are being attacked by Negro militants as hypocritical. Much effort, they say, is being made to keep the Negro veteran from becoming disillusioned with the American system while "the war on poverty is being scrapped."

Militants are also quick to point out that Project Transition is helping city police forces to recruit Negro veterans—to pit blacks against blacks, in the view of these critics, should violence flare.

And the speculation continues over whether the Negro veteran will integrate or disintegrate: Will he riot?

A young Negro naval officer at Camranh Bay called this "a white question, since whites like to convince themselves that people start riots intentionally."

"I say yes," the officer added. "He will riot—if white people make him."

S. Sgt. Hector Robertin, a Puerto Rican born in Spanish Harlem who supervises an Army photography team, said it was hard for most people to "realize just why people do riot."

A NEW NEGRO

"Take a middle-class white of 19 from Oregon," he said. "You could never make him understand the resentment of a cop pushing you off a street corner just because you're there, the credit gyps and landlord leeches and the feeling you come to have that if you ever get anything, you're going to have to take it.

"People talk about burning down their own neighborhood. Hell, the people there don't own a damn thing, and the Government should've burned down those rat traps years ago to give people a chance for a better life. But how do you make people understand that who've never seen it, lived it?"

A Negro field-grade officer took a related view, if more gently. "There is no doubt about it," he said. "You'll have a new Negro coming out of Vietnam who has seen that America will allow him to die without discrimination, and he'll want to live without discrimination.

"You've also got a new Negro on the streets back home demanding only what white people take for granted every day.

"But what will happen? That's a question for America—for white people, not me.

"I think we stumbled into this war in Vietnam. God, I hope we don't stumble into another one back home."

Then the question was asked: "And what about you? What about you when and if we 'stumble' into a civil war back home?' "

"I honestly don't know," the officer said. "I'm a soldier, yes, and I believe in America; yes, and I'm certain that it is the only country capable of bringing about a true democracy and a good standard of living for all people—but I really don't know.

"Those kids on the street—they are angry, they are inarticulate and nobody can talk to them, but do you realize they are saying no less than what Patrick Henry said?"

AS GOOD AS ANYBODY

Pfc. James Williams of Manhattan, a foot soldier with the heavily Negro 173d Airborne Brigade, commented: "I know a lot of brothers who'll stay in the Army because they're afraid to get out and face what's out there. I feel I'm as good as anybody else, and it didn't take the Army to convince me of it. I won't threaten anybody, but I don't intend to take any stuff off of anybody either."

A reporter asked him: "What about talk back home, about not being able to 'make' whites accept you, and about their having rights too?"

"I couldn't care less if he likes me, and sure, he does have rights," the infantryman said. "But he has no right that says he can keep me down—can deny me my rights."

Finally the correspondent remarked: "You're not the first Negro fighting man to say this. They've said it for many wars. If you're right, what will make the difference this time?"

"They might have said it and meant it, too," Private Williams said, "but I don't know about them. That was them and that was in their time. This is me and this is now, and believe me, I'll make the difference. This stuff has got to stop. I'll make the difference."

[From the Wall Street Journal, May 14, 1968]

JOBS FOR EX-GI'S—COMPANIES COOPERATE WITH SERVICES TO TRAIN MEN NEARING DISCHARGE—HUMBLE RUNS SERVICE STATION COURSE AT FORT KNOX—IBM SEES SOURCE OF REPAIRMEN—HEADING OFF "DISILLUSIONMENT"

(By Richard J. Levine)

FORT LEE, VA.—Army Specialist Jimmy Baker leads two lives.

Half the day, the 21-year-old soldier works for the Army as a clerk in the supply school at this Quartermaster post. The other half, mornings from 8:30 to 12:30, he works as a trainee with International Business Machines Corp. In an on-post course run by the company, he's preparing for a job as an IBM office-machine repairman when he completes his four-year hitch July 26.

Specialist Fifth Class Baker is still paid, fed, clothed and ordered about by the Army. But as one of over 200 participants here in Project Transition, a new Defense Department program for soon-to-be discharged GIs, he's encouraged to "think civilian" for part of the day.

Project Transition seeks to provide GIs who have one to six months left to serve with counseling and academic and vocational training designed to help them land a job. Launched as a small pilot program last year and fully operational only since January, it is now giving training and counseling to thousands of soon-to-be civilians at 238 Army, Navy, Air Force and Marine bases. About 840,000 men are scheduled to pour out of the service in the year starting July 1, and through Transition the Pentagon hopes to reach 150,000 of them with training and 350,000 with counseling.

A SPECIAL CHALLENGE

Project Transition is the most ambitious of an array of programs ordered by the White House in the past year to aid Vietnam-era veterans. It aims to help all returning servicemen—white and black. Yet in the current period of racial unrest, defense officials recognize the special challenge presented by the 40,000 Negro GIs expected to shed their uniforms this year.

"A large majority of these boys really want to get started in life," declares a Pentagon planner, and the challenge is to help them avoid "disillusionment." William Foote, a retired Army major who is the No. 2 official in Fort Lee's Transition program, depicts the task more bluntly: "One of our prime jobs is to keep these kids out of the ghettos and off the rooftops."

The degree of Project Transition's success may hinge on the level and quality of private industry participation. The beauty of industry is that it has a job to offer the GI at the end of training," says a defense official.

Since the begining of the year, the Defense Department has been urging companies to train servicemen with their own instructors on or near military bases. So far, 20 major companies, including General Motors, Gulf Oil Corp., Mobil Oil Corp., and Lockheed Aircraft Corp., have agreed to participate and 25 others have exhibited interest. Of 8,000 men now taking academic or vocational training, about 1,000 are enrolled in programs conducted by industry.

NO FUSS, NO BOTHER

Frank McKernan, the Pentagon official directing Transition, is "optimistic about the reaction of business" to Project Transition. As he see it, "We're saying to industry, 'Here's a potential manpower pool, and there's no recruiting required. All you have to do is the training. We give you a ready-made class of men who have developed leadership, a sense of responsibility and maturity.' "

Many businessmen share Mr. McKernan's enthusiasm.

Humble Oil & Refining Co. ran a 12-week course in service-station management at Fort Knox, Ky., as part of the pilot program. Seventeen men started the course, and 14 completed it; six of the graduates are now running Humble stations, three are waiting for stations and one is employed as a Humble salesman. "That's a tremendous batting average," says Freeman Smith, the Company's dealer-training coordinator. Humble is so pleased that it plans to give courses on 11 bases shortly.

In the old wood-frame building here that IBM is using for its machine-repair course, Bill Gardner, Project Transition coordinator for IBM's office, products division, declares: "We've been waiting for something like this. It's just made for us."

Mr. Gardner suggests the program eventually "could be the major source of our manpower" in the office machines repair field. The company stands ready to expand its courses at Fort Lee and four other posts if the demand warrants.

Still, there are problems that worry Pentagon officials. Employers naturally tend to select as trainees the best-educated and most highly motivated servicemen—who would have the least trouble getting a job without help. To find the first three men for its 10-man course at Fort Lee, for example, IBM interviewed 30, and those had already been prescreened by Transition counselors.

LOWER REQUIREMENTS

One way to meet this problem of "cream-skimming," Mr. McKernan suggests, is to lure companies trying to fill jobs that have less demanding regulations than those at IBM and Humble. But progress in this direction has been slow.

Fort Lee's Transition program, labeled by defense officials as "one of the best," is trying to get around the problem of limited industry participation by providing "something for every man."

In quest of diversity, they have induced local lawyers and law enforcement officials to teach a course in police work, brought in the Post Office Department to prepare soldiers for jobs as letter carriers and mail handlers, arranged with the Government's Defense Supply Center in Richmond for extensive on-the-job training and set up accelerated classes to give GIs the equivalent of eighth-grade or high school educations.

Such activity would have been impossible without the active cooperation of the Fort Lee commander, Maj. Gen. Victor MacLaughlin, and his staff. Gen. MacLaughlin has been able to free considerable manpower and facilities for Project Transition training. However, he cautions, if it should ever interfere with Lee's military mission, "I'd have to play it by ear," perhaps scheduling more courses after duty hours.

Since about 24% of all returning veterans haven't completed high school, the Fort Lee "equivalency" courses are well attended, especially by Negro soldiers. Forty-seven of the first 208 Transition participants were enrolled in the high-school completion course; 17 were Negroes.

Transition counselors here are routing almost every dropout they interview into these classes on the theory that a high-school equivalency certificate will significantly improve his chances of getting a job.

Specialist Fourth Class Clarence Glass, a 24-year-old Negro cook from Indianapolis, agrees. The high school certificate is "pretty valuable to me," he says. "You don't get anything without an education. Quite often employers use the lack of it as an excuse for not hiring you." Specialist Glass, who had a porter's job when drafted, hopes to get on-the-job training in photography or meat cutting before he's discharged in July.

For the immediate future, on-the-job training will play a major role in Transition here. Among other things, the Defense Supply Center in Richmond has agreed to accept 220 Fort Lee soldiers for training in any of 60 occupations ranging from drafting, accountancy and data-processing to fork-lift truck operation, auto repair and water pollution control.

Early results have been encouraging. Specialist Fifth Class Michael Dukes, 20, has been working in the center's typewriter repair shop for little over a month, and his supervisor says proudly, "He's already at the point where he's productive." To allow him to move inconspicuously among the center's 3,700 civilians, Mike is even allowed to wear mufti. Grinning broadly, he praises the Army for "not just booting you out and putting you on your own."

The law enforcement courses here dovetail nicely with another new program that allows city police forces to recruit on military bases and permits GIs who land jobs as cops to leave the service 90 days early. Twenty-one men, 13 of them Negro, completed the first course, and five of the 21 have had firm offers of police jobs in Richmond, Los Angeles, Chicago, New York and Honolulu.

At present, the weakest spot in Transition is job placement. "We don't want men to go back to areas of high unemployment," says Leland Slaydon, who directs the program at Fort Lee. Pentagon officials believe that a man completing his service tour is willing to move far for a good job. But if local Transition officials are to capitalize on this mobility, they must have ready access to complete and current information on job openings throughout the country. And what's available is often less than satisfactory.

In any case, the 2,200 U.S. Employment Service offices are under orders from President Johnson to insure that "every returning veteran" is "personally contacted by telephone or by personal visit . . . in order to ascertain his or her particular job needs." And a day spent at the office in the District of Columbia provides some insight into the attitude of recently discharged veterans, many of whom probably would have participated in Transition if it had been available prior to their release.

Robert O. Johnson, a veterans' employment representative, sees some 350 former servicemen a month, about 250 of them Negro; Washington's population is over 60% Negro. Among the Nergo veterans, he's finding "very little bitterness—they're eager to go to work and willing to take schooling and training."

Alvin Richardson, who until last March was an Air Force sergeant in Vietnam, is seeking a temporary job until he starts college in January. "After being over there for a year risking your life like everyone else, I would definitely get teed off" if denied a job because of prejudice, he says. But he doesn't anticipate "any strain" in finding work.

After 17 months in Korea, former Army Specialist Fifth Class Julius Snype, a 21-year-old Negro, is seeking a Federal job and planning to go to school at night. As a veteran, he's eligible for a new "transitional" civil service appointment, for which no exam is required, if he agrees to take additional schooling. Before the Army, Mr. Snype was employed by a nursery, but "it was labor work and I'm tired of that," he says firmly.

Elijah Bush, a 21-year-old former Army sergeant who served in West Germany, declares: "When you run into prejudice here, it feels like you did all that for nothing. It makes you ask yourself, "What did I go into the service for?"

Mr. Bush is trying to get into a union apprenticeship program in carpentry or bookbinding. He's impressed with the assistance the Government is providing; recently an official of the Washington veterans assistance center visited him at home.

Still, Mr. Bush says that if there is another outbreak of rioting in Washington, "I'd have to be all for it. These are my people. As long as anyone is being shortchanged, there can't be peace."

SENATOR ELLENDER PLANS PRESENTATION OF SOUTH ASIAN FILM

Mr. ELLENDER. On Tuesday, July 16, I will present documentary films dealing with South Asian nations to the Congress and the public. Three showings will be held in the Senate Auditorium, room G–203, New Senate Office Building, First and C Streets NE.

The time of the showings will be 1–2, 4–5, and 7:30–8:30 p.m.

I produced these documentaries from footage I took while touring South Asia last fall on behalf of the Senate Appropriations Committee. There are two films in the South Asian series, one dealing with the nations of India and Pakistan, and the other with Afghanistan, Iran, Nepal, Burma, and Ceylon.

Members of Congress and their staffs are cordially invited to attend one of these showings, as are members of the general public. South Asia is now one of the areas most important to U.S. foreign policy. It is my hope that these documentaries will help Americans gain a better understanding of the ways of life and problems of the nations in that area.

These films are in color, with sound.

AMENDMENT OF THE HIGHER EDUCATION ACT OF 1965, THE NATIONAL DEFENSE EDUCATION ACT OF 1958, THE NATIONAL VOCATIONAL STUDENT LOAN INSURANCE ACT OF 1963 AND RELATED ACTS

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 1366, S. 3769. I do this so that the bill may be the pending business on Monday next.

The **PRESIDING OFFICER.** The bill will be stated by title.

The **LEGISLATIVE CLERK.** A bill (S. 3769) to amend the Higher Education Act of 1965, the National Defense Education Act of 1958, the National Vocational Student Loan Insurance Act of 1963 and related acts.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill.

ADJOURNMENT UNTIL MONDAY, JULY 15, 1968, AT 10 A.M.

Mr. MANSFIELD. Mr. President, if there is no further business to come before the Senate, I move, under the previous order of July 11, 1968, that the Senate stand in adjournment until 10 o'clock on Monday morning next.

The motion was agreed to; and (at 12 o'clock and 21 minutes p.m.) the Senate adjourned, under the order of July 11, 1968, until Monday, July 15, 1968, at 10 o'clock a.m.

CONFIRMATIONS

Executive nominations confirmed by the Senate July 12, 1968:

NATIONAL TRANSPORTATION SAFETY BOARD

Louis M. Thayer, of Florida, to be a member of the National Transportation Safety Board for the term expiring December 31, 1973.

RAILROAD RETIREMENT BOARD

Thomas M. Healy, of Illinois, to be a member of the Railroad Retirement Board for the term of 5 years from August 29, 1968.

NATIONAL LABOR RELATIONS BOARD

Howard Jenkins, Jr., of Colorado, to be a member of the National Labor Relations Board for the term of 5 years expiring August 27, 1973.

IN THE AIR FORCE

The nominations beginning James W. Abbott, to be captain, and ending George F. Zielsdorff, to be 2d lieutenant, which nominations were received by the Senate and appeared in the CONGRESSIONAL RECORD on June 28, 1968.

PUBLIC HEALTH SERVICE

The nominations beginning Leon R. Jellerson, to be senior surgeon, and ending James E. Delozier, to be senior assistant health services officer, which nominations were received by the Senate and appeared in the CONGRESSIONAL RECORD on June 24, 1968.

HOUSE OF REPRESENTATIVES—*Friday, July 12, 1968*

The House met at 11 o'clock a.m.

The Chaplain, Rev. Edward G. Latch, D.D., offered the following prayer:

Continue steadfastly in prayer.—Colossians 4: 2.

O Lord, our God, who knowest the problems that perplex us, the trials that trouble us, and the happenings that harass us, grant unto us the royalty of an inward happiness and the serenity of mind which comes from living close to Thee. Do Thou dwell in the heart of every one of us that we may have joy in living, courage for life, and enthusiasm for our country.

In our relations to others may we be persistent in patience, loyal in love, gentle in our goodness, and good in our gentleness. In our contacts with other nations may we be strong in spirit, generous in heart, and ready to help those who are willing to help themselves.

Before all the people on this planet may we have the confidence to stand for what is right and good for all. Thus may our deeds in private and our duties in public measure up to our devotion in prayer.

In the name of Him who took time to pray, we pray. Amen.

THE JOURNAL

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Arrington, one of its clerks, announced that the Senate had passed without amendment a bill of the House of the following title:

H.R. 3400. An act to amend the Federal Aviation Act of 1958 to require aircraft noise abatement regulations, and for other purposes.

The message also announced that the Senate had passed with amendments in which the concurrence of the House is requested, bills of the House of the following titles:

H.R. 14935. An act to amend title 39, United States Code, to regulate the mailing of master keys for motor vehicle ignition switches, and for other purposes; and

H.R. 15794. An act to provide for U.S. standards and a national inspection system for grain, and for other purposes.

The message also announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 16703) entitled "An act to authorize certain construction at military installations, and for other purposes."

The message also announced that the Senate had passed bills and a joint resolution of the following titles, in which the concurrence of the House is requested:

S. 356. An act to permit the establishment and operation of certain branch offices by the Michigan National Bank, Lansing, Mich.;

S. 3065. An act to amend the Federal Trade Commission Act, as amended, by providing for preliminary injunctions for certain violations of that act; and

S. 3566. An act to amend the Federal Aviation Act of 1958 with respect to the definition of "supplemental air transportation", and for other purposes.

S.J. Res. 130. Joint resolution to authorize and direct the Federal Trade Commission to conduct a comprehensive investigation of unfair methods of competition and unfair or deceptive acts or practices in the home improvement industry, to expand its enforcement activities in this area, and for other purposes.

PERMITTING THE UNIFORM OR BADGE OF THE LETTER-CARRIER BRANCH OF THE POSTAL SERVICE TO BE WORN IN THEATRICAL AND OTHER PRODUCTIONS UNDER CERTAIN CIRCUMSTANCES

Mr. ASHMORE. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (H.R. 10773) to amend section 1730 of title 18, United States Code, to permit the uniform or badge of the letter-carrier branch of the postal service to be worn in theatrical, television, or motion-picture productions under certain circumstances, with a Senate amendment thereto, and concur in the Senate amendment.

The Clerk read the title of the bill.

The Clerk read the Senate amendment, as follows:

Page 2, line 1, strike out "postal service" and insert "Postal Service."

The SPEAKER. Is there objection to the request of the gentleman from South Carolina?

There was no objection.

The Senate amendment was concurred in.

A motion to reconsider was laid on the table.

MAURITZ A. STERNER

Mr. ASHMORE. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H.R. 3865) for the relief of Mauritz A. Sterner, with a Senate amendment thereto, disagree to the Senate amendment, and request a conference with the Senate thereon.

The SPEAKER. Is there objection to the request of the gentleman from South Carolina? The Chair hears none, and appoints the following conferees: Messrs. ASHMORE, HUNGATE, and SMITH of New York.

USE OF THE MAILS TO OBTAIN MONEY OR PROPERTY UNDER FALSE REPRESENTATIONS

Mr. NIX. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H.R. 1411) to amend title 39, United States Code, with respect to use of the mails to obtain money or property under false representations, and for other purposes, with Senate amendments thereto, and disagree to the Senate amendments.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

Mr. GROSS. Mr. Speaker, reserving the right to object, is this the mail fraud bill that was passed by the House and sent to the Senate and to which was added the supergrades provision?

Mr. NIX. The gentleman is correct. This is the bill we passed in the House and to which was added the supergrades provision in the Senate.

Mr. GROSS. And is it the purpose of the gentleman from Pennsylvania to, in effect, send the bill back to the Senate without approval of the supergrade proposal?

Mr. NIX. The proposal is to disagree to the Senate amendment and send it back. I am informed that is agreeable to all persons concerned.

Mr. GROSS. Yes.

Mr. NIX. They have abandoned their effort to superimpose the supergrades on our legislation.

Mr. GROSS. That is on the ground that the supergrade provision is not germane to the subject matter of the bill which the House originally approved. Is that correct?

Mr. NIX. The gentleman is quite correct. I might add further that legislation has already been approved by the Senate to cover the supergrades.

Mr. GROSS. That is correct. I thank the gentleman.

Mr. Speaker, I withdraw my reservation of objection.

The **SPEAKER.** Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

EXTENSION AND AMENDMENT OF PUBLIC LAW 480, 83D CONGRESS—CONFERENCE REPORT

Mr. POAGE. Mr. Speaker, I call up the conference report on the bill (S. 2986) to extend Public Law 480, 83d Congress, for 3 years, and for other purposes, and ask unanimous consent that the statement of the managers on the part of the House be read in lieu of the report.

The Clerk read the title of the bill.

The **SPEAKER.** Is there objection to the request of the gentleman from Texas?

There was no objection.

The Clerk read the statement.

The conference report and statement are as follows:

Conference Report (H. Rept. No. 1642)

The committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 2986) "to extend Public Law 480, Eighty-third Congress, for three years, and for other purposes," having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its disagreement to the amendment of the House to the text of the bill and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the House amendment insert the following:

"That section 409 of the Agricultural Trade Development and Assistance Act of 1954, as amended, is amended by striking out 'December 31, 1968' and inserting in lieu thereof 'December 31, 1970'.

"Sec. 2. (a) Section 104(h) of such Act is amended by inserting before the semicolon at the end thereof the following: '. Not less than 5 per centum of the total sales proceeds received each year shall, if requested by the foreign country, be used for voluntary programs to control population growth'.

"(b) Section 109(a) of such Act is amended by striking out the word 'and' at the end of clauses (7) and (8), changing the period at the end of such subsection to a semicolon, and adding the following:

" '(10) carrying out voluntary programs to control population growth.'

"Sec. 3. Section 104(b)(2) of such Act is amended to read as follows:

" '(2) finance with not less than 2 per centum of the total sales proceeds received each year in each country activities to assist international educational and cultural exchange and to provide for the strengthening of the resources of American schools, colleges, universities, and other public and nonprofit private educational agencies for international studies and research under the programs authorized by title VI of the National Defense Education Act, the Mutual Educational and Cultural Exchange Act of 1961, the International Education Act of 1966, the Higher Education Act of 1965, the Elementary and Secondary Education Act of 1965, the National Foundation on the Arts and Humanities Act of 1965, and the Public Broadcasting Act of 1967;'.

"Sec. 4. Section 103(b) of the Agricultural Trade Development and Assistance Act of 1954, as amended, is amended by striking out the proviso at the end thereof and substituting the following: ': *Provided*, That, except where he determines that it would be inconsistent with the objectives of the Act the President shall determine the amount of foreign currencies needed for the uses specified in subsections (a), (b), (c), (e), and (h) of section 104, and the agreements for such credit sales shall provide for payment of such amounts in dollars or in foreign currencies upon delivery of the agricultural commodities. Such payment may be considered as an advance payment of the earliest installments.'

"Sec. 5. Such Act is further amended by deleting the period at the end of subsection (n) of section 103 and inserting in lieu thereof a semicolon and adding new subsections (o), (p), and (q) to section 103 as follows:

" '(o) Take steps to assure that the United States obtains a fair share of any increase in commercial purchases of agricultural commodities by the purchasing country;

" '(p) Assure convertibility at such uniformly applied exchange rates as shall be agreed upon of up to 50 per centum of the foreign currencies received pursuant to each agreement by sale to United States or purchasing country contractors for payment of wages earned in the development and consummation of works of public improvement in the purchasing country; and

" '(q) Assure convertibility of up to 50 per centum of the foreign currencies received pursuant to each agreement by sale to United States importers for the procurement of materials or commodities in the purchasing country.'

"Sec. 6. Section 104 is amended by deleting the word 'and' at the end of subsection (i) and deleting the colon after subsection (j) and inserting in lieu thereof '; and', and adding the following new subparagraph (k):

" '(k) for paying, to the maximum extent practicable, the cost of carrying out programs for the control of rodents, insects, weeds, and other animal or plant pests:'

"Sec. 7. Section 303 of the Act is amended by adding at the end thereof the following: 'Barter or exchange of agricultural commodities under clause (a) of this section shall be limited to exchange for materials which originate in the country to which the surplus agricultural commodities are exported and to arrangements which will prevent resale or transshipment of the agricultural commodities to other countries.'

"Sec. 8. Section 407 of the Act is amended by striking out the entire section and substituting the following:

" 'Sec. 407. There is hereby established an Advisory Committee composed of the Secretary of State, the Secretary of the Treasury, the Secretary of Agriculture, the Director of the Bureau of the Budget, the Administrator of the Agency for International Development, the chairman and the ranking minority member of both the House Committee on Agriculture and the House Committee on Foreign Affairs, and the chairman and the ranking minority member of both the Senate Committee on Agriculture and Forestry and the Senate Committee on Foreign Relations. The Advisory Committee shall survey the general policies relating to the administration of the Act, including the manner of implementing the self-help provisions, the uses to be made of foreign currencies which accrue in connection with sales for foreign currencies under title I, the amount of currencies to be reserved in sales agreements for loans to private industry under section 104(e), rates of exchange, interest rates, and the terms under which dollar credit sales are made, and shall advise the President with respect thereto. The Advisory Committee shall meet not less than four times during each calendar year at the call of the Acting Chairman of such Committee who shall preside in the following order: The chairman of the House Committee on Agriculture, the chairman of the Senate Committee on Foreign Relations, the chairman of the Senate Committee on Agriculture and Forestry, and the chairman of the House Committee on Foreign Affairs.'

"Sec. 9. Section 102 of the Act is amended by striking out the period at the end thereof and adding a colon and the following: '*Provided*, That the Commodity Credit Corporation shall not finance the sale and export of agricultural commodities under this Act for any exporter which is engaging in, or in the six months immediately preceding the application for such financing has engaged in, any sales, trade, or commerce with North Vietnam, or with any resident thereof, or which owns or controls any company which is engaging in, or in such period has engaged in, any such sales, trade, or commerce, or which is owned or controlled by any company or person which is engaging in, or which in such period has engaged in, any such sales, trade, or commerce either directly or through any branch, subsidiary, affiliate, or associated company: *Provided further*, That such application for financing must be accompanied by a statement in which are listed by name, address, and chief executive officers all branches, affiliates, subsidiaries and associated companies, foreign and domestic, in which the applicant has a controlling interest and similar information for all companies which either directly or through subsidiaries or otherwise have a controlling interest in the applicant company.' "

And the House agree to the same. That the Senate recede from its disagreement to the title of the bill and agree to the same.

W. R. Poage,
E. C. Gathings,
Graham Purcell,
Page Belcher,
Charles M. Teague,
Catherine May,
Managers on the Part of the House.

Allen J. Ellender,
Spessard L. Holland,
James O. Eastland,
Herman E. Talmadge,
George D. Aiken,
Milton R. Young,
J. Caleb Boggs,
Managers on the Part of the Senate.

Statement

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendment of the House to the bill, S. 2986, to extend Public Law 480, Eighty-third Congress, for three years and for other purposes, submit the following statement in explanation of the effect of the action agreed upon by the conferees and recommended in the accompanying conference report.

The amendment of the House struck out

all after the enacting clause of S. 2986 and substituted a new bill which differed from the Senate bill in eleven different provisions. There follows a listing of the substantive differences between the House bill and the Senate bill and the disposition by the conferees:

1. Length of extension: The Senate bill provided for a 3-year extension of Titles I and II of the Act and the House bill one year. The conference substitute provides for a 2-year extension.

2. Voluntary population control programs: The conference substitute contains a provision in the Senate bill which (a) provides that if requested by the host country, not less than 5 percent of total sales proceeds each year shall be used for such programs, and (b) includes "carrying out voluntary programs to control population growth" among the self-help measures to be considered by the President before entering into an agreement.

3. Educational and cultural exchange: The conference substitute contains a provision in the Senate bill which broadens Section 104(b)(2) of the Act to extend it to all cultural and educational exchanges (instead of just those authorized by the Mutual Educational and Cultural Exchange Act of 1961), and requires at least 2 percent of total sales proceeds each year in each country to be used for such purposes.

4. Payment of U.S. obligations: The conference substitute contains a provision in the House bill which revises the proviso at the end of Section 103(b) to make it mandatory (rather than discretionary) for the President to require immediate payment in dollars or foreign currencies of amounts needed for payment of U.S. obligations and for certain other purposes. The conferees feel it is more advantageous for the United States to receive foreign currencies for these specified purposes now than to pay out dollars now and receive dollars later under a dollar credit sale.

5. Fair share of commercial markets: The conference substitute contains a provision in the House bill which requires the President to take steps to assure that the United States obtains a fair share of any increase in commercial purchases of agricultural commodities by the purchasing country. In accepting this amendment the conferees intend that, consistent with U.S. obligations under international agreements, the United States should benefit equitably from the development of new commercial markets in those countries now receiving U.S. food on concessional terms. The conferees intend that this amendment is designed to assist the United States achieve a growing commercial market for agricultural products as the economies of the respective developing nations advance.

6. Convertibility of currency in foreign nations: The conference substitute contains a provision in the House bill which requires the President to assure convertibility at uniformly applied rates of up to 50 percent of the foreign currencies received pursuant to each agreement by sale to U.S. or purchasing country contractors for payment of wages earned in the development of works of public improvement in the purchasing country.

7. Convertibility of foreign currency by sale to U.S. importers: The conference substitute contains a provision in the House bill which requires the President to assure the convertibility of up to 50 percent of the foreign currencies received pursuant to each agreement by sale to U.S. importers for the procurement of materials or commodities in the purchasing country.

In accepting the House language adding Section 103(p) and Section 103(q) to the Act, the conferees agree that these amendments are intended to assist in improving the U.S. balance of payments within the framework of our obligations and those of recipient countries under international agreements, but not to impair the objectives of Public Law 480 as set forth in its preamble. It is understood that the expression of "up to fifty per centum" is flexible enough to authorize an agreement with no such assurance of convertibility whenever the President shall determine that the allocation of any amount of such currencies would jeopardize the negotiation of agreements of mutual interest to the United States and the purchasing country and therefore impair the objectives of the Act.

8. Rodent, weed, insect, and other plant and animal pest control: The conference substitute contains a provision in the House bill which specifically authorizes the use of foreign currencies for rodent, weed, insect, and other plant and animal pest control. The conferees recognize that general authority already exists in the Act for this type of activity, but have adopted this provision in an attempt to intensify and improve these efforts.

9. Barter: The House bill proposed to amend Section 303 of the Act to eliminate barter, except for materials required in connection with foreign aid programs or for offshore construction programs, and thereby eliminate barter for materials to be stored for possible future use or disposition. The Senate bill contained no reference to barter. The conference substitute limits barter under clause (a) of Section 303 of the Act to exchanges for materials which originate in the country to which the surplus agricultural commodities are exported.

By adopting this amendment it is the intent of the conferees that the barter program administered under clause (a) of section 303 of Public Law 480 be limited to bilateral arrangements between our country and other friendly nations of the world. The conferees do not intend to alter or change the Secretary's barter authority under the Commodity Credit Corporation Charter Act.

In furtherance of effective Congressional review of the barter program the conferees request the Secretary of Agriculture to submit to both the House Committee on Agriculture and the Senate Committee on Agriculture and Forestry suitable explanatory materials concerning barter transactions under consideration and near completion. The conferees feel that this information, submitted in the same manner as is presently done in regard to Title I transactions, will be of interest and importance to the Congress.

10. Advisory committee: The House bill contained a provision which would reduce the size of the advisory committee provided by Section 407 of the Act from 21 to 13 members by removing the second majority and minority members of each of the House Agriculture, Senate Agriculture and Forestry, Senate Foreign Relations, and House Foreign Affairs Committees. It also required quarterly meetings of the advisory committee and would rotate the chairmanship quarterly among the chairmen of the four House and Senate committees. The Senate bill contained no comparable provision. The conference substitute contains the House provision with an amendment to require four meetings each calendar year, rather than one meeting during each calendar quarter.

11. Prohibition against financing exports to persons engaged in commerce with North Vietnam. The House bill contained a provision which would prohibit financing exports by any person who engaged in commerce with North Vietnam during a previous 6-month period (including any parent, subsidiary, or affiliate of such person) and require exporters to furnish information as to ownership and control. The Senate bill contained no comparable provision. The conference substitute contains the House provision with amendments to (1) clarify that the prohibition also applies to any exporters presently engaged in commerce with North Vietnam, (2) remove the phrase "or is affiliated with" in order to clearly establish ownership or control as criteria for determining which exporters are carrying on such commerce, and (3) include the parent companies as well as the subsidiaries of applicants in the disclosure requirements of this provision.

W. R. Poage,
E. C. Gathings,
Graham Purcell,
Page Belcher,
Charles M. Teague,
Catherine May,
Managers on the Part of the House.

Mr. POAGE (during the reading). Mr. Speaker, I ask unanimous consent that further reading of the statement be dispensed with.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

The SPEAKER. Without objection, the previous question is ordered on the motion to recommit.

There was no objection.

The conference report was agreed to.

A motion to reconsider was laid on the table.

PROVIDING FOR CONSIDERATION OF H.R. 15758, GRANTS FOR REGIONAL MEDICAL PROGRAMS, HEALTH OF AGRICULTURAL MIGRANT WORKERS, AND ALCOHOLIC AND NARCOTIC REHABILITATION FACILITIES

Mr. DELANEY. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 1235 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. Res. 1235

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 15758) to amend the Public Health Service Act so as to extend and improve the provisions relating to regional medical programs, to extend the authorization of grants for health of migratory agricultural workers, to provide for specialized facilities for alcoholics and narcotic addicts, and for other purposes. After general debate, which shall be confined to the bill and shall continue not to exceed two hours, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Interstate and Foreign Commerce, the bill shall be read for amendment under the five-minute rule. It shall be in order to consider the amendment in the nature of a substitute recommended by the Committee on Interstate and Foreign Commerce now printed in the bill, and such substitute for the purpose of amendment shall be considered under the five-minute rule as an original bill. At the conclusion of such consideration, the Committee shall rise and report the bill to the House with such amendments as may have been adopted, and any Member may demand a separate vote in the House on any amendment adopted in the Committee of the Whole to the bill or committee amendment in the nature of a substitute. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

The SPEAKER. The gentleman from New York is recognized for 1 hour.

Mr. DELANEY. Mr. Speaker, I yield 30 minutes to the gentleman from California [Mr. Smith], pending which I yield myself such time as I may consume.

Mr. Speaker, House Resolution 1235 provides an open rule with 2 hours of general debate for consideration of H.R. 15758 to amend the Public Health Service Act so as to extend and improve the provisions relating to regional medical programs, to extend the authorization of grants for health of migratory agricultural workers, to provide for specialized facilities for alcoholics and narcotic addicts, and for other purposes. The resolution also provides that it shall be in order to consider the committee substitute as an original bill for the purpose of amendment.

H.R. 15758 provides for extending three existing programs. It would extend for 2 additional years the authority for appropriations for regional medical programs for heart disease, stroke, cancer, and related diseases. It would extend for 2 years the program of grants for health services for domestic agricultural migratory workers. It would provide for a 2-year continuation, with revisions, of the existing program of grants for construction and staffing of facilities for rehabilitation of narcotics addicts; and would provide for matching grants for construction and staffing of facilities for treatment of alcoholics.

Mr. Speaker, I urge the adoption of House Resolution 1235 in order that H.R. 15758 may be considered.

Mr. SMITH of California. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, first may I concur in the statements made by the distinguished gentleman from New York and associate myself with them, in the explanation of the rule.

In addition, Mr. Speaker, may I add that the purpose of the bill is to extend for 2 additional years—fiscal 1969 and 1970—the regional medical health programs for heart disease, cancer, and stroke; to extend for 2 years the medical assistance program for migratory farm workers; and to extend for 2 years and expand the program for assistance to narcotic addicts and alcoholics.

The administration's bill had called for a 5-year program. The committee reduced this to 2 years. The administration bill called for $1,134,000,000 over this period. The reported bill contains authorizations which are $15 million below the administration's request for 1969 and $43 million below the request for 1970.

Title I contains the regional medical programs—extended for a 2-year period and $150 million in authorizations are provided—$50,000,000 for 1969 and $100,000,000 for 1970. Additionally, there are some $30,900,000 in carryover funds available for use in 1969. Regional research programs are underway all across the country to develop and maintain higher health standards. Programs of research into the diseases of cancer, stroke, and other heart diseases are funded under the program. New methods, drugs, and techniques are studied and developed.

Title II contains the programs for medical assistance to migratory agricultural workers. The program is authorized at $9 million for 1969 and $12 million for 1970. The program seeks to reach the estimated 1 million workers and their dependents who move about the rural areas harvesting the crops. Because they move, their opportunity for regular medical care is limited. Under the program, grants are made to States, local communities, and nonprofit agencies to pay part of the medical costs of migrant worker health services. Some 300,000 of the eligible workers and dependents have been reached by the program in its first years. The increased authorizations should increase the coverage.

Title III contains the expanded programs for assistance for narcotic addicts and alcoholics. The narcotic addict assistance programs are funded for 1969 at $8 million and $10 million for 1970. Construction grants are authorized for treatment facilities, two-thirds to be the Federal share on an individual project. Grants are also available for personnel costs.

The authorizations for the alcoholic treatment programs are funded at $7,000,000 for 1969 and $15,000,000 for 1970. Again construction grants are authorized, the Federal share of an individual project to be two-thirds. Also authorized are grants, over a period of 4½ years, for personnel costs in operating the facilities.

Under both programs contained in title III, funds appropriated but not used in 1969 will remain available in 1970.

HEW, the Treasury and the Department of Agriculture support passage of the bill.

The gentleman from Maine [Mr. KYROS] has filed additional views. He supports the bill but will offer an amendment to return the cuts made: $15,000,000 for 1969 and $43,000,000 for 1970. He believes them to be false economies.

Mr. Speaker, I know of no objection to the rule, and I urge its adoption.

AMENDMENT OFFERED BY MR. DELANEY

Mr. DELANEY. Mr. Speaker, I offer an amendment to the resolution.

The Clerk read as follows:

Amendment offered by Mr. DELANEY: On page 1, lines 5 and 7, change the word "extent" to "extend".

Mr. DELANEY. Mr. Speaker, these are merely corrections as to the spelling in the resolution.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. DELANEY. Yes. I yield to the gentleman.

Mr. GROSS. These are amendments to the rule only?

Mr. DELANEY. That is correct.

The amendment was agreed to.

The resolution was agreed to.

A motion to reconsider was laid on the table.

PROVIDING FOR CONSIDERATION OF H.R. 14096, INCREASING PENALTIES FOR UNLAWFUL ACTS INVOLVING LSD AND OTHER DRUGS.

Mr. DELANEY. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 1225 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 1225

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 14096) to amend the Federal Food, Drug, and Cosmetic Act to prescribe penalties for the possession of LSD and other hallucinogenic drugs by unauthorized persons. After general debate, which shall be confined to the bill and shall continue not to exceed one hour, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Interstate and Foreign Commerce, the bill shall be read for amendment under the five-minute rule. It shall be in order to consider the amendment in the nature of a substitute recommended by the Committee on Interstate and Foreign Commerce now printed in the bill, and such substitute shall be considered under the five-minute rule as an original bill for the purpose of amendment. At the conclusion of such consideration, the Committee shall rise and report the bill to the House with such amendments as may have been adopted, and any Member may demand a separate vote in the House on any amendment adopted in the Committee of the Whole in the bill or committee amendment in the nature of a substitute. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

The SPEAKER. The gentleman from New York is recognized for 1 hour.

Mr. DELANEY. Mr. Speaker, I yield 30 minutes to the gentleman from California [Mr. SMITH], and pending that I yield myself such time as I may consume.

Mr. Speaker, House Resolution 1225 provides an open rule with 1 hour of general debate for consideration of H.R. 14096 to amend the Federal Food, Drug, and Cosmetic Act to prescribe penalties for the possession of LSD and other hallucinogenic drugs by unauthorized persons. The resolution also makes it in order to consider the committee substitute as an original bill for the purpose of amendment.

H.R. 14096 would provide increased penalties for persons trafficking illegally in barbiturates, depressants, amphetamines, and LSD, and other hallucinogens, and would make possession of barbiturates, depressants, amphetamines and hallucinogenic drugs a misdemeanor, unless the drugs in question were obtained pursuant to a valid prescription. Provision is made for special treatment of first offenders accused of illegal possession of the drugs in question.

Since the provisions of the bill with respect to penalties for possession are intended primarily as an aid to law-enforcement agencies, and the other provisions provide increased penalties for acts already made illegal, it is not anticipated that any increased appropriations would be required to carry out the act.

Mr. Speaker, I urge the adoption of House Resolution 1225 in order that H.R. 14096 may be considered.

Mr. SMITH of California. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I concur in the remarks

make by the gentleman from New York, and associate myself with them.

In addition to that, may I mention that the types of drugs covered by the bill, and drugs such as amphetamines, barbiturates, depressants, LSD, and other hallucinogenic drugs, some of which are referred to as pep pills. The purpose of the bill is to increase the penalties currently provided for persons illegally possessing such drugs.

It seems clear that some steps, must be taken to cut down on the use and possession of drugs, particularly by our young people. Since the early 1960's, their use has increased rapidly, particularly that of LSD. The publicity has only increased the problem.

The types of drugs covered by the bill include: the amphetamines, popularly called pep pills; the barbiturates or depressants, and; the hallucinogenic or psycedelic drugs such as LSD which can produce extreme effects of fantasy and delusions.

The bill makes illegal possession of these dangerous drugs a misdeameanor punishable by up to 1-year imprisonment and a fine of up to $1,000 for a first offender. For subsequent offenses the penalty is increased to up to 3-years imprisonment and a fine of up to $10,000. The bill provides that upon conviction of simple possession, a first-time offender may be placed on probation under such terms as the court may impose—including the removal of any criminal conviction from his record.

Juvenile offenders will be handled under the Juvenile Offenders Act and he, as other such juvenile offenders, will have no criminal record as an adult.

The bill also makes all drug offenses involving illegal trafficking in such dangerous drugs a felony, subject to imprisonment for up to 5 years or a fine of up to $10,000, or both. Sales to minors are punishable by imprisonment of up to 10 years or a fine of $15,000, or both for a first offender; subsequent offenses are punishable by imprisonment of up to 15 years and a fine of $20,000, or both.

The Treasury and the Bureau of the Budget prefer the administration's bill to the reported bill which set the penalty for possession of drugs illegally at 5 years for a first offense and 10 years for subsequent offenses, the same as is currently provided for possession of marihuana.

There are no minority views.

Mr. Speaker, I urge adoption of the rule.

Mr. DELANEY. Mr. Speaker, I move the previous question on the resolution.

The previous question was ordered.

The resolution was agreed to.

A motion to reconsider was laid on the table.

PROVIDING THAT H.R. 16187 BE PASSED OVER ON CALL OF PRIVATE CALENDAR JULY 16

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the bill H.R. 16187 be passed over and not considered when the Private Calendar is called on Tuesday, July 16.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

PROVIDING FOR THE CONSIDERATION OF H.R. 15651, AMENDING IMMIGRATION AND NATIONALITY ACT

Mr. BOLLING. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 1217 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 1217

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 15651) to amend the Immigration and Nationality Act to facilitate the entry of foreign tourists into the United States, and for other purposes. After general debate, which shall be confined to the bill and shall continue not to exceed one hour, to be equally divided and controlled by the chairman and ranking minority member of the Committee on the Judiciary, the bill shall be read for amendment under the five-minute rule. At the conclusion of the consideration of the bill for amendment, the Committee shall rise and report the bill to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit.

Mr. BOLLING. Mr. Speaker, I yield 30 minutes to the distinguished gentleman from California [Mr. SMITH], and pending that, I yield myself such time as I may consume.

Mr. Speaker, this resolution provides for an open rule with 1 hour of general debate. There was no opposition to the rule; there was no opposition expressed before the Committee on Rules with respect to the bill which the resolution makes in order, which is a simple set of amendments to the Immigration Act, and which would, in effect, encourage certain types of foreign travel.

Mr. Speaker, I reserve the balance of my time.

Mr. SMITH of California. Mr. Speaker, I yield myself such time as I might consume.

Mr. Speaker, the purpose of the bill is to facilitate the entry into the United States of nonimmigrant visitors by:

First, removing the requirement to have a visa; and

Second, authorizing the Secretary of State and the Attorney General to waive many categories of ineligibilities so as to permit many persons who do not qualify for a U.S. visa to come for a short visit.

The bill is limited in scope. It applies only to a certain kind of nonimmigrant visitor; the temporary visitor who wishes to visit the United States for either business or pleasure and remain not more than 90 days. It will apply only to nationals of countries designated, by the Secretary of State, through public notice, to receive this special treatment, either on the basis of reciprocity or foreign policy considerations. Many ineligibility criteria would be waived, those remaining will include: Aliens who are insane, afflicted with a dangerous and contagious disease, those liable to become a public charge, prior deportees, or those liable to engage in activities prejudicial to the public interest.

Persons entering the United States under this legislation would not be able to stay beyond the 90-day period, seek employment, or otherwise violate the terms of their entry. Any who do would have a 2-year period added to the earliest time when they could apply for any immigrant status.

Nothing is changed by the bill with respect to immigration or resident alien status under current law. All the bill seeks to do is make it easier for pleasure or business travelers to come to the United States.

The administration supports the bill. There are no minority views.

Mr. BOLLING. Mr. Speaker, I move the previous question on the resolution.

The previous question was ordered.

The resolution was agreed to.

A motion to reconsider was laid on the table.

PROVIDING FOR CONSIDERATION OF H.R. 16024, HIGH-SPEED GROUND TRANSPORTATION EXTENSION

Mr. BOLLING. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 1245 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 1245

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 16024) to extend for one year the Act of September 30, 1965, relating to high-speed ground transportation. After general debate, which shall be confined to the bill and shall continue not to exceed one hour, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Interstate and Foreign Commerce, the bill shall be read for amendment under the five-minute rule. At the conclusion of the consideration of the bill for amendment, the Committee shall rise and report the bill to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit.

The SPEAKER. The gentleman from Missouri [Mr. BOLLING] is recognized for 1 hour.

Mr. BOLLING. Mr. Speaker, I yield 30 minutes to the gentleman from California [Mr. SMITH] pending which I yield myself such time as I may consume.

Mr. Speaker, this is an open rule with 1 hour of general debate for consideration of amendments to the High-Speed Ground Transportation Act of 1965.

Mr. Speaker, I know of no objection to the rule. There is in the report on the bill the separate views of two members of the committee who propose to offer an amendment when the bill is debated. Other than that I know of no opposition whatsoever to the legislation in question.

Therefore, Mr. Speaker, I reserve the balance of my time.

Mr. SMITH of California. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I agree with the remarks made by the distinguished gentleman from Missouri, both in explanation of the rule and of the bill.

Mr. Speaker, the purpose of the bill is to extend for 2 years—through 1970—the authority of the Secretary of Transportation to undertake research and development and to conduct further demonstrations in high-speed ground transportation.

The bill authorizes $16.2 million for fiscal 1969, and $21.2 million for 1970. It also extends the authority of the Secretary of Transportation to acquire sites for research facilities and demonstration locations. Finally, the bill grants authority for the Secretary to assist financially in the construction of two railroad stations in connection with the demonstration project on the New York-Washington line.

All appropriate agencies support the reported bill.

Separate views are filed by two Members. They oppose spending any of the authorized funds—programed for research and development of high-speed ground transportation—for the construction of railroad stations in New Jersey and Maryland. They note our fiscal situation and believe such expenditures are not warranted. They also note that the Department of Transportation has made other questionable expenditures to improve the property of several railroads, which they believe to be improper. They support the bill but hope to remove the authority to assist in railroad station construction.

Mr. Speaker, I urge adoption of the rule.

Mr. BOLLING. Mr. Speaker, I move the previous question on the resolution.

The previous question was ordered.

The resolution was agreed to.

A motion to reconsider was laid on the table.

PROVIDING FOR CONSIDERATION OF H.R. 16824, STATE TECHNICAL SERVICES ACT OF 1965

Mr. BOLLING. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 1246 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. Res. 1246

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 16824) to extend for an additional year the authorization of the appropriations under the State Technical Services Act of 1965. After general debate, which shall be confined to the bill and shall continue not to exceed one hour, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Interstate and Foreign Commerce, the bill shall be read for amendment under the five-minute rule. At the conclusion of the consideration of the bill for amendment, the Committee shall rise and report the bill to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit. After the passage of H.R. 16824, the Committee on Interstate and Foreign Commerce shall be discharged from the further consideration of the bill S. 3245, and it shall then be in order in the House to move to strike out all after the enacting clause of the said Senate bill and insert in lieu thereof the provisions contained in H.R. 16824 as passed by the House.

The SPEAKER. The gentleman from Missouri [Mr. Bolling] is recognized for 1 hour.

Mr. BOLLING. Mr. Speaker, I yield 30 minutes to the gentleman from California [Mr. Smith], pending which I yield myself such time as I may require.

Mr. Speaker, this is an open rule providing for 1 hour of general debate on the bill.

The only alteration from previous rules is that this one also makes provision for getting the bill to conference after passage.

It makes in order amendments to the State Technical Services Act of 1965. Mr. Speaker, there is no opposition to the rule and there is no opposition that I can find to the legislation itself.

Mr. Speaker, I reserve the balance of my time.

The SPEAKER. The Chair recognizes the gentleman from California [Mr. Smith].

Mr. SMITH of California. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I concur and agree with the statements just made by the distinguished gentleman from Missouri [Mr. Bolling] and associate myself therewith.

The purpose of the bill is to authorize appropriations for the State Technical Service Act for an additional 3 years.

For fiscal 1969, the authorization is $6,600,000; for 1970 and 1971 it is $10,000,000.

The aim of the act is to speed the implementation of new techniques and know-how into operation in the industries of the Nation to upgrade and enlarge our economy. A great deal of technical knowledge, research, and development has arisen in the last 30 years. One of the problems is to make it applicable to our industries and crafts. This is the purpose of the act—to act as a conduit, getting this information down to a working level.

Since 1965 a total of 46 States have set up programs and received grants under the act. Some 1,500 technical service projects are being conducted by over 200 educational and other nonprofit institutions.

The bill is supported by the appropriate agencies. The bill was reported unanimously by the committee.

Mr. Speaker, there is no objection to the rule and I urge its adoption.

Mr. BOLLING. Mr. Speaker, I move the previous question on the resolution.

The previous question was ordered.

The resolution was agreed to.

A motion to reconsider was laid on the table.

CALL OF THE HOUSE

Mr. HALL. Mr. Speaker, I make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

Mr. MORGAN. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 244]

Adams
Anderson, Tenn.
Annunzio
Aspinall
Bell
Biester
Blanton
Brademas
Brock
Burton, Utah
Cahill
Celler
Clancy
Cohelan
Conyers
Corman
Cramer
Culver
Curtis
de la Garza
Derwinski
Dole
Dorn
Edwards, La.
Eshleman
Everett
Evins, Tenn.
Fallon
Farbstein
Fino
Ford, William D.
Fulton, Tenn.
Gathings
Gettys
Gibbons
Griffiths
Gubser
Gurney
Hagan
Halleck
Hammerschmidt
Hansen, Idaho
Harrison
Harsha
Hathaway
Hawkins
Hays
Herlong
Holifield
Holland
Karsten
King, Calif.
Kupferman
Laird
Leggett
Lloyd
Long, La.
McClory
McCloskey
McClure
McEwen
Madden
Mailliard
Mayne
Moorhead
O'Konski
O'Neal, Ga.
Podell
Pool
Price, Texas
Pucinski
Quillen
Randall
Rarick
Reifel
Reinecke
Resnick
Rhodes, Pa.
Rivers
Roush
Schweiker
Scott
Smith, Iowa
Smith, Okla.
Steiger, Ariz.
Taft
Talcott
Teague, Tex.
Utt
Van Deerlin
Vander Jagt
Wilson, Charles H.
Wydler

The SPEAKER. On this rollcall, 337 Members have answered to their names, a quorum.

By unanimous consent, further proceedings under the call were dispensed with.

MOST STRINGENT FIREARMS CONTROLS NEEDED

Mr. HALPERN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. HALPERN. Mr. Speaker, an incident which occurred in my district last May clearly points to the need for effective laws on gun control.

Mrs. Selig Bernstein, of 36–26 211th Street, Bayside, N.Y., a constituent of mine, wrote to me this week to tell me a story about her young son, Bruce.

A classmate, 13 years of age, shot Bruce while they were playing in their yard. The weapon was a rifle, and, according to Mrs. Bernstein, ammunition was readily at hand in the other boy's home. Naturally, such a tragedy could occur with or without gun control laws. But it is also conceivable that the accident would not have occurred if the availability of such rifles and ammunition were made more restrictive and if the tough provisions of the laws which I stanchly advocate were in effect.

I again plead to the Members of Congress to rally behind the most stringent firearms controls possible.

GRANTS FOR REGIONAL MEDICAL PROGRAMS, HEALTH OF AGRICULTURAL MIGRANT WORKERS, AND ALCOHOLIC AND NARCOTIC ADDICT REHABILITATION FACILITIES

Mr. STAGGERS. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 15758) to amend the Public Health Service Act so as to extend and improve the provisions relating to regional medical programs, to extend the authorization for grants for health of migratory agricultural workers, to provide for specialized facilities for alcoholics and narcotic addicts, and for other purposes.

The SPEAKER. The question is on the motion offered by the gentleman from West Virginia [Mr. STAGGERS].

The motion was agreed to.

IN THE COMMITTEE OF THE WHOLE

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill, H.R. 15758, with Mr. VANIK in the chair.

The Clerk read the title of the bill.

By unanimous consent, the first reading of the bill was dispensed with.

The CHAIRMAN. The Chair recognizes the gentleman from West Virginia [Mr. STAGGERS].

Mr. STAGGERS. Mr. Chairman, this bill has three titles.

Mr. Chairman, the bill before the House today is one of the major health measures recommended by the administration this year. It provides for extension of three existing programs with some expansion of a fourth existing program. The three programs proposed for straight extensions with some modifications are: first, the program of grants for regional medical programs for heart disease, stroke, cancer and related diseases; second, the program of grants for health services for domestic agricultural migratory workers; and third, the program of grants for construction and staffing of facilities for the rehabilitation of narcotics addicts. In addition, the bill provides for some expansion of existing programs of grants for construction and staffing of community mental health centers, to cover grants for construction and staffing of facilities for rehabilitation and treatment of persons suffering from alcoholism.

This is a year, Mr. Chairman, of austerity in Government programs, and our committee, in reporting this bill, has provided an austere program; however, all things considered, we think it is an adequate one.

The bill is in 3 titles and the first title contains a 2-year extension of regional medical programs for heart disease, stroke, cancer, and related diseases. The administration requested a total of $205 million in new money for this program; the committee has provided authorizations totaling $150 million for the 2 additional years.

Under this program, there are 54 planning groups nationwide, planning for improvements in the diagnosis and treatment of patients suffering from heart disease, stroke, cancer, and related diseases covering 100 percent of the population of the United States. In general, these programs follow a 2-step pattern. First, the local group is established which obtains planning money from the Department of Health, Education, and Welfare. The local group prepares its plans and then receives grants for moving into the operating phase of the program. The program provides for a maximum degree of local initiative and local control throughout, with the administrators in Washington being pretty much limited in their authority over local programs, to refusing to fund programs.

As of June 30, 1968, a total of 23 programs have moved into phase II, the operational phase of the program. It is anticipated that the remaining 31 regions in the United States will move into the operating phase during fiscal 1969. It is impossible to give an exact description of a regional medical program since each program differs from the others. The reason for the differences is that each program is tailored to the needs of the locality which it serves and all of the localities in the United States differ in their makeup. Almost 1,000 medical institutions and 800 organizations are participating in this program including all of the state medical associations, medical schools, state health departments, state heart and cancer associations, and hundreds of hospitals.

One major impact which this program will have, which was not fully foreseen at the time of the original legislation, is the impact the program will have in other programs and activities. Physicians and other health workers involved in these programs will be applying their new knowledge and new techniques to patients being treated under the medicaid, medicare and other health programs. The lessons learned in the regional medical programs cannot help but enhance the quality and efficiency of these other activities.

A second program contained in the bill is set forth in title II, consisting of a 2-year extension of the current program of grants for provision of health services for domestic agricultural migratory workers.

Under this program, approximately 300,000 domestic agricultural migratory workers and their dependents received services for at least part of 1967. The program helped to finance over 200,000 medical visits and 24,000 dental visits. 125,000 visits were made by nurses to migrant camps and 125,000 visits were made by project sanitarians to inspect their work sites.

Domestic agricultural migratory workers are among the neediest groups in the United States insofar as concerns health services; however, the counties where they reside temporarily while engaged in agricultural labor in many cases find their health resources severely overtaxed. The health services provided under this program are necessary in order to meet the serious needs of this group of American citizens.

Title III of the bill contains two further programs, both involving matching grants of up to two-thirds the cost of construction of facilities, and matching grants for the staffing of facilities. Facilities may be provided for treatment and rehabilitation of narcotics addicts, and other facilities may be provided and staffed under the bill for the care and treatment of persons suffering from alcoholism.

It is the intention of the committee that these facilities shall be administered in conjunction with community mental health centers where these centers are in existence in the areas served by the facilities.

Where community mental health centers are not in existence to serve the community in which specialized facilities are provided for alcoholics, the legislation requires that the program carried on at the specialized facility must also provide for appropriate utilization of existing community resources needed for an adequate program of prevention and treatment of alcoholism.

In summary, Mr. Chairman, this bill provides for extension and expansion of needed health programs. It was supported by all of the witnesses before the committee and we recommend its approval by the House.

Mr. SPRINGER. Mr. Chairman, the bill before the House this afternoon renews two programs already underway and adds one new program in the area of health services.

The first and by far largest of the items involved in this bill provides for grants for regional medical programs which may be remembered by some of you as the program for heart, stroke, and cancer.

In 1965 a program was presented to the Congress and passed by the Senate which would have revolutionized the arrangements for the delivery of health services in the guise of combating these three killer diseases. It called for the construction and operation of governmental installations at the local level to diagnose and treat these diseases. It called for a realinement of the traditional medical services. All of this was to cost considerably more than $1 billion. The Committee on Interstate and Foreign Commerce took a hard and thorough look at this program and concluded that in the form in which it was presented it was not in the best interests of the people of the country. The result was an entirely revised concept of study, research, planning, and experimentation in finding new and better ways to use existing facilities as well as emerging techniques. The money authorized to carry out this endeavor was somewhat over $300 million or approximately one-third the amount originally requested. We wanted to find out whether existing medical facilities, institutions, and personnel could, on a voluntary basis, plan and execute better arrangements for the delivery of medical services dealing with heart, stroke, cancer, and related diseases. The legislation did not purport to tell the medical schools, the hospitals, medical associations or the local governmental entities how to go about this task. Rather it encouraged each region to work out something in its own way that would accomplish the goal.

As one might expect, this effort started slowly because of the difficult task of discussing and arguing out a bare bones preliminary approach in each area. By and large the big medical schools became the focal point of these first efforts. Because of this, very little of the authorized money was used in the first year. Only a few areas had progressed to the point of presenting to the Department of Health, Education, and Welfare a preliminary approach to planning. As these were approved, funds were released to pursue the planning phase. By the end of the second year there were 54 planning activities underway or approved. Very few operational plans had been hammered out, but there were four of the more permanent arrangements ready to go.

Without burdening this record with statistics, suffice it to say that all areas of the country are now covered by planning efforts if not by operational plans. The entire scheme looks very promising. The things to be gained are beyond value. Not every plan will result in better medical care. It would be most surprising if every region will achieve success. If however, even a few of the regional plans find new and better ways to deliver necessary medical services to the patient without disturbing the traditional relationships between health services and Government, it will be effort and money well spent.

We are now at a sort of halfway point in this whole program. Another 2 years should tell us whether we can through voluntary methods better fight the battle for the health of the American public. From what I know of the program, and I recommend that each Member read the committee report for more detail, I am convinced that new methods and new arrangements will be forthcoming.

The money included in the authorization would at first glance appear to be a cutback almost amounting to a repudiation of the program. This is not so. The money previously authorized proved to be far in excess of what could be used. The Department of Health, Education, and Welfare feels that they could use $65 million in the next fiscal year. After exhaustive investigation the Subcommittee on Health and Welfare concluded that a more realistic figure is $50 million. It is the intention of our committee, and I am sure the desire of this House, to keep authorizations as well as appropriations within realistic bounds. On the same basis we have recommended an authorization of $100 million for fiscal year 1970. Further, by holding the extension of this act to 2 fiscal years we will be in a position to reappraise the progress made when all or most regions of the country will have an operational plan and will have gained enough experience to judge the worth of the program in realistic terms and to indicate the length and kind of support it will thereafter need.

Title II of the bill deals with domestic agricultural migratory workers and is also a continuation of an ongoing program. Some years ago it became apparent that the impact of migratory workers upon the health services of individual communities could be temporarily devastating. In addition, the health services traditionally geared to the community itself were not the kinds of services needed when large numbers of migratory workers descended upon the community for reasonably short periods of time. For a few years supplementary funds were granted to those areas showing the need for extraordinary services for migratory workers. This consisted mostly of dental care, innoculations, and maternity care.

It was forcefully pointed out that not only public health entities became overburdened but that hospitals found it impossible to service all of the patients in the migratory group. As a result the assistance was expanded to include emergency hospital services for migratory workers.

To extend this program for 2 additional years the committee included in the bill an authorization of $9 million for fiscal year 1969 and $12 million for fiscal year 1970.

The remaining portion of the bill is a new program in the sense that it is an addition to the present Community Mental Health Centers Act. Grants have been available in the last few years to construct and provide initial staffing for community mental health centers. These provisions were based upon the very sound and proven theory that treatment of mental illnesses in community facilities increased dramatically the chance of rehabilitation. During these same years in which community mental health centers have been built, additional attention has been centered upon better ways to handle and treat alcoholics and narcotic addicts. The same theories about local care for mental diseases also pertain to these other categories. The kinds of facilities needed for the treatment and care of alcoholics and narcotic addicts will in some instances and some ways be the same as for mental diseases. In some particulars they will need to be different.

This bill amends the present law to make grants available to communities for the purpose of adding to community mental health centers facilities for the care of alcoholics and addicts. It also provides some funds for initial staffing of such facilities. The amounts provided are $15 million for fiscal year 1969 and $25 million for fiscal year 1970.

It should be noted here that facilities for the care of alcoholics posed some special problems. The bill as originally proposed would have allowed grants to build resident facilities for homeless alcoholics. There is no doubt that it becomes difficult to separate treatment from living facilities. The committee did not feel justified in providing Federal funds for long-term residential care, and it is intended that the emphasis be on treatment. Certainly this could go as far as assistance in the creation of halfway houses or similar facilities which are closely allied to and connected with the actual treatment of the disease.

I feel that this bill supports desirable and necessary programs and that it does so with authorizations which are made in the light of the fiscal problems facing the country and yet adequate to carry out the purposes behind this legislation. I recommend it to the House for favorable action.

Mr. Chairman, I yield such time as he may consume to the gentleman from Minnesota [Mr. NELSEN].

Mr. NELSEN. Mr. Chairman, after the Committee on Interstate and Foreign Commerce of the House worked over the original proposals for the heart, stroke, and cancer programs, it devised the legislation which is here being extended. It was hoped—and 2 years ago it could only be said to be a hope—that it would stimulate hospitals, doctors, health associations and governmental units to organize and pool resources to attack these diseases. Now that there are 54 planning groups working and about 16 operational plans, it can be said that our hopes are being realized.

Now it is in order to project our ambitions and anticipate that some of these programs will come up with not only new relationships in the field of health activities but also innovations. Better ways to deliver top flight health care to the patient wherever he may be can and should result.

The funds provided by the committee should be adequate to fund the number of approvable programs to be expected in the next 2 years.

The new portion of this legislation, which deals with facilities for alcoholics and narcotics addicts, may be of more limited application than the regional medical programs. Where facilities are needed, however, it is desirable that they be a part of the local health effort, and to this end we are making it possible to provide such facilities as a part of a community mental health center.

I recommend this legislation to my colleagues.

Mr. STAGGERS. Mr. Chairman, I yield such time as he may consume to the gentleman from Oklahoma [Mr. JARMAN], the chairman of the subcommittee.

Mr. JARMAN. Mr. Chairman, the bill, H.R. 15758, before you today, extends two proven and highly effective programs, the regional medical programs and the migrant health assistance program. In addition it amends the Community Mental Health Centers Act to provide for vitally needed preventive and rehabilitative care for alcoholics and narcotic addicts.

This legislation stands as further evidence of the continued leadership provided by President Johnson in improving the Nation's health. Once again, he has sent the Congress legislation aimed at fulfilling our pledge to assure the highest possible level of medical care for all Americans.

The Subcommittee on Public Health and Welfare heard 3 days of testimony from leading figures in the medical professions, in State and local government, health organizations, and other groups dedicated to protecting the Nation's health. From this wide spectrum of witnesses, we heard unanimous support for the provisions of this bill.

All the witnesses recognized the achievements of regional medical programs and health services for migrant workers and all recommended the extension of these programs. All recognized the need for community based facilities for the treatment and prevention of alcoholism and narcotic addiction and fully supported the provisions of this bill which encourage the local communities to develop these facilities through their community mental health centers.

Testimony of public witnesses indicated the full acceptance the regional medical programs has received in the medical community. Almost 800 health organizations are participating in the program, almost 1,000 medical institutions, and over 7,000 individuals are actively engaged in these programs.

During the hearings before the Subcommittee on Public Health and Welfare, we heard testimony from the American Medical Association, the American Heart Association, the American Public Health Association, many practicing physicians, hospital administrators, and all expressed full support for the extension of this important program. I belive it has proven itself to be a vital program that will have a tremendous impact on the utilization of all our health resources to provide the best care available in the treatment and prevention of the three most dangerous diseases: heart disease, cancer, and stroke.

I am sure all of you are aware of the tragic statistic that 70 percent of the deaths in the United States each year are caused by these three diseases.

The primary purpose of the regional medical program, first authorized by action of the 89th Congress, is to bring the benefits of the most up-to-date advances in medical sciences in the treatment and prevention of heart disease, cancer, and stroke, to all the people of this Nation, and to accomplish this through the initiative and resources of individual communities or regions.

Since the authorization of this program, over 50 regions encompassing the entire population have developed programs. I would like to emphasize these regions were developed through local initiative. In the majority of them, a broadly based local group organized itself to conduct a program, determining the extent of the program along functional as well as geographic lines. As a result, some regions cover an entire State, some a combination of several States, some a combination of portions of several States, and some a portion of one State, perhaps built around an urban area and including the surrounding small communities.

Another point I would like to emphasize is that the basic concept of the regional medical programs is one of flexibility in meeting the varying needs of the diverse communities—rural, urban, and suburban—which make up this Nation. To ensure this flexibility the responsibility for operation of each regional program lies with a regional advisory board, made up of all elements of the health community—among them, the practicing physicians, the medical center, the nurse, the voluntary health agency, the hospital administrator, and the consumer of services. This local group studies its health resources and its health needs, and determines the extent and the components of the program best suited to the particular needs of its region.

The directions taken by these regional programs reflect the flexibility of the program—within the context of the one major purpose—to bring the best in health care to victims of heart disease, cancer and stroke. In one rural area, it was found more efficient to develop a team of doctors and allied health professionals, all specialists in the treatment of stroke, who are sent as a unit to the patient to provide specific consultation as well as comprehensive education for those responsible for the continuing care of the patient.

In an urban center, it was found more effective to set up a demonstration unit with four intensive care beds readily accessible to all physicians, nurses and allied health professionals to train them in the newest treatment methods. We heard testimony that this same pattern of diversity is found throughout the 50 regions, and that all programs, because of their essentially local guidance, meet the specific needs of the community.

We also heard testimony that as a byproduct of bringing together all elements of the health system to search out means of providing care in the treatment of heart disease, cancer and stroke, cooperative arrangements have been developed which will affect the delivery of all health services. In one State it has resulted in seven hospitals in as many different communities, all of them faced with manpower and facility shortages, testing the feasibility of a common board of trustees, and a coordinated program of care. In another, it has resulted in four hospitals in one community pooling their resources, raising private funds, and establishing a single high quality coronary care unit in one of the hospitals rather than one in each of the four as so frequently happens.

In short, regional medical programs has proven itself so effective and so essential to the overall development and delivery of health services that all groups, including the American Medical Association, which 4 years ago had reservations as to its necessity, have now given the program their full support.

Testimony during our hearings on H.R. 15758 also indicated strong support for the continuation of the program of grants for health services for migrant workers. We heard witnesses from the AMA, the APHA, the AFL–CIO, all of whom testified to the necessity and effectiveness of this program.

Title II of H.R. 15758 authorizes the extension of the grant program for health services for domestic migrant agricultural workers and their families. This program was initially authorized in 1962 as a system of project grants to help pay the costs of family health service clinics and other activities to improve the health of migrant families; 700 of the Nation's 3,100 counties are dependent on the approximately 1 million migrant workers and their families to harvest their crops. These workers for the most part come from a reservoir of workers subject to economic and social deprivation and who suffer from the poor health characteristics of such a population group. Their way of life, moving from location to location, often makes them ineligible for health assistance offered residents of communities. Those communities who attempt to meet migrants' health needs find their resources overburdened to the point where they are unable to provide adequate health care to this group. Project grants provided by the Public Health Service to help meet this need are in operation in 285 counties, providing services to almost one-third of the Nation's migrants. These services include medical and dental services, and in addition, limited hospital care, immunizations, family planning services, nutrition counseling, prenatal care, and other preventive health services.

This bill asks for an extension of this program for 2 years, on the assumption that at that time, the responsibility of providing health services for migrant workers will be assumed by the States as part of their comprehensive health planning and services. The 2-year extension of the existing program allows the States time to plan for the provision of these services while at the same time, the special needs of the migrant farmworker will be met. Support for this extension from our witnesses was unanimous.

Title III of H.R. 15758 will extend the provisions of the Community Mental Health Centers Act by authorizing grants for the construction and staffing of facilities and services for alcoholics and narcotic addicts.

During the 3 days of hearings on this bill, considerable testimony was heard from State and community officials, citing their concern with the need for facilities which could provide for the prevention and treatment of alcoholism and narcotics addiction. These witnesses all testified that communities were prevented from undertaking adequate activities to meet these problems due to the lack of recognition of the need and the extent of the social effect on the community. Communities, as a result, suffered from a shortage of sufficient funds. Witnesses also testified as to the shortage of trained professionals to cope with the specialized problems of addicts and alcoholics. This bill will provide the impetus for these communities to begin these programs that are so vitally needed, by supporting the costs of facility construction and staffing through grants.

There are approximately 5 million alcoholics in the United States. They represent a tremendous economic loss to the Nation, in terms of job absenteeism, lower productivity, medical insurance expenses and other losses. Equally tragic is the effect on the families of the alcoholic. Alcoholism strikes at every segment of our Nation. It knows no boundaries, afflicting the wealthy as well as the poor, the individual in a rural community as well as the urban dweller. Despite the extent of this problem, most communities lack the facilities required to treat the special needs of the alcoholic.

While the number of narcotic addicts in comparison to the number of alcoholics is relatively small—some 60,000 to 100,000—the social and medical problems associated with addiction are extreme and the need for facilities and services for cure and rehabilitation are great. In the past, care has been provided usually in isolated, noncommunity-related facilities. Upon his return to the community, the former addict is again faced with the problems and the environment which nurtured his addiction originally. Witnesses before our committee were all in agreement that a permanent cure for addiction can only be found when treatment is available in the addict's home community.

The community mental health centers are particularly suited to providing the facilities needed for both the alcoholic and the narcotic addict. The centers are in an environment which is home to the individual being treated and which does not remove him from his normal surroundings. The centers are closely integrated into the community. They are involved with local general hospitals, public health departments, social welfare agencies, vocational rehabilitation agencies, schools, churches, in short all aspects of community life and community resources. The center provides inpatient and outpatient care, emergency service, and community-wide services of consultation and education. Community mental health centers have expressed an interest in providing the necessary treatment facilities, however, as testimony before our committee indicated, they have had difficulty in developing adequate funding for the development of these services. This bill will provide the grants for construction and staffing which will provide the incentive for these centers to begin programs to meet the special requirements for treatment of the alcoholic and narcotic addict.

I feel the bill as reported by the House Interstate and Foreign Commerce Committee represents a continuation of the progress we have achieved in the health field. It has the full support of all segments of our Nation and I am confident it will have the full support of the Members of this House. I urge you to join me in casting your vote for H.R. 15758 and insuring continued advances in servicing the health needs of our Nation.

Mr. STAGGERS. Mr. Chairman, I yield such time as he may consume to the gentleman from Florida [Mr. ROGERS], a member of the committee.

Mr. ROGERS of Florida. Mr. Chairman, I rise in support of H.R. 15758 which authorizes grants for continuation of the regional medical programs and the agricultural migrant workers health care, and establishes alcoholic and narcotic addict rehabilitation facilities.

Title I of H.R. 15758 authorizes a 2-year extension of the on-going regional medical programs for heart disease, stroke, cancer, and related diseases.

First authorized in 1965, the regional medical programs provide for the establishment on a voluntary basis of local groups interested in setting up programs which will improve the diagnosis and treatment of patients suffering from heart disease, stroke, cancer, and related diseases through the creation of regional cooperative arrangements among medical centers, clinical research centers, hospitals, and other institutions and groups.

Plans for such regional programs are submitted to a National Advisory Council for study, and the Council is charged with recommending to the Secretary of Health, Education, and Welfare that the plan be funded.

After initial plans for the operation of regional programs are completed, they may then apply for operational grants to assist in the operating expenses of the program.

As of March 30, 1968, 53 planning grants have been made to the various regions, plus one to the Commonwealth of Puerto Rico, for a total of 54.

As of that same date, 11 regions have also received grants to support initial operational activities and expenses, and 13 others have submitted applications to begin the operational phase of their programs.

Another 30 regional programs are expected to enter the operational phase by the end of fiscal year 1969 according to testimony received by the Subcommittee on Public Health and Welfare from the Department of Health, Education, and Welfare.

Title I of the bill provides for an authorization of $50 million for 1969—plus $31 million in carryover funds—and $100 million authorization for 1970.

Continued authorization of these programs will assure that the people of this Nation, wherever they may be, will benefit from the advances of medical science against the threats of heart disease, cancer, stroke, and related diseases. Each region is developing all its health resources—manpower, institutions, and organizations.

This means qualitative and quantitative improvement in health care for all Americans.

Title II of this bill authorizes a 2-year extension of the on-going program, begun in 1962, for family health service clinics and other health services for domestic agricultural migratory workers, and their families.

The Department of Labor estimates that approximately 1 million agricultural workers and family dependents move from region to region during each crop season in response to labor demands. They live and work for varying periods of time in nearly one-third of the Nation's counties.

Under the program, grants-in-aid are made to States, local communities, and nonprofit agencies, institutions, and organizations for paying part of the costs of migrant medical, dental, hospital, and related health service care.

My own State of Florida with its fruit and vegetable crops has particular need for the services of these migrant workers, and the migrant health-care programs in Florida have been very sucessful and have been endorsed by the State of Florida Public Health Department.

In Palm Beach County, Fla., alone some 20,000 migrant agricultural workers harvest the crops annually on the farms in the county. These workers are Negroes, Puerto Ricans, West Indian natives, Mexican Americans, Cuban refugees, and eastern seaboard Caucasians.

This program is concerned with migrant family health service clinics, medical and nursing care, and sanitation facilities in the camps and other areas where they live and work.

In August 1967 I introduced H.R. 12756 to provide for a 3-year extension of this most worthwhile program, and I am pleased that the committee has seen fit to authorize continuation for 2 years with $9 million authorized for 1969 and $12 million for 1970.

Title III of H.R. 15758, known as the Alcoholic Rehabilitation Act of 1968 would amend the Community Mental Health Centers Act to authorize funds for the construction and staffing of new facilities and services for the prevention of alcoholism and the treatment and rehabilitation of alcoholics.

This program would focus specific attention on the mounting problem of alcoholism in America—a problem that affects some 5 million Americans.

By affiliating the alcoholic treatment with the community mental health centers program, full utilization can be made of inpatient and outpatient care, partial hospitalization and 24-hour emergency services, and education and consultation programs.

Where community mental health center programs are not available, the bill authorizes construction and staffing assistance for facilities which are to include rehabilitative efforts. Any facility which merely affords the alcoholic a place to rest or reside without medical and rehabilitative care would not qualify for assistance grants.

Title III authorizes $7 million for 1969 and $15 million for 1970 for alcoholic rehabilitation.

Part D of title III amends the Community Mental Health Centers Act by authorizing funds for the construction and staffing of treatment and rehabilitation facilities for narcotic addicts.

This part of the bill would provide for the transfer of comprehensive aftercare, treatment and rehabilitation programs authorized by the Narcotic Addict Rehabilitation Act of 1966 to the Community Mental Health Centers Act to offer more extensive and better quality care which is so necessary in this problem which affects some 60,000 to 100,000 known addicts in the United States.

Under this title, $8 million would be authorized for 1969, and $10 million for 1970.

In summary, I think that the Congress is offering the people of this country another major step forward in better health care and services, and a renewed effort to meet the problems of heart, cancer, stroke, migrant health, alcoholism and narcotic addiction.

Mr. SPRINGER. Mr. Chairman, I yield such time as he may consume to the gentleman from North Carolina [Mr. BROYHILL].

Mr. BROYHILL of North Carolina. Mr. Chairman, I appreciate the gentleman's yielding.

Mr. Chairman, as the gentleman from West Virginia knows—the chairman of the committee—I have been very interested in this regional medical program which is going to assure that we are going to benefit from the advances being made in medical sciences as they attack the problems of heart attacks, cancer, and strokes.

As the gentleman from West Virginia well realizes, we were asked to advance this program for a longer period of time than had been our custom on the Interstate and Foreign Commerce Committee. I realize we here today cannot commit future Congresses, but I would like to have at least the personal assurances of the chairman and the gentleman from Illinois that the next Congress will be going into this program again and will be giving every consideration to extending it as long as it is proceeding as well as has been reported to us so far.

Could the gentleman from West Virginia respond?

Mr. STAGGERS. In response to the gentleman from North Carolina I might say that his State has one of the outstanding programs in this field in the Nation, and it is progressing right along. I believe this legislation involves one of the most important programs which has ever come out of the Congress, to attack the dread killers of humanity in this land. Certainly, so long as I am a Member of the committee, I am going to work to see that these programs are continued, until we have defeated all three of these dread killers.

Mr. BROYHILL of North Carolina. I thank the gentleman.

Mr. SPRINGER. Mr. Chairman, will the gentleman yield?

Mr. BROYHILL of North Carolina. I yield to the gentleman from Illinois.

Mr. SPRINGER. I can also reply to the distinguished gentleman from North Carolina in the affirmative. This program has substantial backing not only by Members of Congress but also by the administration. It has been one of the most productive programs in the health field that the Government has had anything to do with.

Mr. BROYHILL of North Carolina. I thank the gentleman.

Mr. KORNEGAY. Mr. Chairman, will the gentleman yield?

Mr. BROYHILL of North Carolina. I yield to the gentleman from North Carolina [Mr. KORNEGAY].

Mr. KORNEGAY. I thank the gentleman for yielding.

I certainly wish to associate myself with the gentleman's remarks on the point he has brought up. As he so well stated, we in North Carolina are very interested in the programs contained in this bill and their continuation as long as they are needed.

There has been great leadership in the State of North Carolina by our three medical schools and other medical organizations in promoting and espousing the cause of good health. I support this bill and urge my colleagues to do likewise.

I congratulate the gentleman from North Carolina for bringing this point to the attention of the House.

Mr. BROYHILL of North Carolina. I thank the gentleman.

Mr. Chairman, I appreciate these responses.

Mr. SPRINGER. Mr. Chairman, I yield such time as he may consume to the distinguished gentleman from Kentucky, Dr. CARTER.

Mr. CARTER. Mr. Chairman, I have personally observed the operation of the medical programs, particularly in my own area of Kentucky and also in Tennessee.

We have one active program in the mid-South called the mid-South medical program, which is extremely effective. It includes an area of midwestern Kentucky, and it has been most helpful to the people there. The core or the center of this medical program is Vanderbilt University in Nashville, Tenn.

The physicians in western Kentucky, the center of which is Hopkinsville, can by telephone receive almost an instant interpretation of electrocardiograms. They can receive from specialists the amount of radiation required to attack a malignant tumor. They can receive consultation on serious problems of illness.

Not only that, this program has increased the rapport of physicians in the mid-South area, not only as among themselves but also as between them and the professors of large universities.

Certainly it has beeen an extremely helpful program. The best knowledge of our land is available now in the area where the programs are working to every class of people, from those who are the poorest to those who are the most wealthy.

Indeed it has been an extremely helpful program, and certainly I strongly support the present legislation.

In the other section of Kentucky, which will include the University of Kentucky at Lexington, the University of Louisville at Louisville, and the University of Cincinnati, which will be the Ohio Valley medical program, already planning grants have been given. Funds for operation have been asked.

Certainly if this program is carried out as well as the program in the mid-South area it will be of great help to this area.

So far as the grants for the mental health centers are concerned, certainly those will be most helpful. We have seen people who formerly were taken hundreds of miles away from home for treatment of mental diseases now being treated in local communities and cured within a short period of time. Although the cost of extensive care for a week might for that time be relatively high, it is much shorter than before and results in a saving over the long haul. Not only that, but it keeps mentally ill people closer to home and to their relatives. This also is an extremely helpful feature.

Mr. Chairman, I urge the support of this legislation.

Mr. STAGGERS. Mr. Chairman, I yield whatever time he may require to the gentleman from Maine [Mr. KYROS], a member of the subcommittee.

Mr. KYROS. Mr. Chairman, I enthusiastically supported the health services amendments of 1968. However, I oppose the deep and potentially disastrous cuts which the committee has made in title I of the bill which extends the regional medical program authority. During 3 days of intensive public hearings on this bill, before our Health Subcommittee, of which I am a member, we heard testimony which overwhelmingly documents the fact that the 54 regional medical programs which have been created since the passage of Public Law 89–239, 3 years ago are a unique response to the problems posed by the fragmented, complex, and costly health industry in the United States today.

The goal of regional medical programs is to make available the very best of medical care for patients suffering from heart disease, cancer, or stroke. This goal is being accomplished through a process of voluntary regional cooperation among the full array of America's health resources. Furthermore, the flexibility inherent in the regional medical programs legislation and in the way in which it has been administered has made it possible for each of the 54 regional medical programs to be suited to the diverse needs of its own particular region.

Of all the health programs the Congress has considered in recent years, regional medical programs for heart disease, stroke, cancer, and related diseases show the most promise of aid in providing needed health care for all types of areas, whether urban or rural. In my area, which is basically a rural one, the cooperative arrangements established under this program are bringing continuing education programs to the busy rural physician, they are providing direct linkages between his practice and university medical centers, and they are providing equipment and facilities otherwise unavailable for treatment of patients in areas that are not near large urban medical complexes.

By this summer approximately 23 of the regional medical programs will have entered the operational stage and will, therefore, begin to implement programs intended to assure that high quality care for persons suffering from heart disease, cancer, or stroke be more widely available. By next summer, the remaining 31 regional medical programs will also have entered the operational phase of their programs. Fiscal years 1969 and 1970 will, therefore, be critical years in the development of the regional medical programs in that the transition from planning to operation will occur during this period.

In other words, these regional cooperative arrangements among physicians, allied health personnel, hospitals, medical schools, State and local health agencies, voluntary health agencies, and the consumers of health services are just beginning to effectively carry out their planning proposals.

The effect of the proposed authorization ceilings of $50 and $100 million for fiscal years 1968 and 1969 would be to freeze in their infancy those regions which have already entered the operational stage of development, and, even more significantly, artificially delay the operational beginning of the remaining regional programs. It is not possible to overestimate the importance of the sense of commitment we in the Congress can impart to this program, given the fact that it is principally based on voluntary cooperative arrangements in the communities we represent. By extending this legislation at a level commensurate to the minimal needs of the regional programs, we act to prevent a loss of momentum and enthusiasm already achieved, and to provide a firmer base for improving health of all Americans.

The proposed administration authorization request for fiscal year 1969 of $65 million and the committee's recommended ceiling of $50 million, were derived on the basis that the $30.9 million of fiscal year 1968 funds, which have been placed in reserve by the Bureau of the Budget, would be available for obligation in fiscal year 1969. Our committee, therefore, anticipates that these reserved funds will be made available for regional medical programs in fiscal year 1969.

If, for any reason this were not the case, the effects would be catastrophic. Instead of a serious slowdown in the program's development, we would be faced with disintegration of regional medical programs all across the Nation. The cooperative efforts which have been nurtured over the last 3 years, among all those diverse elements which comprise the health industry of our country, and which are now beginning to bring the fruits of that cooperation to persons suffering from heart disease, cancer, or stroke would collapse. Given the funds which the Congress has already invested in this program, it would be uneconomic indeed to deny the regional medical programs the opportunity to significantly improve health care for these dread diseases.

The unique contribution, which each of us hopes the regional medical programs will make to improved health care for all Americans, lies in its ability to constructively influence our increasingly costly and fragmented health care system. The consequences of the possible failure of regional medical programs and other health programs having related goals are indeed serious.

I am grateful that my enthusiastic support for this program and its potential is shared by my colleagues on the Interstate and Foreign Commerce Committee. It is important to remember that the committee felt compelled to make these cuts because of the current fiscal situation facing the United States. I, too, share the view that we in the Congress must exercise restraint given the current economic situation. My concern with the committee action then is one of degree, not kind.

In respect to my own State of Maine, with this legislation a creative partnership will be forged among our medical scientists, practicing physicians, and our other health resources so that new knowledge can be translated more rapidly into better patient care. This partnership should make it possible for every community in Maine to have their practicing physicians share in the diagnostic, therapeutic, and consultative resources of major medical institutions. They will also be provided the opportunity to participate in the academic environment of research, teaching, and patient care which stimulates and supports medical practice of the highest quality.

In charge of Maine's regional medical program is Medical Care Development, Inc., a nonprofit corporation for health, under the direction of Dr. Manu Chatterjee.

I am proud to have played a role on the Interstate and Foreign Commerce Committee in clarifying both the nature of the program and the direction in which it will go. I want to assure the people of Maine that they will benefit from the advances of medical science against the threats of heart disease, cancer, stroke, and related diseases.

Progress in Maine already made has justified our expectations that this program would significantly improve the effectiveness and quality of medical care for those suffering with major killer diseases, and the program has been enthusiastically endorsed by members of Maine's medical science professions.

Full funding for the regional medical program is one of the most important measures that we could pass this year in the Congress.

It is a program that not only will keep Maine people healthy, but will insure that lives can be saved at times when they would otherwise be lost, because all the latest medical research, treatment and care will be available.

The health of our State is a key to its future, its economic vitality, to the morale and efficiency of its citizens, to success in achievement of goals. It is a matter of great concern and again I strongly urge restoration of funds under title I of the health services amendments of 1968.

Mr. SPRINGER. Mr. Chairman, I yield such time as he may consume to the gentleman from Colorado [Mr. BROTZMAN].

Mr. BROTZMAN. Mr. Chairman, I rise in support of this particular bill.

I would like to take this opportunity to congratulate the chairman of the subcommittee, the gentleman from California [Mr. HANNA], and the ranking minority member of the subcommittee, the gentleman from Minnesota [Mr. NELSEN], for the very thorough way in which they went into these particular problems. Serving on the committee, as I do, I have had the opportunity to see how these programs have grown with large applications of local initiative and local effort. According to my philosophy, this is the correct relationship between the Congress and those trying to do a job throughout the States and the country.

Mr. Chairman, I urge support of this bill, because I believe it is properly drawn and in the public interest.

Mr. SPRINGER. Mr. Chairman, I yield such time as he may consume to the gentleman from Ohio [Mr. BROWN].

Mr. BROWN of Ohio. Mr. Chairman, yesterday I was obliged to be absent from this body for a few hours because I was called to Ohio for the funeral of a man who has been an important executive in the company which I head. He was the victim of a premature death because of heart disease.

This legislation is aimed at curing that problem or at least making some strides toward conserving one of the great natural resources we have in this country, namely the people who comprise our population.

This legislation comes from the Health and Welfare Subcommittee of the Committee on Interstate and Foreign Commerce on which I had the pleasure of serving for the first few months that I was on the Interstate Committee. This is a very rewarding subcommittee on which to serve because of the experience of writing such legislation. And putting out such legislation from the full committee is rewarding to all of us who serve on the full committee. I am sure it must be rewarding, also, to those Members of Congress who will support this legislation. It benefits not only each of us individually by deferring a premature death for us, but also for many of our constituents.

Mr. Chairman, I think that the addition in this program for the treatment of alcoholism and alcoholics is particularly significant. Certainly we have a problem in this regard which is growing apace in this country. In the approach in this particular piece of legislation we have an approach which is salutary, I think, because it is moving more and more toward the block grant idea and the exercise of local judgments in meeting the needs of our country both at the national level and at the local level at one and the same time.

Mr. Chairman, in this regard, I think this legislation has begun to point the way for other areas of legislation which have specific local application. I feel this bill could be taken as a great example.

Mr. Chairman, in conclusion I should like to include some remarks that were made to a medical society in my home area about the great advantage of many aspects of this legislation and the benefits which I think can be derived because of the application of it by local communities. Excerpts of remarks of May 6, 1968, to joint meeting of Greene County Medical Society and Greene Memorial Hospital officials and board follow:

> Many forces in our society have converged to produce a rapidly increasing demand for top quality health services. Not only is our population growing, but people are better educated to the rapid advancement of medical science and technology which has led to medical innovations undreamed of a generation ago. A nation that can send the equivalent of a 30-story building hurtling into space can surely devise a health system that serves the needs of its people.
>
> And yet, our present health system still has some problems. In recent years, Selective Service physical and mental examinations have revealed that roughly one-half of our eighteen-year-old men are unfit to serve in the Armed Forces. A baby born in the United States today has less chance for survival than in fourteen other countries of the world. The mortality rate in this country for men in their working years is higher than in Western Europe.
>
> Moreover, the rising demands for more and better health services have brought into sharp focus the limitations of our resources to meet these demands. Manpower shortages exist in virtually all the health professions and ancillary disciplines. Existing manpower is unequally distributed, so that there are areas of comparative adequacy and others of desperate need. Our health facilities resource suffers from similar problems. Medical costs in general, and hospital costs in particular, are rising at a much more rapid rate than prices in almost all other areas of living.
>
> There is a need for patterns of organizations, community by community, which make the most efficient use of our resources and provide services that are readily available to all who need them. These services need to be interconnected so as to assure that the person who enters the health service system can receive the service he needs.
>
> The response to this situation has been a general agreement, and a surge of action, in the direction of trying bold new approaches, of innovation, and of changing the ways in which we organize and deliver health services.

In recent years the Congress has approved, in addition to H.R. 15758, the Regional Medical Programs Act just discussed, the Partnership for Health Act and Comprehensive Health Act which combines categorical programs, and we will shortly be voting on the health manpower bill, which amends the Health Educational Assistance Act, the Nurse Training Act and the Allied Health Professions Act. There have been others, but these are the most significant and they should do much to improve health in our Nation in the years ahead.

Mr. SPRINGER. Mr. Chairman, I yield such time as he may consume to the gentleman from Kansas [Mr. SKUBITZ].

Mr. SKUBITZ. Mr. Chairman, I rise in support of this legislation. I am a member of the subcommittee which held hearings on this bill and a member of the full committee. I did have some reservations with reference to certain provisions of the original bill. However, these provisions have been revised and I urge my colleagues to support the bill.

Mr. SPRINGER. Mr. Chairman, I yield such time as he may consume to the gentleman from Missouri [Mr. HALL].

Mr. HALL. Mr. Chairman, I rise in support of this bill. This has been a most interesting program and certainly is an example of the United States putting the taxpayer's money where it can help the most, domestically.

I happen to be from Missouri, and one of the new and especial institutions for the intensive care of coronary and cardiac patients was established there. I believe it is one of 10 or more that are now operational throughout five States of the Nation.

Mr. Chairman, there is no question but what the Springfield, Mo., have saved and has improved about 35 percent of the cardiac and coronary patients who have been brought into these hospitals as result of the original program. This is a phenomenal breakthrough.

Mr. Chairman, there was mentioned the fact that there had been some reluctance originally by organized medicine in supporting this program. I think the reluctance on the part of organized medicine was not reluctance in supporting the program predicated upon trying to help our own people, as it was to the effect that we were going along with the program that involved concern about educational services and computerization as well as technological techniques and that there was a need to cover more people than just the number now covered. They feared otherwise the parade of medically qualified care people would pass them by. So, they have found that it is a good thing. It is certainly updating medical care of a type to be made available to a greater and greater group of people. Some corrections have been noted as worthy of change and adaptation.

Mr. Chairman, it is my fervent hope that a breakthrough can occur in some other areas such as care of malignancies or neoplasma known as the cancer portion of this program just as in other cardiac diseases with improved techniques; and diseases which are brought on as a result of, for instance, a stroke and those which are of a vascular disease origin.

Improvements in these processes are apparent and this program deserves support. It has wisely involved and kept those engaged in private practice abreast of the programs throughout many areas, such as the results of the work being done by educational medical institutions which has been most worthwhile and which has been one of the reasons they have accepted the existing institutions, including particularly the State universities and the schools of medicine and hospitals connected with the program.

For instance, Mr. Chairman, the EKG as a result of the computer and the analysis which it permits to be made available is a great advance. There is not question about that. The individual in the small community has the same access to the laboratory and the tests results as the individual located near the medical center. This fact was very ably brought out by the gentleman from Kentucky [Mr. CARTER] which he stated so well a while ago that the program currently sponsored in electrocardiography has done for people in the various areas of the country. It is thusly, on a real-time basis.

Mr. Chairman, there are many of the local community and regional private hospitals participating in the partnership for health program and I find all of the amendments to the existing law, along with the extension thereof, are most excellent. I think it is time that we did spend more of our resources on ourselves toward improving the well-living situation.

I certainly want to compliment the subcommittee, the committee, and the chairman, and the ranking members on bringing this legislation forward.

Mr. Chairman, I believe the only reason we have not had the breakthrough in the care of malignancies and in the care of neoplastic diseases is simply because of the already good job that has been done within the state of the art in the first place, with the new pap stains and the continuing cancer surveys, the work that has been done by colleges, universities, organized medicine, and the American Cancer Society, in the first place, plus the awareness and educational effort that has gotten to the general public and the participation, of course, of the private, and general practitioners and the cooperation of laboratories in these areas, which has indeed been outstanding. There just is not much more we can do except earlier diagnosis and extirpation, pending a breakthrough. I have long predicted that just as all heart cases will eventually be surgical, so will cure of malignancy be by serums and/or a genetic basis.

Mr. Chairman, I would provide one word of caution, and that would be that as the program extends there needs to be more and more control on the expenditure of the taxpayers money. I believe there have been some instances where more has been spent in study and in travel and in education than there has in production on the line for quality care of patients.

Mr. CARTER. Mr. Chairman, will the gentleman yield?

Mr. HALL. I am certainly delighted to yield to my colleague from Kentucky.

Mr. CARTER. Mr. Chairman, I want to thank the gentleman from Missouri for yielding me this time. I want to compliment the gentleman from Missouri for his excellent statements and to say that certainly I am in agreement with them.

Mr. Chairman, it is my feeling that we are going to make further strides against cancer. The program is now extremely helpful in that radio scanning procedures are available, and are interpreted at the larger centers and then sent back to the rural practitioners and to the community hospitals. Early diagnosis of cancer is, as we all know, extremely important and helpful. Certainly this program is doing a great deal toward such early diagnosis of cancer.

Again, Mr. Chairman, I thank the gentleman from Missouri for yielding.

Mr. HALL. Mr. Chairman, I appreciate the statement of my professional as well as legislative colleague from Kentucky, who is held in such high esteem by all.

Mr. Chairman, I want to add just one other word of comment which I believe is complimentary and also to the point, and that is that this program is helping to offset by ready reference of patients to intensive care and patient line of flow centers, a great deficiency for the study of diseases in the American people and the training of future well-qualified physicians, which has been brought about not inadvertently, by medicare and medicaid in the various States. It is not generally known except by the interns, residents, and fellows who are training to give quality care to the people of America in the future, that the clinical material on which they study under the guidance of their instructors—who may forget to teach in the spirit of seeking further grants, in what is coming to be known as grantsmanship—is deteriorating and that the teaching qualities in the educational and medical centers has diminished in direct proportion to the amount of medicare and medicaid. All were warned, before medicare and medicaid passed this body and the rest of the Congress, that these people would then be entitled and indeed do receive the best care under these programs from the local community hospitals and physicians, hence there no longer is need for reference.

What I am trying to say, Mr. Chairman, is that this program by referring patients along the line of patient flow to medical centers, has made up for that in great part, plus providing quality interns, facilitating that which assured quality care.

Again, Mr. Chairman, I compliment the committee, and I urge passage of this amendment.

Mr. SPRINGER. Mr. Chairman, I yield such time as he may consume to the gentleman from Maryland [Mr. MORTON].

Mr. MORTON. Mr. Chairman, I take this time, first, to express my support of the bill, and to ask a couple of questions about title II, which deals with expanded services to migrant workers.

During the harvest, we add about 3,000 to 5,000 migrant agricultural workers to the population of my district.

Each year I get a series of complaints that these people put a tremendous financial burden on the local hospitals.

I would like to ask the chairman of the committee if this expanded program, which I understand calls for an additional $2 million or $3 million over last year's authorization, is designed to relieve the burden on the local medical facilities that is incurred by reason of the migrant workers.

Mr. STAGGERS. The answer would be, yes, partially.

Mr. MORTON. In part?

Mr. STAGGERS. Yes.

Mr. MORTON. What is the application of these increases in funds in the migratory worker area—what is the money to be used for?

Mr. STAGGERS. It will be used in trying to increase the services of the establishments that the money is to be given to.

Mr. MORTON. In other words, what we are doing is broadening the services perhaps more than we are actually relieving the financial burden now being borne by the local establishment?

Mr. STAGGERS. That is true. But there is additional programing and there are also certainly additional people involved. As we know, a lot of people come into communities and just cannot be taken care of by those services. So many of them die of pneumonia and of many infectious diseases, and we are trying to do something about this.

Mr. MORTON. I thank the chairman and the committee is to be commended for the work they have done in this area of the bill because I think the migrant worker health situation, particularly here on the eastern seaboard has created a good many problems. I am glad to see we are really taking the bit in our teeth and exercising our responsibility to provide for these people adequate medical services.

I thank the gentleman very much.

Mr. JOHNSON of California. Mr. Chairman, I rise in support of H.R. 15758, a bill to extend and improve the provisions of the regional medical programs and to extend the authorizations for grants for health of migratory agricultural workers and for other purposes.

As one of the supporters of, the original regional medical health legislation, I have followed the development of these programs very closely. It was, of course, of great interest that one of the first such programs instituted in my native State of California should involve the University of California at Davis and my home city of Roseville.

Just the other day the Public Health Service announced the approval of a $2,232,000 program for the State of California which will provide for several most worthwhile studies in the medical field. The one community selected for a demonstration area was the city of Roseville where, I am proud to say, we have an outstanding community hospital and medical group.

The Roseville pilot program, to be coordinated by Dr. F. Harold Johnson of that city, will have as its objective the achieving of the highest possible standards of care in the diseases of stroke, cancer, and heart disease in that city. Roseville will serve as a "living laboratory" of progress in continuing physical education and community information, in-service training for paramedical personnel, tumor board consultation and malignancy diagnosis and evaluation.

Today we have the opportunity to extend this regional medical program. The legislation which we have before us provides for the establishment on a voluntary basis of local groups interested in setting up programs which will improve the diagnosis and treatment of patients suffering from these target diseases—stroke, cancer, and heart disease. This will be accomplished through establishment of regional cooperative arrangements through medical centers.

We can establish an effective liaison between the established medical professional in the community and Government in order to serve the citizens through improved medical care, a goal for which we all are working.

In this connection, I quote the comments of the distinguished Committee on Interstate and Foreign Commerce which has recommended enactment of this legislation:

> The committee firmly believes that the full participation of practicing physicians is required for the successful operation of this program.

The basic objectives of this program is to "assure that the people of this Nation wherever they may be, will benefit from the advances of medical science against the threats of heart disease, cancer, stroke, and related diseases." Can any one of us challenge the need for seeking this goal?

One of the other important aspects of this legislation is the extension of the program for family health service clinics and other health aids for our agricultural migratory workers and their families.

The program expired nearly 2 weeks ago. We must provide for its extension.

About a million workers and family dependents move about this Nation of ours each year in response of seasonal farm labor demands. They live and work for brief periods in many of the Nation's communities before moving on to the next area where farm labor is needed. Their health needs are acute as a result of their low income and their mobility.

Consequently diseases which we normally have conquered in our more stable communities—influenza and pneumonia for instance—take a far heavier toll of lives among these people. The death rate is up to 300 percent greater than the national average.

The agricultural economies of many areas of this Nation of ours are dependent upon these migrant farm laborers and it is only appropriate that we provide adequately for their health. We have made a tremendous start in this field—approximately 300,000 migrant workers and dependents were served by programs authorized by the legislation which just expired. Let us keep up the good work.

To accomplish this we must extend the program as is proposed in this legislation before us today. The 2-year extension will give the States an opportunity to plan for migrant health services for the future and to demonstrate the possibilities of comprehensive health planning as a vehicle for the planning and provision of health care for migrants.

Mr. BOLAND. Mr. Chairman, in December of 1964, a distinguished group of physicians, scientists, and informed citizens issued a report which noted:

> Our Nation's resources for health are relatively untapped. The rising tide of biomedical research has already doubled our store of knowledge about heart disease, cancer, and stroke . . .
>
> Yet for every breakthrough, there must be follow-through. Many of our scientific triumphs have been hollow victories for most of the people who could benefit from them.

This distinguished group was, of course, the President's Commission on Heart Disease, Cancer, and Stroke, and their report with its findings and recommendations was aimed at reducing the toll of these diseases through the development of more effective means of making the latest medical advances available to a greater portion of the population and through the provision of additional opportunities for research. The Commission's report focused attention on the need to translate discovery into effective treatment and led directly to the legislation known as the Heart Disease, Cancer, and Stroke Amendments of 1965—Public Law 89-239.

Today we are considering a bill, H.R. 15758, which would, among other things, extend the program of regional medical centers established by the 1965 legislation. I strongly support its passage. This very promising approach to improved health care for the Nation must be allowed to continue.

The intenion of this legislation and of the regional medical centers program in general is to provide the means for conveying to the medical institutions and profession of the Nation the latest advances in medical science for diagnosis, treatment, and rehabilitation of patients afflicted with heart disease, cancer, stroke, or related diseases—and to prevent these diseases. To accomplish this, the program authorizes grants to encourage and assist in the establishment of regional cooperative arrangements among medical schools, research institutions, hospitals, and other medical institutions and agencies for research, education, and demonstrations of patient care. The end result of the program will be not only to improve patient care, but to improve generally health manpower and facilities throughout the country.

The program is already well underway. The regional cooperative arrangements established under the program are enabling representatives of health resources within the designated areas to exercise their initiative to identify and meet local needs within the area of the categorical diseases through a broadly defined process. The diversities of geography and need made the local approach necessary, and the way that the various local health resources have worked together so well has insured the final success of the program. In the words of the President:

> It promises great advances in speeding research knowledge to the patient's bedside.

I think there can be no question that the program deserves to be extended, as H.R. 15758 would do.

The other two titles of this bill are also important, and must be enacted. Title II would extend the program of health services for migrant farmworkers. This group of about a million workers and their families is an important and essential segment of our population that has been for too long sadly neglected by the rest of our society. The 1962 legislation that first provided the grants for family health service clinics aiding domestic agricultural migratory workers and their families was one of the first measures of recognition of their needs and our responsibility to do something about them. The accomplishments under the program thus far are impressive and it should be continued.

Title III would authorize funds for the construction and staffing of facilities and services for alcoholics and narcotics addicts. Great strides have been made in recent years in the treatment of these unfortunate individuals, and the passage of this title will insure that this work will be carried on with even greater success. The use of the community health centers in this effort will utilize the potential of the local communities for the prevention, treatment, and rehabilitation of alcoholism and narcotics addiction. This program, too, is vitally important.

All three titles of this bill are valuable provisions for health care for several segments of our society. The migrant health program is a proven success; the regional medical program shows every indication of becoming a great success; and the program for alcoholics and narcotics addicts is something of an innovation with great potential for success. Together they make the bill an extremely important piece of legislation. I urge its immediate passage.

Mr. PICKLE. Mr. Chairman, as a member of the committee which considered the regional medical bill, I would like to encourage my colleagues here on the floor of the merit of this legislation.

In addition to extending the aid programs for regional medical centers and agricultural migrant workers, the bill takes a fresh approach on the question of care for alcoholic and narcotic addicts.

Both the alcohol and narcotic addict provisions of the bill establish existing community mental health centers as action agencies for providing this much-needed care. I will have to admit that when this proposal was first presented to me, I felt that the people working in mental health would feel that this new responsibility would somehow take away from their current efforts. Happily, this has not been the case, and testimony in the subcommittee revealed not only that the community mental health centers are the ideal vehicle for getting this service into the community, but also that the health workers welcome this opportunity to broaden the scope of service to the public.

One of the most innovative approaches to improving the level of medical care in the country has been the Heart Disease, Cancer, and Stroke Amendments of 1965—the so-called regional medical centers.

Experience has shown us that the best way to make maximum use of health facilities existing in a given community is to assure that there is some local coordination. In this way, there will be no duplication in the purchase of expensive but rarely used items, and the overall standard of care is improved. The regional medical program takes precisely this approach as to several of the most critical diseases and ailments known today, namely, heart, stroke and cancer.

The final aspect of this bill is one which, for me, strikes very close to home. Many of the people in my area make their living through one of the hardest, most strenuous efforts imaginable—through agricultural migratory labor. There is much talk these days about the laziness of some elements of our society, but I can assure you that these remarks are ill directed to this group of our citizens. But while they are one of the hardest working groups imaginable, it is sadly the case that they are also one of the poorest. Their health care is inadequate, and in many cases, they are unable to qualify for normal community public health programs since they travel about for many months of the year.

I particularly want to extend my appreciation to the Hays County program which has given marked leadership in this field. I have received an excellent report from Mr. James Burwell on the program there, and would like also to extend my appreciation to Dr. B. M. Primer, Sr., the San Marcos-Hays County Migrant Project Director.

Mr. Chairman, the bill before us continues the special program of medical assistance to the migratory agricultural worker, and earmarks a total of $21 million over the next 2 years. Even in light of this financial effort, there was testimony in the hearings showing that the hospital costs incurred pursuant to this program could never be fully paid. The American Hospital Association testified that many of their members found themselves in the position of having provided the service only to learn that payment would be about 50 cents on the dollar.

While there is still much to be done, I would say that I am glad to see this program is being continued for a 2-year term. It is needed, and it serves good purposes.

Mr. DONOHUE. Mr. Chairman, this is indeed, a time for much shorter discussion and more expedient, but prudent, legislative action in the public interest. I hope, therefore, that this bill before us, H.R. 15758, will be speedily accepted and approved by the House.

The substance of the bill has been debated here several times over in the past few years. This measure, as you know, is designed to extend, for the 2 additional years of 1969 and 1970, the national medical health programs for heart disease, cancer, and stroke; the medical assistance program for migratory farmworkers; and extend and expand the programs of assistance to narcotic addicts and alcoholics.

For the wholesome, humane objectives with which this measure is concerned a $150 million total authorization for 2 years must be judged to be an austere projection in line with the expenditure reductions we necessarily face. The meaning and intent of the bill has been thoroughly explained and there can be no doubt that the measure is designed for the good of all Americans. Let us, therefore, adopt it now.

Mr. SPRINGER. Mr. Chairman, I have no further requests for time.

Mr. STAGGERS. Mr. Chairman, I would like in conclusion to say that the chairman of the subcommittee, the gentleman from Oklahoma [Mr. JARMAN], the ranking member of the subcommittee on the minority side, the gentleman from Minnesota [Mr. NELSEN], and all the members of the subcommittee, are to be congratulated. They have all worked hard to bring this legislation to the floor.

Also, I would like to thank all the members of the full committee for their cooperation. I will say this in passing, when we have anything to consider before our committee which affects the Nation as a whole, the committee works together as a whole regardless of political affiliation. I think this bill is a prime example of the work done by the committee.

There is an old saying that everybody's business is nobody's business. Well, this legislation involves everybody's business, and provides a means of taking care of it. This problem of disease and affliction recognizes no barriers and has no regard for wealth or position in life.

Mr. Chairman, I yield back the balance of my time. I have no further requests for time on this side, and suggest that the Clerk read.

The CHAIRMAN. Pursuant to the rule, the Clerk will now read the committee amendment in the nature of a substitute printed in the reported bill as an original bill for the purpose of amendment.

The Clerk read as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

TITLE I—REGIONAL MEDICAL PROGRAMS

EXTENSION OF REGIONAL MEDICAL PROGRAMS

SEC. 101. Section 901(a) of the Public Health Service Act (42 U.S.C. 299a) is amended by striking out "and" before "$200,000,000" and by inserting after "June 30, 1968," the following: "$50,000,000 for the fiscal year ending June 30, 1969, and $100,000,000 for the next fiscal year,".

EVALUATION OF REGIONAL MEDICAL PROGRAMS

SEC. 102. Section 901(a) of the Public Health Service Act is further amended by inserting at the end thereof the following new sentence: "For any fiscal year ending after June 30, 1969, such portion of the appropriations pursuant to this section as the Secretary may determine, but not exceeding 1 per centum thereof, shall be available to the Secretary for evaluation (directly or by grants or contracts) of the program authorized by this title."

INCLUSION OF TERRITORIES

SEC. 103. Section 902(a)(1) of the Public Health Sevice Act (42 U.S.C. 299b) is amended by inserting after "States" the following: "(which for purposes of this title includes the District of Columbia, the Commonwealth of Puerto Rico, the Virgin Islands, Guam, American Samoa, and the Trust Territory of the Pacific Islands)".

COMBINATIONS OF REGIONAL MEDICAL PROGRAM AGENCIES

SEC. 104. Section 903(a) and section 904(a) of the Public Health Service Act (42 U.S.C. 299c, 299d) are each amended by inserting after "other public or nonprofit private agencies and institutions" the following: ", and combinations thereof,".

ADVISORY COUNCIL MEMBERS

SEC. 105. (a) Section 905(a) of the Public Health Service Act (42 U.S.C. 299e) is amended by striking out "twelve" and inserting in lieu thereof "sixteen".

(b) Section 905(b) of such Act is amended by striking out "and four at the end of the third year" and inserting in lieu thereof "four at the end of the third year, and four at the end of the fourth year".

MULTIPROGRAM SERVICES

SEC. 106. Title IX of the Public Health Service Act is further amended by adding at the end thereof the following new section:

"PROJECT GRANTS FOR MULTIPROGRAM SERVICES

"SEC. 910. Funds appropriated under this title shall also be available for grants to any public or nonprofit private agency or institution for services needed by, or which will be of substantial use to, any two or more regional medical programs."

CLARIFYING AND TECHNICAL AMENDMENTS

SEC. 107. (a) Section 901(c) of the Public Health Service Act is amended by inserting before the period at the end thereof "or, where appropriate, a practicing dentist".

(b) Section 901 of such Act is further amended by adding at the end thereof the following new subsection:

"(d) Grants under this title to any agency or institution, or combination thereof, for a regional medical program may be used by it to assist in meeting the cost of participation in such program by any Federal hospital."

TITLE II—MIGRATORY WORKERS

EXTENSION OF SPECIAL GRANTS FOR HEALTH OF MIGRATORY WORKERS

SEC. 201. Section 310 of the Public Health Service Act (42 U.S.C. 242h) is amended by striking out "and $9,000,000 for the fiscal year ending June 30, 1968" and inserting in lieu thereof "$9,000,000 each for the fiscal year ending June 30, 1968, and the next fiscal year, and $12,000,000 for the fiscal year ending June 30, 1970".

TITLE III—ALCOHOLIC AND NARCOTIC ADDICT REHABILITATION

SEC. 300. This title may be cited as the "Alcoholic and Narcotic Addict Rehabilitation Amendments of 1968".

PART A—ALCOHOLIC REHABILITATION

SEC. 301. The Community Mental Health Centers Act (42 U.S.C. 2681, et seq.) is amended by adding after part B the following new part:

"PART C—ALCOHOLISM

"DECLARATION OF FINDINGS AND PURPOSES

"SEC. 240. (a) The Congress hereby finds that—

"(1) Alcoholism is a major health and social problem afflicting a significant proportion of the public, and much more needs to be done by public and private agencies to develop effective prevention and control.

"(2) Alcoholism treatment and control programs should whenever possible: (A) be community based, (B) provide a comprehensive range of services, including emergency treatment, under proper medical auspices on a coordinated basis, and (C) be integrated with and involve the active participation of a wide range of public and nongovernmental agencies.

"(3) The handling of chronic alcoholics within the system of criminal justice perpetuates and aggravates the broad problem of alcoholism whereas treating it as a health problem permits early detection and prevention of alcoholism and effective treatment and rehabilitation, relieves police and other law enforcement agencies of an inappropriate burden that impedes their important work, and better serves the interests of the public.

"(b) It is the purpose of this part to help prevent and control alcoholism through authorization of Federal aid in the construction and staffing of facilities for the prevention and treatment of alcoholism.

"(c) The Congress further declares that, in addition to the funds provided for under this part, other Federal legislation providing for Federal or federally assisted research, prevention, treatment, or rehabilitation programs in the fields of health should be utilized to help eradicate alcoholism as a major health problem.

"CONSTRUCTION GRANTS

"SEC. 241. (a) Grants from appropriations under section 261 may be made for projects for construction of any facilities (including posthospitalization treatment facilities) for the prevention and treatment of alcoholism, but only to a public or nonprofit private agency or organization and only upon an application (1) which meets the requirements for approval under clauses (1) through (5) and clauses (A) and (B) of section 205 (a), and (2) which contains—

"(A) a showing of the need, in the area to be served by the applicant, for special facilities for the inpatient or outpatient treatment, or both, of alcoholism;

"(B) satisfactory assurance that the services for prevention and treatment of alcoholism to be provided through the facility to be constructed, alone or in conjunction with other facilities owned or operated by the applicant or affiliated or associated or having an arrangement with the applicant, will be part of a program providing, principally for persons residing in or near the particular community or communities in which such facility is situated, at least those essential elements of comprehensive mental health services and services for the prevention and treatment of alcoholism, including postinstitutional aftercare and rehabilitation, that are prescribed by the Secretary;

"(C) satisfactory assurance that the application has been approved and recommended by the single State agency designated by the State as being the agency primarily responsible for care and treatment of alcoholics in the State, and, in case this agency is different from the agency designated pursuant to section 204(a)(1), a showing that the application has also been approved and recommended by the agency designated pursuant to section 204(a)(1), and, in case neither of these is the State mental health authority, a showing that the application has been approved and recommended by such authority;

"(D) a showing that under regulations of the Secretary prescribing the manner of determining priorities the project is entitled to priority over other projects for treatment of alcoholism, if any, within the State, and is in accordance with such criteria, including the willingness and ability to provide satisfactory alternatives to custodial care, as the Secretary may determine to be appropriate for purposes of this section; and

"(E) a showing that adequate provision has been made for compliance with regulations of the Secretary prescribed under section 203(4) relating to furnishing needed services for persons unable to pay therefor and for compliance with State standards for operation and maintenance.

"(b) The amount of any such grant with respect to any project shall be such percentage of the cost thereof, but not in excess of 66⅔ per centum, as the Secretary may determine.

"STAFFING GRANTS

"SEC. 242. (a) Grants from appropriations under section 261 may be made to any public or nonprofit private agency or organization to assist it in meeting, for the temporary periods specified in this section, a portion of the costs (determined pursuant to regulations of the Secretary) of compensation of professional and technical personnel for the initial operation of new facilities or the prevention and treatment of alcoholism or of new services in existing facilities for the prevention or treatment of alcoholism.

"(b) Grants for such costs for any facility under this section may be made only for the period beginning with the first day of the first month for which such a grant is made and ending with the close of four years and three months after such first day; and such grants with respect to any facility may not exceed 75 per centum of such costs for the period ending with the close of the fifteenth month following such first day, 60 per centum of such costs for the first year thereafter, 45 per centum of such costs for the second year thereafter, and 30 per centum of such costs or the third year thereafter.

"(c) In making such grants, the Secretary shall take into account the relative needs of the several States for alcoholism programs, the relative financial needs of the applicants, and the relative populations of the areas to be served by the applicants.

"(d) A grant under this section may be made only upon an application which meets the requirements for approval under section 221(a), other than paragraph (3) thereof, and only if (1) a grant was made under part A or section 241 to assist in financing the construction of the facility, or (2) the type of service to be provided with the aid of a grant under this section was not previously being provided by the facility with respect to which such application is made.

"SPECIALIZED FACILITIES

"SEC. 243. (a) Grants from appropriations under section 261 may also be made to public or nonprofit private agencies or organizations for projects for the construction of specialized facilities (including posthospitalization treatment facilities) for the treatment of alcoholics requiring care in such facilities, and for the costs, determined pursuant to regulations of the Secretary, of compensation of professional and technical personnel for the initial operation of such facilities constructed with grants made under part A or this section or of new services in existing specialized facilities for the treatment of alcoholics.

"(b) Grants may be made under subsection (a) only with respect to (1) facilities which are a part of or affiliated with a community mental health center providing at least those essential elements of comprehensive community mental health services which are prescribed by the Secretary, or (2) where there is no such center serving the community in which such facilities are to be situated, facilities with respect to which satisfactory provision (as determined by the Secretary) has been made for appropriate utilization of existing community resources needed for an adequate program of prevention and treatment of alcoholism.

"(c) Grants made under subsection (a) for the costs of compensation of professional and technical personnel may not exceed the percentages of such costs, and may be made only for the periods, prescribed for grants for such costs under section 242.

"(d) Before a grant may be made under subsection (a) for a project for the construction of a facility for the treatment of alcoholics the Secretary must find that the application for such grant meets the requirement of section 205(a)(5) (relating to the payment of prevailing wages). The amount of any such grant with respect to any project shall be such percentage of the cost thereof, but not in excess of 66⅔ per centum, as the Secretary may determine.

"PROJECTS ELIGIBLE UNDER REGULAR PROGRAM

"SEC. 244. Nothing in this part shall be construed to preclued approval under part A or B of a grant for a project for the construction or initial staffing of a facility for the prevention and treatment of alcoholism.

"PAYMENTS

"SEC. 245. Payments of grants under this part may be made in advance or by way of reimbursement, and on such terms and conditions and in such installments, as the Secretary may determine.

"SHORT TITLE

"SEC. 246. This part may be cited as the 'Alcoholic Rehabilitation Act of 1968'."

PART B—NARCOTIC ADDICTION

SEC. 302. The Community Mental Health Centers Act (42 U.S.C. 2681, et seq.) is further amended by inserting after part C (added by section 301 of this Act) the following new part:

"PART D—NARCOTIC ADDICT REHABILITATION

"GRANTS FOR TREATMENT FACILITIES

"SEC. 251. (a) Grants from appropriations under section 261 may be made to public or nonprofit private agencies and organizations to assist them in meeting the costs of construction of treatment facilities (including posthospitalization treatment facilities) for narcotic addicts within the States, and to assist them in meeting the costs, determined pursuant to regulations of the Secretary, of compensation of professional and technical personnel for the initial operation of such facilities constructed with grants made under part A of this part or of new services in existing treatment facilities for narcotic addicts.

("b) The grant program for construction of facilities authorized by subsection (a) shall be carried out consistently with the grant program under part A except to the extent, in the judgment of the Secretary, special considerations make differences appropriate; but (1) before the Secretary may make a grant under such subsection for the construction of a treatment facility for narcotic addicts he must find that the application for such grant meets the requirement of section 205(a)(5) (relating to the payment of prevailing wages), and (2) the amount of any such grant with respect to any project shall be such percentage of the cost thereof, but not in excess of 66⅔ per centum, as the Secretary may determine.

"(c) Grants made under subsection (a) for the costs of compensation of professional and technical personnel may not exceed the percentages of such costs, and may be made only for the periods, prescribed for grants for such costs under section 242.

"TRAINING AND EVALUATION

"SEC. 252. The Secretary is authorized, during the period beginning July 1, 1968, and ending with the close of June 30, 1970, to make grants to any public or nonprofit private agencies and organizations to cover part or all of the cost of (A) developing specialized training programs or materials relating to the provision of public health services for the prevention and treatment of narcotic addiction, or developing inservice training or short-term or refresher courses with respect to the provision of such services; (B) training personnel to operate, supervise, and administer such services; and (C) conducting surveys and field trials to evaluate the adequacy of the programs for the prevention and treatment of narcotic addiction within the several States with a view to determining ways and means of improving, extending, and expanding such programs.

"PROJECTS ELIGIBLE UNDER REGULAR PROGRAM

"SEC. 253. Nothing in this part shall be construed to preclude approval under part A or B of a grant for a project for the construction or initial staffing of a facility for the treatment of narcotic addicts.

"PAYMENTS

"SEC. 254. Payments under this part may be made in advance or by way of reimbursement, and on such terms and conditions and in such installments, as the Secretary may determine."

PART C—GENERAL

AUTHORIZATION OF APPROPRIATIONS; AND PROGRAM EVALUATION

SEC. 303. (a) The Community Mental Health Centers Act (42 U.S.C. 2681, et seq.) is further amended by inserting after part D (added by section 302 of this Act) the following new part:

"PART E—GENERAL PROVISIONS

"AUTHORIZATION OF APPROPRIATIONS FOR REHABILITATION OF ALCOHOLICS AND NARCOTIC ADDICTS

"SEC. 261. (a) There are authorized to be appropriated $15,000,000 for the fiscal year ending June 30, 1969, and $25,000,000 for the next fiscal year for project grants for construction and staffing of facilities for the prevention and treatment of alcoholism under part C or the prevention and treatment of narcotic addiction under part D and for grants under section 252. Sums so appropriated for any fiscal year shall remain available for obligation until the close of the next fiscal year.

"(b) There are also authorized to be appropriated for the fiscal year ending June 30, 1971, and each of the next three fiscal years such sums as may be necessary to continue to make grants for staffing with respect to any project under part C or D for which a staffing grant was made from appropriations under subsection (a) of this section for the fiscal year ending June 30, 1969, or the fiscal year ending June 30, 1970.

"PROGRAM EVALUATION

"SEC. 262. Such portion (as the Secretary may determine) of any appropriation under this title for any fiscal year ending after June 30, 1968, but not exceeding 1 per centum thereof, shall be available to the Secretary for evaluation (directly or by grants or contracts) of the programs authorized by this title."

(b) There is authorized to be appropriated such sums as may be necessary to enable the Secretary to make grants to continue the projects for which commitments were made under section 402(a) of the Narcotic Addict Rehabilitation Act of 1966, but such grants may be made only for the periods specified in such commitments for such projects. Such section 402 is repealed.

USE OF ALLOTMENTS FOR COST OF ADMINISTRATION

SEC. 304. Section 403 of the Mental Retardation Facilities and Community Mental Health Centers Construction Act of 1963 (42 U.S.C. 2693) is amended by adding at the end thereof the following new subsection:

"(c)(1) At the request of any State, a portion of any allotment or allotments of such State under part A of title II shall be available to pay one-half (or such smaller share as the State may request) of the expenditures found necessary by the Secretary for the proper and efficient administration during such year of the State plan approved under such part; except that not more than 2 per centum of the total of the allotments of such State for a year, or $50,000, whichever is less, shall be available for such purpose for such year. Payments of amounts due under this paragraph may be made in advance or by way of reimbursement, and in such installments, as the Secretary may determine.

"(2) Any amount paid under paragraph (1) to any State for any fiscal year shall be paid on condition that there shall be expended from State sources for such year for administration of the State plan approved under such part A not less than the total amount expended for such purposes from such sources during the fiscal year ending June 30, 1968."

NONDUPLICATION

SEC. 305. Title IV of the Mental Retardation Facilities and Community Mental Health Centers Construction Act of 1963 is amended by adding at the end thereof the following new section:

"NONDUPLICATION

"SEC. 409. In determining the amount of any grant under this Act for the costs of any project there shall be excluded from such costs an amount equal to the sum of (1) the amount of any other Federal grant which the applicant has obtained, or is assured of obtaining, with respect to such project, and (2) the amount of any non-Federal funds required to be expended as a condition of such other Federal grant."

Mr. STAGGERS (during the reading). Mr. Chairman, I ask unanimous consent that the committee substitute amendment be considered as read, printed in the RECORD, and open to amendment at any point.

The CHAIRMAN. Is there objection to the request of the gentleman from West Virginia?

There was no objection.

The CHAIRMAN. Are there any amendments to the committee amendment?

If not, the question is on the committee amendment.

The committee amendment was agreed to.

The CHAIRMAN. Under the rule, the Committee rises.

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. VANIK, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 15758) to amend the Public Health Service Act so as to extend and improve the provisions relating to regional medical programs, to extend the authorization of grants for health of migratory agricultural workers, to provide for specialized facilities for alcoholics and narcotic addicts, and for other purposes, pursuant to House Resolution 1235, he reported the bill back to the House with an amendment adopted by the Committee of the Whole.

The SPEAKER. Under the rule, the previous question is ordered.

The question is on the amendment.

The amendment was agreed to.

The SPEAKER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER. The question is on passage of the bill.

Mr. SPRINGER. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 327, nays 1, not voting 105, as follows:

[Roll No. 245]

YEAS—327

Abernethy
Adair
Addabbo
Albert
Anderson, Ill.
Andrews, Ala.
Andrews, N. Dak.
Arends
Ashley
Ashmore
Ayres
Baring
Barrett
Bates
Battin
Belcher
Bennett
Berry
Betts
Bevill
Biester
Bingham
Blackburn
Blatnik
Boggs
Bolling
Bolton
Bow
Brasco
Bray
Brinkley
Brooks
Broomfield
Brotzman
Brown, Calif.

Brown, Mich.
Brown, Ohio
Broyhill, N.C.
Broyhill, Va.
Buchanan
Burke, Fla.
Burke, Mass.
Burleson
Burton, Calif.
Bush
Button
Byrne, Pa.
Byrnes, Wis.
Cabell
Carey
Carter
Casey
Cederberg
Chamberlain
Clark
Clawson, Del
Cleveland
Cohelan
Collier
Colmer
Conable
Conte
Corbett
Corman
Cowger
Cunningham
Daddario
Daniels
Davis, Ga.
Davis, Wis.
Dawson
Delaney
Dellenback
Denney
Dent
Derwinski
Devine
Dickinson
Diggs
Dingell
Donohue
Dow
Dowdy
Downing
Dulski
Duncan
Dwyer
Eckhardt
Edmondson
Edwards, Ala.
Edwards, Calif.
Eilberg
Erlenborn
Esch
Evans, Colo.
Fascell
Feighan
Findley
Flood
Flynt
Foley
Ford, Gerald R.
Fountain
Fraser
Frelinghuysen
Friedel
Fulton, Pa.
Fuqua
Galifianakis
Gardner
Garmatz
Gettys
Giaimo
Gonzalez
Goodling
Green, Oreg.
Green, Pa.
Griffin
Gross
Grover
Gude
Hagan
Haley
Hall
Halleck
Halpern
Hamilton
Hansen, Wash.
Hardy
Harvey
Hébert
Hechler, W. Va.
Heckler, Mass.
Helstoski
Henderson
Hicks
Horton
Hosmer
Howard
Hull
Hungate
Hunt
Hutchinson
Ichord
Jarman
Joelson
Johnson, Calif.
Johnson, Pa.
Jonas
Jones, Ala.
Jones, N.C.
Kastenmeier
Kazen
Kee
Keith
Kelly
King, N.Y.
Kirwan
Kleppe
Kluczynski
Kornegay
Kuykendall
Kyl
Kyros
Landrum
Langen
Latta
Lennon
Lipscomb
Long, Md.
Lukens
McCarthy
McCulloch
McDade
McDonald,
Mich.
McFall
McMillan
Macdonald,
Mass.
MacGregor
Machen
Mahon
Marsh
Martin
Mathias, Calif.
Matsunaga
May
Meeds
Meskill
Michel
Miller, Calif.
Miller, Ohio
Mills
Minish
Mink
Minshall
Mize
Monagan
Montgomery
Moore
Morgan
Morris, N. Mex.
Morse, Mass.
Morton
Mosher
Moss
Murphy, Ill.
Murphy, N.Y.
Myers
Natcher
Nedzi
Nelsen
Nichols
Nix
O'Hara, Ill.
O'Hara, Mich.
Olsen
O'Neill, Mass.
Ottinger
Passman
Patman
Patten
Pelly
Pepper
Perkins
Pettis
Philbin
Pickle
Pike
Pirnie
Poage
Poff
Pollock
Price. Ill.
Price, Tex.
Pryor
Quie
Reid, Ill.
Reid, N.Y.
Reuss
Rhodes, Ariz.
Rhodes, Pa.
Riegle
Roberts
Rodino
Rogers, Colo.
Rogers, Fla.
Ronan
Rooney, N.Y.
Rooney, Pa.
Rosenthal
Rostenkowski
Roth
Roudebush
Roybal
Rumsfeld
Ruppe
Ryan
St. Onge
Sandman
Satterfield
Saylor
Schadeberg
Scherle
Scheuer
Schneebeli
Schwengel
Selden
Shipley
Shriver
Sikes
Sisk
Skubitz
Slack
Smith, Calif.
Smith, N.Y.
Smith, Okla.
Springer
Snyder
Stafford
Staggers
Stanton
Steed
Steiger, Wis.
Stephens
Stratton
Stubblefield
Stuckey
Sullivan
Talcott
Taylor
Teague, Calif.
Thompson, Ga.
Thompson, N.J.
Thomson, Wis.
Tuck
Tunney
Udall
Ullman
Vanik
Vigorito
Waggonner
Waldie
Walker
Wampler
Watkins
Watson
Whalen
Whalley
White
Whitener
Whitten
Widnall
Wiggins
Williams, Pa.
Willis
Wilson, Bob
Winn
Wolff
Wright
Wyatt
Wylie
Wyman
Yates
Young
Zablocki
Zion
Zwach

NAYS—1

Jones, Mo.

NOT VOTING—105

Abbitt
Adams
Anderson,
Tenn.
Annunzio
Ashbrook
Aspinall
Bell
Blanton
Boland
Brademas
Brock
Burton, Utah
Cahill
Celler
Clancy
Clausen,
Don H.
Conyers
Cramer
Culver
Curtis
de la Garza
Dole
Dorn
Edwards, La.
Eshleman
Everett
Evins, Tenn.
Fallon
Farbstein
Fino
Fisher
Ford,
William D.
Fulton, Tenn.
Gallagher
Gathings
Gibbons
Gilbert
Goodell
Gray
Griffiths
Gubser
Gurney
Hammer-
schmidt
Hanley
Hanna
Hansen, Idaho
Harrison
Harsha
Hathaway
Hawkins
Hays
Herlong
Holifield
Holland
Irwin
Jacobs
Karsten
Karth
King, Calif.
Kupferman
Laird
Leggett
Lloyd
Long, La.
McClory
McCloskey
McClure
McEwen
Madden
Mailliard
Mathias, Md.
Mayne
Moorhead
O'Konski
O'Neal, Ga.
Podell
Pool
Pucinski
Purcell
Quillen
Railsback
Randall
Rarick
Rees
Reifel
Reinecke
Resnick
Rivers
Robison
Roush
St Germain
Schweiker
Scott
Smith, Iowa
Steiger, Ariz.
Taft
Teague, Tex.
Tenzer
Tiernan
Utt
Van Deerlin
Vander Jagt
Watts
Wilson,
Charles H.
Wydler

So the bill was passed.

The Clerk announced the following pairs:

Mr. Evins of Tennessee with Mr. Laird.
Mr. Gilbert with Mr. Cramer.
Mr. Holifield with Mr. Quillen.
Mr. Rivers with Mr. Cahill.
Mr. Madden with Mr. Fino.
Mr. Charles H. Wilson with Mr. Gurney.
Mr. Annunzio with Mr. McClory.
Mr. Tenzer with Mr. Reifel.
Mr. Dorn with Mr. Harrison.
Mr. Celler with Mr. Reinecke.
Mr. Aspinall with Mr. Utt.
Mr William D. Ford with Mr. Bell.
Mr. Rarick with Mr. Railsback.
Mr. Hawkins with Mr. Curtis.
Mr. Randall with Mr. Dole.
Mr. Pucinski with Mr. Steiger of Arizona.
Mr. Podell with Mr. McEwen.
Mr. Anderson of Tennessee with Mr. Ashbrook.
Mr. Leggett with Mr. Harsha.
Mr. Van Deerlin with Mr. Don H. Clausen.
Mr. Culver with Mr. Schweiker.
Mr. Farbstein with Mr. Clancy.
Mr. Fulton of Tennessee with Mr. Burton of Utah.
Mr. Hanley with Mr. Hansen of Idaho.
Mr. Smith of Iowa with Mr. Vander Jagt.
Mr. King of California with Mr. Taft.
Mr. Tiernan with Mr. McCloskey.
Mr. Gallagher with Mr. Kupferman.
Mr. Herlong with Mr. McClure.
Mr. O'Neal of Georgia with Mr. Brock.
Mr. Resnick with Mr. Eshleman.
Mr. Barrett with Mr. Gubser.
Mr. Holland with Mr. Mayne.
Mr. Boland with Mr. Robison.
Mr. Fallon with Mr. Wydler.
Mr. Karth with Mr. Lloyd.
Mr. Brademas with Mr. Hammerschmidt.
Mr. Blanton with Mr. Mathias of Maryland.
Mr. Abbitt with Mr. O'Konski.
Mr. Irwin with Mr. Mailliard.
Mr. Purcell with Mr. Goodell.
Mr. Everett with Mr. Scott.
Mr. Moorhead with Mr. Conyers.
Mr. Pool with Mr. St Germain.
Mr. Hays with Mr. Roush.
Mr. Hathaway with Mrs. Griffiths.
Mr. Gray with Mr. Gathings.
Mr. Gibbons with Mr. Fisher.
Mr. Edwards of Louisiana with Mr. Rees.
Mr. Adams with Mr. Watts.
Mr. de la Garza with Mr. Teague of Texas.
Mr. Long of Louisiana with Mr. Jacobs.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

GENERAL LEAVE TO EXTEND

Mr. STAGGERS. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to extend their remarks on the bill just passed.

The SPEAKER. Is there objection to the request of the gentleman from West Virginia?

There was no objection.

CAN THIS BE ART?

Mr. ROONEY of New York. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. ROONEY of New York. Mr. Speaker, on yesterday this body approved the conference report on the Department of Interior appropriations bill. That conference report carried in it a very substantial amount of money for the National Endowment for the Arts, which is headed by our Nation's No. 1 dilettante.

My question today is, after reading a wire report on the UPI wire No. 53 of this morning, did our Nation's No. 1 dilettante have anything to do with the following situation:

> SIGNS OF THE TIMES
>
> BOULDER, COLO.—A University of Colorado art exhibit consisting of 100 paper plates filled with horse manure has been drawing record crowds and an equal amount of criticism.
>
> The exhibit, entitled "Colorado Scene," was the brainchild of three graduate art students, who were called upon at the last minute to come up with a show.
>
> The three said they tried to think of something they could do which would "cost a minimum amount of money and have significance."

Mr. Speaker, I certainly hope and trust that none of the hard-earned moneys of the taxpayers of our country have been used in connection with such a silly project as this one of the paper plates and the horse manure.

The SPEAKER. The time of the gentleman from New York has expired.

POVERTY ON THE INDIAN RESERVATION

Mr. BERRY. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from South Dakota?

There was no objection.

Mr. BERRY. Mr. Speaker, as nearly as I can tell, the Federal Government is spending close to a half billion dollars each year for various relief programs for Indians.

This expenditure, Mr. Speaker, in dollars, is $220 million for the Bureau of Indian Affairs; $105 million for the Public Health Service; $112 million for the Office of Education, HEW; $33 million for the Office of Economic Opportunity; $26 million through Commerce; $15 million through HUD; $5 million through Agriculture; the Department of Interior, other than BIA, $2.4 million and $1.4 million through the Department of Labor, making a total, Mr. Speaker, of over a half billion dollars.

These figures, of course, are not entirely correct. It is impossible to determine just how much is being allocated, but the point I want to make is that these are relief programs. Let me repeat, Mr. Speaker, "relief programs," 90 percent of which are not necessary if private industry were granted an inducement to move onto the reservations and provide jobs.

The Treasury Department objects to legislation which would authorize this tax exemption because they say they do not know how much it would cost. Mr. Speaker, whatever the cost, it is less than a half billion dollars.

WHAT IS A DILETTANTE?

Mr. GROSS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Iowa?

There was no objection.

Mr. GROSS. Mr. Speaker, I have asked for this 1 minute in order to ask the distinguished gentleman from New York [Mr. ROONEY] a question, and that is: What is a dilettante—especially in connection with fertilizers?

Mr. ROONEY of New York. Mr. Speaker, if the distinguished gentleman will yield at this point, I shall be glad to explain that to my friend from Iowa.

The dictionary which is to the right of the Speaker's rostrum will indicate that a dilettante is an amateur superficial dabbler in art.

Mr. GROSS. I thank the gentleman. The kind of nonsense which the gentleman from New York has described further justifies my vote against the lush expenditures of Federal funds for the promotion of the arts and humanities.

JOINT COMMITTEE TO INVESTIGATE CRIME

Mr. PEPPER. Mr. Speaker, by direction of the Committee on Rules, I call up the joint resolution (H.J. Res. 1) creating a Joint Committee To Investigate Crime, and ask for its immediate consideration.

The Clerk read the title of the joint resolution.

The Clerk read the joint resolution as follows:

H.J. RES. 1

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) there is hereby created a Joint Committee To Investigate Crime, to be composed of seven Members of the House of Representatives to be appointed by the Speaker of the House of Representatives, and seven Members of the Senate to be appointed by the President pro tempore of the Senate. In each instance not more than four members shall be members of the same political party.

(b) Vacancies in the membership of the joint committee shall affect power of the remaining members to execute the functions of the joint committee, and shall be filled in the same manner as in the case of the original selection.

(c) The joint committee shall select a chairman and a vice chairman from among its members at the beginning of each Congress.

SEC. 2. (a) The joint committee shall make continuing investigations and studies of all aspects of crime in the United States, including (1) its elements, causes, and extent; (2) the preparation, collection, and dissemination of statistics thereon,, and the availability of reciprocity of information among law enforcement agencies, Federal, State, and local, including exchange of information with foreign nations; (3) the adequacy of law enforcement and the administration of justice, including constitutional issues pertaining thereto; (4) the effect of crime and disturbances in the metropolitan urban areas; (5) the effect, directly or indirectly, of crime on the commerce of the Nation; (6) the treatment and rehabilitation of persons convicted of crimes; (7) measures for the reduction, control, or prevention of crime; (8) measures for the improvement of (a) detection of crime, (b) law enforcement, including increased cooperation among the agencies thereof, (c) the administration of justice; and (9) measures and programs for increased respect for the law.

(b) The joint committee shall report to the Senate and the House of Representatives, from time to time, the results of its investigations and studies, together with such recommendations as it may deem desirable. Any department, official, or agency engaged in functions relative to investigations or studies undertaken by the joint committee shall, at the request of the joint committee, consult with the joint committee from time to time with respect to such functions or activities.

SEC. 3. (a) In carrying out its duties, the joint committee or any duly authorized subcommittee thereof is authorized to hold such hearings and investigations, to sit and act at such places and times within the United States, including any Commonwealth or possession thereof, whether the House or the Senate is in session, has recessed, or has adjourned, to require, by subpena or otherwise, the attendance of such witnesses and the production of such books, papers, and documents, to administer such oaths, to take such testimony, to procure such printing and binding, and to make such expenditures as it deems necessary. The joint committee may make such rules respecting its organization and procedures as it deems necessary. No recommendation may be reported from the joint committee unless a majority of the committee is present. Subpenas may be issued over the signature of the chairman of the joint committee or by any member designated by him or by the joint committee, and may be served by such person or persons as may be designated by such chairman or member. The chairman of the joint committee or any member thereof may administer oaths to witnesses.

(b) The joint committee may appoint and fix the compensation of such clerks, experts, consultants, technicians, and clerical and stenographic assistants as it deems necessary and advisable; and, with the prior consent of the heads of departments or agencies concerned and the Committee on House Administration of the House of Representatives and the Committee on Rules and Administration of the Senate, to utilize the reimbursable services, information, facilities, and personnel of any of the departments or agencies of the Federal Government, as it deems advisable. The joint committee is authorized to reimburse the members of its staff for travel, subsistence, and the other necessary expenses incurred by them in the performance of the duties vested in the joint committee other than expenses in connection with meetings of the joint committee held in the District of Columbia during such times as the Congress is in session.

SEC. 4. The expenses of the joint committee shall be paid one-half from the contingent fund of the House of Representatives and one-half from the contingent fund of the Senate, upon vouchers signed by the chairman or the vice chairman of the joint committee.

With the following committee amendments:

On page 2, line 5: After the word "members", strike the words "at the beginning of each Congress".

At the end of the joint resolution, add the following paragraph:

"SEC. 5. The Joint Committee To Investigate Crime shall expire at the end of the Ninetieth Congress."

The committee amendments were agreed to.

The SPEAKER. The gentleman from Florida [Mr. PEPPER] is recognized for 1 hour.

Mr. PEPPER. Mr. Speaker, I yield 30 minutes for debate only to the able gentleman from California [Mr. SMITH] and to myself such time as I may wish to consume.

Mr. Speaker, House Joint Resolution 1, which I introduced on the 10th of January, 1967, has now been introduced by a total of 124 Members of this House on both sides of the aisle.

It has also been introduced in the other body by 22 Members, also on both sides of the aisle.

The resolution would create a joint committee to investigate all aspects of crime and the total delineation of its jurisdiction is set out in section 2 on page 2 of the resolution.

The joint committee itself would consist of seven Members of the other body appointed by the President pro tempore of that body and seven Members of the House of Representatives appointed, of course, by the Speaker of the House.

Not more than four members of either committee representing either House would be from the same political party. So it would truly be a bipartisan committee which should make it an American approach to the menacing problem of crime.

The committee would make reports to the respective bodies from time to time.

The committee would have the usual authority exercised by such committees to hold hearings within the United States or within the territories of the United States, whether the Congress is in session or not and whether it was in recess and adjournment or not and would have the power of subpena and the usual authority incident to such inquiries.

By an amendment of the Committee on Rules, the joint committee would select a chairman and a vice chairman from among its members and the joint committee would expire at the end of the 90th Congress which means at the beginning of convening of the 91st Congress.

Mr. Speaker, we are all aware that the Gallup poll in February of this year ascertained through an inquiry among the people of the United States that the most menacing problem and the problem of greatest concern to the people of our country is the problem of crime.

I am sure we would all agree with that finding by our own experience.

Shocking are some of the data from

the FBI about the volume and unhappily the increasing prevalence of crime in our country.

The FBI's statistics for 1966 indicated that crime through the years 1960 to 1966 increased almost seven times faster than the population increased during that period.

A further finding reported in the FBI files reports that six serious crimes were committed every minute during the year 1966. There was a murder, a rape, or assault to kill every 2 minutes, a robbery every 3½ minutes, a burglary every 23 seconds. That was during 1966.

Preliminary FBI figures for 1967 indicate a 16-percent total increase in 1967 over 1966. Preliminary figures by FBI for the first 3 months of 1968 show a total of 17-percent increase over the same period in 1967. So the menace of crime is growing steadily in our country.

The FBI estimates that the cost of crime now in the United States is at the rate of over $27,000,000,000 a year.

Another aspect of the tragedy is that to a considerable extent crime in this country is juvenile crime. In 1966 the under-25 population accounted for 74.7 percent of arrests made in this country; the under-18 population accounted for 49.4 percent.

Crime in this country is also big business. Organized crime grosses more than all other forms of criminal activities combined, an estimated $8,000,000,000 a year. Its methods are a domestic version of guerrilla warfare: infiltration of legitimate government and business operations, backed up by terrorism. Its success is, it seems, phenomenal and somehow defies all efforts so far to destroy it or control it. We enacted the Law Enforcement Act of 1965. This spring we passed the Omnibus Crime Control and Safe Streets Act of 1968 under which, in the next 2 years, $400,000,000 will be contributed by the Federal Government to the States and local subdivisions to improve the quality and effectiveness of law enforcement in the country.

The President has been keenly alert to the danger and menace of crime and violence and has appointed three commissions, two of which have already made excellent reports and the third of which is now beginning very promisingly to function. But we in the Congress feel that the Congress to which the people have a right to look for leadership in this field, must come to deadly grips with the monster crime and determine to destroy it or to make it impotent.

We are determined that we are going to attack this problem in depth; that we are going to the roots of the causes of crime, and then we are going to lay before the Congress and the legislatures and local authorities of the country, indeed, before all the people of the country, our discoveries and conclusions, and make to the Congress and to the country the recommendations which would dethrone the criminal from his menacing position in our society and establish the rule and reign of law and order in America and among the people that respect, indeed, that reverence for law and order which alone can assure it.

Hence, 124 of us in this House, and 22 Members of the other body, have proposed to set up a joint committee of the Senate and House to undertake this arduous but essential task.

Indeed, such a committee was proposed by the President's Crime Commission in the following recommendation of its report. In recommending a permanent Joint Congressional Committee on Organized Crime, the Commission said:

> A permanent committee would focus the interest of those Members of Congress who have in the past displayed concern with the problem, and would involve a greater number of legislators than at present. It could mean that there would be a larger staff to concentrate on the problem and to permit consideration of the implications of any new legislation for organized crime. In addition, the creation of such a committee would place the prestige of the U.S. Congress behind the proposition that organized crime is a national problem of the highest priority.

The Washington Post in an editorial a year ago commenting on the formation of the National Advisory Commission on Civil Disorders, recommended the establishment of a joint congressional committee to investigate the causes of urban riots. Quoting from the editorial:

> The role that Congress can play is to establish a joint committee manned by powerful leaders of both houses. This committee could work with both Presidential Commissions to see that their recommendations are lifted above politics and are put into effect. Endless hearings of dozens of committees and subcommittees on Capitol Hill can produce at best only a fragmentary program. The Nation needs a unified effort to save its cities; the President and Congress are obligated to provide nothing less.

I should like to pay particular credit to the leadership in this field of radio station WMAL, the Evening Star Broadcasting Co. In fact, WMAL recommended the formation of such a joint committee as early as November of 1966. Quoting from that editorial:

> A war on crime in the late 1960s cannot be fought with 1920 weapons. This is why Congress should thoroughly digest all the new rulings and findings before acting on new crime legislation. To accomplish this, we recommend establishment of a Joint Committee. This committee should serve as a national clearing house to explore all aspects of crime within the Federal jurisdiction, on a continuing basis.
>
> It is necessary to improve law enforcement procedures at all levels of government. But only Congress has the diversity to bridge vast sociological, practical, legal and political considerations that complicate the total national crime problem.

This splendid radio station has never faltered in impressing upon the Members of Congress and the Washington community the necessity for such a joint congressional committee to investigate crime as we are considering today. What WMAL has done has been in the finest tradition of radio broadcasting.

In addition, Mr. Speaker, House Joint Resolution 1 has been endorsed by the National League of Cities, the National Association of Chiefs of Police, the Conference of Mayors, the National Association of County Officials, the General Federation of Womens Clubs, the Republican task force on crime, the National Association of Police Law Professors, and the National Council on Crime and Delinquency.

I know this House and I am sure the Senate and the President are determined that the legislative and the executive branches of our Government are going to do their utmost to meet and to master the criminal in America; to restore to Americans a satisfying sense of security and safety in their homes, in their businesses, in their streets, and highways and wherever they may be in this great country. The President has already named three distinguished panels, two of which have made most valuable contributions to the subject of overcoming the menace of crime and a third eminent panel is now beginning what we know will be monumental work in this field. By the adoption of this joint resolution, Congress will rise to the challenge of the criminal and set about the most important business we have facing us in America today, the establishment of law and order throughout the land. I hope this resolution will be adopted by the House.

Mr. SIKES. Mr. Speaker, will the gentleman yield?

Mr. PEPPER. I yield to my distinguished colleague from Florida [Mr. SIKES].

Mr. SIKES. Mr. Speaker, I commend the distinguished gentleman from Florida [Mr. PEPPER], the sponsor of House Joint Resolution 1. In presenting this measure to the House he has performed an unusual service. He has made many important contributions to Congress and to the Nation.

Mr. Speaker, I believe the action of the House in approving this measure today can be one of the really important actions of the Congress. Here we can be assured of a down-to-earth commonsense approach to the most serious problem now confronting our Nation. America is greatly disturbed about crime. America is apprehensive because more has not been done to curb crime. America wants action. This Joint Committee can contribute by searching out needed facts and by proposing sensible and logical solutions to the crime problem. It can help to lighten the load of those responsible for fighting crime. I consider this an important action and I endorse it.

Mr. PEPPER. I thank the distinguished dean of our delegation very much.

Mr. ROGERS of Florida. Mr. Speaker, will the gentleman yield?

Mr. PEPPER. I yield to my able colleague from Florida [Mr. ROGERS].

Mr. ROGERS of Florida. I, too, want to commend my colleague, the gentleman from Florida [Mr. PEPPER] for his foresight in presenting this legislation. I feel sure the House will overwhelmingly endorse it because of the pressing problem that this legislation seeks to solve. There is no problem that is more pressing. I certainly endorse the legislation and commend the gentleman for presenting it to the House.

Mr. PEPPER. I thank my able colleague very much.

Mr. EDMONDSON. Mr. Speaker, will the gentleman yield?

Mr. PEPPER. I yield to the distinguished gentleman from Oklahoma.

Mr. EDMONDSON. Mr. Speaker, I wish to join my colleagues in commending the gentleman in the well for his authorship and sponsorship of this joint resolution. I certainly believe it recognizes one of the most important problems confronting the country. I agree wholeheartedly with what has been said about the necessity of giving our crime problem top priority in terms of congressional study. I am concerned personally about the fact that an amendment has been suggested here which apparently has been incorporated in the authorizing resolution to terminate this joint committee at the expiration of the 90th Congress. I want to know if the gentleman feels that this is an adequate period in which to go into the very considerable number of important subjects that are outlined as the field for this committee.

I personally find it rather difficult to undertand how a study in depth of these various important subjects can be made in an election year, during the fall of an election year, within the time limitations imposed by this resolution.

Mr. PEPPER. I will say to my able colleague from Oklahoma that he is correct in his surmise that anything like a thorough job, although a great deal can be done, cannot be accomplished between now and the end of this calendar year or the beginning or convening of the 91st Congress. This is a joint resolution. Of course, it has to be approved by both Houses of Congress. There was some sentiment in the Rules Committee that we should limit the activities of this committee to the end of the 90th Congress.

I do not know what the attitude of the other body will be. Perhaps they may concur in that. They may think it should be a continuing committee, as was recommended by the first panel on crime appointed by the President. I will quote what that recommendation was. But even if the other body will not think it should be a permanent committee, the next Congress will have an opportunity to extend the life of the committee if it sees fit to do so.

Mr. EDMONDSON. Would the gentleman in the well not agree with me that unless there were a reasonable prospect of a longer life for this committee, its prospects of getting a good staff to participate in the work and the opportunity to achieve an organized and well-coordinated effort and bring it to a successful conclusion would be very limited?

Mr. PEPPER. Undoubtedly the job that can be done between now and the end of the 90th Congress would not be nearly as thorough as the case would be if this committee were approaching the job with the prospect of a longer life, but I hope they will approach the job with confidence and dedication. I am hoping that the committee will do such a job as will vindicate the next Congress in extending the life of the committee.

Mr. EDMONDSON. Mr. Speaker, I appreciate the remarks of the gentleman. I support the resolution and I hope this can be the opening to a much more extended and thorough study by Congress of this subject.

Mr. PEPPER. Mr. Speaker, I thank the able gentleman very much.

I yield now to my colleague, the gentleman from Florida [Mr. FASCELL].

Mr. FASCELL. Mr. Speaker, I thank the gentleman for yielding.

I add my commendation for the gentleman's long efforts in seeing this resolution through to the House floor. I know it has not been an easy task. He is to be congratulated for the inspiring and strong leadership which he has given and continues to give in the fight against crime in the United States.

I had some reservations about this approach when this idea was first introduced last year. I have long since changed my mind. The responsibility in dealing with crime and the tremendous increase in crime, either organized or otherwise, is the joint responsibility of local, State, and Federal Governments. We have a problem in Congress in effectively dealing with the problem of crime, because we have so many different committees, each of which has a part of the jurisdiction. The same difficulty exists in the executive branch.

In the Committee on Government Operations, the Legal and Monetary Affairs Subcommittee of which I am chairman, recently completed an interim study of the proliferation among some three dozen Federal investigative and administrative agencies dealing with the problem of organized crime. The report I hereby call to the attention of my colleagues is entitled "Federal Effort Against Organized Crime: Report of Agency Operations," House Report No. 1574, 90th Congress, second session.

As pointed out in the report, organized crime consists of thousands of persons who are engaged in continuous conspiracy in many fields of criminal activities, but most particularly in gambling, loan sharking, narcotics, prostitution, and labor racketeering. These criminal activities are not confined solely to local areas or those which breach only local or State laws, but extend across the entire Nation and often into foreign countries.

Organized crime is big business. Its annual gross from gambling is between $20 and $50 billion; from loan sharking and narcotics, about $350 million annually; from prostitution, about $225 million; from untaxed liquor, $150 million; and from the relatively new activity of cigarette smuggling, another $50 million.

Organized crime's success is attributable to its huge income, plus law enforcement failures, and, too often, from public apathy towards many of the crimes in which crime syndicates engage.

Good State and local law enforcement is basic to the solution of most crime problems, including organized crime, but the operations of crime syndicates are so big and are so spread geographically that the only way to stop them is through diligent, conscientious, and coordinated efforts of Federal, State, and local law enforcement.

The Federal armament for fighting organized crime consists of the Department of Justice, about 10 investigative agencies, and more than 25 regulatory and enforcement agencies. Some of these have long conducted operations against crime syndicates—but organized crime cannot be defeated without overall effort, constantly applied. As the report points out, however, the Federal Government has not borne its obligations with the constancy and force that its role in the overall battle against organized crime demands. For one thing, direction for an overall effort has been lacking.

There has been a tendency to leave the fight almost exclusively to the investigative agencies. Some of them have operated with marked success, but usually within the rather limited areas of their jurisdiction.

The report points out that not enough agencies have been brought into the fight. Although some administrative and regulatory agencies expend huge amounts of money on Government contracts; and others decide who will receive the various charters, licenses, permits, and grants that are within their powers to grant, there are agencies that seem almost totally unaware that organized crime can present dangers to them; although the plain fact is that organized crime is moving into every area of legitimate business, including those that are federally regulated.

An Executive order issued by the President earlier this year calls for full anticrime coordination between the agencies. However, that order has not yet been implemented by any directives requiring interagency participation in an overall effort against crime syndicates.

The Organized Crime and Racketeering Section of the Department of Justice is attempting at least partial coordination of agency operations, most notably through its "strike force" operations, under which its personnel and U.S. attorneys, plus investigators from the Internal Revenue Service, the Bureau of Narcotics and Dangerous Drugs, Customs, Secret Service, and the Department of Labor, and some other agencies make concentrated drives against organized crime in certain metropolitan areas.

Even as regards such operations, however, some agencies apparently feel they can join or not, as they will, or participate on their own terms.

The report is based upon testimony and statements provided by the Department of Justice and 35 other Federal agencies. For the first time anywhere, it reviews the efforts taken, and the present capabilities of each agency, to deal with organized crime. It is an interim report, because the subcommittee is continuing its study. The subcommittee's findings are summarized in the report's concluding remarks, which are as follows:

CONCLUDING REMARKS

The Federal effort against organized crime is not a single coordinated venture which is conducted under the management and direction of any one department or agency. It is, rather, the sum of the Federal prosecutions, investigations, administrative proceedings and judicial actions, plus the aid extended to State and local law enforcement.

Organized crime operates throughout most of this country. Its direct victims are those persons who are caught up in its gambling, loan sharking, narcotics, or other criminal activities. Its indirect victims are that large portion of the citizenry who suffer financially or because the quality of their lives is diluted through the corruption that organized crime works on law enforcement officials or on business and labor organizations.

The most effective way to stop the syndicated crime menace is through diligent, conscientious, effective, and coordinated Federal, State, and local law enforcement. Organized crime cannot exist in any community that is determined that it shall not exist, and which backs up that resolve with effective action. In addition, the Federal Government has obligations for committing its capabilities to that fight in the following instances: (*a*) where the subject matters involved are peculiarly within the jurisdiction of the Federal Government, or some agency thereof; (*b*) in aid of, and in cooperation with, community law enforcement efforts; (*c*) where the problems exceed the capabilities or jurisdictional powers of community law enforcement. The Federal capabilities are distributed among some two dozen or more investigative, administrative, and regulatory agencies and the Department of Justice, including the U.S. attorneys and the Organized Crime and Racketeering Section.

Federal enforcement

The Federal Government has not borne its obligations with the constancy and force that its role in the overall battle against organized crime demands.

The investigative, administrative, and regulatory departments and agencies possess a wealth of weapons that can be used against organized crime, including their investigation forces and facilities, and the denial of access to the contracts, licenses, privileges, and services that are within the controls of the Federal agencies. Each agency, however, operates independently as a rule, and within the rather narrow limits of its responsibilities, whereas a full-scale tactical and strategic drive against organized crime requires the concerted and coordinated action of every agency that can contribute intelligence or operations to the fight; and that, of course, requires direction.

No statute specifically imposes on any Federal official the obligation of leading such an overall fight. In the absence of statutory directives, leadership should have come from the Department of Justice, the Government's chief law office, and the only department with jurisdiction and responsibility for criminal prosecutions of offenses against the Government.

The Department of Justice began actions against organized crime almost a half century ago, when it prosecuted the prohibition era crime czars, but in the intervening years, until recently, its efforts at a concerted Federal combat of that foe were spasmodic and puny. True, there were some noteworthy exceptions, such as the Attorney General's 1950 State-Federal conference on organized crime (chiefly gambling) problems; the establishment, in 1954, of the Organized Crime and Racketeering Section; the effort that followed gangland's 1957 Apalachin meeting; and the buildup of the OCRS, beginning in 1961; but even these moves were intermittent. Spurts of activity invariably were followed by decreased operations, and never was a battle plan drawn up for an overall Federal effort, which stated the specific objectives and responsibilities that were expected from the departments and agencies that would be involved.

The Department of Justice generally does not have line authority over the investigative and law enforcement operations of the Federal departments and agencies. The Department has depended upon the cooperation given it by the departments and agencies in its attempts to coordinate operations against organized crime. This was true of the task force approach discussed earlier in this report—where agencies felt they could participate or not as they willed, or participate on their own terms.

Apparently no similar lack of organization and direction hampered the spread of syndicate crime operations, because organized crime grew despite the Government's efforts against it. Presidential action was necessary to stimulate efforts against the menace. It took such forms as (1965) instructing his Crime Commission to study the problem and its needs; (1966) designating the Attorney General the "focal point" of a Federal drive against the enemy; (1965-68) requesting legislation to aid in the fight; and (1968) issuing an Executive order requiring every Federal department and agency to cooperate with the Attorney General, who is to facilitate and coordinate their criminal law enforcement and crime prevention activities, and issue such rules and regulations and take such actions as are necessary and proper to carry out his functions.

The Department of Justice has not yet promulgated any rules or regulations for the coordination of agency operations against organized crime pursuant to the President's Executive order. Every department and agency undoubtedly desires to maintain to the maximum its freedom to direct its own activities free from restraints or obligations that the Department's rules might impose on them. However, the lack of authority in OCRS to direct agency action, when essential, or to establish policy decisions to govern them, could deter achievement of the high quality of performance that is necessary against organized crime. The cooperation and coordination that has heretofore existed between OCRS and the agencies, and between the agencies themselves, has rested largely upon personal relationships—a slim basis upon which to build a continuing program, and smacking too much of a government of men rather than of laws.

Several questions are raised by the failure of the Department to formulate a plan of attack, and to implement the Executive order with detailed operational guidelines for all the agencies that have resources to put into the fight:

Can there be any valid doubt of the President's authority to order a coordinated attack on organized crime by all of the executive branch agencies?

Cannot an improved technique for coordinated efforts under the Department's direction be developed to effectively employ the facilities and capabilities of the various agencies without severe impingement upon their prerogatives and without the "Federal police force" effect, but with a positive program which is capable of being clearly stated and defined?

Organized crime and racketeering section

The OCRS is charged by the Attorney General with "coordinating generally enforcement activities directed against organized crime and racketeering." Its functions are to accumulate and correlate data, to initiate and supervise investigations, to formulate general prosecutive policies and to assist U.S. attorneys in preparing indictments and conducting trials in the organized crime and racketeering field. Considering the broad problems discussed above, the question is raised whether the obligations that were imposed on OCRS exceeded its capabilities.

(*a*) Its staffing problems have been with quantity, not the quality of its personnel. From all indications the OCRS has had the good fortune of having drawn to its rolls persons of outstanding character, ability, and loyalty, devoted public servants who are intensely aware of the menace that organized crime presents, and who labor long hours under difficult, sometimes dangerous, conditions to accomplish their mission. The rate of turnover of its young lawyers has been almost 20 percent, an obvious waste of experienced manpower. The battle against organized crime can be expected to continue over many years. It would appear that the OCRS would be a more vital force in that fight if it were able to offer career incentives, through more liberal pay, promotions, or retirement plans to continue to attract high-caliber personnel, and to hold them.

(*b*) For many years, including now, the OCRS criminal intelligence collecting and correlating operation has been handicapped by its own antiquated system. This has required the recording and filing of intelligence input on index cards, and the laborious search through such cards in its analyses processes. A study now underway for the OCRS to determine the feasibility of applying automatic data processing to the intelligence operations could result in elimination of these mechanical deficiencies. This study, however, is limited to a possible computerization of OCRS criminal intelligence. It would appear desirable to extend the ADP study to survey the possibilities of incorporating therein the entire Department's intelligence with respect to organized crime; and to the possibilities of the use of such equipment in the analysis process, including the personnel and equipment requirements thereof.

Possibly even greater intelligence deficiencies present themselves: The intelligence flow into OCRS depends wholly upon what information each reporting agency decides to report. There is no way of knowing whether OCRS is getting all that the agencies have. Also, there is no uniformity of systems among the agencies for handling intelligence. Some are computerized; others are manual; and there are few guidelines. The question is raised, should consideration be given to development of a uniform inter-agency organized crime intelligence system for greater efficiency and for avoidance of duplication, but containing adequate safeguards against misuses of such information?

In the past several years the number of Federal prosecutions against organized crime figures have increased. Certainly, they far exceed the results of earlier years. However, whether they are making any significant dent in organized crime operations is impossible to determine, because there are no standards against which to measure the success or failure of such efforts. Department of Justice officials themselves have no way of determining whether, on the whole, organized crime is increasing or decreasing. Statistics which with reasonable reliability estimate the full scope of organized crime activities and the number of persons involved are needed before any meaningful judgment as to the effect that the Federal effort is having on organized crime can be made.

By the same token, the number of indictments and convictions obtained by the OCRS is not a valid measure of its effectiveness—there are no standards of comparison except the number obtained in earlier years, which really mean little, because a single particular conviction in a year may do greater damage to organized crime than a multitude of convictions in another year. The impact of a year's efforts cannot be known in the absence of more reliable data on organized crime. Further, in a year in which convictions and indictments are low, the OCRS effort might have been at its greatest effectiveness because new weapons were being developed, or greater community law enforcement efforts through OCRS cooperation might have resulted, and the like. All this points to the fact that there is need for attempting to devise some means for measuring OCRS effectiveness in the various aspects of its operations.

(*c*) Several means of improving the Federal effort were suggested at the subcommittee hearings, some of which are the subject of legislative proposals now pending in the Congress, such as witness immunity legislation which would compel testimony but render the witness immune from prosecution, gun controls, authorized wiretapping and electronic eavesdropping, and establishment of a congressional committee on organized crime. Attempts to increase OCRS's performance in the overall effort by merely increasing its personnel would at some point reach diminishing returns. As the testimony made clear, what is needed is new ideas. Organized crime can be expected to keep plotting to extend its domain and to diversify its operations. New techniques for dealing therewith will have to be developed. The regulatory agencies should be used to their fullest capacity in the fight. For example, there is need to probe further into the extent and nature of organized crime's infiltration into businesses, like securities and banking, and into the means of ascertaining the identity of the crime figures who cloak such infiltrations through nominees or "front money." It would appear that the OCRS should establish a unit for planning and developing new and improved techniques for fighting organized crime.

(*d*) The responsibilities of the OCRS relate to particular statutes assigned to it for administration, but organized crime may be found in criminal and civil matters administered by other divisions of the Department. To maximize the OCRS effort, should not all cases in the Department of Justice of whatever kind which involve organized crime figures be assigned to the OCRS for handling?

Federal administrative and regulatory agencies

The President's Crime Commission was convinced that the devices available through the administrative and regulatory agencies for thwarting the activities of criminal groups, especially in the areas of legitimate business, have not been adequately explored. The subcommittee's study shows that some of the agencies have contributed to the overall Federal effort. Some others reported that they have encountered no syndicated crime problems, had not participated in the Federal effort against organized crime, and had no suggestions to offer for improving that effort. More than one agency strengthened its participation as a result of the subcommittee's interest in the problem. There is still a reluctance on the part of a few, however, to join in, or to increase their roles.

Some Federal agencies spend huge amounts of money on behalf of the Government by contracting for the purchasing of materials, supplies, and services. Other Federal agencies decide who will receive various charters, licenses, permits, and grants which are within their domain to disperse. Many of these agencies, however, indicate a lack of comprehension of the potential danger that organized crime may present in areas of their operations. The plain fact is that organized crime is moving into legitimate businesses of every kind, through nominees and through apparently respectable associates. Quite obviously, all agencies should be alert to that fact—particularly since the operations of those agencies are responsible for the regulation, and frequently the creation, of businesses in every line which involve multibillions of dollars of commerce annually. The public interest requires that the agencies not only protect themselves against being used to expand the operations of organized crime but that they also aid in the overall Federal effort to defeat that enemy in every way they can.

Many agencies maintain staffs of investigators, analysts, lawyers, inspectors, auditors, and other professionals who are trained to probe into and to ascertain the truth of stated or apparent conditions. These could assume extremely important roles in the overall effort, as for example, in determining the extent to which organized crime has infiltrated particular businesses, or particular lines of trade, commerce, industry, and labor. For instance, there are hundreds of Federal bank examiners. It would appear that their objectives readily could be enlarged toward greater searching into organized crime's penetration into the banking industry and its use of that industry for its nefarious purposes. The same seemingly is true of NLRB employees, who, although not permitted to conduct investigations until a complaint is filed, nevertheless would appear to be favorably situated in positions to collect intelligence which the OCRS and other crime-fighting agencies could put to good use. The full possibilities available through the administrative and regulatory agencies for aiding the combat of organized crime should be fully explored by the OCRS and the agencies themselves.

Assistance to community law enforcement

To materially strengthen the effects of community law enforcement, the Congress in September, 1965, passed the Law Enforcement Assistance Act of 1965, Public Law 89–197. Pending "safe streets and crime control" legislation would further help remedy deficiencies that States and their political subdivisions may have in planning, training, manpower or technical and other facilities for crime prevention, and for the apprehension and prosecution of criminals, including organized crime figures.

There are other areas of possible Federal aid that should be explored. For instance, the establishment by each State of an organized crime unit probably would best enable it to contend with that menace. The willingness of OCRS to help in that regard has been expressed; in fact it has already given such assistance to one or more States. It is hoped that States will request such assistance and that the OCRS' resources will be adequate to render assistance in establishing State organized crime units.

In cooperating with State and local law enforcement by exchanging information, Federal law enforcement agencies do so largely on an investigator-to-investigator basis. In some instances remarkable results are achieved in community law enforcement through such pooling of information. It would appear that greater overall (Federal, State, and local) results would be possible if the OCRS issued guidelines for such exchanges in cases which involve violations that are usual in organized crime operations, such as gambling, narcotics, dangerous drugs, and racketeering.

The possibilities of developing better understanding of organized crime as it affects the entire Nation, for adapting to meet any changes in its operations, and for greater unity in Federal-State operations were discussed at the conference of State law enforcement officials which was convened by the President in Washington in 1967, shortly after issuance of his Crime Commission's report. It would seem that conferences of that nature could so significantly contribute to defeating organized crime as to warrant being held on an annual or other regular basis.

Public apathy towards some crimes on which organized crime feeds (most notably gambling) accounts for much of organized crime's success.

In the last analysis it is the attitude of the public and the extent to which people will cooperate that dictates the extent of crime and lawlessness which will be tolerated or defeated in any community.

Some Federal law enforcement agencies, particularly those with close mutualities of interest with community law enforcement operations (such as, in liquor, narcotics and dangerous drug cases), conduct educational programs which are directed both toward informing the public and in improving the capabilities of community law enforcement. The OCRS has no such program of substantial consequence. The question arises of whether the combined knowledge and experience of all Federal agencies, including OCRS, should be put into a national coordinated educational campaign to relieve public apathy; and, if so, how can that best be done?

Mr. Speaker, because of the findings in this report and the obvious similarity of the difficulty in the Congress, I decided to support the joint committee approach for the Congress to deal with this problem.

The only way we can emphasize the interest and concern of Congress and bring to bear the full power of the Congress of the United States is through this kind of joint committee. I agree with the gentleman from Oklahoma [Mr. EDMONDSON] that it should be a continuing committee, because there is a continuing problem.

Mr. Speaker, I commend the gentleman from Florida who has done so much yeoman work on behalf of the people of this country, particularly this vital step in the fight against crime. I fully support this resolution.

Mr. PEPPER. Mr. Speaker, I thank the able gentleman from Florida very much.

I yield at this time to the able gentleman from West Virginia [Mr. KEE].

Mr. KEE. Mr. Speaker, I thank our distinguished colleague, the gentleman from Florida [Mr. PEPPER], for yielding.

Mr. Speaker, I rise to fully and completely support the provisions of House Joint Resolution 1. It is a privilege to be one of 124 Members of the House of Representatives and 22 Members of the U.S. Senate who have introduced identical legislation originally written by the gentleman from Florida.

I respectfully plead with every Member of the Congress to be recorded in favor of this proposed legislation.

The American people are looking to their elected Representatives in the U.S. Congress to do our part in finding the true cause of crime, as well as determining sound legislative recommendations in order to eliminate the increasing rate of crime.

At this point, Mr. Speaker, it is with humility that I take this opportunity to pay tribute to Mr. PEPPER for his wisdom, his leadership, and his deep concern that resulted in the consideration of this vital legislative proposal today.

Our distinguished colleague from Florida will be remembered in history as a statesman of vision. Through his determination and with the approval of the U.S. Congress, we will bring about a better America. Mr. PEPPER has chartered the way. It is up to us to accomplish this task.

In conclusion, it is my prayer that the author, Mr. PEPPER, will be blessed with every success in the days to come.

Mr. PEPPER. Mr. Speaker, I thank the able gentleman from West Virginia.

Mr. Speaker, at this time I yield to the able gentlewoman from New York, who has been most helpful in this matter.

Mrs. KELLY. Mr. Speaker, I, too, want to join my colleagues in complimenting our colleague from Florida on the introduction and piloting through this legislation—House Joint Resolution 1.

I, too, join others in saying I feel it should be a continuing permanent committee and in this regard I regret that the original resolution was so amended by the Committee on Rules. I, also, want to state that a joint committee of the House of Representatives and the Senate is one of the most effective and one of the most productive types of committee. The example in precedent is the Joint Committee on Atomic Energy and also the Joint Economic Committee. Since crime is a national concern and is now a national problem, I think this is the best means of investigating crime and all its facets and recommending legislation.

I do want to emphasize the ninth

purpose for the establishing of the committee—expressed in the resolution—is that they will recommend measures and programs for increased respect for the law.

Mr. Speaker, I compliment our colleagues and I am proud to have been one of the sponsors of this legislation.

Mr. Speaker, unfortunately, crime has become a national problem and concern, and for this reason the enactment of House Joint Resolution 1, creating a Joint Committee To Investigate Crime, is a necessity.

I wholeheartedly agree with the gentleman from Florida, in his efforts to set up a joint House-Senate committee to study needed anticrime legislation. I sponsored a similar resolution, House Joint Resolution 1336, and I feel at this time that there has been too much talk and not enough action on this vital problem. We have seen adequate anticrime and gun control legislation languish in the House Committee on the Judiciary. At this very time, look at the position taken by the chairman of that committee. He stated he would not accept the licensing and registration provisions to be added to the State Firearms Control Assistance Act, which provisions were requested by President Johnson.

Enactment of these laws, however, are not, of themselves, sufficient to overcome the "crime wave" prevalent throughout our Nation. I, therefore, believe that House Joint Resolution 1 is a needed supplement. This joint resolution would create a bipartisan committee of the House of Representatives and the Senate to make continuing investigations and studies of all aspects of crime in the United States, including, first, its elements, causes, and extent; second, the preparation, collection, and dissemination of statistics on crime, and the availability of reciprocity of information among law enforcement agencies, Federal, State, and local, including exchange of information with foreign nations; third, the adequacy of law enforcement and the administration of justice, including constitutional issues pertaining thereto; fourth, the effect of crime and disturbances in the metropolitan urban areas; fifth, the effect, directly or indirectly, of crime on the commerce of the nation; sixth, the treatment and rehabilitation of persons convicted of crimes; seventh, measures for the reduction, control, or prevention of crime; eighth, measures for the improvement of (a) detection of crime, (b) law enforcement, including increased cooperation among the agencies thereof, (c) the administration of justice; and the ninth is the most important of all—to recommend measures and programs for increased respect for the law.

I regret, Mr. Speaker, that the Committee on Rules failed to recommend this joint committee as a permanent committee of the House. I trust that the next Congress will see fit to rectify this error. We need safety on the streets, safety in the home, in order to protect the rights of all our citizens. I urge my colleagues to enact House Joint Resolution 1 without delay.

Mr. PEPPER. Mr. Speaker, I thank the gentlewoman very much.

I yield at this time to the distinguished gentleman from Texas [Mr. WRIGHT].

Mr. WRIGHT. Mr. Speaker, I also would like to congratulate the distinguished gentleman from Florida for his long and hard and diligent work on this proposal and for his superb leadership in bringing this matter to the floor.

The measure is extremely well drafted. It coves a sufficiently broad jurisdiction so as to permit such a joint committee the latitude that it will need if it is truly to come to grips with the problem of rising crime rates in the United States.

Obviously, this is one of the really serious problems of our time and one that finds the American public increasingly appalled and perhaps more than a little baffled at the reasons behind the alarming growth in the crime rate.

Clearly the Congress does have an overriding interest, notwithstanding any other commissions or study groups which may be probing this general area, since any corrective measures at the legislative level must come from the Congress. It is thoroughly appropriate, therefore, that a joint congressional committee be appointed.

I wish to associate myself with the gentleman's remarks, and I thank him for yielding.

Mr. PEPPER. I thank the able gentleman very much.

Mr. DENT. Mr. Speaker, will the gentleman yield?

Mr. PEPPER. I yield to the able gentleman from Pennsylvania.

Mr. DENT. Mr. Speaker, I want to associate myself with the gentleman from Florida in all that he has said and all that he has done and all that he is doing in this field of endeavor. It is a field which has needed this kind of attention for a long time.

I am sure the Congress will do well to support unanimously the proposal before us.

Mr. PEPPER. I thank the able gentleman from Pennsylvania very much.

Mr. BENNETT. Mr. Speaker, will the gentleman yield?

Mr. PEPPER. I yield to my distinguished colleague from Florida [Mr. BENNETT].

Mr. BENNETT. Mr. Speaker, I congratulate the gentleman in the well for his leadership in this field.

Mr. Speaker, I am proud to be a cosponsor of the legislation before the House of Representatives today, House Joint Resolution 716, a bill to create a Joint Committee To Investigate Crime.

The key sponsor of this resolution, our colleague, Congressman CLAUDE PEPPER, of Florida, is to be congratulated on bringing this legislation to the floor of the House and to the attention of the American people.

There is no greater domestic problem facing our Nation today than the reestablishment of law and order. We have a significant challenge in this field throughout the Nation and locally. The joint committee established by House Joint Resolution 716 will be composed of seven Members of the House and seven Members of the Senate. It will have the power to make continuing investigations and studies of all aspects of crime in the United States.

While law enforcement is primarily a local responsibility, the Federal Government and the Congress has an important role to play in reversing the shocking crime and juvenile delinquency rate in the country. Crime costs us $27 billion annually and the rate of crime jumped 16 percent from 1966 to 1967, according to the Federal Bureau of Investigation.

A hundred years ago, Thoreau wrote that: "There are a thousand hacking at the branches of evil to one who is striking at the root." The Congress, with this committee, will be striking at the root of crime and juvenile delinquency in America through its in-depth studies and surveys.

I have been a strong supporter of legislation to assist local law-enforcement agencies in updating their crime detection methods and in training policemen.

I believe the words of President Woodrow Wilson, who said:

> Our civilization cannot survive materially unless it be redeemed spiritually.

Several years ago I was successful in adding an amendment to the Juvenile Delinquency Control Act which provided for assistance in establishing and maintaining "high ethical and community responsibility standards." This amendment has been carried out in several different projects across the Nation. Some of them, reported to me by the Office of Juvenile Delinquency and Youth Development of the Department of Health, Education, and Welfare, are:

The University of Notre Dame.—A prerelease socio-educational and vocational program to help prepare youthful parolees to successfully adjust to the employment and community situation. Conducted by the university in cooperation with the Inland Steel Co. and the Division of Parole, parolees spend from 4 to 6 weeks in a center in preparation for their return to community life while receiving job training.

The University of Puerto Rico.—This program is rooted in the community—permitting 16- and 17-year-old boys who would otherwise be institutionalized at the industrial school to participate in a full program of paid work and guided group interaction. The program is buttressed by appropriate remedial education, vocational placement, and aftercare, and focuses on helping boys understand their past delinquencies, prepare for the world of work, and understand and deal more effectively with the social conditions that contributed to their delinquency. The program is patterned on an earlier project supported by this office in Essexfields, N.J., for a slightly younger age group. The focus on the latter program was on remedial education involving the cooperation of the Newark Board of Education.

Boulder, Colo.—Volunteers from the community are used in a variety of prevention, treatment, and control programs conducted by the Probation Department of Boulder, Colo., District Court's Juvenile Division. Volunteers serve in such capacities as report writing, counseling for juvenile probationers, probationers, group discussion leaders for sessions involving adolescents and adults, adult probation officers and tutors. The performance of volunteers is being evaluated to determine the degree to which the learning experiences of the Boulder court can be used in other communities around the Nation.

North City Congress—To reduce tension and create working understanding and cooperation between the Philadelphia Police Department and the North Philadelphia community, an area which has been marked by hostility between police and community residents. The project is designed to strengthen and expand the improvement of police-community relations which have been initiated by a training program involving police assigned to the six precincts encompassing North Philadelphia.

South Brooklyn Improvement Council—To reduce juvenile delinquency by reducing neighborhood intergroup conflict; thereby improving intergroup relations through a series of meaningful group activities that cut across ethnic barriers and provide for hitherto nonexistent opportunities for intergroup contact through such activities as recreation and community-service programs. A teenage group was responsible for much of the program's policy direction.

East Central Citizens Organization—In an area of Columbus, Ohio, marked by high rates of delinquency, youth are given the opportunity of developing their own organization based on the concepts of an adult self-governing body composed of persons completely indigenous to the area. The group has been engaged in conducting a variety of services to the community as well as numerous social action programs. Youth are included as an equal part of the adult ECCO group and are provided with the same opportunity for self-help and self-determination.

Mr. Speaker, J. Edgar Hoover, the Director of the FBI said recently:

> There has been great apathy upon the part of the civilian population of the country. They are not sufficiently interested in combatting crime.

Because of this, and my own deep feelings about the need for all of us to lead a better life, I am sponsoring a "Seminar of Law and Order" on Friday, August 9, 1968, at the George Washington Hotel in Jacksonville, Fla.

This seminar will bring together leading citizens of our community to discuss "Crime and Juvenile Delinquency—What Can We Do About It in Jacksonville?" Prominent national figures in law enforcement and corrections will keynote and address the half-day Seminar. A panel discussion of civic and social minded Jacksonville residents will discuss these topics: "Law Enforcement"; "Two Elements: Poverty and Race Relations"; "The Generation Gap"; "The Role of the Church in Fighting Crime and Juvenile Delinquency"; "School Challenge in Crime and Juvenile Delinquency"; and "Civic and Home Responsibility in Creating a Safe Society."

Again, Mr. Speaker, I want to congratulate Congressman Pepper on bringing this legislation to the House and to the people. This is typical of his outstanding leadership in the House. This committee will make an important contribution in this number one problem at home.

GENERAL LEAVE TO EXTEND

Mr. BENNETT. Mr. Speaker, I ask unanimous consent that all Members be permitted to extend their remarks at this point in the Record.

The SPEAKER pro tempore (Mr. Price of Illinois). Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. EILBERG. Mr. Speaker, I am proud to be a cosponsor of House Joint Resolution 1, the piece of legislation which advocates the creation of a Joint Committee on Crime.

The need for such a committee is urgent. Action in this matter is long overdue for it is imperative that we should adopt this measure. The most recent statistical report from the FBI indicates crime has nationally increased 16 percent over 1966. The momentum of the crime which is ravaging our Nation is faster than the growth of our population. The cost of crime to America is $21 billion a year. The cost to society is immeasurable.

Crime reporting in America has been a problem for years. Not until the FBI began publishing Uniform Crime Reports had there been an organized effort to obtain statistical crime information on a national scale.

Not until the President's Crime Commission on Law Enforcement and the Administration of Justice had there been any effort to diagnose the causes and prescribe the prevention of crime on a national scale.

Statistical reporting to the FBI is still in its infant stage and often the results are unreliable and deceiving. The President's Crime Commission has disbanded. What is left are hundreds of sources of information regarding crime. Examples are sociologists, police, judges, mayors and news media, but there is no single clearinghouse capable of evaluating material and turning it into sound legislative proposals.

There is also no place better qualified than the Congress of the United States for overcoming the numerous sociological, practical, legal and political factors which complicate the crime problem.

The statistics are appalling. Of the 3¼ million serious crimes reported in 1966, a murder was committed every 48 minutes, an aggravated assault every 2 minutes, and a burglary every 23 seconds.

Statistics on recidivism and police employment are equally striking. An FBI study of 6,907 offenders released from prison between January and June 1963, showed that 48 percent of these offenders were arrested for new crimes.

Only a few of our police departments in the major cities are able to recruit to full strength. As a result, our rehabilitation programs are not working and police forces lack significant strength to cope effectively with crime.

It is time we attack the crime problem directly instead of spreading our fire with hit or miss programs. Existing committees and subcommittees of the Congress do not have the flexibility to produce anything but fragmentary programs, but a unified, vitalized, less circuitous effort on the part of the Congress to attack the problem head on can be accomplished by a joint committee to investigate crime.

The National Crime Commission task force on science and technology concluded that the greatest single need throughout the Nation's law enforcement and criminal justice system is in-depth research. I believe that research and knowledge combined with action are the principles with which we can resolve the dilemma of crime.

The urgency of dealing effectively with this, our most critical domestic problem, need not be reemphasized. In this respect, the establishment, as soon as possible, of a joint committee on crime seems to be the best and most efficient way to get down to the basic issues.

A national clearinghouse of crime will make it possible for law enforcement officials and agencies in every sector of the country to draw on each other's knowledge and experience.

Many times, some individual, group, or agency has a particular knowledge of a certain aspect of criminal justice which he or it is unable to share because of lack of communication within the system. Either others do not know that the individual or group knows anything or the individual or group is unaware that its knowledge is unique.

A joint committee formed to investigate all aspects of crime will gather information from these sources and listen to views of citizens and law enforcement officials across the country. It then will be able to combine its entire spectrum of knowledge into coherent legislative proposals.

Since the distinguished gentleman from Florida [Mr. Pepper] first introduced House Joint Resolution 1 on the first day of last session, 110 Representatives and 31 Senators have introduced identical proposals. I hope this is indication of fast passage of this most needed and urgent piece of legislation.

Our Nation rides the wave of peril. Danger is imminent if the Congress does not restore in the people a confidence that their security is being safeguarded; that America the beautiful is truly the land of the free.

Mr. NEDZI. Mr. Speaker, as a cosponsor of House Joint Resolution 1 which would create a Joint Committee To Investigate Crime, I urge favorable House action.

The statistics of the FBI, the letters of our constituents, and our own apprehensions as we walk the city streets, tell us of the serious crime problem in America.

In recent years, the crime rate has been increasing approximately six times faster than the rate of population growth. Not only are there more crimes being committed but there are more repeaters. Crime has become a way of life for more and more people.

Crime control is essential to the survival of our cities. It is ultimately related, moreover, to the problems of racial tensions and the twin phenomena of "flight and blight."

Congress has shown its concern with the recent passage of the Omnibus Crime Control and Safe Streets Act. The creation of a joint committee is needed, in my judgment, to focus sustained, not fragmentary, congressional attention on crime and the criminal law.

I believe the House, by supporting this resolution, will make itself more effective in working on the problems of street crime, organized crime, the courts, and law enforcement.

Mr. HANLEY. Mr. Speaker, I support the resolution before the House to establish a Joint Committee To Investigate Criminal Activities in the United States. As one of the original cosponsors of the measure, I am aware of the vital purpose it will serve for the Congress and the Nation.

We all know of the rising incidence of crime in the United States. We also know of the need for Congress to respond to the needs of the Nation in combating this cancer. I urge all my colleagues to join with us today in support of the resolution, so that the House and Senate can be provided with firsthand information needed in dealing with this national disgrace.

Mr. DERWINSKI. Mr. Speaker, as we continue to combat crime we need more action on sound planning. We have passed an omnibus crime bill. We have received the President's National Crime Commission report. We are considering legislation on gun control and other aspects of the crime problem. But nowhere in Congress are all aspects of crime and lawlessness accurately evaluated as a guide to the future. A committee such as this would give proper mechanism for evaluating past programs and current information, and recommend future action.

Please note FBI Director Hoover's testimony earlier this year to the House Committee on Appropriations. The statistics he presented were disheartening for all Americans who believe in law and order as the bulwark of democracy. Mr. Hoover noted that serious crime rose 88 percent from 1960 through 1967, while our population increased, but 10 percent.

The critical nature of the problem requires prompt legislative action and the continuing nature of the problem shows need to create machinery for sober evaluation upon which to base future actions.

Effective action in the disposition of criminal cases must also come in the courts where leniency in dealing with criminals—particularly those who are repeaters—is the order of the day in far too many instances.

Mr. McCLORY. Mr. Speaker, I rise in support of the resolution sponsored by the distinguished gentleman from Florida and I congratulate the gentleman on his persistent efforts in seeking passage of this measure. As the sponsor of an identical resolution, I share the gentleman's earnest hope that this House will act favorably to establish a Joint Committee To Investigate Crime.

The time for such a committee is long overdue. The much talked about crime problem is reaching epidemic proportions. Attacks on person and property are commonplace occurrences, riots and public disturbances are no longer isolated phenomena, organized crime is systematically sapping the economic and moral strength of the Nation at the rate of billions of dollars and countless ruined lives per year. I think it unnecessary to cite alarming crime statistics—many who follow the public media or live or work in urban or suburban environments are already greatly alarmed.

It is now time for action to put an end to public fears of further personal injury or property loss through lawlessness and disorder. Congress has already taken an important step in the direction of reestablishing law and order by the passage of the Omnibus Safe Streets and Crime Control Act.

Many of the recommendations of the President's Commission on Law Enforcement and the Administration of Justice have been legislatively and administratively implemented. But we must do more.

By establishing a joint committee to investigate and study all aspects of crime in the United States we can assure that the work begun by the President's Crime Commission will continue and that new legislative recommendations will be made in the war on crime initiated by the Congress with the passage on the omnibus crime bill.

I wish to emphasize that in establishing this joint bipartisan committee we do not in any way interfere with the jurisdiction of other standing committees of Congress. The joint committee would not be empowered to bring legislation to the floor of either House, but would be required to channel its legislative recommendations through the existing committees of Congress. The joint committee would thus serve as an intelligence center to coordinate the Congress' anticrime effort and to focus congressional and public attention on the ever-mounting crime problem, a full-time responsibility which no other committee of the Congress is able to exclusively undertake. It also should be pointed out that the work of the joint committee would include the investigation and study of organized crime, a recommendation strongly urged by the President's Crime Commission.

Mr. Speaker, for too long much of the responsibility for making legislative recommendations for the prevention and control of crime has been borne by the executive branch. It is my opinion that this has been primarily due to the fact that Congress lacked much-needed information concerning this complex social problem. By the passage of House Joint Resolution 1 we can assure that Congress will reassert, with new vigor, its traditional prerogatives in the initiation and evaluation of effective anticrime legislation.

Mr. TUNNEY. Mr. Speaker, I am pleased to rise in support of House Joint Resolution 1, creating a Joint Committee To Investigate Crime, originally introduced by my colleague, CLAUDE PEPPER, of Florida. I cosponsored this measure and would like to urge its immediate adoption by the House.

This measure would create a joint committee of the Congress composed of seven Members of the House and seven Members of the Senate. The investigation of crime by the Congress is of major importance. The investigation of the causes and possible solution of our rising crime problem should not be left entirely to the executive branch of Government. This would amount to an abdication of responsibility by the Congress in this area.

Crime during this decade has increasingly occupied the attention of this country. It shares the spotlight with Vietnam as one of the most important issues of the day. A Gallup poll this February showed that Americans believed crime and lawlessness to be the most important domestic problem facing the country, for the first time in the history of the poll. The preliminary estimates for 1967 show a total "crime index" offense rise of 17 percent in the cities, 16 percent in suburban areas, and 13 percent in rural areas. The outlook for the future does not appear hopeful since we are becoming increasingly urban and suburban. Our population is younger and more urbanized than at any previous period in our history and this is certainly a major factor in the increase of crime. A chart in the 1966 edition of the FBI's uniform crime reports show that 49.4 percent of all persons arrested for serious crimes were under 18; 74.7 percent were under 25.

These statistics are not accounted for by a proportionate increase in the population. The 1966 crime figure represents a 62-percent increase over the 1960 figure; the population during the same period increased 9 percent.

Presenting you with these statistics is of course carrying coal to Newcastle. All Members of Congress know crime is serious.

Crime is endangering our property and our person. Beyond this, the fear of crime is affecting the quality of everyday American life. A crime commission survey showed that, of a representative sample of Americans, one-third do not believe it is safe to walk alone in their neighborhoods at night. A second study, conducted in major crime areas in two large cities, indicated that almost half of those interviewed stayed off their streets at night, and one-fifth wanted to move to a safer neighborhood. This is a serious state of affairs: We are becoming a frightened society.

Surveys conducted by the President's Crime Commission in high crime areas revealed from 2 to 10 times as much crime as that reported. The major reason given surveying teams for not reporting crimes to the police was the belief that the police could not do anything.

These are difficult times on the domestic front, and even when actual crimes are not involved, the policeman is caught in the middle in the various upheavals shaking this country. He is a symbol to the ghetto Negro of the white, middle-class establishment. He is a symbol to rebellious teenagers of the authority of parents and society against which they are rebelling. He is alternately accused of brutality and of somehow being responsible for the crime wave through excessive leniency. The police are responsible neither for the inequities of our society nor for the gap between the generations, their role, now as in the past, is to enforce the law—all the laws—in order to insure the safety of the law-abiding citizen.

The police in this country are—through no fault or choice of their own—understaffed, underpaid, and all too often, unsupported by the people they are risking their lives to protect. It is my firm conviction that they deserve all the support we can give them. By we, I mean the private citizen, citizens' groups, the Government at all levels, and Congress. By support, I mean financial support as well as good will. In the words of the Riot Commission report:

> In spite of significant improvements in police efficiency, it is clear that police will be unable to cope with their expanding workload unless there is a dramatic increase in the resources allocated by the society to this task.

Action is long overdue. This is one of the reasons we should create a joint committee of Congress to, among other things, recommend imaginative new solutions to our crime problems.

Mr. FULTON of Tennessee. Mr. Speaker; as sponsor of a resolution identical to House Joint Resolution 1. I would like to urge favorable consideration of this measure before us today.

More and more the people are looking to Washington and the Congress for positive and constructive assistance in the battle against the menacing increase in crime at every level.

The Congress, this year, has moved to meet this need in two specific areas; passage of the Anticrime Control Act of 1968 to provide Federal assistance to local law-enforcement officers and agencies and agencies and the antiriot law, giving the Federal law-enforcement agencies, for the first time, an area of jurisdiction in dealing with persons who cross State lines to incite violence.

But the Congress can and must do more. At present there is no single committee in either body with an overall responsibility for a comprehensive long-range assault on crime.

This legislation before us today would create such a committee but would not infringe on the prerogatives or jurisdiction of any existing committee. The Joint Crime Committee undertakes a continuing study of all aspects of crime in the United States and reports its findings. It might then, through existing committees, make recommendations on possible legislation.

Crime and violence are increasing at an alarming rate. People are more aware of that increase today because of the great advances which have been made in communication and they are legitimately concerned.

The administrative branch has had its Crime Commission but only the Congress can legislate laws or programs needed to help maintain public safety in America. The joint committee created by this legislation is needed to aid the Congress in this task.

Mr. VIGORITO. Mr. Speaker, I wish to rise and say a few words on one of the most important resolutions the House will be called upon to consider this year. I am referring to House Joint Resolution 1 introduced by our distinguished colleague from Florida. It would set up a joint committee of the House and the Senate to investigate all aspects of crime and make recommendations to the respective Houses of Congress.

We have all been greatly disturbed by our national crime problem. It is obvious something must be done—and done soon. We cannot allow this continued disregard of law and order. Our police departments must be supported and the law must be enforced.

However, our national problem lies deeper than this. It has roots not yet fully explored. That is why a joint congressional committee, empowered to call witnesses, hold hearings and make legislative recommendations to the appropriate committee, is an absolute necessity.

I hope my colleagues will join together today in support of this most worthwhile resolution. We are faced with a national problem. The Congress cannot afford to turn its back on it. We are here to represent the people, and the people throughout the land are worried about the future of this country.

Let us act positively today.

Mr. LANGEN. Mr. Speaker, as a cosponsor of House Joint Resolution 1, I urge my colleagues to join in supporting this needed legislation to set up a Joint House-Senate Committee To Investigate Crime.

There was already a crying need for such a committee when this resolution was first introduced in Congress. The need is much greater today. The Federal Bureau of Investigation has revealed that serious crime in the United States increased an alarming 88 percent from 1960 through 1967. The FBI now reports that another 17-percent increase in serious crime was experienced during the first 3 months of this year compared to the first quarter of 1967.

Now that the omnibus crime bill has become the law of the land, and other legislation dealing with lawlessness is either on the books or about to be considered, it is time that the Congress take a long, hard look at the overall direction we are going.

Only through a joint House-Senate committee can we effectively analyze present laws, evaluate new suggestions, and fulfill our lawmaking responsibilities. We need this important tool for use in the continuing fight against crime, which is increasing in this country nine times as fast as the population increases. The growing problem must prompt us to create the machinery needed for sober evaluation upon which to base future actions. Creating a Joint Committee on Crime is a step in the right direction.

Mr. POFF. Mr. Speaker, I am in accord with the general aims and purposes of House Joint Resolution. 1.

During recent years numerous committees and commissions have been created throughout the country to study the crime problem and to make recommendations as to how best we might cope with it. Despite this the crime situation has not improved. It has gotten worse.

Blue ribbon commissions serve an extremely worthwhile purpose but their accomplishments are inevitably diluted because they cease to exist and when they do their work tends to be forgotten. There is, typically, a lack of followthrough.

Doubtless crime needs more study and continued study; more important though, there is a need for followthrough on the study already completed and for instant followthrough on the study yet to be completed.

I can think of no group more eminently qualified nor more logically situated to insure followthrough on its own findings and recommendations and on its own findings and recommendations and on those of other groups than a joint committee of both Houses of Congress, at the very front door of the legislative process.

In my view, however, this resolution creating such a committee can be improved. To this end I would, if the parliamentary situation permitted, offer two amendments.

Section 2 of the present resolution delineates the functions of the proposed joint committee. There are nine separate subsections which, in sum, are broad and sweeping but which, separately, are specific and narrow.

Nowhere in section 2, however, do I find one mention of the term "organized crime". This is unthinkable. There is a crying need for this committee to devote a substantial amount of its time to an investigation of all the ramifications of organized crime.

The President's Crime Commission recommended the creation of a specific "permanent joint congressional committee" to deal with organized crime.

They said, and I quote from the report of that distinguished commission:

> To give necessary impetus to a continuing drive against organized crime, the public must be constantly informed of its manifestations and influences. The changing nature of organized criminal activities also requires that legislators constantly analyze needs for new substantive and procedural provisions.
>
> A permanent committee would focus the interest of those members of Congress who have in the past displayed concern with the problem, and would involve a greater number of legislators than at present. It could mean that there would be a larger staff to concentrate on the problem and to permit consideration of the implications of any new legislation for organized crime. In addition, the creation of such a committee would place the prestige of the U.S. Congress behind the proposition that organized crime is a national problem of the highest priority.

The Commission noted that in February 1967, the gentleman from Florida, Representative WILLIAM C. CRAMER, introduced a bill calling for the creation of a joint congressional committee on organized crime to, in the words of the Commission, "implement the recommendations of this Commission." The Commission referred to H.R. 6054.

The first amendment I would favor would be the substance of H.R. 6054.

The Crime Commission said that a separate joint committee on organized crime ought to be formed. I support a joint committee on crime in general but I feel that this specific recommendation of the Crime Commission ought to be specifically written into the pending resolution to give it the dignity it deserves.

The second amendment I wish I might offer concerns a somewhat more sophisticated, but no less important, subject. I feel that the joint committee should undertake, and that the pending resolution should specifically authorize, a full-scale examination of the structure, jurisdiction and responsibilities of the entire Federal law-enforcement system.

It is the duty of the Congress to define and that of the President to enforce Federal criminal law. It is the responsibility of both the Congress and the President to maintain effective law enforcement within the confines of the National Government's criminal jurisdiction. Effective law enforcement at all levels of government demands efficient organization and delegation of responsibilities.

In my view there is little system, little method, little coordination, and little order in the Federal Government's approach to crime. Today it is a crazyquilt of departments, bureaus, and agencies with competing responsibilities, duplicative staffing, poor communications and self-defeating jealousies and suspicions. There is confusion, duplication, competition and jurisdictional jealousy occurring in the executive branch among its 20 different laws-enforcement and investigative agencies, four independent agencies and eight Cabinet Departments with investigative and enforcement authority.

The Federal law-enforcement establishment has become so complex and overlapping that no one knows how much duplication really exists. No one knows how frequently two or more agencies are working on the same problem or case. No one knows how extensive interagency competition and suspicion really is. No one knows when one agency may, in effect, be counteracting another.

These facts are well known. The administration has not taken any steps to bring order to this chaos. More than 3 months ago a reorganization plan proposed by the administration was debated right here on the House floor. It was a merger of the Narcotic and Drug Abuse Control Bureaus into the Department of Justice.

I opposed that merger but not because I felt it was inherently bad. I opposed it because I felt Congress had too little evidence before it to justify the merger and that we had taken too little time to study it. More important, I opposed that merger because I felt the piecemeal approach to reorganizing the Federal law-enforcement effort was all wrong—that this should not be undertaken bit by bit but that it should come about after careful deliberation and examination of the entire system.

I do not want to say "I told you so" but that is exactly what I have to say. The narcotics reorganization was presented to Congress as a life and death matter—it was urgent the administration said—not a moment could be lost. Congress was steamrollered into approving it.

Well, 3 months have passed since that approval. The merged agency has been created in name and two deputy directors have been appointed, each of whom was the chief of one of the old merged agencies. But no director has been appointed. The structure is exactly the same as before. The bad part is that now there is no leadership at the top because the top spot has not been filled.

I think we made a mistake with that reorganization. We should not make it again. There is a need for complete reorganization of the Federal system and the joint committee should undertake the study at once.

I believe that this is a matter of utmost importance and that it should be specifically written into the pending legislation.

Mr. PELLY. Mr. Speaker, I support House Joint Resolution 1, to establish a House-Senate Committee To Investigate Crime.

Frankly, I do not think we need any more statistics than those that already exist to tell us how bad crime is in the United States. We already know that most crimes today are committed by 15-year-olds; we already know that most crimes are committed by second offenders; and we already know that many crimes are committed by individuals who are on parole.

Mr. Speaker, the situation in the country is that the courts are not convicting criminals, police are being kept in many cases from enforcing the law, and the result is that respect for the law is breaking down. Statistics show that today only one in eight persons arrested is convicted.

As for a House-Senate committee to investigate this matter, I think it might point up what is wrong and help arouse public indignation to a point that society receives the protection it deserves.

Mr. FUQUA. Mr. Speaker, fear stalks the streets of these United States. The fantastic rise in crimes of violence in excess of the increase in population is astounding.

What are the reasons? What can be done about it?

One thing I think we can do is pass House Joint Resolution 1, which would set up a joint committee of the Congress to investigate all aspects of crime in this Nation and to report its findings to the Congress of this Nation.

An honest attempt has been made by law-enforcement officials, the executive branch, the press, and others to find solutions. It is obvious that we have failed thus far.

We cannot, however, afford not to continue to try.

This commission would be composed of seven Members of the House and seven from the Senate and would be bipartisan in its makeup. Certainly this problem is so serious that it cannot be even partially considered in a political vein.

The very heart and life of America depends upon how well we meet this growing crisis. In the midst of the richest land mankind has ever known, violence, crime, and disrespect for law and order rears its ugly head.

Let us put the full weight of the elected officials of the American people behind a study which would be carried out by this commission. Our land cries out for solutions. If this commission could just get us started on the right path, then all of its work would have been very well worthwhile.

Mr. HELSTOSKI. Mr. Speaker, I rise in support of the pending joint resolution, which would create a Joint Committee To Investigate Crime.

I am in full support of this legislation and have introduced a similar joint resolution, my resolution being House Joint Resolution 373.

This Congress has shown great concern with the problems of crime and law enforcement and we have not failed to act in legislating throughout this field.

Although we have made great strides in providing the necessary weapons to combat crime, it is still necessary that we proceed much further than we have to date.

The establishment of a joint congressional committee to study crime is the foremost step in an all-out campaign, on the part of Congress to lead the way in a nationwide effort to attempt to understand and control crime.

It is high time that Congress take a little more initiative in the war on crime and I believe that the establishment of a special congressional committee will permit us to obtain a wider knowledge of the causes of crime and, based upon the findings of the committee, we can promulgate laws which will provide us with adequate means to face the gigantic crime crisis of our Nation.

The 1966 crime report shows that there were approximately 3¼ million crimes of serious character reported in that year. This is a 11-percent increase over 1965 and this percentage will show another increase when the 1967 statistics are available.

Mr. Speaker, this crime trend must be reversed. Even though Congress has already enacted several measures to combat crime and provide assistance to law-enforcement officers, we still face the plain fact that we have a high crime factor still on our hands.

I believe that the majority of Members of this House share my deep concern and the sense of urgency in this matter and it is my earnest desire and hope that the joint resolution will receive overwhelming approval at the conclusion of this debate.

Congress can and must lead the way in the all-out fight to prevent the further spread of crime and the crime epidemic which is reaching into every area of our country.

The creation of a Joint Committee To Investigate Crime will give Congress the opportunity to evaluate the situation and propose legislation on its own initiative, rather than depending upon research done by outside committees and commissions and relying solely upon their recommendations.

I urge that we pass this legislation without a single vote against it.

Mr. MINISH. Mr. Speaker, I rise in support of House Joint Resolution 1, authorizing the establishment of a Joint Committee To Investigate Crime.

This resolution, of which I am proud to be a cosponsor along with over 100 Members of this House, commits the Congress to an investigation of one of our Nation's most pressing problems, the constantly increasing crime rate. It would create a bipartisan committee made up of seven Members each from the House of Representatives and the Senate. They would be charged with the investigation of the causes and the effects of crime in our society. Even more important, they will be asked to recommend measures which will reduce, control, and prevent crime; improve the detection of crime, the law-enforcement process, and the administration of justice; and increase respect for law.

In the United States today, crime has reached critical and dangerous proportions. In 1965, more than 2 million Americans were received in prisons or juvenile training schools or placed on probation. Preliminary FBI figures for 1967 indicate a 16-percent increase in crime over 1966. For the first 3 months of 1968, preliminary figures show a 17-percent increase over the same period of 1967. Today, one boy in every six is referred to juvenile court during his adolescence. Moreover, the future does not appear much brighter. A Crime Commission study indicates that about 40 percent of all male children now living in the United States will be arrested for a nontraffic violation during their lives.

We have passed the omnibus crime control bill which will contribute $400 million to the State and local communities to improve the quality and effectiveness of law-enforcement in our country. It is my fervent hope that we will pass a strong gun control law, including provisions for licensing and registration, before adjournment. However, none of these measures strike at the very heart of this serious national problem. We need this committee to oversee and investigate the entire tragic situation and to recommend adequate measures to alleviate and control crime.

Mr. DANIELS. Mr. Speaker, will the gentleman yield?

Mr. PEPPER. I yield to the distinguished gentleman from New Jersey [Mr. DANIELS].

Mr. DANIELS. Mr. Speaker, I rise in support of this resolution and I wish to commend the distinguished and able gentleman in the well for his sponsorship of this fine piece of legislation.

Mr. Speaker, as a cosponsor I am happy to be able to join with my good friend, the able gentleman from Florida, the Honorable CLAUDE PEPPER, who for so many years has been an outstanding Representative of the people of Florida both in this House and in the other body as well.

Mr. Speaker, I urge immediate passage of this bill as an indication that this Congress is determined to wage a war on crime, and more important, that we intend to win that war.

It is not enough to talk about crime in the streets. It is time to begin action, and this is the first step. By setting up this 14-member joint committee we are showing our determinaton and our willingness to throw all the resources of this Nation into cutting our staggering crime rate.

In conclusion, I commend the gentleman from Florida for his stellar leadership and for his ability and tenacity to turn the popular will into effective legislation.

Mr. PEPPER. I thank the gentleman.

Mr. HALEY. Mr. Speaker, will the gentleman yield?

Mr. PEPPER. I yield to my distinguished colleague from Florida [Mr. HALEY].

Mr. HALEY. Mr. Speaker, I, too, want to join in commending my friend from Florida for offering this resolution. I hope that the committee will come back with some firm recommendations as to what we might be able to do to stop this crime wave. I hope the committee also will figure out some way to get the judges of this Nation to enforce the laws and to put the people in jail who belong there. Then probably we would not have such a crime wave.

Mr. PEPPER. I thank my distinguished colleague.

Mr. MONAGAN. Mr. Speaker, will the gentleman yield?

Mr. PEPPER. I yield to the distinguished gentleman from Connecticut [Mr. MONAGAN].

Mr. MONAGAN. Mr. Speaker, I should like to ask the gentleman a question. I fully agree with what he has said about crime being the top national problem in the minds of our citizens and I support the objectives of his resolution.

I myself introduced a resolution somewhat similar to his, directing the attention of the committee in my resolution toward the coordination of efforts on the part of the enforcement officials at the different levels of government, local, State, and Federal. I wonder if the gentleman would explain to what extent, if any, his resolution contains this approach to the problem of crime control?

Mr. PEPPER. If the distinguished gentleman will look at section 2, on page 2, he will find this subject is one of the specific subjects of jurisdiction of the joint committee.

I appreciate the gentleman's contribution.

Mr. MONAGAN. I am happy to hear that. I thank the gentleman.

Mr. Speaker, I support House Joint Resolution 1. The critical importance of improving crime prevention and law enforcement is evident to all. Indeed, it is the prime responsibility of government to provide security for its citizens by protecting to the fullest extent both lives and property.

The formation of a congressional committee to analyze criminal activity and to conduct hearings for the purpose of promoting better law-enforcement procedures is a worthwhile move although the main and vital effort must be made in the judicial and enforcement system itself.

On the morning of April 4, 1968, I introduced House Resolution 1128, a resolution to establish a Select Committee on Coordinated Crime Control of the House of Representatives. That very evening there occurred the tragic assassination of Martin Luther King. The murder of Mr. King and the riots in Washington, and in other cities, which were a consequence of this senseless deed clearly demonstrated the need for firm action to upgrade the quality of our peacekeeping.

House Resolution 1128 differs from House Joint Resolution 1 in that the membership of the committee in my bill was exclusively in the House of Representatives. I welcome the participation of the Senate in the composition of the proposed committee as provided for in House Joint Resolution 1. The extended breadth of the committee and the broader scope of its objectives could be helpful if they do not impede the committee by their very diversity.

In supporting House Joint Resolution 1, I do so with two reservations to its comparative restrictions. The language of House Resolution 1128 provided for closer coordination of Federal, State, and local law-enforcement agencies in this critical area. I regret that the provisions of House Joint Resolution 1, which do touch upon this point, do not more emphatically reflect the need for cooperative effort at all three levels. I will say that the assurances of the gentleman from Florida [Mr. PEPPER] on the potential for improved law-enforcement facilities under House Joint Resolution 1, have served somewhat to allay my reservations on this point.

My second reservation to House Joint Resolution 1 is a more serious one. The tenure of the proposed committee is limited to the 90th Congress by the addition of section 5 by the Rules Committee. This is a critical limitation of the committee and could well make this resolution no more than the expression of a pious hope.

The present circumstances recall the recent campaign to create a House Committee on Standards of Official Conduct. I took part in the birth of that committee, and I well remember the temporary status assigned the committee by the original bill, House Resolution 418. House Resolution 418 passed with my support, but it was a matter of profound concern to me that the tenure assigned that committee was so short. It is fortunate that later legislation granted permanent status to our Committee on Standards, but there was no guarantee of this in the originally passed bill. In like manner, I regret the short duration assigned the proposed Joint Committee to Investigate Crime and hope that from it will develop a permanent and more stringent measure for the control of crime at all levels of government, and with the full cooperation of the agencies at all levels.

Mr. HUNGATE. Mr. Speaker, will the gentleman yield?

Mr. PEPPER. I yield to the distinguished gentleman from Missouri [Mr. HUNGATE].

Mr. HUNGATE. I thank the gentleman for yielding.

I commend the able gentleman from Florida for his leadership on this resolution, which I also sponsored, and I urge all Members to support him in this reassertion of the legislative prerogative.

Mr. PICKLE. Mr. Speaker, will the gentleman yield?

Mr. PEPPER. I yield to the distinguished gentleman from Texas [Mr. PICKLE], who has been very helpful.

Mr. PICKLE. Mr. Speaker, the gentleman from Florida should be commended for his action. He has pursued this resolution with dogged determination. Without his leadership we would not have this resolution before us today.

I believe that the House is fully equipped to look into these matters and to study and make reports. I believe we can analyze as well as anyone else in the country.

When that report is finished, we will be able to make a more practical and sensible report to the Congress.

Then, I hope that action can be accomplished.

Again, I salute the gentleman for his leadership. I have been privileged to work with him many times on subcommittee meetings trying to move this resolution along. He has given great leadership, and we are all indebted to him for it.

Reacting to the overwhelming demand of the American people for a genuine fight against crime and lawlessness, we have devoted an increasing amount of time to the problem of law enforcement.

I am pleased, therefore, to see the general support that is being given to House Joint Resolution 1, of which I am a cosponsor.

I believe the joint committee approach to the investigation of crime will go a long way toward bringing an end to many rampant forms of violations that do harm to our law-abiding citizens.

The urgent need for a joint congressional committee on crime has been dramatically recognized in Congress by both Democrats and Republicans, as evidenced by the nonpartisan support of this legislation.

There is no question in my mind for the need of this committee as one of the most powerful vehicles in our drive against lawlessness since crime has been given as the reason for supporting many forms of legislation, without really addressing the real problem of crime itself.

To legislate intelligently against crime, we must coordinate all available information and the joint committee is the best way to achieve this coordination.

When we talk about fighting crime, we are not only discussing the need to preserve property and safety of American citizens, we are speaking also of preserving our character and our American heritage.

Our efforts here must be tied to action. It must be action impelled by informed citizens and propelled by their support and participation in local government and their observation of the law.

It is not easy to accept the fact that we are a Nation which prides itself on being the land of the "free and the home of the brave" while at the same time the rising tide of crime intimidates many of our law-abiding citizens—making them hostages in their own homes after dark.

It is indeed staggering to look at the facts that crime costs decent Americans more than $21 billion annually, and even more startling to realize there is no way to measure our loss when we lose trust in our fellow citizens and feel insecure even within the boundaries of our own communities.

I do not believe that the average American citizen is satisfied with this status quo, and I believe that as a government charged with the responsibility of the health and welfare of its citizens we need to reexamine our traditional approaches of crime control and crime prevention so as to assure each and every American citizen that the matter of individual safety still remains as this Government's chief responsibility.

Law enforcement, as it has been repeatedly stressed, is a local responsibility. I cannot imagine that any of us would prefer the alternative of a Federal police force. It was to escape from such authoritarian status that our forefathers of all ethnic backgrounds came to America and built our Nation to its present preeminence.

The problem of crime is a local problem. It is a problem that affects each and every one of our communities, and basically we need to look to the individual communities for the solutions to crime.

However, because of the general nature of law violators we must be prepared to see that our communities are equipped to fight crime. We must see that they are given the opportunity to use modern methods to combat the criminal disease, and we must see that they are kept abreast with the latest techniques. Most of all, we must let local officials enforce local law. And we must not interfere with or hinder them in the enforcement of our laws.

I believe that the approval of the Joint Congressional Committee on Crime will lead to new and innovative methods of finding solutions and methods to reduce the growing volume of crime in the Nation. I think also that it will serve as a tangible warning to the hooligans and lawbreakers of this country that 99.44 percent of the citizens in this Nation will not tolerate their outbreaks of lawlessness and violence.

We must encourage swift establishment of this proposed committee to study and investigate all aspects of crime and then offer to the Congress legislative recommendations.

Mr. PEPPER. I thank the gentleman very much.

Mr. BARING. Mr. Speaker, will the gentleman yield?

Mr. PEPPER. I yield to the able gentleman from Nevada [Mr. BARING].

Mr. BARING. I thank the gentleman for yielding.

Mr. Speaker, I rise in support of House Joint Resolution 1, which I cosponsored with my own bill House Joint Resolution 1325, proposing to set up a joint select committee of the House of Representatives and the Senate to make a study of all aspects of crime and to make recommendations to the respective Houses of the Congress with respect to any remedial legislation which would contribute to protecting the lives and property of our people.

I feel that I have an individual responsibility, as well as the Congress has a collective responsibility, to try and see if we cannot move this country forward once again on the path to decency and order. We here in the Congress must do everything in our power to fight the menace of crime in our country and to restore to our people a sense of security in their person and their property against the assault of the criminal.

Enactment of this legislation provides a signal, and a very clear signal at that, to the country that we here in the Congress are making a national commitment to war on crime.

Mr. PEPPER. I thank the able gentleman.

Mr. Speaker, I yield to the able gentleman from New Jersey [Mr. HOWARD].

Mr. HOWARD. Mr. Speaker, I thank the gentleman for yielding.

I wish to join in the commendation of the gentleman from Florida for the great effort that he has made in bringing this resolution to the floor of the House today. It is through the work of this proposed committee that the Congress will know what it can and should do, what it cannot and should not do concerning crime in the United States. I am very happy to be the first Member who followed his leadership in introducing this legislation and wish to thank him for the service that he is doing for all Americans.

Mr. PEPPER. Mr. Speaker, I now yield to the able gentleman from California [Mr. BROWN].

Mr. BROWN of California. Mr. Speaker, I wish to thank the gentleman from Florida for yielding to me.

I want to join in commending him for the leadership that he has taken in bringing this resolution to the floor. I want to make the statement that I think support for this type of resolution should come uniformly from both sides of the aisle and from all parts of the ideological spectrum. We are all in agreement in this House that we are a nation which lives under laws and that respect for the law is probably the most important characteristic of our democracy.

Unless we can find the causes for the growing and widespread disrespect and flouting of the laws of this country we are really going to be in a serious problem situation. The response of the Congress in the past to matters of major significance has frequently been the creation of a special committee which cut across existing jurisdictional lines, which I believe this committee will do in order that we can get at the roots of a problem which in itself cuts across artificial boundaries of jurisdiction, and so forth. This committee would be an extremely valuable and useful step in this direction, and I certainly hope that all Members of Congress will join in support of it.

Mr. PEPPER. Mr. Speaker, I thank the gentleman very much for his statement.

I now yield to the distinguished gentleman from Maryland [Mr. MACHEN].

Mr. MACHEN. Mr. Speaker, I thank the gentleman from Florida for yielding.

I do wish to commend the gentleman in the well for his leadership in seeing this resolution got to the floor of the House.

Mr. Speaker, I rise to give my unqualified support to House Joint Resolution 1. I am proud to be a cosponsor of this legislation. It is my opinion that creation of the joint committee is a necessary step in an all-out campaign to understand and control crime.

Our crime rate is increasing eight times faster than our population. I know that during my 3½ years in the House, I have actively supported every major measure we have had before us to fight the rising crime rate. Yet, I am aware that more must be done. We must mobilize all levels of government to establish programs to do the job. Then we must maintain a close check on our law enforcement officials to make sure that the laws are enforced, quickly, decisively, and fairly. To greatly assist in this effort, I believe we must pass House Joint Resolution 1 to establish a Joint Committee to Investigate Crime.

The committee which this resolution will establish would in no way inhibit or interfere with the powers and prerogatives of the existing legislative committees regarding crime legislation. It would instead serve the invaluable function of a coordinated intelligence center and clearinghouse for the currently fragmented legislative and investigative activities relating to crime control.

Up to now, a fair job has been done, but a fair job is not what the American people want and what they have a right to expect. As their elected representatives we are only too aware of our constituents' desire to see the lawlessness which has swept the country stopped. In the past, we have been hampered in our efforts to propose far-reaching crime legislation by our lack of information. The joint committee which this resolution would establish would increase our understanding of the problems involved and thus increase the effectiveness of our efforts in initiating and evaluating what must be done to curtail crime.

Crime has become an issue of such magnitude and significance as to warrant the creation of a new joint congressional committee by an act of Congress. This joint committee would be authorized to make continuing studies and investigations of crime including:

First, its elements and causes as well as its extent; second, the preparation, collection, and dissemination of statistics thereon; third, the adequacy of law enforcement and the administration of justice; fourth, the effect of crime disturbances in the metropolitan urban areas; fifth, the effect, directly or indirectly, of crime on the commerce of the Nation; sixth, the treatment and rehabilitation of persons convicted of crimes; seventh, measures for the reduction, control, and prevention of crime; and eighth, measures for the improvement of detection of crime, law enforcement including closer cooperation among law-enforcement agencies, the administration of justice, measures, and programs for increased respect for the law.

Domestic order is the first responsibility of every level of government and every citizen. It is our duty to enact laws which will help our law-enforcement officials to carry out this responsibility. We have done this and will continue to do so. Law and order must be the starting point to build a better society. Without law and order, the great strides which must be made in the years ahead in the social, economic, and political fields will never be made. We must take whatever steps are necessary to end riots and violence. We must take whatever steps are necessary to let those who riot on our college campuses know that their actions will not be tolerated. We must take whatever steps are necessary to protect the rights of law-abiding citizens generally. The liberty and freedom which we enjoy, and which is so essential to progress, must be built upon respect for the law.

We in the Congress must make every effort to know the causes of crime and enact legislation which will strike these causes at their roots. I believe that creation of a Joint Committee on Crime is a necessary step toward this end and I urge all my colleagues to join with me in supporting House Joint Resolution 1.

Mr. PEPPER. Mr. Speaker, I thank the able gentleman.

I now yield to the distinguished gentleman from Wisconsin [Mr. ZABLOCKI].

Mr. ZABLOCKI. Mr. Speaker, I, too, want to join my colleagues in extending congratulations to the distinguished and esteemed gentleman from Florida. Certainly, sir, you have done yeoman's work in this field and you are to be commended for your ability in bringing this resolution before us for consideration at this late date. I am indeed honored and happy to cosponsor this proposed legislation.

We are, Mr. Speaker, at a tragic highwater mark in crime. In view of the ever-increasing breakdown in law and order this congressional effort to probe into crime and its causes is more than warranted.

We all know of the extensive studies and reports that have been completed on the subject of crime. Individually, however, these commendable efforts do not serve to correct the problem with which they are all concerned. It is in that sense that the correlating service which this joint committee will perform becomes essential.

Serving as a type of "clearinghouse," the joint committee can bring together, digest, and ultimately mold into significant and effective legislation the numerous recommendations and proposals aimed at eliminating crime in our country.

I would only note further, Mr. Speaker, that in passing this legislation Congress will be asserting its prerogative and exercising its proper and constitutionally designated role.

Mr. PEPPER. Mr. Speaker, I yield to the able gentlewoman from Missouri [Mrs. SULLIVAN].

Mrs. SULLIVAN. Mr. Speaker, I commend the gentleman from Florida on the introduction of this legislation. I was happy to cosponsor his proposal by introducing a companion bill, House Joint Resolution 1313. In my opinion there has never been a time when this kind of commission was more needed than it is right now to get to the roots of our horrifying crime situation and find solutions for one of our gravest national problems.

The gentleman from Florida [Mr. PEPPER] was responsible as a U.S. Senator for initiating the health research programs of the National Institutes of Health, and has saved countless millions of Americans from disease and suffering, and the social and economic costs of preventable illness. As a Member of the House, he has now come forward with a proposal to combat the high social and economic cost of crime. He deserves our gratitude for his statesmanship and leadership on this issue.

Mr. PEPPER. Mr. Speaker, I thank the very able gentlewoman very much for those kind words.

I now yield to the able gentleman from New York [Mr. OTTINGER].

Mr. OTTINGER. Mr. Speaker, I want to join in congratulating the very able gentleman from Florida on his fine work in this field. I was pleased to be one of the sponsors of this legislation. I know how hard and effectively he has worked.

Mr. Speaker, I suppose there is no matter in the entire country which is of greater concern to the people than the growing rate of crime—the number of criminals that do not get apprehended, the ones that do get apprehended evade conviction, those who are convicted get off with ridiculously low penalties, and those who get sent to jail only to return to lives of crime.

This bill allows Congress to focus on the grave problem of soaring crime rates, the growing lack of respect for the law and violence in the country, and the insidious increase in organized crime.

Mr. Speaker, I am very glad to have collaborated with the gentleman in the sponsorship of this joint resolution and commend his leadership.

Mr. HALPERN. Mr. Speaker, will the gentleman yield?

Mr. PEPPER. I yield to the gentleman from New York.

Mr. HALPERN. Mr. Speaker, I thank the distinguished gentleman for yielding and I too wish to join with my colleagues in complimenting the gentleman from Florida for his efforts in bringing this resolution before the House. I associate myself with his remarks and I am privileged to have joined him at the outset in cosponsoring the resolution.

I strongly urge the House to pass this resolution which would create a joint committee to make continuing investigations and studies of all aspects of crime in the United States.

The investigations of the committee, composed of a bipartisan group of members of both Houses, would encompass study of the elements, causes, and extent of crime; the availability and interchange of information from the local to the international level; the adequacy and law enforcement, administration of justice, and corrections, and measures for their improvement; the effect of crime upon commerced, concerning especially organized crime; and the effect of crime and riots on our cities.

The committee would serve both as a vital clearinghouse providing the Congress and the Nation with important information concerning all aspects of crime and as an informed source of recommendations for congressional action designed to alleviate this disturbing and growing problem.

Never before has crime been of such great concern to the American public. A Gallup poll last February indicated that, for the first time since the Gallup people began scientific polling in the 1930s, crime and lawlessness were regarded by the American public as the most serious domestic problem facing both the Nation as a whole and their own communities.

Our citizens are justifiably worried about the many different kinds of crime by which they are threatened. Individual crimes of violence and against property have been growing at an alarming rate, seven times faster that the population growth in recent years, according to the FBI. Along with this discouraging trend has been an increased lack of respect for the authority of the law enforcement officers, to the point where the policeman's life is in danger every time he attempts to protect the community from the criminal.

Crime today means more than isolated acts of personal violence and property violation. It also means the mass violence of riots, a danger which haunts our cities this summer and threatens the very coherence of our society under law. Likewise, crime includes delinquency and organized crime. Half of all crimes occurring are being committed by youths under 18, and another quarter by those between 18 and 25. Organized crime is an unchecked menace, grossing over $8 billion a year.

Our response to this growing and alarming problem of crime has been inadequate. The Nation's citizenry clamors for action in the field of law enforcement, and to date we have been lax in supplying necessary legislation. The joint committee to be created through Joint Resolution 1 would serve to make meaningful and informed recommendations to the Congress on how the Federal Government can best take action to alleviate the current crime situation, and how to assist the State and local communities in their efforts to combat crime.

Mr. Speaker, the need for this committee is imminent. We must react to our Nation's No. 1 domestic problem more directly, more aggressively and more responsively. It is vital that Congress—the representatives of the American people—take all necessary action to protect the public from unlawful violence and criminal activity.

I trust this viewpoint will be reflected by a resounding vote of approval of this resolution.

Mr. CONTE. Mr. Speaker, will the gentleman yield?

Mr. PEPPER. I yield to the gentleman from Massachusetts.

Mr. CONTE. Mr. Speaker, I wish to join with my other colleagues in commending the distinguished gentleman from Florida for his leadership in bringing before the House this resolution. I am proud to join with him in its sponsorship.

Mr. Speaker, as a sponsor of a measure similar to House Joint Resolution 1, I strongly urge my colleagues to establish a Joint Committee on Crime. We all recognize the great urgency of this problem, in a time when rising crime rates and decline of respect for law have aroused great concern among our fellow citizens. This problem should be confronted with all our resources and by all branches of Government. This resolution would empower the U.S. Congress to attack this problem in the way best suited to its role in our Government; it would enable the House and the Senate to make effective use of its powers of investigation, especially in areas amendable to legislation. A proper use of our investigatory power can do a great deal to further public understanding of this situation, especially in the crucial areas of the elements, causes, and extent of crime in this country.

The best way of attacking this epidemic of violence is to understand its causes, and to discover its most vulnerable points. That is what this committee will be able to do, and I hope that it will use this power as effectively as possible, to direct public attention to the true nature of crime, to clear away the fog of myth and propaganda which might obscure this nature, and thereby to make us to legislate intelligently and effectively on this problem.

This committee will pay especial attention to the adequacy of law enforcement in light of the constitutional issues involved. Here is a very important area which urgently requires hard and objective appraisal. A careful and intelligent look at the effect of recent Supreme Court decisions on the administration of justice and the law should clear up some of the controversy and misunderstanding about this very controversial matter.

I would also like to call attention to another subject of investigation, the possibility of "measures and programs for increased respect for the law." No area of this very important task is more important than this, because the most alarming impression created by the alarming increase in crime is that the statistics are accompanied by an underlying decline in abidingness and trust in the law. Only if all our citizens respect and obey the law can we maintain a free society. If the law is not maintained by the free consent of the citizenry, it will be maintained by force, and a republic cannot afford to rely on the latter alternative. I wish the committee success in its very important task, and I am sure it will have the support of every member of this body, as well as of the citizens we represent.

Mr. BOLAND. Mr. Speaker, will the gentleman yield?

Mr. PEPPER. I yield to the gentleman from Massachusetts.

Mr. BOLAND. Mr. Speaker, I join with my distinguished colleague from Massachusetts [Mr. CONTE] in commending the able gentleman from Florida for sponsoring this resolution.

The resolution—one I am delighted to cosponsor—calls for the establishment of a joint congressional committee to carry out a searching investigation of crime in the United States. The need for such a congressional probe, Mr. Speaker, is only too obvious. Headlines from any American newspaper—urban dailies, rural weeklies—make clear the extent of crime and its impact upon our society. Crimes of violence are increasing at an unprecedented pace, alarming our citizens and overburdening our police. Murder, robbery, assault, and arson are becoming commonplace. FBI statistics point out that the overall crime rate has surged upward by nearly 50 percent in the past 8 years alone—a trend that threatens to accelerate even more sharply in the years ahead.

We in the Congress, of course, are enacting legislation designed to reverse this startling trend. Over the past few years we have enacted a host of programs—programs to strengthen the professional expertise of our police, programs to eliminate the root causes that breed crime, programs to help turn potential criminals into productive citizens. Yet much of the legislation has turned out to be of the stop-gap kind that has a merely superficial effect on crime. What the Congress needs—and needs at once—is a continuing committee investigation that will probe deeply into the entire sociocultural phenomenon of crime and come up with the legislative tools to squarely attack that phenomenon. The National Crime Commission's task force report on science and technology has made clear that research is the most pressing single need throughout the country's system of law enforcement and criminal justice. The report points out, for example, that authorities have no adequate means of evaluating the effectiveness of crime control measures. House Joint Resolution 1 would help provide these means, generating enough research data to strengthen current anticrime programs and to point the way toward more efficient programs. The committee this resolution proposes—a committee composed of seven Representatives and seven Senators—would provide for the Congress the specific information it needs to wage an effective legislative campaign against crime.

Again, Mr. Speaker, I urge the prompt adoption of this resolution.

Mr. JONES of Missouri. Mr. Speaker, will the gentleman yield?

Mr. PEPPER. I yield to the gentleman from Missouri.

Mr. JONES of Missouri. Mr. Speaker, I would like to inquire of the gentleman if those of us who may be opposed to this resolution which is pending here, those who might want to ask some questions, when will we have an opportunity to do that?

Mr. PEPPER. I am advised by the Chair that I have only 5 minutes remaining. I was so advised just a few moments ago. The able gentleman from California [Mr. SMITH] has 30 minutes and perhaps the gentleman from California would be willing to yield time to the gentleman from Missouri.

Mr. JONES of Missouri. Would the Chair permit me to inquire of the gentleman from California if he could yield me about 5 minutes time?

Mr. PEPPER. What is the gentleman's question? Perhaps I can answer it quickly.

Mr. JONES of Missouri. The first thing I want to ask is this: Are there any limitations for the number of the members of the staff which you could have or any limitation upon the amount of money which you could expend?

Mr. PEPPER. In the wording of the resolution, which is the usual form of resolutions of this nature; no. However, the House Committee on Administration, subject to the approval of the House of Representatives, has the power to recommend the funds necessary after it has the recommendations of the committee.

Mr. JONES of Missouri. I do not believe that is exactly true.

Mr. PEPPER. I say, "in the usual manner" because this resolution provides for no limitation. However, any request for funds would go to the Committee on House Administration in order to get whatever amount of money they might need.

Mr. JONES of Missouri. I wish to point out on page 4, it says that the expenses of the joint committee shall be paid from one-half of the contingent fund of the House of Representatives and one-half from the contingent fund of the Senate. So, you do not have to go to the Committee on Appropriations. You just write your voucher so long as we have money in the contingency fund.

Mr. PEPPER. I do not know what would be the procedure in the other body, but over here it would have to clear the Committee on Appropriations.

Mr. JONES of Missouri. No; I am sorry. That would not be true based upon the manner in which the bill is written.

Mr. PEPPER. The gentleman can ask the Parliamentarian and the legislative counsel about these matters and they will answer the gentleman's question. I am relying upon the information that they gave me with reference to this matter.

Mr. FEIGHAN. Mr. Speaker, will the gentleman yield?

Mr. PEPPER. I yield to the gentleman from Ohio.

Mr. FEIGHAN. Mr. Speaker, I am happy to compliment the able and distinguished colleague from Florida.

CALL OF THE HOUSE

Mr. JONES of Missouri. Mr. Speaker, I make the point of order that a quorum is not present.

Mr. PEPPER. Mr. Speaker, will the gentleman withhold on that point of order? Would the gentleman forgo that for a moment?

Mr. JONES of Missouri. No. The reason I am not forgoing this is because I cannot get any time. I am going to delay this as much as I can until I get time to speak so that I can call the attention of the people to this resolution. All we have got here is a bunch of people who have been misled as to what is in the resolution. I want to have some time, 5 minutes, to point out why we should not pass this resolution. All we have had so far are people telling us why we should pass the resolution, and I hope to be able to present reasons as to why the resolution should not be passed.

Mr. SMITH of California. Mr. Speaker, I will state to the gentleman from Missouri that he can get 3 minutes. All of the time on our side has been allotted so far. However, if the gentleman wants 3 minutes, perhaps we can cut the time of someone on this side.

Will the gentleman from Missouri take 3 minutes?

Mr. JONES of Missouri. No. I want 5 minutes, so I will be just as obstinate as I can on a thing like that.

Mr. Speaker, I again make the point of order that a quorum is not present.

Mr. PEPPER. Mr. Speaker, I do not yield for that purpose.

Mr. JONES of Missouri. Why, the gentleman has already yielded.

The **SPEAKER** pro tempore (Mr. Price of Illinois). The gentleman from Missouri [Mr. Jones] makes the point of order that a quorum is not present, and evidently a quorum is not present.

Mr. BOLAND. Mr. Speaker, I move a call of the House. A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 246]

Abbitt
Adams
Anderson, Tenn.
Annunzio
Ashbrook
Aspinall
Belcher
Bell
Blanton
Bolling
Brademas
Brock
Burton, Utah
Cahill
Celler
Clancy
Conyers
Cramer
Culver
Curtis
de la Garza
Diggs
Dole
Dorn
Edwards, La.
Eshleman
Everett
Evins, Tenn.
Fallon
Farbstein
Fino
Fisher
Ford, William D.
Fraser
Fulton, Tenn.
Gathings
Gibbons
Gray
Griffiths
Gubser
Gurney
Hammerschmidt
Hanley
Hansen, Idaho
Hansen, Wash.
Harrison
Harsha
Hathaway
Hawkins
Hays
Herlong
Holifield
Holland
Jacobs
Karsten
Karth
King, Calif.
Kupferman
Laird
Leggett
Lloyd
Long, La.
McClory
McCloskey
McClure
McEwen
Madden
Mailliard
Mathias, Md.
Mayne
Moorhead
Myers
Nix
O'Konski
O'Neal, Ga.
Pike
Podell
Pool
Pucinski
Quillen
Randall
Rarick
Rees
Reifel
Reinecke
Resnick
Rivers
Robison
Roush
St Germain
Schweiker
Scott
Selden
Smith, Iowa
Steiger, Ariz.
Taft
Tenzer
Tiernan
Utt
Van Deerlin
Vander Jagt
Watts
Willis
Wilson, Charles H.
Wydler

The **SPEAKER** pro tempore (Mr. Albert). On this rollcall 331 Members have answered to their names, a quorum.

By unanimous consent, further proceedings under the call were dispensed with.

JOINT COMMITTEE TO INVESTIGATE CRIME

Mr. PEPPER. Mr. Speaker, reserving the balance of my time I now yield to the gentleman from California [Mr. Smith], such time as he may require.

Mr. SMITH of California. Mr. Speaker, I yield myself 5 minutes.

Mr. Speaker, I ask unanimous consent to revise and extend my remarks.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from California?

Mr. JONES of Missouri. Mr. Speaker, reserving the right to object, the reason I am reserving the right to object is there are several things in this resolution that I feel will not be brought to the attention of the House. I tried to get some time to explain this.

In that connection, I would like to refer you to page 4, line 22, where it says that the expenses of the joint committee shall be paid one-half from the contingent fund of the House of Representatives and one-half from the contingent fund of the Senate upon vouchers signed by the chairman or the vice chairman of the joint committee. There is no limitation in this resolution as to how much money can be spent. There is no limitation on the number of staff members, technicians, experts, and so forth, who can be employed. In other words, this is an open-end authorization to spend any amount of money they wish. I can visualize some nice vacations being taken down in Hawaii, which would be a good place to hold some hearings, and have the opportunity of putting on this staff an unlimited number of people at an unlimited salary, limited only by the top salary in the House of Representatives.

Mr. HALLECK. Mr. Speaker, will the gentleman yield under his reservation?

Mr. JONES of Missouri. Yes. I yield.

Mr. HALLECK. Mr. Speaker, I would like to inquire of the author of the resolution why it was that he waited clear down to point 9 on page 2 to say in respect to this effort that they are going to do something about measures and programs which increase respect for the law. What I am wondering about is, Is this commission to be set up to blame everybody but criminals for the violence and lawlessness that is going on in this country?

Mr. PEPPER. Mr. Speaker, I will say to the able gentleman that the legislative counsel drafted the resolution with my suggestion. I approved it. I did not think that each one of these subjects in the catalog was necessarily in the priority that it would have in the consideration of the committee.

Mr. HALLECK. Mr. Speaker, will the gentleman yield further?

It seems to me that should have been in the first place and not the last one. You are the author of the resolution.

Mr. PEPPER. I can assure the able gentleman if I have anything to do with it, it will certainly be one of the first things considered.

The **SPEAKER** pro tempore. The gentleman from Missouri has reserved the right to object.

Mr. JONES of Missouri. Mr. Speaker, I also wish to call the attention of the Members to a report by the President's Commission on Law Enforcement and Administration of Justice, "The Challenge of Crime in a Free Society."

Now, Mr. Speaker, "Mr. Katzenjammer," I believe his name is, who was formerly with the Department of Justice, was in charge of this report on this crime question.

Mr. Speaker, these are just a few of the volumes we have already received as to what should be done. I do not think we can accomplish anything here by the adoption of this joint resolution that has not been accomplished or cannot be accomplished as the result of these studies.

Mr. Speaker, this reminds me of the fellow who was selling subscriptions to a farm journal. He drove through the country and he got out of his car and went into the field where a man was working. He began his speech to sell the subscription to the Farm Journal. He said, "If you will just take this, you can improve on your home, you can improve on your crops, and you can attain better efficiency in your operations." He said, "Why do you not buy this journal? It would not cost you but $1 a year." The farmer responded with the remarks, "I do not farm half as good as I know how now."

Mr. Speaker, this is what is happening in this country. We have plenty of information if we just used it. Here we propose to establish a high-powered joint committee with no limitation upon its expenditure of funds.

Where is the limitation? I will ask the author of this bill if he will tell me again where there is a limitation on the amount of money that can be spent for this undertaking.

Mr. PEPPER. In the House Administration Committee and in the House of Representatives—in the U.S. Congress.

Mr. JONES of Missouri. Where does it say that?

Mr. PEPPER. That is the information I have. This committee does not have any money. We do not levy any taxes.

Mr. JONES of Missouri. Well——

Mr. PEPPER. Pardon me. The gentleman asked me a question.

This committee has no money. Every dollar that this committee will get will have to be made available by going through the appropriate processes of the Congress—the appropriate committees of the Senate of the United States, and the appropriate committees of the House of Representatives. Further, the committee would have to go before the Committee on House Administration for an authorization for such expenditure. This language is exactly the same language which you will find in the Joint Committee on Taxation and Economic Report and in other joint committee resolutions.

This resolution was drafted by the legislative counsel of the House, and what I have told the able gentleman from Missouri is information given to me today by the office of the legislative counsel and by the Parliamentarian and also from some other authorities.

I see the able gentleman from Texas [Mr. BURLESON], the chairman of the Committee on House Administration, and I shall ask the gentleman from Texas to confirm what I have said.

Mr. BURLESON. Mr. Speaker, will the gentleman yield?

Mr. JONES of Missouri. I yield to the gentleman from Texas.

Mr. BURLESON. I assume, if and when this resolution is adopted, the gentleman from Florida would, in collaboration with appointees of the committee of both House and Senate, determine the scope of the committee's plan of action, he would then introduce a resolution requesting such sum as the committee feels is necessary to finance its operation and a budget to support the resolution. He would estimate the number of employees needed and other anticipated expenses. This would all have to be approved by the Committee on House Administration.

Mr. JONES of Missouri. Mr. Speaker, I wish to comment upon that statement. He says he assumes that would happen. But it is my opinion that every Member of the House can read and understand the English language. When you pass this resolution, here is what you are authorizing. You are authorizing that the expenses of the joint committee shall be paid one-half from the contingent fund of the House of Representatives and one-half from the contingent fund of the Senate. How?

How? Upon vouchers signed by the chairman or the vice chairman of the committee.

Now we know—and I believe everyone here knows—that the contingent fund of the House of Representatives or the contingent fund of the Senate is not going to run out of money. That is No. 1. There is always going to be money there to pay these vouchers, because we need a contingent fund for there are other things—I do not know how many other things—but it is used rather frequently, and there are many demands upon this fund, which will always have money to pay the vouchers issued against this account if we approve this resolution.

It also says—and you do not have to have a resolution for this—it says:

> The joint committee may appoint and fix the compensation of such clerks, experts, consultants, technicians, and clerical and stenographic assistants as it deems necsssary and advisable.

That does not mean that they have to come before the Committee on House Administration and say we have a budget here for so much. It says this joint committee may appoint these people, and it says they can pay for it from vouchers drawn on the contingent fund of the House.

Now, what could be more open ended than the language contained in this resolution?

Mr. Speaker, we do not legislate on the assumption of the gentleman from Florida, we are legislating on the resolution that we are either going to pass or defeat here today.

So, as I say, I just wanted to call the attention of the Members to some of the things that are in here.

Mr. BELCHER. Mr. Speaker, will the gentleman yield?

Mr. JONES of Missouri. I yield to the gentleman from Oklahoma.

Mr. BELCHER. Mr. Speaker, in the last section of the bill it says that the resolution as to the joint committee expires at the end of the 90th Congress. Are we going to spend all afternoon here passing a resolution that will expire in 3 weeks?

Mr. JONES of Missouri. I do not know.

Mr. HALLECK. Mr. Speaker, will the gentleman yield?

Mr. JONES of Missouri. I yield to the gentleman from Indiana.

Mr. HALLECK. Mr. Speaker, it seems to me that the time has come in this country to do something about violence instead of investigating it further. I believe that is the real question. We all know what the violence is. We know how bad it is. We know how disrespect for law and order has spread, and been broadcast all over this country.

I believe the time has come to do something about it, and to be sure the people who are guilty of these crimes are brought to justice and convicted.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from California?

Mr. JONES of Missouri. Mr. Speaker, I want to further reserve the right to object to point out that what the gentleman from Indiana said is correct, but he can find most of the answers in this report. I would like to know how many Members of the House of Representatives have read this report.

Mrs. KELLY. Mr. Speaker, regular order.

The **SPEAKER** pro tempore. The regular order is demanded.

Is there objection to the request of the gentleman from California [Mr. SMITH]?

Mr. JONES of Missouri. Yes, Mr. Speaker. I want to object.

The **SPEAKER** pro tempore. Objection is heard.

The Chair recognizes the gentleman from California.

Mr. SMITH of California. Mr. Speaker, in case some of the Members do not know what just went on, the objection was to my asking unanimous consent to revise and extend my remarks.

I commend the distinguished gentleman from Missouri for being so alert. This happens very, very rarely. But I am happy that the resolution was finally discussed so that you now know something about it. We are in the House, of course, and we do not go into the Committee of the Whole House on the State of the Union for such resolutions. We just have the 1 hour, 30 minutes on the other side and 30 minutes on this side, and then we will either vote the resolution up or down.

May I say further that I will not be able to yield during the time I take, and I am sorry about that, because unfortunately I have requests from Members on my side for more time than my 30 minutes.

In any event, we all know now that this committee will expire at the end of the 90th Congress.

Frankly, the Committee on Rules is reluctant to appoint select committees. As the Members will note, this resolution has been pending before the committee since January 10, 1967. It was recently reported with the amendment that it will terminate at the end of the session.

Frankly, I have no idea what the other body will do. I would rather doubt that such a committee will finally be appointed, but if it is then I hope that it will be able to bring back some information to the House that will help us to determine whether there is anything further that we can do in connection with reducing crime.

Everyone in this House wants to do everything they can in order to lessen crime or eliminate it.

I know I would yield to no one in my desire to do so. We have all kinds of commissions appointed, we do have the Judiciary Committee. It may be a good idea to let this committee function for the rest of this year just to see if they possibly can bring in some ideas that would be helpful to us in writing further legislation.

As an example, I will make this suggestion to them. I spent a number of years in law enforcement and was chairman of the legislative committee on the judiciary in the assembly of the State legislature in California. I held a number of hearings and authored scores and scores of bills, strengthening criminal statutes. Here is a suggestion that I would like to make.

Mr. WHITTEN. Mr. Speaker, will the gentleman yield?

Mr. SMITH of California. I will have to wait before yielding to the gentleman because I have so many requests. I will yield to the gentleman if I have any time at the end.

I think this committee could go to Los Angeles, Calif., as a specific city and hold hearings for 3 or 4 days. It could schedule Mr. Tom Reddin, chief of police of Los Angeles, who is one of the most able law enforcement officers in the United States of America in my opinion.

The committee could request the sheriff to appear, Mr. Peter Pitchess, the very able sheriff of the largest county, Los Angeles, I believe in the United States, who was for many, many years in the FBI. I am certain that he would be more than willing to appear and lend of his knowledge and suggestions to the members of this committee.

Mr. Evelle Younger, the district attorney, is a very able man. I am certain that he would cooperate in every way.

The U.S. attorney could be asked to appear. Judge Pierson Hall, who was formerly U.S. attorney and now, in my opinion, one of the finest Federal judges, could be of great assistance. I am certain that Judge Hall would be pleased to lend his knowledge, talents, and advice to this committee, if they sincerely are trying to get information and suggestions to bring back to us.

Then, in addition, there are officials in Santa Monica, Long Beach, and other cities, who will cooperate in every way.

There is Carl Eggers, former chief of police of Glendale who recently retired and who spent most of his adult life as a law-enforcement official. He is a very knowledgeable man. I am certain he would be glad to assist in every way possible.

Then there is the chief of police of Beverly Hills, Mr. Anderson, who has many, many years of experience; he knows the problems and what should be done about them.

The trouble is that we do not always get these gentlemen's opinions as to what legislation is needed.

The commissions do not always go to the people who know and can tell us what could be done.

In addition to that, I would like to have them talk to the chief probation officer and hear what he has to say and what kind of treatment his office undertakes—whether it just lets them all out or whether it checks on parolees.

Maybe the committee could call on some social workers and see what work they do on these problems and some teachers and other public officials and members of the public.

It would seem to me that if this committee is appointed—and I will say that I voted against it in the Committee on Rules, but I am going to vote for it here on the floor of the House today, after this colloquy, because I would like to see if, in the next few months, when we are all running for reelection and very few of us are going to have a great deal of time to devote to this problem, if they can study the problem and bring such facts and recommendations to us which may be of value for legislative consideration.

The SPEAKER pro tempore. The time of the gentleman from California [Mr. SMITH] has expired.

Mr. SMITH of California. Mr. Speaker, I yield myself 30 seconds.

Maybe the committee can pick out other areas also. I only mentioned Los Angeles, because I know that area.

It is for this reason that I am making the suggestion. I do not know who will be on the committee, but I hope this committee will do the best it can to be of assistance to the Congress so that we can plan for any necessary further legislation next year.

Now, Mr. Speaker, I yield 5 minutes to the gentleman from Ohio [Mr. LATTA].

I beg the Chair's pardon, I will yield 4½ minutes to the gentleman from Ohio [Mr. LATTA] since I have to take my one-half minute out of the gentleman's time.

Mr. LATTA. Mr. Speaker, I was one of those who introduced a companion resolution to the House joint resolution. I did so for the reason that I think there is a responsibility in this House to undertake its own investigation of crime in this country.

As was pointed out by the gentleman from Missouri, we have here on this table many Presidential commission reports on which nothing has been done.

We have now in being a new Presidential Commission on Crime—and another report could be placed on this table.

I do not believe that I have to tell the Members of this House how many of these Presidential commission reports are put into being. Many times reports are put out by the White House even before the final report of the commission is printed and announced to the public.

I do not think that that is the type of investigation that we need in this country on crime, and this is the No. 1 issue, in my humble judgment, before the country today. I think that this House and the Senate as a legislative body should get into the picture. We cannot escape our responsibility. We cannot escape our legislative responsibility merely by saying that the President has already announced the appointment of a Commission on Crime, so as a consequence we need do nothing about it.

I think everyone ought to get into the picture. Everybody ought to begin to do something about this, because you and I know that here in our Nation's Capital, as you walk down the streets after dark, you are not safe. And that does not speak very highly of our Nation's Capital. I want to see the time come when Americans can walk down the streets of their Nation's Capital once again without fear. I think everybody has got to accept their responsibility. I agree with the gentleman from Indiana that the time for action is now. So does J. Edgar Hoover, as he stated in his FBI report to the Nation of June of this year. He said:

> The answer to our Nation's crime problem will be found in direct positive action, not by waiting and hoping the problem will go away. A good beginning would be to let the guilty criminal know that when he is arrested he will be promptly prosecuted and substantially punished for his misdeeds. A good time to begin would be now.

I hope the courts of this country are listening to what Mr. J. Edgar Hoover has said in his report. I think it is time now to start prosecuting and putting some of these individual who are guilty behind bars.

Mr. JONES of Missouri. Mr. Speaker, will the gentleman yield?

Mr. LATTA. I yield to the gentleman from Missouri.

Mr. JONES of Missouri. Just for one short question: Do you think we need any more information than we have now to enact laws which would do that, and to demand that the courts and the law-enforcement officers do that?

Mr. LATTA. No, I do not think we need any more information. I think we have all the information we need. We can pass all the laws that we can possibly pass. But if we do not get into enforcement of those laws, the laws mean absolutely nothing. We must have law enforcement in this country. I think the President of the United States could do more on this subject than any other single individual by getting on nationwide television some night, looking the American people right straight in the eye, and saying, "I don't care who you are, where you come from, what the color of your eyes is, what the color of your skin is, you break one law and you are going to be prosecuted and sent to jail."

You would see that crime rate drop right down practically to zero. That is what we need in this country.

Mr. JONES of Missouri. Mr. Speaker, will the gentleman yield further?

Mr. LATTA. I yield to the gentleman from Missouri.

Mr. JONES of Missouri. I want to tell the gentleman that I agree with what he has said. I have told the President that very thing. If he had told Martin Luther King, when Martin Luther King told him, "We will obey the laws we want to obey and we will disobey the others," if he would have said, "If you do that, you will be put into jail," we would not have anything like we have seen, and I do not think Martin Luther King would have been killed.

I agree with what you have said. We have that information now. I did not think this joint commission was going to be a law-enforcement body and that they were to have the duty of investigating and enforcement.

The SPEAKER. The time of the gentleman from Ohio has expired.

Mr. SMITH of California. Mr. Speaker, I yield 5 minutes to the gentleman from Virginia [Mr. POFF].

Mr. POFF. Mr. Speaker, had the parliamentary situation permitted, I would have offered two amendments to the bill. Since it is not possible to offer those amendments, I would like, if I can, to attempt to fill what appear to be conspicuous voids in the legislation in a colloquy with the author of the bill.

One of the amendments I would have offered would have read as follows:

> On page 2, line 20, after the semicolon, insert the following:
>
> "(8) the structure, jurisdiction and responsibilities of the entire Federal law enforcement system."

May I inquire of the author of the joint resolution, is it his feeling that other language in section 2 substantially effects what the language I have proposed in this amendment would effect?

Mr. PEPPER. Mr. Speaker, I would answer the question in the affirmative. I discussed this matter with the able gentelman from Virginia before we came to the consideration of this. I agreed with him. I thought his suggestion was fully covered in the authority granted in section 2 of the resolution. If there hereafter should be any necessity for the clarification of that, I would cooperate in any way I could.

Mr. POFF. Mr. Speaker, I thank the gentleman. Pursuing it a step further, if I may, if the other body undertakes to consider the legislation in this session, I hope it will bear in mind the problem to which this language is addressed. We have altogether eight Cabinet departments, some 20 agencies of the Government, and four independent agencies of the Government involved either in the investigation or in the enforcement or in both the investigation and the enforcement of the law. Many of the duties and responsibilities overlap, so that no one knows exactly where his responsibility properly begins and where it properly ends.

Mr. WHITTEN. Mr. Speaker, will the gentleman yield very briefly?

Mr. POFF. I yield briefly to the gentleman from Mississippi.

Mr. WHITTEN. Mr. Speaker, I thank the gentleman from Virginia. I am sorry I could get no time. Would the gentleman ask the author of this bill if he will include in his investigation the part Supreme Court decisions and the actions or nonactions of the Department of Justice have played in the breakdown of law and order.

Mr. PEPPER. Mr. Speaker, if the gentleman will yield to allow me, I will answer the inquiry affirmatively. In line 23(c), there appear the words "the administration of justice."

Mr. POFF. Mr. Speaker, I hope the gentleman will be prompt and brief, because I have so little time.

Mr. PEPPER. Mr. Speaker, I will answer in the affirmative. There is authority to examine into the subject.

Mr. POFF. Mr. Speaker, the other amendment which I would have offered if opportunity had presented itself would have been in the following language:

> On page 2, line 23, strike "and"; on page 2, line 24, strike the period, insert a semicolon and add the following: "and
>
> "(10) all aspects of organized crime in the United States including (a) the elements, operations, and extent of organized crime in the United States and the effects and relationship of international organized crime on organized criminal activity within the United States, (b) the effects of organized crime on foreign and interstate commerce, and (c) the adequacy and effectiveness of the methods of Federal, State, and local law enforcement for combatting organized crime."

Mr. Speaker, is it the position of the gentleman that through other language in the resolution we cover the purpose of this amendment.

Mr. PEPPER. Mr. Speaker, yes. I will answer that in the affirmative.

Mr. POFF. Mr. Speaker, this language is lifted from H.R. 6054, which was introduced in 1967 by the distinguished gentleman from Florida [Mr. CRAMER]. The purpose of the Cramer bill was the same as that of the legislation now under consideration, but it took a slightly different form. I would think if the Federal Government has a primary responsibility for law enforcement, it is in the field of organized crime, and although inferentially it may be covered in other language, I think it is important to bring this particular phase of crime control into proper focus in this bill.

Mr. WYLIE. Mr. Speaker, I, too, would like to commend the gentleman from Florida [Mr. PEPPER] for focusing attention on our No. 1 domestic problem.

I wish to associate myself with the remarks of the gentleman from Florida and with those made by the gentleman from Virginia [Mr. POFF]. I would like to take the opportunity to commend the gentleman from Virginia for his excellent statement and for his outstanding work as chairman of the Republican task force on crime on which I am proud to be associated with him.

Appeals from my constituents leave no doubt that crime is the greatest concern for the men and women I have the honor and responsibility to represent in Congress. They look to us, before we adjourn, to move even more decisively toward greater protection of person and property, in the streets, in the homes, and in places of business.

We have taken some positive action, in the omnibus crime and safe streets bill, and otherwise. But in the eyes of our constituents, that still is not enough. We must do more, in positive evidence that we share and understand their fears.

Ours is a lawmaking, rather than law-enforcing, body. But it remains for us, as Members of the Congress, to make certain that laws for the prevention, control, and punishment of crime are adequate. This may mean revision of some laws, enactment of new ones.

It likewise is our responsibility to be sure that we do all that we can to strengthen the arms of law-enforcement agencies, by helping to provide more adequate training and compensation.

To achieve these objectives speedily and effectively, we need the best possible information to guide us. To that end, I support the recommendation for creation of a joint commission, to investigate all aspects of crime and report its recommendations at the earliest possible moment. At the rate crime continues to increase steadily throughout the Nation, we must do all we can without delay.

Mr. SMITH of California. Mr. Speaker, I yield 3 minutes to the gentleman from Nebraska [Mr. DENNEY].

Mr. DENNEY. Mr. Speaker, I have risen very seldom in the last year and a half in this House. I have listened intently and I have absolute confidence and respect for all of my colleagues on both sides of the aisle. I support this joint resolution. I have filed a companion measure.

I urge all of my colleagues to support this measure, and I have a basic reason which I have not heard expressed on the floor today.

We know the problem about crime. We know the Government cannot exist without order. We know order cannot exist without government. But, bear in mind, we have study after study which has been made for the last several years. If nothing else, this committee could at least codify the studies and draft proposed legislation for the purpose of allowing the Members to introduce something that will bring law and order back to this country.

I am getting sick and tired of seeing commissions appointed downtown and having proposed legislation sent here. Why does this House not take the bull by the horn and draft its own legislation and pass it?

Mr. BELCHER. Mr. Speaker, will the gentleman yield?

Mr. DENNEY. I yield to the gentleman from Oklahoma.

Mr. BELCHER. Mr. Speaker, to do all the things the gentleman has outlined, is that committee not going to have to work pretty fast to get it all dont in the next 3 weeks?

Mr. DENNEY. Yes, sir. They will have to act fast, but it is high time we moved ahead. Time is getting late.

Mr. PEPPER. Mr. Speaker, will the gentleman yield?

Mr. DENNEY. I yield to the gentleman from Florida.

Mr. PEPPER. Mr. Speaker, I want to make it clear that this resolution runs until the end of the 90th Congress, which is the beginning of the 91st Congress. I do not want any misunderstanding about that.

Mr. SMITH of California. Mr. Speaker, I yield 2 minutes to the gentleman from Iowa [Mr. GROSS].

Mr. GROSS. Mr. Speaker, I concur with the gentleman from Indiana [Mr. HALLECK] in his criticism of this resolution on the basis that law enforcement and the administration of justice is downgraded in this resolution. For what reason I do not know.

This resolution would be far more acceptable were the joint committee to be designated as the Joint Committee To Investigate Lack of Law Enforcement and Respect for the Law.

The gentleman from Missouri [Mr. JONES] has placed before the House the voluminous publications in connection with the recent so-called Kerner report which presumably investigated crime backward and forward. The passage of this resolution, with the emphasis it places upon the investigation of crime as a first order of business, seems to me to be an indictment of the Commission which was appointed by the President. The creation now of this committee seems to me to be a slap in the face to that Commission. If this joint committee is to have any value its first order of business must be dedicated to finding out why there is not proper law enforcement in this country, and why there is not the proper penalization of criminals.

There is no need to establish another committee, with a costly staff, to study crime. Let the Judiciary Committees of the House and Senate, already organized and staffed, submit to Congress the legislation necessary to compel the prompt prosecution of criminals and the imposition of sentences that will put fear in those who now so flagrantly flout the laws of the land. Crime can be studied from now until doom's day, and more millions spent on those studies, and nothing will be accomplished until respect for the law is reestablished.

I can see no worthwhile purpose in the establishment of this joint committee when its authority is to extend only until the first of next year and for the purpose which is obvious. I predict that it will be costly and serve no really useful purpose.

Mr. HALL. Mr. Speaker, will the gentleman yield?

Mr. GROSS. I yield to the gentleman from Missouri.

Mr. HALL. Does not the gentleman believe people will respect the law if the law is enforced?

Mr. GROSS. Certainly.

Mr. HALL. Does not the gentleman believe if the judiciary would back the constabulary we would have better law enforcement in this country?

Mr. GROSS. Yes. And we would not even be considering a joint committee of the Congress.

Mr. HALL. That is exactly the point I wished to lead up to. Our people know the trouble without additional studies or commissions. They will see to it in November, that we have a change in the appointing authority for the Attorney General and the Supreme Court. This will solve the enforcement and respect problems. We could help further by updating the appointment method, tenural rules, and termination techniques of the nine old Justices of our Supreme Court.

These are our problems and we need action, not more study. I thank the gentleman for yielding.

Mr. SMITH of California. Mr. Speaker, I yield 3 minutes to the gentleman from Iowa [Mr. SCHWENGEL].

Mr. SCHWENGEL. Mr. Speaker, I rise in support of this proposed legislation. I am not a coauthor of it, but I am an author of another measure, House Joint Resolution 1357, which, as its title indicates, is to create a Joint Committee on Crime, the Courts, and Law Enforcement.

I believe this is the type of measure we ought to have, but my proposal is not before the House and I will not have an opportunity to amend this one, because I am sure the author will not yield for that purpose.

So I should like to ask the author a question. If and when this measure is reconsidered next year, would the gentleman agree to the following amendments to this legislation, in substance?

I would propose amendments in three areas.

First, on page 2, line 23, section 2, paragraph (a) is amended by inserting clause (d) "the organizational structure of our police forces, courts, and correctional institutions."

Second, the first sentence of section 2, paragraph (b) is amended by striking out the first sentence on page 2, line 25, to page 3, lines 1 to 3, and inserting:

> The joint committee shall report to the Senate and House of Representatives, not later than December 31 of each year, the results of its investigations and studies, together with such recommendations and legislative proposals as it may deem desirable.

And, third, on page 4, line 14, section 3, paragraph (b), by inserting the clause, "and also of private research groups," after the words "Federal Government."

I ask the gentleman, if and when this is reconsidered—and hopefully made a permanent committee—would the gentleman agree to the substance of these amendments, to any new legislation on which Congress might act?

Mr. PEPPER. Mr. Speaker, will the gentleman yield?

Mr. SCHWENGEL. I yield to the gentleman from Florida.

Mr. PEPPER. I have already discussed this with the able gentleman. I believe his suggestions are extremely valuable. I would do so with pleasure.

I sincerely hope, I say to my colleagues, this does become a permanent committee. I suggest to you it is probably as important to have a joint committee in this area to study these problems and find competent and adequate solutions as it is to have a Joint Committee on Economics in this country and as important as it is to have any other committees that we have had in the past.

I would like to point out, also, that this committee, if created, could become a clearinghouse and could indeed translate the recommendations of all these other reports into legislation and thereby come to the House with a better prospect for some results in this body.

I thank the gentleman.

Mr. SMITH of California. Mr. Speaker, I yield 3 minutes to the gentleman from Kansas [Mr. WINN].

Mr. WINN. Mr. Speaker, I rise in support of House Joint Resolution 1, which provides for the establishment of a joint congressional committee to investigate crime. I am proud to have cosponsored this resolution with my colleague from Florida, the Honorable CLAUDE PEPPER.

Congress needs a joint legislative committee with broad investigatory powers which can gather factual information that will form the basis for legislative action. I am confident that the joint legislative committee which House Joint Resolution 1 proposes can satisfy this need.

A standing congressional committee should be more effective than any of the executive commissions appointed by the President, as the committee will recommend specific legislative changes to satisfy the needs determined by its investigation. I am aware that the President has recently appointed a Commission on Violence, but I fear that the report of this Commission may be met with the same administration inaction as the Kerner report suffered. I am sure that Congress will be more responsive to the recommendations of a joint legislative committee than the administration has been to its Commission reports.

The need for the committee is obvious from a recent crime report showing major crimes have increased 48 percent since 1960. We can no longer administer to the problem on a piecemeal basis, as we have done in the past. Vigorous law enforcement is a step toward restoring an orderly system of Government, but it is only a superficial resolution of the problem. Congress needs to get at the causes of violence and disrespect for the law and to continue a study of the subject, not only for today but to meet the problems that we will continue to face in the future. Whereas Presidential commissions tend to look at things as they have been, a congressional committee can examine things as they develop and report ways to resolve potentially dangerous developments.

Mr. Speaker, I want to go on record for everyone in this Chamber and before all my colleagues to try to do something about the crimewave in this Nation.

Mr. HALLECK. Mr. Speaker, will the gentleman yield?

Mr. WINN. I will be glad to yield to the gentleman from Indiana.

Mr. HALLECK. What assurance can we have, if this commission is created—and everybody knows this crime problem in the country is overwhelming, is serious and bad, but what assurance can we have that this commission is going to operate in a proper fashion and not in a fashion that coddles criminals and apologizes for them and says it is too bad that things in the country are not right and that they ought to be permitted to violate any law they disagree with and go free? Will the commission really get down to the nuts and bolts and back up the people who have the problem of law enforcement on their hands? That is what I would like to know.

At the moment, Mr. Speaker, I do not think I am going to vote for this resolution, because I do not believe it will really accomplish anything. What we really need is some hardheaded law enforcement in this country that will begin to let these people know that they cannot violate the law with impunity. And let me say I realize that when I take this position somebody may say, "Well, CHARLEY HALLECK is for crime." I am not for crime. I am against crime. I was a prosecuting attorney for 10 years. But things that have happened here in the District of Columbia we would have sent people to the penitentiary for in my area.

Mr. WINN. I hope the gentleman will give us a chance to try.

Mr. SMITH of California. Mr. Speaker, I reserve the balance of my time.

Mr. PEPPER. Mr. Speaker, I ask unanimous consent that the gentlewoman from Washington [Mrs. HANSEN] may extend her remarks at this point in the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mrs. HANSEN of Washington. Mr. Speaker, I am delighted to join in support of House Joint Resolution 1 introduced and sponsored by the distinguished gentleman from Florida [Mr. PEPPER], with an identical resolution, House Joint Resolution 626.

There is an ever mounting concern in the United States that every facet of crime and its causes be attacked with all resources at our command.

On July 23, 1965, President Johnson, recognizing the urgency of the Nation's crime problem and the lack of factual information on it, established the Commission on Law Enforcement and the Administration of Justice.

The general report submitted by the Commission and titled, "The Challenge of Crime in a Free Society," reveals in startling detail their findings after an examination of every facet of crime and law enforcement in America. In addition to the general report, they submitted additional volumes each dealing with a specific item in the field of crime and law enforcement. It was an outstanding piece of work and shocking in its revelation.

In addition to its findings, the report includes more than 200 specific recommendations for preventing crime, for improving operations of the police, the courts, and the correctional agencies and for mobilizing government and private support for these tasks.

I am concerned at this time because there seems to be a trend to link our crime problem to one cause or factor such as poverty, the ghetto, lack of jobs or education, lack of firearms control, or lack of playgrounds for our youth. In this regard, there is one single fact that comes to light from the report and that is there is no single formula, no single theory, no single generalization that can explain the vast range of behavior called crime.

Many of our citizens think that the responsibility for the control of crime rests with the police, the courts, the correction agencies, and the passing of laws by our legislative bodies. However, it is clearly evident that crime can only be controlled by the interest and active support and participation of every citizen of this great country.

Developing an effective war against crime in America is difficult and because of changes now taking place and expected during the next decade, it will only become more difficult unless we start now. But just getting started is not enough.

A successful battle plan calls for not only continuity of effort but also effort in almost every field of American life.

Often we commence drives and then fail to follow through with constant levels of effort or with action supporting recommendations. This is the reason why I am extremely happy to support this joint resolution for it not only provides a continuity of effort but it also adds our national legislative effort to search for the factors in solving crime and its sources. It insures a continuing participation and evaluation of our progress, or lack of progress, at the legislative level as well as at the executive level.

The joint committee created by this resolution will be able to keep the Congress constantly informed of all aspects of crime, the adequacy of our law enforcement and the administration of justice. It will provide recommendations deemed desirable and necessary for the improved application and effectiveness of our entire system of law enforcement and justice. Crime must be challenged and I am happy to support that challenge.

Mr. PEPPER. Mr. Speaker, I have no further requests for time and move the previous question.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the joint resolution.

The joint resolution was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER pro tempore. The question is on the passage of the joint resolution.

The question was taken, and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. JONES of Missouri. Mr. Speaker, I demand a division.

Mr. PEPPER. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Evidently a quorum is not present.

The Doorkeeper will close the doors, the Sergeant at Arms will notify absent Members, and the Clerk will call the roll.

The question was taken; and there were—yeas 319, nays 12, not voting 102, as follows:

[Roll No. 247]

YEAS—319

Abernethy
Adair
Addabbo
Albert
Anderson, Ill.
Andrews, Ala.
Andrews, N. Dak.
Arends
Ashley
Ashmore
Ayres
Baring
Barrett
Bates
Battin
Belcher
Bennett
Berry
Betts
Bevill
Biester
Bingham
Blackburn
Blatnik
Boggs
Boland
Bolton
Bow
Brasco
Brinkley
Brooks
Broomfield
Brotzman
Brown, Calif.
Brown, Mich.
Brown, Ohio
Broyhill, N.C.
Broyhill, Va.
Buchanan
Burke, Fla.
Burke, Mass.
Burleson
Burton, Calif.
Bush
Button
Byrne, Pa.
Cabell
Carey
Carter
Casey
Cederberg
Chamberlain
Clark
Clausen, Don H.
Clawson, Del
Cleveland
Cohelan
Collier
Conable
Conte
Corbett
Cowger
Cunningham
Daddario
Daniels
Davis, Ga.
Dawson
Delaney
Dellenback
Denney
Dent
Derwinski
Devine
Dickinson
Diggs
Dingell
Donohue
Dow
Dowdy
Downing
Dulski
Duncan
Dwyer
Eckhardt
Edmondson
Edwards, Ala.
Edwards, Calif.
Eilberg
Erlenborn
Esch
Evans, Colo.
Everett
Fascell
Feighan
Findley
Flood
Flynt
Foley
Ford, Gerald R.
Fountain
Frelinghuysen
Friedel
Fulton, Pa.
Fulton, Tenn.
Fuqua
Galifianakis
Gardner
Garmatz
Gettys
Giaimo
Gonzalez
Goodling
Gray
Green, Oreg.
Green, Pa.
Griffin
Grover
Gude
Hagan
Haley
Halpern
Hamilton
Hansen, Wash.
Hardy
Harvey
Hechler, W. Va.
Heckler, Mass.
Helstoski
Henderson
Hicks
Horton
Hosmer
Howard
Hull
Hungate
Hunt
Hutchinson
Ichord
Irwin
Jarman
Joelson
Johnson, Calif.
Johnson, Pa.
Jonas
Jones, Ala.
Jones, N.C.
Kastenmeier
Kazen
Kee
Keith
Kelly
King, Calif.
King, N.Y.
Kirwan
Kleppe
Kluczynski
Kornegay
Kuykendall
Kyl
Kyros
Landrum
Langen
Latta
Lennon
Lipscomb
Long, Md.
Lukens
McCarthy
McDonald, Mich.
McFall
McMillan
Macdonald, Mass.
MacGregor
Machen
Mahon
Marsh
Martin
Mathias, Calif.
Mathias, Md.
Matsunaga
May
Meeds
Meskill
Miller, Calif.
Miller, Ohio
Mills
Minish
Mink
Minshall
Mize
Monagan
Montgomery
Moore
Morgan
Morris, N. Mex.
Morse, Mass.
Morton
Mosher
Moss
Murphy, Ill.
Murphy, N.Y.
Natcher
Nedzi
Nelsen
Nichols
O'Hara, Ill.
O'Hara, Mich.
Olsen
O'Neill, Mass.
Ottinger
Passman
Patman
Patten
Pelly
Pepper
Perkins
Pettis
Philbin
Pickle
Pike
Pirnie
Poage
Poff
Pollock
Price, Ill.
Price, Tex.
Pryor
Purcell
Quie
Rees
Reid, Ill.
Reid, N.Y.
Reuss
Rhodes, Ariz.
Riegle
Rivers
Roberts
Rodino
Rogers, Colo.
Rogers, Fla.
Ronan
Rooney, N.Y.
Rooney, Pa.
Rosenthal
Rostenkowski
Roth
Roudebush
Roybal
Rumsfeld
Ruppe
Ryan
St. Onge
Satterfield
Saylor
Schadeberg
Scherle
Scheuer
Schneebeli
Schwengel
Scott
Shipley
Shriver
Sikes
Sisk
Skubitz
Slack
Smith, Calif.
Smith, N.Y.
Smith, Okla.
Snyder
Springer
Stafford
Staggers
Stanton
Steed
Steiger, Wis.
Stephens
Stratton
Stubblefield
Stuckey
Sullivan
Talcott
Taylor
Teague, Calif.
Teague, Tex.
Thompson, Ga.
Thompson, N.J.
Thomson, Wis.
Tuck
Tunney
Ullman
Vanik
Vigorito
Waggonner
Walker
Wampler
Watkins
Watson
Whalen
Whalley
White
Whitener
Whitten
Widnall
Wiggins
Williams, Pa.
Willis
Wilson, Bob
Winn
Wolff
Wright
Wyatt
Wylie
Wyman
Yates
Young
Zablocki
Zion
Zwach

NAYS—12

Bray
Byrnes, Wis.
Davis, Wis.
Gross
Hall
Halleck
Hébert
Jones, Mo.
McCulloch
Myers
Sandman
Waldie

NOT VOTING—102

Abbitt
Adams
Anderson, Tenn.
Annunzio
Ashbrook
Aspinall
Bell
Blanton
Bolling
Brademas
Brock
Burton, Utah
Cahill
Celler
Clancy
Colmer
Conyers
Corman
Cramer
Culver
Curtis
de la Garza
Dole
Dorn
Edwards, La.
Eshleman
Evins, Tenn.
Fallon
Farbstein
Fino
Fisher
Ford, William D.
Fraser
Gallagher
Gathings
Gibbons
Gilbert
Goodell
Griffiths
Gubser
Gurney
Hammerschmidt
Hanley
Hanna
Hansen, Idaho
Harrison
Harsha
Hathaway
Hawkins
Hays
Herlong
Holifield
Holland
Jacobs
Karsten
Karth
Kupferman
Laird
Leggett
Lloyd
Long, La.
McClory
McCloskey
McClure
McDade
McEwen
Madden
Mailliard
Mayne
Michel
Moorhead
Nix
O'Konski
O'Neal, Ga.
Podell
Pool
Pucinski
Quillen
Railsback
Randall
Rarick
Reifel
Reinecke
Resnick
Rhodes, Pa.
Robison
Roush
St Germain
Schweiker
Selden
Smith, Iowa
Steiger, Ariz.
Taft
Tenzer
Tiernan
Udall
Utt
Van Deerlin
Vander Jagt
Watts
Wilson, Charles H.
Wydler

So the joint resolution was passed.

The Clerk announced the following pairs:

Mr. Evins of Tennessee with Mr. Laird.
Mr. Gilbert with Mr. Cramer.
Mr. Holifield with Mr. Quillen.
Mr. Madden with Mr. Cahill.
Mr. Charles H. Wilson with Mr. Fino.
Mr. Annunzio with Mr. Gurney.
Mr. Tenzer with Mr. McClory.
Mr. Dorn with Mr. Reifel.
Mr. Aspinall with Mr. Harrison.
Mr. William D. Ford with Mr. Reinecke.
Mr. Rarick with Mr. Utt.
Mr. Celler with Mr. Bell.
Mr. Randall with Mr. Railsback.
Mr. Hawkins with Mr. Curtis.
Mr. Pucinski with Mr. Dole.
Mr. Podell with Mr. Steiger of Arizona.
Mr. Farbstein with Mr. McEwen.
Mr. Anderson of Tennessee with Mr. Ashbrook.
Mr. Leggett with Mr. Harsha.
Mr. Culver with Mr. Hammerschmidt.
Mr. Van Deerlin with Mr. Schweiker.
Mr. Hanley with Mr. Clancy.
Mr. Smith of Iowa with Mr. Burton of Utah.
Mr. Tiernan with Mr. Hansen of Idaho.
Mr. Herlong with Mr. Vander Jagt.
Mr. Gallagher with Mr. Taft.
Mr. Holland with Mr. McCloskey.
Mr. Resnick with Mr. Kupferman.
Mr. O'Neal of Georgia with Mr. McClure.
Mr. Karth with Mr. Brock.
Mr. Karsten with Mr. Eshleman.
Mr. Brademas with Mr. Gubser.
Mr. Long of Louisiana with Mr. Mayne.
Mr. Fallon with Mr. Robison.
Mr. Pool with Mr. Wydler.

Mr. Nix with Mr. Lloyd.
Mr. Adams with Mr. McDade.
Mr. Blanton with Mr. Mailliard.
Mr. Abbitt with Mr. Michel.
Mr. Hanna with Mr. Goodell.
Mr. Edwards of Louisiana with Mr. O'Konski.
Mr. Hathaway with Mr. Moorhead.
Mr. Rhodes of Pennsylvania with Mr. Colmer.
Mr. St Germain with Mr. Roush.
Mrs. Griffiths with Mr. Gathings.
Mr. Fraser with Mr. Conyers.
Mr. Hays with Mr. Watts.
Mr. Fisher with Mr. Corman.
Mr. Jarman with Mr. de la Garza.
Mr. Gibbons with Mr. Udall.

Mr. McCULLOCH and Mr. BYRNES of *Wisconsin changed their votes from* "yea" to "nay."

The result of the vote was announced as above recorded.

The doors were opened.

A motion to reconsider was laid on the table.

INCREASING PENALTIES FOR UNLAWFUL ACTS INVOLVING LSD AND OTHER DEPRESSANT AND STIMULANT DRUGS

Mr. STAGGERS. Mr. Speaker, I ask unanimous consent that the bill (H.R. 14096) to amend the Federal Food, Drug, and Cosmetic Act to prescribe penalties for the possession of LSD and other hallucinogenic drugs by unauthorized persons, be considered in the House as in the Committee of the Whole.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from West Virginia?

There was no objection.

The Clerk read the bill, as follows:

H.R. 14096

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a)(1) section 201 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 321) is amended by adding at the end thereof the following new paragraph:

"(w) The term 'hallucinogenic drug' means lysergic acid diethylamide or any other depressant or stimulant drug which the Secretary, after investigation, has found to have, and by regulation designates as having, hallucinogenic properties similar to those of lysergic acid diethylamide. The provisions of subsections (e), (f), and (g) of section 701 shall apply to and govern proceedings for the issuance, amendment, or repeal of regulations under this paragraph."

(2) Section 511(g)(1) of such Act (21 U.S.C. 360a(g)(1)) is amended (A) by inserting "or under section 201(w)" immediately after "section 201(v)" the first time it appears in such section, and (B) by inserting "or pursuant to section 201(w)" immediately after "section 201(V)" the second time it appears in such section.

(b) Section 511(c) of such Act (21 U.S.C. 360a(c)) is amended—

(1) by inserting "other than a hallucinogenic drug)" immediately after "depressant or stimulant drug" in the first sentence;

(2) by striking out in the second sentence "of this subsection" and inserting in lieu thereof "of the preceding sentence"; and

(3) by adding at the end thereof the following new sentence: "No person, other than a person described in subsection (a) or subsection (b)(2), shall possess any hallucinogenic drug; except pursuant to a prescription by a duly licensed practitioner."

With the following committee amendment:

Strike out all after the enacting clause and insert:

"That section 201(v)(3) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 321) is amended by striking out 'any drug' and inserting in lieu thereof 'lysergic acid diethylamide and any other drug'.

"Sec. 2. (a) Section 511(c) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 360a(c)) is amended to read as follows:

"'*(c) No person, other than a person de*scribed in subsection (a) or (b)(2) of this section, shall—

"'(1) possess any depressant or stimulant drug for sale, delivery, or other disposal to another, or

"'*(2) otherwise possess any such drug* unless such drug was obtained directly, or pursuant to a valid prescription, from a practitioner (licensed by law to prescribe or administer such drug) while acting in the course of his professional practice.'

"(b) Clause (3) of paragraph (q) of section 301 of such Act (21 U.S.C. 331(q)(3)) is amended to read as follows: '*(3)(A) the pos*session of a drug in violation of section 511 (c)(1), or (B) the possession of a drug in violation of section 511(c)(2);'.

"Sec. 3. Section 303 of such Act (21 U.S.C. 333) is amended by striking out subsections (a) and (b) and inserting in lieu thereof the following new subsections:

"'Sec. 303. (a) Any person who violates a provision of section 301 (other than a provision referred to in subsection (b) of this section) shall be imprisoned for not more than one year or fined not more than $1,000, or both; except that if any person commits such a violation after a conviction of him under this subsection has become final, or commits such a violation with the intent to defraud or mislead, such person shall be imprisoned for not more than three years or fined not more than $10,000, or both.

"'(b)(1) Any person who violates clause (1), (2), or (3)(A) of section 301(q), or violates, with respect to a depressant or stimulant drug, any of the provisions of paragraph (3) of section 301(i), shall, except as otherwise provided in paragraph (2) of this subsection be imprisoned for not more than five years or fined not more than $10,000, or both.

"'(2) Any person eighteen or older who violates clause (2) of section 301(q) by selling, delivering, or otherwise disposing of any depressant or stimulant drug to a person who is under twenty-one, shall be imprisoned for not more than ten years or fined not more than $15,000, or both, except that if any person commits such a violation after a conviction of him under this paragraph has become final, he shall be imprisoned for not more than fifteen years or fined not more than $20,000, or both.

"'(3)(A) Except as provided in subparagraph (B) of this paragraph, any person who violates clause (3)(B) of section 301(q) shall (1) be imprisoned for not more than one year or fined not more than $1,000, or both, if he has not been convicted of violating any provision of section 301(q) prior to his conviction for violating such clause, or (2) be imprisoned for not more than three years or fined not more than $10,000, or both, if he has been convicted of violating a provision of such section prior to his conviction for violating such clause.

"'(B) In the case of any person who is convicted for the first time of violating a provision of section 301(q) and whose conviction was for violating clause (3)(B) of such section, the court may suspend the imposition or execution of sentence and place such person on probation subject to such conditions as the court may impose and for such period, not to exceed one year, as the court may prescribe. The court may, in its discretion, unconditionally discharge such person from probation prior to the expiration of the maximum period prescribed for such person's probation. Such discharge shall automatically set aside the conviction, and the court shall issue to such person a certifi*cate to that effect. If during the period of* his probation such person does not violate any of the conditions of his probation, his conviction shall at the expiration of such period be automatically set aside, and the court shall issue to such person a certificate to that effect.'

"Sec. 4. It is the sense of the Congress that, because of the inadequate knowledge on the part of the people of the United States of the substantial adverse effects of misuse of depressant and stimulant drugs, and of other drugs liable to abuse, on the individual, his family, and the community, the highest priority should be given to Federal programs to disseminate information which may be used to educate the public, particularly young persons, regarding the dangers of drug abuse.

"Sec. 5. The amendments made by this Act shall apply only with respect to violations of the Federal Food, Drug, and Cosmetic Act committed after the date of the enactment of this Act."

Mr. STAGGERS (during the reading). Mr. Speaker, I ask unanimous consent that the committee amendment be considered as read, printed in the Record, and open to amendment at any point.

The SPEAKER. Is there objection to the request of the gentleman from West Virginia?

There was no objection.

Mr. STAGGERS. Mr. Speaker, I move to strike the last word.

Mr. Speaker, the bill before the House today is intended to strengthen the laws against drug abuse which is one of the most serious health problems facing the United States today.

In recent years, the abuse of amphetamines, barbiturates, and hallucinogens such as LSD and the like has increased a great deal particularly among the young.

The bill fundamentally does two things. First, it increases substantially the penalties for illegal trafficking in drugs covered by the Drug Abuse Control Amendments of 1965, and second, it makes possession of these drugs for one's own use a misdemeanor in the case of the first offense, and a felony for the second and subsequent offenses.

In general, people who abuse drugs take them as a means of escape. For one reason or another they cannot face the world they live in without some kind of a crutch and tend to turn to drugs for that crutch, frequently with serious adverse effects on their health. There is also some abuse of drugs by persons who are merely experimenting with them. Sometimes the experimenters do no more than just that; sometimes however, they damage their health in the process.

Drug abuse is a serious problem in our society, and those who cater to this market are among the lowest types of human beings.

With respect to pushers, this legislation provides greatly strengthened penalties. Existing law provides that for a first offense of manufacturing or selling drugs subject to control under the Food and Drug Act, the penalty is 1 year imprisonment and a $1,000 fine, and for a second offense the penalty is 3 years and $10,000. The bill increases these penalties to provide for up to 5 years imprisonment and $10,000 fine or both for illegal trafficking in these drugs.

As an aid to law enforcement, the bill also makes possession of these drugs obtained without a valid prescription, a criminal offense. A first offender against the possession prohibition will be guilty of a misdemeanor with possible imprisonment up to 1 year and a fine of up to $1,000. A second or subsequent violation of the possession prohibition will lead up to 3 years imprisonment or up to $10,000 fine, or both.

Unfortunately, there is fairly widespread abuse of drugs among the young. During our hearings it was pointed out that in one high school in the United States, a survey indicated that over 8 percent of the students had tried LSD. Now, no one wants to put high school students in jail and, similarly, no one wants to take college students and other young people who may be just experimenting a time or two and throw them into jail. For that reason, our committee put a provision in the bill to the effect that where a person is convicted for a first offense of possession of one of these drugs for his own use, the court may suspend any sentence and place the offender on probation for up to 1 year. If the offender fully complies with the terms and conditions of his probation, his conviction will be automatically set aside so that he does not thereby obtain a criminal record.

Mr. Speaker, drug abuse is a serious problem in America today and our committee has reported a bill to the House that we believe will go a long way toward curbing this problem.

I urge my colleagues to support the bill as reported.

Mr. SPRINGER. Mr. Speaker, I move to strike the last two words.

Mr. Speaker, the dangers of the growing drug abuse in our country are too serious to need any lengthy explanation. I know the Members of this House are familiar with the changes in the law that have taken place in the last few years, but I might review for just a moment the reasons why it appears to our committee necessary to come before you with an amendment to the Drug Abuse Control Act which was passed 3 years ago.

Narcotics historically have been handled under the Harrison Act by the Treasury Department. This has included control of the drug marijuana. Without researching the problem exhaustively it would appear that although marijuana is a very distinctive drug compared with opium, heroin and the other hard narcotics, it was included with them for administrative purposes by historical accident. It is partly because of this that the penalties for possession and use of marijuana have been what they are.

More recently the growing problem of amphetamines and barbiturates, otherwise known as pep pills and goof balls, came to the attention of the Congress. Since the main substances under consideration were legitimate medicines already under the jurisdiction of the Food and Drug Administration, it was considered appropriate to exercise control through that organization. The emphasis in that bill was on the stimulants and depressants. Included at the same time, however, were the drugs known as hallucinogens of which LSD has become the most famous. At the time the bill was passed there was more discussion of the drug peyote because certain Indian tribes have used this drug as part of religious rituals for centuries.

Since that time it has become entirely clear that the problems arising from the use of marijuana and LSD cannot be separated and handled as though there were no connection between the two. The use of the two drugs seems to go hand in hand. At the present time a raid on a "pot party" will find users of both drugs involved. Those persons using marijuana are subject to the stiff penalties of the Harrison Act. Up to now those found in possession and using LSD have been guilty of no offense whatsoever. This makes for very peculiar enforcement and presents particularly sticky problems for those called upon to discourage the use of drugs.

It would be possible to obtain uniformity by making possession of marijuana legal. There are many people who feel that this would be the proper course. I do not agree with them. It could be possible to make the penalties for use of LSD and similar drugs exactly equivalent to those for the use of marijuana. Many people argue that these penalties are entirely too stringent and somewhat archaic. For my own personal point of view I feel that the penalties for LSD and similar drugs should be severe. The bill before us today does not go quite as far as I would prefer, but as I will explain, I think we should accept it.

Testimony before the committee brought forth what seemed at first look to be diametrically opposite views regarding enforcement and handling of LSD users. Some witnesses wish to hit very hard on users of drugs even for a first offense in order to deter such conduct. Others would not wish to make possession and use of LSD a crime and would really like to see marijuana treated in the same manner. Their argument is that you are making a criminal and jailbird out of every high school or college student who is tempted to try the stuff one time. Although my own feeling is that we have the same problem for those who are tempted to steal a car just once, I can understand the motives behind such a position.

Law enforcement officials have a still different approach. They want possession and use to be an offense, but their reasons are very practical ones. Very often enforcement authorities know very well who the pushers and peddlers are but cannot get to them unless they can take them initially for possession.

In order to reconcile these various interests in the problem the committee has produced a bill which, while it is obviously a compromise of sorts, does do substantial justice to the community and the individual. H.R. 14096 makes possession and use of LSD and all of the other drugs covered under the Drug Abuse Control Act a misdemeanor. Penalties for sale are stiffened considerably. In addition, the courts are given leeway to keep the true first offender from being a jailbird and having his future wrecked by a single indiscretion. If, after a first offense, the judge thinks it is useful to put the accused on probation, and that probation demonstrates to his satisfaction that the offender is not destined to be a repeater, the judge may scrub the record clean. Such a system is not an innovation since it has been used for years under the Youth Offenders Act.

This bill will not completely satisfy the various elements interested in drug control. It will, I believe, make for better enforcement and bring about substantial justice for individuals and much better protection for society. I recommend its passage.

Mr. WIGGINS. Mr. Speaker, will the gentleman yield?

Mr. SPRINGER. I yield to the gentleman.

Mr. WIGGINS. Under this bill are there any provisions which provide for mandatory sentences in the event of a particular offense?

Mr. SPRINGER. We do not provide for mandatory sentences. No.

Mr. WIGGINS. Then, am I correct in understanding in all cases the court retains the option for providing probation in proper cases?

Mr. SPRINGER. There would be no difference insofar as the applicability of those provisions would be concerned other than there would be to an offender under any other law.

Mr. WIGGINS. I thank the gentleman for yielding.

Mr. ROGERS of Florida. Mr. Speaker, I move to strike the requisite number of words.

Mr. Speaker, last November 20 I was joined by 23 of my colleagues on the Interstate and Foreign Commerce Committee in sponsoring a bill to make possession of LSD and other hallucinogenic drugs by unauthorized persons a Federal crime.

At the time I was shocked to learn that with all the work the Congress has done in the field of food, drugs, and cosmetics, there was no Federal penalty prescribed for the use of lysergic acid diethylamide, better known as LSD, or other hallucinogenic drugs by persons who have obtained the drug illegally.

There are existing penalties for the unauthorized manufacture, distribution, and selling of the drug, yet no penalty for its use.

Thus, there existed a dilemma for the law enforcement officers; they would have ample evidence to conduct a raid where marijuana and LSD were being used. They could arrest those who were smoking marijuana, but they could not arrest those who had taken LSD, or who had LSD in their possession for their own use, unless proof was available to link those possessing LSD with another person who illegally manufactured, distributed, or sold the drug to those possessing it at the time of the raid.

Mr. Speaker, the bill before the House today will correct that gap in the law.

This bill, H.R. 14096, which I introduced, with amendments we adopted in committee, increases the penalties for persons who deal illegally in stimulant, depressant, and hallucinogenic drugs. The bill makes possession of such drugs a misdemeanor on the first offense unless the drugs in question were obtained pursuant to a valid prescription. Second and subsequent offenses would be a felony.

The Subcommittee on Public Health and Welfare held hearings in February and March of this year. Testimony was taken from many knowledgeable people concerned with drug abuse, especially among the young citizens of this Nation, and with the alarming increase in the illegal traffic in hallucinogens, stimulants, and depressants.

There are really no precise figures available on the full extent of drug abuse in the Nation. Experts from the Bureau of Drug Abuse Control, from the National Institute of Mental Health, and from private industry could only estimate, based on numerous surveys and studies made in various sections of the country.

These studies and surveys indicate that from 3 to 5 percent of all high school and college age people have experimented with LSD. In some studies on the west coast and in the East, the figures have run as high as 10 percent. In one recent study, the estimate was 25 percent.

There is generally more frequent use of stimulants and depressants, and a person who experiments with or uses LSD can usually be found to have other drugs on his person.

This bill would perscribe penalties for abuse of the so-called dangerous drugs: Non-narcotic drugs that are habit forming or have a potential for abuse because of their stimulant, depressant, or hallucinogenic effect.

The hallucinogens vary in their chemical makeup, but the most widely known is LSD, lysergic acid diethalymide. Others include peyote, Mescaline, and Psilocybin.

By this bill, LSD is specifically included in section 201(v)(3) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 321) as well as any other drug which contains any quantity of a substance which now the Attorney General of the United States after investigation, has found to have, and by regulation designates as having, a potential for abuse because of its hallucinogenic effect.

The Attorney General also has the benefit of a drug advisory committee which can offer assistance and recommendations concerning the stimulant depressant or hallucinogenic effect of existing drugs, or any new drugs which may be manufactured.

There is ample time and proper procedure for objection to the Attorney General's ruling on a specific drug, and such ruling is to be printed in the Federal Register.

The effects of LSD are varied. Observations of those who are under the influence of the drug, who have "taken a trip," indicate the following mental aberrations: First, prolonged psychosis—delayed mental reaction; second, acting out of character disorders and homosexual impulses; third, suicidal inclination; fourth, activation of previously latent psychosis; fifth, reappearance of the drug's effects weeks or even months after use, and sixth, severe panic states occurring during the acute effects of the drug.

The tragedy in all these cases is that the user is often unaware of the mental and physiological damage that can be done to his body.

Recent studies have been done on the effect of LSD on the chromosomal arrangement and makeup in the human body.

There is strong evidence from these studies that LSD can, and does, cause permanent damage to chromosomes.

In a recent study made at the Hektoen Institute of Chicago where tests were made on nine persons, eight of them children, all of whom were LSD users, everyone of the nine exhibited marked defects in their chromosomes.

Similar tests have been made here in Washington at the George Washington Medical School and in New York at the Bellevue Hospital. These studies also have yielded strong evidence in support of the belief that LSD can cause critical chromosome damage, and indeed, that this may effect future generations.

The stimulant drugs are currently defined in section 201(v) of the Federal Food, Drug, and Cosmetic Act as any drug which contains any quantity of amphetamine or any of its optical isomers—similar compounds; any salt of amphetamine; or any substance which the Secretary—now the Attorney General—after investigation, has found to be, and by regulation designated as, habit forming because of its stimulant effect on the central nervous system.

The drug advisory committee is also available to the Secretary, and, of course, any regulations must be published in the Federal Register.

The stimulants are generally known as pep pills, dex, or bennies. Most are amphetamines. Tolerance develops with their use, and increase in dosage is likely to occur.

The Medical Society of the County of New York, reported in 1966 that dependence on amphetamines may cause intellectual impairment, aggressive behavior, and hallucinations.

Amphetamines are being linked increasingly to causes of auto accidents.

The depressant drugs are currently defined in section 201(v) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 321) as any drug which contains any quantity of (a) barbituric acid or any of the salts of barbituric acid; or (b) any derivative of barbituric acid which has been designated by the Secretary—now the Attorney General—as habit forming. There is also language which covers any drug which has a potential for abuse because of its depressant effect on the central nervous system.

The Attorney General again has the benefit of the advisory committee and must publish any regulations in the Federal Register.

The Medical Society of the County of New York, in its 1966 report, stated that there are 3,000 deaths annually due to accidental or intentional overdoses of barbiturates.

Furthermore, the society estimates that each year some 6½ to 7 billion pills and capsules of barbiturates, amphetamines, and tranquilizers produced in the United States are diverted to illicit sale and use.

The Bureau of Drug Abuse Control estimates the number at about 4 billion.

Mr. Speaker, this bill before us has basically, a three-fold approach to the problem: First, to help the law-enforcement personnel of this Nation more readily reach the illegal manufacturers, distributors, and sellers; second, to deter the young people of this Nation from using these drugs; and third, expressing a sense of Congress that the highest priority shall be given to Federal programs to disseminate information on the dangers of drug abuse.

The penalties prescribed in the bill are realistic, and were formulated after extensive deliberation by the subcommittee after hearing all the testimony.

We do not wish to make criminals out of a half million high school students in the Nation who may take LSD on one occasion.

But, we do not wish to condone such acts.

This bill strikes a balance.

This bill makes possession of dangerous drugs a misdemeanor on the first offense subject to imprisonment up to 1 year, and a fine up to $1,000.

However, the bill also provides that where an individual is charged with simple possession of dangerous drugs obtained without a doctor's prescription, and he has not previously been convicted of a violation of the law with respect to dangerous drugs, the court may, in lieu of a fine or imprisonment, place the person upon probation for a period, up to 1 year, as the court might determine, subject to such conditions as the court may impose, such as required psychiatric treatment.

If the offender is discharged from probation by the court, or the court is satisfied that the offender has fully complied with the terms of probations, the record is expunged and the court is required to issue a certificate to the offender to this effect.

Second and subsequent offenses under this bill would bring a fine of up to $10,000, or imprisonment for 3 years, or both.

In the case of a sale to a minor by a person over the age of 18, the fine would be up to $15,000, or imprisonment up to 10 years, or both on the first offense, and $20,000, or 15 years, or both on second and subsequent offenses.

Representatives from the law enforcement agencies of this Nation say that this legislation can have very positive effect. Testimony before the committee indicated that such legislation is necessary to fully meet the problem of illegal traffic in drugs in this Nation.

I would also like to cite to my colleagues an example of how another nation met the problem of drug abuse. That nation is Japan. In 1954, Japan had between 500,000 and 600,000 amphetamine habitues. The Government undertook a three-pronged attack: First, massive education; second, efforts to control the source, and third, passing legal sanctions.

Arrests for amphetamines in 1954 were 55,000; a year later, they dropped to 32,000 and in 1956, they were down to 7,000.

Japan is an industrialized, urbanized society such as ours, and that nation was able to meet the problem.

I think that this Nation can do likewise, and I believe that the legislation before us today is a step in that direction.

I do not claim that the legal sanctions which would be imposed by this bill will completely solve the problem.

I recognize the need for educational efforts to get the message across to the young people of this Nation that "to tune in, turn on and drop out" is to go nowhere.

Mr. STAGGERS. Mr. Speaker, will the gentleman yield to me?

Mr. ROGERS of Florida. I will be glad to yield to the distinguished chairman of the committee.

Mr. STAGGERS. Mr. Speaker, I would like to say a word in behalf of our colleague on the committee, PAUL ROGERS of Florida, who is the author of the bill, besides 25 other members of the committee who have cosponsored the bill. PAUL recognizes the importance of this legislation and the need for something being done in this field. I want to congratulate him and the other members of the subcommittee for bringing this to the full committee.

Mr. ROGERS of Florida. I thank the gentleman for his very kind words.

Mr. Speaker, this bill actually is designed to do three things. First, it is to help the law-enforcement personnel of this Nation more readily to reach the illegal manufacturers, the distributors, and the sellers and pushers of drugs. Second, it is to help deter the young people of this Nation from using these drugs. Third, it is expressing the sense of Congress that the highest priority shall be given to Federal programs to disseminate information on the dangers of drug abuse. This is really what we are trying to get at with this legislation.

I want to say that the subcommittee heard witnesses who are knowledgeable in these subjects. They considered this legislation very carefully. We heard testimony that it has been estimated that 3 to 5 percent of high school and college-age students have experimented with LSD.

Mr. Speaker, we heard testimony, for instance, on stimulant and depressant drugs to the effect that over 4 billion dosage units—4 billion—are in the illegal traffic of drugs.

I want to say here and now that each member of the subcommittee and of the full committee contributed greatly to the drawing up of this legislation. I particularly want to mention the work which has been done by the gentleman from Kentucky [Mr. CARTER], who was insistent that we have some process to provide the courts with machinery so that they would not make criminals out of young persons who may be trying the drug for the first time, where the circumstances so indicate.

Also, Mr. Speaker, I wish to pay tribute to the gentleman from Colorado [Mr. BROTZMAN], who brought to the attention of the committee this plan which is in effect in the State of Colorado to meet this situation in that State. Also, the gentleman was most helpful in drawing up this legislation.

I hope that the House will concur in this legislation so that we can get it on the books and really effectively meet this problem.

Mr. BROTZMAN. Mr. Speaker, will the gentleman yield?

Mr. ROGERS of Florida. I yield to the gentleman from Colorado.

Mr. BROTZMAN. First of all, Mr. Speaker, I wish to associate myself with the particular remarks which have been made by the distinguished gentleman from Florida [Mr. ROGERS], and to congratulate the gentleman and the subcommittee for the very thorough job they did in analyzing a very serious social and criminal problem. It is my opinion that the committee has really made a great contribution by pinning heavy penalties on the pusher and then having a lesser penalty for simple possession.

Also, the provisions of the bill would permit a youth who might be tried to receive probation under certain circumstances.

Therefore, Mr. Speaker, I would like to congratulate the gentleman from Florida and the committee in this regard and urge the adoption of this bill.

Mr. FASCELL. Mr. Speaker, will the gentleman yield?

Mr. ROGERS of Colorado. I yield to the gentleman from Florida.

Mr. FASCELL. I thank the gentleman.

Mr. Speaker, I would like to add my congratulations to the gentleman from Florida, my distinguished colleague, upon his firm and great leadership in undertaking a solution to this problem.

Mr. Speaker, I agree with the remarks of the gentleman who just preceded me with respect to the emphasis that the subcommittee dealt with this problem. I think it is far reaching and is very, very fine. It is my further opinion that it represents a very important step in meeting this entire problem.

However, Mr. Speaker, I have one comment which I would like to make and perhaps a question to propound to my colleague from Florida. I commend the subcommittee for bringing forth this legislation to the floor of the House. However, there has been a tremendous growth in these kinds of drugs and it has brought about a great problem.

Will this bill encompass this type of operation and how does it accomplish it?

Mr. ROGERS of Florida. This matter can be encompassed in this bill and it is intended to do so and to arrive at a determination which will have to be made by a committee of pharmacological experts who advise the Attorney General as to what new drugs may be dangerous. His recommendation is then published in the Federal Register allowing 30 days for appeal after which a drug is then classified as a dangerous drug, and subject to penalties and provisions of this bill.

In other words, this legislation is most comprehensive.

Mr. FASCELL. I thank the gentleman. It is my opinion that this represents a very important contribution in dealing with drugs and drug addiction, because obviously, with our technological know-how, we are able to produce new drugs faster than we are able to control the old ones.

Mr. BROWN of Ohio. Mr. Speaker, I also wish to commend the gentleman from Florida [Mr. ROGERS] for the fine work done by the Subcommittee on Health and Welfare of the Interstate and Foreign Commerce Committee for its work on H.R. 14096 to prescribe penalties for the possession of LSD and other hallucinogenic drugs. As the gentleman knows, I was one of the original sponsors of this legislation almost a year ago and feel strongly that it is needed if not well past due. Some changes have been made in the original bill following extensive hearings on the subject and I concur in those changes after due consideration.

Without this law, possession and use or sale would still be legal although sale was not permitted. My original proposal would have made felonies possession as well as use. The bill on which we are voting today, however, makes first offense possession only a misdemeanor.

It is my hope the subcommittee will continue to investigate this blight on our society and will recommend any changes or additions to this law which may become appropriate in order to assure more stringent enforcement of the law and the assignment of penalties which will best serve to discourage use and traffic in such drugs. I also trust the subcommittee will encourage the most vigorous public education program on the dangers of LSD by responsible agencies.

Mr. STAGGERS. Mr. Speaker, at this time I wish to pay a particular compliment to the gentleman from Kentucky [Mr. CARTER], a man who has helped to sponsor this bill and steer it through the committee and who has also made many amendments to it. I would like to say also that Dr. CARTER has been an invaluable member of our committee as far as all health legislation is concerned. I want to say that not only the subcommittee but the full committee and the Members of the House owe him a great debt of gratitude because he is very learned and very able and he certainly has been of tremendous assistance in helping us to get medical legislation for the benefit of the Nation.

Mr. CARTER. Mr. Speaker, will the gentleman yield?

Mr. STAGGERS. I yield to the gentleman from Kentucky.

Mr. CARTER. Mr. Speaker, I want to thank the kind and gracious chairman of the full Committee on Banking and Currency, the gentleman from West Virginia [Mr. STAGGERS] for his pleasant remarks.

Mr. CARTER. Mr. Speaker, LSD—lysergic acid diethylamide—is a potent drug. It was first manufactured by a chemist in Switzerland who, by accident, ingested some of the drug and received some of its effect, which included extreme awareness, vivid hallucinations, mental aberrations, which lasted for several days.

This drug was used as a component of certain medicines in the United States by a prominent drug firm, and for some time it was sold commercially.

Later, it was removed from the market; and it is now used only experimentally. It does have beneficial effects in some cases of juvenile insanity and terminal cancer. It can be manufactured rather easily by a chemistry major, and within a period of approximately 4 hours.

Because of the varied bizarre effects which it has, and the ease in which it has been obtained, it has come to be widely used throughout our colleges, and even our high schools in the United States. It is estimated that in some high schools, 5 percent of the students and 5 percent of the college students also have taken this drug.

While the drug is not addicting, it is extremely dangerous; it releases all inhibitions, it may cause intractable insanity. In many cases it causes broken genes, with resulting deformities of future progeny.

No doubt it is the main drug producing our so-called flower children, who dance, sing, play illogically, and often roll in mud—or dress in unusual and often filthy clothing.

The passage of this law is important. It is important also that we, as legislators, establish broadly based work programs and recreational program to keep these youngster in more purposeful living.

I strongly urge support of the bill.

Mr. HALPERN. Mr. Speaker, it is high time that we faced up to the reality of the dangers of LSD and other hallucinogenic drugs and enacted tough penalties for their possession. As a sponsor of similar legislation, I am gratified to note that the bill before us today fills the enforcement vacuum that has heretofore existed.

This bill provides strong penalties for trafficking in these dangerous drugs. It is my hope that these penalties will act as effective deterrents to both the clandestine manufacturer and his crony, the despicable dope pusher.

The plight of the individual drug user, however, presents an entirely different problem. I am pleased to call to your attention that this difficult situation is handled in H.R. 14096 in a most constructive manner, as I shall point out. The bill makes possession of dangerous hallucinogenic drugs legal only when such drugs are given to a person by a practitioner authorized to dispense them, or upon the legal order for such drugs, as represented in the form of a prescription from a medical practitioner.

Since hallucinogenic drugs are not available through normal channels of distribution, the possession of LSD and similar drugs will, in most cases, be illegal, and subject the possessor to fine or imprisonment. Under present Federal law, Federal authorities may seize any quantity of such drugs from an individual as contraband items obtained from illegal sources, but no action may be taken with respect to the possessor himself where the drugs are for his personal use.

Under the legislation before us today, however, possession of depressant or stimulant drugs for the purpose of sale or other disposal is subject to tough penalties. Simple possession is made illegal, but in the case of a first conviction for any offense under the food and drug law, the court may suspend sentencing, and place the offender on probation which may not exceed 1 year. Thus there is a humanitarian aspect to this tough bill. If the individual completes his probation satisfactorily, or is otherwise unconditionally discharged from his probation period by the court, the conviction will be set aside.

Mr. Speaker, there can be no doubt that this legislation deals effectively with the hallucinogenic-drug abuse problem that exists in our society today. The members of the Interstate and Foreign Commerce Committee are to be congratulated for the intelligent manner in which they have approached this grave, nevertheless delicate problem. They have acted with force, yet, at the same time, have acted humanely, for the bill they have presented to us strikes a balance between varying enforcement and medical viewpoints about how to deal with drug abuse wisely.

I urge the unanimous approval of this bill.

Mr. MACHEN. Mr. Speaker, I rise today to give my full support to H.R. 14096. We have needed legislation prescribing stringent penalties for the unauthorized possession of LSD and other hallucinogenic drugs for some time. The penalties provided in the bill we are now considering are stringent enough to be a great aid to law enforcement officials in cutting off this drug traffic. They will also serve to make it clear that possession of these drugs is not fashionable and counter the idea that seems to have developed among some of our young people that abuse of these drugs is not detrimental to them because there was no penalty for their unauthorized possession.

Public support for this legislation is overwhelming in my district. A questionnaire which I sent to my constituents not long ago asked their views on whether stronger measures were needed to regulate traffic in LSD and other hallucinogenic drugs. Their responses indicated that 79 percent strongly supported legislation such as H.R. 14096; 11 percent opposed it; and 4 percent had no opinion.

This is an excellent bill and I urge my colleagues to join with me in voting for it.

Mr. BINGHAM. Mr. Speaker, I rise in support of H.R. 14096, the bill to make it a crime to possess dangerous drugs, such as LSD without a proper prescription, and to increase the penalties for sales of such drugs. I do this with the assurance that I am reflecting the judgment of the people I represent. Earlier this year, I sent a questionnaire to all the people in my congressional district. More than 70 percent of the more than 15,000 who answered indicated that they thought that "use or possession—as distinct from sale—of LSD should be a criminal offense." Only 22 percent of the responses were of the contrary view; 7 percent were undecided.

I am particularly impressed with the feature of this bill which provides special treatment for first offenders. A first offender could either be sentenced to 1 year in jail or, in the discretion of the court, could be placed on probation with reasonable conditions attached. This applies only to the first offense as a mere possessor of such drug rather than to the criminal who is a first offender as a seller of drugs.

The difference between a seller and a user of drugs is an important one—as is recognized by this bill. The penalties for sellers of dangerous drugs is increased at the same time lesser penalties are established for possession for the purpose of mere use. In this regard, I call the attention of my colleagues to the penalties imposed for sale by an adult of drugs to a minor. The first such offense is punishable by up to 10 years imprisonment and the second offense by more than 15 years imprisonment. This contrasts with sales by an adult to an adult where the penalties can be up to 5 years.

Mr. Speaker, the rising traffic in, and the increased experimentation among our young with, dangerous drugs is a cause for alarm. This bill moves toward providing a sensible approach to this problem.

Mr. HALL. Mr. Speaker, I rise in support of this needed and timely legislation. It is as paramount in importance as the loss of the recent Director of the Food and Drug Administration was valuable, to our "ship of state" and the wellbeing of our peoples—especially the young and impressionable of today who will be our mature-judgment equipped leaders of tomorrow.

Members will recall when I along with Dr. CARTER of the committee and Dr. MORGAN—the three doctors in the House—procured from the Surgeon General of the Navy for demonstration to all Members, the film which so beautifully set forth the immediate and long-range dangers of LSD and other psychedelic hallucinogens.

I compliment the committee for this bill which affects possessors, pushers, traffickers, and takers. In other legislation today we have provided brick and mortar for cure and rehabilitation of alcoholism and narcoticism; and these penalties are just and equitable for those who would destroy minds and bodies.

Mr. SKUBITZ. Mr. Speaker, when a recent survey showed that 8 percent of boys and girls attending high school and college have tried LSD, the American people became alarmed and demanded that Congress do something about the illicit trafficking and use of amphetamines, barbiturates, and hallucinogens.

The bill reported herewith is intended to curb this illicit traffic. It is not perfect. The fact that some my feel that it is too lenient while others feel it is too severe is evidence of that fact. What your committee has tried to do is increase penalties for trafficking in these drugs and provide tools that will aid in the enforcement of the prohibitions against trafficking and penalties for illicit possession of drugs.

Although the bill makes possession of dangerous drugs without a doctor's prescription a misdemeanor, provision is made whereby the court may place a first offender under probation for 1 year. If the offender is a minor, the provisions of the Juvenile Offenders Act will apply.

With regards to the offense of unlawful manufacturing—the committee amendment provides for a fine not exceeding $10,000 or imprisonment not exceeding 5 years. A stiffer penalty is provided for the unlawful sale of stimulants by persons who are 18 years of age to persons who are under 21 years of age. Here the penalty is a fine not exceeding $15,000 for the first offense or imprisonment for not more than 10 years. The penalty for a second offender increases to a maximum fine up to $20,000 and/or imprisonment up to 20 years.

Mr. Speaker, I have the deepest sympathy for the young man or woman who innocently or "for a thrill" decides to take a so-called "trip." I have nothing but utter contempt for the person who illegally traffics in the manufacture or sale of drugs for a profit.

I urge my colleagues to support this bill.

Mr. BROTZMAN. Mr. Speaker, I rise in support of H.R. 14096, a bill prescribing penalties for unlawful acts involving LSD and other hallucinogenic drugs.

I have sponsored similar legislation and was pleased to present testimony before the Subcommittee on Public Health and Welfare of the House Interstate and Foreign Commerce Committee in support of this type of legislation.

This is an area with which I have been concerned for some time. During my service as U.S. Attorney for Colorado, I had all too many occasions to witness the dreadful effects of drug and narcotic abuse.

I prosecuted many callous "pushers" of narcotics, and from that experience, I can tell you that it would have been impossible to control drug traffic without stiff penalties—particularly for those who were selling the drugs. I believe that if we provide a misdemeanor penalty for the possession of hallucinogenic, depressant and stimulant drugs, and a felony penalty for the sale of these drugs, our Nation will be much more successful in controlling the traffic in this dangerous new catagory of drugs.

Congress has an excellent record of providing Federal enforcement agencies with whatever authority is needed to protect the American people—and particularly our youth—from the consequences of drug abuse.

History shows that there always has been a small element in our midst which will fight for the individual's "right" of self-corruption by drug use. Opium had its champions, and so have heroin and marihuana.

Fortunately for our Nation, this "lobby of permissiveness," which seems to be made up of both the vicious and the misguided, has made little headway in Congress.

But, unfortunately for our Nation, the development of new and potent mind-warping drugs has made our current laws obsolete. LSD has become a part of the national lexicon and apparently its usage is increasing.

Scientists and academicians are engaged in extended investigations into just how harmful LSD and other hallucinogenic drugs may be to the human mind and genetic structure. Dr. Cevil B. Jacobson of the George Washington University School of Medicine has engaged in extensive research on the effects of the use of LSD. Dr. Jacobson's conclusions were startling—the chromosome breakdown resulting in premature aging, an increase in the chance of an LSD user contracting cancer—particularly leukemia, and the genetic problems resulting in deformed births. I am sure that the members of the committee also are aware of the work of Dr. Hans Zellweger at the University of Iowa. Dr. Zellweger has stated positively that LSD caused the defect in a birth of a child to a mother who had taken the drug during pregnancy.

Admittedly, we do not know all that we ought to know about the effect of these frightening new drugs and I believe that it is important to continue research into this area. In an editorial of February 8, 1968, the Denver Post said:

> The indications that LSD causes brain and chromosome damage are too serious to be ignored. The drug, at the very least, has contributed to damaged lives, and we need not wait for any more evidence to know that it is dangerous.

The editorial goes on to endorse the enactment of stronger, new penalties for the possession and sale of LSD.

At the present time there is no penalty for the possession of LSD or other hallucinogenic drugs. The sale of LSD is now a misdemeanor.

The time has come to at least move ahead with realistic penalties so that our law-enforcement agencies can begin a positive control program. It may well be that we will want to amend these laws, once all of the scientific and medical evidence is in, but to hold the matter in abeyance until that time would be a disservice to the Nation.

On November 22, 1967, I introduced H.R. 14145, which accomplishes basically the same purpose as H.R. 14096. My bill and the proposal we are considering today makes the possession of depressant, stimulant, or hallucinogenic drugs without a valid prescription a misdemeanor, and the sale, manufacture, or distribution of, or possession with the intent to sell these classes of drugs, a felony.

I believe that it is absolutely essential to provide strong penalties for their violation. I particularly believe that strong penalties must be provided for those who would illegally sell these drugs, with penalties of increasing severity for subsequent offenses and for sale to minors.

During the committee consideration of this legislation, I had the opportunity to discuss the recently enacted Colorado State Drug Control Act with a member of the subcommittee, the distinguished gentleman from Florida [Mr. ROGERS]. He indicated an interest in one of the provisions of the Colorado statute under which first offenders convicted for using LSD could have their convictions set aside by the court following a satisfactory probation.

I am pleased that the committee saw fit to incorporate a similar provision into this bill. I think it is an excellent addition. While I want to see a crackdown on the pushers and habitual users, it would seem unduly harsh to youngsters drawn temporarily into this vicious habit to spend the rest of their lives burdened by a criminal record.

There is some evidence to indicate that organized crime is now entering into their illicit traffic. If this is the case, then it only strengthens the need for strong penalties for the sale of these drugs.

There clearly is a requirement for a penalty for possession, as well as for the illicit manufacture, sale and distribution of depressant, stimulant and hallucinogenic drugs.

I urge enactment of H.R. 14096.

Mrs. DWYER. Mr. Speaker, I strongly support the pending bill, H.R. 14096, as a potentially very effective effort to halt the growing illegal traffic in dangerous drugs, including LSD, "Speed," and other stimulants, depressants, and hallucinogens.

It is hardly necessary at this point, Mr. Speaker, to describe in detail the great hazards to society, and especially to young people, resulting from the illegal manufacture, distribution, use and possession of these drugs. The committee's record of hearings is full of conclusive evidence of the dangers and documents convincingly the need for the legislation before us today.

By increasing the existing penalties for persons convicted of illegal activities involving the dangerous drugs and by providing for the first time penalties for possession without a valid prescription, this bill will greatly improve and strengthen law enforcement in the area of drug abuse, place the regulation of dangerous drugs on a more rational basis, bring enforcement more consistently in line with enforcement of the narcotic laws, and help greatly to destroy the fashionable myth that drug-taking is the thing to do.

In two particular respects, Mr. Speaker, the bill reflects a wisely selective approach to law enforcement in this field. It would, first of all, attach the heaviest penalties to the offense of selling dangerous drugs to a minor and, second, it would incorporate the protection of the Juvenile Offenders Act and the Federal Youth Corrections Act for youthful offenders convicted of only one offense, thereby serving both as a deterrent and as a guarantee against excessive long-term consequences for those capable of being reformed.

As a cosponsor of the original Drug Abuse Control Act and as the sponsor last November of a bill very similar to the pending legislation, I believe we owe the committee our deep appreciation for bringing us a bill so carefully drawn and so potentially useful in our national struggle against drug abuse and addiction.

Mr. MINSHALL. Mr. Speaker, as author of H.R. 14890 prescribing penalties for the possession of depressant, stimulant and hallucinogenic drugs by unauthorized persons and increasing penalties for unauthorized sale, delivery or disposition of such drugs, I am more than pleased to rise in support of the legislation offered by my good friend and colleague, the gentleman from Florida [Mr. ROGERS]. The bill he offers today satisfactorily parallels my legislation and I think that action on this aspect of America's crime problem is as imperative as on gun control, riot control, stronger support of our law enforcement agencies and the multitude of other remedies which will help restore order to our Nation.

All evidence points toward drug abuse as a major contributor to crime, mental deterioration, and a negatism which is destroying the lives and initiative of an alarming number of Americans of all ages and in all walks of life.

Certainly sufficient publicity has been given to the dangers of hallucinogenic drugs to impress upon even the most immature mind the risk and possible tragedy involved in such use.

Overpermissiveness is proving to be the bane of today's generation. Too many of your young people equate freedom with complete license to behave as they please whenever they please without regard for the rights of others. The fact that crime, illegitimacy and drug addiction are on the rise in our affluent suburbs gives the lie to the once common belief that lawbreaking, immorality and use of illicit drugs are exclusive products of the slums.

I firmly support educational programs in our school systems to alert young people to the hazards of drugs, information made available at all levels of government to combat drug abuse, and the good services of all news media to deglamorize drug abuse. Firm parental and pastoral counseling probably are the most important deterrents.

But the time is past due to put real teeth into Federal law to penalize those who illegally use, manufacture or distribute such drugs.

I shall vote for the bill and feel confident that its passage will be supported overwhelmingly by this House.

Mr. TUNNEY. Mr. Speaker, we are considering today legislation which advocates not a free society but merely a society equipped with the mental and physical capabilities to be free, not an austere society but merely a discrete one, and not a Great Society but merely a healthy one. As I see it, we have a choice to make and that choice lies between a nation of men and a nation of pills and powders, a nation which confronts its problems on the firm foundation of reality or a nation which confronts its difficulties by taking a "trip" behind the chemical curtain of escape. The question we must ask ourselves today is whether we have grown so rich and so spoiled that the real world is no longer good enough for us, that the pain of existence is too much for the average American to bear, and that as a result we must sacrifice our physical and moral fortitude for the slavery of drug dependence.

Dangerous drug consumption has become so common that it can be described no longer as merely a personal problem. It is a social problem which affects not only the kind of nation we have in the present but the kind of nation we shall have in the future. Dr. Karl Evang, Director of Norway's health services has written:

> It is my belief that we are overlooking a more serious problem [than even narcotics addiction] . . . the increasing number of persons not suffering from any disease, who do not feel well unless they consume daily a quota of tablets, mixtures, or other drug preparations. One may very well call this a "general drug dependence" . . . We seem to be in danger of producing a behavior pattern in which drugs are being more and more regarded as a general substitute for healthy life habits.

The Director's statements become more significant if we realize that over 9 billion barbiturate and amphetamine tablets and capsules are annually manufactured in the United States of which at least one-half is the substance of this Nation's illicit traffic in drugs. We must ask ourselves whether we are satisfied with a situation in which an increasing number of citizens of this country have decided to seek, as John Finlator puts it:

> Instant courage or immediate relief, to turn on or turn off, to pep up or calm down, to experience new kicks or intensify old thrills.

If 1967 was the "year of the drugs" what must we say of 1968 or of 1969. Is it not time for this country to take action to prevent this mass exodus of escape?

I think that it is time. That is why I must rise in support of this bill that makes the possession of illegally obtained barbiturates, depressants, amphetamines, and hallucinogenic drugs a misdemeanor and which makes the illegal manufacture, sale, or distribution of such drugs a felony. This is why I advocated the adoption of H.R. 15355 and this is why I now advocate the adoption of H.R. 14096 which includes most of the provisions of the former bill.

If we are ever to make significant progress in preventing the illicit traffic in dangerous drugs, it is essential that possession of such drugs be made illegal even if that possession is intended for personal use only. In fact, the absence of a penalty for possession of illegal drugs for personal use has been taken by some users as nothing more than official condonation of their artificial tours into the realm of chemical illusion. More importantly, the absence of such a penalty has created a loophole whereby the most important link in the Nation's bumper-to-bumper traffic in illicit pills and capsules, the peddler, is escaping from prosecution. He is claiming that the drugs in his possession are for personal use only and not for sale. In this situation, the burden of proof lies with the Government. It must show beyond a reasonable doubt that a peddler possessed drugs for the purpose of sale and not merely for personal use. The present bill before you would put an end to such a loophole by penalizing possession no matter what the purpose. If this were done, the efficiency of drug control would be greatly increased for fewer peddlers would be able to escape enforcement of the law.

Traffic in stimulants, depressants, and hallucinogens is not a matter of sinfulness nor a matter of wickedness. It is more. It is a clear and present danger to the health of our Nation, physically and psychologically. Some advocate the use of LSD because of "insight." I castigate it because of insanity. Some speak only of LSD's induced illusions. I speak only of its great consequences—the consequences of serious or even permanent brain damage or the monsterlike mutations it may produce in offspring and in future generations. Some speak of depressants and artificial relief. I speak of health and the withdrawal symptoms which are more dangerous than those of narcotics. Some speak of stimulants and the added alertness they provide. I speak of drug psychosis and the delusions and hallucinations which are its partners.

Because the powder pushing and pill popping segments of our society are a threat, because of the consequences unsuspecting people must experience as a result of their lack of discretion, I can only question the present bill before this body as not increasing the penalties for illegal drug trafficking enough. I must stand up and add my voice to the many others who are asking for a sane and healthy society.

Today we shall either choose a society which revolves around pharmococentricity or whether it is to revolve around reality. Today we shall decide whether we shall rely upon drugs to fulfill our religious and social needs as in primitive times or whether we shall rely upon ourselves. I do not want a society which has, in Dr. Goddard's words, "lost the power to think and to reason and to create—lost all the power to use what is so fundamental to a life of achievement." I want a productive and a healthy society.

Mr. PICKLE. Mr. Speaker, as a cosponsor of a similar LSD control bill, I would like to add my endorsement to the measure before us today.

H.R. 14096 for the first time takes Federal cognizance of the fact that LSD is a dangerous drug and should be controlled. There has been some question during the course of this legislation as to whether LSD is actually a legitimate point of Federal concern.

In answer to this question, I would refer you to any law enforcement officer in the country. I am sure that the overwhelming response would be that we need the controls, that the trafficking in LSD is rampant, and that only a comprehensive countrywide effort will measure up.

There are countless cases of instances where a youth takes a "trip," and thereupon commits offenses against innocent people. There are similarly cases where individuals have become so psychologically deranged as to require treatment in public institutions—in some cases for indefinite lengths of time.

The bill before us makes a good point in effectuating controls of this dangerous drug, while still taking account of the fact that many of the users are young, first-time offenders. The bill makes possession of LSD and other dangerous drugs a misdemeanor subject to imprisonment up to 1 year and a fine of up to $1,000 for a first offender, with a penalty of up to 3 years' imprisonment and a fine of up to $10,000 for the second and subsequent offenses. First-time offenders are furthermore given generous probation for the 1-year period.

Once, again, I would like to say that I support this bill and encourage my colleagues to give it House approval.

Mr. WYMAN. Mr. Speaker, I support this bill, and I hope every Member of this body will vote for it. I believe LSD's use, except by prescription or under medical supervision, should be outlawed in America—not only LSD but all related hallucinogenic drugs.

The more I read about the adverse effects of LSD on human beings, the more I become convinced that legislation to prohibit its possession as well as its sale is urgently needed. While it is not classified as a narcotic, it is a hallucinogenic, and dependency upon hallucinogens is possible. There is a similarity between the changes induced by the ingestion of LSD in man and the clinical picture of schizophrenia, which means split personality—like the story of Dr. Jekyll and Mr. Hyde. Disorders the drug can produce include paranoia, sychotic depression, acute panic, antisocial behavior, convulsions, permanent brain damage, and the mental capability to judge any action is impaired. Protective attitudes are destroyed and hostile action often occurs by the release of conscious controls that unleash underlying, strong, aggressive impulses.

A report published by the Library of Congress in December 1967, illustrative of the reactions of LSD, reported cases of young people who had beaten companions and hurled them from upper stories of apartments; of a young man who stepped directly in front of oncoming traffic with his hands raised to stop the traffic, as if he were omnipotent; of a student who quit school after using LSD only a few weeks before he was to receive his bachelor's degree and who, when he was alone, was observed to carefully unwrap and fondle his sugar cubes while verbally expressing to himself concern about their potency. The Food and Drug Administration reports have included disclosures of a young man who murdered his mother-in-law for no apparent reason after taking LSD; and a girl in London who "flew" out the window, her destination the United States, and fell to her death on the sidewalk below.

Even though an individual may have taken what is referred to as a "safe" or successful "trip," there apparently is not any assurance of the same or safe response from a second or third experience. Persons who take the drug, therefore, have been likened to individuals who are playing a kind of Russian roulettee with a sugar cube.

While it is too early now to know just what the ultimate effect upon mankind will be due to the continued ingestion of LSD, it is known that antisocial behavior is induced. It may even induce permanent insanity. It probably permanently damages the brain and has an effect upon the genes and chromosomes of the individual using it, which may not show up medically until a baby is born—and then with possible disastrous effect. A further complication results from a delay in reaction time. For example, a "trip" may produce a reaction a year from today in which behavior of the person involved is utterly unpredictable.

Society cannot afford to allow hallucinogenic drugs to be in usage. I am convinced congressional action is badly needed.

I have previously introduced a bill, H.R. 16031, that would have imposed mandatory life imprisonment for a third conviction of selling or delivering or otherwise disposing of LSD to a minor. The penalty imposed by the present bill specifies a 15-year maximum, but no minimum. Frankly, I do not believe that this is a sufficient penalty considering the horrors and tragic effects of these drugs on the human mind and body. I shall not, however, offer an amendment or a substitute because the committee's report does impose penalties on possession as well as use and I believe this is salutary.

Mr. Speaker, in my opinion, the menace of drugs in America cannot be overstated. It is positively shocking that persons should deliberately encourage the use of LSD when it demonstrably can permanently damage the brain, permanently cause deformed or insane children, and transform the lawabiding citizen in a few minutes into a raving maniac behind the wheel of a car or with a finger at the trigger of a gun. As free and as permissive as even the most liberal among American society would urge in these times, none but the mentally unbalanced would advocate or allow open use of these drugs by any people much less people of their own country—that is, unless they want to harm their country.

It will be interesting to see whether the penalties of the bill pending before this House prove to be an adequate deterrent. I personally think they should be considerably stronger, but we will have to wait and see. In any event, I earnestly hope that the U.S. Attorney General will enforce this law down to dotting the last "i" and crossing the last "t".

Mr. Speaker, I would like to personally commend the distinguished chairman of the Interstate and Foreign Commerce Committee and its membership on reporting this bill to this House at this time.

It is most constructive and something we should have done long ago. I also like to express a special word of tribute to the distinguished Member from Kentucky on our side of the aisle, Dr. TIM LEE CARTER, whose learning and devotion to the cause of good government is materially responsible for helping Members to stand firm against the ridiculous contentions of the advocates of permissiveness that if somebody wants to take a trip on LSD, let him do it, so what? This legislation is a genuine public service.

Mr. MURPHY of New York. Mr. Speaker, I rise in support of the bill, H.R. 14096, to prescribe penalties for the possession of LSD and other hallucinogenic drugs by unauthorized persons.

It has been 5,000 years since Chinese physicians prescribed marijuana to induce euphoria and to reduce pain. Since then many other drugs have been discovered and used for medical purposes. These drugs, vital to prescientific medicine, were abused almost as rapidly as they were discovered, and when the age of chemistry discovered new synthetic drugs, the abuse stayed abreast of the new discoveries.

The new drugs, however, did more than relieve pain; they also changed the behavior of the user. The most powerful of these new drugs is LSD, d-lysergic acid diethylamide. This drug, like many others, has a legitimate scientific use; it is used in the experimental study of mental functions and as a treatment for alcoholism. But it also causes hallucinations often lasting for hours, and is taken by many people for "kicks." These "kicks," unfortunately, are often accompanied by distortion of perception, panic, violent impulses, suicidal acts, and insanity. Recent evidence indicates it may adversely effect the human chromosome and cause birth defects in the children of LSD users.

The illegal use of LSD and other drugs is a serious and growing problem in this Nation today. More and more of our young people are "turning on" and "dropping out" ostensibly because they are alienated from our society or just out for "kicks."

LSD may provide the user with "kicks," but it can also do permanent damage to the brain. An increasing number of our young people, their brains irreparably damaged by LSD, are winding up in mental hospitals, some of them never to come out.

Part of the answer to this problem is education, based on increased research, so that potential drug users will know and understand the real price of getting their "kicks" from LSD. In addition, there is a need for more educational efforts to be made at the community level, in schools, churches, and other community organizations—and, most of all, in the family.

Research and education will accomplish only part of the task, however. The illegal use of drugs provides fertile ground for the extension of organized crime. The remedy for this part of the drug problem lies in strengthening our drug laws. The bill being considered today will do just that, by prohibiting the illegal manufacture, sale, possession, and use of LSD and other similar drugs.

The illegal use of LSD is growing, and estimates of the number who use it today are staggering; there is a critical need for this legislation and I urge my colleagues to give it their support today.

Mr. WIDNALL. Mr. Speaker, I urge favorable consideration and passage of H.R. 14096, a bill designed to assist our law enforcement agencies in controlling the sale and possession of LSD and other hallucinogenic drugs by unauthorized persons. The bill also directs itself to illegal trafficking in barbiturates, depressants, and amphetamines.

It is a matter of common knowledge that the use of these drugs, particularly hallucinogenics, has accelerated of late, particularly among young people. Illicit traffic in these drugs has been carried out by persons ranging from teenagers working in home basements to crime syndicates on a national basis. Medical evidence indicates that LSD, for example, can produce or activate psychosis, promote suicidal inclinations, and end in bodily harm to the individual on the "trip."

At the same time, the controversy surrounding these drugs, the promotion of their supposedly good effects, as well as reaction to adult authority, attracts many young people to their use. With proper counseling and advice, they are less likely to engage in this type of activity, however, as the recent decline in the use of LSD may indicate.

This bill, therefore, strikes a balance between differing points of view on the imposition of penalities for possession of dangerous drugs. Strict penalties are provided for possession, both as an aid to law enforcement and as a deterrent. At the same time, however, a first offender of the prohibition against mere possession may, in lieu of fine or imprisonment, be placed on probation by the court for no longer than a year. The court may prescribe the terms of this probation such as the obtaining of psychiatric help, and following the completion of the probationary period, the conviction is automatically set aside to eliminate any criminal record.

I believe that this is a balance properly constructed which should aid both law enforcement and the youthful offender. And for those who are actively engaged in the manufacture and sale of these drugs, the bill provides for increased penalties, particularly where the drug is channeled to those under 21 years of age. It is a necessary and reasonable step to take in the field of criminal law and drug abuse. The Committee on Interstate and Foreign Commerce is to be commended for its efforts.

Mr. BOLAND. Mr. Speaker, we have before us today a bill that would help put a stop to the widespread illicit traffic in LSD and other pernicious drugs.

I want to express my vigorous support for this bill—H.R. 14096—and to urge its prompt enactment into law.

The measure calls for increased penalties against persons trafficking illegally in barbiturates, depressants, amphetamines, and LSD, and other hallucinogens, and would make possession of these drugs a misdemeanor unless obtained through a valid medical prescription. The need for more rigorous controls on these dangerous chemical agents, Mr. Speaker, is beyond question. Medical surveys and studies provide ample evidence of the physiological and psychological disorders bred by indiscriminate use of drugs. The fact that such drugs are used—and used widely—has been demonstrated with equal clarity. We in the Congress must accept our responsibility to help stop the misuse of drugs—a practice that threatens not only the Nation's college age youth but our society as a whole.

Carefully amended by the Interstate and Foreign Commerce Committee, H.R. 14096 strikes an admirable balance among the many diverse points of view on what penalties should be enacted for the possession of drugs the bill covers. The penalties the committee has recommended—penalties that would help enforce drug laws and help prevent potential violations of those laws—are designed to minimize the long term adverse consequences upon a youth of an illegal possession conviction. I want to commend the committee for its painstaking work in drafting a bill that is both highly effective and highly just.

President Johnson, in a February address entitled "The Challenge of Crime to Our Society," asked the Congress to enact legislation making the illicit manufacture and sale of dangerous drugs a felony. H.R. 14906 carries out that recommendation. It is clear, Mr. Speaker, that we must stiffen the penalties against those who prey upon the Nation's youth by peddling drugs. The absence of rigorous penalties—or the existence of only trivial penalties—acts to encourage drug traffic.

Again, Mr. Speaker, I urge the swift passage of this bill.

GENERAL LEAVE TO EXTEND

Mr. STAGGERS. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days in which to extend their remarks on the bill H.R. 14096.

The SPEAKER. Is there objection to the request of the gentleman from West Virginia?

There was no objection.

The SPEAKER. The question is on the committee amendment.

The committee amendment was agreed to.

The SPEAKER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER. The question is on the passage of the bill.

The question was taken; and the Speaker announced that the ayes appeared to have it.

Mr. SPRINGER. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that quorum is not present.

The SPEAKER. Evidently a quorum is not present.

The Doorkeeper will close the doors, the Sergeant at Arms will notify absent Members, and the Clerk will call the roll.

The question was taken and there were—yeas 320, nays 2, not voting 111, as follows:

[Roll No. 248]

YEAS—320

Abernethy
Adair
Addabbo
Albert
Anderson, Ill.
Andrews, Ala.
Andrews, N. Dak.
Arends
Ashley
Ashmore
Ayres
Baring
Barrett
Bates
Battin
Belcher
Bennett
Berry
Betts
Bevill
Biester
Bingham
Blackburn
Blatnik
Boggs
Boland
Bow
Brasco
Bray
Brinkley
Brooks
Broomfield
Brotzman
Brown, Calif.
Brown, Mich.
Brown, Ohio
Broyhill, N.C.
Broyhill, Va.
Buchanan
Burke, Fla.
Burke, Mass.
Burleson
Bush
Button
Byrne, Pa.
Byrnes, Wis.
Cabell
Carter
Casey
Cederberg
Chamberlain
Clark
Clausen, Don H.
Clawson, Del
Cleveland
Cohelan
Collier
Colmer
Conable
Conte
Corbett
Corman
Cowger
Cunningham
Daddario
Daniels
Davis, Ga.
Davis, Wis.
Dawson
Delaney
Dellenback
Denney
Dent
Derwinski
Devine
Dickinson
Dingell
Donohue
Dowdy
Downing
Dulski
Duncan
Dwyer
Eckhardt
Edmondson
Edwards, Ala.
Edwards, Calif.
Eilberg
Erlenborn
Esch
Evans, Colo.
Everett
Fascell
Feighan
Flood
Flynt
Foley
Ford, Gerald R.
Fountain
Frelinghuysen
Friedel
Fulton, Pa.
Fuqua
Galifianakis
Gardner
Garmatz
Gettys
Giaimo
Gonzalez
Goodling
Gray
Green, Oreg.
Green, Pa.
Griffin
Gross
Grover
Gude
Hagan
Haley
Hall
Halleck
Halpern
Hamilton
Hanna
Hansen, Wash.
Hardy
Harvey
Hébert
Hechler, W. Va.
Heckler, Mass.
Helstoski
Henderson
Hicks
Horton
Hosmer
Howard
Hull
Hungate
Hunt
Hutchinson
Ichord
Irwin
Jacobs
Jarman
Joelson
Johnson, Calif.
Johnson, Pa.
Jonas
Jones, Ala.
Jones, Mo.
Jones, N.C.
Kastenmeier
Kazen
Kee
Keith
Kelly
King, Calif.
King, N.Y.
Kirwan
Kleppe
Kluczynski
Kuykendall
Kyl
Kyros
Langen
Latta
Lennon
Lipscomb
Long, Md.
Lukens
McCarthy
McCulloch
McDonald, Mich.
McFall
Macdonald, Mass.
MacGregor
Mahon
Marsh
Martin
Mathias, Calif.
Mathias, Md.
Matsunaga
May
Meeds
Meskill
Miller, Calif.
Miller, Ohio
Mills
Minish
Mink
Minshall
Mize
Monagan
Montgomery
Moore
Morgan
Morris, N. Mex.
Morton
Mosher
Moss
Murphy, Ill.
Myers
Natcher
Nedzi
Nelsen
Nichols
O'Hara, Ill.
O'Hara, Mich.
Olsen
O'Neill, Mass.
Ottinger
Passman
Patman
Patten
Pelly
Pepper
Perkins
Pettis
Philbin
Pickle
Pike
Pirnie
Poage
Poff
Pollock
Price, Ill.
Price, Tex.
Pryor
Purcell
Quie
Rees
Reid, Ill.
Reid, N.Y.
Reuss
Rhodes, Ariz.
Riegle
Rivers
Roberts
Rodino
Rogers, Colo.
Rogers, Fla.
Ronan
Rooney, N.Y.
Rooney, Pa.
Rosenthal
Rostenkowski
Roth
Roudebush
Roybal
Rumsfeld
Ruppe
Ryan
St. Onge
Sandman
Satterfield
Saylor
Schadeberg
Scherle
Scheuer
Schneebeli
Schwengel
Scott
Selden
Shipley
Shriver
Sikes
Sisk
Skubitz
Slack
Smith, N.Y.
Smith, Okla.
Snyder
Springer
Stafford
Staggers
Stanton
Steed
Steiger, Wis.
Stephens
Stubblefield
Stuckey
Sullivan
Talcott
Taylor
Teague, Calif.
Teague, Tex.
Thompson, Ga.
Thompson, N.J.
Thomson, Wis.
Tuck
Tunney
Ullman
Vanik
Waggonner
Waldie
Walker
Wampler
Watkins
Watson
Whalen
Whalley
White
Whitener
Whitten
Widnall
Wiggins
Williams, Pa.
Willis
Wilson, Bob
Winn
Wolff
Wright
Wyatt
Wylie
Wyman
Yates
Young
Zablocki
Zion
Zwach

NAYS—2

Burton, Calif.
Dow

NOT VOTING—111

Abbitt
Adams
Anderson, Tenn.
Annunzio
Ashbrook

Aspinall
Bell
Blanton
Bolling
Bolton
Brademas
Brock
Burton, Utah
Cahill
Carey
Celler
Clancy
Conyers
Cramer
Culver
Curtis
de la Garza
Diggs
Dole
Dorn
Edwards, La.
Eshleman
Evins, Tenn.
Fallon
Farbstein
Findley
Fino
Fisher
Ford,
William D.
Fraser
Fulton, Tenn.
Gallagher
Gathings
Gibbons
Gilbert
Goodell
Griffiths
Gubser
Gurney
Hammerschmidt
Hanley
Hansen, Idaho
Harrison
Harsha
Hathaway
Hawkins
Hays
Herlong
Holifield
Holland
Karsten
Karth
Kornegay
Kupferman
Laird
Landrum
Leggett
Lloyd
Long, La.
McClory
McCloskey
McClure
McDade
McEwen
McMillan
Machen
Madden
Mailliard
Mayne
Michel
Moorhead
Morse, Mass.
Murphy, N.Y.
Nix
O'Konski
O'Neal, Ga.
Podell
Pool
Pucinski
Quillen
Railsback
Randall
Rarick
Reifel
Reinecke
Resnick
Rhodes, Pa.
Robison
Roush
St Germain
Schweiker
Smith, Calif.
Smith, Iowa
Steiger, Ariz.
Stratton
Taft
Tenzer
Tiernan
Udall
Utt
Van Deerlin
Vander Jagt
Vigorito
Watts
Wilson,
Charles H.
Wydler

So the bill was passed.

The Clerk announced the following pairs:

Mr. Evins of Tennessee with Mr. Laird.
Mr. Gilbert with Mr. Cramer.
Mr. Holifield with Mr. Quillen.
Mr. Madden with Mr. Cahill.
Mr. Charles H. Wilson with Mr. Fino.
Mr. Annunzio with Mr. Gurney.
Mr. Tenzer with Mr. McClory.
Mr. Dorn with Mr. Reifel.
Mr. Aspinall with Mr. Harrison.
Mr. William D. Ford with Mr. Reinecke.
Mr. Rarick with Mr. Utt.
Mr. Celler with Mr. Bell.
Mr. Randall with Mr. Railsback.
Mr. Hawkins with Mr. Curtis.
Mr. Pucinski with Mr. Dole.
Mr. Podell with Mr. Steiger of Arizona.
Mr. Farbstein with Mr. McEwen.
Mr. Anderson of Tennessee with Mr. Ashbrook.
Mr. Leggett with Mr. Harsha.
Mr. Culver with Mr. Hammerschmidt.
Mr. Van Deerlin with Mr. Schweiker.
Mr. Hanley with Mr. Clancy.
Mr. Smith of Iowa with Mr. Burton of Utah.
Mr. Tiernan with Mr. Hansen of Idaho.
Mr. Herlong with Mr. Vander Jagt.
Mr. Gallagher with Mr. Taft.
Mr. Holland with Mr. McCloskey.
Mr. Resnick with Mr. Kupferman.
Mr. O'Neal of Georgia with Mr. McClure.
Mr. Karth with Mr. Brock.
Mr. Karsten with Mr. Eshleman.
Mr. Brademas with Mr. Gubser.
Mr. Long of Louisiana with Mr. Mayne.
Mr. Fallon with Mr. Robison.
Mr. Pool with Mr. Wydler.
Mr. Nix with Mr. Lloyd.
Mr. Adams with Mr. Schwengel.
Mr. Blanton with Mr. Mailliard.
Mr. Abbitt with Mr. Michel.
Mr. Korngay with Mr. Goodell.
Mr. Edwards of Louisiana with Mr. O'Konski.
Mr. Hathaway with Mr. Moorhead.
Mr. Rhodes of Pennsylvania with Mr. Findley.
Mr. St Germain with Mr. Roush.
Mrs. Griffiths with Mr. Gathings.
Mr. Fraser with Mr. Conyers.
Mr. Hays with Mr. Watts.
Mr. Fisher with Mr. Smith of California.
Mr. de la Garza with Mr. Morse of Massachusetts.
Mr. McMillan with Mrs. Bolton.
Mr. Landrum with Mr. Udall.
Mr. Stratton with Mr. Diggs.
Mr. Carey with Mr. Machen.
Mr. Fulton of Tennessee with Mr. Murphy of New York.
Mr. Gibbons with Mr. Vigorito.

The result of the vote was announced as above recorded.

The doors were opened.

The title was amended so as to read: "*An act to amend the Federal Food,* Drug, and Cosmetic Act to increase the penalties for unlawful acts involving lysergic acid diethylamide (LSD) and other depressant and stimulant drugs, and for other purposes."

A motion to reconsider was laid on the table.

PERSONAL EXPLANATION

Mr. **SCOTT**. Mr. Speaker, I wish to say that earlier today I was out of the Chamber when the vote was taken on the Public Health Services Act, H.R. 15758. Had I been present, I would have voted "yea."

AUTHORIZATION OF APPROPRIATIONS UNDER STATE TECHNICAL SERVICES ACT OF 1965

Mr. **STAGGERS**. Mr. Speaker, I ask unanimous consent that the bill (H.R. 16824) to extend for an additional year the authorization of the appropriations under the State Technical Services Act of 1965, be considered in the House as in the Committee of the Whole.

The Clerk read the title of the bill.

The **SPEAKER**. Is there objection to the request of the gentleman from West Virginia?

There was no objection.

The Clerk read the bill, as follows:

H.R. 16824

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 10 of the State Technical Services Act of 1965 (15 U.S.C. 1360; 79 Stat. 682) is amended by striking the period at the end of subsection (a) and inserting the following: "; $7,000,000 for the fiscal year ending June 30, 1969".

With the following committee amendment:

Page 1, line 6, strike out " " ; $7,000,000 for the fiscal year ending June 30, 1969"." and insert: "; $6,600,000 for the fiscal year ending June 30, 1969; $10,000,000 for the fiscal year ending June 30, 1970; $10,000,000 for the fiscal year ending June 30, 1971."

The committee amendment was agreed to.

Mr. **STAGGERS**. Mr. Speaker, I move to strike the last word.

Mr. Speaker, this is a straight renewal of the State Technical Services Act of 1965. The basic purpose of that legislation is to speed industrial and economic growth of the States and the country through improved application of technical and scientific knowledge. Through the cooperation of universities, communities, industries, and government, the goals to be achieved are—

First, the strengthening of the Nation's economy by upgrading industries through the utilization of advanced technology;

Second, the increase of employment by facilitating industrial use of technology and the manufacturing of new products, and

Third, enhancing the competitive position of U.S. products in world markets. A continuation of this program appears to be fully warranted.

The subcommittee held hearings on June 19, 1968. The Department of Commerce and witnesses affiliated with several universities—Catholic University, North Carolina State, and Pennsylvania State—all endorsed the program, there was no opposition, and the subcommittee unanimously favored a 3-year renewal. The full committee unanimously recommends a 3-year renewal.

Material submitted for the record by the Department of Commerce supplies specific examples of how the communication of existing information to manufacturers can do such things as permit a concrete plant which formerly had to shut down for 4 months in the winter, to operate year-round by switching to a quarrying and stone-cutting operation during the former shutdown period. This is but one of the many examples furnished.

In response to a committee request, the Department of Commerce submitted the following estimates for authorizations for the next 3 fiscal years:

Fiscal year 1969, $6.6 million; fiscal year 1970, $14 million; fiscal year 1971, $20 million.

The Senate has passed S. 3245 with authorizations of $7 million, $10 million, and $10 million for the next 3 fiscal years.

The committee recommends $6.6 million, $10 million, and $10 million.

Mr. **SPRINGER**. Mr. Speaker, I move to strike the requisite number of words.

Mr. Speaker, this legislation has been in effect for 3 years, and we are now proposing to extend it for an additional 3 years. So the program is only 3 years old.

Mr. Speaker, a great deal of this activity originated at the university level where it was felt that the technical services of the large universities and to some extent our small universities throughout the country could be used to help small industry and small business do a better job on their various undertakings in the smaller communities over the country.

Now, Mr. Speaker, there have been 46 States thus far which have already received grants. There is now a regional program for New England which has been approved and funded. Some 1,500 technical service projects are being conducted by over 200 educational and other nonprofit institutions.

Mr. Speaker, some of the industries which are affected and will be improved are construction, ceramics, fishing, food processing, forestry, metal working, mining, petroleum, printing and graphic arts, stone, textile, and woodworking.

Mr. Speaker, this program serves as a conduit whereby the States, technical colleges, universities, and other nonprofit institutions may ascertain the needs of industry and ferret out and transmit pertinent information from the vast collections available and constantly becoming available.

I happen to be particularly close to this, coming from a large university community in my own State, but this program may be used by every State university, and I know of special activities which have been carried on in this field in the past few years in getting small industry into the program and serving the various industries throughout the country needing technical and scientific information.

For instance, a consultant arrangement was worked out with a University of Michigan faculty member under which graduate engineering students will assist in the preparation of estimates on highly technical contracts.

A State technical services field man from Georgia Tech assisted a maker of tire retreading equipment in converting to fiberglass insulation for improved curing at reduced cost. These are just a couple of examples that I want to call to the attention of the House as to how these technical services are used.

Mr. Speaker, this is the bill which was fairly heard by the committee. We had extensive hearings on this bill 3 years ago because at that time there was not such a program, and there were doubts as to whether or not it would succeed. However, during the last 3 years the program has been a success, and it merits continuation.

Mr. Speaker, I hope that this legislation will pass.

Mr. DONOHUE. Mr. Speaker, I hope and urge that H.R. 16824, which provides for a 1-year renewal of the State Technical Services Act of 1965, will be promptly and resoundingly adopted.

The substantive purpose of this, and the original legislation, is to speed industrial and economic growth of the States, and the country, through improved application and use of technical and scientific knowledge.

Through the cooperation of universities, communities, industries, and government, the objectives to be achieved are:

First. The strengthening of the Nation's economy by upgrading industries through the utilization of advanced technology;

Second. The increase of employment by facilitating industrial use of technology and the manufacturing of new products, and

Third. Enhancing the competitive position of U.S. products in world markets.

Mr. Speaker, the substantial merit of this program is obvious and 46 States have thus far availed themselves of its provisions. There is an excellent program for New England now going on.

As I have stated the program has proven its merit, the amounts being authorized are prudent, and the country at large will undoubtedly continue to vastly benefit by its further operation. Let us, then, give it our resounding approval.

The **SPEAKER.** The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

The **SPEAKER.** The question is on the passage of the bill.

The question was taken; and the Speaker announced that the ayes appeared to have it.

Mr. SPRINGER. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The **SPEAKER.** Evidently a quorum is not present.

The Doorkeeper will close the doors, the Sergeant at Arms will notify absent Members, and the Clerk will call the roll.

The question was taken; and there were—yeas 310, nays 2, not voting 121, as follows:

[Roll No. 249]

YEAS—310

Abernethy
Adair
Addabbo
Albert
Anderson, Ill.
Andrews, Ala.
Andrews, N. Dak.
Arends
Ashley
Ashmore
Bates
Battin
Belcher
Bennett
Berry
Betts
Bevill
Biester
Bingham
Blackburn
Blatnik
Boggs
Boland
Bolton
Bow
Brasco
Bray
Brinkley
Brock
Brooks
Brotzman
Brown, Calif.
Brown, Mich.
Brown, Ohio
Broyhill, N.C.
Broyhill, Va.
Buchanan
Burke, Fla.
Burke, Mass.
Burleson
Burton, Calif.
Bush
Button
Byrne, Pa.
Byrnes, Wis.
Cabell
Carter
Casey
Chamberlain
Clausen, Don H.
Clawson, Del
Cleveland
Cohelan
Collier
Colmer
Conable
Corbett
Corman
Cunningham
Daddario
Daniels
Davis, Ga.
Davis, Wis.
Dawson
Delaney
Dellenback
Denney
Dent
Derwinski
Devine
Dickinson
Dingell
Donohue
Dow
Dowdy
Downing
Dulski
Duncan
Dwyer
Eckhardt
Edmondson
Edwards, Ala.
Edwards, Calif.
Eilberg
Erlenborn
Esch
Evans, Colo.
Everett
Fascell
Feighan
Flood
Flynt
Ford, Gerald R.
Fountain
Frelinghuysen
Friedel
Fulton, Pa.
Fuqua
Galifianakis
Gardner
Garmatz
Gettys
Giaimo
Gonzalez
Goodling
Gray
Green, Oreg.
Green, Pa.
Griffin
Gross
Grover
Gude
Hagan
Haley
Hall
Halleck
Halpern
Hamilton
Hanna
Hansen, Wash.
Hardy
Harvey
Hechler, W. Va.
Heckler, Mass.
Helstoski
Henderson
Hicks
Horton
Hosmer
Howard
Hull
Hungate
Hunt
Hutchinson
Ichord
Irwin
Jacobs
Jarman
Joelson
Johnson, Calif.
Johnson, Pa.
Jonas
Jones, Ala.
Jones, N.C.
Kastenmeier
Kazen
Kee
Keith
King, N.Y.
Kirwan
Kleppe
Kluczynski
Kornegay
Kuykendall
Kyl
Kyros
Langen
Latta
Lennon
Lipscomb
Long, Md.
Lukens
McCarthy
McCulloch
McDade
McDonald, Mich.
McFall
McMillan
Macdonald, Mass.
MacGregor
Mahon
Marsh
Martin
Mathias, Calif.
Mathias, Md.
Matsunaga
May
Meeds
Meskill
Miller, Calif.
Miller, Ohio
Mills
Minish
Mink
Mize
Monagan
Montgomery
Moore
Morgan
Morris, N. Mex.
Morton
Mosher
Moss
Murphy, Ill.
Myers
Natcher
Nedzi
Nelsen
Nichols
O'Hara, Ill.
O'Hara, Mich.
Olsen
O'Neill, Mass.
Ottinger
Passman
Patman
Patten
Pelly
Pepper
Perkins
Pettis
Philbin
Pickle
Pike
Pirnie
Poage
Poff
Pollock
Price, Ill.
Price, Tex.
Pryor
Purcell
Quie
Rees
Reid, Ill.
Reuss
Rhodes, Ariz.
Riegle
Rivers
Roberts
Rodino
Rogers, Colo.
Rogers, Fla.
Ronan
Rooney, N.Y.
Rooney, Pa.
Rosenthal
Rostenkowski
Roth
Roybal
Rumsfeld
Ruppe
Ryan
St. Onge
Sandman
Satterfield
Saylor
Schadeberg
Scherle
Scheuer
Schwengel
Scott
Selden
Shipley
Shriver
Sikes
Sisk
Skubitz
Slack
Smith, Calif.
Smith, N.Y.
Smith, Okla.
Snyder
Springer
Stafford
Staggers
Stanton
Steed
Steiger, Wis.
Stephens
Stubblefield
Stuckey
Sullivan
Talcott
Taylor
Teague, Calif.
Teague, Tex.
Thompson, Ga.
Thompson, N.J.
Thomson, Wis.
Tiernan
Tuck
Tunney
Ullman
Vanik
Waggonner
Waldie
Walker
Wampler
Watkins
Watson
Whalen
Whalley
White
Whitener
Whitten
Widnall
Wiggins
Williams, Pa.
Wilson, Bob
Winn
Wolff
Wright
Wyatt
Wylie
Wyman
Yates
Young
Zablocki
Zwach

NAYS—2

Cederberg
Jones, Mo.

NOT VOTING—121

Abbitt
Adams
Anderson, Tenn.
Annunzio
Ashbrook
Aspinall
Ayres
Baring
Barrett
Bell
Blanton
Bolling
Brademas
Broomfield
Burton, Utah
Cahill
Carey
Celler
Clancy
Clark
Conte
Conyers
Cowger
Cramer
Culver
Curtis
de la Garza
Diggs
Dole
Dorn
Edwards, La.
Eshleman
Evins, Tenn.
Fallon
Farbstein
Findley
Fino
Fisher
Foley
Ford, William D.
Fraser
Fulton, Tenn.
Gallagher
Gathings
Gibbons
Gilbert
Goodell
Griffiths
Gubser
Gurney
Hammerschmidt
Hanley
Hansen, Idaho
Harrison
Harsha
Hathaway
Hawkins
Hays
Hébert
Herlong
Holifield
Holland
Karsten
Karth
Kelly
King, Calif.
Kupferman
Laird
Landrum
Leggett
Lloyd
Long, La.
McClory
McCloskey
McClure
McEwen
Machen
Madden
Mailliard
Mayne
Michel
Minshall
Moorhead
Morse, Mass.
Murphy, N.Y.
Nix
O'Konski
O'Neal, Ga.
Podell
Pool
Pucinski
Quillen
Railsback
Randall
Rarick
Reid, N.Y.
Reifel
Reinecke
Resnick
Rhodes, Pa.
Robison
Roudebush
Roush
St Germain
Schneebeli
Schweiker
Smith, Iowa
Steiger, Ariz.
Stratton
Taft
Tenzer
Udall
Utt
Van Deerlin
Vander Jagt
Vigorito
Watts
Willis
Wilson, Charles H.
Wydler
Zion

So the bill was passed.

The Clerk announced the following pairs:

Mr. Evins of Tennessee with Mr. Laird.
Mr. Gilbert with Mr. Cramer.
Mr. Holifield with Mr. Quillen.
Mr. Madden with Mr. Cahill.
Mr. Charles H. Wilson with Mr. Fino.
Mr. Annunzio with Mr. Gurney.
Mr. Tenzer with Mr. McClory.
Mr. Dorn with Mr. Reifel.
Mr. Aspinall with Mr. Harrison.
Mr. William D. Ford with Mr. Reinecke.

Mr. Rarick with Mr. Utt.

Mr. Celler with Mr. Bell.

Mr. Randall with Mr. Railsback.

Mr. Hawkins with Mr. Curtis.

Mr. Pucinski with Mr. Dole.

Mr. Podell with Mr. Steiger of Arizona.

Mr. Farbstein with Mr. McEwen.

Mr. Anderson of Tennessee with Mr. Ashbrook.

Mr. Leggett with Mr. Harsha.

Mr. Culver with Mr. Hammerschmidt.

Mr. Van Deerlin with Mr. Schweiker.

Mr. Hanley with Mr. Clancy.

Mr. Smith of Iowa with Mr. Burton of Utah.

Mr. Stratton with Mr. Hansen of Idaho.

Mr. Herlong with Mr. Vander Jagt.

Mr. Gallagher with Mr. Taft.

Mr. Holland with Mr. McCloskey.

Mr. Resnick with Mr. Kupferman.

Mr. O'Neal of Georgia with Mr. McClure.

Mr. Karth with Mr. Broomfield.

Mr. Karsten with Mr. Eshleman.

Mr. Brademas with Mr. Gubser.

Mr. Long of Louisiana with Mr. Inouye.

Mr. Fallon with Mr. Robison.

Mr. Pool with Mr. Wydler.

Mr. Nix with Mr. Lloyd.

Mr. Moorhead with Mr. Michel.

Mr. Carey with Mr. Conte.

Mr. King of California with Mr. Roudebush.

Mr. Blanton with Mr. Schneebeli.

Mr. de la Garza with Mr. Zion.

Mr. Edwards of Louisiana with Mr. Findley.

Mr. Abbitt with Mr. Cowger.

Mr. Murphy of New York with Mr. Morse of Massachusetts.

Mr. Adams with Mr. O'Konski.

Mr. Gibbons with Mr. Minshall.

Mr. Barrett with Mr. Reid of New York.

Mrs. Kelly with Mr. Goodell.

Mr. Udall with Mr. Ayres.

Mr. Clark with Mr. Mailliard.

Mr. Fisher with Mr. Rhodes of Pennsylvania.

Mr. St Germain with Mr. Hébert.

Mr. Hathaway with Mr. Roush.

Mr. Foley with Mr. Fraser.

Mr. Fulton of Tennessee with Mrs. Griffiths.

Mr. Hays with Mr. Gathings.

Mr. Watts with Mr. Vigorito.

Mr. Willis with Mr. Landrum.

Mr. Baring with Mr. Conyers.

Mr. Machen with Mr. Diggs.

The result of the vote was announced as above recorded.

The doors were opened.

A motion to reconsider was laid on the table.

Mr. STAGGERS. Mr. Speaker, I ask unanimous consent for the immediate consideration of a similar Senate bill (S. 3245) to extend for an additional 3 years the authorization of appropriations under the State Technical Services Act of 1965.

The Clerk read the title of the Senate bill.

The SPEAKER. Is there objection to the request of the gentleman from West Virginia?

There was no objection.

The Clerk read the Senate bill, as follows:

S. 3245

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 10 of the State Technical Services Act of 1965 (15 U.S.C. 1360; 79 Stat. 682) is amended by striking the period at the end of subsection (a) and inserting the following: "; $7,000,000 for the fiscal year ending June 30, 1969; $10,000,000 for the fiscal year ending June 30, 1970; $10,000,000 for the fiscal year ending June 30, 1971."

AMENDMENT OFFERED BY MR. STAGGERS

Mr. STAGGERS. Mr. Speaker, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. STAGGERS: Strike out all after the enacting clause of S. 3245 and insert in lieu thereof the provisions of H.R. 16824, as passed.

The amendment was agreed to.

The Senate bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

A similar House bill (H.R. 16824) was laid on the table.

GENERAL LEAVE

Mr. STAGGERS. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on the bill just passed.

The SPEAKER. Is there objection to the request of the gentleman from West Virginia?

There was no objection.

HIGH-SPEED GROUND TRANSPORTATION EXTENSION

Mr. STAGGERS. Mr. Speaker, I ask unanimous consent that the bill (H.R. 16024) to extend for 1 year the act of September 30, 1965, relating to high-speed ground transportation, may be considered in the House as in the Committee of the Whole.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from West Virginia?

There was no objection.

The Clerk read the bill, as follows:

H.R. 16024

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) the first section of the Act entitled "An Act to authorize the Secretary of Commerce to undertake research and development in high-speed ground transportation, and for other purposes", approved September 30, 1965 (79 Stat. 893; Public Law 89–220; 49 U.S.C. 1631), is amended by striking out "Secretary of Commerce" and inserting in lieu thereof "the Secretary of Transportation".

(b) Section 5 of such Act of September 30, 1965, is amended by striking out "Department of Commerce" and inserting in lieu thereof "Department of Transportation".

(c) Section 7 of such Act of September 30, 1965, is amended by adding at the end thereof the following: "In furtherance of these activities, the Secretary may acquire necessary sites by purchase, lease, or grant and may acquire, construct, repair, or furnish necessary support facilities."

(d) Section 9 of such Act of September 30, 1965, is amended by striking out "Administrator of the Housing and Home Finance Agency" and inserting in lieu thereof "Secretary of Housing and Urban Development."

(e) The first sentence of section 11 of such Act of September 30, 1965, is amended by striking out "and" and by striking out the period at the end thereof and inserting in lieu thereof a semicolon and the following: "and $16,200,000 for the fiscal year ending June 30, 1969."

(f) The first sentence of section 12 of such Act of September 30, 1965, is amended by striking out "1969" and inserting in lieu thereof "1970".

With the following committee amendments:

Page 2, line 7, immediately after the period and before the quotation marks insert the following:

"In furtherance of a demonstration program, the Secretary may contract for the construction of two suburban rail stations, one at Lanham, Maryland, and one at Woodbridge, New Jersey, without acquiring any property interest therein."

Page 2 beginning in line 22, strike out "and $16,200,000 for the fiscal year ending June 30, 1969" and insert in lieu thereof the following: "$16,200,000 for the fiscal year ending June 30, 1969; and $21,200,000 for the fiscal year ending June 30, 1970".

Page 3, line 3, strike out "1970" and insert in lieu thereof "1971".

The committee amendments were agreed to.

GENERAL LEAVE TO EXTEND

Mr. STAGGERS. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to extend their remarks on the bill, H.R. 16024.

The SPEAKER. Is there objection to the request of the gentleman from West Virginia?

There was no objection.

Mr. STAGGERS. Mr. Speaker, I move to strike the last word.

Mr. Speaker, the High-Speed Ground Transportation Act of 1965 was passed with a sense of urgency that the growing demand for transportation in certain intercity corridors would far exceed our present capacity to handle it. The purpose of the act was to try through research and development and demonstrations to stimulate alternate and new modes of transportation which could handle part of the high volume of highway and air movement in these densely populated regions. The authority for appropriations of $90 million for 3 fiscal years ended last June 30. Unless the act is extended, further appropriations cannot be made although the Secretary of Transportation has authority to obligate through fiscal 1969 some funds which have been appropriated and not yet obligated.

Today there is an even greater sense of urgency to develop some way of handling this growing passenger traffic other than by continuing to build more and more highways, and other than continuing to jam already overcrowded airports and airways.

The demonstration of new equipment which was planned to take place between Washington and New York has not yet been possible owing to delays in the delivery of equipment. It is hoped by the first of the year to get these trains in operation, as well as certain new trains between New York and Boston. These demonstrations need to be conducted to measure and evaluate public response to new equipment, higher speeds, variations in fares, improved comfort and convenience, and more frequent service. What we all would like to determine is whether or not passengers could be attracted back to the railroads.

The committee is of the belief that

these demonstrations should be sponsored until we can make this determination. It therefore urges the extension of the act for 2 more fiscal years.

In addition, the Department of Transportation is moving forward into other areas of transportation research which are of some significance and show some prominence such as the design and fabrication of a tracked air cushion research vehicle and the testing of a large-scale linear electric motor. These activities will require the construction of experimental trackage and associated supporting facilities in order properly to test their possibilities.

The committee accordingly has supported the Department's request not only for a simple 2-year extension of the act, but also an expansion of the Secretary's authority so as to permit him to acquire the sites and provide the support facilities necessary for carrying out the testing of these projects. For the purposes of these demonstrations and for the research and development and testing, the bill authorizes appropriations to be made for fiscal year 1969 in the amount of $16,200,000, and for the year 1970 in the amount of $21,200,000. In addition, the bill makes certain technical changes reflecting the transfer of functions from the Department of Commerce as a result of the creation of the Department of Transportation and of the Department of Housing and Urban Development.

Mr. HALL. Mr. Speaker, will the gentleman yield?

Mr. STAGGERS. I yield to the distinguished gentleman from Missouri.

Mr. HALL. Mr. Speaker, I appreciate the distinguished chairman of the Committee on Interstate and Foreign Commerce yielding to me at this time. I have one question to propound to the gentleman from West Virginia.

In the report on the very first page the committee stipulates that the Secretary may contract for these two suburban rail stations, one at one place in Maryland and another in New Jersey without acquiring any property interest therein.

I understand the purpose of the extension of the High-Speed Transportation Act, and what it means, which the gentleman has just said in his statement, and that it will run all the way from Boston to Washington and through the megalopolis, if you please. I think, generally, I am in favor of it.

I understand some of the difficulties that are involved but I have two questions to ask of the distinguished gentleman from West Virginia.

Why is this valuable in research and development to build more than one demonstration station? Second, if we are going to build it, why do we not have some property rights, if we are going to spend the taxpayers' money for it?

Mr. STAGGERS. Mr. Speaker, I would say in response to the gentleman's question that it is a good question. The purpose is that they would have demonstrations in some of the suburban areas of this land. For instance, the State of Maryland is putting up over one-half million dollars with which to acquire land and with which to put in a part of the terminal and parking facilities.

The State of New Jersey will put in over $1 million in this itself.

They are willing to do this because they know that this is a practical demonstration. It is actually real research to find out whether it is going to work, and the demonstration is needed by the Department of Transportation. They have selected two sites outside the urban areas of Washington, D.C., and New York—these two suburbs—to see whether the trains will be utilized and whether it is going to be worth while to go ahead and expand railroad passenger service for the rest of the country.

Mr. HALL. Mr. Speaker, if the distinguished gentleman will yield further, he has clarified one of the things in my mind. It is on a matching grant basis rather than the Secretary just doing it out of these reduced funds; is that correct?

Mr. STAGGERS. Yes, it is pretty nearly on a matching basis. It is, I believe, just about the same that each is going to contribute. But I would want the House to know that the State of New Jersey will have put up over $1 million when they have contributed their share, and the State of Maryland over half a million dollars.

Mr. HALL. Then as I understand from the explanation by the gentleman these are going to be demonstration stations, so that these high-speed trains coming in there to a screeching halt will not suck people off of the platforms, or something to that effect?

Mr. STAGGERS. That is right. It is necessary that we do have them in order to have a fair trial of it. We have to have these stations built, because they have to be built in such a way as the gentleman points out, with special protection.

Mr. HALL. But to just come down to the actual facts, the New Jersey organization or the Maryland organization have not just found a windfall in here; this is a real demonstration project that is worth while for technical and scientific purposes. Is that correct?

Mr. STAGGERS. That is the purpose of it, I will say to the gentleman from Missouri.

Mr. HALL. I thank the gentleman.

Mr. SPRINGER. Mr. Speaker, I move to strike the last word.

Mr. Speaker, 2 years ago this body approved legislation to provide an experiment in high-speed ground transportation between Washington and New York and also New York and Boston. I had misgivings about it which I voiced at the time, including the well-founded decision that the research and development contracts were already in the works and slated for certain institutions. At the time we were assured that the $90 million we were authorizing would result rather quickly in a revolutionary system of fast transport by rail in the eastern corridor. Speeds up to 150 miles per hour were mentioned. Revolutionary passenger handling services were described.

Because of the delays the funds authorized previously have not been used up. Only $52 million of the $90 million has been spent or allocated. In order to proceed, a new authorization is necessary. This bill calls for an authorization of $37.4 million over the next 2 years, and that will keep the total cost just within the original authorization.

I feel that we are obligated to follow this thing through. I hope for its success but anticipate considerably less than is even now being claimed for it. The fact that it is experimental makes it worth the candle. Somewhere here may lie the key to fast, successful passenger service for the northeast corridor and other areas of high population concentration. If that key is found, the effort will in fact be a success in the end.

I recommend that H.R. 16024 be favorably considered.

AMENDMENT OFFERED BY MR. OTTINGER

Mr. OTTINGER. Mr. Speaker, I offer an amendment.

The Clerk read as follows:

> Amendment offered by Mr. OTTINGER: On page 2, line 6, strike out all of paragraph (c), lines 6 through 14, and renumber paragraphs d through f as c through e, respectively.

Mr. OTTINGER. Mr. Speaker, I am very much in favor of this high-speed rail transportation experiment.

The amendment I have offered seeks to assure that the very limited funds that we allow for research and development in this field are used for that purpose, and to prevent a very serious diversion of these funds for purposes that I do not think are proper in this experiment, to build stations in Maryland and New Jersey.

The language that I would strike reads as follows:

> Section 7 of such Act of September 30, 1965, is amended by adding at the end thereof the following: "In furtherance of these activities, the Secretary may acquire necessary sites by purchase, lease, or grant and may acquire, construct, repair, or furnish necessary support facilities. In furtherance of a demonstration program, the Secretary may contract for the construction of two suburban rail stations, one at Lanham, Maryland, and one at Woodbridge, New Jersey, without acquiring any property interest therein."

Mr. Speaker, I am not against these suburban stations being constructed. This may well be a proper part of the demonstration, but there is no earthly reason why the Federal Government should invest $622,000 of Federal money in these stations and retain no Federal interest.

It seems to me that these purchases will be made for the benefit of the railroad and the communities to be served along these lines. The beneficiaries of this largesse should properly pay for these stations.

There has already been a very serious diversion of funds for the purpose of experimenting in high-speed transportation. Some $9.5 million has gone into the maintenance of the New Haven Railroad.

One million dollars has gone into completing new track. Under this new authorization another $1 million is going to go into "certain track adjustments."

I think we need every cent of this money that we are authorizing to experiment with new equipment. Only in that way will we really be able to achieve high-speed rail transportation.

This restriction is particularly important in a time when we are faced with great fiscal problems. We are trying to cut $6 billion from the budget. We are trying to cut nonessential spending everywhere. Although high-speed experimentation is very important for the health of our cities and for our future, the building of suburban stations is not. If we get into this, I think we set a very bad precedent that might ultimately result in our using highway moneys to build hotdog stands, restaurants, way stations, and bus stations along the way.

This is not the purpose for which this money was intended. The communities that are to be benefited, and the railroads that have allowed our passenger service to deteriorate so badly—let them put money into the stations, and let us put our Federal money into the improvement of high-speed transportation, the purpose for which the bill was originally passed.

Mr. PATTEN. Mr. Speaker, will the gentleman yield?

Mr. OTTINGER. I yield to the gentleman.

Mr. PATTEN. Mr. Speaker, I rise in support of H.R. 16024, as amended, extending the High-Speed Transportation Act.

Under this extension, significant and meaningful research will continue to be carried on for another 2 years. As we search for alternative means of mass transportation to help avert the great congestion our highways are destined to feel in future years, it is more imperative than ever that experimentation in high-speed rail transit is continued.

For the past 3 years, the Secretaries of Commerce and Transportation have been authorized to undertake research in high-speed railways. One of the demonstration projects in the northeast corridor runs through the 15th District of New Jersey, which I represent. As New Jersey is the most urbanized State, consequently, transportation is one of the most important of all problems to us. The amended act gives the Department of Transportation authority to construct two suburban stations in the New York-Washington line; one in Iselin, N.J., and one in Lanham, Md.

These stations will be vital components of the northeast corridor project in determining the extent of the public's response to improved rail service. In fact, we can look at these stations as bellwethers of the entire high-speed ground transit program.

It is very important to note, Mr. Speaker, that the Bureau of the Budget, the Department of Commerce and the Interstate Commerce Commission all favor this legislative extension. The chairman of the committee on legislation of the ICC noted, in a letter to the distinguished gentleman from West Virginia [Mr. STAGGERS], that:

> The high-speed projects indicate the promise of revitalizing essential rail passenger service through a coordinated program of public and private action.

I think that the expertise represented in these divisions of the Government should be taken deeply into consideration by my colleagues.

I was proud to be an original cosponsor of this legislation and I am proud to be able to speak for it today. It is unquestioned that the demand for increased transportation will continue to expand. Our economically technologically complex society demands further experimentation which this bill provides. We cannot allow ourselves to be strangled in a web of overchoked transportation systems. New mass transit approaches are clearly and unquestionably needed and H.R. 16024 provides one such approach.

Here we are seeking to test public response to new railroad stations with ample parking facilities located at junctions of existing railroads and interstate highways or limited access toll roads. Wherever this occurs, particularly in our increasingly crowded corridors throughout the Nation, we will have gained valuable experience to apply.

You may ask why the Government would assist in construction of these stations "without acquiring any property interests therein." This language permits the Government to go onto private property to build the platform and tunnels for these test facilities and then withdraw from the maintenance and operation after the demonstration without undue legal complications. The stations then would survive or fail on their own economic merits. Should the States, local jurisdictions, or the railroads continue to operate them, it will be done under their joint responsibility and without further Federal participation.

This appears to me to be a worthwhile and viable proposition. As the demand for new modes of transportation spiral, Mr. Speaker, we must keep pace with the needs by providing new and imaginative solutions. The good which this legislation will do both in the Northeast and in the rest of the country makes it deserve the support of all my colleagues, even though the delay in initiating the high-speed rail program has been disappointing.

Mr. STAGGERS. Mr. Speaker, I move to strike the requisite number of words.

A few moments ago I tried to explain to the distinguished gentleman from Missouri [Mr. HALL], as to why this money was provided in the bill. The gentleman who just spoke has offered his amendment in good faith. But I would like to say to him that the railroads have put up $45 million in this experiment and, beyond that, the railroads will operate, maintain, and accept liability for the station facilities located on its land, and we must have safe stations in order to complete this experiment. The State of Maryland is putting up over $500,000 to help with that situation. The State of New Jersey is putting up over $1 million. Many people are cooperating in this experiment, and I believe the amendment should not be adopted.

Mr. FRIEDEL. Mr. Speaker, will the gentleman yield?

Mr. STAGGERS. I yield to the gentleman from Maryland.

Mr. FRIEDEL. Mr. Speaker, I rise in opposition to the amendment. This amendment was considered in the full committee and it was overwhelmingly defeated. The bill as it is now written came from the subcommittee by unanimous vote.

Mr. Speaker, I would like to quote from a letter addressed to me from the Assistant Secretary of Transportation, John L. Sweeny, dated June 18, 1968:

> Because of the need to test traveler response to suburban stations with adequate parking built adjacent to major highways in large metropolitan areas, we have proposed, in conjunction with Prince Georges County, Maryland, the State of Maryland, and the State of New Jersey, that suburban stations be constructed and operated as a part of the demonstration project. These would be located on the main line of the Penn-Central Railroad near the Capital Beltway at Lanham, Maryland, and near the Garden State Parkway, at Woodbridge, New Jersey. Under the proposal, the County and the States would contribute land, access roads, parking facilities and maintenance thereof. The Federal Government would pay for the construction of simple wooden platforms, shelters, pedestrian tunnels and certain trackage adjustments on land owned by the Railroad. The Railroad would operate, maintain, and accept liability for the station facilities on its land. It is necessary that title to these facilities ultimately vest in the railroad.
>
> The fixed Government share would be about $622,000 for the station work and about $1,085,000 for the trackage work. New Jersey would contribute about $736,000 for construction work on the station and a parking lot and would provide the Woodbridge land at a cost of several hundreds of thousands of dollars. (The exact value will be determined in a *condemnation proceeding.*) Prince George's County would contribute about $200,000 in construction of a parking lot, and Maryland would provide land at Lanham with an estimated value of $320,000.
>
> The Government's fixed share would be in addition to the $10,424,000 already obligated for the New York-Washington demonstration. The Penn-Central's share, in the form of operation and maintenance expense, would be in addition to the $45,000,000 it has publicly stated it has obligated for the demonstration.

The SPEAKER pro tempore (Mr. ALBERT). The question is on the amendment offered by the gentleman from New York [Mr. OTTINGER].

The amendment was rejected.

Mr. GUDE. Mr. Speaker, the gentleman from Maryland [Mr. MACHEN] and I, along with the gentlemen from Virginia [Mr. SCOTT and Mr. BROYHILL], have a great concern and have worked together to alleviate some of the transportation problems in the metropolitan area.

I shall insert in the RECORD at this point a statement which Mr. MACHEN and I are making in regard to this specific legislation affecting metropolitan Washington's transportation networks:

> We are pleased to support H.R. 16024 to extend the High Speed Ground Transportation Act today. There is a provision in this bill which will be of untold benefit in developing accessibility of these facilities to the suburban populations which we believe will use them.
>
> This legislation provides for financial assistance in cooperation with State and county government for a suburban station on the Capital Beltway in Lanham, Md. This will be an experimental park and ride facility with a large degree of State and county financial participation. This station is an integral part of the Northeast Corridor Project and is designed to gauge whether the public will respond to greatly improved passenger rail service. With such a facility in operation, we believe that the riding public will respond in large numbers.
>
> There is a great deal to be said for the convenience of the Lanham station. Located on the Capital Beltway, it is within easy reach of all of Suburban Maryland and Virginia. There will be ample parking available to preclude that problem.
>
> The total estimated cost of the Lanham station project is $1,680,000, which includes State and County financial participation of about $628,000. The bill before us today allows the government to participate for two years during the research and developmental phase of the project and then to withdraw. At that time, the station will stand on its own economic merits.
>
> We strongly support this legislation and we urge our colleagues to support it.

Mr. MACHEN and I are in full support of this legislation. In addition I would like to say as far as my own support is concerned, that I have not hesitated in the past to be critical of the Secretary of Transportation in regard to certain projects. The delay that we have suffered in transportation, planning, and execution in the metropolitan area of Washington, has certainly slowed the social and economic health and growth in certain sections.

For example, the failure of the Secretary to approve the Three Sisters Bridge project, an important expressway facility which would specifically speed access to Dulles Airport, built with the taxpayers' money, has in part resulted in the underuse of Dulles Airport.

On the other hand the high-speed transportation facility created under this legislation would be well served by a supporting transportation network such as the beltway at the Lanham station. This facility would be of great service to my constituents in Montgomery, Howard, and Anne Arundel Counties.

I believe that as this facility is developed, in addition to the other benefits which will be gained from the experience of operating such a model system, it will somewhat reduce the congestion at National Airport and minimize jet noise in our metropolitan areas.

I urge the approval of this very important legislation.

Mr. BURKE of Massachusetts. Mr. Speaker, I rise in support of this legislation relating to high-speed transportation. The bill as reported would extend for 2 years the authority of the Secretary of Transportation to undertake research and development and to conduct demonstrations in high-speed ground transportation.

The condition of the northeast corner of the United States as it relates to the dire need of improved railroad transportation was never more apparent. The mid-Atlantic Seacoast States are presently inadequately served and the need for high-speed trains from Boston to New York to Washington is growing every day.

This study should result in the establishment of railroad service that should cut the traveltime from Boston to Washington from 9 hours to 4 hours. This will make travel much more attractive and certainly will result in increased revenue for our railroads. It is long overdue. I support H.R. 16024.

Mr. PICKLE. Mr. Speaker, I rise in support of the high-speed ground transportation project and its extension for the next 2 years.

Being a member of the Subcommittee on Transportation I was privileged to participate in the hearings and indeed to chair a portion of the hearings. I was convinced at the end of the subcommittee meeting that this project should be continued to its fulfillment and that the Congress should continue to look for other ways for improvement in this general area.

It is a fact that passenger train service has been getting less and less throughout the recent years. This trend is bound to continue unless we can either improve the present facilities so that the public will use them or find new ways for intercity travel, particularly in metropolitan areas. I am not completely satisfied with the program in the northeast corridor project, but I guess we have to accept some of these delays and disappointments as a part of any demonstration project. We have made it plain to the Department of Transportation that priorities ought to be given to this project, and that it must not be considered a secondary interest. When this project was authorized in 1965, I was one of those who raised questions about the overall worthiness of trying to save passenger transportation. However, I do realize that we must find some way to move people in mass transportation endeavors here in the northeast corridor, and in other metropolitan areas.

Statistics have proven that the cheapest form of interurban travel is by rail. It is more economical and could be the quickest means of moving large bodies of people between cities. Our highways are clogged now, and our air corridors are literally bursting. We simply must find a better means of moving large bodies of people between big cities, particularly in the Northeast.

I am convinced that we are making worthwhile progress on this demonstration project and I want to see it completed. At the same time, the real hope in the field of mass transportation perhaps lies in new and innovating experiences which must take place. This bill provides demonstration sites and in this area I am hopeful that our scientists working with the Department of Transportation can find a better answer to our transportation needs.

I certainly oppose the effort to strike out the amendment that would eliminate this experiment and demonstration sites, for that would have literally destroyed the best hope we have for a proper solution. Somewhere, somehow in America we must find a way to move people quickly in large groups between our big cities. It is absolutely imperative that we do it. If we can send a man to the moon, surely we can find a way to move people efficiently and effectively between large cities here on earth. This has to be done, and I hope this project will help us to find the answer.

Mr. GIAIMO. Mr. Speaker, I rise in support of the high-speed ground transportation extension. In my estimation, this is one of the most important bills which we have passed on so far in this session of Congress.

Drastic improvements in ground transportation are necessary to the future of the northeast corridor. Our highways are becoming more clogged, and automobiles are strangling our cities. Rail passenger service, both long and short haul, has become increasingly unprofitable for railroads and unattractive to the traveling public.

The high-speed ground transportation demonstration presently in its final steps in the northeast corridor offers hope, Mr. Speaker, because with fast, comfortable, efficient high-speed ground transportation, many who have long abandoned rail service will be attracted back. Those who, because of the inconvenience presently attached to rail travel would drive from Boston to New York or New York to Washington, will, I am confident, return to the train. Equally important, Mr. Speaker, is the fact that the technological advances rising out of this demonstration project will benefit not only long-haul passenger transportation but also commuter and intracity transportation.

Mr. Speaker, the Nation's railroads were once a fine and efficient means of passenger transportation. It is my belief that through passage of the high-speed ground transportation extension, they can be again.

Mr. DONOHUE. Mr. Speaker, I think it is, as they say, crystal clear to anybody that there is an essential need in this country today of high-speed ground transportation facilities.

This bill, H.R. 16024, is in response to what I believe the great majority of our people need and desire; that is the availability of high-speed ground transportation at the earliest possible moment.

Undoubtedly we are faced with a high urgency of developing better methods and facilities to handle the increasing travel movements of more and more people. The expanded building of more and more highways and airways just does not seem to be the answer.

According to the most respected authorities the answer can very well be provided by further reasonable transportation research into such new areas as tract air cushion vehicles and perhaps large-scale linear electric motor and other technical projections.

There is a desperate need for new high-speed ground transportation facilities in my own home area and, of course, there is an even greater urgency to move toward the earliest accomplishment of high-speed ground transportation from Boston to New York to Washington.

The only sensible way in which these objectives can be met, in the light of the expert testimony given here and the committee's recommendations, is through further research and testing and development by the Department of Transportation.

This bill will permit the Department of Transportation to continue these activities over the next 2 years. The amounts being authorized under all the circumstances, certainly must be considered prudent; the objectives are unquestionably in the national interest. Therefore, I hope that the House will resoundingly approve this measure without extended delay.

The SPEAKER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER. The question is on passage of the bill.

The bill was passed.

The title was amended so as to read: "A bill to extend for 2 years the act of September 30, 1965, relating to high-speed ground transportation, and for other purposes."

A motion to reconsider was laid on the table.

WATERSHED PROTECTION AND FLOOD PREVENTION ACT—COMMUNICATION FROM THE CHAIRMAN OF THE COMMITTEE ON AGRICULTURE

The SPEAKER laid before the House the following communication from the chairman of the Committee on Agriculture, which together with the accompanying papers, was read and referred to the Committee on Appropriations:

COMMITTEE ON AGRICULTURE,
Washington, D.C., July 11, 1968.

Hon. JOHN W. MCCORMACK,
House of Representatives,
Washington, D.C.

DEAR MR. SPEAKER: Pursuant to the provisions of section 2 of the Watershed Protection and Flood Prevention Act, as amended, the Committee on Agriculture today considered and unanimously approved the work plans transmitted to you by executive communication and referred to this committee. The work plans involved are:

EXECUTIVE COMMUNICATION 1952,
90TH CONGRESS

Beaverdam, South Carolina.
California Lake, Florida.
Chicot Creek, Arkansas.
Delaney Creek, Indiana.
Los Fresnos Resaca, Texas.
Lower Salt Creek, Kansas.
Midland-Drayton, North Dakota.
Suwanee Creek, Georgia.
Waubonsie Creek, Iowa.

EXECUTIVE COMMUNICATION 2019,
90TH CONGRESS

Buttonwillow Water Management Project, California.
Darrs Creek, Texas.
Georgetown Creek, Idaho.
Head of Little Tennessee River, (Supplement), North Carolina and Georgia.
Hurley Creek, South Dakota.
Willow Creek, Wisconsin.

Yours sincerely,

W. R. POAGE,
Chairman.

LEGISLATIVE PROGRAM FOR WEEK OF JULY 22

Mr. ARENDS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. ARENDS. Mr. Speaker, I take this time for the purpose of asking the majority leader if he will kindly advise us of the short program for next week.

Mr. ALBERT. Mr. Speaker, will the gentleman yield?

Mr. ARENDS. I yield to the distinguished and able majority leader.

Mr. ALBERT. Mr. Speaker, in response to the able acting minority leader's inquiry, the program for next week is as follows:

Monday is Consent Calendar day.

There are 25 suspensions, which I will not undertake to read, but I will ask unanimous consent that they may be inserted in the RECORD. They will appear on the Whip Notice.

The suspensions are as follows:

H.R. 18366, Vocational Educational Amendments of 1968;

S. 3710, Public Works authorizations, 1968;

S. 2515, to authorize Redwood National Park, Calif.;

H.R. 163, prohibitions against foreign-built vessels;

H.R. 9362, authorizing the Mountain Park reclamation project, Oklahoma;

H.R. 18065, to amend the Foreign Service Buildings Act, 1926;

S. 1418, changes in passport laws;

H.R. 5117, to authorize the Palmetto Bend reclamation project, Texas;

H.R. 4865, National Trails System Act;

Senate Joint Resolution 172, extending the duration of copyright protection in certain cases;

H.R. 17752, extension of dairy indemnity payments authority;

H.R. 12698, amendment to part I of the Federal Power Act;

H.R. 7696, to authorize over-the-counter margin regulations by the Federal Reserve Board;

H.R. 18203, to increase the size of the board of directors of Gallaudet College;

S. 660, consent of Congress to a Great Lakes Basin Compact;

S. 6, to authorize Oahe Unit, James Division, Missouri River Basin project, South Dakota;

H.R. 18260, National Scenic Rivers Act of 1968;

S. 752, to amend Interstate Commerce Act with respect to cooperative associations;

House Joint Resolution 946, to authorize an investigation of the operation of institutional investors;

H.R. 11026, to authorize a conservation program on military reservations;

H.R. 17144, to establish a Commission on Hunger;

H.R. 18340, to provide for the continuation of authority to develop American-flag carriers;

H.R. 18254, to amend the Merchant Marine Act, 1920;

S. 510, disclosure of corporate equity ownership of securities;

S. 3143, regulation of futures trading in frozen concentrated orange juice.

Tuesday is Private Calendar day.

For Tuesday and the balance of the week, we will have:

H.R. 15263, the Foreign Assistance Act of 1968, with an open rule and 3 hours of debate, waiving points of order against the committee amendment;

H.R. 17735, State Firearms Control Assistance Act of 1968, with an open rule and 3 hours of debate;

H.R. 15067, Higher Education Amendments of 1968, with an open rule and 2 hours of debate;

H.R. 15198, employer contributions for joint industry promotion with an open rule and 1 hour of debate;

H.R. 16903, Foreign Service Annuities Adjustment Act of 1968 with an open rule and 1 hour of debate;

H.R. 15890, additional positions in certain executive agencies, with an open rule and 1 hour of debate;

H.R. 12843, to provide for a National Eye Institute, with an open rule and 1 hour of debate;

H.R. 11618, to prevent the importation of endangered species of fish or wildlife, with an open rule and 1 hour debate, and making in order the committee substitutes for purpose of amendment; and H.R. 15757, the Health Manpower Act of 1968, with an open rule and 1 hour of debate.

Mr. Speaker, as Members can see, we have a very long program for next week. To get through a part of these bills, should any of them drag at all, it is indispensable that we meet on next Saturday. I think it likely that we will be meeting on Saturday most of the time for the rest of this month.

We will, of course, take all of the bills we have programed if we reach them, but we cannot anticipate how much debate there might be on some bills which are scheduled, and how much time they will take.

Mr. ARENDS. Mr. Speaker, I will ask the majority leader if we will make an attempt to follow the suspension list on Monday, if possible, as listed. Will an effort be made to take the suspensions in order on Monday as listed?

Mr. ALBERT. Mr. Speaker, they may not necessarily be taken in order, but I would say generally they will be taken in the order listed. That is the plan.

Mr. ARENDS. Some of the bills might appear on the Consent Calendar?

Mr. ALBERT. That is correct.

Mr. HALL. Mr. Speaker, will the gentleman yield?

Mr. ARENDS. I yield to the gentleman from Missouri.

Mr. HALL. Mr. Speaker, is it possible there will be any remaining appropriation bills calendared later in the week for next week's consideration?

Mr. ALBERT. If the gentleman will yield, Mr. Speaker, not next week, as of now. I have consulted with the distinguished chairman of the Appropriations Committee, and it is planned to bring the remaining four appropriations bills up the week after next.

That will be, I suppose, most of the business for the week.

Mr. ARENDS. I thank the gentleman.

ADJOURNMENT TO 10 A.M. MONDAY, JULY 15, 1968

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that when the House adjourns today it adjourn to meet at 10 o'clock on Monday next.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

Mr. ARENDS. May I say to the majority leader, he has given us a little hope for August 3, with this program.

Mr. ALBERT. Mr. Speaker, in making my request, may I say to my distinguished friend from Iowa, who more than anyone I know wants to adjourn this House, we are doing our best to process the large number of bills which during the past 2 or 3 weeks have come to us from legislative committees and the Committee on Rules; so I ask unanimous consent that when the House adjourns today it adjourn to meet at 10 o'clock on Monday next. I know I have the support of the gentleman from Iowa. I can see that he is just about to make a speech in favor of my request.

Mr. GROSS. Mr. Speaker, reserving the right to object, we will see about that.

Have we any assurance whatever that we can get out of here by way of sine die adjournment on or about the 1st of August?

Mr. ALBERT. The only assurance I can give the gentleman is that I will endeavor to the best of my ability to do it. That is all the assurance I can give the gentleman. The gentleman knows what the program is.

Mr. GROSS. I do not mind racing a motor by coming in at 10 o'clock on Monday next, or coming in early on any morning, but if we are only engaged in a futile enterprise this is not going to be very pleasant.

Mr. ALBERT. If the gentleman will yield, it certainly is not futile with respect to Monday next, because we have 25 suspensions listed.

Mr. GROSS. I did not anticipate the gentleman thought we could get through with 25 suspensions on any one day, if there is any controversy.

Mr. ARENDS. Mr. Speaker, will the gentleman yield?

Mr. GROSS. I yield.

Mr. ARENDS. Might I say, with the types of motors we have nowadays, I believe we ought to try racing them for 3 or 4 days next week, anyway, to see whether they can take it.

Mr. GROSS. Well, Mr. Speaker, with the importuning being done on all sides, I am willing to help start the experiment.

Mr. Speaker, I withdraw my reservation.

The SPEAKER pro tempore (Mr. GRAY). Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

DISPENSING WITH CALENDAR WEDNESDAY BUSINESS ON WEDNESDAY NEXT

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that business in order under the Calendar Wednesday rule be dispensed with on Wednesday next.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

APPOINTMENT OF CONFEREES ON S. 1166, SAFETY STANDARDS FOR TRANSPORTATION OF NATURAL AND OTHER GAS BY PIPELINE

Mr. STAGGERS. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (S. 1166) to authorize the Secretary of Transportation to prescribe safety standards for the transportation of natural and other gas by pipeline, and for other purposes, with a House amendment thereto, insist on the House amendment, and agree to the conference requested by the Senate thereon.

The SPEAKER. Is there objection to the request of the gentleman from West Virginia? The Chair hears none, and appoints the following conferees: Messrs. STAGGERS, MACDONALD of Massachusetts, KORNEGAY, VAN DEERLIN, SPRINGER, BROYHILL of North Carolina, and HARVEY.

PERSONAL ANNOUNCEMENT

Mr. KORNEGAY. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

Mr. KORNEGAY. Mr. Speaker, on rollcall No. 248, on H.R. 14096, a bill relating to the unlawful use of LSD and other drugs, I was unavoidably detained on business from the House floor. I did not vote on that particular vote.

I should like for the RECORD to show that had I been present and voting I would have voted "yea."

FEDERAL GOVERNMENT AND PRIVATE EMPLOYERS' PARTNERSHIP ACT OF 1968

Mr. BLACKBURN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Georgia?

There was no objection.

Mr. BLACKBURN. Mr. Speaker, today, I have the pleasure of introducing the Federal Government and Private Employers' Partnership Act of 1968. The basic purpose of this measure is to provide training and employment opportunities for those individuals whose lack of skills and education acts as a barrier to their employment at or above the Federal minimum wage. By means of subsidies to employers on a decreasing scale in order to compensate such employers for the risk of hiring the poor and unskilled in their local communities, I hope to decrease the number of hard-core unemployed.

America's unemployment rate is lower than it has ever been in our history. However, businessmen have constantly reported that trained skilled workers are needed and our domestic industries are suffering shortages of these workers. The main thrust of my bill is to provide on-the-job training to unemployed persons who could be productive citizens if they had proper skills.

Early last session, I introduced the Human Investment Act along with many other Members of the House. This measure provides a tax credit to industries that will train hard-core unemployed. I fear, however, that only the larger companies could receive sufficient financial benefits from a tax credit approach to authorize their implementation of the program. The small, service-oriented and ofttimes one- or two-man controlled operation would find small advantage in the tax credit approach. This leaves a large segment of the business community, that is the small business venture, particularly in the service-oriented industry without financial incentive to engage in training programs. I firmly believe that the greatest opportunity for the greatest numbers of trainee-employees lies in this business area and thus I propose this measure.

The large corporations should be involved in job training, however, I would like to point out that there is a need for skilled workers in occupations such as barber shops, automobile repair shops, cobbler shops, plumbing establishments and homebuilding concerns. These are the small individual businesses which cannot utilize the 10-percent tax credit provided in the Human Investment Act.

Recently the Office of Economic Opportunity, in cooperation with the National Alliance of Businessmen, established the JOBS—job opportunities in the business sector—program. This program has some characteristics which are similar to mine, in that it does provide wage subsidies for businessmen who engage in on-the-job-training. While some, including myself, question the legal authority for OEO—which is using some of the broad language under title II of the Economic Opportunity Act—for this venture, yet, those who suggested this program are to be complimented on their innovation and imagination. I personally await keenly to learn the results of this program so that this experience can be fully utilized in implementing the legislation which I now propose today.

I think it appropriate to briefly outline the mechanics of the operation of the proposal which I make today. Under my proposal an employer will be certified by the Administrator of the Wage, Hour and Public Contracts Division of the Department of Labor provided that:

First. He will abide by the minimum wage provision of the Fair Labor Standards Act of 1938;

Second. The employer has not raised his hiring requirements in expectation of or after passage of the act;

Third. Despite reasonable recruitment efforts, no adequate supply of qualified workers is available;

Fourth. There are no strikes, lockouts, or other abnormal labor conditions at the employer's establishment;

Fifth. The employer agrees to afford each certified employee opportunity for continued employment after expiration of the certificate for a period equal to the duration of the certificate. Such employee could still be fired for any reasons which would justify firing a noncertified employee;

Sixth. The employer's on-the-job-training program is one to which admission is based in part, on aptitude tests, and which provides not less than 3 nor more than 12 months of training reasonably calculated to result in the qualification of trainees for suitable employment at or above the minimum wage;

Seventh. The refunds to the employer will not have the effect of depressing the wages, working standards, or opportunities for full employment of existing employees; and

Eighth. To insure that the funds for this program will be directed into small business, the employer in business receiving a refund under this act must not have gross receipts in excess of $500,000 per year.

The refund granted to a certified employer shall be an amount equal to, first, 50 percent of the statutory minimum wages paid to all certified employees for the first half of the employee's certification period; and, second, 25 percent of the wages paid for the second half of the certification period.

No more than 25 percent of an employer's labor force may be certified employees.

This measure contains a provision to authorize the appropriation of $72,000,000 for the fiscal year ending June 30, 1969, and authorization for $144,000,000 for the fiscal year ending June 30, 1970. It is estimated, based upon the Department of Labor's research, that the first year's authorization would provide job training opportunities for approximately 100,000 persons, and the second year authorization will provide job training for 200,000 persons.

My bill provides a system of priorities be established to guide the Administrator in certifying employers.

First. Great weight will be given to early certification of employers in areas containing a high concentration of unemployed and underemployed.

Second. Those employers who have the greatest need for the greatest numbers of those persons have low-job skills, where opportunities for increasing job skills during the course of employment at the greatest rate will be given a high priority.

Third. Those business concerns having gross receipts of less than $250,000 would enjoy a high priority.

The main thrust of my proposal is to encourage the small businessman to take an active hand in helping to retrain America's hard-core unemployed. Small business provides much needed service upon which each individual community depends. I feel that the small businessman's contribution to the war against unemployment could be of the utmost importance.

The effect on the individual is a very important aspect of this legislation. One of the major faults of past programs is that after the individual is trained, there is not any gainful employment available for him. My program insures that a trainee will have employment after he is trained. Further, the trainee is receiving the minimum wage and is able to care for his family. This program helps restore the dignity of the individual.

I would seriously propose, although my legislation does not presently contain appropriate provisions, that trainees under this program have their training supplemented by formal lectures on job attitudes, punctuality, dependability, and the other basic qualities so necessary if any employer-employee relationship is to be long lived.

After the Watts riots of 1965, Los Angeles established a management council for merit employment, training, and research. This council employs a program which is similar to the one that I am proposing today. At the present time, the council is working with approximately 1,267 companies in the Los Angeles area and has reported the placement of 17,903 individuals in full-time employment.

Mr. H. C. McClellan, head of the council, recently stated in a U.S. News & World Report interview:

> This man cannot go back to the traditional school. He is a dropout, so he has to be accommodated in some surroundings that to him appear to offer promise—something he can see that will justify his effort and doesn't require several years.
>
> Such a man needs a subsistence allowance to enable him and his family to live while he is learning.
>
> To motivate this kind of man, he must be able to see that the man who proceeded him in training got a decent job and kept it.

Furthermore, the Watts program has shown that most trainees stayed on the job and progressed at a rapid rate.

I believe that my program will provide the needed employment incentives while helping small businessmen obtain the needed skilled workers.

THE VETERANS' ADMINISTRATION HOSPITAL SYSTEM

Mr. ADAIR. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Indiana?

There was no objection.

Mr. ADAIR. Mr. Speaker, I am disturbed by the contents of a report to the President by the Secretary of Health, Education, and Welfare entitled "Health In America: The Role of the Federal Government in Bringing High Quality Health Care to all the American People."

In this report, Mr. Speaker, the Secretary of Health, Education, and Welfare complains that he "does not have the means to guide or influence actions of other Departments of the Federal Government which draw heavily on national health resources and involve large expenditures." He then cites the Department of Defense and the Veterans' Administration as examples of agencies with hospital systems that are not within his realm of influence.

To correct this situation the report recommends that the Secretary of Health, Education, and Welfare be designated as the President's chief adviser on Federal health policy and programs. It is then proposed that "the President rely on the Secretary of Health, Education, and Welfare to coordinate Federal activities."

Somehow or other, Mr. Speaker, both the President and the Veterans' Administration have managed to struggle along for many years without benefit of the advice, guidance or influence of the Secretary of Health, Education, and Welfare on matters relating to the medical care of veterans. Difficult though it may be to accept, the Veterans' Administration hospital system has survived and even made substantial contributions during these years to the Nation's health through its medical research, improved treatment techniques and its training programs for interns, residents, nurses and technicians.

This proposal could well represent the first step in the disintegration of the splendid independent Veterans' Administration hospital system—a system that provides care and treatment of such superior quality that it has frequently been labeled "second to none."

I have read with interest the exchange of correspondence between the distinguished chairman of the Committee on Veterans' Affairs and the Secretary of Health, Education, and Welfare in which the Secretary disavows any intention of taking over the Veterans' Administration medical system as charged by the chairman. Despite Secretary Cohen's denials, the report speaks for istelf. The storm of protest that the recommendations have elicited from veterans' organizations bespeaks the fear and apprehension of the Nation's veterans for the fate of their hospital system.

National Commander Francis J. Beation of the Disabled American Veterans said:

> We believe Secretary Cohen's proposal, so far as the Department of Medicine and Surgery of the Veterans Administration is concerned, would have far-reaching disastrous results to the veterans' medical care program as we know it today. It would strip the Administrator of Veterans' Affairs of any effective voice in the administration of veterans' medical benefits.

National Commander William E. Galbraith of the American Legion said:

> The American Legion opposed and will continue to oppose those reorganization plans, legislative or administrative, which would take from the Veterans Administration any of its responsibilities of serving veterans or which would cause the Veterans Administration to share this responsibility with any other agency of the Federal Government. We view the Secretary's recommendations as the beginning of the complete absorption by another Federal agency of the Veterans Administration Hospital and Domiciliary System.

Commander in Chief Joseph A. Scerra of the Veterans of Foreign Wars said:

> Our organization has witnessed a long line of attempts to have the Veterans' Administration dismembered and absorbed by other Government agencies. This recommendation is the latest and boldest attempt to accomplish such a purpose. The Veterans of Foreign Wars will be extending its every effort from now on to have this recommendation rejected.

Mr. Speaker, I join with these distinguished Americans and their great organizations in opposing any scheme, plan, order or other device which would destroy or impair the independence of the Veterans' Administration medical system or in any way hamper its continued free and independent existence.

Accordingly, I have today sponsored a resolution expressing the sense of this House of Representatives that the President reject Secretary Cohen's recommendation and preserve the Veterans' Administration hospital system as an independent service under the exclusive direction of the Administrator of Veterans' Affairs. I hope this resolution will receive prompt and favorable consideration so the President, his administration and the Nation's veterans may be clearly informed of our views on this important issue.

THE 1965 PARIS MISSION REPORT REVIEWED

Mr. FINDLEY. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. FINDLEY. Mr. Speaker 3 years ago, in what may have been an unprecedented step for a party organization, the Republican conference of the U.S. House of Representatives sponsored a factfinding mission to Paris to study United States-French relationships and NATO problems.

It consisted of four House Members: Alexander Pirnie, of New York; Hastings Keith, of Massachusetts, and James D. Martin, of Alabama, with myself as chairman.

After a 9-day series of conferences in Paris and on subsequent discussions with former President Eisenhower, the mission presented its report to Secretary of State Rusk and to the House Republican Conference on June 30, 1968. The document, I feel, stands up well in light of intervening events.

It is reasonable to conclude that, had the mission's recommendations been carried out—even partly—our relationship with Western Europe, and especially France, would today be much improved.

Instead France has withdrawn from the NATO military structure, troubles mount in Germany, Italy, Turkey, and Denmark, as well as along NATO's southern flank in the Mediterranean. The survival of the alliance itself is in doubt.

The mission's report makes such timely reading 3 years after it was first issued, and I placed the text at this point in the Record:

Report to the Republican Conference, U.S. House of Representatives, June 30, 1965

(By Republican fact-finding mission on NATO, consisting of Representative Paul Findley, of Illinois, chairman; Representative Alexander Pirnie, of New York; Representative Hastings Keith, of Massachusetts; and Representative James D. Martin, of Alabama)

(Note.—Chronology of the trip to Paris, list of conferences appended to this report.)

Mr. Chairman, our intensive series of conferences in Paris—covering the nine-day period, June 11–20—brought forcibly to our attention the vast changes which have occurred in Western Europe since the North Atlantic Treaty Organization was formed in 1949.

The United States then had the urgent task of organizing the defense of Western Europe against the threat of imminent attack. Our allies were ravaged by war and struggling to rebuild. They looked to the United States for leadership and aid, and we provided both.

Now although the possibility of Soviet attack remains, the situation otherwise is substantially changed. The nations of Europe have rebuilt their economy and are willing and anxious to take a larger responsibility in the alliance.

FUNDAMENTAL BASES OF ALLIANCE HAVE CHANGED

These changes are at the heart of the difficulties in American-European relations. The fundamental bases of the alliance have changed so extensively that a thorough reevaluation of American policy is required.

American difficulties with Europe seem to be concentrated in France. In the United States President de Gaulle is widely believed to be largely a French phenomenon with aspirations that are uniquely French, and some feel his policies do not even enjoy majority support among his countrymen. These beliefs are erroneous.

True, some of de Gaulle's policies are designed specifically to cope with conditions that are uniquely French. One of his overriding purposes is of course to reinvigorate the spirit of the French nation after the political paralysis and searing experiences of the World War II period. In this, he has been eminently successful.

Yet, for all his political skill, brilliance of leadership, vigor and fortitude, de Gaulle alone could hardly have inspired the tremendous industrial, scientific and technological effort that has culminated in the nuclear force-de-frappe. Had he not invoked latent forces that were potent and durable, not only in France but also in the rest of Western Europe, the French effort would not have succeeded.

DE GAULLE RIDES POWERFUL CURRENTS

Ever since the breakup of the American nuclear monopoly, dissatisfaction has been rife throughout all of Western Europe. U. S. military, technological, scientific and economic achievements have caused us to think of European nations as though they were in a secondary position in world affairs. Dissatisfaction by European nations stems from the present NATO structure which forces them to rely under all circumstances upon American strategic capabilities and decisions for the most basic requirements of their national security.

These nations want and of course deserve a larger voice in these vital life-and-death decisions.

Thus de Gaulle is not a lonely anachronism. His policies are not apt to disappear from the world scene when he leaves office.

De Gaulle actually rides powerful currents of opinion which flow throughout all of Western Europe, and the problem posed by his challenge of U. S. policies is only partially to be formulated in exclusively French terms.

Because France is the leader of the "loyal opposition" in the alliance, however, the forces that now threaten the unity of NATO must first be dealt with in the terms in which they are put by de Gaulle. As long as de Gaulle's objections remain unanswered, American policies throughout Western Europe will remain in difficulty.

The foremost problem is to give substance to the ideal of partnership. We must shift the structure of the alliance from the leader-follower basis—which was almost inevitable in 1949—to one of true partnership.

The European nations which the United States must now recognize as ready for true partnership are not those of 1949. The years since the war have witnessed the revival of their economies and, more important, the reinvigoration of their intellectual resources and political aspirations.

These nations want to fulfill their roles both in world politics and in science and technology which they have done so much to advance. This determination enlivens the professional and political careers of the rising generation of European managers and scientists.

Instead of viewing this development as an unfortunate challenge to American political and economic leadership of the free world, the United States should welcome it as one of the most hopeful aspects of the entire postwar period.

At no time in history has the need for scientific and technological cooperation been greater than now, when the Communist world strains its resources to gain advantage over the free world.

Moreover, the assumption by European nations of more responsibility for the consummation of common purposes could do more than anything else on the horizon to lighten the burden American taxpayers now bear.

To accomplish this, the United States should be not only willing but eager to make necessary adjustments in its own policies.

It is in this context that the differences between France and the United States must be faced.

Friendships and alliances, between individuals as between nations, cannot thrive in an atmosphere of irritants and counter-irritants.

FRIENDLY GESTURES NEEDED

Gestures of friendship are not signs of weakness. President Theodore Roosevelt once said, "Magnanimity is more becoming in the strong than in the weak." If this be true, any overtures of friendship in this hour of America's greatest power will be warmly received. Arbitrary positions should be avoided if the

United States is to escape the charge of trying to dominate its friends instead of cooperating with them.

It has taken many years to develop Franco-American friendship, but considering the impact of today's press, radio and television, the goodwill of centuries can be destroyed in a very brief period. Any tendency to procrastinate in the handling of common problems by France and the United States can lead only to deterioration of the climate for successful negotiation.

If it is wise to attempt to ease tensions with the Communist world, is it less so with a friend and ally?

Together France and the United States (and, in fact all of the countries of the Alliance) should press the search for adequate and constructive solutions. The past of neither nation is free of errors. It is in our common interest not to perpetuate these errors but to learn from them.

The conduct of our two nations reflects the national purposes of each, and it is important that differing aspirations be fully and sympathetically considered. When nations agree on a goal but undertake differing ways of reaching it, reconciliation of these divergent approaches should always be possible.

France and the United States have been friends for nearly two centuries. Every French child learns in school that the United States is the one major nation that has never been France's enemy but always its friend. France provided us with crucial aid in our War for Independence. In turn, our success inspired the French Revolution.

France and the United States have fought shoulder to shoulder in two world conflicts in this century. Ties formed of common peril should not be broken by pettiness or neglect.

Absolute agreement on all points is not a requisite of friendship between individuals, nor should it be expected between nations. Honest efforts to search out and understand these points of difference, followed by fair appraisal of their impact, would, in our view, lead to surprising reduction of these areas of disagreement.

EFFORTS MUST BE COORDINATED IN PEACETIME

NATO's real unifying power should not be reserved only for time of war. The zeal to defend falls and the spirit of independence rises naturally enough as a common threat appears to diminish. This can be dangerous—perhaps fatal—because in the Nuclear Age a threat of enormous proportions can be mounted in a very brief time.

If freedom is to survive, the spirit of NATO must be preserved and strengthened.

It is essential that NATO members develop a new level of peacetime coordination of effort. This must take account of changed conditions, accord full stature to each member nation, recognize the national character and needs of each, and yet keep strong the basic purpose of common defense.

NATO has protected the free world for a decade and a half.

The United States supplied the strength to accomplish NATO's mission at a time when it alone could do so. The other members of the alliance, with our help, have restored their economies and their political systems and are now able to share increased responsibility. The NATO charter affords wide latitude to adapt to these changed conditions.

The formula for this sharing must be developed with fairness and objectivity, emphasizing full partnership in technological research and development, procurement and financing, and nuclear decision-making.

The formula can and must be found. This report is intended as a contribution to the search.

THE NEED FOR FULLER PARTNERSHIP

It was logical in 1949 for the United States to play the dominant role in the leadership of the NATO alliance. It is true that we still contribute the largest part of the NATO forces and, in effect, have the "biggest battalions as represented by our nuclear armory. But, the renewed strength (largely in the presence of a French nuclear capability) of our European allies suggests that they are now ready to assume a larger share in the responsibilities of the Alliance.

We welcome this increased capability and we should recognize the contributions our European partners can make and should gladly grant them more responsible roles in the alliance. This then calls for a fuller partnership than has previously existed.

This fuller partnership should involve action at two levels. In the first place, Franco-American relations should be conducted in an atmosphere of greater cordiality. Secondly, United States policies within NATO must be modified to demonstrate more obviously our belief in the interdependency of the partnership. The first must necessarily precede the second, and the specific recommendations which follow are aimed directly at the improvement of the climate between France and the United States. But in the last analysis, the crucial question is the effectiveness of NATO, and it is here that the major American effort must be made.

Probably the most crucial and certainly the most vexing area in which our partnership could be improved is in the matter of nuclear weapons. The United States has had a "special relationship" with Great Britain for some years that is based on British advances in nuclear technology. But at the same time the United States has perhaps discouraged French efforts to achieve a similar nuclear capability. While there are perfectly sound reasons for attempts at the limitation of nuclear proliferation, the United States must now admit that its efforts in this regard were not successful. France has become a nuclear power in its own right without any effective assistance from the United States. It now insists upon being treated as a full-fledged member of the nuclear club.

The time has long passed, it would seem, in which any advantage accrues to the United States from a hostile, suspicious, and critical attitude toward French nuclear capability. However small the *force-de-frappe* may be compared with that of the U.S., it is completely committed to the defense of the free world, and in the spirit of the traditional links between Paris and Washington, the United States should actively seek an understanding that will unite the two capabilities for a common purpose. A denial of the needs of France for industrial support in perfecting its nuclear arm has proven unwise. Failure to cooperate now could further erode the links that tie France to the Atlantic alliance. No task is more urgent than reaching some understanding with France on nuclear matters.

Once Franco-American relations have been improved, the broader problems of alliance structure can be considered. There are a number of explicit aspects of "true partnership" that should be considered in any new United States effort.

TRUE PARTNERSHIP IN TECHNOLOGY

First on the list is science and technology. A way must be found to bring together the vast scientific and technological resources of the entire Atlantic community.

Any United States policy that deprives our nation of the fruits of the work of the many brilliant scientists of Europe is unwise.

Achieving a workable level of partnership is not an easy task. The U.S. Atomic Energy Act interposes a major barrier to NATO scientific cooperation, as do also a formidable network of security restrictions and classifications. But the difficulty of the task in no way reduces its importance, and an attack on the problem should be made at once.

TRUE PARTNERSHIP IN MILITARY PROCUREMENT

Europeans generally question—and many resent—the recent accelerated effort by the United States to market arms and military equipment in Europe. The United States enjoys obvious competitive advantages in this field, and if it were to make a serious sustained effort it might all but monopolize the arms market in Europe.

Although from one point of view this might seem a desirable outcome, it would undoubtedly produce a harvest of concern, consternation, and bitterness in Europe and thus place a very heavy strain on the Alliance.

It defines common sense to employ American strength in a manner which weakens America's allies. The consequences of aggressive merchandising of munitions are not only economic, but also psychological and scientific.

Deprived of the economic opportunity to experiment and develop new principles and new systems, the intellectual resources of a nation which becomes completely dependent upon American military equipment will tend to dry up. Europeans are aware of the scientific revolution and they realize the areas of weapons development are also areas of enormous scientific promise. Exclusion from these fields would strike deep at national pride and self-respect as well as stultify the scientific climate in any country so affected. A frequently expressed French view is that France should build at least one prototype of every new weapon system just for the scientific and technological gain from the effort.

The United States should get to work without delay to develop in coordination with its allies a NATO-wide system of military procurement that will assure the participation of each member on a level commensurate with resources. Implicit in this effort is a balance between, on the one hand, the political and psychological advantage of full participation and, on the other hand, the economic and ideological advantage of a market system that is competitive and therefore efficient.

TRUE PARTNERSHIP IN MAKING DECISIONS AND SHARING COSTS

A basic disagreement within NATO today concerns the European desire to participate more effectively in making decisions especially in the employment of nuclear weapons, both tactical and strategic—and on the other hand, the American wish to have the nations of Europe share, to a much greater extent, in the costs of the elaborate and expensive structure of defense.

True partnership presently exists in neither field. And we must recognize that the attainment of partnership in one is impossible without attaining it in the other as well.

The United States owns—and commands—approximately 96 per cent of the nuclear weapons in the Atlantic community. These provide the principal deterrent against Soviet nuclear capability. The President of the United States alone decides if and when these weapons will be used in combat. The French claim they cannot be expected to trust their security ultimately to the willingness of our President to commit the United States to a nuclear war for the defense of France. This is one of the factors that complicates Franco-American relations.

The U.S. nuclear strategic system is costly, accounting for a substantial part of our billion dollars-a-week outlay for military purposes. In view of the fact that a major portion of American strategic capability is committed to the defense of Europe, what are the chances, Americans ask, of persuading the peoples of Europe to assume a larger share in the cost of this defense?

The answer is simple: there is no chance at all unless the nations of Europe also share in a more meaningful way in the decisions about how these weapons will be made and used. Under present policy, as a matter of fact, it is probable that the United States' proportion of cost would tend to grow even larger in the years ahead.

The choices facing the United States are clear:

1. Continue along present lines, seeking to maintain exclusive control of the main weapons and paying an increasingly large share of the cost of western defense—with a consequent weakening of our alliance bonds.

2. Cut back the level of defense expenditures arbitrarily—and risk the dangers of Soviet dominance—an alternative no one seriously advocates.

3. Work out with our allies a method of sharing both decision-making and costs for at least some of the major weapon systems.

Partnership in decision-making and cost-sharing is an extremely complex concept, and much careful study is required before any formal arrangements can be reached. But one idea seems to emerge in every proposal so far advanced—some version of a "directorate."

Whether such a "directorate" should consist of the nuclear powers alone as President de Gaulle insists, or whether it should also include the major non-nuclear states of NATO as well (or, indeed, whether the smaller members should also participate) are matters that cannot be quickly decided.

But it seems beyond doubt that a fuller partnership in decisions and costs is the only viable alternative to a number of unpleasant costly and possibly dangerous consequences for the United States and its allies.

CONCLUSIONS

Based on our fact-finding study, we feel these measures would be helpful:

UNILATERAL ACTIONS THE UNITED STATES COULD TAKE

We suggest the following unilateral actions be undertaken by the United States in order to alleviate some of the most pressing difficulties of the Atlantic Alliance:

1. Recognize the fact that France is a nuclear power, whether we like it or not. Nuclear proliferation of course carries grave danger, but the time for arguing whether this is good or bad in the case of France is long past.

In time, the true partnership in technology and weapons control (which this NATO mission advocates) should diminish the desire for separate national nuclear forces. Meanwhile, the United States should immediately re-examine its policy on technological and scientific cooperation. We should take full advantage of any discretionary provisions of our Atomic Energy Act, and if need be amend it, to the end that the nuclear capabilities of France and the United States may be fully coordinated.

2. *Clarify our policy with respect to employment of nuclear weapons* in the defense of Europe, with the intent of removing all doubt and uneasiness as to our response in the event of an attack on western Europe. The concern of Europeans is two-fold: they want to make sure our policy provides adequate protection; at the same time they do not wish to be engulfed in a nuclear war needlessly. Several U.S. pronouncements have been made on this subject, but some have been ambiguous and contradictory.

The matter is too important to be left unclear. We should reaffirm our determination to participate fully in the joint defense of Europe, and at the same time declare our desire to work out a means for more fully sharing decision-making with our allies.

3. *Propose the establishment of a Diplomatic Standing Group,* with each nation represented. It would aid the NATO Council in political matters in much the same way the Military Standing Group now aids the Council in military affairs. It would stay in continous session, serving as an information and discussion center for day-by-day review of world-wide policies and developments. Its purpose would be to promote the greatest possible understanding and unity on matters involving areas beyond the military scope of NATO. The Standard Group would give recognition to the French proposal of 1958 which called for a three-nation "directorate" to coordinate global Western policies, and to Secretary McNamara's suggestion of a "select committee" of four or five nations to provide greater allied participation in NATO planning.

4. *Demonstrate our continuing friendship for France*. The most impressive demonstration would be a trip to Europe by the President of the United States for the single purpose of visiting the French President. The recent call on President de Gaulle by the U.S. Vice-President was a helpful gesture, but a person-to-person discussion between heads of state has no adequate substitute. The Presidents of France and the United States have not had such consultation with each other for five eventful years.

FIRST STEP TOWARD TRUE PARTNERSHIP

As the first step in progressing from the present leader-follower basis in the Atlantic Alliance to one of fuller partnership, we suggest a top-level planning conference consisting of a select few highly-qualified and distinguished representatives from each of NATO's 15 member nations.

This group would be charged with developing at the earliest possible date a detailed plan for the establishment of a fuller partnership among NATO nations in (a) technological research and development, (b) military procurement, (c) financing of defense, and (d) strategic decision-making. They would be free to use their own best judgment in formulating details.

Upon completion of deliberations, the plan would then be referred to the individual nations for full discussion and appropriate policy decision.

THE ATLANTIC REQUIRES IMMEDIATE ATTENTION

The Atlantic is neglected. It must have immediate attention.

The North Atlantic Treaty Organization—the free world's most essential institution—is in troubled waters. New currents run strong and deep. They already influence the course of our own Ship of State, and they grow in power. Because they run deep they cause scarcely a white-cap on the surface and consequently go largely unnoticed.

They have no high and crashing breakers like those which presently monopolize official attention in Vietnam and in the far Pacific area, but they are nonetheless formidable.

Neglected, these powerful new currents could multiply the perils which lies ahead. Recognized and accommodated, they could make our course—and the course of all who cherish freedom—safer, easier and more certain.

THE CASE OF DR. SPOCK

Mr. ROGERS of Florida. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. ROGERS of Florida. Mr. Speaker, I read with some alarm an editorial in the Washington Post this morning on the case of Dr. Spock.

For more than a year now the Selective Service System of the United States has come under heavy harassment from all sides, the public, the press, and the Congress. And indeed no defender of the Selective Service System, even in the hottest of debate, would go so far as to say it was perfect.

The pressure brought to bear came from a continuing splatter of publicity given to demonstrations by draft card burners, anarchists, and admitted Communists. Then somewhere in the middle of this highly publicized crush to end conscription—or to at least allow some protesters to choose the war they felt like fighting in—marched Dr. Spock and some "super intellectuals."

We presume that Dr. Spock felt his cause was true, although I feel many were burning cards and demonstrating because they had taken allegiance as their cause the disruption of our Government because of political motives. But the fact is that they knowingly broke the law of the land. And, accordingly, they faced the penalty for breaking the law. The basic concept of this civil disobedience is that the person who violates the law recognizes that he should be willing to face the consequences for his action.

But the Post this morning says that because Dr. Spock is a noted pediatrician, he should not have been sentenced to 2 years. This is "unnecessarily severe," according to the Post editorial. The sentence which Dr. Spock received, however, was barely half of the maximum 5 years and $10,000 fine which the law provides for. In taking this stand, that Dr. Spock should have received less punishment, the Post has taken the exact same line of thinking that it opposed on the issue of the draft—that some, because of station or notority, should be granted special treatment from the law. Only then it was the college students who were supposedly given special treatment from the law.

So now it appears that the Post would have the courts lighten penalties for noted pediatricians, Yale chaplains, and college teachers because of their station.

The editorial says 2-year sentences will tend to make martyrs of these people. This is the same fuzzy thinking that promotes the theory that jailing looters and arsonists and murderers will make martyrs of them.

But I think that editorials such as appeared in the Post this morning have as their end the promotion of martyrs.

The courts have found these men guilty. I think the sentence is lenient.

The Post has, in its editorial, laid out one of the great problems of our society today—that some think they can break the law a little or a lot and be immune from the law because they believe they are above the law.

Dr. Spock is not the only one who has exhibited this philosophy. Others use the same argument and call it "justified" murder. Others say sacking of stores comes under the heading while others preach anarchy and say that they are reforming the Government.

Some days the Post wonders editorially why we continue to see increases in crime and disrespect for the law.

I think the Post should reflect on editorials such as it ran today. Indeed, this idea of promoting light sentences for violators of the law is the permissiveness which has contributed to these attacks on the legal framework of the Nation.

THE EFFECTS OF HIGH INTEREST RATES

The SPEAKER. Under previous order of the House, the gentleman from Texas [Mr. PATMAN], is recognized for 30 minutes.

Mr. PATMAN. Mr. Speaker, my attention has been called to a statement that was evidently made on Tuesday and which appeared in the New York Times on Wednesday. Under the rules of the House, of course, we do not mention the names of the Members of the other body, but I will state that the statement was made by a distinguished Member of the U.S. Senate from the State of New York. I have always considerd the gentleman a great American, and I have agreed with him a lot, but in this case he is so clearly wrong that I want to invite the attention of the Members to the statement that was made.

This gentleman says that he holds Johnson to blame for cutbacks in summer work. He had a lot to say here about how bad it was that Mr. Johnson, the President of the United States, had caused these cutbacks in summer jobs.

Now, Mr. Speaker, No. 1, to the best of my recollection, the Congress passed a law requiring the cutbacks to be made at least to the extent of $6 billion, and the Congress refused to take the responsibility itself and required the President of the United States to make the reductions or the cutbacks. It is rather ironical that any Member who voted for that $6 billion cutback with the requirement that the President do it and refusing to allow the Congress to take the responsibility for it, which it should, should now blame the President of the United States for those cutbacks.

No. 2, the reason there were cutbacks was because money had been channeled and priority had been given to other costs of the Government.

First of all let me say that in the last few years we have had terrific increases in interest rates. Commencing about 14 years ago these interest rates have gone up, up, and up every year until it has practically stopped our program for the building of homes and providing shelter for the people of this Nation. The high interest rates have done more to stop the building of homes and more to stop places of residence and habitation for the people being constructed than any other one thing. If the interest rates had not been raised, we would be paying $8 billion a year less this year than we are paying in interest on the national debt alone. That $8 billion should not have been paid. It was not necessary to pay it unless there was a deliberate policy of increasing interest rates. That policy was deliberate and was caused by those who want to increase interest rates.

Now, you never hear anyone criticizing, or at least very few members do, the great increase in interest rates. During the last 14 years interest rate increases on all debts, both public and private, have been on the average of $14 billion a year or over $200 billion in all. That means that the Government over a period of 14 years preceding that time kept interest rates at a low and moderate rate. We had the worst inflationary period or at least threat of inflation that any country on earth ever suffered from. We had depressions, wars, and as much as a quarter of a billion dollars a day being exploded on the battlefield in the form of ammunition. We had everything that was possible to put our country in a bad economic condition, and we had everything to make it a highly inflationary condition which has existed during those 14 years.

Notwithstanding that, we kept interest rates low; that is, between 1939 and to the beginning of 1953 we kept interest rates low. Since they could be kept low during that terrible period in our history, if the same people had been in charge who wanted to keep interest rates low in the next 14 years, they could have done the same thing, because we did not have the threats and the challenges during the latter 14 years that we had during the first.

But, Mr. Speaker, interest rates began deliberately to increase. In 1953 they commenced going up, and then just during the last few years—in fact since 1953—they have gone up to such a high rate that we are paying this extra $8 billion a year interest on the national debt that should not have been required to be paid and would not have been required if we had had the same management of our national debt as we had during the previous 14 years.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. PATMAN. Permit me to finish my general statement, and then I shall be glad to yield to the gentleman and intend to do so.

The question I am referring to is this. We have two political parties in this country. I am a great believer in the two-party system. I think it is very fine for people to have a choice of a major party, and we have that choice. It is my further opinion that the people in this campaign between now and November should decide who is the most responsible for these high interest rates. Is it the Democratic Party or is it the Republican Party? Then they should pass judgment upon how to vote as to who is responsible for these terrific costs in interest rates which have greatly increased our national debt.

Mr. Speaker, a large part of the taxes we pay are paid for the purpose of paying interest on interest—interest on interest. It is becoming a great burden.

So, Mr. Speaker, I think the people will probably demand an explanation of this, and in doing so they will have an opportunity to say who was responsible, the Democrats or the Republicans.

Now, Mr. Speaker, I cannot say that the Democrats are entirely blameless. I do not insist upon that. I feel as if we could have done more, but we did not. And the Republicans have something charged to them in this respect, that commenced in 1953. There was a deliberate effort made, and a successful one, to commence higher interest rates. There was a great demand from certain industries of the country that they wanted higher interest rates, and those rates were put into effect by the other party during the years from 1953 to 1961. And being placed into effect at the same time the Federal Reserve was told that the Federal Reserve did not have to respect the executive branch of the Government or the legislative branch; that the Federal Reserve was entirely independent and they could do what they wanted to do. By reason of that the Federal Reserve took that power from the executive at that time and considered it as being all right. They commenced to assume independence that they had never assumed before.

They did not have the power to be independent. The Federal Reserve Act did not give them independence. The Federal Reserve Act nor any amendment to the Federal Reserve law has ever said anything to the effect that the Federal Reserve is independent from the Government. It is not. In fact, everything was said that they must work with the Government; that they must carry out in cooperation with other agencies of the Government the programs of the Government of the United States. But they began to exercise independence on their own.

They began to be arrogant. They began to refuse to do anything the Congress did if they did not want to do it.

Certainly that has brought us to this terrible plight, by starting and establishing these high interest rates and placing the Democrats in a position that they could not get the Federal Reserve to carry out their functions in the way that the law provides, and have lower interest rates.

In fact, when the Federal Reserve had a confrontation with President Johnson, and Mr. Johnson pleaded with the members of the Federal Reserve, "Do not increase interest rates now; we do not need to increase them now," notwithstanding that, we learned later that the Board, before seeing the President, had already voted, 2 days before, to increase interest rates on December 5, 1965—how much? Four percent? Ten Percent? No, 37.5 percent, at one time—37.5 percent, on December 5, 1965.

That was a terrible blow. But that was the first assertion of what they considered their independence by reason of what the Executive, during the period of 1953 to 1961, had told them that they were independent, and they were insisting that they were. And for that reason the Democrats, although we could have done more, I believe—although I believe we could have—but we were hindered and prevented and stopped by reason of that belief on the part of the Federal Reserve that they were independent from the rest of the Government.

It is a terrible thing for them to do. But they were led to believe it.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. PATMAN. I will now yield to the gentleman from Iowa.

Mr. GROSS. Mr. Speaker, I thank the gentleman for yielding.

This horrible act was committed, the gentleman says, in 1965. Who was the President at that time, and who controlled the Congress by an overwhelming majority? What political party?

The gentleman has been free, extraordinarily free to accuse the Republicans.

Mr. PATMAN. Yes, I have.

Mr. GROSS. Who was President in 1965, and who had overwhelming control of the Congress?

Mr. PATMAN. The gentleman from Iowa has asked a question, and I will answer it. Mr. Johnson, the Democrat President.

But the Federal Reserve, by reason of the action of a preceding President, had defied the President of the United States. That is what I am talking about.

The Republicans established these high interest rates, got them started, and put the Federal Reserve in a position to where they were encouraged to defy the Democrat President when he came in and asked for lower interest rates, or to keep interest rates low. But they went ahead in defiance of the President of the United States and increased interest rates 37.5 percent at one time.

Mr. GROSS. Mr. Speaker, will the gentleman yield further?

Mr. PATMAN. Not at this moment.

That caused a terrible situation in 1966, the tight money period, that caused it. And we have been suffering from it ever since—tight money, high interest rates.

The Republican Party has always been a high interest rate party. I have never known the Republicans——

Mr. GROSS. Mr. Speaker, will the gentleman yield further?

Mr. PATMAN. Not at this moment.

I have never seen the Republicans stand up and fight high interest rates. I would like to see some statements from the Republican Members to the effect that they were against this high interest policy of the Federal Reserve during the time that they were in power 8 years, and also since that time.

Mr. HALLECK. Mr. Speaker, will the gentleman yield?

Mr. PATMAN. I yield to the gentleman from Indiana.

Mr. HALLECK. I thank the gentleman for yielding.

Mr. Speaker, I have been listening to the gentleman from Texas—for whom I have the highest regard—and, of course, when the gentleman says that the Republican administration destroyed the Federal Reserve Board, I know that, of course, he has never liked the Federal Reserve. I have always understood that.

But I would like to remind the gentleman that he came here a little before I did. I have been here for 34 years. Now for how many of those years did we, Republicans, have control of the Congress? Four years. Now you controlled the Congress for the 30 years of the 34 years that I have been here.

Mr. PATMAN. Well, there is a question on that.

Mr. HALLECK. Wait a minute, you have tried to put the monkey on the back of the time which was Eisenhower's time, from 1953 to 1961. But you have been in absolute control of this Government since that time. For you to blame us—we Republicans—for the high interest rates sounds to me, may I say with all humility and as the gentleman's good friend, just a little phoney.

Mr. PATMAN. Well, let us see if it is phoney. I know that you would like to make it that way—but it is not phoney. You see you started this high interest rate policy during those 8 years and led them to believe that the Federal Reserve was independent.

Mr. HALLECK. Will the gentleman let me ask one further question? Will he yield?

Mr. PATMAN. Not at this moment, if the gentleman will wait.

You led the Federal Reserve to believe that they were independent. You know the President of the United States said at that time when he was asked a question about the Federal Reserve—he said:

> The federal reserve is independent—they go their own way.

In other words, he told them to go ahead.

Now the law does not say that. But the President at that time admitted that he did not know much about economic affairs—that he did not know much about monetary affairs. But he said the Federal Reserve is running that. That gave them the encouragement to become arrogant and defy the President of the United States, which they did.

Now I want to comment on the 4 years that you mentioned. That is true and that is one thing that is against the Republicans this year—they have not had the experience to run this country. They do not have the men who have had the positions of leadership, to run this country, who are available.

The gentleman from Indiana is one of the most experienced men you had in the leadership. However, you have good leaders on the minority side now, really fine leaders. But now remember that for 4 years from the time of Eisenhower—you have been in control really, just like the gentleman from Indiana said, only 4 years really. You were in control for 2 years under Mr. Hoover. When I came here in 1928 Mr. Hoover came here and then in those 2 years you had a very slim majority, but you just did have control of the country under Mr. Hoover for those 2 years.

Then in the first election after that, you were overwhelmingly defeated and the Democrats were in power then and Mr. Garner, a Democrat, was made Speaker of the House. So you did not have power any more until President Eisenhower came in in 1953, and then for 2 years only—2 years—that you had a majority in the House and in the Senate and you had control of the country.

You have only had control as leaders for 4 years—2 under Mr. Hoover and 2 years under Mr. Eisenhower. You have not had sufficient experience to run the country.

Mr. HALLECK. Mr. Speaker, will the gentleman yield?

Mr. PATMAN. I yield to the gentleman.

Mr. HALLECK. If you want a breakdown of the 80th Congress, you were not in the majority—we were. But I was majority leader. We had a Democratic President.

Mr. PATMAN. I know that but the Democrats had control of the Presidency—the executive branch.

Mr. HALLECK. That is right. But so far as the Congress is concerned, we were in control of the Congress.

Mr. PATMAN. Just the Congress—just the Congress.

Mr. HALLECK. That is right.

Mr. PATMAN. The Republicans were only in control of the Congress, but you have to have the President and the Congress on your side.

Mr. HALLECK. If the gentleman will just let me make my point—you people have been running the show here and you come along and cry about high interest rates.

If they are too high, the responsibility is right at your doorstep and you have no reason at all and no sound basis for contending that the Federal Reserve Board was poisoned somehow by a great President.

May I say something so far as President Eisenhower is concerned.

Mr. PATMAN. The Federal Reserve Board was poisoned——

Mr. HALLECK. If the gentleman will let me finish my statement——

Mr. PATMAN. We have to have a dialog.

Mr. HALLECK. I just wish we had.

Mr. PATMAN. We had it demonstrated—there is no question about that.

Mr. JACOBS. Mr. Speaker, will the gentleman yield?

Mr. PATMAN. I yield to the gentleman.

Mr. JACOBS. I have asked the gentleman from Texas to yield to me to propound a question to my esteemed colleague, the gentleman from Indiana.

Is it true that my colleague, the gentleman from Indiana, ever said he was the minority leader and the leader of the majority?

Mr. HALLECK. As a matter of fact, I did not say that. But a few people did say that.

I think the country was better off for it when we were in the majority.

Mr. JACOBS. I want to ask the gentleman then, in other words, we were not in the majority then, were we?

Mr. HALLECK. No. We were in the majority. Let me ask you this question: What were the interest rates in 1960 as compared to right now?

Mr. PATMAN. As compared to right now, they are higher now.

Mr. HALLECK. Of course, and you folks have been running the show.

Mr. PATMAN. No, the Federal Reserve has been running the show. The New York banks really run the show—you see, the Federal Reserve is the tool of the New York banks.

Mr. HALLECK. The gentleman's views have now come completely out in the light.

Mr. PATMAN. The New York banks are running the show, but the Federal Reserve must be a party to it, and they are running it as the New York banks want it run, and they are doing it because your President told them they were independent of the Government.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. PATMAN. I yield to the gentleman from Iowa.

Mr. GROSS. What is wrong with your President, if you want to put it on that basis—What is wrong with your Texas President that he has not sent legislation up here, and the Democrat Congress has not passed on it, to do something about this horrible Federal Reserve?

Mr. PATMAN. I say that we are not blameless. We have some responsibility. We have not done what I think we should have done. But the responsibility is not as great as on the part of those who established the highest interest rates in all history and given us this terrible thing to happen to us and put us in the position of where we are powerless to get the Federal Reserve to do anything. For 14 years we had a Federal Reserve Board that worked with Presidents Franklin D. Roosevelt and Harry Truman and kept interest rates low, and that helped everybody. That was during the worst time in the history of this Nation. If you could keep interest rates low during that 14 years, you certainly could have kept them low during the other 14 years. That is the cause of all our troubles—high interest rates.

Today we have over here in the New York Federal Reserve Bank $50 billion in bonds that the Government has paid for once. Now we are going to have to pay for them again. We are paying $2 billion a year interest on them. I think it is a dishonest thing myself. But somehow or other, when you mention monetary affairs and interest rates, people do not want to defy the commercial banks. The commercial banks have too much power. They have a 105-year-old lobby in this country. They have been learning something every year. They know all the tricks of the trade. When things come up they know how to try to influence Congress, and oftentimes they succeed. Sometimes I think Members of Congress have been misled. At least I feel that way.

Of course, I do not criticize the vote of any Member of Congress. I never have. That is their prerogative. They can do what they want to, to vote as they desire. But at the same time that powerful lobby is around here, and you cannot and easily defeat them. They have too much power.

Now, then, if that $50 billion were canceled as it should be, because we have paid it once, our debt would be $50 billion less, and the taxpayers would be saved $2 billion a year. It is just that simple. Nobody can deny what I say. Nobody can deny it. No Member of Congress can deny it. It is the truth. It is there. Every Member of Congress should be concerned about it.

I do not criticize those who are not, because they have their right to place priorities upon their time, their actions and their efforts. If they want to reckon it some other way, I cannot criticize them for doing so. But I wish the Members of Congress would study the matter. They do not have to study it much, because it is so plain and simple.

As an example, suppose the gentleman from Iowa were to buy a home upon which there is a mortgage of $10,000 and he tells his real estate man, "Now, you sold this home to me. You are my realtor. I want you to find out who owns that mortgage of $10,000 on this home I bought, and I want to pay them off in cash. If the one who holds the mortgage would just as soon have the cash, I would like to pay it off."

The realtor makes some effort and finds out who owns the mortgage. He comes to the gentleman from Iowa and says, "Your $10,000 mortgage you can now buy by paying a certain amount of interest—say $900—$10,900 on your mortgage. You can get your mortgage paid by paying that amount."

Suppose the gentleman from Iowa gives the realtor a check for $10,900. Your realtor takes that check, cashes it, and delivers the money to the man who has the mortgage. He gets in return the mortgage, but instead of giving it to the gentleman from Iowa and putting it on the records of the county to show that it has been paid, the realtor holds it and it is not due for 20 years.

The next time the interest is due he comes to the gentleman from Iowa and says, "I want my interest. When the mortgage comes due you have to pay the mortgage."

That is exactly what the Federal Reserve is doing through the New York Federal Reserve Bank. They are taking our money from the Bureau of Engraving and Printing, printed money, which is also an obligation of the U.S. Government, just the same as the bonds, the only difference being that the bonds provide interest. Some people want to trade their bonds for currency, for money. That is what they have done. They have $52 billion of those bonds acquired that way, using our money to pay our debt, and, of course, they are our fiscal agents. They claim to be trustees to look after our best interests. But I do not consider that looking after the best interests of the Government. If anyone has a different view, I would like to hear that view. I do not see how anyone can justify the conduct of a fiscal agent or a trustee like that.

So I can say that the interest rate should be the main issue in this campaign in 1968. People should find out who is the most to blame and who is responsible for these exorbitant, these excessive, these usurious interest rates that have absolutely brought our country to the brink of ruin. When they do that, they should vote accordingly. That is what I am asking to be done.

Mr. Speaker, I yield back the remainder of my time.

NAVY COMMUNICATIONS "FOULUP" CAUSED U.S.S. "LIBERTY'S" PRESENCE OFF SINAI COAST

The SPEAKER pro tempore (Mr. MATSUNAGA). Under previous order of the House, the gentleman from New York [Mr. HALPERN] is recognized for 5 minutes.

Mr. HALPERN. Mr. Speaker, I was shocked to learn that a Navy communications "foulup" led to the presence of the U.S.S. *Liberty* off the Sinai coast in June 1967, where it was mistaken for an Egyptian vessel and attacked by Israel torpedo boats and planes.

I refer to testimony published by the House Defense Appropriations Subcommittee given at hearings in April and May on the Defense Department's 1969 budget. The published text was released only Tuesday, and revealed a series of blunders and misroutings of messages. The *Liberty* never received a message to withdraw from the Sinai war zone. The *Liberty*, a communications ship, was attacked repeatedly by Israeli planes on June 8, 1967, at the peak of the 6-day war. Thirty-four Americans were killed and 75 were wounded. Israel expressed regret at the time and said it was "prepared to make amends for the tragic loss of life and material damage," which is subsequently did. The United States claimed that the ship was 13.6 nautical miles off Sinai when the attack occurred.

According to the testimony, the order to the *Liberty* to move out of Sinai waters was first "misrouted by personnel in the Army communications center at the Pentagon to the Naval communications center in the Philippines. There a second personnel error misrouted the message to the National Security Agency at Fort Meade, Md., where it was filed." It was never delivered to the *Liberty*.

Lt. Gen. R. P. Klocko, director of the U.S. Defense Communications Agency, admitted that because of personnel failures, "the message was sent to the Pacific instead of the Atlantic." Additional errors were also revealed. According to published testimony, the "routing clerk aboard the flagship U.S.S. *Little Rock*—flagship of the U.S. fleet in the Mediterranean—failed to detect (that) the *Liberty* was monitoring the fleet broadcast from the naval communications station at Asmara, Ethiopia" and as a result another message was misrouted to the naval communications center in Morocco.

It is significant to note that a distinguished member of the committee, the gentleman from Arizona [Mr. RHODES] asked General Klocko why a message was not sent directly to the ship to move its position "100 miles from the shore" instead of going "through all this rigamarole to move that ship." Here we are with the most sophisticated communications system ever known to mankind and maybe it is so sophisticated that we do not know how to use it.

ARE PRESIDENTIAL ELECTORS "FREE AGENTS"?

The **SPEAKER** pro tempore. Under previous order of the House, the gentleman from New York [Mr. GOODELL] is recognized for 30 minutes.

Mr. GOODELL. Mr. Speaker, there is growing concern over the marked similarity between the Wallace "covenant" and "coalition" plans for the 1968 presidential election and the 1960 so-called Harris scheme which attempted to arrange a "bargained" electoral college.

Fortunately, the 1960 Harris scheme failed. Unfortunately, the question today is: Does a "bargained" electoral college seem even remotely possible in 1968?

The answer to this question is elusive. We do not know with any certainty what the popular vote will be in November; nor do we know how the electoral college will vote on December 16. What we do know, however, is that the various laws and legal precedents regarding presidential electors leave some doubt as to the responsibility of such electors to reflect the will of the people. Just what is the relationship of presidential electors to the popular vote? Is the presidential elector obligated to reflect the popular vote when he casts his ballot? What I am raising here is the key issue about presidential electors: are they or are they not "free agents"?

I would like to review relevant laws and legal precedents, and also to provide a commentary on the structure and function of the electoral college as these matters relate to whether presidential electors are "free agents." This review will focus on:

Constitutional provisions relating to presidential elections;

Electoral college and Founding Fathers intentions;

Federal laws relating to presidential elections;

State laws relating to nomination and election of presidential electors; and

State court and U.S. Supreme Court opinions on the issue of presidential electors as "free agents" or "responsive and responsible agents."

I. CONSTITUTIONAL PROVISIONS RELATING TO PRESIDENTIAL ELECTIONS

The U.S. Constitution establishes the electoral college. In addition, the Constitution makes a clear distinction between the authority of the States and that of the Federal Government regarding the electoral college. Article II, section 1, provides that:

> Each State shall appoint, in such Manner as the Legislature thereof may direct, a Number of Electors, equal to the whole Number of Senators and Representatives to which the State may be entitled in the Congress: but no Senator or Representative, or Person holding an Office of Trust or Profit under the United States, shall be appointed an Elector.
>
> The Congress may determine the Time of choosing the Electors, and the Day on which they shall give their votes; which Day shall be the same throughout the United States.

Amendment XII—ratified September 25, 1804—provides that: contingency plans will go into effect in the event that no presidential candidate receives the required majority of the electoral college vote; and that no vice-presidential candidate receives the required majority of electoral college vote. In such an event, the House of Representatives would elect the President; and the Senate would elect the Vice President.

II. ELECTORAL COLLEGE AND FOUNDING FATHERS INTENTIONS

We know that the structure of the electoral college is in keeping with the principle of "representative" government, the foundation principle of our form of government. Federalist Paper No. 68, written on March 14, 1788, provides additional insight on the intent of our constitutional framers regarding the functioning of the electoral college. I should like to point out at least four areas of present-day concern on which Federalist Paper No. 68 comments—underscoring and clarification are supplied:

First, regarding the election of the U.S. President and Vice President:

> Nothing was more to be desired that every practicable obstacle should be opposed to cabal, intrigue, and corruption . . . . But the convention have guarded against all danger of this sort, with the most provident and judicious attention. They have not made the appointment of the President to depend on any pre-existing bodies of men, who might be tampered with beforehand to prostitute their votes; but they have referred it in the first instance to an immediate act of the people of America, to be exerted in the choice of persons [Electors] for the temporary and sole purpose of making the appointment.

Second, regarding an assumption made relative to the opportunity for corruption:

> The business of corruption, when it is to embrace so considerable a number of men [Electors] requires time as well as means. Nor would it be found easy suddenly to embark them, dispersed as they would be over thirteen (13) States, in any combinations founded upon motives, which though they could not properly be denominated corrupt, might yet be of a nature to mislead them from their duty.

Third, regarding the point that the President of the United States not be subjected to "forced compromise" in seeking the Office of the President of the United States:

> Another and no less important desideratum was, that the Executive should be independent for his continuance in office on all but the people themselves. He might otherwise be tempted to sacrifice his duty to his complaisance for those whose favor was necessary to the duration of his official consequence. This advantage will also be secured, by making his re-election to depend on a special body of representatives [Electors], deputed by the society for the single purpose of making the important choice.

Fourth, regarding the "loophole" of electors as "free agents":

> The people of each State shall choose a number of persons as electors, equal to the number of senators and representatives of such State in the National government, who shall assemble within the State, *and vote for some fit person as President.*

Today, in reviewing these concerns of our Founding Fathers regarding the election of President and the responsibility of presidential electors, several points are clear:

First, that any possibility for corruption in the election of President must be opposed;

Second, that the President should not have been subjected to a "forced compromise" in seeking office;

Third, that the assumption made by the framers regarding the opportunity for corruption in the electoral college is no longer valid. Clearly, our Founding Fathers did not anticipate the technological revolution which makes rapid transit and instant communication commonplace in 1968. Indeed, as the 1961 Irwin testimony indicates, within a matter of weeks, presidential electors throughout the Nation were notified of the Harris scheme and were continuously informed of latest developments should they be persuaded to participate in the scheme.

Fourth, that the germ of "free agents" is implied in the words: that the electors "shall assemble within the State, and vote for some fit person as President." There is a conflict between the proposition that presidential electors are "free agents" and the proposition that presidential electors must be "responsive and responsible agents" to the will of the people. This conflict reflects a dangerous chasm in our present laws.

III. FEDERAL LAWS RELATING TO PRESIDENTIAL ELECTIONS

The United States Code, 1964 edition, as amended includes the following:

Paragraph 1 provides that the electors shall be appointed in each State on the Tuesday next after the first Monday in November, in every fourth year succeeding every Presidential election;

Paragraph 7 provides that presidential electors of each State shall meet and give their votes on the first Monday after the second Wednesday in December following the November general elections;

Paragraph 15 provides that the official counting of electoral ballots shall take place in the U.S. House of Representatives on the sixth day of January succeeding every meeting of the electors.

In accordance with these laws, then, the 1968 presidential election will involve: the general election on November 5 in which registered voters will cast their vote for a presidential and vice-presidential candidate as well as presidential electors; the electoral college vote on December 16; and the official count of the electoral college vote in the House of Representatives on January 6, 1969.

IV. STATE LAWS RELATING TO NOMINATION AND ELECTION OF PRESIDENTIAL ELECTORS

The following tables were compiled under the direction of the Secretary of the Senate and were published in January 1968:

THE NOMINATION AND ELECTION OF PRESIDENTIAL ELECTORS

NOMINATION AND ELECTION OF PRESIDENTIAL ELECTORS, MAJOR PARTIES—STATE LAW

This table is an outline of the laws of each State as they pertain to the method of nominating electors, their actual or implied pledges to support presidential candidates in the electoral college, a description of the appearance of their names on the general election ballots, and any special instructions to such electors contained in the law.

I. NOMINATION

State	In primary			By State committee of political party	By State party convention
	Nominated	Pledged in nomination papers	Unpledged		
Alabama (Code 1940, recompiled 1958, title 17, §§ 65-66, 145, 155, 336, 337)	X[1]			X	
Alaska (Stat. 1964, §§ 15.30.020, 15.30.040)					X[10]
Arizona (Rev. Stat. 1956, § 16-301 to § 16-305, as amended, 16-502, 16-503, 16-844, as amended, 16-845)	X	X[12]			
Arkansas (Stat. Anno. (1942), 1967 Supp. § 330)					X
California (Election Code, 1967 Supp., §§ 8604, 9103)					X
Colorado (Rev. Stat. 1963, §§ 49-5-7, 49-6-1 (2))					X
Connecticut (Gen. Stat. 1967, § 9-175)					X
Delaware (Code, 1953, title 15, § 3301, 1966 Supp., § 3302)					X
District of Columbia (D.C. Code (1961), 1966 Supp., §§ 1-1108 (d), (e), (g))				X[3]	
Florida (Stat. Anno. (1960), 1967 Supp., § 103.021; § 103.011)				X[2,3]	
Georgia (Code Anno., 1962, and 1967 Supp., § 34-1001(c)(i))				X	
Hawaii (Rev. Laws (1955), and 1965 Supp., §§ 11-95, 11-95.5)					X
Idaho (Code (1947), 1967 Supp., § 34-612B)					X
Illinois (Smith-Hurd, Ill. Stat. (1965), 1966 Supp., ch. 46, § 7-9(b))					X
Indiana (Burns Stat. (1949), 1967 Supp., § 29-3703)					X
Iowa (Code 1950, 1966 Supp., §§ 43.107, 43.109)					X
Kansas (Gen. Stat. Anno., 1965 §§ 25-301, 25-302)					X
Kentucky (KRS., 118.090)					X[4]
Louisiana (Rev. Stat. (1952) and 1966 Supp., title 18, §§ 18:621 18:622 to 18:624)	(5)	(5)	(5)	(5)	(6)
Maine (Rev. Stat., 1965, ch. 21-401c)					X
Maryland (Anno. Code, 1967, art. 33, § 12-2)					X
Massachusetts (Gen. Laws Anno. (West, 1958), 1966 Supp., ch. 53, § 8)					X
Michigan (Comp. Laws, 1965, §§ 168.42, 168.59)					X
Minnesota (Stat. Anno., 1962, § 208.03)					X
Mississippi (Code (1942), 1966 Supp., § 3107.12)	(11)	(11)	(11)		(11)
Missouri (Vernon's Anno. Mo. Stats., 1966, § 120.840)					X
Montana (Rev Code, 1967 replacement, § 23-1009)					X
Nebraska (Rev. Stat. 1943, reissued 1960, § 32-556)					X
Nevada (Rev. Stat., §§ 298.020, 293.163)					X
New Hampshire (Rev. Stat. Anno., 1955, § 56.62)					X
New Jersey (Stat. Anno., 1964, §§ 19:13-2, 19:13-15, 19:13-17)					X
New Mexico (Stat. Anno., 1953, §§ 3-10-1 to 3-10-5)					X
New York (Election Laws (McKinney's) 1964, § 131(1))				X	
North Carolina (Gen. Stat., Laws 1967, ch. 775, § 163-1(c))					X
North Dakota (Century Code 1960, § 16-05-02, 1967 Supp., §§ 16-05-03, 16-17-17, 16-17-18)					X
Ohio (Rev. Code, Page's 1960, § 3513, 11)					X
Oklahoma (Rev. Stat., 1955, 1967 Supp., title 26, §§ 519 to 522)					X[3,7]
Oregon (Rev. Stat., § 248.355)					X[3]
Pennsylvania (Stat. Anno., Purdon's 1963, title 25, §§ 2878, 2913)		(8)	(8)	(8)	
Rhode Island (Gen Laws (1956), 1966 Supp., § 17-12-13)					X
South Carolina (Code (1962), § 23-261)				X	
South Dakota (Code 1939 and 1960 Supp., § 16.0240)					X
Tennessee (Code Anno. (1955), §§ 2-401 to 2-403; 1966 Supp., § 2-1205)				X[9] or	X[9]
Texas (Election Code, 1967, art. 11.01a)					X
Utah (Code Anno., 1953, 1967 Supp., § 20-4-3)					X
Vermont (Stat. Anno., 1958, title 17, § 721)					X
Virginia (Code, 1964, §§ 24-290.1, 24-361)					X
Washington (Rev. Code, § 29.42.010)					X
West Virginia (Code Anno., 1966, 1967 Supp., § 3-5-21)					X
Wisconsin (Stat. Anno., West's, 1967, § 8.18)					X
Wyoming (Stat. 1957, Supp., 1965, § 22-118.8)					X

---

[1] No statutory requirement for primary. Party organization decides method. [Law permits unpledged electors.]

[2] Governor shall nominate electors upon recommendation of State executive committee, and shall nominate only persons who have taken an oath to vote for their party's presidential candidate.

[3] Pledged.

[4] Electors are chosen at convention or primary, according to party rules.

[5] Candidates for presidential electors to support candidate for President nominated by national party convention but not endorsed by State central committee of party may be nominated by petition signed by 1,000 qualified voters.

[6] Manner of nominating electors is discretionary with State committee of political party.

[7] Every person nominated as a presidential elector by the convention of a political party must file an oath to support such party's candidates for President and Vice President.

[8] Electors are nominated by the nominee of each political party for President.

[9] By party organization.

[10] Every person nominated as presidential elector by party convention shall pledge that as an elector he will vote for the candidates nominated by the party of which he is a candidate.

[11] Slates of pledged and unpledged electors are designated by State party convention for selection by voters at primary. Only 1 slate may be elected at primary to represent party on general election ballot.

[12] Pledge is party requirement.

II. ELECTION

State	Names on general election ballot			Special instructions to electors
	Presidential candidates only[1]	Presidential candidates and electors[1]	Electors only	
Alabama (Code, recompiled, 1958, title 17, §§ 155, 226, 330, 337).			X	
Alaska (Stat., 1964, §§ 15, 15.030(7); 15.30.050; 15.30.080).	X[2]			At the electoral college, the electors shall "cast their votes for the candidates for the office of President and Vice President of the party which selected them as candidates for electors."
Arizona (Rev. Stat., 1956, §§ 16-301 to 16-305, as amended; §§ 16-502, 16-503; § 16-844, as amended; § 16-845).		X[2]		
Arkansas (Stat. Anno. (1947), 1967 Supp., § 330).	X[2]			
California (Election Code, 1967 Supp., 8604, 9103, 9601; § 25105).	X[2]			The electors, when convened, if both candidates are alive, shall vote for those persons for President and Vice President who are the candidates of the political party which they represent, one of whom at least is not an inhabitant of this State.
Colorado (Rev. Stat. 1963, §§ 49-11-7(3), 49-20-5).	X[2]			"Each elector of President and Vice President shall be required to vote for the pair of Presidential and Vice Presidential candidates who received the highest number of votes at the preceding general election in Colorado."
Connecticut (Gen. Stat., 1967, §§ 9-175, 9-176).	X[2]			"Each such elector shall cast his ballots for the candidates under whose names he ran on the official election ballot * * *."
Delaware (Code, 1953, title 15, §§ 4303, 5704, 5706; 1966 Supp., § 4502).	X[2]			
District of Columbia (D.C. Code (1961), 1966 Supp., §§ 1-1108(g), 1-1110(a)(2)).	X[2]			"Each person elected as an elector * * * shall, in the presence of the Board (of Elections), take an oath or solemnly affirm that he will vote for the candidates of the party he has been nominated to represent, and it shall be his duty to vote in such manner in the electoral college."
Florida (Stat. Anno., 1960, §§ 101.15(3), 103.011, 104.011; 1967 Supp. § 103.021.	X[2]			"* * * but the names of the actual candidates for President and Vice President for whom the electors will vote if elected, are printed on the ballot * * *" failure to so vote may impose liability for a felony.
Georgia (Code Anno., 1962, §§ 34-1103(d), 34-1208(a), 34-1602).	X[2]			
Hawaii (Rev. Laws 1955, 1965 Supp., §§ 11-39.5, 11-40, 11-221).	X[2]			"The electors, when convened, if both candidates are alive, shall vote by ballot for that person for President and that person for Vice President * * * who are the candidates of the political party which they represent, one of whom, at least, is not an inhabitant of this State."
Idaho (Code, 1947, § 34-1503, 1967 Supp., § 34-904).		X		Presidential electors shall be bound to vote for the party candidate for President whose name appears at the head of the party ticket.
Illinois (Smith-Hurd Ill. Stat., 1965, 1966 Supp., ch. 46, §§ 21-1 (a), (b), 21-4; § 7-9 (b), (c), as amended, laws 1967, act 501).	X[2]			
Indiana (Burns Stat., 1949, §§ 29-3902 to 29-3907; 1967 Supp., § 29-3703).	X[2]			
Iowa (Code, 1950, §§ 49.32, 54.2, 54.7, 54.8; 1967 Supp., § 43-109).	X[2]			
Kansas (Stat. Anno., 1965, §§ 25-603(a), 25-802).		X[2]		
Kentucky (KRS, §§ 118.170, 120.020)	X[2]			
Louisiana (Rev. Stat. 1950, § 18: 1383; 1966 Supp., §§ 18: 621 to 18: 624, 18: 671.)		X[4,5]	(4)	
Maine (Rev. Stat., 1965, ch. 21, §§ 702 (D)(1), 1181 to 1184).	X[2]			
Maryland (Anno. Code, 1967, art. 33, §§ 20-2, 20-4).	X[2]			"(They) shall cast their votes for the candidates who have received a plurality of the votes cast in the State of Maryland."
Massachusetts (Gen. Laws Anno. (West, 1958) ch. 54 §§ 43 78 148, 1966 Supp., § 43A).	X[2]			Candidates for electors are nominated to vote for their party's candidates for President and Vice President.

II. ELECTION—Continued

State	Names on general election ballot			Special instructions to electors
	Presidential candidates only[1]	Presidential candidates and electors[1]	Electors only	
Michigan (Comp. Laws, 1965, §§ 168.706, 168.42, 168.45, 168.47).	X[2][6]			
Minnesota (Stat. Anno. 1962, §§ 208.04 to 208.08).	X[3]			
Mississippi (Code 1942, § 3300; 1966 Supp., §§ 3107-14 3260 3316-39, 3107-15).			X[7][18]	
Missouri (Vernon's Anno. Mo. Stat., 1966, §§ 111.420, 128.130)	X[3]			
Montana (Rev. Code 1967 replacement, §§ 23-1112, 23-2101 to 23-2111).		X[2]		
Nebraska (Rev. Stat. 1940, reissued 1960, §§ 32-428 32-546 to 32-549, 32-4.101, 32-4.104).	X[2]			
Nevada (Rev. Stat. §§ 298.020 to 298.080).	X[3]			"The presidential electors shall vote only for the nominees for President and Vice President of the party that prevailed in this State in the preceding general election."
New Hampshire (Rev. Stat. Anno., 1955, §§ 59:3, 59:7, 65:5 to 65:9).	X[2][8]			
New Jersey (Stat. Anno., 1964, §§ 19: 14-8-1, 19: 36-1 to 19: 36-3).	X[2][9]			
New Mexico (Stat. Anno., 1953, §§ 3-10-1 to 3-10-5; 1967 supp., § 3-10-1.1).	X[3]			"All presidential electors must cast their ballots in the electoral college for the candidates of the party which said electors represent. Any presidential elector who casts his ballot in violation of the (foregoing) provisions * * * shall be deemed to be guilty of a misdemeanor."
New York (Election Law (McKinney's), 1964, §§ 81, 102, 107, 116, 211, 241, 259, 261, 290, 292, 293).	X[2][10]	X[2]		List of nominations published shall not contain names of presidential electors but such candidates shall be described as a specified number of presidential electors nominated to support the party candidates, naming them, for the office of President and Vice President.
North Carolina (Gen. Stat., Laws, 1967, ch. 775, §§ 163-140, 163-209, 163-210).	X[3]			
North Dakota (Century Code, 1960, §§ 16-11-06, 16-16-04; 1967 Supp., § 16-11-05).		X		
Ohio (Rev. Code (Pages) 1960, §§ 3505.10, 3505.39, 3513.11).	X[2]			Ohio's electors are pledged, by the respective parties, to vote for the candidates for President and Vice President of the party that elects them.
Oklahoma (Rev. Stat., 1955, title 26, §§ 512, 513; 1967 Supp., §§ 519 to 522).		X[2]		"Any person elected as presidential elector * * * after taking and filing the oath or affirmation prescribed * * * who violates said oath or affirmation by either failing to cast his ballot * * *" for his party's candidates for President and Vice President, "or by casting his ballot for any other person shall be guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine of not more than $1,000."
Oregon (Rev. Stat., §§ 248.355, 248.370, 250.110, 250.140).	X[2]			"Each candidate for presidential elector so selected shall sign a pledge, that if elected, he will vote in the electoral college for the candidates of his party for President and Vice President."
Pennsylvania (Stat. Anno., Purdon's, 1963, title 25, §§ 3063, 3166, 3191 to 3194; 1966 Supp., § 2963).	X[2][11]	(11)	(11)	
Rhode Island (Gen. Laws (1956), 1966 Supp., §§ 17-4-10 to 17-4-12, 17-12-13, 17-19-3(d)).	X[12][13]	X[14]		
South Carolina (Code, 1962, §§ 23-558 to 23-560, 23-458, 23-474, 1966 Supp., §§ 23-400.11, 23-400.12(5)).		X[15]	(15)	
South Dakota (Code, 1939, and 1960 Supp., §§ 16.0240, 16.1105, 16 1203, 16.1602, 16.1603).		X[16]		
Tennessee (Code Anno., 1955, §§ 2-403, 2-413; 1966 Supp., § 2-1210).		X[2]		"* * * the words at the head of the group of electors * * * reveal the name of the candidates for President and Vice President * * * whom such group of electors is pledged to support."
Texas (Election Code, 1967, arts. 6.05, 11.01a, 11.02, 11.03, 11.05, 13.58).	X[2]			
Utah (Code Anno. 1953, 1967 Supp., §§ 20-7-5, 20-9-2, 20-9-3).	X[2]			
Vermont (Stat. Anno., 1958, title 17, §§ 794, 1043, 1754, 1756).		X[17]		
Virginia (Code, 1964, §§ 24-9, 24-290.4 to 24-290.6).		X[2][12][13]		There shall be printed on the ballot underneath the party name in parentheses the words "Electors for * * * President * * * for Vice President" with blanks filled in with names of candidates for President and Vice President "for whom said candidates for electors are expected to vote in the electoral college * * *." "The electors selected by the State conventions * * * shall be expected to vote in the electoral college for the nominees of any national convention to which the said State convention elects delegates unless said candidates for electors shall be instructed by a State convention at least 60 days before the * * * election * * * that they are expected to vote for other persons * * *."
Washington (Rev. Code, § 29.71.020 to § 29.71.050).	X[2]			
West Virginia (Code Anno., 1966 §§ 3-1-14, 3-6-2; 1967 Supp., § 3-5-21).	X[2]			
Wisconsin (Stat. Anno., (West's) 1962; §§ 5.03, 5.64, 7.75, 8.25).	X[2]			
Wyoming (Stat. Anno., 1957, §§ 22-301, 22-303, 22-304).		X		

---

[1] Presidential and vice presidential candidates.

[2] A vote for candidates for President and Vice President shall be counted as a vote for the candidates for Presidential electors of such Presidential candidate's party.

[3] Discretionary with Secretary of State. He may place presidential candidate's name on ballot in lieu of names of electors.

[4] There may be several slates of candidates and electors; 1 endorsed by State central committee, 1 to support national candidate if not endorsed by State central committee.

[5] Unless presidential candidates nominated by petition by party members requests that his name be omitted.

[6] Office title, however, reads "Elector of President and Vice President of the United States."

[7] May be pledged or unpledged.

[8] Office title, however, reads "Electors of President and Vice President of the United States."

[9] Office title reads "Presidential electors for."

[10] Where voting machines or short ballots are authorized.

[11] Office title on ballot is "Presidential electors."

[12] However, means must be furnished whereby the voter can cast a vote in part for the candidates for presidential electors of one party, and in part for those of one or more other parties or in part or in whole for persons not nominated by any party.

[13] In voting machine.

[14] Law provides that names of the Presidential electors selected at party State convention shall be placed on ballot labels for the forthcoming election (§ 17-12-13), but voting machine may also be provided with one device for each party for voting for all Presidential electors of that party by one operation, and a ballot therefor containing only the words "Presidential electors for" preceded by the name of the party and followed by the names of the candidates thereof for the offices of President and Vice President. * * * (§ 17-19-3(d)).

[15] Names of presidential candidates may be printed above names of electors if so requested in certification or petition.

[16] A voter is not required to vote a party ticket.

[17] The names of the candidates for President and Vice President may be added to the party designation on the ballot, which must show the names of the electors of the party.

[18] Slates of pledged and unpledged electors are designated by State party convention for selection by voters at primary. Only 1 slate may be elected at primary to represent party on general election ballot.

Now let us turn to the substance of the data in the above tables. The following points stand out: As of January 1968, there are 35 States and the District of Columbia which do not print the names of electors on the ballot in the general election in November; only the names of the presidential and vice-presidential candidates appear.

There are two States, Alabama and Mississippi, which permit the election of a slate of unpledged electors if they are nominated in the party primaries.

There are 17 States and the District of Columbia which provide "special instructions to electors." These laws pledge those electors to cast the electoral vote for their party's candidates for President and Vice President; one of these States, Virginia, may be considered to have provisions for "contingently bound" presidental electors inasmuch as the pledge adds "unless said candidates for electors shall be instructed by a State convention at least 60 days before the election that they are expected to vote for other persons."

Of these 17 States, Maryland law states that the electors "shall cast their votes for the candidates who have received a plurality of the votes cast in the State" and Colorado law states that the electors shall vote for the presidential and vice-presidential candidates "who received the highest number of votes at the preceding general election."

The 17 States are: Alaska, California, Colorado, Connecticut, Florida, Hawaii, Idaho, Maryland, Massachusetts, Nevada, New Mexico, New York, Ohio, Oklahoma, Oregon, Tennessee, Virginia; and the District of Columbia.

There are three States which impose a penalty on the electors for an infraction of their pledge:

Florida: elector may be liable for a felony;

New Mexico: elector shall be guilty of

Oklahoma: elector shall be punished by a fine of not more than $1,000.

V. STATE AND U.S. SUPREME COURT OPINIONS RELATING TO PRESIDENTIAL ELECTORS

The following court cases are presented to shed some light on the responsibility of presidential electors to reflect the will of the people. The underlying issue of the cases is: Are presidential electors "free agents"?

The opinions of the Justices are presented in outline form in order to show the points made in judicial reasoning. The argument for "free agents" is made in the Alabama Supreme Court opinion. For the full text of the opinion, see: Alabama Supreme Court, Opinion of the Justices No. 87, 250 Ala. 399, 34 So. 2d 598 (1948). The argument for "pledged agents" is made in the U.S. Supreme Court case, *Ray* v. *Blair*, 343 U.S. 214 (1952).

The argument for "free agents" according to the Alabama Supreme Court follows:

Supreme Court of Alabama: Opinion of the Justices No. 87 (April 1, 1948):

In this opinion, the Justices *invalidate* Alabama Act No. 386 which stated that presidential electors:

". . . shall cast their ballots for the nominee of the national convention of the party by which they were elected." [i.e., "pledged"]

The reasoning in this opinion was based on the following points:

(1) The language of the Federal Constitution shows that it was the intent of the framers that the electors would "exercise their judgment and discretion . . . in determining the individuals for whom they would cast the electoral votes of the states."

(2) History supports this interpretation: *Federalist Papers*, Vol. II, p. 35 etc.

(3) States have jurisdiction over "manner", but *not the actions of electors* (". . . the action of the electors in casting their votes by ballot is governed by the Federal Constitution.").

(4) The *practice of pledged electors* is in effect a *personal* decision; this is not any statutory mandate.

(5) The presidential elector is a "constitutional officer."

(6) Presidential electors are not elected by any political party but are elected by the people as a whole.

The argument for "pledged agents" in the U.S. Supreme Court follows:

U.S. Supreme Court: *Ray* vs. *Blair*, decided April 3, 1952; opinions filed April 15, 1952 (Vote: 5–2: Reed wrote opinion of majority; Jackson and Douglas concurred in dissent; Black took no part; Frankfurter took no part due to illness).

SUMMARY POINT ON PLEDGED ELECTORS

Pledged electors are constitutional, but "such promises of candidates for the electoral college are legally unenforceable because violative of an assumed constitutional freedom of the elector under the Constitution."

In this case, the Supreme Court *reversed* an Alabama Supreme Court decision which in effect declared the pledging of electors (by the State Democratic Executive Committee) unconstitutional.

The reasoning of the U.S. Supreme Court upholding the constitutionality of the pledged elector was based on the following points:

(1) According to Alabama law: Ala. Code, 1940, Tit. 17 P347: the state executive committee of a party shall have the right, power and authority to prescribe qualifications for *voters* in *primary elections*, or to be *candidates* therein;

(a) It was under the authority of P347 that the State Democratic Executive Committee of Alabama adopted a resolution on January 26, 1952 requiring *candidates* in its primary to pledge support to nominees of Democratic National Convention.

(2) *Issue*: whether a state may permit a party to require party regularity from its primary candidates for national electors?

(a) "The applicable constitutional provisions on their face furnish no definite answer to the query. . . ."

(b) Presidential electors exercise a federal function in balloting . . . but they are *not federal officers* any more than the state elector who votes for congressman. They act by authority of the State that in turn receives its authority from the Federal Constitution;

(3) *Answer: Neither the language of Art II § 1 or the Twelfth Amendment forbids a party to require a pledge.*

(a) In answer to the argument of Alabama Supreme Court that a pledge is "interference with the elector's freedom of balloting relates directly to the *general election* and is not confined to the primary . . . ."

U.S. Supreme Court declared: "the fact that the primary is a part of the election machinery is immaterial unless the requirement of pledge violates some constitutional or statutory provision." . . . the requirement of a pledge in primary is not unconstitutional.

(4) *"History teaches that the electors were expected to support the party nominees."*

Sources: 11 Annals of Congress 1289–1290, 7th Cong., 1st Session (1802):

"Wise and virtuous as were the members of the Convention, experience has shown that the mode therein adopted cannot be carried into operation; *for the people do not elect a person for an elector who, they know, does not intend to vote for a particular person as President*. Therefore, practically, the very thing adopted, *intended by this amendment*."

Source: McPherson v. *Blacker*, 146 U.S. 1, 36:

"Doubtless it was supposed that the electors would exercise a reasonable independence and fair judgment in the selection of the Chief Executive, but experience soon demonstrated that, whether chosen by the legislatures or by popular suffrage on general ticket or in districts, they were so chosen simply *to register the will of the appointing power in respect of a particular candidate*."

The U.S. Supreme Court continues: indeed, more than *twenty states** do not print the names of the candidates for electors on the general election ballot [* 1968: 35 States & D.C.]

(5) This long-continued *practical interpretation* of the constitutional propriety of an implied or oral pledge of his ballot by a candidate weighs heavily in considering the constitutionality of a pledge, such as the one here required, in the primary.

(6) *Decision:*

"However, even if *such promises* of candidates for the electoral college *are legally unenforceable* . . . it would *not follow* that the requirement of a pledge in the primary is unconstitutional."

In conclusion of this review, I submit that legal sources present two sides to the question of presidential elector responsibility. And it is this very fact which signals alarm for the possibility of a "bargained" electoral college. Let us hope the day never comes when the essence of our "government by the people" is distorted by a "bargained" electoral college.

A BARGAINED ELECTORAL COLLEGE: FACTS AND POSSIBILITIES

Mr. Speaker, reasonable men may disagree on political issues, but they are in agreement on the essential need for problem-solving as well as problem-preventing approaches.

I have discussed on several occasions the possibility of a problem arising in this year's presidential election in that a presidential candidate might not receive the required majority vote, 270, of the electoral college. In short, I am concerned with the problem of a "deadlocked" electoral college. Equally important, however, I am concerned with the problem of a "bargained" electoral college.

A "bargained" electoral college may involve first, the courting of "unpledged" presidential electors as well as "contingently bound" presidential electors; and second, the depledging of "pledged" presidential electors. Such tactics could result in harmful effects on our two-party system. Moreover, use of such tactics could involve a repudiation of the will of the people as determined by their vote in the November elections.

Today we talk about possibilities. In the 1960 presidential election we saw the facts of an attempt to "bargain" the electoral college. Fortunately, the attempt failed.

But many of us still remember this attempt. We recall the facts as disclosed in July 1961 hearings before a subcommittee of the Senate Judiciary Committee. The subject of those hearings focused on defects in presidential election laws and on serious constitutional questions which arose as a result of such defects.

Henry Irwin, a witness subpenaed to appear before the committee, gave testimony on July 13, 1961. Mr. Irwin had been a Republican elector from Oklahoma in the 1960 election. In December 1960, Irwin broke his pledge to support his party's presidential nominee. In breaking this pledge, Mr. Irwin effectively repudiated the popular vote in Oklahoma which went to the Republican presidential candidate by a vote of 18 percent over the Democratic candiate. Mr. Irwin claimed that as a presidential elector he was a "free agent" and could cast his vote for anyone who in his judgment was most fit to be President of the United States. Mr. Irwin disclosed that as a "free agent" he actively participated in an Alabama-based scheme which was designed to obtain a "bargained" electoral college.

Still vivid in our minds are the three alternative plans of that scheme. One plan was aimed at the two major party candidates themselves with the idea of imposing what might be called a "forced compromise" on major policy. The other two plans were aimed at presidential electors with the idea of a "bargained" electoral college.

Today I call attention to these plans of the so-called Harris scheme and suggest that we refresh our memory with the details of this scheme. For today, curiously enough, we find that the statements of third-party candidate George Wallace have a striking similarity to the 1960 Harris scheme.

I submit here that the similarity itself is significant as a warning signal to all of us who deplore the possibility of even an attempt to "bargain" the Presidency in the electoral college.

THE 1960 HARRIS SCHEME

Following is a memorandum of the Harris scheme as presented in the 1961 hearings on nomination and election of President and Vice President and qualifications for voting, before the Subcommittee on Constitutional Amendments of the Senate Judiciary Committee, July 13, 1961—part 3, pages 601 to 603:

MEMORANDUM

(Proposed or suggested presidential elector plan.)

Attention: All Presidential Electors:

Convention of southern presidential electors could be called for November 18, 1960, at Montgomery, Ala.

A PLAN TO GIVE THE SOUTH A PARTIAL VOICE IN THE AFFAIRS OF THE NATION

There is a possibility that enough southern Democrats will not vote for Senator Kennedy in the electoral college, thereby denying him the electoral selection. To ascertain exactly who is voting for the nominee and *further to exercise a healthful influence* as set out below, a proposed convention of southern presidential electors may be called for November 18, 1960, at the Jefferson Davis Hotel, Montgomery, Ala. *Regardless* of how you personally feel in casting your electoral vote, all electors shoud come and personally meet the next President and Vice President of the United States, and other nationally known figures. You would enjoy getting to personally know the next President, Vice President and other prominent national figures. *In addition and more important,* you could participate in formulating national policy if you desire.

Please read carefully the enclosed information concerning the *Office of Presidential Elector,* and also this proposed "Plan to give the South a voice in the affairs of the Nation," which plan consists of three alternative plans. *You, the presidential electors,* are completely *legally free to act* as you *think best*. Between now and the proposed elector convention time, give this plan your utmost consideration.

A PLAN TO GIVE THE SOUTH A PARTIAL VOTE IN THE AFFAIRS OF THE NATION

(In three alternative plans—A, B, and C.)

Presidential electors from the 11 Southern States could be invited to attend a southern presidential elector convention to be held in Montgomery, Ala., on November 18, 1960. Presidential electors would be invited to this southern convention from the following States:

1. Virginia
2. North Carolina
3. South Carolina
4. Georgia
5. Alabama
6. Florida
7. Mississippi
8. Tennessee
9. Arkansas
10. Louisiana
11. Texas

President electors, Republican and Democratic, from other States would be invited to the 2d presidential elector convention, possibly set in Chicago 10 days later on November 28, 1960. (This convention probably will be dominated by Republican electors.)

Alternative plan A

This plan is assuming that the convention of southern presidential electors decide to support the Democratic presidential nominee, Senator John Kennedy. This convention will cause him to adjust his administrative policies on certain policies of the United States (if the convention so decides) such as curtailing the U.S. policy of giving large grants of foreign aid to Communist countries. A close examination of the foreign aid policy of this country indicates that our foreign aid policy is not entirely motivated by the high purpose of helping the Communist countries revolt against their Communist masters but in part promulgated to placate certain radical pressure and leftwing groups in this country. Do you know that since 1946, after World War II was over, the United States has given over $11 billion of foreign aid to Communist Russia alone? Millions of additional dollars have been given to other Communist countries. Both major parties advocate continuing foreign aid to Communist countries such as Poland and Czechoslovakia, yet these same "poor Communist countries" have wealth enough to send guns, war material and expensive radio transmitters and the like to the anti-American Castro regime in Cuba and help formulate world trouble elsewhere. Khrushchev stated that the Communist countries would "bury the West" in production. Unfortunately, if they succeed, they will be succeeding in part with sizable production and help from the United States.

Your attention is called to the fact that after the atomic spy traitors, Julius and Ethel Rosenberg were tried and found guilty, that a mob of 75,000 of your fellow Americans gathered in New York City to protest the carrying out of the sentence. By no means does this writer imply that this group were Communists, but obviously this group was used for a Communist purpose. It is not impossible that this radical group could be the balance of power for the block of New York votes. These radical groups have pressured and also bona fidely convinced fine and sincere men that America should, for various reasons, give a considerable portion of our wealth and production to the Communists.

If the southern presidential electors would request Kennedy to change the U.S. policy of giving sizable aid to Communist nations, he would have no alternative except to accede to demands of southern presidential electors. This southern elector influence or counterpressure would offset the radical pressure of certain northern radical groups.

Other policy changes in national affairs may be required of him by the southern convention of presidential electors, such as possibly recognition that the 10th amendment of the Constitution still exists, and any other policy they decide on.

The 10th amendment says: "The powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively or to the people."

The Democratic electors could offer their resolution to Senator Kennedy and if Senator Kennedy refused to accede to their demand, the southern Democratic electors could act upon plan B or plan C. Plan A is, in essence, a policymaking arrangement.

Alternative plan B

Southern convention of presidential electors could pass resolution reversing the position of candidates for President and Vice President; that is, have Senator Lyndon Johnson voted in as President, and Senator John Kennedy voted in as Vice President. While this plan B would not be to the preference of the northern and western Democrats, this plan should be acceptable to them as it would be a compromise and better for them than plan C.

No statesman from the 11 Southern States has been President since Civil War days. Thus, for over 100 years, no man from the South, which is almost one-third of the Nation, has had the privilege of occupying the Presidential chair. This of course, is due largely to unwarranted sectional prejudice against southerners. Plan B would be for the presidential electors, at the insistence of the southern presidential electors convention, to reverse the Democratic ticket and name Senator Lyndon B. Johnson for President and Senator John Kennedy for Vice President.

If the northern and western Democrats would not be willing to have a southern Democrat (Lyndon Johnson) lead the Democratic Party just once in 100 years the southern electors at the convention could proceed with plan C.

Alternative plan C

(Remember one and an idea may be a majority. Republican presidential elector convention planned for Chicago.)

If the northern Democrats do not want to go along with the above alternative plan B, then the alternative plan for the southern convention would be that they could achieve in the electoral college what has been achieved in Congress for many years; that is, a coalition of southern Democrats and Republicans.

Plan C is as follows: The southern presidential elector convention would nominate a list of outstanding southern men to be President of the United States and the Republican electors would have a meeting in Chicago and select the candidate for President from among the list that they would prefer to have as President of the United States. As an added inducement, the southern convention would agree to support any Republican candidate for Vice President the Republicans desire to nominate. Among the outstanding southern men to be on the list may be possibly:

1. Senator George Smathers of Florida.
2. Senator Richard Russell of Georgia.
3. Governor Vandiver of Georgia.
4. Senator Strom Thurmond of South Carolina.

5. Governor Hodges of North Carolina.
6. Governor Almond of Virgina.
7. Senator John Sparkman of Alabama.
8. Governor Ross Barnett of Mississippi.
9. Senator Lyndon Johnson of Texas.
10. Governor Allen Shivers of Texas.
11. Governor Jimmy Davis of Louisiana.
12. Governor Orval Faubus of Arkansas.

It is to be remembered that the Constitution of the United States is one of the greatest instruments ever written and it should be noted and borne in mind that this great instrument was not just simply decided upon, but is the result of not one but many compromises of the delegates at the Constitutional Convention. It is entirely possible that it was the spirit of compromise which gave the Constitution its greatness and durability. If the southern convention will be willing to cooperate and compromise with each other, they can bring about the selection of a great and outstanding American to lead our Nation. Republican presidential electors are requested to notify this writer if they would be willing to cooperate with alternate plan C whereby they would actually do the selecting of the President of the United States from one of the above named group (or added names on the list to suit the desire of the southern elector convention) and select their own member for Vice President. The Republican electors are, of course, free to nominate any Republican they desire for Vice President, possibly Richard Nixon, Henry Cabot Lodge, Governor Rockefeller, Senator Barry Goldwater, Congressman Walter Judd, or whoever they desire.

It is to be noted that no alternative plan has been proposed to throw the election of the President into the House of Representatives because the U.S. Constitution squarely places the duties and responsibilities of selection of the President and Vice President on the presidential electors. The constitutional provision to throw the election into the House of Representatives is a last resort measure only; that is, if the electors become so diversified that they could not fulfill their constitutional obligations. (See article on "Office of Presidential Elector.")

Federal patronage in each State would be taken away from the U.S. Senators and placed under supervision of cooperating presidential electors from that particular State. This influence would restore to the office of presidential elector the high position this office was supposed to have under our Constitution. In addition it would free the Senators from "executive patronage influence," thus leaving the Senators free to vote their conscience and conviction on all legislative bills.

(By Lea Harris, 137 Lee Street, Montgomery, Ala.)

THE 1968 WALLACE PLANS

Third party candidate George Wallace has mentioned on various occasions that the only presidential candidate who would get his electoral votes would be the one who would accept his covenant. Wallace's "covenant" plan aims at a "forced compromise" on major party presidential candidates regarding major policy. The aims of this plan are identical to the 1960 alternative plan A of the Harris scheme. It should be noted here that the Wallace "covenant" includes the following Wallace policies: to abandon any type of civil rights legislation; and to return jurisdiction over legislative reapportionment, and congressional redistricting to State courts.

In addition to the "covenant" plan, Wallace has mentioned a "coalition" plan. Although he has posed the possibility of such a plan, he has not elaborated on details. The mention of "coalition" itself, however, recalls the 1960 alternative plan C of the Harris scheme.

In conclusion, I would merely draw attention to the wise saying of the philosopher Santayana: "Those who cannot remember the past are condemned to repeat it."

THE "CASEY GUN BILL"—AN ADDED TOOL IN LAW ENFORCEMENT

Mr. CASEY. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. CASEY. Mr. Speaker, a number of my colleagues are asking for additional information on the effect of my bill, H.R. 6137, and the need for such stiff penalties to be enacted into Federal law for criminal misuse of firearms.

As you know, this matter is expected to come before the House next week, for the Rules Committee, at my request, made it in order to offer my bill as an amendment to H.R. 17735, extending mail-order sale controls to long guns. In an effort to help my colleagues, I will insert in the Record, following my brief remarks here, a statement prepared for the Subcommittee on Juvenile Delinquency in the other body.

Let me point, out first, that some have expressed concern over the possibility of "double jeopardy" if my bill is enacted. Such concern is needless. Careful reading of the language of H.R. 6137 will show that my bill does not punish the enumerated violent crimes stated therein. It does make a crime—and provide stiff punishment—for carrying or using a firearm which moved in interstate commerce during commission of these stated crimes.

Some have expressed concern over the constitutional authority of Congress to act in this field. This, too, is needless concern. Congress has answered this question many times in acting to protect the general health and welfare, and in protecting interstate commerce. I shall, of course, cover these and other questions thoroughly for it is my intention to request time to discuss my bill during debate on the rule, and the general debate, and of course, when it is offered as an amendment.

The statement following sets forth in some detail my firm belief that there is great need for enactment of this legislation to open a national war on gun crimes. I am firmly convinced that my colleagues will agree with me after careful research into this matter.

The statement follows:

Statement by Representative Bob Casey, Prepared for Senate Subcommittee on Juvenile Delinquency on the Need for Enactment of H.R. 6137

Mr. Chairman, distinguished members of the subcommittee, my hometown of Houston, Texas, bears the title of "Murder Capital of the United States." It is a distinction in which I take no pride, and I know that my feelings are shared by the nearly two million decent citizens who live in our area. I bring this fact out because I want the members of this Subcommittee to understand full well that it is not a pleasant duty for me to come before you and state that the legislation you are now considering will be of little help to us in erasing this stigma.

One reason—and one reason alone—brings us together today, and it is set forth in the opening statement of the bills before you. This reason is the high incidence of crime, especially crimes committed with firearms. This is no longer just a local problem, but is national in scope and degree of impact. And we in Congress, and the concerned citizens, have the authority and the power to provide the solution. And yet, I repeat again, the legislation before this Subcommittee fails to reach the cause of the problem, or offer any hope of a cure.

The cure is simple—strike at the criminal use of firearms—and strike hard. Make the use or possession of a firearm during the commission of a crime a federal offense subject to a mandatory prison term. This would affect no one but the criminal, particularly the hardened repeat offender, who, like a mad dog, has proven in recent years he cannot be permitted to run amok in society.

And make no mistake about the deep and growing concern of the American people for the critical breakdown in law and order. It is evidenced by the flood of mail concerning this legislation, for the people know, in spite of misleading statements by its advocates, that it will do little toward controlling crime.

I submit that it is time the American people are told the facts—and I mean all of the facts—concerning this problem of guns and the criminal.

It isn't enough for advocates of this restrictive legislation to use as their argument that 335 valiant police officers were shot to death since 1960, a grim figure increased in recent days by criminals in the District and my own hometown.

Tell the American people the full facts—that a breakdown in criminal justice, in law and order, was responsible. Tell them that of the 442 persons arrested in these murders, 67 percent had prior criminal convictions and possessed firearms in violation of existing State and Federal laws. Tell them that of this group, 69 percent had been turned loose repeatedly by lax and lenient parole authorities to continue preying on society. But don't try to tell the American people that you truly believe these thugs would have registered their guns, because the people know better.

Here, in the District, the man charged with first degree murder of a valiant police officer last week was free on probation from a six year prison term for assault with a dangerous weapon, granted in spite of a lengthy record of arrests for similar offenses. His son, also charged, and in spite of a record of assault, upon a police officer, was turned loose on pass as a mental patient from St. Elizabeth's Hospital.

In Houston, my hometown, two brave officers died a few days ago. One was shot to death by a 23-year-old ex-convict stopped for a traffic violation, the other died in a wreck during the high speed chase. The murderer, shot to death by police, possessed firearms in spite of prohibitions in both State and Federal law.

The sniper in New York stole the gun he used.

The sniper in Austin, Texas, would have qualified for gun ownership under provisions of the bills before you. Indeed, Oswald and Sirhan, who murdered two of our leaders, may have qualified. And if they would not have qualified, I have no doubt but that they would have stolen a gun, or obtained one from the underworld blackmarket. And that brings up this point:

On June 1, 1968, the F.B.I.'s computerized National Crime Information Center listed a staggering total of 156,386 stolen firearms.

On July 1, this total jumped to 161,842.

Can anyone here truly believe that this arsenal of the underworld will be registered—or that the current owners will submit to federal licensing? I certainly am not that naive.

Advocates of this legislation are attempting to tell the American people that existing laws, both Federal and State, cannot control the problem.

I submit that rigid enforcement, vigorous prosecution, stern assessment of punishment, and hard appraisal of parole applicants and enactment of a mandatory federal sentence for firearms misuse will drastically reduce, if not end our problem.

Too long have we listened to the sociologist, the social do-gooders, and the theorists who bleed about the poor misguided criminals who have no way of making a living except through robbing, raping or murdering. For six straight years we have succumed to their cry that society is at fault, that punishment, including execution, is no deterrent to crime, that probation and not a prison cell is the answer. And for six straight years, our prisons have spewed forth case-hardened convicts to continue preying upon us to the point where our prison population is at an all time low—and our crime and arrest rate is at an all time high. Now it is time we listen to our people, and to our law enforcement officers.

I ask the members of this Subcommittee to carefully examine the statistics attached to this statement, for it details the grim breakdown in law and order, and it should be apparent to all where the problem lies. I shall not read these full statistics, but permit me to cite the following briefly:

In 1960—there were 2,068,400 criminal offenses—871,700 arrests for serious violent crime—220,149 inmates in our State and Federal prisons—13,745 defendants in federal courts sentenced to prison terms—42 prisoners executed—and police protection and correction expenditures nationally cost us $3 billion.

In 1966—there were 3,243,400 criminal offenses—1,130,350 arrests for serious crime—199,654 inmates in our state and federal prisons—13,282 defendants in federal court sentenced to prison terms—one execution—and our police protection and correction expenditures nationally cost us $4.1 billion.

What a shocking picture of permissiveness—of failure to act at both the federal and local level—to protect our people. Fewer criminals in prison—fewer criminals sentenced by our courts—crime at an all-time high—and our people afraid to walk the streets at night.

Some, who oppose my hard-line approach to the problem, claim that passage of legislation such as I have pending in the House will mean we must build more and larger prisons. If this be true—then let's get on with it. But I submit that we have emptied 20,000 prison cells since 1961 through parole, probation, work release, and other forms of leniency. And I state emphatically that if we filled these with armed robbers serving a 10-year mandatory prison term, we would be well on the way toward ending the problem of guns and crime. And make no mistake—here is the root cause of our problem. It is the criminal, praticularly the repeat offender, the incorrigible who has shown that he cannot live in society in accord with its rules. He must, in my judgment, be isolated. Remove him from our midst. This is the answer—not the enactment of a vast and costly program of registration and licensing of firearms and owners, which only the law-abiding citizen shall obey, and the criminal ignore with impunity.

Some, who oppose my hard-line approach, proclaim this to be an area best left to the police powers of the states. Surely, this is preferable—and I strongly commend Alaska for being the first to adopt my bill as a model for its new law going into effect this month. But if the states fail to act—then we not only have the right but the duty to protect our people from the illegal use of a firearm which moved in interstate commerce. In the field of narcotics violations, Congress has enacted mandatory prison sentences for the illegal sale, by Public Law 89-74, punishment for narcotics violations was extended to cover crimes regardless of whether or not the drugs moved in interstate commerce. But so far, Congress has refused to set mandatory punishment for illegal use of a firearm which has moved in interstate commerce. Sometimes I wonder at the spirit which moves us—and the wisdom which guides us in our lawmaking. There are less than 50,000 narcotics violations a year in our Nation—and violent gun crimes total nearly 125,000 a year. And still, we fail to act.

Some, who oppose my hard-line approach to gun crimes, loudly proclaim that stiff, mandatory sentences are not a deterrent to crime. Facts prove them wrong. Let me cite two examples:

Armed robbery of a Post Office, which is largely unguarded and holds huge sums of cash, carries a mandatory 25-year federal prison sentence. In 1966, there were but 66 such robberies, and only 72 in 1967, and 82 during 1968.

Armed robbery of a bank carries a lighter sentence—from suspension to a maximum of 25 years, depending upon the leniency of the judge. In 1966 there were 1,070 bank robberies and last year there were 1,318.

But the severeness of the penalties is reversed on burglaries of these two installations, and don't think the criminals don't know it.

Burglarizing a Post Office carries a light sentence of up to five years and a fine of up to $1,000. Burglarizing a bank, however, carries a stiff penalty of up to 20 years, and a fine of up to $5,000.

In 1966, criminals burglarized 1,763 Post Offices and only 467 banks. In 1967, they burglarized 1,931 Post Offices, and only 273 banks. Now tell the American people that stiff penalties aren't a deterent to crime.

I have read most carefully the legislation pending before this Subcommittee and with all due respect, I cannot find one provision which will serve as a deterrent to crime, either armed or unarmed. Instead, I find nothing but new and added restrictions on those of us who abide by all laws and regulations, and I find broad authority granted to the Secretary of Treasury to promulgate even more regulations to harass us further or set whatever fees he deems "reasonable."

Surely, I stand in full support of reasonable and responsible firearms control legislation. I voted for H.R. 5037 and am prepared to extend mail order sale provisions to long guns in an effort to curb the growing disgrace of gun crimes. But I stand with the 20 million decent men and women in this country who bought hunting licenses last year, and the other 20 or 30 million who own firearms, and who abide by the laws of God and man. We don't want, and we don't need, the registration and licensing program as set forth in these bills. What we want is vigorous enforcement, prompt prosecution, stern sentencing and practical parole of those who use guns in a continuing career of crime. We need mandatory sentences where the authority to turn loose this vermin on society is taken from the hands of lax judges and juries and lenient parole authorities.

Mr. Chairman, and Members of the Subcommittee, as you well know, it is not what is said, necessarily, but who makes the utterance, that has the most impact on our society. I would hope that you distinguished gentlemen, who are so much in the limelight in this effort against crime in our Nation, would join me in urging more vigorous enforcement of both federal and local laws that we now have. Urge the United States Attorney General to file more cases, such as that which was successfully filed and prosecuted against Rap Brown. Insist on the Treasury Department to enforce strict compliance on existing federal laws on mail order sale of guns. Urge the President to exercise his authority under the Mutual Security Act to restrict the import of foreign weapons, if such is needed. Lend your voices to urge local courts and juries to assess stiff penalties to those who would carry a pistol on their person in violation of the law. Lenient, meaningless sentences on pistol carriers encourages them to continue to be a threat to our society and they are just trouble awaiting to erupt. Join with me in urging the courts to be more strict in the granting of bond for those charged with crimes of violence. It is very frustrating to the law enforcement officers to find one they have apprehended for a crime of violence to be again walking the streets and in many instances, to be picked up again for a similar crime, or worse, before the culprit's first case has even been placed on the docket. By the same token, many criminals spend less time in a penal institution than it took to apprehend and convict them.

You have, within your authority, the power to give America the protection from the growing shame of gun crimes by enactment of legislation such as I have authored in the House, and by urging strong enforcement of existing laws. I pledge my every effort toward this goal, and I strongly urge the distinguished members of this Subcommittee to join with me.

I thank you for the opportunity to appear before you today.

APPENDIX A

DOES CRIME PAY?

The following statistics, obtained from the F.B.I., U.S. Bureau of Prisons, House Document 94 (Statistical Abstract of the U.S.—1967), Postal Inspector's Office and other Federal sources, shows graphically the collapse in law enforcement through the courts in spite of the skyrocketing rate of criminal offenses and arrests for serious crime. It should be pointed out that 73 Federal judgeships were created in 1961, and 45 more created in 1966.

	Arrests for serious crime	Criminal offenses	Federal-State prison population	Criminal executions	U.S. court prison terms	Police and jail costs (in millions)
1961	871, 700	2, 068, 400	220, 149	42	13, 745	$3, 020
1962	892, 750	2, 198, 900	218, 830	47	14, 042	3, 172
1963	937, 350	2, 420, 000	217, 283	21	13, 639	3, 316
1964	1, 059, 600	2, 737, 300	214, 336	15	13, 273	3, 525
1965	1, 088, 000	2, 911, 400	210, 895	7	13, 668	3, 825
1966	1, 136, 350	3, 243, 400	199, 654	1	13, 282	4, 110

IMPACT OF MANDATORY SENTENCES ON CRIME

	Armed robbery of post office—Mandatory 25-year prison term	Armed robbery of a bank—Probation to 20-year term
1966	66	1, 070
1967	72	1, 318
1968	82	(1)

(1) Not available.

IMPACT OF SEVERE SENTENCES ON CRIME

	Burglary of post office—Up to 5-years, $1,000 fine	Burglary of a bank—Up to 20-years, $5,000 fine
1966	1, 763	467
1967	1, 931	273
1968	2, 036	(1)

(1) Not available.

APPENDIX B

H.R. 6137

(In the House of Representatives, 90th Cong., first sess., Feb. 27, 1967, Mr. CASEY introduced the following bill, which was referred to the Committee on the Judiciary:)

A bill to amend title 18, United States Code, to prohibit the use in commission of certain crimes of firearms transported in interstate commerce

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That whoever during the commission of any robbery, assault, murder, rape, burglary, kidnaping, or homicide (other than involuntary manslaughter) uses or carries any firearm which has been transported in interstate or foreign commerce shall be imprisoned—

(1) in the case of his first offense, for not less than ten years;

(2) in the case of his second or more offense, for not less than twenty-five years.

SUPREME COURT APPOINTMENT

Mr. BLACKBURN. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Georgia?

There was no objection.

Mr. BLACKBURN. Mr. Speaker, is there now anyone so bold in this land who would step forward and say that the appointment of Supreme Court Justices for life to the Bench removes that branch of government from politics? If so, then the appointment of Mr. Justice Fortas as Chief Justice and of yet another who shares Great Society beliefs, supposedly in its waning hours, should once and for all put that illusion to rest.

And should there still be those who in their naivete point to any proposal that the Congress review these Justices periodically and call it "radical and dangerous", then, this too, serves only to confound and perplex those who have seen the protection of the "separation of powers" principle become nonexistent.

I feel the urgent necessity to introduce this resolution because the Supreme Court has established itself as "a second legislative branch" completely frustrating the will of the people as it is supposed to be expressed through the Congress of the United States.

Never in the history of our democracy has the citizenry of this land confronted a crisis as grave as that which now exists. I am speaking not of the riots in our streets; not of the continuation of what is already the longest war in which our Nation has been involved; not of the great debt incurred by our Government which has placed heavy tax burdens upon every citizen; not of the regrettable and incomprehensible failure of our law-enforcement bodies to protect lives and property; and not of the myriad of other tragedies spread across the headlines of daily newspapers and uttered from the lips of radio and television newscasters. I am most fervently speaking of the undeniable and sweeping change in the form of government which we have learned to hold so dear and for which Americans have lived and died. I earnestly believe there can be no lasting solution to any of the problems we are frantically attempting to resolve until a more fundamental issue is decided, that of whether the system of government we have known is to be permitted survival.

The resolution which I am introducing is an essential first step toward maintaining that government which was conceived by those who drafted our Constitution. Citizens of this country are now living in a national welfare state, the evolution of which is largely attributable to decisions of the U.S. Supreme Court. Had these decisions been limited to an interpretation of the law, as was intended by the Founding Fathers, we would not now be experiencing the trauma of crushed ideals and shattered freedoms. It is imperative for us to understand what the Supreme Court is doing. Stated simply, it is legislating under the guise of interpreting the Constitution. It has assumed powers never intended for its use and has plunged this Nation into bold and frightening sociological experiments.

Our Founding Fathers carefully and purposefully included in the Constitution of 1787 an intricate system of checks and balances. It was their purpose to establish an effective government without bestowing absolute power upon any segment thereof. The House of Representatives was established and given the power to make laws; but the Senate was given the power to reject those laws. Likewise, the Senate was created and given power to enact laws; but the House of Representatives can reject those laws. Even when the Senate and House of Representatives concur in the passage of a law, the Chief Executive has the power to approve or reject the same; but if the law is rejected by the President, his rejection can be overruled by two-thirds of the Senate and House. Through this "balance of powers" the will of the American people could be expressed, legislation suggested, hearings held at which expert testimony could be obtained and a thorough analysis of the need for new laws could be arrived at.

A judiciary was established and given the power to interpret laws; but the power to make law was expressly reserved for the people through their Representatives in Congress. Today, we are witnessing a usurpation of power by the judiciary. That which was most feared by the framers of the Constitution has come to pass; namely, resignation of the policy of our Government into the hands of a few. Decisions are being handed down by the Supreme Court which are tantamount to laws; and the judiciary has become an effective legislative branch of the Government. The tragedy of this occurrence is the total and complete removal of the people from an eminent part of the lawmaking process.

Although I am not in accord with many of the laws of this land which have achieved that status through Supreme Court decisions, it is not my intention to discuss the merits of those laws. It is very definitely my intention to depict their impact upon this Nation and the fact that the Founding Fathers never, not in their wildest dreams, conceived of the judiciary having the ability to make such laws.

The impact upon this country of laws enacted by the Supreme Court is oft-times greater than laws enacted by the Congress.

It is equally true that many of the decisions of the Court have been rendered with noble purposes and without question there have been instances where many individuals have benefited, however, the broad question of the impact of far-ranging and novel experiments by the Court upon our total society has been ignored. The members of the Court, being shielded by life tenure from the will of the people and, apparently insulated by their station in life from the realities of the world in which we live, have, on occasion, thrown prudence to the wind. Can anyone make a pretence of loyalty to this country and justify a decision which protects the employment of an admitted Communist in a factory devoted to the production of armaments for national defense? Their release of admittedly guilty persons who have returned to society to wreak havoc upon it, is a black mark in the history of the Court.

Only yesterday, I read that Danny Escobedo was arrested once again on a narcotics charge. You will remember, in the Escobedo case the Supreme Court established the principle that interrogation by police without a lawyer present was grounds for reversing a conviction, where by his own admission, Escobedo had confessed to the crime. And who can forget the case of Andrew Mallory whose conviction for rape in Washington, D.C., was reversed by the Supreme Court on the grounds that Mallory was held too long between his arrest and arraignment. In this case, there were three suspects arrested together, each agreed to a lie detector test, and following these tests interrogation by police brought a confession from Andrew Mallory that he was the one who perpetrated the crime. After his release, Mallory committed another personal assault in Philadelphia for which he was convicted and sentenced from 11½ to 23 years imprisonment. This second victim—and probably others we do not know about—would have been spared the ravages of this criminal if justice had not miscarried—if the courts had not seized upon a dubious technicality to set him free. Probably, the most notorious of these decisions in the area of criminal law is the Miranda case, whereby the Court threw out a written confession by Ernesto Miranda, convicted by a lower court of kidnaping and rape. Because Mr. Miranda was not forewarned of his right to counsel prior to interrogation, his signed confession was held invalid and his conviction overturned.

The far-reaching scope of Supreme Court decisions in criminal cases has usurped the prerogatives of the legislatures of the various States and one would do well to observe with fear the restraints which these decisions have placed upon local law-enforcement institutions.

In the name of protecting individual rights, the Supreme Court has made law which, if not checked, will ultimately cause the destruction of society. On its face, the results of these actions does not seem too bad, however, in their application, there is not a hardened criminal in the United States who does not take full advantage of the benefits bestowed upon him by the Supreme Court. Most respectable citizens do not even know of the intricate web which the policeman must weave if he is to comply with the "laws of the Supreme Court." He may, however, ask any criminal and receive a complete explanation.

Let us look more closely at the Court's decision in Miranda.

We find that the Miranda conviction was reversed because he was "not apprised of his right to consult with an attorney and to have one present during the interrogation." Furthermore, the Court took it upon itself to lay down certain rules of criminal procedure even though changes in rules of procedure address themselves to the Congress. The Court promulgated these rules by applying the fifth amendment which states that "no person shall be compelled in any criminal case to be witness against himself." Miranda was decided by only a 5-to-4 margin. Justice Harlan dissenting, with whom Justice Stewart and Justice White jointly concurred stated:

> I turn now to the Court's asserted reliance on the Fifth Amendment, an approach which I frankly regard as a "trompe l'oeil (Optical Illusion). The Court's opinion in my view, reveals no adequate basis for extending the Fifth Amendment's privilege against self-incrimination to the police station. Far more important, it fails to show that the Court's new rules are well supported, let alone compelled, by Fifth Amendment precedent.

The Court in handing down this opinion, completely ignores the affect this decision could have on effective law enforcement. Justice Harlan further stated:

> What the Court largely ignores is that its rules impair, if they will not eventually serve wholly to frustrate, an instrument of law enforcement that has long and quite reasonably been thought worth the price paid for it . . . 'Yet the resulting confessions, and the responsible course of police practice they represent, are to be sacrificed to the Court's own finespun conception of fairness which I seriously doubt is shared by many thinking citizens in this country.

The Supreme Court has handed down many other cases concerning criminal law such as Gildeon against Wainwright. The case turns upon the question of when counsel was appointed for an accused indigent. The Court held that counsel must be appointed, not only for the trial, but as soon as the accused is charged with a crime. This rule was derived by virtue of the Supreme Court's interpretation of the meaning of the sixth amendment of the Constitution. I want to read that amendment in its entirety.

It says:

> In all criminal prosecutions, the accused shall enjoy the right of a speedy and public trial, by an impartial jury of the state and district wherein the crime shall have been committed, which district shall have been previously ascertained by law, and to be informed of the nature and cause of the accusation; to be confronted with the witnesses against him; to have compulsory process for obtaining witnesses in his favor, and to have the assistance of counsel for his defense. (Sic)

The language of the amendment is plain and lends no support whatsoever to the Court's "interpretation." Even if one feels the rules which have evolved from these decisions of the Supreme Court which are under discussion are good rules, he must admit there is no authority in the judiciary to make the same. If he then asks where the authority rests, he need only read the 10th amendment of the Constitution which states:

> The powers not delegated to the United States by the Constitution, nor prohibited by it to the states, are reserved to the States respectively, or to the people.

The Supreme Court has so busily created laws which diminish the protections States have established for their citizens that soon one's only refuge will be to turn to the Almighty. Yet, even prayer has not escaped the dominating hand of the Court. "Interpreting" the first amendment to the Constitution, the Supreme Court declared it unconstitutional for children in the New York public school system to participate in a recitation of these words:

> Almighty God, we acknowledge our dependence upon Thee, and we beg Thy blessings upon us, our parents, our teachers, and our country.

This decision of the Court may be found in the case of *Engel* v. *Vitale* (370 U.S. 421 (1962)); and it should be noted that the portion of the first amendment to the Constitution involved in the case says no more than:

> Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof.

I do not dispute the applicability of the first amendment to States by virtue of the due process clause of the 14th amendment. That is another subject. I do dispute and shall continue to dispute the holding that the simple prayer I have quoted is an "establishment of religion". Writing a dissenting opinion, Mr. Justice Stewart said the Court had "misapplied a great constitutional principle." He said the issue involved was whether "those pupils who wish to do so may join in a brief prayer at the beginning of each schoolday"; and he said, further, he was unable to see how an official religion could be established thereby.

There are many cases which have been concluded in the lower Federal Courts, holding in accord with Engel against Vitale; and it may be safely said that the Supreme Court has successfully banned prayer and Bible readings from public schools. To give only one example among many, the case of *Stein* v. *Oshinsky* (224 F. Supp. 757 (1963); 348 F. 2d 999 (1964); Cert. denied, 382 U.S. 957) holds that children cannot even voluntarily say, before having milk and cookies:

God is great, God is Good
And we thank Him for our food. Amen.

Or—

Thank you for the World so Sweet,
Thank you for the food we eat,
Thank you for the birds that sing,
Thank you God for everything.

That same Supreme Court which decided Engel against Vitale and which begins each session following the Court Crier's supplication, "God save the United States and this Honorable Court", refused to hear the case of Stein against Oshinsky. The Supreme Court has itself violated the first amendment, but not quite so vaguely. It has clearly created law which prohibits the free exercise of religion. Is there no sanction against the judiciary?

No one can deny that many persons have benefited from some of the decisions of the Supreme Court. I would be the last to state that the "one-man, one-vote" rule, arrived at by the Court in *Baker* v. *Carr* (369 U.S. 186 (1962)) did not greatly benefit the people of the Fourth Congressional District of Georgia. But, I cannot use the desirability of this action to defend the obvious extension of the Court's jurisdiction into legislative areas in arriving at that decision.

I am not alone in questioning the scope of this decision. Mr. Justice Harlan, joined by Mr. Justice Frankfurter wrote:

> I can find nothing in the Equal Protection Clause or elsewhere in the Federal Constitution which expressly or impliedly supports the view that state legislatures must be so structured as to reflect with approximate equality the voice to every voter. Not only is that proposition refuted by history * * * but it strikes deep into the heart of our federal system. Its acceptance would require us to turn our backs on the regard which this Court has always shown for the judgment of state legislatures and courts on matters of basically local concern.

Mr. Justice Frankfurter, joined by Mr. Justice Harlan said:

> To find such a political conception legally enforceable in the broad and unspecific guarantee of equal protection is to rewrite the Constitution * * *.

The case of *Wesberry* v. *Sanders* (376 U.S. 1 (1964)) is the Georgia sequel to Baker against Carr; and the Supreme Court held that congressional districts must be composed of substantially equal numbers of people. Again, I do not argue here today that the law of the land imposed by this decision is necessarily bad law; but I heartily agree with that portion of Mr. Justice Harlan's vigorous dissent which reads:

> Today's decision has portents for our society and the Court itself which should be recognized. This is not a case in which the Court vindicates the kind of individual rights that are assured by the Due Process Clause of the Fourteenth Amendment. * * * The Claim for judicial relief in this case strikes at one of the fundamental doctrines of our system of government, the separation of power. In upholding that claim the Court attempts to effect reforms in a field which the Constitution, as plainly as can be, has committed exclusively to the political process * * * this Court, no less than all other branches of the Government, is bound by the Constitution. The Constitution does not confer upon the Court blanket authority to step into every situation where the political branch may be thought to have fallen short. The stability of this institution ultimately depends not only upon its being alert to keep the other branches of government within constitutional bounds, but equally upon recognition of the limitations on the Court's own functions in the constitutional system.

Certainly, in the field of civil rights, beginning with *Brown* v. *Board of Education* (347 U.S. 483 (1954)), the Supreme Court has led and continues to lead the Congress. This school segregation decision was much more than simply a move to end segregation in schools, it was the beginning of a trend—marking the entry of the Supreme Court into areas heavily weighted with political overtones.

The importance of Brown against Board of Education is not whether segregation is right or wrong. Rather, its importance rests in whether the Court had the power to render such an unprecedented decision. Until this case, the Court had, through many decisions, recognized its limitations. In numerous decisions, the Court had stated there was no constitutional prohibition against legislation providing for separation of the races; and in the case of *Plessy* v. *Ferguson* (163 U.S. 537 (1896)), the Court said that such legislation was "no more than an official recognition of prevailing social custom."

When the Court decided Brown against Board of Education it rejected all legal precedent and donned the robes of society's social conscience.

In the years since the Brown case, the Court has moved from its position of creator of civil rights to a position of taskmaster for the advancement of social and economic goals. Tragically, but understandably, society has been unable to meet the demand of this second legislative branch of the Government; and the result has been the violence which is so prevalent in the streets of these United States.

Today we are looking back upon a Nation which once stood for individual freedom. We are looking ahead to an egalitarian society, the type of society which, history has proven, will destroy itself. Much of the responsibility for this change in the structure of American government rests upon the U.S. Supreme Court.

Until 1900, the War Between the States constituted the major, if not the only real national emergency in this country; and, therefore, the Government did not find it necessary to assert broad powers. Every such attempt was squelched by the Supreme Court. And later in the cases of *Hammer* v. *Dagenhart* (247 U.S. 251 (1918)), *Carter* v. *Carter Coal Co.* (298 U.S. 238 (1936)), and *Bailey* v. *Drexel Furniture Co.* (259 U.S. 20 (1922)), the Supreme Court correctly held that Congress was attempting to assert control over local matters which control was reserved to the States. But, following President Franklin Roosevelt's appeal that the national emergency warranted different constitutional decisions, the Court began to take a complete about face; and now that it has turned completely around, it is moving posthaste in the other direction. It is incumbent upon the citizens of this Nation to do something in the interest of self-preservation; and I am suggesting that which must be done.

Judicial life tenure was granted to Supreme Court Justices in order to shield the Court from political pressures. The shield has been used, however, to respond to political pressures through legislating without fear of reprisal. Thus, the balance of power, so carefully created by the framers of our Constitution, is in a state of imbalance; and it must be restored.

The resolution which I am introducing proposes a constitutional amendment providing for confirmation of the appointment of Supreme Court Justices by two-thirds of the House and Senate. It provides, further, that the House and Senate shall reconfirm a number of the Justices during each third year. This does not destroy the intent of the Constitution. On the contrary, it is a means by which the meaning of the Constitution can be restored and the powers of this Government rebalanced. Is it not required by reason that a Justice of the Supreme Court, who holds in his hands the power to destroy our system of government, be answerable to someone?

Finally, Mr. Justice Hugo L. Black, the senior member of the Supreme Court and long considered one of its most effective liberal voices, was quoted in the April 1, 1968, issue of U.S. News & World Report. In the Carpentier Lectures at Columbia University Law School, delivered March 20, 21, and 23 of this year, he said:

> The courts are given power to interpret the Constitution and laws, which means to explain and expound, not to alter, amend or remake. Judges take an oath to support the Constitution as it is, not as they think it should be. I cannot subscribe to the doctrine that, consistent with that oath, a judge can arrogate to himself a power to "adapt the Constitution to new times."
>
> But adherence to the Constitution as written does not mean we are controlled by the dead. It means we are controlled by the Constitution, truly a living document. For it contains within itself a lasting recognition that is should be changed to meet new demands, new conditions, new times.
>
> It provides the means to achieve these changes through the amendment process in Article V.

Mr. Justice Black has eloquently stated the problem which exists and the method of solving it. I urge my colleagues to take this first step which I am proposing.

CENSUS REFORM SUPPORT GROWS

Mr. BETTS. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. BETTS. Mr. Speaker, the widespread public concern over the overly personal, complicated, and fully mandatory 1970 census of population, housing, and unemployment, is well documented in the hundreds of letters being received by Members of Congress and strongly worded editorial endorsements calling for basic changes in this census.

I am delighted my bill, H.R. 10952, to limit required response in the 1970 census to seven essential subjects, now has 38 cosponsors. Four Members of the Senate have also introduced bills requiring significant alterations in decennial census practices. While the need for House action grows, the likelihood for such consideration this year dims as we near adjournment. If it is not possible to adopt appropriate legislation this year, such action will only be more urgent when the 91st Congress convenes in January.

As a further illustration of the judgment of respected newspapers, television stations, and a national organization which have called for census reform, I include several editorials and a resolution at this point:

[WMTV, Madison, Wis., editorial, Wednesday, May 22, 1968]

Dane County played the role of a guinea pig in a recent special census that, in some minds, may have set an undesirable . . . even dangerous . . . precedent. The probing questions went well beyond what many people felt were reasonable limits of a census . . . that it became too personal, too invading.

Well, if you thought the special census was rather probing, it might be said that perhaps you haven't seen anything yet. It may become a way of life, unless Congress puts the brakes on Census Bureau plans . . . and Congress appears to be quite interested in the trend.

The Census Bureau is planning a full-blown questionaire for the entire nation in 1970 . . . One that will demand answers to more than 120 questions. Persons refusing to comply face the possibility of a 100 dollar fine or 60 days in jail.

One Congressman quite upset over the plans is Jackson Betts of Ohio. He is warning his colleagues that the Census Bureau is intruding on personal privacy. We also join in questioning the justification for a national census that pries into everybody's financial affairs. We already have the Internal Revenue Service doing that . . . and seeks to learn a myriad of other answers about mostly insignificant matters. Such a detailed census tends to be nothing more than tons of information, amassed at the cost of the taxpayers, for questionable purposes.

At this point, we must oppose the encyclopedia course for which the Census Bureau seems to be heading. And, if you feel strongly on this issue, we urge you to let your Congressman be aware of your views.

[From the Chicago (Ill.) American, May 28, 1968]

"BIG BROTHER" AGAIN

Someday in 1970, a stranger will knock on your door and ask you 120 questions about your income, down to the last dollar; details of your educational, marital, employment, and military history; with whom, if anyone, you share your bathroom and kitchen facilities; and every item of furniture you have in your home.

Those are only a few of the compulsory questions scheduled for the 1970 census, and refusal to answer them carries a penalty of $100 fine or 60 days in jail. The questions—and the penalty for silence—are sure to raise the hackles of many Americans who cherish the right to privacy. They've already irritated some congressmen, including Rep. Jackson E. Betts [R., O.], who has urged his fellow lawmakers to change the rules. We agree with him.

Noting that many of the questions intrude on personal privacy, Betts told the House he sees "no justification for the mandatory requirement that forces all citizens to provide such information."

Betts says that in 1960 the census bureau failed to count 5.7 million Americans, and he predicts the undercount in 1970 will be even greater unless the forms are simplified and most questions put on a voluntary basis. We don't know where he got his figures, but the compulsory questions seem hardly calculated to encourage full cooperation.

Betts' alternative is a combined mandatory-voluntary census which would allow the citizen to decide if questions are too personal. Compulsory questions under a bill he has introduced would be limited to name and address, relationship to the head of the household, sex, date of birth, race, marital status, and the number of visitors in the home at the time of the census. It makes sense; as Betts says, the purpose of a census is to count people.

He sounded an ominous note in referring to a proposed federal data bank, a computer system to combine information from various government agencies to develop a complete file on any individual. That sounds too much like a police state for comfort. We don't want Big Brother or anyone else watching us that closely.

[From the New Haven (Conn.) Register, May 23, 1968]

CURBING A PRYING CENSUS BUREAU

A movement is underway in Congress to snip off a good chunk of what critics consider the U.S. Census Bureau's outsized prying nose.

A consortium of 28 congressmen has introduced a bill which proposes to grant every American virtually the same rights under Census Bureau questioning that are traditionally extended to military prisoners of war: To wit, name, rank and serial number only. Under the bill, the bureau would be entitled to just name, address, age, sex and race.

Rep. Jackson E. Betts, Ohio Republican and chief sponsor of the bill, holds that any further information is none of the government's business.

As area residents who took part in a test census conducted here last year are well aware, the Census Bureau has put together a startling list of questions for the nationwide count in 1970. Some of the questions seemed unnecessarily trivial. Others aroused criticism of being highly prying and impertinent. What the cries of protest seemed to promise is a nationwide vocal reverberation of shattering proportions when the decennial count is taken.

Underneath all the ruckus is the quite pertinent question of just what is the function of the Census Bureau. In a day when more and more grounds appear for fearing a centralized, computerized "Big Brother" type of informational bank on every soul in this country, the need for clear and specific definitions of bureaucratic roles ond powers is imperative.

[From the Fort Wayne (Ind.) News-Sentinel, June 1, 1968]

A CENSUS—NOT AN INQUISITION

Provisions for a decennial census of residents were made in the drafting of the Constitution of the United States of America. The purpose of the census, as it was written into the Constitution, was a good one—the apportionment of Congressional representation. As such, it was a tool of democracy.

In nearly 200 years, the census has undergone vast changes, and when the next census is taken, in 1970, it will much more closely resemble a marketing survey than a serious effort on the part of the Government to achieve proportional representation.

Under penalty of the law, some citizens will be required to answer as many as 120 questions covering such diverse topics as the individual's marital, educational, employment and military histories; his income, to the dollar, from all sources: the value of property owned by him or the rent he pays; the nature of bathroom facilities and with whom they are shared; and his possession or non-possession of a long list of appliances such as dishwashers, television sets, radios, automobiles; and whether or not he owns a "second" home.

Many people, including Congressman Jackson E. Betts, Ohio, feel that the Government intrudes far too deeply into the personal life of the individual in requiring, under the threat of a $100 fine or 60 days in jail, the answers to such questions. They are particularly concerned in light of the proposals to establish a governmental "data bank" containing all information which is given or comes to the government on each and every person in the Nation. Answers to the 120 questions would provide a substantial "backbone" for the dossier of each person.

To end the proliferation of questions and the invasion of privacy, Congressman Betts has introduced a bill (H.R. 10952) which would limit to eight the questions which the citizens would be required to answer, under penalty. Those questions cover his name, address, relationship to the head of the household, sex, date of birth, race, marital status, and the number of visitors in the household at the time of the census.

It would seem sensible to turn marketing surveys over to marketing professionals in private industry and limit the census to its constitutional intent. Especially, the individual should not be required by law to answer the extraneous questions. Congressman Bett's measure should be passed.

[From the New Orleans (La.) States-Item, Mar. 22, 1968]

LONG FEDERAL NOSE

Plans of the United States Census Bureau to get too personal with its 1970 questionnaire have stirred up a storm of protest across the country.

If the increasingly nosy bureau has its way, citizens could be fined up to $100 and sentenced to 60 days in jail for failure to answer questions.

How many people share your bathroom? If you have been married more than once, how did your previous marriage end? How do you enter your home? What is the value of your property?

Such questions are—or should not be—none of the federal government's business. Some are amazingly absurd.

Granted there are a number of questions which are necessary to the obtaining of a meaningful national census. But such questions should be as limited, general and impersonal as possible. That is the way they have been in the past.

Uncle Sam's nose already is much too long for the comfort of many Americans. It's time the nation's nose-counter took stock of the length of his own prying proboscis.

[WJBK-TV editorial, Detroit, Mich., June 26, 1968]

TELLING ALL—OR ELSE

Some powerful people in Washington are getting set to ask you some nosy questions like these:

How much money do you make? Please include details on all sources, including alimony, welfare, investments and pensions. What's your property worth or how much rent do you pay? What do you own in the way of dishwashers, TV and radio sets, automobiles, or perhaps a second home? What are the facts on your marital, employment, educational and military background? Where was everybody in your family, including your grandparents, born?

Unless Congress blows the whistle soon on eager Census Bureaucrats, that's the extent to which you'll have to tell all in 1970—or face a $100 fine or 60 days in jail. And there are more than 100 other intimate questions in the $200 million dollar census project—including with whom do you share your bathroom?

Ohio Congressman Jackson Betts is leading a fight to limit mandatory questions to name, address, age, sex, race, marital status, and who's visiting in your home at the time of census. Mr. Betts' bill would make the more obnoxious snooping strictly voluntary.

But the Congressman tells TV2 that Census Bureau pressure has his bill in trouble. That's where a short, angry note from you might help. If you agree that the census should be restored to its original purpose—counting people, not grilling them—let your Senator or Congressman know about it now, while there's still time.

[From the Perth Amboy (N.J.) Evening News, June 19, 1968]

CURBING THE CENSUS THREAT

It is only two years before the Bureau of the Census will begin its task of compiling the nation's population count.

Under the new set of questions to be used, the census will seek considerably more personal information than the names and ages of Americans.

Many citizens will be asked how much money they have, how they got it and how they spend it; if they work for a living, for whom and doing what; if they have black, white, red, yellow skins, or "other"; rent paid or value of the dwelling; telephone number; marital status and marital history; average bills for utilities; ownership of a clothes dryer, washing machine, garbage disposal unit, freezer; birthplace of both parents; extent of education; number of bedrooms and bathrooms; plus many more such probing questions.

The new, expanded census-taking forms have aroused a storm of controversy.

It has been noted that the compiling of such extensive personal information, far beyond the normal concept of a census, will make it possible for the federal government to have a complete dossier on every American, available to any government agency or official at the push of a button on a computer.

Such a move is repugnant in a democratic society and justifiably gives rise to the terrors of "Big Brother" government.

The new census plans are a blatant invasion of privacy that goes against the grain of all Americans.

The threat is quite real because an individual can be fined $100 or be placed in jail for 60 days if he refuses to answer the questions.

Under the leadership of Rep. Jackson Betts of Ohio, a bill is pending in Congress that would eliminate that penalty from all but seven questions: Name and address; relationship to head of household; sex, date of birth; race or color; marital status and visitors in the home at the time the census-taker called.

The approximately 120 other highly personal questions could be ignored without penalty.

[From the Tulsa (Okla.) Sunday World, May 26, 1968]

THE CENSUS CONTROVERSY

The U.S. Bureau of the Census is settled in its own mind on the procedure to be followed in conducting the 1970 count of the nation's citizenry. There is some question, however, whether the process of counting is going to run as smoothly as the Bureau believes.

Congress is upset, and growing more so, over the pattern of the census questionnaire that has been prepared. The Bureau plans to do much of its nose-counting by mail—a drastic departure from past practice. The issue in Congress is not with the mechanical procedures involved but the nature of some of the 120 questions that will be asked if the Bureau carries out its plan.

The leading advocate of alteration in the Bureau's questionnaire is Cong. JACKSON E. BETTS of Ohio. He strenuously objects to the *personal* nature of some questions and the fact that those being polled are under compulsion to supply answers. Otherwise, they face $100 fines and/or 60 days in jail.

In specifics, BETTS opposes enforced answers to such questions as:

Personal income, dollar for dollar, from all sources—including public assistance, alimony, unemployment, disability insurance, pensions and investments;

The value of personal property held, or rent paid;

A complete history of educational, marital, employment and military experience;

If bathroom and kitchen facilities are shared, with whom?

Whether the pollee owns household items such as dishwashers, television, radio, auto or a second home. Cong. Bett's argument centers on the purpose of the census. Its primary purpose, he declares, is to count heads and not gather hundreds of other facts about the personal life of Americans.

"I see no justification for the mandatory requirement that forces all citizens to provide such information," says Betts.

We agree with him. We don't believe personal histories and facts about personal matters should be promiscuously gathered by the Federal Government to satisfy the whims of statisticians—particularly if there is even a bare possibility such information might fall into the hands of commercial interests.

It is sufficient for Government purposes, we think, that Uncle Sam be advised of the name, address, sex, race and proprietary interest of each of its citizens. Other questions which the Census Bureau might find pertinent to its needs should be permissible provided the citizen is given the *"voluntary"* privilege of answering or not answering. To require mandatory answers to deeply personal matters is inimical to the American process.

Let's have a competent public nose count, by all means. Let's leave private matters strictly private, as they should be in a free society.

[From the Takoma (Wash.) News Tribune, May 25, 1968]

Who Shares Your Bathroom?

The purpose of the census is to count people. But the 1970 census will have other objectives, unless Congress soon takes a hand. The next census, as presently planned, wants information about people.

With whom are your bathroom and kitchen facilities shared? What is your income, dollar by dollar, from all sources including public assistance, alimony, unemployment and disability insurance, pensions and investments? What is the value of your property, or the amount of rent paid? What is your educational, marital, employment and military history? What's in your home—dishwasher, TV, radios, automobiles? Do you own a second home? Where were you and your parents born?

The temptation of many would be to tell the government: It's none of your business.

But that could get you 60 days in jail or a $100 fine.

Congress may take a hand in all this. Rep. Jackson E. Betts of Ohio told the House of Representatives that the 1960 census failed to enumerate 5.7 million people and predicted a greater undercount next time unless forms are simplified. He and 27 like-minded congressmen want the penalty provision removed from all but seven essential questions—name, address, age, sex, race, head of household and visitors in the home at time of census.

This approach likely would get more questions answered, leaving it to the citizen to decide if some questions are too personal. People resent having their government compile a case history on them.

[From the Lincoln (Ill.) Daily Courier, June 8, 1968]

Opposes Privacy Invasion

"Do you share your bathtub or shower?"

"What is your telephone number?"

"How many babies has your wife had?"

"How much money did you make last year?"

These are personal questions that most people would not answer to complete strangers. But they may have to, under punishment of a $100 fine and 60 days in jail, if the U.S. Census Bureau gets its way.

Although the bureau is empowered by the Constitution simply to make a headcount every 10 years so that the House of Representatives can be apportioned, the bureau plans to ask a vast number of questions in 1970 which have nothing to do with the census and which invade the privacy of the individuals who have to answer them.

Rep. Jackson Betts (R–Ohio), who leads congressional opposition to the proposed enlarged census, wants to make the answers voluntary to the census, except for a few broad questions which would identify the person's sex, age, name, and address. Betts' point is that Americans resent being compelled to do things. He believes that compulsory questions will solicit "considerable false or erroneous information."

Furthermore, Betts says, "few people with less than a 10th grade education could complete the form," however well intentioned they are, and "there were an estimated 17 million adults over age 25 in 1960 with only an eighth grade education."

An inaccurate count, Betts points out, will seriously affect "congressional districting" which is the constitutional purpose of the census.

Betts has proposed legislation to void compulsory answers to questions which have nothing to do with the intended purpose of the census. The public, by urging members of Congress to support Betts' legislation, can avoid an unnecessary and unreasonable invasion of its privacy.

[From the Newark (Del.) Weekly, May 29, 1968]

On the Contrary

(By Bob Cunningham)

I wonder how many of you would be willing to answer if you were approached by a stranger asking the following questions:

1. How many babies have you had, not counting stillbirths?
2. Have you been married more than once?
3. Did your first marriage end because of the death of your wife or husband?
4. Where did you live in April, 1962?
5. What was your major activity in April, 1962?
6. Where were your parents born?
7. What is the value of your property?
8. What is your rent?
9. What did your sales of crops, livestock and farm products amount to last year?
10. Did you work at any time last week?
11. What was your income last year, dollar by dollar from all sources, including alimony, public assistance, pensions, investments, etc.?
12. What, in detail, are your educational, marital, military and employment histories?
13. What are the names of the people who share your kitchen and bathroom facilities?
14. What radio and television sets, dishwashers and other household appliances do you own?
15. Do you enter your living quarters directly from the outside, through a common or public hall, or through someone else's living quarters?
16. Do you have a flush toilet, and do you share it with any other householders?
17. How did you get to work last week? Were you looking for work or laid off from your job?
18. Is there a telephone by which people living in your house can be called? What is the number?
19. How many bathrooms do you have?
20. Do you have air conditioning? If so, do you have one or two individual room units or a central air-conditioning system?
21. Where did you live in October, 1962?

My guess is you wouldn't answer many, if any, of these questions. In fact, you would probably tell the stranger what he could do with his questions, and you might even offer to punch him in the nose.

Well, you'd better not.

Not if the U.S. Bureau of the Census gets its way in the 1970 census. Questionnaires already pre-tested in several cities contained these questions and 99 more like them filling 20 full pages.

What's more, before they came to the attention of the House Committee on Invasion of Privacy, there were other questions relating to your voting habits, religious preferences and social security number (which, of course, would firmly identify you with an otherwise anonymous questionnaire).

And that's not all.

If the Census Bureau gets its way with legislation now before the Congress, it will cost you $100 and 60 days in jail to refuse to answer whatever questions the Bureau chooses to inflict on you.

We have a census because the Constitution says that "Representatives and direct taxes shall be apportioned among the several states . . . according to their respective numbers" and directs a re-count every ten years.

What the above questions have to do with this Constitutional requirement beats me, but I do know one thing—if the proposed penalties for not answering are adopted and I get one of those long-form questionnaires I expect to get a two-month vacation in a very exclusive place at the bargain price of just $100.

Maybe I'll see you there!

[From the Omaha (Nebr.) Sunday World-Herald, May 26, 1968]

Nobody's Business

Look to 1970 and something like this can be foreseen:

John Q. receives his census form and proceeds to fill it out.

Name. Age. Address. Relationship to head of household. Sex. Date of birth. Race. Marital status. Number of visitors on hand.

All right. Answers filled in; now to mail it. Another obligation of citizenship fulfilled.

But wait. What are these other sections?

Dollar-by-dollar income from all sources. Value of property or rent paid. Employment and marital history. Bathroom shared with how many?

Nuts to that! "None of your business," John Q. scrawls across the form. Then to the mailbox.

A month passes, and a Census Bureau field man is on the front porch.

"Perhaps you misunderstood, sir. It is mandatory that the survey form be filled out in entirety."

"Sez you." Slam.

Another month passes, and a deputy United States marshal is on the front porch.

"Sir, I have a warrant for your arrest."

"What on earth for?"

"For not filling out all the blanks on the census form."

Another month passes, and John Q. is in court. The penalty, unless he talks his way out of it: A one-hundred-dollar fine or 60 days in jail.

That's about how it could go, for as it stands now, the 1970 census questionnaire contains some 120 items, many of which will be left blank by thousands or millions of Americans who will feel, with John Q., that it's nobody's business but theirs whether they have an air conditioner or when they were first married.

The penalty provision was attached early in the history of the census, to insure that the information the Government needed was complete and that every one was counted.

However, the penalty was left in to cover not only what the Government needs to know, but what it wants to know.

It is one more invasion of privacy, one more instance of an arrogant show of governmental muscle directed at the private life of the individual.

There could be a tremendous to-do, along the lines sketched above, if the 1970 census is conducted as now planned.

It would save everybody a lot of trouble, and result in a more accurate census, if the Government would either throw out the prying questions or make the answers voluntary.

A number of Congressmen have suggested common-sense alternatives.

We say good luck to these Congressmen. The census year is not far off, and the trouble should be headed off before it has a chance to develop.

[From the Decatur (Ill.) Review, June 4, 1968]

SENSIBLE QUESTIONS FOR CENSUS

Jackson Betts, a little-heard from Ohio congressman, asks a reasonable question: why should the proposed 1970 census questionnaire be so detailed?

Admittedly, there is much that sociologists, family and urban planners, governmental officials and businessmen can learn from census figures. The fact that current census figures are far from being current is a matter of some concern to statisticians. Suggestions have been made for taking the census every five years.

In 1960, according to a staff report in Trans-Action magazine, an estimated 5.7 million people were not counted—38 per cent of them being nonwhites.

"One-fifth of all nonwhite men ages 25 through 29 were left out of the census count. One-tenth of the total nonwhite population was missed. These missing nonwhites are, in effect, Ralph Ellison's 'invisible men.'"

Needless to say, such a failure to obtain a full count of the poverty-striken racial and ethnic minorities in the big cities has major political and social significance. Many government benefits are allocated on the basis of straight head-counts. One Philadelphia city official grumbled that the government owes his city "ten million dollars."

In addition to Negro men, such nonwhites as American Indians and persons of Latin-American origin tended to be overlooked.

The urban ghettos and poverty areas generally are the sectors of the American public that don't get counted. This has the effect of hiding America's poverty even more than present figures indicate. Given the situation in U.S. cities, the 1970 census could be more inaccurate than the 1960 national head count.

It is doubtful whether Mr. Betts has the answer in his bill which would simply limit mandatory questions to seven: "Name and address; relationship to head of household; sex, date of birth; race or color; marital status; visitors in home at time of census." Other questions would be provided for on a separate form, marked voluntary, which citizens could complete or not, as they chose.

If figures are to be valid, the polling must be as scientifically objective as the Census Bureau can make it. An entirely voluntary system would tend to create a distorted figure. It is more likely that better educated persons would respond to the questionnaire voluntarily since they would be more apt to see the value in it. But a true Census Bureau portrait of the American in his native lair should employ the best techniques of scientific sampling available to it.

Those refusing to answer Census Bureau figures are faced with a $100 fine or 60 days in jail, a penalty that seems unduly harsh.

Census questionnaires demand to know income, dollar by dollar, from all sources (something the tax form already demands to know in plainstaking detail, so why not use its over-all figures?); value of property, or rent paid; educational, marital, employment and military history; with whom bathroom and kitchen facilities are shared; lists of home appliances and so forth.

As a substitute for the Betts bill, why not set forth certain basic questions to which everybody must make reply, plus a simplified list of questions which may be answered voluntarily. Then the government wouldn't have to try, in order to pry. Most will cooperate if they don't feel Big Brother is asking them the questions.

(Resolution adopted by 77th Continental Congress National Society, Daughters of the American Revolution, April 15–19, 1968)

BUREAU OF CENSUS INVASION OF PRIVACY

Whereas the census of the United States every 10 years from 1790 has been authorized by Congress to determine the number of members of the House of Representatives from each state, and to determine how many American citizens and aliens are residents of the United States; and

Whereas there is an unfortunate tendency to utilize census takers as poll takers, and to ask long lists of personal questions not connected with establishing populations of states and other political subdivisions; and

Whereas in 1970 the Census Bureau is preparing to collect much extraneous data with some 120 personal questions such as how are you fixed for plumbing; what door of your house do you usually enter; do you share your bath with anyone; how much do you earn; what rent do you pay; which questions must be answered under penalty of a $100.00 fine or 60 days in jail; and

Whereas legislation has been introduced in Congress which would limit mandatory questions to those necessary for our constitutional requirements for congressional districting, answers to all other questions to be voluntary;

Resolved, That the National Society, Daughters of the American Revolution support an accurate simplified census in 1970 limiting the mandatory questions to cover only: Address, names of all residents in household, relationship to head of family, sex, date and place of birth, race, marital status, and visitors in home at time of census; placing all other questions on a voluntary basis, and eliminating a penalty for failure to answer the voluntary questions, thus obtaining all essential information necessary for federal, state and local governments, and at the same time protecting the rights of individual privacy as guaranteed in the Constitution of the United States of America.

THE NEED FOR LEGISLATIVE CHANGES IN THE IMMIGRATION ACT

Mr. ROONEY of New York. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. ROONEY of New York. Mr. Speaker, at the time of the enactment of our new immigration law 2 years ago, it was anticipated that in all probability certain adjustments would have to be made predicated upon the actual experience gained from administering the law.

I think it is a tribute to all who helped write the present legislation that the act has been most successful in achieving a sound and equitable basis for admitting aliens to this country. The elimination of the deplorable national origins quota system has helped the United States to improve immeasurably its foreign image and proves conclusively the beneficial results predicted at the time of the law's enactment.

One problem not foreseen by any of us prior to the law's enactment was the development of a serious backlog of Italian brothers and sisters anxious to join their kinfolk in this country. Although efforts were made to reduce this backlog they were not completely successful. It is apparent that to meet this problem related primarily to Italian migrants some legislative changes must be made. Mr. Speaker, I introduced corrective legislation as did others. I believe my proposal—H.R. 13388—will constitute a reasonable amendment to the existing law by helping to reduce the backlog of deserving Italian applicants without jeopardizing the possibilities of applicants of other nationalities for taking advantage of immigration opportunities offered to them. My proposal would not increase the total number of immigrants presently allowable under the provisions of the law.

The legislative change in my proposal is quite simple. It would provide "special immigrant" status to beneficiaries of petitions approved for one of the preferences under section 203(a)(1) through (6) of the act if such petition had been filed prior to October 3, 1965, and to their accompanying spouses and children, provided that the beneficiary is still entitled to the status established in the approved petition.

I sincerely hope that the House Committee on the Judiciary will take appropriate action on these remedial proposals. I am confident that this body and the other body as well will give such legislation hearty and speedy endorsement.

This is an item of unfinished business that should be given a high priority for completion before this Congress adjourns.

It is reasonable legislation; it is essential legislation; it will become beneficial legislation. There is every reason in favor of its enactment.

THE PRESIDENT'S REQUESTED LEGISLATION TO LOWER THE NATIONAL VOTING AGE TO 18 YEARS

Mr. ROONEY of New York. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. ROONEY of New York. Mr. Speaker, some days ago the President proposed legislation which would be of great benefit to young people throughout this country.

These are trying days for all Americans, but they are even more trying for our teenagers who are just now attempting to bridge the gap between youth and maturity.

I have great feeling for all the youth who today face the dilemma of being expected to react and perform as adults even to making the supreme sacrifice for their country in the rice paddies of Vietnam yet being categorized as children and denied any opportunity to participate in the social and political determinations which shape their lives and those of their fellow citizens.

Yes, these are particularly frustrating

days for many of those who begin to emerge from the cocoonlike wrappings of parental domination and adult conceived restrictions to a newfound freedom of self-determination. To many of them this new freedom is as heady as new wine, but to many of them the shiny new responsibilities for being their own boss are much more frustrating than having to respond to external controls dictated by their elders.

Some of them are not entitled to more freedom or greater recognition. Some of them have not yet earned a right to participate fully as an adult. But such are in the minority. They represent the socially immature who respond to pressures by emotional reactions rather than by any mental process. They are the ones who think with their glands instead of their brains. They are the ones who find it easier not to conform to society's established rules and customs but to protest and demonstrate without actually being aware of what they are against or what they are for.

They are the ones who in protest against the "establishment" find themselves the willing slaves of the leaders of the lunatic fringe who manipulate them as though they were puppets on a string.

They are the ones who think that an unkempt appearance—whether it be beards and flowing hair, unwashed bodies and filthy garments, or loose and shoddy morals—give them the solace and the distinction to which they aspire.

But, thank God, these sorts of young Americans are in such a small minority, and, thank God, most of America's young people are cast in the same mold as the millions of American citizens who for generation after generation have given our country its life blood and nourishment to make it one of the richest and successful nations in the world.

Because most young people are what they are today and because they respond to adult demands placed upon them by an adult world, I think it is only right and just that they receive privileges commensurate with their responsibilities as full-fledged American citizens. I see no justice in demanding that 18-year-old boys register for military service yet be precluded from registering at the polls.

I see no justice in demanding that 18-year-olds complete a tour of military service so rugged and so demanding that it tests the mettle of mature men, yet these same young men are denied the right to fight their country's political issues through use of the ballot.

I feel strongly that, if our youth are deemed old enough to defend their country, they should likewise be deemed eligible to vote. Because of my firm conviction, I am in hearty accord with the proposal to lower the national minimum voting age to 18 years from its present 21 years, obtaining in all States except Georgia, Kentucky, Hawaii, and Alaska. I hope that this Congress will act speedily and favorably on this legislation. It will be a legislative achievement for which we can all be proud.

I know that there will be some who will oppose this proposal on the basis that youth do not have the maturity of judgment to be able to vote intelligently. I dismiss this argument as emanating from the "fossil fringe" that has not kept contact with young people—people who are afraid to have the status quo upset. Such an argument is also groundless because it assumes that "maturity of judgment" is suddenly achieved by youth in some mystic and readymade manner. It is only by the active and fullest participation in our governmental processes that young people can develop the maturity which will make them not only good citizens but prepare them for the leadership which all too soon they will have to take over.

But I am confident that if and when young people acquire the right to vote—the privilege of the franchise—they will also recognize the responsibilities that go with such a right and privilege.

Young people owe it to themselves and to their country to be intelligent voters. They need to examine the record of every candidate and to evaluate his qualifications.

They must determine how every candidate stands on the issues in which they have strong interests.

They must avoid being stampeded into support of any candidate by election "gimmicks" and political pressures.

I hope that when they have made the choice of the candidate they intend to support, they will solicit support for him from their families and friends. Weighing the arguments of others for or against their candidate should strengthen their own support of him or cause them to reject him before their votes are cast and perhaps lost.

They would be wise to weigh endorsing public programs until they can determine whether the tax dollars which they must help contribute will justify the expenditures entailed.

Finally, Mr. Speaker, I am confident that besides being intelligent voters young people will become loyal supporters of the candidates whom they have endorsed and helped to elect. So long as this elected official follows his pre-election promises and strives to represent them and the majority of other voters they will give him their support. You and I know that too often a successful candidate finds himself a lonely and discouraged individual. Too often the criticisms leveled at him for doing some things and not doing others outnumber by far any recognition of the job he is doing in behalf of his noncomplaining constituents. But young people possess an inherent honesty which makes them feel equally inclined to praise as to complain to their elected representative.

The closer that youth maintains ties with their ballot choices after election, the greater will be their own participation in our democratic process of maintaining a government of the people, by the people, and for the people.

A good many young voters will come from the category of "newer Americans"—the sons and daughters or the grandsons and granddaughters of Americans born in foreign lands. They not only have a priceless heritage handed down to them by their forebearers, but they doubtless have a keener appreciation of the meaning of liberty and the value of being free. They should count themselves fortunate to have received from their parents and grandparents their oft-voiced stress of the advantages of American citizenship. These young people are blessed indeed to have grown up with their elders' example of obedience to law and their patriotic self-assumption of the role of guardians of our treasured blessings of liberty. For nowhere in America can one find anyone more loyal or more patriotic than the citizen who came here as an immigrant and has established himself as a proud and respected American.

Youth about to be given the voting privilege should ponder well their treasured heritage and harken to the words spoken by those who have been forced to earn their American citizenship and who now appreciate its significance.

I wish all of these new voters well as they enter into these new responsibilities of citizenship which I hope will soon be theirs and I hope they enjoy to the fullest the blessings which will come to them as they become fully recognized adult citizens.

LEAVE THE VA ALONE

Mr. SAYLOR. Mr. Speaker, I ask unanimous consent to extend my remarks in the body of the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. SAYLOR. Mr. Speaker, the most important charatceristic of the Veterans' Administration is its independence and singleness of purpose in its dedication to the cause of veterans. When the Nation's veterans program was first taking shape, the benefits then granted were administered by several agencies. Following World War I, this was corrected and today we have one great agency dedicated exclusively to the administration of veterans' benefits. From time to time, other agencies try to build an empire by taking pieces of the veterans program. There have been attempts to remove the veterans housing program which failed. Several years ago, there was an attempt to remove the vocational rehabilitation program from the Veterans' Administration and there have been a number of attempts to break up the Veterans' Administration hospital and medical program.

The latest effort by Secretary of Health, Education, and Welfare Cohen, is one more effort in a long series of attempts to build other agencies by taking portions of the veterans program. I am unalterably opposed to dividing any portion of the veterans program among other agencies.

I am convinced that the major veterans organizations share this opposition and there is no doubt in my mind that a vast majority of the Congress supports the Veterans' Administration and its programs as presently organized.

I have read with interest Secretary Cohen's letter dated July 1, 1968, in which he expressed dismay that the chairman of the Veterans' Affairs Committee had gained the idea that HEW was seeking to take over policy control of the Veterans' Administration hospital system. I have also read Secretary Cohen's letter dated June 14, 1968, addressed to the President, and his attached report. It is difficult for me to imagine how the case could have been stated more clearly. Secretary Cohen recommends to the President that he be made the President's sole and chief adviser on Federal health policy. A clue to the extent of the control which he seeks to exercise is revealed in a final draft of the report dated May 17, 1968, in which the Secretary complains that until his recommendations are accepted, he will not be in a position to furnish guidance on such issues as the selection of sites for VA hospitals.

Mr. Speaker, the selection of sites of VA hospitals is none of the business of the Secretary of Health, Education, and Welfare. I have been one of those who has believed that there should be more congressional participation in the selection of sites of VA hospitals. Certainly this is a task which can be accomplished by the President and the Congress in the interests of veterans and their health needs without any assistance from Secretary Cohen.

The Veterans' Administration hospital and medical system is the largest medical program in the world under single leadership and it has achieved remarkable success. I know of few who would make the same claims of success for the health programs and hospitals administered by the Department of Health, Education, and Welfare. Secretary Cohen has all he can do to straighten out his own Department before attempting to take over the policy control of another agency.

Mr. Speaker, although we have been principally concerned over the effect of Secretary Cohen's recommendations on the VA, I wish to make it clear that I do not believe that the Secretary of Health, Education, and Welfare has any business seeking policy control over the Department of Defense and its medical and hospital program. The obligation of the Federal Government to servicemen and their families and to veterans who have served their country during a time of war is different from the general health needs of the public. The theme of Mr. Cohen's recommendations seem to be that the military and veterans medical programs should be equated against the needs of the general population. I do not think this is true. We have a moral obligation to active duty servicemen and men who have served during a period of war and this obligation deserves priority attention from the Federal Government. Veterans and servicemen have enjoyed this priority of consideration for the last 50 years, and I see nothing in Secretary Cohen's recommendations that has convinced me that the two largest medical systems in the world, which have achieved immense success, should be made secondary in policy matters and control to the Administrator of the smallest of the major Federal medical systems.

In the belief that my colleagues in the House of Representatives would wish to express similar opposition to the plans of the Secretary of Health, Education, and Welfare to increase his already vast bureaucracy at the expense of the Nation's veterans, I have today introduced a resolution which expresses the unalterable opposition of this body to any such plan. I urge that the resolution be considered favorably at the earliest possible date.

WIBAUX IS NOT HUNGRY

Mr. BATTIN. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Montana?

There was no objection.

Mr. BATTIN. Mr. Speaker, the Department of Agriculture's program to distribute food surpluses to the needy of America needs a complete overhaul to orient the program to people rather than statistics. To preface my remarks on this subject, I will grant the claim that there are a large number of people in the United States who are suffering from malnutrition. That this claim in fact is undisputed, but the reasons are more complex than the simplistic charge, "the Federal Government does not care about the poor." Malnutrition is by far not a rampant problem, but the existence of any hunger problem is tragic in a nation as wealthy as the United States. Hunger exists in some untabulated degree because of poor administration of food assistance programs and for lack of proper dietary knowledge among the poor.

In a small, but self-sufficient county in my district, the local officials were given a close look at the administrative problems that have allowed the incidence of malnutrition in other localities. Just as surely as there are conditions of hunger in the United States, there is not one instance of hunger in Wibaux, Mont., unless perhaps some overweight person has restricted himself to a stringent diet. But officials from the commodity distribution program in San Francisco, Calif., traveled to Wibaux, Mont., and told lifelong residents there that the county was a poverty area in need of their help. No matter that the county commissioners, welfare officials and county doctor did not know about this problem, Wibaux County was a target area for the saving grace of USDA. Now if this were a vast area crowded with tenant farmers or a slum neighborhood with the anonymity of the big city, it would be understandable that the local government was unable to pinpoint a needy family that was not receiving proper nourishment. But Wibaux County has only 1,700 people, nearly all of whom are farmworkers, farmowners, and ranchers. They produce most of their own food in abundance and it is highly nutritional. Three families in this county, because of unfortunate circumstances, are receiving welfare. They are well served by county welfare and have the sympathy and help of their neighbors to make ends meet and provide meat on their tables. If anything, Wibaux should be an example of how Americans were able to fare for themselves before the modern day of teeming big city slums and a Government that tries to do everything for everybody.

The embarrassment of Wibaux people did not start with the Federal Government although it is Federal officials that are continuing to bring shame to the county. It all started when a group formed under Walter Reuther, the Citizen's Committee of Inquiry Into Hunger and Malnutrition in the United States, went through the 1960 census and began applying hunger labels on 256 counties. To the shock of every Montanan, the county of Wibaux found itself on front pages of newspapers throughout the Nation. County officials certain that it was a mistake contacted me immediately for help in correcting this misrepresentation. But from its base of shaky conclusions drawn from an 8-year survey, the "citizens group" refused to listen to the information from the only people qualified to say whether anyone in Wibaux County was suffering from malnutrition. The group's mission was to propagandize the role of the Federal Government in feeding the needy and they were not about to admit a mistake. Although this group had no official status and no expertise in the area of social research, the findings received broad public notice and the Federal Government swallowed the claims whole. The House Committee on Agriculture was not as naive and set about to ask the named counties about the report. In a study published by the Agriculture Committee, June 11, 1968, it was stated:

> In not one single county of those responding were there current cases of starvation reported and few instances of hunger as a result of inability to buy food or receive public assistance.

The committee further reported:

> Almost all the cases of hunger and malnutrition cases were blamed on ignorance by parents as to what constituted a balanced diet.

The officials in charge of commodities distribution evidently took the unofficial report at face value and discounted the congressional committee report.

Two weeks later the Wibaux County commissioners had a visit from the commodity distribution officials and learned that the people of Wibaux were going to receive free food whether they needed it or not. Even though the commissioners and the welfare officials assured them that the food was not needed or wanted, the bureaucrats persisted in their determination to create a Federal food distribution office.

On June 26 the newspapers of Montana announced that a food distribution program would be started in Wibaux, regardless of the lack of local need. On the front page of the Billings Gazette, one of Montana's largest daily newspapers, was the headline, "Food Forced on Wibaux." Immediately below was an article that shows the lack of coordination in the free food agency. Under the headline, "Meanwhile Aid Delayed," the Associated Press reported that a food stamp program requested by the commissioners of Glacier County, Mont., had been denied because the county was not among the 38 areas designated for relief this month. Glacier applied for food stamps in March of 1967 and was unable to obtain assistance 16 months later. Wibaux received its official rating during the first week of June and by the end of the month was approved for food aid over the better judgment of the county officials within the month.

To understand how Wibaux received the indistinct designation, you have to understand the county better than the Reuther group obviously did. By standards set for New York City and other metropolitan areas, the average income in Wibaux is probably low. A farmworker who receives $250 a month in Wibaux is far better off than a laborer in a large city who earns $5,000 a year. The $250 salary includes housing and in many cases subsistence. The Reuther group did not take this into consideration.

After the county officials were convinced that the food distribution bureaucrats were not going to take their word for the lack of hungry people in their county, they asked the officials to take a survey to find out if there were hungry people in the area. The Federal know-it-alls refused, saying they did not want to waste money to prove a foregone conclusion. At this point the commissioners stated that they opposed the food distribution plan because it was not needed and because it would cast an image on the county that was untrue and damaging. They also decided to seek an injunction against the Federal Government setting up a food program without local cooperation.

Charles Ernst of San Francisco, district director of the consumer food program, pronounced the decree that the Federal Government will give out free food in Wibaux with or without the approval of the county board. It now appears that Wibaux will have forced feeding as a mandate of the Department of Agriculture. This decision was made and upheld in Washington over the protest of the Governor of Montana, the county commissioners, the welfare department of the county, and myself.

Wibaux will probably have a free food center within the next few weeks unless Agriculture Secretary Orville Freeman listens to reason and reverses the decision of the commodity distribution officials. But the office will be the loneliest place in town and whoever is sent to staff it will be the most unpopular person in town. Unless the Government changes the criteria for qualifying for food assistance, no one in Wibaux will be able to receive the food and even if the requirements are completely suspended, I doubt if anybody in Wibaux is going to walk to the giveaway office with their hand out.

Oh, yes, the good people of the county also offered a $100 reward to the person who could find the hungry person. Please, Mr. Secretary, reconsider before you do damage to the whole program.

LET US ESTABLISH PRIORITIES

Mr. MONAGAN. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Connecticut?

There was no objection.

Mr. MONAGAN. Mr. Speaker, Under Secretary Joseph W. Barr recently provided national planners with much food for thought in his statement that there will be little opportunity for cutting the military or diplomatic budget after the Vietnam war if the current policies of the Pentagon and the State Department are continued. This sobering statement is particularly important because most Americans believe that our national experience following other prior military engagements will be repeated and that there will be a sharp reduction in the volume of funds committed to global defense objectives, with consequent increase in the volume of money available for civilian projects.

This is not the place to discuss in detail the basis upon which Secretary Barr has made his prediction, although one reads his speech with the conviction that he has made a serious and informed attempt to calculate possible Federal spending in this area in the postmilitary period.

The point is that we need desperately to make some determination of our priorities and the consequent allocation of our assets. We have discovered that even the vast resources of the United States are not limitless and citizens of all shades of thought from liberal to conservative are agreed that the time has passed when our spending policies and our appropriations can be established in hit or miss fashion.

In this connection I wish to call attention again to my bill—H.R. 15343—which establishes a commission for the very purpose which I have been discussing. Secretary Barr has made a great contribution to the Nation by bringing a possible conflict of postwar policies into the open now. He has stimulated us to thinking now rather than when the time of revision is upon us. I suggest that my bill will provide a vehicle whereby some resolution can be made of the dilemma which Mr. Barr and Professor Eckstein of Harvard have suggested.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. DE LA GARZA (at the request of Mr. BOGGS), for today, on account of official business.

Mr. CAHILL (at the request of Mr. GERALD R. FORD), for today, on account of official business.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

(The following Members (at the request of Mr. SCHADEBERG) to revise and extend their remarks and include extraneous matter:)

Mr. HALPERN, for 5 minutes, today.

Mr. GOODELL, for 30 minutes, today.

Mr. GONZALEZ, for 15 minutes Monday, July 15; to revise and extend his remarks and include extraneous matter.

Mr. PATMAN, for 30 minutes, today; and to revise and extend his remarks and include extraneous matter.

EXTENSIONS OF REMARKS

By unanimous consent, permission to extend remarks was granted to:

Mr. BETTS and to include extraneous material.

Mr. HALL to extend his remarks in the Extensions of Remarks and include pertinent material.

Mr. PHILBIN in seven instances and to include extraneous matter.

Mr. O'NEILL of Massachusetts in three instances and to include extraneous matter.

Mr. WYLIE during the consideration of House Joint Resolution 1 following the remarks of Mr. POFF.

Mr. SMITH of California (at the request of Mr. ANDERSON of Illinois) to revise and extend his remarks made today.

Mr. CARTER prior to the vote on H.R. 14096.

Mr. FASCELL and to include extraneous matter during his remarks on House Joint Resolution 1.

Mr. KYROS to include extraneous matter in the remarks he made today on the Public Health Services Act.

(The following Members (at the request of Mr. SCHADEBERG) and to include extraneous matter:)

Mr. ZWACH in two instances.

Mr. MARTIN.

Mr. WYMAN in three instances.

Mr. MORTON in two instances.

Mr. STEIGER of Wisconsin.

Mr. POFF.

Mr. MCDADE in two instances.

Mr. SCHERLE in two instances.

Mr. KEITH.

Mr. SCHADEBERG.

Mr. MILLER of Ohio.

Mr. JOHNSON of Pennsylvania.

Mrs. DWYER in three instances.

Mr. SPRINGER in two instances.

Mr. DENNEY.

Mr. BERRY in two instances.

Mr. BUCHANAN.

Mr. HANSEN of Idaho in three instances.

Mr. KLEPPE.

Mr. ASHBROOK.

(The following Members (at the request of Mr. MONTGOMERY) and to include extraneous matter:)

Mr. GILBERT.

Mr. ROONEY of Pennsylvania.

Mr. GALLAGHER.

Mr. DINGELL.

Mr. MURPHY of New York.

Mr. RYAN in three instances.

Mr. PICKLE.

Mr. TENZER in five instances.

Mr. GONZALEZ in three instances.

Mr. HOWARD.

Mr. FASCELL.

Mr. LONG of Maryland.

Mr. TUNNEY in four instances.

Mr. FULTON of Tennessee in two instances.

Mrs. KELLY in two instances.

Mr. THOMPSON of New Jersey in two instances.

Mr. BEVILL.

Mr. NICHOLS.

Mr. DELANEY.

Mr. BOGGS.

Mr. MOORHEAD.

Mr. HUNGATE in two instances.

Mr. DULSKI.

Mr. RARICK in four instances.

Mr. BROWN of California.
Mr. WHITENER.

SENATE BILLS AND JOINT RESOLUTION REFERRED

Bills and joint resolution of the Senate of the following titles were taken from the Speaker's table and, under the rule, referred as follows:

S. 356. An act to permit the establishment and operation of certain branch offices by the Michigan National Bank, Lansing, Mich.; to the Committee on Banking and Currency.

S. 3065. An act to amend the Federal Trade Commission Act, as amended, by providing for preliminary injunctions for certain violations of the act; to the Committee on Interstate and Foreign Commerce.

S.J. Res. 130. Joint resolution to authorize and direct the Federal Trade Commission to conduct a comprehensive investigation of unfair methods of competition and unfair or deceptive acts or practices in the home improvement industry, to expand its enforcement activities in this area, and for other purposes; to the Committee on Intertstate and Foreign Commerce.

ENROLLED BILLS SIGNED

Mr. BURLESON, from the Committee on House Administration, reported that that committee had examined and found truly enrolled bills of the House of the following titles, which were thereupon signed by the Speaker:

H.R. 3400. An act to amend the Federal Aviation Act of 1958 to require aircraft noise abatement regulation, and for other purposes; and

H.R. 9063. An act to amend the International Claims Settlement Act of 1949, as amended, to provide for the timely determination of certain claims of American nationals, and for other purposes.

ADJOURNMENT

Mr. MONTGOMERY. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 33 minutes p.m.), under its previous order, the House adjourned until Monday, July 15, 1968, at 10 o'clock a.m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

2051. A letter from the Deputy Assistant Secretary of the Interior, transmitting a draft of proposed legislation to extend the provisions of the Commercial Fisheries Research and Development Act of 1964; to the Committee on Merchant Marine and Fisheries.

2052. A letter from the Secretary of Health, Education, and Welfare, transmitting a report of grants approved and financed wholly with Federal funds, pursuant to the provisions of section 1120b of the Social Security Act; to the Committee on Ways and Means.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. GARMATZ: Committee on Merchant Marine and Fisheries. H.R. 12766. A bill to permit the vessel *Marpole* to be documented for use in the coastwise trade (Rept. No. 1710). Referred to the Committee of the Whole House.

Mr. STAGGERS: Committee on Interstate and Foreign Commerce. S. 510. An act providing for full disclosure of corporate equity ownership of securities under the Securities Exchange Act of 1934; with amendment (Rept. No. 1711). Referred to the Committee of the Whole House on the State of the Union.

Mr. GARMATZ: Committee on Merchant Marine and Fisheries. H.R. 18254. A bill to amend further section 27 of the Merchant Marine Act, 1920 (Rept. No. 1712). Referred to the Committee of the Whole House on the State of the Union.

Mr. GARMATZ: Committee on Merchant Marine and Fisheries. H.R. 18340. A bill to amend section 212(B) of the Merchant Marine Act, 1936, as amended, to provide for the continuation of authority to develop American-flag carriers and promote the foreign commerce of the United States through the use of mobile trade fairs; with amendment (Rept. No. 1713). Referred to the Committee of the Whole House on the State of the Union.

Mr. THOMPSON of New Jersey: Joint Committee on the Disposition of Executive Papers. House Report No. 1714. Report on the disposition of certain papers of sundry executive departments. Ordered to be printed.

Mr. PEPPER: Committee on Rules. House Resolution 1262. Resolution providing for the consideration of H.R. 15757. A bill to amend the Public Health Service Act to extend and improve the programs relating to the training of nursing and other health professions and allied health professions personnel, the program relating to student aid for such personnel, and the program relating to health research facilities, and for other purposes (Rept. No. 1715). Referred to the House Calendar.

Mr. MATSUNAGA: Committee on Rules. H. Res. 1247. Resolution to grant additional travel authority to the Committee on Public Works; with amendment (Rept. No. 1716). Referred to the House Calendar.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. BLACKBURN:

H.R. 18525. A bill to provide training and employment opportunities for those individuals whose lack of skills and education acts as a barrier to their employment at or above the Federal minimum wage, by means of subsidies to employers on a decreasing scale in order to compensate such employers for the risk of hiring the poor and unskilled in their local communities; to the Committee on Education and Labor.

By Mr. BROOMFIELD:

H.R. 18526. A bill to amend title 10 of the United States Code to prohibit the assignment of a member of an armed force to combat area duty if certain relatives of such member died while serving in the Armed Forces in Vietnam; to the Committee on Armed Services.

By Mr. COWGER:

H.R. 18527. A bill to amend title 10 of the United States Code to prohibit the assignment of a member of an armed force to combat area duty if certain relatives of such member died while serving in the Armed Forces in Vietnam; to the Committee on Armed Services.

By Mr. DELLENBACK:

H.R. 18528. A bill to amend title 10 of the United States Code to prohibit the assignment of a member of an armed force to combat area duty if certain relatives of such member died while serving in the Armed Forces in Vietnam; to the Committee on Armed Services.

By Mr. HALPERN:

H.R. 18529 A bill to amend the Internal Revenue Code of 1954 in relation to industrial development bonds; to the Committee on Ways and Means.

By Mr. McDADE:

H.R. 18530. A bill to amend the Agricultural Marketing Agreements Act of 1937 to require hearings on the adequacy of milk marketing order prices under drought conditions; to the Committee on Agriculture.

H.R. 18531. A bill to provide for the establishment of national cemeteries in the Commonwealth of Pennsylvania; to the Committee on Veterans' Affairs.

H.R. 18532. A bill to provide a Small Claims Tax Court; to the Committee on Ways and Means.

H.R. 18533. A bill to amend title II of the Social Security Act to provide for cost-of-living increases in the benefits payable thereunder; to the Committee on Ways and Means.

By Mr. TUNNEY:

H.R. 18534 A bill making an appropriation to the Office of Education to carry out the Bilingual Education Act for the fiscal year ending June 30, 1969; to the Committee on Appropriations.

By Mr. ZWACH:

H.R. 18535. A bill to amend title 10 of the United States Code to prohibit the assignment of a member of an armed force to combat area duty if certain relatives of such member died while serving in the Armed Forces in Vietnam; to the Committee on Armed Services.

By Mr. FULTON of Pennsylvania:

H.R. 18536 A bill to establish a community development corporation program to aid the people of urban and rural communities in securing gainful employment, achieving the ownership and control of the resources of their community, expanding opportunity and stability in their community, and making their maximum contribution to the strength and well-being of the Nation; to the Committee on Ways and Means.

By Mr. GARMATZ:

H.R. 18537. A bill to unify and consolidate the rules for navigation on the waters of the United States; to the Committee on Merchant Marine and Fisheries.

By Mr. HALPERN:

H.R. 18538. A bill to establish a community development corporation program to aid the people of urban and rural communities in securing gainful employment, achieving the ownership and control of the resources of their community, expanding opportunity and stability in their community, and making their maximum contribution to the strength and well-being of the Nation; to the Committee on Ways and Means.

By Mr. JARMAN:

H.R. 18539. A bill to amend title 10, United States Code, to equalize the retirement pay of members of the uniformed services of equal rank and years of service, and for other purposes; to the Committee on Armed Services.

By Mr. JOHNSON of California (for himself, Mr. HOLIFIELD, Mr. UTT, Mr. MCFALL, Mr. LEGGETT, Mr. WALDIE, Mr. TUNNEY, Mr. TALCOTT, Mr. ROYBAL, Mr. DON H. CLAUSEN, Mr. DEL CLAWSON, Mr. BURTON of California, and Mr. MOSS):

H.R. 18540. A bill to provide full Federal financing of payments made under the public assistance provisions of the Social Security Act to recipients who do not meet the duration-of-residence requirements of the applicable State plan, where such payments must nonetheless be made because of court determinations that such requirements are unconstitutional; to the Committee on Ways and Means.

By Mr. McMILLAN:

H.R. 18541. A bill to authorize reinsurance with appropriate loss sharing by the District of Columbia against insurance losses resulting from riots and other civil disturbances, and for other purposes; to the Committee on the District of Columbia.

By Mr. MONAGAN:

H.R. 18542. A bill to suspend for a temporary period the import duty on 2,4,5-trichlorophenoxyacetic acid; to the Committee on Ways and Means.

By Mr. MOORE (for himself, Mr. Donohue, Mr. Cahill, and Mr. MacGregor):

H.R. 18543. A bill to amend the Immigration and Nationality Act to make the visa numbers remaining unissued on June 30, 1968, available for immigrants from certain foreign countries; to the Committee on the Judiciary.

By Mr. RUPPE:

H.R. 18544. A bill to amend the Internal Revenue Code of 1954 in relation to industrial development bonds; to the Committee on Ways and Means.

By Mr. SCHERLE (for himself, Mr. Denney, Mr. Devine, Mr. Hunt, Mr. Watkins, Mr. Kyl, Mr. Roudebush, Mr. Wylie, Mr. Goodling, and Mr. Schwengel):

H.R. 18545. A bill to direct the Secretary of Defense to pay the special pay authorized under section 310 of title 37, United States Code, to certain members of the uniformed services held captive in North Korea; to the Committee on Armed Services.

By Mr. SMITH of New York:

H.R. 18546. A bill to establish a community development corporation program to aid the people of urban and rural communities in securing gainful employment, achieving the ownership and control of the resources of their community, expanding opportunity and stability in their community, and making their maximum contribution to the strength and well-being of the Nation to the Committee on Ways and Means.

By Mr. GARMATZ:

H.R. 18547. A bill to improve the laws relating to the documentation of seamen and for other purposes; to the Committee on Merchant Marine and Fisheries.

By Mr. GALIFIANAKIS:

H.J. Res. 1408. Joint resolution creating a Joint Committee To Investigate Crime; to the Committee on Rules.

By Mr. TAYLOR:

H.J. Res. 1409. Joint resolution proposing an amendment to the Constitution relating to the terms of office of judges of the Supreme Court of the United States and inferior courts; to the Committee on the Judiciary.

By Mr. PATMAN:

H. Con. Res. 797. Concurrent resolution providing for the printing of the report entitled "Commercial Banks and Their Trust Activities: Emerging Influence on the American Economy"; to the Committee on House Adminisration.

By Mr. ADAIR:

H. Res. 1263. Resolution that the Veterans' Administration hospital system be continued in its present organizational structure; to the Committee on Veterans' Affairs.

By Mr. SAYLOR:

H. Res. 1264. Resolution that the Veterans' Administration hospital system be continued in its present organizational structure; to the Committee on Veterans' Affairs.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BRASCO:

H.R. 18548. A bill for the relief of Michael Bono; to the Committee on the Judiciary.

H.R. 18549. A bill for the relief of Salvatore Scotto D'Aniello; to the Committee on the Judiciary.

H.R. 18550. A bill for the relief of Luciano Dimino, Antonina Scarpulla Dimino, and Maria Giuseppina Dimino; to the Committee on the Judiciary.

By Mr. BRAY:

H.R. 18551. A bill for the relief of Chun-Ying Sa; to the Committee on the Judiciary.

By Mr. BUTTON:

H.R. 18552. A bill for the relief of Livio Ceroni and Teresa Ceroni; to the Committee on the Judiciary.

By Mr. CELLER:

H.R. 18553. A bill for the relief of Abraham Yankelowitz; to the Committee on the Judiciary.

By Mr. McDONALD of Michigan:

H.R. 18554. A bill for the relief of Generosa Sisno; to the Committee on the Judiciary.

By Mr. ROYBAL:

H.R. 18555. A bill for the relief of Tae Hyung Lee; to the Committee on the Judiciary.

By Mr. TEAGUE of Texas:

H.R. 18556. A bill for the relief of Stevan S. Udicki and Sekula Churchich; to the Committee on the Judiciary.

By Mr. CHARLES H. WILSON:

H.R. 18557. A bill for the relief of Mrs. Lili Gek-Lee Kho Kim and Mr. Jai Uk Kim; to the Committee on the Judiciary.

By Mr. ADAMS:

H.R. 18558. A bill for the relief of Eng Jen Hung; to the Committee on the Judiciary.

EXTENSIONS OF REMARKS

RECREATION IN AN AGE OF UNREST

HON. JACOB K. JAVITS

OF NEW YORK

IN THE SENATE OF THE UNITED STATES

Friday, July 12, 1968

Mr. JAVITS. Mr. President, I ask unanimous consent to have printed in the Extensions of Remarks a presentation entitled "The Age of Unrest and the Role of Park and Recreation Personnel," made by Dr. Sal J. Prezioso, executive vice president, National Recreation and Park Association, before the New England district conference, Portsmouth, N.H., May 6, 1968.

There being no objection, the presentation was ordered to be printed in the Record, as follows:

The Age of Unrest and the Role of Park and Recreation Personnel

(By Dr. Sal J. Prezioso, executive vice president, National Recreation and Park Association, before the New England district conference, Portsmouth, N.H., May 6, 1968)

Ladies and gentlemen, America is in rebellion. Rebellion against the status quo, traditions, moral and ethical values, standards and conformity among others. We are living in an era of flaming passions. Frustrations hidden beneath the surface of American society have bubbled to the top. America has sown the wind and is now reaping the whirlwind. Mistakes made for nearly 200 years—many of which were not even realized at the time—these mistakes have been gathering interest—compounded annually—in the vaults of human hearts. The whirlwind generated by these mistakes is now erupting in community after community throughout this great land.

Historically speaking, the United States seems to have a continuing cycle of civil crises. Since our earliest days there have been continuing movements among dissatisfied elements of the American population. Most of these movements were—in present day vernacular—"non-violent." But there were others that threatened to rend the fabric of American life.

In the late 1700's and early 1800's it was the farmers' revolt, such as the "Whiskey Rebellion" in which farmers refused to pay federal taxes on their corn liquor. In the 1840's and 50's there were troubles with Irish immigrants who fled Ireland during the "potato famine" and became the "avante garde" of an ocean of disadvantaged Europeans who soon flooded our shores.

Next came the abolition movement which climaxed in the Civil War and Reconstruction. We are still living in the anti-climax of that period because the scars have not yet healed.

The Indian wars—which continue to range across our television screens—provided more internal conflict in the late 1800's. While these were not strictly rebellions, they were conflicts among Americans.

The period from the 1890's through World War I provided the first urban-related unrest in American history. There was labor unrest that reached its peak with the famous steel strikes of the late 1890's. There were movements against child labor, unspeakable industrial conditions, and a host of other urban-related problems.

During and after World War I, it was the women's suffrage movement; then prohibition and the rise of gangsterism. All of these were civil disturbances in different forms.

During the depression, it was the veterans' march on Washington, bread riots, and other manifestations of a complete breakdown in American economy. Then came World War II and the rise of communist Russia, which sparked the communist witch-hunt of the McCarthy era and the ostracizing of many unthinking individuals who thought communism was the wave of the future.

In all these instances, America faced a major social crisis. They were times that tried men's souls. Everyone's attention was drawn to the various moves and countermoves of the opposing factions. When the disorders were finally controlled, Americans everywhere took stock of their basic attitudes and beliefs, in most cases, adjustments were made in fundamental thinking patterns, compromises were struck, and conditions changed.

In retrospect, these upheavals were actually turning points in American life. They introduced new channels for the stream of American society. And—on the whole—the changes wrought were for the better. Indeed, as years went by, the new privileges became recognized as basic human rights.

I believe we have a parallel situation today. Although America has its advocates for change—dissident inner city groups, hippies, flower children, and peace marchers—there is still a willingness on the part of the American people to understand and compromise—just as their ancestors did in the past.

I am optimistic that Americans will again meet the challenges of today with positive action that will bring a better America. I feel that the country is on the brink of a new era of prosperity—a new era of greater progress, greater hopes and greater potential than at any time in the past.

For today, we are looking at a future that will see the end of poverty in this country. A future that is ripe with promise of a "good life" for everyone. A future that will give every man, woman and child—despite his age, race, nationality, or economic status—the opportunity to develop his physical and mental powers to the fullest extent. A future that will break the chains of economic, social, political and educational serfdom that has prevailed on the human race since the first man walked the face of the earth.

I don't mean that all the problems will be solved. Man has an affinity to make problems for himself even if there is no healthy, moral of logical reason for doing so. The pressures of life will continue to plague the human race. But it is not the pressures that cause anxiety, frustration and rebellion—it is the constant strain of these pressures that cause people to lash out at others. Every human being has a breaking point. The day-to-day problems that each of us face can usually be resolved by ingenuity, knowledge or a mere shrug of the shoulders. But when human beings are driven to extremes—are truly put to the test—constantly face chronic poverty, social and cultural deprivation, hunger, and myriad other depressive conditions—and see no way out—then they can be expected to fight to their dying breath against the forces that surround them. It is the responsibility of all Americans to see that no individual American or group of Americans is ever put to this test.

Today's civil disorders are not so widespread, or destructive, or murderous that they cannot be solved. But the solution requires understanding and a willingness to compromise. Throughout the length and breadth of this country, there are two extremes in conflict. One faction has reached the bitter end in a continuing chain of frustration, disappointment and disillusionment. The other is fighting to maintain the status quo. Between these groups is the vast majority of Americans who seek compromise without becoming actively committed to either faction.

Ladies and gentlemen . . . the forces for radical change are largely disorganized at this time. The one man who could have united them at this time—Doctor Martin Luther King—was dedicated to non-violence and attempted to lead his people by making them a pressure group. During his last days, there were indications that his own movement had passed him by. That his people were ready to become more than a pressure group. That they needed only a single spark to erupt into a spontaneous explosion of violence. That spark was struck by his assassination. Because the uprisings were spontaneous and had no effective, dedicated leader, they took the form of mob actions.

In observing the response to these upheavals in Washington, D.C, I have nothing but priase and admiration for the way things were handled.

Business firms worked hand-in-hand with public officials to maintain needed services. Supermarkets in the immediate vicinity of the disturbances remained open despite the threat of destruction. Utility companies continued to provide nearly full service throughout the city. Public transportation continued on nearly normal schedules to permit most firms and public agencies to maintain business-as-usual. National Recreation and Park Association headquarters in the heart of the city closed early each day because of the curfew, but nearly all the staff appeared for work throughout the whole troubled period.

Perhaps the most important factor was the attitude of the man-on-the-street. As you know, Washington is the only major city in the United States with a majority of Negro citizens, yet the number of persons participating in the riots was relatively quite small. As one official pointed out, if the Negro population of the city were to simultaneously revolt, there wouldn't have been anything left. But this was not the case. It was only the untrained, unemployed, underprivileged Negroes of the ghetto areas that participated in the disturbances. The responsible Negro citizens in the community had no sympathy for this rebellion. Their chagrin and dismay at the upheaval that shook the city matched—and often exceeded—that of white residents. Wherever possible they did what they could to quell the disorder. In some areas they formed neighborhood groups to protect their homes. They assisted police and firemen in locating areas of new destruction. They reported for work when they considered their jobs vital to the functioning of the city—although their families may have been on the borders of the burning areas.

It was also heartening to see the way the white community responded to the disorders. There were no barriers erected between the races. The major concern of the white citizens was to insure that their Negro friends were safe and that they had adequate food, clothing and shelter. This comradeship was echoed throughout the city—wherever white and colored employees worked together.

And so, Washington came through this major crisis with a renewed community spirit . . . with a realization that Negro and white citizens working together made a whole community . . . and that the disorders were not caused because of a person's skin pigmentation, but because of conditions that were an outgrowth of his lack of opportunity. But there is more to be learned from these riots. We learned that no amount of legislation, of force, of platitudes, or of money can cure this chronic cancer that festers within the body of American society. Despite Supreme Court decisions, civil rights legislation, welfare programs, and all the rest . . . the ghetto-bound Negro will not be satisfied until he is given equal opportunities as a first-class citizen, and acceptance as a responsible member of the community. This is not an easy task to perform.

What can be done about it? Well, I feel that every effort should be made to bring these people into the mainstream of American life. We must provide equal opportunity for Negroes to achieve positions of responsibility. I don't mean that they should be shown favoritism—that would defeat the purpose—but I do mean that they should have an equal opportunity to achieve. In this way, Negro Americans will no longer be stratified, but will have a chance to rise to positions of maximum responsibility based on their abilities.

As for the dissident elements, I feel they should be neutralized. The "hard core" leaders should be isolated from their followers by eliminating their best arguments for mob action. By that I mean, we should provide more opportunities for ghetto residents.

Our one hope is for the future. We can either make positive efforts to introduce reforms . . . or we can continue to make token gestures that will further sow seeds of social unrest.

Short-range federal, state and community programs to provide surplus food, financial assistance, vocational training and other well-conceived but limited programs have failed to reach the core of the problem. Legislation and court decisions likewise have provided only a goal and not a means.

The solution lies in providing an active program of communication along a broad front of contact at the community level . . . in stimulating a free flow of ideas and understanding in an integrated society . . . and in each person taking an active personal interest in solving this serious problem.

The one community agency that provides a means of communication and contact across a broad front is the park and recreation department. Although such agencies cannot solve all the problems that underlie urban unrest—unemployment, unequal education opportunities, housing, and others—they can help cross-pollinate ideas.

Park and recreation facilities are natural meeting places for all elements of a community. Programs are designed for individual and group involvement and association, and each person is judged by what he can do and not by what he is.

Despite the giant strides that are being taken every day in improving the American way of life, people still need people. We cannot ignore anyone because he doesn't fit neatly into our planning. It's up to us to help him fit—to give him the opportunity . . . teach him . . . give him encouragement and our confidence . . . and help other participants to do the same. These people are human beings. They are crying out for help—an opportunity to show what they can do . . . a moment of companionship . . . an indication that someone cares for them as human beings.

Therefore, I offer you this invitation . . . join with the National Recreation and Park Association in providing more opportunities for contact and communication among the various elements of our society to the end that a better understanding of the problems, frustrations and desires of all dissident Americans will be achieved.

To implement this effort, I offer the following plan of action:

1. We must educate and involve all public officials at all government levels in providing adequate park and recreation services for all Americans—particularly those in depressed areas.
2. We must conduct a continuing public information program to acquaint all citizens with the needs of these disadvantaged citizens . . . to solicit public support . . . and to involve all Americans in what we are trying to do.
3. We must enlist the assistance of all responsible organizations—industrial, business, labor, social, political, religious, civic and other groups—in providing facilities, financial aid and volunteers to expand our resources . . . because public and private park, recreation and conservation agencies alone cannot do what needs to be done.
4. We must achieve a complete pooling of resources and assignment of responsibilities among agencies working in the park, recreation and conservation field—commercial, industrial, voluntary, church, public and private agencies—to insure maximum service at an economical cost and to prevent overlapping of effort.
5. We must insist that all professionals, activity leaders and volunteers take a more active role in working within the community and be more responsive to the needs of disadvantaged groups.
6. We must seek appropriate legislation to insure a securely based legal status for every action deemed necessary—from Congress, state legislatures and municipal councils.
7. We must secure more adequate financing for all programs through increased taxation, bond issues, public subscriptions, fees and charges, state and federal assistance, foundation grants, and other appropriate means.
8. We must provide facilities where they are needed—vest-pocket parks; playstreets; mobile recreation units; instant playgrounds, among others—on a full time, year-round basis—particularly in areas where present facilities are less than adequate.
9. We must launch a campaign to encourage complete participation in activities by all community residents—no matter where they live—and public transportation to insure an appropriate "mix" at major facilities.
10. We must provide adequate protection and control for all participants in all activities through an appropriate system of park policing.

The inner-city problem, the hippie craze, the motorcycle gangs, the peace marchers—these are the most obvious manifestations of a rebellious America. There are others with deeply hidden frustrations that are not organized or identified at the present time.

The role of the park, recreation and conservation movement is to bring these dissenting elements into community life . . . to get them involved with responsible residents of the community . . . and to encourage them to find new solutions to their own questions and problems. We must show them that organized society does care about them as individuals, and that it seeks their opinions and understanding if presented in an orderly, responsible manner.

As professional and lay leaders in the park, recreation and conservation movement, we can play a dynamic role in bringing this about. We must undertake this responsibility. We must provide the opportunities for people to get to know one another on an eyeball-to-eyeball basis. We must help broaden the base of human understanding.

With unity of purpose, leadership and a broad and perceptive vision and courage and objectivity, we can achieve this blend of communication and understanding through our facilities and programs.

Join with me and the National Recreation and Park Association in accepting this challenge and I assure you that America—the land of the free and America the home of the brave will be in peace and harmony—let respect and honor be our guide.

THE YOUTHFUL VOTE

HON. CORNELIUS E. GALLAGHER

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 11, 1968

Mr. GALLAGHER. Mr. Speaker, for the past 7 years I have been introducing legislation in the Congress to lower the national voting age to 18. Recently, President Johnson made this an administration proposal and urged the Congress to act upon it as soon as possible. I strongly second the recommendation of the President.

In a recent article in the New York Times Magazine, Prof. Andrew Hacker of Cornell University states:

> What is needed at this point is the recognition of yet another politically unacknowledged interest group—the youth of the nation. Americans of 18 are now "ready" for the vote.

Professor Hacker presents a well-documented argument to support this major contention.

Mr. Speaker, in our consideration of the issues surrounding the lowering of the voting age to 18, we would all do well to study Professor Hacker's article. Before our young people are forced to decide that acting "wild in the streets" is the only way to gain political recognition, let us give these young Americans the chance for meaningful participation within the political system. Under unanimous consent, I submit Professor Hacker's article for inclusion in the CONGRESSIONAL RECORD, as follows:

If the 18-Year-Olds Get the Vote

(By Andrew Hacker)

Which picture is real? This year's commencement for the well-groomed and neatly shorn graduating class at Texas Christian University, with the main speaker noting: "The great majority of young people in America have demonstrated their maturity, their desire to participate, and their zeal for service"? (Therefore, Lyndon Baines Johnson went on to say, "we should move forward now to grant the vote to 18-year-olds"—and he followed up by putting the matter before Congress at the end of June.) Or: a recently released film, "Wild in the Streets," wherein the voting age is lowered to 14, a pop singer in his early twenties is elected President, and citizens over 35 are led away to LSD centers so they will no longer discommode the groovy new polity? ("I am sure," says the pop idol's proud mother, "that my son has a very good reason for paralyzing the country.")

The problem, of course, is that in most adult minds the two images merge: the clean-cut and career-bound young men of Texas Christian become part of a montage with the proponents of paralysis on Morningside Heights and elsewhere. Not only do many adults fail to discriminate between nonrebellious and rebellious youths, they fail to discriminate between the various types of rebellion; every published vignette of dissent and disorder is added to the total impression of a uniform and pervasive state of social chaos in the youthful sector of the nation. Many adults are convinced that today's college students are typified by the Berkeley beats, the Harvard hippies and the pot-smoking denizens of suburban Stony Brook. The image is bolstered by instances of Ivy Leaguers hooting down national statesmen, black-power advocates bent on embarrassing university administrations, staid undergraduates at Catholic University taking their fling at defying authority and the apparent organized encouragement of homosexuality at Columbia and Cornell.

The first flush of Congressional mail—which is usually negative, regardless of the issue—has been far from favorable, with letter writers cataloguing the customary youthful misdemeanors. (In recent years, referendums in such states as Missouri, Oklahoma and Michigan have rejected lower-voting-age proposals.) Moreover, not a few adults have seen in the young people's early crusading for McCarthy and Kennedy much evidence of naiveté about world politics, and ignorance of economics and an attraction to personalities rather than an appreciation of settled experience. The adult notion persists that younger voters would be disproportionately liberal, that many would support ultraradical parties or candidates, even that an ideology of autiadultism would take political form. (As the pop politico of "Wild in the Streets" proclaims, "We got numbers. We can take all the old tigers and stuff them back in their tails.") Thus the youth-in-politics issue has as many emotional and ideological undertones as gun control, abortion-law reform and the guaranteed income.

Any attempt to follow a rational route through this controversy will, given the present atmosphere, raise some eyebrows and perhaps even a few barricades. Past facts and present figures relating to voting age provide a good uncontroversial place to begin. When we speak of 18-to-21-year-olds voting in the U.S. today we are speaking of 10 million persons. If they were given the vote, the potential electorate would rise by somewhat less than 10 per cent. Before asking what kind of voters our 18-to-21 group would be, let's recall, first of all, that the electoral age barrier has already been broken in many places, and with no deleterious consequences—or at least none that can be attributed to the ballots of voters under 21. Kentucky, Georgia, Uruguay, Brazil and Israel have all fixed their voting age at 18. Alaska, Saskatchewan and British Columbia begin at 19. And Hawaii, Japan and Nationalist China set 20 as their minimum age.

However, for most of the northern hemisphere of the Western world, 21 has been the traditional coming-of-age for legal and electoral purposes. This was the age at which knighthoods were conferred, along with their sundry rights and responsibilities; and as privileges once the preserve of the gentry were extended through the population, it was found both logical and convenient to retain 21 as the conventional age of political adulthood. It seems sensible to ask that a practice perpetuated for a thousand years be reconsidered at this time. At the very least, a decision to carry on a custom going back to the Arthurian epoch requires some strong defense if it is to be sustained on grounds relevant to our time.

"In the age in which we live, in this fast age, men mature both in body and mind at a great deal earlier period than formerly." Thus the argument for lowering New York's voting age from 21 to 18 was expressed by Marcus Bickford at the state's Constitutional Convention—in 1867. Certainly the 18-year-olds of today are easily and in every important way the equivalent of the 21-year-olds of 1867. However, I will take 1920 as my point of comparison, the year American women were given the vote.

In 1920, less than 30 per cent of the high-school-age population was in high school, and only 17 per cent of that age-group actually was graduated. Today, more than 85 per cent of Americans 14 through 17 are attending high school, and more than three-quarters of this group receive diplomas. What is noteworthy is not simply the educational progress of the past 48 years, but also the fact that prior to 1920 the nation freely gave the franchise to a male electorate whose most striking characteristic was its lack of schooling beyond the elementary grades.

Also in 1920 fewer than 600,000 Americans were enrolled as college students—less than 8 per cent of the 18-to-21 population. Today, the nation's college enrollments exceed 5 million, which means that almost half of the country's young people are receiving some form of higher education. Forty and fifty years ago most voters were industrial workers or farmers, and only a minority of the Harding and Coolidge electorates could properly be called middle-class. If the American democracy could survive a proletarian majority for so many years, then it can probably endure an infusion of younger voters who are now primarily middle-class in outlook and orientation.

Schooling may be one thing, we are frequently told by opponents of a lower voting age, but worldly wisdom is another matter. Mature judgment, this argument asserts, comes only from profound— and presumably prolonged—experience of life. Perhaps. About half of today's under-21 population is already married and its membership in this presumably conservative institution must foster some appreciation of social stability. In fact, of the more than a million married girls under 20, most are already the mothers of young children. All this in contrast to 1920, when the median age at marriage was almost 25 for men and past 21 for women.

What kind of voters would the 18-to-21's make? Most of them, apparently, wouldn't vote at all. A survey conducted by the Bureau of the Census following the Johnson-Goldwater election revealed that in the four states where the under-21's have the vote, only 40 per cent managed to bestir themselves to the polls. (And that statistic is charitably high. The Census people believe that many of their respondents fibbed when queried about whether they had fulfilled their civic obligation.) At the same time, youthful voters are quite independent when they rise above their apathy. "Young people not only vote less but appear less securely bound to the existing party system as well," a University of Michigan study concluded. "They are less likely to evaluate candidates and issues in party terms and show less involvement in the fortunes of any particular party."

I for one am not persuaded of the dominant liberalism of the young. Certainly 18-year-olds contributed to the victory of Lester Maddox in Georgia; and both Everett McKinley Dirksen and Jacob Javits have supported lowering the voting age, presumably after calculating that such a move would not do irreparable damage to the Republican party. Moreover, if numbers rather than newspaper reports are considered, the fact emerges that most students are outwardly cautious, conservative and careerist. Most do not sign petitions, engage in protests, or march in processions. Indeed, it is even true to say that most are still virginal—in fact if not in wish—and only a minority have tried their hand at marijuana. Samuel Lubell's finding of a year or so ago that "two-thirds of the students interviewed continue to back our Vietnam policy" is not completely outdated.

What requires emphasis is that places like Purdue and Penn State are far more typical than perennially newsworthy campuses such as California, Columbia and Cornell. Among male undergraduates the most popular majors are engineering and business administration, while for the women the top choice is elementary education. The proportion of liberal-arts students, the presumed center of political extremism and social deviance, is really quite small and it has yet to be shown that its influence extends to other quadrangles. Out of the more than 530,000 bachelors' degrees conferred in 1965, the most recent year for which detailed breakdowns are available, only 13,000 were in sociology and fewer than 5,000 were in philosophy.

Thus this potential electorate is apparently quite sober, responsible and even prematurely mature. Most belonging to it have their sights set on careers with General Electric or General Dynamics (for all the brave talk, the country has only about 15,000 Peace Corps volunteers in the field) and they are intent on keeping their hair cut and their records clean. It is these incipient entrants to suburban and corporate America who would form the bulk of the new 18-to-21 voters—if, that is, they remember to sign up for absentee ballots before leaving home. Far from being rebellious, the men in this group who try to avoid the draft do so not out of principle but because they are anxious to get on with their traineeship at Chase Manhattan and into Westchester wedded bliss with that sorority education major.

One of the most durable arguments against a lowered voting age holds that pre-21 Americans should not get the vote because they do not carry the weight of civic responsibility. The assumption here seems to be that the vote must be earned, and entry into the electorate should wait until an individual has a spouse and a family, a mortgage and a place on the tax rolls. The old justification for property qualification for voting took just this premise, that only those with a stake in society—that is, something to lose—should participate in its governance. So spoke Chancellor Kent at New York's 1821 Constitutional Convention about the consequences were citizens owning less than $250 in freehold property granted a vote in State Senate elections. The "indolent and profligate," he said, would "plunder the rich, tyrannize over the minority, and cast the whole burden of society upon the industrious and the virtuous." Throughout history those already having the vote have been less than enthusiastic about sharing the franchise with others who might use the ballot to redistribute the good things of life. (Political leaders, on the other hand, have often supported extending the electoral rolls on the assumption that they will gain the gratitude of the new entrants. This was clearly Disraeli's motive in engineering Britain's Reform Act of 1867.)

Yet it is legitimate to argue that the progress of American politics has been through the addition of new groups and interests to the electorate: the unpropertied, Negroes, women. While each of these groups had less of a "stake" in society—that is, less to lose—than those preceding them, they did have something to gain. No society can long remain stable if those who are disadvantaged are denied the political opportunity to ameliorate their condition. (Things may be bad enough in the ghettos of Gary and Cleveland right now, but imagine what they would be like if Negroes there were not permitted to vote.)

What is needed at this point is the recognition of yet another politically unacknowledged interest group—the youth of the nation. Americans of 18 are now "ready" for the vote. They may not have been ready in 1867 or 1920 or even 1948. But they are today. Far more important than the statistics on expanded schooling is the evidence that young people are now thinking for themselves. (They may also be thinking of themselves; but egoism is hardly a political disqualification.) They are guided less by the goals and prejudices of their parents and more by the perceptions and interpretations they create for themselves. This is why one can no longer say that the votes of parents "represent" the interests of their late-adolescent offspring. Indeed, were young Americans to accept unquestioningly the attitudes and outlooks of their mothers and fathers, that would be a strong argument against lowering the voting age.

America has reached the point where the voice of adult experience can no longer pretend to be the sole custodian of truth and reason. While the middle-aged may be better apprised of the "facts" and have had a more prolonged exposure to the vicissitudes of life, it is also clear that we have our own notions of what properly constitutes a "fact" and are not without interests in perpetuating patterns and procedures with which we feel comfortable. This is true of liberals no less than conservatives—indeed, of radicals of middle years as well. And the wisdom of convention becomes especially entrenched in an age of affluence, when there is every impetus to bestow a moral value on an entire social system because of the comforts it has afforded to so many. The adult consensus may make peace with a syndrome spanning from Hubert Humphrey to Richard Nixon; yet a willingness to accept this as representative of the nation's political spectrum may spring more from complacency than maturity.

Put another way, young Americans—whether careerists or critics, conservatives or liberals—have a sharper and more detached understanding of their society than do most adults who take the status quo for granted. Not a little of our anxiety over the attitudes and behavior of the young arises from the suspicion that they are judging us. And what many adults find difficult to admit is that there may be a good deal of truth in those judgments.

Given the independence of today's youths and the weakness of adult authority over them, it would be prudent to absorb in the political battle as much of their energy as possible. By granting the vote to 18-year-olds we would acknowledge that those we have hitherto dismissed as "adolescents" are in fact our equals. One way for adult America to reaffirm its own self-confidence is to give a vote of confidence to the nation's youthful citizens, who have shown themselves ready to accompany their elders to the polls.

PARIS TALKS WORRY OUR LATIN ALLIES

HON. STROM THURMOND

OF SOUTH CAROLINA

IN THE SENATE OF THE UNITED STATES

Thursday, July 11, 1968

Mr. THURMOND. Mr. President, few people realize that the so-called peace negotiations now in progress at Paris can have a profound influence upon the future of our own hemisphere. I have said again and again that if we do not win the war in Vietnam that we will have to fight again in some other place on less favorable ground. We are fighting in Vietnam because we did not finish our business in Korea. A stalemate in Vietnam will have disastrous consequences right on our own doorstep.

The possibility of this development is pointed out clearly in a recent article by Paul D. Bethel in Human Events, the Washington Newsletter. Mr. Bethel is executive director of the Citizens Committee for a Free Cuba and an acknowledged authority on Communist infiltration in Latin America. I have had the pleasure of questioning Mr. Bethel when he appeared last year before the Senate Internal Security Subcommittee as an expert witness and I was deeply impressed with the breadth of his information and his expertise.

For this reason, I believe that we should all take notice when a man of this stature gives us a pertinent warning. Allow me to quote just two paragraphs from this article:

> The Viet Nam conflict is the prototype of all future wars of Communist aggression. A precedent established in Paris accepting the Viet Cong National Liberation Front in a future coalition government could have no effect other than to undercut our allies elsewhere in the world.
>
> Specifically, governments south of our border have been fighting National Liberation Fronts for years and those fronts have been trained, supplied and directed by Castro's Cuba. Latin America, therefore, looks upon the Paris talks not so much as an attempt to gain peace in the Far East, but as a strong indication of what position the United States will take toward the Viet Nam-type conflicts now spreading throughout the world.

We tend to underrate the danger from Communist infiltration but as Mr. Bethel points out, Cuba's 43 guerrilla training camps have been turning out an estimated 10,000 activists a year. We must not forget that the Russians and the Red Chinese fully cooperate in this effort. They have no controversy here when the purpose is to undermine the West. Mr. Bethel describes the activities of more than half a dozen Vietcong-type national liberation fronts in Latin America, including one right at home in Puerto Rico. How many of us are aware that the Communist-led movement in Puerto Rico destroyed over $2 million worth of buildings and merchandise in just 2 days last April?

It is also important to realize that these terrorist groups in Latin America are in close contact with similar groups in the United States. Stokely Carmichael was one of those who attended the Latin American Solidarity Organization's conference in Havana last August and it was there that he pledged "50 Vietnams inside and 50 outside" the United States. Carmichael is also in close touch with the terrorist movement in Puerto Rico.

Mr. President, for some reason our national press seems to avoid discussions of this topic and I want to congratulate Mr. Bethel and Human Events for having the courage to present such articles to the reading public.

Mr. President, I ask unanimous consent that the article "Paris Talks Worry Our Latin Allies" by Paul D. Bethel from Human Events, June 29, 1968, be printed in the Extensions of Remarks.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

PARIS TALKS WORRY OUR ALLIES

(By Paul D. Bethel)

The Washington *Post* aroused concern in the diplomatic community and raised temperatures at the State Department when it reported May 15: "The United States is now prepared to accept a role for the Communists in the political life of South Viet Nam—and to accept it regardless of the protests of the Thieu-Ky government." And Vice President Hubert Humphrey added to the concern by also suggesting in one of his speeches that this may be the final outcome of the peace talks.

Secretary of State Dean Rusk gently corrected the vice president, and Rusk and Paris negotiator Averell Harriman heatedly denied the *Post* story. But all of this has not allayed fears in Latin America that a vast sell-out may be in the making.

The Viet Nam conflict is the prototype of all future wars of Communist aggression. A precedent established in Paris accepting the Viet Cong National Liberation Front in a future coalition government could have no effect other than to undercut our allies elsewhere in the world.

Specifically, governments south of our border have been fighting National Liberation Fronts for years and those fronts have been trained, supplied and directed by Castro's Cuba. Latin America, therefore, looks upon the Paris talks not so much as an attempt to gain peace in the Far East, but as a strong indication of what position the United States will take toward the Viet Nam-type conflicts now spreading throughout the world.

Commenting on how the Paris negotiations may effect the long-range U.S. position, Costa Rica's *Presna Libre* got to the point: "The truth of the matter is that it is Moscow, not Hanoi, that is facing the United States in Paris. Hanoi counts for nothing." The paper then asked: "What success can come out of peace negotiations with assassins . . . who attack cities and murder women and children just to improve their bargaining position in Paris?" The editorials underscores a warning that U.S. bargainers should heed: Don't weaken our world position for an ephemeral accommodation with the Communists in the Far East.

Our allies in the Western Hemisphere will remember an article that appeared in the Dec. 15, 1964, issue of *Pravda* forecasting Viet Nam-type guerrilla wars around the globe and revealing Moscow's interest and hand in those wars in unmistakable terms. Commenting on burgeoning guerrilla assaults against the government of Colombia's President Guillermo Leon Valencia, *Pravda* sketched the Viet Nam corollary for Latin America when it declared that "This war is very little different from the dirty war being fought in Viet Nam" and then vowed that no amount of counteraction or "U.S. imperialist aid" could stop it from growing in size and intensity.

For their part, Venezuelans recall that on the heels of the *Pravda* article, Venezuela's National Liberation Front chief, German Lairet, signed a "mutual aid pact" with the Viet Cong Mission in Havana. In signing it, Lairet said: "It is especially significant that Venezuela and Viet Nam should meet on Cuban soil." Indeed it was.

And this brings up the matter of Cuba, a sore point with a State Department that wishes somehow the island would quietly sink into the Caribbean Sea. But the fact is that it won't. Communist Cuba has emerged as the "North Viet Nam" of this hemisphere and this is what worries our Latin American allies as they watch the talks progress in Paris.

Cuba's 43 guerrilla training camps turn out an estimated 10,000 activists a year and they are infiltrated back into their homelands much like the North Vietnamese infiltrate their men and supplies into the south. Viet Cong instructors have manned those camps for more than five years, while Russian and Red Chinese strategists sit cheek-by-jowl on the central coordinating body in Havana, the Tricontinental Organization, where they direct new "Viet Nams" throughout the world.

Tanzanians, Congolese, Ethiopian tribesmen, Yemenites, cadres of the National Liberation Front of Aden, Puerto Ricans, U.S. Negroes and whites and even members of the rag-tail Palestine Liberation Army pour through Cuba's guerrilla camps, while others are graduated from schools devoted to teaching sophisticated methods of subversion and infiltration.

In Guatemala, the Castroite Rebel Armed Forces and the November 13 Movement are making a shambles of the economy. In Colombia, just last January two more guerrilla fronts erupted, raising to four the number of sizable groups engaging the armed forces. One, the so-called Popular Liberation Army, is armed with Czech and Soviet weapons and is reported to be attired in camouflage uniforms and steel helmets, indications that it is a highly trained assault force.

In April and May, Venezuela weathered one of its severest tests against well-entrenched guerrilla groups. On March 12, Venezuelan guerillas aped the tactics of the North Koreans. Dressing 30 of a 50-man guerrilla force in Venezuelan army uniforms, the force managed to penetrate the small town of Sabana de Uchire, capture and hold it for three hours. During that period the guerrillas summoned people to the town square, gave revolutionary speeches, laconically shot some *a la* Viet Cong, and disappeared into the jungle with money and weapons.

It is little wonder, then, that Latin American nations see the negotiations over South Viet Nam as a part of a larger picture of Communist tactics to improve their position everywhere.

Even Mexico, generally regarded as among the most stable of the Latin American countries, now has a Movement of National Liberation operating within its borders. The Soviet-dominated Mexican Communist party is behind it making highly suspect claims coming from our spokesmen in Washington that Castro's export of guerrilla wars is considered by Moscow to be prejudicial to its more "peaceful" approach to sovietizing Latin America.

There is a certain element of poetic justice in this, for Mexico has consistently defended the Castro-Communist regime. Moreover, it is the only country in Latin America which maintains trade and diplomatic relations with Cuba. Thus, President Johnson's habit of being seen in amiable conversation with Mexico's President Gustavo Diaz Ordaz at Punta del Este and elsewhere is particularly galling to other Latins who have not violated the spirit or letter of the charter of the Organization of American States.

However that may be, internal pressures and intimidation now attend diplomatic negotiations under way in Paris—on the streets and in university campuses in this country. The April campus riots were, for the most part, treated by our press as local stories triggered by local grievances. But the fact is that in virtually every instance the riots began or reached their peak in response to a Communist call from Havana which designated April 21–28 as the "week of solidarity with Viet Nam," which is to say a week of riots against the U.S. war effort.

On April 22, Havana's Radio Liberation gave out the following exhortation: "The Committee for Student Mobilization to End the War in Viet Nam has ordered a student strike in the United States . . . demonstrations are the culmination of months of preparation and negotiation among the many left-wing and liberal groups that sponsor those demonstrations."

The following day, Students for a Democratic Society seized and held Hamilton Hall at Columbia University in New York City. This was unsurprising since Mark Rudd, head of SDS, had completed a three-week visit to Cuba where he attended meetings of the very "Committee for Student Mobilization to End the War in Viet Nam" that called for the assault on April 22.

The ally of the SDS at Columbia was the Student Afro-American Society. The name of this group was suggested during the plenary session of Havana's Tricontinental Organization conference in January 1966. Stokely Carmichael and members of his Black United Front appeared at the Columbia University demonstrations, where Carmichael told the Afro-Americans to kick the SDS out of Hamilton Hall and take over. The SDS members left before they were forced out and seized their own base of operations, the administrative offices of University President Grayson Kirk in Low Library.

Carmichael, of course, attended the Latin American Solidarity Organization's (OLAS) conference in Havana last August where he vowed to explode "50 Viet Nams inside and 50 outside" the United States. He has signed a "protocol" of cooperation with the Marxist-Leninist Puerto Rican Pro-Independence Movement (PMI) and its student arm, the FUPI.

Demands made by Columbia University rioters followed the Communist mold, including the legend: "Year of the Heroic Guerrilla" after his guerrilla chieftain "Che" Guevara, who ran a miserable campaign in Bolivia and was killed last October 8 at Vallegrande. Other campus slogans read: "Lenin won, Fidel won and we will win." "We will win" is a translation of Castro's permanent slogan, "Venceremos!"

Paris negotiator Averell Harriman and Vice President Humphrey could learn a good deal about Hanoi and its Viet Cong puppets by studying the enemy much closer to home—in fact, *at* home. The U.S. Commonwealth of Puerto Rico, often held up by economic determinists as *the* shining example of how economic programs can undercut communism, is under severe attack by Carmichael's ally, the Pro-Independence Movement. In just two days, April 3 and 4, the PMI and its "Viet Cong," the Armed Commandos of Liberation, the CAL, destroyed over $2 million worth of buildings and merchandise and the island government announced that from January to April 376 sugar cane fields and *fincas* had been burned by terrorists.

Failure to receive adequate police protection (like their counterparts in the United States) prompted Puerto Rico's business community to offer rewards for the arrest and conviction of terrorists. As reported in the May 2 *Diario las Americas*, enormous amounts are being offered—ranging from 100,000 to a half-million dollars—and may be taken as a measure of the private concern over Viet Cong-type assaults on U.S. soil. This concern is easily understood since, in less than four months' time, terrorists destroyed more than $10 million in property throughout the island.

Indeed, on April 25, Havana's Radio Liberacion stated bluntly that the PMI is Puerto Rico's National Liberation Front, announcing: "Juan Mari Bras, secretary general of the PMI, announced today his support for the Armed Commandos of Liberation, CAL. Mari Bras said that the CAL "*now belongs to the national liberation movement of Latin America*" (emphasis added).

This announcement was followed by another from Havana on April 30, which said that Norman Pietri (Communist Puerto Rican delegate to Havana's Tri-continental Organization) has now assumed the post of "Secretary of Foreign Relations" of the PMI. Both Pietri and Mari Bras, San Juan's *El Mundo* quoted them as saying, have declared their "allegiance to Marxism-Leninism." Furthermore, the PMI maintains in Havana what it calls a "Free Puerto Rico Embassy" and its members move back and forth to it with all the ease of commuters.

More dangerous still, a weak government in Puerto Rico has sought to play down the danger that it faces, perhaps for fear of what the stories might do to the island's mammoth tourist industry (two luxury hotels have been bombed) and to the climate of investment from outside sources. Thus, Gov. Roberto Sanchez Vilella's administration has been inclined to back down in the face of determined assaults by the Havana-supported PMI, FUPI, and the Armed Commandos of Liberation and to attempt to explain away their militancy in sociological terms—"We haven't moved fast enough for our poor. . .," etc.

The dangers facing Puerto Rico today are even greater in other countries in Latin America where leftists and Communists are pushing governments to the wall

Chile is a striking example of a country in which democratic government is caught between the hammer of violence and the anvil of political pressure. Even before President Eduardo Frei and his Christian Democrats came to power they had adopted a political stance which has since led them to accept many programs which are virtually indistinguishable from those espoused by the Communists.

The political philosophy of the CD was assessed just before the 1964 election by the managing editor of Santiago's Socialist daily (Chile's Socialists are openly identified with Fidel Castro and more militant than the Communists). Writing in *Las Noticias de Ultima Hora*, the editor remarked: "Electorally, the Marxists may suffer a defeat [in the elections], but politically they have already scored a victory."

He meant by this that the Christian Democrats, in making their bid for power, had adopted a program that differed little from the Marxists. Indeed, during the presidential campaign, CD candidate Eduardo Frei agreed with his Socialist opponent Salvador Allende that "The Alliance for Progress is inoperable," and did so in the face of the knowledge that Chile was receiving more aid from us than any other country in Latin America.

Private property has few safeguards today because, as Christian Democrat Justice Minister Pedro Rodriguez put it, "The right of private property must be subordinated to the social interests of the community." Responding to pressures for the Communist-Socialist alliance (FRAP) and the militants within the Christian Democrats, President Frei worked out an agrarian reform law that is little different from Communist Cuba's.

Property was confiscated from large landholders, divided into parcels of land called *assentamientos* and 70,000 settlers have been placed upon them. But those settlers are required to sell their crops to the government Agrarian Reform Corporation and are billed for financial assistance received at the end of each crop year.

Despite claims made during the 1964 presidential campaign that land would be given to the peasants, the fact is that Chile's much-propagandized land reform gave land to no one. And though a recent study put out by the U.N.'s Food and Agricultural Organization is rich in facts and figures, it avoids commenting on the economic and financial repercussions of Chile's "land reform" and confines itself largely to a social survey of the plan.

But the facts cannot be hidden. Chile, with 25 per cent more arable land per capita than the United States, imported $200 million in foodstuffs when in fact agricultural commodities should be a major item of export. Furthermore, the government maintains that settlers, who own no land of their own, are property owners and employers of labor and therefore not entitled to share in the state's social security coverage. Thus, it is little wonder that Frei's agrarian policies have been such a spectacular failure.

In the face of mounting attacks from radicals in his own party and the Communist-Socialist coalition, President Frei keeps moving further to the left. One project under way is a frankly authoritarian attempt to force the Chileans to save money and contribute to what Frei calls "a popular economy." Private enterprises are forced by this plan to save 66 per cent of their annual profits, thus stifling what business initiative might remain after the steady nationalization of industry.

Chile is moving dangerously to the left in its foreign policy, as well. The Christian Democratic Youth is now allied with the Czechoslovak Youth Union, and recently the two groups joined the Communist youth of FRAP in demanding the "total eradication of Yankee influence from Latin America," and the opening of diplomatic relations with Cuba and North Viet Nam. The militant wing of the Christian Democrats announced its "ideological solidarity" with Havana's Latin American Solidarity Organization (OLAS), and with North Viet Nam.

And to the profound dismay of Chile's friends and neighbors, President Frei responded by permitting the subversive OLAS to open an office in Santiago. Socialist chief Sen. Salvador Allende quickly accepted a position in it, thus giving OLAS quasi-legal status.

On February 27 President Frei permitted five members of "Che" Guevara's defeated guerrilla expeditionary force to enter Chile from Bolivia. Chile refused Boliva's request to extradite them for trial, and, in fact, arranged for the Cuban ambassador to France to journey to Chile, with whom Cuba has neither diplomatic nor trade relations, and return the guerillas to Havana.

Bolivia's indignation boiled over at the Organization of American States where its representative, Raul Diaz Medina, truthfully pointed out that Chile's actions constituted a serious breach in the Inter-American system of defense. Other OAS members fear that by permitting the installation of an OLAS office in Santiago and establishing a precedent in the case of the Cubans, Chile has become a sanctuary for Communist subversives.

Behind all of these political pressures and intrigue looms the hammer of violence.

The steady weakening of resolve by the Christian Democrats caused Socialist Sen. Carlos Altamirano to exult: "The conditions for guerrilla warfare, though they may not be as good as in other nations, are now present in Chile." The truth of this comment was underscored when Emilio Oelckers, general director of investigations, disclosed that police had located a Communist training center for terrorists on the outskirts of the city of Concepcion. He revealed that university students, all members of the pro-Castro Left Revolutionary Movement (MIR), had been receiving training, and said that the purpose was to unleash what amounts to Viet Cong-style attacks within Chile's cities.

Havana's Radio Tricontinental issued a clear warning on May 20, extending the Viet Nam parallel to this hemisphere and into the bowels of our own country: "The Vietnamese struggle is, for the revolutionaries of Latin America, a chapter in their own future history. . . . To this revolutionary situation we can add the revolutionary movement of the U.S. black people who, under the rallying cry of 'Black Power,' are now shaking the structure of the United States by armed violence."

Fully warned, it remains to be seen whether our negotiators in Paris and our politicians in Washington will realize the international repercussions which attend their labor.

If we falter in our resolve to resist the Viet Cong and the NLF of Viet Nam, we can be certain that other "Viet Nams" will erupt in full force in the towering Andes and jungle heartland of Latin America. This could well make the bloody conflict in the Far East seem like tame stuff indeed.

ATTORNEY GENERAL RAMSEY CLARK GIVES CHALLENGING ADDRESS TO YOUNG SCIENTISTS

HON. JENNINGS RANDOLPH

OF WEST VIRGINIA

IN THE SENATE OF THE UNITED STATES

Friday, July 12, 1968

Mr. RANDOLPH. Mr. President, the Attorney General of the United States, Ramsey Clark, addressed the delegates to the National Youth Science Camp on Capitol Hill Tuesday of this week.

The youthful Clark told the young scientists that—

> The long history of mankind shows that we will never have justice or order until we have both.

The Attorney General stressed that the Nation's social institutions must be made strong enough to cope with the changes that will be brought about by an increasing population and advances made in science and technology.

Joining us for the luncheon, in addition to the Attorney General, were James E. Webb, Administrator, NASA; Dr. Donald F. Hornig, Director, Office of Science and Technology and science adviser to the President, and the Reverend Dr. Frederick Brown Harris, Chaplain, U.S. Senate.

It has been my privilege to host the luncheon each year since the camp began in 1963, the 100th anniversary of the statehood of West Virginia. Honored guest speakers in past years have included NASA Administrator James E. Webb; Dr. Glenn T. Seaborg, Chairman, Atomic Energy Commission; Gen. Bernard A. Schriever; Vice President HUBERT H. HUMPHREY, and famed aviatrix Jacqueline Cochran.

Mr. President, Governors of every State select two outstanding high school students, each of whom excels in some phase of science-oriented study, to attend a 3-week camp—the National Youth Science Camp—located near the National Radio Astronomy Observatory at Greenbank, W. Va. The campers are chosen on the basis of their academic achievement and scientific knowledge.

Operated by the State of West Virginia and West Virginia University, the camp is ably directed by Charles N. Cochran, professor of mathematics, West Virginia University.

Mr. President, I ask unanimous consent to have an article written about the luncheon by John W. Yago, Washington correspondent for the Charleston, W. Va. Gazette, appearing in the July 10 issue of that newspaper placed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD as follows:

CLARK URGES SCIENCE CAMPERS TO ACCEPT CHALLENGE OF WORLD

(By John W. Yago)

WASHINGTON.—The 100 young men attending West Virginia's National Youth Science Camp were urged Tuesday to take up the challenges of a changing world.

"The long history of mankind shows that we will never have justice or order until we have both," Atty. Gen. Ramsey Clark told the campers at a luncheon ending their two-day visit to Washington.

Clark said American society today tends to be a house divided with one half calling for justice and the other for order, although one is impossible without the other.

The attorney general said the nation's social institutions must be made strong enough to cope with the changes that will be brought about by an increasing population and advances in science and technology.

"No society can provide order for its citizens where its social institutions can't adapt to the change that involves the entire character of the nation," Clark declared.

The 39-year-old attorney general spoke at the sixth annual Washington luncheon for the science campers arranged by Sen. Jennings Randolph.

Forty-two senators were on hand for the luncheon to meet and eat with campers from their states.

Earlier Tuesday the campers visited the White House and were taken on tours of the Capitol building by Rep. Ken Hechler and members of his staff.

Sen. Randolph said later that there had been tentative plans for President Johnson to be the luncheon speaker had he returned earlier from his Central American trip.

Clark said there is ample reason for the nation to be worried about its crime rate. The crime rate, he said, measures the character of a people and shows that they don't have respect for the rights of others.

Law enforcement must have the support of all people, Clark said.

He said the United States spends $4 billion on the entire criminal justice process but, for example, $8.8 billion on alcohol. While more money is needed, Clark continued, the crime rate will continue to rise until scientific criminology is made the basis of law enforcement.

The attorney general also plugged rehabilitation as vital, saying that 80 per cent of all crimes are committed by people with criminal records, but only five per cent of the corrections budget is spent on education and rehabilitation.

BLESS OUR LAND WITH HONORABLE INDUSTRY, SOUND LEARNING AND PURE MANNERS

HON. JAMES H. (JIMMY) QUILLEN

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 11, 1968

Mr. QUILLEN. Mr. Speaker, the First Presbyterian Church of Johnson City, Tenn., published Thomas Jefferson's prayer in its church publication, First Presbyterian Weekly, on July 7, 1968.

> Save us from violence, discord, and confusion; from pride and arrogance, and from every evil way. Defend our liberties, and fashion into one united people the multitudes brought hither out of many kindreds and tongues—

Jefferson prayed then and we should pray now.

Rev. Ferguson Wood is the pastor of the First Presbyterian Church. My congratulations to him, his staff, and the membership for the wonderful work that they are doing. It is refreshing in these troubled times to know that people are concerned.

We need those in high places today to follow this prayer, and I am taking the liberty of making it available to the readers of the RECORD:

THOMAS JEFFERSON'S PRAYER

Almighty God, who hast given us this good land for our heritage; we humbly beseech thee that we may always prove ourselves a people mindful of thy favor and glad to do thy will. Bless our land with honorable industry, sound learning, and pure manners.

Save us from violence, discord, and confusion; from pride and arrogance, and from every evil way. Defend our liberties, and fashion into one united people the multitudes brought hither out of many kindreds and tongues.

Endow with the spirit of wisdom those to whom in thy Name we entrust the authority of government, that there may be justice and peace at home, and that through obedience to thy law, we may show forth thy praise among the nations of the earth.

In time of prosperity, fill our hearts with thankfulness, and in day of trouble, suffer not our trust in thee to fail; all of which we ask through Jesus Christ our Lord. Amen.

THE PROBLEM OF TAX LOOPHOLES (OR MY 18 YEARS IN A QUANDARY)

HON. BENJAMIN S. ROSENTHAL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 11, 1968

Mr. ROSENTHAL. Mr. Speaker, the basic inequities of our country's tax structure have long been of concern to me. Indeed, on June 6, I introduced H.R. 17720, designed to eliminate needless tax exemptions and exclusions totaling a staggering $4 billion in Federal income tax revenue.

I know of no one who has worked longer or more diligently for tax reform than has the former Senator from Illinois, Paul H. Douglas. As a respected economist and member of the Finance Committee, Senator Douglas strove, too often unsuccessfully, to remove unjustifiable "giveaways" such as the mineral depletion allowances, benefits deriving from depreciation on speculative real estate, and special treatment for stock options.

Because of the great importance of this subject, I am inserting in the CONGRESSIONAL RECORD an article by Senator Douglas from the American Scholar, explaining his fight:

THE PROBLEM OF TAX LOOPHOLES (OR: MY 18 YEARS IN A QUANDARY)

(Paul H. Douglas)

By the summer of 1950, the attack by the North Koreans upon South Korea had plunged us into a full-scale Asiatic war. North Korea was being egged on and equipped by Red China and Russia, and the war was another effort by the Communist bloc to take over additional territory.

President Truman and the United Nations rose to the occasion and resisted this aggression, and it became necessary to raise large additional sums of money, running into many billions of dollars.

As the new tax bills moved onto the floor of the Senate, Senator Hubert Humphrey and I became more aware of the injustices in the existing tax structure and of new abuses that were being added.

Although we were only freshmen, and were not members of the Finance Committee, we felt it our duty both to become better educated on tax matters and to work for a more just revenue system. We believed this was particularly necessary because thousands of young Americans were being killed and many more were being wounded, and we felt that here at home profiteering should be reduced to a minimum.

A tax seminar was therefore organized which was attended by some of the small liberal bloc of senators. We got public-spirited experts to coach us in these secret sessions and to conduct what was, in effect, a cram course. Then, with fast-beating hearts, we ventured out on the floor to do battle with the two shrewdest minds of the Senate, namely, Walter George and Eugene Millikin, both of whom had impressive reputations and an awe-inspiring capacity for thunderous debate. We also had to face, on some issues, Tom Connally of Texas, who loved to lash his opponents with the bullwhip of his brutal sarcasm, and who treated dissenters as though they were pre-Civil War slaves in the cotton kingdom or rambunctious horses to be subdued by lash and spur. Tom still had traces of frontier populism, but he also had a deep hatred of northern liberal Democrats, which made us fair game.

For many days we fought on a variety of issues. It seemed an unequal struggle since George, Millikin and Connally not only had the votes, but also had many years' acquaintance with the intricacies of the tax code, and were equipped with a formidable bevy of tax experts at their elbows, while we had to stand alone.

We had to learn and learn fast, and to deal on our feet with a baffling series of arguments which in retrospect were sophistical, but which at the time to many were persuasive. The press galleries were unsympathetic and our fellow senators largely hostile.

We had a rough time, but the longer the discussion went on the more convinced I became that the tax code was, in fact, permeated with favors to particular groups and individuals, and that it violated what seemed to be an elemental principle of equity, namely, that people with approximately equal net incomes should pay approximately equal taxes. Despite all the battering we received, and the loss of prestige that we suffered, both Senator Humphrey and I felt that the correctness of our positions had been maintained under fire.

So apparently did some of the experts, because there shortly appeared able articles by two eminent lawyers, namely, William L. Carey, of Northwestern and Columbia, and Stanley Surrey, then of Harvard University, that echoed our criticisms. The dean of tax lawyers, the late Randolph Paul, in public testimony also stressed many of the points we had tried to advance.

In 1955, I became chairman of the Joint Economic Committee, and with the able staff assistance of Dr. Norman Ture the Committee began to assemble evidence and take skilled testimony on many of the inequities that we had spotted. In the same year, after a long struggle, and largely because of the hammering of the columnist, Doris Fleeson, I was finally placed on the Senate Finance Committee where I served for the next eleven years until my defeat for a fourth term in 1966.

On the Finance Committee I saw the formation of tax policy at first hand and took part in the intimate discussions that attended the writing and revision of our tax laws. I continued to urge most of the reforms that Senator Humphrey and I had advocated in 1950 and 1951 and, in addition, discovered new abuses that I thought needed to be corrected. After a little while, I was joined by Senator Albert Gore of Tennessee, who proved to be a strong and public-spirited colleague.

It was a tough decade. On major issues where enormous sums were at stake, we were almost always defeated, whether in committee or on the floor. But in the process we gained minor changes that reduced some of the specific injustices, so that we were never completely discouraged or frustrated.

There were two general sets of facts that convinced me that there were great abuses within our federal tax system.

The first was that only about half of the total personal income in the country was subject to taxation, while the other half completely escaped being levied on. The basic exemption of $600 a person accounted for only a fraction of this latter amount. The remainder was income that most people believed was taxable, but that was exempted in reality by a series of devices.

Then we discovered and got the Treasury to confirm that in every year there were a considerable number of persons with annual incomes of over $500,000 who paid no taxes at all. As we gathered evidence we found this number would never fall below twenty-five and sometimes went above thirty. We also found an even greater number with huge incomes who paid less than 10 or 15 percent.

We found that the averages paid by the groups with incomes above $50,000 was only a fraction of the amount they were presumed to pay, and that the uppermost group with incomes over $250,000, who according to the schedules were presumed to pay nearly 90 percent, actually paid on the average only 25 percent or slightly less. The "effective" rate was therefore far less than the nominal rate.

All this, plus the evidence on specific "loopholes" or "truckholes" that enabled large quantities of income to slip through the tax net, still further convinced Senator Gore and me that we should expose these abuses and seek to cure them. We continued to be helped by the public-spirited experts, who gave us surreptitious information, sometimes at real risk to themselves, and in particular by the ability of my former assistant, Mr. Philip Stern, who, building on some of our work and adding much of his own, produced his brilliant and witty book, *The Great Treasury Raid* (New York, 1964), which is still the classic in this field.

Out of this experience of nearly two decades I have distilled certain facts and conclusions. They show that our tax system is riddled with injustices that violate the simple principle, upon which I would think that all could agree, that people with equal net incomes should pay equal or approximately equal taxes. Whether we believe in progressive, regressive or proportional taxation, can we not all agree on this elementary principle of horizontal justice?

But this experience of nearly two decades and our relative lack of success also plunged me ever more deeply in a quandary.

When the so-called Ruml plan for withholding a basic percentage of the federal income tax from wages and salaries was adopted by Congress, it did not apply the withholding principle to interest and dividends. Such income was, on the contrary to be reported by the recipient and the taxes were to be paid by him.

The Economic Committee hearings that I held in 1955 showed that while virtually all of the wages and salaries were reported, there were a big volume of interest and an appreciable portion of dividends that were not. It became possible to estimate the size of this gap from the reports published by the Securities and Exchange Commission and by the Treasury. Our little liberal group in the Senate, therefore, began to advocate applying the withholding principle, or what the British term "payment at the source" to dividends and interest so that ownership would not receive any more favored treatment than employment.

In 1962, under President Kennedy and Secretary Dillon, the Administration adopted this provision, and the Office of Tax Analysis under Donald Lubig was most helpful in the preparation of evidence and in working out simple plans for collection. It was clear that in 1959 about a billion dollars in dividends and three billion dollars in interest were not reported, with a consequent annual loss in taxes of between $900 million and $1 billion. These unreported sums amounted to 8 percent of all dividends and 34 percent of all interest. The proportion of wages and salaries not reported in 1959 came, on the other hand, to only 3 percent. This showed the greater efficiency of the withholding method.

The Administration tax bill for 1962, therefore, contained a provision for the automatic deduction and transmission to the Treasury of 20 percent from the total sums credited to dividends and interest without specifying the individuals or their amounts, and then for the filing of claims for any excess to be made periodically by the recipients. The plan was simple and just, and was adopted by the House Ways and Means Committee and by the House itself. Senator Gore and I prepared to support it in the Senate Finance Committee and, if necessary, on the floor of the Senate itself.

We had heard rumblings of opposition, but I must admit we were not prepared for the storm that followed. Suddenly, from all over the country, but especially from Illinois, thousands of protests poured into my office. By the end of a month, I had received over sixty-five thousand such letters and other senators had received about as many. Inquiry proved that these had been stimulated by the building and loan associations, whose main national body had launched the campaign from Chicago. The banks also helped in the letter-writing blitz.

These letters showed an extraordinary misconception of the tax. A large proportion hotly attacked the requirement for withholding as the imposition of a completely new and additional tax. They apparently thought that interest either was not income or was so sacred that it should not be taxed. This very fact was in itself eloquent proof of the widespread evasion or avoidance of the tax. It was in vain that in my initial answer I pointed out to these protestors that this was not a new tax but merely a better means of collecting an existing tax that had been widely evaded and avoided, and that their confusion was indeed ample proof of an existing failure to report.

Another widely prevalent misconception was that the tax was a levy amounting to a 20 percent annual assessment on the total capital that a person owned. It was consequently attacked as part of a communist scheme to confiscate all capital. It was, of course, instead a tax on income, not on capital. Thus on $1,000 of holdings that paid 4 percent, the 20 percent tax would be levied on the $40 of interest and not on the principal of $1,000.

I then prepared a brief article summarizing the way in which the income tax had been avoided and evaded, and how simple the proposal was—namely, to withhold one-fifth of all payments of dividends and interest and send the totals to the Treasury. In the event of overwithholding, the individuals would then be able to file quarterly requests for refunds. I pointed out to all my correspondents that the basic income tax on wages and salaries had been similarly withheld for twenty years with only annual refunds and asked why interest and dividends should be given such especially favored treatment.

It was all in vain. No one was convinced. The tide of angry letters continued to pour in. Virtually every senator received thousands, and many counted their letters in the tens of thousands.

The result was inevitable. By a vote of eleven to five, the withholding provision was stricken from the bill in the Finance Committee. Then, on the floor of the Senate, when I moved to restore the clause, I was overwhelmingly defeated and mustered only twenty votes.

Here we were deserted by the Administration, which evidently decided that the struggle was useless. During the entire battle, the academic profession of economists was all but silent, so that Senator Gore and I felt that we had been allowed to die on an economic Berlin Wall without a hand ever being raised to help.

But as sometimes happens, to deaden the impact on our argument, and perhaps to quiet the consciences of our opponents, it was provided that institutions should report to the Internal Revenue Bureau the names and addresses of all those to whom they paid dividends and interest as well as the amounts so paid to each. Then at the regional computer centers these amounts were to be combined and the total tax due from each person was to be computed and compared with that which had been paid.

This is being done. It requires far more detailed reports from the savings institutions than the simple reporting requirements of our proposal. It will collect less money because the burden of collection from the individuals is thrown back upon the Bureau of Internal Revenue. But it does lead to somewhat more careful reporting by the recipients and, according to the Treasury, it has increased collections by about $250 million a year. Thus far we have, therefore, saved the taxpayers about a billion dollars. Perhaps in time, in order to avoid the red tape that has been heaped upon them, the savings institutions may lessen their opposition and consent to withholding at the source. If they do, at least around $750 million more will be saved each year for the American people. Even now the savings will probably be greater.

What then were the real reasons for this apparently illogical opposition? I think they were the following: A very large proportion of those who had savings accounts in the banks and shares in the building and loan institutions never drew out in cash the annual interest that accumulated on their accounts but allowed it to be added automatically to their principal. Many of these savers were sufficiently naive not to realize fully that this increase in their capital holdings came from income. They seemed to think it came from spontaneous generation. The banks and building and loan associations, of course, knew what was happening, but they also realized that a large share of the growth in their savings deposits was due to the accumulation of compound interest, and they did not want to have this increment of growth diminished by the amount of the tax. They had the use of the funds of which the federal government was deprived, and they wanted to hold on to them.

I left this battle with a wry taste in my mouth, but also with the realization that it could have been worse and that to save $250 million a year for the public might not have been so bad an achievement in so imperfect a world.

The biggest and longest battle was, however, over the worst abuse of all, namely the 27½ percent depletion allowance on gas and oil. Billions of dollars are at stake here, and a little explanation of the present tax procedures in the oil industry is appropriate. The oil industry already had certain tax favors that I did not question. Of course, the deduction of operating costs from gross revenue is perfectly proper. Nor did I question the propriety of charging off the costs of the unsuccessful drillings or "dry holes" from the revenues obtained from the successful drillings when these are conducted by the same enterprise. I did not raise any objection to granting the industry the right to charge off in the first year all the "intangible" drilling and development costs. These so-called developmental costs comprise from 75 to 90 percent of the total exploratory and drilling costs and were granted the fastest of all rates of accelerated depreciation—namely, a complete write-off in the initial year. Men in the industry who were secretly in favor of my stand (and there are a few) have repeatedly assured me that this is an even more important special favor than the depletion allowance itself. But this issue was complicated since these costs could always be alleged to be operating costs and hence deductible dollar for dollar from the immediate income realized from the oil and gas.

So I determined to concentrate on the 27½ percent depletion allowance, which Hubert Humphrey and I had originally attacked in 1951 and 1952. This exempted from taxation 27½ percent of all gross income in the oil and gas industry up to 50 percent of net income, and it did this without any limitation as to the length of time for which this exemption was to continue or the ratio of the tax rebate to the original investment.

This provision had been inserted in our tax laws during the 1920's when the corporation income tax was only 14 percent of net profits, and when the total amount of the tax privilege thus conferred was not overwhelming, say, about 7 percent of the profits. But it continued to be retained after the corporate tax had risen to 52 percent and when the depletion allowance could and commonly did cut in half the taxes paid by this rich industry. Moreover, it had spawned a series of similar exemptions: sulfur had been granted a 23 percent exemption, and a number of minerals, including coal, had been allowed a 15 percent depletion grant. We had seen Tom Connally broaden this exemption by a 5 percent rate on clam and oyster shells, as well as on sand and gravel—although there was no danger of "dry holes" or unsuccessful explorations in these cases! Every mineral had come to be included.

We ultimately got the Treasury to tell us how much these exemptions amounted to, and their report was that in the late fifties and early sixties the total came to about $3½ billion annually with the Treasury losing about $1½ billion. Today it is undoubtedly much more.

Long before this, however, I had prepared a counterproposal which I tried out in committee and on the floor nearly every year.

This was to introduce a sliding scale allowance that would amount to granting the existing 27½ percent on the first million dollars of annual gross income but decreasing this to 21¼ percent on gross incomes of between one and five million dollars and then having it fall to 15 percent on all incomes over five million dollars. This would have yielded in the earlier years from $350 to $400 million a year in revenue, while in later years the gain would have been around $500 million annually. Today it would probably be still more.

I justified this differential between small and large operators on the ground that the smaller operators were not able to distribute their risks to the same degree as the big operators and companies. Their fewer drillings exposed them, therefore, to higher risks.

I must confess, however, that I also hoped that this compromise would help to split off the small operators from the huge companies and make it more possible to pass the measure. In this, I was disappointed. Although there were only two or three concerns in Illinois that had gross receipts in excess of a million dollars, nearly all of the small operators lined up behind the big companies and in bitter opposition to me. They were the dominant economic interest in one congressional district covering the southeastern section of the state. Most of them insisted that I was proposing to cut their allowance to 15 percent, although this was, of course, not the case. No explanation was effective, although finally the more knowledgeable would privately admit that while they understood that they would not be hurt, for the sake of industry solidarity they must oppose the Douglas amendment and me personally. Despite all their efforts and the oil money that came into the state in the 1954 and 1960 election campaigns, I had been able to beat off their attacks, and had even carried the oil district. Their opposition continued, however, and in the Senate I had no such luck.

Despite help from Senator Albert Gore and an honorable conservative, Senator John Williams of Delaware, we were periodically snowed under on the Finance Committee. Indeed, I sometimes suspected that the major qualification for most aspirants for membership on the Finance Committee was a secret pledge or agreement to defend the depletion allowance against all attacks. I suspected, also, that campaign funds reinforced these pledges.

Once again, we received little or no support from the Administration, which evidently thought the depletion allowance to be "too hot to handle." And, once again, the economics profession was largely silent, except for a few scattered voices that correctly pointed out that the tax favors led to overinvestment in the industry, thus causing the average return, exclusive of tax favors, on the American investment to fall somewhat below the general average for all industry.

But there was little or no criticism from the economists of the morality of the tax advantage that helped a number of the fabulously wealthy to escape from paying any taxes whatsoever and helped many others to pay only nominal sums. There seemed to be no resentment among businesses that oil and gas companies only paid one-third to one-half the rate of taxation upon net profits paid by the main mass of American corporations. The prevailing sentiment seemed instead to be gratification that one group, at least, had been able to outwit the government and the reformers. Despite the fact that we wanted to lower the general tax rate once we had obtained greater uniformity in our tax system, and constantly stressed this point, we were about as popular among business executives as the revenue agents used to be among the mountaineers of Appalachia when they tried to put down "moonshining."

We gained a slight flicker of interest from among a few of the independents when we pointed out that the big oil companies that had concessions in Venezuela and the Persian Gulf countries were able to escape virtually all taxation by (1) successfully claiming the depletion allowance on their foreign oil (despite the fact that subsurface deposits, under Roman and national law, are the property of the state) and (2) counting as "taxes" the royalties that they paid for the extraction abroad of government-owned oil. In this way the 50 and later 75 percent payments for the extraction of the oil were not counted as an operating expense, but rather as a tax to be deducted dollar for dollar from the tax that otherwise would be paid to the United States government.

Despite all the propaganda and the pressures, there was a heroic group of senators who stood firm. Once we got as many as thirty-eight votes, but later we slumped to twenty. Calling for a rollcall vote was in a sense like marching brave troops into the valley of political death and reducing the number of public-spirited soldiers. Therefore, toward the end of the long bitter struggle, I would agree to a voice, rather than a rollcall, vote in order to shield our secret supporters, I was willing, as were my comrades, Senator William Proxmire and Senator Gore, to be marked for destruction in a cause that we believed to be in the public interest, but we did not want to drag down others to political disaster and reenact the role of Lord Raglan who sent the noble six hundred to death at Balaklava in the Crimean War.

Some of us have been effectively disposed of; more probably will be; but the issue remains. And as one who still believes (perhaps foolishly) that in a democracy no issue is settled until it is settled right, and that in the long run an educated public opinion will prevail, I remain guardedly hopeful. I am grateful to Senators Proxmire and Gore, as we all should be, for keeping the issue alive, and I pray that they may succeed where others of us have failed.

The third great abuse lies in the field of the capital gains tax. Here the profits realized from the sale of a capital asset that has been held for longer than six months are taxed, when sold, at only one-half the income tax rate, but in no case at more than 25 percent. Moreover, the amounts not taxed are not counted as "taxable income," and hence do not appear in the statistics issued by the Treasury Department. Like the murdered victims of the criminal syndicate, they, with the oil and mineral depletion allowances, are given an anonymous burial so that even the buried bodies disappear.

Philip Stern estimated in 1962 that this favored treatment shrunk the tax base by $6 billion a year and cost the Treasury $2.4 billion annually. But this is only the beginning. An even greater leakage occurs when property is bequeathed. Let us take the case of a father who buys property for $100,000 during his lifetime, which at the time of his death is worth $1 million, or $900,000 more. His son inherits the estate and a year later sells this same property for $1,100,000. He will pay a capital gains tax only on the $100,000 that has accrued during his ownership, while the $900,000 gain inherited from his father not only will go tax free but will be unrecorded. Stern estimates that from $12 to $13 billion thus escape taxation every year and that the Treasury annually loses an approximate added $2.9 billion.

It was such injustices in the capital gains system (and not such incidental absurdities as giving capital gains treatment to the raising of cattle but not to chickens and turkeys) that most outraged me.

To deal with the untaxed capital gains during a testator's lifetime, I proposed collection at the time of ultimate sale, but, of course, with a deduction or tax credit given for all inheritance taxes paid in the meantime on the property. In other words, if a total inheritance tax of $50,000 had been levied on this property, this would be deducted dollar for dollar from the tax ultimately realized on the capital gains.

And if it be objected that to tax capital gains in years of bunched income would be inequitable, I constantly made it clear that I would agree to lengthen this period to any proper degree. This would reduce the total of the super-taxes that would be paid. But such conciliatory motions were overwhelmingly defeated in committee and on the floor. At first the Kennedy Administration supported the idea of taxing the inherited capital gains, but this support faded as we approached the hour of decision, while once again the voices of the economists were for the most part mute.

The treatment of stock options was, and is, an especially anti-social use of the capital gains principle.

It had been the custom of many corporations to give a chosen group of executives the right to buy added quantities of stock, and for gains realized upon this to be taxed at capital gains and not at income tax rates. Very commonly this stock could be purchased at less than the market rate, thus extending the practice of the "preferred lists" that had been the common custom during the 1920's of such financial giants as the Morgan firm and Samuel Insull. If the stock fell while the option was being held, then the beneficiary was commonly freed from his option.

The plan, by creating additional claimants for the net earnings of the companies, like the preferred lists, obviously diluted the equities of the existing stockholders.

The defense given for the stock option was, of course, that they would increase the incentive of management to make profits for the companies by increasing the amount of tax-free income that they would receive. It had a side effect of concentrating executive attention upon the price of the stock rather than treating this, as I believe should be done, as merely the by-product of an efficiently managed company. It could be argued that from the companies' standpoint it would be better to make these added payments in the form of cash bonuses or percentages of the net profits, rather than from profits from the sale of added shares of stock. But this would have meant that the added income would have been taxed at ordinary, rather than at capital gains, rates. In essence the stock option plan permitted executives to become wealthier than would otherwise have been possible, and to do so in a shorter period of time. It was touted as a means of helping young executives to climb the economic ladder more rapidly, although in practice the major rewards went to those in the later afternoon of their business careers. Often as members of the boards of directors, they voted themselves these large tax-free bonuses.

Due to the valiant efforts of Senator Gore, we succeeded in ending some of the worst abuses of the stock option plans. How much we have saved by these modifications is still unknown, but I estimate that while the gains are real they are still minor.

Another persistent loophole is the exemption from federal taxation of the interest on the bonds of state and local governments. This exemption was first enacted because of the fear that such a tax would be held unconstitutional by the courts, and also by a desire to make the financing of capital improvements easier for the state and local governments. That it has helped in the latter direction is shown by the fact that while high grade municipals are still much less safe than federal issues, their yield in March of 1967 was a full percentage point below the latter, namely, 3½ instead of 4½ percent. Without this tax advantage, the municipalities would probably have had to pay at least 3¾ percent interest and possibly 5 percent in order to float their loans. Since the total outstanding bonds issued by the state and local governments amount to approximately $100 billion, the total in interest that is saved for these bodies probably comes to somewhere around $1¼ to $1½ billion a year.

Such tax-free issues, however, become tax havens or sanctuaries for men and women in the upper income and tax brackets. Thus when Mrs. Horace Dodge, Sr., inherited $56 million from the estate of her husband, she immediately invested all of it in state and municipal bonds and thereby removed the entire income from her fortune from federal taxation. This is a particularly attractive tax route for those in the upper income tax brackets who do not wish to play an active role in the business world. If only the existing income from these bond issues were taxed, federal receipts would be at least 50 percent on the $3½ billion that is now immune from federal taxation. This would amount to $1¾ billion. If the federal government were to pay in outright subsidy to the local governments to compensate for these lost tax benefits, this would still net at least a half billion dollars a year for the federal government. It might indeed net more since the interest rate, and hence the total interest payments on state and municipals, would rise. Assuming that the total interest could increase to $4½ billion, at an average tax rate of 50 percent, this could net $2¼ billion or a billion dollars more than the compensating subsidy. Unless some such action is taken, the amount of lost income will probably increase as retired men and women of wealth seek these privileged sanctuaries.

A particularly bad form of this tax subsidy to localities occurs when local and state bonds are floated to finance the construction costs of runaway factories from other parts of the country. In many Southern states this is a common practice, and it serves to draw employment away from the North and the Midwest. It creates unemployment in these sections of the country and makes it harder for the workmen up North to obtain wage increases. Both of these factors, then, depress the tax base in these areas and decrease the ability of those who hire them to pay taxes, at the very time that they create higher local relief and welfare costs.

On top of all this, the taxpayers of the North and West have to pay higher federal income taxes or else short-change the general welfare because of this subsidy to their southern competitors. They in effect are being asked to help finance their own economic destruction.

Thus far the massed political power of the South has been sufficiently great as to prevent the closing of even this relatively tiny loophole. In self-defense, Northern and Western states are beginning to extend similar privileges, and the evil is spreading.

The depreciation allowances on buildings are computed on the money cost of the property to the last purchaser and not on the book value of the physical structure of the building itself. Thus if a man constructs an office building at a cost of $5 million, he can take accelerated depreciation for several years and use this as a credit against the net income from that property, or any other property that he may own. At 5 percent a year, he would thus get a credit of $250,000. If his net income from the building was $200,000, this would mean that he would pay no taxes and would have an additional credit, to be carried over, of $50,000. This could go on for at least five years, when the accelerated depreciation amounting to approximately $1.7 million would have to be greatly reduced. But office buildings enhance somewhat in value during the first years of occupancy, and it would be quite possible to sell the property for $5 million or more instead of the depreciated book value of approximately $3,300,000. The original owner would pay a capital gains tax only on the $1.7 million profit made from selling at above book value, although he had used his depreciation allowance to reduce his higher regular income tax rate.

The newcomer could, however, start taking his double depreciation on his $5 million purchase price instead of on the $3.3 million of book value. This, as a matter of fact, would be an important reason why he would pay the full $5 million.

After a few years a third comer might even be willing to pay $5 million, although the $3.4 million taken for depreciation might have left but $1.6 million of the original cost of $5 million.

This process could be kept up almost interminably, with the ultimate total amounts deducted for depreciation far exceeding the original cost. This practice also puts a premium upon a frequent change of ownership, which is especially injurious in the case of tenements. We would save many hundreds of millions of dollars of taxes if depreciation were to be computed upon the book value of the building rather than upon the purchase price paid, and so that the total taken could not exceed the original cost or possibly the original cost plus replacements. It is true that double depreciation in the early years was eliminated for housing in the 1964 act, but the so-called "sum of the years" method gives substantially the same result, and the earlier provision has since been restored. Since all this is computed on the money cost of the building to the present owner, this is a stimulus to frequent changes of ownership. And this in turn leads to added neglect.

The depreciation allowance is, moreover, divorced from the performance of any replacements or repairs. It would be better if the average depreciation rate were to be lowered from 2½ to 2 percent or less, thus assuming a life of fifty or more years, rather than forty, for the structure, and then to provide additional allowances for those major repairs and replacements to the degree that they are made subject to a maximum allowance in any one year or over a span of years. This would be a mighty stimulus for owners to keep houses in repair and would lessen the tendency for them to deteriorate.

There are many other quirks and loopholes in the taxation of commercial real estate that result in great losses of tax revenue, among them the "sell and lease back" arrangement. Here any gains will be taxed later only at capital gains rather than at income tax rates, while the rent payments can be deducted from gross profits as an operating cost. Time forbids going into all these complexities. But as the publications of various tax services demonstrate, they are complex and, for those who practice them, lucrative.

In 1962, the Treasury presented a mass of evidence showing excessive tax-deduction claims for travel and for entertainment. The instances presented were at once ludicrous and also, in a sense, nauseating. We were able to tighten the rules somewhat, most notably in limiting travel expenses (exclusive of actual transportation) to twice the amount allowed government employees, and at a present figure of $32.00 a day. We also restricted the deductibility of business presents to $25.00 from one person to another. But the major expenses for entertainment have been largely legalized, and the evils of an expense-account civilization are still largely unchecked.

During our consideration of one of the major tax bills a seemingly innocent provision was inserted that later turned out to be a Trojan horse. This was to exempt from taxation all future "charitable" contributions if in eight of the past ten years 90 percent of the *taxable* income had either been given to charity or paid in taxes. There were two booby traps carefully concealed within this seemingly public-spirited provision that was represented as an encouragement to private charity. I confess I was fooled by them. The first is that it is only 90 percent of the *taxable* income that is counted, and not 90 percent of the real income. By exempting capital gains income and "depletion income," which is not taxed, the proportion of income actually given away can be, and frequently is, only a small fraction of the actual real income. It is therefore especially popular among the oil barons of the Southwest.

The second joker is that by creating "personal foundations" the donor can retain control of those properties that he is apparently giving away and have the income spent in accordance with his wishes and frequently to his profit.

Congressman Wright Patman has unearthed many of the abuses perpetrated by these "foundations." And it is significant that the unlimited charitable deduction ranks alongside the depletion allowance, the fast write-off of drilling and developmental costs, and the capital gains privileges as an important reason why so many men with huge incomes pay small taxes, or none at all.

Men who own their homes are not taxed on the imputed income afforded by that ownership, while the renter receives no credit for the amount that he pays for shelter. A man with a $10,000 salary who lives in a $20,000 house that he owns, and for which if he did not own it, he would have to pay another person $2,000 a year rent, really has the approximate equivalent of a $12,000 income, but he only pays on $10,000. (For convenience' sake, I am disregarding local property taxes and maintenance costs. These do decrease the tax advantage of the homeowner.) His neighbor across the street who also has a salary of $10,000, but who pays $2,000 rent, is taxed on the *full* $10,000. If we were to preserve uniformity, either the first man's income should be reckoned at $12,000, as was once true in England, or his neighbor should be rated at $8,000. But to adopt this latter method would be to provide that amounts paid in rent should not be taxed as income. This exemption of rent hardly seems equitable.

But, even if justifiable, the inclusion of imputed rent in taxable income hardly seems possible in the near future.

Neither does changing the rule that a husband and wife may split their income for tax purposes. This allows taxation at a lower average rate than if the major share of the income were credited to the financial head of the family, who actually received it. While it does not cost a man and wife twice as much to live as it does a single man, it commonly does cost them more. And while the wife of a well-to-do man costs far more than the $600 of personal exemption that is allowed, nevertheless a distinct tax favor is given to the married men, as it is to homeowners. This tax advantage increases as one moves into higher and higher tax brackets, so that matrimony is relatively more blessed financially for the millionaire than for the modest members of the middle and lower economic classes. I cannot believe that the wife of a wealthy man is correspondingly so much better and more socially valuable than the wives of the financially humble.

I began my senatorial career in a quandary, and when I left, the quandary was even bigger than when I started. It was this: Can and will the people under the best system of government in the world, and with an able and highminded Congress, ever be able to protect the public interest in tax matters and enforce equal justice for all?

I must admit that the eighteen years have, on the surface, been disillusioning. We have made a few improvements during that time and may have saved a billion dollars or more a year, but the big loopholes and truckholes remain. Indeed, new ones have been opened, sometimes over our opposition and sometimes, as I have pointed out, without our knowledge. I daresay that there may be still other financial time bombs, presumably concealed in innocent-sounding verbiage, which will turn out to free still more income from taxation. The summing up that Philip Stern gave in his *The Great Treasury Raid* is substantially true today.

For a raid of its magnitude, the time (high noon) and setting (the United States Treasury, a stone's throw from the White House) showed a breath-taking boldness of design and planning. From out of nowhere, it seemed, they appeared—old people and young, rich and poor, an oil millionaire here, a factory worker there, a real estate tycoon, a working mother, several well-known movie stars, some corporation presidents, even the chairman of a powerful Congressional committee. It was a mixed lot, all right, that converged on the Treasury Building that high noon. Into the building they strolled, gloriously nonchalant. No one stopped them; not a guard looked up to question them. Quickly and quietly they found their way to the vaults; opened them noiselessly with the special passkeys each had brought with him. Like clockwork, with split-second timing, each went to his appointed spot, picked up a bag and walked out as calmly as he had entered. At the exits the guards sat motionless. At precisely 12:04 it was all over. Each of the "visitors" had vanished into thin air.

So had forty billion dollars from the United States Treasury.

Despite all our efforts, the brutal fact must be admitted. We have largely failed.

Is the fault then in the structure of our economic life, "in our stars," so to speak, or in ourselves, that so little progress has been made?

It used to be said by some that the trouble with democracy is that the ablest and best educated men and women in the country do not take part in political affairs, but that if they would only interest themselves more in public matters they would set matters right.

But it has been the extremely able who have inserted these loopholes in the tax laws. The loopholes and even more, the truckholes, are defended against elimination or lessening by other extremely able men. The large hearing room of the Finance Committee seats a hundred and fifty persons. When we considered a tax bill, the room was filled with prosperous lawyers, graduates of great universities and of the top ranking law schools, whom Assistant Secretary of the Treasury Stanley Surrey once referred to in a burst of admiration as "the best minds in the country," all working to hold what they and their clients had and to enlarge it.

One major trouble with our tax system is, therefore, precisely this: that these "best minds" in the country have largely worked to make it what it is. Not more than one out of every hundred citizens actively working on a tax bill is trying to represent the general interest. And in the halls outside the hearing rooms the lobbyists are as thick as flies, while the publicity men and noisemakers are busily at work in Washington and elsewhere. In the halls of academe, erudite professors train their students in the intricacies of the tax code so that their students may succeed in the private practice of law by helping wealthy clients avoid taxes and thus beat the government of the people.

All this raises the question whether this is a fundamental weakness of our democratic system, namely, that the producing and possessing interests are compact, powerful and well-organized, while the consuming and nonpossessing classes are busy with other things, and their interests diffused; and that while the people are numerically more numerous, they are collectively weak, ignorant and unorganized. Does it follow that in a conflict between these two groups it is almost invariably the more powerful that wins?

As I watched the struggle and indeed took part in it for nearly two decades, I was struck with the similarity between it and the way the Spaniards were able to take over Mexico, Peru, and indeed all of Latin America, as narrated by William H. Prescott in his two classic histories, the *Conquest of Mexico* and the *Conquest of Peru.*

There were about thirteen million Indians in Mexico whereas there were only about five hundred Spaniards under Cortes. But the Spaniards wore armor, and they had gunpowder and powerful harquebuses, while the Indians were largely unarmed and unprotected. The Spaniards had horses, which gave them mobility, which the Indians did not have. They were, moreover, under tight discipline and moved as one, whereas the Indians were torn by internal dissension and overawed by the proud and arrogant newcomers.

So it sometimes seemed to me in these tax battles. A particular measure would mean millions to a few, but only a few cents to each of the two hundred million Americans. It was hard for the individual citizen to become informed. Even if he knew what was at stake, he was busy earning a living for his family and could not interrupt his work to defend his infinitesimal interest. Leisure, moreover, has its proper claims as well. So only a minute fraction can enlist in the common cause, and they can only do so at great risk to themselves. This in itself is a preventive to action.

James Madison saw this danger to our democracy at the very founding of our Republic and tried to develop an answer in the tenth essay of the *Federalist*. He thought he had found a partial answer to the peril in the mutual checks and balances that the divergent producing interests, called into being by a national market, would exercise upon each other.

This form of countervailing power is helpful in many fields. But I did not find it to be an adequate protection for the consumers or the small taxpayers. For producers seldom think of consumers, while those with big potential tax bills are commonly not solicitous about the other taxpayers. There is, moreover, a kind of fellow feeling among the powerful that makes it bad form for one group to balk another in a matter in which they are not themselves directly concerned.

Fortunately, in the history of our Republic, there have generally been some politicians who, at great risk to themselves, have defended the general interest with energy and ability. Such were George Norris of Nebraska, the two Robert LaFollettes of Wisconsin, and more recently the beloved Herbert Lehman of New York. Such, I believe, are my friends, Albert Gore of Tennessee and Bill Proxmire of Wisconsin, who have specialized in these very matters. There are many others on the national, state and local levels. Generally, these men in the past were ultimately defeated, but they lasted long enough to make an impression on their times and to win important victories. Their lives and the respect that is later accorded to them after they die is proof that there is a deep, if unexpressed, hunger, on the part of the inarticulate millions, for just such defenders.

But political battles cannot be won by solo combat. The days of the knightly tournaments celebrated by Sir Walter Scott in his *Ivanhoe* are over. Modern political struggles, like modern wars, need mass support and an adequate organizing staff if they are to be successful. Where is this support coming from?

The industrial unions, and most conspicuously the United Automobile Workers, have shown the greatest awareness of this need and have, in general, exercised a concerned interest in what may be termed the general welfare. There are various public groups with circumscribed interests that, from time to time, are also helpful. But we would be in a much stronger position if the organization of consumers, now embryonic, were more of a reality than a hope.

When I entered public life, now nearly three decades ago, I assumed in my innocence that man's efforts at just and humane self-government constituted the highest form of secular activity, and that the state was a fitting instrumentality through which men could lead the good life. I had been proud of our national government and thought of it as a friend and not an enemy, and a something to be served and not exploited.

But it is obvious that this view is not held by a large and influential proportion of the population. As some of their frankest spokesmen have said, they seem to regard the national government as their enemy and as something malign to be hated.

I once heard an eminent public figure declare that it was a man's duty to pay the federal government as little as possible in the way of taxes. Everywhere one finds powerful groups moving in to extract special privileges from our society, and they always seem to be able to attract to their cause skilled lawyers, technical experts, economists, publicity men and public relations practitioners, who then use their brains and wiles to promote the fortunes of their empolyers. Meanwhile the main mass of the general public and even of the academic profession stand by as mere spectators and allow without protest the power juggernauts to conquer. They behave indeed like so many city spectators who watch crimes being committed without raising a hand to defend the victims or lifting their voices to call the police.

To me this was and is a sign of the disintegration of a society that has lost sight of its common purpose. But to others it is the smart thing to do.

This is what deepened my quandary.

The query is appropriate: where are the champions of the people? Where are the men, better and more effective than we who have tried and lost, coming from?

I do not know. But I am an optimist. I cannot believe that the people with all their weaknesses will allow the noble ship of democratic government to be taken over by these well-clad pirates with impeccable credentials. For if they do, there may ultimately be such disillusion with our form of government as to cause the people in frustration to abandon ship and to allow it to be taken over by a still worse group of tyrants, who will suppress our liberties and shut the gates of mercy on mankind.

THE SUPREME COURT

HON. STROM THURMOND

OF SOUTH CAROLINA

IN THE SENATE OF THE UNITED STATES

Friday, July 12, 1968

Mr. THURMOND. Mr. President, the Evening Star of July 11 contains an excellent editorial entitled, "Denunciation of High Court Noted," written by David Lawrence.

Mr. Lawrence's article is based on the statement made by Chief Justice John C. Bell, Jr., of the Supreme Court of Pennsylvania, when he addressed a convention of district attorneys. Justice Bell bemoaned the fact that the United States has become a "land of unrest, lawlessness, violence and disorder—a land of turmoil, of rioting, lootings, and shootings."

In a scathing denunciation of the U.S. Supreme Court, Justice Bell referred to recent revolutionary decisions in favor of criminals which dismay law-abiding citizens who look to the courts for protection and help.

Mr. Lawrence calls this statement by the leading jurist of the State of Pennsylvania one of the most scathing denunciations of the Supreme Court since 1958.

Mr. President, I invite the attention of Senators to this excellent article and ask unanimous consent that it be printed in the Extensions of Remarks.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

DENUNCIATION OF HIGH COURT NOTED

(By David Lawrence)

It isn't often that the chief justice of the highest court of one of the largest states in the union speaks out publicly in denunciation of several opinions of the Supreme Court of the United States.

Chief Justice John C. Bell Jr., of the Supreme Court of Pennsylvania, in addressing the convention of the District Attorneys' Association of his state, bemoaned the fact that the United States has become a "land of unrest, lawlessness, violence and disorder—a land of turmoil, of riotings, lootings, shootings."

The main theme of Justice Bell's speech is contained in the following paragraph:

"The recent decisions of a majority of the Supreme Court of the United States which shackle the police and the courts and make it terrifically difficult—as you well know—to protect society from crime and criminals, are, I repeat, among the principal reasons for the turmoil and the near-revolutionary conditions which prevail in our country, and especially in Washington."

Discussing the reasons why respect for law and order, as well as respect for "any public or private authority," is rapidly vanishing, Justice Bell blames a number of factors. First, he says, many political leaders are stirring up unrest, discontent and greed, and many racial, church and college leaders are advocating "mass civil disobedience and intentional violation of any and every law which a person dislikes."

While the justice agrees that there is need for reforms and that the poor and the unemployed must be helped, he declares that this does not justify the breaking of any of our laws, the resort to violence, burning and looting of property, or sit-ins, lie-ins, and blockading of buildings.

But the Pennsylvania jurist also points out that the "black-mailing demands" of those who advocate defiance of law and order "under the cloak of worthy objectives"—and who commit all kinds of illegal actions which they miscall "civil rights"—are harming and not helping their cause. He says:

"Let's face it—a dozen recent revolutionary decisions by a majority of the Supreme Court of the United States in favor of murderers, robbers, rapists and other dangerous criminals, which astonish and dismay countless law-abiding citizens who look to our courts for protection and help, and the mollycoddling of lawbreakers and dangerous criminals by many judges—each and all of these are worrying and frightening millions of law-abiding citizens and are literally jeopardizing the future welfare of our country. Is this still America?"

Chief Justice Bell calls on the district attorneys to see that persons who violate the law are prosecuted promptly, and to conduct the prosecutions so as to "comply with all the recently created technical standards" set up by Supreme Court rulings. He recommends, however, that the District Attorneys' Association take a position publicly with respect to every decision of the Supreme Court of the United States which "the association is convinced is unfair to our law-abiding people and is unjustified by the Constitution and any statutory law." He urges that a copy of all the association's recommendations, resolutions and criticisms be sent to members of Congress, state legislators and the Supreme Court of the United States itself. Chief Justice Bell concludes:

"Finally, you must fight with all your might and power and as never before for all the law-abiding people of our wonderful state who are consciously or unconsciously relying upon you and the courts to protect them from felonious criminals and from all lawbreakers."

Justice Bell, a Republican, was elected in 1959 for a 21-year term on the State Supreme Court and became chief justice by seniority. His address, delivered this week, is one of the most vehement denunciations of the Supreme Court of the United States since 1958, when the Conference of State Chief Justices, by a vote of 36 to 8, adopted a report criticizing the high court for a lack of "judicial self-restraint" and for rendering decisions that were not in keeping with the spirit or the letter of the Constitution itself.

EULOGIES TO SENATOR ROBERT KENNEDY

HON. THOMAS P. O'NEILL, JR.

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 11, 1968

Mr. O'NEILL of Massachusetts. Mr. Speaker, may I take this opportunity to share with my colleagues several eloquent eulogies which were given in honor of the late Senator Robert Francis Kennedy last month. The first two eulogies presented here were delivered at the funeral ceremony and will long be remembered for their solemn beauty. The third eulogy is a notable homily given at the Memorial Mass in the Cathedral of the Holy Cross in Boston. The remaining five eulogies were given at Harvard University and are also excellent tributes to Senator Kennedy and provide very illuminating portraits of the man they honor.

It is always a difficult task to eulogize a man of Senator Kennedy's stature in a unique manner. Yet each of these tributes is exceptional and each has succeeded in contributing something singular to the historic picture in writing which has blossomed since the Senator's untimely and tragic death.

Senator Kennedy once said that "The sensible thing to do is to do the very best you can all the time." Certainly these verbal memorials to the Senator are superb testimonies to the fact that he has left his mark as a man who at all times did his very best. Indeed this was the ultimate meaning and the essential triumph of his life, that he did his very best and that his best was of a magnitude seldom achieved by man. The eulogies follow:

SENATOR EDWARD KENNEDY'S TRIBUTE TO HIS BROTHER

On behalf of Mrs. Robert Kennedy, her children and the parents and sisters of Robert Kennedy, I want to express what we feel to those who mourn with us today in this cathedral and around the world. We loved him as a brother and father and son. From his parents, and from his older brothers and sisters—Joe, Kathleen and Jack—he received inspiration which he passed on to all of us. He gave us strength in time of trouble, wisdom in time of uncertainty, and sharing in time of happiness. He was always by our side.

Love is not an easy feeling to put into words. Nor is loyalty, or trust or joy. But he was all of these. He loved life completely and lived it intensely.

A few years back, Robert Kennedy wrote some words about his own father and they expressed the way we in his family feel about him. He said of what his father meant to him:

"What it really all adds up to is love—not love as it is described with much facility in popular magazines, but the kind of love that is affection and respect, order, encouragement, and support. Our awareness of this was an incalculable source of strength, and because real love is something unselfish and involves sacrifice and giving, we could not help but profit from it."

"Beneath it all, he has tried to engender a social conscience. There were wrongs which needed attention. There were people who were poor and who needed help. And we have a responsibility to them and to this country. Through no virtues and accomplishments of our own, we have been fortunate enough to be born in the United States under the most comfortable conditions. We, therefore, have a responsibility to others who are less well off."

This is what Robert Kennedy was given. What he leaves us is what he said, what he did and what he stood for. A speech he made to the young people of South Africa on their Day of Affirmation in 1966 sums it up the best, and I would read it now:

"There is discrimination in this world and slavery and slaughter and starvation. Governments repress their people; and millions are trapped in poverty while the nation grows rich; and wealth is lavished on armaments everywhere.

"These are differing evils, but they are the common works of man. They reflect the imperfection of human justice, the inadequacy of human compassion, our lack of sensibility toward the sufferings of our fellows.

"But we can perhaps remember—even if only for a time—that those who live with us are our brothers, that they share with us the same short moment of life; that they seek—as we do—nothing but the chance to live out their lives in purpose and happiness, winning what satisfaction and fulfillment they can.

"Surely this bond of common faith, this

bond of common goal, can begin to teach us something. Surely we can learn, at least, to look at those around us as fellow men. And surely we can begin to work a little harder to bind up the wounds among us and to become in our own hearts brothers and countrymen once again.

"Our answer is to rely on youth—not a time of life but a state of mind, a temper of the will, a quality of imagination, a predominance of courage over timidity, of the appetite for adventure over the love of ease. The cruelties and obstacles of this swiftly changing planet will not yield to obsolete dogmas and outworn slogans. They cannot be moved by those who cling to a present that is already dying, who prefer the illusion of security to the excitement and danger that come with even the most peaceful progress. It is a revolutionary world we live in; and this generation at home and around the world, has had thrust upon it a greater burden of responsibility than any generation that has ever lived.

"Some believe there is nothing one man or one woman can do against the enormous array of the world's ills. Yet many of the world's great movements, of thought and action, have flowed from the work of a single man. A young monk began the Protestant reformation, a young general extended an empire from Macedonia to the borders of the earth, and a young woman reclaimed the territory of France. It was a young Italian explorer who discovered the New World, and the thirty-two-year-old Thomas Jefferson who proclaimed that all men are created equal.

"These men moved the world, and so can we all. Few will have the greatness to bend history itself, but each of us can work to change a small portion of events, and in the total of all those acts will be written the history of this generation. It is from numberless diverse acts of courage and belief that human history is shaped. Each time a man stands up for an ideal, or acts to improve the lot of others, or strikes out against injustice, he sends forth a tiny ripple of hope, and crossing each other from a million different centers of energy and daring those ripples build a current that can sweep down the mightiest walls of oppression and resistance.

"Few are willing to brave the disapproval of their fellows, the censure of their colleagues, the wrath of their society. Moral courage is a rarer commodity than bravery in battle or great intelligence. Yet it is the one essential, vital quality for those who seek to change a world that yields most painfully to change. And I believe that in this generation those with the courage to enter the moral conflict will find themselves with companions in every corner of the globe.

"For the fortunate among us, there is the temptation to follow the easy and familiar paths of personal ambition and financial success so grandly spread before those who enjoy the privilege of education. But that is not the road history has marked out for us. Like it or not, we live in times of danger and uncertainty. But they are also more open to the creative energy of men than any other time in history. All of us will ultimately be judged and as the years pass we will surely judge ourselves on the effort we have contributed to building a new world society and the extent to which our ideals and goals have shaped that effort.

"The future does not belong to those who are content with today, apathetic toward common problems and their fellow man alike, timid and fearful in the face of new ideas and bold projects. Rather it will belong to those who can blend vision, reason and courage in a personal commitment to the ideals and great enterprises of American Society.

"Our future may lie beyond our vision, but it is not completely beyond our control. It is the shaping impulse of America that neither fate nor nature nor the irresistible tides of history, but the work of our own hands, matched to reason and principle, that will determine our destiny. There is pride in that, even arrogance, but there is also experience and truth. In any event, it is the only way we can live."

This is the way he lived. My brother need not be idealized, or enlarged in death beyond what he was in life, to be remembered simply as a good and decent man, who saw wrong and tried to right it, saw suffering and tried to heal it, saw war and tried to stop it.

Those of us who loved him and who take him to his rest today, pray that what he was, to us and what he wished for others will some day come to pass for all the world.

As he said many times, in many parts of this nation, to those he touched and who sought to touch him:

"Some men see things as they are and say why.

"I dream things that never were and say why not."

Eulogy by the Most Reverend Terence J. Cooke, Archbishop of New York

"For those who have been faithful, O Lord, life is not ended, but merely changed; and when this earthly abode dissolves, an eternal dwelling place awaits them in heaven."

These words are taken from the Preface of the funeral Liturgy we are offering together.

Mr. President, my dear brothers and sisters:

Even as we dwell with sorrow on the tragic death of Robert Francis Kennedy, we know that—in justice to him—we should meditate on his life, on the destiny to which he was called, and on the depth of conscience with which he responded to that call.

Our Scriptures impress on us from their earliest pages that every believer is challenged by God's call to life and to work—to life and to work connected with the Lord's destiny for all his people. Whether the call comes vividly and dramatically as it did to Abraham, to Moses, to Isaiah, and to Paul or quietly and at first almost tentatively—for every man this awareness of a God-given mission stirs the deepest sense of moral responsibility and makes each person different, not merely in some external way but in his inmost being. It is, in fact, in the openness of his response to the divine call that we ultimately discover the true man and the true believer.

Forty-two years ago, God called Robert Kennedy to life and through the years of his life, he responded to that call with generosity and a sense of purpose few of us achieve. Gifted by nature to a rare degree, he might have sought a life less arduous, a manner of life that left more time for personal interest and for the enjoyment of the wonderful family with which God blessed him. Instead he chose the broader, more demanding challenge of public service, seeing it as an opportunity to build a better world for all his fellowmen. He died in the course of that service.

Today, in simple realism, we salute the sense of purpose which gave direction to Robert Kennedy's life. We salute the sacrifice which answering the call demanded of him each day. Who would not admire his youthfulness, so eager and vibrant that young people yearned to follow him; his sense of mission that impelled him to be his brother's keeper; his faith in God that kept him close to the religion of his childhood? He was a man of faith—faith in God first of all, but faith also in the basic goodness of his fellowmen and faith in the future of his country.

We admire the buoyant confidence that kept him moving forward, the awareness of a great job to be done and the drive to do it. We admire his love for America, for all her people, especially for her poor and disadvantaged. We admire his keen sense of brotherhood that reached out to men of every nation, religion and race. We admire the ability to identify so that negro people spoke of him as "one of ours." We admire his vision in confronting the problems of poverty and civil rights. He, also, had "a dream"—the dream of an America purged of prejudice, assuring freedom for all her citizens, a land of truly equal opportunity. He pursued that dream with even greater courage and enthusiasm than when he climbed mountains and forded streams. We admire him because his life offers an outstanding example of family virtue and family solidarity. He was—however busy, however occupied—a devoted husband and a loving father.

We are all together in our bewilderment and grief. In vain we search for words to comfort his heartbroken mother and father, his dear wife and children, his beloved brother and sisters, and those whom marriage has made members of his extraordinary family. Words are such inadequate messengers of consolation at this time. We stand beside them in deep and respectful sympathy, praying that God will strengthen them to bear their painful burden of sorrow.

Our sense of shame and discouragement tears alone will not wash away. Somehow, by the grace of God, and with the strength that still lies deep within the soul of America, we must find the courage to take up again the laborious work to which Senator Kennedy devoted all his energies: the building of a great and honorable nation. Especially in this hour, we must keep faith with America and her destiny and we must not forsake our trust in one another. President Johnson offered this nation wise counsel when he pointed out that two hundred million Americans did *not* fire the shot that ended Senator Kennedy's life. The act of one man must not demoralize and incapacitate two hundred million others. To permit this to happen would be to fail utterly in grasping the message of hope and optimism in Senator Kennedy's life.

We have always believed in our national destiny marked by unity in lofty ideals. We believe that our country came into existence to secure the blessings of freedom, equality, and peace for ourselves and those who will come after us. We have always believed that national unity is indispensable if these blessings are to be achieved and that an America divided in its ideals cannot survive.

We mourn Robert Kennedy and we know that America shall miss him. But let us not miss the meaning of his life. We too must live in faith; we must respond to God's call; we must answer our neighbor's call for true freedom and equality. Our response will be made in loving God and loving our neighbor, in proving our love by service, in serving by confronting and resolving problems of poverty, race, violence, and war.

For Senator Kennedy "there shall be no more mourning and no more sorrow—and death shall be no more." In the words of today's Preface—"For those who have been faithful, O Lord, life is not ended but merely changed; and when this earthly abode dissolves, an eternal dwelling place awaits them in heaven." In death, Robert Francis Kennedy has joined the immortals of America, and will be remembered with honor wherever the history of our nation is recorded. May he be joined also with those immortals from every land and nation who live forever with God in heaven.

For God has called him once again. God has called him home.

Homily by His Eminence Richard Cardinal Cushing, at Memorial Mass for Senator Robert F. Kennedy, Cathedral of the Holy Cross, Boston, Mass., Sunday, June 9, 1968

Only a few years ago, in circumstances like these today, it was my sad duty to try to put into words the universal grief that we felt on the death of President John Fitzgerald Kennedy. Today a melancholy fate summons me once again to test the power of language to express the deepest emotions of the human heart as we commemorate the tragic murder of Senator Robert Francis Kennedy. Brothers closely joined in life, now are entwined also in death, both felled by the hand of the assassin. History which cannot fail to record the glory of their deeds will take note too of the sad correspondence of their passing.

Like most brothers, they had much in common—a common heritage of faith and courage, a will steeled for accomplishment, and a compelling impulse for public service. They brought to public life, both of them, a new dignity and a new urgency; each added new dimensions to his office, so that, before this nation and the world, they gave promise of a fuller life and better times for all men everywhere. As their vitality caught the imagination of so many peoples, so too their spirit stirred the forgotten hopes of the poor, the lonely, the oppressed and the deprived. So much of what was greatness now lies buried beside a hill in Arlington, beneath a flickering flame.

Four and a half years ago Senator Kennedy committed himself to continue what his brother had so nobly begun; from that moment his boundless energy sought to insure that those ideals they had pursued together should not perish from the earth. Today, as we take time to reflect on his life and character, we can take some measure of what, in that short time, he has meant to America.

If he could speak to us today, Senator Kennedy would, I think, take his greatest consolation in the knowledge that among heavy hearts, those with a special burden of sadness are the poor. For all of us—but for them especially—he was a hero. No one in our time has related so well to their needs, no one has been so understanding of their aspirations, no one has been so honored among them. In good times and bad, he could walk among the citizens of our slums, he could penetrate the urban ghetto, and in the surest sense be a man among his people. In him, as in so few, they saw hope; in him they recognized concern; in him they would not be forgotten. Who can say what it was in his character that gave such confidence to the dispossessed, that made them see in him their brother! For my part, I think it was both the strength of his convictions and the open sincerity of his heart. He was not one to trifle with the truth; when hard things had to be said, he could say them; when difficult deeds were demanded, he could do them. He had, in his own life, known something of the wounds this world can inflict on the innocent; he knew too how ineffective in the harshness of reality is the balm of soft words. Now that the poor have lost their champion, all of us are impoverished.

We must raise our eyes beyond the boundaries of this nation to the far lands of the earth if we wish to understand the universal mourning of this week. Not just to Americans, but to millions across the globe a torch that flamed in the night has been extinguished. By some mysterious identification, those who had never even hoped to meet him saw in Senator Kennedy, bearing the mantle of his martyred brother, some message of hope for all mankind. To a generation that was weary, he symbolized strength; to those confused, he pointed a way; for those drifting, he set a course; to those heavy with years, he offered his youth; to those despairing, he was a figure of promise. Who can say how many little lamps around the world went out when death won its struggle last week in Los Angeles! The world is mourning a loss that is as wide as the plant itself.

Men in public life, in our country and elsewhere, are men who live on the edge of danger. No one could have been more conscious of this from his own experience than Senator Kennedy. But danger to him was not an anxiety, it was not a worry; it was as he often said, "part of a man's life." He was fond of quoting the ancient Greek poet who said: "Men are not made for safe havens." Valor, we know, is an essential part of greatness; only the brave can prevail. Although he was never reckless of life, he seemed to welcome risk, to be willing to challenge and to conquer it. He knew that the same protection that could guard his life could also be a barrier between himself and his people. He chose not to accept its demands. It was, I think, an act of faith on his part to put himself under the protection of Providence, to do his own best, and to leave the rest to God.

Not many people will mention it, I suppose, but Senator Kennedy was a devoutly religious man, and the values for which he labored were essentially spiritual ones. I do not mean that his religion was not related to his life and actions; I mean the opposite; his religion was the inspiration of all that he was and all that he did. The beads that entwined his dying hand said something of his life; he was a man of prayer. Now that faith has brought him into the Lord's kingdom, he has found the only "safe haven" he has ever sought, and he has won it dearly.

Our hearts and prayers go out to his wife and family, especially to those who are now children of a fallen hero. We remember too his stalwart mother and brave father, his brother Ted and his sisters. We share their sorrow, though we cannot assuage their grief. To the loss already sustained, now a new one is added; only faith assures them that they will meet again in another and better world. We pray for his repose and for their consolation.

IN MEMORY OF ROBERT FRANCIS KENNEDY, A SERVICE, JUNE 10, 1968, 12 NOON, MEMORIAL CHURCH, HARVARD UNIVERSITY

I

Most of the others who will speak here today can add, from their own close personal association with Robert Francis Kennedy, to our appreciation of his character as a man and his contribution to our public life. If we were to share time in proportion to our intimacy with Senator Kennedy, I would already have been silenced. Yet the role that he played in the designation of the John Fitzgerald Kennedy School of Government as Harvard's memorial to his brother was a crucial one, and in that role—as trivial as it may seem on the stage of the world events in which he was a leading actor—I had some reason to appreciate the qualities which we may well recognize as we meet today in his memory.

For the past few days a national torrent of eloquence has paid tribute to his courage and his compassion. But for him these were not only the virtues of a brave and good man—they were the virtues of the citizen, a citizen who is aware of his own high talents and determined to use them for the public good. It is easy either for a man of wealth and social status, or for a young rebel against injustice—and he was both—to assume an attitude of superiority to publice service and especially to the kind that involves a perpetual contest for power, namely, politics. But such a moral posture was not to his taste. He sought not only power but the responsibility that should go with it, and that can convert power from a source of corruption to an instrument of brotherhood. It was this union of power with compassionate public purposes, this insistence on facing hard facts with a tender conscience, that I took him to mean by the phrase that he used on the last night of his campaign—"the politics of reality."

Although he received plenty of advice in the process, it was Robert Kennedy's decision that the memorial to his brother, President Kennedy, should be more than a monument and more than an archieve of past accomplishments—should be, indeed, an institution to encourage and foster the kind of public service to which he and his family had been dedicated. And it was his personal decision—at least it was without benefit of any agreement from his advisers, for he knew when it was important to wait for a consensus and when it was essential to accept responsibility and to act—to help Harvard University establish as the living memorial to his brother the Kennedy School of Government.

It was at the point of this decision, four years ago this summer, that I found no basis for the political legend of Robert Kennedy's arrogance and ruthlessness. In a fundamental sense, a politician most surely reveals arrogance by showing a greater respect for power and status than for truth and learning, or by seeking to manipulate the institutions of education in the interest of political advantage. Among political leaders of various parties and all shades of opinion, I have never known one who showed more complete understanding of the need for the independence of academic institutions and for the integrity of scholarship, or more resigned and good humored tolerance for the vagaries of scholarly opinion. The line to be followed by a university that wishes to safeguard intellectual integrity and still make a contemporary contribution to society is not easy to define; it would be far easier if all political leaders could display Robert Kennedy's understanding and his generosity of spirit.

It was in honor of John Fitzgerald Kennedy that he helped Harvard create a living memorial, dedicated to the kind of public service in which he so deeply believed. And now the Kennedy School of Government will serve as well to perpetuate the memory of Robert Francis Kennedy. Harvard and the nation—indeed the world as a whole—will long mourn his loss.

—DON K. PRICE

II

I was not a close personal associate of Robert Kennedy although I have often seen word in the newspapers to the contrary. Serving under him on the floor at the Los Angeles convention in 1960, I remember that I was the only person he addressed as Sir. So it might be more illuminating this afternoon if I were to offer a fragment of testimony of another who knew him well. That was his brother, John F. Kennedy. The story is a small one and has not, I believe, been earlier told.

It was at dinner in Florida a few weeks after the 1960 presidential campaign. Since there was no more favorite topic in the Kennedy family, the campaign was being vigorously refought. I ventured the suggestion that its high point had been the prompt and simultaneous response of both brothers to the jailing of Martin Luther King—something which had occurred not long before the election. The President-elect picked up the comment.

"Like all great political strategies, it was accidental and uncoordinated," he said. "Each of us believed in character. I telephoned Mrs. King. Bobby moved in on the authorities to get her husband out of jail."

The President was perhaps unfair to himself but right on his brother. Bob Kennedy was a man of quick indignation, and of quick response. His response was not alone to injustice under law which arouses the more reputable forms of anger. It was to economic deprivation and racial deprivation and it came with special force where these afflicted the young. In such matters, response is not always convenient. It involves the discomforts of action.

This instinct for action accounted, I have always thought, for one part of Kennedy's reputation. In our day, we honor, above all, the men who are able to grace extreme social convenience with high moral purpose. Even the better universities sometimes show talent in this regard. By such standards, those like

Kennedy, who wish to do something, are bound to seem aggressive, at least until after they are dead.

Indeed often when I read about Robert Kennedy, I wondered if the humorless, self-centered man there described could bear any relation to the one I knew. Could it be that he was the least known public figure of our time? Could this be the price for action against the social convenience? For he was, his friends all knew, amused and amusing. He found great gaiety, and rich, rewarding irony in his own relation to life and politics. And so far from being self-centered, he was the most warmly compassionate of men. But now we know that he was known. All could see it in the faces of the men and women, and especially the youngsters who lined the track all the way from New York to Washington. All saw it in one crudely lettered sign held up by Negro children on the Baltimore platform. It said, "We loves you, Bobby." There is an instinct that tells the people who need a friend who is a friend.

—JOHN KENNETH GALBRAITH.

III

Today I speak for those who never met Bobby Kennedy but for whom he was very much alive. We were offered the Bobby of the press and the Bobby of the campaign leaflets, but we perceived more. Behind the commentator's opinion and the campaigner's image, we felt a man who was real.

In him, we saw a pragmatic politician, but sometimes we called him ruthless. In him, we saw idealism, but sometimes we called him opportunistic. In him, we saw the will and the vigor to attack the problems which he saw, but sometimes we called him ambitious.

We could agree with him or argue with him, support him or work for his opponents. Yet always he was one of us. We listened to him; we worked for him; and we believed in him.

Bobby Kennedy saw the world as we see it. He shared our humanity. He loved as we love. He felt the suffering which we feel. He hated the war which we hate. He saw that this was a revolutionary world with promises and dreams to fulfill, and he planned as we plan. Bobby was our companion, though distant, our friend, though we never met him.

Some of us were disenchanted with what we have alternately labelled "The Establishment" or "The System." For the disaffected, Bobby was a viable hope because he combined our ideals with the system's way. Through his commitment and his ambition, his dream and his style, he would make concerned activism possible through established channels.

Bobby was hope for divided America. He could speak for the poor, the blacks, and the young while dealing with the affluent, the whites, and the over-thirty on their terms. The assassin's bullet struck not only our candidate—it struck the divided Americans whom he sought to reconcile and represent.

It would be easy and an excuse to say that the dream died with the man. Bobby is dead, and our hope in his dream momentarily falters, but we will continue. We mourn his absence, but we rejoice that we witnessed the life of Robert Francis Kennedy, a human being.

—PETER A. GAGLIARDI.

IV

The last time I saw Robert Kennedy was the afternoon before his television debate, in a big square room at the top of the Fairmont Hotel in San Francisco, with the sun flooding in across the Golden Gate. He was curled up on a couch in a characteristic attitude, listening intently to the people grouped around him. He was always a good listener. He listened patiently and purposefully, as a good student, in order to increase his capacity to do what he believed needed to be done in the world.

He was extraordinarily open to new ideas. He used them in his own work, and he passed them on freely and eagerly to others who might use them too. The idea of community action first found its way into government through him when he was Attorney General, before the poverty program was even conceived. And the idea of federal incentives for private enterprise to take in the unemployed and the underemployed has found the fullest and the most painstaking expression in his work as a Senator.

What Robert Kennedy added to an idea was a vivid concern for making it happen. His unique contribution grew out of his awareness of the gap between the proposal and its execution, and his determination to bridge that gap. When confronted by a problem, his constant question was "What can I do about it?", and he was never satisfied until he had a positive answer.

His ability to listen and his capacity to use what he heard made him a rewarding student. But he was also a great teacher. And his first pupil was always himself. He never schooled anyone more rigorously. Events conspired with him to make that schooling painful but effective so that he continued to grow in understanding and in wisdom as long as he lived. He loved to quote Aeschylus: "In our sleep, pain that cannot forget falls drop by drop upon the heart, and in our despair, against our will, comes wisdom through the awful grace of God."

He taught those around him by example and by quiet questioning. What he taught best were the lessons of individual growth and maturity, and everyone who worked with him came away having discovered new capacities within himself.

Like every great teacher, he taught many whom he never saw or spoke with. The power of his words reached across the country and across the world, carrying a lesson of concern and commitment to the afflicted and the rejected.

His teaching, like all great teaching, was suffused with passion. It was a passion for excellence and against bombast and shoddiness and cruelty and injustice. It found expression when he told the American people that it was "unacceptable" that children should go hungry in the United States today; it was "unacceptable" that an education should not be freely available to those who are qualified; it was "unacceptable" that we should, as if by divine right, select villages in Asia for destruction.

His sense of outrage was very near the surface. It responded particularly to instances of overbearing conduct by powerful groups and individuals at the expense of the powerless. I remember riding with him in a taxi into New York City late at night through the streets of Spanish Harlem, and asking him about the satisfactions of public office. He swept his arm around the bleak prospect and replied, "If only I could do more."

Yeats' epitaph on Jonathan Swift fits Robert Kennedy:

> "[He] has sailed into his rest;
> Savage indignation there
> Cannot lacerate his breast.
> Imitate him if you dare,
> World besotted traveller; he
> Served human liberty."

But for those of us who loved him, and who were the beneficiaries of his talent for friendship and for love, he is best remembered in his own words, spoken after the death of his friend, Martin Luther King:

"Let us dedicate ourselves to what the Greeks wrote so many years ago: to tame the savageness of man and make gentle the life of this world."

—ADAM YARMOLINSKY.

V

A lot of things don't seem to matter very much right now.

Bob Kennedy was a friend, a good friend and a strong one, but what friends feel we leave to their own thoughts.

Whether he was driving or driven, we can leave to the historians—and so with other aspects of his complex, deeply interesting personality.

Whether he could have been nominated for the Presidency in this year—something I doubt and so I think did he—we can leave to the soothsayers.

What he would have done inside the Presidency had he got there—how above all else he would have sought to end the war—we can leave to the makers of myths. There is no means of knowing and it does not matter now.

What matters—what at least I find impelling—are the faces in the crowds along the railroad tracks last Saturday. In my own incidental exposures to our public life, I have never seen a spectacle more moving or more meaningful.

At every station and every crossroads, lining overpasses, crowding bridges, all the way from Newark to suburban Washington, we passed silent, serious, absorbed, and concerned people.

Their faces, their stances, their patience—some must have waited five hours—these were almost uniform in the expression of one purpose. They were there, it seems, in the words of a sign, hand-lettered, held up proudly by three kinds along the tracks, they were there to say "Goodbye, Bobby."

The mood of those quiet, patient people evokes all that we have read about the crowds which waited patiently for Lincoln's train a century ago. But there is one striking difference between the people Saturday and those who waited to pay last respects to Lincoln. Then we had apparently, by all accounts, a great cross-section of Americans. Now, this time, we had by all appearances, by every sign of face and dress, primarily the urban poor, predominantly the ghetto poor.

Surely more than half—by some proportion I don't know—more than half those faces were black.

Thus visually, impressionistically, we have a confirmation of the stories from the campaign trail in Indiana and in Omaha and in Los Angeles:

Bob Kennedy had won a Constituency.

He had become what the historians may some day call the first Urban Populist. From the streets of Bedford-Stuyvesant to the streets of Watts, he had become a Representative.

If this is so—I think it is—that train ride offered overwhelming signs of it—then we can measure Bob's accomplishment by the size of the gap his passing leaves in our national life. Among our institutions, within the circle of our politicians, white and black, where is there now a Representative for Bob's Constituency?

For he had grasped the central point that the dissenters in this country have been making: Namely, that our institutions—our parties, legislatures, civil services, our unions, corporations, banks, even our universities—are far too little open to the poor, offer far fewer means of access and advantage to the northern ghetto dweller—or the California grape picker—than middle-class Americans have dreamed of or can readily believe.

And grasping this, Bob sought to make himself a means of access, a communicator, and a doer.

He sought power for their purposes.

He was not moved to be charitable; he was moved to be political. He acted out of conscience and concern, but he acted to gain power through politics. If he found a constituency outside the system, he sought to represent it in the system, to force its needs upon the system, through the system.

And we have no one on the scene to take his place.

The gap left by his passing is a big one, but *he* made it. In that there lies encouragement for us. He lived by the belief that individuals can make a difference, that individual will *can* be imposed on situations, that a man *can* matter if he mobilizes all his effort, focusses his mind and stamina and influence, holds nothing back.

I think Bob had no naive confidence that effort on his part could guarantee success, but I think he had enormous confidence that effort, focussed effort, could impose upon the world some share of the conditions making for success—and thus could move us forward—and those crowds along the railroad vindicate his confidence.

No man has lived his life in vain if he can leave that testimony for the rest of us.

He was one individual, yet he did make a difference. He made a dent on the world.

What he did, other men can do—there lies our hope—provided each can bring himself to act in Bob's way, the way of those extraordinary brothers: Putting it out, putting it all out, holding nothing back.

The campaign crowds would call to Bob: "Tell it like it is!" He did.

—Richard E. Neustadt.

RIOTS ON TV—LIVE

HON. A. S. MIKE MONRONEY

OF OKLAHOMA

IN THE SENATE OF THE UNITED STATES

Thursday, July 11, 1968

Mr. MONRONEY. Mr. President, in April of this year those of us in Washington had the misfortune to be involuntary participants in the riots taking place at that time. Whether we were downtown or at home watching television or at offices getting radio reports, we were participants.

At that time we saw and we heard the violence covering our city; we saw the criminal acts of vandalism, property destruction, robbery, bloodletting, and other trauma as a part of those days' activities.

The thing that struck me as having the greatest potential for danger was that the coverage by television and radio could have tended to encourage greater participation by the views in the actual events being portrayed.

I am sure that many viewers could have gotten the impression that law enforcement was either absent or standing idly by, and that the possibility existed that participation could be effected with impunity. Many viewers could have been given the impression by on-the-spot coverage in living color—or perhaps I should say deadly color—that not only were these activities a part of our life here and now, but that with a modicum of effort we could go forth and do likewise.

In an article in the Washington Post dated June 27, 1968, Columnist Lawrence Laurent quotes our distinguished Vice President, Hubert Humphrey, as saying:

> If the media are going to broadcast the emotional appeals of the Stokely Carmichaels and other agitators, it is like throwing gasoline on the flames.

Our able Vice President made several statements quoted by Mr. Laurent, not only with which I wholeheartedly agree, but which, I believe, should be read and digested by every American and taken to heart by the broadcasting media. I ask unanimous consent that this column by Mr. Laurent be printed in the Record.

There being no objection, the article *was ordered to be printed in the Record,* as follows:

Radio and Television: Vice President Humphrey Speaks Out on TV's Role in Riots

(By Lawrence Laurent)

The swelling controversy about television's role in riots will get even larger with publication of the forthright views of Vice President Humphrey in the current issue of Look magazine.

"It is absolutely essential," he says, "that TV in particular, and radio and press secondarily, accept their responsibility in these riot situations.

"If the media are going to broadcast the emotional appeals of the Stokely Carmichaels and other agitators, it is like throwing gasoline on the flames."

He adds: "I am convinced that just as the media can tell the facts to the people, they can also exaggerate and inflame the situation." He declines to advise TV on just how it should behave and continues:

"But I do know that TV in particular has spread the message of rioting and looting, has displayed the carrying out of televisions, home appliances, groceries, etc., and has literally served as a catalyst to promote even more trouble.

"The basic question is how do you report the news and at the same time not add fuel to the fire."

The same problem is bothering the board of directors of the National Association of Broadcasters (NAB). After a meeting here last week, a self-serving statement about the lack of scientific proof of TV's having created "anti-social or aggressive behavior" ended with an unusual (for a trade association) expression of doubt:

"Nevertheless, the critical nature of the problem today calls for unusual precautions."

Not the least bit unusual was the NAB Board's proclamation that "The final and basic responsibility for program acceptance lies with the individual station licensee."

Elsewhere, things are looking up. The three part "CBS Reports" series on "The Cities" has offered a carefully documented look at America's problems and some of the possible cures.

In most of the Nation, last night brought the first of six "Time for Americans" program on ABC-TV. (In Washington, the ABC affiliate, Channel 7, decided to delay this program until 4 p.m., Sunday). This first program is on "Bias and the Mass Media."

On July 2, the CBS TV Network begins a seven part series called "Of Black America." It emphasizes contributions to American life that have been made by Negroes. The Xerox sponsors hope the series will "help both black and white communities to gain a balanced and true perspective of the history of the Negro and to relate that history to the Negro's place in the United States today."

CONGRESSMAN BILL SCOTT REPORTS

HON. WILLIAM LLOYD SCOTT

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 11, 1968

Mr. SCOTT. Mr. Speaker, my office prepares a monthly newsletter on activities in the Congress, and I am inserting a copy of the July issue in the Record for the information of the House:

Congressman Bill Scott Reports

Congress is expected to adjourn on August 3, but of course there are many people involved in this decision and circumstances could alter the plans. Both major political parties have their national conventions in August, and the Members appear to be anxious to go back to their Districts. Therefore, the chances are that the adjournment will be as scheduled.

SALEM CHURCH DAM

The Public Works Committee of the House has approved the proposed Salem Church Dam and Reservoir Project on the Rappahannock River near Fredericksburg and it is expected that the matter will come before the House under the consent calendar which will not permit amendments. A hearing was held last month in which representatives of the governing bodies of most of our counties either appeared personally and testified or sent resolutions endorsing the project which has already been approved by the Senate. This long delayed project will provide adequate clean water, not only for the Fredericksburg area, but for counties as far away as Prince William and Fauquier. Control of the stream flow will be helpful to prevent flooding, minimize pollution and equalize salinity of the river. Of course, the reservoir area will provide additional recreational facilities. This year's measure only authorizes the construction of the project. However, it is hoped that funds for preliminary work can be obtained next year.

FEDERAL RETIREMENT

The Post Office and Civil Service Committee has reported favorably on a comprehensive retirement bill for Federal employees and the bill has been cleared by the House Rules Committee. However, there is doubt that the Senate will take any action this year even if the measure is passed by the House. Among other provisions, the bill would raise contributions by employees and the government from 6½% to 7%; would authorize the Civil Service Commission to adjust the rates of contributions to keep the retirement fund on a sound financial basis, subject to Congressional veto; would change the average salary computation period from the present high five year average to a high three year average; would include all earned pay, not merely basic pay, in computing the average salary; would credit unused sick leave at the time of retirement or death toward computing an annuity or service benefit; and would extend survivor's right to retain annuity after re-marriage. The Committee did not agree to my amendment to permit optional retirement regardless of age after 30 years of service and it does not seem prudent to offer this amendment again in the House. While the transfer of the decision to set rates of deductions to the Civil Service Commission appears unwarranted, the bill on the whole is a good one and will probably be adopted by the House.

NATIONAL CEMETERIES

Many have been concerned because of lack of space at Arlington National Cemetery for the burial of veterans, and the Committee on Veterans Affairs has favorably reported a bill transferring jurisdiction to the Veterans Administration of all cemeteries in which American servicemen are buried except Arlington which remains under the jurisdiction of the Department of the Army. The bill also provides that the Administrator of Veterans Affairs will conduct a comprehensive study of the entire cemetery system and make recommendations for future burial of veterans. While I am a co-sponsor of this broad legislation, of more local interest is the bill to establish a national cemetery within the Manassas National Battlefield Park. This park, near the nation's capital, contains more than 3,000 acres and will help meet the need for additional burial space in the area. No action can be expected this year on the bill because of the early adjournment of Congress. However, the need is apparent and I am hopeful of favorable action next year.

NEW POSTAL FACILITIES

Three new postal facilities are contemplated in the Northern Neck. A contract has been let for the construction of the Callao Post Office, which will be a one story air-conditioned building, containing 2,190 square feet and scheduled for completion by November of this year. Competitive bids are being sought for the construction of a new building at Hague which will total 864 square feet, plus a parking area of 4,600 square feet. Both of these buildings are to be constructed under a lease purchase law permitting private ownership of the buildings and retaining them on the tax rolls. A contract has been awarded to remodel the Farnham Post Office. Preliminary estimates, according to the Post Office Department, indicate an investment of $5,000 in this facility and that work will be completed by September.

CHURCH LADIES VISIT

It was good to have some neighbor ladies who are active in the Centreville Methodist Church visit me at the Capitol last Wednesday. They seem to enjoy eating in the Members' Dining Room, viewing Congress in session, visiting in the office, and even riding the subway train. If your group wants to make a similar trip, please let me know.

FEDERAL HIGHWAY ACT

Favorable action has been taken by the House on a bill to extend the time for completion of the interstate highway system from 1972–1974 and authorize additional funds to expedite construction. This bill also prohibits the diversion of highway trust funds, reduces the beautification program and directs the completion of the interstate system within the District of Columbia, including construction of the Three Sisters Bridge over the Potomac River. The measure will be considered in a conference between the House and Senate and will then be re-considered by each body. Inasmuch as the commuter has been experiencing increasing difficulty in getting in and out of Washington, I am hopeful that the House version with relation to District of Columbia highways will prevail. Of course, Route 66, when completed, will provide access into Washington over both the Roosevelt Bridge and the proposed Three Sisters Bridge.

PUBLICATIONS AVAILABLE

Some of the Agricultural bulletins available for distribution are listed below. If you would like to receive any of them, please let me know by the name and number.

G61 Lawn Diseases.

G8. Home Canning of Fruits and Vegetables.

G10. Home Freezing of Fruits and Vegetables.

G56. How to make Jellies, Jams, and Preserves at Home.

G98. A Guide to Budgeting for the Young Couple.

G32. Washing Machine Selection and Use.

G40. Freezing Combination Main Dishes.

F2125. Making and Preserving Apple Cider.

G28. Ants in the Home and Garden—How to Control Them.

G78. Storing Perishable Foods in the Home.

G109. Freezing Meat and Fish in the Home.

POTOMAC RIVER COMPACT

Several members whose districts border on the Potomac joined in introducing a resolution to give Congressional approval to the Interstate Compact. This agreement already has been approved by the states of Virginia, Maryland, Pennsylvania, and West Virginia, but Congressional consent is required before it can take effect. The Interstate Commission on the Potomac River Basin was established in 1940 principally to coordinate water pollution control and abatement activities of the affected states. In essence, the amendments would permit the Commission to investigate water and related land resources questions, to study and prepare reports on water resources questions, to study and prepare reports on water resources problems and to review and recommend water quality standards.

FARM PROGRAM

The House is considering extending the farm program developed primarily during the thirties, beyond its present expiration date of 1969. Many farmers have asked me to vote against the extension because they prefer the development of a different approach in the next Congress. Although huge sums have been spent by the Federal government, farmers face a financial squeeze and their number continues to decrease. Most citizens appear to resent the subsidies going to the owners of large farms, especially the five who received over $1 million each from the government last year and the 15 who received from $500,000 to $1 million. In my opinion, the farmer should earn a fair share of the national income under market conditions, with a minimum of government control and a general overhaul seems in order.

ACTIVITIES FOR THE MONTH

Congressional activities will probably be more heavy than usual this month because of the strong desire of the leadership to adjourn. In view of this and the fact that most organizations restrict their activities during the summer months my evening engagements have also been curtailed and are not being listed in the newsletter. However, they will probably be publicized through the regular news media.

SOMETHING TO PONDER

I enjoyed participating in Independence Day celebrations at Manassas Park and Fairfax. It would be nice to have people speaking up for America throughout the year as they do on July 4th.

LAWLESSNESS IN THE DISTRICT OF COLUMBIA—A RESOLUTION ADOPTED BY THE VIRGINIA CHAPTER, NATIONAL ASSOCIATION OF POSTMASTERS

HON. HARRY F. BYRD, JR.

OF VIRGINIA

IN THE SENATE OF THE UNITED STATES

Friday, July 12, 1968

Mr. BYRD of Virginia. Mr. President, I ask unanimous consent to have printed in the Extensions of Remarks a resolution adopted by the Virginia Chapter, National Association of Postmasters of the United States, meeting in Arlington, Va., on June 25, 1968.

There being no objection, the resolution was ordered to be printed in the RECORD, as follows:

Due to the unpredecented situation existing in Washington, D.C., we are appalled and consider it a national disgrace that such a condition exists that United States Postmasters have had to be warned and advised that it is physically unsafe to visit and walk about the streets of our Nation's Capital, only a few hundred yards from the site of our Convention and the location of our Regional Office and Headquarters. Furthermore, proving that it was no idle threat, a police and military curfew existed last night enforcing against this freedom of movement within our Capital city.

As a result, it is resolved that a copy of this Resolution be sent to each and every United States Senator and Congressman from the State of Virginia, respectfully, but sincerely and firmly requesting that the laws for the control of the lawless elements of our nation and for the protection of all its citizens be so firmly enforced and strengthened that such a disgraceful condition will never again occur in Washington, D.C., and across our land, so that the freedom guaranteed under our Constitution and laws of the United States will once more permit us all to enjoy the freedom from harm and fear as now exists on the streets of the Capital of our beloved United States of America.

CREATING A JOINT COMMITTEE TO INVESTIGATE CRIME

HON. JAMES KEE

OF WEST VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 11, 1968

Mr. KEE. Mr. Speaker, it is my hope that the House of Representatives will tomorrow, July 12, consider House Joint Resolution 1, originally written and sponsored by our distinguished colleague, Mr. PEPPER of Florida, to create a joint congressional committee to investigate crime.

Mr. Speaker, I sponsored an identical House Joint Resolution, No. 725, because of my firm belief that the citizens of America are looking to each of us, their elected servants in the U.S. Congress, in both the U.S. Senate and the House of Representatives, in both political parties, to go forth into the areas where violence has occurred, or may occur, in order to determine firsthand the causes of crime.

I strongly feel that the American people fully expect the Congress to take whatever action may be found necessary to eliminate this disgrace, this unnecessary violence, from the American scene.

It is our obligation, the obligation of the Congress, to find the cause and determine the cure. This is the reason I have actively and enthusiastically supported, without reservation, this legislative proposal.

Mr. Speaker, our eyes have been upon our servicemen and women who are daily risking their lives in battle in foreign lands to preserve the principles upon which our forefathers founded our Nation. Today, these same brave men and women, when not actually facing those who are out to destroy their lives in combat, and our Nation eventually, are looking to us to do our job at home.

These men and women are fighting for survival and they deserve to return to their homes and find a productive and safe nation. Unless we are successful, the Nation for which they are fighting will have failed its obligation.

The duties of this joint committee will not be easy. The responsibilities of this committee will demand the utmost ability of each member entrusted with this sacred obligation. It must be successful.

Our friends and foe alike will be watching every development. To fail is uncomprehensible. Therefore, let us proceed without delay and justify the faith placed in each of us.

When this legislative proposal comes to a final vote, I respectfully plead with every Member of the Congress to be recorded in favor of this proposed legislation. Let us make it crystal clear to the world that we are mature enough to face and solve, in the democratic process, this most serious problem which in a real sense will determine the destiny of the America we love. The challenge is now. Let us stand up and be counted without fear and without reservation.

This is one of the critical periods in history where the final step we take in considering this proposal will directly affect the very lives of those who will live tomorrow.

Our favorable action on this vital legislative proposal is the first major step by the Congress to investigate all aspects of crime for the benefit of those that will follow. With determination, cooperation, and mutual respect, these uncertain days will be transformed into days of responsibility. The choice is ours to make—it is my determination that we will be successful.

In conclusion, Mr. Speaker, let us move forward as a team and perform the tasks ahead. We will be judged in history as a nation by the degree of our success—we will be judged in history as a nation by the degree of our failure. Failure we cannot afford.

ANTIBALLISTIC MISSILE DEPLOYMENT

HON. STROM THURMOND

OF SOUTH CAROLINA

IN THE SENATE OF THE UNITED STATES

Thursday, July 11, 1968

Mr. THURMOND. Mr. President, the June 28 edition of the State Newspaper, Columbia, S.C. carries an article on the antiballistic missile deployment entitled, "Anti-Foolishness."

Commenting on the effort to scrap the Sentinel missile defense system in the Senate last month, Editor Bill Workman points out that it is the strategy of Senate liberals to remove the ABM from the budget. To him it is incredible that 34 Senators could take a hazardous position, overlooking these significant points: First, the growing potential of Communist China for nuclear warfare; second, the deployment and continued improvement of Soviet ABM systems; third, the professional advice of U.S. military and intelligence experts.

Mr. Workman states that the U.S. Senate has earned the Nation's thanks not only for approving the deployment of the Sentinel defense system, but likewise for an "effective anti-incredible-foolishness defense."

Mr. President, I ask unanimous consent that this penetrating editorial be printed in the Extensions of Remarks.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

ANTIFOOLISHNESS

The Senate is to be commended for keeping its head in face of a determined effort to scrap the nation's fledgling Sentinel missile defense system. By a 52-to-34 vote, the assault was turned back, and the Defense Department will keep the $227 million needed for the first phase of construction. The strategy of Senate liberals had been to lop this item from the budget.

It is incredible that such a scheme ever should have been devised—to say nothing of the considerable support it received. As Secretary of Defense Clark Clifford remarked in a letter to Georgia's Senator Russell, the Sentinel system is "important to the security of the United States." Any attempt to cripple its development, he said, "would be a serious mistake."

Despite this warning, more than 34 senators (some saw which way the wind blew and ducked out on the vote) waged a bitter and relentless campaign to delay further the U.S. antiballistic missile program, already too long on the drawing board. How come?

The explanation seems to lie with the fantasy, curiously common even among the presumably well informed, which holds that Communist aggression no longer need be a major concern of American foreign policy. That it is a view oddly inconsistent with what is happening in Southeast Asia—and what has happened elsewhere in the world for 20 years or more—is lost on those who cling to the illusion. They insist that man's hopes for peace are not hopes at all, but an acknowledgment of established fact.

Thus, we find a minimum of 34 U.S. senators taking the hazardous position that the United States can safely ignore (a) the undiminished Chinese appetite for aggression, coupled with Peking's growing potential for nuclear mischief, (b) the deployment and continued updating of the Galosh anti-missile system around Moscow and other key Russian cities, and (c) the professional advice of U.S. military and intelligence experts.

This time the unilateral-disarmament zealots failed, albeit by an uncomfortably close vote. The Senate has earned thereby the nation's thanks, not only for the pending Sentinel deployment, but likewise for an effective anti-incredible-foolishness defense.

TWO STATE GI'S KILLED JULY 4

HON. CLARENCE D. LONG

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 11, 1968

Mr. LONG of Maryland. Mr. Speaker, Pfc. William L. Snodgrass and WO Levi R. Reynolds, two fine young men from Maryland, were killed recently in Vietnam. I wish to commend their courage and honor their memory by including the following article in the RECORD:

TWO STATE GI'S KILLED JULY 4—VIET CASUALTIES WERE FROM GAMBRILLS, RISING SUN

Two Maryland Army men were killed in Vietnam on Independence Day, the Department of Defense announced yesterday.

The Pentagon identified them as Pfc. William L. Snodgrass, of Gambrills, and Warrant Officer Levi R. Reynolds, of Rising Sun.

Private Snodgrass, 20, was killed by a piece of shrapnel from a booby trap which exploded while he was on a search-and-destroy patrol near Saigon, his mother, Mrs. Mayo L. Snodgrass, said today.

LESS THAN 2 MONTHS

The young soldier, a tank gunner with the 25th Infantry Division's 34th Cavalry, had been in Vietnam less than two months, Mrs. Snodgrass said.

Warrant Officer Reynolds, 30, the pilot of an Army helicopter, was killed when his gunship crashed near its base at Hue in northern Vietnam, Mrs. Virginia F. Reynolds, his wife, said today.

Mrs. Reynolds said the Pentagon told her that the helicopter developed engine trouble while leaving the Hue base on a combat mission.

Mr. Reynolds was in his seventh year with the Army, his wife said, and had hoped to make the service a career.

FATHER A CAREER MAN

"He really did like it," Mrs. Reynolds said. "His father was a career man in the Army and he thought this was a way of helping his country."

Mr. and Mrs. Reynolds were high school sweethearts from the neighboring Cecil county villages of Rising Sun and Calvert, she said, and were married shortly after her graduation from Rising Sun High School in 1959.

Private Snodgrass was a 1967 graduate of Annapolis Senior High School, his mother said today, and worked with an Odenton (Md.) plastics firm and as a gas station attendant until he was drafted last November.

He was trained at Fort Bragg, N.C., and Fort Lewis, Wash., before being sent to Vietnam May 19 as a tank gunner.

REDUCE THE VOTING AGE

HON. BERTRAM L. PODELL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 11, 1968

Mr. PODELL. Mr. Speaker, last week, President Johnson called upon Congress to initiate action for adoption of an amendment to the Constitution to reduce the voting age from 21 to 18. Together with a number of other Congressmen and Senators, I am a sponsor of such an amendment.

This is an old battle for me. Two years ago, I sponsored, and the State assembly approved, the proposal to reduce the voting age to 18 in the State of New York. Although my proposal had the endorsement of Governor Rockefeller, Mayor Lindsay, and Senator JAVITS, we were unable to pry the proposal loose from the Republican-dominated senate judiciary committee. The State constitutional convention, which met during the summer of 1967, rejected a proposal to reduce the voting age to 18.

The proposal to reduce the voting age has merits far beyond the sloganized assertion that those who can be obliged to bear arms for their country are morally entitled to vote in its elections. This proposal, in effect, asserts that 18 is the more appropriate dividing line between children and adults in terms of their ability to handle responsibility in relation to property and employment, financial and family affairs, and other matters requiring maturity of judgment.

The notion that youngsters do not reach an age of maturity and responsibility until their 21st birthday had its roots in antiquity and in a social order whose circumstances are no longer relevant to contemporary times. Just a half-century ago, less than 30 percent of the high school age population attended high school and only 17 percent of that group graduated. Today, more than 85 percent of Americans of that age group attend high school and more than three-quarters of them receive diplomas.

Again, 50 years ago less than 600,000 attended college, less than 8 percent of the 18 to 21 population. College enrollment today exceeds 5 million, pointing to the fact that almost half in that age group are attending college.

There is nothing sacrosanct about setting the voting age at 21. Both Kentucky and Georgia set the voting age at 18. Alaska and Hawaii set the age at 20. And no basic reason exists for denying the right to vote to those who have reached their 18th birthday.

The trend in our Nation has been toward extending the franchise. We have long since recognized that for voting purposes there is no valid distinction between propertyowners and the propertyless, between men and women, and between white and black. In general we exclude aliens, felons, lunatics, illiterates, and children. It cannot reasonably be argued that the 18-to-21-year-old age group falls within any of those categories.

The process for amending the Constitution is a difficult one. First it requires approval by a two-thirds vote of each House of Congress. Then it must be ratified by three-quarters of the State legislatures. If the experience in New York State has any validity, it will be extremely difficult to get the ratification of three-quarters of the State legislatures, even on the assumption that two-thirds of the House and Senate membership is prepared to initiate the amending process. Yet the arguments in its favor are so persuasive that I am convinced that the reduction in the voting age is a realistically attainable political objective.

BALTIMORE URBAN COALITION REAFFIRMS ITS COMMITMENT TO ACTION IN OUR CITIES

HON. CHARLES McC. MATHIAS, JR.

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 11, 1968

Mr. MATHIAS of Maryland. Mr. Speaker, this noon I had the privilege of attending an extraordinary meeting with a large delegation of business and community leaders of Baltimore, who came to the Capitol under the aegis of the Baltimore Urban Coalition specifically to emphasize their deep concern about the real crisis in America's cities today.

The delegation was led by former Gov. Theodore R. McKeldin, chairman of the Baltimore Urban Coalition, and was accompanied by the mayor of Baltimore, the Honorable Thomas J. D'Alesandro III, and the chairman of the National Urban Coalition, the Honorable John W. Gardner.

For me and, I am sure, for the rest of the Maryland congressional delegation this meeting was an extremely enlightening and encouraging experience. As Mr. James W. Rouse observed this noon:

> We have been struggling for so long with the problems of the city that it is difficult for us to be stirred to a sense of crisis. We have come to look upon the city as a burden to be shouldered—not as a victory to be won.

Certainly this victory in the cities is distant today, and will be difficult to achieve. One of the most significant single measurements of the depth of the challenge, for example, is the fact that, while our national unemployment rate is currently around 4 percent, the rate in many central parts of Baltimore and other cities approaches or even exceeds 30 percent. Problems of education, housing, and health are equally acute. Only by responding to these problems can we fulfill the basic task, restoring individual dignity and human confidence and hope.

The Baltimore Urban Coalition came to Washington today to dramatize their awareness of the crisis in our cities and their commitment to act, to meet that crisis with the resolution and the sense of urgency required. By exerting their own initiative, the group hopes and intends to generate the leadership required, at every level of American government and community life, to make our cities not burdens but victories.

I include in the RECORD at this point a statement by Mr. James W. Rouse which summarizes the mission and the aims of this impressive delegation:

STATEMENT BY JAMES W. ROUSE BEFORE THE MARYLAND DELEGATION IN THE SENATE AND HOUSE OF REPRESENTATIVES, WASHINGTON, D.C., JULY 11, 1968

We are here today on behalf of the American city and the people who live in it.

We are not here to criticize the past nor to make demands about the future, but to share with you our concern about the city; our sense of urgency about its needs—our hopes for its future.

We don't need to haul out for you the dreary statistics about unemployment, crime, disease, deterioration; nor to flash pictures on the wall of human misery and despair. You, like we and the community leadership we represent, have seen so much of this documentation that we seem anesthetized against the impact of the message it conveys.

As a nation we have been struggling for so long with the problems of the city that it is difficult for us to be stirred to a sense of crisis. We have come to look upon the city as a burden to be shouldered—not as a victory to be won.

And that is precisely why we are here:

To shake up our state of mind about the city;

To stir a new spirit;

To raise new hopes;

To mobilize new determination—about making our cities fit places in which to live; grow a family; run a business—and to unfold for all our people the opportunity to share the fruits of this fantastic civilization.

We hope that by getting up from behind the telephones and dictating machines with which we sometimes communicate with you and coming over here today we may make more real for you the depth of our concern and the height of our hopes about the American city.

We believe our cities are in dangerously bad shape. The gap between the affluence of our nation and pockets of poverty, between our scientific-industrial capability and our floundering ventures in unemployment and housing between the lofty claims of freedom and brotherhood and the massive, oppressive ghettos, between the inspired sense of human dignity held up by our Judeo-Christian heritage and the callous neglect of millions of our people.

We believe these gaps are dangerous breaches in our civilization and must be viewed not as tired old tasks, but as challenging new threats to the security and well-being of our nation.

We must mobilize to win a war here at home in our cities—a war at least in scale with the one we fight overseas or against space. We know how to win wars to which we are committed as a nation. We come here today to help stimulate that commitment.

We do not point to specifics of legislative action. That is your job. You can do it far better than we. It is our hope that by being here we may help to build among you in Congress and at home in Baltimore a new mood of hope, determination, excitement, victory about our cities. We are here to tell you we care deeply and to offer our support for the strongest leadership our Maryland Senators and Congressmen can muster.

SAMUEL G. SCOTT

HON. GEORGE P. MILLER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 11, 1968

Mr. MILLER of California. Mr. Speaker, our society has many ways of recognizing and rewarding those who serve conspicuously in battle or high public office, but these are few compared with the legion of our citizens who serve quietly in a wide variety of community governmental units and nongovernmental units focused on community improvement. These men and women, who contribute their time and abilities to their communities, usually without pay and outside of their regular employment hours, are the "grassroots" strength of America. I wish to cite as an outstanding representative of this important group Samuel G. Scott, of Newark, Calif.

Samuel G. Scott was born in Denver, Colo., but grew up in Butte, Mont., attending both elementary and high school there. He attended Montana State College and in his senior year was appointed to the faculty. In the ensuing 8 years he became assistant professor of chemistry and a member of the staff of the agricultural experiment station. Since 1930 he has been employed by chemical and salt companies in Newark, Alameda County, Calif., as chemist and chief chemist.

Aside from his career in chemical engineering, Mr. Scott has devoted himself to the welfare of his community with a generosity that can seldom be equaled. The following list summarizes all too briefly his "after hours" career in local public service:

Member, Board of Education of Alameda County, 1956–68.

Member, Board of Trustees, Washington Union High School District, 1945–56.

Member, Board of Trustees, Newark School District, 1942–57.

President, Alameda County School Boards Association, 1954–55.

Member, Alameda County Committee on School District Organization, 1951–55.

Honorary Life Member, California Congress of Parents and Teachers.

Recipient, Gold Award for Outstanding Service to Education, Alameda County Education Association, 1960.

Honored by Decoto School District for outstanding service to the community and schools, 1965.

Scoutmaster, Troop Committeeman, Newark Troop 101; and recipient of Silver Bar Award, Boy Scouts of America.

Member, Board of Directors, Newark Youth Center Association.

Member, Board of Directors, Washington Township Hospital District, 1951–66.

Commander, Washington Township Post No. 195, American Legion.

Member, Washington Township Men's Club.

Washington Township Citizen of the Year, 1955.

Honorary Life Member, Fremont Chamber of Commerce.

Recipient, Fremont Chamber of Commerce Award of Merit.

Member, Board of Directors, Union Sanitary District, Fremont, 1946–68, and its current president.

Member, Board of Directors, Newark Kiwanis Club.

Member, Newark Chamber of Commerce.

Member, American Chemical Society.

Engineer, educator, and community servant, Samuel G. Scott exemplifies the highest qualities of American manhood and citizenship.

ICC ACTS TO SAVE PASSENGER TRAINS

HON. BROCK ADAMS

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 11, 1968

Mr. ADAMS. Mr. Speaker, last week Chairman Tierney, of the Interstate Commerce Commission, presented to the distinguished chairman of the House Interstate and Foreign Commerce Committee, the Honorable HARLEY O. STAGGERS, and the equally distinguished chairman of the Senate Committee on Commerce, Senator WARREN G. MAGNUSON, of my great State of Washington, an analysis and report on the present and future status of intercity rail passenger service within the country.

This document and its appended recommendations are most significant in terms of the future growth of this country's surface transportation system. I commend the complete report for the most serious consideration of all Members of the House. However, mindful of the pressures of time which we are all enduring, I should like to submit, at this point in the RECORD, an excellent article which appeared in the New York Times on June 27, which summarizes the Commission's report and recommendations, as follows:

ICC ACTS TO SAVE PASSENGER TRAINS—URGES CONGRESS TO TIGHTEN LAW ALLOWING CARRIERS TO END UNPROFITABLE RUNS

(By Robert E. Bedingfield)

WASHINGTON, June 26.—The Interstate Commerce Commission told Congress today that "significant segments" of long-distance and medium-distance rail passenger service would disappear in a few years unless the law was changed under which the carriers are allowed to drop money-losing trains.

The commission, which proposed several changes in the Interstate Commerce Act, also recommended in a 100-page report that a comprehensive study be made of the need for a national railroad passenger system.

This study, the agency stipulated, should include the methods for developing a modern rail network, if such a system is desirable. The commission suggested that the study be made either by a Congressional committee or by the Department of Transportation with the assistance of the I.C.C.

The proposed study, the commission suggested, should determine the existing capacity of all passenger modes and their anticipated expansion by 1975. The commission also asked that the study point out the "ability and costs of resources to meet such needs, and the proper role of carriers and governmental bodies in the development of the required quantity and quality of passenger service."

"We pledge our full cooperation in such a venture," the commission said. Its report was presented by the chairman, Paul J. Tierney, to Senator Warren G. Magnuson, Democrat of Washington, who is chairman of the Senate Commerce Committee, and Representative Harley O. Staggers, Democrat of West Virginia, chairman of the House Committee on Interstate and Foreign Commerce.

The commission, which has been under increasingly sharp criticism recently for not having formulated its own minimum standards for railroad passenger service, has long urged revisions in section 13A of the Interstate Commerce Act.

It is section 13A that specifies the conditions under which the commission can authorize the elimination of passenger train service.

Section 13A was made part of the Interstate Commerce Act in 1958, when the financial status of the nation's railroads was so critical that it was feared that as many as two dozen systems might lurch into receivership.

REVISIONS PROPOSED

The section requires the commission to permit train discontinuance unless the regulatory agency finds that the particular train service "is required by the public convenience and necessity and will not unduly burden interstate and foreign commerce."

Among the revisions the commission recommended in section 13A was one that would require the railroad seeking to get out of a particular train service to give its patrons 60 days advance notice instead of the present 30 days.

It also recommended that the period of suspension the commission can order before allowing a discontinuance be extended to seven months from the present four months. This additional time, it explained, would permit a "more adequate investigation and consideration by the I.C.C."

The regulatory body also proposed that it be authorized to provide special rules to keep trains operating for two years before granting a railroad's request to discontinue its last remaining interstate service between two points.

The most critical problem it has encountered in handling train discontinuance applications, the commission said, is the trend of the railroads to end the last service between major cities. This is the most serious in the West, the agency said.

The commission, without mentioning the railroad by name, was referring, among others, to the Southern Pacific Company. That road wants to discontinue the Sunset, the last remaining passenger train operating between New Orleans and Los Angeles.

This spring, before the Southern Pacific filed its discontinuance application for the Sunset, a commission examiner conducted an exhaustive investigation asked for by California, New Mexico, Arizona, Texas and Louisiana. The examiner found that the railroad had violated the Interstate Commerce Act by collecting special fares on the train without providing patrons with "special services."

The report acknowledged the joint program of the Government and the Penn Central and New Haven Railroads to conduct high-speed train demonstrations over the next several years between Washington, New York and Boston.

It also noted that there had been general acceptance by both the public and Government—Federal, state and local—that in many areas rail commuter service was the most economic public method of getting people in and out of crowded cities.

However, the report repeatedly criticized the Federal Government for not promoting rail passenger service. It said that the lack of Government promotion encouraged the railroads to continue to allow the quality and quantity of their passenger service to deteriorate.

STATEMENT BEFORE SENATE POST OFFICE AND CIVIL SERVICE COMMITTEE

HON. BENJAMIN B. BLACKBURN

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 11, 1968

Mr. BLACKBURN. Mr. Speaker, today, I had the pleasure to journey over to the other body and testify before the Senate Committee on the Post Office and Civil Service. At that time I presented my views on the Federal Employees Freedom of Choice Act of 1968, H.R. 17411, and the Federal Employees Labor-Management Relation Act, S. 341, which is identical to H.R. 460.

The late President John F. Kennedy issued Executive Order 10988 in 1963 which established rules and regulations concerning recognition and bargaining with Government employees union. H.R. 460 is an attempt to enact certain portions of this Executive order into law.

For the interest of my colleagues, I would like to insert my statement into the RECORD, as follows:

STATEMENT OF THE HONORABLE BENJAMIN B. BLACKBURN, BEFORE THE SENATE POST OFFICE AND CIVIL SERVICE COMMITTEE, RELATIVE TO FEDERAL EMPLOYEES FREEDOM OF CHOICE ACT OF 1968, AND S. 341, THE FEDERAL EMPLOYEE LABOR MANAGEMENT RELATIONS ACT, JULY 11, 1968

Mr. Chairman, I want to express my gratitude to you and the members of your committee for giving me the opportunity to come before you and express some thoughts that I have with regard to the handling of grievances between employees in the Federal establishment and their respective agencies, as well as some thoughts regarding the politically sensitive, but nonetheless real and unresolved, question of the desirability of insuring the voluntary nature of unionism in the Federal establishment.

First, I will address myself to the legislation now directly under consideration, that is, the need for arbitration machinery. I generally oppose compulsory arbitration, and have demonstrated my opposition through my vote during the railroad strike of last year. However, I think we all recognize that government employees are in a unique position, and because of the uniqueness of their position, compulsory arbitration between Federal employees and agency heads is inescapable. The right to strike and the economic pressures upon employer and employee alike, which are created by strikes in the private sector, would not be present in disputes and resulting strikes in the Federal establishment. In fact, should a strike occur in the government establishment, as we have witnessed in past months, for example the garbage strike in New York and teachers strikes in several states, what is adversely affected is the public good and not the profits of a private business establishment. I think we would all agree that the welfare of the public is too valuable a right to be seriously damaged or hindered where the dispute involves public employees. Thus, I accept and support compulsory arbitration as a final means of settling such disputes.

I do confess, however, that I am not in sympathy with the machinery proposed in the present legislation. I do not think that the proposal of having all the arbiters appointed by the President is fair to the employees. We all recognize that agency heads have the cooperation and support of the Chief Executive; indeed, they are appointed by the President himself and are generally political allies and ofttimes close personal friends of the President. Can anyone seriously argue that the President is not going to be sympathetic with the position taken by the agency head? Would not this sympathy have some influence upon the President in choosing the arbiters?

Should the President attempt to be impartial and attempt to choose impartial arbiters. I should feel that the employees involved would themselves harbor suspicions, should the arbiters reach conclusions contrary to their desires, that the arbitration machinery was a cruel hoax practiced upon them. If arbitration is to work in practice, as well as theory, it must have the uninhibited sympathy of the employees whose careers are directly affected.

It would be my suggestion that the agency head himself should have authority to select two arbiters. He should be free to select these arbiters from any sector of our society. In like measure, I would suggest that the head of the union or the chief spokesman for the aggrieved employees should have equal freedom in selecting two arbiters to represent his position.

The final selection would be three arbiters who would themselves be selected by the four arbiters previously selected. I would suggest that these three arbiters be selected by the vote of a majority of the four previously selected arbiters. These three arbiters should be chosen with a view toward strict impartiality. I should think that these three arbiters should not be presently employed by, either in a managerial capacity or otherwise, any Federal agency. Former employees or department heads might be acceptable, provided, they had not been so engaged for a period of no less than 18 months.

I sincerely believe that an arbitration board of seven members selected as I have outlined above could resolve differences in an impartial manner and more importantly, such an arbitration board could enjoy the confidence of the employee, the agency, and the general public, and further could protect the legitimate interests of each.

The second matter to which I will address myself is that of the desirability of voluntary unionism in the Federal establishment.

I am sure that we are all equally familiar with the provisions of the late President Kennedy's Executive Order #10988. This Executive Order represents the last public announcement of official position by the Chief Executive.

I suppose the first official pronouncement on unionism in the Federal government was that of President Theodore Roosevelt in 1903, when he ordered the reinstatement of an employee who had been discharged by the Government Printing Office because of his refusal to join a union. At the time of the order for reinstatement, President Roosevelt announced:

> "It is adjudged and awarded that no person shall be refused employment or in any way discriminated against on account of membership or non-membership in any labor organization, and that there shall be no discrimination against or interference with any employee who is not a member of any labor organization by members of such organization."

Until recent months no one has seriously contended for compulsory unionism, or payments to any organization as a condition for Federal employment. In September of 1967, President Johnson established a commission to study the general topic of employee-employer relationships. That commission received testimony on the general topic of compulsory unionism. Public statements by some leaders in the labor movement gave rise to considerable speculation that President Kennedy's Executive Order, which permits voluntary unionism but expressly rejects the concept of compulsory membership, was under discussion by the President's commission. These public pronouncements, in some instances, went so far as to predict that compulsory unionism was a distinct probability. In the face of such speculation and debate, the White House has seen fit to remain non-committal. Members of the commission, until recent weeks remained equally silent. Their silence only tended to give credence to the speculation.

In the light of the public speculation and official silence, Senator Bennett introduced a measure in the Senate which would protect as a matter of law the right of Federal employees to exercise their individual discretion as to the benefits of joining or refraining from joining with a union. In the House, I, along with a number of my colleagues from both sides of the political aisle have joined in sponsoring similar legislation. To date, approximately 40 members of the House and Senate have joined in sponsoring this legislation or legislation with a similar import.

I have sponsored such legislation and would urge this committee to consider this legislation in conjunction with its present hearings since the bill before this committee is so closely allied in subject matter.

Some might ask, "Why the need for a law when the President himself through Executive Order can carry out the intentions of such legislation?"

For myself, I think it is unfair to the President to leave the burden, with its possible political implications, of such a major matter of policy upon his shoulders.

Anyone in political life is aware of the political pressures which are subject to the control of labor leaders. I will not argue against their right to exercise political pressures. To the contrary, it is through the political forum that all citizens and organizations, including unions and businessmen alike, give direction to our nation's affairs. But political pressure, like all forms of power, is subject to being abused.

I very strongly feel that in the Federal establishment compulsory unionism could only serve to benefit the union leaders and would have at best, questionable, and at worst, possibly serious adverse effects upon employer-employee relationships. In short, I suspect that union leaders are now applying pressure upon the Chief Executive for compulsory unionism in the Federal establishment. Their ambitions will serve their own best interests, and the best interests of the public and employees in the Federal government are secondary.

I feel that the pressure upon the President for compulsory unionism is going to continue and such pressure can only be removed through congressional action.

I am aware of the contention of spokesmen for the unions that employees who are non-union members are recipients of the benefits of union activities and that such employees are obtaining benefits without paying their share of the costs. My only answer to this argument is that the unions, when they organize in an agency, do so with the knowledge beforehand that they must organize under such terms and conditions as will be established by the Congress, and at present by the Chief Executive. They are free *not* to conduct organizational efforts if they feel that they are not going to receive fair treatment. That decision is theirs to make.

But those of us in the Legislative Branch do not have the freedom to disassociate ourselves from the duty of protecting the public interest. In my opinion, we should not allow Federal employees to be subject to pressures from union leaders while conducting their duties for the general public. Presently, they are free from direct pressures, but only because the union must seek to serve the employee and not vice-versa. I would suggest to you that compulsory unionism would permit union pressures upon employees, perhaps at times to the detriment of their primary duty to serve the public interest. To me, one of the clearest testimonies for voluntary unionism is the long success and health of the unions in the postal establishment. Those unions have been compelled from the beginning of their organization to seek to serve the best interests of the postal workers. They have served the workers well, and thus have enjoyed a long-term and healthy existence. To change the basic relationship between the union and the workers by requiring compulsory unionism, would, I fear, lessen the continuing pressures for union leadership to serve the employees. It could result in employees finding themselves then in service to the union leaders. Surely no one would advocate such a change in positions.

As a final observation, the conclusion is inescapable that any union dues paid by government employees must come from the taxpayers. To the extent that such dues represent an expense to the employee for the purpose of retaining his position, which would be the case if compulsory unionism were required, the taxpayers would be thus compelled to subsidize union activities. I would anticipate that pressure for wage increases would be generated by reason of the fact that employees' cost of holding their jobs would be increased to the extent that union dues were required.

When we recognize the vast numbers of government employees and the tremendous financial resources which could be made available if compulsory unionism were required, we can immediately see the prospect of tremendous political activities by unions directly subsidized out of tax revenues. Such activities surely would not be in the best public interest.

I thank the committee for its time and attention.

THE LATE COMMISSIONER ARGYLE R. MACKEY

HON. JOHN J. ROONEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 11, 1968

Mr. ROONEY of New York. Mr. Speaker, I was deeply grieved when I belatedly learned of the recent death of Argyle R. Mackey, former Commissioner of Immigration and Naturalization and a devoted civil servant for more than 35 years. While I learned of his passing too late to pay my respects at the funeral home, I was able to attend the requiem mass at St. Agnes Church in Arlington a week ago last Tuesday morning.

After practicing law in the Washington area for several years with his father, Mr. Mackey entered the Government, joining the General Accounting Office in 1919. In 1930 he went to the Immigration and Naturalization Service and President Truman appointed him to head that agency in 1951. In 1954 Argyle retired, ending a long and productive career of public service. In my dealings with him I found him always to be a kind, competent, and gracious man. He will be sorely missed by his widow, son, daughter, and grandchildren, and to them I extend my deepest sympathy and prayers.

AN EXAMPLE WORTH FOLLOWING AND A MESSAGE WORTH HEEDING

HON. JOHN BUCHANAN

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 11, 1968

Mr. BUCHANAN. Mr. Speaker, it was recently my privilege to participate in special patriotic services held in the Woodlawn Baptist Church in Birmingham, Ala. Woodlawn is one of the great churches in my city and has developed the meritorious custom of having patriotic services on the Sundays before the Fourth of July and Veterans Day.

The pastor, Dr. N. H. McCrummen, delivered on this most recent such occasion a sermon so fine that I thought it should be inserted in the RECORD. His message is well worth heeding and I commend it to my colleagues.

Our country needs more churches to follow Woodlawn's example in the holding of such patriotic services and more religious leaders like the distinguished Dr. McCrummen of Birmingham.

There follows herewith his sermon:

AMERICA IS NOT SICK—II CHRONICLES 7:11–15

We read of looting in the streets, student violence on the campuses, "flower children" wandering aimlessly about our cities, poverty that prompts the poor people's march on Washington. Then someone comes up with the discerning judgment, "America is sick." Now if you believe that every American is guilty of looting stores, that all students participate in campus violence, that all young people are flower children, that a large segment of our society is poor and starving, then you have cause to be anxious about our nation and to believe that America is sick.

I submit to you that all that America is sick of is pessimists, critics, and friends like Charles de Gaulle. No nation whose gross national product is $785 billion is sick. We have trouble conceiving of $785 billion. They are just figures. Do you know what a billion dollars is? Well, if you received $60 per hour from the time that Christ was born, 24 hours a day, 365 days a year, for 2,000 years, that equals a billion dollars. The national product of this so-called sick land is $785 billion. No nation whose farmers earned $21 billion last year, whose miners earned $39 billion, whose general employees earned $463 billion is sick! No nation that can afford to help weaker nations with foreign aid totaling $6,900,000,000 in one year is sick.

America is not sick, but we do have enemies.

We have enemies *outside* of our land who have pledged themselves to the destruction of the American democracy and to the obliteration of the American ideals. International communism has never wavered from its avowed purpose and reiterates at every world congress its determination to bring about the downfall of our nation. Nevertheless, while the FBI continues to report and to warn our people of the prolific infiltration of communists in many student and civil rights organizations, some liberals are too naive to believe there are any communists in this land. The communist conspiracy moves with insidious and unrelenting determination to undermine our foreign aid abroad and to disrupt our peace and harmony at home. We are not sick, but we have an enemy outside our land.

We have enemies *within* our land. Some of these enemies within are people who have completely lost their concept of the American dream and would substitute for it a welfare state. Other enemies within have interpreted liberty under this flag to be license to do as they please, regardless of the rights and privileges of their neighbors. Equally culpable are those "bleeding hearts" who have increasingly led the American public to believe that if the temptation to do something increases then people are justified to doing it.

America is not sick, but we do have problems.

We have the problem of *war*. It is a terrible thing that more than half a million of the finest young men of our nation must be in Viet Nam at this moment. Our President sent a commission to Paris to treat for peace, but the communists are not interested in peace, they want capitulation.

There is the problem of *prejudice*. Yet we have seen more walls of prejudice fall in this generation than in any other five generations. We have the problem of poverty. Yet there are fewer unemployed today than in any other day. We have problems in *education*. Yet we are offering educational opportunities to more young people than ever before. There are problems in these areas, but I would submit to you that there is a greater problem than poverty—the problem of *affluence*. When the only goal for success is material prosperity, what does a person do when he has everything material? He is still greedy; usually he wants power. He wants the power that money can buy. It is said that today in our land only a rich man can afford to run for the office of President.

We have many other problems in our land, but my point is that they are *only problems*. As long as anything is living you are going to have problems. The only people and the only nations that do not have problems are those that are dead.

America is not sick, but it is sinful.

Dr. Goodman, professor of sociology at Rice University, stated in the *U.S. News and World Report*, "There is a difference between sickness and meanness. We can help being mean when we stop excusing ourselves as individuals. The philosophy of excuse applied to the individual lies at the root of our national problem. We have almost reached the point where no one is held responsible for misbehavior."

Dr. Bruno Bettelheim of the University of Chicago was quoted in the same article as saying, "There is a lawlessness at large. Up to World War II the average hard-working honest citizen was glorified. Now the attitude is that everybody owes me a living. I have to have what I want right now, or I will burn the house down; and if I have no roof, the government must give me another roof. Today, violence is being glorified and respectable behavior is never shown. A few draft card burners have their pictures made and are written up, but 500,000 men who go to Viet Nam to risk their lives, nobody glorifies them."

Dr. Frederick Wertman, noted psychiatrist said, "Younger and younger people are committing more and more crimes of greater and greater violence. We seem to be running a sort of head start program for violence with all the emphasis we give to violence in films, television and the comic books."

Last evening I was over at the service station filling my car with gasoline, and in drove a very attractive young couple with their two children in the back seat. It was obvious that they wanted information. The attendants were all busy so I thought I would do a good deed and direct them where they wanted to go. They asked for the name of a certain road. Well, I have been here almost eight years and I did not recognize that road. So then they called the name of a certain drive-in theater. I had heard the name of that drive-in theater but I had never been to it. I still could not tell them where they wanted to go. An attendant came over and gave them the directions. Such an attractive couple, with two young children, and they were going to a drive-in theatre on Saturday night. I had an idea what might be on in that drive-in. Curiosity drove me to the newspaper when I got home. They were taking small children to see these movies: "Tom Jones," and "How to Murder Your Wife." See, that is what Dr. Wertman is talking about, a head start program for our children on the subject of violence.

York Henderson, a British writer who writes for the London Express, said he was shocked when he read in many of the world newspapers about the sickness of the American society. He declared, "The implication that 200 million Americans were all guilty of gross moral dereliction was no more than pompous moralizing." He added, "The truth is that America is the most envied nation in the world and her defects will always be seized upon by the resentfully envious. America has saved many countries and countless lives by the unselfish disbursement of her material wealth only to find herself stigmatized as sick because she has had the wealth to do so. Of course there are defects in the American society, but then what society is without them. If they seem more glaring in America it is only in the way that a blemish on a healthy body is the more obvious."

America is sinful, but not sick.

Ezra Taft Benson, delivering an address this past April, said that there is moral erosion in our land; there is a growing worry in the universities about cheating on examinations; there is a nationwide increase in juvenile delinquency; there is a $500 million industry of pornography in America. It is the truth that crime costs America $20 billion every year, and it is equally sinful that our government is a deficit-spending government. It is sinful that our national debt is $324 billion. Now you may think that you have paid off the mortgage on your house, but the debt which the government owes, (and who is the government?—we, the people) $324 billion, represents a first mortgage of $10,000 on every single house in the United States of America. Our problem is not sickness, it is sinfulness.

But America has a Saviour.

The problems of our day, the sins of our people, the hurt of our land can all be healed as God said to Solomon, "If my people which are called by my name will humble themselves and turn from their wicked ways." In the Hebrew the word that is translated "turn" is the same word that is translated "repent." We need repentance. We are sinful, not sick. We need the Saviour, not a psychiatrist. We can return to morality, to vitality, as a nation and a people, but that returning will not be by an act of Congress nor by an edict of the Supreme Court. It will be through the individual confrontation of every last one of us with the God who made us and the Lord who died to save us.

A moral reawakening and a spiritual revival can begin in this day, but it is not going to begin on Capitol Hill. Dear friends, it must begin in the hearts and the homes of the people of Birmingham.

God is looking for men and women who can present to America today a Saviour whom this land needs. Senator Frank Carlson from Kansas was speaking to the Senate prayer breakfast just last week and he said, "The world is looking today for men—men who are not for sale; men who are honest, sound from center to circumference; men with a conscience as steady as the needle to the pole; men who stand for right if the heavens totter and the earth reels; men who can look truth straight in the face; men who have courage without shouting about it; men who know their message and tell it; men who know their place and fill it; men who know their business and attend to it; men who are not too lazy to work, nor too proud to be poor; men willing to eat what they have earned and to wear what they have paid for;

men who are not ashamed to say 'no' with emphasis, and who are not ashamed to say, 'I can't afford it.' God is looking for men. He wants those who have come to the kingdom for such a time as this. God give us men."

There were homes in America before there was a flag. There were homes in America before there was a Constitution, a government. And the homes of America still determine the destiny of this land. This land is nothing more than the total of all the people. So you have a great responsibility. You cannot avoid it. You cannot stand aside and point a finger, but you can say with Joshua as he said to the children of Israel, "Choose ye this day whom ye will serve, but as for me and my house, we will serve the Lord!!"

CRIMINALS DON'T HAVE TO REGISTER GUNS, ACCORDING TO SUPREME COURT DECISION

HON. BOB CASEY

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 11, 1968

Mr. CASEY. Mr. Speaker, advocates of gun registration and licensing proposals loudly proclaim this restrictive legislation is necessary to stop crime—that it will be a valuable tool in tracking down the guns used by criminals.

But the silence from this quarter is deafening on the effect of the U.S. Supreme Court decision in the case of Haynes against United States. Because I think we need a little more light—and less heat—on this subject, I want to call to the attention of my colleagues and the American people an excellent summation of the net effect of this decision. It was authored by a distinguished authority, Mr. John Wootters, and appeared in the July 7 edition of the Houston Post.

The article follows:

SHOOTING SCOPE—UNITED STATES AGAINST HAYNES CASE THROWS LIGHT ON GUN LAWS

(By John Wootters)

In January of 1968 the Supreme Court of the United States handed down a decision in the case of U.S. vs. Haynes which is extremely pertinent to the current controversy over firearms registration.

The defendant, Haynes, had been prosecuted under the National Firearms Act for possession of an unregistered sawed-off shotgun, which is one of the prohibited weapons under that act. Before the Supreme Court, he argued that to register his illegal weapon would have been self-incriminating. In other words, when he registered the weapon as required by one part of the act, he would have automatically incriminated himself under another title of the same act.

Since the Constitution protects citizens from being forced to incriminate themselves, Haynes claimed immunity from the requirement of registration. The Supreme Court agreed with this contention. In effect, the ruling of this highest court in the land was that being forced to register a weapon, the obtaining or making of which is illegal, amounts to forcing a criminal to testify against himself, and therefore violates his constitutional rights under the Fifth Amendment. The court therefore ruled that Haynes had the legal right not to register his prohibited weapon.

One day after the court handed down that ruling, the City Council of Chicago enacted a city firearms registration ordinance. In order to protect the ordinance from being overturned on the grounds of unconstitutionality, the city fathers were forced to exempt, specifically, all categories of citizens otherwise prohibited from owning a gun under Chicago or Illinois statute. To put it plainly, the new ordinance required the registration of all firearms owned by citizens except recently-convicted felons, recent mental patients, narcotics addicts, and others. In short, honest citizens and ONLY honest citizens are required under that ordinance to register firearms in Chicago.

For a recently-convicted felon in Chicago to register a gun which he was prohibited from possessing under older laws, in other words, would be a forced confession of guilt, which our Constitution says may not be required from any American.

That Haynes ruling of the Supreme Court did not make any and all firearms-registration laws unconstitutional, as some people seem to believe. It simply exempted the criminal, to use a broad term, from having to comply with any such law.

As in the case of the Chicago ordinance, criminals, drug addicts, etc, will have to be repealed or extensively be specifically exempted from any firearms-registration law, anywhere, or that law will run the risk of being overturned in the courts. To avoid this, according to lawyers, almost every gun law presently on the books, federal, state, and municipal, would have to be amended before any registration law could be applied to those persons the advocates of such laws claim they are aimed at—the criminal and unfit.

The argument has often been made by responsible firearms owners that it is unthinkable that a criminal would voluntarily register a gun he planned to use in his "work," and that a registration law would, for all practical purposes, affect only the responsible, law-abiding citizen who owned firearms for sporting purposes.

This argument was given substance, in January, by the Supreme Court of the United States, by saying that the undesirables—and only the undesirables—have the legal right to refuse to register their guns. You and I must register, pay the fee, be photographed and fingerprinted and maybe psychoanalyzed in order to possess a skeet-grade shotgun or a deer rifle, but the ex-con who burglarizes our home or robs our bank has the official sanction of our highest court to refuse to submit to all this.

Naturally, this state of affairs was not intentional, nor does it reflect, contrary to the spiteful comments of some, a tender concern on the part of the Supreme Court for the welfare of the nation's criminal element. It appears to be, however, a classic example of the confusion and absurdities which can arise out of ill-conceived legislation which is based more upon superficial reasoning than upon a thoughtful study of a problem.

Congress has had before it for three years at least two very fine firearms-control bills, by Congressman Casey and Senator Hruska. These proposals have been supported by a majority of responsible gun-owners and opposed by advocates of the kind of legislation which has led to the grotesque situation of *U.S. v. Haynes*, 1968.

ARAB AGGRESSION IN THE MIDEAST

HON. EDWARD J. PATTEN

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 11, 1968

Mr. PATTEN. Mr. Speaker, I am distressed by news accounts in recent weeks showing clearly the extent that the Soviet Union has rearmed the United Arab Republic. It is apparent that this rearmament—about 90 percent of the Arab military equipment—is being carried on by Russia and is imperiling the security of Israel in the Middle East.

President Johnson has demonstrated in recent weeks that he is eager to avoid a nuclear confrontation with the Soviet Union or with any other nuclear power. It does not seem to me that this action by Russia in rearming the United Arab Republic is colored by the same true desire for universal peace.

There have been three bloody wars in the Mideast in the past 20 years; we do not need and the world cannot afford another one.

I call on the Soviet Union, Mr. Speaker, to reject their position of abetting Arab aggression and to sincerely work with the West for peace in the Mideast.

NATIONAL INSURANCE DEVELOPMENT CORPORATION

HON. MARVIN L. ESCH

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 11, 1968

Mr. ESCH. Mr. Speaker, America's cities are in crisis.

We have only to look about us to know this is true—and to know that it is true is to know that we must act.

The legislation we consider today will provide new tools necessary to cope with this crisis.

One of the most pressing problems of the inner city areas is the inability of businessmen to secure adequate insurance against fire, crime, and other perils because their property is in a generally declining area. Insurance may be available only at prohibitive rates or be impossible to attain at any price. When this happens, the businessman must think about shutting his doors because without adequate insurance he will be unable to secure financing for improvements or inventories. The result is not just hardship for the individual businessman but part of a continuing spiral downward for the entire neighborhood.

Recent civil disturbances have aggravated the problem. The American Insurance Association has said that insured property damage incurred in the riots following the death of Dr. Martin Luther King have risen to $67 million. And let me point out that these figures are insured losses—it is impossible to calculate damages not covered by insurance. All of you are aware of the bleak future faced by many businessmen who were wiped out during the recent disorders. Some were insured; others were not. Those who were fortunate enough to have some coverage may not be able to reopen—they will not be able to pay the increased insurance rates.

Title XI of the bill we consider today will go far toward alleviating this crisis through establishment of the National Insurance Development Corporation. It is the result of hearings and the study of a national panel on insurance coverage.

Last year, in the wake of the civil disorders that rocked the country, the National Advisory Panel on Insurance in Riot-Affected Areas spent 4 months in an intensive search to identify the nature and causes of the urban insurance problem, and the steps necessary for a solution. The Advisory Panel concluded the problem was of such critical proportions that immediate action was required.

The Advisory Panel reported a serious lack of property insurance in the core areas of the Nation's cities. For many years, many urban residents and businessmen have been unable to buy the insurance protection they need. The problem was aggravated to an intolerable degree by the riots of 1967 and the threat of riots.

And parenthetically, let me add here, it has been further intensified by the riots of 1968, which we have already experienced.

In the hearings this year on the proposed legislation, witness after witness appeared before congressional committees and testified in its favor.

One was T. Lawrence Jones, president of the American Insurance Association, an organization of 169 stock companies writing property and liability insurance in all States and the District of Columbia. In his statement before the Subcommittee on Housing and Urban Affairs of the Senate Committee on Banking and Currency, Mr. Jones said, and I quote:

> American Insurance Association member companies regard this legislation as of paramount importance * * * an essential part of the broadside attack on conditions which sow the seeds of civil commotion and disorder. We want to join forces with the States and the Federal Government in a constructive program to furnish insurance on properties located in the inner city areas.

Still another national group, The National Association of Insurance Agents, endorsed the principle of Federal support for property insurance in the center core areas of cities. The association represents over 36,000 insurance agencies throughout the United States with affiliated associations in every State and in over 1,200 communities and counties throughout the country, including those urban areas which were affected by the recent riots and civil disorders.

The elements of the proposed legislation were recommended by the National Advisory Panel. That panel included representatives from the Federal, State, and local governments and from the private insurance industry.

In brief, the legislation has two major objectives:

First. It will encourage private insurance companies to offer property insurance in neighborhoods and sections of cities where it has been difficult—if not impossible—is to obtain this protection.

Second. It will offer reinsurance protection to insurance companies so they can continue to provide coverage in their regular lines of property insurance against extraordinary losses from riots or other civil commotion.

The recommendations made by the National Advisory Panel must be implemented without delay. Let me repeat the Panel's views:

> Insurance is essential to revitalize our cities. It is the cornerstone of credit. Without insurance, banks and other financial institutions will not—and cannot—make loans. New housing cannot be constructed, and existing housing cannot be repaired. New businesses cannot be opened, and existing businesses cannot expand or even survive.
>
> Without insurance, buildings are left to deteriorate; services, goods, and jobs diminish. Efforts to rebuild our nation's inner cities cannot move forward. Communities without insurance are communities without hope.

I have one further comment. Do you believe the riot-scarred areas, and I suggest you look at those within walking distance of this building, will be rebuilt into productive areas without the insurance protection provided in the proposed legislation? I urge your support for this truly nonpartisan measure.

THE POOR PEOPLE'S CAMPAIGN COST TO THE TAXPAYERS

HON. STROM THURMOND

OF SOUTH CAROLINA

IN THE SENATE OF THE UNITED STATES

Friday, July 12, 1968

Mr. THURMOND. Mr. President, on Saturday, July 13, the Poor People's Campaign leader, Ralph W. Abernathy, will be released from the District of Columbia jail and he plans to intensify the demonstrations here which have already cost our taxpayers over $1 million.

Despite estimates by some of the major wire services that the Poor People's Campaign had only cost the Government $244,838, figures gathered by my office show the cost in excess of $1 million and this figure does not estimate the loss of revenue to Washington's economy resulting from the disastrous effects on the tourist trade.

The main expenditures as a result of the Poor People's Campaign were as follows: District of Columbia government, $806,000; Department of Interior, $221,436; District of Columbia National Guard, $54,955; and Department of Agriculture $10,600. This totals $1,082,991.

This disgraceful expenditure of the taxpayer's hard-earned dollars went principally for overtime pay to police but also included such items as $36,000 for restoration of soil and sodding of park property where the shanties were erected.

Other expenses such as bills left unpaid at area motels, hotels, and restaurants are difficult to compile and estimate. An even higher cost than all of these expenses put together has to be acknowledged when one considers the economic disaster which has befallen the businessmen of Washington and surrounding areas when tourist trade losses are assessed. The city had barely recovered from the April riots by mid-May when the Poor People's Campaign began here in earnest. June has always been the biggest month for tourist trade as thousands of high school students take that once-in-a-lifetime trip to their Nation's Capital.

In addition, nationally syndicated columnists, Robert S. Allen and John Goldsmith, reported in their June 29, 1968, column that over a million dollars has also come from the pocketbooks of the American people in the form of donations. Dr. Abernathy himself acknowledged contributions of $1.3 million although he claimed the cost to the Southern Christian Leadership Conference was $1.5 million.

In any case, the public has paid an astronomical cost for these 2 months of disorder and violence in Washington and the Poor People's Campaign representatives have been received at levels of Government no other group could ever reach.

The breakdown of expenditures reported by the District of Columbia government is as follows: Police Department, $532,300; Health Department, $68,600; Corrections Department, $54,100; District of Columbia park funds, $53,300; Highway and Traffic Department, $37,700; Fire Department, $16,700; Welfare Department, $12,400; Sanitary Engineers, $10,200; Court of General Sessions, $6,200; Corporation Counsel, $6,000; Council of Government, $2,600; Buildings and Grounds, $1,000; and other miscellaneous costs of around $5,000 which brings the total to $806,000.

The breakdown of expenditures by the Department of the Interior is as follows: Park Police operation from May 11 to June 27, $154,400; Solidarity Day cleanup, $5,600; dismantling, restoration, and cleanup of shantytown area, $18,500; restoration of soil and sodding of park, $36,000; repair of tree and shrub damage, $5,076; and repair and replacement of park property, $1,860. This totals $221,436.

Mr. President, citizens of this Nation were also appalled by the reported use of District of Columbia funds to pay for the return home of some of the Poor People's Campaign participants. This figure was placed at $12,351 and the funds were dispersed by the local Travelers' Aid Society with the help of a $4,800 cash loan from the District of Columbia trust fund. The District of Columbia government now says it only guaranteed payment of this money to Travelers' Aid and that the entire expense was borne by private donors.

The fact remains that District of Columbia trust funds were used and had this matter not been uncovered by my able colleague Senator ROBERT BYRD of West Virginia, we may not have ever had any private donors.

Other expenses to the taxpayers represented in the $1,082,991 total included $54,955 for mobilization of the District of Columbia National Guard and surplus food from the Agriculture Department at a wholesale value of $10,600.

Mr. President, it is time for the Congress, the Government, and the news media to take actions which will halt this Roman circus of disorder and confusion. The leaders of Congress should tell these people to go home, the Government should stop cooperating with them, and the media should give them only appropriate news coverage.

Many leaders of Congress have spoken out, but more should say what is really in their hearts about this disgraceful episode. A precedent is being set here, and next year it may be a camp-in by the peaceniks and the time could come when the Nation's Capital would never be safe for its citizens to visit.

The Government also should be firmer in dealing with these people who are bent on creating disorder and confusion. The decision to let Dr. Abernathy hold a large press conference while a prisoner in the District of Columbia jail was a disgraceful and shocking event. The light sentences given many of the demonstrators makes a mockery of our laws and courts. People are actually coming to Washington from all over the country to have their days of glory while spending a short term in the District of Columbia jail.

The news media also has an obligation in matters of this nature. Surely the people are not demanding of radio, TV, and newspapers the extensive coverage being given this fiasco. This protest would fold up in a week if press coverage was reduced to the amount it should have been in the first place.

Further, some of the citizens of Washington are egging these people on. A private school here housed demonstrators for days after they were removed from the shantytown. Area churches are also still providing housing, food, and clothing for the demonstrators although the protest has gone on for 2 months. Prominent citizens of Washington have organized to aid in the care and transportation of the campaign's mules. After this project was undertaken by local donors, the mules were brought back into the District to be used in a demonstration which violated the laws of this city and resulted in 18 arrests. This particular incident was the watermelon-eating escapade July 4 in the Capital where the mules were brought in from Maryland to haul the watermelons and the demonstrators.

Some outstanding editorials and news columns have been written on this subject. I ask unanimous consent that the following editorials be placed in the Record at the conclusion of my remarks: Charleston News and Courier, June 26, 1968, "Misleading the Poor"; the Florence Times, July 3, 1968, column by Thurman Sensing titled "Resurrection City—1968"; and the Greenville News, June 27, 1968, "Flim Flam of the 'Poor People'."

Mr. President, this weekend Dr. Abernathy and his full contingent will return to the Capitol Grounds and the streets of the greatest Nation in the world. Hopefully all of us can work together to prevent this shame on Washington from continuing.

There being no objection, the editorials ordered to be printed in the Record, as follows:

[From the Charleston (S.C.) News and Courier, June 26, 1968]

Misleading the Poor

In achieving his aim of going to jail, the Rev. Ralph Abernathy has made a bid for martyrdom and also found a way out of Resurrection City. The shantytown on the Potomac had become infested with hoodlums and criminals. Even complacent authorities no longer could tolerate conditions that developed in the nation's capital

The leader of the Poor People's Crusade has promised to continue his leadership from jail. How successful he may be in this new phase remains to be seen. Meanwhile, signs of disillusionment are appearing among friends of the movement, and even among the poor people themselves.

No matter how much compassion may be aroused for those who are miserable, the futility of marches, demonstrations and the like is becoming ever more obvious. Hoodlums and criminals, looters and burners, seem destined to dominate the scene despite promises of non-violence.

The dividing line between civil disobedience and civil disorder is fine at best. The object in either case is redistribution of wealth. On June 14—only 10 days before he was taken to jail in Washington—the Rev. Abernathy appeared before the National Press Club to tell it like it is. Here is a quotation attributed to him by the Press Club Record: "Come on, now, you really know what we want . . . we want more."

Who doesn't want more? The question boils down to this: How are you going to get it—with a gun, with a fire bomb, with a parade? Or are you going to do as most Americans, irrespective of race or region, and work for a living?

The argument, as we see it, is how to share the nation's wealth. The decision, as we see it, should not be reached either with bullets or with ballots. Robbing a man by voting to confiscate his property is as immoral as seizing it without a vote.

The majority of Americans, in our judgment, will not vote against private property. The Poor People's Crusade is a mockery of economics in a free society. It is an attempt to "get more"—as the Rev. Abernatny expressed it—by a kind of pressure that borders on terrorism.

Authorities at Washington were patient—too patient, in the opinion of many citizens. For all its oratory and high purpose, the Poor People's Crusade degenerated into a disgraceful and dangerous mob. Such things should not be allowed to continue, especially in the false name of religion. While the marchers are singing hymns, we recommend an old reliable title: "Work, for the night is coming . . ."

[From the Florence (S.C.) Times, July 3, 1968]

Resurrection City—1968

(By Thurman Sensing)

Senator Strom Thurmond said on the floor of the Senate Friday, June 21st, ". . . many Senators, including myself, urged the responsible authorities to deny a permit for this illegal and violent circus." Senator Thurmond was referring to the so-called "Resurrection City" in Washington, the encampment of the Poor People Marchers between the Lincoln Memorial and the Washington Monument in the nation's capital.

Upon contacting a member of Congress recently with the question "Can you tell me what individual or what committee of what government, either city or federal, gave permission to the Poor People Marchers to build a shanty town between the Lincoln Memorial and the Washington Monument?", I received this reply ". . . one would have to say that the authority came from the Secretary of the Interior although someone else may have acted in his behalf. Of course, we must assume that this would not have been done without the approval of President Lyndon Johnson."

Therefore, as President Johnson looks about him at this blot on the beautiful face of the Nation's Capital, as he considers the crime that has already been committed in Resurrection City, to say nothing of the violence that will probably occur before they are moved out of Washington, he can only say to himself, "I brought this on." What an awful confession to have to make!

It is understood a Baptist group wanted to hold a one day meeting around the Washington Monument, but were refused. Also, that a group of Boy Scouts wanted to camp for three days in sight of the Washington Monument, but were refused. These religious, patriotic organizations were denied the privilege of meeting on capital grounds, but the rag-tag people from all parts of the country, the deluded, the deceived people who thought they were doing something in the interest of their race, were permitted to build an encampment on one of the most beautiful spots in the nation's capital.

Due to steady rains that occurred in instances thereafter, the spot was rather quickly turned into a quagmire of mud and filth. There is no telling what it will cost the taxpayers of this country to restore the place to its natural beauty.

That is to say nothing of the crime that has been committed in the shanty town thus far, and that probably will be committed both there and in the City of Washington before it is all ended. Believe it or not, the Justice Department entered into an agreement with leaders of the Poor People's March that they alone would have policing powers within Resurrection City. In other words, the Washington Police force and the National Capital Park Police were denied the right to police an area within their own jurisdiction. As a result of this arrangement, there has virtually been no policing in the camp, and people have been assaulted and robbed and raped without the benefit of our Nation's laws to protect them. Is this another thing for which President Johnson must accept responsibility?

Senator Robert Byrd, of West Virginia, spoke in the Senate of the same day, and during the course of his remarks said: "Even those who have heretofore supported this mismanaged, misguided, misbegotten campaign must surely have been disillusioned by the public display of shiftlessness and laziness and lawlessness that the inhabitants of Reseurrection City have put on for all to see." Then Senator Byrd went on to say, "Resurrection City became a slum almost from the moment it was created. It has now become a jungle, which much more appropriately should be known as 'Insurrection City.' "

Thus does encouragement to disobey the law, thus does laxity in enforcing law and order throughout the nation, finally attack the heart of the Nation's Capital. Will we have a change before it is too late?

[From the Greenville (S.C.) News, June 27, 1968]

Flim Flam of the "Poor People"

The long-heralded "Poor Peoples March" on Washington to make nebulous demands on Congress and the administration has come to the only end it could reach.

It has collapsed in a welter of ineptitude even to keep the agitation going, on the part of the leadership; of disillusionment and suffering among the genuine poor duped into going along; and shameful brutality and depravity among the shoddy elements who infiltrated the movement.

The affair reached its high point with the massive "Solidarity Day" march last week, but beyond demonstrating, goodness only knows what, the mob accomplished exactly nothing. It was revealing, however, of the confusion as to purpose and method among the heirs of Martin Luther King. They talked much and said little.

When this was over, the leadership entourage retired to their plush hotel and motel rooms. The poor and the riffraff such things attract went back to the muddy, filthy shantytown camp on the Mall for a night of fighting, violence and, we can be sure, debauchery.

When the time came for the touted "Resurrection City" to be closed with the expiration of the dubiously granted permit, all but a few hundred had "bugged out." The police and the militia moved quickly and with sufficient force authorized by federal and municipal officials to contain the disorders the mess created for the exploitation of the waiting lawless elements.

This was a "demonstration" of sorts, demonstrating that Washington has gotten the word that the majority of law-abiding Americans, of all colors and creeds, have had enough of wanton defiance of the law. The authorities now have the job of hunting down and controlling the hoodlums who made the march and its shantytown their ugly playground and moved on ahead of the police.

Two or three other things also were revealed by the episode which we hope otherwise will soon be forgotten.

The SCLC leadership lives well, no matter what. The incident of their beating the Statler Hilton out of hundreds of dollars worth of steaks, violating all dining room rules which other people must obey or stay out, showed lack of basic honesty.

Abernathy and company ran up a $20,000 motel bill before the manager dared ask for payment, and then he got only part of it.

The ladies of the top brass, including Mrs. King, bought dresses at expensive shops, paid cash and had the merchandise delivered to their rooms and suites at the best hotels.

Some pretty dangerous revolutionaries surfaced during those few weeks, participating in efforts to intimidate members and committees of Congress and heads of departments and agencies. These men should now know what is at stake, and the forces of internal security should have the predators under surveillance.

This shameful flim flam of the poor and the ignorant, and the pandering to the depravity of street rioters and slum makers should cause former supporters and apologists of the "activist" and destructive approach to social reform to take another look at public and private efforts to solve the problems by slower but surer methods of education and job creation.

There will be more trouble, of course, for the real instigators of this abortive effort are not going to give up. The bitterness which lingers, and which probably was enhanced to a large extent, may furnish new recruits for the cause of overthrow and anarchy.

But the public and their elected and appointed officials should, at least, be aware of what is going on and what it means.

GUN LEGISLATION

HON. JOHN D. DINGELL

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 11, 1968

Mr. DINGELL. Mr. Speaker, pursuant to permission granted I insert into the CONGRESSIONAL RECORD a resolution of the Michigan United Conservation Clubs in response to S. 3604, S. 3605, and H.R. 17735 as denying law-abiding citizens the right to possess firearms for legitimate sporting and defense purposes.

This distinguished conservation organization represents almost 100,000 free and law-abiding citizens of the State of Michigan, who are distinguished by their record on behalf of conservation and of respect and obedience for law.

The resolution follows:

Be it resolved that Michigan United Conservation Clubs assembled at its 31st annual convention, Sault Ste. Marie, June 28, 1968, does hereby oppose S. 3604, S. 3605; and H.R. 17735 as oppressive and against the rights of a free American society and the citizens thereof; and further, does hereby request that Michigan Members of Congress use every effort in opposing these bills; and further, does hereby recommend that stricter laws be enacted and enforced against criminals, not against respected American citizens.

CONGRESSMAN ROTH PERFORMS A VALUABLE SERVICE

HON. DONALD RUMSFELD

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 11, 1968

Mr. RUMSFELD. Mr. Speaker, the gentleman from Delaware, the Honorable WILLIAM V. ROTH, has performed a valuable service by compiling through painstaking effort a catalog of more than 1,000 domestic aid programs conducted by the Federal Government.

Of course, this project should have been undertaken long ago by the administration. But, like other worthwhile projects, it was ignored by the administration. The executive branch seems to prefer that the citizens of this country remain in a state of perpetual confusion in regard to the 25 Federal agencies which are annually dispensing more than $20 billion in taxpayers' money.

Congressman ROTH recently sponsored a bill in the House to require that the Federal Government publish annually a comprehensive catalog of all Federal assistance programs.

An appropriate assessment of Congressman's ROTH's important service was made by Willard Edwards in his "Capitol Views" column in the Chicago Tribune of Thursday, July 11, 1968. I offer Mr. Edwards' column at this point in the RECORD, as follows:

FRESHMAN CONGRESSMAN BARES AID JUNGLE

(By Willard Edwards)

WASHINGTON, July 10.—When the time comes to single out the greatest individual achievement by any member of Congress at this session, the award might well be given to a virtually unknown Republican freshman from the small state of Delaware.

Rep. William V. Roth, as the result of awesome labors with his staff over an 8-month period, has compiled a 200,000-word catalog of more than 1,000 domestic aid programs which funnel 20 billion dollars a year to the public. He placed it in the Congressional Record where it consumed 144 pages of agate type.

Such a publication, of course, should have been provided by the Johnson administration, which spends 425 million dollars a year on publicity and public relations, turning out mountainous piles of propaganda material.

Roth soon learned why the bureaucracy for years has avoided a detailed listing in one place of its assistance programs. He discovered as many as 25 agencies doling out money in the same area, duplicating each other's efforts in a welter of confusion and waste.

He began to suspect, moreover, that the pattern of red tape and confusion was deliberate. He found that most citizens were baffled by this planned hodgepodge. They might be qualified for a share in this bounty, provided by their tax dollars, but they became lost in a wilderness of rules and regulations.

A GAME CALLED GRANTSMANSHIP

Most of the loot, Roth learned, was being grabbed by groups who employ professionals in the art of pursuing federal funds. They maintain skilled staffs to keep track of the multiplying programs and establish personal contacts with the officials who approve money.

This game is known as "grantsmanship" in Washington, and it has a large corps of high-salaried practitioners. Without their help, few can thread the bureaucratic maze to qualify for the financial assistance to which they may be legally entitled.

Roth, 46, is one of the comparatively young congressmen who have breathed new life into the House. After World War II service, rising from an enlisted private to captain on Gen. Douglas MacArthur's intelligence staff, he came home to get his law degree at Harvard on the GI bill. He forsook a high income as a lawyer to get into politics in the 60s and won his first elective post in the surge which added 47 G. O. P. seats to the House in 1966.

When he came to Washington 18 months ago, he quickly learned that members of Congress were constantly besieged with requests for information on government assistance programs. He was appalled to find that among the thousands of federal publications, catalogs, and press releases there was no genuine information about these programs.

"No one, anywhere, knew how many programs there were," he said. "There was not even a definition of what a 'program' was."

EIGHT MONTHS LATER: EXHAUSTION, TRIUMPH

Not quite realizing what they were getting into, Roth and his staff began the gargantuan task of attempting to bring order out of chaos. Eight months later, exhausted but triumphant, they had produced the first up-to-date compendium of federal programs. It was not complete—the department of health, education, and welfare would not cooperate—but it listed 1,050 program descriptions and titles, with information about them.

It was a stupendous accomplishment, so recognized by members of both parties, conservatives and liberals. When Roth sponsored a bill to require the government to publish annually a comprehensive catalog of all federal assistance programs, 73 members joined him in its co-sponsorship. Nine senators, saluting Roth's achievement, sponsored a similar bill in the Senate.

The fate of this measure rests with Chairman William Dawson [D., Ill.] of the House government operations committee. He's under administration pressures to kill it.

Such a catalog, for example, could destroy the dominance over small colleges now enjoyed in obtaining educational and research grants by great universities who can afford high-priced consultants. It would place small towns and school districts on an equal basis with states and cities who employ influence-peddlers.

But, most of all, it would expose the folly of countless spending programs, now hidden in the bureaucratic jungle from the public.

VICE PRESIDENT SPEAKS OUT ON MIDDLE EAST

HON. HERBERT TENZER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 11, 1968

Mr. TENZER. Mr. Speaker, the Vice President of the United States, the Honorable HUBERT HUMPHREY, today issued a clear and forthright statement on the Middle East which I believe deserves the attention of every Member of Congress.

In his remarks, Vice President HUMPHREY spotlights the need for increased U.S. diplomatic effort to achieve a lasting peace in the Middle East through the recognition of the State of Israel as a sovereign nation by its Arab neighbors and efforts to end the arms race in that region. At the same time the Vice President recognizes the need for continued U.S. military assistance to Israel until the arms race is terminated and he specifically points out the need for the United States to ship jet planes to Israel during this period.

I commend the Vice President's remarks and insert the text of his statement in the Record:

Vice President Humphrey Calls for Continued U.S. Military Aid, Including Jets, for Israel Pending "Agreed Disarmament" in Middle East—Favors "Active U.S. Diplomatic Efforts" for Arab-Israel Negotiation of "General Settlement" in Area

Washington, D.C., July 11.—Vice President Hubert H. Humphrey today backed continued United States military assistance, including jet planes, to Israel until a permanent peace is achieved in the Middle East.

But the Vice President emphasized that "the real answer lies in agreed disarmament."

He supported active United States diplomatic efforts to bring about a "general settlement" and an end to the arms race in the Middle East.

"It is in the interest of all the peoples of the Middle East to engage actively in negotiating an agreement among the nations in that region. The cause of peace will not be served by the pursuit of military preponderance by Arab States through arms deliveries from the Soviet Union," Vice President Humphrey said.

In a major policy statement, he set forth "six necessary elements for a permanent peace in the Middle East."

The full text of his statement follows:

"STATEMENT OF VICE PRESIDENT HUBERT H. HUMPHREY

"My position on Israel and the Middle East is clear. Ever since the creation of the State of Israel, which I enthusiastically supported—both on moral and political grounds—I have felt that a stable peace in the Middle East is a must.

"There are six necessary elements for a permanent peace in the Middle East:

"1. The existence of the State of Israel must be accepted by all its neighbors;

"2. The fragile, often-violated truce lines must be transformed into agreed and secure boundaries;

"3. The State of Israel must have free navigational rights in all international waters, including the Suez Canal and the Gulf of Aqaba;

"4. The arms race, which breeds insecurity as it feeds on hostility, must be finally terminated;

"5. The international community must assist the countries immediately concerned in solving the human tragedy posed by the Arab refugees;

"6. The resources of the Middle East countries must be used primarily for human and economic development rather than war and destruction.

"These views have been fortified by the experience of the June 1967 war.

"I favor active United States diplomatic efforts to convince Israel's neighbors—many of whom have been friends of this country for many years—to pursue now a general settlement. It is in the interest of all the peoples of the Middle East to engage actively in negotiating an agreement among the nations in that region.

"The cause of peace will not be served by the pursuit of military preponderance by Arab States through arms deliveries from the Soviet Union. Until permanent peace is achieved and the arms race ended, I believe continued U.S. military assistance, including jet planes, to Israel is justified and desirable. *I favor it*. But, the real answer lies in agreed disarmament.

"The United States and other developed nations should actively support national and regional economic modernization programs, especially irrigation development and desalinization.

"My views are motivated by a sense of justice and concern for all the inhabitants of a region that through the centuries has contributed so much to our own spiritual and philosophical development."

Mr. Speaker, this is the most complete and acceptable statement on the Middle East by a presidential candidate. I am particularly pleased that the Vice President has recognized both the need for an end to the arms race as well as continued military assistance to Israel by the United States—including the shipment of jet planes—until the arms race is terminated.

OMNIBUS HOUSING BILL

HON. BENJAMIN B. BLACKBURN

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 11, 1968

Mr. BLACKBURN. Mr. Speaker, today the House passed H.R. 17989, the omnibus housing bill. This is the largest housing bill ever to be acted on by this body. Title V of this act is concerned with regional metropolitan planning.

Congressman William Widnall, Republican, of New Jersey, introduced an amendment to title V which repealed section 204 of the Demonstration Cities and Metropolitan Development Act of 1966.

On June 13, 1968, I submitted a statement to the Senate Subcommittee on Independent Offices and Housing and Urban Development, Committee on Appropriations. I believe that this statement clearly outlines the problems faced by local communities because of section 204.

Therefore, I hereby insert my statement in the Record, as follows:

Statement of Hon. Ben B. Blackburn, Republican, of Georgia, Before the Senate Subcommittee on Independent Offices and Housing and Urban Development, Committee on Appropriations, Thursday, June 13, 1968

Mr. Chairman, I want you to know that I appreciate the opportunity you have given me to testify before your committee on an issue which I feel very vitally affects the Fourth Congressional District of Georgia and, I am sure, many other parts of the country.

It is my understanding this committee is now considering H.R. 17023, and my remarks will be directed to that section entitled, "Department of Housing and Urban Development", beginning on page 30, with specific attention being paid to the subsection dealing with "Salaries and Expenses", beginning at line 19 on page 33.

Part of this subsection restricts the use of any appropriations under this Act that you are now considering, expressly forbidding such use "if funds are used to provide financial support to metropolitan expediters or for administration or implementation of section 204 of the Demonstration Cities and Metropolitan Development Act of 1966 (Public Law 89-754)."

For the information of this committee, the specific language of this subsection prohibiting the use of these funds in support of the "regional planning concept" was drafted by the Honorable William C. Cramer (R. Fla.) as adopted in the Appropriations Act for fiscal 1968. When Mr. Cramer presented his amendment, I spoke in support of it, and the Congress adopted this amendment by a vote of 109-88.

Mr. Cramer introduced his amendment to prevent funding by the Department of Housing and Urban Development to give veto powers to "supra-agencies" whose principal activity would properly be directed towards voluntary pooling of information and planning by city and county governments in order to improve overall growth in metropolitan areas. These agencies were created as *voluntary organizations* of elected city and county officials, or their designated representatives, to advise concerning land use and other problems generated by the rapid growth of urban areas. Thus, under this very useful and publicly accepted purpose, these agencies were created.

However, the agencies were assigned the role of supra-agencies whose *voluntary* role changed to that of *control groups* through which Federal agencies such as the Housing and Urban Development Department, worked in approval or disapproval of projects in metropolitan areas.

The question arises: "Are such supra-agencies, developed under the 'regional planning concept', advisory or do they exercise mandatory review over public projects in these areas?"

It is obvious from statements in documents issued by the Atlanta Regional Metropolitan Planning Commission that has been in existence for some years in the Atlanta area, that *something* other than the role of a voluntary agency has been created.

In his message to the Congress on January 27, 1964, President Johnson said:

"The great expansion of our urban areas over the last two decades has too frequently been carried out in a sprawling, space-consuming, unplanned and uneconomic way. All levels of government are spending vast sums to accommodate this tremendous urban growth with highways, sewer and water facilities, schools, hospitals, and other community facilities. Rural Communities and small towns face similar pressures. If the taxpayer's dollar is to be wisely used and our communities are to be desirable places in which to live, *we must assure ourselves that future growth takes place in a more orderly fashion.*"

The question that immediately comes to mind after reading President Johnson's statement is, "How can we assure ourselves that future growth takes place in a more orderly fashion. . . ." without pre-empting the authority of local officials and giving control to this agency?

It is obvious that the "supra-agencies" have moved into "control". In the words of the Executive Director of the Atlanta Regional Metropolitan Planning Commission: "*This agency has been designated as the areawide review agency for public works projects so that proper co-ordination can be assured*. . . . This legislation strengthens what we were *beginning to do* on a voluntary basis, and helps to encourage both local and metropolitan comprehensive planning in our district."

Thus, according to this official, the activities of the planning commission require *mandatory review*.

He no longer thinks of the Commission as a voluntary group of officials, pooling their information for better co-ordination, supported by local, state and Federal planning grants. Now the activities of the Atlanta Regional Metropolitan Planning Commission are *mandatory* upon all local governments whose areas are *included* in the scope of the Commission's study.

It is, therefore, pertinent that I point out that Congressman Cramer's amendment, which I supported in the debate dealing with the Appropriations Act for Fiscal 1968, expressed the intent of Congress that no funds be used in support of the "regional planning concept." The Department of Housing and Urban Development is disregarding the intent of Congress by continuing to require approval by metropolitan planning groups before consideration to the merits of requests.

This department has gone to the extent of having the Bureau of the Budget change the procedure by which funds are dispensed. H.U.D. also has demanded that a regional planning group be established *before* they will consider funds for the development of public projects. For example, I include in this statement a copy of an editorial by the *Indianapolis News* which states as follows:

"Inside the bait of Federal aid for local park development, Indianapolis is finding a troublesome hook.

"The Chicago office of the Federal Department of Housing and Urban Development (HUD) has served notice on the city that it may lose $600,000 in Federal funds for park construction unless an eight-county regional planning committee is staffed and becomes active. Such a body, designated the 'council of governments,' has existed on paper since last summer.

"The 1966 Demonstration Cities Act requires a regional planning body be established and empowered to review all public projects within a metropolitan area 'whether or not Federally assisted'.

"H.U.D. Secretary Robert Weaver has made it clear this body would supersede other local government jurisdictions in authority. In testimony before the House Committee on Banking and Currency, Weaver said the regional planning committee must be a 'form of government which has both the jurisdiction, the power, and the will to carry out what is provided for in the comprehensive metropolitan plan' if the area is to qualify for Federal assistance. Asked if it would have to be a 'metropolitan council of governments', Weaver replied, 'Yes, in most instances.'

"It is apparent, we think, that H.U.D. is attempting to establish metropolitan government in the Indianapolis area by threatening to withhold Federal funds. Government money is being used to control the people's destiny.

"As Indianapolis grows further into the countryside, city-county government cooperation will be necessary. Such co-operation should be purely local, openly debated, and freely entered into by the appropriate governmental units. It should not be superimposed, as H.U.D. is presently seeking to do, by coercion."

It is clear that this is an effort to compel the City of Indianapolis to form a metropolitan planning commission even though the governing body of that city does not consider such action as necessary or desirable. Are not local officials in a better position to make such decisions? This is interference by a Federal agency into the activities of elected state and local officials. This removes from them ultimate authority in determining what is best for the people they represent.

In summary, I would like to once again thank this Committee for allowing me to testify during these hearings.

What I have tried to point out is that it was, and remains, the intent of Congress that the creation of voluntary associations of local government officials to assist in the orderly development of metropolitan growth is very desirable. However, should these association be assigned *mandatory* powers, acting to regulate the affairs of local governments as they apply to desirable public projects, this is *contrary* to the intent of Congress.

The Cramer amendment displays this intent very clearly, indicating that local officials should not be reduced to submitting their proposals to a local agency over which they have little or no control.

Thank you very much.

WHAT IS RIGHT WITH AMERICA?

HON. DANTE B. FASCELL

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 11, 1968

Mr. FASCELL. Mr. Speaker, on July 3 it was my distinct privilege to participate in a patriotic rally sponsored by the Miami Beach B'nai B'rith No. 1591 and the Chase Federal Savings & Loan Association. This was one of the most outstanding programs of this kind that I have ever attended.

Over 3,500 people were present and the spirit and atmosphere that pervaded the entire program were both moving and exhilerating.

I commend to my colleagues two of the highlights of the rally. The first was the welcoming address by the Honorable Jay Dermer, mayor of the city of Miami Beach, whose remarks on the good things about our country should be heeded by us all. The second was a most moving dramatic reading by one of our outstanding women Mrs. Jeannette Lee Miller entitled "I Am the Nation":

Welcome Address by Hon. Jay Dermer, Mayor of Miami Beach, Fla.

We are here in observance of our greatest national holiday—Independence Day—a day in which we pay tribute to the leading event in our national history.

For much more than another nation was born 192 years ago, when the founding fathers put their signatures to the Declaration of Independence. What was founded on that July 4th was a dream . . . a dream of something that had never existed and which the founding fathers themselves were not sure would come to pass. The dream of a democratic society in which every man would have equal treatment before the law, equal representation in government and equal economic opportunity.

I cannot stand here tonight, particularly in this year, 1968, which has been marked by so many crises—domestic and foreign—by political unrest, by civil disorder and great national tragedy . . . and say that we have achieved our great American dream.

But I can say that despite the calamity-howlers, despite those whose faith in America has withered, despite those who criticize a country toward which they have contributed nothing . . . that we are closer to that American dream than at any time in our history.

I am not one of those who feels that America has slipped backwards in its quest for true democracy. On the contrary, the same portents and signs that cause some to say we are retreating, encourage me to believe that the basic vitality, the determination to achieve our democratic goals that has characterized generation after generation of Americans is, if anything, stronger today than ever before.

We are a society in flux . . . a society moving forward, almost at break-neck speed, to correct inequities, many of them as old as our nation. This is a healthy sign . . . the sign of a vital, progressive society, not a sign of decay and sterility.

But there is a great danger. A danger that too many people, both here and abroad, will misread the American scene today. That they will see in the riots, the violence, the assassinations, an America uncertain of itself . . . an America too rigid in its institutions to accommodate the needs of the second half of the 20th Century. Believe me, friends, they are wrong.

The heart of America is sound. The patriotic spirit that created our Nation is still in the land.

The cynic, the immature, the chronic complainer, we have always had with us. If their voices seem magnified today, it is only because they have taken advantage of the tremendous strides in mass communication that now exist.

Those of us who have known war, who have known depression . . . those of us who have traveled abroad or have studied the history and customs of other lands . . . know that we have here in America man's greatest achievement on earth.

Our young men, so valiantly struggling in Vietnam today, are no less patriotic, no less brave than their fathers and grandfathers. If this country were threatened from abroad, the same current of patriotism which has flowed in America from its inception would again broaden to a mighty stream.

So, to me, July 4th—with its traditional festivities, its family gatherings—is an appropriate time to rededicate ourselves to the dream on which our Nation was founded . . . the dream that has stood as a beacon to the entire world . . . the dream of life, liberty and the pursuit of happiness.

A Dramatic Reading: "I Am the Nation"

(By Mrs. Jeannette Lee Miller)

I was born on July 4, 1778, and the Declaration of Independence is my birth certificate. The blood-lines of the world run in my veins, because I offered freedom to the oppressed. I am many things, and many people. *I am the Nation.*

I am 200 million living souls—and the ghost of millions who have lived and died for me.

I am Nathan Hale and Paul Revere, I stood at Lexington and fired the shot heard around the world. I am Washington, Jefferson, and Patrick Henry. I am John Paul Jones, the green mountain boys and Davy Crockett. I am Lee and Grant and Abe Lincoln.

I remember the Alamo, the Maine and Pearl Harbor. When freedom called I answered and stayed until it was over, over there. I left my heroic dead in Flanders Fields, on the rock of Corregidor and on the bleak slopes of Korea.

I am the Brooklyn Bridge, the wheat lands of Kansas and the granite hills of Vermont. I am the coal fields of the Virginias and Pennsylvania, the fertile lands of the West, the Golden Gate and the Grand Canyon. I am Independence Hall, the Monitor and the Merrimac.

I am big. I sprawl from the Atlantic to the Pacific . . . my arms reach out to embrace Alaska and Hawaii. . . . 3 million square miles throbbing with industry. I am more than 5 million farms. . . . I am forest, field, mountain and desert . . . I am quiet village . . . and cities that never sleep

You can look at me and see Ben Franklin walking down the streets of Philadelphia. You can see Betsy Ross with her needle. You can see the lights of Christmas and hear the strains of "Auld Lang Syne" as the calendar turns.

I am Babe Ruth and the world series, I am 130,000 schools and colleges, and 320,000 churches and synogogues where my people worship God as they think best. I am a ballot dropped in a box, the roar of a crowd in a stadium and the voice of a choir in a Cathedral. I am an editorial in a newspaper and a letter to a Congressman.

I am Eli Whitney and Stephen Foster. I am Tom Edison, Albert Einstein and Billy Graham. I am Horace Greeley, Will Rogers and the Wright Brothers. I am George Washington Carver, Daniel Webster and Jonas

Salk. I am Longfellow, Harriet Beecher Stowe, Walt Whitman and Thomas Paine.

Yes, *I am the Nation,* and these are the things that I am. I was conceived in freedom and, God willing, in freedom I will spend the rest of my days.

This is my wish, my goal, my prayer in this year of 1968—one hundred and ninety-two years after I was born.

May I possess always the integrity, the courage and the strength to keep myself unshackled, to remain a citadel of freedom and a beacon of hope to the world.

SPACE PERSPECTIVE

HON. JAMES G. FULTON

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 11, 1968

Mr. FULTON of Pennsylvania. Mr. Speaker, the excellent address of the Honorable Edward C. Welsh, executive secretary of the National Aeronautics and Space Council, given at the Fourth International Symposium on Bioastronautics and the Exploration of Space on June 24, 1968, at San Antonio, Tex., points the way to the future requirements and progress in space.

As I believe this address should receive wide attention, interest, and coverage, I am inserting it in the CONGRESSIONAL RECORD today.

I am pleased that our respective judgments coincide so much. Being the ranking member on the Committee on Science and Astronautics of the House of Representatives, I am glad to note that Mr. Welsh accents technological innovation and advance in space research and development over the advance purchase of space hardware with a high obsolescence rate.

Mr. Welsh should be commended on his foresight and fine advocacy for the U.S. future in space.

The address follows:

SPACE PERSPECTIVE

(Keynote address by Hon. Edward C. Welsh)

It is an honor and a pleasure—a real source of satisfaction to me—to have been invited again to give the keynote address to this Symposium. This is the fourth of these events, which increase in stature and reputation each time they are held.

JUSTIFIED OPTIMISM

When I participated in the 3rd International Symposium here in 1964, I was optimistic about our space program and particularly about the role of man in space. I even went so far as to suggest that the United States must and would move with sufficient speed and competence to attain world leadership in space technology. We were behind then! We are ahead now!

CAUTION

I wish it were not necessary—but unfortunately it is—to follow such a declaration of relative status with a word of caution. We will not remain ahead for long, if we grow complacent, if we fail to recognize in full the true benefits of the space program, or if we overcut space spending—as the Congress is apparently trying all too successfully to do. We just cannot afford to waste the taxpayers' money which has been invested in national strength; yet slowing down advances in space technology would do just that. It would be wasteful and, in my judgment, contrary to the best interests of the United States. I can emphasize that point even further by being more specific: our national security would be weakened by failure to pursue such technological innovations.

If it would not seem to have political overtones, I would interrupt right here to make the factual statement that only one candidate for the Presidency of the United States—the man who is now our Vice President and Chairman of the Space Council—has come out forthrightly for pushing forward the National Space Program. I also would risk stepping on personal toes, but I would not risk any conflict with the facts, if I were to assert that he who opposes continuing advance in space technology and space experience may be honest, may be sincere, but most certainly is wrong.

ROLE OF TECHNOLOGY

Expansion of our population does not come from adroit use of technology—that might win a prize as the most obvious statement of the year—but the capacity to support such a burgeoning population does depend upon technological competence. In other words, pregnancies occur and children are born with a minimum use of technology and certainly without knowledgeable application of systems analysis, but standards of living will rise for expanding numbers of people only if there is continuing advancement, continuing progress in science, engineering, and management. No program has ever before given such impetus to technological growth as has the National Space Program.

One need only cast his eyes over the map of the world while referring to statistics of each nation's per capita income, and the story will be clear. We know where poverty is greatest and living standards lowest. We know where turmoil is most likely and national strength weakest. We know these things because it is no secret—in fact it cannot be concealed—when countries invest little or nothing in technological advances. Our nation of more than 200 million people does not enjoy its high standard of living primarily because of its location or its other natural assets, but rather because of its employment of technology in making effective use of the human and natural resources. Again, I suggest that you look about the world and note that where there is progress in human welfare it correlates closely with progress in technology.

Those who oppose adequate spending on space technology are deliberately or inadvertently campaigning for a lower standard of living for our people, a declining Gross National Product for our nation, and a secondary position in strength to that of the Soviet Union.

SPACE PROGRESS

When I attended this Symposium almost four years ago, I expected great things of the space program and I have not been disappointed. At that time, the six flights of the Mercury Program had been completed and we were indeed encouraged to see that we were making positive advances in catching up with the Soviet's manned program. Then, after adequate time of preparation, we entered upon the ten-flight Gemini Program and, in so doing, we flew right past our energetic competitor. Today, the two nations together have totalled slightly more than 2500 manhours of space flight. Approximately 80% of that was logged by U.S. astronauts. We have had almost twice as many manned flights; we have the record for flight duration, we have twelve hours compared with their twenty minutes of extravehicular activity, and our ten rendezvous and nine dockings of manned spacecraft are the only ones which have taken place to date.

While all this was going on, we have continued to expand our knowledge and experience in other aspects of space. We have not neglected the national security features, either manned or unmanned. We have not neglected the scientific studies of the solar system. We have examined in detail the physical characteristics of the Moon, that natural satellite which we plan to visit soon. Yes, this has been the most fruitful technological decade in man's history. One cannot help but be amazed at the speed of progress, at the rate at which technological advances have taken place—even though it is characteristic of space programs to require long lead time investments and the use of new techniques.

Yet, while still retaining some optimism, I hasten to alert everyone of you to the fact that our investment in the space program to date has mostly been an investment in the future, the returns from which can be lost in large measure if we lack the vision and the vigor and the desire to keep this country great by maintaining a vigorous space effort.

U.S. ECONOMY

It may seem to be a far cry from the purposes of this Symposium to enter into a discussion of the state of our economy. But, I still think it is pertinent to make at least a brief reference to it, since so many who want to slow down our technological progress use the excuse that we canot afford it. I would make two points in that regard. First, the country has never been economically stronger than it is today. Employment is at an all-time high; unemployment is low; and the Gross National Product is at a record peak, as are profits, wages, and salaries. Second, none of those practical indices would be so favorable if we had spent less on research and development in prior years. It is foolish to believe that we cannot afford technological advance; the fact is we cannot afford to slow it down.

To such a learned audience, it is unnecessary for me to point out that funds spent on the space program are spent right here in this country, rather than out in space, and that the technology born through such effort remains here to further private enterprise in many, many fields. I say it is unnecessary to point that out to you, but I mention it anyway as a suggestion that you may want to pass those facts on to others less knowledgeable. It is probably somewhat less obvious but just as true that there would be more unemployment and more poverty, almost automatically, if the space program were severely curtailed. I suggest to those whose eyes are not on the stars and also whose feet are not on the ground that they give some additional thought to that very point. We should all know that the United States is stronger and wealthier because of its space program, and we should know also that such strength and such wealth make us much better able to handle the other urgent problems which confront us. Surely a means of handling such problems cannot help but come from increased income, increased products, increased jobs, and new sources of employment through advances in technology. This is the vital role of our space program.

DEFEATIST ATTITUDE

There are those, of course, who are trapped by the illogical proposition that if the money involved were not spent on space and if the talents of the manpower employed were available for use elsewhere, those resources would automatically flow into projects of health, housing, crime, air or water pollution, education, and other problems of our complex society. Hence, they suggest that it would be better to invest our resources in those areas instead of in space technology and space exploration. I do not agree. It is not an "either/or" situation. I have great confidence in the capabilities of this country to handle many high priority projects at the same time; I believe that the problems of poverty and its related ills certainly deserve high priority—and I believe that the space program likewise merits high priority. I never have been able to understand those who favor solving problems with the wasteful approach of "let's wait and maybe do it later."

FUTURE SPACE ACTIVITIES

Not long ago, I prepared and submitted to the Congress in response to a Committee request a summary identification of space projects we should be carrying out and space capabilities we should be building for the future. That list included improvements in methods of propulsion, both chemical and nuclear. It pointed out that we should also be melding the major features of aeronautics and astronautics, so that space vehicles will have great maneuverable reentry ability and will be recovered, maintained, refueled, and reused.

We not only expect to have men land on the Moon in the next few years, but also to follow this with other trips to explore the lunar surface and possibly to establish one or more bases there. We will also have permanent manned Earth orbiting stations with a variety of functions and missions. Such activities would include looking away from the Earth to take a magnificent step forward in astronomy and looking down toward the Earth to increase our knowledge about Earth activities, Earth characteristics, and Earth environment. We also would expect to have unmanned probes throughout the solar system and manned expeditions to visit planets whenever that becomes promising and practicable.

While all this is going on, we expect great progress in communications, navigation, weather prediction, and perhaps weather control—all through the use of the space dimension, all stressing the practical and doing the seemingly impossible.

INVESTMENT IN PROGRESS

Recently, during his presentation of the Collier Trophy, Vice President Hubert Humphrey said:

"The people who don't explore today find themselves without the ingredients of progress for tomorrow. This great economy of ours is not the product of accident. The so-called technological gap, even between ourselves and other developed nations, is not just good luck on our part or bad luck on theirs. The investment that this nation has made, both public and private, in men and materials in the fields of science and technology, and particularly in all of the related fields that surround our space exploration, has contributed immensely to our technological and scientific successes."

He then went on to mention some of the benefits of the space program and emphasized the major returns which flow from space technology into the field of medicine.

In our space program, we learn more about healthy people, preventive medicine, effects on humans of drastic changes in environment, the application of space-developed electronics to hospital care, and the adaptation of space equipment to medical science. Surely health is not the least of our interests, and certainly one effect of a slowdown in manned space exploration would be to handicap our efforts toward health improvements.

Some of you know that I make it a practice of speaking not only rather bluntly but also quite briefly. Today, I have done the former and if I stop right soon, I can also do the latter. For emphasis, I will add a few concluding points, however.

CONCLUSIONS

First, the benefits of the space program are things of which we can be proud—things to boast about, not incidental items to apologize for. I refer to the stimulus to our economy; the new materials and services; the advances in communications, observation, and navigation; the contributions to medicine; the influence on our educational system; the major additions to our store of scientific knowledge; the potential contributions to international cooperation and world peace; and the essentiality to national security.

Second, the economy of this country is built on technological capability—the greatest supplier of which is the aerospace industry and the related parts of our Federal Government. But, if we grow blind to the clear light of truth about the benefits of space exploration, the economy will slow down, and the United States will risk becoming a lesser nation.

Every major power and every nation eager to raise its standard of living and world influence strives to participate in space technology and space exploration. It certainly would be ironic if the United States, as the world's leader in international cooperation and the world's leader in standard of living, were to abandon or even neglect the source of such strength. I believe it might be labeled the worst mistake in history. The national and international effects would be disastrous. I hasten to state that I do not believe we will make that mistake. To avoid it, however, I suggest that those who are as well-informed as the attendees to this Symposium need do an even better job of nation-wide—yes, world-wide—education than we have been doing to date.

ELECTORAL REFORM

HON. OGDEN R. REID

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 11, 1968

Mr. REID of New York. Mr. Speaker, I am today introducing a resolution originally introduced at the initiative of Representative BINGHAM—proposing a constitutional amendment to provide for a runoff election, in lieu of the present requirement of selection by the House of Representatives, in case no candidate for the Presidency receives a majority of the electoral votes cast.

With the growing possibility of the 1968 election resulting in deadlock, I feel that we must do all that we can to see that, should this situation arise, the final determination is made by the American people, each voting individually.

Under the present method of choosing a President in the House, each State delegation casts only one vote. If the members of a delegation split evenly on their choice of a candidate, that State does not vote at all.

The result is that a candidate controlling the votes of a majority of the House delegation in each of the 26 smallest States would be elected President. To control those 26 delegations, he would need the votes of only 59 Members—about 13 percent of the total membership of the House. This is truly a travesty of democracy; it is certainly not a democratic way to elect the President of all the people; and it bears absolutely no relation to the principle of "one man, one vote."

I would hope that the House will be able to consider this resolution at the earliest opportunity—specifically this session—and I trust that the Judiciary Committee will consider and report the bill promptly.

IS THERE TIME?

HON. EARLE CABELL

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 11, 1968

Mr. CABELL. Mr. Speaker, at a time when this Nation is grasping for a straw of leadership, it is gratifying to see the executive of a great newspaper accept the challenge, admit those faults for which the fourth estate may be blamed and set an example for us all of resolute courage and responsibility.

At this time I include in the RECORD the following speech made by Mr. Felix R. McKnight, copublisher and editor of the Dallas Times-Herald, before the Texas Society of Certified Public Accountants on June 17, 1968, entitled "Is There Time?":

IS THERE TIME?

Not in mankind's turbulent history have we come to such tortorous moments of decision.

Is there one in this room who does not *feel* the electric tensions of war, civil uprising, economic uncertainty, rebellion against law and order and lack of discipline?

Individual emotions are taut. Attitudes and personal beliefs, once pliable, now are set and stronger than at any time in our history. To quote a colleague: "People everywhere are up tight."

Our leadership on every level stands on quicksand and operates from emergency. We run from fire to fire with a pitiable bucket of temporary solutions.

Not long ago Arizona's Gov. Jack Williams in very few words put together today's monstrous issues . . . "A strange attitude has developed in our land of late. We glorify the tawdry; we extol the unmentionable; we pay premiums for mediocrity; and we ignore the rights of the decent, the innocent, the virtuous."

Gov. Williams—you hit the news media of this country right in the gut with that one.

When do we, newspapers and broadcasters collectively, blow the responsible editorial trumpet in a crescendo that will jolt this nation into citizen action?

Take, for a sickening moment, the incredible pattern developing on college campuses. It is a shocker. The arrogance; the frightening lack of concern for the life of institutions built upon dedication to learning; the "to hell with the majority" attitude; the mockery of discipline and law.

Vandals are apprehended, jailed, prosecuted and convicted under due process of law for the desecration of a church or private property. But let the unwashed hippie or the black militant storm a citadel of learning, lock out the president, make blackmail demands, destroy records and property . . . and it becomes a "negotiable crime."

Faculty members, brandishing a tarnished shield of academic freedom, join the fun and weakening concessions are made to get a university back into operation for the 95% who went there to learn.

Today, the newspaper, broadcaster and forgotten average citizen find ourselves in uncomfortable postures of defense if we dare suggest that violators of the law be swiftly arrested and punished for a breach of the peace.

We are called "racists" if we defend police officers against the constant cry of brutality from the arsonists, pillagers, snipers and student agitators.

We are threatened with a Molotov cocktail party—three times in the past year in my own plant—if we have the editorial guts to challenge these street and campus hoodlums who use their own peculiar "causes" as transparent shields to destroy and disrupt.

We are taunted by the bleeding hearts of college campuses, pulpits, and growing minority groups because we call for discipline in this country. A shoddy little organized band of agitators masquerading as students, shower campuses with filthy and treasonous literature—and we catch hell as square "flag lovers" for exposing them and demanding that they get out of the way so the 95 percent can go about the business of getting their education.

Now, I say, it is time for the news media to back up reporting of the sordid news of the day with some "leadership" editorializing that cuts to the core of our ills. In no sense do I call for, nor condone, suppressing or slanting of the news.

Raw news is hard to swallow—but it is the basis for knowledge, and we must have knowledge of the bad, along with the good, if we are to act with wisdom and forthrightness.

It is the job and duty of the American press to report the news. Much of it is not palatable—but we must walk the peaks *and* the valleys of our national life if we are to be informed.

Some months ago I not so innocently needled my colleagues of the news media in an article written for the journal of the American Society of Newspaper Editors. I urged judicious handling and editing of the news. And I contended that we had been caught in an overbalanced desire to present minority causes.

In attempting to bring into focus Stokeley Carmichael, H. Rap Brown, college campus anarchists and others of the great rash of extremists contaminating our national life, I wrote: "Plagues do not sweep nations unless there is a carrying vehicle and in far too many instances, the magic of modern communication has graphically presented to television viewers and newspaper readers, the detailed blueprint of arson, looting, murder and flouting of the law.

"The legitimate civil rights struggle deserves prime attention, but we seem to channel off into what we know is the questionable fringe and give loud voice to the errant bum."

Today, I repeat the same lines. Some of my distinguished colleagues challenged me with the charge that I was preaching news suppression. That I was a journalistic ostrich sticking my head in the sand. I repeat again—we have given a platform far beyond its news value to the Carmichaels and Browns to preach hatred, burning, looting and killing. Need I mention the "rewards" for this high principled backbending on the part of the news media?

Only hours before the recent tragedy in Washington brought Federal troops to the very gates of the White House and the steps of the Capitol, we jammed a "press conference" to hear Carmichael say:

"We have to retaliate for the deaths of our leaders. The execution for those deaths will not be in the courtrooms. They're going to be in the streets of the United States of America. . . . Black people know that they have to get guns. . . ."

Or one year earlier the same man, speaking on a college campus, gave clear warning with these unchallenged words: "To hell with the laws of the United States. . . . Your brothers in the ghettos are going to wake up with matches . . . if a white man tries to walk over you, kill him . . . one match and you can retaliate. Burn, baby, burn. . . . We're going to tear the cities up."

Maybe I am old fashioned. Maybe I am a square editor. But I believe if we had a more demanding, editorializing press calling for more spine in the Justice Department and other enforcement agencies, this man would have been mumbling those words to himself in a jail cell rather than to millions hearing this priest of violence on television networks.

My colleagues argue that to give him exposure is to weaken and destroy him . . . Maybe so, but I fail to see how that squares with the results that we are getting. He has picked up enough criminals with his treasonous net to bring us to the very edge of national chaos.

So, what is the responsibility of the newspaper as we operate daily in the center of domestic turbulence that troubles the decent citizens?

We could well follow the example of the Sentinel-Star, a newspaper in Orlando, Florida, that brushed away all the fuzz that accompanies some of the revoluntary hanky-panky that seeks to disrupt this nation.

One of the student minorities in the network that is attempting to shatter universities and colleges, laid down its ultimatums and demands at Florida State University. The usual faculty minority joined with them in eventually demanding the resignation of the university president, Dr. John Champion.

It all started when Dr. Champion had the temerity to ban publication of a short story in a campus magazine because of "filthy and obscene language." The minority student uprising followed and Dr. Champion resigned.

But the Orlando Sentinel-Star took positive action and went to the people. Bluntly, it raised hell and called for protection of reasonable and honorable administration of the state's universities by those in proper authority. It called on the citizenry to protest. Forty thousand letters, telegrams and petitions poured into the newspaper office supporting order in public affairs and courage from the leadership. The newspaper flew the bundle to President Champion and he withdrew his resignation. And then he exercised the authority that was his and the rebellion was ended.

Forty thousand quick and positive reactions should be a pretty good signal to the news media of this country that the tremendous majority of our people are still sane and search for leadership and a voice. If they can't get it from constituted authority, maybe we had better heed the call as newspapers and broadcasters.

Newspapers of the United States are of many philosophies, of many viewpoints, of many political hues. But I do not know of one that feeds on dishonesty or callously seeks the destruction of this nation. It would crumble within hours in its own ashes. It could not survive.

We do not organize as a single voice. It would be impossible; it would be ruinous. We are cut from divergent patterns but we all have a conscience and, hopefully, a soul.

Today, I would ask each of us to act from that conscience, that soul in a mighty national demand for order and discipline.

The insanity of violence that tears the soul of this nation must be ended—totally and finally.

Mindless, outrageous criminal acts against our leaders and peaceful society are shredding the national fiber. The decency that gives us the right to dissent has been viciously violated.

We must responsibly and collectively demand of our leadership—give us a strong hand to grasp; a hand that the violent man will fear, the strong will respect.

The violator of the law—whether he be on a college campus, in the streets, in uprisings that foment strife even while clothed protestingly in nonviolence—must be made quickly and decisively to answer.

Overly tolerant attitudes that have shackled law enforcement and given comfort to violators and insurrectionists must stiffen to rub jaws with ugly reality.

Coddling of the troublemaker and timid rationalizing that brings on the evil of assassinations and frightening increase in crime, must be halted as of this moment.

The leadership of this country must order a cleaning of houses that constantly present the portrayal of violence—some elements of the motion picture industry, television, newspapers and any other source of raw violence and disregard for morals and law.

Civil disobedience, however, wrapped in sanctity, cannot be trusted. Sadly, this nation has reached the point where the individual conscience does not always have the stability, the reliance to be *trusted* in self-evaluation of the law.

Witness the latest horrible act A man and his conscience decided that Sen. Robert F. Kennedy should be shot. It is madness.

The protective arm and the dignity of the Supreme Court must be maintained, but the people and the Congress must demand that the same Supreme Court cease, by 5-to-4 divided personal vote, making law that clouds enforcement and takes away deterrents to assassination and murder.

It is a bit risky to favorably quote political figures in presidential election years for fear of implying endorsement, but I liked Gov. Ronald Reagan's recent statement that the U.S. Constitution is being eroded by court decisions pretending to extend freedom to all, when in reality they give license to a few."

In this nation, indeed in the Congress itself, there is the strong belief that rightfully "in our humanitarian society we have safeguarded the rights of the accused, but we have carried this to an excessive concern for the guilty.

"Permissiveness from cradle to crime seems to be our philosophy. What were once considered privileges are now recognized as rights, and first and foremost is the right to adjust any personal grievance by the nearest means at hand—be it rock, club or fire bomb."

Full recognition of the rights of the overwhelming majority of American society—the right to peaceful existence under the law—must come from leadership. It is this segment that will respond in the true manner and get this land back to greatness, to security, to opportunity and justice for all.

It will settle for nothing else. It will not tolerate the madness loose in this land. It only needs to be pointed on the upward course, away from divisiveness and hatred.

To this end, we send out the urgent call that newspapers, networks and all broadcasting facilities, motion picture and magazines clasp hands in an unyielding march up the path of sanity.

We must have the free voice to present the ugly with the beautiful. But we must act responsibly—not from emotion, not from bias, not from selfish political motivation.

One of my broadcasting colleagues said recently in Los Angeles that a glance at the contemporary scene convinces us that we can't afford the luxury of complacency any more than, as we have already seen, we can afford the contamination of censorship. We can't pull the covers over our heads hoping "it will go away."

I heard someone say one time that nations and civilizations die of all kinds of things. Some die of old age, some are murdered. Some even commit suicide.

The ultimate disaster would be if this nation were to die in its sleep.

ADDRESS BY DR. MANUEL REYES

HON. DANTE B. FASCELL

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 11, 1968

Mr. FASCELL. Mr. Speaker, last month the Sertoma Clubs held their international convention in Miami Beach. One of the principal speakers at the convention was Mr. Manuel J. Reyes, Latin American news director of WTVJ in Miami.

Mr. Reyes came to this country as a refugee from Castro's Cuba. Since his arrival in this country, he has become one of Florida's most distinguished journalists as well as one of the foremost leaders of the Cuban exiles in the United States.

At the Sertoma International Convention, Mr. Reyes spoke to 2,500 club members on the struggle of the Cuban people to regain their freedom. His speech was a most eloquent statement of faith in the eventual victory of liberty over tyranny, and I commend his remarks to the attention of the House:

ADDRESS BY DR. MANOLO REYES TO THE SERTOMA INTERNATIONAL AT ITS CONVENTION IN MIAMI BEACH, FLA., BEFORE THE DELEGATES IN SESSION ASSEMBLED, JUNE 29, 1968

On June 24th, 1966, I had the privilege to address the Sertoma International Convention in Washington, D.C. at the time I spoke as charter president of the First Cuban Sertoma Club ever founded in Cuba or in exile, facing 1800 delegates of Sertoma Clubs of the United States, Canada, Mexico and Puerto Rico. I delivered a message . . . the message of the Cuban people yearning for their liberation.

Now, two years later, as a Cuban, I ratify before this convention, for the second and last time, the eagerness for freedom of the noble Cuban people.

Nevertheless, today my words must start by thanking all and everyone of you, members of Sertoma, for your wonderful inspiration and help to the Cuban refugees at the moment they needed it most.

On August 7, 1965, in the city of Miami, the first Cuban Sertoma Club ever chartered was established, on December 1st of that same year the freedom flights between Miami and Varadero, Cuba were started.

At the time, with the help of the Federal authorities and the Cuban refugee center, the Cuban Sertoma Club of Miami was able to open and maintain a full room of clothes racks at "freedom house." The first point of arrival for the 200 Cubans that come daily into Miami aboard the freedom flights.

Hundreds of pounds of clothes have been sent by the Sertoma Clubs of Oklahoma, Road Noark Valley, west of New York, the two Carolinas, Orlando, Jacksonville, Fort Lauderdale, Miami and many others.

Today, June 29th, 1968, the number of Cubans that have arrived in the United States on the freedom flights, fleeing oppression and tyranny, adds up to more than 115,000. And there are over 1,340,000 Cubans on the island of Cuba who have officially applied to leave their fatherland aboard those flights.

The Cubans who arrive in the United States own just about only the clothes they are wearing. Nothing more. Dozens of thousands have received clothes, shoes, coats, given out free of charge, by the Cuban Sertoma Club of Miami established at freedom house. and when the Cuban refugees have been relocated throughout different parts of the United States, and wherever Sertoma Clubs existed, they were warmly welcomed by their members. Sertomans have treated them as real brothers and given them a hand of friendship and help.

These actions will always be remembered by the Cuban people. This is why, at the beginning of this speech, on behalf of the Cubans . . . and especially, on behalf of all the members of the Cuban Sertoma Club of Miami. Thank you very much—all of you—for a very well done service to mankind. Together we have proven, once again, like in the past, that Cubans and Americans, in good faith, can work together in the solution of their big problems. And at the same time improve their mutual relations. And undoubtedly, a great problem is the struggle of the Cuban people who for the past 9½ years have bravely resisted the forces of communism in Cuba. Nevertheless, terror, symbol of the weakness of dictatorial regimes, has increased throughout the island of Cuba.

Only a few days ago, I was visiting Shenandoah Junior High in Miami to give a lecture to that school's students on the value of freedom and how much we must fight to get and maintain it. And as an example I told them of one of the thousands of dramatic cases in the Cuban exodus.

Several months ago, near Guantanamo naval base in Oriente Province in Cuba, nine Cuban children between the ages of 13 and 15, jumped into the shark infested waters of Guantanamo Bay to reach the U.S. base. They carried no weapons, just wore a pair of shorts.

Do they want to reach the base to find food, clothes, shoes, medicines or the American dollar? No! They just want freedom. The militiamen on the Cuban side discovered them while they swam through the middle of the bay and, as they do in the Berlin Wall, opened fire against those children. Four of them, in a pool of blood, sank forever. Only five reach freedom. And I was telling those students at Shenandoah Junior High that those five Cuban children are now perhaps attending in freedom different schools in the United States, learning without the oppression of the Communist indoctrinator.

Then, one of the students present—a 14-year-old boy requested to speak. He stood up and while tears ran through his face, he told me, "Mr. Reyes, you are so right. I am one of the five survivors." This is part of the tragedy being lived today by my Cuban brothers.

Over 14 thousand Cubans have arrived in exile aboard very small boats, rafts, and more recently have even been picked up floating on car tires in the Florida Straits. Nevertheless, there are children in exile who are waiting for their parents who left Cuba on a boat several years ago. The parents are not in Cuba. They are not here either. Only God knows their fate.

Over 85 thousand political prisoners are suffering a living death in Cuba's political prisons; the island in the heart of the Americas. And although the Cubans don't know because of the tremendous censure imposed there, secret executions continue day after day.

Nearly 19,000 Cubans have been executed during the past nine-and-a-half years: An average of 6 Cubans executed every day. But the more they fall, the larger the number of those who bravely follow their example and pick up the torch of freedom. This is the reason why Cuba will be free. This is the reason why I dare say, knowing that I am not wrong, that if by a miracle God would give the Cuban an opportunity to choose another life or another time to live, or another place, the Cuban will choose again this life, this time, this place, because few generations in the history of mankind have had the privilege to fight for freedom. And the Cuban was born to be free. That is why he who helps the free Cuban in his present ordeal and struggle is performing a great service to mankind.

And to end this speech I want to say that in 1966, before you, I asked for help for the suffering Cuban and that help was given.

Now—It is my firm, honest and personal opinion that freedom is coming. Sertoma is a freedom club. That's why, today, in 1968, I ask, for the Cuban people, all the support that is needed for the time when Cuba will become the first country of the world to break the Red ties that are oppressing it today. At the beginning of my speech I said that this would be the second and last appeal I'd make before you, because I am absolutely convinced that the next time I will appear before you, will be in a free Cuba, in a sovereign Cuba, independent and free . . . in a Cuba without tyranny and sorrow, in a new Cuba that will proudly show the example taken from the Sertoma clubs in which Americans and Cubans, working together, have carved a way of freedom and a service to mankind.

RIOT REINSURANCE WILL STOP URBAN POLICY CANCELLATIONS

HON. WILLIAM S. MOORHEAD

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 11, 1968

Mr. MOORHEAD. Mr. Speaker, yesterday this body passed the most significant and far-reaching housing bill that I have seen in my 10 years in Congress. One of the key titles in this great piece of legislation is title X, the Urban Property Protection and Reinsurance Act of 1968.

This title will provide Federal riot reinsurance to those insurance companies participating in statewide plans to make basic insurance protection available to urban homeowners and businessmen.

This title, which has been a matter of personal and almost daily concern to me for the past 9 months, will bring an end to one of the most unfortunate consequences of recent civil disturbances in our cities—the widespread cancellation of property insurance policies in riot-torn areas or areas that insurance companies consider riot prone.

The title will also bring an end to the fear of catastrophic riot losses that has led insurance companies to refuse renewal of policies in force and to greatly increase the premiums on policies they do renew.

As an article in today's Wall Street Journal points out, insurance cancellations, nonrenewals, and rate increases work a particularly severe hardship on homeowners and businessmen in areas of our cities most in need of the credit that insurance makes possible.

The reinsurance program we have just passed will require insurance companies purchasing Federal riot reinsurance to participate in plans that will assure basic insurance protection to all inner city homeowners and businesses with insurable property.

I would also like to tell my colleagues that those insurance companies which have canceled policies in an effort to reduce their share in any mandatory state pools set up to dovetail with this legislation will not be rewarded. Reinsurance under title X will be sold only to those companies participating in statewide plans according to their premium volume on reinsured lines in the calendar year previous to that for which the reinsurance coverage is offered. Thus, no matter how many policies a company may have canceled in 1968, it will have to participate in the State programs and pay for reinsurance on the basis of its writings in 1967, when the canceled policies were in force.

Under leave to extend my remarks, I insert the Wall Street Journal article at this point in the RECORD, and commend it to the attention of my colleagues, as follows:

RIOT FEAR IMPACT—GHETTO FIRMS ARE HIT BY CANCELED INSURANCE, HIGHER RATES—SOME FORCED OUT OF BUSINESS

Ghetto-area businessmen in a number of major cities, mostly in the East and Midwest, are finding themselves frozen out of fire and casualty insurance by mass cancelations of policies, higher rates and refusals to renew protection.

Knowledgeable sources say the insurance industry is "immobilized" by fear that large-scale rioting will erupt in major urban areas this summer, creating huge losses from fire and vandalism. The insurance industry has already sustained more than $140 million of losses from riot damage since the spring of 1967, it's estimated.

The clampdown by insurers in many cases has left ghetto business concerns unable to continue in business. "A small businessman has to have proper insurance or he can't do a thing," notes David J. Dykhouse, commissioner of insurance for Michigan. "No one will mortgage his property, lend him money for inventory or any of the normal transactions necessary to be in business."

MANDATORY POOL URGED

At a recent conference of top-level New York state, local and insurance industry officials on the growing crisis, New York State Superintendent of Insurance Richard E. Stewart and New York Mayor John Lindsay called for immediate implementation of a mandatory pool for writing ghetto fire insurance. Such a plan has been authorized by law but doesn't take effect until Sept. 10—scant comfort to insurers and ghetto residents worried about another "long, hot summer."

One of the first open indications of the crisis came last weekend when at least three states disclosed that they are opening examinations of the Royal-Globe group of insurance companies, following reports the British insurers ordered large-scale cancellations of property and business policies in U.S. cities that have experienced or may be targets of racial violence. The states planning investigations include New Jersey, Kentucky and Michigan.

In St. Louis, for example, a local Royal-Globe agent said the company will cancel a $52.4 million fire insurance policy on five public housing authority projects on Aug. 10 unless it can get other insurance companies to assume 80% of the policy. The policy, on which Royal-Globe bid a year ago, was a three-year contract, according to the housing authority.

ROYAL-GLOBE NOT ALONE

But a Wall Street Journal survey of state and local insurance commissioners and insurance agencies confirms that Royal-Globe is scarcely alone in its efforts to minimize ghetto area risks. In Massachusetts, for example, C. Eugene Farnam, state insurance commissioner, says his office has been receiving twice as many complaints as a year ago about cancellation of policies and refusal to insure businessmen and property-holders.

Similarly, cancellations in Washington, D.C., "are reaching serious and unprecedented proportions," according to Herbert Denenberg, professor of property and liability insurance at the University of Pennsylvania's Wharton School of Finance and Commerce. Mr. Denenberg, who is a consultant to District of Columbia Mayor Walter Washington on insurance matters, estimates there were 500 to 600 insurance cancellations in the district between April and mid-June, when the last estimates were made.

And in the five weeks before Rev. Martin Luther King's assassination in early April, Maryland's insurance commission received only seven complaints of cancellations. In the five-week period following Rev. King's death, however, complaints jumped to 76, and in the ensuing five-week period, complaints numbered 116. "These are just the ones we hear about," says Newton I. Steers, Maryland's insurance commissioner. "We know there are many, many cancellations for which we never receive a complaint."

The insurers aren't without defenders. "It's difficult to criticize companies who have gone into the inner cities," says one state insurance official. "There are those companies that have stayed out intentionally. No one seems to criticize them."

H. Clay Johnson, president of Royal-Globe, notes that his company writes about 3% of property insurance premiums in the U.S., yet it sustained $7.3 million of riot losses over the past year, or about 5% of the total. Moreover, Mr. Johnson says, Royal-Globe's program of "curtailment" will affect less than 10% of the company's "center city involvement."

The cancellations by Royal-Globe and others primarily affect mercantile establishments—clothing stores, appliance stores, liquor outlets and other retail businesses. Particularly affected, according to many state insurance commissioners, have been owners of buildings that house a number of retail stores. If a fire is started in one of the stores, it is feared, all of the establishments probably would go up in flames.

Higher rates often price businessmen in high-risk areas out of the market for insurance altogether.

DETROIT MERCHANT'S WOES

Nathan Smith, a Detroit Negro who owns a chain of nine laundry and dry-cleaning shops that do more than $175,000 of business annually, charges that insurance companies levy "exorbitant rates" on ghetto merchants as a matter of policy. Prior to last summer's riots, he says, his rates were $30 for each $3,000 of coverage (he had about $50,000 worth), but now he pays $90 for each $2,000 of coverage and "I don't get any protection in case of a civil disturbance."

In New York State earlier this month, fire insurance rates rose an average of 9.6%; in New York City, rates went up as much as 28% on some dwellings. The boosts came atop surcharges of 2% to 4% that were imposed last spring on ghetto-area fire policies for rict coverage, but didn't affect the homeowners' package policy, which includes various types of property, fire and liability insurance.

Joseph C. Boggins, executive director of the insurance board of Cleveland, a trade association of independent agents, also notes what he terms a "disturbing" trend. "Many companies are offering to renew (existing policies) for much less coverage," he says. "Where coverage had been $100,000, for example, they may be offering to cover only $25,000 or $50,000. That means an agent has to scurry around among other companies, and he meets reluctance from them."

TESTIMONY OF INSURERS

Insurance companies, while reluctant to discuss the problem, nonetheless concede it exists. "We obviously aren't going to solicit business in these areas because of the high risk involved," says a spokesman for Continental Insurance, one of the nation's leading writers of fire and casualty policies. Adds an official of Maryland Indemnity, a small Baltimore insurer that has been canceling its high-risk policies recently: "Everyone is doing it, both large and small companies."

The Maryland Indemnity official asserts that the April riots following Rev. King's death touched off his company's cancellations. "We simply didn't have the police or military protection in Baltimore," he says. "When this happens, it leaves the insurer out in the cold."

It should be noted, however, that the crisis over fire and casualty insurance isn't so grave in some sections of the country as in the major metropolitan areas of the Midwest and Northeast. In the South and Southwest, for example, relative racial calm in urban areas has encouraged insurers to hold the line on rates and policy renewals.

And in California, a voluntary industry pool to handle high risks was formed at the urging of the department of state following the riots in the Watts district of Los Angeles. The group tries to place high-rise applicants with one of its members. If that isn't possible, the contract is assigned to a particular company but is reinsured by all members in the pool of more than 100 companies.

Indeed, such assigned risk pools, as they are called, are gaining growing favor with a number of states. In Missouri, for example, the state division of insurance plans to introduce legislation next January to require all property insurance companies operating in the state to participate in a high-risk pool that would handle any commercial concern that can't buy insurance in the open market.

The Missouri pool would operate in much the same way the assigned-risk pool on automobile coverage works in many states—the individual or company petitioning for coverage by the pool would be assigned to an insurance company for a period of one year at a standard rate. "We'd like to see the insurance companies do this voluntarily, but no one wants to take the lead," says John A. Sartorius, deputy superintendent of the state insurance division.

HOW PLAN WOULD WORK

The pooling concept would receive a powerful boost from a Federal reinsurance proposal recently approved by the Senate and passed last night by the House in similar form as part of the omnibus housing bill. The reinsurance provision would allow the Govern- to underwrite part of major casualty losses in riot areas; in return, it would require states and insurance companies to develop plans giving ghetto property owners "fair access" to insurance under state pooling arrangements.

The reinsurance would reimburse an insurer for losses in excess of an amount the insurer agreed to bear itself under a contract with the Federal reinsurance agency. States also would reimburse the Federal Government for a small percentage of the losses within their borders.

In the hearings on the bill, insurers almost unanimously expressed approval of such a measure. In private, however, some show concern that the "fair access" provision might be used by state and Federal officials to draw insurance companies deeper into the ghettos under mandatory state pooling plans. While potential losses would be limited, profits—if any—would suffer by comparison with what the companies could be earning elsewhere, industry sources theorize.

"Without provision at the state level for adequate rates, the reinsurance bill would be meaningless," asserts Jacque W. Sammet, executive vice president of Continental Casualty Co., Chicago, a subsidiary of CNA Financial Corp.

Mr. Sammet notes that the company is continuing to provide coverage "to our policyholders" in areas where riots have occurred. He adds, however, "As a minimum for the insurance industry to continue to provide riot coverage, passage of the Federal reinsurance bill and approval by states of rate increases for riot exposures are mandatory."

Adds C. H. Peterson, president of Maryland Casualty Co., Baltimore: "They (state insurance commissioners) are expecting a single industry to support a social revolution and not get paid for it. The insurance industry needs to get a premium for a risk. After all, we're sitting on a powderkeg." Maryland Casualty is controlled by American General Insurance Co., Houston.

A HOLDING ACTION

Much effort is being placed on keeping insurance in force during the summer until the Federal reinsurance plan comes into play. Some critics charge insurance companies are canceling or refusing to renew ghetto policies so that their share of any mandatory assigned-risk pools set up by the states in conjunction with the Federal program will be as small as possible.

The extent of the cancellation and nonrenewal problem is difficult to determine. A study of insurance practices in ghetto areas of six major cities last fall by the President's riot commission found that 14.4% of ghetto businesses that were uninsured were without coverage because of cancellations. "That figure must be considerably higher today," says the Wharton School's Mr. Denenberg, who headed the insurance panel.

Mr. Dykhouse, Michigan's insurance commissioner, estimates that owners of about 10% of the $50 billion of real property in Michigan are experiencing difficulty obtaining insurance either because they are considered impossible risks, or are in locations deemed undesirable by underwriters. The second of these two groups—"the group everyone wants to help," says Mr. Dykhouse—could represent as much as $1 billion to $2.5 billion of the total Michigan market.

Critics note that ghetto fire and casualty losses due to riots or civil disorders have been small in comparison with other "catastrophic" events such as storms and the huge continuing losses from ocean marine and auto insurance.

Indeed, industry figures show last year's fire losses for stockholder-owned companies, which do most of the fire and casualty business in the ghettos, were equal to about 60% of earned premiums, down from a loss ratio of 65.4% in 1963.

By contrast, stockholder-owned companies suffered a 78% loss ratio last year in ocean marine insurance and a 63% loss ratio on automobile property damage liability insurance, according to Best's Insurance Reports.

Concedes one fire insurer: "We could probably live with our losses as they are." But, he adds quickly: "The problem isn't so much what has happened as what will happen."

CHILDREN LEARN WHAT THEY LIVE

HON. ANDREW JACOBS, JR.

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 11, 1968

Mr. JACOBS. Mr. Speaker, following are excerpts from a letter sent to me by Mrs. Robert A. Rose, of Indianapolis, Ind. The letter is too beautiful for comment. Letter follows:

I, too, am deeply interested in preschool training for culturally disadvantaged children, having served as a volunteer in our Indianapolis Pre-School Centers once a week for two years. I believe firmly in the Head Start Program as do you and felt a need to help these children. In raising our family we have stressed warm, affectionate love and firm discipline tempered by love and understanding and respect of the children's feelings in order to create respect and self discipline and self control. We have motivated them to do the very best they are capable of doing to have pride in themselves and their accomplishments. Everything children do they do out of a desire to please and out of a desire for approval. If they are rewarded by acceptance and approval they seem to go forward.

I could go on and on about this as thoughts concerning this consume me during every day, as this above all else is my primary responsibility—to create good, thinking, feeling intelligent, industrious children.

We live by the Parents Creed which I quote below:

"CHILDREN LEARN WHAT THEY LIVE

"(By Dorothy Law Nolte)

"If a child lives with criticism,
He learns to condemn,
If a child lives with hostility,
He learns to fight.
If a child lives with ridicule,
He learns to be shy.
If a child lives with jealousy,
He learns to feel guilty.
If a child lives with tolerance,
He learns to be patient.
If a child lives with encouragement,
He learns to feel confident.
If a child lives with praise,
He learns to appreciate.
If a child lives with fairness,
He learns justice.
If a child lives with security,
He learns to have faith.
If a child lives with approval,
He learns to like himself.
If a child lives with acceptance, and friendship,
He learns to find love in the World."

We extend our heartiest best wishes for a most happy holiday season and for a joyous, successful New Year.

Sincerely,

PHYLLIS ROSE.

NATIONAL GUARD OFFICER RESIGNS COMMISSION BECAUSE OF ORDERS DURING DISTRICT OF COLUMBIA RIOTS

Hon. G. V. (SONNY) MONTGOMERY

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Friday, July 12, 1968

Mr. MONTGOMERY. Mr. Speaker, under leave to extend my remarks in the RECORD, I include the following AP newsstory that appeared in the Greenwood Commonwealth in Mississippi:

PROTECTION RESULTS IN RESIGNATION

HARRISONBURG, VA.—A National Guard major general says he resigned his commission because of orders issued troops during this year's street riots in Washington and Baltimore.

Archibald A. Sproul, 53, the last commander of the 29th Infantry Division of Virginia and Maryland, says he ended his long military career because "I will have no part of protecting lawlessness."

Sproul, awarded the Legion of Merit in retirement ceremonies last month, said the riots "were lawlessness under the protection" of the police, Army and National Guard.

"Our soldiers were not only told that they could not load their weapons, but they were told that they could not even use their rifles as clubs to protect themselves or stop looting," he said.

Sproul told a civic club meeting Wednesday night he "felt so strongly about this and about the orders that were issued directly from Washington to all troops in the United States that I resigned." He said he could have stayed on for another 10 years.

UNITED STATES BUYS FRENCH GOLD?

HON. JOHN R. RARICK

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 11, 1968

Mr. RARICK. Mr. Speaker, reports that the U.S. bureaucrats are buying gold from France are preposterous.

What with our reported deficit in balance of payments—and the French war debt, plus interest owing?

Quite some swap merely for the purpose of guaranteeing the international bankers gold at $35 per ounce.

I include the report from the Washington Daily News for July 11:

SHOE IS ON THE OTHER FOOT: FRANCE NOW SELLS GOLD TO UNITED STATES

(By Robert Dietsch)

For the first time in 21 years, France has sold gold to the U.S.

The sale, which some monetary sources today said totaled more than $75 million, was linked to President Charles de Gaulle's economic troubles stemming from the riots and strikes that swept over France in May and June. The trouble upset French trade and investment patterns and caused a drain of more than $700 million on the country's international money reserves.

Two weeks ago, it was revealed that France sold about $120 million worth of gold to Switzerland, Italy, Belgium, West Germany and The Netherlands. France also borrowed $900 million from the International Monetary Fund.

CONFIRMED

The gold sale to the U.S. was confirmed today by Government sources. It came about because Gen. de Gaulle wanted to beef up his dollar holdings to meet foreign commitments.

At the same time, it was learned that France has agreed to increase its currency "swap" arrangements with the Federal Reserve Board by $600 million. These arrangements, which date back to 1962, enable the U.S. to draw upon foreign currencies in exchange for rights by other nations to draw upon dollars in case they get into a financial bind.

Since 1962, the Federal Reserve—acting on behalf of the Government—has entered into $10 billion worth of swap arrangements with most major free world countries. No physical transfer of monies is involved, just the right to "swap" currencies in event of trouble.

Over the years, all other nations except France have increased their swap arrangement commitments. Up to now, France has been almost totally indifferent to the American international money difficulties as reflected in the U.S. balance-of-payments deficits.

HEADACHES

But the decision by Gen. de Gaulle to augment the currency "swap" arrangement, and his recent gold sale to the U.S., reflect that the shoe is now on the other foot: France herself is in economic and money troubles.

The gold sale is the most dramatic of Gen. de Gaulle's new monetary ventures. When he came to office in 1958, the French president set about deliberately to build up France's gold reserves. From less than $2 billion a decade ago, they had risen about $6 billion just prior to the riots and strikes.

The bulk of France's gold buildup came at the expense of America's gold stocks. As France accumulated dollars in international dealings, its central bank exchanged them for U.S. gold—at the agreed-upon price of $35 per ounce. From 1963 thru 1966, these conversions totaled almost $2.5 billion.

GOP LAWMAKER HITS ADMINISTRATION FIREARMS ENFORCEMENT

HON. GERALD R. FORD

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 11, 1968

Mr. GERALD R. FORD. Mr. Speaker, under leave to extend my remarks I include a statement of July 8, 1968, by the Republican task force on crime entitled, "Justice Department Losing Ground Against Racketeers," and one of July 10 called, "GOP Lawmaker Hits Administration Firearms Enforcement":

GOP Lawmaker Hits Administration Firearms Enforcement

Rep. Barber B. Conable, Jr. (R.-N.Y.) a member of the House Republican Task Force on Crime, Tuesday charged the Johnson Administration with failure to enforce existing firearms laws. He told his House colleagues, "it is obvious that the current concern over firearms control is not matched by any record of achievement."

The New York lawmaker said that the Federal Firearms Act of 1938 and the National Firearms Act of 1934 give the Treasury Department power to investigate firearms violations.

"According to figures furnished to the Senate Judiciary Committee in August, 1967, a total of 2294 criminal cases involving violations of the firearms statutes were prepared by Treasury during the five fiscal years from 1963 to 1967."

Conable noted, however, that "the Attorney General's Reports for those same five years indicate that only 1192 federal firearms prosecutions were undertaken by the Justice Department. Thus, about half of the cases which were prosecutable and ready for trial in view of the Treasury Department resulted in no action by the Justice Department.

"This is hardly a record of vigorous enforcement," Conable declared.

Justice Department Losing Ground Against Racketeers

Citing conviction figures recently released by the Department of Justice, Rep. Richard H. Poff (R.-Va.), Chairman of the House Republican Task Force on Crime, charged today that "the Johnson Administration has admitted and now is demonstrating substantially decreasing effectiveness in fighting organized crime" and called upon the President to "reconsider his unwise decision" not to use surveillance against organized crime.

In a speech delivered on the House Floor, Poff said that the Annual Report of the Attorney General for fiscal year 1967 showed that racketeer convictions by the federal government last year were 19% less than 1966 and 32% less than the peak year of 1964.

"In 1965 the Justice Department began a sharp de-emphasis of its efforts to combat organized crime," the GOP lawmaker asserted, "and the results of that de-emphasis are being felt now."

He cited figures previously furnished a House Committee by Assistant Attorney General Fred Vinson that showed that organized crime convictions by the federal government reached an all time high of 594 in 1964. There was a sharp drop to 410 in 1965 followed by a slight rise to 477 in 1966.

Poff then noted that according to the latest Attorney General's Report a further decrease in convictions, to an even 400, took place in 1967. "Attorney General Ramsey Clark has already assessed the success of the Justice Department in fighting organized crime with the observation that more racketeers 'are being hurt in auto accidents than by the government'," Poff said, "and now the figures bear him out."

Poff termed the President's refusal to use electronic surveillance against organized crime a "de facto veto" of part of the crime bill and said that the decision is "all the more bewildering and distressing in light of this new evidence that the Justice Department is losing ground against the racketeers."

ACTION NEEDED NOW TO LIMIT EXPORTS OF NATIONAL FOREST TIMBER FROM NORTHERN CALIFORNIA

HON. HAROLD T. JOHNSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 11, 1968

Mr. JOHNSON of California. Mr. Speaker, this morning a group of western Congressmen met with Secretary of Agriculture Orville Freeman concerning the public timber export problems which we face in northern California.

Basically, we urged the Secretary to impose on these California areas and other regions of the Pacific Northwest not now covered the same restrictions which he imposed upon the export of national forest timber grown in western Oregon and western Washington.

George A. Craig, manager of the Western Lumber Manufacturers, Inc., an association of firms that buy timber from the Government, headquartered in San Francisco, Calif., with whom I worked very closely in coordinating this conference, made an outstanding presentation as to the nature of the problem and the need for immediate action. Mr. Speaker, so that my colleagues may share with me the information presented by this fine expert in the field of timber management, I would like his remarks inserted in the RECORD at this point.

Statement Presented to the Honorable Orville L. Freeman, Secretary of Agriculture

We welcome this opportunity to discuss the public-timber-export issue with you, because we know that our objectives are the same: the harvest of national forest timber to furnish a continuous supply for the use and necessities of the citizens of the United States.

You have said that this will require a viable domestic wood-using industry and to maintain its viability it is essential for the domestic wood-using industry to maintain capability for primary manufacturing. You have found that it is contrary to the public interest for the existence of tihs industry to be eroded away through loss of available raw material. Similar reasoning is basic to the 40-year-old requirement that Alaskan national forest timber receive primary manufacture there.

Our purpose today is to convince you that you should complete the erosion prevention job by requiring domestic manufacture for all national forest timber in the West, other than that which is found to be surplus. You, especially, know that erosion is wasteful, costly to repair, can be anticipated and should be prevented by reasonable action. We will briefly review the long-term considerations and the unreasonableness of the present approach. We will describe the early symptoms of erosion now evident in the uncontrolled areas.

Dr. H. R. Josephson, the Forest Service's Chief Economist, said late last year that within the next decade or so, it is likely that rising demands for timber products in the United States will require all of the available cut in both the Pacific Northwest and in other western areas. He predicted that log exports will be in more and more direct competition with domestic manufacture of timber products.

Such a conclusion is reasonably based upon the evident necessities of citizens of the United States for more housing. By 1970 we are expected to need annually about 2 million new housing units and by 1980 about 2.5 million units annually. Compared to 14 million board feet in 1962, the 1980 lumber need for U.S. home construction is estimated to be 21.6 billion board feet. The availability of wood for domestic use will greatly influence the cost of housing to U.S. citizens.

The necessities of citizens of the United States for employment outside of metropolitan areas have been of real concern to you. A variety of social problems could be eased if employment opportunities near our national forests could be maintained or enlarged. A recent Forest Service study showed that every exported 1,000 board feet of logs represents a loss of 16 man hours of employment in a plywood plant or 8 to 10 hours in a lumber mill. In contrast, employment attributable to exporting is only 3 man hours per 1,000 board feet, and most of this is in metropolitan areas. It has been estimated that 12,300 man years of employment were exported from the forest-products-based communities during the past two years.

Thus, there should be no doubt that over the long term practically all of the available western national forest timber will be essential for the use and necessities of the citizens of the United States. Now let us consider the immediate needs of our citizens for domestic primary manufacture of such timber.

In recent years, the Forest Service has been compiling an annual summary of timber sale accomplishments. That summary includes one table listing data for 42 western national forests "where sawtimber demand-supply relationships are critical." This classification was made by the Forest Service about five years ago.

The situation in these 42 national forests is even more critical today. The allowable cut limit for these 42 national forests for the three most recent fiscal years for which reports are available (FY 1965–67) totaled 23.2 billion board feet. In the same period, the Forest Service sold 24.7 billion board feet, and the industry harvested 25.1 billion board feet.

Less than one-third of these 42 national forests having a critical timber supply were included in the list of those for which you established requirements for primary manufacture in April of this year. On 11 of these national forests in Forest Service Regions 1 and 4 in the States of Idaho, Montana and Washington the harvest for domestic manufacture in the three fiscal years totaled 100 million board feet more than the allowable cut for that period. All of these forests are outside of the area of present limitations.

Twelve of the critical forests are in California. Two of these are adjacent to Oregon national forests where the requirements for domestic manufacture applies. All of the 438 million board feet annually available on the

Six Rivers and Klamath National Forests of California are needed locally. In the three-year period cited earlier, dependent timber operators have harvested more than 99 percent of the allowable cut for those forests, yet all of it is presently available for export to Japan.

Some of the current purchasers of timber from the two California forests are operators located in the Siskiyou and Rogue River National Forests of Oregon. These forests actually edge into California and have an allowable cut limit of 367 million board feet. Of this total, 363 million board feet must receive primary manufacture in the United States; only 4 million feet are available for export.

The reasons for such a difference in policy for these four forests are not clear to us. We believe that the two California national forets and all of the other western national forests outside of the area of present controls should have requirements for primary manufacturing established on the same basis as used for those within the 13 national forests receiving some control. This is essential if we are to meet our common objective of furnishing a continuous supply of timber for the use and necessities of the citizens of the United States.

You have said that when supportable evidence is available that serious problems are developing that are clearly identifiable with export trade in a locality you will do your part in giving prompt consideration to extending the primary manufacture requirement. We believe that both the long-term and short-term need for primary manufacture of national forest timber is readily evident if the objectives of the national forests are to be met. It would also seem apparent that justifiable restrictions on exporters in one area will automatically cause them to move to other areas where such restrictions do not exist.

It would seem unreasonable to us to require that there be a history of log exporting established from these other areas before restrictions are imposed. The exporters are in a highly mobile position, since they do not have commitments in the way of capital investments in plants and community obligations to meet payrolls. To require injury to our established industry before action is taken appears shortsighted to us. We hope that it will not be necessary to make that injury permanent through a procedure under which the government waits for the injury to occur and then determines that continued exports are justified from the areas where the injury has taken place.

We wish to devote the remainder of this presentation to reporting some of the symptoms of the growth of this public-timber-export disease. However, at the outset we would like to emphasize the point that we believe there should be no need to establish a history of injury before the indicated action is taken.

California is an obvious target for exporters, since it is located on the same body of water as Alaska from which the government prohibits the export of national forest logs, British Columbia from which logs may not be exported from public lands unless they are surplus, and western Oregon and western Washington where you have placed requirements for primary manufacture of national forest timber. The log export picture in California is currently in a state of rather rapid change. Softwood log exports from California to Japan in the first quarter of this year totaled 30 million board feet which was 360 percent of the corresponding quarter of last year. The Forest Service has reported that more than 20 California purchasers of national forest timber expect to export national forest logs to Japan this year.

Logs are shipped to Japan from at least eight northern California ports. Some of these ports are expanding their facilities in anticipation of a much enlarged volume of log shipments to Japan. The Port of Sacramento is receiving about 100 truck loads of logs per day.

Immediately to the east of the Port of Sacramento is the Eldorado National Forest where, in the three fiscal years 1965–67, the locally-dependent industry harvested 30 million feet more than was sold and exceeded the allowable cut by 15 million board feet. The Forest Service reports that a firm with export contracts has purchased five of seven sales offered on the Eldorado National Forest this spring. The exporters have also been active in driving up prices on other sales.

One of the Eldorado sales was bought for four times the appraised value of the timber. With the help of a log exporter, the Bureau of Land Management has sold two units at bid rates that were nearly three times the appraised value. The overbids in those two cases were $25.42 and $26.92 per thousand board feet. Operators in the north coast area of California report that the prices of export logs are $15.00 to $20.00 above what the average mill can afford to pay.

The inevitable consequences of the exportation of national forest timber from northern California are evident to many in that State. The issue has been examined by the California State Board of Forestry, the Northern California County Supervisors Association, the Boards of Supervisors of at least 10 individual counties, the California State Chamber of Commerce and others. They have all concluded that the government should act *now* to require primary manufacture of all national forest timber that is not found to be surplus for the use and necessities of the citizens of the United States.

BREATH OF FRESH AIR

HON. ANDREW JACOBS, JR.

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 11, 1968

Mr. JACOBS. Mr. Speaker, legislation to set up air pollution standards for the District of Columbia has been extensively worked on by the House and Senate District Committees and particularly by the gentleman from Maryland [Mr. GUDE], the author of the bill passed by the House. I would like to bring to the attention of my colleagues an editorial that appeared in the Washington Post, July 6, 1968, on this subject. The editorial follows:

BREATH OF FRESH AIR

At last it appears that the District is to receive authority from Congress to establish and enforce air pollution standards for everything from cars to incinerators. The Senate and House have both passed pollution legislation, and the Senate District Committee is working on the differences in the two bills.

While the intent of both bills is praiseworthy, we urge that the Committee concur with the specifics of the House bill, sponsored by Representative Gude of Maryland, rather than its own. The Senate bill calls for the formation of an Air Pollution Control Board which, as the city's regulatory agency, would be a virtually autonomous group. Mr. Gude's bill, on the other hand, is more in keeping with the spirit of the city's governmental reorganization. It would place the regulatory agency under the direct authority of the Mayor. The city is already replete with autonomous agencies which go about their work as if the new District government did not exist. To add yet another independent agency to that catalogue could only tend to encumber the coordination of administrative operations in the city instead of streamlining them.

In any case, the authority to reduce the levels of contaminants in the air we breathe should provide welcome relief for what is now an increasing hazard to the health of Washington's citizens.

ECONOMIC COLUMNIST J. A. LIVINGSTON WRITES ON GOLD VERSUS THE DOLLAR

HON. HENRY S. REUSS

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 25, 1968

Mr. REUSS. Mr. Speaker, the economic columnist J. A. Livingston has written a perceptive series of articles on the international monetary problem. Because it states the position of gold clearly, I include Mr. Livingston's third article:

GOLD WILL BE MASTER OF MAN UNLESS MAN IS MASTER OF GOLD

(By J. A. Livingston)

A little statistical detective work discloses that Germany and Great Britain were the two American allies in the London gold pool that did not tap the U.S. Treasury for part of their recent losses.

From January through March the U.S. poured $900 million of gold into a futile effort to hold the price down to $35 an ounce. In addition, $282,500,000 went to these four pool members:

Belgium	$25,000,000
Italy	184,000,000
The Netherlands	48,500,000
Switzerland	25,000,000

Moreover, Belgium increased its gold store by $32 million and Italy by $25 million in April. Presumably, this came from the U.S.

These gold takings epitomize the dilemma, the tension in the international monetary system. The finance ministers and central bankers of the world want to move forward—by evolution—into the "paper gold" epoch.

They have voted—as have the directors of the International Monetary Fund (IMF)—for the creation of Special Drawing Rights (SDRs) as a supplement to bullion. They don't want to precipitate a crisis by forcing the U.S. off gold, but . . .

At a meeting of central bankers, one of the most ardent advocates of SDRs declared: "Gold's not important."

A colleague held up a bank report: "If gold is so unimportant, why did you recently increase your holdings?"

"I had to—for domestic reasons. I had too many dollars."

Gresham's Law is working: "Bad money drives out good money—cheap money stays in circulation, dear money goes into hiding."

The dollar has become "cheap money," for these reasons:

1. Jewelers, industrial users, hoarders and speculators have been paying more than $40 an ounce for gold in the free market. The monetary price—at $35—is cheap vis-a-vis the supply-and-demand price.

2. The amount of monetary gold is virtually frozen at $40 billion. The newly mined gold—at $35 an ounce—was more than absorbed in both 1966 and 1967 by jewelers, industrial users, hoarders, and speculators. Output is falling and demand rising—especially in industrial applications.

Furthermore, the gold pool nations have declared that the "existing stock of monetary gold is sufficient." Eventually, it will be supplemented by "paper gold." Therefore, they "no longer feel it necessary to buy gold from the market."

Gold comprises about 55 per cent of world monetary reserves of $70 billion plus.

Central banks hold about $38 billion in gold; about $18 billion in U.S. dollars; about $7 billion in British pounds; about $2 billion in miscellaneous currencies, including dollars; and over $6 billion in claims on the International Monetary Fund. And the IMF holds about $2 billion in gold. Thus, there's $40 billion of gold in the monetary system.

So put yourself in the role of a central banker. You have debts to pay. You hold gold, dollars, IMF reserves and have borrowing power. Would you use your gold?

No, you'd behave like the French!

When economic paralysis battered the franc, France first tried currency swaps, IMF borrowings and arrangements with the Bank for International Settlements. Yet France had the second largest pot of gold in the western world—more than $5 billion. It could spare some. Even President de Gaulle obeys Gresham's Law!

Despite the FHB—friends hold back—sign on the U.S. gold supply, it will decline. This is true even if the U.S. brings its balance-of-payments deficit down to zero, even if it gets into surplus.

Nations with deficits to the U.S. will avoid paying in gold. They'll borrow dollars. Some nations with surpluses won't be able to resist the temptation to get more gold. They'll cash dollars.

SDRs will be similarly Greshamized. Central bankers will pay them out in lieu of gold.

Says Julien-Pierre Koszul, senior vice president for Europe of the First National City Bank of New York and a former official of the Bank of France:

"Gold has become the cheapest thing in the world—the only thing that hasn't gone up in a generation."

Wall Street inclines toward this argument. Since 1960, gold shares have increased two-and-one-half times as much as the 500 stocks in the Standard & Poor's index (see chart.) Since 1934, the monetary price of gold has stayed put, but the cost of living has advanced 155 percent, silver 360 percent, copper 345 percent.

And here's a confounding, Gilbert & Sullivan paradox: A rise in the monetary price of gold would make it less precious. It would make central bankers more willing to hold dollars and SDRs. It would diminish the force of Gresham's Law. It would take pressure off the dollar.

Why? Because at $40, or $45, or $50, or $60, gold would lose its scarcity value. Production would rise. There'd be a double plus—more ounces times a higher price. Speculators would look elsewhere for quick gains: "Gold won't go up again for another generation."

Yet the $35 price is as arbitrary as the $20.67 price which preceded it. Who knows what might have happened in the interim if central bankers hadn't bought gold in the intervening years and thus insulated its price from the buffetings of supply and demand?

Custom warrants "paper gold." Look at the back of a one, five, or ten-dollar bill. In 1963, Congress authorized "In God We Trust" on paper money. God can use help.

U.S. money is fiduciary money—faith in the government that prints it. And this is true of the mark, the franc, the guilder, the pound. They're worth what is printed on them and what people will pay for them.

Ditto monetary reserves—dollars, pounds, IMF credits. When central bankers hold dollars, they express faith that the President and Congress will finally get the U.S. Budget under control and reduce the nation's persistent payments deficit.

"Paper gold" has distinct advantages over bullion. It will be managed.

Supply will be created by plan. It won't depend on accident—Soviet gold sales, profits of South African gold mines, the whims and woes of speculators in London, Zurich and the Far East.

And "paper gold" will have "eyes." Its creators and users will see that it is neither over-issued nor misused. They'll watch what happens as it happens. They'll study exports and imports, tourist intake and outgo, capital investment abroad, and other balance-of-payments symptoms of each SDR country. There'll be multilateral surveillance and protection—all for one and one for all.

A rise in the price of gold would work contrarily. It would benefit only those who hold gold. It would not create reserves—year by year and by plan. It would not correct the U.S. deficit. It would impose no discipline. It would merely give the U.S. more rope.

Gold's monetary usefulness predated modern statistics, fiduciary currency and the memory tube.

"Paper gold" puts responsibility for the management of money where it belongs—on those who issue and manage it.

No wonder Sir Leslie O'Brien, governor of the Bank of England, says:

"An increase in the price of gold would be a calamity only less serious than the collapse of the present system in chaos."

It would "put off for many years evolution away from dependence on gold toward creation of a new reserve asset."

THE ANNE STEVENSON DIXON OPERA THEATER

HON. CORNELIUS E. GALLAGHER

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 11, 1968

Mr. GALLAGHER. Mr. Speaker, the people of Elizabeth, N.J., are very fortunate in having among them a group of highly dedicated and highly talented musicians who have brought the wonders of the opera to this city. These nonprofessional musical artists have created the Anne Stevenson Dixon Opera Theater. While the theater is nonprofit in operation, the intangible profits it garners for the Elizabeth community are truly immeasurable.

The group was formed in February of this year; since that time, its members have devoted their time and energies to bringing the marvels of a great musical form to many people who might not otherwise have had the opportunity to view one of these great stage events. Moreover, the Anne Dixon Theater provides the welcome chance for many young people to become interested and involved in a wondrous musical experience.

Of course, the theater has had the usual difficulties of a self-supporting organization. Lack of funds has hindered some of the plans but none of the spirit in the company. The leaders of the group—Miss Lea Ames, Miss Barbara Keane, and Mr. John Dearey—are determined to make their project succeed. They have started a "dollar for culture" campaign to raise funds for their autumn production. It is my hope that the people of the community will lend their support to this campaign.

Mr. Speaker, the Anne Stevenson Dixon Opera Theater honors the memory of the great lady who founded the Eastern Conservatory of Music in Roselle, N.J., and who performed many times at the New York Met. The New Jerseyites who work with this memorial theater have created a lasting tribute to Anne Dixon as well as a living monument for the people of Elizabeth.

THE AGRICULTURAL REVOLUTION IN ASIA

HON. ROBERT TAFT, JR.

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 11, 1968

Mr. TAFT. Mr. Speaker, in the July 1968 issue of Foreign Affairs there is a very excellent article, "The Agricultural Revolution in Asia," by Lester R. Brown. Because it merits consideration by Members of the House before acting on the foreign aid bill, under unanimous consent I submit certain portions of that article for inclusion in the CONGRESSIONAL RECORD, as follows:

THE AGRICULTURAL REVOLUTION IN ASIA

As of mid-1968, both the food situation and food production prospects in Asia have changed almost beyond belief. The Philippines is self-sufficient in its staple food, rice, for the first time since 1903. Iran, with a substantial expansion in wheat acreage, is actually a net exporter of wheat this year. Ceylon's rice harvest climbed 13 percent above the previous record, as it both expanded the area under cultivation and raised yields.

Pakistan's wheat crop, harvested in April and May, is estimated to be 30 percent above the previous record. So is India's. The total Indian foodgrain crop, officially estimated at 100 million tons, is up 32 percent from last year's drought-depressed levels and, more importantly, up 12 percent from the previous record. Good weather has helped boost the harvest on the Indian subcontinent this year, but increases above the previous record are largely the results of solid technological progress—more efficient varieties, more fertilizer and better farm practices.

What has caused this remarkable turnabout? One factor is new political commitments at the top in several countries. Short-changing agriculture is no longer either feasible or fashionable. This new political climate has led to firm allocations of budgetary and foreign-exchange resources. India, for example, increased its budget for agricultural development by one-third in 1966–67; it is now using the equivalent of nearly one-fifth of its foreign-exchange earnings to import fertilizer and raw materials for manufacturing fertilizer. Turkey's imports of fertilizer may make up the largest single item in overall imports this year, exceeding for the first time petroleum and petroleum products. The availability of fertilizer in Pakistan is twice that of two years ago and several times that of 1960; it is expected at least to double again by 1970.

Many governments which heretofore neglected agriculture have been encouraged to give agriculture a higher priority by the "short-tether" policy of the United States, whereby food-aid agreements are of short duration and renewal depends on local effort and performance. The overall scarcity of foodgrains, particularly rice, in many Asian countries increased prices to the point where it suddenly became very profitable for large numbers of farmers to use fertilizer and other modern inputs.

While some factors contributing to the takeoff in agriculture are of recent origin, others have been long in the making. The agricultural infrastructure is capable of supporting current advances because of several years of AID investment in farm-to-market roads, in irrigation projects and in agricultural research and training. Investment in irrigation systems over the years provides a vast acreage of well-watered land, much of it well suited to the intensive use of modern farm technology. Adequate supplies of water and fertilizer are needed to attain high yields. The training of some 4,000 Asian agriculturists over the past decade, sponsored jointly by AID, the U.S. Department of Agriculture and the Land Grant Universities, contributes to a corps of trained professionals capable of adapting and disseminating new technology.

The availability of fertilizer has increased severalfold over the past decade, partly as a result of expanding indigenous production and partly because of steadily rising imports. The financing of fertilizer imports is now a major AID activity, requiring a sizable portion of the agency's budget. Investment by fertilizer manufacturers and other supporting industries has helped to fuel the takeoff in agricultural production. Countries in which U.S. firms have built or are building fertilizer plants include South Korea, the Philippines, Taiwan, India, Iran and Malaysia. Fertilizer produced in these plants could increase the region's annual food-producing capability by an estimated 25 million tons of grain. Other agrobusiness activities such as the manufacture of pesticides and farm equipment are also contributing to the rapid growth in food production.

JUSTICE—SOVIET STYLE

HON. JOHN M. ASHBROOK

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 11, 1968

Mr. **ASHBROOK**. Mr. Speaker, an article in the Washington Post of July 9 reads: "Russian Church Head Cites Marxist Contacts," and begins with this statement:

> Metropolitan Nikodim, head of the 42-member Russian Orthodox delegation to the World Council of Churches' fourth assembly said here today that dialogue between Christians and Marxists is "impossible" from an ideological point of view.

The article continues:

> "But if we say dialogue means cooperation for justice and peace," the bearded churchman told a press conference, "this is not only possible but in my country has been taking place."

Before religious leaders of the free world undertake steps of "cooperation for justice and peace," they might want to consider the definitions of the terms, "justice and peace", as they are interpreted by the Soviets. These leaders might well explore the type of justice being accorded inhabitants of the Soviet Union as recorded in various documents which have found their way to the West.

In an article from London, the London Observer writer, Michael Bourdeaux, reports the contents of documents describing the treatment meted out to some of those who practice dissent in the U.S.S.R. Appearing in the Philadelphia Inquirer of July 11, the Bourdeaux article entitled, "Religious Protest Leader Supports Jailed Writers in Russia," raises many questions as to the quality of justice in the Soviet Union.

Under unanimous consent I submit the above-cited material for inclusion in the CONGRESSIONAL RECORD, as follows:

[From the Philadelphia Inquirer, July 11, 1968]

CONDEMNS CLOSED TRIALS—RELIGIOUS PROTEST LEADER SUPPORTS JAILED WRITERS IN RUSSIA

(By Michael Bourdeaux)

LONDON.—Documents which have just reached the West reveal that the religious protest movement in Russia has found a new champion and is aligning itself with the movement in support of jailed writers.

The new champion of religious protest is Boris Talantov, a former mathematics teacher in his 60s, who has been savagely attacked in the press of the Kirov region for his defense of the rights of Russian Orthodox Christians.

Talantov's spirited reply to these charges is contained in a remarkable series of documents which have just reached me in London. One of the documents, signed by nearly 200 Baptists from Kiev, reports that one of the most influential leaders of the Baptist reform movement, Georgi Vins, who was imprisoned in 1966 for urging relaxation of the laws on religion, is being "worked to death" in a labor camp in the Urals and denied medical treatment.

Other documents have been written by Archbishop Yermogen, who was forcibly retired from office in 1966 for trying to halt Government control of parish life and for opposing the forced closure of churches. He has repeatedly demanded that the Patriarch should reinstate him.

Talantov's appeal is of great importance, because it covers a wider range than any other protest document which has yet reached the West. His name first became known in 1966, when he was one of 12 signatories to an open letter to the Patriarch of Moscow setting out in careful detail the exact nature of the persecution of the Orthodox Church which had recently been carried out in the Kirov Diocese, 500 miles northeast of Moscow. This resulted in the closure of over half the churches there.

The letter was published in Paris, and, almost immediately, Metropolitan Nikodim, head of the external relations department of the Russian Orthodox Church, told a press conference in London that no credence should be attached to it because it was anonymous. The BBC broadcast this remark to the Soviet Union and Talantov heard it.

On March 19, 1967, he wrote to the Patriarch, confirming that he was the sole author of the letter in question, though he had the genuine support of others. Talantov said he was being interrogated by the KGB (Secret Police), at the very time Metropolitan Nikodim was in London claiming that he was "fictitious."

His letter to the Patriarch reveals the depth of the split now visible between the official administration of the Orthodox Church in Moscow and certain of the faithful.

Talantov says that Nikodim's "deceit" makes him "unworthy to bear the high office of Metropolitan in the Orthodox Church."

It should be said that there are people in the West who believe that Nikodim, who is presently attending the meeting of the World Council of Churches in Sweden, is a sincere Christian, doing his best for the church in conditions of extreme difficulty. But attacks have been made against him continuously since he rose to prominence in 1961.

The son of a priest, Talantov lost both his father and brother in concentration camps and has twice lost his job as a teacher because of his religious convictions. Since 1958 he has devoted his main energies to defending the rights of Christians, and we now know that only a small part of what he has written has reached the West.

Talantov condemns the practice of holding closed trials, as a result of which people are sent to prison camps because of their personal convictions. He strongly supports the appeals of Pavel Litvinov and Larissa Daniel on behalf of the imprisoned writers, Ginzburg, Galanskov and their associates. Others had led the way by signing some of these appeals, but this is the first time that a specifically religious document cites the case of the writers.

In further support for his demand for justice, Talantov refers to an appeal sent last year by the relatives of imprisoned Baptists—a vital fact in establishing a link between these strands of protest. It is still too early to say that they are "coalescing," but common ground has now been firmly established between supporters of the imprisoned writers, the Baptists, and the Orthodox reformers, which is an entirely new feature of Soviet society.

THE LAW AS IT RELATES TO ME

HON. ED REINECKE

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 11, 1968

Mr. **REINECKE**. Mr. Speaker, this year, as in past years, I was proud to sponsor an essay contest for junior high and senior high school students in California's 27th Congressional District.

The theme of my 1968 essay contest was "The Law as It Relates to Me." Five outstanding essays were selected by the faculties of each junior and senior high school. Then a citizen's committee chose the best essays in the junior high division, and the senior high division. Mrs. Kenneth Weitzel, news editor of the Glendale Independent, served as chairman of the judges committee.

Top winners who received special engraved plaques were Linda Jones, age 16, of North Hollywood High School, for the senior high school division, and Rebecca Peters, age 12, Juniper School, Palmdale, for the junior high school division.

A special and honorable mention award was voted to Mark Marcus, age 14, from the Byrd Junior High School, North Hollywood.

Other first place winners at participating schools who received plaques were: Linda McDonald, age 18, Canoga Park High School; Jan Spears, age 13, Almondale School; Kit Campion, age 13, Our Lady of Lourdes; Brenda Finley, age 14, Hughes-Elizabeth Lakes Union School; Debbi Dorsey, age 14, Oliver Wendell Holmes Junior High School; Christine Nolte, age 13, St. Catherine of Siena School of Reseda; John Koltz, age 14, Francis Parkman Junior High of Woodland Hills; Diane Fishman, age 13, Mount Gleason Junior High of Sunland; James Roletti, age 14, St. Patrick's School; Michael Roper, age 14, Park View School; Jeff Garcia, age 12, Joshua of Lancaster; Brent Woodworth, age 14, Millikan Junior High School of Sherman Oaks; Laurie Neilson, age 14, Wilsona School of Lancaster; and John Dragovits, age 13, Charles Evans Hughes Junior High of Woodland Hills.

Mr. Speaker, it is always a pleasure for me to include the prize-winning essays in the CONGRESSIONAL RECORD, because I believe these fine young students should be commended for their efforts. I hope

my distinguished colleagues will find the following essays as interesting as I have:

THE LAW AND ITS RELATION TO ME

(By Rebecca Peters, age 12, Palmdale, Calif., junior high school division winner, 4th annual citizen essay contest)

There are many types of laws. From the beginning of time there have been laws. For example, laws that govern our universe such as the law of gravity and the laws of survival. Though they have not always been acknowledged as laws, they are still necessary for our existence.

This is also true of the laws that govern our own country. For we could not exist as a people or as individuals without laws. From the time that man began to band together, he found it necessary to set rules of conduct. From that point, as the bands of people grew, it became necessary to make and enforce laws for the protection and wellbeing of all the people. This basically is the beginning of all laws of human relationship.

My relationship to the law is really my relationship to other people. My respect for the law is a direct result of my respect for the rights of others. Whether these laws are national, state, school, or home, they should be for the happiness, well-being, and protection of the many people they affect

When we disobey a law, we may be endangering ourselves as well as others. So my relationship to the law is direct—my obedience to the law is protection and wellbeing for myself as well as for others.

It was in my home that I first began to learn there was a right and a wrong. The respect I have for the laws of my country and for the rights of other people were developed from the respect I must show to my parents and the rules they have set for me.

The rules that my parents make for our family help me to develop my own personal standards and prepare me for my life as an adult.

Beginning at home and with my own personal standards, basis for all other laws I encounter are formed. All of our lives we will encounter laws. The more we learn to abide by these laws the happier our lives will be.

THE LAW AS IT RELATES TO ME

(By Linda Jones, age 16, senior high school division winner, fourth annual citizen essay contest)

A member of any organization has the responsibility of regulating, supporting, and conforming to its rules and regulations. In return, he receives privileges and benefits promised to those who belong. The same applies to any member of a society. If he expects to be allowed to live and function freely he must be willing to comply with its rules and regulations—the law.

The law, as established by our society, is a "two-way" system and can only be effective and successful if both sides accept their responsibility to the other. The law is responsible for the protection of all citizens and regulating their activities for the benefit and safety of all concerned. On the other hand, each and every person, regardless of race, age, political or social status, has the responsibility of obeying, supporting, and respecting the law to allow for its proper function. The law works in the behalf of the people and they must and should work in its.

If people lived isolated from one another, laws would be unnecessary. They would rely on their own moral laws to govern their actions. However, when people choose to live together in a community situation, their lives constantly affect one another. The law is needed to settle conflicting individual standards and offer protection from those who refuse to adhere to the established standards. This is essentially how the law relates to me. For if I want to be a part of this community, this country, and this world, I must respect and obey the law, whether it be on a local, federal, or international level.

People often complain about the law and, in a sense, are "biting the hand that feeds them." It feeds them important ingredients necessary for a well-run society such as protection, organization, security, unity, and freedom. Although some believe the law detracts from our freedom, I feel it helps preserve it. First, lawlessness would bring mass chaos. Also, we, as members of society, have the freedom to make, change, or protest any rules of that society.

Another manner in which the law relates to each individual is not only a responsibility in obeying it, but also in establishing and enforcng it. Just because a law is passed and is in printing, it does not mean it is effective. Each individual should see to it that it is carried out in action as well as words. Otherwise, it is useless and meaningless.

Another way in which the law pertains to me is that I should utilize the freedoms established by our nation's founders. For example, all laws passed aren't necessarily good or just. Therefore, by using my right to question, protest, demand, or repeal a law I am actively accepting my role as a member of society and at least making an attempt to contribute to the betterment of my life and the lives of my fellow man.

In conclusion, if we want to live in this society we must be willing to comply with its standards and accept the regulations that we, ourselves, have established. And, in turn, society will accept us.

THE COMMUNITY SELF-DETERMINATION ACT—A LEGISLATIVE PROPOSAL JOINTLY DEVELOPED BY REPUBLICAN CONGRESSMEN AND CORE

HON. CHARLES E. GOODELL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 11, 1968

Mr. GOODELL. Mr. Speaker, today, four Republican Members of the House joined with the Director of CORE, in a press conference announcing the introduction of milestone legislation designed to foster meaningful economic opportunity for those Americans bypassed by our contemporary affluence. This effort is the product of months of work. The CORE staff, together with these Republicans, have developed a comprehensive bill which offers significant hope to the poor among us. This product stands as evidence that men of good will working together can find solutions to the major social problems which plague our country in this era. For the convenience of our colleagues, I ask that the text of our joint statement be included as a part of this statement. It is as follows:

Roy Innis, Acting National Director of the Congress on Racial Equality (CORE), and Congressmen Charles E. Goodell (R-NY), Thomas B. Curtis (R-Mo.), William B. Widnall (R-NJ) and Robert Taft, Jr. (R-O), today announced the introduction of major new legislation for the development of urban and rural communities. They said that a massive campaign to enlist broad bipartisan sponsorship is underway. Their statement follows:

"During the past four years much has been learned about the Federal Government's War on Poverty—enough we think, to support three important conclusions.

"1. The Federal government cannot encourage genuine independence and decision making at the community level, and at the same time hold the purse strings, pay the salaries and compose the regulations, any more than it could manage the private enterprise system by centralized State planning.

"2. Anti-poverty programs have not drawn the poor into the American economic system as earners, producers, owners and entrepreneurs.

"3. For a meaningful national effort, the residents of local communities must acquire the ownership of productive resources, control the profits, and make the decisions affecting their own environment and lives—the only way to develop stable and creative communities.

"It is clear that our nation must continue its efforts, public and private, to offer genuine economic opportunity to what has been called the 'nation within a nation'—those who today are effectively outside our productive American economy.

"But it is equally clear that a fundamentally new and different approach must characterize governmental efforts.

"That approach must be based on private local initiative and control, not government paternalism.

"It must be based on multiplying the effects of self-help, not distributing endless and minimal benefits.

"It must be based on bringing the aspiring poor into the American economic system as producers, earners and owners, not on encumbering that system to provide government benefits to those who might be earning their own way.

"It must be based on gradual disappearance of government assistance and subsequent individual and community profit and control, not perpetual non-profit operation and dependence on government regulations and expenditures.

"It must be based on the need for creating community stability and social and economic progress, not perpetuating the fragmentation and leadership vacuum of the poor neighborhood.

"It must be based on widespread citizen participation, not meaningless role-playing by self-styled and hand picked leaders with little indigenous support.

"It must be based on generating indigenous leadership for positive goals, not simply for demanding continuing government action.

"The ideas of Republicans and of CORE may not coincide in some areas, but it now appears indisputable that in the area of building economic power and capital ownership in poor communities, we have much in common. While others have been talking, we have been acting. Many voices have been raised suggesting the proper form of this new approach. For months CORE's program specialists have worked to outline legislation. Republican legislative experts have been concurrently developing a similar approach. Now we have joined in producing legislation. Yesterday a preliminary version of that legislation was introduced by Congressmen Goodell, Widnall, Curtis and Taft.

"We believe that for America, and especially for the presently disadvantaged people of urban and rural communities, this is a very significant and promising coincidence of concept and cooperation.

"This morning the key leadership from national CORE and Republican legislative experts met to complete the final refinements. Agreement on those refinements has been achieved.

"Tomorrow a letter will go out urging every Member of Congress to sponsor this legislation.

"We are also transmitting the legislation to the Senate suggesting that they consider a similar effort in that body.

"The legislation would authorize the creation of Community Development Corporations (CDCs) chartered by the people of urban and rural areas of low income and high unemployment.

"The CDC is organized as a stock business corporation, not a charitable nonprofit agency. Its stockholders are the people of a self-defined urban or rural community area, ranging in size from 5000 over-16 residents up to the size of Harlem or Watts. Initiative for the formation of a CDC would come not from the government but from the people of a community. Each stockholder would have one vote in the affairs of the corporation regardless of the number of shares held. Shares of stock could be obtained through 'sweat equity' as well as cash payment.

"The functions of the CDC are principally two: to finance, acquire, own and manage productive business enterprise located in the community, and to use the profits from such enterprise to finance its own educational and social service programs in the community. Thus the CDC (through a Business Management Board, created to insulate business decisions from ill-informed stockholder pressures) would exercise the rights associated with its stock holdings in a conglomerate family of subsidiary corporations. Initially, most of these would be consumer and service corporations; later an increasing proportion would be engaged in manufacturing.

"From the earnings generated, the Business Management Board would repay loans and debts, and reinvest in additional business opportunities. The earnings then remaining would be transferred to the CDC Board of Directors, for administrative expenses and for the CEC's neighborhood service programs such as youth employment, recreation, basic education and training, home ownership and credit counseling, family planning, day care centers for working mothers, etc. Eventually, when the CDC agreed to waive the tax advantages under this act, it could distribute up to 50% of its earnings as dividends to its stockholders.

"To ensure the availability of capital for community business enterprises, the legislation authorizes the establishment by CECs of community development banks (CDBs), analogous to Federal Land Bank Associations and Production Credit Associations, under the supervision of the Comptroller of the Currency. The main purpose of these banks, which would operate only within the community area, is to make loans to CDC subsidiaries to finance business acquisition and operation. The capital for the CDBs would come from the CDC, interested organizations, churches, etc., and from the sale of debentures on the private market. A special reserve fund, composed of the excess earnings of the Federal Reserve Banks, as needed, is established to secure the debentures upon their maturity. The Federal Government is authorized to buy non-voting stock in a CDB, but it is not contemplated that this authority would be used except in extraordinary cases, and then only within amounts specified in appropriations acts.

"A United States Community Development Bank, similar to the Domestic Development Bank sponsored by a group of Republican Senators, is created in modified form to serve as a secondary institution for CDBs, and to make loans and provide assistance in areas where no CDB is in operation. The US CDB would discount CDB notes and loans and would market their bonds in consolidated issues, just as the Federal Intermediate Credit Banks do for Production Credit Associations.

"TAX PROVISIONS

"The bill also contains several tax amendments:

"First, income tax rates and provisions are liberalized to permit a larger flow-through of earnings to the CDC from its corporate subsidiaries.

"Second, various provisions for nonrecognition, recapture, depreciation and credits are included to encourage private businesses to enter into 'turnkey agreement' with a CDC, under which the private company would build a productive facility in the community, train local management to take over as its own management is withdrawn, and sell the completed operating facility to the CDC.

"Third, a provision encourages employee profit sharing trusts to develop direct ownership of the stock of an associated company, and to distribute current earnings after expenses as a motivational incentive to employee beneficiaries.

"COST

"Preliminary cost estimates, based upon the expected number of CDCs to be formed, their size and location, and the businesses engaged in, and adding in the initial Federal capitalization of the US CDB, indicate that the total Federal budget cost in FY 1970 and FY 1971 will average under $1 billion yearly. Over time, this investment should be recovered through increased tax revenues from new economic development. Assuming enactment in early 1969, FY 1969 expenditures would involve only a few million dollars for startup expenses.

"This new legislation is not addressed solely to the black community but also to the aspiring poor, urban and rural of all colors and tongues.

"It offers no *certain* answer to the deep and vexing problems our nation faces.

"Perhaps no Member of Congress, Republican or Democrat, and no organization or group, will find themselves in complete agreement with its more than 180 pages of provisions.

"Additional refinements can and will be made.

"We know that action is urgently needed, action to help those now excluded from their full share in our national life, to achieve ownership and control of productive property, to earn increased economic security, to build stable, orderly and progressive communities, to broaden their opportunity for choice, to work and strive along with their fellow citizens to create a stronger, more unified, more confident America.

"With the introduction of this legislation, we believe that the groundwork for responsible action will at least have been laid."

BERKELEY LEASED HOUSING PROGRAM

HON. JEFFERY COHELAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 11, 1968

Mr. **COHELAN**. Mr. Speaker, an exciting experiment is paying dividends in Berkeley, Calif. I am referring to the HUD-sponsored program of leased housing which makes clean, livable low-rent housing available at rents that meet a family's ability to pay. This program under the local supervision of the Berkeley Redevelopment Agency has now been in operation for 3 months in Berkeley.

The community and the participants have been enthusiastic in describing the program, using such terms as "great," "wonderful," and "very satisfying."

Mr. Speaker, I would like to share a recent article in the Berkeley Gazette, which describes the rewarding impact of this program in Berkeley, and I insert it in the RECORD at this point:

[From the Berkeley Gazette, June 22, 1968]

BERKELEY'S "GREAT" LEASED HOUSING

(By George Cant)

"It's great" . . . "Wonderful" . . . "Very satisfying."

Tenants, landlords and the Berkeley Redevelopment Agency are all expressing satisfaction with the city's leased housing program, now more than three months old.

Thomas Cook, head of the program by which tenants live in housing suitable to their families and the pocketbooks, said recently that the program is going "very well."

As of this week, the agency has leased, improved and rented out 107 units throughout the city. They also have 25 more presently being brought up to the strict health and occupancy standards of the federally backed program.

"One aim of the program," says agency publicity director Barbara Bell, "is the non-concentration of low-income families in one area. We are sticking with this aim whenever financially feasible."

Another aim is to provide decent housing at equitable rent costs. Steering away from the institutionalized low income housing development atmosphere, the Leased Housing Program has negotiated with owners of apartment houses and private houses.

Using locally-adapted federal guidelines for cost and value, the agency and the landlord agree on a rent figure. (The rent for a three-bedroom house, for example, may not exceed a certain amount. The figures for all sizes of apartments and houses are based on local cost of living and rent figures.)

After a landlord has signed a rental agreement with the Housing Authority, the apartment is checked to assure that it measures up to city health and safety standards. If it is not, it is repaired.

When the unit is ready for occupancy, the Leased Housing office picks a tenant from the applicants it has. The tenants are picked on a first-come-first-served basis in whatever category the house is.

A five member family would not be selected to live in a one room apartment; neither would a single senior citizen be selected to live in a three-bedroom house. Each house is rented to a family which can best use its space.

When the tenant is in the house, he pays whatever portion of the rent his income and financial commitments will allow.

A man with a wife and four children, making $85 a week but living in a $175 a month house, might pay less than $100 a month in rent.

The balance of the rent is paid by the Leased Housing Program, from its $5 million federal grant.

Periodically the man's ability to pay will be checked by the agency. If he has been laid off, his portion of the rent will be altered accordingly; if he has been awarded a raise in pay, it will be changed to reflect his ability to pay a greater portion.

The program was initiated because the city, in 1966, discovered that some 4,000 Berkeley families were living in apartments either below community standards, or too highly priced for what was provided and what the tenant could pay.

To remedy this the city council created the Housing Authority and authorized it to request Federal funds for the Leased Housing Program. The funds came through this year.

Tenants in the program are, in many cases, ecstatic over the fact that an exorbitant rent is no longer hanging over their heads; that their families now have a decent amount of space to live in; and that they may now use their incomes for family needs.

"My new apartment is just wonderful," says Mrs. Leala Conway, a widow who now lives at 1612 Parker St.

"I really love it. It's much cleaner than my old place. That one was nice but it just wasn't kept up. And the rent was $125. Now I'm paying $61.10 and that's much better. I can sleep at night."

Mrs. Conway, who works as a domestic, said her 10-year-old son Henry recently told her he "just loves" their new place.

Another tenant, Mrs. Eddie Edwards, said her new home at 1629 6th Street is "really nice."

"We all have our own privacy. The kids have their own room and my husband and I have our own room. In our old place we only had one bedroom—now we have three.

"We really love it. You couldn't ask for anything better," she beamed. The Edwards have been in a leased housing program house for three months.

The Edwards' landlord is a San Francisco police officer named Troy Dangerfield. The police community relations specialist and Berkeley property owner expressed pleasure with the program.

ARE YOU ON THE INTERDISCIPLINARY ENVIRONMENTAL TEAM?

HON. THOMAS N. DOWNING

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 11, 1968

Mr. DOWNING. Mr. Speaker, the July 1968 issue of the American Engineer magazine, published by the National Society of Professional Engineers, contains an article dealing with the role of the engineer in environmental quality control which I recommend to all persons and groups interested in Federal programs relating to environmental problems.

The article, entitled "Are You on the Interdisciplinary Environmental Team?" was written by former Senate staff member William D. Patton, now legislative counsel for the National Society of Professional Engineers, with an accompanying comment by Representative EDWARD A. GARMATZ, chairman of the House Committee on Merchant Marine and Fisheries.

In the article Mr. Patton reviews Federal environmental programs and finds that the "interdisciplinary team" approach—that is, utilization of the combined talents of a wide range of disciplines—sociologists, economists, lawyers, psychologists, and physical scientists, as well as planners, architects, and engineers—is a major trend in such environmental projects as highways, pollution control, housing, waste disposal, noise, dams, and so forth.

Engineers, he concludes, must recognize and adjust to this trend, or run the risk of being replaced by those who do.

Our colleague EDWARD A. GARMATZ, from his vantage point as chairman of the House committee that handles legislation dealing with oceanography, emphasizes that the "interdisciplinary team" approach is essential to, and will be used in, our Nation's exploration and development of the oceans' depths.

The article is written for engineers but in my opinion its basic thesis applies equally to all disciplines and professions concerned with environmental quality control. I insert it in the RECORD, as follows:

[From the American Engineer magazine]

ARE YOU ON THE INTERDISCIPLINARY ENVIRONMENTAL TEAM?

(By William D. Patton)

In January, 1968, Assistant Secretary of Commerce John F. Kincaid bluntly told an NSPE-sponsored conference on "The Engineer's Role in Urban Problems" in the Nation's Capital that: "Only a few years ago the engineer could content himself with a purely technical role, with scant attention to the impact of his work on the community or the nation. But no more. The growing complexity of our social dynamisms and structures demands an interdisciplinary approach to problem solving."

Secretary Kincaid's comments were addressed to a relatively small audience of engineers concerned with urban affairs, but they are words all engineers would be wise to heed. For they reflect a rapidly growing trend within the Federal government that contains both a promise and threat to the entire profession. A promise of full and equal professional participation in the solution of environmental problems to those engineers who recognize the current trend toward the interdisciplinary approach and adjust to it; and a threat to those who do not, that they will be dealt out of the picture or, at best, relegated to a relatively minor role as support technicians.

A review and analysis of recent developments within the Federal government show beyond any doubt that the interdisciplinary approach to the solution of environmental problems—that is, utilizing the combined talents of a wide range of disciplines (sociologists, economists, lawyers, psychologists, and physical scientists, as well as planners, architects, and engineers)—has been adopted by both the executive and legislative branches as a matter of national policy, and is rapidly becoming a firmly established operating principle for almost all departments and agencies.

One of the most recent high-level pronouncements on this subject was made in April of this year by President Johnson at a meeting of the Board of Trustees of the newly created Urban Institute. Referring to an existing "knowledge gap" regarding urban problems, the President warmly endorsed the interdisciplinary concept behind the formation of the Institute, and said it would "fill a real need by . . . bringing together all the disciplines needed—not only scientists and administrators, but economists, planners, and architects . . . to work together—in cities, and on the problems of cities." (Engineers, sad to say, were not even mentioned!)

The President's strong endorsement of the interdisciplinary approach constituted, in effect, a policy statement in support of its use which has been echoed by numerous other spokesmen in policy-making positions throughout the government. Dr. Donald Hornig, head of the Office of Science and Technology, for example, in recent testimony before a congressional committee, described the current attitude of the executive branch in these words: "In our attempts to cope with today's environmental problems, we have relearned what the ecologists have long known—that apparently isolated changes interact in unanticipated ways and that the eventual restoration of environmental quality will depend upon the solution of a series of interrelated problems, none of which can be fully understood in isolation from its fellows. We have also learned that though problems of environmental change are generated by technology, their solution cannot be viewed as a purely scientific or technological matter for there are important social, economic, and political factors to be weighed in deciding what actions to take."

Turning to the operations of the Federal departments and agencies themselves, numerous examples have arisen in recent weeks and months which show that the interdisciplinary policy expressed by the President, Dr. Hornig, and others, is being implemented and applied at an accelerating rate by practically every agency dealing with environmental problems—be they problems related to air, water, solid waste disposal, housing, noise, the oceans, or such traditionally engineering areas as highways and dams. In April, for example, the Bureau of Reclamation—long an engineering-oriented agency—announced that it had appointed an award-winning architect-landscape designer to prepare a "comprehensive environmental plan" for the area surrounding Grand Coulee Dam on the Columbia River. The plan is to be used in developing a multimillion dollar powerplant complex, as well as the entire Columbia Basin area around the dam. Reclamation Commissioner Dominy, in announcing the move, called it "an historic occasion," and said, "for the first time, we have the opportunity to apply the creative talents of environmental and design architects to a major engineering-construction project."

In the field of highway planning and design—another area which in the past has been considered almost exclusively the domain of the engineer—the interdisciplinary approach is fast taking over. As U.S. Federal Highway Administrator Lowell Bridwell gently told the Ohio Society of Professional Engineers in a speech in Cleveland in March, the Department of Transportation is attempting "to deal with the vexing problems of highway location and design in urban areas by calling on the talent, training, background, and experience of several professional disciplines in addition to highway engineering" and has set about to devise the administrative machinery necessary to carry out such an approach. The department's prototype, Mr. Bridwell said, is the "Baltimore Design Concept Team," formed last year to plan and design that city's limited access highway system. The Baltimore team is headed by an architect, and includes engineers, architects, sociologists, urban planners, economists, and others. Mr. Bridwell made it clear that while the organizational form used in the Baltimore experiment may be varied or changed in other locations, the Federal highway program is now committed to the interdisciplinary approach as the only realistic way to attack urban highway problems.

Another example, which is typical of the approach Federal departments and agencies now are taking, is an announcement by the National Bureau of Standards Institute of Applied Technology that it will sponsor a series of interdisciplinary conferences on "Man and His Shelter," beginning in September, 1968.

Statements by members of Congress, language in congressional committee reports, and various provisons in legislation—both proposed and enacted—demonstrate there is strong support in both the House and the Senate for the interdisciplinary approach to the solution of environmental problems. Increasingly, legislation is being written to encourage, if not require, Federal agencies to employ interdisciplinary methods.

As early as 1965, Sen. Gaylord Nelson, chairman of a special subcommittee on the utilization of scientific manpower, proposed legislation to provide grants to the states to stimulate the bringing together of "biologists, physiologists, mathematicians, physicists, engineers, and others" to make a concerted interdisciplinary attack on problems in such areas as air pollution, housing, transportation, and waste disposal. Both the Solid Waste Disposal Act, passed by Congress in 1965, and the Marine Resources and Engineering Development Act of 1966, contain provisions encouraging the Administration to take a similar approach.

Late in 1967 Senator Jennings Randolph, chairman of the Senate Committee on Public Works, commenced a series of hearings "to review the planning, design, and impact of the highway program in urban areas." Stating that his group would seek counsel and advice from a wide variety of specialists who concern themselves with environmental factors, Sen. Randolph said, "we have reached the time when we must carefully examine the processes of highway planning to insure that meaningful account is taken of the social, economic, ecologic, demographic, and other factors which constitute the total environment and life of the city."

Numerous additional examples could be cited, but those already presented should make the current trend quite clear. Th Federal government in its programs relating to environmental problems increasingly is both encouraging and requiring utilization of the combined talents of many disciplines covering the gamut of the social sciences, the physical sciences, architecture, planning, and engineering. No single profession or discipline can claim any area affecting man's environment as its private preserve, and all disciplines—to the extent they have something to contribute—are to have a place on the interdisciplinary environmental team.

The significance of this development to the engineering profession—and to members of all other professions and disciplines, for that matter—was summed up by Senator Henry Jackson, chairman of the Senate Interior Committee, in a recent address to a national meeting of biologists. Sen. Jackson reviewed the movement toward greater involvement by both government and industry in environmental quality control, and concluded by saying: "It is clear that we must have more research into the scientific and social causes of environmental decay. Government and private industry need more professional people with multidisciplinary backgrounds to serve as administrators in maintaining a quality environment. Engineers must have specialized training to build, but they should also have the background and ability to recognize the consequences of their actions, the available alternatives, and their impact on other values our culture deems important. The future will see enlarged opportunities for biologists to serve in maintaining environmental quality. As professional biologists you have an obligation to help educate the engineers, politicians, and other decisionmakers on the consequences of their actions. They must learn to be generalists as well as specialists . . ."

The clear implication is that engineers who adapt to the team requirements of the interdisciplinary approach will maintain their positions as decision-makers, while those who do not will be supplanted by those who do.

Remarks by Representative Edward A. Garmatz, Chairman, House Committee on Merchant Marine and Fisheries

Engineers—like most contemporary scientists—are fighting to keep pace with our rapidly expanding technological era. As a matter of fact, technological advances and breakthroughs are happening so rapidly, many of the disciplines are handicapped by a serious information gap.

Oceanography holds great promise for the engineer. But in order to realize the potential, the engineer must be willing and able to understand the needs and the developments of the related industries and sciences. Man is moving rapidly into the marine environment, but if he is to conquer this last great frontier on earth, he must do it with highly coordinated teams, representing a wide range of disciplines.

The Federal government has recently come to grips with the problems of initiating such teamwork. It realized there was a conspicuous gap in the important process of information transfer between the Federal government, states, departments within academic institutions, and certain sectors of industry. To cope with this problem, Congress passed the National Sea Grant College and Program Act. The purpose of this act is threefold—to strengthen the pool of trained manpower (including engineers), to strengthen applied research, and to improve the process of information transfer.

Engineers will be expected to play a primary role in this new and exciting field of oceanography. They will also be expected to become part of a sophisticated team, rather than isolated professionals. I hope the nation's engineers are prepared to meet the challenge.

GEN. HAROLD K. JOHNSON, U.S. ARMY CHIEF OF STAFF, JULY 3, 1964–JULY 2, 1968

HON. L. MENDEL RIVERS

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 11, 1968

Mr. RIVERS. Mr. Speaker, the Army has a new Chief of Staff, Gen. William C. Westmoreland, who is a fellow South Carolinian, and of whom I am very proud. But, I take no less pride in the accomplishments of his predecessor, Gen. Harold K. Johnson, who has been one of the outstanding Chiefs of Staff of the Army of all times, and who retired last week.

Two examples that tell in some measure what General Johnson meant to the men and women of the Army and the Nation, and what the Army and his country mean to General Johnson are evident in an editorial which appeared in the July 6 issue of the Armed Forces Journal, written by Journal editor, Louis R. Stockstill, and in General Johnson's farewell message to the Army.

I insert both the editorial by Mr. Stockstill and the message by General Johnson in the CONGRESSIONAL RECORD for the benefit of those Members who have not had an opportunity to read them:

He Never Forgot

(By Louis Stockstill)

Some remember that he was the only JCS member who fearlessly spoke out against the Administration's military pay proposal of 1965.

The Secretary of Defense maintained that relative comparability between military and Federal civilian salaries had been achieved two years earlier and that all that was needed in 1965 was a keep-even pay boost.

General Harold K. Johnson quietly disputed the claim, testifying that he was not yet "persuaded" such was the case.

He gave the House Armed Services Committee a detailed set of facts to back his views, thereby supporting the Committee action in upgrading the pay proposal.

Some remember that he was the JCS member who told Congress in clear-cut terms that the Chiefs are not completely free agents. General Johnson explained that there are "institutional constraints" which affect JCS decisions, and that these must be observed.

The message was clear: If the constraints are manageable, the Chiefs can and must live with them; if they are irreconcilable or of such dimension that they threaten the national security, they can be attacked only from outside the establishment—not by a military man, in uniform, on active duty, sworn to uphold the decisions of the civilian leadership.

General Johnson's stand on the military pay issue and his analysis of the "institutional constraints" are singled out here because they best illustrate (standing as they do at opposite ends of the spectrum) his consistent adherence to the military Golden Rule—that loyalty is a two-way street running to both superiors and subordinates.

General Johnson is a soft-spoken man, humble and deeply religious. As Army Chief of Staff he walked unafraid.

No JCS member in recent times has carried greater weight with the Congress. House and Senate members respected his advice and opinions and listened attentively to all he said. They were constantly aware throughout his JCS service that he did not give them waffled answers. His replies to questions were painstakingly direct and articulate. If he oversimplified it was in the direction of putting the views of others into proper context with whatever differing opinion he, himself, held.

The issues never were such that the military viewpoint was all right and the civilian viewpoint all wrong. When differences were aired, General Johnson labored diligently to see that both sides of the argument were stated and understood, always free of emotional involvement.

Any who know the former Army Chief of Staff or who have ever heard him speak will be aware that this was not easy for him. He is a man of warm, human understanding and compassion, unashamed of tears or the deep feelings which mark his unique love for the military man and his family.

Yet, when the hard choices and major issues might have been open to emotional acceptance or rejection, he steadfastly refrained from attacking them on such grounds. He played by the rules, but without demeaning his position or shirking his responsibilities.

No summary can recount the achievements of his outstanding career or the brilliance of his service as Chief of Staff. But we venture the opinion that the Army has never had and perhaps will never have a greater leader. Some of the men who have served as Army Chief in the past, and his successor and those who follow, may have been or may prove to be his equal, but few if any will tower above him.

Perhaps the accolade that best characterizes his service to the Nation, to the Armed Forces and to the Army, is the one that springs most easily to mind:

He never forgot that he was a soldier.

U.S. ARMY,
THE CHIEF OF STAFF.

This is my final opportunity as Chief of Staff to address the Army as a whole.

It is an Army with almost no surface resemblance to the one I entered as a second lieutenant 35 years ago. It is a much larger Army. It is stationed in many more places and is involved in many more activities. Some of its members have skills for which there were not even any names in 1933. It performs tasks and shoulders responsibilities that no one then could have foreseen.

These changes in the Army are, of course, a logical outgrowth of changes in the Nation which the Army exists to serve. Both Army and Nation, moreover, reflect vast changes in the international community of which our country is a part. Some impression of how sweeping the changes have been can be gained by a quick backward glance to June 1933.

The Active Army then was about 137 thousand strong—a little less than 10 percent of our strength today. It was stationed only on American soil—within the continental United States and in our outlying territories and possessions.

In the Far East, the Empire of Japan had only recently made its first aggressive moves. The vast land mass of China was still striving to become the unified nation envisioned by the leaders of its revolution 20 years earlier. Much of the rest of Asia was still governed from afar by various European colonial powers.

In Europe the signs of future turmoil were plain in almost every country, but particularly in Germany. A man named Adolf Hitler, who recently had become chancellor of a dying republic, would soon become an absolute dictator whose hunger for conquest would eventually plunge the world into war.

The Soviet Union, the world's only Communist state, beset by long-standing internal political and economic ills, was not generally considered to be one of the world's first powers.

Here in the United States, as in all the industrialized nations, the economy was nearing the bottom of a long decline that we still call the Great Depression. In common with most Americans, the Army pulled in its belt and looked for ways to economize. One of the austerity measures remembered longest by those affected by it was a 15 percent cut in military pay.

It seems to be the fashion for popular historians to portray the early 1930's as a time of unrelieved national gloom, aimless existence, and loss of faith in our principles and institutions. That is not how I remember it. Whatever may have been the dominant mood of the country in general, I can say that the prevailing spirit in the Army was not greatly different from its spirit today. Then, as now, there was a firm sense of mission, an impressively realistic awareness that we were an essential element of this Nation's security. If there were people despairing of freedom's future, few of them seem to have been in the Army. At least I don't remember them. I recall instead many senior and middle grade officers and noncommissioned officers whose prophetic grasp of the dangers and challenges facing the Nation and the world was more than vindicated by actual events several years later. And I say this with some sorrow. In manpower and materiel, the Army may have been ill-prepared for the outbreak of war in Europe in 1939, but in our awareness of the war's meaning and our determination to defend the United States, we were as ready as we have always been since 1775.

By the end of 1940, the Army had nearly doubled its active strength. But this was soon to be far overshadowed by the war-time expansion that brought us to a peak strength (including the Army Air Forces of that day) of more than 8 million men and women in 1945. Three years later we had shrunk to about one-half million. Then came Korea, during which we again expanded to the neighborhood of 1½ million. During the past 15 years the strength, up until the time of our commitment to Vietnam, has remained fairly constant, not far below or not far above the 1 million mark.

This very hasty backward glance should at least remind us of the old truth that while each generation copes with the challenges of its own time it is also preparing ground and sowing seed that the next generation will harvest. Whether the harvest will be abundant and healthy depends always upon how wisely and skillfully it has been planted and cared for. The Army of my generation can be proud of its record as it passes on to the next the never-ending responsibilities of defending this Nation.

During the past 4 years I have observed the Army at work from a unique vantage point. I say unique because I am convinced that the person who occupies the position of Chief of Staff in our Army has unmatched opportunities to know that Army—to comprehend its real character and to know its real value. He sees it both from long range and in countless closeups. He sees its totality even while he is examining some minute aspect of only one of its many elements. He is required to be intimately involved in its broad plans and policies; but no one else in the Army enjoys the same opportunities to learn, first-hand from Army people of all ranks, how well or how badly those plans and policies are working out.

Only the Army Chief of Staff can fully appreciate the professional excellence and total dedication of the staff officers who serve him. He alone has occasion to know personally all the major and middle level commanders of the Army's scattered elements and to understand how much their leadership determines the Army's effectiveness. No one has more extensive and continuing opportunities to meet and talk with more soldiers in more places about more things, and thereby to conclude that the people who wear Army Green are the best men and women America can produce.

Today the Army's and the Nation's attention tends to center upon the Republic of Vietnam, for quite understandable reasons. More than a fourth of our manpower strength is committed to that struggle. An even greater proportion of the Army's budget is directly or indirectly concerned with it. The most precious wealth of all—the lives of brave men—is invested there.

I have made 10 trips to Vietnam. On each occasion the military situation was noticeably changed from the previous visit, and not always for the better. There were times when I returned less than confident of the outcome or less than satisfied with the rate of improvement. But in one special respect all 10 trips were alike. Each time, I came home searching for words that would adequately convey my feelings about the fighting men America is contributing to the struggle for freedom in that distant land.

My admiration is not confined to their mastery of the mechanical and technical skills of soldiery—though that mastery is remarkably high. Nor is it only their superb behavior in combat that stirs me, for after all a greater than average measure of raw courage and self-control are attributes one tends to take for granted in American fighting men.

No, it is not these qualities alone. What moves me beyond measure is their sense of mission, their understanding of and dedication to the cause for which they fight, their confidence that we will achieve our objectives in the end, their compassion for each other and for all human suffering, their tolerance of strange customs and beliefs—in short, everything they do and are.

The soldiers I have seen in Vietnam—and wherever our forces are deployed—have made me a consistent and vocal dissenter against all easy generalizations that derogate this generation of young Americans. I am convinced that patriotism, idealism, and the desire to serve mankind are as alive today as ever before.

During my military career many honors have come to me. None means more to me now, nor will be remembered longer and with greater satisfaction, than the honor of having been permitted to serve as Chief of Staff during a time when new and memorable chronicles of valor and service to mankind were being added to the Army's and to the Nation's heritage.

Farewell. My heart will always be with each one of you.

HAROLD K. JOHNSON,
General, U.S. Army.

THE "PUEBLO": HOW LONG, MR. PRESIDENT?

HON. WILLIAM J. SCHERLE

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 11, 1968

Mr. SCHERLE. Mr. Speaker, this is the 171st day the U.S.S. *Pueblo* and her crew have been in North Korean hands.

IMMIGRATION ACT OF 1965 HAS UNEXPECTED AND UNFORTUNATE CONSEQUENCES

HON. BENJAMIN S. ROSENTHAL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 11, 1968

Mr. ROSENTHAL. Mr. Speaker, in President Johnson's state of the Union message, Congress was called upon to revise this country's immigration laws and enact new legislation, "based on the work a man can do and not where he was born or how he spells his name." We responded by passing the Immigration Act of 1965, which eliminated a quota system dating back to 1924, and replaced it with a system based on family ties to U.S. citizens and residents, special labor skills, and the need for asylum because of persecution or natural disaster.

This law, which was passed by overwhelming majorities in both the House and Senate, has had, however, several unexpected and unfortunate consequences. Immigration from certain countries, notably Ireland, has fallen off precipitously.

Under the 1924 Immigration Act, and the 1952 McCarran-Walter revisions, Ireland had an annual quota of 17,756, of which an average of 10,000 places were never used. The 1965 act, though, abolished this quota and substituted a preference system, whereby prospective immigrants have to have a close relative living in the United States. Irish immigrants traditionally have been young and unmarried—rarely does an entire Irish family emigrate to the United States. Because the 1965 act favors nations from which whole families wish to emigrate—such as Italy—it operates inadvertently but unfairly against a country like Ireland.

More importantly, the new immigration law required persons wishing to enter this country in order to work to receive certification from the Secretary of Labor that there were insufficient Americans "able, willing, qualified, and available" to fill the position sought by the immigrant. Hardest hit, of course, among citizens of the former "privileged nations" of Germany, Great Britain, and Ireland, were the unskilled, who made up the bulk of Irishmen wishing to come here. In the first 16 months under the 1965 Immigration Act, only 11 Irishmen qualified for visas as professionals or as needed skilled workers.

The impact of the new Immigration Act can best be seen by the fact that Irish immigration to the United States has dropped from 5,463 in 1965 to 1,991 in 1967, even though the State Department had assured Congress in 1965 that Irish immigration would continue to be about 5,200 per year. Unless we act, Irish immigration in the upcoming year will drop even lower.

The bill I am introducing today will correct this problem by providing a floor, equal to 75 percent of the average immigration totals for the 10-year base period 1956 to 1965, below which no Nation's immigration total can sink. If, for example, during the base period a country sent an average of 10,000 immigrants a year to the United States, this bill would allow an immigration total of no lower than 7,500, provided, of course, there was sufficient demand. In the case of Ireland, the number would be about 5,300—which would mean about 4,000 new openings.

The total effect of this bill would be slight. It would allow at most for the entry of 30,000 more immigrants in a total immigrant population of over 300,000. The effect on the labor force would also be insignificant, since 2 million native-born Americans are added to the employment rolls every year. For the 30,000 persons who would be enabled to come to the United States, though, the effect would be far from slight.

But we cannot look at this issue strictly from the standpoint of numbers. The happiness of thousands of people, from a country which has given so much to the United States, is being threatened because of a legislative oversight. We now have the chance to correct our previous mistake. We should take advantage of the opportunity.

The late President, then Senator, John F. Kennedy, said of immigration in a floor speech in 1957:

> Our policy should be generous; it should be fair; it should be flexible. With such a policy we could take up the problems of the world with clear hands and a clean conscience. And the lady in the harbor could hold up her head as well as her lamp.

The bill I introduce today corrects a gross inequity in the present immigration law.

FREE ENTRY OF CERTAIN CELLOPHANE MEMBRANE

HON. BENJAMIN B. BLACKBURN

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 11, 1968

Mr. BLACKBURN. Mr. Speaker, on June 14, 1968, I appeared before the House Ways and Means Committee concerning H.R. 13419, a bill to remove the tariff on a certain cellophane—Cuprophane.

I feel very strongly that there is a great need to enact this legislation. Persons who are faced with chronic kidney failure need all the assistance that can be provided to them. It costs approximately $10,000 in medical costs to provide the needed dialysis treatments for kidney patients.

For the interest of my colleagues, I would like to insert my statement and that of Dr. John Sadler, director of the Atlanta Kidney Center in the RECORD:

STATEMENT OF HON. BEN B. BLACKBURN, REPUBLICAN, OF GEORGIA, BEFORE THE HOUSE WAYS AND MEANS COMMITTEE, JUNE 14, 1968, CONCERNING H.R. 13419 A BILL TO AMEND THE TARIFF SCHEDULES OF THE UNITED STATES TO PERMIT THE FREE ENTRY OF CERTAIN CELLOPHANE MEMBRANE

Mr. Chairman, I am appearing before your committee today to discuss, H.R. 13419, a bill to amend the tariff schedules of the United States to permit the free entry of a certain cellophane membrane—Cuprophane.

Accompanying me today is Doctor John H. Sadler, Director of The Atlanta Artificial Kidney Center which is under the direction of Emory University School of Medicine. It was Doctor Sadler who first brought this matter to my attention and has greatly aided me in my investigation of the whole area of kidney disease.

There are two methods now employed in the United States to meet the problem of chronic kidney disease. One is treatment by artificial kidney machine (hemodialysis) and the other is transplantation of kidneys obtained from living or dead donors (renal hemotransplantation). Although neither means is fully developed, both chronic hemodialysis and renal homotransplantation are capable of prolonging life. Unfortunately, many patients whose lives might be maintained for a significant number of years are now dying because these treatment forms are not generally available. One out of five patients dying from chronic kidney failure (uremia) are medically suitable candidates for treatment by dialysis and transplantation.

Nationally, there will be 7,000 new patients in fiscal year, 1968, with chronic uremia who will be medically suitable for treatment by transplantation or hemodialysis. Many of these will die because treatment by transplantation will be available for approximately 450, and treatment by dialysis for approximately 550. Furthermore, 750 patients from previous years will be maintained on chronic dialysis. The dialysis treatment will extend a patient's life as long as 9 years.

Current experience indicates a 15% mortality rate during the first year of hemodialysis and a 10% rate in subsequent years. Technically, chronic hemodialysis can be accomplished in either the home or in a dialysis center. The recent success and greatly reduced cost of home dialysis means that every posible saving should be granted the patient.

At the present time, there are four types of artificial kidneys using Cuprophane. They are the following: (1) Kiil, (2) Klung (and Mini Klung), (3) Dialung, and (4) Coil, developed by Extracorpororeal Medical Specialties.

Hemodialysis is accomplished with an artificial kidney through which blood is circulated on one side of a cellophane membrane while the other side is bathed by a salt solution. The accumulated toxic products diffuse out of the blood into the bath solution, and the concentration and total amount of water and salts in the body fluids is adjusted by appropriate alteration in composition of the bath fluid. The cellophane membrane may take the form of a long coiled tube similar to a sausage casing (Travenol twin-coil kidney) which is immersed in a tub filled with bathing fluid, or it may be formed in flat sheets as in a sandwhich (Kiil, Dialung, Klung) with a layer of blood and bathing solution on opposite sides. Dialysis is generally performed two or sometimes three times weekly, and each dialysis period lasts for six to sixteen hours.

The cost of treatment in various hemodialysis varies greatly. A center with a great deal of experience estimates that its current annual cost to be approximately $10,000 per patient. In order to relieve the heavy workload which is placed on kidney treatment centers, a great deal of work has gone into the development of home kidney centers. The cost of chronic hemodialysis in the home varies widely both for initial capital equipment and for consumable supplies. One center recently reduced the cost of the complete home dialysis outfit from $8,000 to $6,000. They project a further reduction to $5,000 if the prototype of another machine proves satisfactory. Other estimates for initial equipment were $7,500, $13,000 and $4,200–$6,000.

Now, turning specifically to my bill H.R. 13419, one finds that it places Cuprophane on the list of items to be imported into the United States free-of-duty.

Cuprophane is manufactured by the J. P. Bemberg Company, Wuppertal, Germany. This Company has granted import rights to Mr. Vitalis Von Plato of Springfield, Pennsylvania. When entering the United States, Cuprophane has a 23% duty placed upon it or 20% of the value and 2.5¢ per pound. Mr. Von Plato sells the Cuprophane then to either Cobe Laboratories, Inc., of Denver, Colorado or Extracorporeal Medical Specialties, Inc., of Mount Laurel, New Jersey. These laboratories cut Cuprophane membranes and sell them to hospitals and home patients.

The exact amount of savings to each patient has been very difficult to determine. Mr. Robert Collins of Cobe Laboratories has informed me that, "If the tariff was completely eliminated, we would be able to reduce our price from $70.00 for 500 sheets of Cuprophane to $62.50." Mr. Charles Jones of Extracorporeal Medical Specialties, Inc. states, "Our present artificial kidney (Ex-O 1 dialyzer cartridge) sells for as low as $23.63 when purchased by customers in large quantities. We certainly feel that a reduction in the Cuprophane, if passed on to us by our supplier, would be reflected in the sales price of the cartridge. The exact savings to the user is difficult to predict, but I can safely say that it would range between 60¢ per unit and as high as $1.50 per unit, as costs are reduced through increased production."

Lastly, Dr. John Sadler has informed me that, "In the Klung dialyzer which we use at the Atlanta Artificial Kidney Center, there are 34 sheets of Cuprophane. It usually requires from 36 to 40 sheets to build the dialyzer each time. Some sheets are defective and some may be damaged in assembling and have to be discarded. Thirty-six sheets of Cuprophane cost $1.44. If this could be reduced by approximately one-fourth, this would be a savings of 30 to 35 cents to the patient. This savings would be accomplished with each treatment and twice weekly treatment would be necessary; thus, in the course of a year it would save a patient on maintenance hemodialysis, approximately $36.00.

Thus far, I have only discussed the effect this bill would have directly on the patient. Hospitals and institutions carry out over 90% of the hemodialysis treatments in the United States. Mr. Charles Jones in his letter gives a description on how this measure would affect institutions:

"This situation must be appraised from the immediate effect and from looking at the picture over a long term. On May 15th, I checked with the Veterans Administration and the U.S. Public Health Service, and found that the Veterans Administration was currently maintaining approximately 250 people on dialysis, and the United States Public Health Service was maintaining approximately 450 people.

"Assuming that each person was treated twice per week for 52 weeks each year, 72,800 dialyses are performed each year. Now assuming that 40% of these patients are treated with a coil or cartridge type dialyzer which utilizes Cuprophane, this would equal 29,120 dialyses, and, naturally, a saving of $1.50 per dialysis would result in a total saving of $43,680 by the Federal Government this year. I should mention also that there are another 700 to 1500 patients being treated by dialysis and supported by sources other than the U.S. Government; this, of course, would quadruple the savings to these dialysis patients.

"Looking at this picture over a long term, the U.S. Public Health Service stated that out of the 100,000 people who die from renal disease each year, 10,000 could be saved with dialysis. At the end of the first year, 86% are still surviving, at the end of the second year, 75% and from the third year on, 70%. When this is carried out, assuming that the Government would support all these patients, there would be nearly 48,000 people being dialyzed at the end of the six year period, with a count of almost 5,000,000 treatments. Here again, if we assume that 40% were on a coil type dialyzer, this would result in 2,000,000 treatments by this method, with a saving—just from the elimination of Cuprophane duty—of $2.00 each or $3,000,000 to the Federal Government.

"The other 6% of treatments which are carried out with other type dialyzers in almost all cases utilize Cuprophane also, with costs ranging up to $2.00 for the Cuprophane used in each treatment. Here again, if we assume that 3,000,000 dialyses were reduced by $.42 each or a savings of $1,260,000, again, just from the elimination of what we suspect the duty on Cuprophane to be. Therefore, it is my definite conclusion that this particular product, when imported for use in artificial kidneys, should have its duty eliminated completely."

Furthermore, Mr. Robert Collins provides us with additional information concerning the use of Cuprophane by institutions:

"Because the Klung kidney uses more, smaller-sized sheets, the savings would be greater. During the first 4 months of this year, we sold 31,500 Klung sheets. We project to sell on the order of 100,000 sheets for the next 12 months. The Atlanta Artificial Kidney Center uses 36 sheets of Cuprophane per dialysis for the Klung and 20 to 25 for the Mini Klung. We are estimating that there will be about 50 patients using these two kidneys during the next 12 months. (Both kidneys use the same size cut sheets.) This would indicate 175,000 sheets. Each patient uses about 3,500 sheets per year. The tariff savings would amount to approximately $4.00 per 500 sheets of $28.00 per year per patient for a total of $1,400.

"Combining the savings to the Kill and Klung patients for the projected 12-month period, the total would be $8,900.00. We are not in a position to speak of the projected savings for the Dialung or EMSCO Coil Kidney users. We feel that the $8,900.00 savings is sufficient reason for pushing for the removal of the U.S. tariff on Cuprophane."

From the information that I have been able to gather, there is not any U.S. firm which is presently producing Cuprophane or a substance that could be used as a substitute for Cuprophane. F.M.C. Corp., American Viscose Division and Du Pont have looked into the development of cellophanes to replace Cuprophane. However, to the best of my knowledge, no substance has been developed by these Corporations.

For the information of my colleagues, I would like to insert the following items of correspondence from Doctor James H. Shinaberger of the Los Angeles Veterans Administration Hospital.

"In comparative studies, we have found that the Du Pont company's most suitable membranes for dialysis (PD 250 and PD 215) are only about 65 to 75% as permeable to urea as Cuprophane. Furthermore, we observed two very unfavorable reactions to PD 215 cellophane when use for dialysis which is in no way to be considered the fault or liability of the Du Pont Company. In fact, representatives of the Du Pont Company's Film Division were most generous and cooperative with us in performing these studies. They had indicated that should any of their standard membranes prove satisfactory for hemodialysis, they would make it available for this purpose at little or no cost. We deeply appreciate their attitude, but had to conclude that their membranes were not satisfactory for this purpose. The basic permeability of standard PT 150 Cuprophane (Bemberg West Germany) is so high that no type of dialyzer (artificial kidney) yet developed is in itself efficient enough to fully utilize the full permeability of Cuprophane. This simple fact has made some of us wonder whether the cost of developing under research and contract grants new synthetic membranes for dialysis is really warranted until dialyzer design is advanced to the point of fully utilizing the permeability of the already available and very satisfactory Cuprophane.

"We regret that no American cellulosic membrane currently available is as suitable for dialysis as Cuprophane. We use Cuprophane because it reduces dialysis time 15–20%, and we feel that in order to make our patients' lives as nearly normal as possible, unnecessary prologation of dialysis time must be avoided."

Recently, the report of the Tariff Commission was submitted to this committee. In this report, the Commission states there are three technical defects in my bill.

The first objection is concerning the section of the tariff schedule to be amended. I agree wholeheartedly, and desire that the committee make this change in my bill.

However, I must take issue to the other two proposed changes. The Tariff Commission states that Cuprophane is mainly a trade name. I would like to submit to the committee a statement by Mr. Charles Sheldon, Acting Chief, Science Policy Research Division, Legislative Reference Service, Library of Congress. In the statement Mr. Sheldon says, "Cuprophane is the registered name of a cellulose acetate produced by the cuprous method of extrusion". Furthermore, in a letter to Mr. George Hoff of the United States Tariff Commission, Mr. Charles P. Jones of Extracorporeal Medical, Inc. gives a detailed chemical breakdown of Cuprophane. He goes on to give the Patent Numbers of Cuprophane in the United States, Germany, Great Britain and Japan. I feel the chemical composition of Cuprophane as a basic substance has been extremely well-documented and is not a tradename applied by an exclusive manufacturer.

Thirdly, the Tariff Commission seems to fear that if the tariff was to be removed on Cuprophane that this cellophane would compete with American-produced cellophane. I must differ very sharply with the Tariff Commission on this point.

Dr. James H. Shinaberger, Associate Chief of the Chronic Dialysis Unit at the Wadsworth V.A. Hospital in Los Angeles, California states in his letter to me:

"From my own knowledge of the relative prices of American cellophane and Cuprophane, I cannot believe that Cuprophane could ever compete for non-medical purposes with American cellophanes."

Furthermore, Dr. John H. Sadler of the Atlanta Kidney Center states in his statement to the committee: "Cuprophane is four times more expensive than any American produced cellophane."

The Tariff Commission feels that Cuprophane should be restricted to be sold to institutions only and that we should not remove the tariff across the board. On this point, I must differ with the Commission rather strongly. Again Dr. Shinaberger states:

"I feel that restricting tariff-free entry of Cuprophane for purchase by institutions alone would be a backward step, since most of us feel that home dialysis rather than institutional dialysis is the developmental trend. The provision of a physician's prescription alone to the supplier should be acceptable evidence that a home dialysis patient will purchase Cuprophane for dialysis purposes only."

For this reason, Mr. Chairman, I believe very strongly that these objections are not valid. Cuprophane will not compete with American cellophane and American home dialysis patients badly need to purchase this Cuprophane directly from the laboratories, thereby indicating the short-comings of the Tariff Commission's objection on this ground. I cannot see any reason why the tariff should not be completely removed from Cuprophane.

It is quite obvious that there will not be any startling reduction in cost by the passage of this legislation. Dr. John H. Sadler stated:

"This is not a large savings, but every small economy over a long period of time is critical to these people. As a matter of principle, it is unconscionable to uselessly add cost to a product which is required only for the medical care of people who would die without it . . . It would certainly represent an act of high principle on the part of the United States Congress in behalf of some otherwise disabled citizens."

In view of the foregoing, I ask that we remove any tariff which in any way hinders the purchase of the critically needed material by patients with cronic kidney disease. For the information of my colleagues, I am inserting the following letters from my colleagues information.

Statement of John H. Sadler, M.D., Assistant Professor of Medicine, Director, Atlanta Artificial Kidney Center, Before the House Ways and Means Committee, June 14, 1968

Mr. Chairman, I am here to provide information regarding Cuprophane cellophane membrane for artificial kidneys and to urge your support for H.R. 13419, introduced by Congressman Ben B. Blackburn to remove the tariff from this product.

The material in question is produced by the Bemberg company of Wuppertal, Germany. It is imported into this country exclusively for use as artificial kidney (hemodialysis) membrane. Currently, a tariff of 23 percent is imposed on this material.

In the United States there are approximately 100 centers for chronic hemodialysis treatment. The number of patients sustained by these centers is approximately 2500. The goal of this treatment is not only survival but also rehabilitation. Because of this, many centers are training patients to take equipment and carry out this treatment at home. The greater freedom and convenience of this arrangement would recommend it, but the economy of hemodialysis demands that it be developed wherever possible.

For example, at the Atlanta Artificial Kidney Center, our cost per patient for each dialysis is $110.00. Dialysis is required twice weekly, thus the annual cost is $11,400.00. This is considered a comparatively economical center operation. On the other hand, our patients at home, after their initial purchase of hardware at approximately $6,000.00, have an annual cost of about $2,000.00. Of this, $1,600.00 is for disposable materials. Cuprophane represents approximately $160.00 per year. Other developments currently under way indicate a great likelihood of reducing the cost of disposable materials to $1,200.00 per year. This would leave cuprophane as the highest cost single item among the disposable used in dialysis.

The membrane is critical to the operation of an artificial kidney. This device, called a dialyzer, passes blood through an envelope of cellophane immersed in a solution, the dialysate, which contains a normal concentration of necessary components of blood and none of the metabolic poisons which accumulate in the blood of people without kidney function. The abnormal products pass through into the dialysate, which is discarded. The ability of the membrane to pass these materials is critical to effective dialysis.

In our Center, using the Klung dialyzer, tests have been carried out, not only on Cuprophane PT–150 membranes but also on DuPont PD–215 and DuPont PUD–0 cellophanes. We found that there was a loss of approximately 30% dialyzer performance with the alteration from cuprophane to the PD-215, and a further loss of 10% in processing to the PUD-0 membranes. Indeed, untoward reactions in some of our patients caused DuPont to stop selling its membranes where they might be used for hemodialysis. Other centers, using Kiil dialyzers, found a 15-20% increase in transfer of water and larger molecules such as uric acid, when they changed from American Viscose cellophane to cuprophane membranes. So vital is the difference that dialysis would have to be prolonged by at least two hours per treatment if American cellophanes as now available had to be used.

The importer and supplier have promised to pass the reduction in cost directly to the users of cuprophane. The use of the material in medical centers and by patients on prescription only would eliminated any conceivable commercial competition. Cuprophane is three to four times more expensive than American cellophanes, and it is less durable. Thus, there seems to be no reason to wrap packages with it.

In our Klung dialyzer, 36 sheets of cuprophane are used. They cost four cents each. Because of its fragility and possible assembly errors, we calculate cost at forty sheets per dialysis. In our Center, where over 1500 dialyses per year are carrier out, 60,000 sheets or more are used. A reduction of cost of even 10% would be significant. To the family which finds itself spending $40.00 per week to keep the breadwinner alive, the reduction to $39.50 is worth while.

Cuprophane membranes are used by at least two-thirds of all patients on maintenance hemodialysis, amounting to a total of about 200,000 square meters of cuprophane per year. It is not used in America for any purpose other than hemodialysis, and its medical use may easily be guaranteed by sale limited to licensed physicians, hospitals, or on a physician's prescription. Suppliers now must have prescriptions for these materials before selling to individual patients; otherwise, they would assume responsibility for the treatment carried out.

With protection from abuse and documentation of need, it seems to me indefensible to sustain this increase in the already high cost of maintaining productive life in an individual who has lost his kidney function.

If the tariff remains, it is unlikely that it alone will prevent treatment of a single patient. However, the attitude that small excesses are unimportant will keep all costs high, and thereby many patients will be kept out. A small evil is no less evil for being small. These people have earned all the assistance we can give them.

AS OLD AS TIME, AND YET AS TIMELY AS TOMORROW

HON. DAVID E. SATTERFIELD III

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 11, 1968

Mr. SATTERFIELD. Mr. Speaker, on June 28, 1968, the Honorable Mills E. Godwin, Jr., Governor of Virginia, addressed the National Conference for Lieutenant Governors at Newport, R.I.

I sincerely believe that Governor Godwin's remarks are "as old as time, and yet as timely as tomorrow." His address contains a truth which cannot be ignored and a message which cannot be repeated often enough. For these reasons, I include this address in the RECORD at this point:

AS OLD AS TIME, AND YET AS TIMELY AS TOMORROW

What I feel compelled to say is as old as time, and yet as timely as tomorrow. In simple syllables, I suggest that you revive the lost art of saying "no," and of making it stick.

This is perhaps the most difficult, and at the same time the most essential, of all our executive prerogatives. As elected officials, we live and breathe in harmony with public acceptance.

In our day to day decisions, it is hard to remember that it is better to be respected than it is to be loved.

And yet it is the respect for duly constituted authority that we see being overrun in the current stampede of events.

It is easy to blame the general atmosphere of permissiveness in which we seem to be living today.

THEY ARE NOT ALL BAD

It is easy to listen to a conscience that asks us why anyone in this land where miracle has been piled on miracle should be in want, or be denied full opportunity.

It is more difficult to understand that we cannot translate the philosophy that in America, anything is possible into the philosophy that in America, anything goes.

For at least a half a dozen intense and anxious years, we have heard the promise to perfect the American Dream virtually overnight for every single citizen.

However sincere that promise may have been, it was an open invitation, and the response was not long in coming. The nation has been stunned by the fury of dashed hopes and broken dreams, and dismayed at the indecision of the country's leaders, when the very basis of an orderly society was threatened.

Violence has been offered as proof that our society is mortally ill, and that only drastic remedies would affect a cure.

We have magnified a social problem with many microscopes, until it seems to fill our entire field of vision. What began as a concern of conscience has become in some minds a concern for the survival of the country.

We seem to have forgotten that we have extended full opportunity to many minorities before, and that always, the process has been accompanied by turmoil.

In the cries of minorities for attention, we seem to have lost the notion that in a democracy the majority rules, that freedom rests on the consent of the many, not on the dissent of the few.

We have forgotten the Americans who do not riot and who do not march, who carry no placards and burn no draft cards, who invade no buildings and evade no laws, who go to work in the morning and return to their families at night, who pay their taxes and carry the heavy burden of self-government without complaint and with infinite patience.

America cannot be seriously sick when the overwhelming numbers of her people are still of sound mind and pure spirit.

There is confusion abroad in our land. On the one hand, there is smoldering frustration, and on the other, there is fear threatening to become hot anger. Most of all, there is uncertainty as to which way to go.

WHAT WE CAN'T DO

We have heard a great variety of suggestions as to what can be done. I would offer you today my own suggestions as to what cannot be done.

We cannot encourage men and women to believe that utopia is just around the corner without running the risk of having them turn on us when they find it simply is not so. It is cruel to mislead the less fortunate and it is dangerous as well.

We cannot operate a society on the theory that whenever a minority wants something, all it has to do is start a riot, or occupy a public building, or toss a college president out of his office.

If we reward one set of rioters, three more will spring up in their place. If we make concessions to one march or one encampment, we will have to make concessions to many marches and to many encampments. We cannot buy security from violence.

Nor can we maintain law and order by permitting its open defiance. The first equality before the law is that every man abide by the law. Otherwise, no man is safe from the lawlessness of his neighbor.

By its very definition, we cannot extend freedom to some by infringing on the freedom of others. We cannot improve educational opportunity by permitting a minority of students to deny the majority its access to the classroom.

We cannot for long guarantee every jobless man an income by taxing men who work for a living and have no such guarantee.

We cannot legislate equality, but only equality of opportunity.

We cannot guarantee mutual respect between men by any statute or any court decree. We cannot legislate or dictate away what is in men's hearts and in their minds.

We cannot stimulate incentive of self-respect with public handouts, no matter how well meaning or how generous.

And surely the wreckage of the civilizations that have preceded our own should convince us that we cannot feed every public clamor out of the public purse.

Once we understand these things we cannot do, it will be far easier to decide how to do what we can do and what we must do.

WHAT WE CAN DO

We can extend the vast potential of opportunity to many who do not now enjoy its benefits to the fullest, not by welfare payments disguised in glowing raiment, but by programs designed to help the less fortunate to help themselves.

We can provide a maximum of education to anyone and everyone who can benefit from the experience. In the long run, this is our surest road to self-respect, to personal identity, to equality of citizenship.

We can provide this education, not as the inalienable right of every citizen, but as a privilege extended to him at public expense because he is expected to use his learning for the public good as well as his own.

And this above all: we can do these things within the fundamental framework of the American System which has produced the most freedom in its society, the most abundance in its economy, and the most responsiveness in its government that the world has ever seen.

I do not advocate reversing the clock, or a return to the good old days. In these times of swift and drastic change, we cannot always apply old methods to new situations. But we can use new methods to apply old and proven principles.

In all the welter of change that surrounds us, there is no evidence that the fundamentals of self-government, or the motivation of human behavior, have materially changed. It is with these that we must begin, if we are to untangle this country's dilemma.

Many times, before many audiences, you and I have spoken of our belief in America, and in the truths that have always guided her destiny.

We have talked of freedom and its accompanying responsibilities. We have talked about respect for law and order and about majority rule. We have talked of unlimited opportunity and about individual initiative. We have quoted the Founding Fathers freely and at great length.

Perhaps it is time now for us to believe in our hearts and to practice in our lives what we have so long been preaching from the platform.

SHIPMENT OF ALL FIREARMS THROUGH THE MAIL MUST BE BANNED

HON. ROBERT N. C. NIX

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 11, 1968

Mr. NIX. Mr. Speaker, the National Rifle Association has maintained that Postmaster General Watson acted in a panicky manner when he issued new regulations requiring that mailed packages bearing firearms be marked as such and that local police be notified that firearms have been mailed to the addressee.

I was pleasantly surprised when I saw a letter to the editor of Newsweek, on page 4 of the July 8, 1968, issue, stating that the Railway Express Agency has done much the same thing over the years. I quote from that letter:

> REA EXPRESS.
>
> Unlike the Post Office, REA always has had the benefit of shippers' identification of firearms shipments, and for many years has worked closely with law enforcement officers. We do not deliver guns where a permit or license is required or where statute dictates withholding delivery until the police notify us that it is permissible. We also notify the police when it is thought that juveniles or irresponsible persons might be receiving a shipment. All small arms shipments are handled under protective hand-to-hand signature service.
>
> REA is exploring what extensions of its long standing protection and control procedures it legally may undertake, and will be fully responsive to whatever future safeguards are made possible by law.
>
> RICHARD A. STRICKLAND,
> *Director, Public Relations.*

The Post Office Department, under the courageous leadership of General Watson, has updated its practices to those already practiced by the Railway Express Agency and supporting local law enforcement.

As I pointed out in yesterday's CONGRESSIONAL RECORD on page 20600, July 10, firearms must be banned from the mail absolutely. At the same time, I want to express my admiration for Postmaster General Watson's courage and commonsense.

THE RIGHT OF THE PEOPLE TO BEAR ARMS

HON. ALBERT W. WATSON

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 11, 1968

Mr. WATSON. Mr. Speaker, in recent weeks the subject of gun control legislation has generated a great deal of excitement, and like a number of legislative proposals in past years, I fear that its entire approach is based on mass hysteria. This is not a time for retribution and recrimination. Certainly, the platitudes of a pharisaical few who have advocated disarming the citizenry all along are well known, but reason still must prevail even in the face of tragedy.

In a highly perceptive manner which indeed typifies his career as an eminent writer, Frank S. Meyer, an editor of National Review, has presented a reasonable, eloquent, and persuasive discussion of the proposed firearms legislation.

Mr. Speaker, as a part of my remarks I include an article by Mr. Meyer which appeared in a recent edition of National Review as follows:

THE RIGHT OF THE PEOPLE TO BEAR ARMS

Since Adam ate the apple, the per capita quantum of violence and potential violence in human society has remained, century in and century out, reasonably constant. Indeed, the third person in the world killed the fourth—or, if you prefer more secular images, primitively there was always present "continual fear and danger of violent death; and the life of man, solitary, poor, nasty, brutish, and short."

What has made the difference between the quantum of potential violence and actual violence has been the power of the moral authority of civilizations to inspire the members of society, and the firmness with which force has been exerted in defense of civilizations against external and internal barbarians. Against external barbarians, sometimes the moral authority of a great civilization has played a part, but primarily it has been force which has held the *limes*. Against internal barbarians, the problem has been more mixed, since a civilization with sufficient moral authority tends to civilize its internal barbarians.

The abysmal ignorance of history, as of the elements of political philosophy, that characterizes so much of the political and intellectual leadership of the United States today is all that can explain, although it does not excuse, the torrent of nonsense about "violence" with which we have been assailed these past days and weeks and months. The simple knee-jerk reactions that pass for high political wisdom might be understandable in a local official of the League of Women voters; they are proclamations of bankruptcy when they come from men of supposed political or intellectual sophistication.

Violence is bad? Of course: then let us do away with it. Problem; solution: instant Utopia. Guns kill people? Put government control on guns: domestic peace in our time.

Despite its appealing simplicity, this enthymeme conceals a double fallacy. In the first place, violence is not always evil *per se*. In the public sphere it is morally legitimate when employed to resist or overthrow tyranny. In the private sphere it is equally legitimate when employed against criminal incursion upon life or property. For the latter purpose it may fall into desuetude in times when, unlike our own, the constituted authorities are able to keep crime and riot under control. But it is always a residual right, and in times like ours it becomes the citizen's duty to use violence when necessary in his own defense and the defense of his family.

The second fallacy is that weapons or the accessibility of weapons creates violence. Violence, for good or ill, arises from the souls of men. Gun control would have no more effect ultimately upon the quantum of domestic violence than disarmament agreements have had upon the prevalence of warfare. Indeed, in the one case as in the other, the logical effect is only to strengthen the bad guys and weaken the good guys. It was Nazi Germany that was armed, it was Britain and the United States that were disarmed, in 1939. If gun-control legislation at any level were to be enacted in this country, it would be the criminals, the rioters, the insurrectionists, who would find illegal means of procuring weapons; it would be the solid citizens who would be disarmed.

These are the considerations, derived from a philosophical understanding of the nature of man and from practical experience, that make nonsense of the hysterical clamor for gun control now emanating from the serried megaphones of the Establishment. It is a clamor that might be ignored if the basic law of the land were still respected by the judiciary, if the Constitution had not become a paper document to be manipulated into its opposite by the Warren Court.

The Founding Fathers whose wisdom was based upon theory and experience, tried almost 200 years ago to defend the United States against such mischievous incitations to tyranny and crime as are invited by a disarmed citizenry. Boldly and unequivocally, the First Congress and the states, in the Second Amendment to the Constitution (Article II of the Bill of Rights), proclaimed that "the right of the people to keep and bear arms shall not be infringed."

The constitutional principle is strong and sweeping, so strong and sweeping that even the present Supreme Court, one hopes, will not be able to work its sinuous way around it—should Congress prove to be so subject to utopian pressure as to pass legislation defying it. The key word is "infringe," and there can be no doubt in common sense or in law that any proposals for registration are direct infringements of the free citizen's right to keep and bear arms. If I may paraphrase an old maxim: the power to regulate is the power to destroy. The patently unconstitutional Sullivan Act in New York State has shown, in its administration over the years, that registration of firearms (in this case of concealable weapons) has made it next to impossible for anyone legally to possess such arms. Criminals and insurrectionists, of course, get hold of them easily. Even the prohibition of sales by mail, while it is less integrally objectionable than registration, seems to be of doubtful constitutionality.

An unarmed citizenry is potentially the victim, first of anarchy, then of tyranny and totalitarianism. The present campaign to infringe the right to keep and bear arms is a utopian assault upon the freedom of American citizens—an assault scornful of the testimony of history, the counsels of morality, and the express mandate of the Constitution.

BRITISH AID TERRORISTS

HON. JOHN R. RARICK

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 11, 1968

Mr. RARICK. Mr. Speaker, not only do we have reports of British aid in the Biafran civil war, but now the Rhodesians report British cooperation with terrorists and Communist agents in that part of Africa.

We can but wonder how much of this British involvement is known to the British subjects.

Under unanimous consent I submit the report from the Rhodesian Commentary for June 24 for inclusion in the Congressional Record, as follows:

British Aid to Terrorists

A spokesman for the Rhodesian Government said that the section of the U.N.O. resolution urging all states to render moral and material assistance to the people of Rhodesia in their struggle for freedom and independence, causes grave concern as it confirms earlier reports of direct British aid to terrorists as well as statements made by certain British Ministers and Members of Parliament over the past two years.

The spokesman confirmed there had been secret meetings between terrorist groups and certain British Ministers, adding that it is hoped Mr. Wilson is serious in his promise to the House of Commons to institute a full inquiry into the circumstances of British aid to terrorists.

TRAINING IN CYPRUS

The spokesman continued: "It is known that many terrorist trainees have been issued with British passports; in fact four terrorists who were training in Cyprus as recently as February 1968, were all in possession of British passports of which we have full particulars.

"Some two hundred other cases of potential or actual terrorists traveling on British passports are on record.

"Not only have terrorists been issued with British passports. Expatriate leaders of revolutionary groups have been equipped with such documents, men who have been engaged on clandestine arms and ammunition acquisitions from Europe including Iron Curtain countries.

NEGOTIATED FROM LONDON

"Cases are on record of Rhodesian nationalist leaders negotiating from London with arms suppliers and one particular case concerns sample weapons, including machine guns and ammunition actually being brought into Britain from the Continent.

"A number of Rhodesian, South African and Portuguese so-called students now in Communist countries travelled via Lusaka, Dar-es-Salaam and Nairobi to London, Frankfurt, Rome, and Cairo with travel documents issued in Zambia not only by the British High Commission there, but also on letters of identification issued by the African nationalist offices in Lusaka.

"In the past it appears that such illegal and unrecognized travel documents have been accepted as an authority to issue a British passport not only in Dar-es-Salaam and Nairobi, but also in London."

THREAT TO BRITAIN

The spokesman concluded: "If Mr. Wilson is really serious in his promised inquiry, the Rhodesian Government hopes he will make the right approach to us for information on this subject which may become an internal security threat to Britain as well as Rhodesian."

Battle Against Brainwashing

The battle against brain-washing was as vital as that against terrorists or the British Government, said Mr. William Harper, Minister of Internal Affairs, commenting on the controls provided by the Censorship and Entertainments Control Act.

"My sort of censorship is to protect what I call the moral fibre of the people," he said.

He gave examples of children's magazines which featured picture biographies of Communist leaders; magazines with articles in which such people as film stars said they had taken drugs with no ill effects; and an American periodical which carried articles to undermine people's beliefs.

Drugs were a particularly virulent form of indoctrination because they were part and parcel of the battle to drag down child and adult beliefs in what they saw around them.

It was all part of the brain-washing story. The Rhodesian censors were learning what to look out for. The Board and the Ministry were not trying to put blinkers on people. A lot of material was passed by the censors.

He believed time would prove that the censorship system was one of the most valuable aids in the fight for Rhodesia.

Some U.N. Members Warmongers

It was to the everlasting shame of the British Government that it had allowed terrorists to infiltrate Rhodesia armed with Communist weapons and British passports, said the Deputy Minister for Information, Mr. P. K. van der Byl, at a function to raise money for the Army Welfare Fund.

Referring to the United Nations resolution, Mr. van der Byl said certain U.N. members were "criminal war-mongers". They were deliberately aiding and abetting further terrorism.

U.S. AID TO INDIA FEEDS THE RATS

HON. E. Y. BERRY

OF SOUTH DAKOTA

IN THE HOUSE OF REPRESENTATIVES

Friday, July 12, 1968

Mr. BERRY. Mr. Speaker, at about this same time last year, prior to consideration of the annual foreign aid package, I brought an article to the attention of the House which stated that India's grain losses to animals matched their imports.

An article appearing in the New York Times on June 25 of this year contains both encouraging and disparaging news on this same issue.

The tremendous problem of rats continues. U.S. assistance is largely in vain. The rat population continues to soar. However, the article reports the Government is moving against the rat menace, pointing up an apparent commitment on behalf of the Delhi Government that something must be done about the rat problem if we are to avoid a continual pouring of U.S. aid down a literal "rathole." When considering the foreign aid bill this year, I hope we can insist that India move faster and with greater strength in meeting this problem as a condition for receiving our aid.

Under unanimous consent, I include the article in the Record, as follows:

India Moves To Cut Food Loss to Rats

New Delhi.—Rats in India are said to eat nearly a fourth of what the population produces.

Although there has never been an all-India rodent census, officials say there are about 10 rats to every person in the country.

India's population stood at 520 million at the end of April. So rats and mice might number 5.2 billion.

"Except for the rats," says Sushila Mayar, a former Health Minister, "we would have surplus food."

Again, no accurate statistics are available, but officials and economists believe rats eat as much as 20 million tons of food grains and food articles a year, right from the field to the kitchen stages.

With a record food production of more than 95 million tons expected this year, the Government plant-protection directorate has opened a war against the rodent menace.

Special teams are being sent into villages to insure proper and safe storage of grain, and warehouses are being checked. Municipalities have been asked to give attractive cash rewards to professional ratcatchers, and housewives are being asked not to leave food exposed.

THOUGHTS FROM VIETNAM

HON. HERBERT TENZER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 11, 1968

Mr. TENZER. Mr. Speaker, the crime, violence, and hatred in this country have not gone unnoticed by our servicemen fighting overseas.

Recently, I received a thought-provoking article from one of my constituents, Sp4c. Robert Turk, serving as a chaplain's assistant, who has given our Nation's grinding ills an attentive evaluation from his position as a soldier defending the interests of South Vietnam.

I recommend Specialist Turk's letter to my colleagues in the House, as follows:

A Plea for Peace From Vietnam

Tonight was pretty much the same as any other in the life of this soldier in Vietnam. The day had been long and hot. There were services to prepare for, hospitals to visit, and orientations to be given. I am a Chaplain's Assistant. Now it was quiet and I turned to some form of divergence to get my mind off the war.

I picked up a copy of Newsweek Magazine which was my main contact with the "world" back home. This issue was especially significant. It was dated June 17, 1968 and had a picture of Senator Robert F. Kennedy on the cover. As I opened the magazine and proceeded to absorb the contents, I got a feeling of guilt and frustration which made me sick to my stomach.

What was I doing fighting for freedom in Vietnam? Why was I trying to teach the Vietnamese people to live in peace and follow the example of their American counterparts? Who was I kidding?

My once idealistic and meaningful goals on the war in Vietnam suddenly turned hypacritical and farcical. I was no longer fighting for a cause but living a lie. The feelings that I felt inside were of contempt and disgust.

Why am I writing this letter? Who am I writing it to? I don't know! All I know is that it must be written. I've been silent too long.

With the Assassination of President John F. Kennedy in November, 1963, something within me cried out to find an answer. I did not act! Five years later, Dr. Martin Luther King lay dead at the hands of an Assassin. Once again I remained silent. And finally, Senator Robert F. Kennedy, in the prime of his young life, struck dead. I could be silent no longer.

I felt an obligation to myself, to my fellow Americans, to humanity, to seek an answer. If one was to be found!

We must be brought to realize, to be made positively aware that violence and murder are not the answer to our individual grievances and prejudices. They *must* be stopped—once and for all!!!

The heart of the problem lies in the indifference of the average American. As long as we are not directly affected, then why bother to get involved. But little do they realize, those who stand by and observe from the sideline, that they are very much involved.

Just as a cancer, undetected and untreated, will spread and eventually consume the whole organism, so too will the vicious disease of hate and corruption eat away at our society until there is nothing left but the bare frame.

Each one of us must make a personal pledge to do our part to eliminate hate and prejudice and bigotry. For if we do not accept this greatest of all challenges, we will surely suffer, each of us individually, for the dastardly crime we have perpetrated.

The Bible says: "He who lives by the sword shall die by the sword." Let us take heed my friends, let us take heed today. For too many tomorrows have been lost to eternity.

Sp/4c Robert L. Turk,
Office of the Division Chaplain, 1st Cavalry Division.

In his accompanying letter to me Specialist Turk asks a question and states:

Why should we by fighting a war over here when our own countrymen back home are killing each other? The people back home can know that while we may be 12,000 miles from home, our concern and loyalty is still back in the States.

Other than that, the morale of the men is good. We are all hopeful that the current peace talks will soon bear fruit and bring peace to Vietnam.

Perhaps by passage of a more effective gun control law we can at least answer a part of the question by reducing the incidence of Americans "killing each other."

CAPTAIN DICKINSON DIES IN VIETNAM

HON. CLARENCE D. LONG

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 11, 1968

Mr. LONG of Maryland. Mr. Speaker, Capt. Robert C. Dickinson, a fine young man from Maryland, was killed recently in Vietnam. I wish to commend his bravery and honor his memory by including the following article in the Record:

Captain Dickinson Dies in Vietnam—West Point Graduate Was on Second War Tour

A 1962 West Point graduate from Greenbelt was killed July 1 in Vietnam, according to a Department of Defense spokesman.

Capt. Robert C. Dickinson, 29, a company commander with the 22d Infantry Brigade, was killed during a combat operation north of Saigon.

Captain Dickinson was in the second month of his second tour in Vietnam. His father-in-law, Dominick R. Traina, described the career Army officer as being "a real gung-ho type of an Army man."

GIVEN DECORATION

Mr. Traina added that Captain Dickinson was "all for getting the war over with, and believed in doing his part in the Vietnam effort."

Captain Dickinson, who lived in Detroit before attending West Point, had been decorated for bravery by the South Vietnamese Government during his first tour, which he spent as an adviser to the South Vietnamese Army.

Mr. Traina also said that his son-in-law had just recently been informed that he was to be promoted to major in September.

The West Point graduate is survived by his wife, Dorothea, and two children, Christina, 5, and Robert W., 4.

Mrs. Dickinson was born in Baltimore and lived most of her life in Prince Georges county until her marriage in 1962. They had lived at Army posts in Kentucky and the State of Washington.

THE AMA'S MARIHUANA REPORT

HON. ROBERT B. (BOB) MATHIAS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 11, 1968

Mr. MATHIAS of California. Mr. Speaker, many of us have been greatly concerned by the increase in drug use among young people. This growth has been encouraged by the all too frequent comments of apparently respectable adults, who attempt to minimize the dangers of marihuana.

Now the American Medical Association has set forth in dispassionate terms the real dangers of marihuana. An editorial in the Tulare Advance-Register commends the AMA report and points out that, "The AMA's warning ought to cause youngsters to reflect on the consequences of their actions before they experiment with drugs." The Advance-Register thus adds its own thoughtful and responsible voice to the voices of the thousands of thinking Americans who are deeply concerned about the increasing use of marihuana. I should like to insert the Advance-Register's editorial at this point in the Record:

Question: Is It Worth It?

The marijuana generation has been able to ignore or put down a lot of convincing evidence on the danger of "pot" and other harmful drugs. So it will not likely be influenced by the American Medical Association's recent warnings on marijuana.

Anyway, the AMA calls marijuana "a dangerous drug because of the effect on the central nervous system and the fact that it can cause psychosis." Despite youthful insistence to the contrary, marijuana can "hook" its users. That is not to say that it necessarily creates addiction, although the distinction is a matter of degree, but that "many persons suffer serious mental problems and develop withdrawal symptoms if they try to stop."

Anyone who ever has been hooked on tobacco will know that it is not only narcotics which create virtual addictions.

Even without the physical hazard or the risk of dependence on the drug, the AMA has given additional reason why youngsters ought not even experiment with marijuana. That is because "the youthful experimenter may, by incurring a criminal record through a single thoughtless act, place his future career in jeopardy."

The AMA's warning ought to cause youngsters to reflect on the consequences of their actions before they experiment with drugs.

GARY, IND.: CITY OF NONVIOLENT HOPE

HON. JOHN R. RARICK

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 11, 1968

Mr. RARICK. Mr. Speaker, the poor victimized citizens of Gary, Ind., must by now feel they have been deserted by their fellow countrymen who still believe in peace of mind and personal security. But then, the national news media is not interested in violence in northern cities. And the city administration, despite a 41-percent crime increase, professes segregation to be the serious threat to the community and has requested the intervention of the FBI only to investigate school segregation.

Gary, Ind., today has retrogressed to become a modern jungle city where neither life nor property are safe. Situated on the dunes of Lake Michigan, Gary was once a city of great promise—but today, fear, distrust, and anarchism are forcing its better citizens to flee from the escalation of crime.

Mr. Speaker, one need only look to the reports of crime and violence in the local newspapers to understand the breakdown in government in Gary. I include clippings from the Gary Post Tribune only relating to murder and crimes of violence, as space does not permit the reports on dope, syndicate, and robbery:

[From the Gary (Ind.) Sunday Post Tribune, June 23, 1968]

Major Crimes in Gary Up 41 Percent Over 1967

Major crimes in Gary for the first three months of 1968 were almost 41 per cent over the total for the same period a year ago.

Statistics released in the FBI's Uniform Crime Report show a jump from 1,422 major crimes between January 1 and March 31, 1967, to 2,102 such crimes for the corresponding period this year.

Of the seven crimes on which the FBI keeps records, the only decrease this year was in murders.

They dropped from 10 in the first three months of 1967 to eight for the same period this year.

Although all other major crimes increased, the bulk of the increased percentage was accounted for in auto thefts. The number of crimes for January through March, 1967, nearly tripled, from 313 to 876, an increase of 179 per cent.

Rapes also almost tripled, going from five to 14, a 180 per cent jump.

Robberies were up from 192 to 230, a 20 per cent increase; aggravated assaults climbed from 91 to 103, a 13 per cent jump; burglaries went from 484 to 506, a five per cent increase; and larcenies went from 327 to 364, an 11 per cent jump.

Property crimes, burglary, larceny, and auto theft, as a group, went up by 55 per cent from 1,124 in the first three months of 1967 to 1,746 in 1968.

Here again, the huge increase in auto thefts accounted for a large portion of the increase percentage.

Crimes of violence—murder, rape, robbery and aggravated assault—rose more than 19 per cent.

Cities of a similar size to Gary showed major crime increases of 15 per cent.

[From the Gary (Ind.) Post-Tribune, June 9, 1968]

TRAIN CREWMAN HIT IN FACE WITH ROCK

A Penn Central Railroad crewman has four teeth fewer than he had early Saturday, when he was hit by a rock at Broadway near 21st Avenue.

R. C. Galer, 53, of Fort Wayne, was released after treatment in Methodist Hospital for a cut lip and the four teeth that were knocked out.

The train was stopped about two hours after Galer was hit in the face with the rock, tying up traffic in the Hobart area.

Although the incident occurred at about 2 a.m., it wasn't recorded on the Gary Police bulletin until 3 p.m. Saturday.

[From the Gary (Ind.) Post-Tribune, June 9, 1968]

GARY YOUTH, 19, SHOT TO DEATH

A 19-year-old Gary youth was shot to death at about 10 p.m. Saturday at 750 E. 6th Ave.

Pronounced dead on arrival at Mercy Hospital was Jesse Medellin of 113 W. 14th Ave.

Police said he was shot once through the heart, but they had few details on the incident and no suspect in custody.

[From the Gary (Ind.) Post-Tribune, June 19, 1968]

FIFTY POLICEMEN WALK OUT OF PROMOTION TEST

Some 50 Gary policemen walked out of an examination for promotions today in protest of performance ratings and the manner in which the grades were disclosed.

James Taylor, president of the Gary Police Civil Service Commission, charged the action seems to be a part of a "concerted effort to disrupt democratic progress in the police department."

All of those who participated in the walkout were white patrolmen. A total of 101 policemen applied to take the promotional examination for detective.

Of those remaining in the testing room at Indiana University in Gary, it was about half Negro and half white.

The complaint, according to Taylor, was that the protesting patrolmen didn't agree with certain ratings and the lack of uniformity in grading policemen.

This is done by the department's sergeants and isn't a commission function, Taylor and Leon Wells, another commissioner, said.

They were conducting the tests today. Absent was a third commissioner, Daniel Thomas.

A sergeant's test was given at the same time as the detective examination, but it wasn't affected by the walkout.

Wells told a Post-Tribune reporter he got word of a possible move to get the detective's exam postponed as early as Monday night, but didn't put any "stock" in it.

Attempts to reach a spokesman for the dissident group weren't successful.

"This was the result of a misunderstanding *of the functions of the commission,"* Taylor said. "Some of the applicants for the promotional exam seem to think the commission can influence how the sergeants rate their men—this is under the administration of the chief."

"On the other hand," Taylor continued, "there were a few persons who were disgruntled and seemed hostile toward taking a test today and influenced or tried to influence their friends to leave with them."

The results of today's tests will be official, Taylor said.

"Everyone who was eligible to take the tests was invited and encouraged to take *it," he commented.*

A part of the protest was that the commission strayed from past procedures in posting the ratings.

Formerly, patrolmen about to take the test were given their ratings on an index card.

Today they were read from a list and Taylor and Wells said this was because the index cards weren't supplied by Police Chief James Hilton.

"I asked him to make the ratings available by Monday," Wells said.

The listing of patrolmen's performance grades was given to the commissioners at 9 a.m. today at the testing room, Wells said.

He and Taylor said there were no racial imbalances apparent in the ratings.

[From the Gary (Ind.) Post-Tribune, June 3, 1968]

GUNMAN ASSASSINATES VISITOR—KILLED AT MIDTOWN RESTAURANT

A gunman with a revolver hidden in a brown paper bag shot down a Terre Haute man in a gangland-style killing at a Central District restaurant here early today.

Willie Townsend, 40, of Box 33, Terre Haute, was pronounced dead at the scene. He was apparently shot several times.

It was the second assassination-type slaying here in the past 11 days and the fifth person to die as the result of a shooting since last Wednesday.

The tall, skinny assassin pumped bullets at Townsend as the victim retreated from the front to the rear of Walker's Grill, 1241 Washington St.

Police haven't determined a motive for the slaying.

Witnesses said Townsend was leaving the restaurant after purchasing some food when he met his killer in the doorway of the establishment.

"What's happening?" the victim was heard to say before the gunman opened fire.

The killer, holding what was apparently a .38-caliber revolver in a brown paper bag, started shooting at the doorway and continued the volley as Townsend jumped backwards to avoid the bullets, witnesses said.

Townsend made a grab for the weapon, didn't get it, and was a target of the continuous gunfire until he fell in the rear portion of the restaurant, police were told.

None of the witnesses could tell exactly how many shots were fired, but one said there were at least four.

The assassin was described as a light-complexioned Negro about six feet tall. He wore a light colored jacket and yellow pants and had his hair in a bushy style.

A .38-caliber slug was found on the floor of the restaurant.

On May 20, James Lee Paines, 21, of 2215 Madison St. was fatally wounded by a shotgun blast fired by an assassin in front of the *victim's home.*

Last Wednesday and early Thursday, four persons were killed in three shootings here.

Dorothea M. Lott, 22, of 2089 Washington St., was slain by an ex-boyfriend, Curtis Stegal, 49, of 2184 Broadway, who turned the sawed-off shotgun on himself. The shooting was in the man's apartment Wednesday afternoon.

Alges Eldridge, 28, of 2023 Vermont St., a former Gary policeman, was shot to death at his home. His 25-year-old wife, Alene, has been charged in connection with the Thursday night slaying.

And Erland Hallowell, 34, of 2289 McCool *Rd., Portage, a Democratic precinct committeeman* there, was killed by a gunman at 1839 Jefferson St., early Thursday. No arrests have been made in connection with the case.

[From the Gary (Ind.) Post-Tribune, July 2, 1968]

ATTENDANT SLAIN IN SERVICE STATION—GUNMAN HUNTED IN ROBBERY

A 37-year-old service station attendant was shot to death Monday night—apparently by a holdup man—and police are trying to fit together clues that might lead to the killer.

The slaying scene, 2000 Grant St., may have been the first of two Clark Service Station robberies within an hour.

Clarence Joyce, of 2206 Fillmore St., the attendant, was dead on arrival at Methodist Hospital, shot twice in the chest.

In police custody is a 46-year-old man police found lying in the back seat of a car at the rear of the scene.

He admitted to an argument with the attendant around 11:30 p.m., but refused to answer any more questions. The shooting was reported to police at 11:57 p.m.

The argument was over the attendant's refusal to tow the man's car from 21st and Hayes, where it was stuck in the sand, police were told.

Also hunted is a dark complexioned Negro, about 19, thinly built, who was seen running east on 20th Avenue just after the shooting. He was wearing a white, short-sleeved shirt and dark pants.

Four witnesses told police they were passing the Grant Street station when they heard two shots, and then spotted the youth running across the street on 20th Avenue.

When police arrived, they found the wounded Joyce lying in the station's pump area.

A .38-caliber pistol was found six feet from the mortally wounded man, but the ownership of the weapon hasn't been established.

About 40 minutes after that holdup, a Clark station at 1800 E. 15th Ave. was robbed.

The gunman was described as a Negro between 18 and 22, five feet six, 155 pounds, medium complexion, and wearing a dark jacket and light pants.

Joseph Ray Brown, an attendant at the second Clark station, said the youth came in and used the telephone before pulling a gun and announcing the holdup.

Brown handed over $10, but was told: "I said I want all your money."

Then Brown handed over an additional undetermined amount and the gunman fled east on 15th Avenue on foot.

"Don't move—my buddies are watching you," he warned Brown before leaving.

WITNESS APPEAL

Police issued an appeal today to a possible witness to come forward to aid in their hunt for the killer. The witness was described as a male Negro who reportedly went to the aid of the victim immediately after the scuffle. He was reported to have driven off in a blue Chevrolet. Police stress they want to talk to him only for what help he might give in shedding light on the circumstances of *the shooting. They ask that he contact the* detective bureau.

[From the Gary (Ind.) Post-Tribune, June 19, 1968]

WOMAN SHOT IN HEAD—HUSBAND IN CUSTODY

A 32-year-old women was seriously wounded Tuesday night when she was shot in the head. Police are holding her common-law husband as a suspect.

In serious condition at Methodist Hospital is Dorothy Daugherty, 4300 W. 21st Pl.

Held for questioning is Climon Patterson, 42, of Chicago, identified as a supervisor of waiters at a leading Chicago restaurant.

Patterson admitted the shooting and surrendered a .25-caliber automatic pistol, according to police. The shooting was at the woman's home around 9 p.m.

A witness told police she saw Patterson grab the woman by the neck at the doorway *of the dwelling and then heard several shots.*

Patterson later called police and said he wanted to give himself up at 1091 Colfax St. When police arrived, he handed over the pistol and identified the woman as his common-law wife, reports show.

[From the Gary (Ind.), Post-Tribune, June 3, 1968]

THREE TEENS ATTACKED NEAR AREA STORE

ROSS TOWNSHIP.—Three teen-agers were attacked by older boys near Lukens-Striegel Drugs at 55th and Washington here Sunday night.

Lake County police said the victims were Mike Kucon Jr., 5565 Jackson St.; Don Ostrozovich, 5772 Ellsworth Ct., and James Snow, 122 W. 55th Ave.

Kucon and Ostrozovich were treated for minor injuries at Gary Clinic, police said.

The victims said the two attackers jumped out of a car circling the drug store parking lot.

[From the Gary (Ind.) Post-Tribune, June 18, 1968]

FOUR ROB 34TH-GRANT GROCERY—CLEAN OUT REGISTERS AND SAFE

CALUMET TOWNSHIP.—Four bandits looted several cash registers and a small safe in the A&P Supermarket at 3450 Grant St. here Monday night.

The quartet apparently made a getaway car switch at 29th and Jennings within minutes after the robbery, county police said this morning.

The amount of the loss wasn't immediately estimated, police said.

The acting store manager, Paul Villanueva, of 416 Van Buren St., Gary, said the men entered the store at 7:50 p.m.

One of the foursome watched the front door, he explained while two others, armed with a shotgun and a revolver, began looting the registers.

The fourth bandit walked to the courtesy booth and asked when the manager would be back, Villanueva said.

When he was told the manager was out, the bandit vaulted the counter and looted a small safe in the booth.

A passerby told police four Negroes left the store in a light-colored station wagon.

A few minutes later an officer checking the Gary Small Farms area spotted a 1956 Pontiac station wagon at 29th and Jennings.

The driver's door was open and the keys were in the ignition, police said.

A witness there said four men, two carrying paper sacks, got out of the wagon and into a 1953 or 1954 Oldsmobile, and drove west on 29th Avenue, police said.

[From the Gary (Ind.) Post-Tribune, June 7, 1968]

TWO PURSES SNATCHED AT EIGHTH AND BROADWAY

Mary Andrusak, 140 E. 50th Ave., told police a purse containing $420 and three bank books was stolen from her Thursday at Sears Roebuck, 8th and Broadway.

The theft victim said she put the purse on a chair and left it for five minutes. When she returned, it was missing.

Helen Lindinger, 3511 Tyler St., said she was robbed of $12 by a woman at 8th and Broadway Thursday.

Mrs. Lindinger said she was walking along the street when the holdup woman put an arm around her waist and said, "Drop the purse or I'll cut you to pieces."

[From the Gary, (Ind.) Post-Tribune, June 7, 1968]

BANDIT TEAM KIDNAPS, ROBS GAS ATTENDANT OF $150 HERE

A Gary service station attendant was kidnaped and driven to Schererville Thursday night after two men robbed him of about $150 at the Checker Gas Station, 5160 Broadway.

In another holdup, Reaves Standard Station, 3077 Broadway, was held up early today.

James Volcsko, attendant at the Checker Gas Station, told police the two men drove into the station's pump area around 11:45 p.m. and ordered a quart of transmission fluid before one of them pulled a gun and demanded his money.

After robbing the attendant, the holdup men forced him into their car and drove to Schererville, where Volcsko was let out of the vehicle.

As the car sped away, Volcsko pulled his own weapon and said he believes the auto was hit by both shots he fired.

Both men were white, about 19, six feet one inch and 175 pounds, the attendant said. The gunman wore brown rimmed glasses.

The Standard station was held up around 2:15 a.m. today by a gunman who first asked for a battery charge on his car, according to Albert Smith, the attendant.

Smith said that after the holdup man pulled a gun, he took his own weapon from his pocket and a struggle ensued.

Smith's gun was taken away and the bandit hit him on the head with it and then took an estimated $55 from the cash register and the attendant's pockets.

Smith was forced into a washroom and the bandit, a Negro, raced to a spot just south of the Tri State Expressway where he got into a waiting car. Further description wasn't available.

The attendant flagged down a motorist and they chased the vehicle, but lost it on the expressway.

The attendant was treated at Methodist Hospital for the head cut and released.

[From the Gary (Ind.) Post-Tribune, June 13, 1968]

TAILOR FOUND BEATEN IN BURNED SHOP

A small fire and an apparent beating victim were discovered in a custom tailor shop above Venezia shoe store, 768 Broadway, today by Gary firemen.

The victim, Guiseppe Di Roma, 45, told Gary firemen that two men beat him around the head and chest. He was taken to Mercy Hospital.

Guiseppe's two-room shop is adjacent to his one-room apartment. Firemen said only minor damage was done to the shop where fire had started in four places.

Officials have not determined if there is a connection between the fire and beating.

[From the Gary (Ind.) Post-Tribune, June 28 1968]

GARY WOMAN SHOT IN HOME

Elizabeth Davis, 48, of 2354 Connecticut St., was hospitalized Thursday night after being shot in the shoulder at her home.

The victim, in fair condition at Methodist Hospital, told police she she was shot by an unknown person.

But, around *2 a.m. today a man* and a woman were arrested as suspects. The case is still being investigated, but other details are not available.

[From the Gary (Ind.) Post-Tribune, June 28, 1968]

TRUCK DRIVER ROBBED IN GARY

Alexander Rogers, a deliveryman for Ace Cleaners, 1212 Broadway, was robbed of $40 of the firm's money Thursday afternoon at 11th and Madison.

Rogers told police he was getting out of his truck to make a delivery when a man grabbed him from behind, forced him into a gangway and took the money.

[From the Gary (Ind.) Post-Tribune, June 26, 1968]

GUNMEN, MUGGERS GET NEAR $1,200 IN SEVEN ROBBERIES HERE

Gunmen and muggers got away with almost $1,200 in loot Tuesday after five daylight robberies and two more after dark.

No patterns were apparent and descriptions indicate that all seven robberies were by different persons. One was a block from police headquarters at 1301 Broadway.

The biggest haul was from the Martin Service Station at 11th and Chase.

Bill Webb, a station attendant, told police two gunmen robbed him and two other employes of a total of $400 Tuesday night.

Webb said the men entered the station and asked for change before both pulled weapons and demanded the attendant's money. After getting the money, the men fled on foot.

Marion Wolfe, 6744 Miller Ave. said he slowed his car for a water puddle at 11th and Hovey Tuesday, and as he did another car bumped his vehicle from the rear.

When Wolfe got out of his car and walked toward the second auto, the occupants got out and robbed him of $317. One of the robbers had a gun and the other a knife.

Wolfe was struck over the head with an unknown object before the bandits fled west on 11th in their car.

The man with the knife was described as about 24, six feet, 200 pounds, with short hair. He wore a black trench coat. There was no description of the gunman. Both were Negroes.

Another gunman escaped with an undetermined amount of money after holding up Twin Method Cleaners, 2305 W. 11th Ave., around 5:30 p.m. Tuesday.

Thelma Ware, a clerk, told police the man first entered the store with two pairs of trousers and inquired about cleaning prices. Then he left one pair of pants for cleaning.

Minutes later he came back and gave the clerk the second pair of pants to be cleaned and asked for change. When Mrs. Ware went to the cash register, he pulled a gun and demanded money.

He was described as a Negro about six feet, 130 pounds, and dark complexioned. He wore a brown jacket and dark pants.

Just before noon Tuesday, a man pretending to be a customer got $167 in a holdup at Progressive Superette, 708 W. 4th Ave.

Georgetta Nykaza, a clerk, said the man picked up a can of dog food and walked to the checkout counter as if to pay for it.

Instead, he pulled a gun and told her, "Keep quiet and don't move—don't even look up—give me the money."

She opened the register and he took the contents.

This gunman was described as a Negro about six feet two inches, 195 pounds and about 35. He was dark complexioned, had bushy hair and a pock-marked face.

Vernell Bethel, 2545 Polk St., a 7-UP Bottling Co., deliveryman, said he was leaving a drug store at *12th and Adams* around 1:15 p.m. when two men pulled guns on him, made him walk across the street to a vacant building and robbed him of $100 of the company's money.

Harry James, 3567 Massachusetts St., was robbed of $15 around 1:25 p.m. Tuesday less *than a block from the Police Station.*

James said a man came up behind him at 12th and Broadway, hit him over the head with an unknown object and took the money from his pants pocket.

John W. Meales, 1965 W. 14th Ave., said three men dragged him from his car and robbed him of $170 around 11 p.m. Tuesday at 22nd and Washington.

[From the Gary (Ind.) Post-Tribune, June 5, 1968]

FBI WILL STUDY SEGREGATION IN GARY SCHOOLS

The Federal Bureau of Investigation has been directed to begin a study of alleged segregation in Gary schools, The Post-Tribune has learned.

The civil rights division of the U.S. Justice Department asked for the FBI probe after receiving what it called a segregation complaint from a Gary parent, and an investigation request from the Gary Human Relations Commission.

"If the result of our investigation shows a violation of federal law, the department will take appropriate action," a Justice Department spokesman said.

It isn't known if the FBI probe has begun yet. The Justice Department directive for the investigation was given late last week.

The Gary HRC requested federal intervention several weeks ago when school housing and boundary issues were first coming to light in public school board sessions.

The Rev. Julius James, HRC chairman, today said, "It is hoped federal intervention will resolve one of the major issues of our community once and for all.

"We welcome their acceptance of the commission's request and hope that by the start of the September school term the investigation and possible actions will result in meaningful changes," he said.

FRANCES KNIGHT, EXCELLENT DIRECTOR OF U.S. PASSPORT OFFICE

HON. JAMES G. FULTON

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Friday, July 12, 1968

Mr. FULTON of Pennsylvania. Mr. Speaker, in these days when the U.S. budget is a major topic of discussion and concern, it is a pleasure to call attention to a Federal Government office that is competent and efficient, that consistently has fought red tape and waste to save the U.S. taxpayers' money.

Frances Knight has streamlined the operations of the Passport Office to best serve the demanding needs of this responsible position and the U.S. Government as well as the American people.

She has run a tight ship with an excellent record over the last 10 years. The record is impressive and speaks for itself.

As I believe the annual report of the success of the U.S. Passport Office deserves special attention of the U.S. Congress and the American people, I am submitting this report for the CONGRESSIONAL RECORD:

DEPARTMENT OF STATE,
Washington, D.C., July 9, 1968

DEAR COLLEAGUE: At the end of each fiscal year, June 30, I try to prepare a comprehensive report to the entire Passport Office staff taking cognizance of our combined efforts to enhance productivity, efficiency and general well-being.

We have made such phenomenal progress, thanks to each one of you, that it is getting increasingly difficult to reach new highs. But each year we manage to show substantial improvement. For instance, in 1955 the number of passports issued per man years of employment was 1,404. In 1960 this rose to 2,164 and in 1964 it increased to 2,469. In 1967 the figure hit 3,078 and in 1968 it reached 3,190.

We have made some notable strides in bringing about management and administrative improvements as a result of working smarter, rather than harder; thinking forward rather than backward and examining carefully operational details in our constant search for more economy.

Since all of us are involved in maintaining and enhancing the efficiency of the Passport Office and at the same time giving the best possible service to the public, you will be interested in a review of how we have progressed in the past year. You will remember that in 1966 we adopted the Passport Improvement Program, known as PIP, designed to reach new highs in every phase of our operation A modest annual savings goal was established at $25,000. To help meet this goal 89 Passport Office employees, at all levels, were given ten weeks of methods engineering indoctrination. This training was programmed so as not to interfere with our daily operation. As a consequence, there was widespread employee participation in the program with the result that 15 projects for operational improvements were adopted for action in 1966 saving a total of $25,275.17 for that year. In 1967, nineteen projects were adopted which resulted in a savings of $34,931.71 for the year. These projects were related to man hours of work, utilization of equipment, economy in the use of office supplies and improved methods of work. Subsequently all of these projects have become part of our routine administrative practices.

But this is not all we saved. We have reduced the cost of issuing a passport from $3.47 per book in 1955 to a current figure of $2.77 per book, despite the increased cost of paper, printing and salaries.

We thought we had reached a peak of efficiency in the past few years when we speeded up our searching techniques so that we could give one or two days service on the name clearances required by our ten Passport Agencies. But we realized that the supersonic transport age was just around the corner and while we were fast and accurate, we were sure that the 1970's would require action in minutes instead of hours.

Our office in Washington received 82,000 telephone calls last year compared with 49,000 in 1959. As a result of this increase in telephone traffic, we have had to enlarge our switchboards and related facilities. We have recently installed modern telecommunications equipment which clears our name checks by computer in a matter of seconds. In this respect we are ready for the impact of speed in the 1970's. A side issue of this advanced planning and programming which should not be overlooked is the $90,000 we turned back to the Department of State by a reduction of 19 employees during fiscal year 1968.

The Passport Office estimates that from fiscal year 1959 through fiscal year 1968, it saved over $13,000,000 for the United States Taxpayer. During this ten year period 11,440,000 passports were issued and renewed, and the fees collected therefrom, totaling in excess of $86,000,000, were deposited into the United States Treasury.

These figures may seem puny to some people, but we are a small office in comparison to other establishments within the Federal Government. I think we can be proud of these savings and I want to take this opportunity to thank each one of you who has contributed to the making of such a fine record. I have a hunch that if the taxpayers knew of our efforts on their behalf, we would get a loud "thank you" from virtually every corner of the country. When you talk to your family and friends about your work; don't hesitate to mention your contribution to good government. It is worth talking about.

Sincerely,

FRANCES G. KNIGHT,
Director, Passport Office.

RESULTS OF PUBLIC OPINION POLL IN THE 10TH DISTRICT OF OHIO

HON. CLARENCE E. MILLER

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Friday, July 12, 1968

Mr. MILLER of Ohio. Mr. Speaker, my annual questionnaire, covering a wide variety of topics ranging from medicare to the *Pueblo* incident, was sent throughout the 10th District of Ohio earlier this year.

The number of people responding to this questionnaire was heartening. Over 10,000 persons took the time to reply. I would like to publicly thank them for taking the interest they have shown in expressing their views.

So that my colleagues in Congress and the general public will be aware of the thinking of southeastern Ohioans I would now like to enter the results of my public opinion poll in the RECORD at this point:

RESULTS OF CONGRESSMAN CLARENCE E. MILLER'S 1968 PUBLIC OPINION POLL

DOMESTIC POLICY

1. Do you favor a constitutional amendment permitting one house of state legislatures to be apportioned on a basis other than population?

	Percent
Yes	42.3
No	46.6
No opinion	11.1

2. Should the medicare program be expanded to include coverage for the purchase of prescription drugs?

	Percent
Yes	47.6
No	49.9
No opinion	2.5

3. Do you think the war on poverty should be:

	Percent
Increased	18.2
Decreased	24.6
Continued at present levels	19.3
Discontinued	32.3
No opinion	5.6

4. Do you agree with the recommendations of the President's Commission on Civil Disorders as they relate to the riots in our nation's cities?

	Percent
Yes	25.4
No	63.5
No opinion	11.1

5. Do you favor Federal aid to elementary and secondary education?

	Percent
Yes	48.1
No	48.0
No opinion	3.9

FINANCIAL POLICY

6. Do you favor a tax on Americans traveling abroad as a means of lessening our balance-of-payments deficit?

	Percent
Yes	47.2
No	51.2
No opinion	1.6

7. Do you favor the income tax increase as recommended by the President?

	Percent
Yes	24.4
No	73.7
No opinion	1.9

8. Should parents be allowed income tax deductions for their children's college expenses?

	Percent
Yes	69.9
No	28.9
No opinion	1.2

9. Do you favor Federal farm price supports?

	Percent
Yes	28.4
No	66.2
No opinion	5.4

10. Should Federal spending on domestic programs be:

	Percent
Increased	18.6
Decreased	50.6
Continued at present levels	25.0
No opinion	5.8

INTERNATIONAL POLICY

11. Should foreign aid be:

	Percent
Increased	2.2
Decreased	52.8
Continued at present levels	6.9
Discontinued	36.1
No opinion	2.0

12. What should we do in Vietnam?

	Percent
Increase our military activity	44.8
Decrease our military activity	35.2
Continue our present course	12.4
No opinion	7.6

13. Do you think the United Nations is an effective instrument in maintaining world peace?

	Percent
Yes	33.9
No	63.3
No opinion	2.8

14. Do you think the President handled the *Pueblo* incident properly?

	Percent
Yes	16.3
No	78.8
No opinion	4.9

PROPERTY RIGHTS ASSAILED

HON. JOHN R. RARICK

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Friday, July 12, 1968

Mr. RARICK. Mr. Speaker, the aftermath of the affluent SCLC invasion of the District of Columbia continues to expose the warped objectives of the revolutionary leaders.

In today's paper a special report covers the "brown power fuhrer," Tijerina, blast of SCLC for having omitted from their program Junior King's objective of stealing white-owned southern plantation land by use of Federal condemnation proceedings to redistribute the land to Negro farmers.

Certainly the intellectual experts in our Nation's Capital would find no objection to further persecution of white southern landowners so we can only assume that they plan to wait until after the election.

Our only question might be why discriminate against southern white farmers? Why not also seize for redistribution northern, western, and eastern factories and landholding interests?

I include the report from the Washington Post for July 12, as follows:

MEXICAN-AMERICAN ASSAILS SCLC LEADERS: TIJERINA CHARGES POOR WERE BETRAYED

(By Paul W. Valentine)

Mexican-American leader Reies Tijerina yesterday accused key Negro leaders of "betraying" the Poor People's Campaign by squandering Campaign funds and ignoring the land-reform goals of the late Dr. Martin Luther King Jr.

"The poor have been completely mocked," he said in an interview. "Never have I seen the poor so betrayed."

He said he is gathering specific evidence that the Negro-dominated Southern Christian Leadership Conference, sponsor of the ten-week old Campaign, had squandered money and slighted the interests of non-Negro contingents in the Campaign. He will reveal the evidence at a press conference "very soon," he said.

Tijerina, 41, a volatile and frequent critic of SCLC, said the Negro leadership asked him "to keep quiet, because if I made a lot of noise, that's just what the white press and the public wants: they want to divide us.

"But I say now that only the public can put a stop to this shameful, hypocritical Campaign that was supposed to have been established in the name of God and the poor."

Among Tijerina's specific accusations are:

SCLC strategists omitted from the Campaign list of goals any mention of Dr. King's suggestion that portions of white-owned Southern plantations be redistributed to Negro farmers by Federal condemnation procedures.

SCLC rented expensive walkie-talkies, air-conditioned Cadillacs and a number of buses for demonstrations during May and June but denied use of them by the Mexican-American contingent.

SCLC changed the date of the "Solidarity Day" mass rally in Washington from May 30 to June 19 but did not notify the Mexican-American leadership until the public announcement of the change on May 21. The result was that 150 Mexican-Americans lined up to come here by bus from the Southwest for the May 30 date had already left. They arrived, then returned immediately when notified of the postponement. Tijerina said SCLC refused to underwrite the travel cost of another group for June 19.

Tijerina said yesterday only a few key SCLC officials are responsible for the "betrayal"—those in charge of finances and "coordination." He declined to specify the names but said he would do so at a future press conference.

He stressed that SCLC's two top leaders, the Rev. Ralph David Abernathy and the Rev. Andrew Young are "sincere, trustworthy men who have fought against these bad elements."

Tijerina and his contingent of 300 to 400 Mexican-Americans refused to live in the plywood shanty town called Resurrection City with the other campaigners. From the beginning in early May, Tijerina charged that SCLC had excluded non-Negro groups from policy-making roles in the Campaign, and he showed his anger by arranging to have his contingent live in the nearby private Hawthorne School.

He also accused SCLC leaders of staying at "expensive motels" while the poor people lived "in constant danger in Resurrection City." Many SCLC leaders stayed at the Pitts' Motor Hotel, 1451 Belmont st. nw. but said they needed rooms for strategy meetings away from the distractions of Resurrection City.

When Resurrection City was closed by police action June 24, some 200 Negroes moved into Hawthorne School. Tijerina described their arrival as an "invasion," charging that they "took over the kitchen and dining hall," assaulted whites and Mexican-Americans and molested women using the bathrooms of the school. He blamed the incidents on faulty SCLC control.

NIXON'S RECORD IS STRONG

HON. JAMES G. FULTON

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Friday, July 12, 1968

Mr. FULTON of Pennsylvania. Mr. Speaker, the following two letters make note of Richard Nixon's past achievements and present accomplishments. I believe the record should speak for itself:

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, D.C., July 2, 1968.

DEAR REPUBLICAN COLLEAGUE: Every Republican in America yearns for a Republican Congress—so that we can effectively translate Republican principles into a positive program and elevate that program into the law of the land. Richard M. Nixon's nomination in Miami next month offers us the best chance to achieve our goal of a Republican Congress!

Let's look at the record:

In 1960 Dick Nixon ran 5 percentage points nationwide ahead of the Republican congressional vote. With Dick's drawing power at the head of the ticket we achieved a net gain of 20 seats in the House and 2 in the Senate.

In 1966 Dick Nixon concentrated on helping Republican congressional candidates across America. The results? A net gain of 47 House seats and 3 Senate seats.

In contrast, New York 10 years ago had 26 Republican Congressmen and 17 Democrats. Today, after a decade with Nelson Rockefeller heading our party in New York, it is the Democrats who hold 26 House seats while the Republican delegation has shrunk to 15—a net loss of 11! To those who say it isn't the Governor's fault, look what Rhodes has done in Ohio and Romney in Michigan!

We know that Dick Nixon, a proven Republican team player, will lead us to a team victory in November! Our big job is to elect a Republican Congress to work with a Republican President for a better America!

Yours, therefore, for the nomination and election of Richard M. Nixon.

LESLIE C. ARENDS, Illinois, 12th District; WENDELL WYATT, Oregon, First District; WILLIAM L. DICKINSON, Alabama, 2nd District; E. ROSS ADAIR, Indiana, Fourth District; KARL E. MUNDT, South Dakota, Senator; HOWARD H. BAKER, Jr., Tennessee, Senator; G. R. WATKINS, Pennsylvania, 9th District; FRANK T. BOW, Ohio, 16th District.

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, D.C. July 11, 1968.

DEAR REPUBLICAN COLLEAGUE: In addition to his proven ability to help elect Republican Congressmen, as discussed in an earlier letter, we are working for the nomination and election of Richard M. Nixon for these two reasons: He would make our best Republican President, and he has the best chance to win. As a reminder, here are some typical examples of Dick's strength that go beyond his understandable support by our fellow Republicans for his years of loyal Party service:

PRIMARIES 1968

Pennsylvania (both write-ins):

Nixon	171, 815
Rockefeller	52, 915

Oregon (60,000 Rockefeller petitioners in early spring):

Nixon	184, 628
Rockefeller (write-in)	10, 310

New Jersey (both write-ins):

Nixon	71, 809
Rockefeller	11, 530

New Hampshire:

Nixon	80, 667
Rockefeller (write-in)	11, 241

Almost 5% of N.H. Democrats wrote in "Nixon"; less than ½ of 1% wrote in "Rockefeller."

As Republicans who want a 1968 winner, we cannot overlook the sharp decline in Rockefeller's vote-getting ability in New York State; viz.:

[In percent]

1958 Rockefeller vote	54. 7
1962 Rockefeller vote	53. 1
1966 Rockefeller vote	44. 6

Independents prefer Nixon over Rockefeller when matched against Humphrey. Six per cent more Independents vote for Nixon than for Rockefeller (Gallup Poll, New York Times, June 12, 1968). The actual findings:

[Independents percent]

Nixon	39
Humphrey	26
Wallace	26
Other	9
Rocky	33
Humphrey	30
Wallace	28
Other	9

ROGERS C. B. MORTON, Maryland First District; WILIAM H. AYRES, Ohio, 14th District; JAMES T. BROYHILL, North Carolina, Ninth District; STROM THURMOND, U.S. Senator, South Carolina; JAMES G. FULTON, Pennsylvania, 27th District; HOWARD W. POLLOCK, Alaska, at large; CHARLES E. WIGGINS, California, 25th District; CARL T. CURTIS, U.S. Senator, Nebraska.

TEACHER CORPS DESERVES SUPPORT

HON. WILLIAM A. STEIGER

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Friday, July 12, 1968

Mr. STEIGER of Wisconsin. Mr. Speaker, yesterday during the debate on the defense procurement authorization bill, the gentlemen from Illinois [Mr. RAILSBACK] offered an amendment which I supported.

The gentleman from Illinois [Mr. RAILSBACK] pointed to the substantial reductions made in the Teacher Corps appropriation and noted it was only fair to try to economize, too, in the defense procurement area.

Those of us who joined with the gentleman from Illinois [Mr. RAILSBACK] wisely sought to reorder our priorities. The Teacher Corps deserves the support of Congress.

In an editorial in today's New York Times, entitled "Teachers, Not Nightsticks," this point is clearly spelled out:

TEACHERS, NOT NIGHTSTICKS

"The Teacher Corps should be expanded into a major national program." So said the National Advisory Commission on Civil Disorders in its far-reaching report. But unless Congress moves quickly, the Teacher Corps will be neither national nor major nor a program worthy of the name.

In the last two years the Teacher Corps under the Department of Health, Education, and Welfare has gone where the action—is into the troubled schools and communities of the nation. Able college graduates have participated in a program of professional training and service in poverty-area school systems.

But a parsimonious House has voted only $15 millfon for fiscal 1969—actually $2 million less than this year. If this pittance for slum teaching stands, it would mean only about 800 new interns would be able to sign up. The Teacher Corps could train 1,500 dedicated graduates if its requested $31 million were granted. This sum would enable interns to be placed in more than fifty cities.

Applications are on hand from over 10,000 young Americans, black and white, who have volunteered to go to work in slum schools and contribute to community programs. Most are this year's graduates, and they are willing to work for subsistence wages. To deny thousands of potential teachers this opportunity is to shortchange the communities that can profit most by education.

In their stress on "law and order," let Congressmen think of sending teachers in preference to nightsticks into the areas of underprivileged America.

THE PRESIDENT HELPS CENTRAL AMERICA MEET ITS PROBLEMS

HON. HALE BOGGS

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Friday, July 12, 1968

Mr. BOGGS. Mr. Speaker, the historic meeting of the Central American chiefs of state in El Salvador has now ended and President Johnson and the presidents of the other American Republics there are to be congratulated for the decisions taken to promote economic and social development of Central America.

They deserve the support of the Government and people of the United States.

By their decisions, the Central American leaders have expressed their determination to assure present and future generations the full benefits of advances in economic, political and cultural fields. The U.S. Government can only help our neighbors to help themselves, and this has long been the intent of the Congress.

I believe that the initiatives taken by President Johnson to encourage our Central American neighbors to adopt all measures necessary to solve problems facing the Central American Common Market and other measures to advance the progress of the area deserve our full support. President Johnson has rendered a great service both to his own people and to our friends and neighbors in this hemisphere.

As the President said upon his arrival in San Salvador:

I came to find out from my fellow Presidents what our nations have achieved toward improving the lives of the people. I came to ask what more can we do together.

The President has given great force to the furtherance of the aspiration of the Central American people toward a fuller and more productive life. My congratulations to him for this effort.

DR. RAYMOND W. MILLER EXPANDS UPON THE NEW AGRICULTURAL GRAINS IN ASIA

HON. E. Y. BERRY

OF SOUTH DAKOTA

IN THE HOUSE OF REPRESENTATIVES

Friday, July 12, 1968

Mr. BERRY. Mr. Speaker, the July 7, 1968, Washington Post carried an excellent article by Mr. Lester Brown of the U.S. Department of Agriculture detailing efforts to feed the great masses of Asia with new strains of cereal grains.

The International Agricultural Development Service is to be commended for its adherence to the concept of self-help and the original idea of the U.S. foreign aid program of sharing our know-how and technical expertise rather than just our money and things.

At the same time, there are two very important points which need to be stressed regarding this latest development. In a letter to me dated July 9, 1968, Dr. Raymond W. Miller of World Trade Relations, Inc., of Washington, D.C., makes these two points:

First, development of the new grains was successfully undertaken not by the tax-financed Agency for International Development or its predecessors but by the voluntary and private foundations involved in international assistance.

Second, and most importantly, Dr. Miller points out that unless we take action to control the rodent and pest populations in Asia, no amount of food or grain production will be sufficient to feed the people of Asia.

In light of the upcoming debate on the foreign aid bill I believe the points made in excerpts from Mr. Brown's article and Dr. Miller's letter are of special relevance to all Members and under unanimous consent I insert them into the RECORD, as follows:

[From the Washington (D.C.) Post, July 7, 1968]

A REVOLUTION IS FILLING THE LARDERS OF ASIA

(By Lester R. Brown)

(NOTE.—Brown is administrator of the Agriculture Department's International Agricultural Development Service. The following is adapted with permission from an article in the July issue of Foreign Affairs.)

For those whose thinking of Asia is conditioned by the food crises of 1965 and 1966, the news of an agricultural revolution may come as a surprise. But the change and ferment now evident in the Asian countryside stretching from Turkey to the Philippines, and including the pivotal countries of India and Pakistan, cannot be described as anything less.

This rural revolution, largely obscured in its early years by the two consecutive failures of the monsoon, is further advanced in some countries—Pakistan, the Philippines and India—than in others, but there is little prospect that it will abort, so powerful and pervasive are the forces behind it.

That the agricultural revolution of the less developed world began in Asia is fortunate, since it is both densely populated and has a rapid rate of population growth.

Historically, as Asia's population increased, it was supported by traditional agriculture on an ever-expanding area of cropland. As the postwar population explosion gained momentum in the late 1950s and early 1960s, the supply of new land was used up but the productivity of land under cultivation increased little.

The result was a slowdown in the rate of gain in food production and a growing concern that population growth and food production were on a collision course. The gravity of the situation came into focus as the Indian monsoon failed two years running, in 1965 and 1966. The United States responded by shipping the equivalent of nearly one-fifth of its wheat harvest, feeding 60 million Indians for nearly two years and staving off famine.

As of mid-1968, both the food situation and food production prospects in Asia have changed almost beyond belief.

What has caused this remarkable turnabout? One factor is new political commitments at the top in several countries. Shortchanging agriculture is no longer either feasible or fashionable.

Many governments which heretofore neglected agriculture have been encouraged to give agriculture a higher priority by the "Short-tether" policy of the United States, whereby food-aid agreements are of short duration and renewal depends on local effort and performance. The overall scarcity of foodgrains, particularly rice, in many Asian countries increased prices to the point where it suddenly became very profitable for large numbers of farmers to use fertilizer and other modern inputs.

Perhaps the most exciting development is the rapid spread of new, high-yielding varieties of cereals. The Mexican wheats now proving so adaptable throughout Asia are the product of more than 20 years of work by the Rockefeller Foundation. Efficient new rice varieties are coming principally from the International Rice Research Institute in the Philippines, an institution founded jointly by the Rockefeller and Ford Foundations in 1962.

Work on high-yielding varieties of corn, sorghum and millet is concentrated in India, where the Rockefeller Foundation is providing leadership. Areas planted to the new varieties went from a few hundred acres in 1964–65 to about 23,000 acres in 1965–66, nearly four million acres in 1966–67 and over 20 million acres during 1967–68, the crop year just ended. Plans indicate a further expansion of up to 40 million acres in the coming year.

The new varieties often double yields of traditional varieties; their superiority is so obvious that farmers are quickly persuaded of their merits and the high yields attained on experimental plots are readily transferable to field conditions. There are reports of farmers attaining higher yields under field conditions with large acreages than researchers did on experimental plots.

The availability of these new seeds has enabled many Asian countries to shorten materially the agricultual development process. Once it was demonstrated that a given high-yielding variety was adapted to local growing conditions, large tonnages of seed were imported, thus eliminating the several years required to accumulate sufficient supplies of seed locally.

Introduction of the new varieties is changing not only the technology of production but also the economics. The potentially far-reaching economic implications of the agricultural revolution are only now becoming clear.

The agricultural breakthrough in Asian countries can be repeated in Latin America and Africa. Mexico, which once depended on imports for nearly half its wheat needs, is now exporting small quantities of both wheat and corn. Kenya, until recently a food-aid recipient, has produced an exportable surplus of corn, its food staple. Tunisia and Morocco are introducing the Mexican wheats.

If the Asian agricultural revolution continues, it could well become the most significant world economic development since the economic rebirth of Europe following World War II. It is not the ultimate solution to the food-population problem, but it does buy some much needed time in which to mount effective family planning programs.

If food scarcity lessens in some of the major food-deficit countries, governments recently preoccupied with food crises can again turn their attention to the business of development. Although the need for food aid is likely to lessen sharply within the next few years, the need for technical assistance and for foreign private investment in agrobusiness will rise as farmers clamor for the inputs they need to take full advantage of the new genetic potentials.

The positive economic effects of an agricultural takeoff in Asia are quite evident. What is not so readily realized is that it may also strengthen the faith of national leaders in modern technology and its potential for improving the well-being of their people.

WORLD TRADE RELATIONS, INC.,
Washington, D.C., July 9, 1968.

Hon. E. Y. BERRY,
2428 Rayburn Building,
Washington, D.C.

DEAR MR. BERRY: Following the telephone conversation with your assistant, Mr. Dan Nordby, we have made a careful study of the article, "A Revolution is Filling the Larders of Asia," by Mr. Lester R. Brown, which was reprinted in *The Washington Post* of July 7, 1968. This is in line with our continuing study of balancing food and people in Asia.

Mr. Brown has made an important contribution with this article toward better understanding of how to wrest more calories from products of the soil. Several of those upon whom we depend for accurate information on world food problems have returned from Asia in the past few weeks and confirm Mr. Brown's findings. The Department of Agriculture is to be congratulated upon releasing this information.

It is interesting to note that the development of new strains of wheat in Mexico and of rice in the Philippines was the result of work done by two foundations, Rockefeller and Ford, in cooperation with scientist citizens in the countries concerned, and not through expenditures by the Agency for International Development of the U.S. Department of State, or its predecessor agencies. With all due respect to our government aid programs, they have not been able to effect the results that have been made possible by voluntary groups working overseas.

As pointed out in our study, "Men or Beasts?," which you read into the *Congressional Record* on June 7, 1967, President Truman's original Point Four concept was as follows:

"Our aim should be to help the free peoples of the world, through their own efforts, to produce more food, more clothing, more materials for housing, and more mechanical power to lighten their burdens.

"We invite other countries to pool their technological resources in this undertaking. Their contributions will be warmly welcomed. This should be a cooperative enterprise in which all nations work together through the United Nations and its specialized agencies wherever practicable. It must be a worldwide effort for the achievement of peace, plenty and freedom.

"With the cooperation of business, private capital, agriculture, and labor in this country, this program can greatly increase the industrial activity in other nations and can raise substantially their standards of living."

The development outlined in Mr. Brown's article is certainly in accord with President Truman's initial idea of encouraging our educational and technical institutions to cooperate in the transfer of ideas and knowledge from where they had been developed to where they could be useful to man for "the better life."

In "Men or Beasts?," and in subsequent material you have inserted into the *Congressional Record*, you have drawn the attention of Congress to the fact that in most of Asia and in India, in particular, rodents and other animals consume and destroy huge quantities of food. The present upsurge in tonnage of grain shipments is subject to the constant depredations of these pests and it is our opinion that one of the tragic net results of this increase in food, brought about by the efforts of our foundations, will be a continuing high percentage of waste because of inadequate warehousing, transportation and distribution facilities, and because of a lack of knowledge on the part of the people concerned of the wasteful damage that is being done. Until Asian public opinion turns against an animal-oriented economy, much of the gains from increased food supplies will be lost.

It seems to us that increased attention must be placed on proper warehousing, transportation and distribution facilities and the development of such facilities can, in all probability, be handled much more effectively by voluntary organizations and foundations than by any other method.

Most sincerely,
RAYMOND W. MILLER.

THE RESULTS OF CONGRESSMAN GEORGE BROWN'S QUESTIONNAIRE

HON. GEORGE E. BROWN, JR.

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, July 12, 1968

Mr. **BROWN** of California. Mr. Speaker, for the fifth consecutive year I have queried the residents of my district concerning their views on certain issues of current importance.

I have now received the returns and have had the results tabulated by computer. I would like to include those results at the conclusion of my remarks, but first let me comment on congressional questionnaires in general and my own in particular.

One of the most difficult problems is to develop questions that will be meaningful, fair, and—as pointed out above—not out of date before the replies are received and tallied. In my own defense I would say, first, that it is probably impossible to ask a question that is not going to strike some people as being "loaded," or, worded in such a way as to make certain that the response will be favorable to my own way of thinking.

Let me say that I make every effort to prevent this from being the case. I see no value in finding out, for instance, that 90 percent of those answering would oppose an "oppressive tax increase" or an "unwise foreign policy" if they were described in this way in the question asked. I notice many of my colleagues, making sure that they point out the high cost of a program in their questions, such as: "Do you favor paying higher payroll contributions so that social security benefits can be increased for persons receiving them now?" I am sure that they would defend such a question on the basis that they are simply being realistic and presenting all the facts, but this is, obviously, a question that shows the questioner's bias.

At the same time, leaving out an important consideration such as the fact that payroll contributions would necessarily be higher could also be construed as "loading" the question, so, the only thing one can do is to do his best. I certainly cannot guarantee that every one of my questions will satisfy everyone, but I will repeat that I have tried to be as fair as possible.

The use that questionnaires are put to is another variable. A Congressman could not promise to be guided completely in his votes or actions by the results to a particular question. First of all, his decision must be made on the basis of having a great deal more information at hand than the average citizen as a result of committee hearings, debate, and other avenues of contact. Second, it is highly unlikely that the voting situation will be identical to the question asked. Often the bill that is finally voted on is a compromise version, for instance, rather than the proposal first offered.

Therefore, I try to frame my questions around general feelings, and I try to give the appropriate weight to the feelings of my constituency on that particular issue when the time comes to make a decision.

On this year's questionnaire one of the most interesting facts is that two-thirds of the residents of my district who replied feel that the Government should be an "employer of last resort." There were only 23 percent who disagreed with this belief and the balance were undecided or failed to respond to that particular question.

Almost as many—65 percent—also said that they would favor using a major part of the savings that might result from a deescalation of the war in Vietnam to help cure problems of the poor here in the United States. Not in favor of using these funds were 24 percent.

In addition, an equal number indicated that they felt that "programs aimed at bettering living standards through jobs, housing, and education are effective in helping to prevent future riots." There were 66 percent agreeing with this contention, while 24 percent disagreed.

Almost half—48 percent—disagreed somewhat with the new provisions which Congress has imposed on welfare recipients, replying that they did not feel that a program of "jobs for able-bodied welfare applicants" should "require all women who have minor children at home to accept employment even if they are willing to care for their children." Thirty-four percent felt that this should be a requirement and the balance were undecided.

Another question involved current racial and social problems which the United States is currently experiencing and dealt with the recently passed "open housing" bill which Congress passed. A majority of 53 percent said that if they were in Congress they would have voted "yes" on this bill which "forbids discrimination because of race, color, religion, or national origin in the sale or rental of most homes and apartments." There were 35 percent opposed to the measure.

The results on the open housing question closely paralleled the way the House of Representatives had split on the issue, with 56 percent of this body in favor and 44 percent opposed.

The strongest support for a policy of deescalation in Vietnam and attempts to negotiate for peace comes from college graduates, under 35, who are Democrats and who have lived at their current address for less than 2 years.

I asked whether they approved of "President Johnson's recent change in our Vietnam policy to a policy of deescalation and attempts to begin negotiations for peace?" Overall, 69 percent approved while 21 percent did not. The remainder were undecided or made no reply to that particular question.

Those persons indicating that they were Democrats approved by an overwhelming 81 percent with only 13 percent disapproving. Republicans approved by a 57 to 33 percent margin, and Independents showed 69 percent approving and 24 percent opposed.

College graduates gave a wide margin of approval with 75 percent favoring the move and 17 percent disapproving, while those with less than a college education showed about a 68 percent approval and a 24 percent disapproval ratio.

Persons over 35 were somewhat less enthusiastic than those under that age with 74 percent of the age 20 to 35 group approving compared to 69 percent of their elders.

The questionnaire did not, however, show such strong agreement on whether or not "President Johnson's withdrawal from the election race" would help bring peace in Vietnam. Here, 46 percent did not feel it would help and only 37 percent felt it would.

There was very little difference in the breakdowns by age group, but persons with more education tended to give stronger support to the idea that his withdrawal from the race would help bring peace. Democrats and Independents also gave much more credence to this theory than Republicans where only 29 percent felt it would help and 56 percent said it would not.

I find very mixed feelings on giving a strong voice to the National Liberation Front in any future government in South Vietnam as the result of negotiations. Here, 35 percent would favor an agreement of this type while 52 percent would not.

Republicans again split with Democrats and Independents with only 22 percent in favor as opposed to 42 percent of the Democrats and 54 percent of the independents. College graduates and those under 35 continued to show more amenity toward negotiating such an agreement than the rest.

The complete tabulations are as follows:

	Age			Education			Lived at present address—			Political party			Total
	20 to 35	36 to 55	Over 55	Under 12 years	High school graduate	College graduate	Under 2 years	2 to 5 years	Over 5 years	Republican	Democratic	Other	
1. Do you approve of President Johnson's recent change in our Vietnam policy to a policy of deescalation and attempts to begin negotiations for peace?													
Yes	74	69	69	67	68	75	75	72	69	57	81	69	69
No	19	23	22	23	24	17	17	21	22	33	13	24	21
Undecided	6	6	5	7	6	5	6	5	6	8	4	4	5
2. Do you feel that President Johnson's withdrawal from the election race will help bring peace in Vietnam?													
Yes	39	37	38	28	34	44	44	37	36	29	43	45	37
No	45	48	46	55	52	39	41	48	49	56	42	39	46
Undecided	15	13	13	15	12	15	14	13	13	13	14	14	13
3. If it becomes apparent that an end to the war can be negotiated only if the National Liberation Front (Communists) has a strong voice in the government of South Vietnam, would you favor making such an agreement?													
Yes	43	35	29	27	29	45	43	37	32	22	42	54	35
No	47	55	57	62	60	43	45	53	56	66	47	38	52
Undecided	9	7	9	8	8	8	9	7	9	9	8	6	8
4. The cost of fighting in Vietnam is near $30,000,000,000 a year, while the antipoverty program costs about $2,000,000,000. If the war is deescalated, would you favor using a major part of the savings to cure problems of the poor here at home?													
Yes	69	64	66	72	64	68	74	66	64	49	77	71	65
No	24	27	22	19	26	25	19	27	26	40	16	22	24
Undecided	5	6	6	6	7	5	5	5	7	8	5	4	6

	Age			Education			Lived at present address—			Political party			
	20 to 35	36 to 55	Over 55	Under 12 years	High school graduate	College graduate	Under 2 years	2 to 5 years	Over 5 years	Republican	Democratic	Other	Total
5. Do you feel that the Government should be an "employer of last resort", making jobs available to all who are able to work and cannot find work elsewhere, thereby keeping the welfare rolls limited only to the physically unfit?													
Yes	63	68	73	75	66	67	65	66	69	57	74	66	66
No	28	24	18	16	25	24	26	25	22	33	17	25	23
Undecided	9	7	6	7	7	7	8	7	7	8	7	7	7
6,. Should such a program which provides jobs for able-bodied welfare applicants require all women who have minor children at home to accept employment even if they are willing to care for their children?													
Yes	32	36	34	38	37	29	31	34	36	39	32	29	34
No	53	47	49	45	47	54	55	49	48	43	54	54	48
Undecided	13	13	11	13	13	13	12	14	12	14	12	13	12
7. Realizing that strong police action must be taken immediately to stop a riot that has already started, do you feel that programs aimed at bettering living standards through jobs, housing, and education are effective in helping to prevent future riots?													
Yes	72	67	65	65	64	73	74	67	66	56	76	68	66
No	21	26	26	26	28	20	18	25	26	35	17	24	24
Undecided	6	6	7	7	6	6	6	7	6	3	5	6	6
8. If you were a Congressman, how would you have voted on the recently passed "open housing" bill that forbids discrimination because of race, color, religion, or national origin in the sale or rental of most homes and apartments?													
Yes	61	55	45	51	48	63	64	57	49	37	64	61	53
No	32	36	41	38	42	30	29	35	40	53	26	34	35
Undecided	6	6	9	9	8	5	6	6	7	7	7	4	7
9. Do you favor admitting mainland China to the United Nations?													
Yes	48	43	38	35	38	52	50	47	39	28	51	60	43
No	40	44	50	50	49	37	38	42	48	60	36	32	43
Undecided	11	10	10	13	11	10	11	10	11	10	11	7	10
10. Do you approve of the proposal for a Federal income tax increase this year?													
Yes	32	32	37	32	29	39	33	33	34	31	36	27	33
No	59	59	50	57	60	52	59	57	55	60	53	64	55
Undecided	8	7	10	10	9	8	8	9	8	7	9	7	8
11. Do you feel that Federal aid for strengthening local police forces would be effective in stopping the rising crime rate?													
Yes	34	40	51	51	44	36	35	40	44	39	44	30	40
No	52	46	34	37	43	50	52	46	42	48	41	58	44
Undecided	12	12	12	10	11	13	12	13	12	11	13	10	12
12. Do you favor steps to strengthen local government powers, in relation to Federal Government powers, by broadening the local tax base (with a corresponding decrease in the Federal tax base) and by providing greater local authority to deal with local problems?													
Yes	59	64	62	57	65	60	59	62	63	80	52	55	61
No	23	21	18	20	19	23	24	12	20	10	27	26	20
Undecided	17	13	15	19	13	15	16	15	14	8	18	18	14

JAMES C. DONNELL II, PRESIDENT OF MARATHON OIL CO.

HON. JACKSON E. BETTS

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Friday, July 12, 1968

Mr. BETTS. Mr. Speaker, on July 8, 1968, the National Petroleum Council presented an award to its chairman, James C. Donnell II, for his outstanding leadership. Oil is one of the basic industries of our economy and contributes enormously to our progress in science, industry and many other facets of our present day way of living. Therefore, I consider it appropriate to call attention to the type of leadership in this vital and essential industry.

Mr. Donnell has been the head of the National Petroleum Council for 2 years. He is president of Marathon Oil Co. which has its home office at Findlay, Ohio, in the 8th Congressional District which I represent. In background, education, and experience, he represents the finest type of industrial leadership. As a personal friend I noted with pride the tributes that were paid to him on this occasion and which included the following remarks by the Honorable J. Cordell Moore, Assistant Secretary of the Interior, Mineral Resources, and remarks by the Honorable Frank N. Ikard, president, American Petroleum Institute.

The above-mentioned remarks follow:

REMARKS OF HON. J. CORDELL MOORE, ASSISTANT SECRETARY OF THE INTERIOR, MINERAL RESOURCES, AT THE NATIONAL PETROLEUM COUNCIL DINNER, WASHINGTON, D.C., JULY 8, 1968

This is an age of demonstrations aimed at everything from "Saving The Tiger" to such weighty matters as desegregating the men's from the women's dormitories at some of our Ivy League colleges. Usually such things don't fall under Vice President Humphrey's definition of the "politics of happiness"—and when a Government official hears the word "demonstration" being passed around, his first inclination is to grab his hat and head for the nearest fire escape.

But the demonstration here tonight is of a different kind.

It is a demonstration of the respect and admiration in which an outstanding leader of the petroleum industry is held by his associates. It is a demonstration by the Council membership of appreciation to its departing Chairman for outstanding service. It is a demonstration of the good wishes and genuine warm affection of the many friends of our Honored Guest, Mr. James C. Donnell, II.

It is a pleasure to join the members of the Council in this testimonial of appreciation to one of your most illustrious members. I speak for myself and for the Department of the Interior, but I know that my thoughts are shared by every official of the Government here tonight when I say that I am deeply grateful for the leadership that Jim Donnell has given this important advisory group over the past two years.

These have been years of action and progress:

The ten-volume set of operating manuals for the Emergency Petroleum and Gas Administration was completed, and are now the basis for the organization and training of our standby emergency oil and gas administration.

Two highly important Council studies, *The Impact of New Technology and Factors Affecting U.S. Exploration, Development and Production* were basic reference works for the Department of the Interior study of future petroleum availability which will be distributed to you tomorrow.

The 1962 survey of oil and gas transportation facilities was updated and improved. This provides an extremely useful catalogue of the transportation facilities on which we would have to depend in an emergency.

In addition to the projects which were completed, other important ones were begun:

The *Survey of Future Petroleum Provinces* will provide us with a fresh, new look at the oil and gas potential of our important sedimentary areas.

The complexities of developing and sharing the resources of the ocean floor are being thoughtfully considered by a committee appointed by Mr. Donnell in response to a request made to the Council at its last meeting. The importance of this effort is self evident.

We look forward with great interest to the findings of the committees now studying the critical areas of manpower and materials requirements, particularly in the exploration, development, and production phases of the domestic petroleum industry.

Like the Congress of the United States, the Council progresses through the work of its committees. And Jim Donnell is no stranger to committee work—he has served on nearly fifty since being appointed to the Council in 1948, including the chairmanship of five. I suggest that much of his success as Chairman of the Council stems from his extensive background in committee work—the knowledge of who does well in what kinds of assignments; of personality combinations that click—and those that don't; of how to build a fire that warms but doesn't scorch; of how, briefly, to get on with the Council's business with the least delay.

Having just said what I did, the only proper thing I can do now is to sit down and let the Council get on with its business without delay—but not before saying to Jim Donnell on behalf of the Department of the Interior and the United States Government that we all deeply appreciate the many constructive things you made happen in your two years as Chairman of the National Petroleum Council. Jim, we are all truly grateful, and we are delighted that you are continuing to serve as a Member of the Council, and that we can look forward to many more years of access to your outstanding abilities.

Thanks again for everything.

Remarks of Mr. Frank N. Ikard, President, American Petroleum Institute, at the National Petroleum Council Dinner, Washington, D.C., July 8, 1968

PRESENTATION OF SCROLL TO J. C. DONNELL II

Mr. Ikard. Thank you, Cordell. And now, gentlemen, we have arrived at the final stage of our program, and I am personally grateful for the opportunity to say a few words about our Chairman, Jim Donnell.

There's an old Indian saying out West that before you can know or judge a man, you should first walk a mile in his moccasins.

I don't know of any oil company president who has put that philosophy into practice any better than Jim Donnell. When he talks to one of his geologists or engineers in the field—he knows the man's problems because he's done the job. When he talks to his man in charge of crude oil sales, that man had better know his facts, because Jim has done his job, too.

In fact, like a slogan about a popular sports hero, when it comes to the oil business, Jim Donnell "has done it all."

He didn't waste any time getting started in the business from the ground up. When the other 10 and 11-year-old boys were swimming and playing in the summertime, young Jim was out in the oil fields on the express direction of his grandfather, Commodore J. C. Donnell the First.

By virtue of practical experience and a degree from Princeton in geology, Jim is an oil company president who can talk the language of scientific oil hunters without an interpreter—and if you've checked the annual report of his company, it's apparent that he can read a corporate financial statement with equal ease.

One facet of his makeup which helps explain his consistent performance and achievement is a memory which close associates swear is encyclopedic.

All of us realize that mastery of detail is the name of the game in many ways applicable to both industry and government—and Jim Donnell is without doubt a master of detail.

Despite the demands of his own company, and the many industry associations he serves as a working member, he also finds time to serve as a director of Armco Steel Corporation, Phelps Dodge Corporation, the New York Life Insurance Company, the First National Bank of Findlay, Ohio, and the National City Bank of Cleveland. And he also serves as a trustee of Princeton and a member of the National Industrial Conference Board.

As President of the American Petroleum Institute, I would be remiss in not calling attention to the truly yeoman service he has rendered our organization over the years, including membership on the Board of Directors, the Executive Committee and a term as the Institute's Vice President for Production.

To those of us who have been privileged to know him and work closely with him, there is another facet to Jim Donnell's personality which commands equal respect and admiration along with his business success.

And that is his selfless dedication to civic work and the betterment of our society. It is exemplified in his many years of active work in the Young Men's Christian Association, including the honor of serving as President of the World Alliance of YMCA's.

It is, therefore, with a tremendous amount of pride on behalf of the entire National Petroleum Council, that I want to present to Jim Donnell this handsomely illustrated scroll as a token of our appreciation for his outstanding leadership and contributions to both the council and the American petroleum industry.

With your indulgence, I want to read the inscription on the scroll—

"In grateful recognition for his distinguished leadership as Chairman of the National Petroleum Council from July 19, 1966 to July 9, 1968.

For 20 years Jim Donnell has been a faithful and active member of the Council, serving on 35 special study committees and subcommittees, 5 of which he chaired. He was also Chairman of the Appointment Committee from 1962 to 1964, when he was elected Vice Chairman of the Council.

Jim Donnell, through his statesmanship, patience, and spontaneous desire to seek always avenues of workable cooperation, has represented well the very purpose and spirit of the National Petroleum Council itself—the willingness of the petroleum industry to cooperate with our Federal Government in the interests of this Nation.

For 36 years Jim Donnell has been a prominent and active member of the American petroleum industry, holding positions of great responsibility both with his own company, Marathon Oil Company, and with numerous oil and gas associations. Typical of his spirit of dedication is his long-time service to youth, education and civic affairs.

The members of the National Petroleum Council desire, through this presentation, to express to their fellow member, Jim Donnell, their deep appreciation for his long years of devotion to the Council. May his many kindnesses be noted, and may all look upon him, as we do, as a true friend, and accomplished industry leader, and a good American.

Done this 8th day of July, 1968, in the City of Washington, District of Columbia."

GUNS ARE THE WRONG TARGET

HON. JOHN D. DINGELL

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Friday, July 12, 1968

Mr. DINGELL. Mr. Speaker, the July 1968 issue of Michigan Out-of-Doors, the official publication of the Michigan United Conservation Clubs, carries an editorial in which it is pointed out that proposed firearms legislation will not halt the occurrence of murder or suicide. So that my colleagues may be familiar with the views of Michigan Out-of-Doors, I include the editorial at this point in the Congressional Record:

Guns Are the Wrong Target

The murder of Senator Robert Kennedy was accomplished with a registered gun. The man accused of killing him also violated three laws:

–Carrying a loaded firearm of any kind in an automobile.

–Carrying any concealable weapon without a permit.

–Buying or possessing a concealable firearm without a permit.

All the laws in California could not prevent the assassin from stealing the pistol from his brother and killing Kennedy with it.

At this writing, however, Congress is in a state of near hysteria as it seeks ways to legislate against guns. By the time this publication is in print it is likely that our lawmakers in Washington will have passed some kind of "tough gun legislation" to get themselves off the public hook.

Congress knows, however, that no law they can ever pass will ever do away with murder if an individual is so inclined. Cain killed Abel with a stick. Caesar was done in with a knife. Other public figures have been slain with dynamite, bricks, golf clubs, nylon stockings and poison. Guns figure in three percent of this country's murders and suicides each year.

Our Washington lawmakers might better concern themselves with the more direct causes of crime, which are actually caused by mental attitudes.

It is a known fact, for example, that television can have a vast influence on both public and individual thinking. Before he was eased out of public office, Newton N. Minnow, former chairman of the Federal Communications Commission, referred to television as a "wasteland" prone to excesses in the realm of violence.

When it is realized how many members of Congress and, yes, even the President of the United States, have strong financial interests in the television industry, it is not difficult to see why TV is allowed to spew out continuing formulas for violence. They make money.

Sportsmen, with their rifles and shotguns and a love of outdoor recreation, are being made scapegoats because guns killed some important people.

It will be ironic, indeed, when the day arrives that Dad will no longer be allowed to own a rifle or shotgun because the law feels "guns are bad." At the same time it is a safe assumption that Junior will still be hunched over in front of the TV set getting detailed instructions on the best method to strangle the nightwatchman and blast the door off the warehouse safe.—G. C.

MISSING THE TARGET

HON. JOHN BUCHANAN

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Friday, July 12, 1968

Mr. BUCHANAN. Mr. Speaker, I want to commend to the readers of the Congressional Record the July newsletter of *my colleague, Representative* Jack Edwards. The text of his newsletter follows:

Missing the Target

The senseless murders of public figures, and other signs of violence in the U.S., have prompted many Americans to demand new federal laws controlling firearms. For the most part these demands are well intentioned. But in my opinion they miss the target. The federal gun control laws which have been reported out of committees will not solve the problem of the use of guns by criminals.

California, where Senator Robert Kennedy was shot, has a strong gun control law. So does New York, where violence by gunfire is as frequent as anywhere in the nation. After all, the success of any gun control law in cutting down on the wrongful use of guns depends on the cooperation of the criminal or the mentally ill gun owner. I just don't think we are going to get their cooperation.

President Johnson has proposed that every firearm be registered and that every owner of a gun be licensed. His idea would destroy more rights than it would protect. This kind of federal law could be enforced only by some sort of national police force. Federal officials, appointed in Washington, would be empowered to establish qualifications for gun ownership and decide who qualifies.

The LBJ proposal may be put to a vote in Congress this year as an amendment to the bill proposing to regulate the interstate sale of firearms. I believe we should try to eliminate *acts* of violence, and *attitudes* of violence. But federal control of the *tools* of violence can't do the job because these controls affect only the law abiding citizens.

The Postmaster General recently acted quickly to require labels on firearms in the mail. If he has authority to do this he must also have authority to require labels on the pornography now flowing through the mails.

Obscene materials poisoning the minds of young people could be required to carry labels as being objectionable or harmful to personal and public interest.

Washington officials seem unconcerned that the serious decline in general morality, and the popular vogue for permissive behavior, may well have a lot to do with violence. We need a genuine renewal of moral character, family strength, and responsibility.

THE CRIME BILL

After many months of delay and hard debate both the House and Senate approved a crime bill last month. It was far from perfect, but it does offer some hope of progress in fighting the rising tide of crime which has swept our country.

It eases the stiff Supreme Court requirements against the use of confessions as evidence in the court room. In this way it should help the local law enforcement officer to do his job. It also authorizes wiretapping under controlled conditions by authorized officers under court orders. This should advance the fight on organized crime without infringing on the rights of innocent people.

The President signed the bill although he opposes these features of it. And Attorney General Ramsey Clark has even said the Administration will not use the wiretapping authority. Why he is not willing to fight organized crime with every available tool is something I'll never understand.

THE COURT IN POLITICS

The Supreme Court is never supposed to be used as a *political football*. But who will deny that LBJ's recent appointments put the Court right in the middle of politics?

The timing of Chief Justice Warren's letter of resignation, just six months before the end of the Johnson Administration, brings talk of political results. And LBJ's *appointment of two of his closest personal* friends was sure to be considered a political move.

In my opinion the President should not have made any appointment. The choice of a new Chief Justice should be left to the new President who will come to office in January with a new mandate of the people.

This situation offers further support for my proposal providing for the *election* of all federal judges.

My bill would also set up judicial qualifications for Supreme Court judges, and limit their terms to six years. This would halt Presidential "cronyism".

THE TAXPAYER LOSES

Your federal income tax bill is going up this month (actually as of April 1) because of LBJ's tax bill. It was finally approved June 20th after a long tug of war between the President and a majority of Congress. I voted against it. LBJ said the tax hike was needed to help pay for rising federal spending. But in my opinion it is wrong to raise taxes while allowing spending to go up and up, year after year. The total increase in *annual* federal spending has gone up $66 billion in the last eight years.

With the budget deficit this year estimated at around $25 to $30 billion, many of us in Congress said the President simply must agree to cut back on non-essential spending. After long delays and much political infighting LBJ said he would agree, reluctantly, to reduce spending by $6 billion in the 1969 fiscal budget. And it was on this basis that Congress was persuaded to vote for the tax increase.

But, since the bill was passed, the White House has said it may be months before LBJ decides where to make the cuts. This means, since his term ends in January, that no cuts are likely to be made at all. This burden on cutting down on the fantastically high rates of spending will quite likely fall on the new President taking office in January.

It means that the new Administration will face a monumental budget problem. The real loser will again be the moderate income earner, the responsible U.S. taxpayer. In other words, the money problem has not been solved, and may get worse.

THE $20 BILLION MYSTERY

My friend, Congressman Bill Roth of Delaware, has conducted an eight month study of federal programs of aid to the U.S. public. He finds that about $20 billion annually is being squandered on programs which cannot even be identified or described satisfactorily.

Nobody knows exactly how many such programs exist. Potential benefits are also hard to define. There is too much overlapping, lack of coordination, and paralyzing red tape. Only a full overhaul of the system can bring order out of chaos.

DEATH OF A SLOGAN

All these money problems spell the end to the slogan of recent years which tried to convince Americans we could have both "guns and butter."

America is *not* rich enough to do everything. We have to set priorities. Washington's refusal to set priorities in a serious way *must* serve as a lesson for responsible fiscal management in the future.

GUN REGISTRATION AND THE POLICE STATE

HON. JOHN R. RARICK

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Friday, July 12, 1968

Mr. RARICK. Mr. *Speaker, two very* timely and enlightening articles concerning the current hysterical drive for gun registration have come to my attention, along with the June 27, 1968, resolution of the Fairfax County Taxpayers Alliance.

I insert the Herald of Freedom for July 12, Alert No. 50 by Defenders of the American Constitution for June 28, and the indicated resolution following my remarks:

[From the Herald of Freedom, July 12, 1968]

General and Complete Disarmament

The velvet glove is slipping a bit from the iron fist of despotism closing in on America as a desperate attempt is being made to disarm the American public with what is called in the kept press "responsible gun legislation." There supposedly is a "public outcry" in the wake of the assassination of Sen. Robert Kennedy, and legislators are to be moved "by a decent regard for the opinions of Americans" if those who control the news media which report these "opinions" have their way.

If Americans can be brainwashed enough they are going to demand the legislation that will spell their doom; for gun registration is the final necessary step before the end of nationhood for the U.S.A. This will come with the government's plan for "general and complete disarmament" not only of the nation but of its people as well. The expert on brainwashing and originator of the term, Edward Hunter, watched the deluge of anti-gun propaganda that followed immediately after the Robert Kennedy assassination and had this to say: "Certainly, the shooting of Kennedy was being exploited by whatever lobby is behind the campaign to deprive law-abiding Americans of firearms. The unanimity, as well as the pattern to it, was too pat.

"The tone of some of the commentators, as dawn approached, became demagogic. Howard K. Smith indignantly referred to the Congress as attempting to check the Supreme Court . . . He was so dogmatic that he practically blamed the Congress for the shooting, declaring the Senators had made it 'extremely easy by voting down the gun control bill! . . .

"Mike Wallace at 9 a. m. was still campaigning for gun control legislation. The constant reiteration of this line on the various networks over so long a period could not have taken place without encouragement from 'upstairs,' wherever that happens to lead. The prediction was heard that this could be the 'dramatic breakthrough' that would bring about the passage of all-out control legislation for all firearms."

National news magazines such as Time and Newsweek featured "anti-gun" covers; radio and TV were and are saturated—radio's sweet Martha Deane telling all her listeners that we must hurry and write to every congressman and senator we can think of and cleaner-cut American hero astronaut John Glenn persuading his TV listeners. Glenn has become a "Kennedy Boy" ever since his water-skiing adventures with Jackie while her husband was still alive, and was in Bobby's entourage at the time of his death.

Robert Kennedy, in whose honor the gun law is to be passed, was all for keeping guns out of the hands of criminals and other "irresponsibles" and his brother Edward is equally anxious for restrictive gun laws. The N.Y. Times Magazine of June 23, 1968 featured an article by Robert Sherrill entitled "High Noon on Capitol Hill" with a half page devoted to a picture of a horrible hairy face with the caption "In America today, even this man can buy a gun," described as a dummy for a gun-control ad, prepared after the murder of Robert Kennedy.

Sherrill was identified as Washington correspondent of The Nation (a far-left magazine) and author of "Gothric Politics in the Deep South." He is also the author of the attack on Lyndon Johnson, called "The Accidental President," and we are indebted to him and this book for the following: *"These days, White House transients* report, Johnson never refers to Robert Kennedy as anything but 'The Little S---.'" This casts some light on how much Johnson would want anything as a "memorial" to Kennedy. However the gun law is not his "baby" as it comes from higher up. (Yes, *Virginia, there is a "higher up."*) You know the news media would not be so solidly behind something Johnson wanted.

Getting back to Sherrill's propaganda piece in the N.Y. Times, we find more Kennedy-Gun Bill association:

"In one of the rooms (Kennedy-for-President headquarters in Washington, D.C.) James Flug, a legislative aide to Senator Edward Kennedy and a part-time worker in the R.F.K. campaign, was busy on the phone helping to coordinate the rejuvinated anti-gun crusade. In quick order he heard that the National Council for a Responsible Firearms Policy was soliciting 10 million signatures on an antigun petition; that Richard and Elizabeth Burton were going to take out a full-page ad in The New York Times, saying something forthright; that a group of New York attorneys was going to pay for an ad pushing tighter controls, and that Kennedy's advertising agency, enraged beyond its commercial norm, was going to take it upon itself to peddle an ad warning Congressmen who opposed gun controls that they would be voted out of office. From Flug's position things were beginning to look constructive."

The threat of the Kennedy advertising firm could work two ways as there are many Americans who will try to "vote out of office" any congressman who votes FOR further gun legislation. It is also interesting to note the planned ad of Richard and Elizabeth (Taylor) Burton since gun legislation is being pushed as being "in the interests of the American people" and these two have never previously shown any signs of being interested in any interests except their own.

As for that prestigious body, the National Council for a Responsible Firearms Policy, we will take a little closer look. It has now established an Emergency Committee for Gun Control and John Glenn was named chairman on June 24, 1968. The purpose of these organizations, one the parent of the other, is to convince Congress of public support for firearms controls. At least this is their "public" purpose. Actually they plan much more for us than mere registration, as do the sponsors of the legislation. This is just the "foot in the door."

The National Council for a Responsible Firearms Policy is located at 100 Maryland Ave., N.E., Washington, D.C. 20002; telephone: (202) 543-8652. Its president is James V. Bennett, former Director, U.S. Bureau of Prisons (1937 to 1964). Bennett helped form this anti-gun group and became its president while working as a high paid consultant of the Attorney General's Justice Department. This might suggest a little government interest in the operation.

Vice President is Leonard S. Blondes, a Maryland attorney, who was instrumental in having state firearms controls enacted in his state. The Secretary is (Dr.) J. Elliott Corbett, director of the Washington Study Program of the Methodist Church who reportedly signed a petition of amnesty for convicted Communist Party leaders. Treasurer of the organization is David J. Steinberg who is secretary and chief economist of the Committee for a National Trade Policy.

On the Board of Directors are Cleveland Amory, author and columnist; Judge David L. Bazelon, Chief Judge, U.S. Court of Appeals, D.C.; Erwin D. Canham, Editor in Chief of the Christian Science Monitor; Dr. Lowell Russell Ditzen, Director of the National Presbyterian Center; Rabbi Maurice *N. Eisendrath, President of the Union of* American Hebrew Congregations; Dr. David Lanham, Chief, Legal Psychiatric Services, District of Columbia; Hon. John V. Lindsay, Mayor of N.Y. City; Bishop John Wesley Lord, Bishop of the Washington Area of the Methodist Church; Paul F. McArdle, former *president of the Washington, D.C. Bar Asso*ciation; Dr. Karl Menninger, psychiatrist of the Menninger Foundation; Rev. William R. Moors, minister of Cedar Lane Unitarian Church, Bethesda, Md.; Dr. James M. Nabrit, Jr., President of Howard University; Frances Neeley, associate secretary, Friends Committee on National Legislation; Hon. Adlai E. *Stevenson III, Treasurer of the State of Illi*nois; Hon. Charles P. Taft, former mayor of Cincinnati; Hon. J. Millard Tawes, former governor of Maryland.

Judge Bazelon is known as an ultra-liberal; he is a lawyer with psychiatric interests being a lecturer on law and psychiatry. When the majority of the U.S. Court of Appeals decided that the Committee for the Protection of the Foreign Born must register as a communist-front, he dissented. He was the speaker at a N.Y. Civil Liberties annual luncheon at which Clifford Durr (past president of the National Lawyers Guild—a communist-front) was the guest of honor.

Erwin D. Canham was a member of the U.S. National Commission for UNESCO, a trustee of the Twentieth Century Fund (Fabian Socialist promoting), and a member of the Association of Rhodes Scholars. Dr. L. R. Ditzen is interested in "mental health," having been a member of the Governor of New York's Council on Mental Hygiene, 1951-6. *He was a delegate to the World Council of* Churches. Rabbi Eisendrath is a sponsor of the occult Temple of Understanding and has been affiliated with the communist-front Emergency Civil Liberties Committee, as well as other left-wing organizations. Bishop John Wesley Lord has been affiliated with at least twelve organizations cited as communist and subversive and is a notorious left-winger.

Paul McArdle is an associate in Covington & Burling, Dean Acheson's law firm which also employs identified communist Donald Hiss and Gerhard Gesell of the notorious Gesell Report. Menninger has a subversive record and Dr. Nabrit is credited with having taken part in preparing briefs of almost all important civil rights cases in the last fifteen years. He was instrumental in effecting the 1954 Supreme Court ruling against segregation in public schools.

Charles P. Taft is the son of William Howard and brother of the late Robert (Mr. Republican). He is known as the family's liberal black sheep. He has been associated with the Federal and World Councils of Churches and the (Fabian Socialist) Twentieth Century Fund. He is general counsel of the Committee for a National Trade Policy of which David Steinberg is the secretary.

Under date of June 11, 1968 the National Council for a Responsible Firearms Policy sent a notice or memo to "Organization Leaders" re "Gun Control" which stated:

"The tragic death of Senator Robert F. Kennedy again illustrates the urgent need for more effective firearms control if the United States is to be a civilized society.

"We find that many persons around the country previously apathetic are now aroused and anxious to do something worthwhile about this problem. It is essential that, within the next week or two, millions of letters supporting effective gun control measures pour into the Congress. They have heard from the National Rifle Association; but not from the more than 70% of the American public in favor of stronger legislation. Perhaps you have a position, perhaps not. Nevertheless, this is the time for conscience to rule.

"Will you ask your members to send letters, telegrams, and phone calls in now? An information sheet is enclosed which will help your people frame their message in their own words. Feel free to duplicate it.

"Another opportunity to act is provided through use of the petition included in this *mailing. We would like to have ten million* signatures in ten days. Will you help us? Will you help us? We encourage you to copy it and send it out to your own members. We shall present these petitions to officials in a public ceremony as soon as a sufficient number are returned.

"As President Johnson has said: 'Let us—*for God's sake—resolve to live under law.* Let us put an end to violence.'

"Yours sincerely,

"JAMES V. BENNETT,
"*President.*

"'Make America safe for democracy.'"

The petition to be circulated among naive *and unsuspecting Americans calls for federal* and state legislation to include the following:

"All firearms possessed, sold or transferred should be registered at the state and/or national level.

"States should require that gun purchases be made only through permits calling for adequate identification and a waiting period for a police check."

The "information sheet" enclosed for people to use in composing their own letters (so it looks like they are spontaneous) gives the following information meant to shock the reader into action:

"It is estimated that 50 million handguns are already in the hands of U.S. citizens today. . . .

"Since 1900 nearly 800,000 Americans not in military services have been killed by firearms. (Less than 600,000 have been killed in all our wars from the Revolution to date.). . . .

"In every major European country, either a police license or registration with local authorities is required to buy firearms.

"In Britain an applicant for a firearms certificate must tell police why he needs a weapon, and answer numerous questions which the police follow up.

"In Japan, law on gun ownership is so strict that American TV stars of westerns coming into the country can only wear cap pistols when greeting their Japanese fans.

"In Japan and England gun homicides for 1967 totaled less than 50." (It might be interesting if they told us what the total number of homicides are so that we may see if the Japanese and the English have stopped killing or just stopped killing with guns. It might also be interesting if they told us how strict law enforcement is in these countries as this alone is the best deterrent to killing or any other kind of crime.)

The National Council for a Responsible Firearms Policy is supporting any and all gun legislation, as they will take whatever they can arrange to get. But privately they admit that they want all handguns outlawed and are looking forward to the day when even the police are issued weapons for a short period of time only when tracking down armed criminals. (We wonder where they think the criminals would get the presumably outlawed guns when even the police do not have them.) They plan to take these stronger stands eventually but don't want to arouse the opposition until the "foot in the door" legislation is safely passed.

After dallying with a gun law to be signed and others to be proposed the President finally decided to go all out and "in a surprise move" on June 24, 1968, called for a new law to require the registration and licensing of every gun in the nation. The new law would require all gun owners to be photo*graphed and fingerprinted. The bill will provide* "fair compensation" to dope addicts, alcoholics, mental incompetents and others who would have to give up their guns because they would not meet federal "minimum standards." Johnson stated: "Our citizens must get licenses to fish, to hunt and to drive. Certainly no less should be required for the possession of lethal weapons. . . ."

The proposed bill would require a national registration of all firearms, both those already in private hands and those purchased in the future, whether or not a state requires it; and federal licensing of all possessors of firearms in those states whose laws fail to meet *minimum standards. (The important thing here seems to be those "minimum standards.")* Heavy fines and jail sentences are to be imposed for failure to register or license a gun, with "willful" violations carrying stiffer penalties.

That glib argument about "licensing cars, etc." should be looked at carefully. Liberal Congressmen have used it as has the President and many others. Rep. Emanuel Celler stated: "There are those who fear that registration will lead to confiscation of all guns. I can see no basis for this. Surely licensing of drivers and cars has not led to confiscation of automobiles."

This might make sense if you don't think about it. But when you do think about it, you realize that our Constitution does not guarantee you the right to drive an automobile but it does guarantee you the right to keep and bear arms. Driving is a privilege granted by the state; having a gun is a right guaranteed by the Constitution. As for confiscation, Celler's reassurances don't hold water. The liberals contradict themselves. In one breath they tell us that foreign countries have stringent gun laws and in the other they say that there are very few guns in private hands (less than a dozen in Japan, none in France, etc. and you know there are none in the openly communist countries). So we may ask what happened to all the guns that had been in private hands in these countries—did they just evaporate or were they confiscated. Confiscation can take a number of forms but when you no longer may have a gun, it has been confiscated no matter how you lost it . . . by not being able to afford a high "registration fee" or by not being able to meet the "minimum standards" set by the federal government.

Make no mistake the goal of the "gun-control" advocates is the complete disarmament of the civilian population. Those now owning guns are not just the sportsmen represented by the National Rifle Association, the nemesis of the planners. While these people are organized and "carry the ball" in resisting further encroachment on our freedom, most Americans own firearms for their protection and that of their families. They keep them in their homes or places of business to protect themselves from the lawless elements which have been coddled and encouraged by our judicial system which seems to have completely broken down with a few pushes from the Supreme Court. Just suspecting that his intended victim is armed will discourage a criminal; but when the federal government disarms the civilian population it will be a field day for criminals and black market gun salesmen.

If our legislators in Washington are perfidious enough to allow this dangerous gun legislation to become law we will have to realize that our Constitution no longer mean anything to those in power in our nation's capitol. A disarmed public would be at the mercy of subversives and criminals from within and any attack from without. We *would have to rely for protection upon those* who have shown themselves incapable or unwilling to cope with even small scale riots. As for an invasion by an enemy, our national defenses are practically nil. U.S. News and World Report of July 8, 1968 states: "High officials warn that needs for modernizing U.S. defenses and building back weap*ons inventories have become so great that* there can be no large postwar slashes in defense allocations. The Administration's *deliberate policy* (emphasis ours—Ed.) of trying to fight a war on a hand-to-mouth basis has left the arms cupboard very bare."

The proposed gun registration law will not *do what its proponents claim—keep guns out* of the hands of "criminals, drug addicts, mental incompetents and alcoholics" but it will take them away from law-abiding citizens. Under the Administration's proposal no person would be able to purchase or possess a gun or ammunition without a license which could be obtained only after a police department and a *physician* had attested that the person was qualified to possess a gun. In all foreign countries cited as examples for gun control laws, private ownership of guns dwindles. In countries where guns were registered invading enemies and internal subversives have been able to seize the lists and confiscate the guns. So whether your gun is taken by your own government or an enemy, you are unable to defend your home and your family against tyranny at home or an invader from abroad. Is this the way free Americans want to live, unable to defend their homes and families—completely at the mercy of a possible federal dictatorship?

[From Alert No. 50, June 28, 1968]

CALLING ALL PATRIOTS!

(By P. A. Del Valle, president, Defenders of the American Constitution)

FEDERAL GUN CONTROL LAWS WILL BRING ON THE POLICE STATE

Facts: 1. Hysteria, activated by the Communists to further their War of Liberation, aided and abetted by the controlled news media, is sweeping the nation like a prairie fire in all-out effort to obtain gun control and registration, and the President and Congress obediently follow through in this endeavor.

2. Controlled Polls, wherein only 1500 "selected" persons are questioned, are proclaiming that over 80% of our citizens want "gun control." This obvious falsehood, and many other "official" statements of pseudo facts, keep fanning the flames of hysteria.

3. The assassination of Robert Kennedy was immediately seized upon to trigger this crafty communist effort to disarm our citizens. Registration always precedes confiscation, as we pointed out in our Alert No. 39.

4. Communists and their supporters have infiltrated every echelon of our government, as shown by the Otepka Reports. It is they who seek to disarm the citizens, knowing they cannot take us over if we are armed.

Significance: 1. Gun laws, being police regulations, are not the province of Federal Government, either under the Constitution or under Common Law, under which police power rests in the sovereign states and specifically in their counties. Thus federal acts and regulations pertaining to gun controls are unlawful, un-constitutional and constitute usurpation of power and violation of the Constitutional oath.

2. We point out that the late and unlamented 18th Amendment, prohibiting the sale of liquor, produced an era of unprecedented disregard for all law; enriched criminals (smuggling became fabulously profit*able); corrupted officials; and drunkenness* increased. The Federal Government's attempt to enforce its police regulations was a tragic failure. The same will be true of any gun control laws. Even with a Constitutional Amendment, it was impossible to enforce the prohibition of liquor.

3. If our internal enemies do succeeed in *passing these laws to disarm our citizens,* the result would be that the law-abiding would face armed criminals without arms. This is the intent of these internal enemies: The Police State, complete with hordes of federal agents and an increased bureaucracy, bigger and better taxes to support them, and *the end of personal liberty.*

Action indicated: 1. The individual citizen, resisting with every lawful means the unlawful acts of his government, is carrying out his right and duty under the Constitution (Second Amendment) and the Declaration of Independence (Second paragraph).

2. Inform your state legislator, Congressman and Senators that they must repeal all unlawful and ineffective gun control laws. Get as many others as you can to do the same.

3. Send copies of Alerts 39, 47 and this one (50) to friends and local town and county newspapers.

4. Remind your representatives who are up for reelection that you want to know exactly where they stand on gun-control laws. Send them copies of these 3 Alerts.

RESOLUTION: FEDERAL GUN LAWS OTHER THAN INTERSTATE

(By the Fairfax County (Va.) Taxpayers Alliance)

Whereas:

1. The federally proposed so-called "effective gun control" law, being police regulations, are not in the province of the Federal Government either under the Constitution of the United States or under Common Law. Under both, the Constitution and the Common Law, the police power rests in the domain of the sovereign states, and more specifically, in their respective counties.

2. The current rash of proposed federal acts and regulations pertaining to gun registration and the licensing of the owners of guns are unconstitutional, not based upon law, and constitute the usurpation of the power of the State and the violation of the constitutional oath.

3. The foregoing has been well and soundly documented on pages E5549–5552 of the Congressional Record, 18 June 1968, (copy attached) and elsewhere.

4. And whereas the Constitution of the State of Virginia is silent on the matter of the right of its citizens to bear arms and these common rights are now being challenged and usurped under a variety of unsound and impractical excuses, therefore:

Be it resolved:

1. That the Fairfax County Taxpayers' Alliance, Inc., petition the Legislators of the State of Virginia to draft an amendment to the Constitution of the State of Virginia that reflects these inalienable rights in language at least as clear as that of Article 1, Sec. 23, of the Constitution of the State of Missouri, which reads in part, to "keep and bear arms in defense of his home, person and property".

Be it further resolved:

That the right of law abiding citizens to own and use arms for lawful recreation and sportsmen's activities should not be denied.

Respectfully submitted, *Matthew P. McKeon,* Member of the Alliance. 27 June 1968.

Research notes: 1. The Virginian has no "right" to bear arms except as provided in Art. 2 of the "Bill of Rights" of the U.S. Constitution, subject to interpretation by the U.S. Supreme Court. 2. The gun laws of Virginia are to be found only in the "Code of Virginia" Vols. 1–12. 3. The "Index" of the Code makes reference to the above cited "Art. 2" but further reference is not made anywhere in the text of the code to this vital citizen's right. 4. Sec. 18, Vol. 4, contains numerous regulations concerning firearms under the heading, "Crimes and Offenses, general" with subheadings reading "Carrying dangerous weapons", "concealed weapons", "firing across public highways", etc.

This resolution was made and duly passed at the June 27, 1968 Membership meeting of the above organization.

JOSEPH G. MUENZER, Jr.,
President.

TRIBUTE TO JIM FARLEY

HON. JAMES J. DELANEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Friday, July 12, 1968

Mr. DELANEY. Mr. Speaker, a great multitude of people know the Honorable James A. Farley as the astute and genial former chairman of the Democratic Party who served his Nation with distinction as Postmaster General. Now chairman of the board of the Coca-Cola Export Corp., Jim Farley continues to be a revered elder statesman.

Mr. Walter Trohan, chief of the Chicago Tribune's Washington Bureau who has known Mr. Farley for over 36 years, recently wrote a warm tribute to this distinguished American setting forth some of the personal principles and characteristics which have made Jim Farley such a beloved public figure. As Mr. Trohan observes, his word was his bond, and he looked upon public office as a way to serve his fellow men.

Under leave to extend my remarks, I insert the article at this point for benefit of my colleagues and others who read the RECORD:

TROHAN SALUTES GREAT AMERICAN, JAMES A. FARLEY

WASHINGTON, July 4.—A little more than a month ago, when this commentator was isolated in Paris by strikes and riots, his first contact with the outer world came in an overseas phone call from James A. Farley.

"I knew you would call me to wish me a happy birthday, if you could," he began, "so I am calling you so that you may do so."

Therefore, on this, my 65th birthday, I offer a salute to a great American gentleman, a remarkable man, and a wonderful friend in a belated recognition of his birthday last Memorial day. It is much better that I offer this tribute now, while still we live, than to hold it for a dark day.

Farley is one of the best known and best loved Americans. He gained international renown in his 40s as the man who put Franklin D. Roosevelt in the White House. Later he broke with F.D.R. over the third term issue, but he did not break with the Democratic party.

Only his intimates know the agony of the decision not to support a third term—how he walked the capital streets at night debating his course of action. The Roosevelt idolators said the decision was rooted in ambition, that Farley wanted to become President thru the back door by taking second place on the 1940 Democratic ticket with Cordell Hull, then secretary of state.

TIME DEMONSTRATES WISDOM OF COURSE

Few credited the decision to sincere concern for the country and the party. But time has demonstrated the wisdom of his course, if only for the woes that have come from having an ailing man in the White House leading the country in war and a dying man losing the peace at Tehran and Yalta.

But it is not Farley the politician that we most revere. It is true that as a politician Farley believed he had to keep his word. He did not give it lightly, and never broke it. He looked upon public office as a way to serve his fellow men and to help his fellow men and his party.

If he was denied the chance to serve his fellow men as President, it must be acknowledged that he leads most, if not all Americans, in his love of his fellow men. No American is more widely hailed by his first name and no American has more people who boast of being his friend. He has known and knows almost all the leaders of his time—Presidents, kings, ministers, and lawmakers. These met him as a politician but came to smile on him as a friend.

Few, if any men, know Farley more intimately than this writer. We have been friends for 36 years. Over most of those years we have been in daily communication by personal contact, mail or the telephone.

NEVER TOO BUSY, NEVER LACKS COURTESY

A number of things stand out in the men which, if emulated, would make us all better and happier men. He is never too busy or too tired to do a favor. He never fails in courtesy, displaying the same thoughtful warmth and measured interest in the problems of the lowly as he does toward those of the great.

Farley is exceptional in that he has never overlooked gratitude. He is not ashamed or hesitant about thanking the many who helped him and are helping him. No one has said "thanks" more often in more ways. He has never been an island and has never failed to light a candle for his fellow men, by remembering birthdays, anniversaries, and victories, or by offering consolation in sorrow, and comfort in defeat.

No man has a finer code of honor and no man has tried harder to guide his life by his faith. His faith is as big as his heart, which is large enough to encompass men of every race, creed and color.

Farley has been out of politics for almost 28 years, yet he is one of the most revered Americans. This is because he is a man who brings a warm smile to the lips and a warm glow to the heart wherever he goes. May we share him and his virtues for many years!

THE "PUEBLO": HOW LONG, MR. PRESIDENT?

HON. WILLIAM J. SCHERLE

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Friday, July 12, 1968

Mr. SCHERLE. Mr. Speaker, this is the 172d day the U.S.S. *Pueblo* and her crew have been in North Korean hands.

HOLD YOUR HEADS HIGH; AMERICA IS NOT SICK

HON. DANTE B. FASCELL

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Friday, July 12, 1968

Mr. FASCELL. Mr. Speaker, all too often these days we hear our fellow citizens running down our own country. I believe it is time we start telling what is right with America instead of what is wrong with it.

This country provides greater freedom for the individual than any other nation on earth. We have greater material wealth than any country in the history of the world, and we have shared this wealth and done more for other countries than any other people.

While there is one freedom we do not have, the freedom from problems, we do have the freedom to solve our problems and we have been solving them.

In the 192 years of our history, in spite of wars, depression, civil disorders, and other crises we have been able to work out constructive solutions to our problems. We have proved that ours is the best system of government, as clumsy as some people may feel it is. Our system works, our spirit is contagious, and our tradition captures the imagination of most of mankind.

There is certainly much to be said for "What is right with America." On June 26, the Key West Citizen carried a most interesting and inspiring editorial on this theme, and I commend it to the attention of all Members of Congress:

HOLD YOUR HEADS HIGH; AMERICA IS NOT SICK

There's an almost pathological shrillness to many of the voices crying out that "America is a sick society."

To say that America is sick because a madman or a conspirator can perform an assassination repugnant to the millions of our people is itself a symptom of mental malaise.

In market contrast to this morbidity is the statement of Sen. Edward M. Kennedy thanking thousands who sent condolences to him and his parents upon the death of Sen. Robert F. Kennedy.

"This is not the first tragedy that has affected my parents or the members of my family, and we pray it is the last," said Teddy Kennedy. "But on each instance, in spite of a world of cruelty, we have been much more impressed with the compassion, with the love and the warmth of the human heart, than we have over any other emotion."

It is not the inability of society to protect its leaders against random or schemed brutality that sets the tone of that society. It is the ability of a society to hold steadfastly to its worthy values, to strive for human betterment with courage and determination despite the risks from extremists, to carry on its political activities with gallantry and faith—it is those things which set the tone of a society, not the illness or evil of the madman or the criminal.

Certainly America is not a perfect society today. It may never be. But where on this globe would one go to find something better?

To Africa, where the harsh hand of colonialism has given way to the brutal fueding of military factions?

To Red China, where Chairman Mao's brand of communism enslaves millions to preserve a tottering equilibrium of dictatorial power?

To the great subcontinent of India, where leaders sniff a rosebud to drown the stench of starvation and overpopulation?

To Russia, where an elite of technocrats and militarists maintains itself by glorifying guns above butter on a scale never before witnessed on this globe?

To Britain, thrown back upon the tiny home island, its social fabric shabby from the abrasions of war, depression and disillusionment?

To France, once hailed as "every civilized man's second home," now ripped by civil strife and held together only by the glue of Charles de Gaulle's magnificent egotism?

The list could be extended much longer but never to produce an alternative preferable to the United States. That is not to say that we may be complacent at our faults and failures. But it IS to say that we must not be morbidly obsessed by them.

Defeatism has never been any part of the American character. It did not press back the wilderness across a continent; it did not build the cities; it did not build the freest, fairest society in the world; it did not reach out its hand over and over again to aid the weak and oppressed of many lands.

America's strength transcends its weaknesses. And admitting the need to correct those weaknesses—even though the pace at times be slow—enables this nation to go forward to its destiny of enlightened world leadership.

GENERAL ELECTRIC COLLEGE BOWL

HON. JACOB H. GILBERT

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Friday, July 12, 1968

Mr. GILBERT. Mr. Speaker, I want to pay tribute to one of the most extraordinary and beneficial combinations that have arisen from the American culture, a marvelous and productive partnership of industry, the arts, scholarship, and competition.

I cite here the General Electric College Bowl and bring to the attention of my colleagues a vehicle that has graced television, so often derided for an alleged dearth of the intellectual, for 10 years in a medium where casualties occur fast and frequently. G.E. College Bowl has endured for a full decade and just completed its 10th successful season. It is still going strong because it carries the exciting message to youth that scholarship, too, pays high dividends.

Over the years its participants have gone on to distinguished careers in many fields of endeavor, and in its 10-year life, College Bowl has been the vehicle for $1 million in scholarships to the colleges and universities that engaged in its unique "battle of the brain."

In bringing to television a touch of the glory that was Greece, an atmosphere of the ivy and the mortarboard, College Bowl did not ignore that concomitant attribute of campus life, a white-hot spirit of competition, expressed in the thrust and riposte of elegant debate. There we had learning and the waging of a game, bound together on the electronic miracle of television, and behind it all was the mighty force of industry, so often the sponsor of advancement in this country in academic halls as well as in the laboratories of research.

In fact the slogan of the General Electric College Bowl expresses the idea simply and wholly:

> In education, as in science and industry, progress is our most important product.

Why should industry turn to scholarship? Because the enormous American business machine depends on the attainments of the prospects that come to it from education, and here was an opportunity for General Electric not only to help uplift learning, but to place itself in an ideal position to recruit its leaders of the future, as friend, benefactor, and associate of the college student.

The man with the vision to espouse College Bowl and insure it a fair chance upon the air when quiz shows generally were at the low ebb of their popularity, was Willard H. Sahloff, vice president and general manager of the housewares division of General Electric and a board member of Rutgers University. Mr. Sahloff had the conviction that College Bowl would afford General Electric a most desirable image, that it would provide his housewares division an excellent showcase, and that it would excite the imagination of youngsters for education because of the way in which winners would be hailed as heroes for their learning.

All these things came true in good measure and in particular the reaction of college youth was far beyond expectations, possibly because this unique event gave the very smallest school the means to oppose the largest university on even terms. Intelligence does not rely only on numbers and the quest for knowledge is not bounded by the size and shape of walls.

In addition, College Bowl gave erudite students the arena in which to sample the feeling of competition of the athletic field. In fact, one school in the Ivy League went about selection of its College Bowl team with all the dedication of the varsity football tryouts. At Brown University 300 students were drawn from the dean's list and the Phi Beta Kappa roster, and through recommendations of faculty and deans. A test in writing reduced the total to 80 selected intellects and then these went at one another under game conditions to determine the survivors who would represent their alma mater before the millions of the television audience.

Over the years College Bowl has served to pump antidropout serum into the veins of American youth by presenting dramatic living illustrations that erudition can offer swift rewards, even though the football hero generally captures the campus headlines. The program that Willard Sahloff had the foresight and the courage to pioneer 10 years ago has demonstrated that learning guarantees security because the educational achievements of the stars of College Bowl assured them profitable and distinguished employment and their own opportunity to further the American dream through education.

EXCELLENT TESTIMONY AGAINST THE NOMINATION OF JUSTICE FORTAS

HON. JOHN M. ASHBROOK

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Friday, July 12, 1968

Mr. ASHBROOK. Mr. Speaker, testimony received during the hearings held by the Senate Judiciary Committee on the nomination of Justice Abe Fortas for the position of Chief Justice included a statement by Mr. Marx Lewis, chairman of the long established Council Against Communist Aggression.

With the United States spending billions of dollars to defend this Nation against the stated program of world domination by the Soviet Union and the international Communist movement, surely the issue of our security, both at home and abroad, is at once vital, urgent and of inestimable importance. How knowledgeable and realistic our national officials are in this area is perhaps the paramount criterion in scrutinizing one's qualifications, especially in those offices which can restrict or amplify, neutralize or strengthen this Nation's defenses.

It is in this light that Mr. Lewis states:

> I am sure that if the vast public were informed of the vital issues at stake they would demand overwhelmingly that you recommend against confirmation of Justice Abe Fortas for the office of Chief Justice.

For the record, the Council Against Communist Aggression is a responsible organization comprised of liberals and conservatives, Democrats and Republicans, members of the clergy, educators, journalists, lawyers and other professional people who have long been concerned with the advances made by international communism both domestically and abroad. Last March marked the 17th anniversary of the council, which from its national headquarters in the offices of the Upholsterers International Union in Philadelphia, Pa., it has disseminated to its members reports from its correspondents in Central Europe, Australia, France, England, Brazil, India, and Japan. The late Arthur G. McDowell, before his recent untimely death, on a number of occasions came to Washington to testify before congressional committees on pertinent legislation.

At the present time the council is in the forefront in the drive to enact a bill to establish a Freedom Academy which would train, in the techniques of the cold war, members of the Federal Government, private citizens and even interested people from foreign lands.

The names of those who have been associated with the council include Rev. Dennis Comey, S.J., the Philadelphia labor mediator, Sal B. Hoffman, president of the U.I.U., Author Victor Lasky, Author and Lecturer Herbert Philbrick, along with such other well-known personalities as Bishop Fred Corson, Dr. S. Andil Fineberg, Dr. Charles W. Lowry, Archbishop Robert E. Lucey, Eugene Lyons, Edgar A. Mowrer, the late Dr. Dan Poling, the late Philippa Duke Schuyler, Judge Matthew J. Troy, Dr. Richard L. Walker, C. Dickerman Williams, Dr. Karl Wittfogel and Bertram D. Wolfe, to name but a few.

In view of the long and reputable involvement of Mr. Lewis and the council in the defense of our Nation in these perilous times, I believe his testimony should be given close consideration, both by Members of the Senate and concerned citizens. It is for this reason that under unanimous consent I submit the testimony of Mr. Marx Lewis, chairman of the Council Against Communist Aggression, for inclusion in the CONGRESSIONAL RECORD, as follows:

Testimony of Marx Lewis, Chairman of the Council Against Communist Aggression, on the Nomination of the Honorable Abe Fortas as Chief Justice of the United States

I appreciate this opportunity to appear before your committee. My name is Marx Lewis and I am the Chairman of The Council Against Communist Aggression. The Council is a non-partisan, non-profit organization organized in 1951 at a conference called by Sal B. Hoffman, president of the Upholsterer's International Union. The Council is supported by both liberals and conservatives who believe that the communist movement poses a grave danger to free institutions in this country and abroad. Its activities are designed to alert people to this danger, to strengthen our national security measures and to augment our will and capacity to resist communist aggression everywhere by all feasible means.

We believe that the elevation of Mr. Justice Abe Fortas to the position of Chief Justice of the United States should be viewed by the Senate in the light of its impact on our ability to defend our institutions against communist subversion. Let me say at the outset that I am not questioning the loyalty, patriotism or legal competence of Justice Fortas. I know nothing about him except what has appeared in the public record. That record is not adequate to justify any firm judgment on my part. I presume that the members of this committee have examined and evaluated all the public and confidential material bearing on these aspects of Mr. Fortas' qualifications for an office of trust. I am sure that it is understood by every member of this committee that the fact that a man has achieved great prominence and has won the confidence of important people is no substitute for a thorough security check prior to his assuming any position of trust with the government.

The committee also knows that the public record does reveal that Mr. Fortas was associated in his earlier years with several communist-front organizations and that those years covered a period when it was very common for American intellectuals to succumb to Marxist ideas and to become involved in communist activities in varying degrees. There is nothing in the public record which shows clearly whether Mr. Fortas was one of those who subscribed to the communist philosophy or whether he differed strongly with those about him who were known to have a Marxist bent. All the public knows is that Mr. Fortas had some association with four groups that have been designated as communist-fronts. Some might conclude from this that he probably had views during the period that he was associated with those groups that were not hostile to the communists. It would no doubt clear the air and set minds at ease if the committee would elicit for the public record a clear statement from Mr. Fortas about his attitudes toward communism in this early period of his career and the subsequent changes, if any, in his thinking. I cannot imagine that Mr. Fortas would have any objection to this, since he himself argued in one of his early legal cases that it was more important to examine the known beliefs and attitudes of a government employee than to examine only his associations in resolving questions about security.

Those who have impugned Mr. Fortas' loyalty on the basis of his past associations would no doubt resolve their doubts if this committee were to establish that in the 1930's Mr. Fortas was known to be a vigorous critic of Stalin's brutal forced collectivization of Soviet agriculture, of the show trials and the bloody purge of 1937–38, of the Hitler-Stalin pact, and the Soviet invasion of Finland. They could hardly continue to question Mr. Fortas' opposition to totalitarianism if the committee could establish the fact that Mr. Fortas was not one of those who favored turning Eastern Europe over to the tender mercies of Stalin and that he did not agree with those who argued in 1945 that we should share our atomic bomb secrets with the Soviet Union. They would be relieved to learn that he never believed Mao Tse-tung to be merely an agrarian reformer, if that is the case.

I suggest that these hearings could serve a very useful purpose in setting the minds of the doubters at rest if they would put in the public record the views that Mr. Fortas held on these and other important issues that would demonstrate clearly that he was never a Marxist-Leninist or a follower of the party line.

My objection to Justice Fortas' confirmation does not rest upon any doubts about his past associations or beliefs. It rests entirely upon the fact that Mr. Fortas has long been in the forefront of the battle to weaken the defenses our government has erected to protect this country against communist subversion. Mr. Fortas has been a vigorous opponent of the government's loyalty and security programs since they were instituted in the Truman administration. His views were outlined in considerable detail in an article he wrote for the *Atlantic Monthly* in August 1953. After severely criticizing the loyalty program, he advanced a proposal for certain reforms which would have virtually destroyed the program as a means of screening out security risks.

For example, he suggested that no employee should be subjected to a loyalty hearing unless there was reason to believe that the employee had engaged in activities inimical to the United States within the last three or five years. Anyone familiar with the way in which the communists operate knows that this is completely unrealistic. Consider, for example, the fact that the only evidence that pointed to the communist ties of the notorious Soviet agent, Harold "Kim" Philby was his communist activity during his student days at Cambridge. He carried on a successful masquerade for over three decades, all the time doing his own country and ours tremendous damage. None of the actions inimical to his own country were carried out in the open, of course. It should have been clear to Mr. Fortas in 1953 that the screening rules he proposed would have been completely ineffective against such dangerous Soviet agents as Alger Hiss, Harry Dexter White, and Laughlin Currie, whose treachery was still very fresh in everyone's mind.

Mr. Fortas also proposed excluding from consideration in loyalty hearings any involvement in communist-front organizations prior to the time they were officially designated as front organizations. He would have made an exception from this exclusion for those who appeared to have been a part of the communist control apparatus of the front, but Mr. Fortas strains our credulity in suggesting that until the Attorney-General officially applied the red label to the front groups only the communists knew that they were communist fronts. The adoption of a rule of this type would have provided an escape for many an individual who knowingly cooperated with the communists during the period before the front groups were officially so labeled by the Attorney-General. This would have badly weakened the security program.

Mr. Fortas made a number of other suggestions that would have greatly hampered the weeding out of security risks from government employment had they been adopted. He implicitly took the position that it was better for the government to err on the side of employing security risks than to err on the side of safeguarding our national security.

Fortunately neither Congress nor the Executive Branch agreed with Mr. Fortas in this stand. Our government has consistently held that national security considerations must take precedence over the rights to government employment of those individuals whose record of association and beliefs provide good reason to suspect that they may not be completely loyal to the United States.

Unfortunately, the Judicial Branch of the government has demonstrated both the will and the power to override the other two branches of government in this matter. The Supreme Court has taken the lead in emasculating and nullifying laws passed by Congress that were designed to safeguard this nation against subversion by the agents of the Soviet Union. Since his elevation to the Supreme Court Mr. Fortas has clearly demonstrated that his opposition to effective safeguards against subversion remains as strong as ever.

This was demonstrated by his concurrence in the opinion delivered by Chief Justice Warren in United States v. Robel last year. This opinion found that Congress had acted unconstitutionally in making it illegal for members of the Communist Party to work in designated defense plants. The opinion denied that the government had any right to invoke its "war power" or the "concept of 'national defense' " to safeguard our vital defense plants from infiltration by known members of the communist conspiracy as had been done by the Subversive Activities Control Act of 1950. The Court found a new and previously undiscovered right in the First Amendment—the right of association. Justice Fortas and the four other members of the Court who joined in this opinion equated the protection of this new-found right to the defense of the nation itself. They said, "It would indeed be ironic if, in the name of national defense, we would sanction the subversion of one of those liberties—the freedom of association—which makes the defense of the Nation worthwhile." The Court—and Justice Fortas—specifically rejected the suggestion that it should balance the interests of the government in safeguarding our security against "the First Amendment rights asserted by the appellee." The Court said, "We deem it inappropriate for this Court to label one as being more important or more substantial than the other."

This must be one of the most shocking utterances ever to come from any Court. What it means is that the Court denies to the government the basic right of defense against those who associate together, under the control and direction of a foreign power, for the purpose of overthrowing our free institutions. In the view of Justice Fortas and four of his colleagues on the Supreme Court the right to associate to conspire against the government actually takes precedence over national security, since the Court found for the appellee.

Those who understand the nature of the communist conspiracy and its objectives have found the Court's reasoning in *Robel* beyond all comprehension. Justice White wrote a stinging dissent in which he gave an excellent description of the Communist conspiracy and the reason we must defend ourselves against it. He said,

"The national interest asserted by the Congress is real and substantial. After years of study, Congress prefaced the Subversive Activities Control Act of 1950 . . . with its findings that there exists an international Communist movement which by treachery, deceit, espionage, and sabotage seeks to overthrow existing governments; that the movement operates in this country through Communist-action organizations which are under foreign domination and control and which seek to overthrow the Government by any necessary means, including force and violence; that the Communist movement in the United States is made up of thousands of adherents, rigidly disciplined, operating in secrecy, and employing espionage and sabotage tactics in form and manner evasive of existing laws. Congress therefore, among other things, defined the characteristics of Communist-action organizations, provided for their adjudication by the SACB, and decided that the security of the United States required the exclusion of Communist-action organization members from employment in certain defense facilities."

Justice White noted that there was no question but that the Communist Party was a Communist-action organization within the meaning of the Act, meeting all the criteria described above. He also observed that the Supreme Court itself had accepted the finding of Congress that the Communist Party posed a threat "not only to existing government in the United States, but to the United States as a sovereign, independent nation."

It was not at all clear to Justices White and Harlan, who joined in his dissent, why the Constitution should be interpreted as giving priority to the rights of association of conspirators over the rights of all of the rest of us to protect ourselves against their freedomphobic conspiracy. If in the name of national defense the government can ask our fine patriotic young men to give up their lives, why can it not ask a participant in a foreign-controlled conspiracy against the United States to give up the privilege of working in one of our vital defense plants?

The *Robel* decision opens the door for the infiltration of communist saboteurs and agitators into our vital industries. This is bad enough, but it portends an even more dangerous development. It is certain that before long the Supreme Court will be asked to rule on the right of the government to bar the employment of communists by the government itself. With *Robel* as a precedent it seems highly likely that a Court headed by Chief Justice Fortas will find that the government has no right to refuse to hire communist party members. And if members of the communist party itself are ruled eligible for government employment, loyalty as a test of eligibility for government employment will become a dead letter. Our government's defenses against penetration by Soviet agents and sympathizers will be even more completely emasculated than they would have been by the hamstringing changes suggested by Mr. Fortas back in 1953. The doors will have to be opened to the secret party members such as Alger Hiss and to the open party members alike. We will again find ourselves as wide open to espionage and subversion as we were in the days when Hiss, White, Currie, Witt, Pressman, *et al.* were able to wheel and deal on Moscow's behalf with complete impunity.

The *Robel* opinion in which Justice Fortas concurred did suggest that it might be permissible under the Constitution to exclude some communists from some types of employment. It drew a distinction between "active" and "passive" members of the Communist Party. In concurring in the drawing of this distinction Justice Fortas does not enhance our respect for either his legal logic or his perspicuity, if not his honesty. The implication is that there are members of the Communist Party who are sufficiently dangerous to our national security that the government may be justified in overriding the Constitutional rights guaranteed by *Robel* and may legally exclude them from employment in certain defense plants. The Court in taking this position seems to be saying that national security considerations can take precedence over freedom of association provided the threat to national security is demonstrable to the satisfaction of the Court. Justice White pointed out that the Court apparently wished to arrogate to itself the right to determine which members of the Communist conspiracy were sufficiently dangerous that they might be denied one of their purported Constitutional rights. We may infer from this that Justice Fortas and his colleagues did not object to the Subversive Activities Control Act of 1950 because it infringed upon a previously unknown constitutional right in making the employment of communists in defense plants illegal. They imply that they would be willing to accept such a restriction in the case of *certain* party members. Their real objection to the act, therefore, is that it presumes that *all* Communist Party members pose a danger to our national security if employed in strategic industries or positions. The Court employed a specious constitutional argument in order to nullify the judgment Congress had made about the significance of membership in the Communist Party.

As Justice White pointed out, Congress after long and careful study decided that the members of the Communist Party were potentially dangerous. This was no casual, "seat of the pants" judgment. Those who have studied the Communist Party know that there is no such thing as an "inactive" or "passive" party member unless he has taken that status on orders from the party. They know that the most dangerous participants in the communist conspiracy are the so-called "sleepers" who seem to be inactive or without ties to the party but who may do extremely valuable work covertly and who may be summoned to more active or more open duty whenever it is to the advantage of the party.

When five justices of the Supreme Court suggest that these "passive" members of the Communist Party are benign, innocent individuals who pose no potential threat to our national security, we can only conclude that these justices are uninformed and naive. However, it is very difficult to conceive of Justice Fortas being uninformed and naive in this area. He has been able to observe the machinations of the communists at close range since he entered government service in 1933. He was personally acquainted with the most dangerous "passive" communists who penetrated our government. When they were exposed he must either have been shocked to discover what they had done, or he must have had sufficient knowledge of communist methods to know that those who appear benign can actually be very deadly. He undertook the defense of a number of government employees accused of having communist connections in the late 1940's and early 1950's. Knowing him to be a thorough lawyer, we may assume that he undertook to inform himself about the nature of the communist movement in connection with these cases.

I find it difficult to believe that Justice Fortas really thinks that a "passive" member of the communist conspiracy is less dangerous to our national security than an active party member. I would think that since he has been the great damage that "passive" communists can do from an unusually good vantage point he would be in the forefront of those warning the nation of the danger posed by covert members of the party and seemingly harmless fellow travelers. I am at a loss to understand how Justice Fortas can concur in a decision of the court that is predicated upon a proposition that he must certainly know to be false. This committee should explore this question with Justice Fortas and discover, if possible, whether Justice Fortas, despite all his experience, is truly ignorant of the dangerous fallacy involved in trying to assign degrees of dangerousness to communists depending upon the intensity of their activity. If Justice Fortas professes ignorance in this area, we will be forced to conclude that his learning ability has been greatly exaggerated. On the other hand, if he recognizes the fallacy, he must be asked to explain why he concurred in the *Robel* opinion predicated upon it.

Justice Fortas in concurring in the *Robel* opinion gives us clear notice that he still favors the hamstringing of the government's internal security program. This process has already been far advanced by the Supreme Court, and there seems to be no reason to doubt that Mr. Fortas would use the office of Chief Justice to advance it still further. Every vote for confirmation of Mr. Fortas to that post can be interpreted as a vote for judicial repeal of laws that are absolutely vital to our national security. Each vote will put the Senator who casts it on record as saying that he agrees with Justice Fortas that it is more important to protect the right of a few to take part in a foreign-controlled conspiracy to destroy our liberties than it is to protect ourselves against that conspiracy.

I am sure that there is not a single member of the United States Senate who would want to run for election on such a platform. The American people do not agree with Justice Fortas and his four colleagues that the Constitution requires them to disarm this country in the battle against Soviet subversion. Since the Constitution does not require that Justice Fortas and his colleagues be responsible to the wishes of the electorate, the people must of necessity look to the Senate to speak for them in this matter of vital national interest. I am sure that if the vast public were informed of the vital issues at stake they would demand overwhelmingly that you recommend against confirmation of Justice Abe Fortas for the office of Chief Justice.

AGRICULTURE: AMERICA'S BASIC INDUSTRY

HON. THOMAS S. KLEPPE

OF NORTH DAKOTA

IN THE HOUSE OF REPRESENTATIVES

Friday, July 12, 1968

Mr. KLEPPE. Mr. Speaker, it has been a stimulating experience to serve with my distinguished colleague from Kansas, Congressman BOB DOLE, as a member of the House Agriculture Committee and the Subcommittee on Livestock and Grains. Because the districts we represent are the top two nationally in wheat production and near the top of the list in livestock numbers, we understandably share many common interests and problems.

BOB DOLE has worked diligently, conscientiously, and effectively for American agriculture. He thoroughly understands the need for building profitable markets for farm commodities at home and abroad. He has won special recognition for his efforts to strengthen and improve the food-for-peace program.

I believe he has made an excellent summation of the current farm situation in an article published in the July 1968 issue of The Independent Banker. The text follows:

AGRICULTURE: AMERICA'S BASIC INDUSTRY

(By Representative ROBERT J. DOLE)

While I decry the current farm income situation and the related problems affecting our rural economy, I am glad that the general public is beginning to wake up to the fact that these are very real problems. If we can just make them realize that the problems of the rural sector should be of concern to all of our citizens and not just the 6 per cent who are farmers we will have gained some ground. I hope that with our overriding concern for the problems of our cities, we will all begin to realize that we do not cure or help these problems through national farm policies that speed the rising tide of migration of our rural people into the ghettos of these very cities.

There are signs that we are beginning to realize this. It is no longer unusual to find concerned articles in our national magazines and newspapers discussing the farm income situation and the seeming inability of our farmers to share fully in America's economic growth. Let me repeat that I personally am glad that the public at large is starting to realize that a serious problem exists in rural America.

One factor in this increasing awareness of rural problems was the issuance in September of last year of a report of the President's National Advisory Commission on Rural Poverty. This report, entitled *The People Left Behind*, contained some information that surprised many people. The summary of the report included the following statement:

"This report is about a problem which many in the United States do not realize exists. The problem is rural poverty. It affects some 14 million Americans. Rural poverty is so widespread, and so acute, as to be a national disgrace, and its consequences have swept into our cities, violently."

FARM INCOME AND RURAL POVERTY

This report contained some shocking statistics. It stated that while one person out of eight is classified as "poor" in metropolitan areas, the ratio of poor in rural areas is one out of every four persons. This was very probably a considerable shock to most of the public which is accustomed to thinking of poverty in terms of the squalor of the ghetto areas of our large metropolitan centers. Proportionately, *there is more poverty in rural America than in our cities!*

The commission's report does give some recognition to the paradoxical situation which we presently view of increasing productivity and decreasing income of farmers. Let me quote from the report again:

"The people employed in agriculture, forestry, fisheries, and mining supply the products and materials for food, shelter, clothing, and manufacturing industries. It seems ironic that those closest to the mainsprings of our economic development are those most adversely affected by it. They have borne the brunt of the forces of technological development. Often their increased productivity has been rewarded by lower incomes."

The report goes on to take a backhanded slap at the farmers using the popular image of the well-off country squire getting richer on federal subsidies:

"Some of our rural programs, especially farm and vocational agriculture programs, are relics from an earlier era. They were developed in a period during which the welfare of farm families was equated with the well-being of rural communities and of all rural people. This is no longer so. They were developed without anticipating the vast changes in technology, and the consequences of this technology to rural people. Instead of combating low incomes of rural people, these programs have helped to create wealthy landowners while largely bypassing the rural poor."

THE FARMER AS THE SCAPEGOAT

I have been known to criticize the farm programs also—but primarily for what they *have not* done for the farmer. I happen to believe that the welfare of farm families *does have* a very direct and significant effect on the well-being of rural communities and rural people.

Making the nation's farmers and farm programs the scapegoats of all of our problems is getting to be an all-too-popular pastime. The prevalent attitude among too many is that farm programs are too big and that farmers do not really need those "big money" programs.

A recent survey of members of the U.S. Chamber of Commerce on federal spending and taxes brought an overwhelming response that the federal farm programs should be cut. Ninety-two per cent of the businessmen responding to the survey would cut these programs.

NEED FOR A VIABLE FARM ECONOMY

The time has arrived for all of our citizens to realize the importance of a viable farm economy to this nation. This is easier said than done. We live in the age of the consumer. We see legislation proposed and passed at the national level on such consumer protection matters as meat, poultry, and fish inspection, fair labeling practices, and truth in lending.

We can even see this trend in the United States Department of Agriculture. As an example, consider the retitling of the old *Agricultural Marketing Service* to the *Consumer and Marketing Service.*

The public as consumers continues to be the winner in the battle of farm prices also. In 1950, measured in terms of then current prices, the American public spent 22.2 per cent of its disposable income for food. Last year, 1967, Americans spent only 17.7 per cent of their disposable income for food.

Very little of this went to the farmer. He received only about 5 per cent of the consumer's disposable income for his heavy investment of capital and labor. If the consumer had to pay the same proportion of his income for food in 1967 that he did in 1960, it would have cost him $11 billion more.

DANGEROUS GAME

While the consuming public may be winning now, I insist that it is a dangerous game in which we are engaged. I believe it is time to consider what the cost has been—directly to the farmer and in total to our entire society.

I know that you have been deluged with statistics concerning the farm situation. Please bear with me while I briefly reiterate some of these truly *vital statistics*.

We should be completely aware of one fact. *The American farmer is in real financial difficulty.* In 1967, farmers suffered a 9.7 per cent drop in realized net income. Over the past seven years, there has been a drop of over six percentage points in the farm parity ratio. During the same period of time, there has been a 31 per cent increase in the costs of production.

FARM INCOME

Parity is now at a comparable level to what it was in the depths of the depression. How many people know that a large number of farmers realize considerably less per hour of their labor than the federal minimum wage law?

And let me point out one other important item: It is estimated that nearly 20 per cent of farm income now comes from direct government payments.

RURAL MIGRATION

Our rural areas are being depleted of people. There is a dearth of accurate statistics on the extent of rural migration. Officials of the Department of Agriculture have at different times estimated that it runs as high as 600,000 people a year. More recently, they believe that they see a reduction in this trend.

In any instance, it has and is causing serious consequences to our nation. Anyone who doubts this needs only to tour our rural towns and see the stores and other small businesses that have closed up and then take a trip through areas of our big cities into which many of our rural people have crowded.

The result is that without necessarily desiring it and almost by default, we are becoming an urban society. Seventy per cent of our people now cluster in cities that cover only one per cent of our land area. The experts tell us that, if the present trend continues, 80 per cent of our people will be living in metropolitan areas by the year 2000 and most of them will be jammed into five super strip cities.

We have witnessed the same decline in terms of number of farms and farmers. Since 1959, the number of farms has declined by a fourth—from 4,105,000 to 3,059,000. Farmers now represent only about 6 per cent of our population. Only two decades ago it took 18 per cent of our population to feed the rest of us.

FARM INVESTMENT AND DEBT

We observed above the ironic situation of a basic industry that has been extremely productive yet continues to suffer declining income. Many have blamed this situation on the extremely competitive nature of farming. They state that the farmer has no organized way to control his output and thus the prices at which he must sell.

Whatever the reason, the farmer has been forced to seek in whatever way possible to minimize his costs per unit of output and hope that the market prices he gets are high enough to give him somewhere near a reasonable return for his labor and investment. This has resulted in the American farmer providing an almost miraculous rise in productivity.

But he is paying a fantastic price for this miracle. Just look at what has happened to farm investments. In 1950, the average U.S. farm had $17,378 in production assets. Seventeen years later, in 1967, this average had risen to $73,164. Investment per farmer in one of the Kansas Farm Management Associations in my Congressional district has risen *to an average of $265,469 per farm!*

Hand-in-glove with this increase in capital requirements, farm debt has skyrocketed! Total U.S. farm debt is now estimated to *exceed $50 billion*. By way of comparison, this debt in 1950 was about $12.3 billion.

THE FARMER'S CONTRIBUTION

Let's take a look at the farmer's contribution to this affluent society in which we live. Not too many years ago it was undisputed that agriculture was America's *basic industry*.

Shortly prior to World War II, a quarter of our people still lived on a farm. Agriculture was a major employer of our working force. The majority of our national leaders came from rural backgrounds.

Now that fewer than 6 per cent of our people live on farms, the story is different. Many Americans view agriculture as playing a relatively small role in our economy. If they even think of it at all, they think of farming only in terms of large surpluses and government subsidies.

I firmly believe that the average American has a very hazy concept of the basic importance of the American farmer to our physical and economic well-being. He should be told again and again until the realization of these facts is widespread.

First, it should be repeatedly brought to the general public's attention a fact that by all rights should be obvious—we are being fed better and at continually lower costs in terms of our total disposable income. The public should be told that our food bill would be $11 billion higher than it is if we still had to pay the same proportion of our income for food as we did seven years ago!

Second, we must obtain a general realization that agriculture is *still the basic industry* in this economy. For example, the Department of Agriculture tells us that the American farmer last year spent $34 billion for the goods and services he needed to produce crops and livestock. He uses more petroleum products than any other industry. He purchases *5 million tons of steel* each year. His products which are sold overseas provide over *50 per cent of this nation's total favorable balance of trade.* What would the "Gold Drain" situation be without this contribution?

Third, as we become more and more aware of the rural poverty situation and its ultimate effect on and relationship with urban poverty, we must fully appreciate that agriculture remains the largest industry and largest single employer in rural America.

Let me briefly summarize the situation as I see it. We cannot, as a nation, continue to pour our resources into the fight against urban ills without giving some serious consideration to our exposed flanks. We cannot win the battle of the cities without curing the ills of the rural areas.

The funds that we are pouring into welfare payments alone are becoming fantastic. One of our federal officials recently stated that soon New York City *will be spending more on welfare than on public education!*

We don't seem to be moving ahead very rapidly, do we? An article on the war on poverty in a recent issue of the *Wall Street Journal* contained an imaginary communique from the poverty war commanders. By the way, this article was appropriately titled. "The suicidal rural gap in the poverty war." I'd like to quote this imaginary communique:

"The government commanders view the cities as the critical battleground and are concentrating their strength there. Some gains have been made, but replacements for the other side continue to pour in from the countryside. For this reason, the outcome of the government drive is uncertain at this time."

And pour in from the countryside they do! The President recently called for private industry to provide 500,000 jobs for the hardcore unemployed in the cities. What if this is accomplished? Will we just have another half-million or more migrate into the cities from rural areas? We seem to be on a treadmill, don't we?

Now let me re-emphasize my major point.

We cannot cure the problems of the cities without meeting the problems of our rural society head-on. *And, the well-being of rural America is intrinsically tied to a viable farm economy.* We may think, as the President has stated, that we can have both guns and butter. But we had better look to the welfare of those who produce the butter!

A MARYLANDER NAMED OPTOMETRIST OF THE YEAR

HON. SAMUEL N. FRIEDEL

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Friday, July 12, 1968

Mr. FRIEDEL. Mr. Speaker, as a Representative in Congress from the State of Maryland I take pride in the fact that a fellow Marylander, Dr. Arthur Dorman of Beltsville, was named the 1968 National Optometrist of the Year by the American Optometric Association.

Inasmuch as all the Members of Congress are very much interested in advancing the health of our citizens, I wish to invite the attention of my colleagues to this honor conferred upon Dr. Dorman. Optometry is the science which relates to the examination of the eyes, the analysis of their function and the employment of preventive or corrective measures to insure maximum vision and comfort. Optometry has been legalized as a profession in every State of the Union and in the District of Columbia by act of Congress. My Committee on Interstate and Foreign Commerce has favorably reported a bill to establish a National Eye Institute under the National Institutes of Health and I look forward to the contributions Dr. Dorman and his fellow optometrists can make to the efforts of this new institute to find the causes and possible cures for blindness which has disabled 14 million people.

In his State and home community, Dr. Dorman, has performed an enviable public service record ranging from his membership of the Maryland House of Delegates to his presidencies of elementary school parents and teachers associations. In 1965 the Girl Scouts of Beltsville recognized Dr. Dorman for his service to his community by making him an Honorary Scout.

Appointed to membership of the Maryland House of Delegates in February 1965, Dr. Dorman was elected to a full 4-year term in November 1966, and now serves on the Maryland House of Judiciary Committee. He also serves on the Maryland Mental Health Law Revision Commission.

Dr. Dorman's activities in behalf of his profession of optometry have also been significant. In 1953, he was one of the originating members of the Central Maryland Optometric Society of which he has served as president for three terms. He is a member of the Maryland Optometric Association's long-term planning and legislative committees, and has also served as chairman of the Optometric Council, National Capital Area; as chairman of the Board of Vision Care Services, Inc., and presently serves that group as a trustee.

Elected to the board of directors of the Vision Institute of America, a national prepaid vision care program, 3 years ago, Dr. Dorman was named president of the organization a year ago.

We are indeed proud of Dr. Arthur Dorman of Maryland and I extend my sincere congratulations and best wishes to him for continued success in his profession.

PRESIDENT JOHNSON'S SUCCESSFUL TRIP SOUTH OF THE BORDER

HON. HENRY B. GONZALEZ

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Friday, July 12, 1968

Mr. GONZALEZ. Mr. Speaker, President Johnson's recent trip to Central America was a very successful venture into personal diplomacy according to all the accounts I have heard and seen. This assessment is also reflected in editorial opinion from leading national newspapers.

The Philadelphia Inquirer headlined its editorial: "More Friendship Trips Needed."

The editorial went on to say:

> Such friendship trips as the President has made in this instance ought to be made by his successors without fail in the future to as many Western Hemisphere countries as it can be worked into the chief executive's busy schedule and they should be given a very high, if not top, priority.

The Plain Dealer of Cleveland, Ohio, referring to a single ugly event in an otherwise extremely friendly trip said, "Johnson Visit Shows Courage."

The Evening Bulletin—Philadelphia—described the trip in these words:

> The visit was a symbol of recognition from which the Common Market drew new status, a sense of dignity.

Mr. Speaker, it is encouraging to see that in the closing months of President Johnson's Administration he is forging new ties of friendship with our Latin American neighbors. We must never forget that the Latin Nations of North and South America will play an increasingly vital role in the future of America, in spite of global political power shifts in other parts of the world.

I insert the three editorials from which I quoted, in the RECORD:

[From the Philadelphia (Pa.) Inquirer, July 10, 1968]

MORE "FRIENDSHIP TRIPS" NEEDED

It is not possible yet to tell whether the primary object of President Johnson's tour of the Central American Common Market nations was fulfilled. His hope was to counteract the forces which seem to be threatening continuation of an exemplary effort at cooperation among the Central American nations.

Recent economic pressures and setbacks, however, have prompted the president of at least one member of the group to threaten withdrawal and others have indicated they have points of disagreement with President Johnson and U.S. policies which might endanger continuation of the kind of progress represented by the regional common market development. It is to be hoped that President Johnson is right in stating that the differences are "very small when compared with the benefits of union."

However this may be, it seems to us that President Johnson's "friendship trip" as he has called it, was a commendable gesture. If he is the first U.S. President to have visited all five Central American nations, we hope that he will by no means be the last. Our Latin American neighbors—and particularly those so close by as the five in question—are our good friends and the best possible policy for this country is to go far out of its way to keep them that way.

Such friendship trips as the President has made in this instance ought to be made by his successors without fail in the future to as many Western Hemisphere countries as can be worked into the chief executive's busy schedule, and they should be given a very high, if not top, priority.

[From the Cleveland (Ohio) Plain Dealer, July 7, 1968]

JOHNSON VISIT SHOWS COURAGE

President Lyndon B. Johnson is showing considerable courage in making his goodwill visit to Central America.

For his trouble, he has suffered vilification (shouts of "Johnson, stay out!" from students and signs reading "Vietnam Assassin") and an egg and paint-splattered limousine.

This ugly display marred what was otherwise a friendly reception. Thousands cheered him along the route of a motorcade in San Salvador, El Salvador.

The President's mission is one of aid and encouragement to Central America. He brought with him something concrete in aid—the announcement of a $65-million U.S. loan to spur the economic development of El Salvador, Costa Rica, Nicaragua, Honduras and Guatemala.

His historic visit—first by an American president to a majority of these nations—is intended to promote their economic integration and advance regional cooperation.

The $65-million loan shows that the U.S. is sincere in its desire to become a contributing partner to Central America's economic growth.

It is unfortunate that antiwar agitation detracted from the friendly purpose of Mr. Johnson's visit, which, in his words, was to find out "what more we can do together."

[From the Philadelphia (Pa.) Evening Bulletin, July 9, 1968]

A SUCCESSFUL VISIT

Behind the exuberant facade of cheering and hand-clapping for President Johnson in Central America were the grim problems of illiteracy and blending an agricultural economy with industry.

This is not to discount the fact that Mr. Johnson's visit to San Salvador buoyed the spirits of the five heads of state meeting there as the Central American Common Market.

The visit was a symbol of recognition from which the Common Market drew new status, a sense of dignity. For it was not a single nation or president Mr. Johnson went to see, but rather an assemblage of nations, acting in concert to solve the problems which complicate, indeed menace regional cooperation.

While Mr. Johnson's statements—illiteracy is a latter-day "prescription of disaster"—and itinerary, visits to schools, a teachers' college, seemed to lay stress on education, it was certainly the harsh economics of the Common Market which engaged his attention and preoccupied his advisers.

For, it is on the prosperity of the Common Market that education—building schools paying teachers—largely depends.

And the Market—San Salvador, Honduras, Costa Rica, Guatemala and Nicaragua—is caught in a squeeze. The coffee, sugar, bananas, cotton it sells abroad are bringing less and less. And it's laying out more and more for imports—raw materials and finished products. The result: A balance-of-payments deficit which persists despite an expanding native industry, designed and tooled to manufacture what the five Common Market countries heretofore bought from abroad—construction materials, pharmaceuticals and hand tools.

It is feeding this industry with imported raw materials that tightens the balance of payments squeeze and widens the evident rift in the Market on the question whether ultimately to reorient industry to native raw materials for the manufacture of such things as soluble coffee and textiles which could be sold outside the Market for the cash needed to bring income and outgo into balance.

Indicative, however of the realism which pervaded the Common-Market meeting was the fact that no one frantically besought Mr. Johnson for preferential treatment of Common Market coffee, at the expense of other coffee-growing nations, to close the balance of payments gap.

Indeed, it is not a matter of record that they besought Mr. Johnson for anything. They simply thanked him for what he could realistically be expected to give—and did: $65 million in aid.

It is in this spirit that the Common Market has expanded the volume of its internal trade from $6 million in the mid '50s to $200 million in '67. And it is this spirit certainly which was evident in the general good humor and politeness with which the people of the Market greeted Mr. Johnson, scorning the rudeness shown by a handful of dissenters to the Vietnam War.

THE CHALLENGE OF THE INTERMODAL CONCEPT

HON. ROGERS C. B. MORTON

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Friday, July 12, 1968

Mr. MORTON. Mr. Speaker, the remarks of Commissioner James F. Fanseen, of the Federal Maritime Commission, before the Movers' & Warehousemen's Association of America, delivered on March 30, 1968, are worthy of the attention of the House.

Commissioner Fanseen deals with a concept vital to our maritime posture. He is a relatively new member of the Commission. Those of us who are particularly interested in maritime matters are delighted to observe his interest, dedication, and understanding of the multitude of shipping problems which face the Nation. I commend his remarks to you:

THE CHALLENGE OF THE INTERMODAL CONCEPT

(Remarks of Commissioner James F. Fanseen, Federal Maritime Commission)

It is indeed an honor and a pleasure to be here today and to enjoy the hospitality of this fine host city, Hollywood, Florida. I was quite flattered by the invitation from your very able Executive Secretary, Carroll F. Genovese, to speak to the 33rd Annual Convention of the Movers' & Warehousemen's Association of America.

Our age has been labeled by historians and scholars as the most revolutionary in all history. Today, we see more technological and scientific progress in a year—or even a month—than our ancestors saw in centuries.

In this complex world, transportation has become an economic and social necessity. Our vast transportation network is the means by which our products are distributed, the means by which people travel across the land, and the means by which people move their possessions from place to place.

The moving industry has an important role to play in the overall transportation picture. The theme of this convention, "The Moving Industry and Its Place in The Community," demonstrates that our nation's movers and warehousemen are progressing with a real sense of direction. It is indeed gratifying to see this great industry interested not only in serving its own interests, but also in contributing to the welfare of our national and local community.

The movers and warehousemen have come a long way since those distant days of the Conestoga wagons. Today, with the finest equipment, you are making it possible for this nation to stay on the move and meet vital segments of its transportation requirements.

Although computers and research-and-development techniques have made substantial contributions, they alone have not achieved the transportation progress of the 20th Century. The movers and the warehousemen who decided that the cardboard box could cut abrasion and breakage in over-the-road imagination made a solid contribution. The fellow whose imagination helped us go from the stake-bodied truck to the super-mechanized moving van of today is an unsung hero in the saga of American transportation.

Those vans which developed in your industry have had a revolutionary impact on American transportation. In fact, those vans, so well known to you, are today the unit on which is being built a 21st Century concept of new, swift, efficient intermodal global transportation.

The moving van lent itself to the piggyback concept of long-distance travel and became a pioneering element in intermodal movement of goods. It came down to the railroad yard and shed its motor and sometimes its wheels, and it moved great distances by rail.

For many years when that van reached the waterfront, its contents were pulled out piece by piece and lifted up and stored in the holds of oceangoing vessels to complete the ocean leg of its travels.

At the pier or terminal of its destination, the ship's cargo was taken out piece by piece, shifted into another van, and then moved, either by rail or by motor truck, to delivery point.

It took some time for the idea to sink in, but finally one day someone decided that all that pulling and pushing of individual pieces of cargo was simply a waste of time, and on that day containerization was born.

With specialized ships and specialized heavy-lift equipment, for some years now in American export and import trade the container van has been loaded at the factory, has gone by truck and rail to shipside, and has been put on the ship, taken off the ship, transported and delivered, all under one unbroken seal. This through movement has become known as intermodal transportation.

Every American has benefited from this transportation advance, for it slowed an upward spiraling ocean rate factor which the consumer had to meet on every American import and export item.

The concepts of containerization and intermodal container handling are proving their advantages over the break-bulk type of movement. Time, space, and money are being saved in this new process, and the product is better protected. These benefits accrue to the shipper and carrier alike.

This versatility—the unitization of goods and their eventual shipment by selected modes of transportation—makes containerization the functional packaging operation it is today.

The simplest analogy to the intermodal container concept is found in the efficiency, economy, and productivity of a pipeline. The twin keys are unitization and flow.

While the movement of cargo was once chopped into segregated pieces subject to the requirements, restrictions, and convenience of the individual carrier, today's shipment in the intermodal concept is unitized initially at plant-side, where it is packed, protected, and sealed. From that point on, the efficiency of the system depends on smooth, uninterrupted flow. This system clearly works best with single shipper, full container loads.

One of the challenges of the system is to make it work with equal efficiency for the shipper who offers a partial container load. This problem, I feel sure, is one facing the moving industry. The answer here seems to lie in centralized consolidation points. This approach enables the small shipper to take advantage of the intermodal system's efficiencies and at the same time enables the carrier to utilize his containers to the fullest capacity.

The objective of the concept is as simple in theory as the concept itself. There must be, clearly and unequivocally, complete and satisfactory service to the shipper. Without the shipper's approval, the finest container equipment is useless and obsolete. In this business, it is the shipper who counts.

Even though the container process offers tremendous benefits to the shippers, carriers, and the general public, these benefits are not ends in themselves. The goal of the intermodal cargo system is a fully integrated transportation system.

However, many obstacles lie in the path of this exciting system. It seems to me that the key to overcoming these stumbling blocks lies in the lure of the efficiencies and the cost savings offered by the intermodal system. Historically, our nation's industry and leadership have responded affirmatively to innovatons which improve the individual operations, as well as the overall system. The intermodal concept, with its tremendous benefits, should be no cause for exception.

There is no question but that the intermodal concept is a bold step in the right direction. However, embarking on new journeys in the complex field of transportation necessitates a thorough intermodal education program. All segments of the transportation industry need complete exposure and thorough indoctrination into the complexities of this new concept. Without such a program, shippers and carriers not faced with the container operation on a day-to-day basis will not fully understand the mechanics and advantages of the system. Such a lack of knowledge could lead to hesitancy on the part of such shippers or carriers to embrace this innovation as a course for future operation.

Thus, a clear challenge to the intermodal concept is the educational process. Success or failure of the dissemination of this specialized knowledge can mean success or failure of the intermodal concept and the plan for a fully integrated national transportation system.

Where do we presently stand in the process of implementing this new system?

From the governmental regulatory standpoint, there have been regular meetings of the Civil Aeronautics Board, the Interstate Commerce Commission, and the Federal Maritime Commission, to anticipate the regulatory needs of the intermodal system. Inter-agency committees, involving not only the regulatory agencies, but also the Department of State, Congressional committees, and representatives from the Executive Office of the White House have participated in the development of national transportation policies to serve as directives for future technological and administrative advancement. Only two weeks ago, a bill was introduced in Congress to facilitate equipment interchange between and among the several modes of transportation.

At the Federal Maritime Commission, we will continue to follow our philosophy of reasonable and constructive regulation. Where necessary, our regulation will change and adapt to meet the needs of the future. However, this regulation will only be where needed and to the extent necessary.

In the industry, the beginnings of an integrated transportation system are a fact. In the domestic picture, railroads, trucks, and steamship lines are making interline agreements for the rapid interchange of equipment and cargo. On the international scene, the intermodal concept surged forward in the past year with over 750,000 tons moving via this system.

This progress is the real beginning of making our transportation system into a viable integrated tool which can complement American technology in delivering the goods where and when needed and at competitive prices.

Recently, there has been much talk about the decline of the American merchant marine. This particular branch of the transportation industry has its problems; there is no question about it. However, I feel that with the upsurge of the container system, we are on the threshold of developments which can help the United States regain its position in the shipping industry.

In addition to containerization, slightly different approaches to the unitized systems concept have been developed in the ocean transportation industry.

New ship types, called Sea Barge carriers and LASH (for Lighter-Aboard Ship), promise to offer substantial benefits to shippers and carriers alike.

These concepts envision the initial loading of barges or lighters at factories or other inland loading centers, located on a waterway. These small vessels are then towed to a deepwater port, where they are loaded directly aboard ship. These barges or lighters are large "containers" in themselves. Thus, a barge loaded with cargo could be towed to New Orleans, lifted directly aboard ship, arrive at its European debarkation point—say Rotterdam—and continue its journey to its receiver. This concept has obvious cost benefits to all concerned.

I have every confidence that existing operations will be revamped to take advantage of these innovations, and will make the promises of tomorrow, the realities of today in the ocean transportation industry.

All of this is good news to those of us involved with ocean transportation. But I urge you to review the development plans in the moving industry to see if you are doing all you should to prepare for the future. The container idea crystallized in your industry. I urge you to continue this progressive thinking, to act as a catalyst for solving problems facing the national transportation industry. You have been in the past, and you should continue to be beacons to guide industry and government. In fulfilling such a role, you are contributing not only to your own welfare, but also to the welfare of our entire community. The theme of your convention indicates your interest in this philosophy. It is a commendable attitude.

Thank you.

THREE R's NOW FOUR R's—ADD RIOTING

HON. WILLIAM L. SPRINGER

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Friday, July 12, 1968

Mr. SPRINGER. Mr. Speaker, I know that on many of the university and college campuses in the country there has been considerable unrest as well as rioting. President Quincy Doudna of Eastern Illinois University has had remarkable success largely because of the speed and earnestness with which he has worked on these problems when they have arisen.

I attach herewith an article from the Evansville, Ind., Courier-Press which I believe clearly shows how these problems can be handled properly. President Doudna has done an exceptional job in this regard and he should be commended.

THREE R's NOW FOUR R's—ADD RIOTING

(By Geo Gossard)

CHARLESTON, ILL.—Student unrest and disorder on the college campus has become the rule rather than the exception.

The three Rs have become the four Rs—reading, 'riting, rioting and 'rithmetic.

May has become a month for exhibitions and not examinations.

Yet, either by chance or circumstance, Eastern Illinois University has continued its process of education with few interruptions.

Negro students on many campuses are demanding that more Negro instructors be hired, more courses in Negro history and culture be offered, and that alleged and actual forms of discrimination be ended.

Many of the protests followed the assassination of Dr. Martin Luther King. Demonstrations have taken place on campuses across the country.

On May 9, Ernest Morris presented a letter to EIU President Quincy Doudna. Morris, who is in graduate school at EIU, is from Chicago. He is also a Negro.

Six requests were made. Prompt action was taken.

And things were calm on the Charleston campus when the spring quarter ended Friday.

In contrast is the situation at the Carbondale campus of Southern Illinois University.

A bomb exploded in an unoccupied agriculture building at SIU with an estimated damage of $100,000.

"Peace Parades" drew approximately 1,000 student and faculty marchers.

Some 300 students demonstrated in front of President Delyte Morris' office after presenting demands by Negro students.

Seven Negro and two white students were arrested for breaking into the president's office and have been expelled.

President Morris and the board of trustees have taken a firm stand against violence.

Protesters claim that the 1,200 Negro students at SIU will withdraw from school if their demands are not met. They have indicated that no discussions can start until the nine students are granted amnesty.

A school spokesman said that he doubted the self-styled leaders actually spoke for the entire Negro student body and that they might be willing to accept some compromise on the nine students if the administration was so inclined.

At EIU, President Doudna quickly called a meeting of student protestors and faculty upon receipt of the letter from Ernest Morris.

Committees, consisting of two administrators and three students, were formed to study each of the six points.

Doudna requested the committees submit their reports as of Friday. They were to cover: the present situation, as seen by both sides; possibilities for desirable change, as seen by both sides; and steps recommended for either immediate or gradual implementation.

The six points under discussion were: opening of all approved student housing to black students or removing the housing from approved lists; opening fraternities and sororities to black students or having them barred from campus, plus allowing no national affiliation with segregated chapters; increased financial aid to black students; recruitment of more black students; recruitment of more black staff members; and adding courses in Negro history and culture to the curriculum.

Why the contrast between EIU and other universities?

Is the administration more enlightened and sympathetic toward the Negro problems?

Are the students at EIU more willing to negotiate their problems first instead of demonstrating?

Does the fact that only about 50 Negroes are enrolled in a student body of 6,200 make a difference?

Ernest Morris said that he felt a combination of reasons made the situation at EIU different from that on most campuses.

"We don't have many Negro students on the campus," Morris admitted, "and that probably does affect the amount of militancy here.

"But I also think you could say that the administration has a rather enlightened attitude and is sympathetic to our problems."

He did not want to comment on the requests until committee reports were studied.

Morris conceded that the question of discrimination in fraternities and sororities was a delicate point but said that the point dealing with more financial aid could cover all students.

"We think everyone should receive enough aid so that he can concentrate on his studies. Many of our black students fall into the category of needing aid.

"It is proper to use the term 'black students' with no lack of respect," he said. "You refer to white students, don't you?"

A spokesman for President Doudna and the university indicated that he felt the attitude and quick action taken by Doudna was helping to ease what might have been a difficult situation.

Doudna pledged to do all in his power to help.

"Most of the problems enumerated have been matters of concern to the university for many years, but they have not been completely solved and do not lend themselves to easy solution," Doudna said.

"The university is committed to continued and increased efforts to find solutions."

A YOUNG LADY VOICES HER OPINION

HON. FRED B. ROONEY

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Friday, July 12, 1968

Mr. ROONEY of Pennsylvania. Mr. Speaker, in this time of national concern for adequate firearm legislation, I have received volumes of mail expressing the opinions of my constituents. As each individual realizes the great need for immediate action, he performs his civic right and duty by contacting the legislator who represents him in Congress.

At this time, I would like to share with my fellow colleagues a letter which I received from a young lady in Easton, Pa. It is an honor to represent my district and a pleasure to know that young people such as Andrea take the time to write and express their views.

Her letter reads as follows:

EASTON, PA.

DEAR MR. ROONEY: I am 7 years old. I think its mean, to not have any laws that say if you have a gun don't shoot anybody.

Sincerely,

ANDREA COINE.

WATER RESOURCES CONFERENCE

HON. GEORGE HANSEN

OF IDAHO

IN THE HOUSE OF REPRESENTATIVES

Friday, July 12, 1968

Mr. HANSEN of Idaho. Mr. Speaker, I was privileged to attend a recent Water Resources Conference in Burley, Idaho, at which a very significant address was given by my good friend and colleague, Senator LEN B. JORDAN.

As an Idaho State legislator, as a Governor of Idaho, as a member of the International Joint Commission and the International Development Advisory Board, and as a U.S. Senator from Idaho, Senator JORDAN has had broad experience in the field of water resources and is widely recognized as one of the most knowledgeable men in the United States on this subject.

The points the Senator raised in his speech are interesting and important, and merit serious study.

Two newspapers, the Idaho Daily Statesman, published in Boise, Idaho, and the Lewiston Morning Tribune, published in Lewiston, Idaho, commented editorially on Senator JORDAN's speech.

Mr. Speaker, under leave to include extraneous material, I include as part of my remarks the speech by Senator JORDAN and the two above-mentioned editorials and commend them to my colleagues:

WATER RESOURCES CONFERENCE

I am pleased to be invited here to talk with you about water. May I commend you for your interest in a subject so vital to our economy. On many occasions I have said that water is an indispensable key to Idaho's future and that Idaho has more thirsty acres to reclaim than our readily available water supplies can satisfy.

The economy of Southern Idaho is closely tied to and dependent on reclamation. Imagine, if you will, a disaster than overnight would reduce all of the buildings in the towns and cities of the Snake River Valley to ashes and rubble. Surely these towns and cities would rise again. But should disaster dry up the waters of the Snake River for all time, then the towns and cities would wither and die.

I think all of us recognize the need for a comprehensive state water plan—one that will inventory our water needs and our water supplies and then set up priorities for bringing the two together. Cognizance must be taken of the many uses for water including domestic, municipal, irrigation, industrial, navigation, fish and wildlife, and recreation. Likewise we must be concerned not only with water use but with quality control of the water we use.

My remarks today will be confined mostly to reclamation, which is by far the greatest consumptive user of water.

So if we are to proceed in an orderly fashion, we should examine first our needs for water and second how do we meet those needs. An economist would call it simply a demand and supply problem. The demand part can be divided into present and future.

From a compilation of records, we know that Idaho presently irrigates about 3,500,000 acres. What our future requirements will be is quite another matter.

Probably the most knowledgeable man with respect to Idaho's water needs is George Crookham, Chairman of the Idaho Water Resources Board. In April of 1967, George Crookham testified before the Senate Interior Committee on the Wild Rivers bill. He said then and I quote from those hearings: (p. 165)

Senator JORDAN. George I would ask you, how far are you along with your inventory studies of the reclamation potential in Southern Idaho?

Mr. CROOKHAM. Just more or less investigational but we show now some 20 million acres under surveillance, and the first draft, a very rough one indeed, shows 9 million of irrigable land by known standards.

Senator JORDAN. For the record, how much is currently irrigated?

Mr. CROOKHAM. About 3 million acres.

Senator JORDAN. And you are talking about an additional potential of how much?

Mr. CROOKHAM. From 6 to 9 million acres. . . . Now the situation is this, Senator: It is much more advisable to irrigate land in proximity to the streams at low lifts than try to transport water 1,500 miles to the south and push it up to an elevation of 6,000 feet. With those kinds of standards as criteria, we could pull quite a bit of the 20,000,000 acres into the total picture, so it depends on what is the economics of food supply that we will face in this third of the century remaining before us.

Senator JORDAN. I know we have discussed this before, and I think we are agreed that probably in the not too distant future we might be pumping back to the upper reaches of the river, so that we can meet the requirements for a vastly expanded irrigation acreage. I think that is a distinct possibility. Would you agree with me that this is possible?

Mr. CROOKHAM. Yes, it is. If you look at the Snake River, we are a deficient stream, quite deficient at Milner Dam, and yet we have a surplus below there, and we have a pump-back situation there that is almost a must.

Senator JORDAN. If we are to reclaim the land that you have indicated here—from 6 to 15 million acres of additional land—where are we going to get the water for it?

Mr. CROOKHAM. There will be an overdraft on the Snake River, as we know it. The next choice, then, the most logical choice, is this Salmon River, available from both ends. The storage of 9 million acre-feet, or nearly 10 million is available from the lower end, and lots of water is available from the upper end. This is Idaho's storm cellar, you might say, for future development.

This gives us a pretty clear picture of our reclamation potential in Idaho.

The next problem is to examine our potential water supplies and their sources.

I am sure that depletion studies for potential reclamation development will show conclusively that the Snake River watershed will not supply enough water to irrigate the presently unwatered but economically feasible lands in the Snake River Basin.

With this fact established, the obvious next step is to first develop all upstream storage in order to better mold the seasonal runoff to irrigation needs and second to look elsewhere for water supplies that can be economically diverted from basin of origin to the Snake River drainage for beneficial use. Priorities should be set up to accomplish these objectives.

Priority number one should be earliest possible completion of the Lower Teton and Ririe projects now under construction. New starts should include Lynn Crandall project and such additional storage at American Falls site as can best compromise the interests in conflict. Construction of the Southwest Idaho project should go forward simultaneously with the development of more storage upstream. For the past decade or more, private capital has been developing in Idaho an average of 50,000 irrigated acres a year. This program of sound steady growth should continue.

It is highly important to develop the maximum amount of headwater storage. The cheapest storage available is in the underground lava bed aquifer north of the Snake River. Studies have been made for diverting flood water by canals into this aquifer at several upstream points. These diversions should be a component of the overall resource development package. By providing additional underground supplies for lands north of the Snake River some surface water now used on these lands could be made available to other lands south of the river where the underground water supply is less reliable.

Priority number two should be concerned with the supplementation of Snake River water from other sources.

Before I get into water supplies, I want to speak to the danger of basing our planning on *average* flows. This can be very deceptive—in fact, reclamation planning based on average flows can be disastrous. Let me illustrate:

The average annual discharge of the Snake River at the Weiser gage is 11,000,000 acre-feet. We know that the 3,500,000 acres presently irrigated in the Snake River Basin will deplete the stream flow by about 7,000,000 acre-feet. By adding the two together we determine that, in an average year the Snake River watershed will yield about 18,000,000 acre-feet.

But how about a critical water year? Any irrigator knows he will go broke in the low water years if his operation is set up for average years.

In 1931, a critical water year, Snake River flows were only about 60% of average. In other words, instead of yielding 18,000,000 acre-feet, Snake River watersheds yielded only 10,800,000 acre-feet. If the land presently irrigated received its full water supply of 7,000,000 acre-feet it becomes apparent that only 3,800,000 acre-feet would flow past the Weiser gage.

Under the terms of their FPC license, Idaho Power is required to release a minimum flow of 5,000 cubic feet per second which, if maintained, would discharge 3,620,000 acre-feet in a year.

Thus we see the sheer folly and the real danger of using average flows in our calculations. Unless sufficient headwater storage is available upstream to hold over water from the "wet" years for use in the "dry" years, no sound programming is possible unless it is based on critical year flows.

With storage equal to four times its annual runoff, the Colorado River can be molded to a much higher use of its watershed yield. With storage no greater than its annual runoff the Snake River cannot.

Without supplementation from another river basin, I firmly believe that Idaho reclamation is approaching the tolerable safe limits for further development if the fish and wildlife and navigation commitments are met downstream from the Middle Snake dams.

As we search for new sources of supply it is only natural that we turn to the Salmon, the longest river in the United States which is contained wholly within the boundaries of one state. If the thirsty Southwest had this river, they wouldn't sell it for all the gold in Fort Knox. Or perhaps I should say for all the gold that was in Fort Knox a few years ago.

But here we run head on into the dams versus fish controversy. Fortunately this is a decision we don't have to make now. The die may already have been cast. When the ten dams are built that will provide slackwater navigation from the mouth of the Salmon River to the ocean, we may have no more anadromous fish.

Or we may have learned by then to accommodate not only the upstream migrants but the downstream fingerlings over another dam. Under either possibility the air would be cleared for a re-examination of the Nez Perce site on the Snake.

Now before someone starts throwing something, let me repeat Nez Perce is one option we must not foreclose at this time. To say that it is our best option is an understatement. The truth is Nez Perce is the only project that will enable us to get the best multipurpose usage out of a wholly Idaho river that is entirely within our boundaries. I am not saying we should build it now, or five years from now. But about ten years from now we will have some of the answers about fish passage and about Idaho's reclamation potential. Until then no useful purpose will be served in choosing up sides or pressing for a showdown as to what we do with the Salmon River right now.

If we are to keep our options open on Nez Perce, it becomes quite obvious we cannot go for either Mountain Sheep or Appaloosa. Nez Perce is so far superior in every way that comparisons are striking.

As proposed in H.D. 531, Nez Perce Dam would be located on the Snake River at mile 186.1, 2.5 miles downstream from the mouth of the Salmon River.

The height from low-water to normal pool elevation, 1,510, would be 615 feet and the maximum height from foundation to top of roadway would be over 800 feet. The crest would be 1,410 feet in length.

The average annual runoff is estimated at 21,300,000 acre-feet at Nez Perce Dam site during the period since 1911; the maximum was 31,900,000 acre-feet in water year 1953; and the minimum was 12,500,000 acre-feet in water year 1931.

Nez Perce Reservoir would have a total capacity of 6,600,000 acre-feet, of which 3,650,000 acre-feet would be usable for flood control, power generation, and downstream regulation during low-water periods. The reservoir pool would extend up the Snake River 64 miles and up the Salmon River 63 miles.

Total annual power benefits associated with the project are estimated at $39,342,000 of which $33,217,000 would be for at-site power capability and $6,125,000 would be for incremental firm energy developed at downstream plants.

Benefits for flood control, navigation, and recreation would be substantial. Economically the Nez Perce project is undoubtedly the most attractive development in the Middle Snake River Basin.

Nez Perce Dam would not interfere with the thrilling boat trips on the renowned "River of No Return."

The power potential of this project is tremendous, especially if used for peaking with China Gardens Dam below for re-regulating purposes. But I am more interested in reclamation than power because kilowatts can be derived from many sources but the one element absolutely essential to make the desert bloom is water.

In 1955 the Corps of Engineers made a review of their review report on the Middle Snake River. I agree with the premise of the Corps as expressed in several places in the report that the anadromous fish runs are of sufficient importance to cause the postponement of construction of projects that would be seriously detrimental to them.

However, it may very well be that decisions that have already been made to build ten dams below the mouth of the Salmon River have already made the migration of anadromous fish impossible. I hope this is not true, but we have no firm evidence to prove otherwise—all we can do is wait and see and hope for the best.

On the contrary, studies which have been carried out at Bonneville Dam indicate that mortality occurs to downstream migrant fingerlings at that structure.

Studies of the Oregon Fish Commission have indicated a delay of adult salmon of 2½ days to 3 days at Bonneville Dam in the fall of the year, while apparently the most critical period occurs in the spring months. The cumulative effect of such a delay at a series of dams might very well prevent successful spawning. A delay of twelve days in the early part of the season and considerably less in the latter part on the Fraser River at Hells Gate was demonstrated to be sufficient to prevent successful spawning of sockeye salmon.

From my work as Chairman of the International Joint Commission, I know that the highway construction on Fraser River which filled the stream with huge boulders thus impeding the upstream progress of salmon enroute to the spawning beds was serious enough to destroy the run. The U.S. government provided funds to help remove these obstructions from the Fraser River—motivated in part, perhaps, because of a guilty conscience in destroying 1,000 miles of Canadian salmon spawning beds by our construction of Grand Coulee Dam without even discussing with our Canadian friends the havoc we wrought.

A little damage at one dam, when compounded by a little more at each of several dams, may well become the straw that breaks the camel's back.

John R. Woodworth, Director of the Idaho Fish and Game Department, has testified that Idaho contributes to the anadromous fish resources of the Columbia River system with 34% of the spring chinook run, 41% of the summer chinook run, and 55% of the summer steelhead.

He said the fall chinook run has already been destroyed by the dams. Bear in mind that only four of the ten dams are presently in use. Already Idaho sportsmen have had no salmon fishing for two years. What will happen when all ten dams below the mouth of the Salmon are built? Will the spring and summer chinook runs and the steelhead too be destroyed as the fall chinook have? Only time can tell.

Another threat that hangs over the continuance of the salmon runs is thermal generation. With most of the economically feasible hydro-generation projects either built or under construction, the Pacific Northwest will turn to thermal generation. A seven percent annual load growth compounds to doubling the generating capacity in a period of eleven years. Hence, by the year 2000, generation, either fossil fueled or nuclear, will provide ⅔ to ¾ of our electricity. Already the signs of trouble from this source are real.

Biologists are researching a major difficulty that has appeared in the Columbia River—the warm water temperatures that the fish are encountering at the Hanford atomic energy plant during the summer months. Scientists say the mighty salmon and steelhead runs may be doomed unless something can be done about reducing high water temperatures. What happens when our generation is mostly thermal? Are we to stop atomic research and forego nuclear fueled generation to accommodate King Salmon?

Because it deals with the other alternative, a recent news release is of great interest.

On May 31, 1968, the Corps of Engineers announced it has made a major breakthrough in solving the serious problem of getting little fish downstream through hydroelectric generators. Engineers long ago solved most of the problems of getting adult salmon and other migrating fish upstream over dams to spawn. But for years the problem of getting the fingerlings back to the ocean without losing a large portion of them in generators has baffled scientists.

The Corps said the solution is "so simple and foolproof it has astounded Corps biologists with its overwhelming success." Fingerlings collect in the gatewells above the turbine intake gates. The transportation system resulting from the discovery which will move the fingerlings safely from the gatewells to the river below the dam has been built into all projects under construction in the district—John Day, Lower Monumental, and Little Goose. It will also be incorporated in future projects and will enable the downstream migrating fingerlings to pass over the dams with minimal losses.

Idaho is at the crossroad. Within five years Idaho must decide which direction to take—toward achieving high reclamation potential or settling for for the status quo.

The stakes are high. Use of Salmon River water integrated with return flows from the Snake River by combination storage and pump back system could double the reclamation potential of Idaho.

Without Salmon River water, Idaho's reclamation will level off at less than 5 million acres. With supplemental water from the Salmon River in a fully "plumbed" system, Idaho's irrigated acreage could go as high as 10 million acres.

And now let me say I am proud to be associated with George Crookham in the integrated and coordinated "pumpback" concept of water planning. The people who thirst for our Idaho water have learned to use this and other schemes to husband their water resources. In defense of our own water we must do no less. So before we decide *now* that there shall be no dams on the Salmon River let us weigh carefully our decision.

I have already discussed two possibilities either of which could open the way for Nez Perce Dam—first, the possibility of no fish due to decisions that have already been made and second, the possibility of a breakthrough in our ability to pass fingerlings downstream. Already the Corps of Engineers have exciting news indicating this goal is within striking distance.

My plea today, to all Idahoans whether their primary interest is reclamation, recreation, power, or a blend of all three, is simply this: let us not foreclose our options until the day of decision is closer at hand. We need time to develop the facts upon which we can make an intelligent decision.

The only legislation ever introduced in the Congress that would have forced Idaho to forego its planning for full reclamation potential is the Wild Rivers bill which would have guaranteed that annually 14½ million acre-feet in the Clearwater and Salmon rivers flow out of Idaho undiminished.

Now if Idaho is willing to proclaim to whomever it may concern that we have no use for this 14½ million acre-feet of water—that it is surplus to our needs—then how can we object if our covetous neighbors take us at our word and come and get it. This is more water than the total annual runoff of the Colorado River and all of it originates in Idaho.

I have tried desperately to slow down this legislation until we knew what we were doing. The Jordan amendment which removes the main stem of the Salmon from the "instant" section of the bill and places it in the "study" section under a five year moratorium is only a stop-gap measure. All it does is borrow time for us to complete our inventory of water needs and water supplies.

I think you should know that it has not been easy to keep our options open. As originally proposed the Wild Rivers bill would have placed an unreasonable burden on Idaho's resources. With $\frac{3}{8}$ of one percent of the nation's population Idaho was asked to contribute seventy percent of the mileage in the initial Wild River system.

In Idaho, we have a double loyalty in our great love for our vast forests, mountain meadows, open ranges, lakes, and streams. We are determined to protect our great wildlife and recreation resources and we are equally determined to utilize the natural resources of these areas to help us grow and develop fully our industrial and agricultural potential. I believe that these objectives are not incompatible.

Lest someone lay down the challenge that recreation is being shortchanged by keeping our options open it is well to keep in mind that even with the main stem of the Salmon excluded from designation as a Wild River, Idaho still contributes fifty percent of the total mileage in the initial Wild Rivers system—the Selway, Lochsa, and Middle Fork of the Clearwater and the Middle Fork of the Salmon constitute this fifty percent. Moreover the St. Joe, Moyie, Priest, and Bruneau rivers have been placed under study thus proving that Idaho is not under-represented in this category.

How do we answer the charge that reclamationists want all the water and are blind to other uses? Well, let's look at the record.

About 39,000,000 acre-feet of water flows out of Idaho each year. An additional 7,000,000 acre-feet is used consumptively by Idaho irrigators. This represents about 15% of the total.

The Snake River upstream from the Weiser gage is a working river dedicating about 40% of its average flow to consumptive use. In contrast, the Columbia River discharges annually about 165,000,000 acre-feet into the Pacific Ocean after providing only about 15,000,000 acre-feet for consumptive use upstream, which is nine percent of the total.

Compare this with the overworked and overcommitted Colorado with an average annual flow of 14,000,000 acre-feet to meet adjudicated rights for 15,000,000 acre-feet and a treaty commitment to Mexico for an additional 1½ million acre-feet.

Sometimes reclamationists are charged with regarding every river as an irrigation ditch or a potential irrigation ditch and are warned that they must weigh in the balance the important new factor of recreation. From the statistics I have just recited, I don't think that anyone could reasonably argue that recreation is being shortchanged in water resources planning for Idaho or for the Columbia Basin. As a matter of fact, measured by actual visitor days, the man-made reservoirs on the Colorado such as Lake Mead and Lake Powell have increased the recreation use of that river by at least twenty times.

The point I wish to make is first, that most of Idaho's river mileage is likely to remain in its natural state for such recreation as free-flowing streams provide; and, second, that man-made reservoirs are more likely to enhance than destroy recreation use. Jackson Lake and Lucky Peak illustrate this point.

Reclamation planners are under attack from four quarters:

1. Those who think any man-made obstruction in a free-flowing stream is a desecration of a natural resource.

2. Those outside government who would replace the doctrine of appropriation, upon which our western water rights are bottomed, with a nebulous and specious philosophy illustrated by this quotation from a Northwest Public Power Association newspaper in February 1961 voicing its rejection of a Columbia River compact. I quote:

"The facts of life show that certain industrial uses of water will support a dozen jobs in industry to one job in irrigation farming. We hope that such a shift will not be necessary in the Pacific Northwest but we are beginning to see some disquieting evidence in the relative needs of pulp mills, plastic industries, steel plants, and others. A flexible, balanced, reasonable approach appears to be called for in our region. Let's not 'tie our hands' by means of the absolute irrevocable rights which this compact gives to irrigation against industry."

If this philosophy were to prevail it would mean that in a showdown the headgates would be lowered to make more water available for the turbines.

3. Those in government who would assert the reservation doctrine, with which you are all familiar. At the federal level, these advocates of federal supremacy form a solid barrier against the satisfactory resolution of the federal-state water rights controversy.

4. And, finally, as if these other trouble makers are not enough, there are those who covet our water. I remember several years ago when I was Governor all of the western states were invited to the dedication of the great pumping plant at Grand Coulee which would pump water for the Columbia Basin project. Each governor was supposed to send or bring a gallon of water from his own state to mingle with the flows of the Columbia. All complied, except one—Arizona sent not a gallon but a pint.

The best way to protect our water is to use it. And that is what we propose to do. The important thing is to work together. Competition will increase—not only competition between the priorities for water use but geographical priorities that pit the "have not" areas against the "haves."

The time is near when no area of abundance can defend its right to waste water.

In our planning, time is of the essence. Idaho faces a bright future—what I would call a balanced development with something like ten million acres of irrigated land with the industry and people such an economy would attract. I think we can do this and more and still enhance our recreation potential at an even greater rate. Or we could settle for half that much and maintain the status quo but we couldn't be very proud of our effort.

I repeat—the stakes are high. Recent figures from the Idaho State Department of Commerce and Development tell the sad story that about 65% of the graduates from our four year universities are living outside the state, presumably for lack of opportunity at home. It is inconceivable that they are leaving because Idaho lacks recreational opportunity or all around "livability." Rather, I suspect that, if Idaho does not fully utilize its great land and water potential, we will find ourselves the unwilling exporters of water, power, and young people—a combination that would bring prosperity anywhere but not to the state of origin.

In planning as in other endeavors, our accomplishments will never be greater than our aims. Daniel H. Burnham said it this way:

> Make no little plans; they have no magic to stir men's blood and probably themselves will not be realized. Make big plans; aim high in hope and work, remembering that a noble logical diagram once recorded will never die, but long after we are gone will be a living thing, asserting itself with ever growing insistency.

[From the Idaho Daily Statesman,
July 3, 1968]

A PERSUASIVE CASE FOR NEZ PERCE

Sen. Len Jordan has stepped into the middle of the irrigation versus fish controversy with an illuminating speech discussing the future of the Salmon River. His speech is an excellent summary of the issues involved.

The senator called for renewed discussion of a dam at the Nez Perce site on the Snake River—to catch the waters of the Salmon for irrigation. His speech echoes views expressed a few weeks ago by George Crookham Jr., chairman of the Idaho Water Resource Board.

Sportsmen who have been calling for Mr. Crookham's scalp should read the Jordan speech. He offers a persuasive argument for the necessity of using Salmon River water for irrigation. He also holds out some hope that salmon runs on the Salmon River can be preserved, even with a dam at the Nez Perce site.

Senator Jordan points out that without Salmon River water Idaho's irrigation potential is about five million acres. With Salmon River water it could be as high as 10 million.

He suggests that it is folly to contend, in the face of a threat of water diversion to the Southwest, that Idaho needs every drop of water it has, while letting millions of acre feet in the Salmon flow to the ocean.

As to the salmon runs, Senator Jordan suggests two possibilities that would make the Nez Perce Dam more acceptable.

First, he mentions the grim possibility that the salmon runs may be destroyed by the 10 dams now planned on the Columbia and Snake rivers below the Salmon. With four dams constructed there is already a loss. The senator also suggests that the higher water temperatures created by nuclear power generation that will inevitably develop on the Columbia may further harm the fish.

On the hopeful side, he points to the possibility that ways can be devised to permit fingerlings passing downstream to get through hydroelectric generators.

Senator Jordan said the Corps of Engineers announced a month ago that it has made a major breakthrough. Features incorporated in three dams under construction—John Day, Lower Monumental and Little Goose—permit the fingerlings to pass over the dams with "minimal losses."

The senator also noted that only about 15 per cent of Idaho's water is now consumed by irrigation. Even with 63 miles of the Salmon River in slack water behind a dam at the Nez Perce site there would be an abundance of free flowing streams.

Idaho, he notes, already contributes 50 per cent of the mileage of the wild rivers bill with the Middle Fork of the Salmon, Middle Fork of the Clearwater and the Lochsa. In addition the Priest, the Moyie, the St. Joe and the Bruneau are to be studied for possible inclusion.

A dam at Nez Perce, he says, would not interfere with boat excursions down the Salmon.

Senator Jordan does not call for an immediate decision on Nez Perce, but asks all persons interested in water to keep the options open. He suggests that a decision should be made within five years.

He asked that Idahoans interested in water for reclamation, recreation, power or a blend of the three "not foreclose our options until the day of decision is closer at hand."

Senator Jordan has presented the case for Nez Perce Dam very effectively. He points out that the question is whether Idaho should settle for half its potential irrigation development. The difference is about five million acres. That is an immense amount. Idaho presently has only three million acres under irrigation.

We believe that Senator Jordan and Mr. Crookham are right in calling attention to the importance of the Nez Perce site. In fact, from Idaho's standpoint it would be folly to permit construction of either the Appaloosa or the High Mountain Sheep dams—which would foreclose construction at Nez Perce.

Presently the Idaho water Resources Board is taking the position that no dam should be constructed unless Idaho is a participant.

Idaho should insist on participation in any dam. But the board should go further and declare its opposition to dams at Appaloosa or Mountain Sheep until further study can be given to the potential of Nez Perce.

Senator Jordan warns that "the time is near when no area of abundance can defend its right to waste water." Construction at Appaloosa or Mountain Sheep would be a monumental blunder which later generations would find impossible to understand.

The senator has performed a valuable service by putting the issues in clear perspective and lending his considerable prestige to the cause of foresight in Idaho water planning. The state would be foolish to ignore his advice.

JORDAN BACKS STILL ANOTHER WILD-EYED SCHEME

(By Bill Hall)

In 1924, a promising young student named Len B. Jordan faced a financial crisis at the University of Oregon.

His football scholarship had run out. Without that or some other source of funds he could not continue his studies in graduate school. But he had an idea. Young Jordan had done some preliminary research for a graduate paper that involved a new concept for using the Snake and Columbia rivers. He hoped to get funding for further research on the idea and thus secure the means to stay in school.

His paper would deal with the possibility of building a series of navigation dams on the Snake and Columbia, complete with locks, that would permit year-around barge traffic from the Pacific Ocean to as far inland as Lewiston, Idaho.

DISMISSED THE IDEA

But those who controlled the purse strings at the University of Oregon dismissed the whole thing as foolishly visionary, as a crackpot scheme.

"They said I was a wild-eyed dreamer," Jordan recalls.

So the money was not forthcoming. The young man was forced to drop out of school.

Eventually he made his way to Idaho where he became, first, a state legislator, then a governor and now a U.S. senator.

That graduate paper was never completed. But the last of the navigation dams it envisioned are now under construction. The wild-eyed dream will come true within five years.

I offer the anecdote as a sobering influence on those who might be inclined to scoff at Jordan's endorsement Saturday of another crackpot scheme. On that day Jordan seconded a proposal by Idaho Water Resource Board Chairman George L. Crookham Jr. Crookham of Caldwell wants to double southern Idaho's already massive irrigated acreage by pumping the Snake River backward.

MORE OF A THREAT

Although visionary on the surface, this concept is so broad and, to some extent, so promising that it may represent a far more durable attempt to harness the remaining stretches of the Snake River than anything the hydroelectric champions have proposed.

Those who are fighting the power companies, the public utilities and the federal government to keep hydroelectric dams out of the Middle Snake may be beating a dead horse. As each year passes, it becomes more difficult to justify corrupting the river simply to generate more electric energy. There are available alternatives for producing power—especially nuclear generation which grows more promising every year. If the battle to save the Snake involved only electric generation, time would be on the side of those who favor a free-flowing stream.

But Crookham, and now Jordan, have introduced a new element. Their plan calls for doubling the reclamation possibilities of southern Idaho—from the present potential of less than 5 million acres, which can be achieved if maximum use of water now in that region is put to work, to a potential as high as 10 million acres, which would involve importing water from north Idaho.

There are no other available alternatives for that kind of growth in southern Idaho's irrigated acreage. As the full 5-million-acre potential currently possible is achieved and still more land is needed, the pressure for importation of north Idaho water will increase. The world food demand grows greater by the year, and usable acres not now in production will become prime targets for development.

TIME ON THEIR SIDE

In short, time may be on the side of those who would dam the Middle Snake for reclamation purposes, even if it is not on the side of those who would build additional and almost obsolete hydroelectric dams.

The heart of the Crookham-Jordan proposal calls for constructing Nez Perce Dam on the Snake just below the mouth of the Salmon. (Other Middle Snake dam proposals call for a dam upstream of the Salmon thereby forfeiting the waters of that tributary.) The Crookham-Jordan proposal depends on collecting the waters of both streams. The visionary part is getting it back to southern Idaho.

They urge pumpback storage. To oversimplify, pumpback storage involves using surplus electric energy generated by hydroelectric dams during low-demand night hours to pump water from below a dam back into the pool above the dam from which it came. In theory, the water could be pumped back upstream from one pool to the other until it had reached southern Idaho. And, of course, the ability to run the same water through a dam several times over at any given point on the river would automatically amplify the use of a given year's runoff.

The whole thing would be quite exciting, were it not for one rather frightening possibility: When you start talking about erecting a barrier below the mouth of the Salmon and pumping the water backward, you risk pitting one end of the state against the other and on the most inflammatory subject in the West—water.

In effect, this proposal argues that doubling southern Idaho's irrigated acreage will do more for this state economically and otherwise than the preservation of salmon and steelhead runs, much of which originate in the Salmon. And those fish runs are caught up in both the livability of north Idaho and the portion of its economic potential which relies on tourism.

Crookham says flat out that the salmon and steelhead are expendable—that fishermen are "fickle" and will go just as eagerly as ever after whatever species replaces the two giants of inland sports fishing.

Jordan takes a slightly different view. He says one of two developments is more likely than the outright destruction of the salmon and steelhead by Nez Perce Dam alone:

WILL SOLVE ITSELF

(1) Either the navigation dams now going into place are going to kill the two runs anyway and one more dam won't make any difference, or (2) fish biologists now at work on the problem will develop salmon and steelhead runs capable of coping with any barrier, including Nez Perce Dam. In other words, the problem will solve itself.

That is probably an optimistic view. Sooner or later those on both sides may have to return to the question of weighing 5-million acres more of farmland for southern Idaho that will enrich the entire state against the fish resource which already enriches and is enjoyed by the entire state.

Jordan counsels that Nez Perce Dam and pumpback storage are merely something to discuss now; no firm decision will have to be made for five or 10 years. He argues for the status quo on the Middle Snake for the present to avoid foreclosing any options, and he pleads not to begin the actual battle yet, in the event the fish problem will have solved itself by the time hard decisions have to be made.

However, the confrontation seems likely to come, if not now, within a very few years. And you might as well know that if it is reduced to a simple argument of which use of the Salmon offers more economic benefit to Idaho, fish may not have a fin to stand on.

THE PRESIDENT CARRIES GOODWILL TO CENTRAL AMERICA

HON. HENRY B. GONZALEZ

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Friday, July 12, 1968

Mr. GONZALEZ. Mr. Speaker, the seeds of goodwill so firmly planted by President Johnson on his Central American visit will yield a substantive harvest in the future. There is no doubt that the President's strong personal interest in Central American regionalism and his specific pledge of the continued support of the United States for the Central American integration process can serve to spur the region into more dynamic action.

The Central American Presidents have already declared they are keenly aware of the need to act urgently to resolve the problems of their area. They recognize the magnitude of the task to be accomplished and have called upon their citizens to unite with them in their fight for political democracy, economic development and social justice.

The President's strong support of El Salvador's test project on a nationwide educational system received much sympathetic interest and attention. He was much impressed by a mock classroom demonstration of the planned system and his subsequent eloquent congratulations to El Salvador for pioneering the first planned nationwide educational TV in the world were well and enthusiastically received.

The visit has done much for the cause of Central American regionalism and integration. The Central American statesmen recognized the need for external assistance but almost with one voice they agreed: Social and economic development of the area ultimately depends not on foreign assistance but on their own policies and leadership. As President Trejos of Costa Rica said, the Alliance for Progress is changing and the time has come for the Central Americans to recognize "We can really only achieve progress by ourselves." As President Sanchez chose to put it:

> I may not live to see the political integration of Central America but I take heart that the five Presidents of Central America have been all together under the roof of my house.

And of President Johnson's visit to El Salvador, President Sanchez said:

> No visitor has even been received by Salvadorans with the warmth reserved for the President of the United States, Lyndon Baines Johnson.

Mr. Speaker, I submit that we are being challenged. We must recognize the new spirit sweeping Central and South America. We must encourage and aid this spirit.

The results of San Salvador represent nothing less than a personal triumph for President Johnson. He has kept faith with his lifelong interest in the destiny of our neighbors. He has given ample proof to the Central American nations of our solidarity with them.

VALEDICTORIAN ADDRESS

HON. HENRY C. SCHADEBERG

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Friday, July 12, 1968

Mr. SCHADEBERG. Mr. Speaker, we are too often inclined to judge the youth of this Nation by the picture portrayed by the communications media, and too seldom by the great majority of the young people who will soon lead our Nation.

Jack Huebscher, the valedictorian of the Williams Bay, Wis., High School, delivered an address which I think is typical of the basic thinking and understanding of our youth. I would like to share it with my colleagues as an example of the dedication and purpose of the vast majority of the graduates of our high schools this past month:

> Tonight, it is easy for us to think that our responsibilities are over at last. The idea of not being tested and examined any more is appealing and the feeling of independence and having only ourselves to answer to is exhilarating.
>
> Yes, it is easy to think this way, but we are in for a big shock if we really believe it. For tonight, we begin our final test; the long, constant test that is life. We will report for this exam very day of our lives and will face it in countless situations and ways. We will be tested in ways not expected and times not desired. The rules will not always be fair or easy to understand, but they will have to be followed because, unlike a teacher's mind, human nature is not easily changed.
>
> We will be judged and graded in many ways by many people. We will be judged as parents by our children and by all the people our children come in contact with, we will be judged as neighbors by those who live near us, we will be judged as citizens by our countrymen, we will be judged as responsible adults by those we work with, and finally, we will be judged as human beings by our Creator.
>
> These tests, however, are not new, they have been faced before by people everywhere. But there is another, far greater and more important challenge that we, as Americans, must face.
>
> For, with our graduation tonight, we take our place in the society of the richest, the greatest, and most powerful nation ever known. We are truly the hope of the world; we are looked to by free and honest men everywhere as the example of what man can be when he is free and left to his own determination and pride. We are respected because we, for 200 years, have built, fought and died for our way of life. We have remained free to chart our own course, to make our own mistakes, to recover from and correct those mistakes, and have grown, so that tonight, despite our shortcomings, our divisions and our problems, we are alone at the top of the heap. For this you can take pride. Despite all the criticisms and complaints we may have of the older generation, we must salute you for this. We, of all the world's youth, have, handed to us, the most to work with.
>
> Yes, America is respected, but we are also challenged and opposed by those in the world who themselves would take our place. They think America has had her way long enough and should be removed from her place in the sun. This will be our greatest test; we must prove that we are not ready to step down, that we still have the courage, the pride, the desire, and the right to continue in our position of world leadership. The generations of yesterday have given us this position, it is the task of today's generation to keep it, and, from our position of prominence, to show the world that our leadership is needed to solve its ills. This is the most awesome burden yet placed upon any generation of any people. As the greatest nation on Earth we must answer for, as John F. Kennedy said "much is demanded from those to whom much is given."
>
> And we do have much to give. Our free enterprise system, our free schools, freedom of worship, and the idea of government of the people, by the people and for the people. These are new ideas, they haven't been around too long and they began here. They must be our gift to the world.
>
> We have something else that is unique, though, our population represents *all* people in *all* nations, we have citizens whose ancestors came from Europe, Africa, Asia, the Orient, and from our neighbor lands to the South. We have people from every corner of the globe who retain the ideas, the customs, and most important, an understanding of their former homes. It is this collection of culture and knowledge that makes us best suited and able to lead the world in tackling its huge and diverse problems.
>
> Our leadership will be challenged in many ways, our way of life attacked, our motives questioned. We must answer every challenge squarely and honestly so that all people may know what we stand for and that we will defend those stands. We must be on guard, for no one will be foolish enough to confront us head on. The challenges and tests will be scattered and seemingly small. But we must meet everyone. The world is smaller now and all things and people are closely related. We no longer have the luxury of choosing our battlegrounds. We must accept them all, we will have to turn back every challenge and threat whether it comes in missiles near our shores, at a divided city in Europe, or in a divided country in Asia.
>
> This great challenge cannot be faced except by a strong and united America. Our first job will be, as parents, to raise close-knit and strong families, the kind of family that is sorely needed to hold our country together and provide the kind of youth that will be able to take over from us.
>
> We must be the kind of parents that will seek to give our children the things that really matter. We must provide a strong and sound moral code; a code that we as parents must keep ourselves, a code that teaches our children respect for other people, for worldly authority and for God's law.
>
> We will have to take the responsibility for our children's growth and make sure that they become responsible adults. We must demand that they prove their responsibility and maturity by their ability to handle tasks in and outside of the home, and not by their ability to drive cars they did not pay for and spend allowances they did not earn.
>
> Most important, we, as parents, must allow our children to benefit from what we have learned, by taking the time and trouble to explain how we handled our problems and duties. We must at times, restrict their freedom to keep them from making foolish or dangerous mistakes, we must do this, not to create carbon copies of ourselves, but to develop a youth that will draw on and use

the knowledge of the past to face the problems of the future.

As citizens and neighbors, we will have to maintain a strong and united country. A country that is bound together by people who are determined to see it take the right course and will take the time to help chart that course. We, as citizens, will have to restore the respect for and participation in our system of government and laws. We cannot be afraid to stand up for our ideas, to work and strive to see that they are accepted, and to cherish and uphold them once they are adopted. But, we will find there is more to citizenship than advancing our own ideas. More important and much more difficult will be the job every citizen has of backing his country whether or not he completely agrees with it, and of respecting authority and public officials whether or not we agree with what they represent.

Three times in our high school lives, we have seen great and noble men cut down by people who did not agree with them and did not respect their right to offer their ideas.

These three men had reason to be disgusted with our country. They knew far more than we do what is wrong with us and our government and their efforts to improve things were often frustrated. They could have given up on us and our way of life. But they cared too much to give up.

So must we love our country too much to give up. We, as citizens, must persevere and work to keep our country's government great and make it perfect. We must not quit, as they didn't quit, until all of us realize that it is as wrong to burn a draft card, ransack a college, and ridicule a policeman for what they represent, as it is to kill a man for what he believes in, and that our democratic system of government and changing that government imperfect though they may be, are the only paths that will lead us to a safe and great society.

We must also face the test of reconciling and healing our national family, for we can not hope to maintain leadership of the family of nations if our house at home is not at peace with itself. We must prove to all the world, and to ourselves, that people of all colors, all creeds and all ways of life can live and work with each other. Today, the Negro, the youngest child in the American family, is ready, as the Irish, the Italian, the Pole, and the Jew before him, to take his place as an equal member of our society. He has proven himself ready. He has shown his ability on our athletic fields, in our colleges and businesses, and on the battlefields of our nation. Everywhere, when given the opportunity and chance to benefit from what has long been available to the rest of us, he has come through. He has earned the right of full membership in the family as co-worker, a citizen, a neighbor, and a friend. It falls to us to wipe away fears and prejudices of the past, to open our minds and hearts to all men, and remove color, as we have removed religion and nationality, from the list of requirements for a first class American.

These are the tests we will face. These are the things we must do. No graduates of any generation before have had so immense a task. The job is so big and new that it cannot be done perfectly. But we must and can finish much of it.

The job will be hard, *painfully* hard. It will be hard to make a marriage work; it will be easier to give up at the first big problem and run to a divorce court.

It will be hard to raise our children properly, to take the time from work and pleasure to do all the things parents must do. It will be easier to let them grow up on their own and to say that independence is good for them.

It will be hard to be the first in town to sell to a Negro or to accept him as a neighbor. It will be easier to keep the neighborhood "safe" or to say that he must look to his own for friendship and acceptance.

It will be hard to stand up, speak, and participate so that our government will do what is right. It will be easier to sit back, let George do it, and then condemn unfavorable results or actions as the rotten fruits of a "crooked political system and dishonest politicians."

It will be hard for us Americans to move ahead and to answer the constant challenge of our will to be the best. It will be easy to relax, sit back and enjoy our treasures and let the rest of the world solve its own problems. It will be easy to do these things but we cannot, in good conscience, take that course.

The world needs leadership; we must provide it.

Some of its people are hungry; we must feed them.

Some of its children are ignorant; we must educate them.

The world is plagued with diseases; we must cure them.

The world's poor are homeless; we must house them.

Some of the world's people are enslaved; we must free them.

The world needs help in countless other ways; and we must give it.

In this next chapter of the Book of Life our generation and our country have the greatest role to play. But we are more than characters in this book, we are also its authors, and how well we write, how well we face our responsibilities, how well we maintain our nation's superiority, how often we choose the more difficult, but more honorable course will determine how we shall deserve to be graded in this test of life by our children, by the people of the world, and by our God.

A "POLITICKER" FOR THE LORD

HON. BASIL L. WHITENER

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Friday, July 12, 1968

Mr. WHITENER. Mr. Speaker, on July 8, 1968, the Morganton, N.C., News-Herald carried a special feature story on Rev. J. Max Brandon. The story is of great interest to the thousands of friends of this great Methodist minister.

I have a special interest in the story because of my long friendship with Reverend Brandon and his family. During my college days I had the privilege of rooming with the late Reverend J. Max Brandon, Jr., and through him I developed a great affection for the entire Brandon family.

Too seldom do we take note of the service of clergymen such as J. Max Brandon. He is one of the great servants of mankind. I am happy to pay tribute to him by placing the news story in the RECORD at this point:

METHODIST MINISTER RETURNS TO MORGANTON FOR RETIREMENT

(By Geneva Hiergesell)

Have you ever heard the Rev. J. Max Brandon preach?" asked Benny Orders as the film for pictures with this story were turned in at The News-Herald's dark room in Morganton.

The answer was no.

Benny said, "Well, when he preaches, he preaches."

And that just about sums up the life of this retired Methodist minister, for when he does anything, he does it.

Not too long ago The News-Herald ran a story about the Rev. Donald Smith of Drexel, saying that he had set a record in marrying off members of his own family and asked if any other minister could top his record.

Friends of Brandon, and they seem to be legion, called to tell about him.

It seems that the man who preached in the Morganton Circuit years ago then returned to the heart of Burke for his retirement days, has been setting records all his life.

Let's begin with his decision to go into the ministry.

He was thirty-two years old at the time. He was a married man with four children and he was a successful boiler maker with the Southern Railway's outfit in Spencer, the small town that squats on the outskirts of Salisbury.

He made the first boiler that was made at Spencer and converted into Southern Railway use.

It was old number 3816 and Brandon lived to see it die but he didn't attend the funeral, being kept away by other duties, although they did have last rites for the engine when it was taken off the road.

When Brandon decided to enter the ministry he continued making boilers at night while attending high school in the day time.

He would go to work at 11:15 p.m., walking a mile and a half to get there, then he would leave work at 7:15, walk home, eat breakfast, shave, dress for school and start out, walking again, down the two mile path to the school house, taking his children with him.

His last class each day was a study period and the teachers let him go home early so he could go to bed, but he was usually up again by six o'clock, eating supper, tending to the household duties of a father, attending church services, studying and then, leaving home in time to walk the distance to the boiler plant, down in Spencer by 11:15.

This continued for two years, until the Rev. J. Max Brandon had finished high school, ranking second in his class.

When he entered Catawba College he stopped making boilers and became pastor of the Yadkin and Rowan Charge in the Western North Carolina Methodist Conference.

He finished Catawba College in three and one-half years, sometimes carrying as much as twenty-five semester hours at a time.

He was graduated with honors, the words are cum laude, and he was second in his college class just as he was in high school.

Then came a long period of service for many charges in the Methodist scheme of things.

First he went to Gold Hill which used to have the biggest gold mine in the South. It is near Salisbury and from there he went to Norwood.

Next he went to Balls Creek Campground which is the largest Methodist camp in the state, no matter what claims other camps may make, and from Balls Creek he came to the Morganton Circuit which at that time had seven churches in it.

There was Bethlehem, Old Zion, Betthel, Denton's Chapel Salem, Mt. Pleasant and Gilboa.

From Morganton he went to Rock Springs Campground and then to Granite Falls and then to Bostic and then to West Forsyth Circuit.

Then he went to Kannapolis and then to Roberta Church in Concord, then to Avondale-Henrietta and then to Lowell near Gastonia.

Then came retirement and the building of his home east of Morganton on a road which now carries his name, Brandon Road.

The house was given an Indian sounding name that is nothing more or less than the first syllable in each of the names of his four children, Max, Naomi, Bruce and Walter.

When they moved into "Manabruwa" his wife told him, "Let's not plant a garden, let's just have some fruit trees and take it easy."

But not Brandon. For, when he does something, he does it, and you should see the garden and the fruit trees and the flowers, especially the lilies which are the pride and joy of both Mr. and Mrs. Brandon.

One plum tree has at least ten wooden stakes holding up the fruit-laden limbs right now.

But to the ceremonial record set by this hale and hearty outgoing, ex-boiler maker and leader of men.

He officiated at the marriages of all four of his children and of six of his ten grandchildren, four of whom are still unmarried.

He baptized nine of his ten grandchildren and this fall he will officiate at the christening of the ninth of his nine great-grandchildren when the only girl among the nine gets home from Germany to see her great-grandparents for the first time.

Of the ten grandchildren, all are girls but one and of the nine great-grandchildren in the family, all are boys but one.

While in the ministry, Mr. Brandon led his congregations to build fourteen churches and educational buildings which were all paid for with the congregations debt free when the time came for him to leave the field and go to another work.

Mr. and Mrs. Brandon have been active in the work of the Masons and the Orders of the Eastern Star for forty-four years and they have attended, as a couple, all the Methodist Conferences held in this area during the past forty-six years, with never an absence.

And that, too, could be a record.

So The News-Herald says once again, if you know someone who can beat this record let us know.

The beating of the records is not important. But the interesting stories that are coming from the records are very important.

But, no doubt, you will have to go far to find another man who entered the ministry at the age of thirty-two and went two years on less than three hours of sleep each night while gaining his high school education.

And, one more thing, the Rev. J. Max Brandon Sr., and his son, J. Max Brandon Jr., (now deceased) entered the Methodist ministry on the same day.

And who can challenge that?

GUN CONTROL

HON. WILLIAM F. RYAN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Friday, July 12, 1968

Mr. RYAN. Mr. Speaker, the wave of public, editorial, and congressional support for strong legislation to require the licensing of possessors of firearms as well as the registration of all weapons is indeed encouraging. As the sponsor of H.R. 17879, the Gun Crime Prevention Act of 1968, which was introduced in the Senate by Senator Tydings, I intend to press for the adoption of licensing and registration legislation and hope that H.R. 17735, the bill reported out by the Judiciary Committee for which a rule has been granted, will be amended on the floor to include these provisions.

There is a widespread and continuing demand from people across the country for action by Congress to deal with the easy availability of weapons of death in America. I want to quote from several editorials to demonstrate that the issue of effective gun control legislation is not simply a flash in the pan which will subside into apathy.

> Are we a "banana republic" where every dispute from political and social, to family squabbles is too often settled with a gun?

This question is raised in a July 1 editorial in the Atlanta Constitution dealing with the problem of gun-control legislation. As this newspaper sees the realities of the situation:

> The real test now will be whether citizens' groups recently organized to pass gun registration and owner licensing have the will and the resources to match the NRA's. The NRA and its allied gun manufacturers are betting that they'll win any lengthy contest.

But this is a contest the public cannot afford to lose.

I agree wholeheartedly that the public cannot afford to lose this struggle.

The Washington Post of July 7 sums up the gun-control situation with these words:

> When everybody is at last armed against everybody else, what kind of community and what kind of stabilization will America have? What is good for the firearms industry and the merchants and their unregistered Washington lobby, the NRA, is by no means good for the country.

The Chicago Daily News of July 6 states:

> As far as the Illinois law goes, it is a good one. But it does not go far enough. To bring guns and owners under an effective system of control requires registration of guns as well as owners. Neither procedure, by itself, can do the job.

The full texts of the editorials follow:

[From the Atlanta Constitution, July 1, 1968]

LOBBY WINS ANOTHER ROUND

Are we a "banana republic" where every dispute from political and social to family squabbles is too often settled with a gun? Congress this week seemed to affirm this criticism in banana-republic style. As for effective firearms controls, the Senate Judiciary Committee said "manana."

By postponing action on a bill to require registering guns and licensing of gun owners until after July 9, the gun lobbyists have won a tactical victory. It may give them time to launch their biggest anticontrol effort and perhaps put off action on the bill until next year. Congress is expected to remain in session only three weeks beyond the July 4 recess and then it's off on the campaign trail. Gun lobbyists and their supporters in Congress are a resourceful bunch, and it won't take very much maneuvering to delay the bill for the remainder of the session.

Anticontrol forces feel that they have time on their side. While Congress has not in recent years experienced anything like the spontaneous public demand during the past few weeks for strict domestic arms controls, such public pressure will be difficult to sustain. On the other hand, the National Rifle Association, which is leading the anticontrol campaign, can keep its pressure and printing presses turned on indefinitely.

The real test now will be whether citizens' groups recently organized to pass gun registration and owner licensing have the will and the resources to match the NRA's. The NRA and its allied gun manufacturers are betting that they'll win any lengthy contest.

But this is a contest the public cannot afford to lose. New FBI statistics show that gun murders increased from 6,500 in 1966 to 7,700 last year, and aggravated assaults and robberies with guns increased from 103,000 to 126,000 during the same period.

These are statistics the NRA cannot refute. Nor should the NRA's patently untrue claim that the legislation now postponed would deny any responsible person the right to own guns be allowed to prevail. The bill should be passed this session.

[From the Chicago Daily News, July 6, 1968]

STATE GUN LAW INADEQUATE

Gov. Shapiro's proposal for statewide gun registration deserves the same bipartisan support in the General Assembly that his request for a stop-and-frisk law is sure to receive. Both are essentially crime-fighting measures.

Senate Republican Leader W. Russell Arrington, principal sponsor of the new state law requiring the registration of gun owners—as opposed to the registration of guns—contends that the owner-registration law is a "model" and that if the other 49 states were to follow suit there would be no national gun problem.

We disagree. As the Illinois law now stands, a resident from any other state can buy a rifle or shotgun here without a permit of any kind—simply by offering proof of his nonresidency. If all 50 states had similar laws, there would be no check on interstate traffic in firearms other than handguns.

As far as the Illinois law goes it is a good one. But it does not go far enough. To bring guns and owners under an effective system of control requires registration of guns as well as owners. Neither procedure, by itself, can do the job.

Gov. Shapiro is right when he says that Illinois has "half" a gun law, and in seeking a state law as stringent as any now pending in Congress. For there is a good possibility that if Congress enacts stricter measures it will exempt from federal control those states with statutes that match or surpass federal standards.

Arrington was quick to seize upon changing circumstances—a favorable U.S. Supreme Court decision—to try to revive the stop-and-frisk bill passed by the Legislature last year and vetoed by ex-Gov. Kerner. He should be just as anxious to make the present gun law conform to reality by extending its registration provisions to all firearms.

[From the Washington Post, July 7, 1968]

BACKLASH

In a Fourth of July speech at a once-roaring gold rush town in California, Gov. Ronald Reagan said that increasing numbers of "law-abiding" citizens are buying guns "because they have lost faith in government's ability to protect them." What he means by this, of course, is that a great many people all over the country have followed the suggestion put forward by the National Rifle Association to take the law into their own hands and use firearms as a device for "community stabilization."

Let's not blink at the implications of this gun buying. It is prompted, as the NRA intended it should be, by a fear of riots and urban disorder. White citizens are buying guns out of fear of black citizens; and black citizens, of course, are buying guns to defend themselves against white citizens. That the NRA should look upon this development with equanimity is shocking enough; that the Congress of the United States should do nothing about it is simply appalling.

When everybody is at last armed against everybody else, what kind of community and what kind of stabilization will America have? What is good for the firearms industry and the merchants and their unregistered Washington lobby, the NRA, is by no means good for the country.

URGENCY OF FORGING PRESS

HON. PHILIP J. PHILBIN

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Friday, July 12, 1968

Mr. PHILBIN. Mr. Speaker, in a recent speech before a symposium of the

American Society for Engineering Education, the president of Wyman-Gordon Co., Worcester, Mass., one of our outstanding industrial concerns, Mr. Joseph R. Carter, gave a pointed warning to the Nation concerning the urgent need now for a 200,000-ton die-forging press. I will insert an article concerning this fine speech in the RECORD at the close of my remarks.

I have been greatly concerned about this need for some time past and have made extended studies of the matter.

It has been clear to me that this type of press is most urgently required, if this Nation is not to lose its leadership in vital technological fields, and that the national interest requires immediate action.

I have personally examined in the presence of experts a foreign die-forging press much larger than any this Nation has, which was exhibited at the International Air Show last year.

The largest press in the United States is a 50,000-ton unit at the U.S. Air Force W-G plant in North Grafton, Mass.

This press was built some time ago to meet certain urgent defense needs which relate to the construction of indispensable equipment for our armed services.

The output of this press is also of great benefit and value in certain areas of the private sector of our economy.

If we do not have this press within a relatively short time, we will be allowing other nations to forge ahead of us in a field where we definitely require superiority in the national interest.

I have urged the construction of this press some time ago and the projects for it have been studied and are currently under consideration.

Unfortunately, it has not yet taken definite shape, notwithstanding the urgency of the need, and I suppose that in the current budgetary situation where austerity is ostensibly the order of the day, there may be additional possible reasons for delaying action.

However, I am very deeply concerned about this matter, and believe that, if neglected or further delayed, it will put the national interest in jeopardy, if we do not move immediately to construct this large press.

At present, as Mr. Carter points out, about 75 percent of any market for the proposed large press would be controlled by the Government in military or civilian programs, and there would be no doubt that the press could be used in the civilian economy too, as I have pointed out.

It is a fact that this kind of an undertaking is understandably one which private enterprise could not normally undertake totally on its own without Government guidance and support.

The press that we have at present is the product of such cooperation between Government and industry, and it has worked out well. But it is now time to supplement this type of press, which is outmoded by the new foreign-made press, and which will be further outmoded, unless this Government takes affirmative action now.

It is not any question of saving money for the Government, but it is basically a matter of scientific and industrial competence to produce something that is urgently required to accomplish work that must be undertaken in the interest of defense, security, and industrial readiness.

I propose to continue my efforts and I certainly hope that with appropriate leadership in the executive branch of the Government, as well as in the Congress, everyone concerned will soon be persuaded, that this project is a national must, and some way must be found as soon as we can do it, to go forward with a suitable program and a specific project for a new, large die-forging press.

I think that Mr. Carter and his company—which has already made exceptional contributions to the Government in war and in peace, in defense and in the private sector—are entitled to great credit for praiseworthy past performance, and for the vision and patriotism he and his associates, particularly Mr. Robert Stoddard, have shown in recognizing that this project must be considered and treated on an urgent emergency basis, on a crash basis, if you will.

In fact, I think that it should be accomplished as soon as possible on a crash basis, because it is quite obvious that this great Nation cannot afford to be behind in an area of this kind where time and technical leadership are so vitally important.

In fact, this Nation should not be behind in an area of any kind, although I am afraid that unless there is soon more sophisticated realization of our competitive position in some critical areas vis-a-vis the Communist world, we will simply be inviting additional serious, yes, grave problems for ourselves that intelligent, direct action at this time could avert.

The situation regarding this reflects not only an uncomprehending, complacent, Pollyanna attitude, but unbelievable unconcern on the part of some leaders and people about crucial problems that have been allowed to drift, and that have been delayed in solution, to the danger, and in some circumstances, the jeopardy, of this country.

I hope that the building of this press will face no further delay, and that it will be put under way on a crash basis as that is possible.

Mr. Carter and his company have performed a real patriotic service in bringing this matter so forcibly to the attention of the country and I thank and commend them. I propose to continue my efforts for this press and urge my colleagues and the executive department to join me in this crucial work.

The article referred to follows:

[From the Worcester (Mass.) Telegram, June 23, 1968]

WYMAN-GORDON CO. PRESIDENT URGES CONSTRUCTION OF 200,000-TON PRESS

LOS ANGELES.—The construction of 200,000-ton closed die-forging presses that would reportedly save millions of dollars for the federal government was urged yesterday by Joseph R. Carter, president of the Wyman-Gordon Co. of Worcester, Mass.

Carter addressed the fifth summer symposium of the Engineering Economy Division, American Society for Engineering Education, at the University of California at Los Angeles.

Carter said he believed a 200,000-ton press would be "truly a national asset" for military and commercial industry in America. He proposed that the unit should be built as an adjunct to the present W-G facilities at North Grafton, Mass.

The largest press in the United States is a 50,000-ton unit at the U.S. Air Force W-G plant in North Grafton, Carter said. Russia has been operating a 75,000-ton press for seven years and is reportedly in the process of designing a 220,000-ton press, Carter said.

A study four years ago showed several million dollars could be saved by builders of aerospace equipment if a 200,000-ton press were used, Carter added. Another survey last year, according to Carter, showed forgings produced in the W-G plant showed a saving for the Air Force of at least $500 million in the last 15 years.

GOVERNMENT CONTROL

About 75 per cent of any market for the 200,000-ton press would be controlled by the government in military or civilian programs, Carter said.

Carter believed that if the proposed press lacked government or aircraft industry backing, aircraft designers would be reluctant to commit parts for production until the press is built and operating. A private investment of $7 million for the 200,000-ton press is "certainly an extremely high risk decision," he added.

An investment for the press "must have guaranteed support by the government and aircraft industry controlling major segments of its market," he said.

WHAT HAS HAPPENED TO WHEAT UNDER SUPPLY-MANAGEMENT PROGRAMS

HON. DAVE MARTIN

OF NEBRASKA

IN THE HOUSE OF REPRESENTATIVES

Friday, July 12, 1968

Mr. MARTIN. Mr. Speaker, it is expected that the House will take up shortly H.R. 17126, a bill to extend the 1965 Agricultural Act for 1 year.

The present law does not expire for a year and a half. I feel that the next President and the new Secretary of Agriculture should have an opportunity, next year, to make recommendations to the Congress in regard to the new farm program.

I voted against the Agricultural Act of 1965 because I was convinced, as a Representative of a major wheat-producing district, that this act would adversely affect the interests of wheat producers.

The record is clear—the 1965 act has been a failure. The economic position of wheat growers has declined precipitously during the past 3 years. During the years 1955 to 1963 the average annual price of wheat received by farmers varied between $1.69 a bushel and $2.06 a bushel. In the last 5 years the price of wheat has declined steadily and in June 1968 reached the lowest level since World War II—$1.24 a bushel.

The following analysis of the wheat situation will, I believe, be of interest to every Member of Congress and particularly to Members who represent wheat producers.

WHAT HAS HAPPENED TO WHEAT UNDER SUPPLY-MANAGEMENT PROGRAMS?

Supply management was extended to wheat in 1964 through the wheat certificate plan.

The certificate plan was first authorized by the Food and Agriculture Act of 1962. A 1964 program announced under this authority was voted down in a 1963 producer referendum by a vote of 638,572 to 584,284. Although only 47.8 percent of the wheat producers voting in the referendum favored the proposed 1964 program, a modified version of this program was ordered into effect for 1964 and 1965 by the Wheat and Cotton Amendments Act of 1964.

The Food and Agriculture Act of 1965 made minor amendments to the certificate plan and extended it for 4 more years.

Here is what happened:

Production has risen to an all-time high.

WHEAT ACREAGE, YIELD AND PRODUCTION, BY YEARS AND AVERAGES FOR 1957-60, 1961-63, AND 1964-67

Period	National allotment (million acres)	Harvested acreage (million acres)	Yield per acre (bushels)	Production (million bushels)
1957	55.0	43.8	21.8	955.7
1958	55.0	53.0	27.5	1,457.4
1959	55.0	51.7	21.6	1,117.7
1960	55.0	51.9	26.1	1,354.7
1961	55.0	51.6	23.9	1,232.4
1962	55.0	43.7	25.0	1,092.0
1963	55.0	45.5	25.2	1,146.8
1964	49.5	49.8	25.8	1,283.4
1965	49.5	49.6	26.5	1,315.6
1966	51.6	49.9	26.3	1,311.7
1967	68.2	59.0	25.8	1,524.3
1968	59.3			
1969	51.6			
1957-60 average (4 years)	55.0	50.1	24.4	1,221.4
1961-63 average (3 years)	55.0	46.9	24.7	1,157.1
1964-67 average (4 years)	54.7	52.1	26.1	1,358.8

The present high level of wheat production is the result of a 1966 administrative decision to expand production. This decision was motivated by a desire to increase CCC stocks in order to hold down wheat prices. It also was said that additional supplies were needed for "a hungry world"; however, exports actually declined in the 1966–67 marketing year. (See export column in the table which follows.)

Carryover stocks have been reduced by increased utilization.

WHEAT UTILIZATION BY YEARS AND AVERAGES FOR 1957 60, 1961 63, AND 1964 67

[In millions of bushels]

Marketing year beginning in—	Domestic use	Exports	Total utilization	Year-end stocks
1957	591.7	402.3	994.0	881.4
1958	608.6	442.8	1,051.4	1,295.1
1959	596.9	509.8	1,106.7	1,313.4
1960	603.4	661.5	1,264.9	1,411.3
1961	608.0	719.4	1,327.4	1,322.0
1962	580.3	643.8	1,224.1	1,195.2
1963	588.5	856.1	1,444.6	901.4
1964	643.6	725.0	1,368.6	817.3
1965	731.2	867.4	1,598.6	535.2
1966	681.2	742.4	1,423.6	425.0
1967	655.0	750.0	1,405.0	545.0
1957–60 average (4 years)	600.1	504.1	1,104.2	1,225.3
1961–63 average (3 years)	592.2	739.8	1,332.0	1,139.5
1964–67 average (4 years)	677.8	771.2	1,449.0	580.6

The sale of CCC stocks has preempted a substantial part of the market for wheat in some years.

CCC SALES IN COMPARISON WITH THE TOTAL UTILIZATION OF WHEAT

Marketing year beginning in—	Total utilization (million bushels)	CCC sales (million bushels)	Percent of market supplied by CCC (percent)
1957	994.0	115.0	11.6
1958	1,051.4	147.0	14.0
1959	1,106.7	145.9	13.2
1960	1,264.9	226.0	17.9
1961	1,327.4	254.6	19.2
1962	1,224.1	207.8	17.0
1963	1,444.6	341.7	23.7
1964	1,368.6	310.8	22.7
1965	1,598.6	379.1	23.7
1966	1,423.6	147.2	10.3

The processing of wheat for human consumption has, in effect, been taxed 75 cents per bushel to help pay for the program.

All cooperators receive certificates for the same percentage of the projected yield of their allotted acres regardless of whether all, part, or none of their production is used as domestic human food. Thus, the certificate feature of the program discriminates against the producers whose wheat has a high domestic utilization as human food, and rewards the producers whose wheat has a low utilization as domestic food.

The American wheat producers' opportunity to compete for export markets has been restricted by an International Wheat Trade Convention.

In order to comply with the International Wheat Trade Convention, the Department of Agriculture has imposed an "inverse subsidy" (export tax) on the export of certain classes of wheat. Announcement of the export tax was followed by a decline in wheat prices.

Closing cash prices for No. 1 hard winter wheat (ord. prot.) at Kansas City

June 6, 1968	$1.49–$1.51
June 13 (International Wheat Trade Convention ratified)	1.42– 1.44
June 20	1.42– 1.44
June 27	1.37– 1.40
July 3	1.34– 1.37

The price of wheat has fallen to the lowest level in the postwar period.

JUNE FARM PRICES OF WHEAT BY YEARS, 1942-68

	Farm price of wheat per bushel
June:	
1942	$0.957
1943	1.24
1944	1.43
1945	1.50
1946	1.74
1947	2.18
1948	2.11
1949	1.86
June—Continued	
1950	$1.93
1951	2.08
1952	2.06
1953	1.88
1954	1.91
1955	2.06
1956	1.93
1957	1.91
1958	1.70
1959	1.69
1960	1.72
1961	1.72
1962	1.99
1963	1.86
1964	1.40
1965	1.28
1966	1.59
1967	1.49
1968	1.24

Wheat prices have dropped from 78 percent of parity in 1963 to 47 percent in June 1968.

The parity ratio would be even lower if it were not for the fact that the program has reduced the adjusted parity base price of wheat.

BASE PRICES, PARITY PRICES, AND FARM PRICES OF WHEAT

	Adjusted parity base price	Parity price[1]	Farm price[1]	Farm price as percent of parity
1963	$0.806	$2.50	$1.94	78
1964	.805	2.52	1.60	63
1965	.796	2.56	1.35	53
1966	.773	2.58	1.55	60
1967	.760	2.60	1.47	57
June 1968	.744	2.63	1.24	47

[1] Simple 12-month calendar year average.

Wheat farmers have become dependent on government payments for a substantial part of their income.

CASH RECEIPTS FROM MARKETINGS AND GOVERNMENT PAYMENTS TO WHEAT PRODUCERS BY YEARS

[Dollar amounts in millions]

	Cash receipts	Government payments	Total	Percent of total from payments (percent)
1960	$2,195.3		$2,195.3	
1961	2,188.1	$42.3	2,230.4	1.9
1962	2,110.0	253.1	2,363.1	10.7
1963	2,143.2	214.5	2,357.7	9.1
1964	1,616.7	438.3	2,055.0	21.3
1965	1,631.1	525.1	2,156.2	24.4
1966	2,025.2	679.0	2,704.2	25.1
1967	(1)	730.5	(1)	(1)

[1] Not available.

Per-bushel returns from wheat—including payments—have declined.

SEASON AVERAGE FARM PRICES OF WHEAT AND AVERAGE CERTIFICATE PAYMENTS

	Season average price	Average certificate payment per unit of production[1]	Season average price including certificate payments
1962	$2.04		$2.04
1963	1.85		1.85
1964	1.37	$0.32	1.69
1965	1.35	.36	1.71
1966	1.63	.50	2.13
1967	1.39	.48	1.87

[1] The rates shown here reflect the fact that producers do not receive certificates for all of the wheat that is produced.

ALARMING RISE IN U.S. CRIME

HON. WILLIAM L. SPRINGER

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Friday, July 12, 1968

Mr. SPRINGER. Mr. Speaker, I know that every Member of the House has been concerned and considerably alarmed by the rise in crime in the United States. When we passed the Crime Control and Antiriot Act of a few weeks ago, much evidence was brought forth with reference to this matter. There is hardly a day that passes that the editorial columns of our newspapers do not express concern about this problem. I attach herewith an editorial from the Champaign-Urbana, Ill., Courier, of Monday, July 1, 1968, on this matter and especially as it applies to the District of Columbia.

All of us are aware of this situation. As a member of the House Committee on the District of Columbia, I have been trying to find out why this jump in the crime rate in the District has been so great. It is something that must be reversed and it will take all the efforts of the municipal government of the District of Columbia as well as the assistance of this Congress.

ALARMING RISE IN U.S. CRIME

Month by month, the national crime statistics grow more alarming.

Serious crime in the United States continues its sharp upward trend, recording a 17 per cent rise nationally for the first three months of 1968 as compared to the same period in 1967.

These comparisons are from figures made available last week through the Federal Bureau of Investigation's Uniform Crime Reports.

FBI Director J. Edgar Hoover points out the ominous fact that every crime classification used in the national Crime Index has showed substantial increases.

Crimes of violence as a group recorded an 18 per cent increase with murder up 16 per cent, forcible rape 19 per cent, aggravated assault 13 per cent, and robbery 24 per cent. Property crimes as a group rose 16 per cent with burglary up 15 per cent, auto theft 17 per cent and larceny $50 and over in value, up 19 per cent.

According to the FBI chief, the large American cities with over 100,000 inhabitants experienced an average increase of 17 per cent in crime incidence; suburban areas 16 per cent, and the rural regions, 10 per cent.

On geographic comparison during the first quarter of this year, the Northwestern sector of the United States reported the large crime ratio increase—21 per cent; crime rose 15 per cent in the North Central and Southern states and the Western sector of the United States reported 16 per cent.

Attention was called in the report to the continued sharp jumps in crimes of violence.

The FBI director noted the significant increase in robbery, considered by many law enforcement experts to be the "bellwether" of crime.

Nationwide, according to Mr. Hoover's figures, armed robbery where any weapon was used rose 26 per cent and aggravated assault with a firearm increased 23 per cent during the first three months of 1968, compared with the same period a year ago.

The rate and rise of crime in Washington, the nation's capital, is especially shocking.

Statistics from another source, on Capitol Hill, state that crime has risen 24 per cent in the past 12 months in Washington, with murders up 66.7 per cent and housebreaking up 43.6 per cent. Since the riots last April, an average of 1,034 serious crimes have been committed each week.

Many reports have indicated the Washington crime incidence has seriously affected business, tourist influx, and placed thousands of workers—especially the nighttime employed—in jeopardy.

One of the graphic examples of the seriousness of the situation involves public transportation. Washington city buses have been held up 321 times during the past year. One driver was fatally shot and the bus drivers' union threatened a busless District of Columbia unless more protection is provided for drivers.

Little wonder that members of the Congress are being swamped with mail from citizens the nation over demanding quick action on weapons registration and other gun control measures.

While stricter federal and state laws regarding purchase, access to, and registration of firearms are important, these alone will not effectively curtail the wave of violent crime which has frightened people and caused many deaths and injuries over the nation, along with other hardships.

Necessary companions of some restrictions on firearm ownership are better law enforcement, more prompt prosecution and trial of persons charged wtih crimes, and tougher penalties imposed on the convicted by the courts within present legal limits.

As we've observed before, and reiterate, grave public concern must be translated by citizens into public cooperation with law enforcement officers—willingness to report crimes promptly, assist when necessary in apprehension of crime perpetrators, and willingness to serve as witnesses when called to court to testify.

Only an all-around "get tough" public-supported, court-backed attack on the current grave wave of major crimes will serve as deterrent counter-force.

If public apathy and a "let the other fellow risk it" attitude persists, the national crime figures will get no better fast.

REGISTER AND CONTROL THE HANDGUN, BUT LEAVE SHOTGUNS AND RIFLES ALONE

HON. JOHN M. ZWACH

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Friday, July 12, 1968

Mr. ZWACH. Mr. Speaker, I am enclosing a letter from the commissioner of the Minnesota Department of Conservation reflecting some additional views on the matter of the pending gun control legislation.

Mr. Leirfallom is a man of many years of experience as a conservationist, and as an administrator. He has a very broad contact with citizens in our State. His letter then, I believe, deserves my colleagues' attention:

STATE OF MINNESOTA, DEPARTMENT
OF CONSERVATION,
St. Paul, Minn., July 11, 1968.

Hon. JOHN ZWACH,
U.S. House of Representatives,
Washington, D.C.

DEAR JOHN: Those of us in Conservation live daily with the subjects of hunting, fishing, guns, tackle, boats, motors, and all the other things associated with the outdoors.

Guns are very important as a recreational item in Minnesota. I suppose that there are over a million shot guns and rifles owned by Minnesota people, carefully handled, treasured, and used for lawful purposes.

The idea that the government should set up expensive bureaus to register and catalog and eventually collect fees on all these guns on the theory that this is going to discourage criminals is totally unrealistic.

The Administration's idea that the states should be coerced into such action by the withholding of Pittman-Robertson funds which were collected from sportsmen is obnoxious blackmail.

Many people are concerned that Congress, by excess legislation, will play into the hands of subversives and enemies by ultimately disarming the nation through fingerprinting, permits, licenses, red tape, and fees.

I am not able to judge this. I am, however, close to game managers and sportsmen who tell me that it is the sportsmen's money and his interest in guns and hunting that create wildlife refuges, habitat, and game for tourists, photographers, and nature lovers to enjoy as well.

Nor must we omit the farmer who raises and feeds our game and who manages some of his land for habitat. Most farmers and their sons no doubt have a gun or two which they take north for deer hunting or use occasionally for recreation around the farm.

If uninformed enthusiasts manage to suppress guns for recreation, they will also suppress the main motive force behind the propogation of game and the preservation of wildlife areas.

Governor LeVander, who gave early support to gun control legislation, has said that he favors strict control of hand guns but he believes that rifles and shot guns should not be curtailed. We agree heartily.

Hand guns *are* different. They do need control. They have a negative or minimal use in the hunting picture and a limited use as a recreational tool.

Hand guns are much more dangerous than rifles and shot guns for reasons well known to anyone who uses them.

Hand guns are easily concealable, easily transportable, and they are the criminals' tool for his trade. They are easily stolen or burglarized and they are often used on people at time of fear or anger.

Therefore, we believe that controls should be placed upon hand guns and their ammunition.

In all the hue and cry, however, I have not noted any evidence that there is a connection between the registration of rifles and shot guns and the prevention of crime.

These guns are not dangerous in themselves. Actually, in practice, they are less dangerous than cars, water, electricity, and other common things.

Therefore, I must conclude that those who insist on registration, licensing, fingerprinting, etc. for rifles and shot guns are either caught up in an unthinking hysteria or they have other motives in mind which they are unwilling to reveal.

In a sense we in Conservation represent half a million or more gun owners in Minnesota. We strongly urge you to make a separation in your thinking, and in legislation, between hand guns and the rifles-shot guns of sportsmen, farmers, and other peace loving citizens.

Register, restrict, and control the hand gun; leave shot guns and rifles alone.

Sincerely,

JARLE LEIRFALLOM,
Commissioner of Conservation.

THE LATE DON MANNING

HON. JAMES J. HOWARD

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Friday, July 12, 1968

Mr. HOWARD. Mr. Speaker, recently a bright star on the executive board of the New Jersey Federation of Postal Clerks flickered out when Don Manning, district vice president, passed away at the Veterans Administration hospital in East Orange, N.J. Mr. Manning was employed as a clerk at the Keyport Post Office.

The New Jersey Federation of Postal Clerks has drawn up the following resolution in memory of Don Manning:

Whereas: The Executive Board of the New Jersey Federation of Postal Clerks, has learned with profound regret and sorrow of the sudden death on June 17, 1968, of Don Manning, a state vice president; and

Whereas: Don Manning, a union activist for many years, served as co-Chairman of this state convention until his passing; and

Whereas: Through his many activities in the New Jersey Federation, Don Manning, dedicated to the cause of labor, worked for the welfare and betterment of Postal Clerks and their families, therefore be it

Resolved: That the New Jersey Federation of Postal Clerks, assembled in convention at Asbury Park, New Jersey, June 28–30, 1968, tenders its deep sympathy to the members of the family of Don Manning in their bereavement, and be it further

Resolved: That a moment of silence be recognized at this convention for the late Don Manning, District Vice President of the New Jersey Federation of Postal Clerks.

CRIME, A NATIONAL DISGRACE

HON. RICHARD H. POFF

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Friday, July 12, 1968

Mr. POFF. Mr. Speaker, under leave to extend my remarks in the RECORD, I record herewith an article authored by our distinguished colleague, the gentleman from Minnesota [Mr. MACGREGOR], which appears in the inaugural issue of the Law Officer, an official quarterly periodical of the International Conference of Police Associations:

CRIME, A NATIONAL DISGRACE

(By Congressman CLARK MACGREGOR)

On December 11, 1967, the President of the United States, with fitting solemnity announced the latest FBI figures showing that for the first 9 months of 1967 crime in the United States increased 16 percent over the corresponding period in 1966.

Population goes up, gross national produce goes up, prices, sales, salaries, stocks, and the national debt all go up and there is a temptation to feel a certain inevitability about it. America at times seems to be the land of the bigger—if not always the better—anything and everything.

And if there ever was an example of "bigger but not better," it is the continuing unchecked escalation in the incidence of crime. It is clear that the fundamental proposition of rule by law, and equal justice under law, is being tested as never before in the history of our country. The first nine months of 1967 saw 16 percent more murders, 15 percent more cases of larceny, 17 percent more auto thefts and a whopping 27 percent increase in robberies over the 1966 record. At this rate, the number of robberies alone will have more than *doubled* in less than three years. And the statistics are incapable of projecting the dire significance of last summer's looting, burning, rioting and murder which flared in major urban areas throughout the country.

We are confronted with a national crisis and a national disgrace.

Our quest for "liberty and justice for all" threatens to become "license for many and security for none." Without even-handed law enforcement, there can be no equality of justice for anyone. Yet far too many have seemed content to settle for less than equal justice and firm enforcement.

We are all aware that fear, cynicism and despair are the legacies of our failure to come to grips with this mounting wave of lawlessness. And in 1967, again there was only timid and halting progress on the part of the federal government to help provide law enforcement officers with the tools they so desperately need to bring this problem under control. However, there are hopeful signs that in 1968, Washington, D.C., is finally prepared to become a partner with the states in their efforts to solve this immense problem.

I have been fortunate in this regard to have been asked to serve on a number of committees designed to explore solutions to those problems including the House Republican Task Force on Crime, the National Republican Coordinating Committee Task Force on Crime and Delinquency, and the sub-committees of the Judiciary Committee which are responsible for developing much of the crime legislation in the House of Representatives.

I would like to summarize for you some of the major bills currently before the Congress designed to strengthen your hand in the performance of your duty.

Certainly the most significant crime legislation currently before us is the Law Enforcement and Criminal Justice Assistance Act of 1967, formerly known as the Safe Streets bill. It was a privilege for me, both in committee and during House debate last August, to be one of its architects.

The provisions of this legislation as adopted by the House include the following:

State Law Enforcement and Criminal Justice Planning Agencies—The proposed law would authorize the Attorney General of the United States to distribute 22.5 million dollars uniformly among the states for the establishment and operation of state law enforcement and criminal justice planning agencies. What this means is that each of the 50 states will receive an initial $100,000 plus additional funds provided on a per capita basis to assist in carrying out this essential planning function. The legislation would require that the members of the planning agency to be appointed by the governor of the state be representative of law enforcement agencies throughout each state.

Law Enforcement Innovations—Once these state planning agencies submit plans to the Attorney General, he would be authorized the first year to distribute 39 million dollars among the states for the purposes of developing new approaches to and improvements in law enforcement and criminal justice at all levels of state and local government. In addition these funds could be used to acquire new equipment and for construction of buildings which fulfill a significant innovative function. The purpose here is to stimulate the development of new and imaginative approaches to crime control and prevention.

The House bill properly requires that priority attention be given to the truly national objectives of detecting, preventing, and controlling organized crime and violent civil disorders. This type of emphasis in my judgment is essential. The President's Commission on Crime revealed gambling, narcotics trafficking and loan sharking alone yields organized crime 10 billion dollars each year, or the equivalent of $50 for every man, woman and child in America.

Research and Training—This legislation authorizes the establishment of a National Institute of Law Enforcement and Criminal Justice to conduct research and training programs and to develop improved methods of law enforcement. Regional Training Institutes would be established to assist in the training of state and local law enforcement personnel. Again the institutes would be required to provide programs in controlling riots and combatting organized crime.

Two points need to be made concerning the overall philosophy embodied in this legislation. First and most important the House-passed bill continues to place the fundamental responsibility and control of law enforcement in the hands of local and state law enforcement officials and elected representatives. The Administration's original proposal very unwisely sought a major departure from this tradition by placing discretionary authority in the hands of the Attorney General. He who pays the piper must call the tune, and Americans do not want to have state and local law enforcement decisions determined by a non-elected official in Washington.

Secondly, the Law Enforcement and Criminal Justice Assistance Act would place the federal government in the job which it has demonstrated in the past it can do most effectively, namely the collection of revenue and the stimulation of state and local activity to meet specific problems such as organized crime and violent civil disorder. But the point is, we have been careful to retain state and local initiative and control in this vital function.

These much needed legislative reforms were adopted by a substantial majority in the House of Representatives back on August 8, 1967 and the bill was sent to the Senate. All of us interested in law and order are deeply disappointed at the Senate's failure to approve this bill or any comparable bill in committee, despite the fact that the President called for early action on this type of a proposal over a year ago in his 1967 State of the Union message. While the Senate fiddles, the crime rates continue to soar.

PREVENTION OF JUVENILE DELINQUENCY

More recently, the House passed a related piece of important legislation entitled the Juvenile Delinquency Prevention and Control Act of 1967, which authorized 25 million dollars in grants to states for juvenile delinquency control programs.

Again we succeeded in incorporating the block grant approach to funding so as to retain traditional state and local initiatives in coping with juvenile offenders.

This bill authorizes the federal government to provide up to 75% of the cost of state-approved project or **delinquent youths** as well as programs for preventive programs for diagnosing, treating and rehabilitating services for youths in danger of becoming delinquent. Funds would also be available to the states on a 50–50 matching basis to help upgrade our inadequate juvenile detention facilities. Finally the House again emphasized the need for training qualified personnel to perform these diagnostic, treatment and rehabilitation services.

In this instance, the Senate has completed hearings but taken no final action on this bill. Again the continuing delay is proving to be far more costly than the dollars carefully spent to control the problem.

ELECTRONIC SURVEILLANCE

Finally, a number of us in Congress have introduced legislation to outlaw the use of electronic surveillance by private citizens but permit its use, under strict court authority and supervision, by law enforcement officers investigating the most serious of capital and organized crimes. Unfortunately, our efforts to have this idea even considered in the House Judiciary Committee have been unsuccessful. Reversing the course of his last three predecessors, the present Attorney General of the United States continues to oppose the use of any such surveillance techniques except in those instances where he or the President determines that national security is involved. Obviously, this attitude delights those who profit from organized crime.

On the other hand, there is virtual unanimity in favor of such legislation from such diverse interests as the United States Judicial Conference, headed by Earl Warren, Chief Justice of the U.S. Supreme Court, by the 1000 member Association of Federal Investigators, the National Association of Attorneys General and the International Association of Chiefs of Police.

As the counsel for the Association of Federal Investigators has pointed out, "from the experience of the membership, these devices are necessary, useful and effective investigative weapons particularly where organized crime cases are concerned."

The President's own Commission on Law Enforcement and the Administration of Justice is equally forceful on this point:

"The great majority of law enforcement officials believe that the evidence necessary to bring criminal sanctions to bear consistently on the higher echelons of organized crime will not be obtained without the aid of electronic surveillance techniques."

Recent Supreme Court decisions give assurance that a carefully-drawn bill would meet any constitutional test and could still be an effective aid in the vital war on organized crime. There is simply no justification for denying this tool to our harassed law enforcement officers and criminal justice agencies. This legislation should be passed without further delay.

There are a number of other relevant bills currently before the Congress, but the three measures discussed above are of major importance and are indicative of congressional efforts to provide the law enforcement officer with improved tools to do his job. It is my most sincere hope that this promise of assistance will soon be converted into a reality.

Our law enforcement officers continue to demonstrate abundantly their ability, perseverance and devotion to the cause of equal justice under law. Never before has this nation needed so urgently to nurture just these qualities. We as a nation must do everything in our power to insure that each law enforcement officer and criminal justice agency has the tools and the public confidence needed to confront and overcome the forces of lawlessness.

OF THE PEOPLE, BY THE PEOPLE, FOR THE PEOPLE

HON. BILL NICHOLS

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Friday, July 12, 1968

Mr. NICHOLS. Mr. Speaker, one of the most thankless jobs in our Nation today is that of a policeman. We have just recently seen an example of this here in Washington when the Black United Front approved a resolution calling the death of a policeman killed in the line of duty justifiable homicide. A high official in the District of Columbia government supported the resolution as did the city's Democratic Central Committee.

This month's VFW magazine has a very timely article on the lot of the policeman. The article was written by the VFW Commander in Chief Joseph A. Scerra. I think Commander Scerra has underlined the problem of law enforcement agents throughout the country, and I am, therefore, inserting his article in the RECORD at this point:

OF THE PEOPLE, BY THE PEOPLE, FOR THE PEOPLE

(By Joseph A. Scerra)

Let's go "cop" hunting. Why not? It's open season on law enforcement officers. The audible portion of the American public has turned its back on law and order. Even J. Edgar Hoover, whose name is synonymous with integrity, is being snapped at by jackals.

In a large metropolitan city the other day, a young police officer was brutally murdered on the public sidewalk by a gang of criminals. A thousand policemen from a score of cities attended his funeral, but the only private citizens there were the widows of other murdered officers. "The People" for whom he kept the peace, and gave his life, scarcely heeded his passing. To them he was just a "Cop." And "Cops" aren't really human beings.

He was just a "Cop." And yet the Police Department Chaplain said of him:

"*He performed an act of heroism equal to any this city has ever seen. He, too, had a dream . . . he had a zest for life. He looked forward to advancement. His goals were set extremely high. He had ambition . . . What is heroism? What is dedication? A young officer, deciding to give up his dream so you and I might have ours.*"

He was just a "Cop"! He was 26. He was an ex-marine. He was an honorable, law-abiding citizen. He was a patriotic and dedicated public servant. He was a great American. He was also a Negro. He was proud of both his race and his county—proud enough to die for them—and for "The People."

Yet none of that vast majority of silent "fellow citizens," whose burdens and responsibilities he carried, cared very much. He was just a "Cop" to them. Not a fellow human being. Not a person with normal feelings of pain and pride and anger. Not a sorrowing mother's only son. Not even a courageous and unselfish fellow citizen doing his duty, and theirs, to uphold their law—to preserve their "government of laws." No, he was just a "Cop," the "Fuz," a "Flatfoot," a "Harness Bull"—a despised creature apart and far below their gay and irresponsible social whirl.

"You will never respond to verbal abuse." This was the firm admonition of a Police Chief to a graduating class of 39 young policemen recently—in a great city which has vacancies for at least 500 more and a need for several thousand.

Why only 39, when so many people are clamoring for jobs? How much abuse are you willing to take from total strangers? How much abuse are you willing to take from any man? How much verbal abuse can you take without "responding"?

It is growing more and more difficult to induce young men in this country to enter the field of law enforcement. Why should they?

Read the newspapers. Listen to the radio. Watch television. There is a firmly established group of newscasters and reporters who regularly indoctrinate you with the anti-law-enforcement mania of our times. In their subtle, "completely impersonal," but degenerating way, they are chipping away at the very foundation of American democracy. They routinely suggest and produce alleged "evidence" to prove that policemen represent no one but themselves; that individual officers are sadistic in their treatment of persons accused of crime—who are always "innocent," of course, or "justified" in breaking the law.

The "heroes" of these monsters of the media are the criminals—because "society made them so." They are the "users," the "pushers," the narcotics peddlers, the rioters, the destructive demonstrators, the anarchists and the Communists. Never the policeman. He is the villain.

It has been said over and over again that ours is a "government of laws and not of men." Yet no law is self-operative. Enforcement is not inherent in the words of any statute. Men enact our laws. Men interpret and apply them. And men enforce them.

Who are these men? They are policemen. They are official representatives of "The People." The trouble with us today is that we have forgotten who "The People" are.

They are not the criminals. They are not the anti-American demonstrators or the draft dodgers. They are not the destructive and militant dissenters who hate all things American. They are that vast and silent majority of decent human beings who pay pyramiding taxes to support these drones. These are "The People" for whom policemen daily risk their lives to provide protection under the law.

This hard-working, tax-paying, law-abiding majority *is* this nation. It is they who have the greater right to be heard—and the greater duty to speak out. It is "of them," "by them" and "for them" that this government exists. One of the most essential functions of any government is to protect decent citizens from those who violate their laws.

Police officers are the official agents of "The People" to carry out this purpose of self-government in their behalf. Abuse them and you abuse the nation.

It is not always easy to draw a line of demarkation between conflicting rights. It is even more difficult for partisans to recognize and honor that line once it is drawn. Beyond that, there are always persons who refuse to respect either the line or the rights. Thus, if civilization is to continue to progress, we must have laws and they must be enforced.

To accomplish this we must have a police force, and this police force makes up the very foundation of our government. Upon their courage and integrity; upon their good judgment and loyalty to principle; upon their unselfish devotion to duty rests the superstructure of justice. Our form of government must stand or fall upon the quality of that structure.

When a police officer seeks to arrest one charged with crime he is not acting in self-defense or for any selfish motive. He acts in defense of the State—and the State *is* "The People."

Since the early attempts of man to govern himself and his neighbors, certain individuals have been selected, prevailed upon and appointed to assume the burdens and the risks of providing protection under the rules adopted for that purpose by the majority of those concerned. Whether frontier marshals, county sheriffs, town constables or city police, they have always been official representatives of "The People." They have served no private purpose. They have served "of the people, by the people and for the people."

Historically, they are underpaid. Traditionally, they are something less than socially acceptable. Officially, they have been fair game for persons with ulterior motives. Judicially, they are routinely ridiculed, maligned and insulted.

They go their quiet way, serving "The People"—sometimes in the dark recesses of the night; often in the nervous tenseness of the pre-dawn hours; in the sweltering heat of the day in heavy woolen uniforms; in the rain and snow of winter, harassed, imposed upon, slandered and abused by the benefactors of their dedicated service.

They are unfairly criticized by every disgruntled citizen. They are threatened, insulted, falsely accused, sued, condemned and suspended without pay upon any man's allegation. Every day and every night, somewhere in this nation, a police officer is being cursed, assaulted, beaten and murdered.

Their grieving families suffer in silence and alone, except for the sympathy extended by their fellow officers. None of them ever leaves enough money to care for those families. Yet "The People" simply shrug and call them "fools" for ever having entered the profession.

"Honest and upright citizens" threaten each day of their lives, on some pretext of righteous anger, to "get their jobs." They are invariably presumed to be at fault by elected officials.

Let a police officer shoot an escaping or attacking felon, caught in an act of vicious depredation, and the headlines scream, "Policeman Kills Young Boy."

Let a police officer fail to arrive in time to prevent a crime and listen to the tirade of the "taxpayer."

Let a police officer be beaten by demonstrators who are violating the law and "it was good enough for him for interfering with their civil rights."

Let a police officer be mauled to the point of death, and even murdered by rioters, and what private citizen will come to his assistance?

Let a police officer be brutally slain in the process of preventing a robbery, a burglary, arson or rape and what paper will give him sympathetic headlines?

On every hand the false claim of "police brutality" is aflame throughout the land. It has become the standard banner of defense in every criminal trial. The criminal is "presumed to be innocent," and the arresting officer's character is routinely made the "defendant" in every court room. Lawyers deliberately and painstakingly misrepresent the facts to blacken the good name of every officer. Judges tolerate it and even encourage it. The news media lend "sob sister" credence to it. And "The People" continue to believe only "what they read in the papers." All of the brutalities of life are currently marshalled against law enforcement.

What difference does it make? After all, they are only "Cops." But whatever you choose to call them, this nation cannot survive without them. And this nation is "The People."

OBJECTIVES OF ICPA

HON. WILLIAM L. HUNGATE

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Friday, July 12, 1968

Mr. HUNGATE. Mr. Speaker, I call to the attention of my colleagues the inaugural issue of the Law Officer, published quarterly by the International Conference of Police Associations.

The objectives of ICPA are:

Best stated in Article II of the By-Laws which declares: "The object and purpose of the Association shall be to collect, study, standardize, summarize and to disseminate factual data for the purpose of promoting the professionalization of the police service, and to stimulate mutual cooperation between law enforcement agencies."

The objectives stated above are by no means the only endeavor of the ICPA, rather, they represent only one of many undertakings of the Association. Among some of the other important work are working conditions, safety, education of the police and the public, salaries, protection from slanderous attacks, and the improvement of local police retirement systems.

It is our contention that when the standards of recruiting, training, and integrity of the police services, along with the salaries and benefits and working conditions, have advanced to their proper strata in our society, then, and only then, will some of our objectives be realized.

The attainment of our objectives are only possible through the coordination and cooperation of all participating police organizations, and with the efforts of these organizations properly channeled through a central clearing house, where individual desires will be subjugated, and the wishes of the members will prevail.

This first issue contains an article by our colleague, CLARK MACGREGOR, on crime. I commend it for its thoughtful consideration of a difficult problem.

A recent editorial from the Kansas City Star is included in the section on editorials:

HOW LONG BEFORE GUN CONTROL?

Considering the tragedy of Memphis, the Senate Judiciary Committee picked a sadly appropriate day—April 4—to reject a reasonable gun control bill.

We wonder how many people will have to be killed in the United States before Congress puts the public protection of sensible firearms regulation above the illogical pressure of the gun lobby.

It will be argued—as it was after Dallas, Nov. 22, 1963—that the slayer of Dr. Martin Luther King could have obtained a weapon regardless of the law.

The same tired theses will be advanced: That people, not guns, kill people; that Americans have a constitutional right to bear arms and that sportsmen would be vastly inconvenienced for the sake of a gesture.

But surely the time has come to reject these specious arguments and face the fact that unbridled traffic in weapons and the shrill noise of the lobbyists, in themselves, contribute to the poisonous atmosphere that seems to promote a citizenry bristling with weapons.

The bill turned down by the committee would not have denied sportsmen their rifles or shotguns. It would not have precluded weapons of self-defense for those who feel they must have them.

It wouldn't have disarmed the National Guard, which is what the constitutional injunction on a well-regulated militia really is about.

The guardsmen do not bring their own muskets to active duty any more.

The bill simply would have prohibited the interstate mail-order sales of guns to individuals and over-the-counter sales of pistols and revolvers to nonresidents of a state. That's all. Now a weaker version concerning hand-guns has been approved. But that isn't enough.

At this point we would guess that a great many sportsmen are weary of supporting an expensive lobby that sets up phony targets and irrelevant issues. A reasonable gun control bill will hurt no one who has any legitimate use for a gun. And it might just help move this nation away from the hysteria that could turn it into an armed band of 200 million.

PETE LATZO DIES—EX-RING CHAMP

HON. JOSEPH M. McDADE

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Friday, July 12, 1968

Mr. McDADE. Mr. Speaker, on Sunday night, July 7, the 10th Congressional District lost a fine man when death took Pete Latzo, former welterweight champion of the world.

Here was a great champion. He not only defeated Mickey Walker for the welterweight championship, but stepped out of his weight and almost took the light-heavyweight crown from Tommy Loughran. More than that, though, he was a fine man. He was known and loved throughout our whole area, where several of his surviving relatives still live.

Chic Feldman, the sports editor of the Scranton Tribune, and certainly one of the most distinguished sportswriters in America, has written a splendid story on the death of Pete Latzo. With your permission, Mr. Speaker, I will append that story at this point so that all of my colleagues may have an opportunity to meet once again, even if only in print, the great names with which Pete Latzo's life was studded. You will find many of them, indeed, in Chic Feldman's story.

The article follows:

[From the Scranton Tribune, July 8, 1968]

PETE LATZO DIES—EX-RING CHAMP—FORMER WELTERWEIGHT KING, 65, FATALLY STRICKEN IN ATLANTIC CITY

(By Chic Feldman)

Death Sunday night struck down Pete Latzo, former world's welterweight champion and the most popular boxer in Scranton's century of association with professional boxing. Latzo, 65, had entered Atlantic City Hospital on Thursday for gall bladder surgery following recurrence of an illness which seriously disturbed him in 1936.

The only one of the city's four fistic kings to win his title at home, Latzo conquered 4-1 favorite Mickey Walker at Watres Armory on May 20, 1926.

The Latzo-Walker 10-rounder drew the biggest gathering of fight fans, approximately 9,000, and the largest gate, nearly $85,000, in the history of the anthracite region. Not even Pete's subsequent challenge for Tommy Loughran's light-heavyweight crown, at Wilkes-Barre, could compare with the Scranton success which lured celebrities from throughout the nation, as well as scores of noted writers headed by Damon Runyon.

The Walker and Loughran engagements furnish a vague idea of the kind of competition Latzo's greatness enabled him to meet. He faced eight champions during a 16 year career encompassing at least 150 bouts.

Other famed names which appear on Latzo's brilliant record are James J. Braddock, Maxie Rosenbloom, Tiger Flowers, Jimmy Slattery, Ted Yarosz and Joe Dundee, who relieved Pete of the welter title in a disputed bout at New York on June 3, 1927.

Pete who had as an inspiration his older brother, Steve, who also met the foremost ringsters of his time, was born in Coleraine, a suburb of Hazleton located in Beaver Meadows, on Aug. 1, 1902, and was 17 when he climbed into a ring for the first time. The scene was Olyphant, and to avoid any family objections, Pete borrowed the name of "Young Clancy."

The Latzo family had moved to Taylor in 1913, shortly after the death of Pete's father Michael. The widow, Suzanne, conducted a tavern, and although Steve had already launched his professional career (amateur boxers were virtually unknown then) there was no indication that three of the brothers would also become leather pushers.

They were Pete, Mike, who later managed him, and Joe.

None ever had the instant appeal of Pete who by his 18th birthday was a veteran of more than a dozen bouts, all victorious, and headed for the greatness which evaded Steve despite his reputation as a "better puncher."

"Pete was born to fight and be a champion," Steve declared before his death four years ago. No truer epitaph is possible.

Long before he was 19 Pete was a main-eventer, packing Town Hall and elsewhere. Two spectacular triumphs helped catapult him to unprecedented regional fame.

The first was a three-round knockout of Providence stylist Mickey Malloy who had gained considerable prestige in New York and, like many of Pete's early foes, was considered a "sure thing" to beat Latzo.

Next came Joe O'Neill, the idol of Petersburg, who was supposed to have too much experience for Latzo. Pete's determination and relentless attack overcame any disadvantage and he won handily in 10 rounds.

At the pace he was traveling, Pete was soon to run out of local opposition and the task of importing established trade names began. Pete took most of them in stride. By 1922, short of his 20th natal day, he was in the company of Dave Shade, Eddie Shevlin, Frankie Schoell, Sailor Friedman and Billy Wells to mention a few.

Shade, a Californian, was to knock out Buffalo wonder boy Slattery. He found Latzo a tartar. Shevlin, a Bostonian, had an international reputation. It didn't bother Pete. Schoell was clever and elusive. He troubled Latzo but never disheartened him. Friedman had caused immortal Benny Leonard to spend a miserable evening. Latzo took him in stride, in a tremendous Philadelphia upset. Wells, a Britisher, was European champion. Pete beat him several times.

When Pete bested Paul Doyle in Boston; thrice defeated Walker's fellow townsman and acknowledged "uncrowned champion" George Ward five times, and won from Johnny Nichols, highly-touted Mid Westerner in old Madison Square Garden it became inevitable that he and newly coronated Walker must clash.

The older minds sought to persuade Pete to wait. He had a special reason for desiring immediate warfare with Walker. "The Toy Bulldog" had knocked out elder brother Steve and Pete wanted revenge. Thus six months before Pete's 21st birthday he faced Walker in a 12-round no decision encounter at Newark.

Walker had the best of it, but Pete always remembered why. For three years he patiently awaited the opportunity he previously couldn't delay. When, at last, they were rematched, for Walker's crown, here, Pete not only preserved his reputation of never losing to a foe a second time, but won with amazing ease.

Greatness in many ways came to Latzo thereafter, but nothing compared with that eventful evening in Scranton when he outpointed Walker and joined George Chip (middleweight) and Jimmy Goodrich (lightweight) as a member of fistic royalty. It was 12 years later before Billy Soose, the fourth champion, joined the club

So while Pete almost took Loughran's 175-pound title at Brooklyn, and upheld his respected status of never dodging an opponent, boxing, and the record book, will remember him best, and longest, for the easy manner he handled the hitherto invincible, destructive Walker.

Even before he called it a career, Pete and his wife, the former Katherine McHale, moved to Margate, N.J. They were blessed with a daughter Mary.

In the intervening years Pete, who was a mechanical genius, served as a construction specialist on some of New Jersey's biggest projects in the capacity of an engineer.

It was a distant route from the glamor of the arena and the roar of the crowd, but Latzo loved the occupation. Happily boxing never forgot him, and almost annually some group would bestow a belated honor on him.

Most coveted had to be his admittance to the Pennsylvania and New Jersey Hall of Fame.

By a quirk of fate another such distinction, the "Sports Hall of Fame" sponsored by The Scrantonian and The Tribune in association with Gibbons Brewery, brought Pete here for what was to be his last visit, several months ago. Inducted with a set of fellow idols, and worthy heroes, Latzo spent a delightful evening in the company of cherished friends.

Nor was it unique that the most vociferous cheer of the evening, joined in by the others equally honored, was reserved for Latzo.

Always the personification of good fellowship, and glowing confidence, Pete entered the hospital with a promise to "come out soon and be up for a visit." Which undoubtedly will add to the shock sweeping the Lackawanna Valley with the news that the Great Referee had counted out Pete.

Because of the unexpected finish of Latzo's last round, burial plans, other than the fact that he will be laid at rest here, are incomplete. The Regan Funeral Home hopes to announce details later in the day.

Besides his widow and daughter, Pete is survived by three brothers, Dr. John Latzo of Wilmington, Del., Mike, and Joe. Alos two sisters, Mrs. Anna Kuchek and Mrs. Mary Leach, both of Scranton.

PEOPLE OF THE 23D DISTRICT OF PENNSYLVANIA ON IMPORTANT ISSUES OF TODAY

HON. ALBERT W. JOHNSON

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Friday, July 12, 1968

Mr. JOHNSON of Pennsylvania. Mr. Speaker, each year it is my custom to take a poll of the citizens of my district concerning the important issues of the day. I have now completed tallying the results and have prepared the following report and comments on the questionnaire:

DEAR FOLKS IN THE 23D CONGRESSIONAL DISTRICT: Recently I mailed my annual Questionnaire to all homes in the District, and in accordance with my usual custom I am devoting a "Newsletter" to a report on the results of the poll, together with comments on the same, as follows:

1. The war in Vietnam:

Do you favor:	*Percent*
Continuing our present course	5.0
Mounting a strategically sound effort for military victory	66.0
Withdrawing as soon as possible	27.9
No opinion	1.1

A remarkably large percentage (66%) favor greater efforts toward a military victory. This compares with 57.28% as reported in my report last year. In answer to the same question in other districts, the results were as follows: Increase effort: 45.2% (10th District, Pennsylvania, McDade (R.); 49.8% (8th District, Ohio, Betts (R.). Sentiment in the District is also increasing as to whether to withdraw as soon as possible. Opinion now: 27.9%, last year 8.84%. A comparable percentage: (10th District, Pennsylvania, McDade (R.), 26.9%. Recently Governor Nelson Rockefeller of New York stated at a Congressional breakfast that we are actually fighting not only North Vietnam, but Russia and Red China as well. He stated that as we escalate the war, these powers match it. Peace negotiations then should include these two great powers. This same opinion was expressed by David Lawrence writing in the "Washington Evening Star." Mr. Lawrence wrote, "The outcome of the Vietnam war is directly related to Soviet government policy toward Vietnam, as well as the readiness of the U.S. Government to enter into a diplomatic negotiation with Moscow about the issues".

Certainly the Vietnam war gives every indication of being prolonged for many years unless some agreement can be reached by the Russians, the Americans and the Red Chinese. At this writing, unilateral negotiations in Paris have failed. I agree with the David Lawrence appraisal. I have advocated also the reassembling of the Geneva Conference as the proper forum for a settlement. In the meantime, let us all pray for an early end to this conflict.

In answer to the question, "Do you believe it is vital to our National Security to fight in Vietnam?" 50.4% said no (10th District, Pennsylvania, McDade (R.).

2. Do you favor abolishing the electoral college system and allowing voters to cast their ballots directly for President and Vice President?

	Percent
Yes	84
No	13.4
No opinion	2.6

This overwhelming vote indicates the concern of citizens over the possibility that our next President could well be chosen by the House of Representatives where each state will have one vote regardless of the number of Congressmen. Under present procedure, if no candidate receives a majority of the electoral votes, the above situation will prevail. Also, under our system, a Presidential elector can ignore the popular will and fail to support in the Electoral College a candidate to whom he may be pledged. You can expect a constitutional amendment to correct these defects before too long. The results on this question in the 10th District of Virginia (Broyhill, R.)—81.2% yes.

3. Do you favor lowering the voting age to 18?

	Percent
Yes	43
No	56
No opinion	1

Recently the President sent a message to Congress calling for voting by those 18 years of age. Some states have already lowered the voting age: Georgia and Kentucky—age 18; Alaska, age 19; Hawaii, age 20. The U.S. Department of Commerce recently issued a voting report. It points out that this fall there will be 118 million persons of voting age; 6 million more than in 1964; 11½ million eligible to vote for President for the first time. The voting record of young people is not the best. In the 1966 election, only 31.2% of those eligible to vote between the ages of 18 to 24 voted. Those 45 to 64 years old: 64.5% voted. The usual comment against lowering the voting age: "These young people are not old enough to fully undertsand the problems of the nation." Those for it say: "If he is old enough to fight, he is old enough to vote." Polls in other Districts: 21st District, Pennsylvania (Dent, D.)—No: 57%; 23rd District, New York (Bingham, D.)—No: 57%; 1st District, Oregon (Wyatt, R.)—No: 63.2%.

4. What would you now do about the seizure of the U.S.S. *Pueblo* by North Korea?

	Percent
Issue an ultimatum demanding the immediate release of the crew and ship	35
Continue to use diplomatic and United Nations sources to accomplish this result	34
Admit wrongdoing and apologize in return for the release of the ship and its crew	26
No opinion	5

In such a vitally important issue involving as it does the possibility of a world-wide conflict, it is only natural that opinion would be equally divided. Recently the American Legion adopted a resolution to the effect that if North Korea continues to refuse to return the Pueblo and its crew, the Legion will back the use of military force if necessary. I note in the comments on this case that citizens suspect that the U.S. was in the wrong. A typical comment: "I believe the ship was out of bounds when captured and apologies are in order," or, "If we were wrong, we should say so and apologize," and "I feel the lives of the Pueblo crew are much more important than 'face saving.'" Said the American Security Council, "America may have forfeited on that fateful January day any valid further claim to world leadership and respect." There are now over 1,000 "Remember the Pueblo" clubs in the U.S.

5. In general do you favor the recommendations and findings of the Riot Commission Report?

	Percent
Yes	30
No	45
No opinion	25

The main thrust of the Report is the statement that the civil disorders of the past few years were caused by "white racism." The large "no opinion" percentage results from the fact that many citizens expressed that they were not familiar with the report. One other poll on this question: Reed, R., 15th District, Illinois—No: 56.9%.

6. The following sub-questions deal with the specifics of the Riot Report:

(1) That the Federal Government should provide for a guaranteed annual income?

	Percent
Yes	21.1
No	77.4
No opinion	1.5

This recommendation of the Report has evoked a great deal of discussion and debate. Generally the plan would give families earning less than $3,130 a year $400 additional for each parent, and the first four children; $150 each for the 5th and 6th child. The notion of a guaranteed income to the average honest, hard-working citizen is repugnant. Here is a typical comment. "Let's get everyone to work, black and white. I do, even though I hate to get up in the morning, work holidays and nights. Let everyone work to get what they want, instead of depending on the Federal Government or the states for handouts."

(2) That there should be a national "open housing law"—"comprehensive and enforceable"?

	Percent
Yes	42
No	53
No opinion	5

Since I sent out the questionnaire, the U.S. Supreme Court rendered a decision to the effect that a law banning discrimination in housing passed in Civil War days is valid. Therefore, any question of whether the above law should be passed is moot. During my five years in Congress, I have voted for every Civil Rights bill to come before the Congress. However, with Washington's riot fires still smoldering, with machine guns on the steps of the U.S. Capitol, and the city occupied by 17,000 troops, I voted against the 1968 Civil Rights bill, which had open housing in it. Washington and Pittsburgh already have open housing laws, but it did not prevent the riots and burning and looting in those two cities.

(3) That welfare payments should be substantially increased and given as a matter of right and not charity?

	Percent
Yes	17.5
No	78.5
No opinion	4.0

This question evoked the strongest reaction. Some interesting comments: "We are drifting into a welfare state which could be disastrous," "absolutely no welfare payments should be given to any able bodied man as a matter of right or charity." However, there is sentiment on the other side of the question: "I feel that a permanent solution to the negro problem requires an immediate and massive Federal Aid Program." Says U.S. News and World Report, April 22, 1968, "Public relief now exceeds $9 billion annually to 9.7 million persons, 90% of them negroes. Other programs carry the total to $15 billion."

(4) That police departments should not be equipped with mass-destruction weapons, such as automatic rifles, machine guns and tanks?

	Percent
Yes	31
No	68
No opinion	1

Citizens want to see our police departments equipped to do the job in protecting life and property. The comments are generally like this: "I cannot condone thievery, arson or any other crime committed during riots and believe that the law should put them down immediately, using whatever measure it takes."

(5) That the Federal Government should provide subsidies for the construction of six million new housing units in the next five years?

	Percent
Yes	44
No	53
No opinion	3

This is one problem which is presently before the Congress for action. The Housing Bill for 1969 provides for $6 billion in new spending in almost every field of housing. This sum will eat up a great deal of the recent tax increase, thus nullifying the attempt to stem the tide of inflation.

(6) That the Congress should greatly increase the appropriation for rent supplements?

	Percent
Yes	17
No	77
No opinion	6

This Administration strongly favors the rent supplement idea. In fact, the new housing bill provides for rent payments which will cost $10 billion in the next 40 years. I have voted against this program.

Other Congressmen report that their districts are against rent supplements. Schneebeli, R., 17th District, Pennsylvania—No: 52%; Minshall, R., 23rd District, Ohio—No: 68.27%.

(7) That local and federal government agencies should provide one million new jobs?

	Percent
Yes	43
No	52
No opinion	5

This proposal comes at a time when all branches of government, local, state and federal are under pressure to reduce their payrolls so as to save taxes. The new jobs contemplated above would come from public works projects which will mean increased taxes or public debt. The Republican answer to this proposal is the so-called "Human Investment Act," wherein employers would be partially reimbursed by the government if they establish on-the-job training programs to eventually employ the unskilled in better jobs. We hope to pass this the next session of Congress.

7. In case of a riot, do you favor:

	Percent
Immediate and stern enforcement of the law	84
Employment of large police and military forces instructed to act moderately and try to contain the riot	14
No opinion	2

Crime and violence is the Number one issue in this election year. Recently Bill Henry, of "Three Star Extra" fame, wrote in the Los Angeles Times that the next President of the United States will be one who convinces the American people that he can best maintain and will restore law and order in this nation. The people are rightfully concerned. In Washington, D.C., and many other cities, it is not safe to venture out at night. One must be watchful even in the daytime. In Washington alone during the April riots, a total of 645 buildings and 283 housing units were destroyed or badly damaged. Some 909 businesses were destroyed, with their inventories. The insurance loss set at $24 million. It cost $5 million for 17,000 troops to save the city. Judge Burka in sentencing looters pointed the finger of blame at city officials for their failure to order the police to arrest rioters. The Judge said the police were under orders not to make arrests. Prisoners who were arrested told the Judge they did not expect to be arrested for looting. What a shame! The results of the poll above indicate the strong opinion of district citizens. A common observation by many: "In regard to rioting and looting, I feel we need stern enforcement of the law;" "I would like to see law and order brought back to this land;" "I'm up to my ears with the government's tactics in handling civil disobedience."

8. Would you vote for compulsory and binding arbitration of labor disputes where the national interest is involved?

	Percent
Yes	89
No	7.5
No opinion	3.5

This astonishing percentage in favor of compulsory arbitration reflects the public disgust of nation-wide crippling strikes. It goes without saying that a new Administration will have to address itself to this problem. Other Congressmen have polled their districts on this question, such as Schneebeli, R., 17th District of Pennsylvania—Yes, 73%.

9. Would you favor the President's proposed 10% surtax on the income tax (exempting lowest income tax brackets) if it were accompanied with a $6 billion cut in expenditures?

	Percent
Yes	70
No	27
No opinion	3

I was quite amazed at the results of the above question. It reflects the fiscal responsibility of the citizens of the District. It also shows that they are aware of the financial plight of our Federal Government. The fiscal year ended on June 30, 1968, and the deficit was over $25 billion and the national debt soared to $352.8 billion. In the debate on the Floor on the day this tax was voted on, we were warned that if the tax bill was defeated, it would mean a virtual collapse of the dollar, and a possible stock market crash! The bill passed the House 268 to 150. I voted for it. It will yield $11.6 billion, and the spending cut will approximate $18 billion in the next two years. One wonders where we could find the additional $25 billion the Riot Commission Report recommends that we spend on welfare!

10. This question is in five parts, and I will list the poll results of each question and comment on them below.

Would you vote for:

(1) An additional increase in Social Security benefits even though it will mean an increase in Social Security taxes.

	Percent
Yes	50
No	45
No opinion	5

(2) Prescription drugs as part of Medicare?

	Percent
Yes	70
No	28
No opinion	2

(3) Removing the requirement that Senior Citizens must pay the first $40 on the hospital bill?

	Percent
Yes	44
No	55
No opinion	1

(4) Making hospital insurance free by removing the $4.00 per month charge and increase the number of allowable days?

	Percent
Yes	35
No	59
No opinion	6

(5) Increasing the amount of money Social Security retirees can earn without losing Social Security benefits?

	Percent
Yes	86
No	10
No opinion	4

The present tax rate to cover Social Security costs is 8.8%, one-half paid by employers and the other one-half by employees. The poll results indicate a desire to enlarge on benefits. For each $1 billion that benefits are increased, the payroll tax will go up three tenths of one percent, one-half to be paid by workers.

The increased costs per year of the programs covered by the poll are as follows: Prescription drugs as a part of Medicare—$1.1 billion; the government pay all of the hospital bill (including the first $40.)—$35 million; remove the $4 per month medicare charge—$888 million.

I agree that retirees should be allowed to earn more money on the side and have introduced a bill to provide for this.

11. Should we impose quotas on the amount of foreign steel and other commodities that may be imported?

	Percent
Yes	67
No	28
No opinion	5

The problem of growing imports of foreign made goods fashioned by very cheap labor is becoming of national concern to the industries involved. The excessive imports are resulting in local unemployment, business losses, and a blow to our balance of payments problem. In the District, we have firms who manufacture dye stuffs, clinical instruments, resistors, radio and television tubes who are especially hard hit. Where the foreign imports used to only comprise 10% of our market, now the percentage is in some cases up to 40 and 50%. I will support these quota bills that are now before the Congress. Other Congressmen have found their districts favor quotas: Corbett, R., 18th District, Pennsylvania—Yes: 72%; Schneebeli, R., 17th District, Pennsylvania—Yes: 65%. The U.S. trade deficit for May 1968 was $32.2 million. The U.S. trade surplus for the first five month of this year was $405 million, compared with $1.9 billion in the same period last year!

12. Should the antipoverty program be:

	Percent
Expanded	31
Reduced	27
Eliminated	32
No opinion	10

Last year the appropriation for this program was $1.8 billion. It has been renewed for another year with the appropriation up $100 million to $1.9 billion. Most people do not have much faith in this program as one to reduce poverty. There is widespread belief that the agencies engaged in the war on poverty have wasted large sums of money and that too much of the funds have gone for administrative costs instead of helping the poor. It also appears each day much of the money is spent illegally. Some other polls on this subject: Corbett, R., 18th District of Pennsylvania: Increase the Funds? No: 73%; Collier, R., 10th District of Illinois: Favor the program: No: 81%. I would recommend that at least one half of this money be used to finance the Human Investment Act which I mentioned earlier in this report.

13. As a means of stopping inflation, do you think we should impose compulsory wage and price controls?

	Percent
Yes	53
No	40
No opinion	7

Since the increase in the income tax has passed, which new tax is supposed to stop inflation, the need for compulsory controls is not as great as it was earlier this year. Compulsory controls are a drastic action, but in order to save the dollar, and cut living costs, especially for Senior Citizens, it could well become necessary. What do other people think about it? Here are some results from other districts:

[In percent]

Corbett, R., 18th District of Pennsylavnia:	
Yes	42
Brown, R., 7th District of Ohio:	
Yes	52.8
Betts, R., 8th District of Ohio:	
Yes	34
Rumsfeld, R., 13th District of Illinois:	
Yes	18.4

14. Do you feel we are receiving accurate and reliable information on Government activities?

	Percent
Yes	16
No	75
No opinion	9

The news media coined the phrase that there was a "credibility gap" prevailing as far as news emanating from the White House, and other governmental agencies is concerned. Citizens have formed this same opinion, as indicated by this percentage above, and the results of other polls taken by other Congressmen:

[In percent]

Hosmer, R., 32nd District, California:	
No	74
Keith, R., 12th District, Massachusetts:	
No	64
Rumsfeld, R., 13th District, Illinois:	
No	70.5

One person answering wrote this: "Citizens want the truth. Lincoln always told the nation the truth. Truth will stand any test." Another comment: "In a war, it is not wise to give out information that would help the enemy."

And now in closing, I want to thank those who took the time to return my questionnaire and thus make this report possible. I hope you have found this Newsletter both interesting and informative.

Sincerely yours,

ALBERT W. JOHNSON.

EARNING VOTE AT AGE 18

HON. THADDEUS J. DULSKI

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Friday, July 12, 1968

Mr. DULSKI. Mr. Speaker, support has never been stronger than now for changing the law to permit young people to qualify for the right to vote at the age of 18.

Lowering of the voting age is long overdue. President Johnson recently issued a new appeal for action on appropriate legislation.

Most proposals simply would lower the voting age. But WGR–AM–TV in Buffalo, N.Y., has come forth with a proposal for requiring young people between the ages of 18 and 21 to "earn" the right of vote.

I have believed right along that the voting age should be lowered.

As for WGR's new approach in legislation, I certainly believe that it merits consideration by Congress and I commend WGR for its initiative in developing an alternate proposal.

Following is the text of the WGR editorial broadcast on June 26, 1968:

ALTERNATE: EARNING RIGHT TO VOTE

President Johnson has asked Congress to give 18 year olds the right to vote. Many previous attempts to lower the voting age from 21 to 18 have failed to pass.

We would like to suggest what may be a new idea and a good, positive as well as constructive compromise.

Don't *give* the 18 year old the right to vote, but let him *earn* it. We think it could be a good idea to have 18 year olds take a citizenship test along the lines of a naturalized citizen.

The teenager *should* have to establish that he has a knowledge and understanding of the principles and form of Government in this Country.

Admittedly this is not a requirement for citizens age 21 or older, but we do not think this would be a constitutional problem. We think it would give the younger person a real incentive to earn the right to vote before he is 21.

One of the main points given by people in favor of the lower voting age is that if a man is old enough to fight for his country, then he is old enough to vote.

In that regard, we would like to suggest that the younger voter be required to take the same oath as a naturalized citizen . . . including the pledge to bear arms on behalf of his country when required by law.

If an 18 year old can pass a citizenship test, and is truly willing to serve his country, then we think he will have *earned* the right to vote.

FIREARMS CONTROL EDITORIALS

HON. JOHN M. ZWACH

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Friday, July 12, 1968

Mr. ZWACH. Mr. Speaker, as with other Congressmen, my mail is running heavy on gun legislation. The editors in the Sixth Congressional District of Minnesota have also been vocal on this subject.

As representative of many of these editorials on firearms legislation, I would like to insert in the RECORD an editorial from the Renville Star-Farmer, written by Les Chacey, and one from the Bird Island Union, written by Arthur Noecker. Both editorials appeared in the July 4 issue, as follows:

[From the Renville (Minn.) Star-Farmer, July 4, 1968]

DISCOURAGE THE WRONG MAN WITH A GUN

Let's think clearly and in an American-like way about this gun prohibition business! The mass hysteria created by the assassination of three prominent Americans—one, our president, and two American leaders—has created a demand from many that legislation be created which would be punitive to the entire people of our freedom-loving nation.

All too often the query is heard here and abroad "What is happening to our nation? (from the New Nigerian in Dakar, Africa)" Senator Robert Kennedy became the victim of the racial strife which is tearing America from limb to limb, the people of the United States of America are once again entertaining the world to its colossal display of un-controllable fit of barbarism, vandalism, and murder" . . . and the reaction is mass punitive controls on our 200 million Americans.

Late this past week our Governor, Harold LeVander, remarked in a press interview that Minnesota must have some form of "gun control" law passed but that he hadn't yet determined what manner of control it would be.

What is needed is a law put through legislation which will make an individual about to commit a crime—any crime—with a gun in his possession suffer the consequences, a gun-control law which strikes at the criminal, not the sports-minded citizen.

We note some advocates of this type of gun-control law which we heartily endorse . . . place into an irrevocable and non-appealable law a mandatory five years additional prison sentence for any person involved in any type of crime who has a gun in his personal possession, and ten years mandatory additional sentence for any person involved in a crime in which a gun is used as a threat or otherwise. This type of law could also be written so as to include persons with criminal records who might be apprehended on suspicion.

Gun clubs and gun-collecting are part of our American way of life and in accordance with the lettered content of the American Bill of Rights which permits every citizen "the right to possess and bear arms" . . . one of the proudest attainments of boyhood is when a son accompanies his father on his first hunting trip, whether it be for rabbits or a deer, and no where else in the nation or even in the world is family hunting more of a widely appealing sport than here in Minnesota.

Of the nation's 200 million in population, the contemplated hysteria produced gun-control laws would strike at these people—probably some 199 million, five hundred thousand and more. And what is so important, the criminal would find it just as easy to secure a gun as ever and with no deterrent whatsoever.

We lament that the American people at large must bear the mantle of "barbarism, vandalism and murder" from a vindictive few who would discard a bushel of apples because of few rotten ones were found in the barrel . . . we love and admire our nation of peoples and are proud to be one of them. If laws are to be passed to prevent murder or assassination or armed robbery, let's try to strike at the "wrong" people who may handle the guns!

[From the Bird Island (Minn.) Union, July 4, 1968]

TIME FOR CONGRESS TO AIM LEGISLATION AT CRIMINAL

"The farmers are the capitalists of agriculture. This is the most numerous element of the bourgeois class, and the decided enemy of the revolutionary proletariat.

"The revolutionary proletariat must therefore begin immediately to prepare the necessary force for the disarming of every single man of this class.

"The petty urban bourgeoisie, which continually wavers between extreme reaction and sympathy for the proletariat must also be neutralized."

These statements will be found in the Communist book, "Blueprint for World Conquest".

Many people think it couldn't happen here.

However, in the light of the events of recent years, it seems that the necessary force has now been prepared.

The method is simple and direct, they merely cause the people to disarm themselves by the use of violence, riots and assassination of public figures.

There is a great deal of evidence that communists have been involved in many of the riots.

Next comes the pressure to pass gun legislation quickly, amid the confusion.

"Conspiracy" seems to be a word that almost causes hysteria among our public officials, and they must avoid finding a conspiracy at all costs. After the shooting of Senator Kennedy, our Attorney General made his "no conspiracy" report before he even knew the name of the suspect!

Almost all of the proposed gun laws would restrict only those who obey the law and give great advantage to those who do not. In a disarmed community, one man with a gun would have absolute power over everyone.

Gun law proponents all seem to take the view that no one will violate the law by obtaining or using a gun illegally.

Registration is a serious threat because it can so easily lead to confiscation—or tax people to the point where the average salaried worker-sportsman could no longer afford to own a gun. Cook County, Illinois, has been cited by the news media as a terrible example of what people do with guns. However, they failed to mention that this area already has very strict gun laws.

New York City has for decades had very tight gun control laws and a very high crime rate, but in the period of 1950–65, as more and more gun laws were added, the murder rate rose from 294 per year to 702 per year.

This indicates that this type of gun control has the effect of increasing crime by disarming the victims. Congress did reach this conclusion and inserted it in the Congressional Record in 1966.

It is time for our lawmakers to aim some of their legislation at criminals instead of at law abiding citizens, and I believe that people should write their legislators urging them to do so.

REPORT HOME

HON. LOUIS C. WYMAN

OF NEW HAMPSHIRE

IN THE HOUSE OF REPRESENTATIVES

Friday, July 12, 1968

Mr. WYMAN. Mr. Speaker, believing it to be of interest to colleagues and others concerned with reporting to constituents relative to recent developments in the Congress, I am including in the RECORD at this point my latest newsletter to residents of the First District of New Hampshire:

REPORT HOME

LAWS AGAINST CRIME

From any point of view and by any standard, it's time to enforce the laws against crime in this country. Wherever deliberate criminal conduct takes place, it should be met by swift, firm, and certain prosecution. It should be publicly understood that law enforcement officers viewing the commission of serious crime are authorized to act to stop it as well as to arrest. For example, anyone thinking of committing arson, one of the most serious of crimes, should know that he risks his life if he is caught in the act. There has been altogether too much leniency in dealing with the preparation and throwing of fire bombs, popularly referred to as Molotov Cocktails. This is still arson. Recent criminal happenings in the Nation's Capital have included such horrors as a gunman entering a restaurant, ordering six customers to lie on the floor, and then proceeding to shoot them, one by one, for no reason at all. Last week when a police officer attempted to arrest a suspect, he was shot and killed by the suspect. The leaders of one of the Washington organizations urging violence thereupon made a public statement that "the shooting of any cop is justifiable homicide"! This sort of thing, along with deliberate provocation to civil disobedience (which often leads to major crime) must be met by law enforcement to protect the public. It is most unfortunate that the present U.S. Attorney General has backed away from firmness in enforcement procedures. At a time of genuine crisis, brought on by wildly rising crime rates, the Nation needs to have firm law enforcement from the top. It is not getting it from Ramsey Clark and this promises to become a major issue in this Fall's national elections. The courts should help, too, by imposing stiff sentences where justified, as well as by declining to suspend sentences and increasing periods of probationary conduct. At the legislative level, in seeking to discourage the use of guns in crime, I believe the Congress should pass a law to make it a separate crime to use or carry a gun in the commission of crime. Upon conviction of this separate offense there should be a minimum sentence and an express statutory provision that no court may suspend the minimum sentence, nor shall subsequent executive clemency be available with respect to the minimum. With such a law on the books, even the most vicious criminal will think twice before using or carrying a gun in the commission of crime.

FOREIGN AID

The Administration has again requested billions for its annual game of international giveaway, despite our debt, despite the deficits, despite the war in Viet Nam, and despite the urgent need for increased spending on domestic requirements. Some Members of Congress would like to see a moratorium on foreign aid for a year. Some would like to see an end to giveaway foreign aid on a permanent basis. While there are valid arguments for foreign economic aid in the form of loans and foreign military aid for security reasons, I believe taking money from the U.S. taxpayers and giving it away to foreign nations, many of whom have no debt at all and none of whom have anywhere near the debt of the United States, is wrong. I have little sympathy with those who say that since we are a relatively rich country if we don't hand our money around nobody will like us. We have a greater debt than all other countries put together and almost half of it is due to foreign aid giveaway in the past. Few, if any, of the countries we have helped, to the tune of billions (like France), now offer to help us in our hour of fiscal crisis. It makes little sense for this country to increase its deficit for foreign aid giveaway, and I shall continue to vote against international giveaways in the form of foreign aid.

WILL TAXES GO STILL HIGHER?

The 10% tax surcharge (which I voted against) will be effective as of April 1st of this year. Each taxpayer must pay an increase in tax for the three months that have already elapsed. This will be felt in the September withholding period. It was sought to justify the tax increase in the Congress on the ground that for fiscal stability it, plus a spending limitation, would help reduce the deficit, yet the Congress did not make the spending cuts. It left this to the President. Now, the talk is, as I predicted, that the President, if he cuts at all in the few months remaining in his term, will cut in such a way as to leave all of his "Great Society" programs virtually intact. In the meantime, Congress continues to vote more and more welfare handouts, higher pay increases for nearly three million government employees and billions for housing, the last of which alone nearly wipes out the spending reductions. Who is going to pay for all this? You are. How? Either by higher taxes or by devaluation of the dollars that you have worked so hard to save and earn. I have repeatedly urged that, except for war costs, Congress should by law be limited in its spending to the amounts received in Federal revenues. You cannot cut more pieces from a pie than there are materials in the pie. It is wrong to appropriate money that the government does not receive and charge it to the next generation. This dilutes the purchasing power of the dollar, inflates prices, weakens public confidence in our fiscal policy, and invites the prospect of devaluation. In short, this is fiscal irresponsibility of the highest order, and I hope that the people of the United States will demand a pledge of fiscal responsibility from whatever administration they favor to occupy the White House for the next four years.

TV AND VIOLENCE

We are today experiencing an alarming increase in violence in our society. The crime rate has risen astronomically since 1960, and violence is taking place in many of our urban areas where city after city has been beset with rioting, looting and burning. There is indication that a corresponding increase in acceptance of violence by American society is taking place and that a certain amount of public acceptance of the tragic consequences of violence is developing due to its being shown widespread on television.

The Senate Juvenile Delinquency Subcommittee held extensive hearings on this subject in the early 1960's and their interim report, issued in 1965, found that a relationship has been conclusively established between crime and violence on television and anti-social attitudes and behavior among many juvenile viewers. The Subcommittee recommended over three years ago that a large scale study take place on the effects television violence has on American viewers. The study has yet to be undertaken, however. Accordingly, on July 3rd, I introduced a Joint Resolution in the House of Representatives directing the Federal Communications Commission to conduct a comprehensive study and investigation of the effects of violence in television programming and to make recommendations to the Congress for remedial legislation. The expense of such a study is nominal, but the effect it might have on American social attitudes could be substantial and beneficial.

ON THE "LIGHTER" SIDE

The latest solemn pronouncement from the Department of Interior comes from the "whale desk". A departmental regulation has been expressed outlawing the molestation of whales. Specifically, it prohibits the "chasing, molesting, exciting or interfering with any whale." The very last thing I want to accomplish is to either excite or molest a whale, but the regulation made interesting reading and, as usual with Federal regulations, there was a loophole so large one could ride a whale through it. Notwithstanding the specific words of prohibition, the regulation by its very wording makes it possible to do just about anything that occurs to an inventive mind while "hunting, killing, taking, towing, holding on to, or scouting for whales".

The "whale wardens" in the Interior Department have foreseen the possibility that someone not knowing any better might just catch a whale—and appropriate provision has been made for such happenings. Here is what is required if you mistakenly catch one of these apparently unwary mammals: "Whales must be measured when at rest on deck or platform, as accurately as possible, by means of a steel tape measure fitted at the zero end with a spiked handle which can be stuck in the deck planking abreast one end of the whale . . . the tape measure being stretched in a straight line parallel with the whale's body and read abreast the other end of her". It all sounds fishy, but *it is fact.* If you can't tell the "zero end" from the "other end", perhaps it might do well to write the Interior Department—maybe they'll come forth with another regulation clarifying the first.

LEST WE FORGET

The United States combat toll in the bloody war in Viet Nam continues to mount. Not too long ago, we passed the 25,000 KIA (Killed in Action) mark. During the week ending July 6th, 198 Americans were killed, bringing the total number of combat deaths since the President announced his prohibitions on bombing the north to 4,977. This is just during the fourteen-week period from March 31st, the date on which the Johnson-Humphrey Administration announced severe restrictions on targets north of the 17th Parallel. North Viet Nam is gaining much more than we are from the so-called "peace" talks (which haven't been talks at all) in Paris, especially on the field of battle.

UNPARALLELED GAP

HON. CLARENCE D. LONG

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Friday, July 12, 1968

Mr. LONG of Maryland. Mr. Speaker, the Towson Times, edited by John E. Blitz, recently published a thoughtful editorial on one of Maryland's most pressing problems. I would like to share this fine editorial with my colleagues.

UNPARALLELED GAP

Governor Agnew is trying hard these days to create his own credibility gap.

He and State Roads Commissioner Jerome Wolff, for the past week, have been trying to pin a $20,000,000 rap on Congressman Clarence Long. Both have issued statements which accuse the Congressman of costing the taxpayers that much in delays in building the parallel bay bridge. Rising contruction costs, they say will make the final bill higher.

It's time to refresh a few memories. What Congressman Long did was lead a fight to place the question of a parallel bay bridge before the voters. The citizens of Maryland voted against the parallel span. Then against the expressed wishes of the people our state legislators rewrote the bill and approved the project. Somewhere along the line the democratic procedure of this state was short circuited. The people know this and they don't like having an unwanted bridge forced down their throats.

Appearing on television last week, Mr. Wolff said that Congressman Long was the only politician he knew that constantly "ran against a parallel bridge." We can only counter by saying it apparently hasn't hurt the Congressman. Thomas Finan, whom the Tawes Administration backed for governor was defeated in the Democratic primary and one of the reasons was his unwillingness to disassociate himself from the Tawes-John Funk team which initiated the parallel bay span.

This little bit of history should not escape an astute politican like Mr. Agnew but it has apparently. His arithmetic also needs brushing up. He and Mr. Wolff claim that $20,000,000 more will be needed to build the twin bridge. They fail to mention that much of that increase is consumed by an additional third lane and two more interchanges which his administration incorporated into the planning.

We don't think the voters have been fooled by this ploy of partisan politics. Just as they haven't been fooled by the Agnew administration's attempt to combine the financing of a second harbor tunnel with the financing of the parallel bay bridge. Nothing is going to sweeten the bitter pill taxpayers of the Baltimore area have had to swallow.

Nor do we think that the recent toll changes have slipped unnoticed by the voter. They have watched the tunnel rate go up and the bay bridge rate remain the same and they will remember.

ASSISTANCE FOR MEXICAN-AMERICAN CHILDREN

HON. JOHN V. TUNNEY

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, July 12, 1968

Mr. TUNNEY. Mr. Speaker, the House recently refused to appropriate funds to carry out the bilingual education program. The bilingual education program, which I was pleased to cosponsor, was added to the Elementary and Secondary Education Act last year. This highly imaginative program is designed to meet the special educational needs of large numbers of children of limited English-speaking ability. This vital program would provide financial assistance to local educational agencies to develop and carry out new elementary and secondary education programs designed to meet these special educational needs.

This program would help to impart to students a knowledge of the history and culture associated with their languages and will hopefully establish closer cooperation between the school and the home. Efforts would be made to improve the potential for profitable learning activities by children and also to provide adult education programs for their parents.

Many Mexican-Americans lag seriously behind in education, jobs and income. They have been displaced from their farming and laboring occupations of the past and are among the hard-core unemployed in many areas. They are not adequately prepared, through no fault of their own, to move into new employment occupations. Automation and technological change is having a particularly severe affect on our Mexican-American population. Statistics show that over 50 percent have not gone beyond the eighth grade.

Our Nation has the responsibility to provide within its educational systems opportunities for Mexican-American graduates to enter the field of education as teachers and administrators. The bilingual education program will help to reduce the number of Mexican-American children who are actual or potential dropouts. The program will hopefully give children who speak a foreign language an equal opportunity for advancement.

The most promising method of insuring the economic and social progress of the Mexican-American community is adequate education. With education comes the hope of new and better opportunities for self-improvement. The bilingual education program would hasten the day when all Americans have an equal opportunity to help themselves.

However, if funds are not appropriated the bilingual education program can benefit no one. It was the poorest type of economizing to cut the funds for this program. We cannot afford to economize with our children's education.

I am introducing legislation to appropriate funds to the Office of Education to carry out the Bilingual Education Act. To deny this minimal assistance to Mexican-American children is a travesty of justice. I urge my colleagues to take immediate action to reverse the recent cutback in funds to aid Mexican-American children.

STEEL PICTURE LOOKS GLOOMY

HON. TOM BEVILL

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Friday, July 12, 1968

Mr. BEVILL. Mr. Speaker, the trend of importing more and more foreign steel into the United States each year disturbs me greatly. It disturbs me particularly because of the effects excessive imports are already having on major southern steel producing areas of Birmingham and Gadsden, Ala. I refer to our southeastern area, but the same effect can be observed in other steel-producing areas of our Nation.

Alabama will be severely hit if foreign steel imports overpower our steel industry with cheap steel. Alabama is the South's biggest steelmaking State.

At this time I insert in the Extensions of Remarks of the Record an editorial published recently in the Gadsden Times, which very succinctly, I believe, focuses attention on the urgency and importance of this problem, and the need for restricting steel imports. I commend this article to the attention of all my colleagues, as follows:

Steel Picture Looks Gloomy

Steel mills throughout the nation are viewing with gloom the second half of 1968.

The producers expect sizable customer reduction to follow the current strike-hedge buildup. The Wall Street Journal says.

Imports in the first five months of this year ran 56 per cent ahead of those for the like 1967 period.

And the steel companies foresee a continued big inflow of foreign steel later this year as a business depressant.

It doesn't take a lot of figuring to come up with an overall picture that is, quite understandably, gravely disturbing to the industry.

An analyst for one of the major mills in the country has revised upward his estimate of 1968 imports, saying instead of an earlier figure of 17 million tons, it is expected to be near 18 million. The 1967 import was 11.5 million tons.

Domestic steel shipments, by most analysts' estimates, will be between 92 million and 94 million tons. Of this amount, as much as 70 per cent will be moved before the basic steel industry's contract with the United Steelworkers of America expires on Aug. 1.

It is anticipated by one mill that the average monthly shipments will tumble from 9.1 million tons to about 5.9 million in the last five months of the year.

The possibility of a strike and other factors add up to an outlook that is far from encouraging.

This is another instance where the answer to a staggering problem could come from Capitol Hill.

RECREATION AREAS

HON. HASTINGS KEITH

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Friday, July 12, 1968

Mr. KEITH. Mr. Speaker, in a noteworthy article which appeared in the Christian Science Monitor on July 10, 1968, Robert Cahn pinpointed the problem which has plagued not only the Park Service, but residents of Cape Cod and their Representatives in Congress since the Cape Cod National Seashore was first considered. That problem is this: "How to fit time-honored Park Service conservation policies to a new concept of areas managed primarily for the beach-and-outdoor 'physical' recreation needs of nearby urban masses."

Since I first began working on the Cape Cod National Seashore concept, in my first days as Representative from that narrow elbow of dunes, marshes, bogs, and beaches, conservation has been my major concern. When Congress authorized the seashore in 1961, we specified that the Secretary of the Interior could allow development of portions of the seashore for recreation, but not at the expense of the unique fauna and flora. Cape Codders are keenly aware of the narrow line that separates emphasis on conservation from emphasis on recreation—and they have been virtually unanimous in urging me to protect the original intent of Congress and limit the recreational uses of the seashore.

Mr. Speaker, Robert Cahn has done an outstanding job of analyzing the various factors at work causing the current dilemma of recreation needs versus conservation needs. Under unanimous consent I place his article, "Recreation Areas: A New Dimension," in the Record at this point:

Recreation Areas: A New Dimension

(Note.—Park officials ponder how to reconcile new policies with old concepts. Demands for recreational facilities increase. But too much emphasis on water skiing and beach buggies could ruin the idea of a park area as a place for quietly communing with nature.)

(By Robert Cahn)

Cape Cod National Seashore, Mass.—At this comparatively new area of the United States national park system, a visitor can take a ranger-guided nature hike in the sand dunes, walking along some of the marshes, beaches, and woods that so enthralled Henry David Thoreau a century ago.

Or the visitor can drive a "beach buggy" across the dunes, fish from the public beaches, swim in the Atlantic, hunt deer (in season), and cycle along bicycle trails near the ocean.

In short, the Cape Cod National Seashore attracts both those who seek active physical recreation and those who seek to commune with nature.

And thereby hangs a problem for the National Park Service: how to fit time-honored park service conservation policies to a new concept of areas managed primarily for the beach-and-outdoor "physical" recreation needs of nearby urban masses.

Most of the new park areas (other than historic sites) authorized by Congress in the Kennedy and Johnson administrations have been national seashores, lakeshores, and recreation areas close to large urban centers. Each was selected for a special feature—for the most part proximity to a seashore, large lake, or reservoir.

These areas do not need to have the unique scenic elements required of a national park (although many do possess great unusual natural values). And activities banned in national praks—such as hunting, commercial logging, spectator sports, use of houseboats—are allowed at some of the recreation sites.

The predominant requirement is that the area offer visitors an active recreation experience which transcends that normally associated with parks provided by state and local governments. The area also should be adequate for interstate or regional use.

The new national recreation sites meet a need for many Americans unable to travel long distances to national parks (most of which are in the West), or who really seek a beach or active recreation type of outing. In theory (though not yet borne out in practice), the new areas should relieve congestion in crowded national parks.

One negative factor is that the increased emphasis on physical recreation and the expansion of the Blue Ridge and Natchez Trace Parkways (which receive one-tenth of the total use for the more than 250 park service areas) have drained needed personnel from the purely nature parks. Much of the manpower previously applied to protecting resources or interpreting natural values in national parks and national monuments must now be devoted to such services as lifeguard duty and highway or boating control.

Another difficulty is confusion within the park service and among the public as to where the National Park Service is headed.

"We are beginning to color our whole national park system with the introduction of more and more of these recreation areas," comments author Freeman Tilden, an authority on the national park system. "I'm not against recreation areas. They are needed. But if people get oriented to the physical recreation concept of national parks, and not to the view of the parks as places where they find their relationship with nature, it could be disastrous to the best use of national parks."

PRESERVATION ALWAYS A TASK

An even more pressing problem is preservation of the outstanding natural resources that exist in some of the recreation areas. Developing a site for extended mass recreation may destroy or damage much of what makes the area worthwhile.

Cape Cod is a classic example of the good and the bad, the promise and the problems of a national park service recreation area.

Most of the "lower" cape from the elbow at Chatham to Provincetown still has uncluttered marshes, ponds and beaches, birds and bogs for the avid follower of Thoreau. This is due in part to the establishment of the Cape Cod National Seashore.

Protections were written into the Cape Cod authorization law of 1961. The Secretary of the Interior could allow development of portions of the seashore for swimming, hunting, fishing, etc.—recreation needs of the city dwellers—but not at the expense of the unique flora and fauna.

It is too early to pass judgment on the Cape Cod National Seashore. The park service development program so far has been minimal. More than half of the private land within the boundaries has yet to be acquired. And the masses from the cities have been slow to invade.

In a visit to Cape Cod last fall, however, I found park service officials facing the same problems that confront their colleagues in national park system areas around the United States. It was a time of decisionmaking, of placing limitations on use before it was too late.

Beach buggies and dune buggies were tearing plant cover off the sand dunes, bulldozers were carving out added beach facilities, and blacktop was being poured for parking areas. One of Thoreau's choice spots now sported a black-topped bicycle trial. New roads were being plotted to the beaches.

By themselves, these activities appeared to be reasonable and in keeping with the primary mission of the national seashore. They would allow millions of visitors to enjoy recreation opportunities in areas previously inaccessible.

But, ask the conservationists, what price is being paid in permanent destruction of the natural values?

Take the beach-buggy problem. These "over-sand" vehicles are allowed on the beaches when used for fishing. But owners have adapted jeeps or other types of transport into camping vehicles. They bring their families for vacations right on the dunes. And every day of such use impairs the beach vegetation and opens the way for erosion. Also, having no sanitation facilities, the beaches are beginning to evidence a pollution problem.

This summer, a new rule has gone into effect at this national seashore; it limits use of any one spot to 72 hours, to eliminate permanent summer camps. New "over-sand" routes have been staked out, and beach or sand buggies are allowed only along those routes. Also closer supervision insures that all vehicles staying overnight carry self-contained sanitation facilities.

No new public campgrounds have been allowed in the Cape Cod seashore. The four privately owned campgrounds outside park borders are filled to capacity during the entire season.

DECISION FACED IN DELAWARE

With use of the area expected to rise dramatically when the four-lane, Mid-Cape Highway is extended to the lower cape, authorities will have to decide soon whether to provide park service campgrounds within the park area or possibly establish a large camping facility on the mainland at the base of the cape.

The park service faces another basic planning decision at its newest recreation area in the East, the Delaware Gap Recreation Area voted by Congress in 1965. Situated on the Pennsylvania-New Jersey border straddling the Delaware River, the area puts 47,000 acres of land and a narrow 37-mile lake within easy reach of 30 million people in the New York-Philadelphia sector.

Delaware Gap is not ready for use because Congress has not appropriated funds to buy enough of the privately owned lands to establish a park entity. But when the land is purchased, the park service will have to decide what types of recreation to develop.

National Park Service director George B. Hartzog Jr. is struggling with this question as the area's master plan lies on his desk awaiting approval.

"There is a great demand for camping," Mr. Hartzog told me. "But I'm not going to cover that 47,000 acres with campgrounds just to satisfy demand. We have to be selective. Maybe we should rule out public campgrounds, and place our emphasis entirely on organized youth camping at a few places. We could let private enterprise or other agencies of government provide overnight accommodations outside the park."

Another type of problem effects Fire Island National Seashore. The new area, authorized in 1964 on the small barrier island near New York City, has yet to acquire enough land to become a cohesive unit. And every year pressures are exerted to have a road built along the island's 32-mile length. Such a road, linking bridges at either end of the island, would ruin the area's natural quality, although it would substitute a highway of great scenic value.

The two largest recreation areas in the national park system are in the West—using the reservoirs behind Colorado River dams at Boulder City, Nev., and Page, Ariz.

The 1.9-million-acre Lake Mead National Recreation Area draws heavily from Los Angeles area residents, who take the 300-mile travel distance in typical California stride.

More than 4 million visitors used Lake Mead last year, enjoying the boating, fishing, and water-skiing. But this huge influx overtaxed camp sites and facilities and caused noticeable—though not dangerous—pollution.

The 1.1-million-acre Glen Canyon National Recreation Area in Arizona and Utah has opened up to boat travel some of the most beautiful wild country in the West. Ardent conservationists feel, however, that the wilderness quality was lost forever when Glen Canyon Dam was built and the waters backed up to form Lake Powell along what was once 186 miles of wild Colorado River and hundreds of picturesque side canyons.

The questions now are: How much development should be allowed in the way of campground, or botels or boat marinas? How much will the new fad of houseboats on the lake contribute to further loss of wilderness value? And, what, if anything, could or should be done about the expanding recreation?

At Glen Canyon I learned from superintendent William Briggle that the use explosion had occurred in the last five years—from 9,000 visitors in 1962 to 390,000 in 1967.

Traveling by boat over part of Lake Powell, I noticed few other craft on the vast lake. When National Park Service guide, naturalist Normal W. Salisbury, said we could find visitors camping at any of the hundreds of canyons shooting off from the lake, I picked one at random and challenged him to produce.

As our boat plied Rock Creek Canyon, its towering walls alternately narrowed and expanded; its sandstone cliffs were sometimes close enough to touch. After two miles, naturalist Salisbury was about to admit defeat when the canyon suddenly widened into a box end.

On the shallow beach—two boats and two tents.

The Emmet Lowry and John Hiserodt families from Redlands, Calif., on vacation miles away from the sounds and sights of their city, were having what was to them a wilderness experience. They were camping out, cooking meals over a campfire, taking hikes, and exploring other canyons by boat. Their children, in addition to swimming and exploring, were doing some water-skiing.

VIEWS OF WILDERNESS DIFFER

Water-skiing is allowed, of course, in a recreation area. But the very mention of it brings shudders to conservationists who recall Glen Canyon as the great wilderness explored on foot and by raft by John Wesley Powell and left in its wild natural state until Lake Powell was formed.

Lake Powell National Recreation Area also brings cheers or tears—depending on one's viewpoint—for making Rainbow Bridge National Monument accessible to recreationists.

Until the lake was formed, this famed natural arch—309 feet high and 278 feet across—was seen only be a few hardy persons willing to ride the wild Colorado and hike up a canyon, or else come down 14- or 24-mile trails. Now Lake Powell backs up to within a mile of the arch, and tourist boats arrive daily from Wahweap near Glen Canyon Dam. Last year, Rainbow Bridge had 22,000 visitors.

On my visit to Rainbow Bridge, I noted a marked difference in the ways a visitor can approach this world-famous natural wonder. One way is to arrive by sightseeing tour boat, hurry over the one-mile trail gulping down a sandwich, have a two-minute glimpse of the monument, and scurry back down the boat landing.

Another way, as evidenced by farmer Herman Beebe and his wife Gretchen, from Center Point, Iowa, is to pack-in by horseback the 24 miles from Navajo Mountain.

"I've wanted to come here for 20 years—it's been a dream of mine," Mrs. Beebe told me. "This year when we had planned it, I know it was possible to come by boat. But we decided to make it the difficult way. They say these things mean more when you work for them. It was really worth it to see it this way."

DORSEY HARDEMAN—A TEXAS STATESMAN

HON. J. J. PICKLE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Friday, July 12, 1968

Mr. PICKLE. Mr. Speaker, one of the most forceful lawmakers in Texas, State Senator Dorsey Hardeman, of San Angelo, has left public service after more than 30 years of unparalleled legislative service as a public servant.

A controversial, colorful, witty, and dedicated figure in Texas government, Senator Hardeman is a distinguished American. He is the best recognized legal expert in the senate of the State of Texas on constitutional matters we have ever had. The senate literally revolved around Senator Hardeman.

Shortly prior to the adjournment of the Texas Legislature earlier this month, he was honored by his colleagues in the senate through the adoption of Senate Resolution 263.

I think the resolution shows and expresses the esteem which is held for him by the members of that august body and I would like to call it to the attention of our colleagues by inserting it at this point in the RECORD:

SENATE RESOLUTION 263

(By Messrs. Aikin, Bates, Bernal, Berry, Blanchard, Brooks, Cole, Creighton, Harrington, Harris, Hazlewood, Herring, Hightower, Kennard, Mauzy, Wilson, Grover, Jordan, Schwartz, Hall, Watson, Christie, Connally, Moore, Patman, Ratliff, Reagan, Strong, Wade, and Word.)

Whereas, When the year 1968 is adjourned sine die, the Honorable Dorsey B. Hardeman, able senator from San Angelo, will depart the Texas Senate 30 years after beginning his memorable and unparalleled legislative service to the people of Texas; and

Whereas, This distinguished senator is without peer in the memory of his colleagues, and stands with the tallest in statesmanship, ability, and integrity; and

Whereas, Dorsey B. Hardeman was born in 1902 in Henderson, Tennessee, the son of the late N. B. Hardeman, noted Church of Christ evangelist and educator and the late Mrs. Joanna Tabler Hardeman; he was graduated with a law degree from Vanderbilt University and subsequently served as Assistant Attorney General of Tennessee from 1929 to 1930; and then in December 1932, he moved from the Pulaski Post Office neighborhood to begin his great love affair with the State of Texas when he arrived in San Angelo, the city where he has since resided with his wife Geneva and sons, Mark and Bryan; and

Whereas, Poor health forced him to leave his native state, his doctors having advised him that a fatal malady condemned him to a life of brief duration; his presence here today is living testimony both to the salubrious climate of West Texas and to the ancient quotation that "only the good die young"; and

Whereas, In biographies of famous Tennessee immigrants to Texas, including David Crockett, Sam Houston, and Sam Rayburn, the one common trait is a great and abiding love for their adopted land; so it is with Dorsey Hardeman and Texas: his courtship of the Lone Star State actually began with his deep affection for the city he claimed as his own, San Angelo, where his love was manifested by civic activities and leadership, bringing about his election as mayor only four years after his arrival there; and

Whereas, That big heart of his, soon encompassing all 262,840 square miles of the entire state, he resolved to serve in the Texas Legislature; in 1938, just six years after buying his first Texas hat and wearing his first spurs, he was elected to the Texas House of Representatives, his initial term in the 46th Legislature, convening in January 1939; and

Whereas, The only interruption of his legislative tenure came shortly after the outbreak of World War II, when he resigned to enlist as a private in the United States Army; he was discharged with the rank of captain and within a few months was elected to the Texas Senate, serving continuously in this distinguished body since that time and writing more law than any other single legislator in modern times; and

Whereas, The pages of the Senate Journal on the March 2nds of odd-numbered years crackle and roar with accounts of the victories of the Texans over the Mexican forces, as recounted and interpreted by the Senator from Tom Green, and because of his insistence, the Texas Declaration of Independence is read in the Senate every March 2nd, and the Confederacy's accomplishments are noted because Senator Hardeman insists on observing the birthdays of Robert E. Lee and Jefferson Davis; and

Whereas, The chamber of the Senate will not soon ring out with edifying, flamboyant prose and poetry that characterize Senator Hardeman's orations as he illustrates his speeches with the wisdom of the ages; and

Whereas, This outstanding legislator is a brilliant lawyer with the sharp wit and endurance that would do credit to Sam Houston, one of the San Angeloan's heroes, who, like Hardeman, boasted a Texas-Tennessee heritage; Senator Hardeman's knowledgeable hand has guided Texas conservatives to many victories in the upper house, his foes and advocates alike respecting his resourceful leadership, his ability to probe to the root of an issue and define it, his boundless knowledge of constitutional law, and his true scholarship in history, Texas, Confederate, and American, which has elevated him to honorary life membership in the Texas State Historical Association; the Distinguished Service Medal of the Texas Heritage Foundation in recognition of "Distinguished Meritorious Public Service in Preserving the Texas Heritage," the Sons of the American Revolution; Sons of the Republic of Texas; Order of the Knights of San Jacinto; Sons of Confederate Veterans; and many other worthy orders of state and military service; and

Whereas, Through the years as with all great men, he has acquired his share of enemies by his relentless and devastating opposition, but in letting "the devil take the hindmost," he has gained supporters, steadfast and admiring; and has always been one to awake a woolgathering senator; and

Whereas, Senator Hardeman, one of the two last officeholders from the ranks of the "immortal 56" of the House of Representatives who thwarted Governor O'Daniel's transaction tax plan in 1939, has presided over most of the major Senate committees many times, currently chairing the Senate's State Affairs Committee and serving as Vice-Chairman of the Finance Committee; his leadership having directed the Jurisprudence Committee through many legislative sessions and interims; and

Whereas, In closing his legislative career, the senator from Tom Green has once again nailed hides to the barn door as the successful sponsor of the Senate (and House) version of the tax bill of 1968; and

Whereas, He frequently differed with those in high places, he put aside all personal grudges when principle was involved; and

Whereas, His leadership in revising the Code of Criminal Procedure was so successful that he passed it through two regular sessions, declaring that the first time was just for practice; and

Whereas, The lawbooks of Texas bear the footprints of the famous "clarifying amendments" by the Senator from Tom Green, this guardian of democracy often offering "helpful, corrective amendments" to many bills during debate, and it is generally known that good strong bills can stand one Hardeman amendment, but never two; and

Whereas, Angelo State College joined the names of state colleges through the persistance, perseverance, and perspiration of Senator Hardeman; and the college's creation led to allegations that the statesman was forced to become a politician; and

Whereas, Through the years he has been a constant target of the Fourth Estate, but proudly wears his wounds as a badge of defiance to compromise and intimidation, reminiscent of the soaring eagle being downed by predatory buzzards or, more appropriately perhaps, of the magnificent King of the Jungle being nipped at the heels by the hungry and yapping jackals; his feud with the press is best remembered by his classic statement in the 59th Legislature: "I don't know which is going to ruin us first, communism, socialism, or journalism," the validity of which remark the Senator from Tom Green humbly admits will be determined only by history; and

Whereas, Each of us recognizes that the Senator from Tom Green is living testimony to the truth of the late John F. Kennedy's credo of political life in which he said, "The credit belongs to the man who is actually in the arena, whose face is marred by dust and sweat and blood . . . who knows the great enthusiasms, the great devotions; who spends himself in a worthy cause; who at the best knows in the end the triumph of high achievement, and . . . if he fails, at least fails while daring greatly, so that his place shall never be with those cold and timid souls who know neither victory nor defeat"; and

Whereas, With this Resolution, all animosities are hereby declared null and void, all old wounds between Senator Hardeman and colleagues are well healed and forgotten, the hearts and minds of his 30 fellow members in the Senate are united in expressing affection, esteem, and respect for him; now, therefore, be it

Resoved, That the Senate of the 60th Legislature, 1st Called Session, hereby honor Dorsey B. Hardeman and certify him a true giant of the Texas Senate, a statesman whose contributions and service will live forever in the history of this state; and be it further

Resolved, That this distinguished Texan, this proud Southerner, this great American, the only Democrat whose party membership card bears the signature of the President of the United States, leaves us, his colleagues, with the knowledge that our affection and friendship for him are undimmed and that his image will retain its own special luster as a timeless inspiration.

PRESTON SMITH,
Lieutenant Governor,
President of the Senate.

Attest:

CHARLES SCHNABEL,
Secretary of the Senate.

THE "PUEBLO" CALLUP AND THE AFTERMATH

HON. DURWARD G. HALL

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Friday, July 12, 1968

Mr. HALL. Mr. Speaker, approximately 150 days ago over 15,000 Air Force reservists, Air National Guard, and Naval reservists, were called to extended active duty by the President; implying the use of force if the *Pueblo* and her crew were not released by North Korea. It now appears that the "call-up" was more a public relation "gimmick," than the result of any concerted try to gain the release of the *Pueblo*, by one means or the other. As a result thousands of reservists have had their family lives, careers, and education disrupted for no apparent cause. Sgt. Robert A. Levy Ph. D., a member of the 113th Tactical Fighter Group at Andrews Air Force Base, Md., recently addressed an open letter to the President, the Congress, and the Department of Defense. It is clear to anyone that reads this letter that Sergeant Levy is no "peacenick." He is a patriotic American who joined the Reserves, and who recognized his responsibility when he enlisted. It is indeed unfortunate that President Johnson does not recognize his responsibility. Under unanimous consent, I include Sergeant Levy's letter at this point in the CONGRESSIONAL RECORD:

SILVER SPRING, MD.,
July 1, 1968.

AN OPEN LETTER TO THE PRESIDENT, THE CONGRESS AND THE DEPARTMENT OF DEFENSE

I am writing as a member of the 113th Tactical Fighter Group at Andrews Air Force Base, Maryland. Approximately 150 days ago, presumably in response to the Pueblo crisis, we were called to active duty on 36-hour notice along with 15,000 Air Force Reservists, Air National Guardsmen and Naval Reservists. According to *The Air Force Times*, this mobilization is presently costing the government at the rate of $10 millon per month. Thus, if the callup remains in effect for two years (the maximum period allowable by law), the taxpayer will have borne an expense of one quarter of a billion dollars. Furthermore, this amount excludes the social and economic costs of the significant reductions in personal income experienced by 15,000 individuals, the resultant decline in Federal and State tax revenues, the loss of productive output from 15,000 civilian jobs, the interference with careers and college educations, and the disruption of family lives and relationships.

Since these matters are obviously of some consequence, it is important that the public be informed of the tragic circumstances surrounding this reserve activation. Regrettably, I must report that we have accomplished absolutely nothing during more than five months of active duty. Unnecessarily and unforgiveably we are being required to make substantial sacrifices in order that we may waste our own time and our public resources. Morale deteriorates daily; frustration and disenchantment grow steadily; motivation and incentive simply do not exist. Yet we are retained in this unbelievably demeaning environment, virtually helpless to affect our own status.

The reserve forces are not composed of individuals attempting to avoid military responsibility. In fact, even excluding callups such as the present one the average reservist over the course of his six-year enlistment will spend about 15 months on full-time military duty. We are not malcontents; we are willing, indeed eager, to serve our country; and we most definitely are not seeking to excuse ourselves from the moral obligation and legal commitment which we have agreed to undertake. Even when our time is usurped, our educations and careers are interrupted, and our financial well-being is seriously threatened, we would ordinarily accept these events as risks to which we were voluntarily exposed when we signed up for reserve military service. But we do question the necessity of this mobilization; and we do wonder why on 36-hour notice we are forced to abruptly change our daily lives, make the major sacrifices associated with military activation, and then find ourselves thrust into a "hurry up and do nothing" atmosphere which so blatantly misuses our energies and capabilities.

Unquestionably, our sacrifices are relatively insignificant when compared to those of half a million servicemen in Vietnam. Nevertheless, our sacrifices are real and important in the absolute; they create serious and difficult problems for us personally; and they impose upon the parties responsible an obligation to insure that the benefits realized justify the individual and public burdens incurred.

In July 1966 I enlisted in the 113th Tactical Fighter Wing (District of Columbia Air National Guard). I had, of course, examined an extensive volume of recruiting literature; and I had read numerous statements such as the following which appears in an Air Force brochure: ". . . [T]he Guard is composed only of units. It has no pool of individuals. In the Guard, you are assured of being with your buddies for summer training or for any other duty for which it might be called." Notwithstanding this clear statement of policy, we are in fact being assigned *as individuals*, thus making a mockery of "unit integrity" and prompting the *Air Force and Space Digest* to publish the item below under the title "Demolition of a Good Unit":

"Losses in combat units are not all incurred in combat. Some are lost to bureaucratic planners who don't understand the lasting impact of some of their decisions. The latest such casualty is the 113th Tactical Fighter Wing (DCANG) which was recalled on short notice in January, supposedly to do battle against the Communists. From then on indecision reigned as to what to do with the unit. After several abortive attempts to move the unit intact, someone made the decision to break up the wing, using part of it as a training organization, and making the remaining personnel available as fillers.

"For years it has been the announced policy of the Air Force to organize and train Reserve Forces units 'to be used as units.' This phrase has been incorporated in several pieces of legislation and many DOD and Air Force directives. Reserve Forces recruiting brochures carry the promise: 'Train with your buddies, fight with your buddies'."

Those of us designated as surplus support personnel remain at Andrews Air Force Base. Our daily routine (officers as well as enlisted men) consists of reading magazines and newspaper, listening to the radio, playing cards, organizing and participating in chess tournaments, visiting the base gymnasium, pitching horseshoes and taking coffee breaks. Never have I seen human resources so tragically misallocated. Never have I experienced conditions so calculated to destroy the human spirit.

Of course, the Pentagon is not totally unaware of these conditions. Colonel Mervin G. Getty, Deputy Chief of the Plans Group at the Pentagon, has responded to numerous Congressional inquiries with a form letter stating in part: ". . . [T]he intervening time since the January mobilization has permitted the Air Force to review and refine its overall [personnel] requirements with a care that was not possible at the time of the 'no-notice' January mobilization. It now appears that some supporting elements of the groups called up at that time are no longer needed. We are re-examining this matter and expect to recommend to the Secretary of Defense, in the near future, that a certain number of support units, with assigned personnel, be released from active duty."

The latest of these letters from Col. Getty was mailed, to the best of my knowledge, on June 10. Only two weeks later, on June 24, some of our people were receiving notice that they are to be sent to Southeast Asia on or about July 15. Thus were the conclusions of a 5-month re-examination of Air Force personnel requirements reversed in less than 14 days. Moreover, the reporting date of July 15 is certainly not in compliance with an Air Force regulation providing for at least 60 days notice of a change in duty station; nor is it consistent with the 150 days of total inactivity experienced up to the present date.

Is there no end to the inequities to which this unit will be subjected? Is there no respite from this terrible mismanagement of hundreds of real living persons? We are tired of indecision; we are weary of rumor-mongering; we are distraught with being treated as pawns in a political chess game (as witness the publicity accompanying Patrick Nugent's transfer to our wing enroute to Vietnam); we are sick about the anxieties caused our families and friends.

Finally, we are convinced that we are not, and will not be, serving any useful purpose by continuing on this tour of active duty. The Air Force has made a drastic mistake, and now refuses to admit to the fact. There can be no solution in further make-work schemes; great damage has already been done. Assigning us to some obscure corner of the world will not cause us to regain respect for the military, nor encourage us to cease our criticism of those responsible for this unspeakable situation. There is only one equitable course of action to compensate for this chronology of injustice—release us from active duty, permit us to return to our families, our education, our businesses and careers.

Respectfully,

Sgt. Robert A. Levy.

[The writer, in civilian life, is President of Computer Directions Advisors, Inc., a firm specializing in the application of computers to the stock market. He received his Ph. D. from The American University in 1966, at the age of 24. Dr. Levy is the author of a recently published book and more than a dozen articles in academic and professional journals.]

TRUCKS ARE BIG ENOUGH ALREADY

HON. WILLIAM S. MOORHEAD

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Friday, July 12, 1968

Mr. MOORHEAD. Mr. Speaker, I strongly oppose pending legislation (S. 2658) to increase the weight and width limitations on trucks using our interstate highways.

This legislation would allow trucks with as many as three trailers, each 8½ feet wide, to carry as much as 69 tons at speeds up to 70 miles an hour. Besides constituting a greatly increased hazard to the safety of automobile drivers using our interstate highways, trucks this wide and heavy would greatly increase the cost of maintaining and reconstructing these national roadways.

Supporters of this legislation argue that it pertains only to the use of interstate highways, and that it will be up to the States to determine weight and width limits for other roads.

This contention ignores the fact that trucks must use these other roads to reach the Interstate System. The trucking lobby will use this bill as a lever to force State legislatures to lift weight and width limitations to the interstate levels.

This will mean that the States, cities, and counties must again increase highway and bridge construction outlays to serve a special interest industry that has never paid its fair share of highway costs.

Increased truck weights raise the particularly critical question of bridge safety. There are more than 500,000 bridges in this country, and it is a fact that with the exception of the Interstate Highway bridges and a few others, none were designed to carry even existing volumes and weights of traffic, and certainly not the weights this bill would authorize.

The U.S. Department of Transportation has estimated that it will cost $2.8 billion to upgrade or reconstruct older highways and bridges if every State allows the limits in this bill. I feel that the bill should not be passed until enactment of new taxes on heavy trucks to pay for the increased maintenance and construction costs they will make necessary, and until all roads and bridges have been made safe for such trucks.

American citizens have invested $232 billion in their highways. Passage of this legislation may seriously jeopardize this investment and make much of our highway system obsolete. I urge my colleagues to join with me in voting against S. 2658 when it reaches the floor.

Under leave to extend my remarks, I insert at this point in the Record two excellent editorials pointing out the great dangers in S. 2658. The first editorial appeared in the Pittsburgh Post-Gazette of July 8, the second in the Pittsburgh Press of July 12. The editorials follow:

[From the Pittsburgh (Pa.) Post-Gazette, July 8, 1968]

New Drive by Truck Lobby

The American trucking industry, never satisfied with its huge stake in the nation's highways, is again pushing Congress to allow new truck sizes and load limits which would further increase dangers to auto drivers and highways.

The House Public Works Committee has just reported out Senate Bill 2658. This big truck bill is due to go to the House Rules Committee today, with expectations that it will be voted on by the House before adjournment this summer. The measure would raise the weight limit on interstate highways for a tandem axle truck from 32,000 to 34,000 pounds, increase the weight for a six-axle rig from 73,280 pounds to 88,000 pounds, and authorize the widening of trailers from 96 inches to 102 inches.

The industry insists that S. 2658 would allow states to decide whether to soften present regulations. But who would doubt the lobby's ability to effect the changes? In 1956, Congress wrote into the federal-aid highway act a freeze on vehicle sizes and weights for the Interstate and Defense (military) Highway System. In 1964, the U.S. Bureau of Public Roads suggested revised standards—which the trucking lobby is now seeking to establish. Pennsylvania already has single and tandem axle weight limits in excess of the proposed limits, but if the bill becomes law there would be a new move here to widen trailers by six inches.

Trucks are already road hazards and increased weights and sizes will only compound the danger. The independent Bureau of Motor Carrier Safety has found that four out of every 10 commercial vehicles (trucks) selected by it for inspection were ruled out of service, mainly for brake defects. The Bureau also reports that truck drivers are violating driving time limits in growing numbers.

Another problem of increased truck weights would be the added pressure on highway bridges. The industry says that gross weight increases will not cause excessive wear or damage. Yet the American Automobile Association has found in a recent survey that more than two-thirds of the bridges on defense routes in 38 states and the District of Columbia are already inadequate for today's heavy truck traffic.

The threat of increased hazards for motorists and of faster deterioration of highways should cause Congress to question these new demands by trucking interests.

[From the Pittsburgh (Pa.) Press, July 12, 1968]

FREIGHT TRAINS—NO RAILS

If you drive a normal-sized vehicle on the public highways, prepare to be awed. If not scared.

Congress is in the process of legalizing highway freight trains.

According to the report of the House Public Works Committee, which has cleared a new truck-weight bill for House action, box cars on tires up to 69 tons would be permitted on the Interstate Highway System.

Four committee members who voted against the bill (already passed by the Senate) said they had some doubt whether even the 69-ton limit would be effective.

The bill not only raises the weight limits, but increases width limits and would permit triple-trailer trucks.

The Public Works Committee rationalizes this startling increase in roadway giants by claiming "beneficial effects on the economy" and vaguely suggesting that "savings" from the use of huge trucks might be passed along to customers and "work to the advantage of the public in general."

We are much more impressed by the minority report, which points out that the bill carries no new taxes or charges for these behemoths of the beltway, altho the Federal Budget Bureau said increased user charges were an "essential complement" to the higher weight limits.

The Budget Bureau said the bigger trucks would raise the costs and reduce the life of highways. The Public Roads Bureau director said such trucks would "overstress" the bridges on the Interstate Highway System by 32 to 36 per cent.

This legislation, the minority committeemen said, was opposed in testimony before the Committee by the American Association of State Highway Officials, the American Automobile Association, the U.S. Conference of Mayors and by many state highway departments.

All this was ignored by the majority of the House Public Works Committee, just as it was ignored by the Senate.

So, if the House approves the bill, the taxpayers will be stuck again, highways will deteriorate faster than before and the autoist—well, if some of the monsters now on the roads make him nervous, wait until these new freight trains roar up behind him!

If you're concerned, let your Congressman hear from you.

EX-SCRANTONIAN WINS "OSCAR" FOR SHORT FILM

HON. JOSEPH M. McDADE

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Friday, July 12, 1968

Mr. McDADE. Mr. Speaker, each year the Nation watches with considerable interest the ceremony known as the academy awards. As all my colleagues know, this is the night during which the highest awards of the motion picture industry are distributed to the talented directors, producers, actors, musicians, and a host of other professions connected with the motion pictures.

This year, the whole city of Scranton watched with particular pride as one of our own sons, Mark Harris, received the Oscar for writing and producing the best documentary short subject film, entitled "The Redwoods."

I have known Mark's family for many years. His father, Norman Harris, is a distinguished attorney practicing in the city of Scranton. His mother is a delightful and lovely lady, who is justly proud of her distinguished children. His sister, Rachel, has recently been graduated from Wellesley College, will enter the graduate school at Brandeis University in the fall.

Mark, himself, has added a new distinction to the family name. He joins Ned Washington and Ralph Levy as a Scrantonian who has received an Oscar. I know all of my colleagues here will join me in wishing Mark well in his future ventures. With an academy award at the age of 27, what a bright future beckons for this fine man. I know also that my colleagues will want to extend the same good wishes to Mrs. Mark Harris, and to Laura, the baby of the Harris family.

Mr. Speaker, I insert here two articles on Mark Harris:

[From the Scranton (Pa.) Tribune, Apr. 11, 1968]

HARRIS' WIFE VISITING HERE: EX-SCRANTONIAN WINS "OSCAR" FOR SHORT FILM

A former Scranton man is now the co-owner of an Oscar.

And that's "just fine," according to his wife, daughter of a Scranton physician who was visiting at her parents' home Wednesday night.

Mark Harris, 27, son of Atty. and Mrs. Norman Harris, 1019 Park St., won the world-famous figurine at the 40th annual awards of the Academy of Motion Picture Arts and Sciences Wednesday night in Santa Monica, Calif.

Writer and producer of "The Redwoods," winner of the Best Documentary Short Subject, Harris is associated with King Screen Productions, Seattle, Wash.

And, everyone's sorry to say, he wasn't in the United States Wednesday night and couldn't be on hand at the glittering panorama of photography.

Trevor Greenwood, who owns the other half of the Oscar for his directing of the film, was on hand to receive the award.

Mark, recently commissioned to produce another documentary for Peace Corps recruiting purposes, was on the job in Bogota, Colombia, South America.

Had the Civil Rights disorders not postponed the annual West Coast affair, Harris would have joined Greenwood before a nationwide television audience in a satisfying jaunt to the exclusive stage.

According to his wife, the former Susan Popky, daughter of Dr. and Mrs. Herman Popky, 947 Clay Ave., the couple attended the awards dinner Monday night.

However, due to the riots after the death of Dr. Martin Luther King, the affair had to be postponed two days, and Mark was forced to leave for South America Tuesday.

At any rate, everyone in his family is very excited about the idea of winning the highest honor in the motion picture business.

"We're very, very happy. He hasn't been doing this for too long, you know," his mother said.

Harris has only been associated with the Northwestern United States producing firm for two years. Prior to that he worked for a film company in Portland, Ore.

Attorney Harris said Wednesday night that he had received a call from a Scranton motion picture theater manager who said that he would attempt to get the film for regional viewing.

Actually the film is a story of the efforts of the Sierra Club of Northern California who is presently engaged in a controversial struggle to save the state's giant redwood trees from destruction.

The Department of the Interior reportedly is considering cutting down many acres of the giant flora to make way for two new national parks.

Harris, a 1963 graduate of Harvard University, will be in Bogata for seven weeks filming the sequence for the Peace Corps.

After that the family, including a 10-month-old daughter, Laura, will return to their home in Seattle.

Along with Harris' mother and father at the family home watching the presentations, was Mark's sister, Rachel, 21, a senior at Wellesley College in Massachusetts. She is an Urban Planning major.

Harris, a graduate of Wyoming Seminary, produced another highly touted documentary, "Hulega," the story of Mexican-American agricultural workers' tribulations.

That film appeared on Channel 44 during January.

[From the Scranton (Pa.) Times, April 1968]

HARRIS WINS FILM "OSCAR"

Congratulations are in order for Mark Harris, who has been awarded an "Oscar" by the Academy of Motion Picture Arts and Sciences for writing and producing the best documentary short subject, "The Redwoods." He shared the honor with Director Trevor Greenwood. Mr. Harris, 27, is the son of Attorney and Mrs. Norman Harris and the husband of the former Susan Popky of Scranton. Mr. Harris is a 1963 graduate of Harvard University.

Another Scranton native, Ned Washington, is a three-time "Oscar" winner for songwriting and was nominated a record 12 times for the prized award. His "Oscars" were for the "Pinocchio" score and the songs, "When You Wish Upon a Star" and "High Noon."

ROTH EFFORT PRAISED

HON. ROGERS C. B. MORTON

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Friday, July 12, 1968

Mr. MORTON. Mr. Speaker, it is a privilege for me to call to the attention of the House of Representatives an editorial which appeared in the July 12 Wall Street Journal, dealing with the proposal of one of our colleagues for establishing a comprehensive catalog of Federal assistance programs.

Recognizing a deficiency in the ready availability of a through listing of programs through which Federal grants or loans may be obtained, our colleague from Delaware [Mr. ROTH] has proposed a positive solution to the problem. At this point in time, the bill has 107 cosponsors.

It is not always easy for a new Member to exercise this kind of leadership Mr. Speaker, and I believe we can all be proud of the initiative he has shown.

The article referred to follows:

CATALOGING CONFUSION

When Rep. William V. Roth proposes issuing a regular catalog of Federal grants, he may seem to imply that the Government isn't handing out money fast enough. But that's not what the Delaware Republican has in mind at all.

What he is trying to do, and it's an ambitious undertaking indeed, is to force some semblance of order in Federal grant programs. An eight-month study convinced him that, at the moment, no one even knows exactly how many activities of this sort there are.

"We found," the Congressman says, "that more than $20 billion a year is being spent on such programs, yet only with long and great effort can one begin to find meaningful information about all of them." As things stand, he contends, a "fourth establishment" has sprung up, "responsible to no one, self-perpetuating in nature, and too often duplicative in effort."

Mr. Roth has submitted a bill to require the President to issue an annual catalog of the grant programs and to update it monthly. In addition, the President would have to report to Congress each year the progress toward unifying the profusion of aid outlets.

The annual catalog, it's true, would simplify matters for states, cities, universities and others looking for Federal funds. To find their way through the Federal maze the aid-seekers now squander resources that could be more profitably used elsewhere.

In the process, though, Federal funds might be distributed more usefully and equitably. An aid applicant's true need is not always reflected by his ability to hire lobbyists to wrangle money from Washington.

Moreover, the proposed catalog would at least make it a little harder to hide the overlapping and waste in the present messy setup. We're not optimistic that Congress and the Administration would make rapid progress toward the needed pruning, but Mr. Roth deserves credit for pointing out the task.

PEOPLE'S JUSTICE

HON. JOHN R. RARICK

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Friday, July 12, 1968

Mr. RARICK. Mr. Speaker, here in our Nation's Capital justice is no longer merely blindfolded and handcuffed, it is now exploited through the libertine dogma of disobedience to fit the needs of the revolution.

Perhaps the day of "people's courts"—that is, applying the rule of law of the proletarian mob, where right or wrong depends upon a vote—is closer than many of us would like to believe.

The Communist, Vyshinsky, through his book, "The Law of the Soviet State," has shown us the blueprint for the revolutionary to use the courts to bring about "Socialism" by breaking down time-honored law and precedent. We also have the warning from Piero Calamandrei, a former judge of Italy through his experience of seeing the law and the court used in a double standard as a tool to defeat justice.

Thus few should be surprised that the jury trials here in Washington, D.C., acquitted the rioters in a nonjudicious kangaroo court atmosphere more indicative of the "code of the jungle" than an ordered society. Or could it be that the judge and the jury intended by their acquittal to approve of violence and that the only deterrent they sought was against law and order, and to place crime above the reach of justice.

I include two local reports on the jury trial and trial before the judge:

[From the Washington (D.C.) Post, July 12, 1968]

FIVE MARCHERS ACQUITTED OF DISORDERLY CONDUCT

Five young women from Memphis who were arrested Tuesday during a Poor People's Campaign demonstration at the Capitol were acquitted of disorderly conduct charges yesterday by Judge Charles W. Halleck of the Court of General Sessions.

The Government, he ruled, had charged them under the wrong statute in an attempt to avoid a jury trial in the case. Judge Halleck said the women should have been charged with unlawful assembly on the Capitol grounds—a more serious offense for which a jury trial may be demanded—but not with the crime with which they were charged.

The Judge said there was "no evidence" that anyone had been disturbed by the marchers' actions. "If these had been kids from some high school singing the school fight song instead of 'We Shall Overcome,' we would never have had this case," he said. "You only charged them with disorderly conduct because you knew you couldn't get a jury to convict them under the other statute," he told Assistant U.S. Attorney Oliver Houck.

The only persons ever tried under the unlawful assembly statute were acquitted by a jury. The maximum penalty for disorderly conduct is 90 days in jail or a fine of $250 or both. Unlawful assembly on the Capitol grounds can bring a jail term of up to six months.

Five men arrested in the same demonstration made the same legal argument in their trial before Judge William C. Pryor yesterday, but were returned to jail for the night when the Judge reserved a ruling.

Judge Halleck warned the five women—Joyce Reid, Henri Sanders, Elsie Green, Gwendolyn Porter and Melberta Meadows—that if they repeat the offense they will be charged with the more serious crime.

A sixth women, Margaret Katroscik, 21 of Detroit, pleaded no contest and was adjudged guilty. Judge Halleck gave her the maximum sentence but suspended it on the condition that she return to Detroit.

On a related matter, Judge Milton S. Kronheim yesterday withdrew his threat to hold Assistant U.S. Attorney Daniel Harris in contempt of court for an argument that developed over a demonstration case on Wednesday. They reached an amicable understanding, Harris said.

In another development, SCLC officials announced that their all-night vigil outside D.C. Jail will begin at 9 o'clock tonight and continue until the Rev. Ralph David Abernathy, the Campaign's leader, is released Saturday morning.

The Poor People's mule train is scheduled to meet Mr. Abernathy, who is completing a 20-day sentence, at the jail at 11 a.m. and carry him to the Campaign's "action center" at Mount Carmel Baptist Church, 3rd and I streets nw.

A spokesman for the Department of Corrections said yesterday that Mr. Abernathy would be released "at the usual time" of between 8 and 9:30 a.m.

A group of poor children, including some who lived in the Campaign's Resurrection City, will meet with representatives of the Departments of Health, Education and Welfare, Agriculture, Housing and Urban Development and Justice this afternoon to discuss the needs of poor families. The meeting will mark the beginning of the Campaign's "Children of the Universe" project to be conducted through next week.

SCLC leader Hosea Williams asked about 175 people attending a rally at the First Baptist Church, 45th and Sheriff Road ne. to join with the Poor People's Campaign in a vigil tonight at D.C. Jail.

TWO ACQUITTED IN FIRST RIOT FELONY TRIAL

The first two defendants tried in U.S. District Court on felony charges stemming from the April riots were found innocent yesterday.

An all-Negro jury, made up of five women and seven men, deliberated three hours before returning the verdicts in the two-day trial of Ernestine Thornton, 21, and Lila Mae Robinson, 34, both of 1011 7th st. se.

Both women were charged with engaging in a riot and second-degree burglary, the formal charge for looting.

The rioting charge carries a maximum penalty of one year in prison; the burglary charge, 15 years.

Officials of the U.S. attorney's office admitted privately that although they were disappointed with the verdict, the case was not one of their strongest. One official said most future cases would be much stronger.

"If we have a consistent record of not guilty verdict with the stronger cases, then there will likely be a serious reassessment of our entire position with regards to these riot indictments," said the official.

Policemen testified at the trial that they spotted Mrs. Robinson and Mrs. Thornton in the rear of a crowd of approximately 20 persons fleeing from the looted Anderson Furniture Co. store at 745 8th st. se. at 7:30 p.m. on Friday, April 5.

The policemen said they noticed each suspect carrying a small object in her hand which each dropped before leaving through one of the store's broken plate glass windows.

Mrs. Robinson and Mrs. Thornton denied this from the witness stand. They said they had tried to get to a drugstore and that as they passed Anderson's a crowd of people came running out of the store, knocking Mrs. Robinson to the ground. Police arrested them at that point, they said.

The case was heard by U.S. District Court Judge Gerhard E. Gesell; one of five judges assigned to hear riot cases on a daily basis beginning Aug. 1.

SENATE—*Monday, July 15, 1968*

The Senate met at 10 a.m., and was called to order by the Acting President pro tempore (Mr. Metcalf).

The Chaplain, Rev. Frederick Brown Harris, D.D., offered the following prayer:

O God our Father, who desirest truth in the inward parts, help us in this opening moment of a new day's council to draw near to Thee in tranquillity, humility, and sincerity.

In this forum of deliberation and debate, amid the din and clash of differing opinions, may we here unite in keeping always a constant sense of the eternal. To Thee we lift our hearts, bringing nothing but our need and the adoration of our contrite spirits. From Thy hands we have received the gift of life, the blessings of home and of friendship, and the sacrament of beauty. In the fullness of Thy mercy Thou hast given us work to do and the strength wherewith to do it.

Thou knowest that these testing times are finding out our every weakness and calling for our utmost against the wrong that needs resistance, and for the right that needs assistance.

And so—

"Set our feet on lofty places,
  Gird our lives that they may be
Armored with all Christlike graces
  In the fight to set men free;
Grant us wisdom, grant us courage
  That we fail not man nor Thee."

We ask it in the Name of the One whose life is the light for all men. Amen.

THE JOURNAL

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the reading of the Journal of the proceedings of Friday, July 12, 1968, be dispensed with.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

WAIVER OF CALL OF THE CALENDAR

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the call of the legislative calendar, under rule VIII, be dispensed with.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

LIMITATION ON STATEMENTS DURING TRANSACTION OF ROUTINE MORNING BUSINESS

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that statements in relation to the transaction of routine morning business be limited to 3 minutes.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

ORDER FOR ADJOURNMENT

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that when the Senate completes its business today, it stand in adjournment until 10 o'clock tomorrow morning.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. BYRD of West Virginia subsequently said: Mr. President, I ask unanimous consent that the previous unanimous-consent order, setting the time of meeting of the Senate tomorrow at 10 a.m., be vacated.

The PRESIDING OFFICER (Mr. Talmadge in the chair). Without objection, it is so ordered.

(Later in the day, the Senate ordered that on the conclusion of its business today, it stand in adjournment until Wednesday, July 17, 1968, at 12 noon.)

MESSAGE FROM THE HOUSE

A message from the House of Representatives by Mr. Bartlett, one of its reading clerks, announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 2986) to extend Public Law 480, 83d Congress, for 3 years, and for other purposes.

The message also announced that the House had passed the bill (S. 3293) to authorize appropriations during the fiscal year 1969 for procurement of aircraft, missiles, naval vessels, and tracked combat vehicles, research, development, test, and evaluation for the Armed Forces, and to prescribe the authorized personnel strength of the Selected Reserve of each Reserve component of the Armed Forces, and for other purposes, with an amendment, in which it requested the concurrence of the Senate.

The message further announced that the House had disagreed to the amendments of the Senate to the bill (H.R. 1411) to amend title 39, United States Code, with respect to the use of the mails to obtain money or property under false representations, and for other purposes.

The message also announced that the House had disagreed to the amendment of the Senate to the bill (H.R. 3865) for the relief of Mauritz A. Sterner; asked a conference with the Senate on the disagreeing votes of the two Houses thereon, and that Mr. Ashmore, Mr. Hungate, and Mr. Smith of New York were appointed managers on the part of the House at the conference.

The message further announced that the House had agreed to the amendment of the Senate to the bill (H.R. 10773) to amend section 1730 of title 18, United States Code, to permit the uniform or badge of the letter-carrier branch of the postal service to be worn in theatrical, television, or motion picture productions under certain circumstances.

ENROLLED BILLS SIGNED

The message also announced that the Speaker had affixed his signature to the following enrolled bills:

H.R. 3400. An act to amend the Federal Aviation Act of 1958 to require aircraft noise abatement regulation, and for other purposes; and

H.R. 9063. An act to amend the International Claims Settlement Act of 1949, as amended, to provide for the timely determination of certain claims of American nationals, and for other purposes.

EXECUTIVE COMMUNICATIONS, ETC.

The ACTING PRESIDENT pro tempore (Mr. Metcalf) laid before the Senate the following letters, which were referred as indicated:

Report of Secretary of Commerce

A letter from the Secretary of Commerce, transmitting, pursuant to law, a report of activities under the Mobile Trade Fairs Act, for the fiscal year ended June 30, 1967 (with an accompanying report); to the Committee on Commerce.

Proposed Extension of Commercial Fisheries Research Development Act of 1964

A letter from the Deputy Assistant Secretary of the Interior, transmitting a draft of proposed legislation to extend the provisions of the Commercial Fisheries Research and Development Act of 1964 (with an accompanying paper); to the Committee on Commerce.

Report of Secretary of Health, Education, and Welfare

A letter from the Secretary of Health, Education, and Welfare, transmitting, pursuant to law, a report of grants approved by the Department, which are financed wholly with Federal funds, for the second half of fiscal year 1968 (with an accompanying report); to the Committee on Finance.

Proposed Legislation To Establish Positions of Deputy Secretary of Health, Education, and Welfare and Under Secretary for Health and Science

A letter from the Secretary, Health, Education, and Welfare, transmitting a draft of proposed legislation to establish in the Department of Health, Education, and Welfare the positions of Deputy Secretary of Health, Education, and Welfare and Under Secretary for Health and Science (with an accompanying paper); to the Committee on Labor and Public Welfare.

PETITIONS AND MEMORIALS

Petitions, etc., were laid before the Senate, or presented, and referred as indicated:

By the ACTING PRESIDENT pro tempore:

Resolutions adopted by the National Conference of Lieutenant Governors, Atlanta, Ga., relating to new directions in Federal-Aid policies, and tax exempt status of State and Local Bonds; to the Committee on Finance.

The petition of William G. Reinke, Jr., of Leavenworth, Kans., praying for a redress of grievances; to the Committee on the Judiciary.

A resolution adopted by the National Conference of Lieutenant Governors, Atlanta, Ga., relating to firearms; to the Committee on the Judiciary.

A resolution adopted by the National Association of Postmasters of the United States, Ohio Chapter, of Leroy, Ohio, recommending that additional copies of a law and order commemorative stamp be supplied to all post offices in sufficient quantities that they will be available for sale for the remainder of the year 1968; to the Committee on Post Office and Civil Service.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. ELLENDER, from the Committee on Appropriations, with amendments:

H.R. 17903. An act making appropriations for public works for water and power resources development, including certain civil functions administered by the Department of Defense, the Panama Canal, certain agencies of the Department of the Interior, the Atlantic-Pacific Interoceanic Canal Study Commission, the Delaware River Basin Commission, Interstate Commission on the Potomac River Basin, the Tennessee Valley Authority, the Water Resources Council, and the Atomic Energy Commission, for the fiscal year ending June 30, 1969, and for other purposes (Rept. No. 1405).

By Mr. BURDICK, from the Committee on the Judiciary, without amendment:

H.R. 2695. An act for the relief of Donald D. Lambert (Rept. No. 1406);

H.R. 3681. An act for the relief of James M. Yates (Rept. No. 1407);

H.R. 4818. An act for the relief of O. P. Becken (Rept. No. 1408);

H.R. 4819. An act for the relief of Ralph W. Heneman (Rept. No. 1409);

H.R. 4821. An act for the relief of Arnold E. Remmen (Rept. No. 1410);

H.R. 5815. An act for the relief of Lt. Comdr. William W. Gentry (Rept. No. 1411);

H.R. 8087 An act for the relief of Henry Gibson (Rept. No. 1412);

H.R. 8809. An act for the relief of Maj. Hollis O. Hall (Rept. No. 1413); and

H.R. 14323. An act for the relief of Mrs. Elise C. Gill (Rept. No. 1414).

ASTRONAUT ASSISTANCE AND RETURN AGREEMENT—REMOVAL OF INJUNCTION OF SECRECY

Mr. BYRD of West Virginia. Mr. President, as in executive session, I ask unanimous consent that the injunction of secrecy be removed from Executive J, 90th Congress, second session, the Astronaut Assistance and Return Agreement, transmitted to the Senate today by the President of the United States, and that the agreement, together with the President's message, be referred to the Committee on Foreign Relations and ordered to be printed, and that the President's message be printed in the RECORD.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

The message from the President is as follows:

To the Senate of the United States:

Today I ask the Senate to take another step toward stable peace on this threatened earth.

I am proud to transmit, for advice and consent to ratification, the Astronaut Assistance and Return Agreement.

This Agreement proves again that a divided world can and must overcome its differences. In spirit and substance it embodies the three principles guiding America's quest for peace which I discussed last month at Glassboro.

First, peace must be earned.

Peace must be built in patient steps as human trust grows to meet human need. At best, it is a slow, hard job. The Astronaut Agreement comes to the Senate after five long years of painstaking negotiation between the United States, the Soviet Union, and other members of the United Nations Outer Space Committee. It is a step—and an important step—in the hopeful journey which began in this decade with the Limited Test Ban Treaty. We marked a great milestone in this journey when we signed the Non-Proliferation Treaty last week in Moscow, London, and Washington. I hope and believe we can soon advance further on this road when we sit down to talk with the Russians about the limitation and reduction of offensive and defensive strategic weapons.

Second, the path to world peace is less difficult when the United States and the Soviet Union follow it together.

The Astronaut Agreement will serve all nations, those whose mercy may save lives as well as those whose sons will risk their lives to enrich man's knowledge of his universe. But in the last account this agreement was possible because the United States and the Soviet Union resolved to work with each other.

Third, lasting peace depends not only on healing the bitter conflicts of today, but also upon our skill and imagination in building for a brighter tomorrow.

This Agreement is a striking example of this principle. For it properly looks beyond the old divisions of history and ideology to recognize the challenge of common peril and the benefits of common action.

Only seven short years have passed since Alan Shepard and Yuri Gagarin made their pioneering flights into space. There have been moments of majestic triumph—when Virgil Grissom and John Young flew our first two-man flight aboard Gemini III in March 1965, and when Cosmonaut Leonov took the first walk in space the same month.

There have been moments of tragedy, as when the world mourned the deaths of Virgil Grissom, Edward White, Roger Chaffee and Vladimir Komarov. The new Astronaut Agreement would not have saved the lives of these extraordinary and brave men, for death came within their homelands. But we must spare no effort to ensure the safety of future space pioneers who may need help in other countries or on the high seas.

Accordingly, the Agreement provides that:

—Any party who learns that an accident or emergency involving a manned flight has occurred will immediately inform the launching authority.

—A party will immediately take all possible steps to rescue an astronaut who lands in its territory and render him all necessary assistance.

—A launching authority whose astronaut makes an unplanned landing on the territory of another party will assist in search and rescue operations when its assistance will help bring about a prompt rescue.

—A party with vessels on the high seas or otherwise in a position to do so will join in search and rescue operations for a downed astronaut.

—A party who has rescued a foreign astronaut will return him safely and promptly to the launching authority.

—A launching authority has the right to obtain the return of an object it has launched that has come down to Earth on the territory of another party.

These benefits alone recommend prompt ratification of the Astronaut Agreement. Our laws and treaties must always keep pace with our science. But the value of this Agreement goes beyond the protection it offers those who venture into space. It is also one more link in a growing chain of international cooperation which helps protect the peace of this planet.

The seven years of the Space Age began here on earth with the Berlin Wall, the harsh words at Vienna and the Cuban missile crisis. We have worked patiently and hard to improve the climate. As I said in 1966:

> Our task is to achieve a reconciliation with the East—a shift from the narrow concept of coexistence to the broader vision of peaceful engagement.

I believe our successes have been impressive and hopeful: the Consular Convention—signed in 1964 and ratified in 1968; the Civil Air Agreement—signed in 1966, with air service soon to begin; the Outer Space Treaty of 1967; the Non-Proliferation Treaty just signed on July 1; and the agreement to begin strategic weapons talks announced that day.

Many difficult and dangerous problems still lie unsolved before us. We must devote our energies to achieve a new advance toward peace. Humanity cannot wait where freedom from the shadow of nuclear war is concerned. We look with satisfaction to the achievement of the Non-Proliferation Treaty, and with anticipation to the forthcoming talks on the control of strategic weapons. Surely two nations who aspire to the stars can realize the common danger and act in the common interest here on earth.

The Astronaut Agreement is an action in the common interest. It helps man's reach for peace as well as his conquest of space. I earnestly hope the Senate will give its prompt advice and consent to ratification.

LYNDON B. JOHNSON.

THE WHITE HOUSE, *July 15, 1968.*

BILLS INTRODUCED

Bills were introduced, read the first time, and by unanimous consent, the second time, and referred as follows:

By Mr. JAVITS:

S. 3774. A bill for the relief of Peter Chung Ren Huang; to the Committee on the Judiciary.

By Mr. INOUYE:

S. 3775. A bill for the relief of Chi Ming

Lam and Leung Man; to the Committee on the Judiciary.

By Mr. HOLLAND:

S. 3776. A bill for the relief of Dr. Jose Ramon Portela y Margolles; to the Committee on the Judiciary.

By Mr. SPARKMAN (for himself and Mr. Hayden):

S. 3777. A bill to establish the United States Section of the United States-Mexico Commission for Border Development and Friendship, and for other purposes; to the Committee on Foreign Relations.

(See the remarks of Mr. Sparkman when he introduced the above bill, which appear under a separate heading.)

By Mr. MONTOYA:

S. 3778. A bill for the relief of Maria Martina Wijgergangs; and

S. 3779. A bill for the relief of Natan Altintas; to the Committee on the Judiciary.

By Mr. HILL:

S. 3780. A bill to establish in the Department of Health, Education, and Welfare the positions of Deputy Secretary of Health, Education, and Welfare and Under Secretary for Health and Science; to the Committee on Labor and Public Welfare.

By Mr. BREWSTER:

S. 3781. A bill for the relief of Tatsuya Yamashita; to the Committee on the Judiciary.

By Mr. CURTIS (for himself, Mr. Hruska, Mr. Baker, Mr. Hansen, Mr. Javits, Mr. McClellan, Mr. Monroney, Mr. Morton, Mr. Mundt, Mr. Sparkman, and Mr. Stennis):

S. 3782. A bill to amend the Internal Revenue Code of 1954 in relation to industrial development bonds; to the Committee on Finance.

(See the remarks of Mr. Curtis when he introduced the above bill, which appear under a separate heading.)

By Mr. PASTORE (for himself, Mr. Anderson, and Mr. Bennett):

S. 3783. A bill to amend the Atomic Energy Act of 1954, as amended, and for other purposes; to the Joint Committee on Atomic Energy.

By Mr. WILLIAMS of New Jersey:

S. 3784. A bill to promote the advancement of biological research in aging through a comprehensive and intensive 5-year program for the systematic study of the basic origins of the aging process in human beings; to the Committee on Labor and Public Welfare.

(See the remarks of Mr. Williams of New Jersey when he introduced the above bill, which appear under a separate heading.)

By Mr. McINTYRE (for himself and Mr. Cotton):

S. 3785. A bill to amend section 1777(c) of title 38, United States Code, in order to permit, under certain circumstances, the approval of on-the-job training courses which require more than 2 years' training; to the Committee on Labor and Public Welfare.

By Mr. MURPHY (for himself and Mr. Kuchel):

S. 3786. A bill to authorize and direct the Secretary of the Interior to relinquish and quitclaim any title it may heretofore claim to certain lands situated in the county of San Bernardino, State of California;

S. 3787. A bill to authorize and direct the Secretary of the Interior to relinquish and quitclaim any title it may heretofore claim to certain lands situated in the county of San Bernardino, State of California;

S. 3788. A bill to authorize and direct the Secretary of the Interior to relinquish and quitclaim any title it may heretofore claim to certain lands situated in the county of San Bernardino, State of California;

S. 3789. A bill to authorize and direct the Secretary of the Interior to relinquish and quitclaim any title it may heretofore claim to certain lands situated in the county of Riverside, State of California;

S. 3790. A bill to authorize and direct the Secretary of the Interior to relinquish and quitclaim any title it may heretofore claim to certain lands situated in the county of Riverside, State of California;

S. 3791. A bill to authorize and direct the Secretary of the Interior to relinquish and quitclaim any title it may heretofore claim to certain lands situated in the county of Riverside, State of California;

S. 3792. A bill to authorize and direct the Secretary of the Interior to relinquish and quitclaim any title it may heretofore claim to certain lands situated in the county of Riverside, State of California;

S. 3793. A bill to authorize and direct the Secretary of the Interior to relinquish and quitclaim any title it may heretofore claim to certain lands situated in the county of San Bernardino, State of California;

S. 3794. A bill to authorize and direct the Secretary of the Interior to relinquish and quitclaim any title it may heretofore claim to certain lands situated in the county of San Bernardino, State of California;

S. 3795. A bill to authorize and direct the Secretary of the Interior to relinquish and quitclaim any title it may heretofore claim to certain lands situated in the county of Riverside, State of California;

S. 3796. A bill to authorize and direct the Secretary of the Interior to relinquish and quitclaim any title it may heretofore claim to certain lands situated in the county of Riverside, State of California;

S. 3797. A bill to authorize and direct the Secretary of the Interior to relinquish and quitclaim any title it may heretofore claim to certain lands situated in the county of Riverside, State of California;

S. 3798. A bill to authorize and direct the Secretary of the Interior to relinquish and quitclaim any title it may heretofore claim to certain lands situated in the county of Riverside, State of California;

S. 3799. A bill to authorize and direct the Secretary of the Interior to relinquish and quitclaim any title it may heretofore claim to certain lands situated in the county of Riverside, State of California;

S. 3800. A bill to authorize and direct the Secretary of the Interior to relinquish and quitclaim any title it may heretofore claim to certain lands situated in the county of Riverside, State of California;

S. 3801. A bill to authorize and direct the Secretary of the Interior to relinquish and quitclaim any title it may heretofore claim to certain lands situated in the county of Riverside, State of California;

S. 3802. A bill to authorize and direct the Secretary of the Interior to relinquish and quitclaim any title it may heretofore claim to certain lands situated in the county of San Bernardino, State of California;

S. 3803. A bill to authorize and direct the Secretary of the Interior to relinquish and quitclaim any title it may heretofore claim to certain lands situated in the county of Riverside, State of California;

S. 3804. A bill to authorize and direct the Secretary of the Interior to relinquish and quitclaim any title it may heretofore claim to certain lands situated in the county of Riverside, State of California;

S. 3805. A bill to authorize and direct the Secretary of the Interior to relinquish and quitclaim any title it may heretofore claim to certain lands situated in the county of San Bernardino, State of California;

S. 3806. A bill to authorize and direct the Secretary of the Interior to relinquish and quitclaim any title it may heretofore claim to certain lands situated in the county of San Bernardino, State of California;

S. 3807. A bill to authorize and direct the Secretary of the Interior to relinquish and quitclaim any title it may heretofore claim to certain lands situated in the county of Riverside, State of California;

S. 3808. A bill to authorize and direct the Secretary of the Interior to relinquish and quitclaim any title it may heretofore claim to certain lands situated in the county of Riverside, State of California;

S. 3809. A bill to authorize and direct the Secretary of the Interior to relinquish and quitclaim any title it may heretofore claim to certain lands situated in the county of Riverside, State of California;

S. 3810. A bill to authorize and direct the Secretary of the Interior to relinquish and quitclaim any title it may heretofore claim to certain lands situated in the county of San Bernardino, State of California;

S. 3811. A bill to authorize and direct the Secretary of the Interior to relinquish and quitclaim any title it may heretofore claim to certain lands situated in the county of Riverside, State of California;

S. 3812. A bill to authorize and direct the Secretary of the Interior to relinquish and quitclaim any title it may heretofore claim to certain lands situated in the county of San Bernardino, State of California;

S. 3813. A bill to authorize and direct the Secretary of the Interior to relinquish and quitclaim any title it may heretofore claim to certain lands situated in the county of Riverside, State of California;

S. 3814. A bill to authorize and direct the Secretary of the Interior to relinquish and quitclaim any title it may heretofore claim to certain lands situated in the county of Riverside, State of California;

S. 3815. A bill to authorize and direct the Secretary of the Interior to relinquish and quitclaim any title it may heretofore claim to certain lands situated in the county of Riverside, State of California;

S. 3816. A bill to authorize and direct the Secretary of the Interior to relinquish and quitclaim any title it may heretofore claim to certain lands situated in the county of Riverside, State of California;

S. 3817. A bill to authorize and direct the Secretary of the Interior to relinquish and quitclaim any title it may heretofore claim to certain lands situated in the county of San Bernardino, State of California;

S. 3818. A bill to authorize and direct the Secretary of the Interior to relinquish and quitclaim any title it may heretofore claim to certain lands situated in the county of Riverside, State of California;

S. 3819. A bill to authorize and direct the Secretary of the Interior to relinquish and quitclaim any title it may heretofore claim to certain lands situated in the county of Riverside, State of California;

S. 3820. A bill to authorize and direct the Secretary of the Interior to relinquish and quitclaim any title it may heretofore claim to certain lands situated in the county of Riverside, State of California;

S. 3821. A bill to authorize and direct the Secretary of the Interior to relinquish and quitclaim any title it may heretofore claim to certain lands situated in the county of Riverside, State of California;

S. 3822. A bill to authorize the payment of private claims to R. A. Beaver and J. F. Beaver of Blythe, Calif.;

S. 3823. A bill to relinquish and disclaim any title to certain lands situated in Imperial County, Calif.;

S. 3824. A bill to relinquish and disclaim any title to certain lands situated in Imperial County, Calif.;

S. 3825. A bill to relinquish and quitclaim any title to certain lands situated in Riverside County, Calif.;

S. 3826. A bill to relinquish and disclaim any title to certain lands situated in Yuma County, Ariz.;

S. 3827. A bill to authorize and direct the Secretary of the Interior to relinquish and quitclaim any title it may heretofore claim to certain lands situated in the county of Riverside, State of California;

S. 3828. A bill to relinquish and disclaim any title to certain lands situated in Yuma County, Ariz.;

S. 3829. A bill to authorize and direct the Secretary of the Interior to relinquish and quitclaim any title it may heretofore claim to certain lands situated in the county of Riverside, State of California;

S. 3830. A bill to authorize and direct the Secretary of the Interior to relinquish and quitclaim any title it may heretofore claim to certain lands situated in the county of Riverside, State of California;

S. 3831. A bill to authorize and direct the Secretary of the Interior to relinquish and quitclaim any title it may heretofore claim to certain lands situated in the county of Riverside, State of California;

S. 3832. A bill to authorize and direct the Secretary of the Interior to relinquish and quitclaim any title it may heretofore claim to certain lands situated in the county of Riverside, State of California;

S. 3833. A bill to authorize and direct the Secretary of the Interior to relinquish and quitclaim any title it may heretofore claim to certain lands situated in the county of San Bernardino, State of California; and

S. 3834. A bill to authorize and direct the Secretary of the Interior to relinquish and quitclaim any title it may heretofore claim to certain lands situated in the county of San Bernardino, State of California; to the Committee on Interior and Insular Affairs by unanimous consent.

(See the remarks of Mr. Murphy when he introduced the above bills, which appear under a separate heading.)

By Mr. PERCY:

S. 3835. A bill to amend title VI of the Public Health Service Act to include within the scope of part A thereof comprehensive ambulatory health services, and otherwise to extend and improve the program established by such part A; to the Committee on Labor and Public Welfare.

(See the remarks of Mr. Percy when he introduced the above bill, which appear under a separate heading.)

S. 3777—INTRODUCTION OF A BILL TO ESTABLISH THE UNITED STATES SECTION OF THE UNITED STATES-MEXICO COMMISSION FOR BORDER DEVELOPMENT AND FRIENDSHIP

Mr. SPARKMAN. Mr. President, I introduce, for appropriate reference, a bill to establish the United States Section of the United States-Mexico Commission for Border Development and Friendship, and for other purposes.

The proposed legislation has been requested by the President and I am introducing it in order that there may be a specific bill to which Members of the Senate and the public may direct their attention and comments.

I ask unanimous consent that the bill may be printed in the Record at this point, together with a section-by-section analysis of it.

The ACTING PRESIDENT pro tempore. The bill will be received and appropriately referred; and, without objection, the bill and section-by-section analysis will be printed in the Record.

The bill (S. 3777) to establish the United States Section of the United States-Mexico Commission for Border Development and Friendship, and for other purposes, introduced by Mr. Sparkman, for himself and Mr. Hayden, was received, read twice by its title, referred to the Committee on Foreign Relations, and ordered to be printed in the Record, as follows:

S. 3777

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Congress recognizes and endorses the action taken by the President of the United States and the President of Mexico pursuant to their Joint Statement of April 15, 1966, in which the two Presidents expressed their determination to improve the relations between frontier cities of both countries and to elevate the life of those who live in the border area, and in which they agreed to create a Commission to pursue these objectives through cooperative action to raise the standard of living of the respective communities from a social and cultural as well as a material point of view.

Sec. 2. (a) There is hereby established the United States Section of the United States-Mexico Commission for Border Development and Friendship (hereinafter referred to as the "United States Section" and the "Commission", respectively).

(b) The United States Section shall be subject to the foreign policy direction of the Secretary of State.

(c) The United States Section shall be composed of a Chairman, who shall be appointed by the President by and with the advice and consent of the Senate, and representatives of such executive departments and agencies as the President shall designate. These representatives, who shall have the rank of at least Assistant Secretary or equivalent level and who shall be designated by the heads of such executive departments and agencies, shall be known as Commissioners and shall serve without additional compensation. The Chairman of the United States Section is authorized to designate one of the Commissioners to serve as Acting Chairman in his absence or disability. The Chairman may invite the participation in the activities of the United States Section of any executive department or agency not represented in the United States Section, when matters of interest to such executive department or agency are under consideration.

(d) The Commissioners shall meet at the call of the Chairman.

(e) Section 5315 of title 5, United States Code, is amended by adding the following new paragraph after paragraph (90):

"(91) Chairman, United States Section of the United States-Mexico Commission for Border Development and Friendship"

Sec. 3. The United States Section shall have the following functions with respect to the economic, social, and cultural development of the border area:

(1) To conduct a continuing and comprehensive review of problems of the border area, propose solutions to such problems, establish relationships with State and local governments to identify such problems and solutions, and, as appropriate, establish similar relationships with individual citizens and private organizations and institutions;

(2) To develop, on a continuing basis in consultation with appropriate executive departments and agencies, comprehensive and coordinated policies, plans, and programs for the border area and recommend priorities thereunder and their implementation by appropriate executive departments and agencies;

(3) To conduct or foster surveys, studies, and other research required for the identification of problems and the preparation of specific plans and programs for the border area;

(4) To develop and maintain a comprehensive inventory of natural and human resources in the border area and of the programs of Federal, State, and local governments directed toward betterment of conditions in that area;

(5) To conduct or foster demonstration or technical assistance projects applicable to various localities in the border area and secure maximum participation of private and public local groups;

(6) To stimulate and encourage an increased social and cultural interchange among institutions and individuals in the border area;

(7) To promote increased participation by the private sector in the improvement of conditions in the border area; and

(8) To work cooperatively with the Mexican Section of the Commission in the development and execution of plans and proposals for joint, cooperative, or parallel activities.

Sec. 4. (a) The United States Section is authorized to prescribe rules and regulations governing its administration.

(b) The United States Section shall consult with and coordinate its activities with appropriate executive departments and agencies and shall utilize the facilities and resources of such departments and agencies to the maximum extent possible in carrying out its functions.

(c) The United States Section is authorized in carrying out its functions to enter into agreements with executive departments and agencies as appropriate.

Sec. 5. The United States Section is authorized to request directly from any executive department or agency any information it deems necessary to carry out its functions under this Act, and to utilize the services and facilities of such department or agency; and each executive department or agency is authorized to furnish such information, services, and facilities to the United States Section upon request of the Chairman to the extent permitted by law and within the limits of available funds.

Sec. 6. (a) The Chairman shall appoint and fix the compensation of such personnel as may be necessary to carry out the functions of the United States Section, and to obtain the services of experts and consultants in accordance with section 3109 of title 5, United States Code, at rates for individuals not to exceed the per diem equivalent for GS–18.

(b) Services of an individual as an expert or consultant under subsection (a) of this section shall not be considered as employment or holding of office or position bringing such individual within the provisions of sections 3323(a) and 8344 of title 5 of the United States Code, section 872 of the Foreign Service Act of 1946, as amended, or any other law limiting the reemployment of retired officers or employees or governing the simultaneous receipt of compensation and retired pay or annuities, subject to section 5532 of title 5 of the United States Code.

(c) Executive departments and agencies are authorized to detail to temporary duty with the United States Section such personnel as the Chairman may request for carrying out the functions of the United States Section, each such detail to be without loss of seniority, pay, or other employee status.

Sec. 7. As may be necessary in carrying out its functions in the border area, the United States Section is authorized to enter into and perform such contracts, leases, cooperative agreements or other transactions with any local government or political subdivision or agency thereof, or with any person.

Sec. 8. The United States Section may accept and use for purposes of this Act gifts or donations of services or property, real, personal or mixed, tangible or intangible.

Sec. 9. The border area shall be defined as the geographic area immediately adjacent to the international boundary between the United States and Mexico, but including such other nearby areas as either exert a significant impact on or are significantly affected by the border area.

Sec. 10. Nothing in this legislation shall be construed to restrict or infringe upon the authority of any executive department or agency.

Sec. 11. There is hereby authorized to be appropriated such sums as may be necessary to carry out the functions of the United States Section under this Act.

The section-by-section analysis of S. 3777, presented by Mr. Sparkman, is as follows:

Section-by-Section Analysis of Proposed Draft Legislation To Establish the United States Section of the United States-Mexico Commission for Border Development and Friendship

Section 1 provides the endorsement of the Congress of the action taken by the Presidents of Mexico and the United States to establish a joint commission to improve relations between border cities of both countries and to cooperate in elevating the life of those who live in the border area from a social and cultural as well as a material point of view.

Section 2(a) establishes the United States Section of the United States-Mexico Commission for Border Development and Friendship.

Section 2(b) provides that the United States Section shall operate under the foreign policy direction of the Secretary of State.

Section 2(c) sets forth the composition and method of appointment of the United States Section. It would consist of a chairman and representatives of such executive departments and agencies as may be designated by the President. The Chairman would be appointed by the President with the advice and consent of the Senate. The Chairman is currently appointed by the President without Senate confirmation.

The representatives of departments and agencies, who woud be at least of Assistant Secretary level, would be named by their agency head. They would be known as Commissioners. Representatives of the following agencies are currently members of the United States Section: the Departments of State, Agriculture, Commerce, the Interior, Labor, Health, Education, and Welfare, Housing and Urban Development, and Transportation; the Office of Economic Opportunity; and the Interagency Committee on Mexican American Affairs.

Other agencies not represented in the United States Section could be invited to participate in its activities.

Section 2(d) provides that the Chairman shall call meetings of the Commissioners.

Section 2(e) sets the compensation of the Chairman at level IV of the Executive Schedule (currently $28,750 annually).

Section 3 sets forth eight functions of the United States Section. They include review of the problems of the border area and development of proposed solutions; development of coordinated policies, plans, and programs; conduct of surveys and studies; maintenance of a comprehensive inventory of human and natural resources and of governmental programs in the area; conduct of demonstration projects; encouragement of social and cultural interchanges; promotion of private sector participation in the improvement of the area's condition; and cooperation with the Mexican Section of the Commission.

Section 4(a) authorizes the United States Section to prescribe rules and regulations governing its internal administration.

Section 4(b) requires the United States Section, in carrying out its functions, to utilize to the maximum extent possible the facilities and resources of appropriate departments and agencies and to consult with and coordinate its activities with such departments and agencies. This provision is designed to emphasize the coordinating role of the United States Section and aims at assuring that the United States Section will not duplicate or overlap the activities of other agencies.

Sections 4(c) and 5 enable the United States Section to enter into agreements with departments and agencies as appropriate and to request and receive from them information, services, and facilities to the extent permitted by law.

Section 6(a) authorizes the Chairman to appoint and fix the compensation of necessary personnel of the United States Section in accordance with civil service laws and regulations and to secure the services of experts and consultants at not to exceed the per diem equivalent of GS-18.

Section 6(b) provides that retired Federal officers and employees may be employed and compensated as experts and consultants by the United States Section without loss of annuity payments.

Section 6(c) authorizes other Federal agencies to detail personnel to the United States Section for temporary duty, without loss of seniority, pay or other employee status.

Section 7 authorizes the United States Section to enter into contracts, leases, cooperative agreements or other transactions with any local government or political subdivision or agency thereof or with any person.

Section 8 permits the United States Section to accept gifts or donations of services or property for use in its activities.

Section 9 defines the border area for the purposes of the Act.

Section 10 provides that nothing in the Act shall restrict or infringe upon the authority of any department or agency.

Section 11 authorizes the appropriation of funds as necessary to carry out the functions of the United States Section.

S. 3782—INTRODUCTION OF BILL TO AMEND THE INTERNAL REVENUE CODE OF 1954 RELATING TO INDUSTRIAL DEVELOPMENT BONDS

Mr. CURTIS. Mr. President, I am introducing a bill for myself, Mr. Hruska, Mr. Baker, Mr. Hansen, Mr. Javits, Mr. McClellan, Mr. Monroney, Mr. Morton, Mr. Mundt, Mr. Sparkman, and Mr. Stennis.

One of the high important but less newsworthy amendments enacted by Congress as part of the Revenue and Expenditure Control Act of 1968—the bill that imposed the 10-percent surtax—relates to the tax treatment of industrial development bonds.

Late in February the Treasury Department announced that it proposed to change the tax treatment of interest on these bonds by amending its regulations. These bonds had been uniformly treated as obligations of a State or local government for a period of more than 30 years; and as such, the interest earned on them had been exempt from Federal income tax. The Committee on Finance was disturbed that such an important change in tax practice was being attempted without benefit of a change in the underlying statute. The Secretary of the Treasury was interrogated about his proposed regulations in public hearings beginning on March 12. Following these hearings, the Committee on Finance considered the matter in executive session and concluded that the regulations should not be permitted to go into effect on March 15 as the Treasury contemplated. Rather, it was the consensus of the committee that the existing rules should be continued until Congress amended the law. An amendment to that effect was added to the excise tax extension bill.

Later, the Senate adopted a floor amendment to the same bill which generally had the effect of writing the proposed Treasury regulations into the statutes.

Thus, as the bill passed the Senate, it contained two amendments dealing with the tax treatment of income earned on industrial development bonds—one to continue the present rules until Congress changed them by law, and the other to prescribe new statutory rules effective January 1, 1969.

The conferees on the tax bill worked long and hard to find suitable solutions to the many and important problems that confronted them. With matters as controversial as the 10-percent surtax and the $6 billion cutback in Federal expenditures, it is no wonder that they were unable to give the industrial development bond matter the full attention it deserved. Therefore, the conference agreements which were enacted into law have created more problems with respect to industrial development bonds than they solved.

The principal objective of those seeking to tax such bonds was to eliminate the situation under which State and local governments were, in effect, being required to substitute their borrowing power for the borrowing power of the corporation for whom the bonds were being issued. And this substitution carried with it the threat of a raid on another State's industries.

Certainly, it is a function of government to seek new industry. It is equally a function of government to create new job opportunities for its citizens. It can accomplish both of these objectives without raiding the industry of another State and it should be permitted to do so. Unfortunately, the rules worked out by the conferees reduce the ability of the States to perform these governmental functions. They arbitrarily characterize virtually any State or local bond issue over $1 million as a tax abuse and require that interest earned on it be taxed as if it were paid by the private corporation with respect to whom it was issued.

I believe a better solution can be found. I believe we can work out rules which will prevent the sort of tax abuse which prompted the conference agreement, but which will preserve the rights of the States and their instrumentalities to issue tax-free bonds for the purpose of developing their economies and creating jobs.

With this thought in mind, a bill is being introduced to moderate the harshness of the conference agreement without reraising the charge of "tax abuse" or "tax loophole."

Under this bill, tax exemption would be continued with respect to interest paid on certain issues to combat unemployment or underemployment. However, rigid criteria must be satisfied—criteria generally prescribed by the Advisory Commission on Intergovernmental Relations.

These criteria are: First, that location of the industrial plant be restricted to a community or area with a condition of substantial and persistent unemployment or underemployment; second, that other opportunities for employment are lacking; third, that the number of jobs to be created will not be much greater than the number needed to correct the condition; and fourth, that the plant will not have a high ratio of capital cost to jobs, as would generally be the case with an automated plant.

The Governor of the State must certify that these criteria are met before the exemption of proposed section 104 (c)(4) would apply to a particular issue to finance industrial property.

In all cases if industrial development bonds are to be tax exempt, the bill provides that there must be a showing that the industrial plant is not pirated from another State. In cases where there is the required showing of substantial and persistent unemployment or underemployment, the bill provides for no dollar limitation of the tax-free issue, otherwise it provides that tax-free issues must be for no more than $5,000,000.

For interest received on one of the bond issues I have described to be exempt from taxation including the small issues—the Governor of the State must certify that the industrial plant to be financed by the bond issue is not "pirated" from another State. If it involves relocation of an existing facility then it is not creating new jobs. Rather, it is shifting existing jobs to a new location. In my opinion, it would have to be shown that the new plant being financed by the bond issue must be concerned with expansion of jobs, not relocation of jobs.

I believe that this provides constructive suggestions for dealing with an admittedly complex problem. It will give the States themselves an opportunity to state their position on the industrial bond matter. Until now there has been no congressional forum in which State representatives could express their thoughts. No hearings were held on the industrial bond question except the very narrow hearing during which the Secretary was questioned about his proposed regulation. That hearing certainly offered no basis for the harsh provisions worked out by the conferees on the Revenue and Expenditure Control Act of 1968. I urge the chairman of the Committee on Finance to set hearings at an early date so that we can assure the States that the Federal tax law will not thwart their efforts to do what they think is right for the economy and the citizens of their own jurisdiction.

The ACTING PRESIDENT pro tempore. The bill will be received and appropriately referred.

The bill (S. 3782) to amend the Internal Revenue Code of 1954 in relation to industrial development bonds, introduced by Mr. CURTIS (for himself and other Senators), was received, read twice by its title, and referred to the Committee on Finance.

S. 3784—INTRODUCTION OF BILL TO ESTABLISH AN AGING RESEARCH COMMISSION

Mr. WILLIAMS of New Jersey. Mr. President, in the midst of this troubled period in our Nation's growth, I want to call the attention of the Senate to a task which holds immeasurable promise for harmony and orderly development, for all men, everywhere. The task is the investigation of aging—that complex biological, psychological, and social process which touches us all—one of the true common denominators among men. I am introducing a bill today which I believe could set us on a course of immense productivity and discovery in basic human research.

This bill would establish an Aging Research Commission, which would plan a 5-year program of intensive coordinated research into the origins of the aging process.

For some time now, the Special Committee on Aging has been exploring the plight and the promise of millions of elderly Americans. We have heard from hundreds of men and women over 65 who suffer inadequate health services, insufficient income, and unpleasant housing conditions. As chairman of the committee, I have taken particular notice of a recurrent parallel between poverty, ill health, and despair among the elderly, and a deterioration and decay in their energy, enthusiasm, and vigor.

There is little chance for us to break this cycle among the elderly, unless we begin today to unearth some of the basic data about aging as a process. What we need immediately is a body of accurate information about the basic physical changes which accompany the aging process. We need exploration into the mysteries of the cell and the gene.

Because we do not know the secrets of aging, we are being forced to repair rather than prepare. For example, recent developments in biological medicine, as well as in surgical techniques—including heart transplants and banks of substitute organs—have emphasized restorative medicine. These are systems to repair damage which has already been done.

How much more productive it would be if we could unlock the secrets of body deterioration. A large-scale investigation into the basic processes of aging could yield such an incredible storehouse of information about man's development, that a whole new era of medical insight and competence could be born. Social scientists, physicians, and gerontological experts agree that basic research into the process of aging could possibly lead to mastery over the process which makes men old.

Present efforts in aging research are simply not going to get this important job done. There are two reasons for the inadequacy of the present research effort:

First, because the level of funding is unrealistically low—current total Federal expenditures for basic aging research come to about $7.4 million annually, or less than 5 cents per person;

Second, because aging research has never been concentrated, never given visibility as a research area; and in consequence, many highly trained and dedicated researchers have overlooked the challenges in the field. There is no cohesion to tie all of the research together. Interdisciplinary projects and exhaustive studies would be much more effective if they were incorporated into an overall, coordinated research effort.

The Federal Government is already at work to provide coordinated facilities in aging research. The new Gerontology Research Center within the National Institute of Child Health and Human Development of the National Institutes of Health, will house more than 300 scientists and supporting personnel. It should provide a start for the effort needed to carry out biological research into the process of aging.

Now, we need to match this new physical facility with an equally innovative approach in overall research planning. I believe the bill I am introducing will provide that kind of approach. It would establish a commission, which would be responsible for drawing up a 5-year program of intensive aging research.

It would authorize this commission to set up an information bank which would contain information and statistical data concerning developments on the biological aspects of aging.

The bill would also create a biological research board within the commission which, under the supervision of the commission, will prepare a gerontological quinquennial research plan.

It would provide a vehicle for creating the strong governmental leadership necessary for a program offering such a dramatic impact upon our whole social structure, and upon the individual lives of each of us.

These proposals would open the door to a new era of high-level, energetic research in the basic human processes which lead to aging. There was a call for this kind of concerted effort from the 1961 White House Conference on Aging. Biological science and general medicine have given us so many techniques to employ, so much skill and dedication ready to be used, that it would be a tragic waste of time and energy if we were to let this research collapse for lack of cohesion and focus.

The bill I am introducing today would bring together all of the accumulated wisdom and expertise of the past, and focus this creative force on the immediate task of unearthing the mysteries of aging. We have it in our grasp, this elusive life force called aging; and it is up to us, as representatives of the concerned public, to provide the tools and materials needed to solve the riddle of why people grow old.

Mr. President, I have received letters and statements in support of a gerontological research "master plan" from a number of distinguished scientists and educators. I ask unanimous consent that some excerpts be reprinted in the RECORD. I also ask unanimous consent that an analysis of the bill be printed in the RECORD at the close of my remarks.

The ACTING PRESIDENT pro tempore. The bill will be received and appropriately referred; and, without objection, the excerpts and analysis will be printed in the RECORD.

The bill (S. 3784) to promote the advancement of biological research in aging through a comprehensive and intensive 5-year program for the systematic study of the basic origins of the aging process in human beings, introduced by Mr. WILLIAMS of New Jersey, was received, read twice by its title, and referred to the Committee on Labor and Public Welfare.

The excerpts and analysis, presented by Senator WILLIAMS of New Jersey, are as follows:

EXCERPTS FROM STATEMENTS IN SUPPORT OF A COORDINATED RESEARCH PLAN

Dr. Linus Pauling, noted scientist and researcher, now Professor of Molecular Chemistry at the University of California at San Diego:

"The possibilities of decreasing (this) suffering through research on senescence are in my opinion large enough to justify the expenditure of hundreds of millions of dollars per year, in addition to the expenditures now being made. The progress in molecular biology and medicine during recent years has been tremendous. Many fundamental discoveries have been made that suggest promising programs of developmental research. In addition, more money should be provided to support work in basic science, especially in the fields of molecular structure and molecular biology, because there is an excellent chance that additional very important discoveries can be made."

(Letter to Senator Williams, commenting on the needs in the field of aging research.)

Dr. Bernard L. Strehler, Professor of Biology, University of Southern California:

"I hope that the need for an understanding of the origin of the aging process and its direct relevance to other areas of biology and medicine is self-evident. I hope I have been sufficiently explicit in demonstrating that the present effort to understand this problem is far less than might have been hoped or expected. . . . I hope that you will give consideration to the proposal for an international gerontological quinquennium."

(Statement at hearings on "Long-Range Program and Research Needs in Aging and Related Fields," Washington, D.C., December 6, 1967.)

Dr. F. Marott Sinex, Chairman, Department of Biochemistry, Boston University:

"One of the most important things which Congress can do . . . is to focus attention of laymen and scientists on the aging challenge. Statements that aging research will be supported by responsible public leaders are effective in making scientists regard aging as a major problem. Congress and this Committee can give aging research visibility."

(Statement submitted to December, 1967, hearings.)

Analysis of Aging Research Commission Proposal

I. What are the major provisions of the Bill?

The bill would establish an Aging Research Commission, which would be responsible for preparing a five-year research program (to be known as the Gerontological Quinquennial Research Plan). It would instruct the Commission to gather, analyze, interpret and organize all of the available information on the biology of aging. The bill mandates the Commission to file a written report with the President one year after its inception.

II. Who would sit on the Research Commission?

The Commission would be made up of two biological scientists, two administrators from relevant areas, and one sociologist. In addition, a Biological Research Board, acting as a supplementary agency within the Commission, would carry out the specific task of drafting the five-year program of research; this Board would be composed of eight authoritative researchers in the field of aging.

III. What kinds of problems will the Commission attempt to face?

The Commission will be looking into the whole range of issues involved in the aging process-biological, psychological, physical, and social. It will be designed to coordinate all of the energy and resources now at work on the problems of aging, and direct these elements in a single, all-out attack on the secrets of growing old.

IV. Who would be affected by the work of the Commission?

All men and women, everywhere, would be affected; because all men and women share the common characteristic of aging. The Commission would attempt to devise means to unearth the deepest mysteries of cellular growth and change, basic bodily chemistry, and complex psychological processes. These are traits of every man and woman, regardless of time or place or social status.

V. What are the dimensions of the Commission's task?

As proposed, the Commission would sit until June 30, 1969, at which time it would submit its report to the President. It is expected that the period of the quinquennial study would be from 1970 to 1975. At present, there are 19 million Americans over age 65; by 1975, there will be more than 21 million.

INTRODUCTION OF BILLS AND RESOLUTIONS PERTAINING TO THE OWNERSHIP OF LANDS ALONG A SECTION OF THE COLORADO RIVER

Mr. MURPHY. Mr. President, I wish to speak with respect to a matter that is of great interest to a number of people in my State and the adjoining States of Colorado and Arizona.

Today, on behalf of my colleague, the senior Senator from California, and myself, I introduce a series of bills and Senate resolutions pertaining to the ownership of lands along the lower section of the Colorado River. Over the years, portions of the river have changed course and because of these meanderings, there has arisen a dispute between the Federal Government and private citizens over title to the property. Legislative and judicial solutions to the problem have been sought but to date there has been no final judgment.

Many of these matters are working an extreme hardship on many people living in the area. The bills I introduce today seek to resolve at least some of the disputed claims legislatively. At the same time, I am introducing with each bill a Senate resolution which calls for the Chief Commissioner of the U.S. Court of Claims to designate, pursuant to section 1492 of title 28 of the United States Code, a trial commissioner to proceed in accordance with the applicable rules to determine the facts as mentioned in the resolutions and to report to the Congress on his findings of facts together with conclusions sufficient to inform the Congress whether the demands in question are legal or equitable claims, and the amounts, if any, legally or equitably due from the United States to the claimants.

The bills, Mr. President, involve the Secretary of the Interior and lands under his control. The resolutions, in turn, pertain directly to the bills. I ask unanimous consent, therefore, that the bills together with the accompanying resolutions be referred to the Senate Committee on Interior and Insular Affairs which has handled previous measures of a similar nature and which, I feel, should handle these bills and resolutions together.

The ACTING PRESIDENT pro tempore. The bills and resolutions will be received; and, without objection, will be referred to the Committee on Interior and Insular Affairs.

The bills, introduced by Mr. Murphy (for himself and Mr. Kuchel) were received, read twice by their titles, and were referred to the Committee on Interior and Insular Affairs, as follows:

S. 3786. A bill to authorize and direct the Secretary of the Interior to relinquish and quitclaim any title it may heretofore claim to certain lands situated in the County of San Bernardino, State of California;

S. 3787. A bill to authorize and direct the Secretary of the Interior to relinquish and quitclaim any title it may heretofore claim to certain lands situated in the County of San Bernardino, State of California;

S. 3788. A bill to authorize and direct the Secretary of the Interior to relinquish and quitclaim any title it may heretofore claim to certain lands situated in the County of San Bernardino, State of California;

S. 3789. A bill to authorize and direct the Secretary of the Interior to relinquish and quitclaim any title it may heretofore claim to certain lands situated in the County of Riverside, State of California;

S. 3790. A bill to authorize and direct the Secretary of the Interior to relinquish and quitclaim any title it may heretofore claim to certain lands situated in the County of Riverside, State of California;

S. 3791. A bill to authorize and direct the Secretary of the Interior to relinquish and quitclaim any title it may heretofore claim to certain lands situated in the County of Riverside, State of California;

S. 3792. A bill to authorize and direct the Secretary of the Interior to relinquish and quitclaim any title it may heretofore claim to certain lands situated in the County of Riverside, State of California;

S. 3793. A bill to authorize and direct the Secretary of the Interior to relinquish and quitclaim any title it may heretofore claim to certain lands situated in the County of San Bernardino, State of California;

S. 3794. A bill to authorize and direct the Secretary of the Interior to relinquish and quitclaim any title it may heretofore claim to certain lands situated in the County of San Bernardino, State of California;

S. 3795. A bill to authorize and direct the Secretary of the Interior to relinquish and quitclaim any title it may heretofore claim to certain lands situated in the County of Riverside, State of California;

S. 3796. A bill to authorize and direct the Secretary of the Interior to relinquish and quitclaim any title it may heretofore claim to certain lands situated in the County of Riverside, State of California;

S. 3797. A bill to authorize and direct the Secretary of the Interior to relinquish and quitclaim any title it may heretofore claim to certain lands situated in the County of Riverside, State of California;

S. 3798. A bill to authorize and direct the Secretary of the Interior to relinquish and quitclaim any title it may heretofore claim to certain lands situated in the County of Riverside, State of California;

S. 3799. A bill to authorize and direct the Secretary of the Interior to relinquish and quitclaim any title it may heretofore claim to certain lands situated in the County of Riverside, State of California;

S. 3800. A bill to authorize and direct the Secretary of the Interior to relinquish and quitclaim any title it may heretofore claim to certain lands situated in the County of Riverside, State of California;

S. 3801. A bill to authorize and direct the Secretary of the Interior to relinquish and quitclaim any title it may heretofore claim to certain lands situated in the County of Riverside, State of California;

S. 3802. A bill to authorize and direct the Secretary of the Interior to relinquish and quitclaim any title it may heretofore claim to certain lands situated in the County of San Bernardino, State of California;

S. 3803. A bill to authorize and direct the Secretary of the Interior to relinquish and quitclaim any title it may heretofore claim to certain lands situated in the County of Riverside, State of California;

S. 3804. A bill to authorize and direct the Secretary of the Interior to relinquish and quitclaim any title it may heretofore claim to certain lands situated in the County of Riverside, State of California;

S. 3805. A bill to authorize and direct the Secretary of the Interior to relinquish and quitclaim any title it may heretofore claim to certain lands situated in the County of San Bernardino, State of California;

S. 3806. A bill to authorize and direct the Secretary of the Interior to relinquish and quitclaim any title it may heretofore claim to certain lands situated in the County of San Bernardino, State of California;

S. 3807. A bill to authorize and direct the Secretary of the Interior to relinquish and quitclaim any title it may heretofore claim to certain lands situated in the County of Riverside, State of California;

S. 3808. A bill to authorize and direct the Secretary of the Interior to relinquish and quitclaim any title it may heretofore claim to certain lands situated in the County of Riverside, State of California;

S. 3809. A bill to authorize and direct the Secretary of the Interior to relinquish and quitclaim any title it may heretofore claim to certain lands situated in the County of Riverside, State of California;

S. 3810. A bill to authorize and direct the Secretary of the Interior to relinquish and quitclaim any title it may heretofore claim to certain lands situated in the County of San Bernardino, State of California;

S. 3811. A bill to authorize and direct the Secretary of the Interior to relinquish and quitclaim any title it may heretofore claim to certain lands situated in the County of Riverside, State of California;

S. 3812. A bill to authorize and direct the Secretary of the Interior to relinquish and quitclaim any title it may heretofore claim to certain lands situated in the County of San Bernardino, State of California;

S. 3813. A bill to authorize and direct the Secretary of the Interior to relinquish and quitclaim any title it may heretofore claim to certain lands situated in the County of Riverside, State of California;

S. 3814. A bill to authorize and direct the Secretary of the Interior to relinquish and quitclaim any title it may heretofore claim to certain lands situated in the County of Riverside, State of California;

S. 3815. A bill to authorize and direct the Secretary of the Interior to relinquish and quitclaim any title it may heretofore claim to certain lands situated in the County of Riverside, State of California;

S. 3816. A bill to authorize and direct the Secretary of the Interior to relinquish and quitclaim any title it may heretofore claim to certain lands situated in the County of Riverside, State of California;

S. 3817. A bill to authorize and direct the Secretary of the Interior to relinquish and quitclaim any title if may heretofore claim to certain lands situated in the County of San Bernardino, State of California;

S. 3818. A bill to authorize and direct the Secretary of the Interior to relinquish and quitclaim any title it may heretofore claim to certain lands situated in the County of Riverside, State of California;

S. 3819. A bill to authorize and direct the Secretary of the Interior to relinquish and quitclaim any title it may heretofore claim to certain lands situated in the county of Riverside, State of California;

S. 3820. A bill to authorize and direct the Secretary of the Interior to relinquish and quitclaim any title it may heretofore claim to certain lands situated in the County of Riverside, State of California;

S. 3821. A bill to authorize and direct the Secretary of the Interior to relinquish and quitclaim any title it may heretofore claim to certain lands situated in the County of Riverside, State of California;

S. 3822. A bill to authorize the payment of private claims to R. A. Beaver and J. F. Beaver of Blythe, Calif.;

S. 3823. A bill to relinquish and disclaim any title to certain lands situated in Imperial County, Calif.;

S. 3824. A bill to relinquish and disclaim any title to certain lands situated in Imperial County, Calif.;

S. 3825. A bill to relinquish and quitclaim any title to certain lands situated in Riverside, County, Calif.;

S. 3826. A bill to relinquish and disclaim any title to certain lands situated in Yuma County, Ariz.;

S. 3827. A bill to authorize and direct the Secretary of the Interior to relinquish and quitclaim any title it may heretofore claim to certain lands situated in the County of Riverside, State of California;

S. 3828. A bill to relinquish and disclaim any title to certain lands situated in Yuma County, Ariz.;

S. 3829. A bill to authorize and direct the Secretary of the Interior to relinquish and quitclaim any title it may heretofore claim to certain lands situated in the County of Riverside, State of California;

S. 3830. A bill to authorize and direct the Secretary of the Interior to relinquish and quitclaim any title it may heretofore claim to certain lands situated in the County of Riverside, State of California;

S. 3831. A bill to authorize and direct the Secretary of the Interior to relinquish and quitclaim any title it may heretofore claim to certain lands situated in the County of Riverside, State of California;

S. 3832. A bill to authorize and direct the Secretary of the Interior to relinquish and quitclaim any title it may heretofore claim to certain lands situated in the County of Riverside, State of California;

S. 3833. A bill to authorize and direct the Secretary of the Interior to relinquish and quitclaim any title it may heretofore claim to certain lands situated in the County of San Bernardino, State of California; and

S. 3834. A bill to authorize and direct the Secretary of the Interior to relinquish and quitclaim any title it may heretofore claim to certain lands situated in the County of San Bernardino, State of California.

(For text of the resolutions referred to, see under the heading "Resolutions").

S. 3835—INTRODUCTION OF BILL ENTITLED "THE NEIGHBORHOOD HEALTH CENTER ACT"

Mr. PERCY. Mr. President, we all know that medical science has scored vast gains over the past 10 years. We know we have in America the finest doctors and finest hospitals in the world. But few realize that, at the same time, the relative quality of medical care of the American people has declined over the years. For instance, at one time we ranked sixth among the nations in our infant mortality rate. Today, we have slipped to 15th place. Medical knowledge and research capability have increased dramatically but, unfortunately, so has the cost of medical care so that today a smaller percentage of Americans can afford medical care than before.

It has been estimated that the cost of living will rise by 20 percent by 1975, but medical costs are expected to jump 140 percent. As medical care costs continue to skyrocket, fewer and fewer Americans can afford necessary medical attention.

The poor in the United States receive a disproportionately low share of the health services. Like in so many other areas, Federal health programs have tended to provide help to middle-income Americans, while virtually ignoring the health problems of the poor. And the result is that the health of the poor in this country is a national disgrace.

Poor Americans are four times as likely to die before the age of 35 as the average citizen. Negro women in Mississippi die six times as often in childbirth as white women, and in some urban ghettos of the North, one child in 10 dies in infancy. The life expectancy for an American Negro at birth is 61 years, but for a white American it is 68 years.

And the health gap between the rich and the poor is growing. In 1940, the infant mortality rate for nonwhites was 70 percent higher than for whites. But in 1962, the rate was 90 percent greater. George James, former New York City commissioner of health, noted that if the death rate in a middle-class white neighborhood were projected for New York City as a whole, 12,000 lives a year would be saved. He stated that poverty is the third leading cause of death in New York City.

The changing social and medical order is creating, with increasingly compelling urgency, new challenges in health care. Contemporary patterns of disease and disability call for primary emphasis to be given to health maintenance measures; and the growing complexity of medical resources requires the integrated function of the health team. Effective health maintenance implies, in today's setting, a unified, personalized, and continuous service system.

Present medical care for the poor is fragmented, uncoordinated, and completely unresponsive to the total patient needs. It is hard to believe that, although we spend $50 billion a year for health care, a recent report of the National Advisory Commission on Health Manpower stated flatly:

> There is a crisis in American health care.

The report further stated:

> Unless we improve the system through which health care is provided, care will continue to become less satisfactory even though there are massive increases in cost and in numbers of health personnel.

It is my position that we can get more from the health care dollar. Instead of pouring more dollars into a system in order to try to cover up the problems in the system, we should come to recognize that only a reorganization of the system itself will produce the level of care of which we are capable.

The Congress is presently at an important crossroads in the area of health legislation. New health legislation of the past several years has been addressed to important problems and certain demonstration programs have beamed a ray of hope into some hard core areas of need. However, these can only be looked upon as tentative first steps. And, as in so many other areas, once the path is first tread, we have only begun to realize the truly massive problems of personnel, organization, and financing that must be attended to. The time has now come to correct the inadequacies of the present system. The bill I offer today represents a step in this direction.

The present system of medical care virtually ignores the special health problems of the poor. In the past half-century there has been a trend toward urbanization of America's population. This trend has brought with it problems peculiar to city life. Among the problems has been the development of large neighborhoods in the central areas of our cities characterized by dilapidated housing, poor schools, low incomes, high levels of crime, unemployment, infant mortality, chronic disease, and, worst of all, hopelessness. As I have already pointed out, medical statistics demonstrate that people living in these areas are much less healthy than their well-to-do neighbors. For example, two-thirds of the children enrolled in Headstart projects were found to have significant emotional or physical defects at the age of 6; one-third of the working poor suffer from some significant chronic illness.

In the past, people without financial resources have been forced to turn to charity hospitals or the good will of the medical profession when care was required. Often, care was not available, and almost never was the care received comparable to that received by wealthier patients. The indignities of being poor were thus extended to the area of health care. In the vast wards of the municipal or county hospital such people were attended essentially by inexperienced young physicians.

This inequity has been known to the medical profession for many years, but only recently have the resources and the will of the Nation been directed at the problem. The most important step so far has been the passage of medicare and medicaid. This legislation established that good health for all citizens is a national goal worthy of America. Unfortunately, title 19—medicaid—has fallen short of this goal while greatly exceeding its anticipated cost. Thus, programs have had to be cut back in several States, leaving some of the gravest health problems untouched. But it is clear that even had medicaid not run into financial difficulty, it would still have been inadequate. Inadequate because it assumes that the only barrier to full health care for the poor is their inability to pay the physician's fees. The facts are, however, that in the large urban poverty areas it is extremely difficult to get to a doctor, even when money is available.

The major problem today is the inaccessibility of health personnel in both urban and rural poor areas. Although poor families have three times more disabling heart disease, seven times more visual impairment, and five times more mental illness, the average family with an income under $3,000 has 40 percent fewer physician contacts than a family whose income is $10,000 or more. It was startling to find that 50 percent of the Project Headstart children had never been seen by a physician.

The reasons for this inaccessibility are many and complex. The location of medical services, the hours at which they are offered, and the availability of transportation have not been taken into account in the planning of health services. Very often, prospective patients have no idea when and where to go for help. Existing facilities are old, understaffed, and generally unpleasant. It is not uncommon for a person to have to ride half a day on the bus to get to a clinic, only to have to wait another 3 hours to see a physician, and then another hour to have his prescription filled. He may be turned away because he is in the wrong jurisdiction or he cannot prove his eligibility for the services.

Even if the patient is willing to pay for a physician's services, he may not be able to find a physician. A recent study of a Chicago area showed that the number of private doctors per capita was only half as great in poverty areas as in nonpoverty areas. The shortage of trained specialists in these areas was found to be even more acute than the shortage of general practitioners. Therefore, not only is the care harder to get, but it is likely to be of lower quality.

Thus, although a person may be entitled under medicaid to go to any physician that will see him, he may still be required to travel great distances to a public clinic or the emergency room of a hospital in order to see a doctor, or, worse yet, he might decide it is not worth the trouble and wait until he needs an ambulance. In any case, it is clear that many people with definite medical problems are either prevented from getting needed care or the care is delayed.

Until recently, Federal programs for indigent health care have focused on specific disease categories. Funds have been made available for tuberculosis or rheumatic fever control, for immunizations, for preschool examinations, and prenatal clinics. The statistics show, however, that this categorical approach is, at best, a half-way measure—for without a personal doctor-patient relationship, the variety of threats to the health of an individual cannot be counteracted. Only the practicing physician, alert for any possible disease, can provide complete preventive care.

In fact, the chief complaints of physicians and other health personnel with whom I have spoken, working in the urban poverty areas, are of the fragmentation and lack of continuity of present Government programs. This simply means that too often, separate agencies are concerned with various aspects of illness. Thus, children may go to the child health clinic, diabetics go to the diabetic clinic, those with skin problems go to the dermatology clinic, and so on. Each week the family may have to seek out a different doctor, depending on one's ailment and eligibility. Rarely does a patient see the same doctor repeatedly. Various services are offered in different parts of town. Diseases are being treated, not sick people.

As previously discussed, medicaid programs have advanced only a partial solution to this problem. The Comprehensive Health Planning and Public Health Services Amendments of 1966—Public Law 89–749—and the Partnership for Health Amendments of 1967—Public Law 90–174—were addressed to the problem of improving community health services. A comprehensive approach implies inclusiveness; that is, many services under the same roof. Medically, the term "comprehensive" means a complete approach to the individual no matter what his disease or disability. It is disturbing to report that of $62.5 million authorized for comprehensive public health services, almost every cent appropriated was spent in categorical programs. Even more alarming is that of $57.5 million appropriated—for 1967 under section 314(e) of Public Law 89–749—for the specific purposes of financing new approaches in the provision of health services, $5 million was spent on new approaches and methods.

Certainly no one can impugn the intent of the categorical programs now supported by the Government. Prevention of disease and suffering is a goal to which we would all like to contribute. But, in fact, it is a sad irony that preventable diseases disable large numbers of Americans who live in the very shadow of the laboratories and medical schools that are spending millions of dollars in research moneys to conquer new diseases. The evidence is that a fragmented approach to the medical problems of the poor has not succeeded and will not succeed.

It is essential that any future legislation in the health field take into account factors of cost and efficiency of operation. However, at the outset it is important to emphasize that good health is a sound economic investment. The clearest examples are obviously preventable diseases.

Prevention requires that an individual have contact with a physician. The Government has recognized the economic cost of these diseases but the programs proposed are not addressed to the primary problem; the inaccessibility of medical care to the poor. For example, in New York City in 1964, a child from a family with income under $4,000 was only half as likely to have had a polio immunization as a child of a family with income over $6,000.

In adult life, disease is translated into poor work records. For example, employees with incomes under $4,000 have twice as many absences from work per year as those with incomes over $7,000. The economic cost mounts into the billions of dollars.

Vast sums of money have been spent on medical and basic scientific research. No one can deny that the average American has benefited greatly from the advances made in medical science in the past three decades. But commonsense tells us that, unless one gets to a physician, and the poor, as we have seen, too often do not, these advances mean nothing. Nor do the urban poor benefit equally from the millions spent for hospital expansion and modernization under the Hospital Survey and Construction Act; if anything, it is the more affluent with their greater demand for, and utilization of, available health services that have benefited from these programs. The poor have been virtually ignored. In fact, the more poverty stricken an individual is, the greater his isolation from modern medicine.

In an attempt to meet this problem, the Office of Economic Opportunity, under the demonstration cities legislation, has funded several clinics in so-called hard-core poverty areas. These clinics, although stressing maternal and child health, are comprehensive; that is, the clinic attempts to provide for all the health needs of the poor family. Aides, who are local residents, are assigned the job of seeking to inform the neighborhood of the clinic's presence. The clinics are often hospital-affiliated, so that if hospitalization is required, the same physician is able to care for the patient before, during, and after a hospital stay. Many clinic patients had never been seen by a physician previously. Stress was laid on making the clinic a pleasant place—equivalent to a private doctor's office for wealthier clientele. It is clear from the standpoint of the patient that this is the most satisfactory way to partake of health services, with the family as the essential unit.

Experience to date with these demonstration programs suggests that initial health evaluation of the total family by the health team establishes a working relationship and the necessary base of information for an effective health program. It has been possible to change traditional patterns of medical care so as to emphasize preventative services and to offer coordination and continuity of care to families previously involved only with medical treatment during crises.

Economically, this approach is also the most attractive. If hospital utilization is to be reduced, preventive medicine must be practiced and full use of outpatient diagnosis methods must be encouraged. Fully equipped clinics, adequately staffed and directed toward the total health needs of the poor family, must be established. This must be the Federal health program of top priority. It has been established that over 1,000 clinics, each serving a population of about 10,000–30,000 people, would be needed to completely serve the health needs of the poor. As of February 1968, there were 14 OEO clinics in operation and fewer than 4 dozen planned.

Comprehensive clinics pay their own way. All evidence indicates that providing comprehensive outpatient care reduces hospital utilization dramatically. In a Mississippi comprehensive health center, a spot check after 2 years of operation indicated that the health level of local residents was raised to the point where the number of hospitalization days had been cut by 80 percent. Not only are many diseases prevented or diagnosed earlier, but hospitalization for diagnostic purposes can be avoided by providing such services in the clinic. Most important, the tendency to fragment medical services—fostered by most Federal programs—can be avoided. Perhaps many of the categorical programs will be found unnecessary, which would save more Federal dollars.

Medicare and medicaid legislation was based on the traditional fee-for-service solo practice of medicine. Comprehensive care implies group practice. Although each person would have a personal physician, a wide range of specialty services would be made available. Medicare and medicaid reimbursement plans are basically forms of health insurance. Long experience with health insurance plans demonstrate that they are invariably associated with increased hospital utilization. Comprehensive group practice plans, on the other hand, show a conspicuously more efficient use of health personnel and facilities. Group practice plans are associated with overall lower cost and significantly lower hospital utilization. For example, in a recent comparison of similar groups of patients having health insurance plans based on fee-for-service versus those enrolled in group practice plans, annual hospital days per 1,000 patients was 415 for the group practice plans compared to 924 for the group with health insurance.

Medicare and medicaid being forms of health insurance have thus tended to increase hospital utilization. On the other hand, it is significant that in its first 2 years of operation in a poverty area, the comprehensive care clinic of the Boston Columbia Point program has been associated with a 90-percent reduction in number of hospital patient-days for the population served. This trend should be encouraged.

In order to hasten the provision of good health care for all Americans while maintaining a strong orientation toward efficiency and economy, I am today introducing the Neighborhood Health Center Act (S. 3835).

The main provisions of this bill are as follows:

First. Federal funds are committed to the establishment of outpatient clinics in areas of low physician accessibility. Public Law 88–443, the Hospital and Medical Facilities Act of 1964, is amended to include comprehensive ambulatory care centers among the facilities eligible to be constructed with Federal funds. These centers will be staffed by a group of physicians with different specialty training in order to provide a wide range of services.

Second. No additonal funds are authorized. However, the present restrictions under Public Law 88–443 are removed, and the type of project to be funded is left to the discretion of the State planning agency. It is felt that each State can best determine its own needs and priorities.

Third. In order to focus Federal expenditures on the health needs of the poor, State allotments will be calculated on the basis of the number of medically indigent families within each State rather than on the basis of a complicated formula involving average per-capita income and population. The industrialized States are discriminated against by the present formula because of their higher per-capita income. For example, the District of Columbia has the highest per-capita income of any State or territory, yet it has two to three times as many families with incomes under $3,000 as four other States. At present, each of these four States receives a larger allotment than the District of Columbia.

Fourth. To make better use of Federal funds spent for research and planning, the bill provides for the consideration of recommendations of the areawide planning agencies established under Public Law 89–749.

Fifth. The major goal of the bill is provision of the best possible medical care for all. Therefore, the bill provides for the Surgeon General to give priority to areas with low physician accessibility, because these are the areas of greatest need due to the fact that most present legislation ignores these areas.

Sixth. In order to avoid funding inefficient operations, the bill requires priority in granting funds be given to the most efficient facilities. This will, therefore, circumvent the pitfalls of medicare and medicaid which tend to reward the most inefficient operations by reimbursing on a cost basis.

It is anticipated that applicants will include groups of private physicians, medical schools and their affiliated hospitals, voluntary hospital centers, nonprofit organizations, and local medical societies.

The Nation's health is its most valuable possession, and soundest investment. A program of neighborhood health centers would clear the most difficult obstacles between many of our citizens and a productive life.

I am submitting a section-by-section summary of the Neighborhood Health Center Act, a copy of the Neighborhood Health Center Act, and selected sections of title VI of the Public Health Service Act which is amended by the Neighborhood Health Center Act. I ask unanimous consent that these documents be printed at this point in the Record.

The ACTING PRESIDENT pro tempore. The bill will be received and appropriately referred; and, without objection, the bill, section-by-section summary, and sections of title VI of the Public Health Service Act will be printed in the Record.

The bill (S. 3835) to amend title VI of the Public Health Service Act to include within the scope of part A thereof comprehensive ambulatory health services, and otherwise to extend and improve the program established by such part A, introduced by Mr. Percy, was received, read twice by its title, referred to the Committee on Labor and Public Welfare, and ordered to be printed in the Record, as follows:

S. 3835

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this act is to be cited as: "The Neighborhood Health Center Act of 1968."

Sec. 2. (a) Section 600(a) of the Public Health Service Act is amended by inserting ", including comprehensive ambulatory care centers," immediately after "other medical facilities".

(b) Section 601 of such Act is amended to read as follows:

"Sec. 601. In order to assist the States in carrying out the purposes of Section 600, there are authorized to be appropriated, for grants for the construction or modernization of public or other nonprofit hospitals, public health centers, comprehensive ambulatory care centers, facilities for long-term care, diagnostic or treatment centers, and rehabilitation facilities, $280,000,000 for the fiscal year ending June 30, 1969."

(c) (1) Section 602(a) of such Acts is amended to read as follows:

"(a) Each State shall be entitled for each fiscal year, beginning with the fiscal year which ends June 30, 1969, to an allotment bearing the same ratio to the sums appropriated for such year pursuant to Section 601 as the number of medically indigent individuals in such State bears to the sum of the medically indigent individuals in all the States."

(2) Section 602(b)(1) of such Act is amended to read as follows:

"(1) The allotment to any State under subsection (a) for a fiscal year which is less than $175,000 for the Virgin Islands, American Samoa, or Guam and $450,000 for any other State shall be increased to that amount, the total of the increases thereby required being derived by proportionately reducing the allotment for such fiscal year to each of the remaining States, but with such adjustments as may be necessary to prevent the allotment of any of such remaining States from being thereby reduced to less than that amount."

(3) Section 602(c) of such Act is hereby repealed.

(4) Section 602 of such Act is further amended by striking out subsections (e) and (f) thereof and by adding after subsection (d) thereof the following new subsection:

"(e) In accordance with regulations, any State may file with the Surgeon General a request that a specified portion of its allotment under this part be added to the allotment under this part of another State for the purpose of meeting a portion of the Federal share of the cost of a project, in such other State, which is designed to carry out one or more of the purposes set forth in Section 600. Any such request shall contain or be supported by a certification, by the State, that the appropriate areawide health planning agency in such State has been informed of and consulted with respect to such request, and by a statement as to whether any such planning agency approves of such request. If it is found by the Surgeon General and the Secretary that the completion of the project with respect to which the request is made would meet the needs of the State making the request and that use of the specified portion of such State's allotment, as requested by it, would assist in carrying out the purposes of this title, such portion of such State's allotment shall be added to the corresponding allotment of the other State, to be used for the purpose referred to above."

(d) Section 603(a) of such Act is amended by inserting after paragraph (3) thereof the following new paragraph:

"(4) in the case of projects for the construction of comprehensive ambulatory care centers, to facilities located in areas of low physician accessibility, as determined by the State agency after taking into consideration the views of any State, local, or areawide, health planning agencies within the State the planning activities of which include the area wherein any such project is to be located; and".

(e)(1) Section 604(a)(4) of such Act is amended (A) by redesignating subparagraph (E) thereof as subparagraph (F), (B) by striking out "and" at the end of subparagraph (D) thereof, and (C) by inserting after subparagraph (D) thereof the following new subparagraph:

"(E) the comprehensive ambulatory care centers needed to provide adequate health services for people residing in the State, and a plan for the distribution of such centers throughout the State; and".

(2) Section 604(a)(5) of such Act is amended by inserting "comprehensive ambulatory health centers" immediately after "diagnostic or treatment centers".

(3) Section 604(a) of such Act is further amended (A) by striking out "and" at the end of paragraph (11) thereof, (B) by redesignating paragraph (12) thereof as paragraph (13), and (C) by adding after paragraph (11) thereof the following new paragraph:

"(12) provide that the State agency shall furnish to the Surgeon General with respect to each application for a project, detailed information regarding the costs of services to be provided by the proposed health facility; and".

(f)(1) The first sentence of section 605(b) of such Act is amended (A) by striking out "and (4)" and inserting in lieu thereof "(4)"; and (B) by inserting immediately before the period at the end thereof the following: ", and (5) that such project is in furtherance of or consistent with any comprehensive health plan carried out by the State agency, referred to in section 314(a)(2)(A), of the State in which such project is to be located".

(2) Section 605 of such Act is further amended by adding at the end thereof the following new subsection:

"(f) An application for a project shall be approved under this section only if—

"(1) the applicant supplies the Surgeon General with such data as may be necessary in order for him to determine the efficiency of operation of any other health facilities operated by such applicant, and

"(2) the Surgeon General determines that such other health facilities operated by the applicant are being operated efficiently, and

"(3) the Surgeon General determines that it is, or has the potential to be, the most efficiently operated project in the area."

(g) Section 607(f) of such Act is amended by striking out "any one or more subparagraphs of".

(h)(1) Section 625(b) of such Act is amended to read as follows:

"(b) The term 'Federal share' with respect to any project means the proportion of the cost of construction of such project to be paid by the Federal Government, and shall be whichever of the following the State elects—

"(1) the share determined by the State agency in accordance with standards, included in the State plan, which provide equitably for variations between projects on the basis of objective criteria related to the economic status of areas and, if the State so elects, such other factor or factors as may be appropriate and be permitted by regulations, except that such standards may not be provided for a Federal share of more than 66⅔ per centum or less than 33⅓ per centum,

"(2) the amount (not less than 33⅓ per centum and not more than 66⅔ per centum) established by the State for all projects in the State, or

"(3) 50 per centum of the cost of construction of the project.

The State agency shall, prior to the approval by it, under the State plan approved under part A, of the first project in the State during any fiscal year, give written notification to the Surgeon General of the Federal share which it has elected pursuant to the preceding sentence of this subsection for projects in such State to be approved by the Surgeon General during such fiscal year, and such Federal share or shares for projects in each State approved by the Surgeon General during such fiscal year shall not be changed after approval of such first project by the State."

(2) Section 625 of such act is further amended by adding at the end thereof the following new subsections:

"(m) The term 'comprehensive ambulatory care center' means a clinic which is staffed by a group of licensed medical doctors of various specialties and which provides a wide range of diagnostic and treatment services to patients who do not require hospitalization.

"(n) The term 'medically indigent' is defined as an individual eligible for medical assistance until Title XIX of the Social Security Amendments of 1965 for those states which have implemented plans defined therein. For other states, 'medically indigent' means individuals so designated under regulations prescribed by the Secretary."

SEC. 3. The amendments made by the first section of this Act shall take effect July 1, 1969.

The section-by-section summary and selections from title VI, presented by Mr. PERCY, are as follows:

SECTION-BY-SECTION SUMMARY OF THE NEIGHBORHOOD HEALTH CENTER ACT

(a) Amends the purpose section of title VI of the Public Health Service Act to include comprehensive ambulatory care centers among the categories of facilities to be assisted.

(b) Eliminates the earmarking of funds for specific categories of projects. The type of projects to be funded in each state is left to the discretion of the State planning agency.

Changes the present state allotment formula which is based upon average per capita income and population to one based upon the number of medically indigent in each state.

(c) Requires the approval of the appropriate areawide health planning agency for a state to share its allotment with another state.

(d) Requires that the surgeon general, in prescribing regulations under the comprehensive ambulatory care center program, give priority to areas of low physician accessibility.

(e) Requires that the state plan include information on the number of comprehensive ambulatory care centers needed to provide adequate health services for the state.

Requires that information be submitted with each application detailing the cost of health services to be provided by the proposed facility.

(f) Requires projects to be consistent with comprehensive health plans provided for under the Comprehensive Health Planning and Public Health Services Amendments of 1966. Applications must provide data concerning efficiency of operation of health facilities presently operated by the applicant and requires the surgeon general to give priority to the most efficient project applicants.

(g) Technical amendment.

(h) Technical amendment.

Defines "Comprehensive Ambulatory Care Center" and "medically indigent family population".

SECTION TWO

The Neighborhood Health Center Act shall take effect July 1, 1969.

TITLE VI—ASSISTANCE FOR CONSTRUCTION AND MODERNIZATION OF HOSPITALS AND OTHER MEDICAL FACILITIES[1]

DECLARATION OF PURPOSE

SEC. 600. The purpose of this title is—

(a) to assist the several States in the carrying out of their programs for the construction and modernization of such public or other nonprofit community hospitals and other medical facilities as may be necessary, in conjunction with existing facilities, to furnish adequate hospital, clinic, or similar services to all their people;

(b) to stimulate the development of new or improved types of physical facilities for medical, diagnostic, preventive, treatment, or rehabilitative services; and

(c) to promote research, experiments, and demonstrations relating to the effective development and utilization of hospital, clinic, or similar services, facilities, and resources, and to promote the coordination of such research, experiments, and demonstrations and the useful application of their results.

---

[1] Title VI was completely revised by sec. 3(a) P.L. 88–443.

PART A—GRANTS AND LOANS FOR CONSTRUCTION AND MODERNIZATION OF HOSPITALS AND OTHER MEDICAL FACILITIES

AUTHORIZATION OF APPROPRIATIONS FOR CONSTRUCTION GRANTS

SEC. 601. In order to assist the States in carrying out the purposes of section 600, there are authorized to be appropriated—

(a) for the fiscal year ending June 30, 1965, and each of the next four fiscal years—

(1) $70,000,000 for grants for the construction of public or other nonprofit facilities for long-term care;

(2) $20,000,000 for grants for the construction of public or other nonprofit diagnostic or treatment centers;

(3) $10,000,000 for grants for the construction of public or other nonprofit rehabilitation facilities;

(b) for grants for the construction of public or other nonprofit hospitals and public health centers and for grants for modernization of such facilities and the facilities referred to in paragraph (a), $150,000,000 for the fiscal year ending June 30, 1965, $160,000,000 for the fiscal year ending June 30, 1966, $170,000,000 for the fiscal year ending June 30, 1967, and $180,000,000 each for the next two fiscal years.

STATE ALLOTMENTS

SEC. 602. (a) (1) Each State shall be entitled for each fiscal year to an allotment bearing the same ratio to the sums appropriated for such year pursuant to subparagraphs (1), (2), and (3), respectively, of section 601(a), and to an allotment bearing the same ratio to the new hospital portion of the sums appropriated for such year pursuant to section 601(b), as the product of—

(A) the population of such State, and

(B) the square of its allotment percentage, bears to the sum of the corresponding products for all of the States. As used in this paragraph, the new hospital portion of sums appropriated pursuant to section 601(b) (which portion shall be available for grants for the construction of public or other nonprofit hospitals and public health centers) is 100 per centum of such sums in the case of the fiscal year ending June 30, 1965, seven-eighths thereof in the case of the first fiscal year thereafter, twenty-seven thirty-fourths thereof in the case of the second fiscal year thereafter, thirteen-eighteenths thereof in the case of the third fiscal year thereafter, twenty-five thirty-sixths thereof in the case of the fourth fiscal year thereafter.

(2) [2] For each fiscal year beginning after June 30, 1965, the Surgeon General shall, in accordance with regulations, make allotments from the remainder of the sums appropriated pursuant to section 601(b) (which portion shall be available for grants for modernization of facilities referred to in paragraphs (a) and (b) of section 601) on the basis of the population, the extent of the need for modernization of the facilities referred to in paragraphs (a) and (b) of section 601, and the financial need of the respective States.

(b) (1) The allotment to any State under subsection (a) for fiscal year which is less than—

(A) $25,000 for the Virgin Islands, American Samoa, or Guam and $50,000 for any other State, in the case of an allotment for grants for the construction of public or other nonprofit rehabilitation facilities,

(B) $50,000 for the Virgin Islands, American Samoa, or Guam and $200,000 for any other State in the case of an allotment for grants for the construction of public or other nonprofit diagnostic or treatment centers, or

(C) $100,000 for the Virgin Islands, American Samoa, Guam and $200,000 for any other State in the case of an allotment for grants for the construction of public or other nonprofit facilities for long-term care or for the construction of public or other nonprofit hospitals and public health centers, or for the modernization of facilities referred to in paragraph (a) or (b) of section 601,

shall be increased to that amount, the total of the increases thereby required being derived by proportionately reducing the allotment from appropriations under such subparagraph or paragraph to each of the remaining States under subsection (a) of this section, but with such adjustments as may be necessary to prevent the allotment of any of such remaining States from appropriations under such subparagraph or paragraph from being thereby reduced to less than that amount.

(2) An allotment of the Virgin Islands, American Samoa, or Guam for any fiscal year may be increased as provided in paragraph (1) only to the extent it satisfies the Surgeon General, at such time prior to the beginning of such year as the Surgeon General may designate, that such increase will be used for payments under and in accordance with the provisions of this part.

(c) For the purposes of this part—

(1) The "allotment percentage" for any State shall be 100 per centum less that percentage which bears the same ratio to 50 per centum as the per capita income of such State bears to the per capita income of the United States, except that (A) the allotment percentage shall in no case be more than 75 per centum or less than 33⅓ per centum, and (B) the allotment percentage for the Commonwealth of Puerto Rico, Guam, American Samoa, and the Virgin Islands shall be 75 per centum.

(2)[3] The allotment percentages shall be determined by the Surgeon General between July 1 and September 30 of each even-numbered year, on the basis of the average of the per capita incomes of each of the States and of the United States for the three most recent consecutive years for which satisfactory data are available from the Department of Commerce, and the States shall be notified promptly thereof. Such determination shall be conclusive for each of the two fiscal years in the period beginning July 1 next succeeding such determination.

(3) The population of the several States shall be determined on the basis of the latest figures certified by the Department of Commerce.

(4) The term "United States" means (but only for purposes of paragraphs (1) and (2)) the fifty States and the District of Columbia.

(d) (1) Any sum allotted to a State, other than the Virgin Islands, American Samoa, and Guam for a fiscal year under this section and remaining unobligated at the end of such year shall remain available to such State, for the purpose for which made, for the next fiscal year (and for such year only), in addition to the sums allotted to such State for such purpose for such next fiscal year.

(2) Any sum allotted to the Virgin Islands, American Samoa, or Guam for a fiscal year under this section and remaining unobligated at the end of such year shall remain available to it, for the purpose for which made, for the next two fiscal years (and for such years only), in addition to the sums allotted to it for such purpose for each of such next two fiscal years.

(e) (1) Upon the request of any State that—

(A) a specified portion of any allotment of such State under paragraph (1) of subsection (a), other than an allotment for grants for the construction of public or other nonprofit rehabilitation facilities, be added to another allotment of such State under paragraph (1) or (2) of such subsection, other than an allotment for grants for the construction of public or other nonprofit hospitals and public health centers, or

(B) a specified portion of an allotment of such State under paragraph (2) of subsection (a) be added to an allotment of such State under paragraph (1) of such subsection,

and upon simultaneous certification to the Surgeon General by the State agency in such State to the effect that—

(C) it has afforded a reasonable opportunity to make applications for the portion so specified and there have been no approvable applications for such portion, or

(D) in the case of a request to transfer a portion of an allotment under paragraph (1) of subsection (a) for grants for the construction of public or other nonprofit hospitals and public health centers, use of such portion as requested by such State agency will better carry out the purposes of this title,

the Surgeon General shall promptly (but after application of subsection (b)) adjust the allotments of such State in accordance with such request and shall notify the State agency.

(2) In addition to the transfer of portions of allotments under paragraph (1), the Surgeon General, upon the request of any State that a specified portion of an allotment of such State under paragraph (2) of subsection (a) be added to an allotment of such State under paragraph (1) of such subsection for grants for the construction of public or other nonprofit hospitals and public health centers and upon simultaneous certification to him by the State agency in such State to the effect that the need for new public or other nonprofit hospitals and public health centers is substantially greater than the need for modernization of facilities referred to in paragraph (a) or (b) of section 601, shall promptly (but after application of subsection (b) of this section) adjust the allotments of such State in accordance with such request and shall notify the State agency; except that not more than the following portions of allotments of a State under paragraph (2) of subsection (a) may be added (under this paragraph) to allotments of such State under paragraph (1) of such subsection:

(A) in the case of an allotment under paragraph (2) of subsection (a) for the fiscal year ending June 30, 1966, one-half of such allotment;

(B) in the case of an allotment, thereunder for the fiscal year ending June 30, 1967, three-sevenths of such allotment;

(C) in the case of an allotment thereunder for the fiscal year ending June 30, 1968, two-fifths of such allotment; and

(D) in the case of an allotment thereunder for the fiscal year ending June 30, 1969, five-elevenths of such allotment.

(3) After adjustment of allotments of any State as provided in paragraph (1) or (2) of this subsection, the allotments as so adjusted shall be deemed to be the State's allotments under this section.

(f) In accordance with regulations, any State may file with the Surgeon General a request that a specified portion of an allotment to it under this part for grants for construction of any type of facility, or for modernization of facilities, be added to the corresponding allotment of another State for the purpose of meeting a portion of the Federal share of the cost of a project for the construction of a facility of that type in such other State, or for modernization of a facility in such other State, as the case may be. If it is found by the Surgeon General (or, in the case of a rehabilitation facility, by the Surgeon General and the Secretary) that construction or modernization of the facility with respect to which the request is made would meet needs of the State making the request and that use of the specified portion of such State's allotment, as requested by it, would assist in carrying out the purposes of this title, such portion of such State's allotment shall be added to the corresponding allotment of the other State to be used for the purpose referred to above.

---

[2] Sec. 3(b) (5) of P.L. 88–443, provided for the following exception in sec. 602(a) (2) of the PHS Act: "no application with respect to a project for modernization of any facility in any State may be approved by the Surgeon General, for purposes of receiving funds from an allotment under section 602(a) (2) of the Public Health Service Act, as amended by this Act, before July 1, 1965, or before such State has had a State plan approved by the Surgeon General as meeting the requirements of section 604(a) (4) (E) as well as the other requirements of section 604 of such act as so amended."

[3] Sec. 3(b) (2) of P.L. 88–443, provided for the following exception in sec. 602(c) of the P.H.S. Act: "allotment percentages promulgated by the Surgeon Geenral under such title VI during 1962 shall continue to be effective for purposes of such title as amended by this Act for the fiscal year ending June 30, 1965."

GENERAL REGULATIONS

SEC. 603. The Surgeon General, with the approval of the Federal Hospital Council, and the Secretary of Health, Education, and Welfare, shall by general regulations prescribe—

(a) the general manner in which the State agency shall determine the priority of projects based on the relative need of different areas lacking adequate facilities of various types for which assistance is available under this part, giving special consideration—

(1) in the case of projects for the construction of hospitals, to facilities serving rural communities and areas with relatively small financial resources;

(2) in the case of projects for the construction of rehabilitation facilities, to facilities operated in connection with a university teaching hospital which will provide an integrated program of medical, psychological, social, and vocational evaluation and services under competent supervision; [and]

(3) in the case of projects for modernization of facilities, to facilities serving densely populated areas; and [-][4]

(b) general standards of construction and equipment for facilities of different classes and in different types of location, for which assistance is available under this part;

(c) criteria for determining needs for general hospital and long-term care beds, and needs for hospitals and other facilities for which aid under this part is available, and for developing plans for the distribution of such beds and facilities;

(d) criteria for determining the extent to which existing facilities, for which aid under this part is available, are in need of modernization; and

(e) that the State plan shall provide for adequate hospitals, and other facilities for which aid under this part is available, for all persons residing in the State, and adequate hospitals (and such other facilities) to furnish needed services for persons unable to pay therefor. Such regulations may also require that before approval of an application for a project is recommended by a State agency to the Surgeon General for approval under this part, assurance shall be received by the State from the applicant that (1) the facility or portion thereof to be constructed or modernized will be made available to all persons residing in the territorial area of the applicant; and (2) there will be made available in the facility or portion thereof to be constructed or modernized a reasonable volume of services to persons unable to pay therefor, but an exception shall be made if such a requirement is not feasible from a financial viewpoint.

STATE PLANS

SEC. 604. (a) Any State desiring to participate in this part may submit a State plan. Such plan must—

(1) designate a single State agency as the sole agency for the administration of the plan, or designate such agency as the sole agency for supervising the administration of the plan;

(2) contain satisfactory evidence that the State agency designated in accordance with paragraph (1) will have authority to carry out such plan in conformity with this part;

(3) provide for the designation of a State advisory council which shall include representatives of nongovernmental organizations or groups, and of public agencies, concerned with the operation, construction, or utilization of hospital or other facilities for diagnosis, prevention, or treatment of illness or disease, or for provision of rehabilitation services, and an equal number of representatives of consumers familiar with the need for the services provided by such facilities, to consult with the State agency in carrying out the plan, and provide, if such council does not include any representatives of nongovernmental organizations or groups, or State agencies, concerned with rehabilitation, for consultation with organizations, groups, and State agencies so concerned;

(4) set forth, in accordance with criteria established in regulations prescribed under section 603 and on the basis of a statewide inventory of existing facilities, a survey of need, and (except to the extent provided by or pursuant to such regulations) community, area, or regional plans—

(A) the number of general hospital beds and long-term care beds, and the number and types of hospital facilities and facilities for long-term care, needed to provide adequate facilities for inpatient care of people residing in the State, and a plan for the distribution of such beds and facilities in service areas throughout the State;

(B) the public health centers needed to provide adequate public health services for people residing in the State, and a plan for the distribution of such centers throughout the State;

(C) the diagnostic or treatment centers needed to provide adequate diagnostic or treatment services to ambulatory patients residing in the State, and a plan for distribution of such centers throughout the State;

(D) the rehabilitation facilities needed to assure adequate rehabilitation services for disabled persons residing in the State, and a plan for distribution of such facilities throughout the State; and

(E) effective January 1, 1966, the extent to which existing facilities referred to in section 601 (a) or (b) in the State are in need of modernization;

(5) set forth a construction and modernization program conforming to the provisions set forth pursuant to paragraph (4) and *regulations prescribed under section 603* and providing for construction or modernization of the hospital or long-term care facilities, public health centers, diagnostic or treatment centers, and rehabilitation facilities which are needed, as determined under the provisions so set forth pursuant to paragraph (4);

(6) set forth, with respect to each of such types of medical facilities, the relative need, determined in accordance with regulations prescribed under section 603, for projects for facilities of that type, and provide for the construction or modernization, insofar as financial resources available therefor and for maintenance and operation make possible, in the order of such relative need;

(7) provide minimum standards (to be fixed in the discretion of the State) for the maintenance and operation of facilities providing inpatient care which receive aid under this part and, effective July 1, 1966, provide for enforcement of such standards with respect to projects approved by the Surgeon General under this part after June 30, 1964;

(8) provide such methods of administration of the State plan, including methods relating to the establishment and maintenance of personnel standards on a merit basis (except that the Surgeon General shall exercise no authority with respect to the selection, tenure of office, or compensation of any individual employed in accordance with such methods), as are found by the Surgeon General to be necessary for the proper and efficient operation of the plan;

(9) provide for affording to every applicant for a construction or modernization project an opportunity for a hearing before the State agency;

(10) provide that the State agency will make such reports, in such form and containing such information, as the Surgeon General may from time to time reasonably require, and will keep such records and afford such access thereto as the Surgeon General may find necessary to assure the correctness and verification of such reports;

(11) provide that the Comptroller General of the United States or his duly authorized representatives shall have access for the purpose of audit and examination to the records specified in paragraph (10); and

(12) provide that the State agency will from time to time, but not less often than annually, review its State plan and submit to the Surgeon General any modifications thereof which it considers necessary.

(b) The Surgeon General shall approve any State plan and any modification thereof which complies with the provisions of subsection (a). If any such plan or modification thereof shall have been disapproved by the Surgeon General for failure to comply with subsection (a), the Federal Hospital Council shall, upon request of the State agency, afford it an opportunity for hearing. If such Council determines that the plan or modification complies with the provisions of such subsection, the Surgeon General shall thereupon approve such plan or modification.

APPROVAL OF PROJECTS FOR CONSTRUCTION OR MODERNIZATION

SEC. 605.[5] (a) For each project pursuant to a State plan approved under this part, there shall be submitted to the Surgeon General, through the State agency, an application by the State or a political subdivision thereof or by a public or other nonprofit agency. If two or more such agencies join in the project, the application may be filed by one or more of such agencies. Such application shall set forth—

(1) a description of the site for such project;

(2) plans and specifications therefor, in accordance with regulations prescribed under section 603;

(3) reasonable assurance that title to such site is or will be vested in one or more of the agencies filing the application or in a public or other nonprofit agency which is to operate *the facility on completion of the project;*

(4) reasonable assurance that adequate financial support will be available for the completion of the project and for its maintenance and operation when completed;

(5) reasonable assurance that all laborers and mechanics employed by contractors or subcontractors in the performance of construction or modernization on the project will be paid wages at rates not less than those prevailing on similar work in the locality as determined by the Secretary of Labor in accordance with the Davis-Bacon Act, as amended (40 U.S.C. 276a–276a–5); and the Secretary of Labor shall have with respect to the labor standards specified in this paragraph the authority and functions set forth in Reorganization Plan Numbered 14 of 1950 (15 F.R. 3176; 5 U.S.C. 133z–15) and section

---

[4] Sec. 3(a) of P.L. 88–581, amended sec. 603(a), effective July 1, 1965, by deleting clause (4).

[5] Sec. 3(b)(1) of P.L. 88–443, provided for the following exception in sec. 605 of the P.H.S. Act: "all applications approved by the Surgeon General under title VI of the Public Health Service Act prior to such date [Aug. 18, 1964] and allotments of sums appropriated prior to such date, shall be governed by the provisions of such title VI in effect prior to such date."

2 of the Act of June 13, 1934, as amended (40 U.S.C. 276c); and

(6) a certification by the State agency of the Federal share for the project.

(b) The Surgeon General shall approve such application if sufficient funds to pay the Federal share of the cost of such project are available from the appropriate allotment to the State, and if the Surgeon General finds (1) that the application contains such reasonable assurance as to title, financial support, and payment of prevailing rates of wages; (2) that the plans and specifications are in accord with the regulations prescribed pursuant to section 603; (3) that the application is in conformity with the State plan approved under section 604 and contains an assurance that in the operation of the project there will be compliance with the applicable requirements of the regulations prescribed under section 603(e), and with State standards for operation and maintenance; and (4) that the application has been approved and recommended by the State agency and is entitled to priority over other projects within the State in accordance with the regulations prescribed pursuant to section 603(a). Notwithstanding the preceding sentence, the Surgeon General may approve such an application for a project for construction or modernization of a rehabilitation facility only if it is also approved by the Secretary of Health, Education, and Welfare.

(e) No application shall be disapproved until the Surgeon General has afforded the State agency an opportunity for a hearing.

(d) Amendment of any approved application shall be subject to approval in the same manner as an original application.

(e) Notwithstanding any other provision of this title, no application for a diagnostic or treatment center shall be approved under this section unless the applicant is (1) a State, political subdivision, or public agency, or (2) a corporation or association which owns and operates a nonprofit hospital (as defined in section 625).

PAYMENTS FOR CONSTRUCTION OR MODERNIZATION

Sec. 606. (a) Upon certification to the Surgeon General by the State agency, based upon inspection by it, that work has been performed upon a project, or purchases have been made, in accordance with the approved plans and specifications, and that payment of an installment is due to the applicant, such installment shall be paid to the State, from the applicable allotment of such State, except that (1) if the State is not authorized by law to make payments to the applicant, or if the State so requests, the payment shall be made directly to the applicant, (2) *if the Surgeon General, after investigation or* otherwise, has reason to believe that any act (or failure to act) has occurred requiring action pursuant to section 607, payment may, after he has given the State agency notice of opportunity for hearing pursuant to such section, be withheld, in whole or in part, pending corrective action or action based on such hearing, and (3) the total of payments under this subsection with respect to such project may not exceed an amount equal to the Federal share of the cost of construction of such project.

(b) In case an amendment to an approved application is approved as provided in section 605 or the estimated cost of a project is revised upward, any additional payment with respect thereto may be made from the applicable allotment of the State for the fiscal year in which such amendment or revision is approved.

(c)(1) At the request of any State, a portion of any allotment or allotments of such State under this part shall be available to pay one-half (or such smaller share as the State may request) of the expenditures found necessary by the Surgeon General for the proper and efficient administration during such year of the State plan approved under this part; except that not more than 2 per centum of the total of the allotments of such State for a year, or $50,000, whichever is less, shall be available for such purpose for such year. Payments of amounts due under this paragraph may be made in advance or by way of reimbursement, and in such installments, as the Surgeon General may determine.

(2) Any amount paid under paragraph (1) to any State for any fiscal year shall be paid on condition that there shall be expended from State sources for such year for administration of the State plan approved under this part not less than the total amount expended for such purposes from such sources during the fiscal year ending June 30, 1964.

WITHHOLDING OF PAYMENTS

Sec. 607. Whenever the Surgeon General, after reasonable notice and opportunity for hearing to the State agency designated as provided in section 604(a)(1), finds—

(a) that the State agency is not complying substantially with the provisions required by section 604 to be included in its State plan; or

(b) that any assurance required to be given in an application filed under section 605 is not being or cannot be carried out; or

(c) that there is a substantial failure to carry out plans and specifications approved by the Surgeon General under section 605; or

(d) that adequate State funds are not being provided annually for the direct administration of the State plan, the Surgeon General may forthwith notify the State agency that—

(e) no further payments will be made to the State under this part, or

(f) no further payments will be made from the allotments of such State from appropriations under any one or more subparagraphs or paragraphs of section 601, or for any project or projects, designated by the Surgeon General as being affected by the action or inaction referred to in paragraph (a), (b), (c), or (d) of this section, as the Surgeon General may determine to be appropriate under the circumstances; and, except with regard to any project for which the application has already been approved and which is not directly affected, further payments may be withheld, in whole or in part, until there is no longer any failure to comply (or carry out the assurance or plans and specifications or provide adequate State funds, as the case may be), or, if such compliance (or other action) is impossible, until the State repays or arranges for the repayment of Federal moneys to which the recipient was not entitled.

* * * * *

(Sections 608 through 624 have not been printed as they are not pertinent to the Neighborhood Health Center Act.)

DEFINITIONS

Sec. 625. For the purposes of this title—

(a) The term "State" includes the Commonwealth of Puerto Rico, Guam, American Samoa, the Virgin Islands, and the District of Columbia.

(b) The term "Federal share" with respect to any project means the proportion of the cost of construction of such project to be paid by the Federal Government, determined as follows:

(1) With respect to projects for which grants are made from allotments made from appropriations under paragraph (b) of section 601, the Federal share shall be whichever of the following the State elects:

(A) the share determined by the State agency in accordance with standards, included in the State plan, which provide equitably for variations between projects on the basis of objective criteria related to the economic status of areas and, if the State so elects, such other factor or factors as may be appropriate and be permitted by regulations, except that such standards may not provide for a Federal share of more than 66⅔ per centum, or less than 33⅓ per centum, or

(B) the amount (not less than 33⅓ per centum and not more than either 66⅔ per centum or the State's allotment percentage, whichever is lower) established by the State agency for all projects in the State;

(2) With respect to projects for which grants are made from allotments made from appropriations under paragraph (a) of section 601, the Federal share shall be whichever of the following the State elects:

(A) the share determined by the State agency in accordance with the standards, included in the State plan, and meeting the requirements set forth in subparagraph (A) or paragraph (1),

(B) the amount (not less than 33⅓ per centum and not more than either 66⅔ per centum or the State's allotment percentage, whichever is lower) established by the State agency for all projects in the State, or

(C) 50 per centum of the cost of construction of the project.

The State agency shall, prior to the approval by it, under the State plan approved under part A, of the first project in the State during any fiscal year, give written notification to the Surgeon General of the Federal share which it has elected pursuant to paragraph (1), and the Federal share which it has elected pursuant to paragraph (2), of this subsection for projects in such State to be approved by the Surgeon General during such fiscal year, and such Federal share or shares for projects in such State approved by the Surgeon General during such fiscal year shall not be changed after approval of such first project by the State.

(c) The term "hospital" includes general, tuberculosis, and other types of hospitals, and related facilities, such as laboratories, outpatient departments, [nurses' home facilities,] and central service facilities operated in connection with hospitals, but does not include any hospital furnishing primarily domiciliary care.

(d) The term "public health center" means a publicly owned facility for the provision of public health services, including related publicly owned facilities such as laboratories, clinics, and administrative offices operated in connection with such a facility.

(e) The term "nonprofit" as applied to any facility means a facility which is owned and operated by one or more nonprofit corporations or associations no part of the net earnings of which inures, or may lawfully inure, to the benefit of any private shareholder or individual.

(f) The term "diagnostic or treatment *center" means a facility for the diagnosis or* diagnosis and treatment of ambulatory patients—

(1) which is operated in connection with a hospital, or

(2) in which patient care is under the professional supervision of persons licensed to practice medicine or surgery in the State, or in the case of dental diagnosis or treatment, under the professional supervision of persons licensed to practice dentistry in the State.

(g) The term "rehabilitation facility" means a facility which is operated for the primary purpose of assisting in the rehabilitation of disabled persons through an integrated program of—

(1) medical evaluation and services, and

(2) psychological, social, or vocational evaluation and services, under competent professional supervision, and in the case of which—

(3) the major portion of the required evaluation and services is furnished within the facility; and

(4) either (A) the facility is operated in connection with a hospital, or (B) all medical and related health services are prescribed

by, or are under the general direction of, persons licensed to practice medicine or surgery in the State.

(h) The term "facility for long-term care" means a facility providing in-patient care for convalescent or chronic disease patients who require skilled nursing care and related medical services—

(1) which is a hospital (other than a hospital primarily for the care and treatment of mentally ill or tuberculous patients) or is operated in connection with a hospital, or

(2) in which such nursing care and medical services are prescribed by, or are performed under the general direction of, persons licensed to practice medicine or surgery in the State.

(i) The term "construction" includes construction of new buildings, expansion, remodeling, and alteration of existing buildings, and initial equipment of any such buildings (including medical transportation facilities); including architects' fees, but excluding the cost of offsite improvements and, except with respect to public health centers, the cost of the acquisition of land.

(j) The term "cost" as applied to construction or modernization means the amount found by the Surgeon General to be necessary for construction and modernization respectively, under a project, except that such term, as applied to a project for modernization of a facility for which a grant or loan is to be made from an allotment under section 602(a)(2), does not include any amount found by the Surgeon General to be attributable to expansion of the bed capacity of such facility.

(k) The term "modernization" includes alteration, major repair (to the extent permitted by regulations), remodeling, replacement, and renovation of existing buildings (including initial equipment thereof), and replacement of obsolete, built-in (as determined in accordance with regulations) equipment of existing buildings.

(l) The term "title," when used with reference to a site for a project, means a fee simple, or such other estate or interest (including a leasehold on which the rental does not exceed 4 per centum of the value of the land) as the Surgeon General finds sufficient to assure for a period of not less than fifty years' undisturbed use and possession for the purposes of construction and operation of the project.

ADDITIONAL COSPONSORS OF BILLS

Mr. MORSE. Mr. President, I ask unanimous consent that at the next printing of the bill (S. 2202) to curb the advertising of alcoholic beverages on radio and television, the name of the Senator from West Virginia [Mr. Randolph] be added as a cosponsor.

THIRTEEN SENATORS JOIN DOMINICK BILL SETTING STIFF PENALTIES FOR GUN USE IN CRIME

Mr. DOMINICK. Mr. President, support is growing across the country and in Congress for the imposition of heavy penalties on those who use a gun to commit a crime.

I believe the Record should show that this support extends into the U.S. Senate.

Not quite 3 weeks ago I introduced S. 3681. My remarks and a copy of the bill are printed in the Congressional Record of June 25, 1968, at page 18507.

We have a new law in Washington, D.C., on this subject, one which Congress approved just 6 months ago.

My bill utilizes the same formula and makes it applicable on a national basis in a sensible fashion.

Basically, it provides that any person who uses any type of firearm in a Federal crime of violence shall—

First. In addition to the punishment provided for the crime, be punished by imprisonment for an indeterminate number of years up to life, as determined by the court; and

Second. If convicted more than once, be precluded from receiving a suspended or probationary sentence.

Every criminal must be made to understand that if he uses a firearm to commit a crime in America, he runs the risk of imprisonment for life.

By acting now on Federal crimes, Congress can show the way for State legislatures to do the same for State crimes.

Mr. President, to date 13 Senators have asked to be added as cosponsors of S. 3681. I am confident there will be more.

I ask unanimous consent that at the next printing of S. 3681 the following be added as cosponsors: Mr. Bible, Mr. Hruska, Mr. Magnuson, Mr. Murphy, Mr. McGovern, Mr. Allott, Mr. Mundt, Mr. Cannon, Mr. Fannin, Mr. Curtis, Mr. Jordan of Idaho, Mr. Tower, and Mr. Hansen.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. BYRD of West Virginia. Mr. President, at the request of the Senator from Maryland [Mr. Tydings] I ask unanimous consent that, at its next printing, the names of the Senator from New Jersey [Mr. Case] and the Senator from Rhode Island [Mr. Pastore] be added as cosponsors of the bill (S. 3634), the National Gun Crime Prevention Act of 1968.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

SENATE RESOLUTION 324—RESOLUTION AUTHORIZING THE PRINTING AS A SENATE DOCUMENT OF A HISTORY RELATING TO THE SENATE COMMITTEE ON AERONAUTICAL AND SPACE SCIENCES

Mr. ANDERSON submitted the following resolution (S. Res. 324); which was referred to the Committee on Rules and Administration:

S. Res. 324

Resolved, That there be printed with illustrations as a Senate document a compilation of materials relating to the history of the Senate Committee on Aeronautical and Space Sciences in connection with its tenth anniversary (1958–1968); and that there be printed for the use of that committee five thousand additional copies of such document.

SENATE RESOLUTIONS 325 THROUGH 373—RESOLUTIONS RELATING TO REFERENCE OF SENATE BILLS TO THE COURT OF CLAIMS

Mr. MURPHY (for himself and Mr. Kuchel) submitted the following resolutions, which, by unanimous consent, were referred to the Committee on Interior and Insular Affairs; and, under the rule, were ordered to be printed in the Record:

S. Res. 325

Whereas there is pending in the Senate of the United States a bill designated as S. 3786 to authorize and direct the Secretary of the Interior to relinquish and quitclaim any title it may heretofore claim to certain lands situated in the County of San Bernardino, State of California unto William M. Apperson and Mary L. Apperson, husband and wife, and to Donald W. Weston and Claire Mae Weston, husband and wife: It is hereby

Resolved, That the Chief Commissioner of the United States Court of Claims shall designate pursuant to section 1492 of title 28 of the United States Code, a trial Commissioner to proceed in accordance with the applicable rules to determine the facts, including facts relating to delay or laches, facts bearing upon the question whether the bar of any statute of limitations should be removed, or facts claimed to excuse the claimant for not having resorted to any established legal remedy. He shall append to his findings of facts, conclusions sufficient to inform the Congress whether the demand is a legal or equitable claim or a gratuity, and the amount, if any, legally or equitably due from the United States to the claimant.

S. Res. 326

Whereas there is pending in the Senate of the United States a bill designated as S. 3787 to authorize and direct the Secretary of the Interior to relinquish and quitclaim any title it may heretofore claim to certain lands situated in the County of San Bernardino, State of California unto William C. Sanderson: It is hereby

Resolved, That the Chief Commissioner of the United States Court of Claims shall designate pursuant to section 1492 of title 28 of the United States Code, a trial Commissioner to proceed in accordance with the applicable rules to determine the facts, including facts relating to delay or laches, facts bearing upon the question whether the bar or any statute of limitations should be removed, or facts claimed to excuse the claimant for not having resorted to any established legal remedy. He shall append to his findings of facts, conclusions sufficient to inform the Congress whether the demand is a legal or equitable claim or a gratuity, and the amount, if any, legally or equitably due from the United States to the claimant.

S. Res. 327

Whereas there is pending in the Senate of the United States a bill designated as S. 3788 to authorize and direct the Secretary of the Interior to relinquish and quitclaim any title it may heretofore claim to certain lands situated in the County of San Bernardino, State of California unto William Craven and Marjorie Craven, husband and wife: It is hereby

Resolved, That the Chief Commissioner of the United States Court of Claims shall designate pursuant to section 1492 of title 28 of the United States Code, a trial Commissioner to proceed in accordance with the applicable rules to determine the facts, including facts relating to delay or laches, facts bearing upon the question whether the bar of any statute of limitations should be removed, or facts claimed to excuse the claimant for not having resorted to any established legal remedy. He shall append to his findings of facts, conclusions sufficient to inform the Congress whether the demand is a legal or equitable claim or a gratuity, and the amount, if any, legally or equitably due from the United States to the claimant.

S. Res. 328

Whereas there is pending in the Senate of the United States a bill designated as S. 3789 to authorize and direct the Secretary of the Interior to relinquish and quitclaim any title it may heretofore claim to certain lands situated in the County of Riverside, State of California, unto Larry K. Squires: It is hereby

Resolved, That the Chief Commissioner of the United States Court of Claims shall designate pursuant to section 1492 of title 28 of the United States Code, a trial Commissioner to proceed in accordance with the applicable rules to determine the facts, including facts relating to delay or laches, facts bearing upon the question whether the bar of any statute of limitations should be removed, or facts claimed to excuse the claimant for not having resorted to any established legal remedy. He shall append to his findings of facts, conclusions sufficient to inform the Congress whether the demand is a legal or equitable claim or a gratuity, and the amount, if any, legally or equitably due from the United States to the claimant.

S. Res. 329

Whereas there is pending in the Senate of the United States a bill designated as S. 3790 to authorize and direct the Secretary of the Interior to relinquish and quitclaim any title it may heretofore claim to certain lands situated in the County of Riverside, State of California, unto John T. McCoy: It is hereby

Resolved, That the Chief Commissioner of the United States Court of Claims shall designate pursuant to section 1492 of title 28 of the United States Code, a trial Commissioner to proceed in accordance with the applicable rules to determine the facts, including facts relating to delay or laches, facts bearing upon the question whether the bar of any statute of limitations should be removed, or facts claimed to excuse the claimant for not having resorted to any established legal remedy. He shall append to his findings of facts, conclusions sufficient to inform the Congress whether the demand is a legal or equitable claim or a gratuity, and the amount, if any, legally or equitably due from the United States to the claimant.

S. Res. 330

Whereas there is pending in the Senate of the United States a bill designated as S. 3791 to authorize and direct the Secretary of the Interior to relinquish and quitclaim any title it may heretofore claim to certain lands situated in the County of Riverside, State of California, unto Robert L. Newlin and Delilah R. Newlin, husband and wife: It is hereby

Resolved, That the Chief Commissioner of the United States Court of Claims shall designate pursuant to section 1492 of title 28 of the United States Code, a trial Commissioner to proceed in accordance with the applicable rules to determine the facts, including facts relating to delay or laches, facts bearing upon the question whether the bar of any statute of limitations should be removed, or facts claimed to excuse the claimant for not having resorted to any established legal remedy. He shall append to his findings of facts, conclusions sufficient to inform the Congress whether the demand is a legal or equitable claim or a gratuity, and the amount, if any, legally or equitably due from the United States to the claimant.

S. Res. 331

Whereas there is pending in the Senate of the United States a bill designated as S. 3792 to authorize and direct the Secretary of the Interior to relinquish and quitclaim any title it may heretofore claim to certain lands situated in the County of Riverside, State of California, unto Olaf H. Olson and Vivian L. Olson, husband and wife: It is hereby

Resolved, That the Chief Commissioner of the United States Court of Claims shall designate pursuant to section 1492 of title 28 of the United States Code, a trial Commissioner to proceed in accordance with the applicable rules to determine the facts, including facts relating to delay or laches, facts bearing upon the question whether the bar of any statute of limitations should be removed, or facts claimed to excuse the claimant for not having resorted to any established legal remedy. He shall append to his findings of facts, conclusions sufficient to inform the Congress whether the demand is a legal or equitable claim or a gratuity, and the amount, if any, legally or equitably due from the United States to the claimant.

S. Res. 332

Whereas there is pending in the Senate of the United States a bill designated as S. 3793 to authorize and direct the Secretary of the Interior to relinquish and quitclaim any title it may heretofore claim to certain lands situated in the County of San Bernardino, State of California, unto A. R. Amos: It is hereby

Resolved, That the Chief Commissioner of the United States Court of Claims shall designate pursuant to section 1492 of title 28 of the United States Code, a trial Commissioner to proceed in accordance with the applicable rules to determine the facts, including facts relating to delay or laches, facts bearing upon the question whether the bar of any statute of limitations should be removed, or facts claimed to excuse the claimant for not having resorted to any established legal remedy. He shall append to his findings of facts, conclusions sufficient to inform the Congress whether the demand is a legal or equitable claim or a gratuity, and the amount, if any, legally or equitably due from the United States to the claimant.

S. Res. 333

Whereas, there is pending in the Senate of the United States a bill designated as S. 3794 to authorize and direct the Secretary of the Interior to relinquish and quitclaim any title it may heretofore claim to certain lands situated in the County of San Bernardino, State of California unto Mr. and Mrs. Reginal G. Armstrong: it is hereby

Resolved, That the Chief Commissioner of the United States Court of Claims shall designate pursuant to section 1492 of title 28 of the United States Code, a trial Commissioner to proceed in accordance with the applicable rules to determine the facts, including facts relating to delay or laches, facts bearing upon the question whether the bar of any statute of limitations should be removed, or facts claimed to excuse the claimant for not having resorted to any established legal remedy. He shall append to his findings of facts, conclusions sufficient to inform the Congress whether the demand is a legal or equitable claim or a gratuity, and the amount, if any, legally or equitably due from the United States to the claimant.

S. Res. 334

Whereas there is pending in the Senate of the United States a bill designated as S. 3795 to authorize and direct the Secretary of the Interior to relinquish and quitclaim any title it may heretofore claim to certain lands situated in the County of Riverside, State of California, unto Frederick C. Wright and Madaline F. Wright, husband and wife: it is hereby

Resolved, That the Chief Commissioner of the United States Court of Claims shall designate pursuant to section 1492 of title 28 of the United States Code, a trial Commissioner to proceed in accordance with the applicable rules to determine the facts, including facts relating to delay or laches, facts bearing upon the question whether the bar of any statute of limitations should be removed, or facts claimed to excuse the claimant for not having resorted to any established legal remedy. He shall append to his findings of facts, conclusions sufficient to inform the Congress whether the demand is a legal or equitable claim or a gratuity, and the amount, if any, legally or equitably due from the United States to the claimant.

S. Res. 335

Whereas there is pending in the Senate of the United States a bill designated as S. 3796 to authorize and direct the Secretary of the Interior to relinquish and quitclaim any title it may heretofore claim to certain lands situated in the County of Riverside, State of California, unto Roy R. Polzin and Irene M. Polzin, husband and wife: it is hereby

Resolved, That the Chief Commissioner of the United States Court of Claims shall designate pursuant to section 1492 of title 28 of the United States Code, a trial Commissioner to proceed in accordance with the applicable rules to determine the facts, including facts relating to delay or laches, facts bearing upon the question whether the bar of any statute of limitations should be removed, or facts claimed to excuse the claimant for not having resorted to any established legal remedy. He shall append to his findings of facts, conclusions sufficient to inform the Congress whether the demand is a legal or equitable claim or a gratuity, and the amount, if any, legally or equitably due from the United States to the claimant.

S. Res. 336

Whereas there is pending in the Senate of the United States a bill designated as S. 3797 to authorize and direct the Secretary of the Interior to relinquish and quitclaim any title it may heretofore claim to certain lands situated in the County of Riverside, State of California, unto Utah Sanders: It is hereby

Resolved, That the Chief Commissioner of the United States Court of Claims shall designate pursuant to section 1492 of title 28 of the United States Code, a trial Commissioner to proceed in accordance with the applicable rules to determine the facts, including facts relating to delay or laches, facts bearing upon the question whether the bar of any statute of limitations should be removed, or facts claimed to excuse the claimant for not having resorted to any established legal remedy. He shall append to his findings of facts, conclusions sufficient to inform the Congress whether the demand is a legal or equitable claim or a gratuity, and the amount, if any, legally or equitably due from the United States to the claimant.

S. Res. 337

Whereas there is pending in the Senate of the United States a bill designated as S. 3798 to authorize and direct the Secretary of the Interior to relinquish and quitclaim any title it may heretofore claim to certain lands situated in the County of Riverside, State of California, unto Clarence D. Horn: It is hereby

Resolved, That the Chief Commissioner of the United States Court of Claims shall designate pursuant to section 1492 of title 28 of the United States Code, a trial Commissioner to proceed in accordance with the applicable rules to determine the facts, including facts relating to delay or laches, facts bearing upon the question whether the bar of any statute of limitations should be removed, or facts claimed to excuse the claimant for not having resorted to any established legal remedy. He shall append to his findings of facts, conclusions sufficient to inform the Congress whether the demand is a legal or equitable claim or a gratuity, and the amount, if any, legally or equitably due from the United States to the claimant.

S. Res. 338

Whereas there is pending in the Senate of the United States a bill designated as S. 3799 to authorize and direct the Secretary of the Interior to relinquish and quitclaim any title it may heretofore claim to certain lands situated in the County of Riverside, State of California, unto Betty E. Bechtold and Maxine A. Meyers: It is hereby

Resolved, That the Chief Commissioner of the United States Court of Claims shall designate pursuant to section 1492 of title 28 of the United States Code, a trial Commissioner to proceed in accordance with the applicable rules to determine the facts, including facts relating to delay or laches, facts bearing upon the question whether the bar of any statute of limitations should be removed, or facts claimed to excuse the claimant for not having resorted to any established legal remedy. He shall append to his findings of facts, conclusions sufficient to inform the Congress whether the demand is a legal or equitable claim or a gratuity, and the amount, if any, legally or equitably due from the United States to the claimant.

S. Res. 339

Whereas there is pending in the Senate of the United States a bill designated as S. 3800 to authorize and direct the Secretary of the Interior to relinquish and quitclaim any title it may heretofore claim to certain lands situated in the County of Riverside, State of California, unto C. F. Eberhart: It is hereby

Resolved, That the Chief Commissioner of the United States Court of Claims shall designate pursuant to section 1492 of title 28 of the United States Code, a trial Commissioner to proceed in accordance with the applicable rules to determine the facts, including facts relating to delay or laches, facts bearing upon the question whether the bar of any statute of limitations should be removed, or facts claimed to excuse the claimant for not having resorted to any established legal remedy. He shall append to his findings of facts, conclusions sufficient to inform the Congress whether the demand is a legal or equitable claim or a gratuity, and the amount, if any, legally or equitably due from the United States to the claimant.

S. Res. 340

Whereas there is pending in the Senate of the United States a bill designated as S. 3801 to authorize and direct the Secretary of the Interior to relinguish and quitclaim any title it may heretofore claim to certain lands situated in the County of Riverside, State of California, unto Charles D. Williams and Bonnie Williams, husband and wife: It is hereby

Resolved, That the Chief Commissioner of the United States Court of Claims shall designate pursuant to section 1492 of title 28 of the United States Code, a trial Commissioner to proceed in accordance with the applicable rules to determine the facts, including facts relating to delay or laches, facts bearing upon the question whether the bar of any statute of limitations should be removed, or facts claimed to excuse the claimant for not having resorted to any established legal remedy. He shall append to his findings of facts, conclusions sufficient to inform the Congress whether the demand is a legal or equitable claim or a gratuity, and the amount, if any, legally or equitably due from the United States to the claimant.

S. Res. 341

Whereas there is pending in the Senate of the United States a bill designated as S. 3802 to authorize and direct the Secretary of the Interior to relinquish and quitclaim any title it may heretofore claim to certain lands situated in the County of San Bernardino, State of California, unto Clyde E. Rider and Margaret Louise Rider, husband and wife: It is hereby

Resolved, That the Chief Commissioner of the United States Court of Claims shall designate pursuant to section 1492 of title 28 of the United States Code, a trial Commissioner to proceed in accordance with the applicable rules to determine the facts, including facts relating to delay or laches, facts bearing upon the question whether the bar of any statute of limitations should be removed, or facts claimed to excuse the claimant for not having resorted to any established legal remedy. He shall append to his findings of facts, conclusions sufficient to inform the Congress whether the demand is a legal or equitable claim or a gratuity, and the amount, if any, legally or equitably due from the United States to the claimant.

S. Res. 342

Whereas there is pending in the Senate of the United States a bill designated as S. 3803 to authorize and direct the Secretary of the Interior to relinquish and quitclaim any title it may heretofore claim to certain lands situated in the County of Riverside, State of California, unto Jack Smith: It is hereby

Resolved, That the Chief Commissioner of the United States Court of Claims shall designate pursuant to section 1492 of title 28 of the United States Code, a trial Commissioner to proceed in accordance with the applicable rules to determine the facts, including facts relating to delay or laches, facts bearing upon the question whether the bar of any statute of limitations should be removed, or facts claimed to excuse the claimant for not having resorted to any established legal remedy. He shall append to his findings of facts, conclusions sufficient to inform the Congress whether the demand is a legal or equitable claim or a gratuity, and the amount, if any, legally or equitably due from the United States to the claimant.

S. Res. 343

Whereas there is pending in the Senate of the United States a bill designated as S. 3804 to authorize and direct the Secretary of the Interior to relinquish and quitclaim any title it may heretofore claim to certain lands situated in the County of Riverside, State of California, unto Everett C. Smith: It is hereby

Resolved, That the Chief Commissioner of the United States Court of Claims shall designate pursuant to section 1492 of title 28 of the United States Code, a trial Commissioner to proceed in accordance with the applicable rules to determine the facts, including facts relating to delay or laches, facts bearing upon the question whether the bar of any statute of limitations should be removed, or facts claimed to excuse the claimant for not having resorted to any established legal remedy. He shall append to his findings of facts, conclusions sufficient to inform the Congress whether the demand is a legal or equitable claim or a gratuity, and the amount, if any, legally or equitably due from the United States to the claimant.

S. Res. 344

Whereas there is pending in the Senate of the United States a bill designated as S. 3805 to authorize and direct the Secretary of the Interior to relinquish and quitclaim any title it may heretofore claim to certain lands situated in the County of San Bernardino, State of California, unto Martin G. Rock and Irene E. Rock, husband and wife: It is hereby

Resolved, That the Chief Commissioner of the United States Court of Claims shall designate pursuant to section 1492 of title 28 of the United States Code, a trial Commissioner to proceed in accordance with the applicable rules to determine the facts, including facts relating to delay or laches, facts bearing upon the question whether the bar of any statute of limitations should be removed, or facts claimed to excuse the claimant for not having resorted to any established legal remedy. He shall append to his findings of facts, conclusions sufficient to inform the Congress whether the demand is a legal or equitable claim or a gratuity, and the amount, if any, legally or equitably due from the United States to the claimant.

S. Res. 345

Whereas there is pending in the Senate of the United States a bill designated as S. 3806 to authorize and direct the Secretary of the Interior to relinquish and quitclaim any title it may heretofore claim to certain lands situated in the County of San Bernardino, State of California, unto Spencer Clark and Olive C. Clark, husband and wife as joint tenants: It is hereby

Resolved, That the Chief Commissioner of the United States Court of Claims shall designate pursuant to section 1492 of title 28 of the United States Code, a trial Commissioner to proceed in accordance with the applicable rules to determine the facts, including facts relating to delay or laches, facts bearing upon the question whether the bar of any statute of limitations should be removed, or facts claimed to excuse the claimant for not having resorted to any established legal remedy. He shall append to his findings of facts, conclusions sufficient to inform the Congress whether the demand is a legal or equitable claim or a gratuity, and the amount, if any, legally or equitably due from the United States to the claimant.

S. Res. 346

Whereas there is pending in the Senate of the United States a bill designated as S. 3807 to authorize and direct the Secretary of the Interior to relinquish and quitclaim any title it may heretofore claim to certain lands situated in the County of Riverside, State of California, unto Virginia Avery: It is hereby

Resolved, That the Chief Commissioner of the United States Court of Claims shall designate pursuant to section 1492 of title 28 of the United States Code, a trial Commissioner to proceed in accordance with the applicable rules to determine the facts, including facts relating to delay or laches, facts bearing upon the question whether the bar of any statute of limitations should be removed, or facts claimed to excuse the claimant for not having resorted to any established legal remedy. He shall append to his findings of facts, conclusions sufficient to inform the Congress whether the demand is a legal or equitable claim or a gratuity, and the amount, if any, legally or equitably due from the United States to the claimant.

S. Res. 347

Whereas there is pending in the Senate of the United States a bill designated as S. 3808 to authorize and direct the Secretary of the Interior to relinquish and quitclaim any title it may heretofore claim to certain lands situated in the County of Riverside, State of California, unto Leroy A. Lambeth: It is hereby

Resolved, That the Chief Commissioner of the United States Court of Claims shall designate pursuant to section 1492 of title 28 of the United States Code, a trial Commissioner to proceed in accordance with the applicable rules to determine the facts, including facts relating to delay or laches, facts bearing upon the question whether the bar of any statute of limitations should be removed, or facts claimed to excuse the claimant for not having resorted to any established legal remedy. He shall append to his findings of facts, conclusions sufficient to inform the Congress whether the demand is a legal or equitable claim or a gratuity, and the amount, if any, legally or equitably due from the United States to the claimant.

S. Res. 348

Whereas there is pending in the Senate of the United States a bill designated as S. 3809 to authorize and direct the Secretary of the Interior to relinquish and quitclaim any title it may heretofore claim to certain lands situated in the County of Riverside, State of California, unto Harriet McCormick: It is hereby

Resolved, That the Chief Commissioner of the United States Court of Claims shall designate pursuant to section 1492 of title 28 of the United States Code, a trial Commissioner to proceed in accordance with the applicable rules to determine the facts, including facts relating to delay or laches, facts bearing upon the question whether the bar of any statute of limitations should be removed, or facts claimed to excuse the claimant for not having resorted to any established legal remedy. He shall append to his findings of facts, conclusions sufficient to inform the Congress whether the demand is a legal or equitable claim or a gratuity, and the amount, if any, legally or equitably due from the United States to the claimant.

S. Res. 349

Whereas there is pending in the Senate of the United States a bill designated as S. 3810 to authorize and direct the Secretary of the Interior to relinquish and quitclaim any title it may heretofore claim to certain lands situated in the County of San Bernardino, State of California, unto R. A. Grove: It is hereby

Resolved, That the Chief Commissioner of the United States Court of Claims shall designate pursuant to section 1492 of title 28 of the United States Code, a trial Commissioner to proceed in accordance with the applicable rules to determine the facts, including facts relating to delay or laches, facts bearing upon the question whether the bar of any statute of limitations should be removed, or facts claimed to excuse the claimant for not having resorted to any established legal remedy. He shall append to his findings of facts, conclusions sufficient to inform the Congress whether the demand is a legal or equitable claim or a gratuity, and the amount, if any, legally or equitably due from the United States to the claimant.

S. Res. 350

Whereas there is pending in the Senate of the United States a bill designated as S. 3811 to authorize and direct the Secretary of the Interior to relinquish and quitclaim any title it may heretofore claim to certain lands situated in the County of Riverside, State of California, unto Glenn Gilstrap: It is hereby

Resolved, That the Chief Commissioner of the United States Court of Claims shall designate pursuant to section 1492 of title 28 of the United States Code, a trial Commissioner to proceed in accordance with the applicable rules to determine the facts, including facts relating to delay or laches, facts bearing upon the question whether the bar of any statute of limitations should be removed, or facts claimed to excuse the claimant for not having resorted to any established legal remedy. He shall append to his findings of facts, conclusions sufficient to inform the Congress whether the demand is a legal or equitable claim or a gratuity, and the amount, if any, legally or equitably due from the United States to the claimant.

S. Res. 351

Whereas there is pending in the Senate of the United States a bill designated as S. 3812 to authorize and direct the Secretary of the Interior to relinquish and quitclaim any title it may heretofore claim to certain lands situated in the County of San Bernardino, State of California, unto M. H. Gill: It is hereby

Resolved, That the Chief Commissioner of the United States Court of Claims shall designate pursuant to section 1492 of title 28 of the United States Code, a trial Commissioner to proceed in accordance with the applicable rules to determine the facts, including facts relating to delay or laches, facts bearing upon the question whether the bar of any statute of limitations should be removed, or facts claimed to excuse the claimant for not having resorted to any established legal remedy. He shall append to his findings of facts, conclusions sufficient to inform the Congress whether the demand is a legal or equitable claim or a gratuity, and the amount, if any, legally or equitably due from the United States to the claimant.

S. Res. 352

Whereas, there is pending in the Senate of the United States a bill designated as S. 3813 to authorize and direct the Secretary of the Interior to relinquish and quitcalm any title it may heretofore claim to certain lands situated in the County of Riverside, State of California, unto Edward Gano, Sr.: It is hereby

Resolved, That the Chief Commissioner of the United States Court of Claims shall designate pursuant to section 1492 of title 28 of the United States Code, a trial Commissioner to proceed in accordance with the applicable rules to determine the facts, including facts relating to delay or laches, facts bearing upon the question whether the bar of any statute of limitations should be removed, or facts claimed to excuse the claimant for not having resorted to any established legal remedy. He shall append to his findings of facts, conclusions sufficient to inform the Congress whether the demand is a legal or equitable claim or a gratuity, and the amount, if any, legally or equitably due from the United States to the claimant.

S. Res. 353

Whereas, there is pending in the Senate of the United States a bill designated as S. 3814 to authorize and direct the Secretary of the Interior to relinquish and quitclaim any title it may heretofore claim to certain lands situated in the County of Riverside, State of California, unto A. L. Draper: It is hereby

Resolved, That the Chief Commissioner of the United States Court of Claims shall designate pursuant to section 1492 of title 28 of the United States Code, a trial Commissioner to proceed in accordance with the applicable rules to determine the facts, including facts relating to delay or laches, facts bearing upon the question whether the bar of any statute of limitations should be removed, or facts claimed to excuse the claimant for not having resorted to any established legal remedy. He shall append to his findings of facts, conclusions sufficient to inform the Congress whether the demand is a legal or equitable claim or a gratuity, and the amount, if any, legally or equitably due from the United States to the claimant.

S. Res. 354

Whereas, there is pending in the Senate of the United States a bill designated as S. 3815 to authorize and direct the Secretary of the Interior to relinquish and quitclaim any title it may heretofore claim to certain lands situated in the County of Riverside, State of California, unto A. L. Draper: It is hereby

Resolved, that the Chief Commissioner of the United States Court of Claims shall designate pursuant to section 1492 of title 28 of the United States Code, a trial Commissioner to proceed in accordance with the applicable rules to determine the facts, including facts relating to delay or laches, facts bearing upon the question whether the bar of any statute of limitations should be removed, or facts claimed to excuse the claimant for not having resorted to any established legal remedy. He shall append to his findings of facts, conclusions sufficient to inform the Congress whether the demand is a legal or equitable claim or a gratuity, and the amount, if any, legally or equitably due from the United States to the claimant.

S. Res. 355

Whereas, there is pending in the Senate of the United States a bill designated as S. 3816 to authorize and direct the Secretary of the Interior to relinquish and quitclaim any title it may heretofore claim to certain lands situated in the County of Riverside, State of California, unto Charles C. Anderson and May E. Anderson, husband and wife and Leonard Wilinsen and Carol J. Wilinsen, husband and wife: It is hereby

Resolved, That the Chief Commissioner of the United States Court of Claims shall designate pursuant to section 1492 of title 28 of the United States Code, a trial Commissioner to proceed in accordance with the applicable rules to determine the facts, including facts relating to delay or laches, facts bearing upon the question whether the bar of any statute of limitations should be removed, or facts claimed to excuse the claimant for not having resorted to any established legal remedy. He shall append to his findings of facts, conclusions sufficient to inform the Congress whether the demand is a legal or equitable claim or a gratuity, and the amount, if any, legally or equitably due from the United States to the claimant.

S. Res. 356

Whereas there is pending in the Senate of the United States a bill designated as S. 3817 to authorize and direct the Secretary of the Interior to relinquish and quitclaim any title it may heretofore claim to certain lands situated in the County of San Bernardino, State of California, unto Harry M. Apperson and Virginia L. Apperson, husband and wife: It is hereby

Resolved, That the Chief Commissioner of the United States Court of Claims shall designate pursuant to section 1492 of title 28 of the United States Code, a trial Commissioner to proceed in accordance with the applicable rules to determine the facts, including facts relating to delay or laches, facts bearing upon the question whether the bar of any statute of limitations should be removed, or facts claimed to excuse the claimant for not having resorted to any established legal remedy. He shall append to his findings of facts, conclusions sufficient to inform the Congress whether the demand is a legal or equitable claim or a gratuity, and the amount, if any, legally or equitably due from the United States to the claimant.

S. Res. 357

Whereas there is pending in the Senate of the United States a bill designated as S. 3818 to authorize and direct the Secretary of the Interior to relinquish and quitclaim any title it may heretofore claim to certain lands situated in the County of Riverside, State of California, unto Stewart F. Chase: It is hereby

Resolved, That the Chief Commissioner of the United States Court of Claims shall designate pursuant to section 1492 of title 28 of the United States Code, a trial Commissioner to proceed in accordance with the applicable rules to determine the facts, including facts relating to delay or laches, facts bearing upon the question whether the bar of any statute of limitations should be removed, or facts claimed to excuse the claimant for not having resorted to any established legal remedy. He shall append to his findings of facts, conclusions sufficient to inform the Congress whether the demand is a legal or equitable claim or a gratuity, and the amount, if any, legally or equitably due from the United States to the claimant.

S. Res. 358

Whereas there is pending in the Senate of the United States a bill designated as S. 3819 to authorize and direct the Secretary of the Interior to relinquish and quitclaim any title it may heretofore claim to certain lands situated in the County of Riverside, State of California, unto Stewart F. Chase and Roy Rosebrook, Jr.: It is hereby

Resolved, That the Chief Commissioner of the United States Court of Claims shall designate pursuant to section 1492 of title 28 of the United States Code, a trial Commissioner to proceed in accordance with the applicable rules to determine the facts, including facts relating to delay or laches, facts bearing upon the question whether the bar of any statute of limitations should be removed, or facts claimed to excuse the claimant for not having resorted to any established legal remedy. He shall append to his findings of facts, conclusions sufficient to inform the Congress whether the demand is a legal or equitable claim or a gratuity, and the amount, if any, legally or equitably due from the United States to the claimant.

S. Res. 359

Whereas there is pending in the Senate of the United States a bill designated as S. 3820 to authorize and direct the Secretary of the Interior to relinquish and quitclaim any title it may heretofore claim to certain lands situated in the County of Riverside, State of California, unto John D. and Katherine C. Zilko, husband and wife: It is hereby

Resolved, That the Chief Commissioner of the United States Court of Claims shall designate pursuant to section 1492 of title 28 of the United States Code, a trial Commissioner to proceed in accordance with the applicable rules to determine the facts, including facts relating to delay or laches, facts bearing upon the question whether the bar of any statute of limitations should be removed, or facts claimed to excuse the claimant for not having resorted to any established legal remedy. He shall append to his findings of facts, conclusions sufficient to inform the Congress whether the demand is a legal or equitable claim or a gratuity, and the amount, if any, legally or equitably due from the United States to the claimant.

S. Res. 360

Whereas there is pending in the Senate of the United States a bill designated as S. 3821 to authorize and direct the Secretary of the Interior to relinquish and quitclaim any title it may heretofore claim to certain lands situated in the County of Riverside, State of California, unto Paul L. Hoak: It is hereby

Resolved, That the Chief Commissioner of the United States Court of Claims shall designate pursuant to section 1492 of title 28 of the United States Code, a trial Commissioner to proceed in accordance with the applicable rules to determine the facts, including facts relating to delay or laches, facts bearing upon the question whether the bar of any statute of limitations should be removed, or facts claimed to excuse the claimant for not having resorted to any established legal remedy. He shall append to his findings of facts, conclusions sufficient to inform the Congress whether the demand is a legal or equitable claim or a gratuity, and the amount, if any, legally or equitably due from the United States to the claimant.

S. Res. 361

Whereas the United States has taken 11.8 acres of land which, by normal indices of record title, appeared to have been owned by R. A. Beaver and J. F. Beaver but for which no compensation was paid because of the conclusion of the United States District Court for the Southern District of California that such land was an accretion to other federal lands resulting from the movements of the Colorado River completed sometime between 1930 and 1938,

Whereas the opinion of said District Court invited redress through Congress to give effect to equities recognized by said Court but beyond its power to compensate, and Senate bill 3822 has been introduced to provide such redress, be it

Resolved, That Senate bill 3822, entitled "A bill to authorize the payment of private claims to R. A. Beaver and J. F. Beaver", is hereby referred to the Chief Commissioner of the Court of Claims pursuant to Sections 1492 and 2509 of Title 28, United States Code, and the Trial Examiner and Review Panel shall be appointed and proceed expenditiously in accordance with the provisions of said sections, reporting to the Senate at the earliest practicable date with such findings of fact and conclusions thereon as shall be sufficient to inform Congress of the nature and character of the claim as a legal or equitable claim against the United States, and the amount, if any, legally or equitably due from the United States to the claimant.

S. Res. 362

Whereas there is pending in the Senate of the United States a bill, designated as S. 3823, to waive and relinquish any claim of title which the United States of America may have in and to certain lands situated in the County of Imperial, State of California, as to which the Senate desires the investigation, findings and conclusions hereinafter referred to: It is hereby

Resolved, That said bill be referred to the Chief Commissioner of the United States Court of Claims as authorized by section 1492 of title 28 of the United States Code for a report in conformity with section 2509 of title 28 of the United States Code with findings of fact and conclusions sufficient to inform Congress whether the waiver and relinquishment of any claim of title by the United States is appropriate in light of any legal or equitable claim to the real property described therein, or any part thereof, by private claimants, including findings as to the age of any accretion claim which the United States might have in and to any part of the subject lands and whether or not there would presently exist any legal or equitable defenses to the assertion of any such accretion claim had it accrued to and were now asserted by a private party rather than to the sovereign; such report shall not take account of, or be in any way affected by, the fact of any pending litigation in any forum or tribunal or any pending administrative proceedings.

S. Res 363

Whereas there is pending in the Senate of the United States a bill, designated as S. 3824, to waive and relinquish any claim of title which the United States of America may have in and to certain lands situated in the County of Imperial, State of California, as to which the Senate desires the investigation, findings and conclusions hereinafter referred to: It is hereby

Resolved, That said bill be referred to the Chief Commissioner of the United States Court of Claims as authorized by section 1492 of title 28 of the United States Code for a report in conformity with section 2509 of title 28 of the United States Code with findings of fact and conclusions sufficient to inform Congress whether the waiver and relinquishment of any claim of title by the United States is appropriate in light of any legal or equitable claim to the real property described therein, or any part thereof, by private claimants, including findings as to the age of any accretion claim which the United States might have in and to any part of the subject lands and whether or not there would presently exist any legal or equitable defenses to the assertion of any such accretion claim had it accrued to and were now asserted by a private party rather than to the sovereign; such report shall not take account of, or be in any way affected by, the fact of any pending litigation in any forum or tribunal or any pending administrative proceedings.

S. Res. 364

Whereas there is pending in the Senate of the United States a bill, designated as S. 3825, to waive and relinquish any claim of title which the United States of America may have in and to certain lands situated in the County of Riverside, State of California, as to which the Senate desires the investigation, findings and conclusions hereinafter referred to: It is hereby

Resolved, That said bill be referred to the Chief Commissioner of the United States Court of Claims as authorized by section 1492 of title 28 of the United States Code for a report in conformity with section 2509 of title 28 of the United States Code with findings of facts and conclusions sufficient to inform Congress whether the waiver and relinquishment of any claim of title by the United States is appropriate in light of any legal or equitable claim to the real property described therein, or any part thereof, by private claimants, including findings as to the age of any accretion claim which the United States might have in and to any part of the subject lands and whether or not there would presently exist any legal or equitable defenses to the assertion of any such accretion claim had it accrued to and were now asserted by a private party rather than to the sovereign; such report shall not take account of, or be in any way affected by, the fact of any pending litigation in any forum or tribunal or any pending administrative proceedings.

S. Res. 365

Whereas there is pending in the Senate of the United States a bill, designated as S. 3826, to waive and relinquish any claim of title which the United States of America may have in and to certain lands situated in the County of Yuma, State of Arizona, as to which the Senate desires the investigation, findings and conclusions hereinafter referred to: It is hereby

Resolved, That said bill be referred to the Chief Commissioner of the United States Court of Claims as authorized by section 1492 of title 28 of the United States Code for a report in conformity with section 2509 of title 28 of the United States Code with findings of fact and conclusions sufficient to inform Congress whether the waiver and relinquishment of any claim of title by the United States is appropriate in light of any legal or equitable claim to the real property described therein, or any part thereof, by private claimants, including findings as to the age of any accretion claim which the United States might have in and to any part of the subject lands and whether or not there would presently exist any legal or equitable defenses to the assertion of any such accretion claim had it accrued to and were now asserted by a private party rather than to the sovereign; such report shall not take account of, or be in any way affected by, the fact of any pending litigation in any forum or tribunal or any pending administrative proceedings.

S. Res. 366

Whereas there is pending in the Senate of the United States a bill designated as S. 3827 to authorize and direct the Secretary of the Interior to relinquish and quitclaim any title it may heretofore claim to certain lands situated in the County of Riverside, State of California, unto Earl A. Reynolds, Jr.: It is hereby

Resolved, That the Chief Commissioner of the United States Court of Claims shall designate pursuant to section 1492 of title 28 of the United States Code, a trial Commissioner to proceed in accordance with the applicable rules to determine the facts, including facts relating to delay or laches, facts bearing upon the question whether the bar of any statute of limitations should be removed, or facts claimed to excuse the claimant for not having resorted to any established legal remedy. He shall append to his findings of facts, conclusions sufficient to inform the Congress whether the demand is a legal or equitable claim or a gratuity, and the amount, if any, legally or equitably due from the United States to the claimant.

S. Res. 367

Whereas there is pending in the Senate of the United States a bill, designated as S. 3828, to waive and relinquish any claim of title which the United States of America may have in and to certain lands situated in the County of Yuma, State of Arizona, as to which the Senate desires the investigation, findings and conclusions hereinafter referred to: It is hereby

Resolved, That said bill be referred to the Chief Commissioner of the United States Court of Claims as authorized by section 1492 of title 28 of the United States Code for a report in conformity with section 2509 of title 28 of the United States Code with findings of fact and conclusions sufficient to inform Congress whether the waiver and relinquishment of any claim of title by the United States is appropriate in light of any legal or equitable claim to the real property described therein, or any part thereof, by private claimants, including findings as to the age of any accretion claim which the United States might have in and to any part of the subject lands and whether or not there would presently exist any legal or equitable defenses to the assertion of any such accretion claim had it accrued to and were now asserted by a private party rather than to the sovereign; such report shall not take account of, or be in any way affected by, the fact of any pending litigation in any forum or tribunal or any pending administrative proceedings.

S. Res. 368

Whereas there is pending in the Senate of the United States a bill designated as S. 3829 to authorize and direct the Secretary of the Interior to relinquish and quitclaim any title it may heretofore claim to certain lands situated in the County of Riverside, State of California, unto Alfred Moury: It is hereby

Resolved, That the Chief Commissioner of the United States Court of Claims shall designate pursuant to section 1492 of title 28 of the United States Code, a trial Commissioner to proceed in accordance with the applicable rules to determine the facts, including facts relating to delay or laches, facts bearing upon the question whether the bar of any statute of limitations should be removed, or facts claimed to excuse the claimant for not having resorted to any established legal remedy. He shall append to his findings of facts, conclusions sufficient to inform the Congress whether the demand is a legal or equitable claim or a gratuity, and the amount, if any, legally or equitably due from the United States to the claimant.

S. Res. 369

Whereas, there is pending in the Senate of the United States a bill designated as S. 3830 to authorize and direct the Secretary of the Interior to relinquish and quitclaim any title it may heretofore claim to certain lands situated in the County of Riverside, State of California, unto Walter B. Plummer and Doris C. Plummer, husband and wife: It is hereby

Resolved, That the Chief Commissioner of the United States Court of Claims shall designate pursuant to section 1492 of title 28 of the United States Code, a trial Commissioner to proceed in accordance with the applicable rules to determine the facts, including facts relating to delay or laches, facts bearing upon the question whether the bar of any statute of limitations should be removed, or facts claimed to excuse the claimant for not having resorted to any established legal remedy. He shall append to his findings of facts, conclusions sufficient to inform the Congress whether the demand is a legal or equitable claim or a gratuity, and the amount, if any, legally or equitably due from the United States to the claimant.

S. Res. 370

Whereas there is pending in the Senate of the United States a bill designated as S. 3831 to authorize and direct the Secretary of the Interior to relinquish and quitclaim any title it may heretofore claim to certain lands situated in the County of Riverside, State of California, unto Alfred Mourey: It is hereby

Resolved, That the Chief Commissioner of the United States Court of Claims shall designate pursuant to section 1492 of title 28 of the United States Code, a trial Commissioner to proceed in accordance with the applicable rules to determine the facts, including facts relating to delay or laches, facts bearing upon the question whether the bar of any statute of limitations should be removed, or facts claimed to excuse the claimant for not having resorted to any established legal remedy. He shall append to his findings of facts, conclusions sufficient to inform the Congress whether the demand is a legal or equitable claim or a gratuity, and the amount, if any, legally or equitably due from the United States to the claimant.

S. Res. 371

Whereas, there is pending in the Senate of the United States a bill designated as S. 3832 to authorize and direct the Secretary of the Interior to relinquish and quitclaim any title it may heretofore claim to certain lands situated in the County of Riverside, State of California, unto Arthur W. Sedgemore and Geraldine L. Sedgemore, husband and wife: It is hereby

Resolved, That the Chief Commissioner of the United States Court of Claims shall designate pursuant to section 1492 of title 28 of the United State Code, a trial Commissioner to proceed in accordance with the applicable rules to determine the facts, including facts relating to delay or laches, facts bearing upon the question whether the bar of any statute of limitations should be removed, or facts claimed to excuse the claimant for not having resorted to any established legal remedy. He shall append to his findings of facts, conclusions sufficient to inform the Congress whether the demand is a legal or equitable claim or a gratuity, and the amount, if any, legally or equitably due from the United States to the claimant.

S. Res. 372

Whereas there is pending in the Senate of the United States a bill designated as S. 3833 to authorize and direct the Secretary of the Interior to relinquish and quitclaim any title it may heretofore claim to certain lands situated in the County of San Bernardino, State of California, unto Carroll A. Cook and Emily M. Cook, husband and wife: It is hereby

Resolved, That the Chief Commissioner of the United States Court of Claims shall designate pursuant to section 1492 of title 28 of the United States Code, a trial Commissioner to proceed in accordance with the applicable rules to determine the facts, including facts relating to delay or laches, facts bearing upon the question whether the bar of any statute of limitations should be removed, or facts claimed to excuse the claimant for not having resorted to any established legal remedy. He shall append to his findings of facts, conclusions sufficient to inform the Congress whether the demand is a legal or equitable claim or a gratuity, and the amount, if any, legally or equitably due from the United States to the claimant.

S. Res. 373

Whereas there is pending in the Senate of the United States a bill designated as S. 3834 to authorize and direct the Secretary of the Interior to relinquish and quitclaim any title it may heretofore claim to certain lands situated in the County of San Bernardino, State of California, unto Marie Collings: It is hereby

Resolved, That the Chief Commissioner of the United States Court of Claims shall designate pursuant to section 1492 of title 28 of the United States Code, a trial Commissioner to proceed in accordance with the applicable rules to determine the facts, including facts relating to delay or laches, facts bearing upon the question whether the bar of any statute of limitations should be removed, or facts claimed to excuse the claimant for not having resorted to any established legal remedy. He shall append to his findings of facts, conclusions sufficient to inform the Congress whether the demand is a legal or equitable claim or a gratuity, and the amount, if any, legally or equitably due from the United States to the claimant.

SENATE RESOLUTION 374—THE CAPTIVE NATIONS WILL BE FREE

Mr. DODD. Mr. President, I submit, for appropriate reference, a resolution reaffirming the support of the Senate for the goals of Captive Nations Week and reassuring the people of the captive nations of our continuing support in their struggle for the restoration of their national freedom and of their basic human rights.

In introducing this resolution, I am honored to have associated with me as cosponsors the Senator from Nebraska [Mr. CURTIS], the Senator from Colorado [Mr. DOMINICK], the Senator from Arizona [Mr. FANNIN], the Senator from Wyoming [Mr. HANSEN], the Senator Nebraska [Mr. HRUSKA], the Senator from Ohio [Mr. LAUSCHE], the Senator from Iowa [Mr. MILLER], the Senator from Illinois [Mr. PERCY], the Senator from Pennsylvania [Mr. SCOTT], the Senator from South Carolina [Mr. THURMOND], the Senator from New York [Mr. JAVITS], and the Senator from Connecticut [Mr. RIBICOFF].

In 1959, both Houses of Congress, by unanimous vote, approved a resolution that has since become known as the Captive Nations Week Resolution. The resolution urged the President to set aside the third week of July each year as Captive Nations Week, and to invite the American people during this annual observance to manifest their solidarity with the captive nations of Europe in various appropriate ways.

This week marks the tenth observance of Captive Nations Week. And since the tenth observance is an appropriate occasion for a reaffirmation of our commitment, I have been moved to introduce the resolution which I have just sent to the Chair.

There are some who may be discouraged by the fact that 10 years have passed and the captive nations still remain captive. Having given up all hope for the liberation of the captive nations, they may ask what point there is to the continuing observance of Captive Nations Week.

The wheels of history sometimes grind slowly. In history's longer measure, a decade is a short time. But even for those who are impatient with history, the events of the past decade in the captive nations offer every reason for hope and little reason for pessimism.

Moscow may have thought that after the terrible bloodletting in the Ukraine and after the brutal repression of the east German uprising of 1954 and of the Polish revolt and the great Hungarian revolution if 1956, the spirit of resistance in the captive nations was broken for a century to come. But if Moscow ever entertained any such illusions, they have certainly been shattered by the events of the past year.

Moscow's captive nation empire is today a seething cauldron of nationalist ferment and intellectual dissent.

The winds of discontent blow all the way from the Urals to the borders of Western Germany.

In Poland in the first part of this year, there was a nationwide revolt of the students and intellectuals characterized by student demonstrations, protest sit-ins, numerous clashes with the police, mass petitions, and open defiance of the regime.

The revolt, which began in February and continued through the end of March was brought under control during April and May by stern repressive measures. But the Polish people, who have never in their long history compromised with tyranny, have not, of this I am certain, abandoned the battle for freedom.

All the indications are, in fact, that the Polish Communist regime, which is now under complete control of the most Stalinist elements in the Communist Party, is completely isolated from the Polish people. Its brutal repressive measures against the Catholic Church and against the Jewish minority and against students and intellectuals and workers have created a gulf between the regime and the people which cannot be bridged by propaganda and police measures.

The Polish people will rise again and, if necessary, still again. And they will keep on rising, as they did in their long battle against czarist rule, until the day of final liberation comes and they can again breathe the precious air of freedom.

Czechoslovakia, which only last year appeared to be under the firm control of Stalinist communism, has now broken with the past, repudiated the previous Stalinist leadership, and granted a degree of personal freedom which is truly remarkable for a Communist country.

It remains to be seen whether so much personal freedom can coexist with the Communist economic system. It may very well be that in the long run one or the other will have to give. But for the moment the important thing is that Czechoslovakia has moved dramatically in the direction of more freedom for its citizens and greater independence from Moscow control.

Perhaps most remarkable of all is the massive resurgence of Ukrainian nationalism over the past several years.

For five decades the Ukrainian people have been bled white by the Soviet terror. There was the massive manmade famine of the 30's in which 5 million Ukraineans perished. Purge succeeded purge. Entire generations of Ukrainian intellectual leaders were virtually decimated by the terror.

But now all the reports indicate that a new generation of Ukrainians and Ukrainian intellectuals have taken up the struggle for freedom, their wills unbroken by 50 years of terror and massacres.

Rumania, too, has been restively tugging at the reins of Moscow control. The Hungarian people, and even the Hungarian Government, have openly manifested their sympathy with recent developments in Czechoslovakia. And in the Baltic, Lithuania, Latvia, and Estonia, which were occupied by fraud and force in the wake of the Hitler-Stalin pact, rumblings of a new wave of nationalist and intellectual dissent are again being heard.

Captive Nations Week makes sense, because anyone with a sense of history should know that no alien despotism can indefinitely maintain its rule over peoples who refuse to give up the battle for freedom. In the long run, freedom always prevails.

Captive Nations Week is morally right because the least we can do is to assure the peoples of the captive nations of our continuing support and solidarity.

And at a time when there is widespread discussion of the possibility of Soviet military intervention in Czechoslovakia, the reaffirmation of our commitment to the freedom of the captive nations becomes all the more vital.

That is why I have introduced my resolution.

Mr. President, I ask unanimous consent to insert at this point in the RECORD the complete text of my resolution.

I also seek unanimous consent to insert into the RECORD at this point a number of magazine and newspaper articles dealing with the fight for freedom in the captive nations.

The PRESIDING OFFICER. The resolution will be received and appropriately referred; and, without objection, the resolution and the articles will be printed in the RECORD.

The resolution (S. Res. 374) was referred to the Committee on Foreign Relations, as follows:

S. RES. 374

Whereas recent events in Czechoslovakia and Poland and other countries in Central Europe, and the growing evidence of intellectual dissent and nationalist ferment in the Soviet Union itself, call for a re-affirmation of American support for the right of men and nations to be free;

Whereas the President of the United States, acting on the basis of a resolution enacted by the unanimous vote of the United States Congress, has, each year since 1959, designated the third week of July as Captive Nations Week, and invited appropriate observance by the American people; and

Whereas the year 1968 has, in addition, been designated Human Rights Year by the United Nations: Now therefore be it

Resolved, That it is the sense of the Senate that our observance of Captive Nations Week this year should be reinforced by our assurance to all the peoples of the captive nations that the American Congress and the American people are not indifferent to their plight, but that, on the contrary, we watch their struggle for the restoration of their national freedom and of their basic human rights with the greatest sympathy and admiration; and that it is our fervent hope that these peoples, who have suffered so cruelly in the postwar years, will in the years to come be permitted to determine their own future without the threat of external intervention.

The articles presented by Mr. DODD are as follows:

POLAND

[From the Reporter, June 1, 1967]

THE INTELLECTUAL REVOLT IN POLAND

(By Tibor Szamuely)

On January 8, Peter Raina, a young Indian leftist scholar, was expelled from Poland, where he had lived and worked for more than four years. It was a harrowing experience: Raina was held at the East German border for almost twelve hours while Polish guards methodically went through his belongings, reading every scrap of paper. Finally they let him go after confiscating a three-hundred-page manuscript of a biography of Communist Party Secretary Wladyslaw Gomulka on which he had been working, with official encouragement and help, for about two years.

Raina had come to Poland full of sympathy for the Gomulka régime. He learned to love the country, its language and culture. Warsaw University gave him a doctorate. Wanting to see only the best, for a long time he resolutely dismissed all western criticisms as propaganda. He wrote letters to the foreign press attacking western correspondents for their lack of understanding of Poland and accusing them, among other things, of slandering the Ministry of Interior Affairs. Thus it came as a shock to be called an enemy of the state by that very ministry and to be ordered by it to leave the country within forty-eight hours.

When he finally reached West Germany, Dr. Raina unburdened his disillusionment to the press, broadcast to Poland on Radio Free Europe, and made public a scathing letter he had written to the Polish Minister of Interior Affairs. His story is informative, for it sheds light on some little-known aspects of what is probably the most important process at present taking place in Poland: the new ferment among the intellectuals.

LAMENT FOR OCTOBER

Since about 1960, Warsaw University, and particularly its departments of the humanities and social sciences, has become the center of disaffection spreading among the younger generation of intellectuals. In November, 1964, the security police arrested a group of the university's young lecturers and students. One of the lecturers was Karol Modzelewski, a stepson of the late Polish Communist Foreign Minister and a leader of the pro-Gomulka student movement of 1956. They were all accused of having circulated a paper criticizing the Communist system in Poland. Although soon released, five of them were expelled from the party.

Administrative sanctions, usually an effective warning, didn't work this time. Modzelewski and a friend, Jacek Kuron, composed an open letter to the party. When they distributed it in March, 1965, they were immediately rearrested. No one was surprised, for the document was a devastating indictment—couched in impeccable Marxist terms—of Poland under Gomulka: "To whom does power belong in our state?" the authors asked. "To one monopolistic part—the Polish United Workers' Party. . . . The decisions of the elite are independent, free of any control on the part of the working class and of the remaining classes and social strata."

The Poland which Modzelewski and Kuron described and analyzed with a wealth of statistical and other evidence is, in fact, the familiar Stalinist system—which Communist leaders and wishful thinkers in the West insist was swept away in the cleansing aftermath of the 1956 Twentieth Congress of the Soviet Communist Party. But it was the authors' conclusion that was intolerable to the auhorities: "In view of the impossibility of overcoming the economic and social crisis within the framework of the bureaucratic system, revolution is inevitable." Modzelewski and Kuron were tried in July, 1965, behind closed doors, with the courthouse surrounded by a tense crowd of students. They were sentenced to three and a half and three years respectively.

This, however, was far from the end of the affair. Modzelewski and Kuron had been voluntarily defended in court by some of the most esteemed figures of Polish intellectual life: Antoni Slonimski, the dean of Polish writers, and Professors Tadeusz Kotarbinski, Leopold Infeld, and Leszek Kolakowski. It was Kolakowski who occupied the center of the stage. His reputation and popularity as a champion of intellectual and political freedom—and as Poland's leading Marxist philosopher—was established in the "Polish October" of 1956. He was one who rallied the intellectuals and students behind Gomulka and the ideal of rebuilding Polish Communism on an ethical, libertarian, and humanistic foundation.

Today his fiery declarations of ten years ago may well seem naive—not least to Kolakowski himself—but at the time they conveyed hope. In his ideological credo, published in 1957, Kolakowski argued that the true Communist's place was on the side of the oppressed and the persecuted: "No one is exempt from the moral duty to fight against a system or rule, a doctrine or social conditions which he considers to be vile and inhuman, by resorting to the argument that he considers them historically necessary." Through the sad years of Gomulka's gradual repudiation of all that he seemed to represent in 1956, Professor Kolakowski had retreated into semi-passivity. The case of Modzelewski and Kuron forced him again to face up to the dilemma of the idealistic Communist in a repressive Communist state.

It is at this point that young Peter Raina enters the story. Dr. Raina was a devoted admirer of Kolakowski, and he unhestitatingly joined his professor in protesting the sentences given the two teachers.

Last year, the party leadership decided to stamp out student unrest and began a series of repressive measures directed against Warsaw University; a number of students were expelled, new disciplinary rules were introduced, party control was tightened. The restrictions brought a wave of even more vociferous indignation. Protest meetings were held, delegations dispatched, signatures collected. There were noisy scenes at the 1966 May Day demonstration.

In the meantime, ever-increasing pressure was being applied to Leszek Kolakowski. In March, 1966, he was summoned before the party Control Commission and called upon to submit a declaration retracting his views. Despite a grueling interrogation, he remained obdurate. The climax came on October 21, the tenth anniversary of the uprising that had swept Gomulka to power. A commemorative meeting was held in the history department of the university, at which Kolakowski spoke for about half an hour. His message, as reported in a Polish paper in London, was on the order of an obituary of freedom in his country:

"Genuine democracy is lacking here. There is very little public choice of the leaders. Thus, the leadership, which is not really elected, becomes conceited, self-assured. There is no opposition; hence there is no confrontation between those who are in power and those who are without. . . .

"The government does not feel responsible to the nation. The system of privilege is prevalent. These privileges exist for a few outside the law. . . . Public criticism is lacking. Free assembly is nonexistent. Censorship is extremely severe. . . .

"All this has weakened society, for there is no perspective, no hope. The state, the party, the society are the victims of stagnation. There is therefore nothing to celebrate."

Speaker after speaker rose to reiterate the main points of this comprehensive indictment. Among them was Peter Raina. Two resolutions were moved: one demanding the introduction of freedom of speech and the abolition of censorship and political repression, the other calling for the immediate release of Modzelewski and Kuron. Although the motions were not allowed to be put to a vote, the thunderous acclaim with which they were received spoke for itself.

UNITY IN PROTEST

Next day Professor Kolakowski was summarily expelled from the party. In the following few days his assistant was also expelled, six students were suspended, and seven others were sent before the university's disciplinary commission. A systematic campaign of calumny was mounted with the object of discrediting Kolakowski, who was accused of being "a tool in the hands of the imperialists."

On November 15, the university organization of the Communist Party held a general meeting; it was addressed by Zenon Kliszko—the secretary of the Central Committee, the chief party theoretician, and Gomulka's second-in-command—and by Stanislaw Kociolek, first secretary of the Warsaw committee of the party. Kliszko trotted out all the clichés about the perils of revisionism; Kociolek went straight to the point: "I am against discussions, dialogues, and seminars. The unity of the party is supreme. Discipline is the cardinal principle of the life of the party." Instead of giving the expected dutiful assent, the assembled university Communists launched an attack on the party's leadership. Kliszko, driven into a corner, protested: "I didn't come to this meeting to present any explanations. I came to listen to them." Similar stormy scenes were repeated at party meetings held in other leading cultural institutions. The intelligentsia clearly was getting out of hand.

The conflict spread fast. On November 25, fifteen writers, all active members of the party and regular contributors to official periodicals, sent a letter to the Central Committee expressing their solidarity with Professor Kolakowski and demanding his reinstatement. The response of the party bureaucracy remained doctrinaire—and ineffectual. The writers were summoned to the Central Committee, where, one by one, they refused to withdraw their protest. Six of them, including prewar Communists, driven at length into rebellion against the beliefs of a lifetime, resigned from the party. Seven others were suspended. Nor was the party leadership any more successful in its dealing with the Writers' Union as a whole. At a special meeting of the party organization of the union's Warsaw sections (numbering about a hundred members) that was convened to condemn the actions of Kolakowski and his supporters, only one speaker supported the official line.

It would be wrong to assume that all those who joined this broad front of intellectual dissent necessarily subscribe to Modzelewski's or Kolakowski's views. The principle that unites them is opposition to the stifling system of Communist conformity, to the totalitarian controls over thought and speech and writing, to the subjugation of the intellect and the prostitution of culture. Yet, as the history of Communism—whether in Poland, the Soviet Union, or any other "socialist" state—has shown, the party cannot afford to compromise this control. The result it has achieved in Poland has been the successive alienation of the intellectual community, and with every new purge the area of revolt grows wider.

Peter Raina's letter to the Minister of Interior Affairs summed up the sense of betrayal.

"A few days ago," he wrote, "when I went to the militia headquarters in order to have my visa extended, I was greatly surprised by the decision of the militia not to extend my stay in Poland. I was aghast at the motivation of this decision, namely that I have a hostile attitude toward Poland. . . .

"For the first time in my life I came against a case when the control of university life was exercised by secret agents of the Ministry of Interior Affairs. . . .

"I never had any treacherous intentions towards Poland. I always defended Polish interest. I published abroad letters which criticized foreign correspondents for their lack of understanding of Poland. I endeavored within the limits of my possibilities to spread Polish culture through numerous translations of Polish literature. I feel, therefore, greatly injured by the mendacious accusations formulated against me by the Ministry of Interior Affairs. I am writing to you that thanks to the activity of agents of the Ministry of Interior Affairs at the university, everybody is governed by fear and one cannot behave normally and calmly at seminars and meetings. I am ashamed for the university and its leadership that things have come to such a pass that low and dirty methods are applied to students, methods that recall the times of fascism and its terror. Methods applied to me during the last few days at the militia headquarters (to wit, the denial of any possibility of explaining things) recall to my mind the methods of Stalinism.

". . . the events of the last days convinced me that all the ministries, the university, the whole cultural life, the political parties, the parliament, were subject to orders of the Ministry of Interior Affairs from which there was no appeal and that nobody had the courage to dare even to make a rightful protest against unjust treatment."

A fair description of a country which was only recently being advertised as a showplace of "liberal" Communism—and a melancholy epitaph to the illusions of an idealist who learned about Communism the hard way.

[From the New York Times, Feb. 18, 1968]

WRITERS DISPUTE PARTY IN POLAND—SHOWDOWN APPEARS AT HAND OVER RULE OF REGIME

WARSAW, February 17.—Recent interference by the Communist party in Polish cultural life appears to be provoking a showdown between the normally complacent intellectual community and an increasingly nervous party leadership.

Indicative of the intellectuals' new mood of militance was a decision this week by the Warsaw section of the Polish Writers Union to hold, before the end of this month, the first extraordinary meeting in its 48-year history.

More than 230 Communist and non-Communist writers overcame their political differences to sign a petition requesting the meeting to protest the party's decision that ended performances of a classic anti-Russian play by the 19th-century romantic poet Adam Mickiewicz.

Major importance is attached to the meeting because, if past performance is any guide, it should provide a rare semipublic forum for airing the intellectual community's accumulated complaints.

AUDIENCE PROTESTED

Both before and after "Dziady" ("The Forefathers") was closed amid angry audience protests on Jan. 30, the party showed its nervousness in dealing with the intellectuals.

Last week, party censors abruptly canceled performances of a prewar avant-garde play, "Gyubal Wahazar," the day before it was scheduled to open at the Narodowy Theater, where "Dziady" had also been performed.

The play, by the late Stanislas Ignacy Witkiewicz, was described in an official theater publication as a "protest against all tyrannies." It ends with the secret police chief assassinating the dictator.

Censors are reported to be insisting that the name of the Narodowy production now in rehearsal be changed before it can open.

The original title of the play, a nonpolitical turn-of-the-century comedy, is "Ciezkie Czasy," or "Oppressive Times."

TRIAL IS CLOSED

Observers also credit party nervousness with the current trial of the literary critic Janusz Szpotanski, who is accused of harming state interests by writing and privately performing a satiric operetta, Cisi i Gegagze, ("The Silent and the Honkers.").

Some Communist sources are worried that the writers union will stray from complaints about censorship to political polemics, which could further estrange the party and the intellectual community.

A number of leading Polish intellectuals, many of them Jews, have resigned from the Communist party since the Middle Eastern conflict last June amid charges that the leadership used the war as a pretext to shut off discussion.

Other signs of intellectual unrest are reflected in reports that actors and Warsaw University students have signed petitions condemning the closing of "Dziady." But both Communist and non-Communist writers are chary about predicting that the Writers Union meeting will produce any significant liberalization of party attitudes.

[From the Washington Sun, Feb. 20, 1968]

WRITER JAILED AS POLAND STEPS UP STALINIST PURGE

OPERA SPOOF

WARSAW, February 19.—A 34-year-old literary critic was sentenced today to three years in prison for writing a comic opera spoofing leading Polish personalities ranging from politicians to cardinals.

Janusz Szpotanski was found guilty of "preparing and disseminating false or derogatory writings or other materials deemed detrimental to the interests of the state."

The verdict and sentencing were read in open court, but the motivation for the decision was given after the courtroom had been cleared of spectators.

Secret Sessions

The trial began February 5 and was open to the public. In the six sessions that followed until the conclusion today, the trial was held behind closed doors.

Szpotanski's opera tapes had been making the rounds of private parties for a few years.

POLICE STATE

(By Stuart S. Smith)

BONN, February 19.—Poland has fallen back into the status of a reactionary police state, Western observers said today.

The once liberal Gomulka regime has in recent months made use of threats, arrests and political trials to harass both the party rank and file and the population at large, they say.

The principal instigator of this repression is said to be Mieczyslaw Moczar, the Polish Interior Minister and head of the secret police. Moczar is, at the same time, leader of a Stalinist party faction called the Partisans, which for years has been trying to undermine *the position of the liberals who helped bring* Wladislaw Gomulka, the Polish Communist party secretary, to power in 1956.

The fact that anti-Partisan elements have been the chief losers in the recent reshuffles and have been replaced by men close to Moczar indicates the Interior Minister is getting the upper hand.

For sometime now the Polish press, radio and television have been conducting a propaganda campaign, warning the population against contacts with the "imperialist" West. Regular denunciations of not only the United States but also West Germany are standard fare.

This contrasts with the attitudes of Yugoslavia, Romania and Bulgaria, which now have good relations with West Germany. Also Hungary and Czechoslovakia are taking slow but positive steps toward improving communications with the Federal Republic and other Western Nations.

Anti-Semitism

The Polish propaganda, which contains a considerable amount of anti-Semitism, is being supported by a series of spy trials, which have been given wide publicity in an obvious effort to scare the citizenry.

Western journalists encounter great difficulty in entering Poland, although they may travel freely throughout Hungary, Czechoslovakia, and Romania and do not even needed visas to enter Yugoslavia and Bulgaria.

Polish censors, who once tolerated much Government criticism, are now among the harshest in Communist Europe.

Numerous theater pieces have been canceled and books and magazine pieces banned in the past few months. Only the most obedient writers have been able to obtain good commissions.

Mideast war

Moczar's purges have been directed against all liberal groups, but last summer's Arab-Israel confrontation provided him with an excellent weapon to use against Communist party Jews, most of whom opposed Moczar's Partisan movement.

Although Jews have for many decades played an important role in Polish party affairs, today there are few if any left in responsible positions.

The Polish leadership's ever closer relationship to Soviet policy runs against the trend among other European Communist nations, with the exception of East Germany, which are seeking as independent a political status as their economic dependency upon Russia will allow.

Why the Polish leadership feels so insecure that it must turn back the clock and reapply terrorist methods is difficult to say, but new acts of oppression or even the continuation of the present conditions can only further embarrass the country's more liberal Communist allies in Southeast Europe.

TWO JAILED IN POLAND

WARSAW, February 19.—A West German was sentenced to 6½ years in prison and a Pole to 9 years in Szczecin, northwest Poland, today for alleged hostile political activity on orders from two West German religious organizations.

Eugan Schrabtke, a West German, and Alfred Kipper, a Pole from Szczecin, carried out their activities in areas Poland took from Germany after the World War II, the provincial court said.

In its judgment, the court stressed the men's full consciousness of their activities against the Polish state and in the interest of the West German "revisionist" church organizations Kirchendianst Ost and Evengelisher Hilfswerk, according to the Polish news agency Pap.

The court said the regret Schrabatke expressed during the trial mitigated his offense.

The indictment said that under the guise of helping German nationals still living in the former German areas the two organizations aimed at encouraging the belief that the present Polish-German frontier was not permanent.

The accused were alleged to have slandered Poland while pretending to help German nationalists of evangelical faith in northwest Poland.

They were charged with collecting and sending information to West Berlin and West Germany about life and people in the western Pomeranian region around Szczecin, including lists of persons supposed to be needing help.

They were also charged with illegal currency manipulations and other financial offenses.

[From the New York Times, Mar. 10, 1968]

POLISH STUDENTS IN SECOND DAY OF RIOTS: TEAR GAS AND CLUBS ARE USED BY POLICE TO COMBAT BRICKS—TWO ARRESTS REPORTED

(By Jonathan Randal)

WARSAW, March 9.—Polish students shouting "Long live Czechoslovakia!" fought steel-helmeted police here today for the second day.

The fighting began when students threw bricks and bottles. The police replied by lobbing tear gas shells. Some students were beaten with rubber truncheons.

The students' shouts apparently alluded to the promises for greater democracy that have been made by the new Czechoslovak leadership since Alexander Dubcek replaced Antonin Novotny as First Secretary, Jan. 5.

Spokesmen for the police and the Polish Government said thay had "no information" on the number of students that have been arrested during the two days of rioting at Warsaw University and the Polytechnic school.

Informed sources said the police arrested Jacek Kuron and Karol Modzelewski last night. They are teaching assistants at Warsaw University, who in 1965 were imprisoned for having distributed pamphlets that criticized the lack of democracy for the Communist party here.

Unlike the rioting yesterday, which was limited to the Warsaw University campus, the clashes today spilled directly into the streets which were littered with bricks, broken glass, stones and newspapers.

POLICE ACTION PROTESTED

The rioting, which saw policemen and civilian auxiliaries hunt down students in apartment houses, doorways and on church steps, began today when Polytechnic students marched out of the school grounds after a protest meeting.

At the meeting the students condemned the violation of the university's traditional autonomy by policemen and civilian auxiliaries yesterday and demanded the release of students arrested earlier.

Tonight the state-controlled Warsaw television network broadcast a statement that denied persistent rumors that a girl student had died from injuries received in the clash with the police yesterday.

The rioting started when Warsaw University *students met to demand the reinstatement of two students expelled after being* arrested last Jan. 31 for demonstrating against the closing of a classic Polish play by Adam Mickiewicz, a 19th-century poet. The play, depicting Polish suffering, contains lines that could be interpreted as criticism of the Soviet Union today.

The students also expressed their solidarity with the Warsaw branch *of the Writers'* Union which last week condemned the closing of the play, "Dziady" ("The Forefathers") and called for a relaxation of censorship.

MARCH ON NEWSPAPER

Today, led by a student carrying a red and *white Polish flag, some 3,000 students* marched in the direction of the offices of Zycie Warszawy, a Government-controlled newspaper that had criticized them as "scum." Near Workers Unity Square, the students were met by policemen who demanded that they disperse.

Among the slogans the students shouted were "More democracy!" "Down with censorship!" "Gestapo!" "Down with the lying press!" and "Down with Moczar!" Gen. Mieczyslaw Moczar is the Interior Minister and chief of the secret police.

Later, some two miles away, police auxiliaries used truncheons to beat students who *were standing on the steps of the Church of* the Holy Cross, across the street from the main university entrance. Other students sought sanctuary inside the church, where composer Frederic Chopin's heart is buried.

The police and auxiliaries were brought in by the truckload. Traffic patrolmen cordoned off streets for several hours to contain the rioting near the Polytechnic School.

The student rioting was the most serious clash with authority since October 1957, when the Polytechnic School and university students fought police for three days to protest against the closing of an outspoken student magazine, Po Prostu.

[From the New York Times, Mar. 12, 1968]

Thousands in Poland Fight Police as Protest Mounts

(By Jonathan Randal)

WARSAW, March 11.—Tens of thousands of Poles clashed with policemen in front of Communist party headquarters and at the statue of the national poet, Adam Mickiewicz, today.

For the first time adults joined university students and teen-agers in the wave of protests against stringent Communist party control of cultural affairs. The participation of adults altered the character of the demonstrations, which began last Friday.

The disturbances sought to protest, among other things, the closing of Mickiewicz's classic anti-czarist play, "Dziady" (The Forefathers").

[Demonstrators sacked a building of the Culture Ministry in the central section of the capital and fought policemen with debris and broken furniture, Reuters reported. Militiamen battling demonstrators outside Warsaw University were met with chants of "Gestapo! Gestapo!" as they waded forward with flailing clubs.]

For almost eight hours, policemen, worker militiamen and civilian police auxiliaries fought with the demonstrators in the third day of violence unequaled since 1957. Then serious rioting followed the closing of the liberal student magazine Po Prostu.

Stefan Cardinal Wyszynski, Roman Catholic Primate of Poland, canceled a scheduled sermon "to avoid worsening the situation." The cancellation was announced to an overflow crowd in St. Ann's Cathedral, which reeked of tear-gas grenades tossed by the police.

Workers and militiamen used rubber truncheons to beat churchgoers on the cathedral's steps, which, like many Warsaw streets, were littered with tear-gas canisters, broken glass, bricks and paving stones.

Meanwhile, Slowo Powszechne, newspaper of Pax, the pro-Communist Roman Catholic lay movement, suggested that the demonstrations had been led by Zionists. It listed the names of some of the students arrested, almost all of whom are Jews.

P.A.P., the Polish press agency, reported that one sign carried at a Communist party meeting at the Zeran automobile factory read, "Clean the Zionists out of the party."

During most of the day and early evening, demonstrators seemingly ranged at will, shouting "Gestapo!" "Democracy!" "Constitution!" "Warsaw with us!" and "Moczars valets!" at the police, Mieczyslaw's Moczar is the Interior Minister and chief of the secret police.

The demonstrators threw paving stones and bricks at the helmeted policemen, who charged with truncheons and fired tear-gas grenades and, for the first time in the current outbreak, used a truck armed with a water gun to disperse them.

Time and time again demonstrators slipped through side streets and emerged red-eyed and weeping to taunt the police.

Most of the fighting took place along Novy Swiat and its continuation, Krakowskie Przedmescie, which for more than a mile forms one of Warsaw's main thoroughfares.

Shortly before 4 P.M., when most Warsaw offices and factories had closed for the day, tens of thousands of people suddenly gathered in Novy Swiat. Virtually unopposed by small detachments of policemen and large numbers of worker's militiamen, they surged along the street.

On their way they burned copies of the principal newspapers, which had continued their denunciations of the student demonstrators, characterizing them as hooligans and "Well-to-do youths with political ambitions."

Only when the crowd neared the gray, forbidding building that, since its erection during the Stalin era, has housed the United Workers party's Central Committee did the police make serious attempts to stop it.

There the fighting, which lasted for more than two hours, was watched by a dozen men and women standing on the party's sixth-floor terrace.

[From New York Times, Mar. 12, 1968]

Prague Party Chief Denies He Is Against Freedom of the Press

(By Harry Schwartz)

PRAGUE, March 11.—The head of the Communist party in Prague, Martin Vaculik, expressed his regrets that antiliberal statements by his organization had been "imprecise" and "misunderstood."

He asserted on television that he was a progressive but acknowledged that in the party power struggle early this year he supported President Antonin Novotny.

A few hours earlier, the ministry of Interior apologized to students in Prague for the police violence employed against them last Oct. 31, during a demonstration against living conditions in dormitories.

Placing full responsibility on the police for the incident and promising that seven policemen would be punished, the Ministry insisted that neither the Communist party nor state officials bore any responsibility for the mistreatment of the students.

The Prague city Communist organization was criticized at weekend meetings of several of Prague's borough organizations. The attacks were aimed at the city leaders' statement last Friday warning against overhasty changes in Communist party policy and against alleged "one-sidedness" of the communications media, which were accused of having disseminated radical ideas and even of mocking fundamental Communist concepts.

At one meeting, the city leaders were accused of having tried to dictate the line to be taken by the local conferences, having waited until the local organizations expressed their own opinions before issuing a citywide statement.

At another borough, a resolution was adopted condemning the city organization's statement, while at a meeting of Communists of Prague universities, disagreement was voiced with the city groups' charge that the communications media were one-sided.

Tonight, Mr. Vaculik pleaded that the prevailing opinion that his leadership was conservative was mistaken, and that the widespread belief that his organization's statement was against freedom of the press was wrong. He argued that he was opposed to radical and extreme statements.

[From the New York Times, Mar. 26, 1968]

Cracow Students Stage a Sit-In; Czech Private Defies a General—Gomulka Speech Ignored

(By Jonathan Randal)

WARSAW, March 20.—Students in Cracow pointedly ignored today an appeal by the Communist leader, Wladyslaw Gomulka, for an immediate return to classes. They staged a sit-in at Jagiellonian University.

In a further indication that the students were not satisfied with Mr. Gomulka's promise yesterday of eventual consideration of their grievances, 3,000 of them at the Warsaw Polytechnic School voted to begin a 48-hour sit-in tomorrow morning.

Warsaw University students will join the sit-in, according to a student delegate at the strike meeting held this afternoon at the Polytechnic School.

The Warsaw sit-in reflected warnings by the students that they would take other defiant measures unless the regime published their 15-point resolution and corrected "slanderous" press accounts of previous demonstrations by Tuesday midnight.

The Polytechnic meeting demanded that students be allowed to discuss their problems on the radio and television, controlled by the regime.

Symptomatic of the student's mood at the meeting was the tearing up of newspapers. The newspapers' main interest today was the text of Mr. Gomulka's speech to Warsaw party members.

Some student sources suggested that a factor in the students' renewed defiance was Mr. Gomulka's criticism of "revisionist" liberal professors at Warsaw University as the "spiritual instigators" of the student unrest. Many professors named are Jews.

Mr. Gomulka dropped similar charges against Zionists and former Stalinists, apparently in an effort to keep within bounds the anti-Zionist campaign that he obliquely conceded had anti-semitic overtones.

The Polish party has applied the name "Zionists" to instigators of the student demonstrations.

Although Mr. Gomulka stressed that no professors had lost tenure because of their "academic views," he indicated that changes might be under consideration. He said the regime "displayed considerable—and as experience has shown, unfortunately, too great—restraint and caution in interferring for political reasons with the life of academic circles."

In Cracow, the sit-in involved students sitting in corridors and not attending lectures, informed sources said. It followed a five-day classroom boycott during which some parents had been warned that their children would be expelled unless they returned to school, the informants added.

At the Polytechnic meeting, a message was read from workers at a rolling-stock factory in Wroclaw, the sources said. The message expressed solidarity with student demands.

In Wroclaw, newspapers disclosed that classroom boycotts or sit-ins took place at all eight institutions of higher learning there last Thursday and Friday. Only students of the School of Plastic Arts did not return to classes normally on Saturday, according to the newspapers, which added that "hooligans" had been responsible for violence there on Friday.

Meanwhile, the anti-Zionist campaign evaporated today in the wake of Mr. Gomulka's speech, which sought to moderate a 10-day campaign that apparently had the party's blessing.

In its place, there were pledges of support for "Comrade Wieslaw," as Mr. Gomulka is affectionately called, as well as confusion among many Poles who were surprised at the moderate tone of his remarks.

In some quarters the excited shouts that accompanied Mr. Gomulka's remarks on Polish Jews and the chanting of the name of Edward Gierek were interpreted as reflecting the popularity of the anti-Zionist campaign.

Mr. Gierek, the party secretary in industrial Silesia, had made a strongly anti-Zionist day and is sometimes mentioned as a possible successor to Mr. Gomulka.

[From the New York Times, Mar. 29, 1968]

WARSAW STUDENTS MEET AGAIN, DEFYING REGIME—DEMAND THE REINSTATEMENT OF HUMANITIES PROFESSORS AND LEGAL REFORMS

(By Jonathan Randal)

WARSAW, March 28.—Warsaw University students today defied new warnings from the Polish Government and met to demand the reinstatement of six dismissed humanities professors, according to informed sources.

The unauthorized meeting of 2,000 students constituted the first overt act of student defiance since three Warsaw sit-ins ended last Saturday.

Held despite serious warnings in two newspapers today, the meeting was apparently prompted by the dismissal of professors Monday.

Wladyslaw Gomulka, the party leader, had foreshadowed the dismissals in a speech 10 days ago in which he said the professors were the "spiritual instigators" of the now three-week-old student unrest against Communist cultural controls.

Fragmentary reports about today's meeting said the students also denounced censorship and demanded the release of students arrested or drafted into the armed service because of their participation in demonstrations.

LEGAL REFORM DEMANDED

Another student demand was said to have been reform of the legal code, especially the so-called Small Penal Code.

Originally adopted in 1946 to deal with armed anti-Communist guerrillas who then disputed the government's authority, the Small Penal Code has often been invoked to punish dissident intellectuals.

The meeting today took place despite a series of warnings from the regime. Two days ago a message from Rector Stanislaw Turski warned that any further student disobedience would entail expulsions and the closing of the university.

PARTY PAPER WARNS

Today, Trybuna Ludu, the party newspaper, said student troublemakers "must be told with all seriousness, determinely and decisively, stop, put an end to trouble mongering, provocations and misleading your colleagues."

"All of us have had enough of mass meetings," it warned. "There will be and there can be no tolerance of trouble-mongers and people of ill will," the statement said.

Zycie Warszawy, another newspaper, warned "only firmness remains when all means of discussion and discreet persuasion become exhausted."

Backing up the stern warnings, police and plainclothesmen patrolled Krakowskie Przedmiescie, a main street, which passes in front of the university in the center of Warsaw.

The university gates were closed at 4:15 P.M. after the rector was reported to have exercised his privilege and canceled late afternoon classes. The gates were reopened more than three hours later and hundreds were seen leaving the university grounds.

While the gates were closed, hundreds of students were seen milling around inside the university grounds and adjacent streets. Many wore white caps which have become the symbol of student defiance since the demonstrations began.

Meanwhile, observers noted a discrepancy in the party's handling of a principal student grievance—the use of security forces inside the university grounds despite traditional extraterritorially enjoyed by Polish institutions of higher learning.

While Polish newspapers have printed articles stressing that no legislation or tradition exists on this score, Czeslaw Domagala, the party secretary in Cracow, said just the opposite.

Addressing a recent party rally, Mr. Domagala conceded that "an unfortunate incident occurred, namely the entry of a group of police and workers' militia, while chasing students into the grounds of Jagiellonian University"

He added: "Obviously, as a result of this unintentional incident by the police command—a violation of the traditional right of extraterritoriality of an institution of higher learning wihch no one approves of—an extraordinary outcry ensued."

THE UKRAINE

[From the New York Times, Feb. 8, 1968]

K.G.B. IS SAID TO HARASS UKRAINIAN INTELLECTUALS

LONDON, February 7.—An account of security-police harassment of Ukrainian intellectuals and of the harsh conditions in labor camps to which some have been sent was published today in The Times of London.

The description of the activities of the security police, the K.G.B., came from Vyacheslav Chornovil, a 30-year-old television journalist. He was sentenced last November by a Lvov regional court to 18 months in a labor camp.

The article says the letter was published in Ukrainian in Canada and reached the newspaper from there. It had been sent to Pyotr Y. Shelest, First Secretary of the Ukrainian Communist party, in June, 1966. It was for distributing copies of this letter that Mr. Chornovil was imprisoned.

"The men mentioned in it are, like the author, imprisoned," according to The Times. "They have been sent to the freezing labor camps of the Mordvinian Republic, along with Sinyavsky—and probably Yuri Galanskov and Aleksandr Ginzburg, whose punishment was pronounced last month."

The Times article said Mr. Chornvil was educated at Lvov University, had been an official of the Young Communist League and worked for Lvov television and a league newspaper.

REFUSED TO TESTIFY

He refused to testify for the prosecution at a secret trial of Mykhaylo Osadchy, a lecturer at Lvov University, who in April, 1966, was sentenced to two years in a camp under severe discipline. Mr. Osadchy was one of several Ukrainian intellectuals who were secretly tried in 1966.

Mr. Chornovil had been moved to make his protest after seeing K.G.B. methods against witnesses and accused—methods characterized by the Times report as "interrogations without sleep, electronic eavesdropping, threats, blackmail, humiliation and, where necessary, force."

Mr. Chornovil's letter said:

"Reliance is placed on the hope of breaking the will of the arrested person and forcing him to recite a memorized part at his trial.

"The longer a man sits behind bars, the longer the only individual with whom he can speak is the K.G.B. investigation officer, with his monotonous ditty about the terrible crime and the need to repent; the longer the prison door lock keeps banging closed while the vigilant guard keeps looking into the spy hole, the greater the guarantee that a human will turn into clay from which it is possible to mold whatever one desires."

Mr. Chornovil described K.G.B. bugging apparatus in a building on Khreschatyk Street, Kiev, the Ukrainian capital, and the agency's methods of carrying out unauthorized searches.

"LIKE A PRISONER OF WAR"

"The protectors of state security arrive in your flat," he wrote. "Like a prisoner of war you stand with your hands in the air, waiting until your 'friend, comrade and brother' feels your pockets. Sometimes, to terrify your wife or neighbors, he will propose that you 'produce your weapons.' Then you are shown the warrant, which is for confiscation of anti-Soviet documents duplicated by you."

The letter described how friends protested at the trial in March 1966, of Yaraslav Hevrych, a Kiev student. Militiamen and plainclothes men threw them out of the courtroom, the Times article added.

The date of sentence was changed but the friends found out. To prevent a demonstration, the article continued, the court was packed with stooges, "marching almost in ceremonial step into the court building." It said that after the trial people broke through a police cordon and shouted questions at the chairman of the regional court.

According to Mr. Chornovil, the same judge presided over a later trial when only three persons were admitted to the court for the sentencing of a group of Kiev scientific workers. Two spectators, women poets, threw flowers to the prisoners after they had been sentenced to three years each, the article said.

In a Lvov trial, Mr. Chornovil continued, friends of the accused covered a police wagon with flowers and shouted "glory" to the sentenced men.

The Times article also contained excerpts from two letters written by inmates of Mordvinian labor camps.

One was written by Ivan O. Kandyba, a lawyer and former Communist party member and official propagandist, who was sentenced in 1961 for Ukrainian nationalist activities. It was written late in 1966 in an appeal to world opinion against his conviction. Describing conditions in his camp at Yavas, he wrote:

"The great majority of the prisoners are on semi-starvation rations. Theoretically we are to receive 2,300–2,400 calories daily, but we are lucky if we get 1,500 because the products are of low quality, especially in spring and summer before the new crop. The herring is rotten and smelly. The dried potatoes, macaroni, barley and meat are infested with worms.

"We are forced to fulfill our work quota 100 per cent. At the type of jobs we do we use up 3,500 to 4,000 calories. Try to survive on that if you can!"

The other letter, from an anonymous prisoner in the Yavas complex of camps, takes up the tale. Written in January, 1967, from Ozernoe, a village near Yavas, it said:

"There are 276 male political prisoners in Camp 17A. Among them is the writer Yuli Daniel.

"Most of the male prisoners are invalids. They have only two crowded, cold and badly ventilated huts. Prisoners never even receive a full portion of their small rations of food. Even a healthy person cannot eat the sour, half-baked bread. Medical aid is virtually nonexistent. On Jan. 7, the prisoner Mykhaylo Soroka, who has spent 31 years in Polish and Soviet prisons, fell seriously ill with coronary thrombosis.

"Medical help was essential. But a medical assistant arrived only four days late. On the seventh day after his attack Soroka was taken to the medical station. Up to this time he stayed in a hut, looked after by a medically trained prisoner without drugs or instruments.

"The so-called hospital contained only seven beds to accommodate 225 invalids, most of them seriously ill and quite old. There are no drugs and the prisoners are not allowed to receive any from their families—not even vitamins.

"Often doctors at the central hospital sent back prisoners in whom cancer had been diagnosed—they had every right to release them. Only the prisoners' death and autopsy confirmed the initial diagnosis.

"In Camp No. 11, the prisoner Ivan Maksym applied several times for medical aid to the surgeon, but he was called a malingerer. He died as a result."

The letter said that when Mr. Daniel "complained about the shocking attitude" toward the sick, "the medical inspector said it was irrelevant—the sick man had not died during the time when he had lacked medical and—and he tried to make Daniel acknowledged that everything was in order in the camp." Mr. Daniel refused, the letter said.

FIRST PUBLICATION IN MUNICH

According to a spokesman for Prolog Associates, a Ukrainian organization at 875 West End Avenue, the Chornovil letter was first published last October in a Ukrainian-language magazine, Suchasnist (Contemporary Times), in Munich.

The letter subsequently was published in a Ukrainian weekly newspaper, Novyi Shlakh, in Winnipeg on Jan. 6.

[From Prolog Research & Publishing Association, Inc., New York, N.Y., March 1967]

THEY ARE STILL IN PRISON

(A report on the arrests and trials of Ukrainian intellectuals, 1965–66)

During August and September of 1965 a wave of political arrests swept through the Ukrainian SSR. Hundreds of persons were detained for questioning, some were released only to face loss of jobs as suspicious persons. Others were held for trials, which took place in the early months of 1966. *At least twenty are still serving their sentences in hard labor camps of the Soviet Union.* Their "crime" amounted to voicing demands for equal rights for their country and culture—rights, that are formally guaranteed by the Soviet Constitution. They were Ukrainian intellectuals who strove for freedom of expression and artistic creativity. They were not members of any illegal organization. Nor did they threaten armed insurrection.

This year Soviet Union celebrates the 50th anniversary since the fall of Imperial Russia and the establishment of Soviet rule on the latter's territories. Fifty years ago Ukraine and other Soviet republics proclaimed their sovereignty. Yet some twenty Ukrainians are "celebrating" these events in political prisons, sent there—like the two Russian writers Andrey Sinyavsky and Yuli Daniel—practically on the eve of the anniversary.

(Prolog Research and Publishing Association, Inc., has published several releases about the arrests, as the information became available. This report summarized all the available information to date.)

The arrests took place in several cities of the Ukrainian SSR: Kiev, Lviv, Odessa, Ivano-Frankivsk, Lutsk, Zhytomyr, Ternopil and in some villages.

More than 200 persons were involved. Some were interrogated and released, others were held for trial. The trials started in January 1966 in Lutsk, Ivano-Frankivsk, Ternopil, and towards the end of April—in Lviv. The Lviv trial was a closed one, and not even the immediate families of the defendants were permitted into the courtroom. Only after insistent demands by a group of young Ukrainian writers from Kiev, three of the writers were admitted to the courtroom for the sentencing, April 28, 1966.

REPORTS OF ARRESTS CONFIRMED

Soviet authorities made an effort to keep the arrests and trials secret, and for this reason, nothing about them has appeared in the Soviet press to this day. But the arrests are widely known in the Ukraine and on Nov. 11, 1966 they *were confirmed* in New York by two members of the Ukrainian SSR Delegation to the 21st Session of the U.N. General Assembly. Speaking at a meeting held in the Overseas Press Club the two delegation members—Ivan Drach and Dmytro Pavlychko—confirmed that the persons named below, were arrested, tried and imprisoned for "anti-Soviet Propaganda." Moreover, since the publication of the news of these arrests in the West (*The New York Times, Le Monde, New Statesman, Sunday Telegraph, L'Osservatore Romano,* and others) the Soviet authorities *did not deny them.*

NAMES AND SENTENCES

Following is a list of names of some of those arrested and their terms of imprisonment:

Yaroslav Bohdanovych Hevrych—student from Kiev—5 years;

Ivan Andriyovych Hel'—laborer, evening school student in Lviv—3½ years;

Bohdan Mykolayevych Horyn'—research associate of the Lviv State Museum of Ukrainian Art, literary critic, art critic, author of a series of articles, reviews and critiques, published between 1960–1965 in the magazines, *Zhovten', Prapor, Zmina* and in the newspapers *Molod' Ukrainy* and *Literaturna Ukraina*—4 years;

Mykhaylo Mykolayevych Horyn'—psychologist, specialist in industrial psychology, from Lviv—6 years;

Opanas Ivanovych Zalyvakha—journalist and artist from Ivano-Frankivsk, illustrator of books—5 years;

Dmytro Polikarpovych Ivashchenko—lecturer of Ukrainian literature, candidate of philological studies, chairman of a branch of the Union of Writers of Ukraine in Lutsk—2 years;

Svyatoslav Yosypovych Karavans'kyy—philologist, poet, translator, and journalist from Odessa—convicted in 1944 and sentenced to 25 years in a concentration camp, freed in 1957 after serving half of his term, arrested in 1965 and sent without trial to Mordovskaya A.S.S.R to serve the second half of his sentence despite the fact that according the new law the highest term does not exceed 15 years. In 1965 his articles appeared in the magazines *Zhovten', Fizkultura i Sport, Znannya ta Pratsya.* (His article in the magazine *Znannya ta Pratsya,* No. 10, dated Oct. 29, 1966—entitled "Excursion to the Laboratory," ends with the note "To be continued" but so far it has not);

Yivha Fedorivna Kuznyetsova—research assistant in a laboratory, from Kiev—3 years;

Oleksander Martynenko—engineer from Kiev—3 years;

Mykhaylo Savych Masyutko—pensioner from Lviv, specialist in literature, author of the article "Ivan Franko Fighter for the Freedom and Unity of the Ukrainian Nation," which appeared in the Oct. 1964 issue of *Dnipro* magazine—6 years;

Valentyna Moroz—historian from Lutsk—4 years;

Mykhaylo Ozernyy—research worker, translator, from Ivano-Frankivsk—3 years;

Mykhaylo H. Osadchyy—literary scholar and critic, author of articles about Ostap Vyshnya in the magazine *Zhovten'* during 1962–64 and of a dissertation about Ostap Vyshnya which he presented for his candidate's degree in philological studies, lecturer at the Lviv State University—4 years;

Anatoliy Shevchuk—a young novelist from Zhytomyr; his works appeared in *Literaturna Ukraina* in 1962, in the magazine *Zhovten',* No. 9, 1965 and others—4 years;

Maria Zvarychevska—archivist at the Lviv Oblast Archive—8 months imprisonment, freed after serving the term;

Mykhaylo Vasylovych Kosiv—lecturer of Ukrainian Literature at the Lviv State University, literary critic, freed from imprisonment because of a heart condition, currently unemployed;

Ivan Rusyn—worker at the Kiev Research Institute of Geophysics—3 years imprisonment, freed in the summer of 1966;

Mykola Hryn'—research worker at the Institute of Geophysics of the UkSSR Academy of Sciences in Kiev—3 years;

Ihor Oleksandrovych Gereta—a scholar at the Institute of Geophysics of the UkSSR Academy of Sciences in Kiev—3 years;

Teodosiy Yaroslavovych Chubatyy—teacher at the Ternopil Music School—4 years.

REASONS FOR THE ARRESTS

The accused were charged with writing, copying and spreading of articles dealing with the present state of Ukrainian literature, language and culture under the Soviet system. They were also charged with spreading pre-1917 works in Ukrainian by authors who are currently proscribed in the Soviet Union, as well as other books, published abroad, dealing with the colonial status of formally sovereign Soviet Ukraine, the text of the address delivered by Gen. Dwight D. Eisenhower at the unveiling of the Taras Shevchenko statue in Washington, and an address by Pope John XXIII.

To this the authorities applied Article 62 of the UkSSR Criminal Code, which states:

"Any agitation or propaganda with the intent to undermine or subvert the Soviet regime, participation in certain specific and particularly dangerous crimes against the state, dissemination with the same intent of slanderous inventions against the Soviet state and its social system, as well as distribution, preparation or possession to the above end of literature with such content are punishable by the loss of freedom for terms from six months to seven years or banishment for terms from two to five years. The above actions, if committed by persons previously convicted for serious crimes against the state or of crimes committed in time of war, are punishable by imprisonment for terms from three to ten years."

In fact the defendants—virtually all of them intellectuals of the young generation—were protesting the total disdain to things Ukrainian prevalent under the present system in the Ukrainian SSR. They demanded actual recognition of the Ukrainian language and culture in Ukraine and implementation of rights guaranteed by the Constitution.

Their efforts led to frequent interrogations, loss of jobs, and, as in the case of at least 20 persons—imprisonment in concentration camps for political prisoners, outside the borders of the "sovereign" Ukrainian SSR. Like Sinyavsky and Daniel they were sent to the Potma area camps in Mordovskaya A.S.S.R.

All this has happened fifty years after the fall of the Czarist tyranny, proving once again, the Ukrainian intellectuals still cannot live and work freely in their native land.

[From the Christian Science Monitor, Apr. 13, 1968]

UKRAINE DISSENT: NATIONALIST AND INTELLECTUAL FERMENT CONFRONT FACADE OF SOVIET UNITY

(By Paul Wohl)

A new wind is blowing in the Ukraine and battering the facade of Moscow's Russian-led multinational state. A new Ukrainian nationalism has combined with the insurgency of young intellectuals against Communist clichés and bureaucratic oppression.

The challenge of the young Ukrainian intellectuals hits at the very foundations of present-day Communist philosophy. "Let us imagine for a moment that German fascism had won," suggested Ivan Dziuba, a writer (unpublished since 1965) whose works circulate secretly in the Ukraine, in a speech delivered at an illegal private meeting. The meeting was held on the occasion of the 25th anniversary of the Nazi massacre of 50,000 Jews and several thousand Russians and Ukrainians at Babi Yar.

The Germans would "have created a . . . flourishing society [with] a high level of economic and technical development, which would have discovered the same scientific and other achievements as we have," he said. But "such a regime, under which Ukrainians would have been 'mute slaves' would have done everything . . . to make their inhuman society appear normal.

"We should judge each society not by its external achievements, but * * * by how it values human dignity and human conscience."

LENIN QUOTED

Several members of the Jewish intellectual community of Kiev attended the meeting. The speaker alluded to certain similarities between the Nazis and Stalinist and neo-Stalinist Communism, but he also referred to "Lenin's instructions concerning the struggle against anti-Semitism and the national development of the Ukraine."

The nationality problem, said Mr. Dziuba, has become the victim of a plot of silence. "The road to true and honest brotherhood lies . . . in [national] self-awareness, [not in] assimilation and adaptation which will bring nothing but boorishness, blasphemy, and hidden hatred of man for man."

As Dr. Dziuba spoke, scores of Ukrainian nationalists were in Soviet jails and concentration camps, mostly outside the Ukraine. At least two documents by imprisoned Ukranians have reached the West in recent months: an 80-page report by the journalist Vyacheslav Chornovil and a long letter by the writer Ivan Kandyba addressed to the first secretary of the Ukrainian party, Pyotr Y. Shelest.

Both documents speak of illegal arrests and hardship in prisons and concentration camps.

EVIDENCE OF FURY

What is new in these documents is not the brutality of the police or the disregard of law, but the evidence of the fury with which the Soviets strike back at Ukranian nationalism. The Soviets in the case are not only Great Russians, of whom there always were many in the Ukraine, but also pro-Russian Ukrainians.

The insurgents are mostly from the Western Ukraine, which until the end of World War I was under the more benign rule of Austria-Hungary and later under the less benign rule of Poland. Under both the Austrians and the Poles, these West Ukrainians enjoyed rights and facilities denied them under Stalin.

Most of them were religious, belonging to the Uniate Church, which follows the Eastern rite but owes allegiance to Rome, and to the independent Orthodox Church of the Ukraine. Both churches were deprived of their independence under Soviet rule.

The restrictions imposed upon their churches do not fully explain the resentment of the young Ukrainian intellectuals. Most of them were educated under the Soviets and imbued with Communist ideas; some even made themselves a reputation as Communist theoreticians.

COMPLAINTS PARALLEL

What bothered the younger Ukrainian intellectuals was exactly the same thing about which Russian intellectuals complained: the muzzling of thought and the contrast between the theoretical aims of the regime and its oppressive reality.

In the case of the Ukrainians there also was anger over the slight of their language by Soviet officials, the knowledge that decisions on their country are made in Moscow and not in Kiev, and that the rich Ukraine contributes heavily to the economic development of the rest of the Soviet Union.

This is the background against which several secret organizations seems to have been set up inside the Soviet Ukraine demanding the secession of the Ukraine from the Soviet Union in accordance with stipulations in both the Ukrainian and the Union Constitutions.

For the Soviets an independent wholly sovereign Ukraine is unthinkable. This view is shared by the vast majority of Ukrainians in the eastern bulk of their republic, where friendship with the Great Russians is an ancient tradition.

CLOSE TIES DEMANDED

It is significant in this connection that almost every one of the programs set up by the incarcerated Ukrainian nationalists demanded close association with the Soviet Union.

But words are one thing and emotions are another. The violence and bitterness with which the ruling Communist bureaucracy reacted to the proposals of the nationalists, together with the rancor of West Ukrainians toward the Russians, have introduced an element of ambiguity into the discussion, which makes it impossible to take the insistence on legal procedures seriously.

The Ukrainian nationalists do not believe that Moscow would ever allow the peaceful referendum, which they demand, and the Kremlin does not believe the nationalists when they say they want to remain associated with the Soviet Union.

To make things worse for Moscow, the Ukrainians have spokesmen in influential and well-endowed anti-Soviet emigré organizations abroad.

Since Ukrainian nationalists in the past repeatedly have turned for help to the enemies of Russia, the new Ukrainian nationalism poses a serious problem for the Soviet Union.

YUGOSLAVIA

[From the New York Times, Aug. 20, 1967]

Yugoslav Assails Reds in Belgrade—Poet, Barred From the Air, Berates Network Heads

(By. M. S. Handler)

Three Yugoslav writers, including Matija Beckovic, a prominent poet, have been barred from television and radio in Belgrade because of charges that they formed a group through which the Central Intelligence Agency influenced television and radio programming.

In an interview published in Knizevne Novine, a Belgrade literary fortnightly, Mr. Beckovic, a non-Communist, denounced the Comminist heads of the television and radio networks as "imposters, poltroons, idiots and cowards."

Mr. Beckovic, who is regarded as an "enfant terrible" of Serbian literature, said he owed nothing to the state but that he owed everything to his mother and father. The latter was a member of the anti-Communist forces of Gen. Draja Mihailovic, who was tried and executed in 1946 on charges of treason.

"If what is being said about the C.I.A. is really true," Mr. Beckovic said in the interview, "then I propose that this efficient service be engaged again for our TV programs so that we can see something good. For, as a layman, I consider the C.I.A. to be an enemy of this country and of its TV programs. I think that only the nonsense and stupidity presented on our TV and radio could be excused as activities of the C.I.A."

WROTE FOR BROADCASTS

Mr. Beckovic and his two colleagues, Brana Crncevic and Dusan Radovic, have written many successful television and radio programs for children.

The conflict between the three writers and the Communist chiefs of the television and radio networks was traced to the linguistic controversy between Croats and Serbs, which threatened to become a major political problem last March.

Mr. Beckovic and his colleagues agreed with a group of Croatian intellectuals who were demanding equality for the Croatian language with the Serbian language. The poet also signed a Serbian declaration stating that if Croatian were granted equality, the Serbs, who live in many parts of Yugoslavia outside of Serbia proper, should receive instruction solely in the Serbian language.

Serbs and Croats share the same spoken language, but their different historic developments resulted in the infiltration of Latin, Italian, German and Hungarian words into the Croatian tongue, while the Serbs employed some Turkish words.

The differences were due to the fact that for many centuries Roman Catholic Croatia was under Austrian control and under Italian cultural influence, while Serbia was under Turkish domination for five centuries.

Under the Catholic influence, Croatia adopted the Latin alphabet, and Serbia, under Greek Orthodox influence, adopted the Cyrillic alphabet.

MANAGERS DENOUNCED

In his denunciation of the Communist managers of the networks, Mr. Beckovic said:

"These party people love the nation as a whole, but hate man individually. Every day I have to prove my wits and talent, while they are free of any requirement for producing such evidence."

Mr. Beckovic said one of the things he could not tolerate in Yugoslavia were secret trials.

"I cannot tolerate any secret trials behind closed and padded doors," he said. "I do not admit that such a policy is legal. I do not recognize my biography, which they dreamed up while gazing into the fireplace. I do not recognize blind people as art critics. When surrounded by impostors, poltroons, idiots and cowards, a normal person has the more to admire himself."

[From the New York Times, Oct. 18, 1967]

CZECHOSLOVAKIA

Czech Pressure on Church Grows—Czech Secret Document Discloses Party Directives Barring Support for Religion

A secret document of the Czechoslovak Communist party ordering a step-up of antireligious pressures has come to light through informed sources.

The document of the party's Central Committee, dated Aug. 7, reviews recent unsuccessful negotiations between the Czechoslovak Government and the Vatican. It notes increased and partly successful efforts by the church to enlist the support of intellectuals, professional men and even Communist party functionaries.

Finally, it invites local party leaders to pass orders on to all levels of the party "to take appropriate pedagogical and politico-religious measures to increase the instructional efficacy in the fight against the influence of religious ideology."

WRITERS ARE EXPELLED

The source supplying the document—a member of a highly respected and powerful organization—vouched for its authenticity.

The antireligion directive is the second recent indication of a hardening line by the Czechoslovak party, according to informed sources.

Last month the Central Committee ousted Jan Prochazka, one of the country's best-known writers, as a candidate member of the committee, expelled three other writers from the party and put restrictions on a leading literary magazine, Literarni Noviny.

The actions have been regarded as a move by the party to curb a mounting wave of independence and criticism among Czechoslovak intellectuals. At a writers' congress in June party restrictions on freedom of expression and other aspects of Communist life were attacked.

The church-state confrontation has parallels in Eastern Europe. In Poland, and, to a lesser extent, in Hungary, relations between the Communist regimes and the Roman Catholic Church have become more tense. The Warsaw Government has refused to give a passport to Stefan Cardinal Wyszynski, Archbishop of Warsaw and Gniezno, to permit him to attend the Synod of Bishops in Rome.

The secret Czechoslovak document on religion begins with a review of the negotiations in June between Vatican representatives and the Czech Government. It asserts that the Vatican sought "unilateral" advantages.

RIGHT TO NAME BISHOPS SOUGHT

It is known that the church negotiators tried particularly to obtain the right for Rome to name bishops to 8 of the 12 Czechoslovak dioceses directed by Government-appointed "capitulary vicars."

The term normally is applied to the churchman, often not of episcopal rank, who directs a diocese in the usually short interval between the death or transfer of one bishop and the appointment of a successor.

"On our part, we have no haste to negotiate and will not yield to the Vatican," the document says.

It goes on to note the church efforts, particularly since Ecumenical Council Vatican II, held from 1962 to 1965, to re-establish the Czechoslovak hierarchy, much dispersed since the Communists gained power in 1948.

Some priests and laymen, it is asserted attempt to recruit officials of local committees, cultural leaders, and others and "by means of them" try "to influence other groups of citizens."

The document notes, during the last year, an increase in the number of church baptisms, marriages, funerals and children taking religious instruction.

"Thus it is necessary to intensify the ideological and pedagogical work to overcome this negative tendency," the report goes on. It calls on all party cadres to work at this task, particularly with the young.

They must be vigilant, the Central Committee declares, to insure absolute observance of the law regulating church-state relations. Citizens are warned to "refuse to admit any new forms of religious life."

Similar provisions are to be taken, it is stated, against non-Catholic churches "where also one observes negative movements."

[From the Washington Star, Oct. 8, 1967]

CULTURAL BATTLE STIRS CZECHS

(By Bernard Gwertzman)

PRAGUE.—The entire staff of Czechoslovakia's most respected journal has either resigned in protest or has been fired in the latest round of the cultural battle that is stirring this city's political and intellectual leadership.

The dispute centers around the weekly cultural journal, "Literarni Noviny," whose sophisticated Western-oriented articles have rankled Communist party leaders for years but gained it a 150,000 circulation.

Several of its editors, all party men themselves, have openly attacked the current party leaders and the restrictions put on life here.

THREE ARE EXPELLED

At a special Communist party central committee plenum Sept. 26–27, three writers were expelled from the party and a fourth dropped as an alternate member of the central committee.

More serious to the writers, the journal was taken away from the liberal-dominated Czech Writers Union and given to the party-controlled Ministry of Culture and Information.

Within days the ministry fired all but five of the 16-man staff. The remaining five then resigned in protest.

A new chief editor was finally found—Jan Zelenka, who also edits a glossy pictorial magazine. He was able to throw together an issue in time for Friday's normal publication date.

The problem of the writers and the party leaders is a complex but important one involving more than simply artistic freedom. In fact artistic freedom is the least affected.

SOPHISTICATED CULTURE

Prague's cultural life is wide open and its theater, films and fiction are more adventurous and sophisticated than in most Western countries.

The crucial issue concerns the Communist party's determination to maintain its role as the main ideological force in Czechoslovakia, with the equally strong view of many writers and intellectuals that the party leadership is behind the times, undemocratic and unwilling to face honest criticism.

At the same time the party leaders need and openly seek the support of the intellectuals for the far-reaching economic reforms now taking place throughout Czechoslovakia.

These liberal reforms, which are causing and will cause radical changes in many industries, have been attacked by party conservatives, particularly in provinces where vestiges of Stalinism still exist and where leaders fear the reforms will abolish longtime sinecures.

MODERATE PATH SOUGHT

The nation's leadership, under First Secretary Antonin Novotny and ideologist Jiri Hendrych, wants to follow a moderate path that would keep a party primacy and win support from liberals in the cultural and economic fields as well as conservatives.

Thus even though Literarni Noviny had been attacked strongly by Hendrych at the party plenum, most writers on that journal's staff believe he did it somewhat reluctantly and only because of the publicity given the views of the journal's writers in the West.

This theory was reinforced on Friday in the lead editorial written by Zelenka, the new editor.

He said that despite fears freedom would be ended, the pages of the journal will be open to creative thinking in all spheres.

Zelenka's editorial seemed somewhat defensive in tone, possibly as a result of widespread resentment here against the shifts at the journal.

He pledged that the journal would be open-minded and would provide sufficient leeway for polemics.

Jan Fojtik, editor of the party newspaper "Rude Pravo" and a man not known for his liberal views, has warned publicly against letting the criticism against the Literarni Noviny staff turn into a nationwide crackdown on liberals.

He said that several local party organizations had called for a tough hand against writers, but he said this policy would only make martyrs of the intellectuals and lead to a new wave of liberalism.

FLAPS IN PAST

There have been other flaps in the past involving cultural journals. In 1963-64 the Slovak journal, Kulturny Zivot, was attacked and in 1966 the journal Tvar was closed.

But the current dispute has gotten more attention because of the people involved, and because of the ferocity of the attacks.

The three editors expelled from the party were A. J. Liehm, a prominent critic and the Czeck translator of several French authors, including Jean Paul Sartre, Ivan Klima, another critic of some prominence, and Ladislav Vaculik, a novelist.

In addition a ranking literary figure, Jan Prochazka, was dropped from the Central Committee.

They were singled out for attack because of their speeches at the Czech Writers Congress or June 27–29. Among other things, they called for an end to the censorship law that is more annoying than restrictive, and they attacked the party leaders while praising the democratic traditions of the prewar non-Communist government.

Their attack was prompted, in part at least, by the hard line the regime was taking in connection with the Arab-Israeli war.

Here as elsewhere in East Europe, Israel was the more popular country among intellectuals.

TRANSCRIPT OF DISCUSSION

The editors of Literarni Noviny had set up a roundtable group to discuss the war and planned to run a transcript of the discussion. But because the proposed article contained pro-Israeli sentiments, it was blocked by the censor.

This happened only a few days before the writers congress and led Klima to call at the congress for an end to the censorship law.

Despite the attacks against them, the former staff members of Literarni Noviny are circulating freely and are willing to talk to Westerners. They do not fear arrest and will continue to write for other publications.

They say the role of Novotny in the dispute is unclear. He was reported as having spoken at the plenum, which was also devoted to economic and other matters. His speech, however, has not been published.

There are the usual number of rumors here that Novotny, who is also president of the government, might give up his party position, but this seems improbable to party people here.

The No. 2 man in the government is Premier Josef Lenart and he has deliberately stayed out of the intellectual fight, giving rise to hopes among some intelligentsia that he would be a more liberal leader.

[From the New York Times, Oct. 14, 1967]

CZECHS PRESSING CURB ON WRITERS—GROUPS REPORTED DISSOLVED TO COMBAT DISSIDENTS

VIENNA, October 14.—The leadership of the Czechoslovak Communist party is warring with most of the nation's best writers as a result of a series of ideological disputes dating back more than four months.

According to Eastern European informants, the regime of President Antonin Novotny has felt compelled to go beyond the expulsion of leading intellectual rebels from the party and, in recent weeks, has begun to abolish official institutions of the writers.

Among those who have been expelled from the party are the following:

Ludvik Vaculik, a 41-year-old novelist-journalist who denounced the Communist power structure at the stormy congress in Prague of the Czechoslovak Writers Association last June. Czech publications have been barred from printing his words, but his friends have rallied behind him by nominating him for the annual Julius Fugik Prize as the best journalist of the year. This has greatly embarrassed the party leadership.

Antonin J. Liehm, also 41, a film critic who upset the party by constantly emphasizing the political implications of the new Czechoslovak films. He is now forced to publish under pseudonyms.

Ivan Klima, a writer who made invidious comparisons between the degree of freedom of citizens under the old Austro-Hungarian monarchy and the Communist regime in his address to the June congress.

PENAL MEASURES BEGUN

In addition, it is reported that the party leadership has undertaken penal measures against Milan Kundera, a writer, and Jan Prochazka, a film-script writer and publicist.

Mr. Kundera remarked at the writers' congress that the intelligentsia in Czechoslovakia had always played a major political role in the life of the nation, citing examples of dating back to the great 15th-century reformer, Jan Hus, the rector of Prague University who was burned to death by the Roman Catholic Church for preaching equality.

Mr. Kundera's speech was viewed by the party as an attack against the traditional Leninist concept of the leading role of the working class. Mr. Kundera, in statements previously unpublished, also spoke of the prewar Czechoslovak republic as a democracy, contrasting it with the present regime.

Mr. Prochazka, a former favorite of President Novotny, has been dropped from his candidate membership in the party's Central Committee because in September, on the 30th anniversary of the death of Thomas G.

Masaryk, he published an article that implied that the prewar Czechoslovak President possessed qualities far superior to those of the country's present leaders.

Besides these measures, the party leadership dismissed the editorial board of the dissenters' periodical, Literarni Noviny.

The newly appointed publisher, Karel Hoffman, 45, is by profession a teacher, with a reputation as an "apparatchik"—a reliable party functionary. Prague writers now mock Literarni Noviny as "Tales of Hoffman."

The periodical is now published under the wing of the Culture Ministry instead of the Writers Association, and Jan Zelenka, who was formerly associated with popular newspapers, is the editor.

Informants said that Jiri Hendrych, who is second in command in the party apparatus, was also considering outright abolition of the federal Writers Association and its replacement by regional organizations of writers. This plan is viewed by the dissidents as a "divide-and-rule" tactic.

CENSORS MORE DILIGENT

Party censors, who had been rather superficial in recent years, are now scrutinizing manuscripts carefully, according to the informants.—Stalinist writers such as Ivan Skala have received appointments to senior editorial posts.

Prague sources said that Mr. Hendrych regarded the reining in of the dissident writers as a personal cause after his own daughter, Zdena, got involved in a political scandal earlier this year.

Last winter Zdena Hendrych, who is in her early 20's, had an affair with a 31-year-old writer named Jan Benes, it is reported. To please him she stole a Central Committee document from her father's desk and gave it to Mr. Benes, who then helped smuggle it out to a Czechoslovak émigré organization in Paris.

Mr. Benes was caught and sentenced last summer to five years in prison. Miss Hendrych, who spends little time at home, tells friends she thinks her father is disgusting.

Mr. Hendrych suffered a heart attack when he learned of his daughter's act and spent several months recuperating in the party sanatorium outside Prague last spring.

[From the New York Times, Mar. 14, 1968]

CZECHS COMMENT ON MOSCOW TRIAL—PUBLISH LIST OF INTELLECTUALS IN WEST WHO PROTESTED

(By Harry Schwartz)

PRAGUE, March 13.—A thinly veiled comment on the latest trial of Soviet writers was published today by Czechoslovakia's leading literary weekly, Literarni Listy, and a Prague newspaper, Svobodne Slovo, reported on the tension between students and the authorities in Poland.

Some intellectuals expressed dismay at the anti-Semitic implications of the charges in Warsaw that Zionists were responsible for recent riots there. Some fear that conservatives in Czechoslovakia may use the same kind of weapon against Czech liberals, some of whose most prominent and most articulate leaders are Jews. There are 18,000 Jews in Czechoslovakia in a population of 14 million.

Literarni Listy used an oblique approach in its article on the Soviet writers' trial. It printed a summary of a recent Pravda article denouncing foreign intellectuals who had spoken up for the jailed Soviet writers.

PROTESTERS ARE LISTED

Literarni Listy printed a list of some of the Western intellectuals who had joined in the protest. It named Igor Stravinsky, Bertrand Russell, Julian Huxley, J. B. Priestley, Henry Moore, Yehudi Menuhin and the writers' organizations of Sweden, Denmark and Finland.

One employe of the magazine said today, "Our readers will understand what we mean."

Repression of writers in Czechoslovakia was a major factor in the political controversies in Prague late last year that preceded the ouster of President Antonin Novotny from the post of party secretary and his replacement by Alexander Dubcek.

Svobodne Slovo reported that 2,000 students in Cracow had demanded freedom of the press and of speech and the reinstatement of students expelled from Warsaw University. It also said the Cracow students had complained about false information in the Warsaw press regarding the demonstrations Friday and Saturday.

Previously Prague newspapers sought to portray the riots in Warsaw as the work of "hooligans" who had no connection with Warsaw students.

JEWS PROMINENT CRITICS

Czechoslovak liberals fear the conservatives may use anti-Semitism as a weapon because such Jews as Edward Goldstuecker, president of the writers' union, and Milan Weiner, a radio commentator, have been prominent in the current outspoken criticism of past conservative practices.

The Minister of Defense, Gen. Bohumir Lomsky, was accused by two newspapers today of having made an inadequate defense of the army against recent criticism. The newspapers said the minister had failed to explain why Maj. Gen. Jan Sejna, who defected to the United States last month, was able to occupy a high and sensitive post even though there was evidence of his deficiencies.

The newspaper Prage said General Sejna's moral deficiencies were so well known that they were the cause of his being rejected for the post of a candidate member of the Central Committee at its 12th congress in 1962. The newspaper said many people knew that he gave huge drinking parties.

The evening newspaper, Vecerni Praha, said the general had been dismissed from a position in 1956 because of a love affair that was hushed up with the connivance of his superiors.

The newspaper also said General Sejna had helped to cover up the publication of information about embezzlements by a subordinate, Col. Jaroslav Moraveg, who is in jail, charged with having participated in some of the fraudulent activities on the basis of which General Sejna's extradition from the United States is now being requested by the Czechoslovak Government.

[From the Christian Science Monitor, Mar. 14, 1968]

NOVOTNY ON SKIDS?—CZECHS BOIL WITH OUTRAGE

(By Eric Bourne)

VIENNA.—It seems certain that President Novotny of Czechoslovakia must go.

The public campaign against Prague's hard-line chief escalated with such bitter force over the weekend that his resignation is expected to be only a question of time.

And it appears that unless Mr. Novotny is deposed, the new, more liberal leadership will come under fire from the restless public.

The mood and events now stirring Czechoslovakia—the force of the open attacks on an unpopular regime—have their only precedent in Hungary in the middle '50's, when public unrest forced the withdrawal of another Stalinist leader, Matyas Rakosi.

All last week the Czech movement gained momentum.

DEMANDS ISSUED

Over the weekend extraordinary emergency sessions of local Communist Party branches were held throughout the country to make demands for removal of all officials "unfit for office" and a speed-up of democratization.

On Sunday President Novotny—party leader also until two months ago—was attacked as the man most responsible for the oppression and failures of the past 15 years.

One attack was by a Prague radio commentator, who accused the Novotny leadership of misusing and abusing "power and socialist ideas." The other was a stern indictment by Oldrich Stary, rector of Prague's Charles University and a member of the party Central Committee.

The same day hundreds of students visited the shrine of Jan Masaryk, Czechoslovakia's Foreign Minister at the time of the Communist seizure of power in 1948. The students placed flowers on the grave to mark the 20th anniversary of his tragic and mysterious passing.

MASARYKS HONORED

It was the first such observance in 20 years. And only in the last few years have the barest references to Jan Masaryk and his father, Tomas, first president of Czechoslovakia, been permitted.

Sunday's newspaper carried tributes to both Masaryks and their work for the Czechoslovak republic founded after World War I. One paper even recalled the elder Masaryk's remarks about finding "decent leaders" for "posts of decision" as a heritage of today's struggle for liberalization.

Jan Masaryk was the only non-Communist politician of note to agree to carry on in the new Communist government. He did so, he said, to avert the tragedy of civil war.

There was considerable mystery about his end which came in a fall from this third-floor flat in the Foreign Ministry a few days before the government presented itself to a heavily purged Parliament.

LIBERTY CRUSHED

But his closest friends said afterward they believed he had chosen suicide because he found he could not, after all, serve with the party which had crushed Czechoslovak democracy and liberty.

Pledges that much of that pre-war democracy is to be restored followed prolonged Central Committee meetings in December and January, which ended finally with Mr. Novotny's ouster as party First Secretary.

There was an immediate release of lively press discussion over a democratizing "action program" which foreshadows freedom for the arts and sciences, the lifting of censorship, curbs on police powers, and an independent judiciary and Parliament.

But until a fortnight ago Czechoslovakia's quiet revolution was largely the affair of intellectuals, writers, and journalists. The public at large viewed the change at the top skeptically.

DEFECTION STIRRED MASSES

All this changed with the defection of Gen. Jan Sejna, Mr. Novotny's military friend and the top political man at the Defense Ministry. The general now is in the United States.

Subsequent confirmation of rumors that during the January Central Committee sessions the general had tried to engineer an Army coup to keep President Novotny in office, touched off angry feelings which have spread like a prairie fire.

But General Sejna's flight gave an immense impetus to the reform movement. Newspapers are operating virtually free from censorship now. A ferment of discussion and a resolve that there must be no return to repressive policies are sweeping the country.

An end to the personal-power system epitomized in Mr. Novotny, a role for non-Communist political parties, and secret and free elections are some of the demands being pressed with ever-increasing vigor.

Moments of decision will come Wednesday when both Central Committee and Parliament are to meet in extraordinary sessions. Their decisions are to determine responsibility in the Sejna affair, to review the role of the Army in politics, and to decide Mr. Novotny's future and further action against the Stalinist group which still supports him.

Mr. Novotny's successor as party First Secretary, reform-minded Alexander Dubcek, will face his first big test. The results may have repercussions outside as well as inside Czechoslovakia.

[From the New York Times, Mar. 18, 1968]

MILOVAN DJILAS AND EAST EUROPE'S THREE REVOLUTIONS

(By Harry Schwartz)

BELGRADE, March 17.—A writer, newly arrived from turbulent Prague, is tempted at once to seek out Milovan Djilas. Everything one has seen and heard in Czechoslovakia echoes ideas first read in Djilas's book, "The New Class," more than a decade ago. That volume's theme was the incompetence and corruption of those whom the Communist revolutions raised to power, and this theme is central to the current lively discussion in Czechoslovakia.

It is not hard to find Mr. Djilas here. A Yugoslav official grins as he says there is no law against visiting the celebrated heretic, and that one can find Djilas's telephone number in the directory, listed under the name of his wife, Stephanie. A phone call to the Djilas apartment brings a prompt invitation to come up.

DJILAS AT HOME

Seen in his comfortable, book-lined apartment, the 57-year-old Djilas looks fit though his face is lined. His hair is still more black than gray. Watching him bustle about the apartment getting a visitor brandy and coffee, it is hard to believe that this is a man who has spent most of the past twelve years in jail. He speaks with pride of his current translation of Milton's "Paradise Lost" into Serbo-Croatian. He glows even more when he speaks of his 15-year-old son "who is a good student."

Asked if he can speak of matters political, Mr. Djilas says matter of factly that under the conditions of his parole he may not give any interviews or public statements for five years after his release from prison, and he has nearly four more years to go. So we talk of politics animatedly for two hours, but off the record. The visitor leaves impressed by how vigorous Mr. Djilas's mind is and how closely he watches the world scene.

REVOLUTIONARY CURRENTS

This visit provides a reminder of how complex the revolutionary process in Eastern Europe was and is. That process began here in Belgrade almost exactly twenty years ago when Tito defied Stalin. Today Poland, Czechoslovakia and Rumania are on the crest of the latest wave of change. But if Americans are to understand this evolution, they must stop thinking in terms of a struggle between Communists and anti-Communists analogous to the battles between rustlers and sheriffs' posses in the American Westerns that are so popular on Yugoslav television.

A more serious analysis must grapple not with one but with three revolutionary currents that are eroding the institutions Stalin's Red Army helped impose on this part of the world. And the Communists are to be found on both sides of the present barricades on all these issues.

The oldest revolution is that which seeks genuine national independence. Russia recognized Yugoslavia's right to this in 1955 when Khrushchev came to this city and publicly apologized for the 1948 break. Now Rumania is increasingly claiming the same freedom. But the Hungarian effort to break Moscow's mastery was overwhelmed by Soviet tanks in 1956, and even the most extreme of today's Polish and Czech heretics feel compelled to publish formulas aimed at reassuring Moscow they intend to remain obedient allies for the foreseeable future.

The second revolution, chronologically speaking, began here also in the early 1960s. This is the battle to liberate these countries from the Stalinist economic system fastened upon them after 1945. Tito long ago dissolved most of Yugoslavia's collective farms, abandoned detailed central planning and gave great scope to competition and other market forces within a framework of Socialist ownership. Elsewhere in Eastern Europe only the Poles got rid of their collectives. Now the battle against the deadening hand of the central planners is going on almost everywhere in this area, including Russia, with Communist technocrats deposing old-line Communist industrial executives.

INCOMPLETE FREEDOM

Finally there is the revolution that seeks to marry socialism with genuine democracy, even to opposition parties and full civil rights. This is the banner under which the students and intellectuals of both Czechoslovakia and Poland are now marching. But in Rumania, Bulgaria, East Germany, Hungary and Albania such demands cannot be voiced today outside the most intimate circles of close friends.

Here in Yugoslavia, one concludes, only two and a half perhaps of these three revolutions have won. This country is fully independent; it has the freest economy in the Communist world and, except for Czechoslovakia's recent progress, it has the freest press and freest speech in Eastern Europe. But Milovan Djilas cannot give a public interview and another local heretic, Mihajlo Mihajlov still sits in jail. All three revolutions must be won, in short, before Eastern Europe can be fully free.

[From the New York Times, Mar. 27, 1968]

CZECHS' CONCERN OVER BLOC RISING—WRITERS AND ARTISTS VOICE FEAR ABOUT PRESSURES

(By Henry Kamn)

PRAGUE, March 26.—Concern and criticism over pressure put on Czechoslovakia by her Communist allies broke into the open this evening, accompanied by signs of official embarrassment and apparent efforts to suppress the news.

The sensitivity of the new Czechoslovak leaders to this issue was further demonstrated tonight by a move by Alexander Dubcek, First Secretary of the Communist party. He took the unusual step of giving an interview to the official press agency to calm fears.

BLOC PARLEY AT ISSUE

The Czechoslovaks' concern over pressure from other members of the Soviet bloc was voiced by 134 writers and artists in a letter to the Presidium of the Communist party. The letter raised questions concerning the outcome of the bloc meeting last Saturday in Dresden, East Germany.

In the mildest version published, which appeared in the out-of-town editions of some of tomorrow's Prague newspapers, the letter, whose text did not become available, declared:

"The communique of the Dresden meeting gave the impression that if we paid heed to other countries it could influence our own development."

In versions broadcast at 7 P.M. on radio and television, the signers appeared to critisize more directly, indicating fear that Czechoslovakia's delegation had not stood firmly enough against pressure over her internal liberalization.

Efforts to obtain texts of the broadcasts from the stations and from the press agency, C.T.K., were unsuccessful. Callers were told that none were available. Later broadcasts failed to mention the foreign policy aspect of the letter.

The letter is to be published later this week in Literarny Listy, weekly of the liberal writers, it was announced on television. Its signers included one of the principal figures of the new leadership, Eduard Goldstucker, president of the Union of Writers.

DUBCEK CONFIRMS WORRIES

In his interview, Mr. Dubcek disclosed what most Czechoslovaks had uneasily suspected since the Dresden conference, but had not been told. He said that "certain worries were expressed at the meeting, mainly to the effect that antisocialist elements would take advantage of the democratization process."

The party chief tried to calm fears by declaring that the leaders of all the bloc countries present had given accounts of the activities of their parties. The only bloc member absent was Rumania, which refuses to take part in discussions of internal affairs of other Communist countries.

A high member of the Czechoslovak Government indicated in conversation that economic pressure had been put on Czechoslovakia to restrain her internal liberalization and to hold the Soviet-bloc line in foreign policy.

Well-informed observers said that the nerves of Czechoslovaks would be tested in the days to come. So far, according to these observers, Prague has made no serious concessions to her sharpest critics, believed to be East Germany and Poland, with considerable Soviet Support.

The Prague leaders were said to have scored a success at the Dresden conference by resisting a plan by the Warsaw Pact, the East European counterpart of the North Atlantic alliance, to hold military maneuvers in Czechoslovakia soon. This might have put Soviet and East German troops on Czechoslovak soil at a critical juncture.

MILITARY GAMES OPPOSED

Meanwhile, the party presidium, the highest authority in the country, pressed ahead with reform programs. A number of projected organizational changes in the state apparatus were announced today, a day after the presidium met under Mr. Dubcek.

The announcement laid stress on calling the Government "the supreme body of state power." This is a principle enunciated by all Communist countries, although in fact the party reigns supreme in each.

Three main spheres of governmental activity were: the development of the rights and freedoms of citizens; foreign policy and defense, and reform of economic management.

A number of changes in economic and financial bodies were proposed. The principal transformation is to be the creation of a coordinative Economic Council. A State Price Bureau and Ministries of Labor and Social Welfare and of Technology are envisaged.

Two major events will dominate the rest of the week. On Thursday, the Central Committee will meet to consider the new leaderships program. The presidium of the National Assembly today filed Saturday as the date for the election of a new president to replace Antonin Novotny, ousted from the post last Friday.

[From the Baltimore Sun, Mar. 28, 1968]

PRAGUE TELLS CRITICAL ALLIES TO STAY OUT OF ITS REFORM

(By Stuart S. Smith)

PRAGUE, March 27.—Czechoslovakia warned its Warsaw Pact allies today that it will not tolerate interference in its domestic democratization drive or with its new, more independent foreign policy.

Official and semi-official spokesmen specifically rejected Hungarian and East German criticism of developments here and declared that Czechoslovakia will go its own way, knowing that it is right.

Vaclav David, the Czech Foreign Minister, called in Peter Florin, the Ulbright regime's Ambassador in Prague, and delivered an official protest about the East German attacks, particularly the accusations made by Kurt Hager, the East German party secretary and Politburo member.

FEARS FOR SOCIALISM

Addressing a congress in East Berlin, Hager, the East German party ideologist, said developments in Czechoslovakzia were weakening socialism and charged the Czech leaders do not understand the difference between communism and capitalism.

Hager specifically attacked Josef Smrkov-

sky, the popular Czech Forestry Minister and leading presidential candidate, charging him with collaborating with West German imperialists in a campaign to isolate East Germany.

The Czech news agency, CTK, said David told the East German Ambassador that Hager's allegations adversely "reflected on Czechoslovakia and a member of the Czechoslovak Government." David "expressed official objection" the news agency reported.

SMRKOVSKY BACKED

Simultaneously, organizations throughout Czechoslovakia rebuked Hager and came to Smrkovsky's defense.

Hager "disparaged the great cause of the Czechoslovak Communist party, the honor of the Czech and Slovak nations and the honor of Josef Smrkovsky," declared the Czechoslovak Anti-Facist League, of which Smrkovsky is an officer. The league said that Hager had used accusations made against Smrkovsky during the Stalinist political trials which "were utter fabrications."

The Marxism-Leninism Institute of Prague University condemned Hager's attack as a "gross interference with internal Czechoslovak affairs," it commented that Smrkovsky is known here as one of the "prominent representatives of the democratization process."

"ADVICE" REJECTED

"We assure the Communists and the people of the German Democratic Republic that the people of Czechoslovakia and its bodies will elect the new president without regard to any advice from abroad . . . so that his person will represent full guarantees of further determined progress of the democratization process of our socialist system," the institute declared. The workers in Prague's Wilhelm Pieck Engineering Works wrote the East German Embassy here to remark that the Hager charges "made us indignant." Pieck was the first Communist president in East Germany.

Later in the day CTK published the results of a poll conducted before Hager's accusations were known, according to which Smrkovsky led a field of 21 candidates for the National Assembly presidential election to be held Saturday.

Amid the adverse reactions of East bloc Communist parties, L'Unita the Italian Communist party paper in a front-page editorial today endorsed the development in Czechoslovakia as a guide for the Communist movement's future.

ALLIES WARNED

Other Czech commentators warned the Warsaw Pact and Comecon allies not to push their criticism too far.

Economic and military cooperation with the Communist neighbors is "our basic orientation," noted Mlada Fronta, the youth organization newspaper. "However," it asserted, these two alliances "cannot and must not become an obstacle to changes."

Other papers this morning took up and favorably commented upon a proposal in Mlada Fronta yesterday that approaches be made to Bonn about establishing diplomatic relations. (Ital reporter Rpt Reporter commented that "There exist no unsolvable problem" between the two countries which would "tie our hands as the case is with Poland and the German Democratic Republic.")

[From the New York Times, Mar. 31, 1968]

COMMUNIST WORLD: CZECHOSLOVAK VOICES

PRAGUE.—The methodical revolution in Czechosoivakia took a long step forward last week.

After a weekend embittered by the Dresden conference last Saturday, in which Prague accepted an act of interference in its affairs by its Communist allies, the quiet revolutionaries of Czechoslovakia stiffened their backbone and finally warned their friends to stay out.

Alexander Dubcek, the Communist party chief, dismayed many of his friends by going to a conference whose thinly-disguised sole aim it was to demand an accounting from Czechoslovakia for her thoroughgoing liberalization of life in this country.

The dismay grew with the publication of a communique last Sunday which left no doubt that the internal affairs of Czechoslovakia had been discussed by the party and Government leaders of the Warsaw Pact.

After months of Soviet lip service to the idea of noninterference by any Communist country in the affairs of another—most recently formally reiterated at the Budapest conference of Communist parties last month—Czechoslovakia had allowed just such interference.

People began to allude bitterly to Mr. Dubcek's lack of experience in foreign affairs. By Tuesday a pressure group of the most determined "progressives" among the intellectuals, including influential party leaders, had decided to admonish Mr. Dubcek to show more resolution in defending Czechoslovakia's interests and the successes of the political reform against her allies.

RESPONSIBILITY

A letter signed by 134 writers and artists was sent to the General Committee of the party. Referring to the Dresden communique, the letter made the point that, granted Czechoslovakia's obligations to the socialist camp, the leadership was responsible primarily to the people of Czechoslovakia.

The letter was followed promptly by an unprecedented interview with the Czechoslovak news agency, in which Mr. Dubcek appeared to seek to justify his actions. He conceded for the first time, however, that his allies had expressed "worries" over developments here.

This exchange alone might have been enough to bring about a hardening of Czechoslovakia's stand. But another event occurred the same evening that proved decisive. It happened in East Berlin. As a Czechoslovak put it, "You can always count on Germany to commit a stupidity when it is needed."

At a meeting of Marxist philosophers, Kurt Hager, a member of the East German Politburo, attacked the reformists in Prague, particularly one of the most influential, Josef Smrkovsky, for giving encouragement to West German efforts to wean Czechoslovakia from her allies, particularly East Germany.

The reaction in the free-wheeling Czechoslovak press and particularly on the radio, a bastion of liberalism, was instantaneous and impassioned. By Wednesday evening, Czechoslovakia had delivered a formal diplomatic protest here and in Berlin and announced it.

The act is extraordinary in relations between the "fraternal" Communist countries, which prefer to pretend publicly that no differences ever exist between them and to settle the differences between parties rather than governments.

The campaign against Professor Hager continues and is envenomed for the Czechoslovaks by the fact that the offending speech is being widely repeated in East German while no news of Czechoslovak objections has been published there.

UNSPOKEN ISSUE

More important even than the stern rejoinders to East German interference, the Hager Incident unsealed Czechoslovak lips on the great unspoken issue of the day—the attitude of the Soviet Union to events here. Without waiting for open Soviet criticism, the party newspaper Rude Pravo and other organs, as well as the radio, went over to the attack.

The Czechoslovaks accused the Soviet Union of withholding from Russians news of the Czechoslovak reforms, thus giving the impression that it disapproved. Rude Pravo added that no matter what the Soviet Union tells about the Czechoslovak events, Czechoslovak sovereignty must be respected.

The theme of sovereignty was stressed again by Mr. Dubcek in addressing his Central Committee Thursday. The new Czechoslovak leaders assumed a defiant stance toward their disapproving allies this week, but they also made one gesture designed to reassure them.

As their President they chose yesterday an elderly general, Ludvik Svoboda, who is known for a lifetime of friendship and military comradeship with Czarist Russia and the Soviet Union. This angered the liberals, who favored a vigorous reformer like Mr. Smrkovsky over a tired military figurehead, but it may prove an important move in gaining Soviet acquiescence for what is already being called the Czechoslovak model of socialism.

[From the Washington Post, Apr. 1, 1968]

STALINISM'S VICTIMS HOLD PRAGUE RALLY

(By Anatole Shub)

PRAGUE, March 31.—The Czechoslovak revolution reached an emotional climax this morning when 3000 former political prisoners, led by former associates of democratic Presidents Thomas Masaryk and Eduard Benes, met to organize a new association to help rectify the Stalinist injustices of the past and safeguard civil liberties in the future.

The four-hour meeting took place in a hall on Slavonic Island in the middle of the Vltava River, under the banner "Let It Never Happen Again." The meeting was held with the full approval of the new Communist leaders of this country, and it closed by sending a message to the new Party secretary, Alexander teem for the way in which you are restoring the dignity of human life to our people."

Col. Ladislav Bedrich, long-time friend and former deputy of new Czechoslovak President Ludvik Svoboda, told the meeting that Gen. Svoboda had accepted the presidency only on the condition that all the persecutions of the past would be set right. Svoboda means freedom in Czech, and another speaker declared in Latin: "Nomen est omen"—"The name is a sign."

The group, called Club 231, sprang up overnight. It bears the number of the so-called Law for the Defense of the Republic—an Austro-Hungarian regulation dating from 1848—under which an estimated 70,000 persons were jailed over the last 20 years on charges of subversion, espionage and treason.

The group was formed last Tuesday night with the aim of influencing the new rehabilitation laws to be adopted soon and of assuring firm guarantees of individual liberties in the new constitution being planned. The very next afternoon the organizers received approval "with no political conditions" from a deputy secretary of the Communist Party Central Committee and a meeting permit from the deputy minister of the interior.

Acting president of Club 231 is Prof. Karel Nigrin, 64, a Socialist who had been imprisoned on treason charges for 14 years, including eight years in solitary confinement.

Other leaders include Dr. Vaclav Palecek, postwar head of the Czech Mission to the Allied Control Commission in Berlin; Frantisek Trzicky, Czechoslovakia's attorney general just after the war; and Zdenek Peska, who was imprisoned for having resisted the forced merger of his Social Democratic Party with the Communists in 1948.

The organization will be open to all former prisoners regardless of party, nationality or religion. Dr. Palecek told newsmen that "we don't want to make any trouble for the Party or the government. We have started this organization to help the authorities. Our club has nothing in common with a political opposition."

This morning's meeting was obviously a reunion by former inmates who had not seen one another in years. It was a meeting filled with applause, spontaneous suggestions from the floor, and voices often choked with tears. Apart from the leaders, who spoke only from notes, 184 others asked to speak, but time prevented more than a score from mounting the rostrum. These were some of the highlights:

A letter was read from Prof. Eduard Goldsteucker, a Communist jailed in the Slansky trials and now chairman of the Writers Union. He noted that society could give a former prisoner freedom, civic rights and a job but "cannot ever completely eradicate the scars left on his dignity."

A scientist, calling for the institution of a powerful autonomous constitutional court, said that "the new people in the leadership of the Communist Party have recognized that the violation and neglect of democracy has brought Socialism far more harm and damage than profit—and not only damage to individual human dignity, but even in the purely economic field."

A physician told how he had been sentenced to death by the Gestapo just before the war ended, then jailed for 12 years under Stalinism—in both cases because of his friendship with the late President Benes. In the Stalinist jail, he was told: "We are sick of you. You are professional resisters and we must liquidate you first."

A young lady announced herself as secretary of a League for Human Rights, which had just been formed in the last few days, and invited membership.

A factory worker described resistance among workers to Stalinist labor codes. In the concentration camps, they were told: "You have come here to die, and your wives and daughters will become prostitutes." Some of the officials involved in these repressions, he said, are still in office.

A young layman spoke on behalf of the Catholic Church. He called for abolition of all restrictions on religious belief and urged (to thunderous applause) the return to Prague of exiled Josef Cardinal Beran, now in Rome.

The meeting observed a moment of silence for Milada Horackova, a close associate of Benes, who in 1949 was the only woman ever to be hanged on political charges. A requiem mass will be held later this week in Prague Cathedral for all those who perished in the concentration camps.

Judge Probing Purges Disappears in Prague

Prague, March 31.—The deputy president of the Czechoslovak Supreme Court, who was charged with investigating the Stalinist purge trials of the 1950s, has disappeared.

Prague newspapers disclosed today that Josef Brestansky, 43, had been missing since 10:30 a.m. on Thursday, when he left his office to go to an important Communist Party meeting at the Ministry of Justice.

Brestansky had given a news' conference earlier this week in which he had strongly condemned the distortions of justice in the Stalinist period.

There was speculation that he may have become the victim of persons connected with the distortions who were afraid he would disclose their complicity.

[In Rome, the Italian Communist Party newspaper L'Unita quoted Dubcek as saying in an interview that. the new Czech regime plans to create "a situation in which the government really governs and parliament is a real legislative organ vested with an effective right to control the government and its ministries," UPI reported. Dubcek said the Communist Party's role would be to discuss problems so that it can "influence the solutions and decisions of state organs."]

[From the Christian Science Monitor, Apr. 23, 1968]

Czech Liberalism Expands

(By Eric Bourne)

Prague.—The new democratization is getting under way. Last week it elected a "progressive"—a prisoner in the Stalinist purges of the '50's—to lead Parliament.

Over the weekend regional party conferences throughout the country debated policy and practice in an open way which showed that the old wraps on criticism are indeed off.

Even the new party leader, Alexander Dubcek, the choice of the reform movement, came under criticism. And the critics' views were at once conveyed to the public by radio and other news media.

Czechoslovaks had not experienced this kind of frank, open debate and reporting or the disclosure of differing views among their leaders for 20 years.

Inevitably, after the exhilarating first weeks of the great liberalization breakthrough, there has been a slowing down.

And equally inevitable, the more out-and-out reformers are beginning to express impatience with what they regard as a loss of momentum tantamount to concessions to their own centrists who, they claim, can but comfort and encourage the remaining conservatives. The latter have been removed both from the party's top leadership—the Presidium—and from the new government.

PROGRESSIVE CHOSEN

Additionally, the old guard Communist who was president of Parliament in the Novotny regime has been replaced by the most popular and one of the most impressive and outspoken of the party progressives, Josef Smrkovsky.

He was the first parliamentary chairman since 1948 to be elected by secret ballot.

But the conservatives are still in considerable strength, both as delegates to Parliament—as the 68 votes against the 108 cast for Mr. Smrkovsky showed—and in the party's 110-man Central Committee.

After the January session that opened the door to the present liberalization the committee's statutory role as the supreme policy-making organ of the party was restored to it.

Under the old regime it was only a rubber stamp for decisions by the Presidium, which now is restricted principally to an executive body.

It is the continued presence of approximately 30 supporters of the deposed leader, Antonin Novotny, on the Central Committee which is producing some strongly argued disagreements among his successors.

In one of the weekend meetings a critic with this in mind charged Mr. Dubcek with taking "only small steps" to implement the democratization program. The present pace of events, he said, lacked the dynamism necessary to attract and satisfy youth.

This speaker and others repeated the call for an extraordinary Communist Party Congress at an early date.

Parliamentary elections are due in the fall, and—quite apart from the promised competition of candidates—the intention then is to eliminate the Novotny hard-liners from candidatures and replace them with firmly committed reformers.

The reformers want the special Congress also before the end of the year—instead of in 1971 as scheduled—in order to purge the Central Committee in a similar war.

The most Mr. Dubcek has conceded so far is that the normal Congress should be advanced as much as possible consistent with adequate preparation. This would possibly put it sometime within the first half of next year. For many among his supporters anxious for speedier consolidation of the reform takeover, this is not soon enough.

Over the weekend, however, Mr. Dubcek again counseled patience and suggested in effect that Rome was not built in a day.

PARTY SPONSORSHIP FAVORED

The new Prime Minister, Oldrich Cernik, echoed him and keynoted a "complete change" in the economic system as the first priority if Czechoslovakia is to emerge from its present ills.

Significantly, Mr. Dubcek also insisted that democracy must come "through the Communist Party" and not through the creation of other parties or an opposition.

This reflects the anxiety of a reform minded party leader who also, however, takes an orthodox view of party role and leadership. He has thus a dual anxiety that democratization might go ahead too fast and too far at the risk of arousing outside as well as internal pressures.

But before that and before any special Congress will come a crucial item of business mentioned by Mr. Smrkovsky, whom many see as the key guarantor of the Czechoslovak reformation.

Parliament's first task, he said, will be to enact new press law to give legislative backing to the new freedom of information already in action.

Just how it does it and how the new leadership and the country face up to the obvious economic priorities are seen by many as the first essential pointers to the Czechoslovak future.

[From the Baltimore Sun, Apr. 24, 1968]

Czechs Reject Kremlin Policy—Party Asserts Independence in Foreign Affairs

(By Stuart S. Smith)

Prague, April 23.—Czechoslovakia today announced its first significant break with Soviet foreign policy dictation. The step puts the Kremlin on public notice that Prague indeed intends to go its own way in external as well as internal affairs.

In an editorial welcoming the arrival here of Todor Zhivkov, the Bulgarian Premier and Communist party chief, *Rude Pravo*, the official Czechoslovak party newspaper, categorically rejected "compulsory foreign political conformism," declaring: "The revival of socialism in our country is in fact a fight for truth in our entire life, both in domestic and foreign policy."

More concretely, however, the paper said that in the "first international act of our new Government," Czechoslovakia will sign a completely different type of treaty with Bulgaria.

CHANGES OVER 20 YEARS

Twenty years ago, most of Eastern Europe's Communist countries signed Moscow-designed agreements of friendship, cooperation and mutual assistance. They all contained harshly worded references to alleged German imperialism, German war mongering and German aggression.

In the subsequent two decades, *Rude Pravo* noted, many changes have occurred in the "international situation." Thus, instead of renewing the Bulgarian-Czechoslovak treaty, "both countries have decided to completly renovate the treaty text [and] to sign a new one which will take into consideration all the new facts."

Although Czechoslovakia's "basic orientation" is toward the Communist countries, *Rude Pravo* said, this "does not eliminate initiative and our own attitudes." Nor it continued, does this prevent independent Czechoslovak steps "in international organizations or in relations with non-Socialist countries, especially our neighbors."

ROMANIAN-SOVIET TALKS

Last fall, Romania and the Soviet Union broke off negotiations over renewing their bilateral treaty of friendship, cooperation and mutual assistance after Bucharest reportedly demanded but failed to get an agreement that the same anti-German remarks be dropped. Romania and East Germany have also failed to renew a similar bilateral agreement.

Like Romania, which Rude Pravo specifically supported last Sunday, the new Cernik Government in Prague is now no longer prepared to accept Soviet advice on how to run its foreign office.

The newspaper also thanked Zhivkov for his state and party visit during this "time of stormy internal changes in Czechoslovak society," interpreting it "as an expression of confidence in our program."

[From the New York Times, Apr. 30, 1968]

Soviet Wheat Aid to Czechs Halted—Moscow Says It Is Short of Grain, but Prague Sees Evidence of Pressure

(By David Binder)

Prague, April 29.—Amid rising domestic turmoil, a fresh element of anti-Soviet sentiment entered the Czechoslovak political scene today.

The feeling against the Soviet Union is being stirred by Moscow's decision to suspend wheat shipments to Czechoslovakia and by revelations that Stalin ordered the bloody 1951–52 purges of Czechoslovak party leaders.

According to authoritative sources, the Soviet Government recently advised the Czechoslovak leadership that it did not have sufficient wheat to export. Czechoslovakia has imported Soviet wheat regularly for two decades.

The prevailing opinion in the leadership is that the cutoff represents the first clear sign of Soviet economic pressure since Alexander Dubcek took charge of the party last January.

REPERCUSSIONS EXPECTED

It is understood that Czechoslovakia is negotiating with Canada for wheat to replace the Soviet imports.

Czechoslovak party sources said the disclosure of Soviet direction of the purges of the early nineteen-fifties could cause new pressure from Moscow. They noted that the Soviet role had been disclosed by Karol Bacilek, former Minister of National Security and a self-styled Stalinist, in an interview with Smena, a Slovak newspaper.

"He undoubtedly intended to stir trouble," said a Slovak Communist, "knowing that anti-Soviet sentiment is higher in Slovakia than in the Czech lands."

The morning papers in Prague cautiously avoided the interview with Mr. Bacilek, although it was available to them from C.T.K., the national press service. Mr. Dubcek and his associates have taken pains to stress friendship with the Soviet Union repeatedly in the last four months.

Yet they have come under increasing public pressure since March on this and other policies.

The first evidence of anti-Soviet feelings emerged in the assertions by several retired officials and Communist editors that Dr. Jan Masaryk, the first postwar Foreign Minister, was murdered by Stalin's secret police in 1948.

At the moment controversy over Dr. Masaryk's death has subsided while attention to the Soviet role in the purges is sharpening.

The widow of Rudolf Slansky, the executed party leader, indicated in a memoir published in Literarni Listy, a literary newspaper, that Anastas Mikoyan, then a close Stalin associate arrived secretly in Prague about Nov. 23, 1951, to visit President Klement Gottwald with Stalin's purge orders.

It was Mr. Gottwald's birthday, but he declined to receive Mr. Slansky's congratulations, pleading illness. That night Mr. Slansky was arrested, his widow recalled.

Mr. Mikoyan's visit to Mr. Gottwald, allegedly with Stalin's orders, was also mentioned by Mr. Bacilek in his interview.

A sense of turbulence here is heightened by almost daily reports of politically motivated suicides.

On Saturday it was announced that Dr. Josef Sommer, former physician in the Ruzyne jail, where many political prisoners were detained, had hanged himself in his apartment. Yesterday a Czech factory director was found dead. Today the press agency reported that Lieut. Col. Jiri Podcepicky, chief investigator of the Prague police, had hanged himself.

A knowledgeable Prague journalist said 26 suicides had occurred among members of the secret police during the last month. Virtually all connected with press disclosures of torture and executions during the Stalinist period.

Meanwhile, there is evidence that the moderate leadership around Mr. Dubcek is under intense pressure from at least three domestic quarters.

Many of his fellow Slovak Communists joined today in demanding that the government move without delay for federalization of Czechoslovakia, splitting state and party authority between Czechs and Slovaks.

At the same time, elements of Czech party organizations are demanding an extraordinary party congress immediately to oust about 40 Old Guard representatives from the 110-member Central Committee. Mr. Dubcek says he does not want to rush into a party congress and is being supported on this by Slovak Communist organizations.

Finally, Mr. Dubcek has come under pressure from extreme liberal Communists and from nonparty elements to legitimize a real opposition party. Some of the extremists are demanding that the Communist party be divided into a conservative party and a progressive party.

[From the Washington (D.C.) Post, July 15, 1965]

Red Summit Begins Talks on Czechs

Warsaw, July 14.—The leaders of the Soviet Union and four of its East European allies met here today, apparently to discuss once again the new liberalism of Czechoslovakia.

The first session took place in the building of the Council of Ministers. PAP, the official Polish news agency, said "deliberations continue." This suggested that the talks would resume Monday.

The Soviet delegation included Communist Party leader Brezhnev, Premier Kosygin and President Podgorny. Brezhnev and Podgorny arrived by train yesterday, while Kosygin flew here today after returning to Moscow from an official visit to Sweden.

Present also were Party and government delegations from Bulgaria, East Germany, Hungary and Poland. Observers noted that the combination of Party and government leaders gave the conference the widest possible scope of action. Decisions involving the Warsaw Pact, for example, would require the approval of governments rather than parties.

There was no announcement of what was said in the meeting or even what the agenda was.

But the absence of Czechoslovakia and Rumania—which refuses to discuss internal developments of other socialist countries—indicated that the Prague reforms were the main topic.

Moreover, the Soviet Union suggested last week that a summit be held in Warsaw to discuss the situation in Czechoslovakia. The reforms have granted such rights as freedom of the press, freedom to travel aboard and the rehabilitation of the victims of Stalinism. The five countries that were meeting here met in Dresden, East Germany, in March and in Moscow in May to discuss these same innovations.

The Prague government declined to attend the Warsaw meeting. Instead, it invited the leaders of the other countries of Eastern Europe to make separate trips to Czechoslovakia. This invitation was refused.

[But Tanjug, the official Yugoslav news agency, reported in a dispatch from Prague Sunday that Alexander Dubcek, the new chief of the Czechoslovak Party, had met Saturday with Janos Kadar, the leader of the Hungarian Party. The meeting was said to have taken place on the Czechoslovak-Hungarian border. Observers noted that Kadar and Dubcek are said to be close friends and that there have been reports that Kadar spoke up for Dubcek at the Moscow summit.]

Poland reiterated its views on Czechoslovakia as the conference here was opening. An editorial in Trybuna Ludu, the organ of the Polish Communist Party, claimed there were voices in Prague apparently wanting "to break alliances with the Socialist countries, to lead Czechoslovakia out of the Warsaw Pact and to neutralize our southern neighbor.

"A definite rebuff to the reactionary forces and imperialist maneuvers in Czechoslovakia lies in the best interests of all fraternal countries."

The newspaper went on to say that Poland "paid too great a contribution in lives in defeating Germany in World War II to "look unconcernedly" at Czechoslovakia.

"The barrier created by Poland, East Germany, Czechoslovakia and other Warsaw Pact countries in alliance with the Soviet Union against the attempts of the West German revanchists and their allies cannot be weakened at any place," Trybuna Ludu said.

The gathering, in addition to the Soviets, included Communist Party leader Wladyslaw Gomulka, Premier Josef Cyrankiewicz and President Marian Spychalski of Poland; Communist Party leader and chief of state Walter Ulbrict and Premier Willi Stoph of East Germany; Party chief and Premier Todor Zhivkov and Deputy Premier Penczo Kubadinski of Bulgaria; and Communist Party leader Janos Kadar and Premier Jeno Fock of Hungary, PAP announced.

[In Prague, newspapers said the withdrawal of Soviet troops from the country was continuing on schedule. Their presence two weeks after the end of scheduled Warsaw Pact maneuvers created great uneasiness in Czechoslovakia. the pullout began Saturday and is scheduled to be completed Tuesday. But Prague Television reported Sunday night that the movement had been delayed due to heavy weekend traffic.]

Tito Says He Doubts Soviets Will Use Force

Belgrade, July 14.—President Tito said in an interview published here today that he did not believe anybody in the Soviet Union would be so "shortsighted" as to use force to halt the liberalization movement in Czechoslovakia.

Tito, the first Communist leader to break with Moscow in the late 1940s, made the statement in an interview with the Cairo newspaper Al Ahram.

He also said Czechoslovakia—and Yugoslavia—are strong enough to resist by themselves any threat to their political systems from the West.

AMENDMENT OF RENEGOTIATION ACT OF 1951—AMENDMENTS

AMENDMENT NO. 881

Mr. YOUNG of Ohio submitted amendments, intended to be proposed by him, to the bill (H.R. 17324) to extend and amend the Renegotiation Act of 1951, which were ordered to lie on the table and to be printed.

AMENDMENT OF AGRICULTURAL ACT OF 1968—AMENDMENTS

AMENDMENT NO. 882

Mr. MONRONEY submitted an amendment, intended to be proposed by him, to the bill (S. 3590) to extend and improve legislation for maintaining farm income, stabilizing prices, and assuring adequate supplies of agricultural commodities, which was ordered to lie on the table and to be printed.

AMENDMENT NO. 883

Mr. WILLIAMS of New Jersey submitted an amendment, intended to be proposed by him, to Senate bill 3590, supra, which was ordered to lie on the table and to be printed.

EXTENSION OF CERTAIN EXPIRING PROVISIONS UNDER THE MANPOWER DEVELOPMENT AND TRAINING ACT OF 1962—AMENDMENT

AMENDMENT NO. 884

Mr. MURPHY. Mr. President, I take the floor today to discuss a most important matter. Since the subject involves Federal-State relations and programs to aid the disadvantaged, I hope that all of my colleagues will study this tragic narrative of a Federal department's efforts to thwart a creative, completely bipartisan State effort to make the various manpower and job-training programs more effective and better able to serve the disadvantaged.

Mr. President, we know that the problems facing the Nation are many, and that if we are to be successful in solving them, the cooperation of all is needed. This means that all levels of government, Federal, State, and local, as well as private industry and private individuals must pull together.

I am sure that Members of this body will be just as shocked as I over the highhanded manner in which the Labor Department of the U.S. Government dealt with the State of California. My colleagues will wonder, as I have, why the Labor Department has not been "pulling with" instead of "pulling against" the State's efforts.

The background in this matter is as follows: In California, after considerable study of manpower and training efforts, it was determined that because of the categorical nature of the various Federal and State efforts in this field, the programs were not being as effective as they could and should be and that serious "gaps" existed in present efforts that needed to be filled. To improve on the situation, a package of six bipartisan bills have been introduced in the California State Legislature. I want to emphasize the bipartisan nature of this effort. Some suggested that it is a miracle that the parties, in an election year, were able to get together in the State and come up with a bipartisan approach to attack California's problems. I am pleased, however, that the members of the State legislature have put the public interest above any partisan issues. The effort is strongly supported by Governor Reagan and Lieutenant Governor Finch, and it is also strongly endorsed by the Democratic speaker of the California Assembly, Jess Unruh, as well as the minority leader in the assembly, Hon. Robert Monagan.

One of the bills, assembly bill 1463, which was introduced by Speaker Unruh, would create a new State department of human resources development to coordinate the programs aimed at the disadvantaged within the State. The State hopes to provide the hardcore unemployed with "an unbroken sequence of services from intake through placement on a job and periodic follow-up and evaluation," so that we will know exactly what is being done and what progress is being made.

California hopes to make the focus the individual and tailor programs to fit the individual for employment, rather than force an individual into a program. In other words, California hopes to personalize the programs so they serve the needs of the individual, rather than force the individual to conform to the programs. To do this, a new civil servant, a "job agent," would be created and assigned the task of securing the necessary training and supportive services needed by his disadvantaged unemployed client, in order to make him employable. To accomplish this, a State needs a little flexibility in the use of highly categorical Federal aid funds.

Mr. President, assembly bill 1463 was introduced on May 23 and since that time the State of California through numerous communications and personal meetings both here in Washington and in the State has attempted to work out any Federal problems that might impede the State effort. As a result, modifications were made in the California legislation to overcome Washington's objections. All seemed well. That is, until Mr. Robert C. Goodwin, Administrator of the Federal Bureau of Employment Security, came to California on July 3 to testify on the California proposals.

Unbelievably, this Federal bureaucrat in 17 pages of nearly irrelevant testimony, commented not on the bill as had been modified through conferences with his own Department but on the bill as it had been introduced originally on May 23.

In other words, Mr. President, it was as though these meetings between the Federal Government and the State government had never taken place. This is often the case. It is one of the reasons why I object to such a great expansion in bureaucracy. Sometimes the needs and wishes of Congress and the people get lost.

Clinging to the powers of the purse, Washington officialdom refuses to loosen the reins and strings the least bit to allow States greater flexbility and freedom. In effect, Mr. Goodwin's testimony threatened California with a loss of over $600 million in Federal funds if a State dared to be imaginative, at least imaginative in a manner that differed from the Labor Department's.

Speaker Unruh said of the performance of this Federal agency:

> The action of this bureaucratic agency—apparently backed by the Johnson Administration in Washington—in opposing this creative effort to do something concrete about hardcore unemployment in California—indicates the true attitude of the federal government concerning so-called 'creative federalism.'

The speaker continued:

> Several years ago the President coined a phrase 'creative federalism' to refine this new effort on the part of the national government to cooperate with state and local governments rather than to force programs down state and local throats. It now appears that the bureaucrats in the Labor Department believe that 'creative federalism' is nothing more than dictation to the states by the federal government.

I understand that subsequent to the California hearings, this Mr. Goodwin indicated that this was done "on orders from Washington."

Lt. Gov. Bob Finch and minority assembly leader Bob Monagan, in separate letters to Secretary Wirtz, urged the Secretary to reconsider the Department's opposition to this California bipartisan effort.

Lieutenant Governor Finch in his letter said:

> We had expected the federal government would be anxious to cooperate and I was dismayed to learn your representatives had used specious arguments and implied threats to oppose a central feature of this legislative package.

Assemblyman Monagan indicated to the Secretary that California would continue to try to cooperate, but warned:

> If, however, you choose to obstruct our efforts, we may continue to be frustrated by bureaucratic waste and inefficiency, and our disadvantaged citizens will suffer the consequences.

Mr. President, I join Lieutenant Governor Finch, Speaker Unruh, and Assemblyman Monagan in urging the Labor Department to reconsider its position in this matter.

California wants to cooperate, but it is difficult when Federal officials act in such a breach of faith, or, as Speaker Unruh said in his letter to Secretary Wirtz, "in violation of common rules of courtesy and previous agreements which they had made." In all fairness, Mr. President, I will say that some Labor Department officials have been very cooperative and have recognized the great merit of the California approach. This makes this intergovernmental relations nightmare even worse, and raises the question, Who really speaks for the Department of Labor? I do hope that Secretary Wirtz will see to it that California can rely on the words of Labor Department officials with whom they deal and that the Department will speak with one voice.

Mr. President, today I am introducing an amendment to S. 2938, which would add a new title IV, "Supplementary State Programs." This amendment is designed to provide California and other States with a method to achieve greater flexibility in dealing with manpower training programs. The amendment authorizes a 2-year program of grants to the States with the Federal Government providing not to exceed 75 percent of the cost of the State's supplemental efforts and activities. A State wishing to participate in this new program would have to demonstrate that Federal manpower and related programs seeking to move disadvantaged persons into employment could be facilitated by supplemental State efforts and activities.

Mr. President, we hear a great deal of criticism of the States and certainly some of it is valid. But this criticism of the States should not make us blind to their many constructive and pioneering efforts and accomplishments. California has been just such a State and has been the pathfinder and pacesetter in many problem areas finding workable solutions that other States—and, yes, even the Federal Government—have applauded and copied. California's efforts in air pollution come readily to mind.

So, Mr. President, I think it is clear that this Nation's brainpower does not reside solely in Washington. In fact, in all of our States, we find just as capable intelligent citizens as those employed in Washington, and they have an added advantage of being intimately familiar with the local problems and are able to be more responsive to the peculiar needs of the area.

The philosophy of our forefathers, and indeed of our Constitution, that our government should be kept as close to the people as possible is a good and a wise one. If our federal system is going to remain viable, we must continue to encourage States to initiate and experiment, as laboratories of democracy with various approaches. That a constructive State effort is thwarted and frustrated by an administration which talks of "creative federalism" but is unwilling to allow a State to be creative seems as contradictory as the actions of Labor Department officials in opposing California in this matter.

Mr. President, I would like to ask unanimous consent that the press release of Speaker Unruh and the joint press release issued by Lieutenant Governor Finch and Assemblyman Monagan criticizing the Labor Department's handling and its lack of cooperation in connection with assembly bill 1463 be printed in full at this point in my remarks. In addition, I ask unanimous consent that letters written by them to the Secretary also be printed in full. I believe one additional item important enough to be included, and Mr. President, I ask unanimous consent that a summary of the bipartisan package of bills be printed in full in the Record.

There being no objection, the material was ordered to be printed in the Record, as follows:

[News release from the office of Jesse M. Unruh, speaker of the assembly, July 3, 1968]

Assembly Speaker Jesse M. Unruh today described as "deplorable" the action of the U.S. Department of Labor in vigorously opposing the bipartisan package of bills before the California Legislature aimed at solving California's hard-core unemployment problems. The federal agency opposed the bills, particularly Unruh's A. B. 1463, at a Senate Committee hearing earlier today.

"The action of this bureaucratic agency—apparently backed by the Johnson Administration in Washington—in opposing this creative effort to do something concrete about hard-core unemployment in California indicates the true attitude of the federal government concerning so-called 'creative federalism' ", Unruh said.

"For years we have heard from various federal officials and from President Johnson himself that the national government stands ready to work with a state which desires to innovate and create bold new programs to solve major ills in our society.

"Several years ago the President coined the phrase 'creative federalism' to define this new effort on the part of the national government to cooperate with state and local governments, rather than to force programs down state and local throats.

"It now appears that the bureaucrats in the Department of Labor believe that 'creative federalism' is nothing more than dictation to the states by the federal government.

"Despite the fact that the California legislative staff spent countless hours with federal officials in an attempt to solve the problems in the legislation which raised issues of conformity with federal law, and despite the fact that this bill had been amended extensively three times since May 23, the federal spokesman at today's hearing submitted 17 pages of testimony directed to the bill of May 23.

"This was done in clear and open violation of an agreement reached by my staff and the regional director of the Labor Department in San Francisco, Kenneth Robertson, that the federal testimony today would be directed to the bill as we had amended it to solve most of the federal government's problems.

"After the Senate hearing I was informed that the federal spokesman, Robert C. Goodwin, Administrator of the Federal Bureau of Employment Security, stated that this was done 'on orders from Washington', evidently in order to kill this state legislation.

"I have faith that the Senate Government Efficiency Committee will see through this shameful attempt by the federal executive branch to write the laws of the State of California, and will approve this package of six bills which is endorsed now by Assembly Minority Leader Robert Monagan, Governor Reagan and myself.

"In the meantime," said Unruh, "I sincerely hope the federal government will reexamine its opposition to A.B. 1463, which is now based solely upon a sense of pride by individual civil servants in the U.S. Labor Department who feel disgruntled because a state had the temerity to develop a good idea before they did.

"I suggest to President Johnson that if he truly believes in 'creative federalism' as a two-way street for cooperation between the states and the federal government, he examine closely the actions which his overly bureaucratized Department of Labor is taking in this instance".

The entire package of six bills by Republican and Democratic authors was taken under submission today by the Senate Committee on Government Efficiency, pending appointment of a subcommittee of that body which will study the legislation more closely.

[News release from the Offices of Lt. Gov. Robert Finch and Assemblyman Bob Monagan, July 10, 1968]

Republican leaders have urged Secretary of Labor W. Willard Wirtz to reconsider his opposition to a bipartisan job training and development program, and—in the words of Lieutenant Governor Robert Finch—"to remove the specter of a threatened loss of federal funds".

In separate letters to the secretary, made public this afternoon, Finch and Assembly Minority Leader Bob Monagan criticized testimony by a Department of Labor spokesman before the Senate Governmental Efficiency Committee.

Robert C. Goodwin, Chief of the Bureau of Employment Security, told the Committee that passage of AB 1463 (Unruh) could result in the loss to California of over $600 million in federal employment and manpower training funds. He said the funds would be cut if Secretary Wirtz decided that provisions of the bill were not in conformity with federal law.

Monagan, in his letter to the secretary, noted that this was an "observation that sounded very much like a threat", notwithstanding the fact that the bill had already been amended to remove any question of non-conformity until July 1, 1969.

"We had expected the federal government would be anxious to cooperate," said Finch, "and I was dismayed to learn your representatives had used specious arguments and implied threats to oppose a central feature of this legislative package."

Monagan also expressed anger at Goodwin's complaint about the organization of the Department of Human Resources Development, which would be created by AB 1463. Goodwin said a conformity issue could be raised because federal officials would have to deal with two separate units in the employment field.

But these units, according to Monagan, would in fact be administered under the new central department. "This attempt to regulate the details of state governmental organization is improper and unjustified," the GOP lawmaker said.

Finch stated that "California has developed a unique and highly imaginative approach to reducing massive unemployment now prevalent in disadvantaged urban areas and we are asking you to join us in implementing the necessary administrative reforms and supplementary programs."

Monagan said that, despite the Labor Department's initial attitude, sponsors of the job training and development package would still be willing to discuss any suggestions by Wirtz, but warned:

"If, however, you choose to obstruct our efforts we may continue to be frustrated by bureaucratic waste and inefficiency, and our disadvantaged citizens will suffer the consequences."

Assembly, California Legislature,
Sacramento, Calif., July 3, 1968.

Hon. Willard Wirtz,
Secretary of Labor,
Washington, D.C.

Dear Secretary Wirtz: I am writing to inform you of actions your subordinates in the Department of Labor have taken with regard to legislation I have introduced in the California Legislature to make substantial and, in our view, beneficial changes in the delivery systems by which California provides manpower, training and employment services to eligible unemployed clients. In my view and that of a substantial number of members of both the legislative and executive branches of California government from both political parties, your representatives violated common rules of courtesy and previous agreements which they had made with my staff in registering the Department of Labor's official opposition to this legislation at a State Senate committee hearing on July 3.

After receiving a telegram from Assistant Secretary Stanley Ruttenberg on June 13 regarding elements of our state legislation which were out of conformity, in his opinion, with federal law and regulations, we met with Mr. Ruttenberg and his staff in Washington and later with your Department's personnel here in Sacramento. On the basis of these meetings three sets of extensive amendments were adopted to the bill, Assembly Bill 1463, designed specifically to fit the state legislation as nearly as possible to federal requirements. Nevertheless, Mr. Robert C. Goodwin of your Department appeared on July 3 before our legislative committee and stated points of opposition based on the original version of the bill, in total disregard of the changes which we had made in the bill with federal advice and support.

Since the Department of Labor's regional representative in San Francisco, Kenneth Robertson, has informed us that the Department has a policy of neither supporting nor opposing state legislation, I find your agency's actions in this regard difficult to fathom. May I respectfully request that you inform your subordinates that creative federalism must seep down to the lowest bureaucratic ranks if it is to become a truly effective change in the policy of the federal government.

I stand ready to cooperate with U.S. Department of Labor officials who wish to discuss our legislation at any time, provided those officials are capable of keeping their word and of honoring their previous commitments.

I have written President Johnson regarding this incident, and I am enclosing a copy of a statement regarding the occurrence which I have issued to the press.

Sincerely,

JESSE M. UNRUH,
Speaker of the Assembly.

STATE OF CALIFORNIA,
LIEUTENANT GOVERNOR'S OFFICE,
Sacramento, July 9, 1968.

Hon. W. WILLARD WIRTZ,
Secretary of Labor,
Washington, D.C.

DEAR MR. SECRETARY: California has developed a unique and highly imaginative approach to reducing unemployment in disadvantaged urban areas, and we are asking your cooperation in implementing the necessary administrative reforms and supplementary programs.

This new approach legislation is embodied in a package of six bills, sponsored by legislators from both political parties, which is currently being considered by the California Senate Government Efficiency Committee. We had expected the federal government would be anxious to cooperate and I was dismayed to learn your representatives had used specious arguments and implied threats to oppose a central feature in this legislative package.

I was especially disturbed by the testimony of Mr. Robert C. Goodwin who told the committee that, should AB 1463 be approved, you might use discretionary powers to withhold over $600 million training and employment funds now allotted to this state. This was viewed as an affront to California legislative leaders, and I would strongly urge you to remove the spectre of a threatened loss of federal funds.

Moreover, I would request that you reevaluate objections which were apparently based on an earlier version of the bill. You should be advised, for example, that the bill was amended prior to the July 3 hearing to make any provision which does not conform with federal law inoperable until July 1, 1969.

As Chairman of the California Job Training and Placement Council, I have devoted considerable time to a thorough review and evaluation of federal and state manpower programs. On the basis of our studies I have concluded there is an urgent need for a central state agency to coordinate the multiplicity of programs in this field. At the present time we are losing much of the potential impact of these programs by relying on a scatter-gun approach. This has resulted in duplicated and incomplete services.

AB 1463 would help us to overcome these deficiencies and, along with other measures in the job training and development package, to complement and expand the scope of current programs. We would greatly appreciate your assistance in achieving these objectives.

Sincerely yours,

ROBERT H. FINCH,
Lieutenant Governor.

ASSEMBLY, CALIFORNIA LEGISLATURE,
July 9, 1968.

Hon. W. WILLARD WIRTZ,
Secretary of Labor,
Washington, D.C.

MY DEAR MR. SECRETARY: Your decision to oppose a key feature of the job training and development program now before the California Senate was a great disappointment, and one which I hope you will reconsider.

This legislative package, which is sponsored jointly by leaders in both political parties, represents a positive alternative to the fragmented federal and state programs aimed at meeting the needs of the chronically unemployed. Therefore, I strongly urge you to join us in an experiment that will almost certainly benefit other states interested in alleviating duplication and improving services in this field.

In regard to the July 3rd testimony by Mr. Robert C. Goodwin, Chief of the Bureau of Employment Security, it was strangely irrelevant to the legislation he opposed. After consultation with your department the author of the bill in question, Assembly Speaker Jesse Unruh, agreed to amendments designed to meet objections raised by your representatives. These amendments had been adopted prior to the hearing before the Senate Committee on Government Efficiency.

Mr. Goodwin, however, testified against the bill in its original form, and thereby violated an agreement to comment only on the amended version. He stated that provisions of the bill which failed to conform with federal law could result in the loss to California of our $600 million in federal funds, an observation that sounded very much like a threat. And yet language had already been added to make any provision which did not conform inoperative until July 1, 1969. Mr. Goodwin also objected to the creation of a separate Division of Job Training and Development within the proposed State Department of Human Resources Development on grounds that federal officials would have to deal with both this division and the existing State Department of Employment. He ignored the fact that these units would become part of the same single state agency dealing with the federal government. This attempt to regulate details of state governmental organization is improper and unjustified.

In view of our willingness to work with the federal government, and the fact that we met major objections raised by your representatives in advance of the July 3rd hearing I find it hard to understand your opposition. We are, however, still willing to discuss any additional suggestions you may have. With your cooperation and encouragement California can revitalize manpower development and mobilize additional support in the private sector. If, however, you choose to obstruct our efforts we may continue to be frustrated by bureaucratic waste and inefficiency, and our disadvantaged citizens will suffer the consequences.

Sincerely,

BOB MONAGAN.

SUMMARY OF BILLS—BIPARTISAN EMPLOYMENT AND BUSINESS DEVELOPMENT PACKAGE

CREATION OF A DEPARTMENT OF HUMAN RESOURCES DEVELOPMENT (AB 1463—UNRUH)

This measure fixes responsibility for the delivery of services to the chronically unemployed, by establishing a single agency (the Department of Human Resources Development) to provide a full-range of needed services of the hard-core unemployed on an individualized basis.

The bill creates a new kind of civil servant—a "job agent"—who is held responsible for getting the necessary services to each client and following through until his client is on a job. The job agent develops a "plan" for each client and a timetable for providing those services. He may contract with public or private agencies in providing these services, be they education or vocational training, medical services or housing for the client.

The measure consolidates a number of existing state agencies dealing with employment and poverty problems into the new agency, including the Multi-Service Center program, the State Anti-Poverty Office, the Division of Apprenticeship Standards and the Manpower Development and Training Branch of the Department of Employment. The several scattered funds supporting these programs are consolidated within one "Manpower Development Fund", to be administered by the new agency.

The bill designates target areas within the State with the most serious unemployment problems and requires the departments to focus its prime attention on those areas and their unemployed residents.

ELIMINATION OF DISCRIMINATION IN APPRENTICESHIP PROGRAMS (AB 1464—RALPH)

This bill requires the Joint Apprenticeship Committee to submit to the Apprenticeship Council, in writing, all factors determining selection of applicants for the programs, and the relative weights to be given to each of these factors. Reasons for rejection of any applicant must be submitted in writing to the rejected applicants. Investigatory authority to look into complaints of discrimination in selection is moved from the Division of Apprenticeship Standards to the Fair Employment Practices Commission (FEPC). The measure ties in with AB 1463 (Unruh), which moves the entire appenticeship training program from the Department of Industrial Relations to the new Department of Human Resource Development.

SMALL BUSINESS ASSISTANCE PROGRAM LAW (AB 1046—UNRUH)

Creates a two-year pilot program, to be administered by the Superintendent of Banks, whereby the State will contract with private non-profit associations which will provide technical business assistance to small businessmen who live in and desire to locate their enterprises in specified disadvantaged urban areas. Requires such small businessmen to employ, to the extent possible, individuals who have previously been public assistance recipients.

The measure provides that the dollar limitation on such technical and advisory help be not more than 15 percent of the face amount of the loan which the businessman receives from a private lender. A small businessman is defined by the bill as one whose business grosses not more than $250,000 annually and who employs not more than 15 persons.

The bill requires the Superintendent of Banks to report to the 1970 Legislature on the effectiveness of the program. $150,000 is appropriated for the purposes of the program in its first year.

POOLED MONEY INVESTMENT FUND (AB 1777—MONAGAN)

This bill would provide an incentive for banks to make high risk loans in urban poverty areas as members of a California Job Development Corporation.

Specifically, it would permit the Pooled Money Investment Board, consisting of the State Controller, Treasurer, and Finance Director, to deposit "idle cash reserves" in California banks which are members of CAL–JOB corporations.

In addition to making this money available for use by the member banks, the State would also be authorized to grant an "interest break" based on how much money an individual bank had invested in CAL–JOB loans. A ceiling would be imposed on interest differentials, however, to prevent excessive profits resulting from the use of state money.

It is anticipated that utilization of reserve funds to provide incentives would also bolster the entire state economy, as any new money made available to banks would be used and reused, having a "multiplier effect" of roughly two and one-half times the amount deposited.

CALIFORNIA JOB DEVELOPMENT CORPORATION (AB 109—CAMPBELL)

CAL–JOB is a vehicle to introduce private capital in urban poverty areas, and thereby create new job and small business opportunities for disadvantaged residents of these areas. The enabling legislation (AB 109) will be revised to enhance the effectiveness of this approach, and of the total bipartisan job development program.

The amended bill would establish a statewide CAL–JOB Advisory Board empowered to set criteria for loans, mobilize public and private resources, and approve formation of regional non-profit CAL–JOB Corporations in designated urban "target" areas.

Members of regional corporation could include any California business or institution which participates financially in the CAL–JOB program. Each corporation would be authorized to set up a fund to guarantee high risk loans and provide some protection for its members. (This protection is necessary because all CAL–JOB loans would go to borrowers who cannot qualify for conventional financing.)

Regional corporations would maintain a reasonable balance between loans to job-producing industries seeking to expand or locate operations in the target areas, and loans to aspiring small businessmen. They would also ensure that job and business opportunities are made available to racial groups in accordance with their representation in a particular area.

Recipients of CAL–JOB loans would assume certain obligations: large employer-borrowers would be required to hire residents from the target area in filling additional jobs; small business borrowers would be committed to a minimum two-year "consulting relationship" with the corporation. The latter requirement is to assist disadvantaged persons who have had no previous business experience.

TAX INCENTIVE FOR JOB TRAINING (AB 1966—VENEMAN)

This bill would amend existing California tax laws to provide an incentive for employers to hire long-term unemployed persons, and unemployed or underemployed recipients of public assistance.

It would permit an employer to deduct from his gross income an amount equal to 50 percent of the training costs and wages paid an approved trainee, providing the term of employment is at least six months. And it is anticipated that the resulting loss of tax revenue to the State would be offset by savings in public assistance expenditures on a minimum three to one dollar ratio.

Employers would realize a tax saving up to seven percent of wages and training costs expended. This should encourage small and medium size employers, who account for most of the California labor force, to participate in training unskilled and unemployable workers.

Before this incentive could apply, both the employer and trainee would have to be certified by the Administrator of the Health and Welfare Agency.

Mr. MURPHY. Mr. President, on behalf of myself and the Senator from New York [Mr. JAVITS], I submit an amendment, intended to be proposed by us, jointly, to the bill (S. 2938) to extend certain expiring provisions under the Manpower Development and Training Act of 1962, as amended, and ask that it be appropriately referred.

The ACTING PRESIDENT pro tempore. The amendment will be received, printed, and referred to the Committee on Labor and Public Welfare.

VOCATIONAL EDUCATION AMENDMENTS OF 1968—AMENDMENTS

AMENDMENT NO. 885

Mr. JAVITS (for himself, Mr. BROOKE, Mr. CLARK, Mr. COOPER, and Mr. HART), proposed an amendment to the bill (S. 3770) to amend the Vocational Education Act of 1963, and for other purposes, which was ordered to be printed.

(See reference to the above amendment when proposed by Mr. JAVITS, which appears under a separate heading.)

AMENDMENT NO. 886

Mr. DOMINICK (for himself and Mr. MURPHY) proposed an amendment to Senate bill 3770, supra, which was ordered to be printed.

(See reference to the above amendment when proposed by Mr. DOMINICK, which appears under a separate heading.)

NOTICE OF RECEIPT OF NOMINATION BY THE COMMITTEE ON FOREIGN RELATIONS

Mr. SPARKMAN. Mr. President, as acting chairman of the Committee on Foreign Relations, I desire to announce that today the Senate received the following nomination:

Harold Francis Linder, of New York, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to Canada.

In accordance with the committee rule, this pending nomination may not be finally acted upon prior to the expiration of 6 days of its receipt in the Senate.

NOTICE OF JOINT HOUSE–SENATE MEETING RELATING TO NEED FOR A NATIONAL POLICY FOR THE ENVIRONMENT

Mr. JACKSON. Mr. President, Representative GEORGE MILLER and I have made arrangements to convene an informal joint House-Senate colloquium on July 17 at 10 a.m. to discuss the need for a national policy for the environment. Representatives from the executive branch, private foundations, and universities as well as concerned Members of Congress will be in attendance. The meeting will take place in the hearing room of the Joint Committee on Atomic Energy, room H–403, Capitol Building. All interested Members of the Senate are invited to attend.

ORDER OF BUSINESS

Mr. BYRD of West Virginia. Mr. President, I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

VIETNAM

Mr. SYMINGTON. Mr. President, as we face the last few weeks of what we hope is the end of the session, it would appear pertinent to review our situation in Vietnam.

A premise to this review is the fact that, whereas the enemy continue their attacks and sabotage in South Vietnam, since last March 31 the United States has refrained from any comparable attacks on the heartland of North Vietnam.

It is also a fact that, as a result of various policy decisions, this war—which is not a war in the true sense of the word, rather a gigantic police action—has been, and is being conducted with our Air Force and Navy shackled heavily by direct orders from Washington. I am not talking about the use of nuclear weapons, or the attacking of civilians.

In one sense, our ground troops, both Army and Marines, are at least as shackled, because ability to counterattack has always been considered an essential component of ground welfare.

In this policing of disputes between the various Vietnam groups, however, if and when our troops are successful in repulsing attacks, the enemy is then permitted to retreat into all three of the countries which border South Vietnam; namely, Cambodia, Laos, and North Vietnam; and in those three countries they are welcomed and sustained; and our own troops are ordered never to pursue them if that pursuit entails entering any of the three countries in question.

Some of the world's foremost guerrilla authorities now state that, as a result of these restrictions, along with subsequent developments, there can never be any true success in whatever it is we are trying to accomplish in Vietnam.

We know that hundreds of thousands of American military have now been in Europe for over a quarter of a century; also that tens of thousands additional of our military have been in Korea for over 18 years. We should now realize also that what is going on in Vietnam could also last for many more years.

Over 535,000 Americans are now in South Vietnam and that does not include the tens of thousands currently in Thailand, or the tens of thousands currently in Japan.

How long can the people of the United States continue to bear this worldwide military burden?

What is the justification for bearing it?

The high cost is without precedent, over 80,000 of our own youth wounded, and 25,600 dead, far more important figures than the $2.5 billion a month currently going down the drain in the Vietnam venture, with no hope whatever of any recovery.

To these sad costs should be added the heavy and increasing loss of our prestige in all parts of the world; also the financial crisis it is now increasingly clear the expenses of this alleged war are bringing upon us.

Serious consideration should be given the above facts. They are becoming of steadily more concern to the American people.

IMPENDING APPROPRIATIONS—THE NEED FOR PRIORITIES

Mr. SYMINGTON. Mr. President, during these expected final days of Congress, the Senate will be asked to consider various appropriation requests for tens of billions of dollars, primarily for national defense.

On July 3, the distinguished senior Senator from Wisconsin, chairman of the Joint Economic Committee and one of the Senate's authorities on fiscal and monetary matters, placed in the Record a six-page article from the Congressional Quarterly of June 28 entitled "Defense Budget Cuts of $10.8 Billion Seen Feasible."

The amount of this reduction appears high; but I now am certain in my own mind that we can save billions of dollars from appropriation requests that will be coming before us shortly.

In a recent article by the president of the world's largest bank, in discussing the relationship of the economy of the Nation's future security and well-being, Mr. Rudolph A. Peterson, president of the Bank of America, said in part:

> Our government must come to the realization that, strong and powerful as we are, we cannot do everything at once without courting disaster. Specifically, we cannot fight what has become a major war, serve as the world's banker, rebuild our cities, cure environmental problems, render massive aid to foreign nations, dramatically upgrade the quality of our education, increase welfare programs, and solve the racial problems all at once. Strong as our economy is, it simply is not that strong. And, if we are not to face an additional crisis of shattered expectations, we need from our government a clear statement of national priorities.
>
> Our present problems stem from a woeful breakdown in consequence economics in 1965. In that year the receipts and expenditures of the Federal government were basically in balance. But in that fateful year the decision was made to step up the war in Vietnam and increase domestic spending programs without a corresponding effort to raise revenues. Of course, each expenditure carried with it the implication of additional funding the following year. In a different economic circumstance, we might have gotten away with it, but in 1965 previous expansionary policies had produced a full employment economy. The Federal Reserve recognized the danger and courageously raised the discount rate, but monetary measures cannot work without fiscal help. The inevitable and predictable snowball result was that in three short years a modest deficit has turned into a Gargantuan monster that will approach $21 billion this year.

Mr. BYRD of West Virginia. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. Talmadge in the chair). The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

THE PRESIDENT FOCUSES ON NEEDS OF CENTRAL AMERICA

Mr. MORSE. Mr. President, President Johnson's visit promises new impetus to the movement toward physical and economic integration of Central America, an achievement that all of us will welcome. Although the area is small and its population is only about 13 million, it is in some ways the advanced proving ground of the many times larger Latin American Common Market, which we hope will become a reality by 1985, when the Central American Common Market and the Latin American Free Trade Association are to converge into one single common market.

The problems and the accomplishments of economic and physical integration are dramatized in Central America and the movement forward into the future is clearly recognizable there.

The five countries of the Central American Common Market are approximately equal in size, population, and national production. Each is divided by an internal mountain barrier, each is washed by both the Atlantic and the Pacific oceans, and each has historically been more accessible to the outside world by ocean than its eastern and western areas are accessible to each other. Each has grown coffee or bananas and a narrow range of other agricultural products and has had very little reason to trade with the others.

The visit of President Johnson brought home to all of us how drastically the Central American Common Market has changed this in a few years. Nearly free trade has helped stimulate the rapid expansion of zonal trade from $34 million in 1960 to $200 million in 1967, an increase of 480 percent. Trade in industrial goods rose even more spectacularly, by 530 percent between 1960 and 1965.

President Johnson's visit was preceded by a meeting of President Sanchez, of El Salvador; President Trejos, of Costa Rica; President Lopez, of Honduras; President Somoza, of Nicaragua; and President Mendez Montenegro, of Guatemala.

In their Declaration of the Presidents of Central America, these Presidents renewed their support of the integration of Latin America and their decision at Punta del Este in April 1967 to participate actively in the formation of the Latin American Common Market. They reiterated their support for closer ties with neighboring countries and with other subregional integration movements.

They also assigned the highest importance to their own efforts to diversify and industrialize agricultural production for domestic consumption and for export, as well as the measures for more vigorous and better coordinated regional industrial policies.

The Presidents appealed for extension of the International Coffee Agreement and voiced hope also for a similar agreement regarding sugar that would include preferential treatment provisions for relatively less developed countries in the process of economic integration. And they emphasized Central America's need for adequate technical and financial resources, as stated in the Declaration of the Presidents at Punta del Este, with which to strengthen and expand the existing Central American Economic Integration Fund.

The Presidents called for moving forward with the regional telecommunications program, the interconnection of electric power systems, the expansion of the Central American highway network, the continuation of housing construction programs as well as measures to increase the tourist trade.

All these serve to dramatize the great steps which these countries have already taken, as well as their future needs and hopes and the presence of President Johnson served to give them confidence in their determination to fulfill their goals.

They as well as President Johnson are to be congratulated.

RESTON ON PRIORITIES

Mr. METCALF. Mr. President, the prospects for coming to grips with our domestic problems are dark indeed as long as the Vietnam war persists. But I think all of us have assumed that—to use a contemporary phrase—there is "light at the end of the tunnel." That is to say, all of us have assumed that, when the war is over, the Federal budget can be tailored to the needs of the Nation.

Now it appears that our assumption may not be correct. In the New York Times of July 10, 1968, James Reston discusses a "debate of great significance" already occurring in the executive branch over who will inherit the budget when the war is over. Will our resources be channeled into vital domestic programs or into further military spending? That there will be powerful demands for the latter is revealed in the prediction of an administration official that—

> A cessation of hostilities would result in great pressures to rebuild stocks in military supplies and equipment to a more acceptable level.

Mr. Reston poses the question:

> Whose acceptable level is to be built up—the Pentagon's or the people's?

Mr. President, I ask unanimous consent that the article be printed in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

Budget Battle: The Coming Struggle Over Priorities

(By James Reston)

The United States and the Soviet Union are beginning to look beyond Vietnam. Both are holding to their firm positions on the Paris peace talks, but both are feeling the pressures on the home front and acting as if the conflict is in its closing phases.

This, of course, could take a long time, but there is a perceptible change in official private conversation. At least, few officials on both sides seem to believe that the talks will break off or the fighting return to the high and dangerous level of last spring.

THE CHANGING TALK

There is now very little speculation in Washington about a "protracted war." Though the casualties remain high, and there will no doubt be more and sudden flurries of military activity for tactical and diplomatic reasons, there is almost no talk now about reviving the bombing above the nineteenth parallel in North Vietnam.

On the other side, the Soviets have reopened the dialogue about disarmament. The propaganda goes on, but it has lost much of its sting, and North Vietnam's differences with China over the peace negotiations seem to have made it easier for Moscow to talk seriously about accommodations outside of Southeast Asia.

Meanwhile, a debate of great significance is developing quietly within the United States Government over the rival claims of domestic and foreign policy in the post-war Federal budget. The pressures to end the war are now gradually shifting to demands for substantial increases in social and economic spending at home. And these pressures are producing the counter-arguments that even when the fighting stops in Vietnam, the domestic budget cannot be increased substantially without imperiling the foreign and defense interests of the nation.

For example, the Under Secretary of the Treasury, Joseph W. Barr, emphasized the other day that it will be "extremely difficult" to get defense spending down in the near future; traditional civilian Government programs will cost more as population grows; and much of the revenue growth that we can expect from a growing economy "must be used to reduce our current budget deficits."

The next President, said Mr. Barr, will not have the enormous balance of payments surpluses of the past. He will not have a large trade surplus, and other nations will not be willing to hold large amounts of dollars in their reserves.

Instead, Mr. Barr added, the next President will be confronted by urgent demands for more education, more medical care, more housing, more jobs, and more money to deal with the urgent urban problems of transportation, pollution and slum clearance. He estimates that moving from the current level of about 1,400,000 housing starts to 2,600,000 will place an additional $20-billion strain on our credit markets every year.

HUMPHREY'S VIEW

Vice President Humphrey, who thinks he may be the next President, is obviously taking the domestic spending line in his campaign talks. He is talking more and more about "a Marshall Plan for the cities," which could easily absorb a $20-billion Marshall Plan every year. But there are other views in the Administration.

"If the Defense Department is to maintain its current mission in the world," says Secretary Barr, "I would seriously doubt that any sizable reduction can be made in the defense budget in the foreseeable future." But this is precisely the question that is now coming over the horizon:

Is the Defense Department to "maintain its current mission in the world"? Senator McCarthy suggests that the answer to this, if he is President, will be "no." Vice President Humphrey has allowed us to assume that it will, and that somehow he will find the money to deal effectively with the cities as well. But of course, this is what is being seriously questioned by officials who are more interested in the facts than in the politics of the problem.

"We have been fighting this war on a very, very lean budget," says Secretary Barr. "There is no evidence that we have piled up surplus stocks in ordnance, ammunition, aircraft or naval vessels. On the contrary, I would estimate that a cessation of hostilities would result in great pressures to rebuild stocks in military supplies and equipment to a more acceptable level."

It will be interesting to hear more on this from the candidates in the coming months. Whose acceptable level is to be built up—the Pentagon's or the people's? What do we do with peace if we get it? In short, the battle for priorities has already started, and it is likely to involve a most serious reappraisal of the nation's diplomatic objectives and domestic requirements even before the war ends.

NEW YORK INCREASES WORKMEN'S COMPENSATION AND DISABILITY BENEFITS

Mr. JAVITS. Mr. President, recently I introduced an amendment to the occupational health and safety bill, S. 2864, to establish a Federal Commission to study workmen's compensation laws. In the course of my remarks, I stated that many workmen's compensation laws are failing to do their job of properly compensating injured and disabled employees. Mr. President, I am pleased to report that New York State, which has one of the finest workmen's compensation laws in the country, has recently improved its law even further by increasing maximum weekly benefits effective July 1, 1968. I ask unanimous consent that a release of the New York State Workmen's Compensation Board decribing the increase be printed in the RECORD.

There being no objection, the release was ordered to be printed in the RECORD, as follows:

INCREASES IN WORKMEN'S COMPENSATION, DISABILITY BENEFITS AND VOLUNTEER FIREMEN'S BENEFITS EFFECTIVE JULY 1

NEW YORK, N.Y.—S. E. Senior, Chairman of the Workmen's Compensation Board, announces that—effective July 1—maximum weekly cash benefits will increase under the Workmen's Compensation Law, the Volunteer Firemen's Benefit Law, and the Disability Benefits Law, for accidents or death occuring—or nonoccupational disability commencing—on and after this date.

1968 amendments to these Laws increase:

From $60 to $85 the maximum weekly cash benefit payable for work-connected temporary total disability for accidents occuring on and after July 1.

From $60 to $70 the maximum weekly cash benefit payable for work-connected partial disability or permanent total disability—as well as the aggregate death benefits under both laws—for accidents or death occuring on and after July 1.

From $55 to $65 the weekly maximum benefit payable for non-occupational disability commencing on and after that date.

Governor Rockefeller, in signing the increases into law, said:

"These . . . bills, recommended in my Annual Message to the Legislature, increase the weekly social insurance benefits payable to New York's working men and women.

"The rising cost of living and improved wage levels require an updating of . . . benefits . . .

"These bills will enable New York to continue as one of the Nation's leaders in protecting its well-deserving workers through a fair and equitable program of social insurance."

Another long sought amendment to the Workmen's Compensation Law, which the Legislature passed upon the recommendation of the Governor, provides for a supplemental workmen's compensation allowance, effective July 1, 1969, in certain cases of death or permanent total disability resulting from an accidental injury or occupational disease that occurred before July 1, 1960, so that the new maximum rates in these cases will be $50 a week for total disability and $30 a week for widows without children in death cases. Here, the Governor said:

"Of particular importance is the bill providing a supplemental allowance to certain workers and widows whose Workmen's Compensation benefits were fixed so long ago that the rates paid are obsolete and inadequate in light of today's price levels . . ."

(Details regarding application for supplemental benefits will be announced later in the year.)

In commenting upon the enactment of this legislation, Chairman Senior said:

"This year's achievements mark the greatest breakthrough ever in this important field of social legislation. Increases in benefits supply needed relief for the plight of the injured worker. I am sure we all realize, however, that complete rehabilitation and restoration to employability and employment remain the ultimate objective of the Workmen's Compensation program."

SOCIAL SECURITY IS SOUND

Mr. BYRD of West Virginia. Mr. President, an excellent column by Sylvia Porter was published in the Washington Evening Star of July 11, answering questions which are often asked concerning the investment, earnings and stability of our social security trust funds.

This widely respected financial writer finds that the funds are well invested in U.S. Government obligations, that "as long as the Government stands, it will stand behind these obligations, and it is not an exaggeration to say that if ever this is not true, no investment the funds could conceivably make would be worth the paper it's written on."

She finds, further, that the earnings are good, that the investments are sufficiently liquid, and that the funds are adequate for future benefit payments.

Because I believe that this column will have wide interest, I ask unanimous consent that it be printed in the RECORD.

There being no objection, the column was ordered to be printed in the RECORD, as follows:

SOCIAL SECURITY TRUST FUNDS SAFE?

(By Sylvia Porter)

How are our enormous Social Security trust funds invested? How safe is the $27.3 billion of our tax money in these funds? What do the investments earn? Will the funds have sufficient income to pay benefits over the next 15, 20 and more years?

More than 23 million Americans are totally or partially dependent on Social Security benefits for food, shelter and clothing. Many more tens of millions are counting on these benefits in the future to help us live in dignity in our older years. Questions about the safety and integrity of the funds to which we contribute so much in taxes are entirely in order and come up repeatedly in my mail. Repeatedly also, I read and hear deeply disturbing reports about the inadequacy of the Social Security reserves and the lack of safety and lack of liquidity of the funds' investments. Here are factual answers to some key questions.

Q. How are the Social Security funds invested?

A. Except for undisbursed balances equal to about one month's benefits, all the assets of each of the Social Security funds are invested in U.S. Government obligations. Here are the statistics as of the end of fiscal year

1967: Total trust fund assets, $27.4 billion; total invested assets, $25.4 billion; undisbursed balances, $2 billion.

The U.S. obligations are of three types—public issues, special issues sold only to a particular trust fund and federally sponsored agency obligations (such as Federal National Mortgage Assn. debentures).

Q. What are the funds?

A. There are four: The Old Age Survivors Insurance Trust Fund (OASI), which held $23.5 billion at the end of fiscal 1967; the Disability Insurance Trust Fund (DI), which held $2 billion; the Hospital Insurance Trust Fund (HI), which held $1.3 billion; the Supplementary Medical Insurance Fund (SMI), which held $486 million. These last two were set up to finance Medicare.

Q. How safe are the investments?

A. As safe as the U.S. Government, the most powerful government in all the world and, despite all our criticism and carping, the most solvent.

As long as the Government stands, it will stand behind these obligations and it is not an exaggeration to say that if ever this is not true, no investment the funds could conceivably make would be worth the paper it's written on.

Q. What do the Social Security investments earn?

A. As interest rates have soared, the funds have earned more and more on their U.S. securities, at least one benefit from the historic upsurge in rates.

In fiscal 1967, the income of the funds from which cash benefits are paid topped outgo by almost $4 billion.

Q. How liquid are the investments?

A. The public and federal agency issues can be sold on the open market at any time. The special issues are redeemable at the Treasury on demand. All but a single $1 billion special issue, which can be redeemed only at maturity, are extremely liquid.

Q. Will the funds be sufficient for future benefits?

A. The 1967 report of the funds' trustees says that "the system, as modified by the 1967 amendments, continues to be financed on an actuarially sound basis." The Old Age and Disability funds "will have sufficient income from contributions (based on the tax schedule and taxable earnings base now in the law) and from investments to meet the cost of benefit payments and administrative expenses both for the next 15 to 20 years and for the distant future."

J. E. B. STUART HIGH SCHOOL WINS PRINCESS ELIZABETH CHALLENGE CUP

Mr. SPONG. Mr. President, 3 years ago, without official recognition, a crew club was organized at the J. E. B. Stuart High School in Falls Church, Va.

On Saturday the club became world schoolboy crew champions by winning the Princess Elizabeth Challenge Cup at the Henley Royal Regatta in England. The victory, the fifth in 4 days for the Raiders, was the only American triumph at Henley.

The Stuart crew can take special pride in its achievement because the championship was a do-it-yourself effort both financially and competitively.

Until this year, the club did not have its own shell. It used borrowed equipment from the Potomac Boat Club and Washington-Lee High School. Washington-Lee won the Princess Elizabeth Cup in 1964, so Stuart's victory was the second in 5 years for northern Virginia.

Stuart's trip to Henley was made possible by a monthlong fund drive by the crew and its boosters club. The campaign realized $11,500.

Mr. President, I commend the Stuart coaches, Mike Gasch and Walt Barber, and the members of the crew—Corbin Wilson, Reed Augliere, Mike Hacskaylo, Dave Foulis, Stever Hancotte, Eric Rudrud, Tom Lang, Steve Wilson, and Dave Hafner—and I ask unanimous consent that an account of their achievement as it was published in the Washington Star be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

STUART WINS CUP AT HENLEY, CLIMAXING AMAZING YEAR

HENLEY-ON-THAMES, ENGLAND.—The Jeb Stuart Crew Club of Fairfax County, Va., climaxed an almost unbelievable season yesterday by capturing the biggest prize in scholastic rowing.

Holding off a challenge by defending champion Eton College, Stuart crossed the finish line a scant 6 feet in front to win the Princess Elizabeth Challenge Cup in the Royal Henley Regatta.

The two shells were never separated by more than one boat-length as a crowd of about 20,000 watched the struggle from the banks of the Thames.

The Virginia School, which began rowing only three years ago, was timed in 8:17 over a 2,330-yard course which remained treacherous because of swollen water and strong currents.

Stuart's victory was its fifth in four days. Earlier yesterday the United States national schoolboy champions defeated Nautical College of Pang bourne, England, by three lengths in the semifinals.

The Fairfax County boys were the second shell from Northern Virginia to win the Princess Elizabeth Cup. Washington-Lee of Arlington County triumphed in 1964 but failed to survive beyond the quarter finals in 1958, 1960, 1962 and 1966.

SCARCE AT FINISH

Stuart's moment of triumph almost ended embarrassingly when the shell struck a boom marking the finish line seconds after the race ended.

The Stuart craft then caromed into a nearby press boat, but neither suffered damage. Stuart's shell righted itself without danger of capsizing.

Assigned to the more choppy lane on the narrow course, Stuart compensated by opening at a high stroke to take a half-length lead in the early moments.

That edge proved decisive, for Eton failed to overhaul the Americans during the closely contested race. The Britons put on a mild surge at the finish, however, and were closing ground when time ran out.

The championship race was by far the closest call for Stuart, which defeated four other British shells by margins ranging from 1½ to 3½ lengths.

LINEUP OF CREW

"We might have won the earlier races without much trouble, but I was scared every time out," said Dave Foulis, Stuart's No. 4 oarsman. "The competition here is plenty tough."

Other members of Stuart's shell were Corbin Wilson, Bow; Reed Augliere, No. 2; Mike Hacskaylo, No. 3; Steve Hancotte, No. 5; Eric Rudrud, No. 6; Tom Lang, No. 7; Steve Wilson, Stroke, and Dave Hafner, Coxswain.

The Virginia oarsmen ripped through a victory celebration last night and then prepared for two days of sightseeing in nearby London. The athletes were not permitted by their coaches, Mike Gasch and Walt Barber, to visit the city while the regatta was in progress.

In Fairfax County, members of the Jeb Stuart Crew Boosters Club began planning for a welcome home reception. The crew is scheduled to arrive at Dulles Airport at 4:40 p.m. Tuesday.

DO-IT-YOURSELF EFFORT

Stuart's victory was all the more remarkable because it was strictly a do-it-yourself effort from both financial and competitive aspects.

Although the school has been rowing since 1965, the sport is not officially recognized by the Fairfax County School Board, which claims it is financially impossible for it to sponsor crews at all of its 18 high schools.

Stuart's trip to Henley was made possible only when members of the booster group and the athletes themselves conducted a monthlong fund drive to raise the necessary $11,500.

Until this session, when it purchased two used shells and one new one, Stuart rowed with equipment borrowed from both Washington's Potomac Boat Club and Washington-Lee High. An earlier fund drive netted the $3,000 needed for the equipment.

Rep. Joel Broyhill, R-Va., yesterday sent the crew a telegram congratulating the youngsters on their victory. A congratulatory wire was sent Friday by Vice President Hubert Humphrey following the quarter-finals.

CAPTIVE NATIONS WEEK

Mr. SCOTT. Mr. President, this week is Captive Nations Week. In observance, I invite the attention of the Senate to the fact that nine Central European nations still live unwillingly under Soviet repression.

For 25 years the people of Albania, Bulgaria, Czechoslovakia, Estonia, Hungary, Latvia, Lithuania, Poland, and Rumania have been pinioned by the iron hand of Soviet Russia. Their lands were forcibly annexed and their governments replaced by puppet regimes.

These actions are contrary to the principles of the United Nations and the free world.

Under the United Nations Charter, all member states pledged themselves to promote human rights and fundamental freedom for all. The Universal Declaration of Human Rights, adopted unanimously by the U.N. General Assembly in December of 1948, clearly established that human rights and fundamental freedoms include the sovereign right of each nation to live under a system of government of its own choosing.

The free world has a responsibility to encourage independence for all nations, and to support those nations which seek self-determination. Several captive nations already have begun to flex muscles of independence.

The urgent need and rising demand for freedom of thought and expression in Poland is mirrored by the intellectuals' growing opposition to the regime and recent demonstrations against literary censorship.

The new liberal Czechoslovakian Government is showing increased independence from Soviet leadership.

Similar things are happening in Rumania. They did happen in Yugoslavia.

These are hopeful signs. Communism is still powerful, but not as monolithic as it once was.

The United Nations has a duty to uphold its basic principles, and the free world has the right to insist that the long-established agreements of the U.N. Charter be carried out.

THE CASE OF THE VANISHING PASSENGER TRAIN

Mr. METCALF. Mr. President, on June 26, the Subcommittee on Surface Transportation sent to the Committee on Commerce for its consideration three measures relating to rail transportation, calling for a moratorium on further discontinuances of rail service, a study of ground transportation, including rail, and amendments to enable the Interstate Commerce Commission to act effectively to protect the public interest.

Mr. President, the submission of Senate Concurrent Resolution 25 and its approval after hearings by a subcommittee, decisions of the Supreme Court and of the Interstate Commerce Commission, and statements of its members, together with the activities of the railroads themselves in recent months, give point to a suspicion that has been growing in the Nation for some time: that the railroads consider they have no responsibility to provide rail passenger service to the people of the Nation, and are at pains to secure the sympathies of the public and the Government by virtue of their desperate financial condition resulting from "losses" on passenger traffic.

I profoundly hope that the Committee on Commerce will report Senate Concurrent Resolution 25 and that it will be approved by Congress so as to make way for the kind of study that can cut through the obfuscation of the railroad industry's propaganda and uncover the railroads' true financial condition. Such a study could serve Congress as a guide to future legislation, such as the enactment of a measure to sift proposed mergers through the antitrust processes; it could guide the ICC in the preparation of more accurate formulas to be used in determining losses, and so forth. Above all, it might persuade the railroads to our own innocent view—the basis upon which the Government granted them millions of acres of land and other inducements—namely, that the business of railroads is to furnish rail service.

In the meantime, for the consideration of the Committee on Commerce and of the Senate, should Senate Concurrent Resolution 25 be reported, and to suggest what a study might accomplish, I should like to explore some facets of the rail industry's intensified efforts to withdraw from the passenger business.

I shall begin by asking unanimous consent to have printed in the RECORD an editorial which many of our constituents will be reading this month. The editorial was furnished on July 1 to approximately 11,000 editors who receive a packet of free, canned editorials from Industrial News Review weekly. Each packet contains an editorial on behalf of the railroad company clients of Industrial News Review, which is owned by E. Hofer & Sons, of 4443 NE. Airport Road, Hillsboro, Oreg.

The editorial entitled "Public Preference Rules," and published in the Industrial News Review, will appear in some newspapers as the very own thoughts of the local editors.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

PUBLIC PREFERENCE RULES

A recent analysis of newspaper editorials by the Association of American Railroads showed a remarkably broad grasp of railroad problems by the public—with but one exception. That had to do with discontinuance of rail passenger trains. Apparently, the public has failed to understand its own changing transportation preferences and the ensuing economic stress that has been placed on the rails.

The AAR has released a pamphlet entitled, "The Case of the Vanishing Passenger Train." In it, the story is told of why passenger trains are disappearing. People have simply chosen other forms of transport and not because of declining service. Shortly after World War II, the railroads and the Pullman Company spent over $500 million for new, modernized passenger equipment. This equipment included ultramodern chair cars, plush sleeping cars with showers, valet service, radiotelephones, dining cars with full course meals, lounge cars with coffee shops and bar service, vista-dome observation cars, air conditioning and other conveniences and luxuries. In spite of these innovations, passenger traffic declined. If the rails were still running as many trains as they ran in 1957, passenger deficits in 1967 would have been about $1.5 billion—more than the industry's total net operating income from freight service.

In 1959, the ICC conducted a long investigation of the passenger train crisis. It reported railroads have "conscientiously endeavored to improve their standards of service" and "generally have not discontinued trains without serious efforts—sometimes prolonged—to make them pay and only after sympathetic consideration of public convenience."

The U.S. will depend more and more on the rails for the hauling of freight. To meet this transport challenge, every available rail investment dollar must go for the continuation of a modernization program which is reshaping the railroad industry from the ground up to the benefit of the entire nation.

Mr. METCALF. Mr. President, as this canned editorial campaign indicates, the railroad industry is intensifying its efforts to withdraw from the passenger business. Its position is exemplified by the pamphlet recently issued by the Association of American Railroads entitled "The Case of the Vanishing Passenger Train," to which reference was made in the above editorial. In the pamphlet, the AAR first drags out the tired old alibi of the railroads that the passengers deserted the railroad because of the superiority of other modes of transportation. This, of course, can be refuted by the millions of former and present rail passengers who can testify that they were virtually forced to use other modes because of the poor train service.

Furthermore, the AAR arrogantly rejects any obligation on the part of the railroads to provide any passenger services at a loss no matter how useful such service may be to the public or how affluent the railroad company may be on an overall basis. But this position conveniently overlooks some pertinent points:

First. Railroads still enjoy a monopoly as compared to other forms of transportation for the bigger part of their most profitable freight business.

Second. Railroads are permitted to make agreements with each other not to compete pricewise for freight business, and are exempt from the antitrust laws in so doing.

Third. Entry into the railroad field is restricted by the ICC in order that the profits of existing railroads will not be diluted.

Fourth. When the railroads were constructed they received invaluable public assistance, including: power of eminent domain, which enabled the acquisition of land at fair prices rather than at the enormously inflated amounts the companies would otherwise have had to pay; land grants, for which the only consideration was the obligation to transport Government freight at low rates; and outright gifts and donations from towns and localities that desired rail service.

The railroads' attempt to belittle the value of the land grants by claiming that the amount of money saved by the Government during the period up through 1945, when the reduced "land grant rates" were in effect, was over 10 times the value of the land received by the railroads, which is alleged to be $125 million.

This is misleading for several reasons. First, the AAR substantially understates the value of the land at the time it was given to the railroads. The railroads received approximately 131,000,000 acres, which at the AAR's figure of $125 million is 95 cents per acre. However, the AAR admits that, as soon as the Land Grant Act was passed, the land was selling for $2.50 per acre. It is only reasonable that the original value of the land to the railroads be computed as of the date that the railroad lines were actually built thereon, for the immediate enhancement of land values as a result of railroad construction was a basic contemplation of the program. Accordingly, the 131,000,000 acres were worth $327,500,000 at the time they were acquired by the railroads, rather than the $125,000,000 claimed by the AAR. Second, the railroads were in effect given over 80 years to repay the Government for the land. Hence it is only fair to include an interest factor. If interest at 6 percent on the unpaid balance over the 80 years is included, it seems likely that the railroads owed the Government a sum in excess of what was actually repaid. And a major portion of the reduced rate "repayments" were deferred until the railroads could best afford it—during the boom traffic years of World War II.

Finally, the AAR makes no mention of the enormous increase in the value of the land over the intervening years. Some of the land is now among our most fertile agricultural acreage. Other portions have yielded enormously valuable deposits of minerals and fuels. Were the proceeds received by the railroads from the lands they have sold over the years added to the present value of the lands they have retained and to interest owed over the 80-year period, I am confident that the total would greatly exceed what the railroads "repaid" through reduced rates to the Government.

In return for their still substantial monopoly position, protected by law, and for the generous Government assistance given them at the time they were built, the railroads have an obligation to the public to perform some services that are useful, such as passenger service, even though they may operate at a loss. As the late Justice Frankfurter once put it:

> Unlike a department store or a grocery, a railroad cannot discontinue a particular service to the public because an item of its business has become unprofitable.

The factors that must be evaluated in each case are whether the value to the public of such rail service is sufficient to justify the imposition of the loss incurred in providing it, with relation to the overall financial condition of the railroad.

The railroads, however, do not stop with rejection of their common carrier obligations to serve the public. In its attempt to gain public sympathy and support for their program of passenger service discontinuance, the AAR has engaged in gross distortions and misrepresentations of their alleged financial loss on passenger service. The pamphlet says:

> "In spite of severe passenger deficits each year, our railroads manage to operate at a slight profit. However, their average rate of return on net investment is the lowest among the nation's major industries. Last year's passenger losses were more than $480 million and the overall rate of return a meager 2.46 percent.
>
> The passenger deficit, coupled with a sharp increase in operating expenses, forced the railroads to cut back heavily on expenditures for badly needed capital improvements.
>
> Since the end of World War II the losses on passenger service have averaged more than $525 million a year.
>
> * * * * *
>
> If railroads were still running as many trains as they ran in 1957, the passenger deficit last year would have been about $1.5 billion—substantially more than the industry's net operating income of $1,161 million from freight service.
>
> * * * * *
>
> In the last 10 years (the railroads) have spent $11.5 billion of their own money on (modernization)—and they could well use the additional millions of dollars which go down the drain on passenger services each year to further this investment in your future.

The clear and unambiguous thrust of these statements is that the net profit of the railroads, before Federal income tax, would have been $484 million higher in 1967 were no passenger service operated, or to put it another way, the railroads would have had an additional $484 million available for improvements and modernization of freight service. In other words, the AAR is saying that the huge loss figures represent the "avoidable loss" on passenger service—the amount that would be saved each year were passenger service discontinued. As I will demonstrate, this is a wild and deliberate distortion of the truth.

The $484 million "passenger deficit" figure for 1967 is computed in accordance with the so-called separation rules or fully allocated cost formula of the Interstate Commerce Commission. This formula is designed to make an arbitrary allocation of "common" or "overhead" expenses between freight and passenger services for purposes of ratemaking. The Commission itself has made clear that the results produced by this formula have no relation to the amount that would be saved upon discontinuance of passenger service. At the end of the separation rules as they appear in the Code of Federal Regulations (49 CFR 121) appears the following:

> NOTE B.—The total distribution to freight service or passenger service derived under the foregoing rules for separation consists of the solely related or directly assignable amounts plus an apportionment of the common on a service or use basis. Inasmuch as the amounts assigned and/or apportioned to the freight and passenger services, respectively, are based on the performance of both services, *the operating expenses, taxes, equipment and joint facility rents assigned and/or apportioned to either service may not represent the amounts that could be eliminated it either service were discontinued."* (Emphasis supplied.)

In *Railway Passenger Train Deficit*, 306 ICC 417 (1959), the Commission stated as follows at page 427:

> *The separation rules do not reflect, nor are* they intended to provide, the cost of operating individual trains, *they are not intended to determine the expenses which would be avoided if all passenger services were discontinued;* and they are not intended to measure the elusive "out-of-pocket costs."

In the early and middle fifties, when the "fully allocated" passenger deficits were running at a substantially higher rate than at present, the figures were explicitly repudiated by a member of the Commission. Commissioner Richard F. Mitchell in a public address in November 1954 stated:

> According to our figures the railroads lost approximately $700 million last year (1953) in the operation of passenger trains. Frankly, I do not agree with our figures. I think we have overstated the deficit to some extent, *so I have cut it $200 million* and call it a $500 million red figure.

In another address in June 1955, Commissioner Mitchell said he did not think that the 1954 deficit was as great as the $669 million indicated by the Commission's formula, and that "the formula should be changed and perhaps a nearer figure would be $400 million."

In October 1966, former Chairman William H. Tucker of the ICC commented as follows:

> The first thing to make clear and to emphasize in any discussion of passenger deficit is that it is not a measure of operating costs that would be eliminated upon elimination of passenger service itself. . . . To some degree, at least, passenger service as performed by many railroads may have become a byproduct of the freight service, rather than the "common" product assumed by the Commission's accounting rules for allocating common costs. An appropriate change in the rules may therefore be justified at this time.

Speaking in March of this year in Centerville, Iowa, Chairman Paul J. Tierney of the ICC could not have been more explicit:

> Too much weight has been given to quoting *"official passenger deficits"* as a barometer of the cost of providing public rail transportation. During the fifties, the deficit averaged well over $600 million annually. With the shrinking of rail service in the present decade, deficits have declined to $400 million. While the "passenger deficits" *represent an accounting apportionment of all passenger costs, they do not represent a* valid yardstick of the lack of profitability in rail passenger service. The deficits include costs for facilities that are used jointly by both passenger and freight service such as roadbed maintenance. But the elimination of passenger service would not remove certain *portions of these joint costs* now allocated to passenger service; for example, about the same level of track maintenance will still be required by the carriers even if passenger trains are eliminated.
>
> While today's losses from passenger operations should not be minimized, they are no*where near the $400 million* deficit derived by the accounting procedures designed for ratemaking.
>
> Savings attributable to the cessation of passenger service in discontinuance cases, which becomes the degree of financial burden when considered in light of the carriers' over-all financial posture, is deter*mined by the costs that actually will be* avoided. Thus, the Commission excludes such items as track maintenance costs and arrives at a total that is normally considerably lower than what would be derived by applying the passenger deficit accounting approach.

In his recent landmark report on the Southern Pacific's downgrading of service on the *Sunset* between New Orleans and Los Angeles, ICC Examiner John S. Messer recommends that the "fully allocated" formula be scrapped and a more *realistic approach used to compute* passenger service financial results.

Available figures for individual railroads also indicate that the "formula" figures overstate the actual avoidable loss. The Baltimore & Ohio, the Read*ing*, and the *Canadian National* have publicly stated what their "avoidable loss" is:

Railroad	Year	ICC formula loss	Avoidable loss	Avoidable percent of ICC loss
B. & O.	1963	$11, 900, 000	$3, 400, 000	28
RDG	1963	5, 800, 000	3, 200, 000	55
CNR	1965	46, 500, 000	9, 200, 000	20

In a number of instances in recent years, railroads have petitioned the ICC for discontinuance of all their passenger service, in the course of which proceedings "avoidable loss" figures have been computed for such service. For example:

Railroad	Year	ICC formula loss	Avoidable loss	Avoidable percent of ICC loss
Frisco	1963	$6, 700, 000	$1, 600, 000–$3, 000, 000	24–45
Lehigh Valley	1958	4, 100, 000	2, 400, 000	59
M-K-T	1964	3, 000, 000	1, 100, 000	37
CGW	1964	300, 000	200, 000	67
WP	1965	2, 700, 000	600, 000–1, 200, 000	22–44
Monon	1965	600, 000	200, 000	33
	1966	700, 000	300, 000	43
KCS-L. & A.	1965	3, 800, 000	1, 900, 000	50
	1966	4, 200, 000	2, 100, 000	50

Before 1956, it was apparently the general opinion of railroad management itself that "real" or "avoidable" losses on passenger service were substantially overstated by the formula, if they existed at all. In 1955, John W. Barriger, now president of the Missouri-Kansas-Texas Railroad, stated that "elimination of all passenger trains would probably shrink revenues more than it would reduce expenses."

In June of the same year, Vice President W. W. Patchell of the Pennsylvania Railroad alleged that "we cannot even consider the possibility of going out of the passenger business because we would lose more than we would save."

In 1956, John M. Budd, president of the Great Northern Railway, commented:

> How much total expense might be eliminated is difficult to estimate for all Class I railroads but it would be very much closer to 100 million dollars than to 670 million. Fifty-two per cent of the resultant savings would go to the Federal Government in income tax, while the remainder—if retained for the owners—would increase the now meager return on investment by only one-tenth of one per cent.

In accordance with this apparent industrywide sentiment, the Association of American Railroads in 1955 recommended to the Hoover Commission Task Force on Paper Work Management that the "formula" be abolished. It argued that the railroads would save $270,000 a year in accounting expenses and that the information produced by the formula was of questionable value.

By 1958, the association had made an extraordinary about face on this issue. In 1956, the ICC instituted a comprehensive investigation of rail passenger service financial problems. Among the subjects covered was accounting. In direct contradiction to what they had told the Hoover Commission in 1955, the railroads told the ICC that the formula results in "substantially accurate and useful data" and should be retained. The Commission acquiesced in their desires.

The AAR and the railroad industry have never explained this switch in position, nor to my knowledge have they ever been asked to do so by the ICC or other Government agency. But on the basis of subsequent events we can make a reasonably educated guess. In 1956, the dominant forces in the industry—the Pennsylvania, the New York Central, and Southern Pacific—concluded that passenger service was in fact losing real money and that there was no hope of improvement short of total abandonment. But in order to accomplish this goal, the railroads needed to gain public support. And it is here that I am convinced that the industry suddenly realized that the large "formula" deficit figures could be used with devastating effect to deceive the public into believing that passenger service was forcing the railroads into insolvency, and therefore the industry had no choice but to abandon it.

In recent years, the formula figures have been repeatedly cited by the railroads in support of discontinuance applications and to back up their general contention that the future of passenger service is hopeless. In virtually every instance, the context in which the figures are used is such that the listener gets the clear impression that they represent the amount that will be saved if the service is discontinued. The public is thus discouraged from opposing discontinuance applications and suggesting constructive solutions to save the services, while shippers are frightened into believing that the huge formula deficits are being made up by higher freight rates, and thus are encouraged to support the discontinuance. The AAR pamphlet is the latest example of this railroad propaganda campaign.

What is happening, then, is that the railroad industry is resorting to fraudulent misrepresentations of its financial data to increase its profits at the expense of the public. That any industry as vital as the railroads is engaging in this type of conduct should be a matter of grave concern for this body. Indeed, were the statements in the AAR pamphlet made by a railroad executive with reference to the financial results of his own railroad, he quite likely would be subject to criminal prosecution under the section of the Interstate Commerce Act prohibiting any falsification of books, records, financial data, and so forth.

A couple of weeks ago, the Santa Fe Railroad issued a prospectus concerning its proposed exchange of common stock for new stock in Santa Fe Industries, Inc., a holding company it has formed to facilitate corporate "diversification." With reference to passenger service, this document states:

> The passenger train deficit in 1967 for all Railway's passenger trains was $47,978,875 as reported under the accounting formula prescribed by the Interstate Commerce Commission which charges passenger service with a proportion of costs for overhead, maintenance, taxes and other items. It does not represent what would be savable if there were no passenger trains at all.

Clearly, this is quite different from what the AAR would have us believe. The only possible explanation is that the Santa Fe prospectus, unlike the AAR pamphlet, is subject to the very strict laws and regulations of the Securities and Exchange Commission which prohibit any kind of misrepresentation, distortion, or misleading omission. And so I ask, is not the traveling public entitled to the same degree of honest dealing from the railroads as are prospective security purchasers?

Mr. President, we should demand that the railroads henceforth be scrupulously honest with the public in any statements that they may make regarding their finances. I ask that the Interstate Commerce Commission take immediate steps to enforce this obligation. And I ask the Commission to require all railroads as a matter of course to report annually their passenger service financial results on an "avoidable" cost basis. Only then will we have meaningful information to assist us in formulating national policy on rail passenger service.

DEATH OF HON. ROSS COLLINS

Mr. STENNIS. Mr. President, Mississippians have been deeply saddened by the death of Hon. Ross Collins, a distinguished citizen and a former Member of the U.S. House of Representatives.

For more than 20 years he was one of the Nation's most active and effective Representatives in Congress. Had he remained in the House, he would have advanced many years ago to the chairmanship of the Committee on Appropriations. His service to Mississippi and the Nation will remain as a high mark in statesmanship.

Although it has been more than 2 decades since he served in the House, the effect of his work is still being felt in many departments of the Government, including the Department of Defense. Mississippians still reap the benefit of his wisdom and endless energy which he applied so well in behalf of not only his immediate constituents but also for the benefit of the entire State.

His counsel and advice have been very helpful to me as a Senator, and I greatly cherished his personal friendship as a man, and as a fellow Mississippian.

Present Members of each body who served with him all recall his tireless energy, his dedication to duty and his foresight as a longtime Member of the Congress.

We have lost a stanch and valuable citizen who will always be remembered as a faithful servant of his fellow man. Although grieved by his death, his many friends and relatives can find assurance in the knowledge that his life was spent in faithful service to his community, State, and Nation and that many persons throughout the Nation join in grieving the loss of this public servant.

THE POSTAL BUDGET

Mr. HOLLINGS. Mr. President, the postal budget that was approved by Congress recently was $169 million lower than the Post Office Department requested. This was by far the biggest reduction in a Postal budget in history.

Postmaster General Watson has pledged that he will do everything possible to operate within the bounds of this reduced budget without making any significant cutbacks in mail delivery service. I know I am not the only Member of Congress who welcomed this attitude on the part of our very able Postmaster General. I do not believe there are many Senators who want to see postal service cut back, especially not right after the users of the mails have been hit with a substantial rate increase.

I do not think there are many Senators who want to see Saturday mail delivery eliminated.

I do not think there are many Senators who want to see rural mail service decimated.

I do not think there are many Senators who want to see window service eliminated on Saturday.

Yet Postmaster General Watson has already taken some of these actions, and he is contemplating others. It is not that the Postmaster General has found it impossible to live within his Department's budget without cutting service.

He simply does not have the manpower to continue present services. He does not have that manpower because under the provisions of the tax bill the Post Office must cut its workforce to the level of June 1966.

Giving the Post Office the manpower it needs to do its job will not increase the Postal budget. And denying the Department the employees it requires will not reduce the Postal budget.

Mail volume is increasing steadily, and since the Postal service has no control over mail volume—and thus no control over its workload—it should be exempt from the employment limitation in the new tax law.

A LIQUOR LICENSE AT 400 FIRST STREET SE.

Mr. METCALF. Mr. President, the other night I received a call from a neighbor informing me that a liquor license was apt to be issued at 400 First Street SE., a block from my home. The proposed site for the license was, not too long ago, a grocery store in what still is a residential neighborhood. I decided that I would lodge a protest against approval of the license. The reason was simple. There are in existence a bar at the Congressional Hotel and numerous bars within a couple of blocks; and on the street where the liquor license would be issued are two retail liquor stores. So I felt strongly that a combination restaurant and bar was not only undesirable but unnecessary as well. Parking is at a premium on this street and facilities for serving customers are nonexistent.

The ABC Board was called, and I was informed that it was too late to file a formal petition of protest since they were about to end business for the day, and protest petitions had to be filed on a special form that could be obtained only from the District Building. I was also informed that the last day to file such a petition was July 12, the day the Board was called. The only thing that I can do now is to file a letter of protest, with no assurance as to what weight will be given to a mere letter. I was also informed that a hearing would be held on July 17, if I wanted to trot over to the District Building.

The purpose of all this is to put other Senators on notices that they should peer in the windows of all vacant buildings in their neighborhoods on both sides of the street and read the legal notices in the newspapers faithfully unless they want to wake up one morning to find that they have approved by nonaction a business activity in their neighborhood that they would have normally protested.

SUPER-SURTAX

Mr. PROXMIRE. Mr. President, prior to the passage of the recently enacted tax-expenditure legislation, many voices, among them my own, were raised in concern over the potential "overkill" aspects of that measure. It seemed that such actions would represent an exceptionally strong dose of medicine to prescribe for our economic ills. An article published in the Washington Post of July 12 describes another spinoff from these fiscal measures, a secondary impact which adds to that directly resulting from the legislation itself, while partially contradicting the purpose of the legislation.

The article notes the likelihood that many utility companies will attempt to pass on to the consumer the burden of increased costs resulting from the surcharge. Thus, the consumer will, in effect, be losing purchasing power above and beyond the basic 10-percent surcharge as prices of utility services rise, the price increases themselves being a contradiction of the initial purpose of the restrictive policy. It is quite probable that other semimonopolistic and monopolistic industries will follow the same pattern, with rising prices constituting a supersurtax on the consumer.

Mr. President, I ask unanimous consent that the article be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

UTILITY BILLS MAY RISE IN WAKE OF SURCHARGE

The new 10 percent income tax surcharge may cost some Americans more than 10 percent by the time they pay their utility bill, regulatory spokesmen said yesterday.

Paul Rogers, General counsel of the National Association of Regulatory Utility Commissions, said if state commissions can prevent utility companies from passing on their increased tax costs to consumers, they will.

"These burdens are not passed along automatically," Rogers said. "They'll have to apply for permission."

"But of course the surcharge is not likely to hold down utility rates," he added.

"It all depends on the earnings of each utility company in the Nation," he said. "Many utilities can simply absorb this tax increase—their earnings will still be good enough to absorb it. "But if their earnings fall below a reasonable level, they'll have to raise their rates."

A spokesman for the Federal Power Commission said its tendency has been to approve tax-prompted rate increases on wholesale transactions in the two utilities under its jurisdiction—electricity and natural gas.

Surcharges could be passed on—if the FPC approves—from electric companies to distributing companies and from electric companies to each other before sales to the customer.

"If the FPC does approve such wholesale rate increases," said Rogers, "it would make it doubly difficult for state commissions to block consumer rate increases."

But Rogers added that there is nothing unusual about the consumer paying higher rates to compensate a utility for tax increases. "Income tax is already dealt with that way" he said, "This wouldn't be any different."

Already, the Southern Bell Telephone Co. in Florida has decided to pass the surtax on to consumers. The Florida Public Service Commission has approved a 2.8 per cent increase or 16 cents on a bill of $5.80. Also, the Florida Power and Light Co. upped its bills 3 per cent last week.

GUN CONTROL LEGISLATION

Mr. BAKER. Mr. President, for the past several weeks I have given serious consideration to the continuing national debate on the gun control issue. This issue has stirred more emotional reaction than any other since I took office.

Those who oppose any form of gun control legislation contend, in part at least, that the real remedy for correcting the problem lies in the conscience of man and that no gun law can be effective to deter violent criminal acts. While I would concur that the true remedy does lie in the conscience of man, I cannot accept the thought that no law can be effective in this area. For to say that no law can be effective is to admit the ineffectiveness of Government, and I, for one, am not prepared to make that admission.

The question with which the Senate is confronted is which, if any, of the various gun proposals would be effective to accomplish the legitimate objective of deterring violent acts of crime.

Several major bills are now pending in the Committee on the Judiciary on gun legislation, and the prospects are that, regardless of the bill or bills reported a number of amendments will be offered from the floor of the Senate. Therefore, in general terms I wish to express my views and sentiments in this matter.

I oppose any measure calling for an involved scheme of licensing and registration. I particularly object to a licensing provision coupled with a licensing tax or with the authority of the Federal Government to decide, except in extraordinary circumstances, whether a person is entitled to own or purchase firearms. I am afraid that the trend might be to tax such a license progressively to the point where it becomes impossible or impracticable for an ordinary citizen to own firearms.

In my view, registration and licensing proposals are best left to the consideration of the individual and several States. Clearly, the situation is different in Tennessee than it is in New York or Detroit, and quite different in Arizona than it is in Los Angeles. In this field, I think the flexibility inherent in the Federal system is uniquely valuable. If the State of New York or California chooses to require licensing on a reasonable basis or registration on a similar basis, I would have no objection. But I do not think it should be the subject of Federal legislation, thereby precluding the right of each State to make its own determination according to its own situation and in keeping with its own convictions.

On the other hand, I believe that a proposal for the ban of mail-order sales of all weapons is not objectionable. I would support a reasonable measure for this purpose on the theory that the personal confrontation by the purchaser and the seller in itself would eliminate gross abuse of the privilege to own and keep firearms.

I think a reasonable measure regulating the interstate sale of firearms is essential if the States, individually and according to their own determination, are to pass and effectively enforce their own gun laws. For instance, it would be foolhardy to have the Commonwealth of Kentucky choose to adopt a licensing or registration statute and then permit the circumvention of that statute by mail-order sales from Pennsylvania. Therefore, I think there is considerable merit in a reasonable measure in this field of interstate sale of firearms.

The argument is often made that gun control legislation is likely to produce observance by the lawful citizenry and flagrant violation by those who intend to commit criminal acts of violence. A suggestion has recently been made that much could be done to prevent this situation by State and Federal statutory enactments requiring a mandatory jail sentence in the case of crimes committed with the unlawful use of firearms. Such a proposal might well have a greater deterrent effect on the criminal element than registration or licensing; and after all, it is the unlawful use of guns rather than firearms themselves that should be regulated and controlled.

LEWIS ODOM TO LEAVE COMMITTEE ON BANKING AND CURRENCY

Mr. PROXMIRE. Mr. President, one of the most able and dedicated staff members of the U.S. Senate, Mr. Lewis G. Odom, Jr., has recently announced his intention to resign as Staff Director and General Counsel of the Committee on Banking and Currency at the end of this session. I know every member of the committee shares with me a deep regret to see Lew Odom leave the committee and return to his home State of Alabama to practice law in Montgomery, Ala. His expert advice and counsel will be sorely missed by the members of the Committee on Banking and Currency, which he so ably served.

Lew Odom has had a long and distinguished career in the U.S. Senate. In August of 1955 he became the chief counsel for the Small Business Committee and in July of 1956, he served as executive secretary to the distinguished Senator from Alabama [Mr. SPARKMAN]. In January of 1961 he became Administrative Assistant to Senator SPARKMAN; and in addition, he also served as Staff Director and General Counsel of the Small Business Committee beginning in August of 1961. He held down both jobs until January of 1967, when he assumed his present job of Staff Director and General Counsel of the Committee on Banking and Currency.

Mr. President, it would be possible to fill several pages of the RECORD in praise of Mr. Odom's abilities. But I believe the best testimony to his contribution to public service can be shown by the record of constructive legislation reported by the Committee on Banking and Currency over the last 2 years. Under the able leadership of its chairman, Senator JOHN SPARKMAN, and the expert assistance of Lew Odom, the committee has had two of the most productive years of its history. The actions taken by the committee include:

A milestone housing bill which embarks upon a 10-year program for eradicating all slum housing;

A comprehensive and workable truth-in-lending bill;

A major revision to our mutual fund legislation;

Stronger regulatory safeguards with respect to savings and loan holding companies;

More protection of public insurance funds in the case of savings and loan associations placed in receivership;

Increased protective measures to forestall bank robberies;

Increased competition in municipal bonds by permitting revenue bonds to be underwritten by banks;

Additional consumer protection in the area of interstate land sales;

A new program of national flood insurance;

A new program of Federal reinsurance for riot stricken areas;

A modernization and updating of our credit union laws;

The repeal of the gold cover requirement against Federal Reserve notes in order to defend the dollar; and,

Additional disclosure safeguards in connection with corporate takeovers.

Mr. President, in my 10 years of service on the Committee on Banking and Currency, I cannot recall a more productive or more active year for the committee. Much of the credit must go to the skillful staff work of Lew Odom. A committee staff director has perhaps one of the most difficult jobs in Washington.

In the case of the Banking and Currency Committee, he must work for 14 Senators having sometimes widely differing political views. He must be able to handle an incredibly wide variety of subjects ranging from the intricacies of international finance to the complexities of securities law. Lew Odom was able to handle his difficult assignment with extraordinary competence and ability.

I know that all of the members of the committee will wish to join me in wishing Lew Odom well on his decision to enter private law practice. Although we hate to see him leave, we wish him all possible success.

PRESIDENT JOHNSON STRESSES EDUCATION NEEDS IN CENTRAL AMERICA

Mr. MONTOYA. Mr. President, during President Johnson's recent successful good will trip to Central America, a worldwide first was scored in the all-important field of education for development.

I refer to the program inaugurated by El Salvador with a substantial boost from the United States through a $1.9 million AID Alliance for Progress loan to establish the world's first pilot all-nation instructional television system.

We all know of the President's special interest in education, and in television as a means of spreading the benefits of increased knowledge on all levels to the developing areas of the world.

In his remarks in San Salvador, President Johnson spoke in glowing terms of the role of education in binding together the destinies of peoples and regions. He said that education will mirror the new patriotism which "leaps over boundaries and joins hands and creates a strong, dignified present, laying the groundwork for a just tomorrow."

President Johnson emphasized his extreme pleasure over the fact that El Salvador would be the first nation in all the world with a complete educational television system. He assured his audience that he was going to do everthing he could to see that the fruits of technology in this great new technique of television are brought to the homes of all the people of all the world.

Growing democracies such as the five republics of Central America cannot hope for progressive change unless their people can break the development barrier through the printed word. Peace and cooperation between nations cannot be secured unless the great masses of men learn to reason together and appreciate the values of cultures besides their own.

Central America has already made great strides in education. Much of the progress can be traced directly to timely assistance from the United States through the Agency for International Development. The AID experts who man our assistance programs in the Regional Office for Central America and Panama—ROCAP—deserve a great deal of credit for their contributions toward improving the lives of the people of Central America. But only the self-help efforts of these pople can win them the ultimate victory over illiteracy, hunger, and disease.

In the 7 years of the Alliance, joint efforts have culminated in the publication and distribution of 8.7 million textbooks for the schools of Central America. Likewise a quarter of a million teaching guides have put new ideas and methods into the hands of the region's educators.

But the normal schools cannot keep up with the needs of the area's burgeoning population. And so we are especially elated over the planned use of educational television there. This innovation, combined with other U.S.-supported programs such as regional centers of higher learning that draw on the talents of each country and microfilm libraries for rapid availability of knowledge will help overcome the obstacles that have impeded progress for centuries.

We are all looking with great anticipation to the day when all Latin America will be joined together in a great regional common market.

We know this key Alliance objective will take years to achieve. But in the meantime, let us rejoice at the great strides made in such subregional groups as the Central American Common Market.

This five-nation group has worked miracles in the short 7-year span of the Alliance, increasing intraregional trade from $31 million to about a quarter of a billion dollars.

This mammoth effort and the subregional group of six Andean nations, together with the building up of multinational infrastructure works—such as roads, ports and telecommunications for physical integration constitute the central pillars for ultimate Latin American progress through economic integration.

This great dream of regional development will come true and benefit the people only if the social benefits of increased education, health, and decent living help force a solid middle-class to support it.

We have created a great nation through a system of regional cooperation of States within a federal framework. In like fashion our good neighbors in Latin America—with our help—can forge a new, better tomorrow by working shoulder-to-shoulder in pursuit of common goals.

Seven years ago we pledged our support

to these ideals in the historic Charter of Punta del Este. Let us stand back of our pledge to the utmost of our capabilities and firmly maintain our continued support for the Alliance for Progress as it effects a peaceful revolution in the minds and lives of our fellow Americans in Central and South America.

CHAIRMAN DODD OF SPECIAL SUBCOMMITTEE ON HUMAN RIGHTS CITES GENOCIDE AND STARVATION IN BIAFRA

Mr. PROXMIRE. Mr. President, the senior Senator from Connecticut [Mr. Dodd] has spoken out on the Nigeria-Biafra tragedy and has asked for immediate, emergency action by the United Nations Security Council. Senator Dodd is not only a member of the Committee on Foreign Relations but was Chairman of the Special Subcommittee on Human Rights. This is the same subcommittee that reported favorably the Conventions on the Political Rights of Women, the Convention on Forced Labor and the Supplementary Slavery Convention. Only the Slavery Convention has been ratified by the Senate and it merely follows up Senate ratification of the Slavery Treaty during the Hoover administration.

Senator Dodd spoke last Friday—page 20972 of the Congressional Record—and placed in the Record articles and letters that show beyond a shadow of a doubt that there now exists in Nigeria-Biafra conditions that no man worthy of the name can contemplate without horror and shame. Thousands die every day. Pestilence and famine, war and death gallop across this land of tragedy. And, indeed, it is a land of tragedy not only for those who are crushed under the hooves of these apocalyptic horsemen. This is land of tragedy for all men. This is a time of tragedy for all men. And yet it is a time of opportunity for all men.

Mr. President, relief is being sent in the form of food and medicines. Efforts are being made to convince both sides of the self-defeating nature of what they are doing: Creating in both regions and between tribes and religions and peoples of differing political persuasions a hatred that will be very difficult to erase. The United States has sent aid to the starving from both private and public sources. Senator Dodd and I, and others, saw that the United Nations take immediate action based on Security Council decisions. Pope Paul VI, after receiving reports of two papal delegates on the scene, has sent aid to the starving, and has issued a condemnation of almost unprecedented severity against this unbelievable inhumanity of brother to brother.

Yet, while Nigeria is only a few hours jet flight from Washington, genocide again rears its loathesome head, the Senate still refuses to ratify the Genocide Convention and other human rights conventions. "Genocide" is an ugly word, but its verbal unpleasantness palls beside the sickening pictures that the national magazines have carried in the past several weeks. "Genocide" sounds almost polite except when reading of the murders of the wounded and maimed. "Genocide" sounds almost respectable except when one realizes that right now thousands of innocent women and children are dying from starvation.

What in God's name, Mr. President, does it take to move the Senate to do no more than to ratify these conventions and place the United States formally on record concerning the Genocide Convention and the other international guarantees of human rights?

The United Nations has been asked to act. But what would the United Nations have been able to do had the United States, years and years ago, taken the steps that would perhaps have provided the international mechanism for the prevention of exactly what every man now has before his eyes.

The time has come for the United States to reorder our most basic priorities and place the sacredness of the individual and his rights first. A reordering of these basic priorities will do more to facilitate the reordering of our material priorities than any other means.

Mr. President, I hesitate to say it, but say it I must: There is responsibility here, and we all share it. Let us now act and act soon, to ratify these pending Human Rights Conventions, including the Convention on Genocide.

The United States is well able to take care of its reputation and security. An investigation of any situation in the world will vindicate us of any spurious charges brought by our adversaries. But others now need our protection. Ratify the Human Rights Conventions now so that we will not be required to sit by and let millions die in the future because of concern for our image.

HOW TO SAVE BILLIONS OF TAX DOLLARS

Mr. PEARSON. Mr. President, the cost of Government has become truly enormous. The fiscal 1969 budget, for example, will have the Federal bureaucracy spending $19.9 million every hour of every day of the year. The exercise of public administration has not only become more expensive it has also become vastly more complex and many feel—needlessly confusing. For example, 18 separate agencies are conducting programs to improve the natural environment while eight cabinet departments and 12 different agencies are involved in health.

The latest estimates indicate that 150 separate departments, agencies, bureaus, and so forth in Washington, plus over 400 regional and area field offices, are handling programs for local government agencies through 459 separate channels.

Mr. President, a few weeks ago the distinguished Senator from Connecticut [Mr. Ribicoff] and I introduced a bill—S. 3640—to help reduce these heavy expenses where possible and to bring greater efficiency and clarity to the organization and conduct of public business. This bill, which is now sponsored by 61 Senators, is the product of extensive hearings on our two original proposals—S. 47 and S. 2116—and is patterned on the legislation establishing the first two Hoover Commissions.

The July 1968 issue of Nation's Business contains a thoroughgoing article on the need for Executive reform which probes in some detail many of the problems raised by the enormous growth our Government has sustained in the 13 years since the last Hoover Commission submitted its report.

Mr. President, I ask unanimous consent that the article be printed in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

[From Nation's Business, July 1968]

HOW TO SAVE BILLIONS IN TAX DOLLARS

"The time is ripe for a general overhauling, for going through the government with a fine-tooth comb and for casting some light into all the many dark places."

With these words the Senate Committee on Expenditures in the Executive Departments 21 years ago helped launch the historic Hoover Commission (headed by former President Herbert Hoover) which conducted a sweeping study of the federal government resulting in savings of billions of taxpayer dollars.

The time is even more ripe today, many believe, to delve into evidence of government waste, overlapping and duplication.

Since 1955—when a second Hoover Commission made its final report to the people—the federal budget has doubled and domestic spending alone has skyrocketed 170 per cent.

The fiscal 1969 federal budget of $186 billion means that we will soon be spending $19.9 million every hour of every day.

An effort has been underway in Congress to create a new Hoover-type Commission. This has been greatly intensified in the current session of Congress and might have succeeded with a little push from the White House.

Congressional support for the proposal is now so broad that legislation for a new Hoover Commission could clear the Ninety-first Congress opening in January. In fact, there is a strong likelihood that both Republican and Democratic nominees—whoever they may be—will come out for some form of a wide-ranging study of the government's operations.

The government has become so vast, so complex, it is difficult even for experts to determine what agency is doing what, for whom and what it costs.

TOO MANY COOKS

At last count, 150 separate departments, agencies, bureaus and boards in Washington—plus over 400 regional and area field offices—were piping programs to states, cities and individuals through 459 separate channels.

This is the count of Sen. Abraham Ribicoff, chairman of the Senate Subcommittee on Executive Reorganization and author of one of many bills calling for a new study of the executive branch of the government.

Few people realize that overlapping government now has:

Eight Cabinet departments and 12 agencies involved in health.

Eighteen separate agencies conducting programs to improve the natural environment.

Eight departments and four agencies operating major credit programs which strongly affect monetary policy.

Ten agencies in three departments managing manpower programs.

"We spend so much time responding to crises that we are unable to anticipate situations before they reach crisis proportions," says Sen. Ribicoff. "Thus, the net result of our massive federal effort in recent years seems to be an instrument of national policy that is unplanned, uncoordinated, unmanaged, and—if these trends continue—unworkable."

The government operates in a sea of paper work. Everything is committed to paper, be it memo, letter, directive, order, documents of all sorts. Several years ago it was disclosed that Washington's major export was scrap paper.

The Archivist of the United States reports that paper work alone costs about seven per cent of the federal administrative budget, or a total of $9.5 billion last year. The average cost of a letter in the executive branch has risen to $2.44, while one page of a directive costs $300.

Former General Services Administrator Lawson Knott, landlord for the government, has testified:

"During the past eight years we have had to accommodate 6,000 additional employees in the Washington area every year. That is the equivalent of about a 900,000 or one million square-foot building every year."

MANY GRIPES ABOUT BIGNESS

Complaints of big government pour into Washington, from businessmen and private citizens alike. It is a continuing complaint in Congress. Major Congressional committees spend much of their time trying to eliminate waste and duplication. All too often when they correct one situation several new ones crop up someplace else.

The complaints come even from high within government itself. Under Secretary of Commerce Howard J. Samuels comments:

"Just as the problems of business have grown enormously in their complexity, so have the problems of government. Business has learned very well how to cope with the new complexities—but government, I'm afraid, has not learned so well. No business today tries to operate by the business methods of even 10 years ago. But government is still trying to run with the methods and structures of 50 years ago. We are suffering from horse-and-buggy government in a supersonic age."

Approximately 60 agencies report directly to the President in addition to 12 cabinet level departments. Such a number, it has been pointed out, far exceeds any reasonable span of executive control.

There are more than 260 federal poverty programs administered by 16 separate departments and agencies. Five agencies are involved in administering federal programs for community water supply, sewers and sewage treatment plants. Three separate programs cater to the treatment of deaf children and over 30 are involved in the training of teachers.

Also, 15 different federal departments and agencies administer 79 different training and education programs. And nine separate programs deal with job recruitment, while at least five subsidize on-the-job training projects.

Everything in Washington calls for a plan. If you want to build a multimillion-dollar dam in Arizona or a one-room school house in Appalachia, you must have a plan.

According to a list developed by the Bureau of the Budget—and this was almost two years ago—there were at least 93 programs, administered by 38 bureaus and offices in 13 departments and agencies which required some kind of planning. Of these 93 programs, 67 required state plans and 14 required project plans; 18 called for conformance with an area-wide comprehensive plan and 12 required conformance with an area-wide functional plan.

If Washington is submerged in paper work, it is drowning in committees. There are literally hundreds of interagency coordinating councils, committees, task forces and agreements of varying size, membership, importance and effectiveness.

It is surprising that any Cabinet member ever gets around to the important tasks of decision and policy making. Take, as only one example, the Secretary of Health, Education, and Welfare. He is chairman of six interagency groups, sits on 22 others and designates a representative to an additional six. To augment these 34 groups, the Office of Education is involved in 33 such activities, the Vocational Rehabilitation Administration in 26, and the Welfare Administration in 15—for an over-all departmental total of 108.

Rep. Charles McC. Mathias Jr., Maryland Republican, who has been joined by over 40 cosponsors in seeking some form of Hoover-type Commission investigation, points out:

"Some agencies are fat; others are thin. Some offices are weak; others are muscle-bound. Some are experimenting with the most advanced techniques of systems analysis and management; others have had to be dragged, kicking and screaming, into this decade.

"It is this very lack of uniformity, this absence of consistency or coherence, which has convinced me that managerial reforms, to be effective, must be broad and deep."

CAN'T TELL THE PLAYERS . . .

Pity the small town or community—to say nothing of the individual—who has to look to Washington for federal assistance. Even members of Congress are hard put to run down federal grants-in-aid to help their constituency. They are so numerous and well hidden that highly profitable enterprises have sprung up in Washington to ferret out these grants for a fee. Many large cities have established special offices in Washington with staffs doing nothing but tracking down Federal grants.

The Department of Health, Education and Welfare alone has published a 527-page "Catalog of Federal Programs for Individual and Community Development" containing brief synopses of the grants available. The poverty program's catalog runs to 701 pages. But the real whopper is the "Encyclopedia of U.S. Government Programs" totaling 1,010 pages and listing 8,000 government-aid items.

Since the last Hoover Commission report 13 years ago there have been not only monumental increases in spending and vast enlargement of the federal work force but widespread growth in new government activity.

Three new Cabinet-level departments have been added—HEW, Transportation and Housing and Urban Development. Also, numerous new executive and independent agencies such as NASA, Agency for International Development, Office of Equal Opportunity, the Peace Corps, to name only a few.

Former Budget Director Maurice H. Stans predicts government spending will more than double during the 1960's, regardless of Viet Nam. And he sees little likelihood of a balanced budget at any time in the foreseeable future. Mr. Stans, moreover, believes there is a strong possibility government spending will again double in the 1970's unless some major changes take place.

A good example of what can happen when the federal government, with its multiplicity of programs, descends on a city to help solve its urban problems occurred a while back in Oakland, Calif. In jig time seven different federal agencies were operating 140 different programs and this didn't even include welfare activity.

Among the businessmen who have appeared before the Ribicoff committee in support of a new Hoover-type Commission study was Edward R. Bagley, president of Bagley & Co., New Canaan, Conn. Testifying for the Chamber of Commerce of the United States, Mr. Bagley said:

"The exploding federal expenditures of the past three or four years, the huge public debt, mounting annual deficits, century-high interest rates, and the great proliferation of federal programs, all add up to a national crisis of frightening magnitude. The gravity of our fiscal posture cannot be overemphasized. The welfare of the American people is in serious danger. Congress must act and act now."

Mr. Bagley says if the government is unwilling to forego nonessential and postponable federal expenditures then answers should be found to these questions:

How long can the federal government continue to spend and borrow at the present rate?

How disastrous will it be if we continue the inflationary-breeding policy of excessive (deficit) federal spending?

How shall we restore international confidence in the dollar in the face of remarks by foreign bankers that the United States must dampen the boom through tighter money and higher taxes and cut government spending sufficiently to restore a balanced budget?

Rep. Thomas Curtis, Republican of Missouri, is worried that all levels of government—federal, state and local—are constantly expanding their interests and influence to the point they are intervening more and more in what should be the domain of private business. He says:

"Although at times government involvement in business may be necessary, bigness simply for the sake of bigness is wasteful and inefficient, when private enterprise, one of the institutions on which this nation was built, can perform the same services more efficiently and at lower cost."

Government at all levels, two generations ago, was employing—either directly or indirectly—five out of every 100 working people. But by 1965 that figure had jumped to 26 out of 100.

Sen. James B. Pearson, Rep.-Kansas, author of still another Hoover-type bill, says the benefits of such a study would far outweigh its cost to the taxpayer.

For instance, the first Commission investigation, began in 1947, was financed by a Congressional appropriation of $1,983,000. It was estimated later that the study resulted in savings of more than $7 billion, not to mention the social benefits that flowed from improved services.

Any study doubtless will focus attention on what many Congressmen and others regard as frivolous undertakings in the name of scientific investigation.

For example, in 1966 a book titled "Social Indicators" was published by the Bureau of Social Science Research. It contained a criticism of the FBI for exaggerating the national crime rate, a charge later vigorously denied by Director J. Edgar Hoover.

The $231,000 cost of this project was borne by the National Aeronautics and Space Administration. When a reporter asked why the space agency undertook such a subject so far removed from its designated mission the answer was that NASA felt the project would help give it an image of "social concern."

And then there was a research project conducted by the National Institute of Mental Health involving an in-depth study of 200 young married couples. Among the conclusions:

"Suppose two people's personalities fit together well. He is dominant and she is submissive. They both like pot roast and 'Peyton Place.' They will be good companions, a good team. On the other hand, it is at least possible that such a marriage will be merely dull."

Conley H. Dillon, professor of government and politics at the University of Maryland, says federal aid to state and local governments reached $14.6 billion last year. Over 92,000 governmental entities are involved in administering these complicated programs, he points out.

"With the federal grants-in-aid programs, supporting every aspect of state and local government," he says, "isolated reorganization of these units cannot be effective unless significant change is made in federal policies and administration."

Among the many advocates of a government study of some type is Chairman Wilbur Mills of the House Ways and Means Committee, an ardent believer in sound fiscal management in government. He favors a

Government Program Evaluation Commission.

Such a commission would make a broad study and evaluation of all existing federal programs (old and new) as well as of projected expansions of these programs.

Early this year the Advisory Commission on Intergovernmental Relations put in remarkably sharp focus the question of what all this boils down to when it reported:

"America's federal system is on trial today as never before in this century of crisis and change. Throughout the nation's history, a distinguishing feature of the federal system has been its remarkable capacity . . . to adapt to changing demands. But now the rate at which circumstances and demands shift and change is of a totally different magnitude and imposes a new dimension.

"Despite this new dimension, some policies and attitudes of the federal establishment continue more attuned to the problems and solutions of the Thirties and Forties than to the horizon of the Seventies and Eighties."

ACCOMMODATION WITH CHINA BY THAILAND

Mr. McGEE. Mr. President, from Bangkok, Columnist Carl T. Rowan wrote, in a column published in the Washington Sunday Star, that Thailand is eager to reach an accommodation with China. Rowan did not say that Thailand expected to reach such an accommodation, but that it sought one because of fears that the United States was slipping toward an isolationist policy which would greatly endanger the free nations of Asia.

Mr. Rowan's column, based, it appears, on considerable discussion with Thailand's Foreign Minister and our great ally, Thanat Khoman, should be an illuminating piece of journalism for all of us. I ask unanimous consent that it be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

WORRIED THAILAND NODS TOWARD CHINA

(By Carl T. Rowan)

BANGKOK, THAILAND.—Although deeply committed to and compromised by the war in Vietnam, Thailand is eager to reach an accommodation with Communist China.

Thailand would initiate efforts to get Red China into the United Nations and the various regional organizations of Southeast Asia if Peking would just express a willingness to work peacefully with the countries of this area, I was told by Thanat Khoman, Thailand's foreign minister.

While leading Thais have spoken before of a need for a regional peace arrangement with Red China, Thanat went further in expressing Thailand's willingness to take steps to placate China than any top official previously has done. Thailand has never recognized the Peking regime and has been diplomatically aloof for two decades.

The foreign minister's comments, in a lengthy interview, reveal much about Thailand's growing concern on three points.

First, the Thai government notes that it now faces serious Vietnam-type guerrilla uprisings not merely in the Northeast, but in three other areas. It believes that the support and direction of these insurgents flows directly from a hostile Chinese mainland.

Second, the Thais note growing American weariness with the war in Vietnam. Officials here fear that a settlement in Vietnam will enable the Communists to step up the "war of liberation" against Thailand. And the Thais have reason to doubt that, having escaped the Vietnam quagmire, the United States would undertake to defend Thailand militarily.

Third, Thai officials have seen not only in Vietnam but in their own country the huge amounts of manpower and resources that must be devoted to defense against a guerrilla uprising. They would rather avoid having to divert money and manpower into this kind of war.

All these factors are motivating Thailand to search for some kind of "peaceful coexistence" with Communist China.

Thailand is anything but neutral today. It is perhaps the staunchest Asian member of SEATO. Well over half of the bombing attacks on North Vietnam and on the infiltration routes in Laos are flown from Thai bases. Ten thousand more Thai combat troops are scheduled to go to Vietnam this year.

Yet, I got the impression that Thailand could easily move toward neutrality if Peking would drop its policy of unyielding belligerence.

"We are not anti-Communist, anti-Chinese, or anti-North Vietnamese," Thanat told me. "It is the other way around. They are anti-Thai, anti-Burmese, anti-Indian, anti-Indonesian. They are pressuring Ceylon, Nepal, even Cambodia."

The articulate foreign minister made it clear that Thailand wants a settlement of the Vietnam war—but "not a quick patchwork thing that will have to be done over again in six months or a year."

Thanat wants Vietnam peace arrangements to be a prelude to a general settlement for all Southeast Asia, with Communist China and the United States participating.

But Thanat clearly does not expect a positive response from the Chinese.

"Peking has made it clear that the Chinese don't intend to rest on their laurels in Southeast Asia," said Thanat, whose country has been publicly designated by Red China as the prime target after Vietnam.

So Thanat—and other Thais—are disturbed by what they consider growing tendencies toward isolation in the U.S.

"U.S. withdrawal from Southeast Asia into Fortress America will not stop the Chinese from going after you," Thanat said. "They are in a struggle to control the world, so the United States is their enemy, whether in Saigon or Kansas City."

The Thai foreign minister professes sadness over what he sees taking place in America.

"While the Soviet Union expands into the Mediterranean, the Middle East, the Indian Ocean, Americans talk of withdrawing from the world. I cannot understand people consciously deciding to make their country a third-rate power," he said.

Thanat is irritated at the notion that he is an incurable hawk on Vietnam and the general question of world communism.

"It's ridiculous to talk of hawks and doves," he says. "Those are tendentious cliches. It's a matter of peace and war, life and death for us, not a question of hawks and doves."

It would seem that, on the life and death matter of how to deal with Red China, Thanat and his Thai colleagues would like to hedge their bets.

DEDICATION OF MOHAMMAD REZA PAHLAVI BUILDING, UNIVERSITY OF CHICAGO

Mr. PERCY. Mr. President, I am pleased to ask unanimous consent to have printed in the RECORD the statements of His Imperial Majesty the Shah of Iran, Chancellor George Wells Beadle, of the University of Chicago, and Dr. William Polk, director of the Center for Middle Eastern Studies in the Adlai Stevenson Institute, on the occasion of the site dedication ceremonies for the Mohammad Reza Pahlavi Building at the University of Chicago in June 1968.

This building, made possible through the generosity of the Shah, will house the university's Center for Middle Eastern Studies and the Adlai Stevenson Institute of International Affairs.

As a graduate and trustee of the University of Chicago, I deeply appreciate this gift which will enable the university to make new contributions to the understanding of Middle Eastern civilizations and of United States-Middle Eastern relations.

There being no objection, the statements were ordered to be printed in the RECORD, as follows:

REMARKS EXCHANGED AT A SITE DEDICATION OF THE MOHAMMAD REZA PAHLAVI BUILDING AT THE UNIVERSITY OF CHICAGO, JUNE 15, 1968

Chancellor BEADLE. Your Imperial Majesty, Excellencies, distinguished guests, and colleagues, we are gathered here to dedicate the site of the Pahlavi Building, which has been made possible through the most generous gift of his Imperial Majesty Mohammad Reza Pahlavi the Shahanshah of Iran. His presence at this ceremony gives us an opportunity to express personally our appreciation for this magnificent gift. Ever since the University's founding, members of the faculty have studied the Middle East. We have today a community of scholars who have made major contributions to international and intercultural understanding in that most important area of the world. The Pahlavi Building will bring these scholars together in what we think will be the most comprehensive program of Middle Eastern studies in the Western Hemisphere.

I know his Majesty is well aware of the importance of such studies to better understanding among the people of the world. His far-sightedness will result in a facility which will have powerful educational and cultural implications. My colleagues and I wish to thank his Imperial Majesty, his government and his people for this most significant gift. It will stand as a symbol of the deepening ties between our two nations and as a lasting tribute to our distinguished guest and the entire Iranian nation. Your Imperial Majesty, you will do us additional honor if you will consent now to unveil the plaque.

(Dr. Beadle, reading plaque: The Pahlavi Building of the University of Chicago. A gift of the government of Iran. Site dedicated June 15, 1968 by his Imperial Majesty Mohammad Reza Pahlavi Aryamehr, Shahanshah of Iran.)

His Imperial Majesty: It is really a source of gratification for me to be able to unveil this commemorative plaque today. The significance of this building is to show that we are not at all jealous that some of our most beautiful monuments and vestiges of the past are found away in museums outside our country. On the contrary, we believe that these beautiful things belong to humanity, and in order to prove this belief of ours we want to contribute to the creation of this center in the beautiful city of Chicago. We are grateful that your university has afforded this opportunity and that on your own you are going to also make very substantial and meritory efforts to complete the building and render it a center of study, especially of Persian studies. Thank you.

REMARKS EXCHANGED AT A DINNER IN HONOR OF HIS IMPERIAL MAJESTY, THE SHAH OF IRAN, AT THE ORIENTAL INSTITUTE OF THE UNIVERSITY OF CHICAGO, JUNE 14, 1968

Chancellor BEADLE. Your Imperial Majesty, Excellencies, distinguished guests, and colleagues, I now wish to present to you Mr. William Polk, professor of history and director of the Center for Middle Eastern Studies in the Adlai Stevenson Institute, Mr. Polk.

Dr. POLK. Your Imperial Majesty, Mr. President, distinguished guests, and colleagues, it is an extraordinarily great pleasure for me to welcome you to this auspicious occasion, as you know, His Imperial Majesty the Shahinshah has generously donated to the University of Chicago three million dollars to enable the university to build what could be the most comprehensive program in the study of the civilization of Iran in any Western university, as well as the magnificent new building to house the Center for Middle Eastern Studies and the Adlai Stevenson Institute of International Affairs, this is the most spectacular and generous contribution ever given to a private American institution by another government, in response, the University of Chicago has agreed to create two additional professorships in Iranian civilization.

Clearly, we have here the makings of a magnificent new venture in the American academic community. American interest in the Middle East is almost as old as our national academic life. However, until quite recently, the interest has been almost exclusively confined to studies of the ancient Near East. Contemporary American interest in the modern Middle East has developed from pragmatic origins. Their original purpose during and immediately after WWII was to illuminate part of the world in which America was becoming increasingly involved. Particularly after the enunciation of the Truman Doctrine, it became clear that large numbers of Americans would be needed to carry out programs associated with that doctrine and American universities, essentially funded by the Federal Government, undertook to train the men that were needed.

It is an astonishing fact that today there are 300 American universities with extensive offerings on the Middle East, obviously, the vast majority of these concentrate on general survey courses and language instruction. It has been rare that a university has been able to offer a wide range of subjects, and to gather together the highly trained and diverse staff necessary to offer a comprehensive and sophisticated program.

Among American universities, the University of Chicago is outstanding in these regards. In the languages and civilizations of the Middle East this university assembles almost 70 faculty members. Together, they offer perhaps the richest combination in the Western World. Those comprising the Middle Eastern are spread over such disciplines as history, anthropology, political science, geography, linguistics, literature and other fields. Today a new situation has arisen. We no longer need to set our sights as low as in the past, and we no longer need work in simply the basic skills. Rather we can afford to attempt a major humanistic and broad program, aimed at a highly sophisticated approach to the entire range of middle Eastern studies. It is this which makes this great venture on behalf of the government of Iran and the university so tremendously important at the university.

Now let me turn to what has been happening in Iran in the past few years. The first of these factors, as affects this situation is education. In 1940, just before our royal guest became the Shahanshah, Iran had 287,000 students in primary schools. Ten years later in 1950, that number had not quite doubled. In the next decade, ending in 1960, it almost quadrupled, and now in 1968 there are more than two million Iranian students in primary schools.

The growth in the number of secondary school students has been even more spectacular. In 1940, Iran had less than 30,000 students in secondary schools and today has almost half a million. Today there are 25,000 students in universities in Iran and approximately 20,000 outside of Iran. New universities have been begun in Shiraz and the Chancellor of that university, his excellency Mr. Alam, is with us this evening. Iran has a new technical institute modeled on M.I.T., and such old universities as Bandar Shapur, founded in approximately 420 A.D., are being rebuilt today. Modern Iranians have perhaps unconsciously adopted the ancient Zoroastrian prayer: "Oh Ahura Mazda, endow me with an educated child." It is in this spirit that his master took the lead in suggesting to the nations of the world that each contribution to UNESCO, as Iran offered to do, the cost of one day's defense budget to help stamp out worldwide illiteracy.

The fight against illiteracy, however, is only one phase of what is happening today in Iran. As a means of stimulating agricultural production and giving the people of Iran the wherewithal to participate in economic growth, and as a measure of social justice, the Iranian Government undertook in 1962 a massive program of land reform. Other programs have comprised woman suffrage, profit-sharing programs for industrial workers, a literacy corps and a health corps, and all of these have quickened the social and economic power of the country.

The bulk of the oil revenues of Iran for many years have been used to stimulate internal development. The first seven-year plan went into effect in 1947 and this was followed quickly after by a second plan. Under the second plan a billion and a quarter dollars was invested in the Iranian economy and the third plan has just ended in March of this year. The results of these investments are rapidly becoming evident all across the country. Iran is quickening with a new economic energy, factories are being installed in many parts of the country, roadways are now fanned out to connect the major population centers which even a short generation ago would have difficult access, new hotels and airports have catered to the ubiquitous tourist, a fourth major development plan is now beginning, under this plan $11.2 billion are being invested in the country. The plan aims, among other things at stamping out illiteracy, building a national electrical grid, supplying the major cities with natural gas and building major industrial complexes.

It is noteworthy that in many of these undertakings, Iran is reinforcing its independent posture by encouraging the participation of all major industrial nations. For example, in the various aspects of the new steel complex, are American, Soviet, British, German and French ventures. Reflecting these impressive changes, the average Iranian is today living better than ever before. The per capita income of Iran is approximately $250 a year, which makes it the fifth in Asia, and in the last five years it has grown between 8–11 percent yearly, under the new plan the economy is expected to grow at the rate of 9 percent a year or almost double the world average.

In its external relations, Iran has joined with Turkey and Pakistan to form a new association, the regional cooperation for development, which promises to become increasingly a major force for peace and stability in Asia, contributing directly to this, his majesty the Shahanshah's personal efforts were bent on bringing to a conclusion the dispute between Pakistan and Afghanistan which threatened to disrupt Asian affairs five years ago.

The task so far undertaken has not been easy, much remains to be done, in a very real sense, the task for Iran can be regarded as a reflection of its landscape, snow-capped mountains, arid deserts, difficult defiles have all presented the people with the challenge of nature. Yet I think it is not without meaning for all of us that the very word "paradise" has come from the Persian language. Their paradise is man-made, not the casual gift of a bountiful nature to be polluted or spoiled by man, but an opportunity to be wrested by men from hostile deserts, through prodigious labor, care and thought.

In conclusion, let me borrow the words of the great English orientalist, Sir Richard Burton, the translator of the Arabian Nights, a man in whose words as in whose deeds there were no shades of gray but simple, strong, indeed middle eastern glaring lights and dark shadows. He said, "the gifted Iranian race, physically the noblest and most beautiful of all known to me, has exercised upon world history an amount of influence which has not been fully recognized." And he referred to the Persian language as the richest and most charming of the Eastern languages. It is doubtless a mixture of justifiable pride in the rich, varied and beautiful fruits of a thousand years of Persian culture. The desire which we have long shared to bind closer the ties of our friendship and mutual respect which has led his imperial majesty the Shahanshah, the government and the people of Iran to offer the University of Chicago this magnificent gift. Thank you.

Chancellor BEADLE. Thank you Mr. Polk. This is indeed an important day for the University of Chicago. Mr. Polk has called your attention to the enduring and deepening ties between Iran and the United States and the remarkable accomplishments of Iran under the leadership of our distinguished guest. Certainly one sign of these deepening ties and impressive achievements is the most generous gift to which brings us together this evening. I should like to take this opportunity to thank his imperial majesty the Shah of Iran for this magnificent gift, a gift whose educational and cultural implications will go far beyond the university's limited boundaries.

The University of Chicago pioneered middle eastern studies in America. The Pahlavi building will enable us to foster a major advance in scholarship and research in this vital area. It will stimulate a more sensitive awareness and understanding of the special qualities of middle eastern societies and culture. There has never, perhaps, been so great a need for objective analysis of the problems that beset mankind today. It is essential that we achieve deep and sensitive understanding of all nations and all men. This cannot be done quickly or superficially. It must result from long, intensive study. The farsightedness of his imperial majesty demonstrated by the establishment of this important research and teaching center will enable the University of Chicago to continue on this path. With the Pahlavi building scholars will probe many of the problems of the contemporary world.

Faculty members of the Center of Middle Eeastern Studies are concerned with a variety of disciplines. They have pursued research from Morocco to Pakistan from the beginning of the Islamic age to the present time. Included are some of America's, and indeed the world's, most creative scholars. Humanists have investigated the great Islamic thinkers whose work continues to influence life in the contemporary Middle East. These studies have brought an awareness of the scientific and intellectual achievements of the Middle East which has influenced and enriched Western thought. Our social scientists have concerned themselves with subjects ranging from the problems of irrigation to social, educational and economic change in the Middle East. It is impossible to do more than suggest the wide range of work in this area. In fact, one of the most exciting things about the Center for Middle Eastern Studies is the opportunity it affords scholars in many fields to tackle together what had previously been separate intellectual problems.

This interdisciplinary character is true of the Adlai Stevenson Institute of International Affairs which will also be housed in the Pahlavi building. The Institute appoints fellows from throughout the world to study crucial international issues. It is therefore especially appropriate that Your Majesty has made available to the university this superb building which will give our scholars the physical unity to match their intellectual unity. I think you will agree that the design for the Pahlavi Building is a great esthetic as well as functional achievement. Throughout, the building stresses classical Iranian motifs. We have at this moment Iranian consultants concerned with lending a true Persian atmosphere to the building. One of the more delightful features will be specially designed Persian gardens which we hope will bring to the university some of the grace and repose found in your own country. Through the generosity of his Imperial Majesty the University of Chicago expects to develop what will become the most comprehensive program in Persian studies in the Western Hemisphere. The Pahlavi Building will be a powerful instrument for international and intercultural understanding, a truly lasting tribute to Your Majesty and the entire Persian nation.

(Chancellor Beadle's remarks were followed by the introduction of Mr. Walter Natch, designer of the Mohammad Reza Pahlavi Building to be constructed at the University of Chicago. Mr. Natch unveiled a model of the building. Following this, a formal toast was proposed to His Majesty the Shahanshah by Herman Dunlap Smith, who is both a trustee of the University of Chicago and president of the Adlai Stevenson Institute for International Studies. His Majesty's response follows.)

His Imperial Majesty. Mr. President, distinguished guests, since I set foot on the beautiful American soil a few days ago in New York, I have emptied my cerebral capacities, talking in New York, Washington—and yesterday at Harvard, and also felt a loss of physical weight by getting up to 39,000 feet in less than one minute as we soared at twice the speed of sound.

I feel the inspiration that one gets in a room like this. I have few words to say, as one of the inspirations between all this beauty of the past, of the artisans and the artists who have created beauty like this, would be to remain silent, on the other hand, all of this past is intriguing. I am not referring to the novels of exotic history, but rather to the projection of the image of the east, of our own civilization.

We want to perpetuate our past, not only because we are part of it but because it can perhaps contribute in some way, maybe in many ways, to the solving of the present problems of our society. We take pride in having been able to contribute in your beautiful city to the foundation for the continuance of the efforts that this university has undertaken, so as to remind us, through the knowledge of mankind, of the vestiges of the past and, in this instance, of the vestiges of my own country.

Our history is an old one. We believe that we have 3,000 years of written history. Soon we shall celebrate the 2,500th anniversary of our monarchy. It has lasted through the vicissitudes of time. Many people predicted that it could not continue, but it has, for some reason or another, and today the monarchy of our country tries to be the faithful servant of the people.

Mr. Polk told you about some features of what we are doing. I would like to add that in this national resurrection of ours, in the literacy corps that we have formed, in this society which is one of co-operation, a society of participation, women are playing, and will continue to play, a very major role, and I can assure you that they do it so earnestly and with a faith that it is very moving. We remember that five years ago, they did not even have the right to vote. Before my father's time, they could not come out of their houses without black veils over their faces and bodies.

Mr. Polk told you about contrasts—snow-capped mountains and deserts. I will give you another kind of contrast. I am a very religious man, but my success was to put our creeds in the right place. My education was very democratic, but we think that license and the freedom to betray one's country is not permissible. It cannot be. It serves neither the freedom of individuals nor groups and cannot serve mankind and humanity.

With this building and what it represents, with the very serious studies that will be undertaken here in this center, with the projection of the image of our country in the past and also I hope by presenting the new Iran, we shall try to make our contribution to the march of time, to the progress of civilization.

Thank you very much.

McGEE SENATE INTERNSHIP CONTEST

Mr. McGEE. Mr. President, for several years it has been my good fortune to be able to conduct for high school students in my State of Wyoming the McGee Senate internship contest, which brings back to Washington one boy and one girl for a week of observing democracy in action—here in the Senate and in Washington.

As a part of the contest each student was required to complete an essay on "What's a Fair Draft Policy?" This year, as I am each year, I was impressed with the depth of understanding and the dedication to our democratic principles displayed by these young people in their essays. This topic is one of vital interest to this age group, and their essays reflect sound reasoning which should be of interest to us all. For the participants, the topic took on added importance when it was subsequently chosen as the national high school debate topic.

Of course, it would be impossible for everyone to read all these essays, but I think some of the most outstanding ones selected by an impartial panel of three judges should receive wider circulation, and I ask unanimous consent that two of these essays, written by Miss Theresa Clow, of Rawlins, Wyo., and Mike Melinkovich, of Rock Springs, Wyo., which received honorable mention in the McGee Senate internship contest, be printed in the Record.

There being no objection, the essays were ordered to be printed in the Record, as follows:

What Is a Fair Draft Policy?

(By Theresa Clow, Rawlins, Wyo.)

My suggestion for a "Fair Draft Policy" would include three major provisions. The draft laws of today, based on selective service, are a contradiction of our United States Constitution. The Constitution states the belief that all men are equal. Therefore, shouldn't all men be obligated to serve their country instead of just a select minority? The only equal and fair draft is a total draft. All truly loyal United States citizens can and should serve their country in some way. To do this, such programs as the Peace Corps and Vista should be included in the draft policy. In this way people with religious or moral convictions against war and people handicapped or unable to serve militarily could fight poverty, disease, and ignorance, major causes of political unrest and war.

With the roles and opportunities of today's modern woman, she should definitely serve her country. Through the years women have gained the privileges to vote and compete with men on an equal basis for education and jobs. In the armed services many secretarial and medical positions could be competently filled by women. The protection of our freedom and democratic way of life is also a woman's responsibility.

Our draft laws should be converted from a Selective Service program to a lottery program. In this way each citizen regardless of social position, handicap, race, or religious standing would have an equal chance to serve his country. This would replace the policy for deferments and selection with standardized and unbiased draft laws. Upon being drafted people would be classified according to their sex, ability, and personal preference. Each citizen would have a choice to serve in a branch of the military service, Peace Corps, or Vista. In time of war more military volunteers will be needed. During such an emergency, only persons possessing physical or mental handicaps or those having valid religious convictions against war should be exempt from actual military service.

Finally, once a person volunteers or is drafted he should be granted other special privileges. The most important of these would be the right to vote regardless of age. Service personnel are definitely more closely associated with, and more directly affected by, the decisions of our national leaders.

Our entire draft policy should be reformed to comply with our democratic principles. As it is today, the fields specified by our draft limit national service to a select minority. The draft program should be expanded to include all citizens regardless of their race, handicap, sex, financial status, and moral or religious beliefs. During national service many citizens discover careers and goals which lead them to more useful lives. Whether they remain in the service or use their training as civilians, all Americans deserve the opportunity to be exposed to the many informative and stimulating programs offered in the service. The draft program should be based on our strong democratic principles of equality and freedoms of religion and choice.

What Is a Fair Draft Policy?

(By Mike Melinkovich, Rock Springs, Wyo.)

In the modern world today, there is still a primitive way for one to get his way—fight for it. And if he is strong enough, then he will get his way. This is also true of nations. Every nation has certain goals, most of them good, but because there are those nations who plan to rule the world, there will always be a need for a country to defend itself. However, it stands to reason, that certain nations don't stand a chance against the strong nation, but they still have a right to their freedom. Because of this right, there must be certain nations that act as protectors. This is where the U.S. can be classified. We are a protecting nation.

This brings out a very serious problems in the U.S. today—how to build our nation's fighting forces. "There have been many proposed draft laws, and in each law there seems to be a flaw or a part that is protested. It stands to reason that there is no perfect draft law." There is always a certain group that will disapprove of certain parts and claim them unjust. Therefore, the conclusion must be drawn that we must settle for the *best* draft law because a perfect draft law is quite impossible.

There have been many new draft laws proposed and polls taken among students. Here are some of the proposed laws and some results from the polls as reported by *Senior Scholastic:* President Johnson introduced a bill to Congress that would establish a lottery system, replace the local draft boards with 300 to 500 centers located throughout the country which would conscript 19-year-olds first. In response to this,

the House passed a counter measure clearly denying the President the authority to draft college undergraduates or to set up a lottery.

In an opinion poll, juniors and seniors in high school responded to the lottery system with mixed emotions. Half of them felt that it would substitute chance for judgment, that it would not provide a fair hearing for deserving individuals, that it would not enable the armed forces to have the men they want. Although some feel that the lottery system is fair, the only thing the lottery system does is give everyone the same chance, but this point is its weakness. There must be a fair way of handling deferments and fair hearings for certain individuals.

Barry Goldwater felt that a highly paid, all-volunteer army would be the best. The main and a very important flaw in this is the power that lies in the hands of these individuals commanding the fighting force. This power in the wrong hands could, by certain ways, lead to the fall of our country. Under a system like this it might be possible for one, by some means, to take over the U.S. Although a take over by the military is hypothetical, the cost of such an army is very real and would be overwhelming.

Dwight Eisenhower proposed that all young men of a certain age would serve a set period of time. The main problem in this system is also in deferments. Many individuals deserve a fair hearing and college students must be encouraged to go on and help improve our country. This would, instead, change the minds of many individuals because of the time spent between high school and college.

Congressman L. Mendel Rivers, Chairman of the House Armed Service Committee, argues, "The nation should not scrap a time-tested system, particularly during a national emergency. Minor flaws can be corrected without junking the whole system entirely—especially since no better alternative has been offered."

One point that is argued greatly, but can also be considered a strong point, in my view, is the question of deferments. The present system is the only system of all those proposed with deferments granted to certain individuals. The deferments are granted to these certain individuals: (1) supporting dependent (2) special occupation (3) student deferment and (4) physical deferment. Number one, two, and three are deferments that help keep our country strong and not leave the people in the country at a disadvantage. A supporting dependent and one in a special occupation are necessary to keep our country strong. Poverty would boom if all the supporting dependents were drafted, and those occupations necessary to the nation would fail if all the workers were drafted. These things would weaken and set the U.S. back and this is not necessary in order to make a fighting force. Students deferments are given to those who are to go on and help put the U.S. ahead, and they are necessary to its growth. As one college student stated in Senior Scholastic—"The country also needs college-trained individuals. Generally speaking, they do more service in society than non-college people." To make educational deferments stronger, there should be a certain grade level set; and this would tend to decrease draft dodgers.

Because of its way of handling deferments that is definitely superior to all other proposed draft laws, because of its personalized selection given by local draft boards; and because of its time-tested dependability; I think that the present draft law stands as the best draft law possible.

WHAT THE AMERICAN FLAG MEANS TO ME

Mr. PEARSON. Mr. President, KLOE radio station, of Wichita, Kans., recently sponsored an essay contest on the subject "What the American Flag Means to Me." The winners were Marva Stout, of Wichita, and Leslie Lynn Rolf, of Isabel, Kans. I commend KLOE for sponsoring this contest and I congratulate the winners.

I ask unanimous consent that the two essays be printed in the Record.

There being no objection, the essays were ordered to be printed in the Record, as follows:

What the Amercian Flag Means to Me

(By Marva Stout, Junior South High School, age 15, Wichita, Kans.)

To me the American flag means, love, freedom, and happiness. It is something I look up and say "It is wonderful to be alive." It reminds me of the great life I live in America. It reminds me of the boys in Viet Nam fighting for their country. It makes me feel proud. It also reminds me of the poor and hungry people which I would like to help very much. It displays the love our father has for us. When I look up at the flag and think what all other people are doing for America, it makes me have goose bumps all over. It also reminds me of some of the tragedies we have had in America. Such as Dr. Martin Luther King being assassinated, and Senator Robert Kennedy. It makes me think what people are trying to prove by killing important men. The American Flag flies high. About as high as I feel when I look up at it. I am proud to stand up and salute our American Flag. And I am proud I am an American. It flies to show we are all proud of our country, and we are all proud to be an American. We stand up for our wonderful country.

What the American Flag Means to Me

(By Leslie Lynn Rolf, Isabel, Kans.)

As a citizen of the United States of America I, like many others, proudly cherish the American Flag of the United States of America.

The Flag is but a small part of our national heritage. The heritage all Americans share. But to each citizen the American Flag has a personal meaning; a meaning which can only be defined within the heart of that citizen.

June 14, 1968, was Flag Day. Driving through the residential section of a nearby city, I noticed only a few flags being displayed. I wondered if the citizens knew it was Flag day or if many were too busy to go down into the basement and shake the almost permanent wrinkles out of Old Glory. Most of all I felt a blanket of apathy had settled over the area snuffing out the flame of patriotism. Every once in a while this dim sadness was broken by the most beautiful sight of all: The American Flag sporting its red, white, and blue, waving majestically in the gentle breeze, on a throne of velvet green and crowned by the blue of the sky.

The American Flag has many meanings for me.

It means Brotherhood. That strong tie that binds together each man in concern for his country.

It means Faith. The faith we have in one another, in God, and in the principles on which this country was founded.

It means Hope. Hope that someday we may live peacefully among ourselves and with those of other nations.

It means Love. The love we have for our country, and the love for our fellow man. It's the love of God, the supreme being that makes all things possible.

It means Freedom. The freedom that each individual is guaranteed his constitutional privileges that are set forth in the Bill of Rights.

Most of all it means Patriotism: The sincere loyalty to our country, that occupies even the smallest part in any human heart.

The American Flag is our Flag, the Flag of the United States of America. We can be very proud because it signifies liberty and justice for all.

SENATOR PROXMIRE SAYS SURTAX WILL HURT ECONOMY

Mr. HARTKE. Mr. President, the distinguished Senator from Wisconsin [Mr. Proxmire], writing as a guest columnist in the business and financial section of the Washington Post, of Sunday, July 14, 1968, has cogently observed that the tax increase we have just passed will have its severest impact on those in our economy who are least able to bear it—"the poor and the underprivileged, the last hired and the first fired." As chairman of the Joint Economic Committee, Senator Proxmire has been one whose counsel on fiscal matters has contributed much to our understanding of our economy and the interrelationship that our institutions of government have on the formulation of fiscal policy. It is sad commentary—but nonetheless almost empirical truth—that our economic ills, in the context of our overextensive military spending are purported to be cured at the expense of those least fortunate in our society. Senator Proxmire's observation that a rational construction of spending priorities may be the resolution to this Hobson's choice of fiscal alternatives is something each of us should carefully consider. The headline above Senator Proxmire's column reads: "Proxmire Says Tax Increase Bill Will Hurt Economy."

This is what I have consistently said since the surtax was first proposed. I ask unanimous consent that the article be printed in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

Economic Impact: Proxmire Says Tax Increase Bill Will Hurt Economy

(By William Proxmire, U.S. Senator from Wisconsin)

(Note.—Senator Proxmire is a guest columnist today for Business and Financial Editor Hobart Rowen, who is on vacation).

The just-passed 10-percent tax increase, along with a $6 billion expenditure cut aims to slow the alleged overexuberance of our economy and slacken the pace of wage-price increase. On numerous occasions, I have criticized the policy of "overkill." But that is another story.

How will it hit the poor? The tax-expenditure package will aggravate poverty. It will depress the economy, as it must, and result in fewer jobs, less income, lower consumption.

Who will bear it? As always: the poor and the underprivileged, the last hired and the first fired.

In addition to those out of work because they lack skills, there is a vast amount of underemployment in our economy, particularly in the ghettos. Possibly 30 per cent of all workers in the ghettos are now underemployed, i.e., they are working at jobs which do not use their capabilities and potential, particularly if appropriate training and education were afforded them. And the jobs pay too little for a decent living.

Pressures are mounting rapidly for providing some income to the poor. Recently, the Nation's mayors passed a resolution favoring a guaranteed annual income. The Gallup poll found overwhelming favor in the general public for the Government as a last-resort employer.

Any of these plans would increase purchasing power and would add to the demands in our economy and thus accentuate inflationary pressures unless we raise taxes or cut other spending to pay for them. Moreover, they would result in at least some people rejecting the jobs at the lowest end of the spectrum unless the pay for doing them were sharply increased; window cleaning, laundry work, garbage collection.

As a result, these unpleasant but necessary services would become much more costly since we would have to pay much higher wages to induce people to perform them. Thus, any of these schemes would add significantly to cost-push inflation in our economy. Guaranteed jobs would be less inflationary than guaranteed income. Work adds to the national economic product. Even then, considerable inflationary impact is bound to occur.

I enthusiastically favor expanded programs for jobs for the poor. But I do not think this Nation is facing up to the issues involved. If we add to the budget for necessary employment and income programs, and we certainly should, then we must face the need for cutting back elsewhere.

Where can we cut back? For starters:

Public works, troop commitments in Germany, and undertakings like the SST, among others. Our military budget is running at about $82 billion a year, about $30 billion of which is for the Vietnam war.

Congressional Quarterly, an objective, highly competent publication, has recently written that a whopping $10.8 billion can be cut from our 1969 defense appropriation without diminishing our combat readiness at all. The article gave Pentagon officers as among its sources.

Won't the end of the Vietnam war solve this? The answer: No.

The end of the Vietnam war will end one million jobs directly, another two million indirectly. That would leave us farther than ever from the mark.

We can't turn around and pour the $30 billion we now spend on the Vietnam war into the antipoverty war without creating the same economic problem that required us just this summer to hike taxes and cut spending to stop inflation, and in doing so reduce jobs, income, consumption.

A rational construction and enforcement of spending priorities would go a long way to permitting us to ease the plight of the poor without further inflating our economy. But it would not do the whole job. We have to face the fact that our economy is not equipped to deal with the wage-price spiral, a problem that has plagued all of the free economies of the world.

Here is where we need some new trailblazing breakthroughs in economic thinking. Never in the history of this country has it been possible to get unemployment down to a level that today would still leave more than 2½ million persons out of work without serious inflationary pressure.

Unless we can solve this tough one, our poor are going to continue to be our price stabilizers—via unemployment—and income or job guarantees worthy of the name just won't make it.

FOREST SERVICE EFFORTS IN EMERGENCY WATERSHED WORK

Mr. KUCHEL. Mr. President, one of the results of forest fires, such as those recently experienced in California, is the destruction of the protective vegetative cover on a watershed. This loss of cover results in great potential flood damage since water is not retained by bare, fire-scarred hillsides.

During fiscal year 1968, the U.S. Department of Agriculture's Forest Service, in cooperation with other Federal, State, and local agencies, has taken emergency restorative measures on more than 62,400 acres of land on three burned areas in California. Emergency measures included aerial grass seeding of burned areas to establish a protective plant cover, channel clearing and stabilization measures, and emergency treatment of roads and fuel-breaks to prevent erosion. This expenditure of $42,200 of flood prevention emergency funds helped prevent millions of dollars of downstream damages, as well as potential loss of life.

Three wildfires in California received emergency flood prevention assistance during fiscal 1968. These were the Paseo Grande fire in Orange and Riverside Counties; the Reche Canyon fire in San Bernardino County; and the Timber fire in Ventura County. The Paseo Grande fire was a good illustration of the potential dangers loss of cover can cause.

The Paseo Grande fire was the greatest natural disaster in Orange County history. The burn total 48,639 acres, including 4,565 acres of the Cleveland National Forest and 44,074 acres of private land. The fire destroyed the protective cover of vegetation on valuable watershed lands in and adjacent to the Santa Ana Mountains. In addition, it destroyed improvements valued at $3.2 million and cost a half-million dollars to control.

The burn left steep slopes and highly erosive soils in a 76 square mile area which threatened to generate 2.5 million cubic yards of debris during the winter of 1967–68. This immediate threat of floods, sediment deposits to downstream areas, pollution of water supplies, and impairment of water distribution systems by sediment, ashes, and debris required rapid emergency land treatment. Within the immediate area below the burn even moderate flood damage could have reached $10 million.

It can be seen that the potential flood and debris flows from these burns seriously threatened downstream life and property. The property susceptible to damage from the burns included highly productive citrus groves, extensive residential property, railroad trackage, highways, power and telephone lines, agricultural product processing plants, very productive farmland, farm improvements and livestock. The cost of debris removal alone could have exceeded $250,000.

To the credit of all involved, the speedy cooperation of such agencies as the Forest Service, the Soil Conservation Service, the California Division of Forestry, and the local county governments, districts, and agencies allowed emergency restorative work to be accomplished before the winter rains began.

Mr. President, I salute these fine organizations for their performance in these instances of need and thank them for their continuing efforts on behalf of all the people of my State.

ABA COMMITTEE ENDORSES FORTAS AND THORNBERRY

Mr. INOUYE. Mr. President, the American Bar Association's prestigious Standing Committee on Federal Judiciary has supported the nominations of Justice Abe Fortas as Chief Justice of the United States and Circuit Judge Homer Thornberry as an Associate Justice of the Supreme Court.

Indeed, the committee has found that both nominees are "highly qualified from the standpoint of professional qualifications."

This is a most significant endorsement, since the committee is composed of 12 members, one from each Federal judicial circuit, one from the District of Columbia and one appointed at large. In making these appointments, great care is taken to select highly prominent members of the bar with broad experience and an extensive background in courtroom work.

The members of this distinguished committee are: Albert E. Jenner, Jr., Chicago, Ill.; Sumner Babcock, Boston, Mass.; Cloyd LaPorte, New York, N.Y.; Robert L. Trescher, Philadelphia, Pa.; Robert T. Barton, Jr., Richmond, Va.; John W. Ball, Jacksonville, Fla.; Harry G. Gault, Flint, Mich.; Barnabas F. Sears, Chicago, Ill.; Roy E. Willy, Sioux Falls, S. Dak.; Glenn R. Jack, Oregon City, Oreg.; Gerald B. Klein, Tulsa, Okla.; and Robert Ash, Washington, D.C.

The chairman of the committee is the distinguished Albert E. Jenner, Jr., of Illinois. Mr. Jenner is past president of the American College of Trial Lawyers, the American Judicature Society, and the National Conference of Bar Association Presidents. More recently, he was appointed by President Johnson to serve as senior trial counsel to the Warren Commission and is now serving as a member of the President's Commission on Violence.

With respect to Supreme Court appointments, the committee's investigation is highly concentrated. After the nominees' files have been analyzed, the entire committee confers on a conference telephone call to discuss the merits of the merits of the appointment and the report to be delivered to the Attorney General. The procedure helps insure a full exchange of views in an atmosphere of confidentiality and candor.

This procedure was followed with respect to the President's nomination of Justice Fortas and Judge Thornberry. The review was somewhat simplified, of course, by the fact that the committee had previously passed upon the qualifications of both nominees. Both men had previously been found qualified for appointments in the Federal judiciary by the committee.

This committee's support for both appointments is doubly persuasive since we know from experience that the committee does not hesitate to oppose nominees it considers unqualified to serve in the Federal judiciary.

The action taken by this distinguished committee documents, dispassionately and without coloration, the essential requirement of any judicial appointment—professional competence. I accept the judgment of the committee and urge Senators to do likewise.

NOMINATIONS TO THE SUPREME COURT

Mr. MORSE. Mr. President, the soundest reply I have yet seen to the objections raised to the nominations to the Supreme Court appears in the July 8 issue of the Register-Guard of Eugene, Oreg.

The Register-Guard is not in the corner, editorially speaking, of the present administration, having endorsed a Republican candidate for the presidential election.

But in passing judgment upon the nominations of Abe Fortas and Homer Thornberry, the editorial writers have thoroughly demolished the case made to date against these nominations.

I ask unanimous consent that this fine editorial, entitled "Sheer, Raw Politics the Only Reason," be printed in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

SHEER, RAW POLITICS THE ONLY REASON

Critics of President Johnson's Supreme Court appointments fault them for the worst of all possible reasons, lack of judicial experience. Homer Thornberry, nominated to succeed Abe Fortas as an associate justice, has been a federal judge since 1963. And Justice Fortas, for all that he had no judicial experience before he was appointed to the court in 1965, has now had three years experience. That's more than many have had.

One Oregon newspaper stated baldly that "the founding fathers intended that the Supreme Court be made up of men with prior judicial experience, selected by the president because of this experience." Nothing in the Constitution bears that out. The founding fathers were extremely vague about what this high court was supposed to do. The nation was old enough to join the Boy Scouts before one chief justice, John Marshall, began to pump blood into the court.

Presidents have picked good judges from many segments of the legal profession. The Constitution does not require that a Supreme Court justice even be a lawyer, but it is unthinkable that a President would appoint a man without a legal background.

Some of the best judges, true enough, have come from other federal benches or from state courts. Among them have been Oliver Wendell Holmes and Benjamin Cardozo. President Eisenhower found four of his five appointees—Stewart, Whittaker, Brennan and Harlan—on lower federal courts.

But President Eisenhower's other appointee, and his first, was without judicial experience. He was Earl Warren, whose background was essentially political. That background he shares with three Truman appointees—Clark, Vinson and Burton—and with such other luminaries on the court as Goldberg, Black, and Byrnes.

President Roosevelt turned to the classroom to elevate Professors Frankfurter and Douglas. Some appointees have been personal cronies—Byron White, a friend of the Kennedys, and Abe Fortas and Homer Thornberry, friends of President Johnson.

In the past 31 years, 23 men have been named to the court. Sixteen had no prior judicial experience. Among the great judges without judicial experience are the first chief justice, John Jay, the great John Marshall, Joseph Storey and, of course, Justices Warren and Fortas. Felix Frankfurter, who had no prior judicial experience, once commented that "the correlation between prior judicial experience and fitness for the Supreme Court is zero."

Neither the charge of personal friendship nor the ridiculous charge of "prior experience" should bar Senate confirmation of the Justice Fortas and Judge Thornberry. Nor does the "lame duck" argument hold up. President Eisenhower, a lame duck the moment he began his second term, appointed Justices Whittaker and Stewart in his last term of office. The only reason for refusing confirmation of the two now under consideration is sheer, raw politics. And if confirmation fails it will be for that reason alone.

RESOLUTION RECOGNIZING POLICE EFFORTS

Mr. HARTKE. Mr. President, I have received an official resolution of the American Federation of Police concerning national recognition of police efforts in combating crime in America. In recent weeks we have seen some of the outstanding achievements which these men perform, but I believe it is important that our citizens acquire an even greater awareness of the too-often unheralded efforts of so many of our law enforcement agents. I ask unanimous consent that the resolution be printed in the RECORD.

There being no objection, the resolution was ordered to be printed in the RECORD, as follows:

OFFICIAL RESOLUTION OF THE AMERICAN FEDERATION OF POLICE

Whereas, the American Federation of Police proposes to the President of the United States and to the Congress of the United States that either by public law or by executive order that a medal be struck to honor the heroism and valor of law enforcement officers nationwide, and

Whereas, any law enforcement officer who either sacrifices his life for the preservation of law and order or who greatly endangers his life to defend that of a citizen or comrade in the line of duty, or who by a great act of courage distinguishes himself, that this officer be bestowed this medal at ceremonies to be held each year at the Nation's Capitol, and

Whereas, any other officer who may be injured in the line of duty or may distinguish himself while in the performance of his duties shall also be eligible for a special Congressional or Presidential citation to be awarded each year during National Police Week, and

Whereas, such awards will underline the major contribution made by police officers in keeping our Nation a strong republic that they will contribute to the morale of the police officer, the pride of his own family and direct to the public the major role and service of the professional police officer, and

Whereas, these awards should be judged on the merit of each act that a permanent committee should be appointed representing members of the Congress and members from such other organizations as may be determined by the Congress such as police chiefs, sheriffs, Federal police associations and the American Federation of Police, and the Department of Justice.

Therefore, be it resolved, that the Secretary of the American Federation of Police shall send copies of this proposal to the President of the United States, the Vice President of the United States, Senators and to such other organizations as may be in the interests of the award proposal.

Signed and sealed this 6th day of June, 1968 at Miami, Florida by action of the board of directors.

GERALD S. ARENBERG, *Chairman.*

Attest:

D. B. BRODE IV, *Secretary.*

TELEVISION INTERVIEW OF SENATOR BYRD OF WEST VIRGINIA

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent to have printed in the RECORD a transcript of questions asked of me during a television interview on July 10 and my answers thereto.

There being no objection, the transcript was ordered to be printed in the RECORD, as follows:

TEXT OF SENATOR BYRD'S TELEVISION INTERVIEW ON GUN CONTROL REGISTRATION, POOR PEOPLE'S TRANSPORTATION COSTS, AND POLITICAL POLLS, JULY 10, 1968.

Question: Senator Byrd, the House of Representatives appears to have sidetracked federal registration of guns. What is your position on this question?

Answer: Well, I do not favor federal legislation requiring the registration and licensing of firearms. However, I do favor federal legislation banning over-the-counter sales of firearms to juveniles and to non-residents and to mental incompetents and I also favor federal legislation banning mail order sales of guns. I think this kind of legislation could go a long way toward preventing traffic in guns to criminals, juveniles, and lunatics.

But I cannot agree with those persons who attempt to brush off the issue by saying that registering a gun is as harmless as registering an automobile or a dog or getting a marriage license. In my judgment, federal legislation requiring the registration and licensing of guns smacks of the police state, whereas registering a dog or an automobile of getting a marriage license is purely a matter of concern to the state and locality.

I believe that any federal law that would require gun registration and licensing places an undue burden on the law-abiding citizen who wants to keep a gun around his house because he is a gun collector or for hunting purposes or to protect himself and his family against marauders and hoodlums. Why place the burden on this law-abiding citizen who is not a threat to the community and who would not commit armed robbery or murder and at the same time have a law which would not reach the criminal? Any individual who has no respect for the laws of the land to begin with is certainly not going to respect and obey a law which says he has to register his gun. Now, if a state wishes to pass legislation requiring gun registration this is a matter for the legislature. But I think this would be going too far for the federal government to pass such a law.

Question: Senator, you threatened to hold up the District of Columbia budget because the District government paid the way home for some of the demonstrators in the Poor People's Campaign. Anonymous private sources have now reimbursed the District. What is your feeling about this matter?

Answer: Well, I think it is simply preposterous for the District government through its welfare department to offer to pay the transportation costs of getting people back to their homes.

The District government has now assured me that the monies have now been reimbursed to the welfare department through private donors. But I think there is a great principle involved here. The District government was put to great costs by the so-called Poor People's Campaign, and I do not believe that it should have to bear the additional burden of getting these people back to their homes. If the District government had been permitted to get by with paying the transportation bill of these demonstrators in this instance it would have established a very bad precedent, and I think that it would pave the way for an invitation, an open invitation, to demonstrators in the future to come to Washington with the idea that the Government would pick up the tab for their return trip.

Now, I believe that the taxpayers of the country should not have to bear the burden. The Southern Christian Leadership Conference brought these people to Washington to camp out on federal property and to harrass government agencies and government officials, and I think that the Southern Christian Leadership Conference can pay their fares back home.

Question: Senator Byrd, Governor Rockefeller is apparently depending heavily on the public opinion polls in his bid for the Republican presidential nomination. Richard Nixon, however, appears to be attempting to downgrade the importance of polls. What is your opinion on the political polls from the standpoint of accuracy?

Answer: I think that polls can be very valuable to a candidate in that they can give him an idea as to what the people are thinking at a particular time. But without in any way attempting to prognosticate the outcome of the race to which you have referred, I doubt that any candidate can hope to win simply on the basis of a good showing in the polls. Under our system, we still have conventions and elections, and the people who vote in the conventions and elections are not usually the people who are likely to be contacted by the pollsters.

There is no doubt in my mind but that the polls have introduced a new dimension into politics, but it is a dimension that is fraught with pitfalls for the voters and for the candidates. The record of the pollsters has been somewhat spotty; and human nature being what it is, and since an individual might tell a pollster one thing while he is thinking something else, I doubt whether the polls can ever be refined to the point where they can be completely dependable and reliable.

THE PROGRESSIVE SPEAKS OUT AGAIN

Mr. NELSON. Mr. President, creative administration was the cornerstone of Dr. Goddard's efforts as head of the Food and Drug Administration. For 2 years Dr. Goddard effectively implemented many new and imaginative proposals, while also vigorously administering the on-going programs of this important agency.

Recently, Progressive magazine praised the fine work of Dr. Goddard. This noted magazine has gained the respect of many intelligent people because of the keen insight it has displayed on both its editorial pages and in its feature articles. This is once again demonstrated in this short article on Dr. Goddard. Therefore, I ask unanimous consent that it be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

In a brief but brilliant career as Commissioner of the Food and Drug Administration, Dr. James L. Goddard did much to revitalize a regulatory agency that had, under his predecessor, become a willing tool of the industries it was supposed to regulate. He rendered a distinguished service to consumers by mounting a vigorous attack on the shoddy—and dangerous—merchandising techniques of the drug manufacturers.

It was to be expected, of course, that Dr. Goddard would come under industry attack. It was predictable that some members of Congress would make it a point to harass the Commissioner—especially when he was so indiscreet as to suggest that young users of marijuana or LSD should not be stamped for life with the stigma of felony.

Less understandable was the dissatisfaction with FDA's new energy that began to be communicated from the White House and the upper levels of the Department of Health, Education, and Welfare. In various subtle ways—and some not so subtle—they made it known that they would be just as happy if Dr. Goddard didn't rock the boat.

He leaves the Federal service on July 1, and he will be missed.

CAPTIVE NATIONS

Mr. BROOKE. Mr. President, I would like to speak today on a matter of grave concern to all Americans: the oppression of the captive peoples of the world.

Freedom must never be taken for granted; the millions who do not share our rights must ever be a sign of the long road that lies ahead of us, the road to freedom and opportunity for all people. Many who daily yearn for a democratic and free society are denied its blessings. In many of the nations of Eastern Europe freedom-loving peoples are prevented from exercising the full rights to which they are entitled.

These patient peoples must know that they are not alone in their plight, that our hearts are with them and our hopes are high for their eventual liberation. Let us pray that the recent, hopeful signs of change in such countries as Czechoslovakia will prove to be only the prelude to other, more far-reaching attempts to move the nations of Eastern Europe away from totalitarianism and toward true self-determination.

As we observe Captive Nations Week, it is fitting that we reaffirm our commitment to the ideals of freedom and reinforce our will to help all men free themselves from political, economic, and social oppression.

RESPONSIBLE CUTS IN DEFENSE SPENDING—A SENATORIAL HOW-TO-DO-IT KIT

Mr. CLARK. Mr. President, according to information which I have received, it appears likely that the Department of Defense appropriation bill for fiscal year 1969 will be coming to the Senate floor within the next 2 weeks or so. In addition, the military construction appropriation bill will also be coming to the floor before very long.

In order to help Senators prepare for the debate on these vital measures, I should like to insert various materials in the RECORD. I ask unanimous consent that there be printed in the RECORD at the conclusion of my remarks, first, an article from Congressional Quarterly magazine, June 28, 1968, entitled "Defense Budget Cuts of $11 Billion Seen Feasible"; second, a series of memorandums analyzing DOD proposals and justifications, and presenting counterarguments on the following subjects: "Fast Deployment Logistic Ships—FDL"; "C–5A Galaxy aircraft"; "Manned Orbiting Laboratory—MOL"; "Poseidon and Minuteman III"; "Department of Defense Manpower"; and "Chemical and Biological Warfare"; and third, a memorandum entitled "Is the MOL Necessary?"

Every Senator is aware of the legal obligation we have undertaken to reduce Federal expenditures by $6 billion. It seems to me we have a clear choice. Either we shall proceed to gut our basic domestic programs, turn our backs on the urban crisis, give up the fight to reestablish law and order under social and economic justice in this country, and abandon our efforts to wipe out hunger in America and to save the dollar from devaluation, or we shall do the only reasonable thing, which is to take this $6 billion and a good deal more out of our bloated, $82-plus billion-defense budget.

There being no objection, the items were ordered to be printed in the RECORD, as follows:

ON DEFENSE SPENDING CUTS—DEFENSE BUDGET CUTS OF $10.8 BILLION SEEN FEASIBLE

Defense experts both in and outside the Government have told Congressional Quarterly that huge cuts can be made in the defense budget while retaining or even improving the current level of the nation's defense.

Highly placed sources in the Pentagon and industry told CQ that cuts totaling at least $10.8 billion could be made in areas they classified as "fat." None of the cuts would affect U.S. combat capabilities, they said. Instead, only logistical elements they view as excessive and weapon systems they consider overlapping, unnecessary or of doubtful combat effectiveness would be cut back.

Although numerous officials in the Pentagon favor the massive cuts, the actual decisionmakers remain unconvinced. Defense Secretary Clark M. Clifford told a June 20 press conference that the Administration probably would impose defense spending cuts of $2 to $3 billion as part of the $6-billion reduction ordered by Congress as the price of enactment of President Johnson' coveted tax increase. One Pentagon source who favors the higher cuts told CQ it was surprising that Clifford would accept any reductions at all, in view of "pressures from the military and defense industries to keep the budget intact."

In addition to the logistical support, the major areas cited by sources as "fat" include the new antiballistic missile system (ABM), "unnecessarily sophisticated" equipment in both Air Force and Navy aircraft, an expensive air defense system deployed against what sources see as "weak and outmoded" Soviet bomber forces, the Army's helicopter program and antisubmarine carrier task forces of high cost and, sources said, "dubious" combat effectiveness.

One Pentagon civilian said these areas tied down "fantastic amounts of manpower despite the generally low level of combat effectiveness they afford. Cutting them back in many cases actually would improve the nation's defense. Not only would additional manpower be freed for direct combat needs, but the mobility of U.S. forces would be enhanced by the lack of extraneous equipment and a sluggish logistical tail." By "de-escalating sophistication," he concluded, "we could escalate combat effectiveness."

In view of the Government's financial crisis, another official said, it would "border on the irresponsible if these programs are not cut back. These areas should be cut anyway, but in view of the nation's other pressing needs, the case is overwhelming."

Another Pentagon civilian said other funds might be saved by deferring desirable projects until later fiscal years. The source said there were "a lot of nice things the military would like to have and probably should have under normal circumstances. But with the dollar under attack, we can't just go on with business as usual. For the next year, at the very least, we've got to drive a Volkswagen instead of a Cadillac."

Sources emphasized that the cuts not only would mean dollar savings but also balance-of-payments gains. Cuts affecting overseas forces would be worth direct payments savings of almost $1 billion. As the spending cuts cool the economy, they said, there would be further payments savings due to returns of capital which had flowed abroad to escape the U.S. inflation.

Clifford has not yet spelled out which areas will be cut to make up the planned reductions of $2 to $3 billion. Sources told CQ, however, that the most likely action will be deferral of weapon systems rather than stripping programs they consider "fat." Some of the items Clifford reportedly is considering include the Navy's $1.7 billion shipbuilding program, the Air Force's military space project, formation of a new 6th Army division, and new air defense missiles.

What follows is a compilation of major areas in which substantial cuts are thought feasible without reduction in the country's military strength; it is the result of detailed interviews in each area with numerous defense industry experts, civilian and military officials. The Administration's justification for funding each program also is presented.

BREAKDOWN OF PROPOSED CUTS

Following is a compilation of cuts that a consensus of CQ's sources feel could be made in the fiscal 1969 defense budget without diminishing U.S. combat capabilities (*for details and Administration justifications, see text*).

[In millions]

Item	*Suggested cut*
Anti-ballistic-missile system (ABM)	$1,100
Bomber defense system (SAGE)	1,000
surface-to-air missiles	850
Manpower	4,200
Army	2,200
Navy	900
Air Force	675
Marine Corps	400
Tactical aircraft programs	1,800
Army	510
Navy	635
Air Force	700
Antisubmarine carrier forces	400
Attack carrier forces	360
Amphibious forces and fast deployment logistic ships (FDLs)	500
Manned Orbiting Laboratory	600
Total	10,800

STRATEGIC FORCES

ABM System. Probably one of the most clear-cut items of "fat," in the view of most of CQ's sources, was the ABM system, designed to protect the nation against an intercontinental ballistic missile attack. Currently programmed for a "thin" deployment (termed "Sentinel") to defend against a small attack, the ABM employs nuclear tipped missiles to seek out and destroy enemy missiles in the upper atmosphere. CQ's sources doubt the system will have any chance of working against a realistic attack; consequently, they would cut the fiscal 1969 request figure of $1.2 billion for ABM deployment and development down to $100 million for further development work. In addition, they would cut back some $200 million more than was appropriate for ABM deployment in previous fiscal years but not yet spent. (About $200 million more in previously appropriated deployment money already is obligated.) The funds were the first installment on a total installation cost of $5 to $7 billion for the "thin" ABM deployment; subsequent expansion of the system to a "heavy" shield would cost an estimated $40 to $50 billion.

The sources listed several reasons for opposing the system: (1) because of the nuclear test ban treaty, the ABM has not yet been tested in the atmosphere; thus, they said, there is no assurance that the system's radars or its tracking and guidance systems will survive the first blast the ABM sets off; (2) counter-measures on the part of an enemy would be relatively simple; there are many devices to confuse a radar system, particularly the use of a number of dummy targets; and (3) thus far, the United States has been unable to attain acceptable reliability with far simpler missile systems designed for antiaircraft use. In simulated combat tests, these missiles have shown both a low level of readiness and a poor "kill" ratio. "With missile technology in its current state," one Pentagon civilian said, "an effective ABM would be worth almost any price we would have to pay for it. But for the present we can make greater strides in that direction by spending small sums of money to advance technology until we have a really useful capability, rather than spending a lot to produce hardware that we know won't work."

Administration position—After opposing ABM deployment for years, then Defense Secretary Robert S. McNamara late in 1967 gave in to pressure by Congress, the military and industry, and ordered the system deployed. In his speech announcing the deployment, McNamara said there were marginal grounds for concluding that a light deployment of U.S. ABMs against (Red China) is prudent." McNamara warned, however, that "if we . . . opt for heavy ABM deployment—at whatever price—we can be certain that the Soviets will react to offset the advantage we would hope to gain." McNamara concluded that the nation must resist that temptation firmly," because the "greatest deterrent against such a strike is not a massive, costly, but highly penetrable ABM shield, but rather a full credible offensive assured destruction capability.' (*For McNamara's statement, see 1967 Almanac p. 966*).

In recent weeks, McNamara's successor, Clark Clifford, has argued far more vigorously than McNamara for installing the ABM. Clifford on June 19 sent a letter to Senate Armed Services Committee Chairman Richard B. Russell (D., Ga.) warning that it would be a "serious mistake" for the Senate to turn down the Sentinel deployment. Clifford's letter placed new emphasis on the potential of the system to protect U.S. offensive missile sites from Soviet attack or to limit damage from an accidental Soviet firing.

In a press conference, the following day, Clifford said the system now had "real significance" vis-a-vis the Soviet Union. Citing U.S. intelligence reports that the Soviets were installing such a system, Clifford said the United States would be "in a better position to reach agreement with them on an ultimate step toward disarming if we also go about the deployment of a system." Clifford did not spell out, however, whether that would involve escalation to the level of a "heavy" ABM.

Senate ABM Hassle: The year's first skirmish over the ABM came in the Senate in April during consideration of the fiscal 1969 defense procurement bill (S 3293). By a 17–41 roll-call vote, the Senate April 18 rejected an amendment by Gaylord Nelson (D Wis.) to drop the bill's $342.7 million in Sentinel procurement funds. Later in the day, by a 28–31 roll-call vote, the Senate rejected an amendment by John Sherman Cooper (R Ky.) to prohibit deployment of an ABM system until the Defense Secretary certified that it was "practicable" and that its cost was known "with reasonable accuracy." (See votes 81–82, Weekly Report p. 963; for story see p. 904.)

Opponents of the system were encouraged several weeks later by press reports that the Administration intended to drop the ABM system as part of the $6-billion economy cut. The reports proved wrong, however, as Clifford launched his vigorous defense of the system. On June 24, the Senate by a 34–52 roll-call vote rejected an amendment by Cooper and Philip A. Hart (D Mich.) to add language to the defense construction authorization bill (HR 16703) prohibiting expenditure of any ABM funds authorized by the bill before July 1, 1969. The Senate then went on to reject by a 12–72 roll-call vote, an amendment by Stephen M. Young (D Ohio) to delete the bill's authorization of $227.3 million in ABM construction money. It was expected that the anti-ABM group would renew its attacks on the system when the program later was considered in the appropriations stage.

At one point in debate, Sen. Henry M. Jackson (D Wash.), the bill's floor manager, went beyond Clifford's statement in praising the anti-Soviet capability of the system. Jackson June 19 said some Senators apparently had "taken too literally the public rationale for the system previously given by officials of the Defense Department. As a result, these Senators have missed the most significant feature of the system: it will have definite capabilities for defense against the Soviet missile threat." Not only would the system defend U.S. missile sites against that threat, Jackson said, but it would also "provide a limited degree of protection of American cities and other strategic forces from Soviet attack, as well as improve our capacity to detect and assess any missile attack."

BOMBER DEFENSE SYSTEM

Another big item CQ's sources view as unnecessary is the complex warning and intercept system designed for defense against long-range bomber attack. Called SAGE for Semiautomatic Ground Environment, the system employs elaborate radars both to detect incoming bombers and to guide interceptors to shoot them down.

Sources said it was widely accepted in the Pentagon that the Soviet Union no longer could muster an appreciable bomber threat. "Despite intelligence reports that the Soviets have dropped their long-range bomber development effort," one military source told CQ, "we retain the SAGE system as a hedge that they might again shift course. It would make more sense to phase out the SAGE system now and then build up our air defense fighter forces later if the threat should reappear."

As in the case of the ABM system, CQ's technical sources in this area fear SAGE would be subject to a wide range of countermeasures which would render it ineffective against an enemy attack. A higher degree of effectiveness can be attained, these sources said, by phasing out the SAGE system and relying solely on Federal Aviation Administration (FAA) surveillance capabilities and normal U.S.-based fighter squadrons, combat training squadrons and the Air National Guard. One source said this would be a system "based on weapons and detection equipment that maximize kills, not automation." Savings from such a move would be an estimated $1 billion a year.

Despite the $18 billion cost of installing the SAGE system, one Pentagon civilian said, the Air Force had been aware of "crippling flaws" in the system ever since the outset of installation in the mid-1950s. "The Air Force apparently felt it should get the system first and then make it work," he said. "A number of costly modifications have failed, and so we're right back where we started." The source noted that the Air Force was about to embark on another costly modification program but predicted it would be no better than previous efforts. Designated AWACS for Airborne Warning and Control System, the project envisions an improved radar system that is claimed to track incoming aircraft at levels far below the present capability. CQ's sources said the AWACS radars would be just as unreliable and vulnerable to countermeasures as are those in the current SAGE system.

Administration Position—McNamara in his 1968 defense posture statement said the Defense Department had conducted extensive studies of the antibomber defense problem and that in all the alternative force structures examined, the "indispensable element" was AWACS. If perfected, McNamara said, AWACS would be important for several reasons: (1) its ability to track aircraft at low altitudes; (2) its ability to provide detection at greater distances from the United States; and (3) its low vulnerability to missile attack compared with the SAGE system.

McNamara conceded, however, that the feasibility of AWACS depended upon the successful deployment of a "downward-looking" airborne radar. Although McNamara said the required technology was "within our reach" he did not comment on the over-all need for a bomber defense system or on the present level of effectiveness.

Surface-to-Air Missiles. CQ's sources said $850 million per year could be saved by phasing out "ineffective" air defense missiles and deferring heavy hardware development on new missiles. Sources said there was little reason to believe these missiles would work any better in combat than Soviet missiles used by the North Vietnamese, stated in the May 6 issue of *Aviation Week* to have attained a kill ratio of less than 1 percent. According to one military source, "the North Vietnamese have apparently learned much more quickly than we have that their real defense against bombing rests on antiaircraft guns." The source said the current and planned antiaircraft gun units would be "more than enough" for good air defense.

The U.S. missiles, called Hawk, Nike-Hercules and Bomarc, are deployed heavily around U.S. forces in Vietnam, Korea, Europe, Alaska and the continental United States. Like the SAGE system, their performance tests have been so unsatisfactory that they have required constant programs of modification and improvement. Commenting on both the SAGE and the missile programs, one source said "large get-well programs are always a symptom of a basic blunder."

Administration Position—Administration analyses indicate that the "get well" programs should yield substantial reliability improvements. Furthermore, it is felt that the guidance technology of at least the newer U.S. missiles is considerably more sophisticated and advanced than that of the Soviet missiles, even though the U.S. missiles have not yet been demonstrated in combat.

GENERAL PURPOSE FORCES

Manpower. Sources indicated that sums totaling a minimum of $4.2 billion could be saved by paring "fat" from logistical elements of all the services. (The cost savings of the manpower cuts were figured on the basis of an average annual cost of $10,000 per serviceman. The figure included the serviceman's salary and allowances, medical care, pension, food, billeting, training, supervision and other supporting expenses.) For each of the services, CQ's sources recommended cuts ranging from 10 to 20 percent, but among most sources, recommendations tended to cluster around the lower figure. For purposes of this study, CQ assumed the lower cut.

One Pentagon civilian told CQ that "anyone who's ever been in the service is aware of the tremendous wastage of manpower—the vast number of support troops who sit around with little or nothing to do. Beyond that, there are tremendous overlapping areas even in functions that keep people busy. By sensible reorganization, massive cuts could be made in the support area and we'd have a better, more streamlined force."

Army. Of the total Army strength of 1,550,000, about 360,000 are in combat units (divisions, brigades, artillery and missile units), 110,000 are transients (men en route between assignments) and 1,080,000 are in additional support roles beyond those already provided in the combat units. Sources agreed that the Army should not be allowed to carry the large transient category but, as a well-placed civilian put it, should have to "take it out of their hide just like a corporation would." Elimination of the transient figure plus a 10-percent cut in support would yield a reduction of 218,000 troops, worth estimated savings of almost $2.2 billion.

Navy. The Navy lists a total strength of 775,000, including 330,000 assigned to combat units, vessels or air wings, 50,000 transients and 395,000 in support. A reduction of 90,000 including, as a minimum, the elimination of the transient category and a 10-percent cut in support, would mean cost savings of $900 million.

Air Force. Of total Air Force strength of 900,000, the breakdown includes 270,000 in combat air or missile units, 5,000 transients and 625,000 in the support function. The minimum cut recommended by CQ's sources would mean reductions of 67,500 and savings of $675 million.

Marines. Current Marine strength is 300,000, with 120,000 in combat ground or air units, 25,000 transients and 155,000 in support. The minimum cut would amount to about 40,000 and savings of $400 million.

NATO Forces. CQ's sources said it would be desirable to cut back the U.S. commitment to the North Atlantic Treaty Organization (NATO), but most of the sources agreed that as long as the commitment remained, U.S. forces located in Europe added far more strength to the West's posture than they would if brought home and kept in reserve for possible redeployment. One former high-ranking Pentagon civilian told CQ, however, that the United States should press West Germany to provide full logistical support for the U.S. combat forces deployed on German soil. The source said this should be more desirable to the Germans than the present arrangement of German offset purchases of U.S. weapons and probably would mean an even greater balance-of-payments savings for the United States. The source estimated that such an arrangement would enable the United States to pull out an additional 95,000 troops (above the standard 10-percent cut discussed above) and would amount to cost savings of almost $1 billion a year and $600 million in balance-of-payment gains. (CQ did not include this item in the value of over-all cuts, however, because it would necessitate an agreement with a foreign government while the other cuts could be undertaken by unilateral Pentagon or Congressional action.)

Administration Position.—The Administration has contended that manpower allotments are the results of intensive studies on the requirements of all the forces. Present strength levels, it contends, provide optimum combat support.

Tactical Aircraft. Aviation experts interviewed by CQ said cuts totaling $1.8 billion could be made in the next fiscal year's aircraft procurement programs, primarily by dropping "elaborate and impractical" electronics systems and buying more austere versions of the craft.

Air Force. Cuts of at least $700 million could be made in the Air Force program, sources said, by purchasing simpler versions of the $2.5 million F-4E, the $8 million F-111D, and dropping production of the $2.6 million A-7D in favor of the A-37, which costs only $350,000. Despite their high costs, sources said, the F-4 has failed to provide clear superiority over Soviet fighters and the F-111 was too vulnerable to enemy fighters and antiaircraft defenses to be useful; consequently, these aircraft should be prime candidates for futher cuts. One civilian expert said the A-7 was "neither accurate nor maneuverable enough to be effective in its assigned role of close air support." In the interim, he said, the highly maneuverable, combat-proven A-37 could serve effectively in the close-support role until a new generation of attack aircraft more appropriately tailored to the mission could be built.

Shifting from production of the A-7D to the A-37 would save about $210 million if the same number of aircraft budgeted for fiscal 1969 were bought. Sources said an additional $30 million could be saved by dropping the F-4E's "long list of combat-inessential" equipment such as sophisticated navigation and fire control systems. Another $350 million or more in research and procurement money could be saved, they said, by dropping the $2-million Mark II electronics system in the F-111D (thus leaving the plane in effect an F-111A). One civilian official said the sophisticated electronics gear in each of the two latter craft would be "highly unreliable, contribute little or nothing to combat effectiveness, and decrease aircraft performance and daily utilization rates." Likewise, $110 million could be saved by continuing A-7A production rather than introducing the substantially more expensive A-7E, an aircraft termed by one civilian source as "90-percent gold-plate."

Several sources also emphasized that great scrutiny should be placed on the F-111A program, which has encountered extensive problems in recent combat tests in Vietnam. Unless the plane begins showing "marked improvement," they said, the program should be cut back until a better aircraft can be developed.

Navy. By applying the above austerity program to the even more complex Navy F-4J electronics systems, sources said fiscal 1969 savings of $50 million could be attained. They applauded the Senate Armed Services Committee's recent action in denying a $585 million authorization request for the controversial F-111B program, but they said the Committee committed "the worst possible error" in providing $287 million for accelerated development of a substitute craft, the VFX-1. A military source termed the VFX a "warmed-over version" of the F-111 which will cost substantially more and perform only slightly better than the plane it would replace. (*For story on the VFX and F-111B, see Weekly Report, p. 1007.*)

Army. An area of increasing "fat," sources said, was the Army's helicopter program, and particularly the Hueys and Chinooks that are prevalent in Vietnam. "There are so many of those things in Vietnam," one military source said, "that even a sergeant complains if he has to ride in a truck." Sources recommended that the approximately $600 million request for helicopters in fiscal 1969 (excluding the Cheyenne helicopter which they would drop) should be scaled back to attrition levels—an approximate buy of 650 helicopters. Savings would be an estimated $360 million, including $300 million on the helicopter buy and $60 million in helicopter operating costs.

Several civilian and military sources said the helicopters had presented a "tremendous logistical burden in Vietnam in terms of fuel, ammunition, spares and manpower." One Pentagon source said the limitations of helicopters had "influenced us heavily toward short one- or several-day operations to the extent that the Army in Vietnam has largely abandoned the mission of holding and patroling territory."

Sources also recommended dropping the new Cheyenne helicopter—an advanced craft based on a complex missile/gun fire control system, which they say is now slipping badly. One former Pentagon official said the Cheyenne, which costs $3.1 million, was "the biggest boondoggle the Army ever got dragged into—a complete waste." In a close support attack, he said, it would take the helicopter a minimum of 16 seconds to home in and guide its missile to target. In the meantime, he said, "you'll be blasted out of the sky by every weapon from small arms to tank or antiaircraft fire. This concept might work if you were up against a single tank in the desert. But if you're in the midst of a Soviet division, there's just too much around that they can throw back at you." Dropping the Cheyenne program would mean fiscal 1969 savings of about $150 million in costs of procurement and continuing R and D.

Administration Position—Aircraft Electronics Gear. A military spokesman told CQ that in every case, the aircraft under discussion were equipped with gear "necessary for them to meet their assigned combat roles. Sure, you might gain a maneuverability advantage by removing gear from a plane. But you also pay a penalty. And in these cases, the penalty would far offset the gains."

Helicopters—The Administration has maintained that more helicopters are necessary to increase U.S. mobility in the war in Vietnam. In the months ahead, it is estimated that helicopter sorties in the war will double to the level of almost 1 million a month. . .

With regard to the new Cheyenne helicopter, studies have shown that the predicted accuracy of the craft's guns and missile guidance systems add so much to combat effectiveness that they more than compensate for the cost and logistics burdens. Despite the slips, the Administration argues that over-all program risk is so low that the recent production go-ahead is justified.

Antisubmarine Forces: Another area where a consensus of CQ's sources would make substantial cuts is in the Navy's antisubmarine warfare (ASW) force. Sources said they would eliminate the entire fleet of eight ASW aircraft carriers, whose planes have never been effective in locating or destroying modern submarines in simulated combat exercises. The sources would leave the job to existing attack submarines, destroyers and high-endurance land-based patrol aircraft. These forces, one military source said, "should be more than enough to carry the full load."

Mothballing the entire ASW carrier force, sources said, would mean savings of at least $400 million, including $160 million in carrier operating costs, $110 million on the 32 other ships associated with the ASW carrier fleet, $100 million in operating expenses of the ASW aircraft and a large classified allotment for development of a new ASW plane of unprecedented complexity and sophistication—the VSX. (Eventual costs of the VSX program have been estimated at $2.5 billion.)

Administration Position—McNamara in his defense posture statement conceded that the present ASW carrier force was a "relatively high-cost system in relationship to its effectiveness." McNamara added, however, that intensive studies had determined that "the advantages and flexibility inherent in such a force would marginally warrant its continuation in the 1970s—provided that its effectiveness could be greatly improved." To make these improvements, McNamara said, would entail "a very expensive undertaking"—the development of "a new and much more capable aircraft," the VSX.

Attack Carrier Forces: Another large sum of money could be saved. CQ's sources said, by changing the concept of deployment of attack carrier forces. Sources said that by counting on carriers only for quick reaction and an initial power surge, then substituting land-base aircraft for the long haul, it would be possible to mothball three of the 15 carriers currently in use and still meet all the nation's worldwide commitments. The sources added that cutting the force down to 12 carriers also would mean that construction could be deferred on three expensive nuclear-powered carriers programmed for construction over the next six years (estimated total cost: $2 billion) and that two air wings of the oldest caircraft could be phased out. Savings would amount to $360 million for the 1969 fiscal year, including $120 million in carrier operating costs, $130 million in costs of operating escort ships, $27 million in air wing operating costs, and about $85 million in fiscal 1969 advance funding toward the first of the three additional nuclear carriers (plus an unexpended $50 million for this purpose from fiscal 1968).

CQ's sources said one illustration of "irrationality" in carrier deployment was the current stationing of three carriers in the waters off North Vietnam. One Pentagon source said that "no other aircraft deployment could be more expensive, because we have to keep two carriers in support for every one on line—a total of nine attack carriers tied up in the war. We would phase out six of those carriers by pulling only two out of Vietnam, leaving one there for the purpose of keeping Naval Air current in combat experience. Then, at far less cost, we could achieve the same aircraft strength by redeploying land-based aircraft from areas throughout the Pacific."

Since the role of the carrier is to support rapid force buildings rather than sustained operations, another source told CQ, proper utilization would mean "instant availability" of the entire carrier force. "If you keep your carriers ready for quick reaction rather than long deployments," he explained, "you can put almost all of them in action because there's no requirement for support." Noting that chances were "remote" that the United States might invade Russia or China, the source said it was "impossible to dream up enough other contingencies to justify retention of all 15 carriers."

Administration Position—The Administration has not evolved any specific justification for carrer employment concepts or Naval Air force levels. The last change in position was in 1962, when the 15 wings attached to the 15 carriers were reduced to 12, since three carriers were normally in overhaul at any one time.

Amphibious Forces. Because of the lack of real or potential island powers, officials interviewed by CQ think substantial cuts should be made in the number of amphibious assault vessels. One official said "the Soviets are no amphibious power to speak of and neither are the Chinese. Who else could you be fighting that would necessitate a World War II-type landing operation? Although it is clear that our concept of employing the Marines has changed radically, we still maintain a huge amphibious fleet."

Of a total amphibious force of 142 ships, CQ's sources recommended mothballing 50 of the most obsolete, without making any change in the composition of Marine combat forces. Savings would be worth about $100 million. In addition, they were agreed on dropping $216 million in the fiscal 1969 budget for a new type of assault ship—the LHA.

In a related matter, sources said they also would drop a new procurement request for fast deployment logistic ships (FDLs)—a mammoth military warehouse designed for deployment off potential trouble spots for possible fast deployment of heavy combat equipment. (Unlike the IHA, the FDL was not an assault vessel but a type of cargo ship. It was designed to support Army forces, whereas the LHA was for the Marines.) Fiscal 1969 savings from eliminating the FDLs would be $184 million.

Sources said the cuts envisioned in amphibious force strength would leave the capability of simultaneously assaulting with one division team in the Pacific and one brigade in the Atlantic. The lower level of strength, one source said, would be sufficient to stage "a strong show of landing assault force in any island crisis or even a good-sized war."

Administration Position.—As in the case of carrier force levels, there appears to be no specific set of situations which form a basis for assault transport requirements. There has only been a general increase in assault shipping to improve the mobility of the Marines.

MOL. A final area deemed ripe for cuts is the Manned Orbiting Laboratory project (MOL)—the Air Force's probe into the military uses of space. One Defense Department official said the Air Force at this stage "has no more idea what they'll do with men floating around in space than NASA (the National Aeronautics and Space Administration) does with its Apollo Applications program. This is one activity that can wait." Postponing MOL would mean fiscal 1969 savings of $600 million.

Administration Position.—The Administration maintains that possibilities still are strong that space may be put to military advantage. McNamara in his defense posture statement said he had insisted that space projects undertaken by the Defense Department "must hold the distinct promise of enhancing our military power and effectiveness" and that they "mesh in all vital areas" with those undertaken by NASA.

OUTLOOK

Sources emphasized that the areas probed by CQ were only the "most glaring examples" of Defense Department "fat." According to one Pentagon source, "A really detailed probe by the Congressional Appropriations Committees would reveal millions if not billions in other possible savings."

Because of political realities, however, most of CQ's Capitol Hill sources thought the defense budget cutters faced a stiff uphill fight. This theme was sounded by Republican Presidential candidate Richard M. Nixon June 23 when he warned it would be "irresponsible and potentially dangerous" for the Administration to consider any defense budget cuts.

Congress' hesitance to question major Pentagon programs was seen June 24 when the Senate voted to proceed with full funding of the ABM. In doing so it went against the advice of Majority Leader Mike Mansfield (D Mont.), among others. Mansfield told his colleagues before the vote, "I think it is up to this institution (Congress) to fulfill its responsibilities to check, to recheck, and not be taken in by what the Joint Chiefs of Staff or the Secretary of Defense . . . say they must have, because we never can satisfy them."

FAST DEPLOYMENT LOGISTIC SHIP (FDL)

DOD PROPOSAL

The President's Budget contains funds for four FDL ships. The Department of Defense has indicated that tentative plans call for ten additional FDL in FY 1970 and eight each in FY 1971 and 1972, for a total program of thirty ships. The cost of the four ships in the 1969 program is estimated to be $183.6 million, with the cost of the total 30-ship program estimated at $1.4 billion.

DOD JUSTIFICATION

U.S. national security policy is predicated on the concept of collective defense. This concept calls for a forward defense strategy. There are limits on the degree to which this strategy can be supported by the forward deployment of forces and prepositioning of equipment and stocks. Accordingly, U.S. forces must possess a high degree of strategic mobility. This needed mobility is best realized through a proper combination or airlift and sealift. The C5A Galaxy aircraft is intended to provide an important element of the airlift component. The Fast Deployment Logistic Ship (FDL) is intended to provide the sealift component. Its unique function will be to serve as an optimally designed forward floating depot for heavy Army equipment to be made available on short notice to the troops that would be lifted by air to an operational theater.

THE COUNTERARGUMENT

No one questions that the proposed Fast Deployment Logistic Ship (FDL) would represent a major advance in augmenting the strategic mobility of U.S. forces. The real question is whether U.S. security interests establish a valid requirement for such a capablity. If the Vietnam experience proves anything it is that we should think twice before embarking on military adventures abroad. There must be time for public debate and involvement in decisions of such magnitude. Given our historical experience in which the Commander-in-Chief has, in effect, obtained the power to declare war, the Congress has no alternative but to control the means to commit the nation to such wars. The only way to prevent foreign interventions is to remove the temptation. It is time for the United States to take a hard look at its basic strategy as it applies to those areas of the world where U.S. interests are marginal. Where our vital interests are involved, as in Europe, we can continue to maintain prepositioned stocks of equipment as a basis for reinforcement if it should prove necessary. The FDL is justified essentially as a floating forward depot to permit intervention in areas where such prepositioned stocks are not available. These are the very areas where U.S. action should not be precipitated. By disapproving the FDL we can help to foster a climate in which U.S. forces are less likely to be committed without full consideration in accordance with our constitutional processes.

C–5A Galaxy Aircraft

DOD PROGRAM

Procurement of the C5A Galaxy aircraft was initiated in FY 1967 with eight aircraft. The FY 68 budget provided $423 million for the procurement of 18 aircraft, and this year's budget has $500 million for 27 aircraft. The total program calls for six squadrons of C5A with a total of 96 aircraft, with procurement to be completed by the end of FY 1972 at an overall program cost of approximately $3.4 billion.

DOD JUSTIFICATION

The C5A was developed and is being procured in order to enhance the strategic mobility of U.S. military forces. When the program is completed, it is estimated that our capacity to airlift forces over strategic distances will have increased tenfold since the level of the early 1960's. This airlift is an essential component of the overall program for strategic mobility (including the Fast Deployment Logistics Ship) intended to support the forward strategy implicit in the collective defense arrangements to which the United States is a party.

THE COUNTERARGUMENT

This program is so far down the road that there are severe limits on the amount that can be saved by calling a halt. However, in the light of what can only be interpreted as the growing disenchantment with the so-called forward strategy, it would seem obvious that the requirements for strategic airlift that were developed in an entirely different political atmosphere are now open to serious question. There is no justification for proceeding with anything like the six squadron-96 aircraft program at a time when it must be clear that this nation is no longer prepared to incur the costs of intervening in other peoples wars. With the presently available airlift, which already provides a substantial airlift, and considering the availability of the Civil Reserve Air Fleet in the event of a real national emergency, there is no reason why the C5A program should not be discontinued immediately and phased out as efficiently as possible. Our problem now is not to increase our strategic airlift capabilities, but to control the use of the capabilities we already have. As in the case of the Fast Deployment Logistic Ship (FDL), the further strengthening of the C5A fleet would simply reinforce the capacity of the Commander-in-Chief to intervene militarily around the world without reference to popular sentiment. Moreover, the justification of the full C5A program is predicated in part on the proposed FDL. With the latter program disallowed, the number of C5A aircraft required should be substantially reduced.

Manned Orbiting Laboratory (MOL)

DOD PROPOSAL

For FY 1969, the Department of Defense has requested $600 million for the Manned Orbiting Laboratory (MOL). This follows on prior year appropriations as follows:

[In millions]

Fiscal year:	
1964	$10.0
1965	36.5
1966	150.0
1967	200.0
1968	431.0

When the decision was made on 25 August 1963 to proceed with the MOL program, the total cost was estimated at about $1.5 billion. FY 1969 represents the peak year of activity for the MOL as presently programed. The MOL consists essentially of the TITAN III booster, the GEMINI B capsule, and a pressurized cylinder coupled to the GEMINI to serve as the manned laboratory in space.

DOD JUSTIFICATION

As a research and development program, MOL is intended to determine if there is an important military role for man in space. The importance of military operations in space has been clearly established. Whether manned operations in space can make a substantial additional contribution to military power and effectiveness is not known. The purpose of the MOL is to conduct experiments in order to answer this question.

THE COUNTER ARGUMENT

It is difficult to see just how the knowledge to be gained from MOL can provide a better answer to this question than that to be derived from the NASA program. The original decision to proceed with MOL was made at a time when this country had become excessively preoccupied with space programs generally, and when there was heavy military pressure for manned military operations in space, with the MOL being only the first step. Now, we find ourselves in a very different situation. The international political atmosphere has radically changed. In the spirit of the Outer Space Treaty, we should carefully avoid any action that might add a new dimension to the arms race. Certainly, in the current climate we would be well advised to pause in this undertaking to insure that there should be no misunderstanding our purpose. Any penalties that might be incurred by a delay in the program at this time are more than balanced by the opportunities now present for significant progress to insure that space will be utilized only for peaceful purposes, as provided in our own basic law. If these efforts should succeed, it might prove possible to cancel the program at a saving of a half billion or more dollars. More immediately, it seems clearly desirable to cut the FY 1969 budget request by a minimum of $200 million, or substantially the FY 1968 level. This reduction, with its consequent stretchout of the program, would in no way impair national security, and would be more conducive to getting on with the urgent task of easing military tensions in the world, thereby advancing our long-term security interests.

Poseidon and Minuteman III

DOD PROPOSAL

Substantial sums included in the Department of Defense FY 1969 budget are involved in the Poseidon and Minuteman III programs. For example, the total incremental cost of developing, producing, and deploying the Poseidon was estimated in FY 1968 at $3.3 billion. These improved systems are credited with capabilities that are substantially greater than the systems being replaced (Polaris and earlier versions of Minuteman III). These include such characteristics as accuracy, payload, penetration aids, and range. More significantly, Poseidon and Minuteman III will employ Multiple Independently Targetable Reentry Vehicles (MIRVs), thereby increasing the number of warheads that can be delivered with a given number of launchers.

DOD JUSTIFICATION

The basic justification for this proposed increase in U.S. offensive capabilities is that they are necessary to provide an assured destruction capability against the Soviet Union in the light of the growing threat presented by Soviet strategic forces, both offensive and defensive. The MIRV is being developed and is justified especially as the most appropriate response to possible Soviet deployment of an ABM.

THE COUNTERARGUMENT

While MIRV may appear justified to this country as an appropriate augmentation of our offensive capabilities for purposes of strategic nuclear deterrence, the Soviet Union can hardly interpret this development as representing other than an increased threat to its security. Moreover, the characteristics of the system inescapably introduce a new element of uncertainty into the strategic equation, leaving the Soviets with no alternaive but to increase their own offensive capabilities correspondingly, thereby triggering a new round in the strategic arms race. It may be that the United States will find it necessary to strengthen its strategic offensive capabilities in the future in order to insure the maintenance of a reliable deterrent. But at a time when this country and the U.S.S.R. are about to engage in important arms control discussions, including specifically the control of strategic offensive and defensive systems, it hardly seems appropriate to proceed with the development, production, and procurement of new offensive systems, with the attendant risk of raising the strategic arms balance to a new and even more delicate balance of terror. The very fact that MIRV introduces a new element of uncertainty into the arms balance may increase the possibility of miscalculation. It should be expected that the Soviet Union would match any MIRV deployment by the United States. And with both the U.S. and the U.S.S.R. so armed, the perceived disadvantages of incurring a first strike might at a time of heightened tension precipitate an unfounded preemptive strike. In effect, MIRV could introduce the functional equivalent of vulnerability into the strategic balance.

Considering the consequences of such a miscalculation, the prudent course at this stage, pending a more precise judgment than is now possible as to the prospects for the upcoming arms control discussions with the Soviet Union, is to defer any further buildup in our strategic offensive forces and to eliminate from the FY 1969 budget those funds which are intended for this purpose, leaving only those earmarked for research and development.

Department of Defense Manpower

DOD PROPOSAL

The planned active military and civilian personnel strengths for FY 1969 and the estimated costs thereof are:

[Dollar amounts in billions]

Strength:		Cost
Active military	3,477,520	$19.8
Civilian	1,251,130	10.1

DOD JUSTIFICATION

These personnel strengths are required for the proposed force structure and supporting defense establishment considered essential for national security.

THE COUNTERARGUMENT

The most effective way to cut expenditures for the armed forces is to reduce personnel strengths. A 10% reduction in personnel costs would mean a saving of $3 billion. Some personnel savings can be realized by the elimination, curtailment, or stretching out of such programs as the Manned Orbiting Laboratory (MOL), Fast Deployment Logistics Ship (FDL), C5A aircraft, POSEIDON and MINUTEMAN III, and the Antiballistic Missile. More substantial reductions can be accomplished by decreases in the ground forces planned for FY 1969, which include 19 Army divisions and 4 Marine divisions. Such decreases are entirely feasible if we cut back our overseas deployments. A direct saving of approximately 50,000 military personnel will accrue for each division cut from the force structure, with additional indirect savings in both military and civilian personnel costs resulting from reductions in the support structure. Altogether, it should be possible to cut personnel strengths to realize a 10% saving in personnel costs without in any way impairing national security.

Chemical and Biological Warfare

DOD PROPOSAL

The Department of the Army has requested funds for research, development and production of chemical and biological agents as part of the budget request for ordnance, combat vehicles and related equipment. The total budget request for these items is $175.7 million. It is estimated that the three largest sites, Edgewood Arsenal, Pine Bluff Arsenal and Fort Detrick, had a budget of $282 million in fiscal year 1968. The Air Force has requested $70.8 million for herbicides for defoliation in Vietnam. Since there is no separate budget item for chemical and biological research development, it is impossible to be more precise. It is estimated that around $350 million is spent for all aspects of this program.

DOD JUSTIFICATION

In its FY 1969 request for chemical weapons, the Department of the Army has said the following:

"The demand for munitions using riot-control agents has greatly increased. The most potent of these agents is CS. However, casualties recover in 10 to 15 minutes after exposure to fresh air.

"At present, three forms of CS and associated munitions are in the R&D program. The CS/pyrotechnic mixture is effective and the most widely used. The thermally-generated CS cloud is highly effective against the respiratory tract and the eyes. However, it may dissipate rapidly under certain meteorological conditions and it cannot be used for denial of terrain or tunnels." (Hearings before the Committee on Armed Services, United States Senate on S. 3293, authorization for military procurement, research and development, FY 1969, and reserve strength, pp. 808–9)

[CS is a fast-acting tear gas agent which produces severe nausea and headache. Additional research and development is performed on a variety of toxic weapons, including nerve gases and viral diseases.]

The military justifies the use of these weapons by stating that it violates no international law and that they are "non-lethal." The United States is not a party to the 1925 Geneva Convention outlawing the use of such weapons in warfare. The United States approved, in 1966, a United Nations resolution calling on all countries to adhere to the principles of the 1925 Geneva protocol. Most of the Pentagon's activities in this area are highly classified and military spokesmen are reluctant to debate the issue in public. The military has refused to admit guilt in the recent sheep deaths near Dugway Proving Grounds in Utah and will not confirm that islands in the Pacific are being considered for a variety of chemical warfare tests.

THE COUNTERARGUMENT

Opponents of the CBW program, including the Federation of American Scientists, point to the possible violation of international law, the impossibility of real tactical control over such weapons, the possibility of proliferation to other countries, the serious ecological and generic damage, and the general moral abhorrence to engage in this kind of military conflict. In addition, opposition exists because of the secrecy surrounding the military efforts in this field.

Is the MOL Necessary?

The Manned Orbiting Laboratory, or MOL, is the designation of the very substantial two billion plus dollars Air Force program aimed at putting men in space where they may perform a variety of military tasks while orbiting the earth.

The MOL program has two outstanding characteristics: first, it is extremely expensive (it is now consuming nearly one-half billion dollars a year and the trend is up); and, second, it is surrounded by secrecy (this large and complex program is described for the public in but one paragraph in this year's Congressional authorization).

It is time in this period of re-evaluation of national priorities and objectives to raise some questions about the MOL.

First of all, in terms of economics, why does the U.S. need to make prodigious investments in a new system on top of its large Apollo manned space-flight program? NASA has spent hundreds of millions of dollars in developing an earth-orbiting version of its moon landing spacecraft. However, in 1968, the Administration scratched the planned 1969 flight of the Apollo Applications satellite while permitting the MOL construction to proceed. Clearly, the U.S. Air Force, which has been calling for a "space force" for years, will under present planning proceed with its rival to Apollo, the MOL, and have men in earth orbit while NASA is preoccupied with going to the moon.

One may ask whether, from a technical standpoint, it is necessary to plan for manned space flight in the first place. Recent studies by both the President's Science Advisory Committee and the National Academy of Sciences conclude that automated missions are likely to be more cost-effective. Certainly the several hundred unmanned satellites—both the fully-described NASA scientific satellites and those launched by the Air Force in secret—seem to perform satisfactorily without the aid of man and his expensive life-support requirements. The answer generally given is that in the last analysis the U.S. will place men in orbit because such a feat is highly visible and carries great weight for national prestige. (After all the Russians are going to do it.)

If this is the case, is the MOL the proper instrument? Is the MOL a more efficient means for carrying out space studies than the Apollo spacecraft or the unmanned satellites? The citizen can only speculate because there is little information on the design or the purpose of the MOL. Former Secretary of Defense McNamara alluded to the possible value of the MOL for earth reconnaissance purposes. It is also known that countless Air Force proposals such as the Dynasoar were turned down after intensive study for insufficient technical justification. On the face of it, it is not clear that a large manned craft requiring complex and costly support facilities is needed or desirable for carrying out space observations. It is even more difficult to justify a military approach as typified by MOL.

There has been scant explanation provided to the public to justify the shift in direction. However, NASA Administrator Webb now seems to support joint military-civilian man-in-space programs and in a recent speech he envisioned a large satellite in orbit in 1973 "which can be used for any national purpose and without trying to identify specifically the missions that such a thing might accomplish." This attitude suggests a willingness to mix missions and share management thus diluting the earlier identification of NASA with unclassified programs. In this connection one notes that the NASA charter has some rather specific things to say about exploring space for peaceful purposes and for the benefit of all mankind. The Space Treaty which was endorsed just two years ago is specific in excluding weapons from orbit and positive in promoting international cooperation and the advance of science through space activities. While the Apollo Applications may have been conceived as an enormously expensive project at least it was in consonance with treaty obligations and it did promise to get some returns in the form of unique scientific data and practical information from its earthward-looking remote sensors for economic planning and resource survey. On the other hand, one can forsee a variety of undersirable foreign reactions to the placing in orbit by the U.S. of military manned orbiting laboratories capable of performing obscure "big brother" functions.

It is not obvious that it has to be this way. President Eisenhower, in 1953, elaborated a quite sensible approach to achieving some degree of world tranquility through "open skies" in which surprise attacks and secret war preparations might be frustrated by photograph from over-head. What was not possible from aircraft then could be accomplished now by satellites operating legitimately in international space.

The MOL raises critical questions of program cost, classification and management. Considering the great capital investments already made, it is likely that the U.S. *will* continue with its plan for orbital space stations. But can such a program be run efficiently under present levels of security classification? Will such a formidable program be most useful in terms of both national needs and international objectives if it is shrouded, as it is now, in secrecy? Should a more deliberate pace be adopted to permit the fuller exploration of both technical and political problems and alternatives?

The Defense Department does not have to forgo carrying out its legitimate space functions with some necessary degree of privacy. Nevertheless, Defense does now spend on space about fifty percent of the total NASA budget and its programs must be subject to some public scrutiny. In particular, what is the reason for clouding and obscuring such a major national effort as the orbiting of space stations by placing it under the Department of Defense despite the existence of a National Space Agency. One may also ask where the National Space Council has been during this apparent abandonment of civil programs in favor of military alternatives?

The present international scene calls for detente, both on earth and in space, not a continued expensive military and prestige rivalry. The condition of the national budget demands careful cost-effectiveness analysis of new programs, not blank checks to the order of hundreds of millions of dollars.

The answer to the question of whether or not the MOL is necessary in its present ill-defined status is obvious. Our national goals do not require additional global projects which can have, at best, marginal legitimate defense application. Such military-run operations may well jeopardize existing treaties or appear to others to be provocative. If there are to be manned space laboratories, let them be justified on sound, scientific and economic grounds in an open fashion. Let them be operated in a visible manner so that all nations may share in the pride of space exploration and in the development of new and open means for monitoring the earth and its environment for peaceful purposes. This task is essential and it will not be fulfilled if instead priority is given to as poorly justified and ill-defined a program as the Manned Orbiting Laboratory.

DR. CHARLES EDWARD YOUNG—DIRECT-ACTION EDUCATOR

Mr. METCALF. Mr. President, one of the most satisfactory experiences in the Congress is to watch the progress of interns after they have been in Washington and exposed to the inner workings of the legislative process.

The congressional fellowship program of the American Political Science Association is outstanding, and it must be a rewarding experience for the association as it is for me when one of our fellows attains a position that was anticipated for him when we were first associated with him.

The most recent example has been Dr. Charles Edward Young, who was a participant of the American Political Science fellowship program in 1958. I was a Member of the House of Representatives then, and his work for me was in the field of education. At that time I served on the House Committee on Education and Labor. Subsequently, Dr. Young came to the Senate for his 4 months' tour of duty there and worked on education with my distinguished predecessor in the Senate, Hon. James E. Murray, chairman of the Committee on Labor and Public Welfare.

Thoroughly grounded in educational policy, an admirable administrator, an able technician, Dr. Young is a young innovative, and understanding administrator whom UCLA is extremely fortunate to obtain. He is knowledgeable, he is aware, and he is flexible in his approach to educational problems.

I am proud to have been associated with Dr. Young and look forward to further achievements on his part.

I ask unanimous consent to have printed in the RECORD an article, published in the New York Times, on the appointment of Dr. Young as chancellor of UCLA.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the New York Times, July 15, 1968]

DIRECT-ACTION EDUCATOR: CHARLES EDWARD YOUNG

BERKELEY, CALIF., July 14.—A towering, square-shouldered exponent of "direct-action," who likes to report to his office by 6:30 or 7 o'clock in the morning to get his "paper work" out of the way, takes over the chancellorship of the University of California at Los Angeles on Sept. 1. It will be about the easiest administrative transition in history for a big campus when Dr. Charles Edward Young, at the age of 36, succeeds Dr. Franklin D. Murphy, 52, chancellor since 1960. Dr. Murphy is leaving to become chairman and chief executive officer of The Times Mirror Company in Los Angeles.

The transition will be simple because Dr. Young, a political scientist and administrative vice chancellor at U.C.L.A., has worked closely with Chancellor Murphy for eight years and their thinking is much alike. The Young appointment was announced at Friday's meeting of the university's board of regents.

Dr. Young, who carries 210 pounds on his six-foot two-inch frame, confesses to liking "to get people together who are going to have to be involved in working out a solution to a problem and work it out."

"I don't stand on protocol," he says.

SYMPATHETIC, BUT FIRM

He has been much involved with student affairs as vice chancellor. An associate tells of a campus incident in which students protesting the Dow Chemical Company's manufacture of napalm sat in the hall outside Dr. Murphy's office and refused to leave unless they could talk to the chancellor.

Dr. Murphy, however, was in New York, and Dr. Young saw them instead.

As Dr. Young was talking, two or three became abusive, the associate related, and he walked out with the comment that he would not stay where that kind of language was used.

"He handled it very coolly," his associate related. "His technique is one of sympathy, but firmness. He's no memo writer."

CHALLENGED BY SLUM PROBLEMS

The university expects to become more and more involved with problems of the slums, and Dr. Young views this as a major challenge. A friend said that when Negro students at U.C.L.A. formed the Black Student Union, "almost immediately, Chuck sat down with the leadership."

"He told them: 'Look fellows, I admire you for your desire and your instinct to do something for black students. But if that is sincerely your wish, you will get more done if we sit down together and talk of positive things instead of your confronting Chancellor Murphy with an ultimatum.' "

According to the story, the Negro students then came up with projected courses in such areas as Negro history and took part in a search for young Negro high school graduates needing help in getting into college.

Dr. Young was born on Dec. 30, 1931, in San Bernardino, Calif., where he attended high school and junior college. He was in the Air Force during the Korean conflict, returned to enter the University of California campus at Riverside, where he was that campus' first student body president.

WORKED IN WASHINGTON

He went to Washington in 1958 on a Congressional fellowship and worked there with Representative Lee Metcalf and Senator James A. Murray, both of Montana.

Before Chancellor Murphy picked him as his administrative assistant, Dr. Young was on the staff of former President Clark Kerr of the University of California.

He is married to the former Sue Daugherty whom he met in college. They have two children, Charles Jr., 12, and Elizabeth Susan, 7.

Dr. Young sizes up present-day university students as "an extremely interesting group." He commented the other day:

"If brought in appropriately to the development of programs of the university and their implementation, student activism can be a very positive and progressive force."

PRESIDENT JOHNSON'S CENTRAL AMERICAN TRIP HIGHLY SUCCESSFUL

Mr. SPARKMAN. Mr. President, President Johnson's recent trip to Central America emphasizes the broad changes that have taken place in our relations with our neighbors to the south.

The enthusiastic reception given the President at the El Salvador meeting of the Chief Executives of the Central American nations and at the other capitals is clearly an indication of the mutual respect that has developed as a result of the cooperation and friendship expressed for Latin America generally by the President.

He is to be congratulated for his efforts both in San Salvador and at the earlier meeting in April 1967 of the American Chief Executives to encourage an accelerated forward movement in the integration programs which will bring about social and economic development of those countries.

The President has constantly before him his dedicated goal of strengthening the U.S. commitments to the development of Latin America. All of us are aware he has been an enthusiastic supporter of the Alliance for Progress, the partnership of the hemisphere nations and an instrument by which the Latin Americans are trying to help themselves raise their standards of living in an atmosphere of peace and freedom.

Our policy for Latin America is based upon the success of the Alliance for Progress. We will be observing shortly the 7th anniversary of the Alliance. This occasion will provoke observations throughout the hemisphere that there has been evident progress toward fulfillment of this peaceful revolution. This progress has been especially evident in the last 3 or 4 years.

This is a sustained program although subject to constant ups and downs as it moves the hemisphere toward integration and development. Everyone familiar with the program knows years and decades possibly will pass before we can say that the development job was successfully carried out. And even then, I doubt that it will be finished. Certainly we cannot look at the United States today and say that we are 100-percent developed. It is quite apparent that we are not.

What I want to say is that I believe we have begun building on a strong foundation for the development of Latin America, thanks to the encouragement, first of President Kennedy, and later of President Johnson. What is required now is a sustained effort because there is plenty of evidence that the process of development as contemplated in the Charter of Punta del Este is beginning to work. It is really amazing that as much has been accomplished in as comparatively a short time as we have already seen.

In the past 4 years the administration has strengthened our country's commitment to the Alliance. I recall on November 26, 1963, President Johnson telling a meeting of Latin American diplomats in the White House that he was determined to devote "all the energies of my Government to our common goals" and his intention to contribute to "an American community of Nations moving forward together in progress and freedom."

Speaking at the White House last April on the occasion of the retirement of OAS Secretary General Jose A. Mora, the President said:

> We have strengthened the security of our hemisphere beyond doubt. We have waged a successful battle for economic opportunity and social justice in Latin America. . . .
>
> To cite a few facts, the average per capita growth in Latin America has more than doubled over the first three years of the Alliance, from nine-tenths of one percent in 1961 through 1963, to two and two-tenths percent from 1964 through 1967.

> The United States has put $7,700 millions at the service of the Alliance for Progress. That is 35 percent higher per annum in the last four years than we did in the first three years.
>
> The enrollment in the primary schools has increased by almost 7,000,000 students, and in secondary schools by close to 2,000,000 students. The number of cooperatives has increased by over 35 percent. A quarter of a million land titles have already been distributed, and tax collections, which rose $489,000,000 in the 1961–63 period, increased to nearly $3,000,000,000 during the 1964–67 period.

The U.S. obligations have increased from $2,803 million during the calendar years 1961–63 to $6,895 million during 1964–68. Also significant was a rise of 67 percent to over $1.5 billion in U.S. private direct investment between the two periods.

The President's interest in Latin America was very apparent at the 1967 Punta del Este summit meeting where the U.S. commitment to the Alliance was dramatically reemphasized when Mr. Johnson declared:

> I represent a nation committed by history, by national interest, and by simple friendship to the cause of progress in Latin America.

He pledged:

> I will do all I can, in my time of leadership, to help you meet these challenges.

At Punta del Este the Chief Executives recognized the importance of integrating the region's economies according to a definite timetable. They singled out agriculture and education for especially intensive action during the coming decade which the President has called the "Decade of Urgency." They recognized the critical role of science and technology in the development of the hemisphere; these and other decisions are the most important ever taken collectively by the Latin American nations and indicate a remarkable development of attitudes since the beginning of the Alliance.

The implementation of the summit decisions has been underway. One of them resulted just the other day in the dedication of a pilot educational television system in El Salvador which has undertaken an imaginative and bold approach to educate its masses.

President Johnson just signed legislation authorizing U.S. contribution of $300 million annually for the next 3 years to the Inter-American Development Bank, an increase of $50 million over what we had been contributing the previous 3 years. In similar moves to support multilateral financing of development we have two loans totaling $50 million to the Central American Integration Bank during the past year. These moves emphasize our growing interest in development on a multinational basis.

On the political front the once coup-prone Latin American republics are finding constitutional answers to their problems. There is gratifying evidence of a growing commitment to democratic processes since the Alliance began. One of the goals of the Alliance is to improve and strengthen democratic institutions and in the 1967 meeting the American Presidents restated their commitment to democratic institution building in their Action Plan to accelerate development.

Moreover, 17 countries in the last 2 years have held successful elections to give proof to the political stability.

Of course, democratic processes by themselves do not necessarily insure political stability, but we hope the trend will continue. Two countries, both freely elected, are confronted with long-standing economic problems and thus increasingly threatened by resulting political unrest.

Subversion and insurgency remains to trouble our neighbors. Our objective is to help them in their capabilities to control and eliminate subversion. Cuba, which remains an outcast from the American family, continues to advocate and support "wars of national liberation." The Cuban efforts have yet to succeed. But they have forced diversion of energy and resources from the social and economic development, such as the recent campaign in Bolivia which resulted in the capture of Castro's principal lieutenant, Che Guevara, and his subsequent death. The advocates of insurgency found little hospitality in Bolivia. Generally speaking there appears to be a lessening of guerrilla activities in those countries where it surfaced. Increasingly effective governmental countermeasures and little internal support have contributed materially to Castro's failures.

We realize from our commitments with our neighbors that our major objectives in our Latin American policy will be to maintain the forward momentum of the Alliance as evidenced by the President's trip to Central America.

We will be seeking to encourage further growth of the educational and agricultural sectors as well as development of institutions that strengthen democratic growth and what can be done in this direction will depend upon the outcome of legislative action for the fiscal year 1969 foreign aid program.

President Johnson in June of 1967 expressed the hope that this country and Panama had reached a point of agreement concerning the future of the Panama Canal. A presidential election earlier this year delayed consideration and when conversations may resume is problematical, at least until the new President is inaugurated next October.

Latin America stands today on the threshold of self-sustained growth. It has approached that position with our help, with the help of other nations and with the help of the international financing agencies, as well as their own. It has been helped by the increasing awareness of its own leaders that they have a primary responsibility to achieve social and economic development. It has become increasingly noticeable that they are more and more confident of their ability to do the job.

The modernization of Latin America will be to the benefit and wellbeing of the United States. Let us express our thanks to the President and to others in his administration who have labored long and hard in these endeavors.

CAPTIVE NATIONS WEEK

Mr. PERCY. Mr. President, I would like to take the occasion of Captive Nations Week to reaffirm the belief of Americans in the right of all peoples to self-determination, and to reassert our solidarity with those in Eastern Europe who continue their quest for the enjoyment of their basic rights.

We have seen unmistakable evidence in the last year of the continued will of the people for reform, and the recent movement toward liberalization in some Eastern European countries attests to the value and importance of continuing the struggle for self expression. I hope that the trend toward liberalization will continue and spread throughout Eastern Europe, so that the people of the region may have greater freedom and may enjoy the fullest expression of their religious and cultural traditions.

LAND AND WATER CONSERVATION FUND

Mr. METCALF. Mr. President, earlier today President Johnson signed into law S. 1401, as amended by both the House and Senate in conference. This measure provides gravely needed new sources of revenue for the land and water conservation fund and provides the Secretary of the Interior with new administrative authority to deal with the growing problem of escalating land costs.

Land cost escalation is threatening the success of the outdoor recreation programs of the States and the Federal Government, and, while the provisions of S. 1401 will unquestionably be of help, we in Congress must join with the administrative agencies in finding still more effective means to meet this threat. The Committee on Interior and Insular Affairs plans to go into the matter in some depth early in the 91st Congress.

However, there can be no question that S. 1401 is a truly constructive piece of legislation. It was properly described by the Washington Post in an editorial published last Wednesday, July 10, as "probably the most important conservation measure passed by the 90th Congress."

The editorial also gives appropriate recognition to the leadership of the distinguished Senator from Washington [Mr. JACKSON] in guiding the bill through the Interior Committee, through the prolonged debate in the Senate, and through the conference with the House.

I ask unanimous consent that the editorial be printed in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

CONSERVATION LANDMARK

> Congress has wisely fixed a new floor under the Nation's conservation efforts. The amendment to the Land and Water Conservation Fund Act, which it has sent to the White House, provides that if the sums now flowing into the fund plus direct appropriations do not total $200 million a year, during the next five years, receipts from oil and gas leases on the Outer Continental Shelf will be drawn upon to bring the total up to that level. It is an emergency measure designed to make possible the purchase of park and recreation lands before they are priced out of sight.
>
> In recent years Congress has authorized several national seashores, national parks and recreational areas for which some land remains to be purchased. Before adjournment it is expected to authorize an expensive Redwood National Park. Delay in acquiring such lands has proved to be inordinately expensive. The same is true in the case of state

and local parks and recreational areas for which the Government has provided $161 million to date.

Fortunately, the new bill does not stop with its guarantee of additional funds for park land purchases. It also authorizes the Secretary of the Interior to enter into option contracts for the acquisition of lands in the national park system up to $500,000 a year. Probably more important is the $60 million of advance contract authority over the next two years, along with lease-back and sell-back provisions and liberalized authority to exchange lands for the benefit of the national park system.

Senator Jackson is entitled to special credit for shepherding the measure through a complex controversy in the Senate and in the conference committee. The bill is probably the most important conservation measure passed by the 90th Congress. It merits prompt signature by the President because of its importance to the Nation's future recreational system and because of the enormous savings it will make possible.

ESSENTIAL SERVICES SHOULD NOT BE CUT FROM HOUSING BILL

Mr. MOSS. Mr. President, the conferees on the far-reaching housing bill of 1968 are meeting today to take historic action that should have direct meaning to millions of Americans.

Pleased as we may be, however, with most of the provisions of this bill, I feel that I must rise today to discuss one deletion made by the House last week. As chairman of the Subcommittee on Housing of the Senate Special Committee on Aging, I believe that a proposed cutback of funds for services is of special concern to the elderly, but it also has deep meaning for other age groups as well.

During more than the quarter of a century of public housing development, attention has been focused on bricks and mortar—building safe and sanitary housing for America's poor. Poor people, including the elderly poor, suddenly removed from dirty, rat-infested, crowded slum tenements and shacks, have been expected to find their own way, with only the most limited experience, into the midstream of community life, without benefit of education, training, or sympathetic and helpful guidance.

Many local housing authorities have been trying to provide management-related services to their tenants—whether old or young—but their efforts have been thwarted by the tiny sums they can eke out of their operating incomes. Community resources on which they so often have to depend, already are stretched beyond the point where assistance of substance can be made available.

Over a third of the tenants in our public housing projects are elderly, and there are about 233,000 elderly families in our low-rent projects. The average annual income for single elderly is just barely over $1,200, and for elderly couples in public housing is only a little over $2,100. Can you imagine the agonizing choice that has to be made between food, clothing, and shelter and health care on incomes at these and lower levels?

So the poor, whether elderly, or younger and with small children, who move into public housing often are left to flounder for themselves in the effort to improve their economic status and to adjust to urban life. Many are even unaware of the host of services and benefits which are available and to which they are entitled. Not another day should pass that our elderly poor should be uninformed about Medicare, as was so dramatically found in project find; or uninformed about food-stamp programs; welfare benefits; even social security payments. No longer should the elderly be isolated in their apartments, unaware of the many aids and activities which can give meaning to their lives and provide opportunities to be contributing members of their society. No longer should our senior citizens do without home health services if they need them, or meals on wheels, or visiting nurse services, or not know that a senior center is open to them for a variety of activities and programs. Nor should a working mother remain ignorant of nearby child care facilities, or an ailing breadwinner of a nearby outpatient clinic. Even if the poor, and especially the elderly poor, know the programs exist, they may be afraid to apply—afraid that such action will jeopardize, for some unknown reason, their modest improvement in living quarters. And if unafraid, the elderly may not be mobile enough or able to afford the cost of transportation to the source of the particular service.

Public housing authorities want to provide management services and programs. We have almost 2,000 places where low-rent public housing for the elderly is operating. The tenants, whether old or young, need guidance and advice on how to care for their new homes; how to live together; how to budget; and where to obtain medical and health services. They need counseling on family problems, educational and recreational resources, job counseling and training, and the use of leisure time. These are the kinds of help which can make or break the effort to bring the poor in public housing into the mainstream of our society and lift them from the despair and depths of a life of poverty and grime—empty of purpose—the kind of life which for too many families has continued from generation to generation.

This year, President Johnson, Secretary Weaver, and we in the Senate gave recognition to this sad and unforgivable state of affairs. We have voted to authorize up to $20 million for these services in fiscal 1969, and up to $40 million in fiscal 1970. These funds will not be used to duplicate welfare services available from other sources—Federal, State, local, or private. They will help make them more available at places and times when needed. In doing so, they will help make low-cost housing which is of good physical design into better managed housing that provides better living conditions.

It is most unfortunate that the House voted to cut the funds for this program. I urge the conferees to restore those cuts. The need for these services is unquestioned. Our poor residents in public housing need every encouragement and assistance possible from management, and they must know what programs and services are available to them from other sources, and how to obtain them. Low-income families of all ages and sizes, including the elderly, would benefit directly by the enactment of this program. The end product would be better communities and better lives for all our citizens.

CONCLUSION OF MORNING BUSINESS

Mr. BYRD of West Virginia. Mr. President, is there further morning business?

The **PRESIDING OFFICER.** Is there further morning business? If not, morning business is closed.

EXTENSION OF PUBLIC LAW 480—CONFERENCE REPORT

Mr. ELLENDER. Mr. President, I submit a report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 2986) to extend Public Law 480, 83d Congress, for 3 years, and for other purposes. I ask unanimous consent for the present consideration of the report.

The **PRESIDING OFFICER.** The report will be read for the information of the Senate.

The legislative clerk read the report.

(For conference report, see House proceedings of July 12, 1968, pp. 20995, 20996, CONGRESSIONAL RECORD.)

The **PRESIDING OFFICER.** Is there objection to the present consideration of the report?

There being no objection, the Senate proceeded to consider the report.

Mr. ELLENDER. Mr. President, the conference committee of Senate and House Members on the extension of Public Law 480 resolved their differences on Wednesday, July 3, 1968, in a manner entirely satisfactory to Senate conferees.

The Senate bill passed earlier this year provided for a 3-year extension. The House bill, on the other hand, provided only for a 1-year program. The conferees agreed on a 2-year extension to December 31, 1971.

The authorization was not in conference and remains at not in excess of $1.9 billion per year for title I and not more than $600 million for title II, plus carryover for both titles. In calendar year 1967 sales agreements under title I were signed valued at $639.9 million, while donations under title II are valued at $479.3 million.

In addition to the above stated difference, the Senate version contained two amendments while the House bill contained eight entirely different amendments. All amendments were accepted by the conference committee with slight modifications in three of the House amendments.

One of the Senate amendments would have encouraged voluntary population control programs by providing that if requested by the recipient country, not less than 5 percent of total sales proceeds each year shall be used for such programs. Also, the carrying out of voluntary programs to control population growth was added to the several self-help measures which are considered by the President before entering into agreements with foreign countries.

The second Senate amendment broadened existing use of foreign currencies to extend it to all cultural and educational exchange programs instead of just those authorized by the Mutual Educational and Cultural Exchange Act of 1961; and required at least 2 percent of total sales proceeds each year in each country to be used for such purposes.

The House amendments were, first, to make mandatory that the President require immediate payment by recipient countries where needed in dollars or foreign currencies for payment of U.S. obligations and certain other purposes.

The second House amendment would assure that this country obtain a fair share of any increase in commercial purchases of agricultural commodities by participating countries.

Two other amendments would assure convertability of foreign currencies for payment of wages earned in the development of works of public improvement in the purchasing countries, and for the procurement of materials or commodities in the purchasing countries.

Another House amendment would authorize use of foreign currencies for rodent, weed, insect, and other plant and animal pest control.

Further, the House amended the barter provisions of the act to eliminate barter except for offshore procurement. The conferees limited barter to bilaterial contracts in addition to offshore procurement.

The House also made changes in the makeup of the advisory committee now provided in law and required meetings last quarter. The conferees agreed on four meetings each year. Finally, the House prohibited the financing of exports by any person engaging in commerce with Vietnam and required exporters to furnish information as to ownership and control. Some modifications were also made in this amendment.

Mr. President, I move adoption of the conference report.

Mr. AIKEN. Mr. President, will the Senator from Louisiana yield?

Mr. ELLENDER. I yield.

Mr. AIKEN. Mr. President, I have heard no objection to the adoption of the conference report. The conference with the Agriculture Committee of the House was very satisfactory indeed. In fact, it was probably the shortest conference in many years, which was very gratifying.

I should like to concur in the motion of the Senator from Louisiana that the conference report be agreed to.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Louisiana.

The motion was agreed to.

COMMITTEE MEETING DURING SENATE SESSION TODAY

Mr. MORSE. Mr. President, I have been requested to ask unanimous consent that the Subcommittee on Labor of the Committee on Labor and Public Welfare be authorized to meet during the session of the Senate today.

The PRESIDING OFFICER. Without objection, it is so ordered.

HIGHER EDUCATION AMENDMENTS OF 1968

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of the unfinished business.

The PRESIDING OFFICER. The bill will be stated by title.

The BILL CLERK. A bill (S. 3769) to amend the Higher Education Act of 1965, the National Defense Education Act of 1958, the National Vocational Student Loan Insurance Act of 1963 and related acts.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill.

Mr. BYRD of West Virginia. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. MORSE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

PRIVILEGE OF THE FLOOR

Mr. MORSE. Mr. President, I ask unanimous consent that the following staff members of the Committee on Labor and Public Welfare be granted floor privilege during debate on S. 3769 and S. 3770, for the purpose of assisting Senators. I understand that, under the rules, I must name the individuals for whom I ask this unanimous consent. They are:

Mr. Jack Forsythe, Mr. Charles Lee, Mr. Richard Smith, Mr. William Lebov, of the majority staff; Mr. Roy Millenson, and Mr. Eugene Mittelman, of the minority staff; and the committee clerk, Mr. Stewart McClure.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MORSE. Mr. President, I have distributed to each Senator a copy of my remarks, explaining the contents of the Higher Education Amendments Act of 1968, S. 3769.

When we dispose of that bill, the Senate will then proceed immediately to the consideration of S. 3770, the vocational education bill.

Mr. President, once again it is my privilege to bring to the floor of the Senate a bill which represents the considered judgment of the Senate Committee on Labor and Public Welfare on a measure which, while initiating a few new programs, is mainly concerned with perfecting the statutory authorities for higher education now on the books.

Once again I am very pleased to bring to the floor of the Senate a bill that received the unanimous vote of the Senate Committee on Labor and Public Welfare. That does not mean that amendments to the bill will not be offered by some members of the committee, amendments which were considered in committee and turned down by a majority of the committee. There may very well be amendments offered by members of the committee that were not considered in committee. But I am pleased to report that the committee unanimously approves the format of these two bills.

Once again, I am greatly indebted to my colleagues on the committee and wish to express publicly my appreciation for their unfailing cooperation to me in carrying out my task in managing these bills on the floor of the Senate.

This measure, unlike many of its forerunners gives evidence that we have heeded the requests of the educational community and the American public that we bring into the whole field of educational legislation elements which will permit the consolidation and the mutual reinforcement of our existing authorities.

When this measure is enacted and its provisions become operative, I feel we will have taken a long step toward the ultimate goal—codification of law in this area.

In my presentation today, since the subject matter area covers such a multitude of concerns, individually each of which while important nevertheless carries on its face the justification for its substance, I propose to make this presentation less detailed than would ordinarily be the case.

BRIEF HISTORY OF THE LEGISLATION

At the beginning of the 90th Congress in the first session, we received from the administration two measures, one of which was concerned with higher education and changes in the National Defense Education Act. In the first session of the 90th Congress, based in part upon the recommendations, there was enacted the Educational Professions Development Act, Public Law 90–35, as well as a modification of the college work-study program which became law as Public Law 90–82.

In January, Presidential messages were again received which resulted in introduction of S. 3098. Hearings on the unenacted portions of S. 1126 and S. 3098. obtained testimony on those bills and they also provided a medium whereby we elicited information on a great number of other Senate measures in the field of higher education which had been offered to the committee.

I am exceedingly pleased at the high caliber of the witnesses on the manifold aspects of the bills who appeared before us in the 11 days of our hearings. Before each Senator is a set of our hearings record which incorporates the materials given to us for our consideration.

The Education Subcommittee in executive sessions, and the full committee, considered carefully the valid viewpoints and positions which had been presented, weighed and evaluated the proposals received and determined by unanimous vote that the reported measure be sent to the floor of the Senate.

Once again we carried out a practice we have developed in the Senate Subcommittee on Education which we think produces a set of hearings each year the reliability of which and the contents of which are of great help to our subcommittee. We conduct our hearings in the form of seminars. We call in two, three, four, five, sometimes even more, experts on a given phase of an educational subject matter. They conduct a seminar for us. They take over the committee hearings at that point. The members of the committee, in fact, become their students for the duration of that seminar. The participants in the seminar, as will be seen from the hearings, ask each other questions. They participate in a joint discussion of a given problem. Then the members of the committee in turn participate in the hearing by seeking to elicit from the members of the panel answers to questions that come to our minds.

I am very proud once again to present to the Senate this type of Senate reporting. We have found in the past, and Senators will find, I am sure, with respect to the use of these volumes, that the demand for our committee hearing reports is very great from the colleges and also from the secondary schools of our country. In fact, a good many professors of education have written to us and told us that large sections of our hearing reports are used as required reading in their education courses on many campuses of this country.

I wish to pay tribute to the spirit which emanated from both sides of the aisle. It was a spirit in which political partisanship played no part; rather, we were concerned to keep our collective eye upon the issues of the language, upon the primary recipient, the student and the institutions serving the student. The reported bill bears a very strong imprint, therefore, from both majority and minority members of the committee and, in my judgment, each addition or each change that was accepted has strengthened and improved the basic administration proposal. I think we have a record which will withstand the test of the Senate floor, and I hope will emerge substantially unchanged from conference.

With that brief introduction, I now turn to the provisions which are to be found in S. 3769. Although the bill itself is but 122 pages, the scope of its coverage is perhaps best exemplified by the five pages which make up the table of contents.

SUMMARY OF PROVISIONS

Title I contains provisions extending ongoing programs which in the view of the committee merit further funding authority.

At this point I should like to say that the principle we followed was that of extending these programs for a 4-year period. The House companion measure does not reach as far down the road. However, if we are to have orderly consideration of all aspects of legislation, I think it imperative that we arrive at a cycle of consideration which would allow each session of the Congress to devote its attention to a major area.

I would hope ultimately that we could arrive as a cycle which would permit in one year congressional review of the field of elementary and secondary education, and review in the second year of higher education, and in the third year a review of vocational and special education statutes. If this can be ultimately achieved, I think it will go far to improving the depth of the legislative oversight functions which in our committee we feel to be a very important part of our responsibilities in the consideration of proposals which come before us.

Title II of the bill contains provisions which affect the various programs of student assistance which have been enacted under the various predecessor bills.

Title III of S. 3769 contains amendments to the various titles of the Higher Education Act of 1965.

Title IV contains language affecting the Higher Education Facilities Act of 1963.

Title V is concerned with language changes in the National Defense Education Act of 1958.

Title VI sets forth the new programs which the Administration proposes to be added to the Higher Education Act of 1965 and proposals derived from senatorial bills and amendments which in the judgment of the committee were felt to merit inclusion in this basic statute.

Title VII contains miscellaneous provisions, the most important of which confers upon the College of Guam land-grant status in a manner similar to that which the Senate approved for the Federal City College earlier this session.

I turn now, Mr. President, to a more detailed presentation of the titles.

TITLE I

With respect to the extension of the programs and the funding provided, this can, I think, best be set forth before the Senate in the form of two tables which appear in the committee report. I ask unanimous consent that the tables to which I have alluded be printed at this point in my remarks.

There being no objection, the tables were ordered to be printed in the RECORD, as follows:

TABLE I.—EXTENSION AND AMENDMENT OF EXISTING PROGRAMS

PROJECTED OBLIGATIONS, S. 3769, HIGHER EDUCATION AMENDMENTS OF 1968

[In thousands]

	1968		1969		1970 authorization	1971 authorization	1972 authorization
	Authorization	Appropriation	Authorization	House appropriation			
TITLE I.—EXTENSION OF EDUCATION PROGRAMS							
Pt. A—Higher Education Act of 1965:							
Title I—Community service and continuing education programs	$50,000	$10,000	$50,000	(1)	$50,000	$60,000	$60,000
Title II-A—College library resources	50,000	24,522	50,000	(1)	75,000	90,000	90,000
Title II-B—Library training and research	15,000	11,800	15,000	(1)	28,000	38,000	38,000
Title II-C—Strengthening college and research library resources	7,770	5,478	10,000	(1)	11,100	11,100	11,100
Title III—Strengthening developing institutions	55,000	30,000	55,000	(1)	70,000	91,000	96,500
Title IV-A—Educational opportunity grants:							
Educational opportunity grants	[3] 70,000	140,600	[3] 70,000	(1)	[3] 100,000	[3] 140,000	[3] 140,000
Talent search	(2)	4,000	8,500	(1)	14,000	16,000	18,000
Title IV-B—Insured loans to students: Interest	(2)	40,000	(2)	(1)	(2)	(2)	(2)
Title IV-C—College work-study program	200,000	134,300	200,000	(1)	255,000	285,000	285,000
Title V—Education progressions development	318,000	48,500	385,000	$141,900	492,000	492,000	492,000
Title VI—Equipment for higher education:							
Pt. A—Television	10,000	1,500	10,000	(1)	10,000	10,000	10,000
Pt. A—Other	60,000	13,000	60,000	(1)	60,000	60,000	60,000
Pt. B—Faculty	5,000	2,500	5,000	(4)	5,000	5,000	5,000
Pt. B—Higher Education Facilities Act of 1963:							
Title I—Grants for undergraduate facilities	728,000	407,000	936,000	(1)	936,000	936,000	936,000
Title II—Grants for graduate facilities	120,000	50,000	120,000	(1)	120,000	120,000	120,000
Title III—Loans for construction of facilities	400,000	[5] 100,925	400,000	(1)	400,000	400,000	400,000
Sec. 408—Major disaster assistance	(2)	-------------	(2)	-------------	(2)	(2)	(2)
Pt. C—National Defense Education Act of 1958:							
Title II—National defense student loan program	225,000	190,000	250,000	(1)	275,000	300,000	300,000
Title III—Strengthening instruction in elementary and secondary education	110,000	80,280	110,000	(1)	120,000	130,000	130,000
State administration	10,000	2,000	10,000	(1)	10,000	10,000	10,000
Title IV—National defense fellowship program	(6)	86,000	(6)	(1)	(6)	(6)	(6)
Title V—Guidance, counseling and testing:							
State grants	30,000	24,500	30,000	(1)	40,000	54,000	54,000
Institutes	7,250	7,250	7,250	(7)	7,250	7,250	7,250
Title VI—Language development:							
Language and area centers Research	18,000	12,700 3,000	19,000	(1) 3,000	30,000	38,500	38,500
Title VII—Educational media	5,000	4,400	5,000	(8)	5,000	5,000	5,000
Title X—Statistical services	2,800	(9)	2,800	(9)	2,800	2,800	2,800
Title XI—Institutes	57,000	30,000	57,000	(7)	57,000	57,000	57,000
Pt. D—International Education Act of 1946	40,000	0	90,000	0	90,000	90,000	90,000
Pt. E—National Vocational Student Loan Insurance Act of 1965: Interest	(2)	360	(2)	(1)	(2)	(2)	(2)
Pt. F—National Foundation on the Arts and Humanities Act of 1965: Sec. 12—Equipment	500	500	500	(1)	500	500	500

See footnotes at end of table.

TABLE I.—EXTENSION AND AMENDMENT OF EXISTING PROGRAMS—Continued

PROJECTED OBLIGATIONS, S. 3769, HIGHER EDUCATION AMENDMENTS OF 1968

[In thousands]

	1968 .		1969		1970 authorization	1971 authorization	1972 authorization
	Authorization	Appropriation	Authorization	House appropriation			
TITLE II—STUDENT ASSISTANCE PROGRAMS							
Pt. A—Amendments to pt. A of title IV of the Higher Education Act of 1965:							
Special services for disadvantaged students Transfer of Upward Bound					$15,000	$80,000	$80 ,000
Pt. B—Amendments to student loan insurance program:							
Reserve fund			$12,500	(1)			
Increase of Federal insurance premium [10]			(1,570)		(1,884)	(2,198)	(2,512)
Pt. C—Loan forgiveness and payments on insured loans:							
Increase in loan forgiveness for teachers			734	(1)	764	793	852
Forgiveness for military service			3,290	(1)	3,422	3,553	3,816
Payment of insured loans for teachers and military personnel			54,506	(1)	135,021	159,868	184,311
Pt. F—General provisions concerning student assistance cost of education allowance [11]			3,185	(1)	5,240	2,055	
Total	2,594,320	1,468,955	3,028,695	144,900	3,421,213	3,693,221	3,723,117

[1] House of Representatives has taken no action on appropriation request.
[2] Plus continuation costs.
[3] Indefinite.
[4] Subsumed under pt. E of EPDA.
[5] Includes $100,000,000 carryover from fiscal year 1967.
[6] 7,500 new fellowships per year.
[7] Subsumed under pt. D of EPDA.
[8] Continued under the Cooperative Research Act as amended.
[9] Funded under title V ESEA.
[10] Income to Treasury.
[11] Amendments cover fellowship programs under pt. C of Education Professions Development Act and title IV of National Defense Education Act. Amounts represent increased costs for pt. C for which authorization for new awards expires June 30, 1970. Increased costs for title IV are included in total costs under pt. C, title I of amendments which would extend program for 4 years.

Note: Grand total—$13,866,246 (authorizations fiscal year 1969 to fiscal year 1972).

TABLE II.—NEW PROGRAMS

PROJECTED OBLIGATIONS, S. 3769, HIGHER EDUCATION AMENDMENTS OF 1968

[In thousands]

	1968		1969		1970 authorized	1971 authorized	1972 authorized
	Authorization	Appropriation	Authorization	House appropriation			
TITLE II—STUDENT ASSISTANCE PROGRAMS							
Pt. E—Cooperative education:							
Planning and operation					$8,000.00	$10,000.00	$10,000.00
Training and research			$500.00		750.00	750.00	750.00
Pt. F—General provisions concerning student assistance: Testing of secondary students			150.00				
TITLE IV—AMENDMENTS TO HIGHER EDUCATION FACILITIES ACT							
Grants to reduce borrowing costs					6,750.00	13,500.00	(1)
TITLE VI—NEW EDUCATION PROGRAMS							
New titles of the Higher Education Act of 1965:							
Title VIII—Networks for Knowledge					4,000.00	15,000.00	15,000.00
Title IX—Education for Public Service					5,000.00	13,000.00	13,000.00
Title X—Improvement of graduate programs					5,000.00	10,000.00	10,000.00
Title XI—Law school clinical experience programs					7,500.00	7,500.00	7,000.00
Title XII—U.S. Foreign Service Corps					15,000.00	30,000.00	30,000.00
College of Guam:							
Bankhead-Jones Act (increase) [2]			152.250		152.25	152.25	152.25
First Morrill Act			[3] 890.995				
Planning authorization			1,700.000				
Total			3,393.245		52,152.25	99,902.25	86,402.25

[1] Amounts necessary to carry out contracts approved prior to fiscal year 1972.
[2] Permanent authorization.
[3] 1-time payment in lieu of land-grant.

Note: Grand total, $241,849.995 (authorizations fiscal years 1969–72).

Mr. MORSE. Mr. President, Senators will note that although we have provided for a uniform 4-year duration of the programs, we have taken note of the funding difficulties and have directed that new programs be not funded operationally until fiscal year 1970.

I wish to pause just long enough to stress this matter, Mr. President. I am delighted to be joined by the Senator from New York [Mr. JAVITS], who is the leader of the Republican side of the committee, though I quickly add that there really are no party sides in this committee, for we have acted, as we should, in a nonpartisan fashion.

Senator JAVITS has been exceedingly helpful to me as the chairman of the subcommittee and the acting chairman of the full committee for the consideration of these two bills, and I am glad to have him hear me say now, in regard to the point I have just made—and I repeat it—that we have taken note of the funding difficulties and have directed that new programs be not funded operationally until fiscal year 1970.

We think that is just legislative realism, Mr. President. It was originally proposed that this funding be provided for 1969. But we have to face up to the fiscal problems confronting the country, and we think the course of action which the committee unanimously recommends is the wiser course; namely, that the funding be postponed until fiscal year 1970.

In doing so, however, in order that the new programs may be started with as little delay as possible next July 1, we have provided in fiscal year 1969 for the inclusion of an item of $1.7 million to fund preparatory activities for the new programs contained in this act and in the companion measure relating to vocational education, which, it is my hope, will immediately follow Senate consideration of S. 3769.

At this point I also wish to express my personal observaton as a Senator from Oregon serving with my colleagues on the subcommittee and the full committee, that I believe the authorization levels we have provided do not meet the full need as developed in our testimony. However, in view of the demonstrated reluctance on the part of the Bureau of the Budget to give credence in its requests to the need factors as set forth in authorizations approved for prior years, it was our committee's conclusion that since we will have an opportunity within a 4-year period to adjust our authorization ceilings and since the forward funding provisions affecting educational programs now found in the elementary and secondary area only are generalized to cover all programs, it was our judgment that the figures we bring to the Senate represent the best compromise which could be arrived at.

The forward funding provisions are a work of major importance in that they insure a degree of certainty which should result in greater economy and efficiency in the operation of programs than heretofore has been the case. This value alone, in my mind, weighed heavily in favor of accepting the limitations which the committee felt wise to place upon the authorization ceilings.

TITLE II

Title II of the bill, which covers student assistance programs, is divided into four parts.

In part A will be found amendments to part A of title IV of the Higher Education Act of 1965. In part B are set forth amendments to the student loan insurance program of that act; part C covers loan forgiveness and payments on insured loans; part D is related to the college work-study program; and in part E is placed the new program for cooperative education. In part F may be found general provisions relating to student assistance.

Section 201 broadens section 401(a) of the Higher Education Act by including within it State programs as well as the existing authorities for your institutions of higher educaton. The language of this part was generally designed to bring together in a coordinated way the programs of talent search, educational opportunity grants, and for fiscal year 1971 the programs now administered by the Office of Economic Opportunity in the Upward Bound area. It is particularly important that this be done since in this part in section 203 are contained the administration recommendations for special services for disadvantaged students.

UPWARD BOUND TRANSFER

Because of the discussion that I know will follow before the debate on this matter is over, I make very brief reference at this time to the Upward Bound program. Senators will note, as I have said, that it will continue in the Office of Economic Opportunity for the year 1971. It was proposed in committee that it continue only until 1970. The committee voted seven to six in favor of continuing it until 1971. I understand that an amendment will be offered on the floor during the debate to return to the year 1970. The proponents of the amendment will make their case at that time. As far as the chairman is concerned, he will support the amendment, for I think the transfer should take effect in 1970 instead of 1971, for reasons that will be brought out; otherwise, we will really have, as I referred to it in committee, a vacuum year to go beyond 1970, because we would have no authorization for that period of time.

I also think that, as a matter of merit, the sooner Upward Bound is put in the Department of Health, Education, and Welfare, the better. In fact, I believe that the educational program, in the interest of efficiency, better administration, and the saving of money, should be centered in one department of the Government, and that ought to be the Department of Health, Education, and Welfare.

It was the committee belief that if the new program was to be approved it should be thoroughly meshed into the closely related allied programs of Talent Search and Upward Bound. However, it was realized that since part B is currently being administered by a different agency time was necessary to allow for an orderly transition.

The merger of part B, however, departs from the format in the rest of our new program in that it is effective one year later than the start of other new programs. This was as the result of an amendment carried in committee by the senior Senator from Pennsylvania, who is the exceedingly able chairman of the Subcommittee on Employment, Manpower, and Poverty, and whose legislation has heretofore carried the part B authorities.

I very much regret that the matter is one which has occasioned not a difference of objective, but a difference in achiving that objective between my good friend and me; but as chairman of the Education Subcommittee in pursuance of the subcommittee policy of longstanding, I am constrained to attempt where possible to bring within the jurisdiction of the Education Subcommittee Federal programs having applicable educational content.

In this area of part B, since it is concerned with students at the secondary level, I feel that it is particularly within the province of the Education Subcommittee. It cannot be argued, as in such programs as Headstart, that the children affected are not within the mandatory school age limits.

With regard to the contention that the program would be less efficient and effective if it were operated within the HEW framework, I can only assure the Senate that it has been my experience over the years that a new spirit has invigorated the Office of Education under the Kennedy and Johnson administrations. I am persuaded that the dedication of the personnel of the Office of Education to meeting, within the framework of our statutes, needs of the children, is unsurpassed by the dedication of the personnel of any other Federal agency. I submit that this should be the criterion in making decisions affecting program organization: Can our decisions advance not the institution itself but the best interests of the child served? As I have said so many times in presenting these additional bills to the Senate, I never take my eyes off the children involved, who today are our immediate and greatest concern. With the program of special services for disadvantagted students, which the administration has proposed, added to the armamentarium provided by Talent Search and Upward Bound, I feel sure that the authorities will be used in a complementary rather than a competing fashion and that the net result will be beneficial and more economical.

INSURED LOAN PROVISIONS

In part B of title II are to be found the amendments to the student loan insurance program.

In discussing this part, I should like to pay tribute to the very helpful suggestions incorporated in the programs which were received from my colleagues on the committee, and here I have reference to the helpful suggestions from my good friend, Senator PROUTY, who offered provisions relating to the deferment of repayment of State or privately insured loans during periods when the borrower is undertaking military, Peace Corps, or VISTA service.

In this part, also, is found language which brings into coordination both the non-Federal and the Federal programs in such areas as the maximum amounts of individual loans which can be insured, the issuance of installment obligations, and the minimum amounts of repayment installments on insured loans. This part contains provisions for the Federal guarantee of student loans, the so-called Federal re-insurance provision, and provides for Federal advances to reserve funds for student loan insurance programs.

Senators will note that in section 215 we have accepted an increase in the maximum interest rate under the student loan program and made provisions for payment of the administrative costs. Here we adopted the format of the House companion measure with regard to the interest rate of 7 percent, but we will be in conference on the degree to which this additional charge should be borne by the student. It is our contention that this necessary increase, if the program is to survive, ought not to be placed as a burden on the student.

In my personal view, I can only state that I am sorry that it is necessary for this increase to be made. It is a point shared, I know, by many prominent members of the other body, including the distinguished chairman of the House Committee on Banking and Currency, who testified at length before us in opposition to the increased interest rate provision, but I submit that in this area at least we are not breaking ground; we are, as it were, conforming in this program to policy decisions in other areas which have established the precedent.

It differs from the administration proposal as brought before us, which provided for a $35 fee, but events since introduction in the financial world, I think, have made obsolete the original administration recommendation.

Sections 218 and 219 were added by the committee. The first permits Federal savings and loans associations to invest in loans made to vocational education borrowers, and the second includes as eligible lenders pension funds maintained by national organizations.

On this point, I would stress that in my view, and I believe the view of my colleagues on the committee, and I state it as a matter of legislative history, that there is no barrier in the present act or the act as it will be modified by this legislation at this time, which would prevent an institution of higher education which wished to invest its funds in this program from being precluded from so doing. I wish to give to the Senate as part of the background in this area what I consider to be a most helpful conference held in Oregon this spring at which I presided, in bringing together

TABLE I.—EXTENSION AND AMENDMENT OF EXISTING PROGRAMS—Continued

PROJECTED OBLIGATIONS, S. 3769, HIGHER EDUCATION AMENDMENTS OF 1968

[In thousands]

	1968 .		1969		1970 authorization	1971 authorization	1972 authorization
	Authorization	Appropriation	Authorization	House appropriation			
TITLE II—STUDENT ASSISTANCE PROGRAMS							
Pt. A—Amendments to pt. A of title IV of the Higher Education Act of 1965:							
Special services for disadvantaged students					$15,000	$80,000	$80,000
Transfer of Upward Bound							
Pt. B—Amendments to student loan insurance program:							
Reserve fund			$12,500	(1)			
Increase of Federal insurance premium [10]			(1,570)		(1,884)	(2,198)	(2,512)
Pt. C—Loan forgiveness and payments on insured loans:							
Increase in loan forgiveness for teachers			734	(1)	764	793	852
Forgiveness for military service			3,290	(1)	3,422	3,553	3,816
Payment of insured loans for teachers and military personnel			54,506	(1)	135,021	159,868	184,311
Pt. F—General provisions concerning student assistance cost of education allowance [11]			3,185	(1)	5,240	2,055	
Total	2,594,320	1,468,955	3,028,695	144,900	3,421,213	3,693,221	3,723,117

[1] House of Representatives has taken no action on appropriation request.

[2] Plus continuation costs.

[3] Indefinite.

[4] Subsumed under pt. E of EPDA.

[5] Includes $100,000,000 carryover from fiscal year 1967.

[6] 7,500 new fellowships per year.

[7] Subsumed under pt. D of EPDA.

[8] Continued under the Cooperative Research Act as amended.

[9] Funded under title V ESEA.

[10] Income to Treasury.

[11] Amendments cover fellowship programs under pt. C of Education Professions Development Act and title IV of National Defense Education Act. Amounts represent increased costs for pt. C for which authorization for new awards expires June 30, 1970. Increased costs for title IV are included in total costs under pt. C, title I of amendments which would extend program for 4 years.

Note: Grand total—$13,866,246 (authorizations fiscal year 1969 to fiscal year 1972).

TABLE II.—NEW PROGRAMS

PROJECTED OBLIGATIONS, S. 3769, HIGHER EDUCATION AMENDMENTS OF 1968

[In thousands]

	1968		1969		1970 authorized	1971 authorized	1972 authorized
	Authorization	Appropriation	Authorization	House appropriation			
TITLE II—STUDENT ASSISTANCE PROGRAMS							
Pt. E—Cooperative education:							
Planning and operation					$8,000.00	$10,000.00	$10,000.00
Training and research			$500.00		750.00	750.00	750.00
Pt. F—General provisions concerning student assistance: Testing of secondary students			150.00				
TITLE IV—AMENDMENTS TO HIGHER EDUCATION FACILITIES ACT							
Grants to reduce borrowing costs					6,750.00	13,500.00	(1)
TITLE VI—NEW EDUCATION PROGRAMS							
New titles of the Higher Education Act of 1965:							
Title VIII—Networks for Knowledge					4,000.00	15,000.00	15,000.00
Title IX—Education for Public Service					5,000.00	13,000.00	13,000.00
Title X—Improvement of graduate programs					5,000.00	10,000.00	10,000.00
Title XI—Law school clinical experience programs					7,500.00	7,500.00	7,000.00
Title XII—U.S. Foreign Service Corps					15,000.00	30,000.00	30,000.00
College of Guam:							
Bankhead-Jones Act (increase) [2]			152.250		152.25	152.25	152.25
First Morrill Act			[3] 890.995				
Planning authorization			1,700.000				
Total			3,393.245		52,152.25	99,902.25	86,402.25

[1] Amounts necessary to carry out contracts approved prior to fiscal year 1972.

[2] Permanent authorization.

[3] 1-time payment in lieu of land-grant.

Note: Grand total, $241,849.995 (authorizations fiscal years 1969-72).

Mr. MORSE. Mr. President, Senators will note that although we have provided for a uniform 4-year duration of the programs, we have taken note of the funding difficulties and have directed that new programs be not funded operationally until fiscal year 1970.

I wish to pause just long enough to stress this matter, Mr. President. I am delighted to be joined by the Senator from New York [Mr. JAVITS], who is the leader of the Republican side of the committee, though I quickly add that there really are no party sides in this committee, for we have acted, as we should, in a nonpartisan fashion.

Senator JAVITS has been exceedingly helpful to me as the chairman of the subcommittee and the acting chairman of the full committee for the consideration of these two bills, and I am glad to have him hear me say now, in regard to the point I have just made—and I repeat it—that we have taken note of the funding difficulties and have directed that new programs be not funded operationally until fiscal year 1970.

We think that is just legislative realism, Mr. President. It was originally proposed that this funding be provided for 1969. But we have to face up to the fiscal problems confronting the country, and we think the course of action which the committee unanimously recommends is the wiser course; namely, that the funding be postponed until fiscal year 1970.

In doing so, however, in order that the new programs may be started with as little delay as possible next July 1, we have provided in fiscal year 1969 for the inclusion of an item of $1.7 million to fund preparatory activities for the new programs contained in this act and in the companion measure relating to vocational education, which, it is my hope, will immediately follow Senate consideration of S. 3769.

At this point I also wish to express my personal observaton as a Senator from Oregon serving with my colleagues on the subcommittee and the full committee, that I believe the authorization levels we have provided do not meet the full need as developed in our testimony. However, in view of the demonstrated reluctance on the part of the Bureau of the Budget to give credence in its requests to the need factors as set forth in authorizations approved for prior years, it was our committee's conclusion that since we will have an opportunity within a 4-year period to adjust our authorization ceilings and since the forward funding provisions affecting educational programs now found in the elementary and secondary area only are generalized to cover all programs, it was our judgment that the figures we bring to the Senate represent the best compromise which could be arrived at.

The forward funding provisions are a work of major importance in that they insure a degree of certainty which should result in greater economy and efficiency in the operation of programs than heretofore has been the case. This value alone, in my mind, weighed heavily in favor of accepting the limitations which the committee felt wise to place upon the authorization ceilings.

TITLE II

Title II of the bill, which covers student assistance programs, is divided into four parts.

In part A will be found amendments to part A of title IV of the Higher Education Act of 1965. In part B are set forth amendments to the student loan insurance program of that act; part C covers loan forgiveness and payments on insured loans; part D is related to the college work-study program; and in part E is placed the new program for cooperative education. In part F may be found general provisions relating to student assistance.

Section 201 broadens section 401(a) of the Higher Education Act by including within it State programs as well as the existing authorities for your institutions of higher educaton. The language of this part was generally designed to bring together in a coordinated way the programs of talent search, educational opportunity grants, and for fiscal year 1971 the programs now administered by the Office of Economic Opportunity in the Upward Bound area. It is particularly important that this be done since in this part in section 203 are contained the administration recommendations for special services for disadvantaged students.

UPWARD BOUND TRANSFER

Because of the discussion that I know will follow before the debate on this matter is over, I make very brief reference at this time to the Upward Bound program. Senators will note, as I have said, that it will continue in the Office of Economic Opportunity for the year 1971. It was proposed in committee that it continue only until 1970. The committee voted seven to six in favor of continuing it until 1971. I understand that an amendment will be offered on the floor during the debate to return to the year 1970. The proponents of the amendment will make their case at that time. As far as the chairman is concerned, he will support the amendment, for I think the transfer should take effect in 1970 instead of 1971, for reasons that will be brought out; otherwise, we will really have, as I referred to it in committee, a vacuum year to go beyond 1970, because we would have no authorization for that period of time.

I also think that, as a matter of merit, the sooner Upward Bound is put in the Department of Health, Education, and Welfare, the better. In fact, I believe that the educational program, in the interest of efficiency, better administration, and the saving of money, should be centered in one department of the Government, and that ought to be the Department of Health, Education, and Welfare.

It was the committee belief that if the new program was to be approved it should be thoroughly meshed into the closely related allied programs of Talent Search and Upward Bound. However, it was realized that since part B is currently being administered by a different agency time was necessary to allow for an orderly transition.

The merger of part B, however, departs from the format in the rest of our new program in that it is effective one year later than the start of other new programs. This was as the result of an amendment carried in committee by the senior Senator from Pennsylvania, who is the exceedingly able chairman of the Subcommittee on Employment, Manpower, and Poverty, and whose legislation has heretofore carried the part B authorities.

I very much regret that the matter is one which has occasioned not a difference of objective, but a difference in achiving that objective between my good friend and me; but as chairman of the Education Subcommittee in pursuance of the subcommittee policy of longstanding, I am constrained to attempt where possible to bring within the jurisdiction of the Education Subcommittee Federal programs having applicable educational content.

In this area of part B, since it is concerned with students at the secondary level, I feel that it is particularly within the province of the Education Subcommittee. It cannot be argued, as in such programs as Headstart, that the children affected are not within the mandatory school age limits.

With regard to the contention that the program would be less efficient and effective if it were operated within the HEW framework, I can only assure the Senate that it has been my experience over the years that a new spirit has invigorated the Office of Education under the Kennedy and Johnson administrations. I am persuaded that the dedication of the personnel of the Office of Education to meeting, within the framework of our statutes, needs of the children, is unsurpassed by the dedication of the personnel of any other Federal agency. I submit that this should be the criterion in making decisions affecting program organization: Can our decisions advance not the institution itself but the best interests of the child served? As I have said so many times in presenting these additional bills to the Senate, I never take my eyes off the children involved, who today are our immediate and greatest concern. With the program of special services for disadvantagted students, which the administration has proposed, added to the armamentarium provided by Talent Search and Upward Bound, I feel sure that the authorities will be used in a complementary rather than a competing fashion and that the net result will be beneficial and more economical.

INSURED LOAN PROVISIONS

In part B of title II are to be found the amendments to the student loan insurance program.

In discussing this part, I should like to pay tribute to the very helpful suggestions incorporated in the programs which were received from my colleagues on the committee, and here I have reference to the helpful suggestions from my good friend, Senator PROUTY, who offered provisions relating to the deferment of repayment of State or privately insured loans during periods when the borrower is undertaking military, Peace Corps, or VISTA service.

In this part, also, is found language which brings into coordination both the non-Federal and the Federal programs in such areas as the maximum amounts of individual loans which can be insured, the issuance of installment obligations, and the minimum amounts of repayment installments on insured loans. This part contains provisions for the Federal guarantee of student loans, the so-called Federal re-insurance provision, and provides for Federal advances to reserve funds for student loan insurance programs.

Senators will note that in section 215 we have accepted an increase in the maximum interest rate under the student loan program and made provisions for payment of the administrative costs. Here we adopted the format of the House companion measure with regard to the interest rate of 7 percent, but we will be in conference on the degree to which this additional charge should be borne by the student. It is our contention that this necessary increase, if the program is to survive, ought not to be placed as a burden on the student.

In my personal view, I can only state that I am sorry that it is necessary for this increase to be made. It is a point shared, I know, by many prominent members of the other body, including the distinguised chairman of the House Committee on Banking and Currency, who testified at length before us in opposition to the increased interest rate provision, but I submit that in this area at least we are not breaking ground; we are, as it were, conforming in this program to policy decisions in other areas which have established the precedent.

It differs from the administration proposal as brought before us, which provided for a $35 fee, but events since introduction in the financial world, I think, have made obsolete the original administration recommendation.

Sections 218 and 219 were added by the committee. The first permits Federal savings and loans associations to invest in loans made to vocational education borrowers, and the second includes as eligible lenders pension funds maintained by national organizations.

On this point, I would stress that in my view, and I believe the view of my colleagues on the committee, and I state it as a matter of legislative history, that there is no barrier in the present act or the act as it will be modified by this legislation at this time, which would prevent an institution of higher education which wished to invest its funds in this program from being precluded from so doing. I wish to give to the Senate as part of the background in this area what I consider to be a most helpful conference held in Oregon this spring at which I presided, in bringing together in a meeting of minds representatives of the Bureau of Higher Education and the presidents of the majority of Oregon institutions of higher education.

In that meeting the question was broached and the advice was informally given that an institution such as the University of Portland, if it wished to, could become an eligible lender for the purpose of giving loans under this program to eligible students. Subsequently, I am advised that other institutions in other parts of the country, including some in the State of Connecticut, wish to be placed in this category for the purpose I have described. And the University of Portland is a private institution.

I would hope, therefore, that the Office of Education will exercise its authorities as they presently exist to accomplish this objective. If there is any question in the minds of the Office of Education about our intent in this area and they wish to have it clarified by additional language, I respectfully suggest that I be provided with the language prior to the conference meetings in order that I may bring it to the attention of our colleagues so that the new language, if it is absolutely necessary, may be included in the conference committee recommendation.

LOAN FORGIVENESS PROVISIONS

In part C of title II are the loan forgiveness provisions relating to teachers in schools serving children from low-income families and the authorization for such forgiveness for service in the Armed Forces. In part these provisions were incorporated to bring to the greatest extent practicable our direct loan programs of title II National Defense Education Act and our insured loan provisions into harmony. Our aim here, as elsewhere, is to remove to the greatest extent possible disparities of treatment accorded individuals by the happenstance of the terms of the enabling authorities.

It is for this reason that in this part we have tried to conform the National Defense Education Act title II language, the medical students assistance language, the Public Health Service Act, and the insured loan program. If enacted, this would enable a student having a loan to obtain forgiveness for the unpaid principal and interest at the rate of 25 perment of the total amount of each complete consecutive year of military service. While the forgiveness feature would apply to loans made prior to the date of enactment of S. 3769, the service qualifying for such forgiveness would only be that served in the Armed Forces, performed as of the date of enactment.

COLLEGE WORK-STUDY

In the work-study programs, changes covered in part D of title II, we have for the first time on the basis of testimony presented enabled students attending proprietary schools to participate with the safeguard that the work performed shall not be for the institutions attended.

In this part we have also redeemed the promise which was made to the Senate last year by continuing the matching provisions at a 90–10 ratio.

COOPERATIVE EDUCATION

In part E of title II we come to a new program which has special relevance for me since I was privileged to participate in a full day's hearing in Eugene, Oreg., last year where the basis for the language was laid through testimony elicited from a highly competent panel of educators, businessmen, bankers, and corporation executives. That volume of hearings before the subcommittee of May of 1967 has been incorporated by reference into our hearings of this year.

I know that the able Senator from Texas [Mr. YARBOROUGH] was equally impressed by the testimony he graciously took while acting in my place as chairman in our field hearing at Austin, Tex., earlier this spring at which additional testimony in favor of this program was developed.

I am certainly aware, and I wish to acknowledge the debt of gratitude that the subcommittee has to Senators who do not serve on the committee, such as the able Senator from New Mexico [Mr. MONTOYA], the distinguished Senator from Indiana [Mr. HARTKE], and the distinguished Senator from California [Mr. KUCHEL], all of whom have expressed to me and to my colleagues their desire that this legislation and the companion equivalent found in the vocational education bill to be considered later in the vocational education field, be enacted. The vocational cooperative education program was recommended to us by my very able colleague on the subcommittee, the junior Senator from California [Mr. MURPHY].

Mr. President, I ask unanimous consent that at this point in my remarks there appear excerpts from the committee report relating to the cooperative education program.

There being no objection, the excerpts were ordered to be printed in the RECORD, as follows:

COMMITTEE COMMENT ON COOPERATIVE EDUCATION, SECTION 241

Two field hearings, one in April of 1967 at Eugene, Oreg., and the other at Austin, Tex., in March of 1968, laid the foundation for acceptance of bipartisan amendments urged upon it by several Senators to establish a program which would provide for a part of the financing costs to institutions who desired to restructure their operations in such a fashion as to permit their students to have the opportunity of participating in the cooperative work-study program. At the Eugene, Oreg., hearings, it was pointed out:

The establishment of cooperative education programs gives students the opportunity to have educationally valuable experiences in full-time jobs in business, industry, and government and can greatly contribute to improving the educational excellence of programs offered by colleges and universities.

Established 60 years ago, there are now 110 colleges and universities with cooperative education programs. These institutions are arranging for students to alternate campus study with employment in full-time, responsible educative jobs. The college has, in effect, two student bodies. The college can admit and graduate more students without expanding facilities. There are now over 56,000 college and university students in these programs. These students are earning more than $95 million toward the cost of their higher education this year.

Cooperative education had its beginning at the University of Cincinnati in 1906 and at Northeastern University in 1909. At the present time 109 institutions have adopted this educational plan either for all or a major part of their student body. Much of the expansion of the program has been due to the efforts of the National Commission for Cooperative Education and the Ford Foundation which have been instrumental in developing a center for cooperative education at Northeastern University. In the committee proposal, $500,000 is authorized for fiscal year 1969 for training and research purposes with $750,000 authorized for each of the succeeding 3 fiscal years. The operational grants would rise from $8 million for fiscal year 1970 to $10 million for each of the 2 succeeding fiscal years. The committee has included a limitation that not in excess of $75,000 might be given to any one participating institution of higher education for any fiscal year. A maintenance of effort provision has been incorporated to assure that the Federal funds would be used for planning, establishment, or expansion of the program. It should be noted that the funds provided will not be used to pay the salaries of the students.

GENERAL PROVISIONS

Mr. MORSE. In part F, general provisions concerning student assistance, there appears in section 251 the provision for a study to be made by a Presidentially appointed commission on the types of governmental assistance for universal educational opportunity at the postsecondary level, which resulted from the meeting of minds of Senators on both sides of the aisle under the leadership of Senators YARBOROUGH, PROUTY, WILLIAMS, and PELL. This study, which has been funded at $750,000 for an 18-month period, will, I know, be of invaluable assistance to the Senate in the 91st Congress because it will be the basis, I hope, for further advance.

This section also removes barriers contained in legislation administered by the Veterans' Administration which now precludes benefits under educational programs from being made available to veterans who exercise their rights under the cold war GI bill of rights. The amendment was proposed to us by the hardworking chairman of the Public Works Committee, the distinguished senior Senator from West Virginia [Mr. RANDOLPH], who has always been one of our most conscientious Members in looking after the interests of young people.

As Senators are aware, educational assistance programs are awarded either on the basis of need or as in the case of title IV NDEA fellowship program, on the basis of merit. It was our view that if the need exists, the fact that the veteran was receiving certain benefits under the veterans legislation should not preclude the need from being met from other sources.

Similarly, to deny benefits such as title IV which are conditioned upon merit, by reason of the fact that the veteran had exercised his right to veterans benefits would be to place the veteran in a second-class citizenship position.

With regard to the other provisions of this part, in my judgment the committee has dealt with them most adequately, and therefore I ask unanimous consent that at this point in my remarks there appear excerpts from the committee report dealing with section 253 through the end of title II.

There being no objection, the excerpts were ordered to be printed in the RECORD, as follows:

STUDENT MISCONDUCT

The committee has been dismayed and alarmed by evidence of student unrest on the college campuses of this country which has been outwardly evidenced by rioting, trespass and forceful interference with the administration of the colleges and with the activities of students who wish to pursue their studies. Such activity is not to be countenanced in a society such as ours. Peaceful picketing and free speech are treasured rights which must be protected but unlawful and violent conduct cannot be condoned.

Under this bill various forms of financial assistance are made available to students at both the undergraduate and the graduate level. The committee earnestly considered a variety of proposals aimed at denying by statute these various forms of student assistance to those who engage in certain proscribed activities. Upon examination, each of the proposals discussed raised more problems than they tended to solve. It became evident that it will be very difficult if not impossible for the Congress to deny student assistance by law in a way which will meet fairly the disciplinary problems on the more than 2,000 college campuses in this country where such student aid is available. The truth of the matter is that colleges are best able to administer student assistance under the variety of Federal programs to those who deserve and need it and to withhold it from those whose conduct proves that they are not worthy of such aid. Federal laws governing the denial of student financial aid raises a tremendous variety of problems involving due process, appeals from convictions, the creation of theoretical rights to assistance which do not now exist, and would in fact interfere with university discipline by creating legal consequences for a variety of actions which might vary from student pranks at a social occasion to vicious willful destruction of property as occurred at Columbia University.

The committee amendment therefore makes it clear that the duty to maintain discipline and the right to withhold student financial aid, where that is appropriate, rests squarely where it belongs—with the institution of higher education where the applicant has sought assistance. In this way the institution will be able to tailor the denial of assistance with the magnitude and seriousness of the behavior in question.

The committee believes that rigid Federal rules denying student assistance for certain behavior specified by Federal law is not the answer—courageous administration by the very few institutions where such activity has taken place or is likely to take place is a much more certain solution.

The committee amendment makes it clear that the Congress condemns such illegal student activity and urges institutions of higher education where such activity takes place to take immediate and prompt action to apply appropriate disciplinary measures whether by withholding financial aid offered through Federal programs, by other measures, or by both.

SECTION BY SECTION

Section 253. Freedom of institutions of higher education to deal with student misconduct

This section provides that nothing in this bill, or any act amended by the bill, shall be construed to prohibit any institution of higher education from refusing to award, continue, or extend any financial assistance under any such act to any individual because of any misconduct which in its judgment bears adversely on the individual's fitness for such assistance.

Section 254. Financial aid to students not to be treated as income or resources under certain programs

This section would provide that for purposes of programs assisted under titles I, IV, X, XIV, XVI, or XIX of the Social Security Act no grant or loan to an undergraduate student which is made or insured under any program administered by the Commissioner shall be considered income or resources.

Section 255. Development of new means of testing secondary school students for capabilities for postsecondary education

This section would authorize to be appropriated $150,000 to be used by way of grant to or contract with public or private organizations to develop, within a year after enactment, improved testing and other procedures for (1) determining more accurately the capabilities of students with varying social and economic backgrounds for postsecondary education and (2) for making such determinations initially while the student is in his first or second year of secondary education. Testing procedures so developed are to be disseminated to State and local educational agencies, private schools, higher education institutions, and other institutions and organizations.

Section 256. Adjustment of cost of education allowance

This section would amend section 525 of the Higher Education Act of 1965 and section 404 of the National Defense Education Act of 1958 to provide for payment to institutions of higher education operating fellowship programs, of an amount consistent with prevailing practices under similar federally supported programs. This amendment would eliminate the current statutory dollar limitions in those sections on such payments.

Section 257. Inclusion of proprietary schools in the national defense student loan program

This section would, effectively July 1, 1969, amend section 103(b) of the National Defense Education Act of 1958 to include proprietary schools which otherwise qualify as institutions of higher education in the student loan program provided for under title II of that act. However, the agreement with such an institution covering such a program must include such terms and conditions as the Commissioner determines to be necessary to insure that the availability of such assistance to students in the school would not increase the tuition, fees, or other charges to such students.

TITLE III—AMENDMENTS TO OTHER TITLES OF THE HIGHER EDUCATION ACT OF 1965

Mr. MORSE. In title III of S. 3769, under part A, may be found amendments containing the matching share for community service and continuing education programs. In part B are provisions relating to college libraries, research and training, and in part C strengthening developing institutions.

Part C also contains the language authorizing a new program for the employment of professors emeritus. The merits of this program were developed for us by the senior Senator from Texas [Mr. YARBOROUGH]; and since I know that he will be speaking to the Senate in support of this proposal, I shall defer to him in covering this purpose.

In a similar fashion, since part D is largely concerned with the Teacher Corps provision under the Education Professions Development Act, I know that the able and distinguished junior Senator from Wisconsin [Mr. NELSON] who has just joined our subcommittee, can speak with eloquence. I shall, therefore, content myself at this time requesting unanimous consent that certain portions of the committee report dealing with part D be printed at this point in my remarks.

There being no objection, the excerpts were ordered to be printed in the RECORD, as follows:

PART D—EDUCATION PROFESSIONS DEVELOPMENT

SECTION 331. POVERTY AREAS

This section would amend section 501; that is, the statement of purpose of the Education Professions Development Act (title V of the Higher Education Act of 1965). Section 501 now provides that the purpose of this title is to improve the quality of teaching and to help meet critical shortages of adequately trained personnel in certain ways. Section 331 of the bill would insert the phrase "particularly in areas having a high concentration of poverty" after "critical shortages."

SECTION 334. ALLOCATION OF FELLOWSHIPS UNDER TITLE V–C OF HIGHER EDUCATION ACT OF 1965

Paragraph (1) of section 523 of the teacher fellowship part (pt. C) of the Education Professions Development Act (title V of the Higher Education Act) now provides that the Commissioner shall allocate fellowships under the program to institutions of higher education with approved graduate programs in such manner as will most nearly provide an equitable distribution of such fellowships throughout the States, except that to the extent that he deems proper in the national interest after consultation with the National Advisory Council on Education Professions Development the Commissioner may give preference to programs designed to meet an urgent national need. Section 334 of the bill would amend this paragraph to provide in the first place that in determining what is an equitable distribution of fellowships the Commissioner take into account such factors as the respective numbers of children aged 3 to 17, the undergraduate student enrollments in institutions of higher education, and the numbers of lower income families, in the States, and would further amend this paragraph by changing the except clause to provide that the basic distribution rule shall not apply to the extent that the Council determines that an urgent need for a certain category of education personnel is not likely to be met without a preference in favor of that category, in which event the Commissioner may give preference to programs designed to meet that need, but that in no case may such preferred programs constitute more than 50 percent of the total number of fellowships awarded in a year.

SECTION 335. TECHNICAL CORRECTIONS

This section would make technical conforming amendments to section 524(a) of the Higher Education Act of 1965, by changing the term "career in elementary or secondary education" to read "career in elementary or secondary education or postsecondary vocational education." This change was inadvertently omitted from Public Law 90-35 which extended the teacher fellowship program to include graduate education for, among other things, vocational education personnel at the postsecondary level.

SECTION 336. AMENDMENT TO TITLE V OF THE HIGHER EDUCATION ACT WITH RESPECT TO TRAINING PERSONNEL IN EDUCATION PROGRAMS OTHER THAN HIGHER EDUCATION

This section would amend section 531(b) of part D of the Higher Education Act, which gives examples of programs or projects from which grants may be made under this part so as to state specifically that the fifth example—i.e., programs or projects to prepare teachers and other educational personnel to meet the special needs of the socially, culturally, and economically disadvantaged—includes training in elementary and secondary schools in areas having a high concentration of poverty.

SECTION 337. EQUITABLE DISTRIBUTION UNDER TITLE V–D OF HIGHER EDUCATION ACT OF 1965

This section of the bill would add to part D of title V of the Higher Education Act a new section 533. Subsection (a) of that section would require the Commissioner, in making grants and contracts for programs or projects under part D to seek to achieve an equitable geographical distribution of training opportunities throughout the Nation, taking into account such factors as the relative numbers of children aged 3 to 17 and numbers of low-income families in the States.

Subsection (b) of the new subsection 533 would provide that, except in a fiscal year for which appropriations for grants under title V–B of the National Defense Education Act (counseling and guidance training institutes) and title XI of that act (institutes) exceed such appropriations for the fiscal year 1968, the Commissioner shall award grants and contracts under part D of title V of the Higher Education Act only in subject-matter areas that are eligible under such titles V–B and XI of the National Defense Education Act to the extent that the appropriations for such fiscal year for grants and contracts under title V–B part D do not exceed the appropriations pursuant to such title V–B and XI of the National Defense Education Act for the fiscal year 1968.

SECTION 338. MINIMUM ALLOTMENT FOR TITLE V–B, SUBPART 2, OF HIGHER EDUCATION ACT

This section would amend the allotment section (sec. 519 of subpart 2) (attracting and qualifying teachers to meet critical teachers shortages (title V–B of the Higher Education Act)) so that (after the set-aside for outlying territories) each State would be allotted $100,000 from the appropriation, with only the remainder being allotted according to the formula (relative numbers of children enrolled in elementary and secondary schools of the States) specified in section 519.

Mr. MORSE. These excerpts deal with areas other than the Teacher Corps provisions and are concerned with providing for equitable distribution of programs such as the award of fellowships, and the distribution of training programs.

Part E of title III relates to title VI of the Higher Education Act and is designed to improve the coordination of Federal programs providing assistance in the purchase of laboratory and other special equipment for education.

In proposing the 4-year extension to title VI–A of the Higher Education Act of 1965, it was the committee's intention to clarify the types of equipment which are eligible under section 601(b) by specifying that electronic computers, including so-called "desk-top" computers, do not fall within the scope of this program.

The general provisions sections of part F are designed to further the policy I have previously alluded to, to bring into consonance our various educational programs.

TITLE IV—AMENDMENTS TO THE HIGHER EDUCATION FACILITIES ACT

In title IV we deal with the substantive amendments to the Higher Education Facilities Act of 1963. We seek to make sure that the act is broad enough to take into account the necessity, if enrollment is to be maintained, of replacing obsolescent structures while at the same time maintaining our interest in expanding enrollment capacity.

In this title also is language furnished us by the brilliant ranking minority member of the full committee, the distinguished senior Senator from New York [Mr. JAVITS] who, in pursuance of our common goal, has pursuaded us of the merits of incorporating in this part of the bill programs of financial assistance which have demonstrated their worth in the college dormitory construction area.

TITLE V

Title V of S. 3769 covers amendments made to the various titles of the National Defense Education Act, as amended. If enacted, they would make a number of minor changes and would help the committee to achieve the objective of all of us, which is that benefits be equitably distributed throughout the United States.

TITLE VI

Mr. President, I now come to the new education programs which are proposed for Senators' approval. They are incorporated in title VI and constitute in additions to the Higher Education Act of 1965, several new titles.

The first is title VIII, Networks for Knowledge. Interested Senators may find the testimony in the printed hearings helpful in understanding the basis of the recommendations made by the administration.

I would add that I consider that title VIII, Networks for Knowledge, is one of the most important steps forward in education legislation that we are making in this bill. It is a title that has received, to put it mildly, the very enthusiastic support of the educational world of our country. Witness after witness, authority after authority, has testified in favor of this great step forward. In fact, it might be said that their testimony could be characterized as pleading. They tell us that it offers a great advance in the educational programs of our country.

In a similar fashion, the new title IX, Education for Public Service, is based also on testimony found in our printed hearings.

Support for the new title X, Improvement of Graduate Programs, is contained also in our hearings record, as well as that covering title XI, the law school clinical experience programs, with which I am particularly identified. In obtaining testimony for this latter program, we were graciously aided by the presentations of deans of outstanding law schools.

PROPOSED TITLE XII OF HEA

In title XII may be found the language initiating a program of scholarships designed to assure that there is adequate opportunity for young American men and women to prepare themselves for entering into the world of diplomatic, cultural, and commercial exchange. For this title we are indebted to the advice and counsel given us by the distinguished junior Senator from Colorado [Mr. DOMINICK] who has equals but no peer in his diligent application to common endeavor.

I believe I should digress long enough—it will be discussed in greater detail by Senator DOMINICK later and, I am sure, by Senator SPARKMAN—to point out that title XII, to which I have just referred, which proposes scholarships for American young men and women to prepare themselves for entering into the world of diplomatic, cultural, and commercial exchange, will be subject to attack. The attack will be based, I understand, on jurisdictional grounds, on the floor of the Senate, by the Committee on Foreign Relations. I serve as a member of that committee. The Committee on Foreign Relations believes that title XII invokes the jurisdiction of the Committee on Foreign Relations. I would be less than honest if I did not say that I believe there is a considerable amount of merit in the position that the Committee on Foreign Relations is taking on the subject matter.

Mr. President, I shall place in the RECORD, in fairness to the Committee on Foreign Relations, a memorandum that was prepared by Dr. Carl Marcy, the head of the professional staff of the Committee on Foreign Relations, but prepared by him under assignment by the acting chairman of the committee, Senator SPARKMAN, in which Dr. Marcy sets forth the view of the staff. I have no doubt that it will be the view when formal action is taken by the majority of the committee, but we will hear more about that before the day is over.

In the memorandum, comment is made about a letter that was sent by the acting chairman of the Committee on Foreign Relations, Senator DOMINICK, to the Senate committee and also to the Parliamentarian. This part of the memorandum reads as follows:

> It should be noted that on June 27, 1968, the day after Senator Dominick introduced S. 3700 and it was referred to the Labor and Public Welfare Committee, Senator Sparkman, the Acting Chairman of the Committee on Foreign Relations, wrote to Senator Lister Hill, the Chairman of the Labor Committee, and stated that the bill "deals entirely with . . . a subject which is clearly within the jurisdiction of the Committee on Foreign Relations." Senator Sparkman also sent a letter to Dr. Floyd M. Riddick, the Senate Parliamentarian, in which he emphasized the same thing and added: "It seems to me that committee jurisdiction should be determined by the substance of a bill and not necessarily by which Act it amends, otherwise we make mockery of the Legislative Reorganization Act." Senator Sparkman never received an answer to either of these letters.

I have talked this matter over with the Parliamentarian, and he points out that it is not the practice of the Parliamentarian to file letters in response to questions raised, but that he did engage in a long telephone conversation with the appropriate member of the staff of the Committee on Foreign Relations, explaining why the original Dominick bill was referred to the Committee on Labor and Public Welfare. I do know that Senator SPARKMAN's letter was considered by the Committee on Labor and Public Welfare. I was the acting chairman at the time. I presented to the committee Senator SPARKMAN's letter to Senator HILL, and called attention to the fact that there were troubled jurisdictional waters ahead for this part of the bill.

I do not know whether a letter was sent out as a result of that discussion, but I have no doubt that the Committee on Foreign Relations is well aware of the position of the Senate committee.

I ask unanimous consent that the memorandum be printed at this point in the RECORD.

There being no objection, the memorandum was ordered to be printed in the RECORD, as follows:

U.S. SENATE,
COMMITTEE ON FOREIGN RELATIONS,
July 13, 1968.

Memorandum.
To: All Members of the Committee on Foreign Relations.
From: Carl Marcy.
Subject: Committee Jurisdiction.

Title XII of S. 3769, which is the pending business in the Senate, contains the provisions of S. 3700, a 21-page bill introduced by Senator Dominick on June 26, 1968, to provide for a United States *Foreign Service Corps.* Under its terms, a program would be created to train and educate all Government employees who are or will be working *in the field of foreign relations.* This program would be under the management and supervision of a Board of Trustees consisting of the Secretary of State, four educators to be appointed by the President, and two Members of the Senate and two of the House of Representatives to be appointed by the Vice President and the Speaker, respectively.

Although the proposal states that the Foreign Service Institute is to be continued, it provides that all functions, powers, and duties of the Secretary of State, relating to the Foreign Service Institute, are to be transferred to the Board. In addition, all property and personnel of the Institute, as well as the unexpended balance of any appropriation, are to be transferred to the Board for its use for the furtherance of the objectives of the Foreign Service Corps. The Board would be supported by a staff of five professional staff members and such clerical staff members as may be necessary.

Title XII also contains elaborate provisions relating to the nomination and admission of students and Government employees into the Foreign Service Corps, the payment of their compensation and expenses, and rules governing their assignment and period of service upon completion of their training or education. Section 1215 of S. 3769 provides that the following amounts are authorized to be appropriated to the Board of Trustees to carry out the purposes of the Title XII: $15 million for fiscal year ending June 30, 1970 and $30 million for the fiscal year ending June 31, 1971.

It should be noted that on June 27, 1968, the day after Senator Dominick introduced S. 3700 and it was referred to the Labor and Public Welfare Committee, Senator Sparkman, the Acting Chairman of the Committee on Foreign Relations, wrote to Senator Lister Hill, the Chairman of the Labor Committee, and stated that the bill "deals entirely with . . . a subject which is clearly within the jurisdiction of the Committee on Foreign Relations." Senator Sparkman also sent a letter to Dr. Floyd M. Riddick, the Senate Parliamentarian, in which he emphasized the same thing and added: "It seems to me that committee jurisdiction should be determined by the substance of a bill and not necessarily by which Act it amends, otherwise we make mockery of the Legislative Reorganization Act." Senator Sparkman never received an answer to either of these letters.

On July 11, 1968, in executive session, and without a public hearing or comments from the Department of State, the Committee on Labor and Public Welfare incorporated the provisions of S. 3700 into the S. 3769, the omnibus higher education bill (see Title XII).

In this connection, the following bills on related subjects have been referred to the Committee on Foreign Relations:

1. S. 199, introduced by Senator Mundt on January 11, 1967 (for himself, Mr. Case, Mr. Dodd, Mr. Dominick, Mr. Fong, Mr. Hickenlooper, Mr. Lausche, Mr. Miller, Mr. Prouty, Mr. Proxmire, Mr. Scott, and Mr. Hansen), to create the Freedom Commission and the Freedom Academy, to conduct research to develop an integrated body of operational knowledge in the political, psychological, economic, technological, and organizational areas to increase the non-military capabilities of the United States and other nations in the global struggle between freedom and communism, to educate and train Government personnel and private citizens to unstand and implement this body of knowledge, and also to provide education and training for foreign students in these areas of knowledge under appropriate conditions.
2. S. 3708, introduced by Senator Hartke on June 28, 1968 (for himself and Senator Pell), to provide for the establishment of an International Peace Institute.
3. S. 3749, introduced by Senator Yarborough on July 9, 1968, to provide for the establishment of a United States Foreign Service Academy.

Mr. MORSE. Now let me say, preliminary to debate in regard to the matter, that we have brought this matter to the floor of the Senate because of its emphasis on providing scholarships. It is the scholarship aspect that I desire to stress, Mr. President. As chairman of this subcommittee and as manager of the bill, let me make very clear that I am not married to the language as proposed as title XII of the Higher Education Act of 1965. It is not our intention to set up a Foreign Service Corps. It may very well be that drastic modifications of title XII are in order and that it be limited by the use of language that leaves no room for doubt that the program seeks to be limited to scholarships for young men and women who want to enter both undergraduate study and we are talking about young men and women who want to enter graduate study, in preparation for foreign service. It is not limited to diplomatic service. It is important that we train people for foreign commercial service. This is the kind of program that is sorely needed.

I speak respectfully, as I always do, of the State Department—but usually in complete disagreement with them on most matters—and here again on this matter I am satisfied if we wait for the State Department to do anything in this field, we will wait in perpetuity, judging from their past practice, because I think the State Department has failed miserably in coming forward with a program to provide the young people of this country with the type training we seek to accomplish by title XII.

But as a member of the Committee on Foreign Relations may I serve notice on the floor of the Senate that I do not propose to invade any of its legitimate jurisdictions. We will give later the reasons why the Parliamentarian referred the Dominick bill to the Committee on Labor and Public Welfare. My personal view is that here is one matter being referred to the Committee on Labor and Public Welfare where it would have been most appropriate to have it also considered by the Committee on Foreign Relations where hearings would be held, as well. Also, I would be less than honest if I did not say we have not had adequate hearings on the original Dominick bill in the Committee on Labor and Public Welfare.

I do not know how I can be more clear or more fair in expressing my attitude with regard to title XII. I hope we can salvage something from title XII by way of a scholarship program. If we could get some scholarship program written into this bill, I would be perfectly willing, as far as I am concerned, and I speak only for myself, to have the whole concept of a Foreign Service Corps withheld until a later date for hearings before whatever committee or committees the Senate finally decides should have hearings.

Mr. JAVITS. Mr. President, will the Senator yield?

Mr. MORSE. I yield.

Mr JAVITS. Mr. President, I believe Members will want to have clear in the RECORD the relationship of section 1204, which proposes that the education of the qualified members of the Corps be carried on in institutions of higher education, and that section of the bill we brought in which deals with the Foreign Service Institute. We do not institutionalize the Foreign Service Corps as we do the Air Force, the Army, or the Navy.

I think the Senator might usefully, either now or when it is convenient, make clear the relationship, so that Members are not under the impression we are establishing an institutionalized corps with its own educational facilitity.

Mr. MORSE. I am glad the Senator helped me by making that point. He is completely right. That was not the intention of title XII. Furthermore, this was not limited to service to the State Department, Agriculture, Labor, or Commerce; but relates to every department of our Government that has need for personnel to meet international relations problems. In addition to training people for various types of foreign service for Government the program would assist the business community of this land. We need some scholarships to make available to young men and women who want to make a career out of various types of foreign service. I do not think we can further delay making a start.

It may very well be that the framework of the Dominick bill, which we incorporated as an amendment to our Higher Education Act, needs to be revised. I will leave the responsibility of carrying the burden of the debate on the bill itself to the Senator from Colorado. His office has already been notified by the manager of the bill that it will be necessary for him to discuss the matter and I think he will be available to discuss it, shortly after 1 o'clock.

We have many things to do before then. In the meantime, I thought I owed it to the committee and Members of the Senate to make the explanation because I have already had six inquiries about title XII from six Senators who said they did not think the proposed title XII of the Higher Education Act of 1965 should be in the bill. I said, "Will you wait until we have an explanation in the debate on the purpose of title XII." It may be that it needs to be revised but I hope we can get something in the bill and go ahead on the scholarship program in this bill, which in my judgment has been so sorely neglected in the past.

Mr. President, rather than unduly prolong my presentation on each of these new titles, at this point I ask unanimous consent that there appear the section-by-section analysis of each of the new programs to which I have alluded which sets forth succinctly the terms and conditions under which the financial aids are provided under each instance, and in so doing I wish to formally express the thanks of the subcommittee to the General Counsel's office of the Department of Health, Education, and Welfare, whose able associate Counsel, Mr. Theodore Ellenbogen, prepared these analyses for our use.

There being no objection, the section-by-section analysis ordered to be printed in the Record, as follows:

TITLE VI—NEW EDUCATIONAL PROGRAMS

Section 601. Additions to the Higher Education Act of 1965

This section of the bill would amend the Higher Education Act of 1965 by redesignating title VIII as title XIII, by making appropriate changes in section numbering, and by inserting after title VII the following new titles:

TITLE VIII—NETWORKS FOR KNOWLEDGE

Section 801 of the new title would authorize a program of project grants to stimulate colleges and universities to share their technical and other educational and administrative facilities and resources through cooperative arrangements while maintaining their institutional identities, and to test and demonstrate the effectiveness of a variety of such arrangements, preferably on a multi-institutional basis. Such grants might be made directly to the colleges or universities involved or, when deemed more effective, to other established public or nonprofit private agencies or organizations. Assistance under this title would be authorized for planning, developing, or carrying out, among others, such cooperative arrangements to—

(1) collect and share modern curricular materials and promising curricular developments;

(2) develop effective systems for processing and maintaining financial and student records;

(3) share classroom, library, or laboratory facilities and the necessary books, materials, and equipment, or afford access to specialized library collections through preparation of interinstitutional catalogs and through development of systems and preparation of suitable media for electronic or other rapid transmission of materials;

(4) establish and jointly operate closed-circuit television facilities;

(5) establish and jointly operate electronic computer networks for such purposes as financial and student records, student course work, or transmission of library materials; and

(6) exchange faculty on a part- or full-time basis or otherwise arrange for strengthening the academic programs of participating institutions;

In the case of projects for sharing library facilities through electronic transmission of data, grants could not be used to pay for electronic transmission terminals. In the case of projects involving computer networks, grants could not be used to pay for the cost of operating the terminals or central computer facilities, except (1) such costs of systems development and programing of computers and transmission costs as are necessary to make the network operational, (2) the administrative and program support costs of the central computer facilities, and (3) the line-access costs of participating institutions.

Section 802 of the new title would authorize the appropriation of $4 million for the fiscal year ending June 30, 1970, and $15 million for the next 2 fiscal years.

Section 803 of the new title VIII would provide that nothing in the Communications Act of 1934 or in any other provision of law shall be construed to prevent U.S. communications common carriers from rendering, subject to rules and regulations of the FCC, free or reduced rate communications interconnection services for interconnection systems within the purview of this title whether or not covered by a grant under this title.

TITLE IX—EDUCATION FOR THE PUBLIC SERVICE

Section 901 of the new title IX would declare the purpose of the title to be the establishment of a program of grants and fellowships to improve the education of students attending institutions of higher education in preparation for entrance into the service of State or local governments, and the attraction of such students to the public service. The newest title IX would be comprised of three parts.

Part A—Grants and contracts to strengthen and improve education for the public service

Section 911. Project grants and contracts

This section would authorize the Commissioner to make grants to or contracts with institutions of higher education to assist them in planning, developing, strengthening, improving, or carrying out programs or projects to prepare graduate or professional students to enter the public service, or for research into, or development or demonstration of, improved methods of education for public service.

The section offers seven examples illustrative of programs or projects that would qualify thereunder. These examples cover planning for graduate or professional programs to prepare students to enter the public service, training of faculty, strengthening the public service aspects of graduate or professional education, the conduct of public service teacher institutes (short-term or regular session) for advanced study, and research into, and development of, teaching methods.

The Commissioner would also be authorized to make grants to other public or private nonprofit agencies and organizations, or contracts with public or private agencies or organizations, to carry out the purposes of section 911, when such grants or contracts would make an especially significant contribution to attaining the sections objectives.

Section 912. Application for grant or contract; allocation of grants or contracts

This section would provide that grants or contracts under part A of the new title IX could be made only upon application to the Commissioner that sets forth an authorized purpose for which such grant or contract may be made and relates such purpose to the program described in any application of such applicant submitted pursuant to part B of the new title IX (Public Service Fellowships). The application would also be required to provide for appropriate fiscal procedures, recordkeeping, reports, etc.

Grants or contracts would be allocated on an equitable basis throughout the United States among institutions of higher education that show promise of being able to use funds effectively for the purposes of part A.

Subsection (c) of this section would authorize the use of payments for part of the compensation of students employed in non-Federal public service as part of a program approved for assistance under this section, and would also encourage agencies of the Federal Government to enter into arrangements with institutions of higher education for the employment of students enrolled in approved programs.

Part B—Public service fellowships

Section 931. Award of public service *fellowships*

This section would authorize the Commissioner to award graduate or professional fellowships, not to exceed 3 academic years, to persons who plan to pursue careers in public service.

Section 932. Allocation of fellowships

This section would direct the Commissioner to allocate fellowships under title IX among institutions of higher education with programs approved under the provisions of part B, for the use of persons accepted into such programs, so as most nearly (1) to provide an equitable distribution of such fellowships throughout the United States; and (2) to attract recent college graduates to pursue public service careers.

Section 933. Approval of programs

This section would direct the Commissioner to approve a program under part B upon application by the institution and his findings that the program is significantly aimed at educating persons for the public service, or in a field for whose practitioners there is a significant and continuing need in the public service; that the program is or may be expected to be of high quality; that the application describes the relationship of the program to the program described in any application of such institution submitted pursuant to part A of title IX; and that the application contains satisfactory assurance that the institution will recommend fellowship awards only for persons of superior promise who have demonstrated a serious intent to enter the public service, and will make reasonable continuing efforts to encourage fellowship recipients to enter the public service upon completing an approved program.

Section 934. Stipends

This section would provide for fellowship stipends (including subsistence allowances for dependents), and institutional payments, required to be set in amounts consistent with prevailing practices under comparable federally supported programs.

Section 935. Fellowship conditions

This section would condition the continuation of fellowship payments upon the student's maintenance of satisfactory proficiency in full-time study or research in the field for which the fellowship was awarded. Outside gainful employment would be permitted only as approved by or pursuant to regulation.

Part C—General provisions

Section 951. Definitions

Paragraph (a) would define "public service" as service as an officer or employee in any branch of State or local government.

Paragraph (b) would define an "academic year" as an academic year or its equivalent, as determined by the Commissioner.

Section 952. Coordination of Federal assistance

The section would require the Commissioner in administering title IX to give primary emphasis to the assistance of programs and activities not otherwise assisted by the Federal Government.

Section 953. Method of payment

This section would authorize payments under title IX to be made in installments, and in advance or by way or reimbursements, with necessary adjustments on account of overpayments or underpayments.

Section 954. Limitation

This section would prohibit title IX grants, contracts, or fellowships awarded to, or for study at, a school or department of divinity, which term is defined as in the Higher Education Facilities Act of 1963 and the Higher Education Act of 1965.

Section 955. Utilization of other agencies

This section would authorize the Commissioner in administering title X, to utilize the services of any agency of the Federal Government and of any other public or nonprofit agency or institution, or a reimbursable basis or otherwise in accordance with agreements between the Commissioner and the head thereof.

Section 956. Authority to establish an advisory committee

The Commissioner would be authorized, without regard to the civil service and classification laws, to appoint a committee to advise him on matters of general policy arising in the administration of title IX.

Section 957. Appropriations

Appropriations to carry out the purposes of title IX would be authorized in the amount of $5 million for fiscal 1970 (to be available for obligation for 2 years), and $13 million for the next 2 fiscal years.

TITLE X—IMPROVEMENT OF GRADUATE PROGRAMS

Section 1001 of the new title X states that it would be the purpose of the title to strengthen and improve the quality of graduate programs leading to a doctoral or professional (other than medical) degree, and to increase the number of such quality programs.

Section 1002 of the new title X would provide that there be authorized to be appropriated $5 million for the fiscal year ending June 30, 1970, and $10 million for each of the 2 succeeding fiscal years, for grants by the Commissioner to institutions of higher education having programs leading to the Ph. D. or comparable professional or other degree to pay part of the cost of carryout projects or activities designed to achieve one or more of the purposes set forth in section 1001. Subsection (a) of this section lists examples of the type of project or activity that could be carried out under the new title.

Subsection (b) of the new section 1002 provides that payments under this title may not exceed 90 percent of the total cost of the project or activity; nor may they exceed 50 percent of the cost of the purchase or rental of books or equipment or other materials (after taking into account sums received as Federal financial assistance under other programs); nor be used for sectarian instruction or religious worship or in connection with any part of the program of a school of divinity, which term is defined as in the other titles of the Higher Education Act of 1965.

Section 1003 of the new title X would require the Commissioner, insofar as practicable and consistent with the other purposes of the title, to give weight to the objective of having an adequate number of graduate and professional schools of good quality within each appropriate region.

Section 1004 of the new title X would require the Commissioner to consult with the National Science Foundation, the National Foundation on the Arts and the Humanities, and the Federal Judicial Center for the purpose of promoting the coordination of Federal programs bearing on the purposes of this title.

TITLE XI—LAW SCHOOL CLINICAL EXPERIENCE PROGRAMS

Section 1101. Program authorization

The Commissioner would be authorized to enter into contracts with law schools accredited by a nationally recognized accrediting agency or association approved by the Commissioner to pay not to exceed 90 per cent of the cost (but not more than $75,000 in any fiscal year to any one law school) of programs to provide their students with clinical experience in the practice of law, and preferably with experience in the preparation and trial of cases. Federal assistance to establish or expand such programs might cover necessary expenditures for planning, equipment, training of faculty members, salary for additional faculty members, travel and per diem for faculty and students, reasonable stipends to students for public service rendered outside the academic year as part of such a training program, and any other items allowed pursuant to regulations issued by the Commissioner.

Section 1102. Applications

A contract authorized under this title would be entered into by the Commissioner upon application which would contain such information as he prescribed, provide for necessary fiscal control and fund accounting procedures over any Federal funds paid the applicant under this section, and provide for making such reports and keeping such records as the Commissioner might require. The Commissioner would make an equitable geographic distribution of such contracts among law schools which show promise of being able to make effective use of the funds to be provided under this title.

Section 1103. Authorization of appropriations

To carry out the purposes of this title, $7,500,000 would be authorized to be appropriated for the fiscal year 1970 and for each of the three succeeding fiscal years.

TITLE XII—UNITED STATES FOREIGN SERVICE CORP:

Section 1201. Establishment of Corps

To provide more widespread opportunity for entering, and more adequate training of persons entering or already engaged in, the field of foreign relations, a U.S. Foreign Service Corps would be established, consisting of students and Government employees selected for admission under the provisions of this title, and enrolled in a program of education, training, or research, or a course of study approved by the Board of Trustees established hereunder.

Section 1202. Definitions

"Government", "non-Federal institution of higher education" (institution not owned or substantially controlled by the Government of the United States), "Board" (Board of Trustees of the U.S. Foreign Service Corps), "department or agency" (including Government corporation), "training month," and "dependent" would be defined.

Section 1203. Board of trustees

A Board of Trustees (consisting of the Secretary of State, four educators appointed by the President, two Senators, not of the same political party, appointed by the Vice President, and two Representatives, not of the same political party, appointed by the Speaker of the House) would be charged with management and supervision of the Corps, and development and support of programs of education, training, and research, designed to prepare, or advance the qualifications of, members of the Corps for service with the United States in positions or programs related to foreign relations. Members of the Board would serve without pay, but with reimbursement for travel, subsistence, and other necessary expenses, for terms of 2 years (Senate, House, and first two educator appointees of the President) or 4 years (all other educator appointees of the President, of which two would be appointed every 2 years), and might be reappointed.

Section 1204. Establishment of corps programs

The Board would be authorized to make arrangements with qualified non-Federal institutions of higher education to admit qualified members of the Corps of courses of study or activities approved by the Board, including—

(1) in any academic year, not more than 4,300 undergraduate and not more than 700 graduate student members, for full-time courses of study leading to, respectively; undergraduate or graduate degrees in foreign relations;

(2) Government employee members for professional education, training, and research activities or for full-time courses of study leading to an undergraduate or graduate degree in foreign relations;

(3) selected members of the Corps for research activities in the field of foreign relations.

Such arrangements would be required to provide language training and orientation for a member of the family of a person admitted to the Corps, if such family member would have responsibilities in the field of foreign relations on account of, or in the event of, assignment of the Corps member of such family to a foreign country.

Section 1205. Nomination and admission of students into Corps

The total of 4,300 undergraduate and 700 graduate student members of the Corps authorized for admission in any year would be selected in order of merit by annual competitive undergraduate and graduate examinations held by the Board, to test the intellectual capacity, training, and aptitude for foreign affairs of 8,418 persons eligible to take the examination and nominated in accordance with provisions of this section. (After 3 years, if it appeared in any year that this procedure would not qualify for admission into the Corps the number of student members who might be admitted, an additional competitive examination would be given to nominees of the Board.)

Applicants for the annual undergraduate examination would be required to be citizens of the United States who had graduated from, or were attending, a public secondary school in, or a private secondary accredited by, a State or a secondary school in a foreign country with an educational program approved by the Board. Applicants for the annual graduate examination would be required to be citizens of the United States who had graduated from, or were attending, an institution of higher education in the United States or an institution of higher education in a foreign country which awards a degree which is generally accepted as equivalent to a bachelor's degree in the United States. (Before admission into the Corps, a student member would need to have graduated from such secondary school or institution of higher learning, as the case might be.)

The annual competitive examination could be taken only by applicants nominated as follows:

(1) 220 nominated from the United States at large (100 by the President, 66 by the Vice President, 54 by the Secretary of State);

(2) 1,650 nominated from the 50 States (15 by each Senator, three by each Governor);

(3) 6,525 nominated from the 435 congressional districts (15 by the Representative from each district);

(4) 10 from the District of Columbia, nominated by the Commissioner of the District of Columbia;

(5) 13 from outlying areas (seven nominated by the Resident Commissioner from Puerto Rico, three by the Governor of the Virgin Islands, three by the Governor of the Canal Zone).

Total, 8,418.

Except with respect to nominees at large, and from the Canal Zone, nominations could be made only from among persons domiciled in the State, congressional district, or geographic area from which nominated.

Section 1206. Compensation and payment of expenses and subsistence for student members

Student members of the Corps admitted under section 1205 and maintaining satisfactory progress in courses of study prescribed by the Board would be compensated for tuition, texts, laboratory fees, and associated course materials and would be eligible to receive subsistence payments in accordance with procedures established by the Board. Subsistence payments per training month would be $130 for a single student or a student legally separated, $175 for a married student with a dependent spouse, and $250 for husband and wife student members who are living together. An additional $15 per training month would be paid for each dependent child of a student member, or for a dependent other than his spouse or child.

Section 1207. Admission of Government officers and employees into Corps; expenses and compensation

The head of each Government department or agency would be authorized to select from among its employees volunteering for admission into the Corps to pursue education, training, or research within the Corps program, to prescribe limitations on the number of employees selected at the same time, and the length of their course of study. From appropriations made available for the payment of salaries and expenses of employees of such department or agency, employees so selected would be authorized to be paid their regular salaries, and (without regard to 31 U.S.C. 529) to be reimbursed for necessary expenses of such education, training, or research (including travel expense of such employee, transportation expense of his immediate family, cost of transporting or storing his household goods and personal effects to the extent authorized by U.S.C. 5724, purchase or rental of books, materials, and supplies, and other services or facilities related to his education, training, or research). A Government employee's period of education, training, or research within a Corps program would be deemed to be Government service for purposes of civil service retirement, Federal employees' group life and health insurance, and at the completion thereof, the employee would have reemployment rights to a position of at least like seniority and status in the department or agency from which he was selected, with restoration of sick leave credit, and at the rate of pay to which he would have been entitled if he had continued his usual service in such department or agency.

Section 1208. Agreement to enter into or continue Government service after completing Corps program

Each person admitted to the Corps (other than a family member receiving language or orientation training under sec. 1204) would make such agreement as the Board deemed necessary to insure that, after completion of his education, training, or research within a Corps program, such person would accept Federal employment, unless already so employed, and remain in Federal employment, wherever assigned by the employing department or agency and for such period as would be prescribed by the Board, in the case of students admitted under section 1205, or by the head of the employing department or agency in the case of Government employees admitted under section 1207.

Section 1209. Assignment of student members for field training and Government service

The Board might assign any student member of the Corps admitted under section 1205 for field training with any Government program relating to foreign relations for not more than 2 consecutive months in any of the first 3 calendar years of his undergraduate study, and for not more than 6 consecutive months during the fourth year of undergraduate study or any academic year of graduate study. Except as otherwise provided by law or by regulation of the Board, a student member who received an undergraduate or graduate degree under the Corps program would be available for assignment by the Board (in consultation with interested departments and agencies of Government and, to the extent practicable, in accordance with the student's preferences) (1) to be hired by any department or agency of Government for a program relating to the field of foreign relations, or (2) in the case of a student member who received a graduate degree under the Corps program, for 1 year of specialized study in a foreign country or area in which he might later be assigned for Government service after satisfactory completion of such specialized study; thereafter he would be appointed a Foreign Service officer by the Secretary of State, without the examination provided in 22 U.S.C. 911–912.

Section 1210. Minimum period of compulsory service in the United States

Except in time of war declared by Congress, Corps members who satisfactorily completed education, training, or research, or course of study within a Corps program, and who were employed by the United States in the field of foreign relations, would be assigned Government duties within the United States for at least 1 of every 5 years of such employment.

Section 1211. Continuation of Foreign Service Institute

All functions, powers, and duties of the Secretary of State relating to the Foreign Service Institute established under 22 U.S.C. 1041–1047 would be transferred to the Board. All property and personnel of the Foreign Service Institute and the unexpended balance of any appropriation therefor would be transferred to the Board for use in futherance of the objectives of the Corps.

Section 1212. Staff of Board

The Board would be authorized to make appointments in the competitive civil service and to fix the compensation, in accordance with civil service classification and General Schedule pay rates, of not more than five professional staff members (including a chief staff officer of the Board) and such clerical staff members as might be necessary.

The Board would be authorized to procure temporary or intermittent services pursuant to 5 U.S.C. 3109, at rates not to exceed $100 per day for individuals.

Section 1213. Acquisition of real or personal property by Board

The Board would have the power to acquire, hold, use, sell, or otherwise dispose of property, real or personal, and to accept gifts or bequests, to carry out the purposes of this title.

Section 1214. Prohibition against establishment of academy

The Board would have no authority to establish any educational institution, nor to appoint any person to serve on the faculty or staff of any educational institution except the Foreign Service Institute.

Section 1215. Authorization

To carry out the purposes of this title (except section 1207), appropriations to the Board would be authorized in the amount of $15 million in 1969, $30 million in fiscal 1970, $45 million in fiscal 1971, $60 million in fiscal 1972, and in fiscal 1973 and each succeeding fiscal year, such sums as Congress might authorize.

TITLE VII

Mr. MORSE. Mr. President, the concluding title of the bill contains miscellaneous provisions which brings the College of Guam within the purview of the second Morrill Act. As I have earlier indicated, this paralleles the action taken by the Congress earlier this session with respect to Federal City College here in the District of Columbia.

I ask unanimous consent that excerpts from the committee report dealing with this area be printed at this point in my remarks.

There being no objection, the excerpts were ordered to be printed in the RECORD, as follows:

TITLE VII—MISCELLANEOUS PROVISIONS

Section 701. College of Guam

This section provides that the College of Guam (chapter 10 of the Government Code of Guam) shall, within the meaning of the first Morrill Act (7 U.S.C. 301–305, 307, 308), be deemed a land-grant college, and Guam shall be deemed a "State," in the administration of the Second Morrill Act (7 U.S.C. 321–326, 328), as modified by the Nelson amendment,[1] and for purposes of section 22 of the Bankhead-Jones Act (7 U.S.C. 329),[2] as well as the so-called Retirement Act (7 U.S.C. 331). The appropriation ceilings for formula allotment under section 22 of the Bankhead-Jones Act would be correspondingly increased so as to avoid a reduction in grants to the States and Puerto Rico as a result of the extension of section 22 to Guam.

Finally, this section authorizes to be appropriated to the territory of Guam the sum of $890,995 in lieu of extending to the territory those provisions of the First Morrill Act (7 U.S.C. 301–305, 307, 308) relating to donations of public lands or land scrip for the endowment and maintenance of land-grant colleges. Amounts so appropriated to the territory would be subject to those provisions of the First Morrill Act that apply to proceeds from the sale of land or land scrip. The amount of $889,995 bears the same ratio to $6,000,000, which was the lump-sum payment to Hawaii for like purposes in lieu of a land grant under the First Morrill Act, as the population of Guam bears to that of Hawaii.

This section is patterned after the comparable provisions of Public Law 90–354, approved on June 20, 1968, which designated the Federal City College of the District of Columbia as a land-grant college and likewise provided for a lump-sum payment to the District of Columbia in lieu of a land grant. However, unlike Public Law 90–354, the present bill does not provide that enactment of the bill shall be deemed to satisfy any requirement of State consent contained in the laws or provisions of law referred to in the bill, in view of the fact that Guam has a legislature (48 U.S.C. 1423 et seq.) which is competent in the matter.

These amendments would take effect with respect to appropriations beginning with the fiscal year 1970.

Section 702. Program consolidation

Subsection (a) of this section provides that the programs authorized by sections 303(a)(5) and 1009 of the National Defense Education Act of 1958 shall not be consolidated with the one authorized by title V of the Elementary and Secondary Education Act of 1965. This section of the bill further provides that so much of the appropriations for any fiscal year appropriated under title V of the latter act, which equals the maximum amount authorized to be appropriated under the above-cited provisions of the National Defense Education Act for that fiscal year, shall be deemed to have been appropriated pursuant to the second sentence of section 301 of the National Defense Education Act and pursuant to section 1009 of that act, except that this provision shall not apply during a fiscal year in which appropriations pursuant to the second sentence of section 301 and section 1009(a) of the National Defense Education Act are equal to the maximum amount authorized by those sections.

This section is to be effective July 1, 1968, and the bill provides "that it shall remain effective until expressly and specifically amended by law."

---

[1] This act contains a permanent annual appropriation of $50,000 to each State and territory for the more complete endowment and maintenance of land-grant colleges.

[2] That act now authorizes an annual appropriation of $7,800,000 to be distributed to the States, Puerto Rico, and the District of Columbia on an equal basis, and an annual amount of $4,300,000 to be allotted to these jurisdictions on a population basis. In order to accommodate the addition of Guam, this bill would increase these appropriation ceilings to $7,950,000 and $4,322,250, respectively.

Section 703. Planning authorization

This section would authorize to be appropriated to the Commissioner of Education, for the fiscal year 1969, $1,070,000 for carrying out planning and other activities relating to new programs that are authorized to be carried out by him beginning with the fiscal year 1970.

CONCLUSION

Mr. MORSE. Mr. President, in concluding my opening statement, I can only once again indicate to Senators that in my judgment the committee has brought before this body legislation which has been earnestly considered and which represents a consensus deserving Senate support.

I ask unanimous consent that there may be included as part of the statement, as an appendix, statistical charts, and tables, relating to the various provisions of the bill.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

TABLE III.—ESTIMATED DISTRIBUTION OF FUNDS UNDER PROPOSED HIGHER EDUCATION AMENDMENTS OF 1968, TITLE I, EXTENSION OF EDUCATION PROGRAMS: FISCAL YEARS 1970-72.[1] PT. A—PUBLIC LAW 89-329, TITLE I, COMMUNITY SERVICE AND CONTINUING EDUCATION PROGRAMS

	Fiscal year 1970	Fiscal years 1971 and 1972
United States and outlying areas	$50,000,000	$60,000,000
50 States and District of Columbia	49,263,769	59,121,754
Alabama	891,372	1,068,017
Alaska	159,730	173,063
Arizona	461,313	541,963
Arkansas	540,878	639,288
California	4,337,929	5,283,896
Colorado	540,653	639,013
Connecticut	748,695	893,493
Delaware	215,629	241,439
Florida	1,428,269	1,724,758
Georgia	1,101,893	1,325,530
Hawaii	263,864	300,441
Idaho	257,102	292,170
Illinois	2,531,141	3,073,807
Indiana	1,215,945	1,465,039
Iowa	722,098	860,959
Kansas	612,780	727,240
Kentucky	816,990	977,033
Louisiana	915,264	1,097,242
Maine	320,439	369,644
Maryland	913,911	1,095,588
Massachusetts	1,317,824	1,589,660
Michigan	2,008,669	2,434,711
Minnesota	905,121	1,084,835
Mississippi	626,755	744,334
Missouri	1,128,716	1,358,340
Montana	258,229	293,548
Nebraska	424,347	496,746
Nevada	197,146	418,831
New Hampshire	252,369	286,380
New Jersey	1,655,019	2,002,122
New Mexico	325,849	376,261
New York	4,203,367	5,119,298
North Carolina	1,221,129	1,471,381
North Dakota	244,931	277,281
Ohio	2,436,023	2,957,457
Oklahoma	658,310	782,933
Oregon	544,710	643,975
Pennsylvania	2,714,840	3,298,510
Rhode Island	302,407	347,587
South Carolina	683,555	813,813
South Dakota	253,045	287,207
Tennessee	971,388	1,165,894
Texas	2,522,350	3,063,053
Utah	326,976	377,640
Vermont	192,638	213,317
Virginia	1,106,401	1,331,044
Washington	785,209	938,158
West Virginia	507,745	598,759
Wisconsin	1,039,233	1,248,883
Wyoming	171,902	187,951
District of Columbia	281,671	322,222
American Samoa	31,086	32,444
Canal Zone	00	00
Guam	42,852	46,836
Puerto Rico	626,136	760,318
Virgin Islands	36,157	38,648

[1] Distributions made with a basic amount of $100,000 to the 50 States and the District of Columbia; $25,000 to American Samoa, Guam, Puerto Rico, and the Virgin Islands. The balance distributed on basis of total population, July 1, 1966.

TABLE IV.—ESTIMATED DISTRIBUTION OF FUNDS UNDER PROPOSED HIGHER EDUCATION AMENDMENTS OF 1968, TITLE I, EXTENSION OF EDUCATION PROGRAMS, FISCAL YEARS 1970-72

PT. A—PUBLIC LAW 89-329, TITLE IV-C, COLLEGE WORK-STUDY PROGRAMS

	Fiscal year 1970	Fiscal years 1971 and 1972
United States and outlying areas	$255,000,000	$285,000,000
50 States and District of Columbia	249,900,000	279,300,000
Alabama	6,244,577	6,979,233
Alaska	216,853	242,366
Arizona	2,347,809	2,624,021
Arkansas	3,751,525	4,192,881
California	20,810,215	23,258,476
Colorado	2,810,992	3,141,697
Connecticut	2,638,602	2,949,025
Delaware	514,884	575,459
Florida	6,853,962	7,660,310
Georgia	6,969,828	7,789,808
Hawaii	843,552	942,794
Idaho	963,478	1,076,828
Illinois	11,079,234	12,382,675
Indiana	5,875,154	6,566,349
Iowa	4,250,552	4,750,617
Kansas	3,225,773	3,605,275
Kentucky	5,485,600	6,130,965
Louisiana	6,256,536	6,992,599
Maine	1,232,525	1,377,527
Maryland	3,797,597	4,244,373
Massachusetts	6,539,131	7,308,440
Michigan	9,807,084	10,960,859
Minnesota	5,144,922	5,750,207
Mississippi	5,280,421	5,901,647
Missouri	6,181,314	6,908,527
Montana	988,681	1,104,997
Nebraska	2,168,686	2,423,826
Nevada	319,770	357,390
New Hampshire	802,144	896,514
New Jersey	5,418,100	6,055,523
New Mexico	1,610,131	1,799,558
New York	17,088,568	19,098,988
North Carolina	8,923,251	9,973,045
North Dakota	1,159,291	1,295,679
Ohio	11,329,715	12,662,622
Oklahoma	3,968,221	4,435,070
Oregon	2,543,784	2,843,052
Pennsylvania	13,077,862	14,616,434
Rhode Island	1,108,735	1,239,174
South Carolina	4,840,576	5,410,056
South Dakota	1,265,284	1,414,141
Tennessee	6,585,425	7,350,181
Texas	15,168,636	16,953,181
Utah	1,791,145	2,001,867
Vermont	625,381	698,955
Virginia	5,911,980	6,607,507
Washington	3,933,828	4,396,631
West Virginia	3,210,049	3,587,701
Wisconsin	5,246,773	5,864,041
Wyoming	452,049	505,232
District of Columbia	1,239,815	1,385,676
Outlying areas	5,100,000	5,700,000

TABLE V.—ESTIMATED DISTRIBUTION OF FUNDS UNDER PROPOSED HIGHER EDUCATION AMENDMENTS OF 1968, TITLE I, EXTENSION OF EDUCATION PROGRAMS, FISCAL YEARS 1970-72[1]

PT. A—PUBLIC LAW 89-329, TITLE IV-A, EDUCATIONAL OPPORTUNITY GRANTS (INITIAL YEAR AWARDS)

	Fiscal year 1970	Fiscal years 1971 and 1972
United States and outlying areas	$100,000,000	$140,000,000
50 States and District of Columbia	99,320,751	139,049,052
Alabama	1,416,901	1,983,662
Alaska	42,680	59,751
Arizona	1,124,991	1,574,987
Arkansas	947,769	1,326,877
California	10,032,039	14,044,855
Colorado	1,458,919	2,042,487
Connecticut	1,243,961	1,741,546
Delaware	190,141	266,197
Florida	2,367,168	3,314,035
Georgia	1,686,060	2,360,484
Hawaii	352,072	492,901
Idaho	414,961	580,946
Illinois	4,922,084	6,690,917
Indiana	2,771,530	3,880,142
Iowa	1,937,075	2,711,905
Kansas	1,694,494	2,372,292
Kentucky	1,553,557	2,174,980
Louisiana	1,866,796	2,613,515
Maine	401,608	562,251
Maryland	1,475,635	2,065,889
Massachusetts	3,678,069	5,149,296

See footnote at end of table.

TABLE V.—ESTIMATED DISTRIBUTION OF FUNDS UNDER PROPOSED HIGHER EDUCATION AMENDMENTS OF 1968, TITLE I, EXTENSION OF EDUCATION PROGRAMS, FISCAL YEARS 1970-72[1]—Continued

PT. A—PUBLIC LAW 89-329, TITLE IV-A, EDUCATIONAL OPPORTUNITY GRANTS (INITIAL YEAR AWARDS)—Con.

	Fiscal year 1970	Fiscal years 1971 and 1972
Michigan	$4,521,647	$6,330,305
Minnesota	2,366,760	3,313,465
Mississippi	1,195,626	1,673,876
Missouri	2,550,428	3,570,599
Montana	449,665	629,531
Nebraska	960,817	1,345,144
Nevada	116,500	163,100
New Hampshire	416,081	582,513
New Jersey	1,764,617	2,470,463
New Mexico	533,575	747,005
New York	7,868,746	11,016,244
North Carolina	2,365,844	3,312,182
North Dakota	490,868	687,216
Ohio	4,847,117	6,785,963
Oklahoma	1,704,329	2,386,061
Oregon	1,317,347	1,844,286
Pennsylvania	5,018,045	7,025,263
Rhode Island	566,114	792,559
South Carolina	945,781	1,324,094
South Dakota	479,808	671,732
Tennessee	2,041,443	2,858,020
Texas	5,495,458	7,693,641
Utah	1,201,817	1,682,544
Vermont	316,680	443,351
Virginia	1,622,560	2,271,584
Washington	2,078,952	2,910,533
West Virginia	947,132	1,325,984
Wisconsin	2,501,377	3,501,928
Wyoming	213,251	298,552
District of Columbia	843,856	1,181,399
American Samoa	0	0
Canal Zone	0	0
Guam	15,111	21,155
Puerto Rico	662,075	926,905
Virgin Islands	2,063	2,888

[1] Proposed authorizations distributed on the basis of full-time, degree-credit enrollment in institutions of higher education, fall 1965.

TABLE VI.—ESTIMATED DISTRIBUTION OF FUNDS UNDER PROPOSED HIGHER EDUCATION AMENDMENTS OF 1968, TITLE I, EXTENSION OF EDUCATION PROGRAMS, FISCAL YEARS 1970-72[1]—PT. A—PUBLIC LAW 89-329, TITLE VI-A, UNDERGRADUATE EQUIPMENT

	A. Equipment and remodeling	B. TV equipment and remodeling
United States and outlying areas	$60,000,000	$10,000,000
50 States and District of Columbia	59,517,590	9,919,600
Alabama	985,698	164,280
Alaska	34,828	5,807
Arizona	695,432	115,900
Arkansas	574,260	95,713
California	6,631,832	1,105,307
Colorado	847,883	141,313
Connecticut	683,197	113,867
Delaware	110,469	18,413
Florida	1,595,040	265,840
Georgia	1,047,725	174,620
Hawaii	213,595	35,600
Idaho	264,452	44,080
Illinois	2,649,268	441,547
Indiana	1,512,494	252,080
Iowa	1,047,535	174,587
Kansas	907,052	151,173
Kentucky	981,605	163,607
Louisiana	1,142,446	190,407
Maine	246,992	41,167
Maryland	857,640	142,940
Massachusetts	2,095,038	349,173
Michigan	2,628,928	438,153
Minnesota	1,312,768	218,793
Mississippi	768,415	128,073
Missouri	1,439,585	239,927
Montana	246,674	41,113
Nebraska	529,246	88,207
Nevada	63,660	10,613
New Hampshire	257,857	42,973
New Jersey	1,041,512	173,587
New Mexico	331,445	55,240
New York	4,712,690	785,447
North Carolina	1,500,018	250,000
North Dakota	278,123	46,353
Ohio	2,749,680	458,280
Oklahoma	1,005,097	167,513
Oregon	789,683	131,613
Pennsylvania	3,077,963	513,000
Rhode Island	321,582	53,600

See footnote at end of table.

TABLE VI.—ESTIMATED DISTRIBUTION OF FUNDS UNDER PROPOSED HIGHER EDUCATION AMENDMENTS OF 1968, TITLE I, EXTENSION OF EDUCATION PROGRAMS, FISCAL YEARS 1970–72 [1]—PT. A—PUBLIC LAW 89–329, TITLE VI–A, UNDERGRADUATE EQUIPMENT—Continued

	A. Equipment and remodeling	B. TV equipment and remodeling
South Carolina	$632,580	$105,427
South Dakota	292,528	48,753
Tennessee	1,249,546	208,253
Texas	3,371,114	561,854
Utah	698,797	116,467
Vermont	182,968	30,493
Virginia	1,033,431	172,240
Washington	1,289,700	214,953
West Virginia	576,591	96,100
Wisconsin	1,442,917	240,487
Wyoming	120,111	20,020
District of Columbia	447,900	74,647
American Samoa	0	0
Canal Zone	0	0
Guam	11,802	1,967
Puerto Rico	463,523	77,253
Virgin Islands	7,085	1,180

[1] Distribution of funds with ½ on the basis of estimated full-time and full-time equivalent of degree-credit and nondegree-credit enrollment, fall 1966 and ½ on the basis of State products of (1) fiscal year 1969 allotment ratios with limits of 0.66⅔ and 0.33⅓ and (2) the fall 1966 enrollment, as above

TABLE VIII.—ESTIMATED DISTRIBUTION OF FUNDS UNDER PUBLIC LAW 88-204 HIGHER EDUCATION FACILITIES ACT, TITLE I: FISCAL YEAR 1970

[In dollars]

	Total State amount	Sec. 103: Public community colleges and public technical institutes [1]	Sec. 104: Other undergraduate institutions [2]
United States and outlying areas	936,000,000	224,640,000	711,360,000
50 States and District of Columbia	926,858,632	221,914,354	704,944,278
Alabama	16,814,709	5,437,095	11,377,614
Alaska	805,152	200,503	604,649
Arizona	8,855,641	2,178,624	6,677,017
Arkansas	9,302,810	2,923,376	6,379,434
California	95,793,998	18,093,147	77,700,851
Colorado	11,369,014	2,535,093	8,833,921
Connecticut	11,889,283	2,370,645	9,518,638
Delaware	2,106,320	441,794	1,664,526
Florida	24,736,424	6,252,326	18,484,098
Georgia	18,894,258	5,571,690	13,322,568
Hawaii	3,589,602	886,687	2,702,915
Idaho	3,989,613	1,083,764	2,905,849
Illinois	45,087,583	8,939,469	36,148,114
Indiana	23,758,299	5,504,476	18,253,823
Iowa	15,377,453	3,734,528	11,642,925
Kansas	12,193,738	2,782,419	9,411,319
Kentucky	15,544,443	4,861,526	10,682,917
Louisiana	17,443,829	4,924,497	12,519 332
Maine	4,653,069	1,485,100	3,167,969
Maryland	15,207,562	3,634,193	11,573,369
Massachusetts	28,464,371	5,841,040	22,623,331
Michigan	41,883,711	8,916,792	32,966,919
Minnesota	20,105,989	4,985,187	15,120,802
Mississippi	11,325,804	3,358,317	7,967,487
Missouri	21,473,642	5,328,770	16,144,872
Montana	3,787,547	991,100	2,796,447
Nebraska	7,714,992	1,881,213	5,833,779
Nevada	1,488,691	320,741	1,167,950
New Hampshire	3,622,180	883,425	2,738,755
New Jersey	24,069,570	6,089,834	17,979,736
New Mexico	5,522,606	1,611,862	3,910,744
New York	73,737,141	13,743,077	59,994,064
North Carolina	24,059,848	7,169,194	16,890,654
North Dakota	3,857,076	1,051,952	2,805,124
Ohio	47,402,290	11,570,979	35,831,311
Oklahoma	13,454,124	3,420,312	10,033,812
Oregon	11,320,291	2,633,305	8,686,986
Pennsylvania	53,685,070	14,430,403	39,254,667
Rhode Island	4,373,170	993,384	3,379,786
South Carolina	11,800,742	3,974,511	7,826,231
South Dakota	4,135,691	1,149,350	2,986,341
Tennessee	18,247,269	5,194,992	13,052,277
Texas	49,249,588	11,969,212	37,280,376
Utah	7,653,649	1,640,574	6,013,075
Vermont	2,390,593	588,133	1,802,460
Virginia	18,339,659	5,171,173	13,168,486
Washington	17,666,447	3,717,560	13,948,887
West Virginia	9,741,621	3,190,604	6,551,017
Wisconsin	22,402,722	5,407,894	16,994,828
Wyoming	1,801,033	460,229	1,340,804
District of Columbia	4,668,705	388,283	4,280,422

See footnotes at end of table.

TABLE VIII.—ESTIMATED DISTRIBUTION OF FUNDS UNDER PUBLIC LAW 88-204 HIGHER EDUCATION FACILITIES ACT, TITLE I: FISCAL YEAR 1970—Continued

[In dollars]

	Total State amount	Sec. 103: Public community colleges and public technical institutes [1]	Sec. 104: Other undergraduate institutions [2]
American Samoa	124,790	47,802	76,988
Canal Zone	0	0	0
Guam	332,778	117,627	215,151
Puerto Rico	8,545,380	2,524,326	6,021,054
Virgin Islands	138,420	35,891	102,529

[1] Distribution of 24 percent of the total amount on the basis of the State products of (1) 1965-66 high school graduates and (2) fiscal year 1969 allotment ratios, with limits of 0.66⅔ and 0.33⅓.

[2] Distribution of 76 percent of the total amount with ½ distributed on the basis of the estimated full-time and full-time equivalent of degree-credit and nondegree-credit enrollment in institutions of higher education, fall 1966 and ½ on the basis of enrollment in grades 9-12 of public and nonpublic schools, fall 1966.

Mr. **JAVITS**. Mr. President, I suggest the absence of a quorum.

The **ACTING PRESIDENT** pro tempore. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. **JAVITS**. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The **ACTING PRESIDENT** pro tempore. Without objection, it is so ordered.

Mr. **JAVITS**. Mr. President, as is typical of education bills that are reported under the chairmanship and management of the Senator from Oregon [Mr. MORSE], this one, characteristically, is well balanced in all phases of higher education programs. It takes account of the enormous explosion of higher education, which it is estimated will result in as many as 25 percent of Americans being graduates of colleges. Today, that percentage runs about half that number—12 or 13 percent.

When we consider—and this ties into our work in the labor field in the same committee—that each year it is believed that 25 percent of all jobs in the country require professional or semiprofessional training, it begins to be clear that the educational system has got to keep pace with the economic system if the country is not to fall on its face in economic and productive terms.

That is the point I rise to make, Mr. President. I do not wish in any way to duplicate what the Senator from Oregon has said. In the Senate we generally identify Members as having particular experience or competence in particular fields. I have had a close relationship, as Senators well know, with American business and American production all my life, including my public life. Therefore, I point out the intimate link between what we are seeking to accomplish by this bill in terms of higher education facilities, student loans, and the many other provisions which we are making, and the demands of the American economic machine.

That is the essence of this bill.

That is why the 4-year program is so essential, because just as in business, there must be an opportunity to look forward and to plan creatively for the future. So, too, in education, we must do the same thing, or we cannot possibly accommodate the tremendously expanding student body, any more than we can accommodate the tremendously expanding economy, without advance planning.

The advance funding provisions which are in this whole bill reflect the same idea.

Senators may say, Does that not commit us to certain levels of expenditure for higher education? It does. But we cannot have the fruit without the tree. It is absolutely indispensable. I predict that if we do not pass this bill and make it law in its essential provisions, then we will have a brain drain in the United States—perhaps a brain disaster not just a brain drain—that we will not be training our young people to accept the responsibilities which the American industrial machine requires and which is the essence of American strength. American strength is not built upon some abstract concept of our people being strong, willing, effective, and intelligent. It is built on just such institutions as these and very heavily premised upon these institutions. So what we are doing, and what Senator MORSE is doing is striking out boldly with what is essential to the American destiny and, for all practical purposes, giving us an opportunity to double the student body to meet the educational needs of the Nation. That requirement is proportioned directly to the demands of the American system. It is no more. It can be no less.

I repeat, we will have a lot worse brain drain than is being complained about in Europe now unless we do it on the order of this magnitude. I am not talking about individual details. We might change or modify it, but I am talking about the general thrust of the bill.

I heard with the greatest interest Senator MORSE's remarks on the Foreign Service Corps. I do think we should let that be fought out by Senator DOMINICK, as it is his bill, and the Foreign Relations Committee, which has certain jurisdictional objections to it; but I hope very much, and I join Senator MORSE in this, that even on that provision we will not go out empty handed.

The university and college population is admeasured to the general economy of the country, which still employs 90 percent of the workers. The colleges and universities prepare individuals both for the government and for private enterprise, and each system is independent of the other—and maintaining that relationship of 90–10 is critically important—we still have 10 percent of our employees at the government level, not only Federal, but local and State.

There a degree of competence is required which takes special training. So I agree with Senator MORSE. We should let the parties in interest fight out whether there should or should not be a Foreign Service Corps, but I do hope that a substitute will be offered for what is proposed if the preponderant view seems to be against a Foreign Service Corps. There should be a representation of high competence in the Federal Government as well as competence for the generality of the system under which we live.

CONSTRUCTION OF ACADEMIC FACILITIES

Finally, I would like to raise two rather specialized points. One is to call attention with some pride to the subject which is described on page 30 of the committee report, dealing with our effort to finance the construction of academic facilities which are so essential to underlie an expanded college education. This is without appropriating direct money for grants or for loans, because under the rather peculiar system of bookkeeping in which we engage, any appropriations for loans, though they will be repaid, have a large budgetary and inflationary impact, as do appropriations for grants. It does not help us in that regard that they will be repaid and will ultimately enrich the Federal Treasury.

This approach, of which I am very proud to be the author, seeks to take advantage of the unique capacity of the United States as a market for securities only by underwriting an interest rate, rather than providing for direct loans and grants, in considering the demand for facilities, which will amount to from $1.5 billion to $2.2 billion a year for each year in the foreseeable future. So it can be seen that Federal participation in an intelligent way becomes critically essential.

We have had excellent experience with respect to the guarantees of interest rates with respect to many, many institutions which have been built under that concept. I refer to the college housing program, of which I was also the author. I may say that it was forced upon me by necessity. Sometimes we get the best ideas that way. The universities and colleges in New York were absolutely strangling for lack of money for college housing, and we could not get the needed money. We had to find some other way.

There is a market for this type of security, provided there is no undue burden on the carrying charge on the institution itself.

So the provision in the bill is modest. It means the beginning only. It makes possible $300 million for the first year for that kind of loan, and underwrites the difference in interest, roughly somewhere between 2 and 3 percent, by providing $6,750,000 authorization for the first year. Then, for the second year, it accumulates the same $6,750,000 in underwriting and $300 million on loans already made. It adds to that another $6,750,000 in round figures, again providing another $300 million in loans for the second year.

That will result in $600 million worth of construction of college facilities, with a budgetary impact aggregating something in the area of $20 million.

When we bear in mind that in this fiscal year we have cut the appropriations for college facilities programs by as much as 90 percent, it can be appreciated how critically essential is this new technique of financing which I have described. This technique is in its infancy. I believe it can be applied not only in the college field, where we have now applied it to college housing and where I hope will be applied to teaching facilities, but it can also be applied to the hospital field, where there is a need of $1 billion a year for renovation and new hospitals—that is also within the jurisdiction of our committee. The money can be readily raised, provided the maintenance cost is not an overwhelming burden on the hospitals which have to incur these responsibilities.

I wish to emphasize that we cannot do the job without direct loans or direct grant funds. These are institutions which cannot borrow. They are not creditworthy, or they do not have the alumni which will support them, or they have constitutional inhibitions. If they are public institutions, many States prevent borrowing of this character. But there is also this borrowing capability, and there is a need for the amounts authorized, and a good deal more. It represents an intelligent breakthrough in the budgetary and appropriations jam in which we find ourselves as a result of the stresses which we have been under financially.

I hope very much that the Senate will act with a reasonable degree of celerity upon this matter.

I believe Senator MORSE has brought to the floor, with the aid and cooperation of the Republican members—and I have the honor to be the ranking minority member of the full committee—in a completely bipartisan way, and with very creditable contribution from both sides of the aisle, a landmark and an historic higher education bill.

I join with Senator MORSE in paying tribute to the other Senators who have participated in the creativity reflected by this bill: to the Senator from Vermont [Mr. PROUTY], who is the ranking minority member of the Education Subcommittee; to the Senator from Colorado [Mr. DOMINICK] and the Senator from California [Mr. MURPHY], who have both made creative contributions to the bill; and, on the Democratic side, to the Senator from Texas [Mr. YARBOROUGH], the Senator from Pennsylvania [Mr. CLARK], the Senator from Wisconsin [Mr. NELSON], the Senator from West Virginia [Mr. RANDOLPH], the Senator from New Jersey [Mr. WILLIAMS], and other Senators who have contributed.

SCHOOL LUNCH PROGRAM

Mr. President, before I take my seat, I wish to refer to one other matter which troubles me very deeply. That is the school lunch program.

We have a rather difficult situation as to committee jurisdiction between the Senate and the House of Representatives on that issue. In the House, since the subject matter relates to schools, jurisdiction is in the Committee on Labor and Education. In the Senate, however, jurisdiction of the school lunch program has for some years lodged with the Committee on Agriculture, as Senator MORSE pointed out the other day.

There is a case in point pending right now, Mr. President, which relates to the $100 million voted for school lunches, which involves also the difficulties surrounding the so-called section 32 funds—funds resulting from Customs receipts—which are twice that amount, or more, for this fiscal year alone. The problem has been brought into focus by the fact that a separate bill has been passed in the House of Representatives, upon the motion of Representative PERKINS, who heads the legislative committee over there which deals with this particular school lunch matter.

I wish to reserve the right, Mr. President, to offer an amendment to this bill. I see no inhibition, on the question of committee jurisdiction, from offering such an amendment on the floor; so, Mr. President, with all respect to my senior colleague, who has proceeded quite properly, I believe, considering the record on this question of jurisdiction for this particular session of Congress, I shall reserve the right to offer an amendment on the floor to this bill, to deal with the question of the school lunch program, and we will have an opportunity to consider just what ought to be done about it. It is a very pressing matter; every American is deeply assailed in his conscience, not just by the reports, because I have dealt with them in this committee, but by the actuality of starvation and serious malnutrition in the United States, especially of children.

The school lunch program is a way by which that can be avoided or mitigated, again without budgetary impact, because the money would come from section 32 funds. We have now undone the cord which bound us with respect to section 32 funds by a provision in the agricultural bill. The Senate has untied that Gordian knot, but the matter awaits action in conference. So, as I say, I reserve the right to bring this question up.

Laying aside the question of the school lunch program, I again say to Senator MORSE, who has rendered so many historic services to our Nation, that while unhappily his efforts in this field will receive, at the moment, far less notice than some of the times when he had been the exciting maverick that he often is on other issues, his status in history will, in my judgment, be built very substantially upon the fact of his creativity with respect to these institutions, their expansion, their development, and the resultant strengthening of the very bedrock of our country. He will be fully honored, long after the time that he and I are gone, for the service he has rendered and is rendering in connection with these matters.

Mr. MORSE. Mr. President, I think the Senator from New York knows how much I am moved by and appreciate his very kind remarks about my work as chairman of the Subcommittee on Education and as manager of our education bill; but I repeat what I have said so many times in the past: The credit belongs to the entire committee. And let me say that no small part of that credit belongs to the Senator from New York [Mr. JAVITS], for he is minority leader on the committee, and I wish to say once again, as I have in the past, that I have never failed to receive his complete cooperation on any problem coming before my subcommittee, including those times, Mr. President, when the Senator from New York and I might be on opposite sides of an educational issue before the committee.

Cooperation is really tested when men have different views on some substantive issue before them. I have never failed to receive Senator JAVITS' cooperation; and very often he has proved himself right and me wrong on the merits of a given proposal. He has convinced me in the committee, and I have come over to his side and supported his proposals; and there have been occasions when he has taken the same position in regard to some of my proposals.

What I wish to stress here more than anything else is that I do not think there is anyone who deserves as much credit as Senator Javits for the fact that we bring nonpartisan education bills to the floor of the Senate each year, as we have done for many years past. This year is no exception. We bring to the Senate today this first bill on higher education, to be followed by one on vocational education, with the unanimous vote of the committee. That does not mean that the members of the committee will not offer amendments to the bill. The manager of the bill not only assures them that every opportunity will be made available for them to make their cases, but I shall request—and I am sure I shall obtain for them, because it has never been denied—rollcall votes on any amendments which they offer.

Mr. President, I think the best way I can state my appreciation with respect to Senator Javits for his cooperation with me is to make these few brief comments on the statements he has made during the past few minutes on the floor of the Senate.

He has talked about the importance of this bill to the economy of this country. I wish to say, Mr. President, that we are not only offering education legislation today; we are offering economic legislation. And we are offering, in my judgment, not only education legislation and economic legislation, but general welfare legislation without which we cannot make this political and economic system, based upon political and economic freedom of choice for the individual citizens of this country, work. I believe we cannot maintain a system of economic and political freedom in this Republic unless we train and develop the potential brainpower of the youth of our country; and when we do that, Mr. President, we are passing legislation that is not excelled by any piece of economic legislation you can mention.

When we speak of economic legislation, I do not care what form that it takes, we are talking about legislation that has to be carried out by the skills and the brainpower of the people of this country. And speaking of loans, no member of my committee has done as much to come forward with a student loan program, and to bring the banking fraternity and the lending agencies of our country into that program, as has the Senator from New York [Mr. Javits].

I am so glad the Senator said what he had to say in respect to the interest rate matter. Of course, we would like to have a lower interest rate, but there is not a lower interest rate in the rest of the country. And the way we have handled the interest rate problem—to be of assistance to those young men and women who need a loan—again is due in no small measure, by way of credit, to the distinguished Senator from New York.

Mr. President, I appreciate what the Senator said about title XII in supplementing what I have already said in regard to the Foreign Service Corps section of the bill. But, as I have said earlier, I think it raises some very serious jurisdictional questions. Although I shall await the discussion this afternoon by the Senator from Colorado [Mr. Dominick], I do not think it limits itself to the degree that we can limit it to the matter of scholarships in this field.

The concern of the six members of the Foreign Relations Committee who have already talked to me about it this morning—and I refer to the fact that six members have talked to me about it—satisfies me that we are going to have to, I think, change somewhat the structure of the title.

I shall press for retaining in the title the scholarship program, for this is not merely for scholarships for young men and women that want to go into diplomatic foreign service. As I have said earlier, it also applies to people in agriculture, in commerce, in labor, in banking, and in the whole gamut of our economic structure in respect to our foreign relations and foreign trade as well as diplomatic service.

I think it can be worked out. I hope that my colleagues on the Foreign Relations Committee will cooperate with me in working out a retention of the scholarships aspect of the matter. I think these young men and women are entitled to that help under the pending bill.

I say to the Senator from New York that I completely share his viewpoint in respect to the school lunch program. I spoke about this matter the other day. I was then confronted with the reality that for some years past the school lunch program has been referred to the Committee on Agriculture and Forestry. And there is no doubt that the reorganization law specifically, in my judgment, gives jurisdiction to the Committee on Labor and Public Welfare. However, it is also my understanding that the Committee on Labor and Public Welfare has for the past several years acceded to the jurisdiction of the Committee on Agriculture and Forestry without having raised the issue here on the floor of the Senate.

I thought it would be quite inappropriate for me, in the closing days of this session when we have this issue before us in respect to the school lunch program of the Committee on Agriculture and Forestry, to be raising a jurisdictional matter.

I made it very clear that I would not raise the issue in this session. I reserved the right to raise it next year, if I am back here, at an early date, without any relation to any particular bill at the time, to have the Senate decide, as the Senate decision, to which committee the Parliamentarian thereafter shall refer the school lunch program.

I think school lunch programs go far beyond the matter of surplus food distributed by the Agriculture Department. I think the school lunch programs go to this whole question of providing, as part of the educational structure of the country, funds in order to assist boys and girls who would otherwise be without a lunch program. In fact, I have spoken on it heretofore in respect to the school breakfast programs.

Mr. President, I think we ought to go into the whole matter of the relationship between nutrition and ability to learn, for it is direct. If the boy or girl does not have adequate nutrition, there is no question about the fact that there is a direct cause and effect relationship between his blood chemistry, which depends upon the supply of nutritious food, and his learning ability.

I think that is a basic educational problem and not an agricultural problem. Therefore, some time next year, if I am here, I think the matter ought to be determined, but outside the context of the particular bill which confronted me when it was suggested that, as chairman of the Subcommittee on Education, I should raise a jurisdictional point.

I talked to staff members of the Senate Committee on Labor and Public Welfare. I was informed as to the past practice, and I decided that as far as this particular school lunch program for this year is concerned, I would not, as chairman of the subcommittee, raise a jurisdictional question.

I say to the distinguished Senator from New York that I certainly agree with him that the bill which passed the House and went through their Education and Labor Committee, which seeks to provide a $100 million increase, I believe, for a school lunch program, is a bill which I will always support.

I hope, and I am hoping before our day is over this afternoon, when the distinguished Senator from Louisiana [Mr. Ellender] and the distinguished Senator from Florida [Mr .Holland] are present in the Senate Chamber—because I think it would be wise to do it when they are present since they are the two with whom I had my colloquy the other day—to discuss the matter further.

The Senator from New York and I will join in raising the question as to the status of the school lunch program before the Senate Committee on Agriculture and Forestry.

I agree with the Senator from New York that we ought to get favorable action on an enlarged school lunch program before this Congress adjourns.

I again thank the Senator from New York for the kind references he made to me.

Mr. JAVITS. Mr. President, will the Senator yield?

Mr. MORSE. I yield.

Mr. JAVITS. Mr. President, I ask unanimous consent to have printed in the Record as part of my remarks a special report on Federal programs, published by the American Council on Education, entitled, "An Assessment of the Higher Education Facilities Act."

There being no objection, the report was ordered to be printed in the Record, as follows:

AN ASSESSMENT OF THE HIGHER EDUCATION FACILITIES ACT

The Higher Education Facilities Act, a landmark in Federal education legislation, is now in its fourth year of operation. Although the Act officially became law on December 16, 1963, funds for it were not provided until the following September, then well into the Government's 1965 fiscal year.

The purpose of the Act (Public Law 88-204) is to assist the Nation's colleges and universities "to accommodate rapidly growing numbers of youth who aspire to a higher education." The Act presently is scheduled to expire on June 30, 1969, but legislation is pending in Congress to extend it for five years, to mid-1974.

What has the Act accomplished so far? What can it be expected to achieve in the coming years? The U.S. Office of Education undertook an assessment of the Act last November, then revised it this Spring to reflect cuts in facilities funds in the current 1968 fiscal year and in the Administration's budget for fiscal 1969. The USOE survey, entitled "An Interim Assessment of Academic Facilities Needs and the Contributions of the Higher Education Facilities Act of 1963," was sent to State Higher Education Facilities Commissions, which handle applications for undergraduate facilities grants. This *Special Report* discusses the highlights of that survey, and reproduces its most significant tables.

First, the survey is admittedly only an interim assessment. It states at the outset that "data adequate for a full evaluation of the effects of the Higher Education Facilities Act (HEFA) assistance are not yet available." It said a substantial improvement in available data is expected to result from the tabulation of the Fall, 1968, returns in the Higher Education General Information Survey, but that a "significant breakthrough" probably will be achieved only after two or three years of effort under the the new program, authorized in 1966, of grants to State Commissions for comprehensibe planning.

By the end of this fiscal year on June 30, a total of $2.17 billion in Federal funds will have been committed under provisions of the Act for the construction of academic facilities at colleges and universities. The Federal funds will have helped to finance $6.23 billion worth of construction. From the start of the HEFA program through this fiscal year, USOE estimates that 610 grants will have been awarded for construction of public community college and technical institute facilities and 2,140 grants for other undergraduate institutions under Title I of the Act. Under Title II, more than 300 grants for construction of graduate facilities will have been made by the end of this fiscal year, and under Title III, more than 600 construction loans.

A year-by-year breakdown of HEFA fund commitments, the total cost of buildings they help finance, and the cost of buildings completed with HEFA assistance is shown on the following Table I from the USOE survey. The USOE noted that experience to date indicates that most buildings are completed and ready for use between two and four years after the initial grant or loan was committed. The figures for Fiscal 1968 and 1969 show both the original HEFA funding estimates and the amounts remaining after the present and projected cuts. For future years, the survey projects HEFA funding at around the level of $600 million annually, with the Federal share of project costs remaining about the same as at present.

If the projections prove accurate, the Higher Education Facilities Act, over a 10-year period (Fiscal 1965 through 1974) will have provided a total of $5.56 billion to assist in the construction of more than $14.6 billion worth of college buildings.

RELATIONSHIPS AMONG HEFA PROGRAM FUNDS COMMITTED, ESTIMATED COST OF BUILDINGS FOR WHICH COMMITTED, AND COST OF BUILDINGS COMPLETED WITH HEFA ASSISTANCE

Fiscal year.	Total HEFA program funds committed [1]	Total cost of buildings for which new HEFA commitments were made [1]	Total cost of new buildings completed with HEFA assistance
1965	392.1	1,272.0	106.1
1966	626.8	2,140.0	299.2
1967	710.7	1,701.0	723.0
1968 ORG	650.0	1,625.0	1,538.2
1968 RED	450.0	1,125.0	1,528.2
1969 ORG	650.0	1,625.0	2,031.1
1969 RED	375.0	937.5	1,952.3
1970 ORG	632.0	1,580.0	1,753.9
1970 RED			1,389.5
1971 ORG	608.0	1,520.0	1,685.1
1971 RED			1,157.0
1972 ORG	595.0	1,487.5	1,583.9
1972 RED			1,377.6
1973 ORG	586.0	1,465.0	1,532.7
1973 RED			1,527.7
1974	586.0	1,465.0	1,493.9

[1] Millions of dollars.

Note: ORG—Estimated on basis of original target leve s, fall 1967. RED—Reduced estimates, reflecting reductions in fiscal year 1968 and fiscal year 1969 levels, assuming original target levels unchanged for fiscal years 1970 through 1973.

HEFA SUPPLY AND DEMAND

Information obtained in the USOE analysis demonstrates amply that the demand for HEFA financing far exceeds the funds available. Except for loan applications in the initial year of the program, there have never been sufficient monies to fund all eligible applications. And in no year have funds for Title I undergraduate facilities grants been sufficient to pay the full authorized Federal share of the cost of all projects approved.

The disparity between demand and supply is particularly acute in the current 1968 fiscal year as the result of cutbacks in overall Federal spending ordered by Congress and the Administration last December.

As of mid-March, the amount of Title I applications received by State Facilities Commissions totalled more than $584 million, or some $320 million in excess of the funds available in the current fiscal year. Applications received by mid-April for Title II graduate school grants amounted to more than $100 million, compared with $33 million in available funds. Title III loan applications were estimated conservatively to total $250 million in the current fiscal year, compared with $150 million in loan funds available.

In discussing the supply of and demand for HEFA funds, the USOE survey makes these observations:

"The fact that so much needed construction has been and is being provided with non-Federal funds is not necessarily an indication that the available Federal funds have been adequate. What this fact does reflect is a desperate response by state governments and private institutions to the problems of booming enrollment pressures and inadequate facilities—the quantity gap and the quality gap.

"The non-Federal funds, however, are being provided at an obvious price. Much of the cost of academic facilities construction is being provided from debt financing which gets converted into increased student charges and depressed expenditures for faculty, and for instructional equipment and materials.

"In addition, experience under Title I of the Act appears to indicate that many non-public institutions tied up their matching capacity for several years in connection with projects submitted in the first two years of the program. An increasing portion of the growth in academic facilities commitments in the next two or three years probably will be in the public sector."

The following analysis shows the participation by private institutions in the first three years of the HEFA program. It is noted that the percentage of total funds going to private institutions under all three parts of the program showed a steady decline.

[Dollar amounts in millions]

Fiscal year	Title I undergraduate grants		Title II graduate grants		Title III loans	
	Amount	Percent	Amount	Percent	Amount	Percent
1965	$83.3	37	$28.2	47	$102.1	95
1966	141.5	30	19.7	33	73.5	74
1967	125.7	28	18.9	31	115.0	58
3-year total	350.5		66.8		290.6	

As mentioned earlier, HEFA funds have not been sufficient in any year to pay the maximum Federal share authorized by law for Title I projects. The Act states that the Federal grants "shall in no event exceed" 40 percent of the development cost of projects at public community colleges and public technical institutes, and shall not exceed 33⅓ percent for projects at other undergraduate institutions.

Following is a USOE table showing the percentage of eligible requests met by available funds and the average Federal share for approved projects. Section 103 refers to projects at public community colleges and technical institutes, and Section 104 to projects at other undergraduate institutions.

DEMAND/PARTICIPATION ANALYSIS, HIGHER EDUCATION FACILITIES ACT

Fiscal year	Total required for full Federal shares of all eligible applications	Total funds available	Percentage of requests met by available funds	Average Federal share for approved new projects (percent)
Sec. 103:				
1966	$178,798,226	$105,467,771	59	32.73
1967	171,520,197	105,224,747	61	27.11
1968	186,166,000	67,000,000	36	(2)
1969 [1]	200,000,000	67,000,000	34	(2)
Sec. 104:				
1966	$489,122,793	$363,149,484	74	26.86
1967	429,120,374	352,947,905	82	28.79
1968	401,957,000	200,000,000	50	(2)
1969 [1]	400,000,000	133,000,000	33	(2)

[1] Estimated.

[2] Not available.

Applications for Title II grants for the construction of graduate facilities and for Title III loans are made directly to the U.S. Office of Education, and are not channelled through State Facilities Commissions as are *undergraduate facilities grants.*

As previously noted, applications received by USOE's Graduate Facilities Branch by mid-April totalled over $100 million, with more expected by June 30, compared with $33 million in Federal funds available in this fiscal year. At the start of the next fiscal year on July 1, the Branch estimates that there will be a carryover of $80 to $100 mil*lion in eligible but unfunded applications.* This is measured against a budget allotment of $25.5 million for graduate facilities grants in the new fiscal year.

In the initial year of the HEFA program (Fiscal 1965), there was an unused balance of $61.5 million in Title III loan funds which *lapsed. Thereafter the demand for loan funds* escalated rapidly and each year since there has been a carryover of eligible, unfunded applications as shown on the following USOE table. The carryover in unfunded loan requests at this fiscal year's end will amount to an estimated $228 million.

The USOE report commented that loan fund shortages are posing increasing difficulties in connection with grants, since about 95 percent of the loan applications are related to projects under Title I or Title II. In many instances, it added, the requested loan is an essential part of the financing plan for a *project submitted under Title I.*

SUMMARY OF DEMAND AND PARTICIPATION UNDER TITLE III OF THE HIGHER EDUCATION FACILITIES ACT, FISCAL YEARS 1965 THROUGH 1968

[Dollar amounts in millions]

	1965	1966	1967	1968
Authorized lending level	$169.3	[1] $110.0	$200.0	$150
Total loan requests	$107.8	$240.3	$356.2	[2] $360
Unmet requests	[3] ($61.5)	$140.5	$156.2	[2] $210
Number of applications funded	133	143	211	[2] 180
Number of applications deferred	0	130	205	[2] 228

[1] Only $99,800,000 available; $10,200,000 became unavailable May 24, 1966, due to enactment of Public Law 88–429 (Participation Sales Act), which created title III loan revolving fund.

[2] Estimated.

[3] Unused balance of available loan funds—lapsed as of June 30, 1965.

HEFA AND THE "QUANTITY GAP"

The Higher Education Facilities Act was passed in the midst of the spiraling college enrollments of the '60's. One of the most persuasive arguments for its enactment was the prediction that the number of college students would double during the decade—a *projection now in the process of coming* true. In preceding sections this *Special Report* has discussed the Act in terms of dollars. What has it accomplished in terms of providing classroom space for the ever-increasing numbers of students?

The USOE survey analyzes the effects of the Higher Education Facilities Act on the "quantity gap" in academic facilities—that is, the difference between the amount of space available and the amount that would be needed to provide a standard figure of 150 square feet per student for the rapidly expanding enrollments. At the same time, the *survey points out that emphasis on the* quantity gap "has tended to obscure an equally important quality gap, which reinforces the problems of inadequate quantity and probably will become much greater in the years immediately ahead." Discussing the "quality gap," the survey notes a "growing problem of technological obsolescence" of many classrooms. For example, facilities built *50 years ago cannot, in many cases,* accommodate the educational media and instructional equipment in use today. In other cases, classrooms are not the right size for programs now offered.

The Higher Education Facilities Act is directed toward the quantity gap in instructional facilities. *One specific requirement for a Title I grant (although not for a Title II* grant or for a loan) is that the project must lead to a "substantial expansion of the institution's student enrollment capacity." According to USOE projections last Fall, the quantity gap was expected to be almost *closed by 1973. That goal has been delayed* by two years as the result of the 1968 budget cut and the proposed reduction for 1969.

The USOE makes these general observations on the impact of the HEFA on the quantity gap:

1. The quantity gap in academic facilities *grew larger in the early years of the Higher* Education Facilities Act because the Act came along three years later than needed to prepare for the enrollment bulge. According to the USOE analysis, the amount of academic space per student—a national average of 119 square feet—*in the last three years is estimated to have been the lowest since 1952* and perhaps for all time.

2. If the Higher Education Facilities Act is continued at the projected levels (of around $600 million a year) beginning in Fiscal Year 1970, but without restoration of the FY 1968 and FY 1969 reductions, the quantity gap will be gradually reduced below its current level, although the gap remaining in 1973 would be larger than is considered desirable.

3. If the reduced levels are sustained beyond 1969, "the quantity gap will again begin to grow substantially."

The effect of the Fiscal 1968 and 1969 *reductions in HEFA program levels is shown* in the following USOE estimates of the space shortage, expressed in terms of the number of student places and in gross square feet per student and total gross square feet.

	Estimated deficiency in number of student places	Estimated deficiency in square feet per student	Estimated deficiency in total gross square feet (in millions)
Fall of 1964	599,000	22	90
Fall of 1967	1,073,000	30	161
Fall of 1973 after reductions	436,000	10	65
Fall of 1973 as originally projected	211,000	5	32

The USOE estimates of academic facilities needed, as reflected in the above table and following chart, are calculated on the basis of 150 gross square feet per full-time equivalent (FTE) student. This represents an average figure for actual and planned construction of academic facilities at an average "mix" of institutions. As such, the survey emphasizes, the figure is useful for broad analyses and *projections*, but would be of *only limited value in analyzing the situation* at an individual institution. Average space allowances for graduate students tend to run substantially higher (i.e., 200 square feet) and for junior college students somewhat lower (i.e., 120 square feet). The survey noted that many colleges are better off *and many others worse off than the average* figures indicate.

The following table shows the impact of the Higher Education Facilities Act on the quantity gap in instructional facilities. It reflects the delayed impact of HEFA commitments—that is, the lapse of two to four years between the time a loan or grant is *made and the building is ready for use.* For example, the large HEFA commitments in the 1966 and 1967 fiscal years result in facilities ready primarily in the 1968–69 and 1969–70 academic years.

In preparing the analysis, the USOE started with a nationwide inventory of college facilities available *as of December, 1957,* before enrollments started to spiral. Estimates of space added were derived from actual completions in academic years 1958–59 through 1963–64 as published in USOE surveys, and from institutions' projections for academic years 1964–65 through 1969–70 as reported to the USOE. Estimates of both *total and HEFA-assisted facilities completed* after 1969–70 are projected from current experience and assume that the Federal share of project costs will remain the same as at present and that substantial non-Federal funding will continue.

ESTIMATED IMPACT OF THE HIGHER EDUCATION FACILITIES ACT OF 1963 ON THE ACADEMIC FACILITIES QUANTITY GAP

Academic year	FTE enrollment [1]	Academic facilities needed [3]	Academic facilities available [2]	Quantity gap [2]		Academic facilities completed	
				Total [2]	Per student [4]	Total [2]	Assistance [2]
1958–59	2,658	398,700	404,400	None	None		
1963–64	3,693	553,950	498,859	55,091	15	28,114	173
1964–65	*4,112*	*616,800*	*526,978*	*89,822*	*22*	*32,034*	*2,880*
1965–66	4,667	700,050	559,007	141,043	30	41,282	8,121
1966–67	5,052	757,800	600,289	157,511	31	59,554	19,374
1967–68	5,472	820,800	659,843	160,957	30	71,502	40,029
Original projection			659,843	160,957	30	76,330	40,497
1968–69	5,808	871,200	731,345	139,855	24	57,822	49,170
Original projection			736,178	135,022	23	64,222	51,852
1969–70	5,919	887,850	789,167	89,683	17	66,206	33,649
Original projection			800,395	87,455	15	73,521	42,947
1970–71	*6,135*	*920,250*	*855,373*	*64,877*	*11*	*49,814*	*26,943*
Original projection			870,521	49,729	8	55,318	39,608
1971–72	6,411	961,650	905,187	56,463	9	50,991	30,847
Original projection			928,839	32,811	5	56,629	35,694
1972–73	6,732	1,008,450	956,178	52,272	8	34,275	32,999
Original projection			985,464	22,986	4	38,062	33,214
1973–74	7,038	1,055,700	990,452	65,247	10	51,976	30,926
Original projection			1,023,526	32,174	5	51,976	30,926

[1] *Thousands.*

[2] *Thousands of gross square feet.*

[3] Based on overall average planning factor of 150 gross square feet of academic facilities per FTE (full time equivalent) student.

[4] Gap per student in gross square feet.

Note: Original projection means before fiscal year 1968 and fiscal year 1969 reductions. Original levels were $650,000,000 for both years.

The USOE survey shows that, while substantial progress is being made, the academic facilities problems has not yet been solved. From its overall review, and sample studies of specific institutions, the survey identifies a number of "problem trends which are typical of situations where space is inadequate." These include:

Increased use of leased space, which eats up operating funds needed for other purposes. Also, leased space often is ill-suited to the academic purposes for which it is used.

Severe shortages of laboratory space, which make faculty recruitment more difficult, curtail available laboratory time for students, and frequently prevent enrollment growth which would result in more efficient use of other types of facilities.

Previously-mentioned obsolescence, frequently severe in older, smaller, and, particularly, private institutions. In many instances, the resulting program inadequacies make it more difficult for such institutions to attract and hold faculty and students at a time when other expanding colleges are overcrowded.

Scheduling practices which put a strain on maintenance and crowd out opportunities for extension and community service activities of the institution.

Deferral of fine arts or physical education facilities in favor of "higher priority" needs, resulting in incomplete and distorted total programs at many institutions.

A general reduction in the amount of time faculty members spend in contact with students. While media for individual learning might compensate for this, such facilities generally remain unavailable.

Mr. JAVITS. Mr. President, I suggest to my colleague that when he is through with the colloquy, the Senator from Vermont [Mr. PROUTY] wants the floor.

Mr. MORSE. I thank the Senator.

Mr. President, during the hearings of the Subcommittee on Education concerning the proposals for amending our higher education legislation, the Senator from Virginia [Mr. SPONG] made an eloquent case for language directing the Commissioner of Education to distribute fellowships under title IV of the National Defense Education Act more equitably. The Senator pointed out that current allocation patterns tended to reinforce the strength of already-strong institutions, at the expense of those institutions with less developed doctoral capacity. The committee agreed with the Senator that current practices need modifying, and drafted language for inclusion in S. 3769 to assure that fellowships are awarded equitably to all areas of the country.

The Senator from Virginia [Mr. SPONG] recommended that a distribution formula based on State population be inserted in title IV of NDEA. Upon reflection, the committee felt that such a formula would be too restrictive, and would not in all cases truly reflect the Ph. D.-granting ability of the colleges and universities of a State or the college selections of graduate students of all 50 States. Some areas may be populous but lack the necessary graduate institutions to absorb the fellowships that would be allocated to them on a population-based formula; other areas may be sparsely populated but have a university of high caliber which could make important contributions to the development of college teachers. And in the West, the Western Interstate Commission for Higher Education, through interstate agreements, provides educational opportunity for the students of participating States. The committee felt that there was insufficient relationship between general population and degree-granting capacity to justify such a narrow formula.

However, the committee was equally convinced that some change was necessary to assure equitable allocation of fellowship funds. Therefore, the committee drafted language ordering the Commissioner of Education to allocate NDEA fellowships equitably, and advised the Commissioner to consider two factors in making such allocations: first, college enrollment; and, second, lack of Ph. D.-holding faculty members in the colleges and universities of the State. The first factor—college enrollment—is more closely related to a State's need for more college teachers than the State's population at large. The second factor—the ratio of non-Ph. D. faculty members to Ph. D.-holding faculty members—will act as an equalizing factor, helping to assure that those States whose need for college teachers with the doctorate is the greatest will receive the largest numbers of NDEA fellowships.

However, I have consulted with the members of the committee, and we have agreed that we could take population as an illustrative factor to be considered as one of the factors in reaching a judgment.

If the Senator from Virginia, who proposed the population factor, would agree, we wish to propose the inclusion of the term "population." I would be very glad to accept that amendment, if it would be satisfactory to the Senator from Virginia.

Mr. SPONG. Mr. President, I thank the very able chairman of the committee.

First, I should like to commend the chairman and the members of the committee for the presentation they have made this morning.

Second, I should like to thank them for the consideration the subcommittee and the committee have given the problem of securing a more equitable geographic basis for the distribution of NDEA fellowships. I believe that language on page 36 of the report covers this matter; also, under title V on page 81 of the bill. I am pleased that the committee acted on this matter and I am pleased that the committee and the chairman will accept language relating to population.

Mr. President, I have a brief amendment which I believe will take care of the population matter. I send the amendment to the desk.

The ACTING PRESIDENT pro tempore. The amendment will be stated.

The legislative clerk read the amendment, as follows:

On page 81, line 4, strike out the words "higher education and" and insert in lieu thereof the words "higher education, population, and.".

Mr. MORSE. Mr. President, I accept the amendment.

The ACTING PRESIDENT pro tempore. The question is on agreeing to the amendment of the Senator from Virginia.

The amendment was agreed to.

Mr. MORSE. Mr. President, I yield to the Senator from Ohio.

Mr. LAUSCHE. Mr. President, I was not present while the Senator made his report on what the bill contains. The purpose of my questions now will be to ascertain exactly what amounts are to be authorized for the several years mentioned in the report.

The Senator stated that he refers to the table in the report showing what the authorizations and the expenditures will be for the 5 years that are discussed in the table.

Mr. MORSE. We have cut it down to 4 years. The bill was introduced as a 5-year bill, and we cut it down to a 4-year bill.

Mr. LAUSCHE. Is my understanding correct that for fiscal 1968 the sum of $2,594,370,000 was authorized for appropriation?

Mr. MORSE. The Senator's understanding is correct.

Mr. LAUSCHE. The fiscal year of 1968 has now expired. Is that correct?

Mr. MORSE. The Senator said $370,000. It is $320,000.

Mr. LAUSCHE. That is correct.

The fiscal year of 1968 expired on June 30, did it not?

Mr. MORSE. That is correct.

Mr. LAUSCHE. Although $2,594,320,000 was authorized to be appropriated, the actual appropriation, however, was only $1,468,955,000; is that correct?

Mr. MORSE. The Senator is correct.

Mr. LAUSCHE. I now come to fiscal year 1969, which began on July 1. The total authorization for fiscal year 1969 is $3,000,028,695.

Mr. MORSE. The Senator is correct.

Mr. LAUSCHE. That is approximately $1.5 billion more than was appropriated in 1968.

Mr. MORSE. The Senator is correct.

Mr. LAUSCHE. In other words, it is double the amount that this bill would authorize.

Mr. MORSE. Approximately.

Mr. LAUSCHE. For 1970, the total authorization would be $3,421,213,000?

Mr. MORSE. That is correct.

Mr. LAUSCHE. For 1971, $3,693,221,000?

Mr. MORSE. That is correct.

Mr. LAUSCHE. Is 1972 also taken care of?

Mr. MORSE. 1972 is included, $3,723,117,000; but 1973 has been eliminated.

Mr. LAUSCHE. Has the House acted yet on the authorization for 1969?

Mr. MORSE. The House has deferred action on appropriations for these programs.

Mr. LAUSCHE. The figures we have thus far discussed deal with existing programs?

Mr. MORSE. That is correct.

Mr. LAUSCHE. Table 2 deals with what are supposed to be new programs.

Mr. MORSE. The Senator is correct.

Mr. LAUSCHE. Are any of these new programs actually to be put into effect in fiscal year 1969?

Mr. MORSE. I explained in my statement today that we deferred until 1970 any of these new programs. We have $1.7 million for 1969 for the necessary preparatory work to get ready for the new programs in 1970.

Mr. LAUSCHE. None of the new programs are being authorized for operational purposes because of the uncertainty of the fiscal situation?

Mr. MORSE. Earlier today, when I explained why we were deferring it for 1970, I said I want to talk about some realism in regard to this program; and the realities, in view of the fiscal situation that faces us in this country, called, in my judgment, for us to postpone until 1970.

What is needed, may I say to the Senator from Ohio—and it was brought out by witness after witness—is a blueprint, so that the administrators of these schools can proceed to make their plans and know where they are going by 1970. The matter of lead time, which they talk about so much in their testimony, is important in running a university program.

Mr. LAUSCHE. While no funds for operational purposes of the new programs have been authorized, $1,700,000 has been authorized for preparatory work needed to put the new programs into operation?

Mr. MORSE. That is correct.

Health, Education, and Welfare officials indicate that they need about $1.7 million so that they can give some assurance that the money will be better spent when they really start to put the programs into operation. Otherwise, at the beginning of fiscal 1970 they will be doing both the planning and the spending, and we have learned that that involves a great deal of waste.

Mr. LAUSCHE. Do I correctly understand that table 2 is somewhat erroneous in the information it gives, because at the top it says the figures are in thousands, while on the $1.7 million it is not in thousands?

Mr. MORSE. None of them is in thousands.

Mr. LAUSCHE. None of them is in thousands. Therefore, the reference in brackets to "in thousands" is incorrect.

Mr. MORSE. I thank the Senator. It needs to be clarified. I believe the Senator is correct.

Mr. LAUSCHE. Yes, I am sure I am correct.

Mr. MORSE. Counsel says that the decimal point, not the comma, make them in thousands.

Mr. LAUSCHE. Very well. It is not important. The last three ciphers should be dropped.

Mr. MORSE. The Senator is correct.

Mr. LAUSCHE. Under title I, set forth in table 1, part C, there is an item entitled "Loan Forgiveness and Payments on Insured Loans." One item is "Increase in Loan Forgiveness for Teachers." Will the Senator explain what the increase is?

Mr. MORSE. There are more teachers who are teaching, so we have a large amount of forgiveness. Also, we are expanding the programs in which we are encouraging these people to teach in slum schools and areas where there is a great deal of poverty. We are trying to get more teachers there. Therefore, there is a larger amount of forgiveness.

Counsel also points out that we have included forgiveness for military service.

Mr. LAUSCHE. That is the next item. "Forgiveness for Military Service."

My first question is directed to the teachers, and that is to induce teachers to go into slum areas. We are giving them forgiveness in excess of what they have been given.

Mr. MORSE. The Senator is correct.

Mr. LAUSCHE. Now, I wish to ask about the item entitled "Forgiveness for Military Service."

Mr. MORSE. With respect to young men who go into the military service—before they go into military service they had a loan—the bill provides when they come out of service the loan is forgiven. It is a form of GI assistance program.

Mr. LAUSCHE. Mr. President, I want to commend the Senator from Oregon [Mr. Morse] for his realism in seeing to it that the new programs were not sought to be put into effect at this time of financial difficulty. In all probability the programs are sound but one must give real consideration to the fact that moneys are not available to do all we want to do.

Mr. MORSE. It was my amendment in committee, but let me say that if I had not made it a good many other Senators would have made it because it had the unanimous support of the committee.

Mr. LAUSCHE. I still give the Senator whatever credit he is entitled to receive.

Mr. MORSE. Mr. President, I suggest the absence of a quorum.

The **PRESIDING OFFICER** (Mr. Hollings in the chair). The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. MURPHY. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The **PRESIDING OFFICER.** Without objection, it is so ordered.

MESSAGES FROM THE PRESIDENT—APPROVAL OF BILL

Messages in writing from the President of the United States were communicated to the Senate by Mr. Geisler, one of his secretaries, and he announced that on July 13, 1968, the President had approved and signed the act (S. 1251) to make certain reclamation project expenses nonreimbursable.

EXECUTIVE MESSAGES REFERRED

As in executive session,

The **PRESIDING OFFICER** laid before the Senate messages from the President of the United States submitting sundry nominations, which were referred to the appropriate committees.

(For nominations this day received, see the end of Senate proceedings.)

HIGHER EDUCATION AMENDMENTS OF 1968

The Senate resumed the consideration of the bill (S. 3769) to amend the Higher Education Act of 1965, the National Defense Education Act of 1958, the National Vocational Student Loan Insurance Act of 1963, and related acts.

Mr. JAVITS. Mr. President, I suggest the absence of a quorum.

The **PRESIDING OFFICER.** The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. PROUTY. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The **PRESIDING OFFICER.** Without objection, it is so ordered.

Mr. PROUTY. Mr. President, we have before us today the largest package of higher education legislation that has ever been considered by the Congress. S. 3769 is the direct result of long months of deliberations and extensive study by your Education Subcommittee. It embodies recommendations of both the executive and legislative branches of Government.

However, it differs from the administration's suggested bill in that it reflects improvements and contains a substantial number of new programs jointly sponsored by both the Republican and Democratic members of this body. These additions the committee unanimously felt were absolutely necessary to meet in a substantive realistic manner the requirements of American higher education.

The bill represents a response to the desperate need for immediate action in this field and a reaffirmation of our congressional commitments to make available to our ambitious young people the opportunity to achieve a higher education. But, it is also a continuation of our understanding of the long-term needs during a time of ever-increasing concern over the rising costs of going to college.

The bill contains a variety of proposed amendments to a number of laws and bills that touch on all aspects of financial aid to education. It constitutes another in a series of important educational advances toward quality education.

In my judgment, it is as sound as it is necessary. It is an omnibus bill extending for 4 more years, with many changes, the Higher Education Act of 1965, the Higher Education Facilities Act, the National Defense Education Act, the International Education Act, and the National Vocational Student Loan Insurance Act.

Furthermore, S. 3769 provides for continuing the orderly administration of student aid programs and for the expansion of benefits to our deserving college and university students and their institutions of higher education.

At this time, I wish to pay particular tribute to and express my esteem for our distinguished subcommittee chairman, the Senator from Oregon [Mr. Morse], whom I cherish not only as a colleague in the Senate, but also as a personal friend. S. 3769 is another example of the genius of this man in bringing out a most complex bill with unanimous bipartisan support. All of us owe a great debt of gratitude to the distinguished senior Senator from Oregon for his tenacious dedication and untiring efforts in behalf of our college students, their parents, and the colleges and universities of this country.

I wish also to pay tribute and to express my gratitude to the ranking majority member of the subcommittee, the distinguished Senator from Texas [Mr. YARBOROUGH], to the ranking Republican on the committee, the distinguished Senator from New York [Mr. JAVITS]; to the distinguished Senator from Colorado [Mr. DOMINICK]; and to the distinguished Senator from California [Mr. MURPHY] for their many and valuable contributions and yeoman services in behalf of this legislation.

The bill represents the efforts, talents and contributions of every member of the subcommittee.

Mr. President, I shall not dwell at length on the details of this legislation, but I will highlight for the Senate some of the issues that I believe to be of utmost importance.

I cannot say that I feel it is a perfect bill; our economic situation in this country prevents its being perfect. But it is certainly a far better measure than the original version, S. 3098, submitted by the administration.

In addition to the brief outline I presented earlier, the bill would extend the concept of advance or forward funding to the higher education programs. The Senate will remember that 2 years ago I proposed, as an amendment to the Elementary and Secondary Education Act, contract authority for the Commissioner of Education to obligate Federal funds to local school districts whenever appropriations were not available on a certain specific date.

Unfortunately, the amendment was defeated and local schools last year were faced with not only a serious delay, but in many instances, disastrous curtailments in their Federal allotments to carry out programs that had been previously budgeted some 6 months earlier.

Last year I again authored the advance funding principle, and it is now a part of the Elementary and Secondary Act. It allows appropriations for the Elementary and Secondary Education Act to be included in the appropriation legislation for the fiscal year preceding the fiscal year for which they would be made available.

Colleges and universities, like the elementary and secondary schools, will now know in advance of their planning period what funds will be available so that they will be able to budget their needs to utilize the Federal funds in a more advantageous and expeditous manner. The bill would further provide for the authorization of funds for program planning and evaluation and would require evaluation reports.

Further recommendations of major importance to us this afternoon are contained in title II of the bill pertaining to the student assistance programs. Personally, I cannot think of any more important program than one which affords students an opportunity to pursue a college education. Title II proposes some immediate and necessary changes in the guaranteed student loan program. This program provides long-term, low-interest loans to college students which are obtained from banks, credit unions, savings and loan associations, pension funds, and other lenders. Federal interest benefits are paid on behalf of the student, and the lenders are guaranteed against default, either by a State, nonprofit loan, guarantee agency or by the Federal Government. Despite its beginning in a tight money market, and other problems involved in getting the program underway, an estimated 1 million students have been able to obtain loans.

Mr. President, this year marks the 10th anniversary of the National Defense Education Act, which was enacted during the Eisenhower administration. During the past decade, additional student aid programs have been established with the result that today there is a comprehensive federally assisted package of student assistance made up of loans, direct-study grants, and work-study grants.

Today, approximately 2,200 colleges and universities are participating in these student aid programs. The dollar amount of funds provided to students has increased from $59 million in loans in the first 4 years of the National Defense Education Act loan program, to over $1.8 billion in fiscal year 1968. This was accomplished through three programs: NDEA loans, student employment, and educational opportunity grants.

Of more recent establishment is the guaranteed student loan program to which I referred earlier. Under it, over $800,000,000 in guaranteed student loans have been made from the inception of the program in November 1965 to June 30, 1968.

In fiscal year 1965, 1,500 schools employed 115,000 students in work-study programs, and in calendar year 1968, 1,700 institutions provided work for an estimated 310,000 students.

Mr. President, student assistance is one of the most valuable and sensible investments we can make in our youth of this Nation. The money that is spent to provide a young man or woman with a college education is money spent on behalf of the Nation. It benefits all of us.

Yet, despite great progress, one of our greatest domestic problems today is the mounting costs of financing higher education. Our various programs have done much to relieve the financial burden, and S. 3769 promises to make these programs even more efficient and effective. But the cost of higher education is increasing at a frightening rate. The Office of Education estimates that the average cost of a year of higher education in 1966–67 ranged from $1,102 for students attending community colleges and living at home to $3,360 for students attending high-cost private colleges. In 1956, there were 2.8 million college students. By 1966, there were 6 million. In 1956, operating costs of the American colleges and universities totaled $4.2 billion a year. By 1966, the cost had risen to $15 billion. That is to say that, while enrollment had doubled, the cost had almost quadrupled.

To parents of the lower- and middle-income groups, and even to parents of high income with several children, these increasing costs all too often prevent them from putting an able and deserving child through school. For those children in the lower-income group, the cost of college is totally prohibitive. Almost half of the enrollment in the American colleges today comes from the top one-fourth of the economic ladder with family incomes over $10,000. Fewer than 7 percent come from the poorest one-fourth. Last year, I addressed this body in calling for a fresh new approach to study the means of financing higher education. At that time I asked for a study of a proposal which would provide a student an education fund in such amounts as would be necessary to finance his education, with repayment to be made through the addition of a specified percentage to his Federal income tax rate during his productive, earning years.

Under the plan, the college student would borrow funds from a private, nonprofit, federally chartered education bank. The student would repay the loan after graduation. It would be a kind of social security in reverse. That is, the benefits would come first, then the repayment. A sort of learn now, pay later plan; and strictly voluntary, let me hasten to add.

Several days ago I was flattered when the leading candidate of the other party for the presidential nomination, according to the number of delegates pledged to his candidacy, if we are to believe the newspaper polls, suggested this very same approach which I discussed on September 3 of last year.

I am pleased to report that the committee is very much aware of the mounting problem and has declared itself in favor of a fresh initiative toward the financing of higher education. The bill recommends that a National Study Commission be appointed by the President to conduct a study of alternative plans for providing financial assistance to students and institutions of higher education, with the hope that universal educational opportunities at the postsecondary level might be made available through governmental assistance for all ambitious young men and women.

In short, Mr. President, the pattern of currently available Government and private assistance for higher education, valuable as that assistance is, leaves much to be desired. It tends to leave out a large number of students and parents.

These people—blue-collar and white-collar wage earners and salaried employees—work hard for their money and they pay a larger share of their income than any group of Federal income taxpayers. Often they must struggle to buy homes and pay their bills with what is left over. If one of those bills is for college expenses, it may well amount to $2,500 or more a year for tuition, books, supplies, and other expenses. That amounts to $10,000 for each student who earns a bachelor's degree, and generally is out of reach even for parents with two or three children and yearly income running between $10,000 and $15,000.

The National Study Commission is a logical and important next step toward a more complete and equitable system of promoting higher education and limiting the financial burdens involved to what each individual and family can reasonably be expected to endure.

I would like to address myself briefly to two amendments which I had the privilege of sponsoring, relating to loans made under the National Defense Education Act of 1958 and the Higher Education Act of 1965. One of these would extend forgiveness of student loans to those borrowers who elect to teach in hard-core, low-income schools. This proposal would allow either a National Defense Education Act borrower or one who has taken out a loan under the guaranteed student loan program, who teaches in a poverty school, a loan forgiveness allowance of 20 percent per year for up to 5 years. This provides a 10-percent cancellation of his indebtedness in just that period of time. Since 1959, Mr. President, through the end of fiscal 1966, over 142,000 borrowers engaged in teaching had canceled all or part of their loan principal under the national defense student loan program. By extending similar provisions to prospective teachers under the guaranteed loan program, any inequities caused by the existence of a forgiveness provision under only one loan program are removed. Thus, this forgiveness function becomes an incentive for young college graduates to teach in areas of vital need.

Mr. MORSE. Mr. President, will the Senator yield at that point?

Mr. PROUTY. Yes; I am happy to yield.

Mr. MORSE. I want particularly to stress what the Senator has said. I do not know whether or not he was on the floor when the Senator from Ohio [Mr. LAUSCHE] asked me, as manager of the bill, to discuss the forgiveness feature that we have in title II of the bill. I explained to him, very briefly, the purpose of it; but I want the RECORD to show that, as I said earlier, as I talked about the contribution of the Senator from Vermont, the students of this country, and the student veterans, are indebted to the Senator from Vermont for the work he has done on the forgiveness section of this bill, not only in the field of handicapped children, and the work-study program, and the cooperative education program, but also in connection with the matter of the forgiveness section. The students of the country owe the Senator from Vermont a great debt of gratitude.

Mr. PROUTY. I am very grateful to the Senator from Oregon. I want to reiterate what I said earlier, that without the support and the leadership of the distinguished Senator from Oregon, the educational facilities and programs in this country would not be nearly as extensive and worthwhile as they are at the present time.

Mr. MORSE. The Senator is very kind.

Mr. PROUTY. The other proposal would extend complete loan forgiveness for a college student who leaves the classroom to take up arms for our country. The loan would be forgiven at the rate of 25 percent for each year of service.

It would give a student who had gone into debt for his education and then entered the armed services a helping hand in repaying that obligation.

Part E of title II contains the cooperation work study programs sponsored by two long-time friends of higher education. In the bipartisan sponsorship, the senior Senator from Indiana [Mr. HARTKE] and the senior Senator from California [Mr. KUCHEL] have acknowledged that the social problems of our time cannot be solved by old formulas and old truths. They propose, and the committee enthusiastically recommended, that programs be made available to enable colleges to set up work study cooperative education in which students go to college and alternate between classroom study and off-campus work on jobs related to their academic interests.

For my part, I have endorsed this concept in legislation. I have sponsored with the distinguished junior Senator from California [Mr. MURPHY], a similar proposal for our vocational education students which I shall discuss in greater depth during our deliberations on the Vocational Education Act amendments. The value of work-study cooperative education is that it affords an opportunity for youngsters to avail themselves of a higher education at little or no cost to the Federal Government. Titles III, IV, and V in the bill contain amendments to existing Higher Education Acts which were recommended by the administration and by witnesses appearing before the committee. Also included are perfecting and substantive amendments that emanated from members of the committee.

I was privileged to have sponsored an amendment to the Education Professions Development Act. Senators will recall that last year we revised and consolidated the teacher institute programs under the National Defense Education Act and incorporated them in to a new section under title V of the Higher Education Act of 1965. Title V is now known as the Education Professions Development Act.

My amendment would establish a minmum level of appropriations for each State under part B–2 of the 1967 act which assists local school districts. It provides grants to the State education departments to aid the local school's efforts to, first, attract persons qualified to teach but who have been engaged in other pursuits and provide them with short-term training; and, second, recruits trained teacher aides.

Title VI of the bill contains new programs which were submitted by the administration. They include networks for knowledge, public service education, and improvement of gradute programs.

The networks for knowledge authorizes the initiation of a new program of grants to stimulate colleges and universities to share their technical and other educational and administrative facilities and resources.

The Commissioner of Education would be authorized to make grants to institutions of higher education to support the planning and operation of such sharing agreements.

Education for the public service authorizes the start of another new program to prepare graduate or professional students to enter the public service. Fellowships would be awarded to enter the public service. Fellowships would be awarded on the graduate level to young men and women preparing for careers in Federal, State, or local government.

The third new program is aimed at broadening and strengthening high-quality doctoral programs in the Nation. It is designed for those institutions with already established doctoral programs not generally as well known as the top doctoral producers of the country, but with a demonstrated capacity for high-quality work in a limited range of fields.

I am convinced that these proposals are investments which will pay for themselves in terms of preparing for society young persons properly oriented for teaching professions. The concepts that are embodied are good. They would greatly strengthen our efforts toward attracting and educating more men and women for careers in education at every level from preschool through graduate school.

As one of the original supporters of the National Defense Education Act and every major education act under discussion today, I have long sought ways to improve educational opportunities, and I welcome this opportunity to give my endorsement to the bill presently under discussion.

Before closing my discussion, I should like to take this opportunity to sincerely thank and commend the members of the staff of the education subcommittee who unselfishly devoted many long hours and much of their own time in the preparation of this bill. As always, I am indeed grateful to Jack Forsythe, Charles Lee, Richard Smith, Roy Millenson, and Arthur Dufresne of my staff for their many services and continued excellent efforts in making this bill possible. I wish to publicly welcome Richard Smith to the committee, and I congratulate our distinguished chairman for affording us the services of such a knowledgeable and competent staff member.

All in all, Mr. President, it is just such a staff, majority and minority working together, that enable us as Senators to recognize urgent current needs and devise programs to meet those needs.

Mr. MORSE. Mr. President, I should like to take just a moment to direct a word to the Department of Health, Education, and Welfare, a word which I think is very appropriate following Senator PROUTY'S speech; for the making of legislative history in the consideration of a major bill as it goes through the Senate is of great importance, and as manager of the bill, I want this RECORD to show that I now associate myself with every explanatory statement and every interpretive comment that the Senator from Vermont has made about this bill, for he has set forth, accurately, the legislative intent of the committee, and the manager of the bill shares that legislative intent.

I do that, may I say to the Senator, because it makes it possible for us to save a great deal of time also; and I do not know how the intent of this bill could be expressed any more clearly with regard to the items which the Senator from

Vermont discussed than it has been by the Senator. I therefore incorporate his statements on the meaning of the bill as a part of my remarks as manager of the bill, and I thank him very much.

Mr. PROUTY. I am very grateful to the distinguished Senator.

Mr. MORSE. Mr. President, I yield to the Senator from Rhode Island.

Mr. PELL. Mr. President, I commend the Senator from Oregon for the outstanding leadership he has shown in his handling of the measure under consideration. We are lucky to have as chairman of the Education Subcommittee a Senator with such a devoted interest in education and with such deep understanding of our educational system. There is not a Federal education program in existence that has not felt the beneficial influence of the Education Subcommittee under his leadership.

The Senator has always been most helpful and cooperative when education measures are before us, and I would like to ask his indulgence now to discuss very briefly another important education measure even though the bill is not now before us. I refer to the sea-grant college program. I know the Senator, coming from a great coastal State, shares my intense interest in this program.

Mr. MORSE. First let me say to the Senator from Rhode Island that I appreciate his comments, but I repeat that in connection with this bill, as I have said so many times before, the bill comes to the Senate with the unanimous vote of our full committee. Every member of the committee deserves full credit for bringing the bill to the floor of the Senate.

With respect to the sea-grant college program, the Senator is correct; I am very much interested in it. The sea-grant college program is playing an important role in providing for the education of the marine scientists and technicians that are needed to expand our knowledge of the seas and increase our ability to use the resources of the oceans. The Senator from Rhode Island, I know, has a unique interest in the sea-grant college program both as the author of the act and as the chairman of the special subcommittee that considered the initial authorization 2 years ago.

I commend the Senator for the contribution he has made to the educational processes of our country by authoring this bill in the first place. As he knows, I heartily endorsed it; and I am very glad that he has carried it through to its present status.

Mr. PELL. I thank the Senator very much. As he has stated, the sea-grant college program originated in the Labor and Public Welfare Committee, and I might add that the Senator's counsel and advice were most helpful in shaping the act finally approved by Congress and signed by the President. Present concern is with legislation to extend the program's legislative authorization which expired on June 30. As the Senator from Oregon knows, the other body approved a bill, H.R. 13781, extending the authorization for 2 years. The bill was reported to the Senate last week by the distinguished chairman of the Senate Commerce Committee, with the understanding that the bill would be referred to the Committee on Labor and Public Welfare.

There is no question, of course, that it lies within the province of the Committee on Labor and Public Welfare to review this measure. The great bulk of the funds appropriated for the program are channeled into matching grants for institutions of higher education.

I am very much concerned, however, whether, with the current goal for adjournment of the Congress, adequate time remains for a further thorough and meaningful review of this legislation by the committee.

I know that within the Committee on Commerce there has been discussion in depth on this measure, and the chairman of the Committee on Commerce was most gracious in permitting me to make a statement at his committee hearing strongly supporting increased authorizations, which I think may have helped to increase somewhat the authorization figures the House of Representatives approved.

I should like to see the authorizations substantially increased. I should like to see them go up to $20 million, and $25 million for fiscal 1970. I realize, however, that this is a dream, with the budget and the mood of Congress such as it is. For that reason, I doubt whether further increases could be achieved. I know that the Education Subcommittee and its chairman are extremely hard working and never shrink from additional legislative assignments, but I wonder, in view of the imperative nature of the legislation and the legislative schedule, if the Senator would consider it expedient to forgo a formal review of the authorization renewal this year.

Mr. MORSE. Mr. President, the important thing is to get authorization continued. It is my understanding that the legislation in question simply extends the appropriations authority for the sea-grant college program without modifying the program in any way. This does not prevent us, next January, from scheduling early hearings with regard to the program for the sea-grant college program. May I say that if I am here after the election in November—and I hope to be and would be less than honest if I did not say that I have reasonable expectations of that—I shall schedule early hearings with regard to the program.

Mr. PELL. I share both the Senator's hope and his expectation.

Mr. MORSE. As chairman of the full committee at that time, I shall schedule very early hearings on any proposals that the Senator from Rhode Island, who was the author of the program in the first place, makes before the full committee.

Mr. PELL. I thank the Senator. The Senator is correct. The only question involved here is the level of appropriations to be authorized. As I have said, I am glad that the Commerce Committee, in reporting the bill, recommended a moderate increase in the authorization above the rather meager features approved by the other body. A great debt of gratitude is owed to the distinguished Senator from Washington [Mr. MAGNUSON], who has contributed so much to oceanography.

As I stated earlier, the distinguished senior Senator from Washington, the chairman of the Commerce Committee, conducted an excellent hearing on the bill, at which I was privileged to testify. The generous support for this program demonstrated by the chairman of the Commerce Committee was most gratifying to me, particularly in view of his eminent and distinguished leadership in marine science affairs.

Mr. MORSE. Mr. President, I share the admiration of the Senator from Rhode Island for the distinguished Senator from Washington [Mr. MAGNUSON].

If any substantive changes in the program are contemplated in the legislation, I would consider a review by the Education Subcommittee to be imperative. But, considering the limited scope of the bill and the necessity for prompt action and the uncertainties of the legislative schedule, I would agree that a formal review may be dispensed with at this time. However, let the RECORD make perfectly clear with respect to the appropriation proposal that comes out of the Commerce Committee, that the Senator from Rhode Island and the Senator from Oregon and, I am sure, all other members of the committee will go along with the appropriations requested; but, we do not relinquish, in the slightest degree, the jurisdiction of the Committee on Labor and Public Welfare over the Sea-Grant College Act. Let me also say, quite frankly, that we are not going to yield jurisdiction in regard to many other education programs which also involve other activities in the country or other departments of the Government, whether it be State, Commerce, Labor, or any other.

We have to retain in the Senate of the United States a single jurisdiction over all education programs, which is within the jurisdiction of the Committee on Labor and Public Welfare.

I find nothing involved in the proposal that the Senator from Rhode Island makes that in any way endangers the jurisdiction or relinquishes the jurisdiction of the Committee on Labor and Public Welfare because no substantive changes are proposed, as I understand the Senator from Rhode Island, in the sea-grant college program.

Mr. PELL. I thank the Senator. We should also bear in mind that our committee has legislative oversight over the National Science Foundation, which is the umbrella under which the program has been placed.

I have been a little disappointed at what I consider to be a lack of full support, a lack of funding, and the lack of emphasis that has been given the sea-grant college program in the National Science Foundation.

The question of whether the program will remain in the Foundation permanently or will move into another agency will be decided by the Congress after the recommendations of the Presidential Commission on Marine Science Affairs is received. However, for the time being, I think it is very important that we watch the program closely and make sure that it is not treated as a stepchild within the National Science Foundation.

When it comes to appropriations, the sea-grant college program does not enjoy the position of being a line item. The program is left to the tender mercies of the administrative people. It is up to us in Congress to keep a close check on this.

I thank at this point the distinguished senior Senator from Oregon, who is always most cooperative and helpful and has, as always, kept uppermost in his mind the interests of the entire Senate.

Mr. MORSE. Mr. President, the whole committee is indebted to the Senator from Rhode Island. I hope the Senator will take note of my suggestion that early in the next session of Congress, we go ahead to consider substantive changes and move toward enlarging the program.

I agree with the Senator that the program needs to be expanded. Much more money is needed. We are dealing here with really a great resource for future generations of Americans 25, 50, and 75 years from now that will be very vital in many maritime aspects, but I mention only one: the matter of food supply. As our food experts have already testified, it will not be so many decades before a very large percentage of the food supply that the American people are going to need will come from the sea.

Mr. PELL. Mr. President, I would like to leave the Senator with the thought that the potential benefits of agriculture and fish-farming, as he suggests, are tremendous. This country is preeminent in agriculture, largely because of the Land-Grant College Act, and that act was passed in the middle of the Civil War when fiscal problems were just as difficult as they are today.

I think it would be a mistake now, when the budget is tight, to be content to give a niggardly few million dollars to the sea-grant college program, when the potential benefits can be so clearly seen in the precedent of the land-grant college system in agriculture.

Mr. MORSE. Mr. President, I completely agree. I was going to call for a quorum, but I will yield shortly to the Senator from Texas.

We are about ready to proceed with any amendments that may be offered to the pending bill. I therefore suggest that the staff notify the Senator from Pennsylvania [Mr. CLARK], the Senator from Illinois [Mr. DIRKSEN] of that fact, and I would then like to have the Senator from Colorado [Mr. DOMINICK] notified so that we can have a discussion on title XII of the bill in order to work out whatever modifications may seem to be desirable after that discussion in regard to title XII.

I also think the staff members of other Senators who know their Senators plan to offer amendments—and I have not been notified of any amendments other than from the Senators I have just mentioned—ought to be notified, so we can proceed with the amendments and get to third reading.

The majority leader shares my hope that we can dispose of the pending bill at a reasonable time this afternoon.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Texas is recognized.

Mr. YARBOROUGH. Mr. President, I desire to comment on some sections of the higher education bill. First, I pay tribute to the distinguished senior Senator from Oregon because the pending bill is a tribute to his legislative genius.

It had been proposed that all educational acts be rolled into one. However, because of the legislative genius of the distinguished senior Senator from Oregon, who saw that it would be more feasible to place them in the higher education amendments and the vocational education amendments, this was done.

These eight tremendous volumes that we see stacked on our desks before us are hearings that reach some 15 inches high and embrace some 6,584 pages. These volumes are evidence of the patience with which the Senator from Oregon conducted these hearings, his willingness to hear everybody and every idea.

The pending bill, S. 3769, which receives the benefit of more than 6,500 pages here, is one of the monumental bills of this session of Congress. And without the legislative leadership of the distinguished senior Senator from Oregon and without his ability to bring people together, this would not have been possible.

There were widely divergent views among the members of the Education Subcommittee and the full Committee on Labor and Public Welfare.

I think the expertise of the senior Senator from Oregon gained through his hearings in the War Labor Board in World War II when he had to bring together the militant groups on each side of labor and management to keep the war effort going smoothly and the fact that he was the dean of a great law school, the University of Oregon, and knows not only the problems of the teacher at a university, but also the problems of an administrator in a great American university, is responsible for this accomplishment.

All that experience came to the fore. His leadership of many years in the Senate came to the fore. His ability in beating out a good bill on the anvil of experience helped to bring people together to agree on a bill which had the support of all the members of the committee. It is a tribute to his capability and to the many facets of his understanding of higher education that this idea for an improved and developing higher education in America has been brought to the floor of the Senate and will be brought, finally, into the classrooms of the 2,300 colleges of America.

Mr. MORSE. Mr. President, will the Senator yield?

Mr. YARBOROUGH. I yield.

Mr. MORSE. Mr. President, I appreciate the generous remarks of the distinguished Senator from Texas, but the greatest mediator on my committee happens to be the Senator from Texas. The Senator from Texas has resolved difference after difference that has developed within the committee with his proposals.

What I really rose to say—I do not wish to repeat what I said earlier, but I will keep on saying it so long as anyone seeks to give me undue credit—is that the credit for this bill goes to the committee, because we all did it together. The Senator from Texas contributed many sections of the bill, various programs in the bill.

I well remember what the Senator from Texas did, for example, with respect to the student assistance programs in this bill and his battling for NDEA.

Mr. President, there was a movement afoot early this year, in my judgment—I give my interpretation—to emasculate NDEA; and I believe that the man who stopped that movement cold was the Senator from Texas. I never will forget the session of the Senate in which he not only discussed the history of NDEA but also pointed out what he thought was afoot in regard to certain forces that sought to emasculate it, and what it would do to the young men and women from the poverty-stricken areas of this country, the young men and women who could not go in with any credit, who would be confronted by the money lenders, no matter what the desire of the latter to help them. Their chief responsibility was to the stockholders of the financial institution they headed, and they would have to say to these young men and women, "If you cannot supply us with the credit credentials, we cannot make the loans."

It was the Senator from Texas who insisted that we give protection to these young men and women who come from low-income families.

Furthermore, it was the Senator from Texas who made very clear that great responsibility should be vested in the institutions themselves, the universities and the colleges themselves, to help administer this program and see to it that these young men and women could get the loans.

I could mention many other things that the Senator from Texas has contributed. If that were all that the Senator did—and it is only a small part of what he did—every student in this country should be forever grateful to him for his contribution.

I thank the Senator for his comments about me, but I stand here proud of the committee, for it was the committee that did the job for me.

Mr. YARBOROUGH. Mr. President, I believe that the generous statements made by the Senator from Oregon illustrate why he is such a capable leader of our committee. He gives the other members of the committee too much credit. He is very modest. He said the committee did it, but hour after hour, day after day, he would be at the hearings, and the testimony of no witness was too long for him to listen to patiently. Without his patience, his consideration of every member of the committee, and his sound support, we could not, in my opinion, have preserved the NDEA loan provisions.

Many movements were afoot to abolish it and to put it in the jurisdiction of private lending institutions. I believe the best judge of who should go to college is the educational community of America, rather than the money-lending community of America. The Senator from

Oregon gave us strong support, so that we were able to preserve in the bill the national defense education loan part of NDEA and also other portions of NDEA that people tried to emasculate and carve up into little pieces and hide in other bills, so that they would gradually wither on the vine. There, too, his legislative expertise and his consideration came to the fore. He digs to the bottom to see whether an idea is sound.

So I come here with pride in the accomplishments of this committee. With his driving leadership, his conciliatory leadership, and his basic wisdom, the Senator from Oregon ultimately came to the right decision on conflicts and sold that decision to the committee.

Mr. President, the Higher Education Amendments of 1968 now before the Senate are the fruit of intensive and lengthy hearings, discussions, and conferences with all segments of the college and university community. The approximately 6,580 pages of the record of the hearings represent the distilled ideas, wisdom, and thoughts of people who have given most of their lives to American education.

The bill represents sweeping improvements in the services which the Government can offer academia and, more important, the mechanism whereby Congress can evaluate its proper role vis-a-vis higher education.

These amendments contain many substantial suggestions made by my colleagues on the Republican side of the aisle as well as the contributions of the chairman, the Senator from Oregon [Mr. MORSE], and the majority members of the committee. All members of the committee made some suggestions—the majority and minority members—but led by the able chairman.

I am proud to associate myself with the proposed legislation; all the more so because several provisions in it found their genesis in suggestions I made befor the committee. I did not invent them out of the clear blue sky. They have been suggested to me by facets of the educational community of America. Some of the items I have advocated for years.

Perhaps the most fundamental and important of these is contained in section 251—setting up the Universal Educational Opportunity Commission, an amendment I offered on the floor of the Senate early last September, which students of legislation have told me was the first bill offered in Congress for free universal higher education in America. It was my feeling then, as it is now, that it is time that America took a fresh look at postsecondary education—the benefits it confers and the costs it exacts—and time to decide whether our current system of financing it is obsolescent, inadequate, and inequitable.

Mr. President, students in America pay the highest tuition fees in the world, except for Canada. Three nations have universal higher education free—Norway, Denmark, and Sweden. The Canton of Geneva, Switzerland, last year voted not only free higher education to students but also a payment of $70 a month while in college and $140 a month if they were in medical or other professional schools.

We have asked in section 251 for a restudy of the how and wherefore of higher education.

In the 1968–69 school year, tuition and fees at public college or university are more than $300—they reach now toward $600 a year; at a private higher educational institution, more than $1,000—between $1,600 and $1,700 a year. The total cost of attending college—tuition, fees, books, room, board, transportation, clothing, miscellaneous—is in the neighborhood of $1,700 per year at a public college, $2,640 at a private college.

The projections for 1980–81, for total costs of attending college, are $2,400 for public institutions, $3,600 for private institutions. In the 10 years from 1956–66, student charges went up 80 percent—even though the cost of living increased only 17 percent.

I question whether a student or his family should have to go into long-term debt to cover the expense of what, in the long run, turns out to be a benefit to all of society.

As President Kennedy stated in his message to Congress in February 1962:

> The education of our people is a national investment. It yields tangible returns in economic growth, and improved citizenry, and higher standards of living. But even more importantly, free men and women value education as personal experience and opportunity—as a basic benefit of a free and democratic civilization. It is our responsibility to do whatever needs to be done to make this opportunity available to all and to make it of the highest possible quality.

Mr. President, we had a long fight in Congress for years to pass the cold war GI bill. The distinguished Senator from Oregon was in the forefront of that fight with us. I remember one fight on the floor of the Senate when an amendment was offered to turn GI bill payments into loans. The late Senator Kerr, of Oklahoma, said, "You will hang the three balls of the pawnshop over the head of every GI coming out of college and it would be an impediment to the future of GI's."

As Dean Silber, who is dean of the College of Arts and Sciences of the University of Texas testified, it is not this generation we are impoverishing when we make them come out of college burdened by debts; it is the next generation. It is time we reevaluated our educational program to make it possible for every American to go to college.

Mr. MORSE. Mr. President, will the Senator yield?

Mr. YARBOROUGH. I yield.

Mr. MORSE. Mr. President, I do not propose to let the Senator from Texas discuss the GI bill for veterans and mention any other person who did more than the author of the legislation, the distinguished Senator from Texas. He knows the battle he fought in leading our committee to a successful culmination, after the administration for 2 years opposed the bill. He was opposed by the Pentagon, the Veterans' Administration, and the White House in connection with the GI bill.

What was one of the major arguments that they used against the Senator from Texas, which he eloquently rebutted on the floor of the Senate? It was said that the bill would discourage reenlistments. It was said it might discourage reenlistment. Just think, what a basis on which to oppose giving educational rights to these men who are making the great sacrifices they are making for us on the field of battle and in the military service of their country.

It was the Senator from Texas who drove through that camouflaged argument and presented argument after argument which caused the Congress finally to adopt that GI bill to the benefit of the increasing hundreds of thousands of young men, and young women who are in the military service, provided for by the Yarborough bill.

Mr. YARBOROUGH. I thank the distinguished Senator from Oregon. The manager of the bill and other Senators know that when you have the opposition of the Pentagon, the Veterans' Administration, the Bureau of the Budget, and the White House, no Member of this body, no matter how powerful, could alone obtain passage of a bill. I had the aid of the distinguished Senator from Oregon and the aid of Senators across the aisle. It took a coalition of Senators of both parties. That was a legislative achievement and to those persons who say the Congress is a rubberstamp, the cold war GI bill demonstrates that Congress is not a rubberstamp. I see the able Senator from Tennessee in the Chamber. He was an able champion of that bill.

This is something Congress has a right to be proud of. Although I was the instrument through which the bill was offered, being chairman of the subcommittee, in order to prevail, it was necessary to have the cooperation of the Congress when there was involved the strongest opposition one can have in America, the executive department. Today there are 800,000 of those veterans in school. It took 8 years to pass that bill, but finally it was passed. It is too late for some veterans, but 800,000 veterans are in college today and there are more coming. I thank the chairman of the committee for his strong support.

In addition to the various systems of providing assistance to postsecondary education which are represented in this bill and in existing law, several proposals have come before the Congress and before the American people suggesting alternative methods of governmental assistance. Recognizing the need for improvement while realizing the immense complexity of the problem my amendment provides for a Presidentially appointed 11-member Commission to conduct an intensive study of alternative means of financing postsecondary education in America and to report back to the President and Congress within 18 months.

Additionally, I call the attention of my colleagues to section 322, which adds to the developing institutions provisions of the Higher Education Act a new program called professors emeritus. This addition, which received wide acceptance and acclaim from the time I introduced it early this session will make possible a union of interests between developing educational institutions which need competent faculty and professors who, merely because of age, face compulsory retirement from a developed institution. The amendment makes available to developing institutions the talent and experience of qualified faculty who have reached compulsory retirement age at a developed institution, but who are not eager to retire and would welcome the opportunity to teach and pursue research at a developing institution.

I view it as ironic that the students of developing institutions should go begging for qualified faculty while hundreds of experienced and productive teachers annually are forced into a frustrating retirement. On the one hand, there is a challenging job in search of a qualified employee. On the other hand, there is a qualified employee wanting a challenging job. Simply stated, the amendment provides the mechanism to get the two together for the mutual advantage of both, with society receiving the ultimate benefit of the alliance.

This proposal is long overdue. It has had universal acceptance. I offered the amendment and we immediately began to hear from people in this category.

Some universities require members of the faculty to retire at age 62 or age 65, and other universities require members of the faculty to retire at varying ages in their sixties. It is said that some teachers never reach better teaching competence than they do at that age.

The dean of one of the great universities in Massachusetts told us, "I am going to reach the age of 65 years after next. I do not feel I should go into retirement but it is compulsory. If this bill passes I would be willing to go to a small or weak institution to help build up its faculty."

Some people ask why they do not go now. Mr. President, can you imagine a professor who has been forced into retirement asking a small or weak university to employ him? We need this provision in order that it may be done in dignity.

I have had letters from the presidents of nearly every primarily Negro university in my State who are in favor of the passage of this provision. There are many junior colleges, for instance, where retired professors could make a great contribution. There are many junior colleges which are short of teacher personnel. But these distinguished and known leaders cannot go around, hat in hand, and say, "Will you hire me?" However, if we had this agency of Government which could say, "You have been asked for over here," they could go in with a status that would not pull down their dignity.

I do not mean to limit my statements to primarily Negro universities. There are many small, predominantly white universities that are in the same situation. Professors could go into junior colleges and small colleges and be of tremendous assistance.

This is the best place to get the best brains of America. What would we think of forcing the retirement of Senators at age 62 or age 65? We would have a great many seats that are empty. I can look around the Chamber and see great leaders who have passed the age of 62 or 65.

Mr. President, these amendments are too small, but far-reaching parts of this forward-looking legislation. I urge their favorable consideration by the Senate and their speedy adoption.

There are other provisions I worked on, but in the interest of time I will not discuss those fully.

Mr. President, I ask unanimous consent to have printed in the RECORD at this point certain paragraphs I have marked from part 1 of the hearings last paragraph, page 1, and the first five paragraphs of page 2, and paragraphs 1, 2, 3, 4, 5, 6 of page 3.

There being no objection, the excerpts were ordered to be printed in the RECORD as follows:

Nearly 200 years ago our Founding Fathers, contemplating a society which would do away with title and nobility, referred to the concept of "an aristocracy of achievement arising out of a democracy of opportunity." Two hundred years have passed and because of our failure to institute that "democracy of opportunity," our aristocracy of achievement arises out of a plutocracy of opportunity; in other words, those who achieve in our society do so not just because of ability alone, but also because they have the money to pay for education.

I might add here that the dean of one of the schools of one of the great universities told me after one of these hearings in the last 3 or 4 years that some of the trouble he had seen was that the people in the schools and the colleges are the people with money to go there.

College opportunity is not equated with brain power, but with money power.

Most of us who are parents and have sent our children to college are familiar with the letter home, the letter asking for more money. Times have changed, but the letter home has not. Back in 1829 Charles Kent, a student at Ohio University, wrote this letter:

I shall want about three dollars more before the session is out. I have laid out for expenses on the road, for lodging the first night at Athens, for a trunk, chair, quire paper, pen-knife, quills, Latin tutor, walsh's arithmetic, slate, hire for bed, college tuition, entrances into society . . . and I have several other necessities, which I will present in a bill of my expenses . . . and things are so dear that such articles run up to quite a sum. What I have laid out althogether amounts to about $22, and I have yet wood, candles, and some other little affairs to get. I shall endeavor to be as parsimonious as possible . . .

That letter, written 139 years ago, contained assurances that the student would do his best to hold his total yearly expenses down to about $50.

* * * * *

In the 10 years from 1956 to 1966, student charges went up 80 percent, even though the cost of living during that same period of time increased only 17 percent.

The statistics, astounding statistics, go on and on. I am confident that by the time we have concluded hearings on S. 3098, there will be little doubt in the minds of the members of this committee that we are facing a true crisis in financing higher education.

I am referring here only to the student part of it. It is also true, as you know, in all other parts of higher education, it is our responsibility to decide how we shall go about meeting this crisis. Toward that end, it is my hope that during these hearings we will examine not only the cut-and-dried matters of authorization and appropriation amounts, interest rates and service charges, but the more fundamental and philosophical issues of what a higher education means both to the individual and to his society, and what implications that meaning has for how we go about meeting the rising costs of education.

For instance, under the World War II and Korean war GI bills, this country invested more than $15 billion in the education of her veterans. We paid for tuition, for books, for fees, and we provided a cost-of-living allowance, too. That $15 billion investment, and I underline the word "investment," has already been repaid to society in the form of increased tax payments resulting from higher paying jobs—without even counting what that GI has done for himself, his family, and the whole economy.

It is estimated that over the course of the earning lifetimes of the individuals who benefited from these GI bills more than $45 billion will be paid back to the Government, a 300-percent return on the dollar. And that doesn't count the greater returns to society.

I anticipate that we will experience the same kind of result under the cold war GI bill and I suggest that these bills have particular relevance in our discussions concerning title IV of the Higher Education Act amendments.

Mr. MORSE. Mr. President, will the Senator from Texas yield?

Mr. YARBOROUGH. I yield.

Mr. MORSE. There are two comments I wish to make. First, the Senator from Texas is the author of the professor emeritus section of the bill which I think is one of the great aids to the colleges he has outlined.

I would not want to offend any law school in this country, but I am not going to run away from the fact that, in my judgment, probably the greatest law faculty in the United States today does not happen to be in the great schools of law in this country which are usually mentioned when we think about great legal education.

From the standpoint of ability and authoritative standing, the Hastings Law School in San Francisco, Calif., would be hard to duplicate. It is now an adjunct of the University of California, whose retirement policies do not apply to the Hastings Law School across the bay from Berkeley. Interestingly enough, the former dean of the University of California Law School is now on the faculty of Hastings Law School, which law school has had a faculty for many years composed of retired legal authorities who have taught in other law schools.

It includes my old dean who, I think, is unequaled in his knowledge of property law in this country, Dean Everett Fraser, of the University of Minnesota, the father of Representative FRASER in this Congress; and Ed Morgan, of Harvard—no one questions that he is the greatest authority on the law of evidence; and Ed Arno, of Illinois, on constitutional and criminal law, and Kidd, of Standard, and McClinic on the subject of equity.

Mr. YARBOROUGH. Leon Green of Texas.

Mr. MORSE. Yes, Leon Green of Texas. He is not only one of the greatest teachers in the legal profession today, but over the past 35 years he has been one of the great scholars in his fields of law.

Well, just think what this amendment, offered by the Senator from Texas, is going to mean to universities and colleges, not only those particularly emphasized by the Senator from Texas, but also all universities and colleges which can make use of the continued service of these experts. I wanted to mention that.

Now I want to say, before my good friend from Alabama [Mr. HILL] leaves the Chamber—I want the Senator from Texas to know that our true leader in regard to this legislation is the chairman of the full committee of the Committee on Labor and Public Welfare, the incomparable LISTER HILL of Alabama.

Mr. President, talk about mediation and diplomacy in committee work, let me say that the Senator from Alabama is my definition of personified diplomacy, because the leadership he has rendered over these many years on this committee has been unequaled. I do not want to embarrass him, but I engage in no flattery here. I speak from my heart. I want to say that were it not for the statesmanship and leadership he has displayed for so many years of service to the Committee on Labor and Public Welfare, and serving in the Senate for 30 years, we would not have the record we have made on education legislation. He is the one, more than the rest of us combined, who should get the credit for the accomplishments we are making in the fields of education.

Mr. HILL. Mr. President, will the Senator from Oregon yield?

Mr. MORSE. I am happy to yield to the Senator from Alabama.

Mr. HILL. I want to thank the distinguished Senator from Oregon for his most generous words. Surely they could not be kinder or more generous than they are.

Let me say, that as chairman of the Subcommittee on Education of the Committee on Labor and Public Welfare, in more recent years it has been the Senator from Oregon [Mr. MORSE] who has done all the hard work. It has been because of his indefatigable efforts, his determination, and his vision which has brought us to much of this tremendously helpful legislation in the fields of education.

Mr. MORSE. The Senator is very kind to me.

Mr. YARBOROUGH. Mr. President (Mr. LAUSCHE in the chair), I join the distinguished Senator from Oregon in complimenting, thanking, and expressing the gratitude of the people of my State of Texas—and I hope of the Nation—to the distinguished Senator from Alabama [Mr. HILL], whose name will rank high in the history of the Senate.

In the days to come, I believe that any five or any 10 pictures that will be painted and hanged in the Senate corridor, of those Senators who have contributed most to their country's betterment, will necessarily include a portrait of LISTER HILL of Alabama when we look at the fields of medicine, and education, and all the other important fields in which the Senator has rendered such valuable service to his State and Nation.

As the Senator from Oregon has stated, the Senator from Alabama has been wise when it came to the staffing of committees, the help he rendered in arranging schedules so that hearings could be held, and on many other matters.

That is all part of the great accolade we are tendering to the Senator from Alabama, but we cannot overlook the great service rendered by the Senator from Oregon [Mr. MORSE]. I have never seen the Senator from Oregon cut off any man when he wanted to testify. Neither has the Senator from Alabama. In my 11 years in private conversation, in hearings, executive committee meetings, and on the floor of the Senate, I have never heard the Senator from Alabama say an unkind word about any Senator. I think that has been a factor in his great success here.

The Hastings Schools of Law, which has been so beautifully described by the Senator from Oregon, has had great law teachers. There is another great law school in this country, at the University of Texas, where Dean Leon Green was known as one of the greatest professors of the law of torts and American history for a great many years.

He was also dean of Northwestern University for a number of years, and then came back to teach at the University of Texas where he started as a young man. After he retired, Hastings hired him for 5 years and then the University of Texas realized what they had lost and brought him back. So he taught for 5 years at Hastings and then was brought back to the University of Texas where he has been teaching for an additional 15 years, after he had retired 20 years ago.

Leon Green is one of the greatest law teachers of all time in America, in my humble judgment.

Mr. HILL. I want to thank the distinguished Senator from Texas for his most kind and generous remarks. He certainly has been most gracious and most generous.

I am sure that the Senator from Oregon would agree with me that there is no man on the committee who has been more cooperative, more helpful, than the Senator from Texas in his support of education measures. He has been forthright and wonderfully helpful in this work.

Mr. YARBOROUGH. I thank our great chairman for his kind remarks.

Mr. RANDOLPH. Mr. President, I would appreciate it if the Senator from Texas would yield to me at this point.

Mr. YARBOROUGH. I yield to the distinguished Senator from West Virginia.

Mr. RANDOLPH. Mr. President, I realize the Senator from Illinois is preparing to offer an amendment, and I do not wish to detain Members of the Senate. However, I feel that the deserved compliments being expressed certainly tell the story of the leadership of the Subcommittee on Education and of the full committee. I am thinking, as expressions are given about our able chairman of the Subcommittee on Education [Mr. MORSE], how extensive was the testimony received on the subject of the higher education bill. The hearing record contains 6,500 pages of material elicited from a divergent group of experts and persons intensely interested in the subject of higher education. These hearings are not composed merely of pages per se. They comprise creative, innovative, and challenging testimony.

I express genuine thanks for the patience and leadership of the Senator from Oregon [Mr. MORSE], and certainly for the continued guidance, from which we have all benefited, of our distinguished chairman of the full committee, LISTER HILL of Alabama. I would ask that I be permitted at this point to comment on this measure, particularly three areas of special interest to me.

It was my responsibility, for a period of 19 months, to serve as chairman of the Subcommittee on Veterans' Affairs of the Committee on Labor and Public Welfare. I continue today as a member of that subcommittee. So when I offered my amendments, to the Higher Education Act they were in the nature of a valid recognition of the members of the Armed Services of the United States. These amendments benefit those who serve in the Armed Forces.

One amendment would extend the forgiveness provision on future NDEA loans to borrowers who enter the armed services. These loans would be canceled at the rate of 25 percent for each year of service up to 100-percent cancellation of the loan. That is the first amendment.

The second amendment would enable veterans to obtain benefits of both the GI bill, for which the Senator from Texas has been an ardent and effective advocate, and also the student financial assistance under NDEA. This would not give unequal assistance to veterans, for NDEA loans are based on need.

A vital provision of this measure today—certainly of interest to West Virginians—is the retention of the current 3-percent interest rates on loans to institutions of higher learning. For what reason? For the construction of facilities which are absolutely necessary. It is imperative that funds be made available to the greatest extent possible for academic facilities. But, the administration submitted a proposal to increase the interest rate to the current average market yield of outstanding obligations of the United States. This would have had a harsh impact on those smaller institutions of learning in West Virginia as well as throughout the Nation.

Mr. MORSE. Mr. President, will the Senator yield at that point?

Mr. RANDOLPH. I am delighted to yield to the distinguished Senator from Oregon [Mr. MORSE].

Mr. MORSE. If the Senator will permit me to make this comment, I want the Senate to know that on our subcommittee the Senator from West Virginia [Mr. RANDOLPH] is our leader in handling problems of small colleges in this country. There is no one on the committee—I do not think there is anyone in the Congress—who is more expert on the problems of small colleges. He has been a trustee of Salem College in West Virginia, but he takes an interest in small colleges anywhere in the country. I just delegate to him any small college problem that comes before the committee and put him to work. He always delivers. I want to thank him not only for the amendment, but for all the contributions he has made not only on the small college issue but on all the others. I appreciate his contributions very much.

I know the veterans—who will benefit from his persevering work in seeing to it that they are not, through inadvertance, denied the rights we give to other students—will remember him as their benefactor, and they should.

Mr. RANDOLPH. I am grateful for the complimentary remarks of the manager of the bill. Again I express appreciation to him and all the members of the subcommittee who, through their deligent work and their cooperation, brought to the floor a measure that is vital to the continued growth and welfare of our Nation.

Mr. President, this measure involves our most important resource—the education and potential of our citizenry. The Higher Education Act of 1968 and the vocational education amendments, which we will be considering later today, are a continuation and expansion of our present endeavors. Education—vocational and higher—is an area of continuous growth and development and we must endeavor to meet this challenge. It is my feeling that these two measures are a constructive step forward in meeting the varied needs of education for our citizens.

In addition to the extension and expansion of the on-going programs of student and college assistance, the Higher Education Act includes several proposals which are not new to my colleagues but are additions to our present programs. In this legislation we are endeavoring to improve graduate education, to stimulate colleges and universities to share their technical and educational facilities and resources, and to strengthen education for public service. These programs will not go into effect until fiscal year 1970 in our efforts to hold authorizations to the minimum feasible level.

The vocational education amendments, next on the Senate agenda, are indicative of the vital importance placed on training and manpower development requirements in our Nation. This legislation will allow the development of programs more responsive to the demands and needs of our citizenry, providing for State initiative in the preparation of programs and emphasis on the need of the individual. Of special signifiance, I believe, is the provision relating to the early education of handicapped children. I have been actively involved in programs to aid and rehabiltate the handicapped and it is gratifying to participate in this further recognition and expansion of programs to meet their needs.

Mr. President—the Higher Education Act of 1968 and the vocational education amendment—are of major importance to our country. The money which is expended and invested in the programs authorized by these measures will have an endless return. They are an intelligent investment in our most precious resource—our people.

I thank the Senator from Texas for yielding to me.

Mr. YARBOROUGH. Mr. President, I wish to join the Senator from Oregon in thanking the Senator from West Virginia for his leadership in the small college field. The Senator from West Virginia has been on the governing boards of three small colleges, and two, and perhaps three, of them at one time. He is the only man I think I have known in my lifetime who has been on the governing boards of two or three senior colleges at a time, and he has taught in one of the departments. He is also on the Veterans' Affairs Subcommittee and, as he said, he has been chairman of it for 19 months. I thank him for the beneficial provision on veterans that was put into this bill through his leadership.

Mr. DIRKSEN. Mr. President, I offer an amendment.

The PRESIDING OFFICER. The amendment of the Senator from Illinois will be stated.

The assistant legislative clerk proceeded to read the amendment.

Mr. DIRKSEN. Mr. President, I ask unanimous consent to consider the amendment as having been read.

The PRESIDING OFFICER. Without objection, further reading of the amendment will be dispensed with and the amendment will be printed in the RECORD.

The amendment is as follows:

At the end of the bill insert a new section as follows:

"REQUIREMENT WITH RESPECT TO ENFORCEMENT OF COMPULSORY ATTENDANCE LAWS

"SEC. — (a) Effective for fiscal years beginning after the date of enactment of this Act no local educational agency may receive any financial assistance under this Act, or any Act amendment by this Act, unless such agency has certified to the Commissioner of Education, in such form as is prescribed by the Commissioner, that it is taking all appropriate steps that all laws relating to compulsory school attendance in the district of such agency are being enforced.

"(b) The Secretary of Health, Education, and Welfare shall make an investigation and study of State laws relating to compulsory school attendance for the purpose of determining what Federal action, if any, should be taken to promote minimum education requirements throughout the Nation. In carrying out such investigation and study the Secretary shall consult with appropriate Federal, State, and local officials. The Secretary shall report the results of such investigation and study, together with his recommendations, to the President and the Congress not later than July 1, 1969."

Mr. DIRKSEN. Mr. President, I have discussed this amendment with the distinguished Senator from Oregon, who is the manager of the bill, and likewise with the Senator from New York, who has carried a laboring oar in the committee.

It has occurred to me that unless we enforce the school laws of the respective States, particularly by the local education agencies, we will be working at cross purposes. What an oddity it is and how weird it seems that we spend $5,000 or $6,000 a year to educate or bring back to normal schooling a dropout, when all or most of that money might have been saved if the compulsory school laws had been enforced. It is a job to be done at the local level. It is a job to be done by the parents, by the local school, responsible officials, and by the truant officers. If that is done, notwithstanding the diversity of the many laws on the books, it will save monumental sums for the whole educational system of the country.

I do not think I need say any more about it. I think my distinguished colleague from Oregon will accept the amendment, and so will my distinguished colleague from New York.

In connection with the amendment, I ask unanimous consent to have printed at this point in the RECORD a summary of findings by the Census Bureau with respect to compulsory attendance, attendance officers, and other related material.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

MEMORANDUM

JULY 15, 1968.

To: Senator DIRKSEN.

From: Clyde Flynn.

Subject: Explanation of proposed amendments to S. 3769, the Higher Education Act and the Vocational Education Act.

An examination of the attached statistics taken from U.S. Census Bureau illustrates graphically the fact that the Compulsory School Attendance Laws of the various States are not being enforced. Attached also is a portion of the Department of HEW report, State Law on Compulsory Attendance, showing existing attendance laws in each State as well as a summary on school census and the penalties for failing to require school attendance.

The amendment would require the appropriate official in each school district to certify, as a condition of obtaining any funds from any program under either Act, that the Compulsory Attendance laws are being enforced in his district. Any person making a false certification would of course be subject to the provisions of Sec. 1001 of Title 18, U.S. Code, that provides a criminal penalty of not more than $10,000 or imprisonment of not more than five years or both for making a false statement.

In addition the amendment directs the Secretary to prepare recommendations to the Congress and to submit them by July 1, 1969, which recommendations shall indicate the minimum level of educational attainment that the Secretary feels essential to meet the needs of today. Congress would then be in a position to determine whether or not higher standards should be provided as a condition of receiving federal aid.

Those who require their own children to attend school have very pronounced feelings about those who do not. And, taxpayers generally, resent seeing $5,000 to $6,000 a year being spent to educate drop outs when enforcement of school attendance laws would have prevented much of this, particularly had the educational course been properly oriented.

SUMMARY OF FINDINGS

(NOTE.—A compulsory school attendance law, repealed in 1955, is back on the state law books in South Carolina. The law requires schooling for all children between the ages of 7 and 16.)

COMPULSORY ATTENDANCE

All States except Mississippi and South Carolina have compulsory attendance laws. In Virginia, however, they are applicable only at the option of local governments. The minimum age requirement is 6 years in 6 States, 7 years in 39 States, and 8 years in 5 years (see table 4). The maximum age requirements are 16 years in 41 States, 17 years in 5 States, and 18 years in 4 States. The most prevalent age range is 7 to 16 years, which is found in 34 States. The age ranges may also be regarded in terms of the number of years of required attendance. Schooling is required during 8 years of a child's life in 4 States, 9 years in 35 States, 10 years in 6 States, 11 years in 3 States, and 12 years in 2 States.

Exemptions to the compulsory attendance laws vary, but the most frequently mentioned exemption is a physical or mental handicap (47 States). Completion of high school constitutes an exemption in 17 States, while under certain conditions, completion of the 10th grade amounts to a statutory exemption in 1 State, 9th grade in 2 States, 8th grade in 16 States, and 6th grade in 1 State. One State law expressly exempts married students from compulsory attendance. Six States specifically exempt from compulsory school attendance any child whose parents object to his attending an integrated school.

The counterpart of requiring a child to attend school is the requirement that the school district maintain and operate a school for a specific period of time. In 32 States the minimum statutory school term is 180 days or the equivalent (36 weeks or 9 months); but the required term varies from no mandate at all in 5 States to 185 days in 1 State. Many State aid formulas contain additional provisions pertaining to the school term. However, these are financial incentives rather than absolute requirements for operating a school.

From the viewpoint of practicality, a more important question is, at what ages are persons permitted to attend public school? The permissive age (see table 4) normally begins at 6 and extends to 21, with some States permitting local boards to authorize admission of persons whose ages are outside the normal statutory limits. Several States impose no upper limits for veterans.

TABLE 4.—MINIMUM AND MAXIMUM AGES FOR COMPULSORY AND PERMISSIVE SCHOOL ATTENDANCE: 50 STATES, THE DISTRICT OF COLUMBIA, AND PUERTO RICO, 1965

State	Compulsory attendance			Permissive attendance	
	Age range		Years of required attendance	Minimum age	Maximum age
	Minimum	Maximum			
Alabama	7	16	9	6	(1)
Alaska	7	16	9	6	(1)
Arizona	8	16	8	6	21
Arkansas	7	16	9	6	21
California	8	16	8	6	(1)
Colorado	7	16	9	6	21
Connecticut	7	16	9	6	(1)
Delaware	7	16	9	6	[2]21
District of Columbia	7	16	9	6	(1)
Florida	7	16	9	6	(1)
Georgia	7	16	9	6	19
Hawaii	6	16	10	6	(1 3)
Idaho	7	16	9	6	
Illinois	7	16	9	6	21
Indiana	7	16	9	(1)	(1) 21
Iowa	7	16	9	5	21
Kansas	7	16	9	6	(1)
Kentucky	7	16	9	6	[4]21
Louisiana	7	16	9	6	(1)
Maine	7	17	10	6	21
Maryland	7	16	9	6	21
Massachusetts	7	16	9	(1)	(1)
Michigan	6	16	10	5	(1)
Minnesota	7	16	9	6	21
Mississippi	(1)	(1)	(1)	6	(1)
Missouri	7	16	9	6	20
Montana	7	16	9	6	21
Nebraska	7	16	9	5	[5]21
Nevada	7	17	10	6	(1)
New Hampshire	6	16	10	(1)	(1)
New Jersey	6	16	10	5	20
New Mexico	6	17	11	(1)	(1)
New York	7	16	9	5	[4]21
North Carolina	7	16	9	6	[6]21
North Dakota	7	16	9	6	21
Ohio	[7]6	18	[7]12	6	21
Oklahoma	7	18	11	6	[4]21
Oregon	7	18	11	6	21
Pennsylvania	8	17	9	6	21
Puerto Rico	8	16	8	5	18
Rhode Island	7	16	9	(1)	(1)
South Carolina	(1)	(1)	(1)	6	21
South Dakota	7	16	9	6	[4]21
Tennessee	7	17	10	6	(1)
Texas	7	17	10	6	21
Utah	6	18	12	6	[5]18
Vermont	7	16	9	6	[6]18
Virginia	[8]7	[8]16	[7]9	7	20
Washington	8	16	8	6	21
West Virginia	7	16	9	6	21
Wisconsin	7	16	9	4	20
Wyoming	7	17	10	6	21

[1] Not specified in statutes.

[2] Inclusive.

[3] No child of 17 shall be admitted to grade 9, and no child of 18 to grade 10 except with the permission of the superintendent.

[4] Special provision exists for veterans or disabled persons.

[5] Special provision exists for those who have not completed high school.

[6] But a person shall not be deprived of educational opportunities by reason of age.

[7] Local board may raise minimum age to 7.

[8] Adoption of attendance law is option of local community.

CENSUS

Laws in 39 States require that a school census be taken (see table 5). Of these States, 24 require a census annually; 5, biennally; 3, quadrennially; and 3, every 5 years. One does not specify the frequency, and three others require a continuing census. Nine other States authorize a continuing census as an alternative to, or in conjunction with, the periodic census. There is no pattern in the age span covered by these census requirements, but it is normally greater than the age span for compulsory attendance. Twenty-four States have census requirements for some or all types of handicapped children, and four others authorize such a census. Twelve other States require that names or numbers of handicapped children be reported.

ATTENDANCE OFFICERS

The effectiveness of any compulsory attendance law is determined largely by its enforcement, and especially by the attendance officer's role in enforcement.

Superintendents of schools and school boards typically have the power and duty to appoint and supervise attendance officers for enforcement of compulsory attendance laws. In many States, school boards may act jointly to utilize the services of one attendance officer for two or more districts. Where there are no local attendance officers, the county superintendent of schools may be authorized to serve in that capacity. In Colorado, Montana, Texas, and Iowa, probation officers, constables, or school nurses may also be appointed as attendance officers.

The professional status of attendance officers is becoming more specialized, as indicated by the use of new titles. For example, New York, Tennessee, Louisiana, Kentucky, and Georgia have visiting teachers or attendance teachers who must possess qualifications the same as, or equivalent to, those of other teachers.

Mississippi and Idaho have no stautory provisions for attendance officers. Although South Carolina has no compulsory attendance statutes, its law still provides for attendance officers who are charged with the duty of "influencing pupils by means of persuasion to attend regularly."

While State departments of education generally have authority to supervise and regulate the activities of attendance officers appointed by county or local school boards, Colorado, Hawaii, Indiana, Louisiana, Oregon, South Dakota, Vermont, and New Hampshire have specific statutory provisions for the appointment of State attendance officers or directors with supervisory authority.

Attendance officers are generally vested by statute with the powers of police officers, so that under appropriate circumstances they may make legal arrests in the enforcement of compulsory attendance laws.

PENALTIES

Almost universally, violations of the attendance laws by a parent constitutes a misdemeanor. Provisions for penalty against a parent vary greatly. Forty-five of the 52 States whose laws are reported here specify fines which may or must be assessed against parents (or sometimes other persons) who violate the attendance laws. Some of the laws mention a minimum fine as high as $15. More commonly, the amount of a variable fine is discretionary with the court, provided it does not exceed an express ceiling. This ceiling ranges from $2 to $500. Laws of 25 States provide for terms of imprisonment for violation, the maximum penalties ranging from 5 days to 6 months; and 7 other States provide that imprisonment is appropriate when the fine is not paid. One State authorizes a term of up to 90 days at hard labor. Fourteen States authorize penalties of both fine and imprisonment. In 13 States, the laws set more lenient penalties for first offenses. In 3 others, no specific penalty is listed; but the law indicates that punishment shall be as for a misdemeanor or as imposed by the court under the youth law.

Penalties are also imposed by a few States upon public officials, such as truant officers or teachers, who fail to perform duties required by the attendance laws; against persons who aid or encourage children to violate the attendance laws; and against persons who illegally employ or harbor minors required to be in school. Separate penalties are sometimes imposed on parents who misrepresent the age of children in order to avoid the compulsory attendance law or for failure of a parent to require the attendance of a handicapped child at special classes or an employed child at continuation classes.

TABLE 5.—SELECTED DATA ON THE SCHOOL CENSUS AND CENSUS OF THE HANDICAPPED: 50 STATES, THE DISTRICT OF COLUMBIA, AND PUERTO RICO, 1965

State	School census			Census of the handicapped		
	Authorization	Frequency	Age span	Authorization	Frequency	Type of handicap
Alabama	Mandatory	Every 4 years	6–12			
Alaska						
Arizona						
Arkansas	Mandatory	Biennial	6–18			
California						
Colorado	Mandatory	When ordered by State.	Birth–21	Mandatory	Annual	Deaf and blind.
Connecticut	do	Annual	Birth–18	do		All.
Delaware	do	Biennial	5–18	do	Annual	All.
District of Columbia	do	Annual	3–18			
Florida	do	Every 5 years	6–18			
Georgia	do	Continuous				
Hawaii				Mandatory		All.
Idaho						
Illinois				Mandatory	Every 4 years	All.
Indiana						
Iowa	Mandatory	Biennial	5–21	Mandatory	Biennial	All.
Kansas	do	Annual	Birth–21			
Kentucky	do	Continuous	6–18	Mandatory	Annual	All.
Louisiana	do	Every 4 years	Birth–18			
Maine						
Maryland	Permissive		Birth–18	Permissive		All.
Massachusetts	Mandatory	Annual	5–16	Mandatory	Annual	All.
Michigan	do	do	Birth–20	do	do	All.
Minnesota	do	do	Birth–21			
Mississippi	do	do	Birth–19			
Missouri	do	Every 5 years	6–20	Mandatory	Annual	All.
Montana	do	Annual	Birth–21	do	Every 4 years	All.
Nebraska	do	do	5–21	do	Annual	Crippled.
Nevada						
New Hampshire	Mandatory	Annual	Birth–18	Mandatory	Annual	All.
New Jersey	Permissive		5–18			
New Mexico	Mandatory	Annual	6–18	Permissive		All.
New York	do	do	Birth–18	Mandatory	Continuous	All.
North Carolina	do	Continuous				
North Dakota	do	Biennial	Birth–21	Mandatory	Biennial	All.
Ohio	Mandatory	Annual	5–18	Mandatory	Annual	All.
Oklahoma	do	do	Birth–18			
Oregon	do	Biennial	4–20	Mandatory	Biennial	Blind and deaf.
Pennsylvania	do	Annual	Birth–18			
Puerto Rico						
Rhode Island	Mandatory	Annual	4–21	Mandatory	Annual	All.
South Carolina	do	do		do	do	All.
South Dakota	do	do	Birth–21	do	do	All.
Tennessee	do	Every 4 years	Birth–16	do	Every 4 years	All.
Texas	do	Annual	7–18	Permissive		Crippled.
Utah	do	do	Birth–18	Mandatory	Annual	All.
Vermont	do	do	6–18			
Virginia	do	Every 5 years	7–20	Mandatory	Every 5 years	Deaf and blind.
Washington	do	Annual	5–21			
West Virginia	Permissive	do	Birth–20	Permissive	Annual	All.
Wisconsin	Mandatory	do	4–20	Mandatory	do	All.
Wyoming	do	do	6–21			

A few States specify the length of absence which constitutes a separate violation of the attendance laws. In States where each day is a separate violation, an otherwise small penalty may cumulate into a very large fine or very long jail term.

Provisions for punishment of children who violate the attendance laws are fairly common but not universal. In 24 States the attendance laws give specific authority for the commitment of truant children to special schools or classes. Such classes may be especially designed for truants alone, or for truants and incorrigible pupils; or they may be the same institutions to which neglected children or juvenile delinquents are committed. They may be called by any of several names, such as "truant schools," "parental schools," or "special upgraded schools or classes." In several other States the attendance laws contain authority for the trial of violating minors under the youth or delinquency laws; in other States the authority of juvenile courts extends to the punishment of minors for truancy. Such authority has not been listed in this study unless it appeared in the attendance laws. Few States grant authority to levy fines on offending minors, although one State authorizes fines of $10 to $200 (or up to 60 days' imprisonment) for violation of attendance laws by a minor.

Mr. MORSE. Mr. President, will the Senator yield?

Mr. DIRKSEN. I yield.

Mr. MORSE. Mr. President, as the Senator from Illinois has pointed out, I discussed this matter with the ranking minority member of the committee [Mr. JAVITS] and with the Senator from Illinois. I am willing to accept the amendment and take it to conference, for two reasons. The Senator from Illinois [Mr. DIRKSEN] has covered the first.

One of our great problems, particularly in elementary-secondary education, is the matter of dropouts. One of the reasons that there are so many dropouts is because we are dealing, and let us face it—though some educators do not want to face it—with a certain percentage of students who are simply not interested in going on with so-called liberal arts education, but who need training in skills. I suggest to the Senator that I am not so sure, though I will check with the parliamentarian later, when we get to it, but that the Senator's amendment could be added also to the vocational education bill, where I think it would probably have more effect.

We need to develop in this country training in the skills if we hope to meet the dropout problem. There is no doubt about the fact. The evidence is clear, that in some areas of the country, the school officials sweep the problems of enforcing the compulsory attendance laws under the rug. They know they are dealing with a group of boys and girls whom it is very difficult to get to go to school, because the appeal is not there for them.

When we get into our vocational educational training, I believe we will have the appeal. But on the other hand, Mr. President, I do not think we can justify pouring Federal money into our school systems if the school officials themselves are not interested in enforcing their own compulsory educational laws.

I am willing to accept the amendment and take it to conference.

Mr. JAVITS. Mr. President, will the Senator yield?

Mr. MORSE. I yield.

Mr. JAVITS. Mr. President, I join the Senator from Oregon in the comments he has made.

I ask the Senator from Illinois [Mr. DIRKSEN] to confirm the fact that he made a slight change in his amendment to the effect that the school authorities who are required to certify be required to certify that they are doing everything they can to bring about enforcement, it being recognized—and this is substantive—that other agencies of government, including the courts, are required to cooperate if compulsory school attendance laws are truly to be enforced.

It seems to me that to have that clearly shown as the legislative intent—in other words, what we call in the financial business "on a best efforts basis"—is what the Senator has in mind. At least our school authorities, then, will be certifying that they are doing everything they can to bring about enforcement of all the compulsory school attendance laws.

Mr. DIRKSEN. Mr. President, the distinguished Senator from New York is correct; and in connection with it, I might point out the penalties that are involved where there is certification that just does not stand up in the light of day on a foundation of fact. So I have modified it accordingly, to leave some latitude there, knowing how severe those penalties can be; and for that suggestion I thank my friend from New York.

Mr. JAVITS. I thank the Senator from Illinois. I think he has made a distinct contribution to the bill, and I join the Senator from Oregon in expressing my appreciation.

The **PRESIDING OFFICER.** The question is on agreeing to the amendment of the Senator from Illinois.

The amendment was agreed to.

Mr. DIRKSEN. Mr. President, I move to reconsider the vote by which the amendment was agreed to.

Mr. MORSE. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

The **PRESIDING OFFICER.** The bill is open to further amendment.

Mr. MANSFIELD. Mr. President, I suggest the absence of a quorum.

The **PRESIDING OFFICER.** The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The **PRESIDING OFFICER.** Without objection, it is so ordered. The Senator from Colorado is recognized.

Mr. DOMINICK. Mr. President, as the author of the comprehensive scholarship program authorized by title XII of the Higher Education Act of 1968 known as the U.S. Foreign Service Corps, I rise to its support.

Mr. MORSE. Mr. President, will the Senator from Colorado yield to me for a minute or two, so that I may explain to him and to the Senator from Alabama [Mr. SPARKMAN] a statement I made earlier this morning in my speech on the legislative history of the bill?

Mr. DOMINICK. I yield.

Mr. MORSE. When I got to this proposed addition of title XII to the Higher Education Act of 1965 in title VI of S. 3769 I said I had been informed that the Committee on Foreign Relations was raising a jurisdictional question over title XII, and I briefly discussed and inserted in the RECORD a staff memorandum prepared by Dr. Carl Marcy, director of the professional staff of the Committee on Foreign Relations—a memorandum which I stated I was sure that he had prepared with the full approval of the acting chairman of the Committee on Foreign Relations, the Senator from Alabama [Mr. SPARKMAN], raising the jurisdictional matter.

I made very clear that the Committee on Labor and Public Welfare did not intend to infringe upon the jurisdiction of the Committee on Foreign Relations, but that likewise we do not intend to yield to the Committee on Foreign Relations—and I speak as a member of that committee—our jurisdiction over the educational aspects of a scholarship program in this country, regardless of the particular field in which the scholarships are involved.

The difficulty, as I understand it—although Senator SPARKMAN can speak with greater authority on the matter than can I—is the concern that has been expressed by the State Department and by the Committee on Foreign Relations that the section as proposed by the Senator from Colorado sets up what amounts, in their sights, to a foreign service corps, which they believe, as far as the corps aspects are concerned, falls within the jurisdiction of the State Department, and therefore should be handled by the Committee on Foreign Relations.

I countered, although I added that the Senator from Colorado was really my expert authority on the matter, by saying that what we are interested in is providing for scholarships for young men and women in this country who want to enter into various aspects of foreign service, and that foreign service is not limited to the diplomatic, but involves commerce, agriculture, labor, and the whole gamut of all U.S. relations with foreign countries in addition to the diplomatic.

Let me dwell for just a moment on the diplomatic aspect. Whether it be in Colorado, Berkeley, Eugene, Corvallis, Yale, or anywhere else in the country, young men and women ought to be encouraged to go to those universities which have foreign service training programs, and in many instances on a scholarship, so that they can take their graduate work in that field and prepare themselves for any one of the many types of foreign service.

In essence, I think that is a fair summary of what I said this morning.

I want both the Senator from Alabama and the Senator from Colorado to know that what we are seeking within the jurisdiction of the Committee on Labor and Public Welfare—which is our jurisdiction—is to provide scholarships. We provide fellowships and scholarships in many other fields.

I see no reason why we cannot reach an understanding with the Senator from Alabama and other members of the Foreign Relations Committee.

I have no desire, as a member of that committee, to take one iota of jurisdiction away from the Foreign Relations Committee. Nor do I intend to give the Foreign Relations Committee jurisdiction one iota of what falls within the educational prerogatives of the Labor and Public Welfare Committee.

I think we ought to work out language here and now that would make it possible for us to provide scholarships to the students that want to go to the universities of their own selection in this country to get whatever their curricula offers by way of foreign service training.

I am not wedded to all the details of the sections of title XII, which is the bill of the Senator from Colorado [Mr. DOMINICK], written into the pending bill as an amendment to the Higher Education Act of 1965. So, I make a plea to the Senator from Colorado and the Senator from Alabama to see if they cannot work out an acceptable understanding so that we can provide for x number of scholarships in the field.

Mr. DOMINICK. Mr. President, I thank the distinguished Senator from Oregon, the chairman of the subcommittee and the acting chairman in the educational field.

I think if I explain the bill, it may become crystal clear to the Senator from Alabama and to other Senators as to what we are dealing with in title XII.

I was the author of a Foreign Service Academy bill and fought for it both in the House when I was a Member of that body and in the Senate since I have been a Member of the Senate. I am also the cosponsor of a Freedom Academy bill which is also the Foreign Relations Committee. So I am well aware of the feeling of the State Department that they should have control over those bills which took an institutional approach.

It was as a result of this that I have been working with very distinguished educators in my State and in other States. I mentioned to them some of the difficulties we had encountered and suggested that perhaps we could work out another approach through the educational field.

This is exactly what we have done in the pending bill.

The program which I have proposed, and which has been adopted by the committee, represents a true amalgamation of purpose with the fine colleges and universities throughout the United States in making available new and better educational opportunities for students in the field of foreign relations. At the same time it recognizes the motivation and offers meaningful participation in the program to those already employed by the Federal Government in this field.

A description of the operation of the program may be found at page 56 of the committee report. Before amplifying on that description, I would like to state for the RECORD what I consider to be the major attributes of such a scholarship approach.

First. It utilizes, rather than competes with, the facilities and academic expertise of educational institutions, public and private, while preserving their control and objectiveness.

Second. It offers varied but carefully coordinated undergraduate and graduate programs including field training for student scholarship recipients as well as inservice training and research.

Third. It harnesses a continual and prepared reservoir of representative talent from diverse sectors of American life with a variety of educational backgrounds from many colleges and universities.

Fourth. It provides access to the full breadth of curriculums taught by the top minds in the country.

Fifth. It maintains the desirable flexibility and independence to maximize opportunities for charting new courses and altering old ones in foreign affairs education and practice.

Sixth. It concentrates our investment in people instead of property, avoiding large capital outlays for buildings, grounds, and equipment. I emphasize that it concentrates our investment in people instead of property.

Responsibility for supervision of the Corps would rest with a nine-member board of trustees: The Secretary of State, four educators appointed by the President, two Members of the Senate, and two Members of the House of Representatives. Not more than one of the trustees from the Senate nor more than one of the trustees from the House may be of the same political party. Provision is made for staggering of the longer terms of the educators to promote continuity.

This program is designated a "corps" simply because it fits into a nationally recognized name. We already have a Teacher Corps, for example. Past experience shows that use of the term "corps" has added prestige to programs and fostered increased interest in the programs.

The U.S. Foreign Service Corps would consist of students in addition to Government officers and employees who have duties and responsibilities in the field of foreign relations. As the Senator from Oregon has said so well, this is designed for the young people of our country to go to a college of their choice under a scholarship program and obtain training under an agreement that they will serve in the Government of the United States in fields related to foreign relations whether they serve in agriculture, transportation, commerce, labor, State Department, or other endeavor. We have today in excess of 75,000 civilians employed overseas by 37 Federal Government departments and agencies. The program would cover the total scope of governmental operations.

The board of trustees is directed to make arrangements with qualified non-Federal institutions of higher learning to provide for the admission of qualified members of the Corps to such institutions to pursue approved courses of study or research activities in the field of foreign relations. Undergraduate and graduate programs leading to degrees would be available for students, but Government officers and employees would have access to part-time as well as full-time programs.

Let me give an example. Let us suppose that there is in the field of reclamation a Government employee working in Idaho, Colorado, California, or some other State, who decides that he would have a great advancement in his career if he had the opportunity to become acquainted with the needs and desires of countries wherever they may be—India, Latin America, South America, or the Far East. He would have the opportunity, if he qualified, to take specialized courses in the institution of his choice. He would advance in this field and in doing so benefit his country as well as himself. Appropriate orientation and language training for family members of persons admitted to the Corps and of all Government employees whether or not admitted to the Corps is authorized as their time for assignment to a foreign country or area nears.

Government officers and employees would be admitted to the Corps upon selection by the head of their department or agency. While in the Corps their compensation would be maintained by their department or agency and they would be reimbursed for specified educational expenses. On completion of his or her education, training, research, or course of study within a Corps program, such member would be entitled to continue service in the former position or one of like seniority and status.

Students would be admitted to the Corps through a nomination and competitive examination process. Some would be nominated from the United States at large to take the competitive examinations held by the board. Others would be nominated by the Governors of each State, the Virgin Islands, the Canal Zone, the Commissioners of the District of Columbia and Puerto Rico. But by far the greater number of nominations would arise from the requirement that there also be 30 nominated at-large from each State—15 nominated by each Senator from the State—and 15 from each congressional district—nominated by the Representative from the district. Once nominated, applicants would be selected for membership in the Corps in the order of merit established by the competitive examinations. Student Corps members would be required to maintain satisfactory progress in at least a minimum level of full-time credit courses and would be compensated for tuition, texts, laboratory fees, and course materials, and would receive specified subsistence payments. Upon satisfactory completion of his course of study leading to an undergraduate or graduate degree, the student member would be eligible for hiring or appointment by the United States in connection with any program of the Government relating to the field of service overseas.

All Corps members would be required to accept employment or remain in the employment of the United States for a certain time after leaving the Corps. This is to make sure that the money that the taxpayers have spent will be returned in the service that trained personnel would be giving to the United States.

Let me point out to the Senator from Alabama that this proposal is not intended primarily to train Foreign Service officers—and I use the words "Foreign Service" in initial capitals.

Indeed, the chief thrust is to create a definitive program for all personnel of the Government who are or will be working in the field of service to the United States overseas. The fact that we now have approximately 3,387 active Foreign Service officers but more than 22 times that many people—in excess of 75,000—working abroad for the Government in a civilian capacity makes this distinction crystal clear.

If the Foreign Service Corps becomes law, the responsibility for the basic education of these people will remain in non-Government hands. Career curriculums are now offered in international relations in at least 77 institutions in 31 States, the District of Columbia, and Puerto Rico. The same is true for Foreign Service and diplomacy in at least 41 institutions in 21 States and the District of Columbia. With the advent of the Corps, more programs will be established and more colleges and universities will establish them, and will then be qualified for this scholarship program. Can we afford not to mobilize this resource?

It is interesting that what we did was, in fact, to adapt an existing program, which is the Navy scholarship program, known, I believe, as the Holloway Plan. We used that as the basic ingredient. That program has worked. It gives one freedom of choice. It permits one to go to the institution of his choice, within certain limits; and it does say that in that process he will serve the United States in that service, if he is under the Holloway Plan. Under my program he would serve in a civilian capacity. As I have said, it is a scholarship program.

Unfortunately, our Nation has not yet developed an efficient total system for training personnel from all agencies, other than the State Department, who are destined for overseas assignments. Independent efforts of the many departments and agencies cannot meet the challenge as effectively as can a fully coordinated operation encompassing all considerations that would maximize the beneficial international impact of the policies of the United States.

Since each Government employee abroad is an ambassador of the United States, logic dictates that the composite impression they make be the product of thoughtful planning and thoughtful training.

This can be initiated through the Foreign Service Corps. Such a coordinated undertaking would be substantially rewarding to this country and to all mankind.

I know that the objection of the Senator from Alabama—and I also refer to the chief of staff, Dr. Marcy, who is in the Chamber—has been to the jurisdictional aspect of whether the Educational Subcommittee of the Labor and Public Welfare Committee or the Foreign Relations Committee should be considering this bill. But under rule XXV of the Standing Rules of the Senate, the jurisdiction of our Committee on Labor and Public Welfare encompasses "all proposed legislation relating to education." This is the committee to which the parliamentarian sent the bill. This is why we considered it. This is what it does. It relates to education and scholarships.

There is one matter I would mention to the Senator from Alabama, and I do not know whether this is a sticky point for him. In this particular title we do transfer the Foreign Service Institute from the Secretary of State to the board of trustees, of which the Secretary of State is a member. There is that change in the organizational structure. If this is the sticking point to which he is objecting, we can—and I would be willing—to remove it. But the only problem with that is I understand the head of the Foreign Service Institute is favorably inclined toward this proposed program. If this is a sticking point, I would reluctantly omit it, because I believe the scholarship program is the real key and is of enormous importance in better training and in providing an opportunity for our young people to serve this Government overseas. This is the whole drive and tenor of our particular title.

VISIT TO THE SENATE BY MEMBERS OF THE AUSTRALIAN SENATE AND HOUSE OF REPRESENTATIVES

Mr. SPARKMAN. Mr. President, I wish to invite to the attention of Senators that we are honored at this time by the presence of seven members of the Australian Parliament. They are at the rear of the Chamber, and I should like to state their names:

Senator the Honorable Sir Alister McMullin, President of the Senate.

The Honorable William J. Aston, Speaker of the House of Representatives.

Senator D. M. Devitt.

Senator Dame Ivy Wedgewood.

Mr. G. M. Bryant, member of the House of Representatives.

Mr. E. N. Drury, member of the House of Representatives.

Mr. G. D. Erwin, member of the House of Representatives.

We are pleased to have these representatives of the great Commonwealth of Australia visit with us and to be in this country for a period of time. We are happy that they came to the Capitol today. We had an opportunity to meet and talk with them at lunch, and we are pleased that they were able to visit briefly with the Senate in session.

Mr. President, I am very glad to extend to them, on behalf of all the Members of the Senate, a hearty welcome to the Chamber of the Senate of the United States.

The PRESIDING OFFICER. On behalf of the Senate, the Chair would like to express how pleased we are to have the visitors from Australia with us today.

[Applause, Senators rising.]

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Hackney, one of its reading clerks, announced that the House had passed, without amendment, the following bills and joint resolution of the Senate:

S. 660. An act granting the consent of Congress to a Great Lakes Basin Compact, and for other purposes;

S. 1260. An act to amend the Northwest Atlantic Fisheries Act of 1950 (Public Law 81-845);

S. 1752. An act to amend the Act prohibiting fishing in the territorial waters of the United States and in certain other areas by vessels other than vessels of the United States and by persons in charge of such vessels; and

S.J. Res. 172. Joint resolution extending the duration of copyright protection in certain cases.

The message also announced that the House had agreed to the concurrent resolution (S. Con. Res. 75) authorizing acceptance for the National Statuary Hall collection of statues of Father Damien and King Kamehameha I, presented by the State of Hawaii.

The message further announced that the House had passed the bill (S. 3245) to extend for an additional 3 years the authorization of appropriations under the State Technical Services Act of 1965, with an amendment, in which it requested the concurrence of the Senate.

The message also announced that the House insisted upon its amendment to the bill (S. 1166) to authorize the Secretary of Transportation to prescribe safety standards for the transportation of natural and other gas by pipeline, and for other purposes, disagreed to by the Senate; agreed to the conference asked by the Senate on the disagreeing votes of the two Houses thereon, and that Mr. STAGGERS, Mr. MACDONALD of Massachusetts, Mr. KORNEGAY, Mr. VAN DEERLIN, Mr. SPRINGER, Mr. BROYHILL of North Carolina, and Mr. HARVEY were appointed managers on the part of the House at the conference.

The message further announced that the House had passed the following bills and joint resolution, in which it requested the concurrence of the Senate:

H.R. 15758. An act to amend the Public Health Service Act so as to extend and improve the provisions relating to regional medical programs, to extend the authorization of grants for health of migratory agricultural workers, to provide for specialized facilities for alcoholics and narcotic addicts, and for other purposes;

H.R. 16024. An act to extend for two years the Act of September 30, 1965, relating to high-speed ground transportation, and for other purposes;

H.R. 18366. An act to amend the Vocational Education Act of 1963, and for other purposes; and

H.J. Res. 1. Joint resolution creating a Joint Committee To Investigate Crime.

HOUSE BILLS AND JOINT RESOLUTION REFERRED

The following bills and joint resolution were severally read twice by their titles and referred, as indicated:

H.R. 15758. An act to amend the Public Health Service Act so as to extend and improve the provisions relating to regional medical programs, to extend the authorization of grants for health of migratory agricultural workers, to provide for specialized facilities for alcoholics and narcotic addicts, and for other purposes; to the Committee on Labor and Public Welfare.

H.R. 16024. An act to extend for 2 years the act of September 30, 1965, relating to high-speed ground transportation, and for other purposes; to the Committee on Commerce.

H.J. Res. 1. Joint resolution creating a Joint Committee To Investigate Crime; to the Committee on the Judiciary.

HIGHER EDUCATION AMENDMENTS OF 1968

The Senate resumed the consideration of the bill (S. 3769) to amend the Higher Education Act of 1965, the National Defense Education Act of 1958, the National Vocational Student Loan Insurance Act of 1963 and related acts.

Mr. SPARKMAN. Mr. President, I have listened attentively to what the distinguished Senator from Colorado has said with reference to title XII of this bill.

Title XII of S. 3769 contains the provisions of S. 3700, which was a 21-page bill introduced by the junior Senator from Colorado [Mr. DOMINICK] on June 26, 1968, to provide for a U.S. Foreign Service Corps. I want to emphasize that term, "Foreign Service Corps."

Under its terms the program would be created to train and educate Government employees who are or will be working in the field of foreign relations. This program would be under the management and supervision of a board of trustees consisting of the Secretary of State, four educators to be appointed by the President, and two Members of the Senate, and two Members of the House of Representatives, to be appointed by the Vice President and the Speaker, respectively.

Although the proposal states that the State Department's Foreign Service Institute is to be continued, it provides that all functions, powers, and duties of the Secretary of State relating to the Foreign Service Institute are to be transferred to the board.

In addition, all property and personnel of the institute, as well as the unexpended balance of any appropriation are to be transferred to the Board for its use for the furtherance of the objectives of the Foreign Service Corps. The Board would be supported by a staff of five professional staff members and such clerical staff members as may be necessary.

Title XII also contains elaborate provisions relating to the nomination and admission of students and Government employees into the Foreign Service Corps, the payment of their compensation and expenses, and rules governing their assignment and period of service upon the completion of their training or education. For example, pursuant to the provisions of section 1204, the Board of Trustees would be authorized to make arrangements with qualified non-Federal institutions of higher learning to admit a total of 5,000 individuals in the Foreign Service Corps to pursue courses of study and engage in research activities approved by the Board relating to the field of foreign relations. Prior to being admitted, the individual would be required to take a competitive examination. Section 1205 provides that 8,418 individuals may be nominated to take the examination. It should be noted, however, that the applicant would not be eligible to take the competitive examination unless he has first been nominated by the following, as are mentioned by the Senator from Colorado, that is to say, the President, Vice President, the Secretary of State, a Senator or a Member of the House of Representatives, a Governor of a State, the Resident Commissioner from Puerto Rico, the Commissioner of the District of Columbia, the Governor of the Virgin Islands, or the Governor of the Canal Zone.

The Board may vary this procedure after an initial period of 3 years if it does not produce enough qualified applicants.

The provisions of title XII further provide that competitive examinations, which are to be developed by the Board in consultation with the non-Federal institution involved, are designed to test "the intellectual capacities and training of the applicant and his aptitude for service in the field of foreign relations."

Section 1206 provides that each student admitted to the Foreign Service Corps would be compensated for tuition, texts, laboratory fees, and associated course materials, and be eligible to receive subsistence payments established by the Board of Trustees.

Subsistence payments for a training month would be $130 for a single student member or a student legally separated, $175 for a married student member having a dependent spouse, and $250 for husband and wife student members who are living together. An additional $15 per training month would be paid for each dependent child of a student member, or a dependent other than his spouse or child.

In addition, the head of each Government department or agency would be authorized to select officers or employees who volunteer for the Foreign Service Corps to pursue studies or engage in research activities. Such individuals would be paid their regular salaries and be reimbursed for their necessary expenses, including travel expenses, and the expense of packing, crating, transporting, and temporarily storing, and unpacking household goods and personal effects. The officer or employee would also be reimbursed for the purchase or rental of books, materials and supplies, and all other services or facilities directly related to the education, training, or research or course of study while he is in the Foreign Service Corps.

Mr. President, this is not a simple student scholarship program. It would have the effect of completely revamping the Foreign Service Institute in the Department of State, and it has some very far-reaching implications.

It is my understanding that title XII was added to S. 3769 on July 11, 1968, in executive session and without a public hearing or comments from the Department of State. Moreover, the bill and the report thereon were not available to the Members of the Senate until late this morning.

In my opinion, title XII involves matters clearly within the jurisdiction of the Committee on Foreign Relations and I would hope that the Senate would agree to strike title XII so that the Committee on Foreign Relations and the Department of State would have an opportunity to examine the provisions with care.

I may add that a letter has been sent up by the Department of State regarding this bill. It reads as follows:

> JULY 15, 1968.
>
> Hon. MIKE MANSFIELD,
> *Majority Leader,*
> *U.S. Senate.*
>
> DEAR MR. MANSFIELD: The Department has recently been asked for a report on S-3700, a bill "To amend the Higher Education Act of 1965 in order to provide for a United States Foreign Service Corps."
>
> The Department has this under study and is interested in many of the ideas proposed in the bill. It does, however, make fundamental changes in both the organization of the Department of State and the method of recruiting future foreign policy officers for this and other agencies. For this reason, we believe this proposal needs very careful study before rendering a definitive opinion.
>
> We have just been informed that the provisions of this bill have been incorporated as a new title in the Higher Education Act (S-3769) which we understand is before the Senate for action today. We would feel that it would be unwise to proceed with action on this title at the present time, and would hope that the Senate would see fit to defer this title without prejudice to the rest of the bill until such time as the appropriate comment can be provided and the appropriate subcommittees can consider it.
>
> Sincerely yours,
> WILLIAM B. MACOMBER, Jr.,
> *Assistant Secretary for Congressional Relations.*

Mr. President, I appreciate the comments made by the distinguished Senator from Oregon, the chairman of the committee, and also, to some extent, agreed to by the distinguished Senator from Colorado.

I do not believe, with the hasty consideration the bill has had, it ought to be taken up at this time, particularly since it clearly invades the field of jurisdiction of another committee.

The Senator from Colorado agrees that the Foreign Service Institute probably is not properly involved. Certainly it is not properly involved. The Foreign Service Institute was set up under legislation handled by the Committee on Foreign Relations. It is a part of the general setup of the State Department, clearly under the jurisdiction of the Committee on Foreign Relations. Foreign Service officers, those who enter the foreign service field, the selection of them, the manner in which they are to be selected, the qualifications and everything pertaining to them, is under the jurisdiction of the Committee on Foreign Relations.

I feel that this particular version is shot through with matters over which the Committee on Foreign Relations has jurisdiction. Let me say to the Senator from Colorado that I have a great deal of sympathy with what the Senator is trying to do, but I believe that we should have an opportunity to study and consider it. I also believe that it would be only fair for the State Department—the department responsible for a great part of this—to consider it. I do not question the scholarship arrangement. I feel certain that it could be worked out. It is something, though, that we should have more time to study.

I wish very much that the Senator from Colorado would agree to take this out of the bill and I will give him the firm assurance that insofar as I am able to do it—and I am sure that the Senator from Oregon [Mr. MORSE] would do the same thing, I am sure that the Senator from Arkansas [Mr. FULBRIGHT], when he comes back, will do so, and the Senator from Montana, the majority leader [Mr. MANSFIELD]—all members of the Foreign Relations Committee will do so—that early in the next session we will give consideration to this measure and, I feel like saying, will work out something. I believe that there is enough good in it that we can work something out and I hope that the Senator from Colorado would agree to withdraw it from consideration at this time.

Mr. DOMINICK. Mr. President, I have some difficulty in trying to determine whether the Senator from Alabama is objecting to the U.S. Foreign Service Corps which is included in the pending bill on the grounds of the merits of the program.

Mr. SPARKMAN. Not at all.

Mr. DOMINICK. Well then, if he is not, then it depends solely on the question of whether the Parliamentarian was correct or was not correct in referring the bill to the Committee on Labor and Public Welfare. That, it seems to me, is a different question from the one we have been talking about before.

Let me say to the Senator from Alabama that if it will make it any easier for him in a jurisdictional way, I am willing to strike—even though I do not want to, because I think it is a prestige item—the words "Service Corps," and insert "U.S. Foreign Service scholarship program"—I am also willing to eliminate the Foreign Service Institute from the provisions of the bill, though I would prefer to retain it.

I say I do not want to delete the latter because I am advised informally, as I said before, that the Director of the Foreign Service Institute is favorably impressed with the bill. I am willing to make both of these changes, but I must say to the Senator from Alabama, without trying to be difficult on the subject, that this does provide for scholarships for students all over the country in qualified institutions of higher education of their own choice. It also provides assistance for people in agricultural, labor, transportation and numerous other Government departments and agencies to upgrade their qualifications for dealing in fields related to foreign affairs.

I do not see anything wrong with such an approach. As I say, I have developed this program by working with prominent educators across the country. Frankly, I was delighted to have some reasonably rapid action on it.

The statement of the Senator from Alabama that he has no quarrel with the merits of the program is most encouraging. If that is true, why in the world should we have a problem?

Reluctantly, I am willing to make these concessions if they would be of assistance in trying to solve some of the matters that we know the Foreign Relations Committee gets nervous about. I did not intend to infringe on the jurisdiction of the Foreign Relations Committee, and I believe my bill was properly referred to our Labor and Public Welfare Committee.

Let me give the Senator an example. The International Education Act of 1966 was before the Senate Labor and Public Welfare Committee and is extended today by this same pending legislation—S. 3769, the Omnibus Education Act of 1968. The International Education Act was enacted: "* * * to assist in the development of resources for international study and research, to assist in the development of resources and trained personnel in academic and professional fields, and to coordinate the existing and future programs of the Federal Government in international education, to meet the requirements of world leadership."

The act provides grants to establish graduate centers which will be national and international resources for research and training in international studies. I repeat that legislation has been handled by the Senate Labor and Public Welfare Committee. No jurisdictional objection was raised there. I do not see that that is really any different from what we have in front of us, to be truthful.

Mr. SPARKMAN. I raise no objection to it now, on the international studies; but this goes far beyond that.

For instance, let me pick one item at random here—just a reference:

> The board shall develop and support, as provided hereinafter, programs of education, training, and research in the field of foreign relations designed to prepare, or advance the qualifications of, members of the Corps for service with the United States in positions or programs related to such field.

Mr. DOMINICK. Let me say to the Senator that the Board does not prepare the programs. That section on the Board must be read in conjunction with the section on establishment of Corps programs. Together they provide that the Board authorizes scholarship recipients to attend qualified institutions of higher education and take curricula approved in advance through arrangements between the institutions and the Board.

Mr. SPARKMAN. The language is, "The Board shall develop and support, as provided hereinafter, programs of education"—that is on page 102.

Mr. President, while the Senator is looking that up, I want to call his attention to the fact that the term "foreign relations" is used 16 times in this title. It is shot through with "training," "activities," and "qualifications," and so forth, in the field of foreign relations. I believe that it has gone far beyond what should reasonably be expected.

With reference to the Senator's dropping out those portions, it would be most difficult, I think, to agree on the floor of the Senate, just how it could be remedied. Furthermore, I feel that we should have more time to consider all of it. Remember that this was added, as I understand it, in executive session only last Thursday, without hearings on it, and without the opportunity for anyone to know just what it did provide for.

Of course, it sounds good. It is very difficult to pick out any particular part to which one would object on the basis of its merits; but, on the other hand, we have not had the opportunity to examine it on its merits. That is what the State Department has suggested in the letter to the majority leader, the Senator from Montana [Mr. MANSFIELD], which I read into the RECORD a few minutes ago. I think that it would be entirely reasonable to defer this until the first of the year, and, I repeat the promise I made a few moments ago that insofar as I can do it, I should be very glad to give top priority to this measure in the Committee on Foreign Relations.

I mentioned the Senator from Montana [Mr. MANSFIELD]; also the Senator from Arkansas [Mr. FULBRIGHT], who is not here, and who is, of course, the chairman of the committee. I am next, then the Senator from Montana [Mr. MANSFIELD] is next, and then the Senator from Oregon [Mr. MORSE] is next. Three of the ranking members of the Foreign Relations Committee are now in the Chamber, and I feel that they would join me in giving that assurance to the Senator from Colorado.

Mr. DOMINICK. Let me say to the Senator from Alabama that if he is concerned over the term "foreign relations," I would be happy to accept an amendment proposing it be redesignated as "governmental overseas service." All we are trying to do is to cut it down. I have the feeling that the committee and the State Department, have confused the scholarship program of this bill with other bills which have had to do with a foreign service academy.

Mr. SPARKMAN. No. They have not gotten this confused with the academy bill. In fact, they have not had it long enough to get it confused with any bill.

The bill was just introduced on June 26, I believe.

Mr. DOMINICK. That is correct.

Mr. SPARKMAN. June 26.

Mr. DOMINICK. Academy bills have been in the Foreign Relations Committee for years.

Mr. SPARKMAN. Action was taken by the Education Subcommittee on July 11, just last Thursday, adding this particular provision to the bill.

Mr. President, I would like to say something else, too. We have kindred bills that have been introduced and are pending. Some of them have just been introduced in the last few days. Those bills, pending before the Foreign Relations Committee, seek somewhat similar programs—not the same, but they do seek some kind of research and study program in the preparation of people designed to qualify them for foreign service.

Mr. DOMINICK. Do I gather from the statement of the Senator from Alabama, then, that he thinks the program is good——

Mr. SPARKMAN. The Senator from Colorado understands that when I say that, I mean it reads well, in general; I would approve the principle; but when it comes to the details, I want to make it clear that we have not had an opportunity to study it and work it out.

Mr. DOMINICK. I have offered to change the term "Foreign Relations," if that phrase seems troublesome to the Senator from Alabama. I have offered to remove the term "Corps," even though the Labor and Public Welfare Committee handles the Teachers Corps. I have even offered to take out the section regarding the "Foreign Service Institute," so it will not be affected. I understand even though I am willing to do this that the Senator is still opposed to the bill.

Mr. SPARKMAN. It seems to me it is too interwoven in the whole title to hope to remedy it here on the floor of the Senate. I wish the Senator from Colorado would agree to postpone it until January. I assure him I will do everything I can to get quick action on it.

Mr. DOMINICK. On the procedural situation, this provision is a part of the pending bill. If the Senator from Alabama wants to make a motion to strike, he will have to do it, because I do not propose to delete it.

Mr. SPARKMAN. Well, I shall be glad to do that. I was hoping it might be agreed to.

Mr. DOMINICK. I cannot agree with the Senator from Alabama that a scholarship program, an educational program, even though it involves training for overseas service, should come within the jurisdiction of the Foreign Relations Committee. I do not think it belongs there.

Mr. SPARKMAN. The qualifications, selection, training, and employment of Foreign Service officers certainly all come within the jurisdiction of the Foreign Relations Committee.

Mr. DOMINICK. Despite the similarity of names this is not a program designed for the purpose of selecting Foreign Service officers. Foreign Service officers, either existing or potential, could apply for training just as other Government employees, and students. But their entrance into that specialized group known as Foreign Service officers is left where it is now. The bill gives individuals an opportunity for educational qualifications from all over the country. From that point on, the selection, the work they are going to do, depend on the agency of Government for which they are going to work.

Mr. SPARKMAN. Is it not true that under the provisions of the bill the students selected who are to be put through school are entitled to go into the Foreign Service without further examination or testing of their qualifications?

Mr. DOMINICK. No; it is not. We have 22 times as many civilian Government employees working abroad as we have Foreign Service officers. That type of service abroad must be distinguished from the specialized Foreign Service officer.

Mr. SPARKMAN. What does this mean in the report? Listen to the report——

Mr. DOMINICK. They have to take a Foreign Service examination, just like everyone else.

Mr. SPARKMAN. Here is what the report says: "Thereafter he would be appointed as a Foreign Service officer by the Secretary of State, without the examination provided in 22 United States Code 911–912."

That certainly is, in effect, setting aside a provision in law that was enacted under the jurisdiction of the Foreign Relations Committee.

Mr. DOMINICK. That is a very, very limited provision. It is found in section 1209(b) of the bill, starting at page 115.

What this really says is that a very small proportion of the group will get graduate degrees. They are then eligible to be assigned in the discretion of the Board for 1 year of specialized study in a foreign country or area in which they may later be assigned for Government service. Only upon satisfactory completion of the specialized study, which is, of course, within the department or agency to which the student is assigned, he would be entitled to go into Foreign Service.

Mr. SPARKMAN. Without the examination.

Mr. DOMINICK. Without the examination; that is right for only a portion of the graduate students which, in turn, form only a small part of the program.

Mr. SPARKMAN. That is what I just said. None of the regular appointees have that privilege. They are not given the privilege of a year's overseas study to prepare them for the test and then are exempted from the test. Every other one has to take the examination and then his name has to be submitted to the Foreign Relations Committee for confirmation of his appointment. This provision completely takes out that requirement.

Mr. DOMINICK. Because of my interest in moving ahead and in meeting the objections of the Senator, I am willing to consider deleting the waiver authority, even though I believe it to be carefully limited.

Mr. SPARKMAN. I would be very happy to go along with the Senator if he would move to strike title XII.

Mr. DOMINICK. That is what I thought the Senator was going to say. I am afraid I could not agree with that. All I am saying is that, if the waiver provision is a source of concern, we can strike that portion of the subsection. After all, few people are going to be involved. They are going to be graduate students. They have to be assigned for a year to an area. They have to comply with the directions of the agency. From then on, they go into the Foreign Service.

With all the concessions I am willing to make, and with the Senator stating he thinks this is basically a good program, what he is in effect saying is that the Education Subcommittee should not have jurisdiction over this matter; the Foreign Relations Committee should have. The Parliamentarian has already ruled that this is an education bill and should go to the Education Subcommittee.

Mr. MORSE. Mr. President, I just stepped over to ask the Senator from Alabama not to make his motion to strike title XII until I had an opportunity, as manager of the bill, to make a few comments on the parliamentary problem that confronts us. I am sorry to take the time, but I think it is important that I take the time, because of the parliamentary issue that has been raised.

The Senator from Colorado [Mr. DOMINICK] is a very valuable member of the Committee on Labor and Public Welfare and of my Subcommittee on Education. I know what this particular program means to him from the standpoint of his interest. Senator DOMINICK has been active in this field for the past several years. I think it was 2 or 3 years ago that he was taking the approach to this problem from the standpoint of a Foreign Service Academy.

As he has pointed out, this provision does not encompass the Foreign Service Academy program. It has some aspects of it, in respect to the training of young men and women who are interested in Foreign Service in various fields.

As I said this morning—and I do not think it has been pointed up very much in the colloquy between the Senator from Alabama [Mr. SPARKMAN] and the Senator from Colorado [Mr. DOMINICK]—this proposal of Senator DOMINICK is not limited to diplomatic foreign service at all, but seeks to train people for work abroad in many fields, including agriculture, business, foreign trade, and labor problems as between labor policies in our country and labor policies abroad.

There is not any doubt about the complete fairness of Senator DOMINICK in presenting his bill as an amendment to the higher education bill, in the subcommittee and later in the full committee. It is quite true that it was done just last Thursday. In fairness to the members of the full committee, I think it should be said that in the discussion of Senator DOMINICK's proposal, we pointed out that we thought we would have problems with it on the floor, and we thought jurisdictional questions might be raised, and the point of no hearings would be discussed, but I stated that, because of Senator DOMINICK's fine work in this field, I did not think there would be very serious contention on the floor of the Senate as to the desirability of the objectives of the bill.

As far as the students involved are concerned, we decided to accept the proposal as an additional title XII of the Higher Education Act of 1965 and take it to the Senate for the discussion that would take place on the floor, which we are now having.

I feel that I have a responsibility as the manager of the bill that supersedes my responsibility to the proponents of any section of the bill, because I want the best bill passed today that we can get passed, and that we have a good chance of getting through conference.

I would have to say, as a member of the Committee on Labor and Public Welfare and as a member of the Committee on Foreign Relations, that we are in a weak position, on our committee, in regard to the fact that the bill did not have hearings before our committee, and that the bill was introduced at a late date, although the Senator from Colorado has been pressing for consideration of this subject matter not only this year, but in previous years.

I would also have to say, as the manager of this bill and as a member of the two committees I have mentioned, that, with objections of the State Department to the bill, I think it is only fair that the State Department should be heard in regard to the subject matter. I think, with this kind of objection raised on the floor of the Senate, with a bill of such great consequence as this, that I would have to follow my longstanding record here in the Senate of urging hearings, and that we try to work out an accommodation for the hearings at an early date, which would mean next session.

But the question of jurisdiction has been raised. I completely agree with the Senator from Colorado that as far as scholarships in the field of foreign service are concerned—and by that I mean foreign service in its broad connotation of training, of giving an opportunity for college students in this country to select an institution for graduate work, in a field of international affairs, relations, service; whatever you want to call it it means the same thing at the end—to assist young men and women who say, "We want to take graduate work so that we can qualify ourselves for careers in any one of a great number of activities abroad," that that matter falls within the jurisdiction of the Committee on Labor and Public Welfare. It deals with educational scholarships. It does not deal in any way with interferences with the State Department. I quite agree, as Senator SPARKMAN has pointed out, that any bill that would put somebody in the diplomatic foreign service without jurisdiction of the State Department, without examination by the State Department, or without confirmation by the Senate Foreign Relations Committee, would be a provision of the bill that would have to be changed. That is one of the things that hearings would bring out.

But I wish to dwell for a moment on the jurisdictional question. I do not think the jurisdictional question shall be decided here on the floor of the Senate this afternoon. I do not think the jurisdictional question should be decided until we have had a much more thorough investigation of the subject matter; because, once the jurisdictional question is decided, that is likely to be the end of the matter for quite some period of time, because the Senate is not in the habit of reversing itself on jurisdictional questions.

The only way the Senate could take jurisdiction away from the Committee on Labor and Public Welfare would be to reverse the Parliamentarian, and that would be up to the Senate as a whole. The Parliamentarian ruled when he sent the bill to the committee.

But here, may I say, if you put all technicalities aside and go to the substance of the matter, this is the kind of situation that would be best resolved as information about it develops through hearings.

Let me use this case as my hypothetical: Let us assume that instead of acting on this matter as an amendment to the higher education bill without hearing—which is what the committee did, knowing full well that when we got to the floor of the Senate, a question might be raised, with the understanding that then we would change our course of action on the floor of the Senate if we thought it should be changed, and I think it should—the committee had held hearings; what would have happened in those hearings?

The Committee on Foreign Relations, hearing of the matter, would raise a question with the chairman of the Committee on Labor and Public Welfare. There would be a consultation between them.

I believe some aspects of this bill involve mixed jurisdiction, though the Senator from Colorado may not agree. There are some aspects of the bill as presently worded that in my judgment would fall within the jurisdiction of the Committee on Foreign Relations. But not the scholarship aspects of it. I wish to say that the scholarship aspects of this bill are as clearly, in my judgment, within the jurisdiction of the Committee on Labor and Public Welfare as was the International Education Act. I took the International Education Act through the Senate. I reported that bill as a member of the Committee on Labor and Public Welfare.

Clearly, the education bill falls within the jurisdiction of the Committee on Labor and Public Welfare. It is a strict and straight scholarship bill in the field of foreign service, when we keep in mind what I am talking about. I am talking about foreign service not only as it gives people a chance to study within a curriculum that is offered in an institution in regard to diplomatic service, but also in regard to all the rest of the broad spectrums that I have outlined—agriculture, labor, business, foreign trade, and everything else than can be encompassed within the concept of foreign service.

When we take into account the scholarship aspects, there is no doubt, in my judgment, that the bill falls within the jurisdiction of the Committee on Labor and Public Welfare. But the bill provides for more than that. Although the Senator from Colorado [Mr. DOMINICK] makes distinctions, I submit that the bill still provides for more than that. It is a bill that sets up a new commission or a new group, including the Secretary of State and other executive officials, and Members of the Senate and House. It provides broad powers and quite sweeping jurisdiction. It has some of the aspects, or will be interpreted as having some of the aspects or some of the characteristics of an academy bill. It is a proposal which I think ought to be hammered out in hearings, and we have not had such hearings.

In view of the fact that objections have been raised, and we have a letter from the Department of State objecting to the bill in its present form, we ought to hold hearings. I think that what ought to be done is to have the Senate agree to the withdrawal of title XII, in its present form, from the bill, and to substitute nothing for it, or to make a substitution that I shall mention in a moment.

But first, I say, I think that the majority leader, the minority leader, the chairman of the Committee on Foreign Relations [Mr. FULBRIGHT], and the chairman of the Committee on Labor and Public Welfare, come next January, ought to see what accommodation they can make among themselves as to how the subject can be handled. I think there can be a clear division of jurisdiction. I do not think the Committee on Labor and Public Welfare should ever yield on the scholarship issue. I say clearly that if I am reelected and I serve as chairman of the Committee on Labor and Public Welfare next year, I shall do everything within my power to insist on what I think are the jurisdictional rights of that committee over scholarships and fellowships.

I do not believe that the Department of State, the Department of Defense, the Department of Commerce, or any other department can ever make a case whereby it can insist that the Committee on Labor and Public Welfare should relinquish jurisdiction over the educational features of scholarships. But the proposal goes beyond that, as I have said. I think we shall have to work out an accommodation, come next January.

The Senator from Colorado has already indicated that that will not meet with his approval. But I plead with him to give us the benefit of the doubt. I am not speaking for the other members of the Committee on Labor and Public Welfare; I speak only for myself as chairman of the Subcommittee on Education. I do not think the Senate should go to a vote this afternoon either on the question of jurisdiction or on the substance of title XII as it is at present in the bill.

I think we ought to agree to its withdrawal. If we go to a vote, I think it is perfectly obvious—and the Senator from Colorado will have to give me the benefit of any doubt he has—since I have checked enough on the floor of the Senate, that we will go to a vote, but we will strike it anyway.

I do not think that would put us in the position we ought to be in come January when we try to carry out the suggestions I have made that the leadership of the Senate and of the two committees get together to make an accommodation.

I think there is one way out, if we want to take it. I have asked to have an amendment offered.

Mr. DOMINICK. Mr. President, will the Senator yield?

Mr. MORSE. I shall yield in a moment.

I think the only way we can resolve the matter so that there can be no question that we are within the jurisdiction of the Committee on Labor and Public Welfare would be to eliminate the language we have in title XII and simply provide for some straight scholarships to be administered by the Department of Health, Education, and Welfare, make them available to universities where the students apply for those scholarships to matriculate in an international relations training program.

We have all sorts of scholarships for every other matter. We could do that for now and take the number of scholarships that the Senator from Colorado has in mind in regard to the bill, or a lesser amount, and just adopt a simple scholarship amendment, and then leave the broader problem for determination next January.

My preference, may I say, because I do not think we would have much of a chance to get it adopted in conference anyway—and my experience has been very educational, I think. My recommendation would be to withdraw this section from the bill and consider it anew come next January.

As far as I am concerned, if I am on the committee next January, I can give the Senator from Colorado my assurance that I will schedule early hearings on any bill that he will resubmit that will meet the test of jurisdiction of my committee.

And I assure the Senator that I will sit down with the chairman of the Foreign Relations Committee and with the leadership of the majority and the minority and see if we can resolve the matter at that time without getting ourselves into what I think would be an unfortunate course of action here this afternoon.

Mr. DOMINICK. Mr. President, I suggest the absence of quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. DOMINICK. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. DOMINICK. Mr. President, I believe this debate has been fruitful. Among other things, it has pointed out pretty clearly that this is designed to be a scholarship and educational program. It was not designed to interfere with the jurisdiction of the Committee on Foreign Relations. However, I seem to be unable to convince the distinguished Senator from Alabama, and I do not see any point in going down in flames with respect to a good program.

With the assurances I have received from the Senator from Alabama and the Senator from Oregon for hearings next year on this program; with the opportunity, perhaps, to bring in the people to support this program who, I know, are in favor of it—and they are very fine educators—with great reluctance and with a considerable degree of feeling that we are moving backward instead of forward, and recognizing that I do not have the votes to win in this matter, I therefore move that title XII of this bill be deleted.

Mr. JAVITS. Mr. President, will the Senator yield before the vote on that?

Mr. DOMINICK. I yield.

Mr. JAVITS. I should like to tell the Senator that I believe he is doing the right thing. But I did not rise for that purpose. I rose to pledge him my support, to assure him that I believe this is a fresh, intelligent, and creative approach to a very great problem in American foreign policy, and to express the hope that he will, as he said, see that this child prospers and grows.

I believe he is being very wise in not jeopardizing, in a jurisdictional difference, what is a serious, important, and extensive program of great consequence to our country. I certainly wish to assure him that, as the ranking minority member of this committee—or wherever else I may be next year—I shall help him in this program.

Mr. DOMINICK. Mr. President, I thank the Senator from New York, who has been a great help.

I have been working on this type of program for well over a year now, with as much advice and consultation as I could get from people all over the country.

I regret that the words "foreign relations" seem to mean only one thing to the State Department. I have always thought the term encompassed a great number of things. Apparently, the State Department gets a fixation on certain words, and they cannot see any other meaning.

Mr. MORSE. Mr. President, will the Senator yield?

Mr. DOMINICK. I yield.

Mr. MORSE. Mr. President, I associate myself with every word that the Senator from New York [Mr. JAVITS] has spoken.

I rise, also, to thank my colleague on the Committee on Labor and Public Welfare and on my subcommittee for his cooperation. I know how dear and close this program is to his heart; and I want him to know, as I said in committee, that I completely agree with the objectives the Senator has in mind. I pledge to him anew, come January, if I am in the Senate, that I will do everything I can to help him get early consideration of this program, and will enlarge it in any way the facts will justify our enlarging it.

I thank the Senator for his suggestion that we withdraw title XII of the bill.

Mr. DOMINICK. Mr. President, I appreciate what the Senator from Oregon has said. He has been most cooperative all the way through, and I know how hard he has fought to keep educational matters within the Education Subcommittee.

Mr. CARLSON. Mr. President, will the Senator yield?

Mr. DOMINICK. I yield.

Mr. CARLSON. Mr. President, I appreciate the decision that the Senator from Colorado has made in regard to requesting the withdrawal of this title of the bill from action by the Senate at this time. As a member of the Committee on Foreign Relations, I would have felt compelled to vote against it although the amendment does have much merit. It should have consideration and further study by the Senate Foreign Relations Committee, and I know the committee will give every consideration to this problem in the future because it is meritorious. We do need to make some studies in regard to the personnel who represent us in the international field. The Senator from Colorado [Mr. DOMINICK] has for years stressed the importance of special training in this field and the Senate, the Congress, and the Nation is indebted to him for this presentation.

I sincerely hope that next year the distinguished Senator will have not only a hearing but also a favorable response in this matter.

Mr. DOMINICK. I thank the Senator.

Mr. President, I, for one, am a little tired of the State Department thinking they have an empire of their own in which they can select everyone, through their own system, without anyone else having an opportunity to get into fields related to foreign relations, directly or indirectly, unless they come out of selected institutions. By concentrating on a certain number of colleges, they have only one viewpoint in the State Department. Unless and until we can get diverse education from colleges and universities around this country, and these people can go into fields related to foreign relations, we will continue to go downhill with the State Department.

I have fought this battle for 8 years, and I will continue to fight it.

I appreciate the consideration of the Senator from Oregon, the Senator from New York, and the Senator from Kansas.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Colorado to strike title XII of the bill.

The motion was agreed to.

The PRESIDING OFFICER. The bill is open to further amendment.

Mr. MANSFIELD. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. MORSE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MORSE. Mr. President, I understand that the Senator from Indiana has an amendment.

Mr. HARTKE. Mr. President, I send to the desk an amendment.

The PRESIDING OFFICER. The amendment will be stated.

The legislative clerk proceeded to read the amendment.

Mr. HARTKE. Mr. President, I ask unanimous consent that further reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered; and, without objection, the amendment will be printed in the RECORD.

The amendment is as follows:

On line 20 of page 51 delete "1970" and substitute "1969"; on line 21 delete "1971" and substitute "1970"; on line 22 delete "1972" and substitute "1971".

Mr. MANSFIELD. Mr. President, will the Senator yield?

Mr. HARTKE. I yield.

Mr. MANSFIELD. Mr. President, I ask for the yeas and nays on passage of the bill.

The yeas and nays were ordered.

Mr. HARTKE. Mr. President, education is the key that opens the door of opportunity for our young people. All of the distinguished Members of the Senate understand how important it is that higher education be improved and strengthened.

With the able and remarkable leadership of the distinguished Senator from Oregon, the Senate Subcommittee on Education has brought to us valuable measures for strengthening education nationally.

I believe that we should attach special importance to their wise proposal that cooperative education programs be expanded in colleges and universities.

Our young people need the experience of alternating full-time educationally related jobs with their classroom studies.

In a statewide Indiana conference a year ago, I learned personally from 265 industry, business, and educational leaders of the great need for expanding cooperative education.

The facts show that the jobs these students can fill gives them income for their costs of higher education. The taxes that they pay on the increased income that students will earn from their cooperative education jobs made possible by this legislation will more than repay the Federal Government the cost that is involved in starting these cooperative education programs.

I note that the education committee of the House of Representatives has fully recognized the practical value of expanding cooperative education. They are proposing also that the House approve the same amendment to title IV of the Higher Education Act of 1965 that is our privilege to act upon today, and pass, I am sure.

However, I would hope that the Senate would decide to have this program for expanding cooperative education begin in fiscal 1969 rather than delaying it to 1970. The bill before the House provides that this needed practical educational program should begin in fiscal 1969—and I believe that the Senate should concur in getting this program started in fiscal 1969.

It is for this reason I have offered the amendment which would only change the effective date and substitute June 30, 1969, for the present date of June 30, 1970, and make appropriate calendar changes for subsequent years.

I also point out that it is a 3-year program and is not the 5-year program of grants that was originally proposed by the distinguished Senator from California [Mr. KUCHEL] and myself, and cosponsored by many other Senators.

Mr. President, I have discussed this measure with the distinguished Senator from Oregon, the manager of the bill. I understand his objection. Perhaps he would care to comment at this time.

Mr. MORSE. Mr. President, I am reluctantly constrained to oppose the amendment offered by the Senator from Indiana. I can well appreciate the earnest concern to get this program moving as fast as possible. I share his concern because I, too, feel that it has tremendous potentialities. However, I oppose it on behalf of the committee on the following grounds:

First. It would violate an understanding reached in committee that no new programs would be operationally funded prior to fiscal year 1970.

Earlier today the Senator from Ohio [Mr. LAUSCHE] and I talked about this matter, as he asked me questions. It was pointed out that because of fiscal problems that confront us in this country we think it important to go ahead and get programs authorized, but that they be implemented in 1970, with $1,700,000 authorized in fiscal 1969, so that the necessary planning and arrangements for getting the program set up in 1970 could be completed by then so we can proceed with the program in 1970.

Returning to the reasons why I oppose the amendment offered by the Senator from Indiana:

Second. I would point out to the Senator that because of the unique characteristics of the program $500,000 for research and training is provided for fiscal year 1969, thus enabling personnel to be available when the operational funds are available for fiscal year 1970.

Third. I would suggest to the Senator that since the matter is one which will inevitably to be discussed in conference, it would be premature at this time to remove from the conference agenda one item which ought to be considered as part of a package agreement by locking that item into the bill with preferred status.

I hope the Senator will not wish to take from the Senate conference the bargaining position that it now has on this and other items.

Therefore, I request that the Senator withdraw the amendment.

Mr. HARTKE. I understand and I do appreciate the program which is included for research and training and the possible creation of the basic structure of this program, is available in the sum of $500,000.

I would point out that this is probably a self-liquidating program and the earnings of the individuals are taxable, which would make it possible for almost the entire cost of the program to be liquidated.

In deference to my friend and capable leader, with the understanding that the action of the committee is not binding on the conference in regard to final disposition of the bill, I respectfully withdraw the amendment and hope the committee will give consideration to the arguments I have raised.

Mr. MORSE. I thank the Senator very much.

The PRESIDING OFFICER. The amendment is withdrawn.

Mr. LAUSCHE. Mr. President, I would like to propose a few questions to the manager of the bill. This morning we discussed table 2, dealing with new programs. These new programs will not be put into operational effect until 1970 and no moneys have been authorized for appropriation except the moneys needed to do the preliminary work.

Mr. MORSE. That is the $1.7 million.

Mr. LAUSCHE. That is correct. This morning we talked about an error in table 2, which states that the figures are in thousands. How much will the full program that will be put into operational effect in 1970 cost as distinguished from the $1.7 million authorized for preliminary work?

Mr. MORSE. In round numbers, $52,152,000.

Mr. LAUSCHE. That is for 1970. For 1971 the new program will cost $99,902,000.

Mr. MORSE. The Senator is correct.

Mr. LAUSCHE. Or the authorization will be that amount. In 1972 it will be $86,402,000.

Mr. MORSE. The Senator is correct.

Mr. LAUSCHE. These figures, running close to $100 million for 1971 and 1972, compare to an authorization of $3 billion for the existing program.

Mr. MORSE. Before I answer, the Senator would have to subtract title XII, which is the title we just dropped, which means $15 million for 1970, $80 million for 1971, and $80 million for 1972. That amount would be reduced.

Mr. LAUSCHE. Title XII was the Dominick proposal.

Mr. MORSE. Yes. So the 1970 figure of $52 million, in round numbers, would be $15 million less; the 1971 figure of $99 million, in round numbers, would be $30 million less; and the 1972 figure of $86 million would be $30 million less.

Mr. LAUSCHE. I thank the Senator. There is one further subject I wish to inquire about. In the report there is an indication that discussions were had about placing conditions in the bill that would have to be met by colleges in taking disciplinary action appropriate to the wrongs committed in riots and dissensions that occur in the colleges.

My question is, Was there any amendment offered as to the means under which control would be exercised in the assignment of the moneys if and when the college did not take disciplinary action?

Mr. MORSE. What we did in essence was to adopt language which placed the full responsibility upon the institution to handle its disciplinary problems.

Mr. LAUSCHE. The report states that the committee members concluded the best place to put the responsibility was in the individual college.

Mr. MORSE. The Senator is correct.

Mr. LAUSCHE. But my question is, Was there any amendment offered which would put teeth in withholding funds after they have taken adequate action.

Mr. MORSE. I think that a direct answer to the Senator is that we discussed a number of proposals but none was offered. It was the concensus of opinion that we should follow the course of action we followed, in placing the burden squarely on the backs of the colleges. The general argument was that we should avoid trying to run the universities for them by an assumed Federal jurisdiction.

Mr. LAUSCHE. Yes. The Senator's recollection is that no amendment was offered providing for proper discipline, or the moneys would be withheld?

Mr. MORSE. Not offered formally.

Mr. LAUSCHE. But it was discussed?

Mr. MORSE. Several of them were discussed, yes.

Mr. LAUSCHE. I think that is all. I thank the Senator.

Mr. BYRD of Virginia. Mr. President, the bill before the Senate amends the Higher Education Act of 1965. It amends the National Defense Education Act of 1958. It amends the National Vocational Student Loan Insurance Act of 1965. It amends the Higher Education Facilities Act of 1963. It amends the Economic Opportunity Act of 1964 and, to quote the title, "and related acts"—whatever they are.

The bill contains 122 pages. It became available to Senators at 10:30 a.m. today.

The committee report contains 285 pages. It, too, became available at 10:30 o'clock today.

The committee hearings total 6,584 pages, and they became available to Senators at 10:30 o'clock today.

The amount of money involved is $14 billion over a 4-year period.

Mr. President, I readily admit that every other Member of the Senate is smarter than I am, but I am not able completely to comprehend a 122-page bill and a 6,000-page committee report in a matter of a few hours.

Perhaps it is a good way to legislate. I happen to think, though, that it probably is not.

But if the Senator from Oregon would be willing to permit me to ask him a few questions, perhaps I shall have a better understanding of the bill in a short period of time.

Mr. MORSE. I shall be very glad to do that but would the Senator first permit this observation: I quite agree that this is not the most desirable way to legislate. I wish we were not in the position where we really have no other choice in the dying days of this session of Congress.

I give the Senator my assurance that I did everything I could to try to get the matter before the Senate at an earlier date. But I am dealing with 98 Senators who are equally as busy as I am. We had a great problem, at times, obtaining a quorum in order to act properly.

Interestingly enough, the members of my Subcommittee on Education are also chairmen of six other subcommittees and they have their problems, too. But I give the Senator this assurance: Our hearings were long and intensive. In all my years of service in the Senate, I have never seen a committee staff do as thorough and accurate a job as did the committee staff on this bill. The Senator may be assured that when we marked up the bill, we went into it in great detail and came out with a unanimous vote—which speaks pretty well for any Senate committee.

I am pleased to present the bill to the Senate today and the record on which it is based, with my assurance that it is a bill decidedly in the public interest.

Now, I am happy to do everything I can to answer the Senator's questions.

Mr. BYRD of Virginia. I thank the Senator from Oregon.

Let me say, first, that it was not my intention to criticize the Senator from Oregon.

Mr. MORSE. I know the Senator did not. Let me say that counsel for committee just said to me we also found ourselves in a situation where the old programs expired on June 30, and we had to go ahead with the bill.

Mr. BYRD of Virginia. I find that as an individual Member of the Senate, it is difficult to act logically and intelligently on a vast piece of legislation like this, which is so important—and education, of course, is of vital importance to the people of this Nation—in the short period of time available; so I am glad the committee has gone into this so thoroughly, because the Senate will have to rely a great deal on the committee.

On page 9—and elsewhere, too, but page 9 serves the purpose, I think—1972 is stricken out and 1976 inserted in lieu thereof.

Mr. MORSE. Is this the bill or the report?

Mr. BYRD of Virginia. This is the bill itself, on page 9. It strikes "1972" and inserts in lieu thereof "1976".

Is it the intent of this legislation to authorize 8 years in advance?

Mr. MORSE. No. This is a 4-year extension in this part of the student loan program. It continues until 1972, and this is an extension of the present program beyond 1972, to 1976.

Mr. BYRD of Virginia. Then is not the Senator from Virginia correct that it is an authorization extending for a period of 8 years from the present time?

Mr. MORSE. We already have it authorized for 4 years, but it will cover a total of 8 years. The Senator is correct, if that is what he means.

Mr. BYRD of Virginia. All the way through the bill "1976" is inserted in lieu of "1972"; so that we are extending the programs, whatever they may be, for a period of 4 years beyond 1972, or 8 years from today; is that not correct?

Mr. MORSE. It is correct.

Mr. BYRD of Virginia. I am not arguing against 1976. I do not have the information. I do not know enough about it to argue that it should not be 8 years. But it seems to me that when the Senate in so many speeches which have been made in this Chamber from time to time, is saying that we are giving so much power to the Executive, and the Executive is taking so much power, why in the world do we want to authorize programs for 8 years beyond the period we are in now?

Mr. MORSE. If the Senator will permit me to read from page 60 of the committee report, that may shed some light on the question.

I read as follows:

> *Section 107(a). Extension of title IV–B (insured loans to students)*
>
> Subsection (a) of this section would extend for 4 years (i.e., through fiscal year 1972) the authorization for Federal insurance of student loans. During this period there would be no statutory dollar ceiling on the amount of new loans that may be so insured unless a limitation is hereafter specified by law.
>
> Subsection (b) of this section would amend paragraph (4) of section 428(a) of the act to extend for 4 years the terminal dates for making student loans on which the Commissioner may make payments to reduce student interest costs under the insured loan program.

The testimony of the bankers and others was that we need that period of time in order to work out their programs for the loans. Once a student has been given a loan in his first year it becomes necessary to carry him in all probability for each of the remaining years of his undergraduate training. That is why for such cases when the initial loan is made in 1972 authority must be given for the succeeding years to complete the obligation we assumed.

Mr. BYRD of Virginia. I thank the Senator from Oregon.

Now, on page 50 of the bill——

Mr. MORSE. What page is it?

Mr. BYRD of Virginia. Page 50.

At the bottom of page 50 of the bill, section 231, reads:

> The second sentence of section 143(b)(1) of the Economic Opportunity Act of 1964 . . . is amended by striking out "(D),".

Could the Senator enlighten me as to what we are striking out in that respect?

Mr. MORSE. I will get section (D) for the Senator in a moment.

I read from page 71 of the report, part D, work-study program:

> *Section 231. Inclusion of proprietary schools in the work-study program*
>
> The amendments made by this section to the college work-study program would enable the Commissioner to make grants to proprietary schools which otherwise qualify as an "institution of higher education" to conduct work-study programs whereby students could be employed by public or other nonprofit institutions to perform work in the public interest. In other respects, the same limitations governing work-study programs of other institutions of higher education would be applicable.

It makes the work-study program available to students in proprietary schools.

Mr. BYRD of Virginia. I thank the Senator.

I refer to page 51 of the bill, section 232, midway on that page:

> Section 144(f) of the Economic Opportunity Act of 1964 is amended by striking out all that appears after "90 per centum". . . .

That is in the Economic Opportunity Act.

Mr. MORSE. The Senator may recall that last year, toward the end of the session, we were confronted with the request from the House that we increase the 75-percent contribution by the Federal Government to 85 percent, because Congress had previously changed the 90–10 formula to 75–25. The House asked for a special bill on this matter, because it was found the action we had taken was working to the great injustice of some of the small schools. My recollection now is that one of them was a YMCA college in Chicago. There was also a group of private schools that just did not have any funds to make the 25-percent matching formula, and they were going to have to do away with their work study programs, which meant they were going to many of their students.

We had a quick hearing on the problem before the committee. We brought the bill to the floor of the Senate. I remember a conversation I had with the Senator from Montana [Mr. MANSFIELD] and the Senator from Illinois [Mr. DIRKSEN] because of the emergency nature of it. We agreed to 85–15. The RECORD will show I said at that time we were going to recommend next year going back to 90–10. We had changed it to 85–15 in conference from the 75–25 formula. The House committee members assured us that they were going to go back to 90–10, but all they could do at that time was go to 85–15, in order to get the action they thought could be taken, and that they would have a hearing next year—which is this year. We have gone back to the 90–10 for the work-study program, so the small schools can stay in the program.

Mr. BYRD of Virginia. In other words, it was changed from 85 to 90 percent?

Mr. MORSE. That is correct.

Mr. BYRD of Virginia. I thank the Senator.

On page 58 of the bill, about midway down the page, the bill discusses the new Commission and it sets the per diem rate at not exceeding $100 per diem. Is that the customary figure?

Mr. MORSE. That is the customary rate.

Mr. BYRD of Virginia. I thank the Senator.

On page 59, section 252 reads:

> No grant, award, or loan of assistance to any student . . . shall be considered a duplication of benefits for the purposes of section 1781—

And so forth.

Mr. MORSE. That is a provision for veterans benefits. We found a discrimination against veterans, and we eliminated that discrimination.

Mr. BYRD of Virginia. I thank the Senator.

Could the Senator explain briefly the "adjustment of cost-of-education allowance" on page 61 and what it means?

Mr. MORSE. I beg the Senator's pardon. I did not get the last part of his question.

Mr. BYRD of Virginia. Could the Senator explain briefly what the section on page 61, captioned "Adjustment of Cost-of-Education Allowance," means?

Mr. MORSE. I read from page 73 of the report:

> *Section 256. Adjustment of cost of education allowance*
>
> This section would amend section 525 of the Higher Education Act of 1965 and section 404 of the National Defense Education Act of 1958 to provide for payment to institutions of higher education operating fellowship programs, of an amount consistent with prevailing practices under similar federally supported programs. This amendment would eliminate the current statutory dollar limitations in those sections on such payments.

So it brings them into line with the practices that prevail in other programs.

Mr. BYRD of Virginia. I now refer to page 62 of the bill, "Modification of Federal Share Provision," under "Community Service and Continuing Education Programs." I understand that provision changes the present formula from 50 percent to a new formula of 75 percent.

Mr. MORSE. The Senator will find the explanation on page 73 of the report, which I read:

> Subsection (a) of this section would amend section 106(a) of the Higher Education Act of 1965, to provide that the Federal share of costs of State plans under this program, which dropped to 50 percent after fiscal year 1967, will again be 75 percent for fiscal years 1969 and 1970, and will drop to 65 percent for the fiscal year 1971 and 60 percent for the fiscal year 1972.
>
> Subsection (b) provides that the amendment made by subsection (a) shall be effective with respect to grants awarded after the enactment of this act.

The testimony from State witnesses, and particularly those from small and poorer States, showed that an increase in this allowance was needed in order to prepare their State plans. In many States with a small population, many small schools in the hinterlands do not have funds. This provision will make it possible for the State organization, under a State plan, to have a little more money in order to help them prepare their local plans.

Mr. BYRD of Virginia. I thank the Senator. I now refer to page 117. That is a section that has been eliminated, I believe.

Mr. MORSE. Yes. That is a part of the Dominick section.

Mr. BYRD of Virginia. On page 121, midway down, section 702, reads:

> The programs authorized by sections 303 (a)(5) and 1009 of the National Defense Education Act of 1958 shall not be consolidated with that which is authorized by title V of the Elementary and Secondary Education Act of 1965.

Will the Senator give me an indication of what that means?

Mr. MORSE. The Senator will find that on page 57 of the report, which I read:

> COMMITTEE COMMENT ON SECTION 703
>
> During committee discussion of the new programs authorized both under S. 3769, and those encompassed in the Vocational Education Act Amendments of 1968. S. 3770—

Which will be our next bill—

> it was pointed out that the year preparatory to operational funding of such new programs could be a period during which the Office of Education might find itself hampered, in terms of lack of personnel and financing, in the issuance of the guidelines and regulations covering the new programs; in such areas as the appointment of advisory councils, where appropriate; for the cost of necessary travel; and for conferences convened for the purpose of disseminating information about the new programs.
>
> The committee decided, therefore, that it would be not only appropriate, but necessary, to provide an authorization of $1.7 million for this helpful reparatory work. This money, in the committee view, when appropriated should be used solely for the new programs established by either S. 3769 or S. 3770.

There is, however, another section to which I want to call the Senator's attention.

On page 92, the report on section 702, "Program Consolidation," reads as follows:

> Subsection (a) of this section provides that the programs authorized by sections 303(a)(5) and 1009 of the National Defense Education Act of 1958 shall not be consolidated with the one authorized by title V of the Elementary and Secondary Education Act of 1965. This section of the bill further provides that so much of the appropriations for any fiscal year appropriated under title V of the latter act, which equals the maximum amount authorized to be appropriated under the above-cited provisions of the National Defense Education Act for that fiscal year, shall be deemed to have been appropriated pursuant to the second sentence of section 301 of the National Defense Education Act and pursuant to section 1009 of that act, except that this provision shall not apply during a fiscal year in which appropriations pursuant to the second sentence of section 301 and section 1009(a) of the National Defense Education Act are equal to the maximum amount authorized by those sections.
>
> This section is to be effective July 1, 1968, and the bill provides "that it shall remain effective until expressly and specifically amended by law."

Mr. BYRD of Virginia. That brings up an additional question. In the last two lines on page 121 of the bill, the language "shall be deemed to have been appropriated" is used. Does that in any way bypass the normal appropriation process of Congress?

Mr. MORSE. Not in the opinion of the Senator from Oregon. Let me check with counsel.

Counsel would have me call the attention of the Senator from Virginia to page 128 of the committee report on the next bill, the vocational education bill, which also deals with this matter. What I shall read from now is the committee report on that bill, as follows.

Mr. BYRD of Virginia. I do not have that report.

Mr. MORSE. Let me read it, and then I will furnish it to the Senator.

> A third amendment proposed by the administration would have repealed those parts of title III of the NDEA which authorize funds for State administrative expenses and State supervisory services in critical subject matter areas. The committee feels that the

> administration was asking for an after-the-fact ratification of an earlier consolidation of titles III and X of the NDEA with title V of the ESEA. This committee refuses to recommend, and in section 702 or S. 3769 recommends a prohibition against such consolidation.

Mr. BYRD of Virginia. I find it difficult to grasp the full import of the Senator's statement. The terminology reads "shall be deemed to have been appropriated." I thought funds could not be appropriated until Congress had acted on an appropriation bill.

Mr. MORSE. Counsel assures me that the terminology does not appropriate money in any way.

Mr. BYRD of Virginia. That is the terminology, though. It reads that the money "shall be deemed to have been appropriated."

Mr. MORSE. Counsel advises me that this language deals with the use of funds by the Office of Education after the money is appropriated.

I have asked counsel to go over the language with the Senator and to give him the technical rule that is applied.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. MORSE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MORSE. Any money which is appropriated for title V of ESSA which seeks to strengthen State Departments of Education in lieu of an appropriation for title III of NDEA under which people are hired in order to strengthen instruction, will be used for title III. This language makes clear, so that there can be no doubt about it—

> That part of the appropriations for any fiscal year to carry out the program authorized by title V of the Elementary and Secondary Education Act of 1965 which is equal to the maximum amount authorized to be appropriated to carry out the programs authorized by sections 303 (a)(5) and 1009 of the National Defense Education Act of 1958 for that fiscal year shall be deemed to have been appropriated pursuant to the second sentence of section 301 of the National Defense Education Act and section 1009 of such Act.

Mr. BYRD of Virginia. I was alarmed at the terminology used; but from the way the Senator from Oregon has explained it, I would concur in his judgment that it does not appear to bypass the legislative process. I did not want to bring up a matter which had been settled last year, although in reading this language I was wondering whether in any way the committee was getting back to what the committee reported last year.

Mr. MORSE. I see now what is troubling the Senator from Virginia. Let me give him assurance that that is neither the intent nor the capability of the language.

Mr. BYRD of Virginia. Mr. President, I thank the Senator from Oregon. And I have no further questions.

I again find it rather difficult to comprehend such a comprehensive piece of legislation in such a short period of time. However, the answers of the Senator have been very helpful.

Mr. MORSE. I thank the Senator very much.

Mr. President, I am ready for a third reading.

Mr. JAVITS. Mr. President, I shall detain the Senate only momentarily. I, too, am ready for a third reading.

I stated a while ago that I would move an amendment to the school lunch program, and I did not indicate clearly whether it would be in the course of the consideration of the pending bill or the following bill.

The next bill to be considered, the vocational educational bill, deals also with the problem of elementary and secondary education and makes certain changes in that law. As the school lunch program obviously applies not to higher education, but to elementary and secondary education, I shall move the amendment on my own behalf and on the behalf of other Senators to the vocational education bill that will be considered later.

MINORITY CONTRIBUTIONS

I wish to call the attention of the Senate to the concurring views of the minority on the pending bill. I am very proud of the action of the minority. It represents a unanimous concurrence in the pending bill in every respect and lists some 16 creative additions by way of amendments to the higher education bill.

Mr. President, I am very pleased that the Senator from Oregon concurs that it is the function of the minority to make this contribution in a creative way to the great design of legislation such as this.

I point out that in addition to the very splendid contribution of the Senator from Colorado for a U.S. Foreign Service Corps—which he has now deferred—there are actually in the bill provisions for increasing NDEA loan forgiveness and for the forgiveness of guaranteed loans for teachers in poverty schools, authored by the distinguished Senator from Vermont [Mr. PROUTY].

There are grants to reduce the borrowing costs of loans for the construction of academic facilities. We have already discussed that.

We have a constructive provision to encourage States to expand State scholarship activities by making available some matching funds which come out of the foreign scholarship program.

We have the provision for qualifying union pension funds as eligible lenders under the guaranteed loan program. We strengthen the position of the junior colleges in terms of a slightly higher percentage set aside for them in the title III program for developing institutions also, we give priorities to poverty schools in Teacher Corps programs. There are other minority amendments of major importance which I do not mention here. In every way I am very proud of the performance of the minority.

Mr. President, I ask unanimous consent that the supplemental views to which I have referred may be printed at this point in the RECORD.

There being no objection, the supplemental views ordered to be printed in the RECORD, as follows:

SUPPLEMENTAL VIEWS

The undersigned members of the minority on the committee support the Higher Education Amendments of 1968. Our support is consistent with the historic sponsorship and support of constructive education legislation in the Congress on a bipartisan basis and our party's own traditions dating back more than a century when, in 1862, the first Morrill Act for land grant aid to colleges became law.

HIGHER EDUCATION OPPORTUNITIES FOR ALL

In our views appended to the committee report on the higher education bill in 1966 (Senate Report 1677, 89th Congress), the members of the minority on this committee stated:

> As Republicans we are actively interested in achieving the goal sought by our party for more than a century—making available a higher education for all young Americans who qualify and who seek it.

We take this opportunity to reiterate—with renewed emphasis—this pledge.

Also we have strong convictions that our colleges must be institutions free of political controls and nurtured by a concerned citizenry through both public and private sources. We are particularly concerned also with the future of our Nation's private colleges, now comprising 30 percent of all enrollment, whose growth is not keeping pace with that of higher education and with our Nation's medical schools, many in dire financial straits, which are finding it increasingly difficult to produce the doctors, dentists, and other health professionals now in such short supply.

Today, State support for higher education has climbed to more than $4.4 billion, a record high; Federal college aid stands at near $4 billion; private contributions run at about $1.5 billion. The rest of the $15 billion required annually to operate the Nation's colleges and universities comes from tuition fees levied upon the student and his family. The fact that our higher educational institutions predict that by 1975 they will be spending an additional $8 billion each year, that by 1975 college enrollments are expected to be double their present number and that tuition costs are rising each year and are expected to continue their sharp upward trend poses major problems for the years ahead.

These and other obstacles to providing an opportunity for qualified American youth can be overcome by a combination of Federal programs of aid to higher education such as authorized in this bill and such as have been proposed by minority Members of the Congress, by strengthened State and local support, and by contributions from individuals and the private sector in our economy.

We urge, too, an exercise of imagination in fostering American higher education—for example, establishment of campuses in neighborhoods and areas where substantial numbers of young people have heretofore not had available this opportunity; flexibility in study programs to meet new and changing needs; business-citizen partnership programs for institutional and scholarship support; use of computers and other new techniques both in instruction and in administration; efforts to retain the some 50 percent of all college students who drop out before graduation; new emphasis on making available opportunities for a higher education for those who because of economic, social, or other circumstances are not scaling the heights to which their talents and abilities can carry them; consideration for parents and students of modest income who must bear the burden of ever-rising tuition costs; more economic use of existing college facilities; and encouragement and more profitable use of endowments funds by education institutions.

CONTRIBUTIONS OF THE MINORITY

We are particularly gratified to note some of the contributions of minority members of the committee to the bill as finally reported. These provisions include:

1. Increasing NDEA loan forgiveness and providing for forgiveness of guaranteed loans for teachers in poverty schools.
2. Grants to reduce the borrowing costs of loans for the construction of academic facilities.
3. A United States Foreign Service Corps for training of individuals for employment abroad by the U.S. Government.
4. VISTA and Teachers Corps demonstration projects for young adult offenders.
5. Encouraging State scholarship activities by making available 15 percent of a State's allocation of Economic Opportunity Grant funds for the needy student on an even-matching, maintenance-of-effort basis.
6. Provide for student guaranteed loan cancellation in event of death or total disability.
7. Expanding the scope of the Talent Search program to make more comprehensive and more effective the effort to attract minority and low-income individuals into post-secondary education.
8. NDEA loan forgiveness for service in Armed Forces.
9. Qualifying union pension funds as eligible lenders under the guaranteed loan program.
10. Minimum State allocation of $100,000 for program to attract and qualify teachers to meet critical teacher shortages.
11. Increasing from 22 to 24 percent the set-aside for junior colleges in title III (Strengthening Developing Institutions) of the Higher Education Act.
12. Giving priority to poverty schools in Teachers Corps programs.
13. Amending title V of the National Defense Education Act to authorize short-term training sessions for guidance counselors in elementary and secondary schools, junior colleges, and technical institutions.
14. Adding internships in poverty schools to Educational Professions Development Act training programs.
15. Requiring colleges to maintain their present level of spending for cooperative education in order to receive Federal cooperative education funds.
16. Report language to bring about equalization of disparate individuals and institutional academic support programs administered by the Office of Education and other executive agencies.

In addition to these, the minority members were responsible for many technical improvements to the bill.

CONCLUSION

In the years ahead our Nation needs strong institutions to give high-quality education to a vastly expanded student population and to meet the challenges of new methods and ideas. As we have for more than a century, we are pledged in the Federal Establishment to continue to foster that growth, as guardians and stimulators, never as masters.

Jacob K. Javits.
Winston Prouty.
Peter H. Dominick.
George Murphy.
Paul Fannin.
Robert P. Griffin.

The PRESIDING OFFICER. If there be no further amendment to be proposed, the question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed for a third reading and was read the third time.

Mr. CLARK. Mr. President, I congratulate the very able senior Senator from Oregon for the magnificent way in which he has brought the pending bill to third reading without any controversial amendments.

It is a great accomplishment to bring a bill of this magnitude to the Senate and have practical unanimity in the committee and on the floor. It is a great piece of legislation and contains very important education programs.

I am particularly delighted with one aspect of the bill, on which I shall not dwell, but it has to do with the problem of Upward Bound.

I am delighted that the Senator from Oregon agreed not to raise a question as to how soon Upward Bound should be moved from the Office of Economic Opportunity into the Office of Education. We had a friendly disagreement about it. I am very glad that no question has been raised.

Mr. President, I ask unanimous consent that a letter received by Senator Hill on July 9, 1968, and signed by Bertrand Harding, Acting Director of the Office of Economic Opportunity, and a copy of a letter written by Mr. Joel Fleishman be printed at this point in the Record, along with an evaluation of the success of Upward Bound.

There being no objection, the material was ordered to be printed in the Record, as follows:

Office of Economic Opportunity,
Executive Office of the President,
Washington, D.C.

Hon. Lister Hill,
U.S. Senate,
Washington, D.C.

Dear Senator Hill: It has come to my attention that there is an effort on the part of some members of the House and Senate to legislate a transfer of Upward Bound to the U.S. Office of Education.

I think that this would be a serious mistake at this time and I do hope you will give such a proposal every scrutiny from your vantage point on the Senate Committee.

There are at least five reasons for my strongly-held views:

1. Upward Bound has developed a highly successful set of institutional relationships between colleges and universities, secondary schools, and ghetto and reservation communities through *Community Action*. The language of the amendment drafted by the Senate Sub Committee suggests that these excellent relationships may well be distorted or disrupted by the transfer of Upward Bound to the U.S. Office of Education.

2. Much of the success of Upward Bound lies in its ability to respond quickly and humanely to the individual needs of programs and students. The loss of "traction" which often attends administrative reorganization may place the academic momentum of the current enrollees in jeopardy. Sound program management requires adequate lead-time to effect administrative transfer.

3. The removal of Upward Bound to the U.S. Office of Education takes one of the strongest and most effective programs away from the War on Poverty and, at least programmatically, reduces the effectiveness of all anti-poverty efforts.

4. If the research and demonstration aspects of Upward Bound are transferred with the program, the proposed Senate amendment, as written, impairs the original purpose and mandate of the Office of Economic Opportunity, which was to serve as an innovative force in American Society. A transfer at this time would likely disrupt a dozen research and demonstration efforts initiated nationally by Upward Bound and diminish their yield as demonstration efforts.

Since the program is just now completing its second year as a national emphasis program, it can be viewed as a demonstration in itself; in two years it has not become an extensive, mature program for disadvantaged youngsters.

5. The colleges and universities which have participated generously in developing Upward Bound programs would, in the proposed amendment, be forced to restructure their institutional relationships and adjust to the workways of yet another federal agency. This readjustment may well dampen the enthusiasm which has been developed over the past three years. Additional or difference bureaucratic expectations which would attend an agency transfer may serve as the "last straw" for colleges and universities already overburdened by burgeoning enrollments, racial tensions and student unrest.

Although none of the arguments against transfer is overwhelming, they do seem to me to be compelling. For that reason I ask that you strongly support the continuation of Upward Bound in its present location—as an integral part of the *Community Action* effort within the Office of Economic Opportunity.

I have attached a copy of a letter which contains a most persuasive argument against the transfer of Upward Bound to the U.S. Office of Education. The letter was written by Mr. Joel Fleishman, Associate Provost, Yale University, and one of Upward Bound's most effective consultants. Mr. Fleishman has given me permission to share this letter with you.

I appreciate the support that you have given Upward Bound and the Office of Economic Opportunity in the past.

Sincerely,

Bertrand Harding,
Acting Director.

I have been very much concerned recently to hear of the suggestion that Upward Bound be transferred from the Office of Economic Opportunity to the Office of Education. Because I did not know of the seriousness with which some members of the House were considering this move, I have not written you earlier. I hope that it is not too late for an expression of views on this matter to be of some usefulness.

As you know, I have for the last two and and a half years been engaged chiefly in the identification and development of talent among the racially and economically disadvantaged. I have helped to design and administer a variety of such programs at the high school, undergraduate, graduate, and profession levels. With respect to such programs, I have planned curriculum, interviewed and evaluated students, and helped to raise the necessary funds. In connection with different aspects of these programs, I have worked closely with officials of philanthropic foundations, the National Science Foundation, the Office of Education, and the Office of Economic Opportunity. I am thoroughly familiar with the Talent Search Program of the Office of Education and with the various educational programs being administered and planned by the Office of Economic Opportunity.

On the basis of my experience I am convinced that not only is there room within, two different agencies of the federal establishment for two educational programs as seemingly similar as Upward Bound and Talent Search, but that it is vital for both programs' success that the separation be maintained, and that both programs be strengthened and expanded in their current locations.

There are vast reservoirs of talent among the disadvantaged populations of this country, and no single program is going to be able to develop them efficiently and fully. Fundamentally different educational techniques are appropriate to the different populations. The educational problem which OEO has chosen to tackle through Upward Bound is essentially one involving the *motivation of underachieving students*. There are hundreds of thousands of youngsters whose family poverty and overcrowded schools have combined to depress the level of their interest in and commitment to education. Their estimates of their own ability are invariably lower than accuracy would warrant. Their performance in school is at a level significantly lower than their potential, as assessed by teachers' evaluations of them, their conduct outside the classroom, and the roles they play in their communities. The central task which must be accomplished, if those youngsters are to realize their potential, is the changing of their motivation so that they will want to master the educational system and make full use of it. If that task is to be discharged effectively, the educational philosophies, teaching techniques, subjects of study, and general aproach to the students must all be appropriate for tackling the basic causes behind the students' lack of motivation in the first place.

Talent Search, on the other hand, is dealing essentially with those large numbers of students who are *educationally underchallenged*. These are students who, because of their families' economic circumstances and the geographical location in which they happen to live, do not have access to educational resources commensurate with their talents. These are students who may, in fact, be working at or beyond full capacity, but will not reach their potential because the schools available to them do not have adequate resources, either in kind or in quality, to develop it fully. With these students, the task is not significantly one involving the motivation of the students; rather it's one of providing qualitative educational opportunity to those who do not have access to it.

Both of these programs are of vital importance in the national battle for equal educational opportunity. If they are put together, it is clear to me that the kinds of students whom Upward Bound is currently saving for college will lose out in the long run. I am confident that you know well the tendency of school teachers, counselors, and administrators, even with the best of intention, to tend to reward those students who are doing well in school. That causes no real problem for Talent Search, because of the kind of students whom it is seeking. It does, however, pose a constant threat to Upward Bound, because the students whom Upward Bound serves are not the ones who are doing well by the lights of the schools which they attend. Upward Bound seems to me to have done exceedingly well on this score, but all it would take to guarantee that the Upward Bound type of student loses out is to put together in one agency two programs, the students for which are to be selected according to such divergent criteria.

The Office of Economic Opportunity has done an extraordinarily fine job with Upward Bound, and has had the full support of the educational community in its administration of the program. The magnificent record which Mr. Shriver and Dr. Frost have compiled ought to be enough reason for both keeping the program within the OEO and also strengthening it there. If that is not reason enough, I hope that your colleagues will be persuaded that the good of the students currently being served by Upward Bound and that of the many thousands like them to be served in the future requires that Upward Bound be retained within the Office of Economic Opportunity.

In this time of national agony over opportunities denied and promises unkept, there is one rock on which to build significant progress, and that is education, the chance for which must be opened to all with the potential to take full advantage of it. There is a great need to strengthen and expand many of the educational programs currently being supported by the Federal Government, and there are many other educational programs which are worth undertaking. In Talent Search and Upward Bound, the Federal Government has two programs in which it can take great pride, but if their respective functions are to continue to be served, it is very important that they be retained in the agencies currently operating each of them.

I hope to have a chance to see you soon.

With warm regards,

Cordially,

JOEL L. FLEISHMAN.

[From Washington Monitor, Apr. 29, 1968]

NEW DATA DISCLOSE UPWARD BOUND SUCCESS

Earlier gloomy reports on the Upward Bound (UB) programs are debunked by new statistics just released by the Office of Economic Opportunity (OEO). The corrected figures show that almost 80% of all UB high school graduates have gone on to college, and 76% of this year's freshmen college group were in "good standing" following mid-term examinations. "UB students have attained approximately the same grade averages and retention rate in college as their better prepared colleagues," Thomas A. Billings, UB's national director, said. Previous reports of a lower retention rate, he added, were based on "erroneous and very preliminary statistics." Billings calls the UB retention rate "remarkable—far more successful than we expected. The fact that we can get these disadvantaged youngsters into college is remarkable, and even more remarkable is the fact that they are staying there." UB students, who have no proven academic record in high school and who are products of big-city and rural poverty, "have entered college at a higher rate than the general population (80% versus 65% for all high school graduates)," Billings said.

Billings and his staff are "impatient" with the present level of the program. They believe it should be sharply escalated from its current modest appropriation of $30 million and 25,000 students, as recommended by the Kerner Commission. "UB is prepared to respond to 300,000 poor youngsters within the next three years, should a marked change in U.S. international commitments occur, accompanied by a corresponding reevaluation of national priorities," Billings said. But even this vast expansion, which Billings estimated would cost $350 million per year, would include only one half of the 600,000 youngsters living in poverty who have the ability to go to college. "This untouched resource represents an enormous waste of talent," Billings declared. "An escalation to the 300,000 level would require a corresponding escalation of appropriations to the U.S. Office of Education for Educational Opportunity Grants, College Work-Study programs, and National Defense Education Act loans, since most UB graduates derive their college expenses from these sources," he said.

How does UB work? Students are recruited by UB projects now operating at 250 colleges and universities. Those selected are given intensive tutoring by college students at their school or at the OEO community center nearest their home during their junior and senior years of high school. They also spend six to eight weeks during the summer after their junior year and senior year attending a special program at the college operating their UB project. They live on campus in the college dorms, getting a taste of college life. Most of them like what they see and want to come back. They learn about a new and exciting way of life they didn't know existed. The summer program is operated by the college's UB director and the teachers are from college and high school faculties. College students serve as tutors and live with the students in the dorm. The program stresses academic work, cultural enrichment, and field trips. For their part, colleges waive admission standards and provide special counseling and tutoring at their own expense when the student enters the regular college program. The student UB seeks is the underachiever who can be motivated to succeed by exposure to ideas and experience and by people who have confidence in his ability. Student cost per year is $1,250.

COOPERATIVE EDUCATION—DECISIVE SUPPORT ON EDUCATION

Mr. KUCHEL. Mr. President, I rise to commend the distinguished members of the Senate Subcommittee on Education for providing once again the kind of bipartisan and workmanlike product which has had such a decisive impact on the development of educational opportunity in our country. I am particularly pleased that the committee has seen fit to include a provision for a program in cooperative education. In 1967, I joined with the distinguished senior Senator from Indiana [Mr. HARTKE] in offering a proposal to provide planning and operational grants to colleges offering their students an opportunity to participate in programs which alternate periods of work and academic experience. Today that initiative is coming to the fore.

The efforts of the National Commission on Cooperative Education, the Ford Foundation, and large number of private enterprises and academic institutions throughout this country have in recent years greatly multiplied activity in cooperative education. We are now only beginning to learn the full range of value in applying the concept of "spaced learning." This concept permits a fruitful interplay of the influences of work experience on the one hand and academic training on the other.

"Working your way through college" is a traditional American idea—particularly the western region of our Nation. The idea of offering students an opportunity to earn their own financial support is closely attuned to the traditional American concept of self-help. But cooperative education is far more than this. It provides opportunities for social and economic adjustment to students who have not enjoyed the full advantages of our abundant American society. It gives them an opportunity to orient their training directly toward work experience and later social adjustment.

As hearings before the Education Subcommittee have shown, the use of cooperative education techniques has proved particularly valuable as a vital social bridge for those students who need to be brought into the mainstream of American life.

The president of Wilberforce University, in Ohio, the Nation's oldest Negro university, recently testified that cooperative education programs have reinvigorated and given new hope to Negro students seeking to move out of racial isolation. In the past, Negro college students in the Border States have confined their goals to so-called "prestige" employment in the ministry or teaching. Today, by virtue of the alternation between work experience and a periodic return to academic institutions, there are new possibilities for students who would otherwise hesitate to vault in one jump the hurdles of segregation. There is a new desire and opportunity to become engineers, accountants, and businessmen. The student body at Wilberforce has tripled. The capability of these long-established Negro institutions to provide a meaningful bridge to modern society has greatly expanded.

For those who possess the advantages of education, there is opportunity. There is a growing stream of information to help us understand our changing world. Data is no longer a mere luxury but a necessity, as our daily problems become more complex. But what of our urban poor who cannot use these tools? What of the frustration of youth in the Mexican barrio, in Hunter's Point, or Watts to whom many meanings of our modern society are lost?

There is a growing gap between those able to increase their understanding fast enough to keep pace with the changing world and those condemned to increasing exclusion from the world of knowledge. If we are to find the technicians of tomorrow, we ought to seek no farther than those who have been cruelly disenfranchised in the communications revolution. Prudent economics suggests this course, a sense of responsible democracy demands it.

I commend the committee for its wisdom in including the cooperative education program in this bill and I urge them to see that it successfully passes into the laws of this Nation.

Mr. NELSON. Mr. President, I rise in support of S. 3769, the Higher Education Amendments of 1968. I want to join my colleagues on the Labor and Public Welfare Committee in saluting the distinguished chairman of the Education Subcommittee on his tireless efforts in bringing this fine bill to the Senate floor. This legislation will continue and improve many of the vital programs that the Congress has enacted in the fields of higher education, student financial assistance, higher education facilities and related programs.

This bill also authorizes the establishment of a new program to recruit and train teaching assistants for service in elementary and secondary schools as part of the Teacher Corps Program. I was very gratified that the committee accepted my amendment to create this promising program.

I believe that there are tens of thousands of dedicated young college graduates as well as interested and qualified residents of local communities who are eager to serve for a year or more in poverty area schools where skilled staff assistance is deperately needed.

In general, these individuals do not plan to follow careers in education but possess advanced verbal and mathematical skills that could effectively be applied in tutorial and small group instruction in disadvantaged schools.

Under the teaching assistant program, these individuals would be assigned upon the request of local school systems to work with existing Teacher Corps intern teams across the country.

For years, colleges and universities have used teaching assistants to relieve pressure on professors and other instructors. Elementary and secondary schools could also benefit from using teaching assistants in this manner.

The teaching assistants would be given 2 to 3 months of preservice training similar to the present training given to regular Teacher Corps interns. This preservice instruction has been proven highly successful in preparing interns for teaching roles in the school.

As members of a Teacher Corps team, teaching assistants would be under the supervision of a team leader from the local school and would be under the complete control of the local school system.

They would be compensated at a rate of $75 a week or the beginning salary in the school system, whichever is less, just as Teacher Corps interns are paid.

This new program will open the doors of poverty area classrooms across the Nation to dedicated, skilled teaching assistants who will bring new enthusiasm and new manpower to the task of teaching disadvantaged children.

While this new program will supplement the existing Teacher Corps program to a certain degree, I would like to make clear that it is not my intent and not the intent of the committee that the teaching assistant program be initiated at the expense of the existing Teacher Corps program.

While my original amendment authorizing the establishment of the teaching assistant program included increased funding for the Teacher Corps, the committee felt that a request for expanded funding now would be fruitless since the program has not received appropriations amounting to even half of its present authorization figures.

I would like to emphasize the committee's declaration that the administration request adequate funds in the 1970 budget to expand the regular Teacher Corps program as well as launch the teaching assistant program at a meaningful level.

In regard to the subject of appropriations for the Teacher Corps program, I would like to ask unanimous consent that the editorials on this topic that appeared recently in the New York Times and the Washington Evening Star be placed in the Record at this point.

There being no objection, the editorials were ordered to be printed in the Record, as follows:

[From the New York Times, July 12, 1968]

Teachers, Not Nightsticks

"The Teacher Corps should be expanded into a major national program." So said the National Advisory Commission on Civil Disorders in its far-reaching report. But unless Congress moves quickly, the Teacher Corps will be neither national nor major nor a program worthy of the name.

In the last two years the Teacher Corps under the Department of Health, Education, and Welfare has gone where the action is—into the troubled schools and communities of the nation. Able college graduates have participated in a program of professional training and service in poverty-area school systems.

But a parsimonious House has voted only $15 million for fiscal 1969—actually $2 million less than this year. If this pittance for slum teaching stands, it would mean only about 800 new interns would be able to sign up. The Teacher Corps could train 1,500 dedicated graduates if its requested $31 million were granted. This sum would enable interns to be placed in more than fifty cities.

Applications are on hand from over 10,000 young Americans, black and white, who have volunteered to go to work in slum schools and contribute community programs. Most are this year's graduates, and they are willing to work for subsistence wages. To deny thousands of potential teachers this opportunity is to shortchange the communities that can profit most by education.

In their stress on "law and order," let Congressmen think of sending teachers in preference to nightsticks into the areas of underprivileged America.

[From the Washington (D.C.) Evening Star, July 5, 1968]

Teacher Corps

The economy ax in the House of Representatives cut deeply last week into a broad spectrum of worthy educational programs. One activity, however, the Teacher Corps sustained a blow which stands as a momentous example of congressional shortsightedness.

The Teacher Corps evolved three years ago from a premise that perhaps the very best thing that could happen to schools in urban ghettos and backward rural areas might be a new breed of teachers—a corps of young, tough, intelligent, idealistic college graduates motivated toward teaching careers in this country by much the same drives which have filled the ranks of the Peace Corps overseas.

There is no reason to question the validity of that concept in terms of the attitudes and the performances of the first group of several hundred teaching interns to emerge from their two-year training periods this month. Yet, rather than expanding, the size of the corps would be reduced by the action of the House last week below the levels at which the program began. Less than a thousand new recruits could be enrolled this fall. And the ultimate irony is that 10,000 dedicated young college graduates are ready and eager to serve.

The $31.2 million sought by the administration for the next fiscal year was not excessive. It got from the House, however, $15 million—$2.3 million below the last 12 months' appropriations. That action was a miscarriage of judgment which the Senate surely will not allow to stand.

Mr. NELSON. Mr. President, the House has appropriated only $15 million for the program in the coming year, a cut of over 50 percent from the administration's request for $31.2 million and, indeed, $2.3 million less than was spent during the last 12 months. If this figure were to be the final appropriations, the program would be able to enroll fewer than 1,000 of the approximately 10,000 young Americans who have offered to serve as teachers in poverty schools through the Teacher Corps at a time when the education crisis is most acute.

It is my hope and that of many of my colleagues that the Senate Appropriations Committee will approve the full administration request for the program in order to continue this vital program at an effective level for the coming year.

Mr. MURPHY. Mr. President, as a member of the Education Subcommittee, I strongly support S. 3769, the Higher Education Amendments of 1968. This is a good bill that our committee is recommending and it deserves the enthusiastic support of the Senate.

This bill is a result of extensive hearings and many executive sessions. I feel certain that the legislation will be welcomed by the academic community and will do much to strengthen higher educational institutions and expand educational opportunities for our citizens. As stated in the Senate Report, S. 3769 will:

In title I, extend the expiring provisions of:

The Higher Education Act of 1965, as amended.

The Higher Education Facilities Act of 1963, as amended.

The National Defense Education Act of 1958, as amended.

The International Education Act of 1966.

The National Vocational Student Loan Insurance Act of 1965.

Section 12 of the National Foundation on the Arts and Humanities Act of 1965.

In title II, amend student assistance provisions of title IV of the Higher Education Act of 1965; establish a new program of assistance to institutions of higher education in the area of cooperative education, and modify provisions of the college work-study program.

In title III amend other titles of the Higher Education Act of 1965 including:

Community service and continuing education programs (title I).

College libraries, research and training (title II).

Strengthening developing institutions (title III).

Education professions development (title V).

Instructional equipment (title VI).

General provisions (title VII).

In title IV amend the Higher Education Facilities Act of 1963 with respect to eligibility for grants and to authorize certain contracts to provide grants to reduce the cost of borrowing.

In title V amend the National Defense Education Act of 1958 to: Provide for an adequate distribution of fellowships under title IV and for short term guidance and counseling institutes and to include the Trust Territory of the Pacific Islands.

In title VI to provide for new educational programs including as new titles to the Higher Education Act of 1965 the following:

Title VII—Networks for knowledge;

Title IX—Education for public service;

Title X—Improvement of graduate programs; and

Title XI—Law school clinical experience programs;

I particularly want to applaud the amendments to title III of the Higher Education Act. It will provide for grants to reduce the borrowing cost of loans for the construction of academic facilities. With the administration's cutback in the Federal grant programs for school construction of 85 percent from last year's appropriations this program should help institutions of higher education to keep pace with the demands which, according to our committee, will require between 1.5 billion and 2.2 billion yearly in the construction. I have had letters from numerous California colleges and universities pointing out their construction needs and I am hopeful that this proposal will be of help to them.

The student loan and grant programs—work-study, NDEA student loans, the guaranteed loans, and the educational opportunity grants—are most important in helping students and their parents meet rising educational costs. Their extensions will help to make available a higher education for all students who qualify or require one.

Also, I support the extension of NDEA. This year marks the 10th anniversary of this act and its accomplishments are well documented. NDEA is received enthusiastically throughout the United States. I also, of course, support the other provisions of the bill. Time, however, will not permit me to comment on all of them. I do want to speak briefly on one new program authorized by the bill which I think will be of great significance. I am enthusiastic about the professors emeritus which is added to title III of the Higher Education Act of 1965. The idea of this amendment is to enable and to encourage professors who are forced to retire, to continue their teaching at one of the Nation's developing institutions. Many outstanding professors face early retirement requirements, not withstanding the fact they they may enjoy excellent health and have many successful teaching years remaining. At the same time, we have, particularly among the developing institutions, a crying need for professors of high caliber. This, then, as the Senate report says: "will make possible a marriage of interest between developing educational institutions which need competent faculty, and professors who, merely because of age, face compulsory retirement from a developing institution." No better example of the practicability and the merits can be found than Hastings School of Law in California. Hiring many retired law school professors, they have acquired many of the leading legal authorities in the Nation and the law school is well known and highly respected throughout the country.

I do hope that many of the professors will take advantage of this provision and lend of their talents and energies in helping to strengthen and raise the quality of our developing institutions.

In closing, I want to compliment the distinguished chairman of the Education Subcommittee for his usual thoughtfulness and for his leadership ability in bringing this bipartisan measure to the Senate floor. Certainly, the bill is a tribute to his effort.

STUDENT APPLICATIONS FOR LOANS AND GRANTS

Mr. WILLIAMS of New Jersey. Mr. President, a significant period of time has been spent in the Education Subcommittee and the full Labor and Public Welfare Committee discussing the entire question of who is receiving financial assistance, particularly loans and grants under title IV of the Higher Education Act of 1965 and title II of the National Defense Education Act of 1958. Under existing procedures, individual participating institutions determine who benefits from these programs. An amendment was offered in committee which would instruct the Commissioner to set up, by regulation a student appeal process which would permit a student who was denied a grant or loan alleging "discriminatory treatment or improper consideration" of his application to appeal to the Commissioner. Under the provisions of the amendment, the Commissioner could investigate any complaints he deemed to be bona fide and require first, the making of a grant or loan in any case in which he found the allegation of the complaint to be substantiated at such time as the necessary funds were available, or second, revised procedures in the consideration of applications in the case of any institution of higher learning where he found a consistent pattern of discriminatory treatment or improper consideration of such applications.

The members of the committee felt that this amendment needed some additional documentation and institutions of higher learning and others should be given an opportunity to testify on this process. The subcommittee plans to hold hearings on the merits of this approach. I believe that those who need loans and grants should be getting them. In the meantime, I intend to ask the Commissioner of Education to report to the Education Subcommittee on the merits of this appeal process and document, with information available to that Office, any suspected or demonstrated examples of loan or grant denials on the basis of discriminatory, or improper consideration of their application. This documentation I hope will include but not be limited to such things as: Evidence of racial discrimination and incomplete definition of "financial need": inadequate or improper advertising or advance notice of application deadlines and procedures.

The PRESIDING OFFICER. The bill having been read the third time, the question is, Shall it pass?

On this question, the yeas and nays have been ordered, and the clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. BYRD of West Virginia. I announce that the Senator from Alaska [Mr. Bartlett], the Senator from Maryland [Mr. Brewster], the Senator from Arkansas [Mr. Fulbright], the Senator from Alaska [Mr. Gruening], the Senator from Massachusetts [Mr. Kennedy], the Senator from Missouri [Mr. Long], the Senator from Washington [Mr. Magnuson], the Senator from Minnesota [Mr. McCarthy], the Senator from South Dakota [Mr. McGovern], and the Senator from Florida [Mr. Smathers], are necessarily absent.

I also announce that the Senator from Indiana [Mr. Bayh], and the Senator from Maryland [Mr. Tydings] are absent on official business.

I further announce that, if present and voting, the Senator from Alaska [Mr. Bartlett], the Senator from Indiana [Mr. Bayh], the Senator from Maryland [Mr. Brewster], the Senator from Arkansas [Mr. Fulbright], the Senator from Alaska [Mr. Gruening], the Senator from Massachusetts [Mr. Kennedy], the Senator from Missouri [Mr. Long], the Senator from Washington [Mr. Magnuson], the Senator from Minnesota [Mr. McCarthy], the Senator from South Dakota [Mr. McGovern], the Senator from Florida [Mr. Smathers], and the Senator from Maryland [Mr. Tydings] would each vote "yea."

Mr. KUCHEL. I announce that the Senator from Colorado [Mr. Allott] and the Senator from South Carolina [Mr. Thurmond] are absent on official business.

The Senator from South Dakota [Mr. MUNDT] and the Senator from Oregon [Mr. HATFIELD] are necessarily absent.

If present and voting, the Senator from Colorado [Mr. ALLOTT], the Senator from Oregon [Mr. HATFIELD], and the Senator from South Carolina [Mr. THURMOND] would each vote "yea."

The result was announced—yeas 83, nays 0, as follows:

[No. 211 Leg.]

YEAS—83

Aiken
Anderson
Baker
Bennett
Bible
Boggs
Brooke
Burdick
Byrd, Va.
Byrd, W. Va.
Cannon
Carlson
Case
Church
Clark
Cooper
Cotton
Curtis
Dirksen
Dodd
Dominick
Eastland
Ellender
Ervin
Fannin
Fong
Gore
Griffin
Hansen
Harris
Hart
Hartke
Hayden
Hickenlooper
Hill
Holland
Hollings
Hruska
Inouye
Jackson
Javits
Jordan, N.C.
Jordan, Idaho
Kuchel
Lausche
Long, La.
Mansfield
McClellan
McGee
McIntyre
Metcalf
Miller
Mondale
Monroney
Montoya
Morse
Morton
Moss
Murphy
Muskie
Nelson
Pastore
Pearson
Pell
Percy
Prouty
Proxmire
Randolph
Ribicoff
Russell
Scott
Smith
Sparkman
Spong
Stennis
Symington
Talmadge
Tower
Williams, N.J.
Williams, Del.
Yarborough
Young, N. Dak.
Young, Ohio

NAYS—0

NOT VOTING—16

Allott
Bartlett
Bayh
Brewster
Fulbright
Gruening
Hatfield
Kennedy
Long, Mo.
Magnuson
McCarthy
McGovern
Mundt
Smathers
Turmond
Tydings

So the bill (S. 3769) was passed.

Mr. MORSE. Mr. President, I ask unanimous consent to have the bill, S. 3769, printed as passed.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. HOLLAND. Mr. President, I wish to make a statement in connection with my voting for the bill which has just been passed.

I voted for the bill this year not only because I believe there are many good features in it, as there have been in the preceding bills which I have voted against, but for one particular reason which I believe should be mentioned in the RECORD. That reason is that the Supreme Court has recently agreed to review the question of whether or not Federal grants can be made from the public purse to church-related and church-controlled institutions.

That had not been the ruling heretofore. We have previously, on several occasions, passed the bill offered by my distinguished friend, the Senator from North Carolina, but that bill never got through the House. The purpose of the bill would have been to allow and require a review of that kind.

Since such a review has now been accepted by the Supreme Court as something it will make, it alters this situation.

I want to say, however, there are some features in this bill as to which I think the amounts authorized are excessive and there are some periods of time stated in the authorization of this bill which I think are excessive.

I reserve the right and I announce the intention as a member of the Committee on Appropriations to very seriously consider reductions in some of the amounts authorized. I also will expect to seriously review the question of time covered by this bill because the periods covered are entirely too long, in my opinion, in some titles of the bill.

Mr MANSFIELD. Mr. President, it is always a pleasure to witness the distinguished senior Senator from Oregon [Mr. MORSE] manage a measure—particularly a measure dealing with education. His record in this area is unsurpassed. His vast knowledge of the subject matter is unexcelled. His handling of the higher education proposal met the same high standards he established long ago. Its passage unanimously underscores once again the great esteem in which the Senator from Oregon is held. Once again the Nation is in his debt.

Joining him in this endeavor was the distinguished chairman of the Committee on Labor and Public Welfare, the Senator from Alabama [Mr. HILL]. His outstanding contribution—both in committee and here in the Chamber—was indispensable to this great success. Also to be commended is the Senator from Vermont [Mr. PROUTY] who has always left his indelible stamp on education measures as the ranking minority member of the subcommittee.

And to the distinguished senior Senator from New York [Mr. JAVITS] goes our commendation for joining so capably to assure swift and efficient action. His wide familiarity with the bill helped immensely.

Senator YARBOROUGH, Senator DOMINICK, Senator RANDOLPH, and Senator CLARK are also to be singled out for their support and assistance. Each made valuable additions to the debate. Their views are always most welcome. And I wish to thank also the distinguished minority leader [Mr. DIRKSEN] for bringing his careful and thoughtful views before us as did the Senator from Alabama [Mr. SPARKMAN] and the Senator from Ohio [Mr. LAUSCHE]. Indeed, all of these Senators aided the Senate immensely in the disposition of this all-important measure. The Senate as a whole can be duly proud of its accomplishment. Proudest of all, however, may be Senator MORSE.

VOCATIONAL EDUCATION AMENDMENTS OF 1968

Mr. MANSFIELD. Mr. President, I ask the Chair to lay before the Senate a message from the House of Representatives on H.R. 18366.

The PRESIDING OFFICER (Mr. CANNON in the chair) laid before the Senate the bill (H.R. 18366) to amend the Vocational Education Act of 1963, and for other purposes.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate proceed to its immediate consideration.

The PRESIDING OFFICER. Is there objection?

There being no objection, the Senate proceeded to consider the bill, which was read twice by its title.

Mr. MORSE. Mr. President, I move to strike out all after the enacting clause and insert the language of S. 3770, as reported, in lieu thereof.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Oregon.

The motion was agreed to. The amendment, in the nature of a substitute, is as follows:

SHORT TITLE

SECTION 1. This Act may be cited as the "Vocational Education Amendments of 1968".

TITLE I—AMENDMENTS TO THE VOCATIONAL EDUCATION ACT OF 1963

ACT AMENDMENTS

SEC. 101. (a) The Act of December 18, 1963, Public Law 88–210 (77 Stat. 403 et seq.), is amended—

(1) by redesignating parts B and C thereof as titles II and III and redesignating sections 21 through 28 and 31 through 33, and all references thereto, as sections 201 through 208 and 301 through 303, respectively;

(2) redesignating part A thereof as title I, and

(3) adding after the enacting clause, the following:

"That title I of this Act may be cited as the 'Vocational Education Act of 1963' ".

(b) Title I of such Act (as redesignated by subsection (a)) is amended to read as follows:

"TITLE I—VOCATIONAL EDUCATION

"PART A—GENERAL PROVISIONS

"DECLARATION OF PURPOSE

"SEC. 101. It is the purpose of this part to authorize Federal grants to States to assist them to maintain, extend, and improve existing programs of vocational education, to develop new programs of vocational education, and to provide part-time employment for youths who need the earnings from such employment to continue their vocational training on a full-time basis, so that persons of all ages in all communities of the State—those in high school, those who have completed or discontinued their formal education and are preparing to enter the labor market, those who have already entered the labor market but need to upgrade their skills or learn new ones, those with special educational handicaps and those in postsecondary schools—will have ready access to vocational training or retraining which is of high quality, which is realistic in the light of actual or anticipated opportunities for gainful employment, and which is suited to their needs, interests, and ability to benefit from such training.

"AUTHORIZATION OF APPROPRIATIONS

"SEC. 102. There are hereby authorized to be appropriated $575,000,000 for the fiscal year ending June 30, 1970, and $750,000,000 for the fiscal year ending June 30, 1971, and for the fiscal year ending June 30, 1972, for the purpose of making grants in accordance with the provisions of parts B, C, D, and E of this title: *Provided*, That, except as provided in section 106, of the sums appropriated for any fiscal year pursuant to this section, 70 per centum shall be for grants pursuant to part B of this title, 10 per centum shall be for grants pursuant to part C of this title, 10 per centum shall be for grants pursuant to part D of this title, and 10 per centum shall be for grants pursuant to part E of this title. There are further authorized to be appropriated for each fiscal year ending prior to July 1, 1973, such sums as may be necessary to pay the cost of the administration of State plans, the activities of advisory councils created under this title and the evaluation and dissemination of activities required pursuant to this title.

"ALLOTMENTS AMONG STATES

"SEC. 103. (a) The Commissioner shall allot the sum appropriated for any fiscal year pursuant to section 102 among the States on the basis of the number of persons in the various age groups and the per capita income in the respective States as follows:

"(1) An amount which bears the same ratio to 55 per centum of such sum as the product of the population aged fifteen to nineteen, inclusive, in the State and the State's allotment ratio bears to the sums of the corresponding products for all the States; plus

"(2) An amount which bears the same ratio to 30 per centum of such sum as the product of the population aged twenty to twenty-four, inclusive, in the State and the State's allotment ratio bears to the sum of the corresponding products for all the States; plus

"(3) An amount which bears the same ratio to 15 per centum of such sum as the product of the population twenty-five to sixty-five, inclusive, in the State and the State's allotment ratio bears to the sum of the corresponding products for all the States;

"(b) The amount of any State's allotment under subsection (a) for any fiscal year which the Commissioner determines will not be required for such fiscal year for carrying out the program for which such amount has been allotted shall be available, from time to time, for reallotment or grants, on such dates during such year as the Commissioner shall fix, on the basis of criteria established by regulation, first among programs authorized by other parts of this title within that State and then among other States. Any amount reallotted to a State under this subsection for any fiscal year shall remain available for obligation during the next succeeding fiscal year and shall be deemed to be part of its allotment for the year in which it is obligated.

"(c)(1) The 'allotment ratio' for any State shall be 1.00 less the product of—

"(A) 0.50, and

"(B) the quotient obtained by dividing the per capita income for the State by the per capita income for all the States (exclusive of Puerto Rico, Guam, American Samoa, the Virgin Islands, and the Trust Territory of the Pacific Islands), except that (i) the allotment ratio in no case shall be more than 0.60 or less than 0.40, and (ii) the allotment ratio for Puerto Rico, Guam, American Samoa, the Virgin Islands, and the Trust Territory of the Pacific Islands shall be 0.60.

"(2) The allotment ratios shall be promulgated by the Commissioner for each fiscal year between July 1 and September 30 of the preceding fiscal year. Allotment ratios shall be computed on basis of the average of the appropriate per capita incomes for the three most recent consecutive fiscal years for which satisfactory data is available from the Department of Commerce.

"(3) The term 'per capita income' means the total personal income in the calendar year ending in such year, divided by the population of the area concerned in such year.

"(4) For the purposes of this section population shall be determined by the Commissioner on the basis of the latest estimates available to him.

"NATIONAL AND STATE ADVISORY COUNCILS

"SEC. 104. (a)(1) There is hereby created a National Advisory Council on Vocational Education (hereinafter referred to as the 'National Council') consisting of twenty-one members appointed by the President, without regard to the civil service laws for terms of three years, except that (i) in the case of the initial members, seven shall be appointed for terms of one year each and seven shall be appointed for terms of two years each, and (ii) appointments to fill vacancies shall be only for such terms as remain unexpired. The Council shall include persons—

"(A) representative of labor and management, including persons who have knowledge of the semi-skilled, skilled, and technical employment in such occupational fields as agriculture, home economies, distribution and marketing, health, trades, manufacturing, office and service industries, and persons representative of new and emerging occupational fields.

"(B) familiar with manpower problems and administration of manpower programs,

"(C) knowledgeable about the administration of State and local vocational education programs, including members of local school boards,

"(D) experienced in the education and training of handicapped persons,

"(E) familiar with the special problems and needs of individuals disadvantaged by their socio-economic backgrounds,

"(F) having special knowledge of postsecondary and adult vocational education programs, and

"(G) representative of the general public who are not Federal employees, including parents and students, except that they may not be representative of categories (A) through (F), and who shall constitute no less than one-third of the total membership.

The National Council shall meet at the call of the Chairman, who shall be selected by the President, but not less than four times a year.

"(2) The National Council shall—

"(A) advise the Commissioner concerning the administration of, preparation of general regulations for, and operation of, vocational education programs supported with assistance under this title;

"(B) review the adminstration and operation of this title, including the effectiveness of such programs in meeting the purposes for which they are established and operated;

"(C) review State plans submitted under this title and advise the Commissioner respecting approval thereof;

"(D) review, evaluate, and transmit at least annually to Congress and the President all reports, evaluations, and materials submitted to the National Council pursuant to subsection (b);

"(E) conduct independent evaluations of programs carried out under this title and disseminate the results thereof;

"(F) make recommendations for the improvement of the administration and operations of this title, including recommendations for legislative changes in this title; and

"(G) prepare an annual report on its evaluations, recommendations, and other activities and on vocational education and its effectiveness in meeting the need for vocational education throughout the Nation and submit such report to the Congress and the President before January 31 of each year;

"(3) Members of the National Council who are not regular full time employees of the United States shall, while serving on business of the National Council, be entitled to receive compensation at rates fixed by the President, but not in excess of $100 per day, including travel time; and, while so serving away from their homes or regular places of business, they may be allowed travel expenses, including per diem in lieu of subsistence, as authorized by section 5703 of title 5 of the United States Code for persons in Government service employed intermittently.

"(4) The National Council is authorized, without regard to the provisions of title 5 of the United States Code, to appoint, and fix the compensation of, such professional and technical personnel as may be necessary to enable it to carry out its duties and to contract for such services as may be necessary to carry out its evaluation functions.

"(5) The National Council shall review the possible duplication of vocational education programs at the postsecondary and adult levels within geographic areas, and shall make annual reports of the extent to which such duplication exists, together with its findings and recommendations, to the Secretary. In making these reports, the Council shall seek the opinions of persons familiar with postsecondary and adult vocational education in each State from schools, junior colleges, technical institutes, and other institutions of higher education as well as from State boards of education, State junior college boards, and State boards of higher education, and persons familiar with area schools, labor, business and industry, accrediting commissions, proprietary instructions, and manpower programs.

"(b)(1) Any State which desires to receive a grant under this title for any fiscal year shall establish a State Advisory Council, appointed by the State board as defined in section 109, which shall—

"(A) include as members persons—

"(i) familiar with the vocational education needs and the problems of management and labor in the State, and persons representing State industrial and economic development and planning agencies,

"(ii) representative of community and junior colleges, area vocational schools, technical institutes, and other post-secondary or adult education agencies or institutions which may provide programs of vocational or technical education and training, and other institutions of higher education,

"(iii) familiar with the administration of State and local vocational education programs, and persons having special knowledge, experience, or qualifications with respect to vocational education who are not involved in the administration of State or local vocational education programs,

"(iv) representing local educational agencies which serve large numbers of academically, socially, economically, and culturally disadvantaged students, and persons having special knowledge, experience, or qualifications with respect to the special educational needs of disadvantaged students,

"(v) having special knowledge, experience, or qualifications with respect to the special educational needs of physically or mentally handicapped persons,

"(vi) who are members of school boards, and

"(vii) representative of the general public such as members of parent-teachers associations and youth groups;

"(B) advise the State board on—

"(i) the development of and policy matters arising in the administration of the State plan submitted pursuant to part B of this title, including the preparation of long-range and annual program plans pursuant to paragraphs (5) and (6) of section 123(a),

"(ii) the disposition of applications for funds under this title which has been submitted to it;

"(iii) the results of research findings throughout the Nation and their applicability to vocational and technical education problems in the State,

"(iv) the success of exemplary or innovative vocational or technical education programs in the Nation which may be established within the State with funds available under parts D and E of this title.

"(v) the development of applications of the State for grants under part E of this title and the administration of programs assisted with funds under such part,

"(vi) the distribution of funds and services among the several purposes and local educational agencies within the State,

"(C) evaluate vocational education programs, services, and activities assisted under this title, and disseminate the results thereof, and

"(D) prepare and submit through the State board to the Commissioner and to the National Advisory Council on Vocational Education established by subsection (a) an annual evaluation report, accompanied by such additional comments of the State board as the State board deems appropriate, which (i) evaluates the effectiveness of vocational education programs, services, and activities carried out in the year under review in meeting the program objectives set forth in the long-range program plan and the annual program plan provided for in paragraphs (5) and (6) of section 123(a), and (ii) recommends such changes in such programs, services, and activities as may be warranted by the evaluations.

"(2) Not less than ninety days prior to the beginning of any fiscal year in which a State desires to receive a grant under this title, that State shall certify the establishment of, and membership of, its State Advisory Council to the Commissioner. Such certification shall also contain such other information as the Commissioner may prescribe by regulation concerning the status and membership of State Advisory Councils.

"(3) Each State Advisory Council shall meet within thirty days after certification has been accepted by the Commissioner and select from among its membership a chairman. The time, place, and manner of meeting shall be as provided by the rules of the State Advisory Council, except that such rules must provide for not less than one public meeting each year at which the public is given opportunity to express views concerning vocational education.

"(4) Members of the State Advisory Councils shall, while serving on the business of the State Advisory Council, be entitled to receive compensation at rates fixed by regulation but not in excess of $50 per day from Federal funds; and, while so serving away from their homes or regular places of business, they shall be allowed such travel expenses and subsistence as may be fixed by regulation.

"(5) State Advisory Councils are authorized to appoint and fix the compensation of such professional and clerical personnel as may be necessary to enable them to carry out their functions under this title and to contract for such services as may be necessary to enable them to carry out their evaluation functions.

"(6) The State Advisory Councils shall consult with and utilize the services of consultants representative of manpower agencies (including the cooperative area manpower planning system of the State) and private vocational schools.

"(c) From the sums appropriated pursuant to the second sentence of section 102 for any fiscal year, the Commissioner is authorized (in accordance with regulations) to pay to each State Advisory Council an amount equal to the reasonable amounts expended by it in carrying out its functions under this title each fiscal year, except that in no case shall such amount be in excess of an amount equal to 1 per centum of the State's allotment under section 103, or $100,000, which ever is greater.

"FEDERAL ADMINISTRATION

"SEC. 105. (a) The Commissioner may delegate any of his functions under this title, except the making of regulations, to any officer or employee of the Office of Education.

"(b) In administering the provisions of this title, the Commissioner is authorized to utilize the services and facilities of any agency of the Federal Government and of any other public or private agency or institution in accordance with appropriate agreements, and to pay for such services either in advance or by way of reimbursement, as may be agreed upon.

"(c) In administering the provisions of this title, the Commissioner shall consult with the Department of Labor and with other Federal departments and agencies administering programs which may be effectively coordinated with programs carried out pursuant to this title, and to the extent practicable with the purposes of this title shall (1) coordinate such programs on the Federal level with the programs being administered by such other departments and agencies, and (2) require that effective procedures be adopted by State and local authorities to coordinate the development and operation of programs and projects carried out under this title with other public and private programs having the same or similar purposes.

"(d) Nothing contained in this title shall be construed to authorize any department, agency, officer, or employee of the United States to exercise any direction, supervision, or control over the curriculum, program of instruction, administration, or personnel of any educational institution or school system.

"EFFECT OF INSUFFICIENT APPOINTMENTS

"SEC. 106. During any fiscal year in which appropriations to carry out this title are not in excess of $300,000,000, 90 per centum of the appropriations for that fiscal year shall be for grants to States under part B of this title, and 10 per centum of such appropriations shall be for grants and contracts under part C of this title, except that, unless appropriations for that fiscal year are less than the total amount of appropriations for grants under this Act and the George-Barden Act (that is, the Act of June 8, 1936, as amended) for the fiscal year ending June 30, 1969, the amount allotted to any State for the purposes of part B of this title shall not be less than the total amount allotted to such State under this and the George-Barden Act during such year.

"LABOR STANDARDS

"SEC. 107. All laborers and mechanics employed by contractors or subcontractors on all construction projects assisted under this part shall be paid wages at rates not less than those prevailing as determined by the Secretary of Labor in accordance with the Davis-Bacon Act, as amended (40 U.S.C. 276a—276a-5). The Secretary of Labor shall have with respect to the labor standards specified in this section the authority and functions set forth in Reorganization Plan Numbered 14 of 1950 (15 F.R. 3176; 5 U.S.C. 133z-15) and section 2 of the Act of June 13, 1934, as amended (40 U.S.C. 276c).

"LIMITATION OF PAYMENTS UNDER THIS TITLE

"SEC. 108. (a) Nothing contained in this title shall be construed to authorize the making of any payment under this title for religious worship or instruction, or for the construction, operation, or maintenance of so much of any facility as is used or to be used for sectarian instruction or as a place for religious worship.

"(b) In the case of any program or project assisted with funds appropriated pursuant to section 102 which involves work-study or work experience programs for students—

"(1) preference in work for which students are compensated from Federal funds shall be given to students from low-income families and to students who are in need of the earnings from employment to enter, reenter, or remain in school;

"(2) such program or project may not result in the displacement of employed workers or impair existing contracts for services; and

"(3) no compensation may be paid from Federal funds to a student for work for profitmaking employers, except that such employers may be reimbursed for the reasonable cost of work experience programs when the work performed by students is manifestly unequal to the compensation paid to such students;

The Commissioner shall promulgate regulations respecting the enforcement of the limitations in this subsection and the amount of stipends or wages paid to students and hours of work permitted. Such regulations shall take into consideration minimum wage laws and the prevailing wages paid for similar types of work done.

"(c) Funds appropriated pursuant to section 102 may be used for residential vocational education schools only to the extent that the operation of such schools is consistent with general regulations concerning the operation of such schools, but in no case may juveniles be assigned to such schools as the result of their delinquent conduct; such facilities may not be used in such a manner as to result in racial segregation.

"DEFINITIONS

"SEC. 109. For the purposes of this title—

"(1) The term 'vocational education' means vocational or technical training or retraining which is given in schools or classes (including field or laboratory work and remedial or related academic and technical instruction incident thereto) under public supervision and control or under contract with a State board or local educational agency and is conducted as part of a program designed to prepare individuals for gainful employment as semiskilled or skilled workers or technicians or subprofessionals in recognized occupations and in new and emerging occupations or to prepare individuals for enrollment in advanced technical education programs, but excluding any program to prepare individuals for employment in occupations which the Commissioner determines, and specifies by regulation, to be generally considered professional which requires a baccalaureate or higher degree; such term includes vocational guidance and counseling (individually or through group instruction) in connection with such training or for the purpose of facilitating occupational choices including vocational youth club activies; instruction related to the occupation or occupations for which the students are in training or instruction necessary for students to benefit from such training; the training of persons engaged as, or preparing to become teachers in a vocational education program or preparing such teachers to meet special education needs of handicapped students; teachers, supervisors, or directors of such teachers while in such a training program; travel of students and vocational education personnel while engaged in a training program; and the acquisition, maintenance, and repair of instructional supplies, teaching aids, and equipment, but such terms does not include the construction, acquisition, or initial equipment of buildings or the acquisition or rental of land.

"(2) The term 'area vocational education school' means—

"(A) a specialized high school used exclusively or principally for the provision of vocation education to persons who are available for study in preparation for entering the labor market, or

"(B) the department of a high school exclusively or principally used for providing vocational education in no less than five different occupational fields to persons who are available for study in preparation for entering the labor market, or

"(C) a technical or vocational school used exclusively or principally for the provision of vocational education to persons who have completed or left high school and who are available for study in preparation for entering the labor market, or

"(D) the department or division of a junior college or community college or university which provides vocational education in no less than five different occupational fields, under the supervision of the State Board, leading to immediate employment but not necessarily leading to a baccalaureate degree,

if it is available to all residents of the State or an area of the State designated and approved by the State Board, and if, in the case of a school, department, or division described in (C) or (D), it admits as regular students both persons who have completed high school and persons who have left high school.

"(3) The term 'school facilities' means classrooms and related facilities (including initial equipment and interests in lands) on which such facilities are constructed. Such term shall not include any facility intended primarily for events for which admission is to be charged to the general public.

"(4) The term 'construction' includes construction of new buildings and acquisition, expansion, remodeling, and alteration of existing buildings, and includes site grading and improvement and architect fees.

"(5) The term 'Commissioner' means the Commissioner of Education.

"(6) The term 'handicapped', when applied to persons means persons who are mentally retarded, hard of hearing, deaf, speech impaired, visually handicapped, seriously emotionally disturbed, crippled or other health impaired persons who by reason thereof require special education and related services.

"(7) The term 'State' includes, in addition to the several States, the District of Columbia, the Commonwealth of Puerto Rico, the Virgin Islands, Guam, American Samoa, and the Trust Territory of the Pacific Islands.

"(8) The term 'State board' means a State board designated or created by State law as the sole State agency responsible for the administration of vocational education, or for supervision of the administration thereof by local educational agencies; in the State.

"(9) The term 'local educational agency' means a board of education or other legally constituted local school authority having administrative control and direction of public elementary or secondary schools in a city, county, township, school district, or political subdivision in a State, or any other public educational institution or agency having administrative control and direction of a vocational education program.

"(10) The term 'high school' does not include any grade beyond grade 12.

"(1) The term 'private vocational training institution' means a business or trade school, or technical institution or other technical or vocational school, in any State, which (A) admits as regular students only persons who have completed or left elementary or secondary school and who have the ability to benefit from the training offered by such institution; (B) is legally authorized to provide, and provides within that State, a program of vocational or technical education designed to fit individuals for useful employment in recognized occupations; (C) has been in existence for two years or has been specially accredited by the Commissioner as an institution meeting the other requirements of this subsection; and (D) is accredited (i) by a nationally recognized accrediting agency or association listed by the Commissioner pursuant to this clause, (ii) if the Commissioner determines that there is no nationally recognized accrediting agency or association qualified to accredit schools of a particular category, by a State agency listed by the Commissioner pursuant to this clause, and (iii) if the Commissioner determines there is no nationally recognized or State agency or association qualified to accredit schools of a particular category, by an advisory committee appointed by him and composed of persons specially qualified to evaluate training provided by schools of that category, which committee shall prescribe the standards of content, scope, and quality which must be met by those schools and shall also determine whether particular schools meet those standards. For the purpose of this subsection, the Commissioner shall publish a list of nationally recognized accrediting agencies or associations and State agencies which he determines to be reliable authority as to the quality of education or training afforded.

"PART B—STATE VOCATIONAL EDUCATION PROGRAMS

"AUTHORIZATION OF GRANTS

"SEC. 121. From the sums made available for grants under this part pursuant to sections 102 and 103, the Commissioner is authorized to make grants to States to assist them in conducting vocational education programs for persons of all ages in all communities of the States which are designed to insure that education and training programs for career vocations are available to all individuals who desire and need such education and training.

"USES OF FEDERAL FUNDS

"SEC. 122. (a) Grants to States under this part may be used, in accordance with State plans approved pursuant to section 123, for the following purposes:

"(1) exploratory occupational education programs, including counseling for students who have not selected and entered a training program for an occupation in order to provide them with information and experiences to assist them in making career decisions;

"(2) vocational education programs for high school students which is designed to prepare them for advanced or highly skilled postsecondary vocational and technical education;

"(3) vocational education for other students attending high school;

"(4) vocational education for persons who have already entered the labor market and who desire or need training or retraining to achieve stability, adjust to changing manpower needs, expand their range of skills, or advancement in employment; or to provide such persons with opportunities for continuing vocational education;

"(5) vocational education for persons who have completed or left high school and who are available for study in a program of postsecondary vocational or technical education;

"(6) special programs designed to meet the special vocational education needs for persons—

"(A) who have academic or socioeconomic disadvantages which hinder them in other vocational education programs which may be available, or

"(B) who are handicapped (as defined in section 109);

"(7) construction of area vocational education school facilities;

"(8) ancillary services and activities to assure quality in all vocational education programs, such as teacher training and supervision, guidance and counseling, program evaluation, special demonstration and experimental programs, development of instructional materials; and

"(9) programs to serve school dropouts.

"(b) In addition to the uses of funds specified in subsection (a), funds appropriated pursuant to the second sentence of section 102 may be used for—

"(1) State administration of the State plan, including obtaining information regarding current and projected manpower needs and job opportunities; and

"(2) the evaluations required under this part and the dissemination of the results thereof.

"(c) Funds available for grants under this part may be used to provide training through contractual arrangements with private vocational training institutions where such institutions can make a significant contribution to attaining the objectives of the State plan, and can provide substantially equivalent training at a lesser cost or can provide equipment or services not available in public institutions.

"STATE PLANS

"SEC. 123. (a) Any State desiring to receive the amount for which it is eligible for any fiscal year pursuant to this part shall submit a State plan at such time, in such detail, and containing such information as the Commissioner deems necessary, which meets the requirements set forth in this part. The Commissioner shall approve a plan submitted by a State if he determines that the plan submitted for that year—

"(1) has been prepared in consultation with the State Advisory Council for that State approved pursuant to section 104;

"(2) designates the State board as the sole agency for administration of the State plan, or for supervision of the administration thereof by local educational agencies;

"(3) provides that the State board shall consult with the State advisory council on the administration of the State plan, including the policy matters arising concerning the approval of applications for, and the distribution of, Federal funds granted pursuant to this part;

"(4) has been submitted only after the State board (A) has given reasonable notice, and afforded a reasonable opportunity for a public hearing, and (B) has implemented policies and procedures to insure that copies of the State plan and all statements of general policies, rules, regulations and procedures issued by the State board concerning the administration of such plan will be made reasonably available to the public;

"(5) sets forth a long-range program plan (or, as is appropriate, a supplement to, or revision of, a previously submitted long-range plan) for vocational education in the State, which program plan (A) has been prepared in consultation with the State Advisory Council, (B) extends over such period of time (but not more than five years nor less than three years), beginning with the fiscal year for which the State plan is submitted, as the Commissioner deems necessary and appropriate for the purposes of this part, (C) describes the present and projected vocational education needs of the State in terms of the purposes of this part set forth in section 121, and (D) sets forth a program of vocational education objectives which holds promise of making substantial progress toward meeting the vocational education needs of all individuals in the State;

"(6) sets forth an annual program plan, which (A) has been prepared in consultation with the State Advisory Council, (B) describes the content of, and allocation of Federal and State vocational education funds to programs, services, and activities to be carried out under the State plan during the year from which Federal funds are sought, (C) indicates how and to what extent, such programs, services, and activities will carry out the program objectives set forth in the long-range program plan provided for in paragraph (5), and (D) indicates how, and to what extent allocations of Federal funds allotted to the State will take into consideration the criteria set forth in the State plan pursuant to paragraph (7), and (E) indicates the extent to which consideration was given to the findings and recommendations of the State advisory council in its most recent evaluation report submitted pursuant to section 104;

"(7) sets forth in detail the policies and procedures to be followed by the State in the distribution of funds to local educational agencies in the State and for the use of such funds for the programs, services, and activities set forth in program plan pursuant to paragraphs (5) and (6), which policies and procedures insure that—

"(A) due consideration will be given to the results of periodic evaluations of State and local vocational education programs, services, and activities in the light of information regarding current and projected manpower needs and job opportunities, particularly new and emerging needs and opportunities on the local, State, and national levels,

"(B) due consideration will be given to the relative vocational education needs of all population groups in all geographic areas and communities in the State, particularly persons with academic, socio-economic, mental, and physical handicaps that prevent them from succeeding in regular vocational education programs,

"(C) due consideration will be given to the relative ability of particular local educational agencies within the State, particularly those in economically depressed areas and those with high rates of unemployment, to provide the resources necessary to meet the vocational education needs in the areas or communities served by such agencies,

"(D) due consideration will be given to the cost of the programs, services, and activities provided by local educational agencies which is in excess of the cost which may be normally attributed to the cost of education in such local educational agencies;

"(E) funds will not be allocated to local educational agencies at a uniform ratio throughout the State except to the extent that the criteria set forth pursuant to paragraphs (A), (B), (C), and (D) indicate that the considerations specified in such paragraphs are uniform throughout the State,

"(F) applications from local educational agencies for funds—

"(i) have been developed in consultation with persons representative of the educational and training resources available to the area to be served by the applicant,

"(ii) show promise of providing the persons to be served with education programs designed to make substantial progress toward preparing such persons for a career,

"(iii) include a comprehensive plan for meeting the vocational education needs in the area or community served by such agency, and

"(iv) indicate how, and to what extent the vocational education programs, services, and activities proposed in the application will meet the needs set forth in the comprehensive plan included pursuant to clause (iii); and

"(G) no local educational agency which is making a reasonable tax effort, as defined by regulations, will be denied funds for the establishment of new vocational education programs solely because the local educational agency is unable to pay the non-Federal share of the cost of such new programs;

"(8) provides minimum qualifications for teachers, teacher-trainees, supervisors, directors, and other personnel having responsibilities for vocational education in the State and the policies and procedures developed to improve the qualifications of such personnel and to insure that such qualifications continue to reflect a direct relationship with the need for personnel in vocational education programs carried out under the State plan;

"(9) provides for entering into cooperative arrangements with the system of public employment offices in the State approved by the State board and by the State head of such system, looking toward such offices making available to the State board and local educational agencies occupational information regarding reasonable prospects of employment in the community and elsewhere, and toward consideration of such information by such board and agencies in providing vocational guidance and counseling to students and prospective students and in determining the occupations for which persons are to be trained; and looking toward guidance and counseling personnel of the State board and local educational agencies making available to public employment offices information regarding the occupational qualifications of persons leaving or completing vocational education courses or schools, and toward consideration of such information by such offices in the occupational guidance and placement of such persons;

"(10) provides that, in the development and conduct of vocational education programs, services, and activities under this part, there will be, in addition to the cooperative arrangements provided for in paragraph (9), appropriate and effective cooperative arrangements with other agencies, organizations, and institutions concerned with manpower needs and job opportunities, such as business and labor organizations, institutions of higher education, and community action organizations;

"(11) provides that effective use will be made of the results and experience of programs and projects assisted under parts C, D, and E;

"(12) provides assurance that Federal funds available under this part will be so used as to supplement and, to the extent practical, increase the amount of State and local funds that would in the absence of such Federal funds be made available for the uses set forth in section 122(a), and in no case supplant such State and local funds;

"(13) sets forth such fiscal control and fund accounting procedures as may be necessary to assure proper disbursement of, and accounting for, Federal funds paid to the State (including such funds paid by the State to local educational agencies) under this part;

"(14) provides that final action with respect to any application for funds under this part shall not be taken without first affording the local educational agency reasonable notice and opportunity for a hearing;

"(15) provides that not less than 15 per centum of the sums available to the State under this part shall be used for the purpose set forth in section 122(a)(5);

"(16) provides that not less than 15 per centum of sums available to the State under this part shall be used for the purpose set forth in section 122(a)(6)(A);

"(17) provides that not less than 10 per centum of the sums available to the State under this part shall be used for the purpose set forth in section 122(a)(6)(B); and

"(18) provides for submitting to the Commissioner an annual evaluation report which meets the requirements of paragraph (4)(D) of subsection (a), and such other reports in such form and containing such information as the Commissioner may reasonably require to carry out his functions under this part, and for keeping such records and for affording such access thereto as the Commissioner may find necessary to assure the correctness and verification of such reports.

"(b) The Commissioner shall not approve a State plan under this section until he has made specific findings as to the compliance of such plan with the requirements of this part and he is satisfied that adequate procedures are set forth to insure that the assurances and provisions of such plan will be carried out. Such findings shall be submitted to the Senate Committee on Labor and Public Welfare and the House Committee on Education and Labor at least annually. If the Commissioner finds that the requirement set forth in section 123(a)(15) will result in a State's inability to use the 15 per centum reservation set forth therein in any fiscal year, he may waive such requirement, upon application by that State. Supporting evidence respecting the justification of such waiver shall be included in the findings submitted pursuant to this subsection.

"(c)(1) The Commissioner shall not finally disapprove any plan submitted under subsection (a), or any modification thereof, without first affording the State board submitting the plan reasonable notice and opportunity for a hearing.

"(2) Whenever the Commissioner, after reasonable notice and opportunity for hearings to any State board, finds that there has been a failure to comply substantially with any requirement set forth in the plan of that State approved under this section, the Commissioner shall notify the agency that further payments will not be made to the State under this title (or, in his discretion, that the State board shall not make further payments under this title to specified local educational agencies affected by the failure) until he is satisfied that there is no longer any such failure to comply. Until he is so satisfied, no further payments shall be made to the State under this title, or payments by the State board under this title shall be limited to local educational agencies not affected by the failure, as the case may be.

"(3)(A) If any State is dissatisfied with the Commissioner's final action with respect to the approval of a plan submitted under subsection (a) or with his final action under paragraph (2), such State may, within sixty days after notice of such action, file with the United States court of appeals for the circuit in which such State is located a petition for review of that action. A copy of the petition shall be forthwith transmitted by the clerk of the court to the Commissioner. The Commissioner thereupon shall file in the court the record of the proceedings on which he based his action as provided in section 2112 of title 28, United States Code.

"(B) The findings of fact by the Commissioner, if supported by substantial evidence, shall be conclusive; but the court, for good cause shown may remand the case to the Commissioner to take further evidence, and the Commissioner may thereupon make new or modified findings of fact and may modify his previous action, and shall certify to the court the record of the further proceedings.

"(C) The court shall have jurisdiction to affirm the action of the Commissioner or to set it aside, in whole or in part. The judgment of the court shall be subject to review by the Supreme Court of the United States upon certiorari or certification as provided in section 1254 of title 28, United States Code.

"(d)(1) If any local educational agency is dissatisfied with the final action of the State board with respect to approval of an application by such local agency for a grant pursuant to this title, such local agency may, within sixty days after such final action or notice thereof, whichever is later, file with the United States court of appeals for the circuit in which the State is located a petition for review of that action. A copy of the petition shall be forthwith transmitted by the clerk of the court to the State board. The State board thereupon shall file in the court the record of the proceedings on which the State board based its action as provided in section 2112 of title 28, United States Code.

"(2) The findings of fact by the State board, if supported by substantial evidence shall be conclusive; but the court, for good cause shown, may remand the case to the State board to take further evidence, and the State board may thereupon make new or modified findings of fact and may modify its previous action, and shall certify to the court the record of the further proceedings.

"(3) The court shall have jurisdiction to affirm the action of the State board or to set it aside, in whole or in part. The judgment of the court shall be subject to review by the Supreme Court of the United States upon certiorari or certification as provided in section 1254 of title 28, United States Code.

"PAYMENTS TO STATES

"SEC. 124. (a) The Commissioner shall pay from the amount available to the State for grants under this part, to each State an amount equal to 50 per centum of the State and local expenditures in carrying out its State plan as approved pursuant to section 123, except that—

"(1) with respect to the amount available to any State under this part for any fiscal year which is in excess of the amount paid to the State during the preceding fiscal year, if the Commissioner finds that—

"(A) such amount is more than 110 per centum of the amount paid to the State during the preceding fiscal year, and

"(B) the State expenditures for carrying out the State plan for that fiscal year are more than 110 per centum of such expenditures for the preceding fiscal year, and

"(C) the State is making a reasonable effort to increase such expenditures, and

"(D) the programs to be carried out under the State plan, which would not be carried out because of the lack of State and local matching funds, are such that urgent vocational education needs would be met,

he may waive the 50 per centum limitation with respect to that part of such amount which exceeds 110 per centum of the amount paid to the State during the preceding fiscal year and which will be used for new or expanded programs and projects, and

"(2) with respect to the amount available to any State under this part for the fiscal years ending prior to July 1, 1972, which is in excess of the amount paid to the State during the fiscal year ending June 30, 1969, if the Commissioner finds that—

"(A) one or more local educational agencies within that State have an urgent need for establishing new vocational education programs, and

"(B) such local educational agency or agencies are making a reasonable tax effort, and

"(C) such local educational agency or agencies cannot establish such new vocational education programs because they cannot match the Federal funds,

he may waive the matching requirement with respect to such new vocational education programs.

In computing State and local expenditures for any fiscal year, that part of such expenditures which is equal to State and local expenditures for vocational education for the fiscal year ending June 30, 1969, shall be deemed to be equal to the amount allotted to the State in the fiscal year ending June 30, 1969, under this Act plus the amount allotted to the State under the Act of June 8, 1936 (known as the George-Barden Act), in such fiscal year.

"(b) Payments under this section may be made in installments and in advance or by way of reimbursement, with necessary adjustments on account of overpayments or underpayments.

"(c) The Commissioner is authorized to pay to each State the amounts necessary for the activities authorized in section 122(b) during any fiscal year, except that the total of such payments shall not be in excess of an amount equal to 5 per centum of its allotment pursuant to section 103 for that fiscal year.

"(d) No payments shall be made in any fiscal year under this title to any local educational agency or to any State unless the Commissioner finds, in the case of a local educational agency, that the combined fiscal effort of that agency and the State with respect to the provision of vocational education by that agency for the preceding fiscal year was not less than such combined fiscal effort for that purpose for the second preceding fiscal year or, in the case of a State, that the fiscal effort of that State for vocational education in that State for the preceding fiscal year was not less than such fiscal effort for vocational education for the second preceding fiscal year.

"PART C—RESEARCH AND TRAINING IN VOCATIONAL EDUCATION

"AUTHORIZATION OF GRANTS AND CONTRACTS

"SEC. 131. From the sums available to each State for grants pursuant to this part, the Commissioner is authorized to make grants to and contracts with institutions of higher education, public and private agencies and institutions, State boards, and, with the approval of the appropriate State board, to local educational agencies in that State to encourage research and training in vocational education and the development of vocational education programs designed to meet special vocational education needs of youths and to provide education for new and emerging careers and occupations, except that no grant may be made other than to a nonprofit agency or institution. The Commissioner may for any fiscal year reserve from the allocations an amount not in excess of 50 per centum of the funds available for grants and contracts under this part for projects which are of national or regional importance or interstate projects, and if such reservation is made for any fiscal year, applications from State boards, and from institutions of higher education to support research coordinating units and projects approved by research coordinating units, shall receive special consideration in approving applications for the remainder of the funds available under this part.

"USES OF FEDERAL FUNDS

"SEC. 132. The funds available for grants and contracts under this part may be used for—

"(1) research in vocational education;

"(2) training programs designed to familiarize persons involved in vocational education with research finding and successful pilot and demonstration projects in vocational education;

"(3) experimental, developmental, and pilot programs and projects designed to test the effectiveness of research findings;

"(4) demonstration and dissemination projects;

"(5) the development of new vocational education curricula; and

"(6) projects in the development of new careers and occupations, such as—

"(A) research and experimental projects designed to identify new careers in such fields as mental and physical health, crime prevention and corrections, welfare, education, municipal services, child care, and recreation requiring less training than professional positions and to delineate within such careers roles with the potential for advancement from one level to another.

"(B) training and development projects designed to demonstrate improved methods of securing the involvement, cooperation, and commitment of both the public and private sectors toward the end of achieving greater coordination and more effective implementation of programs for the employment of persons in the fields described in subparagraph (A), including programs to prepare professionals (including administrators) to work effectively with aides, and

"(C) projects to evaluate the operation of programs for the training, development, and utilization of public service aides, particularly their effectiveness in providing satisfactory work experiences and in meeting public needs.

"APPLICATIONS

"SEC. 133. (a) A grant under this part may be made to an institution of higher education, a public or nonprofit private agency or institution, a State board, or a local educational agency, or a contract may be made with a private agency, organization or institution upon application to the Commissioner at such time or times, in such manner, and containing, or accompanied by, such information as the Commissioner deems necessary. Such application shall contain—

"(1) a description of the nature, duration, purpose, and plan of the project;

"(2) the qualifications of the principal staff who will be responsible for the project;

"(3) a justification of the amount of grant funds requested;

"(4) the portion of the cost to be borne by the applicant; and

"(5) such fiscal control and fund accounting procedures as may be necessary to assure proper disbursement of and accounting for Federal funds paid to the applicant under this part.

"(b) The Commissioner may not approve an application until such application has been reviewed by a panel of experts who are not employees of the Federal Government.

"PAYMENTS

"SEC. 134. From the amount available for grants, under this part pursuant to sections 102 and 103, the agencies and institutions within the appropriate State, the Commissioner shall pay to each applicant an amount equal to not more than 90 per centum of the amount expended by such applicant in accordance with the application approved pursuant to section 133, except that any part of the funds available under this part which are reserved for national or regional research projects shall be paid in accordance with regulations. Such payment may be made on such terms as are approved in such application.

"PART D—EXEMPLARY PROGRAMS AND PROJECTS

"FINDINGS AND PURPOSES

"SEC. 141. The Congress finds that it is necessary to reduce the continuing seriously high level of youth unemployment by developing means for giving the same kind of attention as is now given to the college preparation needs of those young persons who go on to college, to the job preparation needs of the two out of three young persons who end their education at or before completion of the secondary level, too many of whom face long and bitter months of job hunting or marginal work after leaving school. The purposes of this part, therefore, are to stimulate, through Federal financial support, new ways to create a bridge between school and earning a living for young people, who are still in school, who have left school either by graduation or by dropping out, or who are in postsecondary programs of vocational preparation, and to promote cooperation between public education and manpower agencies.

"AUTHORIZATION OF GRANTS AND CONTRACTS

"SEC. 142. The Commissioner is authorized to make grants to or contracts with State boards or local educational agencies for the purpose of stimulating and assisting, the development, establishing, and operation of programs or projects designed to carry out the purposes of this part. The Commissioner also may make grants to other public or nonprofit private agencies, organizations, or institutions, or contracts with public or private agencies, organizations, or institutions, when such grants or contracts will make an especially significant contribution to attaining the objectives of this part.

"USES OF FUNDS

"SEC. 143. (a) Grants or contracts pursuant to this part may be made by the Commissioner, upon terms and conditions consistent with the provisions of this part, to pay all or part of the cost of—

"(1) planning and developing exemplary programs or projects such as those described in paragraph (2), or

"(2) establishing, operating, or evaluating exemplary programs or projects designed to carry out the purposes set forth in section

141, and to broaden occupational aspirations and opportunities for youths, with special emphasis given to youths who have academic, socioeconomic, or other handicaps, which programs or projects may, among others, include—

"(A) those designed to familiarize post-elementary school students with the broad range of occupations for which special skills are required and the requisites for careers in such occupations;

"(B) programs or projects for students providing educational experiences through work during the school year or in the summer;

"(C) programs or projects for intensive occupational guidance and counseling during the last years of school and for initial job placement;

"(D) programs or projects designed to broaden or improve vocational education curriculums;

"(E) exchanges of personnel between schools and other agencies, institutions, or organizations participating in activities to achieve the purposes of this part, including manpower agencies and industry; and

"(F) programs or projects for young workers released from their jobs on a part-time basis for the purpose of increasing their educational attainment.

"(b) (1) A grant under this title to a State board or local educational agency may be made only if the Commissioner determines—

"(A) that there is satisfactory assurance that in the planning of that program there has been, and in the establishing and carrying out of that program there will be, participation of agencies which are responsible for manpower planning, training, employment, and related activities such as the Cooperative Area Manpower Planning System, and, as appropriate, persons broadly representative of employers, labor organizations, community action agencies, and other community institutions; and

"(B) that to the extent consistent with the number of students enrolled in nonprofit private schools in the area to be served whose educational needs are of the type which the program or project involved is to meet, provision has been made for the participation of such students.

"(2) No grant or contract (other than a grant or contract with a State board) shall be made by the Commissioner under this part with respect to any program or project unless such program or project has been submitted to the State board in the State in which it is to be conducted and has not been disapproved by the State board within sixty days of such submission or within such longer period of time as the Commissioner may determine pursuant to regulations.

"PAYMENTS

"SEC. 144. From the amount available for grants, under this part pursuant to sections 102 and 103, in the appropriate State, the Commissioner shall pay to each applicant an amount equal to 90 per centum of the amount expended by such applicant in accordance with the application approved pursuant to section 143(b). Such payment may be made on such terms as are approved in such application. In determining the expenditures of an applicant under this part, the Commissioner may include the reasonable value (as determined by him) of any goods or services provided from non-Federal sources.

"LIMITATION ON DURATION OF ASSISTANCE

"SEC. 145. Financial assistance may not be given under this part to any program or project for a period exceeding three years.

"PART E—STATE SPECIAL EMPHASIS PROGRAMS

"AUTHORIZATION OF ACTIVITIES

"SEC. 151. From the sum available for grants under this part, pursuant to sections 102 and 103 of this Act, the Commissioner shall carry out a program of making grants to assist States in the establishment of special emphasis programs to meet special vocational education needs in the States.

"USES OF FEDERAL FUNDS

"SEC. 152. Grants under this part may be used, in accordance with applications approved under section 153, for—

"(a) planning and developing of programs designed to provide special vocational education activities described in clause (b),

"(b) the establishment, maintenance, and operation of new vocational educational programs, including the lease or construction of necessary facilities and the acquisition of necessary equipment, designed to meet the needs of individuals in the State and to offer a diverse range of educational experience to persons of varying talents and needs by providing, especially through new and improved approaches, special vocational education programs, such as—

"(1) new and expanded vocational education programs and services specifically designed for persons and students (including adults and other postsecondary school students) who have academic, social, economic, cultural, or other handicaps, and who reside in areas with concentrations of persons so disadvantaged;

"(2) cooperative work-study programs, designed to combine a meaningful work experience with formal education, enabling students to acquire knowledge, skills, and attitudes appropriate to the work situation;

"(3) residential vocational education schools;

"(4) development of curriculum materials, consisting of a series of courses to cover instruction in any occupational field in vocational education and designed to prepare persons for employment at the entry level or to upgrade occupational competencies of those previously or presently employed in any occupational field;

"(5) acquisition of vocational library resources, instructional material and equipment, and services, including books; periodicals; guidance, counseling, and audio-visual materials; projectors, recorders, screens; audio-visual equipment; closed-circuit television equipment; and similar items and necessary accessories suitable for use in programs of vocational education;

"(6) strengthening vocational and technical education at the postsecondary level in junior and community colleges;

"(7) comprehensive guidance and counseling remedial instruction, and school health, physical education, recreation, psychological, social work, and other services designed to enable and encourage persons to enter, remain in, or reenter vocational education programs, including the provision of special vocational education activities during periods when schools are not regularly in session;

"(8) comprehensive vocational guidance and counseling for adults;

"(9) specialized instruction and equipment for students interested in studying vocational education subjects which are not taught in the local schools or which can be provided more effectively on a centralized basis, or for persons who are handicapped;

"(10) making available modern vocational education equipment and specially qualified personnel;

"(11) developing, producing, and transmitting radio and television programs for classroom and other vocational education use;

"(12) providing special educational and related services for persons who are in or from rural areas or who are or have been otherwise isolated from normal vocational education opportunities, including, where appropriate, the provision of mobile educational services and equipment, special home study courses, radio, television, and related forms of instruction, bilingual education methods, and visiting teachers' programs;

"(13) providing support or services for the comprehensive and compatible recording, collecting, processing, analyzing, interpreting, storing, retrieving, and reporting of State and local vocational education data, including the use of automated data systems;

"(14) research and training programs and experimental, developmental, or pilot programs designed to meet the special vocational education needs of youth;

"(15) cooperative arrangements for the training or retraining of experienced vocational education personnel such as teachers, teacher educators, administrators, supervisors, and coordinators, and other personnel, in order to strengthen education programs supported by this title and the administration of schools offering vocational education;

"(16) encouraging community involvement in vocational education programs; and

"(17) programs designed to prevent school dropouts and assist all students in bridging the gap between school and the world of work."

"APPROVAL OF APPLICATIONS FOR GRANTS

"SEC. 153. An application for a grant under this part may be approved by the Commissioner only upon his determination that—

"(a) each of the proposed projects, programs, and activities for which it is approved will make a significant contribution to strengthening the ability of the State and local educational agencies in that State to participate effectively in meeting the vocational education needs of the State;

"(b) the activities proposed in the application are designed to meet a special need for vocational education set forth in the long-range program plan submitted under part B;

"(c) the application has been developed in consultation with the State advisory council and sets forth the procedures by which the activities to be carried out thereunder will be evaluated by such advisory council;

"(d) the application contains or is supported by adequate assurance that Federal funds made available under the approved application, will be so used as to supplement, and to the extent practical, increase the amounts of State funds that would in the absence of such Federal funds be made available for projects and activities;

"(c) the application sets forth such fiscal control and fund accounting procedures as may be necessary to assure proper disbursement of, and accounting for, Federal funds paid to the State (including any such funds paid by the State to agencies, institutions, or organizations) under this title; and

"(f) the application provides for making such reports, in such form and containing such information, as the Commissioner may require to carry out his functions under this part, and for keeping such records and for affording such access thereto as the Commissioner may find necessary to assure the correctness and verification of such reports.

"SEC. 154. From the amount available to each State for grants under this part, the Commissioner shall pay to each State which has had an application approved under section 153 an amount equal to 90 per centum of the amount expended by that State in accordance with the application. Payments pursuant to grants under this part may be made in installments, and in advance or by way of reimbursement, with necessary adjustments on account of overpayments or underpayments, as the Commissioner may determine.

"PART F—HOMEMAKING EDUCATION

"HOMEMAKING EDUCATION

"SEC. 161. (a) (1) There are hereby authorized to be appropriated $25,000,000 for the fiscal year ending June 30, 1970, $35,000,000 for the fiscal year ending June 30, 1971, and $50,000,000 for the fiscal year ending June

30, 1972, for the purpose of this section. From the sums appropriated pursuant to this paragraph for each fiscal year, the Commissioner shall allot to each State an amount which shall be computed in the same manner as allotments to States under section 102 of this title.

"(2) The amount of any State's allotment under paragraph (1) for any fiscal year which the Commissioner determines will not be required for such fiscal year for carrying out the State's plan approved under subsection (b) shall be available for reallotment from time to time, on such dates during such year as the Commissioner may fix, and on the basis of such factors as he determines to be equitable and reasonable, to other States which, as determined by the Commissioner, are able to use without delay any amounts so reallotted for the purposes set forth in paragraph (2) of subsection (b). Any amount reallotted to a State under this paragraph during such year shall be deemed part of its allotment for such year.

"(b) To be eligible to participate in this section, a State must have in effect a plan approved under section 123 and must submit through its State board to the Commissioner a supplement to such plan (hereinafter referred to as a 'supplementary plan'), in such detail as the Commissioner determines necessary, which—

"(1) designates the States board as the sole agency for administration of the supplementary plan, or for supervision of the administration thereof by local educational agencies;

"(2) sets forth a program under which Federal funds paid to a State from its allotment under subsection (a) will be expended solely for (A) educational programs designed to fit for homemaking, persons who have entered, or are preparing to enter, the work of the home, including consumer education programs, with special emphasis on programs for persons who are economically or socially deprived, and (B) ancillary services and activities to assure quality in all homemaking education programs, such as teacher training and supervision, program evaluation, special demonstration and experimental programs, development of instructional programs and State administration and leadership;

"(3) sets forth such fiscal control and fund accounting procedures as may be necessary to assure proper disbursement of, and accounting for, Federal funds paid to the State (including such funds paid by the State to local educational agencies) under this section; and

"(4) provides for making such reports in such form and containing such information as the Commissioner may reasonably require to carry out his functions under this section, and for keeping such records and for affording such access thereto as the Commissioner may find necessary to assure the correctness and verification of such reports.

"(c) Subsections (b), (c), and (d) of section 123 (pertaining to the approval of State plans, the withholding of Federal payments in case of nonconformity after approval, and judicial review of the Commissioner's final actions in disapproving a State plan or withholding payments) shall be applicable to the Commissioner's actions with respect to supplementary plans under this section.

"(d) From a State's allotment under this section for the fiscal year ending June 30, 1970, and for each fiscal year thereafter, the Commissioner shall pay to such State an amount equal to 50 per centum of the amount expended for the purposes set forth in paragraph (2) of subsection (b). No State shall receive payments under this section for any fiscal year in excess of its allotment under subsection (a) for such fiscal year.

"(e) Such payments (adjusted on account of overpayments or underpayments previously made) shall be made by the Commissioner in advance on the basis of such estimates, in such installments, and at such times, as may be reasonably required for expenditures by the States of the funds allotted under subsection (a).

"PART G—COOPERATIVE VOCATIONAL EDUCATION PROGRAMS

"SEC. 171. (a) The Congress finds that cooperative work-study programs offer many advantages in preparing young people for employment. Through such programs, a meaningful work experience is combined with formal education enabling students to acquire knowledge, skills, and appropriate attitudes. Such programs remove the artificial barriers which separate work and education and, by involving educators with employers, create interaction whereby the needs and problems of both are made known. Such interaction makes it possible for occupational curricula to be revised to reflect current needs in various occupations. It is the purpose of this section to assist the States to expand cooperative work-study programs by providing financial assistance for personnel to coordinate such programs, and to provide instruction related to the work experience; to reimburse employers when necessary for certain added costs incurred in providing on-the-job training through work experience; to pay costs for certain services, such as transportation of students or other unusual costs that the individual students may not reasonably be expected to assume while pursuing a cooperative work-study program.

"(b) There are authorized to be appropriated $25,000,000 for the fiscal year ending June 30, 1970, $50,000,000 for the fiscal year ending June 30, 1971, and $75,000,000 for the fiscal year ending June 30, 1972, for making grants to the States for programs of vocational education designed to prepare students for employment through cooperative work-study arrangements pursuant to this part.

"(c)(1) From the sums appropriated pursuant to this section for each fiscal year, the Commissioner shall reserve such amount, but not in excess of 2 per centum thereof, as he may determine and shall apportion such amount among Puerto Rico, the Virgin Islands, Guam, American Samoa, and the Trust Territory of the Pacific Islands, according to their respective needs for assistance under this section. From the remainder of such sums the Commissioner shall allocate to each State an amount which bears the same ratio to any residue of such remainder as the population aged fifteen to nineteen, both inclusive, in the State bears to the population of such ages in all the States.

"(2) The amount of any State's allotment under this section for any fiscal year which the Commissioner determines will not be required for such fiscal year for carrying out the State's plan approved under subsection (d) shall be available for reallotment from time to time, on such dates during such years as the Commissioner may fix, and on the basis of such factors as he determines to be equitable and reasonable, to other States which as determined by the Commissioner are able to use without delay any amounts so reallotted for the purposes set forth in subsection (d). Any amount reallotted to a State under this paragraph during such year shall be deemed part of its allotment for such year.

"(3) The population of particular age groups of a State or of all the States shall be determined by the Commissioner on the basis of the latest available etsimates furnished by the Department of Commerce.

"(d)(1) A State, in order to participate in the program authorized by this part, shall submit to the Commissioner, through its State board, a State plan which shall set forth policies and procedures to be used by the State board in establishing through local educational agencies and public and private employers cooperative work-study programs. Such policies and procedures must give assurance that—

"(A) funds will be used only for developing and operating cooperative work-study programs, as defined in subsection (f), which provide training opportunities that may not otherwise be available and which are designed to serve persons who can benefit from such programs;

"(B) necessary procedures are established for cooperating with employment agencies, labor groups, employers, and other community agencies in identifying suitable jobs for persons who enroll in cooperative work-study programs;

"(C) provision is made for reimbursement of added costs to employers for on-the-job training of students enrolled in cooperative programs, provided such on-the-job training is related to existing career opportunities susceptible of promotion and advancement and does not displace other workers who might ordinarily be hired to perform such work;

"(D) ancillary services and activities to assure quality in cooperative work-study programs are provided for, such as preservice and in-service training for teacher coordinators, supervision, curriculum materials, and evaluation;

"(E) priority for funding cooperative work-study programs through local educational agencies, be given to areas that have high rates of school dropouts and youth unemployment; and

"(F) such accounting, evaluation, and follow-up procedures as the Commissioner deems necessary will be provided.

"(2) The Commissioner shall approve a State plan which fulfills the conditions specified above, and the provisions of subsections (b), (c), and (d) of section 123 (relating to the approval of State plans) shall apply to this section.

"(e) Funds allocated under this section for cooperative work-study programs shall be available for paying not more than 90 per centum of the State's expenditures under its State plan for any fiscal year.

"(f) For the purposes of this section, the term 'cooperative work-study program' means a program of vocational education for persons who, through a cooperative arrangement between the school and employers, receive part-time instruction, including required academic courses and related vocational instruction, in the school and on-the-job training through part-time employment. Such programs should provide for alternation of study in school with a job in any occupational field, but these two experiences must be planned and supervised by school and employer so that each contributes to the student's education and to his employability. Work periods and school attendance may be on alternate half-days, days, weeks, or other periods of time."

EFFECTIVE DATE

SEC. 102. (a) Except as provided in subsection (b), the amendments made by section 101, shall become effective July 1, 1969.

(b)(1) The Commissioner of Education and the States are authorized to take such action as they deem necessary to prepare to implement the amendments made by section 101.

(2) Those provisions of the Vocational Education Act of 1963 as amended by section 101, concerning National and State advisory councils are effective upon enactment of this Act.

(3) During the fiscal year ending June 30, 1969, the Commissioner of Education is authorized to expend such sums as may be necessary to prepare to implement the amendments made by section 101.

REPEAL OF EARLIER VOCATIONAL EDUCATION ACTS AND TECHNICAL AMENDMENTS RELATED THERETO

SEC. 103. Effective July 1, 1969, the Vocational Education Act of 1946 (the Act of June 8, 1936, as amended, 20 U.S.C. 15i–15m, 15o–15q, 15aa–15jj, 15aaa–15ggg), section 1 of the Act of March 3, 1931, relating to vocational education in Puerto Rico (20 U.S.C. 30), the Act of March 18, 1950, relating to vocational education in the Virgin Islands (20 U.S.C. 31–33), section 9 of the Act of August 1, 1956, relating to vocational education in Guam (20 U.S.C. 34), and section 2 of the Act of September 25, 1962, relating to vocational education in American Samoa (48 U.S.C. 1667) are repealed.

USE OF FUNDS AVAILABLE UNDER THE SMITH-HUGHES ACT

SEC. 104. All appropriations pursuant to the Smith-Hughes Act, as amended (20 U.S.C. 11–15, 16–28), for any fiscal year ending after June 30, 1969, shall be deemed to have been appropriated pursuant to section 102 of the Vocational Education Act of 1963.

TITLE II—MISCELLANEOUS PROVISIONS

ADEQUATE LEADTIME, PLANNING, AND EVALUATION

SEC. 201 (a) Section 401 of the Elementary and Secondary Education Amendments of 1967 (Public Law 90–247) is amended to read as follows:

"PROGRAMS SUBJECT TO THIS TITLE

"SEC. 401. The provisions of this title shall apply to any program for which the Commissioner of Education has responsibility for administration, either as provided by statute or by delegation pursuant to statute. Amendments to acts authorizing such programs shall not affect the applicability of this title unless so specified by such amendments.

(b) Title IV of such Act is amended by inserting after section 405 the following new sections:

"CONTINGENT EXTENSION OF EXPIRING APPROPRIATION AUTHORITY

"SEC. 406. Unless the Congress, in the regular session in which a comprehensive evaluation report required by section 404(b) is submitted to Congress, has passed or formally rejected legislation extending the authorization for appropriations then specified for any title, part, or section of law to which such evaluation relates, such authorization is hereby automatically extended for one fiscal year beyond, and at the level specified for, the terminal year of such authorization.

"AVAILABILITY OF APPROPRIATIONS

"SEC. 407. Notwithstanding any other provision of law, unless expressly in limitation of the provision of this title, funds appropriated in any fiscal year to carry out any of the programs to which this title is applicable shall remain available for obligation until the end of such fiscal year."

REDUCING AGE LIMIT IN ADULT EDUCATION PROGRAM

SEC. 202. Effective with respect to appropriations for fiscal years beginning after June 30, 1969, section 303(a) of the Adult Education Act of 1966 (title III of Public Law 89–750, 80 Stat. 1216) is amended by striking out "eighteen" and inserting in lieu thereof "sixteen".

EXTENSION OF EXPIRING PROVISIONS OF TITLE III OF THE ELEMENTARY AND SECONDARY EDUCATION ACT OF 1965

SEC. 203. (a) Section 305(c) of the Elementary and Secondary Education Act of 1965 (Public Law 89–10), as amended, is amended by inserting after "June 30, 1969," the following: "or the fiscal year ending June 30, 1970,".

(b) Section 306(c) of such Act is amended—

(1) by striking out "fiscal year ending June 30, 1969", each time it appears, and inserting in lieu thereof "fiscal years ending prior to June 30, 1970", in each instance; and

(2) by striking out "fiscal year ending June 30, 1970" and inserting in lieu thereof "subsequent fiscal years".

EARLY EDUCATION OF HANDICAPPED CHILDREN

SEC. 204. Title VI of the Elementary and Secondary Education Act of 1950 (Public Law 89–10), as amended, is further amended—

(1) by redesignating part E thereof as part F and redesignating sections 611 through 615, and all references thereto, as sections 612 through 616, respectively; and

(2) by inserting immediately after part D thereof a new part as follows:

"PART E—EARLY EDUCATION OF HANDICAPPED CHILDREN

"PROGRAM AUTHORIZED

"SEC. 611. (a) (1) The Commissioner is authorized to arrange by contract or grant with appropriate public agencies and private nonprofit organizations, for the development and carrying out by such agencies and organizations of experimental preschool and early education programs for handicapped children which the Commissioner determines show promise of promoting a comprehensive and strengthened approach to the special problems of such children. Such programs shall be distributed to the greatest extent possible throughout the Nation, and shall be carried out both in urban and in rural areas. Such programs shall include activities and services designed to (A) facilitate the intellectual, emotional, physical, mental, social, and language development of such children in the development and operation of any such program; (B) encourage the participation of the parents of such children in the development and operation of any such program; and (C) aquaint the community to be served by any such program with the problems and potentialities of such children.

"(2) Each arrangement for developing or carrying out a program authorized by this section shall provide for the effective coordination of each such program with the State agency and appropriate local educational agencies.

"(3) No arrangement pursuant to this part shall provide for the payment of more than 90 per centum of the cost of developing, carrying out, or evaluating such a program. Non-Federal contributions may be in cash or in kind, fairly evaluated, including but not limited to plant, equipment, and services.

"(b) The Commissioner shall conduct either directly or by contract with independent organizations a thorough and continuing evaluation of the effectiveness of each program assisted under this part.

"(c) There is authorized to be appropriated for the purpose of this part $5,000,000 for the fiscal year ending June 30, 1969, and $10,000,000 for the fiscal year ending June 30, 1970, and such sums as may be authorized for the fiscal year ending June 30, 1971."

COLLECTION AND DISSEMINATION OF INFORMATION

SEC. 205. (a) For the purpose of carrying out more effectively the provisions of the programs administered by him (including those administered by him by delegation), the Commissioner of Education—

(1) shall prepare and disseminate to all appropriate State and local agencies and institutions and others concerned with education, complete information on programs of Federal assistance;

(2) shall inform the public on federally supported programs for education by providing information to communications media; such dissemination activity shall include the development and issuance of materials which inform teachers, students, the disadvantaged, and dropouts of new and expanding opportunities for education, together with materials specifically directed to institutions or individuals vested with responsibility for one or more programs administered by the Commissioner;

(3) shall develop, on both formal and informal bases, a close liaison for interchange of ideas and information with representatives of American business and with service, labor, or other organizations, both public and private, to advance American education;

(4) shall collect data and information on programs qualifying for assistance under programs administered by him for the purpose of obtaining objective measurements of the effectiveness achieved in carrying out the purposes of such programs;

(5) may upon request provide advice, counsel, technical assistance, and demonstrations to State educational agencies, local educational agencies, or institutions of higher education undertaking to initiate or expand programs under this title in order to increase the quality of depth or broaden the scope of such programs, and shall inform such agencies and institutions of the availability of assistance pursuant to this clause;

(6) shall prepare and disseminate to State educational agencies, local educational agencies, and other appropriate agencies and institutions an annual report setting forth developments in the utilization and adaptation of programs carried out pursuant to this title; and

(7) may enter into contracts with public or private agencies, organizations, groups, or individuals to carry out the provisions of this section.

(b) (1) For such purpose and also for the purpose of carrying out more effectively other provisions of Federal law, the Commissioner, upon request from a State educational agency, shall provide counseling and technical assistance to elementary and secondary schools in rural areas, as defined by the Commissioner, of such State (1) in determining benefits available to such agencies and schools under Federal laws, and (2) in preparing applications and meeting other requirements for such benefits. Assistance pursuant to this subsection may, in accordance with such request, be provided by personnel from the Office of Education or be provided in the form of grants in such amounts as may be necessary for such State educational agency to employ such personnel as may be necessary to provide such assistance.

(2) The Commissioner is further authorized to provide the types of assistance available to elementary and secondary schools under paragraph (1) to institutions of higher education.

(c) The Commissioner shall prepare and make available in such form as he deems appropriate a catalog of all Federal education assistance programs whether or not such programs are administered by him. The catalog shall—

(1) identify each such program, and include the name of the program, the authorizing statute, the specific Federal administering officials and a brief description of such program;

(2) set forth the availability of benefits and eligibility restrictions in each such program;

(3) set forth the budget requests for each such program, past appropriations, obligations incurred, the average assistance provided under each such program, and pertinent financial information indicating (A) the size of each such program for selected fiscal years, and (B) any funds remaining available;

(4) set forth the prerequisites, including the cost to the recipient of receiving assistance under each such program, and any duties required of the recipient after receiving benefits;

(5) identify appropriate officials, in Washington, District of Columbia, as well as in each State and locality (if applicable), to

whom application or reference for information for each such program may be made;

(6) set forth the application procedures;

(7) contain a detailed index designed to assist the potential beneficiary to identify all education assistance programs related to a particular need or category of potential beneficiaries;

(8) contain such other program information and data as the Commissioner deems necessary or desirable in order to assist the potential program beneficiary to understand and take advantage of each Federal education assistance program; and

(9) be transmitted to Congress within the first month of each regular session, together with a report setting forth the specific measures taken in the past year to simplify the various application forms and program guidelines a potential beneficiary would use to benefit from each Federal education assistance program, and to coordinate, simplify application forms and program guidelines.

(d) There are authorized to be appropriated for the fiscal year ending June 30, 1970, and each succeeding fiscal year ending prior to July 1, 1972, such sums as may be necessary to carry out the provisions of this section.

(e) Section 706 of the Elementary and Secondary Education Act of 1965 shall become ineffective the first fiscal year for which funds are appropriated to carry out the provisions of this section.

TRAINING TEACHERS OF THE HANDICAPPED

SEC. 206. Section 1 of Public Law 85-926 (grants for teaching in the education of handicapped children) is amended by inserting "and other appropriate non-profit institutions or agencies" after the words "non-profit institutions of higher learning" wherever such words occur.

PREVENTION OF REDUCTION OF STATE AID ON ACCOUNT OF PAYMENTS UNDER PUBLIC LAW 874

SEC. 207. (a) Subsection (d) of section 5 of the Act of September 30, 1950 (Public Law 874, Eighty-first Congress), is amended (1) by inserting "(1)" after "(d)", and (2) by adding the following new paragraph:

"(2) No payments may be made during any fiscal year to any local educational agency in any State which has taken into consideration payments under this title in determining the eligibility of any local educational agency in that State for State aid (as defined by regulation), or the amount of that aid, with respect to free public education during that year or the preceding fiscal year, or which makes such aid available to local educational agencies in such a manner as to result in less State aid to any local educational agency which is eligible for payments under this title than such local educational agency would receive if it were not so eligible."

(b) The amendments made by subsection (a) shall become effective with respect to each State on the first day of the first fiscal year which begins after the adjournment of the first complete legislative session (at which State aid may be considered) of such State's legislature held after the date of enactment of this Act.

PROGRAM CONSOLIDATION

SEC. 207. (a) The Commissioner of Education shall not in any manner effect or agree to the consolidation of any programs which will result in the co-mingling at the Federal, State, or local level of funds derived from different appropriations; nor shall he transfer funds derived from one appropriation to the use of any program not covered by that appropriation; nor shall he enter into any agreement with any State educational agency which would have the effect of requiring or providing for the approval of programs involving funds from different appropriations on any basis other than that provided for in the law which authorizes the appropriation of funds for each such program; nor shall the making of any grant or contract derived from any appropriation to the Office of Education be conditioned upon the receipt of any grant or contract from any other appropriation.

(b) The Commissioner of Education shall make a study of the feasibility of consolidation of education programs in order to provide for more efficient use of Federal funds at the local level and to simplify application procedures for such funds and shall, within one year of the effective date of this section, submit to the Congress a report on the results of the study and any recommendations for legislation which would facilitate consolidation of education programs.

(c) This section shall become effective July 1, 1968, and shall remain effective until expressly and specifically amended by law.

The PRESIDING OFFICER. The question is on agreeing to the amendment in the nature of a substitute to the bill.

Mr. MORSE. Mr. President, I shall proceed now to make a brief legislative history of the Vocational Education Act Amendments of 1968, which is S. 3770.

Mr. President, S. 3770 is the second of the two major educational bills that the Senate Committee on Labor and Public Welfare has brought before the Senate this session. It is the end result of our hearings process which took place over the past 2 years. Most if not all of the provisions in it are based in the testimony in the hearing record before you, particularly in parts 4, 5, and 6. Consultations with interested parties have taken place since the hearings in a continuing effort to reconcile, to the greatest extent possible, the differences of opinion that may have existed among the sincere proponents of our common objective. The differences in the main were only to determine the best way in which the objective and desire can be reached. That objective is the revitalization and the strengthening, through Federal financial support, of program activities in the vocational education area that are being carried on in almost every school district in the Nation.

Once again I have the honor to bring before the Senate the unanimous report of the Committee on Labor and Public Welfare. I wish to say again, if I may have the attention of the minority, that as in the case of the higher education bill, where they filed a very helpful concurring report along with the report of the majority opinion, so, to, here the minority has been a partner throughout in the consideration of the bill and we bring to the Senate, as we did in the higher education bill, a nonpartisan bill, a bill reported by the full committee unanimously.

I am particularly grateful for the great help given to the committee by those State directors of vocational education who have been most generous, both as individuals and through their national group, the American Vocational Association and its professional staff, in bringing to our attention the need for refinement of the language from the time that it was first introduced in the last session of the Congress as S. 1126 and as it was included in the legislation we received in January from the President as S. 3099.

The revisions in vocational education contained in S. 1126 and S. 3099 have in the current bill been checked against the testimony of the large city superintendents, the vocational educators, and members of public organizations such as the AFL-CIO, and many others.

To all those who helped us in ironing out difficulties I wish to express, on behalf of the members of my subcommittee, our sincerest thanks. I wish also to express my own deep personal appreciation to each of the members of my subcommittee who worked so diligently with me in our many long and tiring sessions in our joint effort to bring to the Senate what I believe to be one of the most important major bills upon which I have had the honor to act as floor manager.

SHORT SUMMARY OF PRINCIPAL PROVISIONS

Turning now to the bill itself, S. 3770 is divided into a number of parts. It is, in effect, an overall amendment and improvement upon the Vocational Education Act of 1963.

TITLE 1—AMENDMENTS TO THE VOCATIONAL EDUCATION ACT OF 1963

In part A, which contains general provisions concerning the administration of vocational education programs, the declaration of purpose reiterates the 1963 statement adding to it the new programs which will be incorporated into the legislation when this bill becomes, as I hope it will, enacted prior to adjournment.

Part B of the bill contains the present State plan-State grant program provisions with modifications.

Part C covers special provisions for research in vocational education. In the bill before you we have taken the research moneys which formerly were reserved to the national Office of Education and have allocated this 10 percent of the money appropriated among the 50 States.

Part D of the measure embodies the substance of the administration proposed "exemplary vocational education programs."

Part E contains a new aspect of vocational education which has been entitled "State Emphasis Programs," while part F contains special provisions for homemaking education.

Part G contains cooperative vocational education programs.

Mr. President, I shall now briefly discuss in somewhat greater detail each of the parts of the measure.

PART A—GENERAL PROVISIONS

Part A, which contains the general provisions concerning vocational education, has ten sections which deal with authorizations for appropriations allotment of funds, advisory councils, general limitations on payments and definitions as well as the general language concerning administration and labor standards.

With regard to authorization of appropriations, section 102 authorizes the appropriations and provides for the distribution of appropriated funds among the various parts of the program. Since the possibility of insufficient appropriations is very real, section 106 provides for a triggering mechanism which would safeguard existing programs against undue disruption which might result from insufficient appropriations.

Under section 102, 70 percent of the

funds appropriated would be available for the State plan and 10 percent would be available for each of the other vocational programs—research, exemplary programs, and State emphasis programs.

Section 106 modifies this distribution by providing that in any fiscal year when appropriations are not in excess of $300,000,000, the funds would be used according to present law; that is, 90 percent for the State-plan program and 10 percent for research. It is further provided that no State would receive less than it received in fiscal 1969.

Section 103 would allot funds among the States as funds are allotted under present law except that research money, which is now solely reserved to the Commissioner, would be allotted in the same manner as the rest of the funds are now allotted. This change is in response to considerable testimony in favor of a more equitable geographical distribution of research money.

There are further changes with regard to research which will be pointed out later.

Section 104 deals with national and State advisory councils. As you know, when the Senate initiated the concept of State advisory councils in title III of the Elementary and Secondary Education Act, there was some feeling that we were experimenting in an area heretofore untried in Federal education programs, even though there was some precedent in the Higher Education Facilities Act and the Vocational Education Act of 1963. The administration adopted the concept of the State advisory councils and proposed that they be initiated in that form in the vocational education program. Witnesses during the hearings were favorable to this approach. I understand the House-reported bill contains the administration proposal with strengthening language. The State advisory council concept in the bill before you builds on the title III concept and provides for further guarantees of the independence of those advisory councils. The American Vocational Association and those State directors who have been in communication with the committee generally agree with the provisions in this bill.

I might point out that the executive secretary of the National Council of Chief State School Officers has expressed his opposition to the evaluation features of the proposal. However, his opposition was the only opposition expressed on this point. Personally, I am convinced that we as Senators cannot do our duty with regard to the use of Federal funds in vocational education unless we have adequate information concerning the evaluation and follow-up of the vocational education programs. I do not believe we can legislate in the dark. We need to know whether Federal funds are being used effectively. I do not think the Office of Education should be the agency making this decision. I think that decision rests right here with the Senate and the Congress as a whole.

The State advisory councils, as the bill is now written, are specifically designed to provide us with the information we need in order to legislate wisely—as well as to advise the States with regard to vocational education.

Section 105 contains general language concerning the Federal administration of the program such as the prohibition against Federal control. However, there is an additional requirement that there be consultation among the various agencies to coordinate vocational education with manpower programs and related training programs in order to prevent overlap and duplication.

Section 107 provides the usual labor standards section.

Section 108 contains the usual prohibition against the use of Federal funds for the teaching of religion and general limitations concerning work-study and work experience programs. At this point I might interject that the bill contains no specific authorization of a Federal program for work-study programs. However, it does authorize the use of Federal funds at the State level for such programs. This has been done in order to alleviate some of our recent difficulties concerning that program. The Bureau of the Budget is determined to eliminate vocational work-study programs. It tried to accomplish this last year by consolidating it with the Neighborhood Youth Corps program under the Economic Opportunity Act by way of appropriations requests. Wisely, the Appropriations Committees rejected this move. Again this year that effort has been made by the Bureau of the Budget by, first, failing to request an extension of the program, and second, failing to request appropriations for the program. In my opinion, vocational work-study programs will not be safe from these efforts on the part of the Budget Bureau as long as the program has a specific set-aside at the Federal level. Therefore, the authority for vocational work-study programs would be transported to the States and beyond the reach of the Budget Bureau by giving the States the authority to support work-study programs. It is for this reason that a general provision concerning such programs is necessary in part A.

That section also provides for general limitations on residential vocational schools which would prevent them from being used as reformatories for delinquents. As in the case of vocational work-study programs, vocational residential school authority has been granted to the States. As the Senate knows, present law authorizes a Federal program of residential vocational schools, which has never been funded. The administration has not even requested funds during the last 2 years. Therefore, the bill would permit the States to use vocational funds for residential vocational schools.

Part A also contains the definitions section. The term "vocational education" has an expanded definition to allow for better coordination between vocational and general education programs, new and emerging occupations, special education to prepare vocational teachers to teach handicapped students, and greater flexibility.

The definitions section also adds to the definition of "construction" the word "acquisition" in order to permit big city schools to purchase buildings rather than build new buildings. I understand this has been a special problem in New York and I am indebted to the distinguished senior Senator from New York [Mr. JAVITS] the ranking minority member of the Senate Committee on Labor and Public Welfare, for having so well argued the merits of this proposal.

A new definition of "handicapped" and "State board" and "private vocational school" in order to take care of possible ambiguities resulting from the revision has been added.

PART B—DISCUSSION OF STATE VOCATIONAL EDUCATION PROGRAMS

Part B contains the State plan program.

Section 121 authorizes the Commissioner to make grants to the States.

Section 122 specifies the uses of Federal funds. The bill would make the following changes from present law:

First. Exploratory occupation education programs would be specifically included in order to make assistance available at the junior high school level for programs designed to familiarize students with the world of work before they make decisions as to the job they want to be trained for;

Second. Provision for programs designed to prepare high school students for advanced or highly skilled post-secondary education would be included;

Third. Provisions for the handicapped would be clarified;

Fourth. Specific funds would be earmarked for the administration of the program and evaluations; and

Fifth. Clarifying authority would be added to permit contractual arrangements with private technical schools when such private technical schools may provide a better or more efficient training program than is available in the local educational agency program.

Section 123 specifies the requirements for the State plan. Funds would be specifically earmarked in the State plan for programs for the handicapped, the disadvantaged, and the junior colleges. Our hearings revealed that even though this authority was available under present law, the States were not emphasizing these special needs as we had hoped they would 5 years ago. Testimony revealed that less than 2 percent of vocational money was being spent for the special needs of the disadvantaged and the handicapped.

The bill also specifies that 15 percent of the State-plan funds must be used for junior colleges. The National Advisory Council on Vocational Education recommended that 25 percent be earmarked for junior colleges. However, it was pointed out by a number of witnesses that such an earmarking would unduly disrupt present programs, if it were carried out, because money would have to be shifted from present programs to junior colleges.

The State-plan requirements would also include provisions for an annual plan of activities to be carried out under the act and a long-range plan of future activities. The State plan would also have to include provisions concerning the distribution of Federal funds within the States. Testimony revealed that many of our larger cities have been unable to get Federal funds to initiate vitally needed new vocational education programs because of State distribution policies and the matching requirements. This problem is dealt with by providing that the States may permit new programs to be funded with 100 percent Federal funds so long as the overall matching within the State meets the required matching figure of 50 percent.

Protection was given, however, to those States which, as in a very few States, do not wish to enter the field of post-secondary education.

Here I would like to pay tribute to the junior Senator from the State of Vermont, my very good friend and hardworking colleague [Mr. PROUTY], the ranking Republican member of our subcommittee, who showed us the wisdom in providing for a waiver.

The bill also requires that new Federal money must be expended for new or expanded vocational programs rather than be absorbed by overmatching in present vocational programs. This would require the States to match increased appropriations at the Federal level with increased State and local funds. In order to alleviate some of the difficulties which may arise with this requirement, the concept of the incentive grant proposed by Senator DOMINICK last year was adopted in the form of a waiver provision.

Section 124(a) provides that if the State increases its expenditures by 10 percent over the previous year, any Federal funds which are in excess of 10 percent over the previous year would be free from the matching requirement if the additional funds are used for new or expanded vocational education programs.

It is further provided that, in the case of local educational agencies who cannot raise additional funds to establish urgently needed vocational education programs, the matching with regard to increased appropriations available could be waived in order to assist them in establishing such programs.

PART C—DISCUSSION—RESEARCH AND TRAINING IN VOCATIONAL EDUCATION

Part C separates vocational education research from the State-plan programs and sets forth general guidelines for the conduct of research. General dissatisfaction with the conduct of educational research has been expressed by a number of witnesses. It is generally felt that the statutes authorizing research programs do not provide sufficient guides to the administrators concerning their conduct of the research programs. Therefore, part C is designed to give guidance to the administrators of the vocational research programs.

We can go into detail on this later in debate, as we develop consideration of the bill.

Mr. President, part C also contains a compromise between the positions of those who wanted research transferred to the States and those who wanted research authority to retain its national emphasis. The bill provides that, initially, research money is to be allocated among the States for expenditures. This is designed, as I stated earlier, to insure equitable distribution of research funds. However, the Commissioner would be permitted to reserve up to 50 percent of the research money for national, regional, and interstate research projects of major significance. If the Commissioner exercises this authority, then the remainder of the research money would be subject to the specific requirement that State boards be given special consideration in their applications for research money. This compromise is further reinforced by a provision in part E which would permit the States to conduct vocational research and curriculum development programs in their State emphasis programs.

I might point out at this time that this compromise has been worked out in consultation with State directors, the American Vocational Association, and the Office of Education; and appears to be generally acceptable.

Part C also includes specific language concerning new and emerging occupations which was suggested by the able and distinguished senior Senator from Texas, Senator YARBOROUGH.

In this area, also, I would be remiss if I did not acknowledge my debt, and I feel sure the debt of all of us who worked together on this bill on the Education Subcommittee, to the great contribution we received from the distinguished junior Senator from Arizona [Mr. FANNIN], a member of the full committee. He brought to our attention the helpful suggestions he had received from his State vocational director, Mr. Art Lee, who pointed out to us the necessity of funding research programs comprising more than one State.

This "regional research authority" will, I know, be particularly helpful to many parts of the country, not in the least to my own State of Oregon, whose metropolis, Portland, has very vital vocational intercommunications across the Columbia with localities in our sister State of Washington. The same can be said, and here the emphasis would be on programs involving vocational agricultural programs, at the eastern extreme of the State where Ontario, Oreg., is linked economically with thriving communities in the great State of Idaho. I feel sure that the junior Senator from California [Mr. MURPHY] would agree with me that in this area, the vocational agricultural problems and needs of Oregon communities on our southern border parallel those to be found in the northern reaches of California and that such interstate authority could be of great assistance to all concerned in working out common solutions through research.

PART D—DISCUSSION OF EXEMPLARY PROGRAMS AND PROJECTS

Part D embodies the administration proposed "exemplary vocational education programs." This program is designed to encourage local school districts to establish model vocational programs designed to meet special vocational needs. These new programs could be initiated with Federal matching at the 90/10 ratio rather than the 50/50 requirement under the State plan. Testimony on this program revealed enthusiastic support by all witnesses.

PART E—STATE EMPHASIS PROGRAMS

Part E, "State Emphasis Programs," was developed in order to accommodate very persuasive testimony to the effect that there is a great need for new initiative at the State level in meeting new vocational needs. Under part E grants would be made to the States to pay 90 percent of the cost of initiating new vocational education programs specifically designed to meet special vocational needs within the States. I might point out that part E differs from part D in that part D requires that the programs be exemplary or innovative while part E would emphasize the States and the newness of the programs, without regard to their being exemplary or innovative. For instance, if a State found that there was a need for residential schools, it could make application under part E for funds to establish residential vocational schools, or if the need was for better curriculum materials, library resources, research or Statewide work-study programs, it could make special application to initiate new programs at the State level. In my own State, the State vocational director has emphasized the need for a special set aside for State initiative in meeting Statewide needs for vocational education. Individuals and groups which have reviewed the proposed program are enthusiastic about the concept of State emphasis programs. To my knowledge, no opposition has been voiced.

Part F specifically authorizes $15 million for vocational homemaking for fiscal year 1970, and through an amendment persuasively argued by my good friend and stanch coworker in the field of education, the senior Senator from Texas [Mr. YARBOROUGH] this sum for fiscal year 1971 rises to $25 million and to $50 million in fiscal year 1972.

Mr. President, I am glad to see the Senator from Arizona [Mr. FANNIN], the Senator from Vermont [Mr. PROUTY], and the Senator from Colorado [Mr. DOMINICK] in the Chamber, because before discussing part G, the cooperative education programs, I want to say that part E is due to the efforts of the Senator from California [Mr. MURPHY] who, really, is the author of the proposal but the other Senators just mentioned joined with him as we pressed for adoption of the Murphy amendment.

PART G—DISCUSSION OF COOPERATIVE EDUCATION PROGRAMS

In part G, as the result of an amendment given to us by the distinguished junior Senator from California [Mr. MURPHY] may be found provisions establishing in the field of vocational education, the cooperative work-study program which has its counterpart in the higher education bill we considered earlier. It is the purpose of this part of the measure to assist the States to expand cooperative work-study programs by providing financial assistance for personnel to coordinate such programs and to provide instruction related to work experience; to reimburse employers if it becomes necessary for certain added costs incurred in providing on-the-job training through work experience, and to help to pay costs of certain services such as transportation of the students involved. It is modestly funded rising from $25 million in fiscal year 1970 to $50 million in fiscal year 1971 and to $75 million in fiscal year 1972.

I cannot stress too much the importance of vocational education, not only in alleviating some of the problems of the dropout situation, but also in helping that group of young men and women who are not interested in going on to a further liberal arts education. Vocational education will help train them with the skills necessary for them to be employable and to carry out their responsibilities in the communities in which they live.

FUNDING OF VOCATIONAL EDUCATION PROGRAMS

Now a word about the funding proposed in the bill. The Education Subcommittee brought to the full committee a 5-year extension. In our full committee deliberations, however, it was decided for both this measure and for the higher education measure that we would adopt as a uniform principle a 4-year authorization.

Mr. President, I ask unanimous consent to have printed in the RECORD a table which may be found in the committee report which sets forth the authorizations for each of the fiscal years covered by this extension.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

TABLE IV.—PROJECTED OBLIGATIONS, S. 3770, VOCATIONAL EDUCATION AMENDMENTS OF 1968

EXTENSION AND AMENDMENT OF EXISTING PROGRAMS

[In thousands]

	1968		1969		1970 authorization	1971 authorization	1972 authorization
	Authorization	Appropriation	Authorization	House appropriation			
Title I—Amendments to the Vocational Education Act of 1963:							
Pt. B—Comprehensive State vocational education programs	$259,652	$256,461	$259,652	$255,377	$402,500	$525,000	$525,000
Pt. C—Research and training in vocational education	22,500	11,550	22,500	11,550	57,500	75,000	75,000
Pt. F—Homemaking education	(1)	(1)	(1)	(1)	25,000	35,000	50,000
Total	282,152	268,011	282,152	266,927	485,000	635,000	650,000

NEW PROGRAMS

	1968 Authorization	1968 Appropriation	1969 Authorization	1969 House appropriation	1970 authorization	1971 authorization	1972 authorization
Title I—Amendments to the Vocational Education Act of 1963:							
Pt. D—Exemplary programs and projects					$57,500	$75,000	$75,000
Pt. E—State special emphasis programs					57,500	75,000	75,000
Pt. G—Cooperative vocational education programs					25,000	50,000	75,000
Title II—Miscellaneous provisions: Early education of handicapped children			$5,000		10,000		
Total			5,000		150,000	200,000	225,000
Grand total (authorizations, fiscal years 1970–72)						2,345,000	

(1) Included in pt. B above.

Mr. MORSE. Mr. President, Senators will note that we have not substantially increased our authorizations for fiscal year 1969. This is in accordance with the policy earlier adopted that new programs should not be operationally funded in that year. However, as in the case of the higher education bill, which was debated on the floor earlier, provision has been made to provide in fiscal year 1969 an authorization for a modest amount of money to enable the Commissioner to process the necessary paperwork for the establishment of the programs. It is our hope through this lead-time period of a year that the Commissioner will be able to complete all necessary steps so that the programs may become efficiently operative on July 1, 1969.

An added advantage of this proposal is that our colleagues on the Appropriations Committee will have ample time to make adequate provision for the funding of these programs in an orderly fashion.

Mr. President I ask unanimous consent to have printed in the RECORD additional tabular material reflecting State-by-State allocations of the funds for vocational education in this bill.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

TABLE I.—ESTIMATED DISTRIBUTION OF FUNDS UNDER PROPOSED VOCATIONAL EDUCATION AMENDMENTS OF 1968, TITLE I, AMENDMENTS TO THE VOCATIONAL EDUCATION ACT OF 1963: FISCAL YEARS 1970 TO 1972[1]

PUBLIC LAW 88-210, TITLE I

	Fiscal year 1970	Fiscal years 1971 and 1972
United States and outlying areas	$575,000,000	$750,000,000
50 States and the District of Columbia	564,017,580	735,675,103
Alabama	13,306,765	17,356,650
Alaska	704,673	919,139
Arizona	5,342,320	6,968,243
Arkansas	7,178,494	9,363,253
California	43,245,303	56,406,917
Colorado	5,777,958	7,536,467
Connecticut	6,330,390	8,257,030
Delaware	1,159,624	1,512,553
Florida	17,963,088	23,430,115
Georgia	16,861,895	21,993,776
Hawaii	2,258,928	2,946,428
Idaho	2,488,976	3,246,490
50 States and the District of Columbia—Continued		
Illinois	$23,965,277	$31,259,057
Indiana	13,862,796	18,081,908
Iowa	8,251,852	10,763,285
Kansas	6,745,357	8,798,292
Kentucky	11,856,840	15,465,443
Louisiana	13,293,914	17,339,888
Maine	3,403,282	4,439,063
Maryland	9,714,809	12,671,490
Massachusetts	13,023,855	16,987,637
Michigan	22,551,188	29,414,594
Minnesota	10,556,719	13,769,633
Mississippi	9,097,672	11,866,529
Missouri	13,148,967	17,150,827
Montana	2,325,941	3,033,836
Nebraska	4,275,032	5,576,129
Nevada	945,369	1,233,090
New Hampshire	2,022,569	2,638,133
New Jersey	15,453,898	20,157,258
New Mexico	3,675,258	4,793,815
New York	39,250,265	51,195,998
North Carolina	19,273,163	25,138,908
North Dakota	2,353,550	3,069,848
Ohio	28,711,108	37,449,271
Oklahoma	8,610,083	11,230,543
Oregon	5,774,797	7,532,344
Pennsylvania	32,366,590	42,217,292
Rhode Island	2,496,290	3,256,030
South Carolina	10,553,045	13,764,841
South Dakota	2,369,240	3,090,313
Tennessee	14,152,724	18,460,075
Texas	36,752,143	47,937,578
Utah	3,433,205	4,478,093
Vermont	1,391,874	1,815,488
Virginia	15,744,141	20,535,836
Washington	8,568,727	11,176,600
West Virginia	6,871,046	8,962,234
Wisconsin	11,992,742	15,642,707
Wyoming	989,165	1,290,215
District of Columbia	1,574,673	2,053,921
American Samoa	114,992	149,990
Canal Zone		
Guam	358,079	467,060
Puerto Rico	9,985,601	13,024,697
Virgin Islands	202,783	264,500
Trust Territories	320,965	418,650

[1] Estimated distribution of funds on basis of current formula with percentages adjusted to 100.

TABLE II.—ESTIMATED DISTRIBUTION OF FUNDS UNDER PROPOSED VOCATIONAL EDUCATION AMENDMENTS OF 1968, TITLE I, AMENDMENTS TO THE VOCATIONAL EDUCATION ACT OF 1963: FISCAL YEAR 1970 TO FISCAL YEAR 1972[1]

PROPOSED PT. F—HOMEMAKING EDUCATION

	Fiscal year 1970	Fiscal year 1971	Fiscal year 1972
United States and outlying areas	$25,000,000	$35,000,000	$50,000,000
50 States and District of Columbia	24,522,556	34,331,577	49,045,109
Alabama	578,520	809,928	1,157,040
Alaska	30,635	42,889	61,270
Arizona	232,265	325,171	464,530
Arkansas	312,093	436,931	624,187
Califonria	1,880,277	2,632,387	3,760,552
Colorado	251,215	351,701	502,430
Connecticut	275,252	385,352	550,503
Delaware	50,418	70,586	100,837
Florida	781,025	1,093,435	1,562,050
Georgia	733,083	1,026,317	1,466,167
Hawaii	98,207	137,489	196,413
Idaho	108,212	151,496	216,423
Illinois	1,042,023	1,458,833	2,084,047
Indiana	602,737	843,831	1,205,473
Iowa	358,775	502,852	717,550
Kansas	293,277	410,587	586,553
Kentucky	515,488	721,684	1,030,977
Louisiana	577,965	809,151	1,155,930
Maine	147,965	207,151	295,930
Maryland	422,383	591,337	844,767
Massachusetts	566,282	792,794	1,132,563
Michigan	980,488	1,372,683	1,960,977
Minnesota	458,980	642,572	917,960

See footnote at end of table.

TABLE II.—ESTIMATED DISTRIBUTION OF FUNDS UNDER PROPOSED VOCATIONAL EDUCATION AMENDMENTS OF 1968, TITLE I, AMENDMENTS TO THE VOCATIONAL EDUCATION ACT OF 1963: FISCAL YEAR 1970 TO FISCAL YEAR 1972 [1]—Continued

PROPOSED PT. F—HOMEMAKING EDUCATION—Continued

	Fiscal year 1970	Fiscal year 1971	Fiscal year 1972
50 States and District of Columbia—Con.			
Mississippi	$395,507	$553,709	$791,013
Missouri	571,713	800,399	1,143,427
Montana	101,125	141,575	202,250
Nebraska	185,870	260,218	371,740
Nevada	41,107	57,549	82,213
New Hampshire	87,940	123,116	175,880
New Jersey	671,952	940,732	1,343,903
New Mexico	159,782	223,694	319,563
New York	1,706,689	2,389,364	3,413,376
North Carolina	837,913	1,173,079	1,675,827
North Dakota	102,322	143,250	204,643
Ohio	1,248,336	1,747,669	2,496,670
Oklahoma	374,350	524,090	748,700
Oregon	251,078	351,510	502,157
Pennsylvania	1,407,322	1,970,250	2,814,643
Rhode Island	108,538	151,954	217,077
South Carolina	458,778	642,290	917,557
South Dakota	103,007	144,209	206,013
Tennessee	615,323	861,453	1,230,647
Texas	1,597,879	2,237,030	3,195,756
Utah	149,258	208,962	298,517
Vermont	60,515	84,721	121,030
Virginia	684,503	958,305	1,369,007
Washington	372,548	521,567	745,097
West Virginia	298,728	418,220	597,457
Wisconsin	521,423	729,993	1,042,847
Wyoming	43,007	60,209	86,013
District of Columbia	68,748	95,870	136,957
American Samoa	4,998	6,998	9,997
Canal Zone			
Guam	15,565	21,791	31,130
Puerto Rico	434,113	607,759	868,227
Virgin Islands	8,815	12,341	17,630
Trust Territories	13,953	19,534	27,907

[1] Estimated distribution of funds on basis of Public Law 88-210, sec. 3 formula with percentages adjusted to 100 percent.

TABLE III.—ESTIMATED DISTRIBUTION OF FUNDS UNDER PROPOSED VOCATIONAL EDUCATION AMENDMENTS OF 1968, TITLE I, AMENDMENTS TO THE VOCATIONAL EDUCATION ACT OF 1963: FISCAL YEAR 1970 TO FISCAL YEAR 1972 [1]

PT. G—COOPERATIVE VOCATIONAL EDUCATION PROGRAMS

	Fiscal year 1970	Fiscal year 1971	Fiscal year 1972
United States and outlying areas	$25,000,000	$50,000,000	$75,000,000
50 States and District of Columbia	24,500,000	49,000,000	73,500,000
Alabama	491,353	982,705	1,474,058
Alaska	35,885	71,771	107,656
Arizona	208,411	416,822	625,232
Arkansas	260,859	521,717	782,576
California	2,262,155	4,524,309	6,786,463
Colorado	251,197	502,394	753,591
Connecticut	329,869	659,737	989,606
Delaware	62,109	124,218	186,328
Florida	674,920	1,349,839	2,024,759
Georgia	610,050	1,220,100	1,830,150
Hawaii	102,135	204,270	306,405
Idaho	97,994	195,989	293,983
Illinois	1,262,887	2,525,774	3,788,660
Indiana	622,472	1,244,943	1,867,416
Iowa	354,712	709,425	1,064,137
Kansas	285,702	571,404	857,107
Kentucky	436,144	872,289	1,308,433
Louisiana	494,113	988,226	1,482,339
Maine	128,359	256,817	385,077
Maryland	456,848	913,695	1,370,543
Massachusetts	629,373	1,258,746	1,888,119
Michigan	1,080,700	2,161,400	3,242,100
Minnesota	458,228	916,455	1,374,683
Mississippi	340,910	681,821	1,022,731
Missouri	541,040	1,082,080	1,623,120
Montana	95,234	190,468	285,702
Nebraska	179,427	358,853	538,280
Nevada	46,927	93,854	140,781
New Hampshire	82,812	165,624	248,437
New Jersey	794,997	1,589,995	2,384,992
New Mexico	144,921	289,843	434 764
New York	2,045,463	4,090,925	6,136,387
North Carolina	697,003	394,006	2,091,009

See footnote at end of table.

TABLE III.—ESTIMATED DISTRIBUTION OF FUNDS UNDER PROPOSED VOCATIONAL EDUCATION AMENDMENTS OF 1968, TITLE I, AMENDMENTS TO THE VOCATIONAL EDUCATION ACT OF 1963: FISCAL YEAR 1970 TO FISCAL YEAR 1972 [1]—Continued

PT. G—COOPERATIVE VOCATIONAL EDUCATION PROGRAMS—Continued

	Fiscal year 1970	Fiscal year 1971	Fiscal year 1972
50 States and District of Columbia—Con.			
North Dakota	$88,333	$176,666	$264,999
Ohio	1,307,053	2,614,107	3,921,160
Oklahoma	311,926	623,852	935,778
Oregon	252,577	505,155	757,732
Pennsylvania	1,394,006	2,788,012	4,182,018
Rhode Island	107,656	215,312	322,968
South Carolina	386,457	772,914	1,159,371
South Dakota	91,093	182,187	273,280
Tennessee	509,295	1,018,591	1,527,886
Texas	1,394,006	2,788,012	4,182,018
Utah	138,020	276,041	414,061
Vermont	52,448	104,895	157,343
Virginia	592,107	1,184,215	1,776,322
Washington	400,259	800,518	1,200,777
West Virginia	262,239	524,477	786,716
Wisconsin	524,477	1,048,955	1,573,432
Wyoming	44,167	88,333	132,500
District of Columbia	78,672	157,343	236,015
Outlying areas	500,000	1,000,000	1,500,000

[1] Estimated distribution of funds with 2 percent reserved for the outlying areas, and the balance distributed on the basis of 15-19 population, July 1, 1966.

TITLE II OF S. 3770

Mr. MORSE. Mr. President, the bill, as I have indicated, contains two major titles. We have just discussed title I which reflected the changes in vocational education authorities. I turn now to the miscellaneous provisions of the bill which may be found in title II. These miscellaneous provisions are in this measure, rather than in the measure considered earlier, since for the most part they are concerned with provisions which either cross jurisdictional subcommittee lines in our sister committee in the other body, or which are within the particular jurisdiction of the subcommittee headed by the Honorable ROMAN PUCINSKI, chairman of the General Education Subcommittee.

In section 201 we provide for adequate leadtime planning and evaluation of education programs. In this section, we have attempted to generalize the principle which now is contained in the Elementary and Secondary Education Act through amendments adopted in Public Law 90-247. It is my considered judgment that this is one of the most important sections of the bill, since through its enactment, and I trust it will be enacted, for all those who are engaged in budgeting and financial operations in the field of education and who have an interest in any of the statutes which have been enacted conferring jurisdiction upon the Office of Education, for all these educational leaders uncertainty will be replaced by certainty, and programs can be scheduled without fear.

The economies inherent in such a move are self-evident and it is my belief that program operations will be greatly strengthened.

Section 202 permits the benefits of the provisions of the Adult Education Act of 1966—title III of Public Law 89-750—to be extended to young people aged 16 and 17.

Section 203 extends for 1 year the authority presently contained in section 305(c) of the Elementary and Secondary Education Act of 1965. It is regrettable that we have been unable, as a Congress, adequately to fund many of our education programs and this authority would reserve, to the greatest extent possible, commitments which were previously made under title III as it originally operated, for the additional time necessary to complete such earlier approved 2- and 3-year projects.

Section 204 is the result of the concern shared by many of our colleagues on the subcommittee and in particular the respected ranking minority member, the distinguished junior Senator from Vermont [Mr. PROUTY]. It would add to title VI of Public Law 89-10 a new part E providing for early education of handicapped children. This new program, which has merit on its face, because of the undeniable fact that handicapped youngsters—if they are to be afforded equal education opportunities, because of the nature of their disabilities—must receive a more expensive education. The earlier such education is provided, the easier it becomes, in the later years, to help to bring them to a par with their more fortunately endowed contemporaries.

Section 205 brings into one place in our statutes authorities regarding the collection and dissemination of information which heretofore have appeared in piecemeal fashion in many pieces of legislation.

This section essentially is designed to facilitate what I believe to be the desire on the part of all members of the subcommittee, at as early a date as can be conveniently reached, the codification of our various statutes in the education area. In discussing this section, I particularly wish to pay tribute to the tremendous interest which has characterized the contributions of the very able senior Senator from West Virginia [Mr. RANDOLPH] who with the distinguished senior Senator from Texas, has been our leader in attempting to bring to local school districts throughout the country accurate information regarding the various programs which we have worked upon in the field of education in the past 6 or more years.

This section also contains a new provision which we believe can be a major force in bringing into being a widespread dissemination of information regarding educational programs administered by the Office of Education. It is a provision that bears the imprint of origination and development of the hardworking and conscientious ranking minority member of the Education Subcommittee, the distinguished junior Senator from Vermont. Under its provisions the Commissioner of Education is directed to prepare and make available a catalog of all educational Federal assistance programs whether or not such programs are administered by the Office of Education.

Such an annual catalog as is prescribed by the language will, I know, make easier the job of school administrators. I might add that it also will be a most helpful publication to each senatorial office since it will enable each office to answer the many requests which periodically are made by concerned citizens and school officials in each of our constituencies, for basic information.

In section 206, there is a slight change submitted, which if adopted, would broaden section 1 of Public Law 89–926, a program of grants for teaching in the education of the handicapped children, by inserting language which would permit such training to take place in nonprofit institutions or agencies other than those of higher learning.

In this field of special education teacher training, we must really go where the expertise is, if we are to get the quality of instruction of our teachers which is so necessary if, they in turn, are adequately to draw forth from the children entrusted to their care, the full potential with which these children are endowed. That is where most of the handicapped children are. They are not in institutions of higher learning. We can go into the nonprofit institutions or agencies where the children are and do the training, and have the teaching of the handicapped there.

Section 207 was added to the bill in an effort to overcome a problem which we felt militated against the effectiveness of Public Law 874. It is a maintenance of effort section in the best sense of the word, but it is directed against a practice which seems to be in danger of becoming prevalent. It is a practice which the three judge court sitting for the Eastern District of Virginia has found to be in contravention of the Constitution.

The situation that this provision is designed to correct, roughly is as follows: The fact that a school district has received Public Law 874 payments—based upon the number of children whose parents live and work on Federal property, or whose parents live or work on Federal property—has been taken into consideration by the State, and moneys that that school district would otherwise have received from other State sources of school support, because of the receipt of Public Law 874 funds, have been reduced.

Not only are some States not carrying out their partnership obligation, but they are, really, letting the taxpayers of this country take up the obligation that they otherwise would be obligated to pay. Such a reduction of State aid nullifies in the committee view, the intent of the Congress in establishing and continuing the impacted areas aid program.

In the judgment of the committee, the adoption of this provision will go far in correcting the situation. I hope that it will receive the approval of both the Congress and the President.

The final section of title II deals with a matter which is of deep concern to the committee since it touches upon the importance under our system of government of having Executive agencies act under, and only under, express provisions of controlling statutes. I ask unanimous consent, Mr. President, that the text of the committee report touching upon section 208 which sets forth in detail the problem and the suggested remedies be printed at this point in my remarks.

There being no objection, the excerpts from the report were ordered to be printed *in the* R*ECORD*, *as follows:*

OFFICE OF EDUCATION—ADMINISTRATION OF PROGRAMS

In connection with the committee's oversight hearings, a number of concerns expressed by witnesses and others who have been in communication with the committee about the administration of education programs have been brought to the committee's attention. Several of the amendments proposed by the administration in S. 3098 heightened those concerns. The Office of Education seems to have taken upon itself, in the judgment of some members, a leadership responsibility which is in excess of that expressly granted by law. It has been suggested that some of the States may have taken upon themselves greater authority in the administration of Federal education programs than that which is granted to them by the authorizing statute. Specifically, the Office of Education has assumed a responsibility for setting national priorities upon which Federal education programs should be focused; and the States, it appears, in some instances, have assumed the authority for imposing additional requirements for eligibility for participation in Federal educational programs. It is the position of this committee that national priorities are to be set by Congress and that the basic requirements for participation in Federal programs are set by Federal law alone. The committee is further cognizant of the fact that there are urgent needs for special emphasis with regard to use of Federal funds. The committee has recommended to the Congress a number of times that national priorities be set to meet critical needs in education. With the enactment of the National Defense Education Act in 1958, a precedent was set for congressional establishment of priorities in education. The Congress has continued to set priorities through the enactment of more than 30 major education laws in the past 10 years.

At times in recognizing national priorities, the Congress has directed the Office of Education to grant special consideration to applications which propose to carry out certain types of projects, as in the case of the special consideration set forth in title III of the Elementary and Secondary Education Act. The mere fact that Congress itself has designated priority areas of concern precludes those who are in administrative responsibility from taking upon themselves the setting of national priorities. This is a legislative, not an administrative, function. The Congress both authorizes appropriations and appropriates funds according to the will of the people. It is the proper role of the Congress, not the executive branch, to carry out the will of the people.

One of the amendments submitted by the administration in connection with title III of the NDEA would have required the States to set forth in their State plans any additional requirements imposed by the States for participation in title III of the NDEA. This committee was surprised that such an amendment should be proposed. For the mere fact that States might be imposing additional requirements for participating in Federal programs is far beyond what was intended in the enactment of title III of the NDEA. The States have no authority to impose additional requirements. It is not intended, and ought not be tolerated. Therefore, the Office of Education is directed to study the administration of title III of the NDEA and all other State plan programs in order to ascertain whether or not the States are imposing additional requirements for participation in Federal programs. If it is found that States are imposing additional requirements, these facts should be brought to the attention of the committee in order that it may advise the Commissioner as to whether those sections of the appropriate laws which permit him to withhold for noncompliance with State plans shall be put into action. If this is done then no fund payments shall be made under the State plan until the administration of the State plans is brought back into compliance with Federal law.

It has been brought to the attention of the committee that some States may have imposed more strict maintenance of effort requirements upon local educational agencies than that which is authorized by the appropriate law, specifically allegations were made with regard to the State of Oregon in the administration of title II of the ESEA. If this be the case, the Office of Education is directed to take steps immediately to bring those States into compliance with the law.

The committee wishes to emphasize again that the Congress sets the sole criteria for participation in Federal programs. Basic eligibility for participation in Federal funds has, unless otherwise specified by law, been reserved to the Congress and not to administrative agencies.

The committee has added language to this bill which is designed to assure the maintenance of a proper relationship between the policymaking role of Congress and the administrative authority of the executive branch.

Section 208 provides (1) that the Commissioner shall not effect or agree to the consolidation of any programs which will result in the commingling at the Federal, State, or local level of funds derived from different appropriations, (2) that he shall not transfer funds from one appropriation for any use not authorized by that appropriation, (3) that he shall not enter into any agreement with a State educational agency which would abridge the provisions of law for the approval of programs, and (4) provides that no grant or contract derived from any appropriation to the Office of Education shall be conditioned upon the receipt of any grant or contract from any other appropriation.

The committee interprets the term "appropriation" to mean a specific line item in an appropriation act.

The committee has been concerned for some time that in the administration of education programs, the Office of Education is exercising discretionary authority not specifically authorized by law. These actions may not and probably are not in most instances prohibited by the letter of the law, but the committee believes that when a major reorganization of programs or approaches to the administration of programs occurs, the administration should seek changed or new authority in law for such efforts.

Our concern is that the purposes of legislation as carefully considered by the Congress may be modified or distorted by administration of the programs in a way that may pose serious problems.

The Office of Education has within the past year moved in the direction of packaging programs or the administrative aspects of the programs. These packaging efforts can be divided into three categories.

The first of these involves local packaging efforts. Two distinct problem areas are involved currently: the rural isolated school districts and central city school districts. In the case of the rural isolated districts, six representative predominantly Negro school districts in three Southern States were selected for intensive study. The study was conducted by personnel from seven universities and reviewed by a committee of State, local university, and Office of Education personnel who developed recommendations for educational improvement.

Proposals for the districts to utilize title I and title III ESEA funds to meet major areas of need were developed under a contract with the Southeastern Educational Laboratory. The University of Georgia is conducting under title XI NDEA funds two special summer institutes for personnel from these six districts and some 240 other predominantly Negro districts which can benefit from this type of approach.

In the case of the central city districts, 23 central city projects have been approved under title III of ESEA for support amounting to approximately $12 million. This resulted from cooperative efforts involving the cities, State departments of education, regional offices of the U.S. Office of Education, and six regional educational laboratories and the Research Council for the great cities school improvement program representing the school administration in major cities. The coordinated planned programs also include title I of ESEA and State and local funds.

The second type of arrangement, consolidation of State education agency administrative funds, involves the development of a single application to the Office of Education to merge and account for as a single item, rather than by program service, the administrative funds available to them from State plan programs, including ESEA title I. The plans are designed to preserve the integrity of the individual programs.

The third approach involves coordination of program funds. Here the State develops a plan to accomplish specific program objectives. Various Federal programs may then be coordinated to accomplish these objectives. In no case are program sources to be masked, legislation or legal requirements breached, or program approval requirements changed. As an example, the State of North Dakota has proposed a highly coordinated plan to offset the training deficiencies of teachers throughout the State.

The committee does not wish to take the posture that it is opposed to packaging and coordination of Federal programs in local school districts. There are, undoubtedly, many advantages to be obtained from such efforts. It is our view, however, that such major changes in approach to the administration of Federal educational support programs should receive the full consideration of the Congress and be specifically authorized.

The language we are reporting is not designed to upset practices of packaging at the local level which we are informed have been followed in many districts for a number of years on local initiatives. It is not intended to stop efforts being undertaken by the Office of Education, State departments of education, and local school districts to take a new look at their patterns of administration. We recognize the need for close coordination of existing Federal programs and these programs, in turn, with other public and private efforts if we are to avoid duplication and overlap of activities. This becomes even more vital in a period of high demand and the currently extreme budgetary situation.

Section 208 is designed to assure that there will be no diversion of one appropriation to another through a commingling of funds not authorized by law. We have been assured that the activities so far proposed would not result in such diversion. We are also concerned that the local or State options provided by law are not disturbed and that no coercion or undue pressure be used in the packaging efforts.

The committee would emphasize that the consolidation or packaging arrangement should be voluntary and preserve all local discretion, as provided in law.

On the basis of information presented to date, the committee does not see any real problem with the local packaging arrangements as embodied in the efforts to support rural isolated districts and central city districts. It has more concern with the consolidation of State administrative funds and the possible effects this may have on authorized programs, though it recognizes the possibility of some inherent advantages and administrative efficiencies.

In the case of the coordination of program funds, the committee is not clear as to the full implications which may be involved. Where it is clearly a State originated effort and does not violate the legislative prescriptions for approval of programs we see no particular difficulty at this time, to the extent that States do not impose additional requirement limiting the total eligibility of local schools.

Because of the possible implications to established programs the Office of Education shoud consider its current packaging efforts as merely experimental. The Commissioner of Education should report to the committee early in the next session the results of such activities and provide suggested language for legislation to authorize any desired packaging or consolidation arrangements. The committee will expect to conduct full-scale hearings on these approaches at that time.

Finally, it is recognized that in the developing of packages or coordinated efforts, there must be conversations between local and State educational agencies and the Office of Education. Such contacts, conversations or technical assistance are not prohibited by section 208(a); coerceive efforts by the Office of Education and State educational agencies to bring about such arrangements are forbidden. The purpose of this section, it must be reiterated, is to maintain the voluntary nature of such arrangements on local initiative, as opposed to State initiative.

Another amendment proposed by the administration would have permitted funds authorized under subpart 2 of part B of title V of the Higher Education Act to be used by State educational agencies rather than by local educational agencies. That program in its original enactment was designed to assist local educational agenices in recruiting teachers. Teacher recruitment has traditionally been the function of local educational agencies rather than the States. The only role the States have traditionally played with respect to teachers has been one concerning the minimum qualifications for teacher certification. Recruitment and hiring practices have been left to local agencies. It is the position of this committee that the relationships between State and local education agencies are a matter of State and local law rather than one of Federal concern unless a constitutional principle is involved. If the States are to take greater control of teacher hiring practices, this should be done by State law rather than by Federal law. This committee is absolutely opposed to changing State-local relationship by means of Federal law. This is beyond the power of Congress, and if those relationships are changed as a side effect of Federal law, an error has been made in the interpretation of the Federal law, it is not the intent of the Congress. At the present time the questions of teacher hiring practices, recruiting, and teacher salaries are of a very sensitive nature, one which this committee chooses to leave in the hands of local officials. This committee in rejecting the proposed amendment to title V–B–2, it made a purposeful decision to prohibit the use of Federal programs to change State-local relationships.

A third amendment proposed by the administration would have repealed those parts of title III of the NDEA which authorize funds for State administrative expenses and State supervisory services in critical subject matter areas. The committee feels that the administration was asking for an after-the-fact ratification of an earlier consolidation of titles III and X of the NDEA with title V of the ESEA. This this committee refuses to recommend, and in section 702 of S. 3769 recommends a prohibition against such consolidation.

The committee has reviewed the administration of education programs in a great deal of detail. The concerns of the committee have not been spelled out to the extent that the committee will like. This is because the committee has been faced with a deficiency of information and is reluctant to give greater direction than known facts would merit. The committee serves notice at this time that the Office of Education must in the future be in a position to provide it with greater detail and supporting evidence justifying both proposed amendments and administrative policies. The committee recognizes the fact that the Office of Education is not at the present time administratively equipped to deal with Congress in a day-to-day situation. However, the Office of Education has tripled in size for the last 4 years, and it is time for the Office of Education to organize at the Commissioner's staff level an office of congressional relations which will have two functions: (1) providing the Congress with the information necessary to conduct its oversight function and (2) exercising an internal review function.

At the present time the Office of Legislation within the Office of Education has done an admirable job in carrying out its duties, considering the fact that it is sorely understaffed.

The Commissioner is directed to reconsider the entire role of the Office of Legislation within the Office of Education and make whatever changes are necessary in order to assure that the Office of Legislation can and will carry out the functions which are inherently associated with an agency's relationship with Congress.

CONCLUSION

Mr. MORSE. Mr. President, I believe I have completed the presentation of my case in chief on the merits of the measure before you. I have left a printed copy on each Senator's desk. I can only reiterate that it is founded upon careful weighing and sifting of testimony from a wide spectrum of informed opinion; that it has received the close personal attention of each member of the subcommittee; and that it reflects our best judgment as to the merits. I would add only that it was unanimously ordered by the full committee, and I hope that it will receive the sanction of this body.

Mr. President, before completing this presentation and opening the bill for general debate, I would like to present to the Senate a description of the parliamentary situation of the bill which emanated from the other body. That is: the House has already taken action. I made a motion at the beginning of the discussion of this bill that we substitute the Senate language for the House language, so we can go to conference and iron out the differences which may finally need to be resolved at that time.

That completes my legislative history of the bill.

Mr. JAVITS. Mr. President, I support this bill just as the Senator from Oregon has laid it out.

MINORITY CONTRIBUTIONS

Mr. President, I ask unanimous consent that the supplemental views of the minority members of the committee, who were unanimous in supporting the bill and reporting it, may be made a part of my remarks at this point.

There being no objection, the supplemental views were ordered to be printed in the Record, as follows:

SUPPLEMENTAL VIEWS

The undersigned members of the minority on the committee support the Vocational Education Amendments of 1968. Our support is consistent with the historic sponsorship and support of constructive vocational education legislation in the Congress on a bipartisan basis.

NEW NEEDS IN VOCATIONAL EDUCATION

The blue ribbon Advisory Council on Vocational Education, in its report submitted at the end of last year, expressed the view that "two principal failures of vocational education restricted its ability to match the requirements of the fast-changing economy and technology to the vocational needs and desires of individuals: (1) Lack of sensitivity to changes in the labor market and (2) lack of sensitivity to the needs of the various segments of the population."

The Council's report then detailed how vocational education is failing to keep pace with the changing times, citing failure to develop programs in areas where critical manpower shortages exist (for example, the health occupations); insufficient growth in postsecondary vocational education; failure to meet the needs of a growing urban economy, the needs of the disadvantaged, and the needs of the handicapped; weak and unimaginative research efforts; poor work-experience programs; insufficient liaison with State employment services; inadequate counseling and guidance services; lagging vocational teacher training; inadequate prevocational instruction and outdated curriculums. The Council also cited the U.S. Office of Education for insufficient emphasis on its vocational education duties and for ineffective and unimaginative leadership.

This bill seeks to correct these deficiencies. We are particularly gratified to note some of the contributions of minority members of the committee to the bill which will help meet these shortcomings and other education needs. These are:

1. Establishment of a new cooperative vocational education program.
2. Preschool and early education programs for handicapped children.
3. Including guidance and counseling in State vocational education programs.
4. Programs in vocational educational to deal with dropouts.
5. Catalog of all Federal education programs, including regulations and guidelines, as an aid to local governments, institutions, and individuals, and for administrative efficiency.
6. Permitting State emphasis program funds to be used for innovative vocational education research projects at State and local levels.
7. Including consumer education programs in Homemaking Education.
8. Expanding the definition of "construction" in the Vocational Education Act to include acquisition of existing structures.
9. Provision for local school board members on National and State advisory councils on vocational education.
10. Utilization of research coordinating units for developing and disseminating research in educational and other agencies in each State and among the States.
11. Including the disadvantaged in the provision for dissemination of information on education opportunities.

In addition to these, minority members were responsible for many technical improvements to the bill.

Americans, as they have since the inception of our Republic, live in a changing and growing nation. We of the minority are especially concerned that vocational education keep pace with these changes and this growth, meeting the economic and human needs which are their product. We are pledged that this shall be done.

Jacob K. Javits.
Winston Prouty.
Peter H. Dominick.
George Murphy.
Paul Fannin.
Robert P. Griffin.

Mr. JAVITS. Mr. President, we again take considerable satisfaction from the constructive and creative amendments which the minority has caused to be included in the bill, and which make it truly a bipartisan bill in every sense of the word.

We are particularly proud, for example, of the program for cooperative vocational education and the program in vocational education to deal with school dropouts for which the Senator from California [Mr. Murphy] has been responsible. We are very proud of the consumer education program in respect of homemaking education and the inclusion of guidance and counselling in State programs. We are also very proud of the preschool and early education programs for handicapped children authored by the gentleman from Vermont [Mr. Prouty] and the several excellent amendments by the gentleman from Arizona [Mr. Fannin].

This brings to mind a very important point, because many of us in the committee were very concerned about the utilization of the vocational education program in a very important way, for training. But there has been criticism of the use of the funds with an undue emphasis at the high school and junior high school level upon homemaking activities. I thought, and I think other members of the committee thought, there was some justification for those criticisms. We believe in calling attention to it, because, after all, that this is a State operated program, though the Federal Government is responsible for a substantial part of the resources that go into it. We thought by appointing State advisory councils and giving our own views as to areas of vocational education which needed to be emphasized—for example, the report underlines the need for education in various types of health activity, especially in fields like practical nursing, which lend themselves very specially to the vocational education field—a great improvement can be made in the utilization of these resources.

We have also pointed out the strengths of vocational education in the field of office services, for example, where they are indispensable with the very large increase in service occupations in the United States. Indeed, with the tremendous shift from what are called blue-collar to white-collar jobs, the nature of vocational education becomes critically important whether in public or non-public schools.

Finally, I call attention to the discussion we had on the higher education bill and the urgent need for special training of a vocational education character demanded by the progress and greater technical organization of the American industrial machine.

This is really an indispensable law. It is just a question of how well it is run. In the exercise of our legislative oversight function, which in this case is very close, it will give us some examples of what we worry about and what we are seeking to correct and also seeking to emphasize in respect to the vocational education program. I join with Senator Morse in recommending it to the Senate.

To help Members of the Senate with respect to their plans henceforth today, I wish to state that I know of two amendments to be offered to the bill. One is by the Senator from Illinois [Mr. Dirksen], of the same kind which the Senator from Oregon accepted to the bill——

Mr. MORSE. Mr. President, will the Senator yield at that point?

Mr. JAVITS. I yield.

Mr. MORSE. I have been informed that the Senator from Illinois [Mr. Dirksen] may desire a rollcall of his amendment. I shall do what I can to help him get it if he wants it.

Mr. JAVITS. Then I would succeed that, if the leadership desires to keep the Senate in session that long, with an amendment which I shall offer in my own behalf and on behalf of Senators Brooke, Clark, and Hart, to deal with the school lunch program.

Mr. PROUTY. Mr. President, S. 3770 is the Education Subcommittee's reponse to one of the bitterest tragedies in American education. It is an attempt to rebuild the bridge between man and his work and to refocus anew on a long neglected and lonesome legion of youngsters who, through no fault of their own, have been shunted aside by the educational structures in this country.

It is pathetic that in this day and age those who are seeking vocational education and those who are searching for a first chance to enter into the mainstream of general education are paid the least attention to, and are given the lowest priority by our national administration.

For example, the administration has budgeted more money in fiscal year 1969 for the 38,000 enrollees in the Job Corps than it has for the 4 million enrollees in vocational education and for the 7 million handicapped children served under title VI of the Elementary and Secondary Education Act. Furthermore, the administration's budget for 1969 cut funds for vocational education below the 1967 level and recommends less than 20 percent of authorized appropriations for title VI programs.

Thus, the bill seeks to bridge that gap between what is being done and what should be done to bring job training for Americans and education opportunities for our handicapped children into harmony with the industrial, economic, and social realities of the present day. It redirects the course of vocational education and initiates preschool and early education programs for our exceptional children.

It recognizes that education is one of our most powerful weapons in the war against poverty, and proposes what I believe to be far reaching steps to break the cycle of unemployment, underemployment, and poverty through intensive education and training programs.

S. 3770 is not the work of any one man or agency. It combines contributions from the administration, from each member of the subcommittee, and, most important, from practicing schoolmen across the country.

Especially helpful to the Subcommittee were the impressive presentations from the vocational educators themselves, who shared with us their common concern over the inadequacies of the present system. They assisted us greatly in our deliberations and we translated the best possible solutions into what I consider an honest and creditable effort to meet the challenges of providing education programs that are relevant in terms of preparing our youth for the demands of employment in this technological society.

Mr. President, vast backwaters of educational poverty exist in America—from the slums of our great cities to the remote hills of Appalachia. Despite our immense educational effort, three out of 10 young Americans this year will not finish high school. Only four out of 10 will continue education beyond the 12th grade. A very large percentage of America's coming adult population will enter the space age insufficiently equipped to take a useful place in it. Several million will become unemployables—the dropouts from tomorrow's world.

At this critical stage in history, with our world leadership under heavy challenge, the skills of our people remain the greatest single source of our Nation's strength. If we are to fulfill our global destiny, we cannot afford to squander the talent of a single individual through lack of educational opportunity.

It is most ironic, Mr. President, that after more than 50 years of Federal support for vocational education, we still do not have a national system. There is no general qualitative and surprisingly little quantitative information on vocational education. It is doubtful if more than one out of 10 of of the graduates of our secondary schools are prepared with entrance level skills in any vocation in which there is an opportunity for actual job placement. Furthermore, vocational education is often not available to those who need it most.

In my judgment, our experiences with the MDTA, Job Corps, and the OEO job programs are eloquent testimony to the failures of our schools to meet the challenges of educating our youths for the world of work. For every dollar budgeted for vocational education, $7 are needed for make-work and rehabilitative programs. The price of human renewal is fantastically high and its successes to date are at best questionable, considering that today we have 1 million more recipients on the welfare roles than in the depression year of 1936.

As the U.S. Riot Commission report states:

> Despite substantially increased efforts made possible by the Vocational Education Act of 1963, quality vocational education is still not available to all who need it. The recent report of the Advisory Council on Vocational Education, established to evaluate the Act, concluded that, although 5 out of 6 youths never achieve a college education, only a quarter of the total high school population in the country received vocational education. Similarly, a 1964 Labor Department survey found that less than one-half of the non-college trained labor force had any formal training for the jobs they held.
>
> Existing vocational training programs are not effectively linked to job opportunities. The Advisory Council found "little evidence of much effort to develop programs in the area where critical manpower shortages exist—the health occupations and technical fields."
>
> The special need of the dropout is still being neglected. With an unemployment rate for Negro youth more than twice that for white youth, this need is particularly acute.

It is appalling to think that those who graduated from school in 1966 endured an unemployment rate of 14.2 percent; of the 1½ million who dropped out of school that year, 17.4 percent were unemployed.

When the census was taken in 1930, before the depression began, the teenage unemployment rate was 8.3 percent, about 1½ times the total rate of 5.2 percent. By 1948, the teenage rate was nearly 2½ times as high as the national rate. In 1963, for the first time, it was three times as high. And by 1967, it was nearly 3½ times as high.

Furthermore, the position of the nonwhite teenager is deteriorating even faster. In 1954, their unemployment rate was 16.4 percent, about 4 percentage points higher than the white rate of 12.1 percent. In 1967, it was 26.5 percent for the nonwhite teenager, almost 2½ times the white rate of 11 percent.

Moreover, as Secretary of Labor, Willard Wirtz testified:

> Unemployment is not the whole story. In 1967, 343 thousand 16 to 19 year olds (9.4% of the "full-time" labor force) were working only part-time when they wanted full-time jobs. There are also the discouraged who are not looking for work, and those whose jobs have little potential and are personally unrewarding.
>
> While unemployment, at the present, is our best developed measure of the youth situation, it leaves out as much as it tells. Better indicators are needed.
>
> While these problems are most severe among low income families, they cannot be isolated as created by poverty alone. The teenager rate is 17.4% in poverty families. It is almost as high—16.6%—in families with incomes from $3,000 to $5,000. In families making $10,000 or more the rate is still double the national average.
>
> The U.S. keeps a larger proportion of its youth in school longer than does any other nation, supposedly to insure their adequate preparation for lifetime activity. Yet the unemployment rate of its youth is far higher than other industrialized nations. In most other developed countries, young workers are so much in demand that the danger is that they will be taken out of school too early. Yet the nation with the most extensive educational system in the world and with the strongest economy is putting more than 10% of its youth through a bitter period of frustrating and difficult unemployment.
>
> These are grim, devastating facts. There is one inescapable conclusion. The massive doses of medicine recently administered to the nation's youth—the remedial youth training programs under MDTA, the Job Corps, the Neighborhood Youth Corps, and the Youth Opportunity Centers—have been essential to prevent a bad disease from becoming a fatality. But, they have not been enough to restore the patient to vital health.

Garth Mangum reports in "Reorienting Vocational Education":

> For a nation as a whole, it is an anomaly that preparation for employment currently merits an annual federal investment of $256 million compared to $4.5 billion for higher education, $3.2 billion for elementary and secondary general education and $1.8 billion for remedial work and training programs primarily for those who enter the labor market with inadequate preparation.

Against this background, Mr. President, your committee was in unanimous agreement that a specific, sustained, and massive action program as recommended by the Advisory Council on Vocational Education in its December 1967 report was desperately needed.

Dropouts do not just happen, they are caused. Youngsters do not drop out of school because they do not want to succeed, they do so because too few of our schools have persuaded them that they have something meaningful and useful to offer these children. Hence, every dropout is not only a personal tragedy but an indictment of the system.

Our distinguished colleague and chairman of the Subcommittee on Education has already gone over the provisions of this measure in detail. Rather than retrace his steps, I will instead highlight briefly the provisions which I believe to be of special interest.

S. 3770 proposes a major overhaul of the Vocational Education Act of 1963 by closing the credibility gap between the promises and the prospects. Since preparation for the world of work as well as for basic skills is the major thrust, the legislation feeds innovations into the mainstream in the hope of developing a greater sensitivity on the part of the educational community in acquainting youngsters with the opportunities of the space age.

In a direct response to the recommendations of the National Council on Vocational Education the bill consolidates the various existing authorities for vocational education programs and requires the States to expend at least 30 percent of their Federal allotments on programs of research, innovation and special emphasis. This will, it is hoped, inject a breath of fresh air into a school curriculum that has become inbred and unimaginative. However, the committee has safeguarded existing programs against undue disruption by providing that no State will receive less money for its general purpose programs than it is scheduled to receive in fiscal year 1969.

The legislation requires the States to earmark at least 25 percent of their funds for special programs for the disadvantaged and the handicapped. Our hearings revealed that even though this authority was available under present law, the States were not emphasizing these special needs as we had hoped they would. Testimony reveals that only 2 percent of vocational money is being spent for this. Vocational education, the National Council concluded was neither retaining potential dropouts nor preparing them for employment.

The Advisory Council on Vocational Education also recommended more expenditures on programs at the postsecondary level. Technical occupations and other employment opportunities demanding at least 2 years of schooling beyond high school continue to experience a rapid growth. Yet, enrollment in postsecondary level courses in fiscal year

1966 was only 7.3 percent of vocational education.

Responding to the Council's recommendation, the committee specifies that 15 percent of the State plan funds must be used for postsecondary education. The Council had recommended a 25-percent set-aside but it was pointed out by a number of witnesses that such an earmarking would disrupt present programs because money would have to be shifted from on-going projects to junior colleges. A waiver provision is further provided to assist the smaller States such as Vermont who might be unable to use a full 15 percent reservation because of insufficient applications for postsecondary education programs.

Mr. President, I would like to call the Senate's attention to section 196—the cooperative vocational education programs. Although well organized programs of cooperative education are widely held to be effective education programs, only about 150,000 or 2 percent of vocational students were enrolled in 1967.

The concept of the cooperative is the integration of theory and work in practice. The student alternates periods of full-time studies and related full-time employment.

Charles F. Kettering, the inventor and longtime director of General Motors Research, said of cooperative education:

> What gives cooperative education its strength is that it lap-welds theory from the classroom with practice on the job. It creates a weld that is much stronger than the butt-weld of a college degree followed by employment, the two touching only at one point.

In considering the development of co-op programs for the youngsters, several benefits become immediately apparent. They would have direct on-the-job contact with professionals whose job it is to stay up to date in their profession. They would be able to observe and assess the importance of personal traits so necessary for employment: punctuality, dress, regular attendance, and responsibility for completing assigned tasks.

It is my strong belief that work experience should be extended to all students because in this way the youngsters can be encouraged to try out a variety of work situations under experienced teachers before they leave school and make career decisions.

The bill requires that each State establish an advisory council broadly representative of industry, labor, education, and the public, to evaluate vocational programs funded under the act. The councils are specifically designed to provide Congress and the American people with adequate information concerning the evaluation and followup of the vocational education programs. In order to legislate wisely we need to know whether Federal funds are being used effectively for the purposes designated in the legislation that we authorize.

The establishment of such advisory councils in each State is based on the testimony of many witnesses and to fulfill the recommendations of the Advisory Council.

Hopefully, Mr. President, the thrust of the new legislation will erase the current bleak statistics and assist school systems to develop more realistic programs to enable our youngsters to earn a living.

Mr. President, of the many unfortunate children we have come to call the disadvantaged, no child is more deserving of our interest and our assistance than the child who is born with a physical, mental, or emotional handicap.

Part E, "Early Education of Handicapped Children," authorizes special preschool and early education programs for those youngsters who enter the classrooms with a built-in disadvantage.

It is identical to S. 3446 which I was privileged to introduce earlier this session and which has now been unanimously recommended by your committee. It authorizes $5 million the first year and $10 million the second year. In this day of billion dollar programs, this is not a giant project in terms of cost, but the magnitude of its contribution to the 7 million school age handicapped children will be enormous.

The bill envisions exemplary programs as pilot projects to new approaches to the special educational needs of children impeded with problems of blindness, deafness, mental retardation, speech impairment, emotional disturbances, crippled limbs, and other health impairing disabilities who cannot now be served in normal channels.

I became aware of this situation through my interest in the activities of the Friends of Retarded Children in Bennington, Vt. This group of interested parents and citizens has begun special classes for the retarded, summer camping programs, health and recreation programs, and special programs to help other parents understand the nature of retardation. Recently they have been able to start a preschool program in which the children are already showing improvement in speech, physical coordination and ability to participate in group activity.

In looking into this situation further, I found that in many States the public education of handicapped children cannot begin before the first grade or kindergarten. This is true despite the general knowledge that mental and social development of children can be accelerated by early educational opportunities.

In the past there have been very few preschool programs for the handicapped children. Often this has meant that a child's handicap is not detected until first grade, at the age of 6. As one education expert expresses it:

> In neglecting to make adequate provision for the handicapped pre-school child, educators enter the scene five years too late.

Mr. President, the programs for the handicapped have been conducted in past years on primarily a piecemeal basis. A beginning solution to the problem of special education was made 2 years ago when this body authorized a new title VI to the Elementary and Secondary Education Act to aid the States in educating handicapped children. This program constitutes the backbone of a firm national policy—a policy that favors excellence in special education for the handicapped as a sound Federal investment. But the crusade we began then in behalf of our handicapped children and their families must be further implemented if we are serious about trying to give these children an educational bill of rights.

It is not enough for us to do just a little bit better for them than we do for our more fortunate children—we must devote as many of our teachers and as many of our dollars as the job requires—not just a little more of each.

This afternoon, your committee in acknowledging that as Headstart has given a good start to a lot of economically disadvantaged youngsters and Follow-through has them headed in the right direction, so First Chance has the same potential for encouraging educational agencies to build quality and experimentation into their special education programs. How good—how different—how innovative—the answers are that schools come up with will present an unprecedented opportunity to study solid data on how best to meet the problems of the handicapped.

It is designed to meet the needs of the total child by providing physical and psychological services as well as education instruction. Each child will be assured proper nutrition, physical activity, rest and medical care. He will be taught to find himself as a person, to develop self-confidence and a sense of autonomy. He will learn to overcome his handicapping condition to the best of his ability. His range of experience will be extended and he will receive the encouragement to participate in a variety of social situations.

That the obstacles involved in instructing our handicapped offer a great challenge goes without saying. They require more than educational components, more than money and more than legislative muscle. They require a comprehensive, coordinated efficient service program that needs the attention of many specialists. If the needs of handicapped children are to be fully met, a much better job of marshaling and coordinating of many professions must be done.

These model educational programs will work with all the agencies and organizations in a given community that are concerned with handicapped children. The teachers of the handicapped child will no longer be working alone in an isolated classroom. They will be joined by parents, technicians, medical specialists in a comprehensive program.

I am convinced that of the several tools we have provided for the children in the past 2 years, none will have more promise for affecting their lives than this new program.

Finally, Mr. President, I wish to pay tribute to and to extend my sincerest thanks to Jack Forsythe, Charlie Lee, Roy Millenson, Dick Smith, and all the other staff members who assisted us, for their wisdom in defining the problems and for developing fresh programs to deal effectively with these problems.

VOCATIONAL EDUCATION AND THE MURPHY COOPERATE EDUCATION AMENDMENT

Mr. MURPHY. Mr. President, for some time and for reasons of personal experience when I was a young man, I have been interested in vocational education, its present condition, its potential, and the great hopes and possibilities I see for its future.

My concern was evidenced last year when I offered an amendment to the Office of Economic Opportunity's Job Corps program. This amendment, as my colleagues will recall, authorized a model combination vocational school and skill center. This pilot proposal was advanced because I feared that:

First. Vocational education by and large was not training and teaching for today and tomorrow's job market.

Second. Adequate evaluation and followup on vocational students did not exist.

Third. The interchange between the school, industry and the community was missing.

Fourth. Expensive facilities were not being utilized to the extent possible.

Fifth. Programs for the disadvantaged were inadequate.

Mr. President, I am sorry to say that most of my fears and feelings were substantiated by the President's National Advisory Commission on Vocational Education. For example, it was discovered that more than half of the students in vocational education are still being trained in the fields of agriculture and home economics. This emphasis, of course, tended to reflect our economy from the past and of the Smith Hughes Act of 1917, when there was a great need in our Nation's economy for employment in agriculture. American industry at that time was in its infancy. The National Advisory Council in its report stated:

> Two principal failures of vocational education which restricted its ability to match the requirements of the fast-changing economy and technology to the vocational needs and desires of individuals:
>
> 1. Lack of sensitivity to changes in the labor market; and
>
> 2. Lack of sensitivity to the needs of the various segments of the population.

Mr. President, often I have a great deal of skepticism about the value of advisory councils and I have wondered if all of them were needed and what positive contribution they made to the improvement or the betterment of the various programs. I want to take this opportunity to congratulate the members of the President's Advisory Council on Vocational Education, however, for they have made a truly outstanding and searching examination of vocational education. For anyone interested in American education, this report should be required reading. Certainly one way to measure the merits of an advisory committee is by studying the results and implementation of their recommendation.

The vocational education legislation being considered today is in no small part due to the outstanding background information and recommendations made available by the Council.

Mr. President, Members of the Congress should take considerable pride in the bill before the Senate today, which is the result of the initiative of the Congress. We often read in the press and elsewhere that the Congress fails to initiate legislation, that we only "approve or disapprove" of the recommendations of the administration. This is one excellent example to the contrary, and clearly demonstrates the caliber of legislation produced when Congress works its will.

In view of the deficiencies of vocational education and its potential, and in view of the needs of individuals, particularly the disadvantaged, for occupational education, and in view of industry's need for skilled workers, one would have expected the administration to come forward with major recommendations to reshape and chart the future critical role to be played by vocational education. This administration's answer in response to the problems and to the Advisory Council's recommendation was one new program, the exemplary vocational program, and a few administrative changes. Yet, despite this administration's complacency and indifference, the Senate Labor and Public Welfare Committee brings to the floor today a bill, which I believe will become recognized as an educational milestone. It is a good example of the vision and the leadership of the legislative branch and of the skills and talents of the chairman of the Education Committee [Mr. MORSE].

Despite the pressure for quick action, the chairman did not move to the measure too quickly just to get a bill. If fact, the committee held extensive hearings and spent considerable time working out the recommendations that we bring to the Senate floor today. I want to discuss particularly one segment of the bill which I authored. This section, found in part G, authorizes a new cooperative vocational education program. This proposal was strongly supported by both the majority and minority in committee.

Mr. President, cooperative education is not new. It has been used for many years. Perhaps one of the best known examples, at least in the higher education areas, is the Drexel Institute in Philadelphia which has been there since I was a youngster and lived in Philadelphia. The excellence and success of its cooperative education program is well recognized and the whole concept needs to be employed to a greater extent at the lower levels of education.

Cooperative vocational education programs presently exist at the secondary level of high schools, but the facts are that the nation has failed to develop work-school arrangements adequately, particularly in view of the program's potential and promise.

While work-experience programs are beneficial to all students, the presence or absence of such programs could be crucial for disadvantaged youngsters. Schools sometimes have an artificial atmosphere. The disadvantaged youngster oftentimes is unable to see and understand the relevance of education to the outside world and to employment. The relationships between education and employment and earning escape this youngster. For the youngster's sake, for society's sake, for the Nation's sake, this relationship must be brought home.

Mr. President, we live in the midst of an "educational explosion" and a technological revolution. We are told that our supply of knowledge doubles each decade. Given this background, can it any longer be argued that because a youngster is not doing well in school, he is better off dropping out of school and getting a job. Mr. President, for a youngster lacking a high school education, the facts are that jobs are not available. At the same time that we are witnessing an "education explosion", the number of unskilled jobs continues to shrink.

Also disturbing, Mr. President, is the nonsense one often hears that a youngster unless he goes on to college, is doomed to failure. I went to college and for many reasons, did not stay too long; but I do not think I have been exactly a failure. I know hundreds of others of whom I can say the same. Certainly the college degree is important and it is clear that everyone whose abilities and interests permit should attend college. We must see to it that this is possible.

The Higher Education Act amendments which we earlier passed will help to make this possible. What is equally clear is that not everyone needs nor should they have a college degree. There are and will continue to be good jobs available for trained and skilled individuals with less than a college degree. Mr. President, we must see to it that they are educationally and occupationally trained for employment.

For the two out of three young persons who end their education at or before completion from high school, and particularly the disadvantaged, the cooperative vocational education program is aimed. The President's Advisory Commission, which strongly endorsed work-experience programs, observed:

> A significant achievement of the work-education programs is the removal of the artificial barriers which separate work and education. The establishment and continuation of work-education programs require educational staff involvement with industry personnel. Through this interaction the needs and problems of both are made known and greater understanding takes place. In addition to making curriculum revision more rapidly reflective of current occupations, the programs have great value in providing students with the proper attitudes for the work environment.

Despite the obvious advantages of cooperative vocational educational programs, statistics indicate that promise of such programs are reaching a small proportion of those who could benefit from such experiences.

For example, only 2 percent of vocational students in the school year 1965–66 were enrolled in cooperative vocational education programs. In 1963, only 3 percent of school dropouts and 7 percent of high school graduates had supervised work experience during the period they were in school.

Mr. President, I point out that my amendment requires that priority be given to areas of high dropouts and youth unemployment rates for the cooperative vocational education program. For these youngsters the cooperative vocational education program should be particularly beneficial. By wedding the world of work with the school environment, the youngster will see more clearly the relevance of education and employment. This in itself will be a tremendous help in motivating and encouraging young people to complete high school.

Mr. President, I am confident my amendment which provides for a 3-year program of grants to the States will stimulate the needed development and expansion of cooperative education programs across the country. The amendment, which I indicated earlier, was warmly received in committee and I believe it will prove to be a wise investment for the American people. I ask unanimous consent that the section analysis of the cooperative vocational education program in the report and part G of the Vocational Education Amendments of 1968 be printed in full in the Record.

There being no objection, the material was ordered to be printed in the Record, as follows:

Part G—Cooperative Vocational Education Programs

Section 171. Findings and Purpose.—Subsection (a) of this section sets forth the congressional findings. The purpose is to assist the States to expend cooperative work-study programs by providing financial assistance for personnel to coordinate such programs and to provide instruction related to the work experience; to reimburse employers when necessary for added costs for providing on-the-job training through work experience; to pay costs for such services as transportation of students or other unusual costs that individual students may not reasonably be expected to assume while pursuing a cooperative work-study program.

Subsection (b) authorizes appropriations of $25 million for fiscal year 1970, $50 million for fiscal year 1971, and $75 million for fiscal year 1972, for grants to the States under this part.

Subsection (c) provides for reserving up to 2 percent of the sums appropriated for Puerto Rico, the Virgin Islands, Guam, American Samoa, and the Trust Territory of the Pacific Islands and for allotting the remainder among the States according to the relative populations aged 15 to 19 in each State Reallotment of unneeded sums is authorized.

Subsection (d) provides that, in order to participate in the program, a State must, through its State board, submit a State plan to the Commissioner setting forth policies and procedures to be used in establishing cooperative work-study programs through local educational agencies and public and private employers. Such policies and procedures must assure that the cooperative work-study programs will provide training opportunities that are not otherwise available; that procedures are established for cooperating with employment agencies, labor groups, employers, and other community agencies in identifying suitable jobs for persons who enroll in cooperative work-study programs; that reimbursed on-the-job training is related to existing career opportunities susceptible of promotion and advancement and does not displace other workers who might ordinarily be hired to perform such work; that ancillary services and activities are provided, such as preservice and inservice training for teacher-coordinators, supervision, curriculum materials, and evaluation; that priority for funding cooperative work-study programs through local educational agencies be given to areas that have high rates of school dropouts and youth unemployment; and that such accounting, evaluation, and follow-up procedures as the Commissioner deems necessary will be provided.

Subsection (e) provides for a Federal share of not more than 90 percent of the State's expenditures under its State plan for the cooperative work-study program.

Subsection (f) defines the term "cooperative work-study program" as meaning a program of vocational education for persons who, through a cooperative arrangement between the school and employers, receive part-time instruction, including required academic courses and related vocational instruction, in the school and on-the-job. training through part-time employment. Such programs should provide for alternation of study in school with a job in any occupational field, but these two experiences must be planned and supervised by school and employers so that each contributes to the student's education and to his employability. Work periods and school attendance may be on alternate half-days, days, weeks, or other periods of time.

"Part G—Cooperative Vocational Education Programs

"Sec. 171. (a) The Congress finds that cooperative work-study programs offer many advantages in preparing young people for employment. Through such programs, a meaningful work experience is combined with formal education enabling students to acquire knowledge, skills, and appropriate attitudes. Such programs remove the artificial barriers which separate work and education and, by involving educators with employers, create interaction whereby the needs and problems of both are made known. Such interaction makes it possible for occupational curricula to be revised to reflect current needs in various occupations. It is the purpose of this section to assist the States to expand cooperative work-study programs by providing financial assistance for personnel to coordinate such programs, and to provide instruction related to the work experience; to reimburse employers when necessary for certain added costs incurred in providing on-the-job training through work experience; to pay costs for certain services, such as transportation of students or other unusual costs that the individual students may not reasonably be expected to assume while pursuing a cooperative work-study program.

"(b) There are authorized to be appropriated $25,000,000 for the fiscal year ending June 30, 1970, $50,000,000 for the fiscal year ending June 30, 1971, and $75,000,000 for the fiscal year ending June 30, 1972, for making grants to the States for programs of vocational education designed to prepare students for employment through cooperative work-study arrangements pursuant to this part.

"(c)(1) From the sums appropriated pursuant to this section for each fiscal year, the Commissioner shall reserve such amount, but not in excess of 2 per centum thereof, as he may determine and shall apportion such amount among Puerto Rico, the Virgin Islands, Guam, American Samoa, and the Trust Territory of the Pacific Islands, according to their respective needs for assistance under this section. From the remainder of such sums the Commissioner shall allocate to each State an amount which bears the same ratio to any residue of such remainder as the population aged fifteen to nineteen, both inclusive, in the State bears to the population of such ages in all the States.

"(2) The amount of any State's allotment under this section for any fiscal year which the Commissioner determines will not be required for such fiscal year for carrying out the State's plan approved under subsection (d) shall be available for reallotment from time to time, on such dates during such years as the Commissioner may fix, and on the basis of such factors as he determines to be equitable and reasonable, to other States which as determined by the Commissioner are available to use without delay any amounts so reallotted for the purposes set forth in subsection (d). Any amount reallotted to a State under this paragraph during such year shall be deemed part of its allotment for such year.

"(3) The population of particular age groups of a State or of all the States shall be determined by the Commissioner on the basis of the latest available estimates furnished by the Department of Commerce.

"(d)(1) A State, in order to participate in the program authorized by this part, shall submit to the Commissioner, through its State board, a State plan which shall set forth policies and procedures to be used by the State board in establishing through local educational agencies and public and private employers cooperative work-study programs. Such policies and procedures must give assurance that—

"(A) funds will be used only for developing and operating cooperative work-study programs, as defined in subsection (f), which provide training opportunities that may not otherwise be available and which are designed to serve persons who can benefit from such programs;

"(B) necessary procedures are established for cooperating with employment agencies, labor groups, employers, and other community agencies in identifying suitable jobs for persons who enroll in cooperative work-study programs;

"(C) provision is made for reimbursement of added costs to employers for on-the-job training of students enrolled in cooperative programs, provided such on-the-job training is related to existing career opportunities susceptible of promotion and advancemnt and does not displace other workers who might ordinarily be hired to perform such work;

"(D) ancillary services and activities to assure quality in cooperative work-study programs are provided for, such as preservice and in-service training for teacher coordinators, supervision, curriculum materials, and evaluation;

"(E) priority for funding cooperative work-study programs through local educational agencies, be given to areas that have high rates of school dropouts and youth unemployment; and

"(F) such accounting, evaluation, and follow-up procedures as the Commissioner deems necessary will be provided.

"(2) The Commissioner shall approve a State plan which fulfills the conditions specified above, and the provisions of subsections (b), (c), and (d) of section 123 (relating to the approval of State plans) shall apply to this section.

"(e) Funds allocated under this section for cooperative work-study programs shall be available for paying not more than 90 per centum of the State's expenditures under its State plan for any fiscal year.

"(f) For the purposes of this section, the term 'cooperative work-study program' means a program of vocational education for persons who, through a cooperative arrangement between the school and employers, receive part-time instruction, including required academic course and related vocational instruction, in the school and on-the-job training through part-time employment. Such programs should provide for alternation of study in school with a job in any occupational field, but these two experiences must be planned and supervised by school and employer so that each contributes to the student's education and to his employability. Work periods and school attendance may be on alternate half-days, days, weeks, or other periods of time."

Mr. JAVITS. Mr. President, when I arose to speak I mentioned that the minority, which was unanimous in reporting the bill, took great pride in a number of creative recommendations contained in the bill. I named specifically the Senator from California and the particular amendments he offered with regard to cooperative education and school dropouts.

I associate myself with what I consider to be the view of the manager of the bill, the chairman of our subcommittee, in commending the Senator for his very creative and very fine program which, I agree thoroughly, will be very useful and important, especially when zeroed in on what particularly ails us with respect to our youth today.

Mr. MURPHY. Mr. President, I thank my distinguished colleague, the Senator from New York, for his most kind and generous remarks. I also thank the distinguished chairman of the committee.

I have had the privilege of serving on many committees here. And I have enjoyed no committee more than I have the committee headed by the manager of the bill, the distinguished senior Senator from Oregon, who has probably more experience in the Senate than I will ever have.

I thank the Senator for the opportunity to watch the way in which he operates and observe the constructive and considerate and determined manner in which he approaches the problem, and the way in which he assimilates and puts all productive ideas together. The end result is that we have a bill of which I feel we can be very proud.

It is a pleasure to be associated with the distinguished Senator from Oregon.

Mr. MORSE. Mr. President, the Senator from California is very gracious and generous to me in his kind remarks. However, I expressed myself earlier this afternoon, in the absence of the Senator from California, with regard to part G of the bill, of which the Senator is the author. I pointed out that he and some of his colleagues, the Senator from Vermont [Mr. Prouty], the Senator from Colorado [Mr. Dominick], and others, deserve a great deal of credit for helping to put through the committee the amendment of the Senator from California with regard to the vocational cooperative education program.

I think that there is not anything in the bill more important than the Murphy amendment. It will be translated into benefits to young men and women who otherwise would be denied a vocational educational opportunity.

The Senator from New York [Mr. Javits] also spoke about what the Senator from California did last year in connection with our elementary and secondary school bill in regard to a dropout program.

I simply rise to say that, appreciative as I am of his kindness to me, all he has demonstrated is what I have been saying several times this afternoon—that the credit for the bill is to be equally divided among all of us, because it comes as a unanimous bill and not as a Democratic or a Republican bill. It is a nonpartisan bill.

I cannot be too high in my praise for the work that the Senator from California [Mr. Murphy] has done in our committee since we have been fortunate enough to have him appointed as a member of the committee.

Mr. MURPHY. Mr. President, I thank the distinguished Senator from Oregon very much. I assure my colleagues that he has given me far greater credit than I am entitled to.

It has been a pleasure to work on his committee, and it is a pleasure to be able to come before the Senate with a bill concerning which we are unanimously enthusiastic.

Mr. CLARK. Mr. President, I join my friends, the Senators from Oregon and New York, in their commendation not only of the Senator from California, who took the lead in connection with this particular section of the bill dealing with cooperative education, but also of all other minority members of the committee. I refer to the Senator from Colorado and the Senator from Arizona.

There was really a bipartisan effort in both of the bills, the higher education bill and the vocational education bill.

We all worked together in a spirit of cooperation and unanimity to do something effective for the schoolchildren of America.

I think the minority members deserve high credit for the leadership they took in helping us on the majority to put together a bill of which we can be proud. I think particularly the Senator from California in this regard.

Mr. MURPHY. Mr. President, I thank the Senator from Pennsylvania. And I assure him that we are most enthusiastic. This has been an example of a complete bipartisan, nonpolitical, cooperative effort with a single objective—to report a bill that will be good for the future of the youngsters of our country and which makes it good for the country as a whole.

I think this is a concrete example of how effective such cooperative and bipartisan work can be.

I thank my distinguished friend very much for his kind remarks.

I yield the floor.

Mr. DIRKSEN. Mr. President, I send to the desk an amendment and ask that it be stated.

The PRESIDING OFFICER. The amendment will be stated.

The assistant legislative clerk proceeded to state the amendment.

Mr. DIRKSEN. Mr. President, I ask unanimous consent that further reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered; and the amendment will be printed in the Record.

The amendment ordered to be printed in the Record reads as follows:

At the end of the bill insert a new section as follows:

"REQUIREMENT WITH RESPECT TO ENFORCEMENT OF COMPULSORY ATTENDANCE LAWS

"Sec. —. (a) Effective for fiscal years beginning after the date of enactment of this Act no local educational agency may receive any financial assistance under this Act, or any Act amended by this Act, unless such agency has certified to the Commissioner of Education, in such form as is prescribed by the Commissioner, that it is taking all appropriate steps that all laws relating to compulsory school attendance in the district of such agency are being enforced.

"(b) The Secretary of Health, Education, and Welfare shall make an investigation and study of State laws relating to compulsory school attendance for the purpose of determining what Federal action, if any, should be taken to promote minimum education requirements throughout the Nation. In carrying out such investigation and study the Secretary shall consult with appropriate Federal, State, and local officials. The Secretary shall report the results of such investigation and study, together with his recommendations, to the President and the Congress not later than July 1, 1969."

Mr. DIRKSEN. Mr. President, I offered the amendment to the higher education bill and made what I thought was as much explanation as was required.

That explanation was implemented with some data and figures from the Census Bureau and the Office of Education showing how indifferent they are in some areas of some States with respect to the enforcement of compulsory school laws for school attendance.

I pointed out then what an anomaly it is that we spend $6,000 and $7,000 to take care of a school dropout by a special program when, as a matter of fact, by the enforcement of the school laws in the various States we could probably retrieve or avoid some of those losses and do an exceptionally better job than is being done at the present time.

I was delighted that the distinguished Senator from Oregon, the manager of the bill, looked with favor upon this amendment and was willing to take it to conference. The distinguished Senator from New York [Mr. Javits] made one suggestion that I have incorporated in the amendment. And so it has their approval that it be adopted and go to conference for consideration.

I ask unanimous consent that the explanation in connection with it be printed at this point in the Record, and beyond that I think it requires nothing more.

There is one other program in the amendment, and that calls for an investigation or a school survey and a report with respect to the compulsory school laws of the respective States.

There being no objection, the explanation was ordered to be printed in the Record, as follows:

Explanation of Proposed Amendments to S. 3769, the Higher Education Act and the Vocational Education Act

An examination of the attached statistics taken from U.S. Census Bureau illustrates graphically the fact that the Compulsory School Attendance Laws of the various States are not being enforced. Attached also is a portion of the Department of HEW report, State Law on Compulsory Attendance, showing existing attendance laws in each State as well as a summary on school census and the penalties for failing to require school attendance.

The amendment would require the appropriate official in each school district to certify, as a condition of obtaining any funds from any program under either Act, that the Compulsory Attendance laws are being enforced in his district. Any person making a false certification would of course be subject to the provisions of Sec. 1001 of Title 18, U.S. Code, that provides a criminal penalty of not more than $10,000 or imprisonment of not more than five years or both for making a false statement.

In addition the amendment directs the Secretary to prepare recommendations to the Congress and to submit them by July 1, 1969, which recommendations shall indicate the minimum level of educational attainment that the Secretary feels essential to meet the needs of today. Congress would then be in a position to determine whether or not higher standards should be provided as a condition of receiving federal aid.

Those who require their own children to attend school have very pronounced feelings about those who do not. And, taxpayers generally, resent seeing $5,000 to $6,000 a year being spent to educate drop outs when enforcement of school attendance laws would have prevented much of this, particularly had the educational course been properly oriented.

Mr. MORSE. Mr. President, if there are enough Senators present, I would like to ask for the yeas and nays.

Mr. DIRKSEN. Mr. President, I do not ask for the yeas and nays.

Mr. MORSE. Mr. President, I will be glad to accept the amendment without a rollcall vote. I thought it might facilitate matters in conference.

Mr. JAVITS. Mr. President, I join in the acceptance of the amendment.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Illinois.

The amendment was agreed to.

Mr. MANSFIELD. Mr. President, may I note that the vote on the Dirksen amendment was unanimous?

SCHOOL LUNCH PROGRAM

Mr. JAVITS. Mr. President, on behalf of myself, the Senator from Massachusetts [Mr. BROOKE], the Senator from Pennsylvania [Mr. CLARK], and the Senator from Michigan [Mr. HART], I send to the desk an amendment and ask that it be stated.

The PRESIDING OFFICER. The amendment will be stated.

The assistant legislative clerk proceeded to read the amendment.

Mr. JAVITS. Mr. President, I ask unanimous consent that further reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered; and, without objection, the amendment will be printed in the RECORD.

The amendment is as follows:

At the end of the bill insert the following new section:

"AMENDMENTS TO THE NATIONAL SCHOOL LUNCH AND CHILD NUTRITION ACTS

"SEC. 208. (a) The National School Lunch Act (42 U.S.C. 1752) is amended by adding at the end of the Act the following new section:

" 'TEMPORARY EMERGENCY ASSISTANCE TO PROVIDE NUTRITIOUS MEALS TO NEEDY CHILREN IN SCHOOL AND IN OTHER GROUP ACTIVITIES OUTSIDE OF SCHOOL

" 'SEC. 14. (a) Notwithstanding any other provision of law, the Secretary of Agriculture is authorized to use during the fiscal years 1969, 1970, and 1971 not to exceed $100,000,000 per annum in funds from section 32 of the Act of August 24, 1935 (7 U.S.C. 612c), to formulate and carry out a program to improve the nutritional status of needy children in group situations away from home excluding situations where children are maintained in residence.

" '(b) (1) Of the funds to be used for the purposes of subsection (a) for any fiscal year, the Secretary reserve 3 per centum for apportionment to Guam, Puerto Rico, the Virgin Islands, American Samoa, and the Trust Territory of the Pacific Islands. Guam, Puerto Rico, the Virgin Islands, American Samoa, and the Trust Territory of the Pacific Islands shall each be paid an amount which bears the same ratio to the total of such reserved funds as the number of children aged three to seventeen, inclusive, in each bears to the total number of children of such ages in all of them.

" '(2) From the remainder of the funds available for any fiscal year, the Secretary shall allot to each State on amount which bears the same ratio to such remaining funds as (1) the number of children in that State aged three to seventeen, inclusive, in families with incomes of less than $3,000 per annum, and (2) the number of children in that State aged three to seventeen, inclusive, in families receiving an annual income in excess of $3,000 per annum from payments under the program of aid to famiiles with dependent children under a State plan approved under title IV of the Social Security Act, bears to the total number of such children in all the States. For the purposes of this section, the Secretary shall determine the number of children aged three to seventeen, inclusive, of families having an annual income of less than $3,000 on the basis of the most recent satisfactory data available from the Department of Commerce. At any time such data for a State are available in the Department of Commerce, such data shall be used in making calculations under this section. The Secretary shall determine from data which shall be supplied by the Secretary of Health, Education, and Welfare the number of children of such ages from families receiving an annual income in excess of $3,000 per annum from payments under the program of aid to families with dependent children under a State plan approved under title IV of the Social Security Act, on the basis of the latest calendar or fiscal year data, whichever is later. For the purposes of this paragraph, the term 'State' does not include Guam, Puerto Rico, the Virgin Islands, American Samoa, and the Trust Territory of the Pacific Islands.

" '(c) State agencies, or the Secretary as appropriate, shall use the funds to provide meals to children whose parents or guardians do not have the financial ability to provide for the adequate nutrition of their children and to children determined by local officials as in need of improved nutrition. The funds may be used to finance such children's participation in an eligible nonprofit food service; to assist in financing the purchase of equipment needed to operate such programs, and not to exceed an amount equal to 2 per centum of the total funds used under subsection (a) in any fiscal year may be used in such fiscal year to defray part of the administrative costs of the Department of Agriculture and State agencies in carrying out this section.

" '(d) The authority contained in this section is intended to supplement the authority and funds avaliable for use under other sections of this Act and the Child Nutrition Act, as amended.

" '(e) The Secretary of Agriculture shall issue regulations implementing the operation of this program including guidelines for the determination of the eligibility for children for free and reduced-price meals.

" '(f) The withholding of funds for and disbursement to nonprofit private schools will be effected in accordance with section 10 of the National School Lunch Act, as amended, exclusive of the apportionment ratio and the matching provisions thereof.

" '(g) The withholding of funds and disbursement to eligible service institutions will be effected in accordance with section 13(3) (d)."

"(b) (1) Section 9 of the National School Lunch Act (42 U.S.C. 1759) is amended by inserting after the second sentence a new sentence, 'Such determinations shall be made by local school authorities in accordance with a publicly announced policy and plan applied equitably to all families in the school attendance area on the basis of criteria which as a minimum shall include factors for the level of family income, including welfare grants, the numbers in the family unit, and the number of children attending school.'.

"(2) Section 9 of such Act is further amended by inserting after the former third sentence the following: 'Overt identification of such child or children in the lunchroom or classroom by means such as special tokens or tickets or by announced or published lists of names is expressly prohibited'.

"(3) Section 4(e) of the Child Nutrition Act of 1966 (42 U.S.C. 1773(e)) and section 13(f) of the National School Lunch Act as amended by Public Law 90-302, section 3, are amended by inserting in each of those sections, respectively, wording identical with the amendments to section 9 of the latter Act provided by the above sections 3 (a) and (b) of this Act.

"(c) (1) Section 3 of the National School Lunch Act (42 U.S.C. 1752) is amended by inserting at the end thereof: 'Appropriations to carry out the provisions of this Act and of the Child Nutrition Act of 1966 for any fiscal year are authorized to be made a year in advance of the beginning of the fiscal year in which the funds will become available for disbursement to the States.'

"(2) Section 7 of the National School Lunch Act (42 U.S.C. 1756) is amended by inserting immediately before the last sentence of the section the following: 'For the fiscal year beginning July 1, 1969, and each succeeding fiscal year, the Secretary's determination of what funds from sources within a State may be regarded as from sources within a State for purposes of matching shall be limited by the availability of State tax revenues for use for program purposes in the local school attendance units. For each of the first two such fiscal years, such State appropriated funds must equal at least 4 per centum of the matching requirements; for each year of the second two-year period, at least 6 per centum of the matching requirement; for each year of the third two-year period, at least 8 per centum of the matching requirement; and for each subsequent fiscal year, at least 10 per centum of matching requirements must be met from such State appropriated funds.'

"(3) Section 12(d) (5) of such Act is amended by striking the words 'preceding fiscal year' and inserting in lieu thereof the following: 'latest completed program year immediately prior to the fiscal year in which the Federal appropriation is requested'.

"(d) (1) Section 6 of the National School Lunch Act (42 U.S.C. 1755) is amended by inserting in the first sentence, after the comma following the phrase 'his administrative expenses', the following: 'including the operating expenses for the Child Nutrition Act of 1966 other than for section 3 of that Act'.

"(2) Section 6 of such Act is further amended by inserting in the first sentence after the comma following the phrase 'pursuant to section 11', the following: 'and less not to exceed 1 per centum of the funds appropriated for carrying out the programs under this Act and the provision of the Child Nutrition Act of 1966 other than section 3, hereby made available to the Secretary to supplement the nutritional benefits of these programs through grants to States and other means of nutritional training and education for workers, cooperators and participants in these programs in furtherance of the purposes expressed in section 2 of this Act and section 2 of the Child Nutrition Act of 1966'.

"(3) Section 12(c) of the National School Lunch Act (42 U.S.C. 1760) is amended by striking the period at the end of the subsection and inserting ', except as provided in section 6 of this Act'.

"(4) Section 11(a) of the Child Nutrition Act of 1966 (42 U.S.C. 1780) is amended by striking the period at the end of the subsection and inserting ', except as provided in section 6 of the National School Lunch Act'.

"(e)(1) Section 12(d)(1) of the National School Lunch Act (42 U.S.C. 1760) is amended by striking the word 'or' that precedes the term 'American Samoa' and by adding at the end of the sentence the following: 'or the Trust Territory of the Pacific Islands'.

"(2) Section 15(a) of the Child Nutrition Act of 1966 (42 U.S.C. 1784) is amended by striking the word 'or that precedes the term 'American Samoa and by adding at the end of the sentence the following: 'or the Trust Territory of the Pacific Islands'.

"(3) The sections of such National School Lunch Act and Child Nutrition Act of 1966, other than the sections amended by subsections (a) and (b) of this section and other than in the proviso in section 11(b) and in section 4 of the National School Lunch Act, are amended by inserting the phrase 'and the Trust Territory of the Pacific Islands' after the term 'American Samoa' wherever that term appears in such Acts."

Mr. JAVITS. Mr. President, the substance of the amendment I have submitted is contained in two bills which passed the other body—one to amend the National School Lunch Act to clarify responsibilities relating to the supply of school breakfasts and lunches which was passed on July 1, and the other, to add *$100 million a year for 3 years out of section* 32 funds for the school breakfast and lunch programs, which was also passed on July 1. Both measures came to the Senate and were referred to the Committee on Agriculture, though in the other body they had been handled by the Committee on Education and Labor, which is the counterpart committee to our own.

Mr. President, I do not complain about that reference at all. The Senator from Oregon—and I fully sustain him in this—felt that for the duration of this session, our committee should adhere to the precedent which had been set by our chairman, the Senator from Alabama [Mr. HILL], with respect to this particular situation. In this regard, notwithstanding the rather specific terms of the Reorganization Act, which I believe—and I think most committee members believe—give this jurisdiction to the Committee on Labor and Public Welfare, these bills were allowed to be referred to the Committee on Agriculture, which has handled them. Though it is rather anomalous that the conference would be between the Committee on Agriculture on this side and the Committee on Labor and Education on the other side, nonetheless, I stand with my chairman in agreeing to that arrangement for this session. What we may do thereafter will depend, of course, on our new chairman and the disposition of the committee as newly organized.

In offering this amendment, I in no way base it upon the question of reference to a committee other than our own. I offer it because of the grave urgency of need with respect to the school lunch program and the fact that it represents an exact corollary to another action I initiated in the Senate, which related to the agriculture appropriations bill upon which the Senate acted affirmatively, and which is still in conference.

So, both of these steps—the one I suggest, with Senators HART, CLARK, and BROOKE, to the Senate today, and the other one, which the Senate has already taken—are of one piece. The general effort, Mr. President, is to make section 32 funds available for the school lunch program, on the ground that it is a matter of the most critical urgency and that it is the type of program to which section 32 funds should be devoted, rather than their being sent back to the Treasury. Approximately $225 million is supposed to go back to the Treasury out of section 32 funds for fiscal year 1968. So, our case is based upon urgency of need and the availability of funds, and that is the reason why I raise it today.

Furthermore, we all know that we are heading to adjournment. We all know that the time left in which anything like this can be done is quite short. I understand that this is the last of our education bills which will come before the Senate. I expressly—with the consent of my colleagues who are joining in this amendment—waited until this bill came up because it will be noted that it has sections dealing with various amendments to the elementary and secondary education bill. Hence, I felt that it was proper to add this matter as well, which went directly to a program in elementary and secondary schools.

Now as to the merits, which is a very important point: I have had placed on the desk of each Senator a single-page memorandum explaining the situation. It will be noted that there is a typographical error in the figures in the second line of the explanation, which should read $100,000,000 for each of the fiscal years 1969, 1970, and 1971. In the second paragraph there is also an error, because of the haste in preparation; and the figure should be $64,000,000, which is coming out of section 32 funds for the school lunch program according to the 1969 Agricultural Appropriations Act, which is now in conference.

Mr. HOLLAND. Mr. President, will the Senator yield?

Mr. JAVITS. I should like to finish my thought.

I have the deep feeling, Mr President, that the Committee on Agriculture, as we know—I am told, anyhow; I do not know this as a fact, but I expect it—is going to start hearings on this matter within the next few days We have no idea as to when anything like this can be reported. We have no idea whether, if reported, it can be considered. Inasmuch as it is tied directly into education, my colleagues and I felt that this was the time in which to raise it and to see if, as was done in the other body, something could be done about it now. In the House, it was done on motion of Representative PERKINS, the chairman of the Committee on Labor and Education.

I yield to the Senator from Florida.

Mr. HOLLAND. Mr. President, I am glad that the Senator has called the attention of all Senators present to the fact that there is an error in the statement as to how much is allotted out of section 32 funds for the school lunch program in the pending appropriation bill for 1969. As I understand it, it is $64 million instead of $14 million.

Mr. JAVITS. That is correct.

Mr. HOLLAND. I also ask the Senator if he has stated—and I have not heard him state—that in the same bill and, in fact, for some years in this bill, the Appropriations Committee has allocated $104 million out of section 32 funds for the special milk program for children, which goes to the same children and in connection with the same program and is administered by the same system as the school lunch program.

Mr. JAVITS. That is correct. I was coming to that in the course of my remarks.

Mr. HOLLAND. That would mean, of course, that $168 million is already earmarked, without reference to some other special sums which I hope the Senator will mention, for this general type of program in the pending appropriation bill, to come out of section 32 funds for the schoolchildren of the Nation.

Mr. JAVITS. The Senator is entirely correct, in terms of his figures, Mr. President; but the Senator from New York is also correct in that what induced the Senate to act on the appropriations bill as it did, namely to untie the hands of the Secretary of Agriculture with respect to the section 32 funds, is the fact that if we do not act affirmatively in respect of some additional authorization, some $225 million this year alone will go back to the Treasury because of unexpended section 32 funds.

I believe the burden of proof is on us, and I shall try to assume it without detaining the Senate unduly, to show that this is urgently needed in terms of hunger and serious malnutrition of children, which none of us, I should think, if we are cognizant of the situation, would like to allow. That burden of proof is on the proponents of the amendment, and I shall do my utmost to carry it in respect of this situation.

Mr. President, we first became appraised of this situation in the subcommittee which is so graciously headed by the Senator from Pennsylvania [Mr. CLARK], when we actually ran into situations of starvation, or what seemed to us to be starvation, and very serious malnutrition of children in many of our States. So the cry went around the country—later borne out by investigations of doctors and others—that there really was hunger in the United States, or what was the equivalent of hunger, much to the surprise of a great many people. This is a rather recent eye opener, so far as the people of our country are concerned. And how much more of an impact does this have, Mr. President, when it relates to children.

Mr. President, I call attention to two items of evidence upon this subject aside from the evidence of our own eyes and ears and the testimony heard in the Subcommittee on Employment, Manpower, and Poverty, which deals with the oversight of the antipoverty program in the United States. One is the report of the House committee upon which Representative PERKINS relied in carrying both of these bills, which are incorporated in my amendment, in the other body.

Representative PERKINS pointed out that school districts are now using a rather material amount of money they were allocated for the education of poor children in order to feed those children because there was apparently no other way to do it.

He pointed out that in 1968 the estimate for that type feeding was something like $37,326,000. I am quoting from the report of the committee in the House at page 4. Then he pointed out that the committee itself had made a survey, and I quote the words he used on page 3 of their report, which is Report No. 1589 of this Congress, dated June 26, 1968.

Representative PERKINS said:

> In connection with the subcommittee's investigation of need, a survey was conducted of needs State by State from school lunch program directors, the results of which appear in table 1 on page 6.

When we turn to table 1 on page 6, we find the following statement: "Free lunches, daily average, total children receive 1,890,876." The next column shows needy children not receiving free lunches: 4,674,491. The next column shows needy children in schools which have no facilities: 927,569. This amendment would cover that problem of lack of equipment.

Now, apparently the committee in the other body, as well as our committee, headed by the Senator from Pennsylvania [Mr. CLARK], heard testimony of a very interesting group of people, the Committee on School Lunch Participation, which had made its own survey and published a report entitled "Their Daily Bread," which I have here for Senators to see.

This organization consisted of the following sponsoring organizations: The Church Women United, the National Board of the YWCA, the National Council of Catholic Women, the National Council of Jewish Women, and the National Council of Negro Women.

They came up with the following conclusion which appears on page 13 of their report:

> As noted in the introduction, the most cherished myth about the National School Lunch Program is that no child who really needs a lunch is allowed to go hungry. We say flatly this is not so.

The report then goes on to state that over 4 million needy children are not now receiving free or reduced price lunches.

Then, they have a chart which indicates the disparity between the number of children in the various States in families below the poverty level, or families receiving aid to dependent children, and the number of children in each State receiving free or reduced price lunches. Some of these statistics are absolutely fantastic. For example, in my State of New York the number of school-age children below the poverty level is 705,000. The number of children receiving free or reduced-price lunches is 350,000, leaving a difference of 355,000.

(At this point Mr. MCINTYRE assumed the chair.)

Mr. ELLENDER. Mr. President, will the Senator yield?

Mr. JAVITS. I yield.

Mr. ELLENDER. Where did the figures come from to which the Senator has referred?

Mr. JAVITS. I have identified them by the group of organizations.

Mr. ELLENDER. Is the Senator aware of the number of children in the school lunch program who were fed under the school lunch program?

Mr. JAVITS. I quoted from the figures of the House committee, which showed 1,890,876 children receiving free lunches.

Mr. ELLENDER. That is the number of children receiving free lunches.

Mr. JAVITS. That is correct; but as to the figures for children getting lunches and paying something for them, that, too, is contained in the report. I shall give those figures, or perhaps the Senator could do it faster than I can.

Mr. ELLENDER. I do not know where these ladies got their figures. The figures I have before me come from the Department of Agriculture and they are reliable.

Last year 19.6 million children were receiving lunches. The number of meals served was 3.33 billion. The total cost of the school lunch and breakfast program to the Government and the local people was $1,914,700,000.

Mr. JAVITS. There is no argument about the figures. I wish to point out to the Senator that the report states that of 50 million public elementary and secondary schoolchildren, only about 18 million participated in the national school lunch program. That is one out of three children. That is pretty much in agreement. Of the 50 million schoolchildren, fewer than 2 million, which is under 4 percent, are able to get free or reduced price school lunches. That seems to me to be in accord with the figures cited in the House of Representatives.

The remaining figure is in complete agreement with Representative PERKINS' figures. This report claims 4.5 million needy children are not receiving free or reduced-price lunches.

That is the figure that Representative PERKINS cited. It is the figure which the committee cited.

So the argument is not that we are callous, inhuman, insensitive, and are not doing anything in this field. Surely we are doing a great deal in this field. But we have just learned that a great deal more needs to be done, especially in extremely necessitous cases.

I would be the last person in the world to say anything other than that the Senator's heart is as good as mine or as good as that of any other Senator, but our committee has heard evidence that some children, because of the lack of the few pennies which may be required to buy a lunch, will have to sit and watch other children eat their lunches, while those without money have none. That is the kind of heart-rending situation that other Senators and I feel it is our duty to try to meet, and that is why I have offered the amendment.

Mr. ELLENDER. Has the Senator from New York any idea of how the school lunch program is operated?

Mr. JAVITS. I think I do. Let me tell the Senator what I know about it, as I understand it.

The Federal Government gives both food and money, and the amount is on the average of $35 a year for each child. The States and localities make their contributions monthly out of the charges which they collect for the school lunches. They make their individual contributions to the total program from what they are able to collect from the children themselves who pay for their school lunches.

For the children who have the 20 to 35 cents to pay for their lunches, the program works well. The difficulty is that there is a tremendous vacuum in the program. The reason I speak of the figures is that, apparently, there is a vacuum to the extent that about 4,500,000 children who most need the program are not able to benefit from it. So the purpose of the amendment is to bring a great proportion of those children into the program. The amendment—and the Senator from Louisiana [Mr. ELLENDER] is much more aware of it than I am—not only would provide additional money—$100 million a year—but would also provide for a mandatory State contribution, which ultimately will be 10 percent over a period of 5 years. The State contribution will start at 2 percent and will rise to 10 percent. That will also tend to increase the size of the program and to make more free meals possible as against the present plan by which there is a big inducement on the part of the State or locality to get a little something out of that child in order to meet the non-Federal contribution to the program.

Mr. ELLENDER. If the Senator would allow me——

Mr. JAVITS. Of course.

Mr. ELLENDER. Over 20 years ago, I fathered the school lunch program. The idea was to make it a cooperative effort between the Federal Government and those at the local level. As a result, the total amount of money now being spent for the school lunch program is $1,914.7 million. Of that large amount, the total paid by the States and the local people by way of services, as well as the contributions made by the children—those who are able to do so—amounts to $1,445 million.

As I stated this year, when efforts were made to provide for a free breakfast program, it was my view that if the breakfast program were not handled the same as the school lunch program, it probably would lose the services of a lot of people at the local level. If, as, and when the Federal Government, on its own, provides the money and manages the program on its own, I venture to say that the cooperation of the people at the local level will become nil within the next few years.

Now, the amount of money the Federal Government made available during 1968 for the school lunch program plus section 32 funds, as well as funds from section 416—that is the bulk food program—amounted to $469.7 million.

Was the Senator aware of that?

Mr. JAVITS. Yes.

Mr. ELLENDER. As I said, that was from cash, section 416 and section 32. Now from other sources by appropriation, the special milk program is $104 million. That is mostly from section 32.

The food stamp program amounts to $245 million—that is authorization for it, as there is still pending in the House a bill to increase the present authorization by $20 million to make it this $245 million to which I have just referred.

Out of section 32 funds, in addition to the $104 million to which I have just referred, there was appropriated or made available $179,800,000 for food distribution programs.

So that if we add all the contributions made directly by the Department of Agriculture for all feeding programs, up to now, including all the funds provided under section 32 as well as section 416, the amount during this present year, with the authorizations now made, amount to $1,050,000,000.

Mr. JAVITS. I have no doubt, and I do not challenge the Senator's figures at all—and I did not start out by challenging them, but I only point out that what we have not covered in this country——

Mr. ELLENDER. This is in the last few weeks.

Mr. JAVITS. I understand.

Mr. ELLENDER. Since Resurrection City was constructed——

Mr. JAVITS. I do not think so.

Mr. ELLENDER. I do not know that the Senator, or anyone else, has come before the proper committee making a case like that. I presume that a great deal of the evidence used in order to show starving people by the National Broadcasting Co., I guess, was obtained from such data as the Senator is now reading.

Mr. JAVITS. I am sorry that the Senator comes to any such conclusion as that, because it is not warranted. There have been a very long series of hearings in the last 9 weeks at least, many in the House, and also in the Senate. Some 16 sets of hearings have been held, involving over 100 witnesses. I fought this battle on the agricultural appropriations bill to the extent I could fight it—to wit, to try to untie the hands of the Secretary of Agriculture who claims he could not use section 32 funds, and the Senate went along on that. This is the second installment in that effort. This is not the first time—I have the evidence to support it—that we found lacunae in our understanding of these situations. The fact is, we have discovered enormous areas of poverty, hunger, or malnutrition which have not been covered by our legislation.

I point out, too, Mr. President, just by way of substantiation of the situation, that all the testimony which we have, as I say, in committee, which handles the poverty program, indicates a very real and very endemic condition of this character.

Mr. CLARK. Mr. President, will the Senator yield?

Mr. JAVITS. In just a moment.

One other piece of evidence. We had the testimony of the American School Food Service Association, an association which is in close touch with this whole field. The figures of the association agree exactly with the figures I have used.

Mr. President, I ask unanimous consent that the whole letter, together with the table the association furnished to the Clark subcommittee, may be printed in the RECORD as a part of my remarks.

There being no objection, the letter and table were ordered to be printed in the RECORD, as follows:

AMERICAN SCHOOL FOOD SERVICE ASSOCIATION,
Denver, Colo., June 13, 1968.

Hon. JACOB K. JAVITS,
Room 236, Old Senate Office Building,
Washington, D.C.

DEAR SENATOR JAVITS: We are pleased to provide information requested from American School Food Service Association through the chairman of our State Directors' Section, Miss Josephine Martin. We are enclosing a regional breakdown of the following information:

1. Number of free or reduced price lunches served daily on a regional basis.

2. Number of needy children, ages 5–17 from homes with less than $3,000 annual income who are not receiving free or reduced price lunch, on a regional basis.

3. Of these children, a computation of those attending schools with no food service, on a regional basis.

4. Number of schools in economically needy areas without food service, on a regional basis.

5. Number of economically needy children ages 5–17, who are not receiving free or reduced price breakfasts, calculated on a regional basis.

6. An estimate of the number of children from large families with incomes in excess of $3,000 annually who would need free or reduced price meals, on a regional basis.

Costs have been calculated on the following basis:

Food: Breakfast, 15 cents per unit; lunch, 30 cents per unit.

Labor and other: Breakfast, 10 cents per unit; lunch, 25 cents per unit.

Administrative cost: 180 schools or less, $15,000 per year (one professional employee, one clerical) over 180 schools, proportionate basis.

Nonfood assistance: Calculated on a basis of 10,000 dollars per school where no facilities currently exist.

Regional and national totals are included for your reference, as is a breakdown of states included in each of the regions. We regret we were unable to secure figures on short notice from our State Directors in California and Montana. Clearly these two omissions would make a substantial difference in the Western Region.

Frankly, Sir, it is difficult to know what to say in answer to the question of how much of this program could be effectively carried out in the 1968–69 school year. Clearly, 66 million dollars worth of equipment could not even be manufactured in time for the beginning of the new year, to say nothing of the proper selection of equipment, proper training of personnel and construction and modification of housing facilities. Perhaps the non-food assistance program might be thought of in terms of a three year development with amounts of assistance increasing each year as additional school districts completed proper prepartion.

So far as food, labor and administrative costs are concerned, we most certainly do not want to leave the children of our nation hungry for another three years while we are developing permanent facilities. I know that our membership would make every human effort to develop emergency measures which would enable us to reach the hungry children in the nation during the 1968–69 school year. If funds are made available for this purpose, I shall ask our national president to call a meeting at once of leaders of our organization to work with U.S. Department of Agriculture officials. We have a dedicated membership of nearly 45,000 persons throughout the nation and 22 years experience in feeding hungry children.

We full well realize, Senator Javits, that full and complete funding of the food and labor costs of such a program reach astronomical proportions. As a matter of fact, one is reminded of the passage from Isaiah, 42–4, "He shall not fail nor be discouraged, till he has set judgment in the earth." The task is one which invites, if not demands, discouragement. It should be remembered, however, that the figures we are quoting include full and total reimbursement and that there is at least some assistance given by most school districts. Examples would be physical facilities, usually utilities, and possibly even some personnel. Certainly local and state matching funds could be encouraged immediately and required over a period of time. I am sure we all realize the job cannot all be done at once. Furthermore, I believe it is imperative that the "reduced cost" provision of the School Lunch Act be encouraged, whenever possible. If parents make even a very modest contribution to the costs of school meals, they retain their sense of responsibility for their children as well as help to some degree to defray the costs.

If these funds are made available, Senator Javits, I pledge you the support of every member of our association in seeing to it that they are administered with integrity, with dispatch, with imagination and with determination to see that there are no longer hungry children in the United States of America.

I would make one last plea, Sir. Although we are all eager to attack the emergency situation on an emergency basis, I hope that from this awareness of the problem of hunger may develop long range, constructive plans and programs of sound nutrition and nutrition education for the youth of our nation. The health, vitality and spirit of our people cannot help but benefit as a result.

I wish to express the appreciation of American School Food Service Association to you, to Senator Clark and to the entire Senate Subcommittee on Employment, Manpower and Poverty for current hearings on problems of hunger across the land. We are honored to have been of assistance and urge that you advise us of any future occasion when we may be of help in any way.

Sincerely,

JOHN PERRYMAN.

STATE SUMMARY

Number of free or reduced price lunches (daily average)	1,890,876
Number of needy children, ages 5 to 17, from homes with less than $3,000 annual income who are not receiving free or reduced price lunch	4,674,491
Of these, noted in No. 2 are in schools with no food service	927,569
Number of schools in economically needy areas without food service (food or equipment)	6,606
Number of economically needy children, ages 5 to 17, who are not receiving free or reduced price breakfast	2,820,868
Number of children from large families with incomes in excess of $3,000 annually who would need free or reduced price meals (estimate)	782,992

Has attendance improved as result of expanded food service, lunch and breakfast? (Section 11 schools, Title I schools, etc.) Could you document answer by specific examples of increase in percentage attendance?———.

How much do you estimate it would cost to provide food service to the economically needy children, ages 5 to 17, in your state?

Equipment	66,130,000
Administration	1,496,500
Food	*370,867,518
Labor and other costs	*296,362,359
Total	734,856,377

*See following table for breakdown.

Costs have been calculated on the following basis:

BREAKFAST	
Children not receiving free or reduced price breakfast	2, 820, 868
Days	×180
Breakfasts served in 1 school year	507, 756, 240
Breakfasts	507, 756, 240
Cost of food per meal	× .15
Total food cost	$76, 163, 436
Breakfasts	507, 756, 240
Labor and other costs per meal	× .10
Total labor and other costs	$50, 755, 624
LUNCH	
Needy children	4, 674, 491
Children from large families	782, 992
Total children needing free or reduced price meals	5, 457, 483
Children	5, 457, 483
Days	×180
Total	982, 346, 940
Meals	982, 346, 940
Food cost per meal	× .30
Total food cost	$294, 704, 082
Meals	982, 346, 940
Labor and other costs	× .25
Total labor and other costs	$245, 586, 735

Mr. JAVITS. Mr. President, the association says that 4,674,491 is the number of needy children, ages 5 to 17, from homes with less than $3,000 annual income who are not receiving free or reduced price lunches, 927,000 of those 4,674,491 are in schools with no food service.

One of the provisions of this amendment is to provide food service in those very schools.

I yield now to the Senator from Pennsylvania.

Mr. CLARK. Mr. President, I am happy to support the amendment of the Senator from New York, as a cosponsor. I would like to point out to my colleagues that the initial steps which resulted in the shocking revelation that hundreds of thousands, and probably millions, of American children were suffering from hunger and malnutrition came in March of last year, when the late Senator Robert Kennedy, Senator MURPHY of California, Senator JAVITS, and I went to Mississippi and discovered that malnutrition was rampant in the Delta of Mississippi.

Thereafter, the subcommittee, which I have the honor to chair, and of which Senator JAVITS is a respected minority member, went all over the United States, establishing and documenting the existence of hunger and malnutrition among children, among the Eskimos of Alaska, among the poor in the region of Appalachia, among our Negro population in our great city slums, and, of course, throughout areas of the South.

Following up on that, the Senator from South Dakota [Mr. MCGOVERN], an honored member of the Agriculture and Forestry Committee of the Senate, introduced Senate Resolution 281 to establish an ad hoc committee to last only until early in the 91st Congress to do something effective about hunger among children and adults in the United States.

That resolution, which I think nearly 50 of our colleagues cosponsored, was referred to the Committee on Labor and Public Welfare and to the Subcommittee on Employment, Manpower, and Poverty, which I chair. We had hearings on that resolution on May 23, May 29, June 12, June 14, and June 21.

I want to pay my tribute to the Senator from Wisconsin [Mr. NELSON], who took the chair on a number of hearings when I was otherwise engaged. However, I attended enough meetings to establish to my own satisfaction that we have not really dealt with the problem of feeding hungry children in the United States of America.

During the course of those hearings 43 witnesses either testified or submitted statements.

I think I can say, without any possible qualification, that hunger stalks rampant among the children of the United States of America in low-income groups. Nobody can deny it. We have proven it in the extensive subcommittee hearings and field trips.

I appreciate the parliamentary situation that, under ordinary circumstances, a committee other than the Committee on Labor and Public Welfare would have jurisdiction over these two pieces of legislation recently passed by the House; but members of our subcommittee and of our full committee know that there is an urgent need to feed the hungry. It is for this reason that I am glad to see the Senator from New York make this effort to break the redtape which so often confronts this body in an effort to bring much-needed legislation to this floor in the form of an amendment to an education bill. It is the children of our schools who will be fed as a result of the amendment. This committee has jurisdiction not only over health and labor legislation, but also poverty and unemployment. I can think of no more appropriate place, the rules of the Senate being what they may be, to bring an amendment such as this than to an education bill.

I commend the Senator from New York for his leadership. I join him in support of the amendment.

Mr. JAVITS. Mr. President, let me say that my leadership would not have been conceivable were it not for the basic groundwork laid down by the subcommittee. We bled and died on the question of whether or not there is adequate power in the Department of Agriculture to use funds for the purpose for which they ought to be used. We thought we had scored when we took the bonds off the Agriculture Department to do that. That matter is locked up in conference.

That is why I characterized this as the next step, under section 32 funds, to provide $100 million a year for 3 years.

Mr. COOPER. Mr. President, will the Senator yield?

Mr. JAVITS. I yield.

Mr. COOPER. I support the amendment offered by the Senator from New York, but I would like to make a short preliminary statement.

I served for 7 years on the Committee on Agriculture and Forestry. I think it is fair to say that before general interest throughout the country was aroused over the plight of the poor, as dramatized recently by the march of the poor on Washington, the Committee on Agriculture and Forestry, under the leadership of the Senator from Louisiana [Mr. ELLENDER] and also the Senator from Florida [Mr. HOLLAND] and other Senators, had instituted a school lunch program, which has been in operation for many years.

Year after year, the school lunch program was presented on the floor of the Senate. Year after year, appropriations were increased for the school lunch program at the insistence of the Committee on Agriculture under the leadership of the chairman, Senator ELLENDER. It is only recently that its adequacy has been questioned. It is only recently, I must say with sadness, that many who are now aroused, have spoken up at all about the program. I do not refer to my colleagues.

Having served on that committee, I would say also that that committee made provision for the distribution of milk to schoolchildren, in addition to the school lunch program. Also, it adopted amendments in past years to provide some equipment and facilities for the preparation of school lunches, if States would help bear the cost.

I believe that 2 years ago, or perhaps it was 3 years ago, the Senator from Louisiana [Mr. ELLENDER] and the committee inaugurated a pilot breakfast program for our schoolchildren, with the purpose that it would be extended to provide breakfast to provide the energy and the interest for their schoolday and its work.

I mention these things to show that there has been a program for years, initiated by the Senate Committee on Agriculture, and supported by the Congress, and only recently throughout the country its importance has been generally recognized. It is good that interest has been aroused and I know that this Congress will respond.

There have been problems connected with the school lunch program. I am familiar with it because of its operation in Kentucky and particularly in the eastern part of my State, which as other sections of that hilly region has become widely known as Appalachia.

The program provides for modest sums to be paid by the parents of the schoolchildren. However, it developed that in poorer families, perhaps in a family that had from one to five or six children, even the payment of the small amount of 15 or 20 cents was beyond their capacity to pay.

Several years ago, the Senator from Michigan [Mr. HART], and I began to offer amendments to provide additional funds to help families with the least resources and often with the largest number of children—funds to pay their charges. We have had modest success.

But above all, if there is a child in this country who is hungry or undernourished—and there are many—we must make money available to them for food. This is the simple reason for supporting the amendment of the Senator from New York [Mr. JAVITS], who has labored so long and with great heart in this field.

This program will require more than money. It will require money, but it will also require formulation of effective plans.

I have studied the school lunch program because of its importance to my State, and as I have said, our problem in eastern Kentucky. In Kentucky, and eastern Kentucky, with all floodlight that has been turned on it, we provide about 85 percent of the children with school lunches.

Kentucky ranks about seventh or eighth in the Nation in the adequacy of its school lunch program. The program is good in the rural section, but some of our cities have no school lunch programs. This is true also in Northern States and in some of the great cities. I would advise my friend from Pennsylvania, Senator CLARK to inquire into the situation in his own State and find out if the cities have school lunch programs.

In February of this year, the late Senator Robert Kennedy of New York came to Kentucky, and into eastern Kentucky to look into food problems. I met him but was not able to go with him because of a death in my family. I am glad that he came to eastern Kentucky as his visit aroused great interest there concerning all the problems of food and poverty. When he returned, he and Congressman PERKINS, of Kentucky, and I urged a food program to the Department of Agriculture.

Some schools, and I believe this is particularly true in some cities, including the North, do not have adequate facilities for preparing the food; or serving the food. The problem remains to be met by our large cities.

In my State, the women in the neighborhoods alternate in helping without cost, to prepare the food for the children. Such arrangements will have to be worked out in larger communities, or else to pay those who perform the service.

I do not mean to dampen the concern which has been aroused for this program. But it is only fair to say that for 20 years the program has been underway, under the leadership of the Senator from Louisiana, the Senator from Florida, and the Committee on Agriculture.

I believe food and school lunches ought to be made available for every child in this country. I support the amendment of the Senator from New York and commend him for his continuing efforts for the needy of our country. I would like, also, to pay tribute to my fellow Kentuckian, Congressman CARL PERKINS, for his oustanding work in the House.

Mr. JAVITS. Mr. President, I am very grateful to the Senator from Kentucky for his fine statement.

Mr. HOLLAND. Mr. President, will the Senator yield?

Mr. JAVITS. In a moment. Coming from the kind of State he does, which has very acute problems of this character, and with his knowledge and experience as a member of the Committee on Agriculture, I feel personally that the view of the Senator from Kentucky is entitled to great weight with the Senate, and I am grateful to him for expressing it as effectively and frankly as he has.

I yield to the Senator from Florida.

Mr. HOLLAND. Mr. President, I became a member of the Senate Committee on Agriculture and Forestry approximately 19 years ago, and found a system of school lunch programs already initiated and operating. The Senator from Louisiana [Mr. ELLENDER], and the Senator from Georgia [Mr. RUSSELL], who used to be active in that field and is not in the Chamber at the moment, had, as I understood it, been joint fathers, so to speak, of a program originated years before I became a member of the committee.

Since I joined the committee, the program has been increased frequently but never decreased; and that has been accomplished under the enthusiastic leadership of the Senator from Louisiana [Mr ELLENDER]. As chairman, he cannot handle all the legislation that comes before the committee, and does not attempt to do so; but that is one subject over which he has enthusiastically continued to preside, as an individual Senator as well as chairman of the committee.

We have added, as Senators know, the so-called section 11, to provide special funds for the very group of needy children just mentioned by several Senators, particularly the able Senator from Kentucky—children who come from homes so poor that they cannot get nutritious lunches. We have added a section providing for a pilot program for breakfasts for children where they do not have a chance to get, in the homes from which they come, a nutritious breakfast. We have added a section giving financial help to permit the purchase of stoves, refrigerators, and equipment of all types that are needed in the poorer districts so they can proceed to install and participate in programs of this kind.

We have added only recently a daycare feature, which I need not discuss here, but I simply wish to make it very clear, and I think we owe this to the Senator from Louisiana as well as to the Senate, that he has diligently pursued the enlargement of this program from time to time in numerous very helpful ways, and always in such ways as will help the poor. This I know, and I have watched it for these past 18 or 19 years.

Mr. President, in the second place, we are talking about a question here which involves section 32 funds. As the Senator from New York has stated in his opening statement, those funds derive from 30 percent of the customs receipts, which are earmarked especially for agricultural use because of the fact that the tariffs are imposed mostly on the manufactured articles which farmers have to buy at a higher price because of the protection which is given to American manufacture and labor through the imposition of tariffs.

Mr. President, it happens that my State largely produces products in the field that have to rely to some extent on section 32 funds: Fruit, vegetables, meats, and other perishable crops which are not price supported. As now worded, section 32 gives first priority to the purchase of surpluses that may develop from year to year in those perishable commodities. So almost since I came to the Senate, the Senator from Louisiana has allotted to me the task of handling section 32 matters.

Section 32 funds have been handled in this field very generously, if I may say so. In the first place, the surplus commodities which are purchased with section 32 funds very largely go to the school lunch programs. In other words, when they have to buy fruits, when they have to buy vegetables, when they have to buy meats which are in excess supply, which would otherwise destroy the value in the marketplace of those products, most of the purchases go to the school lunch programs. I think Senators know that, but this needs to be stated for the record.

In addition to that, we were asked, some years ago, to take over the special school milk program; and we have appropriated, I believe, for the last 3 years the sum of $104 million a year, though I notice the total amount was not spent the last fiscal year, according to the figures supplied by the Department of Agriculture. Nearly $100 million was spent last year; $104 million is in the bill for this year.

We have stepped up our amount of direct appropriations from section 32 funds to the school lunch program. Originally it was a small amount. Then we increased it to $45 million a year. This year, we are appropriating $64 million in direct funds to the school lunch program out of section 32 funds.

We are not trying to be parsimonious. We are trying to be generous. But the fact is that anyone who takes this year as a typical year for section 32 funds, and who looks at the fact that $226 million has been turned back to general revenue this year, is not getting a fair picture of the use of section 32 funds. If Senators will take time to look at the figures shown in the report of the Department of Agriculture covering the years 1958 through 1967 for the use and amount of section 32 funds, they will find that in many years, there was less than $100 million returned to the Treasury after the original primary uses of section 32 funds were made, and that in 2 years there was less than the $300 million which is required by law to be carried forward for the next year's operation of the program. The legislation requires that any amount above $300 million each year be returned to the Treasury, to go to general revenue funds. In some years, as in the year just finished, there have been substantial amounts.

The Senator from New York was correct in stating the amount as $220-odd million. However, I will ask that these facts also be considered for the RECORD at this time.

In 1958, when we began the year, there was less than $300 million in carryover because of the expenditures in section 32 funds for their primary uses in the year before. There was $299 million to carry forward that year.

In 1959, 1960, 1961, 1962, 1963, 1964, and 1965 there was $300 million or more, carried forward although in some of those years there was very little more to return to general revenue funds.

In 1966, just 2 years ago, the requirements of section 32 were such the previous year that there was not any balance to turn over. And, to the contrary, there was only $298 million to carry out the operations of the program that year.

Mr. President, this is a very burdensome compilation, and I do not like to ask that it all be printed in the Record. It is here for anyone to see. And I have stated facts, that in 1957 and in 1965, in each of those years, there was less than $300 million left at the end of the year. So, there was nothing to turn over after the primary requirements for the use of the section 32 funds had been met.

If the Senators wish to look at those figures, they will find several other years in which there was substantially less than the amount that would be applied under the amendment, less than the $100 million after primary section 32 funds were met.

I am going to turn over this compilation that was furnished to me by the Department of Agriculture to the Senators handling the bill, the Senator from Oregon and the Senator from New York. I want it perfectly clear for the Record that there have been a number of years when this requirement could not have been met because there was less than $100 million to turn over or make available for general revenue purposes.

There is much more I can say about this, and if the Senator will indulge me for an additional moment, I would like to say that there is a very difficult question of jurisdiction involved here. I am not talking particularly about the consideration of the pending amendment. I am talking about the general result of the adoption of the pending bill.

Section 32 always has been an agricultural fund, always has been under the jurisdiction of the Agriculture and Forestry Committee, and always has been reviewed every year to see how much we could safely divert to good uses such as school lunch use and the special school milk use and the like. And, if I may be allowed to express my own opinion, it must always be left in that situation because otherwise the very uses for which section 32 is enacted may be defeated by seeking to put a large charge like $100 million in advance against section 32 funds.

There is that problem of jurisdiction, because from year to year our Committee on Agriculture and Forestry reviews the fund. And the subcommittee which I happen to head, the Subcommittee on Appropriations which handles agriculture appropriations, does the same thing.

We have been very generous, if I may be allowed to say so, in our attitude toward these other very worthy causes, particularly school lunch and such causes. However, without that chance to review each year, there is no telling what will happen in this particular period, and I think it is exceedingly unwise to impose a charge of $100 million a year without a chance to review and without requiring additional appropriations, but simply allowing the Secretary of Agriculture to use that amount each year for this worthy purpose, to feed the poor people.

Mr. President, there is another difficult jurisdictional question if the pending bill is adopted and we put wording into the School Lunch Act. We will find a situation where the School Lunch Act will come partly from the Agricultural and Forestry Committee and partly from the Committee on Labor and Public Welfare.

Who has jurisdiction? Where does the jurisdiction lie? Who can put the picture together if we have such a situation?

I hope that the other Senators will realize that these important questions of continuing jurisdiction are involved in this picture. And it is for that reason that I feel so strongly about it.

One other point, if my distinguished friend would yield. I know perfectly well what his amendment did in the agricultural appropriations bill. I am trying to work it out. I know perfectly well what the passage of these acts in the House last week means. And so does my counterpart, who is the chairman of the conferees from the House on the agricultural appropriations bill. We are trying to work out something that will be acceptable.

May I say also that the distinguished Senator from Louisiana [Mr. Ellender], the chairman of the committee to which these two bills have been assigned, states that the bills will come up for consideration Wednesday, the day after tomorrow, which will be the first meeting of the committee after the matters were referred to it.

A hopeless hodgepodge results if we get this kind of on-the-floor handling of an important matter of this kind, which ties up the jurisdiction in every conceivable way.

I hope that my distinguished friend will allow some opportunity, both in the Agriculture and Forestry Committee, which begins consideration the day after tomorrow, and in the agricultural appropriations conference committee which is underway now and which has settled, with one minor exception, everything else in the bill but this subject. It is working on the matter very, very hard and trying its best to work out a solution.

I see on the floor of the Chamber one or two Members on the other side of the aisle who are serving on that conference. I think they know as well as I that the statements I have made are correct.

The distinguished Senator from Louisiana is present, and he has already advised, as I understand it, the Senator from Oregon and the Senator from New York that he will take up this matter Wednesday in the Agriculture and Forestry legislative committee.

It seems to me, if we are to have orderly processes and if we are going to know how to deal with this question in such a way as to preserve jurisdictional regularity of any kind in this very important field, that we should allow time for these two committees which are working on the matter to try to work it out.

I thank the distinguished Senator for his very patient yielding.

Mr. JAVITS. Mr. President, I would like to answer very briefly the Senator from Florida.

In the first place, the text of the amendment provides that "not to exceed $100 million" a year should be made available for section 32 funds. That means that if there is less than $100 million a year, the allocations will be reduced.

Mr. HOLLAND. Mr. President, will the Senator yield?

Mr. JAVITS. I yield.

Mr. HOLLAND. Does the Senator mean that the Secretary has to wait until the end of the year before he will know that—as he would have had to do in several years?

Mr. JAVITS. Mr. President, I would assume that the Secretary could make an estimate in the course of the year. This refers to the use of section 32 funds, and he may have to wait until the end of the year. He has to comply with the statute if we pass the bill.

Mr. HOLLAND. Mr. President, I do not believe that is the kind of regular, dependable, stable program that the Senator from New York wants to set up in this very vital field.

Mr. JAVITS. I believe it is. I have great confidence in the availability of these funds. They have risen from $521 million in 1958 to $794 million in 1967. In my judgment, I can very nicely rely upon that situation. In any case, the legislation does provide for that contingency.

Mr. HOLLAND. Mr. President, will the Senator yield?

Mr. JAVITS. May I finish?

The second point I should like to make in reply is this: There is a very interesting jurisdictional situation here. The two bills which have been passed in the other body now rest in the Committee on Agriculture and Forestry. If this amendment is adopted by the Senate, it will go to conference, and the other body will not be in the position in which we have locked in this particular amendment, because it is not a House-passed bill upon which we are puttting this amendment. This is a Senate bill. Hence, this particular measure, if we do adopt the amendment, will go to a completely open conference. Therefore, any adjustment can be made by the conferees—of any kind or character—depending on what results from whatever is done by the appropriations process and in the conference on that bill.

The reason why I am offering this amendment and pressing it is precisely that we are at the end of the session and that we need this kind of opportunity if we really are going to work out the matter. Otherwise, we are locked into the appropriations conference with whatever limitations there are in the Senate and the House bill, which may not be limitations of money, with which we can deal, and we have no opportunity except this one in order to free our hands to give an adequate sum of money this year to the school lunch program.

Knowing Senator Morse as I do, I do not even have to ask him—I know that he will be in the closest consultation with the Committee on Agriculture and Forestry and with its chairman in connection with whatever takes place in the conference. But it is a way of getting the matter before the House and the Senate, with complete flexibility, because it even could be dropped in conference, if Senator MORSE, as our leader, felt that it should be. I will say that right now, myself—even if it carries. But by carrying it, we give ourselves an opportunity to work out the situation in a legislative way, as a counterpart to whatever might happen in the Appropriations Committee. It is because I realize how close we are to the end of the session, and because I know how necessitous the situation is, that I cause this amendment to be offered. There is no question about the fact that it stands up substantively this year, because it is admitted that approximately $225 million was turned back to the Treasury.

I yield to the Senator from Florida.

Mr. HOLLAND. In the first place, that money has already been turned back, and there will not be any such amount—if there is any amount—available for a year now. We are now operating in fiscal 1969.

In the second place, this tabulation shows—let me read these figures—for 1958, only $83 million was returned to the Treasury; for 1959, $72 million was returned to the Treasury; for 1969, $91 million was returned to the Treasury; for 1961, $7 million was returned to the Treasury. More than $100 million was returned to the Treasury for 1962 and 1963. However, coming to 1964, $3 million was returned to the Treasury. For 1965, $8,000 was returned to the Treasury.

In recent years, in 1966, $208 million was returned; in 1967, $181 million. In the year passed, $226 million was returned.

But I invite the Senator's attention—if he will read the list I have made available to him—to the fact that it appears that whenever any of the big perishable crops are in trouble, nothing is left to turn over, or very small amounts are left to turn over, to the Treasury.

For instance, in the field of butter, in 1961, $115 million-plus of that product had to be purchased to save dairy farmers. In the field of beef, in 1954, $83 million of that product had to be purchased; in 1964, $69 million; and in 1965, $156 million.

In the field of pork, $95 million of surplus pork was purchased in the year 1956.

In any year when those large purchases are made to help large industries producing perishable crops to get over the hill, to take those surpluses off the market, there will not be any substantial fund left in section 32.

The Senator is well disposed toward agricultural producers, and nobody knows that better than I. He knows perfectly well that he cannot tell and the Secretary cannot tell, and no one in this Chamber can tell, when these heavy surpluses are going to arise, because they arise unexpectedly.

Mr. JAVITS. What the Senator has omitted to say——

Mr. HOLLAND. And the effect of GATT, likewise, will reduce our tariff returns effective July 1, just 2 weeks ago, and nobody knows how greatly they will be reduced.

I believe this is a most unfortunate time to suggest such an additional drain upon section 32 funds for a cause not directly related to the protection of the producers of perishable agricultural commodities.

Mr. President. I ask unanimous consent that the tabulation I have referred to in citing these figures be printed in the RECORD at this point.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

REMOVAL OF SURPLUS AGRICULTURAL COMMODITIES, FISCAL YEARS 1958-67

	1958	1959	1960	1961	1962	1963	1964	1965	1966	1967	Preliminary, 1968
FUNDS AVAILABLE											
Carryover	$299,940,687	$300,000,000	$300,000,000	$300,000,000	$300,000,000	$300,000,000	$300,000,000	$300,000,000	$298,758,226	$300,000,000	$300,000,000
Recovery of prior year obligations		500,886	666,160	802,033	1,457,908	1,128,424	451,225	49,596	28,529	157,060	317,305
30 percent of customs receipts	220,878,158	235,936,663	251,446,364	319,960,724	325,826,751	318,068,537	369,391,556	378,907,331	405,549,361	493,935,754	578,911,603
Total available	520,818,845	536,437,549	552,112 524	620,762,757	627,284,659	619,196,961	669,842,781	678,956,927	704,336,116	794,092,814	879,228,908
Less transfers to Interior (15 U.S.C. 713-c as amended)	4,651,151	4,786,415	4,993,642	5,321,081	4,757,143	5,071,342	5,373,096	5,297,951	6,610,569	6,778,506	7,443,592
Total available to USDA	516,167,694	531,651,134	547,118,882	615,441,676	622,527,516	614,125,619	664,469,685	673,658,976	697,725,547	787,314,308	871,785,316
OBLIGATIONS											
Commodity program payments:											
Cotton					24,000	9,615					
Dairy products	121,654,680	101,130,189	51,234,409	116,303,574	853,625		85,000,000	25,000,000	39,550,000		9,131,064
Eggs and poultry	101,051	6,361,847	24,081,405	37,597,468	31,199,507	24,354,147	27,012,132	5,178,235	9,850,244	4,346,876	44,111,133
Fruits	1,128,684	115,837	7,804,428	1,070,098	1,531,370	3,729,726	3,056,022	4,259,537	10,874,821	37,964,401	10,033,533
Grain			10,862,421	3,057,880	7,816,011	111,990	4,744,789	2,266,380		5,284,515	3,908,869
Livestock products			8,017,077	78,156,722	82,031,993	58,929,440	122,970,260	175,974,126	40,617,533	119,733,256	67,393,606
Peanuts and products	868,402	1,082,286	2,258,380	12,574,492	7,633,866	3,000,881	12,373,212	12,585,620	11,967,360	6,369,083	10,968,623
Tobacco					1,532,468	2,995,579	2,047,844	447,033		−5,294	
Tree nuts		330,194							1,090,234	37	
Vegetables	2,422,215	7,582,298	188,467	3,157,931	10,572,230	2,733,806	2,313,490	1,418,894	2,488,607	8,140	13,238,272
Miscellaneous	−101,220	11,565	272,751	840,084	−30,908	187,996	−13,380	−22,359	413,840	536,955	12,442,124
Subtotal	126,073,812	116,614,216	104,719,338	252,758,249	143,164,162	96,053,180	259,504,369	227,107,466	116,852,639	174,237,969	171,227,224
Food stamp program				906,213	14,069,967	20,439,770	30,505,716			−86,420	
Surplus removal operating expenses	2,108,642	2,169,970	2,168,719	2,324,205	2,822,382	2,832,417	3,082,082	3,271,326	3,070,358	3,394,766	6,500,000
Marketing agreements and orders	1,340,186	1,418,232	1,451,417	1,630,681	2,263,591	1,892,273	1,988,854	2,140,144	2,185,616	2,183,513	
Foreign market promotion	1,879,353	2,165,269	(1)								
Import control	226,823	240,584	(1)								
Total obligations	131,628,816	122,608,271	108,339,474	257,619,348	162,320,102	121,217,640	295,081,021	232,518,936	122,108,613	179,729,828	177,727,224
TRANSFERS											
(1) Foreign Agricultural Service (pursuant to USDA appropriation acts)			2,493,000	2,817,000	3,117,000	3,117,000	3,117,000	3,117,000	3,117,000	3,117,000	3,117,000
(2) School lunch (pursuant to USDA appropriation acts)		35,000,000	43,657,248	45,000,000	45,000,000	45,000,000	45,000,000	45,000,000	45,000,000	45,000,000	45,000,000
(3) Food stamp program (pursuant to 1965 USDA Appropriation Act)								30,650,000			

See footnote at end of table.

REMOVAL OF SURPLUS AGRICULTURAL COMMODITIES, FISCAL YEARS 1958–67—Continued

	1958	1959	1960	1961	1962	1963	1964	1965	1966	1967	Preliminary, 1968
TRANSFERS—Con.											
(4) Special milk program (pursuant to 1965 USDA Appropriation Act)								$51,500,000		$53,000,000	$104,000,000
(5) Commodity Credit Corporation—ARS and CSRS (pursuant to 1964 USDA Appropriation Act)							$16,000,000	12,080,554	$18,500,000	25,000,000	15,000,000
(6) Comparative transfer to Office of Inspector General	$452,245	$539,649	$604,800	$653,312	$978,376	$1,225,000	1,369,957				
(7) Miscellaneous transfers					285,000	21,400	94,648				
Total used by USDA	*132,081,061*	*158,147,920*	*155,094,522*	*306,089,660*	*211,700,478*	*170,581,040*	*360,662,626*	*374,866,490*	*188,725,613*	*305,846,828*	*344,844,224*
Balance	384,086,633	373,503,214	392,024,360	309,352,016	410,827,038	443,544,579	303,807,059	298,792,486	508,999,934	481,467,480	526,941,092
Returned to Treasury	83,585,747	72,837,054	91,222,327	7,894,108	109,698,614	143,093,354	3,757,463	8,575	208,682,970	181,467,480	226,941,092

[1] Beginning in 1960 transfers to FAS were by legislative action.

Mr. JAVITS. Mr. President, what the Senator has omitted to state is that the unused balance carried forward—and it is exactly the same table that the Senator has been reading from—is a consistent $300 million. So an adequate reserve is constantly maintained by the Agriculture Department to take care of contingencies of commodity programs in perishable products.

And as I have pointed out very clearly, if there is no money, then there is no money on the school lunch aspect.

I find it difficult to see how the Senator can argue at one and the same time that he is going to try to provide in the appropriations bill more money out of section 32 funds for school lunches, and that there is grave danger of imperiling the section 32 funds.

Mr. HOLLAND. Mr. President, will the Senator yield?

Mr. JAVITS. Not yet.

Mr. HOLLAND. The Senator has not been fair.

Mr. JAVITS. The Senator has spoken more than I have.

Mr. HOLLAND. The Senator has not stated fairly what appears on this list.

Mr. JAVITS. Mr. President, I do not yield.

The **PRESIDING OFFICER.** Does the Senator yield?

Mr. JAVITS. I do not yield.

Mr. HOLLAND. Mr. President, the Senator can be fair.

Mr. JAVITS. Mr. President, I have been more than fair in standing here for 30 minutes and allowing the Senator to make a long speech and not objecting for a minute. I am most respectful of the Senator from Florida, but I cannot allow the Senator to turn me off and on, so I do not yield.

Mr. President, the situation seems to me to be very clear. There is a carryover of $300 million to take care of these perishable commodities. That is contained in precisely the same table from which the Senator was reading to us, quite properly, the record with respect to section 32 funds.

Mr. HOLLAND. Will the Senator yield at this point.

Mr. JAVITS. Not yet.

In addition, Mr. President, I have pointed out very clearly that this amendment takes account of whether or not there are funds, because it says "not to exceed."

There has been more than adequate money in the last 3 fiscal years, and that is all I am saying now. If there is not, then the amendment takes account of it, and the Secretary of Agriculture will be able to do less than $100 million or perhaps nothing at all on the amendment.

I yield.

Mr. HOLLAND. Mr. President, I invite attention to the fact that the Senator from New York has overlooked the fact that in 1958 there was less than $300 million carried forward from 1957 and that in 1966 there was less than $300 million carried forward from 1965. Those figures appear on the very list at which the Senator is looking. In 1958 there was $299 million carried forward from 1957, and in 1966, which is one of the last 3 years, there was $298 million to be carried forward from 1965.

So the Senator has not read very fully the figures from which he was quoting a moment ago.

Mr. JAVITS. I beg the Senator's pardon, but as to the $299 million, I will rely on the reasonableness of the Senate to assume it to be so close to $300 million that I am not misrepresenting. I am reading from page 19367 of the RECORD, a table submitted in the other body by Representative PERKINS, which shows $300 million for 1966.

I submit respectfully that the very minor sums, whether the Senator is right or wrong, are immaterial. The fact is that $300 million has been carried over, in substance, from 1958 through the last 10 years.

Mr. YOUNG of North Dakota. Mr. President, will the Senator yield?

Mr. JAVITS. I yield.

Mr. YOUNG of North Dakota. Mr. President, I support the objective of the Senator from New York to provide more money for the school lunch program. As a farm producer myself, no one would like more than I to get rid of the farm surpluses.

I would be glad to support the Senator's proposal if he would amend it to take the money from the general fund. This would be a sure source for the program and it would be much easier for most of us to support. Section 32 funds should be reserved to support the prices of perishable farm commodities.

Mr. JAVITS. Mr. President, there is no one in the Chamber I respect more than the Senator from North Dakota.

My difficulty is that this is a sequel to the way in which we untied the hands of the Secretary of Agriculture by the amendment adopted by the Senate in respect to the appropriation bill. If there is a sequel it must seek its source in the same funds. I am buttressed by the fact that the other body passed by a large vote the very approach I am advocating.

I find it difficult to accede to the Senator's suggestion.

Mr. MILLER. Mr. President, will the Senator yield?

Mr. JAVITS. I yield.

Mr. MILLER. Mr. President, I wish to ask the distinguished Senator about the wording of his amendment. For the purpose of following me, I wonder if I could ask the Senator to refer to page 6 of the House-passed bill which he has encompassed in his amendment. On page 6, section (c) states:

> State agencies, or the Secretary as appropriate, shall use the funds to provide meals to children whose parents or guardians do not have the financial ability to provide for the adequate nutrition of their children * * *.

With respect to that portion of the provision I assume it is intended, as a matter of legislative history, that these funds will be used to provide meals only to such children, and that it is intended that the funds be used to provide meals only for such children and no other children.

Mr. JAVITS. I do not say that this particular provision is exclusive. For example, if the children who can pay nothing, who do not have any financial inability, do not absorb the funds available, that is not the end of it because the section continues:

> The funds may be used to finance such children's participation in an eligible nonprofit food service; to assist in financing the purchase of equipment needed to operate such programs, and not to exceed an amount equal to two per centum of the total funds used under subsection (a) in any fiscal year may be used in such fiscal year to defray part of the adminisrative costs of the Department of Agriculture and State agencies in carrying out this section.

I could not say it is absolutely exclusive. That is the portion the Senator read.

Mr. MILLER. Mr. President, may I suggest to the Senator that the portion he read on page 7:

> The funds may be used to finance such children's participation in an eligible nonprofit food service—

That refers to the category of children I referred to earlier.

I wonder if we should not make clear, as a matter of legislative intent, these funds will be used for children who need them.

Mr. JAVITS. The neediest children.

Mr. MILLER. Not only the neediest children, but those who need the nutrition, too.

Mr. JAVITS. The Senator is correct. I agree with that statement.

Mr. MILLER. Very well.

The next thing I wish to clarify is this. The same provision refers to children whose parents or guardians "do not have the financial ability to provide for the adequate nutrition of their children." I assume we mean those who do not have financial ability, and also those in need of improved nutrition, because I am sure we can all visualize the situation where the parents or guardians may not have the financial ability, but there may be an aunt, an uncle, a brother or a sister who is providing sound nutritional meals for the children.

Mr. JAVITS. The Senator is exactly right.

Mr. MILLER. I have a further question. There is an alternative usage of these funds to children determined by local officials as in need of improved nutrition. I assume, as a matter of legislative history, that we are discussing children determined by local officials to be in need of nutrition or whose parents and guardians do not have the financial ability.

Mr. JAVITS. Yes.

Mr. MILLER. I am sure the Senator is aware that there are people suffering from malnutrition who come from very affluent families.

Mr. JAVITS. The Senator is correct.

Mr. MILLER. I thought we should have cleared up the legislative intent rather than to offer a further amendment. I thank the Senator.

Mr. JAVITS. I am grateful to the Senator for his help.

Mr. MORSE. Mr. President, I would like to make a suggestion with respect to the bill. I think if we get the Senator from Florida [Mr. Holland], the Senator from Louisiana [Mr. Ellender], the Senator from Michigan [Mr. Hart], the Senator from New York [Mr. Javits], and the Senator from Pennsylvania [Mr. Clark], out in the anteroom for a conference among themselves, they might be able to help us progress with the bill by coming back with an understanding or a clarification of their differences. I would like to suggest the absence of a quorum and make the plea, as manager of the bill, that Senators Holland, Ellender, Javits, Clark, and Hart favor the manager of the bill by a conference among themselves, and I wish they would take with them the appropriate staff members to see if they cannot clarify any differences they may have.

Mr. JAVITS. Mr. President, will the Senator yield?

Mr. MORSE. I yield.

Mr. JAVITS. Before the Senator suggests the absence of a quorum, the Senator from Kentucky [Mr. Cooper] asked me if he might be a cosponsor.

I ask unanimous consent that the Senator from Kentucky [Mr. Cooper] be listed as a cosponsor.

The PRESIDING OFFICER (Mr. Pearson in the chair). Without objection, it is so ordered.

Mr. MORSE. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

THE CALENDAR

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the unobjected-to items on the calendar, which have been cleared on the other side, be considered beginning with Calendar No. 1368.

The PRESIDING OFFICER. Without objection, it is so ordered.

NURSING HOME CARE FOR CERTAIN VETERANS

The bill (H.R. 7481) to amend sec. 620, title 38, United States Code, to authorize payment of a higher proportion of hospital costs in establishing amounts payable for nursing home care of certain veterans was considered, ordered to a third reading, read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the Record an excerpt from the report (No. 1390), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the Record, as follows:

BACKGROUND OF THE LEGISLATION

The U.S Veterans Advisory Commission in its recent report made the following recommendation with respect to this proposal:

RECOMMENDATION NO. 61

The Commission recommends that the Veterans' Administration be authorized to increase the reimbursement rate to community nursing homes from one-third to 45 percent of the VA general hospital per diem rate.

Background to recommendation

During fiscal year 1967, the Veterans' Administration reimbursed community nursing homes at an average per diem rate of $10.45 for care provided to its veteran beneficiaries. This amount was less than the average per diem rate paid to community nursing homes by the social security medicare program. It is estimated that social security paid approximately $14.60. The amount paid by the Veterans' Administration was also considerably less than the average payment for such care from private funds.

The problem of placing veterans in community nursing homes in high cost areas has become acute because of the present limit on VA reimbursement. Therefore, the Commission recommends that the Veterans' Administration be authorized to pay community nursing homes up to 45 percent of the general hospital per diem rate, as proposed in H.R. 7481, before the 90th Congress.

EXPLANATION OF THE BILL

Section 620 of the title 38, which was section 2 of Public Law 88–450, authorizes the Administrator of Veterans' Affairs to transfer any veteran patient in a Veterans' Administration hospital that has received maximum hospital benefits, and who requires protracted nursing home care, to a community nursing home at Government expense. The period of such care for which the Veterans' Administration may pay cannot generally exceed 6 months, and the cost of this nursing care may not exceed one-third of the cost in a Veterans' Administration general-medical hospital. This means that the present cost on a per diem basis may not exceed $12 at the present time.

With the rising cost of nursing home care, the Veterans' Administration has found it increasingly difficult—with the contraint of the present statutory maximum—to make and retain nursing home contracts and to place patients in community nursing homes. If the limit is not relaxed, nursing homes will discontinue taking veterans, in favor of other patients who will pay at higher rates.

H.R. 7481 amends section 620 of title 38 to increase the maximum amount which the Veterans' Administration can pay to community nursing homes for veterans who have exhausted their hospital benefits and need extended care.

The increase—from one-third to 40 percent of the cost of Veterans' Administration hospital care—would enable the Veterans' Administration to compete better for the limited available spaces in community nursing homes.

The Veterans' Administration estimates that the additional cost to the Government for the first year will be $3,551,000

Hearings on the bill were held before the Subcommittee on Veterans' Affairs on July 1, 1968.

PART-TIME VOCATIONAL REHABILITATION

The bill (H.R. 14954) to amend title 38 of the United States Code to improve vocational rehabilitation training for service-connected veterans by authorizing pursuit of such training on a part-time basis was considered, ordered to a third reading, read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the Record an excerpt from the report (No. 1391), explaining the purposes of the bill.

There being no objection, the excerpts was ordered to be printed in the Record, as follows:

BACKGROUND OF THE LEGISLATION

On January 30, 1968, the President submitted a message to the Congress entitled "Our Pride and Our Strength: America's Serviceman and Veterans." In part the President said:

Second, I propose that the benefits of Vocational Rehabilitation be extended to service-disabled veterans being trained on a part-time as well as full-time basis.

Presently, a disabled veteran can take Vocational Rehabilitation and receive a training allowance only if he trains full-time. This restriction may present him with a hard choice: either leave his job for training, or forego the training itself.

Clearly, that choice is unfair.

The disabled veteran should be able to keep his job while he prepares for a better one through vocational training, drawing the allowance it provides.

The U.S. Veterans Advisory Commission in its report made the following recommendations with respect to this proposal:

RECOMMENDATION NO. 27

The Commission recommends that veterans with service-connected disabilities be allowed to pursue vocational rehabilitation on a part-time basis.

Background to recommendation

The vocational rehabilitation program (ch. 31, title 38, United States Code) provides training for veterans of World War II and later service who have been handicapped by service. The program intends to help restore the employability of these veterans to an extent consistent with their degrees of disability. The law provides that training must be pursued on a full-time basis.

Experience has shown that some disabled veterans have family responsibilities which preclude them from participating in vocational rehabilitation training on a full-time basis. The option of part-time training would allow many of these men to learn a skill.

Other veterans, while able to perform some type of gainful employment despite their disabilities, would like to participate in such training on a part-time basis, in order to improve their employment status. Except for their disabilities, these men would most likely have been able to attain more lucrative jobs and thereby achieve higher standards of living. Thus, they should be permitted to take vocational rehabilitation on a part-time basis while they are employed so that they can achieve the positions and income they might have attained but for their service-connected disabilities.

The President has recognized the problems and has proposed its solution in his message to the Congress of January 30, 1968. He stated therein:

"Presently, a disabled veteran can take Vocational Rehabilitation and receive a training allowance only if he trains full-time. This restriction may present him with a hard choice: either leave his job for training, or forego the training itself.

"Clearly, that choice is unfair.

"The disabled veteran should be able to keep his job while he prepares for a better one through vocational training, drawing the allowance it provides."

This statement clearly and concisely expresses the views of this Commission.

Therefore, the Commission recommends providing service-connected disabled veterans with the opportunity to take vocational rehabilitation training on half-time and three-quarter-time basis. Pro-rata subsistence allowance rates would be paid the veteran, and no subsistence allowance would be paid for less than half-time training. Part-time training would be limited to institutional training, unless the Administrator determined that it would be in the veteran's best interest to pursue on-the-job training on a part-time basis.

EXPLANATION OF THE BILL

H.R. 14954 would expand the vocational rehabilitation program for veterans to permit training on a part-time as well as full-time basis, with subsistence payments for part-time training proportionately reduced from the full-time level.

Public Law 16 of the 78th Congress was enacted to provide vocational rehabilitation to returning veterans of World War II who had service-connected disabilities and who were in need of such training in order to restore their employability. It was the forerunner of Public Law 346 of the 78th Congress, the World War II GI bill of rights.

The concept embodied in Public Law 16 has now been made permanent, for veterans 30 percent or more disabled, and is found as chapter 31 of title 38, United States Code. As presently constituted, this program involves the payment of subsistence allowance (based on the number of dependents) as well as tuition, fees, books, supplies, and equipment during the period in which the training is involved. Generally, the training may be afforded during the 9-year period immediately following the veteran's discharge or release from service. It should be emphasized that this is a liberal program, and one which has worked extremely well, and applies to all service-connected disabled veterans who served after the beginning of World War II. Any amount of training which is necessary to assure a veteran's full training and employability may be authorized. In addition, a service-connected, seriously disabled veteran may receive additional training if it is found that he had not been previously rehabilitated (rendered employable) as a result of training furnished under this program, or because of the worsening of his service-connected disability since he was declared rehabilitated to the extent that it precludes his performing the duties of the occupation for which he was previously trained.

The program described has been limited to a veteran taking rehabilitation training on a full-time basis. The purpose of this bill is to authorize the furnishing of vocational rehabilitation on a part-time basis. The existing law has worked so well that it is apparent that the subject of this bill is a logical extension and will be in the best interest of not only the veteran but the Government as well.

The subsistence allowances authorized are indicated in the table which follows (new rates are those shown for three-quarters and one-half time training):

Type of training	No dependents	1 dependent	2 or more dependents
Institutional:			
Full time	$110	$150	$175
Three-quarters time	80	110	130
Half-time	55	75	85
Institutional on farm, apprentice or other on-job training: Full time	95	125	150

Hearings were held on this bill by the Subcommittee on Veterans' Affairs on July 1, 1968.

The Veterans' Administration estimates that the first-year cost of the bill will be approximately $5,300,000.

CARE AND TREATMENT OF VETERANS IN STATE HOMES

The bill (H.R. 16902) to amend title 38 of the United States Code in order to promote the care and treatment of veterans in State veterans' homes was considered, ordered to a third reading, read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 1392), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

EXPLANATION OF THE BILL

Public Law 88–450 introduced the nursing home care concept into the activities of the Department of Medicine and Surgery of the Veteran's Administration. That law authorized the operation by the Veterans' Administration of 4,000 nursing home beds to be operated by the Veterans' Administration directly and also made provision that where a veteran was in a Veterans' Administration hospital and no longer needs hospital care, he could be placed in a community nursing home at the expense of the Veterans' Administration for a period not to exceed 6 months unless extended by the Administrator. The law also provided for a nursing home rate of $3.50 a day for veterans who are receiving care in one of the several State homes operated throughout the United States. Previously, domiciliary care had been paid for by the Federal Government at the rate of $2.50 a day and this rate remained unchanged. The public law also provided for a 5-year program of grants to the States to aid them in the construction of new nursing home facilities. There has been steady progress under this provision.

Section 1 of H.R. 16902 would increase the payments by the Federal Government to the State homes for domiciliary and hospital care from $2.50 to $3.50, and for nursing care from $3.50 to $5. The increase for domiciliary and hospital care represents the first adjustment in the rate since 1960 and responds to the increase in costs over the last 8 years. The increase also is designed to respond to the decline in the extent of Federal participation in the reimbursement to State homes, which has fallen from 37.45 percent in 1959 to 28.16 percent in 1967 and an estimated 27 percent in 1968.

Section 2 extends, for an additional 5 years, the program of matching grants ($5 million each year) to the States to encourage and assist them in the construction of State nursing home facilities for war veterans.

In summary the bill as reported—

(1) increases the domiciliary and hospital rate to State homes to $3.50 from $2.50;

(2) increases the nursing home rate to $5 from $3.50; and

(3) extends for 5 additional years ($5 million each year) the matching grants for States to construct nursing homes.

Section 1 of the bill, increasing per diem payments, would have an estimated first year cost of $4,098,000, rising to an estimated $4,413,000 in fiscal year 1973. The cost of section 2 would be a potential of $5 million in appropriations for construction grants for each of the 5 additional years, beginning with fiscal year 1970.

Hearings on the bill were held before the Subcommittee on Veterans' Affairs on July 1, 1968.

EDUCATIONAL ASSISTANCE

The Senate proceeded to consider the bill (H.R. 16025) to amend title 38 of the United States Code with respect to eligibility for, and the period of limitation on educational assistance available under part III of such title, and for other purposes which had been reported from the Committee on Labor and Public Works, with amendments, on page 2, after line 4, strike out:

(1) by striking out "subsection (b)" in subsection (a) thereof and inserting in lieu thereof "subsection (c)",

And, in lieu thereof, insert:

(1) by striking out subsection (a) and inserting in lieu thereof the following:

"(a) Except as provided in subsection (c), each eligible veteran shall be entitled to educational assistance under this chapter for a period equal to one and a half times the duration of his service on active duty after January 31, 1955 (or the equivalent thereof in part-time educational assistance).

On page 9, after line 11, insert:

(b) Section 1682(d) of title 38, United States Code, is amended by striking out "12 clock hours per week" and substituting in lieu thereof the following: "at least two hundred hours per year (and of at least eight hours each month)".

On page 10, after the table following line 8, insert a new section, as follows:

SEC. 5. (a) Subsection (a) of section 1677 of title 38, United States Code, is amended by striking out the material preceeding clause (1), and inserting in lieu thereof the following:

"(a) The Administrator may approve the pursuit by an eligible veteran of flight training where such training is generally accepted as necessary for the attainment of a recognized vocational objective in the field of aviation or where endeavor other than aviation, subject to the following conditions:".

(b) The second sentence of section 1677(b) of title 38, United States Code, is amended to read as follows: "Such allowances shall be paid monthly upon receipt of a certification from the eligible veteran and the institution as to the actual flight training received by, and the cost thereof to, the veteran during such month."

(c) Section 1677 of title 38, United States Code, is amended by adding at the end thereof a new subsection as follows:

"(c)(1) In any case in which a veteran wishes to pursue a course in flight training under this section but does not possess a valid private pilot's license and has not satisfactorily completed the number of hours of flight instruction required for a private pilot's license, the Administrator is authorized to make a direct loan to such veteran to pursue the flight training required for a private pilot's license.

"(2) Loans made under this subsection may be made in any amount not to exceed $500 and shall bear interest at a rate determined by the Administrator, but not to exceed 6 per centum per annum.

"(3) Loans made under this section shall be repayable in equal monthly installments over a period of time not to exceed three years commencing upon the failure of the eligible veteran to enter upon a course of training under subsection (a) of this section within one year after completion of the requirements for or the obtaining of a private pilot's license, but up to 100 per centum of such loan (plus interest) may be canceled at the rate of 33⅓ per centum for each calendar year of service performed by the veteran in a recognized vocational field in aviation entered upon pursuant to training under subsection (a) hereof.

"(4) Loans made under this section shall be made upon such other terms and conditions as may be prescribed by the Administrator."

On page 12, at the beginning of line 14, change the section number from "5" to "6"; and in line 15, after the word "sections" strike out "2 and 3" and insert "2, 3, and 5".

The amendments were agreed to.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 1394), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

BACKGROUND OF THE BILL

The U.S. Veterans' Advisory Commission in its report urged the establishment of an educational assistance program for widows receiving DIC. The formal recommendation follows:

RECOMMENDATION NO. 30

The Commission recommends establishment of an educational assistance program for widows receiving DIC.

Background to recommendation

Upon the deaths of their husbands, widows of veterans who die from service-connected disabilities often face an abrupt loss of adequate financial support, and must, in many instances, adjust their living standards to a substantially lower level. Barring employment or remarriage, their expectations for income are limited to VA benefits and, perhaps, to social security. At present, the current monthly DIC payment for all widows averages $153.79.

The modest security provided by DIC should not induce widows to lead withdrawn or sheltered lives. It is preferable and necessary to encourage widows to return to the "mainstream," both economically and socially. This goal could be furthered through additional training and education.

Additional training would make it possible for widows to supplement their income, thereby enabling them to achieve a comfortable standard of living. The national economy would benefit from such training because the costs of training would eventually be returned as additional income tax revenues. In addition, the Nation would gain needed skills for its manpower resources.

Widows receiving DIC as of June 30, 1967, numbered 153,105. Of these, an identifiable group now evolving from the hostilities in Vietnam (and elsewhere around the globe) is estimated in excess of 8,300. These younger widows have attracted considerable concern because many of them were married before they had a chance to complete their education or to practice their skills in a work setting. It is obvious that this group would benefit from additional education and training. Older widows receiving DIC would also gain, for now they often experience difficulty in finding employment because of their age or because their skills are outmoded.

The Commission recommends a training program for all widows receiving DIC. We believe such training should be directed toward a goal assuring employment, rather than function as a program of general education.

Under our program, financial assistance would be provided each eligible widow by increasing her DIC at the rate of $100 per month while enrolled in and pursuing an approved full-time program. For minimum schooling of three regular class sessions per week, widows would receive $60 per month in addition to DIC payments. Entitlement to training would extend for a maximum of 36 months. Eligibility for enrollment in this program would expire at the end of 8 years from the date of death of the veteran from whom eligibility is derived or from the date of legislative enactment, whichever is later.

Criteria for approval of courses and measurement of full- and part-time training would parallel those which apply to enrollment under chapter 35, United States Code, title 38. Counseling for this training program would be optional but required for a second change in program or for reentry after termination for unsatisfactory progress or conduct.

Another important recommendation of the Commission was:

RECOMMENDATION NO. 31

The Commission recommends establishment of an educational assistance program for wives of veterans who have a total disability, permanent in nature, resulting from a service-connected disability.

Background to recommendation

Totally disabled veterans and their families must rely on VA compensation for support. Although this level of maintenance is above poverty criteria, it is, in most cases, much less than the standard of living which the veteran, but for his service disability, could have expected to provide for his family.

It is seldom possible to rehabilitate the totally disabled veteran economically. Therefore, an equitable alternative lies in a program of educational assistance for the veteran's wife. Such a program would enable her to supplement the income of the family of the veteran totally incapacitated due to service.

Thus, the Commission recommends a program of education and training for the wives of veterans who have a total disability, permanent in nature, resulting from a service-connected disability. This program would be similar in all respects to that proposed for widows receiving DIC, except that eligibility for enrollment would expire at the end of 8 years from the date of a veteran's total disability rating or from the date of legislative enactment, whichever is later.

Combined educational entitlement

Section 1 provides that a veteran who is eligible under the current so-called GI Bill of Rights (Public Law 89–358) and who received benefits under the war orphans benefit program, the vocational rehabilitation programs, or the World War II or Korean war GI bills can earn an additional 12 months' educational entitlement for a maximum under both programs of 48 calendar months.

Current law (38 U.S.C. 1661) provides that the months of educational assistance furnished to any eligible veteran when combined with any education and training received under the World War II or the Korean GI bill, the war orphans educational program, as well as the receipt of vocational rehabilitation training, may not exceed 36 months. H.R. 16025 would modify this to allow an eligible veteran to use at least 12 months of any entitlement that he earned as a result of post-Korean service, notwithstanding the fact that he had previously received a full 36 months of education or training under one or more of the other Veterans' Administration education assistance program or programs. The bill also removes the requirement that a person who is entitled both to educational assistance and to vocational rehabilitation must make an irrevocable election between such benefits.

The new GI educational assistance program is intended to assist the veteran in readjusting to civilian life following his period of post-Korean service. The fact that he may have had previous training at Government expense under a different program may minimize, and in many cases might obviate, the need for further readjustment assistance;

but, if the veteran finds that he does need additional education, such as a master's degree to successfully enter into a teaching profession, the opportunity should be open to him. The notion is that we reward extra service and recognize that further education today may be necessary for adequate readjustment.

Liberalized educational entitlement

Section 1 also provides that each eligible veteran shall be entitled to educational assistance under chapter 34 of title 38, United States Code, for a period equal to one and a half times the duration of his service on active duty after January 31, 1955 (or the equivalent thereof in part-time educational assistance). This provision was originally proposed by Senator Yarborough in S. 3349;

When Congress passed the Korean war GI bill, we saw to it that our veterans were made eligible for educational assistance or training for a period equal to 1½ times their active duty service. Thus, a serviceman who had served his country for 24 months was eligible for 36 months of educational benefits—enough to get a full 4-year college degree.

Two years ago, after a long and difficult struggle, Congress passed the cold war GI bill—a measure which took a fundamental step in giving to our men in uniform the opportunity to readjust to civilian society after having served their country. But, although vital and necessary, the cold war GI bill, when contrasted with the Korean war GI bill, is inadequate and unequitable.

Korean veterans became eligible for assistance at the rate of 1½ days of assistance to 1 of active duty service. But cold war veterans were made eligible for educational assistance or training for a period only equal to their active duty service, a 1-to-1 ratio. Thus, under the cold war bill, a serviceman who has served his country for 24 months is eligible for only 24 months of educational benefits—enough to cover just 2½ years of college.

That Congress should have perpetrated a system which on its face is so inadequate and unequitable is difficult enough to justify—but to have done so at a time when the importance of a college degree is becoming more and more manifest and when the cost of attaining that degree is skyrocketing is all the more serious.

This committee finds no rationale for the proposition that our cold war and Vietnam veterans are in some way less deserving than our Korean veterans, or that an investment in them and in the future of our country need not be as great as the investment we made in our Korean era veterans. The benefits accorded under the cold war GI bill need to be put in line with reality.

An identical provision was approved by the Senate last year as part of the omnibus bill with amendments to the cold war GI bill. In conference with the House, the provision finally was dropped to avoid losing the whole bill, which included important programs for on-the-job training, on-the-farm training and flight training.

The committee is particularly disturbed at the negative attitude of the Veterans' Administration with respect to providing 1½ months educational assistance for each month on active duty. The sole reason given by the Veterans' Administration in favor of the present system is that it induces a person to stay in the service for an extra year to earn full entitlement. The committee feels that it is a shocking disregard of responsibility for the Veterans' Administration to take such a stand against the best interests of our Nation's veterans endorsing the withholding of deserved benefits in order to induce the individuals concerned to stay in the service.

An excerpt from the hearing record on this point follows:

Senator Yarborough. Let me ask you, do you think the Korean GI bill was too generous in allowing a month and a half of training for each month of service?

Mr. Farmer [Veterans' Administration]. No, sir, I do not.

Senator Yarborough. All right.

Do you think that these veterans ought to be discriminated against and not treated equally as well as those of the Korean conflict?

Mr. Farmer. Well, the reason I said—no, sir; because that was a law, and we administer the law as we get it. But I would also submit to you—

Senator Yarborough. Do you think it was unfair in providing for a month and a half of training for each 1 month of service?

Mr. Farmer. Well, sir, I subscribe to the point of view if we can induce a young man to be of more service this country—

Senator Yarborough. In other words, if you can induce him to stay in longer, you ought to deprive his benefits?

Mr. Farmer. I think this is a desirable tactic.

Senator Yarborough. I think that is a horrible position for the Veterans' Administration to take. It will deny him the benefits that have gone to 19 million veterans—no, 21 million veterans of World War II and the Korean conflict if, by that denial, we can force them to stay in longer.

* * * * *

Mr. Farmer. Because of the desirable effects on them, on the reenlistment rate, we are adopting the position that we are today.

Senator Yarborough. Your position is just the Defense Department—

Mr. Farmer. We are acting in concert with the Armed Forces.

Educational benefits for widows

Section 2 of the bill extends the provisions of the war orphans' education program to the widow of any person who died of a service-connected disability or the wife of any person who has a total disability, permanent in nature, resulting from a service-connected injury or disease. Benefits provided in section 2 would not be applicable to a widow who has remarried. In line with the current provisions of VA education laws, there is an 8-year time limitation for a widow or wife to complete the educational assistance program of 36 months at $130 a month—8 years from the effective date of this proposal or 8 years from the date of death of the veterans or decision of total disability, whichever is the later.

Correspondence courses

Section 3 is in line with the current provisions of Public Law 89–358, as amended by Public Law 90–77, applicable to flight training and provides that any veteran who is pursuing a program of education exclusively by correspondence shall be charged 1 month of eligibility entitlement for each $130 which is paid to the veteran as an educational assistance allowance.

On-the-farm training

Section 3 would also liberalize the current 12-hour-per-week requirement of classroom instruction for eligible veterans pursuing a program of farm cooperative training to require at least 200 hours per year (and at least eight hours each month) of such classroom instruction.

This provision was originally proposed by Senator Yarborough in S. 3349:

Last year, when Congress passed the GI bill amendments—Public Law 90–77—we incorporated a farm cooperative program which enabled returning veterans engaged in agricultural employment to obtain assistance for institutional agricultural courses. As is often the case, the provision the Senate passed was adequate, but in having to compromise with the House to get a bill adopted, the program was changed.

When the compromise was offered, the Veterans' Administration had indicated that the language would lead to a program of full and available participation. That has not been the case.

As the provision now stands, a veteran, in order to qualify, has to enroll in at least 12 clock hours of classes per week. For an agricultural worker employed within minutes of his classroom this is fine. But more often than not, the agricultural worker is employed at a great distance from the classroom, so that it is virtually impossible for him to hold down a full-time job and commute the hundreds of miles a week necessary to fulfill the 12-hour requirement.

The result has been that under the present on-farm-training program, a total of only 116 veterans have participated. This is in shocking contrast to earlier programs. For under the World War II GI bill, 700,000 veterans received on-the-farm training, and under the Korean GI bill, 100,000 veterans received on-the-farm training.

There is at present considerable apprehension over the steady decline in the number of family farms in the United States, and over the current low levels of farm income. Additionally, there is worldwide concern over impending food shortages which could eventually result in disastrous famine in many parts of the globe. This provision of H.R. 16025 aimed at maintaining the highest possible levels of agricultural production in the United States. It can enhance the opportunity for young veterans and their families to establish themselves in the business of farming.

State approval agencies

Section 4 would authorize the Veterans' Administration to reimburse State approval agencies—which examine and certify schools as acceptable for study under GI bill—for administrative costs (present reimbursement covers salary and travel of employees).

Under existing law the Administrator of Veterans' Affairs is authorized to pay State and local agencies for reasonable and necessary expenses of salary and travel of employees of State agencies in rendering necessary services for evaluating and supervising the several educational programs administered by the Veterans' Administration insofar as they relate to educational institutions in a given State. Section 4 would provide an allowance for administrative costs, the exact amount of which would be determined by the size of the contract, between the Veterans' Administration and the State, for the amount of salary. Thus if the amount of salary was $5,000 or less a year, the administrative expenses would be limited to $250. In a State which had many institutions subject to supervision by the State approval agency, and the salary allowance was more than $80,000, the amount for administrative expenses would be $5,285 for the first $80,000 of salary expenses plus $300 for each additional $5,000 or fraction thereof.

Flight training

Section 5(a) would authorize the Administrator to approve the pursuit by an eligible veteran of flight training where such training is generally accepted as necessary for the attainment of a recognized vocational objective in the field of aviation or where generally accepted as ancillary to the pursuit of a vocational endeavor other than aviation, subject to certain conditions. This provision was originally proposed by Senator Yarborough in S. 3350:

This would extend advanced flight training assistance to eligible veterans who, although not interested in pursuing a career in commercial aviation as such, find that their ability to pilot an aircraft would expand their opportunities in earning a livelihood. For example, it could well permit a physician to bring his lifesaving skills to otherwise remote and inaccessible sections of the Nation. Less dramatically, it could enable a salesman to see a greater number of prospective purchasers more often and yet devote more time to home and family.

Similarly it would help, for example, the modern-day ranchers who use small aircraft to spot and herd cattle.

Section 5(b) would authorize the payment of the educational assistance allowance to eligible veterans pursuing flight training under chapter 34 of title 38, United States Code, on a monthly basis upon receipt of a certificate from the veteran and the institution as to actual flight training received by, and the cost thereof to, the veteran during such month. This provision was originally proposed by Senator Gruening in S. 3476:

This would relieve the financial burden on the veteran trainee of waiting for 2½ months to receive funds to which he is entitled.

Section 5(c) would authorize the Administrator to make a loan to a veteran wishing to pursue a course of flight training but who lacks the private pilot's license and is not otherwise entitled to such license, in order that he might obtain the flight training required for a private pilot's license. Such loan would not exceed $500 and would bear interest not to exceed 6 percent per annum. The amount of the loan would be repayable in equal monthly installments over a period of time not exceeding 3 years commencing upon the failure of the veteran to enter upon a course of flight instruction within 1 year after completing the requirements for or obtaining a private pilot's license. A third of the loan, plus interest, would be canceled for each calendar year of service performed by the veteran in a recognized vocational field in aviation entered upon pursuant to the flight training received under this provision. It does not specify the condition under which the loan would be repaid by veterans who stop short of completion of their training or who do not promptly enter a vocational field in aviation upon completion of training. It is intended that the Veterans' Administration would provide for these contingencies under the general authority of the Administrator.

As a condition for obtaining assistance under the flight training provisions, the eligible veteran under present law must have a valid private pilot's license or have satisfactorily completed the number of hours of flight training instruction required for such a license. As it turns out, it costs an average of $500 to obtain a private pilot's license. As a result the very individuals who desire and need to take advantage of the flight training provisions are unable to because they cannot afford to meet the basic requirement of having a license or qualifying for one. Section 5(c) will enable the Administrator to extend short-term loans to qualifying veterans to obtain a pilot's license.

Section 6 specifies an effective date for sections 1, 2, 3, and 5 as the first day of the second calendar month which begins after the date of enactment of this act; and section 4 is effective for the periods beginning after June 30, 1968.

The Veterans' Administration estimates that the first-year cost of the provision in section 1 on combined educational entitlement would be nominal. There is no accurate estimate of the cost of the provision for liberalized educational entitlement.

The estimated first-year cost of section 2 is $7.5 million.

The Veterans' Administration's estimate of the cost of section 3 is based on the assumption that participation under the amended provision would jump from 116 veterans to 27,000 veterans. On a more realistic assumption of an increase to perhaps 4,000, estimated cost would be in the neighborhood of $4 million.

Estimated first-year cost of section 4 is $140,000.

Estimated first-year cost of section 5 is $4.5 million.

Hearings on the bills were held before the Subcommittee on Veterans' Affairs on July 1, 1968.

NURSING HOME CARE

The Senate proceeded to consider the bill (H.R. 3593) to amend title 38 of the United States Code to eliminate certain requirements for the furnishing of nursing home care in the case of veterans hospitalized by the Veterans' Administration in Alaska or Hawaii which had been reported from the Committee on Labor and Public Works, with an amendment, on page 2, after line 2, insert a new section, as follows:

SEC. 2. Clause (iii) of section 601(4)(C) of title 38, United States Code, is amended to read as follows:

"(iii) for veterans of any war in a State, Territory, Commonwealth, or possession of the United States not contiguous to the forty-eight contiguous States, but authority under this clause (iii) shall expire on December 31, 1978.".

The amendment was agreed to.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 1393), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

EXPLANATION OF THE BILL

H.R. 3593 as amended corrects certain inequities in the treatment of veterans in Alaska and Hawaii which has occurred because: (1) these two alone of the 50 States have no Veterans' Administration hospital, and (2) these two areas lost their compensating exception as territories when they achieved statehood.

The bill as amended is identical in substance to S. 562 as amended, which passed the Senate in the 89th Congress.

Section 1 of the bill represents the version of H.R. 3593 which passed the House.

When Public Law 88–450 was enacted authorizing among other things the furnishing of nursing care in Veterans' Administration-operated nursing homes and in community nursing homes, there was no provision made for the furnishing of such nursing care in the States of Alaska and Hawaii. There are no Veterans' Administration hospitals in these two States, but rather care is provided in hospitals operated by the armed services or other Federal hospitals on the basis of agreement with the Veterans' Administration and, in the case of service-connected veterans, hospital care may be provided by contract in community hospitals.

One of the basic provisions of Public Law 88–450 is that in order for an individual to be placed in a privately operated or community nursing home for temporary care at VA expense the patient must first have been in a Veterans' Administration hospital and reached a medical condition which warranted a transfer to a nursing home installation. This provision, in view of the absence of Veterans' Administration facilities in Alaska and Hawaii, prevented the furnishing of nursing care in these two States.

The purpose of section 1 is to permit the furnishing of nursing care in Alaska and Hawaii where such care is found to be warranted.

Section 2 of the bill amends the definition of the term "Veterans' Administration facilities" contained in section 601(4)(C), title 38, of the United States Code, to include private contract facilities for a veteran of any war when such veteran is in a State not contiguous to the 48 contiguous States. This represents the substance of S. 995, which was introduced earlier in the 90th Congress.

Bills of similar intent have been considered in several earlier Congresses. As pointed out above, S. 562, containing this provision, passed the Senate in the 89th Congress. Section 2 is identical in purpose to S. 625, which passed the Senate in the 88th Congress; to S. 801, which was reported from the Committee on Labor and Public Welfare in the 87th Congress; and to S. 2201, which passed the Senate during the 86th Congress.

Under the present law, war veterans with non-service-connected disabilities are entitled to hospitalization in VA hospitals when they themselves are unable to pay the costs, and when space is available in such hospitals. Further, they are entitled to hospitalization in private contract facilities, but only in a "territory, Commonwealth, or possession of the United States."

Alaska and Hawaii are the only States in which the Veterans' Administration maintains no hospitals, and the veterans in these States do not have the advantage of hospitalization in facilities devoted entirely to the care of veterans.

Before statehood, private contract facilities were used in these areas to provide hospital care to veterans with non-service-connected injuries. When Alaska and Hawaii became States, however, the Administrator of Veterans' Affairs lost the power to contract there for private hospital facilities, and it is to this problem that section 1 of the present bill is addressed. In practical effect, this section of the bill merely restores the situation which existed prior to the time Alaska and Hawaii achieved statehood, and they are the only States affected by this legislation.

At the present time, hospital care for veterans with non-service-connected disabilities is provided in Alaska and Hawaii through other Government hospitals. In Alaska, beds are allocated for veterans in hospitals of the Department of Defense and the Department of Health, Education, and Welfare. In Hawaii, the Department of Defense has allocated beds in the Army's Tripler General Hospital. Under the appropriate conditions, veterans may go to these hospitals if beds are available. But with the present increases in the demands on Department of Defense hospitals, it is possible that space will be less available than before. Also, travel in the remote regions of Alaska and the outlying islands of Hawaii is difficult, and there is a need to allow the veteran to be hospitalized in private hospitals near his home.

The Veterans' Administration did not give cost estimates in their report on S. 995 (sec. 2 of the amended bill). They indicate in their report that the cost of this portion will be "relatively small," and that precise figures involve too many contingencies to be accurately calculated. The best information available, however, indicates that the cost will be about $500,000 per year.

The Veterans' Administration estimates that the annual cost of H.R. 3593, without regard to section 2 of the instant bill, will be approximately $22,000.

Hearings on the bill were held before the Subcommittee on Veterans' Affairs on July 1, 1968.

The title was amended, so as to read: "An act to amend title 38 of the United States Code to provide nursing home care and contract hospitalization for certain veterans living in Alaska and Hawaii."

SEIN LIN

The Senate proceeded to consider the bill (S. 3152) for the relief of Sein Lin which had been reported from the Committee on, the Judiciary, with an amendment, in line 6 after "May 24, 1960" strike out "upon payment of the required visa fee. Upon the granting of permanent residence to such alien as provided for in this Act, the Secretary of State shall instruct the proper quota control officer to deduct one number from the appropriate quota for the first year that such quota is available."; so as to make the bill read:

S. 3152

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purpose of the Immigration and Nationality Act, Sein Lin shall be held and considered to have been lawfully admitted to the United States for permanent residence as of May 24, 1960.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, was read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 1403), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE OF THE BILL

The purpose of the bill, as amended, is to enable the beneficiary to file a petition for naturalization. The bill has been amended in accordance with established precedents.

DR. MARIO E. COMAS

The bill (S. 3042) for the relief of Dr. Mario E. Comas was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

S. 3042

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of the Immigration and Nationality Act, Doctor Mario E. Comas shall be held and considered to have been lawfully admitted to the United States for permanent residence as of September 21, 1961.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 1395), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE OF THE BILL

The purpose of the bill is to enable the beneficiary to file a petition for naturalization.

DR. JAGIR SINGH RANDHAWA

The bill (S. 3166) for the relief of Dr. Jagir Singh Randhawa was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

S. 3166

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of the Immigration and Nationality Act, Dr. Jagir S. Randhawa shall be held and considered to have been lawfully admitted to the United States for permanent residence as of September 4, 1957.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 1404), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE OF THE BILL

The purpose of the bill is to enable the beneficiary to file a petition for naturalization.

MANUEL HECTOR MERE HIDALGO

The bill (S. 3085) for the relief of Manuel Hector Mere Hidalgo was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

S. 3085

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of the Immigration and Nationality Act, Manuel Hector Mere Hidalgo shall be held and considered to have been lawfully admitted to the United States for permanent residence as of May 5, 1961.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 1402), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE OF THE BILL

The purpose of the bill is to enable the beneficiary to file a petition for naturalization.

DR. NARCISO A. LORES

The bill (S. 3082) for the relief of Dr. Narciso A. Lores was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

S. 3082

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of the Immigration and Nationality Act, Doctor Narciso A. Lores shall be held and considered to have been lawfully admitted to the United States for permanent residence as of August 19, 1960.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 1401), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE OF THE BILL

The purpose of the bill is to enable the beneficiary to file a petition for naturalization.

EDUARDO RAUL FERNANDEZ SANTALLA

The bill (S. 3081) for the relief of Eduardo Raul Fernandez Santalla was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

S. 3081

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of the Immigration and Nationality Act, Eduardo Raul Fernandez Santalla shall be held and considered to have been lawfully admitted to the United States for permanent residence as of November 5, 1960.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 1400), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE OF THE BILL

The purpose of the bill is to enable the beneficiary to file a petition for naturalization.

DR. MIGUEL A. GOMEZ

The bill (S. 3076) for the relief of Dr. Miguel A. Gomez was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

S. 3076

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of the Immigration and Nationality Act, Doctor Miguel A. Gomez shall be held and considered to have been lawfully admitted to the United States for permanent residence as of November 1, 1960.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 1399), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE OF THE BILL

The purpose of the bill is to enable the beneficiary to file a petition for naturalization.

DR. RICHARD FRANCIS POWER

The bill (S. 3075) for the relief of Dr. Richard Francis Power was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

S. 3075

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of the Immigration and Nationality Act, Doctor Richard Francis Power shall be held and considered to have been lawfully admitted to the United States for permanent residence as of August 24, 1960, and the periods of time he has resided in the United States since that date shall be held and considered to meet the residence and physical presence requirements of section 316 of such Act.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 1398), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE OF THE BILL

The purpose of the bill is to enable the beneficiary to file a petition for naturalization.

DR. DAVID ALFREDO ORTA-MENENDEZ

The bill (S. 3051) for the relief of Dr. David Alfredo Orta-Menendez was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

S. 3051

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of the Immigration and Nationality Act, Doctor David Alfredo Orta-Menendez shall be held and considered to have been lawfully admitted to the United States for permanent residence as of August 30, 1961.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 1497), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE OF THE BILL

The purpose of the bill is to enable the beneficiary to file a petition for naturalization.

DR. JUAN C. ARRABAL

The bill (S. 3043) for the relief of Dr. Juan C. Arrabal was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

S. 3043

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of the Immigration and Nationality Act, Doctor Juan C. Arrabal shall be held and considered to have been lawfully admitted to the United States for permanent residence as of February 9, 1963.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 1396), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE OF THE BILL

The purpose of the bill is to enable the beneficiary to file a petition for naturalization.

AMENDMENT OF THE MARINE RESOURCES AND ENGINEERING DEVELOPMENT ACT OF 1966

The Senate proceeded to consider the bill (H.R. 13781) to amend title II of the Marine Resources and Engineering Development Act of 1966 which had been reported from the Committee on Commerce with amendments, on page 1, line 10, after the word "of" strike out "$6,000,000" and insert "$8,500,000"; and on page 2, line 1, after the word "of" strike out "$8,000,000,". and insert "$12,000,000.' "

AMENDMENT OF MARINE RESOURCES AND ENGINEERING DEVELOPMENT ACT OF 1968—REFERRAL TO COMMITTEE

Mr. MANSFIELD. Mr. President, H.R. 13781, the sea grant college proposal has a jurisdictional base in both the Committee on Commerce and the Committee on Labor and Public Welfare. The chairman of both committees have followed this legislation very closely as have the interested members of both committees. Without the press for time before an adjournment sine die, this legislation would be referred to the Committee on Labor.

However, under the present circumstances, the lateness of the session and in view of the informal agreement with the form of the legislation by the interested members of the Labor Committee and with the approval of the chairman on Labor and Public Welfare. I ask unanimous consent that Order No. 1360, H.R. 13781, the sea grant college proposal, reported July 11 by the Committee on Commerce be referred to the Committee on Labor and Public Welfare and that the Committee on Labor and Public Welfare be instructed to report the bill to the Senate before the close of business on Wednesday, July 17.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Montana? The Chair hears none, and it is so ordered.

Mr. MURPHY. Mr. President, may I make inquiry of the Senator from Montana, the majority leader? Things were going so fast here that although I am known as a liberal character, I just could not keep up with them.

Do I understand correctly that the majority leader wants the Committee on Labor and Public Welfare to take a bill tomorrow and it is ordered that the bill must be marked up by the day after tomorrow?

Mr. MANSFIELD. Yes, indeed. This is a bill which has been thoroughly heard by the Committee on Commerce. This is done with the approval of the chairman of the Committee on Labor and Public Welfare.

Mr. MURPHY. As a member of the Committee on Labor and Public Welfare, may I inquire what is the subject of that bill.

Mr. MANSFIELD. It has to do with sea-grant colleges.

Mr. MURPHY. Well, I am familiar with that important program. In fact, I was one of the authors of the legislation. The bill has great merits and even greater potential. I am just being cautious and careful. I do, however, want to be as cooperative with the majority leader as I possibly can.

I understand, then, that there will be no session of the Senate tomorrow?

Mr. MANSFIELD. That is correct.

Mr. MURPHY. And we meet again at 12 o'clock on Wednesday next?

Mr. MANSFIELD. That is correct. Let me say to the Senator from California that it is my understanding the chairman of the Committee on Commerce thought this should be referred to the Committee on Labor and Public Welfare—even though the Parliamentarian referred it to the Committee on Commerce in the first place—as a matter of comity.

Mr. MURPHY. Would it be possible that the chairman of the Committee on Commerce might be present when the Committee on Labor and Public Welfare meets to help us find out about the bill?

Mr. MANSFIELD. Oh, yes, indeed.

Mr. MURPHY. I think that might help clear up any undue confusion in my mind.

Mr. MANSFIELD. Let me say that the majority leader is merely following instructions and thought what he was doing was in the interest of comity between the two committees and was further understood as to why it was being ing referred.

Mr. MURPHY. I am certain that the majority leader is always most thoughtful, and his courteous and positive manner will stand us all in good stead. I just wanted to know what was happening, because we were going so fast that I did not want anything to go by me that I did not know about. I thank the Senator from Montana.

Mr. MANSFIELD. Let me say to my good friend from California that I am not very nimble.

Mr. MURPHY. The Senator is nimble enough.

VOCATIONAL EDUCATION AMENDMENTS OF 1968

The Senate resumed the consideration of the bill (H.R. 18366) to amend the Vocational Education Act of 1963, and for other purposes.

Mr. YARBOROUGH. Mr. President, I support the Vocational Education Amendments of 1968. The bill now before us represents months of intensive work and study by the Education Subcommittee and by the full Committee on Labor and Public Welfare. It is a truly bipartisan bill and one which I suggest merits the support of all my colleagues in this Chamber.

In particular, I wish to call attention to two sections of the bill in which I have taken special interest: Research projects in new careers and vocational homemaking education.

If there was one thing the committee learned during its hearings on S. 3099, it was that vocational education has fallen to a low estate in this Nation. It is all too often looked upon as nothing but a poor second choice for the student who is unmotivated or unable to go on to college. This unconscious downgrading on the part of the students is reflected in similar attitudes held by teachers and administrators. As a result vocational education has become the orphan, the stepchild of the education system instead of taking its rightful place at the fore of educational change and innovation.

We know that it would be folly to assume that every child in America should go on to a conventional arts and science course in college. The opportunities presented by vocational education are manifold and challenging. And it is time that not only vocational education, but the people of America, rid themselves of a 19th-century perspective on this part of our educational system. Vocational education is more than training someone to work with his hands. It is training our youngsters—and, for that matter, retraining our adults—for challenging and creative careers.

Part C of the bill before us recognizes that vocational education should expand its horizons and work from within to improve itself and its services and sets forth authorization for grants and contracts for research and training in vocational education.

Under this section, the Commissioner of Education is authorized to "make grants to and contracts with institutions of higher education, public and private agencies and institutions, State boards, and, with the approval of the appropriate State board, to local educational agencies in that State to encourage research and training in vocational education and the development of vocational education programs designed to meet special vocational education needs of youths and to provide education for new and emerging careers and occupations."

It is this last phrase which concerns me in particular, for it, and further language in this section, is the result of amendments I have offered and which are incorporated in the vocational education bill.

In February of 1966 the National Commission on Technology, Automation, and Economic Progress reported that there were 5.3 million potential sources of new jobs through public service employment. By public service employment I mean occupations in such fields as mental and physical health, crime prevention and correction, education, municipal services, child care, and recreation. These are fields where there is a tremendous and growing manpower gap. The solution I have posed is almost alarming in its simplicity: Provide for research and training into the possibility of using the vast resources of the vocational education sector to train young Americans to take less than so-called professional jobs in the public service sector. The key to this proposal is that the research be geared to providing upward mobility for those who take these jobs.

I envision our vocational schools turning out persons qualified to become, say, an education aide and then providing followup courses so that over a period of time the aide with classroom experience could move up the rungs of a career ladder and perhaps eventually become a teacher—a professional—himself.

It should be the function of legislation dealing with subjects like education to open doors and open opportunities and possibilities that have not existed before. My amendment does precisely that. It provides a union between the needs of society as evidenced by that manpower gap in the public sector and the abilities of the vocational education schools in training persons to fill that gap.

Of particular interest is the fact that virtually all of the increase in employment from 48 million in 1947 to some 80 million at present has occurred in the service areas of the economy: Hospitals, schools, social work, and many fields of business, while employment in the production of goods has remained relatively stable.

Our economy is truly the first "service" economy—one in which more than half of those employed are not involved in the production of tangible goods.

For vocational education to continue to channel its students into that area of the economy which is already saturated instead of the new sector which is undergoing rapid expansion—would be futile. The amendment I have proposed and which I urge my colleagues to endorse would provide the foundation for vocational education to adjust and adapt to the times.

Equally important is the area of vocational homemaking education, part F of the bill before you. This section will, for the first time, bring homemaking education into the legislative picture in a formal manner—being specifically set forth and given its own place in the sun. Under this section funds can be expended for "educational programs designed to fit for homemaking, persons who have entered, or are preparing to enter, the work of the home, including consumer education programs, with special emphasis of programs for persons who are economically or social deprived," as well as "ancillary services and activities to assure quality in all homemaking education programs, such as teacher training and supervision, program evaluation, special demonstration and experimental programs, development of instructional programs, and State administration and leadership."

I have endorsed this concept from its inception and have supported its inclusion in the Vocational Education Amendments. It would be shortsighted of us indeed if we were to pass a law providing for training in vocational education primarily for men and ignored our other students—the young women of America—who are ultimately going to enter the vocation of being a housewife. Running a home in the 20th century is no easy task. And to say that our young women can pick up the essentials through conversation and example is to ignore the facts of life. Running a household is like running a small business and surely none of us would recommend that we send forth half the population of America to run small businesses without the requisite training.

This subject encompasses more than learning to bake an upside-down cake. It means education about credit and consumer education as well; it means imparting fundamental concepts about how to balance a budget realistically so that the young family does not go hopelessly into debt. It means training in the ideals of family life, and the science and art of building a successful family.

Beyond endorsing this section of the legislation I have amended it to its present level of authorization. As it originally came before the committee $15 million would have been provided for the first year of operation of the program and $20 million for each of the succeeding years. As it now stands the program will start off at $25 million for the first year and then increase to $35 million, then $45 million, and then $50 million. This amount is not excessive; it is modest to begin a governmental program of training in the most fundamental of all institutions in our Western civilization: the family.

I am proud that the Senate has the opportunity to provide this necessary support to the homemakers and future homemakers of America.

Mr. FANNIN. Mr. President, eight hundred of every thousand young people complete their formal education without a college degree. Yet our elementary and secondary schools continue to direct four-fifths of their resources toward college preparatory programs. Fifty years ago, or even before World War II, this was accepted because there were not very many other reasons for education. Today, it is no longer true.

The eight hundred young people out of every thousand who will not graduate from college can no longer be absorbed into American business and industry without additional skills required by modern technology. They need vocational and technical education on a scale unprecedented even a few years ago. Schools throughout the country are trying to update their programs with occupational skills and technical knowledge, but the need is far greater than their resources.

In a world where scientific knowledge doubles every 10 years, an 18th century educational philosophy is obsolete. Education for occupations must be at least as important as education for avocations, and education for employment as important as education for recreation. Education for wage earning must be at least as important as education for appreciation of art and music and literature.

Employers no longer simply ask, "Have you gone to high school?" They ask: "What have you learned that I can use if I employ you?"

The Advisory Council on Vocational Education in its report this year to the Congress and the American people states:

> Why is vocational education necessary? It is the bridge between man and his work. Millions of people need this education in order to earn a living. Every man wants to provide for his family with honor and dignity and to be counted as an individual. Providing for an individual's employability as he leaves school, and throughout his work life, is one of the major goals of vocational education. Vocational education looks at a man as a part of society and as an individual, and never before has attention to the individual as a person been so imperative.

The American Association of School Administrators adopted the following resolution at their conference in Atlantic City in April of this year:

> We urge that vocational-technical programs accessible to all students be developed in light of the best available knowledge about such programs.
>
> We recommend that, wherever possible, programs of vocational-technical education for both young people and adults in need of training or retraining, however funded, be administered through state departments of education. Whatever the form of the vocational training offered, however, its content should be determined by projections for the national labor market and by the needs of regional employers. Especially do we urge that all vocational-technical programs provide students the core of basic knowledge and learning skills, both general and vocational, that will enable workers to identify and use general concepts as well as specific information and techniques, thereby easing the transitions made necessary by shifts in job or manpower requirements.

> An opportunity for immediate gainful employment will in many cases encourage or enable students to remain in school who otherwise would drop out to seek employment, often without success. We therefore recommend that for occupations in which working experience is desirable and possible, work-study programs be developed in cooperation with local employers. We recommend that such work-study programs be made a part of the total educational program and be made available in time to prevent dropouts. We further recommend that the schools provide their students with vocational counseling and job placement services.

John W. Gardner emphasized in his book on "Excellence" that "the young person who does not go on to college should look forward to just as active a period of growth and learning in the post high school years as does the college youngster." Gardner, in fact, faced squarely one of the major problems in America today when he said:

> In our society today, large numbers of young people never fulfill their potentialities. Their environment may not be such as to stimulate such fulfillment, or it may actually be such as to stunt growth. The family trapped in poverty and ignorance can rarely provide the stimulus so necessary to individual growth. The neighborhood in which delinquency and social disintegration are universal conditions cannot create an atmosphere in which educational values hold a commanding place. In such surroundings, the process by which talents are blighted begins long before kindergarten, and survives long afterward.
>
> The fact that large numbers of American boys and girls fail to attain their full development must weigh heavily on our national conscience. And it is not simply a loss to the individual. At a time when the nation must make the most of its human resources, it is unthinkable that we should resign ourselves to this waste of potentialities. Recent events have taught us with sledge hammer effectiveness the lesson we should have learned from our own tradition—that our strength, creativity and further growth as a society depend upon our capacity to develop the talents and potentialities of our people.

What are the alternatives? Two-thirds of all workers who never complete high school are employed in unskilled and semi-skilled jobs. Unemployment among young people 16 to 21 years of age is 2 to 3 times higher than in the rest of the labor force. Our educational system during the 1960's has produced some 7.5 million dropouts equipped with few if any job qualifications.

Can a nation continue to be great and at the same time fail so many people? America's greatest resource is her human resource. The bill we are considering today is a straightforward and sincere effort by the Congress of the United States to provide assistance where it is greatly needed and in a way that both precedent and commonsense indicate will be most effective.

There are several provisions that are particularly significant and greatly needed. A national advisory council and individual state advisory councils are created in this legislation containing representatives of labor and management, educators, specialists in manpower, handicapped, and disadvantaged problems, and the general public. These advisory councils will provide the Congress and the state boards for vocational education with a whole new range of talent and judgment in the rapid expansion of vocational education.

State and national planning will be made more systematic and effective through this legislation under provisions which have been recommended by the Advisory Council on Vocational Education.

This legislation provides for new exemplary programs and projects in vocational education to overcome the lag of training techniques behind modern employment requirements. Many of our young people for one reason or another do not benefit even from the best vocational programs available to them. Many have special problems. Curriculum materials, teaching methods, equipment, and whole occupations become obsolete before we have anything better to take their place. We need a systematic approach to new techniques, new programs, and this legislation makes provision for that need.

The Vocational Education Act of 1963 provided funds for research, experimentation, demonstration, and pilot projects which were greatly needed in helping vocational education keep abreast of the Nation's advancing technology. Industry spends billions of dollars each year in research and development of new products, new techniques, new ways of getting things done. Vocational-technical education cannot possibly keep up with the changing demands for skills and knowledge unless it too has the means of developing new knowledge, new techniques, and new ways of doing things.

The research provisions in the bill we are considering today have been improved through the experience acquired under the act of 1963 in two important respects: First, under the 1963 act it was extremely difficult for the States and local school districts to receive funds for projects of a strictly local nature. This bill removes that problem. It specifically authorizes the use of funds for State and local research, and it provides that half of the funds appropriated for vocational research shall be allocated to the States directly; second, it also provides for the systematic development, coordination, and dissemination of vocational research in each State through research coordinating units, which together form a national system of liaison in vocational research including the U.S. Office of Education, the national research centers, the regional education laboratories, and other public and private institutions. Research coordinating units are presently functioning in 44 States and are being established in the other six and in Puerto Rico. They are located in either State departments of vocational education, universities, or State research foundations according to the preference of each State.

I urge your support of this legislation with a final quote from John W. Gardner:

> The society which scorns excellence in plumbing because plumbing is a humble activity and tolerates shoddiness in philosophy because it is an exalted activity will have neither good plumbing nor good philosophy. Neither its pipes nor its theories will hold water.

Before closing, let me again commend the senior Senator from Oregon for his masterly handling of this complex legislation. Always knowledgeable and in the forefront, he guided these education proposals through extensive hearings and difficult sessions. His thorough understanding of the subject and his courtesy and patience in handling colleagues smoothed the way for passage of these bills.

Mr. MONTOYA. Mr. President, I rise to commend my distinguished colleague, the Senator from Oregon [Mr. MORSE] for his continuing excellent and dedicated leadership which he has once again exhibited here today—first in guiding through to passage the higher education amendments earlier today and now in leading the battle for improving and enlarging the vocational education programs in this Nation.

Mr. President, without doubt, one of the programs which has occupied a great deal of my time since coming to Congress, has been the vocational education program. This has been so because in my opinion this is where the future of our high school dropout, the unemployed, the underemployed, lies. I have been preaching from one end of the State of New Mexico to the other, the need for increasing vocational education programs in our State.

In my exposure to vocational education, I have been heartened by what it has to offer. But, I have also been disappointed that so few have been exposed to its advantages. I am, therefore, greatly pleased at this opportunity to cast my vote for S. 3770, which will authorize over $2 billion for vocational education programs during the fiscal years 1970, 1971, and 1972. This is substantially below the recommendations of the Advisory Council on Vocational Education but at least we are moving in the right direction.

Mr. President, there is so much that is contained in S. 3770 that is worthy of commendation. I am equally positive that there are sections that can and will be criticized. Since the committee report only became available today, I have not had an opportunity to review each and every provision. But I have had an opportunity to review the bill sufficiently to know that overall it is an excellent testimonial to the concern which this Congress has exhibited toward enhancing the quality of American education.

Mr. President, I recently testified before the Senate Subcommittee on Education when the subcommittee was holding hearings on these proposed amendments. I made a number of recommendations based on my own experiences and also drawing on a report by the National Advisory Council on Vocational Education. I am pleased to note that many of these recommendations are incorporated in the bill before us.

Mr. President, I ask unanimous consent to have printed in the RECORD at the conclusion of my remarks portions of the summary of my statement before the subcommittee outlining briefly the need for expanded vocational education programs in New Mexico and the need to improve on certain aspects of the administration of the program.

Again, I wish to commend Senator MORSE and the entire Committee on Labor and Public Welfare for their fine work in reporting to us the bill and to urge adoption of S. 3770.

There being no objection, the summary was ordered to be printed in the RECORD, as follows:

STATEMENT BY U.S. SENATOR JOSEPH M. MONTOYA (D.-N. MEX.) BEFORE THE SUBCOMMITTEE ON EDUCATION OF THE U.S. SENATE COMMITTEE ON LABOR AND PUBLIC WELFARE ON AMENDMENTS TO THE VOCATIONAL EDUCATION ACT OF 1963, APRIL 18, 1968

Mr. Chairman, in my estimation, one of the most important pieces of legislation which this Session of Congress will consider is that measure which you have before you today—that is, the proposed amendments to the Vocational Education Act of 1963.

One of my major interests has been trying to bring to the administrators of education programs in the State of New Mexico and other officials, an awareness of the purpose and intent of the Vocational Education Act of 1963 (and related measures), of the need for expanded vocational education facilities and programs, of the promises of vocational education, and of the opportunities which are available to our State leaders to meet the challenges of our modern day needs.

The following are among the more pressing problems which face my State of New Mexico:

In New Mexico we have one of the highest dropout rates in the nation. Approximately 32% of all students that begin the 9th or 10th grade of school in New Mexico drop out before graduating from high school.

Among the Indians and in the northern counties of New Mexico, we have perhaps the highest unemployment record in the Nation. In some of the northern counties the unemployment rate runs as high as 14 or 15%, while among the Indians the employment picture is even more depressing with unemployment rates as high as 43% (excluding the Navajos).

We have in New Mexico a high concentration of citizens with academic, socio-economic, and other handicaps whose needs must be provided for.

Local school districts in New Mexico are bonded to capacity and, thus, unable to provide for the construction of new facilities to meet our needs.

In short, Mr. Chairman, I think it is fair to conclude that lack of an employable skill, unemployment or underemployment, and poverty go hand in hand. If we are to effectively attack the problems of poverty, we must attack the underlying problem of unemployment or underemployment. And, if we are to attack the problem of unemployment and underemployment, then we must move expeditiously to provide an opportunity to all Americans to acquire an employable skill. In this, vocational education must play their key role.

New Mexico is attempting to meet the challenges and this, undoubtedly, is true nationwide. However, Congress must renew its commitment to provide the guidance and the assistance to effectively carry out the purpose for which vocational education legislation was enacted.

Therefore, Mr. Chairman, I welcome this opportunity to bring some of my experiences before this Committee and to make a number of recommendations for your consideration.

Mr. Chairman, I have been shocked by the lack of understanding which I have found of the very intent and purpose for which Congress has enacted the various vocational education measures. The intent of Congress was that every effort should be made to reach out to the high school dropout, to the high school student who does not intend to go on to college, to the unskilled, the unemployed, and the underemployed, to prepare them with a skill and to prepare them for gainful employment.

It has been brought to my attention, however, that Congress' intent is not always understood.

Congress meant for our schools to use vocational education monies to train carpenters, brick layers, electronic engineers, electronic technicians, key punch operators, and offset printers, to mention only a few of the occupations.

We must insure, during this session of Congress, that efforts be redirected in the manner intended by Congress. We must provide a mandate to the U.S. Office of Education to begin the close scrutiny which should have been in operation all these years but, which in fact, has been lacking. We must provide for a closer coordination between the local and state administrators, the U.S. Office of Education, and the Congress.

Mr. Chairman, we must seek new and innovative ways by which to not only renovate existing facilities but to construct new and sorely needed facilities. In New Mexico, with two or three exceptions, vocational education facilities are virtually non-existent. There is a growing interest in vocational education but the local school districts have absolutely no resources. They are bonded to capacity. They can provide no additional financing for such facilities.

The Federal Government gets a higher return for every tax dollar it spends on vocational education than for any other type of training program. It is, thus, incumbent upon us to provide the necessary appropriations for this purpose.

We must also encourage the State legislatures, through an education program of our own, to play a larger role in providing increased appropriations for the construction of vocational education facilities. Our States, in general, are not carrying their fair share of the load.

This Congress must seek new ways in which to meet the special needs of the Spanish-speaking American, the American Indian, the Negro, and others with academic, socio-economic, and other handicaps. New programs to meet their needs should be encouraged through the use of grants to institutions which are willing to develop programs to help those that need the help become taxpayers instead of tax liabilities.

Mr. Chairman, these are but a few of the points—although the major ones—which I would like to now discuss in more detail and to offer concrete recommendations for dealing with our past failures and for meeting the new, increasing, changing, and complex needs of this space age.

Mr. SPARKMAN. Mr. President, I rise to speak in favor of S. 3770 and particularly to voice my approval of that portion of the Vocational Education programs which are directed to home economics. I think it would be well for us to pause and consider for a moment the potential impact that a good basic education in home economics can have on the improvement of the standard of living and the basic happiness of every American family.

Home economics education has as its primary function the preparation of youth and adults to meet the responsibilities of home and family life. It is also designed for those who have entered or are preparing to enter gainful employment in an occupation involving knowledge and skills in home economics.

As our society continues to change and to grow, more reasons develop for expanding our home economics educational programs, both in size and in scope.

Technological advances are constantly making more complex the work of the home. Research in child development and psychology has provided increased information about the training and guidance of children.

Approximately 95 percent of all women marry at some point in their lives. Today more than one out of every three workers are women and almost 3 out of 5 working women are married. This points to the need for preparing women for the dual role of homemaker and wage earner.

We have only begun to scratch the surface in providing home economics education for the disadvantaged and low-income families. There are also great needs among the physically and mentally handicapped. Special programs are also needed for newly established households.

It is my understanding that my distinguished colleague, the senior Senator from Texas [Mr. YARBOROUGH], sponsored an amendment in committee to provide an increase in the financial support for home economics education. I applaud my colleague's efforts in this regard. It will be necessary to increase this support merely to maintain the present programs due to the increased instructional costs and increased enrollments. Almost every State has far more requests for programs than they can fund. For example, my own State of Alabama has documented requests for 200 positions for additional home economics teachers and programs. Many other States are in similar situations.

There are other facts which, when considered, will again point to the need for increasing support for these programs. I would like to briefly present some of these factors for the consideration of my colleagues:

Population increases alone will be responsible for the need for additional support just to maintain the same level now available. The present program serves 20 percent of the girls in grades GS–9 to GS–12, or 1,231,061 girls. By 1970 it is estimated that this enrollment will have increased to 1,860,000, if we continue to enroll only 20 percent of the high school girls. If we were to serve 30 percent of the girls in these same grades there would be 2,790,000 pupils.

The cost per student in 1966 for vocational home economics was $59.59. By projecting a 10 percent increase in this cost, it would be $69.18 per enrollee. Thus a program to reach 30 percent of the girls in grade GS–9 to GS–12 by 1970 would cost approximately $193,012,000 in State and Federal funds.

These figures illustrate what is needed to carry on the minimum program as it is now established. This would not provide for the many other areas in which there are demonstrated needs, such as programs in homemaking and family living, which are needed for adults who are not reached by the secondary school.

The Public Health Service estimates over 1,720,000 new households established with a 2.3 percent increase each year. To provide consumer education and home economics instruction for 20 percent of these at a cost of $10 per student would cost $3,680,000. Newly established homemakers especially need training in managing income, providing food, housing, and child care.

Many States have been successful in reaching women, who could not attend other types of classes, through programs set up in public housing units. In these programs, trained home economists provide instruction in feeding the family, family relationships, child care and guidance, clothing the family, budgeting, home improvement, community leadership, and citizenship responsibilities. There are in 1968 a total of 11,044 housing projects with a total of 7,100,000 dwelling units in the United States. If one full-time teacher were employed in each project it would take 11,044 teachers and cost about $110,440,000.

We also need to provide instruction for parents of students with special needs, for migrant workers, for the elderly—both in nursing homes and in their own homes—and for homemakers leaving mental institutions and penal institutions.

In addition, there is a need to expand resources to improve supervision, teacher education, and development of instructional materials in home economics. Special attention should be given to the training of teachers who will work with the special groups. Conferences, workshops, and institutes are needed to bring teachers up to date and to provide inservice training.

It is increasingly clear that what happens to a young person in the home has as much influence as what happens to him in schools. Thus we need to provide training in homemaking and family life. The more we are able to do in the regular school program, the less we will have to do in the future in remedial programs.

In the entire educational field we are just beginning to realize the need and responsibility for providing continuing education for adults. What we have done to date is only a very small part of what needs to be done. This is especially true in regard to home making and family life education. No segment of education offers so much promise of providing a vital and needed service to this generation and especially to succeeding generations.

We have proven by programs conducted in my State and in every part of the country that we can do the job that needs to be done. We have seen that everywhere programs are established, the demand for them is far greater than we are able to provide. But if we are to meet these needs, we must provide the basic framework now for these programs and we must provide the resources to support them. The States have been providing the major support of homemaking programs but need additional Federal support both in funds and program activities.

ORDER FOR ADJOURNMENT UNTIL WEDNESDAY, JULY 17, 1968

Mr. MANSFIELD. Mr. President, I ask unanimous consent that when the Senate completes its business today, it stands in adjournment until 12 noon on Wednesday, July 17, 1968.

The PRESIDING OFFICER. Without objection, it is so ordered.

AUTHORIZATION TO RECEIVE MESSAGES AND SIGN BILLS

Mr. MANSFIELD. Mr. President, I ask unanimous consent that during the adjournment of the Senate following today's session, the Secretary of the Senate be authorized to receive messages from the House of Representatives that the Vice President be authorized to sign duly enrolled bills and joint resolutions, and that committees be authorized to file reports.

The PRESIDING OFFICER. Without objection, it is so ordered.

DEFENSE PROCUREMENT AUTHORIZATION BILL, 1969

Mr. STENNIS. Mr. President, I ask the Chair to lay before the Senate a message from the House of Representatives on S. 3293.

The PRESIDING OFFICER laid before the Senate amendment of the House of Representatives to the bill (S. 3293) to authorize appropriations during the fiscal year 1969 for procurement of aircraft, missiles, naval vessels, and tracked combat vehicles, research, development, test, and evaluation for the Armed Forces, and to prescribe the authorized personnel strength of the Selected Reserve of each Reserve component of the Armed Forces, and for other purposes, which was, strike out all after the enacting clause, and insert:

TITLE I—PROCUREMENT

SEC. 101. Funds are hereby authorized to be appropriated during the fiscal year 1969 for the use of the Armed Forces of the United States for procurement of aircraft, missiles, naval vessels, and tracked combat vehicles, as authorized by law, in amounts as follows:

AIRCRAFT

For aircraft: for the Army, $735,447,000; for the Navy and Marine Corps, $2,556,988,000, of which $241,800,000 is authorized to be appropriated only for F–4J aircraft and $162,800,000 is authorized to be appropriated only for EA–6B aircraft; for the Air Force, $5,212,000,000.

MISSILES

For missiles: for the Army, $956,140,000; for the Navy, $848,212,000, of which $55,500,000 is authorized to be appropriated only for the Phoenix missile; for the Marine Corps, $13,500,000; for the Air Force, $1,768,000,000.

NAVAL VESSELS

For naval vessels: for the Navy, $1,360,500,000, of which $52,000,000 is authorized to be appropriated only for the procurement of long leadtime components that could be used in vessels of either the DXGN or DLGN types and $22,500,000 is authorized to be appropriated only for long leadtime components for an improved nuclear-powered attack submarine of new design.

TRACKED COMBAT VEHICLES

For tracked combat vehicles: for the Army, $299,426,000; for the Marine Corps, $10,800,000.

TITLE II—RESEARCH, DEVELOPMENT, TEST, AND EVALUATION

SEC. 201. Funds are hereby authorized to be appropriated during the fiscal year 1969 for the use of the Armed Forces of the United States for research, development, test, and evaluation, as authorized by law, in amounts as follows:

For the Army, $1,631,900,000 of which $70,400,000 is authorized to be appropriated only for programwide management and support;

For the Navy (including the Marine Corps), $2,192,721,000, of which (a) $46,900,000 is authorized to be appropriated only for the development of the PHOENIX missile system, (b) $70,000,000 is authorized to be appropriated only for the development of the VFX–1 aircraft, (c) $4,000,000 is authorized to be appropriated only for development of an improved nuclear attack submarine to be included in the fiscal year 1970 procurement program, and (d) $16,400,000 is authorized to be appropriated only for an improved nuclear-powered attack submarine of new design to be procured in years after fiscal year 1970.

For the Air Force, $3,553,808,000; and

For the Defense Agencies, $487,522,000.

SEC. 202. None of the funds authorized to be appropriated by this Act may be used for development or procurement of the F–111B aircraft.

TITLE III—RESERVE FORCES

SEC. 301. For the fiscal year beginning July 1, 1968, and ending June 30, 1969, the Selected Reserve of each reserve component of the Armed Forces will be programed to attain an average strength of not less than the following:

(1) The Army National Guard of the United States, 400,000.

(2) The Army Reserve, 260,000.

(3) The Naval Reserve, 128,407.

(4) The Marine Corps Reserve, 47,204.

(5) The Air National Guard of the United States, 77,371.

(6) The Air Force Reserve, 45,526.

(7) The Coast Guard Reserve, 17,700.

SEC. 302. The average strength prescribed by section 301 of this title for the Selected Reserve of any reserve component shall be proportionately reduced by (1) the total authorized strength of units organized to serve as units of the Selected Reserve of such component which are on active duty (other than for training) at any time during the fiscal year, not including those units ordered to active duty in January 1968, and (2) the total number of individual members not in units organized to serve as units of the Selected Reserve of such component who are on active duty (other than for training or for unsatisfactory participation in training) without their consent at any time during the fiscal year. Whenever any such units, including those units ordered to active duty in January 1968, or such individual members are released from active duty during any fiscal year, the average strength for such fiscal year for the Selected Reserve of such reserve component shall be proportionately increased by the total authorized strength of such units and by the total number of such individual members.

SEC. 303. Subsection (e) of title I of Public Law 89–687 (80 Stat. 981) is amended by deleting "June 30, 1968" and substituting "June 30, 1969".

TITLE IV—GENERAL PROVISIONS

SEC. 401. Subsection (a) of section 401 of Public Law 89–367, approved March 15, 1966 (80 Stat. 37) as amended, is hereby amended to read as follows: "Funds authorized for appropriation for the use of the Armed Forces of the United States under this or any other Act are authorized to be made available for their stated purposes to support (1) Vietnamese and other Free World Forces in Vietnam, (2) local forces in Laos and Thailand; and for related costs, during the fiscal year 1969 on such terms and conditions as the Secretary of Defense may determine."

SEC. 402. Notwithstanding any other provision of the law, the civilian employee manning levels at naval shipyards shall be exempt from any numerical manpower limitations applicable to the Navy, but shall be governed by the availability of funds allocated for ship construction, conversion, overhaul, alteration, and repair.

SEC. 403. No funds authorized to be appropriated by this Act, or any other Act shall be expended after January 1, 1969, by any armed force of the United States for the contract procurement of commercial airlift utilizing piston powered aircraft until contract preference has been given to offerors of modern turbine powered airrcaft of comparable capacity: *Provided*, That no funds may be appropriated after January 1, 1969, or expended after January 1, 1969, to or for the use of any armed force of the United States for the contract procurement of commercial airlift unless the appropriation of such funds has been authorized by legislation enacted after June 30, 1968.

SEC. 404. (a) Chapter 153 of title 10, United States Code, is amended by adding at the end thereof the following new section:

"§ 2576. Obsolete and surplus military equipment: sale to State, local law enforcement, and firefighting agencies

"(a) The Secretary of Defense, under regulations prescribed by him, shall sell to State, local law enforcement and firefighting agencies, at fair market value, obsolete and surplus military equipment which is useful in equipping such agencies to carry out their functions and duties.

"(b) Obsolete and surplus military equipment shall not be sold under the provisions of this section to a State, local law enforcement or firefighting agency unless request therefor is made by such agency, in such form and manner as the Secretary of Defense shall prescribe, and such request, with respect to the type and amount of equipment so requested, is certified as being necessary for the operation of such agency by the Governor (or such State official as he may designate) of the State in which such agency is located. Equipment sold to a State, local law enforcement or firefighting agency under this section shall not exceed, in quantity, the amount requested and certified for such agency and shall be for the exclusive use of such agency. Such equipment may not be sold, or otherwise transferred, by such agency to any individual or public or private organization or agency."

(b) The table of sections at the beginning of chapter 153 of such title is amended by adding to the end thereof the following:

"2576. Obsolete and surplus military equipment: sale to State, local law enforcement, and firefighting agencies."

SEC. 405. No funds authorized for appropriation for the use of the Armed Forces of the United States under the provisions of this Act or the provisions of any other law shall be available for the purchase, lease, rental, or other acquisition of multipassenger motor vehicles (buses) other than multipassenger motor vehicles (buses) manufactured in the United States, except as may be authorized by regulations promulgated by the Secretary of Defense solely to insure that compliance with this prohibition will not result in either an uneconomical procurement action or one which would adversely affect the national interests of the United States.

SEC. 406. Section 2304(g) of title 10, United States Code, is amended by inserting a comma after the word "proposals" where first used in that section and inserting after the comma the words "including price,".

SEC. 407. (a) Section 136 of title 10, United States Code, is amended—

(1) by inserting after the first sentence in subsection (b) the following new sentences: "One of the Assistant Secretaries shall be the Assistant Secretary of Defense for Health Affairs. He shall have as his principal duty the overall supervision of health affairs of the Department of Defense.", and

(2) by adding at the end thereof the following new subsection:

"(g) Within the Office of the Assistant Secretary of Defense for Health Affairs there shall be a Deputy Assistant Secretary of Defense for Dental Affairs who shall be appointed from civilian life by the President, by and with the advice and consent of the Senate. Subject to the supervision and control of the Assistant Secretary of Defense for Health Affairs, the Deputy Assistant Secretary shall be responsible for all matters relating to dental affairs within the Office of the Assistant Secretary of Defense for Health Affairs."

(b) Until otherwise provided by operation of law, the individual holding office as the Deputy Assistant Secretary of Defense (Health and Medical) on the effective date of this section shall perform the duties of the office of the Assistant Secretary of Defense for Health Affairs established by this section.

Mr. STENNIS. Mr. President, I move that the Senate disagree to the amendments of the House and request a conference with the House on the disagreeing votes of the two Houses, and that the Chair appoint the conferees on the part of the Senate.

Mr. President, this is the military authorization bill.

The motion was agreed to; and the Presiding Officer appointed Mr. STENNIS, Mr. SYMINGTON, Mr. JACKSON, Mrs. SMITH, and Mr. THURMOND conferees on the part of the Senate.

COLORADO RIVER BASIN PROJECT ACT

Mr. JACKSON. Mr. President, I ask the Chair to lay before the Senate a message from the House of Representatives on S. 1004.

The PRESIDING OFFICER laid before the Senate the amendment of the House of Representatives to the bill (S. 1004) to authorize the construction, operation, and maintenance of the central Arizona project, Arizona-New Mexico, and for other purposes, which was, strike out all after the enacting clause, and insert:

TITLE I—COLORADO RIVER BASIN PROJECT: OBJECTIVES

SEC. 101. That this Act may be cited as the "Colorado River Basin Project Act".

SEC. 102. (a) It is the object of this Act to provide a program for the further comprehensive development of the water resources of the Colorado River Basin and for the provision of additional and adequate water supplies for use in the upper as well as in the lower Colorado River Basin. This program is declared to be for the purposes among others, of regulating the flow of the Colorado River; controlling floods; improving navigation; providing for the storage and delivery of the waters of the Colorado River for reclamation of land, including supplemental water supplies, and for municipal, industrial, and other beneficial purposes; improving water quality; providing for basic public outdoor recreation facilities; improving conditions for fish and wildlife, and the generation and sale of electrical power as an incident of the foregoing purposes.

(b) It is the policy of the Congress that the Secretary of the Interior (hereinafter referred to as the "Secretary") shall continue to develop, after consultation with affected States and appropriate Federal agencies, a regional water plan, consistent with the provisions of this Act and with future authorizations, to serve as the framework under which projects in the Colorado River Basin may be coordinated and constructed with proper timing to the end that an adequate supply of water may be made available for such projects, whether heretofore, herein, or hereafter authorized.

TITLE II—INVESTIGATIONS AND PLANNING

SEC. 201. (a) The Water Resources Council, acting in accordance with the procedure prescribed in section 103 of the Water Resources Planning Act (79 Stat. 244), shall within one year following the effective date of this Act establish principles, standards, and procedures for the program of investigations and submittal of plans and reports authorized by this title. The Secretary, in conformity with the principles, standards, and procedures so established, is authorized and directed to—

(1) prepare estimates of the long-range water supply available for consumptive use in the Colorado River Basin, of current water requirements therein, and of the rate of growth of water requirements therein to at least the year 2030;

(2) investigate and recommend sources and means of supplying water to meet the current and anticipated water requirements of the Colorado River Basin, either directly or by exchange, including reductions in losses, importations from sources outside the natural drainage basin of the Colorado River system, desalination, weather modification, and other means: *Provided*, That the Secretary shall not, under the authority of this clause or anything in this Act contained, make any recommendation for importing water into the Colorado River system from other river basins without the approval of those States which will be affected by such exportation, said approval to be obtained in a manner consistent with the procedure and criteria established by section 1 of the Flood Control Act of 1944 (58 Stat. 887);

(3) undertake investigations, in cooperation with other concerned agencies, of means for maintaining an adequate water quality throughout the Colorado River Basin;

(4) investigate means of providing for prudent water conservation practices to permit maximum beneficial utilization of available water supplies in the Colorado River Basin;

(5) investigate and prepare estimates of the long-range water supply in States and areas from which water could be imported into the Colorado River system, together with estimates and plans to satisfy the probable ultimate requirements for water within such States and areas of origin for all purposes, including but not limited to consumptive use, navigation, river regulation, power, enhancement of fishery resources, pollution control, and disposal of wastes to the ocean, and estimates of the quantities of water, if any, that will be available in excess of such requirements.

(b) The Secretary is authorized and directed to prepare reconnaissance reports covering the matters set out in subsection (a) of this section, and such reports shall be submitted to the President and to the Congress not later than June 30, 1973, and, as revised and updated, every five years thereafter. For the purpose of providing for the repayment of the reimbursable costs of any projects covered by such reports, the Secretary shall take into account such assistance as may be available to the States of the Upper Division from the Upper Colorado River Basin Fund (70 Stat. 107), and to the States of the Lower Division from the development fund established by section 403 of this Act.

(c) On the basis of the investigations and studies performed pursuant to this section, and subject to the provisions of subsection (a)(2) and section 203 hereof, the Secretary shall prepare a feasibility report on a plan which shows the most economical means of augmenting the water supply available in the Colorado River below Lee Ferry by two and one-half million acre-feet annually. The recommended plan may include the construction of works and facilities by such successive stages as are estimated to be necessary to alleviate critical water shortages as they occur. The report prepared pursuant to this subsection, along with comments of the affected States and appropriate Federal agencies thereon, shall be submitted to the Congress on or before January 1, 1975.

Sec. 202. The Congress declares that the satisfaction of the requirements of the Mexican Water Treaty from the Colorado River constitutes a national obligation which shall be the first obligation of any water augmentation project planned pursuant to section 201 of this Act and authorized by the Congress. Accordingly, the States of the Upper Division (Colorado, New Mexico, Utah, and Wyoming) and the States of the Lower Division (Arizona, California, and Nevada) shall be relieved from all obligations which may have been imposed upon them by article III(c) of the Colorado River Compact so long as the Secretary shall determine and proclaim that means are available and in operation which augment the water supply of the Colorado River system in such quantity as to satisfy the requirements of the Mexican Water Treaty together with any losses of water associated with the performance of that treaty: *Provided*, That the satisfaction of the requirements of the Mexican Water Treaty (Treaty Series 994, 59 Stat. 1219), shall be from the waters of the Colorado River pursuant to the treaties, laws, and compacts presently relating thereto, until such time as a feasibility plan showing the most economical means of augmenting the water supply available in the Colorado River below Lee Ferry by two and one-half million acre-feet shall be authorized by the Congress.

Sec. 203. (a) In the event that the Secretary shall, pursuant to section 201(a)(2) and 201(c), plan works to import water into the Colorado River system from sources outside the natural drainage areas of the system, he shall make provision for adequate and equitable protection of the interests of the States and areas of origin, including assistance from funds specified in section 201(b) of this Act, to the end that water supplies may be available for use in such States and areas of origin adequate to satisfy their ultimate requirements at prices to users not adversely affected by the exportation of water to the Colorado River system.

(b) All requirements, present or future, for water within any State lying wholly or in part within the drainage area of any river basin from which water is exported by works planned pursuant to this Act shall have a priority of right in perpetuity to the use of the waters of that river basin, for all purposes, as against the uses of the water delivered by means of such exportation works, unless otherwise provided by interstate agreement.

Sec. 204. The Secretary shall submit annually to the President and the Congress reports covering progress on the investigations and reports authorized by this title.

Sec. 205. There are hereby authorized to be appropriated such sums as are required to carry out the purposes of this title.

TITLE III—AUTHORIZED UNITS: PROTECTION OF EXISTING USES

Sec. 301. (a) For the purposes of furnishing irrigation water and municipal water supplies to the water-deficient areas of Arizona and western New Mexico through direct diversion or exchange of water, control of floods, conservation and development of fish and wildlife resources, enhancement of recreation opportunities, and for other purposes, the Secretary shall construct, operate, and maintain the Central Arizona Project, consisting of the following principal works: (1) a system of main conduits and canals, including a main canal and pumping plants (Granite Reef aqueduct and pumping plants), for diverting and carrying water from Lake Havasu to Orme Dam or suitable alternative, which system shall have a capacity of not to exceed two thousand five hundred cubic feet per second; (2) Orme Dam and Reservoir and power-pumping plant or suitable alternative; (3) Buttes Dam and Reservoir, which shall be so operated as not to prejudice the rights of any user in and to the waters of the Gila River as those rights are set forth in the decree entered by the United States District Court for the District of Arizona on June 29, 1935, in United States against Gila Valley Irrigation District and others (Globe Equity Numbered 59); (4) Hooker Dam and Reservoir or suitable alternative, which shall be constructed in such a manner as to give effect to the provisions of subsection (f) of section 304; (5) Charleston Dam and Reservoir; (6) Tucson aqueducts and pumping plants; (7) Salt-Gila aqueduct; (8) related canals, regulating facilities, hydroelectric powerplants, and electrical transmission facilities required for the operation of said principal works; (9) related water distribution and drainage works; and (10) appurtenant works.

(b) Article II(B)(3) of the decree of the Supreme Court of the United States in Arizona against California (376 U.S. 340) shall be so administered that in any year in which, as determined by the Secretary, there is insufficient main stream Colorado River water available for release to satisfy annual consumptive use of seven million five hundred thousand acre-feet in Arizona, California, and Nevada, diversions from the main stream for the Central Arizona Project shall be so limited as to assure the availability of water in quantities sufficient to provide for the aggregate annual consumptive use by holders of present perfected rights, by other users in the State of California served under existing contracts with the United States by diversion works heretofore constructed, and by other existing Federal reservations in that State, of four million four hundred thousand acre-feet of mainstream water, and by users of the same character in Arizona and Nevada. Water users in the State of Nevada shall not be required to bear shortages in any proportion greater than would have been imposed in the absence of this subsection 301(b). This subsection shall not affect the relative priorities, among themselves, of water users in Arizona, Nevada, and California which are senior to diversions for the Central Arizona Project, or amend any provisions of said decree.

(c) The limitation stated in subsection (b) of this section shall not apply so long as the Secretary shall determine and proclaim that means are available and in operation which augment the water supply of the Colorado River system in such quantity as to make sufficient mainstream water available for release to satisfy annual consumptive use of seven million five hundred thousand acre-feet in Arizona, California, and Nevada.

Sec. 302. (a) The Secretary shall designate the lands of the Salt River Pima-Maricopa Indian Community, Arizona, and the Fort McDowell-Apache Indian Community, Arizona, or interests therein, and any allotted lands or interests therein within said communities which he determines are necessary for use and occupancy by the United States for the construction, operation, and maintenance of Orme Dam and Reservoir, or alternative. The Secretary shall offer to pay the fair market value of the lands and interests designated, inclusive of improvements. In addition, the Secretary shall offer to pay toward the cost of relocating or replacing such improvements not to exceed $500,000 in the aggregate, and the amount offered for the actual relocation or replacement of a residence shall not exceed the difference between the fair market value of the residence and $8,000. Each community and each affected allottee shall have six months in which to accept or reject the Secretary's offer. If the Secretary's offer is rejected, the United States may proceed to acquire the property interests involved through eminent domain proceedings in the United States District Court for the District of Arizona under 40 U.S.C., sections 257 and 258a Upon acceptance in writing of the Secretary's offer, or upon the filing of a declaration of taking in eminent domain proceedings, title to the lands or interests involved, and the right to possession thereof, shall vest in the United States. Upon a determination by the Secretary that all or any part of such lands or interests are no longer necessary for the purpose for which acquired, title to such lands or interests shall be restored to the appropriate community.

(b) Title to any land or easement acquired pursuant to this section shall be subject to the right of the former owner to use or lease the land for purposes not inconsistent with the construction, operation, and maintenance of the project, as determined by, and under terms and conditions prescribed by, the Secretary. Such right shall include the right to extract and dispose of minerals. The determination of fair market value under subsection (a) shall reflect the right to extract and dispose of minerals but not the other uses permitted by this subsection.

(c) In view of the fact that a substantial portion of the lands of the Fort McDowell Mohave-Apache Indian Community will be required for Orme Dam and Reservoir, or alternative, the Secretary shall, in addition to the compensation provided for in subsection (a) of this section, designate and add to the Fort McDowell Indian Reservation twenty-five hundred acres of suitable lands in the vicinity of the reservation that are under the jurisdiction of the Department of the Interior in township 4 north, range 7, east; township 5 north, range 7 east; and township 3 north, range 7 east, Gila and Salt River base meridian, Arizona. Title to lands so added to the reservation shall be held by the United States in trust for the Fort McDowell Mohave-Apache Indian Community.

(d) Each community shall have a right, in accordance with plans approved by the Secretary, to develop and operate recreational facilities along the part of the shoreline of the Orme Reservoir located on or adjacent to its reservation, including land added to the Fort McDowell Reservation as provided in subsection (b) of this section, subject to rules and regulations prescribed by the Secretary governing the recreation development of the reservoir. Recreation development of the entire reservoir and federally owned lands under the jurisdiction of the Secretary adjacent thereto shall be in accordance with a master recreation plan approved by the Secretary. Each community and the members thereof shall have nonexclusive personal rights to hunt and fish on the reservoir, to the same extent they are now authorized to hunt and fish, without charge, but shall have no right to exclude others from the reservoir except by control of access through their reservations, or any right to require payments by the public except for the use of community lands or facilities.

(e) All funds paid pursuant to this section, and any per capita distribution thereof, shall be exempt from all forms of State and Federal income taxes.

Sec. 303. (a) The Secretary is authorized and directed to continue to a conclusion appropriate engineering and economic studies and to recommend the most feasible plan for the construction and operation of hydroelectric generating and transmission facilities, the purchase of electrical energy, the purchase of entitlement to electrical plant capacity, or any combination thereof, including participation, operation, or construction by non-Federal entities, for the purpose of supplying the power requirements of the Central Arizona Project and augmenting the Lower Colorado River Basin Fund: *Provided*, That nothing in this section or in this Act contained shall be construed to authorize the study or construction of any dams on the main stream of the Colorado River between Hoover Dam and Glen Canyon Dam.

(b) If included as a part of the recommended plan, the Secretary may enter into an agreement with non-Federal interests proposing to construct a thermal generating powerplant whereby the United States shall acquire the right to such portion of the capacity of such plant, including delivery of power and energy over appurtenant transmission facilities to mutually agreed upon delivery points, as he determines is required in connection with the operation of the Central Arizona Project. When not required for the Central Arizona Project, the power and energy acquired by such agreement may be disposed of intermittently by the Secretary for other purposes at such prices as he may determine, including its marketing in conjunction with the sale of power and energy from Federal powerplants in the Colorado River system so as to produce the greatest practicable amount of power and energy that can be sold at firm power and energy rates. The agreement shall provide, among other things, that—

(1) the United States shall pay not more than that portion of the total construction cost, exclusive of interest during construction, of the powerplant, and of any switchyards and transmission facilities serving the United States, as is represented by the ratios of the respective capacities to be provided for the United States therein to the total capacities of such facilities. The Secretary shall make the Federal portion of such costs available to the non-Federal interests during the construction period, including the period of preparation of designs and specifications, in such installments as will facilitate a timely construction schedule, but no funds other than for preconstruction activities shall be made available by the Secretary until he determines that adequate contracts have been entered into between all the affected parties covering land, water, fuel supplies, power (its availability and use), rights-of-way, transmission facilities and all other necessary matters for the thermal generating powerplant;

(2) annual operation and maintenance costs, including provisions for depreciation (except as to depreciation on the pro rata share of the construction cost borne by the United States in accordance with the foregoing clause (1)), shall be apportioned between the United States and the non-Federal interests on an equitable basis taking into account the ratios determined in accordance with the foregoing clause (1);

(3) the United States shall be given appropriate credit for any interests in Federal lands administered by the Department of the Interior that are made available for the powerplant and appurtenances;

(4) costs to be borne by the United States under clauses (1) and (2) shall not include (a) interest and interest during construction, (b) financing charges, (c) franchise fees, and (d) such other costs as shall be specified in the agreement.

(c) No later than one year from the effective date of this Act, the Secretary shall submit his recommended plan to the Congress. Except as authorized by subsection (b) of this section, such plan shall not become effective until approved by the Congress.

(d) If the thermal generating plant referred to in subsection (b) of this section is located in Arizona, and if it is served by water diverted from the drainage area of the Colorado River system above Lee Ferry, other provisions of existing law to the contrary notwithstanding, such consumptive use of water shall be a part of the fifty thousand acre-feet per annum apportioned to the State of Arizona by article III (a) of the Upper Colorado River Basin Compact (63 Stat. 31).

SEC. 304. (a) Unless and until otherwise provided by Congress, water from the Central Arizona Project shall not be made available directly or indirectly for the irrigation of lands not having a recent irrigation history as determined by the Secretary, except in the case of Indian lands, national wildlife refuges and, with the approval of the Secretary, State-administered wildlife management areas.

(b)(1) Irrigation and municipal and industrial water supply under the Central Arizona Project within the State of Arizona may, in the event the Secretary determines that it is necessary to effect repayment, be pursuant to master contracts with organizations which have power to levy assessments against all taxable real property within their boundaries. The terms and conditions of contracts or other arrangements whereby each such organization makes water from the Central Arizona Project available to users within its boundaries shall be subject to the Secretary's approval, and the United States shall, if the Secretary determines such action is desirable to facilitate carrying out the provisions of this Act, have the right to require that it be a party to such contracts or that contracts subsidiary to the master contracts be entered into between the United States and any user. The provisions of this clause (1) shall not apply to the supplying of water to an Indian tribe for use within the boundaries of an Indian reservation.

(2) Any obligation assumed pursuant to section 9(d) of the Reclamation Project Act of 1939 (43 U.S.C. 485h (d)) with respect to any project contract unit or irrigation block shall be repaid over a basic period of not more than fifty years; any water service provided pursuant to section 9(e) of the Reclamation Project Act of 1939 (43 U.S.C. 485h(e)) may be on the basis of delivery of water for a period of fifty years and for the delivery of such water at an identical price per acre-foot for water of the same class at the several points of delivery from the main canals and conduits and from such other points of delivery as the Secretary may designate; and long-term contracts relating to irrigation water supply shall provide that water made available thereunder may be made available by the Secretary for municipal or industrial purposes if and to the extent that such water is not required by the contractor for irrigation purposes.

(3) Contracts relating to municipal and industrial water supply under the Central Arizona Project may be made without regard to the limitations of the last sentence of section 9(c) of the Reclamation Project Act of 1939 (43 U.S.C. 485h(c)); may provide for the delivery of such water at an identical price per acre-foot for water of the same class at the several points of delivery from the main canals and conduits; and may provide for repayment over a period of fifty years if made pursuant to clause (1) of said section and for the delivery of water over a period of fifty years if made pursuant to clause (2) thereof.

(c) Each contract under which water is provided under the Central Arizona Project shall require that (1) there be in effect measures, adequate in the judgment of the Secretary, to control expansion of irrigation from aquifers affected by irrigation in the contract service area; (2) the canals and distribution systems through which water is conveyed after its delivery by the United States to the contractors shall be provided and maintained with linings adequate in his judgment to prevent excessive conveyance losses; and (3) neither the contractor nor the Secretary shall pump or permit others to pump ground water from within the exterior boundaries of the service area of a contractor receiving water from the Central Arizona Project for any use outside said contractor's service area unless the Secretary and such contractor shall agree, or shall have previously agreed, that a surplus of ground water exists and that drainage is or was required. Such contracts shall be subordinate at all times to the satisfaction of all existing contracts between the Secretary and users in Arizona heretofore made pursuant to the Boulder Canyon Project Act (45 Stat. 1057).

(d) The Secretary may require in any contract under which water is provided from the Central Arizona Project that the Contractor agree to accept mainstream water in exchange for or in replacement of existing supplies from sources other than the main stream. The Secretary shall so require in the case of users in Arizona who also use water from the Gila River system to the extent necessary to make available to users of water from the Gila River system in New Mexico additional quantities of water as provided in and under the conditions specified in subsection (f) of this section: *Provided*, That such exchanges and replacements shall be accomplished without economic injury or cost to such Arizona contractors.

(e) In times of shortage or reduction of main-stream Colorado River water for the Central Arizona Project, as determined by the Secretary, users which have yielded water from other sources in exchange for main-stream water supplied by that project shall have a first priority to receive main-stream water, as against other users supplied by that project which have not so yielded water from other sources, but only in quantities adequate to replace the water so yielded.

(f)(1) In the operation of the Central Arizona Project, the Secretary shall offer to contract with water users in New Mexico for water from the Gila River, its tributaries and underground water sources in amounts that will permit consumptive uses of water in New Mexico of not to exceed an annual average in any period of ten consecutive years of eighteen thousand acre-feet, including reservoir evaporation, over and above the consumptive uses provided for by article IV of the decree of the Supreme Court of the United States in Arizona against California (376 U.S. 340). Such increased consumptive uses shall not begin until, and shall continue only so long as, delivery of Colorado River water to downstream Gila River users in Arizona is being accomplished in accordance with this Act, in quantities sufficient to replace any diminution of their supply resulting from such diversions from the Gila River, its tributaries, and underground water sources. In determining the amount required for this purpose full consideration shall be given to any differences in the quality of the waters involved.

(2) The Secretary shall further offer to contract with water users in New Mexico for water from the Gila River, its tributaries, and underground water sources in amounts that will permit consumptive uses of water in New Mexico of not to exceed an annual average in any period of ten consecutive years of an additional thirty thousand acre-feet, including reservoir evaporation. Such further increases in consumptive use shall not begin until, and shall continue only so long as, works capable of augmenting the

water supply of the Colorado River system have been completed and water sufficiently in excess of two million eight hundred thousand acre-feet per annum is available from the main stream of the Colorado River for consumptive use in Arizona to provide water for the exchanges herein authorized and provided. In determining the amount required for this purpose, full consideration shall be given to any differences in the quality of the waters involved.

(3) All additional consumptive uses provided for in clauses (1) and (2) of this subsection shall be subject to all rights in New Mexico and Arizona as established by the decree entered by the United States District Court for the District of Arizona on June 29, 1935, in United States against Gila Valley Irrigation District and others (Globe Equity Numbered 59) and to all other rights existing on the effective date of this Act in New Mexico and Arizona to water from the Gila River, its tributaries, and underground water sources and shall be junior thereto and shall be made only to the extent possible without economic injury or cost to the holders of such rights.

SEC. 305. To the extent that the flow of the main stream of the Colorado River is augmented in order to make sufficient water available for release, as determined by the Secretary pursuant to article II(b)(1) of the decree of the Supreme Court of the United States in Arizona against California (376 U.S. 340), to satisfy annual consumptive use of two million eight hundred thousand acre-feet in Arizona, four million four hundred thousand acre-feet in California, and three hundred thousand acre-feet in Nevada, respectively, the Secretary shall make such water available to users of mainstream water in those States at the same costs (to the extent that such costs can be made comparable through the nonreimbursable allocation to the replenishment of the deficiencies occasioned by satisfaction of the Mexican Treaty burden as herein provided and financial assistance from the development fund established by section 403 of this Act) and on the same terms as would be applicable if main-stream water were available for release in the quantities required to supply such consumptive use.

SEC. 306. The Secretary shall undertake programs for water salvage and ground water recovery along and adjacent to the main stream of the Colorado River. Such programs shall be consistent with maintenance of a reasonable degree of undisturbed habitat for fish and wildlife in the area, as determined by the Secretary.

SEC. 307. The Dixie Project, heretofore authorized in the State of Utah, is hereby reauthorized for construction at the site determined feasible by the Secretary, and the Secretary shall integrate such project into the repayment arrangement and participation in the Lower Colorado River Basin Development Fund established by title IV of this Act consistent with the provisions of the Act: *Provided*, That section 8 of Public Law 88–565 (78 Stat. 848) is hereby amended by deleting the figure "$42,700,000" and inserting in lieu thereof the figure "$58,000,000".

SEC. 308. The conservation and development of the fish and wildlife resources and the enhancement of recreation opportunities in connection with the project works authorized pursuant to this title shall be in accordance with the provisions of the Federal Water Project Recreation Act (79 Stat. 213), except as provided in section 302 of this Act.

SEC. 309. (a) There is hereby authorized to be appropriated for construction of the Central Arizona Project, including prepayment for power generation and transmission facilities but exclusive of distribution and drainage facilities for non-Indian lands, $779,000,000 plus or minus such amounts, if any, as may be justified by reason of ordinary fluctuations in construction costs as indicated by engineering cost indices applicable to the types of construction involved here and, in addition thereto, such sums as may be required for operation and maintenance of the project.

(b) There is also authorized to be appropriated $100,000,000 for construction of distribution and drainage facilities for non-Indian lands. Notwithstanding the provisions of section 403 of this Act, neither appropriations made pursuant to the authorization contained in this subsection (b) nor revenues collected in connection with the operation of such facilities shall be credited to the Lower Colorado River Basin Development Fund and payments shall not be made from that fund to the general fund of the Treasury to return any part of the costs of construction, operation, and maintenance of such facilities.

TITLE IV—LOWER COLORADO RIVER BASIN DEVELOPMENT FUND: ALLOCATION AND REPAYMENT OF COSTS: CONTRACTS

SEC 401. Upon completion of each lower basin unit of the project herein or hereafter authorized, or separate feature thereof, the Secretary shall allocate the total costs of constructing said unit or features to (1) commercial power, (2) irrigation, (3) municipal and industrial water supply, (4) flood control, (5) navigation, (6) water quality control, (7) recreation, (8) fish and wildlife, (9) the replenishment of the depletion of Colorado River flows available for use in the United States occasioned by performance of the Water Treaty of 1944 with the United Mexican States (Treaty Series 994), and (10) any other purposes authorized under the Federal reclamation laws. Costs of construction, operation, and maintenance allocated to the replenishment of the depletion of Colorado River flows available for use in the United States occasioned by compliance with the Mexican Water Treaty (including losses in transit, evaporation from regulatory reservoirs, and regulatory losses at the Mexican boundary, incurred in the transportation, storage, and delivery of water in discharge of the obligations of that treaty) shall be nonreimbursable. The repayment of costs allocated to recreation and fish and wildlife enhancement shall be in accordance with the provisions of the Federal Water Project Recreation Act (79 Stat. 213): *Provided*, That all of the separable and joint costs allocated to recreation and fish and wildlife enhancement as a part of the Dixie project, Utah, shall be nonreimbursable. Costs allocated to nonreimbursable purposes shall be nonreturnable under the provisions of this Act.

SEC. 402. The Secretary shall determine the repayment capability of Indian lands within, under, or served by any unit of the project. Construction costs allocated to irrigation of Indian lands (including provision of water for incidental domestic and stock water uses) and within the repayment capability of such lands shall be subject to the Act of July 1, 1932 (47 Stat. 464), and such costs that are beyond repayment capability of such lands shall be nonreimbursable.

SEC. 403. (a) There is hereby established a separate fund in the Treasury of the United States to be known as the Lower Colorado River Basin Development Fund (hereinafter called the "development fund"), which shall remain available until expended as hereinafter provided.

(b) All appropriations made for the purpose of carrying out the provisions of title III of this Act shall be credited to the development fund as advances from the general fund of the Treasury, and shall be available for such purpose.

(c) There shall also be credited to the development fund—

(1) All revenues collected in connection with the operation of facilities authorized in title III in furtherance of the purposes of this Act (except entrance, admission, and other recreation fees or charges and proceeds received from recreation concessionaires), including revenues which, after completion of payout of the Central Arizona Project as required herein are surplus, as determined by the Secretary, to the operation, maintenance, and replacement requirements of said project; and

(2) any Federal revenues from the Boulder Canyon and Parker-Davis projects which, after completion of repayment requirements of the said Boulder Canyon and Parker-Davis projects, are surplus, as determined by the Secretary, to the operation, maintenance, and replacement requirements of those projects: *Provided, however*, That the Secretary is authorized and directed to continue the in-lieu-of-tax payments to the States of Arizona and Nevada provided for in section 2(c) of the Boulder Canyon Project Adjustment Act so long as revenues accrue from the operation of the Boulder Canyon project; and

(3) any Federal revenues from that portion of the Pacific Northwest-Pacific Southwest intertie located in the States of Nevada and Arizona which, after completion of repayment requirements of the said part of the Pacific Northwest-Pacific Southwest intertie located in the States of Nevada and Arizona, are surplus, as determined by the Secretary, to the operation, maintenance, and replacement requirements of said portion of the Pacific Northwest-Pacific Southwest intertie and related facilities.

(d) All moneys collected and accredited to the development fund pursuant to subsection (b) and clauses (1) and (3) of subsection (c) of this section and the portion of revenues derived from the sale of power and energy for use in Arizona pursuant to clause (2) of subsection (c) of this section shall be available, without further appropriation for—

(1) defraying the costs of operation, maintenance, and replacements of, and emergency expenditures for, all facilities of the projects, within such separate limitations as may be included in annual appropriation Acts; and

(2) payments to reimburse water users in the State of Arizona for losses sustained as a result of diminution of the production of hydroelectric power at Coolidge Dam, Arizona, resulting from exchanges of water between users in the States of Arizona and New Mexico as set forth in section 304(f) of this Act.

(e) Revenues credited to the development fund shall not be available for construction of the works comprised within any unit of the project herein or hereafter authorized except upon appropriation by the Congress.

(f) Moneys credited to the development fund pursuant to subsection (b) and clauses (1) and (3) of subsection (c) of this section and the portion of revenues derived from the sale of power and energy for use in Arizona pursuant to clause (2) of subsection (c) of this section in excess of the amount necessary to meet the requirements of clauses (1), and (2) of subsection (d) of this section shall be paid annually to the general fund of the Treasury to return—

(1) the costs of each unit of the projects or separable feature thereof authorized pursuant to title III of this Act, which are allocated to irrigation, commercial power, or municipal and industrial water supply, pursuant to this Act within a period of not exceeding fifty years from the date of completion of each such unit or separable feature, exclusive of any development period authorized by law: *Provided*, That return of the cost, if any, required by section 307 shall not be made until after the payout period of

the Central Arizona Project as authorized herein;

(2) interest (including interest during construction) on the unamortized balance of the investment in the commercial power and municipal and industrial water supply features of the project at a rate determined by the Secretary of the Treasury in accordance with the provisions of subsection (h) of this section, and interest due shall be a first charge.

(g) All revenues credited to the development fund in accordance with clause (c)(2) of this section (excluding only those revenues derived from the sale of power and energy for use in Arizona during the payout period of the Central Arizona Project as authorized herein) and such other revenues as remain in the development fund after making the payments required by subsections (d) and (f) of this section shall be available (1) to make payments, if any, as required by sections 307 and 502 of this Act, and (2), upon appropriation by the Congress, to assist in the repayment of reimbursable costs incurred in connection with units hereafter constructed to provide for the augmentation of the water supplies of the Colorado River for use below Lee Ferry as may be authorized as a result of the investigations and recommendations made pursuant to clause 201(a)(2) and subsection 203(a) of this Act.

(h) The interest rate applicable to those portions of the reimbursable costs of each unit of the project which are properly allocated to commercial power development and municipal and industrial water supply shall be determined by the Secretary of the Treasury, as of the beginning of the fiscal year in which the first advance is made for initiating construction of such unit, on the basis of the computed average interest rate payable by the Treasury upon its outstanding marketable public obligations which are neither due nor callable for redemption for fifteen years from the date of issue.

(i) Business-type budgets shall be submitted to the Congress annually for all operations financed by the development fund.

SEC. 404. On January 1 of each year the Secretary shall report to the Congress beginning with the fiscal year ending June 30, 1969, upon the status of the revenues from and the cost of constructing, operating, and maintaining each lower basin unit of the project for the preceding fiscal year. The report of the Secretary shall be prepared to reflect accurately the Federal investment allocated at that time to power, to irrigation, and to other purposes, the progress of return and repayment thereon, and the estimated rate of progress, year by year, in accomplishing full repayment.

TITLE V—UPPER COLORADO RIVER BASIN AUTHORIZATION AND REIMBURSEMENTS

SEC. 501. (a) In order to provide for the construction, operation, and maintenance of the Animas-La Plata Federal reclamation project, Colorado-New Mexico; the Dolores, Dallas Creek, West Divide, and San Miguel Federal reclamation projects, Colorado; and the Central Utah project (Uintah unit), Utah, as participating projects under the Colorado River Storage Project Act (70 Stat. 105; 43 U.S.C. 620), and to provide for the completion of planning reports on other participating projects, clause (2) of section 1 of said Act is hereby further amended by (i) inserting the words "and the Uintah unit" after the word "phase" within the parentheses following "Central Utah", (ii) deleting the words "Pine River Extension" and inserting in lieu thereof the words "Animas-La Plata, Dolores, Dallas Creek, West Divide San Miguel", (iii) adding after the words "Smith Fork:" the proviso "*Provided*, That construction of the Uintah unit of the Central Utah project shall not be undertaken by the Secretary until he has completed a feasibility report on such unit and submitted such report to the Congress along with his certification that, in his judgment, the benefits of such unit or segment will exceed the costs and that such unit is physically and financially feasible." Section 2 of said Act is hereby further amended by (i) deleting the words "Parshall, Troublesome, Rabbit Ear, San Miguel, West Divide, Tomichi Creek, East River, Ohio Creek, Dallas Creek, Dolores, Fruit Growers Extension, Animas-La Plata", and inserting after the words "Yellow Jacket" the words "Basalt, Middle Park (including the Troublesome, Rabbit Ear, and Azure units), Upper Gunnison (including the East River, Ohio Creek, and Tomichi Creek units, Lower Yampa (including the Juniper and Great Northern units), Upper Yampa (including the Hayden Mesa, Wessels, and Toponas units)"; (ii) by inserting after the word "Sublette" the words "(including a diverson of water from the Green River to the North Platte River Basin in Wyoming), Ute Indian unit of the Central Utah Project, San Juan County (Utah), Price River, Grand County (Utah), Gray Canyon and Juniper (Utah)"; and (iii) changing the period after "projects" to a colon and adding the following proviso: "*Provided*, That the planning report for the Ute Indian unit of the Central Utah participating project shall be completed on or before December 31, 1974, to enable the United States of America to meet the commitments heretofore made to the Ute Indian Tribe of the Uintah and Ouray Indian Reservation under the argreement dated September 20, 1965 (Contract Numbered 10–06–W–194)." . . The amount which section 12 of said Act authorizes to be appropriated is hereby further increased by the sum of $392,000,000, plus or minus such amounts, if any, as may be required, by reason of changes in construction costs as indicated by engineering cost indices applicable to the type of construction involved. This additional sum shall be available solely for the construction of the Animas-La Plata, Dolores, Dallas Creek, West Divide, and San Miguel projects herein authorized.

(b) The Secretary is directed to proceed as nearly as practicable with the construction of the Animas-La Plata, Dolores, Dallas Creek, West Divide, and San Miguel participating Federal reclamation projects concurrently with the construction of the Central Arizona Project, to the end that such projects shall be completed not later than the date of the first delivery of water from said Central Arizona Project: *Provided*, That an appropriate repayment contract for each of said participating projects shall have been executed as provided in section 4 of the Colorado River Storage Project Act (70 Stat. 107) before construction shall start on that particular project.

(c) The Animas-La Plata Federal reclamation project shall be constructed and operated in substantial accordance with the engineering plans set out in the report of the Secretary transmitted to the Congress on May 4, 1966, and printed as House Document 436, Eighty-ninth Congress: *Provided*, That construction of the Animas-La Plata Federal reclamation project shall not be undertaken until and unless the States of Colorado and New Mexico shall have ratified the following compact to which the consent of Congress is hereby given:

"ANIMAS-LA PLATA PROJECT COMPACT

"The State of Colorado and the State of New Mexico, in order to implement the operation of the Animas-La Plata Federal Reclamation Project, Colorado-New Mexico, a proposed participating project under the Colorado River Storage Project Act (70 Stat. 105), and being moved by considerations of interstate comity, have resolved to conclude a compact for these purposes and have agreed upon the following articles:

"ARTICLE I

"A. The right to store and divert water in Colorado and New Mexico from the La Plata and Animas River systems, including return flow to the La Plata River from Animas River diversions, for uses in New Mexico under the Animas-La Plata Federal Reclamation Project shall be valid and of equal priority with those rights granted by decree of the Colorado State courts for the uses of water in Colorado for that project, providing such uses in New Mexico are within the allocation of water made to that state by articles III and XIV of the Upper Colorado River Basin Compact (63 Stat. 31).

"B. The restrictions of the last sentence of Section (a) of Article IX of the Upper Colorado River Basin Compact shall not be construed to vitiate paragraph A of this article.

"ARTICLE II

"This Compact shall become binding and obligatory when it shall have been ratified by the legislatures of each of the signatory States."

(d) The Secretary shall, for the Animas-La Plata, Dolores, Dallas Creek, San Miguel, West Divide, and Seedskadee participating projects of the Colorado River storage project, establish the nonexcess irrigable acreage for which any single ownership may receive project water at one hundred and sixty acres of class 1 land or the equivalent thereof, as determined by the Secretary, in other land classes.

(e) In the diversion and storage of water for any project or any parts thereof constructed under the authority of this Act or the Colorado River Storage Project Act within and for the benefit of the State of Colorado only, the Secretary is directed to comply with the constitution and statutes of the State of Colorado relating to priority of appropriation; with State and Federal court decrees entered pursuant thereto; and with operating principles, if any, adopted by the Secretary and approved by the State of Colorado.

(f) The words "any western slope appropriations" contained in paragraph (i) of that section of Senate Document Numbered 80, Seventy-fifth Congress, first session, entitled "Manner of Operation of Project Facilities and Auxiliary Features", shall mean and refer to the appropriation heretofore made for the storage of water in Green Mountain Reservoir, a unit of the Colorado-Big Thompson Federal reclamation project, Colorado; and the Secretary is directed to act in accordance with such meaning and reference. It is the sense of Congress that this directive defines and observes the purpose of said paragraph (i), and does not in any way affect or alter any rights or obligations arising under said Senate Document Numbered 80 or under the laws of the State of Colorado.

SEC. 502. The Upper Colorado River Basin Fund established under section 5 of the Act of April 11, 1956 (70 Stat. 107), shall be reimbursed from the Colorado River Development Fund established by section 2 of the Boulder Canyon Project Adjustment Act (54 Stat. 755) for the money expended heretofore or hereafter from the Upper Colorado River Basin Fund to meet deficiencies in generation at Hoover Dam during the filling period of storage units of the Colorado River storage project pursuant to the criteria for the filling of Glen Canyon Reservoir (27 Fed. Reg. 6851, July 19, 1962). For this purpose, $500,000 for each year of operation of Hoover Dam and powerplant, commencing with the enactment of this Act, shall be transferred from the Colorado River Development Fund to the Upper Colorado River Basin Fund, in lieu of application of said amounts to the purposes stated in section 2(d) of the

Boulder Canyon Project Adjustment Act, until such reimbursement is accomplished. To the extent that any deficiency in such reimbursement remains as of June 1, 1987, the amount of the remaining deficiency shall then be transferred to the Upper Colorado River Basin Fund from the Lower Colorado River Basin Development Fund, as provided in subsection (g) of section 403.

TITLE VI—GENERAL PROVISIONS: DEFINITIONS: CONDITIONS

SEC. 601. (a) Nothing in this Act shall be construed to alter, amend, repeal, modify, or be in conflict with the provisions of the Colorado River Compact (45 Stat. 1057), the Upper Colorado River Basin Compact (63 Stat. 31), the Water Treaty of 1944 with the United Mexican States (Treaty Series 994), the decree entered by the Supreme Court of the United States in Arizona against California, and others (376 U.S. 340), or, except as otherwise provided herein, the Boulder Canyon Project Act (45 Stat. 1057), the Boulder Canyon Project Adjustment Act (54 Stat. 774) or the Colorado River Storage Project Act (70 Stat. 1053).

(b) The Secretary is directed to—

(1) make reports as to the annual consumptive uses and losses of water from the Colorado River system after each successive five-year period, beginning with the five-year period starting on October 1, 1970. Such reports shall be prepared in consultation with the States of the lower basin individually and with the Upper Colorado River Commission, and shall be transmitted to the President, the Congress, and the Governors of each State signatory to the Colorado River Compact;

(2) condition all contracts for the delivery of water originating in the drainage basin of the Colorado River system upon the availability of water under the Colorado River Compact.

(c) All Federal officers and agencies are directed to comply with the applicable provisions of this Act, and of the laws, treaty, compacts, and decree referred to in subsection (a) of this section, in the storage and release of water from all reservoirs and in the operation and maintenance of all facilities in the Colorado River system under the jurisdiction and supervision of the Secretary, and in the operation and maintenance of all works which may be authorized hereafter for the augmentation of the water supply of the Colorado River system. In the event of failure of any such officer or agency to so comply, any affected State may maintain an action to enforce the provisions of this section in the Supreme Court of the United States and consent is given to the joinder of the United States as a party in such suit or suits, as a defendant or otherwise.

SEC. 602. (a) In order to fully comply with and carry out the provisions of the Colorado River Compact, the Upper Colorado River Basin Compact, and the Mexican Water Treaty, the Secretary shall propose criteria for the coordinated long-range operation of the reservoirs constructed and operated under the authority of the Colorado River Storage Project Act, the Boulder Canyon Project Act, and the Boulder Canyon Project Adjustment Act. To effect in part the purposes expressed in this paragraph, the criteria shall make provision for the storage of water in storage units of the Colorado River Storage Project and releases of water from Lake Powell in the following listed order of priority:

(1) Releases to supply one-half the deficiency described in article III(c) of the Colorado River Compact, if any such deficiency exists and is chargeable to the States of the Upper Division, but in any event such releases, if any, shall not be required in any year that the Secretary makes the determination and issues the proclamation specified in section 202 of this Act.

(2) Releases to comply with article III(d) of the Colorado River Compact, less such quantities of water delivered into the Colorado River below Lee Ferry to the credit of the States of the Upper Division from other sources.

(3) Storage of water not required for the releases specified in clauses (1) and (2) of this subsection to the extent that the Secretary, after consultation with the Upper Colorado River Commission and representatives of the three Lower Division States and taking into consideration all relevant factors (including, but not limited to, historic streamflows, the most critical period of record, and probabilities of water supply), shall find this to be reasonably necessary to assure deliveries under clauses (1) and (2) without impairment of annual consumptive uses in the upper basin pursuant to the Colorado River Compact: *Provided*, That water not so required to be stored shall be released from Lake Powell: (i) to the extent it can be reasonably applied in the States of the Lower Division to the uses specified in article III(e) of the Colorado River Compact, but no such releases shall be made when the active storage in Lake Powell is less than the active storage in Lake Mead, (ii) to maintain, as nearly as practicable, active storage in Lake Mead equal to the active storage in Lake Powell, and (iii) to avoid anticipated spills from Lake Powell.

(b) Not later than January 1, 1970, the criteria proposed in accordance with the foregoing subsection (a) of this section shall be submitted to the Governors of the seven Colorado River Basin States and to such other parties and agencies as the Secretary may deem appropriate for their review and comment. After receipt of comments on the proposed criteria, but not later than July 1, 1970, the Secretary shall adopt appropriate criteria in accordance with this section and publish the same in the Federal Register. Beginning January 1, 1972, and yearly thereafter, the Secretary shall transmit to the Congress and to the Governors of the Colorado River Basin States a report describing the actual operation under the adopted criteria for the preceding compact water year and the projected operation for the current year. As a result of actual operating experience or unforeseen circumstances, the Secretary may thereafter modify the criteria to better achieve the purposes specified in subsection (a) of this section, but only after correspondence with the Governors of the seven Colorado River Basin States and appropriate consultation with such State representatives as each Governor may designate.

(c) Section 7 of the Colorado River Storage Project Act shall be administered in accordance with the foregoing criteria.

SEC. 603. (a) Rights of the upper basin to the consumptive use of water available to that basin from the Colorado River system under the Colorado River Compact shall not be reduced or prejudiced by any use of such water in the lower basin.

(b) Nothing in this Act shall be construed so as to impair, conflict with, or otherwise change the duties and powers of the Upper Colorado River Commission.

SEC. 604. Except as otherwise provided in this Act, in constructing, operating, and maintaining the units of the projects herein and hereafter authorized, the Secretary shall be governed by the Federal reclamation laws (Act of June 17, 1902, 32 Stat. 388, and Acts amendatory thereof or supplementary thereto) to which laws this Act shall be deemed a supplement.

SEC. 605. Part I of the Federal Power Act (41 Stat. 1063; 16 U.S.C. 791a–823) shall not be applicable to the reaches of the main stream of the Colorado River between Hoover Dam and Glen Canyon Dam until and unless otherwise provided by Congress.

SEC. 606. As used in this Act, (a) all terms which are defined in the Colorado River Compact shall have the meanings therein defined;

(b) "Main stream" means the main stream of the Colorado River downstream from Lee Ferry, within the United States, including the reservoirs thereon;

(c) "User" or "water user" in relation to main-stream water in the lower basin means the United States or any person or legal entity entitled under the decree of the Supreme Court of the United States in Arizona against California, and others (376 U.S. 340) to use main-stream water when available thereunder.

(d) "Active storage" means that amount of water in reservoir storage, exclusive of bank storage, which can be released through the existing reservoir outlet works;

(e) "Colorado River Basin States" means the States of Arizona, California, Colorado, Nevada, New Mexico, Utah, and Wyoming; and

(f) "Augment" or "augmentation", when used herein with reference to water, means to increase the supply of the Colorado River or its tributaries by the introduction of water into the Colorado River system, which is in addition to the natural supply of the system.

And amend the title so as to read: "An act to authorize the construction, operation, and maintenance of the Colorado River Basin project, and for other purposes."

Mr. JACKSON. Mr. President, I move that the Senate disagree to the amendment of the House and request a conference with the House on the disagreeing votes of the two Houses, and that the Chair be authorized to appoint the conferees on the part of the Senate.

The motion was agreed to; and the Presiding Officer appointed Mr. JACKSON, Mr. ANDERSON, Mr. CHURCH, Mr. GRUENING, Mr. HAYDEN, Mr. KUCHEL, Mr. ALLOTT, and Mr. JORDAN of Idaho conferees on the part of the Senate.

Mr. MANSFIELD. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE MEETING DURING SENATE SESSION

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Committee on Agriculture and Forestry may be authorized to meet during the session of the Senate on Wednesday next.

The PRESIDING OFFICER. Without objection, it is so ordered.

VOCATIONAL EDUCATION AMENDMENTS OF 1968

The Senate resumed the consideration of the bill (H.R. 18366) to amend the Vocational Education Act of 1963, and for other purposes.

UNANIMOUS-CONSENT AGREEMENT

Mr. MANSFIELD. Mr. President, I ask unanimous consent that at the conclusion of the morning hour on Wednesday next, there be a time limitation of not to exceed 1 hour on any amendment, to be equally divided between the mover of the amendment and the majority leader: Provided, that in the event the majority leader is in favor of any such amendment, the time in opposition thereto shall be controlled by the minority leader or a Senator designated by him; provided further, that on the amendment of the Senator from New York [Mr. Javits], the time be equally divided between the Senator from New York [Mr. Javits] and the Senator from Louisiana [Mr. Ellender], or by any Senators they may designate.

Mr. JAVITS. Mr. President, may I ask the majority leader what time he proposes to come in on Wednesday?

Mr. MANSFIELD. At 12 o'clock.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Montana?

The Chair hears none, and it is so ordered.

Mr. CLARK. Mr. President, would the Senator say a word about the Dominick amendment?

Mr. MANSFIELD. Mr. President, I understand that the distinguished Senator from Colorado [Mr. Dominick] is going to offer an amendment very shortly. It is my further understanding that the distinguished Senator from Pennsylvania [Mr. Clark] will move at an appropriate time to table the Dominick amendment. So, it is quite possible—it is almost a certainty, I would say to my colleagues—that there will be one rollcall vote tonight.

Mr. CLARK. Mr. President, I am prepared also, in the event the motion to table fails—which I hope it will not—to agree that we should have a time limitation of 1 hour on the Dominick amendment and a vote on the amendment on Wednesday. But I am not prepared to vote tonight, except on the tabling motion.

Mr. PASTORE. Mr. President, will the Senator yield?

Mr. MANSFIELD. I yield.

Mr. PASTORE. Mr. President, I think this is getting to be a little impossible. I do not know what the conference was all about, but 12 Senators were discussing the matter outside of the Chamber without the knowledge of the rest of us. And we have been sitting here, patiently waiting to see what was going to happen. If we are going to go over to Wednesday on the bill, why all the nonsense of having a vote on the motion to table and a vote on the substance of the amendment on Wednesday? Why do we not get a time limitation and go over until Wednesday, or come back tomorrow?

We are here at 7 o'clock tonight. We have been sitting here without any knowledge of what was going on. And there will be a motion to table, but the man who will make the motion to table has said that he does not want to vote on the substance of the amendment tonight.

Mr. CLARK. Mr. President, will the Senator yield?

Mr. PASTORE. I yield.

Mr. CLARK. Mr. President, I would be perfectly happy to have that done. That is what I have been urging.

Mr. PASTORE. We would not be wasting any time. We are coming back on Wednesday. Let us get a time limitation and come back then.

Mr. DOMINICK. Mr. President, I have been sitting here waiting to get this thing decided, like everybody else.

I announced to the committee that I was going to offer an amendment, when the committee was in executive session. I have been ready to offer it, and I have been unable to do it because of the colloquy of the others. I do not know any reason why, as long as we are rushing for adjournment, we cannot get the thing settled today.

Mr. AIKEN. Mr. President, may I ask a question of whoever can answer it. We are talking about the settling of the matter on Wednesday. What Wednesday is referred to? Is it some Wednesday in October? It begins to look like it.

Mr. MANSFIELD. Next Wednesday. The Senator from Montana is seeking advice.

Mr. PASTORE. Mr. President, I repeat that, inasmuch as we are going to go over until Wednesday, in any eventuality, why waste any time tonight? Let us get a time limitation and put both amendments over until next Wednesday. Let us get a time limitation on a vote on the bill, so far as I care.

Mr. MORSE. Mr. President, will the Senator yield?

Mr. MANSFIELD. I yield.

Mr. MORSE. As manager of the bill, I should like to make a suggestion for a time schedule.

I agree with Senator Pastore that we still have not a report on the conference we had, and it is still an incomplete conference, and that is why there is a delay to Wednesday. If I may have the attention of the majority leader, I suggest that we recess or adjourn tonight until Wednesday morning, at 10 o'clock, and then we take up the Dominick amendment at 10 o'clock Wednesday morning.

As the majority leader knows, we are concerned about taking up the other matter later on Wednesday, and we could dispose of the Dominick amendment on Wednesday morning and then proceed with the unanimous consent agreed on the Javits amendment and then try to get a unanimous-consent agreement on a time certain to vote on the bill.

Mr. CLARK. It is all right with me.

Mr. MANSFIELD. I feel that I must stand by the will of the Senate as requested by the joint leadership.

I would wish that it would be possible to consider the amendment of the Senator from Colorado [Mr. Dominick] on an up or down basis and not to have the Senate faced by two possible votes in case a tabling motion does not carry.

Mr. CLARK. Mr. President, will the Senator yield?

Mr. MANSFIELD. I yield.

Mr. CLARK. I would be willing to vote the Dominick amendment up or down on Wednesday, but not tonight.

Mr. MANSFIELD. The Senator indicated he was not going to vote it up or down tonight, that if the tabling motion failed, which he hoped it would not, he would then be willing to consider a time limitation on Wednesday next. So it is not a case of voting it up or down tonight.

Mr. CLARK. I will go further than that. I am willing not to make a tabling motion on Wednesday, but vote on the amendment.

Mr. MANSFIELD. That is what the Senator said he was going to do, anyway, if the tabling motion failed. Is that correct?

Mr. CLARK. No; because it is my understanding that the Senator from Colorado was going to press for a vote tonight. I see no point in voting on a tabling motion tonight, at 5 minutes after 7, when we can dispose of it one way or the other on Wednesday morning.

Mr. DOMINICK. All I can say on this particular matter is that the Senator from Pennsylvania is saying that he wants to get a bunch of people here to start twisting some people's arms on this vote.

All I am talking about is the same amendment I offered before. It was voted on once before. It is a year later now. I can do this in 15 or 20 minutes. We can get a vote on the merits.

Mr. CLARK. I do not want to discuss the merits, Mr. Leader.

Mr. AIKEN. Mr. President, I would like to ask a question. Is this Senate to run on the whims of any one particular Member, in whatever way he chooses to operate it in his own manner? If it is, I should like to speak for 2 days in September.

Mr. CLARK. Mr. President, will the Senator yield?

Mr. AIKEN. I yield.

Mr. CLARK. The Senate, I believe, is run in accordance with its rules, with which the Senator from Vermont is even more familiar than I am.

Mr. AIKEN. And the rules are that no one Member of the Senate can inconvenience the other 98.

Mr. CLARK. I wish that were true, but the Senator knows very well it is not.

Mr. MANSFIELD. Mr. President, the distinguished Senator from Vermont, as always, has raised a very good point, and he has made a statement to the point.

It seems to me that there is a wide divergence on the part of the membership; so, with a hope and a prayer, I ask unanimous consent that at the conclusion of the transaction of morning business on Wednesday next, there be a time allocation of 1 hour on the Javits amendment and 1 hour on the Dominick amendment, the time to be equally divided between the sponsors of the amendment and the manager of the bill, the Senator from Oregon, or whomever he may designate, and that a vote on passage of the bill occur not later than 3 o'clock.

Mr. MORSE. Will the Senator modify his request to state 1 hour on the bill, also?

Mr. MANSFIELD. And 1 hour on the bill, the vote to be taken not later than 4 o'clock.

Mr. HOLLAND. Mr. President, will the Senator yield?

Mr. MANSFIELD. I yield.

Mr. HOLLAND. The Senator stated the Javits amendment and the Dominick amendment, as if they came in that order. It is my understanding that the Dominick amendment would come first because of certain factors.

Mr. MANSFIELD. Regardless of the order in which they came. I did not mean it in that fashion.

Mr. MORSE. I have a brief amendment which I can dispose of in 5 minutes tonight. Both sides have agreed to the amendment.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Montana?

Mr. DOMINICK. Mr. President, reserving the right to object, does this mean I cannot even offer my amendment now, as pending business, simply because the Senator from Pennsylvania wants to get arms twisted before Wednesday?

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the amendment of the distinguished Senator from Colorado be laid before the Senate and made the pending business, and I express the hope that he would allow his amendment to be set aside temporarily so that this noncontroversial amendment which the manager of the bill had indicated he would like to bring up could be considered.

Mr. JAVITS. Mr. President, reserving the right to object, it happens to be my amendment that is to be laid aside. But I agree with the majority leader. I believe his procedure is quite proper, and I will, of course, cooperate with him and join in allowing this to be done, with the understanding, as part of the unanimous-consent request, that my amendment shall be considered immediately after the Dominick amendment has been disposed of under the time limitation.

Mr. MANSFIELD. Yes, indeed.

The PRESIDING OFFICER. Is the objection to the request, as modified by the suggestion?

Mr. DOMINICK. Mr. President, will the Senator yield?

Mr. MANSFIELD. I yield.

Mr. DOMINICK. Is my understanding correct, then, that I offer my amendment now and talk for a few minutes on it? Is that the idea? And that we come in under a time limitation on Wednesday?

Mr. MANSFIELD. That is correct.

Mr. DOMINICK. There is no point in my doing that, because I can dispose of it on Wednesday. I should like to get it done tonight, and I do not see what the problem is.

Mr. PASTORE. Mr. President, will the Senator yield?

Mr. MANSFIELD. I yield.

Mr. PASTORE. The Senator from Colorado knows that Senators have a right to take opposition to his amendment, and they can talk here until 11 o'clock tonight.

Mr. DOMINICK. That is correct.

Mr. PASTORE. And that is what we are trying to avoid.

As for this business of arm twisting, one can twist an arm and untwist an arm. That is a reflection upon the membership of the Senate. I do not believe anyone is going to be persuaded by the fact that we go over until Wednesday. They are trying to get a full complement of Senators present.

Mr. DOMINICK. The Senator from Pennsylvania told me that he wants to get the people here to get the opposition coagulated around this matter.

Mr. MANSFIELD. Mr. President, I believe I have the floor.

The PRESIDING OFFICER. The Senator from Montana has the floor.

Mr. MANSFIELD. It has been a long time since we have had as good an attendance in the Senate as we have had today. My figure is 83 or 84, which is extraordinary in the second session of this Congress.

Mr. PASTORE. About 16 below par.

Mr. MANSFIELD. I ask that the Chair put the question.

The PRESIDING OFFICER. Is there objection to the unanimous-consent request of the Senator from Montana? The Chair hears none, and it is so ordered.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that, in connection with the unanimous-consent agreement already agreed to, rule XII be suspended.

The PRESIDING OFFICER. Without objection, it is so ordered.

The unanimous-consent request, subsequently reduced to writing, is as follows:

Ordered, That, effective on Wednesday, July 17, 1968, at the conclusion of routine morning business, during the further consideration of the bill (H.R. 18366) to amend the Vocational Education Act of 1963, and for other purposes, debate on any amendment, motion, or appeal, except a motion to lay on the table, shall be limited to 1 hour, to be equally divided and controlled by the mover of any such amendment or motion and the majority leader: *Provided*, That in the event the majority leader is in favor of any such amendment or motion, the time in opposition thereto shall be controlled by the minority leader or some Senator designated by him.

Ordered further, That on the question of the final passage of the said bill debate shall be limited to 1 hour, to be equally divided and controlled, respectively, by the majority and minority leaders: *Provided*, That the said leaders, or either of them, may, from the time under their control on the passage of the said bill, allot additional time to any Senator during the consideration of any amendment, motion, or appeal: *Provided further*, That the vote on final passage of the bill come not later than 4 o'clock p.m. on that date.

Mr. MANSFIELD. There will be no votes tonight.

Mr. MORSE. Mr. President, I should like to dispose of this simple amendment, if I may. I send to the desk an amendment which has been cleared on both sides of the aisle.

The PRESIDING OFFICER. The amendment will be stated.

The assistant legislative clerk proceeded to read the amendment.

Mr. MORSE. Mr. President, I ask unanimous consent that further reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection it is so ordered; and, without objection, the amendment will be printed in the RECORD.

The amendment is as follows:

On page 18, after line 26, inesrt the following:

"RESIDENTIAL VOCATIONAL EDUCATION SCHOOLS

"SEC. 109. (a) For the purpose of demonstrating the feasibility and desirability of residential vocational education schools for certain youths of high school age, the Commissioner is authorized to make grants, out of sums appropriated pursuant to subsection (b) to State boards, to colleges and universities, and with the approval of the appropriate State board, to public educational agencies, organizations, or institutions for the construction, equipment, and operation of residential schools to provide vocational education (including room, board, and other necessities) for youths, at least fifteen years of age and less than twenty-one years of age at the time of enrollment, who need full-time study on a residential basis in order to benefit fully from such education. In making such grants, the Commissioner shall give special consideration to the needs of large urban areas having substantial numbers of youths who have dropped out of school or are unemployed and shall seek to attain, as nearly as practicable in the light of the purposes of this section, an equitable geographical distribution of such schools.

"(b) There are authorized to be appropriated for the purpose of this section $25,000,000 for the fiscal year ending June 30, 1969, $30,000,000 for the fiscal year ending June 30, 1970, and $35,000,000 for the fiscal year ending June 3, 1971, and for the succeeding fiscal year."

On page 19, line 2, strike out "SEC. 109." and insert in lieu thereof "SEC. 110."

Mr. MORSE. Mr. President, my attention has been called to the fact that in the bill as reported, an authority in existing law expired June 30, 1968. This was the authority which has yet to be funded providing for the construction of residential vocational schools.

I have sent to the desk an amendment designed to continue the authority funded at $25 million for fiscal year 1969, $30 million for fiscal year 1970, $35 million for fiscal year 1971, and $35 million for fiscal year 1972. It is in line with the rest of the bill, Mr. President.

It was simply an oversight that it was not included in the bill reported to the Senate.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Oregon.

The amendment was agreed to.

Mr. DOMINICK. I send an amendment to the desk and ask that it be stated.

The PRESIDING OFFICER. The amendment will be stated.

The assistant legislative clerk proceeded to read the amendment.

Mr. DOMINICK. Mr. President, I ask unanimous consent that further reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered, and the amendment will be printed in the RECORD.

The amendment, ordered to be printed in the RECORD, is as follows:

At the end of the bill insert the following new section:

"AMENDMENT TO ELEMENTARY AND SECONDARY EDUCATION ACT OF 1965 RELATING TO PRESCHOOL ASSISTANCE PROGRAMS

"SEC. 208. (a) The Elementary and Secondary Education Act of 1965 is amended by redesignating title VIII as title IX, by redesignating sections 801 through 807 and references thereto as section 901 through 907, respectively, and by adding after title VII the following new title:

"'TITLE VIII—PRESCHOOL PROGRAMS FOR CHILDREN OF LOW-INCOME FAMILIES

"'ALLOTMENT TO STATES

"'SEC. 801. From the sums appropriated to make basic grants under this title for any fiscal year, the Commissioner shall allot not more than 2 per centum among Puerto Rico, Guam, American Samoa, the Trust Territory of the Pacific Islands, and the Virgin Islands, according to their respective needs. He shall also reserve not more than 10 per centum of those sums for allotment in accordance with such criteria and procedures as he may prescribe. The remainder shall be allotted among the States, in accordance with the latest available data, so that equal proportions are distributed on the basis of (1) the relative number of public assistance recipients in each State as compared to all States, (2) the average number of unemployed persons in each State as compared to all States, and (3) the relative number of related children living with families with incomes of less than $1,000 in each State as compared to all States. For purposes of the preceding sentence, the term "State" does not include Puerto Rico, Guam, American Samoa, the Virgin Islands, and the Trust Territory of the Pacific Islands. That part of any State allotment which the Commissioner determines will not be needed may be reallotted, on such dates during the fiscal year as the Commissioner may fix, to other States, in proportion to their original allotments, but with appropriate adjustments to assure that any amount so made available to any State in excess of its needs is similarly reallotted among the other States.

" 'STATE PLANS

" 'SEC. 802. (a) Any State which desires to receive grants under this title shall submit to the Commissioner, through its State educational agency, a State plan, in such detail as the Commissioner deems necessary, which—

" '(1) provides that the State educational agency will be the sole State agency for the administration of the State plan;

" '(2) sets forth a program under which funds paid to the State from its allotment under section 801 will be used solely to make grants to community action boards (established pursuant to the Economic Opportunity Act of 1964), or in any community where there is no qualified community action board, to local educational agencies to assist them in carrying on preschool programs which, under subsection (b), are eligible for assistance under this title;

" '(3) provides that effective procedures will be adopted for acquiring and disseminating to teachers and administrators significant information derived from educational research, demonstration, and similar projects, and for adopting, where appropriate, promising educational practices developed through such projects;

" '(4) provides for such fiscal control and fund accounting procedures as may be necessary to assure proper disbursement of, and accounting for, Federal funds paid to the State (including any funds paid by the State to any other agency) under this title;

" '(5) provides for making such reports, in such form and containing such information, as the Commisisoner may find necessary to assure the correctness and verification of such reports;

" '(6) provides a balanced program to meet the educational, nutritional, health, clothing, and other unique needs of children from impoverished backgrounds in order for them to function at optimum levels in relationship to other children; and

" '(7) provides a standard of poverty for individuals and families in the State that takes into account the number of children, dependents, and other special circumstances substantially affecting the ability of individuals and families to be self-sustaining.

" '(b) A preschool program shall be eligible for assistance under this title if (1) it is designed to prepare educationally deprived children, aged three through seven, in areas having high concentrations of children from low-income families to successfully undertake the regular elementary school program, (2) it is carried on by, or under contracts or arrangements with, a community action board, or, if carried on in an area in which there is no community action board, is carried on by a local educational agency, and (3) it is limited to participation by children from families meeting the poverty standards established under section 802(a)(7).

" '(c) The Commissioner shall approve any State plan and any modification thereof which meets the requirements of subsection (a).

" 'PAYMENTS TO STATES

" 'Sec. 803. (a) From the amounts allotted to each State under section 801, the Commissioner shall pay to each State an amount equal to the Federal share of the expenditures made by such State in carrying out its State plan. Such payments may be made in installments, and in advance or by way of reimbursement, with necessary adjustments on account of overpayments and underpayments.

" '(b) For purposes of subsection (a), the Federal share for each State shall be 90 per centum for the fiscal year ending June 30, 1970.

" 'ADMINISTRATION OF STATE PLANS

" 'SEC. 804. (a) The Commissioner shall not finally disapprove any State plan submitted under this title, or any modification thereof, without first affording the State educational agency administering the plan reasonable notice and opportunity for a hearing.

" '(b) Whenever the Commissioner, after reasonable notice and opportunity for hearing to such agency, finds—

" '(1) that the State plan has been so changed that it no longer complies with the provisions of section 802(a), or

" '(2) that in the administration of the plan there is a failure to comply substantially with any such provision,

the Commissioner shall notify such State agency that the State will not be regarded as eligible to participate in the program under this title until he is satisfied that there is no longer any such failure to comply.

" '(c) In the event a State shall, within a reasonable time, fail to submit a State plan, or shall fail to submit an acceptable State plan under circumstances that the Commissioner believes indicate a desire on the part of State officials to prevent operation of any acceptable program under this title within the State, the Commissioner is authorized to contract directly with qualified community action boards, or in any community where there is no qualified community action boards, directly with educational agencies to implement programs under this title within such State.

" 'JUDICIAL REVIEW

" 'SEC. 805. (a) If any State is dissatisfied with the Commissioner's final action with respect to the approval of its State plan submitted under section 802(a) or with his final action under section 804(b), such State may within sixty days after notice of such action, file with the United States Court of Appeals for the Circuit in which such State is located a petition for review of that action. A copy of the petition shall be forthwith transmitted by the Clerk of the Court to the Commissioner. The Commissioner thereupon shall file in the court the record of the proceedings on which he based his action, as provided in section 2112 of title 28, United States Code.

" '(b) The findings of fact by the Commissioner, if supported by substantial evidence shall be conclusive; but the court, for good cause shown may remand the case to the Commissioner to take further evidence, and the Commissioner may thereupon make new or modified findings of fact and may modify his previous action, and shall certify to the court the record of further proceedings. Such new or modified findings of fact shall likewise be conclusive if supported by substantial evidence.

" '(c) The court shall have jurisdiction to affirm the action of the Commissioner or to set it aside, in whole or in part. The judgment of the court shall be subject to review by the Supreme Court of the United States upon certiorari or certification as provided in section 1254 of title 28, United States Code.

" 'AUTHORIZATION OF APPROPRIATIONS

" 'SEC. 806. (a) The Commissioner shall carry out the programs provided for in this title during the fiscal year ending June 30, 1970. There is authorized to be appropriated $375,000,000 for the fiscal year ending June 30, 1970 to make grants to States for preschool programs under this title.'

"(b)(1) Section 222(a) of the Economic Opportunity Act of 1964 is amended by striking out paragraph (1) and by redesignating paragraphs (2), (3), (4), (5), (6), and (7), as redesignated by section 203(b) of this Act, and references thereto, as paragraphs (1) through (6), respectively.

"(2) The amendments made by subsection (b) shall apply with respect to fiscal years ending after June 30, 1969, which provide assistance for a Headstart program. After June 30, 1969, the Director of the Office of Economic Opportunity may not enter into any contract or make any grant to carry out a program similar to any program carried out under title VIII of the Elementary and Secondary Education Act of 1965.

"(c)(1) Section 901 (as redesignated by subsection (a) of this section) of the Elementary and Secondary Education Act of 1965 is amended by striking out 'and VII' in the matter preceding clause (a) and inserting in lieu thereof 'VII and VIII'.

"(2) Such section 901 is further amended by striking out 'and VII' in clause (j) thereof and inserting in lieu thereof 'VII and VIII'."

Mr. DOMINICK. Mr. President, for the sake of the record, this amendment, if agreed to, would transfer the Headstart program from the Office of Economic Opportunity to the Office of Education, effective in fiscal 1970.

I yield the floor.

ADJOURNMENT UNTIL WEDNESDAY, JULY 17, 1968

Mr. MORSE. Mr. President, I move, in accordance with the order previously entered, that the Senate stand in adjournment until 12 noon on Wednesday next.

The motion was agreed to; and (at 7 o'clock and 11 minutes p.m.) the Senate adjourned until Wednesday, July 17, 1968, at 12 noon.

NOMINATIONS

Executive nominations received by the Senate July 15, 1968:

DIPLOMATIC AND FOREIGN SERVICE

Harold Francis Linder, of New York, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to Canada.

POSTMASTERS

The following named persons to be postmasters:

CALIFORNIA

Norma J. Carter, Clearlake Park, Calif., in place of M. D. Kronquest, retired.

COLORADO

Edith E. Boone, Niwot, Colo., in place of E. L. Haddon, retired.

INDIANA

Elizabeth P. Overman, Westfield, Ind., in place of M. H. Greene, retired.

KANSAS

Victor L. ImMasche, Emporia, Kans., in place of Frank Lill, deceased.

Guy E. Hough, Sr., Solomon, Kans., in place of R. H. Berrigan, retired.

MICHIGAN

Ellert Hendriksma, Moline, Mich., in place of G. C. Frank, retired.

MISSOURI

George J. DeLaney, Baring, Mo., in place of J. H. Kiley, transferred.

James H. Lefler, Goodman, Mo., in place of A. M. Neff, deceased.

NEW YORK

John R. Daugherty, Branchport, N.Y., in place of J. W. Trimmingham, retired.

Walter F. Sawicki, East Aurora, N.Y., in place of W. H. Wright, retired.

Florence B. Nunweiler, East Concord, N.Y., in place of F. J. Edington, retired.

NORTH DAKOTA

Allen R. Janz, Enderlin, N. Dak., in place of M. C. Olufson, retired.

OHIO

Leona E. Tuel, Fly, Ohio, in place of A. B. Mehrley, retired.

PENNSYLVANIA

Paul P. Zborovancik, Hooversville, Pa., in place of M. M. Rodger, retired.

VERMONT

Joseph C. Brown, Bomoseen, Vt., in place of L. H. Coon, retired.

Joseph A. Yacovone, Morrisville, Vt., in place of B. L. Towne, retired.

WEST VIRGINIA

Gladys L. LaDeaux, Palestine, W. Va., in place of Kathryne Marlow, retired.

WISCONSIN

Harris J. Krueger, Pelican Lake, Wis., in place of A. E. Macikalski, retired.

HOUSE OF REPRESENTATIVES—*Monday, July 15, 1968*

The House met at 10:00 o'clock a.m.

The Chaplain, Rev. Edward G. Latch, D.D., offered the following prayer:

Thus saith the Lord, as I was with Moses, so I will be with you; I will not fail you or forsake you.—Joshua 1: 5.

O God and Father of mankind, whose creative spirit is ever seeking to lead us along the paths of truth and love, make us so mindful of Thy presence, so motivated by Thy spirit, so marked by Thy love that we may face this hour and live through these days with courage and strength and good will.

We pray for the captive nations of the world—for those who live in the darkness of fear and want, who cry for the flame of freedom and who pray for the life of liberty. Grant unto them confidence in every trial, courage to endure in every trouble, strength to resist every temptation to become cynical and in the depths of every depression may they hear Thy voice saying, "Be strong and of a good courage for I, the Lord thy God, am with thee."

Hasten the day when freedom shall be the faith of all, when good will shall dwell in the hearts of all and when men shall learn to live together with all.

Our Father, we come into Thy presence with sorrow in our hearts at the passing of one of our beloved colleagues. We thank Thee for him and pray that the comfort of Thy spirit may abide in the hearts of his loved ones. May their faith sustain them, their hope strengthen them, and their love support them.

In the spirit of Christ we pray. Amen.

THE JOURNAL

The Journal of the proceedings of Friday, July 12, 1968, was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Arrington, one of its clerks, announced that the Senate had passed without amendment a bill of the House of the following title:

H.R. 2756. An act for the relief of Arley L. Beem, aviation electrician's mate chief, U.S. Navy.

The message also announced that the Senate had passed bills of the following titles, in which the concurrence of the House is requested:

S. 1385. An act to amend section 3 of the act entitled "An act to provide for the disposal of materials on the public lands of the United States" approved July 31, 1947, relating to the disposition by the Secretary of the Interior of moneys obtained from the sale of materials from public lands;

S. 3083. An act for the relief of Dr. Juan M. Ortiz; and

S. 3173. An act for the relief of Dr. Joaquin Francisco Palmerola Cabera.

THE LATE HONORABLE JOE R. POOL

The SPEAKER. The Chair recognizes the gentleman from Texas [Mr. MAHON].

Mr. MAHON. Mr. Speaker, it is my sad duty to inform the House officially of the passing of one of our beloved colleagues, the Honorable JOE R. POOL, of Dallas, Tex.

This sad announcement would have been made by the dean of the Texas delegation [Mr. PATMAN] except for the fact that it is impossible for him to be at the Capitol at this moment.

A day will be set aside for eulogies for Mr. POOL. The date has not yet been fixed by the Speaker.

I believe it appropriate at the moment to make some reference to the background and experience of this distinguished citizen and legislator.

JOE RICHARD POOL, who passed away yesterday in Houston, Tex., and who had been in California with the Postmaster General in the performance of his official duties, was born in Tarrant County, Tex., February 18, 1911. He attended the University of Texas and later graduated from Southern Methodist University. He was admitted to the Texas Bar in 1937.

He served his country in uniform in World War II as a special investigator with the Army's Air Corps Intelligence.

He was elected to the Texas House of Representatives in 1952 and served three terms. While there he distinguished himself as a member of the State legislature, serving as chairman of the Motor Traffic Committee and serving on the Committees on Appropriations, Revenue and Taxation, and State Affairs.

He was married in 1940 to Elizabeth Chambless. He leaves his lovely wife and four stalwart sons.

As Members know, he was elected to the 88th Congress in 1962 and later to the 89th Congress as a Member at Large. Following redistricting of the State, he was elected to the 90th Congress from the Third District of Texas.

All of us know of his strong feeling of loyalty and patriotism to our country and to this body. All of us will recall the strong and uncompromising stand which he took against subversion and communism as a member of the Committee on Un-American Activities.

He also served with distinction as a Member of the Committee on Post Office and Civil Service.

We have lost a valiant friend of the people, a legislator of skill, ability, and solid accomplishment, and we mourn the loss which we have sustained.

I would prefer at this time not to yield for remarks and eulogies. I believe it would be more appropriate if we could fix a time certain when other Members not now present may have an opportunity to join in honoring the memory of our departed colleague and friend.

Mr. CHARLES H. WILSON. Mr. Speaker, all of us in the House will miss Congressman JOE POOL; his exuberant enjoyment of life was truly contagious.

A working Congressman, JOE POOL's 6 years of service in the House were marked tireless energy and dedication to his responsibilities. And, although he and I sometimes differed in our views, I could never fail to respect the integrity and zeal with which he held them. He would fight—always fairly—for what he believed, all the while keeping a sharp sense of humor about himself which softened even his most obdurate opponents.

JOE POOL's "larger than life" personality—as well as his considerable size—made him something of a legend in the House. Indeed, when one referred to "the Congressman from Texas," the image of JOE POOL sprang instantly to mind.

I was privileged to serve with Representative POOL on the Subcommittee for Postal Modernization and Facilities which he chaired so vigorously. Last Thursday, Congressman POOL, myself and other members of the subcommittee flew to Los Angeles to dedicate the Worldway Post Office, our city's newest and most modern postal airmail facility. It was a very happy occasion, and Congressman POOL was obviously proud and pleased to see the results of his dynamic leadership of our subcommittee as reflected in this superior new post office.

It is sad beyond words that this hopeful and visionary trip should have such a tragic end. My wife, Betty, joins me in extending our deepest sympathy to Congressman POOL's lovely wife, Elizabeth, and their four fine sons on their great loss.

Mr. O'HARA of Illinois. Mr. Speaker, Joe Pool and I were warm and understanding friends notwithstanding the fact that in some matters our philosophical approach differed. In his convictions he was honest and sincere and for the causes in which he believed he worked and fought with tenacity, courage and ability. On the personal side, Joe Pool was sweet and lovable, and I shall miss the quiet smile and the cheery words of his greetings. To his widow, Elizabeth, and his sons, members of a family closely knitted by love and mutual interests, go my deepest sympathy.

Mr. DULSKI. Mr. Speaker, this House and the Committee on Post Office and Civil Service have lost a valued colleague and friend in the sudden passing of the Honorable Joe R. Pool, of Texas.

Mr. Pool was chairman of the Subcommittee on Postal Facilities and Modernization, and was just returning from a trip to Los Angeles where he represented our committee at the dedication on Friday of the new airmail facility.

He was an excellent chairman of the subcommittee, and devoted much effort to aiding the Post Office Department in strengthenging its vital research and development work to cope with the ever-increasing volume of mail.

He was a vigorous supporter of the Department's move to create a Bureau of Research and Engineering, elevating research work finally to the proper level of Assistant Postmaster General, a position now occupied by Dr. Leo S. Packer.

Mr. Pool gave me considerable help in my continuing effort to improve the mail service for our fighting servicemen around the world, and particularly in Vietnam. Our committee moved promptly and forcefully to aid mail service for our military, after my earlier inspection trip to Vietnam.

At my request, Mr. Pool made an onsite inspection and investigation last fall of the postal systems of the U.S. Armed Forces in Vietnam and the Far East. He made a very comprehensive report of his trip which has been published as House Report 1391.

Mr. Speaker, I extend my sincere sympathy to Mrs. Pool and her family in their great loss.

Mr. ULLMAN. Mr. Speaker, we are all saddened by the sudden passing of our colleague, Joe Pool. It was an honor and a pleasure to serve in the House of Representatives with this distinguished gentleman from Texas, and we shall all miss his presence.

My most sincere sympathy goes to Congressman Pool's wife and family at this moment of loss for them and for the Nation.

Mr. de la GARZA. Mr. Speaker, the sense of shock and sorrow which swept over me when I received the news of Joe Pool's untimely passing was deeply personal.

Joe Pool was my friend of many years' standing. We served together in the Texas Legislature and were deskmates in the State house of representatives. When I came to Congress, Joe had preceded me and because of his friendship and counsel and assistance, I found Washington a far warmer and less strange place in my early days here than I had expected. He remained my loyal friend and good companion until the last. It is difficult indeed for me to believe that I will not again walk into his office and receive his warm greeting. He was a friendly type—whimsical—the master of the quip which provided a laugh for the day.

In mourning the loss of a friend, I mourn also the passing of a man who was deeply dedicated to the internal security of America, a patriot who was not ashamed to let his patriotism show, an apostle of the principle that if the people are given light they will find the right way. In his official duties as a Member of this House, Joe Pool met his responsibilities fully and without flinching. He was devoted to the service of the people he represented here, laboring wisely and well for their interests, but his service was not confined to his constituents. He worked for all the people of the America he loved, never faltering in the courage of his convictions, never hesitating to lift his hand in defense of the freedom that he was determined must endure in our land.

Mr. Speaker, I salute the memory of Joe Pool, a great and fearless American.

Mr. EVINS of Tennessee. Mr. Speaker, I join with Members of the Texas delegation and others in paying a brief but sincere tribute to our late colleague, Congressman Joe R. Pool.

Congressman Pool was a member of the Committee on Post Offices and Civil Service and also served on the House Committee on Un-American Activities. Joe Pool was hard working and energetic and certainly made an imprint on his State and country and will be long remembered.

I want to extend my deepest and most sincere sympathy to Mrs. Pool and the family in their loss and bereavement.

Mr. PHILBIN. Mr. Speaker, I was inexpressibly shocked and very deeply grieved to learn of the sudden passing of my dearly beloved friend and esteemed colleague, Congressman Joe Pool, an outstanding Representative from the great State of Texas.

I have known Joe Pool since he came to the Congress, and like everyone in the House, held him in highest regard. He was an able, distinguished, knowledgeable, dedicated, public servant of finest caliber, and his splendid service in this body will long be remembered.

He was highly respected, admired, and loved by all who knew him, and during his service here, made many contributions to his district, his State, and our country. He was a natural-born leader and a great American.

We will greatly miss him, and it is with a very heavy heart that I extend to his bereaved family and all his dear ones, fervent prayers and most heartfelt sympathy in their sad bereavement.

Joe Pool was a man of courage, action, and genuine Americanism. May he find rest and peace in his eternal reward.

Mr. ASHBROOK. Mr. Speaker, with the loss of the Honorable Joe R. Pool, the House has lost a devoted Member and stanch protector of the American way of life.

For a number of years we served together as members of the House Committee on Un-American Activities and I can say that it will be difficult to fill the chair he leaves with another man as able and conscientious and as protective of the path of our Nation.

Joe Pool always stood in contrast to the apathetic, the shirker, and those who merely went along for the ride. This was not his way. He cared too fervently to stand idly by and, instead, rose to whatever problems of our country demanded his attention.

Tireless efforts, concern, sincerity, devotion, these are what we have lost, what the House of Representatives has lost, and what the people of Texas and the Nation have lost.

I extend my deepest and most sincere sympathy to his family during this period of sorrow. I also assure them that most men leave a far smaller legacy of good work and good will.

GENERAL LEAVE TO EXTEND

Mr. MAHON. Mr. Speaker, I ask unanimous consent that all Members may be permitted to extend their remarks at this point in the Record in respect to the life, character, and service of the late Honorable Joe Pool.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

RECESS

Mr. MAHON. Mr. Speaker, out of respect for the memory of our deceased colleague, I ask unanimous consent that the House stand in recess until 11 o'clock a.m. today.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Accordingly (at 10 o'clock and 9 minutes a.m.), the House stood in recess until 11 o'clock a.m.

AFTER RECESS

The recess having expired, the House was called to order by the Speaker at 11 o'clock a.m.

INTERPARLIAMENTARY UNION—56TH CONFERENCE

The Speaker laid before the House the following communication which was read by the Clerk:

Interparliamentary Union,
United States Group,
Washington, D.C., July 13, 1968.
Hon. John W. McCormack,
Speaker of the House,
Washington, D.C.

Dear Mr. Speaker: The United States Group of the Interparliamentary Union will attend the 56th Conference scheduled to be held this year in Lima, Peru, September 5–13 inclusive, preceded by a meeting of the Executive Committee on September 2nd and 3rd.

Our Delegation desires to depart the United States on Sunday, 1 September, stopping in Bogota, Colombia, where we will receive an official reception and attend a session of the National Congress proceeding to Lima the afternoon of 4 September. We will return to

Washington immediately upon the closing of the Conference September 13.

The members of the Delegation from the House are as follows: Reps. Alexander Pirnie (N.Y.), E. Ross Adair (Ind.), John J. Rhodes (Ariz.), Robert McClory (Ill.), Edward J. Derwinski (Ill.), F. Bradford Morse (Mass.), W. R. Poage (Tex.), Paul C. Jones (Mo.), Emilio Q. Daddario (Conn.), Jim Wright (Tex.), John Jarman (Okla.), John S. Monagan (Conn.).

May I again ask you to do me the courtesy of announcing the names of these delegates so that they may appear in the Congressional Record. There will be 8 delegates from the Senate, also accompanying staff and wives so that the entire Delegation will total approximately 60 persons.

I have taken the liberty of enclosing a suggested letter to Colonel James U. Cross at the White House by which you could request suitable air transportation from the United States Air Force. I have deeply appreciated the assistance which you have unfailingly provided and will be glad to come to your office at any time if further information is required.

Sincerely,

ALEXANDER PIRNIE.

THE LATE HONORABLE ROSS ALEXANDER COLLINS

Mr. MONTGOMERY. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

Mr. MONTGOMERY. Mr. Speaker, it is my sad duty to announce the death of Ross Alexander Collins, yesterday, July 14, 1968, in Meridian, Miss. Ross Collins was a distinguished Member of the House of Representatives from March 4, 1921 to January 3, 1935; January 3, 1937 to January 3, 1943. Ross Collins was a good man—fine, decent, honorable. He had a bright wholesome outlook on life and was dedicated to public service.

Ross was born April 28, 1880, in Collinsville, Miss. He attended Mississippi A. & M. College and graduated from the Kentucky College now Transylvania College in 1900, and from the law school at the University of Mississippi in 1901.

He was admitted to the Mississippi Bar in 1901, and commenced practice in Meridian, Lauderdale County, Miss. He served ably as Mississippi's attorney general from 1912 to 1920 and was elected as a Democrat to the 67th and to the six succeeding Congresses—March 4, 1921 to January 3, 1935.

Ross was not a candidate for renomination in 1934, but was reelected to the 75th, 76th, and 77th Congresses—January 3, 1937 to January 3, 1943.

Ross Collins like most of us had his successes in politics and he had his disappointments. He ran twice for the U.S. Senate and once for Governor of Mississippi but was not successful in these races.

His first and last love was naturally, the House of Representatives. I talked to him about 10 months ago, and he still had a great desire to come back and serve in the Congress, in the House of Representatives.

Ross Collins was a dedicated legislator. He devoted himself seriously to his duties and responsibilities, and his death is truly a great loss to our State and Nation.

We shall miss him.

Ross Collins is survived by two children, a daughter, now Mrs. Tom Corwin and a son, Melville Collins.

Mr. McCORMACK. Mr. Speaker, will the gentleman yield?

Mr. MONTGOMERY. I yield to the distinguished Speaker, the gentleman from Massachusetts [Mr. McCORMACK].

Mr. McCORMACK. Mr. Speaker, I am very sorry to learn of the death of my very dear and valued friend Ross Collins. Ross Collins served in this body for many years with outstanding ability, great distinction, and extraordinary courage. Ross Collins and I developed a friendship that was very close, a friendship that I valued very much in the years that transpired between his leaving the House and the time of his death, a friendship that I shall always treasure.

Ross Collins was one of the strongest men in the Congress of the United States in connection with the national defense of our country. I remember in the 1930's when he was greatly misunderstood. He was the leader in the fight for the mechanization of our Armed Forces. He continued that fight with steadfastness and courage, and finally prevailed. Time and history has shown that his judgment was correct, sound, and logical. Meeting the tremendous opposition that he did, he adhered to his thoughts and opinions and finally prevailed.

As I said, time has shown that his opinions were in the national interest of our country.

Ross Collins was a man of unusual personality. His outlook on life was beautiful. His associations with his fellow men were on a highly ethical and idealistic level, and he possessed an understanding mind. I am very sorry to learn of the passing of my dear friend, and I extend to his loved ones my deep sympathy in their bereavement.

Mr. MONTGOMERY. I thank the Speaker for those kind and generous words.

Mr. ABERNETHY. Mr. Speaker, will the gentleman yield?

Mr. MONTGOMERY. I yield to the gentleman from Mississippi [Mr. ABERNETHY].

Mr. ABERNETHY. I would like to associate myself with the remarks of the gentleman from Mississippi [Mr. MONTGOMERY] and those of our distinguished Speaker.

I did not serve here with Ross Collins but came in shortly after his service was terminated. Even so I knew him well. I was well informed of his accomplishments both as an Attorney General of our State and as a distinguished longtime Member of this body. He was a man of tremendous courage, unusual ability, fine character, and a strong yet tender personality. Even though he was possessed of this tender characteristic, he was one who believed in a strong and forceful military establishment, capable of striking with overwhelming power from land, sea and air.

As the Speaker has said, he fought vigorously and very hard over a long period of years to bring the Military Establishment of this country to the powerful position that it reached during World War II, and he began this fight long before the war broke out. He had sensed what was coming and did his best to alarm and arm the Nation. He later became known in this body and around the country as the father of the America's pride of the air, the great fighting-bomber of that time—the Flying Fortress. Mr. Collins saw and envisioned what was ahead long before we were forced into World War II. In his thinking and vision he was years ahead of the general thinking of his time.

After his retirement from the political scene in Washington, Mr. Collins returned to his home in Meridian, Miss. He continued to keep in touch with the Washington scene and often conveyed his views on various subjects to the members of our delegation. His counsel was good. His judgment was sound.

Mr. Collins served his State well. He was dedicated to giving at all times of the best that was in him. He was loved and admired by the people of his district, as well as throughout the State. And I found after coming here that he was admired, appreciated and beloved throughout the Capital City.

My State has lost a valuable man, one who left behind a record of great accomplishment for the good of us all and for the entire Nation.

I am saddened by his passing and extend my warmest sympathy to the surviving members of his family.

Mr. MONTGOMERY. I thank the gentleman.

Mr. WHITTEN. Mr. Speaker, will the gentleman yield?

Mr. MONTGOMERY. I yield to the gentleman from Mississippi [Mr. WHITTEN].

Mr. WHITTEN. Mr. Speaker, I join in the earlier statements that were made about our late friend, Ross Collins. Mr. Collins was only 32 when he was elected attorney general of our State, and his reelection was evidence of his fine service in that capacity.

It was my privilege to serve with him in the Congress for 14 months, I believe, during which time he ran for the U.S. Senate and did not return to the House. Due to the fact that he had served on the Appropriations Committee so long, other members of my delegation did not see fit to give up their own assignments, that vacancy became available, and I succeeded him as a member of the Appropriations Committee. Because of that fact I had occasion to learn from his associates there the very high regard they had for his ability, for his application to his duties, and for his courage. His very fine contributions that he made in trying to modernize the Army of the United States have already been mentioned. It was our job on the subcommittee in later years to help phase out the horses remaining from horse cavalry days.

I came to understand the attachments that the soldiers of the earlier period had for their method of warfare and for their horses, and mules and weapons. I can therefore understand the kind of current Mr. Collins was bucking when he set out to modernize the Army by insisting on aircraft and other modern weapons—particularly the plane, which has been mentioned earlier.

In the history of Mississippi I doubt that we have had a man of keener intellect. Certainly we have had none who served in Congress, who had a greater appreciation or gave closer attention to the discharge of his duties, or who enjoyed a greater appreciation for his abilities on the part of his colleagues than did Ross Collins. I have appreciated the work he did partly because I have succeeded him on the Appropriations Committee as I have mentioned. We retained our friendship after his return to private life as a successful lawyer.

I had the privilege of knowing Mr. Collins' daughter, Mrs. Tom Corwin and her fine family.

I join with my colleagues in saying that although Mr. Collins lived to a ripe old age, we never get ready to give up a friend. However, as he passes on he leaves a wonderful record in Congress and one of which I know his children and grandchildren will be proud as the years pass on. To them I convey my deepest sympathy.

Mr. MONTGOMERY. Mr. Speaker, I yield to the gentleman from South Carolina [Mr. RIVERS].

Mr. RIVERS. Mr. Speaker, in the very few seconds remaining to me, I want to associate myself with the remarks of the gentlemen who have spoken and particularly those of our great Speaker about our late friend Ross A. Collins.

Ross Collins was a man of intelligence and preception and served with great effectiveness in the House. In the years before World War I he was one of the first to call for increased preparation for national defense at a time when the country was taking a terribly parochial view of the threat of war. Through his work with the Subcommittee for Military Appropriations he did much to bring about the development of our military airpower that was so decisive of an element in World War I. He was the father of the famed flying fortress. He also warned his country about the threat of the Japanese in the Pacific well before the attack on Pearl Harbor.

Although he twice failed in attempts to be elected to the Senate he was returned by his constituents many times to the House and served here for a total of 20 years. His memory will always be dear to those who love the House.

Ross Alexander Collins was one of the country's truly outstanding experts on military affairs and even after he left Congress he continued to write articles for major magazines, among them the Reader's Digest, on national defense matters. As a legislator and as a writer he left a lasting monument of service to the defense of this Nation.

Mr. MONTGOMERY. Mr. Speaker, I yield to the gentleman from Mississippi [Mr. COLMER], the dean of our delegation.

Mr. COLMER. Mr. Speaker, I join with my colleagues in paying my respect to the late Ross A. Collins. He was a longtime Member of this House and a distinguished Mississippian.

When I first came to the House, Mr. Collins was chairman of the Subcommittee on Armed Services, dealing with military affairs and the procurement of equipment. He was a man of very strong opinions. I recall he was in constant turmoil and disagreement with the generals of the Army over modernizing our defense forces with particular emphasis on the need for airpower, but the fact is that he was dedicated to the service and believed very strongly in what he advocated.

It is possibly one of the ironies of life that Ross Collins may not be remembered in future years for his political endeavors, nor for his dedication to the military services, nor for his legal prowess. Rather, his lasting monument may well be the Gutenberg Bible on display on the main floor of the Library of Congress. It was the first book published in the Western World using movable metal type. It was printed at Mainz, Germany, sometime between 1450 and 1456. It is bound in leather and printed on vellum and is a very handsome volume and one of the most treasured books in the Library of Congress. The Gutenberg Bible is one of 3,000 items in the Vollbehr collection, for which Congress appropriated $1,500,000 at the instance of Ross A. Collins, Member of Congress from the State of Mississippi.

Mr. Collins lived a long and useful life, and we extend our sympathy to his family.

Mr. GRIFFIN. Mr. Speaker, it is with profound sorrow that I learned of the passing yesterday in Meridian, Miss., of Hon. Ross A. Collins, a former Member of the House.

Mr. Collins served 20 years in this body, from 1921 to 1935 and from 1937 to 1943. Prior to being elected to Congress, he served 8 years as attorney general of Mississippi.

As an early advocate of a strong Army Air Corps, Mr. Collins was often called "Father of the Flying Fortress." He is also noted for his role in bringing to the United States the Gutenberg Bible.

This distinguished public servant has now gone to his reward. He will be sorely missed by family and friends, and to them, I extend my sympathy.

GENERAL LEAVE TO EXTEND

Mr. MONTGOMERY. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to extend their remarks on the life character and service of the late Honorable Ross A. Collins.

The SPEAKER. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

PERMISSION TO FILE CONFERENCE REPORT ON H.R. 18038, LEGISLATIVE BRANCH APPROPRIATIONS, 1969

Mr. ANDREWS of Alabama. Mr. Speaker, I ask unanimous consent that the managers on the part of the House may have until midnight tonight to file a conference report on the bill H.R. 18038, making appropriations for the legislative branch for the fiscal year ending June 30, 1969, and for other purposes.

The SPEAKER. Is there objection to the request of the gentleman from Alabama?

There was no objection.

OMNIBUS PRIVATE CLAIM BILL

Mr. HUNGATE. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. HUNGATE. Mr. Speaker, I ask unanimous consent that H.R. 16187 may be placed on the Private Calendar for July 16.

The SPEAKER. Will the gentleman withhold that request until the facts can be ascertained?

Mr. HUNGATE. Mr. Speaker, the gentleman will endeavor to set forth the facts. The bill H.R. 16187 was on the Private Calendar for Tuesday next and was removed without explanation of what its contents were.

The SPEAKER. Is that the omnibus private bill that the gentleman has in mind?

Mr. HUNGATE. That is the omnibus bill containing measures pending by Congresswoman GREEN, Congressman MATHIAS, Congressman ASHMORE, Congressman DOWNING, Congressman BURTON, Congresswoman KELLY, Congressman HORTON, and numerous other Members.

It has been passed over some three times.

The gentleman now is asking consent that that bill may be placed on the Private Calendar for July 16.

The SPEAKER. The Chair cannot entertain that request at this particular time.

Mr. HUNGATE. Mr. Speaker, has my time expired? The gentleman would like to complete his 1 minute.

The SPEAKER. The Chair would like to have a meeting of the minds with the gentleman from Missouri. Does the gentleman ask unanimous consent to proceed for 1 minute?

Mr. HUNGATE. Yes.

The SPEAKER. Did the gentleman yield back his time?

Mr. HUNGATE. The gentleman has not.

The SPEAKER. The gentleman is recognized for 1 minute.

Mr. MESKILL. Mr. Speaker, will the gentleman yield?

Mr. HUNGATE. I yield to the gentleman from Connecticut.

Mr. MESKILL. Mr. Speaker, I move that H.R. 16187 be restored to the Private Calendar and be considered when the Private Calendar is called on Tuesday, July 16.

The SPEAKER. The Chair did not recognize the gentleman from Missouri for the purpose of yielding to the gentleman for that purpose; and, furthermore, the motion is not in order at this time.

CALL OF THE HOUSE

Mr. MESKILL. Mr. Speaker, I make the point of order that a quorum is not present.

The SPEAKER. The gentleman from Connecticut makes a point of order that a quorum is not present, and evidently a quorum is not present.

Mr. COLMER. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 250]

Anderson, Tenn.
Ashley
Baring
Bevill
Blanton
Blatnik
Bray
Brock
Broyhill, N.C.
Conyers
Culver
Curtis
Dawson
de la Garza
Derwinski
Diggs
Dole
Dow
Downing
Evins, Tenn.
Fascell
Flood
Foley
Fraser
Gallagher
Gardner
Gibbons
Gurney
Hansen, Idaho
Hansen, Wash.
Hardy
Harrison
Hathaway
Holifield
Holland
Jarman
Jonas
Karsten
Kelly
Kornegay
Kupferman
Kuykendall
Landrum
Leggett
Long, La.
Madden
May
Minshall
Moorhead
Morris, N. Mex.
Myers
Rarick
Resnick
Rhodes, Pa.
Ruppe
Schweiker
Smith, Iowa
Steiger, Wis.
Stephens
Teague, Calif.
Thompson, Ga.
Tuck
Utt
Waggonner
Willis
Wyman

The SPEAKER. On this rollcall 368 Members have answered to their names, a quorum.

By unanimous consent, further proceedings under the call were dispensed with.

PERSONAL EXPLANATION

Mr. CRAMER. Mr. Speaker, on rollcall No. 242, on July 11, a quorum call, I am recorded as absent. I was in fact in the House-Senate conference on the highway authorization bill of the Committee on Public Works.

CONSENT CALENDAR

The SPEAKER. This is Consent Calendar day. The Clerk will call the first measure on the Consent Calendar.

The Clerk called the resolution (H. Res. 970) to extend the greetings of the U.S. House of Representatives to the Congress of the Philippines in commemoration of the arrival of the Thomasite teachers.

The SPEAKER. Is there objection to the present consideration of the resolution?

Mr. GROSS. Mr. Speaker, reserving the right to object, and I have no present intention of objecting, for I have no opposition to the resolution as it commemorates the good work of the Thomasite teachers many years ago.

I do resent the fact that the resolution is used to extol the alleged virtues of the Peace Corps, and, Mr. Speaker, I may not be quite as charitable in the future with a resolution of this kind. I withdraw my reservation of objection.

The SPEAKER. Is there objection to the present consideration of the resolution?

There being no objection, the Clerk read the resolution, as follows:

H. Res. 970

Whereas August 23, 1967, marked the sixty-sixth anniversary of the arrival in the Philippines of the five hundred and eight American volunteer teachers aboard the transport United States ship Thomas; and

Whereas these Thomasite teachers established a system of primary and secondary education in the Philippines, bringing the ideals of democracy and the benefits of public education to the Philippines in preparation for self-government and independence, and personally guided the education of many of the leaders of the Philippine nation today; and

Whereas the only known Thomasite teacher now living, Mr. Henry H. Balch, of Huntsville, Alabama, has reflected the true spirit of the Thomasites through service to the United States during more than forty years abroad in various posts and through his continuing contacts with the Philippine leaders who received their initial impetus for constructive community service under his tutelage; and

Whereas the laudable work of the Thomasite teachers represents the best in American ideals, perseverance under difficult conditions, and devotion to public service; and

Whereas the Thomasites were in their day precursors of today's Peace Corps volunteers, enjoying the same affection throughout the Philippine Provinces as the volunteers enjoy today; and

Whereas the record of the Thomasite teachers is an inspiration to American and Filipinos alike and enduring evidence of the lasting esteem between the two peoples: Therefore be it

Resolved, That the House of Representatives of the United States extend its greetings and felicitations to the Congress of the Philippines in commemoration of the sixty-sixth anniversary of the arrival of the Thomasite teachers in the Philippines.

Sec. 2. A copy of this resolution shall be transmitted to the Speaker of the Philippine House of Representatives.

Mr. JONES of Alabama. Mr. Speaker, I ask unanimus consent to extend my remarks at this point in the Record.

The SPEAKER. Is there objection to the request of the gentleman from Alabama?

There was no objection.

Mr. JONES of Alabama. Mr. Speaker, I urge approval of House Resolution 970 to extend greetings of the U.S. House of Representatives to the Congress of the Philippines in commemoration of the arrival of the Thomasite teachers.

Nearly 67 years ago, 508 American volunteer teachers arrived in the Philippines aboard the transport U.S.S. *Thomas* to initiate a system of public education in the Philippines.

These volunteers went into the interior of the island with a charge to instruct the people in academic subjects. They found a need for instruction in other subjects and proceeded to help the people with such problems as family and community sanitation, nutrition, and gardening, construction and athletic activities. The pattern the Thomasites established is evident in work of the present-day Peace Corps.

The good will established by the Thomasites is alive in the Philippines to this day.

Their work represented the best in American ideals, perseverance under difficult conditions, and devotion to public service.

Approval of this resolution will recognize the contributions of the Thomasites to the ideals of democracy seen in our friends of the Philippine nation. It will be appreciated by the descendents of the deceased Thomasites.

This resolution commending the efforts of the Thomasites is recommended by the Committee on Foreign Affairs. I urge approval of House Resolution 970.

The resolution was agreed to.

A motion to reconsider was laid on the table.

EXTENDING THE DURATION OF COPYRIGHT PROTECTION IN CERTAIN CASES

The Clerk called the joint resolution (S.J. Res. 172), extending the duration of copyright protection in certain cases.

The SPEAKER. Is there objection to the present consideration of the Senate joint resolution?

Mr. DINGELL. Mr. Speaker, reserving the right to object—and I shall not object—I notice my good friend, the gentleman from Wisconsin [Mr. Kastenmeier], is on the floor. I wonder if I may ask a question of the gentleman as to what this bill does.

Is this one of the bills that is going to extend the copyright 156 years, as the last piece of legislation of this kind did?

Mr. KASTENMEIER. Mr. Speaker, will the gentleman yield?

Mr. DINGELL. I yield to the gentleman from Wisconsin.

Mr. KASTENMEIER. Mr. Speaker, in reply to the gentleman from Michigan, it is a simple bill to extend until December 31, 1969, renewal terms of the existing copyrights which have heretofore been extended until December 31, 1968, which would otherwise expire during 1969. This action is made necessary by the failure of the other body to complete its action on general copyright revision during this term of Congress.

Mr. DINGELL. Mr. Speaker, will the gentleman tell me how old the oldest copyright is that is now being extended?

Mr. KASTENMEIER. That would be a copyright first obtained in the year 1906, I believe.

Mr. DINGELL. I thank my good friend, the gentleman from Wisconsin.

Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER. Is there objection to the present consideration of the Senate joint resolution?

There being no objection, the Clerk read the Senate joint resolution, as follows:

S.J. Res. 172

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That in any case in which the renewal term of copyright subsisting in any work on the date of approval of this resolution, or the term thereof as extended by Public Law 87-668, by Public Law 89-142, or by Public Law 90-141 (or by all or certain of said laws), would expire prior to December 31, 1969, such term is hereby continued until December 31, 1969.

Mr. POFF. Mr. Speaker, I strongly endorse the remarks of the distinguished gentleman from Wisconsin [Mr. Kasten-

MEIER]. Enactment of this legislation is absolutely essential.

In April of last year, by overwhelming vote, the House passed the first general copyright law revision since 1909. That revision includes a substantial extension of the term of new copyrights and also provides a 19-year extension of existing copyrights.

Unfortunately, due to complications which are not related to copyright term, the other body is unable to complete its work on the revision bill during the present session. I have been assured, however, that definitive action in the other body may be expected early in the coming session of Congress.

Meanwhile, unless this joint resolution is adopted, approximately 69,000 copyrights will expire and their owners will lose the benefit of the extended term which the revision bill will ultimately provide. This would be an ironical and indefensible result.

I should reemphasize that the House has already passed a bill that would grant a longer extension of existing copyrights than is provided by this joint resolution and that the resolution will confer upon the holders of these copyrights no greater benefit than that which other holders will receive from the enactment of the revision bill.

I urge unanimous support for the joint resolution.

The Senate joint resolution was ordered to be read a third time, was read the third time and passed, and a motion to reconsider was laid on the table.

REGULATION OF FUTURES TRADING IN FROZEN CONCENTRATED ORANGE JUICE

The Clerk called the bill (S. 3143) to amend the Commodity Exchange Act, as amended, to make frozen concentrated orange juice subject to the provisions of such act.

Mr. JOHNSON of Pennsylvania. Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

NORTHWEST ATLANTIC FISHERIES ACT

The Clerk called the bill (S. 1260), to amend the Northwest Atlantic Fisheries Act of 1950 (Public Law 81-845).

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. GROSS. Mr. Speaker, reserving the right to object, I should like to ask how many members will be on the advisory commission?

Mr. ROYBAL. Mr. Speaker, will the gentleman yield?

Mr. GROSS. I yield to the gentleman from California.

Mr. ROYBAL. Mr. Speaker, there will be five members on the committee that is to implement this legislation.

Mr. GROSS. There will be five members on the advisory committee?

Mr. ROYBAL. Yes. What this committee will do will be to enlarge the scope of this legislation to make it conform to the changes which have been made in the International Convention for Northwest Atlantic Fisheries. This would be done by broadening the definition of fishing to include harp and hood seals, lobsters, scallops, and certain other types of marine life.

The second part of it includes clarification of an administrative provision regarding the payment of travel expenses to members on the advisory committee. The legislation at the present time limits to five persons the number of industry advisers who can be sent to overseas meetings. There is no comparable language in the act with respect to attendance at meetings held within the United States, which means that under this legislation they will be able to send only five members of the committee and pay the travel expenses of those five members whether the meeting happens to be in or outside of the United States.

Mr. GROSS. Mr. Speaker, I thank the gentleman.

Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER. Is there objection to the present consideration of the bill?

There being no objection, the Clerk read the bill, as follows:

S. 1260

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Northwest Atlantic Fisheries Act of 1950 (64 Stat. 1067; 16 U.S.C. 981-991) is amended as follows:

(a) By changing the period in section 2(a) of the Act to a comma and adding the following words: "and amendments including the 1961 declaration of understanding and the 1963 protocol, as well as the convention signed at Washington under date of February 8, 1949."

(b) By inserting the words "or mammal" after the word "fish" in section 2(g).

(c) By adding a new subsection (h) in section 2 of the Act to read as follows:

"(h) Fish: The word 'fish' means any species of fish, mollusks, crustaceans, including lobsters, and all forms of marine animal life covered by the convention."

(d) By deleting the words "outside of the United States" in section 4(b).

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

PROHIBITING SUPPORT ACTIVITIES BY FOREIGN VESSELS IN THE CONTIGUOUS FISHERY ZONE

The Clerk called the bill (S. 1752), to amend the act prohibiting fishing in the territorial waters of the United States and in certain other areas by vessels other than vessels of the United States and by persons in charge of such vessels.

The SPEAKER. Is there objections to the present consideration of the bill?

Mr. PELLY. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Washington?

There was no objection.

Mr. PELLY. Mr. Speaker, the need for legislation such as S. 1752 and my bill, H.R. 10227, became evident when the U.S. Coast Guard declared Public Law 88-308, the establishment of a 9-mile exclusive fishery zone, as too vague with regard to the transfer of fish from one foreign vessel to another. The Coast Guard was unwilling to seize foreign fishing vessels making such transfers as a result.

Some agencies of the Government are of the opinion that existing law now prohibits activities of support vessels of foreign nations, but with no police support from the Coast Guard because of the position they have taken it becomes mandatory that the Congress strengthen the wording of the law so there will be no doubt as to congressional intent when it comes to the protection of American fishermen within the 9-mile exclusive fishery zone contiguous to territorial waters of the United States.

Mr. Speaker, this is not only legislation which will assure American fishermen of the exclusive rights to their fishing zone, and a market for their fish, but it is a conservation matter of grave concern to the future of this great industry.

I fully support S. 1752.

The SPEAKER. Is there objection to the present consideration of the bill?

There being no objection, the Clerk read the bill, as follows:

S. 1752

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Act entitled "An Act to prohibit fishing in the territorial waters of the United States and in certain other areas by vessels other than vessels of the United States and by persons in charge of such vessels," approved May 20, 1964 (78 Stat. 194), is amended by replacing the first sentence of section 1 with the following: "That it is unlawful for any vessel, except a vessel of the United States, or for any master or other person in charge of such a vessel, to engage in the fisheries within the territorial waters of the United States, its territories and possessions and the Commonwealth of Puerto Rico, or within any waters in which the United States has the same rights in respect to fisheries as it has in its territorial waters or in such waters to engage in activities in support of a foreign fishery fleet or to engage in the taking of any Continental Shelf fishery resource which appertains to the United States except as provided in this Act or as expressly provided by an international agreement to which the United States is a party."

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

GREAT LAKES BASIN COMPACT

The Clerk called the bill (S. 660) granting the consent of Congress to a Great Lakes Basin compact, and for other purposes.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. GROSS. Mr. Speaker, reserving the right to object, I should like to ask someone why we should create this Great Lakes Commission when there is already in existence the Great Lakes Basin Commission?

Mr. ZABLOCKI. Mr. Speaker, will the gentleman yield?

Mr. GROSS. I am glad to yield to the gentleman from Wisconsin.

Mr. ZABLOCKI. It is my understanding it is necessary for Congress to grant *consent, with certain limiting qualifications,* so that the States can cooperate among themselves. Without this type of permissive legislation, although at the present time there is a commission, they could not enter into certain agreements and arrangements. This bill does not *create a new commission. This legislation* expresses congressional consent for the Great Lakes States to enter into a compact.

Mr. ADAIR. Mr. Speaker, will the gentleman yield?

Mr. GROSS. I yield to the gentleman from Indiana.

Mr. ADAIR. Would not the gentleman from Wisconsin agree that it also acquiesces in agreements made with a foreign power, to wit Canada, in the establishment of this compact?

Mr. GROSS. Is the present Commission a subsidiary of the Water Resources Planning Act, or was it created by that act? What is its relationship to the Water Resources Planning Act?

Mr. ZABLOCKI. Mr. Speaker, if the gentleman will yield, I should like to state the present Commission is an advisory body to the Water Commission. As to the Great Lakes Basin compact, I might point out that all eight States in the Great Lakes area have ratified this compact.

Mr. GROSS. That may well be, but I should like to know why we must have two apparently very similar commissions in this field.

Mr. RUMSFELD. Mr. Speaker, will the gentleman yield?

Mr. GROSS. I yield to the gentleman from Illinois.

Mr. RUMSFELD. It is my understanding—and possibly the gentleman from Wisconsin will verify this—that the legislation before us is not to create a new commission. Rather, this bill is in fact merely the granting of the consent of Congress to a Great Lakes Basin compact as required by article I, section 10 of the Constitution. The bill, similar to some 209 such compacts, grants congressional approval to an agreement among the 8 States of the United States and the Government of Canada. While it provides that the Great Lakes Commission shall be an agency of the compacting States, it is not a duplication in any sense. Congressional consent was first sought in 1956, but due to a variety of delays it has taken 12 years to secure House approval. I do hope the gentleman will not now object.

Mr. GROSS. But I believe it does create the Great Lakes Commission, does it not?

Mr. ADAIR. Mr. Speaker, will the gentleman yield?

Mr. GROSS. I yield to the gentleman from Indiana.

Mr. ADAIR. I would agree with the statement just made by the gentleman from Illinois, that this rather establishes the limits of the authority, the authority with which it may act, as between the several States of the United States and with respect to agreements made with Canada.

Mr. GROSS. May I have the assurance of someone who apparently is directly interested in this legislation that eventually there will not be a demand on the Federal Government for the support of *this Commission or Commissions?*

Mr. ZABLOCKI. Mr. Speaker, will the gentleman yield?

Mr. GROSS. I am glad to yield to the gentleman from Wisconsin.

Mr. ZABLOCKI. The gentleman is pleased to assure the gentleman from *Iowa that another commission is not* being authorized by this proposal. Further, it will not cost the Federal Government any money.

Mr. GROSS. I thank the gentleman.

Mr. Speaker, I withdraw my reservation.

Mr. ZABLOCKI. Mr. Speaker, S. 660 grants the consent of Congress, with certain limiting qualifications, to the Great Lakes Basin compact which has been entered into by the eight States bordering on the Great Lakes: Illinois, Indiana, Michigan, Minnesota, New York, *Ohio, Pennsylvania, and Wisconsin.*

Article I, section 10, clause 3, of the U.S. Constitution provides:

> No State shall, without the consent of Congress, * * * enter into an agreement or compact with another State, or with a foreign power * * *

As I have advised the gentleman from Iowa, no Federal funds are authorized by the bill, and none are desired.

There is every reason for Congress to consent to this compact. The legislatures of all of the States directly concerned have ratified and, in accordance with the Constitution, they are asking congressional consent.

This bill contains language which has been agreed upon by the various interested parties, some of whom have in the past opposed similar legislation.

The States want it. Those agencies and organizations which have expressed opposition in the past are satisfied. Congress should give its consent.

Almost the entire text of the bill—from the beginning of page 2 to line 8, page 14—is taken up with the text of the Great Lakes Basin compact.

In a sense, the only real legislative provisions of the bill are sections 2 and 3, beginning on page 14, which withhold consent to certain provisions of the compact.

Assent by the Congress to this compact was originally sought in 1956, and it has been before the Congress, off and on, ever since.

The compact as ratified by the States provides for membership by the Canadian Provinces of Ontario and Quebec, and the Great Lakes Commission is empowered to make recommendations to the Government of Canada as well as to the United States. This was regarded by the Department of State as infringing on the jurisdiction of the Federal Government with respect to dealing with foreign affairs.

The bills considered in previous Congresses and those now pending before the Committee on Foreign Affairs dealt with this issue by specifying that congressional consent is not given to designated provisions of the compact which purport to authorize recommendations to and cooperation with foreign governments or their subdivisions.

In the early days, opposition to the compact was expressed by the represent*atives of the New York Power Authority,* the Buffalo Chamber of Commerce, and the Cleveland Chamber of Commerce—which was before New York and Ohio ratified the compact.

When the committee considered the compact in 1966, all of the earlier ob*jections had been taken care of but the* power authority of the State of New York, which has responsibility for the power resources of the Niagara and St. Lawrence Rivers and which operates power facilities in cooperation with the Province of Ontario, objected on the grounds that the restrictions imposed by *the legislation on the rights of the Great* Lakes Commission to deal with Canada "would constitute the basis for contentions that necessary activities carried on by the power authority in dealing with Canadian entities are unlawful."

Last February, all of the interested parties, including the Federal departments and agencies and the New York Power Authority, got together and agreed on the language contained in sections 2 and 3 of the bill before us.

In view of the fact that the Constitution provides for congressional approval *of the compact and that all of the interested* parties are satisfied, it makes good sense for the Congress to give assent.

Mr. O'HARA of Illinois. Mr. Speaker, the matter of a Great Lakes Basin compact has been before the House for many years and why the bill to give congressional consent should be pressed in the closing days of this Congress is explained only by the claim that it took time to satisfy the objections of the State of New York and our own State Department.

In November of this year, all the Great Lakes States will hold elections that will make changes in the gubernatorial and legislative offices. I would think it the part of wisdom to await the results of these elections instead of rushing to enactment a measure that has lain dormant for so many years and which, perchance, might not be acceptable to one or more of the new State administrations. While I do not anticipate that such would be the case, nevertheless, I do have a strong sense of caution when life suddenly comes at the legislative midnight to a measure that has been soundly sleeping through many Congresses.

Frankly, I have been opposed to the compact, because when Lake Michigan diversion was so vital to the health and welfare of Chicago and Illinois, the other Great Lakes States turned thumbs down. I do not vision an alert card player willingly going up against a stacked deck. While the matter of Lake Michigan water diversion may or may not be on its way to satisfactory adjustment, other questions of policy and interest will arise and I would feel easier if I knew to a certainty that always Illinois would not be outvoted as it was in the diversion matter; Illinois on one side, all the other Great Lakes States on the other.

Nor am I as certain as are many others that regional rule and sovereignty should be substituted for State government. I appreciate as much as anyone that there are many serious problems, of which pollution is not the least, that are of common concern to States in the same water area. But whether these problems can reach the wisest and fairest of solutions by the withdrawal of the sovereignty of the individual States and the substitution by compact of a regional supergovernment has not as yet been conclusively demonstrated.

It may be that in time the wisdom of regional supergovernments will be demonstrated so conclusively that another generation will change our Constitution to do away with States altogether and in their stead substitute regional governments. I make no such prediction, but I do most seriously urge upon my colleagues in this Congress and the Members of future Congresses, of which I shall not be a Member, a study in depth.

Section 10, article I, of the Constitution provides:

> No State shall, without the consent of the Congress, enter into any Agreement or Compact with another State, or with a foreign Power.

The responsibility placed upon the Congress by the Constitution is not to be treated trivially or discharged lightly and in haste. The increasing number of compacts, and the apparently sound arguments in their behalf, would seem to argue that no new compacts should be approved without the most thoroughgoing for research. In the instant case, one reason given for the delay since 1966 was that objection of the original draft was raised both by the State of New York and by the State Department. The draft was rewritten to meet both objections.

Mr. Speaker, having discussed at perhaps too much length my own views on the Great Lakes Basin compact, and having very earnestly warned against undue haste in the approval of future compacts, I hope I will not be regarded as inconsistent in voting for S. 660. Here are the circumstances and the considerations that are the determining factors in my voting for the bill:

In September 1966, I received the following letter from the Honorable Otto Kerner, then Governor of Illinois and now a member of the Circuit Court of Appeals of the United States.

> SEPTEMBER 30, 1966.
>
> DEAR CONGRESSMAN O'HARA: I understand that bills for Congressional consent to the Great Lakes Basin Compact are now pending before the House Foreign Affairs Committee, of which you are an esteemed member. I have been most concerned and an active supporter of the work of the Great Lakes Commission, and have participated in many of its activities to solve the water problems common to the Great Lakes and the eight adjoining states. Our United States Constitution provides for Congressional consent to agreements between states. In accordance with this provision, I am in support of H.R. 937 and the companion bills which grant Congressional ratification to the Great Lakes Compact.
>
> Please bear in mind that these bills will not in any way affect Illinois' position with regard to the diversion problem which is now before the United States Supreme Court pending a decision by the Special Master.
>
> Your support of these bills would be deeply appreciated.
>
> Sincerely,
>
> OTTO KERNER,
> *Governor.*

Governor Kerner is the son of one of the all-time greatest of the judges and public officials of the State of Illinois, a warm friend of mine. He is the son-in-law of another warm friend, a former president of the Cook County board and later mayor of Chicago, truly a great chief executive of the second city in America, Mayor Cermak.

Governor Kerner, himself, has a record of brilliant achievement, second to none in all the Nation, as combat general in time of war, as jurist, as district attorney, and Governor of the great State of Illinois.

I told him that as Governor of Illinois and a participant in many activities to solve the perplexing water problems of our region, he was in a much better position to judge and that, as a Congressman from Illinois, I would give my loyal support to the Governor of Illinois. That was in the fall of 1966.

The matter never came up again in the Committee on Foreign Affairs until last week. Although S. 660 was introduced in the House by a number of Members, no one approached me and, when it came up in the committee of which I had been a member for many years, I was taken completely by surprise.

It was later that I learned that the 2 years from 1966 to halfway in 1968 were used in working out an agreement with the State of New York and in meeting the proper objections of the State Department. This doubtless has resulted in a better bill. It also should stand as a warning in the future against the hasty and casual approval by the Congress of proposed State compacts.

Mr. Speaker, in a long public career now drawing to a close, I have never broken my word. I am happy to keep my word to Governor Kerner in 1966 by voting in 1968 for the Great Lakes Basin compact.

If the fight against pollution is to be won, and all the Great Lakes saved from becoming seas of death, the prayers, the dedication, the brains, the muscle and the handiwork of all our people in all our region must be put unselfishly and tirelessly into the task. The passage of this bill by consent, without one voice raised to stop its enactment, may be a good omen.

My best wishes go to Mr. Meserow and all the others who have worked so diligently for the day when the States of the Great Lakes region could work together as a team, approved by the Federal Government, to remove the dangers, solve the common problems, and advance the welfare of all the great States of our region.

GENERAL LEAVE TO EXTEND

Mr. ZABLOCKI. Mr. Speaker, I ask unanimous consent that all Members may extend their remarks prior to the passage on the Consent Calendar of the bill S. 660, granting the consent of Congress to a Great Lakes Basin compact, and for other purposes.

The SPEAKER. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

The SPEAKER. Is there objection to the present consideration of the bill?

There being no objection, the Clerk read the bill as follows:

S. 660

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the consent of Congress is hereby given, to the extent and subject to the conditions hereinafter set forth, to the Great Lakes Basin Compact which has been entered into by the States of Illinois, Indiana, Michigan, Minnesota, New York, Ohio, Pennsylvania and Wisconsin in the form as follows:

"GREAT LAKES BASIN COMPACT

"The party states solemnly agree:

"ARTICLE I

"The purposes of this compact are, through means of joint or cooperative action:

"1. To promote the orderly, integrated, and comprehensive development, use, and conservation of the water resources of the Great Lakes Basin (hereinafter called the Basin).

"2. To plan for the welfare and development of the water resources of the Basin as a whole as well as for those portions of the Basin which may have problems of special concern.

"3. To make it possible for the states of the Basin and their people to derive the maximum benefit from utilization of public works, in the form of navigational aids or otherwise, which may exist or which may be constructed from time to time.

"4. To advise in securing and maintaining a proper balance among industrial, commercial, agricultural, water supply, residential, recreational, and other legitimate uses of the water resources of the Basin.

"5. To establish and maintain an intergovernmental agency to the end that the purposes of this compact may be accomplished more effectively.

"ARTICLE II

"A. This compact shall enter into force and become effective and binding when it has been enacted by the legislatures of any four of the States of Illinois, Indiana, Michigan, Minnesota, New York, Ohio, Pennsylvania, and Wisconsin and thereafter shall enter into force and become effective and binding as to any other of said states when enacted by the legislature thereof.

"B. The Province of Ontario and the Province of Quebec, or either of them, may become states party to this compact by taking such action as their laws and the laws of the Government of Canada may prescribe for adherence thereto. For the purpose of this compact the word 'state' shall be construed to include a Province of Canada.

"ARTICLE III

"The Great Lakes Commission created by Article IV of this compact shall exercise its powers and perform its functions in respect to the Basin which, for the purposes of this compact, shall consist of so much of the following as may be within the party states:

"1. Lakes Erie, Huron, Michigan, Ontario, St. Clair, Superior, and the St. Lawrence River, together with any and all natural or man-made water interconnections between or among them.

"2. All rivers, ponds, lakes, streams, and other watercourses which, in their natural state or in their prevailing conditions, are tributary to Lakes Erie, Huron, Michigan, Ontario, St. Clair, and Superior or any of them or which compromise part of any watershed draining into any of said lakes.

"ARTICLE IV

"A. There is hereby created an agency of the party states to be known as The Great Lakes Commission (hereinafter called the Commission). In that name the Commission may sue and be sued, acquire, hold and convey real and personal property and any interest therein. The Commission shall have a seal with the words 'The Great Lakes Commission' and such other design as it may prescribe engraved thereon by which it shall authenticate its proceedings. Transactions involving real or personal property shall conform to the laws of the state in which the property is located, and the Commission may by by-laws provide for the execution and acknowledgement of all instruments in its behalf.

"B. The Commission shall be composed of not less than three commissioners nor more than five commissioners from each party state designated or appointed in accordance with the law of the state which they represent and serving and subject to removal in accordance with such law.

"C. Each state delegation shall be entitled to three votes in the Commission. The presence of commissioners from a majority of the party states shall constitute a quorum for the transaction of business at any meeting of the Commission. Actions of the Commission shall be by a majority of the votes cast except that any recommendations made pursuant to Article VI of this compact shall require an affirmative vote of not less than a majority of the votes cast from each of a majority of the states present and voting.

"D. The Commissioners of any two or more party states may meet separately to consider problems of particular interest to their states but no action taken at any such meeting shall be deemed an action of the Commission unless and until the Commission shall specifically approve the same.

"E. In the absence of any commissioner, his vote may be cast by another representative or commissioner of his state provided that said commissioner or other representative casting said vote shall have a written proxy in proper form as may be required by the Commission.

"F. The Commission shall elect annually from among its members a chairman and vice-chairman. The Commission shall appoint an Executive Director who shall also act as secretary-treasurer, and who shall be bonded in such amount as the Commission may require. The Executive Director shall serve at the pleasure of the Commission and at such compensation and under such terms and conditions as may be fixed by it. The Executive Director shall be custodian of the records of the Commission with authority to affix the Commission's official seal and to attest to and certify such records or copies thereof.

"G. The Executive Director, subject to the approval of the Commission in such cases as its by-laws may provide, shall appoint and remove or discharge such personnel as may be necessary for the performance of the Commission's functions. Subject to the aforesaid approval, the Executive Director may fix their compensation, define their duties, and require bonds of such of them as the Commission may designate.

"H. The Executive Director, on behalf of, as trustee for, and with the approval of the Commission, may borrow, accept, or contract for the services of personnel from any state or government or any subdivision or agency thereof, from any inter-governmental agency, or from any institution, person, firm or corporation; and may accept for any of the Commission's purposes and functions under this compact any and all donations, gifts, and grants of money, equipment, supplies, materials, and services from any state or government or any subdivision or agency thereof or inter-governmental agency or from any institution, person, firm or corporation and may receive and utilize the same.

"I. The Commission may establish and maintain one or more offices for the transacting of its business and for such purposes the Executive Director, on behalf of, as trustee for, and with the approval of the Commission, may acquire, hold and dispose of real and personal property necessary to the performance of its functions.

"J. No tax levied or imposed by any party state or any political subdivision thereof shall be deemed to apply to property, transactions, or income of the Commission.

"K. The Commission may adopt amend and rescind by-laws, rules and regulations for the conduct of its business.

"L. The organization meeting of the Commission shall be held within six months from the effective date of the compact.

"M. The Commission and its Executive Director shall make available to the party states any information within its possession and shall always provide free access to its records by duly authorized representatives of such party states.

"N. The Commission shall keep a written record of its meetings and proceedings and shall annually make a report thereof to be submitted to the duly designated official of each party state.

"O. The Commission shall make and transmit annually to the legislature and Governor of each party state a report covering the activities of the Commission for the preceding year and embodying such recommendations as may have been adopted by the Commission. The Commission may issue such additional reports as it may deem desirable.

"ARTICLE V

"A. The members of the Commission shall serve without compensation, but the expenses of each commissioner shall be met by the state which he represents in accordance with the law of that state. All other expenses incurred by the Commission in the course of exercising the powers conferred upon it by this compact, unless met in some other manner specifically provided by this compact, shall be paid by the Commission out of its own funds.

"B. The Commission shall submit to the executive head or designated officer of each party state a budget of its estimated expenditures for such period as may be required by the laws of that state for presentation to the legislature thereof.

"C. Each of the Commission's budgets of estimated expenditures shall contain specific recommendations of the amount or amounts to be appropriated by each of the party states. Detailed commission budgets shall be recommended by a majority of the votes cast, and the costs shall be allocated equitably among the party states in accordance with their respective interests.

"D. The Commission shall not pledge the credit of any party state. The Commission may meet any of its obligations in whole or in part with funds available to it under Article IV(H) of this compact, provided that the Commission takes specific action setting aside such funds prior to the incurring of any obligations to be met in whole or in part in this manner. Except where the Commission makes use of funds available to it under Article IV(H) hereof, the Commission shall not incur any obligations prior to the allotment of funds by the party states adequate to meet the same.

"E. The Commission shall keep accurate accounts of all receipts and disbursements. The receipts and disbursements of the Commission shall be subject to the audit and accounting procedures established under the by-laws. However, all receipts and disbursements of funds handled by the Commission shall be audited yearly by a qualified public accountant and the report of the audit shall be included in and become a part of the annual report of the Commission.

"F. The accounts of the Commission shall be open at any reasonable time for inspection by such agency, representative or representatives of the party states as may be duly constituted for that purpose and by others who may be authorized by the Commission.

"ARTICLE VI

"The Commission shall have power to:

"A. Collect, correlate, interpret, and report on data relating to the water resources and the use thereof in the Basin or any portion thereof.

"B. Recommend methods for the orderly, efficient, and balanced development, use and conservation of the water resources of the Basin or any portion thereof to the party states and to any other governments or agencies having interests in or jurisdiction over the Basin or any portion thereof.

"C. Consider the need for and desirability of public works and improvements relating to the water resources in the Basin or any portion thereof.

"D. Consider means of improving navigation and port facilities in the Basin or any portion thereof.

"E. Consider means of improving and maintaining the fisheries of the Basin or any portion thereof.

"F. Recommend policies relating to water resources including the institution and alteration of flood plain and other zoning laws, ordinances and regulations.

"G. Recommend uniform or other laws, ordinances, or regulations relating to the development, use and conservation of the Basin's water resources to the party states or any of them and to other governments, political subdivisions, agencies or inter-governmental bodies having interests in or jurisdiction sufficient to affect conditions in the Basin or any portion thereof.

"H. Consider and recommend amendments or agreements supplementary to this compact to the party states or any of them, and assist in the formulation and drafting of such amendments or supplementary agreements

"I. Prepare and publish reports, bulletins, and publications appropriate to this work and fix reasonable sales prices therefor.

"J With respect to the water resources of the Basin or any portion thereof, recommend agreements between the governments of the United States and Canada.

"K. Recommend mutual arrangements expressed by concurrent or reciprocal legislation on the part of Congress and the Parliament of Canada including but not limited to such agreements and mutual arrangements as are provided for by Article XIII of the Treaty of 1909 Relating to Boundary Waters and Questions Arising Between the United States and Canada. (Treaty Series. No. 548.)

"L. Cooperate with the governments of the United States and of Canada, the party states and any public or private agencies or bodies having interests in or jurisdiction sufficient to affect the Basin or any portion thereof.

"M. At the request of the United States, or in the event that a Province shall be a party state, at the request of the Government of Canada, assist in the negotiation and formulation of any treaty or other mutual arrangement or agreement between the United States and Canada with reference to the Basin or any portion thereof.

"N. Make any recommendation and do all things necessary and proper to carry out the powers conferred upon the Commission by this compact, provided that no action of the Commission shall have the force of law in, or be binding upon, any party state.

"ARTICLE VII

"Each party state agrees to consider the action the Commission recommends in respect to:

"A. Stabilization of lake levels.

"B. Measures for combating pollution, beach erosion, floods and shore inundation.

"C. Uniformity in navigation regulations within the constitutional powers of the states.

"D. Proposed navigation aids and improvements.

"E. Uniformity or effective coordinating action in fishing laws and regulations and cooperative action to eradicate destructive and parasitical forces endangering the fisheries, wildlife and other water resources.

"F. Suitable hydroelectric power developments.

"G. Cooperative programs for control of soil and bank erosion for the general improvement of the Basin.

"H. Diversion of waters from and into the Basin.

"I. Other measures the Commission may recommend to the states pursuant to Article VI of this compact.

"ARTICLE VIII

"This compact shall continue in force and remain binding upon each party state until renounced by the act of the legislature of such state, in such form and manner as it may choose and as may be valid and effective to repeal a statute of said state, provided that such renunciation shall not become effective until six months after notice of such action shall have been officially communicated in writing to the executive head of the other party states.

"ARTICLE IX

"It is intended that the provisions of this compact shall be reasonably and liberally construed to effectuate the purposes thereof. The provisions of this compact shall be severable and if any phrase, clause, sentence or provision of this compact is declared to be contrary to the constitution of any party state or of the United States, or in the case of a Province, to the British North America Act of 1867 as amended, or the applicability thereof to any state, agency, person or circumstance is held invalid, the constitutionality of the remainder of this compact and the applicability thereof to any state, agency, person or circumstance shall not be affected thereby, provided further that if this compact shall be held contrary to the constitution of the United States, or in the case of a Province, to the British North America Act of 1867 as amended, or of any party state, the compact shall remain in full force and effect as to the remaining states and in full force and effect as to the state affected as to all severable matters."

SEC. 2. The consent herein granted does not extend to paragraph B of article II or to paragraphs J, K, and M of article VI of the compact, or to other provisions of article VI of the compact which purport to authorize recommendations to, or cooperation with, any foreign or international governments, political subdivisions, agencies or bodies. In carrying out its functions under this Act the Commission shall be solely a consultative and recommendatory agency which will cooperate with the agencies of the United States. It shall furnish to the Congress and to the President, or to any official designated by the President, copies of its reports submitted to the party states pursuant to paragraph O of article IV of the compact.

SEC. 3. Nothing contained in this Act or in the compact consented to hereby shall be construed to affect the jurisdiction, powers, or prerogatives of any department, agency, or officer of the United States Government or of the Great Lakes Basin Committee established under title II of the Water Resources Planning Act, or of any international commission or agency over or in the Great Lakes Basin or any portion thereof, nor shall anything contained herein be construed to establish an international agency or to limit or affect in any way the exercise of the treatymaking power or any other power or right of the United States.

SEC. 4. The right to alter, amend, or repeal this Act is expressly reserved.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

AUTHORIZING ACCEPTANCE FOR THE NATIONAL STATUARY HALL, COLLECTION OF STATUES OF FATHER DAMIEN AND KING KAMEHAMEHA I, PRESENTED BY THE STATE OF HAWAII

The Clerk called the concurrent resolution (S. Con. Res. 75) authorizing acceptance for the National Statuary Hall collection of statues of Father Damien and King Kamehameha I, presented by the State of Hawaii.

S. CON. RES. 75

Resolved by the Senate (the House of Representatives concurring), That the statues of Father Damien and King Kamehameha I, presented by the State of Hawaii for the National Statuary Hall collection, are accepted in the name of the United States, and that the appreciation of the Congress is expressed to the State for the contribution of the statues of two of its most eminent personages, illustrious for their historic renown and distinguished civic services.

SEC. 2. The State of Hawaii is hereby authorized to place temporarily in the rotunda of the Capitol the statues of Father Damien and King Kamehameha I referred to in the first section of this concurrent resolution, and to hold ceremonies in the rotunda on said occasion. The Architect of the Capitol is hereby authorized to make the necessary arrangements therefor.

SEC. 3. (a) The proceedings authorized by section 2 of this concurrent resolution to be held in the rotunda of the Capitol, together with appropriate illustrations and other pertinent matter, shall be printed as a Senate document. The copy for such document shall be prepared under the direction of the Joint Committee on Printing.

(b) There shall be printed five thousand additional copies of such document, which shall be bound in such style as the Joint Committee on Printing shall direct, of which one hundred and three copies shall be for the use of the Senate and two thousand eight hundred and fifty-eight copies shall be for the use of the Members of the Senate from the State of Hawaii, and four hundred and thirty-nine copies shall be for the use of the House of Representatives and one thousand six hundred copies shall be for the use of the Members of the House of Representatives from the State of Hawaii.

SEC. 4. A copy of this concurrent resolution, suitably engrossed and duly authenticated, shall be transmitted to the Governor of Hawaii.

Mr. MATSUNAGA. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Hawaii?

There was no objection.

Mr. MATSUNAGA. Mr. Speaker, I consider it a rare privilege on my part to rise in support of Senate Concurrent Resolution 75. This concurrent resolution would authorize the acceptance in the name of the United States the statues presented by the State of Hawaii of two of its most eminent personages, "illustrious for their historic renown and distinguished civic services," for commemoration in the National Statuary Hall of the Capitol. These are the statues of the Reverend Joseph Damien De Veuster, a Roman Catholic priest, and King Kamehameha I, the first monarch of all the islands of Hawaii.

The resolution also provides for the temporary placement of these statues in the rotunda of the Capitol for appropriate ceremonies before they are moved to their permanent location in the National Statuary Hall.

Mr. Speaker, the statues in truth commemorate two of Hawaii's most illustrious citizens. One, Father Damien, was a minister in every sense of the word to his banished flock, and the other, King Kamehameha, was a warrior who united the Hawaiian Islands under one rule and thereafter, through his able statesmanship, led the young kingdom on to wealth and prosperity.

Father Damien was born in Belgium in 1840 and came to Hawaii at the age of 24. He completed his studies for priesthood a few months after his arrival in Hawaii, and in May 1864, he was ordained in the Cathedral of our Lady of Peace in Honolulu. Nine years later, in 1873, after he had served in an area on the Island of Hawaii where Kamehameha was born over 100 years before, Father Damien asked to be sent to the leper colony on the tiny island of Molokai. As the resident priest on Molokai, Father Damien served his unfortunate parishioners in almost every conceivable capacity. Because of the lack of doctors, he rendered medical services. He was also an administrator, undertaker, coffinmaker, grave digger, builder of homes and champion of the afflicted. His compassion for his flock knew no bounds, and he labored day and night for 16 years before he died of the disease himself at the age of 49. For over three-quarters of a century since the death of Father Damien, the story of his voluntary sojourn among the lepers of Molokai has been told again and again, and it continues to inspire men and women throughout the world.

King Kamehameha, the second citizen whom we honor, will be the first monarch to grace the Halls of the U.S. Congress. He was born in the late 1750's in Kohala, on the Island of Hawaii, one of the four kingdoms into which Hawaii was then divided. He was said to have been born on a stormy winter night, under weather conditions indicating the nature of his future adult life. As one of the six lesser chiefs in his island district, young Kamehameha led the others in successful wars to insure an equitable distribution of land. After overcoming rival chiefs on the Island of Hawaii, Kamehameha transported his large army on war canoes to Maui, Molokai and Oahu, successively, and these islands, along with Hawaii, were unified under his rule in 1795. The two remaining islands, Kauai and Niihau, were later ceded without a fight.

This unification of the islands into the Hawaiian kingdom was the foundation of the polity from which eventually emerged the Territory and still later the State of Hawaii.

For two decades after the islands were unified, Kamehameha displayed unusual qualities of statesmanship. To Europe and America, from which traders and explorers were beginning to come in growing numbers, Kamehameha's young kingdom showed its strength to remain independent. On the other hand, Kamehameha's policy of fairness in dealing with foreign traders soon added to the wealth and prosperity of the island kingdom.

To his own subjects, King Kamehameha proved to be a most sagacious ruler, and the islands quickly emerged from the period of conquest into an era of growth and prosperity. He had chiefs as well as commoners raising food. He encouraged the growth of new industries. He put down crime and disorder, which apparently are not peculiar to our own times. By his famous decree of the "splintered paddle" he made the highways and byways safe for all pedestrians.

King Kamehameha died in 1819 on the island which had seen his birth and the beginning of his unification of the Hawaiian Islands.

Mr. Speaker, Hawaii deems these two citizens, Father Damien and King Kamehameha I, worthy of this national commemoration, and I therefore strongly urge that this body adopt Senate Concurrent Resolution 75.

Mrs. MINK. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentlewoman from Hawaii?

There was no objection.

Mrs. MINK. Mr. Speaker, I am extremely proud to speak in favor of Senate Concurrent Resolution 75, authorizing the Congress to accept the statues of Father Damien and King Kamehameha I, for the National Statuary Hall as gifts of the State of Hawaii.

For years, people who have visited Hawaii have been impressed with our aloha spirit and have endeavored to define this unique charm of our people. Father Damien and King Kamehameha I, epitomize this spirit to aloha and friendship by their devotion to humanity and for this great achievement to the development of our State of Hawaii. Their choice as Hawaii's two most outstanding statesmen is a tribute which each deserves without qualification.

Father Damien left his native land of Belgium in 1840 and journeyed to Hawaii in 1864 as a missionary. He was ordained in the Cathedral of Our Lady of Peace in Honolulu in May of that year. On the big island of Hawaii, he first came face to face with the dreaded disease of leprosy. He watched as parents were shipped to lifetime exile on the island of Molokai, and he saw the sadness which swept over a community when the disease was discovered. Realizing that he could not become thoroughly involved in the care and comfort of these patients from a distance, in 1873 Father Damien volunteered to join the colony of patients on Molokai and from there on his life took on meaning which has remained for the people to admire and revere.

Father Damien became the world and its hope to his followers on Molokai—he was their clergyman, the administrator of the island, the farmer, the grocer, the teacher, the nurse, and true friend. After 16 years he became a victim of his own love and died of the same illness which struck down so many of his friends on that lonely island. Queen Liliuokalani bestowed on him the Order of Knight Commander of the Royal Order of Kalakaua for his love and devotion to these lonely outcasts for whom he sacrificed his life.

In keeping with the spirit of his work, I am pleased that Hawaii has selected this humble man to represent our State in the National Statuary Hall, as a symbol of hope and faith for the seemingly most hopeless. His belief that in time a cure would be found has, we all know, come true, and his kind of faith is what is still needed to help us guide this world to a purity of peace and love.

King Kamehameha was Hawaii's first monarch and shall be renowed for his leadership and ability to unite his people. He foresaw, in the 18th century, a great role for these islands of the Pacific and through this drive and determination he brought together his warring brothers. King Kamehameha knew that the various tribes of natives were doing irreparable harm to themselves and their islands. He wanted to see them working together and ultimately this became his most worthy contribution to the history of Hawaii.

First as one of the four ruling chiefs he ruled in the Kona District of the Island of Hawaii and was active in campaigns for an equitable distribution of land. He saw the value in cooperating with foreign countries and received their aid in his efforts to win converts from the other islands to his crusade for unity.

One by one the islands were won over. His reign over a unified kingdom of Hawaii islands which ended with his death in 1819 is described in the report which accompanies this legislation, which says:

> During the two decades after the islands were united, King Kamehameha showed his statesmanship by quickly restoring the islands to prosperity. He urged the chiefs and commoners to raise food. Disorder and crime were put down and industry flourished. His policy of fairness in dealing with the traders from foreign lands who had begun to come to the ports of the kingdom added to its wealth and prosperity.

Indeed, King Kamehameha's greatest gift to Hawaii was the spirit of unity and cooperation that he constantly strove to achieve, and which has endured over the past 150 years. We in Hawaii honor his memory each year on January 11, a State holiday, and I am happy that soon we shall be able to do fitting remembrance here in the Nation's Capital to a native pioneer son of the 50th State, our own first and foremost statesman, King Kamehameha I.

The Senate concurrent resolution was concurred in.

A motion to reconsider was laid on the table.

AMENDING THE ACT OF AUGUST 25, 1959 (73 STAT. 420) PERTAINING TO THE AFFAIRS OF THE CHOCTAW TRIBE OF OKLAHOMA

The Clerk called the bill (H.R. 16086) to amend the act of August 25, 1959 (73 Stat. 420) pertaining to the affairs of the Choctaw Tribe of Oklahoma.

There being no objection, the Clerk read the bill as follows:

H.R. 16086

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Act of August 25, 1959 (73 Stat. 420), is amended to read as follows: "In order to complete the action for the Choctaw Tribe authorized by the Act of April 26, 1906 (34 Stat. 137), entitled 'An Act to provide for the final disposition of the affairs of the Five Civilized Tribes in the Indian Territory, and for other purposes', the Secretary of the Interior is authorized and directed:

"Except as to lands or interests therein designated to be reserved by the principal officer of the Choctaw Tribe, to sell as soon as possible, upon such terms and conditions as he deems proper, all lands, interests therein, and improvements thereon that now or hereafter belong to the Choctaw Tribe, or to the Choctaw and Chickasaw Tribes jointly, and either are held by the United States in trust for the tribe or tribes or are subject to a restriction against alienation imposed by the United States.

"SEC. 2. All right, title, and interest in any lands held by the United States of America, or in trust for the Choctaw Tribe, the Chickasaw Tribe, or jointly for the benefit of these tribes, that were acquired pursuant to the Oklahoma Welfare Act of June 26, 1936 (49 Stat. 1967), as amended (25 U.S.C. 501, 509), or the Indian reorganization Act of June 18, 1934 (48 Stat. 948), as amended (25 U.S.C. 461 and the following), are from the date of this Act held by the United States in trust as follows:

"(a) For the Choctaw Tribe: All land and interest therein where the trust title is held by the United States of America for the Choctaw Tribe, or for its benefit until assigned by the Secretary, and minerals underlying such lands reserved from sale prior to the date of this Act.

"(b) For the Chickasaw Tribe: All land and interest where the trust title is held by the United States of America for the Chickasaw Tribe, or for its benefit until assigned by the Secretary, and minerals underlying such lands reserved from sale prior to the date of this Act.

"(c) For the Choctaw Tribe (undivided three-fourths (¾) interest) and for the Chickasaw Tribe (undivided one-fourth (¼) interest): All land and interest where the trust title is held by the United States of America for these tribes jointly, or for the tribes' benefit until assigned by the Secretary, and minerals underlying such lands reserved from sale prior to the date of this Act.

"(d) The lands or interests covered by this section are subject to the provisions of section 1: *Provided,* That the lands or interests under (b) shall be sold only upon request of the principal officer of the Chickasaw Tribe.

"SEC. 3. (a) To convey upon request of the Choctaw Tribe to a trustee, or corporation or other legal entity that is organized under State law, and that is designated by the tribe and approved by the Secretary, an unrestricted title to any of the lands or minerals that are subject to sale or reserved under section 1: *Provided,* That if such lands are held for the benefit of the Choctaw and Chickasaw Tribes jointly, the Choctaw Tribe shall pay to the Chickasaw Tribe, prior to such conveyance, the appraised value of the undivided Chickasaw interest.

"(b) To convey to the life tenant, his heirs, devisees, successors, or assigns unrestricted title to the entire interest in lands and improvements thereon, including mineral deposits, that were acquired pursuant to the Oklahoma Indian Welfare Act of June 26, 1936 (49 Stat. 1967), as amended (25 U.S.C. 501–509), or the Indian Reorganization Act of June 18, 1934 (48 Stat. 984), as amended (25 U.S.C. 461 and the following), by the United States in trust for a designated individual Indian for his lieftime and thereafter in trust for the tribe.

"SEC. 4. Nothing in this Act shall deprive any Indian of an individual right, ownership, or contract right he may have in land that is sold.

"SEC. 5. Any one or more of the enrolled members of the Choctaw Tribe or their descendants who occupy under a written lease or permit from the Bureau of Indian Affairs a portion of any lands subject to sale under the provisions of this Act shall have the right to purchase at such sale the lands which they occupy for a price equal to the highest acceptable competitive bid therefor, less the appraised value of any improvements which they may have placed thereon and which were not a part of the consideration for the lease or permit.

"Sec. 6. The Secretary of the Interior is authorized to execute such patents, deeds, assignments, releases, certificates, contracts, and other instruments as may be necessary or appropriate to carry out the provisions of this Act; or to establish a marketable title to any property disposed of pursuant to this Act.

"Sec. 7. Nothing in this Act shall abrogate any valid lease, permit, license, right of way, lien, or other contract heretofore approved. Whenever such instrument places in or reserves to the Secretary any powers, duties, or other functions with respect to the property subject hereto, the Secretary may transfer such functions, in whole or in part, to any Federal agency with the consent of such agency.

"Sec. 8. The Secretary is authorized to set off against any indebtedness payable to the tribe or to the United States by an individual member of the tribe, or payable to the United States by the tribe, any funds payable to such individual or tribe under this Act and to deposit the amounts set off to the credit of the tribe or the United States as the case may be.

"Sec. 9. The Act of June 18, 1934 (48 Stat. 984), as amended (25 U.S.C. 461), and the Act of June 26, 1936 (49 Stat. 1967), as amended (25 U.S.C. 501–509) shall not apply to the Choctaw Tribe after the date of enactment of this Act: *Provided*, That this section shall not apply to or affect the individual members of the Choctaw Tribe, or associations or groups of members.

"Sec. 10. Nothing in this Act shall affect any claim heretofore filed against the United States by the Choctaw Tribe.

"Sec. 11. Nothing in this Act shall affect the provisions of the Act of August 11, 1955 (69 Stat. 666).

"Sec. 12. No principal chief of the Choctaw Tribe shall be appointed pursuant to section 6 of the Act of April 26, 1906 (34 Stat. 137), after a legal entity is designated and approved pursuant to section 3 of this Act: *Provided*, That this section does not preclude the members of the Choctaw Tribe from perpetuating the office of the principal chief in any manner desired.

"Sec. 13. (a) The Secretary is authorized and directed to distribute per capita to enrollees on the final roll of the Choctaw Tribe of Oklahoma, closed as of March 4, 1907, pursuant to the Act of April 26, 1906 (34 Stat. 137), freedmen excepted, all of the funds held by the United States for the benefit of the Choctaw Tribe except the sum of $100,000. There is authorized to be appropriated from the general fund of the Treasury of the United States such funds as may be needed to defray the expenses of the payment.

"(b) A share or proportional share payable to a living adult shall be paid directly to such adult.

"(c) A share payable to a deceased enrollee shall be distributed to his heirs or legatees upon the filing of proof of death and inheritance satisfactory to the Secretary of the Interior, whose findings upon such proof shall be final and conclusive.

"(d) A share or proportional share payable to a person under twenty one years of age or to a person under legal disability shall be paid in accordance with such procedures as the Secretary determines will adequately protect the best interests of such persons, including the establishment of a common trust.

"(e) The Secretary is authorized to prescribe rules and regulations for making a per capita payment.

"Sec. 14. In any distribution of tribal funds made here after by the Secretary of the Interior to members of the Choctaw Tribe, the heirs of a deceased heir whose inherited share is $5 or less shall not be determined or the share distributed, and no inherited share amounting to $2 or less shall be paid. Such shares shall revert to the tribe.

"Sec. 15. (a) The share of an individual member of an Indian tribe or group in a per capita or other distribution, individualization, segregation, or proration of Indian tribal or group funds held in trust by the United States, or in an annuity payment under a treaty, heretofore or hereafter authorized by law, and any interest earned on such share that is creditable to the individual shall be restored to tribal ownership if for any reason such share cannot be paid to the individual entitled thereto and remains unclaimed for a period of four years from the date of the administrative directive to make the payment.

"(b) Tribal funds that revert to the tribe pursuant to this act and any other funds that belong to or accrue to the credit of the tribe in the United States Treasury, including unused funds set aside under section 13 may be advanced or expended for any purpose that is authorized by the principal chief of the Choctaw Tribe and approved by the Secretary of the Interior, until a trustee is designated and approved or a corporation or other entity is organized.

"Sec. 16. The trustee, corporation, or legal entity organized, designated and approved pursuant to section 3 of this Act, if any, shall be the successor in interest to the Choctaw Tribe for all purposes, except perpetuation of the office of principal chief as provided in section 12. For a period of ten years after such legal entity is organized or a trustee designated and approved, all of its assets shall have the same immunity from the defense of laches and statutes of limitations that the Choctaw Tribe had prior to such time. Until disposed of by the entity or trustee, all of its lands and interests shall be exempt from all forms of Federal, State, or local taxation, except gross production taxes.

"Sec. 17. Nothing in this Act shall be construed to deprive individual Choctaw Indians of any benefits for which they now or hereafter are eligible or are entitled to because of their status as Indians.

"Sec. 18. The Acts of August 24, 1962 (76 Stat. 405), and August 4, 1965 (79 Stat. 432), are hereby repealed."

With the following committee amendment:

Strike all after the enacting clause and insert the following language:

"That the Act of August 25, 1959 (73 Stat. 420), as amended, is further amended as follows: the words 'nine years', which appear twice in section 1(a), once in section 1(d), once in section 11, once in section 12(a), and once in section 12(b), are changed to 'eleven years'."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

The SPEAKER. This concludes the call of the Consent Calendar.

VOCATIONAL EDUCATION AMENDMENTS OF 1968

Mr. PERKINS. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 18366) to amend the Vocational Education Act of 1963, and for other purposes.

The Clerk read as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Vocational Educational Amendments of 1968".

Sec. 2. The purpose of this Act is to consolidate, broaden, and strengthen existing vocational and technical education programs; to encourage further the development and establishment of vocational and technical educational programs at the secondary, postsecondary, and adult levels; to assist in the training of vocational educators and increase the number of vocational teachers; to promote the development and establishment of new and exemplary programs and methods in vocational education, including exploratory occupational education programs, work experience programs, and residential school programs; to extend the authorizations for the work-study programs; and to make certain other amendments which will improve such programs and increase flexibility in their administration.

TITLE I—CONSOLIDATION AND IMPROVEMENT OF EXISTING VOCATIONAL EDUCATION PROGRAMS

Sec. 101. (a) Part A of the Act of December 18, 1963, 77 Stat. 403 (Public Law 82–210), which part is known as the Vocational Education Act of 1963, is amended by inserting "TITLE I—VOCATIONAL EDUCATION" immediately above the heading of such part A, and by changing the heading of such part A to read "Part A—Grants for Compensation Programs".

(b) Parts B and C of such Act of December 18, 1963, relating to laws other than vocational education laws, are redesignated as titles II and III of such Act; and sections 21 through 28 and 31 through 33 of such Act are, respectively, redesignated as sections 201 through 208 and 301 through 303.

AUTHORIZATION FOR COMPREHENSIVE PROGRAMS

Sec. 102. (a) Section 2 of the Vocational Education Act of 1963 is amended to read as follows:

"AUTHORIZATION OF APPROPRIATIONS

"Sec. 2. (a) There are hereby authorized to be appropriated for the fiscal year ending June 30, 1969, $355,000,000 and for the fiscal year ending June 3, 1970, and each succeeding fiscal year, $565,000,000 for the purpose of making grants to State as provided in this part.

"(b) There are hereby also authorized to be appropriated for the fiscal year ending June 30, 1969, and the succeeding fiscal year $40,000,000, for the purpose of making grants to the States pursuant to section 4(a)(4)(A). For the fiscal year ending June 30, 1971, and the two succeeding fiscal years, only such sums may be appropriated under this subsection as the Congress may hereafter authorize by law."

(b)(1) The second sentence of section 13(e) of the Vocational Education Act of 1963 is amended to read as follows: "From a State's allotment under this section for the fiscal year ending June 30, 1969, and for each succeeding fiscal year, such payment shall equal *80 per centum of the amount so expended*."

(2) Section 15 of the Vocational Education Act of 1963 is amended to read as follows:

"AUTHORIZATION FOR SECTION 13

"Sec. 15. There is authorized to be appropriated for the purpose of carrying out the provisions of section 13, $35,000,000 for each of the fiscal years ending June 30, 1969, and June 30, 1970. For the fiscal year ending June 30, 1971, and the two succeeding fiscal years, only such sums may be appropriated for such purpose as the Congress may hereafter authorize by law."

SPECIAL MANPOWER PROJECTIONS; INCREASED FLEXIBILITY REALLOTMENTS

SEC. 103. (a) Section 3(a) of the Vocational Education Act of 1963 is amended by redesignating paragraphs (1), (2), (3), and (4) and references thereto as paragraphs (A), (B), (C) and (D) respectively and by amending that portion of section 3(a) preceding such paragraphs to read as follows:

"(a)(1) From the sums appropriated pursuant to section 2(a) the Commissioner shall first reserve an amount not to exceed $5,000,000 in any fiscal year, for transfer to the Secretary of Labor to finance (upon terms and conditions mutually satisfactory to the Commissioner and the Secretary of Labor) national, regional, State, and local studies and projections of manpower needs for the use and guidance of Federal, State, and local officials, and of advisory committees, charged with responsibilities under this title.

"(2) Ninety per centum of the remainder of the sums appropriated pursuant to section 2(a) and all of the sums appropriated pursuant to section 2(b) shall be allotted among the States on the basis of the number of persons in the various age groups needing vocational education and the per capita income in the respective States as follows: The Commissioner shall allot to each State for each fiscal year—".

(b) Section 3(c) of the Vocational Education Act of 1963 is amended to read as follows:

"(c) The amount of any State's allotment under subsection (a) for any fiscal year which the Commissioner determines will not be required for such fiscal year for carrying out the State's plan approved under section 5 shall be available for reallotment from time to time, on such dates during such year as the Commissioner may fix, and on the basis of such factors as he determines to be equitable and reasonable, to other States which, as determined by the Commissioner, are able to use without delay any amounts so reallotted for the uses set forth in section 4(a), except that funds appropriated under section 2(b) may be reallotted only for the uses set forth in section 4(a)(4)(A). Any amount reallotted to a State under this subsection during such year shall be deemed part of its allotment under subsection (a) for such year."

INCLUSION OF TRUST TERRITORY OF THE PACIFIC ISLANDS

SEC. 104. (a) Paragraphs (1), (2), and (3) of section 3(d) of the Vocational Education Act of 1963 are amended by striking out the words "and the Virgin Islands" each time they occur and by inserting in lieu thereof "the Virgin Islands, and the Trust Territory of the Pacific Islands".

(b) Paragraph (6) of section 8 of the Vocational Education Act of 1963 is amended by striking out "and American Samoa" and by inserting in lieu thereof "American Samoa, and the Trust Territory of the Pacific Islands".

ELIMINATION OF MATCHING BY SEPARATE CATEGORIES, SPECIAL MATCHING PROVISION FOR TRUST TERRITORY AND AMERICAN SAMOA

SEC. 105. (a) Section 6 of the Vocational Education Act of 1963 is amended by deleting subsections (a), (b), and (c).

(b) That part of section 4(a) of the Vocational Education Act of 1963 which precedes the colon is amended to read as follows:

"SEC. 4. (a) Except as otherwise provided in subsections (b), (c), and (d), allotments to States under section 3 may be used, in accordance with approved State plans, for *paying 100 per centum of the expenditures* of the Trust Territory of the Pacific Islands and American Samoa, and not to exceed 50 per centum of the expenditures of other States, for any or all of the following purposes."

PERMITTED USE OF FEDERAL FUNDS

SEC. 106. (a) Paragraph (4) of section 4(a) of the Vocational Education Act of 1963 is amended by inserting "(A)" after "(4)", and by adding at the end thereof the following new subparagraph:

"(B) Vocational education for handicapped persons who because of their handicapping condition cannot succeed in the regular vocational education program without special educational assistance or who require a modified vocational education program. The term 'handicapped' means deaf, mentally retarded, speech impaired, visually handicapped, seriously emotionally disturbed, crippled or other health impaired persons;".

(b)(1) Section 4(a) of the Vocational Education Act of 1963 is amended by renumbering paragraph (6) as paragraph (8), and by inserting after paragraph (5) the following new paragraphs:

"(6) Vocational guidance and counseling designed to aid persons enumerated in paragraphs (1) through (4) of this subsection in the selection of, and preparation for, employment in all vocational areas;

"(7) Provision of vocational training through arrangements with private vocational training institutions where such private institutions can make a significant contribution to attaining the objectives of the State plan, and can provide substantially equivalent training at a lesser cost, or can provide equipment or services not available in public institutions;".

(2) Section 5(a)(2) of such Act is amended by striking out "and (6)" and inserting in lieu thereof "(6), (7), and (8)".

REQUIRED USE OF STATE ALLOTMENTS

SEC. 107. Subsection (b) of section 4 of the Vocational Education Act of 1963 is repealed effective with respect to appropriations for the fiscal year ending June 30, 1969, and there is inserted in lieu of such subsection, effective with respect to appropriations for fiscal years beginning after June 30, 1969, the following new subsection:

"(b)(1) At least 25 per centum of that portion of each State's allotment of funds appropriated under section 2(a) for any fiscal year beginning after June 30, 1969, which is in excess of its base allotment shall be used only for the purpose set forth in paragraph (4)(A) of subsection (a): *Provided*, That for any such fiscal year the amount used for such purpose shall not be less than 15 per centum of the total allotment of such funds for each State, except as any requirement under this paragraph may be waived for any State by the Commissioner for any fiscal year upon his finding that the requirement imposes a hardship or is impractical in its application.

"(2) At least 25 per centum of that portion of each State's allotment of funds appropriated under section 2(a) for any fiscal year beginning after June 30, 1969, which is in excess of its base allotment shall be used only *for the purpose set forth in paragraph (2) of* subsection (a): *Provided*, That for any such fiscal year the amount used for such purpose shall not be less than 15 per centum of the total allotment of such funds for each State, except as any requirement under this paragraph may be waived for any State by the Commissioner for any fiscal year upon his finding that the requirement imposes a hardship or is impractical in its application.

"(3) As used in this subsection, the term 'base allotment' means the sum of the allotments to a State for the fiscal year ending June 30, 1969, from (1) sums appropriated under section 2(a) of this Act, (2) the Smith-Hughes Act *(that is, the Act approved* February 23, 1917 (39 Stat. 929; 20 U.S.C. 11–15, 16–28)), (3) the Vocational Education Act of 1946, and (4) any of the supplementary vocational education Acts (including, in the case of American Samoa, section 2 of the Act of September 25, 1962, 48 U.S.C. 1667)."

ALLOWING CONTRACTING AND DISSEMINATION OF INFORMATION AND EXPANSION OF PROGRAM UNDER SECTION 4(C)

SEC. 108. Effective July 1, 1969, section 4(c) of the Vocational Education Act of 1963 is amended to read as follows:

"(c)(1) Ten per centum of the sums appropriated pursuant to section 2(a) for each fiscal year shall be used by the Commissioner, and allocated in accordance with paragraphs (2) and (3), to make grants to colleges and universities, and other public or nonprofit private agencies and institutions, to State boards, and with the approval of the appropriate State board, to local educational agencies, to pay part of the cost of, or to make contracts with private agencies, organizations, or institutions for, (A) research and training programs, (B) experimental, developmental, or pilot programs developed by such institutions, boards, or agencies, and designed to meet the special vocational needs of youths, particularly youths in economically depressed communities who have academic, socioeconomic, or other handicaps that prevent them from succeeding in the regular vocational education programs, or (C) for the dissemination of information derived from the foregoing programs or from research and demonstrations in the field of vocational education.

"(2) Fifty per centum of the amounts made available under this section for any fiscal year shall be reserved by the Commissioner for grants and contracts in accordance with paragraph (1).

"(3) The remaining 50 per centum of such amounts shall be allotted among the States on the same basis, and reallotted in the same manner, as provided under section 3 of this part, to be used by the State boards for (A) paying up to 75 per centum of the costs of State research coordination units, and (B) paying up to 90 per centum of the costs of programs and projects described in paragraph (1) which have been recommended by such units or by the State advisory council."

MATCHING OF SECTION 2(b) FUNDS

SEC. 109. Section 4 of the Vocational Educational Act of 1963 is amended by adding at the end thereof the following new subsection:

"(d) Allotments of States under section 3 from sums appropriated under section 2 (b) may be used, at the discretion of the Commissioner for paying all or part of the expenditures of the States from such allotments."

STATE ADVISORY COUNCIL

SEC. 110. (a)(1) Section 5 of the Vocational Education Act of 1963 is amended by striking the words "this part" in each case where they appear and inserting in lieu thereof the words "this title".

(2) Paragraph (1) of subsection 5(a) is amended by striking out everything after the first semicolon.

(b) Section 5 of the Vocational Education Act of 1963 is further amended by redesignating subsections (b), (c), and (d) and references thereto as subsections (e), (f), and (g), respectively, and by inserting immediately after subsection (a) the following *new subsections:*

"(b)(1) A State to receive its allotments of Federal funds under this title for any fiscal year shall establish a State advisory council (hereinafter referred to as 'State advisory council') which meets the requirements set forth in paragraph (2).

"(2) The State advisory council, established *pursuant to paragraph (1)*, shall be appointed by the Governor and shall—

"(A) include as members (i) a person or persons familiar with the vocational educational needs and problems of management and labor in the State, (ii) a person or persons representative of junior colleges, technical institutes, or other institutions of higher and postsecondary education which provide programs of technical or vocational education and training, (iii) a person or persons familiar with the administration of State and local vocational education programs, (iv) a person or persons familiar with programs of technical and vocational education and training, including the programs in comprehensive secondary schools and area vocational schools, (v) a person or persons having professional competence in dealing with handicapped persons, (vi) a person or persons representative of local educational agencies, (vii) a person or persons representing manpower and vocational education agencies in the State, including persons from the Cooperative Area Manpower Planning System of the State, (viii) a person or persons representing school systems with large concentrations of academically, socially, economically, and culturally disadvantaged students, and (ix) persons representative of the general public (including persons representative of and knowledgeable about the poor and disadvantaged), who are not qualified for membership under clauses (i) through (vii), who shall constitute not less than one-third of the total membership;

"(B) advise the State board on the development, and policy matters arising in the administration of the State plan, including the preparation of long-range and annual program plans pursuant to paragraphs (12) and (13) of subsection (a), review annual program evaluations prepared by State boards, and advise the State board on the allocation of Federal funds among the various uses set forth in section 4(a) and sections 21 through 30 of this title and to local educational agencies pursuant to paragraph (2) of subsection (a);

"(C) evaluate vocational education programs, services, and activities assisted under this title in the State;

"(D) prepare and submit through the State board to the Commissioner and to the National Advisory Council on Vocational Education established by section 28 of this title an annual evaluation report, accompanied by such additional comments of the State board as the State board deems appropriate, which (i) evaluates the effectiveness of vocational education programs, services, and activities carried out in the year under review in meeting the program objectives set forth in the long range program plan provided for in paragraph (13) of section 5(a) and the annual program plan provided for in paragraph (12) of section 5(a), and (ii) recommends such changes in such programs, services, and activities as may be warranted by the evaluations.

"(3) Each council is authorized to engage such technical and secretarial assistance as may be required to carry out its functions, and the Commissioner is authorized (in accordance with regulations) to pay to each advisory council an amount equal to the reasonable amount expended by it in carrying out its functions under this title each fiscal year, execpt that in no case shall such amount be in excess of an amount equal to 1 per centum of the State's allotment under section 3 or $50,000, whichever is less."

ALLOCATIONS WITHIN STATES

Sec. 111. (a) Section 5(a)(2) of the Vocational Education Act of 1963 is amended—

(1) by inserting after "opportunities" the following: ", particularly new and emerging needs and opportunities on the local, State, and national levels"; and

(2) by striking the words "needs of all groups in all communities in the State," and inserting in lieu thereof "needs of all population groups in all geographic areas and communities in the State, particularly persons with academic, socioeconomic, or other handicaps that prevent them or will likely prevent them from being readily employable,".

(b) Section 5 of such Act is amended by inserting immediately before subsection (e) (as so redesignated by section 110(b)) the following:

"(d) Federal funds made available under this part shall not be allocated to local educational agencies in a manner, such as the matching of local expenditures at a percentage ratio uniform throughout the State, which fails to take into consideration the criteria set forth in section 5(a), and particularly in paragraphs (2) and (9) of such subsection."

COOPERATIVE ARRANGEMENTS WITH OTHER AGENCIES

Sec. 112. Section 5(a)(4) of the Vocational Education Act of 1963 is amended by inserting before the semicolon at the end thereof the following: "and further provides that in the development of vocational education programs, services and activities under this title there may be, in addition to the cooperative arrangements with other agencies, organizations, and institutions concerned with manpower needs and job opportunities, such cooperative arrangements with others, such as institutions of higher education, model city, and community action organizations".

ADDITIONAL STATE PLAN REQUIREMENTS

Sec. 113. Section 5(a) of the Vocational Education Act of 1963 is amended by striking out "and" at the end of paragraph (6), by striking out the period at the end of paragraph (7) and inserting a semicolon in lieu thereof, and by adding the following new paragraphs:

"(8) provides that effective use will be made of the results and experience of programs and projects assisted under part B, and research, training, and experimental, developmental, and pilot programs assisted under section 4(c) of this part;

"(9) provides that due consideration will be given to the relative ability of particular local educational agencies within the State, particularly those in economically depressed areas or with high rates of unemployment, to provide the financial and other resources necessary to meet the vocational education needs in the areas or communities served by such agencies;

"(10) provides assurances that copies of the State plan and all statements of general policies, rules, regulations, and procedures issued by the State board in its administration of such plan will be made reasonably available to the public;

"(11) provides that grants made from sums appropriated under section 2(b) shall (A) be allocated within the State to areas of high concentration of youth, unemployment and school dropouts, and (B) be made only if (i) to the extent consistent with the number of students enrolled in nonprofit private schools in the area to be served whose educational needs are of the type which the program or project involved is to meet, provision has been made for the participation of such students, and (ii) effective policies and procedures will be adopted which assure that Federal funds made available under this section to accommodate students in nonprofit schools will not be commingled with State or local funds;

"(12) sets forth an annual program plan, which (A) has been prepared by the State board in consultation with the State advisory council, (B) describes the content of, and allocations of funds to, programs, services, and activities to be carried out under the State plan during the following year (whether or not supported with Federal funds under this title); (C) indicates how, and to what extent, such programs, services, and activities will carry out the program objectives for the year covered by the annual plan set forth in the long-range program plan provided for in paragraph (A); (D) indicates how, and to what extent, allocations of Federal funds allotted to a State will take into consideration the criteria set forth in the State plan pursuant to paragraph (2) and paragraph (9); and (E) indicates the extent to which consideration was given to the findings and recommendations of the State advisory council in its most recent evaluation report submitted pursuant to paragraph (2)(B) of subsection (b);

"(13) sets forth a long-range program plan for vocational education, or a supplement to or revision of such a program plan previously submitted as part of an approved State plan, which (A) has been prepared by the State board in consultation with the State advisory council, (B) extends over such period of time (but not more than five years), beginning with the fiscal year for which the State plan is submitted, as the Commissioner deems necessary and appropriate for the purposes of this title, (C) describes the present and projected vocational education needs of the State in terms of the purposes of this part set forth in section 1, and the purposes set forth in part B, and (D) sets forth a program of vocational education objectives which affords satisfactory assurance of substantial progress toward meeting the vocational education needs of the State;

"(14) includes provisions designed to assure that applications from local educational agencies for funds made available under this title will include a comprehensive plan, related to the local cooperative area manpower plan (if any), for meeting the vocational education needs in the area or community served by such agency; and indicate how, and to what extent, the vocational education programs, services, and activities proposed in the application will meet those needs; and

"(15) includes provisions which shall assure that funds authorized by this title will not be used for any program of vocational education (except home economics) which cannot be demonstrated to (A) prepare students for employment in such a manner that they are considered by potential employers to be more desirable as employees than others of similar age, ability, and years in school who were not enrolled in such program, or (B) be necessary to prepare individuals for successful completion of such a program, or (C) be of significant assistance to individuals enrolled in making an informed and meaningful occupational choice."

TECHNICAL CONFORMING CHANGES

Sec. 114. Section 5 of the Vocational Education Act of 1963 is further amended by—

(a) striking the words "subsection (a)," where they appear in the redesignated section 5 (e) and (f) and inserting in lieu thereof the words "subsections (a), (b), (c), and (d),";

(b) changing the letter "(b)" to "(e)" in the redesignated subsections 5 (f) and (g) and the letter "(c)" to "(f)" in said subsection 5(g).

PAYMENTS TO STATES

Sec. 115. Section of the Vocational Education Act of 1963 is further amended by striking subsection (d) and inserting in lieu thereof the following:

"Sec. 6. Payments of Federal funds under this title to any State board, local educational agency, or other agency, organization, or institution, may be made in installments, and in advance or by way of reimbursement, with necessary adjustments on account of overpayments or underpayments."

REVISION OF DEFINITIONS

Sec. 116. (a) Section 8 of the Vocational Education Act of 1963 is amended by striking out "part" and inserting in lieu thereof "title".

(b) Paragraph (1) of such section is amended by striking out the following: "including any program designed to fit individuals for gainful employment in business and office occupations, and any program designed to fit individuals for gainful employment which may be assisted by Federal funds under the Vocational Education Act of 1946 and supplementary vocational education Acts, but"

(c) The second sentence of paragraph (1) of such section is amended (1) by inserting after "counseling" the following: "(individually or through group instruction)", (2) by inserting after "such training," the following: "or for the purpose of facilitating occupational choices,", and by inserting after "benefit from such training," the following: "job placement,".

(d) Paragraph (2) of such section, and paragraph (5) of section 4(a), are each amended by striking out "area" immediately before "vocational education school".

(e) Paragraph (7) of such section is amended to read as follows:

"(7) The term 'State board' means a State board designated or created by State law as the sole State agency responsible for the administration of vocational education, or for supervision of the administration thereof by local educational agencies, in the State."

(f) Such section is further amended by adding at the end thereof the following:

"(12) The term 'private vocational training institution' means a business or trade school, or technical institution or other technical or vocational school, in any State, which (A) admits as regular students only persons who have completed or left elementary or secondary school and who have the ability to benefit from the training offered by such institution; (B) is legally authorized to provide, and provides within that State, a program of postsecondary vocational or technical education designed to fit individuals for useful employment in recognized occupations: (C) has been in existence for two years or has been specially accredited by the Commissioner as an institution meeting the other requirements of this subsection; and (D) is accredited (i) by a nationally recognized accrediting agency or association listed by the Commissioner pursuant to this clause, (ii) if the Commissioner determines that there is no nationally recognized accrediting agency or association qualified to accredit schools of a particular category, by a State agency listed by the Commissioner pursuant to this clause, and (iii) if the Commissioner determines there is no nationally recognized or State agency or association qualified to accredit schools of a particular category, by an advisory committee appointed by him and composed of persons specially qualified to evaluate training provided by schools of that category, which committee shall prescribe the standards of content, scope, and quality which must be met by those schools and shall also determine whether particular schools meet those standards. For the purpose of this subsection, the Commissioner shall publish a list of nationally recognized accrediting agencies or associations and State agencies which he determines to be reliable authority as to the quality of education or training afforded.

USE OF SMITH-HUGHES ACT FUNDS

SEC. 117. Effective July 1, 1969, the Vocational Education Act of 1963 is amended by striking out sections 10 and 11 and insert in lieu thereof a new section 10 as follows: "USE OF FUNDS APPROPRIATED UNDER SMITH-HUGHES ACT

"SEC. 10. Funds appropriated by the first section of the Smith-Hughes Act (that is the Act approved February 23, 1967, 39 Stat. 929, as amended (20 U.S.C. 11–15, 16–28)) shall be considered as funds appropriated pursuant to section 2(a) of this Act."

REPEAL OF EXISTING RESIDENTIAL SCHOOL PROVISIONS

SEC. 118. Section 14 of the Vocational Education Act of 1963 is repealed.

TITLE II—NEW AND EXPANDED PROGRAMS AND PROJECTS IN VOCATIONAL EDUCATION

SEC. 201. The Vocational Education Act of 1963 is amended by inserting after section 17 the following:

"PART B—EDUCATION FOR A CHANGING TECHNOLOGY

"FINDINGS AND PURPOSE

"SEC. 21. The Congress finds that it is necessary to reduce the continuing seriously high level of youth unemployment by developing means for giving attention to the job preparation needs of the two out of three young persons who now end their education at or before completion of the secondary level. The purposes of this part, therefore, are to stimulate, through Federal financial support, new ways to create a bridge between school and earning a living for young people who are still in school, who have left school either by graduation or by dropping out, or who are in postsecondary programs of vocational preparation; and to promote cooperation among public education, manpower agencies, and private business and industry.

"EXEMPLARY AND INNOVATIVE PROGRAMS AND PROJECTS IN VOCATIONAL EDUCATION

"SEC. 22. (a) There are authorized to be appropriated $15,000,000 for the fiscal year ending June 30, 1969, and $25,000,000 for the fiscal year ending June 30, 1970, to be used by the Commissioner for making grants to or contracts with State boards, or with local educational agencies, for the purpose of stimulating and assisting, through programs or projects referred to in subsection (c), the development, establishment, and operation of exemplary and innovative occupational education programs or projects designed to serve as models for use in vocational education programs. For the fiscal year ending June 30, 1971, and each of the two succeeding fiscal years, only such sums may be appropriated to carry out this section as the Congress may hereafter authorize by law. The Commissioner also may make grants to other public or nonprofit private agencies, organizations, or institutions, or contracts with public or private agencies, organizations, or institutions, including business and industrial concerns.

"(b)(1) From the sums appropriated pursuant to this section for each fiscal year, the Commissioner shall—

"(A) reserve such amount, but not in excess of 3 per centum thereof, as he may determine and shall apportion such amount among Puerto Rico, the Virgin Islands, Guam, American Samoa, and the Trust Territory of the Pacific Islands, according to their respective needs for assistance under this section;

"(B) reserve up to 10 per centum for use at his discretion to initiate programs pursuant to this section, including those under grant or contract which he determines are consistent with the purposes and objectives of subsection (a) and which he determines will have beneficial applications or be directed to innovations which are both regional or national in their implications and would not be practicable to be undertaken by any one State.

"(2) From the remainder of such sums the Commissioner shall allocate $200,000 to each State, and he shall in addition allocate to each State an amount which bears the same ratio to any residue of such remainder as the population aged fifteen to nineteen, both inclusive, in the State bears to the population of such ages in all the States.

"(3) The amount of any State's allotment under this section for any fiscal year which the Commissioner determines will not be required for such fiscal year for carrying out the purposes of this section shall be available for reallotment from time to time, on such dates during such year as the Commissioner may fix, and on the basis of such factors as he determines to be equitable and reasonable, to other States which are determined by the Commissioner are able to use without delay any amounts so reallotted for the purposes of this section. Any amount reallotted to a State under this paragraph during such year shall be deemed part of its allotment for such year.

"(4) Notwithstanding any other provision of law, unless hereafter enacted expressly in limitation of the provisions of this paragraph, funds appropriated for innovative and exemplary programs or projects in vocational education pursuant to this section which are reserved by the Commissioner for any projects or activities assisted under such programs or projects and undertaken in connection with an approved State plan shall remain available until expended.

"(5) For the purposes of paragraphs (2) and (3) of this subsection, the term 'State' does not include Puerto Rico, the Virgin Islands, Guam, American Samoa, and the Trust Territory of the Pacific Islands.

"(6) The population of particular age groups of a State or of all the States shall be determined by the Commissioner on the basis of the latest available estimates furnished by the Department of Commerce.

"(7) The amount appropriated under this section for each fiscal year shall be available for obligation for grants or contracts pursuant to the State plan approved under section 5 during that year and the succeeding fiscal year.

"(c) State allocations pursuant to this section may be used by the State board, upon such terms and conditions consistent with the provisions of this section as it determines will most effectively carry out the purposes of subsection (a), to pay all or part of the cost of—

"(1) planning and developing exemplary and innovative programs or projects such as those described in subparagraph (2); or

"(2) establishing, operating, and evaluating exemplary and innovative vocational education programs or projects designed to carry out the purposes set forth in subsection (a), and to broaden occupational aspirations and opportunities for youths, with special emphasis given to youths who have academic, socioeconomic, or other handicaps, which programs or projects may, among others, include—

"(A) those designed to familiarize elementary and secondary students with the broad range of occupations for which special skills are required and the requisites for careers in such occupations;

"(B) programs or projects for students providing educational experiences through work during the school year or in the summer;

"(C) programs or projects for intensive occupational guidance and counseling during the last years of school and for initial job placement;

"(D) programs or projects designed to broaden or improve vocational education curricula;

"(E) exchanges of personnel between schools and other agencies, institutions, or organizations participating in activities to achieve the purposes of this subsection, including manpower agencies and industry;

"(F) programs or projects for young workers released from their jobs on a part-time basis for the purpose of increasing their educational attainment; or

"(G) programs or projects at the secondary level to motivate and provide preprofessional preparation for potential teachers for vocational education.

"(d) Financial assistance may not be given under this section to any program or project for a period exceeding three years.

"(e) In administering the provisions of this section, the Commissioner shall consult with other Federal departments and agencies administering programs which may be coordinated effectively with the program carried out pursuant to this section, and to the extent practicable shall—

"(1) coordinate programs on the Federal level with the programs being administered by such other departments and agencies;

"(2) require that effective procedures be adopted by grantees and contractors to coordinate the development and operation of programs and projects carried out under grants or contracts pursuant to this section with the appropriate State plan and with other public and private programs having the same or similar purposes;

"(3) require that to the extent consistent with the number of students enrolled in nonprofit private schools in the area to be served whose educational needs are of the type which the program or project involved is to meet, provision has been made for the participation of such students; and

"(4) require that effective policies and procedures be adopted which assure that Federal funds made available under this section will not be commingled with State or local funds.

"COOPERATIVE VOCATIONAL EDUCATION PROGRAMS

"SEC. 23. (a) The Congress finds that cooperative work-study programs offer many advantages in preparing young people for employment. Through such programs, a meaningful work experience is combined with formal education enabling students to acquire knowledge, skills, and appropriate attitudes. Such programs remove the artificial barriers which separate work and education and, by involving educators with employers, create interaction whereby the needs and problems of both are made known. Such interaction makes it possible for occupational curricula to be revised to reflect current needs in various occupations.

"It is the purpose of this section to assist the State to expand cooperative work-study programs by providing financial assistance for personnel to coordinate such programs, and to provide instruction related to the work experience; to reimburse employers when necessary for certain added costs incurred in providing on-the-job training through work experience; to pay costs for certain services, such as transportation of students or other unusual costs that the individual students may not reasonably be expected to assume while pursuing a cooperative work-study program.

"(b) There is authorized to be appropriated for the fiscal year ending June 30, 1969, $20,000,000, and for the fiscal year ending June 30, 1970, $50,000,000, for making grants to the States for programs of vocational education designed to prepare students for employment through cooperative work-study arrangements. For the fiscal year ending June 30, 1971, and each of the two succeeding fiscal years, only such sums may be appropriated to make such grants as the Congress may hereafter authorize by law.

"(c)(1) From the sums appropriated pursuant to this section for each fiscal year, the Commissioner shall reserve such amount, but not in excess of 3 per centum thereof, as he may determine, and shall apportion such amount among Puerto Rico, the Virgin Islands, Guam, American Samoa, and the Trust Territory of the Pacific Islands, according to their respective needs for assistance under this section. From the remainder of such sums the Commissioner shall allocate $200,000 to each State, and he shall in addition allocate to each State an amount which bears the same ratio to any residue of such remainder as the population aged fifteen to nineteen, both inclusive, in the State bears to the population of such ages in all the States. For purposes of the preceding sentence, the term "State" does not include the areas referred to in the first sentence of this paragraph.

"(2) The amount of any State's allotment under this section for any fiscal year which the Commissioner determines will not be required for such fiscal year for carrying out the State's plan approved under subsection (d) shall be available for reallotment from time to time, on such dates during such years as the Commissioner may fix, and on the basis of such factors as he determines to be equitable and reasonable, to other States which as determined by the Commissioner are able to use without delay any amounts so reallotted for the purposes set forth in subsection (d). Any amount reallotted to a State under this paragraph during such year shall be deemed part of its allotment for such year.

"(3) The population of particular age groups of a State or of all the State shall be determined by the Commissioner on the basis of the latest available estimates furnished by the Department of Commerce.

"(d)(1) A State, in order to participate in the propgram authorized by this part, shall submit to the Commissioner, through its State board, a State plan which shall set forth policies and procedures to be used by the State board in establishing cooperative work-study programs through local educational agencies with participation of public and private employers. Such policies and procedures must give assurance that—

"(A) funds will be used only for developing and operating cooperative work-study programs as defined in subsection (f) which provide training opportunities that may not otherwise be available and which are designed to serve persons who can benefit from such programs;

"(B) necessary procedures are established for cooperating with employment agencies, labor groups, employers, and other community agencies in identifying suitable jobs for persons who enroll in cooperative work-study programs;

"(C) provision is made for reimbursement of added costs to employers for on-the-job training of students enrolled in cooperative programs, provided such on-the-job training is related to existing career opportunities susceptible of promotion and advancement and does not displace other workers who perform such work;

"(D) ancillary services and activities to assure quality in cooperative work-study programs are provided for, such as preservice and inservice training for teacher coordinators, supervision, curriculum materials, and evaluation;

"(E) priority for funding cooperative work-study programs through local educational agencies, be given areas that have high rates of school dropouts and youth unemployment;

"(F) to the extent consistent with the number of students enrolled in nonprofit private schools in the area to be served whose educational needs are of the type which the program or project involved is to meet, provision has been made for the participation of such students; and

"(G) Federal funds made available under this section will not be commingled with State or local funds.

"(2) The Commissioner shall approve a State plan which fulfills the conditions specified above, and the provisions of subsections (e), (f), and (g) of section 5 (relating to the disapproval of State plans) shall apply to this section.

"(e) Funds allocated under this section for cooperative work-study programs shall be available for paying all or part of the State's expenditures under its State plan for any fiscal year, but not in excess of its allotment under subsection (c).

"(f) For purposes of this section, the term 'cooperative work-study program' means a program of vocational education for persons who, through a cooperative arrangement between the school and employers, receive instruction, including required academic courses and related vocational instruction by alternation of study in school with a job in any occupational field, but these two experiences must be planned and supervised by school and employer so that each contributes to the student's education and to his employability. Work periods and school attendance may be on alternate half-days, full-days, weeks, or other periods of time in fulfilling the cooperative work-study program, but the number of hours of work shall approximately equal the number of hours spent in school during the period that it requires for the individual to complete his cooperative work-study vocational education program.

"RESIDENTIAL VOCATIONAL EDUCATION FACILITIES

"SEC. 24. (a)(1) There are hereby authorized to be appropriated $15,000,000 for the fiscal year ending June 30, 1969, and $15,000,000 for the fiscal year ending June 30, 1970, for grants to the States to provide residential vocational education facilities. For the fiscal year ending June 30, 1971, and each of the two succeeding fiscal years, only such sums may be appropriated for grants under this section as the Congress may hereafter authorize by law.

"(2) From the sums appropriated under paragraph (1), the Commissioner shall allot to each State an amount which bears the same ratio to such sums as the population of each State bears to the population of all the States.

"(3) For purposes of this section—

"(A) the term 'State' does not include Guam, American Samoa, the Virgin Islands, and the Trust Territory of the Pacific Islands;

"(B) the amount allotted under this subsection to any State for the fiscal year ending June 30, 1969, shall be available for payments to applicants with approved applications in that State during that year and the next fiscal year; and

"(C) the amount of any State's allotment under subsection (a)(2) for any fiscal year which the Commissioner determines will not be required for such fiscal year for carrying out the State's plan approved under subsection (b) shall be available for reallotment from time to time, on such dates during such year as the Commissioner may fix, and on the basis of such factors as he determines to be equitable and reasonable, to other States which as determined by the Commissioner are able to use without delay any amounts so reallotted for the purposes set forth in subsection (b). Any amount reallotted to a State under this paragraph during such year shall be deemed part of its allotment for such year.

"(b)(1) Funds allotted to the States under subsection (a) shall be used by the State, or, with the approval of the State boards, by public educational agencies, organizations, or institutions within such State, to pay the Federal share of the cost of planning, constructing, and operating residential vocational education facilities to provide vocational education (including room, board, and other necessities) for youths, at least age fourteen but who have not attained age twenty-one at the time of admission to the training program, who need full-time study on a residential basis and who can profit from vocational education instruction. In the administration of the program conducted under this section, special consideration shall be given to needs in geographical areas having substantial or disproportionate numbers of youths who have dropped out of school or are unemployed, and to serving persons from such areas.

"(2) For purposes of this section, the Federal share of the cost of planning, constructing, and operating residential vocational education facilities shall not exceed 90 per centum of the costs incurred in any fiscal year.

"(c) For purposes of this section the State plan shall set forth the policies and procedures to be used by the State in determining the size and location of such residential vocational facilities, taking into account the use of existing vocational education facilities. Such policies and procedures must give assurance that—

"(1) adequate provision will be made for the appropriate selection without regard to sex, race, color, religion, national origin or place of residence within the State of students needing education and training at such school;

"(2) the residential school facility will be operated and maintained for the purpose of conducting a residential vocational education school program;

"(3) vocational course offerings at such school will include fields for which available labor market analyses indicate a present or continuing need for trained manpower, and that the courses offered will be appropriately designed to prepare enrollees for entry into employment or advancement in such fields; and

"(4) no fees, tuition, or other charges will be required of students who occupy the residential vocational education facility.

"(d) For purposes of this section—

"(1) the term 'residential school facility' means a school facility (as defined in section 8(3)) as used for residential vocational education purposes. Such term also includes dormitory, cafeteria, and recreational facilities, and such other facilities as the Commissioner determines are appropriate for a residential vocational education school.

"(2) the term 'operation' means maintenance and operation, and includes the cost of salaries, equipment, supplies, and materials, and may include but is not limited to other reasonable costs of services and supplies needed by residential students, such as clothing and transportation.

"CONSTRUCTION OF RESIDENTIAL VOCATIONAL EDUCATION SCHOOLS AND DORMITORIES

"SEC. 25. (a) The Commissioner is authorized to make annual grants to State boards, to colleges and universities, and with the approval of the appropriate State board, to public educational agencies, organizations, or institutions to reduce the cost of borrowing funds for the construction of residential schools and dormitories to provide vocational education for youths, at least fourteen years of age and less than twenty-one years of age at the time of enrollment, who need full-time study on a residential basis in order to benefit fully from such education. In making contracts for such grants, the Commissioner shall give special consideration to the needs of urban and rural areas having substantial numbers of youths who have dropped out of school or are unemployed and shall seek to attain an equitable geographical distribution of such schools.

"(b) Annual grants with respect to the construction of any such residential school shall be made over a fixed period not exceeding forty years, and provision for such grants shall be embodied in a contract guaranteeing their payment over such period. Each such grant shall be in an amount equal to the difference between (1) the average annual debt service required to be paid, during the life of the loan, on the amount borrowed for the construction of such facilities, and (2) the average annual debt service which the institution would be required to pay, during the life of the loan, with respect to such amounts if the applicable interest rate were 3 per centum per annum.

"(c) The Commissioner shall not enter into a contract for grants under this section unless he determines that the amount borrowed does not exceed the total cost of construction of the facilities, and that such construction will be undertaken in an economical manner and will not be of elaborate or extravagant design or materials.

"(d)(1) There are hereby authorized to be appropriated such sums as may be necessary for the payment of annual grants in accordance with this section.

"(2) Contracts for annual grants under this section shall not be entered into for an aggregate amount greater than is authorized in appropriation Acts; and in any event the total amount of annual grants which may be paid in any year pursuant to contracts entered into under this section shall not exceed $5,000,000, which amount shall be increased by $5,000,000 on July 1, 1969.

"CONSUMER AND HOMEMAKING EDUCATION

"SEC. 26. (a)(1) There are hereby authorized to be appropriated for the fiscal year ending June 30, 1970, $15,000,000 for the purposes of this section. For the fiscal year ending June 30, 1971, and each of the two succeeding fiscal years, only such sums may be appropriated for purposes of this section as the Congress may hereafter authorize by law. From the sums appropriated pursuant to this paragraph for each fiscal year, the Commissioner shall allot to each State an amount which shall be computed in the same manner as allotments to States under section 3 except that, for the purposes of this section, there shall be no reservation of 10 per centum of such sums for research and training programs and 100 per centum of the amount appropriated pursuant to this section shall be allotted among the States.

"(2) The amount of any State's allotment under paragraph (1) for any fiscal year which the Commissioner determines will not be required for such fiscal year for carrying out the State's plan approved under subsection (b) shall be available for reallotment from time to time, on such dates during such year as the Commissioner may fix, and on the basis of such factors as he determines to be equitable and reasonable, to other States which, as determined by the Commissioner, are able to use without delay any amounts so reallotted for the purposes set forth in subsection (b). Any amount reallotted to a State under this paragraph during such year shall be deemed part of its allotment for such year.

"(b) For purposes of this section the State plan shall set forth a program under which Federal funds paid to a State from its allotment under subsection (a) will be expended solely for (1) educational programs which encourage home economics to give greater consideration to social and cultural conditions and needs, especially in economically depressed areas, and to encourage preparation for professional leadership, and which are designed for youths and adults through preparation for the role of homemaker, or to contribute to the employability of such youths and adults through preparation for the dual role of homemaker and wage earner, and are designed for persons who have entered, or are preparing to enter, the work of the home, and (2) ancillary services, activities and other means of assuring quality in all homemaking education programs, such as teacher training and supervision, curriculum development research, program and evaluation, special demonstration and experimental programs, development of instructional materials, provision of equipment, and State administration and leadership.

"(c) From a State's allotment under this section for the fiscal year ending June 30, 1969, and for each fiscal year thereafter, the Commissioner shall pay to such State an amount equal to 50 per centum of the amount expended for the purposes set forth in subsection (b), except that, for the fiscal years ending June 30, 1970, and June 30, 1971, the Commissioner shall pay an amount equal to 90 per centum of the amount used in areas described in subsection (d). No State shall receive payments under this section for any fiscal year in excess of its allotment under subsection (a) for such fiscal year.

"(d) At least one-third of the Federal funds made available under this section shall be used in economically depressed areas or areas with high rates of unemployment for programs designed to assist consumers and to help improve home environments and the quality of family life.

"CURRICULUM DEVELOPMENT IN VOCATIONAL-TECHNICAL EDUCATION

"SEC. 27. (a) Congress finds that curriculum development in vocational education is complicated by the diversity of occupational objectives; variations due to geography; differences in educational levels and types of programs; and by the wide range of occupations which includes, but is not limited to, agriculture, food processing and preparation, trades and industry, distribution and marketing, technical, public service, health services, business and office occupations.

"It is therefore the purpose of this section to enable the Commissioner to provide appropriate assistance to State and local educational agencies in the development of curriculums for new and changing occupations, and to coordinate improvements in, and dissemination of, existing curriculum materials.

"(b) There are authorized to be appropriated $7,000,000 for the fiscal year ending June 30, 1969, and $10,000,000 for the fiscal year ending June 30, 1970, for the purposes set forth in this section. For the fiscal year ending June 30, 1791, and each of the two succeeding fiscal years, there may be appropriated for the purposes set forth in this section only such sums as the Congress may hereafter authorize by law.

"(c)(1) Sums appropriated pursuant to subsection (b) shall be used by the Commissioner, after consultation with the appropriate State agencies and the National Advisory Council, to make grants to or contracts with colleges or universities, State boards, and other public or nonprofit private agencies and institutions, or contracts with public or private agencies, organizations, or institutions—

"(A) to promote the development and dissemination of vocational education curriculum materials for use in teaching occupational subjects, including curriculums for new and changing occupational fields;

"(B) to develop standards for curriculum development in all occupational fields;

"(C) to coordinate efforts of the States in the preparation of curriculum materials and prepare current lists of curriculum materials available in all occupational fields;

"(D) to survey curriculum materials produced by other agencies of Government, including the Department of Defense;

"(E) to evaluate vocational-technical education curriculum materials and their uses; and

"(F) to train personnel in curriculum development.

"(2) For purposes of this subsection, 'curriculum materials' means materials consisting of a series of courses to cover instruction in any occupational field in vocational education which are designed to prepare persons for employment at the entry level or to upgrade occupational competencies of those previously or presently employed in any occupational field.

"NATIONAL ADVISORY COUNCIL ON VOCATIONAL EDUCATION

"SEC. 28. (a) There is hereby created a National Advisory Council on Vocational Education (hereinafter referred to as the 'Council') consisting of fifteen members appointed by the President for three-year terms and without regard to the civil service laws: *Provided*, That with respect to the initial appointments, five of the Council members shall be appointed for one-year terms, and five shall be appointed for two-year terms. The Council shall include not more than five regular full time Federal or State employees. The President shall designate a Chairman from among the nongovernment Council members. To the extent possible, the Council shall include persons familiar with the vocational education needs and problems of management and labor and persons familiar with manpower problems and administration of manpower programs, persons knowledgeable about the administration of State and local vocational education programs, persons having professional competence in dealing with handicapped persons, persons representative of local educational agencies, other persons with special knowledge, experience, or qualification with respect to vocational education, and not less than five persons representative of the general public. The Council shall meet at the call of the Chairman, but not less often than four times a year.

"(b) The Council shall advise the Commissioner in the preparation of general regulations and with respect to policy matters arising in the administration of this title, including policies and procedures governing the approval of State plans under section 5 and the approval of programs and projects under section 4(c) of part A and under part B of this title.

"(c) The Council shall review the administration and operation of vocational education programs under this title, make recommendations with respect thereto, and make annual reports of its findings and recommendations (including recommendations for changes in the provisions of this title) to the Secretary.

"(d) Members of the Council who are not regular full-time employees of the United States shall, while serving on business of the Council, be entitled to receive compensation at rates fixed by the Secretary, but not exceeding the rate specified at the time of such service for grade GS–18 in section 5332 of title 5, United States Code, including traveltime; and while so serving away from their home or regular places of business, members of the Council may be allowed travel expenses, including a per diem allowance as authorized in section 5703 of title 5, United States Code, for persons in Government service employed intermittently.

"(e) The Council is authorized, without regard to the civil service laws, to engage such technical assistance as may be required to carry out its functions, and to this end there are hereby authorized to be appropriated for the fiscal year ending June 30, 1969, $100,000; and for the fiscal year ending June 30, 1970, $150,000. For the fiscal year ending June 30, 1971, and each of the two succeeding fiscal years, only such sums shall be appropriated to carry out this section as the Congress may hereafter authorize by law.

"COLLECTION AND DISSEMINATION OF INFORMATION

"SEC. 29. (a) For the purpose of carrying out more effectively the provisions of this title, the Commissioner—

"(1) shall collect data and information on programs qualifying for assistance under this title for the purpose of obtaining objective measurements of their effectiveness in carrying out the purposes of this title;

"(2) shall prepare and disseminate to State boards, local educational agencies, and other appropriate agencies and institutions, catalogs, reviews, bibliographies, abstracts, analyses of research and experimentation, and such other materials as are generally useful for such purpose;

"(3) may upon request provide advice, counsel, technical assistance, and demonstrations to State boards, local educational agencies, or institutions of higher education undertaking to initiate or expand programs under this title in order to increase the quality or depth or broaden the scope of such programs, and shall inform such agencies and institutions of the availability of assistance pursuant to this clause;

"(4) shall prepare and disseminate to State boards, local educational agencies, and other appropriate agencies and institutions an annual report setting forth developments in the utilization and adaptation of programs carried out pursuant to this title; and

"(5) may enter into contracts with public or private agencies, organizations, groups, or individuals to carry out the provisions of this section.

"(b) There are hereby authorized to be appropriated for the fiscal year ending June 30, 1969, and for each fiscal year thereafter, such sums as may be necessary to carry out the provisions of this section.

"STATE ADMINISTRATIVE EXPENSES

"SEC. 30. The Commissioner is authorized to pay to each State amounts necessary to cover administrative expenses for the proper and efficient performance of its duties under this part, and of its duties related to programs and projects supported with funds appropriated under section 2(b), except that the total of such payments to any State for any fiscal year shall not exceed 3 per centum of the amount paid to the State under this part for that year, or $50,000, whichever is greater."

TITLE III—VOCATIONAL EDUCATION LEADERSHIP AND PROFESSIONAL DEVELOPMENT

SEC. 301. The Higher Education Act of 1965 is amended by inserting the following new part at the end of title V (the Education Professions Development Act):

"PART F—TRAINING AND DEVELOPMENT PROGRAMS FOR VOCATIONAL EDUCATION PERSONNEL

"STATEMENT OF PURPOSE

"SEC. 551. It is the purpose of this part to provide opportunities for experienced vocational educators to spend full-time in advanced study of vocational education for a period not to exceed three years in length; to provide opportunities to up-date the occupational competencies of vocational education teachers through exchanges of personnel between vocational education programs and commercial, industrial, or other public or private employment related to the subject matter of vocational education; and to provide programs of inservice teacher education and short-term institutes for vocational education personnel.

"LEADERSHIP DEVELOPMENT AWARDS

"SEC. 552. (a) In order to meet the needs in all the States for qualified vocational education personnel (such as administrators, supervisors, teacher educators, researchers, and instructors in vocational education programs) the Commissioner shall make available leadership development awards in accordance with the provisions of this part only upon his determination that—

"(A) persons selected for awards have had not less than two years of experience in vocational education or in industrial training, or military technical training; or, in the case of researchers, experience in social science research which is applicable to vocational education; or

"(B) persons receiving such awards are currently employed or are reasonably assured of employment in vocational education and have successfully completed, as a minimum, a baccalaureate degree program; or

"(C) persons selected are recommended by their employer, or others, as having leadership potential in the field of vocational education and are eligible for admission as a graduate student to a program of higher education approved by the Commissioner under subsection (b).

"(b)(1) The Commissioner shall pay to persons selected for leadership development awards such stipends (including such allowances for subsistence and other expenses for such persons and their dependents) as he may determine to be consistent with prevailing practices under comparable federally supported programs.

"(2) The Commissioner shall (in addition to the stipends paid to persons under paragraph (1)) pay to the institution of higher education at which such person is pursuing his course of study such amount as the Commissioner may determine to be consistent with the prevailing practices under comparable federally supported programs not to exceed the equivalent of $3,500 per academic year, but any amount charged such person for tuition and nonrefundable fees and deposits shall be deducted from the amount payable to the institution of higher education under this subsection.

"(a) The Commissioner shall approve the vocational education leadership development program of an institution of higher education by the institution only upon finding that—

"(1) the institution offers a comprehensive program in vocational education with adequate supporting services and disciplines such as education administration, guidance and counseling, research, and curriculum development;

"(2) such program is designed to further substantially the objective of improving vocational education through providing opportunities for graduate training of vocational education teachers, supervisors, and administrators, and of university level vocational education teacher educators and researchers;

"(3) such programs are conducted by a school of graduate study in the institution of higher education; and

"(4) such program is also approved by the State board for vocational education in the State where the institution is located.

"(d) In order to meet the needs for qualified vocational education personnel such as teachers, administrators, supervisors, and teacher educators, in vocational education programs in all the States, the Commissioner in carrying out this section shall apportion leadership development awards equitably among the States, taking into account such factors as the State's vocational education enrollments, and the incidence of youth unemployment and school dropouts in the State.

"(e) Persons receiving leadership awards under the provisions of this section shall continue to receive the payments provided in subsection (b) only during such periods as the Commissioner finds that they are maintaining satisfactory proficiency in, and devoting essentially full-time to, study or research in the field of vocational education in an institution of higher education, and are not engaging in gainful employment, other than part-time employment by such institution in teaching, research, or similar activities, approved by the Commissioner.

"EXCHANGE PROGRAMS, INSTITUTES, AND INSERVICE EDUCATION FOR VOCATIONAL-EDUCATION TEACHERS, SUPERVISORS, COORDINATORS, AND ADMINISTRATORS

"SEC. 553. (a) The Commissioner is authorized to make grants to State boards to pay the cost of carrying out cooperative arrangements for the training or retraining of experienced vocational education personnel such as teachers, teacher educators, administrators, supervisors, and coordinators, and other personnel, in order to strengthen education programs supported by this title and the administration of schools offering vocational education. Such cooperative arrangements may be between schools offering vocational education and private business or industry, commercial enterprises, or with other educational institutions (including those for the handicapped and delinquent).

"(b) Grants under this section may be used for projects and activities such as—

"(1) exchange of vocational education teachers and other staff members with skilled technicians or supervisors in industry (including mutual arrangements for preserving employment and retirement status, and other employment benefits during the period of exchange), and the development and operation of cooperative programs involving periods of teaching in schools providing vocational education and of experience in commercial, industrial or other public or private employment related to the subject matter taught in such school;

"(2) inservice training programs for vocational education teachers and other staff members to improve the quality of instruction, supervision, and administration of vocational education programs; and

"(3) short-term or regular-session institutes; or other preservice and inservice training programs or projects designed to improve the qualifications of persons entering and reentering the field of vocational education, except that funds may not be used for seminars, symposia, workshops or conferences unless these are part of a continuing program of inservice or preservice training.

"(c) A grant may be made under this section only upon application to the Commissioner at such time or times and containing such information as he deems necessary. The Commissioner shall not approve an application unless it—

"(1) sets forth a program for carrying out one or more projects or activities which meet the requirements of paragraph (b), and provides for such methods of administration as are necessary for the proper and efficient operation of the program;

"(2) sets forth policies and procedures which assure that Federal funds made available under this section for any fiscal year will be so used as to supplement and, to the extent practicable, increase the level of funds that would, in the absence of such Federal funds, be made available for purposes which meet the requirements of paragraph (b), and in no case supplant such funds;

"(3) provides for such fiscal control and fund accounting procedures as may be necessary to assure proper disbursement of and accounting for Federal funds paid to the applicant under this section; and

"(4) provides for making such reports, in such form and containing such information, as the Commissioner may require to carry out his functions under this section, and for keeping such records and for affording such access thereto as the Commissioner may find necessary to assure the correctness and verification of such reports.

"FAMILIARIZING TEACHERS WITH NEW CURRICULAR MATERIALS

"SEC. 554. In approving training and development programs for vocational education personnel, the Commissioner shall give special consideration to programs which are designed to familiarize teachers with new curricular materials in vocational education.

"APPROPRIATIONS AUTHORIZED

"SEC. 555. There is authorized to be appropriated to carry out this part the sum of $25,000,000 for the fiscal year ending June 30, 1969; and the sum of $35,000,000 for the fiscal year ending June 30, 1970. For the fiscal year ending June 30, 1971, and the each of the two succeeding fiscal years, only such sums may be appropriated to carry out this part as the Congress may hereafter authorize by law."

TITLE IV—MISCELLANEOUS

SPECIAL STUDY

SEC. 401. (1) The Commissioner of Education is authorized and directed to make a special study of the means by which the existing Job Corps facilities and programs established under the Economic Opportunity Act of 1964 most effectively and expeditiously might be transferred to State or joint Federal-State operation in conjunction with the program of Residential Vocational Schools authorized by section 24 of the Vocational Education Act of 1963.

(2) The Commissioner shall consult with other Federal officers, State boards of vocational education, and such other individuals and organizations as he may deem necessary for this study, and shall make a report of his findings and recommendations to the appropriate committees of the Congress not later than January 15, 1969.

ADEQUATE LEADTIME AND PLANNING AND EVALUATION

SEC. 402. Section 401 of the Elementary and Secondary Education Amendments of 1967 (Public Law 90–247, 81 Stat. 814) is amended by inserting "the Vocational Education Act of 1963," immediately after "the Elementary and Secondary Education Act of 1965,".

REDUCING AGE LIMIT IN ADULT EDUCATION PROGRAM

SEC. 403. Effective with respect to appropriations for fiscal years beginning after June 30, 1969, section 303(a) of the Adult Education Act of 1966 (title III of Public Law 89–750, 80 Stat. 1216) is amended by striking out "eighteen" and inserting in lieu thereof "sixteen".

REPEAL OF VOCATIONAL EDUCATION ACT OF 1946; TECHNICAL AMENDMENTS RELATED THERETO, AND USE OF SMITH-HUGHES ACT FUNDS

SEC. 404. Effective July 1, 1969, the Vocational Education Act of 1946 (that is, the Act of June 8, 1936, as amended, 20 U.S.C. 15i–15m, 15o–15q, 15aa–15jj, 15aaa–15ggg), section 1 of the Act of March 3, 1931, relating to vocational education in Puerto Rico (20 U.S.C. 30), the Act of March 18, 1950, relating to vocational education in the Virgin Islands (20 U.S.C. 31–33), section 9 of the Act of August 1, 1956, relating to vocational education in Guam (20 U.S.C. 34), and section 2 of the Act of September 25, 1962, relating to vocational education in American Samoa (48 U.S.C. 1667) are hereby repealed.

EFFECTIVENESS OF CERTAIN AMENDMENTS

SEC. 405. The amendments made by this Act to Section 5 of the Vocational Education Act of 1963 shall not, during the fiscal year ending June 30, 1969, apply with respect to programs which are continuations of programs carried on under the State's plan during the preceding fiscal year.

The SPEAKER. Is a second demanded?

Mr. ASHBROOK. Mr. Speaker, I demand a second.

The SPEAKER. Without objection, a second will be considered as ordered.

There was no objection.

The SPEAKER. The gentleman from Kentucky will be recognized for 20 minutes.

Mr. PERKINS. Mr. Speaker, I yield myself 5 minutes.

Mr. Speaker, we bring before the House today the bill H.R. 18366, the Vocational Education Act of 1968, which deserves the support of every Member of this body. I am hopeful that this legislation will receive the support of every Member in this body.

The 1963 Vocational Education Act guaranteed millions of unemployed, underskilled, or underemployed Americans a chance to learn the skills needed in a technological society.

In the year following the enactment of the 1963 legislation, the enrollment in vocational education was 4.5 million. In 1967, more than 7 million youth and adults enrolled in the vocational educational education courses offered in some 17,000 schools throughout the country. This legislation truly has been a pathway to the educational opportunity which the Congress hoped and planned for. Even with this accomplishment, it soon became apparent that the Federal Government would have to reinforce its commitment to vocational education goals.

More and more we are becoming a nation of skilled employees. Social and economic forces demand a change in perspective and have created an entirely new environment: new insights, jobs, industries, and national objectives.

Hope for meeting today's challenges and those of the future lies in educating and training each citizen for a productive and meaningful life. This calls for redirecting the functions, aims, and substance of education in line with human interests and values as well as with national goals.

The Vocational Education Act of 1963 did spell out some of the new options, concepts, and goals. The philosophy of this act assumes that the needs of society and the individual will change.

So in the summer of 1966, the General Subcommittee on Education of the Committee on Education and Labor of the House of Representatives, which I chaired, commenced hearings to study the problems and progress of vocational and technical education in this country. These hearings made clear the shortcomings. I was joined by my colleague, LLOYD MEEDS, at that time in advocating legislation to increase to $500 million the authorization in section 2 of the act; to add a new program of vocational teacher preparation, including an "exchange with industry" program; to expand vocational "work study" and to add a new vocational residential school experimental program.

This was the impetus for our concern then and the urgency now: about 1 million youth drop out of school each year, ill prepared for working and for living. We found that we no longer had a choice of continuing massive corrective educational programs or starting an expanded preventive program.

The unemployment rate of youngsters under 20 years of age is more than 13 percent. Among youth in disadvantaged and minority groups, in rural areas and the urban ghetto, the rate may be as high as 35 percent. On the other side of the coin, underemployment among thousands already in the labor force is a continuing problem. And then, when only 20 percent of our youth complete college and earn a baccalaureate degree, it becomes obvious that vocational education and technical education must be made available to the remaining 80 percent if they are to take their place in society as productive citizens.

For fiscal year 1970, it proposes that $640 million be appropriated for consolidating and improving existing vocational education programs; $115 million for new and expanded projects in vocational education; and $35 million for vocational education leadership and professional development.

This legislation could make vocational education an assured route to success for millions of American youngsters. It would consolidate all vocational education legislation into one act with increased authorization for funding vocational and technical education programs.

It would provide:

Specified sums for vocational education for those individuals who are disadvantaged academically, physically, economically, or socially.

Funds to continue the excellent work-study program which offer financial assistance to many disadvantaged youth.

Funds to States for developing innovative and exemplary programs.

Funds for residential vocational programs and the construction of residential vocational schools.

Special funds for consumer and homemaking education programs.

Funds to assist States in the development of curriculum materials, so urgently needed to keep the vocational education program up to date.

Funds for teacher-education programs and for the training of supervisors and administrators for vocational education.

Funds for research both at the State and national levels.

Funds for collecting necessary manpower data.

Funds to support the activities of a national advisory committee and State advisory councils.

This proposed legislation brings together into one bill the changes that we have learned are needed for moving toward the goals set forth in the Vocational Education Act of 1963.

If we are to step into the future with hope, and without stumbling, we must produce trained citizens in this country—now. To do this we must pass this legislation and stop shortchanging millions of American youngsters and adults by offering them a way to explore, develop, and use their potential.

Mr. Speaker, at this point I would like the RECORD to show an analysis of the bill including tables of proposed fund distribution.

The analysis follows:

H.R. 18366—VOCATIONAL EDUCATION AMENDMENTS OF 1968

SECTION-BY-SECTION ANALYSIS

Section 1. Provides that the act may be cited as the "Vocational Education Amendments of 1968."

Section 2. Sets forth the broad purposes of the act as to: (1) consolidate, broaden and strengthen ongoing vocational and technical education programs; (2) to encourage the further development of vocational education programs in the areas of secondary, post-secondary and adult instruction; (3) to assist in the training of vocational educators and increase the number of available vocational education teachers; (4) to promote new and exemplary programs and techniques in vocational education which would include exploratory occupational programs, work experience programs, and residential school programs; (5) to extend the authorization for the work-study program; and (6) amend existing law to improve programs and provide for increased flexibility in administration of vocational education.

TITLE I—CONSOLIDATION AND IMPROVEMENT OF EXISTING VOCATIONAL EDUCATION PROGRAMS

Section 101(a). Redesignates part A of Public Law 88-210, the Vocational Education Act of 1963, sections 1 through 17, as title I, part A, to deal with "Grants for Comprehensive Programs."

Section 101(b). Redesignates parts B and C of Public Law 88-210 as titles II and III of such act; and sections 21 through 28 and 31 through 33 of such act, respectively, as sections 201 through 208 and 301 through 303.

Authorization for comprehensive programs

Section 102(a). Amends section 2 of the Vocational Education Act of 1963 so as to increase the authorizations for comprehensive programs from the existing $225 to $344 million for the fiscal year ending June 30, 1969, and for each succeeding fiscal year to $565 million to be used for making grants to States pursuant to part A. In addition, for the fiscal years 1969 and 1970, section 2 would be amended to authorize $40 million for each of those years for the purpose of making grants to States in order for them to provide vocational education for persons who have academic, socioeconomic, or other handicaps that prevent them from succeeding in the regular vocational education programs.

ESTIMATED DISTRIBUTION OF FUNDS UNDER P. A, VOCATIONAL EDUCATION AMENDMENTS OF 1968, FOR PURPOSES SET FORTH IN SECTION 4(a)

	Fiscal year 1969, sec. 2(a) [1]	Fiscal year 1970, sec. 2(a) [2]	Fiscal years 1969–70, sec. 2(b), [3] for each fiscal year
United States and outlying areas	$305,100,000	$504,000,000	$40,000,000
50 States and District of Columbia	299,272,631	494,373,670	39,236,006
Alabama	7,060,685	11,663,669	925,688
Alaska	373,905	617,661	49,021
Arizona	2,834,681	4,682,660	371,640
Arkansas	3,808,971	6,292,106	499,374
California	22,946,334	37,905,448	3,008,368
Colorado	3,065,835	5,064,506	401,945
Connecticut	3,358,960	5,548,724	440,375
Delaware	615,307	1,016,436	80,670
Florida	9,531,371	15,745,037	1,249,606
Georgia	8,947,068	14,779,818	1,173,001
Hawaii	1,198,607	1,980,000	157,143
Idaho	1,320,672	2,181,641	173,146
Illinois	12,716,184	21,006,086	1,667,150
Indiana	7,355,720	12,151,042	964,368
Iowa	4,378,504	7,232,928	574,042
Kansas	3,579,145	5,912,452	469,242
Kentucky	6,291,342	10,392,778	824,824
Louisiana	7,053,867	11,652,405	924,794
Maine	1,805,811	2,983,051	236,750
Maryland	5,154,762	8,515,241	675,813
Massachusetts	6,910,571	11,415,692	906,007
Michigan	11,965,857	19,766,607	1,568,778
Minnesota	5,601,487	9,253,194	734,380
Mississippi	4,827,304	7,974,307	632,882
Missouri	6,976,956	11,525,356	914,711
Montana	1,234,165	2,038,738	161,805
Nebraska	2,268,369	3,747,158	297,394
Nevada	501,621	828,636	65,765
50 States and District of Columbia—Con.			
New Hampshire	$1,073,193	$1,772,826	$140,700
New Jersey	8,199,973	13,545,678	1,075,054
New Mexico	1,950,124	3,221,444	255,670
New York	20,826,531	34,403,709	2,730,453
North Carolina	10,226,508	16,893,346	1,340,742
North Dakota	1,248,814	2,062,938	163,725
Ohio	15,234,364	25,165,911	1,997,294
Oklahoma	4,568,585	7,546,925	598,962
Oregon	3,064,157	5,061,735	401,725
Pennsylvania	17,173,994	28,370,020	2,251,589
Rhode Island	1,324,553	2,188,052	173,655
South Carolina	5,599,538	9,249,974	734,125
South Dakota	1,257,139	2,076,691	164,817
Tennessee	7,509,559	12,405,170	984,537
Texas	19,501,006	32,214,051	2,556,671
Utah	1,821,688	3,009,279	238,832
Vermont	738,541	1,220,008	96,826
Virginia	8,353,978	13,800,082	1,095,245
Washington	4,546,641	7,510,675	596,085
West Virginia	3,645,837	6,022,621	477,986
Wisconsin	6,363,453	10,511,899	834,278
Wyoming	524,859	867,024	68,811
District of Columbia	835,535	1,380,235	109,542
American Samoa	61,016	100,793	7,999
Canal Zone	0	0	0
Guam	190,000	313,864	24,910
Puerto Rico	5,298,447	8,752,596	694,650
Virgin Islands	107,599	177,744	14,107
Trust Territory	170,307	281,333	22,328

[1] $344,000,000 with $5,000,000 reserved for Secretary of Labor. 90 percent of the balance distributed as in current law.

[2] $565,000,000 with $5,000,000 reserved for Secretary of Labor. 90 percent of the balance distributed as in current law.

[3] Distribution as in current law, with percentages adjusted to 100 percent.

ESTIMATED DISTRIBUTION OF FUNDS FOR FISCAL YEARS 1969-70[1] FOR PURPOSES OF SEC. 4(c)

	Fiscal year 1969	Fiscal year 1970
United States and outlying areas	$16,950,000	$28,000,000
50 States and District of Columbia	16,626,292	27,465,261
Alabama	392,237	647,942
Alaska	20,771	34,311
Arizona	157,476	260,137
Arkansas	211,599	349,545
California	1,274,827	2,105,910
Colorado	170,324	281,361
Connecticut	186,621	308,282
Delaware	34,184	56,469
Florida	529,535	874,748
Georgia	497,030	821,053
Hawaii	66,584	109,991
Idaho	73,368	121,197
Illinois	706,492	1,167,066
Indiana	408,655	675,065
Iowa	243,249	401,828
Kansas	198,842	328,470
Kentucky	349,501	577,347
Louisiana	391,860	647,321
Maine	100,320	165,721
Maryland	286,376	473,069
Massachusetts	383,939	634,235
Michigan	664,771	1,098,147
Minnesota	311,188	514,058
Mississippi	268,154	442,967
Missouri	387,622	640,319
Montana	68,563	113,260
Nebraska	126,020	208,174
Nevada	27,870	46,039
New Hampshire	59,623	98,493
New Jersey	455,583	752,586
New Mexico	108,332	178,955
New York	1,157,134	1,911,491
North Carolina	568,105	938,463
North Dakota	69,374	114,600
Ohio	846,371	1,398,135
Oklahoma	253,809	419,272
Oregon	170,231	281,208
Pennsylvania	954,164	1,576,201
Rhode Island	73,589	121,563
South Carolina	311,052	513,832
South Dakota	69,839	115,367
Tennessee	417,189	689,162
Texas	1,083,362	1,789,624
Utah	101,197	167,169
Vermont	41,029	67,777
Virginia	464,093	766,644
Washington	252,588	417,254
West Virginia	202,538	334,576
Wisconsin	353,525	583,994
Wyoming	29,159	48,167
District of Columbia	46,528	76,696
American Samoa	3,389	5,598
Canal Zone	0	0
Guam	10,553	17,433
Puerto Rico	294,329	486,207
Virgin Islands	5,977	9,873
Trust territories	9,460	15,628

---

[1] Estimated distribution of the amount reserved under sec. 3, according to the sec. 3 formula adjusted to 100 percent, for use by State boards.

Section 102(b). Amends section 13(e) of the Vocational Education Act of 1963 to require Federal expenditures in support of a vocational education student work-study program equal to 80 percent of the amount expended in support of such programs, and authorizes appropriations of $35 millions for each of the 2 fiscal years beginning with June 30, 1969, for the work-study program set forth in section 13 of the Vocational Education Act of 1963.

ESTIMATED DISTRIBUTION OF FUNDS UNDER VOCATIONAL EDUCATION AMENDMENTS OF 1968, SEC. 13, WORK STUDY PROGRAMS

	Estimated State allotment for each of fiscal years 1969 and 1970 [1]
United States and outlying areas	$35,000,000
50 States and the District of Columbia	*34,419,074*
Alabama	692,254
Alaska	55,584
Arizona	293,072
Arkansas	368,865
50 States and the D.C.—Continued	
California	$3,218,737
Colorado	353,706
Connecticut	464,874
Delaware	87,584
Florida	955,010
Georgia	867,426
Hawaii	151,588
Idaho	136,430
Illinois	1,761,798
Indiana	864,056
Iowa	490,136
Kansas	400,869
Kentucky	614,778
Louisiana	693,942
Maine	178,538
Maryland	648,462
Massachusetts	880,901
Michigan	1,497,360
Minnesota	633,304
Mississippi	481,716
Missouri	757,942
Montana	133,063
Nebraska	249,280
Nevada	67,372
New Hampshire	114,534
New Jersey	1,123,440
New Mexico	202,118
New York	2,868,397
North Carolina	992,064
North Dakota	124,638
Ohio	1,807,274
Oklahoma	441,290
Oregon	352,023
Pennsylvania	1,933,600
Rhode Island	153,272
South Carolina	554,141
South Dakota	126,326
Tennessee	715,838
Texas	1,972,338
Utah	192,014
Vermont	72,426
Virginia	850,580
Washington	564,246
West Virginia	362,128
Wisconsin	727,626
Wyoming	60,634
District of Columbia	109,480
American Samoa	6,402
Canal Zone	0
Guam	20,044
Puerto Rico	544,036
Virgin Islands	10,444

See footnote at end of table.

---

[1] Distribution of $35,000,000 on basis of estimated 15 to 20 population, July 1, 1966.

Special manpower projections; increased flexibility in reallotments

Section 103 (a). Amends the section to require the Commissioner to reserve not in excess of $5 million from the sums appropriated under section 2(a) for transfer to the Secretary of Labor to finance national, regional, State and local studies of projected manpower needs to guide Federal, State and officials and advisory committees in carrying out their responsibilities under the Vocational Education Act. In addition, the section requires that 90 percent of the remainder of the sums appropriated pursuant to section 2(a) and section 2(b) be allotted among the States according to the formula—utilizing relative population of the various age groups needing vocational education and per capita income—which is presently utilized in making allotments among the States in section 3(a) of the existing law.

Section 103(b). Amends section 3(c) of the Vocational Education Act of 1963 so as to permit reallotment by the Commissioner of funds determined not to be required in any fiscal year in carrying out a State's approved plan on the basis of factors determined by the Commissioner to be equitable and reasonable to States which are able to use, without delay, funds reallotted for the purposes of section 4(a), except that funds appropriated for the purposes of section 2(b) may be reallotted only for uses set forth in section 4(a)(4)(A). Present law permits reallotment in proportion to the regional allotments reduced to the extent such reallotment exceeds the sum the Commissioner estimates such State needs and will be able to use under the approved plan of such State for such year.

Inclusion of the Trust Territory of the Pacific Islands

Section 104. This section contains amendments necessary to extend the benefits of the Vocational Education Act of 1963 to the Trust Territory of the Pacific Islands.

Elimination of matching by separate categories; special matching provision for trust territory and American Samoa

Section 105. Subsections (a), (b), (c) of section 6 of the existing law, in general, require equal State or local matching of Federal funds for each project authorized, descriptions of which are set forth in section 4. This section of the bill would delete subsections (a), (b), and (c), thus obviating the need for a State to match Federal funds on a project-by-project basis.

Section 105(b). Amends section 4(a) of the Vocational Education Act of 1963 so as to provide that Federal expenditures may not exceed 50 percent of the total State and local expenditures for the purposes set forth in section 4, except with respect to expenditures for the purpose of section 4(a)(4)(A), within the limits of the allotments to such States for such purposes. The amendment permits payments of 100 percent of the expenditures of the Trust Territory of the Pacific Islands and American Samoa within the limits of the allotment and State plans for such areas.

Permitted use of Federal funds

Section 106. Amends section 4(a) of the Vocational Education Act of 1963 to list specifically as being eligible for assistance, programs involving: (1) vocational education for handicapped persons who, because of their handicapping condition, cannot succeed in the regular vocational education program without special educational assistance, or who require a modified vocational education program, defining the term "handicapped" as the deaf, mentally retarded, speech impaired, visually handicapped, seriously emotionally disturbed, crippled or otherwise health impaired; (2) vocational guidance and counseling designed to aid persons in vocational education high school programs, persons who have completed or left high school and who are available for full-time study and preparation for entering the labor market, persons in vocational education programs who have already entered the labor market and who require training or retraining to achieve stability or advancement in employment, and persons who have academic, socioeconomic or other handicaps that prevent them from succeeding in the regular vocational education programs; and (3) provision of vocational training through arrangements with private vocational training institutions where such institutions can make a significant contribution to the furtherance of the State plan, and can provide equivalent training at less cost, or services or equipment not available in public institutions.

Required use of State allotments

Section 107. Under section 4(b) of existing law, at least one-fourth of each State's allotment was required to be used for program involving full-time vocational study or for the construction of facilities utilized exclusively for vocational education programs ("area vocational education school facilities") and at least 3 percent of a State's allotment had to be expended for ancillary services and activities to assure quality vocational education programs. This section of the bill repeals these provisions, substituting the requirement that, beginning with fiscal year 1970, at least 25 percent for a State's allotment under section 2(a) which is in excess of the State's allotment for the fiscal year 1969 from sums appropriated under the Vocational Education Act of 1963, the Smith-Hughes Act, and the Vocational Education Act of 1946, shall be used only for vocational education for persons who have academic, socio-economic or other handicaps that prevent them from succeeding in the regular vocational education program, and that in no event shall the amount so used for any such fiscal year be less than 15 percent of the total allotment of such funds for each State. This requirement, however, may be waived for any State by the Commissioner for any fiscal year where he finds that the requirement imposes a hardship or is impractical in its application. In addition, this section of the bill requires an identical earmarking of funds for vocational education for persons who have completed or left high school and who are available for full-time study in preparation for entering the labor market, which requirement may also be waived for any State by the Commissioner where he finds that the requirement imposes a hardship or is impractical in its application.

Allowing contracting and dissemination of information and expansion of program under section 4(c)

Section 108. Under section 4(c) of the Vocational Education Act of 1963, 10 percent of the sums appropriated under section 2 are to be used by the Commissioner to make grants to colleges and universities, other public or nonprofit private agencies, to State boards, and with the approval of the State board to local educational agencies or to make contracts with private agencies for (1) research and training; (2) experimental, developmental or pilot programs to meet the special vocational needs of youth. This section of the bill, effective July 1, 1969, would amend 4(c) to add the additional objective of the "dissemination of information" derived from authorized programs of research and demonstration in the field of vocational education. In addition, this section would amend 4(c) to require that 50 percent of the sums received would be allocated among the States in the same manner as required by the allotment formula under section 3, and the sums so allotted to be used by State boards of vocational education for paying up to 75 percent of the cost of State research coordination units, and up to 90 percent of the cost of research and demonstration programs which have been recommended by State research coordination units or by the State advisory council established by section 110, infra.

Matching of section 2(b) funds

Section 109. Amends section 4 of the Vocational Education Act of 1963 to provide that allotments to States from sums appropriated under section 2(b) may be used at the discretion of the Commissioner for paying all or part of the expenditures of the States for programs for which such allotments are made.

State advisory council

Section 110. Amends section 5 of the Vocational Education Act of 1963 to require States who desire to receive allotments of Federal funds under the Vocational Education Act of 1963 to establish a State advisory council which is appointed by the Govenor and includes as members (1) a person or persons familiar with the vocational education needs and problems of management and labor in the State; (2) a person or persons representative of junior colleges, technical institutes, or other institutions of higher and postsecondary education which provide programs of technical or vocational education and training; (3) a person or persons familiar with the administration of State and local vocational education programs; (4) a person or persons familiar with programs of technical-vocational education and training, including the programs in comprehensive schools and area vocational schools; (5) a person or persons having professional competence in dealing with handicappped persons; (6) a person or persons representative of local educational agencies; (7) a person or persons representing manpower and vocational education agencies in the State, including persons from the cooperative area manpower planning system of the States; (8) a person or persons representing school-systems with large concentrations of socially, academically, economically, and culturally disadvantaged students; (9) a person or persons representative of the general public (including persons representative of and knowledgable about the poor and disadvantaged) who are not qualified for membership under (1) through (8) constituting no less than one-third of the total membership.

The section specified the functions of the State advisory council to be: (1) to advise the State board on the development and policy matters arising in the administration of the State plan including preparation of long-range and annual program plans; (2) to review annual program evaluations prepared by the State board; (3) to advise the State board on the allocation of State funds among the various uses set forth in the section 4(a) and sections 21 through 30 of this title of the Vocational Education Act of 1963, and to local education agencies; (4) to evaluate vocational education programs, services, and activities assisted under this title of the Vocational Education Act of 1963; and (5) to prepare and submit through the State board to the Commissioner and to the National Advisory Council on Vocational Education an annual evaluation report accompanied by additional comments of the State board as it deems appropriate.

Further, this section of the bill authorizes the State advisory council to engage such technical and secretarial assistance as may be required to carry out the functions, and the Commissioner is authorized by regulation to pay to each advisory council an amount equal to the reasonable amount expended by it in carrying out its functions. In no case shall such amount be in excess of an amount equal to 1 percent of the State's allotment under section 3 or $50,000, whichever is less.

Allocations within States

Section 111. Amends section 5(a)(2) of the Vocational Education Act of 1963 to emphasize the need for giving due consideration in providing vocational education programs and services to "new and emerging needs and opportunities on the local, State, and national levels" with respect to occupational training, and by emphasizing those provisions in the existing law which provide that Federal funds should increase the amount available for vocational education programs, to furnish all persons in all communities in the State vocational training suited to their needs by substituting the following descriptive language: "needs of all population groups in all geographic areas and communities in the State, particularly persons with academic, socioeconomic, or other handicaps that prevent them, or will likely prevent them from being readily employable,".

Finally, this section provides that Federal funds made available will not be allocated to local educational agencies in a manner which ignores the relative ability of the local vocational education agency within the State to provide the financial and other resources necessary to meet the vocational education needs in the area or community served by such agency, or which ignores the results of evaluation of State and local vocational education programs and services in the light of information regarding current and projected manpower needs and job opportunities. (See section 5(a)(2) and (9).)

Cooperative arrangements with other agencies

Section 112. Amends section 5(a)(4) of the Vocational Education Act of 1963 so that, in addition to provisions in a State plan for entering into cooperative arrangements with a system of public employment offices in the State with respect to obtaining occupational information, provision may also be made for cooperative arrangements with other agencies, organizations and institutions concerned with manpower needs and job opportunities such as institutions of higher education, model city, and community action organizations.

Additional State plan requirements

Section 113. Amends section 5(a) of the Vocational Education Act of 1963 so as to require the inclusion of the following in State plans: (1) effective uses of research, demonstration and training programs provided in part B; (2) consideration be given to the relative ability of the local education agency within the State to provide the financial and other resources necessary to meet the vocational needs in the area or community serviced by such agency, particularly those in economically depressed or high unemployment rate areas; (3) public access to the State plan, policies, statements, rules, regulations, and procedures used by the State board in its administration of the vocational education programs authorized; (4) provision that grants made from sums appropriated under section 2(b) shall be allocated within the State to areas of high concentration of youth unemployment and school dropouts and be made only to support programs that provide for the participation of students not enrolled in public schools to the extent that there are numbers of students enrolled in nonpublic schools in the area to be served whose educational needs are of that type which the program or project involved is to meet, and that effective policies and procedures will be adopted which assure Federal funds made available in such programs will not be commingled with State or local funds; (5) an annual program plan prepared by the State board in consultation with the State advisory council setting forth program content, allocation of funds, the conformity of the annual plan to long-range program planning as well as the extent of conformity to the findings and recommendations of the State's advisory council in its most recent evaluation report; (6) a long-range program plan for vocational education or revision of such plan by the State board in consultation with the State advisory council; (7) provisions designed to assure that applications from local education agencies for funding of programs will include comprehensive plans relating to the local cooperative area manpower planning system of the States (if any), and indicating to what extent the program and activities will meet local vocational education needs; and (8) provisions assuring that funds authorized by the Vocational Education Act of 1963, as amended, with the exception of home economics under section 26, will not be used for any program of vocational education which does not (a) prepare students for employment in such a manner that they are considered by potential employers to be more desirable as employees that others of similar age, ability, and years in school who are not enrolled in such a program; or (b) be necessary to prepare individuals for successful completion of such a program as is described in (a); or (c) be of significant assistance to individuals enrolled in the program in making an informed and meaningful occupational choice.

Section 114. Makes technical changes to section 5 of the Vocational Education Act of 1963 to subsection references, conforming them to the changes made by this Act.

Payments to States

Section 115. Consistent with the changes made in section 6 of the Vocational Education Act of 1963, pursuant to section 105, supra, paragraph (d) of said section 6 is redesignated as the only paragraph in section 6 and rewritten so as to provide that the Commissioner may make payments of funds allotted to a State, to the State board, or to a local education agency or other agency, organization or institution, as appropriate, in installments and in advance, or by way of reimbursement with necessary adjustments on account of overpayments or underpayments for programs authorized under all parts of title I of the Vocational Education Act of 1963 as amended by this act.

Revision of definitions

Section 116. Amend section 8 of the Vocational Education Act so as to make the definitions not only applicable to part A, but to the entire title which includes programs added by this act; amends the definition of vocational education to include, in addition to individual vocational guidance and counseling in connection with training, "group counseling" and "job placement"; broadens the term "vocational guidance and counseling" to include the purpose of facilitating occupational choices. Also, the section strikes the word "area" from the defined term "area vocational education school." In addition, the section defines the term "private vocational training institutions." The phrase "including any program designed to fit individuals for gainful employment in business and office occupations, and any program designed to fit individuals for gainful employment which may be assisted by Federal funds under the Vocational Education Act of 1946 and supplementary vocational education acts," is deleted from the definition of vocational education as those terms are covered by the broad definition of vocational education. This section defines "State boards" as a State board designated or created by State law as the sole agency responsible for the administration of vocational education, or for supervision of the administration thereof by local educational agencies, in the State.

Uses of funds appropriated under Smith-Hughes Act

Section 117. This section provides that effective July 1, 1970, sections 10 and 11 of the Vocational Education Act of 1963 are deleted and that, in lieu thereof, a new section 10 is substituted which provides that funds appropriated pursuant to the first section of the Smith-Hughes Act shall be considered as funds appropriated pursuant to section 2 of this act.

Repeal of existing residential school provisions

Section 118. Repeals section 14 of the Vocational Education Act of 1963, which section authorized demonstration residential vocational education schools.

TITLE II—NEW AND EXPANDED PROGRAMS AND PROJECTS IN VOCATIONAL EDUCATION

Section 201. Amends the Vocational Education Act of 1963 by inserting following section 17 a new part B with sections and provisions as follows:

Part B—Education for a changing technology

Findings and Purpose

Section 21. Contains the congressional finding that it is necessary to reduce the high level of youth unemployment by developing methods for preparing for occupations the two out of three young people who end their education at or before the completion of high school. The congressional purpose is stated to be, to stimulate, through Federal financial support, the establishment between "school" and "earning" appropriate "bridges" for young people who are still in school or who have left school by graduating or by dropping out, and to promote cooperation between public education, manpower agencies, and private business and industry.

Exemplary and Innovated Programs and Projects in Vocational Education

Section 22. Authorizes $15 million for the fiscal year ending June 30, 1969, and $25 million for the fiscal year ending June 30, 1970, to be used by the Commissioner for making grants to or contracts with State boards or with local educational agencies for the conduct of programs or projects of an exemplary and innovated nature in the occupational educational field to serve as models in use of regular education programs.

From the sums appropriated, 3 percent is reserved for apportionment among Puerto Rico, the Virgin Islands, Guam, American Samoa, and the Trust Territory of the Pacific Islands, according to their respective needs.

Ten percent is reserved for use by the Commissioner for the funding of programs determined to have beneficial applications or directed to innovations which are both regional or national in their implications and would not be practicable to be undertaken by any one State. The remainder of the sums are allocated to the States first, $200,000 to each State and the remainder on a formula using relative population ages 15 through 19.

Provision is made for a reallotment of unused funds among other States which are determined to be able to use, without delays, reallotted funds for the purposes of this section. Provides that funds which are reserved pursuant to this section by the Commissioner for any project or activities pursuant to an approved State plan shall remain available until expended, notwithstanding any other provision of law. Provides that for the purposes of the allotment formula to the States previously described herein, the term "State" does not include Puerto Rico, the Virgin Islands, Guam, American Samoa, and the Trust Territory of the Pacific Islands.

In addition, this section provides that State allocations may be used as determined by the State board to pay the cost of (1) planning and developing exemplary and innovated programs and (2) establishing, operating, and evaluating exemplary and innovated educational programs designed to serve as models for vocational education programs and designed to broaden occupational aspirations and opportunities for youths, giving special emphasis to youths who have academic, socioeconomic or other handicaps.

Programs or projects developed by State boards may include (1) those designed to familiarize elementary and secondary students with a broad range of occupations for which special schools are required and the requisite for careers in such occupations; (2) projects providing educational experiences through work during the school year or during the summer; (3) intensive occupational guidance and counseling during the last years of school and for initial job placement; (4) programs or projects designed to broaden or strengthen vocational education curriculums; (5) exchanges of personnel between schools and other agencies, including manpower agencies and industry; (6) projects on a part-time basis for young workers to increase their educational attainment; and (7) projects at the school level to motivate and provide preprofessional preparation for potential teachers or vocational education.

Provisions of this section preclude financial assistance for any program or project for more than a period of 3 years.

This section further provides the Commissioner shall consult with other Federal departments and agencies administering programs which may be coordinated effectively with a program carried out pursuant to this section and, to the extent practicable, shall (1) coordinate programs on the Federal level with programs being administered by such other departments; (2) require that effective procedures be adopted by grantees and contractors to coordinate the development and operation of programs carried out under grants or contracts pursuant to a State plan with other private and public programs having the same or similar objectives; (3) require that, to the extent consistent with the number of students enrolled in nonprofit, private schools in the area to be served whose educational needs are of the type which the program is designed to meet, appropriate provision has been made for the participation of such students; and (4) require procedures to assure that Federal funds made available to State boards under this section will not be commingled with State or local funds.

SEC 22(a), EXEMPLARY AND INNOVATIVE PROGRAMS

	Fiscal year 1969	Fiscal year 1970
Aggregate, United States	$13,500,000	$22,500,000
50 States and District of Columbia	13,050,000	21,750,000
Alabama	257,157	431,636
Alaska	204,174	216,916
Arizona	224,244	928,252
Arkansas	230,345	322,977
California	463,149	1,266,446
Colorado	229,221	318,422
Connecticut	238,372	355,508
Delaware	207,225	229,280
Florida	278,511	518,176
Georgia	270,965	487,595
Hawaii	211,881	248,149
Idaho	211,399	246,196
Illinois	346,908	795,364
Indiana	272,410	493,451
Iowa	241,262	367,220
Kansas	233,235	334,689
Kentucky	250,735	405,610
Louisiana	257,478	432,937
Maine	214,932	260,514
Maryland	253,143	415,369
Massachusetts	273,213	496,705
Michigan	325,714	709,473
Minnesota	253,305	416,026
Mississippi	239,657	360,715
Missouri	262,937	455,060
Montana	211,078	244,895
Nebraska	220,872	284,587
Nevada	205,459	222,123
New Hampshire	209,633	239,039
New Jersey	292,479	574,783
New Mexico	216,858	268,319
New York	437,942	1,164,252
North Carolina	281,080	528,587
North Dakota	210,275	241,641
Ohio	352,045	816,182
Oklahoma	236,285	347,050
Oregon	229,381	319,070
Pennsylvania	362,160	857,175
Rhode Island	212,523	250,751
South Carolina	244,955	382,136
South Dakota	210,597	242,946
Tennessee	259,245	440,093
Texas	362,160	857,175
Utah	216,055	265,065
Vermont	206,101	224,725
Virginia	268,878	479,137
Washington	246,561	388,695
West Virginia	230,505	323,626
Wisconsin	261,011	447,255
Wyoming	205,138	220,822
District of Columbia	209,152	237,090
American Samoa Canal Zone Guam Puerto Rico Virgin Islands Trust territory	450,000	750,000

Cooperative Vocational Education Programs

Section 23(a). Contains congressional finding that cooperative work-study programs offer advantages in preparing young people for employment, that such programs provide work experience oriented with formal education enabling students to acquire knowledge, skills, and appropriate attitudes in occupational preparation. States that it is the purpose of the section to assist the States to expand cooperative work-study programs by providing financial assistance for personnel to coordinate such programs and to provide instruction related to the work experience, including reimbursement to employers when necessary for certain added costs incurred in providing on-the-job training through work experience and including transportation and other similar service costs that the individual students may not reasonably be expected to assume while pursuing a cooperative work-study program.

Section 23(b). Authorizes $20 million for the fiscal year ending June 30, 1969, and $50 million for the fiscal year ending June 30, 1970, for the purpose of carrying out the cooperative work-study program.

Section 23(c). Reserves not to exceed 3 percent of the sums appropriated for apportionment among Puerto Rico, the Virgin Islands, Guam, American Samoa, and the Trust Territory of the Pacific Islands according to their respective needs. From the remainder, the Commissioner is required to allocate $200,000 to each State and from the remaining sum allocate to each State sums which bear the same ratio as the population aged 15 to 19 in the State bears to the population of such ages in all the States. In addition this subsection provides for appropriate reallotment on an equitable and reasonable basis any sums which the Commissioner determines will not be required for such fiscal year in carrying out the State's plan provided for in the following subsection (d).

SECTION 23, PUBLIC LAW 88-210, COOPERATIVE VOCATIONAL EDUCATION

	Fiscal year 1969	Fiscal year 1970
Aggregate, United States	$20, 000, 000	$50, 000, 000
50 States and District of Columbia	19, 400, 000	48, 500, 000
Alabama	384, 508	968, 115
Alaska	213, 475	256, 097
Arizona	278, 260	525, 800
Arkansas	297, 955	607, 791
California	1, 049, 463	3, 736, 351
Colorado	294, 327	592, 687
Connecticut	323, 869	715, 672
Delaware	223, 323	297, 095
Florida	453, 439	1, 255, 078
Georgia	429, 080	1, 153, 670
Hawaii	238, 353	359, 665
Idaho	236, 798	353, 192
Illinois	674, 227	2, 174, 228
Indiana	433, 745	1, 173, 091
Iowa	333, 198	754, 509
Kansas	307, 284	646, 628
Kentucky	363, 777	881, 811
Louisiana	385, 544	972, 428
Maine	248, 200	400, 659
Maryland	371, 551	914, 174
Massachusetts	436, 336	1, 183, 877
Michigan	605, 814	1, 889, 421
Minnesota	372, 069	916, 331
Mississippi	328, 015	732, 932
Missouri	403, 166	1, 045, 789
Montana	235, 761	348, 875
Nebraska	267, 376	480, 489
Nevada	217, 622	273, 361
New Hampshire	231, 097	329, 458
New Jersey	498, 530	1, 442, 793
New Mexico	254, 419	426, 549
New York	968, 092	3, 397, 600
North Carolina	461, 732	1, 289, 602
North Dakota	233, 170	338, 088
Ohio	690, 812	2, 243, 272
Oklahoma	317, 131	687, 621
Oregon	294, 845	594, 844
Pennsylvania	723, 463	2, 379, 199
Rhode Island	240, 426	368, 295
South Carolina	345, 119	804, 137
South Dakota	234, 207	342, 405
Tennessee	391, 246	996, 165
Texas	723, 463	2, 379, 199
Utah	251, 828	415, 762
Vermont	219, 695	281, 991
Virginia	422, 342	1, 125, 619
Washington	350, 301	825, 710
West Virginia	298, 473	609, 947
Wisconsin	396, 947	1, 019, 899
Wyoming	216, 585	269, 044
District of Columbia	229, 542	322, 985
American Samoa Canal Zone Guam Puerto Rico Virgin Islands Trust territory	600, 000	1, 500, 000

Section 23(d). Provides for the submission by the State of a State plan to be used by the State board in establishing a cooperative work-study program through local education agencies with participation of public and private employers. Such State plans must give assurance that (1) funds will be used for cooperative work-study programs which provide training opportunities that may not otherwise be available and designed to serve persons who can benefit from such programs; (2) there will be cooperation with employment agencies, labor groups, employers, and other community agencies in identifying appropriate jobs for persons who enroll in cooperative work-study programs; (3) provision is made for reimbursement of added costs to employers for on-the-job training of students provided that such on-the-job training is related to existing career opportunities susceptible of promotion and advancement and does not displace other workers who perform such work; (4) ancillary services and activities to assure quality in cooperative work-study programs; (5) priority for funding cooperative work-study programs will be given to areas that have high rates of school dropouts and youth unemployment; (6) to the extent consistent with the number of students enrolled in nonprofit private schools in the area to be served, having educational needs of the type which the program is designed to meet, provision has been made for such students to participate; and (7) Federal funds are not commingled with State or local funds. The Commissioner is required to approve a State plan which fulfills the conditions specified above, and the provisions of subsections (e)(f)(g) of section 5.

Section 23(e). Funds allocated to States for cooperative work-study programs may be used for paying all or part of the State expenditures under the State plan for any fiscal year not to exceed its allotment for such programs.

Section 23(f). Defines "cooperative work-study program" as meaning a program of vocational education for persons who receive instruction through a cooperative arrangement between the schools and employers by alternating study in school with a job in any occupational field. The two experiences must be planned and supervised by the school and employer so that each contributes to the student's occupational education and to his employability. Under the arrangement the work periods and periods of school attendance may be on alternate half days, full days, weeks, or other periods of time in filling the cooperative work-study arrangement. But the number of hours of work shall approximately equal the number of hours spent in school for the individual to complete the cooperative work-study program.

Residential Vocational Education Facilities

Section 24(a). Authorizes $15 million for the fiscal year ending June 30, 1969, and $15 million for the fiscal year ending June 30, 1970, for grants to the States to provide residential vocational educational facilities; provides for allotment to each State from the amount appropriated an amount which bears the same ratio to the total appropriation as the population of each State bears to the populaion of all of the States; provides for the purpose of this section the "State" does not include Guam, American Samoa, the Virgin Islands, and the Trust Territory of the Pacific Islands; provides that the State allotment for fiscal year ending June 30, 1969, shall be available for payment to applicants with approved applications in that State during such year and the next fiscal year; provides for appropriate reallotment among the States of any unused amounts allotted.

Section 24(b). Provides that funds allotted to the States shall be used by the State or with the approval of the State board by public education agencies, organizations, or institutions within such State to pay the Federal share of planning, constructing, and operating residential vocational education facilities for youths 14 to 21 years of age inclusive; provides that special consideration shall be given to needs in geographic areas having substantial or disproportionate numbers of youths who have dropped out of school or are unemployed; provides that the Federal share of the cost of planning, constructing, and operating such facilities shall not exceed 90 percent.

Section 24(c). Provides that the State plan for the residential vocational education program shall set forth the policies and procedures to be used by the State in determining the size and location of such facility and must assure: (1) adequate provision will be made for the appropriate selection without regard to sex, race, color, religion, national origin, or place of residence within the State of students needing education and training at such facilities; (2) maintenance of the facility for conducting residential vocational education programs; (3) occupational offering will include fields for which available labor market analysis indicate a present or continuing need for trained manpower and that the course offered will prepare enrollees for entry into employment or advancement in such fields; (4) no fees, tuitions or other charges will be required of students using facilities.

Section 24(d). Defines the term "residential school facility" and the term "operation".

Residential vocational education facilities, section 24

	Estimated State amount [1]
50 States and the District of Columbia	$15, 000, 000
Alabama	268, 785
Alaska	20, 287
Arizona	122, 718
Arkansas	149,742
California	1, 439, 392
Colorado	149, 665
Connecticut	220, 326
Delaware	39, 273
Florida	451, 140
Georgia	340, 288
Hawaii	55, 656
Idaho	53, 359
Illinois	825, 725
Indiana	379, 025
Iowa	211, 292
Kansas	174, 163
Kentucky	243, 522
Louisiana	276, 900
Maine	74, 871
Maryland	276, 441
Massachusetts	413, 628
Michigan	648, 270
Minnesota	273, 455
Mississippi	178, 910
Missouri	349, 398
Montana	53, 742
Nebraska	110, 163
Nevada	32, 995
New Hampshire	51, 751
New Jersey	528, 154
New Mexico	76, 708
New York	1, 393, 688
North Carolina	380, 786
North Dakota	49, 225
Ohio	793, 418
Oklahoma	189, 627
Oregon	151, 043
Pennsylvania	888, 118
Rhode Island	68, 747
South Carolina	198, 201
South Dakota	51, 981
Tennessee	295, 962
Texas	822, 739
Utah	77, 091
Vermont	31, 464
Virginia	341, 819

Residential vocational education facilities, section 24—Continued

	Estimated State amount [1]
50 States and the District of Columbia—Con.	
Washington	$232, 728
West Virginia	138, 488
Wisconsin	319, 006
Wyoming	24, 421
District of Columbia	61, 704

[1] Distribution of $15,000,000 to 50 States and the District of Columbia on basis of total resident population, July 1, 1966.

Construction of Residential Vocational Education Schools and Dormitories

Section 25(a). Authorizes the Commissioner to make annual grants to State boards, to colleges and universities, and with the approval of the appropriate State board, to public education agencies, organizations, or institutions to reduce the cost of borrowing funds for the construction of residential schools and dormitories to provide vocational education for youths 14 years of age, but less than 21 years of age, at the time of enrollment. The Commissioner is to give special consideration to the needs of urban and rural areas having substantial numbers of youths who have dropped out of school or are unemployed and shall seek to attain an equitable geographical distribution of such schools.

Section 25(b). Annual grants under this section are to be made over a fixed period not exceeding 40 years and contained in a contract guaranteeing their payment for such period. Such grants shall be in an amount equal to the difference between (1) the average annual debt service required to be paid and, (2) the average annual debt service during the life of the loan if the applicable interest rate were 3 percent per annum.

Section 25(c). Precludes the Commissioner from entering into any grants or contracts under this section if the amount borrowed is in excess of the total cost of the construction of the facility or if the construction will be undertaken in an uneconomical manner or will be of an elaborate or extravagant design.

Section 25(d). Authorizes appropriations as may be necessary for the payment of the annual grants pursuant to this section, but limits contracts for annual grants to the aggregate amount provided for in appropriation acts and further limits the total amounts of annual grants which may be paid in any year pursuant to contracts to a maximum of $5 million which shall be increased by $5 million on July 1, 1969.

Consumer and Homemaking Education

Section 26(a). Authorized an appropriation of $15 million for the fiscal year ending June 30, 1970, to carry out the purposes of this section. From the sums appropriated, the Commissioner is required to allot to each State an amount computed in the same manner as allotments to States under section 3, except that 100 percent of the amount appropriated pursuant to this section shall be allotted among the States. The Commissioner is given authority to reallott among the States any sums allotted to States but unused.

ESTIMATED DISTRIBUTION OF FUNDS FOR CONSUMER AND HOMEMAKING EDUCATION

	Fiscal year 1970 estimated State amount [1]
United States and outlying areas	$15, 000, 000
50 States and District of Columbia	14, 713, 533
Alabama	347, 112
Alaska	18, 381
Arizona	139, 359

See footnote at end of table.

ESTIMATED DISTRIBUTION OF FUNDS FOR CONSUMER AND HOMEMAKING EDUCATION—Continued

	Fiscal year 1970 estimated State amount [1]
50 States and District of Coulmbia—Con.	
Arkansas	$187, 256
California	1, 128, 166
Colorado	150, 729
Connecticut	165, 151
Delaware	30, 251
Florida	468, 615
Georgia	439, 850
Hawaii	58, 924
Idaho	64, 927
Illinois	625, 214
Indiana	361, 642
Iowa	215, 265
Kansas	175, 966
Kentucky	309, 293
Louisiana	346, 779
Maine	88, 779
Maryland	253, 430
Massachusetts	339, 769
Michigan	588, 293
Minnesota	275, 388
Mississippi	237, 304
Missouri	343, 028
Montana	60, 675
Nebraska	111, 522
Nevada	24, 664
New Hampshire	52, 764
New Jersey	403, 171
New Mexico	95, 869
New York	1, 024, 013
North Carolina	502, 748
North Dakota	61, 393
Ohio	749, 001
Oklahoma	224, 610
Oregon	150, 647
Pennsylvania	844, 393
Rhode Island	65, 123
South Carolina	275, 267
South Dakota	61, 804
Tennessee	369, 194
Texas	958, 727
Utah	89, 555
Vermont	36, 309
Virginia	410, 702
Washington	223, 529
West Virginia	179, 237
Wisconsin	312, 854
Wyoming	25, 804
District of Columbia	41, 087
American Samoa	2, 999
Canal Zone	0
Guam	9, 339
Puerto Rico	260, 468
Virgin Islands	5, 289
Trust Territory	8, 372

[1] $15,000,000 distributed with sec. 3 percentages adjusted to 100 percent.

Note: Distributions made on basis of fiscal year 1968 data.

Section 26(b). Provides that for the purposes of this section the State shall submit a plan setting forth a progrem under which the Federal funds will be expended for educational programs which encourage home economics to give greater consideration to social and cultural conditions and needs, particularly in economically deprived areas, and to encourage preparation for professional leadership and which programs are designed for youths and adults through preparation for the role of homemaker or which contribute to the employability of such youths and adults through prepartion for the dual role of homemaker and wage earner. In addition, funds may be used to provide ancillary services and activities and other means to assure quality in all homemaking education programs.

Section 26(c). Provides that the Federal share of program costs shall be 50 percent of the amount expended by the State, except that for the fiscal years ending June 30, 1970 and June 30, 1971, the Federal share shall equal 90 percent of the expenditures in areas described in the following subsection (d), provided that no State shall receive payments in excess of its allotment.

Section 26(d). Requires that at least one-third of the Federal funds made available under this section shall be used in economically deprived areas or areas with high rates of unemployment for programs designed to assist consumers and to help improve home environments and the quality of family life.

Curriculum Development in Vocational-Technical Education

Section 27(a). Contains the findings of Congress to the effect that curriculum development in vocational education has been complicated by the diversity of occupational objectives, variations due to geography, differing educational levels and types of programs, and by a wide range of diverse occupations. Sets forth the purpose of the section to enable the Commissioner to provide assistance to States and local educational agencies in the development of curriculums for new and changing occupations, and to coordinate improvements in and the dissemination of existing curriculum materials.

Section 27(b). Authorizes appropriations of $7 million for the fiscal year ending June 30, 1969, and $10 million for the fiscal year ending June 30, 1970, to carry out the purposes of this section.

Section 27(c). Authorizes the Commissioner to use the funds appropriated, after consultation with the appropriate State agencies and the National Advisory Council, to make grants to or contracts with State boards, colleges or universities, and other public or nonprofit, private agencies or contracts with public or private agencies or organizations to (1) promote development and dissemination of vocational education curriculum materials, (2) develop standards for curriculum development in all occupational fields, (3) coordinate efforts of the States in this area and prepare current lists of curriculum materials available in all occupational fields, (4) survey curriculum materials produced by other agencies of the Government, (5) evaluate vocational-technical education curriculum materials, and (6) train personnel in curriculum development. In addition, this subsection defines "curriculum materials."

National Advisory Council on Vocational Education

Section 28(a). Creates a National Advisory Council on Vocational Education, consisting of 15 members appointed by the President for 3-year terms without regard to the civil service laws. Initial appointments shall be for shorter terms as prescribed by this section in order to provide for staggered terms. Not more than five regular full-time Federal or State employees may serve on the Council at any one time. This section further provides that the President shall designate the Chairman from among the non-Government Council members and that, to the extent possible, the Council shall include persons: familiar with vocational education needs and the problems of management and labor; familiar with manpower problems and administration of manpower programs; knowledgeable about the administration of State and local vocational education programs; familiar with problems of the handicapped; representative of local educational agencies; with special knowledge or experience with respect to vocational education; and, finally, not less than five persons representative of the general public. The Council shall meet at the call of the Chairman, but not less than four times a year.

Section 28(b). Provides that the Council shall advise the Commissioner in the preparation of general regulations and with respect to policy in the administration of this title.

Section 28(c). Provides that the Council shall review the administration and operation of vocational education programs under this title, making recommendations with respect thereto and annual reports of its findings.

Section 28(d). Provides that members of the Council not in the regular full-time employ of the United States shall, while serving on the business of the Council, be entitled to receive compensation at the rates fixed by the Secretary, but not exceeding the rate specified for a grade GS–18, including traveltime and per diem allowances as au-

thorized in section 5703, title V, United States Code for persons in Government service employed intermittently.

Section 28(e). Authorizes the Council to engage technical assistance as may be required to carry out its functions without regard to the civil service laws and, for this purpose, authorizes an appropriation of $100,000 for fiscal year 1969 and $150,000 for the fiscal year ending June 30, 1970.

Collection and Dissemination of Information

Section 29(a). Authorizes the Commissioner to (1) collect data and information on programs qualifying for assistance under this title for the purpose of obtaining objective measurements of their effectiveness in accomplishing the title's purposes, (2) disseminate to State boards, local educational agencies, and other appropriate institutions catalogs, reviews, bibliographies, abstracts, research and experimentation analyses, and other comparable materials, (3) upon request, provide advice, counsel, technical assistance and demonstrations to State boards, local educational agencies, or institutions of higher education, initiating or operating programs under this title, (4) disseminate to State boards, local educational agencies and other appropriate agencies, an annual report on the programs carried out pursuant to this title, and (5) enter into contracts with public or private agencies, organizations, groups or individuals to enable carrying out of the provisions of this section.

Section 29(b). Authorizes such sums as may be necessary to carry out the provisions of this section for the fiscal year ending June 30, 1969 and for each fiscal year thereafter.

State Administrative Expenses

Section 30. Authorizes the Commissioner to pay to each State such amounts as are necessary to cover administrative expenses incurred in the performance of duties under this part and of the duties related to programs and projects supported with funds under section 2(b), but in no case may the total of such payments to any State for any fiscal year exceed 3 percent of the amount paid to that State under this part for such year, or $50,000, whichever is greater.

TITLE III—VOCATIONAL EDUCATION LEADERSHIP AND PROFESSIONAL DEVELOPMENT

Section 301. Amends the Higher Education Act of 1965 by adding the following new part at the end of title V (the Education Professions Development Act):

Part F—Training and development programs for vocational education personnel

Statement of Purpose

Section 551. Provides that the purpose of this part is to furnish opportunities for experienced vocational educators to spend full time in advanced study of vocational education for up to 3 years, furnish opportunities to up-date the occupational competencies of vocational education teachers through exchanges of personnel between vocational education programs and commercial, industrial, or other public or private employment related to occupational training fields, and to furnish programs of in-service teacher education and short term institutes for short term vocational education personnel.

Leadership Development Awards

Section 552(a). Provides for the purpose of meeting the need in all the States for qualified vocational education personnel, the Commissioner shall make available leadership development awards upon his determination that (1) persons selected for awards have at least 2 years of experience in vocational education or in the case of researchers, experience in social science research which is applicable to vocational education (2) such award recipients are currently employed or are reasonably assured of employment in vocational education and have at least satisfactorily completed a baccalaureate degree program or (3) persons selected for awards are recommended by their employer or other appropriate persons as having leadership potential in the field of vocational education and are eligible for admission as a graduate student to a program of higher education approved by the Commissioner as provided under subsection (b) of this section.

Section 552(b). Authorizes the Commissioner to pay stipends to persons selected for leadership development awards which he determines to be consistent with prevailing practices under comparable federally supported programs. The subsection further authorizes the Commissioner to pay to the institution of higher education at which such person is pursuing his course of study an amount determined by the Commissioner to be consistent with the prevailing practices under comparable federally supported programs, not to exceed $3,500 per academic year less any amount charged such person for tuition and nonrefundable fees and deposits.

Section 552(c). Authorizes the Commissioner to approve the vocational education leadership development program of an institution of higher education only when (1) such institution offers a comprehensive program in vocational education with adequate supporting services (2) such program is designed to further substantially the objective of improving vocational education (3) such programs are conducted by a school of graduate study in the institution of higher education and lead to an advanced degree (4) such program is also approved by the State board for vocational education in the State where the institution is located.

Section 552(d). Requires the Commissioner to apportion leadership development awards equitably among the States, taking into account such factors as the State's vocational education enrollments, and the incidence of youth unemployment and school dropouts in the State.

Section 552(e). Provides that leadership development awards recipients shall continue to receive their stipends provided in subsection (b) only during such periods as they are maintaining satisfactory proficiency in, and devoting essentially full time to, study or research in the field of vocational education in an institution of higher education and are not engaging in gainful employment other than part-time employment by such institution in teaching, research or similar activities.

Exchange Programs, Institutes, and In-Service Education for Vocational-Education Teachers, Supervisors, Coordinators, and Administrators.

Section 553(a). Authorizes the Commissioner to make grants to State boards to pay the cost of carrying out cooperative arrangements for the training of experienced vocational education personnel. Such arrangement may be between schools offering vocational education and private business or industry, commercial enterprises, or with other educational institutions (including those for the handicapped and delinquent).

Section 553(b). Provides that grants under this section may be used for projects and activities involving (1) exchange of voccational education teachers and other staff members with skilled technicians or supervisors in industry (2) in-service training programs for vocational education teachers and other staff members (3) short-term or regular-session institutes designed to improve the qualifications of vocational educators except that such funds may not be used for seminars, symposia, workshops or conferences unless these are part of a continuing program of in-service or preservice training.

Section 553(c). Provides that grants may be made only upon application to the Commissioner setting forth appropriate information which the Commissioner cannot approve unless the application (1) sets forth a program for carrying out one or more projects or activities which meet the requirements of paragraph (b) and provides for methods to assure proper and efficient operation of the program (2) prescribed procedures which assure Federal funds will be used to supplement and to the extent practicable, increase the level of funds available for these persons and in no case supplant such funds (3) provides for appropriate control and accounting procedures and (4) provides for making appropriate report to enable the Commisisoner to carry out his functions under this section.

Familiarizing Teachers With New Curricular Materials

Section 554. Provides that in approving training and development programs for vocational education personnel special consideration shall be given to programs designed to familiarize teachers with new curricular materials.

Section 554. Authorizes appropriation of $25 million for the fiscal year ending June 30, 1969 and $35 million for fiscal year ending June 30, 1970.

TITLE IV—MISCELLANEOUS

Special study

Section 401. Authorizes and directs the Commissioner of Education to make a study of the means by which the existing Job Corps facilities and programs might more effectively and expeditiously be transferred to State or joint Federal-State operation in conjunction with the program of residential vocational schools authorized by section 14 of the Vocational Education Act of 1963 and in connection with this study direct the Commissioner to consult with other Federal officers, State boards of vocational education, and such other individuals and organizations as he may deem necessary for the study and report to the appropriate committees of the Congress no later than January 15, 1969 his findings and recommendations.

Adequate leadtime and planning and evaluation

Section 402. Amends section 401 of the Elementary and Secondary Education Amendments of 1967 so as to authorize advanced funding for the Vocational Education Act of 1963.

Reducing age limit in adult education program

Section 403. Provides, effective with respect to appropriations for the fiscal years beginning with fiscal year 1970, adult education programs supported by title III of Public Law 89-750 may include enrollees 16 years and older.

Adult basic education

	Estimated State amounts [1]
United States and outlying areas	$40,000,000
States and District of Columbia	39,200,000
Alabama	1,113,115
Alaska	128,652
Arizona	326,839
Arkansas	618,354
California	2,078,716
Colorado	293,777
Connecticut	513,512
Delaware	174,420
Florida	1,119,876
Georgia	1,386,179
Hawaii	222,467
Idaho	157,095
Illinois	1,689,820
Indiana	767,615
Iowa	417,500
Kansas	340,189
Kentucky	955,214
Louisiana	1,180,562

Adult basic education—Continued

States and District of Columbia—Continued	*Estimated State amounts* [1]
Maine	$231,127
Maryland	806,776
Massachusetts	897,239
Michigan	1,222,098
Minnesota	501,281
Mississippi	766,274
Missouri	910,515
Montana	172,210
Nebraska	244,377
Nevada	126,707
New Hampshire	186,360
New Jersey	1,221,191
New Mexico	273,538
New York	3,100,530
North Carolina	1,596,509
North Dakota	190,130
Ohio	1,558,394
Oklahoma	558,674
Oregon	280,744
Pennsylvania	2,241,976
Rhode Island	278,635
South Carolina	911,080
South Dakota	175,566
Tennessee	1,143,626
Texas	2,497,710
Utah	158,472
Vermont	148,925
Virginia	1,300,444
Washington	380,483
West Virginia	576,718
Wisconsin	677,123
Wyoming	130,862
District of Columbia	249,804
Outlying areas	800,000

[1] Distribution of $40,000,000 with 2% of total amount ($800,000) withheld for outlying areas. Balance distributed with $100,000 base amount to each State and D.C. and the remainder on the basis of the population 16 years and over with less than 8 grades of school completed.

Repeal of Vocational Education Act of 1946; technical amendments related thereto and use of Smith-Hughes Act funds

Section 404. Effective July 1, 1969 the following acts are repealed: The Vocational Education Act of 1946 (that is the act of June 8, 1936, as amended, 20 U.S.C. 15i–15m, 15o–15q, 15aa–15jj, 15aaa–15ggg), section 1 of the act of March 3, 1931, relating to vocational education in Puerto Rico (20 U.S.C. 30), the act of March 18, 1950, relating to vocational education in the Virgin Islands (20 U.S.C. 31–33), section 9 of the act of August 1, 1956, relating to vocational education in Guam (20 U.S.C. 34), and section 2 of the act of September 25, 1962, relating to vocational education in American Samoa (48 U.S.C. 1667).

Section 405 of this act requiring modification of State plans shall not be effective until after June 30, 1969 with respect to the use of funds authorized to be appropriated pursuant to section 2(a) of the Vocational Education Act of 1963.

Mr. Speaker, it has been 5 years since this Congress legislated in the field of vocational education. During that time, there has been a tremendous expansion of the need for occupational and skilled training. If our ongoing vocational education schools at the high school level, at the post-secondary level, and our community colleges are to meet these needs, a much greater degree of support from Federal, State, and local sources is called for at this time.

In 1963 total Federal commitment for occupational training was in the magnitude of less than $60,000,000 under the Smith-Hughes and George-Barden Acts. In the Vocational Education Act of 1963 we expanded the Federal commitment on a graduated basis until fiscal year 1967 the measure of Federal support had reached the level of $285,000,000 annually. While enlarging the support, at the same time the categories of occupational training were in large part done away with so that for the first time Federal funds were available for support of occupational training in such new important fields as the business and office occupations. Limitations in the Smith-Hughes and George-Barden Acts which confined agricultural training to on-the-farm type training were eliminated and a whole new field of training opportunities was opened up which corresponded to job opportunities in agricultural related occupations—farm management, horticulture, sales, farm equipment repair, et cetera, to name a few.

As I have indicated, the narrow categories for which Federal funds were available prior to 1963 were eliminated so that occupational training could be provided where analysis within the States of the job market indicated that there were occupational needs. In spite of the sizable increase in Federal funds available, the new training authorized has spread vocational education funds thin in many areas. The bill your committee brings to the floor today seeks to fill these gaps in training opportunities in these major ways:

First. Section 2 authorizations are increased from $225 to $344 million for the current fiscal year and to $565 million for each of the ensuing fiscal years.

Second. For the current fiscal year and for fiscal year 1970, $40 million for each year is provided to enable States to initiate special vocational education programs for persons who have handicaps, whether they be academic or socioeconomic. This special program is designed to enable States to reach the source of many of our so-called hard-core unemployment problems—the high school dropout for example.

Third. Your committee bill seeks to eliminate the administrative awkwardness and redtape associated with requirements in existing law that the States match in each specific project Federal funds dollar for dollar. This project-by-project matching requirement in your committee bill would be eliminated. However, the States would still be required overall to match Federal dollars with an equal amount of State and local funds and to maintain at least their present level of State and local support for vocational education.

Fourth. Funds are authorized to continue the excellent work-study programs which offer financial assistance to many disadvantaged youth.

Fifth. Funds are provided to States for developing innovative and exemplary programs.

Sixth. Funds are provided for residential vocational programs and the construction of residential vocational schools.

Seventh. Special funds are authorized for consumer and homemaking education programs.

Eighth. Funds are included to assist States in the development of curriculum materials, so urgently needed to keep the vocational education program up to date.

Ninth. Funds are authorized for teacher-education programs and for the training of supervisors and administrators for vocational education.

Tenth. Funds are authorized for research both at the State and national levels.

Eleventh. Funds are authorized for collecting necessary manpower data; and

Twelfth. Funds are included to support the activities of a national advisory committee and State advisory council.

Finally, Mr. Speaker, the committee calls for the Office of Education to study ways by which the Job Corps might be transferred to State or joint Federal-State administration within the context of a residential school program. Calling for this study does not indicate that the committee recommends or contemplates recommending an alteration in present Job Corps administration. It merely represents the committee's effort to continue to review effective options in increasing manpower training opportunities.

In conclusion, Mr. Speaker, the legislation we bring to the floor this morning has been more than 2 years in the making, beginning in 1966 with extensive study and hearings on H.R. 15445, sponsored by myself and the distinguished gentleman from Washington [Mr. Meeds]. The General Subcommittee on Education, under the able chairmanship of Roman Pucinski, has given further extensive consideration in 1967 and this year to legislation recommended by the administration, legislation proposed by the gentleman from Illinois [Mr. Pucinski] and the gentleman from Washington [Mr. Meeds] with 33 other cosponsors, and H.R. 18256, sponsored by myself and the distinguished gentleman of our committee from Minnesota, Mr. Albert Quie. The bill now before the House is a combination of the best features of these bills. It has a broad-base of bipartisan support.

The SPEAKER. The time of the gentleman from Kentucky has expired.

Mr. PERKINS. Mr. Speaker, I yield myself 1 additional minute.

The SPEAKER. The gentleman from Kentucky is recognized for 1 additional minute.

Mr. PERKINS. Mr. Speaker, more and more we are becoming a nation of skilled employees. Social and economic forces demand a change and a challenge for creating entirely new learning environments in order for us to create meaningful educational opportunities for each individual and to accomplish our most important national manpower objectives.

In my opinion, Mr. Speaker, this legislation represents the best investment that this Congress could possibly make toward the solution of our long-range vocational education needs. I know that many of you have had an opportunity to look at the operation of various programs since the 1963 act and share my enthusiasm for future possibilities.

The SPEAKER. The time of the gentleman from Kentucky has again expired.

Mr. PERKINS. Mr. Speaker, I yield myself 1 additional minute.

The SPEAKER. The gentleman from

Kentucky is recognized for 1 additional minute.

Mr. PERKINS. Mr. Speaker, I would like to congratulate and to extend to this measure's cosponsors my appreciation for their efforts in making this fine legislation possible. These Members who have put considerable time and effort into the writing of the bill and encouraging its support are: Mr. Ayres, Mrs. Green of Oregon, Mr. Quie, Mr. Dent, Mr. Goodell, Mr. Pucinski, Mr. Ashbrook, Mr. Daniels, Mr. Reid of New York, Mr. Brademas, Mr. Gurney, Mr. O'Hara of Michigan, Mr. Erlenborn, Mr. Carey, Mr. Hawkins, Mr. Gibbons, Mr. Hathaway, Mr. Scheuer, Mr. Meeds, Mr. Albert, Mr. Scherle, Mr. Dellenback, Mr. Esch, Mr. Steiger of Wisconsin, Mr. Thompson of New Jersey, Mr. Holland, Mr. Bell, Mr. William D. Ford, Mrs. Mink, Mr. Burton of California, Mr. Eshleman, Mr. Gardner, Mr. Farbstein, Mr. Matsunaga, Mr. Price of Illinois, Mr. Van Deerlin, Mr. Annunzio, Mr. Blatnik, Mr. Sisk, Mr. Ronan, Mr. Olsen, Mr. Foley, Mr. Adams, Mr. Hicks, Mr. Vanik, Mr. Fraser, Mr. Moorhead, Mr. Kupferman, Mr. Schweiker, Mr. Kastenmeier, Mr. Tunney, and Mr. Don H. Clausen.

I would also like to extend my appreciation to the distinguished gentleman from Missouri, Dr. Durwood Hall, for his testimony and continued keen assessment of the need for expanding vocational education opportunities to more people and in more categories.

Mr. Speaker, this legislation I would hope will receive the support of every Member. Even though we had to bring it here under a suspension of the rules to assure action this session, it came out of the Committee on Education and Labor with bipartisan support and in fact with the support of every member of the committee.

It is good legislation, and should be adopted.

Mr. ASHBROOK. Mr. Speaker, I yield such time as he may consume to the ranking minority member on the Committee on Education and Labor, the gentleman from Ohio [Mr. Ayres].

Mr. AYRES. Mr. Speaker, I rise in support of H.R. 18366, the Vocational Education Amendments of 1968. This is one of the most important bills to be reported by our committee in several years, and I am pleased to join Chairman Perkins as a cosponsor.

Federal support of vocational education has always enjoyed complete bipartisan favor. Republican members of our committee made significant contributions to the 1963 Vocational Education Act and they have continued their efforts in this legislation. Numerous important provisions of this bill represent the efforts of various members on our side of the aisle. In this we have had the complete cooperation of our distinguished chairman, Carl Perkins, and several of us joined with him in cosponsoring two identical bills which are included in all essential respects in H.R. 18366.

As the ranking minority member of the committee, I want to congratulate all of the Republican members of the General Subcommittee on Education, whose ranking member is John Ashbrook. Other minority members who do not serve on that subcommittee also made some very fine contributions to this legislation. In particular, I want to express my appreciation to Marvin L. Esch and to William A. Steiger, who despite assignments on other subcommittees followed this legislation every step of the way and contributed greatly to marking up the final bill in full committee.

In 1963 the Congress sought to modernize Federal vocational education legislation and we adopted a very comprehensive measure for this purpose. One of the things we specified in the 1963 act was that it should be periodically reviewed by a national advisory council. The first such review panel was headed up by my good friend, Dr. Martin Essex, the superintendent of public instruction for Ohio. He is a distinguished educator and a public servant of the first rank. The findings of that panel were in many respects shocking.

The Advisory Council found, after a very intensive study, that we are far—very far—from having a system of vocational-technical education adequate to the needs of these times. These shortcomings have been documented so thoroughly that I shall not repeat them. It is sufficient to say that vocational education today still faces the past and still concerns itself in too large measure with the needs of an agricultural economy. As a Nation we cannot afford an educational system which does not prepare youth for gainful employment at their highest potential capacity. We must have a system of vocational-technical education available to all citizens in all States and regions within the States which is attuned to actual and developing employment needs.

Several months ago I stated on the floor of the House that we must respond in full measure to the recommendations of the Advisory Council, and I pledged at that time that our committee would report a bill to the House which would at least double the authorizations for vocational-technical support. H.R. 18366 completely carries out that pledge.

We can all take justifiable pride in this legislation. At the same time, I must say that I hope that the present national administration will not treat its enactment as any accomplishment of its own. The response of the Johnson-Humphrey administration to the Essex report was pitifully weak. The administration proposal was inadequate in every respect and not a single witness before our committee—save only Commissioner Howe—viewed it as an adequate response to one of this Nation's most critical needs.

The plain truth is that the present leadership of the U.S. Office of Education has downgraded vocational-technical education in a fashion that is almost impossible to comprehend; the President's contribution has been a budget proposal for 1969 that is below the level of support for 1967. I cannot understand this in the face of the Essex report and of known manpower needs; but I certainly do not propose to see the administration take any credit for legislation with which they have had very little to do. This is a congressional action in the fullest sense of the term.

Mr. ASHBROOK. Mr. Speaker, I yield 5 minutes to the distinguished gentleman from Minnesota [Mr. Quie].

Mr. QUIE. Mr. Speaker, I am delighted to be a cosponsor of this legislation. In my judgment, the bill which we hope to pass here today may be perhaps as historically important as the Smith-Hughes Act which was passed in 1917.

I believe this is the kind of progress we are going to make in vocational education with this legislation. When you think of the amount of money the Federal Government is spending now to try and rehabilitate people who were either neglected or failed to acquire a skill while in school, we know that we need a rapid expansion in vocational education money.

Only approximately $250 million to $260 million is being spent on vocational education by the Federal Government. This is wholly inadequate as compared with what the Federal Government is spending in other areas. We will do more with this legislation to make certain that young people who leave school have a skill to acquire a job than any other piece of legislation. If a person has a job he has dignity, he is able to acquire a home, and he is able to acquire all of the things that are necessary in America today to live the kind of life that is stable and will encourage and promote the progress of our Nation.

Mr. Speaker, this bill makes the final step in a number of approaches that were taken in 1960; for instance, the block grant concept of giving flexibility to the local school to use any type of training program necessary which will provide for gainful employment. We drop completely the categorical approach which was the Smith-Hughes and George-Barden concept with money earmarked for specific occupational training.

We also give flexibility to the State in that there is not one uniform matching for every project in every community in the State, but there is flexibility so they can reach the areas of greatest need with more help.

The emphasis on the disadvantaged that we expected would be met in the 1963 act has not occurred. In this bill we have set aside specific money for the disadvantaged in vocational education.

Programs for the disadvantaged must comprise at least 15 percent of all of the money in the consolidated programs or 25 percent of the new money; $40 million is also authorized for the disadvantaged for which no matching is required, to make certain that the private school children will benefit from the program.

Mr. NELSEN. Mr. Speaker, will the gentleman yield?

Mr. QUIE. I yield to the gentleman from Minnesota.

Mr. NELSEN. Mr. Speaker, I thank the gentleman for yielding.

I want to compliment my colleague from Minnesota for his interest in vocational education. I am advised by some of our schools in Monroe, Minn., that even before a youngster graduates that a job is waiting for him, and that is the basis we follow in overall vocational education here in the District of Columbia. We feel that everybody has some skill, and certainly there is nothing wrong with developing and encouraging a person in that skill.

Mr. QUIE. I must say I thoroughly agree with my colleague from Minnesota. I know of his great interest in vocational education and especially his tremendous work for the District of Columbia, and I compliment him for it. This legislation will be able to be used in the District of Columbia for the vocational work that my colleague began here. The example set in Staples, Minn., to which the gentleman refers, can now be expanded to other parts of the Nation.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. QUIE. I yield to the gentleman from Iowa.

Mr. GROSS. I thank the gentleman for yielding.

Mr. Speaker, I am not at all clear as to the financial requirements under this proposed legislation. There would be $355 million authorized for fiscal year 1969?

Mr. QUIE. That is right.

Mr. GROSS. Then $565 million for each fiscal year thereafter?

Mr. QUIE. That is correct; the years thereafter.

And the reason why there is no time limitation on the regular consolidated program is that the Smith-Hughes and George-Barden Acts, and the Vocational Education Act of 1963 have all been permanent legislation. So in order to continue permanent legislation in this act we did not make it necessary for vocational educators to wait for the Congress to authorize. We continued on a permanent basis, the $565 million. No further legislation is necessary unless vocational education needs appropriations greater than $565 million.

But the other programs, I will say to the gentleman from Iowa, are temporary programs, and they are authorized for 1969 and 1970, and then we will have to enact additional authorization money for each of the years thereafter. And that is the life of the special programs in this bill.

Mr. GROSS. Then the $565 million is projected into the future year after year—the uncertain financial future of this country.

Mr. QUIE. It is; the $565 million is projected into the future. If the Congress never passes another amendment to this bill, the $565 million authorization would last as long as this country.

Mr. GROSS. Then let me ask the gentleman this question: Is the $40 million in addition to the $565 million? I am referring to the $40 million per year for the purpose of making grants to the States. Is that in addition to the $565 million, or is that to be taken from the $565 million?

Mr. QUIE. It is in addition, but I do not have the bill right in front of me to answer you on its permanency. I yield to the gentleman from Kentucky [Mr. PERKINS] to answer the gentleman.

Mr. PERKINS. That is an addition to this and it is not a permanent program. The $40 million is only for 5 years, a special program for the disadvantaged for 2 years.

It is in addition to the $565 million.

Mr. GROSS. In other words, 50 States multiplied by $40 million; or is it a total of $40 million for the 50 States?

Mr. QUIE. The $40 million is not $40 million for each of the 50 States. It is $40 million that has to be divided amongst all the States for the disadvantaged children.

Mr. GROSS. It is to be divided among all the States?

Mr. QUIE. That is right.

Mr. GROSS. I thank the gentleman.

Mr. QUIE. I would say to the gentleman that we had intended to authorize approximately $400 million for this year for the permanent program, but we decided and agreed on the figure of $355 million for fiscal 1969. Then we put the $40 million in the program for the disadvantaged—but that being a temporary program which comes on top of the $565 million in 1970.

But the $565 million continues on in permanent legislation.

But all of the other authorizations in the bill—the $35 million for work study, the $15 million for residential schools, and so forth—all are a part of this 5-year program with only 2 years' funds authorized, so we can look at them next year and determine whether their funds should be increased or reduced or what should be done. But we authorize them for 2 years so that the Committee on Appropriations can provide for forward funding, and that gives the kind of assurance to the local schools so they can plan for the next year and not have to wait until practically the beginning of the school year before the amount of money available to them is known.

Mr. TAFT. Mr. Speaker, will the gentleman yield?

Mr. QUIE. I yield to the gentleman.

Mr. TAFT. I would like to ask the gentleman with regard to this program whether under the program we would now authorize there is any hope that there will be some encouragement to integrating vocational education with the apprenticeship programs of the building trades.

There can be no doubt that one of the greatest labor shortages we have in the country today is in the building trades, and also there can be little doubt, I think, that a degree of discrimination exists in hiring and in present employment in this industry.

I wonder, if this program is going to do anything in this particular problem?

Mr. QUIE. This bill will help part way in that we provide or we reserve $5 million each year to enable the Secretary of Labor, in cooperation with the Commissioner of Education, to make a study in the area of manpower surveys and projection.

But as to what the gentleman is asking about, that never can be completely achieved until the bill which I have introduced is enacted, providing for a Cabinet-level Department of Education and Manpower. As long as vocational education runs some training programs and the Department of Labor administers other ones, there is going to be the difficulty of coordination within a State.

I believe that the next step needs to be legislation creating a new Department of Education and Manpower. All education really is manpower—and when you can coordinate such programs on a national level and develop a national manpower policy, then we are going to make much more headway on the State and local levels.

Let me go on now.

Mr. Speaker, the legislation completes the work commenced by the Congress in the Vocational Education Act of 1963. It consolidates existing vocational-technical assistance into a single, coherent enactment; it directs virtually all assistance toward training and education for employment; it provides the mechanisms for relating education to current and emerging employment needs; it requires a focus upon both areas and individuals most in need of modern vocational-technical education; it requires the involvement of strong and independent citizen advisory councils to oversee its administration at State and Federal levels; and it greatly increases both the programatic and financial support available to modernize and upgrade vocational-technical instruction.

Yet we must not suppose that the enactment of this legislation will alone accomplish these critically important objectives. The law is a useful and necessary tool. It establishes the desired emphasis and provides the necessary support, but without vigorous administration at both State and Federal levels, and without the willingness of educators to pursue its goals, this law will be a dead letter on the statute books. It will become a device for doing the same old things in the same old way, but with different labels.

The Congress should exercise constant oversight to assure that the purposes of this new law are not neglected, and that the new directions it charts are pursued with vigor and intelligence. H.R. 18366 is among the most important pieces of legislation of recent years. A modern system of vocational-technical education, geared to existing a prospective employment needs and reaching all those who can profit from such education, is a fundamental requirement of economic and social progress in the years ahead. We must not permit the purposes of this legislation to be diluted or lost.

This bill makes some basic changes in the permanent, on-going program of Federal assistance for vocational-technical education, and it adds a number of special programs with initial funding authorization for fiscal years 1969 and 1970, with the provision that they may be reauthorized for 2 additional fiscal years. Let me first discuss the changes in the permanent program.

Effective July 1, 1969, the George-Barden Act of 1946, and amendments thereto, are repealed outright, and the funds appropriated under the Smith-Hughes Act are treated as having been appropriated under the Vocational Education Act of 1963, as amended. This eliminates the instructional categories set forth in those acts and separate accounting for them, bringing all permanent program authorizations under the 1963 act and its basic requirement that the training be for gainful employment.

The authorization level is increased to $355 million for fiscal 1969—to which must be added $57 million in authorizations under the Smith-Hughes and George-Barden Acts—and to $565 million for each succeeding fiscal year. It is my hope and expectation that these authorization levels can be attained rapidly—even if it has to be done at the expense of programs of lesser priority.

One of the key provisions of this bill is a reservation of not to exceed $5 million each year to enable the Department of Labor, in cooperation with the Commissioner of Education, to make special area manpower surveys and projections, which can then be used by vocational educators to adjust curriculum and course content to emerging employment needs in their area. Such manpower projections, kept reasonably current as conditions change, and related as nearly as possible to existing manpower "sheds," are absolutely essential if vocational programs are to be relevant to employment needs. This is one of the critical failures today. For the most part, and through no fault of their own, vocational educators are "shooting in the dark" in trying to gear their programs to emerging employment needs. We cannot permit this condition to continue. I specifically direct the attention of members of the appropriations committees of the Congress, the State and National advisory councils, and of the responsible Federal officials to this provision and urge that it be given full support.

This bill makes some fundamental changes in the pattern of State administration of these programs. For one thing, it eliminates the administratively onerous requirement of matching by separate categories of persons served by the programs.

Matching is now "across the board." At the same time, the statement of purposes for which the funds may be utilized is broadened to give greater attention and emphasis to programs for handicapped children, vocational guidance and counseling, and the utilization on a contract basis of the facilities of private proprietary vocational schools when such utilization would improve the program.

Allocations of funds within States must be realistically made to reflect needs of various localities and population groups. This bill requires that such allocations take into account the needs of areas within the State and the relative ability of local school districts to meet these needs; it rules out the distribution of Federal funds on a uniform percentage basis which fails to take into account the basic purposes of this act. This one provision should be a tremendous help to economically depressed areas and to areas with high rates of unemployment.

Research funds are made available to the States for the support of research coordinating units and to carry out State-initiated studies. This will strengthen the system in every State, and it is consistent with the whole pattern of this bill, which emphasizes State administration and State responsibility.

This bill greatly strengthens the emphasis upon the special needs of disadvantaged persons who cannot, without special help, benefit from the regular vocational programs. It requires that a minimum of 25 percent of funds newly available above the funding level of fiscal 1969—but in no case less than 15 percent of all the funds—be utilized for this purpose.

The history of this provision is worth recounting. The 1963 act made special programs for the disadvantaged a permissive feature of the vocational programs. Regretfully, little use was made of the provision, as was noted by the National Advisory Council report earlier this year. This was one of the notable failures of the 1963 act. However, when the final recommendations of the U.S. Commissioner of Education were transmitted to us early this year as a part of the administration's legislative program for education, there was only the weak suggestion that 25 percent of new moneys above those appropriated for fiscal 1968 be directed toward that purpose; of course, that could well end up being 25 percent of nothing. Furthermore, it is my understanding, upon excellent authority, that even this limited proposal was written into the administration bill by the Bureau of the Budget, and not by the U.S. Office of Education. This condition as attached to the regular program expenditures of each State was not strengthened in subsequent bills introduced by a number of members of our committee.

Near the end of the committee hearings, Chairman Perkins and I, in consultation with the ranking minority member, Mr. Ayres, and others, drafted a bill to set this and many other matters straight. Our bill required that a minimum of 15 percent of all funds be spent for special programs for the disadvantaged, and that provision was incorporated into the committee bill, H.R. 18366. The committee unanimously adopted the view that a prime purpose of vocational education is to reach those young people, while they are in school, who annually make up a flood of school dropouts to join the unemployed and underemployed at the bottom of the economic ladder.

This strong emphasis upon using vocational-technical education to meet the needs of disadvantaged persons is a central feature of this legislation.

I am convinced, however, as is the committee, that we shall never build a modern structure of vocational-technical education, serving the needs of all the citizens of every State, unless there is strong and independent citizen participation in that system. Education more than any other institution should be responsive to the people. It is not the exclusive province of the educator, however skilled and dedicated, and in practice cannot accomplish the goals of the educator without the participation of the public. This bill requires the establishment of broadly representative advisory councils in each State, appointed by the Governor of the State to assure their independent status, to advise the State boards on policy matters in the administration of this act and to continuously assess both the employment needs of the State and the success of vocational-technical programs in meeting those needs.

Similarly, a National Advisory Council appointed by the President, is created to perform the same kind of function at the Federal level. The State councils independently report their findings and suggestions to the Commissioner and to the National Council.

We have heard complaints that the State advisory councils are too strong, that they ought not to be appointed by a politically elected officer, and that they should have no reporting functions directly to the Federal level. The committee has rejected these complaints. If an advisory council were appointed by the State board, established within the State board, and heard directly only by the State board, we feel that it would not be a very effective instrument for engaging the best minds that can be brought to bear on the problem of vocational-technical education.

The bill specifies that certain educational and public interests be included on the State boards. These are self-explanatory, but I want to draw particular attention to the requirement of the appointment of "a person or persons representatives of junior colleges, technical institutes, or other institutions of higher and postsecondary education which provide programs of technical or vocational education and training."

Increasingly, the line between vocational education and higher education is difficult to draw. Moreover, as employment qualifications become more demanding, particularly in technical occupations, more and more vocational-technical education must take place at postsecondary levels. In the past decade, beginning with enactment of the National Defense Education Act and increased support for area vocational-technical schools, we have seen a great increase in vocational-technical education in junior colleges and even in divisions within 4-year institutions. Unfortunately, there has sprung up in many States a conflict between vocational educators and higher educators about the control over such programs. This has resulted in outright competition in some instances, with area vocational-technical schools and junior colleges offering similar courses in the same area of the State. One of the prime tasks of advisory committees will be to help put an end to this kind of needless duplication of limited resources. The task is so large that the Nation cannot afford to waste money and talent in this fashion; the problem is to get the educational job done properly.

H.R. 18366 authorizes a variety of new programs designed to strengthen particular aspects of vocational-technical education. These are not permanent authorizations but are limited to 2 years with the understanding that they will be reauthorized for 2 additional years if the situation then seems to merit their continuation.

The new authorizations for vocational work-study and residential schools are in this category. Unaccountably, the administration had proposed to let these programs expire and to carry them out through the Office of Economic Opportunity rather than as key parts of a comprehensive vocational system. The committee wisely rejected this course of action. We went one step further and directed the U.S. Commissioner of Education to make a study of the best means of transferring the Job Corps to State or joint Federal-State administration in conjunction with the operation of this act. Note that the Commissioner is not instructed to determine the desirability or feasibility of the transfer. The committee has decided that the transfer is desirable. The Commissioner is only to determine the best means of accomplishing this purpose, and to report back to the Congress no later than January 15, 1969.

The bill would replace the Federal funds for home economics courses now funded through the Smith-Hughes Act, but only for a limited period. Many of us on the committee are of the opinion that the enormous needs for occupational education should be the sole concern of this legislation, and that the amply funded home economics course should not be a drain upon limited Federal funds. However, the temporary program authorized by this bill does require that not less than one-third of the Federal funds for this purpose be spent for consumer education and in-the-home assistance in low-income areas. Federal funds for this purpose may be used for paying 90 percent of the costs, and I frankly hope that all the Federal funds for nonemployment home economics will be so utilized.

The completely new authorizations are as follows:

First. Special programs for individuals who because of educational disadvantage are unable to take part in the regular vocational courses are separately authorized at $40 million for fiscal years 1969 and 1970. I had opposed this authorization in the committee because of the conviction that this should be a central concern of vocational education in its regular programs. However, the committee felt that a special impetus is required to spread vocational programs into schools in disadvantaged areas, and that the possibility of 100-percent financing would be necessary in those instances in which shared time or other arrangements for private school pupils would not otherwise be possible. As a matter of legislative history, it is my understanding that the 100 percent Federal financing is authorized solely to accommodate private school pupils who need such programs and whose participation in a shared-time arrangement would be barred by State law if State funds were involved. Other provisions of this bill, discussed a moment ago, amply protect the interest of schools in low-income areas by requiring the State to give due consideration to local needs and capacities in distributing the funds and in determining local matching.

Second. Exemplary and innovative programs and projects, with authorizations of $15 million and $25 million for the first 2 years, is a State-grant program designed to expand the entire concept of occupational education in our schools and to broaden both occupational aspirations and the opportunities for fulfilling them. It is hoped that such activities will add new dimensions to vocational education in every State.

Third. Cooperative vocational education programs, involving arrangements with employers that will mesh work experience and vocational studies, is authorized at $20 million and $50 million for the first 2 years. This is not a new concept, but one which has been used at both secondary and higher educational levels with great success. It has enormous potential for bringing about a closer relationship between industry and education while benefiting the students in ways impossible to attain in the classroom. We hope to see such programs a vital part of vocational education in the future, and this bill is meant to encourage that development.

Fourth. Vocational education leadership and professional development deals with the most important aspect of our effort to improve vocational-technical education—the teachers and administrators. The committee, after long discussion, decided to include this part of the program as an amendment to title V of the Higher Education Act. In effect, it sets up a parallel program of fellowships, in-service training, and recruitment alongside that already established by the Higher Education Act. I regret that this should have been necessary, because vocational teachers and administrators were already included among others eligible for these programs. Vocational education should have profited from these programs in proportion to its needs, but the plain fact is that it did not. This regrettable fact is a reflection both upon the parochialism of "academic" education, the uninspired administration of the U.S. Commissioner of Education, and the lack of agressiveness on the part of vocational educators.

Let me make one point clear to the educational community and to the U.S. Office of Education: The Congress does not want to see vocational-technical education separated from the mainstream of education, but the Congress will no longer stand by and watch vocational-technical education downgraded in programs supported by the Federal Government.

H.R. 18366 would represent a new national commitment to the proposition that every citizen should have the opportunity of a meaningful education which has as a basic goal the preparation of the individual for gainful employment in a decent job. The appropriations authorizations are not small; they total nearly a billion dollars in new authorizations in the first 2 years. Yet they are not large compared with the needs, and they are small indeed compared to the costs we are already paying as a direct result of not having an adequate, modern system of vocational-technical education.

I urge the enactment of H.R. 18366.

CALL OF THE HOUSE

Mr. HUNGATE. Mr. Speaker, I make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

Mr. ALBERT. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 251]

Anderson, Tenn.
Ashley
Blanton
Blatnik
Brock
Brown, Calif.
Celler
Clancy
Conyers
Culver
Davis, Wis.
de la Garza
Diggs
Evins, Tenn.
Gallagher
Gardner
Gibbons
Hansen, Idaho
Hawkins
Herlong
Holifield
Holland
Irwin
Jarman
Jonas
Kelly
Kornegay
Kupferman
Landrum
Leggett
Long, La.
Madden
May
Michel
Minshall
Morris, N. Mex.
Myers
Rarick
Resnick
Rhodes, Pa.
Ruppe
Schweiker
Smith, Iowa
Steiger, Wis.
Stephens
Utt
Waggonner
Willis
Wyman

The SPEAKER. On this rollcall 386 Members have answered to their names, a quorum.

By unanimous consent, further proceedings under the call were dispensed with.

VOCATIONAL EDUCATION AMENDMENTS OF 1968

Mr. PERKINS. Mr. Speaker, I yield 5 minutes to the distinguished gentleman from Illinois [Mr. PUCINSKI].

Mr. PUCINSKI. Mr. Speaker, July 15, 1968, will be remembered as a most significant day in the legislative history of our Nation for it hopefully marks the passage for this House of the Vocational Educational amendments of 1968.

I am proud to have been the chairman of the subcommittee that produced this legislation, and I congratulate the subcommittee members and staff for their tireless efforts in bringing out a bill that has such broad bipartisan support.

I am particularly grateful to our committee counsel, Jack Jennings, our committee staff director, Miss Mattie Maynard, our education director, Miss Scharleen Pearlman, and our committee assistant, Mr. Thomas Gerber, for their untiring effort.

I am also grateful to Dr. Elizabeth Simpson, head of the vocational-technical department at the University of Illinois, and former president of the American Vocational Association for her enormous contribution as technincal adviser to the committee.

Also, to Mr. Lowell Burkett, executive director of the AVA and his staff for their invaluable assistance in drafting this bill.

I also wish to thank my colleague on our subcommittee, the gentleman from Washington [Mr. LLOYD MEEDS], for cosponsoring this bill with me and for his endless contributions toward its perfection.

Finally, I wish to thank the chairman, the gentleman from Kentucky [Mr. PERKINS]—who is the father of the 1963 amendments to vocational and education—for his help in winning bipartisan support for this bill.

No other single action in this session has so clearly addressed itself to the promise of the American dream in public education. No other legislation has so succinctly, so comprehensively and so emphatically captured the spirit of the American people—that all of its youngsters must be trained and inspired for creative living in the modern working world.

This bill is designed to help young people develop work skills, work habits, and work experience.

Mr. Speaker, we now stand on the threshold of realization. We have taken a bold, unequivocal step in support of individual human dignity. We have underscored our belief that every youngster, in the cities and rural areas, in middle class neighborhoods and the ghettos can profit from quality education and must be presented with the opportunity to succeed.

And we have reinforced the strong commitment of our society to support schools to equip every youngster with a marketable skill as a part of his education.

Mr. Speaker, and Members of the House, this means that with this legislation before you today we can confidently look to the day when there will be no so-called hard-core unemployed or unemployable people in America.

The whole purpose of this act is to assure every American youngster an opportunity to develop a skill which will make him employable and put him in the stream of the Nation's economy.

Mr. Speaker, I say that the bill before us today can rightfully be called the bill of opportunity for American youth for no other nation in the world—no other nation in the world is faced with the strange and indefensible dilemma of having its highest unemployment rate among its young people. More than 25 percent of those unemployed in this country are young people 16 to 19 years of age—and the figures are staggering. This legislation before us today attempts to meet this problem and give these youngsters the kind of education they need, and it is broad legislation.

I too had a dream, Mr. Speaker, a dream that every American youngster, regardless of his race, religion, or nationality, would be given an opportunity to develop a marketable skill during his educable years.

This bill provides the wherewithal for the fulfillment of that dream.

Mr. HALL. Mr. Speaker, will the gentleman yield?

Mr. PUCINSKI. I yield to the gentleman.

Mr. HALL. I want to compliment the gentleman, the chairman of the subcommittee, and indeed the chairman of the full committee on bringing this legislation before us.

I think it recognizes the fact that everyone should not go to college, but that some of us are better adjusted to technical skills.

We have had great success with this training. I think it is preventative in its treatment rather than curative, as the gentleman has just so well said.

I think we have had a good example of that and I do have two things that I would like to query the gentleman on.

First. Does it not, as reported on page 6, I believe, of the committee report, wherein it gives new definitions and explaining new expanded uses of funds, overlap vocational rehabilitation training for the handicapped, whether it be in education, vocation, or physical restoration that is needed?

Mr. PUCINSKI. The committee discussed that at great length and the distinguished chairman of the subcommittee handling the vocational rehabilitation act was present at both discussions and we were assured that it does not overlap.

Mr. HALL. I appreciate the gentleman's statement.

The second question, and I think it has been discussed by the distinguished chairman of the full committee, is, why it goes to the extent of almost a tripling of the amount of funds authorized in the 3 years and is open ended. This would be my other question, as much as I support this principle.

Mr. PUCINSKI. I think the gentleman's question is most appropriate.

The answer is because the needs are so colossal. As I said a moment ago, there is no other country in the world that has the strange and tragic dilemma of having the highest unemployment rate among its young people, simply because the young are either not prepared for employment or they do not have the work habit and skills and therefore are really unemployable to a great extent.

We feel that this legislation, if the local communities develop educational programs, will give the youngsters a good basic education and on top of that give them marketable skills so that when the youngster graduates from high school he will be graduating into a meaningful job and immediately take his place in this country's economy.

Mr. HALL. I appreciate the gentleman's explanation.

Mr. PUCINSKI. Today we have taken a dramatic step forward in the spirit of the Vocational Education Act of 1963. That legislation, you may recall, redirected our understanding of the purposes of vocational education.

We recognized, for the first time, that vocational education must begin with the individual—with his own unique needs and desires for growth. That the development of human talents and energies deserves our primary consideration.

In operation, however, the 1963 act has not fully met our high expectations. It has served to educate only a small fraction of our young people—a handful of those in need of vocational education—leaving the others untrained and unassisted as they face the world of work for the first time.

One million teenagers went jobless in May, according to the Bureau of Labor Statistics. President Johnson's Manpower Report of 1968 to the Congress stated that one out of every four nonwhite teenagers alone was unemployed in 1967.

Yet only one high school student in four is enrolled in a vocational education program, while five out of six never achieve a full college education. This means that approximately 60 percent of our high school students enter the world of work unprepared to hold a job.

The problem is more complicated than sheer numbers, however. It also relates to the distribution of enrollments within the existing vocational education programs.

According to the Advisory Council on Vocational Education, a disproportionate number of our vocational education students are still being trained in agriculture while employment in this field is dwindling.

At the turn of the century, farmers and farm laborers represented 38 percent of the labor force. Now they constitute only 7 percent, and the proportion continues to decrease. At the same time, employment opportunities are soaring in the health sciences, technical fields, and service industries. But enrollments in vocational programs in those areas continue to lag far behind the number of job openings.

Only 2 percent of all vocational students participate in cooperative work-experience programs, according to Dr. David S. Bushnell, Director of the Division of Comprehensive and Vocational Education Research in the U.S. Office of Education. Yet, the Advisory Council on Vocational Education tells us:

> The part-time cooperative plan is undoubtedly the best program we have in vocational education. It consistently yields high placement records, high employment stability, and high job satisfaction. Usually, many more students apply than can be accepted; this leads to rejection of the students who need it most.

The problem of vocational education is also complicated by a qualitative gap—between vocational programs as they presently exist and the substantive needs of a sophisticated, technology-based economy.

A study by the American Institutes of Research reveals that most graduates of high school trades and industrial programs do not even hold jobs in those fields.

Programs in the health and technical fields are underdeveloped, according to Prof. Garth L. Mangum, codirector of the Center for Manpower Studies at George Washington University. Offerings in health occupations are restricted to preparation as practical nurses and dental assistants, which excludes a wide variety of medical techology jobs. Technical programs appear overconcentrated in electronics and drafting. And little effort has been made to interrelate secondary and post-secondary training in order to provide "career ladders" and reduce overlap.

Vocational education has blatantly disregarded the need for vocational guidance and counseling. A study by Prof. Jacob J. Kaufman, director of the Institute for Research on Human Resources at Pennsylvania State University, found that counselors are less often available to vocational students than to others. Most counselors are biased toward college preparatory program. They have little knowledge about the world of work.

Many are totally unaware that more than 5,000 new job skills have been created in the last decade and offer untold opportunities.

While nine out of 10 academic high schools have counselors, only half the vocational schools furnish guidance and counseling services. And only half of the States have guidance personnel at the staff level—usually one person to each State.

Almost no attention has been given to prevocational counseling—to the need for general orientation of pupils to the world of work. But systematic exposure to work can build within pupils the positive motivation and realistic expectations they need for later vocational training.

Still another part of the vocational education problem is the need to develop a broad instead of a narrow view of this field. A hundred years ago, most occupations required little skill training at all. Then came the industrial revolution, and our economy demanded the acquisition of a proliferation of specific skills for gainful employment. Today, our technological economy needs and expects a broad range of multiple skills and understandings from each individual. Employees must be prepared not only for specialized entry-level jobs but also for retraining in a number of related or unrelated areas during their lifetimes.

How can vocational education cope with these new demands on the individual? And how can this field meet its responsibility to prepare our young people for full participation in a technological economy?

The Advisory Council on Vocational Education has stated:

> Any dichotomy between vocational and academic education is outmoded.

The Council has recommended that vocational education be used to make general education concrete and understandable and that general education point up the vocational implications of all education.

Vocational educators face a most challenging and difficult task. I would urge that they seize the initiative to break down barriers which have been created in most comprehensive high schools by the tracking system. So-called tracks—usually labeled "academic," "vocational," and "general"—too often give students false notions about their own abilities and those of their peers. They also erect artificial boundaries which prevent students from making conceptual connections between their academic and vocational learnings.

Vocational education must take the lead in uniting these disparate forces. It must create a viable framework for educating all youngsters. One which equips them with the general learnings that underpin a broad spectrum of vocations—as well as with specific, salable skills. One which orients them to the world of work in general and helps them to make meaningful choices for their lives. One which maximizes the options for each youngster—enabling him to find a job immediately after leaving school or to go on for further training and education.

The Vocational Education Amendments of 1968 grew out of a direct response to those needs. And I am proud to have been one of the principal architects of this new legislation.

I would like to call your attention to some of the key features of the new amendments:

1. EXEMPLARY PROGRAMS

U.S. Commissioner of Education Harold Howe II has called for "broad-scale innovative curricular changes" in vocational education. This amendment authorizes $15 million for fiscal year 1969 and $25 million for fiscal year 1970 for exemplary and innovative projects.

Such projects might include prevocational orientation, work experience, occupational guidance and counseling, initial job placement, vocational curriculum, personnel exchanges, part-time training of young workers, and preprofessional preparation of potential teachers. It will also help develop exemplary teaching methods and techniques too often lacking in the past.

2. RESIDENTIAL VOCATIONAL EDUCATION SCHOOLS

In theory, vocational education is designed to serve all of our young people. In practice, many youngsters get lost, because their school does not choose to start a vocational program. Or the school is too small. Or the students cannot profit from instruction while remaining in their present home environments.

Residential facilities will enable the disadvantaged young people in urban ghettoes and rural youths not served by a vocational program to benefit from occupational training on an equal footing with their more fortunate peers. The Mahoning Valley School in Ohio is an example of a residential school which successfully educates young people for gainful employment.

This amendment authorizes $15 million for fiscal year 1969 and $15 million for fiscal year 1970.

3. COOPERATIVE VOCATIONAL EDUCATION

Cooperative work-study is an arrangement between the school and employers for alternation of study in school with a job in any occupational field. The two experiences are planned and supervised cooperatively by the schools and employers so that each contributes to the students' employability.

Students have the opportunity to learn useful skills on real jobs under actual working conditions. As wage earners, they develop an appreciation and respect for work, and they are aided in obtaining worthwhile jobs. Most important, the ability to get and hold a job helps the young person more easily bridge the gap from school to work.

This amendment authorizes $21 million for fiscal year 1969 and $50 million for fiscal year 1970.

4. STUDENTS WITH SPECIAL NEEDS

The Advisory Council on Vocational Education recommended that—

> Specific funds . . . should be provided to develop and operate new and expanded vocational education programs for persons who have academic, social, economic, or other handicaps.

In response to this need, the legislation requires that at least 25 percent of the new funds be reserved for education of disadvantaged students. In no case can less than 15 percent of all funds henceforth be used for this purpose.

The amendments also authorize a new $40 million program for areas having high rates of youth unemployment and school dropouts.

The 1967 enrollment in vocational programs for students with special needs was 137,000. However, in view of the fact that approximately 1 million young people drop out of school each year, I am convinced that we have not been meeting the need. Moreover, youth unemployment in the age group 16 to 19 is the highest in the Nation. Therefore, I consider these new amendments to be of particular importance to the welfare of our student population.

5. TRAINING OF VOCATIONAL EDUCATORS

The present growth rate of vocational education indicates that we will need a 150-percent increase in the number of vocational teachers within the next decade.

Such rapid expansion will require adjustments in all teacher education programs for vocational education. In addition, it will create a new need for programs in leadership and professional development. For example, every State and school district will need persons trained for positions of coordination, supervision, administration, and research in vocational education.

The swiftness of technological change has resulted in the creation of new jobs and new techniques in the world of work. Vocational education teachers must struggle to keep abreast of these developments. Probably the most appropriate means of retraining these teachers is through exchanges with personnel in industry. Inservice programs and short-terms institutes dealing with course content and teaching techniques are also a necessary part of their professional development.

These amendments provide for vocational education fellowships for advanced study and funds for teacher and administrator exchange programs, institutes, and inservice programs. Both are accomplished through additions to the Education Professions Development Act. The authorizations for both the fellowship and exchange programs are $25 million for fiscal year 1969 and $35 million for fiscal year 1970.

A. Lawrence Lowell, president of Harvard University from 1909 to 1933, once described education as "the last of man's creations to follow the current of the age." By its courageous action today, this House has at last facilitated the reconciliation, the amalgamation, and the dramatic fusion between the 100,000 public elementary and secondary schools in this Nation and the vital world of work which surrounds them.

The ultimate wisdom of our decision lies in its translation by over 20,000 school districts in the United States. Vocational education must be uprooted from the mainstream—to take its rightful place of leadership at the forefront of American education.

Mr. HALL. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. HALL. Mr. Speaker, among the myriad of Federal programs which come and go, there are many whose absence from the scene would go unnoticed, save by the bureaucrats who operate them. One outstanding exception however, is the Federal vocational education training program which has helped thousands of young men and women who would help themselves, qualify for responsible positions with American industry. Therefore, I commend the House Committee on Education and Labor, for its action in bringing this bill before the House today. I do not concur in almost tripling the authorization in 2 years, in austere times like those are alleged to be.

I might add that no Federal program, however brilliantly conceived, however abundantly funded, can truly succeed without outstanding local leadership. Springfield, Mo., has been very fortunate to have the services of Prof. David Berryman, director, of the vocational technical training schools; to lead its training program and to merge it with the needs of both existing and new industry. His coordination with local industrial procurement and chamber of commerce bodies, while working with youth, adults, and leaders of tomorrow is exemplary. He has respectfully testified at his own expense and volition before our committees. Under unanimous consent I insert at this point in the Record an article from the July 11, 1968, issue of the Springfield, Mo., Daily News citing the benefits that have accrued from the program and I urge its support on the House floor today:

Vo-Tech Gears Up To Train 200 Workers for New Plant

Another new industry is collaborating with Springfield Vocational-Technical School on plans for training courses to begin next year.

MGD Pneumatics, a subsidiary of Miehle-Goss-Dexter of Chicago, plans to build a large plant near municipal airport to manufacture industrial equipment.

David Berryman, Vocational-Technical School director, recently spent several days in Racine, Wisc., discussing the establishment of a training program for machine operators with representatives of the firm.

The school staff is now setting up training outlines for the new classes, Berryman said.

Expected to train about 200 workers in the first two years of operation, the new three-month course will utilize equipment in the school's machine shop for basic training. In addition, Berryman says, MGD Pneumatics will bring in equipment for more specialized training.

The classes will be offered after regular school hours at the school's 815 Sherman location.

Berryman and his staff, over the past few years, have helped train workers for the Litton Advanced Circuitry Division, Zenith Radio Corporation, Royal Typewriter, Paul Mueller, Springday, Lily-Tulip and other industries.

Many Springfield firms have lauded the school for its training of potential employes. Representatives of several new industries, including MGD Pneumatics president Earl Fester, have said that the school was a main factor in the decision to locate in Springfield.

Mr. ASHBROOK. Mr. Speaker, I yield 2 minutes to the gentleman from New York [Mr. Reid].

Mr. REID of New York, Mr. Speaker, I rise in support of the bill, H.R. 18366, the Vocational Education Act Amendments of 1968.

This measure is a significant step toward relating the world of school and the world of work and toward preparing young men and women for employment. Only one high school student in four is presently enrolled in a vocational education program, although five out of six never achieve a full college education. In other words about 60 percent of high school students enter the world of work unprepared to hold a job.

In addition, more than half of the students are being trained in the fields of home economics and agriculture while training lags in areas such as health and technical and service industries—where a manpower shortage exists. Further, there are students with special needs whose particular problems are not now being met. Only 137,000 of these were assisted in 1967, yet more than 1 million students drop out of school each year and unemployment between the ages of 16 and 19, as our colleague, the gentleman from Illinois [Mr. Pucinski] pointed out, is the highest of any group in the Nation, 22 percent for white males, 33 percent for nonwhite males and about 48 percent for nonwhite females.

We have in addition, Mr. Speaker, some 10 to 11 million young people underemployed in America and clearly we need to improve the administration of our apprenticeship training programs and we should pass an Equal Employment Opportunity Commission bill with teeth in it. These steps would aid in correlating these programs, the problems of unemployment of our youth, and discrimination in employment.

Thus, I think the bill is a step forward, but it is only a modest step financially in relation to the needs. The emphasis and concepts embodied in this legislation, however, are hopeful signs that our vocational programs, if fully funded, have the potential to assist students in assuming useful and productive roles in the community.

Mr. CONTE. Mr. Speaker, will the gentleman yield?

Mr. REID of New York. I yield to the gentleman from Massachusetts.

Mr. CONTE. Mr. Speaker, I join with the gentleman from New York in supporting this legislation.

Mr. Speaker, I have introduced a bill similar to the Vocational Education Amendments of 1968 and I wholeheartedly support the measure before us now. As you know, this bill was approved by the Education and Labor Committee without a dissenting vote. It is a good bill, which will help vocational education play the role it should be playing in meeting the urgent social problems of today. I am a graduate of a vocational high school, and I know from personal experience that this education can be very valuable in preparing a person for a good job. The way to fight poverty is to give people jobs. This bill will make it possible for vocational education to meet its full potential in training people for jobs. This bill will help vocational education train people for the jobs of the future, for the jobs that will be available when they leave high school, not for the jobs that have been disappearing since 1917. This bill, for instance, will encourage training for the aerospace industries, which have jobs going begging at a time when the poor of the country are begging for jobs.

This bill will require at least 25 percent of the comprehensive State grant funds to be used for the poor of the city slums and rural poverty pockets. I have always believed that vocational education should play a major role in these areas. There would be less social unrest in these areas if their young men had their sights on a meaningful job. Many ghetto youths now drop out of high school and spend bitter months, and years, looking for real jobs, meanwhile living a marginal life as car wash attendants, busboys, or what have you. If these people were offered a first-rate vocational education, which gave them an overview of industry and an idea of the well-paying and exciting employment available, they would have more reasons for staying in school, and more motivation for working well when they got out. This bill will help them get that kind of education.

But this bill is not just for the benefit of the dropout and the jobless. It will help the student who will join the ranks of the ordinary worker. It will give him first-rate training for the economy of today. It will give him a solid background for a choice of real jobs, rather than restrict him to specialized training in work that is going out of date. Furthermore, this bill will help restore vocational education to its rightful place in the eyes of the country. It will help counteract the silly idea that a man needs a college education to do anything. Vocational education, as aided and expanded by this bill, will give men real training for real work. I have always had great faith in this type of approach to social problems. I have sponsored it for the refugee situation in the Middle East, and I am glad that we are now going to try it at home, as well.

Mr. REID of New York. I thank the gentleman for his comments. I would merely emphasize that the bill at the moment will provide only about $100 million specifically to meet the needs of the disadvantaged, with certain matching provisions from the States. When these funds are compared with the high unemployment rate in the age group of 16 to 19, and with the fact that there are still 10 or 11 million young people underemployed people in the country, it indicates that this legislation is still falling short of the national need.

Mr. ASHBROOK. Mr. Speaker, I yield such time as he may require to the gentleman from Ohio [Mr. Harsha].

Mr. HARSHA. Mr. Speaker, I ask unanimous consent to revise and extend my remarks at this point in the Record.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. HARSHA. Mr. Speaker, I rise in support of H.R. 18366, which is a combination of several bills which were introduced earlier this year to provide for expanded vocational education. I have long advocated that many of the problems of the undereducated and unemployed could be more adequately met by a vigorous vocational education program.

Certainly this legislation goes a long step toward making vocational education what it should have been several years ago. There has been for a long time a great need for a modern structure of occupational education which will meet the needs of the total population of our Nation. We can no longer permit millions of our youth to grow to adulthood without needed skills or adequate training that will prepare them to compete more favorably in our fast changing job market.

For too long a time the proper emphasis has not been placed on vocational education. This legislation attacks the symptoms of unemployment and can do much to alleviate the need for the administration's temporary stopgap, and highly unsuccessful, expensive measures that are being offered as cure-alls for the unemployed today. This legislation will help provide all people with the needed skills in various fields to meet their obligations as citizens of this country and to become self-sustaining and make needed contributions to the total welfare of America. It will take many off the unemployment roles and will therefore relieve the burden of all taxpayers, and allow these men and women to become useful citizens and meet their obligations to their families and community with dignity. While there are increased authorizations for appropriations, I firmly believe that in the final analysis it will not only be a wise and prudent investment, but it will prove to be an economy-minded measure by alleviating the tremendous burden on the taxpayer for welfare and unemployment payments.

I strongly urge the House to adopt this measure.

Mr. ASHBROOK. Mr. Speaker, I yield such time as he may require to the gentleman from Washington [Mr. PELLY].

Mr. PELLY. Mr. Speaker, I rise in support of this bill.

Mr. Speaker, in our highly industrialized Nation, our occupational education has been sadly neglected. Yet, as the domestic animal has given way to mechanized agriculture, the demands of the next decade for manual labor will be equally outmoded.

It is a known fact that right now, not more than one high school graduate in 10 is prepared with entrance level skills in an occupation for which an actual job exists. Less than 4 percent of the 18 to 21 age group are enrolled in postsecondary vocational-technical programs. However, we know that four out of five young people will need occupational training if they are to be employable. This is a matter of national urgency and corrective action must be taken now.

However, it is going to take more than money to meet these needs. Existing resources must be used, and used well; the public must understand and support the goals of the job-oriented education; and the educational community must be prepared to abandon some ingrained attitudes and narrow interests which are impeding change when it is most in order.

Mr. Speaker, I support H.R. 18366, the Vocational Educational Amendments of 1968, and I urge my colleagues to do likewise.

Mr. ASHBROOK. Mr. Speaker, I yield such time as he may desire to the gentleman from California [Mr. DON H. CLAUSEN].

Mr. DON H. CLAUSEN. Mr. Speaker, I rise in enthusiastic support of this legislation.

Mr. Speaker, as one of the coauthors of this proposed legislation to strengthen and improve vocational education, I wish to take this opportunity to speak briefly about this extremely important bill.

I was highly pleased and sincerely appreciated the opportunity afforded me by the Committee on Education and Labor to testify on these proposed amendments. In particular, Mr. Speaker, it was my privilege to comment before this distinguished committee on the growing importance of aerospace education and its application to vocational education and training.

There can be no doubt that one of the greatest needs in this country today, is to enhance the economic potential of those who have either been denied the opportunity or lacked the requisite skills to compete for higher paying jobs. This was the purpose of enacting the 1963 Vocational Education Act—to provide high quality, effective, and realistic training or retraining in light of actual or anticipated opportunities for gainful employment.

Since passage of the basic act in 1963, the vocational education program has proven highly effective and meaningful. As we have heard and as the Committee on Labor and Education has reported, the program needs to be extended, strengthened, and improved to meet the growing needs of vocational training and retraining.

This bill that is before the House today, represents the first amendments to strengthen and improve support of vocational education since enactment of the initial legislation in 1963. As such, this bill has broad support from the educational community, from industry, and from labor.

I wholeheartedly support this bill because I believe this program and these amendments strike at the heart of one of our major domestic problems in America today. These amendments not only broaden the financial base of this much-needed program but, in addition, increase its flexibility and effectiveness.

These amendments, to mention only a few things they do, offer a much-needed definition of the term "handicapped." They provide more emphasis on vocational guidance and counseling. And they include provisions for extended cooperation and involvement with private vocational training institutions when such arrangements can provide equivalent training at less cost, or furnish services and/or equipment not available in public institutions.

I shall support the Vocational Education Amendments of 1968 and I urge my colleagues to support this legislation also.

Mr. ASHBROOK. Mr. Speaker, I yield such time as he may desire to the gentleman from Kansas [Mr. SKUBITZ].

Mr. SKUBITZ. Mr. Speaker, I rise in support of this measure and commend the committee for the excellent job it has done.

For too long a time vocational education has been treated as a stepchild in the field of education. Our high schools have emphasized the teaching of courses that prepare our youths for colleges. Our colleges have stressed the liberal arts courses and basically have pointed toward the professions—engineering, law, medicine, and so forth. For too long a time our schools have failed to train our boys and girls to take their place in society as wage earners. One of the basic objectives of education is to develop good citizens. But how does a man become a good citizen if he cannot earn a living?

Today only one high school student in four is enrolled in a vocational education program, although five out of six never complete a college course. In other words 60 percent of our high school students enter the world unprepared to hold a job. Any wonder that the youth of this country are restless, bewildered, and confused? Any wonder that industry cries out for skilled workers and yet able-bodied boys and girls cannot find jobs?

This is a good bill. I urge my colleagues to support it. Let us help those who seek to help themselves.

Mr. ASHBROOK. Mr. Speaker, I ask unanimous consent that the gentleman from Wisconsin [Mr. STEIGER] may extend his remarks at this point in the RECORD.

The **SPEAKER.** Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. STEIGER of Wisconsin. Mr. Speaker, I rise in support of H.R. 18366, the Vocational Education Amendments of 1968. I am extremely pleased to have had a part in developing this legislation and it is very gratifying to be a cosponsor of this bill. This will always be one of the things of which I am most proud in my first term of service in this body.

This legislation is completely bipartisan, as it should be. There are in it contributions of the administration and of majority and minority members of our committee. It was reported unanimously by the committee, and I hope it will be approved overwhelmingly today.

Vocational-technical education in our country deserves a vote of confidence in its capacity to meet urgent national needs, but it also requires a mandate for a new course. Having virtually been established as a part of American education by an act of Congress, only an act of Congress can thrust vocational-technical education in new directions. That is the purpose of this legislation.

My State of Wisconsin is among the leaders in having a strong system of vocational education; our enrollment in vocational programs of 42.9 for every 1,000 population is among the Nation's highest. Yet, in 1966, nearly one-third of the total Wisconsin enrollments in secondary, postsecondary, and adult programs were in agriculture and home economics courses. Less than half the enrollments were in trades and industrial occupations, and only a miniscule 3 percent were in technical occupations.

It takes no close examination of these figures to conclude that they do not correspond to current or projected employment opportunities in my State. The condition of vocational education in Wisconsin, however, is very good when compared to most of the rest of the Nation. We have excellent vocational leadership in Wisconsin, including a strong State board and local systems—such as the famous vocational-technical schools in Milwaukee—that are among the best in the Nation. Yet we cannot ignore the fact that we in Wisconsin share with the entire Nation an urgent need for dramatic improvements in vocational-technical education and in the degree of occupational orientation in all education.

For my part, I have determined to make the modernization of vocational education a major objective of my service in the Congress. I was glad to join with the ranking minority member of our committee, William H. Ayres, and several other colleagues, in cosponsoring H.R. 18293, which the committee incorporated into this bill in every substantive provision.

H.R. 18366 is a good bill which goes a very long way in providing the legislative mandate and the funding authorizations necessary to modernize vocational education. I do not feel that it goes far enough or that this legislation alone can do the whole job. For one thing, the legislation will require vigorous and dedicated administration, at the local, State, and Federal levels. This will not be easy to obtain, as witness the relative obscurity of vocational education in the U.S. Office of Education.

The Commissioner of Education, Dr. Harold Howe, has many fine qualities. One of his less fine characteristics, however, is that he sees great educational needs that are not being met by the States, or by local communities, or by others outside the Federal Government, but is unable to see the failures of the U.S. Office of Education. In program after program administered by the U.S. Office—most of them involving wide discretion for the Commissioner—to act—the committee found that vocational education is excluded from virtually any benefit. Unless vocational-technical education is specifically provided for by the Congress—and sometimes, even then—it is left out of Federal programs supposedly designed to advance all of education.

This general exclusionary tendency is made worse by the consistent administrative downgrading suffered by vocational education in the structure of the U.S. Office. Its status is that of one of several divisions within one of the numerous bureaus in the Office. I was one of those in the committee who argued that we should—in this bill—legislate bureau status for the division of vocational-technical education. At least this would give their personnel a break in having an opportunity for more than one of the 39 supergrade positions allotted to the U.S. Office. This would help enormously in recruiting additional personnel for high-level responsibilities.

I lost that argument, although I have not abandoned the idea and will pursue it further unless the next national administration, or the other body, takes this sensible step. The best solution, I feel, is the creation of a new Cabinet-level Department of Education and Manpower, and I have joined Mr. Ayres. Mr. Quie, Mr. Ashbrook, and a number of other Republican colleagues in introducing a comprehensive bill for this purpose, H.R. 16130. The enactment of this legislation also will have to await a new and more vigorous administration.

Given more responsive national leadership, and an enthusiastic response at the State level, H.R. 18366 points the way toward a revitalization of vocational-technical education. One of its major contributions will be the establishment of strong and independent citizen advisory councils at both the State and Federal levels. Time and time again I have found in discussions with both individuals and groups that the tremendous needs and possibilities of occupational education are not well known. A great many well-informed citizens simply assume that modern preparation for modern employment needs is readily available in our schools. There is also the tendency to assume that "everybody goes to college," or at least everybody who isn't prepared for a trade or technical occupation. Unhappily, of course, these assumptions are very far from reality. I have found that when the facts of our educational deficiencies are known there is tremendous interest and enthusiasm in correcting them. A State advisory council can serve to create the fundamental basis for a modernized vocational system—public understanding of the needs and opportunities.

This legislation charts a new course in many other ways: By eliminating the emphasis on the old categories of instruction which served well enough in the first half of the century but are inappropriate to the second half; by consolidating the administration of federally supported programs; by emphasizing the importance of reaching disadvantaged persons who are being left out of the educational picture; by encouraging a more equitable distribution of funds and programs for economically depressed areas which most need the assistance; and by adding new dimensions to vocational-technical education through such means as cooperative work-study arrangements with industry.

The new authorization levels in this bill appear large, but only in comparison to the previous and inadequate level of Federal support. It will take even more Federal funds than we now authorize in this bill if we are to make possible a modern system of occupational education which is fully responsive to the needs of the final quarter of this century. Yet I am convinced that the operation of such a system would save untold billions of dollars which we shall otherwise have to spend on make-work and remedial programs for the unemployed and unemployable who can find no place in a technological society. In such a system there would be no "pushouts" and few dropouts and the currently high incidence of functional illiteracy would steadily decline. In short, a fully adequate system of vocational-technical education is the surest key to the solution of our manpower problems, and in that solution lies the answer to a great many other social and economic ills.

In addition, Mr. Speaker, I would like to discuss briefly one omission in the bill now before the House.

During the Committee on Education and Labor's markup of this important legislation a provision relating to library resources and services was not included. I urged that specific inclusion be made in the bill but was unsuccessful.

The committee report which accompanies this bill does contain language which will be helpful, but I take this time to emphasize the importance of library resources and services to improve vocational-technical education.

Vocational education programs are mushrooming all over the country in an effort to keep up with the demands for more education for non-college-bound young people. But for these courses to be of optimum effectiveness, high schools and junior colleges must have the funds to provide the appropriate instructional materials and hire the staff to disseminate and interpret these materials to the students.

It will not be necessary for me to state the case for audiovisual or printed materials as potent instruments for teaching and learning. In all major education legislation, save only the vocational education statute, Congress has authorized acquisition of these materials and necessary related equipment, as well as training of the increased supply of specialized personnel needed to staff libraries and instructional materials centers.

There are specific provisions to this effect, as the House well knows, in the Higher Education Act, in the National Defense Education Act, and in the Elementary and Secondary Education Act. Under these statutory authorities, we have begun to help supply the students and teachers of the Nation with the up-to-date teaching and learning materials they need to keep pace with this rapidly changing world.

Congress has thus provided for the academically oriented curriculum and the academically oriented youth. We have not been so provident, however, for the youth in the vocational or technical curriculums, those who are preparing to enter the skilled trades or the technical fields.

In 1963, Congress took a great step forward with a thorough-going overhaul of the vocational education legislation. The needs of the eight out of 10 students who are preparing for vital occupations were at least acknowledged by Congress in this legislation. Under the Vocational Education Act of 1963, State or local expenditures for instructional materials and associated equipment are reimbursable in part by Federal funds, as is the cost of constructing library facilities in some instances.

Despite this implicit authorization, however, little progress has been made. In the main, the vocational and technical education programs throughout the country are not providing their students with the instructional materials—in print, on film, on tape, and so forth—that are needed to teach or learn the skills utilized in such fields as building construction and maintenance, for example, or the extractive industries, the marine trades, the fast-changing electrochemical and mechanical technologies, or the protective and health services.

To document the fact that present programs are not providing the best vocational and technical instructional materials and professional guidance in their use, this year the American Library Association surveyed school library supervisors and other officials, at both State and local levels. From coast to coast, the replies to this survey plainly demonstrate and document the critical need for increased support for libra resources and services in vocational and technical programs.

Here are some of the comments:

Results of a March 8, 1968, Questionnaire Regarding Funds for Vocational Library Needs Sent to State School Library Supervisors and Other Officials by American Library Association

ALABAMA

J. F. Ingram, State Director, Vocational Education, reports: "Twenty-seven State-operated vocational technical schools have been built. Most of them are quite new—less than three years old. If adequately financed, each of these schools should have a trained librarian and an average initial outlay for instructionl aids, equipment, and materials of at least $25,000."

Ruth Stovall, State Supervisor, Home Economics Education, reports: "In Alabama, there is an urgent need for books and audiovisual materials for all areas of Vocational Education, including Home Economics. Vocational Education is a field in which there is constant change, thus requiring the frequent replacement of obsolete reference materials with up-to-date information. The collections on Vocational Education are woefully inadequate in Alabama high schools."

Mrs. Nina Martin, ESEA Title II Coordinator, reports: "Alabama has only recently developed a complete system of trade and vocational schools. At the present time, none of the schools has a centralized library. Materials on hand consist of classrooom collections pertaining to the subjects being taught in that room. . . I personally feel that (Mr. Ingram) has underestimated the need, thinking in terms only of technical materials. I believe other materials of a supplementary nature would be needed. No librarians are employed for the trade schools. Some thought should be given to personnel needs.

"Those vocational programs being carried on in the regular high schools are also in dire need of materials. Little emphasis has been placed on materials for the Distributive Education and Diversified Occupations Programs. Librarians as a general rule feel inadequate to select materials for these students. Assistance is needed in planning programs and in preparing bibliographies to aid the librarians in selection for this area."

IDAHO

Rudy H. Liveritte, Library and Audiovisual Services Consultant, Idaho Department of Education, reports: "Curriculum offerings in the field of vocational education in Idaho public schools are very limited, and the library collections in the field reflect these limitations. It is felt that any additional funds that could be made available for the purchase of educational materials in the field of vocational education would be extremely beneficial to the overall educational program in this State."

MICHIGAN

Mary Ann Hanna, Head School Library Consultant, State Department of Education, reports: "Vocational education has had some emphasis but not concentrated as much as needed. Our needs are great, especially as these 35 to 40 area centers begin to really grow. Right now they're mainly part of other libraries, such as community colleges. More materials are needed in many centers . . ."

MONTANA

Marie Mastorovich, ESEA Title II Supervisor, State Department of Public Instruction, reports: "We are currently developing long-range plans for vocational education. Since vocational schools are almost nonexistent, it is the most serious educational need in our State. At present we have no personnel or funds to plan vocational library needs. The inclusion of funds in the Partnership for Learning and Eearning Act of 1968 would provide the incentive. It would also emphasize the importance of library development in vocational schools."

NEBRASKA

Lester W. Harvey, Director, Library-Media Services, State Department of Education, reports: "During the past three years a very significant increase in attention to vocational-technical schools is noted. We had one State vocational technical school three years ago. We now have two State schools . . . and at least three regional schools financed by local funds . . . Very little attention has been given to media programs for these schools in the true library sense. They need this very urgently but there is little likelihood that they will develop the library services they need in the near future . . ."

NEW JERSEY

Mary Ann McEnroe of the Vocational Division, State Department of Education, reports: "In June 1967, I computed statistics on 11 out of the 18 New Jersey Vocational and Technical High Schools. Ten of the 11 schools had libraries; 8 of the 11 schools had librarians; and only one school of the 11 met all the minimum New Jersey standards (library resources, instructional materials, equipment, services and facilities) for high school libraries."

NEW YORK

Frank A. Stevens, Bureau of School Libraries Chief, State Education Department, reports: "Need is great to support technical-vocational programs being developed regionally throughout New York State."

OREGON

Mrs. Elizabeth Parker, Consultant on School Libraries, State Department of Education, reports: "Needs are very great. My travels throughout the State have revealed very small collections, much outdated material."

PENNSYLVANIA

Elizabeth P. Hoffman, Director, Division of School Libraries, State Department of Public Instruction, reports: "There are 28 voc-tech schools in operation and 33 in the planning stage. Six of the 28 are in interim buildings and will be housed in new buildings. Seven have library facilities for library materials at present; the remainder are in the development stage."

RHODE ISLAND

Mrs. Ruth Cerjanic, School Library Consultant, State Department of Education, reports: "Vocational needs in Rhode Island are great in terms of the school library. There is a great lack of awareness on the part of vocational people of the services of the school library. We are trying to make a break-through."

WISCONSIN

Frank Franchowiak, School Library Supervisor, Wisconsin Department of Public Instrution: "There is a really serious need for the improvement of library service in the vocational technical schools in Wisconsin. Ideally, there should be qualified personnel at the state level to plan program development."

Let me emphasize, Mr. Speaker, that the needs of vocational and technical students are not well served by general libraries, even by the collections of the many outstanding public libraries or school or community college libraries. These libraries hold general collections of books, periodicals, and other materials, not collections of instructional materials specifically selected to meet the complex needs of the technician and the craftsman.

There is an educational resources information center clearinghouse for vocational and technical education—at Ohio State University—an ERIC center as these are known. There is also a university-level center for research and leadership development in vocational and technical education. The vocational school librarians and other professional personnel associated with these institutions have estimated that 80 percent of the library materials in their collections are not found or classified in the typical general or school library collection. Obviously, vocational schools and technician training institutions need libraries of their own.

Despite these findings, there may be some who would argue that the needs of the vocational students for access to library materials geared to their studies can be met through the provisions of title II of the Elementary and Secondary Education Act. There is evidence that a very small percentage of these funds are benefiting vocational and technical students. This slight spillover of benefits from the academic to the vocational fields, whatever its extent will be lessened, however, by the reductions that have been made in title II by the 53 percent cut in funds recommended by the administration.

The cost to a new junior college of opening a library is at least $25,000, exclusive of audiovisual and special vocational materials. The cost of this basic collection alone goes up to $100,000 if a college with an enrollment of 1,000 has 20 books per student. This is the new standard being recommended by the American Library Association and the Department of Audiovisual Instruction of the National Education Association, and is based on an estimated average book price of $5. But the average cost of a technical book, such as might be used in a vocational education course, is $11.

We are at long last beginning to acknowledge the dignity of skill and know-how, the worth inherent in the ability to do an intricate job well. We are finally beginning to meet the educational needs of a majority of our youth, those who are bound, not for the university campus, but for the office, the factory, the laboratory, and the shop. We have made a beginning, but we must do more.

We must provide them with the libraries, the reference and instructional materials, the audiovisual equipment and materials, and the specialists who can help them use all these indispensable educational resources.

Since I cannot propose an amendment today, under suspension of the rules, I would earnestly hope that when the U.S. Office of Education issues guidelines for the Vocational Education Act of 1968, these guidelines clearly spell out that libraries are eligible to receive funds for the materials, equipment and training of personnel necessary to a good vocational educational program. Without this provision, the act will not have the impact on vocational education which it should have.

We are beginning to strengthen vocational and technical education as we have strengthened and undergirded general and academic learning. So, let us not shortchange the fine young men and women who are learning to work with their hands as well as their heads. Let us help provide them and their dedicated teachers with the learning resources they need, just as we have helped provide libraries, materials, and specialists for the academic courses and their students.

In my judgment, enactment of H.R. 18366 will be a solid first step toward the goal of an America in which, truly, there is equality of opportunity. I urge enactment of this legislation.

Mr. ASHBROOK. Mr. Speaker, I ask unanimous consent that the gentleman from Oklahoma [Mr. SMITH] may extend his remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. SMITH of Oklahoma. Mr. Speaker, I rise in support of this legislation.

We must move to provide job opportunity for all of our citizens. Particular emphasis must be placed upon our youth so that they may have the assistance of training that will qualify them for a trade or vocation that is within their capability. There are some of our young people that are not best suited for our highest institutions of learning, nor do their desires lay in that direction, but this in no way discredits their ambition to live a full life and make a contribution to the community in which they live.

The vocational education program has proven its worth in Oklahoma and throughout the Nation and should be given maximum support. This program has contributed greatly toward economic development and academic excellence and in my opinion has yielded more than it has cost, which surely cannot be said of many plans that are laid before the Congress and the beleaguered taxpayers.

Although it has no connection with this bill, I believe it should be mentioned that there are many young men living in rural communities that are prevented by present law from working on farms and ranches and receiving training that would be of great value to them and at the same time help relieve the severe labor shortage our farmers are faced with.

In addition, there are many young men and ladies that would appreciate the opportunity to work in apprenticeship in various shops and stores, thus developing their minds and bodies and enjoying the experience of managing their fiscal affair while they contribute to their own family expenses. I hope the next Congress will give serious attention to this matter and provide necessary legislation to correct this undesirable situation.

We know that education is the prime solution toward removing poverty and I hope this legislation receives a heavy endorsement when the vote occurs in just a few minutes.

Mr. ASHBROOK. Mr. Speaker, I yield 2 minutes to the gentleman from Michigan [Mr. ESCH].

Mr. ESCH. Mr. Speaker, it gives me a tremendous amount of personal satisfaction to be a cosponsor of this bill, and to have made some contributions to its provisions. In my judgment this may well prove to be the most important single piece of legislation enacted by the 90th Congress.

The bill is designed to move vocational-technical education from the relative obscurity it suffers today into the forefront of our total educational structure. I can conceive of no more important objective for education—and for our country—than this: that every citizen be prepared for a decent job at a decent wage in the economy of today. No longer will the non-college-bound student be a second-class citizen.

If we are to achieve that objective or even approximate its achievement, we must thoroughly modernize vocational-technical education. Moreover, we must give it a central place in our total manpower policy and in our educational structure. We are far, far from that goal today.

Michigan is one of the great industrial States; it is one of the mighty industrial areas of the entire world. Yet, in all candor, I cannot say that our system of vocational-technical education reflects our industrial preeminence. In all the federally supported vocational programs in Michigan, in 1966, from ninth grade through the adult classes, there were only some 265,000 enrollees. Of these, over 76,000 were enrollments in home economics courses, few of which lead to employment, and over one-third of the total were comprised of home economics and agriculture. Little more than 3 percent of all enrollments were in technical fields and less than 2 percent in the fast-growing health fields. Enrollments in trades and industrial occupations represented only about 26 percent of enrollments in this great industrial State.

The point that I must add here is that Michigan has one of the very best vocational-technical systems in the Nation, and that the enrollment figures I cite would be, for most States, far less responsive to employment needs. That is why this legislation is supremely important.

In large measure, H.R. 18366 would carry out the recommendations of the National Advisory Council on Vocational-Technical Education which issued a comprehensive report earlier this year. The council, headed by the Superintendent of Public Instruction for Ohio, Dr. Martin Essex, did a very fine job in exposing the deficiencies and exploring the enormous potential of occupational education. This bill is a thoroughly bipartisan response to their findings and recommendations. Yet it must be said that H.R. 18366 is a Congressional response; it is a product of our committee. The response of the administration was weak and muted in the extreme, amounting to little more than some administrative consolidation of programs.

If we are to finish this task of modernizing vocational-technical education we need new national leadership with new priorities and a new will to change conditions. An administration which insists upon spending more money on 40,000 enrollees in a faltering Job Corps than for the support of vocational programs enrolling 7 million youth and adults has no capacity to set priorities. An administration which relegates vocational-technical education to a division within a bureau, and all of education to an office within a department, has lost the capacity to govern wisely.

One of the principal recommendations of the Advisory Council was the upgrading of all education within the Federal structure by the creation of a new Cabinet-level department to handle educational and manpower programs. I have cosponsored a bill to create a Department of Education and Manpower, joining our ranking Republican member, Mr. AYRES, and a number of other minority members on our committee. We have had not the slightest indication of administration support for this action.

I regret this partisan note in our discussion of a bipartisan bill, but I think that it is necessary and appropriate that the record be clear on the matter of where the impetus for this legislation originated. It did not come from the White House.

H.R. 18366 would vastly increase the spending authorizations for Federal support of vocational-technical education in the next few years. In my judgment, even this level of expenditure will not be adequate to the needs. If the fiscal crisis continues there will be those who say that we cannot appropriate these additional funds. I think that would be extremely shortsighted. If necessary, we can cut back on less essential expenditures and less important programs in order to meet this obligation. That is where we need a sense of priorities in Federal programs which is so lacking in the executive branch today.

This legislation completes the work the Congress began with the Vocational Education Act of 1963. The legislative mechanism is at hand for beginning a national effort to improve vocational-technical education, but the job is just started. I hope that our committee will exercise continuous oversight of the administration of this act. The Congress must take a strong hand to see that the mandate of this legislation is carried out, and that deficiencies in the act itself are corrected promptly. I think there is a strong consensus on our committee for such action.

As important as Federal leadership may be, this legislation will succeed or fail at the State level. The State boards of vocational education, the State advisory councils, and the local school administrators and teachers have the overwhelming responsibility for the success of this legislation. Throughout this bill the responsibility of State and local educational agencies is emphasized and reinforced; the new programs with a single exception are to be State-administered, and even in the exception of curriculum development there is to be consultation with the State agencies. I think this is one of the strengths of the bill, and I would not be a cosponsor if it were otherwise structured.

Mr. Speaker, I shall leave to our distinguished chairman, Mr. PERKINS, to present the detailed explanation of the bill. It is a long and fairly complex measure which took our full committee several days of almost continuous sessions to put it in final form. The point I want to make is that it represents a mandate for change in federally supported vocational-technical programs, that change is long overdue, and that it can be accomplished only by a vigorous administrative effort at both the State and Federal levels.

I urge enactment of this bill.

Mr. PERKINS. Mr. Speaker, I yield 5 minutes to the gentleman from Washington [Mr. MEEDS].

Mr. MEEDS. Mr. Speaker, I rise to speak in favor of:

A catalyst for stimulating change in American education;

A response to the cries of the poor and the disadvantaged for help in creating better environments for themselves;

A concerted effort to prepare our young people for success and fulfillment in a technological economy.

These phrases describe a vital piece of legislation for all Americans—the Vocational Education Amendments of 1968. As a cosponsor of these amendments—and one who has given long, hard hours to framing the legislation, hearing witnesses, and analyzing the most important issues—I want to share with you the chief concepts on which they are based. I want to pass on what I have learned about the purposes of vocational education, the most enlightened views on how to achieve those goals, and the needs for legislation that will bring about transformation, modernization, and concrete accomplishments.

In the past several years, we have approved more than 40 laws to support education in this country, laws bolstering preschool projects and legislation benefiting graduate school laboratories of our colleges and universities. Yet, excellence in all fields, not only academic fields, is needed in this country.

Despite vast progress, we still confront enormous problems and no one contends that the passage of this bill will meet all of the needs in the field of vocational education. Yet, H.R. 18366 constitutes a solid start and a chance to build on the past achievements of previous vocational education legislation, including the Vocational Education Act of 1963.

Today, we have a chance to reaffirm a national commitment we made in previous years. Today, we can move again to give our schools and the teachers and students in them the proper resources to help them solve some of the massive problems of unemployment and the need for skilled manpower confronting our always changing society.

Today, we can, in the words of the late President Kennedy, again recognize that education is the keystone in the arch of freedom.

In the field of education, our schools must be able to prepare our young men and women for a productive life. Those students who do not plan to go on to college need not only the knowledge to be a responsible citizen. Our young men and women—the 25 percent of the more than 12 million high school students in the country enrolled in vocational training courses—must be given the means to enter the world of work.

This legislation will equip our young men and women to attain and keep gainful employment. It will benefit the increasing number of high school students enrolled in vocational training, a number that has risen since enactment of the Vocational Education Act of 1963 from one student out of five to one out of four.

While the previously mentioned 25 percent of the total secondary school enrollment are enrolled in vocational training, this figure is not high enough. There are additional estimates by the U.S. Office of Education that show nearly 50 percent of our young people seek employment with no skills and no education beyond the high school level.

During the 3 years of hearings on vocational education legislation, our General Subcommittee on Education discovered some stark truths which I would like to briefly mention before turning to some of the solutions to a national problem which can begin by passage of this legislation today.

My first and major feeling is that all of us in this body realize that vocational education, for varying reasons, has been somewhat neglected.

Although there is sharp disagreement and much scapegoating, as to the reasons for this neglect, I think all of us would agree that vocational education must be upgraded. This is true despite rising expenditures for vocational training and sometimes prodigious efforts on the Federal, State, and local levels. This is true despite the dedication of vocational educators around the country. This is true despite our previous legislative efforts.

Despite all of these and other advances, the young men and women whose skills are needed in our technological society still remain—in the words of one Office of Education report—"the youth we haven't served."

This means, Mr. Speaker, that we can do more, that we have failed to pay sufficient heed for the urgent need to equip youth for the world of work.

In domino-like fashion, the consequences of this have resulted in a series of national problems that will continue to confront all of us until we realize that vocational training can and must be made relevant to the youth of today.

Increasing high school dropouts and youth alienated from a chance to attain a usable skill, the demands of changing technology, the shortage of residential facilities for those youth better able to be educated away from their environment, the need to match research with classroom education, the pressing need for giving our dedicated vocational teachers a chance to upgrade their skills through advanced training, the need to fully involve all of our national resources in helping train students for the world of work, all of these needs will be covered in this legislation.

At this point, I would like to briefly describe the main components of this measure and give some indication as to why those of us on the committee believe they are a realistic step in the right direction.

Title I of H.R. 18366 represents a consolidation and improvement of existing vocational education programs. This section of the legislation consolidates the existing authority for vocational education programs under the George-Barden Act and the Vocational Education Act of 1963. It is an outgrowth of the recommendation—made by the National Advisory Council on Vocational Education—which states that administrative complexities should be reduced by combining all vocational education legislation into one act. The authorizations for the basic programs, too, are raised from the present level of $260 million to $355 million for fiscal year 1969 and to a permanent level of $565 million for fiscal year 1970 and subsequent fiscal years.

Other provisions of title I include the following:

Removal of separate matching requirements, a move caused by the complexity of administration involved concerning the 23 purposes in the Vocational Education Act of 1963, the Smith-Hughes Act, and the George-Barden Act which each require separate accounting and matching.

Briefly, this proposal would provide for overall statewide matching, allowing States more flexibility in that varying proportions of Federal funds which would then be used in matching State and local funds.

This proposal builds on the recommendation of the Advisory Council which cited the inability of poor school districts—in both rural and urban areas—to allocate money from their general budget to meet matching fund requirements.

In addition, the legislation requires that at least 25 percent of the funds for comprehensive State grant programs in excess of the fiscal year 1968 level be expended on programs for the disadvantaged; or 15 percent of present funds, whichever is greater. It also provides a new $40 million program to be used for special programs for the disadvantaged.

Two remaining and additionally significant features of this title deal with the problem of long-range planning and of creating, in each State, a State advisory council broadly representative of varying interests including business and labor to evaluate vocational programs funded under the act. This State council also will advise the State vocational boards now existing on the development of a comprehensive State plan, and to submit through the State board an annual evaluation report to the Commissioner of Education and to the National Advisory Council.

The long-range and annual program, I believe, represent an interesting departure since the amendments before us require that every State submit a plan which would contain, in the first year, a 5-year plan of long-range objectives and goals in each individual State. The flexible features of this provision are self-evident, I believe, and would allow, in my opinion, each State to set realistic goals toward which they will work in solving their own peculiar and regional problems of vocational education.

Another provision in title I sets up an authorization for residential vocational schools, an enactment that will help serve the many youth who do not profit from vocational instruction in their present home environment. Residential facilities will help make it possible for disadvantaged youths in urban ghettos and also rural youths not served by a vocational program to obtain residential training. Each State has an earmarked authorization for this purpose.

All of these features embodied in title I merit our strong support as a realistic approach to helping our State in vocational education. They build on the Vocational Education Act of 1963 and previous vocational education accomplishments. They are flexible in the sense that they allow each State discretion and flexibility in providing tailormade solutions to statewide problems peculiar to each area of the country.

I have talked about the new program providing for a statewide impetus for vocational education and now would like to briefly explain the main provisions of title II of H.R. 18366.

This title deals with exemplary projects and programs, with new techniques and new vehicles for bringing an innovative lustre to the field of vocational education.

It is an important title and the Members will note that there is a separate authorization for the separate sections. These cover exemplary projects and innovative programs, consumer and homemaking education, the work-study program, residential vocational schools, and cooperative vocational education programs.

Once again, the recommendations of the National Advisory Council on Vocational Education are embodied in H.R. 18366. Title II contains the separate authorization for exemplary and innovative projects which would be administered as a State plan program.

This provision would be similar to the present title III of the Elementary and Secondary Education Act in that each State would be authorized a minimum of $200,000 with up to 10 percent of the total funds reserved for the Commissioner of Education.

The changing needs of local school districts, and the urgent need to find new ways in approaching old problems, is met since funds authorized under tihs provision could be used for the cost of planning, development, operation and evaluation of projects which, in the legislative language of the bill, "would broaden occupational aspirations and opportunities for youths, with special emphasis given to disadvantaged youths."

The purpose of this provision is to modernize vocational education. Projects would include areas such as programs designed to familiarize elementary and secondary school students with occupations for which special skills are required; work-experience in the school year as well as in the summer months; occupational guidance and counseling and initial job placement; new vocational educational curriculums; personnel exchanges; part-time training of young workers and preprofessional preparation for potential teachers.

Other areas served by title II include the following:

First, the authorization of a separate cooperative education program to assist the States in expanding the number of these programs. These are programs in which the student alternates periods of full-time study and related full-time employment, a technique that has been widely successful; for it trains the student while he is still in school, meshing together his academic experience with on-the-job training.

Second, an authorization to allow the Commissioner of Education to make support through financial assistance to colleges and universities, State boards of vocational education and other public or nonprofit private organizations to assist in developing new curricula and materials adaptive to the changing world of work. These grants and contracts would be made only after consultation and coordination with the State board and the State advisory councils and would allow for developing and disseminating vocational educational curriculum materials used in teaching of vocational education. Also, this provision would establish certain standards for cirriculum development in all fields and help coordinate present efforts in this area.

Third, we have amended the Education Professions Development Act to provide opportunities for experienced vocational educators to spend full time in advanced study of vocational-technical education. These fellowships shall not exceed 3 years in length and would give our vocational educators in every State in this country the chance to update their occupational competencies.

The leadership and training amendments also authorize a sharp focus on the need for exchange programs, institutes and inservice education for teachers, supervisory, coordinators, and administrators and we have done so because we were not fully satisfied with the attention given to vocational education personnel under the Education Professions Development Act.

We are taking this legislative action to insure ourselves that the Office of Education will bring proper emphasis in training vocational educational personnel.

Mr. Speaker, these provisions constitute the main recommendations of H.R. 18366. Today, as we meet, our agenda is full—as it will be in the next decade—with varying priorities in all fields, whether they relate to the quality of American life in any sphere of activity, the urban crisis, the farm problems, or any other areas of interest. All of us have our own priorities but I think this body, through past recognition and through present consideration of the Vocational Education Amendments of 1968, fully realizing the staggering immensity of the need for upgraded vocational education, a complex problem requiring broad action on many fronts to achieve forward-looking progress.

The bill we consider today merits our full support. It has mine.

It has the support of the majority of the members of House Education and Labor Committee and the endorsement—over the past 3 years—of a wide variety of educators and public officials in this country who realize that those young men and women who do not go on to college must be prepared adequately for the changing world of work. Not to do so would be to turn our back on a huge national need for those high school students who will constitute the occupational class of the future.

We have the means and the resources to enable this country to utilize fully the talent of our young men and women in this legislation.

I strongly urge the House today to adopt and support the provisions of this bill.

Mr. HICKS. Mr. Speaker, will the gentleman yield?

Mr. MEEDS. Mr. Speaker, I yield to the gentleman from Washington.

Mr. HICKS. Mr. Speaker, I know how hard the gentleman has worked on this bill and the amount of time he has put into the development of it.

Mr. Speaker, I join the gentleman in his remarks.

Mr. ASHBROOK. Mr. Speaker, I yield 2 minutes to the gentleman from Oregon [Mr. DELLENBACK].

Mr. DELLENBACK. Mr. Speaker, I thank the gentleman for yielding.

Mr. Speaker, I wish there were the time we would all like to have to speak on this measure today. There is not. Let me say this, however.

In my opinion, vocational education has for too long been the stepchild of education. This bill has, as has been said, strong bipartisan support. The bill is not perfect, but it makes major advances in a field where major advances are long overdue.

We could go down the list of provisions of the bill. A number of them have been touched on, by Members on both sides of the aisle, but I would say one of the things I think is of very real significance is the emphasis on the State advisory councils. We have been striving in a series of measures this year to build up the role of States in government. This bill takes a step forward in this direction and calls for appointment of these advisory councils. They will be appointed by the Governors and call for pushing forward with State plans.

We believe this is an excellent strengthening of a very important part of this bill. It moves forward in exemplary programs. It moves forward in training and a whole host of other programs.

Some of us have striven repeatedly this year to cut spending by the Federal Government. This bill points out the importance of not just blindly cutting, but cutting on a priority basis. In this field of vocational education there is no room for cutting Federal expenditures. This is one of the fields where we should not blindly take the ax of economy and chop, but rather we should expand, as this bill calls for us to expand.

This move forward in vocational education is long overdue. It is needed. It holds great promise for the future.

The bill was approved unanimously by our subcommittee and the bill was approved unanimously by the full Committee on Education and Labor. It is my hope that today this House will also approve it unanimously.

Mr. PERKINS. Mr. Speaker, I yield the remaining time to our distinguished majority leader [Mr. ALBERT].

Mr. ALBERT. Mr. Speaker, I thank the distinguished chairman of the Committee on Education and Labor for yielding me this time. I begin by congratulating him and the members of his committee on both sides of the aisle for the work they have put into this legislation.

Mr. Speaker, with passage of H.R. 18366, the Vocational Education Amendments of 1968, we now add another landmark to educational progress in America.

The Smith-Hughes Act of 1917; the George-Barden Act of 1946; the great Vocational Education Act of 1963—these have been the instruments of progress that have brought us to the point where one high school student in four is now enrolled in vocational education programs.

But experience shows that what we have done in the past is not sufficient to the needs of the future. The time has come to take another giant step.

The need for this legislation is real, and it is immediate. Although one high school student in four is enrolled in a vocational education program, five out of six do not complete a full college education. Sixty percent of our high school students enter "the world of work" unprepared to hold a job. Of every 10 youngsters enrolled in the fifth grade 10 years ago, only seven finished high school; only four entered college; and it is anticipated that only two will put on cap and gown and get their bachelor's degree next June.

A million youngsters drop out of school every year, and less than a quarter of them are adequately prepared to face the world of work on a long-range basis.

These are the figures we fight. These are the conditions we must change with this bill.

It is a mark of the dedication of this Congress that the bill before us, significant and intricate though it is, enjoys such broad and bipartisan support that we can consider it under a suspension of the rules.

We demonstrate again that education is not a partisan matter. It is the mark of statesmanship that no one demeans his party, his Congress, or himself by injecting narrow partisanship into the discussion.

Mr. Speaker, one of the major features of this bill is that it will eventually bring our major vocational education programs under one tent. It would immediately consolidate the existing authority for programs under the George-Barden Act and the Vocational Education Act of 1963. And beginning next fiscal year, it would cover programs funded under the Smith-Hughes Act.

This measure removes the requirement for separate matching, purpose by purpose. Instead, it provides for overall statewide matching to allow for more flexibility and effectiveness. This is in keeping with the first recommendation of the National Advisory Council on Vocational Education which we set up 2 years ago.

Authorizations are raised from the present level of $225 million to $355 million for this fiscal year, and to a permanent level of $565 million for subsequent years.

It is more than evident from the list of 53 cosponsors of this measure, representing the broadest spectrum of policy views on finance, that this Congress believes money spent on vocational education is a good investment in the future of America.

The bill continues the system of comprehensive State grants for another 5 years, and it adds five significant new programs to existing ones. These include: Exemplary and innovative programs, teacher education, administration training programs, cooperative education, and curriculum development programs. The committee believes these new programs will produce a more comprehensive approach to vocational education.

Mr. Speaker, I urge every Member of this House to support this worthwhile legislation. It has been 2 years in the making. It involves countless days of hearings and investigation, and the study of many dedicated men both in and out of Congress. It reflects all we have learned about the great Federal-State partnership in vocational education since President Wilson signed Smith-Hughes into law 55 years ago.

This is a measure for today—and tomorrow.

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the gentleman from Oklahoma [Mr. EDMONDSON] may revise and extend his remarks.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. EDMONDSON. Mr. Speaker, I rise in support of H.R. 18366, to amend the Vocational Education Act of 1963.

No program of our Government is more important in meeting the problem of unemployment. No program is more important in upgrading the technical and vocational skills of our people and increasing the productivity of our economy. In the final analysis, no program is more important in improvement of our national standard of living and in the elimination of the pockets of poverty that are found in the country.

This bill is authorization for an increased investment in our greatest national asset—the people of America.

Oklahoma, which has seen the great benefits of vocational education in many of our schools and institutions, and which is particularly proud of its nationally famous Oklahoma State Tech at Okmulgee, is solidly in favor of this great program.

I hope H.R. 18366 will pass by unanimous vote of this body.

Mr. MATSUNAGA. Mr. Speaker, as a cosponsor of H.R. 18367, an identical bill, I rise in support of H.R. 18366, the Vocational Education Amendments of 1968.

This legislation, representing the first changes since 1963 to the Vocational Education Act, recognizes the importance and the need for a strengthened program of vocational education in this country. We have too long neglected that segment of our population which does not choose to pursue a college career.

It is time for us to reassess the importance we have placed on the college campus, as compared to the lesser importance we have placed on the industrial school workshop. To continue to neglect our young people, and adults, who end their education with a high school diploma, and sometimes even before, would be tragic. Today the lack of skills is not just a disadvantage, but a handicap to the individual and to society as a whole, when unemployment, or marginal employment, is the end product. Too often the hostility and alienation of our young adults in such a situation produce increased delinquency, crime, and mass unrest in the streets. The proposed legislation is designed to restore vocational education to its rightful place as a vital and integral part of America's manpower training program.

Title I of the proposed legislation would provide for the consolidation and improvement of ongoing vocational and technical education programs. Authorizations for comprehensive programs for fiscal year 1969 would be increased by $130 to $355 million, and for fiscal year 1970 and each succeeding fiscal year, $565 million, for the purpose of making grants to States to sustain such programs. I am pleased to note that under the estimated distribution of such funds, Hawaii's share will be $1.1 million in fiscal year 1969, and $1.9 million in subsequent fiscal years.

The scattered authorities which exist under the Smith-Hughes Act, George-Barden Act, and Vocational Education Act of 1963 would be consolidated by fiscal year 1970. The mandatory allocation of funds, 25 percent of which had to be expended under existing law for construction of facilities utilized exclusively for vocational education programs or for programs involving full-time vocational study, would be repealed in favor of an overall system of Federal-State matching. The elimination of project-by-project matching would increase flexibility in the application of Federal funds, as they could then be directed to meet the greatest needs of State and local areas.

The proposed legislation would also require that each State establish an advisory council which would be broadly representative and which would be required to submit annual program evaluation reports through the State board for vocational education to the National Advisory Council.

The States would be required, to project 5-year plans, stating their objectives for long range programs of vocational education, in addition to submitting their annual plans. These State plans would take into account the recommendations and evaluations of the advisory councils, extending the 5-year plans from the date of each revision.

Title II of the Vocational Education Amendments of 1968 would provide for new and expanded programs and projects in vocational education. To fulfill the stated purpose of stimulating new ways to create a bridge between school and earning a living for young people in need of vocational training, this title provides for such things as cooperative work-study arrangements, residential vocational education facilities, consumer and homemaking programs, and curriculum development.

Also under this title a permanent National Advisory Council on Vocational Education would be created and its members would be appointed by the President for 3-year terms. The National Advisory Council would report annually to the Secretary of Health, Education, and Welfare on the progress and administration of vocational education programs throughout the country.

Title III generally provides for vocational education leadership and professional development. Opportunities would be provided for experienced vocational educators to spend full time in advanced study and to update their occupational competencies through an exchange program involving personnel in other sectors of the business and industrial world.

Mr. Speaker, the time to wait and see is long past. It is now time to take positive action to prevent wasted manpower among our young people and adults. It is clear that training and retraining will be the key to maintaining an adequate labor force for the future. We can help to reduce unemployment and provide for our Nation's labor needs by the passage of the Vocational Education Amendments of 1968.

I strongly urge a favorable vote for this legislation.

VOCATIONAL EDUCATION IN OUR URBAN AREAS

Mr. SCHWEIKER. Mr. Speaker, I rise in support of H.R. 18366, the Vocational Education Amendments of 1968.

I am happy to be one of the cosponsors of this bill. I believe it will go a long way toward strengthening and expanding vocational education in this Nation as a whole. At a time when six out of 10 high school students do not go to college, and half of those who do enter college do not graduate, it is all-important that every high school student in America receive the best of preparation to face the job market. This is especially true as jobs become more dependent on advanced technology.

But while I give this bill my full support, I would not claim that it is a completely adequate response by Congress to the enormous challenge confronting our Nation today in the field of job education. I believe a stronger bill would have been in order, one that would have been more directly addressed to the needs of job education in the Nation's urban ghettos. The General Subcommittee on Education wrote such a bill earlier this year. It was H.R. 16460, and I was one of its enthusiastic sponsors.

This earlier bill, like the present bill, would have raised considerably the general authorization figures for vocational education funds. But in addition to raising the general authorization, H.R. 16460 provided a special program of aid to areas having concentrations of disadvantaged students and high rates of youth unemployment—including, principally, the ghettos of our large cities. This special program would have channeled $200 million in aid into such areas in fiscal year 1969. Each year the aid would rise until by 1972 the amount authorized would reach $400 million per year.

In the bill before us, there is a special program for the disadvantaged, but it has been given only a 2-year authorization, at $40 million per year. I regret that the full Committee on Education and Labor did not adopt the larger figure of $200 million, rising to $400 million, for this highly important part of the bill.

There is, however, in the committee's bill, a requirement that the States spend at least 25 percent of the newly authorized funds for programs aiding the disadvantaged. The States are also required to spend at least 15 percent of the total funds they receive for such programs. In view of the seriousness of the problem, and the higher costs of running programs for disadvantaged students in the inner city, I do not find these percentages very generous or very realistic. In my testimony on this legislation March 18 before the General Subcommittee on Education, I suggested that at least 50 percent of the funds go to the inner city.

I hope that with these provisions, this bill before us will be adequate to give urban vocational education the boost it needs from Washington. I hope it will result in more and more unemployed youths becoming productive citizens. But I fear that this bill is giving too little too late to the immense needs of the inner city and to the outmoded facilities found there, by and large, for vocational education.

The trouble with existing Federal aid to vocational education is that it has used a scattershot approach around the Nation, without having the impact that it should have on the hard-core job training problems of the cities.

Take, for example, the area of north Philadelphia. According to Labor Department figures, one-third of the men there are either unemployed or underemployed. Yet, of some $14 million in Vocational Education Act funds allocated to Pennsylvania in 1966–67, less than 6 percent of the funds went to Philadelphia, which has nearly one fifth of the State's people, and some of the State's most critical ghetto unemployment problems. No new vocational schools at new locations have been either planned or built in Philadelphia to combat the unemployment problem.

By contrast, in my suburban congressional district which begins less than 2 miles from the edge of the north Philadelphia ghetto, the vocational students of Montgomery County attend a new vocational-technical school built in large part with Federal dollars. These students benefit much more from Federal aid to vocational education than do the school dropouts in the inner city who desperately need a better chance.

It is time to set priorities in the field of Federal aid to vocational education. It is time to concentrate Federal efforts in the areas of our large cities where job training efforts have been acutely needed and yet sadly neglected. I think the Vocational Education Amendments of 1968 are a step in the right direction. But at the same time I remind my colleagues, Mr. Speaker, that more and better legislation in this field will have to come if Washington is to accept fully the challenge of urban vocational education.

Mrs. GREEN of Oregon. Mr. Speaker, I rise in support of this legislation because it is necessary.

This Congress has received miles of written criticism and thousands of decibels of spoken criticism for our inability or unwillingness to choose priorities. Some of that criticism is valid; we can answer it directly today by passing this bill with the full authorization which the Committee on Education and Labor has agreed upon as necessary.

In a society in which change is the only constant factor, it has become necessary that the Federal Government apply national resources to help State and local school authorities meet problems that are national in scope. We have the political and economic means to solve these problems. We have an obligation to our Nation to use those means.

One of the greatest movements of people in history is going on right now in America. In the years between 1951 and 1966, over 3 million Americans left the agricultural sector of our economy. It would be foolish to deny that these people were often the poorest, and the least exposed to educational opportunity. This migration from rural America goes on at a rate of over 500,000 people annually. They leave misery to inherit misery. For they do not have the skills to participate in the highly technical society that is urban America. The cities to which these people are moving are, in effect, service corporations. These cities collect the fiscal energy of their inhabitants and distribute to pay for those things which require a common public effort—streets and street lights, museums and police protection, fire protection, trash collection, and schools. If the cities cannot provide these services—partciularly schools—then there is reverse migration to the suburbs by the more affluent who can concentrate their money on better schools because they can avoid many of the built-in expenses of the cities.

A study over a 5-year period showed that health and hospital per capita expenditure increased from $15 to $20 in the central cities from $8 to $10 in the suburbs. Public welfare expenditures rose in the central cities from $13 to $21, from $6 to $9 in the suburbs. Police and fire protection expenditures per capita expenditures grew from $21 to $28 in the core city areas from $11 to $16 in adjacent county areas.

In Ohio, of the total suburban tax dollar, 72 percent is available for education, while in Cleveland, in spite of a higher tax assessment ratio only 40 percent is available for schools.

In Seattle, of the property tax dollar, just over 60 percent is available for schools. In the rest of Washington State, just under 80 percent can be spent on education.

In my State of Oregon, suburban school districts have available between

70 to 77 percent of the tax dollar. But in Portland, only 43.5 percent of the tax dollar can be used for education.

And the way to change these figures, the only way that will have permanent value to the individual and the Nation, is to provide the educational experience that will help people learn the skills that are in demand in this society.

There is an acute—an immediate—necessity to make skilled craftsmen of the new immigrants so that they may begin to pay for their education and the other services which urban living make necessary.

It seems to me to be a self-evident proposition that the traditional academic course of study—geared to the needs of people who are bound for college—this simply does not fill the needs of our Nation, and it does not fill the needs of the individual who needs our help to learn a useful skill.

Dr. George Parkinson, director of the Milwaukee Vocational, Technical and Adult Schools, makes the point. I quote:

> We glorify the route from kindergarten through post-doctoral fellowships. The money and the emphasis are wrong. Eighty percent of the tax money raised for post-high-school education is used for the 20 percent who go to college. And only 20 percent of public tax money goes to the 80 percent who want to learn an employable skill.

I am saying that the money this bill authorizes for vocational education is seed money. It will go to increase the productivity of those who will then be able to help pay the taxes.

Yesterday—July 19—Time magazine commented:

> American high schools busily churn out millions of students who are supposed to head for post-college careers they will never see. Fully 75% of them have had no training at all for the world of work. Unemployment in the 16–19 age group is 13.6%, the highest of any age group in the land. These "push outs" are the first to be caught by the whipsaw of poverty and despair.

While I deplore juvenile violence and gangsterism, I also believe that Government has more than a negative role to play in eliminating these curses. It does make more sense to build good vocational schools than it does to build detention homes or jails.

Any production engineer can look at this Nation and see that we have a terrible bottleneck in our cities. We have invested heavily in agricultural technology. We have displaced people who lived on the land with fertilizer and machines. And every newspaper has apparently endless lists of job openings for lab technicians, electronics specialists, medical aides, welders, skilled secretaries—the men and women who can fulfill themselves as they build a stronger and more prosperous America.

Motives mean nothing here. If we act to save individuals, if we act to make our cities livable, if we act to increase the productive capacity of our Nation, it matters not. What matters is that we act.

Mr. ASHBROOK. Mr. Speaker, in closing the debate on H.R. 18366, which I have joined in cosponsoring, I want to make several observations concerning the depth of support for this legislation.

Personally, I have never thought much of advisory commissions and study groups; all too often it has appeared to me that they simply meet and rubber-stamp conclusions and recommendations put before them by the staff. This was not the case with the National Advisory Council on Vocational-Technical Education, headed by Dr. Martin Essex. I have never seen a better, more completely documented report. It pulled no punches and spared no feelings in calling for a sweeping revision of federally-supported vocational-technical programs and a reversal of the attitudes and policies of the U.S. Office of Education.

I am not saying this because Dr. Essex happens to be the superintendent of public instruction in Ohio. This bill could not have come to the House today in this form without the Essex report, which is proof enough of the value of the work of the advisory council.

That report made clear that we must give vocational-technical education a higher priority for Federal support. In a time of fiscal crisis we must make cuts, but I have always said that these cuts should not be made across the board, but rather with a well thought out sense of priorities. Vocational-technical education is a field, like air and water pollution control and conservation, where we are not spending enough. We must increase the level of support for vocational-technical education as this bill proposes to do.

I find it astonishing that in the face of the Essex report, and with all the evidence from other sources concerning manpower training needs, that this administration actually budgeted less for vocational education in this fiscal year than was appropriated 2 years ago. This is a failure to assert any priorities at all.

This bill follows the recommendations of the Advisory Council. The administration proposal sent to the Congress earlier in the session scarcely touched upon those recommendations. Our committee rejected the administration proposal as not being responsive to the proven needs in this field. We then wrote our own bill, based upon all the testimony of extensive hearings, which incorporates major proposals from both the majority and minority members. It is a bipartisan effort.

This legislation is aimed at helping States and localities to completely modernize and redirect vocational education to meet the needs of our industrial-technological society. It seeks to give a new impetus to vocational-technical education at both the State and Federal levels.

Nowhere is this more needed than in the U.S. Office of Education, where successive reorganizations in recent years has buried vocational education ever deeper in the bureaucracy, until it is but one of three divisions within one of seven or eight bureaus. I questioned Commissioner Howe closely on this matter when he appeared before the committee and, typically, he defended this as a satisfactory representation of the importance of vocational-technical education. I can only repeat what I said then: I do not agree that it is.

This bill is a rebuke to the Commissioner's contention, and the committee stopped just short of creating a Bureau of Vocational-Technical Education by legislative direction. Clearly, the committee feels that more vigorous leadership is needed at the Federal level.

To cite but one problem created by the low organizational status of this vital program, I elicited the information that of 39 supergrades budgeted for the U.S. Office of Education, only one is in the field of vocational education. This is because of its lowly division status, because the best paying positions are allocated above that level.

The long-term solution may lie in the creation of a Department of Education and Manpower, as proposed by the Advisory Council. With our ranking member, WILLIAM H. AYRES, I have cosponsored legislation to create such a department. However, there has not been a sign of support from the administration for this idea, and as in so many other things, action must be deferred until we have a more imaginative and responsive leadership in the White House.

At the State and local level this bill is a clear call for a change in the composition of vocational programs. In every State the emphasis continues to be on vocational agriculture and home economics. This has been changing since the 1963 act clearly directed Federal funds to be used only for education for gainful employment, but the changes are coming too slowly. Vocational education must be closely attuned to employment needs of today and of the years ahead. One of the important features of this bill is a reservation of funds to permit the Department of Labor to make manpower studies on a regional basis and keep them up to date, so that vocational educators will know the demands of the job market and how those are changing and be able to structure their programs accordingly.

Our goal must be a really good system of vocational-technical education within the reach of all those who can profit from it—which is to say 80 percent of our school population. That is the goal of vocational educators who, for too long, have been treated as the stepchildren of education. Their role is central to the task of education—to prepare individuals to take their full part in our economy and in our society. I am convinced that this is the real key to unlocking the door of opportunity for all Americans and to breaking the cycle of unemployment and dependency. There are few social problems that a good job will not cure.

I am pleased to have my name associated with this bill. As the ranking minority member on the General Subcommittee on Education, I have enjoyed working in close harmony with the chairman, ROMAN PUCINSKI, who has done an outstanding job in bringing this bill to the House, and with Members on both sides of the aisle.

I urge enactment of H.R. 18366 and it would be a great vote of confidence for vocational education in our country if the vote were unanimous.

Mr. FRASER. Mr. Speaker, as a cosponsor of H.R. 18366, the Vocational Education Amendments of 1968, I am happy to give my enthusiastic support to this effort to increase educational opportunities for a major segment of American youth.

This bill is particularly significant for poor youth since it will aid them at a critical point in their lives—when they must make the transition from school to work. Because so many youth from poverty backgrounds have been ill equipped to make this transition, a life of underemployment often awaits them.

The new exemplary program in H.R. 18366 is intended to make sure that vocational education is a job preparation experience for all youth who do not continue on to college. Too often in the past, terminal high school students have found that their schooling had no direct relevance to their jobs.

During fiscal year 1969, $15 million in grants to the States will be available under the exemplary programs to fund the following kinds of activities:

First. Projects designed to familiarize elementary and secondary students with occupations for which special skills are necessary.

Second. Work experience for students during the summer and during the school year.

Third. Occupational counseling and initial job placement.

Other key features of the bill include:

First. $40 million in grants to the States for special programs aimed at the disadvantaged. These programs could be eligible for 100 percent Federal funding if the Commissioner of Education determines that there is a need for this type of support.

Second. A requirement that 25 percent of all new vocational education grants to the States, over and above the current level of grants, be used for students who have not been able to take full advantage of traditional programs because of social-economic handicaps.

Third. An extension of the vocational work-study program.

Fourth. A re-authorization of grants for residential vocational schools.

These programs will give vocational educators the tools they need to equip their students with marketable skills and to insure the placement of these students in productive jobs.

This bill will be particularly helpful to the school system in my district, Minneapolis. The Minneapolis Board of Education has wisely recognized the need for specialized vocational education programs through the establishment of the Work Opportunity Center, a unique project which enrolls students who have not succeeded in traditional programs. The Work Opportunity Center is currently receiving funds under the 1963 Vocational Education Act and I know that the current bill will be an important source of new support for the center. The 1968 act will also increase the effectiveness of vocational education programs at the new South and North High Schools which will serve inner city areas.

Mr. BRADEMAS. Mr. Speaker, I rise to give my enthusiastic support to H.R. 18366, the Vocational Education Amendments of 1968. This bill is one of the most important education measures to be considered this year by Congress and is surely the most significant vocational education bill since the landmark Smith-Hughes Act of 1917 and the 1963 Vocation Education Act.

In particular, Mr. Speaker, I want to congratulate the gentleman from Illinois [Mr. PUCINSKI] the distinguished chairman of the General Education Subcommittee, which handled this bill, and the gentleman from Washington [Mr. MEEDS] without whose hard work and patient effort this bill would not be before the House today.

The chief accomplishment of H.R. 18366 is that it provides important new directions for vocational education in this country—new directions which focus on updating vocational education, on making of vocational education a more effective instrument for meeting the challenges of the last third of the 20th century.

And this challenge is enormous.

We are all aware that since the Second World War the American economy has changed in fundamentally important ways. We can see our economy being shaped by the forces of an exploding technology, of an increasingly mobile population, and by escalating urbanization.

These changes are occurring so swiftly that our schools must often train our young people with only the vaguest ideas about what work skills will be in demand even a short decade from today.

Can this challenge be met by expanding and improving higher education in America? No. Mr. Speaker, that approach alone will not suffice. We must recognize that we can expect only 20 percent of today's fifth grade students to graduate from college. The great bulk of our young people—the remaining 80 percent—will face our increasingly complex and technical society without a college degree.

Therefore, Mr. Speaker, unless we have the foresight to improve vastly the education and training currently available, less than one-quarter of our young people, according to professional estimates, will enter the work force with the skills to get and hold productive jobs.

In effect, Mr. Speaker, our rapidly changing economy has laid down the gauntlet to American vocational education.

The challenge requires that our students must be given the information necessary to permit them to make wise decisions about their careers.

The challenge demands that our education and training programs be designed to increase flexibility rather than to channel students down dead-end vocational alleyways.

The challenge insists that vocational education curricula be updated and adapted to meet the changing abilities of our students and the changing needs of the market place.

The challenge requires that educators and employers must work together closely to provide the essential knowledge, skills, and attitudes which will enable young Americans to embark on personally satisfying and socially useful jobs.

Mr. Speaker, the Vocational Education Amendments of 1968 go a long way toward meeting the massive challenges which today and tomorrow present to American vocational education.

Mr. Speaker, I shall not describe all the ways in which H.R. 18366 would improve the existing structure of American vocational education. However, I would like to underscore several features of the proposed legislation which I think are especially important.

First, Mr. Speaker, H.R. 18366 authorizes programs designed to provide occupational skills for the Nation's disadvantaged youth.

Section 2(a) of the Vocational Education Amendment of 1968 provides that at least 25 percent of new, comprehensive State plan funds for vocational education be expended on programs for the disadvantaged. In no case can less than 15 percent of all funds under such State plans be used for the education of the disadvantaged.

Moreover, the bill authorizes $40 million in fiscal 1969 and a like sum in fiscal year 1970 for special programs for the disadvantaged. These programs would be eligible for up to 100 percent Federal funding if the U.S. Commissioner of Education determines that such support is necessary. One important feature of this portion of the bill is that disadvantaged children attending nonpublic schools would be afforded an opportunity to participate.

Mr. Speaker, a second especially notable feature of H.R. 18366 is its provision for exemplary projects and programs. Section 22 of the bill authorizes the Commissioner to make grants to State Boards, local education agencies, and other public or nonprofit institutions for innovative programs. The bill authorizes $15 million for fiscal 1969 and $25 million for fiscal year 1970.

Funds for exemplary and innovative projects would be administered as a State plan program similar to the approach used in title III of the Elementary and Secondary Education Act of 1965. And as one who has been a strong supporter of title III projects in making American education more responsive to changing needs, I am hopeful that we can look for similar results through this provision of the Vocational Education Amendments of 1968.

Under this part of the bill, each State would receive a minimum of $200,000 for exemplary projects and programs. Up to 10 percent of these funds would be reserved for the Commissioner of Education to use at his discretion for innovations having regional or national implications. Funds authorized could be used to pay 100 percent of the cost of planning, development, operation, and evaluation of projects which would broaden occupational opportunities for youth, with special emphasis given to the disadvantaged.

A third provision of these vocational education amendments which I feel deserve special attention, Mr. Speaker, pertains to curriculum development. Section 27 of the bill authorizes $7 million in fiscal year by 1969 and $10 million in fiscal year 1970 for grants and contracts to be awarded by the Commissioner of Education to colleges and universities, to State boards of education, and to other public or nonprofit private organizations. The purpose of these grants and contracts is to assist in the development of curriculums for new and changing occupations, to coordinate the dissemination of curriculum materials used in teaching vocational education, to evaluate vocational-technical education curriculum materials, and to train personnel in curriculum development.

Thus, Mr. Speaker, these grants and contracts for curriculum development are fundamentally important in meeting the challenges of training for tomorrow's—and not yesterday's—jobs.

Mr. Speaker, I hope this landmark measure will have strong support from the House today.

Mr. PRICE of Illinois. Mr. Speaker, I would like to commend my colleague from Illinois Representative ROMAN PUCINSKI for the outstanding job he has done in guiding the Vocational Education Amendments of 1968 through the House. I congratulate Mr. PUCINSKI, Chairman PERKINS, and their colleagues on the House Education and Labor Committee for reporting such an excellent bill, it deserves our immediate favorable consideration.

It was my privilege to cosponsor this legislation since its introduction early in this session of the Congress. When its provisions are implemented in the next few years, it will have a tremendous impact upon our struggle to correct the "training gap" in our economic system. If we can correct the gap between the skill levels of the presently unemployed and the needs of potential large employers, some of the tension that exists in the society today might be alleviated. Of course, I am not suggesting that this program is a panacea, but it fills one more of the gaps that have developed in our society as its economy has rushed headlong into the technological age.

I consider it an additional privilege to have cosponsored this bill since several of its provisions will have a direct impact in my district. For several years I have been working within the constraints of the former provision of this act to obtain a residential vocational facility for my district. Under the Vocational Education Amendments of 1968, particularly its provision for 90 percent matching and statewide matching, I can foresee that this goal will be a little closer to achievement. Once we locate a facility in the 24th Congressional District, in which there are pockets of astronomical unemployment, I believe we can move forward to correcting our own local "training gap" and generate some of the new industry that is required to take up the employment slack.

So again let me commend this bill to my colleagues. It is one of the most important measures considered during this session of the Congress for labor and the poor and I am sure they will be very appreciative of our action.

Mr. DORN. Mr. Speaker, this bill, H.R. 18366, is one of the finest bills to come before the House.

The Committee on Education and Labor is to be congratulated for its work on this new vocational education bill. What we have before us is further building on the solid foundation of the Smith-Hughes and George Barden Acts. I may be pardoned a bit of regional pride if I invite the attention of my colleagues to the fact of the southern origin of this concept of training young men and women to hold meaningful jobs.

With the solid foundation of these programs, in operation since 1917 and 1946, respectively, the committee in the 1963 amendments proposed shifting the emphasis to a continuing assessment of the job market with vocational education adjustments to meet its changes.

Now, 5 years later, recognizing the demands of new technology, which frequently make specific job skills obsolete, the committee proposes to emphasize vocational training in families of skills, to prepare young men and women to move into and perform the new skills without the necessity of costly training or retraining programs, whether financed by private industry itself, or through public funds.

This will help fill the requirements of the thousands of high school students who do not go on to college.

I support this bill vigorously, and I urge its passage.

Mr. PERKINS. I want to commend the gentleman for his support of this bill and for his past keen efforts to assist in expanding occupational training opportunities.

Mr. POLLOCK. Mr. Speaker, I rise in support of passage of the Vocational Education Amendments for 1968. This bill represents the first comprehensive set of amendments to strengthen and improve support for vocational education since enactment of the 1963 Vocational Education Act.

By our action today we are reaffirming the intent and resolve of Congress that first, vocational education be directed to preparing all groups of the community for their place in the world of industry regardless of occupation; and that second, vocational education must be responsive to the urgent needs of persons with special difficulties which would prevent them from succeeding in regular vocational programs.

From 1964 to 1966 total expenditures for vocational education increased almost two and one half times. Federal grants to the States quadrupled while State and local expenditures doubled.

Only one high school student in four is presently enrolled in a vocational education program, although five out of six never achieve a complete college education. In other words, approximately 60 percent of today's high school students enter the world of work unprepared to hold a job.

Many new innovations are constantly being developed to provide training for students who require special schooling. Just this last year one of the high schools in my State of Alaska, at Hoonah, initiated a vocational program to teach the trade of commercial fishing—a trade which is so vital to many Alaskans.

Hoonah High School is conducting a team teaching effort in its fisheries program in which 12 junior and senior high school boys are enrolled. Members of the teaching team include personnel from the Coast Guard Auxiliary, which has conducted classes in navigation and shrimp fishing, and from the Department of Fish and Wildlife, offering courses in scientific commercial fishing. Other experts have discussed preservation of fish, types of commercial fishing gear, and species identification. Only one permanent member of the high school faculty is assigned to the program. He is David Safford, coordinator and head of the team.

Several features of the bill are important to increasing the effectiveness of this program. First the authorization for the basic program of vocational education will be raised from the present level of $225 million to $355 million for fiscal year 1969, and then to a permanent level of $565 million for fiscal year 1970 and each subsequent year.

Second, the Vocational Education Amendments of 1968 would also remove the separate matching requirements on a category-by-category basis. This is a very important feature since it would provide for overall statewide matching for all vocational activities, and thus provide considerably more flexibility for the States and local communities to use all available funds for vocational education.

Third, the measure also requires that at least 25 percent of the new comprehensive State grant funds be spent on programs for the disadvantaged, and that in no event shall less than 15 percent of the total comprehensive State grant funds be spent on programs for the disadvantaged. This legislation further authorizes a new $40 million to be utilized by special programs for the disadvantaged which might be eligible for up to 100 percent Federal funding, and are authorized to include disadvantaged schoolchildren attending nonpublic schools.

Mr. Speaker, the members of the Committee on Education and Labor are to be commended for their efforts in this historic measure. This bill will have a significant impact on aiding our educational institutions in responding to the needs of today's society.

Mrs. MINK. Mr. Speaker, I am deeply honored to join with my colleagues in the House to support H.R. 18366, the Vocational Education Amendments of 1968—legislation which I believe will go far to reach at one of our country's most tragic problems. I refer to the 1 million youngsters who are currently dropping out of school before completing their education. This bill is shaped to meet their needs, to equip them with basic skills to survive in the spiraling technology which has swept the unskilled worker to the sideline in the growing demand for highly trained technicians.

The Vocational Education Amendments of 1968 authorizes expenditures of $344 million in fiscal year 1969 and $565 million in 1970 and subsequent fiscal years.

I am pleased to say that the bill requires that at least 15 percent of basic program funds for vocational education be expended on programs for the disadvantaged. In addition, at least 25 percent of funds appropriated in excess of the present level of expenditures must henceforth be used for the education of the disadvantaged.

This bill further authorizes $40 million in each of the 1969 and 1970 fiscal years for special programs for the disadvantaged, which program would be eligible for up to 100 percent Federal funding upon determination by the Commissioner that there is necessity for such support. Disadvantaged school children attending nonpublic schools would be afforded the opportunity to participate.

There is also authorized a 15-percent set-aside of existing funds for vocational education to support programs at the postsecondary level; and 25 percent of the funds appropriated in excess of the present level of funding would be spent for the purposes of postsecondary level vocational-technical education.

Like my colleagues on the General Subcommittee on Education, which conducted the public hearings and reported this legislation favorably, I am pleased at the purpose of this program.

It considers the increases in enrollment in vocational programs for students from 26,000 in fiscal year 1965 to 137,000 in 1967. But it notes that approximately 1 million students still drop out of school each year.

Moreover, youth unemployment in the age group 16 to 19 is the highest in the Nation. Approximately 23 percent of white males, 33 percent nonwhite males, and 49 percent of nonwhite females in that group are unemployed. President Johnson's manpower report of 1968 to the Congress stated that one out of every four nonwhite teenagers was unemployed in 1967.

An Advisory Council on Vocational Education was most helpful in pinpointing the changes which must be made in the vocational education programs to make them more realistic in view of the changing technology of our society.

This Council recommended that occupational preparation begin in the elementary schools by providing a realistic picture of the world at work. In the junior high school, students should learn about economic and industrial systems by which goods and services are produced and distributed, and they should be exposed to the full range of occupational choices which will be available to them at a later point.

It was the recommendation of the Council, also, that occupational preparation should become more specific in the high school, though not limited to only one vocation. Instruction should not be overly narrow, but, instead, should be built around significant families of occupations or industries which promise expanding opportunities. Thus, a student can leave the program with a salable skill and adequately challenged to pursue postsecondary education.

It is the Council's belief, that occupational education should be based on a spiral curriculum which treats concepts at higher and higher levels of complexity as the student moves through the program. Vocational preparation should be used to make academic education concrete and understandable, and academic education should point up the vocational implications of all education.

I am happy to see that provision is made for increase work-study programs. I feel strongly that every student should have work experience related to his course of study and chosen occupation. Young people, particularly those in vocational education, should have direct on-the-job contact with professionals whose job it is to stay up to date on their profession.

For these reasons, the bill authorizes a cooperative education program which would assist the States in expanding the number of such programs. Federal funds would be available to pay the cost of supporting coordinating personnel, for instruction related to work experience, for reimbursing employers for extra costs incurred due to participation in the program, and for special services, such as transportation of students.

I join with my colleagues in hoping that the thrust of the program would be directed toward areas that have high rates of school dropouts and youth unemployment.

I believe that youth from such areas can benefit greatly from the removal of artificial barriers between the worlds of work and education. I hope such relevant work-study would encourage students to finish high school and to continue on into higher education.

I wish to extend my congratulations to Chairman ROMAN PUCINSKI of the General Subcommittee on Education and to Chairman CARL PERKINS of the Education and Labor Committee for their able leadership in bringing this needed piece of legislation to our attention today. I regard this bill as one of the most significant accomplishments of my committee at this session and I have the highest praise for my colleague, LLOYD MEEDS whose contributions as the bill's principal author were outstanding.

I urge this House do overwhelmingly vote for this legislation.

The SPEAKER. The question is on the motion of the gentleman from Kentucky that the House suspend the rules and pass the bill H.R. 18366.

The question was taken.

Mr. PERKINS. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

The Doorkeeper will close the doors, the Sergeant at Arms will notify absent Members, and the Clerk will call the roll.

The question was taken; and there were—yeas 390, nays 0, not voting 42, as follows:

[Roll No. 252]

YEAS—390

Abbitt
Abernethy
Adair
Adams
Addabbo
Albert
Anderson, Ill.
Andrews, Ala.
Andrews,
N. Dak.
Annunzio
Arends
Ashbrook
Ashmore
Aspinall
Ayres
Baring
Barrett
Bates
Battin
Belcher
Bell
Bennett
Berry
Betts
Bevill
Biester
Bingham
Blackburn
Blatnik
Boggs
Bolling
Bolton
Bow
Brademas
Brasco
Bray
Brinkley
Brooks
Broomfield
Brotzman
Brown, Calif.
Brown, Mich.
Brown, Ohio
Broyhill, N.C.
Broyhill, Va.
Buchanan
Burke, Fla.
Burke, Mass.
Burleson
Burton, Calif.
Burton, Utah
Bush
Button
Byrne, Pa.
Byrnes, Wis.
Cabell
Cahill
Carey
Carter
Casey
Cederberg
Celler
Chamberlain
Clancy
Clark
Clausen,
Don H.
Clawson, Del
Cleveland
Cohelan
Collier
Colmer
Conable
Conte
Corbett
Corman
Cowger
Cramer
Cunningham
Curtis
Daddario
Daniels
Davis, Ga.
Davis, Wis.
Dawson
Dellenback
Denney
Dent
Derwinski
Devine
Dickinson
Dingell
Dole
Donohue
Dorn
Dow
Dowdy
Downing
Dulski
Duncan
Dwyer
Eckhardt
Edmondson
Edwards, Ala.
Edwards, Calif.
Edwards, La.
Eilberg
Erlenborn
Esch
Eshleman
Evans, Colo.
Everett
Fallon
Farbstein
Fascell
Feighan
Findley
Fisher
Flood
Flynt
Foley
Ford, Gerald R.
Ford,
William D.
Fountain
Fraser
Friedel
Fulton, Pa.
Fulton, Tenn.
Fuqua
Galifianakis
Garmatz
Gathings
Gettys
Gilbert
Gonzalez
Goodell
Goodling
Gray
Green, Oreg.
Green, Pa.
Griffin
Griffiths
Gross
Grover
Gubser
Gude
Gurney
Hagan
Haley
Hall
Halleck
Halpern
Hamilton
Hammerschmidt
Hanley
Hanna
Hansen, Wash.
Hardy
Harrison
Harsha
Harvey
Hathaway
Hawkins
Hays
Hébert
Hechler, W. Va.
Heckler, Mass.
Helstoski
Henderson
Hicks
Horton
Hosmer
Howard
Hull
Hungate
Hunt
Hutchinson
Ichord
Irwin
Jacobs
Jarman
Joelson
Johnson, Calif.
Johnson, Pa.
Jones, Ala.
Jones, Mo.
Jones, N.C.
Karsten
Karth
Kastenmeier
Kazen
Kee
Keith
King, N.Y.
Kirwan
Kleppe
Kluczynski
Kupferman
Kuykendall
Kyl
Kyros
Laird
Langen
Latta
Lennon
Lipscomb
Lloyd
Long, Md.
Lukens
McCarthy
McClory
McCloskey
McClure
McCulloch
McDade
McDonald,
Mich.
McEwen
McFall
McMillan
Macdonald,
Mass.
MacGregor
Machen
Mahon
Mailliard
Marsh
Martin
Mathias, Calif.
Mathias, Md.
Matsunaga
Mayne
Meeds
Meskill
Michel
Miller, Calif.
Miller, Ohio
Mills
Minish
Mink
Mize
Monagan
Montgomery
Moore
Moorhead
Morgan
Morris, N. Mex.
Morse, Mass.
Morton
Mosher
Moss
Murphy, Ill.
Murphy, N.Y.
Myers
Natcher
Nedzi
Nelsen
Nichols
Nix
O'Hara, Ill.
O'Hara, Mich.
O'Konski
Olsen
O'Neal, Ga.
O'Neill, Mass.
Ottinger
Passman
Patman
Patten
Pelly
Pepper
Perkins
Pettis
Philbin
Pickle
Pike
Pirnie
Poage
Podell
Poff
Pollock
Price, Ill.
Price, Tex.
Pryor
Pucinski
Purcell
Quie
Quillen
Railsback
Randall
Rees
Reid, Ill.
Reid, N.Y.
Reifel
Reinecke
Reuss
Rhodes, Ariz.
Riegle
Rivers
Roberts
Robison
Rodino
Rogers, Colo.
Rogers, Fla.
Ronan
Rooney, N.Y.
Rooney, Pa.
Rosenthal
Rostenkowski
Roth
Roudebush
Roush
Roybal
Rumsfeld
Ryan
St Germain
St. Onge
Satterfield
Saylor
Schadeberg
Scherle
Scheuer
Schneebeli
Schweiker
Schwengel
Scott
Selden
Shipley
Shriver
Sikes
Sisk
Skubitz
Slack
Smith, Calif.
Smith, N.Y.
Smith, Okla.
Snyder
Springer
Stafford
Staggers
Stanton
Steed
Steiger, Ariz.
Stratton
Stubblefield
Stuckey
Sullivan
Taft
Talcott
Taylor
Teague, Calif.
Teague, Tex.
Thompson, Ga.
Thompson, N.J.
Thomson, Wis.
Tiernan
Tuck
Tunney
Udall
Ullman
Van Deerlin
Vander Jagt
Vanik

Vigorito
Waldie
Walker
Wampler
Watkins
Watson
Watts
Whalen
Whalley
White
Whitener
Whitten
Widnall
Wiggins
Williams, Pa.
Willis
Wilson, Bob
Wilson,
Charles H.
Winn
Wolff
Wright
Wyatt
Wydler
Wylie
Wyman
Yates
Young
Zablocki
Zion
Zwach

NAYS—0

NOT VOTING—42

Anderson,
Tenn.
Ashley
Blanton
Boland
Brock
Conyers
Culver
de la Garza
Delaney
Diggs
Evins, Tenn.
Fino
Frelinghuysen
Gallagher
Gardner
Giaimo
Gibbons
Hansen, Idaho
Herlong
Holifield
Holland
Jonas
Kelly
King, Calif.
Kornegay
Landrum
Leggett
Long, La.
Madden
May
Minshall
Rarick
Resnick
Rhodes, Pa.
Ruppe
Sandman
Smith, Iowa
Steiger, Wis.
Stephens
Tenzer
Utt
Waggonner

So (two-thirds having voted in favor thereof) the rules were suspended and the bill was passed.

The Clerk announced the following pairs:

Mr. Waggonner with Mr. Utt.
Mr. Evins of Tennessee with Mr. Jonas.
Mr. Rhodes of Pennsylvania with Mr. Fino.
Mr. Holifield with Mr. Minshall.
Mr. Boland with Mrs. May.
Mr. Giaimo with Mr. Gardner.
Mr. Delaney with Mr. Frelinghuysen.
Mr. Culver with Mr. Brock.
Mr. Smith of Iowa with Mr. Hansen of Idaho.
Mr. Madden with Mr. Sandman.
Mr. King of California with Mr. Ruppe.
Mr. Blanton with Mr. Vander Jagt.
Mr. Anderson of Tennessee with Mr. Steiger of Wisconsin.
Mr. Leggett with Mr. Kornegay.
Mr. Tenzer with Mr. Conyers.
Mr. Ashley with Mr. Diggs.
Mr. Landrum with Mrs. Kelly.
Mr. Gallagher with Mr. Resnick.
Mr. Long of Louisiana with Mr. de la Garza.
Mr. Gibbons with Mr. Rarick.
Mr. Holland with Mr. Stephens.

The result of the vote was announced as above recorded.

The doors were opened.

A motion to reconsider was laid on the table.

GENERAL LEAVE TO EXTEND

Mr. PERKINS. Mr. Speaker, I ask unanimous consent that all members be permitted to revise and extend their remarks in connection with the House consideration of H.R. 18366, the Vocational Education Amendments of 1968.

The SPEAKER. Is there objection to the request of the gentleman from Kentucky?

There was no objection.

RIVERS AND HARBORS AND FLOOD CONTROL ACT OF 1968

Mr. FALLON. Mr. Speaker, I move to suspend the rules and pass the bill (S. 3710) authorizing the construction, repair, and preservation of certain public works on rivers and harbors for navigation, flood control, and other purposes, as amended.

The Clerk read as follows:

S. 3710

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

TITLE I—RIVERS AND HARBORS

SEC. 101. That the following works of improvement of rivers and harbors and other waterways for navigation, flood control, and other purposes are hereby adopted and authorized to be prosecuted under the direction of the Secretary of the Army and supervision of the Chief of Engineers, in accordance with the plans and subject to the conditions recommended by the Chief of Engineers in the respective reports hereinafter designated. The provisions of section 1 of the River and Harbor Act approved March 2, 1945 (Public Law Numbered 14, Seventy-ninth Congress, first session), shall govern with respect to projects authorized in this title; and the procedures therein set forth with respect to plans, proposals, or reports for works of improvement for navigation or flood control and for irrigation and purposes incidental thereto, shall apply as if herein set forth in full.

NAVIGATION

Ipswich River, Massachusetts: House Document Numbered 265, Ninetieth Congress, at an estimated cost of $616,000;

Fall River Harbor, Massachusetts and Rhode Island: House Document Numbered 175, Ninetieth Congress, at an estimated cost of $8,762,000;

Bristol Harbor, Rhode Island: House Document Numbered 174, Ninetieth Congress, at an estimated cost of $873,000;

Hempstead Harbor, New York: House Document Numbered 101, Ninetieth Congresss, at an estimated cost of $703,000;

Cooper River, Charleston Harbor, South Carolina: Senate Document Numbered 88, Ninetieth Congress, at an estimated cost of $35,381,000;

Miami Harbor, Florida: Senate Document Numbered 93, Ninetieth Congress, at an estimated cost of $6,476,000;

Gulf Intracoastal Waterway, St. Marks to Tampa, Florida: Senate Document Numbered ——, Ninetieth Congress, except that not to exceed $40,000,000 is authorized for initiation of such project;

Atchafalaya River and Bayous Chene, Boeuf, and Black, Louisiana: House Document Numbered 155, Ninetieth Congress, at an estimated cost of $8,645,000;

Red River Waterway, Louisiana, Texas, Arkansas, and Oklahoma: House Document Numbered 304, Ninetieth Congress, except that not to exceed $50,000,000 is authorized for initiation of such project;

Mississippi River-Gulf Outlet, Michoud Canal, Louisiana: Senate Document Numbered , Ninetieth Congress, at an estimated cost of $1,300,000;

Mississippi River Outlets, Venice, Louisiana: House Document Numbered , Ninetieth Congress, at an estimated cost of $4,520,000;

Yazoo River, Mississippi. House Document Numbered 342, Ninetieth Congress, at an estimated cost of $52,147,000.

Corpus Christi Ship Canal, Texas: Senate Document Numbered , Ninetieth Congress, at an estimated cost of $19,042,000;

Mouth of the Colorado River, Texas: Senate Document Numbered , Ninetieth Congress, at an estimated cost of $8,000,000;

Wilson Harbor, New York: House Document Numbered 112, Ninetieth Congress, at an estimated cost of $198,000;

Cattaraugus Creek Harbor, New York: House Document Numbered 97, Ninetieth Congress, at an estimated cost of $1,315,000;

Hamlin Beach State Park, New York: House Document Numbered , Ninetieth Congress, at an estimated cost of $500,000;

Forestville Harbor, Michigan: House Document Numbered 183, Ninetieth Congress, at an estimated cost of $538,000;

Tawas Bay Harbor, Michigan: House Document Numbered 189, Ninetieth Congress, at an estimated cost of $466,000;

Detroit River, Trenton Channel, Michigan: House Document Numbered 338, Ninetieth Congress, at an estimated cost of $31,300,000;

Snohomish River (Everett Harbor), Washington: House Document Numbered , Ninetieth Congress, at an estimated cost of $1,108,000;

Humboldt Harbor and Bay, California: House Document Numbered 330, Ninetieth Congress, at an estimated cost of $2,430,000;

Port Hueneme, California: House Document Numbered , at an estimated cost of $1,000,000;

Ventura Marina, California: House Document Numbered , at an estimated cost of $1,540,000.

San Diego Harbor, California: House Document Numbered , Ninetieth Congress, at an estimated cost of $5,360,000;

Kake Harbor, Alaska: Senate Document Numbered 70, Ninetieth Congress, at an estimated cost of $1,760,000;

King Cove Harbor, Alaska: Senate Document Numbered 13, Ninetieth Congress, at an estimated cost of $522,000;

Sergius and Whitestone Narrows, Alaska: Senate Document Numbered 95, Ninetieth Congress, at an estimated cost of $3,030,000;

Coasts of Hawaiian Islands, Harbors for Light Draft Vessels: House Document Numbered 353, Ninetieth Congress, at an estimated cost of $1,256,000.

BEACH EROSION

Brevard County, Florida: House Document Numbered 352, Ninetieth Congress, at an estimated cost of $680,000.

SEC. 102. The project for beach erosion control, Fort Pierce, Florida, authorized by the River and Harbor Act of 1965 (79 Stat. 1089, 1092) in accordance with the recommendations of the Chief of Engineers in House Document Numbered 84, Eighty-ninth Congress, is hereby modified to provide for construction of the project and periodic nourishment for ten years by the Secretary of the Army, acting through the Chief of Engineers. In addition to applicable requirements of local cooperation set forth in the aforementioned report of the Chief of Engineers, local interests shall, prior to construction, give assurances satisfactory to the Secretary of the Army that they will—

(1) contribute in cash, either in a lump sum prior to initiation of construction or in installments prior to the start of pertinent work items in accordance with construction or nourishment schedules, as determined by the Chief of Engineers, all costs of initial construction and periodic nourishment for ten years exclusive of costs assigned to the Federal Government in the aforementioned recommendations of the Chief of Engineers; and

(2) hold and save the United States free from damages due to the construction works.

SEC. 103. (a) That section 2 of the Act entitled "An Act authorizing the Secretary of War to sell and convey to the town of Marmet, West Virginia, two tracts of land to be used for municipal purposes", approved July 8, 1942 (56 Stat. 651) is hereby amended by deleting the period after the words "related municipal purposes" and inserting thereafter the phrase "including fire-fighting facilities and structures".

(b) The Secretary of the Army is authorized and directed to issue to the town of Marmet, West Virginia, without monetary consideration therefor, such written instruments as may be necessary to carry out the provisions of this section.

SEC. 104. (a) That notwithstanding any other provision of law, the Secretary of the

Army or his designee, is authorized and directed to convey to the State of West Virginia, subject to the terms and conditions hereinafter stated, and to such other terms and conditions hereinafter stated, and to such other terms and conditions as the Secretary of the Army, or his designee, shall deem to be in the public interest, all right, title, and interest of the United States in and to certain real property, together with improvements thereon, located at Ohio River locks and dams numbered 16, 19, 20, and 21 in West Virginia as described in subsection (b) of this section. No property shall be conveyed under authority of this section until these locks and dams have been determined by the Secretary to be in excess to the requirements of the Department of the Army and suitable replacement facilities are in operation under the Ohio River navigation modernization program. The Secretary may make such prior disposition of such facilities and improvements on such lands as he deems to be in the best interest of the United States.

(b) The real property authorized for conveyance by subsection (a) of this section comprise all or portions of such lands and improvements as may be determined excess of four lock and dam projects, on the Ohio River in the State of West Virginia and designated as, number 16 (Willow Island Pool) in Tyler County, numbers 19 and 20 (Belleville Pool) in Wood County, and number 21 (Racine Pool) in Jackson County. The exact descriptions and acreage to be determined by the Secretary by accurate surveys, the cost of which is to be borne by the State of West Virginia.

(c) The conveyance authorized herein shall provide that said property shall be used only for public park and recreation purposes and such other uses directly related to programs of the West Virginia Department of Natural Resources, and if it ever ceases to be used for such purposes, title to said property shall immediately revert to the United States. Any deed of conveyance shall also be subject to and include the following additional terms and conditions:

(1) The State of West Virginia shall pay the United States as consideration for the conveyance 50 per centum of the current fair market value of the property as determined by the Secretary of the Army.

(2) There shall be reserved to the United States such flowage easements and rights-of-way for roads and utility lines as the Secretary determines may be required for other navigation projects.

(3) Such other restrictions, terms, and conditions as the Secretary deems necessary to protect the interests of the United States.

(d) Any moneys paid for the conveyances referred to herein shall be covered into the United States Treasury as miscellaneous receipts.

Sec. 105. (a) That the Secretary of the Army shall convey, without monetary consideration, to the city of Buffalo, New York, all right, title, and interest of the United States in and to certain real property underlying Lake Erie containing approximately 46.01 acres and more particularly described in subsection (b) of this section, on condition that such real property be used for public park and recreational development purposes and if such property shall ever cease to be used for such purposes, title thereto shall revert to the United States.

(b) The real property referred to in this section is more particularly described as follows:

(1) Parcel E.—Beginning at the point of intersection of the south line of outer lot 39 prolonged and the shoreline of Lake Erie as established in 1846, which point bears south 68 degrees 28 minutes west, a distance of 140 feet, more or less, from United States Monument numbered 7, which monument is the southeasterly corner of the said outer lot 39;

thence southwesterly at right angles with the established harbor line 1,140 feet, more or less, to the said harbor line;

thence northwesterly along said habor line 1,310 feet, more or less, to the point of intersection of said harbor line and a line at right angles thereto passing through the point of intersection of the shoreline of Lake Erie in 1846 and a line 330 feet northerly at right angles from and parallel with the south line of outer lot 36;

thence northeasterly at right angles with said harbor line 1,115 feet, more or less, to the shoreline of Lake Erie in 1846;

thence southeasterly along said shoreline of Lake Erie 1,320 feet, more or less, to the point of beginning containing 34.04 acres, more or less.

(2) Parcel C–B.—Beginning at the point of intersection of the shoreline of Lake Erie with the northerly line of land deeded to the United States Government, October 21, 1846, said line also extending in a due east and west direction and passing through the northwest corner of outer lot 36 (United States Monument No. 2), said point of beginning being also 480 feet, more or less, west of the said northwest corner of outer lot 36;

thence southeasterly along said shoreline of Lake Erie in 1846 a distance of 470 feet, more or less, to the intersection with a line 330 feet northly at right angles from and parallel with the south line of lot 36, said line being also the north line of lands deeded to the United States Government, September 25, 1847;

thence southwesterly at right angles to established harbor line 1,115 feet, more or less, to the established harbor line;

thence northwesterly along said harbor line 465 feet, more or less, to the point of intersection of said harbor and a line at right angles thereto passing through the point of intersection of the shoreline of Lake Erie in 1846 and the line extending in a due east and west direction and passing through the northwest corner of outer lot 36;

thence easterly at right angles to established harbor line 1,115 feet, more or less, to the shoreline of Lake Erie in 1846, which is the above referenced point of beginning, containing 11.97 acres, more or less.

(c) Any deed of conveyance made pursuant to this section shall reserve to the United States, for a period not to exceed seven years, the right to use such lands for a spoil disposal area for materials dredged from the Buffalo Harbor Project, including the right to place structures thereon and to perform all other actions incident to such use, together with the rights of ingress and egress thereto. Such deed shall contain such additional terms and conditions as may be determined by the Secretary of the Army to be necessary to protect the interest of the United States.

Sec. 106. (a) The Chief of Engineers, Department of the Army, under the direction of the Secretary of the Army, shall make an appraisal investigation and study, including a review of any previous relevant studies and reports, of the Atlantic, Gulf, and Pacific coasts of the United States, the coasts of Puerto Rico and the Virgin Islands, and the shorelines of the Great Lakes, including estuaries and bays thereof, for the purpose of (1) determining areas along such coasts and shorelines where significant erosion occurs; (2) identifying those areas where erosion presents a serious problem because the rate of erosion, considered in conjunction with economic, industrial, recreational, agricultural, navigational, demographic, ecological, and other relevant factors,. indicates that action to halt such erosion may be justified; (3) describing generally the most suitable type of remedial action for those areas that have a serious erosion problem; (4) providing preliminary cost estimates for such remedial action; (5) recommending priorities among the serious problem areas for action to stop erosion; (6) providing State and local authorities with information and recommendations to assist the creation and implementation of State and local coast and shoreline erosion programs; (7) developing recommended guidelines for land use regulation in coastal areas taking into consideration all relevant factors; and (8) identifying coastal areas where title uncertainty exists. The Secretary of the Army shall submit to the Congress as soon as practicable, but not later than three years after the date of enactment of this Act, the results of such appraisal investigation and study, together with his recommendations. The views of concerned local, State, and Federal authorities and interests will be taken into account in making such appraisal investigation and study.

(b) There are authorized to be appropriated such amounts, not to exceed $1,000,000, as may be necessary to carry out the provisions of this section.

Sec. 107. That the projects for the Illinois Waterway and Grand Calumet River, Illinois and Indiana (Calumet-Sag navigation project), authorized by the River and Harbor Act of July 24, 1946, are hereby modified substantially in accordance with the recommendations of the Chief of Engineers in House Document Numbered 45, Eighty-fifth Congress, insofar as such recommendations apply to existing highway bridges in Part II: Grand Calumet River and Indiana Harbor Canal, at an estimated cost of $33,265,000.

Sec. 108. (a) Steele Bayou in Warren, Issaquena, Sharkey, and Washington Counties, Mississippi, Washington Bayou, in Issaquena and Washington Counties, Mississippi, are hereby declared to be nonnavigable within the meaning of the laws of the United States.

(b) The project for navigation on Steele Bayou, Washington Bayou, and Lake Washington, authorized by the Rivers and Harbors Act of July 5, 1884, August 5, 1886, and June 25, 1910, is hereby deauthorized.

Sec. 109. Section 313 of the Act approved October 27, 1965 (79 Stat. 1073), is amended by deleting the date "June 30, 1968" and substituting in lieu thereof "June 30, 1969".

Sec. 110. The Secretary of the Army, acting through the Chief of Engineers, is authorized and directed to review the requirements of local cooperation for the Ouachita and Black Rivers navigation projects, authorized by the River and Harbor Act of 1950, as amended, with particular reference to Federal and non-Federal cost sharing, and he shall report the findings of such review to Congress within one year after the date of enactment of this Act.

Sec. 111. The Secretary of the Army, acting through the Chief of Engineers, is authorized to investigate, study, and construct projects for the prevention or mitigation of shore damages attributable to Federal navigation works. The cost of installing, operating, and maintaining such projects shall be borne entirely by the United States. No such project shall be constructed without specific authorization by Congress if the estimated first cost exceeds $1,000,000.

Sec. 112. Section 111 of the River and Harbor Act of 1966 (80 Stat. 1417) is amended by adding at the end thereof the following:

"(g) The Secretary of the Interior shall conduct a study of those areas in the vicinity of the Washington Channel in the District of Columbia suitable for public visitor parking facilities. Such study shall, among others, consider existing and future visitation, multiple and alternative areas, methods for providing such facilities, and estimated costs and revenues to be derived therefrom. Not later than one hundred and eighty days after the date funds are appropriated to carry out such study, the Secretary shall submit to the President and Congress a report thereon together with his recommendations, including necessary legislation, if any. There is authorized to be appropriated not to exceed $100,000 to carry out this subsection."

Sec. 113. Those portions of the East and Hudson Rivers in New York County, State of New York, lying shoreward of a line within the United States Pierhead Line as it exists on the date of enactment of this Act, and bounded on the north by the north side of Spring Street extended westerly and the south side of Robert W. Wagner, Senior Place extended eastwardly, are hereby declared to be nonnavigable waters of the United States within the meaning of the laws of the United States. This declaration shall apply only to portions of the above-described area which are bulkheaded and filled. Plans for bulkheading and filling shall be approved by the Secretary of the Army, acting through the Chief of Engineers, on the basis of engineering studies to determine the location and structural stability of the bulkheading and filling in order to preserve and maintain the remaining navigable waterway. Local interests shall reimburse the Federal Government for any engineering costs incurred under this section.

Sec. 114. That portion of the Northern Embarcadero area, beginning at the intersection of the northwesterly line of Bryant Street with the southwesterly line of Spear Street, which intersection lies on the line of jurisdiction of the San Francisco Port Authority; following thence westerly and northerly along said line of jurisdiction as described in the State of California Harbor and Navigation Code Section 1770, as amended in 1961, to its intersection with the easterly line of Van Ness Avenue produced northerly; thence northerly along said easterly line of Van Ness Avenue produced to its intersection with the United States Government pierhead line; thence following said pierhead line easterly and southerly to its intersection with the northwesterly line of Bryant Street produced northeasterly; thence southwesterly along said northwesterly line of Bryant Street produced to the point of beginning, is hereby declared to be nonnavigable waters within the meaning of the laws of the United States, and the consent of Congress is hereby given for the filling in of all and/or any part of the described area. This declaration shall apply only to portions of the above-described area which are bulkheaded and filled. Plans for bulkheading and filling shall be approved by the Secretary of the Army, acting through the Chief of Engineers, on the basis of engineering studies to determine the location and structural stability of the bulkheading and filling in order to preserve and maintain the remaining navigable waterway. Local interests shall reimburse the Federal Government for any engineering costs incurred under this section.

Sec. 115. That portion of the Northwest Branch of the Patapsco River located generally south of Pratt Street, east of Light Street, north of Key Highway, in the city of Baltimore, State of Maryland, and being more particularly described as all of that portion of the Northwest Branch of the Patapsco River lying west of a series of lines beginning at the point formed by the intersection of the south side of Pratt Street, as now laid out, and the west side of Pier 3 and running thence binding on the west side of Pier 3, south 04 degrees 19 minutes 47 seconds east 726.59 feet to the southwest corner of Pier 3; thence crossing the Northwest Branch of the Patapsco River, south 23 degrees 01 minutes 15 seconds west 855.36 feet to the point formed by the intersection of the existing pierhead and bulkhead line and the east side of Battery Avenue, last said point of intersection being the end of the first line of the fourth parcel of land conveyed by J. and F. Realty, Incorporated to Allegheny Pepsi-Cola Bottling Company by deed dated December 22, 1965, and recorded among the Land Record of Baltimore City in Liber J. F. C. numbered 2006 folio 345, the location of said pierhead and bulkhead line is based upon the Corps of Engineers, Baltimore District, Baltimore, Maryland, coordinate value for station LIV of said pierhead and bulkhead line, the coordinate value as referred to the Lambert grid plane coordinate system for the State of Maryland of said station LIV being east 2,111,161.40, north 527,709.27 and thence binding on the east side of Battery Avenue, south 03 degrees 09 minutes 07 seconds east 568 feet, more or less, to intersect the north side of Key Highway as now laid out and located is hereby declared to be not a navigable stream of the United States within the meaning of the laws of the United States, and the consent of Congress is hereby given for the filling in of all and or any part of the described area.

Sec. 116. (a) The Secretary of the Army is authorized and directed to remove from the Potomac River and to destroy the abandoned ships, ships' hulls, and pilings, located in Mallow's Bay, between Sandy Point and Liverpool Point, Charles County, Maryland, and at Wide Water, south of Quantico, Virginia, and any other abandoned ships formerly among those in Mallow's Bay or at Wide Water which have drifted from those locations. Local interests shall contribute 50 percent of the cost of such work.

(b) There is authorized to carry out this section, not to exceed $175,000.

Sec. 117. The Chief of Engineers, under the direction of the Secretary of the Army, is hereby authorized to maintain authorized river and harbor projects in excess of authorized project depths where such excess depths have been provided by the United States for defense purposes and whenever the Chief of Engineers determines that such waterways also serve essential needs of general commerce.

Sec. 118. (a) Section 5 of the Act entitled "An Act creating the City of Clinton Bridge Commission and authorizing said commission and its successors to acquire by purchase or condemnation and to construct, maintain, and operate a bridge or bridges across the Mississippi River at or near Clinton, Iowa, at or near Fulton, Illinois", approved December 21, 1944, as revised, amended, and reenacted, is hereby amended by inserting "(a)" immediately after "Sec. 5." and by adding at the end of such section the following new subsection:

"(b) In addition to the method of payment provided in subsection (a) of this section, the commission and its successors and assigns are hereby authorized to provide for the payment of the cost of dismantling one bridge and of constructing as a replacement therefor a new bridge (including necessary approaches and approach highways) either entirely from a construction fund created in accordance with section 6 of this Act or from both such construction fund and from bonds issued and sold in accordance with subsection (a) of this section. The cost of any bridge constructed under this subsection (together with approaches and approach highways) shall include all costs and expenses included in the case of a bridge constructed under authority of subsection (a) of this section (including its approaches and approach highways)."

(b) The first sentence of section 6 of such Act of December 21, 1944, is amended by striking out the period at the end thereof and inserting in lieu thereof a comma and the following: "and, if the Commission determines it advisable to do so, to provide a construction fund specifically to pay the cost of dismantling one bridge and constructing a new bridge to replace it as authorized by subsection (b) of section 5 of this Act."

(c) Section 6 of such Act of December 21, 1944, is further amended by adding immediately following the third sentence of such section the following new sentence: "If no bonds or notes are outstanding or if a sinking fund specifically for payment of all outstanding bonds and notes shall have been provided, the remainder of such tolls may, if the Commission determines it advisable to do so, be placed in a construction fund for use in accordance with subsection (b) of section 5 of this Act."

(d) The first sentence of subsection (a) of section 8 of such Act of December 21, 1944, is amended by inserting immediately after "solely for that purpose," the following: "and after any bridge constructed under authority of section 5(b) of this Act shall have been paid for, or sufficient funds are available in the construction fund authorized by section 6 to pay for such bridge,".

(e) The amendments made by this section shall be inapplicable insofar as they authorize the construction of a bridge or bridges unless actual construction thereof is commenced within five years from the date of enactment of this section and such construction is completed by January 1, 1980.

Sec. 119. The Secretary of the Army is hereby authorized and directed to cause surveys to be made at the following locations and subject to all applicable provisions of section 110 of the River and Harbor Act of 1950:

Back River, Maryland, from Chesapeake Bay to the city of Baltimore's waste water treatment plants.

Savannah and Tennessee Rivers, with a view to determining the advisability of providing a waterway connecting the rivers by canals and appurtenant facilities and a waterway connecting Charleston and Port Royal, South Carolina, with the lower Savannah River.

Lake Superior, with a view to determining the advisability of a waterway connecting the lake and the Mississippi River.

Sec. 120. Title I of this Act may be cited as the "River and Harbor Act of 1968".

TABLE II—FLOOD CONTROL

Sec. 201. Section 3 of the Act approved June 22, 1936 (Public Law Numbered 738, Seventy-fourth Congress), as amended by section 2 of the Act approved June 28, 1938 (Public Law Numbered 761, Seventy-fifth Congress), shall apply to all works authorized in this title except that for any channel improvement or channel rectification project, provisions (a), (b), and (c) of section 3 of said Act of June 22, 1936, shall apply thereto, except as otherwise provided by law. The authorization for any flood control project herein authorized by this Act requiring local cooperation shall expire five years from the date on which local interests are notified in writing by the Secretary of the Army or his designee of the requirements of local cooperation, unless said interests shall within said time furnish assurances satisfactory to the Secretary of the Army that the required cooperation will be furnished.

Sec. 202. The provisions of section 1 of the Act of December 22, 1944 (Public Law Numbered 534, Seventy-eighth Congress, second session), shall govern with respect to projects authorized in this Act, and the procedures therein set forth with respect to plans, proposals, or reports for works of improvement for navigation or flood control and for irrigation and purposes incidental thereto shall apply as if herein set forth in full.

Sec. 203. The following works if improvement for the benefit of navigation and the control of destructive floodwaters and other purposes are hereby adopted and authorized to be prosecuted under the direction of the Secretary of the Army and supervision of the Chief of Engineers in accordance with the plans in the respective reports hereinafter designated and subject to the conditions set forth therein. The necessary plans, specifications, and preliminary work may be prosecuted on any project authorized in this title with funds from appropriations hereafter made for flood control so as to be ready for rapid inauguration of a construction program. The projects authorized in this title shall be initiated as expeditiously and prosecuted as vigorously as may be consistent with budgetary requirements. Penstocks and other similar facilities adapted to possible future use in the development of hydroelectric power shall be installed in any dam authorized in this Act for construction by the Department of the Army when approved by the Secretary of the Army on the recommendation of the Chief of Engineers and the Federal Power Commission.

LOWER CHARLES RIVER, MASSACHUSETTS

The project for flood control on the Lower Charles River, Massachusetts, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in House Document Numbered , Ninetieth Congress, at an estimated cost of $18,620,000.

CONNECTICUT RIVER BASIN

The project for the Beaver Brook Dam and Reservoir, Beaver Brook, New Hampshire, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in Senate Document Numbered 68, Ninetieth Congress, at an estimated cost of $1,185,000.

The project for flood protection on Park River, Connecticut, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in Senate Document Numbered 43, Ninetieth Congress, at an estimated cost of $30,300,000.

LONG ISLAND SOUND

The project for flood protection on Norwalk River, Connecticut and New York, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in Senate Document Numbered 51, Ninetieth Congress, at an estimated cost of $2,700,000.

DELAWARE-ATLANTIC COASTAL AREA

The project for hurricane-flood protection and beach erosion control along the Delaware Coast from Cape Henlopen to Fenwick Island, at the Delaware-Maryland State Line, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in Senate Document Numbered 90, Ninetieth Congress, at an estimated cost of $5,584,000.

RAPPAHANNOCK RIVER BASIN

The project for the Salem Church Dam and Reservoir, Rappahannock River, Virginia, is hereby modified substantially in accordance with the recommendations of the Chief of Engineers in Senate Document Numbered 37, Ninetieth Congress, at an estimated cost of $79,500,000.

CAPE FEAR RIVER BASIN

The project for the Randleman Dam and Reservoir, Deep River, North Carolina, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in House Document Numbered 343, Ninetieth Congress, at an estimated cost of $19,463,000.

The project for the Howards Mill Dam and Reservoir, Deep River, North Carolina, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in House Document Numbered 343, Ninetieth Congress, at an estimated cost of $12,460,000.

SOUTH ATLANTIC COASTAL AREA

The project for beach erosion control and hurricane flood protection of Dade County, Florida, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in House Document Numbered 335, Ninetieth Congress, at an estimated cost of $11,805,000.

HILLSBOROUGH BAY, FLORIDA

The project for hurricane-flood control protection on Hillsborough Bay, Florida, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in House Document Numbered 313, Ninetieth Congress, at an estimated cost of $9,909,000, except that construction of the barrier across Hillsborough Bay shall not be undertaken until the Chief of Engineers completes further detailed studies covering related water resource problems, including a comprehensive model study of the entire Tampa Bay area, and until sixty days after the date of submission of a report on such studies to the Committees on Public Works of the Senate and House of Representatives.

CENTRAL AND SOUTHERN FLORIDA

The project for Central and Southern Florida, authorized by the Flood Control Act of June 30, 1948, is further modified in accordance with the recommendations of the Chief of Engineers in Senate Document ——, Ninetieth Congress, at an estimated cost of $8,072,000, and in accordance with House Document ——, Ninetieth Congress, at an estimated cost of $58,182,000.

PASCAGOULA RIVER BASIN

The project for the Tallahala Creek Dam and Reservoir, Tallahala Creek, Mississippi, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in House Document Numbered 143, Ninetieth Congress, to an estimated cost of $16,360,000.

LOWER MISSISSIPPI RIVER BASIN

The project for flood control and improvement of the lower Mississippi River, adopted by the Act of May 15, 1928 (45 Stat. 534), as amended and modified, is hereby further modified and expanded to include the following items:

(1) The project for the St. Francis River Basin, Arkansas and Missouri, authorized by the Flood Control Act approved June 15, 1936 (Public Law 74–678), as modified by subsequent Acts of Congress, including the Flood Control Act of 1965. Public Law 89–298 is hereby further modified to provide that the requirements of local cooperation for the improvements authorized in the Flood Control Act of 1965, shall conform to those requirements for local cooperation in the Saint Francis River Basin authorized in previous Acts of Congress, substantially as recommended by the Chief of Engineers in Senate Document Numbered 11, Ninetieth Congress.

(2) Improvements in the Boeuf and Tensas Rivers and Bayou Macon Basin to divert flows that would otherwise enter Lake Chicot, Arkansas, substantially in accordance with the recommendations of the Chief of Engineers in House Document Numbered 168, Ninetieth Congress, at an estimated cost of $15,240,000, except that prior to initiation of construction of the project, local interests shall agree that no fees shall be charged for admission to Lake Chicot and to public recreation areas adjoining Lake Chicot and that user fees at such lake and areas shall be devoted to recreation purposes.

(3) Improvements in the Belle Fountain ditch and tributaries, Missouri, and Drainage District Number 17, Arkansas, substantially in accordance with the recommendations of the Chief of Engineers in House Document Numbered 339, Ninetieth Congress, at an estimated cost of $4,638,000.

WHITE RIVER BASIN

The project for flood protection on Crooked Creek at and in the vicinity of Harrison, Arkansas, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in Senate Document Numbered 28, Ninetieth Congress, at an estimated cost of $2,840,000.

BRAZOS RIVER BASIN

The project for the Aquilla Dam and Reservoir, Aquilla Creek, Texas is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in Senate Document Numbered 52, Ninetieth Congress, at an estimated cost of $23,612,000.

NAVASOTA RIVER BASIN

The project for flood protection on the Navasota River, Texas, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in House Document Numbered 341, Ninetieth Congress, except that Navasota Numbered 2 Reservoir shall be constructed first and there is authorized to be appropriated not to exceed $55,487,000 for construction of such Reservoir.

CLEAR CREEK, TEXAS

The project for flood protection on Clear Creek, Texas, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in House Document Numbered 351, Ninetieth Congress, at an estimated cost of $12,600,000.

PECAN BAYOU, TEXAS

The project for flood protection on Pecan Bayou, Texas, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in House Document Numbered 350, Ninetieth Congress, at an estimated cost of $2,861,000.

GULF OF MEXICO

The project for hurricane-flood control at Texas City and vicinity, Texas, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in House Document Numbered 187, Ninetieth Congress, at an estimated cost of $10,990,000.

UPPER MISSISSIPPI RIVER BASIN

The project for flood protection on the Mississippi River from Cassville, Wisconsin, to mile 300, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in House Document Numbered 348, Ninetieth Congress, at an estimated cost of $21,300,000.

The project for flood protection of State Road and Ebner Coulees, city of La Crosse and Shelby Township, Wisconsin, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in House Document Numbered —, Ninetieth Congress, at an estimated cost of $6,849,000.

RED RIVER OF THE NORTH

The project for flood protection on the South Branch of the Wild Rice River and Felton Ditch, Minnesota, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in House Document Numbered 98, Ninetieth Congress, at an estimated cost of $1,230,000.

OHIO RIVER BASIN

The project for flood protection on the Ohio River in Southwestern Jefferson County, Kentucky, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in House Document Numbered 340, Ninetieth Congress, at an estimated cost of $19,800,000.

The project for the Utica Dam and Reservoir and flood protection at Newark, Licking River Basin, Ohio, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in House Document Numbered 337, Ninetieth Congress, at an estimated cost of $32,953,000.

WABASH RIVER BASIN

The project for flood control and related purposes in the Wabash River Basin, Indiana, Illinois, and Ohio is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in Senate Document Numbered 96, Ninetieth Congress, except that Big Walnut Reservoir is authorized in accordance with the plan for such project set forth in report of the Chief of Engineers in such Document, and not to exceed $37,100,000 is authorized for construction of such reservoir.

MISSOURI RIVER BASIN

The project for the Bear Creek Dam and Reservoir, South Platte River, Colorado, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in Senate Document Numbered 87, Ninetieth Congress, at an estimated cost of $32,314,000.

The project for flood protection on the Big Sioux River at and in the vicinity of Sioux City, Iowa and South Dakota, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in Senate Document Numbered 94, Ninetieth Congress, at an estimated cost of $2,750,000. With respect to that portion of the project above Sioux City, Iowa, approved in accordance with House Document Numbered 199, Eighty-eight Congress, in the Flood Control Act of 1965 (Public Law 89–298), there shall be mutual agreement between the States of Iowa and South Dakota on a flood control plan and a plan for mitigation of fish and wildlife losses with respect to said portion within one year and three months following completion of the reservoir study for the upper basin of the Big Sioux River and the Rock River now underway and receipt of copies of said report by the Governors of the States of Iowa and South Dakota. If said mutual agreement is not reached within said time, approval of said flood control plan and plan for mitigation of fish and wildlife losses shall be made by a committee consisting of one representative each appointed by the Chief of Engineers, the Secretary of Interior, and the Secretary of Agriculture.

The project for flood protection and other purposes in the Papillion Creek Basin, Nebraska, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in House Document Numbered 349, Ninetieth Congress, at an estimated cost of $26,800,000.

The project for the Davids Creek Dam and Reservoir, Nishnabotna River, Iowa, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in House Document Numbered 142, Ninetieth Congress, at an estimated cost of $2,040,000.

The project for flood control and other purposes on the Little Blue River in the vicinity of Kansas City, Missouri, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in House Document Numbered 169, Ninetieth Congress, at an estimated cost of $38,492,000.

The second paragraph under the heading "Missouri River Basin" of the Act entitled "An Act authorizing additional appropriations for the prosecution of comprehensive plans for certain river basins", approved December 30, 1963 (77 Stat. 840), is hereby amended to read as follows:

"The comprehensive plan for flood control and other purposes in the Missouri River Basin, authorized by the Flood Control Act of June 28, 1938, as amended and supplemented, is further modified to include such bank protection or rectification works at or below the Garrison Reservoir as in the discretion of the Chief of Engineers and the Secretary of the Army may be found necessary, at an estimated cost of $7,040,000."

JORDAN RIVER BASIN

The project for the Little Dell Dam and Reservoir, Salt Lake City Streams, Utah, is hereby modified substantially in accordance with the recommendations of the Chief of Engineers in Senate Document Numbered 53, Ninetieth Congress, at an estimated cost of $22,664,000.

SACRAMENTO RIVER BASIN

The project for flood protection on the Feather River at Chester, California, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in House Document Numbered 314, Ninetieth Congress, at an estimated cost of $940,000.

SANTA ANA RIVER BASIN

The project for flood protection, and other purposes on Cucamonga Creek, California, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in House Document Numbered 323, Ninetieth Congress, at an estimated cost of $26,300,000.

SAN FRANCISCO BAY AREA

The project for flood control on Alhambra Creek, California, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in House Document Numbered 336, Ninetieth Congress, at an estimated cost of $8,000,000.

MAD RIVER, CALIFORNIA

The project for flood control on the Mad River, California, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in House Document Numbered   Ninetieth Congress, at an estimated cost of $38,600,000.

SWEETWATER RIVER BASIN

The project for flood control on the Sweetwater River, California, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in House Document Numbered 148, Ninetieth Congress, at an estimated cost of $4,900,000.

TANANA RIVER BASIN

The project for flood control in the Tanana River Basin in the vicinity of Fairbanks, Alaska, is hereby modified substantially in accordance with the recommendations of the Chief of Engineers in Senate Document Numbered 89, Ninetieth Congress, at an estimated cost of $111,700,000.

IAO STREAM, HAWAII

The project for flood protection and other purposes on Iao Stream, Hawaii, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in House Document Numbered 151, Ninetieth Congress, at an estimated cost of $1,660,000.

Sec. 204. The Secretary of the Army, acting through the Chief of Engineers, is authorized to provide such school facilities as he may deem necessary for the education of dependents of persons engaged in the construction of the Dworshak Dam and Reservoir project, Idaho, and to pay for the same from any funds available for such project. When he determines it to be in the public interest, the Secretary, acting through the Chief of Engineers, may enter into cooperative arrangements with local and Federal agencies for the operation of such Government facilities, for the expansion of local facilities at Federal expense, and for contributions by the Federal Government to cover the increased cost to local agencies of providing the educational services required by the Government.

Sec. 205. The project for flood protection at Ironton, Ohio, authorized by the Flood Control Act of August 28, 1937, is hereby modified so as to provide for the installation by the Secretary of the Army, acting through the Chief of Engineers, of aluminum closure structures at gates numbered 10, 17, and 18, located at Second and Orchard Streets, Second Street west of Storms Creek, and Second and Ellison Streets, respectively at an estimated cost of $58,000.

Sec. 206. That, notwithstanding the first proviso in section 201 of the Act entitled "An Act authorizing the construction, repair, and preservation of certain public works on rivers and harbors for navigation, flood control, and for other purposes", approved July 3, 1958 (72 Stat. 305), the authorization in section 203 of such Act of projects for local protection on the Weber River, Utah, shall expire on April 16, 1972, unless local interests shall before such date furnish assurances satisfactory to the Secretary of the Army that the required local cooperation in such project will be furnished.

Sec. 207. That, notwithstanding the first proviso in section 201 of the Act entitled "An Act authorizing the construction, repair, and preservation of certain public works on rivers and harbors for navigation, flood control, and for other purposes", approved July 3, 1958 (72 Stat. 305), the authorization in section 203 of such Act of projects for local protection on the Pecos River at Carlsbad, New Mexico, shall expire on May 19, 1972, unless local interests shall before such date furnish assurances satisfactory to the Secretary of the Army that the required local cooperation in such project will be furnished.

Sec. 208. The project for flood protection on the Gila River below Painted Rock Reservoir, Arizona, authorized by the Flood Control Act of 1962 (76 Stat. 1180, 1190), substantially in accordance with the recommendations of the Chief of Engineers in Senate Document Numbered 116, Eighty-seventh Congress, is hereby modified to provide that local cooperation shall consist of the requirements that, prior to construction, local interests give assurances satisfactory to the Secretary of the Army that they will: (1) make a cash contribution of $700,000, to be paid either in a lump sum prior to initiation of construction or in installments prior to the start of pertinent work items in accordance with construction schedules, as determined by the Chief of Engineers, except that the reasonable value, as determined by the Chief of Engineers, of any lands, easements, rights-of-way, and relocations, furnished by the local interests shall be deducted from the required cash contribution; (2) hold and save the United States free from damages due to the construction works; (3) maintain and operate all works after completion in accordance with regulations prescribed by the Secretary of the Army.

Sec. 209. (a) Whenever any State, or any agency or instrumentality of a State or local government, or any nonprofit incorporated body organized or chartered under the law of the State in which it is located, or any nonprofit association or combination of such bodies, agencies or instrumentalities, shall undertake to secure any lands or interests therein as a site for the resettlement of families, individuals, and business concerns displaced by a river and harbor improvement, flood control or other water resource project duly authorized by Congress, and when it has been determined by the Secretary of the Army that the State is unable to acquire necessary lands or interests in lands or is unable to acquire such lands or interests in lands with sufficient promptness, the Secretary, upon the request of the Governor of the State in which such site is located, and after consultation with appropriate Federal, State, interstate, regional, and local departments and agencies, is authorized, in the name of the United States and prior to the approval of title by the Attorney General, to acquire, enter upon, and take possession of such lands or interests in lands by purchase, donation, condemnation or otherwise in accordance with the laws of the United States (including the Act of February 26, 1931 (46 Stat. 1421)). All expenses of said acquisition and any award that may be made under a condemnation proceeding, including costs of examination and abstract of title, certificate of title, appraisal, advertising, and any fees incident to acquisition, shall be paid by such State or body, agency, or instrumentality. Pending such payment, the Secretary may expend from any funds hereafter appropriated for the project occasioning such acquisition such sums as may be necessary to carry out this section. To secure payment, the Secretary may require any such State or agency, body, or instrumentality to execute a proper bond in such amount as he may deem necessary before acquisition is commenced. Any sums paid to the Secretary by any such State or agency, body or instrumentality shall be deposited in the Treasury to the credit of the appropriation for such project.

(b) No acquisition shall be undertaken under the authority of this section unless the Secretary has determined, after consultation with appropriate Federal, State, and local governmental agencies that (1) the development of a site is necessary in order to alleviate hardships to displaced persons; (2) the location of the site is suitable for development in relation to present or potential sources of employment; and (3) a plan for development of the site has been approved by appropriate local governmental authorities in the area or community in which such site is located.

(c) The Secretary is further authorized and directed by proper deed, executed in the name of the United States, to convey any lands or interests in land acquired in any State under the provisions of this section, to the State, or such public or private nonprofit body, agency, or institution in the State as the Governor may prescribe, upon such terms and conditions as may be agreed upon by the Secretary, the Governor, and the agency to which the conveyance is to be made.

SEC. 210. No entrance or admission fees shall be collected after March 31, 1970, by any officer or employee of the United States at public recreation areas located at lakes and reservoirs under the jurisdiction of the Corps of Engineers, United States Army. User fees at these lakes and reservoirs shall be collected by officers and employees of the United States only from users of highly developed facilities requiring continuous presence of personnel for maintenance and supervision of the facilities, and shall not be collected for access to or use of water areas, undeveloped or lightly developed shoreland, picnic grounds, overlook sites, scenic drives, or boat launching ramps where no mechanical or hydraulic equipment is provided.

SEC. 211. The Mason J. Niblack levee feature of the project for flood control in the Wabash River Basin, Illinois and Indiana, authorized by the Flood Control Act approved July 24, 1946, is hereby modified to provide for the installation by the Secretary of the Army, acting through the Chief of Engineers, and operation and maintenance by local interests, of pumping facilities to remove ponded interior drainage from the area protected by the levee, at an estimated cost of $500,000.

SEC. 212. The Secretary of the Army, acting through the chief of Engineers, is authorized to amend Contract Numbered DA-45-108-CIVENG-66-68, between the United States and the Montana State Highway Commission for the relocation of Montana State Highway 37 in connection with the construction of the Libby Dam project, so as to provide that the design standards for the relocation shall be those adopted by the State of Montana pursuant to the provisions of the Highway Safety Act of 1966 (80 Stat. 731).

SEC. 213. The project for flood control and improvement of the Lower Mississippi River, adopted by the Act of May 15, 1928 (45 Stat. 534) as amended and modified, is further modified to provide pumping plants and other drainage facilities in Cairo, Illinois, and vicinity, to the extent found economically justified by the Chief of Engineers, subject to the conditions that local interests (1) provide without cost to the United States all lands, easements, and rights-of-way necessary for the construction of the work; (2) hold and save the United States free from damages due to the construction work; and (3) maintain and operate all works after completion.

SEC. 214. The project for the Sanders Creek Red River Basin, Texas, is hereby modified to provide for the acquisition of additional privately owned lands aggregating approximately seven hundred and fifty acres located within the boundaries of former Camp Maxey, Lamar County, Texas, for the purpose of consolidating Federal ownership of areas as may be needed for wildlife purposes in connection with the Pat Mayse Dam and Reservoir project, and to facilitate the establishment of a wildlife refuge or wildlife management area. The lands so acquired will be made available to the Secretary of the Interior or to the State of Texas in accordance with established administrative procedures pursuant to the Fish and Wildlife Coordination Act (16 U.S.C. 661 et seq.). The acquisition of such lands may be deferred until such time as assurances are given, satisfactory to the Chief of Engineers, that a wildlife refuge or wildlife management area will be established.

SEC. 215. (a) The Secretary of the Army, acting through the Chief of Engineers, may, when he determines it to be in the public interest, enter into agreements providing for reimbursement to States or political subdivisions thereof for work to be performed by such non-Federal public bodies at water resources development projects authorized for construction under the Secretary of the Army and the supervision of the Chief of Engineers. Such agreements may provide for reimbursement of installation costs incurred by such entities or an equivalent reduction in the contributions they would otherwise be required to make, or in appropriate cases, or a combination thereof. The amount of Federal reimbursement, including reductions in contributions, for a single project shall not exceed $1,000,000.

(b) Agreements entered into pursuant to this section shall (1) fully describe the work to be accomplished by the non-Federal public body, and be accompanied by an engineering plan if necessary therefor; (2) specify the manner in which such work shall be carried out; (3) provide for necessary review of design and plans, and inspection of the work by the Chief of Engineers or his designee; (4) state the basis on which the amount of reimbursement shall be determined; (5) state that such reimbursement shall be dependent upon the appropriation of funds applicable thereto or funds available therefor, and shall not take precedence over other pending projects of higher priority for improvements; and (6) specify that reimbursement or credit for non-Federal installation expenditures shall apply only to work undertaken on Federal projects after project authorization and execution of the agreement, and does not apply retroactively to past non-Federal work. Each such agreement shall expire three years after the date on which it is executed if the work to be undertaken by the non-Federal public body has not commenced before the expiration of that period. The time allowed for completion of the work will be determined by the Secretary of the Army, acting through the Chief of Engineers, and stated in the agreement.

(c) No reimbursement shall be made, and no expenditure shall be credited, pursuant to this section, unless and until the Chief of Engineers or his designee, has certified that the work for which reimbursement or credit is requested has been performed in accordance with the agreement.

(d) Reimbursement for work commenced by non-Federal public bodies no later than one year after enactment of this section, to carry out or assist in carrying and projects for beach erosion control, may be made in accordance with the provisions of section 2 of the Act of August 13, 1946, as amended (33 U.S.C. 426f). Reimbursement for such work may, as an alternative, be made in accordance with the provisions of this section, provided that agreement required herein shall have been executed prior to commencement of the work. Expenditures for projects for beach erosion control commenced by non-Federal public bodies subsequent to one year after enactment of this section may be reimbursed by the Secretary of the Army, acting through the Chief of Engineers, only in accordance with the provisions of this section.

(e) This section shall not be construed (1) as authorizing the United States to assume any responsibilities placed upon a non-Federal body by the conditions of project authorization, or (2) as committing the United States to reimburse non-Federal interests if the Federal project is not undertaken or is modified so as to make the work performed by the non-Federal public body no longer applicable.

(f) The Secretary of the Army is authorized to allot from any appropriations hereafter made for civil works, not to exceed $10,000,000 for any one fiscal year to carry out the provisions of this section. This limitation does not include specific project authorizations providing for reimbursement.

SEC. 216. (a) The Secretary of the Army shall, without monetary consideration, extend until October 1, 1964, the rights described in this section which were reserved until July 1, 1964, to any former owner (including his heirs, administrators, executors, successors, and assigns) of the subsurface estate of any real property acquired by the United States in connection with the construction of the Carlyle Reservoir project on the Kaskaskia River, Illinois. The reserved rights referred to in this section are more particularly described as the reservation of all oil, gas, and other minerals of like fugacious character, together with rights necessary for the purpose of exploration, development, production, and removal thereof within the Boulder Oil Field and restricted to section 2 township 2 north, range 2 west, and sections 34, 35, and 36 in township 3 north, range 2 west, Clinton County, Illinois.

(b) The Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to such persons designated by the Secretary of the Army, whose rights are authorized to be extended by subsection (a) of this section, the amount of money determined by the Secretary of the Army to represent their respective interests in royalty payments received by the United States for the authorized three-month extended period. The total payments so made shall not exceed the sum of $6,401.16.

SEC. 217. (a) No provision of law heretofore or hereafter enacted which limits the number of persons who may be appointed as full-time civilian employees, or temporary and part-time employees, in the executive branch of the Government shall apply to employees of the Tennessee Valley Authority engaged in its power program and paid exclusively from other than appropriated funds. In applying any such provision of law to other departments and agencies in the executive branch, the number of such employees of the Tennessee Valley Authority shall not be taken into account.

(b) No provision of law that seeks to limit expenditures and net lending during the fiscal year ending on June 30, 1969, under the Budget of the United States Government, shall apply to expenditures by the Tennessee Valley Authority out of the proceeds from its power operations, from the sale of any power program assets, or from power revenue bonds, notes, or other evidences of indebtedness.

SEC. 218. The Secretary of the Army is hereby authorized and directed to cause surveys for flood control and allied purposes, including channel and major drainage improvements, and floods aggravated by or due to wind or tidal effects, to be made under the direction of the Chief of Engineers, in drainage areas of the United States and its territorial possessions, which include the localities specifically named in this section. After the regular or formal reports made on any survey authorized by this section are submitted to Congress, no supplemental or additional report or estimate shall be made unless authorized by law except that the Secretary of the Army may cause a review of any examination or survey to be made and a report thereon submitted to Congress, if such review is required by the national defense or by changed physical or economic conditions.

Burnett, Crystal, and Scotts Bays and vicinity, Baytown, Texas, in the interest of flood control, drainage, and related water and land resources, including specifically the problems of general subsidence of the area and flood problems created thereby.

Linville Creek, Caney Creek and Tres Palacious, Texas, in the interest of flood control and related purposes.

Oso Creek, Texas, in the interest of flood control and related purposes.

Maddaket, Smith's Point and Broad Creek, Massachusetts, in the interest of flood control, hurricane protection, navigation and related purposes.

Streams at and in the vicinity of the Spring Mountain Youth Camp, Spring Mountain Range, Nevada, in the interest of flood control, bank erosion control, and allied purposes.

Virgin River, at and in the vicinity of Bunkerville, Mesquite, and Riverside, Nevada, in the interest of flood control, bank erosion control, and allied purposes.

Cuyahoga River from Upper Kent to Portage Trail in Cuyahoga Falls, Ohio, in the interest of flood control, pollution abatement, low flow regulation, and other allied water purposes.

Kalihi Stream, Honolulu, Oahu, Hawaii.

Sec. 219. Title II of this Act may be cited as the "Flood Control Act of 1968".

TITLE III—RIVER BASIN MONETARY AUTHORIZATIONS

Sec. 301. That, (a) in addition to previous authorizations, there is hereby authorized to be appropriated for the prosecution of the comprehensive plan of development of each river basin under the jurisdiction of the Secretary of the Army referred to in the first column below, which was basically authorized by the Act referred to by date of enactment in the second column below, an amount not to exceed that shown opposite such river basin in the third column below:

Basin	Act of Congress	Amount
Alabama-Coosa River	Mar. 2, 1945	$29,000,000
Arkansas River	June 28, 1938	108,000,000
Brazos River	Sept. 3, 1954	2,000,000
Central and southern Florida	June 30, 1948	15,000,000
Columbia River	June 28, 1938	193,000,000
Missouri River	June 28, 1938	38,000,000
Ohio River	June 22, 1936	35,000,000
Ouachita River	May 17, 1950	10,000,000
San Joaquin River	Dec. 22, 1944	17,000,000
South Platte River	May 17, 1950	12,000,000
Upper Mississippi River	June 28, 1938	5,000,000
White River	June 28, 1938	2,000,000

(b) The total amount authorized to be appropriated by this section shall not exceed $466,000,000.

Sec. 302. In addition to the previous authorization, the completion of the system of flood control reservoirs on the West Branch Susquehanna River, Pennsylvania, authorized by the Flood Control Act of 1954, is hereby authorized at an estimated cost of $3,000,000.

Sec. 303. Title III of this Act may be cited as the "River Basin Monetary Authorization Act of 1968".

The **SPEAKER**. Is a second demanded?

Mr. **CRAMER**. Mr. Speaker, I demand a second.

The **SPEAKER**. Without objection, a second will be considered as ordered.

There was no objection.

The **SPEAKER**. The gentleman from Maryland is recognized for 20 minutes.

Mr. **FALLON**. Mr. Speaker, I yield such time as he may consume to the gentleman from Minnesota [Mr. BLATNIK].

Mr. Speaker, will the gentleman yield?

Mr. **BLATNIK**. I am pleased to yield to the chairman of our committee.

Mr. **FALLON**. Mr. Speaker, it is a distinct privilege to present to the House today the omnibus river and harbor and flood control bill, S. 3710, as amended, and to recommend its enactment. This bill authorizes 31 navigation projects and 41 flood-control projects in 31 States. Yet, and I want to make this abundantly clear, this bill is an economy bill. The Committee on Public Works has made every effort to keep down the total authorization contained in the bill, while at the same time including those projects which are urgently needed for the economic well-being of the Nation. The projects in this bill will provide valuable benefits to the people of this Nation through improvement of navigation, prevention of floods, water supplies for our cities and towns, water quality, and recreation. The projects encompass 31 States so that the benefits are truly widespread. Yet with all of this, the total authorization contained in this bill for these new projects is only $1,121,319,000 and an additional $469,000,000 to proceed with previously authorized projects. Mr. Speaker, at a time when economy in our Government is so important, I think the members of the Committee on Public Works and the Subcommittee on Rivers and Harbors and Flood Control are deserving of our highest commendation for the success of their efforts to keep the cost of this bill down.

I want to emphasize that this bill does not appropriate 1 cent of taxpayers' money at this time. Therefore, passage of the bill will not affect the present fiscal situation of the United States. However, with the passage of this bill, those projects which are needed for the well-being of our Nation will be in a ready position to be developed as rapidly as the economic and fiscal situation of the Nation allows.

Mr. Speaker, I wish to commend the members of the full committee and the subcommittees who, in spite of other pressing business, devoted so much time and effort to the consideration of this bill. I particularly commend the gentleman from Minnesota who chairs the Subcommittee on Rivers and Harbors, and the gentleman from Alabama who chairs the Subcommittee on Flood Control, and the gentleman from Florida [Mr. CRAMER], for their outstanding efforts with regard to this bill.

Mr. **BLATNIK**. Mr. Speaker, S. 3710, the River and Harbor and Flood Control Act of 1968, is a result of the tireless effort of all members of the Committee on Public Works. At this time I would like to express our appreciation for the leadership given by the gentleman from Maryland [Mr. FALLON], and the able chairman of the Subcommittee on Flood Control, the gentleman from Alabama [Mr. JONES], and the splendid cooperation given by the ranking minority members, the gentleman from Florida [Mr. CRAMER], and the gentleman from Ohio [Mr. HARSHA], and participation of Members from both sides.

Mr. Speaker, the Subcommittee on Rivers and Harbors heard testimony on many navigation and beach erosion projects. We carefully analyzed and examined all the projects that were presented to the subcommittee, as well as the subject matter of numerous legislative proposals.

Title I, the River and Harbor Act of 1968, includes authorization for 30 navigation projects and one beach erosion control project, at an estimated Federal cost of $322,733,000, and includes work in 17 States.

S. 3710 is another forward move in the extension of the Federal river and harbor program which has produced the best system of navigable harbors and waterways possessed by any nation. Since Congress initiated the program in 1824, considerable sums of money have been appropriated for improving and maintaining the Nation's navigable waterways. These improved waterways carry huge tonnage of foreign and interstate commerce and have made possible free, easy, and unobstructed interstate commerce, and have more than justified the Federal expenditure.

Mr. Speaker, I urge favorable consideration of S. 3710.

Mr. **FALLON**. Mr. Speaker, I yield such time as he may consume to the gentleman from Alabama [Mr. JONES].

Mr. **JONES** of Alabama. Mr. Speaker, I urge support of S. 3710, as amended, as an essential continuation for development of this Nation's water resources to benefit all the people.

The importance of water to the development of a nation can never be overstated. Since the record of time, the combination of water, land, and people have been the necessary components for building of civilizations. Had man been content to leave water where nature put it, civilization would have remained at a very crude level. Fortunately, man has been able to engage this resource for his benefit. He has stored it in reservoirs for times of need, contained it to prevent destruction and gain more land, converted its energy into electricity, channeled it into canals, moved it great distances to irrigate farms, and employed it in industrial processes.

Yet the average citizen is aware of water only when it fails or endangers him. Then its dramatic impact falls with full force.

Through the project authorization in this legislation, we are reducing the chances of water supply failure and the danger of uncontrolled flooding. Through the consideration of multiple purposes of these projects, we also are providing for fish and wildlife, energy, recreation, pollution control, navigation, and general development.

In all of these uses of water, it is the people who benefit. The people drink the water, engage it for industrial processes, use it to grow crops, enjoy it for recreation, appreciate the fish and wildlife it supports, transport cargoes on it, benefit from the electric energy it makes possible, and are enhanced by the higher levels of prosperity its proper use makes possible. Likewise, it is the people who experience the destructive force of uncontrolled floods.

Without full and proper attention to the development of our water resources the people cannot hope to successfully reach the levels of productivity of which this Nation is capable. Maximum engagement of our water resources is an integral part of any design for realization of maximum economic potential within each region and, because the regions are interdependent, for the entire Nation.

The importance of proper water resource development was pointed out time and time again as the Subcommittee on Flood Control heard testimony on many flood control, multiple-purpose projects, monetary authorizations, and special items of legislation in S. 3710.

The members of the committee spent many hours at the hearings and in the formulation of title II and title III of this bill.

In title II of the bill, there are a total of 40 projects recommending local flood and hurricane protection works and multiple-purpose reservoirs for flood control, water supply, recreation, and other water uses. The total estimated cost of these projects is $1.1 billion.

Each project authorization has been examined in great detail. Testimony was received from Members of Congress, the Corps of Engineers, local interests, and others concerned with adequate development of this country.

The benefit-cost ratio for each clearly shows the measureable advantages of development.

Within this title is section 217 designed to clarify, for the purposes of the recently enacted Revenue and Expenditure Control Act of 1968, the distinction between the power program of the Tennessee Valley Authority, which is funded entirely out of nonappropriated revenues, and all other activities of the TVA, which are funded out of the general funds of the Treasury.

Since 1959, the operation and expansion of TVA's power program has been financed entirely from revenues derived from the sale of power and of revenue bonds and notes. All personnel employed by TVA in the construction and operation of its power generating and distribution facilities are paid out of these same revenues. In addition, TVA makes annual payments into the Treasury in reduction of the initial public investment in its power system and another payment at the current cost of Treasury borrowing on the outstanding public investment. Thus, TVA finances its own power program as it amortizes the public investment in it.

TVA's power expenditures and proceeds from the sale of power are included in the totals of the budget of the U.S. Government for the fiscal year ending June 30, 1969. As a result, the power program would be liable to drastic curtailment under the provisions of the Revenue and Expenditure Control Act.

Current and planned expansion of power facilities is essential to meeting the known needs of the region generally and of various Federal agencies, such as the atomic energy installations at Oak Ridge. The committee does not regard this action as an exemption but as a clarification. All nonpower activities of TVA and all TVA employees paid out of appropriated funds will, of course, be liable to the application by the Bureau of the Budget of the provisions of the new law.

This section in no way changes the relationship of TVA to the Treasury or the Bureau of the Budget or the reporting, notification, budgeting, or other procedures required by the TVA Act of 1933, as amended by the self-financing amendments of 1959.

Title III of the bill would provide for sufficient authorization for prosecution of 13 of the basin plans through calendar year 1969. The total estimated amount of the increased authorizations is about $0.5 billion.

Mr. Speaker, this legislation is urgently needed to carry out the highly important water resource development program of this Nation. This legislation was unanimously reported out by the committee. The projects and items of legislation are fully explained in the report accompanying this bill.

Members of the Flood Control Subcommittee join me in recommending passage of this important legislation.

Long hours have been spent by the members of the subcommittee in the formulation of this bill, and at this time I wish to express my appreciation and thanks for their efforts.

Mr. EDMONDSON. Mr. Speaker, will the gentleman yield?

Mr. JONES of Alabama. I yield to the gentleman from Oklahoma.

Mr. EDMONDSON. Mr. Speaker, I support this omnibus bill to authorize continued development of the Nation's great rivers and water resources, and commend the committee for the bill's provision which assures continued progress of construction on the Arkansas River project.

The bill assures adequate authorization of funds through calendar year 1969, and will bring us within 1 year of navigation in 1970, to the terminal ports in Oklahoma.

The committee is also entitled to the thanks of millions of Americans for its provision in the bill that all entrance fees at Army Engineer lakes will come to an end in March 1970, and user fees at these same lakes will hereafter be restricted to highly developed facilities requiring continuous presence of personnel for maintenance and supervision.

Section 210 of S. 3710 also restores a long-standing, historic principle of free access to waters, with language that user fees "shall not be collected for access to or use of water areas."

The same section assures that user fees will not be collected for access to or use of "undeveloped or lightly developed shoreland, picnic grounds, overlook sites, scenic drives, or boat launching ramps where no mechanical or hydraulic equipment is provided."

This language restores historic free access to the sightseer, the picnicker, the fisherman, and the boatsman—access that was assured when most of these lakes and reservoirs were authorized and built—access that is part of the American tradition and should be continued for all time.

Mr. Speaker, I deeply appreciate the committee's approval of section 210. Some of us in this body have been fighting for this legislative action for years.

I hope and trust the House will overwhelmingly give its approval, and that approval will also follow speedily in the Senate.

Mr. HAMMERSCHMIDT. Mr. Speaker, will the gentleman yield?

Mr. JONES of Alabama. I yield to the gentleman from Arkansas.

Mr. HAMMERSCHMIDT. Mr. Speaker, I rise in support of the bill.

Mr. Speaker, I support the Rivers and Harbors and Flood Control Act of 1968, and urge its approval.

Just last week I returned to Arkansas for the dedication of the Ozark Lock and Dam—one of the magnificent structures which looks toward commercial navigation of the Arkansas River in the next 2 years. Mr. Jeta Taylor, of Ozark, Ark., past president of the Arkansas Basin Association, presided at the impressive event. He called to mind the great efforts of the past which marked the achievements today in developing the river; that much has been done, and much remains to be done, at this project and others.

The harnessing of this great river is a tribute, indeed, to the skill of our Corps of Engineers. It will open new economic opportunities for the vast Arkansas River Valley from the Mississippi River, westward to the highlands of northeastern Oklahoma.

Some of the immediate benefits are obvious: opens water navigation from this great, potentially productive area of the central United States to the world markets of the seven seas; immense additions to our power reserves; greatly increased recreational use of the waters and shorelands; and, of course, there is the very fundamental flood-control protection resulting from these works.

Title III authorizes additional funding for continued development of the Arkansas River Basin—and certain other basin plans. This is absolutely essential if this important work is to continue without interruption. Authorizations for funding extend through calendar year 1969, and reflect, in some cases, costs arising from prior congressional approval of additional projects, or modifications of projects within overall basin development plans.

When a river basin plan's monetary authorization limit is reached, additional authorization is required before further appropriations can be made, regardless of content of appropriations bills.

Presently, $88,000,000 remains in monetary authorization for the Arkansas River Basin plan with obligations foreseen as $196,000,000 through calendar year 1969. This necessitates the approval of an additional monetary authorization of $108,000,000 to take care of the situation.

In further reference to the bill, I call attention to section 210 of title II.

This section prohibits, after March 31, 1970, the collection of entrance or admission fees at public recreation areas at lakes and reservoirs under jurisdiction of the Corps of Engineers.

This, in my judgment, is a sound and sensible step. These admission charges amount to "nuisance fees" at the corps installations with which I am acquainted. Their collection, furthermore, requires special time and attention by personnel, which reduce the net proceeds of the collection effort to virtually nothing. Costs no doubt often exceed collections. This would be in keeping with the intent of the conference report on the Land and Water Conservation Act of this year which allows certain agencies to phase out collection of entrance fees deemed ill-advised.

Another type of charge—the user fee—would be allowed only for the use of highly developed facilities at such areas requiring the continuous presence of personnel for maintenance and supervision. No user fees may be charged for access to, or use of, water areas, undeveloped or lightly developed shoreland, picnic grounds, overlook sites, scenic drives, or boat launching ramps where no mechanical or hydraulic equipment is provided.

I support the bill and the continued development of our natural resources which will result from its approval.

Mr. FULTON of Tennessee. Mr. Speaker, will be gentleman yield?

Mr. JONES of Alabama. I yield to the gentleman from Tennessee.

Mr. FULTON of Tennessee. I thank the gentleman from Alabama. I likewise rise in support of this legislation.

Mr. MONTGOMERY. Mr. Speaker, will the gentleman yield?

Mr. JONES of Alabama. I yield to the gentleman from Mississippi.

Mr. MONTGOMERY. Mr. Speaker, I rise in support of this bill. Its projects are located in 31 States and cover all types of works under the jurisdiction of the committee and within the province of the Corps of Engineers.

I am particularly interested in the Yazoo River navigation project, part of which is included in my district in Mississippi. It will provide the Yazoo River channel with a 9-foot depth and 150-foot minimum bottom width between Vicksburg and Greenwood.

I am confident that the other projects are as worthy as this one which will provide for a dependable year-round link in the growing inland waterway system to serve the rapidly growing industrial needs of central Mississippi.

Mr. RIVERS. Mr. Speaker, will the gentleman yield?

Mr. JONES of Alabama. I yield to the gentleman from South Carolina [Mr. RIVERS].

Mr. RIVERS. Mr. Speaker, I favor this bill as written, and I am eager to revise and extend my remarks.

Mr. Speaker, the passage of S. 3710 as amended by the great Committee on Public Works of this body, authorizing the construction, repair, and preservation of certain public works on rivers and harbors for navigation, flood control, and other purposes is of immediate and indispensable interest to every Member of this body. The preservation of our rivers, harbors, and canals is everybody's business. As usual, the Public Works Committee has risen to and fulfilled its responsibility to America. Among the vital projects contained in this authorization bill is the Cooper River project in South Carolina, Senate Document No. 88 of the 90th Congress, with an estimated cost of $35,381,000.

The primary interest of this project is to alleviate the silting and the possible destruction of Charleston Harbor. It also fulfills an agreement between the U.S. Government and the State of South Carolina on retaining the present effectiveness of the South Carolina Public Services Authority. This latter agreement has met the approval of all of the officers of our State and of the Federal officials in every category within the framework of our Government.

Moreover, the entire project has been approved—in keeping with the law—by the Governor of South Carolina, the Agriculture Department, the Interior Department, the HEW, and other affected agencies and departments.

Mr. Speaker, it has taken me years to bring this project to its present status. It is now time, Mr. Speaker, for the Congress to speak and I urge and implore this body to take affirmative action today on the unanimous report of this great Committee on Public Works.

Moreover, Mr. Speaker, the economies which will be realized as a result of this vital project will liquidate every cent we are spending on this new and needed undertaking. Charleston Harbor alone is costing the Government over $2,500,000 a year on maintenance. Recently I persuaded this great committee to allocate over $250,000 for a complete study of Charleston Harbor. Mr. Speaker, the silting caused by the mixing of the waters from the Santee Cooper project and the waters of the ocean meeting in the Charleston area is terrifying to contemplate. This project will, we believe, stop the silting and relieve the enormous expenditure now necessary to keep the harbor at Charleston as it once was. Mr. Speaker, we owe it to unborn generations as well as the present-day America to save this harbor. This project will do this. If we do less we break the faith with those who are to follow us.

Mr. DORN. Mr. Speaker, will the gentleman yield?

Mr. JONES of Alabama. I yield to the gentleman from South Carolina, a member of the subcommittee of the Public Works Committee, who has done excellent work on the committee throughout his tenure, and who has contributed immeasurably to the good bill we have brought to the House.

Mr. DORN. Mr. Speaker, I want to thank my distinguished and illustrious colleague [Mr. JONES], the chairman of the Subcommittee on Flood Control for the magnificent way in which he presided during the hearings and for his leadership and dedication in the cause of water conservation. May I thank my great and esteemed friend [Mr. BLATNIK] for the outstanding and fair way in which he conducted the proceedings of the Subcommittee on Rivers and Harbors. It has been a great and rewarding experience to be associated with this bill through my colleagues on both subcommittees and the full committee chaired by one of the greatest chairman in the history of the Congress [Mr. FALLON]. Mr. Speaker, I urged the subcommittee, the full committee and now the House as did my warm and esteemed friend [Mr. RIVERS] to adopt the St. Stephen plan and this authorization for $35,381,000 to protect and preserve the greatest harbor on the Atlantic Ocean, that of Charleston, S.C. The Harbor and Ports Authority of Charleston benefits the economy of the entire state of South Carolina and indeed the southeast. The depth and stability of Charleston Harbor must be maintained in the interest of our dynamic and growing economy and in the interest of national defense.

Mr. Speaker, I am glad the committee adopted and I urge the House to do likewise my amendment to the bill calling for a thorough study of the economic and practical feasibility of canal locks and dams connecting the great Tennessee, Ohio, Mississippi-Missouri river system with the Savannah River and thus the Atlantic Seaboard at Savannah, Charleston and Port Royal. My amendment provides not only a study of a possible waterway connecting the Tennessee River and the Savannah but my amendment also provides for a study and survey by the Corps of Engineers of a navigable canal connecting the lower Savannah in the vicinity below Allendale, S.C. to the great natural harbor at Port Royal and South Carolina's chief port city of Charleston.

Mr. Speaker, this bill before us now provides for a survey by the Corps of Engineers of the economic feasibility of a canal connecting Lake Superior with the Mississippi River. This bill was written with tomorrow in mind—the future of a great nation. It may be in the realm of possibility to connect the cities of Charleston, Savannah and Port Royal by water with the Great Lakes through the very heartland of America. In considering this bill at this moment I call to the attention of my colleagues the words of the immortal Daniel Webster on the wall of this Chamber just above our beloved Speaker MCCORMACK:

> Let us develop the resources of our land, call forth its powers, build up its institutions, promote all its great interest and see whether we also in our day and generation may not perform something worthy to be remembered.

Mr. Speaker, I urge the House to adopt this Rivers and Harbors and Flood Control Act of 1968 by an overwhelming two-thirds majority in the best interest of our entire country.

Mr. JONES of Alabama. Mr. Speaker, I yield now to the gentleman from Alaska [Mr. POLLOCK].

Mr. POLLOCK. Mr. Speaker, I rise in very strong support of the Omnibus Rivers and Harbors Authorization Act of 1968. I am very pleased with the work the committee has done under the distinguished chairmanship of the gentleman from Alabama [Mr. JONES]. The distinguished members of the Public Works Committee are to be commended for their diligence in presenting the bill for consideration today, so that urgently-needed projects to restore the ravages of devastating floods and improvement of our vital navigational systems can proceed on an orderly basis. I am sure that all Members, myself included, would prefer to add additional projects to the ones which are now included. However, when considering the extremely tight fiscal situation confronting the country as a whole, we must, of necessity, delay many desirable and worthwhile projects until a later time.

I wish to commend the committee and particularly those dedicated Members who visited Fairbanks, Alaska, last fall after our disasterous flood. It is also commendable that the Corps of Engineers and all concerned parties were able to complete the necessary studies and reports so that the Fairbanks flood project could be considered and included in this bill. I believe that the spirit of cooperation which was in evidence at every step of the project is the very essence of how the Federal Government and local bodies can work together creatively to solve pressing and urgent problems.

In addition to the Fairbanks flood control project three other Alaskan navigational aid projects are included in this bill. These are Kake Harbor, King Cove, and Sergius and White Stone Narrows projects. The later projects will greatly enhance Alaska's ability to move goods and materials in waterborne commerce, and will increase our safety and capabilities for the vessels of Alaska's vital fishing industry.

Mr. JONES of Alabama. Mr. Speaker, I yield to the gentleman from New Jersey [Mr. THOMPSON].

Mr. THOMPSON of New Jersey. Mr. Speaker, I am grateful to my distinguished colleague for yielding to me. Because the legislation before us is under suspension of the rules it is not possible to amend it. If amendments were possible, Mr. Speaker, I would offer one which would modify the authorization for Tocks Island Reservoir, Delaware River, N.J., by specifically prohibiting the use for power purposes Sunfish Pond atop the Kittatinny Mountain Ridge in Warren County, N.J.

Mr. Speaker, Sunfish Pond is a magnificent glacial body of water which must be preserved forever in the State and National interest. When the legislation comes before the House again I shall offer such an amendment. In the interim, I am pleased to report that I have talked with a majority of the members of the Public Works Committee and have assurances that Sunfish Pond will not be destroyed. Also, Mr. Speaker, I have gotten assurances from the interested utility companies in New Jersey and from the Delaware River Basin Commission to the effect that they have developed an attractive alternative on which hearings will be held by the appropriate New Jersey legislative committee in the immediate future. This plan will require congressional action, probably in the next Congress. It appears safe to say, in light of these facts, that Sunfish will remain safe and untouched except for recreational purposes.

Mr. JONES of Alabama. Mr. Speaker, I now yield to the gentleman from California [Mr. JOHNSON] who is a member of the subcommittee.

I might add that the gentleman from California also serves on the Committee on Interior and Insular Affairs and has always been one of the keen and energetic members always in attendance, and always paying great attention to the water resources programs which have been initiated by the Federal Government.

Mr. JOHNSON of California. I thank the chairman.

Mr. Speaker, I want to take this opportunity to commend the chairmen of the two subcommittees who brought this bill forth, the gentleman from Alabama [Mr. JONES], and the gentleman from Minnesota [Mr. BLATNIK], as well as the minority members of the committee heading up the Subcommittees on Flood Control and on Rivers and Harbors.

Also I would like to thank the chairman, the gentleman from Maryland [Mr. FALLON], of our very fine Committee on Public Works, for his leadership. Having served 10 years on the committee, I know of the very fine work that has been accomplished by it, and I strongly support this bill which has been brought to the floor today.

Mr. JONES of Alabama. Mr. Speaker, I now yield to the gentleman from Louisiana [Mr. EDWARDS] such time as he may consume.

Mr. Speaker, I wish to point out that the gentleman from Louisiana is also a member of the subcommittee and has had the duty and responsibility of examining the projects which came before us and has made a very valuable contribution to their being reported here today.

Mr. EDWARDS of Louisiana. Mr. Speaker, I thank my chairman for his flattering remarks. I am pleased that I had an opportunity to participate in the hearings which resulted in this bill and am glad I was able to be of some small assistance in bringing this legislation out. I support it wholeheartedly.

Mr. CRAMER. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I would just very briefly say that this is a noncontroversial bill, about as much so as any that we have brought before the House on this subject in some time.

Second, I would say that this is a bill that calls for an investment in the future development of the United States of America.

Third, I wish to say I think we were prudent in the consideration of this legislation. We had testimony relating to in excess of $3 billion worth of projects. Included in this bill are $1.121 billion of new authorizations and $369 million for 13 comprehensive river basin extensions. I think it is clear we were prudent in the handling of this legislation relating to rivers and harbors, flood control, hurricane damages and protection, and beach erosion projects.

Of course, I would say this is only the authorization bill. The money will come later with the acquiescence of the Committee on Appropriations on a properly scheduled basis.

This is a bill providing for a sound investment in the future of our country in the various fields that I have mentioned.

Mr. Speaker, S. 3710, as reported, is the product of careful deliberation by the Committee on Public Works. We heard testimony on many more projects than those contained in the bill. The committee reported a bill containing only those projects which it considered to be essential for authorization at this time. It also limited the basin authorizations for appropriations to just 1 year, which I hope will be increased to a regular biennial authorization next year.

I support S. 3710.

RELATIVELY NONCONTROVERSIAL BILL

The benefits and desirable provisions of this bill far outweigh its few shortcomings. It would authorize many projects that are essential for the growth of navigation in this country and to protect lives and property from disastrous flooding, as well as to provide needed water supply, water quality, recreation, and other purposes to improve the lives of all Americans.

In addition to project and basin authorizations, the bill contains other provisions which can have far-reaching benefits. I wish to comment briefly on two of these provisions.

Section III authorizes the Secretary of the Army to investigate, study, and construct projects for the prevention or mitigation of shore damages attributable to Federal navigation works. When a Federal navigation project is constructed, particularly at inlets, adjacent shores may be adversely affected by a diversion of, or resulting lack of, currents which had previously supplied these shores with sand. The navigation project may also result in the creation of currents which may erode adjacent shores. The committee accepted my amendment to include this section in the bill, for the Members believe, as do I, that when a Federal navigation project results in such damages, the Federal Government should be authorized to take remedial action. The cost of installing, operating, and maintaining such projects will be borne by the United States, and where the estimated first cost of a project does not exceed $1 million specific authorization by the Congress is not required. This section will have application in Florida to at least 17 navigation projects which have been constructed at inlets without provisions for protection or sand-nourishment of adjacent shores which are now being damaged in varying degrees by navigation projects. Similar situations exist in other parts of the Nation which can be corrected by the enactment of this section.

The second provision that I wish to comment upon is section 215. I offered an amendment to the River and Harbor Act of 1965, which was enacted as section 314 of that act, directing the Secretary of the Army to make a study of the need for, and the feasibility of, the Federal Government reimbursing States, political subdivisions thereof, and other public entities, for expenditures incurred by them in connection with authorized projects for improvement of rivers and harbors and other waterways for navigation, flood control, hurricane protection, beach erosion control, and other water resources development purposes.

The Secretary of the Army made the study and submitted a report thereon to the Congress on January 31, 1967, which report has been printed as Senate Document No. 10, 90th Congress, first session. This report concludes that legislative consideration should be given to expanded general authority uniformly applicable to all types of projects to reimburse non-Federal entities for advance work performed on Federal projects after authorization, up to $1 million in costs. Reimbursement in excess of $1 million would require specific authorization by law, after a report by the Chief of Engineers, through the Secretary of the Army.

By letter dated June 26, 1968, the Secretary of the Army transmitted draft legislation to the Congress to carry out the recommendations of his report. I offered this legislation as an amendment to S. 3710, and the committee accepted it as section 215 of the bill. By enactment of this section, local interest may be reimbursed up to $1 million for advance work performed on any type of authorized project, pursuant to agreements entered into between non-Federal public bodies and the Corps of Engineers.

Generally, this is a good bill and a needed bill. It has been carefully considered in the interest of economy. I urge your support of this legislation.

The bill includes some major projects in Florida, an investment in Florida's and the Nation's future, including authorizations for:

Florida:	
Navigation:	
Brevard County (beach erosion)	**$680, 000**
Gulf Intracoastal Waterway, St. Marks to Tampa Bay	**40, 000, 000**
Miami Harbor	**6, 476, 000**
Total, navigation	**47, 156, 000**
Dade County	**11, 805, 000**
Hillsborough Bay	**9, 909, 000**
Martin County	**(8, 072, 000)**
Water resources, C. & S. Florida	**(58, 182, 000)**
Total, flood control	**21, 714, 000**
Total, Florida	**68, 870, 000**

Central and southern Florida flood control

Additional monetary authorization	$15, 000, 000

There was also included a project for the modification of the previously authorized project for Fort Pierce providing for construction of the project by the Federal Government with appropriate cash contributions by the local interests.

Because of the interest expressed in three of the major projects included for Florida, all of which has merit, I am placing in the RECORD the project documents relating to them:

Water Resources for Central and Southern Florida

Location.—In the southern half of Florida, the study area is 16,000 square miles and about 80 percent of the central and southern flood control project area.

Authority.—Resolutions of the Senate Public Works Committee adopted May 4, 1962; June 5, 1963; and January 11, 1965; and of the House Public Works Committee adopted April 28, 1965 and October 5, 1966.

Existing project.—The central and southern Florida project, authorized by the Flood Control Acts of 1948, 1954, 1960, 1962 and 1965 is about 55 percent complete (financial basis). Completed works include levees, pumping stations, control structures and canals to provide hurricane flood protection, water control and drainage for the rich agricultural areas south of Lake Okeechobee and lower east coast cities and urban area (Miami, Ft. Lauderdale, Palm Beach).

Problem.—The prolonged drought of 1961 to 1965 emphasized the need to improve the supply, distribution and conservation of water resources in central and southern Florida to meet growing urban and agricultural needs and to provide sufficient flow to preserve the Everglades National Park.

Recommended plan of improvement.—Modification of the authorized water resources project to meet urban and agricultural needs and the estimated requirements of Everglades National Park to about the year 2000 together with related recreational facilities: by raising Lake Okeechobee levees; backpumping excess waters from east coast areas into Lake Okeechobee and into conservation area; improving conveyance and distribution of water by construction or modification of canals, levees, pumping stations, control structures and related works.

ESTIMATED COST (DECEMBER 1967 PRICE LEVEL)

Federal	[1] $58, 182, 000
Non-Federal	[2] 18, 936, 000
Total	77, 118, 000

[1] Net cost to the United States $55,124,000. Local interests to reimburse United States $3,058,000 for recreation.

[2] Cash contribution $11,883,000 plus $7,053,000 for lands and relocations.

PROJECT ECONOMICS

	Federal	Non-Federal	Total
Annual charges:			
Interest and amortization	$2, 245, 000	$895, 200	$3, 140, 200
Maintenance and operations	446, 700	1, 118, 800	1, 565, 500
Subtotal	2, 691, 700	2, 014, 000	4, 705, 700
Land productivity loss			119, 600
Total			4, 825, 300
Annual benefits:			
Agricultural (increased net return)			$4, 110, 000
Urban enhancement in land value M. & I. water control of salinity intrusion, dilution water			5, 020, 000
Recreational			4, 300, 000
Everglades National Park			([1])
Total			13, 430, 000

[1] Not evaluated.

Benefit-cost ratio.—2.8.

Local Cooperation.—Furnish assurances satisfactory to the Secretary of the Army that they will: Make a cash contribution of 20 percent of the contract price plus supervision and administration for all items of work to be provided by the Corps of Engineers, an amount presently estimated at $11,883,000 to be paid in a lump sum prior to start of construction or in installments prior to start of pertinent work items in accordance with construction schedules as required by the Chief of Engineers, the final apportionment of costs to be made after actual costs have been determined; with appropriate jurisdiction, construct and thereafter maintain such canal facilities and other water control appurtenances as are necessary to realize the benefits from the improvements; provide without cost to the United States all lands, easements, and rights-of-way necessary for construction of the project, when and as required; assume the cost of construction of all new highway bridges, relocation of existing highway bridges, and alteration of utilities and other improvements except railroads, incident to the construction of the project; hold and save the United States free from damages due to the construction, operation, and maintenance of the project works; prohibit encroachment on the water-carrying capacity of the improved channels; operate and maintain the pumping stations, levees, canals, and other appurtenant works after completion of construction for flood control, navigation, and backpumping and delivery of water to Everglades National Park, the agricultural areas, and urban areas, in accordance with regulations approved by the Secretary of the Army, except the levees, channels, locks, and control works of the St. Lucie Canal, Lake Okeechobee, Caloosahatchee River, and the main spillways of the water conservation areas; and provided further that prior to construction of the recreation features, except for modification of existing recreation facilities as the result of raising the Lake Okeechobee regulation range which is to be accomplished at Federal expense, local interests furnish assurances satisfactory to the Secretary of the Army that they will: Pay or contribute in kind one-half of the separable cost of the recreation facilities, an amount now estimated at $1,808,000 for construction and $1,250,000 for lands; operate, maintain, and replace all recreation features except those adjacent to federally maintained navigation structures; and assure access to all on equal terms. Based on cooperation received in the past on the authorized project works and recent coordination the flood control district's cooperation seems assured.

Comments of the State and Federal agencies.—

Department of the Interior: Favorable. Requests assurance that future delivery of water to Everglades National Park will not be diminished by the requirements to support growth and new development.

Department of Agriculture: Favorable.

Department of Transportation: Favorable.

Department of Health, Education, and Welfare: Favorable.

State of Florida: Favorable.

Remarks.—The committee heard extensive testimony on this proposed modification. The committee was impressed by the degree of cooperation among the Corps of Engineers, the National Park Service, and the State of Florida in developing an engineering plan that will meet the needs of the Everglades National Park and other interests in the State.

Martin County, Fla.

(S. Doc. —, 90th Cong.)

Location.—Martin County in the southern part of Florida is an Atlantic coastal county lying east of Lake Okeechobee and about 20 miles north of Palm Beach.

Authority.—Senate Public Works Committee resolution adopted July 22, 1950.

Existing project.—The central and southern Florida project authorized by the Flood Control Acts of 1948, 1954, 1958, 1960, 1962, and 1965 and now under construction includes the following features related to the recommended plan: St. Lucie Canal and St. Lucie lock and dam, improvements in the northeast shore area of Lake Okeechobee, the levee 8 area, the canal 18 area, and the St. Lucie County canals.

Problems.—Most of Martin County is subject to periodic flooding because it lacks adequate drainage and control works to remove floodwaters from even a moderate storm. Large areas are planted to citrus, and truck farming and dairy pastures are important uses. Irrigation water is needed in drought periods.

Recommended plan of improvement.—Provision of gravity drainage in the area by a system of canals and control structures for distribution of available water supplies to portions of Martin and St. Lucie Counties. The system would be connected with the overall central and southern Florida project with provision for pumping excess waters into Lake Okeechobee and supply of water from the lake in dry periods. Irrigation features would be deferred until modifications recommended in the report on water resources for central and southern Florida are authorized and the Chief of Engineers is assured that adequate water is available.

ESTIMATED COST (PRICE LEVEL OF SEPTEMBER 1966)

Federal	$8,072,000
Non-Federal	7,399,000
Total	15,471,000

PROJECT ECONOMICS

	Federal	Non-Federal	Total
Annual charges:			
Interest amortization	$329,000	$301,100	$630,100
Maintenance and operations		213,900	213,900
Subtotal	329,000	515,000	844,000
Associated costs		52,400	52,400
Land productivity loss			39,200
Total			935,600
Annual benefits:			
Flood damages prevented			$720,000
Increased land use			4,747,900
Irrigation			8,799,000
Recreation			13,000
Total			14,279,900

Benefit-cost ratio.—15.3.

Local cooperation.—Local interests shall: make cash contributions—in varying percentages—toward the total of the contract price plus supervision and administration thereof for all items of work to be provided by the Corps of Engineers. The amounts, stated in terms of percentages of contract price plus supervision and administration, are: Flood control features, 34; irrigation features, 49; and recreation features, 42. The amount of the local cash contribution for the overall plan is now estimated at 5,266,000 (in addition to costs allocated from overall system); this amount would be paid in a lump sum prior to start of construction or in installments prior to start of pertinent work items in accordance with construction schedules as required by the Chief of Engineers, the final apportionment of costs to be made after the actual costs have been determined; with appropriate jurisdiction, construct and thereafter maintain such lateral drainage facilities as are necessary to realize the benefits made available by these improvements; and furnish assurances satisfactory to the Secretary of the Army that they will: provide without cost to the United States all lands, easements, and rights-of-way necessary for construction of the project works, when and as required; assume the costs of construction of all new highway bridges and relocations of existing highway bridges and alterations to miscellaneous utilities and other existing improvements (except railroad facilities) incident to construction of the project; hold and save the United States free from damages due to the construction works; prohibit encroachment on the flood-carrying capacity of the improved channels; and operate and maintain the pumping station, improved channels, and appurtenant works, and recreation facilities after completion in accordance with regulations approved by the Secretary of the Army. Based on cooperation received in the past on the authorized project works and recent coordination the flood control district's cooperation seems assured.

Comments of the State and Federal agencies.—

Department of the Interior: Favorable.

Department of Agriculture: Favorable.

Department of Health, Education, and Welfare: Favorable.

Department of Transportation: Favorable.

State of Florida: Favorable.

Remarks.—This project would provide flood control and water supply in an area subject to both needs. It is important to the economy of the Martin County area, and will provide benefits far in excess of its costs.

GULF INTRACOASTAL WATERWAY, ST. MARKS TO TAMPA BAY, FLA.

(S. Doc.—90th Cong.)

Location.—Along Florida's gulf coast, between St. Marks and Tampa Bay.

Authority.—Senate Public Works Committee resolutions adopted February 6, 1940, and December 20, 1950.

Existing project.—The project for the Gulf Intracoastal Waterway, 12 by 125 feet, extends west from St. Marks to Brownsville, Tex.; the project for the Intracoastal Waterway, 9 by 100 feet, extends from Caloosahatchee, Fla., to the Anclote River, Fla.

Problem.—The gap between the waterways need to be eliminated, to permit use of inland barge equipment in lieu of present equipment necessary for transiting open waters. This would result in substantial savings in barge transportation charges.

Recommended plan of improvement.—The recommended plan provides for extension of the waterway from St. Marks River to Tampa Bay, Fla. It will be 190 miles long, 12 feet deep, and 150 feet wide. Recreation facilities will be provided.

Estimated cost (1966 price level)

Federal	$89,252,000
Non-Federal	14,450,000
Total	103,702,000

PROJECT ECONOMICS

	Federal	Non-Federal	Total
Annual charges:			
Interest and amortization	$3,958,000	$638,000	$4,596,000
Maintenance and operation	958,000	80,000	1,038,000
Land costs	0	166,000	166,000
Total	4,916,000	884,000	5,800,000
Annual benefits:			
Navigation			$7,884,000
Recreation			2,103,000
Total			9,987,000

Benefit-cost ratio.—1.7.

Local cooperation.—Provide without cost to the United States all lands, easements, and rights-of-way required for construction and subsequent maintenance of the project for initial and subsequent disposal of spoil, and also necessary retaining dikes, bulkheads, and embankments therefor or the costs of such retaining works; assume all obligations of owning, including operating, maintaining, and replacing, all bridges altered or constructed as part of the project, with such obligations for each bridge being assumed upon completion of the alteration or construction of that bridge; hold and save the United States free from damages that may result from the construction and maintenance of the project; provide and maintain at local expense adequate public terminal and transfer facilities open to all on equal terms; accomplish without cost to the United States such utility or other relocations or alterations as are required for project purposes; provide, prior to postauthorization planning, a long-range plan for development of the region; contribute in cash 6.6 percent of the construction cost including engineering and design and supervision and administration of construction of all dredging work to be provided by the Corps of Engineers, a contribution now estimated at $5,570,000, to be paid either in a lump sum prior to start of construction, or in installments prior to start of pertinent work items, in accordance with construction schedules as required by the Chief of Engineers, the final apportionment of cost to be made after actual costs have been determined; and establish regulations prohibiting discharge of pollutants in the waters of the channel by users thereof, which regulations shall be in accordance with applicable laws or regulations of Federal, State, and local authorities responsible for pollution prevention and control. Local interests have indicated willingness to provide requirements of local cooperation.

Comments of the State and Federal agencies.—

Department of the Interior: Favorable.

Department of Health, Education, and Welfare: Favorable.

Department of Transportation: Favorable.

State of Florida: Favorable.

Remarks.—The recommended improvement will provide a navigation system extending about 190 miles and will eliminate the gap in the Gulf Intracoastal Waterway permitting the use of inland barge equipment from Brownsville, Tex., to Tampa Bay, Fla.

Mr. Speaker, I yield to the gentleman from Minnesota [Mr. LANGEN].

Mr. LANGEN. Mr. Speaker, I rise in support of the bill before us, and wish to express my compliments to the committee for their favorable consideration of the South Branch, Wild Rice River-Felton Ditch project, which I know will serve to substantially benefit the productive farm area in my district.

I know that there are many folks throughout the South Branch, Wild Rice River community that will benefit by improved crops and the lack of flood damages that they have experienced for so many years. This is well evidenced by the fact that the project shows a most remarkable and commendable benefit-cost ratio of 4.3. They have waited many years for this project to become a reality. I hope that now construction can soon be underway, so that the benefits of this project become available at the earliest possible date.

I do have some regrets with the passage of this bill today, because of another project that rightfully should have been included in this bill. It is the Wild Rice River project, which includes a dam on the Wild Rice River, just east of Twin Valley, Minn. This project has also been under consideration and in the planning stage for many years. During the past several months, it has finally reached the point of receiving the recommendations of all interested people, together with the Corps of Engineers.

The timing, however, is most inopportune, in that it is presently being reviewed by the Budget Bureau and their evaluation has not, as of this moment, been completed. It is expected that within the next day or two, they hopefully will file their favorable recommendation.

As is oftentimes the case with projects such as these, the normal process of approval and review does take some time. Every effort has been made to expedite the respective reviews and approvals at the State, regional, and finally, the Washington levels.

I am aware of the fact that the parliamentary situation here today being what it is, with this bill before us under the suspension of the rules, amendments are not in order. Had that not been the case, I would have been inclined to offer the project as an addition to the bill, in view of the very close proximity that it has to our action here today. I hope that the House and those who will be further concerned with the conference on this legislation, might take note of these observations in the event that there should be some opportunity for including it at a later date.

The people in this area have repeatedly suffered flood losses during these years and have waited such a long time for the relief that this project would provide.

Mr. CRAMER. Mr. Speaker, I yield such time as he may consume to the gentleman from Virginia [Mr. Scott].

Mr. SCOTT. Mr. Speaker, I rise in support of the Public Works Authorization bill of 1968 which includes the Salem Church Dam and Reservoir project within my congressional district.

At the hearing before the Subcommittee on Flood Control on June 20 of this year, representatives of citizens throughout the Eighth District of Virginia appeared and testified or sent copies of resolutions or statements in support of the Salem Church Dam as recommended by the Chief of Engineers of the Army. Certainly, we appreciate the courtesies extended to us by the chairman and members of the subcommittee at that time. Our people desire the authorization for the construction of this project as recommended because of the fear that if the authorization were passed in any other manner it would result in further study and a delay or abandonment of the entire project. Therefore, I am pleased that the matter is now before us in the form it was recommended and identical to the measure passed by the Senate eliminating the possibility of change in a conference between the two bodies.

This proposed dam is on the Rappahannock River which has been subject to flooding over the years in the Fredericksburg and Falmouth area resulting in considerable property damage in 1942 when the maximum recorded flood occurred but which would result in still greater property damage if a similar flood should occur today because of the increase in structures in the area.

The Army Corps of Engineers made its first comprehensive study of the Rappahannock area as far back as 1933 and the Congress authorized the construction of a low-level dam in the Flood Control Act of 1946. Thereafter the House in 1955 struck the limitation upon height to permit the construction of the 240-foot dam as now contemplated. The Senate then referred the matter to the Corps of Engineers for study. This study by the Army took 12 years and resulted in the furnishing of a report in 1967 known as Senate Document 37, 90th Congress. It is this report and recommendation of the Chief of Engineers that is now being incorporated in the bill under consideration. I do hope that the House will give its approval to the measure.

While flood control was the primary reason for the original consideration and need for the dam, the entire area has been growing very fast and perhaps at this time the need for water even overshadows flood control. With Metropolitan Washington, including large populations in both Maryland and Virginia, looking to the Potomac and its tributaries for water, those counties within Virginia below Fairfax must look to the Rappahannock and to Salem Church Reservoir. One of these counties, Prince William, is the fastest growing county in our State percentagewise, having increased from approximately 50,000 inhabitants when the last census was taken to more than 100,000 today. Of course, the membership is well aware of the need and desirability for an adequate supply of clean water, for salinity control, and for additional recreational facilities in the fast growing northern Virginia area. In fact, there is an acute shortage of scenic parks and recreational facilities throughout the entire eastern part of the United States.

While I realize that this is only an authorization bill, the people of the eighth district have been waiting a long time for this project and according to a poll I conducted of each home in the district, the citizens are overwhelmingly in favor of it. In view of the present condition of our budget no request is being made for funds this year but I am hopeful that the Congress will make the necessary funds available next year so that the construction of the project may get underway and that there will be adequate clean water, recreational facilities, flood control and other desirable features available to the people of the Fredericksburg and northern Virginia area as early as possible.

Again, Mr. Speaker, I ask for favorable consideration of this measure.

Mr. CRAMER. Mr. Speaker, I yield to the gentleman from Tennessee, a member of the committee [Mr. Duncan].

Mr. DUNCAN. Mr. Speaker, I would like to express my appreciation for the fine efforts which have been expended by the gentlemen who serve on this committee and I rise in support of this legislation.

Mr. CRAMER. Mr. Speaker, I would like to express my appreciation for the fine efforts expended by the gentleman from Tennessee in the committee in relation to this bill and the contributions which he made were very valuable to it.

Mr. REIFEL. Mr. Speaker, will the gentleman yield?

Mr. CRAMER. I yield to the gentleman from South Dakota.

Mr. REIFEL. Mr. Speaker, I thank the distinguished gentleman from Florida [Mr. Cramer] for yielding me this time to express my deep appreciation to him, the ranking minority member of this committee which is so important to the orderly development of our land and water resources, along with the other members of that committee, particularly the gentleman from Minnesota [Mr. Blatnik], chairman of the Subcommittee on Rivers and Harbors, and the gentleman from Alabama [Mr. Jones], chairman of the Subcommittee on Flood Control.

Also, my deep appreciation goes to the gentleman from Ohio [Mr. Harsha] and the gentleman from California [Mr. Don Clausen] for working out a compromise that I hope will help resolve the difficulties that have previously been encountered on the project for flood protection on the big Sioux River between Sioux City, Iowa, and North Sioux City, S. Dak.

I further want to express my sincere thanks to the committee for hearing testimony on the proposed plan to provide for the much needed stabilization of the riverbanks and provision of a navigable channel on the Missouri River from the vicinity of Yankton, S. Dak., to Sioux City, Iowa.

I do hope that as a result of the expression of concern by the committee, the executive branch promptly will take the necessary action for Congress to give this project further consideration.

Mr. CRAMER. We have been struggling, actually, for this flood protection project for a number of years and I am glad to see hopefully that this problem largely due to the gentleman's efforts, has been resolved and resolved in a satisfactory manner.

Mr. REIFEL. I thank the gentleman and the other members of his committee for their understanding and helpfulness on these two projects that apply to navigation and flood protection in my district.

Mr. SNYDER. Mr. Speaker, will the gentleman yield?

Mr. CRAMER. I yield to the gentleman from Kentucky.

Mr. SNYDER. Mr. Speaker, I thank the gentleman from Florida for yielding.

Mr. Speaker, I rise in support of this legislation. It has been my pleasure to serve on both of the subcommittees that have developed this bill—the Subcommittee on Flood Control and the Rivers and Harbors Subcommittee. Those projects that have been included bear a favorable benefit-to-cost ratio. Those projects submitted that were unfavorable were eliminated.

Of particular interest, Mr. Speaker, to me and many of my constituents is the inclusion in this bill of the southwestern Jefferson County, Ky. floodwall. This project has a benefit-to-cost ratio of 1.9 to 1. It will protect over 40,000 residents in my congressional district—an area subject to frequent flooding. A recurrence of the largest past flood, that of 1937, would now cause damage of over $51 million or twice the cost of the project. I wish time permitted me to tell the entire House of the benefits of this project.

Local interest in this project is great and the local governments have already made plans to supply the local support required.

Mr. Speaker, I introduced the House resolution before the Public Works Committee—adopted June 23, 1964, that led to the favorable report from the Corps of Engineers. I am particularly proud of this project—and particularly proud that I can cast my vote for this bill—and this project—for my people.

Mr. CRAMER. Mr. Speaker, I would like to say at this juncture that the gentleman that has just spoken has spent endless hours on this committee and has made a very valuable contribution to its work.

Mr. LLOYD. Mr. Speaker, will the gentleman yield?

Mr. CRAMER. I yield to the gentleman from Utah.

Mr. LLOYD. Mr. Speaker, I rise in support of this legislation. This is a very significant day not only for other areas of America but for my particular area because we have included herein the Little Dell Reservoir which is authorized under this legislation, a very important project which will have an impact on many generations to come.

Mr. Speaker, I submit this statement in support of authorization of the Little Dell project, to be constructed by the U.S. Army Corps of Engineers in Parley's Canyon east of Salt Lake City, Utah, which lies in my congressional district. I have sponsored H.R. 8757 in the House of Representatives.

I believe the evidence shows this project to be justifiable, both economically, and from the standpoint of its primary purpose, which is to protect the Metropolitan Salt Lake City area from the danger of floods. In addition, the project has a vital, albeit secondary function, in providing an additional source of water to support an expanding population and growing economy.

The Little Dell project, as recommended, consists of a multipurpose dam and 50,000 acre-foot reservoir, to be constructed on Dell Creek, together with facilities to divert water from Emigration Creek, Lambs Canyon, and Mill Creek. Total first cost of the project is estimated at $23,250,000. Local contribution will be approximately $11,021,000, including $586,000 for lands, easements, rights-of-way, and relocations; $9,800,000 for water supply benefits, and $635,000 for recreation and fish and wildlife enhancement. This represents an estimated net cost to the Federal Government of $12,229,000, plus annual operation and maintenance costs to be borne both by local interests and the Federal Government. Estimated average annual benefits of the project are $1,841,000, with an estimated annual average cost of $1,038,000.

The high local contribution toward this project reflects the area's need and desire for this Federal assistance. Despite many years of local effort to alleviate the serious flood problems which the Salt Lake City area faces, floods continue to present a constant threat to people and property.

The Salt Lake County area is unique in both its topography and water problems. Although the average annual precipitation is approximately only 14 inches, nearly 70 percent of the annual precipitation occurs as snowfall during the winter months on stream watersheds in the high Wasatch Mountains east of the city. This results in an extremely heavy snowmelt runoff during the period from April to June.

When an unusually heavy snow cover is combined with a warm spring and spring storms, the result most often sends water running down city streets.

This condition last prevailed in 1952, when the major transcity tributaries to the Jordan River, Parleys, Emigration, Red Butte, and City Creeks, responded early to unusually high temperatures. By late April, water was gushing down one of the city's main streets, and gravel dikes as much as 6-feet high had to be placed along the street to contain it. As it was, the 1952 flood innundated 1,200 acres of highly developed urban area, causing an estimated $2.5 million in damages.

Since that time, the population of the county has risen 61 percent, while assessed total valuation has risen 56 percent. However, the area still faces the same flood threat with what, despite local effort, is basically the same drainage and flood control system. Although single floods of recent years have not reached the record magnitude of the 1952 flood, it is still estimated by the Corps of Engineers that average future damages from all floods in the Jordan River Basin, which includes all of the Salt Lake metropolitan area, will reach over $2 million annually.

The Little Dell Reservoir would collect surplus flows from Dell, Parleys, Red Butte, Emigration, and Mill Creeks, which drain an area of about 110 square miles on the western slopes of the Wasatch Mountains and adjoining benchlands within the metropolitan area. Red Butte, Emigration, and Parleys Creeks, comprising what is known as the 13th south stream group, provided the major trouble during the flood of 1952. The proposed Little Dell Project, therefore, would greatly alleviate, if not entirely eliminate, the possibility of a recurrence of the 1952 flood.

Although Little Dell is primarily for flood control, its water supply benefits should not be minimized. In an independent engineering report on the Little Dell project prepared in 1962 by Berger Associates, Inc., a consulting engineering firm for the Metropolitan Water District of Salt Lake City, it was noted that based on the estimated population growth, Little Dell or a similar new source of supply would be needed in the Salt Lake metropolitan area by about 1969.

Although earlier planned delivery to Salt Lake County of water from the Bureau of Reclamation's central Utah project has diminished the immediate peril of water shortage somewhat, it is still apparent that to support the projected population growth of Salt Lake County, which is expected to top 1 million by 2020, water from both Little Dell and the central Utah project, as well as other new sources, will be needed.

In this connection, another Berger Associates, Inc., study in 1964 on "Future Requirements for Water in the Salt Lake Metropolitan Area" pointed out that "development of new sources of supply will continue to be needed at 8- to 15-year intervals after 1970—depending on the rate of population growth and the amount of water obtained from each new source of supply." The report went on to recommend immediate construction of the Little Dell project, plus a subscription for central Utah project water.

By all estimates, water from the Little Dell project would be sufficient to sustain a growth of 100,000 persons in the metropolitan area by conserving the surplus flows from the major drainage areas, which are now wasted into Great Salt Lake.

Another important aspect is the recreational benefit which this project will provide to a highly-populated urban area. The close proximity of the project to Interstate Highway 80 puts it literally in the backyard of nearly a half-million persons.

In summary, I believe the evidence shows conclusively that Federal participation in the Little Dell project is both justifiable and appropriate under provisions of flood control law. Local interests in the area are desirous of this assistance, and are willingly committing themselves to pay their full and fair share of the costs.

This project was originally authorized by Congress in 1960 at an estimated cost of over $6 million. However, the population and industrial growth of the area in the past few years has been such that the plan had to be enlarged to fully scope with that growth.

Just for example, the population of Salt Lake County has risen from 211,623 in 1940, to an estimated 450,000 today. In a study made in 1963, the bureau of economics and business research of the University of Utah forecast that the present high rate of population growth in the county would diminish, and that the average annual rate for the 1960 to 2020 period would be approximately 1.9 percent per year. This would result in a population in the county of about 893,000 by 1988, or 1,160,000 by the year 2020.

Nonagricultural employment in the State of Utah in 1966 was 321,283, and wages from those jobs new account for nearly 50 percent of Utah's source of personal income. Of that total employment, 165,533 of those jobs, or nearly half, were located in Salt Lake County.

I believe, therefore, that the need for this project is doubly urgent, and I strongly recommend expeditious approval of the Omnibus Rivers and Harbors legislation.

Mr. BROTZMAN. Mr. Speaker, will the gentleman yield?

Mr. CRAMER. I yield to the gentleman from Colorado.

Mr. BROTZMAN. Mr. Speaker, I congratulate the committee on the careful hearings conducted regarding this bill. Particularly do I want to express appreciation for the inclusion of the Mount Carlson Dam and Reservoir project and the continuing attention given to the Chatfield Dam and Reservoir project. By moving expeditiously, I hope that floods of the type we had in Colorado in 1965 can be averted.

Mr. KLEPPE. Mr. Speaker, will the gentleman yield?

Mr. CRAMER. I yield to the gentleman from North Dakota.

Mr. KLEPPE. I thank the gentleman for yielding to me at this point.

Mr. Speaker, I wish to express my appreciation to the Committee on Public Works for listening to our presentation and especially with reference to the emergency aspects of the bank stabilization of the Missouri River wherein they approved the allocation for which we asked.

Further, Mr. Speaker, I wish to say that I am very appreciative of the fact that it was included in this bill.

Mr. FALLON. Mr. Speaker, I have no further requests for time.

Mr. CRAMER. Mr. Speaker, I yield 5 minutes to the gentleman from California [Mr. DON H. CLAUSEN].

Mr. DON H. CLAUSEN. Mr. Speaker, I rise today in support of S. 3710 as reported by the Committee on Public Works.

This bill was written in a bipartisan manner by the committee and it reflects the efforts of all members of the committee to economize to the maximum extent possible, consistent with the essential needs of the Nation for water resources development projects.

We have heard testimony on a number of projects that are not included in this bill. Some of these projects do not warrant immediate authorization, in light of our critical fiscal situation. Others present problems that deserve more study, rather than commit the Federal Government to their construction at this time. The committee considered projects totaling some $3 to $4 billion in costs, but authorized only $1,121,319,000 for new projects.

The bill contains authorizations for appropriations to continue construction of authorized projects in 13 river basins. This authorization is in the amount of $469 million and is for one construction season, through calendar year 1969. Annual authorizations for basins makes it very difficult to properly and economically plan and schedule construction work. It is the plan of the committee to again consider river basin authorizations next year, and I hope that authorizations will then be provided for 2 years and that we may, thereafter, stay on a biannual basis.

In addition, this bill contains many projects that are essential for navigation, beach erosion control, hurricane control, and to protect lives and property from devastating floods.

I am pleased that the bill includes authorizations in recognition of the committees visits to disaster areas including Fairbanks, Alaska—Tanana; Denver, Colo.—the Mount Carborn Project, Bear Creek, South Platte; southwest Texas—Hurricane Beulah; and the north coast of California.

Generally speaking, in view of the time problem, the committee considered only those projects that were noncontroversial. Those considered controversial were either deleted or postponed.

One of the most noteworthy aspects of this legislation is to be found in section 106, on page 49, of the bill wherein the Corps of Engineers is authorized and directed to investigate and study the problem of coastal erosion along the Atlantic, Gulf, and Pacific coasts, the coasts of Puerto Rico and the Virgin Islands, and the shorelines of the Great Lakes. In addition to a thorough study of the problem, the corps is likewise directed to recommend to the Congress "the most suitable type of remedial action."

I should also like to point out that sections 113 to 115, inclusive, declare certain areas in and around New York and San Francisco as nonnavigable. These declarations of non-navagability withdraw the Federal Government's right to order the structures thereon removed for purposes of navigation under the commerce clause of the Constitution. In addition, this will remove any cloud on the title, and allow local interests to make arrangements for the development of the area. This action requires no expenditure of Federal funds.

In closing, Mr. Speaker, I also want to draw the attention of my colleagues to section 210 of the bill which provides that "no entrance or admission fees shall be collected after March 31, 1970," at any public recreation area on lakes and reservoirs under the jurisdiction of the U.S. Army Corps of Engineers.

I thank the gentleman for yielding and I urge support of this public works authorization bill by all Members.

Mr. CRAMER. Mr. Speaker, I yield such time as he may consume to the gentleman from Ohio [Mr. HARSHA].

Mr. HARSHA. Mr. Speaker, I rise in support of this legislation. I believe in the main we have a good bill. There were several differences of opinion on some of the matters, but these were threshed out in the subcommittee, and the majority view prevailed, and I believe we have a bill that everyone can in good conscience support, and I would recommend to the House the adoption of these various matters as reported by the full committee.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. HARSHA. I yield to the gentleman from Iowa.

Mr. GROSS. Mr. Speaker, I thank the gentleman for yielding.

I should like to ask someone as to the monetary value of this bill. I cannot readily find it in the report.

As a matter of fact, the report was not available to me until this morning.

Mr. CRAMER. Mr. Speaker, if the gentleman will yield, I will be delighted to answer the inquiry of the gentleman from Iowa.

Mr. HARSHA. I yield to the gentleman from Florida.

Mr. CRAMER. Mr. Speaker, I call the attention of the gentleman from Iowa to page 4 of the report, and to the compilation and summary of the monetary values. At the top of the page is title I, navigation projects and beach erosion projects, a total of $322,733,000.

Title II, flood control, hurricane, and multiple-purpose projects, $798,586,000, total $1,121,319,000.

Then title III, basin monetary authorizations, which must be done on an annual basis, $469 million. So the total of the bill is $1,590,319,000.

Then the list of specific projects follow on pages 4, 5, 6, 7, and 8.

Mr. GROSS. If the gentleman will yield further, then this bill calls for about $1.5 billion; is that correct?

Mr. CRAMER. That is right.

If the gentleman will permit me to comment further, the answer of the gentleman from Florida is that that is correct.

The principal reason, I will say to the gentleman from Iowa, that the bill is here with this suspension of the rules procedure rather than through the procedure of a rule is that, as the gentleman full well knows, the Committee on Rules has ordered that, except for emergency matters and the necessity of sending a letter to the chairman and the ranking minority members to that effect, that they did not wish to hold additional further hearings on these matters in order to get rules.

The projects herein involved are not too controversial in nature, and I for one agree that under these unusual circumstances the bill should be brought to the floor under suspension of the rules—and I admit to the gentleman from Iowa that it is an unusual procedure—but I will say to the gentleman that these are necessary circumstances. I will say to the gentleman further that due to the recent heavy workload in the committee it was not possible to bring the bill out any more quickly than they did, and give it proper consideration.

I will also say to the gentleman that we could have rushed the bill through without proper consideration, and it might have been here earlier under a rule, but I would rather have it here under this procedure after proper consideration, even under suspension of the rules, than to rush it through the committee without adequate consideration in order that we have a rule on it.

Mr. GROSS. If the gentleman will yield further, and I will be brief, I want to protest as vehemently as I know how this kind of procedure. We could not get a copy of the report on Saturday of last week, and here we are on Monday about to pass the bill after only 40 minutes of debate, with all amendments prohibited, involving $1.5 billion. This is the wrong procedure, and I do not care whether we are working toward adjournment or what we are supposed to be doing here, this is wrong, absolutely wrong, to take up a bill of this magnitude under suspension of the rules.

Mr. Speaker, it was bad enough to take up, under suspension of the rules, the previous bill providing for a half billion dollars to be expended each year into the unknown future. There are line items galore in this bill, but Members are powerless to get at any of them because of the rules which preclude the Members from working their will.

Mr. CURTIS. Mr. Speaker, will the gentleman yield?

Mr. HARSHA. I yield to the gentleman.

Mr. CURTIS. Mr. Speaker, I want to associate myself with the remarks of the gentleman from Iowa and also to point out that if we are going to do anything on getting this budget down, it has to begin at the authorization level.

We do not know how much of this $1.5 billion actually would be scheduled for the fiscal year 1969. Of course, nowhere near this amount, but what might be contemplated under the budget and I think if we are going to proceed in this fashion, the Congress might just as well admit that it is a rubberstamp and go on home.

Mr. HARSHA. I would say in response to the gentleman from Missouri that over $3 billion of authorizations were considered by the subcommittees and we spent a considerable amount of time and study on this problem. We think we have brought out a measure here that reflects considerable savings—less than half of the amount of the total authorization requested. Of course, this will not be spent, in all probability, none of it for the fiscal year 1969 because this matter has not been budgeted. There have been no appropriations for it whatsoever.

Mr. CURTIS. I appreciate that part of the thing, but I think we do have to relate it to that.

I had previously asked some questions over at this table as to how this did sit with the President's budget and I could not get any answers at all which led me to make the remarks that it is going to have some impact on fiscal 1969, I think the gentleman would agree—or maybe it would not at all.

Mr. CRAMER. Mr. Speaker, will the gentleman yield?

Mr. HARSHA. I yield to the gentleman.

Mr. CRAMER. The gentleman asked me some questions at the table and I am sorry that I was not sufficiently persuasive in my reply.

But my reply was—and I repeat it for the RECORD—that this is an authorization bill and if in fact there are any projects—and I do not know of any, except for basin authorization, that have to continue—there are no projects that are in the 1969 budget in this authorization.

So, that answers the gentleman's first question.

Now relating to the basin authorizations, the amount contained in here is the maximum that could be appropriated and it does not in any way affect what was submitted by the Bureau of the Budget. Those basins that have been started have to continue.

So I would say to the gentleman, he is overly concerned as it relates to the budget because this does not affect the budget.

Not only that, we reduced by about 50 percent the numerous requests made to the committee for this authorization. So I think we were quite responsible.

Mr. CURTIS. Let me say to the gentleman, if I may, that this is not just a question of holding to the President's budget. We have to cut back in these areas. The committee apparently, if it has not got the data, how can the committee actually cut back and establish priorities? The difficult job ahead of us is to establish priorities on many desirable programs.

These are—probably every one of them I am sure—with the committee's work, desirable programs, it is the lack of priorities that is creating the trouble.

Mr. JONAS. Mr. Speaker, will the gentleman yield?

Mr. HARSHA. I yield to the gentleman.

Mr. JONAS. I rose originally to ask some questions which were asked by the gentleman from Missouri, but they have now been answered.

I had another inquiry and it is this. How many unfunded public works projects are now authorized in dollars?

Mr. JONES of Alabama. Mr. Speaker, will the gentleman yield so that I may answer the gentleman.

Mr. HARSHA. I yield to the gentleman.

Mr. JONES of Alabama. The last account that our Committee on Public Works had some years ago at that time was in the neighborhood of $10 million.

I will say to the gentleman from North Carolina that these surveys and these authorizations were completely out of date and unrealistic and would have to be modified if they are to be considered further by the Committee on Appropriations.

I do not think that they are proper projects for us to consider.

The gentleman from North Carolina recalls, I am quite sure, that when the gentleman from Michigan [Mr. DONDERO] was chairman of the Committee on Public Works, he made a vigorous effort for the committee to deauthorize this type of project.

The House did not look with favor upon that proposition and rejected it.

But as long as those projects are on the shelf and are not giving us any trouble, I think it will mean for us to go back and look at them because they no longer play any part in the consideration of the authorizations or appropriations.

Mr. JONAS. May I inquire further whether these projects will assume whatever priorities are given to them by the Director of the Bureau of the Budget and the President on some future occasion when a request for appropriations is made?

Mr. JONES of Alabama. Not only that, but the authorization is free of the bill, the basin authorization. Some of the basins were authorized in 1938. We know and realize the importance of keeping those basin authorizations up to date in relation to the water needs and requirements in the basins. Therefore, we wish to examine them frequently and to see that every dollar will be prudently spent in developing the water needs and requirements of the basins.

Mr. JONAS. As I understand the bill, it contains authorization about a half billion dollars specifically for those basins; is that correct?

Mr. JONES of Alabama. $469 million for basins.

Mr. JONAS. Are these projects required to be authorized now?

Mr. JONES of Alabama. The gentleman is correct.

Mr. JONAS. I would like to make one other comment, if I may. As I understand the figures previously cited by the gentleman from Alabama, there are outstanding now about $10 billion in authorizations for public works projects. This bill would increase that total by $1.5 billion. Who determines the order in which these projects are to be funded in the future? That is, who makes the initial determination? Some future Director of the Bureau of the Budget, subject, of course, to being overridden by Congress; but do they all stand in line? Are they given equal treatment? Or is there a question of selectivity involved?

Mr. JONES of Alabama. Mr. Speaker, if the gentleman will yield, I think we have been very careful in establishing a priority arrangement and method of considering these prospectuses. We do have a need requirement.

Mr. JONAS. What I mean is, in the future will the administration pick out a previously authorized project and put it ahead of these, or might it select one of these projects and put it ahead of a previously authorized project?

Mr. JONES of Alabama. I could not speak for future administrations any more than I could speak for future actions of the Appropriations Committee, on which the gentleman serves.

Mr. CRAMER. Mr. Speaker, will the gentleman yield?

Mr. JONAS. I yield to the gentleman from Florida.

Mr. CRAMER. The way these matters are generally handled, the States and the communities make their requests for money and construction activation of the authorization, and they make their case as to why they believe it is necessary to give certain projects high priority. The Corps of Engineers then sorts the projects out on an annual basis. They then send it to the Chief of Engineers in Washington. Then the Bureau of the Budget takes a look at it. I think there is excellent protection to try to make sure the projects are handled on their merits rather than on a political basis.

Mr. JONAS. It seems to me that we should do something with the $10 billion in outstanding authorizations before authorizing a new group of projects involving another $1½ billion.

Mr. KEE. Mr. Speaker, I support S. 3710, the Rivers and Harbors and Flood Control Act of 1968.

I strongly support provisions of section 210 in the bill, to end all entrance fees at Army Engineer lakes in March of 1970, and to impose limitations now on user fees collected at these lakes.

The user fee limitation, which the bill would make effective on its final enactment, will guarantee without further delay free access to and use of the waters for fishermen, boatsmen and others.

This restores for the public the free access for recreational purposes which was guaranteed in most authorizing legislation for Army Engineer projects.

The bill should be passed by unanimous vote.

Mr. ALBERT. Mr. Speaker, this rivers and harbors bill is in the interest of the Nation and should be passed by an overwhelming majority vote.

The provisions of this bill assure continued authorization of funds to carry on urgent flood control measures, develop water and power facilities, and provide for navigation benefiting many States of the Union.

Oklahoma is one of those States vitally interested in navigation's development on both the Arkansas River and the Red River. This bill assures progress on both of these great navigation projects, and is tremendously important to our States' industrial and economic future. I commend the committee for its recommendations in S. 3710.

I am also pleased to note the bill, in section 210, provides for an end to entrance fees at Army Engineer public recreation areas, not later than March 31, 1970.

The same provision assures that user fees at these lakes, following enactment and Presidential approval of S. 3710, will no longer be used to deny access to and use of water areas. Picnic areas, lightly developed shorelands, scenic drives and many other areas of our lakes would be freed from these user fees.

For the fisherman, for the family on a picnic, for the sightseer and the boatsman, our lakes will once again be free—as was provided by law when most of these Army Engineer dams were constructed.

Many of us in Oklahoma have been working for this day for a long time. I am happy to see the House will now vote its will, and feel sure S. 3710 will be adopted.

Mr. OTTINGER. Mr. Speaker, it seems incredible to me that, faced with the current financial crisis at home and abroad which caused this House to pass a mandated $6 billion expenditure cut, we should now be authorizing more than one and a half billion dollars for rivers and harbors projects.

I find it very disturbing that the House should blithely slap the middle-income taxpayer with a 10-percent surcharge, and then pass huge authorizations and appropriations for nonessential expenditures of this type. When taken with the gigantic public works and highway bills just recently passed, it makes one doubt the sincerety of those who have been making such a flamboyant case for economy in Government, particularly those on the other side of the aisle. Where are all those economy-minded Congressmen today, may I ask?

The economy bloc seems to arouse itself only over essential social programs for health, education, job training, and antipoverty efforts which are vital to strengthening the fabric of our society and particularly, our most important resource, human beings. When it comes to the pork barrel, they are all in hiding.

I am sure that the $1.5 billion authorized in this bill could be better spent on truly essential programs or at least deferred to offset the need for the inequitable tax surcharge earlier passed. I am sure many of the projects are meritorious, but in this time of crisis, none of them could really be rated as priority items.

I am strongly opposed to this authorization and hope, vainly I know, that it will be soundly defeated.

Mr. ROTH. Mr. Speaker, S. 3710 includes an authorization for a project of great importance to the State of Delaware. The Delaware coast beach erosion control and hurricane protection project will supplant the existing temporary State-Federal effort with a more comprehensive long-range project designed to strengthen the beaches against erosion resulting from normal tidal action and the more severe effects of storms and hurricanes.

The Delaware Atlantic coast has long suffered from the effects of tide and storm. Over the last half century, for example, Rehoboth has seen almost a city block along the ocean front fall prey to the sea, and a number of older structures on the beach have been moved inland to escape the ocean's encroachment.

Delawareans vividly recall the March 1962 storm which swept the Middle Atlantic coast causing loss of life and property damage in the millions. Lasting through several successive high tides, the storm caused widespread flooding of marshlands along the Delaware Bay, isolating bayside communities and requiring emergency evacuation of residents of several. Even more severe was the destruction wrought along the ocean coast—the area covered by the project authorized under the bill. Damage to structures fronting on the Atlantic Ocean and the Rehoboth, Indian River, and Assawoman Bays was extensive; the dunes protecting areas beyond the beaches were flattened; the beaches, themselves, were scoured clean of their sand, leaving only the underlying clay deposits; the narrow stretch of sandy beach reaching from Dewey Beach to Fenwick Island—nearly three-quarters of the project area—was breached at several points. The State of Delaware in cooperation with the Army Corps of Engineers immediately initiated measures to stabilize the weakened beaches and rebuild them. These efforts, which have continued during the past 6 years, have proved successful in preventing further severe damage to the beaches.

In January 1963 the Senate Public Works Committee by resolution authorized a study to determine the proper action to reclaim and preserve the storm-ravaged area. As a result of the study, it was determined that the 24.5-mile-long Atlantic coast of Delaware from historic Cape Henlopen to Fenwick Island on the Delaware-Maryland border required substantial upgrading to prevent further deterioration. The project in this bill is designed to take up where the short-term measures of recent years leave off. It will supplant these efforts with a long-range program of beach widening and dune construction to strengthen the ocean coast against storm and tide.

The benefits of this needed project extend well beyond the borders of the State of Delaware, for the project area includes communities which annually hundreds of thousands of weekenders and vacationers come from the nearby Washington, Baltimore, and Philadelphia metropolitan areas. It is an important recreational asset of the entire Middle Altantic area which should and must be preserved and enhanced for present and future generations.

The Committee on Public Works merits the appreciation of the people of Delaware and, indeed, all who visit the Delaware shore resorts, for its early and favorable action in reporting this important project intact, and I am hopeful that it will be possible for us to move forward to reclaim, preserve, and develop the Delaware coast at the earliest possible time.

Much credit is due my distinguished colleague in the other body, the junior Senator from Delaware. Since 1963 he has worked hard to see this needed project realized. His initiative and hard work are in large measure responsible for the early and favorable action on this project of importance to Delaware and the people of neighboring States.

The SPEAKER. The question is on the motion of the gentleman from Maryland that the House suspend the rules and pass the bill S. 3710, as amended.

The question was taken.

Mr. RUMSFELD. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

The Doorkeeper will close the doors, the Sergeant at Arms will notify absent Members, and the Clerk will call the roll.

The question was taken; and there were—yeas 307, nays 86, not voting 39, as follows:

[Roll No. 253]

YEAS—307

Abernethy
Adair
Addabbo
Albert
Anderson, Ill.
Andrews, Ala.
Andrews, N. Dak.
Annunzio
Ashbrook
Ashmore
Aspinall
Ayres
Baring
Barrett
Bates
Battin
Belcher
Bell
Bennett
Berry
Bevill
Blackburn
Blatnik
Boggs
Bolling
Bolton
Brasco
Bray
Brinkley
Brock
Brooks
Brotzman
Brown, Calif.
Broyhill, Va.
Burke, Fla.
Burke, Mass.
Burleson
Burton, Calif.
Burton, Utah
Bush
Button
Byrne, Pa.
Cabell
Carter
Casey
Cederberg
Celler
Clark
Clausen, Don H.
Clawson, Del
Cleveland
Cohelan
Colmer
Conable
Corman
Cowger
Cramer
Cunningham
Daddario
Daniels
Davis, Ga.
Davis, Wis.
Dawson
Delaney
Dellenback
Denney
Dent
Dickinson
Diggs
Dingell
Dole
Donohue
Dorn
Dow
Dowdy
Downing
Dulski
Duncan
Eckhardt
Edmondson
Edwards, Ala.
Edwards, La.
Eilberg
Erlenborn
Esch
Evans, Colo
Everett
Fallon
Farbstein
Fascell
Feighan
Findley
Fisher
Flood
Flynt
Foley
Ford, Gerald R.
Ford, William D.
Fountain
Friedel
Fulton, Tenn.
Fuqua
Galifianakis
Garmatz
Gathings
Gettys
Gibbons
Gilbert
Gonzalez
Gray
Green, Oreg.
Green, Pa.
Griffin
Grover
Gubser
Gurney
Hagan
Haley
Hall
Halleck
Halpern
Hamilton
Hammerschmidt
Hanley
Hanna
Hansen, Wash.
Hardy
Harrison
Harsha
Hathaway
Hawkins
Hays
Hébert
Hechler, W. Va.
Heckler, Mass.
Helstoski
Henderson
Hicks
Hosmer
Howard
Hull
Hungate
Ichord
Irwin
Jarman
Joelson
Johnson, Calif.
Jones, Ala.
Jones, Mo.
Jones, N.C.
Karsten
Karth
Kazen
Kee
Keith
Kelly
Kirwan
Kleppe
Kluczynski
Kyl
Laird
Langen
Lennon
Lipscomb
Lloyd
McCarthy
McCloskey
McClure
McDonald, Mich.
McEwen
McFall
McMillan
Macdonald, Mass.
Machen
Mahon
Mailliard
Martin
Mathias, Calif.
Mathias, Md.
Matsunaga
Mayne
Meeds
Meskill
Michel
Miller, Calif.
Miller, Ohio
Mills
Mink
Mize
Monagan
Montgomery
Moore
Moorhead
Morgan
Morris, N. Mex.
Morton
Mosher
Moss
Murphy, Ill.
Murphy, N.Y.
Myers
Natcher
Nedzi
Nelsen
Nichols
Nix
O'Hara, Mich.
Olsen
O'Neal, Ga.
O'Neill, Mass.
Passman
Patman
Patten
Pelly
Pepper
Perkins
Pettis
Philbin
Pickle
Pike
Poage
Podell
Pollock
Price, Ill.
Price, Tex.
Pryor
Purcell
Quie
Quillen
Randall
Rees
Reifel
Reinecke
Reuss
Rhodes, Ariz.
Riegle
Rivers
Roberts
Robison
Rodino
Rogers, Colo.
Rogers, Fla.
Ronan
Rooney, N.Y.
Rooney, Pa.
Rosenthal
Rostenkowski
Roth
Roudebush
Roush
Roybal
Ruppe

St Germain
St. Onge
Schadeberg
Scherle
Schwengel
Scott
Selden
Shipley
Shriver
Sikes
Sisk
Skubitz
Slack
Smith, Iowa
Smith, N.Y.
Smith, Okla.
Snyder
Springer
Staggers
Stanton
Steed
Steiger, Ariz.
Stubblefield
Stuckey
Sullivan
Taylor
Teague, Calif.
Teague, Tex.
Tenzer
Thompson, N.J.
Thomson, Wis.
Tiernan
Tunney
Udall
Ullman
Van Deerlin
Vander Jagt
Vigorito
Waldie
Watson
Watts
White
Whitener
Whitten
Wiggins
Willis
Wilson, Bob
Wilson, Charles H.
Winn
Wright
Wyatt
Young
Zablocki
Zion
Zwach

NAYS—86

Abbitt
Adams
Arends
Betts
Biester
Bingham
Bow
Brademas
Broomfield
Brown, Mich.
Brown, Ohio
Broyhill, N.C.
Buchanan
Byrnes, Wis.
Cahill
Carey
Chamberlain
Clancy
Collier
Conte
Corbett
Curtis
Derwinski
Devine
Dwyer
Eshleman
Fraser
Fulton, Pa.
Goodling
Griffiths
Gross
Gude
Harvey
Horton
Hunt
Hutchinson
Jacobs
Johnson, Pa.
Jonas
Kastenmeier
King, N.Y.
Kupferman
Kuykendall
Kyros
Latta
Long, Md.
Lukens
McClory
McCulloch
McDade
MacGregor
Marsh
Minish
O'Konski
Ottinger
Pirnie
Poff
Pucinski
Reid, Ill.
Reid, N.Y.
Rumsfeld
Ryan
Satterfield
Saylor
Scheuer
Schneebeli
Schweiker
Stafford
Steiger, Wis.
Stratton
Taft
Thompson, Ga.
Tuck
Vanik
Walker
Wampler
Watkins
Whalen
Whalley
Widnall
Williams, Pa.
Wolff
Wydler
Wylie
Wyman
Yates

NOT VOTING—39

Anderson, Tenn.
Ashley
Blanton
Boland
Conyers
Culver
de la Garza
Edwards, Calif.
Evins, Tenn.
Fino
Frelinghuysen
Gallagher
Gardner
Giaimo
Goodell
Hansen, Idaho
Herlong
Holifield
Holland
King, Calif.
Kornegay
Landrum
Leggett
Long, La.
Madden
May
Minshall
Morse, Mass.
O'Hara, Ill.
Railsback
Rarick
Resnick
Rhodes, Pa.
Sandman
Smith, Calif.
Stephens
Talcott
Utt
Waggonner

So (two-thirds having voted in favor thereof) the rules were suspended and the bill, as amended, was passed.

The Clerk announced the following pairs:

Mr. Evins of Tennessee with Mr. Utt.

Mr. Madden with Mr. Fino.

Mr. Giaimo with Mr. Sandman.

Mr. King of California with Mr. Goodell.

Mr. Holifield with Mr. Morse of Massachusetts.

Mr. Blanton with Mr. Minshall.

Mr. Anderson of Tennessee with Mr. Talcott.

Mr. Leggett with Mr. Railsback.

Mr. Gallagher with Mr. Frelinghuysen.

Mr. Rhodes of Pennsylvania with Mr. Gardner.

Mr. Waggonner with Mr. Hansen of Idaho.

Mr. Long of Louisiana with Mrs. May.

Mr. Boland with Mr. Smith of California.

Mr. Conyers with Mr. Resnick.

Mr. Rarick with Mr. O'Hara of Illinois.

Mr. Landrum with Mr. Ashley.

Mr. Edwards of Louisiana with Mr. Stephens.

Mr. Holland with Mr. Herlong.

Mr. Kornegay with Mr. de la Garza.

Mr. FULTON of Pennsylvania changed his vote from "yea" to "nay."

Mr. KUYKENDALL changed his vote from "yea" to "nay."

The result of the vote was announced as above recorded.

The doors were opened.

A motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. JONES of Alabama. Mr. Speaker, I ask unanimous consent that all Members may extend their remarks on the bill just passed and include therewith extraneous matter.

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

AUTHORIZING ESTABLISHMENT OF REDWOOD NATIONAL PARK

Mr. ASPINALL. Mr. Speaker, I move to suspend the rules and pass the bill (S. 2515) to authorize the establishment of the Redwood National Park in the State of California, and for other purposes, as amended.

The Clerk read as follows:

S. 2515

That in order to preserve significant examples of the primeval coastal redwood (Sequoia sempervirens) forests and the streams and seashores with which they are associated for purposes of public inspiration, enjoyment, and scientific study, the Secretary of the Interior is authorized to establish an area to be known as the Redwood National Park in Del Norte and Humboldt Counties, California.

SEC. 2. (a) The area to be included within the Redwood National Park is that generally depicted on the map entitled "Proposed Redwood National Park", numbered NP-RED-7113, and dated June 1968, copies of which map shall be kept available for public inspection in the offices of the National Park Service, Department of the Interior, and shall be filed with appropriate officers of Del Norte and Humboldt Counties. The Secretary may from time to time, with a view to carrying out the purpose of this Act and with particular attention to minimizing siltation of the streams, damage to the timber, and assuring the preservation of the scenery within the boundaries of the national park and seashore as depicted on said map, modify said boundaries, giving notice of any changes involved therein by publication of a revised drawing or boundary description in the Federal Register and by filing said revision with the officers with whom the original map was filed, but the acreage within said park shall at no time exceed twenty-eight thousand five hundred acres, exclusive of submerged lands.

(b) Notwithstanding the provisions of subsection (a) of this section, the boundaries of the park and seashore shall not include existing State highways, but the Secretary of the Interior may cooperate with appropriate officials of the State of California and of Del Norte and Humboldt Counties in patrolling and maintaining such roads and highways.

SEC. 3. (a) The Secretary is authorized to acquire lands and interests in land within the boundaries of the Redwood National Park and, in addition thereto, not more than ten acres outside of those boundaries for an administrative site or sites. Such acquisition may be by donation, purchase with appropriated or donated funds, exchange, or otherwise, but lands and interests in land owned by the State of California may be acquired only by donation, and no other lands or interests in land within the boundaries of the park shall be acquired until said State has conveyed or agreed to convey the lands owned by it therein to the United States for the purpose of this Act. If any individual tract or parcel of land to be acquired is partly inside and partly outside said boundaries, the Secretary may, in order to minimize the payment of severance damages, acquire the whole of the tract or parcel, exchange that part of it which is outside the boundaries for land or interests in land inside the boundaries or for other land or interests in land to be acquired pursuant to this Act, and dispose of so much thereof as is not so utilized in accordance with the provisions of the Federal Property and Administrative Services Act of 1949 (63 Stat. 377), as amended (40 U.S.C. 471 et seq.). The cost of any land so acquired and disposed of shall not be charged against the limitation on authorized appropriations contained in section 10 of this Act.

(b) The Secretary is further authorized to acquire, as provided in subsection (a) of this section, lands and interests in land bordering both sides of the highway between the present southern boundary of Prairie Creek Redwoods State Park and a point on Redwood Creek near the town of Orick to a depth sufficient to maintain or to restore a screen of trees between the highway and the land behind the screen and the activities conducted thereon.

(c) In order to afford as full protection as is reasonably possible to the timber, soil, and streams within the boundaries of the park, the Secretary is authorized, by any of the means set out in subsection (a) of this section, to acquire interests in land from, and to enter into contracts and cooperative agreements with, the owners of land on the periphery of the park and on watersheds tributary to streams within the park designed to assure that the consequences of forestry management, timbering, land use and soil conservation practices conducted thereon, or of the lack of such practices, will not adversely affect the timber, soil, and streams within the park as aforesaid. As used in this subsection, the term "interests in land" does not include fee title unless the Secretary finds that the cost of a necessary less-than-fee interest would be disproportionately high as compared with the estimated cost of the fee. No acquisition shall be effectuated except by donation and no contract or cooperative agreement shall be executed by the Secretary pursuant to the provisions of this subsection until sixty days after he has notified the President of the Senate and the Speaker of the House of Representatives of his intended action and of the costs and benefits to the United States involved therein.

(d) Upon agreement by the State of California to administer the same as a part of its State park system, the Secretary is authorized to acquire, by any of the means set out in subsection (a) of this section, the tract of land comprising approximately three hundred and ninety acres, in sections 5, 8, and 9, township 1 north, range 2 east, which is frequently referred to as the Van Duzen grove and, upon request of the State, to transfer title to said tract to it Said title shall revert to the United States if the State fails or ceases to administer the land for public park and recreation purposes or if it attempts to transfer the title to any third party for any purpose.

SEC. 4. (a) Improved property within the boundaries of the Redwood National Park shall not be subject to condemnation as long as it conforms to zoning bylaws established by the county in which the property is situated, which bylaws conform to standards set by the Secretary. Such bylaws shall be designed among other things, (i) to permit only such minor improvements on the property as are compatible with the purpose of the park and seashore and (ii) to promote the purpose of the park and seashore by establishing acreage limits, frontage and setback requirements, and procedures for giving public notice of zoning, variances, and exceptions.

(b) The owner of improved property on the date of its acquisition by the Secretary under this Act may, as a condition of such acquisition, retain for himself and his heirs and assigns a right of use and occupancy of the improved property for noncommercial residential purposes for a definite term of not more than twenty-five years or, in lieu thereof, for a term ending at the death of the owner or the death of his spouse, whichever is later. The owner shall elect the term to be reserved. Unless the property is wholly or partially donated to the United States, the Secretary shall pay the owner the fair market value of the property on the date of acquisition minus the fair market value on that date of the right retained by the owner. A right retained pursuant to this section shall be subject to termination by the Secretary upon his determination that it is being exercised in a manner inconsistent with the purpose of this Act, and it shall terminate by operation of law upon the Secretary's notifying the holder of the right of such determination and tendering to him an amount equal to the fair market value of that portion of the right which remains unexpired.

(c) The term "improved property", as used in this section, means a detached, noncommercial residential dwelling, the construction of which was begun before October 9, 1967, together with so much of the land on which the dwelling is situated, the said land being in the same ownership as the dwelling, as the Secretary shall designate to be reasonably necessary for the enjoyment of the dwelling for the sole purpose of noncommercial residential use, together with any structures accessory to the dwelling which are situated on the land so designated.

SEC. 5. In exercising his authority to acquire lands and interests in land by exchange under this Act, the Secretary may accept title to non-Federal property and transfer to the grantor any federally owned property under his jurisdiction in the State of California, except property needed for public use and management, which he classifies as suitable for exchange or other disposal. The values of the properties so exchanged either shall be approximately equal or, if they are not approximately equal, shall be equalized by the payment of cash to the grantor or to the Secretary as the circumstances require.

SEC. 6. Notwithstanding any other provision of law, any Federal property located within any of the areas described in sections 2 and 3 of this Act may, with the concurrence of the head of the agency having custody thereof, be transferred without consideration to the administrative jurisdiction of the Secretary for use by him in carrying out the provisions of this Act.

SEC. 7. (a) Notwithstanding any other provision of law, the Secretary shall have the same authority with respect to contracts for the acquisition of land and interests in land for the purposes of this Act as was given the Secretary of the Treasury for other land acquisitions by section 34 of the Act of May 30, 1908 (35 Stat. 545, 40 U.S.C. 261), and the Secretary and the owner of land to be acquired under this Act may agree that the purchase price will be paid in periodic installments over a period that does not exceed ten years, with interest on the unpaid balance thereof at a rate which is not in excess of the current average market yield on outstanding marketable obligations of the United States with remaining periods to maturity comparable to the average maturities on the installments.

(b) Judgments against the United States for amounts in excess of the deposit in court made in condemnation actions shall be subject to the provisions of section 1302 of the Act of July 27, 1956 (70 Stat. 694), as amended (31 U.S.C. 724a) and the Act of June 25, 1948 (62 Stat. 979), as amended (28 U.S.C. 2414, 2517).

SEC. 8. The present practice of the California Department of Parks and Recreation of maintaining memorial groves of redwood trees named for benefactors of the State redwood parks shall be continued by the Secretary in the Redwood National Park.

SEC. 9. The Secretary shall administer the Redwood National Park and Seashore in accordance with the provisions of the Act of August 25, 1916 (39 Stat. 535, 16 U.S.C. 1-4), as amended and supplemented.

SEC. 10. There are hereby authorized to be appropriated not more than $56,750,000 for acquisition of lands and interests in land pursuant to section 3 of this Act and not more than $10,000,000 for necessary developments within the Redwood National Park.

The SPEAKER pro tempore (Mr. ALBERT). Is a second demanded?

Mr. SAYLOR. Mr. Speaker, I demand a second.

Mr. BURTON of California. Mr. Speaker, I demand a second.

The SPEAKER pro tempore. The gentleman from Pennsylvania [Mr. SAYLOR] has demanded a second. Is the gentleman from Pennsylvania opposed to the bill?

Mr. SAYLOR. In its present form I am, Mr. Speaker.

The SPEAKER pro tempore. The gentleman qualifies.

Without objection, a second will be considered as ordered.

There was no objection.

Mr. ASPINALL. Mr. Speaker, I yield myself 5 minutes.

Mr. Speaker, as I begin the discussion on this important bill, may I say first of all that what we do here at this time is not to finalize our action on the redwood bill. That final work will be done in conference and then finally, after conference, by House action on the conference report.

I wish to say that I personally shall try to find in conference the answers by which the acreage can be increased to a reasonable and logical amount.

Final committee action, and now this House action, have had to await congressional approval of the land and water conservation fund bill which has been signed today at a ceremony held, because of work here in the House, without those legislative architects primarily responsible for the legislation unable to attend the signing ceremony.

With the land and water conservation bill being finally approved, there is made available within the next 5 years approximately $400 million of which $276 million is already pledged and legislative priorities for expenditures established. As we consider the bills on the calendar today and those yet remaining before the committee we are considering another $150 million to $200 million of authorization. Accordingly, we must consider all of the equities and priorities now established and to be established in considering redwood legislation. There is just so much money and that amount of money must be considered in the time elements fair to all parts of the Nation.

Some may object to the procedure of consideration now being followed in the discussion of this legislation. However, under existing situations with the drive toward adjournment, this is the only sure way we have of getting a redwoods bill passed this Congress—and that must be done for all parties concerned.

Mr. Speaker, the Committee on Interior and Insular Affairs brings before the House today three major pieces of legislation in the field of parks and outdoor recreation. I want to start off my remarks by offering my thanks to all members of the committee. Without their help it would have been impossible for us to do this. I want especially to thank the chairman of our Subcommittee on National Parks and Recreation, the Honorable ROY A. TAYLOR, and the ranking minority member of the committee, the Honorable JOHN P. SAYLOR. Both of these colleagues of ours are experienced in this field of legislation, and both have devoted long and strenuous hours of work listening to witnesses here in Washington and in the field, trying to understand issues, reconciling differences of opinion, and working out the details of the bills in such a way that they would honestly reflect the thinking of the committee and work for the good of the country. But for their work and cooperation, we would not have a Redwood National Park bill before the House today and we would not have a scenic rivers bill or a national trails bill, for all three of these proposals have had elements of controversy about them that it was essential be resolved as fully and fairly as possible.

It has long been evident that a redwood park would be a valuable addition to the collection of national assets that we refer to as the national park system. This is so, not because the State of California has been doing less than a good job in preserving some of the superlative groves of redwoods that still exist, but because more ought to be done than it is fair to expect the State to do by itself and because the redwoods are, after all, as much a unique heritage of our whole generation, regardless of where we live, as is the Grand Canyon or the sequoias or Old Faithful or any other of a dozen or two dozen of the natural wonders of the Western Hemisphere that you or I could mention.

Whether there should be a Redwood National Park has never been a big or a controversial question in the minds of most of us. Our two big problems, rather, have been first where the park should be and second, how large it should be. These, I may add, have been problems not only for us on the committee but for everybody else who has interested himself in this legislation—for the conservation organizations, for the Department of the Interior and its agencies, for the State, for the two counties that are involved, and for the landowners affected. There is no need to do more than mention some of the subsidiary controversies that these two questions involved and that had to be resolved: Whether the park should be exclusively in Del Norte County or exclusively in Humboldt County or in both; whether it should encompass the whole or a large part of a single watershed—Mill Creek, for instance, or Redwood Creek—or whether it would be better to include parts of several watersheds; whether it should be regarded almost exclusively in the light of its preservation objectives or whether emphasis should also be placed on outdoor recreation values; whether and, if so, how its creation could be reconciled with the economy of the area in which it is located—and by this I mean not so much the business interests of the four major timber companies that are operating in the area as I do the jobs of their employees and the tax base of the communities in which they are operating—and, just to bring this recitation to a close, how far above or below the Budget Bureau's ceiling on land acquisition costs for this enterprise we would be justified in going. For a while, it looked as though these problems might be insurmountable. But I think I can say that we have worked out a bill which, though it will not leave many people fully satisfied, will give us a Redwood National Park that will be a worthy addition to the national park system, it will not exceed the Budget Bureau ceiling in cost, and will not cripple the economy of either Del Norte or Humboldt County or anyone operating in them.

Mr. Speaker, I am going to leave it to my colleague, the gentleman from North Carolina who is chairman of our Subcommittee on National Parks and Recreation, to tell the House about the details of the committee amendment. Let me give you the overall figures, however: Our bill calls for a national park containing about 28,400 acres, of which about 18,500 acres are primeval redwood land—land that has never been cut. The park will contain the tallest trees on the face of the globe, as far as we know, and it will contain trees the average age of which is 800 years or more. I may add parenthetically that 800 years is a ripe old age for anybody and that 2,200 years—the estimated age of a few of these trees—might well make Methuselah envious. It will be made up in part of land that is now in two State parks and that will have to be donated to the Government. The remainder of the area, about 9,900 acres, will have to be purchased. It also contains about 24 miles of coastline, a meritorious feature of the bill to which I think insufficient attention has been paid. The estimated land acquisition cost under these and other provisions of the bill—I refer to acquisition of the 390-acre Van Duzen tract which we propose to turn over to the State and the acquisition of certain protective easements—is estimated to be $56,750,000, and the cost of necessary developments is estimated at $10 million. Our bill limits authorized appropriations accordingly.

Mr. Speaker, I wish that we could have authorized an even more spacious park than we have but I want to affirm my belief, my strong belief, that we have here a park that is worthy of the name in all respects and that will, in truth, do what we want a national park to do—preserve for posterity a significant and unique piece of America. I also want to say that never in my 20-odd years of experience with park legislation have I encountered a proposal which had as many different controversial aspects to it as this one does. I realize that the final boundaries of the park have not been set, that we will have to go to conference on this measure, and that some adjustments are almost certain. In the meantime, I commend the committee's work to the House and ask for your support in suspending the rules and passing the bill, as amended.

Mr. BURTON of California. Mr. Speaker, will the gentleman yield?

Mr. ASPINALL. Mr. Speaker, I yield to the gentleman from California.

Mr. BURTON of California. Mr. Speaker, in the event suspension of the rules is denied because the two-thirds vote is not received, I have two questions to put to our distinguished chairman:

First. Would the chairman seek a rule from the Rules Committee?

Second. If granted a rule, would the chairman bring the bill before the House so the House can work its will?

Mr. ASPINALL. Mr. Speaker, the chairman will say we have already sought a rule from the Rules Committee. We did that as soon as the report was filed. The understanding, in regard to the granting of a rule, is that time has run out.

As far as the other question, that will depend entirely on the wishes of the committee.

May I say to my friends in the House, I am as much a supporter of redwood legislation as any Members of this body, regardless of the telegrams and letters Members have received. I am also a supporter of recreation throughout the United States for all parties and for all places and for all people. I get just a little bit concerned when we have $400 million to use for acquisition within the next 5 years, and we have $276 million of that already pledged. That leaves only $124 million for future acquisitions from such fund. We have before the committee at this time for consideration legislation, including redwoods at $55 million, total authorizations of $193 million.

Let us be honest with each other. Are we going to have an Assateague Island, as it was proposed? Are we going to have a Padre Island, as it was proposed? Are we going to have many of these facilities for which the Members have voted, with certain few exceptions, or are we going to keep on being dishonest with our colleagues and our constituents?

Mr. SAYLOR. Mr. Speaker, I yield myself 4 minutes.

Mr. Speaker, I regret that this legislation comes before the House under the "push" and pressure of adjournment of the Congress. It is this situation and a desire to move the bill at this session of the Congress which causes me and other members of the committee to reluctantly support a very limited Redwood National Park proposal, as included in the House bill.

It is only because of the faith which I and other Members on my side of the aisle have in the word of the gentleman from Colorado, the distinguished chairman of our committee, who has made to me on a number of occasions in private the statement which he just made on the floor of the House, which causes me to ask the Members to suspend the rules and vote for this piece of legislation. The final bill will be written when we go to conference.

I would like to discuss what the Senate bill does, because it is our expectation of working out a bill, in conference, so the House may work its will on the conference report, and I pledge to the Members my efforts for a larger Redwood National Park.

The Senate bill (S. 2515), as amended, and as reported by the House committee, provides for the establishment of a Redwood National Park consisting of approximately 28,358 acres, of which approximately 18,460 acres are virgin growth, at a cost of approximately $67 million for acquisition and development. One of the major defects of this House bill is that of the approximately 28,000 acres proposed for a Redwood National Park, approximately two-thirds of the land, or 18,847 acres are already preserved in State parks which are to be acquired by donation. The remaining 9,553 acres are to be purchased and developed by the Federal Government at a cost of approximately $67 million.

The bill (S. 2515), as reported by the other body, would authorize a two-unit Redwood National Park consisting of 66,384 acres, of which 33,330 acres are virgin or old growth, at an estimated cost of $99,810,000 for acquisition and development.

In the bill passed by the other body, approximately one-half or 33,395 acres are federally or State-owned lands. The remaining 32,989 acres are to be acquired or developed.

Only about 10 percent of the original virgin redwood forest remains, and only about 2½ percent is preserved in State parks. The establishment of a meaningful Redwood National Park will only increase the percentage to 3 or 4 percent.

The primary objective of this legislation is the conservation of the grandeur and inspirational qualities of virgin stands of these age-old giants in their natural setting.

A comparison of the bill as passed by the other body and as reported by the House Committee on Interior and Insular Affairs in relation to this principal objective is most interesting. The bill as reported by the other body proposes the acquisition of 12,905 acres of privately-owned virgin or old growth redwoods. The bill as reported in the House proposes the acquisition of only 5,360 acres of privately-owned virgin or old growth redwoods. On the basis of the value received for the dollar spent, it is clear that the bill as reported to the House is the best of a bad bargain.

Mr. Speaker, the redwood groves and forests in California constitute some of the most extraordinary scenery in the world. The redwoods are indeed of national and international significance. The conservation of this natural resource for the benefit and enjoyment of future generations of Americans is a most worthy effort. If we are to do this, we must act now, because as we talk the chainsaws buzz as the law of supply and demand also applies to the manufacturing of redwood products.

This bill could very well be the last opportunity to preserve large groves of virgin and old growth redwoods.

Mr. Speaker, I urge the rules be suspended and that the bill before the House be passed.

Mr. GERALD R. FORD. Mr. Speaker, will the gentleman yield?

Mr. SAYLOR. I yield to the gentleman from Michigan.

Mr. GERALD R. FORD. Mr. Speaker, I would like to compliment the distinguished chairman of the Interior and Insular Affairs Committee [Mr. ASPINALL], and the highly capable ranking minority member of the committee [Mr. SAYLOR], for their work in steering this Redwood National Park legislation to the floor of the House. It is a tribute to their efforts and those of others in this body that we today have this opportunity to create a worthy Redwood National Park in the face of trying difficulties. This opportunity to establish the proposed park reflects the wisdom, experience, guidance and understanding service rendered America by Mr. ASPINALL and Mr. SAYLOR, courageous conservationists both. I feel certain that the House can go to conference with the Senate on this legislation with the feeling that the situation is in most capable hands.

Another gentleman who has helped us to resolve the Redwood National Park issue is Representative DON CLAUSEN, distinguished Representative from California's First District and himself a product of the great redwood forest region. Mr. CLAUSEN has offered his considerable knowledge and guidance to the Members of the House on this most sensitive of conservation matters.

Many others in this body also devoted themselves to a reasonable resolution of the Redwood National Park issue and therefore deserve the gratitude of the House and all citizens of America. I register my appreciation for their efforts by strongly supporting this legislation that would preserve the magnificent redwoods of California for all Americans to enjoy in ages to come.

Mr. SAYLOR. I thank the gentleman.

Mr. KYL. Mr. Speaker, will the gentleman yield?

Mr. SAYLOR. I yield to the gentleman from Iowa [Mr. KYL], a member of the committee.

The SPEAKER pro tempore (Mr. ALBERT). The time of the gentleman from Pennsylvania has expired.

Mr. SAYLOR. Mr. Speaker, I yield myself 1 additional minute.

Mr. KYL. Mr. Speaker, I thank the gentleman for yielding.

In the consideration of this measure I believe we should mention the differences between the two bills. The bill that comes from the other body does include a provision for exchange of lands in the purchase unit. There are many conservationists who object to this procedure, yet if we reduced the size of harvestable acres now sustaining the lumber industry some such procedure as this might be necessary. This is a point which will have to be discussed in conference.

I am not talking here about putting some industry out of business. What I am talking about is jobs for people who live in the area and who rely on this operation.

Mr. BURTON of California. Mr. Speaker, will the gentleman yield?

Mr. SAYLOR. I yield to the gentleman from California.

Mr. BURTON of California. Would the gentleman in the well explain what appears to be an inconsistency to this Member? I understood the gentleman to qualify, when he demanded a second, by stating he opposed the bill. If I understood the gentleman's statement to the House correctly, he is now speaking in favor of the bill.

Would the gentleman clarify this apparent inconsistency to at least this one Member?

Mr. SAYLOR. I do not believe there is an inconsistency at all. I said I was not satisfied with the bill, but I thought this was the only way we would get a Redwoods National Park.

Mr. ASPINALL. Mr. Speaker, I yield 5 minutes to the gentleman from North Carolina [Mr. TAYLOR].

Mr. TAYLOR. Mr. Speaker, probably the most publicized measure before our Subcommittee on National Parks and Recreation during this Congress is the one we are now taking up—the proposal to create a Redwood National Park. It has created more wide-spread interest and generated more mail than any other that I can think of. We had a count made of all the communications received by the committee—postcards, letters, coupons, telegrams, petitions, and so on—and found that, through June 15 of this year, we had received a total of 23,104 signatures. Much of this mail, of course, was what we on the Hill commonly refer to as "pressure mail." But much of it was reasoned mail, too, and as such deserved serious and thoughtful consideration. The long and short of it, however, is that the great bulk of the communications were in favor of the creation of a Redwood National Park.

I want to spend most of my time pointing out the more important features of the bill the committee is recommending. Every redwood park proposal that has been made has had its core in one or more of the existing State redwood parks. The committee proposal is no exception to this. Such inclusion is inescapable for three reasons: First, the State redwood parks are so located astride the redwood belt that a national park that did not include one or more of them would not be worthy of being called a park. Second, the State parks contain much of the very best primeval redwoods that exist. Third, even assuming for the sake of the argument that sufficient redwoods could be assembled to warrant a national park without including any of the State park lands, the cost of doing so—whether in terms of dollars out of the Treasury or in terms of its impact on jobs and the local economy—would be so enormous that it would be unthinkable.

The core of the committee proposal, therefore, is two State parks—Del Norte Coast State Park and Prairie Creek State Park, one comprising 6,375 acres, the other 12,112 acres. Within these two areas, there are an estimated 13,100 acres of old-growth timber.

The second feature of the committee's recommendation is its inclusion in the park of a corridor, about a half mile wide, on both sides of Redwood Creek for a distance of 15½ miles. This corridor includes two areas that have been given a lot of publicity lately. One is the "tall trees" unit where, it is believed, the tallest redwood trees in existence grow. The other is the so-called Emerald Mile.

Members of our committee visited the "tall trees" area and, I think I can say, every one of us was impressed with the desirability of including it in the park. I did not myself get into the "Emerald Mile" but those of my colleagues who did so came back from their trip extremely enthusiastic about its beauty and its worthwhileness as a part of the park. The whole of the Redwood Creek corridor that I have been talking about comprises nearly 5,000 acres, about 3,400 of which are in virgin forest.

The committee amendment also provides for including within the park about 2,800 acres of land adjacent to the Emerald Mile. Nearly 1,800 of these are in old-growth timber. This area reaches from ridge to ridge on both sides of the Emerald Mile. It is important for two reasons: First. It will protect both the Emerald Mile itself and the view across the valley from the Bald Hills road. Second. It will allow those who are administering the park to plan on and install camping facilities for those who wish to be near but not in the redwoods.

A fourth feature of the committee's recommendation is the inclusion of about 24 miles of coastline in the park. This rugged stretch of seashore, which includes the important Gold Bluffs area, may well turn out to be one of the most popular parts of the entire project and will give it a far wider appeal than it would otherwise have.

This, Mr. Speaker, summarizes the four main points of the Redwood National Park that the committee recommends. But the bill that is now before the House contains three other provisions to which I want to call attention. The first is the provision for acquiring a 390-acre tract, commonly referred to as the Van Duzen Grove, outside of the park and too far from it for efficient administration as part of the park, and for presenting this tract to the State of California for administration in conjunction with the State park system. Much of this land, which is owned by the Georgia-Pacific Lumber Co., is covered by superlative park-quality old-growth timber which as fully deserves protection as do the acres within the park proper.

A second important adjunct to the park provisions in the bill is the portion of the committee amendment which provides that the Secretary of the Interior may enter into agreements concerning, or obtain rights in, lands around the perimeter of the park in order to insure, as far as this can be done, that activities outside the park will not seriously diminish the values for which the park is being set up. I refer to such activities as clear-cutting right along the park boundary and improper care of upstream lands. Such activities might, in one case, leave the trees within the park subject to serious danger of blow-down or, in the other, lead to siltation of its streams and, therefore, to increased flood hazards.

Finally, the committee amendment provides for acquisition of a narrow strip of land on both sides of Route 101 between the southern end of Prairie Creek State Park and the town of Orick, a distance of 4 miles, in order to protect the view from the road. A visitor emerging from Prairie Creek State Park today gets a sudden shock at the change of scenery he encounters. We want to restore this strip of roadside land to prevent this from happening.

Mr. Speaker, to what I have just said, I want to add one more thought: I realize that many people for whom I have great respect think that our committee has recommended too small a park, that it has drawn the boundaries too tight, that it has been keeping too close an eye on cost and not enough of an eye on beauty. Now let me mention one problem that we faced. We thought it necessary to include some of the State park lands for the reasons mentioned above. All of the 49 bills before the committee called for the inclusion of one or more of the State parks.

The 15 members of the House Subcommittee on National Parks and Recreation who attended the hearings at Eureka, Calif., recall that the representative of the Governor of California testified that the Governor would recommend to the State Legislature that the State park land needed in the national park be donated by the State of California to the Government. But one condition of the donation recommendation was that in creating the national park we protect the local economy by not putting any of the lumber companies out of business. The Senate-passed bill and most of the House bills would put one or more of the four lumber companies affected out of business.

Let me say this. If the country is disappointed that the committee did not do more, it will be doubly disappointed if the House does less. We still have quite a distance to go before we have any Redwoods National Park at all. We all know that there will have to be a conference with the other body in order to reconcile the differences, the very substantial differences, between the Senate and House versions of this bill. But there can be no conference until we in the House pass a bill here. It would be tragic, in my opinion, if the 90th Congress were to adjourn without having provided for the creation of a Redwood National Park. I, therefore, urge all of you—all of my colleagues—to support the motion to suspend the rules and to pass the bill, as amended.

Mr. RYAN. Mr. Speaker, will the gentleman yield?

Mr. TAYLOR. I will be glad to yield to the gentleman.

Mr. RYAN. Mr. Speaker, I thank the distinguished gentleman from North Carolina for yielding to me.

I was delighted to hear the chairman of the Subcommittee on National Parks and Recreation, the gentleman from North Carolina [Mr. TAYLOR], specifically refer to the importance of the uplands area adjacent to the Emerald Mile from ridge to ridge. As a result of the adoption of my amendment, the full committee included this 2800 acres which are essential to protect the Emerald Mile and preserve the ecology.

Mr. TAYLOR. The bill now includes that area ridge to ridge at the Emerald Mile.

Mr. SAYLOR. Mr. Speaker, I yield such time as he may consume to the distinguished gentleman from Massachusetts [Mr. CONTE].

Mr. CONTE. Mr. Speaker, I wish to take this opportunity to commend the gentleman from Pennsylvania for the hard work he has put in toward bringing this bill to the floor of the House for consideration today.

Mr. Speaker, my thoughts coincide with the thoughts which have been expressed by the gentleman from Pennsylvania. I support this legislation.

Mr. Speaker, I want to save the redwoods; a great many of my colleagues want to save the redwoods; the people of my district want to save the redwoods; and the people of the Nation want to save the redwoods. We are not content with redwood striplings; we want to save the real article, the full-grown, oldstand redwood, the tallest trees on the earth, four times as old as this country, some as old as the christian era. We want to save these redwoods in their primeval forests. We want to save these forests themselves. We don't want them felled by winds or washed away by erosion. There is more to saving a redwood than putting a fence around a tree.

A Redwoods National Park worthy of the name has to protect the whole ecology of the redwood tree. It has to protect the rivers they grow on and it has to protect the watersheds of these rivers. We are all familiar with Public Law 566.

This law provides for watershed protection. Congress, in passing this law, demonstrated its understanding of the importance of watershed areas. This principle applies to all rivers. Redwood Creek, Little Lost Man Creek, Lost Man Creek, and Skunk Cabbage Creek are no exceptions. What good is it to preserve a tree if you chop up its roots and wash the land from under it? You are left with a museum exhibit, not with a national park.

I could talk for hours about the wonders of the redwood tree. But you already know what a glorious living thing it is, how it dwarfs our petty humanity, how it puts our life and works into perspective. You have read about it in grade school. So has every child and adult in this country. These trees have made an impression on every child educated in America. People know and love these trees, even in my own district on the other side of the continent. These trees should be in the national park system fully as much as the Yellowstone geysers. In our wisdom, we have surrounded Old Faithful with 2 million acres of park and wildlife sanctuary. We are doing about one one-hundredth as much for the redwoods.

I would like us to establish as large a Redwoods Park as possible, of course consistent with our resources and with a just regard for the local economy. I think we could certainly do better than the 28,000 acres contained in this bill, most of which consists of State parks. We should include more of the Prairie Creek watershed, which contains such a varied and curious spectrum of the history and life of the redwood species. I wish I could explain the ecology of this watershed but I cannot. It is a scientific mystery. Trees of five species along this river have grown to world record heights. This valley has produced redwood, Douglas-fir, western hemlock, grand fir and red alder unlike any found elsewhere in the world. No one knows why this should be. If we leave this basin open to the worst that man can do, no one will ever know.

The bill before us is a disappointing bill. We have a chance to do so much and we have not taken it. I would much prefer the full Senate plan, and even more. But if the alternative is this bill, unamended or nothing at all, I will support this bill.

I support it in the hope, however, that the Senate and House conferees will act like men of wisdom and will do more than split the difference between the two versions. I hope they will realize the need for protecting the ecology of this primeval, virgin forest, and will act accordingly.

Mr. SKUBITZ. Mr. Speaker, will the gentleman yield?

Mr. SAYLOR. I yield to the gentleman from Kansas [Mr. SKUBITZ].

Mr. SKUBITZ. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Kansas?

There was no objection.

Mr. SKUBITZ. Mr. Speaker, I rise in support of this legislation, S. 2515, a bill to authorize the establishment of a Redwood National Park in the State of California and for other purposes.

S. 2515, as amended, and reported by the House Committee on Interior and Insular Affairs provides for the establishment of an 18,500-acre Redwood National Park in Del Norte and Humboldt Counties in California. The estimated cost of acquiring the lands and interests in lands for the proposed park is $56,750,000, with development costs estimated to be $10 million.

The Subcommittee on National Parks and Recreation, on which I have the privilege to serve as minority counterpart subcommittee chairman, had before it 48 bills which called for the establishment of a Redwood National Park. These bills ranged in form from a 91,000-acre Redwood National Park to the 18,500-acre proposal reported by the House committee.

The task before the subcommittee and the full committee I want to state was not an easy one. The economy of northwestern California is predominantly dependent upon the timber industry and specifically upon the harvesting of redwoods. At the same time the conservationists have appropriately sought to preserve these magnificent redwoods as a part of our national heritage.

At one time it was estimated that there existed over 3,000 square miles of redwoods. Today less than 500 square miles of virgin redwoods are left or about 300,000 acres. In the 250,000 acres of privately owned redwood forests logging is being conducted at the rate of more than 25 acres per day or 10,000 acres per year.

The reduction in total acreage of redwoods is astounding when we consider that such logging has taken place since California became a State 118 years ago and today less than 300,000 acres of virgin redwoods remain. The need to preserve some of the original redwoods is therefore obvious.

Mr. Speaker, the Committee on Interior and Insular Affairs has adequately resolved the issues surrounding the establishment of a Redwood National Park in reporting S. 2515, as amended. The bill as amended does not, so far as possible, create economic chaos in the timber industry of northwestern California, while the bill at the same time does provide for the establishment of what is in my opinion a meaningful National Redwood Park.

Mr. Speaker, the history of the redwoods goes back to the age of the dinosaurs and some have been growing, I am told, for a thousand years or more along the northern coast of California. Their majesty and beauty are a sight to behold and I am happy to support the passage of this legislation as a worthwhile addition to the national park system and the conservation of our natural heritage.

Mr. WYATT. Mr. Speaker, will the gentleman yield?

Mr. SAYLOR. I yield to the gentleman from Oregon [Mr. WYATT].

Mr. WYATT. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and include extraneous matter.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from Oregon?

There was no objection.

Mr. WYATT. Mr. Speaker, it is gratifying to know that the House Interior and Insular Affairs Committee shares with the people of the redwood region their love for the spectacular beauty of the Van Duzen groves and has provided for their acquisition in the pending legislation. The preservation of this virgin climax redwood forest so accessible to the public alongside the Van Duzen River in public ownership will offer in one convenient area all the varied scenic and recreational attractions of the redwood region.

By this action, the Congress also will keep faith with the owners of the property, who for many years have pledged to keep the land in its virgin state until the Government can find the money to acquire it for public purposes. This has been accomplished by the lumber company owners at considerable expense During the last 20 years, they have continued to protect the groves from fire and other damages and have continued to pay taxes on the land and taxes on the timber until the Government moves. During these years they have also developed these lands and maintained them for the use and enjoyment of thousands of visitors yearly. There are many, in fact, who believe that these Van Duzen groves are the most magnificent in the entire redwood region. By acquiring these outstanding lowland groves along the Van Duzen the Congress will not only serve the cause of redwood preservation and provide unusual recreational attractions, but will honor its obligations to these public-spirited landowners.

Mr. DON H. CLAUSEN. Mr. Speaker, will the gentleman yield?

Mr. SAYLOR. I yield 5 minutes to the gentleman from California [Mr. DON H. CLAUSEN].

Mr. DON H. CLAUSEN. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and to include extraneous matter.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. DON H. CLAUSEN. Mr. Speaker, we have before us today legislation that certainly has been on the minds of many people throughout this country.

Mr. Speaker, as I take the rostrum today, I could not feel more proud and pleased. The work of five decades and more is before us. Up until now, the inclusion of breathtakingly beautiful redwood forests in our national park system has eluded us. But today we have an opportunity to bring it about. The prospect is so near we must not fail to grasp it.

Certainly, there are those who will say that the Redwood National Park spelled out in this legislation is not all that they or others might want. This is straining over details when the real issue before us, first of all and most importantly, is whether we will get a Redwood National Park at all. I feel confident that the 90th Congress will have the right answer.

A miserly attitude on the one hand—and I am just as close with the taxpayers' dollar as anyone else—will not do it.

I do say that we must get the most in superlative redwood groves and unspoiled seashore for the minimum cost.

Overzealousness, on the other hand, can be just as fatal. Those who feel we should acquire all redwood trees from here to forever, and who cringe at the sight of a picnic table, pose a real threat to their own goals. Their motives are high and their dedication awesome.

But the time arrives sooner than we expect when we must take a practical look at what we want, what we have to work with, and what we can reasonably accomplish under the circumstances. Among these practical matters is the financial limitation I mentioned earlier. Another, and most pertinent now is the time element. We all know the great backlog of work in each of our committees and offices and the tall stack of legislation this represents.

Some will say that they do not like the way this Redwood National Park bill is being presented to the Members of the House, although it is a normal procedure of this body. They will say that they would like to add this watershed or that watershed to the park delineated in this bill to give direction to the chairman of our committee and his fellow conferees when they meet with those of the other body.

To them, I will say that to change direction at this late date might be a fatal mistake to their own cause. This may be the only chance we will get to vote up or down on the basic issue of creation of a redwood national park. To seek a rule and another day of debate would put this issue in direct competition for time with many other matters of great importance. There is a great question whether we will have time for all and, if not, which will fall by the wayside.

As one who spent his life among the redwoods, and who represents the district in which almost all of them grow, I will be recorded in favor of a redwood national park. I have confidence in the time-proven procedures of this body. I have great and abiding confidence, also in the gentleman from Colorado [Mr ASPINALL].

I feel assured that the gentleman, with the ranking minority member and their selected colleagues, will confer and return with a redwood national park all of us will be proud to approve. They will not be limited in their scope. All of the forests and watersheds discussed on this floor today are either in our committee's bill or the Senate bill and will be proper subjects for consideration in the conference.

This effort has been underway for many, many years. While the Congress has come to grips with it, and failed to designate such a park up until now, the Save-the-Redwoods League and the State of California have been quietly preserving the very best redwood forests. With donated funds and matching funds from the State, more than 100,000 acres of redwoods have been purchased and are now in State parks. Carefully selecting the superlative groves and their adjacent seashores and buying them with preinflation dollars, the Save-the-Redwoods League and the State already have accomplished much of the work.

All we have to do—and this is my basic premise—is to accept our basic responsibility to include the beautiful, unique, and majestic redwoods in our national park system. This, on the 50th anniversary of the Save-the-Redwoods League, would be a fitting monument to its foresight and years of work and dedication.

My own recommendation has been that the exceptional forests in three of the State parks should be the base for our national park. It should be large enough to contain these "crown jewels" and others—the Emerald Mile of Redwood Creek, the world's tallest trees, Gold Bluffs, Fern Canyon, and the Roosevelt elk grazing areas. All of these, save one of the State parks, is in the bill presented by our committee and before us today.

A number of other factors have been key considerations in the evolution of this legislation. I have emphasized length so that tourists may drive for 30 to 50 miles along the Redwood Highway without leaving the park. Because the redwoods grow in coastal canyons and adjacent hillsides where the ocean fog reaches to feed them, a great stretch of beautiful seashore is now and should always be associated with these coast redwoods—in fact, in name, and in description.

These are areas of unlimited recreational potential, and nearly 30 miles of seashore is included in the committee bill. For this reason, I strongly recommend that every consideration be given in conference or by the Park Service identifying and naming to this park the Redwood National Park and Seashore.

There are a number of reasons for this. Recreation connected with this seashore will be a major attraction to family vacationers for intensive recreation, such as camping, fishing, beachcombing, clamming, and so forth. This feature should be promoted in the title to help attract the tourists and help achieve the optimistic predictions of the Park Service in benefit to the local economy. On the other hand, recreation in the redwoods can be damaging to the trees themselves, and they should be preserved as "museum" attractions for nature walks of relatively short duration which are awe-inspiring and have been described as emotional experiences.

It is gratifying to know that the House Interior and Insular Affairs Committee shares with the people of the redwood region their love for the spectacular beauty of the Van Duzen groves. The inclusion of these virgin redwoods along with the Van Duzen River now creates another State park with nearly all the varied scenic and recreational attractions of the redwood region, which was one of the objectives of my redwoods-to-the-sea plan and which reflects the wishes of the people of my district—improving our State and national park systems through coordinated legislative action.

In this action, the Congress also is keeping faith with the owners of the property, who for many years have pledged to keep the land in its virgin state until the Government can find the money to acquire it for public purposes. This has been accomplished by the lumber company owners at considerable expense. During the last 20 years, they have continued to protect the groves from fire and other damages and have continued to pay taxes on the land and taxes on the timber until the Government moved. By acquiring these outstanding lowland groves along the Van *Duzen the Congress will not only serve* the cause of redwood preservation and provide unusual recreational attractions, but will honor its obligations to these public-spirited landowners.

In the case of the coast redwoods, they go with the sea, and special recognition should be given to this natural association.

Mr. Speaker, I believe five major points should be considered by us in our deliberation regarding this most important conservation bill:

First. We, in the Congress, have a basic responsibility of placing these unique, beautiful, majestic, and superlative examples of redwoods into the national park system. To leave them out would be a disservice to all Americans, past, present, and future—as well as the people from other nations of the world that will visit our country in the future, anticipating the opportunity of viewing, firsthand, the "world's tallest trees."

Second. We, in the Congress, have an equally basic responsibility of seeing to *it that the people living in the area are* not adversely affected by the creation of a redwood national park and seashore.

Third. We, in the Congress, have the prime responsibility of making the long-awaited decision on this complex and controversial conservation issue—in order to permit the "little people" of the area that I represent, to know where they stand and hopefully permit them to make some definite plans for their personal futures and be permanently relieved of the "uncertainties and harassment" that have "hung over their heads" for nearly 4 years now.

Fourth. The Park Service must have the authority and the appropriations at the earliest possible date, thus permitting them to proceed rapidly with the development of the redwood national park that will accommodate the thousands of visitors predicted by park advocates as well as those whose curiosity has been aroused by all the publicity associated with the so-called last redwoods.

Fifth. The committee has been very deliberate in its consideration of all factors relating to this legislation. It has been absolutely essential for them to do so in order to avoid a reoccurrence of what took place during the authorization of Point Reyes National Seashore. In everyone's anxiety to get the project authorized, too little consideration was given to the overall cost factors. This has resulted in the original cost estimate of $14 million having ballooned to over $60 million. This must be avoided because so much is at stake.

In general terms this may sound like a simple issue. But those of you who have read the reams of material disseminated to all Members are aware that it is not. It is not simple when the addition of one watershed would close a lumber company and put 600 persons out of work. Nor is it simple if such an addition, to preserve the jobs, would require a difficult exchange of Forest Service lands in order to keep the company in business.

Personally, I have recommended that the Forest Service experimental forest be retained. But, again, I am willing to leave *this to the wisdom of our conferees in* their consideration of all the interlocking factors.

The gentleman from Colorado [Mr. ASPINALL], with his many years as chairman of the Interior Committee, along with his fellow conferees, are experts on parks. They have become experts on the redwoods. With their knowledge of the interlocking problems, I feel they can best work and arrive at a balanced bill.

One last thought, although it is not an afterthought because it has been on mind constantly in the 4 years we have been preparing for this day, is with regard to my constituents. The redwood country has been settling into a sustained yield forestry pattern for some years, and a number of smaller companies have fallen by the wayside. Unemployment is high, and rising mortgage interest rates and slow home construction has further aggravated the situation.

Reduced to its basics, this 4 years of debate over whether we should have a *redwood park, how big it should be and* where it should be located, has been a great depressant to my constituents. They have been marking time to see the answer. The Interior and Insular Affairs Committee members, in their hearings and field trips in the area, have become well aware of this depression and have determined that the issue should be settled now. I could not agree more.

The dedicated and conscientious work of this committee deserves the highest praise of the entire membership. And the product of their work deserves our support.

Mr. Speaker, I wish to make it abundantly clear that it is my intent to support the motion to suspend the rules and pass his bill today, because I believe this is one of the quickest ways to create a Redwood National Park in the State of California.

Mr. Speaker, the Save-the-Redwoods League in California has been striving and trying for 50 years to create this Redwood National Park. One of their great desires was to put redwoods in the national park system of sufficient size and quality.

Mr. Speaker, this year happens to be the 50th anniversary of the Save-the-Redwoods League and I am convinced that this Congress is going to move forward with this legislation to honor them properly for their great work.

Mr. Speaker, I have some ideas with reference to improving this proposal, but it is my intent to work directly with the conferees. I have had informal sessions with representatives of the other body and it is my opinion that we will be able to bring out a good and improved piece of legislation.

However, Mr. Speaker, there is one very significant point of interest which should be recognized in this proposed redwood park. It is the one thing which I believe needs to be brought more dramatically to the attention of the members of the Committee of the Whole House on the State of the Union. I want to emphasize—there has not been enough emphasis given to the seashore property that is covered and included in *this particular bill.*

Mr. Speaker, there are some 24 miles of seashore which should be considered as being of equal value to other seashores being added to our national seashores in other localities and other parts of the country.

Mr. Speaker, I think their cost is negligible and I think the committee is to be commended for what it has done in including them in this bill.

Mr. Speaker, when it comes to the question of the surrounding area and the amount of redwoods contained in this area, there are 5.6 million acres of Forest Service land that is available for recreational purposes, thereby minimizing the need to add or acquire lands strictly for recreational area purposes.

Mr. Speaker, I want my colleagues to understand the situation which is now before us. We must in our endeavors to preserve these parklands bear in mind our fiscal situation at this particular time. We must avoid underestimating the costs on this proposal as, regrettably, *has taken place on other conservation* projects.

But do not let anyone tell you there is not enough in the way of land available for public recreation purposes because, as I said, we have 5.6 million acres already owned by the Forest Service, which properly developed will handle millions of visitors in the years to come.

Mr. Speaker, I ask for support of this legislation so we can actually create what I believe will be a redwood national park and seashore that we will be proud to present to the American people.

At this point, I will include a statement I recently made regarding this bill before us which explains what is actually included that will be very beneficial to the American people.

Also, I want to include in this permanent RECORD a copy of my speech "Redwoods-to-the-sea" which will clearly define our long-term objectives for recognizing the two schools of conservation thought on the north coast of California.

STATEMENT OF DON H. CLAUSEN ON HOUSE SUBCOMMITTEE ON PARKS AND RECREATION ACTION, JUNE 25, 1968

I'm very pleased that the Interior Committee is moving rapidly toward creation of a Redwood National Park and Seashore. We now have an excellent chance of getting a Park and Seashore we can live with and be proud to present to all visitors. At the same time, we hope the local people and their economy will benefit, and that their years of living in fear, for their jobs, will be ended.

I am also pleased that the Committee has included some 25 miles of beautiful seashore associated with the majestic redwood groves. The enhanced recreational potential of the seashore is an added benefit on which I have placed great emphasis, in keeping with our Redwoods-to-the-Sea concept.

While the Subcommittee park proposal is smaller than I proposed, it includes major attractions and sets the stage for establishing a negotiation forum to work out a "compromise" plan between the House and Senate in conference. The basic attractions obtained are the exceptional redwood groves in Del Norte Coast and Prairie Creek State Parks as well as the world's tallest trees, the Emerald Mile, protection for 13 miles of Redwood Creek, staunchly advocated for inclusion by the Sierra Club and other conservation organizations, the seashore, Gold Bluffs and Fern Canyon. Following the Subcommittee's visit to the area, it is obvious from their recommendation that they shared our concern for the impact on the local economy and at the same time placed the park-like superlative Redwoods in a Preservation "Museum" category.

In addition, the committee uncovered a magnificent conservation "gem" by including acquisition of the three beautiful groves on the Van Dusen River, held by private interests, for transfer to and inclusion in the California State Park system.

REDWOODS TO THE SEA—A NEW PHILOSOPHY IN CONSERVATION

(Text of a speech by Congressman DON H. CLAUSEN before the National Wildlife Federation, San Francisco, Calif. Mar. 11, 1967)

It has been written: "A prophet is not without honor save in his own country."

Since I am in my own country, the State of California, and because I anticipate that some of my remarks today may prove to be prophetic, you can imagine my concern and even my anxiety about the adages of the past. And yet, so *deeply* do I believe in the necessity for establishing a National Redwood Park; so *conscious* am I of this audience of dedicated friends of conservation; so *certain* am I of the merit of park planning which considers community, ecological, economic, recreational, and scenic necessities as all of a piece, that I do not hesitate for a moment to extoll the virtues of a concept known as Redwoods to The Sea.

This plan, embracing the finest aspects of all other redwood park plans which have been brought forward, taking cognizance of the realities of human dependency upon a stabilized and progressive economy, and relating to the urgent necessity to provide additional recreational havens for our population along the sweep of spectacular coastline with which California is blessed—can work. It can win adoption by the Congress of the United States, it can win support of responsible conservation groups, it can win the acquiesence of the people and industries of my District, and, most significantly, it can win the cooperation of the administration and legislature of the State of California.

I earnestly solicit your attention, your understanding, and your careful consideration of the ideal we all seek together—not simply conservation or preservation for the sake of themselves but combined quality conservation for the sake of all present and future generations of America.

The redwood park issue is complex. It is controversial. Unless considered with reason and judgment and goodwill, it can prove to be economically costly to the Federal Government, the State Government, to private industry and local communities. It can, if permitted, be torn asunder by emotion and adamancy, and be a tragic landmark in the decline of responsible conservationism, and kill our efforts to establish a National Redwood Park.

We cannot let this irresponsible sabotage occur. I enlist your participation in the battle to make sure it does not occur. I promise you. I will lead this battle in the Congress, at the State House, and to the White House, and the communities of my District, if you encourage me and "back me up." Let me undertake to persuade you that you should do so.

Certainly most of you, deeply concerned as you are with the cause of conservation, are familiar with the continuing differences of opinion now existing between the two schools of conservation thought—Preservation Conservation and Multiple-Use Conservation.

While these two viewpoints provide the rallying points for the current Redwood Park issue, there are, nevertheless, many and varied conservation programs of other natures that must be considered as we seek balance in our total efforts.

The battle cry of "The Last Redwood" has obscured the equally important aspect of Northcoast California conservation and recreation values—the preservation of seashores, the maintenance of flourishing fish and wildlife, the capture and insurance of water resources, the abatement of air and water pollution, and all forms of natural resource conservation.

There are those, unhappily, who ignore the existence of an equally essential natural resource, who identify so fully with the flora and the fauna of God's handiwork, that they forget his most wonderful creation of all—human beings. Human beings require food, clothing and shelter. To obtain them they must work. To work they must have employment and in our Northern California counties employment has meant for generations work in the woods, in the mills, in transportation, and in the service industries which have created towns and villages where people gather together to share the fruits they harvest from a bountiful land.

If the lands from which these men, women, and children derive their livelihoods are denied them, as a source of economic stability, then they will be forced into poverty, they will lose their homes and their incentive to remain in this fabulous redwood country. To remain without jobs, without security, without hope will relegate these self-reliant people to the role of Western Appalachia welfare cases.

We should not and need not let this happen. We must husband the ties of our people to this land as surely as we undertake responsible stewardship of its earthly treasures. If I speak with feeling, it is because I, too, am of this redwood land. I was born and reared there; my people have been there through several generations; my family and, I trust, their children will know it as home country. It is, perhaps, because I know the redwood country so well and because I know its people intimately—and value them highly as good neighbors—that I have made this effort my own and not surrendered it totally to planners, economists, or independent groups on one side or the other.

There is room in this broad land for the finest of conservation programs living side by side with the essentials of human comfort and contentment. But, this community of creative citizenship requires a new philosophy of conservation, based upon essential values, as old as time itself.

Our land, singled out, it seems among all lands, to burst with beauty and with bounty, has for many years suffered from the struggles, between the two basic schools of conservation thought—each seeking to go unfettered along its chosen path. The Congress is very familiar with the many pitched battles staged by ardent antagonists with each side protesting the wisdom of their single view and condemning the stupdidity and avarice of the other.

In Redwoods-To-The-Sea, we place equal emphasis on seashores and redwoods—not all local—not all state—not all federal—but a coordinated system of parks and seashores with *all levels* of government participating and cooperating.

In Redwoods-To-The-Sea, we propose to undertake what some hold to be impossible. We hope to unite in marriage these two schools of conservation thought—preservation and wise multiple use—and to guarantee both partners such blissful realization of their mutual benefits, that they will live happily ever after. As the marriage broker you can understand my interest not only in the wedding arrangements but in serving as Godfather to the numberless offspring that these two will likely bear. You will agree with me, I am sure, that the exchange of vows between these two would represent not only the application of a new conservation philosophy but might promise, as well, the emergence of a new conservation religion.

The consummation of this marriage, which some consider unlikely, would guarantee "redwoods forever" on the North Coast of California since it would conclusively demonstrate the compatability of forests for both work and play.

Our mutual friend, DeWitt "Swede" Nelson, former California Director of Conservation, has stated the concept well. He said:

"Both redwood forests for production and redwood forests for parks play a dynamic role in the economic and social world of California. There must continue to be a place for both. But not until this controversy is settled and a decision made, can the people, the industries and the governments of the redwood region settle down to an orderly development."

He clearly states, in effect, that in this land use philosophy, we need both Preservation conservation and multiple-use conservation of redwoods—living side-by-side—complementing one another—not competing and destroying the best of both their worlds.

The conception of combining Preservation and wise multiple-use conservation into a new land use philosophy prompts a momentary digression to describe a new and potent word in the lexicon of the out-of-doors. It may ultimately come to describe our emerging philosophy.

Just as Gifford Pinchot was primarily responsible for coining the word "conservation" in 1907, we find in 1967 that another great leader in conservation has advanced a new term designed to conveniently describe multiple-use-conservation. The name of the current lexicographer is Norman B. "Ike" Livermore; the word is Preservation.

In recent years, there has evolved entirely too much CON in conservation, as a result of the increased overemphasis on preservation, we now hear the plea that a new word is needed, a word to help pinpoint the wide divergence of opinion between the "preservationist" and the "Multiple-Use" schools of Natural Resource Conservation."

My suggestion for a new word is PROservation. If this word could be publicized to emphasize the difference between PREservation and Multiple-Use Conservation, I believe a great deal of good could be accomplished in helping to clarify the very real difference between the two schools of thought.

A PROservationst would be recognized in the same category of the Multiple-Use Conservationist.

The PREservationist label is self-explanatory.

In this context, Redwoods-To-The-Sea will qualify as a comprehensive conservation package designed to satisfy the PREservationist AND the PROservationist and do violence to no one.

Why not PROservation?

This new conservation philosophy might realistically relate to the marriage we are seeking. Redwoods-To-The-Sea, we think, might well provide the engagement ring to bind the bargain among all conservation groups and their families of fringe organizations.

Redwoods-To-The-Sea, when completed, will embrace all schools of conservation thought by reflecting their interests in one of the most exciting and comprehensive regional conservation packages of our time.

There may be those among you who may ask, "How is this possible? How can he make such an extravagant claim?" It is possible, and I can make the claim, simply because it is true. We have, in our Redwood Country, an abundance of park, seashore, and other natural treasures unique in the world.

The redwood forest is here—nearly 400 miles of Pacific shoreline are here—and 40% of California's water resources are here. God's Country? You bet your life it is! Let's make it serve all His creatures.

There are those among our many conservation groups who have recognized the wonders of this area and who have contributed much to the redwood park concept. I would be remiss indeed if I failed to acknowledge the debt all of us owe them. Without their persistent dedication and significant foresight, our labors today would be meaningless.

First and foremost in this regard has been the Save-The-Redwoods League and its many contributors. This splendid homegrown California organization has done the most to preserve the truly superlative groves of redwood trees. Close behind, and this may surprise some, even in this audience, has been the redwood industry, too often, of late, the whipping boy for acid tongues and vitriolic pens. The industry deserves far more credit for responsible citizenship than it has been given. As a classic example of industry cooperation, I know, personally, of one redwood company that has held, and then sold or transferred by outright gift to the State of California through the Save-The-Redwoods League, more than 1 billion—I repeat—1 billion board feet of standing redwood timber for parks. This same company freely gave the unparalleled Fern Canyon to the State of California.

(Parenthetically, I must add that the industry and companies within the industry are not wholly without fault in this controversy. Cut-out-and-get-out operators, with inadequate financial reserves for reforestation, lacking sufficient acreage for development of rotating sustained-yield timber management programs, have created a blight in the area and blot on the name of the far greater number of responsible companies. Everyone agrees that "the price timber operators will have to pay for the—'Right'—to manage their lands, unmolested, will be to guarantee the best in forest practices and watershed management." The California Forest Practices Act, properly enforced, will assure responsible behavior today and tomorrow.)

The Save-The-Redwoods League and the redwood industry have consistently cooperated with the State of California for half a century in preserving what most people familiar with the area describe as "the best of the redwoods." As a result of this cooperation, the State of California has today some 30 State Redwood Parks containing more than 50,000 acres of virgin big trees spread over 142,000 acres.

This superlative state park system exists despite the fact that 45% of the land area of California is owned or managed by agencies of our Federal Government. When one considers the vast lands already in Federal hands West of the Rockies, totaling 62%, is it any wonder why some Westerners, including my constituents, ask "How much more land does the Federal Government need? How much is enough?"

There are others who wonder about this—more privately than publicly. In correspondence and conversations with a substantial number of prominent Sierra Club members, I have learned that they do not agree with some of their Club spokesmen. Among this number of dissidents are such lifelong dedicated conservationists as George Collins of Conservation Associates, and Norman B. Livermore, Resource Agencies Administrator for California, who has labeled the beautiful book "The Last Redwood" as "misleading". It is apparent, despite the advertisements, despite the letter writing campaigns, and despite the press, radio, and television statements, that the Sierra Club membership is divided on its Redwood Park proposal.

Much of this disaffection began, I am persuaded, with the publication of "The Last Redwood" which, as Mr. Livermore has said is "misleading". You will recall these beautiful lines from the book, detailing the special relationship between the redwoods and the sea. . . .

"From the sea winds the trees came,
and to it like gulls they belong,
In a world where what is cool and wet prevails,
And its special wildness."

There is, indeed, inspiration for my Redwoods-To-The-Sea Concept in those lines. There are, as well, inspiring photographs which, with their captions, tend to suggest that the wonders of sea, forest and sky portrayed will vanish unless they are eternally preserved in a Federal Park . . . such pictures and suggestions can be "misleading".

Let me quickly make clear that I do not propose to attack the Sierra Club which has performed a major public service through the publication of this handsome book even while leaving what I consider to be a vague impression with the general public, unfamiliar with the facts. I am personally deeply indebted to the Club and to the authors, Philip Hyde and Francois Leydet, for providing me with a helpful guide in developing the Redwoods-To-The-Sea concept.

To illustrate, let me simply list a few of the outstanding photos, identified as to location in "The Last Redwoods", and citing the page numbers of sites, which will specifically be included in our Redwood National Park and Seashore Plan, as well as within the Redwoods-To-The-Sea regional conservation package.

First among these is a photograph of the forest edge at Bull Creek Flat within the Rockefeller Forest, (Page 21) marked by trees so towering that the tops elude the picture. Rockefeller Forest, Bull Creek Flat, and the very area in this photo are included in my Redwoods-To-The-Sea concept.

The serene shaded dell along the banks of picturesque Mill Creek in Jedediah Smith Redwoods State Park (Page 23) is a quiet haven included in my plan.

The inspiringly beautiful color pages running through pages 40 to 43 are all in Jedediah Smith Park which is the very heart of my Redwood National Park and Seashore Plan.

The glories of Klamath Cove and Gold Bluff Beach, pictured on pages 33 and 34, reveal the rugged shore and the redwoods standing proudly next to the sea. Both sites along our magnificient Pacific coastline are incorporated in my Park Plan and my Redwoods-To-The-Sea concept, and graphically indicate why I have placed equal emphasis on preservation of this beautiful seashore uniquely located contiguous to the giant redwoods.

And so it goes on through the pages of the book, a catalog of beauty and sound conservation: Prairie Creek on page 84, the Roosevelt Elk Sanctuary on page 119, magic Fern Canyon on page 108, the delicate fabric of sun and fog at Prairie Creek as depicted on page 120, and finally the wild beach at Gold Bluffs on pages 121 and 122.

It should be noted that the Rockefeller Forest on Bull Creek Flat in Humboldt State Park, already referred to earlier, is depicted on pages 4, 21, 25, and 78. This magnificent stand of redwood will remain in and be protected by the State Redwood Park System which is included as California's outstanding participation in our coordinated Regional Redwoods-To-The-Sea Conservation package.

I could continue but the important point has been made. While the Sierra Club cries "Havoc" and wrings its hands at the ultimate disaster which lies ahead, the places it has employed to illustrate its concern have already been set aside for eternity or are included in my Redwood National Park and Seashore proposals. But, as I pointed out, the Sierra Club did identify and highlight the best sites in the area and I am indebted to the Club for providing a chart toward development of my comprehensive plan.

But the essentials of that plan, designed to fulfill both aesthetic and practical considerations of all parties, are not now, never have been, and will not be misleading, I can assure you. My plan is a combination of the best thinking in my district, in my state, in the conservationist camp, in the industrial community, in the communities, and among professional foresters and conservationists. It is a regional plan based upon rationality and true public interest . . . it is a plan for *people* as well as *trees*.

Quite honestly, I have been inclined toward the regional aspect of this matter from the beginning. It appeared to me that this was the only way any of us concerned could really emphasize clearly the essential elements of our sweeping redwood country story.

Years ago, we reorganized our Regional Redwood Empire Association in California and I served as Chairman of the Committee on Goals and Objectives. This experience, plus a lifetime of living in the redwoods and operating an airplane business serving the redwood forest area, has given me an unusual opportunity to evaluate the overall land use pattern of our Redwood Empire.

With lifelong impressions and new ideas firmly in mind, I held many meetings with the leaders of the various conservation organizations and forest products industry concerned. The Save-the-Redwoods League and the Sierra Club were concentrating on advancing their own proposals to acquire more Redwoods. Conservation Associates and the American Forestry Association both agreed that, except for the acquisition of Redwood lands being held by industry to "round out the parks", there was no need *to acquire large* additional acreage for "pres*ervation purposes*".

All during the Redwood controversy, I have tried to keep an open mind and attitude to every person and group concerned—constantly welcoming suggestions—constantly seeking solutions to this complex conservation question.

My regional approach to the problem was *greatly bolstered by meetings with my* friends, Newton Drury and Tom Gregg of the Save-the-Redwood League, Dr. Wayburn and Mike McCloskey of the Sierra Club, George Collins and Doris Leonard of Conservation Associates, Dr. Dana and Kenneth Pomeroy of American Forestry Association, *and Edward Crafts and Philip S. Hughes of* the Administration. Dr. Dana and Pomeroy have long advocated the regional approach. George Collins, *for the past few years*, has served as the co-chairman of the Scenic Roads Committee. A series of editorials by Jack Craemer of the *San Rafael Independent-Journal* was most helpful.

During and *following the many hours of* informative discussion with these people, I became more and more convinced that, in addition to establishing a Redwood National Park, we must consider the matter in connection with the two other major conservation recommendations, pending before the Congress, in our First Congressional District.

Of equal importance were the completion of the Pt. Reyes National Seashore and the Kings Range Conservation area projects. Senator Kuchel and Congressman Cohelan are co-authors with me on Pt. Reyes—the people and conservation organizations of Marin County are strongly supporting our efforts. The people in Southern Humboldt County and the Board of Supervisors are anxious to have the Kings Range legislation approved. However, both of these deserving conservation bills have been crowded to the "back burner" with all of the attention being directed toward the Redwoods.

So, as you can see, it is only natural evolution that has prompted development of the 3 units (North, Central, and South) in our Redwood region (Redwoods-To-The-Sea) conservation package.

Unit 1. The Redwood National Park and Seashore, located in Del Norte and Humboldt Counties—the only area in the world where the superlative, park-quality, cathedral-like Redwood giants grow contiguous to an untouched seashore—nearly 50 miles long—an extraordinary mixture of rugged and rocky seacoast with miles of wild beach areas and lagoons in the proposed 53,000 acre park and seashore area, which includes Mill Creek, Del Norte Coast, Prairie Creek, Redwood Creek, the Tall Trees, Fern Canyon and the Roosevelt Elk Sanctuary. The crystal-clear Smith River, which can and must be left in its natural state, offers an exceptionally beautiful natural setting in the "expansive back mountain country" of Del Norte County, already owned by the federal government. In addition to the Smith River, Wilson Creek and the main stream of the nationally-famous Klamath River flow through the middle of our park area, thereby providing trout, steelhead and salmon fishermen and hunters wth a sportsman's paradise in the easterly backyard of our "preserved" Redwood park and seashore area. The fish hatchery programs of the counties, the State of California, and our recently-passed and funded Anadromous Fish Bill (of which I was a co-author) are geared to assure replenishment and enhancement of this vital resource. Looking to the west, for the ocean-going sports or commercial fisherman, and, again, due to this unique location, you have the vast Pacific Ocean in the Park's "frontyard" always available, providing we establish adequate fish conservation area zones, seaward, to protect against indiscriminate exploitation of our fishery resources by foreign fishing fleets that, in turn, literally destroy our domestic fish conservation programs.

(It would seem to me prudent for the National Wildlife Federation to join with those of us who are concerned with extending the fish conservation area zone a substantial distance (50–200 miles) west of the present 12-mile limit).

It certainly must not be ignored in considering my plan, and perhaps it may prove *to be one of its most beneficial aspects*, that the traveling public has maximum access to the redwoods and to the seashores throughout the entire park area. Highway 101 provides this accessibility. If parks are for people then one of the surest ways to get people for parks is to enable them to get there *with ease and comfort.*

Unit 2. The combined State Redwood Parks and Federal King's Range Conserva*tion Area and Seashore complex in Southern* Humboldt and Northern Mendocino Counties.

(a) This will include the Humboldt State Redwood Park and 5 other Redwood State *Parks, totalling some 42,000 acres, which* would remain under State ownership, management and development.

(b) The only Federal action required would be to set up, under law, the guidelines for exchange of lands between private owners and the Bureau of Land Management in the Kings Range-Mattole Valley *area.*

Currently, the private owners and the federal government are plagued with the problem of "checkerboard ownerships"—neither has the opportunity of consolidating its lands into more cohesive and efficient land management units. Once accomplished through proper exchanges, ranchers will be *able to increase the production and yield* from their private lands and the BLM can put together the Kings Range Conservation area and Seashore. With this consolidated land management unit, we will have an efficient 315,000 acre wilderness, recreation, timber management, mining, grazing and seashore area. This combination of State Redwood Parks with the Federal Kings Range conservation area and seashore will add another 73,500 acres and 30 miles of seashore to our Regional Redwoods-to-the-Sea package.

The people of the area are for this, and the State Park people have indicated their support of this State-Federal coordinated complex.

In giving consideration to other conservation needs in this immediate area and looking to the future, I think it appropriate to recognize the responsibility we have for the earliest possible development of the Eel River water resource and flood control projects. This area has witnessed devastating floods, year in and year out, with 1937, 1955 and 1964 reaching the major disaster category. As the ranking Republican on the House Flood Control Subcommittee, I can assure you that I shall never relax until I see the "Killer" Eel and the Russian Rivers harnessed.

Along with these vitally-needed flood control projects, we will be serving another great conservation cause—water conservation for diversion and export to areas of need.

This will again require the finest cooperation between the State and Federal Water Resource agencies.

But, once completed, one can certainly visualize the great recreational potential deriving from the creation of these lakes and reservoirs.

Under this coordinated plan of development, we can anticipate the maximum in simultaneous development between the State and Federal agencies. It will provide *an exceptionally fine array of* recreational possibilities—parks, lakes, recreation areas and seashores—in the heart of the Redwood Empire.

3. My third major unit is, of course, located in Marin and Sonoma Counties, near *the heavily-populated San Francisco Bay* area. It remains, despite my genuine devotion to the carefully conceived complex of Redwoods-to-the-Sea, as my first priority conservation project for the following reasons:

Prior to my arrival here in the Congress, the 53,000 acre Pt. Reyes National Seashore was authorized for $14 million. Last year, we increased the authorization another $5,135,000. The total of $19,135,000 has been funded.

Currently, the Park Service estimates for acquisition are running between 45 and 57.5 million dollars. This does not include *development.*

Land prices there have been escalating at a rate of 10–15 percent per year. Despite this *fact—or because of it as well—the people* affected in the area are certainly entitled to be "bought out" at the earliest possible date, so they can make their own plans for the future. Pending disruption caused by *government action, entitles them to no less.*

Quite frankly, this project and all of its rising costs and attendant problems, should serve as a strong reminder and a warning as to why I want to keep the acquisition costs for the Redwood National Park to the lowest possible figure.

It seems as though much of the support for *Pt. Reyes has diminished as the Redwood* Park question "grabs the headlines". The First Lady came to California to dedicate Pt. Reyes last year. I reminded her of her visit and of the diminishing support while at the White House, the other night. Certainly, this is no way to treat the First Lady of our land—we must complete Pt. Reyes at the *earliest possible date. I include it in our package* not only as a tribute to a gracious lady but as an essential of our Regional conservation and recreation plan.

Now, add to all of this, the harbor development projects for the entire North Coast, the many flood control reclamation and navigation projects in all counties of our North Coast district, and you can see why any Congressman representing this district must have big plans—and a lot of patience, determination and fortitude.

Speaking of Big plans, I think it might be appropriate, at this point, to draw your attention to a recent editorial—

The New York Times Editorial of February 19, 1967. "Big Trees, Small Plans" started off as follows:

"President Johnson has accurately described a Redwoods National Park as a "last chance" conservation opportunity. As he pointed out in his message on Natural Resources, "If we do not act promptly, we may lose for all time the magnificent Redwoods of Northern California".

"The Administration, however, is preparing some rather small plans for saving the world's tallest trees. The Interior Department is still laboring over minor revisions of the bill it supported last year."

"That Bill would create a small park in Mill Creek. It is not a sound plan because most of the trees worth saving are already protected in two existing State Parks."

"Except for 7,000 acres of pure first-growth Redwoods adjoining one of these parks, the lands to be purchased in Mill Creek have been extensively logged. As a result, the trees are second growth and smaller, and there is considerable admixture of other trees. Mill Creek is valuable as the watershed for the existing State Parks, but otherwise, it is not really of National Park quality." End quote.

Despite the *New York Times*, I would remind you that while holding the office of Director of the National Park Service, my friend Newton Drury, the very able and respected spokesman for the Save-the-Redwoods-League had this to say:

"There are those who ask why it would not be desirable at this time to move toward the establishment of a Redwood National Park. My candid answer to that would be that I should favor this if it were feasible, but I do not think it is. Surely the Coast Redwoods merit this designation—they are among the wonders of the world—but the fact is that the best and most representative of these forests are now in California State Parks. They are being carefully and intelligently protected."

At this point, let me repeat the earlier reference to the President's message: "If we do not act promptly, we may lose for all time the magnificent Redwoods of Northern California."

Now, I ask you, how confining can we get?

Let me make myself perfectly clear. I'm not blaming the President—he's never been there—obviously, he's too busy with other matters, but whoever suggested that sentence for the President's message had better catch the first jet for California to see for himself that we are *not* in danger of "losing for all time the magnificent Redwoods of Northern California."

Now, may I again offer a focus. Our Redwoods-to-the-Sea is a big plan—it is a bold plan and I hope you will agree, it contains positive and contributive imagination.

One of the reasons it's big is because of the vast acreages already owned by the State and Federal governments. We are simply taking this means of reminding you or focusing attention on this fact.

We, of course, are talking about a combined and/or coordinated Conservation effort involving the State of California, the Federal Government and Private Industry.

As I have suggested from the beginning, I have held firmly to the belief that "compromise" was inevitable—it has to be—if we are going to finally adopt the best possible Park plan. It is for this principal reason that I have been working many long hours in the development of the "Redwoods-to-the-Sea" concept. This concept includes all of the best features of the Save-the-Redwoods League plan, the Sierra Club plan, Conservation Associates, American Forestry Association, and Redwood Park and Recreation Committee plan, BLM and Humboldt County's King Range Conservation area and seashore plan, the State of California's Humboldt State Park and adjoining parks, the Water Conservation and Flood control plans on the Mad, the Van Dusen, the Eel and the Russian rivers, the increased authorization and completion of Point Reyes National Park and Seashore. It will also include the vast multiple-use and recreational potential of the Federally owned 5,600,000 acres of the National Forests—I repeat—5,600,000 acres already owned by the Federal Government—located out of the fog belt, immediately to the East of our park location—where the weather is *best* for this area. We will have additional Redwoods in our plan—the industry has been holding thousands of acres for preservation—it will consider Redwoods in the Santa Cruz area for addition to State Parks. We should also remember the desperate need to preserve open space areas closer to the metropolitan areas of San Diego and Los Angeles. It includes experiment and research of Redwood growth and products by the establishment of a 14,000 acre Redwood National Demonstration Forest (Redwood purchase unit) to be managed by the Forest Service in the area near the National Redwood Park and the Klamath River.

It will ultimately include the inclusion of Highway 101 into the Interstate Highway System and be appropriately labeled the Redwood Parkway because of its being THE highway that links all the Redwood Parks and Seashores (State and National) together in a dramatic and beautiful regional plan that we call "Redwoods-to-the-Sea".

You have honored me by asking me to come to our beautiful neighboring city—San Francisco—to tell my story. San Francisco is the Southern "anchor post" of our beautiful and beloved Redwood Empire—the "big trees" are generally considered, in California, as the northern "anchor post". As verification, the Redwood Empire Association has as its symbol—the Golden Gate Bridge, and a Redwood.

They symbolize the economic tie that exists between these two great and marvelous areas—the communities and people that live "in between" all benefit from their existence.

San Francisco is the financial "Mecca" of the Region—with the Golden Gate Bridge as the vital link in our highway system. Were it not for this bridge and our future plans, the orderly economic development of our North Coast would be completely retarded.

Of equal importance, our "Redwoods Forever" program must proceed forward, with a lesser amount of harrassment.

But again, I must remind you that OUR two-pronged "Redwoods Forever" and other natural resources conservation programs are equally vital to the future of our Northern area—Preservation AND Proservation (multiple-use conservation)—Parks AND payrolls—Parks AND seashores—Redwood Giants AND Tree Farms—Rivers AND harbors—Protection AND Development—Flood control AND water conservation—Fish and wildlife conservation AND Fishing and hunting—Water resources development AND pollution abatement—Park protection AND good forest practices—Acquisition AND development—People AND Trees.

I have the unique privilege and challenge of representing all schools of Conservation thought—I intend to do just that. It is for that reason that I have tried to present to you—a New Philosophy in Conservation—Reedwoods-to-the-Sea—a concept that, as you can see, has unlimited possibilities, providing we can have the cooperation necessary, to bring it into being.

We have big people to match our mountains and our trees—we have the reason for a park—let's have the reasonableness and stature to achieve it together—we ask for your help, as one of the great conservation organizations of the world.

By achieving our mutual purpose, we will serve all mankind—both present and future generations.

We have Big Trees AND Big plans—all we need is BIG people to put them together in an environment of reasonableness—this is a Big Country—it requires big plans—This is Redwood country—This is God's country.

REDWOODS TO THE SEA CONCEPT—ACREAGES

Preservation and proservation—Wise multiple-use

1. Northern Unit—53,000 acres (Del Norte and Humboldt Counties): a. National Redwood Park and Seashore—53,000 acres.

2. Central Unit—80,736 acres (Humboldt and Mendocino Counties):

a. Humboldt Redwoods State Park and five adjoining State Parks—42,000 acres.

b. Kings Range Conservation Area and Seashore—31,500 acres.

c. Mendocino State Parks, Beaches and Recreation Areas—7,236 acres.

3. Southern Unit—69,857 acres (Marin, Sonoma and Napa Counties):

a. Point Reyes National Seashore—53,500 acres.

b. John Muir Woods National Monument—484 acres.

c. Mt. Tamalpais State Park—2,432 acres.

d. Samuel P. Taylor State Park—2,576 acres.

e. Stinson State Beach—38 acres.

f. Golden Gate Headlands—322 acres.

g. Tomales Bay State Park—1,018 acres.

h. Sonoma Coast State Beaches—1,031 acres.

i. Fort Ross State Historical Monument—356 acres.

j. Kruse Rhododendron State Reserve—317 acres.

k. Mailliards Redwood State Park—242 acres.

l. Angel Island—740 acres.

m. Armstrong Redwoods State Park—440 acres.

n. Austin Creek—3,944 acres.

o. Sugarloaf Ridge—1,520 acres.

p. Bothe-Napa Valley State Park—1,002 acres.

q. Robert Louis Stevenson State Park—395 acres.

State preservation

4. Monterey, Santa Cruz and San Mateo Counties—26,973 acres: a. Seven existing State Parks—26,973.

5. Historical Monuments Unit—1,509 acres:

a. Jack London Historical State Park—40 acres.

b. Petaluma Adobe State Historical Monument—27 acres.

c. Sonoma Historical State Park—31 acres.

d. Fort Humboldt State Historical Monument—11 acres.

e. Proposed Redwood National Monument (Tall Trees Unit)—1,400 acres.

State preservation

6. Jackson State Forest—52,040 acres.

Private preservation

7. Redwood Industry Recreation Area Plan—365,000 acres.

Public preservation

8. U.S. Forest Service Redwood National Demonstration Forest—14,000 acres.

9. U.S. Forest Service National Forests—5,600,000 acres:

a. Marble Mountain Wilderness Area—213,363 acres.

b. Salmon-Trinity Alps Primitive Area—223,300 acres.

c. Middle Eel Yolla Bolly Wilderness Area—108,451 acres.

Total preservation and preservation areas committed to public use: 6,263,115 acres.

"The Redwood Region—nearly 500 miles of Pacific shoreline."

Mr. SAYLOR. Mr. Speaker, I yield 3 minutes to the gentleman from Maryland [Mr. Morton].

Mr. MORTON. Mr. Speaker, I too join in the remarks of my colleague, the gentleman from Pennsylvania [Mr. Saylor], and the chairman of our full committee, the gentleman from Colorado [Mr. Aspinall], in asking the House to support this bill.

I would like to make just one reference to the remarks of my colleague, the gentleman from California [Mr. Don H. Clausen], and say that it was with regret that we deleted the word "seashore" from the title of this bill. It would be my recommendation to the conference to consider putting the title back the way it was before and call this a Redwood National Park and Seashore, because there are 24 miles of ocean front which is the most effective area for public recreation in the proposed park.

Mr. Speaker, I would simply say this: I know what it is to have a controversial park in one's own district, and I want to say that the gentleman from California [Mr. Don H. Clausen], not only came up with some imaginative and creative new ideas, but he came up with a lot of very sound advice, helpful to the committee in its deliberations.

I believe Mr. Clausen deserves a pat on the back from us all. He has not in any way obstructed the work of the committee in an effort to bring out a bill. He has brought us in contact with every group in his district that had different ideas. He has done a superior job in making us understand what this park means to the people in his district, and they are the people who are first concerned. I cannot pass this opportunity to say thanks to the gentleman from California [Mr. Don H. Clausen].

Mr. ASPINALL. Mr. Speaker, I yield 3 minutes to the gentleman from California [Mr. Burton].

Mr. BURTON of California. Mr. Speaker, I intend to vote against this proposal. Some of the technical aspects of the bill will be developed by Members arguing on both sides, and I, too, shall touch upon some of these. However, I also want to make certain that when the history of this legislation is written there will be spread upon the record for the students of political science an account of some of the procedures involved in dealing with this legislation.

The primary characteristic of consideration of this proposed redwood national park has been "delay." I have been in this House and on the Interior and Insular Affairs Committee for some 4 years and 5 months. We were studying the redwood park proposal when I reached Congress, and we were still studying it in this committee right up to about 3 weeks ago. In my opinion it has taken years longer than necessary to reach the obvious conclusion that Congress should enact a meaningful redwood park bill.

After this extended delay, a woefully inadequate subcommittee bill was called up for consideration by the full Interior committee, at which time the chairman of the full committee warned that there was not time left in which to make any substantial and significant amendments. Any delay for the purpose of significantly amending this bill, enlarging it perhaps to a decent size, we were told, would not leave time for the chairman to seek a rule from the Committee on Rules. Consequently, it was assumed by committee members that a rule would be sought, and in the normal course of events the full membership of the House would have an opportunity to work its will and amend the bill if, in its wisdom, it chose to do so.

As the committee report shows, both in the supplemental and the additional views, the signing members were of the understanding that the chairman would go to the Committee on Rules and seek a rule on this long-discussed bill. But he did not do that, even though there was sufficient time. Instead, the matter was brought up under suspension of the rules.

What does the suspension of the rules mean insofar as working our will on the legislation? It means that we cannot amend the legislation in any manner, shape, or form. And again we are told that we, as the full House of Representatives, must either act today or it will be too late. It is the same argument made by the chairman before the full Interior Committee some 3 weeks ago—that we must now accept the outrageously inadequate proposal for a redwood national park—having delayed doing anything for more than 4 years—or it will again be too late. We are told if we do not vote for this puny version of a proposed park, with no opportunity for amendments, that enactment of any legislation will be imperiled.

Mr. Speaker, I submit that this borders on an abuse of the committee process and the rules of the House. I submit that representatives of the people of this land have been denied their day, and their voice, in court on this matter regarding a unique and precious national heritage.

I, for one, am not going to cast my vote to go along with this ultimate hustle—this hustle that will not permit me to cast my vote in support of a strong and meaningful redwood park bill.

I am sure that the pending inadequate proposal is going to be approved today. But I would hope that it would not be approved—and then let all of us have our feet put to the fire.

The chairman indicated that he sought a rule and that in his judgment the Committee on Rules would not give us a rule. Let me give you one man's view. I talked with a number of members of the Committee on Rules and I submit that those responsible members of the Committee on Rules will give us a rule in the event that we vote down the suspension request. I am sure that the responsible chairman of the full committee would then give the House an opportunity to work its will on this legislation.

In other words, there is still time, if we vote down the suspension, to obtain a rule and enact a decent redwood park bill.

As a footnote to this object lesson in political science, in the event that this suspension is approved and the measure goes to a conference committee, I would hope that those Members constituting the House conferees will reflect the clear majority opinion of the full House Interior Committee membership in support of a strong and comprehensive Redwood Park bill.

Moving on to some of the technical aspects of this legislation, Mr. Speaker, there are some very important considerations which should be clearly understood.

First, the total volume of private timber in the 64,000-acre park provided in the Senate version—S. 2515—amounts to only a 1-year supply for all the existing mills in California's Humboldt and Del Norte Counties. And, the timber included in the 72,000-acre proposal which I sponsored, would take care of Humboldt County's mills for only 1 year and 4 months. The largest park proposal introduced, the 90,000-acre bill by Representative Jeffery Cohelan, contains only a 2-year supply of private timber for all the mills of Humboldt County.

Second, I seriously question the dependence of industry upon old-growth timber in the Redwood Creek area. The major firms in Humboldt County affected by the park proposal are selling either old-growth timber or old-growth logs, or both, to outside firms in large quantities. Some are even selling second growth, much of which is being shipped to Japan.

One should also question the stability of timberland ownership among the forest industries of this area. Such stability is necessary if they are to practice sustained-yield forestry in the manner they want us to believe they do. Of the 15 largest firms in Humboldt County in 1953, only two are still in existence today. While there has been a trend toward consolidation into fewer and larger firms, one observes that both Weyerhauser and U.S. Plywood closed their local plants and disposed of their properties within the past 2 years.

This means that you cannot depend on the present plans of individual firms to forecast the future of the lumbering industry. You have to make your predictions on the basis of the amount of timber that exists in the area and the relationship between cut and growth for the whole area. In Humboldt County there was 13,805 million board feet of industry-owned timber in 1966, and the lumber industry cuts 1,300 million board feet a year in the county. In Del Norte County there was 3,560 million board feet of industry-owned timber in 1965 with an annual cut of about 300 million board feet. This rate of cutting leaves only a 10-year supply in both counties. Timber from the national forests and small private holdings will not add greatly to this.

Private timberland in the north coastal region of California are being logged at about three and one-half times their rate of growth, and this applies to large as well as small ownerships. Therefore, most firms still operating here have only a few years to go on their old growth. Then, as their many predecessors throughout the industry have done, they will either adjust to a greatly reduced output based upon small logs, or dispose of their property.

Employment in lumbering has faced a steady decline for the past decade in northern California. In Humboldt County employment dropped from 12,700 in 1959 to 7,900 in 1967. In Del Norte County it dropped from 2,400 to 1,800 in the same period. This trend will continue no matter what we do about the park.

I conclude that the forest industry in the north coast of California is rapidly declining. Forest industry there would not be seriously affected by the establishment of a national redwood park, not even if it was the largest park that has been given serious consideration. However, the Redwood National Park will provide a new economic base for the local communities; studies by the Arthur D. Little Co. confirm this. As a matter of fact, the park is the only economic relief in sight.

One final thought on this subject: If the park is not large enough to accommodate the visitation which a national park will attract, then it will not help the local economy.

With this in mind, I earnestly believe that my proposal of 72,000 acre park, which is essentially the Senate bill amended to increase the acreage from 64,000 to 72,000 acres, would best accomplish this goal.

In any event, whatever version of this legislation this House should choose to enact, this proposed redwood national park should include certain prime areas recommended by all individuals and organizations most deeply interested in retaining this heritage for our own enjoyment and that of future generations. As proposed in the additional views contained in the committee report, the boundaries should include Lost Man Creek, Little Lost Man Creek and Skunk Cabbage Creek. It is unfortunate indeed that the committee did not include these areas.

While the committee did add the slopes from ridge line to ridge line along the Emerald Mile, the plan nevertheless as a whole still lacks coherence and breadth.

Other than State parks which are already preserved and open for public use, this proposed national park would offer only a half-mile wide corridor running along Redwood Creek for a dozen miles. While the trees in this riverside frontage are magnificent, there is really no room for campgrounds and interpretive facilities.

Moreover, the frontage can hardly survive if it stands alone in a setting stripped of the rest of its timber.

What kind of a national park will we have if it is no more than a ribbon of trees wandering through a wasteland of logged-off slopes? The rains and winds of winter storms will soon reduce the corridor to clumps of trees clinging precariously to life. After years of stress on the importance of watershed protection, the committee has not provided for it by basic design except along the Emerald Mile. Only the uncertain hope of watershed easements are held out to protect the park. The practical meaning of such easements in areas where the companies insist they must clear-cut is hard to fathom, unless further fee acquisitions are contemplated. If this will be the result, it should be reflected in the basic design of the boundary.

The complete watersheds of Lost Man Creek, Little Man Creek, and Skunk Cabbage Creek are all included in the original preferred plan suggested by the National Park Service in 1964, and were included in the administration's 1967 recommendation as an optional component. They represent rare surviving examples of watersheds still sustaining virgin growth from their mouths to their sources. As intact ecological units, they are priceless resources for research, as well as for primitive recreation. All will be irretrievably lost to logging if not included in a national park.

I would also call the attention of my colleagues to a key provision of the bill in its present form. Section 3(A) of this bill requires conveyance of the State parks by the State of California as a condition precedent to any Federal acquisition of private land. This provision handcuffs the Federal Government and makes it dependent on action by the State. It also provides the timber interests with one more front on which to operate in its efforts to thwart the desires of the people for preservation of the ancient redwoods in a national park worthy of the designation.

In summary, Mr. Speaker, I would stress once again my feeling that there was much unnecessary delay in the development of this legislation in committee—a delay which resulted in the full committee being denied an adequate opportunity to discuss, consider, and amend this legislation to provide for a bona fide redwood park. This same delay now has resulted in the denial of this same opportunity to other Members of the House.

The full membership of the House of Representatives should be permitted to decide if it really wants a redwood national park and to restore to that proposed park the substantial acreages necessary to make it worthwhile. Further, the Federal Government should be freed to move without waiting for State consent. Only in this way can the hopes the American people hold for the redwoods be realized.

There is still time to accomplish this if we vote down the suspension.

Mr. Speaker, I urge a "no" vote on the matter now before us.

Mr. ASPINALL. Mr. Speaker, I yield 3 minutes to the gentleman from California [Mr. COHELAN].

Mr. COHELAN. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and include extraneous material.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. COHELAN. Mr. Speaker, for 4 years now I have looked forward to this day, the day when I could stand up on the floor to urge this House to approve the best possible Redwood National Park. Four decades have passed since the House last had a chance to vote to establish a redwood park. I knew that this had to be the occasion to vindicate the vision of all those who felt that enough of the planet's greatest living things should be preserved in the national park system for all people in all times to enjoy.

The century-old dream of a Redwood National Park has always been plagued by seemingly insuperable obstacles: unrelenting opposition from landowning companies, diverse judgments on plans and approaches, diminishing opportunities with ongoing cutting, and heavy costs. This decade's attempt to overcome these obstacles has been tortuous too, but painstakingly we have been moving forward to surmount them.

JOHN SAYLOR and I launched the effort to obtain a park in 1965, with bills we introduced to establish a park of 90,000 acres in the drainage of Redwood Creek in Humboldt County, Calif. More than three dozen of you joined in sponsoring this legislation, both in the 89th and the 90th Congresses. The location chosen for the park in these bills was the area recommended by the National Park Service in its basic report of 1964. This area harbors the largest and best primeval redwood forests that have not yet been saved, including most of the top-ranking trees of record height. Our convictions about the values of this area have deepened since, as we have seen the evidence of intimate exploration. I am sure you have seen the photographs which the Sierra Club has published.

We introduced the 90,000-acre plan because it provided the maximum coverage of the area needing protection, but we knew the legislative process would result in compromises beyond our control. This process began in the other House last fall, when the Senate approved a plan of 64,000 acres. Certainly this was a compromise, but it was a plan nevertheless that carefully addressed itself to the main considerations in park design: location of the best stands, environmental protection, scientific diversity, and public use. While most conservation groups and the administration had their own views on plans they preferred more, they all agreed that the Senate plan was a fair compromise, though some improvements could be made.

I had expected to rise today to move that those improvements be made. This should have been the form for closing the gap of disagreement on this tortured subject. Instead, the gap, inexplicably, has now been widened. To our dismay and disbelief, 2 weeks ago the Interior Committee reported a bill for a park less than half the size of the Senate bill and with only one-third as much new acreage to be brought into the public domain. This plan of 28,500 acres is smaller than that in any bill that has been introduced, and contains even less acreage than the lumber companies had indicated they might sell. It is comprised mainly of two State parks, with acquisition of private lands limited chiefly to a strip of land a half mile wide along Redwood Creek. This is really not a national park at all. It is an appendage in search of a purpose. It fails to include many of the best stands and cannot be protected with any assurance.

Conservationists across the country were stunned, and the press has criticized this shocking turn of events in the strongest terms. Ten members of the committee protested its inadequacy in supplemental views to the committee report.

Clearly the public is looking to us to undo the damage that has been done. I had drafted a series of amendments which I purposed to offer today to do just that. I had planned to move that the boundaries of the committee's plan be revised to include some of the key areas in the Senate plan which have been left out: the slopes along the lower Redwood Creek, Lost Man Creek, Little Lost Man Creek, and Skunk Cabbage Creek. Without these, we cannot have a viable park. These additions encompass the most striking redwood forests that have not yet been brought into parks. Lost Man Creek harbors the greatest endangered stands of extra large redwood, and Little Lost Man and Skunk Cabbage Creeks are rare examples of redwood forest still almost entirely primeval and untouched. The slope stands above Redwood Creek are an integral part of a unique ecology that cannot be rent assunder. The loss of these areas would be tragic. Inclusion of them would raise the total size of the park to 45,000 acres.

The prospect of amending the bill on the floor vanished in the middle of last week when we learned of the decision to bring the bill up under suspension of the rules. To deprive this House of the opportunity to amend in a case crying out for amendment is like taking the lifeboats away from people on a sinking ship. We did not ask for special favors. We only asked for the ordinary opportunity to make our case on the floor and to trust in the judgment of our peers. As Cannon's Procedure reports Speaker Longworth as having said, the House recognizes that suspension of the rules "is a trifle unfair" if it is applied to controversial legislation, because it deprives us of the opportunity to apply our best collective judgment to mitigate the source of the controversy. In the aggravated case at hand, I submit it is more than a "trifle" unfair.

As legislators, we believe in the legislative process and are willing to trust in it. We are willing to compromise, and face that prospect with equanimity. We cannot accept a one-shot choice of taking or leaving a gutted bill with equanimity. This is so particularly when a rule could have been obtained, if the committee had pressed its case for one.

I know many of us share this agony over what course we can now pursue. On the last preceding legislative day, I asked many of you to signify whether you shared my conviction that we should have a better park to vote for today, and in that one day, some of you told me that you did. I have asked unanimous consent that their names be entered in the Record. I believe this quick show of feeling is equivalent merely to the tip of an iceberg that can be easily seen above the water's surface. I appreciate the support that these distinguished colleagues and others have pledged at this critical hour, and I invite others to add their names to this list.

After the most agonizing deliberation over the dilemma of knowing which course to pursue, I have finally concluded that the risks of forestalling action today are too great. It is with the utmost sadness that I must reluctantly advise my good friends and colleagues that I have no prudent choice today but to vote for this measure. Given the hard and unfair choice before us, voting "Yes" is the lesser of two evils. This might not be true if the redwoods were not a wasting asset, but now logging is likely to ensue if this measure does not soon pass.

Therefore, I must conclude by urging all of my friends to vote aye on the measure pending before us. We can only trust that the chairman of the committee and the conferees who will represent us in conference with the Senate will bring back a final recommendation which will do credit to this house and keep faith with the confidence that the American people repose in us.

To do that, the plan they recommend must include the drainages of Lost Man and Little Man Creeks and more of the slopes of Redwood Creek. We have been assured the chairman intends to bring a more hopeful plan back to us from conference. Many of us are proceeding today in a spirit of cooperation in reliance upon that assurance.

The test of this decision and the guide for our future conduct will be the degree to which our reliance is vindicated by the events that are to follow.

Mr. Speaker, this should have been a proud day for all Members of the House who held the highest hopes for saving California's endangered redwoods. Instead it is a day of mourning, not because a bill cannot be passed but rather because we are denied the chance to pass the bill we could have. If an open rule had been granted, we could have voted today to establish a decent Redwood National Park. We are left instead with the unhappy choice of a plan gerrymandered to fit economic demands or of no park at all.

The park plan before us was gutted, we are led to believe, so that it could be rushed through the Interior Committee in time to meet the deadline for submission of bills to the Rules Committee, with the hope held out that the plan could be improved later. Thereupon the Rules Committee was bypassed by an agreement to bring the bill up under a suspension of the rules, despite the fact that a rule could have been obtained. This sequence shows there was no procedural necessity for confronting us with the dilemma of accepting an unsatisfactory plan which we cannot amend.

Ten members of the Interior Committee, in supplemental views that they field in the committee report, indicated they hoped to restore respectability to this plan through efforts on the floor today. As they served on the committee, and eight of them on the Subcommittee on Parks and Recreation, I think you will agree their views carry special weight. Their hopes for today should be recorded here for all to know. I include their views at this point in the Record:

Supplemental Views To Accompany Report of S. 2515, Amended, To Establish a Redwood National Park

While we are fully in accord with the committee's intent in recommending establishment of a Redwood National Park, we believe a much more spacious park is desirable.

We cooperated with the committee in reporting this limited proposal out of a desire to see some measure move forward to the floor for a vote in this session. Because of the short time remaining in which to send a bill to the Rules Committee, we recognized that it was necessary to proceed on the basis of general agreement within the committee. Accordingly, we reluctantly deferred any effort to add breadth to the boundaries. We did so, however, with the clear understanding that we would reserve the right to amend the bill on the floor, giving the entire membership of the House an opportunity to work its will on this long-delayed and highly important conservation issue.

In explaining our reasons for supporting such a limited measure, we want clearly to record our conviction that the boundaries in this plan are in no sense adequate. The focus on this plan is upon two State parks which are already well protected and administered for public enjoyment. No important national purpose is served by changing their administration if they alone are the focal point of Federal effort.

In most public discussion of this subject, the focus has been on saving the magnificent redwood stands that were discovered in 1964 on Redwood Creek and on providing a national park there of sufficient breadth to preserve the forests' living environment and to serve countless generations of future Americans. These purposes cannot be served by a mere strip a quarter-mile wide on either side of Redwood Creek, as this bill provides. With the exception of the Emerald Mile, the upper slopes all along the creek are left unprotected. Logging there will severely disrupt the view and will expose the strip below to the hazards of windthrows and erosion, rendering its future doubtful. The stands on these slopes are among the finest redwood slope stands in existence and should be preserved as an integral part of the park.

The adjoining drainages of Lost Man Creek, Little Lost Man Creek, and Skunk Cabbage Creek, all tributaries of Redwood Creek, also belong in the park. Lost Man Creek contains the largest concentration of extra-large redwood still in existence outside a State park. Little Lost Man and Skunk Cabbage Creeks are two of the finest remaining watersheds which still support virgin redwood throughout nearly all their length. Thus they are ecologically unique and are necessary to give the national park stature and diversity.

In acting as it did, the committee faced a double dilemma. If it had delayed much longer in trying to perfect boundaries, it would have been difficult to meet the deadline which the rules committee set. But in so limiting the intended acquisitions, some of the most important acquisitions have been left out. If they are not restored, they will surely be logged in due time and lost forever as forests centuries old. We hope our colleagues will join us in seeking restoration of key areas to comprise the kind of Redwood National Park that the American people have every right to expect.

John P. Saylor.
Theodore R. Kupferman.
John V. Tunney.
Morris Udall.
Thomas S. Foley.

ADDITIONAL INDIVIDUAL VIEWS OF CONGRESSMAN THOMAS S. FOLEY

I am deeply concerned that H.R. 10951 fails to incorporate one of the most beneficial provisions adopted by the Senate—the inclusion of the northern purchase unit. Under these provisions a private timber company losing substantial acreages to the park is given a right to exchange these acreages for lands contained in a 14,567-acre area in Del Norte County, operated under the jurisdiction of the Department of Agriculture.

This so-called northern purchase unit is serving no purpose, and is remotely valuable as its use might accomplish three desirable objectives:

1. The enlargement of the proposed national park to include magnificent stands now in private ownership;

2. The compensation for these private lands not in money but in timber areas which could insure the continued operation of private redwood companies with their attendant benefits to the local economy; and

3. The corresponding reduction in cost to the taxpayers at a time which dictates fiscal restraint.

I am amazed that the committee has failed to seize the opportunity to make all or most of this area available as a keystone in building a truly impressive Redwoods National Park. I hope the House will correct this oversight at the earliest opportunity.

Thomas S. Foley.

Additional Views To Accompany Report on S. 2515, Amended, To Establish a Redwood National Park

The proposed Redwood National Park reported by the Interior Committee may be justified as a vehicle for moving this legislation forward, but in its specifics it fails to accomplish most of the objectives for which such a park has been sought.

In considering this matter, the committee faced the task of reconciling three conflicting factors: the need to preserve enough redwoods for the Nation's use, the welfare of the operating companies owning the forests and the local economy dependent upon this industry, and the cost. It was known that reconciliation of these factors would produce a compromise, and a fair compromise would be acceptable. But this plan is not a fair compromise. The committee has settled for a plan smaller than that in the smallest bill before the committee—and even containing less than the lumber companies have indicated was acceptable to them. In short, the plan is inadequate.

Enlargement of the boundaries to include Lost Man Creek, Little Lost Man Creek and Skunk Cabbage Creek would have made the plan at least respectable. It is unfortunate that the committee did not include these areas. The addition of the slopes from ridge line to ridge line along the Emerald Mile did improve the protection afforded that fragile area; and it was gratifying that the amendment to include the slopes was adopted by the full committee. However, the plan as a whole still lacks coherence and breadth.

Other than State parks which are already preserved and open for public use, this national park would offer only a half-mile-wide corridor running along Redwood Creek, for a dozen miles. While the trees in this riverside frontage are magnificent, there is really no room in this frontage to accommodate public use. There is no room for campgrounds and interpretive facilities.

Moreover, the frontage can hardly survive if it stands alone in a setting stripped of the rest of its timber. What kind of national park will we have if it is no more than a ribbon of trees wandering through a wasteland of logged off slopes? The rains and winds of winter storms will soon reduce the corridor to clumps of trees clinging precariously to life. After years of stress on the importance of watershed protection, the committee has not provided for it by basic design except along the Emerald Mile. Only the uncertain hope of watershed easements are held out to protect the park. The practical meaning of such easements in areas where the companies insist they must clear-cut is hard to fathom, unless further fee acquisitions are contemplated. If this will be the result, it should be reflected in the basic design of the boundary.

The committee neglected the opportunity to include a number of complete watersheds which are protectible and harbor superlative forests. These are Lost Man Creek, Little Lost Man Creek, and Skunk Cabbage Creek. They are all included in the original preferred plan suggested by the National Park Service in 1964, and were included in the administration's 1967 recommendation as an optional component. Lost Man Creek supports the greatest concentration of extra-large old-growth Redwood still extant and unprotected, while Little Lost Man and Skunk Cabbage Creeks represent rare surviving examples of watersheds still sustaining virgin growth from their mouths to their sources. As intact ecological units, they are priceless resources for research, as well as for primitive recreation. All will be irretrievably lost to logging if not included in a national park.

Section 3(A) requires conveyance of the State parks by the State of California as a condition precedent to any Federal acquisition of private land. This provision handcuffs the Federal Government and makes it dependent on action by the State.

The full membership of the House of Representatives will have to decide whether it really wants a Redwood National Park. If it does, substantial acreage must be restored to the boundaries and the Federal Government must be freed to move without State consent. Only in this way can the hopes the American people hold for the Redwoods be realized.

William F. Ryan.
Hugh L. Carey.
Patsy T. Mink.
Phillip Burton.
Robert W. Kastenmeier.
Theodore R. Kupferman.

CONCURRING VIEWS OF CONGRESSMAN THEODORE R. KUPFERMAN

It would seem that the minimal result of this legislative action with respect to the redwoods raises the question of whether our being involved was worth the trouble. We have taken the two State parks which in itself is no advance.

Considering the great public interest in the matter, one again wonders about national priorities and the balancing of destruction and preservation.

To concur in this action is merely to acknowledge the obvious: that, in conservation, something is better than nothing.

Ted Kupferman.

Mr. Speaker, the disappointment experienced by these members of the committee, and conservationists in and out of Congress, has been recorded in an excellent set of reports which Leo Rennert, an able Capitol correspondent, has prepared for the McClatchy newspapers in my home State. I include these reports at this point in the Record, as well as a sampling of editorial comment around the country:

[From the Modesto (Calif.) Bee, June 26, 1968]

House Unit Slashes Redwood Park Plan

(By Leo Rennert)

Washington.—Legislation to authorize establishment of a 25,286-acre redwood national park at a cost of $45 million was approved Tuesday by an Interior subcommittee of the economy-minded House.

The measure was promptly denounced as totally inadequate by the Sierra Club.

Rep. John P. Saylor, R–Pa., ranking minority member on the full committee, hinted an effort may be made on the floor of the House next month to expand the boundaries.

SENATE BILL

The parent committee is scheduled to consider the bill later this week.

The subcommittee measure differs markedly from a Senate-approved bill which calls for creation of a 64,000-acre park at a cost of $100 million.

The Senate bill, coauthorized by Sen. Thomas Kuchel, R–Calif., would authorize acquisition of more than 30,000 acres of privately-held redwoods. Today's measure would limit such purchases to fewer than 7,000 acres.

Chairman Roy A. Taylor, D.–N.C., said the subcommittee's plan would create a "meaningful" redwood park.

But Michael McCloskey, conservation director of the Sierra Club, called the result shocking.

"The park as proposed by the subcommittee would have no core, no center," he charged. "It would be an appendage without a main body."

After deliberating more than two hours behind closed doors, the subcommittee announced it had reached agreement on the following package:

1. Inclusion of Del Norte Coast State Park in Del Norte County and Prairie Creek State Park in Humboldt County in the proposed national Park. Jedidiah Smith State Park in Del Norte, included by the Senate, was left out.

2. Acquisition of about 7,000 acres in private ownership, primarily in Humboldt County, from the Arcata Redwood Co., the Georgia-Pacific Corp. and the Simpson Timber Co.

3. Extension of the Senate-approved boundaries along the upper watershed of Redwood Creek, including Emerald Mile, by creation of a corridor one-quarter of a mile on each side of the creek.

4. Elimination of a Senate-approved provision authorizing the exchange of 14,500 acres of national forest land in Del Norte for private timber holdings needed for the park.

5. A 30-mile section of seashore linking the Del Norte and Humboldt sections of the park. Taylor said the subcommittee's plan would not drive any lumber firm out of business. He noted this was one of the main conditions of Gov. Ronald Reagan's administration.

Since state support is needed to transfer state parks into the proposed national park, Taylor said the subcommittee deemed it advisable to meet Reagan's demand that every company be left with sufficient remaining acreage to continue in operation.

The Sierra Club took the view that a worthwhile park cannot be created without driving Arcata out of business.

McCloskey criticized the subcommittee for omitting the Skunk Cabbage Creek and Lost Man Creek sections in Humboldt, which the Sierra Club has sought to include in the legislation.

Under the subcommittee's plan, he noted, state parks would comprise more than two thirds of the total acreage of the national park.

"They did not even include as much land as Arcata itself said it might be willing to sell to the federal government," he said.

"It's the smallest plan that anyone at the present time was proposing.

"The federal effort would be insignificant compared to the state's contribution.

"It's at odds with everything we had reason to hope for in the last few weeks.

"I can't believe in the final analysis it will represent the best thinking of Congress.

"This must be viewed strictly as a transitional effort. It's bound to be improved."

[From the Sacramento (Calif.) Bee, June 28, 1968]

House Committee Okays Redwood Park Proposal

(By Leo Rennert)

Washington.—The House Interior Committee today approved legislation authorizing creation of a 30,000-acre Redwood National Park in California at an estimated cost of $65 million.

The committee added about 4,000 acres to a plan recommended earlier this week by a subcommittee and denounced as totally inadequate by the Sierra Club.

Conservationists, however served notice they remained dissatisfied and will attempt to enlarge the boundaries even more on the House floor.

The measure still is considerably short of the Senate-approved bill calling for a 64,000-acre park with a price tag of $100 million.

The $20 million section added by the committee today is in the Redwood Creek watershed of Humboldt County along the Emerald Mile.

The subcommittee had approved a corridor a quarter of a mile on each side of the creek. The committee widened the section by moving the boundaries up to the ridges overlooking the creek.

[From the New York Times, June 26, 1968]

Truncated Redwoods

This year Congress has an opportunity to establish a minimum-sized Redwoods National Park in California or a mini-minimum park. The second course would be a national tragedy.

Last year the Senate passed a bill to create a 64,000-acre park in Humboldt and Del Norte Counties. It afforded protection to the magnificent redwoods in Mill Creek and Redwood Creek. Although it involved a compromise with the timber companies, the park envisioned in the bill would have provided at least a respectable measure of safety for a national treasure.

However, instead of insuring that even this small area would be protected, the Parks and Recreation subcommittee of the House Interior Committee has now chopped down the size of the proposed park to less than half of what the Senate approved. Its bill would authorize a park of only 25,300 acres. And even that is not a valid figure because 18,000 acres represents land taken from two existing state parks. As against the Senate bill's acquisition of 33,000 acres of private land, the House subcommittee would provide for taking in just 7,300 private acres.

The Sierra Club has rightly branded this truncated park plan "shocking in its disregard for park values" and has warned that it "protects even less acreage than the lumber companies have offered to sell." There is no reason why the state should donate its two parks to complement such a sub-minimal Federal effort. The plain duty of the full House Interior Committee is to undo the damage by reporting out a Redwoods National Park as big as or bigger than the Senate bill's. Anything less is sabotage of the entire project, a craven capitulation to the lumber interests.

[From the Los Angeles Times, June 28, 1968]

REDWOODS: SUBCOMMITTEE USES AX

The lumber companies won—and the nation lost—when a House Interior subcommittee this week drastically cut the Redwoods National Park acreage approved by the Senate.

Subcommittee members stopped just short of eliminating the long-sought park project. They recommended that it be reduced from 64,000 to only 25,300 acres, of which 18,000 acres are already protected in state parks.

Even the lumber companies themselves hadn't formally suggested that the park include so small an amount of privately owned redwood stands. The Sierra Club had good reason to call the subcommittee vote "shocking."

The full Interior Committee, therefore, must now act in the public interest that the subcommitee ignored. And it must act promptly before the lumberman's saw destroys what's left of this great national resource.

The Senate bill, introduced by Sen. Thomas Kuchel (R.-Calif.), had the backing of Gov. Reagan, the White House and conservationist organizations. Although the governor wanted less private acreage taken, he supported the compromise in which three state parks plus 33,000 acres of privately held redwood stands would form the park.

The $110 million Senate plan also included provision for trading 14,000 acres of federal land for private acreage. Nearly half of the total acreage would be in the three state parks—Jedediah Smith, Del Norte Coast and Prairie Creek.

Meeting in secret to "mark up" their proposal, the Interior subcommittee eliminated Jedediah Smith Park entirely from the plan and drew the boundary lines so as to miss the holdings of two of the largest lumber companies.

"We have agreed on what we think is a meaningful park," said the subcommittee chairman, Rep. Roy A. Taylor (D-N.C.).

Meaningful to whom?

The meaning to most Americans is that the subcommittee is more interested in protecting lumber companies than in preserving a priceless heritage.

[From the San Francisco Examiner, July 1, 1968]

THAT'S A PARK?

The National Redwood Park approved by the House Interior Committee is a niggardly thing. It is less than 30,000 acres as contrasted with a Senate approved bill of 61,000 acres. Even the Senate version was a compromise with the conservationists.

Of those less than 30,000 acres in the House committee bill, more than 20,000 acres are already in the two state parks which it would encompass.

Vital watersheds, deemed necessary for the proper conservation of the area, were brutally eliminated by the committee. Rep. Jeffery Cohelan (D) of Alameda county, who had been one of the leaders in the fight for an adequate park, predicted that the state would decline to surrender any of the state parks for inclusion in such a monstrosity.

It should decline.

The fight should go on for an adequate National Redwood Park. Time is of the essence.

The saw and the ax wont wait.

[From the Washington Post, July 2, 1968]

REDWOODS FIASCO

There are some crumbs of comfort in the action of the House Interior Committee on the Redwood National Park bill. A subcommittee had stripped the bill to a pitiful remnant. As it emerged from the full Committee on Friday, a little acreage had been restored, $9.5 million had been added for development and Chairman Aspinall had made clear that the bill was not to be considered final. Interior was rushing to meet a Rules Committee deadline.

Nevertheless, this emasculated bill is a letdown for the whole country. The Senate-passed bill would create a magnificent park including the best redwood groves of both the Mill Creek and Redwood Creek watersheds, with an attractive connecting strip along the Pacific Coast. The House Committee version completely eliminates the Jed Smith area which, many believe, contains the finest redwoods in the world. As against the 64,000-acre park approved by the Senate, the House version would include about 26,000 acres, taking more than two thirds of that area from existing state parks.

The chief improvement which the full House Committee made was to widen the Redwood Creek strip to be taken near the Emerald Mile but the basic inadequacy would remain. This so-called national park would be merely add a niggardly appendage to groves that California has already preserved. In future decades when the demands upon the national parks will be greatly intensified it would be a reproach to Congress for its myopia.

Nothing less than the Senate bill will give the country the kind of Redwood National Park it ought to have. The benighted say that when you have seen one redwood you have seen them all, but it is rather difficult for 200 million people to view one tree. Actually, the awesome atmosphere of the redwoods is present only in substantial groves that are not overwhelmed by human visitors. If all the park-quality groves now in existence were preserved, they would not be too extensive for this country's recreational needs in the future. At the very least Congress has no obligation to create a park that will include the best of these natural sanctuaries with enough space around them to protect the environment they must have for survival. The objective should be to create a great national park and not merely to save pathetic remnants that would become only a reminder of colossal folly.

[From the Sacramento Bee, July 4, 1968]

HOUSE SHOULD WRITE BETTER REDWOOD BILL

The House of Representatives should write a better bill to establish a national redwoods park in California than the one reported to it by the House Interior Committee. The size and scope of the park outlined by the committee falls short of the goal set by those who wish to create a reserve deserving the national name.

While the committee did improve upon what was recommended to it by its subcommittee, it still did not even come close to the version sponsored by United States Senator Thomas H. Kuchel, R-Calif., and others in the Senate.

Should the House accept the Interior Committee's bill without expansion, it would place its conferees in a difficult position with their counterparts in the Senate when the measure finally is written in a House-Senate conference committee. The House spokesmen would start from a weak stand.

The size of the Interior Committee's proposed park even is substantially smaller than that which would be acceptable to the administration of Governor Ronald Reagan. Norman B. Livermore, California Resources Agency Administrator, has suggested a 56,500-acre park, including 29,200 acres of privately-owned land. But the Interior Committee's version would be only 30,000 acres in total with 11,000 acres from privately-held sources.

And the Senate bill includes 30,000 acres of privately-held land not now protected in state parks.

There is another danger lurking in the language of the Interior Committee's bill. This is a provision which would give the State of California absolute veto power over the federal government in the final establishment of the park.

This fails to recognize that what is being talked about here is the national, not only the state, interest and Congress should not lose sight of that. The national concern is for a redwoods park of respectable, national caliber.

[From the Sacramento (Calif.) Bee, July 5, 1968]

SOLONS WILL SEEK MORE LAND FOR REDWOOD PARK

(By Leo Rennert)

WASHINGTON.—Four members of the House Interior Committee today announced they will ask the House to add major sections in Humboldt County to a pending redwood national park bill. As reported by the committee, they said, the legislation is in "no sense adequate" because it omits "some of the most important" virgin timber stands in the Redwood Creek watershed.

"We hope our colleagues will join us in seeking restoration of key areas to comprise the kind of redwood national park that the American people have every right to expect," they declared.

Joining in the statement were Republicans John P. Saylor of Pennsylvania, the committee's ranking minority member, and Theodore R. Kupferman of New York, and Democrats Morris K. Udall of Arizona and Thomas S. Foley of Washington.

The committee last week approved a bill calling for a 28,000-acre park—less than half the area included in a Senate-approved 64,000-acre plan.

The four congressmen said they went along to prevent undue delay in committee which might have resulted in killing the measure during the congressional pre-adjournment rush.

[From the Sacramento (Calif.) Bee, July 7, 1968]

FEAR OF ONE MAN CASTS PALL OVER REDWOOD EFFORTS

(By Leo Rennert)

WASHINGTON.—Fear of one man—House Interior Committee Chairman Wayne N. Aspinall, D–Colo.—has cast a pall on efforts to push through the House a redwood national park bill considered adequate by conservation groups. In view of the vast power wielded by committee chairmen, lawmakers who want a large park in Northern California are worried Aspinall may block final approval of redwoods legislation if they confront him with a successful floor revolt.

House action is not expected to be the last leg of the bills' tortuous journey to the White House. Any differences between House and

Senate versions will have to be reconciled in a joint conference committee—an arena in which Aspinall will hold many trump cards.

AUTOMATIC CHIEF

As Interior Committee chairman, he automatically will head the House conferees. More importantly, he could go so far as to refuse to meet with Senate negotiators—thus leaving redwoods legislation to die in limbo between the two houses.

Fear that Aspinall may resort to such procedural sabotage has been a dominant concern of committee members sympathetic to the Sierra Club's desire for a park which more closely would approximate the 64,000-acre plan approved by the Senate.

Last week, they stood by virtually paralyzed as the 72-year-old chairman rammed through a puny 28,000-acre proposal.

The bill caused widespread consternation among conservationists. The Sierra Club denounced it as a travesty. Even staunch friends of lumber interests acknowledged it could be improved.

Yet, Aspinall had his way despite the fact conservation-minded committee members had the votes to send out a bill containing considerably more acreage.

VAST, UNSEEN POWER

Their decision not to use their strength holds the key to the secret of the chairmen's vast—but largely unseen—power.

When the committee met June 29, Aspinall served notice that would be the last day to approve legislation in time to obtain Rules Committee clearance for a House vote this year.

Rep. Morris K. Udall, D-Ariz., had several proxies in his pocket as a result of Sierra Club efforts to line up votes for a larger park. So did Rep. John P. Saylor, R-Pa., a staunch friend of the club.

Yet, on a motion to add several sizable sections to the park, Udall voted with Aspinall on the negative side. Saylor voted yes but cast no proxy votes.

As a result, the motion was defeated, 7-10. Udall alone could have altered the outcome by casting his vote and his proxies on the yes side.

REASON IS CLEAR

The reason for his unusual performance was clear. A conservationist victory in committee might have resulted in a sudden decision by Aspinall to adjourn the meeting on the ground a quorum was not present. (Fridays are considered semiholidays on Capitol Hill.) In that event, the bill never would have reached the floor.

When a quorum finally was reached toward the end of the meeting, Aspinall still remained in command. As chairman, it was up to him to take the bill to Rules. If he did not like the legislation, he could always "forget" to comply with the Rules Committee's July 9 deadline for clearance of major legislation.

The issue confronting Saylor and Udall thus was not what kind of a bill the committee should approve but whether a bill would be permitted to reach the floor.

Both have served notice they will ask the House to add several major sections in Humboldt County to the bill—despite Aspinall's expressed hope any major rewriting should be done in a House-Senate conference committee.

QUESTION PERSISTS

The question, however, persists: To what extent will Udall and Saylor dare challenge Aspinall on the House floor?

For if they succeed, they again run the risk of retaliation by Aspinall, who might just sit out the 90th Congress without allowing a conference to be convened.

This type of threat is by no means academic. Senate Interior Committee Chairman Henry M. Jackson, D-Wash., has refused to go to conference for several weeks on Colorado River legislation because he adamantly is opposed to a House provision which may open the way for diversion of Columbia River water.

In fact, some observers have suggested Aspinall deliberately shrunk the size of the proposed redwood park as a maneuver to get Jackson to end his blockade of the Colorado River bill.

Whether or not there is substance to this speculation, there is no doubt the outcome of the battle of the redwoods now hinges more on Aspinall's whims than on any consideration of the merits.

NO HARD EVIDENCE

There is of course no hard evidence Aspinall would have consigned the bill to oblivion if he had been defeated in his own committee. Or that he will do so if he is beaten on the floor.

But the undeniable fact he has this power—along with the fear of many members that he may use it—has been enough to throw the ranks of conservationists into disarray.

For there are no easy solutions to their present dilemma:

1. Should they trust Aspinall, as he has asked them, offer little resistance on the floor and hope he will bow to better judgement in conference? If they do, what assurance have they that Aspinall will not fight for the smallest possible park when the conferees meet and exact prohibitive concessions from the Senate?

2. Or should they call for a major House revolt and seek to overturn the committee's recommendations on the floor? If they do, what assurance have they that Aspinall will even permit the appointment of conferees to carry the bill to the next stage?

One possible maneuver under discussion would be to offer a motion on the floor to accept the more generous Senate bill. If successful this would send the legislation directly to the White House and avert any possible ambush by Aspinall.

COUNTERATTACK DANGER

But any such attempt is sure to run into a bitter counterattack by the chairman, who could appeal to the House's pride not to accept without change a bill from the "other body." He also could be counted on to portray the Senate bill as far too expensive a package—an almost invincible argument these days in the economy-minded House.

Thus, there are no happy choices for redwoods supporters in the days ahead.

In the final analysis, the decision will be based primarily on how much they trust Aspinall. Some may suggest this is hardly proper criteria for resolving the redwoods issue. But when an institution like the House is willing to give that much power to one man, his incinations are likely to supersede other concerns.

Aspinall has never pretended he favors a large redwood park. Lumber and mining are the two chief industries of his district—and his conservation views are not too much at variance with his constituency.

He does not want to spend much money on a redwood national park and he wants to keep all affected lumber firms in business.

His lack of enthusiasm might have been canceled by a strong drive by the Lyndon B. Johnson administration. Or dynamic support for a large park by the Ronald Reagan administration. Or a federal treasury not bedeviled by rising Vietnam costs.

But none of these factors is challenging Aspinall's resistance to a sizeable park. In their absence, his influence looms large.

[From the Sacramento (Calif.) Bee, July 8, 1968]

INTERIOR GROUP MEMBERS URGE MORE LAND FOR REDWOOD PARK

(By Leo Rennert)

WASHINGTON.—Six more Interior Committee members today asked the House to add "substantial" acreage to a pending Redwood National Park bill to keep faith with "the hopes the American people hold for the redwood."

In a sharply worded dissent, they charged the committee's proposed 28,400-acre unit lacks sufficient "coherence and breadth" to deserve the label of national park.

"What kind of national park will we have if it is no more than a ribbon of trees, wandering through a wasteland of logged off slopes?" they asked.

BURTON JOINS ATTACK

Joining in the attack on the committee bill were Reps. William F. Ryan, D-N.Y., Hugh L. Carey, D-N.Y., Patsy T. Mink, D-Hawaii, Phillip Burton, D-San Francisco, Robert W. Kastenmeier, D-Wis., and Theodore R. Kupferman, R-N.Y.

Their statement boosted the number of dissidents favoring a larger park to 10 on the 33-member committee.

Four other members served notice last week they would offer an amendment on the House floor to enlarge the park.

The committee-approved bill carries a price tag of $56.7 million. Its boundaries encompass less than half the land contained in a Senate-approved 64,000-acre plan.

The House is expected to take up the measure later this month following clearance by the rules committee.

As recommended by the Interior Committee, only about 10,000 acres of private holdings would be acquired—compared with more than 30,000 in the Senate bill. The rest of the acreage would include two state parks—Del Norte Coast in Del Norte County and Prairie Creek in Humboldt County.

In filing today's dissent, Ryan and his colleagues said it was known all along that redwoods preservation would have to be reconciled with the interests of lumber firms and the welfare of the local economy.

"But this plan is not a fair compromise," they declared.

"The committee has settled for a plan smaller than that in the smallest bill before the committee—and even containing less than the lumber companies had indicated was acceptable to them.

"In short, the plan is inadequate.

HALF-MILE STRIP

"Other than state parks which are already preserved and open for public use, this national park would offer only a half-mile-wide corridor running along Redwood Creek, for a dozen miles.

"While the trees in this riverside frontage are magnificent, there is really no room in this frontage to accommodate public use. There is no room for campgrounds and interpretative (visitor information) facilities.

"Moreover, the frontage can hardly survive if it stands alone in a setting stripped of the rest of its timber. The rains and winds of winter storms will soon reduce the corridor to clumps of trees clinging precariously to life."

VETO PROVISION

Besides calling for major additions to the committee plan, the six congressmen also urged the House to remove a provision which would give California officials an absolute veto over establishment of a national park.

"The full membership of the House of Representatives will have to decide whether it really wants the Redwood National Park," they said.

"If it does, substantial acreage must be restored to the boundaries and the federal government must be freed to move without state consent."

In a separate dissent Rep. Thomas S. Foley, D-Wash., called for a restoration of a Senate provision, eliminated by the committee, which would permit exchange of 14,500 acres of national forest land in Del Norte for private redwoods needed for the park.

Kupferman, who signed both major dissenting reports, took aim at the committee's action by adding still another one of his own.

"It would seem that the minimal results of this legislative action with respect to the redwoods raises the question of whether our being involved was worth the trouble," he said.

"Considering the great public interest in this matter, one again wonders about national priorities and the balancing of destruction and preservation."

[From the Sacramento (Calif.) Bee, July 10, 1968]

REDWOOD PARK VOTE WILL BE "EITHER-OR"

(By Leo Rennert)

WASHINGTON.—Democratic and Republican House leaders have agreed to take up a pending redwood national park bill under a procedure which will bar consideration of any amendment to increase the boundaries. The measure, which calls for a 28,400-acre park, has been denounced as totally inadequate by the Sierra Club and its congressional supporters.

Then members of the House Interior Committee have served notice they would offer an amendment on the floor to add several major sections in Humboldt County.

ASPINALL'S DECISION

But their plans were demolished by Committee Chairman Wayne N. Aspinall, D-Colo., who obtained agreement from Speaker John W. McCormack to give House members only a take-it-or-leave-it choice.

The only way left to enlarge the boundaries would be in a House-Senate conference committee, where differences with an upper house version calling for a 64,000-acre park will have to be reconciled.

"This is where the bill is finally going to be written anyway," said Aspinall in confirming that the entire House membership has been effectively barred from altering the bill.

WILL HEAD TEAM

The chairman, who resisted efforts in his committee to broaden the scope of the park, will wield considerable influence in conference since he will head the House negotiating team.

Knowing this, conservation-minded lawmakers had hoped to enlarge the boundaries on the floor before the bill reaches the conference stage to improve the outlook for a larger park.

To do this they needed a "rule" from the Rules Committee to permit amendments during floor consideration.

On June 29, Aspinall rushed the bill out of his committee to beat a July 9 deadline set by the Rules Committee to provide such clearance.

DIFFERENT ROUTE

But today Aspinall said Rules has become too jammed up with clearance requests and the leadership has decided to take a different route to the floor.

Under this alternate procedure, known as "suspension of the rules," the measure requires a two-thirds majority vote and cannot be subject to amendment.

Aspinall said this approach also was approved by Majority leader Carl Albert of Oklahoma, Minority Leader Gerald Ford of Michigan and Rep. John P. Saylor, R-Pa., ranking minority member on the Interior Committee.

Saylor, a staunch friend of the Sierra Club who was prepared to offer a floor amendment to improve the bill, was not available immediately for comment.

HAD NO CHOICE

An aide said he had no choice but to go along with the chairman to keep alive any hopes for a bill at this session.

"It's a two-third vote or nothing" said Aspinall.

He criticized "do-gooders," including the Sierra club, which has advocated major changes on the floor instead of allowing the decision to be made behind closed doors in conference with Senate negotiators.

Aspinall also criticized coverage of the redwoods controversy by the McClatchy newspapers.

"If you want a redwood national park, you had better cooperate," he told this reporter.

COHELAN SCORES 'GAG'

Rep. Jeffery Cohelan, D-Berkeley, author of a now-discarded redwoods bill supported by the Sierra Club, denounced the leadership's agreement to "gag" the House.

"I'm appalled," he declared. "Obviously this approach doesn't give the House a chance to work its will. This is procedurally wrong.

"There's a strong desire for a redwood park in this country. But as the bill stands, we haven't got a park worthy of the name."

Z'BERG PROTESTS PARK INADEQUACY

For their consideration, the House members had before them a strong protest by Assemblyman Edwin L. Z'berg of Sacramento County, chairman of the Assembly Natural Resources, Planning and Public Works Committee, to the legislation.

"As chairman of the California Assembly policy committee that will consider redwoods national park proposal," Assemblyman Z'berg wired Rep. Jeffery Cohelan, D-Alameda County, who is making a floor fight for a larger park, "I must express deep disappointment and concern over the totally inadequate park now before the house.

"Based upon exhaustive committee study and report, it is my view that substantial additional acreage in Redwood Creek area is necessary to the creation of a truly meaningful Redwoods national park."

Mr. Speaker, as you know, I had expected to lead the effort today to restore key areas to this bill. In my 4-year effort to obtain a Redwood National Park that would keep faith with future generations, I have worked closely with a leading conservation group which draws its national leadership heavily from my district, the Sierra Club. Founded in 1892 by John Muir, the club has always been a major voice in calling for protection of natural wonders in our national park system. In a letter to Members of this house, the Sierra Club has succinctly characterized the inadequacy of the committee plan and the hopes which conservationists held for its improvement. I include portions of its letter of July 8, 1968, in the RECORD at this point:

SIERRA CLUB,
San Francisco, July 8, 1968.

DEAR MEMBER OF CONGRESS: The Redwoods of California's coast have had to wait a long time to be rescued, and few of them have been. For four years now, however, it has been apparent that enough still survive to comprise a superlative national park, a showcase for the world's tallest living things.

In that time, the hopes for such a park have faced a series of shattering crises: planning delays, unaccountable shifts in plans, logging in prime stands, and shrinking vision. Now as these hopes at last stand on the threshold of success, another crisis looms in the form of the shriveled plan for a park put forth by the Interior Committee, on which you will soon vote.

At 28,000 acres, this plan is less than half the size of the plan approved by the Senate (64,000 acres), which was itself a major compromise. Smaller than any plan previously put before the Congress, it contains even less than the lumber companies have talked of selling willingly. Built around two state parks, the Committee plan limits acquisition of private lands mainly to a corridor a quarter-mile wide along each side of Redwood Creek, with a bulge at the end along the Emerald Mile.

This design does not remotely resemble any of the many plans, of varying size, put forth by the National Park Service, nor any suggested by the any reputable conservation group. Shaped like a snake with a box tied to its tail, it better fits the category of Wild River than "national park" (see map on last page). As you can see from editorial comment, the nation is stunned by the Committee's shortsighted action in offering such a misshapen park.

The plan misses the mark with respect to almost all purposes which a Redwood National Park would serve: no real forest is preserved; the natural environment will not be protected; there will not be room for public use; some of the finest specimen stands will be abandoned; scientific values will be minimal. In its efforts to keep the landowning lumber companies whole, the Committee has lost sight of what a national park is for.

Fortunately ten members of the Committee (and possibly more) do not agree with the premises on which the plan was designed. Their views are filed as supplemental views in the Committee report. We hope you will read them—and that you will join in the effort they will lead, along with Congressman Cohelan, to restore respectability and purpose to the plan.

Four areas should be restored to the park: the slopes along Redwood Creek, the old-growth in Lost Man Creek, and the drainages of Little Lost Man Creek and Skunk Cabbage Creek, which flow into Redwood Creek. All are in the plan adopted by the Senate, and have been included in various plans put forth by the National Park Service. The upper slopes of Redwood Creek are the critical setting for the streamside trees, providing scenery, a living environment, space for public use, and watershed protection. Lost Man Creek harbors the finest stands of extra-large redwood that have yet survived without protection. They will not last if left out of the park. Little Lost Man Creek and Skunk Cabbage Creek, closed almost entirely with virgin redwood, are possibly the last two untouched watersheds that can be found in the redwood region.

The ancient forests of these four areas will vanish soon if you do not vote to protect them. They will follow the fate of other nearby areas that loggers have turned into a wasteland (see the color poster inside; unfold completely). They will only be protected if put within a national park.

As a friend of conservation, we trust you will do all you can to allow the federal government to move forward promptly to build the best possible Redwood National Park. This is the last good chance. Thank you for your help.

Sincerely,

MICHAEL MCCLOSKEY,
Conservation Director.

Mr. Speaker, prior to the onset of committee action, conservationists in the Sierra Club and elsewhere held even higher hopes for the action that this body might take. They had hoped that we would improve on the bill passed by the Senate, and I think we should have. To complete the record of the hopes that were held for this day's action, I include the testimony offered for the club by Dr. Edgar Wayburn, its president, and Michael McCloskey, its conservation director, at field hearings on April 16, 1968, in the RECORD:

Testimony on Legislation To Establish a Redwood National Park

(By Edgar Wayburn, president, Sierra Club, before the House Committee on Interior and Insular Affairs, Crescent City, Calif., Apr. 16, 1968)

Mr. Chairman, my name is Edgar Wayburn. I am appearing here today as President of the Sierra Club, along with our Conservation Director, Michael McCloskey. We have looked forward to your visit with great anticipation and we welcome you to California. These hearings mark an historic occasion for the redwoods and all who are devoted to preserving them.

The Sierra Club's interest in redwoods runs back to the beginning of the century when some of its most illustrious members founded the Sempervirens Club, which was largely responsible for the establishment of a Big Basin Redwoods State Park on the peninsula south of San Francisco. Today the Sierra Club chapter there is still working to raise funds to add a few remaining groves to that long-standing project. Recently our members from throughout northern California came to Humboldt Redwoods State Park south of here to help plant seedlings to stabilize a cut-over watershed which the park acquired.

For those who most admire and value the redwoods, establishment of a Redwood National Park has always been a primary goal. This goal has persisted throughout the half century in which the Save-the-Redwoods League has labored so fruitfully to build a magnificent system of redwood state parks. For all the value it has, the state system fails to meet the objectives of a redwood national park. Accordingly, major efforts have been made to obtain a national park in the 1920's, the 1930's, the 1940's, and now for the fourth time in the 1960's. This is the last chance to reach this goal.

Despite the attrition over the years in which some of the finest redwood forests have been lost, a Redwood National Park is still an important goal for the following reasons.

One. It will preserve an additional increment of magnificent redwood forest which will otherwise be logged;

Two. It will protect and display a wider range of features of the redwood forest community than are found in any one state park;

Three. It will provide an element needed to help make the National Park System more complete;

Four. It will provide for future needs to know more primeval redwoods than are presently preserved (we must now save all we will ever need);

Five. An undertaking of this magnitude is beyond the capacity or intention of the state, and in many cases stronger protection is needed than state law affords.

In 1963 the Sierra Club published a book focusing on this last opportunity for a park, entitled *The Last Redwoods*. The scope of the opportunity was defined even more specifically a few months later in the report of the National Park Service's study team, which had studied the redwood region intensively for 15 months. Finding that less than 15% of the original virgin stands remained and that the greatest unprotected stands were in Redwood Creek, the Park Service outlined three alternative plans for preserving those stands in a national park.

From the day that report was issued, the Sierra Club has been dedicated to realizing its recommendations. Through three and a half years of controversy and confusion, we have stood steadfastly by this goal. We have done so because we knew the Park Service had done its field work well and because we ourselves have seen every part of the acreage involved. We know its quality is superlative; we know what it can mean to the American people if they can be given a chance to see it as we have; and we know it will be logged if a national park does not come into being.

As we came to know all the splendor that lies in the forests of Redwood Creek, we felt that the breadth of the opportunity there should be fully explained to the American people so that they and their elected representatives could make a fully knowledgeable decision about what to preserve. Accordingly we advised Congressman John Saylor, Congressman Jeffery Cohelan, and other members of Congress on the specifics of an outline of what we felt would be the best possible park that could be established in Redwood Creek. Their bills, H.R. 1311 and H.R. 2849, embody this vision. Embracing 90,000 acres within the Redwood Creek drainage, these bills would protect 20 miles of continuous virgin forest—the largest single sweep of primeval redwoods that can be found anywhere. This forest has the magnitude to comprise a truly *national* park, something stated in terms large enough to serve the nation's needs through many generations ahead. Its breadth is matched also by its quality, containing as it does the greatest concentration of superlative old growth stands yet unprotected (classified by some foresters as 000 stands, which are those of extra large diameters and heights). The tallest known tree on Redwood Creek reaches to nearly 367 feet, but it has neighbors all up and down the creek which are equally remarkable. All constitute national assets which deserve protection, forming as they do a spectacular wall, 300 feet high, along the creek. We urge strongly that the ultimate taking lines of the Redwood National Park be set at no less than the boundaries of H.R. 1311 and H.R. 2849.

Three and a half years have passed since the Park Service first identified the special values residing in Redwood Creek, and it is two and a half years since the first bills were introduced to authorize a park there. In one form or another—in one place or another—logging has moved into and through parts of the great park that could have been on Redwood Creek. The opportunity there is now far less than it was in the fall of 1964. Probably some 3500 acres have been cut in that time. The road to the Gold Bluffs Beach has been cleared out; the great flat across from Bond Creek has been leveled; the North Fork of Lost Man Creek has been devastated; upper Bridge Creek has been compromised; the skyline of Elam Creek is now thinning; and now even the Emerald Mile lies under a death sentence, as a network of roads penetrates its wilderness, and trees up to 14 or 15 feet in diameter have been cut in clearings 100 yards wide.

Through your good offices and those of the Senate Interior Committee, the amount of logging has been curtailed in the past two years, but the area subject to restrictions has been quite limited and there have been differences of opinion on the nature of commitments by the companies. Suffice it to say that the moratoria have been limited in scope and probably will not be renewed in any event beyond this fall. The Committee thus clearly does face a last chance to rescue these great trees from a fate which will surely be sealed if you do not act in the next six months.

While three or four years of debate has taken a toll in the loss of trees, it has also brought a growing consensus about the validity of the case for a Redwood National Park and even growing agreement about the location of the principal values in question. Out of the maze of plans and counterplans, there is increasing recognition that certain things should be saved. This recognition was reflected in the composite plan which the Senate approved, S. 2515.

We feel that S. 2515 is a good plan as far as it goes. It was designed to extend protection to the following features:

(1) the remaining 000 stands of redwood in Redwood Creek, Lost Man Creek, and Mill Creek;

(2) two nearly virgin watersheds, Skunk Cabbage Creek and Little Lost Man Creek, both valuable ecologically;

(3) the view zones into the entrance to the valley of Redwood Creek;

(4) the forest frontage along Redwood Creek itself;

(5) and the coastline from the mouth of Redwood Creek to near Crescent City.

S. 2515 is an incomplete plan, but it begins with the right building blocks. Unlike H.R. 7742 and H.R. 10951, it does not ignore the greatest stands which might still be saved—the stands which have precipitated all of the outcry and all of the effort. S. 2515 represents a conscientious effort, in our view to come to terms with a difficult and perplexing problem.

S. 2515 has removed a source of division and competition among conservation groups over the design and location of the park. Everyone still has his own preferred plan, but there is widespread acceptance of the fact that S. 2515 does provide a practical basis for moving forward to make the best out of an imperfect situation. To our knowledge, all major national organizations have expressed general support for the approach to location and design of S. 2515.

Obviously the bill is not without its limitations, and we are sure it can be improved. We urge this committee to undertake the job of fashioning S. 2515 into the best bill possible under the limits of whatever assumptions you feel are now warranted. The most basic assumption of the Senate was that no more than $100 million would be available to finance a Redwood National Park. We know this is a large sum and that the nation faces severe economic challenges. But we also know that the plight of the redwoods is unique. The time to act cannot be delayed. For this reason, we have urged that extraordinary methods of funding be considered.

In part, the Senate accepted this suggestion by providing for an exchange of federal redwood holdings administered by the Forest Service to facilitate park acquisitions. Under the special circumstances of this case, we support this provision, though we would also accept full funding from appropriations. This may be possible if the Land and Water Conservation Fund is augmented as this Committee is recommending. But admittedly this Committee cannot control what the Appropriations Committee may choose to do in funding any park that is approved. Because of these uncertainties, an exchange provision may be valuable in any case to assure that some acquisition values are available immediately to allow acquisition to proceed in an orderly way.

If $100 million is accepted as the limit on what Congress may reasonably be expected to provide for this project, the House of Representatives can still improve the measure passed by the Senate (S. 2515; H.R. 13508). This can be done by revision of the boundaries to include a minimum of 72,000 acres. We believe that there is a reasonable prospect that this amount of acreage can be purchased for $100 million. H.R. 16535 by Congressman Phillip Burton, would provide for a park of this size, and we support this bill if $100 million is the limit on available funding.

We are attaching a map and statistical tables showing the manner in which we think the boundaries could best be drawn under an authorized size of 72,000 acres. These boundaries are illustrative, rather than ones which would definitely be fixed in the bill. They show the opportunities that should not be neglected. If the committee chose to delegate the exact delineation of the boundaries to the Secretary of the Interior after further detailed studies, we would be confident that the ultimate boundaries selected would closely resemble those suggested on our map. Thus, the data in our tables should present a generally reliable picture of the results to be expected.

Were these suggestions adopted, the total authorized size would increase by only 8,000 acres. The statistical tables in the Senate Interior Committee's report, however, describe only the charactertistics of the initial size of the park at 61,654 acres, rather than at 64,000 acres. Our tables, thus, are based on the difference between a park of 61,654 acres and one of 72,004 acres. This difference is 10,350 acres. Of this latter difference, 7,680,000 acres would be virgin growth. For purposes of comparison, consequently, 20,585 acres of virgin redwood growth would be acquired from private owners under the 72,000 acre plan as contrasted to only 12,905 acres under S. 2515, or approximately one and a half times more virgin redwood. Much of this redwood is of above average diameter and height and is in critical view zones and watershed areas. A parcel by parcel description of the quality of the additions appears below.

Naturally, the question arises of how half again more virgin redwood can be purchased for the same sum. The answer basically is that we think the Senate was conservative in estimating what could be purchased for $100 million. This is very understandable in view of previous experiences in purchase of private land at Pt. Reyes and elsewhere. While this is an understandable reaction, the fact is that the same opportunities for speculators in subdivision land do not exist within the boundaries of this park. The value of redwood timber is tied to the going market price of redwood stumpage. This price cannot easily be tinkered with or disguised.

Studies by our staff forester, aided by an independent forest land appraiser, show that a fair average price for good quality virgin redwood land is $4150 per acre. Assuming that 20% of the total cost is for contingencies and inflation, it can be inferred that the Senate Committee used a top price of $6000 per acre for virgin redwood land. This figure is practically without precedent in land sale transactions here, and there is no reason to assume prices will go this high when stumpage prices have been relatively stable for a number of years, especially with the soft housing market. Our rate accurately reflects recent transaction evidence. In addition, we have included a 13% contingency factor, rather than a 20% figure. Even 13% is somewhat in excess of what local land acquisition agencies include.

Admittedly, pricing redwood land is not an exact science, and no one can accurately foretell future prices. We believe, however, that the Congress should proceed on the basis of reasonable prospects and provide an opportunity for the better park to be acquired. If unforeseen events frustrate this design, at least the Congress would have done its best. With so many fine redwoods in dire jeopardy, why opt in favor of the most pessimistic outcome? No harm is really done by using an average rather than the highest possible price. If prices should conceivably go that high, the same amount of land would be acquired as if the ceiling on size had not been raised. But if prices do remain stable, the 72,000 acre amendment will make it possible to buy all the needed land without delay. There really is no risk in raising the ceiling, but the lower ceiling needlessly forecloses a likely opportunity. Finally, inclusion of a provision for advance contract authority, with appropriation by Congress in the near future, would insure against a rise in costs.

Parcels that could be added under an authorized size of 72,000 acres:

(See Table 7.)

Addition 1. This addition would bring protection to one of the most important areas along Redwood Creek, the Emerald Mile. Intermittent narrow benches along the creek, particularly its west bank, support superlative old-growth stands rising to average heights of 300 feet and more. On timber-type maps, the superlative quality of the trees is not clearly reflected because of the narrowness of the benches. The stands begin near the lower end of Counts Hill Prairie and continue for two miles downstream to meet the end of the riverside strip contained in S. 2515, just below the south of Bridge Creek. By extending one-quarter of a mile on either side of Redwood Creek, the addition will protect magnificent stands on the benches and lower slopes adjacent to them, and will provide a protected view for float or hiking trips along the stream. The addition contains 800 acres, half of which is owned by Georgia-Pacific and half by Arcata Redwood Company. Eighty percent of the addition supports virgin growth.

Addition 2. This addition will place within the park the eastern slopes above the riverside strip contained in S. 2515. The addition runs for about four miles above the strip varying between one and two miles in width, and contains nearly 4,600 acres owned mostly by the Arcata Redwood Company. It includes the upper basins of five water courses tributary to Redwood Creek. It will provide valuable protection for a delicate watershed above the narrow streamside screen, reserved under S. 2515, which is immediately downslope. The addition will prevent development of a logged edge along the screen inviting problems of windthrow and erosion. Much of the virgin redwood is of above average size. The addition will also protect the quality of important views from the Bald Hills Road and from viewpoints to the west of Redwood Creek.

Addition 3. This addition would serve the same purpose, as addition 2, for the streamside strip in the Emerald Mile, which is suggested as addition 1. The addition here of 1,780 acres will bring watershed protection to the upper portions of three water courses tributary to the creek. About two-thirds of the addition supports virgin timber, with much of the rest comprised of sloping prairies. Ownership of this unit, which is about two miles long and one mile wide, is mixed, with Simpson and Arcata the major owners. Protection of the watershed, view zones, and on site timber are the purposes of the addition.

Addition 4. This addition will protect the forested backdrop of the town of Orick. This view is an important component of the scene on entering the park from Highway 101. Nearly 80% of the addition supports virgin timber. It is owned by Georgia-Pacific.

Addition 5. This addition will bring protection to another mile of the valley of lower McArthur Creek. Eighty percent of the timber is virgin, and it is particularly choice. With this addition, two miles of the valley would be protected for hiking on loop or stub trails: The addition will give greater depth to the park along lower Redwood Creek, protecting both the stands for close-in use and the quality of views of them from a distance. The 480 acre unit is owned by Georgia-Pacific.

Addition 6. This addition will bring the upper watershed of Elam Creek within the park. Under S. 2515, only the lower half of the watershed is protected, leaving the upper half open to logging. This oversight will leave the forests of the lower portion exposed to erosion and windthrow, and will allow the fine clear waters of the stream to become silt laden. By adding 1,280 acres of the upper basin, these dangers will be obviated. Moreover, the addition will protect an exceedingly important skyline seen in views from the entrance to Redwood Creek. Logging along that skyline has already compromised the view, though about 1,000 acres of the addition are still virgin. Georgia-Pacific, which owns the unit, has been logging within it since the fall of 1966.

Addition 7. This addition of 840 acres along the lower Bond Creek will give greater depth to the streamside screen along Redwood Creek. It will also give greater protection to westerly views from the Bald Hills Road.

In conclusion I want to state that the Sierra Club strongly advocates that all possible measures be taken to protect the people of Humboldt and Del Norte counties from suffering any economic hardship which might result in the immediate period following the establishment of the park. To this end we suggest that the legislation provide for economic adjustment payments to the local governments and job opportunties for local citizens.

My colleague, Michael McCloskey, will present additional testimony relating to the costs of a park and its economic impact. Thank you for the opportunity to testify.

TABLE 1.—PRIVATE OWNERSHIP

[Acres excluding submerged lands]

Owner	S. 2515, H.R. 13508	Possible acquisition under 72,000-acre plan	Net increase
South unit:			
Arcata	12,508	17,798	5,290
Georgia-Pacific	3,055	6,635	3,580
Simpson	5,571	6,571	1,000
Other	1,180	1,660	480
Total	22,314	32,664	10,350
North unit:			
Miller-Rellim	5,700	5,700	0
Simpson	[1] 845	[1] 845	0
Other	4,130	4,130	0
Total	10,675	10,675	0
Grand total	32,989	43,339	10,350

[1] 815 acres of this in process of acquisition by State of California.

TABLE 2—TOTAL OWNERSHIP

[Acres excluding submerged lands]

Owner	S. 2515	72,000-acre plan	Net increase
South unit:			
Private [1]	22,314	32,664	10,350
State	13,210	13,210	0
Federal	160	160	0
Total	35,684	46,034	10,350
North unit:			
Private [1]	10,675	10,675	0
State	14,820	14,820	0
Federal	475	475	0
Total	25,970	25,970	0
Grand total	61,654	72,004	10,350

[1] See table 1.

TABLE 3.—VIRGIN ACREAGE (ONLY PART OF THE LAND TO BE ACQUIRED IS VIRGIN)

Owner	S. 2515	72,000-acre plan
PRIVATE		
South unit:		
Arcata	7,890	12,720
Georgia-Pacific	1,713	4,083
Simpson	40	40
Other	270	750
Total	9,913	17,593
North unit:		
Miller-Rellim	2,162	2,162
Simpson	815	815
Other	15	15
Total	2,992	2,992
Total private	12,905	20,585
PUBLIC		
State	20,300	20,300
Federal	125	125
Total	20,425	20,425
Grand total	33,330	41,010

TABLE 4.—REMAINING PRIVATE OLD GROWTH OPERATIONS (OUTSIDE REDWOOD NATIONAL PARK)

Firm	With S. 2515			With 72,000-acre plan		
	Remaining acreage	Volume (billion board feet)	Years left [1]	Remaining acreage	Volume (billion board feet)	Years left [1]
Arcata	9,043	0.4	8	3,750	0.1	2
Georgia-Pacific	134,945	1.9	12	131,365	1.7	10
Simpson	203,584	1.0	8	202,584	1.0	8
Miller-Rellim	18,300	.5	14	18,300	.5	14

[1] Including 1968. Based on current annual cuts: Arcata, 53 mm. board feet; Georgia-Pacific, 165 mm. board feet; Simpson, 130 mm. board feet; Miller-Rellim, 36 mm. board feet.

TABLE 5.—ACQUISITION COSTS

Units	Senate Interior Committee estimate ($6,000 per acre for virgin acreage)	S. 2515, Sierra Club estimate ($4,150 per acre for virgin acreage)	72,000-acre plan (based on Sierra Club estimate)
South	$76,170,000	$41,635,000	$73,614,000
North	23,640,000	12,724,120	12,724,120
Total	99,810,000	54,356,000	86,337,910
Contingencies	(1)		13,662,090
Grand total	[2] 100,000,000		100,000,000

[1] Already included.
[2] Rounded.

TABLE 6. FINANCING

[In millions of dollars]

Source	S. 2515	72,000-acre plan
Authorized appropriation	$100	$100
Possible reduction through land exchange (northern Redwood purchase unit)	−40	−40
Net appropriation	60	60

TABLE 7.—PROPOSED ADDITIONS TO BRING SIZE TO 72,000 ACRES

Parcels	Acres		
	Virgin timber	Other	Total
(1) Emerald mile:			
Arco	320	80	400
G-P	320	80	400
Total	640	160	800
(2) Slope above tall trees:			
Miscellaneous	320		320
Simpson		280	280
Arco	3,660	330	3,990
Total	3,980	610	4,590
(3) Slope above emerald mile:			
Miscellaneous	160		160
Simpson		720	720
Arco	850	50	900
Total	1,010	770	1,780
(4) Orick face: G-P	440	140	580
(5) Upper McArthur Creek: G-P	390	90	480
(6) Elam Creek: G-P	1,000	280	1,280
(7) Bond Creek: G-P	220	620	840
Total	7,680	2,670	10,350
Acreage summary:			
Arco	4,830	460	5,290
G-P	2,370	1,210	3,580
Simpson		1,000	1,000
Miscellaneous	480		480
Total	7,680	2,670	10,350

TESTIMONY ON LEGISLATION TO ESTABLISH A REDWOOD NATIONAL PARK

(By Michael McCloskey, conservation director, Sierra Club, before the House Committee on Interior and Insular Affairs, Crescent City, Calif., April 16, 1968)

Mr. Chairman and members of the Committee, I am Michael McCloskey. I am the Conservation Director of the Sierra Club and have been studying the details of various redwood park proposals very closely now for a number of years. I would like to supplement Dr. Wayburn's statement by presenting data on the impact and costs of the proposals he has made.

EMPLOYMENT

In reaching a decision on the kind of park to be established, it is only natural to seek understanding of possible effects on the local economy. These effects are probably most clearly expressed in terms of the number of jobs provided or displaced. This is the index of greatest social concern, which summarizes many other economic relationships.

In any event, though, employment impact embodies only one set of values which must be weighed against other benefits stemming from a park.

Trends

To be in perspective, any discussion of employment impact must be made in the context of the total size of the work force on the North Coast, the profound changes already underway there, and the uncertainties which shroud the future. With a work force of about 47,000 in Humboldt and Del Norte counties, most proposals for a national park have only involved the industrial base for between 1 and 2 per cent of that labor force. This percentage must be viewed also in the context of unemployment rates varying between 5 and 10%.

Moreover, employment opportunities in the wood products industry have been steadily shrinking. Whereas ten years ago approximately one-third of all jobs were in that industry, today only a fourth are. In that period 3100 jobs have disappeared in the industry owing to overcutting. 1400 jobs have been lost in the last year alone. As a consequence of these trends, some severe social problems afflict these counties, but they are the product of the present organization of the economy—not of any park proposal. We hope those who are genuinely concerned about these problems will address themselves to the general questions of the sickness of this economy and measures for relief, mitigation, and improvement for the area as a whole. A redwood park should not be made the focus for exploiting the region's economic distress. A park, in fact, may well prove to be an aid toward economic recovery.

If no park is established, the outlook for the future is a deepening of existing trends. In a recent report for the State Office of Planning, forest economist John Zivnuska foresees a 40% decline in employment in the industry along the North Coast in the decade leading to 1975. Other observers have predicted at least a 25% decline. Studies by our staff forester foresee that a number of major companies affected by a park will have cut themselves out of old-growth in twelve to thirty years. At that time, there is great doubt that they will have enough second-growth of sufficient age and volume to sustain production and employment at anything like the current level. Our studies suggest that the Arcata Redwood Company, which is most heavily affected by proposals we have advanced, may be able to sustain second-growth production at only ten to twenty percent of the level of current output. This would mean that the company would be unable to retain eighty to ninety percent of the employees it now has.

In the light of these trends—past and projected, it is not a question of whether more lumber workers will lose their jobs, but merely of when. The transition to other jobs and places of employment will be painful whenever it occurs, and perhaps public authority should intervene to make it as smooth as possible. But there would seem to be no overriding public purpose involved in delaying the inevitable.

For a limited number of workers, the coming of a park admittedly will hasten the day when the transition must be made. An advance of the date of a phase-out in lumber jobs, however, will also usher in a positive new factor in the economy. The park will cause development of new jobs in and out of the park. The relationship of the phasing-out of old jobs to the phasing-in of new ones can be examined in the context both of legislation to establish a park of 64,000 acres and one of 72,000 acres.

A park of 64,000 acres

Of the four major lumber companies affected by land acquisition under a plan for a park of 64,000 acres such as S. 2515, all will retain some forest land on which to continue operations. As only a small portion of the operating base of Georgia-Pacific, Simpson, and Miller would be taken, it is virtually certain that they would continue to operate. They would have the option of cutting back production slightly or continuing output at the current level and merely phasing out old-growth operations a bit earlier. Because of the efficiencies of plant operation, it is more probable that they would continue cutting at the present level. At that level, we estimate Georgia-Pacific could operate for 12 more years instead of the 13 they would have left if no park were established. Miller would probably have its old-growth operation shortened from 20 years to 14 years, while Simpson's operations would not be materially affected as only 40 acres of its old-growth is being acquired.

Though its past statements have not been entirely clear, the Arcata Redwood Company now seems to admit that, under S. 2515, it could stay in business with its remaining lands if access to these lands is guaranteed. We certainly think such access should be guaranteed, if there is no intent to acquire the lands for a park. On the 9043 acres it would retain, we estimate that Arcata could continue to produce at its current level for another 8 years.

Thus with a park of 64,000 acres (S. 2515), the four companies affected could all continue to operate with all their present employees for another 8 to 14 years. Well within this period, the Arthur D. Little Company estimates that a park of nearly comparable size would be able to support 300 jobs in the tourist service industry, with another 70 persons employed by the park directly. This employment would stem from 4.6 million visitor-days use of the park which is foreseen by the 15th year after its establishment. This level of employment could come a number of years earlier if park acquisition and development proceeds smoothly. Employment of this magnitude would be sufficient to offset losses stemming from Arcata's accelerated termination. In any event, park-related employment of 370 persons or more will exceed the employment that seems possible if the lands were managed for timber production on a second-growth cutting cycle, which would follow exhaustion of the old-growth stands. In view of the condition in which logged lands in this area are left, it is doubtful that second-growth on this acreage could support more than 100 jobs.

A 72,000-acre plan

Under the impact of a park plan of 72,000 acres, the timing of the phase-out of old-growth operations would be moved ahead for some of the firms. If the acquisitions were made as we are suggesting, Arcata would probably be left with 900 virgin acres on which it could continue operations at current levels for another two years. Georgia-Pacific's phase-out would be moved forward from 12 years to 10 years. No change would be expected in the phase-out schedule for Simpson and Miller as their remaining acreage would not be changed appreciably.

For all practical purposes, the park's impact on jobs is limited to Arcata as only its phase-out schedule would be significantly shortened. If Arcata were alloted at least four more years of timber from the Purchase Unit (about 200 million board feet), its termination of activity could coincide with a very busy time in the development of the park. The Park Service has predicted a heavy schedule of construction to develop the park during the first five years following acquisition of the land. In the third year of this development, the Service will employ as many as 574 persons. Direct employment will taper off somewhat thereafter, but employment outside the park in tourist services will begin to pick up substantially after the fifth or sixth year.

Most likely, construction activity in the park will be preceded by a three year period during which the land will be acquired. Consequently, if Arcata were granted four more years of timber from the Purchase Unit to supplement the two it would have on its own land, its termination could be timed to occur during the third year of construction activity in the park. The loss at this time of the 350 jobs which Arcata provides should be more than offset by the 574 jobs in the park. Moreover, many Arcata workers should be able to obtain at least short-term jobs in the park during the construction phase.

COSTS

In Dr. Wayburn's statement, he suggested that he thought the Senate had over-estimated the cost of buying virgin timberland for the park. Depending on an allowance for contingencies, the Senate apparently estimated that land would cost between $6,000 and $7,000 an acre for the 13,000 acres of old-growth to be acquired under S. 2515, which are thought to contain about 1.6 billion board feet.

In charging that the $100,000,000 price-tag derived from these valuations "grossly understates" the value of the private lands to be acquired, the Arcata Redwood Company is apparently suggesting that a much higher price per acre is warranted. In a report dated March 6, 1968 which has recently come to our attention, Arcata Redwood suggests that the 13,000 acres of virgin timber in S. 2515 are actually worth $160,000,000. If this were so, then the price per acre would be $12,307. This astronomical price is completely without precedent in land transactions in the region and does not correlate in any way with prevailing stumpage prices.

Moreover, the price does not even correlate with other valuations which Arcata apparently makes. In the same report, Arcata suggests that the 9043 virgin acres it would retain under S. 2515 are worth $46 million, as this is the amount Arcata would demand if access to this timber were blocked. This sum supposes a price of $5100 per acre. In the same vein, Arcata implies that the timber in the Northern Redwood Purchase Unit is worth about $5200 per acre, as it places a valuation of $63 million on the 12,074 acres of virgin timber there.

It is interesting that Arcata never clearly states what exact valuation per acre it thinks is justified for its acreage. Until the basis for its valuations are clearly explained, the outlandish prices it implies can be dismissed as mere puffery.

Even prices of $5000 to $7000 per acre strike us as inflated. The top price paid by the Save-the-Redwoods League for the finest old-growth is usually in the $4000 range. Land prices for old-growth timber are tied to stumpage prices appropriate for the quality and volume of timber, with a discount factor applied to larger transactions because of the burden of taxes, risk, and interest over a long operating cycle. Stumpage prices for clear-cutting operations in old-growth redwood vary between $30 to $50 per thousand board feet, with $45 per thousand board feet a fair average for good quality redwood. If one assumes an average volume per acre of 100,000 board feet in the proposed park (which is indicated by recent studies), the price per acre for virgin redwood at this fair average price would be $4500. A discount factor, which sould be applied to a large sale of this sort, should reduce the price even further.

We cannot escape the conclusion that there is every reason to believe that more land can be purchased for $100 million than the Senate thought. The aggregate price for the entire acreage cannot be run-up by speculators in subdivision land because only a few hundred acres are physically suited to such development. The overall price is inextricably tied to stumpage prices, which are determined by general factors in the lumber market. In recent years, these prices have been stable. Even allowing for uncertainties and contingencies, there is room to expand the authorized size of this park under a cost ceiling of $100,000,000.

Mr. Speaker, the Members of Congress whose names are listed below have indicated that they subscribe to the following statement:

> We wish to see the Congress enact a Redwood National Park of adequate dimension to protect the most important remaining stands of virgin redwoods of national signficance. Accordingly, we support a Redwood National Park significantly larger than the park described in the House Interior Committee's report on S. 2515.

Joseph Addabbo, Edward Boland, George E. Brown, Jr., Phillip Burton, Daniel Button, Silvio Conte, Robert Corbett, Dominick Daniels.

Edward Derwinski, Charles Diggs, John Dingell, John Dow, Thaddeus Dulski, Bob Eckhardt, Don Edwards, Marvin Esch, Dante Fascell, Donald Fraster.

Richard Fulton, Nick Galifianakis, Kenneth Gray, Charles Gubser, James Hanley, Ken Hechler, Clarence Long, George Miller, Joseph Minish, William Moorhead, Lucien Nedzi, Arnold Olsen.

Richard Ottinger, W. R. Poage, David Pryor, Roman Pucinski, Thomas Rees, Ogden Reid, Joseph Resnick, Henry Reuss, Daniel Ronan, Benjamin Rosenthal, William St. Onge.

W. S. Stuckey, Herbert Tenzer, Robert Tiernan, John Tunney, Morris Udall, Lionel Van Deerlin, Charles Vanik, Joseph Vigorito, Jerome Waldie, Lester Wolff, William Widnall, Sidney Yates.

ADDITIONAL SIGNERS

Chet Holifield, Peter Rodino, Horace Kornegay, Bradford Morse, John Moss, George Shipley, Theodore Kupferman, Jeffery Cohelan, James Scheuer, Frank Thompson, William Ford, Thomas O'Neill, Thomas Foley, William R. Anderson, Henry Helstoski, J. Bingham, R. D. McCarthy, Cornelius Gallagher, Leonard Farbstein, Thomas Ashley.

Mr. ASPINALL. Mr. Speaker, I yield 1 minute to the gentleman from New York [Mr. Ryan].

Mr. OTTINGER. Mr. Speaker, will the gentleman yield?

Mr. RYAN. I yield to my colleague, the gentleman from New York.

Mr. OTTINGER. Mr. Speaker, the park authorized in this bill is so severely diminished as to be meaningless. The full 90,000 acre park proposed by my able colleague, the gentleman from California [Mr. Cohelan] should have been authorized. The 64,000-acre park authorized by the Senate would have been satisfactory. But the mere 28,400 acres authorized in this bill, the large majority of which is already preserved in State parks, is nothing but a mockery.

I object vociferously, as well, to bringing up this measure of such great national importance under suspension of the rules, a procedure under which it cannot be amended. This is a denial of democracy. It prohibits the House from working its will.

To compound the inequity of this procedure, it seems an outrage that the short time for discussion of the bill that is supposed to be allocated to the opposition should have been preempted by the gentleman from Pennsylvania [Mr. Saylor] who, despite his statement to the Chair that he is opposed to the bill, has strongly urged its adoption. This adds insult to injury.

It is no answer, in my mind, to receive assurance from the able chairman of the Interior Committee that a larger park will result from conference committee deliberations. If the House bill could be enlarged on the floor, a still bigger park would obviously emerge from conference. Much as I respect the gentleman from Colorado [Mr Aspinall], I do not see how his wishes or assurances can adequately substitute for the opportunity for the Members of this House to express themselves on this irreplaceable national resource.

It is, in my opinion, tragic to include within the preservation of this bill only a quarter-mile strip on either side of Redwood Creek in addition to the existing State parkland already adequately preserved. Generations of future Americans will curse this Congress for permiting the lumberman's ax to fell the unique upper slopes along Redwood Creek and the adjoining drainages of Lost Man Creek, Little Lost Man Creek, Skunk Cabbage Creek, and the other tributaries. Lost Man Creek contains the largest concentration of extra-large redwood still in existence outside a State park. Little Lost Man and Skunk Cabbage Creeks are two of the finest remaining watersheds which still support virgin redwood throughout nearly all their length. Thus they are ecologically unique and are necessary to give the national park stature and diversity. Equally concerning is the failure to adopt the northern purchase unit provisions included in the Senate bill.

The committee has settled for a plan smaller than is contained in the smallest bill introduced by any Member in the House. The park provided is unviable and meaningless. It deserves nothing less than a resounding rebuke from the House.

That the desecration of this legislation is done at the behest of the lumbering interests is particularly unfortunate. The committee has apparently been so zealous in meeting their demands that it has outdone them, providing even less coverage than the lumber companies indicated was acceptable. This can be rationalized only in the intention of the committee to come out of conference with a compromise satisfactory to them. In a contest between these special interests and the great national interest in preserving a unique natural resource of this country, clearly the latter should prevail.

I hope the House will not bow to the expediency urged upon us by the committee and will defeat this unfortunate pretense of a measure.

Mr. RYAN. Mr. Speaker, I, too, regret the procedure under which this bill has been brought before the House because I had expected that there would be an opportunity to offer amendments to expand the scope of the proposed Redwood National Park to include areas that are now familiar to citizens all over this country—Lost Man Creek, Little Lost Man Creek, and Skunk Cabbage Creek, areas which are in the Senate bill and which I certainly hope the conferees will accept.

I am pleased that the bill does include the Emerald Mile and that the full committee adopted my amendment to include the uplands from ridge line to ridge line along the Emerald Mile, which is some 2,800 acres in addition to that which was reported out by the subcommittee. Since the Emerald Mile and the uplands are not in the Senate bill, the House conferees will have an opportunity to preserve more of the old growth redwoods along Redwood Creek.

Today, under the suspension of the rules procedure, the House is to consider 25 separate pieces of legislation, some minor, some major. One thing is quite clear: the suspension of the rules procedure, which permits no amendments, was not intended for controversial legislation. The bill presently before us, S. 2515, has been the subject of much discussion and controversy. As is clear from the supplemental and additional views, at least 10 members of the Committee on Interior and Insular Affairs have grave reservations about the committee bill.

This legislation deserves full floor debate and the opportunity for amendments. I must vigorously protest consideration of S. 2515 in this fashion. If this body acted with sufficient dispatch throughout the legislative session, there would be no need to rush through important legislation during the last weeks prior to adjournment.

Mr. Speaker, the bill which the committee has reported provides for a redwood park substantially smaller than proposed in any of the 28 Redwood National Park bills referred to it. The acreage is less than half the size of S. 2515 as passed by the Senate—28,400 acres compared to 61,600 acres. Moreover, the House bill provides only 5,400 acres of additional old growth redwoods compared to 12,090 acres in the Senate bill. The House bill thus affects approximately 3 percent of old growth redwoods presently existing outside of the California State park system. The Senate bill would acquire approximately 5 percent.

The original subcommittee proposal included only 7,080 acres not presently in State parks. While I was pleased that my amendment to include the uplands adjacent to the Emerald Mile, ridgeline to ridgeline along Redwood Creek, was accepted, a more comprehensive amendment which I offered in the full committee to include Skunk Cabbage Creek, Lost Man Creek, and Little Lost Man Creek, failed by a vote of 7–10. I had intended to offer the same amendment on the floor of the House, which is now impossible under the suspension of the rules.

Secretary Udall's letter of May 17, 1968, to our distinguished chairman recommended the inclusion of such areas as Skunk Cabbage Creek, Lost Man Creek, and Little Lost Man Creek. The committee chose to exclude the areas surrounding the three creeks and it included two of the three State parks which are in the Senate bill—Del Norte, Coast State Park, and Prairie Creek State Park.

Surely, the significance of this legislation is not to preserve redwood areas already under the protection of State parks. It is to save additional areas especially of old growth redwoods, which are not now protected. Having participated in the committee hearings in California and having seen these magnificent trees, I am disturbed that the bill before us today includes only 5,400 acres of additional old growth trees. The committee report at page 5 is in error. The 18,500 acres to which it refers on page 5 is the total old growth including the two State parks.. According to the committee report on page 4, there are 250,000 acres of old growth redwoods which still exist outside of the California State park system. Therefore, some 244,600 acres of old growth redwoods would still remain at the mercy of the lumbering interests.

What is left is only a thin ribbon of trees running along Redwood Creek, widened only along the Emerald Mile as a result of my amendment. If the logging companies show the same sense of responsibility which they have shown in the past, the surviving redwoods included in the bill along Redwood Creek will soon be bereft of protection as surrounding slopes are logged off.

One company, Georgia-Pacific, last December deliberately cut 200 magnificent old growth redwoods along the Emerald Mile, while legislation to establish a national park was pending in Congress. The House committee has now included that very area in the bill before us, and I urge the conferees to keep it in conference in order to protect the ecology along Emerald Mile.

That is how one company showed its concern for the public interest.

I also want to point out my disagreement with section 3(a) which requires conveyance of the State parks by the State of California as a condition precedent to any Federal acquisition of private land. This provision handcuffs the Federal Government and makes it dependent on action by the State. It is an undesirable precedent to set.

I am disturbed by a phrase which crops up both in the language of the committee report and the bill itself: "to preserve significant examples." The notion that the objective is to preserve "representative samples" of primeval redwood forest is more appropriate to a museum than to a living national park. "Preserving examples" connotes an image of a lone giant redwood, perhaps fenced off, with a plaque noting that redwood trees once ranged for millions of acres, and that the viewer is looking at a carefully preserved example of an extinct species.

This has never been the philosophy of the national park system. National parks are large expanses in their original natural state, and not small "examples" of what once was. The Redwood National Park should be significantly expanded in order to preserve vast forests of old growth redwoods for future generations.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. SAYLOR. Mr. Speaker, I yield 3 minutes to the gentleman from Alaska [Mr. POLLOCK].

Mr. POLLOCK. Mr. Speaker, I rise in support of S. 2515, as amended by the House and of the efforts of the distinguished chairman and members of the committee in bringing it before this body under suspension of the rules.

In my judgment, this is the proper procedure for this legislation at this time. It is late in the session. We are confronted with many other issues of crucial importance to the Nation. At the same time we have an obligation to the citizens of the redwood region to settle this vexing issue at the earliest possible moment. That moment is now.

I believe the bill can be improved, and that the place to accomplish this is in conference with the other body. Mr. Speaker, only in this manner can we settle this issue before adjournment, and settle it we must. To delay, I fear, might result in forever losing the opportunity to add to the national park system the magnificent coast redwoods of California.

There has been much negative lobbying on the bill as reported by the committee. There has been a great tendency to say the park is not this and the park is not that. But let us take a positive view and a candid appraisal. Careful examination shows that the chairman and the committee have wrought an outstanding new national park—not only of quantity, but of quality.

It features superlative stands of virgin old-growth redwood forests. It includes the tallest trees in the world. It boasts the famed Gold Bluffs Beach with its herd of wild elk. It contains the priceless Fern Canyon. It emphasizes 12 wild miles of Redwood Creek, including an area referred to by some as the "Emerald Mile"—wild and inaccessible in its location but of great beauty as a virgin forest.

I am also pleased that the committee's bill includes the magnificent Director's grove and the Georgia-Pacific grove of superlative old-growth redwoods on the Van Duzen River. In our desire to preserve truly park-like redwoods, we felt that these particular groves, which have been set aside for park acquisition by their owners for many years, should be included because of their unique beauty. They are easily accessible and have been substantially developed by their owner. They should be added now to the public domain.

In closing, Mr. Speaker, I would like to commend my good friend, the distinguished gentleman from California, Don H. Clausen, who has, indeed done yeoman service to bring about final action to create a redwood national park during this session of Congress. The resolution of this matter is crucial, not only to the people living in the redwoods area, and to the industries and the general economy of the area, but it is also crucial to the Nation as a whole.

Mr. Speaker, the redwoods are a most worthy addition to America's park system. I am confident that the final bill, which will be prepared by the conferees of both bodies of Congress will report a reasonable plan—a plan to dedicate a redwood national park for which every Member can be proud to vote.

Mr. ASPINALL. Mr. Speaker, I yield to the gentleman from Arizona [Mr. Udall].

Mr. CAREY. Mr. Speaker, will the gentleman yield?

Mr. UDALL. I yield to the gentleman from New York.

Mr. CAREY. I thank the gentleman for yielding. I seek to impress upon my colleagues on the committee that in reporting out the bill, 11 of the 33 members of the great Committee on Interior and Insular Affairs have expressed a difference of opinion about the bill before us. However, I support the bill in order to keep the chain saws out, and in order to keep the 11 men and all the other men on the ballfield playing with this ball, hoping we can win some kind of victory. I know that of all the redwood possibilities in the next 6 months, the worst would be to have no bill—and an open season on massive lumbering before Congress can act in January.

Mr. TUNNEY. Mr. Speaker, will the gentleman yield?

Mr. UDALL. I yield to the gentleman from California [Mr. Tunney].

Mr. TUNNEY. I concur with what the gentleman from New York [Mr. Carey] said. I do not believe the bill is adequate as it has come out of the House Interior Committee, but I will support the bill in the hopes that the conferees will be able to write a larger and more meaningful redwood parks bill. In my opinion, Lost Man, Little Lost Man, and Skunk Cabbage Creeks should be included in the bill that finally passes the Congress.

Mr. UDALL. Mr. Speaker, in 2 or 3 minutes, the House will make one of the important conservation decisions of this decade. In my judgment, if you vote "No" and the bill is voted down, there will be, in all likelihood, no Redwood National Park. If you vote "Yes," in my judgment, there will be a good, meaningful national park bill finally sent to the White House for signature. I am a lot more concerned about the content of that final bill than I am about the provisions of the bill before us, or about the procedure today, which I do not like, or than I am about some of the hurt feelings that have evolved from the procedure here, some of which I share a little bit. But I have seen this redwood country. I have introduced bills, and I have participated in all the markup. I have offered amendments to try to improve the bill. But I am going to vote "Aye," and I encourage my colleagues to vote "Aye." I do so for two main reasons, hard relatives which were touched on by Mr. Cohelan, Mr. Tunney, and others.

In the first place, make no mistake that there is real danger that there will be no bill at all unless we proceed here today.

The axes and chain saws are poised. It is very dangerous to count on getting a better bill through Congress next year or getting a full debate authorized by the Rules Committee, later in this session.

Second, I am going to vote for this bill, because the gentleman from Colorado, who chairs this great committee, has never broken his word in this House. He has told us the final bill will be written in conference, and that it will be a larger and more satisfactory bill. Based on the conversations I have had with the gentleman and with others who will participate in these final decisions, I think it likely we can end up with a bill we can all be proud of.

Let us not kill the bill today. Let us give it a chance. We can defer a final decision until we see the result of the conference.

Mr. SCHEUER. Mr. Speaker, will the gentleman yield?

Mr. UDALL. I yield to the gentleman from New York.

Mr. SCHEUER. Mr. Speaker, I congratulate the gentleman for the statement he has made.

Mr. Speaker, I support this bill, sadly, reluctantly, with deep reservations, as an act of faith that our conferees and the conference process will prove worthy of the challenge—and help us snatch victory from defeat and disaster for a great natural resource. This redwood program is one of the most vital and urgent conservation measures this Congress has considered. Today, we have the opportunity to salvage the redwood project and begin the job of creating a national park for the preservation of the magnificent redwood forests of California.

We all have a stake in this—200 million Americans from Maine to California, and generations of Americans yet to come—for the redwoods are a unique natural wonder found nowhere else in the country or the world. They are a diminishing resource, insofar as the gigantic and ancient old-growth trees are concerned. These virgin forests, which have grown and stood through the ages, can only be cut once.

Once logged, the special, nationally significant values and characteristics are gone. We cannot, even in several lifetimes, regrow trees as tall, trees as old, or trees as spectacularly natural. No—if we mean to save them, we must act now. Next year—even next month—some of the best trees may be gone—ravaged irreparably by man's own insensitivity and neglect.

So, let us act now to save at least some of the redwoods, and to save with them some of the spectacular country in which they are found.

This bill, Mr. Speaker, is a small, halting, belated start. But it is not enough—not nearly enough. The suspension procedure we are following does not give us the opportunity to amend this bill and add vitally needed additional land.

But the people of New York whom I represent want to see a better, a larger, a richer, and more magnificent park. They want to know it is there—available for their inspiration and enjoyment, whether they visit next year, or in 20 years. And they want to know that their great-grandchildren will have the same opportunity to know what a redwood looks like—not as a picnic table, but as God made them—as great, ancient, and inspiring trees found in their own natural, cathedral-like groves.

I earnestly hope, Mr. Speaker, that we will see a vastly improved bill brought back by our conferees. Many times more than the 28,000 acres provided for in this bill is essential—and most especially so in the Redwood Creek area where the experts tell us the trees are most superlative and most endangered.

The people of New York—now and in generations to come—will treasure this park. The people of America—now and in generations to come—will treasure the redwoods we save. Let us not fail our responsibility and their trust. I urge the Members who will take this bill to conference to recognize and fulfill the need for more than an adequate park—a truly great park—which will do justice to the redwoods.

The motto of the State of California, "Give me men to match my mountains," is a timely rallying cry to the conferees and to this House. Let us rise to the sharp immediacy of the challenge, to the utter finality of failing to meet it—by showing the concern, and love for one of America's most towering and glorious natural wilderness resources to prove that we are men to match America's precious and irreplaceable bounty.

During my two terms in Congress, I have heard many a ringing declamation of patriotism in this Chamber on the flag bill and other legislative proposals—which once passed had little practical effect.

Today the conferees and my colleagues in this House have a noble way of expressing the profound love of country which we all feel, by producing a redwood program through the conference machinery that will implement, meaningfully, our commitment to preserving and enhancing one of our country's most cherished and irreplaceable natural wonders.

Mr. EDMONDSON. Mr. Speaker, will the gentleman yield?

Mr. UDALL. I yield to the gentleman from Oklahoma.

Mr. EDMONDSON. Mr. Speaker, I congratulate the gentleman from Arizona for the statesmanlike position he has taken on this bill. I agree with the gentleman heartily on the need for a larger park. I also support the bill now before us as a vehicle to action in this session, and urge the support of my colleagues.

Mr. JOELSON. Mr. Speaker, will the gentleman yield?

Mr. UDALL. I yield to the gentleman from New Jersey.

Mr. JOELSON. Mr. Speaker, the gentleman has convinced me we should vote for this bill, but we are told that we must take this procedure, because we are speeding toward adjournment. In view of the concessions to the timber interests in this bill, I would say we are "lumbering" toward adjournment.

Mr. SAYLOR. Mr. Speaker, I yield 1 minute to the gentleman from New York [Mr. KUPFERMAN].

Mr. KUPFERMAN. Mr. Speaker, my general disapproval of the approach with respect to this bill has heretofore been expressed in the committee report.

It is only now, as debate terminates, that I have finally come to the reluctant conclusion that I have no choice but to vote "aye" on the suspension of rules.

Mr. HANNA. Mr. Speaker, will the gentleman yield?

Mr. SAYLOR. I yield to the gentleman from California for a unanimous consent request.

Mr. HANNA. Mr. Speaker, I would like to have unanimous consent to recognize the wonderful redwood gavel that has been presented to the Speaker on this occasion and congratulate the gentleman from California [Mr. DON H. CLAUSEN], for making it available.

It is of such formidable proportions that I trust Mr. CLAUSEN does not entertain the necessity of using it to encourage the constructive and expansive work of the conferees.

Mr. SAYLOR. Mr. Speaker, had I known what the gentleman would say, I would not have yielded to him, because it was for that purpose I saved the last minute.

Our colleague from California [Mr. DON H. CLAUSEN] has given to the Speaker of the House, a gavel made from a redwood tree to be used by him as he presided over the House on the redwoods national park bill. The gavel which the Speaker now has in his hand, is one which was made from the redwoods in Congressman CLAUSEN's district.

The SPEAKER. The Chair would like to inquire whether this gavel was given to the Speaker, or does the Speaker have to give it back?

Mr. DON H. CLAUSEN. Mr. Speaker, this gavel was given permanently to the Speaker. We did not know how hot the debate was going to be on the floor today, but this gavel is big enough for any occasion.

Mr. HANNA. Mr. Speaker, the current proposal for the establishment of a Redwood National Park has placed those of us who have long worked for a strong national park system in a rather difficult position. Because of the wording of the proposal, and because of the deadlines that exist due to the heavy schedule before us, we are being asked to choose between a very poor national park and no national park at all. For all those who had hoped for the creation of an adequate and well-planned park, the choice is a very disappointing one.

The California redwoods, the world's tallest living things, symbolize, in the words of Michael McClosky, "the force of life itself in a world in which man has crowded nature too closely." Once spreading over much of North America and dating back to prehistoric times, the redwoods have dwindled in number until the only surviving members of the species are those which exist along the California coast. Crowding nature, man has done his best to destroy even the remaining forests that still existed here a century ago, and today he has nearly succeeded in his task. It is not a melodramatic statement to say that if this Congress is unable to pass legislation to protect these last virgin forests, there may well be nothing left to protect by the time we reconvene next year.

It was clear some time ago that a national park was the only way to assure the survival of a significant number of redwoods. Thus, in 1967 the administration presented Congress with a proposed 45,000-acre park including two areas which were already set aside as State parks. This proposal fell far short of our original hopes for a park which would include some 90,000 acres. However, working from the administration's proposal, the Senate in November of 1967 voted a 65,000-acre park at an estimated cost of $60 million, and including two State redwood parks. Although smaller than our original hopes, the Senate proposal included in it the most important areas to protect: the slopes along Redwood Creek, the old growth in Lost Man Creek, and the drainages of Little Lost Man Creek and Skunk Cabbage Creek. The upper slopes of Redwood Creek are the critical setting for the streamside trees, providing scenery, a living environment, space for public use, and watershed protection. They will not last if left out of the park. Little Lost Man Creek and Skunk Cabbage Creek, clothed almost entirely with virgin redwood, are possibly the last two untouched watersheds that can be found in the redwood region. Thus the Senate proposal, though not perfect, is at least a viable alternative.

The House Committee of the Interior, however, has slashed away at the Senate's proposal until nothing is left but a mere shadow of the original dimensions. At 28,000 acres the House plan is less than half the size of the plan approved by the Senate. Furthermore, of these 28,000 acres, approximately 18,000 are currently in State parks, and are already protected. Thus, only some 10,000 additional acres are protected by the House proposal. Such a plan entirely misses the point with respect to almost all purposes which a redwood park would serve: No real forest is preserved—a mere quarter mile on either side of Redwood Creek, and a "bulb" at its end are the only real additions to the lands already protected. Furthermore, such a small addition will not protect the natural environment; it will not be large enough for sufficient public use; some of the finest specimen stands will be abandoned; and scientific values will be minimal. The House proposal seems to have lost sight of what a national park is for.

It is my position that the boundaries of the proposed Redwood National Park include at least those areas stated in the Senate proposal. Most important among them are the four southern areas I mentioned earlier: the Redwood Creek slopes, Lost Man Creek growth, and drainages of Little Lost Man Creek and Skunk Cabbage Creek. Without these areas there is almost no point in establishing a redwood park.

I intend to vote for the proposition as it has been brought to the House by the chairman of the Interior Committee. In doing so I am placing my trust and faith in the gentleman from Colorado to expand to the outermost boundaries the park area allowed by the conference. I know and appreciate that the chairman has appropriate concern for the full national park program for the whole of the United States. In working that concern it is my personal hope that the gentleman will be moved by a spirit of optimism and make such decision as will encourage the stretching of our fiscal ability to magnify our park area. We have so little time. We have such limited chance to preserve these precious vestiges of the vernal and virgin past, the redwood. Less than a maximum effort should not be acceptable. I hope that the Members of the House on the conference will keep this thought in all their deliberations.

Mr. JOELSON. Mr. Speaker, I consider the bill under consideration to be inadequate and I decry the procedure under which it has been brought before the House. The procedure is such that no amendment can be offered and each side has only 20 minutes to debate an important and complicated matter.

I know that some try to justify this procedure on the ground that the time left in this session of Congress is short and we are speeding toward adjournment. In view of the obvious concessions which have been made to timber interests, I would say that we are "lumbering" toward adjournment.

I want to make it clear that I support a much more comprehensive redwood national park, and strongly disapprove of the way a boldly conceived project has been whittled away. The redwoods are too mighty and majestic for this petty treatment.

Mr. HOLIFIELD. Mr. Speaker, I wish to associate myself with the remarks of the gentleman from California [Mr. COHELAN] in his evaluation of the merits of this bill, S. 2515, as reported by the House Interior Committee. I recognize the difficulties which the Interior Committee had in reporting this bill. I am very hopeful that the conference committee will move as close to the Senate version as is possible.

There is a very considerable degree of public interest and concern which exists in all parts of the Nation, not just California, over the fate of these majestic redwood trees. I know that if the Members of this House could all see for themselves what is at stake in the decision we make today, they would feel, as I do, a great responsibility to future generations.

Mr. Speaker, there are some votes which we must make for the "here and now." There are other votes which come along during the years of our service in the Congress for which we shall surely be held accountable in years to come. This is such an issue. Once these trees have been cut, and you can be sure that those not included in this park will be cut in a short period of time, they will not reappear in their present grandeur within the lifetimes of our grandchildren or even of their grandchildren. Yet if we fail to get a law on the books, the indiscriminate cutting which has been started will continue.

This bill as reported by the Interior Committee will now go to conference with the other body. We have an opportunity to see substantial areas not included in the House version reinstated by the conference committee. I would urge, certainly, that areas in the Redwood Creek, Lost Man, Little Lost Man, and Skunk Cabbage drainages be included by the conferees when they meet to consider a workable compromise. It is essential to create a park in which there exists a drainage system which will support these magnificent trees. If we are shortsighted in our awareness of the ecology involved in preserving these redwood forests, we will have planted a time bomb for their destruction. Without some wise attention at this time to the maintenance of a substantial drainage system for their protection, we will face a situation in a very short time which will mean the end of these proud trees.

Mr. Speaker, I will vote to pass this bill under suspension, in the interest of time. I can only hope that the conference committee will take swift action to rectify the inadequacies which are apparent in the House version of this bill. Because of the cutting which takes place at this very hour, I will vote to continue action toward the best bill we can get this year. If we do not pass this bill, I fear further long delays and continued destructive cutting in the critical drainages.

Mr. MEEDS. Mr. Speaker, I rise in reluctant support of S. 2515, the bill allegedly creating a Redwoods National Park. For the moment I will accept the notion that it really is a park that the bill authorizes.

In my view, the Senate version of this legislation is far more preferable than what we are debating here today. As a member of the House Interior and Insular Affairs Committee, I voted for strengthening amendments, the kind of changes needed to give us a meaningful redwoods national park.

Missing from the 28,000-acre park approved by the committee is protection for the trees standing in the drainages of Lost Man Creek, Skunk Cabbage Creek, and Little Lost Man Creek. The House-Senate conference committee should restore these areas to the bill.

I wish also to aline myself with the perceptive comments made by Congressman FOLEY in the Interior Committee report. He wisely pointed out that the bill before us does not contain the Senate-approved plan for timber exchanges in the northern purchase unit, a 14,567-acre area in Del Norte County administered by the Forest Service. Allowing the private companies to utilize this timber could reduce the cost of the bill and could offset any economic hardships imposed by creation of a truly meaningful redwoods national park.

Mr. ESCH. Mr. Speaker, as we consider the establishment of a national park in the primeval redwood forests of northern California, it is appropriate to reflect upon the meaning and the purpose of our national parks. Only 34 areas have been dedicated as national parks in this country—protecting and preserving only the most spectacular, unique, and priceless of our natural wonders. The standards are very high. But we have not yet identified and defined all the samples of our natural environment which should be so designated.

Today we consider a resource for which national-park status is long overdue—the majestic, primeval redwoods. As the committee report points out, representative samples of the remaining primeval redwood forest are obviously a fit subject for preservation in our national park system. An ample and viable park area of redwoods will serve a more permanently useful purpose in this way than if they are converted to paneling and siding, made into door furniture or cut into picket fences.

Mr. Speaker, the redwoods are a national, even international, heritage. These giants, the tallest living things in the world and among the oldest, are a direct link to the past. They are an important remnant of the original America—the abundant, beautiful, and unspoiled continent we have occupied almost completely and, too often treated with shortsighted neglect.

This is why the redwoods should be among our national parks. As the committee report points out, the redwoods are properly of concern to the people of the whole country. The people of my district in Michigan have a stake in the preservation of these areas and many of them are concerned that we save a substantial redwood national park encompassing the kinds of areas which will display the diversity of the redwood forest.

Mr. Speaker, I do not believe the bill we have before us will achieve the kind of national park necessary if we truly mean to save this heritage. It is simply too small. Far too little area is included along Redwood Creek—the area which the preponderance of expert opinion identifies as the location of the most superlative large blocks of remaining unprotected old-growth redwood forest. As a minimum three small complete watershed areas along Redwood Creek should be added to this bill—Little Lost Man Creek, Lost Man Creek, and Skunk Cabbage Creek.

I am disappointed that we do not have the opportunity to consider these and other amendments under this procedure. I am therefore especially hopeful that the conferees who take this matter up with the other body will carefully consider the need to restore these lands. While the opportunity still remains, we must not fail to preserve an adequate, viable and lasting redwood national park.

Our responsibility to the American people and to future generations is clear. This bill must be improved and must be enacted this year if we are to fulfill this responsibility.

Mr. BOLAND. Mr. Speaker, the proposed redwood national park we are considering today falls far short of the goals envisioned by conservationists who have labored for decades to establish a park in northern California's timberlands.

Small, commonplace, wholly devoid of the awesomely beautiful stretches of forestland that conservationists have recommended, this proposed park would be little more than a thread of land linking California's State parks. The Nation's leading conservation organizations contend with a great deal of justice, Mr. Speaker, that this proposal verges on a burlesque of what a redwood national park should be. The bill now before us calls for only 11,250 acres in new land, ignoring the best remaining stands of virgin timber in northern California—Redwood Creek, Lost Man Creek, Skunk Cabbage Creek. These sections, bristling with giant redwoods that tower hundreds of feet off the forest floor, must be made part of a redwood national park or they will be lost forever. Loggers' chainsaws are already stripping the woodlands skirting these sections.

The woefully inadequate park proposed in S. 2515, Mr. Speaker, would rob future generations of the opportunity to view phytological wonders celebrated the world over. Enough of our natural resources have already been sacrificed to mindless commercialization—the commercialization that has ruined lakes, rivers and woodlands throughout the United States. A small redwood national park would pose another problem of a more practical nature. Visitors are now streaming into our national parks at an unprecedented rate, almost literally overrunning park grounds. The narrow strip of land recommended by S. 2515 would only channelize visitor traffic, jamming the park with cars.

Since 1911 bills to establish a redwood national park have been put before the Congress. These measures have called for parks of widely diverse dimensions—some relatively big, some relatively small, but all of them of significant size. A bill I introduced last year, for example, sought a park stretching over 90,000 acres of prime timberland in Humboldt and Del Norte Counties. None of the many measures contemplated by the Congress over the past half century have proposed a park of the minuscule size now proposed in S. 2515. As originally passed by the Senate, this bill recommended a 64,000-acre park. I urged the House Subcommittee on National Parks and Recreation to increase this proposed size to 72,000 acres—a size that would allow the Interior Department to acquire sections of the Redwood Creek area. The subcommittee and the full Committee on Interior and Insular Affairs, however, reported out the bill before us now.

Despite my misgivings about this bill, Mr. Speaker, I will vote for it. I will vote for it because, first, we may lose the chance to create any kind of a redwood national park unless we take legislative action this year, and because, second, the House-Senate conference committee to which S. 2515 would be referred after passage could revise the bill extensively. The parliamentary procedure under which the bill has been brought up today, of course, bars present consideration of any proposed amendments aimed at strengthening the bill. I know many of my colleagues join me in urging the conference committee to draft a bill that meets at least the minimum standards for a redwood national park.

Mr. DANIELS. Mr. Speaker, I was pleased to have the opportunity last year to submit testimony to the Subcommittee on National Parks and Recreation concerning the need for a great national park to help preserve the California redwoods. As I told the committee then, although 3,000 miles separates the Atlantic from the Pacific, it is clear to me that the people of my district in New Jersey are deeply concerned over the need for such a park.

The redwoods, after all, are a truly national symbol. They embody and represent a thread of continuity of our times with the time when this great continent stretched from ocean to ocean in unspoiled primeval splendor. This is what we must save—some representative samples of that national heritage which can convey to our great-grandchildren as an example of the original, natural American landscape.

To save such wild remnants—whereever we find them—is a noble cause. It is also an urgent mission, for forces which will destroy such treasures are pressing forward rapidly. We in New Jersey know this best of all, for ours is the most populace and most urban of all the States. We have special cause to cherish our natural wonders. We are moving to protect those in our own State, such as the Great Swamp Wilderness Area, which yet remain.

We have observed with apprehension the delay in this project to protect some last virgin redwoods in a national park. At last, when we come to act on this matter, it is disappointing to find so little of the prime, unprotected areas in Redwood Creek included in this bill. It is my urgent hope and the hope of millions of Americans in New Jersey and all across our land that additional complete watersheds and substantial acreages—such as Lost Man, Skunk Cabbage, and Little Lost Man Creeks will be restored to this bill by the conference committee.

Mr. Speaker, we in New Jersey have a better idea than most perhaps of the great and diverse values of an acre of natural land—for we have so little. While the opportunity is still at hand, surely this great representative body should endorse more than a mere 28,000-acre redwood national park.

The people of Hudson County, N.J., are especially receptive to the call which my distinguished colleague, the able gentleman from California [Mr. COHELAN] is making for a larger redwood park. We are especially hopeful that improvements will be made in this bill in conference. Our people must often travel far to experience the splendors of diminishing natural phenomena such as the redwoods. Let us make their pilgrimage worthwhile by providing a national park worthy of that name.

Let us not delay in our trust. Let us act to create a national park in the redwoods, but let us urge that it be perfected by substantial enlargement, so that we do leave to our children's children a truly great redwood national park.

Mr. McCLOSKEY. Mr. Speaker, I vote today in support of the suspension of the rules to send the redwood park bill on to the House-Senate conference committee. In doing so, however, I would like to add my voice to those who have expressed to the House conferees the strong request that the ultimate conference report include a redwood park of a size and proportion equivalent to the Senate bill's proposed 65,000-acre park.

I appreciate the problems which have led to the procedure used today. Understandably, in the creation of geographical park boundaries, the amending of boundaries on the floor of the House is an uncertain procedure which could not guarantee a park of optimum size and location. In establishing the redwood national park the number of acres involved is not the key criterion, nor is the number of acres of new virgin redwood stands which will be added to those protected in existing State parks.

What is essential, however, is that, first, a national redwood park be created; and, second, that that redwood park do honor to the whole national park concept. Our system of national parks is one of America's greatest contributions to the world. To date, the acquisitions of those parks has not required a great deal of money because we have been able to carve magnificent parks out of lands that were already in the public domain. The legislation before us tests, as never before, our responsibility as legislators to preserve and create a park at a cost which hurts. I doubt that anyone in America, given the clear choice of priority and expenditures as to acquisition of a redwood park, the conduct of our foreign policy, the war in Vietnam, or even such basic human programs as the food-stamp program, would not ask that we tighten our belt sufficiently to preserve a reasonable park for posterity.

It has been my privilege to camp in the redwoods and particularly at the Prairie Creek Redwood State Park, on four occasions since I was a boy. I and many other Californians have considered it a special privilege, as Californians, to know that on occasion we can enjoy the solitude and deep quiet of a redwood forest. An individual may be fortunate to spend only a few moments in his lifetime in such a place. It is an experience, however, which rivals the deep moving experiences of either quiet church meditation or standing on the brink of a work of nature such as the Grand Canyon or the Yosemite Canyon. It is an experience which justifies a high price.

Appreciating the financial crisis which faces us today, I for one would happily appropriate $100 million for the permanent preservation of the redwood park, trusting that the necessary cuts in our other day-to-day expenditures will be long forgotten during the future centuries when our heirs will enjoy this park. I hope that our conferees will feel likewise.

Mr. REUSS. Mr. Speaker, this bill establishes a redwood national park, but not much of one. Where are the virgin forests of Lost Man and Skunk Cabbage Creeks? Where is the watershed protection for that corridor up Redwood Creek? Where is the room for visitor facilities? Where, in other words, is our national park?

Too bad we must consider the bill under suspension of the rules, which effectively prohibits considering the kind of amendments I would be happy to support. I regard a redwoods park twice this size to be a barely acceptable minimum. One three or four times larger would not be too large.

In facing this "take it or leave it" choice, I do not want to vote against the establishment of any redwood national park at all.

But the redwoods simply cannot wait until next year. The groves and forests which should be added to the committee's bill are owned by lumber companies who are harvesting their timber as fast as they can. Already we have lost the magnificent forest along the north fork of Lost Man Creek while the various park bills were languishing in committee.

I hope the conference can work some improvements.

Mr. REID of New York. Mr. Speaker, the procedure today, wherein an extremely weak bill is being brought to the House under suspension of the rules and without opportunity for amendment, is unconscionable.

Along with Congressman COHELAN and others, I introduced legislation providing for a 90,000-acre park. The Senate has passed legislation establishing a 64,000-acre park, which is minimal. The bill before us, which calls for a park containing 28,000 acres—of which 18,000 is already protected in California State parks—is an abdication of our responsibilities and a sell-out to interests other than the national interest and the public interest.

As the Sierra Club has pointed out:

> At 28,000 acres, this plan is less than half the size of the plan approved by the Senate (64,000 acres), which was itself a major compromise. Smaller than any plan previously put before the Congress, it contains even less than the lumber companies have talked of selling willingly. Built around two state parks, the Committee plan limits acquisition of private lands mainly to a corridor a quarter-mile wide along each side of Redwood Creek, with a bulge at the end along the Emerald Mile. . . .
>
> The plan misses the mark with respect to almost all purposes which a Redwood National Park woud serve: no real forest is preserved; the natural environment will not be protected; there will not be room for public use; some of the finest specimen stands will be abandoned; scientific values will be minimal. In its efforts to keep the land-owning lumber companies whole, the Committee has lost sight of what a national park is for.

The Sierra Club points out that the park agreed upon by the conference committee should include four areas omitted by the present bill: the slopes along Redwood Creek, the old-growth in Lost Man Creek, and the drainages of Little Lost Man Creek and Skunk Cabbage Creek, which flow into Redwood Creek. All are in the plan adopted by the Senate, and have been included in various plans put forth by the National Park Service. The upper slopes of Redwood Creek are the critical setting for the streamside trees, providing scenery, a living environment, space for public use, and watershed protection. Lost Man Creek harbors the finest strands of extra-large redwood that have yet survived without protection. They will not last if left out of the park. Little Lost Man Creek and Skunk Cabbage Creek, clothed almost entirely with primeval redwoods, are possibly the last two untouched watersheds that can be found in the redwood region.

I am voting against this bill, as it is a national outrage and a totally inadequate response to a great conservation need. The bill in its present form would create a sham and shadow of a national park. We still have the greatest redwood forests left on earth, and what is needed is a park as magnificent as the redwoods. It would be unthinkable if Congress did not act responsibly. I hope that the conference will report back a much stronger bill—but, sadly, under conference rules it cannot be greater in scope that the Senate bill, which is still inadequate and minimal.

Mr. EDWARDS of California. Mr. Speaker, history will one day record America's conservation efforts as an exercise in either enlightened democracy or myopic futility. The progress of S. 2515 has tended discouragingly toward the latter. I rise, however, not in opposition to this bill, but in extremely reluctant support of it. My reluctance is due to the substance and to the history of this bill. My support is based on the knowledge that conservation can never be put off, that tomorrow is almost always too late, and that we must save what we can now and press for more as soon as possible.

The bill is quite plainly inadequate. Instead of the 90,000-acre park proposed in 1965, instead of the 72,000-acre minimum urged by the Sierra Club, instead of the 64,000 acres approved by the Senate, the Interior and Insular Affairs Committee has presented for our consideration a 28,000-acre park. Of this acreage, only 11,000 acres are now privately owned. We are voting today on the smallest national redwood park yet conceived.

The inferiority of the bill which we will act upon today is a disgrace to the honor of the House. The procedures by which this bill has come to us have been as undemocratic as they are disheartening. The rule for this bill, barring all amendments from the floor, is a gag at the throat of conservation, and an insurmountable obstacle to those Members who do not wish to see a conference which consists of the House versus the people.

Yet we must grit our teeth, vote in favor of this bill, and continue the fight for preservation of America's beauty; for if we hestitate, we may be left with nothing. The chain saws are waiting; the lumbering interests, which exerted great influence in the committee, will be watching what we do here today. Thus, the course is clear. We must approve this bill despite grave reservations. We must then press for a conference committee report which incorporates all of the Senate-passed bill, and promise to continue the fight for a meaningful national redwoods park in the 91st Congress.

Mr. GUBSER. Mr. Speaker, I intend to vote for the motion to suspend the rules and pass the pending bill. However, I want it to be crystal clear that my effort does not constitute an endorsement of the House bill. In my opinion, it does not go nearly far enough and does not create a meaningful redwood park for future generations to enjoy.

As late as this morning, I had considered voting against the motion to suspend the rules, in the hope that the bill could come up under regular procedures and that we would be given a fair opportunity in this deliberative body to offer amendments and increase the size of the park to a realistic level. But it is now apparent that the strategic facts of the moment indicate that the delay involved in such a procedure would effectively kill any chance for a redwood park. Obviously, this bill must be the vehicle which will make a conference with the Senate possible. It is a vehicle which I endorse for no reason except that it opens the way for increasing the size of a redwood park in the conference with the Senate.

I shall therefore do everything I possibly can to urge that the conference adopt the Senate version which in itself was a compromise.

It is regrettable that the House has been forced to compromise a compromise to the point where a better name for it would be emasculation. We should have a park at least as large as that voted by the Senate.

Mr. MOORHEAD. Mr. Speaker, as a cosponsor with the distinguished gentleman from California [Mr. COHELAN] of a bill to create a meaningful redwood national park. I want to join with him in objecting to the consideration of the committee bill on the suspension calendar.

The committee bill is woefully inadequate. It only provides for a national park of 28,000 acres and the tagline is that no national park will be created unless the State of California turns over its more than 18,000 already-protected acres. As our colleague from California has very aptly stated this would create only a "mini-park."

I am convinced, Mr. Speaker, that the people of California and the people of this country want a real redwood national park and that they do not want this irreplaceable resource destroyed.

The bill as passed by the Senate contained provisions for a 64,000-acre park—a much more realistic approach, but one which still did not contain anything near the 90,000 acres called for by the bill sponsored by the gentleman from California and 40 of our colleagues—including myself—in the 89th Congress. This bill was reintroduced in the 90th Congress and it is tragic that the Committee on Interior and Insular Affairs did not see fit to report it instead of emasculating the Senate bill and sending it to us under suspension.

A singular virtue of the Senate-passed bill, however, was that it did contain the most important stand of virgin redwood, along Redwood Creek. This also, unfortunately, was lost in the House Committee action. I strongly believe that we should pass a bill which would include the important areas of Redwood Creek, Lost Man Creek, Little Lost Man Creek, and Skunk Cabbage Creek drainages.

Mr. PELLY. Mr. Speaker, I have great interest in legislation to save the redwoods. Meanwhile, over the weekend I received a great number of communications from constituents urging me to oppose this bill. However, on investigation I find the strategy of the Members of the House who want a redwood national park and who are not satisfied with 28,000 acres, is to support this bill in its present form which, of course, cannot be amended, on the basis of assurances that the amount of acreage will be added and the bill will be greatly improved in a conference with the Senate.

Mr. Speaker, I realize that voting for this bill will be misunderstood by many conservationists. However, I have discussed this matter with some of the proponents of a larger park, and I find that they, and the gentleman from California [Mr. COHELAN] who has been working for a larger park are going to vote today for this bill. The feeling is that if we do not take what we can get with this bill, we will get nothing. If we do accept this bill, we can work toward improvement later on in conference with the Senate.

I think my conservationist friends have received poor advise in this matter.

There is no point in voting against a bill and killing it when with passage we can carry on and make a decision later on when we vote for or against the conference report. If we do not pass this bill, there is no way of knowing when we will ever get the chance again. In which case, much of this timber will be lost to the axes and saws of the commercial interests.

Therefore, I urge my colleagues to join me in support of S. 2515, and at a later date decide whether to support or oppose the bill which comes from a Senate-House conference.

GENERAL LEAVE TO EXTEND

Mr. SAYLOR. Mr. Speaker, I ask unanimous consent that all Members may extend their remarks on this bill.

The **SPEAKER.** Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

The **SPEAKER.** The question is on the motion of the gentleman from Colorado that the House suspend the rules and pass the bill S. 2515, as amended.

The question was taken.

Mr. GROSS. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The **SPEAKER.** Evidently a quorum is not present.

The Doorkeeper will close the doors, the Sergeant at Arms will notify absent Members, and the Clerk will call the roll.

The question was taken; and there were—yeas 389, nays 15, answered "present" 2, not voting 26, as follows:

[Roll No. 254]

YEAS—389

Abernethy
Adair
Adams
Addabbo
Albert
Anderson, Ill.
Andrews, Ala.
Andrews,
  N. Dak.
Annunzio
Arends
Ashbrook
Ashmore
Aspinall
Ayres
Baring
Barrett
Bates
Battin
Belcher
Bell
Bennett
Berry
Betts
Bevill
Biester
Bingham
Blackburn
Blatnik
Boggs
Boland
Bolling
Bolton
Bow
Brademas
Brasco
Bray
Brinkley
Brock
Brooks
Broomfield
Brotzman

Brown, Mich.
Brown, Ohio
Broyhill, N.C.
Broyhill, Va.
Buchanan
Burke, Fla.
Burke, Mass.
Burleson
Burton, Utah
Bush
Button
Byrne, Pa.
Byrnes, Wis.
Cabell
Cahill
Carey
Carter
Casey
Cederberg
Chamberlain
Clancy
Clark
Clausen, Don H.
Clawson, Del
Cleveland
Cohelan
Collier
Colmer
Conable
Conte
Corbett
Corman
Cowger
Cramer
Cunningham
Curtis
Daddario
Daniels
Davis, Ga.
Davis, Wis.
Dawson
Delaney
Dellenback
Denney
Dent
Derwinski
Devine
Dickinson
Diggs
Dingell
Dole
Donohue
Dorn
Dowdy
Downing
Dulski
Duncan
Dwyer
Eckhardt
Edmondson
Edwards, Ala.
Edwards, Calif.
Edwards, La.
Eilberg
Erlenborn
Esch
Eshleman
Evans, Colo.
Everett
Fallon
Farbstein
Fascell
Feighan
Findley
Fisher
Flood
Flynt
Foley
Ford, Gerald R.
Ford, William D.
Fraser
Friedel
Fulton, Pa.
Fulton, Tenn.
Fuqua
Galifianakis
Garmatz
Gathings
Gettys
Gibbons
Gilbert
Gonzalez
Goodell
Goodling
Gray
Green, Oreg.
Green, Pa.
Griffin
Griffiths
Gross
Grover
Gubser
Gurney
Haley
Hall
Halleck
Halpern
Hamilton
Hammerschmidt
Hanley
Hanna
Hansen, Wash.
Hardy
Harrison
Harsha
Harvey
Hathaway
Hawkins
Hays
Hébert
Hechler, W. Va.
Heckler, Mass.
Henderson
Hicks
Horton
Hosmer
Howard
Hull
Hungate
Hunt
Hutchinson
Ichord
Irwin
Jacobs
Jarman
Joelson
Johnson, Calif.
Johnson, Pa.
Jonas
Jones, Ala.
Jones, Mo.
Karsten
Karth
Kastenmeier
Kazen
Kee
Keith
Kelly
King, N.Y.
Kirwan
Kleppe
Kluczynski
Kupferman
Kuykendall
Kyl
Kyros
Laird
Langen
Latta
Leggett
Lennon
Lipscomb
Lloyd
Lukens
McCarthy
McClory
McCloskey
McClure
McCulloch
McDade
McDonald, Mich.
McEwen
McFall
McMillan
MacGregor
Machen
Mahon
Mailliard
Marsh
Martin
Mathias, Calif.
Mathias, Md.
Matsunaga
May
Mayne
Meeds
Meskill
Michel
Miller, Calif.
Miller, Ohio
Mills
Minish
Mink
Minshall
Mize
Monagan
Montgomery
Moore
Moorhead
Morgan
Morris, N. Mex.
Morse, Mass.
Morton
Mosher
Moss
Murphy, Ill.
Murphy, N.Y.
Myers
Natcher
Nedzi
Nelsen
Nichols
Nix
O'Hara, Ill.
O'Hara, Mich.
O'Konski
Olsen
O'Neal, Ga.
O'Neill, Mass.
Passman
Patman
Patten
Pelly
Pepper
Perkins
Pettis
Philbin
Pickle
Pike
Pirnie
Poage
Podell
Poff
Pollock
Price, Ill.
Price, Tex.
Pryor
Pucinski
Purcell
Quie
Quillen
Railsback
Randall
Rees
Reid, Ill.
Reifel
Reinecke
Reuss
Rhodes, Ariz.
Riegle
Rivers
Roberts
Robison
Rodino
Rogers, Colo.
Rogers, Fla.
Ronan
Rooney, N.Y.
Rooney, Pa.
Rosenthal
Rostenkowski
Roth
Roudebush
Roush
Roybal
Rumsfeld
Ruppe
St Germain
St. Onge
Sandman
Satterfield
Schadeberg
Scherle
Scheuer
Schneebeli
Schweiker
Schwengel
Scott
Selden
Shipley
Shriver
Sikes
Sisk
Skubitz
Slack
Smith, Calif.
Smith, Iowa
Smith, N.Y.
Smith, Okla.
Snyder
Springer
Stafford
Staggers
Stanton
Steed
Steiger, Ariz.
Steiger, Wis.
Stratton
Stubblefield
Stuckey
Sullivan
Taft
Talcott
Taylor
Teague, Calif.
Teague, Tex.
Tenzer
Thompson, Ga.
Thompson, N.J.
Thomson, Wis.
Tiernan
Tuck
Tunney
Udall
Ullman
Van Deerlin
Vander Jagt
Vanik
Vigorito
Waldie
Walker
Wampler
Watkins
Watson
Watts
Whalen
Whalley
White
Whitener
Whitten
Widnall
Wiggins
Williams, Pa.
Willis
Wilson, Bob
Wilson, Charles H.
Winn
Wolff
Wright
Wyatt
Wydler
Wylie
Wyman
Yates
Young
Zablocki
Zion
Zwach

NAYS—15

Abbitt
Ashley
Brown, Calif.
Burton, Calif.
Celler
Fountain
Gude
Hagan
Helstoski
Jones, N.C.
Long, Md.
Macdonald, Mass.
Ottinger
Reid, N.Y.
Ryan

ANSWERED "PRESENT"—2

Dow
Saylor

NOT VOTING—26

Anderson, Tenn.
Blanton
Conyers
Culver
de la Garza
Evins, Tenn.
Fino
Frelinghuysen
Gallagher
Gardner
Giaimo
Hansen, Idaho
Herlong
Holifield
Holland
King, Calif.
Kornegay
Landrum
Long, La.
Madden
Rarick
Resnick
Rhodes, Pa.
Stephens
Utt
Waggonner

So (two-thirds having voted in favor thereof) the rules were suspended and the bill as amended, was passed.

The Clerk announced the following pairs:

On this vote:

Mr. Evins of Tennessee and Mr. Waggonner for, with Mr. Saylor against.

Until further notice:

Mr. King of California with Mr. Utt.
Mr. Gallagher with Mr. Frelinghuysen.
Mr. Giaimo with Mr. Fino.
Mr. Stephens with Mr. Gardner.
Mr. Madden with Mr. Rarick.
Mr. Holifield with Mr. Holland.
Mr. Culver with Mr. Conyers.
Mr. Blanton with Mr. Kornegay.
Mr. Long of Louisiana with Mr. Resnick.
Mr. Anderson of Tennessee with Mr. Rhodes of Pennsylvania.
Mr. de la Garza with Mr. Herlong.

Mr. STRATTON changed his vote from "nay" to "yea".

Mr. SAYLOR. Mr. Speaker, I have a live pair with the gentleman from Tennessee [Mr. Evins]. If he were present he would have voted "yea." I voted "nay." I withdraw my vote and vote "present."

The result of the vote was announced as above recorded.

The doors were opened.

The title was amended so as to read: "An act to establish a Redwood National Park in the State of California, and for other purposes."

A motion to reconsider was laid on the table.

PROHIBITIONS AGAINST FOREIGN-BUILT VESSELS

Mr. GARMATZ. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 163) to prevent vessels built or rebuilt outside the United States or documented under foreign registery from carrying cargoes restricted to vessels of the United States, as amended.

The Clerk read as follows:

H.R. 163

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) section 2631 of title 10, United States Code, is amended by inserting "(a)" before the text thereof, and by adding at the end thereof the following new subsection:

"(b) For purposes of this section—

"(1) the term 'vessels of the United States or belonging to the United States' does not include any vessel which was either—

"(A) built or rebuilt outside the United States, or

"(B) documented under any foreign registry, until such vessel has been documented under the laws of the United States for a period of three years, and

"(2) the term 'built or rebuilt outside the United States' includes the construction or alteration abroad of any major component of the hull or superstructure of the vessel."

(b) The amendment made by subsection (a) of this section shall not apply to any vessel—

(1) which is owned and operated by a citizen of the United States (as defined in section 905 of the Merchant Marine Act, 1936), and

(2) which was built or rebuilt under a contract which was—

(A) entered into by such citizen prior to June 12, 1968, or

(B) entered into by such citizen on or after such date as a result of the acceptance by such citizen of an option (specifying a price and delivery date) made prior to such date, and

(3) the building or rebuilding of which was commenced not later than one year after the date of enactment of this Act, and

(4) which was documented under United States registry upon its first arrival at a United States port after completion of such building or rebuilding, but no later than June 30, 1971, if the owner of such vessel informed the Secretary of Commerce of the contract or option described in paragraph (2) not later than thirty days after the date of enactment of this Act.

Sec. 2. Section 901(b) of the Merchant Marine Act, 1936 (46 U.S.C. 1241(b)), is amended by adding at the end thereof the following new sentence: "Except where the Maritime Administration has made a ruling otherwise prior to June 12, 1968, concerning the eligibility of a vessel under this subsection which has been rebuilt or actually is being rebuilt or such date, for purposes of this subsection the term 'rebuilt outside the United States' includes the construction or alteration outside the United States of any major component of the hull or superstructure of the vessel."

The SPEAKER. Is a second demanded?

Mr. MAILLIARD. Mr. Speaker, I demand a second.

The SPEAKER. Without objection, a second will be considered as ordered.

There was no objection.

The SPEAKER. The gentleman from Maryland [Mr. Garmatz] is recognized.

Mr. GARMATZ. Mr. Speaker, I yield myself 5 minutes.

Mr. Speaker, the purpose of this bill as reported is to close loopholes in existing law which have been construed to permit vessels built or rebuilt abroad to participate in the carriage of Government-sponsored cargoes intended to be reserved to American-built, American-flag vessels which do not contain any major portions of the hull or superstructure which were built or rebuilt outside the United States.

The bill amends section 2631 of title 10 of the United States Code, which provides that:

> Only vessels of the United States, or belonging to the United States, may be used in the transportation by sea of supplies bought

for the Army, Navy, Air Force, or Marine Corps.

This bill would make it clear that the term "vessels of the United States or belonging to the United States" does not include any vessel which was either, first, built or rebuilt outside the United States, or second, documented under any foreign registry, until such vessel has been documented under the laws of the United States for a period of 3 years.

The bill also amends section 901(b) of the Merchant Marine Act, 1936, generally referred to as the Cargo Preference Act, which presently provides that at least 50 percent of the tonnage of equipment, materials, or commodities moving overseas under Government-sponsored programs must be carried in "privately owned U.S.-flag commercial vessels." Existing law excludes from the definition of "privately owned U.S.-flag commercial vessels" any vessel which has been either (a) built outside the United States, (b) rebuilt outside the United States, or (c) documented under any foreign registry, until such vessels shall have been documented under the laws of the United States for a period of 3 years.

Existing law has been construed so as to not bar vessels which have been rebuilt by the insertion of "foreign-built major components of hull or superstructure" where such components are assembled into the rebuilt vessel in the United States.

The bill protects operators who in reliance upon existing interpretations of the law have, prior to June 12, 1968, entered into contractual commitments which would be adversely affected under the basic amendments proposed by this legislation.

In the committee report, you will note the concluding statement on page 4 that:

> Your Committee believes that this is very desirable legislation and when enacted, by giving assurance to American-flag operators of American-built and rebuilt ships that they will not be faced with competition from vessels embodying lower foreign capital costs, will encourage new construction and modernization in United States shipyards to augment the American-flag unsubsidized fleet. Your Committee urges prompt enactment of this important measure.

Mr. MAILLIARD. Mr. Speaker, I wish to join with the distinguished chairman of our Committee on Merchant Marine and Fisheries in urging the House to approve the bill, H.R. 163.

This bill, as amended by your Committee on Merchant Marine, would prevent, subject to certain exceptions, vessels built or rebuilt outside the United States or documented under foreign registry from carrying Government-generated cargoes restricted to American vessels. The need for the legislation has arisen as a result of interpretations of the law by the Military Sea Transportation Service and by the Maritime Administration. The effect of such interpretations has been to permit foreign-built vessels to be registered for operation under the U.S. flag and still be eligible to carry military cargo. It also has been possible for major hull components such as midsections of a vessel to be built abroad, towed to the United States, and installed in vessels of American registry without losing eligibility to carry Government-generated cargo, which is subject to the American-flag cargo preference statute. As a result, the purpose of the cargo preference laws—to assist in the promotion of the American maritime industry—has been frustrated.

While recognizing the need to remedy these interpretations of the law, your Committee on Merchant Marine felt that the correction had to be accomplished in an equitable manner. Consequently, the committee amendment to the bill makes the necessary exceptions so as to avoid any possible retroactive effect upon a vessel's eligibility prior to the date of the committee's action—June 12, 1968—to participate in the carriage of Government-generated cargoes. This simply recognizes the good faith of those American steamship operators who have acted in reliance upon the administrative interpretations of the law enabling them to build or rebuild vessels abroad without loss of Government-generated cargoes.

Mr. Speaker, I urge that the House suspend the rules and pass the bill, H.R. 163.

Mr. OTTINGER. Mr. Speaker, I have been a consistent supporter of a strong U.S.-flag merchant marine, feeling it vital to our commerce and defense. I have supported virtually every measure to enhance this cause, including very substantial subsidies and the creation of a seperate maritime agency.

This measure, however, would not be in the interests of either our commerce or defense, or indeed of our domestic shipbuilding industry. It is opposed by the Department of Commerce, the Department of Defense, and the Bureau of the Budget.

Foremost, the Defense Department says the bill will interefere with our supply operations. In its report on the bill, it says:

> A number of ships now included in the privately owned U.S.-flag merchant fleet and engaged in carrying cargoes for the Department of Defense were rebuilt or converted in foreign yards, or had major portions of their hull structures replaced in American yards with foreign-built segments. These ships were exempted from the provisions of the restrictive legislation now in effect, and therefore were able to provide vital transportation to the military services.

It is thus quite clear that virtual transportation to the military services is involved. The Defense report goes on to say:

> When, however, a military emergency exists and the tonnage of military cargo is increased substantially, the restrictions which the proposed legislation would impose upon the Military Sea Transportation Service could become a serious impediment to the accomplishment of effective logistic support of troops in combat.

The report concludes:

> The net effect of the proposed legislation would be to reduce the number of American ships which might be used to provide transportation when it is most needed. . . . Any additional restriction imposed upon the Military Sea Transportation Service in the selection and use of ships could handicap the delivery of essential supplies to the armed services.

Mr. Speaker, the patriotism of the maritime industry and unions is renowned throughout the country. The national interest must come first, even when the interests of certain segments of the maritime industry may be thought to conflict.

But even here, the evidence is that these provisions would be harmful to the domestic industry. The Department of Commerce concluded its opposing report on the bill saying:

> We are opposed to the amendment the bill would make to section 901(b) of the Merchant Marine Act, 1936. This amendment would close off the possibility of upgrading the unsubsidized fleet by the rebuilding of vessels in U.S. shipyards with foreign-built midbodies. It is an advantage to shipowners to be able to upgrade their vessels in this way. The cost is considerably less than doing the entire rebuilding in the United States. It is also an advantages to U.S. shipyards in that it gives them considerable work that they otherwise might not get. It is an advantage to the United States in that it upgrades the unsubsidized fleet.
>
> For the same reasons we are opposed to the amendment the bill would make to section 2631 of title 10 of the United States Code. In addition, we are opposed to this amendment because it would reduce the number of and quality of American-flag vessels available to the Defense Department in times of emergency.

Last but not by any means least, this is a protectionistic measure and, like all similar attempts to exclude foreign competition, lends itself to retaliation. Since the United States is the principal trading Nation of the world, it stands to lose the most from any construction of international trade. Far better, in my opinion, to help our domestic industries hurt by competition than to impose restrictions of the kind that are contained in this bill.

I hope my colleagues will join me in defeating this measure which will be good for neither the country nor the industry and that will endanger our national security.

Mr. BINGHAM. Mr. Speaker, I deeply regret that a bill which embodies considerable controversy should come up for a vote under suspension of the rules after a debate of less than 5 minutes. I understand that the purpose of the bill is to assist the American shipbuilding industry, but this is apparently to be done at great cost.

The report from the Department of the Navy annexed to the committee report includes the following:

> Under present laws, foreign-flag shipping is used by the Military Sea Transportation Service only when no ships registered under the American flag are available. The net effect of the proposed legislation would be to reduce the number of American ships which might be used to provide transportation when it is most needed.
>
> It is submitted that the present laws (10 U.S.C. 2631 and 46 U.S.C. 1241(b)) provide adequate protection for the American merchant marine. Any additional restriction imposed upon the Military Sea Transportation Service in the selection and use of ships could handicap the delivery of essential supplies to the Armed Forces.

The Department of Commerce also recommended against favorable consideration of the bill.

There was no opportunity during the highly abbreviated debate to ask any questions about these departmental reports. Accordingly, I shall vote against the motion to suspend the rules and pass the bill.

The SPEAKER. The question is on the motion of the gentleman from Maryland that the House suspend the rules and pass the bill H.R. 163, as amended.

The question was taken.

Mr. RUMSFELD. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER. The Chair will count. Evidently a quorum is not present.

The Doorkeeper will close the doors, the Sergeant at Arms will notify absent Members, and the Clerk will call the roll.

The question was taken; and there were—yeas 370, nays 30, not voting 32, as follows:

[Roll No. 255]

YEAS—370

Abbitt
Abernethy
Adair
Adams
Addabbo
Albert
Anderson, Ill.
Andrews, Ala.
Andrews, N. Dak.
Annunzio
Arends
Ashbrook
Ashmore
Aspinall
Ayres
Baring
Barrett
Bates
Battin
Belcher
Bell
Bennett
Berry
Betts
Bevill
Biester
Blackburn
Blatnik
Boggs
Boland
Bolton
Bow
Brademas
Brasco
Bray
Brinkley
Brock
Brooks
Broomfield
Brotzman
Brown, Calif.
Brown, Mich.
Brown, Ohio
Broyhill, N.C.
Broyhill, Va.
Buchanan
Burke, Fla.
Burke, Mass.
Burleson
Burton, Calif.
Burton, Utah
Bush
Button
Byrne, Pa.
Byrnes, Wis.
Cabell
Cahill
Carey
Carter
Casey
Cederberg
Celler
Chamberlain
Clancy
Clark
Clausen, Don H.
Clawson, Del
Cleveland
Cohelan
Collier
Colmer
Conable
Conte
Corbett
Cowger
Cramer
Cunningham
Daddario
Daniels
Davis, Ga.
Davis, Wis.
Dawson
Delaney
Dellenback
Denney
Dent
Devine
Dickinson
Diggs
Dingell
Dole
Donohue
Dorn
Dow
Dowdy
Downing
Dulski
Duncan
Dwyer
Edmondson
Edwards, Ala.
Edwards, La.
Eilberg
Erlenborn
Esch
Eshleman
Evans, Colo.
Everett
Farbstein
Fascell
Feighan
Fisher
Flood
Flynt
Foley
Ford, Gerald R.
Ford, William D.
Fountain
Fraser
Friedel
Fulton, Pa.
Fulton, Tenn.
Fuqua
Galifianakis
Garmatz
Gathings
Gettys
Gibbons
Gilbert
Gonzalez
Goodell
Goodling
Gray
Green, Oreg.
Green, Pa.
Griffin
Griffiths
Gross
Grover
Gubser
Gude
Gurney
Hagan
Haley
Hall
Halleck
Halpern
Hamilton
Hammerschmidt
Hanley
Hanna
Hansen, Wash.
Harrison
Harsha
Harvey
Hathaway
Hawkins
Hays
Hébert
Heckler, Mass.
Helstoski
Henderson
Hicks
Horton
Hosmer
Howard
Hull
Hungate
Hunt
Hutchinson
Ichord
Jacobs
Jarman
Joelson
Johnson, Calif.
Johnson, Pa.
Jonas
Jones, Ala.
Jones, N.C.
Karsten
Karth
Kazen
Kee
Keith
Kelly
King, N.Y.
Kirwan
Kleppe
Kluczynski
Kuykendall
Kyros
Laird
Langen
Latta
Leggett
Lennon
Lipscomb
Lloyd
Lukens
McCarthy
McClory
McCloskey
McClure
McCulloch
McDade
McDonald, Mich.
McEwen
McMillan
Macdonald, Mass.
MacGregor
Machen
Mahon
Mailliard
Marsh
Martin
Mathias, Calif.
Mathias, Md.
Matsunaga
Meeds
Meskill
Michel
Miller, Calif.
Miller, Ohio
Mills
Minish
Mink
Minshall
Mize
Monagan
Montgomery
Moore
Morgan
Morris, N. Mex.
Morse, Mass.
Morton
Mosher
Murphy, Ill.
Murphy, N.Y.
Myers
Natcher
Nedzi
Nelsen
Nichols
Nix
O'Konski
Olsen
O'Neal, Ga.
O'Neill, Mass.
Passman
Patman
Patten
Pelly
Pepper
Perkins
Pettis
Philbin
Pickle
Pike
Pirnie
Poage
Podell
Poff
Pollock
Price, Ill.
Price, Tex.
Pryor
Pucinski
Purcell
Quie
Quillen
Railsback
Randall
Reid, Ill.
Reifel
Reinecke
Rhodes, Ariz.
Riegle
Rivers
Roberts
Robison
Rodin
Rogers, Colo.
Rogers, Fla.
Ronan
Rooney, N.Y.
Rooney, Pa.
Rosenthal
Rostenkowski
Roth
Roudebush
Roush
Ruppe
St Germain
St. Onge
Sandman
Satterfield
Saylor
Schadeberg
Scherle
Scheuer
Schneebeli
Schweiker
Schwengel
Scott
Selden
Shipley
Shriver
Sikes
Sisk
Skubitz
Slack
Smith, Calif.
Smith, Iowa
Smith, N.Y.
Smith, Okla.
Snyder
Springer
Stafford
Staggers
Stanton
Steed
Steiger, Ariz.
Steiger, Wis.
Stubblefield
Stuckey
Sullivan
Taft
Talcott
Taylor
Teague, Calif.
Teague, Tex.
Tenzer
Thompson, Ga.
Thompson, N.J.
Thomson, Wis.
Tiernan
Tuck
Tunney
Udall
Ullman
Vander Jagt
Vanik
Vigorito
Waldie
Walker
Wampler
Watkins
Watson
Whalen
Whalley
White
Whitener
Whitten
Widnall
Wiggins
Williams, Pa.
Willis
Wilson, Bob
Wilson, Charles H.
Winn
Wolff
Wright
Wyatt
Wydler
Wylie
Wyman
Young
Zablocki
Zion
Zwach

NAYS—30

Ashley
Bingham
Bolling
Corman
Curtis
Derwinski
Eckhardt
Edwards, Calif.
Findley
Hechler, W. Va.
Kastenmeier
Kupferman
Kyl
Long, Md.
McFall
Mayne
Moorhead
Moss
O'Hara, Mich.
Ottinger
Rees
Reid, N.Y.
Reuss
Roybal
Rumsfeld
Ryan
Stratton
Van Deerlin
Watts
Yates

NOT VOTING—32

Anderson, Tenn.
Blanton
Conyers
Culver
de la Garza
Evins, Tenn.
Fallon
Fino
Frelinghuysen
Gallagher
Gardner
Giaimo
Hansen, Idaho
Hardy
Herlong
Holifield
Holland
Irwin
Jones, Mo.
King, Calif.
Kornegay
Landrum
Long, La.
Madden
May
O'Hara, Ill.
Rarick
Resnick
Rhodes, Pa.
Stephens
Utt
Waggonner

So (two-thirds having voted in favor thereof) the rules were suspended and the bill, as amended, was passed.

The Clerk announced the following pairs:

Mr. Evins of Tennessee with Mrs. May.
Mr. Fallon with Mr. Frelinghuysen.
Mr. Waggonner with Mr. Utt.
Mr. Gallagher with Mr. Fino.
Mr. Giaimo with Mr. Gardner.
Mr. Holifield with Mr. Hansen of Idaho.
Mr. Culver with Mr. Anderson of Tennessee.
Mr. Blanton with Mr. King of California.
Mr. Hardy with Mr. Stephens.
Mr. Rhodes of Pennsylvania with Mr. Resnick.
Mr. Holland with Mr. Conyers.
Mr. Kornegay with Mr. Irwin.
Mr. Long of Louisiana with Mr. O'Hara of Illinois.
Mr. Madden with Mr. Landrum.
Mr. Rarick with Mr. de la Garza.

The result of the vote was announced as above recorded.

The doors were opened.

A motion to reconsider was laid on the table.

AUTHORIZING THE SECRETARY OF THE INTERIOR TO CONSTRUCT, OPERATE, AND MAINTAIN THE MOUNTAIN PARK RECLAMATION PROJECT, OKLAHOMA

Mr. JOHNSON of California. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 9362) to authorize the Secretary of the Interior to construct, operate, and maintain the Mountain Park reclamation project, Oklahoma, and for other purposes, as amended.

The Clerk read as follows:

H.R. 9362

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior is authorized to construct, operate, and maintain the Mountain Park reclamation project, Oklahoma, under the Federal reclamation laws (Act of June 17, 1902; 32 Stat. 388, and Acts amendatory thereof or supplementary thereto) for the principal purposes of storing, regulating, and furnishing water for municipal, domestic, and industrial uses, conserving and developing fish and wildlife resources, providing outdoor recreation opportunities, and controlling floods. The principal features of the project shall consist of a dam and reservoir on Otter Creek, a diversion dam on Elk Creek, a canal from the diversion dam to a storage reservoir on Otter Creek, aqueducts from the storage reservoir to the cities of Altus and Snyder, Oklahoma, a wildlife management area, and basic public outdoor recreation facilities. Construction of the project may be undertaken in such units or stages as in the determination of the Secretary will best serve project requirements and meet water needs.

Sec. 2. (a) Costs of the project, or any unit or stage thereof, allocated to municipal water supply, shall be repayable, with interest, by the municipal water users over a period of not more than fifty years from the date that water is first delivered for that purpose, pursuant to contracts with municipal corporations or other organizations, as defined in section 2(g) of the Reclamation Project Act of 1939 (53 Stat. 1187). Such contracts shall be precedent to the commencement of construction of any unit or stage of the project. The contracting organization shall be responsible for the disposal and sale of water surplus to its requirements, but revenues therefrom shall be used only for payment of operation and maintenance costs, interest, and retirement of the obligation assumed in the contract. Contracts may be entered into with water users' organizations pursuant to the provisions of this Act without regard to the last sentence of subsection 9(c) of the Reclamation Project Act of 1939 (53 Stat. 1187).

(b) The interest rate used for computing interesting during construction and interest on the unpaid balance of the costs of the project allocated to municipal water supply shall be determined by the Secretary of the Treasury, as of the beginning of the fiscal year in which construction is commenced, on the basis of the computed average interest rate payable by the Treasury upon its outstanding marketable public obligations which are neither due nor callable for redemption for fifteen years from date of issue, and by adjusting such interest rate to the nearest multiple of one-eighth of 1 per centum if the computed average interest rate is not a multiple of one-eighth of 1 per centum.

SEC. 3. The Secretary is authorized to transfer to a water users' organization the care, operation, and maintenance of the project works, and, if such transfer is made to credit annually against the organization's repayment obligation that portion of the year's operation and maintenance costs which, if the United States had continued to operate the project, would have been allocated to flood control, fish and wildlife, and recreation purposes. Prior to assuming care, operation, and maintenance of the project works the water users' organization shall obligate itself to operate them in accordance with regulations prescribed by the Secretary of the Army with respect to flood control, and by the Secretary of the Interior with respect to fish and wildlife and recreation. Upon complete payment of the obligation assumed, the water users' organization, its designee or designees, shall be conveyed title to such portions of the aqueducts and related facilities as are used solely for delivering project water to water users, and shall have a permanent right to use that portion of project reservoir capacity which is or may be allocated to municipal and industrial water supply purposes by the Secretary of the Interior, so long as the space designated for those purposes may be physically available, taking into account such equitable reallocation of reservoir storage capacities among the purposes to be served by the project as may be necessary due to sedimentation, subject, if the project is then operated by the United States, to payment to the United States of a reasonable annual charge to cover operation and maintenance costs and a fair share of administrative costs applicable to the project.

SEC. 4. Expenditures for the Mountain Park project may be made without regard to the soil survey and land classification requirements of the Interior Department Appropriation Act of 1954 (67 Stat. 266).

SEC. 5. The conservation and development of the fish and wildlife resources and the enhancement of recreation opportunities in connection with the Mountain Park reclamation project shall be in accordance with the Federal Water Project Recreation Act (79 Stat. 213).

SEC. 6. There is hereby authorized to be appropriated for construction of the Mountain Park reclamation project the sum of $19,978,000 (January 1965 prices), plus or minus such amounts, if any, as may be justified by reason of ordinary fluctuations in construction costs as indicated by engineering cost indexes applicable to the type of construction involved herein. There are also authorized to be appropriated such additional sums as may be required for the operation and maintenance of the project.

The **SPEAKER**. Is a second demanded?

Mr. **SAYLOR**. Mr. Speaker, I demand a second.

The **SPEAKER**. Without objection, a second will be considered as ordered.

There was no objection.

The **SPEAKER**. The Chair recognizes the gentleman from California [Mr. JOHNSON].

Mr. **JOHNSON** of California. Mr. Speaker, I yield such time as he may consume to the chairman of the full Committee on Interior and Insular Affairs, the gentleman from Colorado [Mr. ASPINALL].

Mr. **ASPINALL**. Mr. Speaker, the Interior and Insular Affairs Committee brings before the House today three bills which authorize Federal reclamation projects. They are meritorious projects which warrant authorization at this time. However, they are recommended for authorization under the same conditions with respect to funding that I stated to the House some 2 months ago in connection with the Colorado River Basin project. Because of our present fiscal crisis, a delay in the funding of these projects must be expected until our expenditures in connection with the Vietnam war have been greatly reduced. On the other hand, authorization at this time puts these projects in position to go forward should peace come to our Nation and the economy need a shot in the arm. These are the kind of projects that help build the Nation and strengthen its economy and, from the short-range viewpoint, provide employment opportunities.

The bill presently before the House, H.R. 9362, authorizes the Secretary of the Interior to construct the Mountain Park reclamation project near the city of Altus in southwestern Oklahoma. In addition to furnishing municipal and industrial water to the cities of Altus and Snyder, the project will provide additional flood protection in the project area and provide additional recreational opportunities and fish and wildlife enhancement. The estimated total cost is $19,978,000.

In addition to full and complete Washington hearings on the Mountain Park project, the committee held field hearings in Altus and made an inspection trip over the project area. Support for the project in the local area was unanimous. In addition, the project has the full support of the administration and the State of Oklahoma.

The plans for development, operation and repayment of the Mountain Park project are consistent with the policies and criteria established by the Congress. The committee determined that this multiple-purpose project is physically and financially feasible. The committee's study and inspection of the project area convinced it that the project is urgently needed to provide a dependable water supply for the cities of Altus and Snyder.

Snyder presently obtains its water from wells that are deficient in both quantity and quality.

The city of Altus obtains its water from an existing reclamation project in the area. The water supply from this source is limited and, in recent years, the city has had to borrow water from the irrigation district. As an emergency measure, the city of Altus also is constructing a pipeline to deliver about 2 million gallons of water per day from a groundwater source across the Red River in Texas. However, the city considers this as a temporary source only.

Altus is one of the fastest growing cities in Oklahoma, and one of the reasons for this has been the nearby Altus Air Force Base which receives its water supply from the city. The Air Force Base has recently been assigned expanded operations which will mean a further increase in population and water demand.

The construction of the Mountain Park project will provide an ample supply of water to meet the needs of these two cities for the foreseeable future as well as other expected water needs of the area.

As for the other purposes, the operation of the project will prevent flood losses in the project area which presently average over $200,000 annually. In addition, the project will provide extensive recreational opportunities for fishing, hunting, boating, water skiing, picnicking, camping, et cetera.

The people in the local area have been working since 1955 for construction of the Mountain Park project. In 1965, a citizens' committee for water development was formed in Altus to assist in obtaining favorable action on the project. Last year the Mountain Park Master Conservancy District was created to deal with the Federal Government and to operate the project. In other words, the local people have taken every action required of them to show their willingness to assume their proper share of the responsibility for operation and repayment of the project.

Mr. Speaker, the Mountain Park project is a meritorious project and should be authorized at this time. The gentleman from California [Mr. JOHNSON], chairman of the subcommittee handling this legislation, can furnish additional information on the physical and economic aspects of the project.

I am glad to yield first to my friend, the gentleman from Pennsylvania, the ranking member of the committee [Mr. SAYLOR].

Mr. **SAYLOR**. Mr. Speaker, I commend the gentleman in the well, the chairman of the full Committee on Interior and Insular Affairs, for his handling of this bill and the remarks he has made with regard to this project. However, I should like to ask him a question.

Several years ago we authorized a project in Oklahoma known as the Foss Reservoir. Because of certain upstream development which took place following the passage of that bill, the water in the reservoir became unusable, and the municipalities which had intended to use the water for municipal, domestic, and industrial purposes were unable to do so. Is there any guarantee that the same thing will not occur in the Mountain Park reclamation project?

Mr. **ASPINALL**. May I say to my friend that the reason the Foss Reservoir has gotten into the condition it has is largely because of the development of small watershed programs, in the upper region. We have made a record of that in our hearings, and we have referred to it in our report. We intend to see to it that before construction starts, the flow of water in this particular area will be sufficient to see that the water that is to be placed in these two reservoirs will be clean, clear, potable, and usable.

Mr. **SAYLOR**. And if that occurs, might I ask the gentleman, then whether the cities will be able to use this water and enter into repayment contracts which bear interest for a large portion of the project?

Mr. **ASPINALL**. The gentleman is correct. Most of this money is repayable with interest. As the gentleman has suggested, very little is nonreimbursable. The contracts for repayment will have to be assured before construction starts.

Mr. **GROSS**. Mr. Speaker, will the gentleman yield?

Mr. ASPINALL. I yield to my friend, the gentleman from Iowa.

Mr. GROSS. I thank the gentleman for yielding. I should like to ask the gentleman why there is no conformance to Public Law 801 in this bill? Public Law 801 provides that on any new project or enterprise in which the Federal Government engages, involving an expenditure outlay of more than $1 million, there must be a statement of manhours of civilian employment set forth in the report. I was about to offer a compliment for I noticed that the gentleman's committee in its report on the Palmetto project, does set it forth. I wonder why it was not set forth in connection with this project?

Mr. ASPINALL. Mr. Speaker, I understood that during the hearings we had that information before the committee. I cannot answer my colleague exactly at this time.

Mr. GROSS. I would say to the gentleman I would have made a point of order against this bill, but it comes up under suspension of the rules, and all the rules are suspended. This is a further indictment of the procedure as far as I am concerned.

Mr. ASPINALL. Mr. Speaker, we had no intention at all to bypass this particular requirement.

Mr. TAFT. Mr. Speaker, will the gentleman yield?

Mr. ASPINALL. I yield to the gentleman from Ohio.

Mr. TAFT. Mr. Speaker, I would like to ask the distinguished gentleman from Colorado why there is need for proceeding with authorization this year if funds are not to be provided for this year? In particular, this statement generally arouses some confusion in my mind in view of the fact that the committee report states one factor in going ahead with the authorization of the project has been that Altus Air Force Base has been assigned for expanded operations beginning next year, and this will mean a further increase in water demand. If we are not going forward with it this year, why should we authorize it now?

Mr. ASPINALL. We passed these in the committee, Mr. Speaker, and we hopefully will pass these projects in the House with the same idea in mind as we had in connection with the previous bill. Here we have the same situation, with $53 million, as related to the new authorization in the other bill of over $1 billion. It is the only way we can carry these projects forward, and in my book all water resource projects make money and build civilizations. The only way we can carry them forward is to get them on the books so we can carry them when the time for construction is determined and possible. That is the reason for this, so whenever money is available, it can take its place in the general scheme of things.

Mr. TAFT. Mr. Speaker, if the gentleman will yield further, I will say I voted against the prior bill for this very reason, and on the same logic, and the same argument, and I have a hard time seeing why we think we can make a judgment as well this year, when we know we will not have the money, as we could make next year when we might have the money, particularly when it is a project of this sort, when it is just being initiated.

Mr. ASPINALL. Mr. Speaker, I know the gentleman voted against the bill. I heard him vote. On the other hand, the chairman of the committee differs with his friend from Ohio. I feel that we should have these authorizations and have them on the line. As far as the policy is concerned, in the next decade there will be no reason why this project cannot fit into the reclamation program and serve the community when it is possible to get the money.

I might add further I just do not go along with this administration when it tries to cut down the water resource programs, the domestic programs, which are so necessary for the strength of our own economy and our domestic welfare. I take issue and will continue to take issue, so I will keep on plugging for a larger sum of appropriations in order to build up the projects.

Mr. STEED. Mr. Speaker, will the gentleman yield?

Mr. ASPINALL. I yield to the gentleman from Oklahoma.

Mr. STEED. Mr. Speaker, I might point out part of the water supply used by the city of Albuquerque and the Air Force base is coming from wells the city has leased across the line in Texas. The city is under a Federal mandate to find a substitute for this water, because they are only being permitted to use it on this basis. This places a peculiar urgency on this particular bill, for that reason.

Mr. SAYLOR. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the Record.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. SAYLOR. Mr. Speaker, H.R. 9362 authorizes the Secretary of the Interior to construct, operate, and maintain the Mountain Park reclamation project in Oklahoma as a multiple-purpose reclamation project.

The principal purposes of the project are the storing, regulating, and furnishing of municipal, domestic, and industrial water to the cities of Altus and Snyder, Okla.; to provide recreational opportunities and fish and wildlife enhancement, and to provide additional flood protection in the project area.

The principal features of the project consist of the Mountain Park Dam and Reservoir on Otter Creek, a diversion dam and canal on Elk Creek, an aqueduct system to deliver water to the cities of Altus and Snyder, Okla.; a wildlife management area, and basic public outdoor recreation facilities.

The estimated cost of the project is $19,978,000. Costs of the project are allocated among the project purposes, to municipal and industrial water supply, flood control, recreation, and fish and wildlife enhancement. The costs allocated to municipal and industrial water are reimbursable with interest and a portion of the costs allocated to recreation and fish and wildlife enhancement is also reimbursable with interest. The remaining costs allocated to recreation and fish and wildlife enhancement and the costs allocated to flood control are nonreimbursable. The project has a cost benefit ratio of 1.9 to 1. The repayment or reimbursable project costs will be accomplished by contracting separately with municipal corporations and other organizations.

The emergency nature and need for this project is complicated by some seriously objectionable features of the legislation. The first of the objectionable features concerns the Federal expenditure involved to assist a relatively minor number in population. A second objectionable feature of the legislation concerns the fact that the Federal Government will be required to operate the aqueduct system for the delivery of water to the users because of the present financial indebtedness of the cities concerned. It is expected that the recently formed Mountain Park Water Conservancy District will be able to assume this role and its obligations upon completion of the project.

Again, this bill contains the highly objectionable low-interest rate feature on the unpaid balance of project costs allocated to municipal and industrial water supply. While the financial status of the project area may warrant a low rate at this time, a more businesslike approach to the authorization of Federal reclamation projects calls for the application of the rate the Federal Government must pay to borrow money on its own long-term outstanding marketable obligations.

Mr. Speaker, were it not for the great need of this legislation and the most sincere efforts of my colleague, the gentleman from Oklahoma [Mr. Smith], I would be disposed to react differently to this legislation. In view of the urgent need of the project and our national commitment at Altus Air Force Base, I shall support the passage of H.R. 9362.

Mr. Speaker, I yield 3 minutes to the gentleman from Oklahoma [Mr. Smith].

Mr. SMITH of Oklahoma. Mr. Speaker, I thank the gentleman for yielding.

Mr. Speaker, on April 27, 1967, I introduced H.R. 9411, which is an identical bill to H.R. 9362, which is being considered by the House today.

These bills would authorize the Secretary of the Interior to construct, operate, and maintain the Mountain Park reclamation project near Snyder, Okla., which is within my own congressional district.

The Bureau of Reclamation, in its commendable report, "Water, the Key to Oklahoma's Future" endorsed this project as important to the future growth of Oklahoma in economic and industrial development.

Basically this is a multipurpose project which is designed to be constructed in two stages. The initial part of the project would consist of Mountain Park Dam and Reservoir on Otter Creek where it would impound 131 square miles of drainage area. The reservoir would have an initial capacity of 230,000 acre-feet, of which 99,000 would be initially allocated for municipal and industrial water supply.

In about 10 years the capacity of Otter

Creek to supply the towns of Altus and Snyder, and the rapidly expanding Altus Air Force Base complex, would be exceeded by their growth and it will be necessary to construct a second stage which will consist of the Bretch diversion dam on Elk Creek at a point about 4 miles south of Hobart, Okla. This diversion dam will divert the flow from approximately 540 square miles of drainage area, which will be diverted into a 10.8-mile canal which will empty into Otter Creek for flow into the reservoir at Mountain Park.

With the combined flow of two streams the yield of Mountain Park Reservoir would be 18,600 feet per year or 16.6 million gallons per day.

This is a most important project for western Oklahoma, and will mean a great deal to the dry reaches of Oklahoma's farmlands. There is every possibility that interim irrigation will also be an added feature in this project.

I rise in support of this project, and I urge my colleagues to support the authorization for the construction of this vital water project which will benefit all of Oklahoma. Economic growth is coming to this area for many reasons. Not the least of these is the expansion of the Altus Air Force Base, which will soon receive the new C–5A transport aircraft. But the industrial development of the area indicates the direct need for the development of the Mountain Park project, and I hope that the House will quickly approve the measure.

Mr. STEED. Mr. Speaker, this project would provide a water supply for 50 years for the communities of Altus and Snyder, both of which are in urgent need of a dependable additional source of water. This problem is vital for the future of southwestern Oklahoma.

I am sponsor of H.R. 9362, the irrigation and Reclamation Subcommittee of the House Interior and Insular Affairs, under its chairman, Congressman Harold T. Johnson, of California, held a field hearing on this measure at Altus, Okla., July 15, 1967, with a field trip to the site of the reservoir and aqueduct.

Mountain Park has an extremely favorable cost-benefit ratio, 1.91 to 1 in the figures submitted to you by the Bureau of Reclamation. The Secretary of the Interior endorsed it in a document presented to your committee May 11, 1966. It has been approved by all the other Federal agencies concerned and by all the States of the Red River Basin—Oklahoma, Texas, Arkansas, Louisiana, and New Mexico— of which it is a part.

Federal agencies giving clearance include the Army Engineers, who gave data on flood control; the Department of Health, Education, and Welfare, and the Departments of Agriculture, Commerce, and Labor.

Water quality is excellent, according to the Bureau of Reclamation estimates. It would be greatly superior to the present water supplies of the cities of Altus and Snyder.

The Bureau estimates average dissolved solids at 647 parts per million from stage 1 of the project and 685 when stage 2 is operating, compared to the Public Health Service standard of 1,000.

The soil of this area, in the Wichita Mountains, is entirely different in nature from that of the Washita Valley to the north, where mineralization is a problem in Foss Reservoir, a problem which your committee is assisting in solving.

Since the Secretary of the Interior's report was submitted to Congress, the Altus Air Force Base, which will be one of the prime users of the water, has received a major new additional assignment. It will be handling the two new training wings of the military aircraft command.

This expansion serves to reinforce the need for rapid action to obtain ample water, already convincingly demonstrated.

Thus far, Altus is growing even more rapidly than anticipated. Under the plan, costs apportioned to Altus and Snyder would be repaid to the United States within a 50-year period of the completion of the respective stages of construction. Interest would be established at a rate equal to the average rate paid by the United States on long-term loans outstanding at the beginning of the fiscal year in which construction is begun. In accordance with the provisions of the Water Supply Act of 1958, deferral of interest for a period of 10 years on more than $1,000,000 apportioned to Altus and Snyder is provided.

Mountain Park is designed by the Bureau of Reclamation as a multipurpose project including not only municipal and industrial water for Altus and Snyder but flood control, conservation and development of fish and wildlife resources, and recreation. Construction is planned in two stages with an interval of some 10 years.

Total estimated cost in the Department's latest estimate, based on 1965 prices, is $19,978,000. Of this sum $15,153,000 is allocated to municipal water supply and will be repaid to the United States with interest. The remaining $4,825,000 is allocated to flood control, recreation and fish and wildlife enhancement.

The initial phase will include Mountain Park dam and reservoir in Kiowa County, located on Otter Creek, a tributary of the North Fork of the Red River, some 6 miles north of Snyder. Also included in the initial phase will be the aqueduct system connecting the dam with the two communities. Construction costs allocated to recreation and fish and wildlife enhancement would be shared by the city of Altus and the Federal Government pursuant to the Federal Water Project Recreation Act of July 9, 1965.

The dam, an earthfill structure with a crest length of 437 feet and maximum height of 81 feet above the streambed, will be located where Otter Creek passes through a granite outcropping of the Wichita Mountains. Water surface at the top of the conservation pool would cover an area of some 6,800 acres with storage capacity of 230,000 acre-feet.

It is estimated that this first stage of the project would provide the water needed by Altus and Snyder for some 10 years, with, indeed, a surplus in part of that period.

Stage two of the project, authorized by this bill would begin early enough to allow ample time for its completion by time demands of the two cities require it. Stage two includes construction of the Bretch diversion dam on Elk Creek, another tributary of the North Fork, lying to the north and west, and diversion of water from Elk Creek by means of a canal to the Mountain Park Reservoir. The rolled earthfill Bretch diversion dam would be a 190-foot structure in length, with maximum height of 37.5 feet, located 8 miles northwest of the community of Roosevelt, with an installation cost estimated at $1,001,000.

The canal, 10.8 miles in length, diverting flow from some 540 square miles of drainage area, would support a capacity of 1,000 cubic feet of water per second. It would be concrete lined and would extend from the diversion dam to a point on West Otter Creek 7 miles above the Mountain Park damsite.

The plan calls for preconstruction activities in the form of a definite plan report and the repayment contract to be completed within 3 or 4 months of authorization. The contract for the dam and reservoir is expected to be awarded near the end of the first year after authorization. Award of contracts for the aqueduct system would be made in the second year. The Bureau of Reclamation hopes that if streamflow conditions are satisfactory delivery of municipal water can be begun by the end of the fourth year after authorization.

Recreation facilities including the acquisition of 540 acres of land, would be provided as recommended by the National Park Service.

Water quality has been estimated to meet and exceed Public Health Service standards. It would be generally superior to the present water supplies of the cities of Altus and Snyder. Average total dissolved solids are placed at 647 parts per million from stage 1 of the project and 685 at stage 2 operation compared to 1,000 in the PHS standard.

The Oklahoma State Soil Conservation Board reports that upstream flood prevention programs are being planned under Public Law 566 both in Otter Creek watershed and in Elk Creek watershed. It feels that they should be coordinated with the Mountain Park project and that this can be done in such a way as to reduce the flood control storage capacity required at Mountain Park. As a sponsor of the upstream flood control program I feel that this cooperative effort can readily be worked out.

I believe you will find this project a worthwhile investment for our Government.

Mr. JOHNSON of California. Mr. Speaker, the plan of development for the Mountain Park project calls for maximum control and use of the flows of Otter Creek and Elk Creek, both of which are tributaries of the north fork of the Red River in southwestern Oklahoma. The principal project facility will be the Mountain Park Dam and Reservoir on Otter Creek with a capacity of about 108,000 acre-feet. A diversion dam will be constructed on Elk Creek, and a 10.8-mile canal will convey Elk Creek flows into the Mountain Park Reservoir. An aqueduct system will be built to deliver water from the reservoir to the cities of Altus and Snyder and recreational facilities will be built at several locations on the reservoir.

The plan of development lends itself well to stage construction and, therefore, it is proposed that the diversion dam and canal be deferred for about 10 years until the water requirements build up to the point where Elk Creek flows are needed.

The amount of water made available by construction and operation of the project is estimated to be 18,600 acre-feet annually. Storage space included in the reservoir for flood control will provide the flood control benefits, and the recreation facilities constructed as a part of the project will provide extensive recreational opportunities. The project works will be operated by the Mountain Park Master Conservancy District in accordance with the regulations prescribed by the Federal Government. The district also will obligate itself to repay all of the reimbursable costs of the project.

About $14.4 million, or 73 percent of the total project cost of $19,978,000, is allocated to municipal and industrial water supply and will be repaid with interest within a 50-year period. This can be accomplished by water sales at 17.7 cents per thousand gallons. About $2.7 million is allocated to flood control and about $2.8 million to recreation and fish and wildlife; $868,000 of the amount allocated to recreation and fish and wildlife will be repaid with interest pursuant to the provisions of the Federal Water Project Recreation Area. The economic analysis for the project indicates that the annual benefits will exceed the annual costs by a ratio of 1.9 to 1.0.

Mr. Speaker, H.R. 9362, to authorize the Mountain Park project, was unanimously reported by the Interior and Insular Affairs Committee, and I urge its approval by the House.

The SPEAKER. The question is on the motion of the gentleman from California that the House suspend the rules and pass the bill H.R. 9362, as amended.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

GENERAL LEAVE TO EXTEND

Mr. JOHNSON of California. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days in which to extend their remarks at this point in the Record on the bill just passed.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

AMENDMENT TO THE FOREIGN SERVICE BUILDINGS ACT, 1926

Mr. HAYS. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 18065) to amend the Foreign Service Buildings Act, 1926, to authorize additional appropriations.

The Clerk read as follows:

H.R. 18065

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 4(f)(2) of the Foreign Service Buildings Act, 1926 (22 U.S.C. 295(f)(2), is amended—

(1) by striking out "and" and inserting in lieu thereof a comma; and

(2) by inserting immediately before the period at the end thereof a comma and the following: "not to exceed $13,500,000 for the fiscal year 1970, and not to exceed $14,300,000 for the fiscal year 1971".

The SPEAKER. Is a second demanded?

Mrs. BOLTON. Mr. Speaker, I demand a second.

The SPEAKER. Without objection, a second will be considered as ordered.

There was no objection.

Mr. HAYS. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, this is the regular biennial authorization bill for the Foreign Service buildings, and it has in it no money at all for any new buildings. This is simply the housekeeping money, or the maintenance and repair money, to put it another way, for the fiscal years 1970 and 1971.

The amount contained in the bill is $13.5 million for fiscal year 1970 and $14.3 million for fiscal year 1971. This is a slight increase of about 6 percent over the amounts in the bill for the next 2 fiscal years.

The reason for the increase, which was brought out in the hearings, is because costs—especially those for labor, utilities, and other costs which cannot be avoided—are increasing, and in some cases by more than 6 percent.

I would point out that this is merely an authorization. The Appropriations Committee will take a look at it each year before the money is appropriated.

I believe this is an amount which is reasonable and not excessive. I would urge that the bill be passed.

Mrs. BOLTON. Mr. Speaker, the minority has no objection to this bill. Indeed, we are very much for it.

The SPEAKER. The question is on the motion of the gentleman from Ohio that the House suspend the rules and pass the bill H.R. 18065.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

CHANGES IN PASSPORT LAWS

Mr. HAYS. Mr. Speaker, I move to suspend the rules and pass the bill (S. 1418) to make several changes in the passport laws presently in force, as amended.

The Clerk read as follows:

S. 1418

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 2 of the Act of July 3, 1926, as amended (22 U.S.C. 217a), is amended to read as follows:

"Sec. 2. The validity of the passport shall be limited to a period of not more than five years. The Secretary of State may limit a passport to a shorter period. A valid passport outstanding as of the effective date of this Act shall be valid for a period of five years from the date of issue except where such passport is or has been limited by the Secretary of State to a shorter period."

Sec. 2. Section 1 of the Act of June 4, 1920, as amended (22 U.S.C. 214), is amended to read as follows:

"There shall be collected and paid into the Treasury of the United States quarterly a fee of $2 for executing each application for a passport and $10 for each passport issued: *Provided,* That nothing herein contained shall be construed to limit the right of the Secretary of State by regulation to authorize State officials to collect and retain the execution fee of $2. No passport fee shall be collected from an officer or employee of the United States proceeding abroad in the discharge of official duties, or from members of this immediate family; from an American seaman who requires a passport in connection with his duties aboard an American flag-vessel; or from a widow, child, parent, brother, or sister of a deceased member of the Armed Forces proceeding abroad to visit the grave of such member. No execution fee shall be collected for an application made before a Federal official by a person excused from payment of the passport fee under this section."

Sec. 3. Section 1 of title IX of the Act of June 15, 1917 (22 U.S.C. 213), is amended to read as follows:

"Section 1. Before a passport is issued to any person by or under authority of the United States such person shall subscribe to and submit a written application which shall contain a true recital of each and every matter of fact which may be required by law or by any rules authorized by law to be stated as a prerequisite to the issuance of any such passport. If the applicant has not previously been issued a United States passport, the application shall be duly verified by his oath before a person authorized and empowered by the Secretary of State to administer oaths."

Sec. 4. This Act shall take effect on the thirtieth day following the date of its enactment.

The SPEAKER. Is a second demanded?

Mrs. BOLTON. Mr. Speaker, I demand a second.

The SPEAKER. Without objection, a second will be considered as ordered.

There was no objection.

Mr. HAYS. Mr. Speaker, I yield myself such time as I may consume.

I should like to point out that this bill also came out of the committee unanimously and passed the Senate unanimously. It does not change the basic passport legislation in any way; in other words, any person who is not eligible to get a passport now would not be eligible under this bill.

The bill merely changes the length of time for which a passport is valid, from 3 years to 5 years. Under the present law a passport is issued for 3 years, with a renewal permissible for 2 years. The person having the passport, at the end of 3 years, must send it to the State Department and pay an additional fee of $5. It has to be processed again. Someone down there has to put a stamp on it "renewed", on some page or other.

This bill will allow the passport to be issued for 5 years.

We would raise the fee from $10, which is the fee for issuing a passport now, to $12. Some people wanted it raised to $15. In fact, the Senate bill contains this.

We thought since it costs no more to issue a passport for 5 years than it does to issue one for 3 years, it is unfair to those who get a passport once in a lifetime to pass on to them the extra $5 that they might never have to pay under existing law if they did not get it renewed. So we compromised and raised it by $2.

Mr. CEDERBERG. Mr. Speaker, will the gentleman yield?

Mr. HAYS. Yes; I yield to the gentleman.

Mr. CEDERBERG. This is one of the parts of the bill that I have an objection to, that the gentleman has been talking about, because, if I read this correctly, the cost of a passport is under the present legislation $10 plus $5 for the renewal. This is for 5 years. It would be $15 for 5 years. Under the bill which is before us now, for a 5-year passport the total cost would be $12.

Mr. HAYS. Yes.

Mr. CEDERBERG. So in effect this is a reduction of $3.

Mr. HAYS. No. It is not a reduction at all, because the Passport Office does not have to do the extra job of reprocessing the passport. It does not cost any more to issue a passport that says it is valid for 5 years than it does to issue a passport that says it is valid for 3 years. What we have done is to raise the fee for issuing it from $10 to $12.

Mr. CEDERBERG. Mr. Speaker, will the gentleman yield further?

Mr. HAYS. Yes.

Mr. CEDERBERG. The problem as I see it and one of the reasons I have this concern is because I sit on the Subcommittee on the State Department of the Committee on Appropriations and recognizing that over this coming 5 years there are automatic built-in increases in cost. So to say that the cost is a given figure today and to project what it will be 5 years from now I think is unrealistic. It seems to me that the Senate figure, which really means that a person who has the passport for 5 years will pay the same thing under the Senate bill as he does now seem to me better.

Mr. HAYS. Yes. But a man who goes abroad once in his lifetime and uses the passport for 3 weeks will pay $15 for it. Now he pays $10. We compromised, but we are saying that if they come in and say that they cannot make out under this figure, then we will be glad to entertain legislation regarding it, to raise it.

Mr. CEDERBERG. Mr. Speaker, will the gentleman yield further?

Mr. HAYS. Yes; I am glad to yield.

Mr. CEDERBERG. That is a very valid approach, and I hope possibly in the time between when we act on it now—and I realize we cannot do very much about it at the present time, this late in the afternoon—but if you go to conference with the Senate on it, maybe some compromise can be reached on this matter. The only thing I am trying to point out is with costs going as they are, it is not unreasonable to assume that the figure the Senate has is more reasonable.

Mr. HAYS. I have already said that if they can show us it is built in, we will consider it, but what I am counting on and what the committee is counting on is when they take these people who are now engaged in looking at these passports and stamping "renewed" and then mailing them out, with the extra postage involved, that they can put them to work issuing passports so they do not have to hire any more people. They get an extra $2 under this legislation, and we thought this was a reasonable compromise and would cover the cost.

Mr. CEDERBERG. My only concern is I do believe there are a very large number of passports issued and there are 15 to 20 percent renewals. We find that the cost of employees in the passport office and all of the other things involved is going nowhere but up.

Mr. HAYS. That is right. But if you raise the passport cost $5, you are bringing about a 50-percent increase in the cost of the passport, whereas you say yourself that only 20 percent are renewed. So we would be increasing the revenue 5 times on that particular phase of it, and I do not think we are justified in passing that on to the taxpayer.

Mr. ADAIR. Mr. Speaker, will the gentleman yield?

Mr. HAYS. Yes; I am glad to yield.

Mr. ADAIR. Is it not true that the actual cost of the document which we call a passport is presumed to be in the neighborhood of $1?

Mr. HAYS. Actually I think we heard testimony that the cost of it, typing it up and everything, is presumed to be about $1.

Mr. ADAIR. That is right. And the additional costs are the slice of the operational costs of the Passport Division and maintaining the passport offices here and around the United States with the 400 or 450 people which the Passport Office now employs.

Insofar as it can be determined people who are now applying for passports under the current law at the present price recommended in the Senate bill are probably paying more than the actual cost of issuing the passport.

The Passport Office put out a statement showing that it has made a profit in the issuance of passports, and I do not have any objection to this. But without further testimony that these prices are going up to these astronomical levels, that is the question with which we can deal in the event this development proves to be true. If passport costs prove to be exorbitant and the Government is making a tremendous profit, I shall be glad to undertake to make the compromise in view of the colloquy which has developed here.

Mr. RUMSFELD. We do not often have an opportunity to get into an area like this, because it only comes up over a certain number of years, and it seems to me that the time to do it and to go further into it is now, because we may not take another look at the matter for another 10 years.

Mr. HAYS. As I told the gentleman, we would tell the Government we are satisfied that the Government will be getting a profit upon the issuance of the passport at the rate of $12.

Mr. BROWN of Ohio. Mr. Speaker, will the gentleman yield?

Mr. HAYS. I yield to the gentleman from Ohio.

Mr. BROWN of Ohio. I wonder whether during the course of the hearings and discussions on this legislation there was any thought given to the issuance of passports to people of poor character or people who might be seeking to escape the country.

Mr. HAYS. I would say to the gentleman from Ohio that this is a matter which should be considered separately from the matters in this bill. It was not thought that we could do anything that would tighten it up to such an extent that it would pass "muster" with the courts.

However, permit me to say to the gentleman that one or two other Members have asked me this question, and there is a great deal of difference in obtaining a passport in the United States and in obtaining a passport in Canada. In Canada a person can write in and apply for and receive a passport upon complying with the other requisites of the passport law. However, in Canada you could write in and get the original passport mailed to you. But you cannot do that at this time in this country. You have to appear before the proper authorities and get the proper document, and then, if you have the proper document, you fill it out and then you have to submit pictures to the court of record. I am sure of that because the only time that I received a passport for which I made application I had to go before the clerk's office and submit the application—and in Ohio, I believe that is the court of common pleas—and they put a stamp on it. So you do not get a passport in the original case without going in personally, as in Ohio before the court of common pleas, and then you have to submit a sworn statement and then it is forwarded to the Department of State for final approval.

Mr. BROWN of Ohio. Mr. Speaker, if the gentleman will yield further, there was no consideration of jurisdiction given to this particular area or any representatives who appeared before your committee at that time on this legislation?

Mr. ADAIR. Mr. Speaker, will the gentleman yield?

Mr. HAYS. I yield to the gentleman from Indiana.

Mr. ADAIR. In answer to the question propounded by the gentleman from Ohio [Mr. BROWN] I think the gentleman from Ohio [Mr. HAYS] would agree with me that it was felt that was not the appropriate occasion for the Committee on Foreign Affairs to look into that particular matter.

As the gentleman from Ohio [Mr. HAYS] said earlier, this is a bill dealing only with the mechanics of the passport execution.

Mr. BROWN of Ohio. Mr. Speaker, if the gentleman will yield further, does the gentleman feel that the Committee on the Judiciary would be the appropriate committee of the Congress to look into this?

Mr. ADAIR. I think it would be appropriate for that committee or the Committee on Foreign Affairs to go into this particularly in light of recent Supreme Court decisions. I would like to see such action undertaken.

Mr. BROWN of Ohio. If the gentleman will yield further, I would like to make this additional comment: that I would agree thoroughly with that, and I believe such action is very appropriate because we seem to be in the middle of a delicate area on trial procedures, and has to do with where some questions are raised about the passport procedure which we and other countries have, and where an individual who is under criminal prosecution might seek to avoid prosecution by leaving this country with a passport. I believe this whole area is an appropriate subject for congressional investigation, if not before the termination of this session, at least at the soonest appropriate time.

Mr. ADAIR. If the gentleman will yield further, I would simply like to say that I agree with the remarks of the gentleman from Ohio, but I would add, however, that this bill if adopted certainly would in my opinion not facilitate the use of a passport by a criminal beyond the present law.

Mr. BROWN of Ohio. I appreciate that reassurance.

Mr. HALL. Mr. Speaker, will the gentleman yield?

Mr. HAYS. If the gentleman will withhold his request for just one moment, I would ask if the gentleman from Indiana would be kind enough to allow me an additional minute or two, should I run short. If so, I will be glad to yield, but I do not want to run completely out of time.

I now yield to the gentleman from Missouri.

Mr. HALL. I thank the gentleman for yielding, and I simply wish to ask the gentleman a question or two.

The gentleman has discussed this bill with me, as he will recall, but in the threefold purpose is there anything, in the opinion of the gentleman from Ohio who is sponsoring the bill, that comes from his subcommittee, that would allow either a renewal of an original application by mail or a passport under present regulations, or as changed by this bill?

Mr. HAYS. In reply to the inquiry of the gentleman from Missouri, this bill changes nothing except the time from 3 years to 5 years, and the fact that a renewal can be had, or that a new passport, a second passport, let me put it that way, can be had without the person appearing in person by sending in his old passport and application, and a new photograph.

Mr. HALL. If the gentleman will yield further, so that in theory if a man became a criminal after he once had been issued a passport, he then as they might do in Canada, apply for renewal by letter without appearing, and having his picture reidentified, and so forth?

Mr. HAYS. I would say to the gentleman in reply to his question that if the individual involved were a criminal, and no matter how he planned to go about it, the passport would not be issued to him whether he came in person or whether he did not. Because under the present law, if the man has a passport that has expired, he can go into any court in any State and surrender his passport and ask for a new one, and then the application is sent in by mail, and unless the court or the State Department—and presumably that would be the place to stop it—has a stop order on him, he would get it automatically now, as he would under the new legislation if he passes.

Mr. HALL. In other words, between the time of the commission of the crime and a judicial determination, and he had an old passport and reapplied, his situation would be the same now as it is in Canada when he reapplied; is that correct?

Mr. HAYS. This would be the same now as it is in the United States.

Mrs. KELLY. Mr. Speaker, will the gentleman yield?

Mr. HAYS. I yield to the gentlewoman from New York.

Mrs. KELLY. I thank the gentleman for yielding.

Mr. Speaker, there are some countries in the world where we may go without a passport. Therefore a criminal may freely go there without any problem as far as a passport is concerned.

Mr. HAYS. I believe what the gentlewoman, of course, is saying is that under the present law you can go to a country in Latin America or to Canada without a U.S. passport.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. HAYS. I yield to the gentleman from Iowa.

Mr. GROSS. I thank the gentleman for yielding.

The gentleman indicates that it would be a hardship upon those who get a passport, or need a passport for only a couple of weeks. Is that the contention of the gentleman from Ohio?

Mr. HAYS. In reply to the inquiry of the gentleman from Iowa, I would say that I see no reason to "soak" him.

Mr. GROSS. I do not know that you are "soaking" him, but I say to the gentleman from Ohio that if he elected not to go overseas and take a trip abroad, and instead decided to take a trip in Virginia for 2 weeks, that the gentleman would have to probably pay an annual fishing license, whether he used it the rest of the year or not. They are not modest at all in the States around Washington, and the State of Iowa is the same way, in letting the nonresident know that he has to pay for an annual fishing license or hunting license.

Mr. HAYS. I am sure that is true, but I just do not go fishing in Virginia and, therefore, they could not soak me.

Mr. GROSS. I do not see why you are so sympathetic with these people.

Mr. HAYS. We raised the price from $10 to $12. We were not all that sympathetic, we raised the price.

Mrs. BOLTON. Mr. Speaker, I have no objection to the bill as it now is.

I hope that the House will come to a speedy conclusion of the debate on the bill. It is good that we have had this discussion because it has brought out a number of points that trouble some of the Members.

I think the committee made quite a study of this matter and we are ready to vote for the bill.

The **SPEAKER.** The question is on the motion of the gentleman from Ohio that the House suspend the rules and pass the bill S. 1418, as amended.

The question was taken.

Mr. RHODES of Arizona. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The **SPEAKER.** Evidently a quorum is not present.

The Doorkeeper will close the doors, the Sergeant at Arms will notify absent Members, and the Clerk will call the roll.

The question was taken; and there were—yeas 324, nays 71, not voting 37, as follows:

[Roll No. 256]

YEAS—324

Abernethy
Adair
Adams
Addabbo
Albert
Andrews, Ala.
Andrews, N. Dak.
Annunzio
Arends
Ashbrook
Ashley
Ashmore
Aspinall
Ayres
Barrett
Bates
Battin
Belcher
Bell
Bennett
Berry
Betts
Bevill
Bingham
Blackburn
Blatnik
Boggs
Boland
Bolling
Bolton
Brademas
Brasco
Bray
Brinkley
Brock
Brooks
Broomfield
Brown, Calif.
Broyhill, N.C.
Broyhill, Va.
Burke, Fla.
Burke, Mass.
Burleson
Burton, Calif.
Burton, Utah
Byrne, Pa.
Byrnes, Wis.
Cabell
Cahill
Carey
Carter
Casey
Celler
Clark
Clausen, Don H.
Cohelan
Collier
Colmer
Conable
Corbett
Corman
Cowger
Cunningham
Curtis
Daddario
Daniels
Davis, Ga.
Dawson
Delaney
Denney
Dent
Dickinson
Dingell
Donohue
Dorn
Dow
Downing
Dulski
Dwyer
Eckhardt
Edmondson
Edwards, Ala.
Edwards, Calif.
Edwards, La.
Eilberg
Erlenborn
Evans, Colo.
Everett
Farbstein
Fascell
Feighan
Findley
Fisher
Flood
Flynt
Foley
Ford, William D.
Fountain
Fraser
Frelinghuysen
Friedel
Fulton, Pa.
Fulton, Tenn.
Fuqua
Galifianakis
Garmatz
Gathings
Gettys
Gibbons
Gilbert
Gonzalez
Goodling
Gray
Green, Oreg.
Green, Pa.
Griffin
Griffiths
Grover
Gude
Gurney
Hagan
Halleck
Halpern
Hamilton
Hammerschmidt
Hanley
Hansen, Wash.
Hardy
Harsha
Harvey
Hathaway
Hawkins
Hays
Hébert
Hechler, W. Va.
Heckler, Mass.
Helstoski
Henderson
Hicks
Horton
Hosmer
Howard
Hull
Hungate
Hutchinson
Ichord
Irwin
Jacobs
Jarman
Joelson
Johnson, Calif.
Johnson, Pa.
Jones, Ala.
Jones, Mo.
Jones, N.C.
Karth
Kastenmeier
Kazen
Kee
Keith
Kelly
Kirwan
Kluczynski
Kupferman
Kyl
Kyros
Latta
Leggett
Lennon
Long, Md.
Lukens
McCarthy
McClory
McCloskey
McClure
McCulloch
McDade
McDonald, Mich.
McFall
McMillan
Macdonald, Mass.
MacGregor
Machen
Mahon
Mailliard
Marsh
Martin
Mathias, Calif.
Mathias, Md.
Matsunaga
May
Mayne
Meeds
Meskill
Miller, Calif.
Miller, Ohio
Mills
Minish
Mink
Mize
Monagan
Montgomery
Moore
Moorhead
Morgan
Morse, Mass.
Mosher
Moss
Murphy, Ill.
Murphy, N.Y.
Myers
Natcher
Nedzi
Nichols
Nix
O'Hara, Mich.
Olsen
O'Neal, Ga.
O'Neill, Mass.
Ottinger
Patman
Patten
Pelly
Pepper
Perkins
Pettis
Philbin
Pickle
Pike
Pirnie
Poage
Poff
Pollock
Price, Ill.
Price, Tex.
Pryor
Pucinski
Purcell
Quie
Randall
Rees
Reid, N.Y.
Reifel
Reinecke
Reuss
Rhodes, Ariz.
Rivers
Roberts
Rodino
Rogers, Colo.
Rogers, Fla.
Ronan
Rooney, N.Y.
Rooney, Pa.
Rosenthal
Rostenkowski
Roth
Roush
Roybal
Ryan
St Germain
St. Onge
Sandman
Satterfield
Saylor
Schadeberg
Scherle
Scheuer
Schweiker
Schwengel

Scott
Selden
Shipley
Shriver
Sikes
Slack
Smith, Iowa
Smith, Okla.
Springer
Stafford
Staggers
Stanton
Steed
Steiger, Ariz.
Steiger, Wis.
Stratton
Stuckey
Sullivan
Taft
Taylor
Teague, Calif.
Teague, Tex.
Tenzer
Thompson, Ga.
Thompson, N.J.
Thomson, Wis.
Tiernan
Tunney
Udall
Ullman
Van Deerlin
Vander Jagt
Vanik
Vigorito
Waldie
Walker
Wampler
Watkins
Watts
Whalen
Whalley
White
Whitener
Whitten
Williams, Pa.
Wilson, Bob
Wilson, Charles H.
Wolff
Wright
Wylie
Yates
Young
Zablocki
Zion

NAYS—71

Abbitt
Anderson, Ill.
Baring
Biester
Bow
Brotzman
Brown, Mich.
Brown, Ohio
Buchanan
Bush
Button
Cederberg
Chamberlain
Clancy
Clawson, Del
Cleveland
Conte
Cramer
Davis, Wis.
Dellenback
Derwinski
Devine
Dole
Dowdy
Duncan
Esch
Eshleman
Ford, Gerald R.
Goodell
Gross
Haley
Hall
Harrison
Hunt
Jonas
King, N.Y.
Kleppe
Kuykendall
Laird
Langen
Lipscomb
Lloyd
McEwen
Michel
Minshall
Morton
Nelsen
O'Konski
Quillen
Railsback
Reid, Ill.
Riegle
Robison
Roudebush
Rumsfeld
Ruppe
Schneebeli
Skubitz
Smith, Calif.
Smith, N.Y.
Snyder
Talcott
Tuck
Watson
Widnall
Wiggins
Winn
Wyatt
Wydler
Wyman
Zwach

NOT VOTING—37

Anderson, Tenn.
Blanton
Conyers
Culver
de la Garza
Diggs
Evins, Tenn.
Fallon
Fino
Gallagher
Gardner
Giaimo
Gubser
Hanna
Hansen, Idaho
Herlong
Holifield
Holland
Karsten
King, Calif.
Kornegay
Landrum
Long, La.
Madden
Morris, N. Mex.
O'Hara, Ill.
Passman
Podell
Rarick
Resnick
Rhodes, Pa.
Sisk
Stephens
Stubblefield
Utt
Waggonner
Willis

So (two-thirds having voted in favor thereof) the rules were suspended and the bill, as amended, was passed.

The Clerk announced the following pairs:

Mr. Willis with Mr. Utt.

Mr. Gallagher with Mr. Fino.

Mr. Hanna with Mr. Gubser.

Mr. Evins of Tennessee with Mr. Hansen of Idaho.

Mr. Rarick with Mr. Gardner.

Mr. Fallon with Mr. Karsten.

Mr. Blanton with Mr. de la Garza.

Mr. Kornegay with Mr. King of California.

Mr. Holifield with Mr. Stephens.

Mr. Giaimo with Mr. Rhodes of Pennsylvania.

Mr. Holland with Mr. Diggs.

Mr. Podell with Mr. O'Hara of Illinois.

Mr. Madden with Mr. Landrum.

Mr. Waggonner with Mr. Sisk.

Mr. Stubblefield with Mr. Morris of New Mexico.

Mr. Passman with Mr. Anderson of Tennessee.

Mr. Culver with Mr. Long of Louisiana.

Mr. Resnick with Mr. Conyers.

Messrs. BROWN of Ohio, WYATT, RUMSFELD, DEVINE, WIDNALL, SMITH of California, RIEGLE, HALEY, DOWDY, BARING, ROUDEBUSH, CLANCY, and DUNCAN changed their votes from "yea" to "nay."

The result of the vote was announced as above recorded.

The doors were opened.

A motion to reconsider was laid on the table.

PALMETTO BEND RECLAMATION PROJECT, TEXAS

Mr. JOHNSON of California. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 5117) to authorize the Secretary of the Interior to construct, operate, and maintain stage 1 of the Palmetto Bend reclamation project, Texas, and for other purposes, as amended.

The Clerk read as follows:

H.R. 5117

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior is authorized to construct, operate, and maintain the first stage and to acquire lands for the second stage of the Palmetto Bend Federal reclamation project, Texas, in accordance with the Federal reclamation laws (Act of June 17, 1902 (32 Stat. 388), and Acts amendatory thereof or supplementary thereto) for the purposes of storing, regulating, and furnishing water for municipal and industrial use, conserving and developing fish and wildlife resources, and enhancing outdoor recreation opportunities. The stage 1 development of the project shall consist of the following principal works: Palmetto Bend Dam and Reservoir on the Navidad River near Edna, Texas, and recreation facilities.

SEC. 2. (a) Costs of the project or any unit or stage thereof allocated to municipal and industrial water supply shall be repayable with interest, by the municipal and industrial water users over a period of not more than fifty years from the date that water is first delivered for that purpose, pursuant to contracts with municipal corporations, organizations, or other entities as defined in section 2(g) of the Reclamation Project Act of 1939 (53 Stat. 1187). Such contracts shall be precedent to the commencement of construction of the project. Contracts may be entered into with a qualified entity or entities pursuant to the provisions of this Act without regard to the last sentence of subsection 9(c) of the Reclamation Project Act of 1939, supra.

(b) If contracts for the repayment of all the costs allocated to municipal and industrial water supply shall not have been executed within five years of the date of enactment of this Act, the authorization herein granted to the Secretary shall thereupon terminate.

(c) The interest rate used for computing interest during construction and interest on the unpaid balance of the costs of the project allocated to municipal and industrial water supply shall be determined by the Secretary of the Treasury, as of the beginning of the fiscal year in which construction is commenced, on the basis of the computed average interest rate payable by the Treasury upon its outstanding marketable public obligations which are neither due nor callable for redemption for fifteen years from date of issue.

SEC. 3. (a) The Secretary is authorized to transfer to a qualified contracting entity or entitles the care, operation, and maintenance of the project works, and, if such transfer is made, to credit annually against the contractor's repayment obligation that portion of the year's joint operation and maintenance costs which, if the United States had continued to operate the project, would have been allocated to fish and wildlife and recreation purposes. Prior to assuming care, operation, and maintenance of the project works the contracting entity or entities shall be obligated to operate them in accordance with criteria established by the Secretary of the Interior with respect to fish and wildlife and recreation.

(b) Upon complete payment of the obligation assumed, the contracting entity or entities, their designee or designees, shall have a permanent right to use that portion of project reservoir capacity which is or may be allocated to municipal and industrial water supply purposes by the Secretary of the Interior, so long as the space designated for those purposes may be physically available, taking into account such equitable reallocation of reservoir storage capacities among the purposes served by the project as may be necessary due to sedimentation, subject, if the project is then operated by the United States, to payment to the United States of a reasonable annual charge to cover operation and maintenance costs and a fair share of administrative costs applicable to the project.

(c) Expenditures for the Palmetto Bend project may be made without regard to the soil survey and land classification requirements of the Interior Department Appropriation Act of 1954 (67 Stat. 266).

SEC. 4. The conservation and development of the fish and wildlife resources and the enhancement of recreation opportunities in connection with the Palmetto Bend project shall be in accordance with the Federal Water Project Recreation Act (79 Stat. 213).

SEC. 5. There is authorized to be appropriated for construction of the first stage of the Palmetto Bend reclamation project the sum of $34,100,000 (January 1967 prices), plus or minus such amounts, if any, as may be justified by reason of ordinary fluctuations in construction costs as indicated by engineering cost indexes applicable to the type of construction involved herein. There are also authorized to be appropriated such additional sums as may be required for the operation and maintenance of the first stage of the project.

SEC. 6. There is authorized to be appropriated for the acquisition of lands for the second stage of the Palmetto Bend reclamation project the sum of $2,700,000. If, within twenty years after the initial operation of stage 1 of the project, Congress has not authorized construction of stage 2, the lands acquired pursuant to this section shall be utilized or disposed of in accordance with the provisions of section 3(b)(2) of the Federal Water Project Recreation Act (Act of July 9, 1965, 79 Stat. 214; 16 U.S.C. 4601–14(b)(2)).

The SPEAKER. Is a second demanded?

Mr. SAYLOR. Mr. Speaker, I demand a second.

The SPEAKER. Without objection, a second will be considered as ordered.

There was no objection.

Mr. JOHNSON of California. Mr. Speaker, I yield such time as he may consume to the chairman of the full committee for an explanation of the bill.

Mr. ASPINALL. Mr. Speaker, the second reclamation project bill we bring before the House today, like the first one, also is for the purpose of authorizing a project primarily for municipal and industrial water supply.

H.R. 5117, authorizes the Secretary of the Interior to construct the Palmetto Bend project near Edna, Tex. In addition to furnishing needed municipal and industrial water supplies, the project will provide extensive recreational opportunities and fish and wildlife enhancement. This project, as well as the other two that we are considering today, have been thoroughly studied by the committee. In addition to our Washington hearings, the subcommittee held field hearings in the project area and made an inspection trip over the area. No opposition to the project was encountered either in Washington or in the local area. In addition, the project has the full support and backing of the administration and the State of Texas. It was reported unanimously by the committee.

The Palmetto Bend project lends itself to stage construction and therefore what is proposed in this legislation is authority to construct stage 1 of the project and acquire the lands for stage 2. The total cost involved in the enactment of H.R. 5117 is estimated as $36,777,000. Mr. Johnson, chairman of the subcommittee that handled this legislation, will furnish additional information with respect to the plan of development and the financial and economic aspects. I would like to add just a few additional comments on the need for the project and the services it will provide.

The need for this project is closely related to the urban and industrial growth which Jackson and Calhoun Counties, Tex., are presently experiencing. This stretch of the Texas gulf coast is served by both deepwater and shallow barge navigation facilities. It has access to the tremendous store of mineral resources available for industrial use in the Texas coastal area. Only an adequate supply of water to meet industrial needs and supply requirements of urban residents is needed to assure continued industrial growth. Water from wells is undependable and subject to salt water intrusion. Development of surface supplies has been determined to be the best source of additional water. The Palmetto Bend project will provide the needed water supply by development of the water resources of the Navidad and Lavaca Rivers. Also, the project will provide extensive recreational opportunities in an area where recreation facilities are presently inadequate. In addition to the nearby urban areas that will be served by the recreation facilities, the reservoir will be within 2 hours drive of either Houston or Corpus Christi and is expected to attract more than half a million visitors per year.

Mr. Speaker, the committee found the proposed Palmetto Bend project to be a meritorious multiple-purpose development which is very much needed in the area that it will serve. The plan of development, operation, and repayment meet all of the policies and criteria established by the Congress.

The committee unanimously recommends the enactment of H.R. 5117, and I urge its approval by the House.

Mr. TAFT. Mr. Speaker, will the gentleman yield?

Mr. ASPINALL. I yield to the gentleman from Ohio.

Mr. TAFT. Mr. Speaker, I would like to ask the distinguished chairman of the committee whether in this case, as in the case of the prior bill, his position is that no appropriation will be asked for this authorization this year?

Mr. ASPINALL. I made my general statement to that effect, may I say to my good friend from Ohio, when I first spoke, and that is correct, and no appropriation shall be made this year or next year or until the fiscal situation clears up.

Mr. TAFT. I thank the gentleman.

Mr. SAYLOR. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in support of H.R. 5117, a bill to authorize the construction, operation, and maintenance of stage 1 of the Palmetto Bend Federal reclamation project, in the State of Texas, and the acquisition of lands for stage 2 of the project, and for other purposes.

The Palmetto Bend Federal reclamation project is a multipurpose project, providing adequate and dependable municipal and industrial water supplies, recreational opportunities, and fish and wildlife enhancement. The project is needed to meet the urban expansion and industrial development in Jackson and Calhoun Counties in the State of Texas.

The plan of development calls for the construction of the Palmetto Dam and Reservoir, in two stages, across the Lavaca and Navidad Rivers, just above their confluence, to supply 105,000 acre-feet of water per year, 75,000 acre-feet by stage 1 and 30,000 acre-feet by the second stage. The reservoir will have an initial capacity of 192,000 acre-feet and increasing to 285,000 acre-feet upon completion of the second stage to meet the municipal and industrial water needs of the area for 19 years. If stage 2 of the project is not authorized within 20 years after the initial operation of stage 1, the Secretary of the Interior is required by the bill to dispose of the lands acquired for stage 2 of the project.

The Jackson County Flood Control District will be responsible for the operation and maintenance of the pumping and distribution of water to the municipal and industrial water users, and the recreation facilities, which shall be operated in accordance with the provisions of the Federal Water Project Recreation Act, Public Law 89–72, 79 Stat. 213.

The total Federal costs of H.R. 5117 are $36,777,000. Of this amount $34,077,000 is the estimated cost of stage 1. The remaining $2,700,000 is the estimated costs of acquiring lands for stage 2. The costs are allocated among the project purposes, municipal and industrial costs which are reimbursable and recreation, fish and wildlife costs which are nonreimbursable. The Jackson County Flood Control District is duly authorized to contract with the United States to repay the reimbursable costs of the project. The project has a benefit-cost ratio of 1.81 to 1.

A most objectionable feature of this legislation is section 2(c) of the bill which provides that the interest rate used for computing interest during construction and the unpaid balance of costs allocated to municipal and industrial water, is on the basis of the computed average interest rate payable by the Treasury on its outstanding marketable public obligations not due or callable for 15 years from the date of issue.

Mr. Speaker, this interest formula will permit this project to receive the benefit of an interest rate much lower than the present cost or interest rate the United States must pay to borrow money. I have continually opposed this unbusinesslike approach to the financing of Federal reclamation projects and earnestly solicit the support of my colleagues to join me in requiring the interest rate applicable in all future Federal reclamation projects to be, at least, the same rate or cost which the Federal Government must pay to borrow money.

Mr. Speaker, despite this most objectionable feature of H.R. 5117, I shall support the passage of this legislation.

Mr. JOHNSON of California. Mr. Speaker, the distinguished chairman of the Interior and Insular Affairs Committee, the Honorable WAYNE N. ASPINALL, has briefly stated the purpose and need for the Palmetto Bend project in Texas. I shall discuss briefly the physical and financial aspects of the proposed development.

The plan of development for the Palmetto Bend project calls for construction of the Palmetto Dam and Reservoir in two separate stages across the Lavaca and Navidad Rivers just above their confluence near Edna, Tex. The legislation we are considering today, H.R. 5117, authorizes only the first stage which is the Navidad River arm of the reservoir. In addition, authority is provided for acquisition of the lands which will be needed for the second stage. The first stage development calls for a reservoir with a capacity of 182,000 acre-feet to regulate the flows of the Navidad River and provide a dependable water supply of 75,000 acre-feet per year. It is estimated that the first stage development will meet the water needs in the project service area for approximately 19 years. If, for some reason, the second stage of the project is not authorized within 20 years after the initial operation of the first stage, the legislation requires the Secretary to dispose of land acquired for the second stage.

The project water supply will be pumped from the reservoir and delivered to the municipal and industrial water users by pipelines and canals. The Jackson County Flood Control District, an existing public agency in the area, will be responsible for planning, financing, constructing, operating, and maintaining the pumping and distribution facilities. The district will also operate and maintain the federally constructed reservoir in accordance with prescribed operating criteria.

The recreation facilities provided as a part of the project include access roads, parking areas, water supply and sanitation facilities, boat launching ramps, picnic and camping areas, and bathing beaches. The operation, maintenance, and administration of the recreation facilities will also be the responsibility of the Jackson County Flood Control District.

About 68 percent of the cost of the first stage of the project, or a little over $23 million, is allocated to municipal and industrial water supply and will be repaid with interest within a 50-year period. This can be accomplished by a charge of only 5.2 cents per thousand gallons for the water taken by the District. The remaining first stage cost of almost $11 million is allocated to recreation and fish and wildlife pursuant to the provisions of the Federal Water Project Recreation Act with $828,000 to be repaid with interest by the District.

The economic analyses of the first stage of the Palmetto Bend project indicates that the annual benefits will exceed the annual costs by a ratio of 1.81 to 1.

The Palmetto Bend project has the full support of the State of Texas which has included it as a part of the Texas water plan. The State is prepared to assume financial responsibility for repayment to the United States of the reimbursable project costs beyond the ability of the local interests to pay. During the committee hearings, State representatives reiterated the State's willingness to underwrite or guarantee full repayment of the reimbursable costs of the project. However, the Jackson County Flood Control District can repay the reimbursable costs and has indicated its willingness to enter into the necessary repayment contracts. Therefore, State financial assistance is not expected to be necessary.

Mr. Speaker and Members of the House, the Palmetto Bend project is a meritorious multiple-purpose project which warrants authorization at this time. I urge the approval of H.R. 5117.

Mr. PICKLE. Mr. Speaker, it is indeed a pleasure to rise in support of one of the finest water supply projects in the country. The cooperation I have witnessed among Federal, State, and local officials in regard to this project is most encouraging, and I feel it speaks well of the fact that the project is widely regarded as having great merit.

The Palmetto Bend reclamation and water project has already been well explained by the manager. But I would like to add emphasis to the fact that continued economic growth in this region is almost completely dependent on the ability to meet increasing industrial and urban water needs. The growth in Jackson County and the surrounding area has now gone just about as far as it can go, considering that present water supplies are derived from unreliable wells which are highly susceptible to salt intrusion. With the breakthrough afforded by this project, and with the already existing convenience of the intercoastal canal for barge traffic and the Galveston and Houston ports for deep-draft vessels, the potential of the area is boundless.

Mr. Speaker, the point which is of greatest satisfaction about this project is the way the local interests have pitched in and demonstrated to us that they are willing to help out and foot a large part of the bill. The rapport could not have been better, and I believe the financing arrangements certainly support this view.

The total cost of H.R. 5117, as reported to us by the committee, is set at $36,777,000. But of this total, a great portion will be recouped largely from local efforts.

Something just over $23 million of the $36 million total is prorated for industrial and municipal water supply. Before construction is started, the Jackson County Flood Control District will enter a repayment contract with the Federal Government providing for repayment of this sum, with interest, over a 50-year period. Standing behind the Jackson County Flood Control District, the Texas Water Development Board, which has incorporated the Palmetto Bend project in the Texas water plan, has agreed to assume financial responsibility for the reimbursable share for any amount beyond the ability of the local group.

The intensity of the local support is evidenced by the fact that the Texas Water Development Board, in acting as guarantor to the local interests, has committed the maximum amount allowed by State law to a single project.

A quick breakdown of these figures shows that of the total $36 million cost, nearly $24 million will come from local efforts, with the Federal Government putting up only about $12 million.

Mr. Speaker, I have had the privilege of visiting, both in Washington and in Jackson County, with the public-spirited delegation of local citizens working on this project. I have personally inspected the site with them. I have joined them in presenting testimony in the House and Senate committees in behalf of the proposal, and I would hope that on this day, we give them the go-ahead that they so anxiously await.

Mr. TAFT. Mr. Speaker, I oppose H. R. 5117 and ask that it not be passed. Neither the committee report nor the statements made on the floor justify any Federal commitment. The report describes the natural advantages, the "major industrial development," and the "urban expansion" of the area. It has also been indicated that no appropriation for the project is to be asked this year or even next year—possibly. Why should we authorize over $34,000,000 for such a project in an area that could well finance it by itself? Indeed the unfulfilled Federal hope may stagnate other private and local development that would otherwise occur—without delay. Moreover, it seems very possible that before any appropriation occurs the circumstances may have changed materially.

The SPEAKER. The question is on the motion of the gentleman from California that the House suspend the rules and pass the bill H.R. 5117, as amended.

The question was taken.

Mr. TAFT. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

The Doorkeeper will close the doors, the Sergeant at Arms will notify absent Members, and the Clerk will call the roll.

The question was taken; and there were—yeas 295, nays 104, not voting 33, as follows:

[Roll No. 257]

YEAS—295

Abbitt
Abernethy
Adair
Adams
Addabbo
Albert
Anderson, Ill.
Andrews, Ala.
Andrews, N. Dak.
Annunzio
Arends
Ashbrook
Ashley
Aspinall
Ayres
Baring
Barrett
Battin
Belcher
Bell
Bennett
Berry
Bevill
Bingham
Boggs
Boland
Bolling
Brademas
Brasco
Brinkley
Brock
Brooks
Brotzman
Brown, Calif.
Broyhill, Va.
Burke, Fla.
Burke, Mass.
Burleson
Burton, Calif.
Burton, Utah
Bush
Button
Byrne, Pa.
Cabell
Carey
Casey
Clark
Clausen, Don H.
Clawson, Del
Cohelan
Colmer
Corbett
Corman
Cramer
Cunningham
Daddario
Daniels
Davis, Ga.
Dawson
Delaney
Dellenback
Dent
Derwinski
Dickinson
Dingell
Dole
Donohue
Dorn
Dowdy
Downing
Dulski
Duncan
Eckhardt
Edmondson
Edwards, Calif.
Edwards, La.
Eilberg
Esch
Evans, Colo.
Everett
Farbstein
Fascell
Feighan
Findley
Fisher
Flood
Flynt
Foley
Ford, Gerald R.
Ford, William D.
Fountain
Fraser
Friedel
Fulton, Pa.
Fulton, Tenn.
Fuqua
Galifianakis
Garmatz
Gathings
Gettys
Gibbons
Gilbert
Gonzalez
Gray
Green, Oreg.
Green, Pa.
Griffin
Griffiths
Grover
Gubser
Gude
Hagan
Haley
Halleck
Halpern
Hamilton
Hanley
Hanna
Hansen, Wash.
Hardy
Hathaway
Hawkins
Hays
Hébert
Hechler, W. Va.
Helstoski
Henderson
Hicks
Hosmer
Howard
Hull
Hungate
Ichord
Irwin
Jacobs
Jarman
Johnson, Calif.
Johnson, Pa.
Jones, Ala.
Jones, Mo.
Jones, N.C.
Karth
Kastenmeier
Kazen
Kee
Keith
Kelly
Kirwan
Kleppe
Kluczynski
Kupferman
Kuykendall
Kyl
Kyros
Laird
Leggett
Lipscomb
Lloyd
Long, Md.
Lukens
McCarthy
McClory
McCloskey
McClure
McCulloch
McDonald, Mich.
McEwen
McFall
McMillan
Machen
Mahon
Mailliard
Marsh
Martin
Mathias, Calif.
Mathias, Md.
Matsunaga
May
Mayne
Meeds
Michel
Miller, Calif.
Mills
Minish
Mink
Mize
Moorhead
Morgan
Morris, N. Mex.
Morton
Moss
Murphy, Ill.
Murphy, N.Y.
Myers
Natcher
Nedzi
Nichols
Nix
O'Hara, Mich.
Olsen
O'Neal, Ga.
O'Neill, Mass.
Passman
Patman
Patten
Pelly
Pepper
Perkins
Philbin
Pickle
Poage
Podell
Pollock
Price, Ill.
Price, Tex.
Pryor
Purcell
Quillen
Rees
Reid, N.Y.
Reifel
Reinecke
Reuss
Rhodes, Ariz.
Rivers
Roberts
Robison
Rodino
Rogers, Colo.
Rogers, Fla.
Ronan
Rooney, N.Y.
Rooney, Pa.
Rosenthal
Rostenkowski
Roush
Roybal
Ryan
St Germain
St. Onge
Sandman
Satterfield
Saylor
Scherle
Scheuer
Schweiker
Schwengel
Scott
Selden
Shipley
Shriver
Sikes
Sisk
Skubitz
Slack
Smith, Iowa
Smith, N.Y.
Smith, Okla.
Snyder
Springer
Staggers
Steed
Steiger, Ariz.
Steiger, Wis.
Stubblefield
Stuckey
Sullivan
Talcott
Taylor
Teague, Calif.
Teague, Tex.
Tenzer
Thompson, N.J.
Thomson, Wis.
Tiernan
Tuck
Tunney
Udall
Ullman
Van Deerlin
Waldie
Walker
Watts
White
Whitten
Widnall
Williams, Pa.
Wilson, Charles H.
Winn
Wright
Wyatt
Young
Zablocki
Zion
Zwach

NAYS—104

Ashmore
Bates
Betts
Biester
Blackburn
Bolton
Bow
Bray
Broomfield
Brown, Mich.
Brown, Ohio
Broyhill, N.C.
Buchanan
Byrnes, Wis.
Cahill
Carter
Cederberg
Chamberlain
Clancy
Cleveland
Collier
Conable
Conte
Cowger
Curtis
Davis, Wis.
Denney
Devine
Dow
Dwyer
Edwards, Ala.
Erlenborn
Eshleman
Frelinghuysen
Goodell
Goodling
Gross
Gurney
Hall
Hammerschmidt
Harrison
Harsha
Harvey
Heckler, Mass.
Horton
Hunt
Hutchinson
Joelson
Jonas
King, N.Y.
Langen
Latta
Lennon

McDade
Macdonald, Mass.
MacGregor
Meskill
Miller, Ohio
Minshall
Monagan
Montgomery
Moore
Morse, Mass.
Mosher
Nelsen
O'Konski
Ottinger
Pettis
Pike
Pirnie
Poff
Pucinski
Quie
Railsback
Randall
Reid, Ill.
Riegle
Roth
Roudebush
Rumsfeld
Ruppe
Schadeberg
Schneebeli
Smith, Calif.
Stafford
Stanton
Stratton
Taft
Thompson, Ga.
Vander Jagt
Vanik
Wampler
Watkins
Watson
Whalen
Whalley
Whitener
Wiggins
Wilson, Bob
Wolff
Wydler
Wylie
Wyman
Yates

NOT VOTING—33

Anderson, Tenn.
Blanton
Blatnik
Celler
Conyers
Culver
de la Garza
Diggs
Evins, Tenn.
Fallon
Fino
Gallagher
Gardner
Giaimo
Hansen, Idaho
Herlong
Holifield
Holland
Karsten
King, Calif.
Kornegay
Landrum
Long, La.
Madden
O'Hara, Ill.
Rarick
Resnick
Rhodes, Pa.
Stephens
Utt
Vigorito
Waggonner
Willis

So (two-thirds having voted in favor thereof) the rules were suspended and the bill, as amended, was passed.

The clerk announced the following pairs:

Mr. Evins of Tennessee with Mr. Fino.
Mr. Waggonner with Mr. Utt.
Mr. Holifield with Mr. Gardner.
Mr. Giaimo with Mr. Hansen of Idaho.
Mr. Fallon with Mr. O'Hara of Illinois.
Mr. Culver with Mr. Kornegay.
Mr. Celler with Mr. King of California.
Mr. Blanton with Mr. Karsten.
Mr. Anderson of Tennessee with Mr. Rarick.
Mr. Blatnik with Mr. Gallagher.
Mr. Rhodes of Pennsylvania with Mr. Herlong.
Mr. Long of Louisiana with Mr. de la Garza.
Mr. Resnick with Mr. Conyers.
Mr. Willis with Mr. Landrum.
Mr. Vigorito with Mr. Stephens.
Mr. Holland with Mr. Diggs.

Mr. KUYKENDALL and Mr. DUNCAN changed their votes from "nay" to "yea."

Mr. GOODLING and Mr. McDADE changed their votes from "yea" to "nay."

The result of the vote was announced as above recorded.

The doors were opened.

The title was amended so as to read: "A bill to authorize the Secretary of the Interior to construct, operate, and maintain stage 1 and to acquire lands for stage 2 of the Palmetto Bend reclamation project, Texas, and for other purposes."

A motion to reconsider was laid on the table.

GENERAL LEAVE TO EXTEND

Mr. JOHNSON of California. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to extend their remarks on the bill just passed.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

NATIONAL TRAILS SYSTEM ACT

Mr. TAYLOR. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 4365) to establish a nationwide system of trails, and for other purposes, as amended.

The Clerk read the bill, as follows:

H.R. 4865

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SHORT TITLE

SECTION 1. This Act may be cited as the "National Trails System Act".

STATEMENT OF POLICY

SEC. 2. (a) In order to provide for the ever-increasing outdoor recreation needs of an expanding population and in order to promote public access to, travel within, and enjoyment and appreciation of the open-air, outdoor areas of the Nation, trails should be established (i) primarily, near the urban areas of the Nation, and (ii) secondarily, within established scenic areas more remotely located.

(b) The purpose of this Act is to provide the means for attaining these objectives by instituting a national system of recreation and scenic trails, by designating the Appalachian Trail as the initial component of that system, and by prescribing the methods by which, and standards according to which, additional components may be added to the system.

NATIONAL TRAILS SYSTEM

SEC. 3. The national system of trails shall be composed of—

(a) National recreation trails, established as provided in section 4 of this Act which will provide a variety of outdoor recreation uses in or reasonably accessible to urban areas.

(b) National scenic trails, established as provided in section 5 of this Act, which will be extended trails so located as to provide for maximum outdoor recreation potential and for the conservation and enjoyment of the nationally significant scenic, historic, natural, or cultural qualities of the areas through which such trails may pass.

(c) Connecting or side trails, established as provided in section 6 of this Act, which will provide additional points of public access to national recreation or national scenic trails or which will provide connections between such trails.

The Secretary of the Interior and the Secretary of Agriculture, in consultation with appropriate governmental agencies and public and private organizations, shall establish a uniform marker for the national trails system.

NATIONAL RECREATION TRAILS

SEC. 4. (a) The Secretary of the Interior, or the Secretary of Agriculture where lands administered by him are involved, may establish and designate national recreation trails, with the consent of the Federal agency, State, or political subdivision having jurisdiction over the lands involved, upon finding that—

(i) such trails are reasonably accessible to urban areas, and

(ii) such trails meet the criteria established in this Act and such supplementary criteria as he may prescribe.

(b) As provided in this section, trails within park, forest, and other recreation areas administered by the Secretary of the Interior or the Secretary of Agriculture or in other federally administered areas may be established and designated as "National Recreation Trails" by the appropriate Secretary and, when no Federal land acquisition is involved—

(i) trails in or reasonably accessible to urban areas may be designated as "National Recreation Trails" by the Secretary of the Interior with the consent of the States, their political subdivisions, or other appropriate administering agencies, and

(ii) trails within park, forest, and other recreation areas owned or administered by States may be designated as "National Recreation Trails" by the Secretary of the Interior with the consent of the State.

NATIONAL SCENIC TRAILS

SEC. 5. (a) National scenic trails shall be authorized and designated only by Act of Congress.

(1) The Appalachian Trail, a trail of some two thousand miles, extending generally along the Appalachian Mountains from Mount Katahdin, Maine, to Springer Mountain, Georgia, is hereby established as the initial national scenic trail. Insofar as practicable, the right-of-way for such trail shall comprise the trail depicted on the maps identified as "Nationwide System of Trails, Proposed Appalachian Trail, NST–AT–101–May 1967", which shall be on file and available for public inspection in the office of the Director of the National Park Service. Where practicable, such rights-of-way shall include lands protected for it under agreements in effect as of the date of enactment of this Act, to which Federal agencies and States were parties. The Appalachian Trail shall be administered primarily as a footpath by the Secretary of the Interior, in consultation with the Secretary of Agriculture.

(2) The Secretary of the Interior may establish an advisory council for the Appalachian National Scenic Trail. The Secretary shall consult with such council from time to time with respect to matters relating to the trail, including the selection of rights-of-way, standards of the erection and maintenance of markers along the trail, and the administration of the trail. The members of such advisory council, which shall not exceed thirty-five in number shall serve without compensation or expense to the Federal Government for a term of five years and shall be appointed by the Secretary as follows:

(i) A member appointed to represent each Federal department or independent agency administering lands through which the trail route passes and each appointee shall be the person designated by the head of such department or agency;

(ii) A member appointed to represent each State through which the trail passes and and such appointments shall be made from recommendations of the Governors of such States;

(iii) One or more members appointed to represent private organizations, including landowners and land users, that, in the opinion of the Secretary, have an established and recognized interest in the trail and such appointments shall be made from recommendations of the heads of such organizations: *Provided*, That the Appalachian Trail Conference shall be represented by a sufficient number of persons to represent the various sections of the country through which the trail passes; and

(iv) The Secretary shall designate one member to be chairman and shall fill vacancies in the same manner as the original appointment.

(3) In all other respects, the Appalachian National Scenic Trail shall be administered in accordance with the provisions of this Act.

(b) The Secretary of the Interior, and the Secretary of Agriculture where lands administered by him are involved, shall make such additional studies as are herein or may hereafter be authorized by the Congress for the purpose of determining the feasibility and desirability of designating other trails as national scenic trails. Such studies shall be made in consultation with the heads of other Federal agencies administering lands through which such additional proposed trails would pass and in cooperation with interested interstate, State, and local governmental agencies, public and private organizations, and landowners and land users concerned. When completed, such studies shall be the basis of appropriate proposals for additional national scenic trails which shall be submitted from time to time to the President and to the Congress. Such proposals shall be accompanied by a report, which shall be printed as a House or Senate document, showing among other things—

(1) the proposed route of such trail (including maps and illustrations);

(2) the areas adjacent to such trails, to be utilized for scenic, historic, natural, cultural, or developmental purposes;

(3) The characteristics which, in the judgment of the appropriate Secretary, make the proposed trail worthy of designation as a national scenic trail;

(4) the current status of land ownership and current and potential use along the designated route;

(5) the estimated cost of acquisition of lands or interest in lands, if any;

(6) the plans for developing and maintaining the trail and the cost thereof;

(7) the proposed Federal administering agency (which, in the case of a national scenic trail wholly or substantially within a national forest, shall be the Department of Agriculture);

(8) the extent to which a State or its political subdivisions and public and private organizations might reasonably be expected to participate in acquiring the necessary lands and in the administration thereof; and

(9) the relative uses of the lands involved, including: the number of anticipated visitor-days for the entire length of, as well as for segments of, such trail; the number of months which such trail, or segments thereof, will be open for recreation purposes; the economic and social benefits which might accrue from alternate land uses; and the estimated man-years of civilian employment and expenditures expected for the purposes of maintenance, supervision, and regulation of such trail.

(c) The following routes shall be studied in accordance with the objectives outlined in subsection (b) of this section:

(1) Continental Divide Trail, a three-thousand-one-hundred-mile trail extending from near the Mexican border in southwestern New Mexico northward generally along the Continental Divide to the Canadian border in Glacier National Park.

(2) Pacific Crest Trail, a two-thousand-three-hundred-and-fifty-mile trail extending from the Mexican-California border northward generally along the mountain ranges of the west coast States to the Canadian-Washington border near Lake Ross.

(3) Potomac Heritage Trail, an eight-hundred-and-twenty-five-mile trail extending generally from the mouth of the Potomac River to its sources in Pennsylvania and West Virginia, including the one-hundred-and-seventy-mile Chesapeake and Ohio Canal towpath.

(4) Old Cattle Trails of the Southwest from the vicinity of San Antonio, Texas, approximately eight hundred miles through Oklahoma via Baxter Springs and Chetopa, Kansas, to Fort Scott, Kansas, including the Chisholm Trail, from the vicinity of San Antonio or Cuero, Texas, approximately eight hundred miles north through Oklahoma to Abilene, Kansas.

(5) Lewis and Clark Trail, from Wood River, Illinois, to the Pacific Ocean in Oregon, following both the outbound and inbound routes of the Lewis and Clark Expedition.

(6) Natchez Trace, from Nashville, Tennesee, approximately six hundred miles to Natchez, Mississippi.

(7) North Country Trail, from the Appalachian Trail in Vermont, approximately three thousand two hundred miles through the States of New York, Pennsylvania, Ohio, Michigan, Wisconsin, and Minnesota, to the Lewis and Clark Trail in North Dakota.

(8) Kittanning Trail, from the village of Frankstown through Kittanning to Kittanning, Pennsylvania.

(9) Oregon Trail, from Independence, Missouri, approximately two thousand miles to near Fort Vancouver, Washington.

(10) Santa Fe Trail, from Independence, Missouri, approximately eight hundred miles to Santa Fe, New Mexico.

(11) Long Trail, extending two hundred and fifty-five miles from the Massachusetts border northward through Vermont to the Canadian border.

(12) Mormon Trail, extending from Nauvoo, Illinois, to Salt Lake City, Utah, through the States of Iowa, Nebraska, and Wyoming.

(13) Gold Rush Trails in Alaska.

(14) Mormon Battalion Trail, extending two thousand miles from Mount Pisgah, Iowa, through Kansas, Colorado, New Mexico and Arizona to Los Angeles, California.

CONNECTING AND SIDE TRAILS

SEC. 6. Connecting or side trails within park, forest, and other recreation areas administered by the Secretary of the Interior or Secretary of Agriculture may be established, designated, and marked as components of a national recreation or national scenic trail. When no Federal land acquisition is involved, connecting or side trails may be located across lands administered by interstate, State, or local governmental agencies with their consent: *Provided*, That such trails provide additional points of public access to national recreation or scenic trails.

ADMINISTRATION AND DEVELOPMENT

SEC. 7. (a) Pursuant to section 5(a), the Secretary of the Interior shall select the right-of-way for the Appalachian National Scenic Trail and shall publish notice thereof in the Federal Register, together with appropriate maps and descriptions: *Provided*, That in selecting the rights-of-way full consideration shall be given to minimizing the adverse effects upon the adjacent landowner and his operation. The location and width of such rights-of-way across Federal lands under the jurisdiction of another Federal agency shall be by agreement between the head of that agency and the appropriate Secretary. In selecting rights-of-way for trail purposes, the Secretary shall obtain the advice and assistance of the States, local governments, private organizations, and landowners and land users concerned.

(b) After publication of notice in the Federal Register, together with appropriate maps and descriptions, the Secretary charged with the administration of a national scenic trail may relocate segments of a national scenic trail right-of-way, with the concurrence of the head of the Federal agency having jurisdiction over the lands involved, upon a determination that: (i) such a relocation is necessary to preserve the purposes for which the trail was established, or (ii) the relocation is necessary to promote a sound land management program in accordance with established multiple-use principles: *Provided*, That a substantial relocation of the rights-of-way for such trail shall be by Act of Congress.

(c) National scenic trails may contain campsites, shelters, and related-public-use facilities. Other uses along the trail, which will not substantially interfere with the nature and purposes of the trail, may be permitted by the Secretary charged with the administration of the trail. Reasonable efforts shall be made to provide sufficient access opportunities to such trails and, to the extent practicable, efforts shall be made to avoid activities incompatible with the purposes for which such trails were established. The use of motorized vehicles by the general public along any national scenic trail shall be prohibited and nothing in this Act shall be construed as authorizing the use of motorized vehicles within the natural and historical areas of the national park system, the national wildlife refuge system, the national wilderness preservation system where they are presently prohibited or on other Federal lands where trails are designated as being closed to such use by the appropriate Secretary: *Provided*, That the Secretary charged with the administration of such trail shall establish regulations which shall authorize the use of motorized vehicles when, in his judgment, such vehicles are necessary to meet emergencies or to enable adjacent landowners or land users to have reasonable access to their lands or timber rights: *Provided further*, That private lands included in the national recreation or scenic trails by cooperative agreement of a landowner shall not preclude such owner from using motorized vehicles on or across such trails or adjacent lands from time to time in accordance with regulations to be established by the appropriate Secretary. Except to the extent otherwise provided by law, the Federal laws and regulations applicable to Federal lands or areas included in any national recreation or scenic trail shall continue to apply. The Secretary of the Interior and the Secretary of Agriculture, in consultation with appropriate governmental agencies and public and private organizations, shall establish a uniform marker, including thereon an appropriate and distinctive symbol for each national recreation and scenic trail. Where the trails cross lands administered by Federal agencies such markers shall be erected at appropriate points along the trails and maintained by the Federal agency administering the trail in accordance with standards established by thee appropriate Secretary and where the trails cross non-Federal lands, in accordance with written with standards established by the appropri- Secretary shall provide such uniform markers to cooperating agencies and shall require such agencies to erect and maintain them in accordance with the standards established.

(d) Within the exterior boundaries of areas under their administration that are included in the right-of-way selected for a national recreation or scenic trail, the heads of Federal agencies may use lands for trial purposes and may acquire lands or interests in lands by written cooperative agreement, donation, purchase with donated or appropriated funds or exchange: Provided, That not more than twenty-five acres in any one mile may be acquired without the consent of the owner.

(e) Where the lands included in a national scenic trail right-of-way are outside of the exterior boundaries of federally administered areas, the Secretary charged with the administration of such trail shall encourage the States or local governments involved (1) to enter into written cooperative agreements with landowners, private organizations, and individuals to provide the necessary trail right-of-way, or (2) to acquire such lands or interests therein to be utilized as segments of the national scenic trail: *Provided*, That if the State or local governments fail to enter into such written cooperative agreements or to acquire such lands or interests therein within two years after notice of the selection of the right-of-way is published, the appropriate Secretary may (i) enter into such agreements with landowners, States, local governments, private organizations, and individuals for the use of lands for trail purposes, or (ii) acquire private lands or interests therein by donation, purchase with donated or appropriated funds or exchange in accordance with the provisions of subsection (g) of this section. The lands involved in such rights-of-way should be acquired in fee, if other methods of public control are not sufficient to assure their use for the purpose for which they are acquired: Provided, That if the Secretary charged with the administration of such trail permanently relocates the right-of-way and disposes of all title or interest in the land, the original owner, or his heirs or assigns, shall be offered, by notice given at the former owner's last known address, the right of first refusal at the fair market price.

(f) The Secretary of the Interior, in the exercise of his exchange authority, may accept title to any non-Federal property within the right-of-way and in exchange therefor he may convey to the grantor of such property any federally owned property under his jurisdiction which is located in the State wherein such property is located and which he classifies as suitable for exchange or other disposal. The values of the properties so exchanged either shall be approximately equal, or if they are not approximately equal the values shall be equalized by the payment of cash to the grantor or to the Secretary as the circumstances require. The Secretary of Agriculture, in the exercise of his exchange authority, may utilize authorities and procedures available to him in connection with exchanges of national forest lands.

(g) The appropriate Secretary may utilize condemnation proceedings without the consent of the owner to acquire private lands or interests therein pursuant to this section only in cases where, in his judgment, all reasonable efforts to acquire such lands or interests therein by negotiation have failed, and in such cases he shall acquire only such title as, in his judgment, is reasonably necessary to provide passage across such lands: *Provided*, That condemnation proceedings may not be utilized to acquire fee title or lesser interests to more than twenty-five acres in any one mile and when used such authority shall be limited to the most direct or practicable connecting trail right-of-way. Money appropriated for Federal purposes from the land and water conservation fund shall, without prejudice to appropriations from other sources, be available to Federal departments for the acquisition of lands or interests in lands for the purposes of this Act.

(h) The Secretary charged with the administration of a national recreation or scenic trail shall provide for the development and maintenance of such trails within federally administered areas and shall cooperate with and encourage the States to operate, develop, and maintain portions of such trails which are located outside the boundaries of federally administered areas. When deemed to be in the public interest, such Secretary may enter written cooperative agreements with the States or their political subdivisions, landowners, private organizations, or individuals to operate, develop, and maintain any portion of a national scenic trail either within or outside a federally administered area.

(i) The appropriate Secretary, with the concurrence of the heads of any other Federal agencies administering lands through which a national recreation or scenic trail passes, and after consultation with the States, local governments, and organizations concerned, may issue regulations, which may be revised from time to time, governing the use, protection, management, development, and administration of trails of the national trails system. In order to maintain good conduct on and along the trails located within federally administered areas and to provide for the proper government and protection of such trails, the Secretary of Interior and the Secretary of Agriculture shall prescribe and publish such uniform regulations as they deem necessary and any person who violates such regulations shall be guilty of a misdemeanor, and may be punished by a fine of not more than $500, or by imprisonment not exceeding six months, or by both such fine and imprisonment.

STATE AND METROPOLITAN AREA TRAILS

SEC. 8. (a) The Secretary of the Interior is directed to encourage States to consider, in their comprehensive statewide outdoor recreation plans and proposals for financial assistance for State and local projects submitted pursuant to the Land and Water Conservation Fund Act, needs and opportunities for establishing park, forest, and other recreation trails on lands owned or administered by States, and recreation trails on lands in or near urban areas. He is further directed, in accordance with the authority contained in the Act of May 28, 1963 (77 Stat. 49), to encourage States, political subdivisions, and private interests, including nonprofit organizations, to establish such trails.

(b) The Secretary of Housing and Urban Development is directed, in administering the program of comprehensive urban planning and assistance under section 701 of the Housing Act of 1954, to encourage the planning of recreation trails in connection with the recreation and transportation planning for metropolitan and other urban areas. He is further directed, in administering the urban open-space program under title VII of the Housing Act of 1961, to encourage such recreation trails.

(c) The Secretary of Agriculture is directed, in accordance with authority vested in him, to encourage States and local agencies and private interests to establish such trails.

(d) Such trails may be designated and suitably marked as parts of the nationwide system of trails by the States, their political subdivisions, or other appropriate administering agencies with the approval of the Secretary of the Interior.

RIGHTS-OF-WAY AND OTHER PROPERTIES

SEC. 9. (a) The Secretary of the Interior or the Secretary of Agriculture, as the case may be, may grant easements and rights-of-way upon, over, under, across, or along any component of the national trails system in accordance with the laws applicable to the national park system and the national forest system, respectively: Provided, That any conditions contained in such easements and rights-of-way shall be related to the policy and purpose of this Act and shall not be based upon the Department of Interior or Department of Agriculture regulations relating to granting rights-of-way for power transmission lines issued March 23, 1963 (28 F.R. 2903, 2905; 43 C.F.R. 2234.4, 36 C.F.R. 251.52).

(b) The Department of Defense, the Department of Transportation, the Interstate Commerce Commission, the Federal Communications Commission, the Federal Power Commission, and other Federal agencies having jurisdiction or control over or information concerning the use, abandonment, or disposition of roadways, utility rights-of-way, or other properties which may be suitable for the purpose of improving or expanding the national trails system shall cooperate with the Secretary of the Interior and the Secretary of Agriculture in order to assure, to the extent practicable, that any such properties having values suitable for trail purposes may be made available for such use

AUTHORIZING APPROPRIATIONS

SEC. 10. There are hereby authorized to be appropriated such sums as may be necessary to carry out the purposes of this Act, but not more than $5,000,000 shall be appropriated for the acquisition of lands or interests in lands and not more than $1,000,000 shall be appropriated for development.

The SPEAKER. Is a second demanded?

Mr. SAYLOR. Mr. Speaker, I demand a second.

The SPEAKER. Without objection, a second will be considered as ordered.

There was no objection.

Mr. TAYLOR. Mr. Speaker, I yield such time as he may consume to the distinguished gentleman from Colorado [Mr. ASPINALL].

Mr. ASPINALL. Mr. Speaker, H.R. 4865 is a bill to establish a national system of trails. But in reality, it might be more appropriate to call it a bill to lay the foundation for establishing a national system of trails.

One trail—and one trail only—qualifies for designation as a national scenic trail at this time—that is the Appalachian Trail. It is the only trail that is sufficiently in place for us to determine where it will be located and what will be involved in the way of expenses to be incurred. Primarily for this reason, Mr. Speaker, the Committee on Interior and Insular Affairs is not now recommending the immediate authorization of any other national scenic trails. The bill does provide guidelines for detailed studies to be made on several other potential national scenic trail routes and, when those studies have been made, they will be brought before the Congress for possible authorization.

As chairman of the authorizing committee, I feel that it is extremely important for the Congress to have all of the facts before embarking on broad-scale programs of this type. H.R. 4865, as recommended by the committee, will enable us to make appropriate decisions on the basis of the most reliable information available when new national scenic trails are recommended.

Another key feature of H.R. 4865 involves the designation of trails across existing Federal, State, or locally administered lands as national recreation trails. Because they will be located on existing publicly owned lands, these trails should not involve a large Federal investment. In stressing the importance of these trails to the proposed national trails system, I want to emphasize that they will be geared to meeting a variety of public uses.

According to estimates published in September 1966, the number of people walking for pleasure is likely to increase more than 350 percent by the turn of the century. These national recreation trails would facilitate the accommodation of that outdoor activity. Simple walkways for Sunday strollers and jogging trails might be encouraged within urban areas to satisfy different needs of different people.

Hiking trails—though not extended trails like those to be designated as national scenic trails—could be designated to accommodate the more energetic outdoor enthusiasts who are increasing in numbers very rapidly.

Riding trails could become national recreation trails to accommodate those who enjoy bicycling, horseback riding, or trail scooters.

In general, Mr. Speaker, what we are seeking to accomplish is a well-rounded outdoor recreation program. All of these activities are growing increasingly popular. City dwellers need a place near their homes where they can retreat for a few hours, or a day, or a weekend. These national recreation trails would help to meet that need, and I believe that they can be made available without large expenditures for land acquisition. A real effort should be made—and it should probably be made by the Bureau of Outdoor Recreation—to inventory the public land areas in or near our population centers to determine which might be suitable for trail purposes for one activity or another.

Turning your attention to another feature of H.R. 4865, I want to point out the fact that the committee endeavored to retain the fullest measure of cooperation by all concerned—State and local governments, private landowners, and private organizations. In redrafting the bill, we hoped to encourage private landowners to enter written cooperative agreements which would permit a trail right-of-way to be located across their lands. Similiar agreements have been used for years along the Appalachian Trail. As an inducement, we must expect the trail users and the administering authority to cooperate with the landowner so that he will not be denied reasonable use of his own lands. Only by such cooperation can the cost of this program be kept at a minimum.

In every way possible, the provisions of the bill seek to encourage State and local governments to be active participants in the program. To the extent that they are actively involved, no Federal activity will be necessary outside existing federally administered areas. And in any event, Federal activity is contingent upon their consent within areas administered by State or local agencies.

Mr. Speaker, I view H.R. 4865 as an experiment—a pilot program. If, under this bill, we succeed in developing a meaningful start toward a balanced recreation program for the American people, this will truly be landmark legislation. It calls for every ounce of cooperation by all concerned, if it is to do the job we seek to accomplish without substantial Federal expenditures. The Appalachian Trail will be our laboratory—and it is an excellent one, because there is already a wealth of experience upon which we can build.

It is, in reality, the only continuous, extended trail of its kind in existence at the present time.

It is the product of cooperation between users, landowners, and government agencies.

It is accessible to millions of Americans living along the east coast and yet it necessarily traverses developed lands as well as areas of natural beauty.

It is—and we hope it will continue to be—the loving child of volunteers who do a large share of the annual development and maintenance.

I believe that, if we are successful in accomplishing the objective of this legislation for the Appalachian Trail, the prospects for future national scenic trails will be greatly enhanced. Conversely, if the establishment of the Appalachian National Scenic Trail results in a deterioration of cooperation and an expensive land acquisition and development program, then the future of other national scenic trails will be very uncertain.

Mr. Speaker, H.R. 4865 is a major effort to provide a reasonable foundation upon which the Congress can build a sound national trails system. These trailways could provide millions of Americans with ample opportunities to enjoy the outdoors. I believe that it is a great opportunity for every American, because it can meet a host of differing desires for recreation.

While the bill authorizes an appropriation of $6 million for land acquisition and development of the Appalachian National Scenic Trail, we hope that the use of written cooperative agreements and the interest of State and local governments will make it possible to accomplish the desired objectives at a significantly reduced cost. This will be one of the things we will learn by experience.

Mr. Speaker, I urge the Members of the House to suspend the rules and approve H.R. 4865.

Mr. KLEPPE. Mr. Speaker, will the gentleman yield?

Mr. ASPINALL. I yield to the gentleman from North Dakota.

Mr. KLEPPE. Mr. Speaker, I would like to thank the gentleman for yielding. I would like to ask the gentleman, if I may, about landowners liability.

For example, as the gentleman knows, if you own a piece of property, if you own a house, and your sidewalk gets iced over and an individual comes along and slips on the ice, you may have a liability suit against you as a property owner.

Mr. ASPINALL. If you live in my district you would. If you live in Washington, D.C., you would not.

Mr. KLEPPE. Of course there are some differences, I am sure of that.

So my thoughts is that if these trails are going to be established under an easement provision, then my question is has there been any consideration given to landowners that may, from a liability standpoint, have a claim against them by people who get off these easements? They may be enjoying the purpose of these trails, and get onto such an owner's property, and then become injured in some way, are there any liability provisions for the property owners?

Mr. ASPINALL. If my colleague from North Dakota will permit me, it is my understanding that, as far as the Appalachian Trail, the only one that is established as a national trail in this legislation, that there would be no liability that I know of at the present time, and that as far as the other trails are concerned perhaps this will have to be taken into consideration in the study programs. I do not believe there is any question about that.

The Appalachian Trail itself is well established. We have it laid out practically all the way from upper New England clear on down to the end of the Piedmont Range in Georgia, and I do not see any difficulty in that respect as far as the one trail is concerned.

Mr. KLEPPE. Mr. Speaker, would the gentleman yield further?

Mr. ASPINALL. I yield further to the gentleman from North Dakota.

Mr. KLEPPE. I thank the gentleman for those observations.

It seems to me that this is something that ought to be considered—knowing full well that we cannot make changes in this bill now—but this is a question that could become serious if these trails extend through great areas, and lots of people travel on them, and they could, in fact, present the adjacent property owners or landowners with a serious libilitay problem. That is why I appreciate the statement of the chairman of the Committee on Interior and Insular Affairs.

Mr. ASPINALL. The gentleman is correct, of course, and here again the gentleman is referring more to trails that would be established and promoted by local communities, cities, counties, and perhaps States than he is to the Federal trail.

Mr. KLEPPE. But is it not true they could come under the framework of this bill?

Mr. ASPINALL. I do not believe any liability would come in, as long as they are under a different jurisdiction.

Mr. KLEPPE. I thank the gentleman.

Mr. KYL. Mr. Speaker, will the gentleman yield?

Mr. ASPINALL. I yield to the gentleman.

Mr. KYL. I would like to say further to the gentleman from North Dakota that he has touched upon a matter which was given serious consideration by the committee.

This bill does not set aside any kind of law—of liability—or any other kind. But when the bill was presented to the committee, it was a much broader package. It would have established trails all over the country. It recommended even that some such trails follow along easements of the utility lines.

We know further that many of these trails will cross public thoroughfares.

The question which the gentleman from North Dakota brings out is an important consideration and it is one of the matters which has made it necessary to bring a pilot operation to the House for its consideration instead of the much broader package that some conservationists of the country would have liked to have.

It is a serious consideration and this bill does nothing to set aside any normal provisions of law.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. ASPINALL. I yield to the gentleman.

Mr. GROSS. I will have to confess to some ignorance of what is being proposed. What do you do on one of these trails? Do you walk, ride a bicycle, ride a mule, or what?

Mr. ASPINALL. If my friend will permit me to say, the real purpose is to walk—to hike.

I believe there are some trails in existence that are known as bicycle trails and they would be used for those purposes and have been so established.

Other trails are used at the present time for horseback riding.

So far as automotive equipment is concerned, automotive equipment would not be permitted on such trails under any circumstances at the present time.

Mr. GROSS. Does the gentleman from Colorado propose to put a pack on his back and go from Maine to Georgia over the Appalachia trail?

Mr. ASPINALL. The gentleman from Colorado at one time might have entertained such a project as that, but no longer has such an ambition.

Mr. MATHIAS of Maryland. Mr. Speaker, will the gentleman yield?

Mr. ASPINALL. I yield to the gentleman.

Mr. MATHIAS of Maryland. Mr. Speaker, I fully support the National Trails System Act as recommended by the House Interior Committee. This legislation responds to the growing popularity of hiking, biking, and horseback riding, and will vastly improve opportunities for these types of outdoor recreation in urban areas and especially scenic regions more removed from population centers. The bill also advances some very progressive methods of trail development, based on minimal use of Federal eminent domain powers and maximum cooperation between the Federal Government and State and local governments, conservation groups, and individual landowners.

Two major scenic and historic trails in the State of Maryland are affected by this bill. The first is the famous Appalachian Trail, whose 2,000 miles include a very beautiful and popular segment crossing Maryland from Penn-Mar to Harpers Ferry. The Appalachian Trail is the only route immediately designated as a national scenic trail by the House bill. This designation, and the additional land acquisition, protection and development which will follow, seem appropriate and timely. By giving the Appalachian Trail valuable additional protection, we will give overdue recognition both to the importance of this national asset and to the efforts of the thousands of citizens who, through the Appalachian Trail Conference, have maintained and promoted this trail for so long.

The second trail of particular importance to Maryland is the proposed Potomac Heritage Trail, envisoned as an 825-mile path which would reach from the Potomac River's mouth through Maryland and Virginia to the river's headwaters in Pennsylvania and West Virginia, and would include the entire towpath of the Chesapeake & Ohio Canal. The legislation submitted by the administration and passed by the Senate would establish this trail at once. The bill before us today would designate this plan, along with 13 others, for intensive study.

In my judgment the House approach is far more sound and sensible. The administration's proposal, while creative in concept, raises a number of questions of priorities and coordination, particularly in connection with the C. & O. Canal and overall recreational development between Washington and Cumberland, Md.

Immediate creation of the Potomac Heritage Trail, without further field study, could amount to slapping a new name and new conditions on the C. & O. Canal without enough regard for the established patterns of recreation and use along the canal or the efforts already underway to improve that historic property.

For example, the present C. & O. Canal management, recognizing the growing popularity of horseback riding in the Potomac Basin, has encouraged use of the canal towpath for riding except in the most densely populated areas, where riding would be incompatible with intensive hiking and biking. Riding is currently permitted on the towpath, in good weather, all the from Swin's Lock near Georgetown to Cumberland.

But the Bureau of Outdoor Recreation would reverse this policy. The Acting Director of BOR, Mr. Louis E. Reid, Jr., advised me by letter of July 10, 1968, that "under current plans, horseback riding would be permitted along the Potomac Heritage Trail except on the Chesapeake & Ohio Canal towpath, on the trail from Great Falls, Va., to Arlington, and possibly along other segments where topography rules out horse travel."

To me such a blanket prohibition makes no sense, and reveals an unfortunate and peculiar lack of liaison between BOR and the National Park Service.

The problem of access along and across the canal property also deserves further study by BOR. The administration bill, in effect, would permanently impose on the canal the access policies which are now applied to all national park areas, and which have been a perennial source of difficulty in western Maryland. This step would be taken at the very time that promising efforts are being made to develop the more flexible and realistic policies required by the unique situation along the canal to keep it from becoming again a barrier to agriculture, industrial growth, and traditional patterns of life and recreation.

In a more general sense, immediate creation of the Potomac Heritage Trail could prove to be a distraction and a diffusion of effort along the Potomac. At a time when funds for conservation are so scarce and overall Potomac Basin planning has not been completed, many responsible officials and informed citizens in the basin have urged concentrated investment in development of the C. & O. Canal to meet the area's immediate recreational needs and to serve as a pilot project for the basin. My bill, H.R. 7201, would authorize $3 million for such an effort, emphasizing limited land acquisition and a broad, cooperative development program.

According to the Bureau of Outdoor Recreation, the proposed Potomac Heritage Trail would cost only slightly more than H.R. 7201, $3,766,000 in Federal funds. Yet these funds would be spread along 825 miles, rather than being focused on the 185 miles of the canal. Indeed, it appears that BOR is not planning much improvement of the canal through this program at all.

For example, in many places the present canal property is far narrower than the 200-foot right-of-way cited as an average width for national scenic trails. Yet BOR has advised me that "it is probable that little if any additional land would would be needed for the trail" along the canal.

Also, the present canal management does recognize that immediate restoration and stabilization of many of the historic engineering features of the canal, such as the Monocacy aqueduct, will be essential to avoid their total collapse. Intensive work on the Paw Paw Tunnel, for one, is now nearing completion. Yet improvements under the trail plan would be restricted to "limited facility development, such as campgrounds and trail shelters."

In an ideal world, with ample funds available, we could proceed to create both a long, relatively undeveloped trail and a somewhat shorter but more fully developed park along the Potomac. But as long as our financial pinch continues, I fear that the Interior Department, by trying to do both, could wind up doing neither very well.

Additional questions involve coordination trail development with other Potomac Basin recreational projects. An advisory council for the Potomac Heritage Trail, for example, should be carefully shaped in order to give full representation to local and citizen interests. Its membership and mandate must be broad enough to recognize not only the concerns of hikers, bikers, and horseback riders, but also the legitimate interests of area landowners, other sportsmen, businessmen, and local governments.

In short, I do believe that the Potomac Heritage Trail proposal needs further study, as authorized by this bill. I trust that the Interior Department, in the course of this study, will give full attention to the vast potential and unique challenge of the C. & O. Canal, and will seek and consider the suggestions of the many officials and citizens involved in conservation and recreational planning in the Potomac Basin.

Mr. KEITH. Mr. Speaker, will the gentleman yield?

Mr. ASPINALL. I yield to the gentleman.

Mr. KEITH. As the gentleman knows, I have been very much interested in more funds for the Cape Cod National Seashore which we passed in a bill back in 1961. We far exceeded that authorization and in that demand for funds to pay for land which we committed ourselves to buy.

I voted for the land and water conservation fund project and I voted for the redwood park or forest today, and I am going to support this legislation.

But I would like some assurance that we are going to enlarge our commitment, that is our financial commitment, so that we can live up to our moral commitment to pay for lands and water that have now been held in escrow for far too long.

Mr. ASPINALL. When I addressed the House when we started out on the debate on the redwood national park bill, I had this to say, that I was doing my best to protect all of these prior authorizations. Of course, Cape Cod, Fire Island, Delaware Gap, and all the rest of them have priorities over what I consider to be authorizations which we have had since those earlier authorizations. I am with my friend in that respect.

Mr. HALL. Mr. Speaker, will the gentleman yield?

Mr. ASPINALL. I yield to the gentleman.

Mr. HALL. I have read the bill on pages 3 and 4, and I have read the report of the committee of the distinguished gentleman from Colorado on pages 12 and 13. I listened very carefully and I believe I heard the gentleman say the committee was recommending about $5 million to be authorized for appropriations for the acquisition of the land or trails.

I am interested in these trails, but nowhere can I find anything about the cost of preparing the trails, hostel houses or necessary adjuncts along the way.

Furthermore, does it not say, "such sums as may be necessary to conduct studies are authorized to be appropriated"—and that is in addition to the $5 million. Therefore, is this not an open-ended authorization?

Mr. ASPINALL. I will say to the gentleman that the chairman of the full committee understands from the language that we have in the bill, that we have $5 million to carry out the purposes of acquisition authorized by this act. But not more than $5 million shall be appropriated for the acquisition of land, and not more than $1 million shall be appropriated for developments along the Appalachian National Scenic Trail. Of course, the only thing we are authorizing here is the Appalachian Trail. As far as the study provisions are concerned I believe my friend is correct. This is true in all investigatory matters, and I think that this would be up to the Department to make its position known to the Appropriations Committee and receive whatever moneys would be available for study.

Mr. HALL. But this bill would authorize an appropriation in an unlimited amount, depending upon the various departments' recommendation and the budgeting process followed up by the congressional appropriation.

Mr. ASPINALL. The gentleman is correct. This is no different from many other programs.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. ASPINALL. I yield to the gentleman from Iowa.

Mr. GROSS. Is this money for just one trail? There are about 20 listed in the report. Is this authorization for only one trail?

Mr. ASPINALL. Only one trail is authorized as an instant trail. The others are all to be taken care of by study first and then a report back to the Congress. My friend is correct.

Mr. BENNETT. Mr. Speaker, will the gentleman yield?

Mr. ASPINALL. I yield to the gentleman from Florida.

Mr. BENNETT. Mr. Speaker, I strongly support the passage of H.R. 4865, legislation of great value not only to our generation but for all future Americans.

If this measure were capable of amendment in the present procedures, I would have offered an amendment immediately following line 18 at page 24 to read as follows:

> (14) Camino Real Trail, extending from the Castillo de San Marcos, Saint Augustine, Florida, to the Fort Caroline National Memorial, Jacksonville, Florida.

By way of explanation, I report that David Early, representing Governor Claude Kirk of Florida, telephoned me recently and urged that I make this effort. At the time, it was too late to submit an amendment to the bill, but it is my hope that this trail can be added in conference, for a study as to its appropriateness.

The merits of this Florida trail would be outstanding and unique in many respects. It would follow the course of the first road in America between communities of European-descended inhabitants, specifically between St. Augustine and San Mateo, the Spanish name of the earlier French settlement of Fort Caroline. These were the only settlements by Europeans in what is now the United States in that early period of 1565. Actually, it was the land route which the Spanish Governor Pedro Menendez took when he marched with 500 men overland from St. Augustine to conquer the French Governor, Rene Laudonniere, and his settlement, Fort Caroline, on September 20, 1565.

It took him 4 days to make the march. For years thereafter this road, or trail, connected St. Augustine and San Mateo. In the 1763–83 English occupation of Florida, it connected St. Augustine and St. Johns town, at the old location of San Mateo. During the Spanish occupation the road was called Camino Real—or Royal Road—and during the English occupation it was called King's Road.

In addition to having the significance of being America's first road, the location is closely accessible to major highways conveying millions of tourists to Florida each year. Moreover, it is never very distant from both the Atlantic Ocean and the inland passage, or Intracoastal Waterway. There is along the course much untouched subtropical wilderness, including bear, turkey, deer, and other wildlife. Due to the mildness of the weather, the route could be used during the entire year.

I sincerely hope that this trail can be added to this fine program and that the conference committee will add the Camino Real Trail, Florida, to the legislation in conference.

Two other historic and scenic trail possibilities also come to my mind. One would be an extension of the Appalachain Trail to the Gulf of Mexico by way of the Apalachicola River Valley and the other, the east-west King's Road between St. Augustine and Pensacola, the respective capital cities of Spanish and English east and west Florida. Both of the routes would be very beautiful as well as historic. Many early mission sites would furnish intermediate objectives.

Mr. SAYLOR. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, H.R. 4865, a bill to establish a nationwide system of trails, and the bill H.R. 18260, to provide for a national scenic rivers system could very well become the most popular conservation measures ever passed by the Congress of the United States.

H.R. 4865 is a bill which is truly responsive to the ever-increasing demand of the American people for outdoor recreation opportunities. The bill provides for the establishment of a nationwide system of trails composed of three classes of trails: First, national recreation trails, second, national scenic trails, and third, connecting and side trails. The bill also provides for Federal, State, and local participation in the establishment and development of a nationwide system of trails with the emphasis on the location of trails near urban areas.

H.R. 4865 requires in the establishment of national recreation trails that such trails be reasonably accessible to urban and metropolitan areas and located within parks, forests, and recreation areas administered by the Federal State, or local governing bodies. The establishment of national recreation trails will involve no Federal land acquisition and, therefore, only development and maintenance costs are contemplated by this segment of the system.

Section 5 of the bill provides for the establishment of national scenic trails by act of Congress, names the Appalachian Trail as the initial component of the national scenic trails, sets up an advisory council for the Appalachian National Scenic Trail, provides for the administration of the Appalachian Trail, and authorizes the Secretary of the Interior and the Secretary of Agriculture to undertake studies of possible future additions as national scenic trails.

The bill designates 14 trail routes across the United States for study and potential addition as national scenic trails upon authorization and designation by the Congress.

The bill also provides for the designation of connecting and side trails within federally administered parks, forest, and recreation areas to provide continuity of the trails system where trails are established by Federal, State, local, or joint governing bodies.

Section 7 of the bill provides for the administration and development of a nationwide system of trails and authorizes the Secretary of the Interior or the Secretary of Agriculture, as the case may be, to select or relocate the trail right-of-way, provides for the acquisition of lands or interest in lands, and limits the exercise of the right of condemnation.

The bill authorizes the appropriation of $5,000,000 to acquire lands and interests in land necessary to carry out the purposes of the act and authorizes the appropriation of $1,000,000 for development.

Mr. Speaker, the recreational opportunities afforded by the establishment of a nationwide system of trails can be enjoyed by all Americans, young and old, at relatively little or no cost. A nationwide system of trails will provide varied outdoor recreational opportunities to be enjoyed for hours at a time, 1 day, overnight, or for longer periods of time, depending upon the individual desires.

Mr. Speaker, I urge the rules be suspended and that H.R. 4865 be passed.

Mr. Speaker, I yield whatever time he may require to the gentleman from Massachusetts [Mr. CONTE].

Mr. CONTE. Mr. Speaker, I am proud to be a cosponsor of the National Trails System Act. This act will establish trails in two categories for the use of our expanding population with its expanding desire for outdoors recreation. The first category of national recreation trails would provide hiking, bicycling, and jogging trails near densely populated areas.

These trails give our urban population a greater chance for outdoor exercise than it now has, and would substantially further our national policy of encouraging physical fitness.

The second category would establish national scenic trails, and is especially interesting to the residents of my district in western Massachusetts. As provided for in the bill, this category would establish the famous Appalachian Trail as a pilot project, to be used in determining whether to include up to 14 other well-known trails. Portions of this trail have been hiked by countless persons on the eastern seaboard. Local trail clubs and State authorities along its 2,000-mile length, Mount Katahdin in Maine to Springer Mountain in Georgia, have taken admirable initiative in developing and expanding this landmark. The high point of many a youth has been a journey on foot along extended portions of this Appalachian route. The Appalachian Trail Conference and its 25,000 members deserve all the praise we can give them for their efforts to maintain this trail.

This bill will put the capstone on their work by protecting against the scattered intrusions along its route, and insuring its continued existence. Furthermore, the experience which has accumulated in maintaining this trail to date will be put to the use of other regions of the country. By their work with this trail, the Secretary of the Interior and the Secretary of Agriculture will gain the expertise to evaluate and establish other national scenic and recreational trails.

This bill is a farsighted measure. It will meet the demands for outdoor recreation, which will increase markedly as the workweek grows shorter, the population increases, and urban sprawl threatens our areas of natural recreation, hiking, bicycling, and horseback riding are expected to become increasingly popular, and the committee report estimates that the number of persons walking for pleasure will grow by more than 350 percent by the turn of the century. By passing this bill, we will prepare ourselves in advance for these demands.

Furthermore, we will do so at a minimum expense to the public Treasury. The public has already given great support to the Appalachian walkway. Private landowners have cooperated admirably in allowing access to the trail. Continuation of this cooperation will substantially reduce the costs of land acquisition. States and their political subdivisions are also expected to cooperate in negotiating for the use of land, or in acquiring it. The history of the Appalachian Trail will provide Federal departments with valuable backlog of experience. The cost of this bill is a real bargain, when we consider the future benefit to the country. If we act now to establish a national system of scenic and recreational trails, based on the Appalachian Trail, we will do real credit to the past efforts and the future needs of millions of hiking Americans.

Therefore, I strongly urge my colleagues to join with me in supporting this bill.

Mr. SAYLOR. Mr. Speaker, I yield whatever time he may require to the gentleman from Virginia [Mr. POFF].

Mr. POFF. Mr. Speaker, I support H.R. 4865. However, I am a little distressed that the urgencies of the legislative process make it necessary to consider this bill under suspension of the rules. I share the feeling held by many that meritorious as this legislation is, it could be substantially improved by appropriate amendment.

In the absence of the parliamentary opportunity to consider the amendments, I would like to attempt to write a little legislative history. For that purpose, I quote herewith the pertinent parts of a letter dated July 1, 1968, addressed to me by a constituent:

> I was distressed to read in the morning Roanoke Times the enclosed article concerning the Appalachian Trail.
>
> While the idea of a national system of trails may be good, this bill, unless recently changed, provides for securing by eminent domain if necessary, a 400-foot wide right-of-way, including adjacent scenic locations.
>
> This means that many private landowners who have invested in a few remote acres to build a summer "getaway," will not have the public trampling through their front yard. In many cases a summer home may have been built on the most scenic location in the area, and the bill as I understand it, authorizes acquisition of these scenic locations as well, even though there may be cabins situated there.
>
> In my case the trail follows the driveway for over four miles and the legislation prohibits cars using the trail. Will this legislation prohibit me from driving to my summer residence?
>
> Most of the landowners that I know along the trail are quite generous and they have permitted various Appalachian Trail Clubs from Maine to Georgia to route trails over their land. They are now being rewarded for their good citizenship by federal takeover of their private land.
>
> Please study this bill carefully and see if it can't be changed so as to permit re-routing of various sections of the trail, rather than taking it away from private individuals. Certainly this is a reasonable alternative.

I mailed a copy of that letter to the distinguished chairman of the National Parks and Recreation Subcommittee, the gentleman from North Carolina [Mr. TAYLOR]. In reply, I received a letter dated July 10, which reads in pertinent part as follows:

> H.R. 4865 will probably be on the House Floor next Monday under suspension of rules. The bill authorizes the Interior Department to secure by eminent domain an area not to exceed 25 acres per mile for trail right of way. This would average a strip 200 feet wide, not 400 feet wide. I am sure that the Department will administer the bill in such a way to interfere with development near the trail as little as possible. This legislation could not prohibit Mr. Vail from driving to his summer residence. In my opinion, after this is in operation Mr. Vail will hardly notice the difference in administration. It could, however, result in a slight increase in the number of people using the trail.

In light of the foregoing exchange of correspondence, I am confident that the Interior Department in the administration of policy under this program will fully honor and respect all of the fee simple rights, easements, and appurtenances of landowners in, on, or in the vicinity of, the Appalachian Trail.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. SAYLOR. I yield to the gentleman from Iowa.

Mr. GROSS. Where is it proposed to get the $6 million?

Mr. SAYLOR. From the land and water conservation fund.

Mr. GROSS. Where does it get its money?

Mr. SAYLOR. It gets its money from four sources.

Mr. GROSS. Printing presses, the taxpayers, or what?

Mr. SAYLOR. It gets its money in accordance with the bill that was just signed today: from the proceeds of the so-called Golden Eagle Passport, entrance and user fees, the sale of surplus property, the motorboat fuels tax, and from the fifth source, which is offshore oil as of today.

Mr. GROSS. If the gentleman will yield further, if the money did not go for such purposes, as those outlined in this bill then it would go to the Treasury, would it not?

Mr. SAYLOR. That is correct.

Mr. GROSS. And we would not have so much debt, deficit, and interest.

Mr. SAYLOR. I would say to my colleague that this is correct; but the House in its wisdom——

Mr. GROSS. In its what?

Mr. SAYLOR. The House in its wisdom——

Mr. GROSS. I see.

Mr. SAYLOR. ——decided some weeks ago that this is the course they wanted to follow. The conferees agreed to it, the President signed the bill, and it is now law.

Mr. TAYLOR. Mr. Speaker, I rise in support of this legislation.

Mr. Speaker, the bill now before the House is one which will enable us to vastly expand our outdoor recreation base with a minimum Federal investment. H.R. 4865, as recommended by the committee, establishes a national trails system consisting of three principal components: First, national recreation trails; second, national scenic trails; and, third, connecting or side trails.

Six years ago, the Outdoor Recreation Resources Review Commission reported that "the simple activities are the most popular" outdoor activities. It stated that walking for pleasure was one of the four most popular recreation activities of Americans. Because of this interest, the Committee on Interior and Insular Affairs has made an intensive effort to establish a program which will enable the Federal, State, and local governments to work together to meet this growing need.

As the subcommittee moved forward with the consideration of this legislation, we kept clearly in mind the importance of keeping the immediate costs of this program at a minimum. We were also guided by the fact that we consider this to be a pilot program, at this time, and we are recommending a formula whereby new trails might, after thorough study, be added to the system. Another consideration of the subcommittee involved the importance of continued participation of the States, local governments, and private organizations in the creation, development, and operation of trails.

The bill before us establishes the Appalachian Trail as the first national scenic trail. The Appalachian Trail was started over 40 years ago on the initiative of many private individuals. It is the pioneer in the field of continuous, natural trails. Although there are some areas where the trail is threatened by adverse development, some 2,000 miles is presently in use. A great effort has been made by the members of the groups affiliated with the Appalachian Trail Conference to develop and maintain the trail from Maine to Georgia and the 12 other States through which it passes. Largely because of the efforts of these 25,000 people, it is estimated that this trail experienced 1 million days of visitors use in 1966. In testimony before the committee, Stanley Murray, chairman of the Appalachian Trail Conference, stated that it was apparent that the Appalachian Trail cannot survive without some more definite means for assuring the preservation of the right-of-way. The only means we can see for achieving permanent protection for the Appalachian Trail, he said, is Federal legislation.

The Appalachian Trail will afford us a meaningful way to evaluate future proposals because it will enable the administrative authority to negotiate cooperative agreements for the use of private lands for trail purposes. Such agreements have been used in the past very successfully and we hope that they will continue to be a means for achieving the objective sought under this legislation. It should also afford us some valuable experience in developing a pattern for cooperation between local, State and Federal agencies. Finally, the authorization and establishment of the Appalachian National Scenic Trail will provide us with some information with respect to development, management, and operation costs which will be useful when we consider proposed additions to the system in the years ahead.

We left in the bill a section providing for an advisory council for the Appalachian Trail because we wished to retain and make use of the extensive citizen interest in this trail. However, the committee struck out a provision providing that the advisory council would receive expenses and per diem for attending meetings. The committee thought that the Appalachian Trail enthusiasts would serve willingly without compensation for expenses.

In addition, the bill authorizes the Secretary of the Interior and the Secretary of Agriculture, where appropriate, to study 13 other trails for possible congressional designation as national scenic trails. I might say that three of these trails were recommended for immediate authorization—the Potomac Heritage, the Continental Divide, and the Pacific Crest—however, it was the opinion of the subcommittee that further study was needed before we should proceed with their authorization. The bill outlines, in considerable detail, the information required to be included in the reports recommending the establishment of future national scenic trails.

The bill provides that the Appalachian National Scenic Trail is to be administered "primarily as a footpath." While retaining this language, the committee report emphasizes that this terminology does not mean that the trail would be administered exclusively for foot travel. We pointed out in the committee report that horseback riding is presently permitted on some segments of the Appalachian Trail and we want to make sure that the legislative history is abundantly clear that we do not plan to discontinue horseback riding where it is now permitted.

There is sufficient flexibility in the bill for future recreation trails. These trails will be located in or near the Nation's urban areas on lands administered by Federal, State, or local governmental agencies.

They will not necessarily be continuous or extended trails, like the scenic trails, but they will be adequate to meet a variety of public uses. We anticipate that the national recreation trails will be developed to accommodate, for example, people who merely want to get outside for a Sunday stroll. Some may be specially designed for horseback riders and some may be constructed to accommodate bicycle riders or even "tote goat" or trail bike enthusiasts. We view these trails as intensive public-use facilities which will help to meet the great need for outdoor recreation opportunities for the Nation's city dwellers.

Some of the recreation trails will be located in national parks and national forests and will be constructed and administered by the National Park Service or the National Forest Service. This legislation encourages the States to establish and administer recreation trails in State parks and the States could use land and water conservation funds for this purpose.

The legislation encourages local units of government to establish and administer recreation trails near urban centers. Such trails could be suitably marked as parts of the Nationwide System of Trails, with the approval of the Secretary of the Interior.

Mr. Speaker, H.R. 4865, as amended, provides the means for establishing an effective system of recreation and scenic trails. Trails under this plan should be a great bargain both dollar-wise and recreation-wise. A little money invested in this program could go a long way toward providing recreation resources which will be very valuable assets in the years ahead.

Mr. SAYLOR. Mr. Speaker, I yield such time as he may consume to the gentleman from Utah [Mr. BURTON].

Mr. BURTON of Utah. Mr. Speaker, I am in favor, and support, the legislation establishing a national system of trails. This bill has particular significance for Utah.

Included in the system of trails are the Mormon Pioneer Trail and the Mormon Battalion Trail.

I have a personal interest in these two trails. My grandfather, Thomas Walton Burton, migrated to Utah by walking over the Mormon Pioneer Trail in 1855-56. My wife, Janice, is a descendant of a member of the Mormon Battalion. James Shupe, her paternal grandfather, was one of the battalion volunteers who made the long trek and then settled in North Ogden upon its completion. Thomas Walton Burton, with his older brother, William, first established in Kaysville and later moved to Ogden.

The two Utah-connected routes are in good company in the bill. Also to be studied are, for example, the Lewis and Clark Trail, the Oregon Trail, the Santa Fe Trail, gold rush trails in Alaska, and some of the famous old cattle trails of the Southwest.

One trail, the Appalachian, which extends some 2,000 miles from Maine to Georgia, is established by the bill as the initial national scenic trail. It is the only trail actually included in the system; all others mentioned in the legislation are designated for study.

Most people have heard of the Mormon Pioneer Trail, whether they are Mormons or Utahans or whatever. The Mormon Battalion route is not so well known. The way of the pioneers, of course, carried them from Nauvoo, Ill., to Salt Lake City, and traversed the intervening States of Iowa, Nebraska, and Wyoming.

On some of my travels between Washington and Utah, I have taken occasion to follow sections of the Mormon Pioneer route. I recently visited again the fascinating city of Nauvoo, located on the banks of the Mississippi River and currently undergoing restoration. The restoration, in fact, is well-advanced.

Like many other Utahans, I have also crossed the Mormon Pioneer Bridge which spans the Missouri near Omaha, visited the cemetery at Florence, Nebr., where some of those who did not complete the march westward are buried, and stood at the site near Devil's Gate in Wyoming where disaster overtook some of the handcart companies.

But the route is not always easy to follow. In some places today's modern highways pursue the same trail. But in others, a person has to be almost a pioneer himself to find it. The trail should be properly marked and the necessary work done to make it a living memorial that today's history buffs and the public in general can locate and follow.

It was upon my recommendation that the House committee added the Mormon Battalion Trail to the list of routes to be studied. The battalion story is an extremely interesting one. But it has been somewhat lost sight of, probably because of the great attention given to the other Mormon march. The Battalion Trail begins at Mount Pisgah, Iowa, and follows a 2,000-mile course through Kansas, Colorado, New Mexico, and Arizona to San Diego, and then Los Angeles, Calif. The marchers were members of the Mormon faith who answered a call from the Government to fight in the war with Mexico.

Some 500 men volunteered. They were organized at Fort Leavenworth and assigned to the command of Lt. Col. Philip St. George Cooke, a West Pointer who later served the Union as a general in the Civil War. The march was not particularly important from a military standpoint, although some successful artillery engagements did take place. But from the standpoint of trailblazing and exploration, it was significant.

The battalion located the most feasible route between Sante Fe and the west coast, a route that was later followed by thousands of immigrants and two continental railroads, the Sante Fe and the Southern Pacific. Colonel Cooke, in paying tribute to the battalion at the end of the campaign, said:

> History may be searched in vain for an equal march of infantry. Nine-tenths of it has been through wilderness, where nothing but savages and wild beasts are found, or deserts where, for want of water, there are no living creatures . . . Thus marching, half-naked and half-fed, and living upon wild animals, we have discovered and laid a road of great value to our country.

I think the idea of a national system of trails is a good one. And, certainly, the Utah-connected trails are important parts of it.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. SAYLOR. I am happy to yield to the gentleman from Iowa.

Mr. GROSS. I have just been informed that the water resources fund, or whatever you call it, is in the red by a million dollars. Is that possible?

Mr. SAYLOR. Potentially. That is why the Congress decided to pass this bill and get it out of the red.

Mr. KYL. Mr. Speaker, will the gentleman yield?

Mr. SAYLOR. I yield to the gentleman from Iowa.

Mr. KYL. There is no deficit in the land and water conservation fund. The Congress has authorized a number of projects. The Appropriations Committees of the two bodies have determined that they should pay for these projects out of the land and water conservation fund, which has two aspects: One which uses the money for Federal expenditure and the other for matching money with the States, or through the States by the local governments.

The Congress has authorized projects beyond our ability to finance them from the land and water conservation fund. This year the Congress, as the gentleman from Pennsylvania says, expanded the fund so that we hope there is sufficient money to pay for those projects which have been authorized, but which have not been established completely, where land has not been acquired, and so on. We hope through this land and water conservation fund that we can, out of that fund, take care of the things authorized in the past and we have been authorizing today. There is no secret that the Congress has been a little generous in authorizing these projects, because it is like voting for motherhood, and so on, but when it comes to voting money for the projects we have voted to authorize, it is a little different story, because there is some stigma attached to voting for the funds. But we hope the land and water conservation fund can take care of this.

Mr. BLACKBURN. Mr. Speaker, the Congress of the United States has built a long and distinguished record in meeting the needs of the Nation in a broad range of categories. Not the least of our efforts have been directed toward the recreational needs of the people. We have gone far toward establishing a national park system which can be the envy of the world. Similarly, under the concept of multiple use, our national forests and the reservoirs of the dams, under the Corps of Engineers and the Bureau of Reclamation, all serve as locales for recreational outlet.

Perhaps the greatest recent contribution, administratively, has been the creation of the Bureau of Outdoor Recreation in the Department of Interior, in 1962. Director Ed Crafts and his agency have been charged with the formidable task of studying the recreational needs and capabilities of all Federal, State and local agencies. BOR is further charged with the coordination of the recreation activities of these governmental units, and with the formulation of a nationwide recreation plan.

Prior to the presentation of the nationwide plan the Bureau has been active in developing legislative proposals which, if enacted, would easily fit into the finished national recreational scheme. One such proposal, for which the Bureau of Outdoor Recreation and other cooperating agencies deserve commendation, is that of outlining a nationwide system of trails. Bills to accomplish this were first introduced in the 89th Congress.

In this Congress, my sponsorship of H.R. 16256 places me in company of many of my colleagues who have similarly expressed their support of this concept. Hearings have been held in both Chambers of the Congress and reported to the House and Senate floor. I hope the House will act favorably on this bill, today.

At the time of the hearings in March of last year, the chairman of our Interior Committee said:

> One of the principal reasons the bill was brought up this early in the session is that it is a bill that does not offer too much expense in the immediate future. The acquisition expense is very low. Keeping in mind that there is a $400 million backlog, at the present time, with respect to the appropriation of authorized funds for the purchase of properties for our national park and recreation system. This bill would not add to that amount like some of the other bills that we have before us.

The combination of factors which the distinguished chairman mentioned—a great deal of support coupled with low acquisition cost—would seem to make the trails bill a high priority item for consideration by the Congress. My colleagues are doubtless aware that this year we have slackened greatly from the conservation pace of recent Congresses. Since budgetary considerations plays a major role in this slowdown, I would suggest that our efforts would be well directed to a piece of legislation for which acquisition costs involved are less of a burden.

The testimony of the Interior Department last year cited an acquisition cost of $9,985,000 for all non-Federal lands lying on the four proposed national trails—Appalachian, Continental Divide, Pacific Crest, and Potomac Heritage—with a total trail mileage of over 8,200 miles, even though the Appalachian Trail is the only national trail designated as such in the bill before the House.

The departmental statement expressed the hope, "that satisfactory written cooperative agreements can be negotiated which will materially reduce the need for land acquisition, and thus the estimated cost."

Members would certainly welcome such a development, but we must bear in mind that the delay we are experiencing is probably adding to the ultimate cost because of the almost universally prevalent appreciation in value of choice recreational lands.

Perhaps some statistics gathered from the BOR publication, Outdoor Recreation Trends will help in showing the importance of providing an adequate trail system in the United States.

First it should be noted that the statistics were gathered in 1965 and compared with a similar survey taken in 1960 for the Outdoor Recreation Resources Review Commission.

I have selected from the data those items of recreation activity which utilize trails, in whole or in part. The figures are shown in table 1:

TABLE 1.—SUMMERTIME PARTICIPATION IN OUTDOOR RECREATION ACTIVITIES

[Millions of Occasions]

1965 rank	Activity	1960	1965	1980	2000
1	Walking for pleasure	566	1,030	1,539	2,581
5	Bicycling	228	467	617	860
11	Nature Walks	98	117	173	274
15	Hiking	34	50	89	159
	Total	926	1,664	2,418	3,874

One of the most interesting aspects of the information presented is the top ranking of walking for pleasure. In 1960, the most popular activity was driving for pleasure. The 1960 findings were subsequently used to justify an extensive program of parkway and scenic road development. A similar favorable response to the current findings would seem not only fair, but far less costly.

Medically it is interesting to note that walking and jogging are now viewed as highly beneficial to individuals, especially for adults. Contrariwise, the automobile annually exacts a rising toll of human lives.

The 1965 participation figures in the table represent an increase of 80 percent over 1960 levels. Even more impressive is the projected increase in participation in these four activities by the year 2000—an increase of 133 percent from the 1965 level.

Another question deserving consideration is that of the proximity of the trails to the users. In "Trails for America" it was stated this way:

> A recurring theme in the 1962 report and studies of the Outdoor Recreation Resources Review Commission is the need to provide outdoor recreation opportunities near the homes of people who live in heavily popu-

lated areas. The need is urgent and growing. An estimated three-quarters of the Nation's population will live in a packed urban environment by the turn of the century. Most will be wage earners, significantly affected by automation. Almost all will have increasing amounts of leisure time.

Trails located in or near metropolitan areas and adapted to the use of walkers, hikers, horseback riders, and cyclists are among the best means of accommodating urban recreationists.

The various bills to which I made reference, including H.R. 16257, make provision for the need for close-by recreational facilities in the section on State and metropolitan trails. The terms of the bill direct the Secretaries of Housing and Urban Development, Agriculture, and Interior, through authority vested in them, to encourage State and local officials with whom they deal to establish such trails.

The bill to provide a nationwide system of trails is an excellent means by which to meet a portion of the growing recreational requirements of the United States, at this time.

The Georgia campaign was probably one of the most significant factors in determining the course of the Civil War. Georgia was the industrial and economic heart of the South. Through the destruction or capture of Atlanta's warmaking factories and food-producing plantations, the backbone of the South was broken. Furthermore, President Lincoln was facing a difficult bid for reelection and many people in the North favored a negotiated peace with the South. Thus, a victory was needed to insure Lincoln's reelection.

Gen. Ulysses Grant entrusted the task of taking Georgia into the hands of one of his most able young generals, William T. Sherman. On May 9 through May 13, 1864, the battle of Dalton, Ga., was fought. This was the first battle of the Georgia campaign. During the summer of 1964, battles were fought at such sites at Resaco, Adarsville, Big Shanty, Kennesaw Mountain, and Atlanta. This bloody and ruinous campaign would end with Sherman giving Lincoln his Christmas present of that city—the city of Savannah.

The city of Atlanta has undertaken a project to preserve some of the battle sites of the Atlanta campaign. I now, propose the whole Georgia campaign be memoralized in a national trail that would extend from Dalton, Ga., to Savannah, Ga. To help me formulate plans for this trail, I have appointed a committee of distinguished Georgia historians who are as follows: Mr. Franklin Garrett, director of the Georgia Historical Society; Col. Alan P. Julian, U.S. Army Retired, ex-director of the Georgia Historical Society and Mr. Beverly Dubose, member of the Georgia Historical Commission.

Soon I plan to present a detailed plan for the implemenation of this idea.

For the best possible summary statement, I find that I do best to turn to the distinguished Interior Committee chairman once again who said:

> This is an attractive piece of legislation. One of the nice things about it is that, apparently, the various departments of Government are more or less in the same position of supporting the legislation. I hope that we can move it fairly rapidly and make it one of the contributions of this 90th Congress.

I share this hope.

In summary, I am happy to cast my ballot today in support of H.R. 4865. Prior to my political career I enjoyed many happy hours hiking in the mountains of northern Georgia; particularly along sections of the Appalachian Trail. At times these hikes involved overnight stays. I have encouraged my children, through participation in Boy Scout activities and through cooperation with others to adopt hiking as a pleasurable form of wholesome recreation.

My oldest son, Michael Blackburn, age 15, spent several days along the Appalachian Trail in northern Tennessee in company with my good friend, A. Mims Wilkinson, and his son, Terry, also 15. Thus, it should be apparent to all that my interest in improving the recreational facilities for hiking in the rugged but natural and unspoiled areas of our country is an interest of many years standing, and one of deep personal involvement. I urge my colleagues to give their support to this measure. We have an opportunity to preserve a heritage for our children and those who will come after. Such a heritage can be preserved, but once destroyed, it can not be restored.

Mr. LLOYD. Mr. Speaker, in July of 1967 I went to the town of Atlantic City, Wyo., so named because it is virtually at the foot of the Atlantic Ocean side of the Continental Divide. From Atlantic City, a local resident took me out about 6 miles across public lands and down into a creek bed of Rock Creek, a tributary of the Sweetwater River. At this point there is a modest marker in danger of falling into disrepair. It marks the spot where a Mormon handcart company of 1846 camped in October and fell prey to a heavy snowstorm after their provisions had dwindled to dangerous minimums. About 16 members of that handcart company died in that period and the remainder were rescued by special rescue parties sent by President Brigham Young from Salt Lake City. My grandmother, Susannah Stone, a single girl, was among the survivors.

It was along this trail that the Donner party of 1846 and the first wagon party of Mormon pioneers of 1847 traveled. I am also told it is on a pony express trail. At any rate it was a well-traveled pioneer road of the middle 19th century. The wagon marks are still clearly visible although there has been no travel for many years. In the sagebrush of the area can be found graves of some of those pioneers scattered along the trail.

The spot is little known and scarcely noticed in this country where antelope play in profusion. The trail is still recoverable, and so it is with great satisfaction that I join my fellow Utahans today in hailing this legislation which will authorize a study of several trails, including the Mormon trail and a Mormon battalion trail to determine the feasibility of creating national trails of these historic routes. It is with great personal pleasure that I endorse this legislation.

Mr. PRICE of Illinois. Mr. Speaker, I rise in support of the National Trails Act of 1968 which my distinguished colleagues, the gentleman from North Carolina [Mr. TAYLOR], and the gentleman from Colorado [Mr. ASPINALL] of the Interior Committee have brought to the House for consideration today. It was my privilege to introduce similar measures during the 89th and 90th Congresses.

I am pleased that the committee authorized a study of the proposed Lewis and Clark Trail which would commemorate the famed expedition to the West of Meriwether Lewis and William Clark in the early 19th century. I was especially gratified to note that the Interior Committee chose to amend the original bill to provide that this trail would extend from Wood River, Ill., which is in my district, to the west coast rather than from St. Louis, Mo. It was my pleasure to inform the committee during their hearings last year that historically the Lewis and Clark Expedition originated in Wood River. The explorers and their band of men camped near Wood River in the winter of 1803 before embarking on their arduous trip to the West. It was my pleasure to participate recently in the dedication of a park commemorating this famous jumping off point.

But, Mr. Speaker, I am saddened by the fact that the committee did not include a study of the Mississippi River Trail as I proposed in my original bill. This trail envisioned as stretching the length of the Mississippi from Minnesota in the North to New Orleans, La., in the South—nearly 2,400 miles in length from headwaters to confluence with the Gulf of Mexico.

This trail in Illinois could parallel the Great River Road for which I have been seeking funds. Paralleling the River Road, the Mississippi River Trail would be a suitable complement and conceivably could bisect the Lewis and Clark Trail near Wood River, Ill. As I pointed out in my testimony before the distinguished Taylor subcommittee:

> These arteries could give rise to substantial tourism development in southern Illinois, an area sorely needing economic diversification.

However, I can certainly understand the legislative and budgetary realities which placed constraints on the committee and would never let this outweigh my overall support for this excellent bill. Perhaps at some future date, hopefully not too long from now, when budgetary pressures are less serious, the distinguished subcommittee chaired by the gentleman from North Carolina [Mr. TAYLOR] could favorably consider a study of the Mississippi River Trail.

Again I congratulate my colleagues on the Interior Committee for reporting such an excellent bill and commend it to my friends in the House of overwhelming passage.

Mr. PHILBIN. Mr. Speaker, I am very happy to see this fine bill come to the House.

I originally filed a related bill for the Appalachian National Scenic Trail and as stated in the report that trail "represents almost everything which the pending bill can be expected to provide with respect to the establishment of national scenic trails."

This bill is a great conservation and recreational measure that saves and opens up for public enjoyment and use some of the finest, loveliest natural areas and beauties in the world.

I am very proud to have played a part in this very useful, inspiring project, which holds so much promise for the people of this country, as long as this Nation shall endure, to experience the wholesome rewards of outdoor life in the deep recesses of our forests, the peaceful dales and valleys and lofty mountain fastness.

It would be impossible to measure the benefits this bill will bring to so many people and the real happiness and healthful satisfactions it will give them.

I want to commend and thank my very able distinguished friend, Chairman Aspinall, and his fine committee for reporting out and presenting this bill to the House in such an able, impressive manner.

And I am also very grateful to them for the very thoughtful, effective attention and consideration that they gave to some of the provisions of my bill on Appalachian Trails, which now is realized in so many important respects.

Let me repeat: I am very happy to see this great bill before the House, and I urge that in the name of unnumbered people of this and many succeeding generations, it will be overwhelmingly approved.

Finally, let me sincerely thank all those in the House who are so wholeheartedly supporting this epochal bill.

Mr. GUDE. Mr. Speaker, I want to express my full support of H.R. 4865, the National Trails System Act. Those of us who live in or near our great metropolitan centers are increasingly aware of the need to provide greater opportunities for a variety of outdoor recreational purposes, such as hiking, biking, and horseback riding.

The legislation before us today, establishes guidelines and tools for designating trails located near these urban areas as national recreation trails. In my own State of Maryland, the Appalachian Trail will be designated as the first national scenic trail. Fourteen others throughout the country, including the Potomac Heritage Trail, will be earmarked for intensive study for possible inclusion by Congress at some future date.

Given our present fiscal difficulties and the subsequent need to establish priorities, I think this is a wise approach. As more funds are available for conservation purposes—and, of course, I hope that will be soon—we can look to expanding our national trail system.

In the meantime, local efforts by governmental agencies as well as private organizations such as scout groups and trail clubs, can develop and maintain trails with a view to linking up with a larger network in the future. An example of such a local endeavor can be found right here around our Nation's Capital. Only last week, the Metropolitan Washington Council of Governments began a drive to incorporate some 200 miles of trails into a regional system, all on public land. These trails will link facilities such as regional parks, historic sites, unique physiographic and scenic areas, as well as recreational facilities with our city. Private groups will aid in the development and upkeep of these trails, and the National Park Service has offered assistance in developing a portion of the Potomac Heritage Trail in Virginia from Cabin John Bridge toward Mount Vernon. I strongly feel that such cooperation between the private and the public sector is in keeping with the legislation under consideration and provides a major step forward in achieving trails development objectives.

The SPEAKER. The question is on the motion of the gentleman from North Carolina that the House suspend the rules and pass the bill H.R. 4865, as amended.

The question was taken.

Mr. FULTON of Pennsylvania. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Evidently a quorum is not present.

The Doorkeeper will close the doors, the Sergeant at Arms will notify absent Members, and the Clerk will call the roll.

The question was taken; and there were—yeas 378, nays 18, not voting 36, as follows:

[Roll No. 258]

YEAS—378

Abbitt
Abernethy
Adair
Adams
Addabbo
Albert
Anderson, Ill.
Andrews, Ala.
Andrews, N. Dak.
Annunzio
Arends
Ashbrook
Ashley
Ashmore
Aspinall
Ayres
Baring
Barrett
Bates
Battin
Belcher
Bell
Bennett
Berry
Betts
Bevill
Biester
Bingham
Blackburn
Blatnik
Boggs
Boland
Bolling
Bolton
Brademas
Brasco
Bray
Brinkley
Brock
Brooks
Broomfield
Brotzman
Brown, Calif.
Brown, Mich.
Brown, Ohio
Broyhill, N.C.
Broyhill, Va.
Buchanan
Burke, Mass.
Burleson
Burton, Calif.
Burton, Utah
Bush
Button
Byrne, Pa.
Byrnes, Wis.
Cahill
Carey
Carter
Casey
Cederberg
Celler
Chamberlain
Clancy
Clark
Clausen, Don H.
Clawson, Del
Cleveland
Cohelan
Collier
Colmer
Conable
Conte
Corbett
Corman
Cowger
Cramer
Cunningham
Curtis
Daddario
Daniels
Davis, Ga.
Dawson
Delaney
Dellenback
Denney
Dent
Derwinski
Dickinson
Diggs
Dole
Donohue
Dorn
Dow
Dowdy
Downing
Dulski
Duncan
Dwyer
Eckhardt
Edmondson
Edwards, Calif.
Edwards, La.
Eilberg
Erlenborn
Esch
Eshleman
Evans, Colo.
Everett
Farbstein
Fascell
Feighan
Findley
Fisher
Flood
Flynt
Foley
Ford, Gerald R.
Ford, William D.
Fountain
Fraser
Frelinghuysen
Friedel
Fulton, Pa.
Fulton, Tenn.
Fuqua
Galifianakis
Garmatz
Gathings
Gettys
Gibbons
Gilbert
Gonzalez
Goodling
Gray
Green, Oreg.
Green, Pa.
Griffin
Griffiths
Grover
Gubser
Gude
Gurney
Hagan
Haley
Halleck
Halpern
Hamilton
Hammerschmidt
Hanley
Hanna
Hansen, Wash.
Hardy
Harrison
Harsha
Harvey
Hathaway
Hawkins
Hays
Hébert
Hechler, W. Va.
Heckler, Mass.
Helstoski
Henderson
Hicks
Horton
Hosmer
Howard
Hull
Hungate
Hunt
Hutchinson
Ichord
Irwin
Jacobs
Jarman
Joelson
Johnson, Calif.
Johnson, Pa.
Jonas
Jones, Ala.
Jones, N.C.
Karth
Kastenmeier
Kazen
Kee
Keith
Kelly
Kirwan
Kleppe
Kluczynski
Kupferman
Kuykendall
Kyl
Kyros
Laird
Langen
Latta
Leggett
Lennon
Lipscomb
Lloyd
Long, Md.
Lukens
McCarthy
McClory
McCloskey
McClure
McCulloch
McDade
McDonald, Mich.
McEwen
McFall
McMillan
Macdonald Mass.
MacGregor
Machen
Mahon
Mailliard
Marsh
Martin
Mathias, Calif.
Mathias, Md.
Matsunaga
May
Meeds
Meskill
Miller, Calif.
Mills
Minish
Mink
Mize
Monagan
Montgomery
Moore
Moorhead
Morgan
Morris, N. Mex.
Morse, Mass.
Morton
Mosher
Moss
Murphy, Ill.
Myers
Natcher
Nedzi
Nelsen
Nichols
Nix
O'Hara, Mich.
O'Konski
Olsen
O'Neal, Ga.
O'Neill, Mass.
Ottinger
Passman
Patten
Pelly
Pepper
Perkins
Pettis
Philbin
Pickle
Pike
Pirnie
Poage
Podell
Poff
Pollock
Price, Ill.
Price, Tex.
Pryor
Pucinski
Purcell
Quie
Quillen
Railsback
Randall
Rees
Reid, N.Y.
Reifel
Reinecke
Reuss
Rhodes, Ariz.
Riegle
Rivers
Roberts
Robison
Rodino
Rogers, Colo.
Rogers, Fla.
Ronan
Rooney, N.Y.
Rooney, Pa.
Rosenthal
Rostenkowski
Roth
Roudebush
Roush
Roybal
Rumsfeld
Ruppe
Ryan
St Germain
St. Onge
Sandman
Satterfield
Saylor
Schadeberg
Scheuer
Schneebeli
Schweiker
Schwengel
Scott
Selden
Shipley
Shriver
Sikes
Sisk
Skubitz
Slack
Smith, Calif.
Smith, Iowa
Smith, N.Y.
Smith, Okla.
Snyder
Springer
Stafford
Staggers
Stanton
Steed
Steiger, Ariz.
Steiger, Wis.
Stratton
Stubblefield
Stuckey
Sullivan
Taft
Talcott
Taylor
Teague, Calif.
Teague, Tex.
Tenzer
Thompson, Ga.
Thompson, N.J.
Thomson, Wis.
Tiernan
Tuck
Tunney
Udall
Ullman
Van Deerlin
Vanik
Vigorito
Waldie
Walker
Wampler
Watson
Watts
Whalen
Whalley
White
Whitener
Widnall
Wiggins
Williams, Pa.
Wilson, Bob
Wilson, Charles H.
Wolff
Wyatt
Wydler
Wylie
Wyman
Yates
Young
Zablocki
Zion
Zwach

NAYS—18

Bow
Burke, Fla.
Davis, Wis.
Devine
Edwards, Ala.
Goodell
Gross
Hall
King, N.Y.
Mayne
Michel
Miller, Ohio
Minshall
Reid, Ill.
Scherle
Vander Jagt
Watkins
Winn

NOT VOTING—36

Anderson, Tenn.
Blanton
Cabell
Conyer
Culver
de la Garza
Dingell
Evins, Tenn.
Fallon
Fino
Gallagher
Gardner
Giaimo
Hansen, Idaho
Herlong
Holifield
Holland
Jones, Mo.
Karsten
King, Calif.
Kornegay
Landrum
Long, La.
Madden
Murphy, N.Y.
O'Hara, Ill.
Patman
Rarick
Resnick
Rhodes, Pa.
Stephens
Utt
Waggonner
Whitten
Willis
Wright

So (two-thirds having voted in favor thereof) the rules were suspended and the bill, as amended, was passed.

The Clerk announced the following pairs:

Mr. Evins of Tennessee with Mr. Utt.
Mr. Waggonner with Mr. Fino.
Mr. Holifield with Mr. Gardner.
Mr. Giaimo with Mr. Hansen of Idaho.
Mr. Fallon with Mr. Dingell.
Mr. Madden with Mr. Gallagher.
Mr. Culver with Mr. Murphy of New York.
Mr. Patman with Mr. O'Hara of Illinois.
Mr. Blanton with Mr. Karsten.
Mr. Holland with Mr. Conyers.
Mr. Long of Louisiana with Mr. Kornegay.
Mr. Whitten with Mr. King of California.
Mr. Cabell with Mr. Resnick.
Mr. Landrum with Mr. Stephens.
Mr. Anderson of Tennessee with Mr. Rhodes of Pennsylvania.
Mr. Wright with Mr. Rarick.
Mr. Willis with Mr. de la Garza.

Mr. PETTIS changed his vote from "nay" to "yea."

The result of the vote was announced as above recorded.

The doors were opened.

The title was amended so as to read: "A bill to establish a national trails system, and for other purposes."

A motion to reconsider was laid on the table.

Mr. TAYLOR. Mr. Speaker, I ask unanimous consent for the immediate consideration of a similar Senate bill (S. 827) to establish a nationwide system of trails, and for other purposes.

The Clerk read the title of the Senate bill.

The SPEAKER. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

The Clerk read the Senate bill, as follows:

S. 827

An act to establish a nationwide system of trails, and for other purposes

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

STATEMENT OF POLICY

SECTION 1. (a) The Congress finds that in order to provide for the ever-increasing outdoor recreation needs of an expanding population and to promote public access to, travel within, and enjoyment of, the National and State parks, forests, recreation areas, historic sites, and other areas, existing trails should be improved and maintained and additional trails should be established both in the remaining highly scenic and unspoiled areas and in the metropolitan areas of the Nation.

NATIONWIDE SYSTEM OF TRAILS

(b) To carry out the policy set forth in subsection (a) of this section, there is hereby established a nationwide system of trails composed of (1) trails designated as "national scenic trails" in this Act or subsequent Acts of Congress; (2) park, forest, and other recreation trails on lands within areas administered by the Secretary of the Interior or the Secretary of Agriculture when designated by the appropriate Secretary; (3) park, forest, and other recreation trails on lands administered by the States when designated by the States and approved by the Secretary of the Interior; and (4) recreation trails on lands in and near metropolitan areas when designated by the administering agency and approved by the Secretary of the Interior. The Secretary of the Interior and the Secretary of Agriculture, in consultation with the appropriate Federal agencies, States, local governments, private organizations, and advisory councils, shall select a uniform marker for the nationwide system of trails, and shall provide for the placement upon the uniform marker of a distinctive symbol for each national scenic trail.

DEFINITION OF NATIONAL SCENIC TRAILS

SEC. 2. (a) A national scenic trail eligible to be included in the system is an extended trail which has natural historic and scenic qualities that give the trail recreation use potential of national significance. Such trails could be several hundred miles long, have overnight shelters at appropriate intervals, and be interconnected with other major trails to permit the enjoyment of extended hiking or riding experiences. A standard of excellence in the routing, construction, maintenance, and marking consistent with each trail's character and purpose should distinguish all national scenic trails. Each should stand out in its own right as a recreation resource of superlative quality and physical challenge, and might extend through or into several States.

(b) The following trails are hereby designated as "national scenic trails":

(1) The Appalachian Trail, a trail of some two thousand miles, extending along the Appalachian Mountains from Mount Katahdin, Maine, to Springer Mountain, Georgia, following the route as generally depicted on the map numbered NST–AT–101 which shall be on file and available for public inspection in the office of the Director, National Park Service.

(2) Continental Divide Trail, northern sector, an approximately nine hundred mile segment of the Continental Divide Trail, extending from the Canadian border in Glacier National Park southward generally along the Continental Divide to the intersection of the Divide with the western boundary of Yellowstone National Park, following the route as generally depicted on the map numbered NST–CDT–102 which shall be on file and available for public inspection in the Office of the Chief, Forest Service.

(3) Pacific Crest Trail, a two thousand three hundred and fifty mile trail extending from the Mexican-California border northward generally along the mountain ranges of the west coast States to the Canadian-Washington border near Lake Ross, following the route is generally depicted on the map numbered NST–PC–103, which shall be on file and available for public inspection in the office of the Chief, Forest Service.

(4) Potomac Heritage Trail, an eight hundred and twenty-five mile trail extending generally from the mouth of the Potomac River to its sources in Pennsylvania and West Virginia, including the one hundred and seventy mile Chesapeake and Ohio Canal towpath, following the route as generally depicted on the map numbered NST–PH–102, which shall be on file and available for public inspection in the office of the Director, National Park Service.

FEDERAL, STATE, AND LOCAL PLANNING FOR ADDITIONAL NATIONAL SCENIC TRAILS

(c) The Secretary of the Interior, and the Secretary of Agriculture where lands administered by him are involved, shall make studies of the feasibility and desirability (including costs and benefits) of designating other trails as national scenic trails. Such studies shall be made in consultation with the heads of other Federal agencies administering lands through which the trails would pass and in cooperation with interested interstate, State, local governmental and private agencies and organizations concerned. The two Secretaries shall submit the studies to the President, together with their recommendations resulting therefrom for the inclusion of any or all such trails in the system, and the President shall submit to the Congress such recommendations, including legislation, as he deems appropriate. The studies shall include, among others, all or appropriate portions of—

(1) Continental Divide Trail, southern sector, an approximately two thousand two hundred mile segment of the Continental Divide Trail, extending from near the Mexican border in southwestern New Mexico northward generally along the Continental Divide to the intersection of the divide with the western boundary of Yellowstone National Park.

(2) Chisholm Trail, from San Antonio, Texas, approximately seven hundred miles north through Oklahoma to Abilene, Kansas.

(3) Lewis and Clark Trail, from St. Louis, Missouri, approximately four thousand six hundred miles to the Pacific Ocean in Oregon, following both the outbound and inbound routes of the Lewis and Clark Expedition.

(4) Natchez Trace, from Nashville, Tennessee, approximately six hundred miles to Natchez, Mississippi.

(5) North Country Trail, from the Appalachian Trail in Vermont, approximately three thousand two hundred miles through the States of New York, Pennsylvania, Ohio, Michigan, Wisconsin, and Minnesota, to the Lewis and Clark Trail in North Dakota.

(6) Oregon Trail, from Independence, Missouri, approximately two thousand miles to near Fort Vancouver, Washington.

(7) Santa Fe Trail, from Independence, Missouri, approximately eight hundred miles to Santa Fe, New Mexico.

(8) Long Trail, extending two hundred and fifty-five miles from the Massachusetts border northward through Vermont to the Canadian border.

(9) Mormon Trail, extending from Nauvoo, Illinois, to Salt Lake City, Utah, through the States of Iowa, Nebraska, and Wyoming.

(10) Gold Rush Trails in Alaska.

(11) Mormon Battalion Trail, extending two thousand miles from Mt. Pisgah, Iowa, through Kansas, Colorado, New Mexico and Arizona to Los Angeles, California.

SELECTION OF ROUTES FOR NATIONAL SCENIC TRAILS

(d) The Secretary of Interior shall select the rights-of-way for trails designated as national scenic trails by subsection (b) of this section, paragraphs (1) and (4), and the Secretary of Agriculture shall select the rights-of-way for the trails designated by paragraphs (2) and (3). Such rights-of-way shall be (1) of sufficient width and so located to protect natural conditions, scenic and historic features, and primitive character of the trail area, to provide campsites, shelters, and related public-use facilities, and to provide reasonable public access: *Provided, however,* That acquisitions in fee or lesser interests (including scenic easements) which are acquired other than by agreement with the landowner shall not exceed a total of fifty acres per mile but acquisition in fee shall not exceed twenty-five acres per mile; and (2) located to avoid, insofar as practicable, established highways, motor roads, mining areas, power transmission lines, existing commercial and industrial developments, range fences and improvements, private operations, and any other activities that would be incompatible with the protection of the trial in its natural condition and its use for outdoor recreation. Where practicable, the right-of-way for the Appalachian Trail shall include lands protected for it under agreements in effect on January 1, 1966, to which Federal agencies and States were parties. The location and width of a national scenic trail right-of-way across Federal lands under the jurisdiction of another Federal agency shall be by agreement between the head of that agency and the appropriate Secretary. In selecting a right-of-way, the appropriate Secretary shall obtain the advice and assistance of the States, local governments, private organizations, landowners, the land users concerned, and the advisory council established under subsection (f) of this section. The appropriate Secretary may revise the location and width of a right-of-way from time to time as required by circumstances, with the consent of the head of any other Federal agency involved, and with the advice and assistance of the aforesaid States, local governments, private organizations, landowners, land users, and the advisory council.

The appropriate Secretary shall publish notice of the selection of a right-of-way in the Federal Register, together with appropriate maps and descriptions. If in his judgment changes in the right-of-way become desirable, he shall make the changes in the same manner.

MARKERS TO IDENTIFY NATIONAL SCENIC TRAILS

(e) The Secretary of the Interior and the Secretary of Agriculture, in consultation with the Federal agencies, States, local governments, private organizations concerned, and the advisory councils, shall erect and maintain the uniform marker for the nationwide system of trails at appropriate points along each national scenic trail route, and shall select a symbol for each such trail for placement upon the uniform marker. Where the trail route passes through Federal lands, such marker shall be erected and maintained by the Federal agency administering the lands. Where the trail route passes through non-Federal lands and is administered under cooperative agreements, the Secretary of the Interior and the Secretary of Agriculture shall require the cooperating agencies to erect and maintain such marker

ADVISORY COUNCILS FOR NATIONAL SCENIC TRAILS

(f) The Secretary charged with the selection of the right-of-way for a national scenic trail shall establish an advisory council for each such trail. The appropriate Secretary shall consult with any such council from time to time with respect to matters relating to the trail, including the selection of the right-of-way, the selection, erection, and maintenance of the markers along the trail route, and the administration of the trail. The members of an advisory council shall be appointed for a term not to exceed five years by the appropriate Secretary as follows:

(1) A member appointed to represent each Federal department or independent agency administering lands through which the trail route passes and each appointee shall be the person designated by the head of such department or agency.

(2) A member appointed to represent each State through which the trail passes and such appointments shall be made from recommendations of the Governors of such States.

(3) One or more members appointed to represent landowners and private organizations that, in the opinion of the Secretary, have an established and recognized interest in the trail and such appointments shall be made from recommendations of landowners and the heads of such organizations. In the case of the Appalachian Trail, the Appalachian Trail Conference shall be represented by a sufficient number of persons to represent the various sections of the country through which the trail passes.

The appropriate Secretary shall designate one member to be chairman. Any vacancy in a council shall be filled in the same manner as the original appointment.

Members of an advisory council shall serve without compensation, but the appropriate Secretary may pay the expenses reasonably incurred by the council in the performance of its functions upon presentation of vouchers signed by the chairman.

ACQUISITION, DEVELOPMENT, AND ADMINISTRATION OF LANDS FOR NATIONAL SCENIC TRAILS

(g) Within the exterior boundaries of areas under their administration that are included in the right-of-way selected for a national scenic trail as provided in subsection (d) of this section, the heads of Federal agencies may (1) enter into written cooperative agreements with landowners, States, local governments, private organizations, and individuals in order to develop, operate, and maintain the trail; and (2) subject to limitations set forth in subsection (d) hereof, acquire lands or interests in lands by donation, purchase with donated or appropriated funds, or exchange.

(h) The Secretary of the Interior, in the exercise of his exchange authority, may accept title to any non-Federal property within the right-of-way, and in exchange therefor he may convey to the grantor of such property any federally owned property under his jurisdiction which is located in the States through which the trail passes and which he classifies as suitable for exchange or other disposal. The values of the properties so exchanged either shall be approximately equal, or if they are not approximately equal the values shall be equalized by the payment of cash to the grantor or to the Secretary as the circumstances require. The Secretary of Agriculture, in the exercise of his exchange authority, may utilize authorities and procedures available to him in connection with exchanges of national forest lands.

(i) Where the lands included in a national scenic trail right-of-way are outside of the exterior boundaries of federally administered areas, the States or local governments involved shall be encouraged (1) to enter into written cooperative agreements with landowners, private organizations, and individuals in order to develop, operate, and maintain the trail; and (2) to acquire, develop, and administer such lands or interests therein: *Provided*, That if the State or local governments fail to enter into such agreements or to acquire such lands or interests therein within two years after the selection of the right-of-way, the Secretary charged with the selection of the right-of-way may (1) enter into such agreements with landowners, States, local governments, private organizations, and individuals; and (2) acquire private lands or interests therein by donation, purchase with donated or appropriated funds, or exchange, and may develop and administer such lands or interests therein: *Provided further*, That exchanges shall be governed by the provisions of subsection (h) of this section: ***And provided further***, That the appropriate Secretary shall utilize condemnation proceedings without the consent of the owner to acquire private lands or interests therein pursuant to this subsection only in cases where, in his judgment, all reasonable efforts to acquire such lands or interests therein by negotiation have failed, and in such cases he shall acquire the fee title only where, in his judgment, lesser interests in land (including scenic easements) or written agreements are not adequate, but such acquisitions may be made only to the extent authorized in subsection (d) of this section: ***And provided further***, That neither Secretary may acquire lands, water, or interests therein by condemnation without the owner's consent when 60 per centum or more of the acreage within the entire national scenic trail area is owned by Federal, State, or local governmental agencies, but this limitation shall not apply to the acquisition of scenic easements. Money appropriated for Federal purposes from the land and water conservation fund shall be available for the acquisition of property for the purposes of this section.

(j) The Secretary of the Interior shall develop and administer the Appalachian and Potomac Heritage Trails and the Secretary of Agriculture shall develop and administer the Continental Divide and Pacific Crest Trails, except that any portion of any such trail that is within areas administered by another Federal agency shall be administered in such manner as may be agreed upon by the appropriate Secretary and the head of that agency, or as directed by the President. The Federal agencies shall coordinate their efforts to provide uniform administration and protection of the national scenic trails, and shall give encouragement to, and cooperate with, States, local governments, private organizations, and individuals in promoting the purposes of this section.

National scenic trails shall be administered, protected, developed, and maintained to retain their natural, scenic, and historic features; and provision may be made for campsites, shelters, and related public-use facilities; and other uses, including reasonable crossings, that will not substantially interfere with the nature and purposes of the trails may be permitted or authorized, as appropriate: *Provided*, That the use of motorized vehicles by the general public along any national scenic trail shall be prohibited, and the Appalachian Trail and the Potomac Heritage Trail in Virginia between Great Falls Park and Spout Run shall be developed and maintained primarily as a footpath to retain its natural environment: *Provided further*, That the Federal laws and regulations applicable to Federal lands or areas included in any national scenic trail shall continue to apply to the extent agreed upon by the appropriate Secretary and the head of the agency having jurisdiction over the Federal lands involved, or as directed by the President.

The appropriate Secretary, with the concurrence of the heads of any other Federal agencies administering lands through which a national scenic trail passes, and after consultation with the States, local governments, and private organizations concerned, and any advisory council established under subsection (f) of this section, may issue regulations, which may be revised from time to time, governing protection, management, use, development, and administration of a national scenic trail. Any person who violates a regulation issued pursuant to this Act shall be guilty of a misdemeanor, and may be punished by a fine of not more than $500, or by imprisonment not exceeding six months, or by both such fine and imprisonment.

(k) There are hereby authorized to be appropriated such sums as may be necessary to carry out the provisions of this section, but not to exceed $10,000,000, for land acquisition during the five-year period beginning with the enactment of this Act. No funds for development of the Continental Divide Trail shall be appropriated until sixty days after the Secretary of Agriculture shall submit detailed plans for such development to the respective Committees on Interior and Insular Affairs of the Senate and House of Representatives.

FEDERAL PARK, FOREST, AND OTHER RECREATION TRAILS

SEC. 3. (a) The Secretary of the Interior and the Secretary of Agriculture are directed to improve, expand, and develop park, forest, and other recreation trails for hiking, horseback riding, cycling, and other related uses on lands within areas administered by them: *Provided*, That the use of motorized vehicles by the general public shall be prohibited on such trails within (1) the natural and historical areas of the national park system; (2) the national wildlife refuge system; (3) the national wilderness preservation system; and (4) other Federal lands where trails are designated as being closed to such use by the appropriate Secretary. Such trails may be designated and suitably marked as part of the nationwide system of trails by the appropriate Secretary.

(b) Whenever the Secretary of the Interior makes any conveyance of land under any of the public land laws, he may reserve a right-of-way for trails to the extent he deems necessary to carry out the purposes of this Act.

STATE AND METROPOLITAN AREA TRAILS

SEC. 4. (a) The Secretary of the Interior is directed to encourage States to consider, in their comprehensive statewide outdoor recreation plans and proposals for financial assistance for State and local projects submitted pursuant to the Land and Water Conservation Fund Act, needs and opportunities for establishing park, forest, and other recreation trails on lands owned or administered by States, and recreation trails on lands in or near urban areas. He is further directed, in accordance with the authority contained in the Act of May 28, 1963 (77 Stat. 49), to encourage States, political subdivisions, and private interests, including nonprofit organization, to establish such trails.

(b) The Secretary of Housing and Urban Development is directed, in administering the program of comprehensive urban planning and assistance under section 701 of the Housing Act of 1954, to encourage the planning of recreation trails in connection with the recreation and transportation planning for metropolitan and other urban areas. He is further directed, in administering the urban openspace program under title VII of the Housing Act of 1961, to encourage such recreation trails.

(c) The Secretary of Agriculture is directed, in accordance with authority vested in him, to encourage States and local agencies and private interests to establish such trails.

(d) Such trails may be designated and suitably marked as parts of the nationwide system of trails by the States, their political subdivisions, or other appropriate administering agencies with the approval of the Secretary of the Interior.

UTILITY RIGHTS-OF-WAY

Sec. 5. The Secretary of the Interior and the Secretary of Agriculture are authorized, with the cooperation of the Interstate Commerce Commission, the Federal Communications Commission, the Federal Power Commission, and other Federal agencies having jurisdiction, control over, or information concerning the use, abandonment, or disposition of rights-of-way and similar properties that may be suitable for trail route purposes, to develop effective procedures to assure that, wherever practicable, utility rights-of-way or similar properties having value for trail route purposes may be made available for such use.

AMENDMENT OFFERED BY MR. TAYLOR

Mr. TAYLOR. Mr. Speaker, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. Taylor: Strike out all after the enacting clause of S. 827 and insert in lieu thereof the provisions of H.R. 4865, as passed.

The amendment was agreed to.

The Senate bill was ordered to be read a third time, was read the third time, and passed.

TITLE AMENDMENT OFFERED BY MR. TAYLOR

Mr. TAYLOR. Mr. Speaker, I offer an amendment to the title of the Senate bill.

The Clerk read as follows:

Amendment offered by Mr. Taylor: Amend the title so as to read: "A bill to establish a national trails system, and for other purposes."

The title amendment was agreed to.

A motion to reconsider was laid on the table.

A similar House bill (H.R. 4865) was laid on the table.

GENERAL LEAVE TO EXTEND

Mr. TAYLOR. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to extend their remarks on the bill just passed.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

PROVIDING INDEMNITY PAYMENTS TO DAIRY FARMERS

Mr. POAGE. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 17752) to provide indemnity payments to dairy farmers.

The Clerk read as follows:

H.R. 17752

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of Agriculture is authorized to make indemnity payments, at a fair market value, to dairy farmers who have been directed since January 1, 1964, to remove their milk from commercial markets because it contained residues of chemicals registered and approved for use by the Federal Government at the time of such use. Such indemnity payments shall continue to each dairy farmer until he has been reinstated and is again allowed to dispose of his milk on commercial markets.

Sec. 2. There is hereby authorized to be appropriated such sums as may be necessary to carry out the purposes of this Act.

Sec. 3. The authority granted under this Act shall expire on June 30, 1969.

The SPEAKER. Is a second demanded?

Mr. BELCHER. Mr. Speaker, I demand a second.

The SPEAKER. Without objection, a second will be considered as ordered.

There was no objection.

Mr. WHITE. Mr. Speaker, H.R. 17752 provides for the extension of expiring authority for the Secretary of Agriculture to make indemnity payments, at a fair market value, to dairy farmers who have been directed, since January 1, 1964, to remove their milk from commercial markets because it contained residues of chemicals, registered and approved for use by the Federal Government at the time of such use.

In my area, this problem arises chiefly from the use of DDT and other insecticide sprays on cotton crops. It is often carried by the wind to nearby pasturelands for dairy cattle, and may remain as a contaminant of milk for a long time. There have been many cases where milk from cows grazed in such pasturelands may pass the high standards of State health departments, and still be ineligible for interstate shipment.

Obviously, there is much more work to be done in this regard, and being done by the Agricultural Research Service. Until new chemicals, or new means of application are developed; or new standards of acceptance of milk for interstate shipment are approved, dairy farmers of my area will continue to suffer serious losses in this regard. H.R. 17752, introduced by myself and my colleague, the gentleman from Arkansas [Mr. Pryor], is intended to protect the dairy farmer while the scientists of the Department of Agriculture provide a workable solution.

It is my hope that the legislation will no longer be necessary after the expiration date of the authority in our bill, June 30, 1969.

Clearly, the solution is not simply to forbid use of certain insecticides, without providing others that are equally effective. By such action, we would merely be switching damages from dairy cattle to cotton crops. American agriculture has made giant strides in research in recent years, and I believe that—if we can buy ourselves a little more time through this legislation, we shall solve the problem to everyone's satisfaction.

Thank you.

Mr. PRYOR. Mr. Speaker, H.R. 17752, which I cosponsor with the gentleman from Texas [Mr. White], does one thing.

It indemnifies dairy farmers, who through no fault of their own, have their milk removed from the commercial markets because it has been contaminated by residues of chemicals registered and approved for use by the Federal Government.

Although the instances where the provisions for milk indemnity payments have not been numerous, it is of extreme importance to those dairymen who have been involved.

While we are protecting the health and welfare of the citizens of our Nation, we believe that we must also help protect the economic welfare of dairy farmers who could be forced into bankruptcy through no carelessness of their own.

Mr. Speaker, this is not "new" legislation. It does extend for a 1-year period the present law.

It is good legislation. It is sound legislation. It is just legislation.

The SPEAKER. The question is on the motion of the gentleman from Texas that the House suspend the rules and pass the bill H.R. 17752.

The question was taken; and (two-thirds having voted in favor thereof), the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

Mr. POAGE. Mr. Speaker, I ask unanimous consent for the immediate consideration of a similar Senate bill (S. 3638) to extend for 3 years the authority of the Secretary of Agriculture to make indemnity payments to dairy farmers for milk required to be withheld from commercial markets because it contains residues of chemicals registered and approved for use by the Federal Government.

The Clerk read the title of the Senate bill.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

The Clerk read the Senate bill, as follows:

S. 3638

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 3 of Public Law 90–95, approved September 28, 1967 (81 Stat. 231; 7 U.S.C. 4501), is amended by striking out "June 30, 1968" and inserting in lieu thereof "June 30, 1971".

AMENDMENT OFFERED BY MR. POAGE

Mr. POAGE. Mr. Speaker, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. Poage: Strike all after the enacting clause of S. 3638 and insert in lieu thereof the provisions of H.R. 17752, as passed.

The amendment was agreed to.

The Senate bill was ordered to be read a third time, was read the third time, and passed.

The title was amended so as to read: "An act to provide indemnity payments to dairy farmers."

A motion to reconsider was laid on the table.

A similar House bill (H.R. 17752) was laid on the table.

AMENDMENT TO PART I OF THE FEDERAL POWER ACT

Mr. STAGGERS. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 12698) to amend part I of the Federal Power Act to clarify the manner in which the licensing authority of the Commission and the right of the United States to take over a project or projects upon or after the expiration of any license shall be exercised, as amended.

The Clerk read as follows:

H.R. 12698

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 7 of the Federal Power Act, as amended (16 U.S.C. 800), is amended by adding thereto the following new subsection:

"(c) Whenever, after notice and opportunity for hearing, the Commission determines that the United States should exercise its right upon or after the expiration of any license to take over any project or projects for public purposes, the Commission shall not issue a new license to the original licensee or to a new licensee but shall submit its recommendation to Congress together with such information as it may consider appropriate."

SEC. 1. Section 14 of the Federal Power Act, as amended (16 U.S.C. 807), is amended by inserting "(a)" immediately preceding the first sentence thereof and by adding thereto the following new subsection:

"(b) No earlier than five years before the expiration of any license, the Commission shall entertain applications for a new license and decide them in a relicensing proceeding pursuant to the provisions of section 15. In any relicensing proceeding before the Commission any Federal department or agency may timely recommend, pursuant to such rules as the Commission shall prescribe, that the United States exercise its right to take over any project or projects. Thereafter, the Commission, if it does not itself recommend such action pursuant to the provisions of section 7(c) of this part, shall upon motion of such department or agency stay the effective date of any order issuing a license, except an order issuing an annual license in accordance with the proviso of section 15(a), for two years after the date of issuance of such order, after which period the stay shall terminate, unless terminated earlier upon motion of the department or agency requesting the stay or by action of Congress. The Commission shall notify the Congress of any stay granted pursuant to this subsection."

SEC. 3. Section 15 of the Federal Power Act, as amended (16 U.S.C. 808), is amended by inserting "(a)" immediately preceding the first sentence thereof and by adding thereto the following new subsection:

"(b) In issuing any licenses under this section, except an annual license, the Commission, on its own motion or upon application of any licensee, person, State, municipality, or State commission, after notice to each State commission and licensee affected, and after opportunity for hearing, whenever it finds that in conformity with a comprehensive plan for improving or developing a waterway or waterways for beneficial public uses all or part of any licensed project should no longer be used or adapted for use for power purposes, may license all or part of the project works for nonpower use. A license for nonpower use shall be issued to a new licensee only on the condition that the new licensee shall, before taking possession of the facilities encompassed thereunder, pay such amount and assume such contracts as the United States is required to do, in the manner specified in section 14 hereof. Any license for nonpower use shall be a temporary license. Whenever, in the judgment of the Commission, a State, municipality, interstate agency, or another Federal agency is authorized and willing to assume regulatory supervision of the lands and facilities included under the nonpower license and does so, the Commission shall thereupon terminate the license. Consistent with the provisions of the Act of August 15, 1953 (67 Stat. 587), every licensee for nonpower use shall keep such accounts and file such annual and other periodic or special reports concerning the removal, alteration, nonpower use, or other disposition of any project works or parts thereof covered by the nonpower use license as the Commission may by rules and regulations or order prescribe as necessary or appropriate."

SEC. 4. Section 10(d) of the Federal Power Act, as amended (16 U.S.C. 803), is amended by adding at the end thereof the following:

"For any new license issued under section 15, the amortization reserves under this subsection shall be maintained on and after the effective date of such new license."

The **SPEAKER.** Is a second demanded?

Mr. SPRINGER. Mr. Speaker, I demand a second.

The **SPEAKER.** Without objection, a second will be considered as ordered.

There was no objection.

Mr. SPRINGER. Mr. Speaker, I support H.R. 12698, with the amendments recommended by the Committee on Interstate and Foreign Commerce.

The Subcommittee on Communications and Power, of which I have the privilege to be a member, held 3 days of hearings on this bill and heard testimony from representatives of the Federal Power Commission and various segments of the electric power industry. Although the witnesses differed on some of the details, all agreed that legislation along these lines is necessary in order to clarify the procedures which the Federal Power Commission should follow in determining whether to relicense a hydroproject or whether to recommend takeover by the United States.

As stated in the committee report—Report No. 1643, 90th Congress, second session—the committee proposed two substantive amendments to the bill.

The first of these would reduce the period of time during which the effective date of a new license could be stayed at the request of a Federal department or agency. Our committee decided that 2 years was sufficient to permit the Congress to consider such a request by a Federal agency, and if the Congress had not acted within that 2-year period, the Commission should proceed to relicense the project.

The second substantive amendment adopted by the committee would delete a proposed new section 15(b) of the Federal Power Act. This provision would have allowed the Commission to impose additional conditions upon the licensee after the issuance of the new license.

The committee felt that this provision was unnecessary in light of the Federal Power Commission's existing authority under section 10(c), 10(g), and 14 of the act.

Section 10(c) provides that all licenses "shall conform to such rules and regulations as the Commission may from time to time prescribe for the protection of life, health, and property. Thus, even during the term of the license the Commission may promulgate rules and regulations relating to "protection of life, health, and property," and the licensee would be obliged to comply with such regulations.

Section 10(g) provides that all licenses shall contain "such other conditions not inconsistent with the provisions of this act as the Commission may require." Thus, at the time of relicensing, the Commission may require appropriate conditions to be included in the new license. These could be new conditions in addition to those required during the initial term.

Section 14 expressly reserves the right of the United States or any State or municipality to take over any licensed project at any time by condemnation proceedings upon payment of just compensation. This is a right above and beyond any conditions imposed in the license itself.

Moreover, the committee felt that the proposed new section 15(b) would be a complete departure from the concept embodied in part I of the Federal Power Act, that a license, once accepted, becomes a contract between the Government and the licensee. It would in effect repeal the following provisions of section 6 of the present Federal Power Act:

> Licenses may be revoked only for the reasons and in the manner prescribed under the provisions of this Act, and may be altered or surrendered only upon mutual agreement between the licensee and the Commission after thirty days public notice.

In view of the statutory provisions and this testimony, the Committee felt that it was unnecessary to grant the Federal Power Commission the additional authority requested by it in proposed subsection 15(b).

As stated in the committee report, the other changes recommended by the committee to the FPC-proposed bill are in the nature of technical and clarifying amendments.

Mr. Speaker, I support the bill in the form recommended by the Committee on Interstate and Foreign Commerce.

Mr. BATTIN. Mr. Speaker, will the gentleman yield?

Mr. STAGGERS. I yield to the gentleman from Montana.

Mr. BATTIN. I thank the gentleman.

In explaining the committee amendment striking out proposed section 15(b) of the Federal Power Act—which would have given the Federal Power Commission specific authority to impose additional conditions on a hydroelectric power project licensee after the license was issued—the committee report states on page 2:

> The committee feels that this provision is unnecessary in light of the Federal Power Commission's power to insert so-called open-

end conditions in hydroelectric power project licenses.

Was this intended to mean that the Committee on Interstate and Foreign Commerce feels that the Federal Power Commission now has the authority set forth in proposed section 15(b) of the introduced bill?

Mr. STAGGERS. No; certainly not. The Federal Power Commission has authority under section 10(g) of the Federal Power Act to include in hydroelectric power project licenses "conditions not inconsistent with the provisions of this act." Under this authority, the FPC includes so-called open-end provisions in hydroelectric power project licenses. Typical open-end conditions relate to water releases, joint use of project reservoirs and properties, installation capacity, maintenance and operation of facilities, and conservation and development of fish and wildlife resources.

Mr. Speaker, I submit for the Record a letter to me relating to this authority to include these so-called open-end conditions in hydroelectric power project licenses:

Federal Power Commission,
Washington, D.C., June 24, 1968.

Hon. Harley O. Staggers,
Chairman, Committee on Interstate and Foreign Commerce, House of Representatives, Washington, D.C.

Dear Mr. Chairman: This responds to your request for my personal views as to whether Commission can condition licenses issued pursuant to Section 15 of the Federal Power Act to provide for periodic evaluation of projects during their license terms, with the imposition, where appropriate, of additional requirements directed at maintaining comprehensive development. In my view the Commission can impose such a condition at the time it issues a Section 15 license. In reaching this conclusion I have examined the Congressional objective underlying enactment of the Federal Water Power Act of 1920 (now Part I of the Federal Power Act), the language of the Act itself and the relevant judicial constructions. It should be understood that I have neither advised the Commission of the question which you addressed to me nor consulted with it with regard to the substance of my response.

"The central purpose of the Federal Water Power Act" as the Supreme Court has recognized "was to provide for the comprehensive control over those uses of the Nation's water resources in which the Federal Government had a legitimate interest." *F.P.C.* v. *Union Electric Co.*, 381 U.S. 90, 98. It "was the outgrowth of a widely supported effort of the conservationists to secure enactment of a complete scheme of national regulation which would promote the comprehensive development of the water resources of the Nation, insofar as it was within the reach of the federal power to do so." *First Iowa Hydro-Electric Coop.* v. *F.P.C.*, 328 U.S. 152, 180.

Prior to the enactment of the 1920 Act each development proposed to be located on a navigable waterway required explicit Congressional approval. The unsatisfactory nature of this ad hoc procedure, which was not capable of guaranteeing comprehensive development, led President Roosevelt to exercise his veto prerogative. In his message accompanying his veto of a bill which would have relinquished important power sites on the Rainey River to private interests he laid the foundation for the 1920 Act:

"We are now at the beginning of great development in water power. Its use through electrical transmission is entering more and more largely into every element of the daily life of the people. Already the evils of monopoly are becoming manifest; already the experience of the past shows the necessity of caution in making unrestricted grants of this great power.

"It should also be the duty of some designated official to see to it that in approving the plans the maximum development of the navigation and power is assured, or at least that in making the plans these may not be so developed as ultimately to interfere with the better utilization of the water or complete development of the power. 42 Cong. Rec. 4698"

Congress sought to realize its "central purpose" through the enactment, in particular, of Sections 10(a) and (g) of the Act. By the former, Congress has directed that all licenses issued under Part I shall be on the condition "that the project adopted, including the maps, plans, and specifications, shall be such as in the judgment of the Commission will be best adapted to a comprehensive plan for improving or developing a waterway or waterways for the use or benefit of interstate or foreign commerce, for the improvement and utilization of waterpower development, and for other beneficial public uses, including recreational purposes; and if necessary in order to secure such plan the Commission shall have the authority to require the modification of any project and of the plans and specifications of the project works before approval." See also Section 4(g) which authorizes the Commission to make investigations and "to issue such order as it may find appropriate, expedient, and in the public interest to conserve and utilize the navigation and water-resources of the region." By virtue of Section 10(g) the Commission is authorized to impose upon the licensee "such other conditions not inconsistent with the provisions of this Act as the Commission may require."

Each of these provisions has received close judicial scrutiny and it is no longer open to question that in delegating licensing responsibility the "Congress gave the Federal Power Commission sweeping authority and a specific planning responsibility." *Scenic Hudson Preservation Conference* v. *F.P.C.* 354 F. 2d 608, 613 (CA2, 1965), cert. den. 384 U.S. 941 (1966). In discharging this planning responsibility the Commission, notwithstanding the limitations of the presentations made to it, independently must establish that the project approved will satisfy the Section 10(a) comprehensive development standard. See *Udall* v. *F.P.C.*, 387 U.S. 428 (1967).

The authority to impose reasonable license conditions is one of the Commission's principal means of achieving comprehensive development (*F.P.C.* v. *Idaho Power Co.*, 344 U.S. 17) and that authority has been so utilized. For example, in *California* v. *F.P.C.*, 345 F. 2d 917 (CA9, 1965), cert. den. 382 U.S. 941 (1965), after some broad references to the Commission as the "guardian of the public domain" (345 F. 2d 923) and to the fact that "the issuance of a license can be justified only on the theory of a resulting benefit to the public" (*ibid.*), the Court upheld a condition which permitted the Commission to alter, during the license term, water releases in the interest of protecting salmon runs. In *Pacific Power & Light* v. *F.P.C.*, 333 F. 2d 689, 697 (CA9, 1964), cert. den. 379 U.S. 969 (1965) the Court, in upholding a condition relating to the construction of a fish hatchery, noted the "wide latitude" given the Commission and concluded that "its judgment should not be disturbed unless exercised in an arbitrary manner." And in *Niagara Mohawk Power Corp.*, v. *F.P.C.*, 379 F. 2d 153, 158–159 (1967), the Court of Appeals for the District of Columbia Circuit admonished that:

"The Act is not to be given a tight reading wherein every action of the Commission is justified only if referable to express statutory authorization. On the contrary, the Act is one that entrusts a broad subject-matter to administration by the Commission, subject to Congressional oversight, in the light of new and evolving problems and doctrines. * * * we stress the undeniable significance, in showing latitude accorded to the Commission, of the statutory provisions authorizing the Commission to issue licenses on conditions. * * * As for the Act here involved, we agree with the observation of the Third Circuit, that Congress intended by Section 10(g) 'to give to the Commission wide latitude and discretion in the performance of its licensing and regulatory functions.'" *Metropolitan Edison Co.*, v. *F.P.C.*, 169 2d 719, 723 (3d Cir. 1948).

In recent years the Commission, aware that it is unable, at the time of license issuance, to solve all of the problems that subsequently may have to be met if comprehensive development is to be maintained, has imposed what may be termed limited subject open-end conditions which permit the alteration of requirements during the license term. Typical open-end conditions relate to water releases, joint use of project reservoirs and properties by the licensee and others, installation of additional capacity, coordination of project operation both electrically and hydraulically with other projects and power systems and construction, maintenance and operation of facilities for the conservation and development of fish and wildlife resources. To date, to my knowledge, only one open-end condition has been questioned by a court and there it was on the ground of vagueness, not because of an absence of authority on the part of the Commission to promulgate such conditions. *Rumford Falls Power Co.*, v. *F.P.C.*, 355 F. 2d 683 (CA1, 1966). It should be noted that where the additional requirements relate to the protection of life, health or property they can be imposed notwithstanding the absence of an open-end condition in the license. Section 10(c) expressly so provides. However, that section in no way limits the authority of the Commission to impose appropriate open-end conditions; it merely guarantees that the Commission will not be denied the ability to act to protect life, health or property by reason of the absence of a license reservation.

Thus far I have not focused on section 6 of the Act which, in relevant part, provides that:

"Each such license shall be conditioned upon acceptance by the licensee of all the terms and conditions of this Act and such further conditions, if any, as the Commission shall prescribe in conformity with this Act, which said terms and conditions and the acceptance thereof shall be expressed in said license. Licenses may be revoked only for the reasons and in the manner prescribed under the provisions of this Act, and may be altered or surrendered only upon mutual agreement between the licensee and the Commission after thirty days' public notice. * * *"

While the proscription against unilateral alterations certainly imposes some limitation on the actions which the Commission may take during the license term, section 6 plainly does not preclude the Commission from imposing, at the time of license issuance, a condition reserving its ability subsequently to act.

The Ninth Circuit so held in the *California* v. *F.P.C.*, 345 F. 2d 917 (1965), the case which involved the legality of a condition reserving to the Commission the authority to reevaluate, and reestablish after twenty years of project operation, the prescribed minimum stream flow requirements. The provision was attacked on the ground that it rendered the licensee's obligations indefinite and thus violative of the Section 6 alterations proscription. The Court had little difficulty rejecting that attack (345 F. 2d at 924, 925):

"The section 6 requirement that the terms and conditions of a license be expressed in the license must not be given a construction which is impracticable of application. When the Commission reasonably foresees the possibility that a need may develop years in the future requiring, in the public interest, the imposition of a burden upon the licensee at that time, but either the dimensions of the need or the way of meeting it is not presently ascertainable, the license terms cannot possibly speak with definiteness and precision concerning the matter. Under these circumstances, it is sufficient, under section 6, to include in the license a condition reserving the problem, including the licensees' rights to test the validity of any future action taken.

"The principle applicable here is analogous to that which obtains in determining whether the Commission order must contain specific findings of fact as to future conditions. We dealt with that problem in Portland *General Electric* Co. v. *F.P.C.*, 328 F. 2d 165, 175. We there held that it is not arbitrary, unreasonable, or a deprivation of due process to refrain from making findings as to what conditions may be in the future, at least where no present burden is imposed."

Thus, Section 6 merely requires that the ground rules be reasonably specified at the time of license issuance; it plainly does not preclude the alteration of requirements or the imposition of additional burdens during the license term if the prospective licensee is timely apprised of this potential vulnerability. Since the hypothetical condition under consideration would satisfy this notice requirement acceptance of the license by the licensee in the face of the existence of the reservation should preclude any subsequent attack directed at the legality of the imposition of further requirements. The licensee would of course remain free to question the reasonableness of such requirements and whether in fact their promulgation can be justified as being within the scope of the reservation.

To my mind, in light of the decision in *California* v. *F.P.C.*, the only legitimate question which could be raised is whether a condition which would subject a licensed project periodically to reevaluation and the possible imposition on the licensee of additional requirements necessary to maintain comprehensive development would be "inconsistent with the provisions of [the] Act" (Section 10(g)). It is my judgment that, in view of the broad mandate imposed upon the Commission by section 10(a) as it has been construed by the courts, and the Congressional objective which enactment of Part I of the Federal Power Act is intended to realize, that question must be answered in the negative. And since the "periodic evaluation condition" would be written in terms of realization of the Section 10(a) standard it should not be vulnerable to attack on the ground of vagueness. It should be clear that the presence of such a condition could not expose the licensee to arbitrary action on part of the Commission for there would be a full opportunity to question, before a reviewing court, the reasonableness of any requirement subsequently imposed.

Sincerely,

EDWARD BERLIN,
Assistant General Counsel.

The committee is aware that the authority to insert reasonable open end conditions in a license is not the same as the authority to condition a license during its term as provided in proposed section 15(b) in the introduced bill. However, it felt that the authority to insert open end conditions was being used effectively and was sufficient to protect the public interest with respect to the regulation of hydroelectric power projects. That is what is meant by the sentence you have quoted from the committee report on this legislation.

Mr. HALL. Mr. Speaker, I want to express my appreciation to the chairman and the members of the House Committee on Interstate and Foreign Commerce for this, and to comment on the provisions of H.R. 12698. This bill is of particular interest to me because an electric operating utility, the Empire District Electric Co. of Joplin, Mo., is located in the Seventh Congressional District of Missouri, and has a hydroelectric project on the White River at Ozark Beach, which is the first project in the Nation exposed to the question of relicensing and/or takeover by the United States.

The FPC, acting under present law, and in general following the procedures set forth in its Order No. 288, recommended to Congress by letter, dated February 23, 1967, from the Commissions' Chairman, that the project—Ozark Beach—not be taken over by the United States. This recommendation was given only after the staff of the Commission had considered carefully the facts for over a year, and had the benefit of the views of other agencies of Government.

To be more specific, Empire applied in late February 1965, for an extension of its present 10-year license, which expires on August 31, 1968. The extension applied for—in 1965—was only for 10 years, because Empire considered that such an extension would be appropriate in view of the terms of its 10-year license. Notice of Empire's application was given to all interested parties, including the Governor of Missouri, the Missouri Public Service Commission the Missouri Conservation Commission, as well as to other interested Federal agencies. It is clear that the views sought from State officials and from State and Federal agencies related to the question of takeover as well as to the question of extension of the license, these two questions being necessarily intertwined under the circumstances.

By April 1966 the staff of the FPC was already preparing two reports for the Commission, one on the question of takeover, and the other on the question of the application for extension of license. When the FPC finally recommended against takeover, it pointed out that no Federal agency, neither the Departments of the Army, Interior, Agriculture, or Health, Education, and Welfare recommended that the project be taken over.

These facts are given to show that, if there were any substantial reasons why the project should be taken over, they would have been brought to light by the procedure adopted by the Commission, even though by choice of the FPC staff, there were no formal proceedings on relicensing in regard to this project.

It is important that these facts be mentioned, because the Chairman of the FPC in his above-mentioned letter of February 23, 1967, to Congress, pointed out there were no formal relicensing proceedings in respect to Ozark Beach—for that reason the Commission might change its recommendation. The implication presumably is that unless there are formal relicensing proceedings, the facts as to the desirability of takeover cannot be determined with certainty. This conclusion does not seem to me to be warranted. The validity of this conclusion has a direct bearing on H.R. 12698, because this bill requires a proceeding on relicensing in regard to each project before Congress has indicated whether it does or does not want to recapture the project, the license for which is expiring.

I believe the experience of Empire District Electric is a perfect example of why H.R. 12698 should not be adopted in its present or even similar form. Here is a firm which, with the benefit of a so-called informal proceeding, had to wait 2 years for a recommendation even to be forwarded to Congress; the recommendation when it finally came was hedged with contingencies, and even now, 3½ years later—after the application was filed—no final FPC action has been forthcoming, to the possible detriment of the company's future planning as well as the public interest. Would the more formalized proceeding offered in this bill, be likely to expedite action and further the public interest, or would it merely lead to greater bureaucratic slowdowns without enhancing the public interest? Whatever the inadequacies of the present law, I believe the proposed legislation will compound them.

The bill is contrary in principle to the present law, and such a radical departure from the present law is not necessary or in the national interest. Under the present law, until Congress indicates that it is against the United States taking over a project, there are no proceedings for a permanent license. This makes sense, because if the project is not going to be licensed—on account of takeover by the United States—there would be no point in having license proceedings. Also, the present law assumes that Congress is capable of obtaining the facts in regard to a particular project if it has reason to believe that takeover might be desirable, and under present law Congress would be required to act in regard to a particular project only if it thought that takeover would be desirable, which is assumed to be the unusual case. If Congress does not want a project taken over, it can just do nothing, so the present law does not burden Congress unless Congress wants numerous projects taken over.

On the other hand H.R. 12698, the proposed legislation, would encourage takeovers without diminishing the responsibility of Congress to look into each project as the license for it expires; and in practice H.R. 12698 would shift from Congress to administrative agencies much of the actual control over the eventual determination of whether or not to take over. The proposed legislation would require an administrative "license proceeding," whenever a license is near expiration. In such a proceeding the issue of takeover is likely to be the primary issue, because if the FPC or another Federal agency favors takeover, either no license will be granted at the conclusion of the proceedings or its effectiveness will be stayed for a long period of time.

This is an impossible position, and an unreasonable demand to make on a going concern and a good corporation with stockholder responsibility. In the case of Empire District, a relatively noncontroversial issue, involving a small project has taken 3 years and is still not resolved. The administration bill would not increase the prospects for swift justice and equity, and company planning would continue to be sidetracked.

In substance, under H.R. 12698, there would be a formal administrative determination on the question of takeover, thus putting Congress in the position of an appeals body reviewing the decision of an "expert agency." Put in such a position Congress probably would be loath to reverse an administrative decision in favor of takeover, and would tend to go along with such a decision. Furthermore, Congress would not be relieved by the proposed legislation of considering the takeover question for each project, *because—although it is not clear from the* text of H.R. 12698—it is intended that, even if the FPC should grant a license after the hearing, Congress could step in and take over. Thus, the responsibility in respect to takeover remains with Congress in the case of each project; and its workload would be substantially reduced only if it rubberstamps the decisions of the administrative bodies. As the proposed legislation would require a formal administrative decision in respect of each project; Congress probably would feel obligated to take up each case, even though the only likely action would be a summary confirmation of the administrative decision. Surely Congress should assume its rightful role instead of a "reverse veto" function which usually results in no role at all.

In short the proposed legislation would shift much of the real influence over the decision of takeover to administrative bodies and diminish the role of Congress without diminishing its responsibility. This would be an undesirable development.

Mr. Speaker, I am delighted that the committee in its wisdom and then the amendments to H.R. 12698 as here submitted, has solved these problems. This is a whole bill, clean as a whistle, avoids the reverse veto, and keeps the decision-making process where it belongs—*namely, in the legislative body. I am proud to* associate myself with this bill as amended, for it truly supports free enterprise and a satisfactory going concern and service. Still, it protects the national interests of all the people. I thank the committee, the chairman, and Mr. SPRINGER.

The SPEAKER. The question is on the motion of the gentleman from West Virginia that the House suspend the rules and pass the bill H.R. 12698, as amended.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

Mr. STAGGERS. Mr. Speaker, I ask unanimous consent for the immediate *consideration of a similar Senate bill (S.* 2445) to amend part I of the Federal Power Act to clarify the manner in which the licensing authority of the Commission and the right of the United States to take over a project or projects upon or after the expiration of any license shall be exercised.

The Clerk read the title of the Senate bill.

The SPEAKER. Is there objection to the request of the gentleman from West Virginia?

There was no objection.

The Clerk read the Senate bill, as follows:

S. 2445

Whereas Federal Power Commission licenses for non-Federal hydroelectric projects will expire in increasing numbers; and

Whereas congressional consideration of each project upon the expiration of its license is no more feasible than congressional consideration of each initial license application; and

Whereas the Congress has delegated to the Federal Power Commission responsibility for initial licensing of non-Federal projects, subject to the Commission's duty to recommend to the Congress Federal development in lieu of non-Federal licensing in appropriate cases, and subject to the residual powers of the Congress; and

Whereas the Congress has delegated to the Federal Power Commission the power to issue a new license to the original licensee or to a new licensee "if the United States does not, at the expiration of the original license, exercise its right to take over, maintain, and operate any project" but has not specified a procedure by which the United States would determine whether to take over a project; and

Whereas the Congress desires that the Federal Power Commission, after considering timely recommendations of other Federal agencies, shall determine those projects which would best be relicensed and forward its recommendations to the Congress as to those which would best be taken over; and

Whereas in cases where the Federal Power *Commission decides in favor of relicensing* the Congress desires to establish a reasonable period of time in which other Federal agencies may present their case for takeover to the Congress before a relicensing order of the Federal Power Commission may become effective; and

Whereas Congress intended, in enacting *part I of the Federal Power Act upon the expiration* of these licenses, the United States should have a further opportunity to determine whether the waterpower resources of the Nation were being developed, improved, and utilized in a manner best adapted to a comprehensive plan for improving or developing a waterway or waterways for the use *or benefit of interstate or foreign commerce,* for the improvement and utilization of waterpower development, and for other beneficial public uses, including recreational purposes, and to determine whether future development, improvement, and utilization of those resources in the public interest would be *achieved most effectively by relicensing the project or projects on appropriate terms* and conditions or by taking over the project or projects; and

Whereas the following amendments to part I of the Federal Power Act will permit the responsibilities for relicensing or Federal takeover to be exercised more effectively and efficiently and without undue disruption of the Nation's electric energy supply: Now, therefore,

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 7 of the Federal Power Act, as amended (16 U.S.C. 800), is amended by adding thereto the *following new subsection:*

"(c) Whenever, after notice and opportunity for hearing, the Commission determines that the United States should exercise its right upon or after the expiration of any license to take over any project or projects for public purposes, the Commission shall not issue a new license to the original licensee or to a new licensee but shall submit its recommendation to Congress together with such information as it may consider appropriate: *Provided,* That if the United States does not so take within two years from such recommendation, the Commission may thereafter issue a license as provided in section 15 of this Act and until such project is taken over or licensed the Commission shall annually relicense such project as provided in section 15 of this Act.

SEC. 2. Section 14 of the Federal Power Act, as amended (16 U.S.C. 807), is amended by inserting "(a)" immediately preceding the first sentence thereof and by adding thereto the following new subsection:

"(b) No earlier than five years before the expiration of any license, the Commission shall entertain applications for a new license and decide them in a relicensing proceeding pursuant to the provisions of section 15. In any relicensing proceeding before the Commission any Federal department or agency may timely recommend, pursuant to such rules as the Commission shall prescribe, that the United States exercise its right to take over any project or projects. Thereafter, the Commission, if it does not itself recommend such action pursuant to the provisions of section 7(c) of this part, shall upon motion of such department or agency stay the effective date of any order issuing a license, except an order issuing the annual license in accordance with the proviso of section 15(a), for two years after the date of issuance of such order, after which period the stay shall terminate, unless terminated earlier upon motion *of the department or agency requesting the* stay or by action of Congress. The Commission shall notify the Congress of any stay granted pursuant to this subsection."

SEC. 3. Section 15 of the Federal Power Act, as amended (16 U.S.C. 808), is amended by inserting "(a)" immediately preceding the first sentence thereof and by adding thereto *the following new subsection:*

"(b) In issuing any licenses under this section, except an annual license, the Commission, on its own motion or upon application of any licensee, person, State, municipality, or State commission, after notice to each State commission and licenses affected, *and after opportunity for hearing, whenever* it finds that in conformity with a comprehensive plan for improving or developing a waterway or waterways for beneficial public uses all or part of any licensed project should no longer be used or adopted for use for power purposes, may license all or part of the project works for nonpower use. Licenses *for nonpower use shall be issued on condition* that any existing power facilities shall be removed or otherwise disposed of as directed by the Commission. A license for nonpower use shall be issued to a new licensee only on the condition that the new licensee shall, before taking possession of the facilities encompassed thereunder pay such *amount and assume such contracts as the* United States is required to do, in the manner specified in section 14 hereof. Any license for nonpower use shall be a temporary license. Whenever, in the judgment of the Commission, a State, municipality, interstate agency, or another Federal agency is authorized and willing to assume regulatory supervision of the lands and facilities included under the nonpower license and does so, the Commission shall thereupon terminate the license. Consistent with the provisions of the Act of August 15, 1953 (67 Stat. 587), every licensee for nonpower use shall keep such accounts and file such annual and other *periodic or special reports concerning the* removal, alteration, nonpower use, or other disposition of any project works or parts thereof covered by the nonpower use license as the Commission may by rules and regulations or order prescribe as necessary or appropriate."

SEC. 4. Section 10(d) of the Federal Power Act, as amended (16 U.S.C. 803), is amended by adding at the end thereof the following: "For any licenses issued under section 15 hereof the amortization reserves shall be established and maintained from and after the effective date of the license."

AMENDMENT OFFERED BY MR. STAGGERS

Mr. STAGGERS. Mr. Speaker, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. STAGGERS: Strike out all after the enacting clause of S. 2445 and insert in lieu thereof the provisions of H.R. 12698, as passed, and strike out all of the preamble in S. 2445.

The amendment was agreed to.

The Senate bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

A similar House bill (H.R. 12698) was laid on the table.

OVER-THE-COUNTER MARGIN REGULATIONS

Mr. STAGGERS. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 7696) to amend the Securities Exchange Act of 1934 to permit regulation of the amount of credit that may be extended and maintained with respect to securities that are not registered on a national securities exchange.

The Clerk read as follows:

H.R. 7696

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 7 of the Securities Exchange Act of 1934 (15 U.S.C. 78g) is amended—

(1) by striking out "registered on a national securities exchange" in subsection (a);

(2) by amending subsection (c) to read as follows: "(c) It shall be unlawful for any member of a national securities exchange or any broker or dealer, directly or indirectly, to extend or maintain credit or arrange for the extension or maintenance of credit to or for any customer—

"(1) on any security (other than an exempted security), in contravention of the rules and regulations which the Board of Governors of the Federal Reserve System shall prescribe under subsections (a) and (b) of this section;

"(2) without collateral or on any collateral other than securities, except in accordance with such rules and regulations as the Board of Governors of the Federal Reserve System may prescribe (A) to permit under specified conditions and for a limited period any such member, broker, or dealer to maintain a credit initially extended in conformity with the rules and regulations of the Board of Governors of the Federal Reserve System, and (B) to permit the extension or maintenance of credit in cases where the extension or maintenance of credit is not for the purpose of purchasing or carrying securities or of evading or circumventing the provisions of paragraph (1) of this subsection."

(3) by striking out "registered on a national securities exchange" in the first sentence of subsection (d) and "registered on national securities exchanges" in the second sentence of that subsection.

The SPEAKER. Is a second demanded?

Mr. SPRINGER. Mr. Speaker, I demand a second.

The SPEAKER. Without objection, a second will be considered as ordered.

There was no objection.

Mr. SPRINGER. Mr. Speaker, the Federal Reserve Board has for many years set margin requirements for securities sold on the exchanges. This has been recognized as necessary and desirable.

Stocks not traded on the exchanges but "over the counter" have been growing in volume and strength as the years passed but no change has been, up to this time seriously, pursued to equalize treatment in this very important regard. As a result brokers in such over-the-counter issues could extend no credit in the purchase of same while banks could extend credit in any amount for the same purpose. Such a situation works to the disadvantage of all parties involved in such transactions. The market for over-the-counter securities is so diverse and contains issues of such varying strength that good sense has not been enough to protect those who lend or those who borrow for purposes of dealing in such stocks.

The Federal Reserve Board from its extensive experience in qualifying and observing issues is best suited to decide which issues can safely stand credit transactions and what margin requirements will best protect the public.

This bill gives to Federal the authority to issue margin requirements for stocks which are actively traded and which have sufficient liquidity. When this has been done for a particular stock the broker may extend credit to the limit stated, and banks may loan money for the purpose of purchasing such stock only to the extent designated by the rules.

The Committee on Interstate and Foreign Commerce approved this bill without dissent and I recommend it to the House.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. STAGGERS. I yield to the gentleman from Iowa.

Mr. GROSS. Mr. Speaker, was a report ever made on the bill? I tried to get one Saturday, and there were none available at that late date.

Mr. STAGGERS. Yes, they are available. However, I might briefly explain to the gentleman that the purpose of H.R. 7696 is to give authority to the Federal Reserve Board.

Mr. GROSS. Yes. I understand what the bill is all about, but I wondered if ever a report was made available. It comes pretty late to get one today.

Mr. SPRINGER. Mr. Speaker, I yield such time as he may consume to the gentleman from Massachusetts [Mr. KEITH].

Mr. KEITH. Mr. Speaker, there is evidence of substantial speculative activity, partly credit financed, in over-the-counter securities. The Federal Reserve Board now has the authority under section 7 of the Securities Exchange Act of 1934 to limit the credit that brokers and dealers, banks, and other lenders may extend for the purpose of purchasing or carrying equity securities that are registered on a national exchange. But with respect to unregistered or over-the-counter securities, the act forbids brokers and dealers to extend any credit whatever, but permits banks to extend credit without being subject to Federal margin requirements.

The committee found that the reasons for the distinction in the act between brokers and dealers and banks no longer exist. It also found that there is a need to extend margin requirements to actively traded over-the-counter stocks, which resemble those traded on the national exchanges. The effect of this legislation would be to treat all lenders on over-the-counter markets more equitably, and to grant the Federal Reserve Board sufficient authority to deal with future developments in the rapidly expanding over-the-counter markets.

In 1934, Congress determined that the financial crisis of the preceding period had been caused in part by excessive credit flowing away from the consumer and industry into the stock market, largely in the form of brokers' credits used to purchase or carry stocks registered on national securities exchanges. The 1934 Securities Exchange Act authorized the Fed to regulate both credit that brokers, banks, and other lenders may extend for the purpose of purchasing securities registered on an exchange. But the act prohibited brokers from extending credit on securities traded over the counter, while banks and others were permitted to lend on such securities without restriction.

In 1934, the difference in treatment for credit purposes between listed and unlisted stocks was not considered important because the over-the-counter market was relatively insignificant. Since then, the dollar value of over-the-counter trading has grown from about one-sixth that of organized exchanges to three-fifths in 1961. As the volume of total trading in over-the-counter markets has increased, the scale and pattern of activity in some unlisted stocks has come to resemble those of securities traded on the exchanges. With increased investor interest and expanded trading activity on the over-the-counter market, it is inconsistent to continue the difference in margin requirement status between exchange-traded stocks and unlisted stocks, which closely resemble them.

In addition, it is important that there be regulation over the amount of credit which can be extended by the banks. And in view of the seeming present speculative activity occurring over the counter, as well as on the exchange, it is most advisable that the Board have the same authority over the extension of credit for the purchase of these stocks as it has over the extension of credit for those which are listed.

H.R. 7696, and its Senate companion, S. 1299, would not directly affect the present scheme of securities market credit controls. Rather, it would broaden potential coverage by authorizing the Board to encompass over-the-counter securities within its credit regulations. It is expected that the Board would extend those regulations from time to time when such regulation is deemed to be appropriate.

At present about 20,000 securities are traded over the counter, and nationally traded stocks are disseminated to the public for 1,200 to 1,500 issues. The Board anticipates that only a few hundred of these are traded in sufficient volume to assure reliable pricing, reasonable liquidity, and substantial dealer and investor interest.

Both House and Senate committee reports discussed some problems involved in relating credit regulation to the mechanics of the over-the-counter market. Markets for over-the-counter securities are made by dealers who perform the necessary functions of seeing to it that these markets are orderly and reliable, which is akin to the job of a specialist on an exchange. To so perform, dealers need substantial amounts of capital and marketmakers must have access to available sources of credit. Consideration must be given in rulemaking to this role of marketmakers in over-the-counter securities.

On the other hand, in the over-the-counter market substantial markets are made by "integrated" firms performing both marketmaking and retail function. This could produce conflicts of interest, especially when a firm both positions a security and extends credit to its retail customers. Such a firm might conceivably be tempted to manipulate market prices of the securities in which it made a market in order, for example, to force margin calls when it needed funds.

The committee concluded that this conflict of interest and the consequent potential problems could be alleviated if the criteria for determining which securities are eligible for margins included a requirement of independent competitive marketmakers, which would make it less likely that any one dealer could have a dominant influence on price movements.

As for the large category of over-the-counter securities to which the Board does not intend to extend margin regulations, the present prohibition on the extension of credit by brokers and dealers will remain. Presently, most unlisted securities are not actively traded and, therefore, are frequently subject to less than firm price quotations. Moreover, many over-the-counter stocks do not attract broad investor interest and probably are not suitable for margin regulations. Thinness of markets and lack of a broad investor following imply sufficient potential price volatility so that the use of credit in financing investment in such stocks should not be encouraged.

Mr. Speaker, in closing, I would like to emphasize that it seems likely today that the over-the-counter markets will continue to develop rapidly. The trend toward increasing trading activity in a wider list of stocks, in conjunction with automation, may also serve to increase the range of over-the-counter issues attracting the use of credit. These and other developments, however, cannot be foreseen accurately, so that the flexibility in this legislation is needed if the Federal Reserve Board is to make appropriate regulations as the over-the-counter markets evolve.

Mr. Speaker, I therefore strongly urge passage of H.R. 7696.

The **SPEAKER**. The question is on the motion of the gentleman from West Virginia that the House suspend the rules and pass the bill H.R. 7696.

The question was taken; and (two-thirds having voted in favor thereof), the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

Mr. **STAGGERS**. Mr. Speaker, I ask unanimous consent for the immediate consideration of a similar Senate bill (S. 1299) to amend the Securities Exchange Act of 1934 to permit regulation of the amount of credit that may be extended and maintained with respect to securities that are not registered on a national securities exchange.

The Clerk read the title of the Senate bill.

The **SPEAKER**. Is there objection to the request of the gentleman from West Virginia?

There was no objection.

The Clerk read the Senate bill, as follows:

S. 1299

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 7 of the Securities Exchange Act of 1934 (15 U.S.C. 78g) is amended—

(1) by striking "registered on a national securities exchange" in subsection (a);

(2) by modifying subsection (c) to read as follows:

"(c) It shall be unlawful for any member of a national securities exchange or any broker or dealer, directly or indirectly, to extend or maintain credit or arrange for the extension or maintenance of credit to or for any customer—

"(1) on any security (other than an exempted security), in contravention of the rules and regulations which the Board of Governors of the Federal Reserve System shall prescribe under subsections (a) and (b) of this section;

"(2) without collateral or on any collateral other than securities, except in accordance with such rules and regulations as the Board of Governors of the Federal Reserve System may prescribe (A) to permit under specified conditions and for a limited period any such member, broker, or dealer to maintain a credit initially extended in conformity with the rules and regulations of the Board of Governors of the Federal Reserve System, and (B) to permit the extension or maintenance of credit in cases where the extension or maintenance of credit is not for the purpose of purchasing or carrying securities or of evading or circumventing the provisions of paragraph (1) of this subsection."; and

(3) by striking "registered on a national securities exchange" in the first sentence of subsection (d) and "registered on national securities exchanges" in the second sentence of that subsection.

MOTION OFFERED BY MR. STAGGERS

Mr. **STAGGERS**. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Motion offered by Mr. STAGGERS: Strike out all after the enacting clause of S. 1299 and insert in lieu thereof the text of H.R. 7696, as passed.

The motion was agreed to.

The Senate bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

A similar House bill (H.R. 7696) was laid on the table.

AMENDING THE CHARTER OF GALLAUDET COLLEGE

Mr. **PERKINS**. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 18203) to increase the size of the board of directors of Gallaudet College, and for other purposes.

The Clerk read as follows:

H.R. 18203

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 5 of the Act entitled "An Act to amend the charter of the Columbia Institution for the Deaf, change its name, define its corporate powers, and provide for its organization and administration, and for other purposes", approved June 18, 1954, is amended by striking out "thirteen" and inserting in lieu thereof "twenty-one", and by strilkng out in clause (2) "ten" and inserting in lieu thereof "eighteen".

SEC. 2. Effective with the election of the eight additional members provided for under the amendment made by the first section, the fourth sentence of such section 5 is amended by striking out "Seven" and inserting in lieu thereof "Nine".

The **SPEAKER**. Is a second demanded?

Mr. **LAIRD**. Mr. Speaker, I demand a second.

The **SPEAKER**. Without objection, a second will be considered as ordered.

There was no objection.

Mr. **DANIELS**. Mr. Speaker, I rise in support of H.R. 18203, to amend the charter of Gallaudet College to increase the size of the board of directors, and for other purposes.

This legislation, which was unanimously reported by the Select Subcommittee on Education and by the full Committee on Education and Labor with bipartisan approval, is a step forward in the direction of new goals for the higher education of the deaf.

Gallaudet College was established in 1864 when President Abraham Lincoln signed its charter. For over 100 years, this institution has been the only liberal arts college for the deaf in the world.

Gallaudet operates as a private institution chartered by the Congress of the United States. The primary responsibility of the college is to promote the intellectual development of its students. As new methods are developed in the college and elsewhere, they are given thorough trials and accepted to the extent they prove useful.

Under the revised charter, approved by President Eisenhower in 1953, the full responsibility for the administration and government of the college was placed in the board of directors. The board meets seven times a year in regular sessions. The executive committee consists of five members of the board of directors and is subject to call at all times.

H.R. 18203 will keep this institution in the forefront of education.

An expanded board will be better able to deal with the growing problems in education which have created the need for a greater representation of nonpublic members from various sectors of the country.

Gallaudet must continue to be a national and even an international resource for educating the deaf. As programs of education for the deaf expand and develop throughout the country, Gallaudet will assume a greater leadership role.

In conclusion, I wish to commend and congratulate my distinguished colleague from New York, Congressman HUGH L. CAREY, who is now serving so ably as a board member of this great institution. His leadership in working with the handicapped is known to all of us; however, he deserves particular praise for his efforts on behalf of H.R. 18203.

This bill is an example of updating an institution.

I urge all of you to support this worthy legislation.

Mr. SCHERLE. Mr. Speaker, I rise in strong support of H.R. 18203, a bill to increase the size of the board of directors of Gallaudet College, and for other purposes.

This is a bipartisan bill enjoying the unanimous support of the members of the House Education and Labor Committee on both sides of the aisle.

Gallaudet College, which is today over 100 years old, is the only liberal arts college in the world specifically established for the deaf. It is an outstanding institution and is fully accredited. The college is growing continuously, both physically and academically, with students coming from all 50 States and many countries throughout the world. Its enrollment next fall is expected to be near 1,000. To keep pace with this growth, those associated with the college feel that the guiding force should also keep pace. To serve this end, provide greater flexibility, and bring to this fine institution varied representation from all fields of endeavor the board of directors is being expanded. This bill is a positive step and one which will enhance the scope and the operation of Gallaudet. This bill is supported unanimously by everyone associated with the college, and I ask that this body endorse it accordingly.

Mr. REID of New York. Mr. Speaker, I rise in support of H.R. 18203, a bill to increase the size of Gallaudet College's board of directors by eight nonpublic members. Initially I want to take this opportunity to congratulate the chairman of the Select Subcommittee on Education, the distinguished gentleman from New Jersey [Mr. DANIELS] for his continued interest and leadership with regard to legislation affecting the handicapped.

This bill increases the size of the board of directors of Gallaudet College from 13 to 21 members. Gallaudet is the only college in the world established specifically for the deaf. They have had students from every State in the Nation as well as 31 different countries. In recent years, both the school and student body have grown rapidly with an enrollment expected this year of close to 1,000 students, an increase from the 1960 level of 300 percent. Because of housing, classroom, and academic needs, it is felt that increased national representation is both necessary and advantageous for the college.

The witnesses who appeared before the Select Subcommittee on Education all indicated unanimous support for the legislation, as did the Department of Health, Education, and Welfare, the administration, and the Gallaudet alumni. It was the hope of the witnesses that through the expansion of the board it would be able to draw new members from broader geographical areas and from a variety of disciplines. By drawing from various backgrounds, the proposed eight positions would come from the broad spectrum of technology, special education, communications, medicine, computer areas, and distinguished citizens interested in special education. Through these diverse backgrounds Gallaudet will have more flexibility, more professional representation and greater range of competency than it now has.

I endorse this legislation without qualification.

The SPEAKER. The question is on the motion of the gentleman from Kentucky that the House suspend the rules and pass the bill H.R. 18203.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

GENERAL LEAVE TO EXTEND

Mr. DANIELS. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days in which to extend their remarks in the RECORD on the bill just passed.

The SPEAKER. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

OAHE UNIT, JAMES DIVISION, MISSOURI RIVER BASIN PROJECT, SOUTH DAKOTA

Mr. ASPINALL. Mr. Speaker, I move to suspend the rules and pass the bill (S. 6) to authorize the Secretary of the Interior to construct, operate, and maintain the initial stage of the Oahe unit, James division, Missouri River Basin project, South Dakota, and for other purposes, as amended.

The Clerk read as follows:

S. 6

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior is hereby authorized to construct, operate, and maintain in accordance with the Federal reclamation laws (Act of June 17, 1902 (32 Stat. 388), and Acts amendatory thereof or supplementary thereto) the initial stage of the Oahe unit, James division, Missouri River Basin project, South Dakota, for the principal purposes of furnishing a surface irrigation water supply of approximately one hundred and ninety thousand acres of land, furnishing water for municipal and industrial uses, controlling floods, conserving and developing fish and wildlife resources, and enhancing outdoor recreation opportunities, and other purposes. The principal features of the initial stage of the Oahe unit shall consist of the Oahe pumping plant (designed to provide for future enlargement) to pump water from the Oahe Reservoir, a system of main canals, regulating reservoirs, and the James diversion dam and the James pumping plant on the James River. The remaining works will include appurtenant pumping plants, canals, and laterals for distributing water to the land, and a drainage system.

SEC. 2. The conservation and development of the fish and wildlife resources and the enhancement of recreation opportunities in connection with the initial stage of the Oahe unit shall be in accordance with the provisions of the Federal Water Project Recreation Act (79 Stat. 213). Construction of the initial stage of the Oahe unit shall not be commenced as long as the State of South Dakota retains in its laws provisions that prohibit the hunting of migratory waterfowl by nonresidents in the waterfowl enhancement areas included within the area served by the project herein authorized.

SEC. 3. The Oahe unit shall be integrated physically and financially with the other Federal works constructed or authorized to be constructed under the comprehensive plan approved by section 9 of the Act of December 22, 1944, as amended and supplemented.

SEC. 4. For a period of ten years from the date of enactment of this Act, no water from the project authorized by this Act shall be delivered to any water user for the production on newly irrigated lands of any basic agricultural commodity, as defined in the Agricultural Act of 1949, or any amendment thereof, if the total supply of such commodity for the marketing year in which the bulk of the crop would normally be marketed is in excess of the normal supply as defined in section 301(b)(10) of the Agricultural Adjustment Act of 1938, as amended, unless the Secretary of Agriculture calls for an increase in production of such commodity in the interest of national security.

SEC. 5. The interest rate used for puposes of computing interest during construction and interest on the unpaid balance of the capital costs allocated to interest-bearing features of the project shall be determined by the Secretary of the Treasury, as of the beginning of the fiscal year in which construction is initiated, on the basis of the computed average interest rate payable by the Treasury upon its outstanding marketable public obligations, which are neither due nor callable for redemption for fifteen years from date of issue.

SEC. 6. There is hereby authorized to be appropriated for construction of the initial stage of the Oahe unit as authorized in this Act the sum of $191,670,000 (based upon January 1964 prices), plus or minus such amounts, if any, as may be justified by reason of ordinary fluctuations in construction costs as indicated by engineering costs indexes applicable to the types of construction involved herein. There are also authorized to be appropriated such additional sums as may be required for operation and maintenance of the unit.

The SPEAKER. Is a second demanded?

Mr. SAYLOR. Mr. Speaker, I demand a second.

The SPEAKER. Without objection, a second will be considered as ordered.

There was no objection.

Mr. ASPINALL. Mr. Speaker, the Oahe project which S. 6 will authorize is a major addition to the Missouri River Basin project initiated in 1944. Because of its size, some may feel that it should not be handled under the procedure we are following today. However, I would like to point out that this is not a new proposal but a reauthorization within the authority given the Secretary of the Interior in 1944. Major irrigation development in South Dakota was a part of the comprehensive, basinwide plan of development which was authorized in 1944 and this was the basis for South Dakota's support of the overall development. Reauthorization of the Oahe unit is necessary because of major modifications in the plan of development as a result of detailed studies. Thus, while the Oahe unit is a relatively large project, its authorization only partially carries out an understanding reached in 1944 and a promise made by the Congress to the State of South Dakota. The eventual construction of a major irrigation project in South Dakota has been anticipated since such a program was authorized in 1944. Since that time, it has been a matter of developing a feasible plan and waiting for the proper timing for the construction of these works as a part of the overall program. The Oahe unit could not go forward until the Oahe dam and reservoir on the Missouri River had been completed.

The Missouri River Basin project is a basinwide multiple-purpose development designed to provide irrigation, flood control, hydroelectric power, navigation, municipal and industrial water, fish and wildlife conservation and development, and outdoor recreational opportunities. During the 24 years since the project was authorized, most of the flood control, navigation, and hydroelectric power and recreation benefits have been provided. Irrigation is the one purpose which has lagged far behind the others, even though in 1944 irrigation was recognized by the upper basin States, as it still is, as the most important benefit they will receive from the project and from water which originates in those States.

The plan of development for the Oahe unit, as authorized by this legislation, calls for the irrigation of 190,000 acres, municipal and industrial water supply for 17 towns and cities in the project area, fish and wildlife conservation and development, provision for extensive outdoor recreation opportunity, and provision for flood control in the project area. The physical works which would be authorized for construction at an estimated cost of $191,670,000 consists of a system of canals, pumping plants, regulating reservoirs, distribution laterals, and drainage facilities.

Mr. JOHNSON of California, chairman of the subcommittee handling this legislation, will provide further information on the plan of development and the financial and economic aspects of the project. I would just like to add a few additional comments on what this project means to the State of South Dakota.

South Dakota, like the other Great Plains States, is continually being subjected to severe droughts. The agricultural economy of the State is dependent upon favorable weather, but the weather has not been dependable. During most years, the families who have to depend solely upon rainfall suffer serious and extreme losses. The area proposed for development by the Oahe unit not only is an area of deficient rainfall but it has inadequate surface supplies and limited ground water supplies. The cities and towns in the area also lack a suitable water supply since they must depend on ground water which is deficient in both quantity and quality. In summary, the future of the James River Basin depends upon additional water being brought into the basin from an outside source. This is what the Oahe unit would do. It would bring Missouri River water from existing Lake Oahe some 100 miles to the James River Valley.

It is hard to measure the full range of benefits that will be realized from diversifying, stabilizing, and intensifying the agricultural economy of this project area covering 15½ counties and comprising about 22 percent of the entire land area of South Dakota. The State of South Dakota dramatically demonstrates the effect of the economic stranglehold imposed by limited and undependable rainfall. The opportunity for a balanced and vigorous economic growth lies in the soil, and water supply is the key to this opportunity—water for the land, for industry, and for the growing towns and cities that will evolve.

The economy of South Dakota was adversely affected when it lost over half a million acres to the main-stream reservoirs built on the Missouri River. Much of the acreage lost was fertile bottom lands along the river. The bringing in of newly irrigated acreage by the Oahe unit will go a long way in offsetting the loss of lands in South Dakota that have been flooded.

The people of South Dakota and of the project area have been working hard for years in order to be prepared to accept their responsibilities in connection with the Oahe unit. A conservancy district with authority to levy a tax on all property in the project area was created by the State legislature in 1960. The overwhelming support for the establishment of this district is convincing evidence that the people in the area understand the project proposal, are in support of its authorization and construction, and are willing to assume their proper share of the responsibility for repayment and for operating the project works.

Mr. Speaker, the Oahe unit is truly a comprehensive development which will go a long way toward stabilizing and strengthening the economy of a large part of the State of South Dakota. The benefits from this development will accrue not just to the project area but to the entire State and to the Nation. As far as I know, there is no opposition to the authorization of the Oahe unit. It has the full support of the administration, the State of South Dakota, and all of the Missouri River Basin States.

There will undoubtedly be a delay in the funding of this project as I have already indicated because of the fiscal crisis facing the Nation at the present time. This has been made clear to and is understood by the people of South Dakota. I believe that this fiscal situation should not delay the authorization of the Oahe unit and I urge the approval of S. 6 as amended by the committee.

Mr. SAYLOR. Mr. Speaker, I rise in support of the legislation to authorize the Secretary of the Interior to construct, operate, and maintain the initial stage of the Oahe unit, James division, of the Missouri River Basin project, in South Dakota.

The initial stage of the Oahe unit is a multipurpose water resource development providing irrigation for 190,000 acres, municipal and industrial water for 17 towns and cities in the project area, flood control, outdoor recreation, and fish and wildlife enhancement. The project area to be irrigated lies principally in Brown and Spink Counties of South Dakota.

The principal project works consist of the Oahe and James pumping plants, a system of main canals, three regulating reservoirs, the existing James River diversion dam, and channel improvements on the James River. These works will be supplemented by distribution canals, laterals, pumping plants, and drainage facilities. Pumping-power requirements will be met from the Missouri River Basin power system.

The need for this project cannot be overstated. The benefits to the project area, the State of South Dakota, and the whole Nation, will be greatly enhanced by the diversification and stabilization of the economy in the project area.

The Oahe project will be financially integrated with the other works of the Missouri River Basin project and the estimated Federal expenditure for the initial stage of the Oahe unit is $237,216,000. Project costs are allocated among the project purposes and the reimbursable project costs will be repaid within 50 years following the permissible development period with the assistance of power revenues from the Missouri River Basin project. The project has a cost-benefit ratio for direct benefits of 1.6 to 1.

This legislation again contains the unbusinesslike interest rate formula which the Bureau of Reclamation insists on proposing in these Federal reclamation projects which, of course, bears upon the overall financial feasibility of the project. I would hope, Mr. Speaker, that eventually we will get around to charging the rate of interest on these projects which is at least somewhere near the interest cost which the Federal Government must pay to borrow money.

One feature of this legislation which the committee in its wisdom did act upon, at the suggestion of the gentleman speaking, was the provision of the bill which makes construction of the initial stage of the Oahe unit contingent upon the State of South Dakota removing from its laws provisions which prohibit the hunting of migratory waterfowl by nonresidents in areas where as a result of the construction of the project waterfowl enhancement will result.

Mr. Speaker, I wish to commend my colleague, the gentleman from South Dakota [Mr. BERRY] on his handling of this legislation and I urge its passage.

Mr. BERRY. Mr. Speaker, as has been pointed out so well by the distinguished chairman of the Interior Committee, the purpose of this legislation is to authorize the Secretary of the Interior to construct, operate, and maintain the initial stage of the Oahe unit irrigation project in South Dakota.

Under the provisions of the 1944 Flood Control Act, the Upper Missouri River Basin States were assured that their sacrifice of productive lands to provide flood control and navigation benefits for the Lower Missouri Basin States would be compensated for by full development of other potentialities in the upper basin States.

South Dakota gave up over a half million acres of rich farm and grazing land required for construction of the four main stem dams reservoirs. This land is now inundated and lost from the tax rolls forever.

This body showed good judgment and wisdom in 1965 in approving the Garrison diversion project in our sister State of North Dakota. The same arguments that justified that project stand to justify this one. Both were promised to the people of the Dakotas in return for their sacrifice of productive lands on behalf of the total Missouri River Basin development.

I am confident the same good judgment will be exercised here today with a favorable vote for this project.

Briefly, the plan of development for this initial stage calls for irrigation of 190,000 acres, municipal and industrial water supply for 17 towns and cities in the project area, fish and wildlife conservation and development, provision of outdoor recreation opportunities, and provision for flood control in the project area.

This legislation authorizes $191,670,000 to construct a system of canals, pumping plants, regulating reservoirs, distribution laterals, and drainage facilities.

I would like to point out to my colleagues that the Flood Control Act of 1944 authorized an Oahe unit in South Dakota of 750,000 acres. However, detailed studies of the soils included in the original plan have resulted in reduction in acreage from 750,000 to 445,000.

This initial stage of the project which has been recommended for authorization in this legislation is for the irrigation of 190,000 acres and is a self-contained unit. It is not dependent in any way on future authorizations or future expansions to make it feasible.

Initial cost will be approximately $200 million and all but 10 percent of this will be repaid to the Federal Government without interest over a 50-year period. The 10 percent that will not be repaid is for nonreimbursable expenses for flood control, recreation, fish, and wildlife programs.

The Oahe conservancy subdistrict will enter into a master contract with the United States which will include standard provisions of Bureau repayment contracts.

The subdistrict received a favorable 85.3-percent vote for its formation in 1960. It covers a 15½-county area surrounding the initial stage of the project and through their action, the local people created a taxing power entity which meets the requirements of Federal agencies and the Congress.

The subdistrict will be the vital link between the Federal Government and the project itself. It will buy the water from the Bureau of Reclamation and in turn sell it to the irrigators.

Finally, I would point out that this project enjoys a most favorable cost-benefit ratio of 2.5 to 1. It is indeed difficult to measure and quantify all of the benefits that would accrue as a result of development of the initial stage of this project. The principal benefit, however, would be the diversification, intensification and stabilization of the agricultural production and net farm income of the project area. In addition, it would strengthen the economy of the State and Nation.

South Dakota is anxiously looking forward to the realization of the Oahe Irrigation Unit. The people of the subdistrict have taken many steps to place themselves in a position to assume the financial obligation that will be required of them. They are now awaiting the action of Congress.

Mr. JOHNSON of California. Mr. Speaker, the initial stage of the Oahe unit which would be authorized by S. 6 is a self-contained project and does not depend in any way on future authorizations or future expansion to make it physically or economically feasible. As Chairman ASPINALL indicated, the plan of development for the project will provide for the irrigation of 190,000 acres and for municipal and industrial water for 17 municipalities. In addition, there are 18 fish and wildlife areas established as a part of the unit and five recreation areas will be developed at the regulating reservoirs. Channel improvements as a part of the unit will provide flood control along the James River.

Water for the Oahe unit will be pumped from the existing Lake Oahe on the Missouri River and will be conveyed by a system of regulating reservoirs and canals to the James River Valley to serve 125,000 acres of irrigable lands lying west of the James River and 65,000 acres east of the James River. The municipalities will take water from the canal system and will be responsible for the conveyance and distribution from that point. The total amount of water furnished by the project will average about 564,000 acre-feet annually of which about 26,600 acre-feet are for municipal and industrial use and 19,800 acre-feet are for the fish and wildlife areas, leaving about 518,000 acre-feet for irrigation.

The coordinated plan for outdoor recreation has been developed by the National Park Service and the plan for development of the fish and wildlife management areas has been formulated by the Bureau of Sport Fisheries and Wildlife. The Corps of Engineers prepared the plan for flood control and for channel improvements on the James River.

The total project cost is estimated at $237,216,000. However, this amount includes $45,546,000 already invested in the Missouri River Basin project, leaving an estimated cost of $191,670,000 for the new works proposed. About 84 percent of the total project cost is allocated to irrigation and will be repaid within a 50-year period. About 5 percent of the cost is allocated to municipal and industrial water supply and will be repaid with interest within a 50-year period. About 6 percent is allocated to fish and wildlife and recreation and, of this amount, about $1 million will be paid with interest pursuant to the provisions of the Federal Water Project Recreation Act. The small amounts allocated to flood control and highway betterment will be nonreimbursable pursuant to existing law.

It is estimated that, as the result of construction and operation of the initial stage of the Oahe project, more than $20 million in annual benefits will accrue to the local area and to the State and the Nation. A comparison of this amount with the estimated annual costs indicates that the benefits will exceed the costs in a ratio of 2.5 to 1.

The State of South Dakota presently has a law which prohibits the hunting of migratory waterfowl by nonresidents. In view of this, the committee adopted an amendment which provides that construction of the Oahe unit cannot be started so long as this law remains applicable to those areas in the project where there will be waterfowl enhancement as the result of construction and operation of the Oahe project.

Mr. Speaker, the Oahe unit was thoroughly studied by the Committee on Interior and Insular Affairs. In addition to full and complete hearings in Washington, we held field hearings in two locations in South Dakota and made an inspection trip over the project area. The committee concluded that the Oahe unit is physically and economically feasible, that it meets all of the policies and criteria established by the Congress, and that it merits authorization at this time. I urge the approval of S. 6 as amended by the committee.

Mr. REIFEL. Mr. Speaker, I welcome this opportunity to express my thanks to Chairman WAYNE N. ASPINALL, ranking minority member, JOHN P. SAYLOR, and the other members on the Interior and Insular Affairs Committee for the prompt and courteous consideration given to the authorization for construction of the initial stage of the Oahe irrigation project.

I am indebted too, to Chairman HAROLD T. "BIZ" JOHNSON and the members of his subcommittee who, along with Congressman SAYLOR, took time out of their busy schedule to attend the field hearings in South Dakota.

The Oahe irrigation project is the biggest development project on South Dakota's economic horizon today, as it has been for many years. We have for at least two generations envisioned it as one major way to bring about stability to central and eastern South Dakota.

Therefore, I urge House approval of the bill, S. 6, to authorize construction of the initial stage of the Oahe unit of the Missouri River Basin project in South Dakota.

The Oahe project was envisioned in the Missouri River Basin plan approved by Congress in the Flood Control Act of 1944. The resulting plan that is before this body is the product of the Bureau of Reclamation, the Corps of Engineers, the Bureau of the Budget, the study of committees, and of many people in the several States that are affected by the plan. The plan has been unanimously approved by the Senate.

We must recognize the Missouri River Basin project as a comprehensive, integrated, basinwide undertaking which is only partially completed, and study the Oahe unit as one of the additional steps in the overall basin development.

In doing so we cannot ignore the legislative history over the last two decades which has already established the guidelines for the Federal role and responsibilities in the Missouri Basin.

The Flood Control Act of 1944 has been referred to as a "framework rather than a blueprint." However, some basic commitments, made at that time by the States, involved making the effect of the

Flood Control Act a compact, ratified by Congress. This compact assured the upper basin States that their sacrifice of productive lands to provide benefits for the lower basin would be compensated for by full development of other potentialities in the upper basin States.

Any material change in the course of the development of the basin project would be unfair to our State. Residents of South Dakota have counted on the promised irrigation since the first planning was started for the Missouri River Basin project in order to justify the large sacrifice in agricultural land which the reservoir required. South Dakota has lost some 387,000 acres of land to the four main stem reservoirs constructed within the State. These include 83,000 acres of fertile bottom lands and 180,000 acres of highly quality grazing lands.

It is extremely important to the economy of our State and to the future of our United States that construction of the Oahe irrigation project be started as soon as possible.

The Oahe unit is a multipurpose, water and land resource development project encompassing irrigation, municipal and industrial water supply, recreation, fish and wildlife, flood control, pollution abatement, and area redevelopment. The first stage is designed to develop a dependable water supply from the Missouri River for 190,000 acres of irrigable land in the Lake Plain area of northeast South Dakota adjacent of the James River and to provide municipal and industrial water supplies for 23 communities. It is anticipated that as the total project develops, encompassing some 495,000 acres of land, many other communities will utilize the Missouri River water.

South Dakota's future development of industry, agriculture, rural life, and municipal growth depends on the availability of an abundant, economical, and reliable water supply.

Cities and towns are using more water every year. Not only is the population increasing but each person is using more water. Each year, boating, fishing, and other water-based recreation are becoming more in demand. Next to agriculture, tourism is South Dakota's biggest industry, bringing about $150 million a year to the State's economy.

Our commonsense will lead us to the conclusion that, if the population of the world continues to grow at the present rate, some time in the near future we will have to greatly increase our capacity to produce food in order to feed not only the people of the United States but also the people of the underdeveloped countries throughout the world that depend on us.

In our endeavor to propagate our system of government "by the people" we must not forget that people listen first to their stomachs and, after their basic needs are solved, then they listen to politicians about government. Programs designed to increase the capacity of our agricultural production, such as the irrigation projects in the Missouri Basin, should have as high a priority as any other program before Congress. The construction of the Oahe project, as well as the benefits from the project, will provide opportunity for employment and an incentive to remain in the State for the young people of our society. In order to keep all the people from migrating to the cities, which already have enough problems, opportunity must be provided to the people of the agrarian communities, and it must be done soon.

The allocation of the cost of the project to the benefits that would result are as follows: Irrigation, $205,790,000; municipal and industrial water supply, $11,324,000; fish and wildlife, $11,066,000; flood control, $1243,000; and recreation, $2,624,000. With the elimination of the power benefits and the reduction of the estimated costs the benefit-cost ratio of the Oahe unit is 2.5 to 1 for total benefits. This ratio is very favorable when compared with other irrigation projects that have been authorized in recent years.

The Oahe unit has the enthusiastic support of people in the project area, the Interior Department and the approval of the Bureau of the Budget. The Federal investment for the construction of the Oahe unit, estimated at $192 million, will be repaid to the Federal Government in accordance with reclamation policy established throughout the West.

It is my understanding that with the power rate increase the Missouri River project is now operating on a sound financial basis with the expectation that all the project reimbursable costs—both water and power—can be repaid within a 50-year period.

With the population explosion, the need for an increased production in farm products is essential to the well-being of our economy and our position in international affairs. The economy of the State of South Dakota will be greatly enhanced and stabilized by the Oahe unit. South Dakotans have been happy to support the overall project, just as we supported the Garrison project, because we know that wise water resources development benefits all Americans.

The **SPEAKER**. The question is on the motion of the gentleman from Colorado that the House suspend the rules and pass the bill S. 6, as amended.

The question was taken.

Mr. **HALL**. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The **SPEAKER**. Evidently a quorum is not present.

The Doorkeeper will close the doors, the Sergeant at Arms will notify absent Members, and the Clerk will call the roll.

The question was taken; and there were—yeas 264, nays 128, not voting 40, as follows:

[Roll No. 259]

YEAS—264

Adair
Adams
Albert
Anderson, Ill.
Andrews, N. Dak.
Annunzio
Arends
Aspinall
Ayres
Baring
Barrett
Battin
Belcher
Bell
Bennett
Berry
Bingham
Blackburn
Blatnik
Boggs
Boland
Bolling
Bolton
Bray
Brinkley
Brock
Broomfield
Brotzman
Brown, Calif.
Brown, Ohio
Broyhill, Va.
Buchanan
Burke, Fla.
Burke, Mass.
Burton, Calif.
Burton, Utah
Bush
Button
Byrne, Pa.
Byrnes, Wis.
Cahill
Carey
Carter
Cederberg
Clark
Clausen, Don H.
Clawson, Del
Cohelan
Conable
Corbett
Corman
Cowger
Cramer
Cunningham
Daddario
Daniels
Davis, Ga.
Dawson
Dellenback
Denney
Dent
Derwinski
Dickinson
Diggs
Dingell
Dole
Donohue
Dorn
Duncan
Edmondson
Edwards, Calif.
Edwards, La.
Eilberg
Esch
Everett
Farbstein
Fascell
Feighan
Fisher
Flood
Foley
Ford, Gerald R.
Ford, William D.
Fraser
Frelinghuysen
Friedel
Fulton, Tenn.
Garmatz
Gettys
Gonzalez
Gray
Green, Pa.
Griffiths
Gubser
Gude
Gurney
Halleck
Halpern
Hamilton
Hammerschmidt
Hanley
Hanna
Hansen, Wash.
Harrison
Harsha
Hathaway
Hays
Hechler, W. Va.
Heckler, Mass.
Hicks
Horton
Hosmer
Howard
Hull
Hungate
Ichord
Irwin
Jacobs
Johnson, Calif.
Johnson, Pa.
Jones, Ala.
Karth
Kastenmeier
Kazen
Kee
Keith
Kirwan
Kleppe
Kluczynski
Kupferman
Kuykendall
Kyl
Laird
Leggett
Lipscomb
Lloyd
Long, Md.
Lukens
McCarthy
McClory
McCloskey
McClure
McCulloch
McDade
McEwen
McFall
MacGregor
Machen
Mahon
Mailliard
Martin
Mathias, Calif.
Matsunaga
May
Mayne
Meeds
Michel
Miller, Calif.
Mills
Mink
Mize
Monagan
Moorhead
Morgan
Morris, N. Mex.
Morse, Mass.
Morton
Moss
Murphy, Ill.
Myers
Natcher
Nedzi
Nelsen
Nix
O'Hara, Ill.
O'Hara, Mich.
Olsen
O'Neal, Ga.
O'Neill, Mass.
Passman
Patten
Pelly
Pepper
Perkins
Pettis
Philbin
Pickle
Pirnie
Pollock
Price, Ill.
Price, Tex.
Pryor
Quie
Quillen
Rees
Reid, N.Y.
Reifel
Reinecke
Reuss
Rhodes, Ariz.
Roberts
Rogers, Colo.
Ronan
Rooney, Pa.
Rostenkowski
Roth
Roush
Roybal
Ryan
St. Onge
Sandman
Saylor
Schadeberg
Schneebeli
Schweiker
Schwengel
Scott
Shipley
Shriver
Sikes
Sisk
Skubitz
Slack
Smith, Calif.
Smith, Iowa
Smith, N.Y.
Smith, Okla.
Snyder
Springer
Stafford
Staggers
Stanton
Steed
Steiger, Ariz.
Steiger, Wis.
Stubblefield
Stuckey
Sullivan
Taylor
Teague, Calif.
Teague, Tex.
Thomson, Wis.
Tunney
Udall
Ullman
Van Deerlin
Vander Jagt
Waldie
Walker
Watson
Watts
Whalen
Whalley
White
Whitten
Widnall
Williams, Pa.
Winn
Wright
Wyatt
Young
Zablocki
Zion
Zwach

NAYS—128

Abbitt
Abernethy
Addabbo
Andrews, Ala.
Ashbrook
Ashley
Ashmore
Bates
Betts
Bevill
Biester
Bow
Brademas
Brasco
Brooks
Brown, Mich.
Broyhill, N.C.
Burleson
Cabell
Celler
Chamberlain
Clancy
Cleveland
Collier
Colmer
Conte
Curtis
Davis, Wis.
Delaney
Devine
Dow
Dowdy
Downing
Dulski
Dwyer
Eckhardt
Edwards, Ala.
Erlenborn
Eshleman
Findley
Flynt
Fountain
Fulton, Pa.
Fuqua
Galifianakis
Gathings
Gibbons
Gilbert
Goodell
Goodling
Green, Oreg.
Griffin
Gross
Grover
Hagan
Haley
Hall
Hardy
Harvey
Helstoski
Henderson
Hunt
Hutchinson
Jarman
Joelson
Jonas
Jones, N.C.
Kelly
King, N.Y.
Kyros
Langen
Latta
Lennon
McDonald, Mich.
McMillan
Macdonald, Mass.
Marsh
Meskill
Miller, Ohio
Minish
Minshall
Montgomery
Moore
Nichols
O'Konski
Ottinger
Pike
Poage

Podell
Poff
Pucinski
Purcell
Railsback
Randall
Reid, Ill.
Riegle
Robison
Rodino
Rogers, Fla.
Rooney, N.Y.
Rosenthal
Roudebush

Rumsfeld
Ruppe
St Germain
Satterfield
Scherle
Scheuer
Selden
Stratton
Taft
Tenzer
Thompson, Ga.
Thompson, N.J.
Tiernan
Tuck

Vanik
Wampler
Watkins
Whitener
Wiggins
Wilson, Bob
Wilson, Charles H.
Wolff
Wydler
Wylie
Wyman
Yates

NOT VOTING—40

Anderson, Tenn.
Blanton
Casey
Conyers
Culver
de la Garza
Evans, Colo.
Evins, Tenn.
Fallon
Fino
Gallagher
Gardner
Giaimo

Hansen, Idaho
Hawkins
Hébert
Herlong
Holifield
Holland
Jones, Mo.
Karsten
King, Calif.
Kornegay
Landrum
Long, La.
Madden
Mathias, Md.

Mosher
Murphy, N.Y.
Patman
Rarick
Resnick
Rhodes, Pa.
Rivers
Stephens
Talcott
Utt
Vigorito
Waggonner
Willis

So (two-thirds having voted in favor thereof) the rules were suspended and the bill, as amended, was passed.

The Clerk announced the following pairs:

Mr. Evins of Tennessee with Mr. Mathias of Maryland.

Mr. Waggonner with Mr. Fino.

Mr. Holifield with Mr. Mosher.

Mr. Giaimo with Mr. Talcott.

Mr. Fallon with Mr. Utt.

Mr. Culver with Mr. Gardner.

Mr. Blanton with Mr. Hansen of Idaho.

Mr. Anderson of Tennessee with Mr. King of California.

Mr. Long of Louisiana with Mr. Murphy of New York.

Mr. Madden with Mr. de la Garza.

Mr. Evans of Colorado with Mr. Rhodes of Pennsylvania.

Mr. Rivers with Mr. Gallagher.

Mr. Stephens with Mr. Kornegay.

Mr. Casey with Mr. Rarick.

Mr. Hawkins with Mr. Resnick.

Mr. Vigorito with Mr. Conyers.

Mr. Willis with Mr. Holland.

Mr. Hébert with Mr. Herlong.

Mr. Landrum with Mr. Patman.

Messrs. ROONEY of New York, ASHLEY, TUCK, KYROS, and Mrs. KELLY changed their votes from "yea" to "nay."

Mrs. BOLTON and Messrs. TEAGUE of Texas, SMITH of New York, BUSH, ZION, BROOMFIELD, MACGREGOR, and BUCHANAN changed their votes from "nay" to "yea."

The result of the vote was announced as above recorded.

The doors were opened.

A motion to reconsider was laid on the table.

GENERAL LEAVE TO EXTEND

Mr. ASPINALL. Mr. Speaker, I ask unanimous consent that all Members desiring to do so may have permission to extend their remarks in the RECORD on the bill just passed.

The SPEAKER. Is there objection to the request of the gentleman from Colorado?

There was no objection.

PROVIDING FOR A NATIONAL SCENIC RIVERS SYSTEM

Mr. TAYLOR. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 18260) to provide for a national scenic rivers system, and for other purposes.

The Clerk read as follows:

H.R. 18260

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) this Act may be cited as the "National Scenic Rivers Act of 1968".

(b) It is hereby declared to be the policy of the United States that certain selected rivers of the Nation which, with their immediate environments, possess outstandingly remarkable scenic, recreational, geologic, fish and wildlife, historic, cultural, or other similar values, shall be preserved in freeflowing condition, and that they and their immediate environments shall be protected for the benefit and enjoyment of present and future generations.

(c) The purpose of this Act is to implement this policy by instituting a national scenic rivers system, by designating the initial components of that system, and by prescribing the methods by which and standards according to which additional components may be added to the system from time to time.

SEC. 2. (a) The national scenic rivers system shall comprise rivers (i) that are authorized for inclusion therein by Act of Congress, or (ii) that are designated as scenic rivers by or pursuant to an act of the legislature of the State or States through which they flow, that are to be permanently administered as scenic rivers by an agency or political subdivision of the State or States concerned without expense to the United States, that are found by the Secretary of the Interior, upon application of the Governor of the State or the Governors of the States concerned, or a person or persons thereunto duly appointed by him or them, to meet the criteria established in this Act and such criteria supplementary thereto as he may prescribe, and that are approved by him for inclusion in the system, including, upon application of the Governor of the State concerned, the Allagash Wilderness Waterway, Maine, and that segment of the Wolf River, Wisconsin, which flows through Langlade County.

(b) A scenic river area eligible to be included in the system is a free-flowing stream and the related adjacent land area that possesses one or more of the values referred to in section 1, subsection (b) of this Act. Every scenic river in its free-flowing condition, or upon restoration to this condition, shall be considered eligible for inclusion in the national scenic rivers system, and if included, shall be classified, designated, and administered as one of the following:

(1) Class I scenic river areas.—Those rivers or sections of rivers that are free of impoundments and inaccessible except by trail, with watersheds or shorelines essentially primitive and waters unpolluted. These represent vestiges of primitive America.

(2) Class II scenic river areas.—Those rivers or sections of rivers free of impoundments, with shorelines or watersheds still largely primitive and shorelines largely undeveloped, but accessible in places by roads.

(3) Class III scenic river areas.—Those rivers or sections of rivers which are readily accessible by road or railroad, which may have some development along their shorelines, and which may have undergone some impoundment or diversion in the past.

SEC. 3. (a) The following rivers and the land adjacent thereto are hereby designated as components of the national scenic rivers system:

(1) CLEARWATER, MIDDLE FORK, IDAHO.—The Middle Fork from the town of Kooskia upstream to the town of Lowell; the Lochsa River from its junction with the Selway at Lowell forming the Middle Fork, upstream to the Powell Ranger Station; and the Selway River from Lowell upstream to its origin; to be administered by the Secretary of Agriculture.

(2) RIO GRANDE, NEW MEXICO.—The segment extending from the Colorado State line downstream to the State Highway 96 crossings, and the lower four miles of the Red River; to be administered by the Secretary of the Interior.

(3) ROGUE, OREGON.—The segment of the river extending from the mouth of the Applegate River downstream to the Lobster Creek Bridge; to be administered by agencies of the Departments of the Interior or Agriculture as agreed upon by the Secretaries of said Departments or as directed by the President.

(4) SAINT CROIX, MINNESOTA AND WISCONSIN.—The segment between the dam near Taylors Falls, Minnesota, and the dam near Gordon, Wisconsin, and its tributary, the Namekagon, from Lake Namekagon downstream to its confluence with the Saint Croix; to be administered by the Secretary of the Interior: *Provided,* That except as may be required in connection with items (a) and (b) of this paragraph, no funds available to carry out the provisions of this Act may be expended for the acquisition or development of lands in connection with, or for administration under this Act, that portion of the Saint Croix River between the dam near Taylors Falls, Minnesota, and the upstream end of Big Island in Wisconsin, until sixty days after the date on which the Secretary has transmitted to the President of the Senate and Speaker of the House of Representatives a proposed cooperative agreement between the Northern States Power Company and the United States (a) whereby the company agrees to convey to the United States, without charge, appropriate interests in certain of its lands between the dam near Taylors Falls, Minnesota, and the upstream end of Big Island in Wisconsin, including the company's right, title, and interest to approximately one hundred acres per mile, and (b) providing for the use and development of other lands and interests in land retained by the company between said points adjacent to the river, in a manner which shall complement and not be inconsistent with the purposes for which the lands and interests in land donated by the company are administered under this Act. Said agreement may also include provision for State or local governmental participation as authorized under subsection (e) of section 10 of this Act.

(5) SALMON, MIDDLE FORK, IDAHO.—From its origin to its confluence with the main Salmon River; to be administered by the Secretary of Agriculture.

(6) WOLF, WISCONSIN.—From the Langlade-Menominee County line downstream to Keshena Falls; to be administered by the Secretary of the Interior.

(b) The agency charged with the administration of each component of the national scenic rivers system designated by subsection (a) of this section shall, within one year from the date of this Act, establish detailed boundaries therefor (which boundaries shall include an average of not more than three hundred and twenty acres per mile on both sides of the river); determine which of the classes outlined in section 2, subsection (b), of this Act best fit the river or its various segments; and prepare a plan for necessary developments in connection with its administration in accordance with such classification. Said boundaries, classification, and development plans shall be published in the Federal Register and shall not become effective until ninety days after they have been forwarded to the President of the Senate and the Speaker of the House of Representatives.

SEC. 4. (a) The Secretary of the Interior or, where national forest lands are involved, the Secretary of Agriculture or, in appropriate cases, the two Secretaries jointly shall study and from time to time submit to the President and the Congress proposals for the addition to the national scenic rivers system of rivers which are designated herein or hereafter by the Congress as potential additions to such system; which, in his or their judgment, fall within one or more of the classes set out in section 2, subsection (b), of this Act; and which are proposed to be administered, wholly or partially, by an agency of the United States. Every such study and plan shall be coordinated with any water resources planning involving the same river which is being conducted pursuant to the Water Resources Planning Act (79 Stat. 244; 42 U.S.C. 1962 et seq.).

Each proposal shall be accompanied by a report, including maps and illustrations, showing among other things the area included within the proposal; the characteristics which make the area a worthy addition to the system; the current status of landownership and use in the area; the reasonably foreseeable potential uses of the land and water which would be enhanced, foreclosed, or curtailed if the area were included in the national scenic rivers system; the Federal agency (which in the case of a river which is wholly or substantially within a national forest, shall be the Department of Agriculture) by which it is proposed the area be administered; the extent to which it is proposed that administration, including the costs thereof, be shared by State and local agencies; and the estimated cost to the United States of acquiring necessary lands and interests in land and of administering the area as a component of the system. Each such report shall be printed as a Senate or House document.

(b) Before submitting any such report to the President and the Congress, copies of the proposed report shall, unless it was prepared jointly by the Secretary of the Interior and the Secretary of Agriculture, be submitted by the Secretary of the Interior to the Secretary of Agriculture or by the Secretary of Agriculture to the Secretary of the Interior, as the case may be, and to the Secretary of the Army, the Chairman of the Federal Power Commission, the head of any other affected Federal department or agency and, unless the lands proposed to be included in the area are already owned by the United States or have already been authorized for acquisition by Act of Congress, the Governor of the State or States in which they are located or an officer designated by the Governor to receive the same. Any recommendations or comments on the proposal which the said officials furnish the Secretary or Secretaries who prepared the report within ninety days of the date on which the report is submitted to them, together with the Secretary's or Secretaries' comments thereon, shall be included with the transmittal to the President and the Congress.

(c) Before approving or disapproving for inclusion in the national scenic rivers system any river designated as a scenic river by or pursuant to an act of a State legislature, the Secretary of the Interior shall submit the proposal to the Secretary of Agriculture, the Secretary of the Army, the Chairman of the Federal Power Commission, and the head of any other affected Federal department or agency and shall evaluate and give due weight to any recommendations or comments which the said officials furnish him within ninety days of the date on which it is submitted to them. If he approves the proposed inclusion, he shall publish notice thereof in the Federal Register.

Sec. 5. (a) The following rivers are hereby designated for potential addition to the national scenic rivers system:

(1) Bruneau, Idaho: The entire main stem.

(2) Buffalo, Tennessee: The entire river.

(3) Chattooga, North Carolina, South Carolina, and Georgia: The entire river.

(4) Clarion, Pennsylvania: The segment between Ridgway and its confluence with the Allegheny River.

(5) Cumberland, Tennessee: The entire Big South Fork and its tributary, the Clear Fork.

(6) Delaware, Pennsylvania and New York: The segment from Hancock, New York, to Matamoras, Pennsylvania.

(7) Eleven Point, Missouri: The segment in the State of Missouri.

(8) Feather, California: The entire Middle Fork.

(9) Flathead, Montana: The North Fork from the Canadian border downstream to its confluence with the Middle Fork; the Middle Fork from its headwaters to its confluence with the South Fork; and the South Fork from its origin to Hungry Horse Reservoir.

(10) Gasconade, Missouri: The entire river.

(11) Illinois, Oregon: The entire river.

(12) Little Miami, Ohio: The entire river.

(13) Missouri, Montana: The segment between Fort Benton and Ryan Island.

(14) Moyie, Idaho: The segment from the Canadian border to its confluence with the Kootenai River.

(15) Niobrara, Nebraska: The main stem segment from the confluence of Antelope creek to the headwaters of the proposed Norden Reservoir east of the town of Valentine, and the lower eight miles of its tributary, the Snake River.

(16) Obed, Tennessee: The entire river and its tributaries, Clear Creek and Daddys Creek.

(17) Penobscot, Maine: Its east and west branches.

(18) Pere Marquette, Michigan: The entire river.

(19) Pine Creek, Pennsylvania: The segment from Ansonia to Waterville.

(20) Priest, Idaho: The entire main stem.

(21) Rio Grande, Texas: The portion of the river between the west boundary of Hudspeth County and the east boundary of Terrell County on the United States side of the river: *Provided*, That before undertaking any study of this potential scenic river, the Secretary of the Interior shall determine, through the channels of appropriate executive agencies, that Mexico has no objection to its being included among the studies authorized by this Act.

(22) Saint Croix, Minnesota and Wisconsin: The segment between the dam near Taylors Falls and its confluence with the Mississippi River.

(23) Saint Joe, Idaho: The entire main stem.

(24) Salmon, Idaho: The segment from the town of North Fork to its confluence with the Snake River.

(25) Skagit, Washington: The segment from the town of Mount Vernon to and including the mouth of Bacon Creek; the Cascade River between its mouth and the junction of its North and South Forks; the South Fork to the boundary of the Glacier Peak Wilderness Area; the Suiattle River from its mouth to the Glacier Peak Wilderness Area boundary at Milk Creek; the Sauk River from its mouth to its junction with Elliott Creek; the North Fork of the Sauk River from its junction with the South Fork of the Sauk to the Glacier Peak Wilderness Area boundary.

(26) Susquehanna, New York and Pennsylvania: The segment between a dam at Cooperstown, New York, and the town of Pittston, Pennsylvania, and the segment of the West Branch Susquehanna between Clearfield and Lock Haven, Pennsylvania.

(27) Suwannee, Georgia, and Florida: The entire river from its source in the Okefenokee Swamp in Georgia to the gulf and the outlying Ichetucknee Springs, Florida.

(28) Upper Iowa, Iowa: The entire river.

(b) The Secretary of the Interior and, where national forest lands are involved, the Secretary of Agriculture shall proceed as expeditiously as possible to study each of the rivers named in subsection (a) of this section in order to determine whether it should be included in the national scenic rivers system. Such studies shall be completed and reports made thereon to the President and the Congress, as provided in section 4 of this Act, within fifteen years from the date of this Act. In conducting these studies the Secretary of the Interior and the Secretary of Agriculture shall give priority to those rivers with respect to which there is the greatest likelihood of developments which, if undertaken, would render them unsuitable for inclusion in the national scenic rivers system.

(c) The study of any of said rivers shall be pursued in as close cooperation with appropriate agencies of the affected State and its political subdivisions as possible and shall include a determination of the degree to which the State or its political subdivisions might partcipate in the preservation and administration of the river should it be proposed for inclusion in the national scenic rivers system. No study otherwise required by this section shall be undertaken or pursued in the case of any stream or section of a stream which the Governor of the State in which it is located certifies the State or one of its agencies or political subdivisions is prepared to study for the purpose of determining whether it should be proposed for inclusion in the national scenic rivers system so long as the State or one of its agencies or political subdivisions does in fact pursue said study with diligence. Nothing contained in the preceding sentence, however, shall be taken to forbid the Secretary of the Interior or the Secretary of Agriculture to cooperate with the State, the agency, or the political subdivision in undertaking and carrying out the study.

(d) In all planning for the use and development of water and related land resources, consideration shall be given by all Federal agencies involved to potential national scenic river areas, and all river basin and project plan reports submitted to the Congress shall consider and discuss any such potentials. The Secretary of the Interior and the Secretary of Agriculture shall make specific studies and investigations to determine which additional scenic river areas within the United States shall be evaluated in planning reports by all Federal agencies as potential alternative uses of the water and related land resources involved.

Sec. 6. (a) The Secretary of the Interior is authorized to acquire lands and interests in land within the authorized boundaries of any federally administered component of the national scenic rivers system designated in section 3 of this Act or hereafter designated for inclusion in the system by act of Congress. Lands owned by an Indian tribe, by a State, or by a political subdivision of a State may not be acquired without the consent of the appropriate governing body thereof as long as the Indian tribe, State, or political subdivision is following a plan for management and protection of the lands which the Secretary finds protects the land and assures its use for purposes consistent with this Act. Money appropriated for Federal purposes from the land and water conservation fund shall, without prejudice to the use of appropriations from other sources, be available to Federal departments and agencies for the acquisition of property for the purposes of this Act.

(b) The Secretary of the Interior is authorized to accept title to non-Federal property within the authorized boundaries of any federally administered component of the national scenic rivers system designed in section 3 of this Act or hereafter designated for inclusion in the system by Act of Congress and, in exchange therefor, convey to the grantor any federally owned property which is under his jurisdiction within the State or States in which the component lies and which he classifies as suitable for exchange or other disposal. The values of the properties so exchanged either shall be approximately equal or, if they are not approximately equal, shall be equalized by the payment of cash to the grantor or to the Secretary as the circumstances require.

(c) The head of any Federal department or agency having administrative jurisdiction over any lands or interests in land within the authorized boundaries of any federally administered component of the national scenic rivers system designated in section 3 of this Act or hereafter designated for inclusion in the system by Act of Congress is authorized to transfer to the Secretary of the Interior jurisdiction over such lands for administration in accordance with the provisions of this Act.

(d) The Secretary of the Interior is authorized to accept donations of lands and interests in land, funds, and other property for use in connection with his administration of the national scenic rivers system.

(e) Subsections (a), (b), (c), and (d) of this section shall apply with equal force to the Secretary of Agriculture in the case of any component of the national scenic rivers system which is within his administrative jurisdiction. Lands acquired by or transferred to the Secretary of Agriculture for the purposes of this Act within or adjacent to a national forest shall upon such acquisition or transfer become national forest lands.

Sec. 7. (a) The Federal Power Commission shall not license the construction of any dam, water conduit, reservoir, powerhouse, transmission line, or other project works under the Federal Power Act (41 Stat. 1063, as amended (16 U.S.C. 791a et seq.), on or directly affecting any river which is designated in section 3 of this Act as a component of the national scenic rivers system or which is hereafter designated for inclusion in that system, and no department or agency of the United States shall assist by loan, grant, license, or otherwise in the construction of any water resources project that would have a direct and adverse effect on the values for which such river was established, as determined by the Secretary charged with its administration. Nothing contained in the foregoing sentence, however, shall preclude licensing of, or assistance to, developments below or above a scenic river area or on any stream tributary thereto which will not invade the area or diminish the scenic, recreational, and fish and wildlife values present in the scenic river area on the date of approval of this Act. No department or agency of the United States shall recommend authorization of any water resources project that would have a direct and adverse effect on the values for which such river was established, as determined by the Secretary charged with its administration, or request appropriations to begin construction of any such project, whether heretofore or hereafter authorized, without advising the Secretary of the Interior or the Secretary of Agriculture, as the case may be, in writing of its intention so to do at least sixty days in advance, and without specifically reporting to the Congress in writing at the time it makes its recommendation or request in what respect construction of such project would be in conflict with the purposes of this Act and would affect the component and the values to be protected by it under this Act.

(b) The Federal Power Commission shall not license the construction of any dam, water conduit, reservoir, powerhouse, transmission line, or other project works under the Federal Power Act, as amended, on or directly affecting any river which is listed in section 5, subsection (a), of this Act, and no department or agency of the United States shall assist by loan, grant, license, or otherwise in the construction of any water resources project that would have a direct and adverse effect on the values for which such river might be designated, as determined by the Secretary responsible for its study or approval—

(i) during the five-year period following enactment of this Act unless, prior to the expiration of said period, the Secretary of the Interior and, where national forest lands are involved, the Secretary of Agriculture, on the basis of study, conclude that such river should not be included in the national scenic rivers system and publish notice to that effect in the Federal Register, and

(ii) during such additional period thereafter as, in the case of any river which is recommended to the President and the Congress for inclusion in the national scenic rivers system, is necessary for congressional consideration thereof or, in the case of any river recommended to the Secretary of the Interior for inclusion in the national scenic rivers system under section 2(a) (ii) of this Act, is necessary for the Secretary's consideration thereof, which additional period, however, shall not exceed three years in the first case and one year in the second. Nothing contained in the foregoing sentence, however, shall preclude licensing of, or assistance to, developments below or above a potential scenic river area or on any stream tributary thereto which will not invade the area or diminish the scenic, recreational, and fish and wildlife values present in the potential scenic river area on the date of approval of this Act.

No department or agency of the United States shall, during the periods hereinbefore specified, recommend authorization of any water resources project on any such river or request appropriations to begin construction of any such project, whether heretofore or hereafter authorized, without advising the Secretary of the Interior and, where national forest lands are involved, the Secretary of Agriculture in writing of its intention so to do at least sixty days in advance of doing so and without specifically reporting to the Congress in writing at the time it makes its recommendation or request in what respect construction of such project would be in conflict with the purposes of this Act and would affect the component and the values to be protected by it under this Act.

(c) The Federal Power Commission and all other Federal agencies shall, promptly upon enactment of this Act, inform the Secretary of the Interior and, where national forest lands are involved, the Secretary of Agriculture, of any proceedings, studies, or other activities within their jurisdiction which are now in progress and which affect or may affect any of the rivers specified in section 5, subsection (a), of this Act. They shall likewise inform him of any such proceedings, studies, or other activities which are hereafter commenced or resumed before they are commenced or resumed.

(d) Nothing in this section with respect to the making of a loan or grant shall apply to grants made under the Land and Water Conservation Fund Act of 1965 (78 Stat. 897; 16 U.S.C. 4601–5 et seq.).

Sec. 8. (a) All public lands within the authorized boundaries of any component of the national scenic rivers system which is designated in section 3 of this Act or which is hereafter designated for inclusion in that system are hereby withdrawn from entry, sale, or other disposition under the public land laws of the United States.

(b) All public lands which constitute the bed or bank, or are within one-quarter mile of the bank, of any river which is listed in section 5, subsection (a), of this Act are hereby withdrawn from entry, sale, or other disposition under the public land laws of the United States for the periods specified in section 7, subsection (b), of this Act.

Sec. 9. (a) Nothing in this Act shall affect the applicability of the United States mining and mineral leasing laws within components of the national scenic rivers system except that—

(i) all prospecting, mining operations, and other activities on mining claims which, in the case of a component of the system designated in section 3 of this Act, have not heretofore been perfected or which, in the case of a component hereafter designated pursuant to this Act or any other Act of Congress, are not perfected before its inclusion in the system and all mining operations and other activities under a mineral lease, license, or permit issued or renewed after inclusion of a component in the system shall be subject to such regulations as the Secretary of the Interior or, in the case of national forest lands, the Secretary of Agriculture may prescribe to effectuate the purposes of this Act;

(ii) subject to valid existing rights, the perfection of, or issuance of a patent to, any mining claim affecting lands within the system shall confer or convey a right or title only to the mineral deposits and such rights only to the use of the surface and the surface resources as are reasonably required to carrying on prospecting or mining operations and are consistent with such regulations as may be prescribed by the Secretary of the Interior or, in the case of national forest lands by the Secretary of Agriculture; and

(iii) subject to valid existing rights, the minerals in Federal lands which are part of the system and constitute the bed or bank or are situated within one-quarter mile of the bank of any river designated a class I scenic river under this Act or any subsequent Act are hereby withdrawn from all forms of appropriations under the mining laws and from operation of the mineral leasing laws including, in both cases, amendments thereto.

Regulations issued pursuant to paragraphs (i) and (ii) of this subsection shall, among other things, provide safeguards against pollution of the river involved and unnecessary impairment of the scenery within the component in question.

(b) The minerals in any Federal lands which constitute the bed or bank or are situated within one-quarter mile of the bank of any river which is listed in section 5, subsection (a) of this Act are hereby withdrawn from all forms of appropriation under the mining laws during the periods specified in section 7, subsection (b) of this Act. Nothing contained in this subsection shall be construed to forbid prospecting or the issuance of leases, licenses, and permits under the mineral leasing laws subject to such conditions as the Secretary of the Interior and, in the case of national forest lands, the Secretary of Agriculture find appropriate to safeguard the area in the event it is subsequently included within the system.

Sec. 10. (a) Each component of the national scenic rivers system shall be administered in such manner as to protect and enhance the values which caused it to be included in said system without, insofar as is consistent therewith, limiting other uses that do not substantially interfere with public use and enjoyment of these values. In such administration primary emphasis shall be given to protecting its esthetic, scenic, historic, archeologic, and scientific features. Management plans for any such component may establish varying degrees of intensity for its protection and development, based on the special attributes of the area.

(b) Any portion of a component of the national scenic rivers system that is within the national wilderness preservation system, as established by or pursuant to the Act of September 3, 1964 (78 Stat. 890; 16 U.S.C., ch. 23), shall be subject to the provisions of both the Wilderness Act and this Act with respect to preservation of such river and its immediate environment, and in case of conflict between the provisions of these Acts the more restrictive provisions shall apply.

(c) Any component of the national scenic rivers system that is administered by the

Secretary of the Interior through the National Park Service shall become a part of the national park system, and any such component that is administered by the Secretary through the Fish and Wildlife Service shall become a part of the national wildlife refuge system. The lands involved shall be subject to the provisions of this Act and the Acts under which the national park system or national wildlife system, as the case may be, is administered, and in case of conflict between the provisions of these Acts, the more restrictive provisions shall apply. The Secretary of the Interior, in his administration of any component of the national scenic rivers system, may utilize such general statutory authorities relating to areas of the national park system and such general statutory authorities otherwise available to him for recreation and preservation purposes and for the conservation and management of natural resources as he deems appropriate to carry out the purposes of this Act.

(d) The Secretary of Agriculture, in his administration of any component of the national scenic rivers system area, may utilize the general statutory authorities relating to the national forests in such manner as he deems appropriate to carry out the purposes of this Act.

(e) The Federal agency charged with the administration of any component of the national scenic rivers system may enter into written cooperative agreements with the Governor of a State, the head of any State agency, or the appropriate official of a political subdivision of a State for State or local governmental participation in the administration of the component. The States and their political subdivisions shall be encouraged to cooperate in the planning and administration of components of the system which include or adjoin State- or county-owned lands.

SEC. 11. (a) The Secretary of the Interior shall encourage and assist the States to consider, in formulating and carrying out their comprehensive statewide outdoor recreation plans and proposals for financing assistance for State and local projects submitted pursuant to the Land and Water Conservation Fund Act of 1965 (78 Stat. 897), needs and opportunities for establishing State and local scenic river areas. He shall also in accordance with the authority contained in the Act of May 28, 1963 (77 Stat. 49), provide technical assistance and advice to, and cooperate with, States, political subdivisions, and private interests, including nonprofit organizations, with respect to establishing such scenic river areas.

(b) The Secretaries of Agriculture and of Health, Education, and Welfare shall likewise, in accordance with the authority vested in them, assist, advise, and cooperate with State and local agencies and private interests with respect to establishing such scenic river areas.

SEC. 12. (a) The Secretary of the Interior, the Secretary of Agriculture, and heads of other Federal agencies shall review administrative and management policies, regulations, contracts, and plans affecting lands under their respective jurisdictions which include, border upon, or are adjacent to the rivers listed in subsection (a) of section 5 of this Act in order to determine what actions should be taken to protect such rivers during the period they are being considered for potential addition to the national scenic rivers system. Particular attention shall be given to scheduled timber harvesting, road construction, and similar activities which might be contrary to the purposes of this Act.

(b) Nothing in this section shall be construed to abrogate any existing rights, privileges, or contracts affecting Federal lands held by any private party without the consent of said party.

(c) The head of any agency administering a component of the national scenic rivers system shall cooperate with the Secretary of the Interior and with the appropriate State water pollution control agencies for the purpose of eliminating or diminishing the pollution of waters of the river.

SEC. 13. (a) Nothing in this Act shall affect the jurisdiction or responsibilities of the States with respect to fish and wildlife. Hunting and fishing shall be permitted on lands and waters administered as parts of the system under applicable State and Federal laws and regulations unless, in the case of hunting, those lands or waters are within a national park or monument. The administering Secretary may, however, designate zones where, and establish periods when, no hunting is permitted for reasons of public safety and shall issue appropriate regulations on public safety after consultation with the wildlife agency of the State or States affected.

(b) Nothing in this Act shall constitute an express or implied claim or denial on the part of the United States with respect to the applicability to it of, or to its exemption from, State water laws, and nothing in this Act shall be construed to alter, amend, or repeal any interstate water compact which has heretofore been entered into by States which contain any portion of the national scenic rivers system and to which the consent or approval of the Congress has been given.

(c) A State shall have such rights as may be necessary to assure adequate access by such State to the beds of navigable rivers which are vested in the State, in case such beds are located in a national scenic river: *Provided*, That no river, the bed of which is vested in a State, shall be included in the national scenic rivers system pursuant to section 2, subsection (a) (ii), of this Act without certification by the State that it will not permit mining or similar disruption of its bed.

(d) The Secretary of the Interior or the Secretary of Agriculture, as the case may be, may grant easements and rights-of-way upon, over, under, across, or through any component of the national scenic rivers system in accordance with the laws applicable to the national park system and the national forest system, respectively: *Provided*, That any conditions precedent to granting such easements and rights-of-way shall be related to the policy and purpose of this Act and shall not be based upon the Department of the Interior or Department of Agriculture regulations relating to granting rights-of-way for power transmission lines issued March 23, 1963 (28 F.R. 2903, 2905; 43 C.F.R. 2234.4, 36 C.F.R. 251.52).

SEC. 14. The claim and allowance of the value of a conservation easement as a charitable contribution under section 170 of title 26, United States Code, or as a gift under section 2522 of said title shall constitute an agreement by the donor on behalf of himself, his heirs, and assigns that, if the terms of the instrument creating the easement are violated, the donee or the United States may acquire the servient estate at its fair market value as of the time the easement was donated minus the value of the easement claimed and allowed as a charitable contribution or gift.

SEC. 15. As used in this Act, the term—

(a) "River" means a flowing body of water or estuary or a section, portion, or tributary thereof, including rivers, streams, creeks, runs, kills, rills, small lakes, and, as provided in this Act, manmade waterways.

(b) "Free-flowing", as applied to any river or section of a river, means existing or flowing in natural condition without impoundment, diversion, straightening, rip-rapping, or other modification of the waterway. The existence, however, of low dams, diversion works, and other minor structures at the time any river is proposed for inclusion in the national scenic river system shall not automatically bar its consideration for such inclusion: *Provided*, That this shall not be construed to authorize, intend, or encourage future construction of such structures within components of the national scenic rivers system.

(c) "Conservation easement" means a perpetual interest in land, however created or expressed, which interest (i) is held by or for the benefit of the United States or the people of the United States, a State or the people of a State, or another public body or the people of such body, (ii) is specifically enforcible by its holder or beneficiaries, and (iii) limits or obligates the holder of the servient estate, his heirs, and assigns with respect to their use and management of the land and activities conducted thereon, the disturbance or modification of the surface or subsurface thereof, the structures placed or maintained thereon, or the growth, planting, removal, destruction, or damaging of vegetation thereon, or in other respects in connection therewith, all as more specifically spelled out in the document by which such interest in land is created, the object of such limitations and obligations being the maintenance or enhancement of the natural beauty of the land in question or of areas affected by it and of flora, fauna, and archeological or historic remains on it or them and the preservation of the values thereof for scientific study and for public enjoyment by present and future generations.

SEC. 16. There are hereby authorized to be appropriated such sums as may be necessary, but not more than $17,340,000, for the acquisition of lands and interests in land under the provisions of this Act.

The SPEAKER. Is a second demanded?

Mr. STEIGER of Arizona. Mr. Speaker, I demand a second.

Mr. McDADE. Mr. Speaker a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. McDADE. Mr. Speaker, does a Member have to be opposed to the bill to demand a second?

The SPEAKER. Under the precedents of the House, a Member who demands a second must be opposed to the bill.

Is the gentleman from Arizona opposed to the bill?

Mr. STEIGER of Arizona. I am opposed to the bill, Mr. Speaker.

The SPEAKER. The gentleman qualifies.

Without objection, a second will be considered as ordered.

There was no objection.

The SPEAKER. The gentleman from North Carolina [Mr. TAYLOR] is recognized.

Mr. TAYLOR. Mr. Speaker, I yield such time as he may desire to the gentleman from Colorado [Mr. ASPINALL].

Mr. ASPINALL. Mr. Speaker, we are now about to consider H.R. 18260, to provide for a national system of scenic rivers. Some Members may wonder why a bill with such a high number as this is being considered so quickly. The answer is, of course, that this is a clean bill that was introduced following committee consideration of 17 other wild or scenic rivers bills that had been referred to it. It includes all the committee amendments that were adopted to the one of these 17 bills that we worked from during markup.

In one way, Mr. Speaker, I am inclined to believe that H.R. 18260, though it involves comparatively little money, will prove more productive over the years than almost any other measure in the parks and outdoor recreation field that we have considered this Congress or, for that matter, the last few Congresses. The only exception to this statement that I can think of is the original Land and Water Conservation Fund Act of 1965, and the amendments to it, that became law when the President signed them this morning.

What we are doing here in H.R. 18260 is not only setting aside segments of six of our most scenic rivers for permanent preservation and another 28 for study but, more important, we are legislating a long-run policy and, we hope, a pattern for the future. I mean this: We are deciding today that it is time to say that there are some streams that ought to be preserved for this and future generations in as pristine condition as they can be preserved; that notwithstanding the possibility that these streams, or some of them, might sometime yield some private economic advantage, they have other values that outrank this one and that there ought, therefore, to be no intrusion on these streams that we in the Congress can prevent; and that we ought to encourage the States to take a look at the streams within their boundaries and, if it is their judgment that some of their streams have the same sort of values that we seek to preserve, we ought to give them the same protection that we give federally designated scenic rivers.

Mr. Speaker, it will be evident to anyone who reads the history of the development of this legislation that the Committee on Interior and Insular Affairs has been quite selective in the list of rivers included in the bill for immediate authorization and for study. Several years ago the Department of the Interior and the Department of Agriculture compiled from various sources a list of 650 or more rivers that were thought to be worth at least a preliminary look. Then the list was culled and about 10 percent of these 650—67 to be precise—were designated for somewhat more thorough consideration. This list was again culled and 22 of the 67 were given more intensive study. Of the 67 and the 22, the administration recommended on February 18, 1967, that nine be authorized immediately and that 35 be put in a study category. The result of our committee deliberations was a further paring down. We have, as I said before, six rivers in the immediate category and 28 in the study category.

The six that we have included in the immediate category are the Middle Fork of the Clearwater in Idaho, a part of the Rio Grande in New Mexico, segments of the Rogue in Oregon, a part of the St. Croix and the whole of its tributary, the Namekagon, in Minnesota and Wisconsin, the Middle Fork of the Salmon in Idaho, and an important part of the Wolf in Wisconsin. In addition, the bill provides for including in the system another part of the Wolf in Wisconsin and the Allagash in Maine as State-designated rivers if the Governor of the State concerned requests that this be done.

Since four of the six immediate rivers are largely on public or national forest lands, the overall cost of acquiring the land and easements that are needed to protect the six—about 204,000 acres in all, or an average of 320 acres per river mile—will be only $17,340,000 under present land prices and estimates. At least part of this cost, and perhaps all of it, will be defrayed from appropriations from the land and water conservation fund. The cost of the studies that are to be undertaken will, it is estimated, be about $50,000 apiece on the average, or $1,400,000, and this expenditure will be spread over a period which may be, though I hope it will not be, as long as 15 years.

I want to say at this point that we have given serious attention to the advice given us by Members of the House with respect to rivers in their districts. They know better than we do the value of these rivers. While, of course, the House cannot put itself in the position of saying that anything an individual Member wants or does not want for his district is conclusive, it is an important consideration. I have every reason to believe, therefore, that all Members who appeared before our committee or wrote to our committee in support of exclusion or inclusion of a river will find themselves fully satisfied.

Mr. Speaker, there is much more that I could say about H.R. 18260 but time is short and I want to give other Members—particularly the ranking minority member of our committee who is the principal sponsor of H.R. 18260 and the chairman of our Subcommittee on National Parks and Recreation—a full opportunity to express their views on this bill. I shall, therefore, stop at this point, merely pausing long enough to express the hope that the rules will be suspended and the bill passed unanimously. I urge that this be done.

Mr. STRATTON. Mr. Speaker, will the gentleman yield?

Mr. ASPINALL. I yield to the gentleman from New York.

Mr. STRATTON. I thank the gentleman from Colorado for yielding to me at this point.

I want to ask the gentleman from Colorado a question. I want to ask whether my understanding is correct, that the Susquehanna River, all the way from Cooperstown, the home of the Baseball Hall of Fame, which is located in my particular district, down to the mouth of the river in Maryland, is included in this legislation? The last time I heard about this question the Susquehanna was one of the deferred rivers.

Mr. ASPINALL. There was never any condition to the effect that they were going to freeze these developments all the way, and I am a little amazed that this is of such broad scope that under a limitation of debate it cannot be thoroughly gone into.

However, may I say to the gentleman from New York that the procedure of suspension of the rules is all that is left open to us.

When we do go to conference on this legislation, if we do, and a conference will be possible because of the differences in the legislation as proposed by the two bodies of the Congress, the river to which the gentleman is referring will be in conference.

It is true that for a definite time after a study begins that there will be a locking up. This is what is bothering so many of our Members at the present time.

Mr. Speaker, all I can say here is, that if the Members wish, and the record is made in this debate, we shall take all these matters into consideration in conference.

On the other hand, if the gentleman from Pennsylvania, the chief sponsor of the legislation, sees fit to explain this provision when he takes the floor, I shall be pleased to have his interpretation and answer to the gentleman's questions.

Mr. STRATTON. I thank the distinguished chairman of the Committee on Interior and Insular Affairs again for yielding to me, and I would like to ask him one further question: Is it true that even though this river is only on the study list, any efforts to establish industry along this river and attract new business, any development of new recreational facilities, will have to be frozen until the study has been completed?

Mr. ASPINALL. I want to answer my friend in the manner which I understand the situation to be, but I wanted also the distinguished gentleman from Pennsylvania to make his position known.

As I understand it, there will be a freeze when that study starts. That freeze will keep any development from taking place from the period provided in this legislation.

When we had the legislation before us the first time we had a 15-year period during which to conduct these studies. Many of us thought 15 years was too long and we put it back to 5 years.

However, if the Members of the House of Representatives think 5 years is too much or if they do not want any study similar to what is proposed, then, of course, we will have to be guided accordingly in the conference committee.

Mr. STRATTON. Mr. Speaker, if the gentleman will yield further, did I understand that any development would have to be provided for under a Federal license?

Mr. ASPINALL. That is correct. The license would have to come out of the Federal Power Commission.

Mr. FLOOD. Mr. Speaker, will the gentleman yield?

Mr. ASPINALL. I am happy to yield to my distinguished friend, the gentleman from Pennsylvania [Mr. FLOOD].

Mr. FLOOD. Mr. Speaker, I am sure this committee is aware of the fact that several years ago I was disappointed in not obtaining a comprehensive survey for this entire river, although a study has been going on for a period of 5 years and it has cost the Government, so far, $5 million.

It is to be completed next year at a cost of $6 million. We have a complete comprehensive survey of this river by the Army Engineers, I repeat, for the purpose of emphasis, for 5 years, at $6 million. I suggest the need for another study on top of that study is pretty remote.

Mr. ASPINALL. May I reply to my friend from Pennsylvania, that as far as I know we never had such information before our committee.

Mr. FLOOD. I am sure of that.

Mr. ASPINALL. And that if we had

such information, there more than likely would have been a request, to eliminate the stream, and this particular river would not have been included. It would not have been included because, I can advise my friend from Pennsylvania and all other Members of Congress, that we included no river within this study on which an objection was made by the Members in whose district the river was situated.

Mr. FLOOD. If the gentleman will yield further, one of my colleagues from the other side of the aisle was in touch today to my knowledge with the secretary of forests and waters of the State of Pennsylvania, who was for this bill until I told him to read it. Now the Governor and the secretary of forests and waters, having seen the bill—and this language was not in the bill, as they were told, this has been put in at some subsequent time—now Pennsylvania is against this whether it is in or not.

This river has been studied to death at a cost of $6 million.

Mr. Speaker, I am sure I have never voted against a bill from this committee in the 22 years that I have been in Congress, not one—not one—and I should have many times—out of deference to this committee for which I have the greatest respect. I am positive the members of this committee did not have the information that I am presenting to the House.

Mr. ASPINALL. I believe the gentleman is correct.

Mr. KYL. Mr. Speaker, will the gentleman yield?

Mr. ASPINALL. I yield to the gentleman from Iowa.

Mr. KYL. I thank the gentleman for yielding.

I believe a further word is warranted as far as the comments of the gentleman from Pennsylvania are concerned. In this particular legislation there are a number of conflicts, and the House should be aware of the possible conflicts. You cannot have a scenic river, for instance, with a series of dams for flood control, or for any other purpose. You cannot have a highly protected scenic river and at the same time have new industrial growth along its banks, or new residential growth. That is why the committee of the House tried to go much slower than the other body had gone in this piece of legislation.

This is a very serious matter. Should a river be preserved in a completely wild state? Should a river be preserved as a scenic river, as a pastoral river, or is there a better and higher use? On all those rivers which are designated to fall into this program, any investigation must determine what kinds of uses will be permitted or denied. It is a real problem that needs considerable study.

Another reason why this bill is much more limited than that offered by the other body, is that under the terms of even the House bill there could be an expenditure of billions of dollars if every stream in the country that someone wants to qualify would be included in the program. I believe the House must be aware of this. Further, I would state to the gentleman from Pennsylvania, that this bill would obviously have to go to conference, and I would recommend that the gentleman from Pennsylvania make his point there.

Actually, the Corps of Engineers has studied this river from one angle, the Department of Interior would study it from the other angle of saving the scenery, purifying the stream and using it for for recreational purposes of all kinds.

Mr. TAYLOR. Mr. Speaker, if the gentleman will yield, I would like to state that the Susquehanna is No. 26 in the bill, and it says:

> The segment between a dam at Cooperstown, N.Y., and the town of Pittston, Pa., and the segment of the West Branch Susquehanna between Clearfield and Lock Haven, Pa.

That is in the original bill introduced, and this is exactly the same language; no change was made in the language by the committee.

Let me state, had objection been made by Members of Congress to this river, it would have been deleted as others were, and it can be deleted in conference if the Congressmen from that area do not want it.

Mr. FLOOD. If the gentleman will yield further, I am for the deletion; the fact that it was once in the bill originally in the first language written, it was just as bad then for the purposes I address now.

Mr. ASPINALL. Let me say to the gentleman from Pennsylvania that, when the bill came from the administration, the provision was in it.

May I say also that, if the gentleman from Pennsylvania [Mr. SAYLOR] is so inclined, and apparently he has been up to this time, this provision of the bill could be taken out in conference. I would join in such endeavor.

Mr. SAYLOR. Mr. Speaker, will the gentleman yield?

Mr. ASPINALL. I yield to my friend, the gentleman from Pennsylvania.

Mr. SAYLOR. I would remind the chairman of the full committee that, as the chairman of the subcommittee, the gentleman from North Carolina [Mr. TAYLOR] said, we have been considering this bill since 1963, and whenever any Member came before our committee and asked to have a river taken out, we have taken it out, and we will still take it out when we go to conference.

Mr. FLOOD. Mr. Speaker, if the gentleman will yield further, I have consulted with my colleague, the gentleman from Pennsylvania, before I talked to many of my friends from the New York and Pennsylvania delegation for 20 years about bills from this committee and have acted upon his advice year after year after year, and the chairman, my cowboy friend from Colorado without exception—with no exception. So out of an abundance of caution, I might add to you present in the hall from Idaho, Tennessee—and this might sound like a convention—Georgia, South Carolina, North Carolina, Pennsylvania, Missouri, Montana, Oregon, Ohio, Wisconsin, Minnesota, and Washington—you had better hear what I say—you are in the same boat.

Mr. ASPINALL. I might say to my picturesque friend from Pennsylvania that if he had once said something to me about his position—and had not taken me for granted—perhaps we would not have this debate at this particular time.

Mr. HARSHA. Mr. Speaker, will the gentleman yield?

Mr. ASPINALL. I yield to the gentleman.

Mr. HARSHA. I would like to ask a question along this same line. I notice in section 5 it includes the Miami River for a study. It includes the entire river. Does that mean just what it says—or does it mean branches or parts of the river?

Mr. ASPINALL. May I say to the gentleman, it means exactly what it says. As I remember the matter, the request was made for the language that is presently in the bill.

Mr. HARSHA. I have in my congressional district a project which is in process of construction by the Corps of Engineers, a large flood-control reservoir. They are in the process now of buying rights-of-way and they have bought some rights-of-way. Money has been appropriated to initiate the construction. Does this preclude the Corps of Engineers from proceeding with that project?

Mr. ASPINALL. I would say to the gentleman that the study would hold it up for the time period, so far as the Federal Power Commission licensing authority is concerned.

Mr. HARSHA. There are no power facilities to be installed. What about the Corps of Engineers?

Mr. ASPINALL. As I understand the matter, the provision referred to has nothing to do with the Corps of Engineers.

Mr. HARSHA. In other words, this is solely a flood-control and recreation project and water conservation.

Mr. STEIGER of Arizona. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, it should be very apparent at this time that this bill is going to be of some concern to many Members.

I would just point out in addition to the instant rivers, the ones taking effect immediately, there are over 650 potential rivers that will be in the same situation, the Susquehanna and other rivers of concern to the gentleman from Ohio.

We are talking about a scenic rivers bill that actually circumvents, in my view, the previous action of this House of Representatives.

The House of Representatives passed a bill establishing a National Water Commission whose mission was to determine the needs and the resources available among other things in the rivers of this country.

We also provided for a Water Resources Planning Act whose mission was much the same.

Now, gentlemen, this bill, in virtually every aspect, supersedes both the National Water Commission and the Water Resources Planning Act. Perhaps most significantly of all, this bill gives the Secretary of the Interior and the Secretary of Agriculture, on the approved scenic rivers, the right of condemnation for one-quarter of a mile back on either side of the river for the full length of the river or as much of it as lies within the scenic designation.

This permits 320 acres per mile to be condemned by the Secretary of the Interior and/or the Secretary of Agriculture in order to preserve the scenic values.

Mr. FUQUA. Mr. Speaker, will the gentleman yield?

Mr. STEIGER of Arizona. I am happy to yield to the gentleman from Florida.

Mr. FUQUA. I appreciate the gentleman yielding. I would like to ask someone a question, because located in my congressional district is the Suwannee River, and that river is covered in section 5 of the bill. We already have a study underway. I am wondering how soon this study can be expedited, because this river is privately owned from where it begins in the State of Georgia to where it ends in the Gulf of Mexico. I wonder if someone could give me some idea. I certainly hope we do not have to wait 15 years to get the completion of the study.

Mr. STEIGER of Arizona. Under the terms of this bill, the appropriate Secretary would have up to 5 years to complete a study. There is nothing in the bill itself that grants the 28 rivers priority in the study section language of the report, which ranks them in any order. I would assume that since the study is already underway, there is a good chance the study will be accelerated. However, there is nothing in the bill that provides for priority among the 28 study rivers.

Mr. FUQUA. On page 12, line 24, there is a statement that the greatest priority should be given those rivers that are most likely to have development. I would hope that we could get a study completed.

Another question is, what would happen if someone wanted to build a vacation home on the banks of the river and have the right to build a pier in front of his cottage? Would this be permitted under the study provisions of the bill?

Mr. STEIGER of Arizona. Yes; only those functions of the Federal Government would be involved in the preservation so far as the markup is concerned.

Mr. FUQUA. I thank the gentleman for yielding.

Mr. GROSS. Mr. Speaker, with the gentleman yield?

Mr. STEIGER of Arizona. I am glad to yield to the gentleman from Iowa.

Mr. GROSS. It seems to me that we have reached the slaphappy hour tonight in this business of suspending the rules for the consideration of bills. Now we are told that if Members are not satisfied with what is being done, just go to the conference committee, to the managers on the part of the House and the Senate—perhaps six or eight Members—and try to correct the bad features of the legislation.

Mr. Speaker, this bill should be sunk without a trace.

Mr. STEIGER of Arizona. The gentleman from Iowa might be interested to note that while this bill carries a price tag in excess of $17 million for the eight instant rivers, the 28 study rivers offer a potential far in excess of that for an expenditure that is being—at least in theory or in spirit—that is being authorized at this time.

Mr. CARTER. Mr. Speaker, will the gentleman yield?

Mr. STEIGER of Arizona. I yield to the gentleman from Kentucky.

Mr. CARTER. I thank the gentleman for yielding. As it happens, there is a river in my State on which a dam is proposed called the Devil's Jump. This dam is approved by the State of Kentucky, by the State of Tennessee, and the Representatives in the neighboring area. I know of no Representative in this area that is for a wild river on the Big South Fork of the Cumberland River. But, Mr. Speaker, this has been included. Certainly I was never asked anything about it.

Therefore, I believe, as the chairman has stated, he will remove this, barring objection from other Members of Congress. I regret that it is impossible to do at this time, and I thank the distinguished gentleman for yielding.

Mr. MAILLIARD. Mr. Speaker, will the gentleman yield?

Mr. STEIGER of Arizona. I am glad to yield to the gentleman from California.

Mr. MAILLIARD. I wish to ask a question about the rivers that are actually specified—not the ones in the study group, but the instant ones. I could not find the answer from reading the report. Is it intended that all private property be taken over in the segment of the river that is designated, or are there alternatives to Federal acquisition of private property?

Mr. STEIGER of Arizona. On any of the eight rivers in the instant section, the appropriate Secretary has the right of condemnation on any of the deeded lands which he feels is necessary to preserve the scenic values of that river. It does not mean that all private land will of necessity be acquired by the Federal Government, but it gives the option to acquire all of it if the Secretary so sees fit.

Mr. MAILLIARD. If the gentleman will yield further, would he also, under this legislation, have alternatives, like giving people a life estate, or would he be limited in condemning or acquiring?

Mr. STEIGER of Arizona. No; he may, in addition to condemning and acquiring, exercise the option of granting a life estate, scenic easement, or any one of the Federal tools now available in other similar situations.

However, he can exercise this option at his judgment on any of the deeded land along the rivers in question.

Mr. HARSHA. Mr. Speaker, will the gentleman yield?

Mr. STEIGER of Arizona. I yield to the gentleman from Ohio.

Mr HARSHA. Mr. Speaker, I appreciate the gentleman from Arizona yielding to me.

Of course, time precluded my getting a complete answer from the gentleman previously in the well. Can the gentleman assure me a flood-control project on the Little Miami River, in which the Corps of Engineers is presently in the state of purchasing right-of-way, would not be stopped by being included in this section 5?

Mr. STEIGER of Arizona. It is my understanding that the Corps of Engineers projects and the Bureau of Reclamation projects, which are already approved, will remain approved and be carried out.

This will lock up any subsequent reclamation or Corps of Engineers projects.

Mr. TAYLOR. Mr. Speaker, will the gentleman yield?

Mr. STEIGER of Arizona. I yield to the gentleman from North Carolina.

Mr. TAYLOR. Mr. Speaker, this legislation does not have any effect on projects under construction. The only prohibitation is on the first asking money for construction.

Mr. HARSHA. Mr. Speaker, will the gentleman yield?

Mr. STEIGER of Arizona. I yield to the gentleman from Ohio.

Mr. HARSHA. Mr. Speaker, we have a difference of opinion there, because the Corps of Engineers categorizes their first construction money as construction money, but technically it is used for right-of-way purposes. There is no condemnation or reclamation. This affects a great many people and involves a great many millions of dollars and the economic welfare of the community. Can the gentleman assure me under those circumstances that the project will not be precluded from proceeding in the normal fashion, or will it be detained or delayed in any manner?

Mr. STEIGER of Arizona. It is my understanding—and I would stand corrected if the chairman of the subcommittee so indicates—that this project would not be so affected, because it has already been approved.

Mr. HARSHA. Will the gentleman yield to the chairman of the subcommittee for that same assurance?

Mr. STEIGER of Arizona. I yield to the chairman of the subcommittee.

Mr. TAYLOR. Mr. Speaker, that is my understanding.

Mr. LAIRD. Mr. Speaker, will the gentleman yield?

Mr. STEIGER of Arizona. I yield to the gentleman from Wisconsin.

Mr. LAIRD. Mr. Speaker, it is my understanding that the instant rivers—which happens to include the Wolf River in Wisconsin—that funding on these projects, if approved, immediately there will be no further study involved as far as the instant rivers are concerned.

Mr. STEIGER of Arizona. That is correct. That is, these instant rivers have actually circumvented the studies.

Mr. LAIRD. The studies have already been completed. In the case mentioned by the gentleman from Ohio, those studies are not completed and it would not be involved as far as stopping any reclamation project or any Corps of Engineers project.

Mr. STEIGER of Arizona. The gentleman from Wisconsin has a misconception. I would like to make it very clear it is being in that category of a study river that locks up the river for a minimum of 5 years. It is just the study designation that locks it up for 5 years.

That is one of my major objections to this piece of legislation. We have just seen the gentleman from Kentucky mention that he has a river that has some development contemplated that will be jeopardized by this study.

Mr. LAIRD. The study will stop not only the Corps of Engineers but also any reclamation project on a study river, even though that project is in process now?

Mr. STEIGER of Arizona. No, it will not interrupt it if it has been presently approved.

Mr. LAIRD. But only those that have not been approved, it will interrupt?

Mr. STEIGER of Arizona. That is correct.

Mr. LAIRD. That is my understanding.

Mr. STEIGER or Arizona. That is correct.

Mr. HALLECK. Mr. Speaker, will the gentleman yield?

Mr. STEIGER of Arizona. I yield to the gentleman from Indiana.

Mr. HALLECK. Mr. Speaker, will the gentleman yield?

Mr. STEIGER of Arizona. I yield to the gentleman from Indiana.

Mr. HALLECK. Mr. Speaker, I must say I have always been a great advocate of suspension of the rules to bring about expeditious consideration of legislation. However, it does seem to me from the conversations we have had here and with all the question about these various rivers, and in view of the fact that when we vote for this, we take the whole business, or, if we vote against it, we do not take any of it, there is no opportunity for any individual Member or representative of any area of the country to express his opposition and have that matter determined here in the Committee of the Whole and be stricken out.

I am for scenic rivers, because nobody here likes to fish any more than I do, and I yield to no man in that, but in my district I have a great deal of country locked up, as apparently much will be locked up here. Those people do not know whether they are fish or fowl, they cannot improve their property, and they cannot sell, and they do not know what to do.

That is the reason, as far as I am concerned, that I must say about this procedure here, it seems to me, it would have been much better if we had brought it up under a rule.

I say that with all deference to the great chairman of the committee, for whom I have the highest regard.

I recognize that sometimes these things can be adjusted in conference, and I believe the gentleman would do that so far as he could, but sometimes we cannot prevail in those conferences with the other body.

Mr. ASPINALL. Mr. Speaker, will the gentleman yield?

Mr. STEIGER of Arizona. I am happy to yield to the chairman of the full committee.

Mr. ASPINALL. This is all very well. The chairman of the committee having jurisdiction asked for a rule. We were not heard within time.

We have been working on this bill. Every Member in this House should have known that this bill as such was before our committee and that we were putting rivers in and putting rivers out at the wishes of the Members involved. We were trying to bring up a bill that would show to the Members what is involved.

My friends, you cannot have your cake and eat it, too. Keep that in mind.

If you are going to have development of the rivers, and build your homes at the expense of the public's enjoyment, if you are going to have powerplants, if you are going to have cities, then that is what you will have. But if you are going to set aside some rivers to enjoy them as rivers, you had better make up your minds to do that.

That is the reason why we have this legislation before us.

The gentleman from Arizona now in the well pointed out some of the difficulties on this legislation, and he has expressed himself very well.

All I can say is that you cannot, in my opinion, in this session, take care of this bill on the floor of the House, even if you have a rule, for the simple reason that there is no common way by which you can get the Members to agree on what they want in it and what they want out of it.

If you are going to have scenic rivers, you are going to have scenic rivers. You are not going to have anything halfway in between.

Mr. STEIGER of Arizona. I should like to make it perfectly clear that anyone who is on the subcommittee under the chairmanship of the gentleman from North Carolina is aware of the fact that the chairman of the full committee [Mr. ASPINALL] has labored long and hard, as hard as any Member on the subcommittee, on this particular piece of legislation. He has made every reasonable effort—and, so far as I am concerned, beyond reasonable effort—to contact the Members of the House to make them aware of the rivers in this bill and what the bill does.

It is my position that in spite of the near-heroic efforts both of the chairman of the full committee and of the chairman of the subcommittee this bill is so broad in concept and approach it simply does not brook the type of safety we need.

Mr. ASPINALL. Mr. Speaker, will the gentleman yield further?

Mr. STEIGER of Arizona. I yield.

Mr. ASPINALL. Would not the gentleman say that this is a very much cut down bill from the one we started with and from the one which came over from the other body?

Mr. STEIGER of Arizona. Without a doubt that is true.

Mr. KYL. Mr. Speaker, will the gentleman yield?

Mr. STEIGER of Arizona. I yield to the gentleman from Iowa.

Mr. KYL. I should like to read from page 13 of the bill:

> No study otherwise required by this section shall be undertaken or pursued in the case of any stream or section of a stream which the Governor of the State in which it is located certifies the State or one of its agencies or political subdivisions is prepared to study for the purpose of determining whether it should be proposed.

I should like to say one other thing, if the gentleman will yield further.

I am happy the bill does come to the floor under this circumstance, because it illustrates the point which so many of us have been trying to demonstrate for so long.

The gentleman from Colorado in this case has helped to bring a bill to the floor. A while ago other Members on the floor were chastising the gentleman from Colorado because he did not have a big enough Redwood Park bill. That Redwood Park is in a couple of counties in California, and those people who live there have their livelihoods involved in this proposition. We always try to consider all interests. Sometimes we cannot satisfy all elements with equity. Then we must look to the matter of best and highest use.

Every time we have one of these bills, it is easy for the conservationists from coast to coast to write to the Members and to tell them, "You have to vote for this bill because it is the greatest thing since the creation of Yellowstone Park."

But there are always conflicts. The gentleman from Ohio [Mr. HARSHA] should know that actually there are some rivers which are being preserved by this bill solely because people do not want other kinds of development being planned.

If we had held this bill in committee longer, much criticism would have been directed to us. We have not tried to hide any facts. We present the bill honestly for your consideration.

Mr. STEIGER of Arizona. I thank the gentleman from Iowa. I am glad he used the word "preserved" instead of "conserved."

Mr. McDADE. Mr. Speaker, will the gentleman yield?

Mr. STEIGER of Arizona. I yield to the gentleman from Pennsylvania.

Mr. McDADE. Mr. Speaker, I thank the gentleman for yielding. I believe this is one bill, we have seen tonight, where the House ought not to suspend the rules and pass the bill. Although I favor the concept of scenic rivers, the procedure used tonight, and the fine print in this bill, force me to oppose it. For I cannot amend it or perfect it, and it needs both.

Let us understand for a second what this bill is. There are seven rivers—you have heard them called instant rivers—which the Federal Government under this bill immediately takes possession of and puts into the scenic rivers system. There are 28 other rivers around the Nation. You heard my colleague from Pennsylvania describe some of the States in which they are located: Georgia, North Carolina, New York, South Carolina, Oregon, Wisconsin, Minnesota, and others. They are supposed to be studied. That is the language that we hear thrown back and forth on this floor. However, in this instance, the word "study" means much more than it normally does. Let me read you from the committee report on this bill:

> H.R. 18260 gives the rivers in the study category substantially the same protection against developments under Federal license, loan or grant and under Federal construction programs and the like as it does the rivers which are immediately included in the National Scenic Rivers System, but this protection is limited to the 5 years following the date H.R. 18260 is enacted plus such time as Congress may need (not more than 3 years,

however) to decide whether to include a river in the National Scenic Rivers System on which a favorable study report has been made.

This is for 8 solid years. It seems to me this is like bringing in a verdict before the jury is even out. And that verdict is: put these 28 rivers into isolation for up to 8 years. We ought to study these rivers before we try to freeze them in their present category. This is a classic illustration of a case where the House should not suspend the rules. I urge all my colleagues to vote against such a procedure on this bill.

Now I am glad to yield to my colleague from Pennsylvania [Mr. GREEN].

Mr. GREEN of Pennsylvania. Mr. Speaker, I thank my good friend, for yielding. I am glad to associate myself with my colleague [Mr. McDADE]. I will not take his time to repeat what he has said. But rather rise to associate myself with his remarks.

Mr. McDADE. Mr. Speaker, I want to indicate, also, to the Members of this body the confusion that exists on this bill is not just here in this Chamber today. I hold in my hand a telegram from the Commonwealth of Pennsylvania. There are seven rivers in Pennsylvania which are put under the so-called study that the Commonwealth of Pennsylvania originally favored until they found out, as my colleague from Pennsylvania [Mr. FLOOD] said, what is in the bill. Here is the telegram from Governor Shafer urging us not to suspend the rules and urging us not to pass this bill.

We all have great prerogatives in this House which we treasure. Let us send this bill back to committee. If it takes a year to write proper legislation, these seven instant rivers will still be there. The others we can move on and they can be looked at individually. They can be developed in an orderly way, after study and not so as to freeze them in and prevent any development for almost a decade. I urge my colleagues to vote against suspending the rules on this bill.

The SPEAKER. The time of the gentleman from Arizona has expired.

Mr. TAYLOR. Mr. Speaker, I yield 2 minutes to the gentleman from New York [Mr. STRATTON].

Mr. STRATTON. Mr. Speaker, I rise in opposition to the motion to suspend the rules and pass this bill.

I think we all know what happens when we try to legislate beauty and scenic wonder under duress. We stayed here until 12 o'clock 3 years ago to pass the Highway Beautification Act. We all want beautiful highways, of course. We certainly want scenic rivers, but the Members of the House will remember a few days ago I read to this House a report prepared by the Rensselaer Polytechnic Institute in Troy, N.Y., which showed that the billboard section of that beautification legislation would have driven 25 to 35 percent of the small tourist businesses to the wall. So we took the money for highway beautification out of the legislation the other day.

Now we find that in the interest presumably of protecting wild rivers we may well be creating havoc on some of the rivers in our own areas. With respect to the Susquehanna River in New York, for example, the Federal Power Commission, on page 17 of the bill, would be prevented from approving any dam or water project on any one of these rivers. At Colliersville in Otsego County in New York, the New York Gas & Electric Co. is prepared to close down a dam and a power project on Goodyear Lake. If they do, a lake on which some 200 houses and summer cottages are situated could be drained and destroyed. Under this bill the Federal Power Commission would be prevented from letting the village of Milford, where Goodyear Lake is located, take over and restore that dam. This would create chaos for hundreds of families. I certainly think we ought to defeat this legislation.

Mr. ROBISON. Mr. Speaker, will the gentleman yield?

Mr. STRATTON. I am glad to yield to my colleague from New York.

Mr. ROBISON. Mr. Speaker, I thank my colleague for yielding so I could say that I intend to join him in voting against suspending the rules in order to pass this bill, H.R. 18260.

I sincerely regret that I feel it is necessary to so vote, for I have been and remain generally sympathetic to the purposes this measure—sometimes known as the "Scenic Rivers Bill"—would serve. However, enough questions have already been raised here tonight about certain of the provisions it contains and their actual effect—questions which have not been and, under these circumstances, apparently cannot be adequately answered—to lead me to conclude that such a vote is the only proper course for us to follow.

It has been suggested that we might, somehow, seek clarification of these provisions that have been brought under question in the forthcoming conference with the other body, or that in that same fashion we might also seek to obtain whatever changes ought to be made in the bill—changes that, under this procedure, cannot be made through the normal amending process. But I cannot imagine any of our constituents—including those who may strongly support this measure—approving our having recourse, under the pressures of the current urge to adjourn for the year, to this sort of irresponsibility.

It may be all right to legislate—or attempt to legislate after dark, as we are doing here tonight toward the end of what has been a very long and full day. But it is surely not wise to attempt to legislate in the dark, and that, it seems to me, is what we are asked to do here.

I have heard the chairman of the full committee state as his opinion the probability that, if we turn this bill down under these procedures, it is too late in this session, or whatever may remain of it, to get a rule and to bring the bill up under regular procedures, with adequate time for full discussion about it, and adequate opportunity for whatever amendments this House, in its wisdom, might deem appropriate. I would hope that is not so. I do not see why it need be so but, even if it is, then I feel it would be better for those interested in the future development and preservation of the beautiful Susquehanna River that runs through my district to take whatever delay may now be involved in moving consideration of this bill along rather than to make a mistake, tonight, that would be difficult to correct in the next Congress.

Mr. Speaker, this measure has substantial and wide-ranging meaning. It deserves full and careful consideration. Let us give it that kind of consideration—and let us make sure we know what we are doing.

Mr. TAYLOR. Mr. Speaker, I yield myself the time remaining on this side.

Mr. Speaker, permit me to state for the RECORD that this legislation has been studied for years. This is certainly not a new program. We heard witness after witness with reference to the provisions of the bill and we tried to get as many Members as possible to appear and testify with reference to the provisions of the bill. We tried to give every Member an opportunity to be heard. I further say that we deleted all rivers where a Member of Congress in whose district it was located requested it. However, Mr. Speaker, many rivers in this Nation need this protection.

Mr. Speaker, I yield 1 minute to the gentleman from Iowa [Mr. KYL].

Mr. KYL. There is one further matter that, in my opinion, needs clarification if this bill passes and does go to conference. This matter was called to my attention by the gentleman from Pennsylvania [Mr. GOODLING]. In the case of a private utility which is operating under a Federal license which expires in the next 5 years, there is some question as to whether that license can be renewed as long as that river is under study. This question should be resolved.

Mr. Speaker, I hope that this bill can be passed. The other body passed a bill which is much broader than the one being considered here today. Obviously there are a lot of things that have to be considered in conference, but I say again that the Committee on Interior and Insular Affairs in trying to respond to the demands of our citizens, has brought this bill to the floor of the House today for your consideration. I hope the House will support the committee in its efforts to pass the bill.

Mr. STEIGER of Wisconsin. Mr. Speaker, with all the controversy now being raised about this legislation I hope we will not lose sight of the bill's good parts and I want to indicate my support for H.R. 18260.

The State of Wisconsin took cognizance of the need for action relating to the Wolf River. In 1965 we adopted legislation designed to assist in the preservation of this valuable scenic river. I was proud to support Wisconsin's initiative at that time and I support the pending bill because it will supplement Wisconsin's work in preserving the Wolf as a scenic river.

I urge passage of this bill in order to insure that something is done in this session on this vitally important scenic rivers system.

Mr. TAYLOR. Mr. Speaker, I rise in support of H.R. 18260. The chairman of our full committee has already named the rivers that are included in the bill for immediate authorization and the way in which both they and those that are named for study were chosen. In view of this I want to dwell particularly on three other aspects of the bill: First, the importance of State action under the bill, second, the effects of the bill on activities of the Federal Power Commission and other Federal agencies, and third, the steps that are required for future authorizations.

Before I discuss these, however, I would like to point out to the House that this bill has been a long time germinating, and that we are not asking the House to accept some hastily contrived new scheme of things. The concept that we ought to recognize and preserve some of our outstandingly beautiful scenic rivers is one that goes back at least 8 or 10 years and has been worked on ever since. The Congress itself and some of the State legislatures have set the pattern on which this bill generalizes. I refer, for instance, to the authorization of the Ozark National Scenic Riverways by the 88th Congress, the designation of the Allagash Wilderness Waterway by the legislature of the State of Maine in the last year or so, and the work of the legislature of the State of Wisconsin in setting aside a stretch of the Wolf River for perpetual preservation. All of these are important precedents for what we are going to do today.

I have just referred to two important actions by State legislatures. One of the important principles on which H.R. 18260 is built is that the States should be encouraged to do as much of this sort of work as they can. This shows up in the bill in a number of ways. It shows up, for instance, in the direction given the Secretary of the Interior and the Secretary of Agriculture in section 5(c) not to study any river named in the bill which the Governor of the State concerned says the State or one of its political subdivisions is prepared to study. It shows up in the provision of section 2(a) to the effect that any stream designated a scenic river by or pursuant to the action of a State legislature may be given the status of a component of the National Scenic Rivers System upon request of the Governor of the State and a finding by the Secretary of the Interior that it meets the standards of the act. It shows up in section 11(a) where the Secretary of the Interior is required to encourage the States to include scenic rivers in the statewide outdoor recreation plans they are formulating under the Land and Water Conservation Fund Act. And it shows up in the fact that State-designated rivers, which are included in the national system are, although they will be administered by the State at its own expense, given precisely the same protection against adverse Federal agency action that federally authorized scenic rivers are given. In short, we want the States to take on as much of the job as they can and, in writing the bill, we encouraged them in every way we could to do this.

Now let me turn to my second point—the effect of designation of a right or a stretch of a river as a national scenic river on Federal agency activities. One aspect of this question presented the committee with one of the most difficult problems it had to wrestle with. It is easy enough to say that no dams or reservoirs are to be built on a designated stretch of river, but how far upstream and downstream should the effect of designation of a stretch of river as a component of the national scenic rivers system carry? We resolved this by saying in section 7(a) and 7(b) of the bill that, though the Federal Power Commission shall not license any project "on or directly affecting" any river in the instant category or, for a limited period, any river in the study class, this prohibition should not preclude licensing developments above or below that stretch if the development will not actually invade the area—for instance, by creating an impoundment that floods part of the area—and will not otherwise diminish the values for the preservation of which the stretch of water in question is being designated or studied for possible designation as a component of the national scenic rivers system for instance, by diverting so much water above the stretch that it is no longer a living stream that has the scenic beauty and can support the recreational uses, the fish life, and so on, that it had or could support at the time it was created a scenic river. Comparable provisions are written into the bill to guard against adverse action by other Federal agencies and by organizations aided by those agencies—for instance, the Corps of Engineers and the Bureau of Reclamation—without full knowledge of and action by the Congress. Likewise, there are provisions in the bill to guard against adverse agency action under Federal auspices arising out of the disposal of public lands and the application of the mining laws. All of these provisions are applicable both to Federal components of the national scenic rivers system and to those components of the system which are designated by the States and approved by the Secretary of the Interior for inclusion in the system. They are also applicable for 5 years and a limited time thereafter to the rivers which the bill names for study.

A third feature of the bill to which I want to address myself is that having to do with future authorizations for inclusion in the system. I have already mentioned that there is provision for State designation of rivers which, upon a finding by the Secretary of the Interior that the river has the qualities which the bill contemplates, will be included in the national system. One thing that the Secretary of the Interior must do before he gives this approval is to obtain and consider the comments of all interested Federal agencies—the Department of Defense, the Department of Agriculture, the Federal Power Commission, and so on. We have included this provision in order to insure not only that these agencies will be fully informed as to what the States are proposing but also so that their activities and those of the Secretary of the Interior can be coordinated with each other.

With respect to rivers contemplated for Federal designation we have these provisions: First, the Secretary of the Interior and the Secretary of Agriculture are given 15 years in which to study the 28 rivers named in the bill with a direction that they shall give top priority to those that are most in danger of being subjected to developments which, if carried out, would render the rivers ineligible for inclusion in the national scenic rivers system. During the first 5 of these 15 years, the rivers are given the protection against adverse Federal agency action, that I have already referred to. Section 4(a) of the bill spells out the sort of material that is to be included in the study. Once a study is completed, it must be referred to the Governor of the State concerned unless the land through which it flows is already owned by the United States.

Though there is no requirement for public hearings by the agency conducting the study, our committee report makes it clear that these should be held whenever there is sufficient local interest to warrant them. The proposed report of the Secretary conducting the study must also be referred to the other interested Federal agencies for comment and criticism. After this is done and the comments are evaluated, a final report is to be prepared and submitted to the President and the Congress. Finally, it is up to the Congress to act or not to act. No federally administered river can be named into the national scenic rivers system without going through this whole process, including congressional authorization. I think all Members will agree that the interests of the United States are well protected.

Mr. Speaker, there is a lot more to be said about this important piece of legislation but I shall stop at this point. I want merely to add, in conclusion, that I urge a favorable vote on H.R. 18260.

Mr. GOODLING. Mr. Speaker, I had hoped to ask one question on this bill. Time did not permit.

A utility has several generating plants in the Susquehanna in my area.

At least one permit expires in 1970. I did want to inquire what happens to this utility if the bill under discussion becomes law? Unfortunately I could get no response for the Record on H.R. 18260.

Mr. REUSS. Mr. Speaker, I commend the distinguished chairman and members of the Committee on Interior and Insular Affairs for the outstanding work they have done in fashioning H.R. 18260, to establish a national scenic rivers system. Their efforts have contributed immeasurably to insuring the preservation of America's heritage of natural beauty for generations to come.

I am proud that two rivers in my own State of Wisconsin—the Wolf and the St. Croix-Namekagon—have been designated to be among the Nation's first "scenic rivers."

Wisconsin is blessed with an abundance of natural beauty, but perhaps no areas are more beautiful than these two. It is heartening to know that their wild grandeurs will be kept unspoiled.

I am particularly pleased that the Wolf is to be a scenic river. The history of Wisconsin is written in the Wolf. Along its tumbling course runs the old Military

Road which served the Indian agents. Northern Wisconsin pine logs were floated down the Wolf to the sawmills of Oshkosh, and the remains of the dams used to raise the water level of the rapids so that logs could pass can be seen to this day. In Menominee County, the Menominee Indians still inhabit its banks and fish its waters as they have done for centuries.

On the banks of the Wolf grow everything from lichens and ferns to the tallest white pine, hemlock, and arbor vitae. In the woods along its course, songbirds and waterfowl, deer and bear, muskrat and mink make their home. Trout fill its waters.

The scenic rivers bill can be a conservation landmark.

Mr. SAYLOR. Mr. Speaker, the rivers and waterways of the world were man's first highways, and since the founding of our Republic the rivers and waterways of this country have been considered the lifelines of our Nation.

The rivers and waterways of this Nation became our first highways for commerce and transportation. The importance of controlling and developing our rivers and waterways has often been the subject of legislative action in the Congress.

Today, the use of our rivers and waterways for agriculture, domestic, municipal, and industrial uses is bounded only by our limited water supply. Today, our rivers and waterways continue to have a prominent role in the economic, social, and political development of this great Nation.

Mr. Speaker, the historical and cultural values of our rivers and waterways is to me, compelling reason enough to call for the establishment of a national scenic rivers system as a national recognition of the values of our rivers and waterways, and a deserved and honored place for them in the conservation of our natural heritage.

H.R. 18260 provides this opportunity and declares "that certain selected rivers of this Nation which, with their immediate environments, possess outstandingly remarkable scenic, recreational, geologic, fish and wildlife, historic, cultural or other similar values, shall be preserved in free-flowing condition, and that they and their immediate environments shall be protected for the benefit and enjoyment of present and future generations."

The purpose of H.R. 18260 is the initiation of a national scenic rivers system, designation of the initial components of the system, and describing the methods and standards by which additional components may be added to the system.

The bill sets out two methods by which rivers may be added to the system which are: First, by act of Congress, and second, pursuant to an act of the legislature of the State or States through which a river flows. The bill also provides that every scenic river in its free-flowing condition, or upon restoration to that condition, shall be eligible for inclusion in the system. The rivers so included are classified, designated, and administered in accordance with the following classes—

Class I scenic river areas are those rivers or segments free of impoundments, inaccessible except by trail, with watersheds or shorelines essentially primitive and unpolluted. These rivers are the so-called wild rivers.

Class II scenic river areas are those rivers or segments free of impoundments, with largely undeveloped shorelines and largely primitive watersheds, and accessible by roads in places.

Class III scenic river areas are those rivers or segments which are readily accessible by road or railroad with some development along the shoreline and which have undergone impoundment or diversion.

Section 3 of the bill designates the six initial components of the national scenic rivers system. These rivers or segments thereof are as follows:

First, the Middle Fork of the Clearwater River, Idaho; second, the Rio Grande River in New Mexico; third, the Rogue River in Oregon; fourth, the St. Croix River in Minnesota and Wisconsin; fifth, the Middle Fork of the Salmon River in Idaho; and sixth, the Wolf River in Wisconsin.

This section also designates the Federal department or agency to administer the initial components of the system, requires the establishment of boundaries to include an average of not more than 320 acres per mile on both sides of the river, and the preparation of development plans and classifications.

Section 4 of H.R. 18260 directs the appropriate Federal officials to study and plan for submission to the President and Congress proposals for addition to the national scenic rivers system. Every such study must be coordinated with any other water resources planning involving the same river. This section sets forth the factors to be considered in the study and planning of potential additions before submission of the reports.

Section 5 designates 28 rivers or segments thereof to be studied for potential addition to the national scenic rivers system by the Secretary of the Interior or the Secretary of Agriculture as the case may be. These studies are to be completed within 15 years from the date of the act and priority is to be given those rivers having the greatest likelihood of development. No study is to be undertaken or pursued on any river which the Governor of the State certifies that the State or its agencies are prepared to study the same for possible inclusion in the national scenic rivers system.

Section 6 of the bill authorizes the acquisition of lands and interests in lands for carrying out the purposes of the act and provides for the donation and exchange of lands. Lands owned by a State or Indian tribe cannot be acquired without their consent or if the tribe or political subdivision of the State is carrying on a management plan consistent with the purposes of this act.

Section 7 contains a prohibition against the Federal assistance in licensing of power facilities or loans or grants for water resource projects which would adversely affect scenic river values on any river designated for inclusion in the system. It should be clearly understood that these prohibitions do not concern upstream or downstream developments which will not adversely affect the values sought to be protected by the legislation.

Section 8 of the bill is a withdrawal of all public lands from entry, sale or disposal within the authorized boundaries of any river designated for inclusion in the system, including the bed or bank of the river if appropriate. These withdrawals are for a period of 5 years, except in the case of those rivers designated for inclusion in the system the withdrawal is for the additional periods as previously stated.

Section 9 provides that mining claims not perfected before a river is included in the system shall be subject to regulations consistent with the purposes of this act. This section also withdraws all public lands constituting the bed or banks of the class I rivers from under the mining and mineral leasing laws for the same periods.

Section 10 provides for the administration of the national scenic rivers system, taking into consideration other uses, but emphasizing the protection and enhancement of the values which caused the river or segment thereof to be included in the system.

Section 11 encourages State and local participation in the national scenic rivers system and provides for Federal technical assistance to be furnished to the States for this purpose.

Section 12 of the bill directs all Federal agencies to review their programs and plans affecting the rivers named to be studied in section 5 and to determine what action should be taken to protect those rivers.

Section 13 provides that hunting and fishing will be permitted in national scenic rivers areas except those within a national park or monument, declares that State water rights are not violated by the provisions of the bill, authorizes the granting of easements and rights-of-way.

Section 14 of the bill concerns the effect of a conservation easement as a charitable gift under the income tax laws and the consequences upon breach of that agreement.

Section 15 contains a definition of terms.

Section 16 authorizes the appropriation of $17,340,000 for the acquisition of lands and interests in lands to carry out the purposes of this act.

Mr. Speaker, I trust this brief outline of the major provisions of the bill gives an adequate understanding of the purposes of this legislation.

In closing, I want to remind my colleagues that this program has the support of the administration and was a matter upon which the President called for our prompt action. If we have harnessed our rivers to aid navigation, control floods, increase farm productivity, provide hydroelectric power, prohibit pollution, and enhance the fish and wildlife values, the time has come to preserve those rivers or segments in a nationwide scenic rivers system which will guarantee America her heritage. A wide range of public and private organizations join in the support of this program and urge the Congress to act in this matter of national interest.

Mr. Speaker, I urge that the bill be acted upon by this body favorably.

Mr. KARTH. Mr. Speaker, I rise in support of H.R. 18260, the national scenic rivers bill. This legislation represents the culmination of several years of thought, and comes before us today after committee consideration of 16 separate wild and scenic river bills, including one of my own, H.R. 752.

In view of this long and careful deliberation, I think it especially significant that today we be given an opportunity to enact legislation which will preserve the integrity of several of our Nation's most outstanding natural waterways. The urgency of this action is made clear when we consider the water-control onslaught and the forbidding population increase which yearly diminish the opportunity of our citizens to enjoy free-flowing wilderness streams, unaffected by encroaching civilization.

H.R. 18260 has been of particular interest to the public in Minnesota and Wisconsin. A recent poll I sent to my constituents in the Fourth Congressional District which borders Wisconsin generated over 14,000 responses with the public backing by 9 to 1 preservation of the St. Croix River, one of the six major streams included in the legislation before us today.

Moreover, the Senate, both in the 89th and again during the 90th Congress, has passed legislation preserving the St. Croix as a natural scenic waterway.

Mr. Speaker, based on this public support and earlier legislative precedent, as well as the need for forward-looking conservation action, I would urge the House to support the measure before us today. The costs are modest; the benefits to this generation and those to come, immense.

Like most of the other streams included in this bill, the St. Croix is close to large population centers. In this case, the cities of St. Paul, Minneapolis, Duluth, and Chicago. The excellent waters and heavy forest cover of the nearby St. Croix support an abundance of game animals and birds, as well as some of the best fishing, boating, and recreational opportunities anywhere.

Enhancing public interest in this area, and I trust congressional support for passage of the bill. is a special proviso which in closing I would like to draw to the attention of my colleagues. To reduce the cost of including the St. Croix in the national scenic rivers system, the Northern States Power Co., which owns the lands bordering portions of the river incorporated in the bill, has generously agreed to donate 100 acres of land per mile along the riverway to the United States. In addition, the company will provide use and development of additional contiguous lands in a manner consistent with the uses of the donated property.

In view of this generous private gesture, in view of earlier legislative precedent, and indeed, in view of the need of our citizens for a Thoreau-like place of respite and closeness to the natural environment, I urge passage of H.R. 18260, a truly outstanding legislative opportunity.

The SPEAKER. The question is on the motion of the gentleman from North Carolina [Mr. TAYLOR] that the House suspend the rules and pass the bill H.R. 18260.

The question was taken; and (two-thirds not having voted in favor thereof) the motion was rejected.

A motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. TAYLOR. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to extend their remarks on the bill H.R. 18260.

The SPEAKER. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

THE AGRICULTURE COOPERATIVE TRANSPORTATION EXEMPTION

Mr. STAGGERS. Mr. Speaker, I move to suspend the rules and pass the bill (S. 752) to amend sections 203(b)(5) and 220 of the Interstate Commerce Act, as amended, and for other purposes.

The Clerk read as follows:

S. 752

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That at the end of section 203(b)(5) of the Interstate Commerce Act delete the semicolon and add the following language: ", but any interstate transportation performed by such a cooperative association or federation of cooperative associations for nonmembers who are neither farmers, cooperative associations, nor federations thereof for compensation, except transportation otherwise exempt under this part, shall be limited to that which is incidental to its primary transportation operation and necessaryy for its effective performance and shall in no event exceed 15 per centum of its total interstate transportation services in any fiscal year, measured in terms of tonnage: *Provided,* That, for the purposes hereof, notwithstanding any other provision of law, transportation performed for or on behalf of the United States or any agency or instrumentality thereof shall be deemed to be transportation performed for a nonmember: *Provided further,* That any such cooperative association or federation which performs interstate transportation for nonmembers who are neither farmers, cooperative associations, nor federations thereof, except transportation otherwise exempt under this part, shall notify the Commission of its intent to perform such transportation prior to the commencement thereof: *And provided further,* That in no event shall any such cooperative association or federation which is required hereunder to give notice to the Commission transport interstate for compensation in any fiscal year of such association or federation a quantity of property of nonmembers which, measured in terms of tonnage, exceeds the total quantity of property transported interstate for itself and its members in such fiscal year.

SEC. 2. Section 220 of the Interstate Commerce Act, as amended, is further amended by adding the following immediately after subsection (f):

"(g) The Commission or its duly authorized special agents, accountants, or examiners shall, during normal business hours, have access to and authority, under its order, to inspect, examine, and copy any and all accounts, books, records, memorandums, correspondence, and other documents pertaining to motor vehicle transportation of a cooperative association or federation of cooperative associations which is required to give notice to the Commission pursuant to the provisions of section 203(b)(5) of this part: *Provided, however,* That the Commission shall have no authority to prescribe the form of any accounts, records, or memorandums to be maintained by a cooperative association or federation of cooperative associations."

The SPEAKER. Is a second demanded?

Mr. SPRINGER. Mr. Speaker, I demand a second. However, I think in all fairness that I should state that I am not opposed to the bill.

Mr. RANDALL. Mr. Speaker, I demand a second.

The SPEAKER. Is the gentleman from Missouri opposed to the bill?

Mr. RANDALL. I am, Mr. Speaker.

Mr. WINN. Mr. Speaker, I demand a second. I am opposed to the bill.

The SPEAKER. Is the gentleman from Kansas opposed to the bill?

Mr. WINN. Yes, Mr. Speaker.

The SPEAKER. Without objection, a second will be considered as ordered.

There was no objection.

Mr. STAGGERS. Mr. Speaker, the purpose of S. 752 is to clarify the meaning of the exemption from the provisions of the Interstate Commerce Act provided for the transportation by motor vehicles operated by an agricultural cooperative association, particularly when such vehicles are used to perform transportation for nonmembers.

This clarification is accomplished through amendment to section 203(b)(5) of the act restricting such transportation where the nonmembers are neither farmers, cooperative associations, nor federations thereof to that which is first, incidental to the association's primary transportation operation and necessary for its effective performance, and in no event in excess of 15 percent of its total transportation service and including within such percentage transportation performed for the United States; and, second, amending section 220 of the act to grant the Commission specific authority to examine the books and records of such cooperative as they pertain to their transportation services.

The bill is necessary because recently a gray area of transportation has grown up where cooperatives are backhauling for nonmembers on the one hand, and where certain cooperatives are backhauling munitions and other items for the Department of Defense where by definition this transportation is not limited by the restrictions of the Agricultural Marketing Act.

This is a bill for the farm cooperatives, and for the farmers of this Nation. It came out of our subcommittee unanimously. It came out of the full committee unanimously. It was passed in the Senate on the Consent Calendar.

Many organizations have testified that they were for the bill: The American Farm Bureau Federation, the American Trucking Association, the Association of American Railroads, the Department of Agriculture, the Interstate Commerce Commission, the National Association of

State Utility Commissioners, the National Council of Farmer Cooperatives, the National Grange.

As I have previously said, the subcommittee held hearings. I was given to understand that it had been worked out pretty well as an agreement as to what the bill should encompass. The National Council of Farmer Cooperatives testified for the bill. We have a very few cooperatives across the country, that testified in opposition and that have expressed through their members here in the Congress their dissatisfaction in the bill.

Now I would like to tell a little story, or an incident that happened about 1 or 2 hours ago right out here in the hall. Our distinguished colleague from Texas, [Mr. Poage] introduced me to a gentleman by the name of Mr. Nemen. I asked him what his position was. He said he was head of one of the organizations down in Texas, a farmers' organization. So I proceeded to ask the gentleman from Texas [Mr. Poage] who the gentleman was. He said he was head of the Farmers Union from the State of Texas.

I said, "Are you for this bill?" He said, "You mean the bill to get rid of the illegal haulers in this country?" He said, "I am against them, emphatically." He said, "I am for the legitimate ones who haul for the farmers, and can do the job."

Now, I believe the gentleman from Texas will bear me out in what Mr. Nemen had to say to me.

This is just a little bit of an example of what is going on in America today, and what is going on here. This all has come up within the last day or so, this controversy and this drive to keep this bill from coming up.

Mr. JOHNSON of California. Mr. Speaker, will the gentleman yield?

Mr. STAGGERS. I will be gald to yield to the gentleman from California.

Mr. JOHNSON of California. I thank the chairman for yielding, Mr. Speaker.

I take this time for a question or two to be put: Seemingly, the Secretary of Agriculture is not too clear on his position either in the report. And then when you read the statement that comes from the Bureau of the Budget, they are not too clear on this either. And then when we take the Secretary of the Army, Mr. Resor, his statement is not too clear, either.

Mr. Speaker, I would like to ask the chairman of the committee if there would not be some way that we could protect these people who are in this business at the present time? Now, they naturally would have liked to have had a grandfather clause and a bigger percentage of the business. The bill allows them 15 percent. I am wondering if the chairman of the committee would not cooperate with at least myself in extending the effective date of this order until 6 months after the passage of this bill?

Mr. STAGGERS. I would be glad to do this, to cooperate with my colleague in saying that after the bill passes it will take the Commission some time to formulate and prescribe the rules needed to carry out the legislation. However, I would be glad to write to the ICC, and ask them to not put this bill into effect until 6 months after passage.

Mr. JOHNSON of California. Will not the gentleman go further in saying that the Secretary of Agriculture and the Secretary of the Army and the Bureau of the Budget are not in complete support of the legislation now before us?

Mr. STAGGERS. The Secretary of Agriculture is, according to the testimony here.

If you will just let me read what the Department said:

> The Department supports enactment of S. 752 in its present form.

He said he had suggested many amendments which the subcommittee adopted and therefore makes the bill stronger.

He also said:

> For the convenience of the committee, a copy of the July 24, 1967, report containing the suggestions is enclosed. All of these suggestions are now embodied in S. 752, as passed by the U.S. Senate, and as presently before your committee for consideration.

Mr. JOHNSON of California. The previous paragraph in that letter is a little ambiguous.

Mr. STAGGERS. It could be.

Mr. JOHNSON of California. The statement that is in here from the Bureau of the Budget is that they are not in favor of this.

Mr. STAGGERS. I could not say that.

Mr. JOHNSON of California. Well, it is in your report.

Mr. STAGGERS. It is in our report, but I might say also that in the same letter just before Secretary Freeman's signature, he said:

> The Bureau of the Budget advises that there is no objection to the presentation of this report from the standpoint of the administration's program.

Then the letter is signed by Orville L. Freeman.

Mr. JOHNSON of California. If I may just ask one further question and quote from your report here from the letter from the Secretary of the Army. They are using these services and I am sure they are not in favor of this.

Mr. STAGGERS. I might say to you, of course, they want to get everything as dirt cheap as they can, however it might be.

Let them use the certificated haulers of this Nation if they want something hauled and they can get the job done and they can get it done efficiently. I say that when they cannot use it properly, they should go and get a certificated hauler.

Mr. DINGELL. Mr. Speaker, will the gentleman yield?

Mr. STAGGERS. I yield to a member of the subcommittee, the gentleman from Michigan [Mr. Dingell].

Mr. DINGELL. I think, Mr. Speaker, this bill ought to be supported on its merits.

What a lot of the opponents of this bill want to do, the objection to the enactment of this bill, is that the farm co-ops want to haul ammunition.

If there is anything that I would assume that a farm co-op was not to do, it is to haul ammunition for the U.S. Government.

That is what the fuss is about.

I believe this bill should be passed absolutely.

The Department of Defense has always been trying to get its haulage done as cheaply as it possibly can. They have sought throughout the years to use sections of the law which permit them to get highly preferential haulage and, indeed, to get it for as little as zero.

They have used this to jigger and foul up the whole transportation system in the country.

For instance, in one instance they hauled tanks more cheaply from Detroit to New York than it would have cost from a point within the city of Detroit by rail to a port of embarkation.

In this way the Department of Defense abuses the transportation system of this country.

Right now what they are trying to do is play footsy with a bunch of people calling themselves farm cooperatives when they are actually in the business of hauling ammunition. This is a situation which is highly regrettable, and something which no man in his right mind could justify as a legitimate function of a farm cooperative.

Mr. STAGGERS. I would say that our committee has tried to be fair. I am sure they would at all times listen to all opposition that comes before the committee. We have told all groups in this land that they ought not to ever be afraid to come before our hearings and let the light appear on any subject and then let the committee make their decision.

The subcommittee held these hearings and after we heard all sides, the committee voted unanimously to report the bill. After they reported it and it came to the full committee, the full committee after going over it decided in their wisdom that it would report the bill in the best interests of this land.

Mr. WRIGHT. Mr. Speaker, will the gentleman yield?

Mr. STAGGERS. I yield to the gentleman.

Mr. WRIGHT. May I say I have the highest regard and unlimited respect for the distinguished chairman and members of his committee.

I certainly am confident that they did what they believed to be right and just.

Is it not true, however, that the Secretary of the Army in his objective comment draws attention to the fact that this business which has been characterized as illegitimate and illegal was actually upheld by the United States Court of Appeals for the Ninth Circuit in the case of Northwest Agricultural Cooperative Association, Inc., against the Interstate Commerce Commission which judicially established the right of agricultural cooperative association trucklines to backhaul nonfarm commodities for nonmembers?

Mr. STAGGERS. As to certain cooperatives and certain types of hauling, that is true. However, not as to others. Indeed the three-judge court in Texas upheld the Commission against the Agricultural Transportation of Texas. That is why the exemption needs clarification, and that is just what we are trying to do here. If the association is made up of different co-ops, different farmer groups, as long as they were farmers, that was sufficient. That was the reason they were given exemptions under the co-op law. Some have gone far afield in hauling. These should get certificates and haul properly.

Mr. SPRINGER. Mr. Speaker, will the gentleman yield?

Mr. STAGGERS. I yield to the gentleman from Illinois.

Mr. SPRINGER. Mr. Speaker, as the law now stands agricultural cooperatives qualifying for such designation under the Agricultural Marketing Act may haul up to half of the tonnage in their trucks for nonmembers. Not included in this nonmember traffic are hauls made under contract to the Federal Government which consist of munitions and other defense items. The result of this situation has been some highly questionable practices wherein cooperatives of doubtful bona fides carry very little of their own freight and very much for Uncle Sam. This violates the intent and in many instances the letter of the law but it is extremely difficult to police.

Legitimate farmers' cooperatives have been concerned about the ultimate effect of these gray area operations on their clearly legitimate operations. Regulated carriers, duly certified by ICC have been concerned about the effect upon their operations. In addition the Department of Agriculture, the Farm Bureau Federation and the Grange have looked with disfavor upon these practices and suggested changes to check them.

With the support and concurrence of these groups this bill would do the following:

First. Allow farmer co-ops to haul up to 15 percent of their total tonnage interstate for nonmembers in the nonexempt freight.

Second. Government hauling is nonmember hauling.

Third. A trucker proposing to do nonmember hauling must notify ICC in advance.

Fourth. Forbid an association to haul more for others—general freight and exempt combined—than it does for itself.

Fifth. Require inspection by ICC upon demand.

There are some individual cooperatives which, desiring to maintain a profitable business, object to these changes. Some, recognizing the doubtful legality of their operations, have asked that they be legitimatized by a grandfather provision to grant them operating rights, as regulated carriers summarily. The committee did not see fit so to do and I must agree with this decision. If as a matter of fact, public convenience and necessity will be served by their continuance in such business an application to do so can be entertained by ICC. It is not in the best interests of the public for Congress to make this decision. It is clearly within the province of the ICC.

In view of the widespread support for this measure—an almost unprecedented gamut of support from divergent interests—and its own merit I recommend its passage.

The SPEAKER. The Chair advises the gentleman from West Virginia that he has consumed 15 minutes.

Mr. STAGGERS. Mr. Speaker, I reserve the balance of my time.

Mr. WINN. Mr. Speaker, I yield myself such time as I may need. I would like to ask a series of questions of the chairman, if I may.

First, I think it is obvious there is confusion on this bill and just what is intended by this bill. In reading the report of the hearings, on page 7, my colleague from Illinois just pointed out the number of organizations that have appeared in favor of this. What the gentleman from Illinois did not say is that the bill is also opposed by certain farm cooperatives, many of which have been protected by the grandfather clause, or have been protected under the Agriculture Marketing Act. They have been in continuous operation for many, many years.

It has also been pointed out, Mr. Speaker, that the Bureau of the Budget is opposed to this bill, according to page 7 of the hearings. As the gentleman from Michigan said, it is possible that some of the cooperatives have been hauling for our Government. Possibly they do this at less money to the taxpayer, because they could save the Government money by having some of the Government supplies and materials hauled at the same time that farm materials were hauled. It is also pointed out on page 7 that the Department of Defense is opposed to this insofar as it pertains to the elimination or exemption of business done with the Government in the calculation of percentages.

I think this may be one of the bills that seems to be heading for trouble, without a definite clarification of intent and additional study.

Mr. RANDALL. Mr. Speaker, will the gentleman yield?

Mr. WINN. I will yield to the gentleman from Missouri in just a few minutes. I will yield him 5 minutes.

Mr. Speaker, I would like to point out that I think the small farm cooperative is truthfully the organization that is being run over in this piece of legislation. They have been working under these laws for many, many years. Now, all of a sudden, in all this haste, we need legislation instead of a clarification. I have yet to hear from the chairman or from anyone else exactly who is going to protect the small cooperatives who are so small that they may not be members of the large national groups of cooperatives.

Because of that, I think it is time for assurances, I would hope the chairman could assure us that additional consideration would be given maybe not for 6 months, but for 1 year for the small cooperatives to completely reschedule their operations. May I ask the chairman if this is possible? Could we possibly ask the ICC to give these companies as much as 1 year?

Mr. STAGGERS. Mr. Speaker, I could not make that on my own, because I am only an individual member of the committee.

I might say to the gentleman that every legitimate cooperative in the country can come in to the ICC, and, if they are legitimate, they will not have the least trouble in the world in getting attention and doing what they need to do. I can assure the gentleman of that.

Mr. WINN. Mr. Speaker, I thank the gentleman. There seems to be a great deal of confusion on who is a true cooperative and who is a pseudocooperative in these cases. I know the committee held hearings and tried to get to the bottom of these claims and to clarify this.

Mr. STAGGERS. That is exactly correct. The distinguished gentleman from Kansas is correct. What we tried to determine was what was genuine and what was not, and we said to the ICC, "We give you some power to make the determination and deal fairly." If some group is trying to do something that is not right—and some have gone out of business because the ICC has exerted some pressure, some of them are now coming in and saying they need some additional legislation.

This is an ICC bill. They have requested this. I am sure they will be fair with the larger and with the smaller groups, whatever they are. We state in so many places that where the nonmembers are farmers they can be treated with, or the ones within the co-op, or the organizations that are associated with them—there is no limit on this at all. That is what the co-ops were set up for. When originally set up there was not this trouble about hauling. This has developed, so some clarifying language had to be brought forth.

I just say this to the gentleman. I am sure as chairman that I want to be fair and every member of this committee wants to be fair. I am sure they heard the legislation, and they decided this was the fair thing for all concerned. The distinguished ranking minority member of the committee said the farmers came in with their organizations and they said, "We want this legislation."

Now, I should think that they speak for the farmers of the Nation. They should. They came in and said, "We want this legislation."

Mr. WINN. They speak for some of the farmers, but I am quite sure that a great many of the farmers cannot be represented on a large scale.

I should like to point out that there has been a decline in public dairies in the State of Kansas from 90 in 1958 to the present 44, and from 72 in the Kansas City area in 1950 to 10 at the present time.

It is a matter of quite a little concern to many of us that business in the United States has found it increasingly necessary to free itself from reliance on one product or one service by diversification. That is the only way they can improve their profits. At the same time, we do not seem to give the same break to the farmers.

Mr. SPRINGER. Mr. Speaker, will the gentleman yield?

Mr. WINN. I yield to the gentleman from Illinois.

Mr. SPRINGER. I believe there are possibly two points the gentleman has raised which are worthy of note.

The gentleman has asked that our committee take into consideration a request of the ICC not to bring this about suddenly. I would think more of a term of 6 months. The gentleman mentioned 1 year, but I would think 6 months would be sufficient time for the ICC to act. It seems to me this would be fair, not to put into effect the regulation or rule of the Commission in this interim 6-month period.

The second point raised by the gentleman which ought to be noted was on the question of the grandfather clause. This is what these groups of cooperatives, from Kansas and Texas and California not contained in the legislation, want. They want to be grandfathered in.

The subcommittee and the committee both gave serious consideration to this. It was immediately raised as a question, if we grandfathered these people in immediately there would be other groups which would rush in, who are under other types of legislation, requesting that they also be grandfathered in.

It seems, as to every piece of legislation which is brought out of our committee having to do with transportation, that a group or groups want to be grandfathered in. This would mean opening up the flood gates on the question of grandfathering.

It was to that point I wanted to call attention.

Mr. WINN. Mr. Speaker, I yield 5 minutes to the gentleman from Missouri [Mr. RANDALL].

Mr. RANDALL. Mr. Speaker, tonight at this late hour we are trying to change a provision of law which has worked well since 1935.

The interstate trucking activities of cooperative associations, as defined by the Agricultural Marketing Act, have been exempt from regulation by the Interstate Commerce Commission—except as to safety, qualification of drivers, and so forth—by section 203(b)(5) of the Interstate Commerce Act since 1935. Such co-ops, however, may not engage in business, including trucking operations, for nonmembers in any amount exceeding the value of the business done with members. In other words, nonmember transportation may never exceed 50 percent in dollar volume of the cooperative's total business. This has been workable and fair and should be left that way.

S. 752 proposes a maximum limitation for nonmembers of 15 percent of all interstate trucking activities, measured in terms of tonnage, exclusive of transportation otherwise exempt, and a ceiling of 50 percent upon all nonmember transportation. In addition, and directly contrary to the Agricultural Marketing Act, transportation performed for the Government would be considered nonmember business. The bill was reported out of the House Interstate and Foreign Commerce Committee on July 10, 1968, and is now coming up under suspension of the rules. Ostensibly, its purpose is to curtail the trucking activities of co-ops which allegedly pose a "threat" to the regulated carrier industry, particularly carriers hauling munitions for the Government. The bill is opposed by the Defense Department, Department of the Army, Transportation Department, and Bureau of the Budget.

A number of questions have arisen relative to this bill which have not been satisfactorily answered: How many cooperatives are engaged in this business? What effect have they had upon the regulated industry? What effect will passage have upon co-ops engaged in these activities? Assuming that the effect will be adverse, what does the bill do to protect co-ops which have developed a substantial operation? Was the Committee on Agriculture consulted upon the wisdom of this legislation? Does not the change proposed do violence to the intent of the Agricultural Marketing Act—to foster and develop the interests and marketing power of the farmer?

It will be noted that this bill will confuse the standard of measuring nonmember business from dollar volume for some purposes, to tonnages for others. It also appears that the status of business done for the Government will be confused. It will be regarded as nonmember business for transportation purposes, but disregarded for determining USDA qualifications. Moreover, there appears no reason why, unlike any other group, cooperatives should be singled out for restriction against transportation which would be otherwise exempt, such as unprocessed agricultural commodities and newspapers. It certainly does not appear realistic that no credit will be given co-ops for intrastate transportation, since this would obviously be the area in which most co-ops would be engaged. Moreover, if, as seems likely, the purpose of the original section in 1935 was to eliminate the expensive and improductive empty return of a co-op's trucks, it seems unlikely that this goal would be served by placing a 15-percent ceiling upon nonmember traffic.

Finally, there is the question of the procedure followed on the matter. As of June 24 of this year, no hearings were planned; yet hearings were held on July 1, so that no adequate notice could have been given to all opponents. Now we are asked to pass the bill under suspension, without any possibility of amendment, and with only 40 minutes of debate. The issues are obviously complex, but it seems unlikely that they have been fully considered. It certainly does not appear that this bill will go very far toward clarifying the meaning of the exemption, another of its principal purposes.

Some talk was heard a few moments ago that these cooperative haulers should get a certificate from the ICC. As a matter of fact, except for rates all of these carriers comply with all other ICC regulations, including safety regulations.

Now, just what is the real situation on the rates? From time to time we hear proponents say what they want to do for our farming economy. We are going to consider a farm bill before long in this House.

The best way to assist the farmers materially is to keep this present hauling law like it is. It provides for a backhaul so the truckers do not have to go back empty and thus can charge lower rates to the farmers. This has been going on since 1935. Why should we consider it tonight at 20 minutes until 9 p.m. under a suspension-of-the-rules procedure, without a rule, which would permit amendment.

Reference has been made that present procedures are illegal. The chairman quoted someone from some farm organization, I believe he said these were illegal and illegitimate haulers.

But his own report, which he authored on page 13, a case is cited in a letter from the Secretary of the Army, being a Federal court case, which held agricultural association trucklines may backhaul nonfarm commodities for nonmembers.

May we turn now to something that involves fairness, equity, and in a larger sense justice. Assume that everything said in favor of this bill has been correct. Assume that everything either in favor of the bill, or opposed to it, is neither persuasive nor meritorious. Notwithstanding, S. 752 should not become law until some of these haulers have had an opportunity to adjust themselves to the changed conditions imposed by this bill.

Some Member awhile ago said that only four of five haulers in the entire country were involved. There are a lot more than that. True there may be some in Kansas, some in Missouri, some in California, but there are others clear across the country.

Again and again in similar types of legislation we have permitted a grandfather clause to be written in and become effective and to operate. We could do that here if we could just get a rule. It was even suggested by the ranking minority Member awhile ago that we should have a grandfather clause.

The only fair and equitable way to pass legislation of this kind is to provide for a grandfather clause. If this bill is passed as it is, it is going to bankrupt these haulers who have been doing a good job. They must have been doing a good job because they have been operating undisturbed since 1935.

Mr. SPRINGER. Mr. Speaker, will the gentleman yield? The gentleman mentioned my name.

Mr. RANDALL. I yield to the gentleman from Illinois briefly.

Mr. SPRINGER. I am opposed to the grandfather clause, and I want to be sure the RECORD is clear. I said I am opposed to the grandfather clause.

Mr. RANDALL. Very well. But regardless the bill calls for changes in exemptions from 50 percent dollarwise down to only 15 percent tonnagewise.

Then in his generosity the chairman said he would like to see the effective date pushed ahead about 6 months. How can the chairman extend it for 6 months? He said he was going to write a letter to the Interstate Commerce Commission. He even suggested that some of the co-ops involved should write a similar letter.

Mr. STRATTON. Mr. Speaker, will the gentleman yield?

Mr. RANDALL. I yield to the gentleman from New York.

Mr. STRATTON. Mr. Speaker, I want to support what the gentleman from Missouri is saying, because the issue is a good deal more complicated than many Members of this House appreciate. I just found out about this legislation and some of the implications involved this afternoon. I happen to represent one of the largest dairy districts in the country.

What this bill does, if I understand it correctly, is that it tells the dairy cooperative, when it hauls dairy products to market, that they cannot get adequate income to bring back their trucks and so they will have to deadhead back home. Very largely, as the gentleman said, they have been allowed to carry 50 percent nondairy products on the backhaul. This figure will now be reduced to 15 percent by this bill and the resulting losses will be taken out of the hides of the small farmers.

Mr. Speaker, I support what the gentleman is saying and what the gentleman from Kansas [Mr. Winn] said a moment ago: Many farm cooperatives are not for this bill.

I called two of the dairy cooperatives in my district on this matter this afternoon. One of them said they were for it and one of them said they were strongly against it. The situation is confused, and I think we ought to have more time to examine it in detail and not try to deal with it under suspension of the rules.

Mr. RANDALL. Mr. Speaker, I appreciate those remarks of the gentleman from New York.

There are a few questions, Mr. Speaker, that have not been answered by the hearing or in this debate. I am going to ask them now.

How many cooperatives are really engaged in this kind of trucking operation? There is nothing contained in the report. Read it for yourself. There is no information there.

What effect, if any, have these haulers had on the regulated trucking industry?

What effect will the passage of this measure have on the co-op activities in general and farmers themselves in particular? I am not talking about haulers but farmers' cooperatives.

What are we going to do to protect cooperatives that have developed a separate operation all of these years since 1935?

Mr. Speaker, was the Committee on Agriculture consulted upon the wisdom of this legislation?

Does not the change proposed do violence to the intent of the Agricultural Marketing Act, which is just as much law as the measure we are considering here tonight?

Finally, Mr. Speaker, this is the wrong way to run a railroad, to consider a measure like this under suspension of the rules at this hour of the night. We should have time to consider it under an open rule. We should have the opportunity to offer amendments and, during the debate, find out the answers to some of these questions I have enumerated. In its present form, S. 752 is not good for the haulers. It is not good for the farmers. It should be defeated.

Mr. Speaker, I yield back the balance of my time.

Mr. WINN. Mr. Speaker, I yield 3 minutes to the distinguished gentleman from Texas [Mr. Poage].

Mr. POAGE. Mr. Speaker, I appreciate the gentleman yielding me the time. I did not know the gentleman was going to yield to me.

Mr. Speaker, some 40-odd years ago Hon. Marvin Jones was the chairman of the Committee on Agriculture. Many of the oldtimers remember Judge Jones. He has served for many years as judge of the Court of Claims of the United States. Most of that time he was the chief judge of that court.

Marvin Jones authored this exemption for farm cooperatives on the theory, which was true then and is true now, that, unless farmpeople can move their products to the market, there is no possibility that they can market them at a profit or even at a living price. It was in order to enable the farmer to get to the market that Judge Jones put this provision in the Transportation Act.

This provision is simply to the effect that farmer cooperatives might move their products to market and then might haul some payload back, because if you require them to move to market and then say that they have to drive back at a dead loss, then they surely cannot successfully move their products to the market. For all practical purposes, the only way that farmers can get their farm products to market is to allow them to haul something else back.

That is what we have historically allowed as long as the co-ops did the major portion of their business in their own field—with their own members. This bill would cut that backhaul down to 15 percent. I have thought possibly they could get by on 25 percent. The result of cutting the backhaul to such a small figure—15 percent—is but a sop which will completely destroy the ability of these farmer co-ops to return the trucks that hauled farm products to the market.

If you are going to maintain this opportunity for farmers to get to the market—and we all say we want to help farmers market their products—if you are going to do it, then you have to continue an effective exemption which will at least pay the cost of the trip back. Maybe that backhaul does not have to be 49 percent. I think 30 percent would possibly be adequate. But the process under which this bill is brought before this House makes it utterly impossible to write a fair or a correct bill. Such a bill should in fairness be brought out under a rule which would allow amendments.

The gentleman suggested that there are some—and there are some cooperatives that are not true farmer cooperatives. That is true. You can prosecute that situation today. The use of the backhaul is prohibited to them today. And, you cannot prosecute that situation today. The problem today is merely one of enforcement. This bill will not bring about any automatic enforcement. What this will do is to destroy a good program, in order to reaffirm the exclusion of bogus organizations.

Certainly, Mr. Speaker, I go along with the gentleman from Illinois in four out of his five points. I want to go along with my friend and constituent to whom the chairman referred. He did not say he favored this bill. He said he was in favor of a bill that would stop the evils and the improper use of these vehicles. Everybody favors that, but it should not be necessary to destroy a good program simply to correct some weakness in administration.

Mr. WINN. Mr. Speaker, I yield 2 minutes to the gentleman from California [Mr. Sisk].

Mr. SISK. Mr. Speaker, I thank the gentleman from Kansas for yielding to me at this time.

I simply want to say that I urge a vote of "no" on this particular legislation. I have great respect for the distinguished gentleman from West Virginia [Mr. Staggers] and I recognize there may be some legislation needed in this area which has been written into the law and which has been on the books for as long as 35 years.

And, Mr. Speaker, to come in here at this late hour under a suspension of the rules, it seems to me we need to take the other procedure of providing a rule and providing adequate debate during which to discuss this legislation.

Mr. Speaker, the gentleman from Texas [Mr. Poage] has pretty well summed up the situation and it is my opinion that we should vote "no" on this bill at the present time.

Mr. MAHON. Mr. Speaker, will the gentleman yield?

Mr. SISK. I yield to the distinguished chairman of the Committee on Appropriations.

Mr. MAHON. Mr. Speaker, I simply want to say that I share in the opposition to this bill based upon the statements which have been made by the gentleman from Texas [Mr. Poage] and the gentleman from California [Mr. Sisk].

Mr. SISK. Permit me to say this further. There is no choice under the procedures under which this legislation has been brought before the House for extensive debate and for amendments to be offered thereto. I realize that we are not operating under a rule where we could have the regular procedure. If so, this would be fine.

Mr. Speaker, on this bill and on the resolution it is my understanding that actually the hearings thereon were very limited. I find a great many people that are now and have expressed the view and concern that the committee had taken this action to bring this piece of legislation up under a suspension of the rules. However, this has been done heretofore and will be done again. However, I am concerned that we are being asked to act rather arbitrarily upon a piece of legislation to which many Members of the House have strong opposition and also opposition which has been expressed by the Bureau of the Budget and the Department of Defense. Let me say further that it is most unfortunate that it has been brought up under this situation. Also, permit me to say to my friend who spoke previously that the bill should be discussed far more thoroughly than is permitted under this rule today.

Mr. WINN. Mr. Speaker, I yield 1 minute to the gentleman from Kansas [Mr. Dole].

Mr. DOLE. Mr. Speaker, I take this time to ask a question of the chairman of the committee or the ranking Republican member of the committee.

Would the chairman have any objection to amending this bill, it it were possible under the regular procedure to exempt true agricultural cooperatives? I favor the bill generally but do object to its application to three or four true cooperatives. I also feel there should be an opportunity to offer an exemption amendment.

Mr. STAGGERS. Mr. Speaker, will the gentleman yield?

Mr. DOLE. I yield to the gentleman from West Virginia.

Mr. STAGGERS. You are asking me a supposition which could not be done based upon the time limit which had been set by the Committee on Rules. This bill came out of the committee on July 10. The Committee on Rules informed all of the committees of the House that the date of July 8 would be the last time that they were going to accept any legislation for any rule. If we had had the time, we certainly would have asked for a rule. I have never asked for a closed rule on any legislation which has come out of the Committee on Banking and Currency, but this procedure was dictated and brought about by the procedure which was adopted by the Committee on Rules and, therefore, its having been brought up under a suspension of the rule you simply just cannot amend the bill.

Mr. WINN. Mr. Speaker, I would just like to point out that from the discussion it is quite obvious that the whole thing is very confusing, and that we should send this bill back for additional consideration.

I would like to point out that this bill will confuse the standard of measuring nonmember business from dollar volume for some purposes, to tonnages for others. I believe this just adds to the confusion.

Mr. Speaker, I yield back the balance of my time.

Mr. STAGGERS. Mr. Speaker, the gentleman said we have an area of confusion. There was no confusion in the committee and in the hearings, or when it came out of the committee. If there is any confusion it has been because three or four or five Members have been trying to confuse the House.

Mr. Speaker, I now yield the rest of my remaining time to the gentleman from Maryland [Mr. FRIEDEL] who conducted all the hearings.

Mr. FRIEDEL. Mr. Speaker, I had the pleasure of presiding over the subcommittee during the consideration of this bill, S. 752. I would like to say that this bill is necessary because recently a gray area in transportation has grown up where cooperatives are hauling for nonmembers.

Every legitimate cooperative can continue to do everything they are supposed to do under the exemption clause, but these others who are not true cooperatives, who are hauling other things and going in and hauling ammunition, and things that have nothing to do with farm products whatsoever, are the ones we are concerned with.

We had quite a few witnesses. Every one of them said, "Yes, they are violating the law, except me." I remember this day that we had five witnesses, and every one said that, "Yes, it should be done to get rid of the illegal haulers, but I am doing a good job."

So if they are doing a good job, then they are okay under the exemption.

Mr. ADAMS. Mr. Speaker, will the gentleman yield?

Mr. FRIEDEL. I yield to the gentleman from Washington.

Mr. ADAMS. Mr. Speaker, we held a series of hearings on this, and there was no objection to it at the time. It has come up in the last 2 or 3 days from a very limited, specific group of cooperatives who had a very specific interest from hauling certain limited Government commodities.

Mr. Speaker, I would like to point out to the House, and let us make it clear, this bill does not change the original Agricultural Marketing Act. What it does is because of the ninth circuit decision that was mentioned by one of the gentleman here, where there is a gray area as to what a backhaul is, and what is incidental to traffic in a cooperative.

The bill has been written to tie in two other statutes, the Agricultural Marketing Act of 1929 which says that if you are a cooperative you must haul at least 50 percent for your members, or you do not become a cooperative—and that is the reason for the 50-percent limitation placed in it.

The other is the Internal Revenue Code. You see, in this exemption, under the cooperative exemption, which these gentlemen enjoy, there is a 15-percent limitation as to what you can do with nonmembers, and nonproducts of your association. So the 15 percent was suggested to tie in to the presently existing Internal Revenue Code exemption.

The total effect of this bill will not harm a single cooperative. And you may wonder why the farm cooperatives came in; you must remember that the farm co-ops have an obligation to backhaul for their members. Now, if the backhaul is taken away by the cooperatives' director, saying we are going to carry other commodities and maybe pick up a few dollars here, then if you are a farmer and cannot haul it back, you are out. And that is why many farm organizations came looking and asking for this help.

The final thing that I want the Members to know——

Mr. STRATTON. Mr. Speaker, will the gentleman yield?

Mr. FRIEDEL. Mr. Speaker, how much time do I have remaining?

The SPEAKER. The gentleman from Maryland has 1 minute remaining.

Mr. HAYS. Mr. Speaker, would the gentleman yield for just 1 second?

Mr. FRIEDEL. I yield to the gentleman from Ohio.

Mr. HAYS. I would just like to say that I thank the gentleman for yielding. I want the gentleman from Maryland to explain this because the gentleman from Washington was unconfusing me, and I prefer to remain confused.

Mr. PICKLE. Mr. Speaker, will the gentleman yield?

Mr. FRIEDEL. I yield to the gentleman.

Mr. PICKLE. We had several days of hearings. This is a fair bill and closes a lot of loopholes.

A lot of inference has been made that we are trying to keep cooperatives from hauling. This is not so. They can haul 100 percent of their goods.

What we are trying to do is limit the kind or amount of goods that they can use in the total transportation service.

The only real point was made by the gentleman from Texas [Mr. POAGE] that perhaps the percentage ought to be raised from 15 percent, and as he said to 30 percent.

The Department of Agriculture said 15 percent—I do not know—maybe it ought to be 20 percent. But whatever it is, that is the only real point that could be made against this bill today—and that is not a valid objection.

The SPEAKER. The time of the gentleman from Maryland [Mr. FRIEDEL] has expired.

All time has expired.

The question is on the motion of the gentleman from West Virginia that the House suspend the rules and pass the bill S. 752.

The question was taken; and on a division (demanded by Mr. STAGGERS) there were—ayes 106, noes 56.

Mr. SPRINGER. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER. The Chair will count. [After counting.] Two hundred Members are present, not a quorum.

The Doorkeeper will close the doors, the Sergeant at Arms will notify absent Members, and the Clerk will call the roll.

The question was taken; and there were—yeas 273, nays 106, not voting 44, as follows:

[Roll No. 260]

YEAS—273

Adair
Adams
Addabbo
Anderson, Ill.
Andrews, N. Dak.
Annunzio
Arends
Ashbrook
Aspinall
Ayres
Barrett
Bates
Battin
Belcher
Bell
Betts
Biester
Bingham
Blatnik
Boggs
Boland
Bolton
Bow
Brasco
Bray
Brinkley
Brock
Brooks
Broomfield
Brotzman
Brown, Calif.
Brown, Mich.
Brown, Ohio
Broyhill, N.C.
Broyhill, Va.
Buchanan
Burke, Fla.
Burke, Mass.
Burton, Calif.
Bush
Byrne, Pa.
Cabell
Carey
Carter
Cederberg
Celler
Chamberlain
Clancy
Clark
Clausen, Don H.
Cleveland
Cohelan
Collier
Conable
Conte
Corbett
Corman
Cowger
Cramer
Cunningham
Curtis
Daniels
Davis, Wis.
Dawson
Delaney
Dingell
Dow
Dowdy
Dulski
Eckhardt
Edmondson
Edwards, Ala.
Edwards, Calif.
Edwards, La.
Eilberg
Esch
Farbstein
Fascell
Feighan
Flood
Ford, Gerald R.
Ford, William D.
Fraser
Friedel
Fulton, Pa.
Fulton, Tenn.
Galifianakis
Garmatz
Gibbons
Gilbert
Gonzalez
Goodling
Gray
Green, Oreg.
Green, Pa.
Griffin
Griffiths
Gross
Grover
Gubser
Gude
Gurney
Hagan
Haley
Halleck
Halpern
Hamilton
Hammerschmidt
Hanna
Harrison
Harsha
Harvey
Hathaway
Hays
Hechler, W. Va.
Heckler, Mass.
Helstoski
Hicks
Horton
Howard
Hunt
Irwin
Jacobs
Jarman
Joelson
Jonas
Jones, Ala.
Kee
Keith
Kelly
King, N.Y.
Kirwan
Kleppe
Kluczynski
Kupferman
Kuykendall
Kyl
Kyros
Laird
Langen
Latta
Leggett
Lennon
Lipscomb
Long, Md.
Lukens

McCarthy
McClure
McCulloch
McDade
McFall
Macdonald, Mass.
MacGregor
Mailliard
Marsh
Martin
Matsunaga
May
Meeds
Meskill
Michel
Miller, Calif.
Mills
Minish
Mink
Minshall
Mize
Monagan
Moore
Moorhead
Morgan
Morris, N. Mex.
Morse, Mass.
Morton
Mosher
Moss
Murphy, Ill.
Myers
Nedzi
Nix
O'Hara, Mich.
O'Konski
O'Neill, Mass.
Ottinger
Patten
Pelly
Pepper
Pettis
Philbin
Pickle
Pirnie
Podell
Poff
Pollock
Price, Ill.
Pryor
Pucinski
Quillen
Railsback
Rees
Reid, Ill.
Reifel
Reuss
Rhodes, Ariz.
Riegle
Roberts
Rodino
Rogers, Colo.
Rogers, Fla.
Ronan
Rooney, N.Y.
Rooney, Pa.
Rosenthal
Rostenkowski
Roth
Roudebush
Roybal
Rumsfeld
Ruppe
Ryan
St Germain
St. Onge
Satterfield
Schadeberg
Scherle
Schneebeli
Schweiker
Schwengel
Scott
Slack
Smith, Calif.
Smith, Iowa
Smith, N.Y.
Smith, Okla.
Snyder
Springer
Stafford
Staggers
Stanton
Steed
Steiger, Ariz.
Steiger, Wis.
Stuckey
Sullivan
Taft
Talcott
Taylor
Teague, Calif.
Tenzer
Thompson, Ga.
Thompson, N.J.
Thomson, Wis.
Tiernan
Tuck
Udall
Ullman
Van Deerlin
Vanik
Vigorito
Walker
Wampler
Watson
Watts
Whalen
Whitener
Williams, Pa.
Wolff
Wyatt
Wyman
Yates
Young
Zablocki
Zion

NAYS—106

Abbitt
Abernethy
Albert
Andrews, Ala.
Ashley
Ashmore
Baring
Bennett
Berry
Bevill
Blackburn
Bolling
Burleson
Button
Byrnes, Wis.
Cahill
Clawson, Del
Colmer
Dellenback
Denney
Derwinski
Devine
Dickinson
Dole
Dorn
Downing
Duncan
Dwyer
Eshleman
Evans, Colo.
Everett
Fisher
Foley
Fountain
Frelinghuysen
Fuqua
Gathings
Gettys
Hall
Hanley
Hardy
Henderson
Hosmer
Hull
Hungate
Hutchinson
Ichord
Johnson, Calif.
Johnson, Pa.
Jones, N.C.
Karth
Kastenmeier
Kazen
Lloyd
McClory
McCloskey
McDonald, Mich.
McEwen
McMillan
Mahon
Mathias, Calif.
Mayne
Miller, Ohio
Montgomery
Natcher
Nelsen
Nichols
Olsen
O'Neal, Ga.
Passman
Perkins
Pike
Poage
Price, Tex.
Purcell
Quie
Randall
Reid, N.Y.
Reinecke
Robison
Sandman
Saylor
Scheuer
Selden
Shipley
Shriver
Sikes
Sisk
Skubitz
Stratton
Stubblefield
Tunney
Vander Jagt
Waldie
Whalley
White
Whitten
Widnall
Wiggins
Wilson, Bob
Wilson, Charles H.
Winn
Wright
Wydler
Wylie
Zwach

ANSWERED "PRESENT"—1

Watkins

NOT VOTING—44

Anderson, Tenn.
Blanton
Brademas
Burton, Utah
Casey
Conyers
Culver
Daddario
Davis, Ga.
de la Garza
Dent
Diggs
Donohue
Erlenborn
Evins, Tenn.
Fallon
Findley
Fino
Flynt
Gallagher
Gardner
Giaimo
Goodell
Hansen, Idaho
Hansen, Wash.
Hawkins
Hébert
Herlong
Holifield
Holland
Jones, Mo.
Karsten
King, Calif.
Kornegay
Landrum
Long, La.
Machen
Madden
Mathias, Md.
Murphy, N.Y.
O'Hara, Ill.
Patman
Rarick
Resnick
Rhodes, Pa.
Rivers
Roush
Stephens
Teague, Tex.
Utt
Waggonner
Willis

So (two-thirds having voted in favor thereof) the rules were suspended and the bill was passed.

The Clerk announced the following pairs:

Mr. Fallon with Mr. Goodell.

Mr. Evins of Tennessee with Mr. Erlenborn.

Mr. Rivers with Mr. Utt.

Mr. Donohue with Mr. Findley.

Mr. Hébert with Mr. Fino.

Mr. Daddario with Mr. Mathias of Maryland.

Mr. Roush with Mr. Gardner.

Mr. King of California with Mr. Hansen of Idaho.

Mr. Waggonner with Mr. Karsten.

Mr. Holifield with Mr. Gallagher.

Mr. Giaimo with Mr. O'Hara of Illinois.

Mr. Murphy of New York with Mr. Dent.

Mr. Davis of Georgia with Mr. Brademas.

Mr. Anderson of Tennessee with Mr. Kornegay.

Mr. Landrum with Mr. Culver.

Mr. Machen with Mr. Diggs.

Mr. Flynt with Mr. Patman.

Mr. Resnick with Mr. Hawkins.

Mr. Stephens with Mr. Holland.

Mrs. Hansen of Washington with Mr. Rarick.

Mr. Long of Louisiana with Mr. de la Garza.

Mr. Casey with Mr. Blanton.

Mr. Ashmore with Mr. Willis.

Mr. Teague of Texas with Mr. Rhodes of Pennsylvania.

Mr. Wolff with Mr. Conyers.

Messrs. SHIPLEY, ABERNETHY, KASTENMEIER, PASSMAN, and ASHLEY changed their votes from "yea" to "nay."

Messrs. PRYOR, MINSHALL, McDADE, BROYHILL of Virginia, BRAY, LONG of Maryland, and MATSUNAGA changed their votes from "nay" to "yea."

The result of the vote was announced as above recorded.

The doors were opened.

A motion to reconsider was laid on the table.

EFFECT OF INSTITUTIONAL INVESTORS ON THE SECURITIES MARKET

Mr. STAGGERS. Mr. Speaker, I move to suspend the rules and pass the joint resolution (H.J. Res. 946) to amend the Securities Exchange Act of 1934 to authorize an investigation of the effect on the securities markets of the operation of institutional investors, as amended.

The Clerk read as follows:

H.J. Res. 946

Whereas there has been a very significant increase in the amount of securities held and traded by institutional investors both in absolute terms and in relation to other types of investors; and

Whereas such an increase may have an impact upon the maintenance of fair and orderly securities markets, upon the issuers of securities traded in such markets, and upon the interests of investors and the public interest: Now, therefore, be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That section 19 of the Securities Exchange Act of 1934 (15 U.S.C. 78s) is amended by adding at the end thereof the following:

"(e)(1) The Commission is authorized and directed to make a study and investigation of the purchase, sale, and holding of securities by institutional investors of all types (including, but not limited to, banks, insurance companies, mutual funds, employee pension and welfare funds, and foundation and college endowments) in order to determine the effect of such purchases, sales, and holdings upon (A) the maintenance of fair and orderly securities markets, (B) the stability of such markets, both in general and for individual securities, (C) the interests of the issuers of such securities, and (D) the interests of the public, in order that the Congress may determine what measures, if any, may be necessary and appropriate in the public interest and for the protection of investors. The Commission shall report to the Congress on or before September 1, 1969, the results of its study and investigation, together with its recommendations, including such recommendations for legislation as it deems advisable.

"(2) For the purposes of the study and investigation authorized by this subsection, the Commission shall have all the power and authority which it would have if such investigation were being conducted pursuant to section 21 of this Act. The Commission is authorized to appoint, without regard to the provisions of title 5, United States Code, governing appointments in the competitive service, and to pay, without regard to the provisions of chapter 51 and subchapter III of chapter 53 of such title relating to classification and General Schedule pay rates, such personnel as the Commission deems advisable to carry out the study and investigation authorized by this subsection, but no such rate shall exceed the per annum rate in effect for a GS–18.

"(3) In connection with the study authorized by this subsection, the Commission shall consult with representatives of various classes of institutional investors, members of the securities industry, representatives of other Government agencies, and other interested persons. The Commission shall also consult with an advisory committee which it shall establish for the purpose of advising and consulting with the Commission on a regular basis on matters coming within the purview of such study.

"(4) There is authorized to be appropriated not to exceed $875,000 for the study and investigation authorized by this subsection."

The SPEAKER. Is a second demanded?

Mr. SPRINGER. Mr. Speaker, I demand a second.

The SPEAKER. Without objection, a second will be considered as ordered.

There was no objection.

The SPEAKER. The Chair recognizes the gentleman from West Virginia [Mr. STAGGERS].

Mr. STAGGERS. Mr. Speaker, this is a House joint resolution to amend the Securities Exchange Act of 1934 to authorize an investigation of the effect on the securities markets of the operation of institutional investors.

This resolution was introduced jointly by our colleagues, the gentleman from California [Mr. Moss] and a member of the committee, our colleague, the gentleman from Massachusetts [Mr. KEITH].

At this time, Mr. Speaker, I will call on the chairman of the subcommittee, the gentleman from California [Mr. Moss] to explain the joint resolution.

Mr. MOSS. Mr. Speaker, House Joint Resolution 946 would authorize a 1-year study by the Securities and Exchange Commission, at a cost of $875,000, for the purpose of determining the effect of holdings of institutional investors on the securities markets of this Nation. The bill was sponsored jointly by myself and the very distinguished ranking minority member of the Commerce and Finance Committee, the gentleman from Massachusetts [Mr. KEITH]. As a matter of fact, I believe it can properly be labeled as originating with the gentleman from Massachusetts [Mr. KEITH] during discussions of some of the rather difficult problems which confront us today, with the rapid growth in our securities market and the need to determine whether we had in the past few years reached the point where we have in fact a free auction market for securities.

I feel that the study is one that is urgently required. The growth of volume in the securities market and the growth of participation in that market by the institutional investors is one of the great phenomena of our time. The growth by those institutional investors has reached the point of $230 billion, or about one-third of all the outstanding shares available.

In recent years many institutional investors have engaged in short-term trading for quick profits, and investment companies last year turned over almost 40 percent of their stock portfolios.

I would urge that the motion of the chairman be approved.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. MOSS. I would be very happy to yield to the gentleman from Iowa.

Mr. GROSS. I thank the gentleman for yielding. I wish to say I wholeheartedly support this resolution. I think this investigation is long overdue, both with respect to foundations and certain other funds.

My only concern is that the scope of the investigation may not be broad enough, and that the requirement for a report on September 1, 1969, may cause the investigation to be shortened more than it ought to be.

Mr. MOSS. I wish first to express my appreciation for the statement the gentleman has made. I believe I speak for both myself and the minority in sharing the concern of the need for a study, broadly based, and one that is sufficiently thorough to give us the answers. But I think the urgent nature of the study imposes on us a peculiar requirement that we give the Commission direction to report back to us. If at that time there is a need for a more penetrating investigation, then I think the House should very carefully consider authorizing such further study as might be indicated.

Mr. HALLECK. Mr. Speaker, will the gentleman yield?

Mr. MOSS. I yield to the gentleman from Indiana.

Mr. HALLECK. Did I correctly understand the gentleman to say that this investigation would have to do with investment trusts or mutual funds and their operations in their buying and selling of stocks?

Mr. MOSS. It would have to do with the entire operations of our security markets.

Mr. HALLECK. Do I also correctly understand the gentleman to say or to imply that there is something evil or wrong about mutual trusts or investment funds, the buying or selling of stock?

Mr. MOSS. Assuredly the gentleman did not.

Mr. HALLECK. Then I misunderstood the gentleman.

Mr. THOMPSON of New Jersey. Mr. Speaker, will the gentleman yield further?

Mr. MOSS. I yield to the gentleman from New Jersey.

Mr. THOMPSON of New Jersey. Mr. Speaker, the gentleman says this goes to the entirety of the securities business. Does the gentleman mean that this will include mutual funds and their practices?

Mr. MOSS. It will include the institutional buyers in the market. The number of very large blocks of shares traded each day has reached very significant proportions and the effect upon the market has not been properly evaluated. During the course of the hearings this had the unanimous support from the institutional groups themselves, from the American Stock Exchange, and from the New York Stock Exchange.

Mr. THOMPSON of New Jersey. Mr. Speaker, how about the Association of Mutual Funds Dealers?

Mr. MOSS. Yes, the investment funds did support this.

Mr. THOMPSON of New Jersey. Mr. Speaker, I thank the gentleman.

TABLE 1.—STOCKHOLDINGS OF FINANCIAL INSTITUTIONS AND OTHERS [1]

[In billions of dollars*]

	End of year				
	1957	1964	1965	1966	1967
1. Private noninsured pension funds	7.5	33.5	39.7	38.5	51.3
2. Investment companies, total	12.2	34.6	41.2	37.4	51.0
(a) Open-end	7.7	26.7	33.5	31.2	42.8
(b) Other	4.5	8.0	7.7	6.2	8.2
3. Life insurance companies	3.4	7.9	9.1	8.8	10.7
4. Property and casualty insurance companies	5.2	11.4	12.0	11.0	13.3
5. Banks	0.9	1.6	1.8	1.7	1.9
6. State and local trust funds	.3	1.7	2.4	2.8	4.2
7. Fraternal organizations	.1	.2	.2	.2	.2
8. Total institutions (1 through 7)	29.5	90.3	105.7	99.6	131.6
9. Foreigners [2]	9.5	18.9	19.9	18.1	22.5
10. All others [3] (item 11 less items 8 and 9)	246.2	510.0	549.1	469.7	553.5
11. Total stock outstanding	285.2	619.2	674.6	587.4	707.6

*Figures may not add to totals because of rounding.

[1] Estimated market values of preferred and common stock. Excludes investment company shares but includes foreign issues outstanding in the United States.

[2] Includes estimate of stock held as direct investment.

[3] Includes individuals, personal trust funds, and nonprofit institutions.

TABLE 2.—COMMON STOCK TRANSACTIONS

[Dollar amounts in millions]

	1957	1966	1967	Average annual percent change [1]	
				1957–66	1966–67
1. Private noninsured pension funds:					
Purchases	$1,340	$6,631	$10,058	19.4	51.7
Sales	252	3,005	5,058	31.7	68.3
Net acquisitions	1,088	3,626	5,000	14.3	37.9
Average market value [2]	6,638	38,339	44,128	21.5	15.1
Turnover ratio [3]	3.8	7.8	11.5		
2. Open-end investment companies:					
Purchases	1,696	10,343	14,926	22.2	44.3
Sales	993	9,309	13,325	28.2	43.1
Net acquisitions	703	1,034	1,601	4.4	54.8
Average market value [2]	7,145	29,353	33,430	17.0	13.9
Turnover ratio [3]	13.9	30.8	38.7		

	1962	1966	1967	Average annual percent change [1]	
				1962–66	1966–67
3. Life insurance companies:					
Purchases	$247	$1,102	$1,716	18.1	55.7
Sales	203	825	890	16.9	7.9
Net acquisitions	44	277	826	22.7	198.2
Average market value [2]	1,891	6,034	6,951	13.8	15.2
Turnover ratio [3]	10.7	13.7	12.8		
4. Property and casualty insurance companies:					
Purchases	$677	$884	$1,040	6.9	17.6
Sales	475	600	771	6.0	28.5
Net acquisitions	202	284	269	8.9	−5.3
Average market value [2]	8,102	10,354	11,081	6.4	6.4
Turnover ratio [3]	5.9	5.8	7.0		

[1] For 1957–66, the percent change represents the average annual compound rate of change.

[2] Average of the beginning and end of the year market values.

[3] Turnover rates are computed as the lesser of purchases or sales divided by the average of the market value of stockholdings at the beginning and end of the period.

TABLE 3.—PORTFOLIO TURNOVER RATES OF MUTUAL FUNDS, FOR THE YEAR 1967

Portfolio turnover rate[1] (in percent)	Number of funds	Assets (millions)
No transactions	20	$602.6
Sales only	2	94.2
Purchases only:		
0.1 to under 10	27	2,637.7
10 to under 20	21	11,660.3
20 to under 30	20	10,128.1
30 to under 40	18	2,454.4
40 to under 50	8	1,580.4
50 to under 60	11	4,124.7
60 to under 70	7	2,280.3
70 to under 80	6	2,124.8
80 to under 90	8	1,143.7
90 to under 100	2	655.3
100 and over	10	396.3
Total	160	39,882.9

[1] Portfolio turnover rate is the lesser of portfolio purchases or sales as a percent of average net assets. Portfolio purchases and sales include all transactions except those in U.S. Government securities and short-term corporate securities.

APPENDIX I

TOTAL VOLUME COMPARED TO LARGE BLOCK VOLUME IN THE NEW YORK STOCK EXCHANGE

I. QUARTERLY DATA

	1st quarter, 1967	1st quarter, 1968	Percent increase
Total volume:			
Reported share volume (millions)	615	630	2.4
Daily average share volume (millions)	9.9	10.2	3.0
Large Blocks (10,000 shares or more):			
Number	1,385	1,991	43.8
Shares (millions)	34	50	47.1
Value (millions)	$1,326	$2,034	53.4
Percent of reported	5.5	7.9	

APPENDIX I—Continued

TOTAL VOLUME COMPARED TO LARGE BLOCK VOLUME IN THE NEW YORK STOCK EXCHANGE—Continued

II. MONTHLY DATA

	April 1968	May 1968
Total volume:		
Reported share volume (millions)	296	292
Daily average share volume (millions)	14.8	13.3
Large blocks (10,000 shares or more):		
Number	989	1,054
Shares (millions)	25	26
Value (millions)	$1,004	$1,140
Percent of reported volume	8.4	9.0

Mr. SPRINGER. Mr. Speaker, I yield such time as he may consume to the gentleman from Massachusetts [Mr. KEITH].

Mr. KEITH. Mr. Speaker, I thank the gentleman for yielding. It would seem to me we could rest our case on the fact that the gentleman from Iowa [Mr. GROSS] and the gentleman from California [Mr. MOSS] are in agreement as to the need for this particular legislation.

It is designed to get at, Mr. Speaker, those so-called institutional traders who buy or sell in large blocks of shares. Sometimes they number in the tens of thousands of shares, moving them within a short period of time. It is not only the mutual funds that can do this, particularly the so-called go-go funds and the performance funds, but also the banks, the pension funds, the foundations, and welfare funds. When these giants move in the market in large volume, the smaller buyer of securities sees a particular stock go up five or 10 points in 1 day. He thinks that is pretty good and he had better get in on it. So he comes in at the tail end of the market, and then perhaps a big buyer may gradually sell out, and the smaller buyer is left holding the bag.

This investigation is sponsored by all groups of institutional investors, the investment companies, banks, and the pension funds. It will expose to public view the kind of institutional trading that is being done at a particular time. It will, in my view, comply with the full disclosure philosophy that the Congress adopted years ago when they passed the several laws dealing with the securities business. I think it is a good bill. It is one we should all support in an effort to shed the light of day on the gigantic operations of some of the institutional buyers.

Mr. FULTON of Pennsylvania. Mr. Speaker, will the gentleman yield?

Mr. KEITH. I yield to the gentleman from Pennsylvania.

Mr. FULTON of Pennsylvania. Mr. Speaker, when the gentleman from California [Mr. MOSS] was speaking, I wondered whether on the record there was any intention to have an inference that some of us drew, that the mere fact that they were large institutions or large blocs of stocks being traded gave the impression of anything wrong or illegal or a bad trend?

Mr. KEITH. Mr. Speaker, I believe I could answer that question, and I am sure the gentleman from California can broaden the answer.

There are some occasions when something is going on that does require surveillance and which should be exposed to public view. There are occasional instances, we believe, where some speculation has been stimulated by reason of the vast ability of some institutional buyers to buy in tremendous amounts.

Mr. FULTON of Pennsylvania. Will the gentleman yield on that point?

The comment was that market had gotten so big with so many millions of shares being traded today, that it should be looked into. That, to me, is the result of a free market, and when the large institutions, after study, decide to change position in the free market, I think it is a steadiness and balances the market rather than causes upheaval.

Mr. MOSS. Mr. Speaker, will the gentleman yield?

Mr. KEITH. Mr. Speaker, may I point out first, before yielding to the gentleman, who I am sure can elucidate on this, that, whereas in years past, the institutional trading has represented a small proportion of trading, today in some instances it approaches almost all the trading done in a particular issue.

Mr. FULTON of Pennsylvania. But the gentleman does not think there is anything basically wrong with a bank or an institution or a foundation or a mutual fund trading in the market and taking a big change of position when it feels it is necessary because of the interests of its own shareholders?

Mr. KEITH. I do not believe that is what we are after. It is the case where, in the interest of these shareholders, they may stimulate a movement for a temporary period and then back away and leave an individual holding the bag at a higher level.

I yield to the gentleman from California [Mr. MOSS] for a further comment.

Mr. MOSS. First let me say there is nothing at all in my remarks that should be construed as implying that bigness in the market is wrong or improper. What we are concerned with determining is the nature of the impact. There is a possibility that the free option market is being impaired.

We do not have the answers. We are going to try to find them. There is a very real possibility that management, by moving in these large blocks, is locked into a position where it cannot exercise its best judgment for its shareholders because it must also evaluate its own impact on that market.

These are areas where there are serious problems, or the potential for them. We are attempting to anticipate them and to get answers in advance.

Mr. FULTON of Pennsylvania. The purpose of this legislation is in no way to interfere with the market or the free choice of any investor, whether it be an institution, a mutual fund, a foundation, or a large private investor?

Mr. MOSS. If the gentleman will yield further, I would hope we would start this study with open minds. We have had assurances of the fullest cooperation from the markets and from many institutional buyers. I hope that we can start without prejudgement or prejudice and merely seek the facts.

Mr. KEITH. Mr. Speaker, I believe the RECORD should show in times of crisis thus far the big investors have gone into the market to stabilize it and have performed a very worthwhile influence on the market. The potential for adverse action is there, nevertheless.

Mr. ARENDS. Mr. Speaker, will the gentleman yield?

Mr. KEITH. I am glad to yield to the minority whip.

Mr. ARENDS. I should like to ask the gentleman from California if this study would include a study of the use of the huge labor pension funds?

Mr. MOSS. To the extent that they are institutional buyers in the market it would certainly include the impact of those buyers, as well as any others.

Mr. KEITH. Mr. Speaker, the Nation's securities market has been undergoing radical changes in recent years—changes resulting in large part from the astounding growth in numbers of large institutional investors. These big investors are mutual funds, and also banks, insurance companies, employee pension plans, welfare funds, foundations, and college endowments. In the 5-year period from 1961 to 1966, institutional trading rose 142 percent on the New York Stock Exchange, so that it now totals one-third of the total exchange volume.

William McChesney Martin, Chairman of the Federal Reserve System, in a speech before the New York Stock Exchange in May 1967, charged that trading activities associated with institutional investors "contained poisonous qualities, reminiscent in some respects of the old pool operations of the 1920's." In a conference with me in November of last year, Mr. Martin stated that he has seen nothing to alleviate his concern. Seven months have passed since then, and the financial pages of our leading newspapers and magazines point to the increased urgency for a comprehensive study of this phenomena.

One unhealthy symptom is the current vogue of speculation in the marketplace. The public's attention has focused on the most speculative mutual funds—the so-called go-go funds, those which promise their investors performance, as opposed to the traditional concept of long-term investment gains. The institutional speculator, by reason of its enormous market power, is able to influence the price of a stock by selling or buying in large blocks.

I am especially concerned over the possibilities of institutional speculation misleading small stockholders. For example, large institutional transactions can cause a particular stock to move sharply—either up or down—and a small, uninformed investor can get sucked into a movement in a market which he cannot comprehend. He may, for wrong reasons or for reasons he cannot comprehend, buy or sell at the wrong time. Since such funds are managed by experts, a large purchase or sale by one may start a trading trend, whereby other institutional managers reach the same decision at about the same time. This can further intensify the possibilities of imbalance in the markets.

Another indication of speculation has been the large increase in short term trading and portfolio turnover. Investment companies, for example, turned over almost 40 percent of their portfolios in 1967, as compared with 31 percent in 1966, and only 14 percent in 1957. Private noninsured pension funds turned over 11 percent in 1967, in contrast to 8 percent in 1966, and 4 percent in 1957.

There is also growing concern that the rapid growth of institutional investors in the stock markets may have so changed its character that the present mechanisms, both Government and private, which are expected to maintain fair and orderly markets, will be unable to do so. For example, the specialist system, which is considered essential in maintaining orderly markets, was originally devised to function in a market in which sales were made in 100-share lots.

There is some question as to whether this system can continue to function efficiently in a market where an increasingly large number of transactions are made in several 1,000-share lots. For example, on the New York Stock Exchange, transactions in blocks of over 10,000 shares have tripled since 1964 and there were nearly twice as many such transactions in the third quarter of 1967 as there were in the same quarter of 1966. The enormous backlogs of paperwork accumulating in Wall Street brokerage houses is only further evidence of the stress and strain institutional investors are causing traditional market mechanisms.

The relationship of institutional investors to the companies in which they invest has become increasingly important. At the end of 1967, 272—or 21.4 percent—of the 1,274 corporations whose shares are listed on the New York Stock Exchange had 10 percent or more of their common stock owned by one or more mutual funds or closed-end investment companies. Institutional participation in the affairs of its portfolio companies may go beyond that of influencing the policies of present management—which can be, and often is, beneficial to the company. It also raises the question of whether it is proper or economically or socially desirable for institutional investors holding large blocks of securities to participate in efforts to take over a company or dislodge its management. Presently, there is no answer as to whether this is a proper exercise of economic power in the best interests of American industry and the individual investor.

It was these major areas of concern that prompted my colleague, the gentleman from California [Mr. Moss], the distinguished chairman of the Subcommittee on Commerce and Finance, and me to file House Joint Resolution 946. This resolution would authorize the Securities and Exchange Commission to make a study of the effect of the holdings of securities by institutional investors upon securities markets, the interests of issuers of such securities, and the interests of the public, so that Congress may determine what legislative action may be necessary in the public interest and for the protection of investors.

The resolution does not call for an investigation to expose wrongdoing on the part of institutional investors. Generally speaking, the record shows that their conduct has been commendable, and they have assisted in maintaining stable markets. The resolution is rather a recognition of a lack of basic knowledge and understanding of the impact of the great growth of institutional investing.

The emphasis on the "go-go" funds in the press is perhaps due to the fact that more information is available about them than some other institutions. House Joint Resoultion 946 provides for a study of institutions of all types, including, but not limited to, banks, insurance and investment companies, employee pension and welfare funds, and foundation and college endowments.

In order to implement this study, House Joint Resolution 946 grants to the Securities and Exchange Commission the full range of investigative and subpena power which it has under section 21 of the Securities and Exchange Act of 1934.

As in prior studies, the Commission is authorized to appoint personnel outside of the general restrictions of the civil service laws.

The Commission is directed to consult with representatives of various classes of institutional investors, members of the securities industry, representatives of other Government agencies, and other interested persons, so that all points of view and relevant information may be obtained and evaluated.

House Joint Resolution 946 was amended by the Subcommittee on Commerce and Finance at the request of several representatives from the stock exchanges and the securities industry to specifically provide that the SEC shall establish an advisory committee consisting of representatives of the above-mentioned groups. Such an advisory committee had already been contemplated by the SEC and specific reference was made in the Senate-passed counterpart to House Joint Resolution 946—Senate Joint Resolution 160.

House Joint Resolution 946 authorizes $875,000 for this study. At the subcommittee hearings, members of the financial community expressed strong support for this study, and expressed a willingness to contribute their time and resources.

Mr. Speaker, the only significant difference between the Senate-passed version and House Joint Resolution 946 is the date on which the SEC is directed to report its findings to the Congress. Senate Joint Resolution 160 designates December 31, 1969, while the House resolution sets it at September 1, 1969. Your committee feels that with the cooperation of the financial and academic communities and private foundations the SEC will be able to accomplish its task within the time specified.

Mr. Speaker, in closing, I wish to reiterate that growth of institutional investors poses many questions which no one can answer with certainty. In general, these questions bear on the ability of the market to accommodate this growth, and, at the same time, maintain stability and public confidence.

Only after we obtain the necessary information from this study can we begin to fully understand the nature and impact of institutional investing upon the economy. Hopefully this data will provide us with answers to these crucial questions, so that we can assure ourselves that our securities markets will continue to be a strong and healthy basis for our free enterprise system.

Mr. Speaker, I therefore strongly urge passage of House Joint Resolution 946.

The **SPEAKER**. The question is on the motion of the gentleman from West Virginia that the House suspend the rules and pass the joint resolution House Joint Resolution 946, as amended.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the joint resolution was passed.

A motion to reconsider was laid on the table.

Mr. **STAGGERS**. Mr. Speaker, I ask unanimous consent for the immediate consideration of a similar Senate joint resolution (S.J. Res. 160) to amend the Securities Exchange Act of 1934 to authorize an investigation of the effect on the securities markets of the operation of institutional investors.

The Clerk read the title of the Senate joint resolution.

The **SPEAKER**. Is there objection to the request of the gentleman from West Virginia?

There was no objection.

The Clerk read the Senate joint resolution, as follows:

S.J. Res. 160

Whereas there has been a very significant increase in the amount of securities held and traded by institutional investors both in absolute terms and in relation to other types of investors; and

Whereas such an increase may have an impact upon the maintenance of fair and orderly securities markets, upon the issuers of securities traded in such markets, and upon the interests of investors and the public interest: Now therefore, be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That section 19 of the Securities Exchange Act of 1934 is amended by adding at the end thereof the following:

"(e) (1) The Commission is authorized and directed to make a study and investigation of the purchase, sale, and holding of securities by institutional investors of all types including, but not limited to, banks, insurance companies, mutual funds, employee pension and welfare funds, and foundation and college endowments, in order to determine the effect of such purchases, sales, and holdings upon (A) the maintenance of fair and orderly securities markets, (B) the stability of such markets, both in general and for individual securities, (C) the interests of the issuers of such securities, and (D) the interests of the public, in order that the Congress may determine what measures, if any, may be necessary and appropriate in the public interest and for the protection of investors. The Commission shall report to the Congress, on or before December 31, 1969, the results of its study and investigation, together with its recommendations, including such recommendations for legislation as it deems advisable.

"(2) For the purposes of the study and investigation authorized by this subsection, the Commission shall have all the power and authority which it would have if such investigation were being conducted pursuant to section 21 of this Act. The Commission is authorized to appoint, without regard to the provisions of title 5, United States Code, governing appointments in the competitive service, and to pay, without regard to the provisions of chapter 51 and subchapter III of chapter 53 of such title relating to classification and General Schedule pay rates, such personnel as the Commission deems advisable to carry out the study and investigation authorized by this subsection, but no such rate shall exceed the per annum rate in effect for a GS–18.

"(3) In connection with the study authorized by this subsection, the Commission shall consult with representatives of various classes of institutional investors, members of the securities industry, representatives of other Government agencies, and other interested persons. The Commission shall also consult with an advisory committee which it shall establish for the purpose of advising and consulting with the Commission on a regular basis on matters coming within the purview of such study.

"(4) There is authorized to be appropriated not to exceed $875,000 for the study and investigation authorized by this subsection."

MOTION OFFERED BY MR. STAGGERS

Mr. STAGGERS. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Motion offered by Mr. Staggers: Strike out all after the resolving clause of Senate Joint Resolution 160 and insert in lieu thereof the text of House Joint Resolution 946, as passed.

The motion was agreed to.

The Senate joint resolution was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

A similar House joint resolution (H.J. Res. 946) was laid on the table.

CONSERVATION PROGRAM ON MILITARY RESERVATIONS

Mr. DINGELL. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 11026) to amend section 3 of the act of September 15, 1960, for the purpose of facilitating the conduct of the fish and wildlife conservation and rehabilitation program authorized by that act, as amended.

The Clerk read as follows:

H.R. 11026

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 3 of the Act of September 15, 1960 (74 Stat. 1053; 16 U.S.C. 670c) is amended to read as follows:

"Sec. 3. The Secretary of Defense is also authorized to carry out a program for the development, enhancement, operation, and maintenance of public outdoor recreation resources at military reservations in accordance with a cooperative plan mutually agreed upon by the Secretary of Defense and the Secretary of the Interior, in consultation with the appropriate State agency designated by the State in which such reservations are located."

Sec. 2. The Act of September 15, 1960, is amended by adding at the end thereof a new section to read as follows:

"Sec. 6. (a) The Secretary of Defense shall expend such funds as may be collected in accordance with the cooperative plans agreed to under sections 1 and 2 of this Act and for no other purpose.

"(b) There is also authorized to be appropriated to the Secretary of Defense not to exceed $500,000 per fiscal year for the fiscal years beginning July 1, 1969, July 1, 1970, and July 1, 1971, to carry out this Act, including the enhancement of fish and wildlife habitat and the development of public recreation and other facilities. The Secretary of Defense shall, to the greatest extent practicable, enter into agreements to utilize the services, personnel, equipment, and facilities, with or without reimbursement, of the Secretary of the Interior in carrying out the provisions of this Act. Sums authorized to be appropriated under this Act shall be available until expended."

The SPEAKER. Is a second demanded?

Mr. PELLY. Mr. Speaker, I demand a second.

The SPEAKER. Without objection, a second will be considered as ordered.

There was no objection.

Mr. DINGELL. Mr. Speaker, under present law—which dates back to 1949—the Secretary of Defense is authorized to carry out a program of planning, development, maintenance, and coordination of wildlife, fish, and game conservation and rehabilitation on military reservations. The program is carried out in accordance with a plan mutually agreed upon by the Secretary of Defense, the Secretary of the Interior, and the appropriate State agency in which the reservation is located. State hunting and fishing permits are authorized to be issued with the fees collected to be utilized in carrying out the mutually agreed to cooperative programs.

The need for this legislation arises from the fact that there are approximately 28 million acres of land presently held in trust by the armed services. The proceeds from hunting and fishing permits have been averaging about $150,000 per year. This amount has proven to be grossly inadequate to meet the needs of a vast majority of the reservations.

The Bureau of Sport Fisheries and Wildlife of the Department of the Interior provides about 2 man-years of effort in fishery management assistance and at the most, 1 man-year of wildlife management assistance to installations served. The Bureau views this assistance grossly inadequate.

Briefly explained, H.R. 11026 would authorize to be appropriated—in addition to the user fees to be collected—not to exceed $500,000 per year for the 3 fiscal years of 1970, 1971, and 1972 to carry out fish and wildlife conservation programs on military reservations. In addition, it would authorize the use of these funds for fish and wildlife enhancement and the development of public recreation and related facilities. The Secretary of Defense would be directed to use to the greatest extent practicable, the services, personnel, equipment, and facilities of the Department of the Interior.

Of the two agencies reporting on the bill—the Department of the Interior and the Department of the Army—only the Department of the Army expressed any concern over the legislation. In its report, the Department of the Army objected to the carrying out of any additional public recreational development programs on military reservations.

Mr. Speaker, the Committee on Merchant Marine and Fisheries devoted considerable time discussing the point and finally came to the conclusion that public recreation and military uses could be made compatible and further, that the Department of the Army appeared to be overly concerned. As explained in the House report on the legislation, all programs—including outdoor recreation—would have to be carried out in accordance with a plan mutually agreed to by the Secretary of Defense and the Secretary of the Interior, in consultation with the appropriate State agency in which such reservation is located. The committee felt that unquestionably military needs would always take precedence over other uses and that no public outdoor recreation program could be carried out on a reservation if the Secretary of Defense did not agree to the proposed plan.

Mr. Speaker, as the distinguished Members of this House are aware, outdoor recreation on military reservations is open to the general public. Many opportunities for hunting and fishing and other public outdoor recreation by military personnel and the general public are being bypassed. In order to satisfy these needs—including those of conservation—additional personnel and funds are immediately required. In fact, there is an urgent need for 16 additional fishery biologists and 14 wildlife biologists at over 250 defense installations.

Also, there is an urgent need for wildlife biologists to devise management techniques for the control of birds in the vicinity of individual military airports. Bird-aircraft strikes involved 839 Air Force planes during 1966, and a loss of $10.5 million. An Air Force pilot was killed by a bird strike in 1967. Manipulation of the habitat under the guidance of wildlife biologists is essential to minimize the likelihood of bird-aircraft strikes in the future.

Mr. Speaker, the Bureau of Sport Fisheries and Wildlife of the Department of the Interior does not have the funds or the personnel with which to satisfy these needs. In a limited way, H.R. 11026 is designed to provide the necessary funds with which to carry out the greatly needed programs authorized by the legislation, and I would like to urge its prompt enactment.

Mr. PELLY. Mr. Speaker, I wish to express my support for passage of the bill H.R. 11026.

The purpose of this legislation is to facilitate the conduct of fish and wildlife conservation and rehabilitation programs on military reservations as presently authorized by law.

Existing law authorizes the Secretary of Defense to carry out a program of conserving fish and wildlife on military reservations according to a cooperative plan mutually agreed upon by the Secretary of Defense, the Secretary of the Interior, and the appropriate State agencies in which the reservation is located. Nominal fees for hunting and fishing on such military reservations are authorized to be collected, but the proceeds therefrom have proven to be grossly inadequate to the needs of the program. This deficiency the bill, H.R. 11026, seeks to overcome. The bill would broaden the program to be carried out on military reservations. It would authorize to be appropriated not to exceed $500,000 per year for each of the 3 fiscal years, 1969, 1970, and 1971, in addition to the fees currently being collected for hunting and fishing on such reservations.

Mr. Speaker, this legislation is meritorious. I therefore urge its passage by the House.

Mr. SIKES. Mr. Speaker, the Department of Defense military installations in the United States have a total of about 30 million acres of land and water within their boundaries. The essential purpose is defense but, in addition, they can serve a very useful purpose in the fields of conservation and recreation. Because of my long-time close association with the half-million-acre reservation at Eglin Air Force Base in Florida, I sponsored a bill after World War II which became Public Law 81-345. It was intended to improve conditions for fish and wildlife propogation on the reservation and to encourage conservation generally.

The program was highly successful and using experience obtained at Eglin as a model, I introduced H.R. 2565 which became Public Law 86-797 in September 1960. It made possible a nationwide approach on the program which had been strikingly successful at Eglin Air Force Base. It authorizes the Secretary of Defense "to carry out a program of planning, development, maintenance, and coordination of wildlife, fish, and game conservation and rehabilitation in military reservations in accordance with a cooperative plan mutually agreed upon by the Secretary of Defense, the Secretary of the Interior, and the appropriate State agency designated by the State in which the reservation is located."

Under this act, considerable progress has been made since 1960 in developing general fish and wildlife plans for cooperative assistance. In 1967 more than 1 million man-days of fishing were enjoyed where fishery management programs are in effect. Similarly much satisfaction has been realized from hunting in those areas where wildlife habitats have been managed.

Under the terms of this bill, about 190 cooperative plans have been prepared, and many of these are in full operation. However, conditions on some reservations are such that it has not been possible to carry out optimum programs because of lack of adequate financing and manpower. Under the act of September 15, 1960, Congress envisioned that the programs would be self-sustaining financially. As a result of the act's provision, the commanding officer of a reservation is authorized to issue special hunting and fishing permits and to collect fees if provided for in the cooperative plans. Nevertheless, funds derived, simply have been insufficient to meet the needs at some reservations.

We have here a very great potential for outdoor recreation which can be shared, not only by the military personnel and their families, but by civilian residents and their families as well. It is important that greater progress be realized in order that the full potential from this fine opportunity be attained.

More money is needed than is possible under the self-supporting provisions of earlier legislation. To place the financial support of these programs in better balance, I introduced H.R. 11026 to authorize both the Secretary of Defense and the Secretary of the Interior to obtain appropriated funds to enable them to carry out their respective roles in a cooperative and effective manner.

On the one hand, the Department of Defense needs funds to carry out fish and wildlife habitat enhancement, to develop facilities for the public, and to generally administer the program. The Secretary of the Interior, on the other hand, needs funds and manpower to provide the professional assistance in fish and wildlife matters so urgently needed by the Department of Defense.

I hesitate to attempt to spell out the actual amount of funds which should be authorized, and I know the Congress feels a requirement to limit expenditures. Information provided me from the interested agencies of government of their estimated requirements for assistance in fish and wildlife management nationwide totals about $600,000 annually for personnal services. Obviously, however, there would be additional requirements for seed, feed, fertilizer, and equipment, which could easily double the amount suggested for personnel services. Accordingly, I have felt at least a million dollars annually should be authorized for the essential purposes of the bill. Nevertheless the recommendation of the committee is that one-half million dollars be appropriated annually for the next 3 years.

It would be my hope that this legislation can be approved, even with this modest authorization, for much good can be done for conservation and for recreation under its terms.

Mr. VANIK. Mr. Speaker, I vigorously oppose this legislation to establish a private hunting preserve on almost 28 million acres of land presently held by the armed services. These lands were paid for by all of the taxpayers of America. It is reprehensible to hold these lands for the sole and exclusive use of one group of people, the hunters.

If the military departments hold lands excess to military needs, temporarily or permanently, these lands should be assigned to the National Park Service so that they can be made available to all of the taxpayers of America.

Furthermore, I fear that these public lands might be used for firing ranges by private clubs and groups, with military personnel utilized for maintenance and operation.

The Army has just withdrawn from sponsorship of the civilian marksmanship program because of public indignation at the military commitment of millions of dollars and thousands of men in a private program. This legislation authorizes a restoration of these programs on Federal lands and with military personnel.

The legislation serves no public purpose and should be defeated.

Mr. CAREY. Mr. Speaker, under the generous leave to extend remarks provided by the sponsors of H.R. 11026—a bill for conservation programs on military reservations I record my opposition to this bill.

I regret the decision of the gentlemen handling this bill, first, to offer it under suspension; second, to neither discuss it or explain it to the House; and, third, not to debate it in the time allowed.

I can understand this situation, however, debate in this bill would mean its demise.

Is it debatable that in this time of fiscal crisis we legislate $500,000 not authorized nor approved by the Bureau of the Budget to provide for fishing and hunting on military reservations.

Is it debatable that in a time of military manpower shortage and civilian employee freeze, and will endorse the use of military personnel as beaters of the bush for pheasant, duck, and dove and biologists and ecology specialists to fatten the catch and fill the bag.

Is it debatable that the Interior Department requested that if this program be authorized that it be used to extend public recreation not just safaris for the brass hats—but that this request was opposed by the Department of Defense.

Is it debatable that this program was to be self-supporting but has not been and now asks the taxpayers to underwrite the private hunting preserves of the military and some few select civilians.

Of course some of these matters are debatable. So we did not debate the bill.

We just passed it over my objection and handed out $500,000 not in the budget to win the war on doves, pheasant, quail, and deer. Total victory is in our sights.

The SPEAKER. The question is on the motion of the gentleman from Michigan that the House suspend the rules and pass the bill H.R. 11026, as amended.

The question was taken.

Mr. CAREY. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER. The Chair will count. Two hundred and twenty-two Members are present, a quorum.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill was passed.

The title was amended so as to read: "A bill to amend the act of September 15, 1960, for the purpose of developing and enhancing recreational opportunities and improving the fish and wildlife programs at reservations covered by said act, and for other purposes."

A motion to reconsider was laid on the table.

GENERAL LEAVE TO EXTEND

Mr. DINGELL. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on the bill just passed.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

HUNGER COMMISSION

Mr. PERKINS. Mr. Speaker, I move that the House suspend the rules and pass the bill (H.R. 17144) to establish a Commission on Hunger, as amended.

The Clerk read as follows:

H.R. 17144

Be it enacted by the Senate and House of Representatives of the United States in Congress assembled, That this Act may be cited as the "American Hunger Commission Act".

ESTABLISHMENT OF COMMISSION

SEC. 2. There is hereby established a bipartisan commission to be known as the "Commission on Hunger" (hereafter referred to in this Act as the "Commission").

DUTIES OF THE COMMISSION

SEC. 3. The Commission shall undertake a complete study and investigation of the unfulfilled needs of those suffering from hunger in the United States, and shall recommend such measures as it deems necessary to secure greater use of Federal food programs by State and local agencies and to establish a coordinated program to insure the fulfillment of the basic hunger needs of every American.

MEMBERSHIP

SEC. 4. (a) The Commission shall be composed of 11 members appointed by the President, except that the President may, from time to time, appoint such additional members as he may deem advisable, not to exceed a total of 25 members.

(b) Members shall be appointed for the life of the Commission.

(c)(1) Except as provided in paragraph (2), members of the Commission shall each be entitled to receive $100 for each day (including traveltime) during which they are engaged in the actual performance of duties vested in the Commission.

(2) Members of the Commission who are full-time officers or employees of the United States or Members of Congress shall receive no additional compensation on account of their service on the Commission.

(3) While away from their homes or regular places of business in the performance of services for the Commission, members of the Commission shall be allowed travel expenses, including per diem in lieu of subsistence, in the same manner as the expenses authorized by section 5703(b) of title 5, United States Code, for persons in the Government service employed intermittently.

(d) The Chairman and Vice Chairman of the Commission shall be designated by the President.

(e) The Commission shall meet at the call of the Chairman.

DIRECTOR AND STAFF OF COMMISSION

SEC. 5. (a) The Commission shall have a Director who shall be appointed by the Chairman and who shall be compensated at a rate not to exceed $25,000 per annum.

(b) The Commission may appoint and fix the compensation of such experts, consultants, and organizations thereof, technicians, and clerical and stenographic assistants as it deems advisable.

(c) The Director and staff of the Commission may be appointed without regard to the provisions of title 5, United States Code, governing appointments in the competitive service, and may be paid without regard to the provisions of chapter 51 and subchapter III of chapter 53 of such title relating to classification and General Schedule pay rates.

POWERS OF COMMISSION

SEC. 6. (a) The Commission may for the purpose of carrying out this Act hold such hearings, sit and act at such times and places, take such testimony, and receive such evidence as the Commission may deem advisable. The Commission may administer oaths or affirmations to witness appearing before it.

(b)(1) The Commission shall have power to issue subpenas requiring the attendance and testimony of witnesses and the production of any evidence that relates to any matter under investigation by the Commission. Such attendance of witnesses and the production of such evidence may be required from any place within the United States at any designated place of hearing within the United States.

(2) If a person issued a subpena under paragraph (1) refuses to obey such subpena or is guilty of contumacy, any court of the United States within the judicial district within which the hearing is conducted or within the judicial district within which such person is found or resides or transacts business may (upon application by the Commission) order such person to appear before the Commission to produce evidence or to give testimony touching the matter under investigation. Any failure to obey such order of the court may be punished by such court as a contempt thereof.

(3) The subpenas of the Commission shall be served in the manner provided for subpenas issued by a district court under the Federal Rules of Civil Procedure for the United States district courts.

(4) All process of any court to which application may be made under this section may be served in the judicial district wherein the person required to be served resides or may be found.

(c) No person shall be excused from attending and testifying or from producing books, records, correspondence, documents, or other evidence in obedience to a subpena, on the ground that the testimony or evidence required of him may tend to incriminate him or subject him to a penalty or forfeiture; but no individual shall be prosecuted or subjected to any penalty or forfeiture for or on account of any transaction, matter, or thing concerning which he is compelled, after having claimed his privilege against self-incrimination, to testify or produce evidence, except that such individual so testifying shall not be exempt from prosecution and punishment for perjury committed in so testifying.

POWERS OF MEMBERS AND AGENTS

(d) When so authorized by the Commission, any member or agent of the Commission may take any action which the Commission is authorized to take by this section.

(e) The Commission may secure directly from any department or agency of the United States information necessary to enable it to carry out this Act. Upon request of the Chairman or Vice Chairman of the Commission such department or agency shall furnish such information to the Commission.

REPORT

SEC. 7. The Commission shall submit a report to each House of Congress and to the President not later than January 30, 1969.

TERMINATION

SEC. 8. The Commission shall cease to exist sixty days after submitting its final report pursuant to section 7.

The SPEAKER. Is a second demanded?

Mr. QUIE. Mr. Speaker, I demand a second.

The SPEAKER. Without objection, a second will be considered as ordered.

There was no objection.

The SPEAKER. The gentleman from Kentucky is recognized.

Mr. PERKINS. Mr. Speaker, the measure before us today (H.R. 17144) is one of the bills on which the Education and Labor Committee held hearings that began on May 21 and ended June 10. These were not just extensive hearings—they were intensive hearings. The committee wanted to get at the facts as distinguished from the myths, the truth rather than the rhetoric as to the nutritional status of our people. Many charges have been made as to severe hunger, malnutrition, starvation. The charges shook the conscience of the Nation. We wanted to know if there was any basis in fact for these charges.

When we examined the documentation behind these charges we found, in fact, that we really do not know enough about the nutritional status of our population—particularly the low-income population. As a practical matter, we found that the conclusions drawn recently as to the prevalence of severe hunger and malnutrition are not based on any new evidence or any new studies. In fact, no information has been provided in these reports of hunger and malnutrition that hasn't already been available and known to various governmental offices, Federal and State, interested in nutrition and health.

What we did find is that we do not know the dimensions of nutritional deficiency in this country. We do not know precisely how many people are affected nor the precise nature of the deficiency or its long-term impact.

I believe that Dr. William Sebrell, professor of public health nutrition and director of nutrition sciences at Columbia University, put our problem into perspective. Dr. Sebrell said:

> About 30 years ago serious vitamin deficiency diseases were rampant. There were literally thousands of deaths and many

> thousands of disabled persons from vitamin deficiency diseases such as pellagra, beriberi, and riboflavin deficiency. These conditions have been eradicated as public health problems through the introduction of the enrichment program—putting thiamine, niacin, riboflavin and iron in white bread, white flour and cornmeal, along with improvements in economic conditions, the use of vitamin preparations and general improvement in the food supply.
>
> Although these very severe vitamin deficiency diseases are no longer public health problems in this country, we still see an occasional case of scurvy, beriberi and even pellagra at St. Luke's Hospital in New York City, and occasional cases of kwashiorkor or protein calorie malnutrition have been reported in New York City and elsewhere in this country.
>
> Although these do not constitute a large public health problem so far as we know, it is a sad situation that today I must concur with Surgeon General Stewart when he stated last year in his Congressional testimony that "We do not know the extent of malnutrition anywhere in the United States."

Dr. Frederick J. Stare, chairman of the department of nutrition at the Harvard School of Public Health, stated in his testimony:

> You will note I have not mentioned mental retardation or impaired learning capacity as associated with malnutrition in infancy or early childhood. Even though such assertions frequently get into the news and are made by our highest statesmen, there simply is not sufficient evidence to support such assertions. This is a most important area of research but little is being done to get the facts.

Our committee heard enough evidence to convince us that several things were needed. I stated repeatedly throughout the hearings that where we found an area that called for action, we would move and we did so. We moved to assure better nutrition among our children. It may take some time to get across to the parents of this land the importance of good nutrition and the few simple things they need to know to have good nutrition. In the meantime we can reach the children wherever they are gathered together in groups—preschool children and school-age children—winter, summer, day in and day out. This we can do now. This we can do through the two bills that we passed in this House just a few weeks ago.

Now, under this measure we move to pin down, to determine with accuracy, the size and the scope of the total problem we may have in nutrition. The food assistance programs for low-income families have done a tremendous job in the past 7 years.

The Secretary of Agriculture has come up here time after time for more legislation to reach the poor and the hungry—the children and their families. He has come up here time after time and asked us for the money to put some substance into the legislation. He saw the problem, he knew the problem, he sought the remedy. He is still doing so. He told us that there were millions of children that were not being reached by the lunch program.

He told us that a major obstacle was the lack of money for equipment to prepare and serve food, he told us that there was a lack of money to provide the needed level of free lunches and that we needed legislation and funding to reach preschool children and children during the summer months when they were not in school.

He initiated the food stamp program because he thought it would work, and it has. He made the donated food package a real contribution to sustaining nutritional levels among low-income families. Year in and year out he has kept protein items in that donated food package. We heard no claims—no evidence of the kind of protein shortage that is prevalent in undeveloped countries. We did hear and read claims—charges—that children did not have fresh milk. By implication this meant they had no milk. The donated foods package has included enough dry milk to more than meet any family's need for calcium. That is, if they really use the milk provided.

As a Nation, we have a problem of poor diets and poor nutrition among large numbers of our population. It can be solved by better education and direct measures to improve diets and knowledge of the principles of good nutrition. We should act without further study to make sure that every hungry individual in America in need has a balanced diet. This will cost more money and we can afford it.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. PERKINS. I yield to the gentleman from Iowa.

Mr. GROSS. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and to include extraneous matter.

The **SPEAKER.** Is there objection to the request of the gentleman from Iowa?

There was no objection.

Mr. GROSS. Mr. Speaker, I have a number of questions concerning this bill.

What is going to be the cost of it?

Mr. PERKINS. There is no fixed amount, but the Commission is comprised of 11 members, except that the President may from time to time increase the number up to 25 on a per diem basis of $100 per day and travel expenses.

There is no limitation placed on the Commission. But it is anticipated that not much money will be involved inasmuch as the report will be due by the convening of the next Congress which will be in January.

Mr. GROSS. How can it be that your committee heard so many witnesses on this subject of hunger—all of the witnesses who wanted to be heard before your committee, and yet the committee came up with this Commission plan yet it found no justification or no documentation to the effect that there are millions of people who are in deep need of additional food? So there will be the establishment of a congressional commission, with the Director being paid $25,000 a year and no one knows how much of a staff there will be.

Is this Commission a spot to put some political hacks in between now and January 1?

Mr. PERKINS. Let me say to the distinguished gentleman from Iowa that the cost of a commission of this nature sometimes has been in the vicinity of $100,000. In this particular instance the President pays the cost out of his own contingency funds.

Mr. GROSS. Who will supply the President with his funds?

Mr. PERKINS. The Congress appropriates the money with which he can pay expenses of this kind and we so authorized it in this resolution.

Mr. GROSS. I cannot find any authorization anywhere in the bill, I cannot find any language alluding to an authorization for money to be expended.

Mr. PERKINS. Let me say to the gentleman that this so-called commission idea was a bipartisan approach. Several people on this side of the aisle and several Members on your side of the aisle are cosponsoring the resolution.

Mr. GROSS. Well, they have been mistaken before and they can be mistaken about this. I simply cannot find any direction on the part of the Congress to authorize a thin dime to the Commission in the bill itself.

Mr. PERKINS. I will admit that the resolution could perhaps be better drawn, but we do specifically authorize the per diem allowance of $100 a day, and it is a Presidential Commission to determine the extent of hunger and malnutrition.

Mr. GROSS. Yes; portal-to-portal pay.

Mr. PERKINS. And the way the Commission shall function. So, I think it is explicit enough to serve its purpose.

Mr. GROSS. Everything apparently is presumed, if passed, to serve a purpose all right.

Mr. PERKINS. Well, let me say to the gentleman——

Mr. GROSS. Just 1 second, if the gentleman will bear with me. Early this afternoon the House approved a bill on this floor providing for a $100,000 study of a comparatively small parking area along the Washington Channel, an area which has for many years been studied backwards and forward for the Lord knows how long by planning commissions, and others. Now this committee comes along with another $100,000 request, and it may be much more.

Mr. PERKINS. Mr. Speaker, let me say to the distinguished gentleman that I made the point all the way through that if we had starving people or hungry people in this country we should do something about it immediately, and not procrastinate.

But we do have a situation where no one knows the number of malnourished people in this country, and it was the concensus of the committee unanimously that we should have a commission to make this study, because we felt that the good derived would certainly pay dividends.

Mr. GROSS. But the gentleman said in his report that he could find no documentation of this.

Mr. PERKINS. In the paragraph the gentleman from Iowa refers to, that paragraph had reference to starving people. There was no evidence that we had 10 million starving people in America. We do not have that number of starving people. We have cases of parental neglect and cases where the public assistance checks are inadequate to furnish sufficient purchasing power for parents to buy food for the children. But we decided and recommended in committee that we take action and do something about the worst instances, that is, the school children. We made recommendations and brought legislation to the floor of the House.

Mr. GROSS. Will the gentleman yield further?

Mr. PERKINS. I will yield further to the gentleman from Iowa.

Mr. GROSS. But the gentleman does believe Congress can get rid of $100,000 between now and January 1st in an effort to investigate hunger?

Mr. PERKINS. I will admit to the distinguished gentleman that perhaps the commission should have more time, and if it is necessary, I am sure we can give them more time.

Mr. GROSS. How would the gentleman go about doing that, since this bill provides for a report by January 30?

Mr. PERKINS. We would have to have another resolution.

Mr. GROSS. I thought the gentleman said we had this resolution before the House today.

Mr. PERKINS. It provides for a report on the 30th of January.

Mr. CAREY. Mr. Speaker, will the gentleman yield?

Mr. PERKINS. I yield to the distinguished gentleman from New York [Mr. CAREY].

Mr. CAREY. I thank the gentleman for yielding.

Mr. Speaker, this is a bipartisan effort to capitalize on the work that has been done in the field already by voluntary agencies that have portrayed in fullness to the committee that there is need for governmental action to discover the depth of hunger and malnutrition in this country. The gentleman knows that, if we do not get the answers to these questions, the result will be very, very grievous to us in propaganda in the world, and we are attempting to avoid propaganda and get to the truth.

Most of the work is to be done by the heads of the departments of Government concerned, the Department of Health, Education, and Welfare, Agriculture, and so forth, and what other funds are needed would be to reimburse people for necessary expenditures in this regard following on the work that they have been doing as volunteer agencies.

And, if my colleague from Iowa with his great perspicacity wants to know where we can get the money from, my answer to the gentleman is this: Just a few moments ago we voted $9 million with no budget authorization, no case made before the House, to expend money to allow hunting and shooting preserves for the general officers and rank and file in the military services all over the country without regard to place or position, and there was no budget authorization, I heard no budget opposition on the floor.

So, if we can give $5 million for grouse, pheasants, doves, and deer, maybe we can take the bag of food and give it to the poor, and that is where the money will come from.

Mr. MAHON. Mr. Speaker, will the gentleman yield?

Mr. PERKINS. I yield to the gentleman from Texas [Mr. MAHON].

Mr. MAHON. Mr. Speaker, the Committee on Appropriations at considerable expense to the Government is now involved in a study of hunger and malnutrition in connection with appropriations for the Department of Agriculture.

I would like to ask the gentleman from Kentucky if the facts which are being unearthed by this study and investigation would be used and called upon by this commission for the purpose of eliminating maybe some duplication of unnecessary effort?

I would like also to know if the study that has been made by the Committee on Agriculture, that is the legislative Committee on Agriculture of the House, will also be available to this commission. As to these studies that are being made by other committees of this Congress of this problem, will these efforts be coordinated and so perhaps some of the duplication eliminated by this commission?

Mr. PERKINS. The gentleman well knows that this is a Presidential Commission, and I would regret to think for one moment that the commission would not take advantage and coordinate the efforts of all other standing committees of the House of Representatives that are making investigations and studies. They would certainly be derelict in their duty if they failed to do so.

Mr. WHITTEN. Mr. Speaker, will the gentleman yield?

Mr. PERKINS. I yield to the gentleman from Mississippi.

Mr. WHITTEN. In view of what my chairman has said, and I hope Members might listen to me, the investigators of the Committee on Appropriations have made an interim report. This is it. The staff has determined that photographs in the recent magazine article and in the television program had no relation to the text. They were obtained from professional photographers and previous publications and were used "for the purpose of making an interesting publication." Officials of certain Federal agencies have advised that the report cannot be considered as a factual document but was written solely for the purpose of arousing emotionalism and causing the Federal agencies to initiate immediate program action.

I just want you to know that we will have the full story told and the name of the photographers and the name of the magazine and the names of those who helped frame this picture.

If the gentleman's idea is to help us in finding out the facts that will be good. But we already have the information to prove that this is a framed picture.

Mr. PERKINS. Let me say to the distinguished gentleman from Mississippi I doubted from the outset the contents of the so-called Commission on Hunger because we all knew that our standard of living was better than it has ever been in the history of this country. The implication was that there were 10 million starving Americans and we knew there was no basis for that statement.

When you looked into that report, there was nothing new in the report. All the information had been down here in the Department of Health, Education, and Welfare and the Labor Department and other governmental agencies for months and months. But it was cleverly written and it was written in a dramatic way to stir up the emotions of the people of this country.

At the same time witnesses came before the committee and there were numerous instances where we had cases of parental neglect and some hunger and malnourishment in the country. Those problems need to be studied.

In connection with these pictures that the gentleman made reference to, there were several witnesses from some of the worst distressed areas in the country and I asked specifically in the course of the hearings about that and they knew nothing about the pictures. In fact, some of the witnesses stated that those pictures did not come from their areas.

Mr. WHITTEN. Mr. Speaker, will the gentleman yield?

Mr. PERKINS. I yield to the gentleman from Mississippi.

Mr. WHITTEN. May I say, I did not read the other part of the report in which the gentleman's committee refused to let us have a copy of his hearings on the basis that the hearings had been turned over to somebody to write a book. I am quoting from our investigator.

Does the gentleman have a copy of his report that our Committee on Appropriations or the staff could read—because when they went to your committee, they could not get a copy of your hearings.

Mr. PERKINS. Let me say to the distinguished gentleman from Mississippi, as long as I am chairman of this committee no investigator or employee will deny to another investigator of a standing committee access to any studies made.

Mr. WHITTEN. I accept my colleague's statement. The only thing is the staff said they did not have it because they loaned it to someone to write a book.

Mr. PERKINS. I know nothing about that situation.

Mr. WHITTEN. Will the gentleman find out about it?

Mr. PERKINS. You know I will find out about a situation like that.

Mr. WHITTEN. If it is available, will you let us have it?

Mr. PERKINS. If our committee has made any investigations along this line.

Mr. WHITTEN. Of course, you had hearings.

Mr. PERKINS. You will have access to any investigations we have made and access to all hearings.

Mr. WHITTEN. You had your hearings. It is the hearings we want. Someone has them to write a book.

Mr. PERKINS. Let me say to the distinguished gentleman the hearings are public property. We have published the hearings. They are printed.

Mr. WHITTEN. Could we have a copy of the book? I am trying to see that we have the statement from our investigators borrowed from the FBI that the pictures used by the television people and the folks who wrote this story, including the photographers, which were barred from other publications that had no connection with the story, that they were used to stir up emotionalism.

I am telling you like it is. The gentleman's committee had a hearing. The transcript was not available. They had loaned it to someone to write another book. There is the story.

Mr. PERKINS. Let me say to the distinguished gentleman from Mississippi that the committee staff informs me that no member of your staff has requested the transcripts.

Mr. WHITTEN. That is done right here and now. Who is the man you are talking about?

Mr. PERKINS. All the staff will cooperate.

Mr. WHITTEN. It is requested right now.

Mr. PERKINS. Well, it will be delivered.

Mr. WHITTEN. Tomorrow?

The SPEAKER. The gentleman from Kentucky has consumed 18 minutes.

Mr. ARENDS. Mr. Speaker, will the gentleman yield?

Mr. PERKINS. I yield to the gentleman from Illinois.

Mr. ARENDS. Under the broad powers of your committee and, I am rather sure, an able staff, and there are quite a number of them, as I read the reports of the committee staff, does it not come within the province of your committee to include this study without having to go to the extent, shall we say, of having another commission established?

Mr. PERKINS. I think the Government now has information available as to the amount of funding it would take to furnish food stamps, the distribution of surplus commodities to all the people who are hungry in this country. I really think we have the data now. It is going to take some additional funding to do it. I would like to see it done that way instead of resorting to the commission. But it was the consensus among the committee that this commission would serve a useful purpose, and no doubt it will serve a useful purpose.

Mr. ARENDS. The additional funds would be subject to possible action of your committee, would they not?

Mr. PERKINS. With the additional funds coming from the Appropriations Committee to expand the food stamp program and the school lunch program, we certainly have the information to a great degree, and knew the areas where food service programs should be expanded. We do not have all the information on malnourishment. We just do not know the extent it exists in the country. The studies have not been made.

Mr. ARENDS. Do you believe, as I do, that your committee could do this job?

Mr. PERKINS. I feel our committee has already done a job in this connection.

The SPEAKER. The time of the gentleman from Kentucky has expired. The Chair recognizes the gentleman from Minnesota.

Mr. QUIE. Mr. Speaker, I yield 2 minutes to the gentleman from Montana [Mr. Battin].

Mr. BATTIN. Mr. Speaker, I think the colloquy that took place a minute ago between Mr. Whitten and the chairman of the Education and Labor Committee is worth while, because I had a specific example of forced feeding.

If we look in the Record, for July 12, 1968, on page 21070, we will find an example in a town called Wibaux, Mont. There are only 1,700 people in the county, and most Members have never heard of it. There are three families on welfare. The county doctor offers $100 reward for anybody who can find a hungry person in the county. I will be darned if the Federal Government through the Department of Agriculture is not going to force a food distribution program on that county.

I believe the man should have some publicity. His name is Charles Ernst of San Francisco, district director of the consumer food program. He came in and—over the protests of the county commissioners, the Governor of Montana, and the welfare department of the county, who all said they do not want the program, there is no problem there, they do not need it—decided there should be this distribution.

We tried to find out what happened.

Mr. Ernst said this was all based on the 1960 census. Now, if there were any starving people in that county then, they are dead now, because they would have starved in the last 8 years.

Another county in the State, that has a rather large Indian reservation on it, asked for a food stamp program, and do Members know what happened to them? It was denied.

I do not know where we are going with all the studies we are handling in this body and at this great hour of 10:15 p.m., but I am sure of one thing, that the people in any given area seem to know a little bit more about what is going on there than we do from here.

I am certain of one basic thing, that if there are any people who are starving in their counties and they need help, with all the programs we have available, certainly they can ask for it, and I am sure they will get it. But why in the name of the Lord do we just keep forcing upon people—force-feeding if we will, in this case—is beyond me.

Mr. PERKINS. Mr. Speaker, will the gentleman yield?

Mr. BATTIN. I yield to the gentleman from Kentucky.

Mr. PERKINS. Mr. Speaker, in the course of our investigation, I sent questionnaires to every welfare agency in the whole country, and from Montana we got this report, to which the gentleman referred.

Mr. BATTIN. Did the gentleman get it from Wibaux?

Mr. PERKINS. We got it from Montana. They know of no instances of hunger in three counties, and five Indian reservations had some food distribution programs, although some may not have adequate programs, but they have some food distribution there.

Mr. BATTIN. But they asked for the food stamp programs where they needed them and they did not get them.

Mr. QUIE. Mr. Speaker, I yield myself 5 minutes.

Mr. Speaker, before we shout down this proposal for a Hunger Commission, let us think of a few things that have happened. Last year the Committee on Agriculture was called upon to consider a bill from the other body to provide some money for an emergency food program, because the Members of the other body found hunger and malnutrition existing in the United States. They saw it with their eyes and they attested to it.

The Committee on Agriculture did not take action to pass the bill, but called for a 6 months' study by the Department of Agriculture so they might know what they were doing when they would work on a bill like that. The Department of Agriculture completed its study and we had it before our committee and it told very little. All they did was tell a few things that occurred really in the nutritional level with the people they came in contact with in their programs.

So we adopted the extension of the Economic Opportunity Act, with $25 million last year, of which $13 million was actually obligated for an emergency fund and medical services program. The act extended into this year, and $50 million is available from the appropriation that was made in the House.

This year we passed a bill providing $100 million in section 32 which could be used for the School Lunch Act. We may in a few days have an expansion of the food stamp plan.

This is action that this Congress has taken. If the administration would use the authority given to it and the money given to it by this Congress, it could solve the problems of hunger and malnutrition in this country, I believe. But today the Office of Economic Opportunity, which I would think would have the first responsibility to determine who is hungry and to see that hungry people are fed, still does not know the answer as to how many people are actually hungry.

The Department of Agriculture, which has the authority for the food stamp plan and, in an emergency, authority to provide for commodity distribution in the same county, if they find it necessary, has not done so, but under pressure has expanded the food program—under pressure not only from all of the talk by all of the groups studying this, by the CBS program, and by the Poor People's Campaign itself.

Nobody today knows the real answer to hunger in the United States, or malnutrition. Some people say it does not exist. Others say they have seen it with their own eyes, have seen hunger existing in the United States.

How many of us know whether it exists or not?

We have a choice as to the type of commission, and can take various approaches to this problem. We could establish a Senate commission, as the other body attempted to do. We could have a joint commission, between the House and the Senate, to study it. Or we could have a Presidential commission.

Although some people may not agree with it, we saw a very prestigious commission come up with a report, called the Kerner Report on Civil Disorders. I believe it was a good report. It was a courageous report. There has been a lot of disagreement about it, but we have a better understanding now of what goes on so far as civil disorders are concerned.

If a study could be made by a prestigious commission, I believe we could have a better understanding of hunger as the result. That is what I should like to see.

We are not asking this body to authorize money to run after some unknown crisis in the country called hunger or malnutrition. All we want are the facts.

We had some people before our committee, who brought us facts and information, but they never knew clearly and thoroughly what was happening in the United States among the people who are Eskimos or Mexican Americans or Negroes, or among any other group of people where this matter exists. That is why we believe this Hunger Commission would be desirable.

Mr. REID of New York. Mr. Speaker, will the gentleman yield?

Mr. QUIE. I yield to the gentleman from New York

Mr. REID of New York. On the point the gentleman is making, and it is a very accurate and eloquent point, the principal expert who appeared before our Committee on Nutrition from the Department of Agriculture made an explicit statement on the record that we know more about nutrition overseas than we know about nutrition here at home. He indicated unequivocally that there are millions of Americans who suffer from some degree of malnutrition. He stated without question there is a great deal we do not know now about the fortification of diets, and that this information could be extremely valuable.

The SPEAKER. The time of the gentleman from Minnesota has expired.

Mr. QUIE. Mr. Speaker, I yield 2 minutes to the gentleman from New York [Mr. REID].

Mr. PERKINS. Mr. Speaker, will the gentleman yield to me?

Mr. REID of New York. I shall be happy to yield to the gentleman after I finish making a brief statement.

Mr. Speaker, it is also clear from the testimony which our committee heard that if children, for example, do not have an adequate nutritional diet, if they lack protein and certain other requisites, there can be certain serious brain damage either then or thereafter.

There is no question, in my judgement, that in the United States we have not distributed the surplus commodities in certain areas and in certain counties where it has been clearly needed and where it would make a major difference.

I believe there is no doubt on the record and on the facts that the food stamp program in some areas is not working and that the cost of food stamps is higher than some people can afford to pay.

Therefore, I believe it makes a great deal of sense to have the facts developed on nutrition, on hunger, and on some of these other areas. It is vital that in this affluent land of America we have no doubt whatsoever about nutrition, about malnutrition, about hunger.

Certainly, in the richest country in the world we should be able to fully take care of our children, of our mothers, of our American citizens, many of whom are in serious need of food.

This is not just the black Americans or the white Americans; it is the American Indian, the Puerto Rican, the Spanish American.

This Commission is needed. I believe the press has pointed up part of the story, and this Congress can do something of major service to the country if we get additional facts which are clear for our Government and for this Congress.

Mr. QUIE. Mr. Speaker, I yield 3 minutes to the gentleman from Oregon [Mr. DELLENBACK].

Mr. DELLENBACK. Mr. Speaker, there is a danger when it gets to be 10:30 at night and every one of us is anxious to get out of here. We understand this, and yet this is our task. As long as we remain in deliberation over the responsibilities that are ours it behooves us not to hoot down or treat humorously the subject of hunger in the United States of America.

Now, we have a problem of immediate hunger in America. I sat through hours of hearings on this measure before our Committee on Education and Labor. I have listened to my own colleagues on my side of the aisle talking with the local people who best know what the story is. Philosophically, this is the policy to which I subscribe, but we have had witness after witness from State after State in this Union come to us and say to us, "You know, we have no hunger in our country or our area." We would subject him to questioning and say, "What are the facts within your area?" He would say, "We do not have any problem." We would say "Look. We are not trying to point out your State as a sore spot or make fun of it or say that you did not do your job well. Just tell us whether you know all of the facts about your own county or your own State." Witness after witness who had begun by saying "We have no problem in our area" ended up by saying to us, "We really do not know what the full facts are."

We pointed out to them that this was all we were seeking to accomplish with this Commission. Look on page 8 of the bill, if there are any of you who have not read it. What does it say? It says that we are talking about establishing a commission which will, first, undertake a complete study and investigation of the unfulfilled needs of those suffering from hunger in the United States; and second, it will recommend such measures as it deems necessary to secure greater use of Federal food programs by State and local agencies. This is not to set up a new program but to make more efficient use of the programs that are now in existence.

Mr. PERKINS. Mr. Speaker, will the gentleman yield?

Mr. DELLENBACK. I will not yield until I finish, please. And third, this Commission will recommend such measures as it deems necessary to establish a coordinated program to insure the fulfillment of the basic hunger needs of every American.

Now, Mr. Speaker, some months ago we dealt on the floor of this House with the matter of rat control. There were those who did not understand what we did at that time. There was much editorial comment which misinterpreted what happened on the floor of the House. We are again here tonight dealing with a matter of major importance in America. We are not trying to pile another program on top of those we already have. We are attempting to find out what the facts are in these United States of America and attempting to make certain that those programs which are in existence are coordinated and are meeting the needs of this Nation. This bill calls for that. It is a good bill, and I urge my colleagues to join in passing it.

Mr. QUIE. Mr. Speaker, I yield 3 minutes to the gentleman from Wisconsin [Mr. STEIGER].

Mr. STEIGER of Wisconsin. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

Mr. STEIGER of Wisconsin. Mr. Speaker, the conscience of the Nation has been stirred by recent revelations that hunger, malnutrition, and possibly starvation are realities in the United States.

On May 8 of this year I cosponsored a bill, H.R. 17146, cited as the American Hunger Commission Act, to establish a Presidential Commission. This Commission would undertake a complete study and investigation of the unfulfilled needs of those suffering from hunger in the United States, and recommend such measures as it deems necessary to secure greater use of Federal food programs by State and local agencies to establish a coordinated program to insure the fulfillment of the basic hunger needs of every American.

This bill also declared it the policy of the United States that the President, the Secretary of Health, Education, and Welfare, the Director of the Office of Economic Opportunity, and other officials with responsibility to administer programs designed to meet the hunger needs of the American people should, to the fullest extent possible, use their authority under the laws of the United States to meet such needs of the Nation's poor.

Now, Mr. Speaker, before the House today is H.R. 17144. This bill establishes the Presidential Commission called for in H.R. 17146, and for this reason I rise in support of its passage.

I regret, however, Mr. Speaker, that in its present form H.R. 17146 does not include the policy and findings provision stated in H.R. 17144.

While H.R. 17146 would have the Presidential Commission report by January 30 of 1969, which is just a little more than 6 months from now, it says nothing about the officials with responsibility to administer programs designed to meet the hunger needs of the American people using their authority to the fullest extent possible to do just that, now and during the days ahead, while we await the Commission's report.

The House Education and Labor Committee dealt extensively with the subject of hunger and malnutrition in the United States in public hearings which extended from May 21 through June 10, hearing 77 witnesses.

As a result of the evidence presented to us, we are concerned that, at a time when the Federal Government has at least six different agencies involved in programs for the poor, when the Federal Government spends over $950 million per year and more than $3.5 billion on Federal food programs since 1964, people still are not being reached.

It is beyond my comprehension to understand why, when the Secretary of Agriculture indicates that we have enough food to feed everyone, everyone is not being fed.

He did state that—

> The reason there have not been programs in some places has not been the lack of funds, where direct distribution is concerned. It has been a lack of machinery.

In spite of this pronouncement, the Federal-State relationship has been extended into a Federal-State-county relationship in regard to the Nation's food programs with the Department of Agriculture setting guidelines and local county welfare departments carrying them out.

Under such a sharing of responsibility, redtape and bureaucracy are inevitable, but there seems to have been little action by those responsible in the Departments of Agriculture and Health, Education, and Welfare to reduce them to manageable levels.

Is the scope of the problem so great, are the Federal agencies so inflexible, unimaginative, and unconcerned that they are unable to find some alternative mechanisms for accomplishing what has to be done? Must children go to bed hungry while the bureaucracy flounders in indecision?

While the Department of Health, Education, and Welfare spends millions of dollars each year to study almost every conceivable scientific and medical problem, there is little indication that their knowledge is used to improve the lives or conditions of the poor, or that the Department of Agriculture is utilizing the information in any way.

The Office of Economic Opportunity, which was charged with the responsibility of identifying the Nation's poor and their problems, has, until the past year, been almost totally inactive in identifying the hungry and bringing about solutions to their problems.

I think it is clear that all who are hungry are not being reached.

Mr. Speaker, I know that the problem is not a simple one, because in spite of all we have heard about hunger and malnutrition, nobody is certain as to the breadth and extent of it.

It is for this reason that I advocate the immediate and expeditious establishment of a Presidential Commission on Hunger to gather reliable data so that we may clearly determine and begin to understand the dimensions of hunger in America and find new avenues to eliminate.

This Commission should not be viewed as an excuse for delay or doing nothing.

That is why I say, Mr. Speaker, it would have been better to have retained in this bill the policy and findings provision of H.R. 17146 to get the administration cracking now while the commission does its work.

It must be clear that the publications "Hunger, U.S.A." and "Their Daily Bread," and the CBS television program, "Hunger in America" have made a real impact.

These documents were compiled by private groups who profess a concern for the problems confronting the poor and project these arguments which they consider advantageous to promote their contentions and solutions.

These efforts cannot be considered as totally objective offerings, because unscientific documentation and resultant inaccuracies were found in all three.

However, their basic premise appears to be valid and much of their documentation well founded; so that, regardless of underlying factors behind their labors, the realization that hunger and malnutrition do exist to some extent in this country cannot be denied.

It is unfortunate that the "Hunger, U.S.A." people did not simply report the documented cases of malnutrition—they are a very serious matter—instead of issuing a sweeping document on the basis of arbitrary statistics.

What this report did is emphasize that we need a complete investigation now by the commission proposed in H.R. 17144.

Permit me, Mr. Speaker, to illustrate this last point by citing the situation in Wisconsin.

The "Hunger, U.S.A.," report contended 256 counties in the Nation, including Sawyer County in Wisconsin, were "emergency hunger counties" where a crash program was needed to feed the poor and needy. The report also said hundreds of other counties in the United States have "serious" hunger problems.

Eleven of these "serious" hunger counties listed were in Wisconsin. One of them was Green Lake County, in my own Sixth District.

I felt it my duty and responsibility to check and question the figures used in this sweeping and sensational report, particularly concerning Green Lake County.

The chairman of the committee, the gentleman from Kentucky [Mr. PERKINS], was very kind in providing time and encouraged me because he thought my questions were pertinent. I sought to learn from Leslie Dunbar, cochairman of the organization which issued the report, just exactly what the situtation was.

Dunbar acknowledged that no personal, on-the-scene investigation was made in Wisconsin and that no State or county officials were contacted.

Dr. E. H. Jorris, Wisconsin State health officer, during my investigation, told me the criteria in "Hunger, U.S.A.," are frequently not valid in designating a county as a hunger area for a number or reasons.

Stephen J. Szatkowski, director of the Green Lake County Department of Social Services, informed me he and his staff do not class Green Lake County as having "serious hunger problems."

Both Dr. Jorris and Mr. Szatkowski supplied valid statistical data to support their declarations.

When I raised these points with Dunbar, he said:

> If we have issued any false information or evasive information, I will make an apology to this committee for it.

I told Dunbar that I found some very serious errors in the "Hunger, U.S.A.," report at least in one State—Wisconsin.

Dunbar promised to supply the Education and Labor Committee with information on how "Hunger, U.S.A.," arrived at its conclusions for the 12 Wisconsin counties.

Mr. Dunbar at last has supplied the data. The result was that Sawyer County was reclassified to a serious hunger county, and Green Lake, Crawford, Iowa, Langlade, Richland, and Shawano Counties were taken out of the "Hunger, U.S.A.," report altogether.

This, too, Mr. President, reinforces the need for the Presidential Commission's work—to provide an accurate picture of the situation.

Mr. QUIE. Mr. Speaker, I yield 3 minutes to the gentleman from New York [Mr. GOODELL].

Mr. GOODELL. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. GOODELL. Mr. Speaker, how long are we going to legislate out of ignorance? We have six existing programs on the books today attempting to cope with the problem of hunger in the United States.

Mr. Speaker, this committee, overwhelmingly, upon a bipartisan basis, voted not just to increase all of these six programs, not to bring in a seventh program, but to call a halt to the proliferation of our efforts along this line.

Mr. Speaker, is it not time that we found out what was going wrong when we have six programs attempting to deal with malnutrition in this country and yet the evidence indicates serious malnutrition does exist in our country? Mr. Speaker, we reported a bill that is not expensive. It is not going to cost the taxpayers significant sums compared to the cost of the six programs which we are funding now—administering and funding. We just said let us have an effective study, let us find out whether these six programs are getting the proper results. Let us get the proper reports back to Congress on how we can bring about a better coordination of these programs.

Now, this committee sat and heard witnesses for 3 weeks from all types of experts, and we found there is malnutrition in this country. There are large numbers of young people who do not get enough protein in their diet from the age of birth to 2, 3, or 4 years of age. Some suffer brain damage and physical retardation as a result of this.

We are not telling the Members that we ought to set up a new $300 million or $400 million or $500 million program and just spread food all over this country to try to meet that problem. We are saying let us attack this problem intelligently. Let us get a Presidential Commission, at the highest level, to report back as to what are the proportions of the problem, what are the problems with the existing programs? Then we can intelligently next year, after the first of January, adopt changes in the present law, and we can meet this problem.

Mr. Speaker, I ask the Members, just because it is 10:35 in the evening, not to laugh this kind of legislation off the floor. Let us pass this legislation and go about the job intelligently so that next year we can solve this tragic problem.

Mr. QUIE. Mr. Speaker, I yield 1 minute to the gentleman from Maryland [Mr. GUDE].

Mr. GUDE. Mr. Speaker, I thank the gentleman for yielding, and I rise in support of this legislation.

In my own county, which is one of the wealthiest counties in the Nation, I investigated for myself the status of the various programs that help those unfortunates who are unable to make their own way, and the various agricultural programs are not doing the job completely. So I believe this legislation is very good.

Mr. HANNA. Mr. Speaker, the House of Representatives today considers H.R. 17144, the American Hunger Commission Act, of which I am honored to be a cosponsor. I am, indeed, pleased to voice my very strong support for this measure which would establish a Commission on Hunger equal in stature to that of the Commission on Civil Disorders.

As proposed, the Commission on Hunger will study and investigate the needs of those suffering from hunger in the United States and will recommend measures to secure greater use of Federal food programs. It will be required to submit a report to each House of Congress and to the President not later than January 1, 1969.

Mr. Speaker, earlier this month I spoke for the need of awareness by the American public of the extent of hunger and malnutrition in this country. I spoke also of the immediate need for accelerated action by both the Federal and the private sectors to alleviate this crisis and to fulfill the basic hunger needs of every American.

It is with great pleasure, therefore, that I commend my colleagues on the House Education and Labor Committee for their expeditious efforts in reporting this bill for early consideration. I am certain that its passage will represent an early and effective step toward the ultimate elimination of the deplorable existence of hunger and malnutrition in the United States.

Mr. BOLAND. Mr. Speaker, I vigorously support this bill to establish a National Commission on Hunger.

All of us agree, I think, that there is a pressing need for a study of hunger and malnutrition throughout the United States. Statistical data accumulated over the past several years indicate that a significant minority of the American people—a minority that numbers in the millions—suffers from chronic malnourishment. The victims of hunger range from black southern sharecroppers wresting a pitiable living from the soil, to Appalachian whites trapped in almost perpetual unemployment, to northwestern Indians virtually imprisoned on barren Government reservations. It is tragic, Mr. Speaker, that such hunger and poverty exist amid the most wealthy society in the history of the world.

Malnutrition dooms its victims to a life of physiological and intellectual torpor. It plays hob with a child's maturational processes, robbing him of the opportunity to even approach success in school or in later life. Millions of Americans—Americans who could become productive citizens—are being defeated virtually before they even begin life. Medical surveys have demonstrated the almost miraculous effects of intensive dietary programs among the poor. A balanced school lunch offered daily, for example, transforms debilitated and listless children into active and spirited students.

An integral part of the congressional effort to eliminate hunger in the United States, the bill we are now considering calls for a study to determine just what programs are necessary to make that effort a success. The National Commission proposed in H.R. 17144 would undertake a comprehensive investigation of the unfulfilled needs of Americans suffering from hunger and malnutrition. Specifically, the study is aimed at determining how Federal food programs can be used more effectively by State and local agencies, and at how a coordinated attack on hunger can be best developed.

As a member of the subcommittee on food of the ad hoc congressional committee established to serve as a liaison between the Poor People's Campaign and the Congress, I am keenly aware of the need for this coordinated attack.

Again, Mr. Speaker, I urge prompt passage of H.R. 17144.

Mr. MOORHEAD. Mr. Speaker, it was my privilege to join with a number of our colleagues earlier this year in cosponsoring the bill to establish a Commission on Hunger to determine the most expeditious means of meeting the nutritional needs of America's hungry people.

It is estimated that present programs by Federal, State, and local agencies reach only 18 percent of those who need help in achieving a normal food intake to eliminate malnutrition. Malnutrition, of course, is a $3 word for a condition which might be more accurately described as starving to death on the installment plan. This is the richest country on earth and it is shocking that even one person—one child—should not have both the quantity and the quality food needed to lead a normal life.

The bipartisan group which formed in early May here in the House has called itself the Congressional Coalition to Help Malnourished Americans. After our initial establishment we introduced the legislation before us today. In late May the Committee on Education and Labor—chaired by the distinguished gentleman from Kentucky—held hearings on the Commission bill and has reported it to us. This vitally important bill will make it possible to identify the fastest and most efficient means of alleviating hunger. The Commission must report to us by January 1, 1969, on what those means are so that they can be implemented.

Mr. Speaker, no child and no adult must be allowed to go hungry in America. We must act now and I strongly urge this body to pass H.R. 17144 today.

The SPEAKER. The time of the gentleman from Minnesota has expired. All time has expired.

The question is on the motion of the gentleman from Kentucky that the House suspend the rules and pass the bill H.R. 17144, as amended.

The question was taken; and on a division (demanded by Mr. GROSS) there were—ayes 164, noes 59.

So (two-thirds having voted in favor thereof), the rules were suspended and the bill as amended was passed.

A motion to reconsider was laid on the table.

GENERAL LEAVE TO EXTEND

Mr. PERKINS. Mr. Speaker, I ask unanimous consent that all Members who desire to do so may extend their remarks on the bill H.R. 17144.

The SPEAKER. Is there objection to the request of the gentleman from Kentucky?

There were no objection.

MOBILE TRADE FAIRS

Mr. GARMATZ. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 18340) to amend section 212(B) of the Merchant Marine Act, 1936, as amended, to provide for the continuation of authority to develop American-flag carriers and promote the foreign commerce of the United States through the use of mobile trade fairs, as amended.

The Clerk read as follows:

H.R. 18340

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 212(B) of the Merchant Marine Act, 1936, as amended (46 U.S.C. 1122b), is amended as follows:

(1) Subsection (a) is amended by striking out "exclusively use" and inserting in lieu thereof "use insofar as practicable";

(2) Subsection (b) is amended by inserting after "incurred abroad" the following: "(other than the cost of transportation on foreign-flag vessels and aircraft),"; and

(3) Subsection (c) is amended by striking out "1968." and inserting in lieu thereof "1968, and not to exceed $166,000 for the fiscal year ending June 30, 1969".

The SPEAKER. Is a second demanded?

Mr. MAILLIARD. Mr. Speaker, I demand a second.

The SPEAKER. Without objection, a second will be considered as ordered.

There was no objection.

Mr. GARMATZ. Mr. Speaker, I yield myself 5 minutes.

Mr. Speaker, the purpose of this bill is to extend for another year the authority of the Secretary of Commerce to encourage and promote the development and use of mobile trade fairs—designed to show and sell the products of U.S. business and agriculture at foreign ports—and at other commercial centers throughout the world—where the operator or operators of mobile trade fairs exclusively use U.S.-flag vessels and aircraft in the transportation of their exhibits.

The original act, Public Law 87-839, had the double purpose of promoting the development of the American-flag carriers and export expansion in the foreign commerce of the United States.

Toward the accomplishment of the above purposes, the Secretary of Commerce was authorized to provide the operators of such mobile trade fairs technical assistance and support as well as limited financial assistance for the purpose of defraying certain expenses incurred abroad, if it were determined by the Secretary that such operations would provide an economic and effective means of promoting export sales.

Even though no funds were appropriated for the mobile trade fairs program authorized in 1962 until mid-1964, the Department of Commerce was pleased with participation in and response to the program by business interests and the carriers involved.

Accordingly, the authority was extended, in 1965, for another 3 years, expiring June 30, 1968.

Again, the Secretary of Commerce reports successful operations under the authority and requested another 3-year renewal, with an authorization of not to exceed $175,000 for the fiscal year ending June 30, 1969, and such sums as may be necessary for fiscal years 1970 and 1971.

On the basis of committee hearings, your committee felt that the objectives of the legislation are highly desirable. Accordingly, this bill calls for renewed authority for 1 year only, with an authorization of not to exceed $166,000—which is the amount appropriated for fiscal year ending June 30, 1968.

The committee would gladly consider extending the authority and increasing the authorization if the evidence should justify it.

The amendment in the reported bill—in the nature of a substitute text—would remove the requirement that trade fair operators "exclusively use U.S.-flag vessels and aircraft" in the transportation of their exhibits, and in lieu thereof, require that U.S.-flag vessels and aircraft be used "insofar as practicable."

Experience has shown that in some areas of the world where mobile trade fair operations have been conducted, no adequate U.S.-flag service is available for a portion of the itinerary.

As amended, the bill nevertheless provides maximum assurance for the use of U.S.-flag vessels and aircraft to the greatest possible extent, with the further provision that the United States would not defray any transportation expense incurred in using foreign-flag carriers.

The committee feels that this minor change will improve operations under the law without violating its spirit and intent.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. GARMATZ. I yield to the gentleman from Iowa.

Mr. GROSS. What tangible results have we obtained for expenditures for this purpose in the past?

Mr. GARMATZ. In their report the statement was made:

> Trade promotions carried out under authority of this Act have become increasingly effective. Mobile trade fairs supported by the Department of Commerce, for example, in fiscal year 1968, costing $166,000 in financial support, have already resulted in estimated sales of $11.6 million within the one-year period following the exhibitions. This is a return of sales ratio of $71 for every dollar of Commerce-appropriated funds spent on the program.

Mr. GROSS. If I remember correctly, it was not so long ago that a majority of the House of Representatives and a majority of the Congress passed a tax bill increasing the taxes of the people of this country by 10 percent. They are just now feeling the effects of that tax increase. At the same time the Congress has approved a tax package they have assured the American people that they would cut $6 billion off spending. There is no evidence here this afternoon, there has been no real evidence since that tax bill was passed, or the tax package was passed, that this Congress intends to do anything but go right on blithely spending.

We just had an example of that a few moments ago in the creation of a brand new commission in Government. The Lord only knows what it is going to cost. I do not. But a brandnew commission in Government to study something that the appropriate committee of Congress ought to be able to ascertain. Now we are asked for another $166,000 for this purpose with, so far as I know, no tangible benefits. Some day, somehow, there ought to be some evidence given the American people that you Members of the House meant what you said when you voted a 10 percent tax increase and told them you were going to cut spending by $6 billion.

The SPEAKER. The Chair recognizes the gentleman from California.

Mr. MAILLIARD. Mr. Speaker, I wish to join with my colleagues on the Committee on Merchant Marine and Fisheries in urging passage of the bill, H.R. 18340.

This bill would amend section 212(B) of the Merchant Marine Act, 1936, which authorizes the Secretary of Commerce to encourage and to promote the development and use of mobile trade fairs for the exhibition of U.S. products abroad.

The amendments made by H.R. 18340 would accomplish the following two purposes:

First. Permit mobile trade fair operators to use foreign-flag vessels or aircraft at the operators own expense where necessary owing to the lack of comparable U.S.-flag service; and

Second. Extend the mobile trade fair program one additional year by authorizing to be appropriated not to exceed $166,000 for the fiscal year ending June 30, 1969.

The law presently provides that in order to be eligible for financial assistance, the mobile trade fair operator must exclusively use U.S.-flag vessels and aircraft in the transportation of exhibits. It has been brought to your committee's attention that this provision has served to impede the mobile trade fair program in certain limited situations where neither U.S.-flag vessels nor aircraft have been available to carry out the timely delivery of such trade exhibits. It was for this reason that your committee so amended the existing law as to make it possible for trade fair operators to use foreign-flag vessels or aircraft in such limited situations but without financial aid from the Government to defray such transportation costs.

Finally, in lieu of the administration's proposal to extend the program for an additional 3 years authorizing to be appropriated $175,000 in the first year and such sums as may be necessary in the remaining 2 years, your committee reduced this to but 1 year and authorized to be appropriated $166,000. Your committee did so in order to insure that it would undertake a full and comprehensive evaluation of the program at the end of the 1-year extension on June 30, 1969.

Mr. Speaker, I accordingly urge that the House do pass the bill, H.R. 18340.

The SPEAKER. The question is on the motion of the gentleman from Maryland that the House suspend the rules and pass the bill H.R. 18340, as amended.

The question was taken; and on a division (demanded by Mr. MORTON) there were—ayes 142, noes 35.

So (two-thirds having voted in favor thereof) the rules were suspended and the bill, as amended, was passed.

The title was amended so as to read: "An act to amend section 212(B) of the Merchant Marine Act, 1936, as amended."

A motion to reconsider was laid on the table.

COASTWISE TRANSPORTATION OF CARGO EQUIPMENT AND STEVEDORING GEAR

Mr. GARMATZ. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 18254) to amend further section 27 of the Merchant Marine Act, 1920.

The Clerk read as follows:

H.R. 18254

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the last proviso to section 27, Merchant Marine Act, 1920, as amended (46 U.S.C. 883), is amended to read as follows: "*Provided further,* That upon such terms and conditions as the Secretary of the Treasury by regulation may prescribe, and, if the transporting vessel is of foreign registry, upon a finding by the Secretary of the Treasury, pursuant to information obtained and furnished by the Secretary of State, that the government of the nation of registry extends reciprocal privileges to vessels of the United States, this section shall not apply to the transportation by vessels of the United States not qualified to engage in the coastwise trade, or by vessels of foreign registry, of (a) empty cargo vans, empty lift vans, and empty shipping tanks, (b) equipment for use with cargo vans, lift vans, or shipping tanks, (c) empty barges specifically designed for carriage aboard a vessel, and (d) any empty instrument for international traffic exempted from application of the customs laws by the Secretary of the Treasury pursuant to the provisions of section 322(a), Tariff Act of 1930 (19 U.S.C. 1322(a)), if the articles described in clauses (a) through (d) are owned or leased by the owner or operator of the transporting vessel and are transported for his use in handling his cargo in foreign trade; and (e) stevedoring equipment and material, if such equipment and material is owned or leased by the owner or operator of the transporting vessel, or is owned or leased by the stevedoring company contracting for the lading or unlading of that vessel, and is transported without charge for use in the handling of cargo in foreign trade."

The SPEAKER. Is a second demanded?

Mr. MAILLIARD. Mr. Speaker, I demand a second.

The SPEAKER. Without objection, a second will be considered as ordered.

There was no objection.

Mr. MAILLIARD. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. MAILLIARD. Mr. Speaker, I rise in support of passage of the bill, H.R. 18254, which would amend section 27 of the Merchant Marine Act of 1920.

Subject to certain exceptions, section 27 of the Merchant Marine Act, 1920, prohibits the transportation of merchandise in the coastwise trade of the United States by certain classes of vessels, including foreign vessels.

One of the exceptions to this statutory prohibition is contained in the last proviso of section 27 as a result of Public Law 89-194. It served to allow empty cargo vans, empty lift vans, and empty shipping tanks to be transported coastwise by vessels of foreign registry, if the government of the nation of the vessel's registry extends reciprocal privileges to U.S. vessels. Also, such vans or tanks have to be owned or leased by the vessel owner, and have to be transported for use in the carriage of cargo in foreign trade.

The bill, H.R. 18254, would broaden the exception made by Public Law 89-194 so as to include empty barges designed for carriage aboard a vessel, related handling equipment used with cargo vans or tanks, and stevedoring equipment and material.

Its enactment, therefore, would facilitate international trade by promoting the use of containers and other newly developed instruments of commerce. It also could improve vessel and port efficiency since the exception of stevedoring equipment would avoid costly duplication or overland transport of such gear by allowing its carriage on the vessel where it is needed.

The bill involves no additional cost to the Federal Government, and it has been reported upon favorably by all concerned agencies of the executive.

Mr. Speaker, I urge that the House do pass the bill, H.R. 18254.

Mrs. GREEN of Oregon. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentlewoman from Oregon?

There was no objection.

Mrs. GREEN of Oregon. Mr. Speaker, I support this legislation offered by the distinguished chairman of the House Committee on Merchant Marine and Fisheries. This bill would provide for important amendments to the Merchant Marine Act of 1920, better known as the Jones Act.

Among other new provisions, this legislation would provide for the transportation of stevedoring gear between American ports of call on vessels not qualified to engage in intercoastal shipping.

Section 27 of the Jones Act provides that "no merchandise shall be transported by water, or by land and water." The key word here is merchandise, and it has been my contention, since I first introduced the legislation included in the bill before us today, that stevedoring gear should not be construed as merchandise. The transportation of stevedoring gear is not for hire and is only for the convenience of the operators of the vessel and the stevedoring company, to facilitate the movement of commerce. Moreover, such coastwide transportation is now permitted for American vessels that qualify for intercoastal trade.

This prohibition on the transport of stevedoring equipment has worked a severe hardship on both the owners of vessels and the stevedoring companies. It is simply not economically practical to maintain a satisfactory supply of stevedoring gear in every port in which a given vessel may wish to load or unload, when one supply of such equipment could easily be carried from port to port by the particular vessel. This prohibition is a special burden in smaller ports on the Oregon and Washington coasts, and along the Columbia River.

There has been an unnecessary expenditure in time, physical labor, and in money, since it is necessary to unload this equipment from the ship, load it on trucks, drive it to the next port of call, and set it up again. It has been estimated that the cost of this wasteful procedure runs from $250 to $350 per vessel in movements between ports, and from $125 to $150 per vessel in movements between terminals. Estimated costs run as high as $15,000 to $35,000 per year, depending on the number of vessels handled by any one particular business. The additional overhead is reflected in longshoring rates, and there is a direct loss to the stevedores. Moreover, there is the loss of time to the operators of the vessel because of the loading and unloading of stevedoring gear.

The prohibition which we would eliminate today has been regulated by the Customs Bureau of the Department of the Treasury. The Customs Bureau has maintained that the transportation of such equipment does in fact violate the Jones Act, and has seized stevedoring equipment which was initially placed on board a foreign-flag vessel for use in loading or unloading at the vessel's first port of American call and thereafter left on board for further use at subsequent American ports. Remitted penalties and forfeitures have been paid under protest by the stevedoring companies.

Mr. Speaker, this legislation recognizes the argument that stevedoring equipment was not intended to come under the provisions of the Jones Act, and will permit the movement of such equipment between American ports by vessels not presently qualified to do so. An unreasonable burden to the shipping industry will be removed, and the general efficiency of our ports will be substantially improved.

Mr. DELLENBACK. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Oregon?

There was no objection.

Mr. DELLENBACK. Mr. Speaker, we have had evidence in my State of Oregon of a situation which has proven wasteful and which this bill is designed to correct. I refer to the requirement under present law that stevedoring equipment, placed aboard ship in one port to assist in the loading or unloading of cargo, must be removed from the ship before it moves to a nearby port where identical equipment must be taken back aboard the same ship to be used for exactly the same purpose. This has required either transporting such equipment overland from port to port, oftentimes over a considerable distance by land, or else having duplicate amounts of such equipment in each port involved. And in either event, it has caused considerable loss of very expensive ship turnaround time.

Permitting such equipment to remain aboard ship while the ship moves from one coastal port to another until the last loading or unloading has been completed will prove beneficial to trade and to the welfare of the merchant marine. This is a significant part of the purpose of this bill. I urge my colleagues of the House to approve this bill tonight.

The SPEAKER. The question is on the motion of the gentleman from Maryland that the House suspend the rules and pass the bill H.R. 18254.

The question was taken; and (two-thirds having voted in favor thereof), the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

DISCLOSURE OF CORPORATE EQUITY OWNERSHIP

Mr. MOSS. Mr. Speaker, I move to suspend the rules and pass the bill (S. 510) providing for full disclosure of corporate equity ownership of securities under the Securities Exchange Act of 1934, as amended.

The Clerk read as follows:

S. 510

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 12(i) of the Securities Exchange Act of 1934 is amended by striking out "sections 12, 13, 14(a), 14(c), and 16" and inserting in lieu thereof "sections 12, 13, 14(a), 14(c), 14(d), 14(f), and 16".

SEC. 2. Section 13 of the Securities Exchange Act of 1934 is amended by adding at the end thereof the following new subsections:

"(d)(1) Any person who, after acquiring directly or indirectly the beneficial ownership of any equity security of a class which is registered pursuant to section 12 of this title, or any equity security issued by a closed-end investment company registered under the Investment Company Act of 1940, is directly or indirectly the beneficial owner of more than 10 per centum of such class shall, within ten days after such acquisition, send to the issuer of the security at its principal exchange office, by registered or certified mail, send to each exchange where the security is traded, and file with the Commission, a statement containing such of the following information, and such additional information, as the Commission may by rules and regulations prescribe as necessary or appropriate in the public interest or for the protection of investors—

"(A) the background and identity of all persons by whom or on whose behalf the purchases have been or are to be effected;

"(B) the source and amount of the funds or other consideration used or to be used in making the purchases, and if any part of the purchase price or proposed purchase price is represented or is to be represented by funds or other consideration borrowed or otherwise obtained for the purpose of acquiring, holding, or trading such security, a description of the transaction and the names of the parties thereto, except that where a source of funds is a loan made in the ordinary course of business by a bank, as defined in section 3(a)(6) of this title, if the person filing such statement so requests, the name of the bank shall not be made available to the public;

"(C) if the purpose of the purchases or prospective purchases is to acquire control of the business of the issuer of the securities, any plans or proposals which such persons may have to liquidate such issuer, to sell its assets to or merge it with any other persons, or to make any other major change in its business or corporate structure;

"(D) the number of shares of such security which are beneficially owned, and the number of shares concerning which there is a right to acquire, directly or indirectly, by (i) such person, and (ii) by each associate of such person, giving the name and address of each such associate; and

"(E) information as to any contracts, arrangements, or understandings with any person with respect to any securities of the issuer, including but not limited to transfer of any of the securities, joint ventures, loan or option arrangements, puts or calls, guaranties of loans, guaranties against loss or guaranties of profits, division of losses or profits, or the giving or withholding of proxies, naming the persons with whom such contracts, arrangements, or understandings have been entered into, and giving the details thereof.

"(2) If any material change occurs in the facts set forth in the statements to the issuer and the exchange, and in the statement filed with the Commission, an amendment shall be transmitted to the issuer and the exchange and shall be filed with the Commission, in accordance with such rules and regulations as the Commission may prescribe as necessary or appropriate in the public interest or for the protection of investors.

"(3) When two or more persons act as a partnership, limited partnership, syndicate, or other group for the purpose of acquiring, holding, or disposing of securities of an issuer, such syndicate or group shall be deemed a 'person' for the purposes of this subsection.

"(4) In determining, for purposes of this subsection, any percentage of a class of any security, such class shall be deemed to consist of the amount of the outstanding securities of such class, exclusive of any securities of such class held by or for the account of the issuer or a subsidiary of the issuer.

"(5) The provisions of this subsection shall not apply to—

"(A) any acquisition or offer to acquire securities made or proposed to be made by means of a registration statement under the Securities Act of 1933;

"(B) any acquisition of the beneficial ownership of a security which, together with all other acquisitions by the same person of securities of the same class during the preceding twelve months, does not exceed 2 per centum of that class;

"(C) any acquisition of an equity security by the issuer of such security;

"(D) any acquisition or proposed acquisition of a security which the Commission, by rules or regulations or by order, shall exempt from the provisions of this subsection as not entered into for the purpose of, and not having the effect of, changing or influencing the control of the issuer or otherwise as not comprehended within the purposes of this subsection.

"(e)(1) It shall be unlawful for an issuer which has a class of equity securities registered pursuant to section 12 of this title, or which is a closed-end investment company registered under the Investment Company Act of 1940, to purchase any equity security issued by it if such purchase is in contravention of such rules and regulations as the Commission, in the public interest or for the protection of investors, may adopt (A) to define acts and practices which are faudulent, deceptive, or manipulative, and (B) to prescribe means reasonably designed to prevent such acts and practices. Such rules and regulations may require such issuer to provide holders of equity securities of such class with such information relating to the reasons for such purchase, the source of funds, the number of shares to be purchased, the price to be paid for such securities, the method of purchase, and such additional information, as the Commission deems necessary or appropriate in the public interest or for the protection of investors, or which the Commission deems to be material to a determination whether such security should be sold.

"(2) For the purpose of this subsection, a purchase by or for the issuer, or any person controlling, controlled by, or under the common control with the issuer, or a purchase subject to control of the issuer or any such person, shall be deemed to be a purchase by the issuer."

Sec. 3. Section 14 of the Securities Exchange Act of 1934 is amended by adding at the end thereof the following new subsections:

"(d)(1) It shall be unlawful for any person, directly or indirectly, by use of the mails or by any means or instrumentality of interstate commerce or of any facility of a national securities exchange or otherwise, to make a tender offer for, or a request or invitation for tenders of, any class of any equity security which is registered pursuant to section 12 of this title, or any equity, security issued by a closed-end investment company registered under the Investment Company Act of 1940, if, after consummation thereof, such person would, directly or indirectly, be the beneficial owner of more than 10 per centum of such class, unless at the time copies of the offer or request or invitation are first published or sent or given to security holders such person has filed with the Commission a statement containing such of the information specified in section 13(d) of this title, and such additional information as the Commission may by rules and regulations prescribe as necessary or appropriate in the public interest or for the protection of investors. All requests or invitations for tenders or advertisements making a tender offer or requesting or inviting tenders of such a security shall be filed as a part of such statement and shall contain such of the information contained in such statement as the Commission may by rules and regulations prescribe. Copies of any additional material soliciting or requesting such tender offers subsequent to the initial solicitation or request shall contain such information as the Commission may by rules and regulations prescribe as necessary or appropriate in the public interest or for the protection of investors, and shall be filed with the Commission not later than the time copies of such material are first published or sent or given to security holders. Copies of all statements, in the form in which such material is furnished to security holders and the Commission, shall be sent to the issuer not later than the date such material is first published or sent or given to any security holders.

"(2) When two or more persons act as a partnership, limited partnership, syndicate, or other group for the purpose of acquiring, holding, or disposing of securities of an issuer, such syndicate or group shall be deemed a 'person' for purposes of this subsection.

"(3) In determining, for purposes of this subsection, any percentage of a class of any security, such class shall be deemed to consist of the amount of the outstanding securities of such class, exclusive of any securities of such class held by or for the account of the issuer or a subsidiary of the issuer.

"(4) Any solicitation or recommendation to the holders of such a security to accept or reject a tender offer or request or invitation for tenders shall be made in accordance with such rules and regulations as the Commission may prescribe as necessary or appropriate in the public interest or for the protection of investors.

"(5) Securities deposited pursuant to a tender offer or request or invitation for tenders may be withdrawn by or on behalf of the depositor at any time until the expiration of seven days after the time definitive copies of the offer or request or invitation are first published or sent or given to security holders, and at any time after sixty days from the date of the original tender offer or request or invitation, except as the Commission may otherwise prescribe by rules, regulations, or order as necessary or appropriate in the public interest or for the protection of investors.

"(6) Where any person makes a tender offer, or request or invitation for tenders, for less than all the outstanding equity securities of a class, and where a greater number of securities is deposited pursuant thereto within ten days after copies of the offer or request or invitation are first published or sent or given to security holders than such person is bound or willing to take up and pay for, the securities taken up shall be taken up as nearly as may be pro rata, disregarding fractions, according to the number of securities deposited by each depositor. The provisions of this subsection shall also apply to securities deposited within ten days after notice of an increase in the consideration offered to security holders, as described in paragraph (7), is first published or sent or given to security holders.

"(7) Where any person varies the terms of a tender offer or request or invitation for tenders before the expiration thereof by increasing the consideration offered to holders of such securities, such person shall pay the increased consideration to each security holder whose securities are taken up and paid for pursuant to the tender offer or request or invitation for tenders whether or not such securities have been taken up by such person before the variation of the tender offer or request or invitation.

"(8) The provisions of this subsection shall not apply to any offer for, or request or invitation for tenders of, any security—

"(A) proposed to be made by means of a registration statement under the Securities Act of 1933;

"(B) if the acquisition of such security, together with all other acquisitions by the same person of securities of the same class during the preceding twelve months, would not exceed 2 per centum of that class;

"(C) by the issuer of such security; or

"(D) which the Commission, by rules or regulations or by order, shall exempt from the provisions of this subsection as not entered into for the purpose of, and not having the effect of, changing or influencing the control of the issuer or otherwise as not comprehended within the purposes of this subsection.

"(e) It shall be unlawful for any person to make any untrue statement of a material fact or omit to state any material fact necessary in order to make the statements made, in the light of the circumstances under which they are made, not misleading, or to engage in any fraudulent, deceptive, or manipulative acts or practices, in connection with any tender offer or request or invitation for tenders, or any solicitation of security holders in opposition to or in favor of any such offer, request, or invitation.

"(f) If, pursuant to any arrangement or understanding with the person or persons acquiring securities in a transaction subject to subsection (d) of this section or subsection (d) of section 13 of this title, any persons are to be elected or designated as directors of the issuer, otherwise than at a meeting of security holders, and the persons so elected or designated will constitute a majority of the directors of the issuer, then, prior to the time any such person takes office as a director, and in accordance with rules and regulations prescribed by the Commission, the issuer shall file with the Commission, and transmit to all holders of record of securities of the issuer who would be entitled to vote at a meeting for election of directors, information substantially equivalent to the information which would be required by subsection (a) or (c) of this section to be transmitted if such person or persons were nominees for election as directors at a meeting of such security holders."

The SPEAKER. Is a second demanded?

Mr. SPRINGER. Mr. Speaker, I demand a second.

The SPEAKER. Without objection, a second will be considered as ordered.

There was no objection.

Mr. HALL. Mr. Speaker, will the gentleman yield?

Mr. MOSS. Mr. Speaker, I yield to the gentleman from Missouri.

Mr. HALL. Mr. Speaker, is this legislation directed at any single group or individual?

Mr. MOSS. It is not. It is a general law applicable to any tender or offer to take over or to purchase control through cash transactions by the same powers in the Commission that prevail now in proxy by a disclosure bill.

Mr. HALL. Mr. Speaker, I appreciate the gentleman's statement. I appreciate his yielding. I have only one other question. Were there any evidences in the hearings on the presentation of this bill that there is this need for public disclosure in the national interest or our investment security therein?

Mr. MOSS. There is a rather large body of such evidence. I think the appearance before the committee of the Securities Exchange Commission, the Federal Reserve Board, the New York Stock Exchange, the American Bankers' Association, the American Life Convention, and the Life Insurance Association of America, and numerous other leading financial groups would indicate a strong backing for this type of legislation.

Mr. HALL. Mr. Speaker, does the gentleman find any objection as far as the hearings are concerned to the cash tender offer over the proxy contest, the leading cause of mergers and bigness in business?

Mr. MOSS. I find nothing inherently wrong as long as full disclosure is made.

Mr. HALL. Mr. Speaker, is there any indication that this should be a normal function of the Securities and Exchange Commission?

Mr. MOSS. I believe by custom since the 1934 act this or a related function has been very much a part of the responsibility of the Securities and Exchange Commission.

Mr. HALL. And we do not find it necessary to spend another $875,000 to aid and abet them in this further disclosure effort?

Mr. MOSS. No, and it is not felt by the Commission that this would add any appreciable amount of burden to the work of the Commission.

Mr. SPRINGER. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, to abbreviate this, the purpose of the bill is to require disclosure in two situations which the SEC believes ought to be required.

The first is when persons make a takeover bid, very similar to the one which Hughes made on ABC a week ago last Tuesday.

The second is where a corporation buys up its own stock.

When the parties are playing the takeover game and scrambling for shares, certainly disclosure is clearly needed for the benefit of all the remaining stockholders. Unless the individual stockholders have knowledge of takeover bids they simply will not know what is going to happen to their own stock. There is no way of knowing, unless there is a disclosure of the takeover bid revealed through the SEC.

I believe that many Members know of instances where corporations buy up stock for their own pension and profit sharing purposes. The need here for SEC interference may be less, but certainly when the company is buying up stock to invest in pension sharing plans there ought to be disclosure to everybody else who is dealing in the market in that particular stock.

To meet these two problems the committee says that the SEC rules must be for the purpose of first defining fraudulent, deceptive, and manipulative practices; and, second, prescribing means to prevent those manipulative practices. As long as the Commission has that power to force disclosure and secondly to be able to define what manipulative, deceptive or fraudulent practices are, then I believe we are safe in this field.

The committee gave real consideration to all the evidence which was introduced. We did have some objections raised. We modified the bill, we thought, to meet some of these objections by some of the large companies which were purchasing stock for pension plans, but we did not modify it to prevent the SEC from reasonably forcing disclosure.

I recommend passage of the bill.

Mr. Speaker, I yield such time as he may consume to the gentleman from Massachusetts [Mr. KEITH].

Mr. KEITH. Mr. Speaker, in deference to those who are eager for a vote and because of the excellent presentation of the case which has been made by my colleagues from California and Illinois, I will extend my remarks. I state further there is a proviso which makes this not apply to the corporation which does not qualify under section 12(g) of the Securities Act; namely, a corporation with less than $1 million and fewer than 500 shareholders.

Mr. SPRINGER. Mr. Speaker, I yield to the gentleman from South Carolina [Mr. WATSON].

Mr. WATSON. Mr. Speaker, I think in order to establish some legislative history on this important piece of legislation here, we should insert some remarks at this point in the RECORD, and I hope that the Members will avail themselves of the opportunity of reading these remarks a little later on in order to get a little interpretative help as far as this legislation is concerned.

Mr. Speaker, I want to call the attention of the House to the fact that the committee made clarifying changes in the bill as passed by the Senate with regard to the purchase by an issuer of its own securities. As passed by the Senate, several questions were raised as to the application of the legislation to purchases to carry out the purposes of employee benefit plans. The report of the House committee, in explaining the changes adopted by it, makes clear that the rules and regulations which the SEC is empowered to promulgate are not intended to prevent legitimate purchases by the issuer of its own securities for normal activities, such as acquisitions for distribution under a stock option, employees' stock purchase, employees' saving, bonus, or incentive plan.

I also want to note that during the course of this legislation the SEC prepared a draft of proposed rule 10b–10 designed to implement its rulemaking authority. This draft was circulated to a small group of interested parties. I understand there was substantial industry opposition to it because of its adverse effect on legitimate purchases of securities by the issuer or its pension, profit sharing or other employee benefit plan. Enactment of this legislation does not represent approval of the draft of the proposed rules. The subject should be carefully reviewed by all concerned in light of the authority more clearly stated in the bill.

Mr. SPRINGER. Mr. Speaker, I yield to the gentleman from Ohio [Mr. WHALEN].

Mr. WHALEN. Mr. Speaker, I have introduced a bill similar to S. 510 as amended by the Interstate and Foreign Commerce Committee. Therefore, I am taking this opportunity to urge its passage as it comes before us today under the suspension of the rules.

As you know, this legislation, which passed the Senate last year, amends the Securities Exchange Act of 1934 by requiring the disclosure of pertinent information and would afford other protections to stockholders, first, when a person or group of persons seeks to acquire a substantial block of equity securities of a corporation by a cash tender offer, alternately called a "takeover bid," or through open market or privately negotiated purchases, or second, when a corporation repurchases its own equity securities.

Although the Securities Act of 1933 and the Securities Exchange Act of 1934 provide protection for millions of investors by requiring full disclosure of information in connection with the public offering or trading of securities, there is a gap in these laws which leaves the cash tender offer exempt from these disclosure provisions. At present, the shareholder must make a decision to reject or accept a bid for his securities on the basis of a market price which reflects an evaluation of the company based on the assumption that the present management and its policies will continue. On the other hand, he has no information regarding the person seeking control. Certainly, the shareholder should be able to obtain relevant information concerning the persons who seek control and their plans. Under S. 510, this information would be available, thus affording the investor an opportunity to make a factual decision.

Mr. Speaker, I trust the House will favorably consider this measure.

Mr. SPRINGER. Mr. Speaker, I yield to the distinguished gentleman from Michigan [Mr. BROWN].

Mr. BROWN of Michigan. Mr. Speaker, I thank the gentleman for yielding.

Mr. Speaker, in the report I notice this statement:

> Statements were received for the record in opposition to the measure from two drug manufacturing firms.

Could the gentleman tell me the nature of this opposition?

Mr. MOSS. Mr. Speaker, will the gentleman yield?

Mr. SPRINGER. Yes. I yield to the gentleman from California

Mr. MOSS. The amendments requested by the two drug manufacturing companies were to exempt transactions in their own stock up to 2 percent of the total amount in any one year. Two percent applied to some of our American corporations can gain effective control and the exemption was not felt by the committee to be in the public interest.

Mr. SPRINGER. May I say to the gentleman on that further that as I recall it there were three or four votes for the amendment.

Mr. MOSS. Mr. Speaker, the bill here being considered generally is the same as it passed the Senate. The committee has made four amendments to the Senate bill which I think briefly might be discussed.

The first is to include certain closed-end investment companies which inadvertently by reason of a cross reference to section 12(g) of the 1934 act had been omitted.

The second is to provide for the naming to the Commission and to the Federal Reserve Board of the source of bank credit where used by a person making a takeover bid, but for the confidential treatment of the name of such bank.

The third is to provide that the rules and regulations to be prescribed by the Commission relating to the acquisition by a corporation of its own stock, are to be designed for the purpose of defining acts and practices which are fraudulent, deceptive, or manipulative, and to prescribe means reasonably designed to prevent such acts and practices. The original language might have been interpreted, although not so intended, as giving the Commission a broader basis for the prescription of rules unassociated with this purpose. The committee amendment makes it clear that these rules which the commission is empowered to promulgate are not intended to prevent legitimate purchases by the issuer of its own securities for normal activities such as acquisition for distribution under bonus or incentive plans. In such connection, I stress the word "prevent," for while it is the intent that the Commission in nowise should prevent such normal activities, nevertheless, it is clear that the rules and regulations are to be designed to provide the information and procedures which the Commission feels are necessary in the public interest to provide means reasonably designed to prevent fraudulent, deceptive, or manipulative acts.

In connection with this provision, certain questions were raised by some individuals regarding the rulemaking power of the Commission under section 10(b) of the Securities Exchange Act. I wish to make it clear that the enactment of this legislation does not represent approval of certain suggestions made for revisions of rules under that other section. On the other hand, it should be equally clear that the enactment of this legislation does not represent disapproval of any suggested rules under section 10(b). That section stands on its own feet.

The fourth amendment made by the committee is to make it clear that in the purchase of securities by a corporation, purchases by others under common control with the corporation also are to be considered, but purchases by pension or other plans under arrangements where the management of such plans is completely independent from the issuer, or persons under control of the issuer, are not to be included. The purpose of this amendment is to exclude those purchases made by a bank or insurance company, or others acting as trustees under a completely independent plan.

The SPEAKER. The question is on the motion offered by the gentleman from California [Mr. MOSS] that the House suspend the rules and pass the bill S. 510 as amended.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

GENERAL LEAVE TO EXTEND

Mr. MOSS. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to extend their remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

REGULATION OF FUTURES TRADING IN FROZEN CONCENTRATED ORANGE JUICE

Mr. POAGE. Mr. Speaker, I move to suspend the rules and pass the bill (S. 3143) to amend the Commodity Exchange Act, as amended, to make frozen concentrated orange juice subject to the provisions of such act.

The Clerk read as follows:

S. 3143

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the third sentence of section 2(a) of the Commodity Exchange Act, as amended (7 U.S.C. 2), is amended by striking out "and livestock products" and inserting in lieu thereof ", livestock products, and frozen concentrated orange juice".

The SPEAKER. Is a second demanded?

Mr. BELCHER. Mr. Speaker, I demand a second.

The SPEAKER. The Chair at this time desires to express appreciation to all of the Members for their understanding and their patience.

Without objection, a second will be considered as ordered.

There was no objection.

The SPEAKER. The question is on the motion of the gentleman from Texas that the House suspend the rules and pass the bill S. 3143.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

STATE FIREARMS CONTROL ASSISTANCE ACT OF 1968

Mr. KING of New York. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. KING of New York. Mr. Speaker, later this week the House will be called upon to consider H.R. 17735, the State Firearms Control Assistance Act of 1968. Like the other Members of Congress, I have been virtually snowed under by letters from my constituents both for and against this legislation.

A good friend of mine, the Honorable Homer E. Peters, an attorney at law, from Albany, N.Y., recently wrote a letter to the editor of the Knickerbocker News, a newspaper published in Albany, N.Y., stating briefly his opposition to certain features of the proposed gun legislation. The editor saw fit to comment on his letter, and Mr. Peters thereupon wrote him a long letter setting forth in greater detail his reasons for supporting gun legislation but opposing registration. I think Mr. Peters' letter is enlightening and should be read by all Members, particularly by those who constitute our Judiciary Committee in the House. I insert the newspaper article and Mr. Peters' letter in the RECORD at this point:

JULY 12, 1968.

The EDITOR,
Knickerbocker News,
Albany, N.Y.

DEAR SIR: Thank you for publishing on July 9th my comments upon gun control legislation. At the time the published letter was written, the thrust of the arguments in favor of strict gun control legislation, including registration of all guns, was the existence of similar laws in Europe and Japan. This argument was, of course, without any real merit, so some new justification for laws requiring the registration of guns had to be advanced by the proponents of the proposed legislation.

It is now contended that registration of all guns, sporting or otherwise, would render law enforcement easier and more effective. This contention may be true, but by itself furnishes no justification for enactment of a law as proposed, requiring registration of guns, the fingerprinting and photographing of owners.

Merely because the enactment of some law will render law enforcement easier by placing more power in the hands of the police does not justify the passage of the legislation. This principle is basic and I am certain all private citizens, other than police authorities, will agree with it. For example, if all citizens were required to carry identification cards bearing their fingerprints and photographs and to report to the police when they move from one place to another, law enforcement would be made far more efficient and probably would be crime restrictive as a result, but I am sure such enactment would be opposed by most citizens as an unreasonable infringement upon personal liberty and another step toward a police state.

The statement in the comments appended to my letter to the effect that "no bona fide hunter would be deprived of his weapon by any present or contemplated law" is highly questionable and of doubtful validity. No person in or out of government can with assurance or any reliability make such a commitment. It should be kept in mind that once all guns are registered, there is a public record of each owner, his fingerprints, his photograph, his address and the serial number of each gun.

I am sure you will recall that prior to World War II, Holland had a statute requiring the registration of all guns by their owners. When the Germans invaded Holland, one of their first acts was to impound or seize all of the guns so registered. Any citizen unable to account for the whereabouts of his gun was promptly jailed. As a result of this gun registration law, the invaders were able to disarm all citizens of Holland and effectively destroy armed resistance. This example furnishes a cogent argument by itself against any law requiring the registration of firearms.

Can you, or any other person, if the proposed legislation is enacted, assure any hunter that when some civil disorder occurs in a community, that all guns which have been registered therein will not be promptly confiscated and held in protective custody until the whim of the law enforcement agency impounding them elects to return them to their owners?

Can you, or any other person, assure any hunter that when a crime is committed in a community by the use of a gun and the gun is not found, that the police will not come to hunters' homes at any hour of the day or night, require them to account for all their guns and impound such as the police might elect to seize?

Can you, or any other person, as you imply, assure a hunter what further law is "contemplated" in reference to rifles and shotguns now in the hands of law-abiding citizens?

I am certain that if hunters could be assured—which they obviously cannot be—that nothing further would be done to harass them, once their guns were registered, their fingerprints and photographs taken, and a license issued to them, that opposition to the proposed registration legislation would diminish. It is the potential opportunity for continued harassment and the enactment of implementing laws which the legislation clearly opens up that is the basis for most of the opposition to this legislation.

Those who do not own guns, or those who have not expressed or considered all of the adverse possibilities which the legislation presents, are, of course, in support of the proposed law. This type of blind and uninformed support should not be given any weight by the members of Congress considering the legislation.

To attempt, as a justification for the proposed law, to equate gun registration with registration, for example, of automobiles, is specious. First, an owner of a motor vehicle is not required to register it unless he proposes to drive it upon a public highway. On the other hand, the owner of any rifle or shotgun, wherever the firearm was kept or whether it was ever used or not, would be required to register the gun, and the owner subjected to fingerprinting and photographing. Second, once registered, a motor vehicle legally may be loaned to any person, it may legally be driven by any licensed driver, it may legally be sold to anyone, it may legally be driven across state lines, or it may legally be junked without reporting this fact to anyone.

Not so under the proposed gun registration legislation. Under the proposed law an owner of a gun could not legally sell the gun to anyone he wished, he could not legally loan it, his right to take his gun across a state line would be drastically restricted, and he could not legally destroy the gun with impunity.

To read or listen to the propaganda as to the necessity of gun control legislation, an uninformed person would come to the conclusion that few, if any, laws presently exist or control the use or sale of all types of guns. On the contrary many states and cities have extremely strict gun control statutes. For your information, I enclose a few of the statutes of this state, which I am sure you will concede, if enforced, would materially reduce crimes with guns. These statutes, among others, are Title P, Secs. 265.00–265.35, and Title W, Secs. 400–400.05 of the Penal Law.

These laws relate to possession under certain conditions of all guns, the licensing of dealers, reporting of sales in designated instances to the police, the firing of guns, who may legally own or possess guns and other related subjects. In addition, the Conservation Law prohibits hunting within 500 feet of any dwelling and the licensing of any hunter unless he can prove that he was previously licensed or that he had taken and passed a prescribed course in handling and using guns.

Unfortunately, many of these laws are not rigidly enforced and this fact has led many of our uninformed citizens to suspect that such laws do not exist.

What I have said above is limited to the possession and use of rifles and shotguns for sporting purposes or for self defense upon the property or household of a citizen. I am not opposed, nor is anyone else with whom I have discussed the subject, opposed to a waiting period for purchasing new firearms, a prohibition against mail order sales, sales by licensed dealers only to gun owners possessing identification cards similar to those presently issued throughout the country to millions of hunters as a condition of their having the privilege of hunting.

However, I am opposed, without some definitive proof of necessity, to the enactment of any legislation which will have the positive effect of further restricting the personal liberties of our citizens by placing them at the mercy of our police officers. If the proposed legislation would positively or effectively prevent crimes, I am certain it would be unopposed in spite of its restrictions upon our personal liberties. However, law enforcement experience has demonstrated in the field of gun control that crime has not been materially deterred by strict gun control statutes.

Shortly after the death of the late President Kennedy, the City of Philadelphia enacted an extremely rigid gun control ordinance. The District Attorney of that city was recently quoted as saying that the ordinance has not had any appreciable effect upon the reduction of crimes by the use of firearms and many of those voting for the ordinance are now apologizing to their constitutents.

The statistics recently given by Attorney General Clark purporting to demonstrate that crimes by guns are lower in states having strict gun control laws is of doubtful validity since he failed to include in his submission many states which have very few control statutes, and very few crimes with guns, such as Vermont.

The proponents of strict gun control laws appear to find something sinister or evil in the so-called lobbying tactics of the National Rifle Association. I am not now nor have I ever been a member of this association. There is nothing illegal about any person or association attempting to influence legislation. On the contrary, there is no other effective way that legislators may be informed of the merits or demerits of legislation. Because the proponents of strict gun control legislation believe their wishes are being thwarted by the National Rifle Association does not furnish any justification for attacking the integrity of the members of that organization. The fact that someone disagrees with me or my views does not necessarily make him evil or wrong.

I personally question the astuteness and the validity of the arguments of many of those well-meaning citizens who support the strict gun control legislation now before Congress, but I do not question their integrity or their right to advance their contentions, regardless of their soundness.

You are apparently under the impression that hunters feel that they are entitled to some special consideration not accorded to other citizens. Such an impression, I believe, is grossly erroneous. In advancing such an assumption, you should remember that hunters are generally lawabiding, and tax-paying citizens. To hunt they must be licensed and in this state must annually prove, to obtain their licenses, that they had one the year before or have been accredited as qualified to use safely a gun while hunting.

Most of these hunters have already been licensed or registered in all of the categories you mention in your appendix to my letter. Accordingly, they are not, and do not seek any special privilege or treatment.

However, on the other hand, they properly, in my opinion, resent any law subjecting them to the same treatment presently accorded to persons charged with crimes, namely, fingerprinting and "mugging" or photographing.

Very truly yours,

HOMER E. PETERS.

—

MAIL BAG: A HUNTER, HE'S AGAINST GUN LAW

Recent articles appearing in your newspaper in favor of so-called gun control legislation seem to rely upon the fact that few guns are owned or used in Europe or in Japan. From this premise it is argued the same principle should apply in this country.

By the same logic it would be contended with some force, that since jury trials are not permitted, except to a limited degree in those same countries, jury trials should be curtailed drastically in the United States.

The fact is that this is not any valid grounds for comparing the statutes of one country with those of another, unless the conditions which exist in relation to those statutes in each country are substantially the same.

In Europe and in Japan there never has been for centuries any sport of hunting, whereby lands are open to the general public. Hunting in those countries is a rich man's sport limited to a relatively privileged few people. In this country the federal government, as well as most of our state's promote and encourage as a sport, hunting for wildlife. There are literally thousands of acres of shore front, upland country and forests where the citizens of this country enjoy hunting as a sport. To enjoy this sport, rifles and shotguns must be possessed by the participants.

Hunting, to thousands of our citizens is an excellent form of recreation. The fact that many people prefer other forms of recreation is not any grounds for denying the recreation of hunting to those who enjoy it.

I have yet to hear any person who enjoys hunting as a sport advocate gun control legislation beyond limiting the sale of firearms by mail or to criminals, minors, or those mentally ill. Those such as the recently-censored Senator Dodd who advocate the registration of individual guns, you will find, do not, and never have enjoyed hunting as a sport and couldn't care less whether hunting is permitted.

The most dangerous instrumentality within this country is the private automobile. Thousands are killed and injured yearly by the automobile. There is more sense or logic to enacting legislation which will make it extremely expensive or difficult to qualify as an owner of an automobile, than there is to enact similar legislation affecting the ownership of rifles and shotguns.

I have hunted for many years and am acquainted with scores of people who own or have owned rifles or shotguns, not one of them to my knowledge, has ever been injured by a rifle or shotgun. Unfortunately I cannot say the same about my friends and acquaintances and their automobiles.

The fact that people have been killed or injured by rifles or shotguns furnishes no more justification for unnecessarily or punitively harrassing the owners of them than does the fact that persons are duly being killed or maimed by motor vehicles which they own and operate.

HOMER E. PETERS.

ALBANY.

NOTE.—The two chief gun control laws before Congress call for registration of gun owners or guns, or both. This no more constitutes "unnecessarily or punitively harassing" the gun owners than registration of births, marriages, deaths, automobiles, drivers, boats, airplanes or pilots represents similar harassment. What makes hunters and, of all things, guns, deserving of special treatment? No bona fide hunter would be deprived of his weapon by any present or contemplated law. Any inconvenience involved in registration would be infinitesimal compared with the benefits involved.

THE INTERNAL SECURITY OF THE UNITED STATES

Mr. DEL CLAWSON. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. DEL CLAWSON. Mr. Speaker, it is a perfectly natural reflexive reaction for those who have supported the Committee on Un-American Activities in a tumultous history which has included continual assaults on its integrity to be suspicious of changes and be apprehensive that they may be subversively inspired. But as the sponsor of House Resolution 149, companion to House Resolution 148 introduced by my colleague from Missouri [Mr. ICHORD], I am concerned at the way the resolution is being misinterpreted by some of those most deeply interested in the work of the committee.

Service on this committee is the best way I know to become convinced of the need for continued congressional oversight over the operation of the security system of this country. The farflung, subterranean and devious network of forces which surface with the prodding of our investigations is as active and potent as ever and constantly capitalizing upon each area of weakness or dissention in American society. The violent, dissident spirit abroad in this country is a fertile breeding ground for Communist cells and daily new militant subversive terrorist groups seem to spring into being. I would be the last to suggest that we now proceed to weaken or destroy this vital committee as is being suggested.

An actual comparison of the original mandate with the suggested changes should unequivocally dispel all doubts and demonstrate that what will be accomplished is the strengthening, clarification and broadening of the powers of the committee.

The powers and duties of the committee are now described as follows:

> (b) The Committee on Un-American Activities, as a whole or by subcommittee, is authorized to make from time to time investigations of (1) the extent, character, and objects of un-American propaganda activities in the United States, (2) the diffusion within the United States of subversive and un-American propaganda that is instigated from foreign countries or of a domestic origin and attacks the principle of the form of government as guaranteed by our Constitution, and (3) all other questions in relation thereto that would aid Congress in any necessary remedial legislation.

House Resolution 148 and House Resolution 149, will change them as follows:

> "11. Committee on Internal Security.
>
> "(a) Measures relating to Communist and other subversive activities affecting the internal security of the United States.
>
> "(b) The Committee on Internal Security, acting as a whole or by subcommittee, is authorized to make investigations from time to time of (1) the extent, character, objectives, and activities within the United States of organizations or groups, whether of foreign or domestic origin, their members, agents and affiliates, which seek to establish, or assist in the establishment of, a totalitarian dictatorship within the United States, or to overthrow or alter, or assist in the overthrow or alteration of, the form of government of the United States or of any State thereof, by force, violence, treachery, espionage, sabotage, insurrection, or any unlawful means, (2) the extent, character, objectives, and activities within the United States of organizations or groups, their members, agents, and affiliates, which incite or employ acts of force, violence, terrorism, or any unlawful means, to obstruct or oppose the lawful authority of the Government of the United States in the execution of any law or policy affecting the internal security of the United States, and (3) all other questions, including the administration and execution of any law of the United States, or any portion of law, relating to the foregoing that would aid the Congress or any committee of the House in any necessary remedial legislation.

It is our intent that the legal questions which have been raised to the jurisdiction of the committee over any but Communist activities be answered by this new language and that foreseeable challenges be met in advance. Although the name will correspond with the Senate committee, it should also be emphasized that the new committee would still remain a separately constituted committee of the House and that jurisdiction would not be transferred to the Judiciary Committee as has been falsely reported. The issue of membership and seniority would be subject, as always to the approval of each party, but the gentleman from Missouri [Mr. ICHORD] has announced, and I concur in the statement, that "there is no intent to affect seniority and membership on the committee in any respect."

Finally, the resolution clarifies the provision relating to the committee's "legislative oversight functions." The proposed resolution makes clear that this authority includes not only the administration and execution of "laws" within the jurisdiction of the committee but any "portion of law" which relates to Communist or subversive activities, although another committee may have general jurisdiction over the whole or major part of said law.

We thank those who have demonstrated by their strong reaction to the suggestion that the committee might be weakened, the depth of their interest and support. We ask their confidence in our judgment that the changes proposed will produce a more dynamic approach to the investigation and formulation of legislation dealing with threats to the internal security of the United States.

LOSING THE CRIME WAR

Mr. EDWARDS of Alabama. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Alabama?

There was no objection.

Mr. EDWARDS of Alabama. Mr. Speaker, with all the talk about fighting crime these days, one startling fact stands out for all to see. The Justice Department is actually losing ground against the organized racketeers of the country.

According to figures put out by the Attorney General's office itself, racketeer convictions by the Federal Government in 1967 were 19 percent less than in 1966, and 32 percent less than in 1964.

And according to a study made in Washington recently the Justice Department in 1965 began to deemphasize its efforts to fight organized crime, and the results are beginning to show now.

One of the most surprising parts of

this amazing situation is that the Attorney General has said he will not use the authority voted by Congress last month for using wiretapping, or electronic surveillance, as one of the tools with which to fight bigtime racketeers.

In approving this legislation Congress included safeguards so that innocent people cannot be hurt, and wiretapping would be done only by carefully selected officials acting only under court orders.

And yet the Attorney General says he would not use this authority. Organized crime uses the latest inventions and most modern equipment in milking some $50 billion from the people of this country.

Surely we should not pull any punches in trying to put an end to the organized crime racketeers.

Even in the matter of gun control we see strange things in Washington. The President has asked for very strong gun registration and licensing laws. Yet laws already on the books are not being used to their potential.

Two laws passed in the early 1930's give the Federal Government power to investigate firearms violations. Yet in the 5 years ending in 1967 the Treasury Department has prepared cases on about 2,300 possible violations, and the Justice Department has prosecuted less than half of those cases.

It makes a mockery of the cries we hear for new and stronger gun control. And meanwhile, never before in American history has the subject of crime and disorder been so critical.

The President's own Crime Commission a couple of years ago found that of every 100 Americans 43 of them are afraid to venture out into the street at night. One of every five families would like to change their home location out of fear of crime in their neighborhood.

Major crimes are increasing by an average of about 10 percent every year. Just a few years ago it would have been considered a very big event for Federal troops to be called out to help put down mobs of rioters. Today it has become almost routine for this to happen in eight or 10 of our largest cities.

The President's approach to this is to demand new laws concentrating more and more power in the Washington bureaucracy. I say let us first enforce the laws we already have.

Let us strengthen law enforcement, but not at the Washington level where it is not working. Let us strengthen the State and local law enforcement people and give them a better chance to do their jobs.

Mr. Speaker, it is also very important that we get at the root causes of crime and violence. We must firmly resolve that lawbreaking is not to be tolerated. The idea of permissiveness for children and adults will not bring stability to our country.

When it comes to the war on crime, I am a hawk, not a dove. I believe we must enforce the law. It is time that our public officials get about the job of helping to rebuild the fabric of American moral and family life.

We must rebuild in the direction of responsibility. Anarchy and violence must come to an end.

POVERTY ON THE INDIAN RESERVATIONS

Mr. BERRY. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from South Dakota?

There was no objection.

Mr. BERRY. Mr. Speaker, the Indian people are not marching on Washington, they are rather looking to Congress to do something for them to relieve their poverty without making a big demonstration. I hope Congress does not let them down.

As nearly as I can tell, last year Congress appropriated close to a half billion dollars for various relief programs on Indian reservations. Because of this the jobless Indians were able to eat, but also because of it they lost that much more respect and that much more ambition to get ahead.

It is a sad commentary when the American people force a minority group to live on relief with no hope or possibility of getting ahead.

It is a sad commentary on Congress when they permit the Bureau of Indian Affairs and the Treasury Department to prevent these people from becoming first-class citizens because they have no jobs and Congress refuses to do anything to induce industry to move onto these reservations and provide jobs and opportunity.

PERMISSION TO COMMITTEE ON THE JUDICIARY TO SIT DURING GENERAL DEBATE ON JULY 15

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the Committee on the Judiciary may be permitted to sit during general debate on July 15, 1968.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

THE FEDERAL ESTABLISHMENT AND STUDY THEREOF

The SPEAKER. Under previous order of the House the gentleman from Delaware [Mr. ROTH] is recognized for 15 minutes.

Mr. ROTH. Mr. Speaker, as you know, my staff and I have spent considerable time during the past year studying the Federal Establishment. Specifically, we have sought to find out how many programs of Federal assistance there are, obtain meaningful information about what they do, and how, and where they are administered. We did this with an eye toward whether the present concept of assistance and organization under which our Federal system of government is presently operating is adequate to the task of solving the grave problems that now confront us, and to the tasks that will be set before us by the problems of the coming decades.

I discussed our research efforts and findings here on the House floor on Tuesday, June 25. On that day, I introduced the Program Information Act which would begin to bring some degree of order to our current system of Federal assistance. This bill has met with favorable reaction from Governors, mayors, city and county officials, citizens' poverty groups, chambers of commerce, educational institutions, and private citizens from all across the Nation. I am happy to report that the bill currently has 108 cosponsors in the House.

When I introduced that bill, I discussed how the findings of our recent 8-month study dramatically demonstrated the need not only for the Program Information Act, but also the need for the immediate formation of a Hoover-type commission, and I said that I shortly would introduce such a bill.

Today, along with 104 cosponsors, I have introduced the Executive Reorganization and Management Improvement Act. The bill would establish a Hoover-type body, the Commission for the Improvement of Government Management and Organization. This bill is also being introduced in the other Chamber by the Senior Senator from Delaware.

The purpose of this Commission would be to study completely and fully the usefulness, scope, and substance of all Federal programs and activities and provide us with recommendations so that we may—

Define each existing Federal program and activity and its organizational structure;

Determine at the departmental and major program level, by systems analysis and modern management techniques, the total costs of such Federal programs and activities and their effectiveness in achieving their objectives;

Evaluate the effect of Federal assistance programs and activities upon the interrelationship of Federal, State, and local governments, especially from the standpoint of preserving and strengthening our decentralized system of government, and upon our system of private enterprise;

Evaluate the need to simplify Federal programs and services through broad block grants and revenue-sharing with State, county, and city governments, and through the creation of broadly based public corporations;

Eliminate, consolidate, or abolish duplication and overlap in Federal programs and activities when not necessary to the effective conduct of government;

Reduce expenditures to the lowest amount consistent with the effective performance of Federal programs and activities;

Improve communication services and coordination to insure accurate, comprehensive, and timely information on all Federal programs and activities both to the public and to all levels of government;

Establish standard, governmentwide criteria, systems, and procedures to assist Congress in determining, in light of national needs and goals, the priority that should be assigned to all Federal programs and activities;

Determine measures, such as the creation of a Program Evaluation Office in the legislative branch, to assist the Congress in evaluating on a continuing basis the relative priority and effectiveness of all Federal programs and activities; and

Evaluate the techniques and methodology for establishing a comprehensive management information system adequate to evaluate all Federal programs and activities, supported by a cost-effective data base founded on uniform governmentwide standards, criteria, and definitions.

Mr. Speaker, some say we have in the recent past "overcommissioned" with regard to our problems. And I agree. Some say we have a propensity for setting up commissions to "wish away" the problems we do not have the energy or equipment to otherwise solve. And I agree.

But I am not proposing just another commission to look at another problem. I propose a commission that can serve as an instrument for objective review of the governmental machinery we must use in an attempt to solve our problems, all our problems, present and future.

I would hope that this Commission might have as its ex officio chairmen our two distinguished elder statesmen, Presidents Truman and Eisenhower. I would hope that the Commission might enjoy, after his retirement in January, the prestige and talents of President Johnson. I propose a commission that would draw as the remainder of its membership, the most talented men and women of our Nation. Some whose names immediately come to my mind are: Henry Ford III, chairman of the board of the Ford Motor Co.; Robert McNamara, president of the World Bank; Crawford Greenewalt, former president and chairman of the board of the Du Pont Co.; Daniel Patrick Moynihan, director of the Joint Center for Urban Studies of the Massachusetts Institute of Technology and Harvard University; Milton Friedman, economist; the Reverend Leon H. Sullivan, chairman of the board, Opportunities Industrialization Center, in Philadelphia; George Meany, president of the AFL–CIO, and Gen. Lucius D. Clay, senior partner at Lehman Brothers.

It would be demagoguery to contend that all Federal programs must be redirected or that most should be abolished; yet, it would be equally absurd not to survey and evaluate the operations of all of them. In my judgment, substantial new progress will not be made in solving our problems until the operations of the Federal machine are checked out and better ways of running it are found.

Establishment of a Hoover-type commission would not help us to make more intelligent decisions about the approach and route we are taking, and about the approaches and routes we must use in the future. More and more of us have reached the conclusion that this Nation does not have the financial resources now to do everything that might be desirable. We must realine our efforts, we must redirect our attack, but we must do it on the basis of factual evaluation rather than on emotional reaction.

THE HOUR IS LATE

Time—that irreplacable dimension which moves on regardless of whether we run or whether we pause in our search for answers to our national needs or aspirations—is of the essence. The severity of the problems of the 1960's, and of those problems gathering in storms on the horizon of the future, the basic unrest and the deep-rooted concern of many people in our land, the critical financial plight of our Nation, the great growth of the Federal Government in recent years, make it imperative that action be taken now to strengthen and redirect the activities of our Federal Establishment.

The hour is late. It is late in this Congress and in the chronology of events that will lead, 4 months hence, to the election of a new President. In ordinary times and under ordinary circumstances it would be easy, even desirable, to delay investigation of the Federal Government until after the American people have cast their votes in the national ballot box and thereby pointed the general direction our Nation shall take during the next 4 years.

But we are not privileged to live in times of ordinary circumstance. The time to begin action is now; the problems to be solved are too great, the Nation's wounds are too deep, too grievous; restlessness with, and disrespect for, the Federal Establishment is spreading and engulfing large segments of our people, with even some of our very young doubting the validity of the American dream. From the midst of disenchantment, but more importantly from the midst of deep-rooted concern will eventually come solutions. The solutions to our problems are there, they must only be found. Practically, we will evolve to those solutions and there will be no instant success; pointing up again that time is our deadly enemy. Fortunately, for our Nation and our people, there is growing agreement on the part of liberals and conservatives, of Republicans and Democrats, that the first step in that evolution must be a radical and rapid, yet orderly and well-studied, revamping and reform of our Federal structure, especially in the area of Federal assistance programs that were conceived to solve problems and are operated for that purpose, but which too often have as unwelcome handmaidens, waste and inefficiency.

We are fortunate that there is general agreement on the part of political leaders of every persuasion on the need to recast the form and types of Federal programs. The first step in doing this is to determine fully what we have, to find how it can be improved upon and to inform ourselves of how best we can convert our Federal activities and energies into the creative forms needed to meet the challenges of the late 1960's and the coming decade of the 1970's.

Fortunately, there is much agreement on how this step can be taken, and the answer is both simple and with precedent. As I have already indicated, the first step is the establishment of a bipartisan Hoover-type commission, much like that first established by Congress with the active support of a great Democrat, President Truman, and headed by a great Republican, President Hoover.

The accomplishments of the two previous Hoover Commissions are well chronicled and reflect to the credit and political courage of the Congresses which created them, the President who appointed nonpartisan commissioners that had the full confidence of the American people.

We—the Members of the 90th Congress—have the same opportunity today by establishing now a new Commission on Government reorganization. A Commission that can begin now the herculean task of gathering the necessary facts and figures that define our Government structure and activities; that can begin evaluating the effectiveness of these programs and services and can begin the awesome task of putting together meaningful answers as to how we can better attack the problems facing this Nation. What a tremendous aid the results and recommendations of this study would be to our new Chief Executive, whoever he may be. This Congress and the President by acting together with unprecedented speed and nonpartisan spirit can save months, perhaps as much as a year, in collecting and evaluating the facts needed to serve as a springboard for the new Congress, and the new President. Admittedly, the hour is late in this Congress, but the opportunity is unmatched, the need incontestable. I urge, even implore, this Congress to meet this challenge.

BOLD APPROACH NEEDED

Bold, new approaches must be used to solve critical domestic problems of bringing the poor into the mainstream of American life, assuring good education for all our people and revitalizing our urban and rural areas. We must innovate, we must simplify and we must make use of the imagination and resourcefulness of the private sector—of industry and of business. The new consensus of Government reorganization must not only strengthen the present Federal structure, but must help point out the new direction. Ways and means must be found to redress the balance in our Federal system and preserve our decentralized system of government.

Because daring, imaginative approaches must be developed in intergovernmental relations, my bill specifically would charge the Commission with finding means of simplifying Federal programs through exploring the use of broad bloc grants and revenue sharing with State, county, and city governments. I believe Federal funds must flow into State and local communities, free of partisan politics, on a regular, orderly basis, so that local officials can plan programs and activities with assurance as to the amount and kind of Federal assistance that can be reasonably expected to sustain their efforts. Otherwise, only chaos and waste can result. The commission would further examine the use of public or semiprivate corporations, national and regional, as a means of harnessing private resources and the resourcefulness of private enterprise in solving today's complex problems.

Likewise, my bill would charge the commission with the responsibility of establishing Government-wide criteria to assist Congress in determining the priority for Federal programs in accordance with national needs and goals. It is of the most critical importance that our Nation's assets be properly and adequately marshaled to solve the Nation's most critical problems. It is going to be difficult at best to find adequate revenue for solving our most serious problems, even with the aid of State and local governments and private sources.

The orderly solution of these problems demands, however, that minimum funds on a regular basis be provided. Other programs of less importance, even though desirable, shall have to wait or take a similar cut of the pie.

I, like many of our colleagues, am concerned not only with the immediate problem of Government reorganization, but the long-range need for Congress and the executive branch to have complete, accurate, and timely information on Government needs. This information is essential to the executive branch from the standpoint of strong, efficient management. It is equally important to Congress to enable it to evaluate the relative effectiveness of Federal programs; the need for developing new programs—consolidating or eliminating the old; and to establish a basis for determining the cost-effectiveness of Government operations. For that reason, the Commission on Government Reorganization would be responsible for exploring the use of modern, computerized management systems that would supply current, standardized information and data that cut across Federal programs and agencies.

One of the more imaginative ideas introduced during this session of Congress is the proposal of our distinguished colleague from Michigan [Mr. BROWN] that there be established a Program Evaluation Office, independent of the executive branch. I propose that the Commission on Government Reorganization consider this measure, that is the foundation of a permanent "Little Hoover Commission," to assist the Congress in evaluating on a continuing basis the relative priority and effectiveness of Government programs and agencies.

I believe the bill I have introduced today has certain advantages over other bills previously introduced, in that it is more complete and that it requires a more penetrating, imaginative analysis of today's ills. Nevertheless, I place the greatest importance on having the commission established now and I would be happy to see any of the other good bills adopted.

I believe revenue sharing and broad block grants are the way of the future because they would return decision-making to the local communities. They would enable systematic planning, both short- and long-range, and permit better meshing of Federal, State, and local resources. They would place responsibility with those in the best position to know and understand local needs.

Notwithstanding the great promises of these creative new approaches, there are difficult questions that the Commission could help to answer. Specifically, in what areas of activity, such as education, medicare, rebuilding our cities, should categorical grants-in-aid be phased out? What guarantees should be written into the law to insure Federal funds are not merely used as a substitute for local revenue? How can we be assured that Federal funds will be used in a positive manner to lift up the poor of every race and background? What functions should be retained by the Federal Government or continued through categorical grants-in-aid?

Certainly, the Federal Government should continue to have, as an innovator of new ideas and concepts, a significant role in research. So what should be the mixture of revenue sharing, broad block grants, and Federal grants-in-aid? Assuming Federal revenue sharing is adopted, should a certain percentage of funds go directly to city and local governments?

How can the initiative and resourcefulness of the private sector be better harnessed into solving our problems? What role should public or private corporations play through direct participation, or otherwise? How can tax incentives be used to insure full participation of private enterprises? To what extent should new corporations, like Comsat, on a national or regional basis, be organized? What special benefits should they be granted, whether in the form of tax credits, tax delays, or perhaps even a depletion allowance?

These are difficult questions that deserve the serious attention of our very best thinkers and doers. If these efforts are to have the support of the American people, it is important that we become involved now in a great American dialog. The creation of a new Hoover Commission will bring these problems to the fore. There is no question, at least in my judgment, that dissatisfaction with present waste and inefficiency has caused the American people to become impatient, disinterested, and even hostile to Federal involvement in many of our most critical areas.

It should be pointed out that this commission is no panacea. It offers no promise of instant success. By creation of a Hoover Commission, we are taking only a step, but a very meaningful step, toward development of answers to the very complicated and perplexing problems facing the Nation. At this late hour in the present session of Congress, we can perhaps do no more. Certainly, we can and should do no less.

PART II. SOME SPECIFIC EXAMPLES OF MULTIPLE SOURCES OF FUNDS AND OF DEFICIENCIES IN THE PRESENT SYSTEM

Two weeks ago, I spoke to the House about the findings of my recent study of Federal assistance programs which underscore the mailaise of our present system of categorical grant-in-aid programs; the costliness of these programs in time, talents and moneys, both from the standpoint of the Federal Government and from that of State and local governments and private institutions, the inefficiencies, duplication, inhibiting impact these aid programs have on local institutions, as well as their inability of providing the flexibility and diversity needed in the local communities.

By happenstance, the June issue of the American County Government, the official publication of the National Association of Counties—NACO—deals with an indepth study of the problems faced at the county level with Federal categorical grants-in-aid. This incidentally was supported by a contract from the Department of Housing and Urban Development and has required the preparation of six separate manuals for local officials to be published in the June and July issues of the American County Government magazine.

Although this series of manuals was not written to be an indictment of the present system of categorical grants-in-aid, it certainly makes some very telling points. Time and again it points out the difficulties of dealing with the maze of Federal programs. On page 25 of the current issue of American County Government, it is frankly admitted that:

> The increase in number and scope of federal grant-in-aid programs since 1960 has bewildered many state and local officials.

Again, on page 26, it is said:

> While the amount of federal aid available to local governments has been increasing, local officials are having difficulty taking advantage of this increase because of the complexity of the system.

On page 34:

> However, securing current information on programs, understanding how they meet local needs, preparing acceptable applications, following all of them through promptly and effectively modifying and expanding plans and programs, and insuring the coordination of all programs are complex and time-consuming tasks.

On page 48:

> The vastness of the federal aid administrative jungle reflects the urgency of developing an information system to keep local leaders and administrators informed so they can fulfill their responsibilities.

NACO also describes the impact of multiple programs on page 29:

> While the proliferation of programs has resulted in several specialized grant programs under the jurisdiction of one agency or department within a fairly narrow field, it has also resulted in overlapping and duplication by several different departments in the solution of the same problem. Cases in point include the fields of economic development, work-training and poverty, and water and sewer. The last is a classic example, as no less than four agencies—the Departments of Commerce, Housing and Urban Development, Interior, and Agriculture—have their own water and sewer programs, each with different requirements.

Likewise, a review of my catalog indicates—to the layman's eye—many examples of multitude sources of funds. And in making these comparisons, I do not wish to indicate that all duplication and overlapping is per se undesirable. However, if any duplication is maintained, it must be justified in light of current needs, and for specialized purposes. In the area of natural resources, land, water and air, my catalog indicates that there are 117 programs spread among 12 separate departments and executive agencies. More specifically in this area, I find 56 water conservation and control programs spread among seven separate departments and agencies, 17 programs for the improvement or control of navigable waters spread among five separate departments or agencies, 10 programs related to the marine sciences spread among four different departments or agencies, and six other programs related to maritime activities divided among two departments. And recently, the Bureau of Outdoor Recreation in the Department of the Interior has published a catalog entitled "Federal Outdoor Recreation Programs." This 224-page volume lists over 260 programs related to outdoor recreation, and it further indicates that there are 96 agencies, boards, commissions and councils in the executive branch with outdoor recreation duties.

Federal activities supporting education involve a great many programs, spread among a great number of departments and agencies. The Appleton-Century Guide to Federal Assistance for Education lists over 400 education programs. This guide indicates these education programs are divided among the Social and Rehabilitation Service, the Office of Education, the Public Health Service, and other offices in the Department of Health, Education, and Welfare, and among 20 other departments and agencies. My listing of programs indicates there are over 470 education programs spread among the same number of executive departments and agencies. More specifically, the College and University Reporter of Commerce Clearing House, Inc., lists for the Federal Government, under "Student Programs" for scholarships, fellowships, and traineeships, 105 programs. Or, taken from my listing of programs, you will find at the end of my statement a list of 69 programs related to manpower training and vocational education spread among the Office of Education and the Social and Rehabilitation Service in the Department of Health, Education, and Welfare, and among seven other departments and agencies.

Such duplication and overlap arises in other areas as well. I have found in my listing 112 programs related to providing assistance of direct relevance to the poor. These efforts are divided among the Social and Rehabilitation Service, the Office of Education, and the Public Health Service at the Department of Health, Education, and Welfare, and among eight other departments and agencies. At the end of my statement you will find a list of 43 programs relating to child health and welfare spread among the Public Health Service, the Office of Education, the Social and Rehabilitation Service, the Department of Agriculture, the Department of Defense, the Office of Economic Opportunity, and the Veterans' Administration.

In more diverse fields, you will find at the end of my statement a listing of 74 economic and business development programs spread among 10 separate departments and agencies. Also, I have found in my listing six programs involving architecture spread among four different departments and agencies, 12 programs involving dental health care divided among three different departments and agencies, and 10 programs involving migrant and farm labor spread among the Public Health Service, the Office of Education, the Department of Agriculture, the Department of Labor, and the Office of Economic Opportunity. Furthermore, my listing indicates there are at least seven programs involved with the preservation of historic sites, monuments, and documents spread among four separate departments and agencies, at least eight programs involving research into the information sciences spread among three separate departments and agencies, and at least 36 programs providing direct assistance to handicapped persons spread among the Public Health Service, the Office of Education, the Social and Rehabilitation Service, the Department of Housing and Urban Development, the Department of Labor, the Library of Congress, and the Veterans' Administration.

The county executives are also concerned with this administrative jungle. On page 30 of their June publication, in a section entitled "Complexity of Administrative Structure," NACO describes the Government structure as follows:

> In June 1966, the 456 grant-in-aid programs listed in OEO's June, 1967, catalog were administered by more than 118 different departments and agencies, with twelve different regional office systems (four of them established within the past five years). The regional office systems vary widely with respect to the number of regions, the states included in a region, and the cities in which offices are located. For example, in thirty-eight states, local officials have to deal with federal offices scattered throughout five or more different cities within the region.

Is it any wonder then that State, city and local officials, school administrators, and private citizens are so bewildered and confused by the present system of Federal aid? And is it any wonder that local government units must hire full-time employees or consultants whose job it is to track down and keep abreast of all the sources of potential assistance? And since only the more affluent can afford such employees or consultants, is it any wonder that the present system is advantaging the advantaged and disadvantaging the disadvantaged?

DOWNGRADING OF LOCAL RESPONSIBILITY

That is why I say we must begin immediately to find bold new approaches to meet the challenges of today. Bold new approaches that will restore decisionmaking and responsibility to the State and local government levels.

NACO is rightfully concerned with the degradation of county responsibility. On this point, NACO warns, beginning on page 38, that:

> Another growing category of grants which bypasses general purpose units of local government and that is the special purpose grant awarded to individuals or specialized public agencies such as universities or official public groups because of some particular capability. It further states that these grants are growing because federal administrators for reasons of professionalism prefer to deal with their functional counterparts at the local level rather than with elected officials of general purpose units of government. . . .
>
> The use of non-governmental units to carry on traditional governmental functions has adready diminished the authority of local government and could lead to a weakening of county government, both politically and administratively. If the county is to be a vital governmental unit, its leaders cannot continue to allow public service programs to fall to others by default. The county's leaders must assume responsibility for meeting the total needs of the community.

Categorical grants from Washington, no matter how well intended, do not have the flexibility, the diversity of approach, or the imagination necessary for the 50 highly variegated States with their greatly different backgrounds and problems. Experience has shown us that our present system of categorical grants seriously impedes decisionmaking, inhibits the development of programs tailored to local needs, consumes vast quantities of time and talent in the preparation and processing of applications. Irreplacable time is lost to the local official ferreting out what funds are available, preparing expensive documentation of needs or the development of plans and programs to meet the criteria of a Washington administrator, who often is totally unacquainted with local conditions or desires. Too often, after spending great amounts of local tax dollars in preparing application forms and traveling back and forth between the local community and Washington, Federal funds are not available and probably will not be.

Hence, the prospect of obtaining Federal funds is too often a mirage. As the NACO article points out on page 32 that even with the amount of Federal aid for fiscal 1969 exceeding $18 billion, this amount is divided between nearly 100,000 competing State and local governments and the funds are allocated rapidly.

Politics make it necessary for the local officials to solicit such funds, even though the possibility of success are a game of chance. Local authorities are on the horns of a real dilemma because the failure to seek such funds could cause local criticism. On the other hand, applying for Federal funds especially project grants, is often a frustrating experience as its requires great effort in the form of preparation of detailed planning, expensive processing of the application, including continuing traveling between the home community and Washington, as well as meshing the programs with local legal requirements.

The NACO article points out on page 27 that "Local officials whose philosophy does not embrace Federal aid must realize that they have little option in the matter. Federal aid is here to stay. It is no longer a question of whether there shall be Federal aid, but who gets it, how much, how fast, and what kind. Local officials cannot isolate themselves from at least some form of Federal aid—that is, some type of antipoverty activity has already touched upon three-quarters of all counties. Since they are likely to have a better understanding of county problems than officials located in Washington, D.C., they should have a say in what type of aid their counties will receive by assuming an active, positive, leadership role. If they fail to examine the possibilities of using Federal funds to finance community needs, they are not fulfilling their responsibility to their electorate. Since, in the first place, Federal aid funds come from local taxpayers, failure to use these funds, where appropriate, deprives local citizens of their just share of revenue."

FEDERAL PROJECT GRANTS MISDIRECT LOCAL ACTION

Forward planning often frustrates officials. To secure funds, they may direct their activities toward programs of less priority than others because their intelligence tells them that these are the only areas in which funds are available. This too often means the spending of both local and Federal funds for purposes of not the greatest importance.

As NACO points out on page 30:

> Limited resources well may tempt local officials to select the federal program which demands the least local matching input without regard for other considerations, such as the uses to which the federal money can be put or the urgency of community needs at the time. Succumbing to such temptation can result in the neglect of much needed local programs and projects.
>
> Moreover, local officials should recognize the programs which require no local matching funds are not quite as "costless" as they seem on the surface. First, nearly all grant applications, matchless or otherwise, require a great deal of preparing, presenting, and expediting, and this is hardly an unreal cost.

PRESENT SYSTEM HURTS THE NEEDIEST

The NACO publication points out, as I have in the past, that the present system of categorical grants-in-aid rewards the advantaged but penalizes the disadvantaged. On page 32, it concludes that:

> Increased use of project grants places a premium on local initiative in securing and assimilating information on available programs, in preparing applications, and following through on applications. In many cases, counties with the Federal aid know-how, professionalism, and management skills to take effective initiative have received more Federal money than counties lacking these skills.
>
> In a few instances, unsolicited Federal funds have flowed into some counties simply because Federal administrators felt that projects carried out in counties known for their professionalism, management capability, and past project record would have greater chances of success. A case in point is a $94,350 grant award in June, 1966, to Nassau County, N.Y., for its home for the aged. The documentation of successful programs is necessary for Federal agencies to secure increased congressional appropriations for succeeding years.
>
> Unfortunately, a phenomenon much more common than the influx of unsolicited funds to a particularly well-run county is the failure of all too many counties, often those with the greatest needs and fewest resources, to take full advantage of Federal funds. As of January 1, 1966, the Advisory Commission on Intergovernmental Relations found that the 100 richest counties in the country—measured by per capita income—received 167.7 percent of their allocation while the 100 poorest counties received only 94 percent of theirs.

Again, on page 48, it notes that:

> The better informed the county, the better able it is to pursue federal money and to participate in the game of "grantsmanship." Federally funded programs are continually short of money. The counties best equipped to pursue federal assistance are those most apt to attain their goals. The Nassau County, N.Y., executive, testifying before the Senate *Subcommittee on Intergovernmental Relations*, stated: "Under the current system, federal aid tends to favor localities which have the know-how and professionalism to keep themselves abreast of federal programs, which is no easy trick. The very communities which most need federal assistance often do not have this know-how."

COUNTY SYSTEM INVOKES RIVALRY FOR FEDERAL FUNDS

NACO also notes on page 32—deplorably, I believe—that "The widespread use of project grants has resulted in keen competition among local governments for Federal funds." This condition means wasted effort on the part of our local authorities and is hardly conducive to developing the spirit of cooperation and cross-fertilization of ideas that could be so helpful at the local level.

COUNTY DEVELOPMENT COORDINATOR FOR FEDERAL FUNDS

One of the most serious indictments of the present grant-in-aid systems is that the chairmen of the boards of over 350 counties at the Vice President's conference for county officials in Washington, D.C., on January 19, 1966, adopted a paper entitled the "Guidelines for Federal Aid Programs," in which the major recommendation was that each county should appoint a county development coordinator, primarily because of the bewilderment among State and local officials due to the increase in the number and size of Federal grant-in-aid programs. It was in answer to this need that in March 1967, NACO received a 1-year grant of $29,700 from the Department of Housing and Urban Development to prepare a series of manuals to assist in the establishment of such an office. Now over 200 counties have established a position equivalent to a county development coordinator in their government and according to a recent National Association of Counties' survey 50 percent of their time is spent merely securing and analyzing data on Federal grant programs.

For obviously the same reason, cities, States, universities, and other educational institutions and private organizations have established such offices on a full- or part-time basis. We do not yet have information as to either the number of such offices or their cost of operation, but the total cost of operation is unquestionably staggering in amount. As I stated 2 weeks ago, this new art of grantsmanship has developed a new breed of expensive consultants. How expensive can be seen by NACO's job description for a county development coordinator, which I am including as an extension to my remarks. Now, I am not trying to cause these men to lose their jobs, but I would like these talents to be more gainfully spent than ferreting out Federal funds. The other side of the cost picture is that more than $400 million is spent by the Federal Government administering these funds, and probably that figure is low.

In summation, this is a period of change. With this change has come great confusion. The kind of confusion that results from a dramatic increase in population, knowledge and information. If we are to deal effectively with this change and its resulting confusion, it is vital that we approach the problems of today informed.

It is important that we know what we as a government and we as a Nation are doing in the area of Federal aid programs. My study showed that we do not. The proposed Program Information Act will alleviate this problem by creating a Government-wide catalog of Federal programs. The result of this effort, besides the dollar saving in the reduction of redundant printing costs, will be an informed public and an informed government.

It is also vital that the organization of Government be responsive to the pressing needs of the country. It appears to many of us that it is not. Now is the time to take a hard look and it is for this reason that I propose the creation of a Commission for the Improvement of Government Management and Organization.

I would like to reiterate that creation of such a Commission is no panacea, but by its creation we will be taking a very meaningful step toward development of solutions to our complicated and perplexing problems. Certainly, we should do no less.

Cosponsors of the Executive Reorganization and Management Act are:

Messrs. Adair, Arends, Anderson of Illinois, Ayres, Battin, Biester, Blackburn, Boland, Mrs. Bolton, Messrs. Bray, Brock, Broyhill of North Carolina, Broyhill of Virginia, Bush, Button.

Messrs. Tim Lee Carter, Cederberg, Don H. Clausen, Corbett, Cowger, Curtis, Dellenback, Dent, Derwinski, Dickinson, Donohue, Edwards of California, Eshleman, Feighan, Findley.

Messrs. Fisher, Frelinghuysen, James G. Fulton, Gallagher, Goodell, Mrs. Green of Oregon, Messrs. Halleck, Halpern, Hammerschmidt, Harrison, Mrs. Heckler of Massachusetts, Messrs. Helstoski, Hicks, Hosmer, Hungate, Hunt, Johnson of California, Mrs. Kelly.

Messrs. Kleppe, Kupferman, Kyros, Kuykendall, Laird, Lennon, Lipscomb, Lloyd, Lukens, Mrs. May, Messrs. Mayne, McClory, McClure, McCulloch, McDade, MacGregor, Meskill.

Messrs. Michel, Mills, Mize, Morse of Massachusetts, Morton, Nelsen, O'Konski, Patten, Pepper, Pettis, Pirnie, Pollock, Price, Quie, Railsback, Mrs. Reid of Illinois, Mr. Reinecke.

Messrs. John Rhodes, Riegle, Robison, Roth, Roudebush, Sandman, Schadeberg, Schneebeli, Schweiker, Shriver, H. Allen Smith of California, Jim Smith of Oklahoma, Stanton, Steiger of Wisconsin, Taft, Talcott, Thompson of Georgia.

Messrs. Thomson of Wisconsin, Wampler, Watson of South Carolina, Larry Williams, Wylie, and Wyman.

MULTIPLE SOURCES OF FUNDS

The following are three listings of programs indicating—to the layman's eyes—possible overlap and duplication in Federal programs. The numbers at the beginning of the program titles refer back to the numbers contained in my listing of programs which was placed into the Congressional Record on Tuesday, June 25, beginning at page 18611:

Manpower Training and Vocational Education

HEW—OFFICE OF EDUCATION

No. 2.40: Development of Education Personnel: Preschool, Elemenary, Secondary, adult and vocational personnel institutes and training programs.

No. 2.65: Vocational Education School Construction in Appalachia.

No. 2.66: School Facilities—*Area* Vocational Education School Facilities.

No. 2.67: Residential Vocational Education School.

No. 2.68: Vocational Training: Allotments to States Under Smith-Hughes Act.

No. 2.69: Vocational Training: Allotments to States Under George-Barden Act.

No. 2.70: Allotments to States under Vocational Education Act of 1963.

No. 2.71: Work-Study Program: Vocational Education.

No. 2.72: Training and retraining of Women and Older Workers.

No. 2.73: On-the-Job Training with Supplementary Classroom Instruction.

No. 2.74: Experimental and Demonstration Grants and Contracts.

No. 2.75: Redevelopment Area Training.

No. 2.76: Manpower Development and Training Program.

No. 2.88: Prevention of School Dropouts.

No. 2.91: Support of the Education of the *Nelgected and Delinquent.*

No. 2.138: Development and Evaluation of Curricula Materials and Educational Media.

No. 2.140: Support to Develop Information for improvement of Vocational-Technical Education Programs and Curricula and to assist Establishment of New Curricula.

HEW—SOCIAL AND REHABILITATION SERVICE

No. 3.15: Vocational Rehabilitation—Research and Training Centers.

No. 3.34: Vocational Rehabilitation Services for Social Security Beneficiaries.

No. 3.38: Innovation Grants—Innovation of Vocational Rehabilitation Services.

No. 3.39: Expansion Grants—Grants for *Expansion of Services for Vocational Rehabilitation.*

No. 3.41: Vocational Rehabilitation Services to Blind Persons.

No. 3.54: Workshop Improvement (grants).

No. 3.55: Training Services in Workshops.

No. 3.56: Improvement of Client Services in Workshops.

No. 3.57: Technical Assistance to Workshops.

No. 3.58: Construction of Workshops and Rehabilitation Facilities.

No. 3.59: Vocational Rehabilitation Training Grants.

No. 3.60: Teaching Grants (to institu*tions*).

No. 3.61: Traineeship Grants.

No. 3.62: Inservice Training Grants.

No. 3.63: Short-Term Training.

No. 3.64: Deaf-Interpreter Services.

No. 3.65: Demonstration Blind Vocational Training—Graduate Courses.

No. 3.76: Assistance to Public Schools in *Dade County, Florida—Vocational Training.*

No. 3.85: Juvenile Delinquency Studies.

No. 3.101: Control and Prevention of Juvenile Delinquency: Technical Assistance and Information Services.

No. 3.102: Control and Prevention of Juvenile Delinquency: Demonstrations.

No. 3.103: Control and Prevention of Juvenile Delinquency: Personnel Training.

No. 3.151: Work-Experience Program—Work Experience and Training.

AGRICULTURE

No. 5.134: Cooperative Extension Service: 4-H Youth Development.

HOUSING AND URBAN DEVELOPMENT

No. 7.173: Community Development Training.

LABOR

No. 10.1: Labor Mobility Demonstration Project.

No. 10.2: Grants in Support of Manpower Research Projects.

No. 10.3: The Manpower Research Institutional Grants Program.

No. 10.4: Manpower Research Grants in Support of Doctoral Dissertations.

No. 10.5: Manpower Research Contracts.

No. 10.8: The Experimental and Demonstration Program.

No. 10.12: Concentrated Employment Program (CEP).

No. 10.13: Special Impact.

No. 10.14: Operation Mainstream.

No. 10.15: New Careers.

No. 10.16: Neighborhood Youth Corps, In-School Program.

No. 10.17: Neighborhood Youth Corps, Out-of-School Program.

No. 10.18: Neighborhood Youth Corps, Summer Program.

No. 10.27: Employment Services in Seasonal Agricultrural Employment to High School and College Youth, Reservation Indians, and Puerto Ricans, and Employers, Nationally.

No. 10.28: Training for Inmates of Correctional Institutions, Section 251, MDTA.

No. 10.33: Job Market Information.

No. 10.35: Youth Opportunity Centers and Intensive Aid by Youth Specialists for Disadvantaged and School Drop-outs.

No. 10.36: Selective Service Rehabilitant Program.

No. 10.38: Manpower Development and Training—Institutional Training.

No. 10.42: Human Resources Development Program to Aid Disadvantaged Adults through Intensive Counseling.

DEPARTMENT OF DEFENSE

No. 12.1: Project Transition.

No. 12.54: Lending of Machine Tools to Nonprofit Educational Institutions or Training Schools from the National Industrial Equipment Reserve.

No. 12.58: Research in the Behavorial Sciences.

APPALACHIAN REGIONAL COMMISSION

No. 13.100: The Appalachian Regional Development Program.

CIVIL SERVICE COMMISSION

No. 15.1: The President's Youth Opportunity Campaign.

OFFICE OF ECONOMIC OPPORTUNITY

No. 26.1: Job Corps.

No. 26.10: Summer Youth Program.

CHILD HEALTH AND WELFARE

HEW—PUBLIC HEALTH SERVICE

No. 1.220: Research Grants of the National Institute of Child Health and Human Development.

*No. 1.221: Fellowships of the National In*stitute of Child Health and Human Development.

No. 1.222: Research Training Grants of the National Institute of Child Health and Human Development.

No. 1.223: Research Career Development *Awards of the National Institute of Child* Health and Human Development.

No. 1.268: Early Child Care Demonstrations and Evaluations.

No. 1.278: Health Study of Resources Relating to Children's Emotional Illness.

HEW—OFFICE OF EDUCATION

No. 2.1: Centers and Services for Deaf-Blind Children.

No. 2.91: Support for the Education of the Neglected and Delinquent.

No. 2.95: Early Childhood Program.

HEW—SOCIAL AND REHABILITATION SERVICE

No. 3.2: Training—Child Care.

No. 3.4: International Maternal and Child *Health Programs.*

No. 3.71: Welfare Assistance and Services for Refugee Cubans—Care of Minors Unaccompanied by Relatives.

No. 3.81: Child Welfare Research and Demonstrations.

No. 3.82: Research on Maternal and Child Health Services and Crippled Children's *Services.*

No. 3.83: Child Health Studies.

No. 3.84: Child Welfare Studies.

No. 3.86: Child Life Studies.

No. 3.87: Child Welfare Services (grants to States).

No. 3.88: Child Welfare: Training of Personnel Grants.

No. 3.92: Special Health Care Project Grants for School and Preschool Children.

No. 3.95: Health Services for School and Preschool Children.

No. 3.96: Maternal and Child Health Services.

No. 3.97: Health Care Projects *for* School and Preschool Children.

No. 3.98: Maternal and Child Health Project Grants—Special Clinics for Mentally Retarded Children.

No. 3.99: Special Maternity and Infant Care Projects.

No. 3.114: Foster Grandparent Program.

AGRICULTURE

No. 5.53: School Lunch Program—Cash Payments to States (matching funds).

No. 5.54: School Lunch Program—Special Cash Assistance.

No. 5.55: School Lunch Program—Commodity procurement.

No. 5.56: Pilot School Breakfast Program.

No. 5.57: Equipment Program to Initiate or Expand School Food Service.

No. 5.58: Special Milk Program for Children.

DEFENSE

No. 12.55: Civilian Health and Medical Pro*gram of the Uniformed Services (CHAMPUS).*

OFFICE OF ECONOMIC OPPORTUNITY

No. 26.10: Summer Youth Program.

No. 26.11: Comprehensive Health Services Program (Neighborhood Health Services).

No. 26.13: Research and Demonstration Program (within Community Action Pro*gram).*

No. 26.16: Project Upward Bound.

No. 26.17: Rural Community Action Programs: Home Food Production, Food Distribution, Cooperatives, Family Counseling, and the Agricultural Program.

No. 26.18: Head Start Parent and Child Center Pilot Program.

No. 26.19: Project Head Start, Community Action Program.

VETERANS' ADMINISTRATION

No. 33.1: Guardianship Program.

ECONOMIC AND BUSINESS DEVELOPMENT

HEW—OFFICE OF EDUCATION

No. 2.75: Redevelopment Area Training.

AGRICULTURE

No. 5.80: Export Market Development—Trade Fairs, Promotion of U.S. Food, Trade Centers.

COMMERCE

No. 6.11: State Invention Program.

*No. 6.20: State Technical Services Pro*gram—State Program Grants.

No. 6.21: State Technical Services Program—Special Program Grants.

No. 6.22: State Technical Services Program—Referral Services Division.

No. 6.23: State Technical Services Program—Planning Grants.

No. 6.27: Subsidies to Support Operations of American Flag Vessels.

No. 6.28: Ship Exchange Program.

No. 6.29: Payment of Construction-Differential Subsidy.

No. 6.40: International Investment Promotion.

No. 6.41: International Trade Promotion.

No. 6.42: Foreign Economic and Commercial Information Program.

No. 6.45: Public Works and Economic Development Act of 1965.

No. 6.46: Economic Research Program.

No. 6.47: Local-Area Planning Grant Program.

No. 6.48: Economic Development District Planning Assistance Grants.

No. 6.49: Technical Assistance (To support redevelopment activities).

COMMERCE

No. 6:50: Regional Action Planning Commission.

No. 6.51 Industrial Development Loans.

HOUSING AND URBAN DEVELOPMENT

No. 7.163: Urban Research and Technology.

INTERIOR

No. 8.18: Industrial Development—American Indians.

No. 8.21: Credit and Financing Program, Bureau of Indian Affairs.

No. 8.45: Fisheries Loan Program.

No. 8.46: Fishing Vessel Construction-Differential Subsidy Program.

No. 8.47: Fishing Vessel Mortgage and Loan Insurance Program.

No. 8.48: Anadromous Fish Act of 1965.

No. 8.49: Commercial Fisheries Research and Development Act of 1964.

No. 8.50: Bureau of Commercial Fisheries Graduate Educational Grant Program.

No. 8.56: Construction: Sportfish Facilities.

No. 8.61: Management and Investigations of Fish and Wildlife Resources.

STATE (ASSISTANCE FOR AMERICAN BUSINESS)

No. 10.120: Housing Guaranty Program, Africa.

No. 10.121: Housing Guarantees, East Asia.

No. 10.122: Latin America Housing Guarantee Program.

STATE (ASSISTANCE FOR AMERICAN BUSINESS)

No. 10.123: Specific Risk Investment Guarantee Program.

No. 10.124: Extended Risk Guarantee Program.

No. 10.125: Local Currency (Cooley) Loan Program.

No. 10.126: Dollar Loans to Private Borrowers.

No. 10.129: Catalog of Investment Information and Opportunities.

No. 10.130: Investment Survey Program.

U.S. INFORMATION AGENCY

No. 20.1: International Fairs and Exhibitions (Special International Exhibitions).

SMALL BUSINESS ADMINISTRATION

No. 30.1: Direct Business Loans.

No. 30.2: Participation Loans.

No. 30.3: Guaranteed Loans.

No. 30.4: Pool Loans.

No. 30.5: Loans to Privately Owned Health Facilities.

No. 30.6: Displaced Business Loans.

No. 30.7: Economic Opportunity Loans—EOL I.

No. 30.8: Economic Opportunity Loans—EOL II.

No. 30.9: Lease Guarantee Program, Small Business Administration.

No. 30.10: Renewal Assistance Administration—Non-Residential Rehabilitation Loans.

No. 30.11: Trade Adjustment Loans.

No. 30.12: Physical Disaster Loan Program.

SMALL BUSINESS ADMINISTRATION

No. 30.13: Economic Injury Disaster Loan Program.

No. 30.14: Product Disaster Loan Program.

No. 30.15: State Development Company Loan Program.

No. 30.16: Local Development Company Loan Program.

No. 30.17: Small Business Investment Company Program—Licensing.

No. 30.18: Small Business Investment Company Program—Debentures.

No. 30.19: Small Business Counselling Program, including SCORE.

No. 30.20: Small Business Management Training Program (Courses, Conferences, clinics, and workshops).

No. 30.21: Small Business Management Publications Program.

No. 30.22: Small Business Technology Utilization.

No. 30.23: Prime Contracts Assistance.

No. 30.24: Property Sales and Material Shortages.

No. 30.25: Certificate of Competency Program.

No. 30.26: Small Business Subcontracting Program.

No. 30.27: Small Business Act, Section 8(a) Implementation, to Help Reduce the Number of Hard-Core Unemployed.

No. 30.28: Small Business Defense Production and Research and Development Pooling.

No. 30.29: Research Projects Under Contract.

TENNESSEE VALLEY AUTHORITY

No. 32.5: Industrial Development—Tennessee Valley Region (Related to Electricity Supply and Utilization).

No. 32.13: Industrial Development and Waterway Transportation—Tennessee River Basin.

VETERANS' ADMINISTRATION

No. 33.19: Veterans' Guaranteed or Insured Business Loans.

No. 33.20: Veterans' Guaranteed or Insured Farm Loans.

NATIONAL ASSOCIATION OF COUNTIES

DESIRABLE QUALIFICATIONS FOR A COUNTY DEVELOPMENT COORDINATOR

I. General background

A potential county development coordinator must have a thorough knowledge of the principles and practices involved in government administration at the local level (i.e., organization, planning, management control, supervision) and an understanding of the functions and interrelationships of the federal, state, and local governments.

He must have considerable knowledge of each major functional activity within the particular county: law enforcement, public works, health, utilities, etc.

II. Abilities

The coordinator should have the ability to collect, summarize, analyze, and present in a meaningful manner, a variety of information necessary to the successful application of federal assistance at the county level.

He should be able to speak and write effectively and make appearances before public groups.

Of critical importance is the ability to effectively support and coordinate federal grant-in-aid applications and maintenance processes within the county, and between the county and federal agencies.

The coordinator must have the ability to analyze a variety of administrative problems related to federal assistance and help implement recommendations for solving those problems.

The ability to establish and continuously maintain harmonious and effective relationships with other officials in local, state, and federal governments, is also important.

He needs to have the ability to plan, organize, and coordinate the activities of diversified units.

The coordinator should be able to exercise independent judgment in evaluating situations and in making decisions.

III. Training and experience

The county development coordinator should have a college degree, preferably in public administration, political science, or a related field. A degree in another field, or even the lack of a degree, can be compensated by extensive experience in government or politics.

The new coordinator should have at least three years of responsible supervisory and/or administrative experience in varied phases of business, industry, military, or government service. In these areas, he should have been involved in the organization, direction, planning, coordination, or control of significant programs and activities.

H.R. 18578

A bill to establish the Commission for the Improvement of Government Management and Organization

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Executive Reorganization and Management Improvement Act."

FINDINGS AND DECLARATION

SEC. 2. The Congress hereby finds and declares—

(1) that the Federal Government has very rapidly developed a vast number of new and innovative social, education, and welfare programs designed, among other things, to meet the crisis of the cities, to help the poor, and to aid State and local governments as well as educational systems in their efforts to meet the challenges of our times;

(2) that the serious and diverse nature of these problems has resulted in a Federal system of grant-in-aid programs varying broadly in scope, complexity, and type of assistance provided, each with its own separate eligibility standards, separate regulations, and separate authorizations;

(3) that this unprecedented rapid expansion of Federal assistance programs and other governmental activities has resulted in the pyramiding and duplication of programs, as well as the creation of more than one hundred and fifty departments, agencies, boards, commissions, and other organizations in the executive branch, which in turn has resulted in a lack of adequate coordination between programs and agencies, the overlapping of jurisdiction and administrative controls, and the development of inconsistent or conflicting objectives;

(4) that the present Federal aid system, much of which is based on narrow categorical concepts, is often wasteful of (A) the time such a system necessitates for preparing, processing, analyzing, awarding, and administering the benefits, (B) the talents of personnel in State and local governments and institutions, as well as within the Federal government, and (C) the financial costs incurred both by the Federal government in administering the program and by the applicant in procuring assistance;

(5) that the present lack of complete, accurate, and timely information on the scope, requirements, costs, and availability of Federal assistance represents a major barrier to (A) the effective use of Federal assistance by State and local governments and institutions, (B) effective legislating on the part of Congress in evaluating existing programs and developing new ones, and (C) effective management on the part of the executive branch of the Federal Government;

(6) that the experience with present Federal assistance programs has raised serious questions as to (A) the most effective approach for the Federal Government to assist State, county, and city governments and institutions, (B) the capacity and flexibility of a complex system of categorical and other grants-in-aid to meet the diverse and changing needs of local communities, and (C) the ability of the Federal Government to manage the maze of Federal aid programs efficiently without undermining the creativeness and responsibility of State and local governments and institutions;

(7) that this Nation, facing unparalleled fiscal problems with the substantial annual budget deficits, continuous domestic inflation, high interest rates, imbalance in our international payments and concern abroad with the dollar, must establish the relative priority and importance of existing and future Federal programs; and

(8) that, to promote the effective management and improved coordination essential to the economical administration of govern- expenditures and performances are con-

sistent with the policies established by the Congress, there should be established a commental services and to assure that program mission to review the organization, operation and management of the executive branch.

ESTABLISHMENT OF THE COMMISSION FOR THE IMPROVEMENT OF GOVERNMENT MANAGEMENT AND ORGANIZATION

SEC. 3. There is hereby established a bipartisan commission to be known as the "Commission for the Improvement of Government Management and Organization", in this Act referred to as the "Commission".

DUTIES OF THE COMMISSION

SEC. 4. The Commission shall make a full and complete study and evaluation of all Federal programs and activities of every type and description, including the projected expansions thereof and the proposed creation of new programs and activities, for the purposes of—

(1) defining each existing Federal program and activity and its organizational structure;

(2) determining at the departmental and major program level, by systems analysis and modern management techniques, the total costs of such Federal programs and activities and their effectiveness in achieving their objectives;

(3) evaluating the effect of Federal assistance programs and activities (A) upon the interrelationship of Federal, State, and local governments, especially from the standpoint of preserving and strengthening our decentralized system of government, and (B) upon our system of private enterprise;

(4) evaluating the need to simplify Federal programs and services through broad block grants and revenue-sharing with State, county, and city governments, and through the creation of broadly based public corporations;

(5) eliminating, consolidating, or abolishing duplication and overlapping in Federal programs and activities when not necessary to the effective conduct of government;

(6) reducing expenditures to the lowest amount consistent with the effective performance of Federal programs and activities;

(7) improving communication services and coordination to insure accurate, comprehensive, and timely information on all Federal programs and activities both to the public and to all levels of government;

(8) establishing standard, government-wide criteria, systems, and procedures to assist Congress in determining, in light of National needs and goals, the priority that should be assigned to all Federal programs and activities;

(9) determining measures, such as the creation of a Program Evaluation Office in the legislative branch, to assist the Congress in evaluating on a continuing basis the relative priority and effectiveness of all Federal programs and activities; and

(10) evaluating the techniques and methodology for establishing a comprehensive management information system adequate to evaluate all Federal programs and activities, supported by a cost-effective data base founded on uniform Government-wide standards, criteria, and definitions.

REPORTS

SEC. 5. The Commission shall submit interim reports to the Congress at such times as the Commission deems necessary, and shall submit a first comprehensive report of its study and evaluation, together with the recommendations (including any recommendations as to constitutional amendments, legislative enactments, and administrative action) which in its judgment are necessary to realize the purposes of this Act not later than the end of the first full calendar year beginning after the appointment of the Commission, and a second, similar comprehensive report not later than one year after the submission of the first comprehensive report.

MEMBERSHIP OF THE COMMISSION

SEC. 6. MEMBERSHIP OF THE COMMISSION—(a) NUMBER AND APPOINTMENT.—The Commission shall be composed of ten members as follows:

(1) Two appointed by the President of the United States from private life;

(2) Four appointed by the President of the Senate, two from the Senate and two from private life; and

(3) Four appointed by the Speaker of the House of Representatives, two from the House of Representatives and two from private life.

(b) POLITICAL AFFILIATION.—No more than three members of the Commission appointed from private life shall be of the same political party. With respect to members of the Commission who are Members of Congress, no more than one Representative and no more than one Senator shall be of the same political party.

(c) CONTINUATION OF MEMBERSHIP.—If any member of the Commission, who was appointed to the Commission as a Member of Congress, leaves that office, or if any member of the Commission who was appointed from private life becomes an elected official at any level of government, or an appointed member of the executive branch, he may continue as a member of the Commission for not longer than ninety days, after which he shall cease to be a member.

(d) VACANCIES.—Any vacancy in the Commission shall not affect its powers, but shall be filled in the same manner by which the original appointment was made.

ORGANIZATION OF THE COMMISSION

SEC. 7. (a) CHAIRMAN AND VICE CHAIRMAN.—The Commission shall elect a Chairman and a Vice Chairman from among its members, by a majority vote of all members of the Commission.

(b) QUORUM.—Six members of the Commission shall constitute a quorum, but hearings may be held by any lesser number of members which includes members of more than one political party.

(c) COMPENSATION AND TRAVEL EXPENSES.—(1) Except as provided in paragraph (2), members of the Commission shall each be entitled to receive $100 for each day (including travel time) during which they are engaged in the actual performance of duties vested in the Commission.

(2) Members of the Commission who are Members of Congress shall receive no additional compensation on account of their service on the Commission.

(3) While away from their homes or regular places of business in the performance of services for the Commission, members of the Commission shall be allowed travel expenses, including per diem in lieu of subsistence, in the same manner as the expenses authorized by section 5703(b) of title 5, United States Code, for persons in the Government service employed intermittently.

(4) For the purposes of chapter 11, title 18, United States Code, a member of the Commission appointed from private life shall be deemed to be a special Government employee.

STAFF OF THE COMMISSION

SEC. 8. (a) The Commission shall have power to appoint and fix the compensation of such personnel as it deems advisable, without regard to the provisions of title 5, United States Code, governing appointments in the competitive service, and the provisions of chapter 51 and subchapter III of chapter 53 of such title relating to classification and General Schedule pay rates.

(b) The Commission may obtain the services of experts and consultants in accordance with section 3109 of title 5, United States Code.

POWERS OF THE COMMISSIONS

SEC. 9. (a) HEARINGS AND SESSIONS.—The Commission may for the purpose of carrying out this Act hold hearings, sit and act at such times and places, take such testimony, and receive such evidence as the Commission may deem advisable. The Commission may administer oaths or affirmations to witnesses appearing before it.

(b) SUBPENA POWERS.—(1) The Commission shall have power to issue subpenas requiring the attendance and testimony of witnesses and the production of any evidence that relates to any matter under investigation by the Commission. Such attendance of witnesses and the production of such evidence may be required from any place within a State at any designated place of hearing within such State.

(2) If a person issued a subpena under paragraph (1) refuses to obey such a subpena or is guilty of contumacy, any court of the United States within the judicial district within which the hearing is conducted or within the judicial district within which such person is found or resides or transacts business may (upon application by the Commission) order such person to appear before the Commission to produce evidence or to give testimony touching the matter under investigation. Any failure to obey such order of the court may be punished by such court as a contempt thereof.

(3) The subpoenas of the Commission shall be served in the manner provided for subpoenas issued by a District Court under the Federal Rules of Civil Procedure for the United States District Courts.

(4) All process of any court to which application may be made under this section may be served in the judicial district wherein the person required to be served resides or may be found.

(c) POWERS OF MEMBERS AND AGENTS.—When so authorized by the Commission, any member or agent of the Commission may take any action which the Commission is authorized to take by this section.

(d) AUTHORITY TO CONTRACT.—The Commission may enter into contracts or other agreements with Federal departments or agencies, private firms, institutions, and individuals for the conduct of research or surveys, or other desired activity.

(e) OBTAINING OFFICIAL DATA.—The Commission is authorized to secure directly from any department, agency, establishment, or instrumentality in the executive branch, information, suggestions, estimates, and statistics for the purposes of this Act; and each such department, agency, establishment, or instrumentality in the executive branch is authorized and directed to furnish on a non-reimbursable basis, such information, suggestions, estimates, and statistics directly to the Commission, upon request made by the Chairman or Vice Chairman.

AUTHORIZATION OF APPROPRIATIONS

SEC. 10. There are hereby authorized to be appropriated to the Commission such sums as may be required to carry out the provisions of this Act.

EXPIRATION OF THE COMMISSION

SEC. 11. Ninety days after the submission to the Congress of the second comprehensive report provided for in section 5, the Commission shall cease to exist.

Mr. POLLOCK. Mr. Speaker, I am privileged to join with my distinguished colleague from Delaware [Mr. ROTH] and 102 other Members in cosponsoring a bill to establish a Commission for the Improvement of Government Management and Organization.

During the past several years, there has been unprecedented expansion of existing Federal assistance programs, as well as creation of new Federal programs. These new and expanded Federal programs have resulted in a pyramid and overlap in many areas of the Federal bureaucracy. In the interest of good government it is time that we reevaluate these programs to determine how to achieve efficient and effective Government which will meet the ever changing needs for all Americans.

The present Federal aid system, which until very recently has been authorized on narrow categorical concepts, is frequently wasteful, in that inordinate amounts of bureaucratic redtape have been created. This monstrous bureaucratic machinery in turn requires increasingly more money and personnel. The overall result is rising costs to the taxpayer without any appreciable increase in benefits. Not only is the present Federal assistance program unwieldly and inefficient at the Federal level, but it frequently requires creation of similarly ineffective and costly administration at the State and local levels.

This Nation is facing unparalleled costly fiscal programs. To continue long outdated and ineffective bureaucratic machinery simply cannot be tolerated.

I urge my colleagues to join with us in returning efficiency as the central criteria of the practical day-to-day implementation of all Federal programs.

Mr. HUNGATE. Mr. Speaker, I commend my distinguished colleague, the gentleman from Delaware [Mr. ROTH] for his keen insight into a problem which concerns all of us. His examination of the duplication and waste in Federal assistance programs has confirmed many of our suspicions about the Federal complex.

The Executive Reorganization and Management Improvement Act would provide an instrument to investigate the Federal system and to offer recommendations on reducing costs and eliminating overlapping programs. Still another consideration is the need to establish governmentwide criteria and procedures to aid Congress in determining priorities that should be assigned to Federal activities.

The 10-member Commission for the Improvement of Government Management and Organization would use modern management techniques to study actual costs of programs, predict future costs, and determine whether particular programs are accomplishing their goals.

This program of overlapping jurisdictions within agencies of the Federal Government involves costly delays and inconvenience to States and local communities seeking assistance for vital projects. Communities in the Ninth District of Missouri have experienced difficulties with applications for water and sewer development grants.

Recognizing that local communities run into problems in their dealing with Federal and State Governments, the State of Missouri has set up its own agency to help governmental units secure assistance. Through its department of community affairs the State assists urban and rural areas in resolving the problems of government resulting from the vast growth and mobility of population, rural to urban migration, air, land and water pollution, and many other problems.

Congress can provide a great service by studying all Federal programs, changing those where changes will help them achieve their objectives, and eliminating those that fail to measure up to the goals with which they were launched.

I urge prompt consideration of this measure.

Mr. KUYKENDALL. Mr. Speaker, I am very glad to join with my colleague, the gentleman from Delaware, in sponsoring this legislation to establish a Commission for the Improvement of Government Management and Organization.

The first bill I introduced as a Member of Congress, on January 10, 1967, was a measure to establish a Hoover-type commission for the reorganization of the executive departments and agencies. This measure we are now introducing supplements the earlier bill and is even a more practical approach to eliminating duplication, overlapping, and inefficiency in Government operations.

Since the last Government reorganization in 1946, there has been a tremendous increase in new agencies and departments. Congress has created three new departments at Cabinet level, and the myriad of agencies, permanent and supposedly temporary, are almost numberless. With such growth there is bound to be much duplication of effort and a considerable amount of overlapping of responsibilities by the various agencies. Such duplication and overlapping increases unnecessarily the cost of Government.

Congress should, indeed we must, accept the responsibility of organization of the Government agencies so that Federal operations will be at a peak of efficiency and economy. It is almost impossible to reduce the ever mushrooming employment rolls in Government without drastic reorganization. The task of weeding out unnecessary projects and programs is a lost cause until we know exactly how many Federal programs there are and the areas which each program is supposed to cover.

The establishment of a Commission to make an overall study of Government activities is the only sensible and reasonable way to initiate reorganization. I believe the legislation we are introducing will accomplish that purpose and will be a long step forward in helping to reduce the cost of Government and bring closer that long-looked-for day when some of the heavy burden of taxation may be eased for the hardworking, long-suffering American taxpayers.

Mr. BUSH. Mr. Speaker, I am very pleased to join in introducing legislation to create a Commission for the Improvement of Government Management and Organization. The need for such a Commission to review the organization, costs, and benefits of Federal programs has never been more apparent.

A number of things included in the bill I have introduced today are particularly important to the Nation's future. The bill, for instance, would require the Commission to examine Federal-State-local relations and the present system of grants-in-aid. There is no more critical area for reevaluation and renovation than this. The ability of the Government, at all levels, to fulfill its proper functions efficiently in the 1970's will depend absolutely on a flexible, decentralized, responsive system. The proposed Commission can lead the way.

Another thing which I think is of particular merit is the establishment of performance standards and of other modern management techniques to enable Congress to set priorities. We have not been very good always at establishing the order in which things ought to be done and the proportion of our resources these things should consume. Neither has the model of management known as the Bureau of the Budget. The Commission points the way in which Congress can resume its full responsibilities in this vital matter.

In short, Mr. Speaker, the need is now. The sooner such a Commission is established and hard at work, the sooner we can give the American people better programs at less relative cost.

Mr. HUNT. Mr. Speaker, I appreciate this opportunity to join with my colleagues who have cosponsored the Executive Reorganization and Management Improvement Act in urging the prompt consideration and enactment of this urgently needed legislation.

It is perfectly clear that effective and efficient management of all Federal activities and the ordering of program priorities are impossible when no one individual or agency knows with any degree of accuracy just how many assistance programs there are let alone being able to coordinate their functions. My friend and able colleague from Delaware [Mr. ROTH] has already pointed out, following 8 months of exhaustive research, that as of March this year, 1,271 separate Federal assistance programs had been verified, and the study is not yet complete.

Mr. Speaker, the seriousness of current economic conditions, emphasized by the enactment of the 10-percent surtax and spending cuts, makes it imperative that no pain be spared in a complete and thorough evaluation of Federal organization, programs, and activities with a view to assuring the most effective approach to program financing and administration at all levels of government and optimum allocation of available resources.

Mr. REINECKE. Mr. Speaker, the Federal Government is in drastic need of a complete and thorough housecleaning. In the last decade, hundreds of new assistance programs have been established to aid the impoverished, the sick, the jobless, the hungry, and the aged, to name only a few. New activities such as these, as beneficial as they are intended to be, must inevitably require some expansion in the size of the bureaucratic machinery. But this expansion need not inevitably lead to duplication and waste. Governmental growth is not necessarily unavoidable or undesirable; it must, however, be weighed against the quality of service achieved in relation to the American taxpayers' dollars.

Yet we are all too aware that this growth has, in fact, resulted in duplication, fragmentation, and downright competition between Federal agencies. For example, the Government administers at least 35 different housing programs, nine job-recruitment programs, 79 training and education programs, 28 recreational and cultural programs; and 30 teacher training programs. These programs and hundreds of others are administered by more than 21 Federal agencies, with over 150 bureaus and offices in Washington alone, and with more than 400 regional offices in the field. Such lack of coordination, as well as costly and inefficient administrative methods, put an incredible and inexcusable drain on the tax dollar—and unquestionably cut into the benefits to those whom the programs were designed to help.

The necessity of making a thoroughgoing study of the organization, management, and effectiveness of the Federal Government is urgent. We cannot, in good conscience, allow such waste, duplication, and inefficiency to continue. I am delighted to join my distinguished colleague [Mr. ROTH] in cosponsoring this measure to establish the Commission for the Improvement of Government Management and Organization. It has been 13 years since the last such comprehensive study was completed by the second Hoover Commission. The study contained 314 recommendations for the improvement of the Federal executive. More than 200 of these recommendations were ultimately effected. Although the Commission spent only $2.7 million during its lifetime, the savings to the Federal Government were at least $1 billion, and probably more.

The future of every American, and the future of America itself, depends directly upon how effectively our Government is able to meet increasingly serious and complex social problems. We cannot expect effective and efficient action if we continue to let the machinery corrode. A complete analysis of the Federal Government is long overdue.

A blue-ribbon commission to study the organization of the Government is a reasonable approach to the problem: it will be charged with the responsibilities of examining programs and activities, of recommending improvements in administrative procedures, of setting priorities for future action, and of reducing expenditures to the greatest extent possible with relation to the goals of our assistance programs.

I am very pleased to cosponsor this measure, and I urge the complete support of every Member of this House.

Mr. MATHIAS of Maryland. Mr. Speaker, one of the real disappointments of the 90th Congress has been the lack of action on proposals calling for review and reform of Federal operations and management. Problems of confusion, redtape, duplication and overlapping, contradictions and delay have grown so vast that even listing them is a major task. Every day we postpone reforms means another day of inefficient use of the taxpayers' dollars, another day of unnecessary burdens on State and local officials, another day of less than full public benefit from the programs we have enacted.

There is extensive congressional support for a full review of Federal activities such as that proposed in my bill, H.R. 69, to create a new Hoover-type commission on the organization of the executive branch. Constructive legislation focused on program evaluation and priorities has also gained strong backing. All of these measures deserve full hearings and consideration. It is indeed regrettable that, with so much sound, comprehensive legislation before us for so long, this Congress has failed to enact any bill in this area.

The gentleman from Delaware [Mr. ROTH] has contributed a great deal to this effort through his exhaustive study of Federal programs and the new bill he is offering today. I am sure that support for such efforts, in Congress and across the Nation, will continue to grow, so that meaningful reforms, if not secured this year, will be among the first achievements of the 91st Congress.

Mr. BOLAND. Mr. Speaker, the decade of the 1960's, now fast drawing to a close, has seen our Government take giant strides forward in providing assistance to State and local governments to improve education, to develop manpower training programs, to provide medical assistance to elderly citizens, to help combat air and water pollution, to rejuvenate our cities, to assist disadvantaged Americans, to update our mass transit systems, and to expand the public housing programs.

We have recognized that this, the wealthiest Nation in the world, can no longer afford to ignore the problems of our own society. While there is no question that in our Federal system, State and local governments have primary responsibility for the welfare of those who live within their jurisdictions, it is equally clear that these units of government by themselves cannot solve all the problems engendered by the complexities of modern life in the United States. So many of these problems are national in scope that the Federal Government, with its much broader revenue base, has appropriately stepped in to share the burden with other units of government.

As a consequence of the accelerated pace at which new Federal programs of assistance have been approved in recent years, however, the administration of both new and existing programs has grown more and more complex. Since we in Congress approve these efforts essentially on a piecemeal basis, each on its own merits, there is never a chance for an overall review of all Federal aid programs.

In many cases there is unnecessary duplication of activities, overlapping jurisdictions among programs, and just general confusion. Many State governments, and even some large cities, have had to employ specialists whose full-time jobs consist of trying to find out what Federal moneys are available to help the people of their areas.

For these reasons I am happy to join with my colleagues in sponsoring the Executive Reorganization and Management Improvement Act.

This bill would establish a bipartisan commission to make a systematic, governmentwide study of Federal organization, programs, and activities. Using modern management techniques, it would try to see what these programs actually cost, what their present or future cost might be, and whether these particular programs were accomplishing their goals.

The Commission would be authorized by this legislation to specifically study the effect of these programs on the interrelationship of Federal, State, and local governments, especially from the standpoint of preserving and strengthening our federal system of government.

In considering the delicate balance among the National, State, and local governments, it would examine the desirability of simplifying Federal programs and services through broad block grants and revenue sharing with State, county, and city governments, and through the creation of broadly based public corporations.

Mr. Speaker, I think that we must have an examination of the desirability of Federal revenue-sharing proposals. My friend and colleague from Massachusetts, Senator EDWARD M. KENNEDY, said on January 23, 1967, when introducing S. 567 to establish a commission to study tax sharing:

> First, with each new proposal it becomes clear that different people have different ideas about what is encompassed in the term "tax sharing." Is it with strings or without strings? Does it supplement Federal assistance programs or supplant them? Should it be a permanent feature of our fiscal machinery or a temporary one designed to stimulate states to strengthen their own machinery? Is it a means of achieving basic changes in intergovernmental relations or is it a means of avoiding such changes? We must have an answer to these questions. We must know exactly what the alternatives are before we can decide whether we really want to proceed with the "tax sharing" concept.
>
> It may be that on the basis of deliberate study we will conclude that some sort of revenue sharing plan is warranted. And there may come a time when the use of such a plan is fiscally appropriate. But when that time comes, we must have ready a carefully wrought design to carry it out. We must have the benefit of the advice of experts, and we must have insights from the experience of those involved in government at every level. They must not be rushed in their work. The plan which is finally adopted by the Congress must not arise suddenly out of partisan opportunism or as a public relations facade.
>
> Mr. President, I firmly believe that the area of intergovernmental fiscal needs and resources is one which goes to the heart of our Federal system, and that we must tread firmly and immediately, but cautiously and thoughtfully, through it. The proposed Commission will enable us to fulfill this responsibility.

Mr. Speaker, the legislation we are sponsoring today would also authorize the Hoover-type commission to establish standard, governmentwide criteria, systems, and procedures to assist Congress in determining, in light of national needs and goals, the priority that should be assigned to all Federal programs and activities.

We have not had the benefit of a comprehensive review of Government activities since 1955, when the second Hoover Commission submitted its final report. And it is evident that we need, at least, to look into the many Federal programs approved in recent years to determine how they can be made even more effective.

James Norton, the current president of the American Society for Public Administration, cited the following example in his testimony before the Subcommittee on Executive Reorganization of the Senate Committee on Government Operations in January of this year:

> Two weeks ago a representative of the mayor in a large city invited persons connected with manpower development programs to come together to discuss coordination of activities, including planning, recruitment, job development, and placement. Among those present was a representative of the local economic opportunities program, a representative of the comprehensive employment program, someone from the State employment service, the county-operated title V program, a special employment project for those over 50, the OIC or Opportunities Industrialization Center, the Urban League, a church-sponsored employee training project, a major labor union, and the local board of education. Each of these groups is dedicated to manpower development; each has a good record for some of its programs—but even taken together they do not represent a coordinated program; and they do not plan on being coordinated. Each has its independent base in a Federal grant, and the city in my example has 11 agencies doing job development, and 26 separate special manpower development programs, and no planning adequate to help meet its manpower shortages.

Mr. Speaker, it is most encouraging that these kinds of efforts are being made to meet the problems of today's society. Hopefully, we will continue to take the necessary steps to help provide the opportunities for every American to live a more meaningful life. At the same time, however, I feel it is most important that we move now to coordinate existing assistance programs, and to develop a framework so that future Federal efforts will be most effective in meeting their goals.

Mr. GALLAGHER. Mr. Speaker, I am pleased to join my colleague, the distinguished gentleman from Delaware [Mr. ROTH] in cosponsoring the Executive Reorganization and Management Improvement Act.

This bill would establish a commission to make a complete study and evaluation of all Federal programs and activities in order to improve the general level of administration and efficiency.

Recently, Congressman ROTH conducted an extensive 8-month study of Federal assistance programs. This mammoth effort resulted in a lengthy document listing all Federal programs, application procedures for these programs, and other data pertinent to the many assistance programs of the Government. This study also resulted in a bill, which I have the privilege of cosponsoring, to publish a comprehensive catalog of Federal programs each year. This bill, like the one under consideration today, would provide invaluable assistance not only to us in the Government, but to all citizens of the Nation.

Our Government has grown so big and so unwieldy that many of our best efforts are doomed to failure through sheer administrative neglect or, indeed, administrative impossibilities. We do not know which agency administers what program for whom and for which purpose. We do not really know which program overlaps on another program being administered by a separate agency or department. Mr. Speaker, I submit that the waste, inefficiency, and frustration imposed upon us by this situation is more than any government should allow to continue. We all admit that our financial belt needs tightening; well, here is one area where the belt could be tightened with very little pain.

The commission created by the Executive Reorganization and Management Improvement Act will serve as a collective "efficiency expert." It will tell us where we can streamline procedures to make them more effective, where we can loosen channels to make them more accessible, and where we can eliminate activities to avoid duplication.

Mr. Speaker, I believe that all Members of this body owe a sincere thanks to the gentleman from Delaware [Mr. ROTH] for his outstanding work in not only bringing this matter to the forefront but in laying the groundwork for a model catalog of Federal assistance programs. However, let us be certain to back up our thanks with votes and pass both the catalog bill and the Executive Reorganization and Management Improvement Act.

GENERAL LEAVE

Mr. ROTH. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous matter on the subject of my special order of today.

The SPEAKER. Is there objection to the request of the gentleman from Delaware?

There was no objection.

ALARM ABOUT WAR PROFITEERING

The SPEAKER. Under previous order of the House the gentleman from Texas [Mr. GONZALEZ] is recognized for 15 minutes.

Mr. GONZALEZ. Mr. Speaker, I wish to take cognizance of the recently published letter by Secretary of Defense Clark M. Clifford which concludes "that those who express alarm about profiteering are making assumptions as to the future without a factual basis."

I acknowledge that I am one of those who has expressed alarm about profiteering. But I assume profiteering is happening now, on the basis of all the evidence I have been able to gather. And on the basis of the self-serving attitude I detect in the Department of Defense, I assume profiteering will not be halted in the near future.

I have never been against an adequate and fair profit for defense contractors. I am against excessive profits, which in the inequality of sacrifice in wartime I see fit to call war profiteering. I do not claim to be on the side of the angels; I do not claim that what constitutes a proper profit is a simple issue, nor do I claim that all figures and data can be construed to support my position.

However, I believe there is a fundamental difference in the way I use the available data, and the way it is used in the Secretary's letter. I have acknowledged the other data the Secretary quotes; I have rejected it and I have given my reasons for rejecting it.

I claim that the data the Secretary does use is largely misleading. But even more disturbing is the substantial data which he ignores.

The Secretary's letter reprints a table from the LMI report, and states it proves that "the trend in defense companies' earnings has been downward." I have debunked the LMI report, and pointed to other studies. In ignoring the documents I base my arguments on, the Secretary is showing contempt for me. But these are not my documents. One which refutes the findings of the LMI report was done by DOD's own Profit Review System. Another is a university survey. Another is a study undertaken by the General Accounting Office at the behest of the House Appropriations Committee, and signed by the Comptroller General. For the Secretary to ignore these substantial authorities is to show contempt for elementary candor, for the perspicuity of Congress, and for the intelligence of the American people.

Both in the introduction and in the conclusion of his letter, the Secretary of Defense claims that the Renegotiation Board can backstop the Department of Defense "to protect the public against any abnormal trend to high profits" or "against any individual instances of excessive profits."

The implication here that the Renegotiation Board is concerned about the abnormalities and individual instances of excessive profits, and the Department of Defense is not, seems correct to me. But the argument relying on renegotiation is spurious. The Board is a willing watchdog against war profiteering, but Congress has taken away its bite and much of its bark. During the Korean war, the Board had as many as 742 employees, and directly recovered a high of $167 million in excessive profits in 1 year. But Congress gutted the Renegotiation Act, establishing substantial exemptions to renegotiation. In its last annual report, the Board listed 178 employees. It has no staff or authority to audit contractors' reports—it must accept the figures given voluntarily to it by the contractors. For the Secretary to pretend that the Renegotiation Board is adequate to the problem of war profiteering is ridiculous.

Mr. Speaker, on November 28 of last year, the Assistant Secretary of Defense for Installations and Logistics, appeared before the Joint Subcommittee on Monopoly and said, in answer to a question about a statement I made that war profiteering was increasing, "I know of absolutely no evidence to support those statements."

I replied, and easily found 10 examples which seriously indicated that lax procurement practices were providing ample opportunities for profiteering. Even then, as I surveyed the field, nearly all indications pointed to rampant profiteering.

Since then, as more studies were completed, and more examples of laxity were revealed, I felt amply justified.

First. The bureaucratic snarl around the M-16 rifle continued.

Second. The 1967 year-end report of the Renegotiation Board contained three indicators that excessive defense profits were increasing.

Third. A private study concluded from

its sample that large corporations with defense contracts were making more profits than equally sized corporations without defense work.

Fourth. Two reports of the Special Investigations Committee of the House Armed Service Committee found exorbitant prices and inadequate review of cost and negotiation data on the part of DOD.

Fifth. A subcommittee of the Joint Economic Committee found "loose and flagrantly negligent management practices in the Defense procurement program."

Sixth. Adm. Hyman Rickover presented in testimony before congressional committees examples and explanations on how profits of defense contractors can be inflated by overstating cost estimates.

During this period, no study or report came to my attention purporting that profits on defense contracts were down, either negotiated "going-in" profits or "realized" profits. The LMI report continues to stand alone, and highly suspect.

In this context, I was amazed and incredulous to read the Secretary's denial that profiteering is even a possibility. I was shocked that such a misleading statement could be made by one of our highest Government officials. His letter flies in the face of all authoritative evidence made available. I could only wonder—who is he trying to kid?

The Secretary says:

> I have examined the best available data on this matter.

If he has examined it, he certainly has not quoted it. He quotes that old standby, the sorry and flimsy LMI report.

He acknowledges that average negotiated "going-in" profit rates have increased sharply since 1964, but he quibbles over whether the increase is 22 percent or 25 percent. He uses a table from the Renegotiation Board which is almost totally irrelevant to realized profits on Vietnam procurement.

Mr. Speaker, the Department of Defense, in the person of the Secretary, is perpetrating the same old numbers racket upon us. I intend to refute his letter point by point, and to express the reasons for my concern about the attitude I see expressed in it. But not now. I am wearied that the indications, the examples, the reports, and the studies that I have cited time and time again have been so cavalierly dismissed. If the American taxpayer does not share my concern about the galloping possibility that war profiteering is widespread, I can make allowances. If the American soldier in Vietnam does not dwell upon the inequity of putting his life on the line for his country while profiteers get wealthy in armchair safety, I can understand he has other things to concern him. But I have a right to expect more of the Secretary of Defense. He has prime responsibility in the area. He has the staff expertise. Why then is the great bulk of the available evidence that that war profiteering is increased being ignored by DOD, without a word of explanation, without an inkling of what is false or erroneous in it? Bureaucratic defensiveness and self-deception—is that the answer? If so, nothing could be more ominous to the viability of our free institutions.

A "BARGAINED" ELECTORAL COLLEGE AND A "DEADLOCKED" HOUSE OF REPRESENTATIVES: A PREVENTION PLAN

The SPEAKER. Under previous order of the House the gentleman from New York [Mr. GOODELL] is recognized for 30 minutes.

Mr. GOODELL. Mr. Speaker, the election of our next President could well be decided by a bargained electoral college or as the aftermath of a deadlocked House of Representatives. In either event, the outcome would not be desirable because of the many threats to the continuity of our presidential leadership. These times of tense national and international difficulties demand the best of our presidential leadership. And certainly our next President should not be hampered by the machinations and repercussions of either a bargained electoral college or a deadlocked House of Representatives.

Last Tuesday, July 9, I outlined a plan to prevent either of these undesirable situations from occurring. Others have also been thinking about ways to prevent the undesirable. I am very pleased that the Washington Post is among those who wish to anticipate rather than to react to a crisis. The Washington Post has helped immeasurably to spearhead constructive thinking about how the problem can best be attacked. In addition to previous editorial and columnist comment, which I placed in the CONGRESSIONAL RECORD last week, the Post printed a thoughtful editorial on the subject yesterday, July 14.

Before inserting the editorial in the RECORD, I would like to clarify one point. The presidential candidate who receives the plurality of the nationwide vote would be elected President by the House of Representatives under terms of the plan, not the candidate who receives a majority of the electoral college vote. Those of us in the Congress who are interested in this proposal appreciate the foresight and analysis of the Washington Post in their editorial.

TO SAFEGUARD THE PRESIDENTIAL ELECTION

With the shadow of George Wallace lengthening over the 1968 presidential contest, it is difficult to explain the complacency of the general public. Most voters and political leaders are routinely following traditional patterns, with little thought of a potential crisis. Yet the Wallace vote in the polls, ranging from 16 to 21 per cent, depending upon which pair of candidates he is pitted against, seems to point to potential disaster unless steps are taken to safeguard our creaky electoral machinery.

Fortunately, there are exceptions to the general apathy. Representative Goodell of New York has joined with Prof. Gary Orfield, this newspaper and others in calling attention to the danger and suggesting what can be done about it. Noting the probability that neither the Democratic nor the Republican candidate will win a majority of electoral votes as a result of the balloting next November, Mr. Goodell warned his colleagues in the House the other day that a "bargained" outcome, with Mr. Wallace in the role of chief bargainer, would be intolerable. "In addition," he added "it would seriously impair the effective functioning of the two-party system, the very essence of political life in the United States."

Mr. Goodell's reasoning is clear and unassailable. Regardless of our continued reliance on an outmoded electoral system the people have come to believe that they have a basic right to name the President. If that right should be denied them by a tawdry bargain between Mr. Wallace and one of the leading candidates for the sake of getting a majority in the electoral college the country would be plunged into chaos if not insurrection and civil war. It could be the worst electoral crisis since the shameful Hayes-Tilden affair in 1876.

And if the outcome should be the seating of a "bargained" President Mr. Goodell points out his leadership would be gravely impaired and the powers of this great office would be accordingly eclipsed. The country cannot afford to risk such consequences. It must find a way of protecting the presidential office from the blind operation of a defective system no longer attuned to the requirements of a great democratic country.

The peril that now seems to loom larger every day would not exist if Congress had approved and the states had ratified the proposed constitutional amendment for direct election of the President and Vice President by popular vote. In the absence of that reform which may well be in effect by 1972 a temporary expedient must be devised with the help of Congress, the major political parties, the major presidential candidates and nominees for the House of Representatives. Mr. Goodell's notable contribution is that he has outlined such a plan.

The Goodell plan has three principal elements. He would have both houses of the present Congress pass a resolution to the effect that if no presidential candidates should receive a majority of electoral votes, the Presidency should go to the candidate receiving the highest number of such votes. Such a resolution would not be conclusive, of course, but it would help to create a national demand for such an outcome.

Both parties would then be asked to write into their platforms an agreement that their representatives in the new Congress, who might have the task of electing the next President, would vote, regardless of party ties, for the candidate holding the electoral-college plurality. Such a pledge would become binding only if approved by both the Republican and Democratic National Conventions.

Every candidate for the new House would also be asked to pledge himself to vote for the top electoral-vote candidate if the election should be thrown into the House. This pledge too would have to rest on a bipartisan basis. Obviously one party could not agree to such an arrangement unless it had equal bearing upon the other. But together they could avert a potential catastrophe and save themselves and their candidates from the ignominy of bargaining with Alabama's racially biased backlasher for the highest office in the land.

There is a natural reluctance, of course, for the major parties to cooperate on a plan that might swing the election one way or the other. In this instance, however, the integrity of the Presidency itself is at stake. Many Americans with a sense of history still feel a sense of chagrin over the election of John Quincy Adams to the Presidency by the House in 1824 despite the large plurality for Andrew Jackson in both the popular and the electoral votes. The apparent deal between Adams and Henry Clay continues to bring wrath of historians upon the heads of the principals more than a century and a quarter later. That shabby episode in our history must not be repeated. We think the leaders of both parties have a solemn obligation to make certain that it will not be repeated in 1968.

THE YOUTH INVOLVEMENT ACT

The SPEAKER. Under previous order of the House the gentleman from Wisconsin [Mr. Reuss] is recognized for 20 minutes.

Mr. REUSS. Mr. Speaker, the gentleman from Indiana [Mr. Brademas] and I have today introduced H.R. 18573, the Youth Involvement Act.

This bill is intended to enlist the energy, ingenuity, and enthusiasm of America's youth in public service. It directs Federal agencies to "take all steps necessary to see that their programs, are developed, conducted, and administered with the maximum feasible participation of youth"—generally defined as people under 25 years of age.

In recent years the young people of America have to an increasing degree dedicated their considerable talents and energies to public service—in the Peace Corps abroad and in rural and urban social programs at home.

Their expanded concern to improve the quality of life has been a refreshing development, following as it has on the materialism and complacency which pervaded the 1950's to the point of quenching the natural idealism and energies of the young.

Young people are no longer "playing it cool"; instead they are involved—and a healthy development this is.

The Peace Corps was the first Federal recognition of this dramatic shift in the mood of American youth. I need not testify to the immense success of this international endeavor.

The Peace Corps was followed by VISTA—Volunteers in Service to America—and other Office of Economic Opportunity programs which to a large extent have been operated by young men and women.

Each of these programs has paid handsome dividends. They have trained a cadre of people for a lifetime of public service. The Peace Corps has graduated 16,241 volunteers in its 7 years; VISTA another 6,636.

Finding solutions to the problems which we as a Nation face today—problems of poverty, discrimination, poor housing, poor education, poor health—requires a vast number of highly motivated and well-trained people.

But as a nation we are not training nearly enough. Moreover, all too few of the young Americans we do train are willing to make the personal and financial sacrifices which often accompany public service work.

I am convinced that more of the Nation's young people would enter public service occupations, if in their formative years they were to experience the often intangible rewards of such service. For example, Peace Corps statistics show that one of every four ex-volunteers goes to work for a government or nonprofit agency.

It is time now to enlarge the Government-created opportunities for our young people to engage in public service. This, then, is one dimension of the Youth Involvement Act.

There is a second dimension.

The Government must reach down the economic ladder to give the young people of the Nation's ghettoes—young people not otherwise able to land part-time or summer jobs—opportunities to work in federally financed jobs.

A job can provide a potential high school dropout with a sense of responsibility, an awareness of his earning power, a sense of self-security, and in some instances with a change of environment which will cause him to value himself and his educational opportunity more highly.

Though the Federal Government has some responsibilities for the employment of the poor youth in the past several summers, much remains to be done to expand and improve these programs.

In addition to well-known Federal job programs like the Neighborhood Youth Corps and the Job Corps, the Federal Government is now offering the Nation's youth two major opportunities to be of service to their country and to themselves.

First. The President's Youth Opportunity Campaign. In 1965, the President established the President's Youth Opportunity Campaign to provide summer employment for young people aged 16 to 21 years. The Civil Service Commission asked Federal agencies to hire one youth for every 100 employees nationwide and to hire three youths for every 100 employees in the District of Columbia. Last year nearly 100,000 young people were employed through the Youth Opportunity Campaign. They were paid at a minimum wage of $1.60 per hour. Efforts were made to put these young people into jobs where they could learn a skill which could be translated into a permanent job when their formal education was completed.

The program was balanced evenly between those youths chosen on the basis of their scores in a competitive examination and those youths especially in need of a job. Among the latter, top priority was given to young people from families receiving welfare payments.

Second. The President's Council on Youth Opportunity. On March 9, 1967, the President established the President's Council on Youth Opportunity—Executive Order 11330.

The Vice President was named to head the Council, which is made up of the heads of 10 Federal departments and agencies—the Departments of Defense, Interior, Commerce, Health, Education, and Welfare, Justice, Agriculture, Labor, Housing and Urban Development, the Office of Economic Opportunity, and the Civil Service Commission.

The Executive order gives the Council responsibility for: assuring effective program planning for summer and other youth programs of the Federal Government; strengthening the coordination of youth programs and activities of Federal departments and agencies; evaluating the overall effectiveness of Federal youth opportunity programs; encouraging State, local, nonprofit and other private organizations to participate fully in efforts to enhance opportunity for youths.

In its 1 year of operation, the Council has accomplished a number of its objectives—mainly those concerned with summer and part-time youth employment programs.

One of the most successful summer youth employment projects, sponsored by the Council and the National Communicable Disease Center of the Public Health Service, was the employment of 51 youths in city health departments to do jobs at an adult level—working under the supervision of professionals. As a result of this program, 45 of these young people now plan to continue their education; whereas, prior to their participation, only 24 had indicated a desire to continue.

The President's Council is now engaged in establishing mayors' councils on youth opportunities in cities across the Nation to launch, coordinate, evaluate, and improve local youth opportunity programs.

There are many examples from both government and private experience of what can be accomplished under the Youth Involvement Act.

In education, from New York City to Los Angeles, high school and college students are being employed in their spare time to tutor younger students.

In juvenile delinquency prevention, potential delinquents can be employed in juvenile delinquency prevention programs.

A good example of a successful program are the Rebels, a teenage group, operating in Southeast Washington. This group has turned its attention to creating a better community, rather than to its wanton destruction—the result, a new recreation center and swimming pool which it helped negotiate for the neighborhood and a sharp drop in vandalism.

In riot control, 126 youths wearing white helmets in Tampa, Fla., last summer were able to avert an imminent riot by serving as a communications link between the Negro community and law-enforcement agencies.

In public safety, the President's Commission on Law Enforcement and the National Advisory Commission on Civil Disorders have both recommended that local police forces establish positions for community service officers to be filled by young men between the ages of 17 to 21 with the aptitude, integrity, and stability to perform police work.

Community service officers would be apprenticeship policemen—an entirely new type of police cadet working with a police officer. Their duties would be to assist police officers in their work and to improve communications between the police department and the neighborhoods. Last year, the Chicago police department employed 50 youth cadets to help handle citizen complaints of a noncriminal nature such as uncollected garbage and streets and disrepair.

In conservation, the National Youth Conference on Natural Beauty and Conservation, which in 1967 held its Youth for Natural Beauty and Conservation Year, demonstrated in scores of projects throughout the country that teenage youths will involve themselves in conservation and community improvement projects which afford them opportunities for community service.

One of the most imaginative projects

was Project CRUD—Campaign to Remove Unsightly Debris—organized by an 18-year-old girl in Louisiana. Through her efforts, young people throughout the State gathered the litter thrown out of car windows onto the roadside. The immense State-wide publicity given the campaign is expected to discourage future littering.

The real test of any employment program for youth is the amount of responsibility which youths are given. Young people wish to work with adults, not for them. The resent adult takeovers.

The Department of Labor has recently announced a program which could serve as a model under this act for the maximum feasible participation of youth in developing, conducting, and administering a Government program.

At the initiative of management interns in the Department of Labor, the Department has established a new program to help the Nation's disadvantaged youth find jobs. The program will be administered by management interns in Washington and by local boards of college students in cities throughout the country. Youth will be employed to carry out the program as well.

Here is a Government program which from inception to finish, from top to bottom is a youth program. More of such programs could be usefully established.

Our Federal Government has only scratched the surface in employing youth to carry out the Nation's social programs. It needs to create more opportunities for youth participation.

Besides employment, youth can be usefully employed to a greater extent in education, health, recreation, housing, and welfare programs.

The Youth Involvement Act lists 27 programs which directly affect youths or in which the participation of youths would make good sense—programs such as the provisions of child welfare services, the U.S. census, educational television, urban beautification, outdoor recreation, public housing.

The list is not meant to be exhaustive. Many other opportunities exist, if the Government would mobilize itself to employ the Nation's young people.

Let us give the Nation's young people an opportunity to show their talents. They will benefit and the Nation will benefit from their talent, their energy, and their dedication.

A copy of the bill follows:

H.R. 18573

A bill to encourage the involvement of youth in federally financed programs and projects

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Youth Involvement Act."

STATEMENT OF PURPOSE

Sec. 2. The Congress of the United States declares that it is the policy of the United States and the purpose of this Act to apply the energy, ingenuity, and enthusiasm of America's youth to the solution of the Nation's social problems by encouraging qualified young people to advise and to serve in federally-financed programs and projects.

EMPLOYMENT OF YOUTH

Sec. 3. The heads of Federal departments or agencies responsible for administering the following programs shall take all steps necessary to see that these programs are developed, conducted, and administered with the maximum feasible participation of youth:

Pilot school breakfast program (42 U.S.C. 1773 et seq.);

National school lunch program (42 U.S.C. 1753 et seq.);

United States Census (13 U.S.C. 1 et seq.);

Child Welfare Services (42 U.S.C. 191 et seq., 721 et seq.);

Educational television (47 U.S.C. 390 et seq., Public Law 90–129);

Elementary and Secondard Education Act programs (20 U.S.C. 241(a) et seq., 821 et seq.);

Handicapped children and youth research and demonstration Programs (20 U.S.C. 618);

Juvenile delinquency prevention and control (42 U.S.C. 2541 et seq.);

Science youth activities (Public Law 85–875);

Low-rent public housing (42 U.S.C. 1401 et seq.);

Model cities (42 U.S.C. 3301 et seq.);

Neighborhood facilities (42 U.S.C. 3101 et seq.);

Open space land, urban beautification, and historic preservation (42 U.S.C. 1500);

Rental housing for moderate income families (12 U.S.C. 1711 et seq.);

Urban renewal (42 U.S.C. 1450 et seq.);

Outdoor recreation assistance (16 U.S.C. 4601);

Services to American Indian children (25 U.S.C. 452 et seq.);

Community relations service (42 U.S.C. 2000g);

Neighborhood Youth Corps (42 U.S.C. 2731 et seq.);

Youth opportunity centers (29 U.S.C. 31 et seq., 20 U.S.C. 107, 42 U.S.C. 2571 et seq.);

Precollege education in science program (42 U.S.C. 1861 et seq.);

Peace Corps (22 U.S.C. 2500 et seq.);

Community center program (42 U.S.C. 2711 et seq.);

Headstart (42 U.S.C. 2711 et. seq.);

Job Corps (42 U.S.C. 2711 et seq.);

Upward Bound (42 U.S.C. 2711 et seq.);

Volunteers In Service to America (42 U.S.C. 2711 et seq.); and

any other program which the President shall from time to time by Executive order designate as coming within the purview of this Act.

ANNUAL REPORT TO CONGRESS

Sec. 4. Within one year from the date of enactment hereof, and annually thereafter, the President shall transmit a report to the Congress on the actions taken by Federal departments and agencies to carry out the provisions of this Act.

DEFINITION

Sec. 5. "Youth" means a person who is twenty-five years of age or under, a person who has completed his formal education within the past three years, or a Federal management intern.

WE MUST CONTROL FEDERAL SPENDING

Mr. ASHBROOK. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. ASHBROOK. Mr. Speaker, on June 25, Congressman William V. Roth, of Delaware, inserted in the Congressional Record a listing of Federal assistance programs which had taken him months to catalog and which filled over 140 pages in the Record. Colleague Roth provided a very unique service by listing under one cover the myriad of Federal programs which have come into being over the years. If the number of such programs is so vast as to almost defy cataloging, how much greater must be the problem of establishing the merit of each. The Roth project illustrates to some degree the extent to which Federal spending has mushroomed in recent years. But even worse, consider the financial straits which await us if the many recommendations of the Kerner Commission on civil disorders are enacted into law.

Many of us here in Congress have for years been decrying the trend of increased Federal expenditures so much that one gets to feel like a discordant voice in the wilderness. Members of both political parties have protested the facile remedy of solving all problems by the use of the dollar bill.

The New York Daily News, in its lead editorial of July 8, directs our attention to a recommendation by the knowledgeable chairman of the House Ways and Means Committee, Congressman Wilbur D. Mills, of Arkansas. Citing the need for corrective action, Chairman Mills states:

> Our country is facing a serious economic crisis. Huge budget deficits and massive borrowing to pay federal bills have threatened to propel prices into an inflationary spiral that could rob all of us of our savings and earnings. . . .

The measure recommended by the chairman is a "new Hoover-style Commission—a 12-man, independent, bipartisan Government Program Evaluation Commission drawn from the top ranks of American leadership outside Government—to be set up to go over Federal programs periodically to determine whether our tax dollars are being well spent."

In contrast to the original Hoover Commission, the new Commission would oversee the "substance rather than just the efficiency of each Federal activity."

The Reader's Digest in its July issue draws to the attention of its vast readership the vital nature of this issue in the article, "We Must Control Federal Spending," by Chairman Wilbur Mills. I insert this article, along with the above-mentioned editorial by the New York Daily News, in the Record at this point:

We Must Control Federal Spending

(By Representative Wilbur D. Mills)

Today, as the United States faces exceedingly serious fiscal problems, with both domestic and international implications, all of us must come to grips with a crucial question: *Can we put limitations on federal spending?*

I believe the answer must be *Yes*, if we are to keep our economy strong. I also know from long experience that the task will be difficult. The broad variety of demands that hit the Congress one day last winter is indicative of the problem confronting us.

On February 8, 1968, eleven Congressional committees met to consider numerous spending proposals—from about $1.3 billion for the Colorado River Basin project to additional billions for aid to higher education. At noon, the President's $3-billion foreign-aid message was presented to Congress. On the House floor that afternoon, two money bills were debated and passed: the $5-million Fire

Research Act, and the "Wetlands" conservation bill.

That same day, more than 70 new bills were introduced, calling for everything from a new $60,444,000 federal building to a $150-million-a-year scientific research program. Meanwhile, demands for still more money were being presented. The White House was requesting a $1.2-billion supplemental appropriation for welfare spending. Secretary of Interior Stewart Udall announced that funds were needed to make poet Carl Sandburg's North Carolina home a national shrine.

Even as this demand for new tax dollars mounted, the spending on old programs continued. During that 24-hour period, the government paid out $474 million—$54 million more than it took in.

Need for Restraint. With such complex, large and differing requests for funds, how can we determine which programs to adopt or continue, and which to reject, postpone or terminate? Many of my friends in Congress tell me privately that we can no longer control government spending. I disagree. Meritorious as many programs and services may be, and many of them *are* highly meritorious, we simply cannot continue expanding in all directions at once. We *must* set priorities.

The President advised us that his new $186-billion budget was "tight" when he unveiled it in January. Yet it was $10 billion higher than last year, $28 billion higher than two years ago, and $68 billion higher than the budget during fiscal 1965. A crucial point is that many of these increases were not requested to pay national-defense costs: non-defense spending and lending, including outlays for interest on the national debt and Social Security benefits, were set to climb $7.1 billion while defense outlays were to increase by $3.3 billion. Health, labor welfare and education costs were set to go up $31.5 billion from their 1962 level—$2.7 billion more than the increase in defense costs.

The fact of the matter is that the budget has not set tough priorities. The United States is simultaneously battling communist aggression in Vietnam and trying to give help not only to the poverty-stricken but to many other groups as well. There are demands for help with education, air pollution, wildlife conservation, dams, supersonic transport planes, travel to the moon. Each of us can argue that we have a right to these things. But what good will the expenditures do us if we endanger the position of the dollar in the process?

For, make no mistake about it: our country is facing a serious economic crisis. Huge budget deficits and massive borrowing to pay federal bills have threatened to propel prices into an inflationary spiral that could rob all of us of our savings and earnings. This in turn leads foreigners to question the soundness of the dollar. A chronic imbalance of payments has led to a serious loss of our gold—some $4-billion worth in the last three years.

Such emergency steps as the new two-tier price system for gold and restrictions on U.S. investments abroad, while helpful, have not solved the problem. Only tough, long-term curbs on federal spending will effectively ease the crisis and protect the dollar.

Growth and Duplication. Five years ago, after months of hearings and executive-session discussion, the House Ways and Means Committee led the way in reducing taxes in order to boost the private sector of the economy and ultimately bring about higher total tax revenues. At that time, we specifically called upon both the Executive Branch and Congress to restrain government expenditures so that this increase in revenues could reduce deficits and bring us closer to the goal of a balanced budget in a prosperous economy.

Initially, the Administration did hold the line on spending, and, as predicted tax revenues increased greatly. The stimulus to the economy provided by the 1964 tax reduction helped to push revenues up $4.1 billion in fiscal 1965 and another $14 billion in fiscal 1966. But, beginning in late 1965, both spending and budget deficits began to increase rapidly.

Unfortunately, it seems that the traditional ways of restraining government have largely lost their effectiveness, while no new system of discipline has yet been evolved. Federal programs, once set in motion, almost invariably increase in scope and cost. "Few are ever reduced in cost, and even fewer disappear," says a recent Tax Foundation study which states that, during the last 13 years, no fewer than 112 new federal programs have been launched.

Together, these new programs cost $3.6 billion in their respective first year. But, by fiscal 1968, their annual costs had risen to a $16.5 billion total. The tiny Office of Coal Research, for example, had an average of five employes in its first year (1961), and spent $47,000; by 1968 it had ballooned to 20 workers, and cost more than $8 million. The Office of Economic Opportunity was started in fiscal 1965 with $194 million and 608 workers; by fiscal 1968 it was expected to spend more than eight times that much and employ four times as many workers.

Most discouraging are the endless overlapping and duplication of programs and agencies. At present, 30 separate programs help with teacher training, 57 have been set up for job training, 35 for housing. More than 260 programs administered by 16 separate agencies and departments are included in the war on poverty.

Since last fall, when the Ways and Means Committee asked for spending controls before considering tax increases, letters of concern—often as many as 1500 a day—have poured into my office. One point is made again and again: someone must do something about excessive government spending.

Policing the Priorities. One step toward sensible control is spelled out in a widely supported bill which I have introduced. It provides for a new Hoover-style commission—a 12-man, independent, bipartisan Government Program Evaluation Commission drawn from the top ranks of American leadership *outside* government—to be set up to go over federal programs periodically to determine whether our tax dollars are being well spent. In contrast to the original Hoover Commission, this body would study the substance rather than just the efficiency of each federal activity. Its report to Congress would recommend a set of hard priorities, downgrading some programs, suggesting fresh approaches to others.

This high-level study is needed for two reasons: First, it is difficult for the Executive Branch to look objectively at functions it has developed and worked with. Asking those who run the agencies to weed out their own programs is like asking a child to take away part of his own allowance. Second, we in Congress have our hands full merely keeping up with new legislation. We are not able to find as much time as is probably necessary to see whether the programs we've enacted in the past are performing as expected. In addition, Congress is specialized, with each of us serving on one or two committees and becoming really knowledgeable about only a few programs. Then, too, we who have originated programs may not always take an objective view of their operation.

The commission, on the other hand, should be in a better position to judge all programs, old and new, thoughtfully and in an objective manner. Such a commission should help pinpoint low-priority spending.

The program reforms recommended by a blue-ribbon, independent Evaluation Commission would carry great weight with Congress. I feel confident that with such a report in hand Congress, backed by an aroused public, could save much more than the millions saved by the first Hoover Commission.

The Issue Ahead. Those of us who do not favor an ever expanding role for the federal government must recognize the obstacles ahead, however. Groups seeking government money beat a persistent path to almost every Congressional door. A survey reported to me indicates that, during 1967, the average Senator received 28,625 pro-spending letters. Certainly, I received a large number. Many of the some 4000 lobbyists who have bases in Washington add their weight to the constant push for specific projects. A review of the House Appropriations Committee hearings last year shows that 2122 spokesmen and technicians for the various executive departments appeared, to testify in behalf of agency budget requests. Consider also the departmental agents known as "legislative liaison" men who supply Congress with information and actively lobby for programs that the Executive Branch wants enacted. In this atmosphere, it's not surprising that saving federal tax dollars is difficult.

Clearly, the fight for *sensible* spending can be won only if the American people themselves become conscious of the need for establishing priorities. For, even if we could eliminate every obviously wasteful government project, the expansion in federal spending would still not be curbed. Unfortunately, under today's conditions, certain programs enjoying wide popular support—education, housing, job training—may have to be restrained, too, and better, less expensive ways to meet these pressing needs will have to be found. My proposal for an independent commission to study federal programs is only one step in the necessary direction. Other possibilities include expenditure ceilings and reductions in outstanding authority to spend federal funds.

There are no easy solutions, no panaceas for the fiscal crisis. There must be a national realization of our problem and a thorough, thought-provoking discussion of ways of regaining control over federal expenditures. More national self-discipline is urgently needed.

A real evaluation of spending programs, omitting no one, favoring no one, can be politically acceptable, even popular, when people grasp what the stakes are. This is the message I received, loud and clear, from the people of Conway, Ark., in my home district, when construction of their new post office was held up in a spending freeze last fall. "We don't mind doing without," they told me time and time, "if it helps get this government of ours under rein!"

WANTED: A WATCHDOG

More than a year ago, Rep. Wilbur Mills (D-Ark.) started working for creation of a body, modeled on the old Hoover Commissions, to ride herd on federal spending and spenders.

In spite of Mills' considerable Congressional clout as chairman of the tax-writing House Ways and Means Committee, his proposal has made little visible progress.

Now the lawmaker has spelled out again—in an article in the July issue of the Reader's Digest—the urgent need for a panel to set national spending priorities.

As Mills sees it, the basic problem is that the national budget has become so huge and complex, the demands for new and expanded services so great, that we are in danger of losing all control over federal outlays. Bureaucrats, lobbyists and pressure groups have made a grab bag of the national treasury.

The Congressman cites some hair-raising tales of programs that have been launched willy-nilly, with no thought to eventual cost.

And he reminds us anew of the wasteful

ways in which bureaucrats pile new programs upon old, and garb the skeletons of their failures in expensive new finery rather than bury them.

Mills contends that Congress does not have the time and the administrators lack the objectivity to make realistic evaluations of how much should be spent and for what. Hence, he wants a non-partisan panel of outsiders set up to do the job.

One of its first tasks—if indeed it comes to pass—should be to untangle the wriggling mass of intertwined projects that has grown up over the years.

Mills takes note of "the endless overlapping and duplication of programs and agencies," and writes:

"At present, 30 separate programs help with teacher training, 57 have been set up for job training, 35 for housing. More than 260 programs administered by 16 separate agencies and departments are included in the war on poverty."

Obviously, the nation badly needs some outfit to sort out this mess. Even more important, there should be a firm hand to weed out the projects that have done nothing and are going nowhere. That would be one part of the job for the commission, as Mills envisions it.

Another would be to police spending requests on a continuing basis, advising Congress, the administration and the nation on how to put federal money to the best possible use.

There is much to be said for having at hand a constantly nagging voice to remind our officials that the country simply can't afford to shell out money for every scheme that strikes the fancy of politicians.

It may not sit too well with some of our high public officials to endure such over-the-shoulder kibitzing.

Our answer to that is that if they showed more restraint and a greater sense of responsibility in fiscal policy, an independent overseer would not be necessary.

POSTAL CRISIS LOOMS

Mr. DULSKI. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. DULSKI. Mr. Speaker, the full impact of the manpower limitation on the Post Office Department is becoming clear.

I am convinced that if we are to continue to have postal service that meets the public need we must exempt the Post Office Department from the order to cut back its employment to the 1966 level.

Indeed, the Department would have problems if it simply was forced to hold its employment at the 1967 level.

The postal service is unique as a businesslike operation. This fact is often misunderstood and often underestimated.

It has no control over the volume of mail. It has no control over when or where postal patrons post their mail. It has only limited authority to impose priorities on the mail.

The Department has no power to force patrons to conform to any style, completeness or arrangement of the address on the envelope.

What all this means is that automation is difficult. The mail has to be handled individually. That takes personnel.

At the same time, our country continues to grow, new businesses are developed, new homes are built. All this increases not only the volume of mail, but the number of homes and businesses which need service.

The Post Office Department clearly needs more manpower, not less. Indeed, the Post Office budget for fiscal 1969 calls for increased manpower, but the Revenue Act takes priority and is forcing the Department to cut back its staff.

The Subcommittee on Post Office-Treasury Appropriations knows the situation with the postal service—as does our Committee on Post Office and Civil Service. We both are working with the Department and with its problems on a day to day basis.

I introduced legislation June 27 to have the Post Office Department exempted from the general order for a cutback in Government employment.

Chairman MILLS of the Committee on Ways and Means brought my bill promptly before the committee for consideration and I am hopeful that the bill will receive favorable action.

I frankly do not see how the Department can continue to provide postal service and meet the requirements for reducing its personnel. Postal service requires personnel. Eighty percent of its budget is for personnel.

Hamstringing the already harassed postal management will result in chaos in the postal service which will be equaled only by the indignation of an outraged public.

How did the Department get into this squeeze and why did not Congress act earlier?

This is a proper question and actually I was aware of the potential impact of the personnel order at the time and appealed to my colleagues to avoid creating the pinch.

The Department was wrapped in with all other departments of Government on the cutback order which was a rider to the Revenue and Expenditure Control Act.

The original bill, as it passed the House, dealt with fiscal responsibility. I recognize my obligations in this area and I believe that I fulfilled my obligations for fiscal responsibility by supporting that measure, both in the original and in amended form.

There was no opportunity, however, during consideration of the final version of the Revenue and Expenditure Control Act for any changes to be proposed to assure continued efficient postal service to the American public.

This is a matter of direct responsibility to me as chairman of the Committee on Post Office and Civil Service. It is an obligation that will be fulfilled by enactment of H.R. 18191, my bill now pending before the Committee on Ways and Means.

I am grateful for the wholehearted and outspoken support for my bill by my colleague who shares responsibility for the postal service, the Honorable TOM STEED, chairman of the Subcommittee on Treasury-Post Office Appropriations.

Here are some of the key factors which, I believe, warrant special consideration for the Post Office Department in allocating manpower:

First. The mail volume in fiscal 1969 will be 11 percent greater than it was in fiscal 1966, the base year to be used by the Department in establishing new employment ceilings.

Second. An important change in the work schedule of postal employees occurred in 1967—a year later than the base year—which requires more employees to handle the day-to-day work. This involved an expansion of the 5-day workweek, a change in overtime practices and virtual elimination of split shifts.

Third. The Department has no control over its workload. It has to handle the mail whenever and wherever it is dropped in mail chutes or piled on post office platforms.

Fourth. The economics of our Nation—always growing—provide an automatic need for expanding mail service. In fiscal 1969—the current year—these factors are changing from 1966: Population will have increased by 7 million, there will be 4 million more homes in the United States receiving city delivery of mail, there will be an additional 666,377 rural homes, a total of more than 358,000 new businesses and a per capita increase in volume of mail of 8.8 percent.

Clearly, the need is for more manpower in the postal service—not less.

ASSISTANCE TO PERSONS ON PENSION OR ANNUITY RETIREMENT SYSTEM

Mr. ROSTENKOWSKI. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. ROSTENKOWSKI. Mr. Speaker, many of the letters I receive are from constituents who live on a fixed income. They state, and I believe rightly so, that they cannot keep up with whether the reason for their difficulty comes from "cost-push" or "demand-pull" inflation. They just want some relief from the problem.

Many of them are unable to work in order to supplement their incomes and any sort of unexpected emergency leaves them in desperate condition. These people are not on the welfare roles. Most of them, like the workers in the vineyard, have worked hard all their lives and deserve not to be euchred out of their "denarius" by events which they had nothing to do with.

Accordingly, I am today introducing a bill which is designed to assist those persons on a pension or annuity retirement system. My bill would exempt annual pension or annuity income up to $5,000.

No one who goes to the grocery store or supermarket needs to be told that the cost of all foods have gone up tremendously. A person on a pension can get along when the economy remains stable, that is, there is neither a rise in prices nor wages. But when the economy continues to move, it works a terrible hardship on the people who can stand it least.

Commencing last August, the House Ways and Means Committee held hearings on the President's tax increase request. Almost without exception, the 43 witnesses who appeared, of whom some were economists of the highest rank, warned of the impending inflation. They spoke of it as being the "cruelest tax of all" because its effects would be to hurt the poor, the elderly, the people who had little, and the people without prospects of any more income.

We listened and we listened but the majority of the committee did not read in the economic indicators inflation, particularly in the face of falling production, and plants operation at three-fourths of their capacity. For whatever reason, the events of the past few months have clearly demonstrated that prices are on a one-way street out of this world.

My bill is designed to at least take the burden of paying Federal taxes off the shoulders of those on a small fixed income, and particularly so, since the enactment of the Revenue and Expenditure Control Act of 1968.

Five thousand dollars is a figure that exceeds most pensions today. You can imagine how tight a budget a man and wife have to manage to stay within its confines. The Federal tax on that figure, giving effect to two exemptions and the standard deduction, comes to $551.10. I hesitate to say how this turn of the screw on April 15, would take the joy out of living. Needless to say that it is high time we started looking out for our older people. At a time when some quarters are proposing a negative income tax, here is the next best thing for the people who need it most.

I accordingly present my bill with the hope it receives the serious consideration I believe it merits.

THE LEAR SCHOOL

Mr. PEPPER. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. PEPPER. Mr. Speaker, one of the fine schools of my district is the Lear School. It has splendid management, a distinguished faculty, and a student body of outstanding excellence.

I was immensely impressed with the speeches made this commencement evening by the members of the graduating class. I delivered the commencement address on the occasion of May 31, which I should like to have appear at this point in the RECORD:

SPEECH BY CONGRESSMAN CLAUDE PEPPER AT COMMENCEMENT EXERCISES OF LEAR SCHOOL, MAY 31, 1968

Mr. Lear, Mrs. Lear, Members of the Faculty, Members of this splendid Graduating Class, and to the members of the Eighth and Sixth Grades, Distinguished Guests, Ladies and Gentlemen:

Thank you very much, Mr. Lear, for your generous and kind words of introduction. But thank you particularly for the wonderful opportunity of being here this evening to share the inspiration and the delight of this occasion with all of us who are fortunate enough to be here. As we say in the Congress, I felt very much disposed to get up and say I yield my time to these young ladies and gentlemen, let them carry on as they did so well. And I must warn you now that I cannot hope to equal their performance, which we have all enjoyed so very much this evening.

I have long wanted to come here for such an occasion as this but some untoward circumstance has prevented my doing so until this happy evening—I've been richly rewarded. All of us like to be about when a new life comes to earth, because we know that that is the beginning of the miracle of of wonderful life. And we always delight to be present at a wedding because that is the beginning of God's ordained institution, the family. We also derive a particular delight to be present at a commencement ceremony because that marks the beginning of what we hope for those young graduates will be long and honorable and satisfying experiences in life.

I'm far too wise to venture to give any advice or counsel to this class of young ladies and gentlemen fortunate enough to have taken their instruction here in this splendid institution. For they have already learned more than most of us know and they entertain their knowledge with a certainty which few of us still cherish about what we earlier learned. They also have the wisdom to be aware that their school is not particularly confined to the effort of instruction. What it probably is most anxious to do is to make them aware of the world of knowledge, to try to develop within them the inquiring mind to discover it, and to have had established within their minds and hearts something of a sense of high purpose, something that makes them accept the challenge of life and determined to play a great and, perhaps, a glorious part in it. They are coming, as they I am sure are aware, into the inheritance of the most marvelous world that man has ever known, the most magnificent country that man has ever seen.

In the three volumes entitled "Perspective" which the Encyclopaedia Britannica just put out, the first paragraph in the introductory statement in the first volume says that the most dynamic statistic that the author knows to give is the fact that today 90% of all the scientists and engineers who ever lived are living and working. That is a testimonial to how much those who now live have made what we now have. And so this technological era into which you are fortunately born offers you more of what are generally called, "the good things of life" than any graduating class has ever been able to come into. They offer you a quality of material possessions which can be found nowhere else in history or in the world on an equality with our country. But, at the same time all these wonders will be excelled in the near future and there will be even more enormous amazement at the achievements of those who shall come shortly in your footsteps.

I have on my office wall in Washington a photograph which I often exhibit to my visitors. It is the photograph of the first heavier than air flight at Kitty Hawk, North Carolina, in 1903, in my lifetime, by Mr. Orville Wright lying prone upon that rickety biplane which stayed in the air only a few seconds and went only relatively a few feet. That was in 1903. Mr. Wright came in to see me one day and asked me to introduce a bill making national aviation day on his birthday, which I was pleased and fortunate enough to do, and came back and gave me that picture with his autograph. He only died a few years ago. And yet within this decade, only within the next two years or thereabout, our nation is dedicated to putting three men upon the moon and bringing them safely back, and establishing by experiment the proof of the things that we now know in fact. And so, it is almost impossible to imagine what the achievements of tomorrow will be and if you only saw that side of the present, how exciting it would be because you would not be aware that on the threshold of that miraculous future of how many problems await you. The population of the world is growing so rapidly that in this country in a few years we will have 300 million people and Latin America will have 600 million and the world will have 4½ billion and people are already beginning to be concerned about the adequacy of the food supply of those who will live. And that very technology which has been so wonderful in our time has produced a nuclear weapon which hangs like a Damoclean sword over all nations and all men, women and children, and particularly the children. They say that President Kennedy, during the Cuban crisis, when we risked a nuclear war, used to walk out upon the balcony near his living quarters, put his hands over his eyes and reflect with sadness, the tragedy that would befall the children if we had a nuclear war.

One of these young gentlemen spoke about a sense of frustration which so many find not only in the world but in this nation of peculiar affluence. We have seen in recent days a great nation with a glorious past paralyzed almost with frustrations of one kind or another and in our colleges and universities we have observed a tumult we never thought we should observe in the institutions of learning in our land. In particular it seems that the ferment of discontent and frustration is in the young mind and in the young heart. What is it that they have already discovered that gives them such a sense of failure before they have hardly got to the threshold of life? What dissatisfaction is it which agitates them to such violence and to such tumultuous demonstrations. Well, those are factors that the psychiatrist or the psychologist or the sociologist perhaps is best qualified to disclose. But what I would like to say to these young ladies and gentlemen is that this is your world, this is your country, this is your generation. If you don't like it, it is yours to make it over. You are coming fresh upon the scene of battle. All of the past has been your provider of wisdom and knowledge and learning; you've been given a legacy the like of which none has ever known; more materials with which to work; if you would reorder the earth, think of what richness you have for your materials with which to do it. If you are to be the architects of a new order, think what a great past you have to build upon.

No one would deter you from adventure or discourage you in letting your imagination run rampant and imagine a society a thousand times better than the one we have. Yet, you will discover as you grow older—as you go a little further down the road—that there are many values in this society that we now have that you will not wish to destroy, and that there are many virtues that you would not wish to have our society lose. And you will discover that there is a sense of dedication amongst the many quiet people who some would say plod, but really build, that is touching and stimulating and inspiring.

And let me advise you to be sure that you need not feel lost in the society of many in the multitudes of the present. One man, as President Kennedy used to say, can make a difference.

A little while ago, my old alma mater, the University of Alabama, was playing football in our stadium. And they put a young quarterback in there named Joe Nameck. Before Joe came to the quarterback position, Alabama wasn't making any touchdowns; within a very few minutes after he came to that position, Alabama did make a touchdown. They took him out and they didn't make any more. They put him back in and a few minutes later, Alabama made another touchdown. As I sat there and saw that performance, I said I think that all these many thousands will agree that one man can make a difference. That one man can make a difference for something that may be good or bad. A young man recently in Paris, 23 years old, because he was summoned to the offices of the administrative heads of his university for disiplinary purposes, instigated a riot, caused violence, and paralyzed a nation—good or bad, depending upon your point of view, but one man did make a difference.

So, young people, there is room for you. You may be the one who will make the great discoveries of the future. You may be the one that will cure these frustrations and give a sense of purpose to those who now don't find it. May I make this one observation to you. Some think that youth is cynical; that the youth doesn't have anything to tie to, such as we older people who have a long experience and some religious atmosphere; and now you are coming into a time when you don't have these traditional inherited things and concepts so much as we older people did. Most of us grew up in a church—the church of our fathers—many of your young generation are now wondering whether, as some of the skeptics say, there is a God. Is God dead? Some of your generation say you are not going to model your life after some kind of a religious orthodoxy which has come down from a lot of staid people of the long past. Very well, experiment, reflect, think. You will find your way and you will find, I am sure, the right way. You will come to agree with me, I believe, that if there were no orthodoxy, no religious inheritance, the moral strength which is in the mind and heart of man is convincing proof that there is some kind of justification for belief in a diety. But, don't be afraid to think and to inquire, even to experiment. You will come out all right at the end of the way.

I leave with you a definition of what was called a liberal education by a great English thinker, named Huxley. And I commend to you young ladies and gentlemen that you take as your objective the making of as much as possible a well rounded and complete life. You are not just going to be a lawyer, or a doctor, or a businessman, or a scientist or an engineer, you are going to be a man or a woman. And that is greater than anything else because that is what was made in God's divine image. This man Huxley tried to describe what the well rounded, well built, well proportioned body, mind and spirited man and woman should be. Here is what he said: "I consider that man to have had a liberal education, whose body has been so trained in his youth that it does with ease and pleasure the work that as a mechanism it is capable of; one whose intellect is a clear, cold, logic engine, with all of its parts of equal strength and in smooth running order, ready like the steamengine to be turned to any kind of work, to spin the gossamers as well as to forge the anchors of the mind. One whose mind is stored with the knowledge of the great and fundamental laws of nature and the laws of her operation; one, who no stunted esthetic, is full of life and fire, but whose passions are trained to come to heel by a vigorous will, the servant of a tender conscience; one who has learned to love all beauty, whether of nature or of art; to hate all selfishness; to put away all vileness and to respect others as himself."

Young ladies and gentlemen, I congratulate you upon this beginning of the great adventure of a career. Let your hearts keep this one objective, and say it all the days and nights of your life: God's helping me, I will always vindicate the high hopes the Lears, my Faculty, my family and my friends had for me that wonderful night when I graduated back there at Lear School.

God bless you all.

LETTER FROM A VIETNAM SOLDIER

Mr. STRATTON. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection:

Mr. STRATTON. Mr. Speaker, last April S. Sgt. Johnston Dunlop, U.S. Army, of 36 Willard Street, Auburn, N.Y., was killed in action in Vietnam. At the time of his death Sergeant Dunlop was serving his second hitch in Vietnam. Like many of his colleagues he had "shipped over," and signed up for a second year of service in Vietnam because he had been profoundly convinced that we were doing the right thing in Vietnam, and were pursuing a worthwhile though difficult objective there. I met Sergeant Dunlop shortly before he returned to Vietnam for his second tour of duty, and I was deeply impressed with his personality and his deep sense of dedication.

After Sergeant Dunlop's tragic death his mother received a letter from a neighbor she did not know personally. The neighbor had in turn enclosed a letter which Sergeant Dunlop had written some weeks before his death to the neighbor's young son, who had written to Sergeant Dunlop to inquire about Vietnam from a man the boy had regarded as his special soldier.

Sergeant Dunlop's reply was such an eloquent and moving statement of our purposes in Vietnam that I believe it deserves to be read by every American and especially by those who ask what we are doing in Vietnam.

With that thought in mind, therefore, I include at this point the covering letter from Mrs. Marian T. Bramble to Mrs. S. Dunlop, and following it the letter from Sergeant Dunlop to Mr. John Bramble of Cato, N.Y.:

TOWN OF IRA,
Cato, N.Y., April 29, 1968.

DEAR MRS. DUNLOP: Enclosed you will find a copy of a letter that your son sent my young son. It is one of the most beautiful expressions of patriotism that I have ever read. I know it cannot really ease the pain of your loss but perhaps it will help some to know his attitude toward his situation. We feel it was most generous of him to take time to write to a young boy.

John picked Sgt. Dunlop's name from the Auburn paper last November and considered him his special soldier.

We who never knew him feel a real loss at his death. You, his mother, must feel great grief—but great pride also in a gallant American son.

Sincerely,

MARIAN T. BEAMKLE.

MARCH 3, 1968.

HI JOHN: I'm real sorry I had to wait until the 3rd of March to thank you for your card and letter. I know you didn't wait to send them because I received them just before Christmas. I also received your package about Dec. 15th and if all goes well I'll try my best to meet you when I come back to Auburn.

You asked about Vietnam and what I thought of the situation. Well, it's hard to tell sometimes during the excitement, but when I get time to think about why I'm here it comes real easy. You see, John, I'm an American and believe in freedom. I wasn't born an American but I became a naturalized citizen. I'm from a place called Dumbarton, Scotland, and during the years of World War II if it hadn't been for Americans to help Britain in her hours of need, I don't know where I'd be now.

Once again the United States has been asked to step forth in an hour of need and as our great country has done before—we have done again. John, to live in the United States is a great, great privilege and somebody has to pay the cost. I'm glad to be able to pay the cost and enjoy the privilege. I hope, also, that you never have to be involved in a war like I am but should you ever be just remember that two or three years of your life spent in the service isn't much, considering you will have the rest of your life to live in the United States.

Today in Vietnam we have troops from Australia, New Zealand, Philippine Islands, and The Republic of South Korea, Thailand. These countries recognize the threat and face it as being close to their home. I'll tell you, John, it takes 22 hours to fly from Vietnam to California. I hope we think about this as Americans and stop it here.

I know there are lots of demonstrations and they say we do a lot of bad things. But we do a lot of good things, too. They seldom show our medics giving innoculations to many of these people saving them from disease and also the food we give them. We Americans do a lot of this and we were doing the same in Korea a short ten or fifteen years ago, and now our allies fighting with me in Vietnam are South Koreans. We heard the same dissenters then only with less publicity.

Tomorrow I'm going on my way again but I know John Bremble and lots of other Americans will be on my side and willing to help me should I ever need it. Thank you for everything John and Good Luck.

God Bless.

S. Sgt. JOHNSTON DUNLOP.

THE ZIP CODE IN VERSE

Mr. STRATTON. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. STRATTON. Mr. Speaker, with all the stories we have heard about the Post Office Department's ZIP code, I thought Members might be interested in the following verse about its operation, recently read at the dedication of a new post-office building at Worcester, N.Y., by Mr. M. O. Ogden, postal service officer in the Albany, N.Y., area. Mr. Ogden, a veteran of many years in the postal service, is the author of this very interesting "Ode About ZIP Code."

I think Mr. Ogden, on this performance, ranks with Ogden Nash.

AN ODE ABOUT ZIP CODE

Space Age mail service decreed a new mode
Supplied by the Post Office through ZIP Code.
If using numbers you find a bit hard—
Telephone, credit or charge account card—
ZIP Code is easy—five numbers to write,
And this helps your mail get home overnight.

If you have wondered just how the mails go,
Here are some some facts which will help you to know.
Back in the years when rail travel was great
A hundred or more trains ran through the State.
These trains had cars built for handling the mails
Where clerks did their work while riding the rails.

Over each route, by the end of the line,
The mail was all sorted fast and real fine.
Most of that service was lost by the way
Trains were reduced to the few of today.
Mail now must be moved by highway and air,
But clerks cannot sort in trucks or up there.

This caused a problem—before any trip,
Mail had to be worked—that's now done with ZIP
Faster than problems are all cleared away,
One which continues grows bigger each day.
As people all know, in this great nation
We have an increasing population.

This makes our economy boom, we're told,
While adding more billions to our mail load.
Though volume grows daily, service won't slip
If people remember and use their ZIP.
Those five small digits like magic unfold
And help quickly move the mountainous load.

ZIP makes the routing of nationwide mail
Simple and easy, it works without fail.
This job once required scheme study and test,
But now ZIP Code does it fastest and best.
And when it comes times for automation
ZIP Code again will help the whole nation.

There's now a machine that's said to work fine
By scanning letters to read the last line,
When reaching that point, it finds there your ZIP,
This great machine speeds your mail on its trip.
Your friends will like it, and businessmen too,
Just add the ZIP Code, that's all you need do.

Now that you know why this story was told,
Please change your addressing habits of old.
Each time that you write a letter or card
Include the ZIP Code, it's really not hard.
And to all your friends this story please cite—
They too can help get mail home overnight.

—Ogden.

RECENTLY PAID TRIBUTE TO REPRESENTATIVE BOB SIKES

Mr. HANLEY. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. HANLEY. Mr. Speaker, unfortunately, I could not be present when our colleagues met here on the floor recently to pay tribute to Congressman Bob Sikes. I regret this because of the high esteem in which I hold him.

Although I have not been a Member of this body as long as many of his other friends, I have learned in my 4 short years to respect not only the man but his judgment as well.

As the dean of the Florida delegation, he has established an enviable record of service to both his district and his State. They can be justifiably proud of their senior Representative.

Mr. Speaker, although tardy, my tribute to Congressman Sikes is nonetheless heartfelt and sincere. I wish him 22 more years of service here in the House.

THE LATE HONORABLE JOE POOL

Mr. HANLEY. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. HANLEY. Mr. Speaker, I join with my colleagues today in expressing sorrow and shock over the suddent death of Congressman Joe Pool. I have served on the House Post Office and Civil Service Committee with Joe since first having come to the House. He was a diligent member of the committee who vigorously pursued his task. He was a warm and friendly man. I shall miss him as a friend and colleague; his family will miss him as a devoted husband and father; his constituents will miss him as a dedicated Representative.

My prayers and sympathy go out to Mrs. Pool and to her four children.

PERSONAL EXEMPTION

Mr. HANLEY. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. HANLEY. Mr. Speaker, late last Thursday evening and Friday afternoon, I was detained from the floor of the House and was not present when certain bills were considered for final passage. Specifically, Thursday evening, the House passed the military construction authorization bill for fiscal 1969. I was present and voting on the floor during consideration of this conference report but was detained when the vote on final passage was called. I supported this bill when it passed the House earlier in the Congress, and I would like the record to show that had I been present for the final vote last Thursday evening I would have voted "aye."

Likewise, on Friday, the House considered four measures which I had vigorously supported here in the House, but which I could not be present for on final passage. As a matter of fact, I had cosponsored two of the measures, the first establishing a Joint Committee To Investigate Crime, and the second amending the Federal Food, Drug and Cosmetic Act. Had I been able to be present, I would have voted "aye" on each. Both measures passed by overwhelming majorities. The other two measures which were considered at that time were H.R. 15758—which passed 325 to 1—and H.R. 16824—which passed 309 to 2. I would like the record to show that I would have voted "aye" on these two bills also.

ETHNIC SLURS SHOULD BE BANNED ON TELEVISION AND RADIO

Mr. ROONEY of New York. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. ROONEY of New York. Mr. Speaker, last Sunday in New York members of two of our minority groups met in protest. Out of that protest meeting, unlike so many others, came a calm and reasoned statement calling for a course of action long overdue. Under the permission heretofore granted me I insert at this point a newspaper story under July 15 date which describes the meeting and its accomplishments:

ETHNIC GROUPS SEEK BAN OF SLURS ON TV

Italian-American and Polish-American groups plan to ask Congress soon for laws enabling the Federal Communications Commission to enforce the Television Code rules against insulting portrayals of nationality, racial or religious groups on TV.

Leaders of Americans of Italian Descent, Inc., and the Chicago-based Polish-American Guardian Society met yesterday at the Italian group's headquarters, 400 Madison Avenue, to discuss the move. They said their groups would also ask the movie industry to refrain from making films that show Polish or Italian Americans "in defamatory roles."

At the meeting, the 3,000-member Polish-American organization was represented by Leonard Jarzab, its president. Taking part for the 31,000 members of Americans of Italian Descent were former United States Representative Alfred E. Santangelo, a board member, and Charles E. Sorace, cochairman of the legal committee.

Adherence to the Television Code is now voluntary.

Mr. Speaker, I could not agree more with the aims of these two groups of Americans for the outrage applies to every American. We are after all a nation of immigrants and I, for one, as the son of Irish immigrant parents, am sick to death of portrayals of and jokes about the stupid Pole, the Italian hood, the scheming Jew, the drunken Irishman, the parsimonious Scot, the watermelon-chomping Negro and the shiftless Mexican American, just to mention a few. The smirk and raised eyebrow are every bit as much a part of prejudice as a "white only" sign and play their part in perpetutating this evil which has so torn our society in the past decade. Mr. Speaker, the airwaves, or channels, over which the networks and individual stations operate belong to the people of this country—the public. Through the Federal Government individuals and corporations are allowed to use these channels to provide entertainment and information to the public—and in most cases to make a handsome profit. Therefore, it seems only just, Mr. Speaker, that if a network or station is abusing a segment of the population, which in fact owns the airwaves over which that station or network broadcasts, the people have a right to demand that the Government deny the broadcasting privilege to that network or station and turn the frequency over to a more responsible broadcaster.

Television recently has been featuring some prime-time programs which represent progress in the presentation of affairs concerning racial and ethnic groups. Yet often on the very same station just two or so hours later we are offered the choice of watching a dog-eared film from the numb 1930's which often features a scar faced Italian, complete with chalk striped suit, black shirt and white tie, machinegunning every defenseless man, woman and child within sight. Or perhaps we really get lucky and have the chance to watch a simpering Shirley Temple down on the old plantation playing ante bellum den mother to a group of fully grown, "happy" but obviously imbecilic black slaves—who of course are never slaves but just devoted servants. In these so-called "great movies" the laundry and cooking is always the task of a Chinese, lumberjacks are always hulking, moronic Swedish barroom brawlers or red faced Irishmen. The list goes on ad nauseam. What we are offered in the way of entertainment on television is bad enough and I suppose we have to tolerate it. But there is no earthly reason or excuse why we have to tolerate, from a medium that is supposed to serve the public, a presentation of racism or ethnic prejudice—no matter how old or how slight. I therefore urge my colleagues to join me in supporting these two aforementioned groups of Americans—and any others—in their fight to eradicate prejudice and racism, in any form, from radio and television programs and movies.

POST OFFICE RACE WITH CATASTROPHE

The SPEAKER. Under a previous order of the House, the gentleman from Montana [Mr. OLSEN] is recognized for 10 minutes.

Mr. OLSEN. Mr. Speaker, former Postmaster General Lawrence F. O'Brien once told the House Committee on Post Office and Civil Service that the Post Office Department was in a constant race with catastrophe and that this was "a race we well might lose."

He was talking about the normal course of postal operations. He did not imagine that the Congress would pass legislation which would make the winning of the race against catastrophe an impossibility. He did not imagine that Congress would virtually insure the occurrence of catastrophe. But that is what we will have done unless we act to excuse the Post Office Department from the restrictive provisions of sections 201, of Public Law 90–364.

When it was proposed last year that the Post Office Department be turned over to a private corporation, I predicted dire consequences for the postal service if it were operated on the profit motive.

In rural areas like my State of Montana service would suffer most. We can see an illustration of what would happen if we examine the Railway Express Agency or Western Union in rural areas like I represent. Offices are few and far between and service is unpredictable. Telegrams sent from my Washington office one day frequently do not arrive until the next.

A service as important, as necessary and as vital as the Post Office Department cannot be operated on the profit motive or it will strangle rural America.

Take a look at what it would do to my district in western Montana. Half a dozen post offices are scheduled for closure within weeks and 68 third-class and 68 fourth-class post offices are marked for elimination later. In fact if that cutback were to go fully in effect the great State of Montana would be left with about 35 post offices.

The Post Office Department is unique among all agencies of Government. It is constantly growing, and it has no control over its own growth. The American people determine how much mail will be handled each year, and it is up to the Department to handle, transport, and deliver that mail as swiftly and as economically as possible.

In fiscal 1966, for example, the increase in postal volume was 3.7 billion pieces over the previous year. When the figures for fiscal 1967 are compiled I feel confident we shall see an increase of even greater dimensions.

Mr. Speaker, in the Post Office, more volume means more manpower. There are no two ways about it. The new machines help some—but mechanization in the postal service is still in its infancy, and even the most imaginative minds have not suggested a substitute for the human being who carries and delivers the mail to the doorsteps of America.

But, in the face of this inexorable increase in postal volume, we have insisted that the Post Office Department reduce its personnel to the level of 1966.

This means that the Department cannot hire the 15,780 additional employees it needs to handle the volume for the current fiscal year. Worse than that, it means that the Department must eliminate 15,000 existing jobs this year and, in 4 years time, cut out a total of 83,238 postal positions.

Have we any idea what a catastrophe this is going to cause in the postal service? The service will be whittled down to the point where it will be not only a laughing stock but a source of enormous anger on the part of the American people.

And the people will have a perfect right to be angry.

Last year we raised the rates. We raised the rates to bring in a billion additional dollars to the Treasury. Are we now going to turn around and cut the service down to a whisper?

The American people have a right to expect better service when they are forced to pay higher postage rates. How are we going to explain to our constituents our action in forcing a reduction in service after raising the rates?

Postmaster General W. Marvin Watson has outlined some of the service reductions that will be made necessary by the restrictions imposed by section 201 of Public Law 90–364.

These include:

Denial of delivery service to all new communities and new suburban developments. These people will have to travel to their post office in order to pick up or deposit their mail.

Elimination of all deliveries of mail on Saturdays.

Elimination of all parcel post deliveries on Saturdays.

Closing down of all window service in post offices on Saturdays.

Reduction of Saturday collections.

An acceleration of the process of eliminating fourth-class post offices so that they all will be shut down within 4 years.

The elimination of at least 5,000 third-class post offices in the next 4 years.

I know this sounds drastic, but when you are forced to roll back your workforce in the face of sharply increasing volumes, you have to take drastic measures.

I would remind my colleagues that in 1957, the then Postmaster General, when denied a supplemental appropriation, closed down the post offices of the country for one Saturday. The public outcry was immediate, it was angry, and it was directed at the Congress.

The public outrage was so great that Congress reversed itself swiftly and made the money available to conduct the service properly.

What, then, can we expect when by our own actions we force the Postmaster General to impose far stricter economies, far more sweeping service curtailments, and to impose far more burdensome hardships on the populace.

Mr. Speaker, it is difficult to imagine the extent and the bitterness of the protest that will ensue. And we shall be the target for the attack, because the curtailments will be entirely of our own making.

The irony of it all is that all these economies in manpower will not accomplish anything nearly equivalent in the saving of money. Just because you close down the post offices on Saturday, this does not mean that the flow of mail stops. The mail will simply build up, creating a monstrous backlog which must be handled. If the Post Office does not have sufficient manpower to handle the backlog in an orderly fashion, it must work the men it has overtime, at time and a half. If the backlog is so great that Post Office trucks cannot handle the load, then additional trucks must be hired from the private sector. This results in a sloppy, slow, uncertain and extremely expensive operation. We shall have succeeded in ruining the postal service without saving any significant amount of money at all.

Mr. Speaker, there is a great deal of misapprehension about the so-called postal deficit. In the fiscal year just completed the Post Office spent approximately $7 billion, and it received in revenues approximately $6 billion. But the great bulk of that discrepancy between income and outgo went for public service items—services which we, the Congress, have determined should be segregated in postal accounting, and which should be paid for out of general taxation and not out of postal revenues.

Whenever people talk about the Post Office they talk about the postal deficit. But, how many people realize that the Post Office Department returns to the Treasury 84 percent of its appropriations? And if we make the proper deductions of public service costs, then we find the Post Office Department returns to the Treasury better than 92 percent of its postal costs.

No agency of Government—with the exception of the Treasury Department itself—comes anywhere close to that record. But we never hear about the State Department deficit, the Interior Department deficit, the Labor Department deficit—or any other deficit in Government except the postal deficit.

And, personally, I feel that the 8-percent difference between operating expenses and operating revenues in the Post Office is the greatest and most valuable investment the American people can make in the economy of the Nation.

The post office is not only the major means of personal communication available to our citizens, it is also the principal artery through which our commerce flows. Literally trillions of dollars travel each year in the satchels of our letter carriers.

But, have we considered what difficulties we shall inflict on our economy if we pursue this course of foolish restriction upon postal manpower?

Checks and securities will be delayed for days at a time in their transmission. This will cause serious disruptions in business procedures and in many cases will cause significant losses in interest to the persons involved. Paychecks, dividend checks, welfare checks, pension checks will be held up in the mails as a matter of course, causing severe and unnecessary hardships on the recipients. When checks for payment of goods are held up—as they will be held up, by the hundreds of thousands—this increases the "float" and therefore increases the cost to the merchant who sold the goods and to the bank that is waiting receipt of the checks. Can we in good conscience assume the responsibility for the economic disruption that these service curtailments will create? I do not think we have the moral right to do this thing to the American people.

Mr. Chairman, the chairman of the Committee on Post Office and Civil Service, the gentleman from New York [Mr. DULSKI], has introduced a bill (H.R. 18191) which would exempt the Post Office Department from the restrictions imposed by section 201 of Public Law 90-364. The bill is before the Ways and Means Committee at the present moment. It is my earnest hope that this bill will be reported out by the committee and will be brought speedily to the floor of the House for a favorable decision.

As I have said, the Post Office Department is unique. Unlike any other Department of Government, it cannot control the amount of business it must do. It has to take care of everything entrusted to it by the American people.

By 1969, it is estimated, the postal volume will be 84 billion pieces. I think that is a very modest estimate. If this figure is reached, it will mean an increase of 8.4 billion pieces over the volume of 1966. That increase of 8.4 billion is greater that the total volume of many European countries—including France.

Can we seriously expect the Post Office Department to handle these extra 8.4 billion pieces of mail without adding a single person to its payroll? The suggestion is absurd on the face of it. No matter how hard the postal employees work—and they do work hard and efficiently—they cannot handle an imposition of volume like that. The only possible result will be utter chaos—monstrous backlogs—service cutbacks—a continuing catastrophe which will make the crisis which occurred in the Chicago Post Office in the autumn of 1966 look like comparatively good times.

We cannot let that happen. The solution, Mr. Speaker, is in the bill introduced by the chairman of the Post Office and Civil Service Committee, H.R. 18191. We must give it priority and quick approval, or face very serious consequences at every level of our society.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

Mr. GOODELL (at the request of Mr. ZION), for 30 minutes, today; to revise and extend his remarks and include extraneous matter.

Mr. REUSS (at the request of Mr. MONTGOMERY), for 20 minutes, today; to revise and extend his remarks and to include extraneous matter.

Mr. OLSEN (at the request of Mr. MONTGOMERY), for 10 minutes, today; to revise and extend his remarks and to include extraneous matter.

EXTENSIONS OF REMARKS

By unanimous consent, permission to extend remarks was granted to:

Mr. POFF immediately preceding the passage of Senate Joint Resolution 172, to revise and extend his remarks and include extraneous matter.

Mr. WHITE and Mr. PRYOR, to revise and extend their remarks prior to the passage of the previous bill (H.R. 17752).

Mr. SPRINGER, to extend his remarks on H.R. 12698 before colloquy between chairman of committee and gentleman from Montana [Mr. BATTIN].

Mr. OTTINGER (at the request of Mr. MONRONEY), during consideration of House Resolution 163 under suspension of the rules today.

(The following Members (at the request of Mr. ZION) and to include extraneous matter:)

Mr. HARRISON.
Mr. QUILLEN in four instances.
Mr. FULTON of Pennsylvania in five instances.
Mr. PELLY in two instances.
Mr. ASHBROOK in two instances.
Mr. BYRNES of Wisconsin.
Mr. ZWACH.
Mr. RUMSFELD.
Mr. STEIGER of Arizona.
Mr. SCHERLE.
Mr. BOB WILSON.
Mr. AYRES.
Mr. COLLIER in four instances.
Mr. BROWN of Ohio.
Mr. DICKINSON.
Mr. SNYDER.
Mr. FINDLEY in two instances.
Mr. MCEWEN in five instances.
Mr. RAILSBACK.
Mr. DERWINSKI in two instances.
Mr. WYMAN.
Mr. MCCLURE.
Mr. MATHIAS of California.
Mr. WYATT.
Mr. SMITH of Oklahoma.
Mr. WATSON.
Mr. BIESTER.
Mr. SCHWEIKER.
Mr. TAFT.
Mr. MCCLOSKEY.

(The following Members (at the request of Mr. MONTGOMERY) and to include extraneous matter:)

Mr. MACHEN in six instances.
Mr. PODELL in two instances.
Mr. LONG of Maryland in two instances.
Mr. OLSEN in two instances.
Mr. EILBERG.
Mr. MURPHY of Illinois.
Mr. DINGELL in two instances.
Mr. FISHER in two instances.
Mr. GONZALEZ in three instances.
Mr. NIX.
Mr. CHARLES H. WILSON.
Mr. DOWNING in two instances.
Mr. EDWARDS of California in five instances.
Mr. WALDIE.
Mr. HANNA in two instances.
Mr. MOORHEAD in three instances.
Mr. HUNGATE in two instances.
Mr. JOHNSON of California in two instances.
Mr. DONOHUE in two instances.
Mr. BENNETT in two instances.
Mr. CAREY in two instances.

SENATE BILLS REFERRED

Bills of the Senate of the following titles were taken from the Speaker's table and, under the rule, referred as follows:

S. 1385. An act to amend section 3 of the act entitled "An act to provide for the disposal of materials on the public lands of the United States" approved July 31, 1947, relating to the disposition by the Secretary of the Interior of moneys obtained from the sale of materials from public lands; to the Committee on Interior and Insular Affairs.

S. 3083. An act for the relief of Dr. Juan M. Ortiz; to the Committee on the Judiciary.

S. 3173. An act for the relief of Dr. Joaquin Francisco Palmerola Cabrera; to the Committee on the Judiciary.

THE LATE HONORABLE JOE R. POOL

The SPEAKER. The Chair recognizes the gentleman from Texas [Mr. MAHON].

Mr. MAHON. Mr. Speaker, earlier today an announcement was made of the passing of our distinguished colleague, JOE R. POOL, a Representative from the State of Texas.

Mr. Speaker, I include at this point information in regard to the general arrangements for the funeral of our departed colleague.

Mr. Speaker, I am advised that the body of our late departed colleague will lie in state in the Tyler Street Methodist Church, at 927 West 10th Street, Dallas, Tex., from 12 noon to 2 p.m., Wednesday, July 17. Funeral services are scheduled to follow immediately at the church.

It has been suggested that in lieu of flowers, expressions of sympathy may be made in the form of contributions to the Dallas Heart Association, 3205 Oak Lawn Avenue, Dallas, Tex. 75219.

Mr. Speaker, as was noted earlier today in the House, a time for eulogies by Members for Mr. POOL will be fixed later.

Mr. Speaker, I offer a resolution.

The Clerk read the resolution, as follows:

H. Res. 1265

Resolved, That the House has heard with profound sorrow of the death of the Honorable Joe R. Pool, a Representative from the State of Texas.

Resolved, That a committee of twenty-two Members of the House, with such Members of the Senate as may be joined, be appointed to attend the funeral.

Resolved, That the Sergeant at Arms of the House be authorized and directed to take such steps as may be necessary for carrying out the provisions of these resolutions and that the necessary expenses in connection therewith be paid out of the contingent fund of the House.

The resolutions were agreed to.

The SPEAKER. The Chair appoints as members of the funeral committee the following Members on the part of the House: Messrs. Patman, Mahon, Poage, Fisher, Teague of Texas, Burleson, Dowdy, Brooks, Wright, Young, Casey, Gonzalez, Purcell, Roberts, Pickle, Cabell, de la Garza, White, Bush, Eckhardt, Kazen, and Price of Texas.

The SPEAKER. The Clerk will report the remaining resolution.

The Clerk read as follows:

Resolved, That the Clerk communicate these resolutions to the Senate and transmit a copy thereof to the family of the deceased.

Resolved, That as a further mark of respect the House do now adjourn.

The resolutions were agreed to.

ADJOURNMENT

Accordingly (at 11 o'clock and 11 minutes p.m.), the House adjourned until tomorrow, Tuesday, July 16, 1968, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

2053. A letter from the Comptroller General of the United States, transmitting a report on the opportunity for savings in acquiring security guard and fire protection services at the Kennedy Space Center, National Aeronautics and Space Administration; to the Committee on Government Operations.

2054. A letter from the Assistant Secretary of the Interior, transmitting a copy of an application for a loan by the Semitropic Water Storage District of Bakersfield, Calif., on behalf of the Buttonwillow Improvement District, pursuant to the provisions of section 4(a) of the Small Reclamation Projects Act; to the Committee on Interior and Insular Affairs.

2055. A letter from the Clerk, Indian Claims Commission, transmitting a report that proceedings have been finally concluded with respect to docket No. 87, *The Northern Paiute Nation, Petitioners,* v. *The United States of America, Defendant*, pursuant to the provisions of 60 Stat. 1055, 25 U.S.C. 70t; to the Committee on Interior and Insular Affairs.

2056. A letter from the Secretary of Commerce, transmitting a report of activities under the Mobile Trade Fairs Act for the fiscal year ended June 30, 1967, pursuant to the provisions of Public Law 87–839; to the Committee on Merchant Marine and Fisheries.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. FALLON: Committee on Public Works. H.R. 16175. A bill, to authorize the transfer, conveyance, lease, and improvement of, and construction on, certain property in the District of Columbia, for use as a headquarters site for the Organization of American States, as sites for governments of foreign countries, and for other purposes; with amendment (Rept. No. 1717). Referred to the Committee of the Whole House on the State of the Union.

Mr. ANDREWS of Alabama: Committee of conference. H.R. 18038. An act making appropriations for the legislative branch for the fiscal year ending June 30, 1969, and for other purposes (Rept. No. 1718). Ordered to be printed.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. DENNEY:

H.R. 18559. A bill to amend the Internal Revenue Code of 1954 in relation to industrial development bonds; to the Committee on Ways and Means.

By Mr. DERWINSKI:

H.R. 18560. A bill to amend title 10 of the United States Code to prohibit the assignment of a member of an armed force to combat area duty if certain relatives of such member died while serving in the Armed Forces in Vietnam; to the Committee on Armed Services.

By Mr. HARRISON:

H.R. 18561. A bill to authorize the Secretary of the Interior to engage in a feasibility investigation of the Corn Creek water resources development; to the Committee on Interior and Insular Affairs.

By Mr. HERLONG:

H.R. 18562. A bill to amend section 809(c)(1) of the Internal Revenue Code of 1954 to treat retrospective rate credits as return premiums; to the Committee on Ways and Means.

By Mr. HUTCHINSON:

H.R. 18563. A bill to amend title 10 of the United States Code to prohibit the assignment of a member of an armed force to combat area duty if certain relatives of such member died while serving in the Armed Forces in Vietnam; to the Committee on Armed Services.

By Mr. IRWIN:

H.R. 18564. A bill to permit State agreements for coverage under the hospital insurance program for the aged; to the Committee on Ways and Means.

By Mr. STEIGER of Arizona:

H.R. 18565. A bill to authorize the acquisition of a village site for the Payson Band of Yavapai Apache Indians, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. BROWN of Ohio (for himself Mr. Brock, Mr. Broyhill of North Carolina, Mr. Buchanan, Mr. Corbett, Mr. Dickinson, and Mr. Schneebeli):

H.R. 18566. A bill to amend title 10 of the United States Code to prohibit the assignment of a member of an armed force to combat area duty if certain relatives of such member died while serving in the Armed Forces in Vietnam; to the Committee on Armed Services.

By Mr. ESCH:

H.R. 18567. A bill to amend title 10 of the United States Code to prohibit the assignment of a member of an armed force to combat area duty if relatives of such member died while serving in the Armed Forces in Vietnam; to the Committee on Armed Services.

By Mrs. HECKLER of Massachusetts:

H.R. 18568. A bill to amend title 10 of the United States Code to prohibit the assignment of a member of an armed force to combat area duty if certain relatives of such member died while serving in the Armed Forces in Vietnam; to the Committee on Armed Services.

H.R. 18569. A bill to permit State agreements for coverage under the hospital insurance program for the aged; to the Committee on Ways and Means.

By Mr. LONG of Maryland:

H.R. 18570. A bill to amend section 201 of the Revenue and Expenditure Control Act of 1968; to the Committee on Ways and Means.

By Mr. MOSHER:

H.R. 18571. A bill to amend title 10 of the United States Code to prohibit the assignment of a member of an armed force to combat area duty if certain relatives of such member died while serving in the Armed Forces in Vietnam; to the Committee on Armed Services.

By Mr. OTTINGER:

H.R. 18572. A bill to amend the act of October 3, 1965; to the Committee on the Judiciary.

By Mr. REUSS (for himself, Mr. Brademas, Mr. Hechler of West Virginia, and Mr. Roybal):

H.R. 18573. A bill to encourage the involvement of youth in federally financed programs and projects; to the Committee on Education and Labor.

By Mr. ROTH (for himself, Mr. Adair, Mr. Anderson of Illinois, Mr. Arends, Mr. Ayres, Mr. Battin, Mr. Biester, Mr. Blackburn, Mr. Boland, Mrs. Bolton, Mr. Bray, Mr. Brock, Mr. Broyhill of North Carolina, Mr. Broyhill of Virginia, Mr. Bush, Mr. Button, Mr. Carter, Mr. Cederberg, Mr. Don H. Clausen, Mr. Corbett, Mr. Cowger, Mr. Curtis, Mr. Dellenback, Mr. Dent, and Mr. Derwinski):

H.R. 18574. A bill to establish the Commission for the Improvement of Government Managament; to the Committee on Government Operations.

By Mr. ROTH (for himself, Mr. Dickinson, Mr. Donohue, Mr. Edwards of California, Mr. Eshleman, Mr. Feighan, Mr. Findley, Mr. Fisher, Mr. Frelinghuysen, Mr. Fulton of Pennsylvania, Mr. Gallagher, Mr. Goodell, Mrs. Green of Oregon, Mr. Halleck, Mr. Halpern, Mr. Hammerschmidt, Mr. Harrison, Mrs. Heckler of Massachusetts, Mr. Helstoski, Mr. Hicks, Mr. Hosmer, Mr. Hungate, Mr. Hunt, Mr. Johnson of California, and Mrs. Kelly):

H.R. 18575. A bill to establish the Commission for the Improvement of Government Management and Organization; to the Committee on Government Operations.

By Mr. ROTH (for himself, Mr. Kleppe, Mr. Kupferman, Mr. Kuykendall, Mr. Kyros, Mr. Laird, Mr. Lennon, Mr. Lipscomb, Mr. Lloyd, Mr. Lukens, Mr. McClory, Mr. McClure, Mr. McCulloch, Mr. McDade, Mr. MacGregor, Mrs. May, Mr. Mayne, Mr. Meskill, Mr. Michel, Mr. Mills, Mr. Mize, Mr. Morse, Mr. Morton, Mr. Nelsen, and Mr. O'Konski):

H.R. 18576. A bill to establish the Commission for the Improvement of Government Management and Organization to the Committee on Government Operations.

By Mr. ROTH (for himself, Mr. PATTEN, Mr. PEPPER, Mr. PETTIS, Mr. PIRNIE, Mr. POLLOCK, Mr. PRICE of Texas, Mr. RAILSBACK, Mrs. REID of Illinois, Mr. REINECKE, Mr. RHODES of Arizona, Mr. RIEGLE, Mr. ROBISON, Mr. ROUDEBUSH, Mr. SANDMAN, Mr. SCHADEBERG, Mr. SCHNEEBELI, Mr. SCHWEIKER, Mr. SHRIVER, Mr. SMITH of California, Mr. SMITH of Oklahoma, Mr. STANTON, Mr. STEIGER of Wisconsin, Mr. TAFT, and Mr. TALCOTT):

H.R. 18577. A bill to establish the Commission for the Improvement of Government Management and Organization; to the Committee on Government Operations.

By Mr. ROTH (for himself, Mr. THOMPSON of Georgia, Mr. THOMSON of Wisconsin, Mr. WAMPLER, Mr. WATSON, Mr. WILLIAMS of Pennsylvania, Mr. WYLIE, and Mr. WYMAN):

H.R. 18578. A bill to establish the Commission for the Improvement of Government Management and Organization; to the Committee on Government Operations.

By Mr. WALDIE:

H.R. 18579. A bill to amend title II of the National Housing Act to establish a new program of mortgage insurance to assist in financing the construction or rehabilitation of housing facilities for the mentally retarded; to the Committee on Banking and Currency.

By Mr. ROSTENKOWSKI:

H.R. 18580. A bill to amend the Internal Revenue Code of 1954 to provide a basic $5,000 exemption from income tax for amounts received as annuities, pensions, or other retirement benefits; to the Committee on Ways and Means.

By Mr. GREEN of Pennsylvania:

H.J. Res. 1410. Joint resolution to direct the Federal Communications Commission to conduct a comprehensive study and investigation of the effects of the display of violence in television programs, and for other purposes; to the Committee on Interstate and Foreign Commerce.

MEMORIALS

Under clause 4 of rule XXII, memorials were presented and referred as follows:

366. By the SPEAKER: Memorial of the Legislature of the State of California, relative to equivalent pay for members of the Philippine Scouts; to the Committee on Armed Services.

367. Also, memorial of the Legislature of the State of California, relative to reviewing restrictions on grants-in-aid to State and local governments; to the Committee on Government Operations.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ADAMS:

H.R. 18581. A bill for the relief of Peter Takis Paraskevopoulos (also known as Peter Takis Pappas); to the Committee on the Judiciary.

By Mr. ADDABBO:

H.R. 18582. A bill for the relief of Cicely D. Norris; to the Committee on the Judiciary.

H.R. 18583. A bill for the relief of Giovanna Salvo; to the Committee on the Judiciary.

By Mr. ANNUNZIO:

H.R. 18584. A bill for the relief of Teresa De Benedetto; to the Committee on the Judiciary.

By Mr. BENNETT:

H.R. 18585. A bill for the relief of Dr. Nazir Ahmed Bhatti; to the Committee on the Judiciary.

By Mr. BRASCO:

H.R. 18586. A bill for the relief of Giovanna Maria Lunetta; to the Committee on the Judiciary.

By Mr. BURTON of California:

H.R. 18587. A bill for the relief of Benjamin Mueca Cadalin; to the Committee on the Judiciary.

By Mr. CLEVELAND:

H.R. 18588. A bill for the relief of Jose Antonio Almeida; to the Committee on the Judiciary.

H.R. 18589. A bill for the relief of Silvino Amaral; to the Committee on the Judiciary.

H.R. 18590. A bill for the relief of Fernando Batista; to the Committee on the Judiciary.

H.R. 18591. A bill for the relief of Manuel Mendoca Bolieiro (or Boliero); to the Committee on the Judiciary.

H.R. 18592. A bill for the relief of Antonio Cabral Caetano; to the Committee on the Judiciary.

By Mr. CLEVELAND:

H.R. 18593. A bill for the relief of Marie de Trindade; to the Committee on the Judiciary.

H.R. 18594. A bill for the relief of Ilda Marie Horta Pereira; to the Committee on the Judiciary.

H.R. 18595. A bill for the relief of Joaquim Antones Pereira; to the Committee on the Judiciary.

H.R. 18596. A bill for the relief of Francesco Viera; to the Committee on the Judiciary.

By Mr. HERLONG:

H.R. 18597. A bill for the relief of Herbert W. Lindsay and Marie Lindsay; to the Committee on the Judiciary.

By Mr. McCORMACK:

H.R. 18598. A bill for the relief of Beatrice Dascil Aquino; to the Committee on the Judiciary.

By Mr. MEEDS:

H.R. 18599. A bill for the relief of Paul Anthony Woche; to the Committee on the Judiciary.

By Mr. MOORE:

H.R. 18600. A bill for the relief of Kamal Aboul-Hosn; to the Committee on the Judiciary.

By Mr. MORSE:

H.R. 18601. A bill for the relief of Maria Signorello; to the Committee on the Judiciary.

By Mr. O'NEILL of Massachusetts:

H.R. 18602. A bill for the relief of Ayala Barel; to the Committee on the Judiciary.

By Mr. OTTINGER:

H.R. 18603. A bill for the relief of Bernardine Geertrude Jackson; to the Committee on the Judiciary.

By Mr. PELLY:

H.R. 18604. A bill for the relief of Apolinar Cabiao; to the Committee on the Judiciary.

H.R. 18605. A bill for the relief of Zenda B. Paguyo; to the Committee on the Judiciary.

By Mr. PODELL:

H.R. 18606. A bill for the relief of Daisy Olivia A. Caponong; to the Committee on the Judiciary.

By Mr. ROONEY of New York:

H.R. 18607. A bill for the relief of Mr. Meir Dayan; to the Committee on the Judiciary.

H.R. 18608. A bill for the relief of Mr. Claudio Salerno; to the Committee on the Judiciary.

By Mr. ST GERMAIN:

H.R. 18609. A bill for the relief of Rui Carlos Vasconcelos and his daughter, Nair de Fatima Teixeira de Sousa Vasconcelos; to the Committee on the Judiciary.

By Mr. WIDNALL:

H.R. 18610. A bill for the relief of Polycarpos Psomiadis and his wife Argyro Psomiadis; to the Committee on the Judiciary.

H.R. 18611. A bill for the relief of Zbigniew A. Ziolkowski; to the Committee on the Judiciary.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

376. The SPEAKER presented a petition of Henry Stoner, Portland, Ore., relative to erecting a memorial to the late President John F. Kennedy and the late Senator Robert F. Kennedy, which was referred to the Committee on House Administration.

EXTENSIONS OF REMARKS

PATRIOTISM, NOT AN IDLE WORD

HON. JOHN M. ZWACH

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Monday, July 15, 1968

Mr. ZWACH. Mr. Speaker, the Fourth of July falling on Thursday, the publication day for most rural newspapers in Minnesota, prompted many of them to devote editorial space to thoughts inspired by our Nation's birthday.

One editorial, in particular, struck me as most worth while. It was written by Ed Barsness, a former colleague of mine in the Minnesota Legislature. It incorporated an oration given by one of the girls of my congressional district, Miss Shannon Willer, a freshman at the University of Minnesota at Morris.

In order to share this fine article with my colleagues, I include it at this point in the RECORD:

PATRIOTISM, NOT AN IDLE WORD

The time has come in the months of the year that we should be observing Independence Day, commonly known as the Fourth of July. In our lifetime we have seen our Independence Day decline from the most important day of the year, to just another day on the calendar. In another life time the day may mean less except that it will be another holiday.

Go back and read what the leaders of the times that brought on the Revolutionary War had to say about the situation and note especially what the people of that time had to go through to gain independence, an element that meant everything to them at that period. When Patrick Henry said: "Give me Liberty or Death," he meant it and so did his listeners. While being a subject of a foreign nation, England, and being subject to taxes that were imposed on colonies without their consent, the situation of the colonist could in no way be compared to those who must live under Communistic rule today. The Thirteen Colonies wanted independence and freedom and they were willing to pay the price. Not only did these colonies establish the foundation for the United States of America, but they drew up a form of government that the historians have deemed to be the greatest human document of all times.

Now we have reached a stage in our history when we are taking everything for granted and when we have forgotten what it cost in human blood, suffering and endurance to build what we have. In fact, in many ways we have lost our vision. This is a very dangerous matter as the Bible speaks about the people perishing when they have lost their vision. Many great nations of the past have gone down and are now forgotten because they neglected the vision that made this nation the greatest in the world at the present time.

There is an old saying that patriotism is only vital when it is fully Christianized and this nation still stamps on the dollars, "In God We Trust." George William Curtis says: "A man's country is not a certain area of land, of mountains, rivers and woods, but it is a principal; and patriotism is loyalty to that principle."

What do the young people, who will shape the future of this nation, think of patriotism? We have read about the student revolt over the nation and how certain students have taken over class rooms, discharged the teachers and have taken over the studies, because in their own mind they know it all. It is therefore so refreshing and consoling to know that all the young people are not like that, although it is the lawless element that is getting the publicity. On Memorial Day we listened to a seventeen-year old student, and a graduate of the Morris High School 1968 Class, give a talk on Patriotism. We thought it was so timely that we are publishing her address in full. The young lady, a recent winner in oratorical contests sponsored by the American Legion, is Shannon Willer, a Freshman at the U. of M. Morris this fall. Her stirring address reads:

PATRIOTISM—OUR NECESSARY ELEMENT

"Viet Nam, civil rights, Kennedy, Nixon, McCarthy, Rockefeller, poverty, space, the U.N., inflation, taxes—the list is seemingly endless. These things are all part of the mouthful which the United States is presently chewing on. Needless to say—we've come a long way from thirteen starving colonies.

Our nation is now the furthest advanced of any country in the world. But, while we've been progressing we've lost something. It's called 'patriotism' and to a lot of Americans it's become unnecessary. This attitude is called apathy. It means to be unconcerned or have an 'I don't care' outlook.

The idea of patriotism is completely necessary in today's world. The U.S. must hang onto its Democratic spirit, not only for our own sake, but for the good of the entire world. Once we lose sight of patriotism, our Democratic ideals and goals will be lost.

Take a lesson from what just recently happened in France. In a matter of one week, France landed in turmoil because too many of her people were apathetic and unconcerned. A handful of hotheads got these people to join the bandwagon and some of them still weren't sure what they were hollering about. This could very well happen in the U.S. if we continue in our apathetic ways.

We cannot help the dead by having a Memorial Day. But, we can help what they died for.

If there were an outstanding human being that tried very hard, we would award him the highest praise we could find. Then, why do we overlook our own valiantly trying country? Sure, the U.S. has her faults, but there isn't a country on earth that surpasses what the U.S. is and stands for.

In our world today we are faced with the challenge of Communism. Some people have adopted a more lenient attitude towards this never-sleeping foe. There is a wall in Berlin that is a silent testimonial to the 'friendly' attitude of Communism. When we consider such statements as 'we will bury you capitalists,' we see that patriotism is necessary."

Communists are easy to fight when they have guns in their hands. The problem comes in how do we fight Communist teachers in our own country? If we learn patriotism right along with our morals and religion when we are growing up, half of the battle would be won. Too many children grow up to become the apathetic prey of Communist teachers. If more Americans would get out of that easychair and realize their responsibilities as American citizens, we could start to turn the tide against this flux of Communism.

Name some great Americans, such as Washington and Lincoln. There are countless others who now lie in graves throughout the U.S. and the world. If patriotism is no longer necessary then those people were the greatest fools in history."

WEST VIRGINIA INDUSTRIAL DEVELOPMENT INDICATED GOOD GROWTH

HON. JENNINGS RANDOLPH

OF WEST VIRGINIA

IN THE SENATE OF THE UNITED STATES

Monday, July 15, 1968

Mr. RANDOLPH. Mr. President, there is a good growth in West Virginia's industrial development, according to Angus E. Peyton, commissioner, West Virginia Department of Commerce.

It is believed that there has been a 5- to 7-percent increase in our State in industrial growth during fiscal year 1968.

Commissioner Peyton addressed members of the Public Utilities of the Virginias group, meeting in Charleston.

The Charleston Gazette, of Saturday, July 13, reported on his appearance, in part.

I ask unanimous consent that the address be included in the RECORD.

There being no objection, the address was ordered to be included in the RECORD, as follows:

STATE INDUSTRIAL DEVELOPMENT RISES

Preliminary reports indicate a 5 to 7 per cent increase in West Virginia industrial development activities for fiscal 1968, State Commerce Commissioner Angus E. Payton said Friday.

Peyton addressed members of the Public Utilities of the Virginias group meeting in Charleston.

Peyton pointed out that during fiscal 1966–67 new and expanding facilities announced, under construction or completed, represented a total investment of $487 million.

"While this was a record high for the state," Peyton said, "all indications now suggest that we have exceeded this figure at least five per cent during the 1967–68 fiscal year."

Peyton also discussed the state's export trade, and quoted a report from the United States Department of Commerce which shows West Virginia to be 17th in the nation in per capita value of exported manufactured products.

The report also stated there was an increase of 52 per cent in the value of manufactured products exported from the state during the period from 1960 to 1966, the most recent yearly data available from the Census Bureau. The state's volume of bituminous coal exported increased 85 per cent from 1960 to 1966, and represented nearly three-fourths of all the bituminous coal exported by the United States.

In reviewing the activities of the Commerce Department over the past year, Peyton cited the efforts of the various divisions to provide for total economic and social development.

"We realize that if we are to continue to maintain an attractive climate which will encourage investment in new and expanded industrial facilities, we must devote our efforts to an overall development concept," Peyton said.

Indicating the importance of comprehensive planning, the commissioner reported that through the efforts of the department's Planning, and Research Division, projects with a total cost of $728,606 were approved by the U.S. Department of Housing and Urban Development during the past year.

CORN CREEK UNIT

HON. WILLIAM HENRY HARRISON

OF WYOMING

IN THE HOUSE OF REPRESENTATIVES

Monday, July 15, 1968

Mr. HARRISON. Mr. Speaker, I introduce legislation to authorize the Secretary of the Interior to conduct a feasibility study of the Corn Creek unit, located in south central Goshen County, Wyo.

The principal features of the Corn Creek unit would be the Corn Creek Dam and Reservoir, a diversion dam and a system of pumping plants, canals, and laterals. The unit would provide a full water supply for 11,000 acres of land and supplemental water for 9,505 acres now irrigated but receiving an entirely inadequate supply. The plan also involves rehabilitation of some existing facilities.

The Bureau of Reclamation conducted a reconnaissance study of the Corn Creek unit in April 1965 which indicated that while the development is somewhat marginal, detailed studies are warranted to firm up the plan and fully evaluate its economic justification.

The plan, presented in the regional director's reconnaissance report of April 1965, was based on using surplus waters of the Laramie River and water savings from lining the Fort Laramie Canal of the North Platte project.

Since that time, it has been determined that full concurrence of all who presently have an interest in the use of the North Platte water supply would be needed to effect the plan. Since that would be so time consuming, alternative water supplies would be considered during feasibility studies. Possible alternatives would be the 11,000 acre-feet of uncommitted storage in Glendo Reservoir, or unappropriated flows of the North Platte River.

The Corn Creek unit is strongly supported by the local people and the State of Wyoming. Petitions have been obtained which show that 90 percent of the owners of presently irrigated land and 94 percent of the owners of the new land area are highly in favor of proceeding with the feasibility study.

The urgent need for the Corn Creek unit is unquestionably demonstrated. Due to the cyclical precipitation pattern, droughts are not uncommon in the area to be benefited by the Corn Creek unit. These droughts result in serious depletion of the livestock-carrying capacity of rangelands. The nature of the watersheds and presently insufficient storage capacities of existing reservoirs too often result in low water yield for irrigation. The three existing irrigation districts of the Corn Creek unit provided storage for an annual average of 0.56 acre-feet of water per acre at the farm headgates during the critical period between 1952 and 1962. This is far below that needed for satisfactorily irrigated farming operations. Bureau of Reclamation studies indicate a requirement of an annual delivery of about 1.6 acre-feet of water per acre.

For agriculture communities located in the vicinity of the Corn Creek unit—*especially Torrington—drought conditions* have created tremendous economic strains adding drought to low agricultural commodity prices and the cost of living. It is incumbent upon us to do what we can to ease the conditions imposed upon this agricultural area of Wyoming.

I urge approval of authorization for a feasibility study of the Corn Creek unit. This accomplished, we shall have moved one step nearer to realization of this desperately needed project.

NATIONAL SOCIETY OF THE SONS OF THE AMERICAN REVOLUTION—ORATORICAL CONTEST

HON. HOWARD H. BAKER, JR.

OF TENNESSEE

IN THE SENATE OF THE UNITED STATES

Monday, July 15, 1968

Mr. BAKER. Mr. President, each year the National Society of the Sons of the American Revolution sponsors a nationwide historical oratorical contest for high school junior and senior boys. I am happy to announce that the winner this year was Mr. T. Francis George, a 1968 graduate of Chattanooga High School, Chattanooga, Tenn.

I ask unanimous consent that Mr. George's speech be printed in the Extensions of Remarks.

There being no objection, the speech was ordered to be printed in the RECORD, as follows:

ONE MAN

One man—alone—can change the course of a nation's history. It happened in 1775. The man was Patrick Henry; the place Williamsburg, Virginia; the date, March 23. From the dimly-lit windows one could see and hear the horse-drawn carriages as they rumbled over the cobblestoned streets. In one of these carriages sat Patrick Henry. He was a young man who had been a farmer, a lawyer, and was now a member of the House of Burgesses. No ordinary citizen was this Patrick Henry, no mediocre politician was he! He was a radical, perhaps even an extremist in his political views. For example, he contended that Britain had no right to govern the colonies without their consent. He argued that free men should not be subject to taxation without representation.

The eyes of every person in the building were focused on the brawny frame of Patrick Henry as he rose to address the Virginia Continental Congress. His sandy hair and fiery eyes marked him as an impetuous patriot. His words were even more vehement. At the climax of his speech his booming voice bellowed forth like clashing thunder.

"Gentlemen may cry, 'Peace, peace,' but there is no peace. Our brothers are already in the fields. The next report from the north will bring to our ears the sound of clashing arms. We must fight, and again I say—we must fight! Is life so dear, or peace so sweet as to be purchased at the price of chains and slavery? Forbid it, Almighty God! I know not what course others may take, but as for me, give me liberty or give me death!"

To the Tories these words meant treacherous treason, but to the patriots they were the call to arms. One man, Patrick Henry, had ignited the brushfires of freedom, which eight months later, were to burst into a blazing holocaust at Lexington and Concord.

But are these words just cold print in history books? Do they have a message for us today? Let us ask the men who have given their lives in the service of our country, *"What meaneth these words to you?"* From battle sites such as Saratoga, the marshy swamps of the Carolinas, the blood-bathed fields of Gettysburg and Chickamauga, the mud and malaria of San Juan Hill, in the torrid trenches of the Argonne Forest, in the mass murder at Iwo Jima, the human slaughter at Pork Chop Hill, and now—even now—in the hatred, the horror, the hell of the rice paddies of Viet Nam our men have given and are giving the supreme sacrifice that we in America may enjoy this freedom.

Perhaps we do not fully appreciate our freedom until we have been deprived of it. So let us ask these brave patriots of the Hungarian Revolution whose feeble resistance was crushed by Russian tanks like a cat on a mouse, "What meaneth these words to you?" Then let us ask the scores of young men and women whose only crime was a desire to be free—yet whose bodies were blown into mincemeat as they tried to cross the Berlin Wall, "What meaneth these words to you?" Then let us ask the Cuban exiles whose fellow countrymen were killed like rats at the Bay of Pigs, "What meaneth these words to you?"

Together in one united anthem, in one celestial chorus they all answer: "To us life was not so dear, nor was peace so sweet as to be purchased at the price of chains and slavery. We knew not what course others would take, but as for us, we chose death instead of slavery."

Does this not prove that freedom is not free; our country is not cheap? There is a high price tag that each of us must pay. Let us reaffirm in our hearts, that with the help of God, we will live and if necessary die so that all men everywhere may be free.

SIERRA CLUB—CAUSE BY DISTORTION

HON. SAM STEIGER

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

Monday, July 15, 1968

Mr. STEIGER of Arizona. Mr. Speaker, the following remarks seem particularly appropriate at this time. For too long too many good people who make up the membership of the Sierra Club have been deceived by their professional, paid leadership. Emotion and distortion have led the concerned, lay conservationist to endorse causes that are created to develop a cash flow rather than to solve a genuine problem. I include herewith an article from the column, "The Fearless Spectator," by Charles McCabe:

THE TRUTH ABOUT REDWOODS

(By Charles McCabe)

The big tanned guy in the Stetson shaped into a Wyoming roll was standing on the grass at Stinson Beach a while back, and he was telling me about the redwoods. I had never heard the story told in quite the same way:

"I'm in the business in California," he said. "And it gives me a pretty good dollar. But on the subject of the redwoods themselves, I've never known anything to be so bathed in blarney.

"On the one side, there is this outfit called the Sierra Club, which professes conservation and acts as if it invented public morality. Here in Marin County, for instance, if you own a house and don't belong to the Sierra Club, your conduct borders on the treasonable.

"If you do belong, and you're on the side of all the bees and birds of the world, and the redwoods too, you can bask in the certainty that you are one of the anointed. Unless they come from the East, or somewhere, it is seldom that a non-Sierran is invited to the dinner table of a true Sierran.

"On the other side, you have the wicked predators, the lumber industry, which sells redwood to people who are perfectly willing to pay for it because it makes good houses and other kinds of things.

"In these boys' makeup, there is no slightest trace of righteousness. They want the wood, and they will do whatever they can to get it, because they want the loot, which is of course the name of the game.

"The struggle for the redwoods, which Fortune and other tony magazines rattle on about, is represented as a great big fight between these two groups—white-hatted Sierran, and black old lumber baron.

"You can take it from me it's nothing of the sort, when you get to the truth of the matter.

"There are few groups anywhere who need each other as desperately as the Sierra Club and the lumbermen. The Sierra Club has to have a villain, to justify its existence, and reap in all those lovely dues. The lumbermen are their villain No. 1. If the lumbermen decamped and went into some other business, the conservationists would be hard hit, and the sweet moral security of its members terribly shaken.

"The lumbermen, for their part, need the conservationists for the simplest of reasons: They keep the price of lumber up. Each alarm and excursion which the Sierrans emit helps to persuade the American public that the redwood stands are almost eliminated. This makes the sucker willing to pay what the traffic will bear. Q.E.D.

"And the funny thing is, most of the redwoods in California are perfectly safe from both the salvationists and the predators. They belong to the Federal government, which ain't about to give 'em to anyone."

The man had finished. His story had the ring of truth.

Unfortunately, it is not the kind of yarn you go to the Sierra Club for confirmation of, or the timber interests either. The denials on either side would curdle your blood and boggle your mind.

But there have been numberless examples of high-mindedness bedding down with corruption, to their mutual good. It is a strange ecology. Cops need criminals in order to dramatize their wickedness, so more and bigger appropriations to fight crime are forthcoming.

Temperance workers need drunks, and for the same reason. Baseball teams need opposing spitballers. The press needs sinners and vicious types in abundance, to get the old products sold. Etc., etc.

The parasitism of the forces of good and evil on each other, like most other things in nature, tends to be about equally beneficial to both parties. The good guys get that great warm moral glow, so necessary to them. The bad guys pick up the marbles.

VIETNAM CASUALTIES

HON. JOHN G. TOWER

OF TEXAS

IN THE SENATE OF THE UNITED STATES

Monday, July 15, 1968

Mr. TOWER. Mr. President, I recently received a copy of a letter from Texas State Senator Joe I. Bernal to Walter Cronkite of CBS news. Senator Bernal outlines in his correspondence the outstanding record of patriotic service performed by the Mexican Americans during World War II, the Korean war, and the Vietnam war. He also cites the unproportionately great loss of men suffered by this particular community. I take this opportunity to recognize these facts, and I ask unanimous consent that Senator Bernal's letter be printed in the RECORD.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

THE SENATE OF THE STATE
OF TEXAS, AUSTIN, TEX.,
June 26, 1968.

Re Vietnam casualties.
Mr. WALTER CRONKITE,
CBS Building,
New York, N.Y.

DEAR MR. CRONKITE: On June 24, 1968, there was mention of Ontonagon, Michigan in your news program.

I can understand the grief of that community and the sorrow they must feel for their brave fighting men who have died in Viet Nam. In South Texas, we have communities similar to Ontonagon, both in size and number of casualties. Uvalde, Texas, a city of approximately 12,000 people, has lost eight men in Viet Nam. Edinburg, Texas, a city of approximately 10,000 people, has lost six men. Falfurrias, Texas, a city of some 7,000 people has lost four men in Viet Nam. However, I feel a much greater sense of sorrow and grief than the people of Ontonagon in that these dead soldiers have all been Mexican-Americans. We, the Mexican-Americans of Texas, are only 14% of the population in the State of Texas; yet, our casualty rate in Viet Nam is 28%. Like the people in Ontonagon, the Texas Mexican-American generally choose to work rather than attend school and as a consequence, got to Viet Nam in greater numbers.

The loyalty and patriotism of the Mexican-American in the United States is beyond reproach. In both the Korean War and World War II, the majority of the Congressional Medal of Honor Winners from Texas have been of this ethnic group.

The solution to this problem is reasonable. The local boards should, first of all, include proportionate numbers of minority representatives. Texas has 655 local board members and only 7% are Mexican-Americans. Secondly, the local board members should be representatives of the local major occupations, for example, farm laborers in those areas where large concentrations of farm workers are found, labor union members where unions have large memberships, blue collar workers where many workers are unskilled and skilled laborers. At the moment, the local boards are made up of mostly professional men, doctors, lawyers, dentists, and ranchers and industrialists. Thirdly, the local boards should consider the rate of casualties incurred by their local communities when calling men up for induction so that no one community or minority is carrying the greater share of the burden. Lastly, the local boards should attempt to notify the military branch receiving a young man from an area of heavy casualties, that all efforts should be made to place him in an area where the least possible danger exists.

These proposals only attempt to limit the high rates of casualties incurred by one community and/or one minority group and is in no way meant as any commentary on the Viet Nam war. Hopefully, you will find a way to air this problem with more frequency in your broadcasts in order that people will demand of the Selective Service System sorely needed reforms in the draft laws, local board system and make-up, and of the discriminatory practices of the System.

Sincerely,

JOE J. BERNAL.

SENATOR HARRY F. BYRD, JR., ON FISCAL SOLVENCY AND TRADE WITH VIETNAM

HON. THOMAS N. DOWNING

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Monday, July 15, 1968

Mr. DOWNING. Mr. Speaker, the position of my distinguished colleague from Virginia, Senator HARRY F. BYRD, JR., on fiscal solvency and trade with Vietnam continues to draw attention from the press of the Nation. I am pleased to include in the RECORD four recent editorials which I believe will be of great interest to my colleagues as follow:

[From the Nashville (Tenn.) Banner, June 20, 1968]

WHAT OTHERS SAY: SENATOR BYRD'S PLEA: SOLVENCY

Not long ago, Senator Harry F. Byrd, Jr., took to the floor of the Senate to discuss the rising cost of servicing the national debt. The Treasury Department had just announced that the interest on the national debt for the current fiscal year had increased by $1.1 billion, or seven per cent, over the past fiscal year.

Senator Byrd was dismayed by the necessity of having to pay $14.5 billion in interest costs this year; he sees this soaring cost of debt service as an important economic indicator that should not be ignored.

He pointed out that if the Federal government were to confiscate all income above $50,000 for an individual and $100,000 for a couple, the increase in tax revenue would be but $700 million, or $400 million less than the increase in interest costs for the current year. The burden of paying this higher interest actually falls heaviest on taxpayers earning $15,000 or less a year, who pay 72 per cent of all income taxes collected, he said. Broken down further, 50 per cent of income tax collections comes from taxpayers with taxable incomes between $7,000 and $15,000; those with taxable incomes of $7,000 or less pay 22 per cent of the income tax collected.

The Senator emphasized that continuing Federal deficits that result in these higher interest costs are one of the primary causes of inflation, which places a hidden tax on all taxpayers, but which falls heaviest on those on fixed incomes and on those in lower-income brackets. Thus the taxpayers must pay twice for unwise deficit spending, by having more and more of their taxes go to meet rising interest costs and by losing purchasing power of the dollars they have left after paying they taxes.

He concluded his plea for fiscal sanity by saying, "Unless the government is willing to get its financial house in order, we will face a financial crisis." Yet Congress continues to vacillate on a needed tax increase, while squabbling over where an insignificant sum of $6 billion should be cut in spending. The spending cut, of course, should be at least twice that amount; one member of Congress has suggested several areas in which $17 billion could be cut without causing the sky to fall. Unfortunately for the American taxpayers, and for their pocketbooks, the voices of economic realists such as Senator Byrd—and his father before him—continue to fall on deaf ears.

[From the Springfield (Mo.) Leader & Press, June 16, 1968]

THOSE WHO PAY

On the issue of federal taxes. Senator Harry F. Byrd, Democrat, of Virginia, made this pertinent statement recently:

"If the federal government were to levy a 100 percent tax—yes, 100 percent—on all income over $10,000 ($20,000 on a joint return), the revenue gained would be only $13.2 billion—not enough to pay the interest on the national debt. This dramatizes not only the seriousness of the financial crisis our nation is facing, but it dramatizes that the bulk of the federal government's revenues must come from the middle income and lower income groups."

All too often, this is a very important fact the liberal big spenders, for welfarism and poverty in particular, prefer to ignore in making a big noise on what they are going to do for the people. Because the revenue must come from those in the lower income brackets these people are hurt the most.

[From the Mobile (Ala.) Register, June 20, 1968]

GRIM NEWS ON VIETNAM

The strong public concern in this country about Vietnam may grow stronger in the face of facts just brought to attention in Congress by Sen. Harry F. Byrd Jr., of Virginia.

Free world shipping to the enemy is increasing at a time when American casualties are increasing. This sums up Senator Byrd's report, in which he stated:

"Figures obtained by me show that for the first five months of 1968—January through May—61 free world ships carried cargo to North Vietnam.

"This figure of 61 for the five-month period compares with 78 free world ships carrying cargo to North Vietnam for the 12 months of 1967 and 74 for the 12 months of 1966.

"Thus the number of free world ships going into North Vietnam is running at a rate almost double each of the past two years.

"It is significant and disturbing that just as the shipping trend is sharply upward, so are American casualties.

"For the two calendar years 1966 and 1967, the United States suffered 106,000 casualties, for an average of 1,000 per week.

"But for the first five months of 1968, namely, January through May, U.S. casualties totaled 58,812 or an average of 2,700 per week.

"The most disturbing fact of all is that one-third of all the casualties the American people have suffered in Vietnam has occurred in the first five months of this year, and casualties of the past two months are at an all-time high. . . .

"To me these figures are tragic—one-third of the 175,806 casualties suffered during the entire war have occurred during the past five months. . . . The free world shipping is increasing and American casualties are increasing."

Senator Byrd asked these questions against the background of the facts he called to attention:

(1) "When will our government demand an end to the free world shipping going into North Vietnam?"

(2) "When will the Congress demand an end?"

(3) "And when will the American people demand an end to this trade which is prolonging the war and increasing substantially the number of Americans being killed and wounded?"

Vietnam—dissatisfaction among the American people over Vietnam—undoubtedly is one of the prime reasons for the apparently growing prospect of a far-reaching housecleaning in Washington, D.C., when the voters go to the polls in November.

Opinion survey after opinion survey in congressional districts has revealed a strong current of dissatisfaction over the handling of the Vietnam war. The experiences discussed by Senator Byrd cannot be expected to ease the unhappiness, but on the contrary could easily add to it.

If the voting in November covers the Washington, D.C., landscape with political casualties, Vietnam can be counted for sure as a main reason why it happened.

Many and justified as are the grievances the people of the United States have over the way the Great Society bunglers and their parrots have been performing, Vietnam could be at the top of the list, and certainly it is near the top at least.

[From the Richmond (Va.) News Leader, July 8, 1968]

Too Much To Expect

Many persons simply cannot believe that allies of the United States are continuing to undermine the U.S. position in Vietnam by carrying on trade with Ho Chi Minh's henchmen in North Vietnam. So the nation should be indebted to Virginia's Senator Harry F. Byrd, Jr., for disclosing that not only is the Free World trading with North Vietnam, but it is doing so at the rate double that of the past two years.

Said Senator Byrd recently:

". . . For the first five months of 1968 (January through May), 61 Free World ships carried cargo to North Vietnam. This figure . . . compares with 78 Free World ships carrying cargo to North Vietnam for the 12 months of 1967, and 74 for the 12 months of 1966." And which of the Free World countries still rules the waves to North Vietnam? Britain. "The figures show that of the 61 Free World ships [that carried cargo to North Vietnam in the first five months of this year]," Senator Byrd said, *"49 flew the British flag,* again a rate double each of the past two years."

Well, now. There are some obvious things the Johnson Administration could do to remedy that situation: (A) It could offer the British government and all other Free World countries an alternative—*i.e.,* trade with North Vietnam or trade with the U.S., but not with both; (B) it could impose a 20 per cent profiteering tax on those American businesses that continue to trade with countries which trade with North Vietnam; or (C) it could say to the most flagrant offender—Britain—that either the British support our policy in Vietnam by cutting off all trade with North Vietnam, or the U.S. shall proceed to recognize the Smith regime in Rhodesia and to enter into mutually desirable trade agreements with that admirable little country.

But then, of course, the Johnson Administration never would go to such lengths. Out of one side of its mouth, the Administration says it wants to bring an honorable end to the Vietnam War; out of the other side, it says that through trade it wants to build bridges to our would-be Communist executioners. And sure enough, while our soldiers are getting mowed down in Vietnam, the U.S. government is busily trading with the Communist satellites of Eastern Europe. So in spite of Senator Byrd's disclosures, it is too much to expect the Administration to impose a policy on others that it cannot even impose on itself.

FREDERICK J. WEILER CITED BY DEPARTMENT OF THE INTERIOR

HON. PAUL J. FANNIN

OF ARIZONA

IN THE SENATE OF THE UNITED STATES

Monday, July 15, 1968

Mr. FANNIN. Mr. President, as a Senator from Arizona, I am pleased that Frederick J. Weiler, Director, U.S. Bureau of Land Management in the State of Arizona, has received the Distinguished Service Award of the Department of the Interior. Both as Governor and as Senator, I have observed Mr. Weiler's work. He has, as the Secretary of the Interior's citation notes, "achieved rapport among users and managers through cooperative planning and acceptance of multiple use concepts." In Arizona he has been particularly active in the field of parks, greenbelts, lakes, wildlife, recreation, and watersheds. Before coming to Arizona Mr. Weiler served in Alaska and Washington.

In commenting on the award the Phoenix Gazette has termed Weiler "a public servant extraordinary."

Mr. President, I ask unanimous consent that an editorial entitled "Public Servant Extraordinary," published in the Phoenix Gazette of June 7, 1968, be printed in the Record.

There being no objection, the editorial was ordered to be printed in the Record, as follows:

Public Servant Extraordinary

There is a big difference between a public servant and a bureaucrat. On the job, the bureaucrat is enthusiastic only about collecting his paycheck; most of the time he hides behind snarls of red tape and civil service security, doing barely what has to be done and no more. The public servant, on the other hand, does his job with zest and imagination, always acting in the people's best interests and never timid about challenging the occasional foolishness that is inevitable in government.

Arizona is fortunate indeed that it enjoys the labors of Fred J. Weiler, public servant extraordinary, as Director of the U.S. Bureau of Land Management in the State. This is a much better place because he has handled Federal land matters here.

During his seven years in Arizona, Weiler has displayed amazing eagerness to put Federal land to the best possible beneficial use. He doesn't arbitrarily decide what is beneficial use, either, but confers with local interests. His byword has been "expedite."

For his accomplishments here and during previous assignments in Alaska and Washington State, Weiler has been accorded the highest honor the Department of Interior can bestow on its employes: the Distinguished Service Award and gold medal. It was an honor richly deserved, and every Arizonian owes him gratitude and a congratulatory salute.

NAVY LEAGUE CALLS CONTROL OF SEAS VITAL

HON. BOB WILSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, July 15, 1968

Mr. BOB WILSON. Mr. Speaker, under leave to extend my remarks in the Record, I include the following:

Navy League Calls Control of Seas Vital

(By Vice Adm. Ruthven E. Libby, USN, Ret.)

America is confronted by internal and external dangers posed by Communists and others who are dedicated to destruction of the nation. But these enemies do not go unrecognized.

The Navy League of the United States accurately identifies the Soviet attempt to drive the free world (and the United States in particular) from the world's oceans.

The internal threat also is far-reaching. Loyal American citizens, in every walk of life, therefore will cheer Mayor Walter Washington for his recent move toward restoring law and order in the nation's capital, incident to ending the disgraceful spectacle of "Resurrection City."

We find in this courageous move on the mayor's part a glimmer of hope that perhaps the pendulum is starting to swing the other way, and that the vast majority of our people are fed up with having their constitutional rights trampled upon by exhibitionists and militant minorities who overtly seek to destroy our homes, our businesses, our schools, our properties and our government, and who prostitute the constitutional guarantees of freedom of speech and the right of peaceful assembly into the practice of sedition, riot, arson, murder and general anarchy.

Recognizing that our survival as a nation depends uopn a prompt return to government of law by due obesrvance of constitutional processes, we hope that Mayor Washington's action may initiate a return to that happy state where our citizens may proceed on their lawful occasions with less likelihood of being murdered, mugged, maimed, or robbed than is now the case. (Under existing conditions, one of these will overtake one out of every 47 persons in the United States in the next 12 months).

We hope that an aroused citizenry will deal promptly and effectively with the enemy from within, so we may better appraise, appreciate, and deal with the enemy threatening us from without.

There is no longer anything covert about the enemy from within. The blatant, insolent declarations of the Stokely Carmichaels, the H. Rap Browns, the Bettina Apthekers and the dozens of their ilk, and the rash of organizations which (under a variety of names but with a common purpose) have sprung up around the country, overtly dedicated to our destruction, prove this.

These organizations (of which the Revolutionary Action Movement is typical) openly publicize their plans for violent overthrow of government by mass riots, crippling transportation, sabotaging public utilities, instigating street fighting and graduating to full-scale guerilla warfare. And they do this with complete impunity. One is constrained to wonder why.

It follows that these internal and external dangers are not unrelated, being elements of the Communist plan for world domination.

In recent years, the Kremlin leaders have awakened to the fact that the nation which controls the seas controls the world, and have embarked upon a comprehensive program to achieve this control—a program which includes the whole gamut of maritime activity.

Their progress has been phenomenal. Unfortunately it has been assisted materially by our own inertia and apparent indifference to what is going on.

The Navy League of the United States, under the capable direction of Charles F. Duchein, does not share this indifference. On the contrary, at the league's last annual convention its members adopted and promulgated a Declaration of Objectives and Resolutions which, although specifically intended as "policy direction and guidance for the membership," could be accepted with profit for the same purposes by the national administration.

It is undeniable in today's world that the survival of our country requires a strong, well-balanced military establishment capable of meeting any threat to our national security from whatever source. The Navy League, emphasizing this fact, regards control of the seas as being of dominant importance in the provision of national security. It identifies seven basic areas into which the over-all problem of command of the sea logically can be divided. These areas are:

National maritime policy.
National maritime strategy.
Ship construction.
Oceanic education.
Oceanic research.
Current world crises—"limited" wars.
Personnel.

The league urges the United States to formulate and execute a formal, dynamic and aggressive maritime policy in furtherance of our national interests. It urges that our national strategy include emphasis on a martime strategy "which gives full consideration to the need for mobility achieved through nuclear power, weapons superiority in both defense and offense, a merchant marine which truly serves as an extenion of a modern Navy, the maintenance of a Navy capable of operation in all waters of the world, and the retention of military aid as a part of our foreign aid program." More to the point, if possible, the league urges the practice of this strategy and the appropriation of sufficient funds to achieve the objectives sought.

Both a Navy and a merchant marine require ships. This the Russians are well aware of; this we seem to have forgotten. Lack of a long-range, comprehensive, well-planned shipbuilding program has produced block obsolescence in our Navy, and a state of near collapse in our merchant marine, whose over-all condition is really shockingly bad. This lack has hampered updating and modernizing our shipbuilding facilities. One immediate result is that we cannot compete with foreign ocean shipping or merchant shipbuilding. These grave deficiencies need to be corrected at once.

Because the free world is in reality an oceanic confederation, and because our survival depends so heavily upon our uninterrupted ability to use the oceans in peace and in war, we Americans as a whole need to know much, much more about the oceans than we now do. Hence, the league intends to "continue to foster the broad spectrum of oceanic education and research" in our educational institutions across the country, in order to build a foundation of knowledge which will enable us to make better use of what we now know about the oceans, and to appreciate what we shall find out later. It further recommends that the Navy be designated as the agency to carry out an expanded, adequately financed, and carefully-planned program of oceanographic and hydrographic research in order to increase this store of knowledge, vital to exercising all phases of control of the seas.

Limited wars now seem to be the order of the day. Recognizing this (and perhaps having in mind the embarrassing situation we are now in where our involvement in Vietnam leaves us apparently helpless to act anywhere else in the world in defense of our interests), the League advocates a major increase in mobility of sea power by augmenting merchant shipping and amphibious craft, and supports as a minimum strength for the Marine Corps the legally prescribed three divisions and three air wings at adequate strength and fully supplied with modern weapons and equipment.

Finally, recognizing that the priceless ingredient of our military establishment is people, the league urges that continuing attention be given by Congress and the Defense Department to the problems of attracting qualified personnel to the services and retaining them. The league urges "a constant review and upgrading of the incentives, opportunities and compensations affecting the status, prestige, morale, welfare and performance of our military."

These recommendations, in my view, deserve the thoughtful consideration of every citizen, to the end that Congress may be moved to act while there is still time.

UNIVERSAL POSTSECONDARY EDUCATIONAL OPPORTUNITY

HON. WINSTON L. PROUTY

OF VERMONT

IN THE SENATE OF THE UNITED STATES

Monday, July 15, 1968

Mr. PROUTY. Mr. President, last Tuesday, July 9, the Committee on Labor and Public Welfare unanimously reported the Omnibus Education Act of 1968, S. 3769. Contained in that bill is a provision for a Presidentially appointed Commission on Universal Educational Opportunity to make a study of alternative means of financing postsecondary education in America and report back to Congress and the President with a suggested plan for implementation.

I am proud to have cosponsored this measure with the Senator from Texas [Mr. YARBOROUGH]. I have worked with him on it and share with him the sense that the Commission's study will make a major contribution to the Congress in dealing with financial assistance to postsecondary education.

On Saturday, July 6, Senator YARBOROUGH addressed the national convention of the National Education Association in Dallas, Tex. The title of his speech is "Affecting Eternity," and it deals with the concept of universal postsecondary educational opportunity. I recommend it to the attention of Senators and ask unanimous consent that it be printed in the RECORD.

There being no objection, the speech was ordered to be printed in the RECORD, as follows:

AFFECTING ETERNITY

(Excerpts from a speech by U.S. Senator RALPH W. YARBOROUGH, Democrat, of Texas, to the national convention of the National Education Association, July 5, 1968, Memorial Auditorium, Dallas, Tex.)

Good morning. Let me begin by telling you how honored I am to address this convention. Next to the people of Texas you are the most important group of people in America today. I say that in all seriousness.

Henry Adams once observed that, *"A teacher affects eternity; he can never tell where his influence stops."* Each one of you, as you work with the children entrusted to you, can be one of the most powerful forces for good in the life of those children. Those children, when they first come to you, are like clay in the hands of the potter. And to a degree it is your decision whether they leave you as a work of art or unchanged—an intellectually shapeless lump of clay.

I have come here not just to talk with you, but to salute you. As individuals, as teachers, you do affect eternity; and there is no doubt that with each passing year you are doing a better job of it under great and growing difficulties. Additionally, I wish to salute you collectively; I wish to salute the National Education Association for the work, the hard work, it has done in molding education in America. Let me give some examples of the work your organization has done, and the accomplishments it has made.

Right now, back in Washington, I am in the middle of an appropriations fight for the Bilingual Education Act. It was signed into law providing $30 million for the coming fiscal year. The Administration came back with a token request of only $5 million. Then, nearly two weeks ago, the House Appropriations Committee recommended that it receive no money whatsoever. Later, on the floor of the House in an attempt to appropriate at least the token $5 million for the program, the bill was defeated by a 96–95 vote with some representatives from my own State voting against any money for bilingual education.

Now we have it in the Senate and I am struggling to obtain funding.

The point, though, is that if it hadn't been for the National Education Association I wouldn't be in the middle of this struggle right now. The Bilingual Education Act would still be a dream, and not a law that we can fight for.

The NEA invited me to a conference on Bilingual Education problems in Tucson in October of 1966, and as a result of that conference and the continuing assistance of Monroe Sweetland and the entire NEA legislative organization we saw that bill, that idea, written into law last year.

The NEA has been a force for good in many areas. I noted recently, for instance, that you are urging your affiliates to develop plans for voluntary Summer programs for disadvantaged children living in urban ghettos. That's another example of taking the lead where action is needed.

At your behest Senator Morse has introduced S. 3400, a bill which incorporated many of the ideas concerning education developed by the NEA in recent years. The bill is controversial in many respects. But it raises questions that need to be raised and need to be faced. Because you have pushed, because you have worked, the United States Senate is going to face those questions and try to come up with answers.

I note further that in the resolutions you adopted last year in Minneapolis that you advocate, "that educational opportunity extend for at least two years beyond the high school for all high school graduates. These opportunities should be supported by local, state, commonwealth, and national appropriations and be should be provided free of tuition charges." That is part of Resolution Number 67–3.

Universal Post-Secondary Educational Opportunity is something I have been working on since I have been in the Senate. Last September I introduced the first bill designed to examine the possibility of providing Universal Post-Secondary Educational opportunity. I am happy to report to you that that amendment is now pending in the Senate Education Subcommittee. It is my understanding that the House Subcommittee has adopted a similar proposal modeled along the lines I have advocated.

The amendment is modest, but its implications are far from modest. It will provide that the incoming President of the United States appoint a Senate-confirmed commission to make an intensive study of alternate means of financing post-secondary education. Like S. 3400, this is an area which is no stranger to controversy. My advocacy of free universal educational opportunity, much along the lines the NEA has resolved, goes beyond the first two years after graduation from high school. Others advocate different methods. The study will provide the basic information which Congress needs to move ahead in this next frontier of education.

It is time that America took a fresh look at post-secondary education—the benefits it covers and the costs it exacts—and time to decide whether our current system of financing it is obsolescent, inadequate, and inequitable.

Back 139 years ago, Charles Kent, a student at Ohio University wrote the following letter home:

"I shall want about three dollars more before the session is out. I have laid out for expenses on the road, for lodging the first night at Athens, for a trunk, chair, quire paper, pen-knife, quills, latin tutor, Walshe's arithmetics, slate, hire for bed, college tuition, entrance into society . . . and I have several other necessities, which I will present in a bill of my expenses . . . and things are so dear that such articles run up to quite a sum. What I have laid out altogether amounts to about 22 dollars, and I have yet wood, candles, and some other little affairs to get. I shall endeavor to be as parsimonious as possible . . ."

Young Charles Kent, back in 1829, was trying to hold the line on his total expenses in attending college at $50 a year. In the 1968–69 school year just his tuition and fees at public college or university will run him better than $300; at a private higher educational institution—more than $1,000. His *total* cost of attending college—tuition, fees, books, room, board, transportation, clothing, miscellaneous—would run him something like $1,700 at a public college, $2,640 at a private college per year.

And it's getting worse; the projections for 1980–81, for total costs of attending college, are $2,400 for public institutions, $3,600 for private institutions. In the ten years from 1956–1966, student charges went up 80 percent—even though the cost of living increased only 17 percent.

Earlier, I mentioned the inequities of our present system. I think the following statistics bear that observation out.

As of the last census 78 percent of high school graduates from families with incomes greater than $12,000 went on to college; only 33 percent of those same graduates from families with incomes of $3,000 or less went on to college. Similarly of the graduating high school seniors who do *not* go on to college, 50 percent fail to do so because of lack of an adequate system of paying their way.

Our founding fathers, contemplating our society which would do away with title and nobility, referred to "an aristocracy of achievement arising out of a democracy of opportunity." Sadly, for want of a democracy of opportunity we are getting a plutocracy of achievement.

Today, the only way a low-income, or even a middle-income student can attend college is by going into debt.

I question whether a student, or his family, should have to go into a long-term debt to cover the expense of what, in the long run, turns out to be a benefit to all of society. As President Kennedy stated in his message to Congress in February, 1962: "The education of our people is a national investment. It yields tangible returns in economic growth, and improved citizenry, and higher standards of living. But even more importantly, free men and women value education as personal experience and opportunity—as a basic benefit of a free and democratic civilization. It is our responsibility to do whatever needs to be done to make this opporuntity available to all and to make it of the highest possible quality."

I concur. And I suggest that what needs to be done is to provide outright grants to students embarking on post-secondary educational ventures.

There are precedents: Our current system of public support of elementary and secondary education, the experience of foreign countries, and the marvelous record of the GI Bills.

Today, college tuition in America is higher than anywhere else in the world except Canada. We are shackling future generations with the cost of educating this one.

Back in the nineteenth century a fierce debate raged over public finance of elementary and secondary education. Free public schools, said some, would mean unjust taxation of citizens without school-age children, and besides, it would never be worth the unaffordable expense in taxes.

The classic response of a Pennsylvania Representative is applicable today: "I do not fear taxes as much as I fear ignorance."

And today we have a system of elementary and secondary education which although not perfect—has made mighty contributions to America's current economic status in the world arena, and is, in my opinion, the best any large nation has ever provided its children.

In Denmark, Norway, and Sweden, higher education is looked on as a national investment and is free to students who qualify for admission to programs of higher education. In France, Austria, and much of Latin America student charges are minimal.

In Switzerland, the Canton of Geneva recently voted into law a measure which provides all regularly-enrolled university students with a $70 a month stipend plus expenses for books and stupplies. Students in advance fields, such as medicine, are receiving double that amount.

Our own success with the GI Bill of Rights is perhaps the most dramatic and persuasive argument for moving as quickly as possible to provide "free" post-secondary educational opportunity to every student capable of qualifying for admission. As author of the Cold War GI Bill, I speak with some knowledge on the subject.

The GI Bills gave access to post-secondary education to more people who used it more effectively in a concentrated period of time than did any other program in the history of this country. The United States government committed more than $15 billion to the training of American servicemen—both in higher education and in vocational education.

As a result of that $15 billion investment—for that is what it was—America got back 450,000 medical personnel, 383,000 construction workers, 180,000 teachers, 360,000 scientists, 107,000 lawyers, 243,000 accountants, 36,000 clergymen, 288,000 metal workers, 711 mechanics, 17,000 journalists, 138,000 electrical workers, 83,000 police and firemen, 61,000 printers and 700,000 businessmen.

On the average each individual who received GI benefits—tuition and fees paid plus living allowances—is making $2,000 to $3,000 more income annually than he otherwise would have been earning.

Most impressive, however, in simple financial terms is that the $15 billion investment has already been paid back to the government and to our economy in the form of increased income taxes. In fact, as a direct result of their training, GIs have raised their income level to the point where they now are paying an extra billion dollars a year in income taxes, so that they have not only already paid back their debt to society, but they will continue to repay it during their earning lifetimes two and three times over.

The issue of whether or not to provide free post-secondary education has been described as a value judgment: either it should be free to all who have the requisite ability, or those who benefit from it should be required to pay some user cost. This ideological reduction of issues, however, ignores the fact that, just as under the GI Bill, all Americans who improve their educational standing—and their ability to contribute to society and earn higher incomes, pay a user cost through our system of graduated income taxes.

I feel most strongly that this is the direction in which we should move. I am pleased beyond words that the NEA feels the same way. I learned, with the Bilingual Education Act, what a powerful and effective force you are. It is good to know that once again we will be working shoulder to shoulder for a common goal.

Just as the individual teacher affects eternity because he never knows where his influence stops, I think the collective teachers—the NEA—never know where their influence stops.

We are about to embark on a major venture in education. A major adventure, too. The future looks most exciting and challenging, and I can think of no harder workers—nor better friends to have with me—than the teachers of America.

PAUL C. HARPER SPEAKS TO THE CONFERENCE OF BETTER BUSINESS BUREAUS

REMARKS

OF

HON. THEODORE R. KUPFERMAN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, July 15, 1968

Mr. KUPFERMAN. Mr. Speaker, Paul C. Harper, chairman of the board of Needham, Harper & Steers, Inc., the well known advertising agency in my district, on June 3 addressed the National Conference of the Association of Better Business Bureaus at the Hotel Commodore in my district.

His provocative address entitled "The Invisible Man" has some timely things to say about the need for businessmen to be involved in public and civic matters.

I know that my colleagues who many times criticize public apathy, will be very much interested in his remarks, which follow:

"THE INVISIBLE MAN"

(An address by Paul C. Harper, chairman of the board, Needham, Harper & Steers, Inc., to the National Conference of the Association of Better Business Bureaus, at the Hotel Commodore, New York City, June 3, 1968)

Gentlemen, the theme of this conference is "Business Deserves Public Confidence", and so it does. I could not agree more. But this theme has a plaintive note to it. What it really says is "Business Deserves *More* Public Confidence *than it's getting.*" And so the question has to be, why is it *not* getting its share?

Do most products fall apart shortly after purchase? Are most salesmen pushy and mendacious. Are most products unfairly priced? Are the airways littered with false claims? No!

Then why this crisis of confidence?

Let's try another answer? Are there *just enough* poorly made products—false claims—high pressures salesmen—price distortions, to queer the public image of business. We all know the ripple effect in human affairs. (We are watching it with astonishment in France this week.) In business the victim of ripples in public opinion created by a few malpractitioners within its own ranks?

It could be. They certainly don't help.

But I would like to suggest another answer this noon. I would like to suggest that even if the record of American business were totally free of overt malpractice of any type—and had been for the past 40 years—that American business would still be in trouble today—in trouble with the consumer, in trouble with the intellectual community including large numbers of students, and in trouble with the government.

Why?

I believe for three fundamental reasons—that go deep into the nature of what American business is all about today.

These three reasons are:

1. The technical naivete of the consumer
2. The depersonalization of selling.
3. The invisibility of business leadership.

When I was a boy we had a farm we went to on weekends. The most complex device on the farm was the hand pump over the old brick well. Being a weekend farmer my father didn't know what to do, one day, when the pump stopped working. So he called Mr. Rieke, the local well driller. Mr. Rieke went

National maritime policy.
National maritime strategy.
Ship construction.
Oceanic education.
Oceanic research.
Current world crises—"limited" wars.
Personnel.

The league urges the United States to formulate and execute a formal, dynamic and aggressive maritime policy in furtherance of our national interests. It urges that our national strategy include emphasis on a martime strategy "which gives full consideration to the need for mobility achieved through nuclear power, weapons superiority in both defense and offense, a merchant marine which truly serves as an extenion of a modern Navy, the maintenance of a Navy capable of operation in all waters of the world, and the retention of military aid as a part of our foreign aid program." More to the point, if possible, the league urges the practice of this strategy and the appropriation of sufficient funds to achieve the objectives sought.

Both a Navy and a merchant marine require ships. This the Russians are well aware of; this we seem to have forgotten. Lack of a long-range, comprehensive, well-planned shipbuilding program has produced block obsolescence in our Navy, and a state of near collapse in our merchant marine, whose over-all condition is really shockingly bad. This lack has hampered updating and modernizing our shipbuilding facilities. One immediate result is that we cannot compete with foreign ocean shipping or merchant shipbuilding. These grave deficiencies need to be corrected at once.

Because the free world is in reality an oceanic confederation, and because our survival depends so heavily upon our uninterrupted ability to use the oceans in peace and in war, we Americans as a whole need to know much, much more about the oceans than we now do. Hence, the league intends to "continue to foster the broad spectrum of oceanic education and research" in our educational institutions across the country, in order to build a foundation of knowledge which will enable us to make better use of what we now know about the oceans, and to appreciate what we shall find out later. It further recommends that the Navy be designated as the agency to carry out an expanded, adequately financed, and carefully-planned program of oceanographic and hydrographic research in order to increase this store of knowledge, vital to exercising all phases of control of the seas.

Limited wars now seem to be the order of the day. Recognizing this (and perhaps having in mind the embarrassing situation we are now in where our involvement in Vietnam leaves us apparently helpless to act anywhere else in the world in defense of our interests), the League advocates a major increase in mobility of sea power by augmenting merchant shipping and amphibious craft, and supports as a minimum strength for the Marine Corps the legally prescribed three divisions and three air wings at adequate strength and fully supplied with modern weapons and equipment.

Finally, recognizing that the priceless ingredient of our military establishment is people, the league urges that continuing attention be given by Congress and the Defense Department to the problems of attracting qualified personnel to the services and retaining them. The league urges "a constant review and upgrading of the incentives, opportunities and compensations affecting the status, prestige, morale, welfare and performance of our military."

These recommendations, in my view, deserve the thoughtful consideration of every citizen, to the end that Congress may be moved to act while there is still time.

UNIVERSAL POSTSECONDARY EDUCATIONAL OPPORTUNITY

HON. WINSTON L. PROUTY

OF VERMONT

IN THE SENATE OF THE UNITED STATES

Monday, July 15, 1968

Mr. PROUTY. Mr. President, last Tuesday, July 9, the Committee on Labor and Public Welfare unanimously reported the Omnibus Education Act of 1968, S. 3769. Contained in that bill is a provision for a Presidentially appointed Commission on Universal Educational Opportunity to make a study of alternative means of financing postsecondary education in America and report back to Congress and the President with a suggested plan for implementation.

I am proud to have cosponsored this measure with the Senator from Texas [Mr. YARBOROUGH]. I have worked with him on it and share with him the sense that the Commission's study will make a major contribution to the Congress in dealing with financial assistance to postsecondary education.

On Saturday, July 6, Senator YARBOROUGH addressed the national convention of the National Education Association in Dallas, Tex. The title of his speech is "Affecting Eternity," and it deals with the concept of universal postsecondary educational opportunity. I recommend it to the attention of Senators and ask unanimous consent that it be printed in the RECORD.

There being no objection, the speech was ordered to be printed in the RECORD, as follows:

AFFECTING ETERNITY

(Excerpts from a speech by U.S. Senator RALPH W. YARBOROUGH, Democrat, of Texas, to the national convention of the National Education Association, July 5, 1968, Memorial Auditorium, Dallas, Tex.)

Good morning. Let me begin by telling you how honored I am to address this convention. Next to the people of Texas you are the most important group of people in America today. I say that in all seriousness.

Henry Adams once observed that, *"A teacher affects eternity; he can never tell where his influence stops."* Each one of you, as you work with the children entrusted to you, can be one of the most powerful forces for good in the life of those children. Those children, when they first come to you, are like clay in the hands of the potter. And to a degree it is your decision whether they leave you as a work of art or unchanged—an intellectually shapeless lump of clay.

I have come here not just to talk with you, but to salute you. As individuals, as teachers, you do affect eternity; and there is no doubt that with each passing year you are doing a better job of it under great and growing difficulties. Additionally, I wish to salute you collectively; I wish to salute the National Education Association for the work, the hard work, it has done in molding education in America. Let me give some examples of the work your organization has done, and the accomplishments it has made.

Right now, back in Washington, I am in the middle of an appropriations fight for the Bilingual Education Act. It was signed into law providing $30 million for the coming fiscal year. The Administration came back with a token request of only $5 million. Then, nearly two weeks ago, the House Appropriations Committee recommended that it receive no money whatsoever. Later, on the floor of the House in an attempt to appropriate at least the token $5 million for the program, the bill was defeated by a 96–95 vote with some representatives from my own State voting against any money for bilingual education.

Now we have it in the Senate and I am struggling to obtain funding.

The point, though, is that if it hadn't been for the National Education Association I wouldn't be in the middle of this struggle right now. The Bilingual Education Act would still be a dream, and not a law that we can fight for.

The NEA invited me to a conference on Bilingual Education problems in Tucson in October of 1966, and as a result of that conference and the continuing assistance of Monroe Sweetland and the entire NEA legislative organization we saw that bill, that idea, written into law last year.

The NEA has been a force for good in many areas. I noted recently, for instance, that you are urging your affiliates to develop plans for voluntary Summer programs for disadvantaged children living in urban ghettos. That's another example of taking the lead where action is needed.

At your behest Senator Morse has introduced S. 3400, a bill which incorporated many of the ideas concerning education developed by the NEA in recent years. The bill is controversial in many respects. But it raises questions that need to be raised and need to be faced. Because you have pushed, because you have worked, the United States Senate is going to face those questions and try to come up with answers.

I note further that in the resolutions you adopted last year in Minneapolis that you advocate, "that educational opportunity extend for at least two years beyond the high school for all high school graduates. These opportunities should be supported by local, state, commonwealth, and national appropriations and be should be provided free of tuition charges." That is part of Resolution Number 67–3.

Universal Post-Secondary Educational Opportunity is something I have been working on since I have been in the Senate. Last September I introduced the first bill designed to examine the possibility of providing Universal Post-Secondary Educational opportunity. I am happy to report to you that that amendment is now pending in the Senate Education Subcommittee. It is my understanding that the House Subcommittee has adopted a similar proposal modeled along the lines I have advocated.

The amendment is modest, but its implications are far from modest. It will provide that the incoming President of the United States appoint a Senate-confirmed commission to make an intensive study of alternate means of financing post-secondary education. Like S. 3400, this is an area which is no stranger to controversy. My advocacy of free universal educational opportunity, much along the lines the NEA has resolved, goes beyond the first two years after graduation from high school. Others advocate different methods. The study will provide the basic information which Congress needs to move ahead in this next frontier of education.

It is time that America took a fresh look at post-secondary education—the benefits it covers and the costs it exacts—and time to decide whether our current system of financing it is obsolescent, inadequate, and inequitable.

Back 139 years ago, Charles Kent, a student at Ohio University wrote the following letter home:

"I shall want about three dollars more before the session is out. I have laid out for expenses on the road, for lodging the first night at Athens, for a trunk, chair, quire paper, pen-knife, quills, latin tutor, Walshe's arithmetics, slate, hire for bed, college tuition, entrance into society . . . and I have several other necessities, which I will present in a bill of my expenses . . . and things are so dear that such articles run up to quite a sum. What I have laid out altogether amounts to about 22 dollars, and I have yet wood, candles, and some other little affairs to get. I shall endeavor to be as parsimonious as possible . . ."

Young Charles Kent, back in 1829, was trying to hold the line on his total expenses in attending college at $50 a year. In the 1968–69 school year just his tuition and fees at public college or university will run him better than $300; at a private higher educational institution—more than $1,000. His *total* cost of attending college—tuition, fees, books, room, board, transportation, clothing, miscellaneous—would run him something like $1,700 at a public college, $2,640 at a private college per year.

And it's getting worse; the projections for 1980–81, for total costs of attending college, are $2,400 for public institutions, $3,600 for private institutions. In the ten years from 1956–1966, student charges went up 80 percent—even though the cost of living increased only 17 percent.

Earlier, I mentioned the inequities of our present system. I think the following statistics bear that observation out.

As of the last census 78 percent of high school graduates from families with incomes greater than $12,000 went on to college; only 33 percent of those same graduates from families with incomes of $3,000 or less went on to college. Similarly of the graduating high school seniors who do *not* go on to college, 50 percent fail to do so because of lack of an adequate system of paying their way.

Our founding fathers, contemplating our society which would do away with title and nobility, referred to "an aristocracy of achievement arising out of a democracy of opportunity." Sadly, for want of a democracy of opportunity we are getting a plutocracy of achievement.

Today, the only way a low-income, or even a middle-income student can attend college is by going into debt.

I question whether a student, or his family, should have to go into a long-term debt to cover the expense of what, in the long run, turns out to be a benefit to all of society. As President Kennedy stated in his message to Congress in February, 1962: "The education of our people is a national investment. It *yields tangible returns in economic growth,* and improved citizenry, and higher standards of living. But even more importantly, free men and women value education as personal experience and opportunity—as a basic benefit of a free and democratic civilization. It is our responsibility to do whatever needs to be done to make this opporuntity available *to all and to make it of the highest possible* quality."

I concur. And I suggest that what needs to be done is to provide outright grants to students embarking on post-secondary educational ventures.

There are precedents: Our current system *of public support of elementary and secondary education,* the experience of foreign countries, and the marvelous record of the GI Bills.

Today, college tuition in America is higher than anywhere else in the world except Canada. We are shackling future generations with the cost of educating this one.

*Back in the nineteenth century a fierce de*bate raged over public finance of elementary and secondary education. Free public schools, said some, would mean unjust taxation of citizens without school-age children, and besides, it would never be worth the unaffordable expense in taxes.

The classic response of a Pennsylvania *Representative is applicable today: "I do not* fear taxes as much as I fear ignorance."

And today we have a system of elementary and secondary education which although not perfect—has made mighty contributions to America's current economic status in the world arena, and is, in my opinion, the best any large nation has ever provided its children.

In Denmark, Norway, and Sweden, higher education is looked on as a national investment and is free to students who qualify for admission to programs of higher education. In France, Austria, and much of Latin America student charges are minimal.

In Switzerland, the Canton of Geneva recently voted into law a measure which provides all regularly-enrolled university students with a $70 a month stipend plus expenses for books and stupplies. Students in advance fields, such as medicine, are receiving double that amount.

Our own success with the GI Bill of Rights is perhaps the most dramatic and persuasive argument for moving as quickly as possible to provide "free" post-secondary educational opportunity to every student capable of qualifying for admission. As author of the Cold War GI Bill, I speak with some knowledge on the subject.

The GI Bills gave access to post-secondary education to more people who used it more effectively in a concentrated period of time than did any other program in the history of this country. The United States government committed more than $15 billion to the training of American servicemen—both in *higher education and in vocational education.*

As a result of that $15 billion investment—for that is what it was—America got back 450,000 medical personnel, 383,000 construction workers, 180,000 teachers, 360,000 scientists, 107,000 lawyers, 243,000 accountants, 36,000 clergymen, 288,000 metal workers, 711 mechanics, 17,000 journalists, 138,000 electrical workers, 83,000 police and firemen, 61,000 printers and 700,000 businessmen.

On the average each individual who received GI benefits—tuition and fees paid plus living allowances—is making $2,000 to $3,000 more income annually than he otherwise would have been earning.

Most impressive, however, in simple financial terms is that the $15 billion investment has already been paid back to the government and to our economy in the form of increased income taxes. In fact, as a direct result of their training, GIs have raised their income level to the point where they now are *paying an extra billion dollars a year in* income taxes, so that they have not only already paid back their debt to society, but they will continue to repay it during their earning lifetimes two and three times over.

The issue of whether or not to provide free post-secondary education has been described as a value judgment: either it should be free *to all who have the requisite ability, or those* who benefit from it should be required to pay some user cost. This ideological reduction of issues, however, ignores the fact that, just as under the GI Bill, all Americans who improve their educational standing—and their ability to contribute to society and earn higher incomes, pay a user cost through our system of *graduated income taxes.*

I feel most strongly that this is the direction in which we should move. I am pleased beyond words that the NEA feels the same way. I learned, with the Bilingual Education Act, what a powerful and effective force you are. It is good to know that once again we will be working shoulder to shoulder for a *common goal.*

Just as the individual teacher affects eternity because he never knows where his influence stops, I think the collective teachers—the NEA—never know where their influence stops.

We are about to embark on a major venture in education. A major adventure, too. The *future looks most exciting and challenging,* and I can think of no harder workers—nor better friends to have with me—than the teachers of America.

PAUL C. HARPER SPEAKS TO THE CONFERENCE OF BETTER BUSINESS BUREAUS

REMARKS

OF

HON. THEODORE R. KUPFERMAN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, July 15, 1968

Mr. KUPFERMAN. Mr. Speaker, Paul C. Harper, chairman of the board of Needham, Harper & Steers, Inc., the well known advertising agency in my district, on June 3 addressed the National Conference of the Association of Better Business Bureaus at the Hotel Commodore in my district.

His provocative address entitled "The Invisible Man" has some timely things to say about the need for businessmen to be involved in public and civic matters.

I know that my colleagues who many times criticize public apathy, will be very much interested in his remarks, which *follow:*

"THE INVISIBLE MAN"

(An address by Paul C. Harper, chairman of the board, Needham, Harper & Steers, Inc., to the National Conference of the Association of Better Business Bureaus, at the Hotel Commodore, New York City, June 3, 1968)

Gentlemen, the theme of this conference is "Business Deserves Public Confidence", and so it does. I could not agree more. But this theme has a plaintive note to it. What it really says is "Business Deserves *More* Public Confidence *than it's getting.*" And so the question has to be, why is it *not* getting its share?

Do most products fall apart shortly after purchase? Are most salesmen pushy and mendacious. Are most products unfairly priced? Are the airways littered with false claims? No!

Then why this crisis of confidence?

Let's try another answer? Are there *just enough poorly made products—false claims—* high pressures salesmen—price distortions, to queer the public image of business. We all know the ripple effect in human affairs. (We are watching it with astonishment in France this week.) In business the victim of ripples in public opinion created by a few malpractitioners within its own ranks?

It could be. They certainly don't help.

But I would like to suggest another answer this noon. I would like to suggest that even if the record of American business were totally free of overt malpractice of any type—and had been for the past 40 years—that American business would still be in trouble today—in trouble with the consumer, *in trouble with the intellectual community* including large numbers of students, and in trouble with the government.

Why?

I believe for three fundamental reasons—that go deep into the nature of what American business is all about today.

These three reasons are:

1. The technical naivete of the consumer.
2. The depersonalization of selling.
3. The invisibility of business leadership.

When I was a boy we had a farm we went to on weekends. The most complex device on the farm was the hand pump over the old brick well. Being a weekend farmer my *father didn't know what to do, one day, when the pump stopped working.* So he called Mr. Rieke, the local well driller. Mr. Rieke went down into the well and came out ten minutes later with a big smile and a dead gopher—which had been clogging the pipe. Now I submit it's going to be a cold day in hell when our tv repairman reaches into our color tv set and comes out smiling with a dead gopher. You know what will happen instead. The tv set will be hauled away and fixed at a price—and then sooner or later it will blow again, since it never was designed for eternity. But the point is that my wife and I will never know whether the set was well made in the first place or if it was fixed properly. Not because we are distrustful of the industry, but because we are totally incompetent in this area of technology. We just don't know and we never will and there is therefore an area for doubt. And so it is with every highly technical consumer product and the service functions it requires. There is a knowledge gap between supplier and consumer that is so great that it spawns doubt even when there is no record of overt abuse.

How about the depersonalization of selling? There is now a food store in Louisville where the housewife need never leave her car. She observes sample merchandise through a large plate glass window, presses appropriate buttons, and the merchandise is brought to her car. She communicates with no one. This is just an extreme. Except perhaps for the clothing and furniture industry where highly individualized personal tastes and styles are involved—the selling of goods to consumers has become more and more perfunctory and impersonal. Here again the contact between the seller (who represents, after all, the whole business community) and the buyer (with all his hopes and fears) has become attenuated and strained. Again, nobody is doing anything bad. But *business* has become more and more remote in what used to be the prime area of contact with the consumer, the daily bread and butter transactions of life. There is nobody there anymore to grind the coffee beans and comment on the weather. There is nobody there to complain to about prices, who knows anything about pricing. And when you finally find the stock boy he tells you it isn't his aisle. Thus we see gap number two between the consumer and businessman. It is a result of vastly increased distribution efficiency, which may mean lower prices—but also means loss of human contact—and understanding between the buyer and the seller.

Finally, we face what has to be the great disappearing act of all time. The *businessman*, the archetype of our time, has virtually disappeared as a public figure. The men who wield the greatest economic power in our society are by and large invisible and unknown to the consuming public—except when they quit being businessmen and go into public service.

I asked some college students the other night what leading businessmen they could name. These boys could give the name and identification number of every leading politician in the country. But in answer to my question they were able to name just one man; Henry Ford. It stopped there, except for one student who came up with Hugh Howard—later identified as Howard Hughes.

I watched Sunday tv last week from noon until midnight and concentrated on public affairs programs. I recommend it to all of you who are concerned with the problem I'm talking about. I saw 10 programs featuring among others Governor Reagan, a panel of students and professors from Columbia, Mr. Dellinger, the leader of the New Left, being dismembered by Bill Buckley, a commentary on Viet Nam, the Reverend Abernathy, and our own distinguished Mayor on his extraordinarily effective weekly interview show. But where was the businessman? Virtually every facet of political and economic life came up one way or another except *business*, its problems, and its point of view. There was no businessman on the air representing business—or anything else. Business was represented only by commercials.

Businessmen, individuals, are not a visible part of the public environment.

What we are looking at here in all three of these areas is an estrangement of business from the consumer. And although most consumers are "in business" too—as employees—or as wives of employees—this fact helps to bridge none of the gaps I am talking about.

What to do about it?

Do we abridge our technology and cut back on research and development. I hope not. I enjoy convenience.

Do we go back to the Mom and Pop stores and decentralize our distribution. I hope not. I like low prices.

I think what we do have to do is to recognize that business by its very genius in technology and administration has created a Frankenstein—a remoteness and impersonality which provides a rich field for misunderstanding and opposition—and we should attack that problem directly in its own terms.

What do we do about it?

My answer will sound simplistic. (This is a word people use to express disappointment when the answer they get isn't as complicated as the question they asked.)

The answer is in the slogan that appears on the letterhead of one of my leading competitors. These words are, "Truth well told."

In any human situation where suspicion, doubt or strained relations exist the greatest therapy is candor—the frank and personal admission that the flaw that one party sees may really be there, along with the shining virtues the other party sees. The quickest way to bridge any communications gap is to say the truth and say it yourself.

Let us speak first of advertising, which has become—with the decline of personal salesmanship—the principal contact between business and the public.

I am a member of a committee of our industry organization which reviews examples of advertising considered by members to be grossly untruthful or in bad taste. I can report that my duties on this committee do not take much time, because the number of advertisements in any media which are demonstrably untruthful is small indeed. In spite of this, my own observation is that there still seem to be many people in our industry who think that there are shades of truth. These people have righteously cast aside the black lie, but they persist in telling what might be called "gray lies". What is the difference? The black lie is a direct and deliberate misstatement of fact. (*Guaranteed to restore your hair in 30 days.*) These days, as I say, it is rarely used in advertising. The "gray lie", on the other hand, is the cunning use of words or pictures to convey an impression that is false without being literally false. (*Men, don't you wish you had your hair back?*) In these days of growing product parity, there seems to be a great temptation to try through "gray lies" to communicate values that the product doesn't offer. The "gray liar" is the first to recognize that what is said and what the consumer hears may be two entirely different things, and he counts on this as a way of selling goods.

I have said to our own people, and I will say to you that the distinction between truth and falsehood lies not only in what we say, but in what the consumer hears. We, in our industry as communications specialists, should be able to judge or to measure at least what is being communicated. And this should never represent a use value or the emotional value that the product can't really deliver. In our own advertising agency we have the following rules. "To test the truth of an advertisement, ask two questions: One, what use values and what emotional values does the advertisement *really* communicate? What does the consumer *really* hear? If you can't answer this question, do some penetrating communications research."

"Secondly, can the product really deliver these values? If you can't answer yes to this question (we say, to our creative people) start over."

In our society as never before, the truth, if it is spoken with friendliness and wit, can have an overpowering effect. In this day when communications are so powerful and so expensive to use, the tendency however is to hedge every communications bet and to make statements which skirt but do not penetrate the heart of the matter. At best, this results in a kind of bland but meaningless honesty. At worst, it results in bland but damaging dishonesty. The force of truth told with wit has never been better demonstrated than in the famous Volkswagen campaign for which I wish our agency could take credit. In this campaign, this unprepossessing little car was presented for just what it was—an unprepossessing little car. Both its limitations and strengths were spelled out with dislarming candor. This campaign was a landmark in advertising because it recognized the fundamental truth I am talking about. In an impersonal society, the next best thing to a handshake or a kiss is hearing words which you know deep down are true.

And advertising, bearing the weight of social responsibility as it does, should always speak straight and clear and well. In its basic communications with the consumer, *through* its advertising, business can afford to speak in no other fashion.

Now let us turn to the Invisible Man himself. The key man of our society, the man who takes more risks, works longer hours, under greater pressure than any other—and who gets less public credit for it.

Long ago he used to be the man in the big house on the hill. His idiosyncracies were known and discussed. He was either loved or hated—but at least he was recognized—as an individual.

Today, he is known only to his peers. No one else knows who he is, where he lives, or what he stands for as an individual.

The communications media are crowded with statesmen, politicians, entertainers, and ordinary citizens airing their gripes, but somehow the businessman, the man who really makes things go around, has gotten left out. His critics are part of the communications environment, but he is not.

Sometimes he thinks of himself as a public figure, but more often than not, this is an illusion created at conventions—where businessmen spend so much time talking to each other. It is perfectly clear that the time has come for the *maker*, the head of the business to once again become part of the *visible environment* of our society. He can become, under the right circumstances, the most effective means of closing the gap of understanding between business and public because he is a *man* and not a medium, a *person* and not a slogan.

I suggest he has two means at his disposal. Neither is new, and both are being used, but not widely enough.

The first route was chosen by the President of a company we do business with in a medium sized city in the Mid-west. He and two or three other businessmen there perceived that their city was on the verge of civil strife. This was due partly to the fact that an open housing ordinance had been bottled up in a committee of the town council for several months, aggravating an atmosphere of deep suspicion in the black community. This businessman personally, openly, and quite visibly led the fight to have this ordinance fairly considered and acted upon by the Council at large. And partly at least as a result of his actions, civil balance was preserved in that city. Now, the point is that regardless of how any citizen of that town feels about open housing—they now know from his own words, first hand, where this businessman stands.

They know that he cares about his community, and is willing to fight for what he thinks is right. He, as an individual, has become part of the *visible* environment of that town—and in that town, both short and long term business, as well as the town itself, will have been well served.

Of course businessmen all over the country have for years been lending their names and their time and giving their money to worthy causes—and many have personally and visibly led attacks on a wide variety of social problems. But what I am saying is that for *business* to remain a fully accepted member of an increasingly depersonalized and complex society—business has to be represented personally, first hand and all the time by its own leaders.

Business can make better use of the media to project the words, the impact of personal leadership. For several years now the Xerox Company and its officers have boldly identified themselves via television with leading social issues and the most advanced art forms. The Standard Oil Company of New Jersey has, and is, doing the same. And yet there is a growing need on a broad front for personalization of issues by businessmen on the popular media. I am not talking here about defensive statements on the contributions of business to the common good. I don't think this kind of communications work. They are necessarily too abstract. I am talking about bold and visible deeds, acts, of *espousal, sponsorship, advocacy*, that clearly identify the businessman as a living, breathing, thinking, and fighting individual—rather than as part of a great, grey, impersonal monolith.

Managers must manage their businesses. This is our first obligation. But if we seek to improve the environment in which we do business, we had all better recognize the gap that exists between business and home. It is a gap that has only been created perhaps ten percent by knaves. The other ninety percent by the gradual depersonalization of relations between business and the common man. And when you have a problem of communications, the only solution is to communicate in the most meaningful way you can. And this means in American society today that American businessmen must speak loud, speak clear, and speak simple. But above all, they must speak.

POSTAL SERVICE MUST REMAIN AT PRESENT LEVEL

HON. ROBERT N. C. NIX

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Monday, July 15, 1968

Mr. NIX. Mr. Speaker, the laws of mathematics are immutable.

Postmaster General Watson has discovered that and the mail-using public will discover it very soon unless the Postal Service is permitted to have the manpower necessary to cope with its constantly increasing workload.

Mail volume this year is expected to reach at least 84 billion pieces. Mail volume in 1966 was less than 76 billion pieces. Despite this fact, the postal service is required under the tax bill to cut back its employment to 1966 levels.

Postmaster General Watson pointed out last Friday what this will do to postal employment. He said:

> This means a total loss to us in this fiscal year of 30,780 workers. It comes in two categories—15,780 who were needed to meet the growth of mail volume, but can't be hired, and 15,000 who will not be replaced when they retire, quit or leave the service through other means of attrition.
>
> Over a four-year period—when our total volume of mail will grow to 91.2 billion pieces, we must cut back our workforce to 685,000 people while filling only three out of four job vacancies.

The postal service should be exempted from the employment ceiling imposed by the tax bill. This would not increase the postal budget. But it would permit the Post Office to maintain service at its present level.

BATA GIVES FIRST GIFT TO SALVATION ARMY

HON. CLARENCE D. LONG

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Monday, July 15, 1968

Mr. LONG of Maryland. Mr. Speaker, The Bata Shoe Co., of Belcamp, Md., recently opened a drive to raise $160,000 to build a new community service center for the Salvation Army. I would like to commend this fine endeavor by including the following article in the RECORD:

BATA GIVES FIRST GIFT TO SALVATION ARMY DRIVE

Bata Shoe Corporation kicked off the "Great" Gifts division of the Capital Fund Campaign to raise $160,000 minimum to build a new Community Service Center for the Salvation Army, serving Harford and Cecil Counties, at a meeting held this week. Augustine Dolezal, President, announced, "Bata Shoe Company believes so strongly in the important work this agency is doing for our area that it is our intent to contribute $2,000 for each of the 5 years of the campaign pledge period. We also are organizing a company-wide solicitation of our employees to occur the end of July for this worthy project."

At this kick off meeting, Judge Albert P. Close, General Campaign Chairman, announced other initial gifts: $10,000 from Lester J. Conkling of Aberdeen, Chairman of The Salvation Army Advisory Board, $3,000 from an anonymous Harford County business, and other pledges for a total of $31,300.53.

The "Great" Gifts division is the first actual solicitation in The Salvation Army effort to raise a minimum of $160,000 to build a new Community Service Center to meet the needs of the local Salvation Army's extensive welfare and character-building program. This division includes individuals, business firms, and other organizations capable of giving more than $1,000 over a 5-year pledge period. Many prominent individuals have agreed to work on behalf of the Salvation Army in this project. Among those working on the "Great" Gifts division are: from Aberdeen—Lester J. Conkling, J. Wilmer Cronin, Howard Falk, Richard Harvey, Lynn Tanner, Rev. Weldon Bittikofer, from Bel Air—Werner Buchal, Mrs. Brodnax Cameron, Jr., John Pons, Woodley Richardson, Howard Marshall, Charles Irwin, Paul Lefever, Albert Close, from Belcamp—Augustine Dolezal, Frank Novak, from Churchville—Mitchelle Coale, from Conowingo—Paul English, Henry Roberts, from Cecilton—Samuel F. DuPont, from Creswell, John Gayley, from Edgewood—Eugene Ekblad, John Wise, from Havre de Grace—George Hipkins, Cecil Sale, Charles Stephans, J. Lawson Gilbert, Harry Mitchell, Dr. Gunther Hirsch, Arnold Pfaffenbach, Fred Bergren, and from Joppa—Albert Wise.

MARATHON MARVEL NOW DANCES TO JUKEBOX TUNES

HON. WILLIAM H. AYRES

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Monday, July 15, 1968

Mr. AYRES. Mr. Speaker, for a number of years the Akron Beacon Journal each Sunday has presented a "Biography in Brief" of a local citizen who has made an impact on our community.

Last week one Anthony James Castle was so honored.

In this day and age with so many people complaining, Tony's biography was particularly inspirational. Having just returned from an international conference in Geneva, Switzerland, I heard world complaints first hand. Tony's biography proved that it can happen in America. Today we have over 2 million people who are on the waiting list to come to America, but not one on any list desiring to leave the United States. America can be thankful that the Castelluccio family chose America to become their adopted country. In their so doing, we gained Tony Castle.

I wish this "Biography in Brief" could be read by all those who think opportunity in this great land is passé. The shoeshine boy can still wind up owning a shoe factory. The Beacon Journal article follows:

MARATHON MARVEL NOW DANCES TO JUKEBOX TUNES

(By Kenneth F. Cole)

A single jukebox and eight coin-operated hockey games. Not much to build a business out of. Tony Castle did.

But he had to convince a lot of people that he belonged in the coin-operated vending business. That took 24-hour-a-day doing.

It started with the jukebox and the hockey games Tony bought when he came out of the Army in 1946. He was 34 and had no job to come back to when he doffed his uniform.

"Like a lot of guys, I went into the service with nothing and came out the same way," smiled Tony. "I knew I had to get started fashioning a career or I was going to be one glorious flop."

Jukeboxes and other coin-operated gadgets (even slot machines) fascinated Tony Castle, from the time he was a youngster on North Hill.

"I was plenty naive, too. A guy like me just doesn't suddenly decide he wants to put jukeboxes into places and start collecting coins. It didn't take me long to find out that other guys were in this business. They didn't like newcomers."

But Tony got his jukebox into the Green Room at the Howe Hotel, now closed. And he got the hockey game boards into other spots. Miniature players could be moved about, chasing a metal puck after coins were inserted.

Established operators of jukebox businesses harassed the 5-foot, 4½-inch Castle. They offered proprietors of bars, restaurants and lounges wonderful deals to keep Tony's machines out.

"They would do almost anything to keep me from getting established. If it hadn't been for so many friends, I don't think I ever would have made it. I just had to provide better service than the other guys. When somebody's jukebox went bad, I had to get it back into operation in a hurry."

Tony rented a truck which he drove himself to haul his jukeboxes and make repairs. "I even had to scrounge telephone service in the early days. But we got more and more locations for music and began branching out."

Now Tony's Castle Music Co. (he's president and sole owner) has jukeboxes, cigaret machines and piped-in background music in scores of the top restaurants, lounges, short-order houses, professional offices and motels in the area.

Because he remembered his struggles and those early years on North Hill, Tony has tried to help others along the way. He's a big booster for the United Fund and other organized charities.

But the scores of little people he has helped directly tell his story, too.

"If you can't give somebody a lift when they need it, you haven't learned much about life," is the way he puts it. And with it all goes that broad smile.

The name Tony Castle was a familiar one around Akron before he went into business. Thousands who watched the dark-haired former professional dancer (it's gray now but it's still all there) in the ballroom marathons at East Market Gardens knew him.

The marathon dance craze ended in Akron on Aug. 3, 1932, the day a city ordinance banning it went into effect.

The night before, a sultry evening, tiny Tony and his blond partner, Kitty Kavanaugh, won the final marathon at East Market Gardens, long ago torn down.

Tony and Kitty shuffled 2,810 hours—over three months—to crawl off with the cash, trophies and other loot that went with first place or to the last on their feet.

"You have to remember the marathon craze hit during the Depression. I liked to dance and they were handing out cash to folks to compete. I got suits, shoes, spaghetti dinners, everything just to advertise the donor on my back during marathons," Tony recalled.

How do youngsters' popular dances compare today?

"When I see some of the dancing on TV today, I wonder how I could have called my performance 'eccentric,'" smiled Tony. "We at least danced with partners. Today you can't tell which boy is dancing with which girl. It's crazy."

Anthony James Castelluccio was born in Waukegan, Ill., March 25, 1912, one of a family of seven. His mother died when he was 13 and the family moved around a bit—Chicago, New York—before ending up in Akron. His father went to work at Goodrich, retiring after 40 years. He died in 1961.

Tony went to Bryan School and to North High School. "I went to high school just a few weeks. I had to quit to help out at home. I shined shoes at the Star Shoe Repair, hustled odd jobs, anything to make a buck. I think I learned my first dance steps from other shoe shiners."

During his days as a dancer he became known professionally as Tony Castle. "Whoever heard of a name like Tony Castelluccio in lights?"

Along came the war and Tony, two names and all, went into the Army. He landed in the 1252nd Combat Engineers at Camp Swift, Texas. He spent two years in Texas, almost enough to qualify him for Lone Stardom when his outfit was ordered overseas.

"I saw a lot of Europe before getting that discharge," Tony said. "I guess that whetted my interest in travel. I've been back there four times since and I'm planning to go again next year. But nothing looked better than getting back to Akron and making my move into the coin box business."

Tony's early years in the vending business were made tougher because the public was suspicious of anyone making a living from coins dropped into slots. It just wasn't considered legitimate.

So Tony, with some of his friends in the same enterprises, Ed George, Charles Marvin and others, organized the Summit County Music Operators' Association.

"We wanted to be a part of the community. Now we take part in the United Fund, Area Development Committee and other worthwhile ventures. We've brought some stability and good will into our business and proved we're good citizens," said Tony.

For the last 10 years, Tony has played a big role in the activities of Boys Town of Italy, operated in Rome by Msgr. John Carroll Abbey. Since World War II Boys Town has helped orphaned boys get an education and acquire a trade. Groups throughout the United States help to finance Boys Town.

Tony married Frances Nell Galus on Jan. 5, 1950. "The business I'm in requires an understanding wife because of the long hours. I've got one," smiles Tony.

The Castles have lived for 10 years at 2515 Falls av., in Cuyahoga Falls. There Tony spends all his spare time. A French poodle "Gilm" and a cat "Kitty" complete the family, although the Castles have nieces and nephews staying with them most of the time.

"We have them with us so much that it's the next best thing to having children of your own," Tony says.

Castle likes to swim, play a little golf and work in the yard when he can. "That golf is a problem though because I can't play much and it's no fun when everybody can hit the ball but you."

Travel, vacations in Puerto Rico or "anywhere to get away for a few days" provide the 56-year-old Tony's relaxation.

He drinks and smokes very little, unusual for a man who has spent so much time in bars and lounges. "I light an occasional cigarette out of habit, but I never inhale them." And I switch brands as often as I buy them."

But his first love are machines into which people drop coins and get something for their dough.

"I've had offers to sell the business. But I'd be right back where I was when I came out of the Army. Nothing to do, even though I'd have money to do it with."

He won't sell. He likes the action.

VIETNAM WAR—TOO LONG AND FAR TOO FRUSTRATING

HON. CLARENCE J. BROWN, JR.

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Monday, July 15, 1968

Mr. BROWN of Ohio. Mr. Speaker, the undeclared war in Vietnam is a source of frustration among most of the Members of this body, as well as Members of the other body, and most of our individual constituents.

Scarely understood in origin, even less understood in direction and solution, it is a war of words, weapons, and waste. The socioeconomic, not to mention the political or psychological, impact of that war is felt not only within our country and in Vietnam itself, but in most states throughout the world.

To try to say to what extremity these hostilities will lead and what the future effects the quagmire will render to our Nation and world is worthless speculation. Not one of us knows for sure, or can know for that matter. On the other hand, what every person in the United States does know and perceive is that we are experiencing an ever-increasing loss of our human resources, material and prestige, and losing them to a seemingly futile cause.

The following editorial from the Columbus, Ohio, Dispatch, on June 23, 1968, expresses quite concisely the facts, feelings and fears that evolve from that frustrating war:

VIETNAM WAR—TOO LONG AND FAR TOO FRUSTRATING

The war in Vietnam today became the longest in America's history—six years, six months, one day—far too long and far too frustrating.

And most exasperating of all is that the end to this expenditure of American blood and treasure is not in sight.

So far, that conflict in far-away Southeast Asia has cost about 25,000 American lives and billion upon billion in dollars.

And the cost continues at the rate of about 300 lives and a half billion dollars each and every week.

The buildup in the cost in American lives has been steady. In 1964, there was an average of three GIs killed per week. In 1965 the average rose to 26, in 1966 to 96, in 1967 to 180 and so far this year the average has been 379.

This conflict is not an official war. It has not been so declared by the United States Congress.

Thus the start of the war is dated from the day when the first American was killed there—on Dec. 22, 1961. Actually, America has been involved in the area since 1954.

That first American killed in Vietnam combat was an amiable Tennessean, James Thomas Davis, an Army Specialist 4. He was cut down by Viet Cong bullets on a road near Saigon.

Since then, the warfare has droned on and on until its length has set a record—erasing the tenure of America's first war, the battle for national independence which started April 19, 1775, at Lexington and lasted until the enemy surrendered at Yorktown Oct. 19, 1781.

In many respects that first war and the current conflict are alike. Mainly, there is a fight for independence against a singularly authoritarian rule.

But there is a distinct difference, too.

That historic Revolutionary War was an all-out military effort and it was concluded in classic military fashion—by the surrender of the enemy.

Today's war in Vietnam holds no such prospect. Even the departing American commander, Gen. William Westmoreland, has ruled out a "classic victory" for the Americans. Instead, he believes that because of our national policy of not expanding the war, the enemy must be forced to pay a continually higher price to a point where he no longer can tolerate it—

Or until the peace negotiators in Paris reach some kind of agreement on paper which will yield an armistice.

But in Paris, the war of words matches the war of bullets—frustratingly endless.

The war in Vietnam has set a record—for length—but for little else about which this nation can be proud.

THE "PUEBLO"—HOW LONG, MR. PRESIDENT?

HON. WILLIAM J. SCHERLE

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Monday, July 15, 1968

Mr. SCHERLE. Mr. Speaker, this is the 175th day the U.S.S. *Pueblo* and her crew have been in North Korean hands.

SPEECH GIVEN BY ELTON R. CUDE, PAST COMMANDER, 20th DISTRICT, THE AMERICAN LEGION—INDEPENDENCE DAY CELEBRATION HEMISFAIR, JULY 4, 1968

HON. HENRY B. GONZALEZ

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, July 15, 1968

Mr. GONZALEZ. Mr. Speaker, on the occasion of July 4, the Worlds Fair in San Antonio, Tex., HemisFair 1968, was the scene of a significant anniversary celebration. A distinguished San Antonian, Mr. Elton Cude, who is presently district clerk of Bexar County, and is also the past commander, 20th District, American Legion, made a most impressive and enlightening speech. I insert Mr. Cude's remarks at this point in the RECORD:

SPEECH GIVEN BY ELTON R. CUDE, PAST COMMANDER, 20TH DISTRICT THE AMERICAN LEGION—INDEPENDENCE DAY CELEBRATION HEMISFAIR, JULY 4, 1968

Ladies and gentlemen, boys and girls, Americans all: Today we mark the 192nd anniversary of the birth of the greatest nation ever conceived by the mind of man under the guidance of God, the United States of America.

America was conceived somewhat in the nature of a noble experiment in the mind and affairs of men. She was born of a burning desire in the minds and the hearts of the founding fathers to win for themselves and to hold for future generations the basic values of human dignity and individual freedom.

Our Constitution was the climax of the hopes, the dreams, the aspirations, the pains, the sufferings, the defeats in battles and the victory in war against a mighty empire whose desires were to govern us from a far distant shore. It is for us the living to remember the meaning of this observance of Independence Day. If we will pause for a moment and consider a few of the beautiful pages of history of our republic, we may recapture the thrill of this new, bold and daring adventure.

If we will but turn back these pages we will find, landing on the shores of this unexplored, strange and unknown land, groups of persons looking for the greatest and most priceless intangible objects known to man—freedom and liberty.

It took a people of strong courage and principle to leave the land of their birth, their families and their friends but this was necessary, for in their homeland, they had no freedom and because of persecution for their beliefs they made this long voyage to this welcome land.

This was a hardy stock, it had to be, for the weak died on the way and the fearful never tried.

We read of the Puritans who landed at Plymouth Rock in 1620 and wrote that famous document, the Mayflower Compact—only 17 lines—the first document written on American soil which begins "In the name of God. Amen."

In 1624 how James I revoked the charter of the Virginia Company because he hated and detested the representative House of Burgesses and how Nathaniel Bacon won the victory over Governor Bergeley. Foundation for what was to be known as American, for at this early date it was shown that the Colonists could unite and die for that principle regarded as the rights of free men.

Then the first American Revolution when the people of Massachusetts rose and overthrew the despotic Sir Edmund Andros who ruled with a mailed fist and ruthlessly curbed the town meetings, restricted justice in the courts and freedom of the press.

During this period of time many races of people had migrated to America. The English, Welsh, French, German, Dutch, Irish, Scotch, Swedish, Swiss, Hebrews and Negroes. With this came a toleration of beliefs, especially in the field of religion. We must remember tho, that excepting Georgia, which was formally planted by the British Government, all the other colonies were settled by trading companies, religious groups, land speculators and others. England did not even dream that a new nation was being born.

We read of the acts that followed, the war itself that lasted 8 years—but the actual revolution lasted over 150 years, beginning with the first landing on American shores. The acts, the riots, the massacres, the tea party, the committees of correspondence, all were the continuation of their faith in God and their regard for the rights of man.

That fiery and flaming orator, Patrick Henry, the extremist from Williamsburg, who rose on that long, hot eventful day in the House of Burgesses, a special session, to decide and determine whether Virginia should seek peace or join with the other colonists. His ringing words were "you cry peace—but there is no peace. If we want freedom, let us fight for it. Victory is not always for the strong, for there is a just God that presides over the destinies of men and nations and *will* give us our freedom. If this be treason—then make the most of it. As for me give me liberty or give me death."

We know well of the resolution of Richard Henry Lee of Virginia on June 7, 1776 asking that "these colonies ought and of a right should be free" and the five-man committee chairmaned by yet another Virginian, Thomas Jefferson, to write that immortal document which begins, "When in the course of human events it becomes necessary," etc. and embodying "We hold these truths to be self-evident, that all men are created equal that they are endowed by their Creator with certain inalienable rights, that among these are life, liberty and the pursuit of happiness" and ending with "and for the support of this declaration, with a firm reliance on the protection of divine providence, we mutually pledge to each other, our lives, our fortunes and our sacred honor."

For eight long years, enduring untold suffering and hardship, armed with little more than raw courage and a firm belief in God and in the principles for which they fought, our forefathers battled this mighty empire to a standstill and snatched victory from the jaws of imminent defeat.

This is the moral fibre of which America is made—courage, a belief in God and dedication to principles. These are the qualities that were required to win freedom. These are the same qualities needed by each succeeding generation of Americans, to hold freedom, as new and powerful forces of despotism and dictatorial forces rear their heads, seeking to destroy that concept of government embodied in the Declaration of Independence. The concept that governments derive their just powers from the consent of the governed.

For the first time in recorded history man had given credence to the divine "that man is endowed by his Creator with certain inalienable rights."

It was no new breed of man that brought this theory into being, it was the enlightened thinking of men of courage and of vision, who, based on long years of experience, living under forms of government, not to their choosing, concluded that no individual or social group could be permitted to exercise control and domination over the minds of other men.

For those who live under communism, freedom is but a fond memory to those old enough to have enjoyed its blessing and to the young, but a dream discussed in hushed secrecy by only those left who have the courage to talk of things that used to be.

This is the threat that faces America today, for we are one of the remaining free nations that block the path of Communist plans to dominate the world. There is one all-important difference between our Nation and the fate of those capitulated to communism—we still have that freedom for which our forefathers fought and died. We still can choose between freedom and slavery—liberty and bondage.

"Eternal vigilance is the price of liberty" and we cannot afford to falter in our efforts to keep our material strength and our spiritual and moral courage, on a par, if not ahead of that of the Communists. We can even less afford to allow ourselves to be lulled into a sense of complacency through ignorance of, or indifference to the problems of the times.

Freedom can be lost—by default just as surely as by conquest through force of arms.

Every individual American is important to the cause of freedom. By word and by deed, in our every day living, we must impress the fact that we in America enjoy so many blessings and so many privileges, denied to peoples of so many other lands and tongues. Our youth should be taught the sacrifices required by those who have gone before; that those blessings could be preserved for them to enjoy this day, for upon their shoulders will fall the responsibility of maintaining and securing those blessings of liberty and freedom to theirselves and to their posterity.

The real purpose of this, or any Independence Day observance should be to revive a glorious reawakening throughout the land of the free, of the true "spirit of '76," those things that have made America great and have kept her great, and these are the things required to insure that she will remain the land of the free and the home of the brave.

May I leave you with these words of the late Lyman Abbott who had this to say of our country and it's people: "He who looks upon this history which his fathers have written by their heroic deeds, who accepts with gratitude the inheritance which they have bequeathed to him and who highly resolves to preserve this inheritance unimpaired and to pass it on to his descendants, enlarged and enriched, is a true American, be his birthplace and his parentage what it may."

PROMISING PLAN IN ENGLEWOOD

HON. WILLIAM T. MURPHY

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Monday, July 15, 1968

Mr. MURPHY of Illinois. Mr. Speaker, on July 6, 1968, the Chicago American's editorial page contained an excellent editorial entitled "Promising Plan in Englewood," relative to a new study program at Chicago State College.

Mr. Speaker, I invite the attention of my colleagues to this article and under unanimous consent I submit the article for inclusion in the CONGRESSIONAL RECORD, as follows:

PROMISING PLAN IN ENGLEWOOD

Chicago State college in Englewood is to be commended for its summer program in which 200 ghetto youngsters from grades 7 thru 12 study mathematics, literature, art, and music under college student volunteers working as teacher-counselors.

It is a new educational experience for these youngsters, who are working on their own initiative without the usual motivation of grades or promotion. A student-counselor ratio of 7 to 1 allows individual instruction unknown in most ghetto classrooms.

We'd like to see this idea more widespread because of the dual purpose it accomplishes: It reaffirms the college's commitment to ghetto youth, and it will bring future teachers an intimate acquaintance with the unique problems of urban children during a hot summer.

"Our hopes are high for success," the college president, Dr. Milton Byrd, says. "We are confident the program will be a model for the future." We, too, wish the college success; if the program catches on generally, the promise is great.

RACIAL REFORM AT SAN JOSE STATE

HON. DON EDWARDS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, July 15, 1968

Mr. EDWARDS of California. Mr. Speaker, a featured article in the July 8 edition of the Christian Science Monitor justly praises the great work of San Jose's leading academician, President Robert Clark of San Jose State College. The piece points out the significant and creative steps of Dr. Clark and the college in furthering interracial communication and understanding. Dr. Clark, together with students and professors, has forged an atmosphere in which education and dialog need not be mutually exclusive.

All too often, efforts toward collegiate reform are generated not by good will and compassion but by fear. Dr. Clark's work is a significant exception to this rule. He and his colleagues at San Jose State have well understood Lenore Bennett's statement that "Peace is the presence of community, not the absence of conflict." The article follows:

RACIAL REFORM AT SAN JOSE STATE

(By Curtis J. Sitomer)

SAN JOSE, CALIF.—The black militants call it "racism." A college president, Robert D. Clark, calls it "white-ism."

Either way, both say they want to erase it from the blackboards of San Jose State College here. And they are working together to do so.

This urban, state-supported school has a near-unique approach to the racial crisis which is rocking college campuses across the nation. It neither bucks nor placates its minority militants. But it tries to gear them in to the educational processes.

For example, San Jose State blacks are developing their own black studies courses—in history, music, art, and sociology.

TEXTBOOKS COLLECTED

They are working in area high schools—under the College Commitment Program—as volunteer counselors.

They are collecting used textbooks to lend to minority and other underprivileged students who can't afford to buy them.

They are working with school-admissions and student-services officials to facilitate the enrollment of Negroes and Mexican-Americans.

They are assisting the athletic staff to work out guidelines to eliminate racial discrimination in intercollegiate sports.

And they are prodding the community surrounding the campus to provide "open housing" for all students.

Last fall these same forces—mainly militant black students—hurled angry charges of discrimination at college officials and threatened the campus with physical violence.

GAME CANCELED

The school's opening varsity football game was canceled because of these tensions. And certain community and state leaders responded by demanding that "disrupters" be banned from the campus.

The school's president, Dr. Clark, reacted differently, however. He set in motion a campuswide investigation of alleged discriminatory practices. He asked sororities and fraternities to come up with inventive plans to integrate their groups. He appointed an "ombudsman" to listen to complaints about unfair treatment of students. And he opened channels for meaningful dialogue between whites, blacks, Mexican-Americans, and other racial groups.

Dr. Clark has on his own faculty an outspoken, searing critic of the white community. Prof. Harry Edwards. This towering former basketball star turned sociologist now is the main force behind the threatened Olympic boycott by American Negroes.

VALUES IN FOCUS

To many whites, Mr. Edwards is a dangerous agitator—dedicated to undercutting athletics and keeping the pot boiling on the campuses. But to Dr. Clark—who says he wants to shake his school loose from "institutional inertia" and "indifference to the great problems of the day"—he is a valuable ally.

"I've learned a lot about the values of the American male," confides the college president. "Athletics comes first. God, mother, and country second.

"People are angered at Edwards really because he has upset the athletic applecart."

In line with his campaign to stamp out "white-ism" at his school, Dr. Clark is urging his faculty to seek out minority teachers. He also is asking financial support from the local San Jose business community to supplement federal funds to support minority students who can't afford to pay for their own educations.

Next fall, the school's Educational Opportunity Program will be in full swing. Funds now are available to assist 300 ghetto youngsters. Program officials would like to enroll twice this number of "special" students.

More than 100 of the college faculty members have already pledged to devote at least one hour a week next year to tutoring and counseling these new admittees. And militant student groups—including United Black Students for Action (UBSA) and Mexican-American Students Coalition (MASC)—promise to help with their orientation to college life.

"These are our brothers and sisters. And we want them to feel that they are welcome here," says Tim Knowles, president of the United Black Students. Mr. Knowles, who has just earned his undergraduate degree at SJSC, is remaining on campus to assist with the new Educational Opportunity Program.

MOTIVATION STRESSED

"Some of these kids are from the hard-core ghetto," he says. "Their high-school counselors told them they didn't have it to go to college, and many of them believed it until we came along and gave them hope.

"Black people are motivated by what they hear from other successful black people."

Mr. Knowles—as do many of his black colleagues—insists that "racism" still exists at San Jose State College. But he sees definite progress being made at erasing it.

And Dr. Clark—who quickly admits that his campus still harbors the seeds of turmoil—is moderately optimistic about the future.

"Many of our rules of thumb—our admissions policies, for example, work against us," he says. "These criteria tend to wipe out the poor—the minority youngster.

"And the militants continue to condemn these things. But at the same time, they want to get into the system.

"For many of them the university can be the first transition from despair to hope."

Second of four articles on Western college students and the urban crisis.

ONE OF POLAND'S MOST SHAMEFUL HOURS

HON. JOSHUA EILBERG

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Monday, July 15, 1968

Mr. EILBERG. Mr. Speaker, in the July-August, 1968, issue of the National Jewish Monthly published by B'nai B'rith appears an article by Dr. William Korey, who is the director of the B'nai B'rith International Council's U.N. Office in New York.

It appears to me that this is an unusually significent statement, which in a brief, crystal-clear fashion describes a very poignant situation of our times. I insert the article in the CONGRESSIONAL RECORD now because I believe that my colleagues may want to be brought up to date on one of the problems of our times:

ONE OF POLAND'S MOST SHAMEFUL HOURS

The fifth congress of the Polish Communist Party, to be held in November, will provide the final evidence of whether the six-month vicious anti-Semitic campaign of General Mieczyslaw Moczar's "Partisans" has paid off. For, as is now evident, that campaign in large measure was a cynical and unscrupulous device to obtain power. The supreme irony is that this has been waged in a country whose soil is soaked by the blood of millions of Jews massacred by the Nazis, and where the present Jewish population numbers but 20,000 survivors of the pre-war 3,500,000.

Already in the spring of 1967, Moczar and his cohorts had decided at a secret meeting to openly exploit anti-Semitism in a drive for power. The objective was simple: to obtain enough key positions in the Party apparatus and in the Central Committee to dictate the choice of delegates to the Party Congress. By using anti-Semitism they could arrange not only the ouster of Jews and other "liberals" from important posts, but also attract all elements prone to ultra-nationalism, anti-urbanism, and anti-intellectualism.

Until 1967, the "Partisans" had been careful to avoid an obvious display of their political bias. They recalled only too well that the attempted use of anti-Semitism in 1956 by a predecessor group had boomeranged and helped bring forth a liberal revolution. Instead, the Partisans assiduously cultivated a legend of heroism in the Communist resistance movement in Poland during World War II. They stressed their youth as compared to the "tired old men" in the Politburo, and quietly slipped their representatives into vital positions in the security apparatus. In 1964, Moczar himself assumed control of the apparatus by becoming Minister of Interior.

From this base, the Partisans were in a position to use the incriminating files of the secret police to remove hundreds of people of Jewish origin and others from influential offices. A special effort was made to control key posts in mass communication media. And the word was cautiously spread that "comrades of Jewish origin are not fully reliable" and therefore "cannot be trusted". A special "anti-Zionist section" was set up in the Ministry of Internal Affairs, headed by a certain Tadeusz Walichnowski, to prepare necessary documents on the politically explosive theme that "Zionists" (a euphemism for Jews) collaborated with West Germans in a conspiracy against Poland.

When, in 1967, the Partisans decided to move into the open in their bid for power, two stunning developments played into their hands. The first was the Arab-Israel six-day war. A wave of popular pro-Israel sympathy had swept important segments of Polish society, including various state and Party offices. A veritable flood of gifts, flowers, and congratulatory letters and telegrams poured into the Israel Embassy in Warsaw.

To party boss Wladyslaw Gomulka, the pro-Israel demonstration constituted a direct challenge to Party policy on the Middle East and an indirect attack upon the Soviet Union, the major supporter of the Arabs. His notorious June 19 speech at the Trade Union Congress followed, with its frenzied warnings against "Zionist circles" in Poland. It opened a Pandora box, for the Partisans now had a legitimate platform upon which to erect a scaffolding of anti-Jewish vitriol.

The second development was far more significant. On March 8, thousands of Polish students spilled into the streets demonstrating against the closing of the popular and patriotic play of Poland's "Shakespeare", Adam Mickiewicz, and protesting the arrest of student leaders who had opposed this act of censorship. (The play contained anti-Czarist Russian lines which, when uttered by the actors, were applauded by attendees. The meaning was not lost upon the authorities, who had bound themselves to a new Russian master.) Fearful that the liberal ferment in nearby Czechoslovakia might spread to Polish soil, and deeply concerned that the student upsurge might evoke a positive response among Polish workers, increasingly alienated by the high cost of living and growing unemployment, the Party bosses desperately sought a scapegoat.

The Partisans furnished a convenient one—the "Zionists". Curiously, the first to raise the cry of the Zionist threat (on March 10) was *Slowo Powzechne*, the newspaper of PAX, an organization created by the Party to attract Roman Catholics. It is headed by Boleslaw Piasecki, a pre-war Polish Fascist leader who, under mysterious circumstances, was spared the death sentence in 1945 by the Soviet military. Thus, a Fascist program became the slogan of reactionary Communists. On March 12, Poland's principal newspapers took up the slogan with a vengeance. Placards began appearing in factories: "Purge the Party of Zionists", "Away With the New Fifth Column", etc.

The intent was clear: at all costs, student agitation must not be permitted to infect the working class. Workers, many of whom had but recently come off the farms, were steeped in rural prejudices, including traditional feelings about Jews. An article. in the leading Party newspaper *Trybuna Ludu* on March 13 is indicative of the Party's intentions. It related how workers in one plant were called out to break up a student demonstration:

> This morning, when we mobilized Comrades for participating in the operation, they had certain scruples and inhibitions. *They had to be told who the instigators are and then all of them went into operation.* (Italics added.)

The Partisan-controlled propaganda machine now swung into high gear. The charge was trumpeted that a conspiracy existed of discredited Stalinist politicians (with convenient Jewish names), revisionist intellectuals (also, mainly, with Jewish names), and gilded youth of Jewish origin. The conspiracy was allegedly supported abroad by "international Zionism", West German revanchism, and foreign imperialists; the supposed purpose of the plot was to stir up a student revolt challenging the political system.

Gomulka must have realized that his own authority might be undermined by the Partisan thrust. On March 19, he took to the public platform questioning whether the Zionists constituted a serious threat to Party rule. In the hope of halting the threatening torrent of reaction, he divided Jews into three categories: Zionists, who should be encouraged to emigrate to Israel; Jewish nationalists, who should not be permitted to serve in positions of responsibility; and Jews whose loyalty was exclusively Polish. He asserted that the bulk of Polish Jewry fell into the latter category.

The categorization, while bigoted in itself, nonetheless constituted an effort to moderate the growing outburst of verbal violence and intimidation of Jews. Hundreds were being fired from a great variety of jobs; others were being coerced into denouncing their brethren abroad. But the tide would not be stemmed. On April 17, the thinly-veiled anti-Zionist denunciations were thrust aside. Jozef Kepa, the Secretary of the Warsaw Party organization, specifically referred to "the Jewish question in our country" and emphasized that among the "instigators" of the student revolt "the overwhelming majority were Polish citizens of Jewish origin".

A particularly ugly turn in the Moczar-directed campaign came when the American Jewish Joint Distribution Committee, which had poured millions into the economic and social rehabilitation of war-torn Poland, was accused of conspiracy, sabotage, and espionage at the behest of "international Zionism" and Western imperialism.

Thus was echoed the brutal lexicon of Stalin's infamous "Doctors' Plot", concocted in January, 1953.

But the moral nadir of the campaign was reached when the facts of Jewish martyrdom in the Warsaw Ghetto and at Auschwitz were falsified and distorted to make the Jews appear responsible for their own martyrdom. The obscenity of the charge shocked an already sickened mankind. The Partisans may ride the wave of anti-Semitic hysteria into power in November, but they and their supporters cannot escape the harsh verdict of history; this has been one of Poland's most shameful hours.

OUR LIVES, OUR FORTUNES. AND OUR SACRED HONOR

HON. JOHN M. ASHBROOK

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Monday, July 15, 1968

Mr. ASHBROOK. Mr. Speaker, in an editorial printed in the July 4 issue of the Manchester, N.H. Union Leader, Publisher William Loeb reflects on the fate of the 56 signers of the Declaration of Independence and asks an important question:

> Today would you have the courage to sign a Declaration of Independence and pledge your life, your fortune and your sacred honor?

The degree of their dedication and belief should serve as a continuing example and encouragement to all Americans.

The editorial follows:

Our Lives, Our Fortunes, and Our Sacred Honor

(By William Loeb)

The trouble with many Americans today is that they think these words from the Declaration of Independence are just some fancy writing, like a title for a Broadway play or a movie on the late, late show.

They don't understand that these solemn words affixed to the Declaration of Independence meant exactly that and COST many of the signers of the Declaration their lives and their fortunes.

Here is what happened to some of the men who signed the Declaration. First of all, remember that the 56 members of Congress who signed the Declaration of Independence committed a formal act of treason against the British Crown, with all the penalties that go with treason.

You might say: "Well, nothing was going to happen to them. They knew they were safe," but they DIDN'T know any such thing. After all, these men who signed the Declaration of Independence weren't a bunch of slum-dwellers who had nothing to lose.

John Hancock of Massachusetts, for instance, had inherited a great fortune. He was probably the richest man in the Colonies. You remember how he signed his name with enormous letters "so His Majestey can now read my name without glasses and can now double the reward."

Yet, while they knew the penalty for treason was hanging, they joked about it. Do you remember what Ben Franklin said: "Indeed we must all hang together. Otherwise we shall most assuredly hang separately."

Then there was Benjamin Harrison of Virginia, who was a big, fat man who told tiny Elbridge Gerry of Massachusetts, with reference to the hanging: "With me it will all be over in a minute. But you, you will be dancing in the air an hour after I'm gone!"

On Aug. 17, 1776, less than two months after the signing, British and Hessian soldiers plundered the mansion of one of the New York signers, Francis Lewis at Whitestone. They set it afire and carried his wife away. Mrs. Lewis was treated with great brutality and died from the effects of what had been done to her.

British troops next seized and occupied the extensive estate of another New York signer, William Floyd. His wife and children were able to escape across Long Island Sound to Connecticut, but they lived as refugees for seven years without income. When they eventually came home they found it a completely devastated ruin "despoiled of almost everything but the naked soil."

Another New York signer, Philip Livingston, had built up an immense fortune in the import business and had much property in New York City. All of it was seized and Livingston's town house in New York City and his country estate in Brooklyn Heights were confiscated. The Livingston family was driven out and became homeless refugees. Livingston, himself, continued to sell off his remaining property in an effort to maintain United States credit. Livingston died just two years later, in 1778.

Still another New York signer, Lewis Morris, saw his timber, crops and livestock taken and he was driven from his home for seven years.

The British swept through Jersey and John Hart, a signer from Jersey, risked going to Trenton to the bedside of his dying wife. He was betrayed and barely escaped into the woods, while soldiers ravished his farm, wrecking his house while Mrs. Hart still lay on her death-bed. Hart, no youngster but a man of 65, was hunted down across the countryside and slept in caves and woods, accompanied only by a dog. He finally was able to sneak home and found his wife long buried. His 13 children had been taken away. A broken man, John Hart died in 1779 without ever finding his family.

Another Jersey signer, Abram Clark, a self-made man, suffered having two of his officer-sons in the Revolutionary Army captured and treated with great brutality. The British offered to save their lives if Clark would recant and come out for king and Parliament. Clark refused.

Another Jersey signer, president of the college later called Princeton, had his college library burned. John Witherspoon's friend and signer Richard Stockton, who was a State Supreme Court Justice, was captured, brutally beaten, tortured and starved. By the time he was released his health was ruined. When he got back to his home he found it looted, his furniture and all his personal possessions burned. His library, the finest private library in America, was destroyed. Stockton died before the end of the Revolutionary War and his family was forced to live off charity.

The home of another Jersey signer, Francis Hopkinson, in Bordentown was also looted.

The merchant prince of Philadelphia, Robert Morris, used all his great personal wealth and prestige to keep the finances of the revolution. More than once he was almost solely responsible for providing the money that enabled Washington to keep on fighting. In fact, Morris raised the arms and provisions which made it possible for Washington to cross the Delaware and surprise the Hessians at Trenton on Christmas Day. This first victory was possibly the turning point of the American Revolution. In the process of the war Morris lost 150 ships at sea. He bled his own fortune and credit almost dry.

Pennsylvania signer George Clymer of Chester County had his home despoiled by the British. Fortunately Clymer and his family made good their escape.

Dr. Benjamin Rush, another Pennsylvania signer, was forced to flee to Maryland. Rush, himself, stayed on as a surgeon with the Army.

Another signer from Pennsylvania, John Morton, was so ostracized and treated by his neighbors that he died in 1777, a broken man.

In Rhode Island, on the same day that Washington retook Trenton, the British captured Newport, R.I. Here they destroyed the property of William Ellery, a Rhode Island signer, and burned his home to the ground.

One of the South Carolina signers, Thomas Lynch Jr.'s health broke from privation and exposure. The doctors ordered him to seek a cure in Europe but on the voyage he and his young wife were drowned at sea.

Edward Rutledge, Arthur Middleton and Thomas Heyward Jr., the other three South Carolina signers, were captured by the British in the siege of Charleston. They were imprisoned and brutalized until exchanged at the end of the war. Meanwhile, the vast properties and plantations of the Rutledge and Middleton families were all ravaged and destroyed by the British troops.

When it came to Georgia, signer Button Gwinnett was killed in a duel in 1777. Col. George Walton, fighting for Savannah, was severely wounded and captured when that city fell. The home of the third Georgia signer, Lyman Hall, was burned and his rice plantation confiscated in the name of the Crown.

One of the North Carolina signers, Joseph Hewes, died in Philadelphia while still in Congress—from worry and over-work. The home of another, William Hooper, was occupied by the enemy and his family was driven into hiding.

The sacrifices of the signers came right down to the very bitter end. In the last engagement of the war Washington had British Gen. Cornwallis pinned in Yorktown, using his artillery to blast the last of Cornwallis' troops to pieces. Virginia signer Thomas Nelson Jr. was at the front in command of the Virginia militia forces. Nelson's home was in Yorktown.

Lord Cornwallis and his staff moved their headquarters into Nelson's home. Nelson noticed that the gunners were not shooting at his house. He said "Why do you spare my house?" "Out of respect to you," a gunner replied. "Give me the cannon," Nelson roared. At his insistence, the cannon fired on his magnificent house and smashed it to pieces.

Thomas Nelson, a signer, had raised $2 million for the Revolutionary cause by pledging his own estates. The loans came due. A newer peace-time Congress refused to honor them and Nelson's property was taken. He was never reimbursed. He died a few years later at the age of 50, living in very straitened circumstances.

Yet another Virginia signer, Carter Braxton, was also ruined. His property, mainly consisting of sailing-ships, was seized and never recovered.

Here is the summary of what it cost the 56 to sign the Declaration of Independence and pledge their lives, their fortunes and their sacred honor: Five were captured and imprisoned; each case with brutal treatment.

Several lost wives, sons or family. One lost his 13 children. All were at one time or another the victims of manhunts and driven from their homes.

Twelve signers had their houses burned and destroyed. Seventeen lost everything they owned.

Not one defected or went back on his pledged word.

When you are sitting at the beach listening to the ballgame on the radio or to a dance tune, having a glass of cold beer and enjoying yourself on the Fourth of July, pause for a minute and think what this freedom of yours and ours cost.

Stop a minute and think. Today would you have the courage to sign a Declaration of Independence and pledge your life, your fortune and your sacred honor? This freedom of ours wasn't bought cheaply.

CONGRESSMAN JAMES V. SMITH REPORTS

HON. JAMES V. SMITH

OF OKLAHOMA

IN THE HOUSE OF REPRESENTATIVES

Monday, July 15, 1968

Mr. SMITH of Oklahoma. Mr. Speaker, in keeping with my desire to continually inform the citizenry of my congressional district in Oklahoma of the important issues before the Congress, I am forwarding a report to all of the citizens of western and central Oklahoma. I believe that it is only through factual reports to the people that they can be apprised of the actions of their governing body, and of their Representatives in Congress.

At this point I include in the RECORD the report which I intend to forward in the near future:

YOUR CONGRESSMAN JAMES V. SMITH REPORTS FROM WASHINGTON, JULY 1968

As your representative in Congress, I report herein some actions I have taken in your behalf. I am doing my best to represent you fairly, accurately, honestly.

TAX INCREASE

I was one of 150 Members who voted against the Johnson-Humphrey tax increase. Already as a result of the increase on individual and corporate taxes, most companies are being forced to ask for higher prices, which means increased costs to consumers. Most corporations will eventually raise costs of their goods to pay for the increased overhead and the taxpayer will wind up paying double. Our trouble is Government overspending, not undertaxing.

The Administration "reluctantly" agreed to a $6 billion cut in the largest budget ever submitted to Congress in the history of the country.

However, only a week after the vote, the President announced that he had "discovered" an additional $5 billion deficit, which whittled the cut to only $1 billion. Also the President announced that "it might be months" before he decides where the cuts are to be made. Many House Members and the taxpayers are beginning to realize that the House has just given the Administration another $8 billion to spend.

The Wall Street Journal now says that the measure was completely oversold as an economic curative for the most serious financial situation which our country has faced since 1931. I agree, and I will continue to support reductions in deficit spending and establishment of sensible priorities in less essential areas.

PRAYER

Judging from the mail I get, the Supreme Court refusal to allow prayer in public schools is still a live issue. I introduced a resolution to amend the Constitution so nothing contained therein can be interpreted as denying persons lawfully assembled in any public building which is supported in whole or in part by public funds, the right to participate in interdenominational prayer.

The House daily opens with prayer, and when we salute the flag we always say, "One Nation, under God . . ." Following the denial of prayer to our school children, will these other things also be taken from us?

FOREIGN AID

Foreign Aid is now 22 years old and has cost American taxpayers more than $170 billion since its inception. The House has been presented with a bill which authorizes another $2.8 billion requested by the Administration.

Last year this measure was authorized by only 8 votes, and this year the same old tired ideas were again presented to Congress, which even their most vocal advocates admit have not accomplished the goals set for the program.

With the expenditure of $170 billion, we find our Allies refusing to help us in Vietnam, our embassies stoned, and our flag burned. We should know by now that friendship cannot be bought.

Farmers and ranchers have not been given sufficient voice in our Nation's AID program. In several countries only 25 percent of our assistance funds have gone into agriculture programs to help the people feed themselves. The world population will double in the next 25 years. This will require vast amounts of food. Our "agri-businessmen" and our land-grant colleges could provide the necessary research, and our technicians could provide the know-how to conquer these problems much better than a favored foreign administration which pockets the direct grants and loans of money from the American taxpayer.

WATER

The Mountain Park Dam project near Snyder was approved July 15 by the U.S. House of Representatives. This vital $21 Million project will bring water to Altus Air Force Base, Altus and Snyder, plus irrigation water to farmers during the interim. The Waurika Dam project was approved as one of the four new starts across the country, and received $855,000 for land acquisition. The Optima Dam project in the Panhandle was funded for $2.5 million for continued construction.

MILITARY PROGRESS

As a member of the House Armed Services Committee, I helped guide through the Congress funds in the amount of $5.8 million for military construction in Oklahoma. Altus Air Force Base is slated to receive the giant C–5A transport which flew for the first time recently. Sixteen of these planes will be stationed at Altus. Besides these training crews an additional 400 men will be added, making a total of 4,600. Tinker Air Force Base received a boost with new contracts that will require 1,200 additional employees. I am glad my position on this key committee helps the economy and well-being of all of our district citizens.

VETERANS PROGRESS

The 90th Congress is notable in the area of veterans benefits. I voted for many newly-enacted laws affecting veterans. These included liberalizing pension programs for veterans and the survivors of deceased war veterans; increased compensation to the service-connected disabled; and increased educational benefits to widows and the wives of disabled veterans, and returning veterans. I was deeply honored recently when Herald E. Stringer, National Legislative Director of the American Legion, presented me a "Citation for Meritorious Service" to our Oklahoma veterans. Veterans groups have been very helpful to me in Congress.

SERVICE

As your representative in Washington, I am here to serve you. I welcome your letters and your opinions. When I may be of service to you, please write me at 1632 Longworth Building, Washington, D.C. 20515, or contact my offices at 319 Federal Building, Chickasha or Room 2, 601 "D" Street, Lawton.

Sincerely,

JAMES V. SMITH.

THE VULNERABLE RUSSIANS

HON. EDWARD J. DERWINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Monday, July 15, 1968

Mr. DERWINSKI. Mr. Speaker, one of the gravest gaps of knowledge and understanding in our country is with regard to the Soviet Union, its nature, composition, and purpose. From the highest levels of our Government to the public at large some of the most incredible myths about this empire are entertained and perpetuated to our distinct disadvantage.

The book on "The Vulnerable Russians" explodes these myths and shows the course open to us in meeting successfully the numerous Soviet Russian challenges. Authored by Dr. Lev E. Dobriansky, of Georgetown University, the book is now available at the Georgetown University Bookstore, White Gravenor, Georgetown University, Washington, D.C.

The work has been receiving many favorable reviews. The renowned columnist of the Chicago Tribune, Mr. Walter Trohan, sees it as presenting an "unusual and startling insight into Russian imperio-colonialism." For the benefit of those who have not yet read the book, I commend Trohan's full review:

[From the Chicago (Ill.) Tribune Jan. 24, 1968]

REPORT FROM WASHINGTON—SCHOLAR LOOKS AT RUSSIA AND FINDS IT VULNERABLE

(By Walter Trohan)

WASHINGTON, January 23.—An unusual and startling insight into Russian imperio-colonialism is presented in "The Vulnerable Russians," [Pageant, $5.95] by Dr. E. Dobriansky, Georgetown university and originator of Captive Nations Week.

It is his contention that 112 million Russians are holding 123 millions of other peoples in captivity of psychopolitical warfare. He lists among the captives not only the nations taken into the communist orbit after World War II, but such segments of the old czarist empire as the Ukraine, Byelorussia, Cossakia, North Caucasia, Georgia, Armenia, Azerbaijan, Turkestan, and the Far East republic.

Dobriansky holds that Russia is not a union in the sense our 50 states are, but an amalgam of peoples held together by deceit, lies, subversive propaganda, and fear. If the central communist apparatus were to fall, the union would divide into various historical entities, altho these units have not been independent for centuries.

The growth of the Russian empire in its first 50 years has been one of the most remarkable phenomena of our time. From Moscow to the Danube, and Cuba in the west, and from Moscow to China in the east within 50 years is astounding because 50 years are but the wink of an eye in history.

Of course, the Communists did not come to power in Russia thru revolution, as they claim, because they seized power after the revolution of Alexander Kerensky. Nor did they build their empire by conversion to communism or love of communism, but by fear.

DEMOCRACIES CONTRIBUTE TO SUCCESS

Along the route they were helped by those who should have opposed them in the most, anti-communist nations including the United States, Karl Marx recognized the genius of the Russians in using others for the advancement of Russian aims. Marx wrote:

"The Russian bear is certainly capable of anything, so long as he knows the other animals he has to deal with to be capable of nothing."

Dobriansky blames Woodrow Wilson and Franklin D. Roosevelt for much of the rise of the Russian empire. He blames Wilson for failing to apply the principle of national self-determination to the many subjugated non-Russian nations, like the Ukraine in the Russian empire he blames F. D. R. for diplomatic recognition of Russia, for economic contributions, and for naive trust of the Russian word at Yalta and Tehran.

The United States, he finds, has allowed itself to be fooled and used by the Russian leaders with the result that it has been losing ground every day. He insists that the United States should fight in the cold war with the same weapons the Russians are using, psychopolitical tactics.

HOW TACTICS CAN BOOMERANG

Dobriansky launches into a point by point discussion of the ways Russian expansion can be halted by using their own tactics against the Russians.

"It is only a question of time before further cumulation of evidence in rationalized failure, compromise, and no-win psychosis will move sufficient minds to adopt this realistic policy," Dobriansky concludes.

He knows the weak spots and would have the United States work on those weak spots to eliminate this world's major tensions, threat, dangers and fears, which are posed by Russian imperio-colonialism.

THE ADMINISTRATION GUN CONTROL BILL SHOULD BE DEFEATED

HON. LAURENCE J. BURTON

OF UTAH

IN THE HOUSE OF REPRESENTATIVES

Monday, July 15, 1968

Mr. BURTON of Utah. Mr. Speaker, on Tuesday, July 9, I testified before the Rules Committee in opposition to H.R. 17735, the administration firearms control act. I feel strongly that passage of this bill is not in the best interests of the country as a whole, and urge that it be defeated. My statement before Rules carries in detail my reasons for opposing this measure. I take this opportunity to bring it to the attention of all of my colleagues:

GUN CONTROL LEGISLATION

(Statement of Congressman LAURENCE J. BURTON of Utah before the House Rules Committee of the House of Representatives on H.R. 17735, July 8, 1968)

I am honored to present to this Committee of the House of Representatives my views on firearms legislation, a subject with which the people of Utah are very much concerned. Parenthetically, I might note here that I receive a great deal of correspondence on this subject—as much as on any other subject with which the 90th Congress has been concerned—and that almost without exception the letters are thoughtful, well-considered expressions of individual opinion. Their general tone is one of dissatisfaction with part or all of the Administration proposals. In most cases their points are well taken. I, too, have serious reservations about parts of the bill.

In the State of Utah, as in all western states, the tradition of gun ownership and use is strong. Utah's population is now estimated to be slightly in excess of one million, and in 1965 its residents purchased almost 197,000 licenses for hunting. I am proud to point out that about 7,000 of these licenses were purchased by juveniles between the ages of 14 and 16, with the approval of their parents. In my opinion, this is a healthy sign, since the delinquency rate among juveniles who hunt and fish has been shown to be well below the national average.

Not all guns in Utah are used for hunting. We have a great number of target shooters who use smallbore and high power rifles and shotguns in their sports. I suspect that some firearms are purchased solely for some defense, a use I believe to be entirely proper. In a survey conducted by the Utah Department of Fish and Game it was determined the average number of firearms per household in our state is slightly in excess of four. Too, we have a certain amount of "seasonal importation" of firearms into Utah—in 1965 we sold about 38,000 non-resident hunting licenses. Revenues to the Department from these sales exceeded $900,000. The additional money those individuals spent for goods and service while hunting in Utah is of great significance to our retail merchants.

This last may seem to you to be beside the point insofar as your deliberations here are concerned. I think it is very much to the point. In writing firearms legislation we must be careful that, in our zeal to prohibit "interstate shipment" of certain classes of firearms to certain classes of people, we do not unwittingly place prohibition or undue impediments in the way of law-abiding citizens who wish only to purchase sporting firearms by mail or to transport firearms—in violation of no state law—across a state line.

This brings me to my first point, the prohibition of mail-order sales to individuals who do not live in the same state as the dealer. I assume this is meant to prevent sales to individuals who are barred from such purchase under the laws of the state in which they reside; or that it is intended to make easier the enforcement of existing Federal Law.

Regardless of the purpose intended it has the effect of denying the would-be-purchaser his choice of dealers and, in many cases, limits his choice of models of firearms. It is easy to say that he can order through a local dealer, but not quite as easy of accomplishment if the arm he chooses is limited in quantity or if it happens to be one which dealer profit is low (as is the case with many special target arms for example). The bill apparently does not provide for the individual who wishes to send a firearm to an out-of-state gunsmith for work or repair, for example, to a custom stockmaker or a gunsmith who specializes in accuracy work on target arms. Under this bill, the dealer may ship to the individual, but how does the individual get it to the dealer? You may say he can send it through a licensed dealer, but this is not always possible. Gunsmiths of this type would have to increase their charges if another dealer's profit is to be accommodated. The result, increased cost to the gun owner and needless complications. Surely a better way can be found to deal with this particular part of the firearms problem.

I share with you a desire to keep nonsporting weapons of destruction such as bazookas, flame-throwers and explosive devices, anti-tank guns, and machine guns, out of the hands of the private citizen. In my opinion the relatively unrestricted traffic in such weapons has been reprehensible. I believe most responsible gun owners would join with me in censuring the shabby, profit-without-conscience motives of those engaged in this business. Too, I believe they would agree that we need tighter controls on importation of "junk handguns" and surplus foreign military arms that are not adaptable for sporting use.

The proponents of firearms legislation have said much about accidents with firearms and have quoted fearsome statistics. Their opponents have shown, with equally fearsome statistics, that many other facets of our life today are more dangerous. There is much to be said on either side, but I do not propose to enter into this kind of discussion. Firearms safety *is* a problem, and we in Utah have faced it head-on. Rather than to make our rallying cry the right to own firearms, we have concentrated on the concomitant responsibility to use them safely, and we have focused our efforts where they will do the most good—on our young people.

The Utah Department of Fish and Game started a Hunter Safety Program in 1956. That year, with 165,000 hunters in the field, we had 128 gun accidents, 79% of which were caused by juveniles. Almost every year since 1956 we have had an increase over the previous year in numbers of hunters afield, a decrease from the previous year in gun accidents, and a decrease in the part of those accidents that was caused by juveniles. In 1966, ten years later, with 231,000 hunters afield, there were 19 gun accidents, 16% of which were caused by juveniles. Attached to this statement is a compilation of these statistics for the period 1956 through 1966. The Hunter Safety courses were conducted with the aid of Junior rifle clubs and were broadcast over an educational television station. The National Rifle Association was a cooperator in this endeavor and a most welcome one.

To my mind this is an example of spectacular success, spectacular enough perhaps to make one think Federal help should be provided for such a program. I am being facetious, of course. This program is being financed by the gun-owning public now and I have every reason to believe the gun-owning public will continue to recognize and to discharge its private responsibility for firearms safety.

In 1963 and 1964, the number of home firearms accidents in Utah which involved children (included in the above compilation) increased significantly. At once the Department of Fish and Game, again in cooperation with the National Rifle Association and station KUED (the educational television station of the University of Utah), set out to do something about the problem through a series of televised "Home Firearms Safety Programs." These six programs were the first of their kind in the Nation and the response was most gratifying. I can highly recommend it to others as one of the logical alternatives to restrictive, "blanket", firearms legislation.

Unfortunately, there is an all-pervading idea that the mere ownership or possession of firearms in some manner causes crime. It is an injustice to the millions of decent, law-abiding citizens who own and use sporting firearms. We in Utah probably have as many firearms per person as any state, yet our crime rate is lower than most. I see no practical values in attempting to prove this with statistics, although the statistics are available. Rather, I would prefer to discuss the ideas and purposes which are involved.

It seems to me that the use of a firearm is only one way in which a criminal can assert power over other citizens who are unarmed or otherwise unprotected. The easy availability of a weapon is undoubtedly a factor in crimes of impulse, but every household contains weapons that can be used if firearms are not available. To single out one type of weapon as a cause of crime is oversimplification of an extremely complex problem, and is no more accurate than viewing the bookkeeper's pen as the cause of an embezzlement.

We Americans are prone to react violently when we are shocked into it. The rash of anti-gun sentiment and legislation with which the Congress has been besieged ever since the brutal assassinations of President Kennedy, Martin Luther King, and Senator Robert Kennedy, is but one example of this tendency. Another example is the equally ill-considered reaction of some against any form of firearms control. Obviously, the public needs to be protected from violence with firearms at the hands of the criminal, the insane, and the stupid. Yet we should not permit such protection to negate the rights of those who would use firearms in a lawful manner for their own protection and enjoyment. The proponents of either point of view could go too far.

I do not believe the Second Amendment to the Constitution can be considered to hold the individual free from *any* limitation on his right to keep and bear arms. Neither do I believe the ownership or possession of a sporting firearm—and I include handguns in this category—is necessarily bad.

Although I cannot support the proposed legislation, I would support regulation of destructive weapons such as bazookas, flame throwers, anti-tank guns, explosive devices, etc. I would support legislation aimed at parental control of, and responsibility for, both ownership and use of firearms by juveniles; I would support the regulation of the carrying of concealed handguns; I would support the regulation of both use and ownership of firearms by irresponsible persons; and I would support legislation providing severe penalties for the use of *any* dangerous weapon in commission of a crime. These, I think, are all constructive approaches to our crime problems.

Too often in the past, however, the rules and regulations issued for administration of a law have gone far beyond the intent of Congress when it considered the bill and passed it. For this reason, I also believe any Federal legislation giving regulating authority in any of these areas to a branch of the Federal Government should also provide specifically for periodic Congressional review to assure that objectives of the legislation are not exceeded.

INDIA

HON. JEFFERY COHELAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, July 15, 1968

Mr. COHELAN. Mr. Speaker, evidence is coming in that American aid to Indian agriculture will be successful. Already, we have received optimistic, but credible, reports that Pakistan in the next 3 and India in the next 5 years will be self-sufficient in food grain production. Given the enormous problems of these countries, these reports are a remarkable tribute to the quality and persistence of the Indian—and the American efforts.

One such encouraging sign appeared in a Washington Post article this week. It bears out the observation of myself and several other Members of this body who have investigated our food grain programs in India and Pakistan.

Under unanimous consent I include the Post article in the RECORD at this point:

INDIA'S PILOT DISTRICT GROWING HUGE WHEAT CROP

(By Bernard D. Nossiter)

LUDHIANA, INDIA.—Jagjit Singh Hara is a husky and handsome six-foot Sikh who runs his father's 100-acre farm a few miles from here. He has just harvested a wheat crop that averaged 65 bushels an acre—nearly 2½ times the yield in the United States.

He has cleared a profit of 65,000 rupees (about $8700) and is using the money to replace one of his two tractors, to add several rooms to his comfortable brick and plaster house, to buy some more big dolls for his baby daughter and to put his younger brother through a mechanical engineering course at Manchester University in Britain.

The Haras, whose rooms are cooled in the humid Punjab heat by electric ceiling fans, who ride to town in their little Fiat or one of their two motor scooters, and who listen to pop music on their big radio-phonograph, have come a long way since they fled from Pakistan in 1951.

GIVEN 20 ACRES

The Haras were given 20 acres of unpromising sandy soil vacated by Moslems fleeing in the other direction and the family slept behind sheets hung from the big tree in what is now their garden.

Today, four tubewells with electrically driven pumps irrigate their land. Experts from nearby Punjab Agricultural University work with 30-year-old Jagjit to determine the best mix of chemical fertilizer and to experiment with high-yielding seeds.

Bakshi Ravinder Mohan is the Massey-Ferguson Tractor dealer in Ludhiana, the bustling, slovenly city that is the center of a farming district with one million persons. When he first came here six years ago, he sold just 15 tractors, traveling from village to village. Last year, he sold 130 and his waiting list today numbers an astonishing 1200.

"I don't get to the villages anymore," he says happily. "They come to me. They have gone crazy with money here. Farmers pay me the equivalent of $2900 for a tractor—and about one-third of them don't even borrow to raise this. Some of them resell the machine for 50 percent more."

NOW A BREADBASKET

Hara and Bakshi epitomize the astonishing transformation that has taken place in the Ludhiana district and, indeed, through the northwest Indian State of Punjab in which it lies. High-yielding wheat seeds from Mexico, a high-yield millet developed at the local university, hybrid corn, fertilizer, water and hard work have turned this region into a prosperous breadbasket that hints at what impoverished India might someday become.

The statistics almost surpass belief. In 1961, just before Ludhiana was selected as a pilot district for farm development, the region produced 170,000 tons of wheat. Last year, while much of India suffered from drought, Ludhiana harvested 400,000 tons. This year, the crop is estimated at 540,000 tons, a gain of more than 200 percent in seven years.

The rest of the Punjab has been quick to follow. Sardara Singh Johl, the bearded and turbaned head of the Agricultural University's economics department, estimates that the state's entire wheat harvest skyrocketed 40 percent this year to 3.8 million tons. He calculates there will be another one-million-ton gain next year.

So much of the Punjab now has a sure supply of water for irrigation that even a lack of rain should not disturb his forecast very much.

UNEXPECTED OUTPOURING

State and central-government officials themselves did not believe the outpouring from the Punjab and its neighbors would be so great. A few weeks ago, grain in 220-pound bags was lying stacked four layers deep, covering every inch of the huge open market at Khanna, 25 miles east of here. India's peppery press and energetic Punjabi administrators cried that a scandal was brewing, that the wheat would be ruined by monsoon rains. Luckily, the rains have been late and the national railway dug up the needed freight cars. Now the Punjabi wheat has been cleared away, although there are reports of damage to the bumper crop in Haryana and Uttar Pradesh next door.

Big landowners have, of course, profited most from Ludhiana's farming revolution, but it has not been confined to them. Nandpur, for example, is a nondescript village of 500 families, each of whom typically owns five acres and leases five more.

This year, Nandpur's farmers sowed almost all their acreage in high-yielding wheat for the first time and paid off a good share of their debts. Some bought transistor radios, some bought bicycles and several earned enough for portable electric fans to cool their cramped but solid brick warrens.

Even the miserable landless are gaining. At harvest time last year, casual laborers were paid about 90 cents a day; this year, they got about $1.60 and were hard to find. Many had deserted the fields for the machine and repair shops and small factories mushrooming in Ludhiana City. As low as these rates may be, they are handsome compared to the 53 cents a day that is standard elsewhere in India.

MATERIAL DESIRES

The Punjab's sudden prosperity has sharpened appetites for material goods, close observers of the state's habits agree. Farmers no longer serve visitors tea in glasses but in china cups like city folks. Ludhiana City is a dusty, difficult perpetual jam of tractors, motorbikes and bicycles. Sales of the potent and legal country liquor have jumped 50 per cent this year in Ludhiana district.

Much of the money is going back into the farms. The number of tubewells sunk this year in Ludhiana rose 10 per cent and there is now one for every four of the district's 45,000 farming families. Professor Johl of the Agricultural University predicts that the traditional Persian well, a wheel with buckets rotated by a camel or bullock, will be extinct in two years. Mechanical threshers are replacing the heavy tread of bullocks.

A properly run farm in these parts now nets up to 1000 rupees an acre, about $130, and this has given the farmer a new status.

Prakash Chand Bahl is the district collector or principal state official in Ludhiana. Like most college-educated Indians, he sought the prestige of a government job and his forebearers have been public officials for three generations.

But, he tells a visitor, he is trying to persuade his son, a student at Illinois University, to come to the Punjab and farm. "That's where the future lies," he says emphatically.

OFFICERS OPPOSE GUN REGISTRATION

HON. JOHN D. DINGELL

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Monday, July 15, 1968

Mr. DINGELL. Mr. Speaker, the *Marietta Daily Journal*, a newspaper published at Marietta, Ga., carried an article in its June 28, 1968, issue pointing out that area police officers were opposed to proposed gun registration legislation. So that my colleagues may have an opportunity to read this excellent article, I include it at this point in the RECORD:

COBB POLICE COMMENT: OFFICERS OPPOSE GUN REGISTRATION

(By Lynda Barron)

A check with Cobb lawmen this week revealed almost unanimous opposition to the controversial proposed gun registration legislation.

While most law enforcement officers are acutely aware of the increase in violence, they argued—almost to a man—that the registration measures are not the answer. They do generally favor some gun control proposals, including a ban on mail order sales.

"I think it's going to turn gun sales into a black market, just like in the days of prohibition, and then we will have problems," Cobb Patrolman George Hansen said. "I am in favor of a waiting period for gun-buyers," Hansen added.

Cobb Police Lt. Bill Reid, who also opposes the legislation, said, "It's not going to affect anyone but honest people. Crooks will continue to break into stores, just like they do now, and steal their weapons. They certainly won't commit crimes with guns registered to them."

"New York has very strict gun control laws, and it has one of the highest crime rates in the country," Lt. Reid added.

Chief investigator for the Cobb sheriff's Department, Jesse Cooper, said, "I don't think it's worth the paper it would take to write it." He echoed Reid's feeling about criminals stealing their weapons, adding, "The bill proposed by the President will take the guns away from law-abiding persons who need to protect their homes and property."

Cooper said he had discussed the proposed legislation with his men and they all agreed with him. "Everyone I have talked to is opposed to disarming the public the way they're trying to do it," he said.

Cobb Patrolman Troy Smith pointed out the availability of compressed air rifles and pistols. "You don't even have to have a permit to carry one of those, and it wouldn't have to be registered, but it'll kill a man just as dead as this one," Smith said, with his hand on his service revolver.

"I can make a gun that'll kill a man in 15 minutes time," was the comment of Cobb Patrolman James Wright. He said the necessary "ingredients" for a gun are not hard to obtain, and building a "zip gun" is relatively simple.

Capt. H. P. Craft, of the Marietta police department, said he does not feel the proposed gun-control will do any good. "The ones we want to register them won't," he said. "I think if a man sells a gun, he should check the buyer out and see that he has a permit for a gun. I think the seller should keep a record of the serial numbers," he added.

I have mixed feelings about what I've heard," Cobb Police Chief E. H. Burruss said. "However, I don't think the proposed legislation is the answer to the problem."

"I do think we need a waiting period on the sale of these little inexpensive hand guns and I think parents should have to sign for a minor to own a gun," Burruss said. He added that gun registration would be helpful in the recovery of stolen guns.

Most of those questioned agreed with Capt. Walter Cates of the Cobb Police Department, who stated, "I don't think teenagers should own guns."

Patrolman Hansen added that a good preventative for gun accidents would be to teach children about guns and impress them with the danger of deadly weapons.

Gun sales through the mail was also in disfavor with law enforcement officers.

Cobb Patrolman G. W. Houze commented, "There've been guns ever since I've been in this world and they're not going to pass a law against them now. It'll all backfire."

NEEDED: A NATIONAL INSURANCE PROGRAM

HON. BERTRAM L. PODELL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, July 15, 1968

Mr. PODELL. Mr. Speaker, publication of the report of the President's Commission on Civil Disorders has awakened many in the private sector to their responsibility for initiating programs to help ease the burdens of ghetto life. It is indeed a tribute to the imagination and spirit of those participating in such programs that notable progress along these lines has been achieved. In marked contrast to the spirit and dedication which have inspired private enterprise to face up to its responsibility is the persistence of the fire and liability insurance companies in conducting their business in such a way as to frustrate both private and public efforts to bring light and hope into our ghetto areas.

Just within the past few days insurance was canceled covering the public school system in Paterson, N.J. In Missouri, $52 million coverage on public housing was canceled. Policies are being daily canceled in Trenton, N.J., in Detroit, Mich., in Illinois, in the Harlem and Bedford-Stuyvesant sections of New York City. What is remarkable about these widespread and wholesale insurance cancellations is that State insurance departments confess that they are helpless to stem the tide.

The problem of insurance cancellation is not a new one in the ghetto scene. Three years ago, as the senior member of the New York State Assembly Committee on Mortgages and Real Estate, I urged the enactment of an assigned risk plan for fire insurance and for liability insurance. In testimony at public hearings held by the New York State Insurance Department on September 12, 1966, I warned that:

> The failure of these companies to write such insurance and their cancellation of existing policies, subject homeowners to the full risk of fire loss, expose those who enter upon such premises to the full risk of damage or injury because of possible disrepair of such properties, prevents such homeowners from making urgently needed repairs because of the inability to obtain mortgage financing in the absence of fire and liability insurance.

The litany of evils attendant upon the refusal to write insurance and the cancellation of insurance can be elaborated upon without end. Much of this is elaborated upon in the excellent report filed by the President's Commission on this subject, under the chairmanship of Gov. Richard J. Hughes, the Governor of New Jersey. Based upon my own experience and studies of these problems in the State of New York, I know that these evils impinge upon every facet of the ghetto life and economy.

The simple truth is that for all practical purposes insurance of all types is not available to ghetto residents at fair and standard rates. As a consequence, ghetto residents, landowners, and businessmen are compelled to take out insurance from excess line companies, at five and six times normal rates. Abrupt cancellation of policies, without specific reason, has become a standard practice, a practice which in many cases results in mortgage foreclosures and loss of life's savings.

Insurance practices have a devastating impact in the ghetto, in relation to living costs, employment, and business opportunity. The high cost of fire and liability insurance, of burglary and plateglass insurance reflects itself in higher ghetto rents, food costs, and costs of the commodities. If such insurance is not obtainable, mortgages are foreclosed, building rehabilitation and modernization becomes impossible, businesses close, and jobs go down the drain.

A few statistics will illustrate during the past 5 years membership in the Associated Grocers of Harlem declined from 140 groceries employing 850 persons, mostly Negroes, to 90 establishments employing 400 persons, a loss of 450 jobs and 50 business enterprises.

Equally significant is the refusal of the insurance companies to write surety and fidelity insurance in behalf of ghetto residents. For example, countless Negroes, Puerto Ricans, and others trained in truckdriving under the auspices of the Port of New York Authority and the Manpower Training Institute in New York City, as well as in other trades, find that they are unable to secure employment in the trades for which they have been trained because of the refusal of bonding companies to provide necessary surety and fidelity bonds. Thus the investment of thousands upon thousands of private and public funds in the war against poverty is frustrated by the intransigence of the insurance companies in refusing to issue such bonds.

The significance of this problem was highlighted last year when a score of elected Negro officials elected in the State of Mississippi feared that they would not be able to assume the office to which they were elected because of difficulties they encountered in obtaining surety bonds. The fact that such bonds were finally made available at the last moment simply demonstrates that the insurance companies responded to the one thing they detest more than doing business with Negroes and Puerto Ricans—national regulation of the insurance business.

While less dramatic, a score of trained truckdrivers, unable to secure employment because of discriminatory practices of the insurance companies are equally deprived of both their civil rights and their opportunity to earn a decent living for themselves and their families.

As the insurance companies have red circled slum areas out of community redevelopment, so have they red circled Negroes and Puerto Ricans out of economic redevelopment.

Thus the insurance companies frustrate the war against poverty and other social programs designed to improve living conditions in the ghetto. The insurance companies will create new slums at a rate faster than they can be cleared through the model cities program. Through their control over liability insurance, these companies determine who shall own an automobile and who shall be employed in those areas of work where automobile ownership is a necessary incident to employment.

What is particularly tragic about the immediate splurge in insurance cancellation is that the ghettos are being made scapegoats for losses incurred by the carriers in other areas. Huge losses were incurred by the carriers as a result of Hurricane Betsy and as a result of other natural phenomena. Huge losses were incurred by them because of the breakup of the *Torrey Canyon* and other huge oil tankers, the McCormack Place fire in Chicago and other disasters. Contrasted to these and similar losses, those incurred through riots are penny ante stuff.

Mr. Speaker, what is urgently needed is a Federal program of insurance controls. Insurance is so deeply affected with a public interest, that it is the height of folly to permit them to exert such untrammeled control over the lives and well-being of our people, particularly when the evidence persuasively demonstrates that State insurance departments are either unable or unwilling to exercise essential controls. I urge that appropriate congressional committees explore the prospect of enacting a comprehensive Federal insurance program, to protect the people of our Nation from the power of the insurance companies.

CITY DOCTOR WRITES PAGE IN HISTORY

HON. ALBERT W. WATSON

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Monday, July 15, 1968

Mr. WATSON. Mr. Speaker, as long as there are new worlds to explore, men of courage and an adventurous spirit will find them. Such a man is Dr. Weston Cook, a constituent and close personal friend of mine from Columbia, S.C.

This spring, Dr. Cook joined a group of three other men on a journey to the North Pole. It was the first expedition to the pole by land travel since 1909, the year of the famous Perry exploration.

Just recently Dr. Cook described this unique and fascinating journey to members of the Columbia Rotary Club. As a part of my remarks I include a newspaper account of his talk before the Rotary as follows:

[From the Columbia (S.C.) Record, July 9, 1968]

CITY DOCTOR WRITES PAGE IN HISTORY

(By Margaret Niceley)

The South Carolina flag, which flies here in temperatures often near the 100 mark, also waves above the North Pole, blown by gusts as cold as 68 degrees below zero.

It was planted there in April by Dr. Weston Cook, a Columbia physician who was a member of the first expedition to reach the pole by land conveyance since Adm. Robert E. Perry in 1909. Cook described the experience to Columbia Rotarians Monday as "a feeling of pride at being part of an expedition which would write some small page in the colorful history of the North."

He was both doctor and radio man for the Plaisted Polar Expedition party, which reached "North 90" April 19 after 44 days on ice and a blustery journey of 474 miles from a base camp at Ward Hunt. The banners he left behind were those of the Palmetto State, the Confederacy and the Columbia Sailing Club, though the geographic pole is far from the sun-drenched South and no smooth sailing distance, even by modern snowmobiles and Ski-Doos. (The Perry expedition half a century ago had to travel by dogsled.)

Cook used graphic slides to illustrate his first public description of the trek.

The Columbia doctor said the four men who finally reached the North Pole were eager that theirs be the first expedition officially confirmed as having reached the pole, but faulty navigation by the U.S. Air Force almost dashed their hopes. The Air Force had agreed to fly over the group and verify that the pole had been attained, but first indicated that they had traveled too far across the polar ice cap and bypassed the specific geographic point they were seeking.

Cook said the party navigator had enough faith in his own calculations to maintain their accuracy, and the Air Force had to apologize the following day. "Maybe you'd better tell us where we are," the military navigator said.

At Cape Columbia, the Plaisted party found a coffee pot buried by Perry's team with a message indicating their attempts to locate the pole. Perry had started his exploration from Cape Columbia. Cook said the party added a second message of their own and headed home.

They had spent more than a month traveling across the Arctic ice, which Cook said is bluer than the vast expanse of white most people imagine despite their modern equipment, a great deal of their time on the trip was spent in "highway construction" because of deep depressions in the ice that were unnavigable and night winds that shifted the snows around their camp, he said.

He described the terrain as "barren, made up of rocks, snow and ice," but surprisingly dry. The annual precipitation around the North Pole is only 2 inches, compared to 3 in the Sahara Desert.

The men lived in canvas huts heated with fuel oil stoves. Cook said the upper parts of the tents were comfortable, but anything placed on the floor would freeze. They had 24 hours of sunlight a day during part of the trip and had to wear goggles to prevent snow blindness from the glare. However, nothing they wore could prevent their beards from freezing, and most of the pictures Cook showed revealed as many weird ice formations on the men's faces as on the land around them.

Cook said they saw very little animal life—only one bird at the North Pole itself—although Arctic hares, foxes and musk oxen manage to survive in the area. After the party reached their destination, the doctor took time out for hunting and bagged a polar bear, but the feat required riding 190 miles by sled, which he described as "an instrument of torture."

The successful expedition was the second attempt to reach the pole by Ralph Plaisted, a St. Paul, Minn., insurance man.

Cook joined the group after hearing about it through the Medical Amateur Radio Council, which advertised for a combination physician and radio operator for the party.

So the 52-year-old grandfather set out to write his "small page of history," and became one of the second group of men ever to reach the North Pole. No human being had seen it for 59 years except from the air or from under the ice from a nuclear-powered submarine.

RESOLUTION ON LAW AND ORDER

HON. O. C. FISHER

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, July 15, 1968

Mr. FISHER. Mr. Speaker, under leave to extend my remarks, I include a copy of a resolution on law and order, approved by the Association of Oilwell Servicing Contractors. This resolution reflects the views and concern of millions of Americans.

The resolution follows:

RESOLUTION ON LAW AND ORDER IN THE UNITED STATES OF AMERICA

Whereas, we have watched with mounting concern the utter disregard of the law and order which is a vital part of the free enterprise system of this country, and have been appalled at the lack of support for law enforcement as regards the protection of the property rights of the individual citizen and,

Whereas, this defiance of the authority of the properly-constituted police power of the various cities and states has led to the loss of hundreds of lives of innocent men, women and children, and to the destruction of millions of dollars worth of private and publicly-owned property and,

Whereas, under no guise of deprivation and poverty can the continued use of violence and force be justified or tolerated and,

Whereas, the continued use of violence, looting and unlawfulness is leading inevitably to the destruction of our democracy,

Now, therefore, be it resolved, that we, members of the Association of Oilwell Servicing Contractors through its Board of Directors and Officers here assembled in San Antonio, Texas, on this 14th day of June, 1968, with deepest concern for the preservation of our democracy, deplore these acts of violence and this wave of lawlessness; and urge:

(1) That law enforcement agencies, local, state, and national, take whatever steps are necessary to insure the safety of citizens, our homes, our businesses, and all public properties, and

(2) That the 90th Congress, now meeting in its Second Session, with all deliberate speed pass such legislation as would be needed to support effective law enforcement, and

(3) That Congress take immediate steps to restore those safeguards to effective law enforcement which the Judiciary has curtailed or eliminated to the detriment of the rights of law-abiding citizens, and

(4) That the news media, press, radio, and television immediately adopt standards of quality and restraint in reporting news incidents in an inflammatory manner, and

That a copy of this resolution be sent to President Lyndon B. Johnson and appropriate members of Congress and appropriate state officials and the members of this association represented hereby.

ASSOCIATION OF OILWELL
SERVICING CONTRACTORS,
LAMAR DEUBREE,
Executive Vice President.

BIG CUTBACK IN MAIL SERVICE

HON. HAROLD T. JOHNSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, July 15, 1968

Mr. JOHNSON of California. Mr. Speaker, the impact that an arbitrary cutback in postal employment would have on mail delivery and other essential postal services is outlined in an excellent article in the current issue of U.S. News & World Report. As the magazine points out, mail is pouring into post offices across the Nation in unprecedented amounts, and yet Postmaster General Watson is being forced to cut employment. Under unanimous consent I insert the U.S. News article in the RECORD, as follows:

WASHINGTON.—Drastic cuts in U.S. mail service are being threatened by postal officials because of Government-wide economies ordered by Congress.

All types of mail—first-class letters, magazines, advertising matter and parcel post—may be delayed if service cutbacks have to be made.

With the postal system already "in a race with catastrophe," postal officials say, curtailments would increase the danger of mail logjams on a national basis.

ACTION TAKEN

Already, Postmaster General W. Marvin Watson has ordered a freeze on post-office employment, despite a mail load that is nearing 85 billion pieces a year. Also ordered:

Effective July 27 two steps—a cut in mail collections on Saturdays to Sunday schedules, and a closing of all window service at first and second-class offices on Saturdays and Sundays, except for a period of two hours.

Effective at once—no extension of delivery services to new communities, a speedup in closing many fourth-class offices, and delay in handling second, third and fourth-class mail, if it interferes with first-class mail.

Other curtailments may come in the months ahead unless the Post Office Department is exempted from a personnel-cutting provision in the recently enacted law raising income taxes.

WHAT'S AHEAD

At closed hearings of the House Ways and Means Committee on July 10 and 11, Mr. Watson is reported to have said the country may face:

Elimination of home deliveries on Saturdays, perhaps by October.

A cutback in parcel-post deliveries from six days a week to five.

The tax law's personnel provision requires the executive branch of the Government to fill no more than three out of every four vacancies until employment is reduced to the level of June 30, 1966.

Instead of adding 20,000 employes in this fiscal year, as the Post Office had hoped to do, it is estimated that 15,000 jobs may have to be eliminated.

About 80 per cent of the Department's budget goes into salaries, so economies based on job reductions hit the Post Office especially hard at a time when mail volume is soaring and the Post Office has no control of the work load being created.

EXEMPTION FROM CUTS?

Sentiment built up to exempt the Post Office Department from the employment curb. But fears were expressed that this might open the door to exemptions for many other agencies.

"It'll be the most ridiculous pennywise, pound-foolish action we've ever taken if we don't exempt them," said Representative Tom Steed, (Dem.), of Oklahoma. Another Congressman said, however, he would favor repealing the whole tax law and economy provision rather than exempt one agency.

Some members of Congress were inclined to think the Postmaster General was being "alarmist." Other said the Budget Bureau could exempt the Post Office from the economy order without action by Congress.

Others recalled that Congress thought Postmaster General Arthur E. Summerfield was bluffing in 1957 when he threatened curtailments unless he got an extra 47 million dollars in funds.

Mr. Summerfield proceeded to halt Saturday deliveries, closed post offices on that day and made other cutbacks.

Congress yielded within three days, giving Mr. Summerfield 41 million dollars to restore the services.

MARINE PRIVATE IS SOUTH VIETNAM CASUALTY

HON. CLARENCE D. LONG

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Monday, July 15, 1968

Mr. LONG of Maryland. Mr. Speaker, Pfc. Carroll S. Dieudonne, a fine young man from Maryland, was killed recently in Vietnam. I wish to commend his bravery and honor his memory by including the following article in the RECORD:

[From the Baltimore (Md.) Evening Sun, July 11, 1968]

MARINE PRIVATE IS SOUTH VIETNAM CASUALTY

A Silver Spring (Md.) Marine private was killed by rifle fire July 5 in South Vietnam, the Pentagon said yesterday.

Pfc. Carroll S. Dieudonne, 21, had been in South Vietnam's northern Quang Tri province with the 3d Battalion of the 3d Marines since last December, his mother, Mrs. Erasmus L. Dieudonne, Jr., said.

Mrs. Dieudonne, of 501 Sherbrook drive, Silver Spring, said the Department of Defense reported that her son died of a head wound.

The young Marine was a 1965 graduate of Sherbrook High School in Silver Spring and attended Temple Business College before enlisting in March, 1967.

He trained at Parris Island, S.C., Camp Lejeune, N.C., and Camp Pendleton, Cal., before he was sent overseas last December, Mrs. Dieudonne said.

Mrs. Dieudonne said her son taught radar while in Vietnam and went on patrols from K company's camp near the Demilitarized Zone.

"He just went out on patrols with the rest of the boys," she said. "He seemed to think they were doing the right thing and we belonged over there."

Survivors, besides his mother and father, include four sisters, Mrs. Maurice Rose, Mrs. Robert Harper, and Mrs. William Fox, and Miss Christine Dieudonne, and a brother, Matthew Dieudonne.

COINAGE COMMISSION CONSIDERS CHANGE IN U.S. SILVER POLICY

HON. JAMES A. McCLURE

OF IDAHO

IN THE HOUSE OF REPRESENTATIVES

Monday, July 15, 1968

Mr. McCLURE. Mr. Speaker, the Coinage Commission is meeting today to consider changes in U.S. silver policy now that the period for silver certificate redemptions has passed and the transfer of 165 million fine troy ounces of silver to the national stockpile has been accomplished.

The effect of the decisions made by the Commission today will undoubtedly have an impact on the silver industry for some time to come.

Last week, I sent Secretary Fowler my personal recommendations on silver policy, and I include the text of my letter at this point in the RECORD:

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, D.C., July 13, 1968.

Hon. HENRY H. FOWLER,
Chairman, Joint Commission on the Coinage,
Treasury Department, Washington, D.C.

DEAR MR. FOWLER: The fact that the transfer of government silver to the national stockpile was carried out in an orderly fashion—and entirely in .999 fine silver—is in no small measure attributable to the diligence of the Coinage Commission. You now face further decisions as to the disposition of the remaining silver, and it is in this connection that I would like now to offer my personal recommendations for the Commission's consideration Monday.

First, it seems to me that a re-evaluation of the stockpile requirements for silver should be made. In light of the increased industrial consumption that has occurred since the last evaluation, such a step appears mandatory.

Second, I hope the Commission will approve continued use of silver in the minting of 50-cent pieces in order to maintain some small relationship between our coinage system and precious metals.

Third, the Commission should provide for a retention of sufficient silver supplies to meet the future needs of the Government. It would seem the height of fiscal folly for the Treasury to divest itself of silver at today's lower prices only to repurchase it at some later time when the price has increased.

Fourth, since the certificate and stockpile problems have, for the most part, been resolved and since it is government policy to divest itself of surplus silver stocks, it seems to me most unfair to deny private citizens a corresponding right to market the silver which they hold in coins. In this connection, I wish to call to your attention a bill I introduced recently to legalize the melting of coins. This right, when granted, would reduce the potential acquisitions of silver and therefore the potential for sales of government-owned silver. There is no reason why the Treasury should continue to possess a silver monopoly.

All four of these steps point to the need for phasing out the sales of Treasury silver, and I think we must recognize the market disruptions that will occur if the phasing out period is not an orderly one. The alternative would mean feeding the fires of speculation. It has been suggested by many competent economists in the silver industry that the weekly offerings by the General Services Administration be reduced in quantity each month. An approach along those lines would certainly have my personal approval.

I wish to thank the Commission for considering this statement and the recommendations I have made. The decisions you are about to make will have a profound effect for some time to come on both silver producers and silver users. It is a responsibility not to be taken lightly, or in haste.

Sincerely yours,
JAMES A. MCCLURE,
Member of Congress.

GRIEVANCE COMMITTEE AND THE IMPORTANCE OF THE DECISION IN THE MILLER CASE

HON. WILLIAM L. HUNGATE

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Monday, July 15, 1968

Mr. HUNGATE. Mr. Speaker, in light of the controversy currently surrounding the Supreme Court as a result of certain decisions in the field of criminal law, I would particularly call attention to the following statement of the Grievance Committee of the Illinois State Bar Association.

On February 13, 1967, the U.S. Supreme Court, in an opinion, stated that the prosecution had "deliberately misrepresented the truth," in contending that a pair of undershorts found a mile from a murder was stained with blood.

They stated the garment was stained with reddish-brown paint and freed the defendant. Because of the serious implications of these charges regarding the prosecutors, the Grievance Committee of the Illinois Bar, on its own motion, investigated to determine whether disciplinary action against the prosecutors was warranted.

I suppose it takes little imagination to see what effect this statement by the U.S. Supreme Court could have on the professional standing and careers of the prosecutors involved.

In the trial in 1956, the State chemist testified that there were blood stains on the shorts. Prior to the trial, the Illinois State Bureau of Criminal Identification and Investigation gave a laboratory report disclosing that the shorts did contain blood.

Perhaps many prosecutors, like myself, would rely on a State chemist or bureau of criminal investigation report as to whether a substance was or was not blood, since the prosecutor may not be, and is not required to be, a chemist.

I hope everyone can take time to consider the statement of the Grievance Committee and the importance of the decision in the Miller case.

The statement follows:

STATEMENT OF THE GRIEVANCE COMMITTEE OF THE ILLINOIS STATE BAR ASSOCIATION IN THE MATTER OF THE PROSECUTION OF THE CASE OF PEOPLE OF THE STATE OF ILLINOIS *v.* LLOYD ELDON MILLER, JR.

In 1956, Lloyd Eldon Miller, Jr. was tried and convicted in the Circuit Court of Hancock County, Illinois of the murder of an 8-year-old Canton, Illinois girl, Janice May. On February 13, 1967, the United States Supreme Court overturned the murder conviction on the ground that the prosecution had knowingly used false evidence to convict him by introducing into evidence a pair of undershorts which it contended were stained with blood. The Court based its decision on testimony given seven years later at a habeas corpus hearing in the U.S. District Court in Chicago, to the effect that the only stains on the shorts were paint stains. In its opinion the Supreme Court said that the prosecution at the original trial had "deliberately misrepresented the truth" in regard to the shorts.

The prosecution was conducted by Blaine Ramsey, then State's Attorney of Fulton County, and Roger W. Hayes, as special assistant.

In view of the serious implications of such charges, the Grievance Committee of the Illinois State Bar Association, on its own motion, commenced an investigation in April of 1967 to determine whether disciplinary action against the prosecutors was warranted. The investigation extended over a period of approximately nine months. The voluminous records in the case included the transcripts of testimony at the original trial and before the Pardon and Parole Board and in the habeas corpus proceedings in the U.S. District Court. Also reviewed were the abstracts of record and the briefs in the several appeals to the Illinois Supreme Court, the U.S. Court of Appeals and the United States Supreme Court. These documents, all of which were minutely examined by the Committee, comprised some 3300 printed and typewritten pages. In addition, the Grievance Committee interrogated the attorneys who prosecuted and defended the case at the original trial, and in response to these questions received detailed answers concerning every area of possible misconduct on the part of the prosecutors.

It became apparent to the Committee early in its investigation that the United States Supreme Court had misapprehended the facts of the case. At the trial, which took place in 1956, the States chemist testified that there *were* bloodstains on the shorts in question. Prior to the trial, the prosecutors had been given a laboratory report from the Illinois State Bureau of Criminal Identification and Investigation which disclosed that the shorts did, in fact, contain blood. The State chemist further testified at the trial that the blood on the shorts was type "A" which was the same type as that of the victim.

The Committee found no reason to doubt that there was blood on the shorts at the time of the trial and no reason to doubt that the prosecutors in the case believed there was blood on the shorts. Accordingly, the Committee found that there was no basis for the view of the United States Supreme Court that the prosecution had been guilty of a misrepresentation when it asserted as a fact that the shorts contained blood.

The Committee investigation further disclosed that, in addition to the blood, there was paint on the shorts. It is clear that the prosecution knew, or at least assumed, there was paint on the shorts as well as blood, and the prosecutors contend that the difference was apparent.

The question before the Grievance Committee, then, was not whether the prosecution misrepresented the fact that there was *blood* on the shorts, because clearly its statement to this effect was not a misrepresentation. *Instead the question was, assuming the defense did not know of the paint, whether the prosecution was guilty of unethical conduct in failing to disclose its presence to the defense.* The resolution of this question depended, in the judgment of the Grievance Committee, upon whether there was any reason to believe that the prosecution felt the facts concerning the paint would have been helpful to the defense and, knowing of its relevance, nonetheless concealed it. The Grievance Committee determined that the presence or absence of paint on the shorts was not a material question in the case. There *was* blood on the shorts. The theory of the prosecution was that Miller had discarded the shorts because of the incriminating bloodstains they bore. The presence of paint on the shorts was not inconsistent with this theory because the shorts were found in an area in which there were paint cans. The paint on the shorts might have had some tendency to *corroborate* Miller's confession that he had left them in that area.

The Committee concluded that the decision of the U.S. Supreme Court was based entirely upon a portion of the testimony which had been given at the habeas corpus hearing in the United States District Court at Chicago. The Supreme Court rejected the testimony given at the original trial eleven years earlier, and ignored the testimony of the State chemist who again testified at the habeas corpus proceedings that there was blood on the shorts.

At the time of the habeas corpus hearing, the defense offered an expert witness who testified that he had examined twelve threads from the shorts and had found that they contained paint, a carbon-like substance and an additional substance he was unable to identify. This chemist, engaged by the defense, admitted that he had made no conclusive tests for the presence of blood and that, indeed, he was not "permitted" to make such tests. He further added that in order to determine if blood were on the shorts, "it would require a more extensive test and would require having access to every part of the garment." The record shows, however, that the defense was given permission to send portions of the shorts to a chemist in New York City, one Dr. Leon Susman. Presumably, Dr. Susman made a test for blood, but the results of that test have never been disclosed. At the time of the original trial the prosecution was duty bound to present to the jury the results of the examination of the shorts by the Illinois State Bureau of Criminal Identification and Investigation.

Although the sole basis for the Supreme Court opinion was the alleged misrepresentation concerning blood on the shorts, the Grievance Committee undertook to evaluate various other charges, since these additional charges, if true, could have provided a basis for disciplinary action against the prosecutors. The following comments relate to each of these additional issues.

One such issue which seemed to be of importance at the outset of the Committee's investigation was the question of whether the prosecutors had deliberately concealed from Miller the fact that his pubic hair did not match a hair found on a paper tissue used for a smear taken from the vagina of the child. The Committee concluded that there had been no concealment, deliberate or otherwise. Miller and his attorneys were acquainted with the fact that a microscopic comparison had been made between a pubic hair taken from Miller and another hair. At a hearing on the admissibility of Miller's confession, conducted during the trial out of the presence of the jury but in the presence of his attorneys, Miller testified that he had viewed the two hairs under the microscope and it was apparent to him that "Them hairs don't match. I says, them hairs don't belong to me." The facts concerning this comparison were not brought to the attention of the jury, either by the prosecution or the defense. It is not known for certain whether the hair on the paper tissue did, in fact, come from the vagina of the child. The hair could have gotten on the tissue in some other way, either before or after it was used to swab the child's vagina. Moreover, it is not known what kind of hair it was. There is no evidence that it was a pubic hair. If it was not, meaningful comparison was impossible because head hair and body hair are different from pubic hair. Accordingly, the Committee concluded that the prosecution was under no duty to elaborate upon the dissimilarity of the hairs.

Another allegation made by Miller is that the prosecution suborned one Betty Baldwin to commit perjury against him. Betty Baldwin testified that Miller had admitted his guilt to her shortly after the crime. Some years later, she recanted this testimony and stated that one of the prosecutors had pressured her into testifying against Miller. It is not uncommon for witnesses to recant their testimony after a trial, and the problem that invariably arises in such cases is one of determining on which occasion, if at all, the witness told the truth. The question becomes one of the credibility of the witness. In this regard, the Committee noted that Betty Baldwin had also charged, shortly *before* the trial, that one of the defense attorneys had offered her $10,000.00 to change her statement.

The final allegation against the prosecutors is that they improperly informed the defendant's landlady that she had a "constitutional" right to decline an interview with the defense attorneys. In a pardon hearing conducted seven years after the trial, there was testimony by several witnesses tending to establish an alibi for the defendant at the time of the crime. The Committee found no evidence that the prosecution had been guilty of any impropriety with regard to these witnesses. There is no evidence that the prosecutors did anything other than inform one witness—landlady—that she was not required to discuss the case with the defense. While the Committee believes that it was not technically accurate to inform the landlady that she had a "constitutional" right to refuse the interview with the defense, it is nonetheless true that, in a criminal case, the defense has no legal right to require a witness to submit to a pretrial interview. Moreover, the Grievance Committee felt that it was inconceivable that these "alibi" witnesses would not have come forward at the time of the trial if, in fact, they could have established the alibi later asserted. The crime was committed in a small town and was obviously a major topic of discussion at the time.

In view of the foregoing, the Committee determined that there was no basis for disciplinary action against the prosecutors and dismissed the charges.

Although, in cases where no disciplinary action is recommended, the rules of the Illinois Supreme Court prohibit disclosure by the Illinois State Bar Association of the contents of its records and files in grievance investigations without the consent of the respondents, it was determined that the considerable notoriety concerning this matter warranted an exception. We therefore sought and obtained the necessary consent of the prosecuting attorneys to release the foregoing information. The opinion of the United States Supreme Court left the impression that a grave injustice had been deliberately perpetrated by a ruthless and unprincipled prosecution. A thorough and objective investigation of the matter has shown that this impression is unfounded. The Illinois State Bar Association believes that the public is entitled to know the actual state of the record.

HOW DO YOU GET A FEDERAL GRANT?

HON. EDWARD G. BIESTER, JR.

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Monday, July 15, 1968

Mr. BIESTER. Mr. Speaker, I would like to take this opportunity to commend to my colleagues the work of my friend from the State of Delaware, the Honorable WILLIAM V. ROTH. BILL has introduced a proposal that has been long overdue. The proposed Program Information Act of 1968, would require the issuance of an annual catalog of Federal grant programs that could save Americans thousands of man-hours and frustrating encounters in discovering just what kind of Federal assistance is available and who administers it. Perhaps not headline legislation, this bill could nevertheless go a long way toward cutting the bureaucratic tape that has come to be associated with Federal programs. I am proud to join BILL in cosponsoring this proposal and I commend to all Members of Congress the following article from the Christian Science Monitor of July 9, 1968, regarding BILL and his most necessary proposal:

HOW DO YOU GET A FEDERAL GRANT?

(By Lyn Shepard)

WASHINGTON.—For a long time the game of "grantsmanship" has been confined to an elite set of expert players who know the ways and wiles of Washington firsthand.

But now—thanks to the zeal of a little-known freshman congressman—every small-town official in the nation may soon master the knack.

That, in a nutshell, is the intent of a House bill titled the "Program Information Act of 1968" which Rep. William V. Roth (R) of Delaware filed a few weeks ago.

It requires the president to issue an annual catalogue of federal grant programs and to update it monthly. The president would also be expected to report to Congress each year on his progress in unifying the myriad of aid programs.

SUSPICIONS SUPPORTED

The measure resulted from an eight-month study by Mr. Roth's staff which confirmed what many congressmen strongly suspected, namely, as the Delaware lawmaker told his colleagues:

"We found that no one, anywhere, knows exactly how many federal programs there are.

"We found that nowhere is there a central, comprehensive repository where meaningful information on all operating programs can be found.

"We found that more than $20 billion a year is being spent on such programs, yet only with long and great effort can one begin to find meaningful information about all of them.

"We found that there is no common denomination—that is, widely used definition, of just what a 'program' is.

"We found that only the largest cities and states and universities have the necessary money and staff required just to keep abreast of the programs from which they might benefit."

A number of House members—Democrats and Republicans—have stepped forward to laud Mr. Roth's research effort and his bill.

One of these, Rep. Florence P. Dwyer of New Jersey, is the ranking GOP member of the House Committee on Government Operations, where the Roth bill is under study. If her party wins the House in November, Mrs. Dwyer will become the panel's new chairman.

"As a congressman seeking to help local officials utilize federal programs," Mrs. Dwyer charged, "I have seen frustration, delay, and disappointment."

The influential congresswoman recalled memories disstressingly familiar to her colleagues: "The numberless telephone calls where only one should do; the endless round of meetings and conferences that produce nothing; the volumes of information and reams of paperwork that hinder instead of help."

Another congresswoman, Rep. Margaret M. Heckler (R) of Massachusetts, told of the groups of officials in her district who come to Washington seeking aid for sewer systems or other public-service projects.

"Just as often," Mrs. Heckler said, "they return home both empty handed and just as bewildered as when they came."

Mr. Roth has also enlisted strong Democratic allies in the House. These include senior members like Reps. Wilbur D. Mills of Arkansas, Henry S. Reuss of Wisconsin, and Dante B. Fascell of Florida.

Messrs. Reuss and Fascell expect the Roth bill to win broad bipartisan support in Congress.

"I've heard only one argument against it," Mr. Roth says. "This is that it will increase demand for more federal spending."

LISTED 1,090 PROGRAMS

The congressman, a conservative on fiscal issues, counters that spending won't increase but its dispersion will be fairer and more clearly based on need.

As things stand, he maintains, a "fourth establishment" has sprung up amid all the grants programs "responsible to no one, self-perpetuating in nature, and too often duplicative in effort."

The Roth study found that 1,090 grant programs exist today, although the most complete federal catalog (compiled by the Office of Economic Opportunity) lists only 530. The differing figures are traced largely to the confusing issue: What is a program?

Mr. Roth feels that the Bureau of the Budget should prepare an annual compendium to unify all such programs governmentwide.

Only one federal department refused to answer the Roth questionnaire on grant programs But this one, the Department of Health, Education, and Welfare, handles nearly half the total programs.

When Mr. Roth sent 478 questionnaires to HEW "program administrators," the department contended that it would take 1,600 manhours to complete them. That's too much time to be spent for a single congressman, the HEW officials said.

MAJOR PANAGOULIS RETIRES AS CHIEF OF POLICE

HON. HERVEY G. MACHEN

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Monday, July 15, 1968

Mr. MACHEN. Mr. Speaker, I recently attended a retirement ceremony for Maj. George J. Panagoulis, chief of police of Prince Georges County, Md., on June 29, 1968, at the Shoreham Hotel. Major Panagoulis' speech was extremely timely and discussed a number of vital issues facing our Nation these days. As the man who built the Prince Georges County Police Department into one of the best in the United States, and as a grandfather who went to law school at night while serving as chief of police, Major Panagoulis has left the police department and the county with some valuable words based on a broad background of education and experience. I commend this speech to my colleagues and insert it in the RECORD at this point:

SPEECH PRESENTED BY MAJ. GEORGE J. PANAGOULIS, CHIEF OF PRINCE GEORGES COUNTY POLICE DEPARTMENT ON OCCASION OF HIS RETIREMENT, AT DINNER GIVEN IN HIS HONOR ON JUNE 29

In the last three weeks one has heard again and again the question—"Is America sick"?—It resounds on the radio; is emblazoned on our television sets and assaults our eyes in the newspapers and on the magazine racks. Do we have a fatal cancer in the Americn system? As a police officer of thirty years, I have an answer! No . . . Do we have problems? Yes. . . . We are sick, there is a tumor in the belly of America, but it is non-malignant! To deny that our beloved America has serious problems is to retreat from reality. No honest American can deny that there have been many injustices over the years, but by the same token, these same Americans must admit that great strides have been made, and are still being made to overcome these injustices. Any deprivation of equal justice which we can not deny, we must truly deplore.

This audience above all others knows that however the battle of the statistics involved in crime reporting is resolved, crime is on the increase. It rises more rapidly than the population. And no one can deny that the visible, external crimes of violence are increasing disproportionately.

Student unrest has escalated from the democratic petition to the Dean to the occupation of university offices, the false imprisonment of university officials, physical violence, and resistance to arrest. All this accompanied by obscenities shouted from ivy-covered towers and scrawled across the personal belongings of college officers. And when some timid college administrators ask you and me as police officers to remove these illegal demonstrators we are greeted with a shout of *Police Brutality* when we use only minimal force to accomplish our mission.

And we hear more and more about civil disobedience! I submit to you that the utilmate act of civil disobedience was committed on June 5th when a gunman smashed a bullet into the brain of Senator Robert F. Kennedy. Surely no one can deny that civil disobedience such as stretching of bodies across highways and runways, blockading of ingress and egress of public officials merges into criminal activity. Once the merger takes place, an escalation into violence is almost inevitable. We see still another symptom of our illness when we read in a national magazine that several of the six or seven college graduates interviewed for a feature story are thinking of flight to Canada rather than be drafted. One is tempted to vomit.

Why is a segment of America Sick? I suspect the root answer lies in the erosion of basic American values. There has been a breakdown in the basic unit of our society—the family. This thesis was accentuated several years ago by a startling book "Where Are You Going? Out! What Are You Going To Do? Nothing!" It has been called to our attention recently by the question: "Parents—Where is your child tonight?" We see the problem on weekends in suburban America when our stationhouses are crowded with teenagers bloated with beer and we call their homes to have a youngster picked up by an equally beer bloated parent. We see it when parents and children alike casually disregard our traffic laws. We see it on the newsstands loaded with erotic literature, tolerated by the parents and eagerly purchased by their children. We see it on the screen in movies like "The Graduate" which symbolize the problem.

We see over and over again that some parents have abdicated their responsibilities as parents because they, the parents, also wish to be fulfilled. This idea of self-fulfillment is the mother-cell of our difficulties. Self-fulfillment is simply another way of saying self-pleasure or self-indulgence. It reminds me of the ancient Romans who induced regurgitation so they could eat more. Parents are permissive because either they seek personal fulfillment or they genuinely feel their children should be sated with life's pleasures. In either event, it inevitably leads to an "I'll get mine and you get yours" idea, of society. To put the frosting on the cake, liberals of the last third of this twentieth century have pushed our basic freedom to their limit. Some misguided, irresponsible libertarians will sanctimoniously insist that all forms of protest including certain conduct are protected forms of free speech or freedom of assembly. They are joined by power-hungry college students and fuzzy faculty members who equate student power and faculty power and love the mix. The result is anarchy in our academic institutions which threatens to spill over into the political arena this fall. Throw in for good measure some of our appellate judges who feel all acts, good or bad, are the result of irresistible compulsion with the consequent determination that people really aren't responsible for what they do. Therefore they shouldn't be punished!

In the face of all these disturbing symptoms the overwhelming majority of Americans appear to be in a hypnotic trance. Some call it apathy, some call it despair. A few prophets of doom state that democracy has finally run its course in America, that the great American dream went up in smoke the past two summers. In summary, Our problems are due, to a large degree, to the breakdown of family discipline, a corruption of the academic process, an erosion of the idea that one must answer for his conduct, a misguided effort to push our basic freedoms to a breaking point, and a general public apathy.

What can we do about it?

Edmund Burke, the English-Irish statesman, gave the answer when he said: "Men are qualified for civil liberties in an exact proportion to their dispositions to put moral chains upon their own appetites . . . society cannot exist unless a controlling power upon will and appetite be placed somewhere, and the less of it there is within, the more there must be without. It is ordained in the eternal constitution of things that men of intemperate minds cannot be free. Their passions forge their fetters."

And St. Paul in his Epistle to the Romans, said: "Let every soul be subject unto the higher powers."

He said in his Epistle to Titus: "Put them in mind to be subject to principalities and powers, to obey magistrates, to be ready to do every good work."

A great philosopher, St. Thomas Aquinas has said: "Freedom is willing obedience to law."

Thus we are exhorted to respect law and authority.

I submit the following concrete steps fully confident that no man in his right mind can deny their efficacy.

I suggest that Americans quit being mere spectators who deplore the actions of their public officials but do nothing themselves except raise hell about the taxes they're paying. I suggest that all Americans, not just a vocal minority, participate in democracy by making their beliefs known.

I suggest a return to family discipline. Parents can control children. Unity of spirit and effort on the part of all parents in the community will help. The psychologists tell us we must deal with tennagers pragmatic-ally. If that is so, so be it! We've got to quit coddling our children. Can anyone tell me, what has happened to the Boy Scout Oath and Vows. I suggest they are a good blueprint for living. I would ask every parent in the nation to put a copy of these into the hands of his children at once.

I suggest a return to the Golden Rule in our constant relations with all peoples. The overwhelming majority of Americans, black and white, are as sick at the excesses of a few Americans, black and white, as are you and I. Be kind, courteous, and helpful. Be colorblind in your race relations. Resolve now to attack the root causes of our ghetto conditions. Work for better housing, better schools, better employment and better welfare for our disadvantaged.

I suggest that college administrators counsel their students that acts have consequences. Students should be warned that those who exceed lawful authority will be dealt with promptly and firmly. College authorities should give academic response before resorting to the police. Trespassing or similar criminal acts must be punished with alacrity with proper regard for due process.

Our liberal philosophers should take another look at civil disobedience. Civil disobedience of any kind must be discouraged. Any deliberate violation of law, even though it is regarded as unjust, should be undertaken only when the law violated is itself thought to be unconstitutional, and then only with a willingness to suffer the consequences. The early sit-in cases testing the segregation laws are a good example. To violate an admittedly constitutional law to dramatize a social practice felt to be unjust or a different law believed to be unconstitutional cannot be tolerated. The recent traffic disruptions in the streets during the Poor People's Campaign is an example of intolerable civil disobedience. The disobedient must be reminded that where law ends, tyranny begins. The protestors should also be reminded that mass felonies will be dealt with on the same basis as individual felonies. Protestors and would-be criminals should be warned that society will not tolerate violence on the streets, that such force as is necessary to maintain law and order will be used promptly. We must return the streets to the people. It is unthinkable that Americans walk their streets in fear. The Safe Streets and Crime Control Act signed by the President last week together with other fine legislations of the last two years indicates there is a light at the end of the tunnel. Accordingly, I am optimistic that our law enforcement officers will at long last receive the public support that they deserve.

And last, we must no longer treat the police officer as a second class citizen. When riots occur, the police officer is our daily first line of defense. Policemen have become the whipping boys of modern times. Where were the cops? Why are the cops so brutal? Why don't we have more cops? Why don't cops understand the Constitution?

We ask much of our modern policeman. However, I, for one, am reminded of Winston Churchill's praise of the R.A.F. during W.W. II:

"Never have so many owed so much to so few". Policemen are in fact the bastion of our free society. Let us not take our policemen for granted. When they do a good job, tell them so. They are people like you and me, entrusted with society's most important task, the protection of life and property and the preservation of law and order.

This is a sad day for Claire and me. For 30 years, my heart, soul and body have been in police work. My body will remove itself Sunday night. My heart, my soul, my mind and my prayers are still with you and the people of Prince Georges County.

CAPTIVE NATIONS WEEK, 1968

HON. ROMAN C. PUCINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Monday, July 15, 1968

Mr. PUCINSKI. Mr. Speaker, the annual observance of captive nations here in America is taking place between July 4 and 20. This 1968 observance marks the 10th year of a highly important commemoration.

I join with my colleagues here in Congress in calling the attention of Americans and all people of the free world to the duress of communism.

The fate of those in Asia and east-central Europe who have recently become targets of the Communist spiral is one which we cannot ignore. Only too well have we learned that the right of our most entrusting developing nations to chart their own destiny is fast becoming a goal of the past.

We are at this very moment witnessing what certainly may well be our most serioue effort to block Soviet expansion in Southeast Asia. This effort must not be abandoned. Our determination to preserve freedom and a just future for the people of South Vietnam must not falter or for a moment be impaired.

Our recognition today of the struggle being waged by the captive nations is the very basis and foundation of our efforts to insure the inherent rights of self-determination for the people not only in South Vietnam, but all of Southeast Asia.

Mr. Speaker, more than a year ago I proposed that this Government use every method available to bring the question of Vietnam before the United Nations. I reaffirm my proposal and believe it totally justifiable that the admission of both North and South Vietnam to the U.N. be allowed so that the intent of this peacekeeping organization may be exercised.

While our attention, for the most part, is presently focused around the problems in Southeast Asia, we can never be overalert to the persistence of Communist aggression in many other areas of the world. It is for this reason that our support to those suppressed Iron Curtain countries is proclaimed, not only at times of designated observance, but daily through our sincere efforts to inspire the principles of democracy both at home and abroad.

Mr. Speaker, I take the liberty of including in my remarks at this point the Captive Nations Week Manifesto, 1968, which was jointly issued by the American Friends of the Captive Nations and the Assembly of Captive European Nations:

CAPTIVE NATIONS WEEK MANIFESTO, 1968

The undersigned organizations dedicated to the restoration of freedom in the captive nations, call attention to Public Law 86-90, unanimously adopted in 1959 by the Congress of the United States, by which the third week of July each year was designated as "Captive Nations Week."

Recent developments in East-Central Europe indicate that the Communist system is confronted with built-in problems and deep-seated strains and tensions. The record of over two decades of Communist rule brings into sharp focus continued opposition of the East-Central European peoples to unpopular, self-perpetuating regimes, which have deprived them of their inalienable right to chart their future.

The failure of the Stalinist regime in Czechoslovakia to relax its stiff rule and raise the living standard of the people has brought to power more progressive elements of that country's Communist Party. The new leadership has been compelled to respond to popular pressures and vocal demands by the intellectuals and the students by granting more freedom of expression. The Czechoslovak people, animated by a consciousness of twenty years of injustice, have been the crucial motivating force behind the change sweeping their country.

In Poland, the March 1968 student demonstrations were a poignant protest against repressive censorship and the curtailment of the fundamental right to free speech. These legitimate demands were met with retaliatory action by Party leadership, including court trials of writers and university professors and mass arrests of students. A policy of official anti-Semitism was hastily introduced to divert public attention from the real issues involved.

The intellectuals and the younger generation in the captive countries must be made aware that their humanist protest is supported by the free world. It is therefore deemed essential that the plight of the intellectuals—who also voice the aspirations of the workers and the farmers—be fully aired at meetings and conferences held in conjunction with the International Year for Human Rights, proclaimed by the United Nations as well as by the President of the United States.

This year thus opens up new horizons for a closer look at the pressing problems of fundamental human rights in East-Central Europe and for a timely initiative to make the implementation of these rights an objective of Western policy.

For the peoples of East-Central Europe, it is important to learn of the continued determination of the free governments of the world to lend their moral and political support to the rightful aspirations of their captive East-Central European brethren.

While commemorating this year's Captive Nations Week:

We stress that the Soviet Union has violated its solemn promises of freedom and independence to the nine nations made captive during and after World War II—Albania, Bulgaria, Czechoslovakia, Estonia, Hungary, Latvia, Lithuania, Poland and Rumania;

We also stress that the Communist regimes in the East-Central European nations continue to suppress the will of the people by denying periodic and genuinely free elections.

We appeal to the free governments of the nations of the world:

1. To declare, in accordance with the principles of the Atlantic Charter, the Universal Declaration of Human Rights and the Declaration of Human Rights and the Declaration on the Granting of Independence to Colonial Countries, adopted by the United Nations on October 14, 1960, their support of the right to self-determination of all people held captive by the Communists and, consequently, to make this issue the permanent concern of the United Nations;
2. To use every opportunity to press the Soviet Union and the Communist regimes of East-Central Europe to restore to the peoples of these countries the full enjoyment of the rights and freedoms guaranteed in the Universal Declaration of Human Rights;
3. To bring to world attention the urgent need for a responsible attitude by the free nations of the world designed to help bolster the morale of the East-Central Euro-

pean peoples and thus create a climate favorable to their quest for full national sovereignty and individual freedom and dignity.

We appeal to the People of the United States of America to manifest during Captive Nations Week, July 14–20, 1968, their awareness of the importance of freedom for 100 million peoples in the Communist-dominated lands to the establishment of a valid European settlement and world peace.

CHRISTOPHER EMMET,
Chairman, American Friends of the Captive Nations.
GEORGE M. DIMITROV,
Chairman, Assembly of Captive European Nations.

CONSTRUCTION OF HOUSING FACILITIES FOR THE MENTALLY RETARDED

HON. JEROME R. WALDIE

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, July 15, 1968

Mr. WALDIE. Mr. Speaker, I have today introduced a bill which has as its purpose the establishment of a new program of mortgage insurance to assist in financing the construction of housing facilities for the mentally retarded.

It is a measure which fills an urgent and pressing need.

At this moment there are approximately 6 million mentally retarded persons in the United States. But the number of facilities in existence to provide diagnosis, treatment, education, training, and custodial care is woefully inadequate. The Public Health Service estimates there are some 30,000 mentally retarded persons awaiting admission to public residential facilities, not to speak of the additional thousands on similar waiting lists for private institutions.

The Subcommittee on Economic Progress of the Joint Economic Committee prepared a report in 1966 which disclosed the existence at that time of only 2,571 public facilities serving the mentally retarded throughout the United States. Obviously, a great imbalance exists and it must be corrected.

The same report estimated that capital expenditures by public institutions for the retarded totaled $439 million, and projected a financial requirement of some $3 billion through the year 1975. Again, such expenditures are exclusive of facilities under private ownership.

The numbers I cite represent merely one facet of the whole problem of retardation. They do not tell the story of the anguish borne by families who are unable to find satisfactory care for children they desperately love.

There are insufficient funds under the Mental Retardation Facilities and Mental Health Construction Act of 1963—which provides formula and project grants to the States and to nonprofit institutions—to facilitate construction of necessary treatment centers.

The legislation I propose would greatly ease this situation because it would provide to both private and public facilities which treat the retarded the opportunity to borrow federally insured funds and repay such loans at current interest rates.

The program would work much like our present Federal Housing Administration loan system in which the Government provides mortgage insurance for housing funds obtained from private lending sources.

I am hopeful such a loan program will stimulate and encourage greater participation of private and public institutions in the area of mental retardation.

It should also be noted that research indicates a great majority of the mentally retarded come from disadvantaged areas and yet at the same time, most hospitals and centers which provide care are located in either more affluent areas of the cities or in the adjacent countryside.

Hopefully, the availability of federally insured funds will encourage construction or rehabilitation of retarded facilities precisely where they are needed the most.

THE POSTAL CUTBACK: EVERYONE IS HURT AND NO ONE IS HELPED

HON. CHARLES H. WILSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, July 15, 1968

Mr. CHARLES H. WILSON. Mr. Speaker at the time when I voted with this Congress to pass the temporary 10-percent surtax, I was assured by administration representatives that the cutback in Federal employment would not extend to the Post Office Department. Based upon this assurance, I supported the surcharge, but now it appears that I—as well as many others—have been buffaloed. Either the administration was overly optimistic or they have misrepresented the facts; for, almost as soon as the ink was dry on the Excise Tax Extension Act of 1968, a cutback in postal employment and mail service was announced.

Forcing the postal service to reduce employment to the level of June 1966 is neither in the interest of Government economy nor the health of our Nation's business and industry. Mail volume has increased substantially since June 1968, an increase which is directly traceable to the unprecedented economic growth and prosperity the Nation has enjoyed in recent years.

About 80 percent of the country's total mail volume is generated by business activity. It is obvious that a cuback in mail delivery service will have an adverse effect on many businesses. And it is equally obvious that the Post Office cannot reduce its work force to the level of June 1966 without curtailing essential mail delivery services.

Postmaster General Watson has already ordered cutbacks in service because the people to do the work are not available. This situation will only deteriorate if the postal service is not exempted from the employment cutback—an employment cutback which will not reduce the postal budget one penny.

I strongly support Congressman DULSKI's bill to exempt the Post Office Department for the employment cuts imposed by the tax bill. I see absolutely no justification for the decline in postal service and the handicaps to businesses which depend on the mail that would result from this cutback.

HIGH SCHOOL COMMENCEMENT ADDRESS BY JOHN J. CARVER

HON. THOMAS P. O'NEILL, JR.

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Monday, July 15, 1968

Mr. O'NEILL of Massachusetts. Mr. Speaker, recently the senior class was graduated from Watertown High School in Watertown, Mass. The speaker was my very close personal friend, John J. Carver, chairman of the Watertown School Committee.

This outstanding gentleman is an excellent choice of a speaker to address young people going out into the world, for he is an example of the fine American tradition of civic and social responsibility.

John Carver gained renown as a scholar-athlete at Exeter, Cambridge Latin School, and Harvard University where he was captain of the Harvard baseball team.

After being graduated from Harvard, Mr. Carver became more active in the civic and political life of Cambridge, Mass. He was a city councilor and was also elected to the school committee. Now, as a resident of Watertown, Mass., he devotes a great deal of his time and energy to the work of the Watertown School Committee.

John Carver is a member of the board of trustees and is general public affairs manager of the New England Telephone & Telegraph Co. He is a wonderful example of how a prominent businessman can and should participate in his community.

I am pleased to submit his speech to the RECORD:

Dr. Kelly, Reverend, Clergy, Graduates of the Class of 1968, my fellow Americans.

Graduation is a time for great rejoicing. Everyone—teachers, parents, friends and relatives congratulate young men and women who have reached another plateau in their educational development. Aside from celebrating this educational achievement, graduation brings classmates closer together in a common bond. You have shared confidences, exulted in victories and accepted setbacks together. Now you celebrate a glorious occasion, one that will be forever a burning memory, a sacred recollection. This graduation will generate in you a pride in your own performance, develop an esprite de corps among graduates, your teachers and your school that will be inscribed in your heart and minds for all the days of your lives.

While you students are to be congratulated for your scholastic achievements, gathered here today are others who have made your success possible. I refer to your parents who have made enormous sacrifices in time, money and effort to provide you with an education superior to their own. They have tried to give you more advantages than they themselves ever received. Now they see in each of you an image of themselves that they wish to perfect. May God bless each and every one of them for the aspirations they have for you.

Your teachers, likewise, deserve commendation for their patience, perseverance and sincerity of purpose on your behalf. Some of you will study in schools and colleges of higher learning. Others will work with giants of industry. But I say to you now that these teachers will be the ones you'll always remember, the ones you'll turn to for advice and guidance. Their wise counsel and diligence in your behalf will always be an inspiration for you to fulfill the confidence they have in you.

For a moment I shall address myself to you graduates. Your generation is impressive if for no other reason that there are so many of you. Reflect on the only statistic I shall quote—By 1975 more than ½ of the people in this country will be under 25 years of age and you will be among them.

Your generation is physically superior—you're taller, heavier, stronger, healthier, better informed, better educated and generally more intelligent. You are, indeed, a generation destined for greatness.

Your generation is unique because it's uninhibited in its economic thinking. You have no knowledge of the last serious economic depression. You are unrestrained in your expectations because so much has been accomplished in so short a time. You've seen so many long standing values, traditions and prejudices rejected almost overnight. You are unimpressed by some of our technological advances—simply because you've grown up in a time where TV, jet travel, satellite communications and moon shots are as common as hot dogs and Coca Cola after a game.

You are a concerned generation—concerned by what you see in the world around you which falls far short of your high ideals. Viet Nam, race relations, adult delinquency, religious intolerance are just a few things you are concerned about.

Finally, you are an action generation. You've observed the inescapable lesson of racial demonstrations. Properly evaluated, such actions do speak louder than words.

So your generation demonstrates in a variety of ways, and it demonstrates for a variety of causes since it wants progress not promises. Your generation may be known as the "protesting generation"—protesting against our apathy and our indifference to the issues and ills that exist in modern society. You've committed yourselves intellectually, emotionally and physically to push and pull to tug and twist until you begin to fit into this ideal world you obviously belong to.

So with your motivation, your drive and your desire, it will be you rather than us who will be the men and women who will land on the moon; you will cure cancer; you will smog free our cities; you will help the underdeveloped countries, and hopefully end poverty and war. It's your battle—Here is the torch so reverently mentioned by John Fitzgerald Kennedy when he opened his inaugural address by stating "Let the word go forth from this time and place that the torch has been passed to a new generation."

COUVE DE MURVILLE FRIEND OF UNITED STATES

HON. PAUL FINDLEY

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Monday, July 15, 1968

Mr. FINDLEY. Mr. Speaker, the new French Premier, Maurice Couve de Murville, is well known in the United States, having been Ambassador for the Fourth French Republic in 1955 and 1956. In an address to the American Club of Paris, at the time of the appointment to the United States, he spoke of French-American friendship in these terms:

> We speak the same language. Words have the same meaning for both of us when we talk of democracy, liberty, institutions—in short, the basic understandings. This is not a simple banality for, in the world of today, there are not so many nations of whom we can say the same. For the success of the work undertaken by the Western world towards securing world peace, Franco-American understanding and friendship are fundamental.

Earlier in these remarks he described the United States as "a nation of good will."

Couve de Murville served as French Foreign Minister longer than any of his predecessors save Vergennes, Louis XVI's Foreign Minister, and he is widely regarded as the most capable French Foreign Minister since Talleyrand served Napoleon. He was described by C. L. Sulzberger before the last election as the "master craftsman" of the De Gaulle cabinet. He comes to the position of De Gaulle's First Minister steeped in economic and financial matters. He served as Finance Minister in De Gaulle's provisional government and held the post of Director of External Finances for Marshal Petain before leaving Vichy to join the Free French.

After the war he became Director of Political Affairs for the Quai d' Orsay, the French Foreign Ministry, and served as French Ambassador to Egypt—1950–54—the United Nations—1947, 1949, 1950—NATO—1954—and the Federal Republic of Germany—1956–58. In 1958 he became French Foreign Minister and held that position until earlier this year when he became Finance Minister.

Mr. Speaker, the July 8 editorial page of the Des Moines Register described Atlantic Union as "a good idea worth working toward." Here is the text:

ATLANTIC FEDERATION

A federal union of the North Atlantic democracies was one of the glowing ideas much discussed in the late 1940s and largely shelved or postponed since. But in every session of Congress since 1949 a resolution has been introduced urging American initiative to call a conference of such NATO member governments as are interested to explore the possibility of working toward such a federal union. In each session there has been a list of distinguished backers of this resolution, though it has never yet passed or even got out of committee.

On July 2, 1968, though, the current Atlantic Union resolution was recommended for passage by the House Foreign Affairs Committee. According to Representative Paul Findley (Rep., Ill.), one-fourth of the membership of both House and Senate has publicly endorsed the resolution, including 61 Democrats and 48 Republicans in the House, and 17 Democrats and 9 Republicans in the Senate.

On May 7 this year, Vice-President Hubert Humphrey endorsed the resolution, pointing out that he had backed all its predecessors while he was a senator.

On Apr. 8, not long before his tragic death, Senator Robert F. Kennedy urged the resolution's adoption.

Senator Eugene McCarthy was a cosponsor of the companion resolution in the Senate, and Richard Nixon and Nelson Rockefeller have been on record for similar resolutions since 1966.

That makes all presidential candidates backers or sponsors of exploring the possibilities of Atlantic federal union, and consequently the next president of the United States, whoever he may be.

If so internationalist an idea doesn't sound like Nixon, here is part of what he said to the House Foreign Affairs Committee on Sept. 1, 1966, about a similar resolution:

"It is fitting that the United States, the world's first truly federal government, should be a main force behind the effort to find a basis for a broad federation of free Atlantic nations. . . . It would be foolish for us to ignore the fact that science and history are even now fatefully combining to accomplish the same goal.

"The Atlantic Union resolution is a forward-looking proposal which acknowledges the depth and breadth of incredible change which is going on in the world around us. I urge its adoption."

The idea may be "far out" and even "a long way off." But it's still a good idea, and a large number of highly practical, experienced statesmen believe it is worth working toward.

On the same day Kingsbury Smith, chief foreign writer of Hearst newspapers, writing from London in the News American of Baltimore, said creation of Atlantic Union envisaged in legislation approved by the House Foreign Affairs Committee would be "the greatest thing for Britain." His article, outlining Britain's multitude of ills, follows:

ECONOMIC ILLS PLAGUE BRITAIN IN AFTERMATH OF FRENCH UNREST

(By Kingsbury Smith)

LONDON, July 8.—Britain is experiencing a summer of economic discontent, discouragement and despondency.

Strikes, slowdowns, inflationary wage demands and disappointing trade figures have combined to obstruct the progress towards economic recovery that Prime Minister Harold Wilson's Labor Government hoped would be well underway by now as a result of a wage-price freeze policy, higher taxes and devaluation of the pound.

With selling pressure keeping the sterling near the pegged floor level of $2.3825, British gold and foreign exchange reserves dropped by $62.4 million in June to $2.68 billion.

There is speculation in trade circles that unless the situation improves soon, the government may be forced to take further restrictive measures, possibly following France's action in imposing import quotas.

The aftermath of the French crisis has caused serious concern in England on two counts.

One is the danger that a continued weakening of the franc might lead to devaluation of that currency, which could precipitate general devaluation of Western European currencies and thus wipe out the beneficial effects of the British devaluation.

The other is that Britain's hopes of joining the European Common Market have been dealt a further setback by President Charles De Gaulle's landslide election victory.

While the British did not, of course, wish to see the Communists take over in France, they were hoping that the strengthening of center groups and the non-Communist Confederation of the Left, both of which favor English entry, would help to remove the roadblock De Gaulle has placed in Britain's participation in the European economic community.

Faced with continued French opposition, the British are now groping for other ways of improving their foreign trade position.

Still clinging to the hope that Britain will eventually be accepted in the Common Market, Prime Minister Harold Wilson is advocating the creation of a separate European technological community in which the British would be able to participate.

The British are confident they could make an important contribution to Europe's technological development in atomic, space, aeronautical and computer fields.

Strengthening DeGaulle's rule in France has also revived the debate in England between those who favor the Common Market and those who feel Britain should seek its future prosperity in closer economic cooperation with the United States through a North Atlantic free trade area.

Douglas Jay, former president of the Board of Trade and an outspoken critic in Parliament of the Common Market, told a world trade conference in London last week. "The brightest prospect for Britain" was to help create an industrial trade group with North America and Scandinavia.

Thus, he said, would impose on Britain "no rise in our import prices, cost of living, export costs or loss of markets anywhere." He said that of all the alternatives facing Britain, the Common Market, with its agricultural trade barriers and high-cost policies, would be worse.

Common Market advocates, however, are convinced Britain could develop a much greater volume trade with Europe than it could with the North Atlantic group, and they furthermore see little hope of anything in the nature of a free trade arrangement with America because of the strong opposition of American labor unions to competition with British goods.

The greatest thing for Britain would be the creation of an Atlantic union envisaged in legislation approved by the United States House of Representatives' Foreign Affairs Committee last week.

This legislation would authorize an 18-member U.S. delegation to meet with similar groups from other NATO countries to explore the possibility of transforming the military alliance into an Atlantic federal union in which member countries would control their own internal affairs, but enjoy free trade within the community and follow common military and foreign policies.

Since the plan would involve the United States and other NATO countries, including France, it is too utopian for mankind's present international immaturity.

BUSHEL AND PECK: A KISS OF DEATH?

HON. JAMES H. (JIMMY) QUILLEN

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Monday, July 15, 1968

Mr. QUILLEN. Mr. Speaker, since the House has approved a study on the pros and cons of the U.S. switch to the metric system, I thought the editorial which appeared in the Bristol, Virginia-Tennessean on Tuesday, July 9, 1968, would be of interest to Members of the House and to readers of the RECORD.

"Bushel and Peck: A Kiss of Death?" presents some salient points and faces the fact that a change is coming about. The editorial follows:

BUSHEL AND PECK: A KISS OF DEATH?

Congress is looking into the problem of the gap.

Not between generations or in the balance of payments but in measurements, an area where the United States finds itself increasingly isolated.

The House has approved and the Senate is considering a study on the pros and cons of a U.S. switch to the metric system, a by-product of the French Revolution which, unlike Napoleon, never met its Waterloo.

Metric has gone on to triumph in most of the world with the major exceptions of English-speaking countries, which have stubbornly clung to the familiar but cumbersome old Anglo-Saxon system based on pounds, feet and quarts.

Now, metric has even accomplished something Napoleon never came close to achieving—the conquest of England. The British are involved in the enormously complicated and expensive process of shifting all official measurements and measuring instruments—cash registers, adding machines, dials and scales—to metric's neat decimal arrangement of grams, meters and liters.

With Britain's capitulation, 90 per cent of the world's population is in the metric camp. The United States is the only major nation still on the outside.

Even we long ago gave in part way. The greater accuracy and efficiency of metric has long been recognized in scientific and technical fields. Every high school math and science student has had a brush with it. But in daily American life, the pound and its like have prevailed.

Proponents of a change admit the cost would be great, but contend that in the long run savings would be much greater—an estimated $705 million annually in education costs alone through more efficient instruction in mathematics.

Congress may now be moving us ever so slowly down the road to a liter of milk, a kilogram of potatoes and 10 kilometers to the next filling station.

It probably would be all for the best.

But somehow, we're going to miss pounds, feet and quarts—not to mention grains, bushels, rods, furlongs and pecks.

WHAT'S OUTLOOK FOR YOUTH WHO WANT TO STAY ON FARM?

HON. TOM RAILSBACK

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Monday, July 15, 1968

Mr. RAILSBACK. Mr. Speaker, for the past several years now, we have been hearing and reading a great deal about the so-called farm problem. We have also been concerned about the future of farming as an occupation for our young people who want to stay on the farm.

One of the finest articles that I have ever read on this subject recently appeared in the Atkinson-Annawan (Ill.) News. The title of the article is "What's Outlook for Youth Who Want To Stay on Farm?"

Mr. Speaker, I insert a copy of this article in the RECORD:

WHAT'S OUTLOOK FOR YOUTH WHO WANT TO STAY ON FARM?

A few years ago, research studies showed that for each 10 farm boys reaching age 20, there would be only one good opportunity to go into farming and make a good living. At the same time, some farmers were saying that good farmland would be left idle, because not enough boys were going into farming.

We have seen a lot of young men leave the farm in order to earn a living. Some older farmers also have left to take places in business and industry. A few young men have started farming, and some are doing quite well.

There are many empty feedlots, barns, and hog and poultry houses on farms today, though the total livestock industry is larger than ever before. But there is no good idle land—except that being kept out of production by Uncle Sam.

So, what's ahead now? For farm youth? For agriculture? The best answers to these questions are obtained by carefully observing what's happening today.

To a large extent, poultry and egg production are no longer a part of the ordinary farm; these have become large-scale, semi-industrial enterprises. The men who feed the birds and gather the eggs often work for wages, a commission, or some other arrangement with a business firm.

Cattle feeding is also being concentrated in fewer and larger units. It is disappearing as a sideline enterprise on Corn Belt farms, becoming concentrated in a relatively few large scale businesses. Dairying, too is slowly but surely becoming a big-scale industry.

The hog industry is also concentrating on fewer and larger production units. Although health and sanitation problems are slowing down this trend, they will not stop it.

The beef cow-calf business still remains widely scattered, using grass and other roughage. But some ranches have been big business since the pioneer days, and others are combining to become larger.

Crop production is a different story. Farmland area is pretty well fixed. You can't "build" a 1,000- or 10,000-acre farm, in the sense of creating a new "facility." It is difficult to buy or rent land in large blocks. Even so, many Corn Belt farmers now operate 500 and more acres, mostly with little or no hired labor. There will be fewer and larger grain farms next year—even fewer 10 years from now.

We believe that there will be good opportunities in farming—for top thinkers and hard workers. But most of the teen-agers of today will be working and living in the suburbs of 1978.

They can get fair to good jobs with a high school education. But most of the best jobs will require graduation from college; many, advanced degrees as well.

Average starting salaries for agricultural graduates from the University of Illinois and similar institutions in 1967 were over $7,000. Those with one more year (M.S. degrees) averaged over $9,000. (Ph.D. degrees) the average starting salaries were over $11,000. Graduates from other colleges—engineering, business, etc.—have done just as well or better.

So, we urge young men and their parents to think about the future. Not just next year, or 1970. But about 1980, 1990, 2000, and 2010. What will today's high school students be doing during the next 40 years? Will they be glad they went to college? Or sorry that they did not?

ADDITIONAL GUN LEGISLATION

HON. M. G. (GENE) SNYDER

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Monday, July 15, 1968

Mr. SNYDER. Mr. Speaker, according to the program, we face additional gun legislation this week in the House of Representatives.

I have heard many Members indicate that they have received more mail on this subject than any other subject that they have been confronted with during their tenure in Congress. I have responded to a total of 3,412 constituents on this subject since the assassination of the distinguished Senator from New York. Of this total, 623 favor additional gun legislation and 2,789 oppose additional legislation—and this does not include the hundreds who have expressed themselves personally to me on this subject. Of all those who write, there is an atmosphere of urgency concerning the whole question.

Many in their letters—and I have noticed in the press—frequently mention the "gun lobby", the National Rifle Association. Mr. Speaker, I have been in contact with no gun lobby, nor with any pressure group. I know from the newspaper advertisements that have appeared in the newspapers at home that there has been an equal effort by both the pros and the cons, with large newspaper ads, to create mail to the Congress indicating the views of those who write.

Mr. Speaker, this is the people's body, and we need to know the views of the people that we attempt to represent—and we should vote here to reflect those views.

So long as those who are espousing a particular view on this or any other subject do so by engendering mail from home, I think it is good for those of us who are trying to do our best to reflect the opinions of our people. Large ads have appeared in the papers in my district by the John Glenn committee in favor of additional firearms legislation and by sportsmen's organizations and others in opposition to additional legislation.

PRESENT LAWS

There are already many gun laws on the books. There is a wide variation from State to State as to their context. As I understand it, 49 States and the District of Columbia now have laws affecting the carrying, purchasing, or owning of handguns. Four States require gun registration, and it appears that nearly all of the States are currently examining their laws and regulations in light of the pressures of the day.

PRESENT FEDERAL LAWS

Title IV of the omnibus crime bill, enacted prior to the current "push" for additional gun legislation, bans mail-order and nonresident sales of handguns. It forbids sales to minors and requires Federal licensing of all dealers. This is a solid approach in the prevention of illicit traffic of guns in interstate commerce. I supported this bill.

The National Firearms Act of 1934 applies to sawed-off shotguns and rifles and all other weapons from which a shot can be fired—except long rifles and shotguns and except handguns. This includes machineguns, bazookas, mufflers, silencers, et cetera. Under this law no transfer of such guns can take place except on application approved by the Commissioner of Internal Revenue. This provides for gun registration with the District Collector of Internal Revenue of all such guns. Penalty for violation—fine up to $2,000 or 5 years in jail, or both.

The Federal Firearms Act of 1938 applies to all guns by whatever name known. It provides for all dealers to be licensed. This law requires all dealers to maintain permanent records of the disposal of all guns as the Secretary of the Treasury may prescribe by regulations—and directs that the Secretary make rules and regulations to comply with the act. This law prohibits the sale to anyone under indictment or who has ever been convicted of a crime of violence or who is a fugitive from justice. In effect, this law provides for "original sale registration" of all guns if the Secretary of the Treasury and the Justice Department enforce it. Possession of a firearm acquired in violation of these acts is an offense.

PROPOSED LEGISLATION

The proposed legislation which we will be voting upon this week, would reenact the gun title of the crime bill and add the same provisions for long guns. The general purpose of this measure is to establish a complex of prohibitions whereby the ordinary citizen would be required to purchase his firearms from a dealer in his own State under the laws of that State. This bill does not provide for firearms registration or licensing of owners, but I understand that amendments will be offered from the floor to include these provisions.

CONCLUSION

In my opinion, this bill should be revised to accommodate the sportsman who may need to purchase a shotgun or rifle in a State other than his own. I question what reason there can be as to why a sportsman living in what we refer to as "northern Kentucky" should be prohibited from purchasing a sporting gun from nearby Cincinnati—or why should some sportsman living in Jeffersonville or New Albany, Ind., be prohibited from purchasing his sporting gun in Louisville, Ky. Why should the sportsman's gun auctions now held in several localities in the United States be outlawed for nonresidents of that State?

In looking over the most recent crime report issued by the Federal Bureau of Investigation, it appears that the percentage of murders committed with the hands and feet is identical with that committed with long guns.

According to experts, the availability of a gun does not affect crime rates. Dr. Marion Wolfgang, professor of sociology at the University of Pennsylvania, says "few homicides due to shootings could be avoided merely if firearms were not present—the offender would select some other weapon to achieve the same destructive goal."

The President in his second message requesting Federal registration of all firearms and licensing of gun owners made reference to the licensing and registration of other items. As far as I am concerned, the items which the President compared gun registration to: that is, automobiles, marriage licenses, professional licenses, and the like, are handled by the States. And if there is to be registration of firearms, it seems to me that this should be comparably compared. Enactment of a Federal registration law would necessitate the creation of a super Federal police force to enforce it. This could be the beginning of the end of the whole concept of this Republic.

Registration of automobiles has not prevented their theft or their use in crime. It would be wishful thinking to believe the registration of firearms would prevent the criminal from stealing them or using them in the pursuit of crime or violence. The main thrust of our effort to reduce unlawful shooting must be aimed at the criminal, and not at the weapon.

I believe that continued failure of the courts to match the crime with adequate punishment will result in a growing misuse of firearms. A new gun law designed to silence the public cry for congressional action could, in itself, create a false sense of security. More important than gun legislation, police must have the authority to arrest. The carrying of concealed weapons or handguns by criminals, by drug addicts, by felons, or by juveniles must be treated with the seriousness it deserves.

In our impatient desire to achieve a better deal for the impoverished and those in our society imprisoned by despair, let us not become placidly tolerant of the behavior of the criminal. Crime is not a product of poverty, but rather the poor are victims of it. Guns are not a reason for crime, murder, or assassination, but rather a tool which the criminal will find as long as they exist.

Over half of the 18,000 convicts released from prison in 1963 were arrested again for new offenses before the end of 1966. Where is the public outcry to overhaul our penal system so a term in prison is not merely a recess period in the career of the criminal? Where is the cry in our States and communities for adequate law enforcement which will bring to justice the 87 percent of those who commit crimes and now escape detection, apprehension, or conviction? Under the present attitudes in our society, crime in America does pay.

In light of this shocking fact, it seems to me the challenge is clear. Let us wake up to the stark reality of what we have to face in bringing this country to a higher plateau of law and order. The bridge we must build to freedom from fear will require far more from us than an in-haste gun bill, born out of a storm cloud of violent tragedy. As people, we must find the courage to face head on the task of enforcement.

A SALUTE TO DALY

HON. GEORGE P. MILLER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, July 15, 1968

Mr. MILLER of California. Mr. Speaker, the Alameda, Calif., Times-Star carried an editorial on Monday, July 8, entitled "A Salute to Daly."

Mr. Ed Daly, president of World Airways which is one of the largest supplemental carriers in the world, is a public-spirited and generous man as evidenced by the content of the editorial. His rise in the business world has been phenomenal but in ascending he has never forgotten the underprivileged. His generosity in donating money to build a swimming pool is a commendable act. Also mentioned in the editorial is Stolte, Inc., one of the foremost building contractors in the bay area who will construct the pool without cost.

The editorial follows:

A SALUTE TO DALY

Boys and girls at the Alameda County Juvenile Facility complex in San Leandro will have a healthy outlet for their energies in the near future, thanks to Edward Daly, president of World Airways.

Daly has donated money for the building of a swimming pool, which will be constructed on the 150 Ave. site.

Stolte Inc. contractors also should be credited for doing the construction work without cost.

The pool will serve young people at the Boys Camp, Girls' Home and Chabot Ranch—boys and girls with whom authorities are working to steer back onto the right track in their relationship with society—as well as the young people at Snedigar Cottage, who are there as victims of circumstance and through no fault of their own.

Through Daly's initiative and generosity, the county will be able to allow these young people the opportunity to learn that recreational and competitive swimming is fun—more fun than breaking the law—as well as an ideal way to burn-off some of that excess energy.

Daly has, over the years, done a great deal in the interest of youth. This is another outstanding example, and he is to be commended for it.

FLORIDA'S FINEST CITIZEN

HON. CHARLES E. BENNETT

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Monday, July 15, 1968

Mr. BENNETT. Mr. Speaker, Florida is honored to have Representative ROBERT SIKES as its dean of the Florida delegation. Recently, we had the pleasure in the House to pay tribute to him for serving longer here than anyone in Florida's long history. Today, I ask permission to have made a part of the RECORD an outstanding editorial from the Panama City News-Herald, and, as laudatory as the editorial is, it does not go halfway in the fine things we know about our beloved colleague.

The editorial reads as follows:

FLORIDA'S FINEST CITIZEN

Writing an editorial on a person who has made just about every contribution there is to make in the way of public service to his community, his state, his country and his fellow man is an extremely difficult task.

Such a man is U.S. Rep. Robert L. F. Sikes, the distinguished and highly respected dean of the Florida legislative delegation in Washington.

Northwest is fortunate, indeed, to have such an outstanding leader as its representative in the United States Congress.

Bob Sikes set a memorable new record on July 5 when he achieved the distinction of having served longer in Congress than any other Floridian. He broke the House longevity record in 1963 and surpassed the length of service record previously held by the late Sen. Duncan U. Fletcher in the Senate on July 5.

Mr. Sikes has served the First District of Florida for some 28 years, or longer than any other person from the Sunshine State in the 123 years of its history.

He has served the people of this area so ably and long that many of us take him for granted—and this is unfortunate. There are large numbers of us who also are selfish when it comes to the great "He-Coon" of the tall pine country of the Florida Panhandle.

There was a time—not too many years ago that Bob Sikes could have had the highest political office of this great state, the governorship. This was before the shift of political power to South Florida—when a small band of political giants from rural Northwest Florida ruled supreme in Tallahassee. They were called "Pork Choppers" and Bob Sikes was their idol. He started many of them on their political careers and they were his proteges, for Bob Sikes served two terms in the Florida House before going to Washington.

And Bob Sikes wanted to be governor—to end his great career of public service by holding the highest office in the state he adopted as his own and holds in such high esteem and loves so much.

But we, his constituents, and most particularly his close friends, were selfish. "We need you too badly in Washington, Bob," the mighty He-Coon was told from every quarter. "Northwest Florida will suffer if you leave Congress. You have too much seniority and too much power in Washington."

As he so often does, the big man from Crestview put service to his beloved Northwest Florida above self and forgot about the governorship.

Well, Bob Sikes, if you want to know the truth, we, your loyal friends and constituents, still are selfish—and we're not ashamed of it. On the contrary, we're proud; proud of you, your record of achievement, your tireless record of service to your nation in seeing to it that this country is prepared at all times to meet any aggressor.

We're proudest of all that you remained in Congress to represent the finest district in the land. We think that you made a wise decision—and that you are more important to this state and nation, and are making a greater contribution to both, than you possibly could have as governor.

Being a newspaperman ourselves, we're also proud that Bob Sikes is a member of the Fourth Estate. He did a creditable job of editing his Okaloosa News-Journal, which he founded at Crestview, until being elected to Congress. As proof of the esteem in which he was held by his peers in the journalistic profession, Sikes was elected president of the Florida Press Association in 1937.

For the benefit of newcomers, Congressman Sikes is affectionately called the "He-Coon" because of his outstanding leadership qualities. Cracker folks in this part of the country call the leader of a raccoon pack the "He-Coon."

As to the record of Mr. Sikes, he has made so many invaluable contributions to his district, his state and his nation that it would take an entire newspaper to list them. He ranks 17th in seniority in the entire House of Representatives and serves on several very important committees.

His powerful voice has been heard for over a quarter of a century for the cause of a strong national defense, improvements of our waterways and forests and the conservation of America's natural resources. He is a great conservationist and patriot.

Mr. Sikes' greatest contributions have been in the field of national defense and military preparedness. He is a senior member of the Committee on Appropriations and chairman of the Subcommittee on Military Construction, which means he must pass judgment on every cent spent by his nation on military construction.

In the words of a colleague, Congressman Andrews of Alabama, "there is not a better qualified military expert in this Congress than Bob Sikes."

Mr. Sikes acquired his military knowledge the hard way, starting as an ROTC cadet at the University of Georgia and rising to the rank of major general in the Army of the United States. He, incidentally, is a native Georgian who came to the Sunshine State to study at the University of Florida, where he acquired a masters degree, and remained.

He retired from the Army Reserve a few months ago after serving his country over a span of more than 40 years which included active duty stints in two world wars. A grateful Army presented him the Legion of Merit upon his retirement.

Perhaps few of Congressman Sikes' constituents realize the awesome power he wields in Washington or the exceptionally high esteem in which he is held by his colleagues in the Congress.

In honor of his having set a longevity record for service in Congress from Florida, members of the House of Representatives by unanimous vote granted five days for which to pay tribute to Robert L. F. Sikes.

Members of that august body, including leaders of both parties, heaped thousands of words of lavish praise on Mr. Sikes and his outstanding record of public service.

The long list of tributes and remarks were led off by none other than Congressman Don Fuqua of Altha, a protege of Sikes' who was but a boy of seven when the He-Coon first was elected to Congress in 1940. He spoke for a solid hour on the merits of Congressman Sikes before relinquishing the floor to other House members.

Mr. Sikes is known and recognized as one of the truly great statesmen of all time to serve in the hallowed halls of Congress. He is universally respected by all who know him and very well liked by most of them.

His popularity is attested to by the some 3,000 friends who showed up at a reception in the Rayburn House Office Building on the night of July 8 honoring him and Mrs. Sikes.

In addition to the countless other honors bestowed upon Congressman Robert L. F. (Bob-He-Coon) Sikes, we would like to add another: Florida's finest citizen and most outstanding public official.

HOUSE OF REPRESENTATIVES—*Tuesday, July 16, 1968*

The House met at 12 o'clock noon.

Rev. Russell D. Burns, of the Presbyterian Church of the Rock, Key West, Fla., offered the following prayer:

Eternal God, we Your children need individual help now. Pressures and demands have come from everywhere. At times we must live with Epicureans and we ourselves even possess the pride of Narcissus.

At this moment we acknowledge You as the King of kings and we know we are frail and mortal.

Our Father God, we remember Your promise of the Holy Comforter, the Holy Spirit himself. May He enable the Members of this body to have courage, faith, and wisdom to deal with today's business.

We adore You, the God and Lord of life. Today may our lives express gratefulness for Your self-giving love and patience. These things we ask because we believe in You. In Your name, we pray. Amen.

THE JOURNAL

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Arrington, one of its clerks, announced that the Senate had passed without amendment bills of the House of the following titles:

H.R. 7481. An act to amend section 620, title 38, United States Code, to authorize payment of a higher proportion of hospital costs in establishing amounts payable for nursing home care of certain veterans;

H.R. 14954. An act to amend title 38 of the United States Code to improve vocational rehabilitation training for service-connected veterans by authorizing pursuit of such training on a part-time basis; and

H.R. 16902. An act to amend title 38 of the United States Code in order to promote the care and treatment of veterans in State veterans' homes.

The message also announced that the Senate had passed with amendments in which the concurrence of the House is requested, bills of the House of the following titles:

H.R. 3593. An act to amend title 38 of the United States Code to eliminate certain requirements for the furnishing of nursing home care in the case of veterans hospitalized by the Veterans' Administration in Alaska or Hawaii; and

H.R. 16025. An act to amend title 38 of the United States Code with respect to eligibility for, and the period of limitation on, educational assistance available under part III of such title, and for other purposes.

The message also announced that the Senate disagrees to the amendments of the House to the bill (S. 1004) entitled "An act to authorize the construction, operation, and maintenance of the central Arizona project, Arizona-New Mexico, and for other purposes," requests a conference with the House on the disagreeing votes of the two Houses thereon, and appoints Mr. JACKSON, Mr. ANDERSON, Mr. CHURCH, Mr. GRUENING, Mr. HAYDEN, Mr. KUCHEL, Mr. ALLOTT, and Mr. JORDAN of Idaho to be the conferees on the part of the Senate.

The message also announced that the Senate disagrees to the amendments of the House to the bill (S. 3293) entitled "An act to authorize appropriations during the fiscal year 1969 for procurement of aircraft, missiles, naval vessels, and tracked combat vehicles, research, development, test, and evaluation for the Armed Forces, and to prescribe the authorized personnel strength of the Selected Reserve of each Reserve component of the Armed Forces, and for other purposes," requests a conference with the House on the disagreeing votes of the two Houses thereon, and appoints Mr. STENNIS, Mr. SYMINGTON, Mr. JACKSON, Mrs. SMITH, and Mr. THURMOND to be the conferees on the part of the Senate.

The message also announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 2986) entitled "An act to extent Public Law 480, 83d Congress, for 3 years, and for other purposes."

The message also announced that the Senate had passed bills of the following titles, in which the concurrence of the House is requested:

S. 3042. An act for the relief of Dr. Mario E. Comas;

S. 3043. An act for the relief of Dr. Juan C. Arrabal;

S. 3051. An act for the relief of Dr. David Alfredo Orta-Menendez;

S. 3075. An act for the relief of Dr. Richard Francis Power;

S. 3076. An act for the relief of Dr. Miguel A. Gomez;

S. 3081. An act for the relief of Eduardo Raul Fernandez Santalla;

S. 3082. An act for the relief of Dr. Narciso A. Lores;

S. 3085. An act for the relief of Manuel Hector Mere Hidalgo;

S. 3152. An act for the relief of Sein Lin;

S. 3166. An act for the relief of Dr. Jagir Singh Randhawa; and

S. 3769. An act to amend the Higher Education Act of 1965, the National Defense Education Act of 1958, the National Vocational Student Loan Insurance Act of 1965, the Higher Education Facilities Act of 1963, and related acts.

REV. RUSSELL D. BURNS

Mr. FASCELL. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. FASCELL. Mr. Speaker, I am very happy today to welcome to Washington, the Nation's Capital, and to the floor of this House, Rev. Russell D. Burns, of the Presbyterian Church of the Rock, Key West, Fla.

Those of you who saw him and heard him know that he is a young man both in spirit and in mind. He has only been in Key West for 6 years. Normally it takes more than 6 years to become a part of that community. But I am happy to say that from all the reports I have received, Reverend Burns has done extremely well and has really become a part of that community.

The Presbyterian Church of the Rock in Key West, Fla., is a large church. It has not only a large standing congregation but also a large transient congregation. Reverend Burns is highly regarded and appreciated not only by his congregation but also by the community.

He is dedicated not only to consecrated service of his church but his strong leadership and guidance is likewise appreciated in all aspects of the community life of Key West and Monroe County.

I know my colleagues join me in appreciation for the prayerful guidance which Reverend Burns has given to us as chaplain of the day for the U.S. House of Representatives.

Reverend Burns and I invite you to the great city of Key West, Fla. If you get the opportunity to come there, Reverend Burns will minister to your spiritual needs and the chamber of commerce and I will take care of the rest.

INDUSTRIAL DEVELOPMENT BONDS

Mr. DORN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from South Carolina?

There was no objection.

Mr. DORN. Mr. Speaker, recently our esteemed colleague, the Honorable WILBUR MILLS, chairman of the House Committee on Ways and Means, introduced legislation, H.R. 18371, on the subject of industrial development bonds.

Today I am joining Mr. MILLS in introducing his bill which would permit the States to issue industrial development bonds for projects up to $5 million without losing tax exempt status. My bill is identical to the bill introduced by Mr. MILLS and I take the floor today to endorse and support this bill. Legislation in this field is necessary because of the Treasury Department's attempted decree to subject these bonds to taxation.

Mr. Speaker, our bill is a States rights bill as it will permit the Governor of a State to issue industrial development bonds in excess of $5 million if the Governor can certify that the area in which the plant is located is an area of high unemployment. This bill has been approved by a committee of the Governor's Conference and I predict that eventually all Governors will recommend this legislation.

Mr. Speaker, there are still many underdeveloped areas of our country. There are still areas of unemployment and underemployment. There are areas where industrial development bonds will encourage industries to locate and, thus, provide job opportunity, progress and growth for areas heretofore areas of hardcore and chronic unemployment and economic distress.

I urge the Congress to approve this legislation. It is urgent and necessary.

CONGRESS SHOULD PROCEED IN ORDERLY FASHION

Mr. BELL. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. BELL. Mr. Speaker, in a television interview last night, our distinguished majority leader stated that this House has "no chance" of meeting the hoped-for adjournment deadline of next month's presidential nominating conventions.

His reason for so predicting is the volume of work remaining in this session.

If such is the case, Mr. Speaker, then why must we engage in the kind of hasty action which characterized yesterday's passage of 28 bills totaling billions of dollars under a procedure which allowed no opportunity for amendment and only a very limited time for debate?

If it is clear that we cannot complete action on the legislative workload in the few weeks remaining before the conventions, and if we therefore can expect to return in September, then I respectfully suggest that we proceed on legislation in an orderly fashion, that we allow adequate debate on the merits of the bills before us, and that we provide fair opportunity for amendment.

PERMISSION FOR SUBCOMMITTEE ON INVESTIGATIONS, COMMITTEE ON INTERSTATE AND FOREIGN COMMERCE, TO SIT DURING GENERAL DEBATE TODAY

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the Subcommittee on Investigations of the Committee on Interstate and Foreign Commerce may be permitted to sit today during general debate.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

GRANTING MINERALS, INCLUDING OIL, GAS, AND OTHER NATURAL DEPOSITS TO CERTAIN INDIANS

Mr. ASPINALL. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (H.R. 5704) to grant minerals, including oil, gas, and other natural deposits, on certain lands in the Northern Cheyenne Indian Reservation, Mont., to certain Indians, and for other purposes, with a Senate amendment thereto, and concur in the Senate amendment.

The Clerk read the title of the bill.

The Clerk read the Senate amendment, as follows:

Page 2, strike out all after line 8 over to and including line 6 on page 3 and insert:

"SEC. 2. The Northern Cheyenne Tribe is authorized to commence in the United States District Court for the District of Montana an action against the allottees who received allotments pursuant to the Act of June 3, 1926, as amended, their heirs or devisees, either individually or as a class, to determine whether under the provisions of the Act of June 3, 1926, as amended, the allottees, their heirs or devisees, have received a vested property right in the minerals which is protected by the fifth amendment. The United States District Court for the District of Montana shall have jurisdiction to hear and determine the action and an appeal from its judgment may be taken as provided by law. If the court determines that the allottees, their heirs or devisees, have a vested interest in the minerals which is protected by the fifth amendment, or if the tribe does not commence an action as here authorized within two years from the date of this Act, the first section of this Act shall cease to have any force or effect, and the provisions of section 3 of the Act of June 3, 1926, as amended by the Acts of July 24, 1947, and September 21, 1961, shall thereupon be carried out as fully as if section 3 had not been amended by this Act."

The **SPEAKER.** Is there objection to the request of the gentleman from Colorado?

There was no objection.

The Senate amendment was concurred in.

A motion to reconsider was laid on the table.

REVISION OF THE BOUNDARIES OF THE BADLANDS NATIONAL MONUMENT IN SOUTH DAKOTA—AUTHORIZATION FOR CLERK OF THE HOUSE OF REPRESENTATIVES TO MAKE CHANGE IN THE ENROLLMENT OF THE BILL

Mr. ASPINALL. Mr. Speaker, I offer a concurrent resolution (H. Con. Res. 798) and ask unanimous consent for its immediate consideration.

The Clerk read the concurrent resolution, as follows:

H. CON. RES. 798

Resolved by the House of Representatives (the Senate concurring), That the Clerk of the House of Representatives, in the enrollment of the bill (H.R. 9098) to revise the boundaries of the Badlands National Monument in the State of South Dakota, to authorize exchanges of land mutually beneficial to the Oglala Sioux Tribe and the United States, and for other purposes, is authorized and directed to make the following change, viz:

In lieu of the language appearing on page 4, lines 9 through 21 of the House engrossed bill and the Senate amendment thereto, insert the following:

"(b) Any former Indian or non-Indian owner of a tract of such land, whether title was held in trust or fee, may purchase such tract from the Secretary of the Interior under the following terms and conditions:

"(1) The purchase price to a former Indian owner shall be the total amount paid by the United States to acquire such tract and all interests therein, plus interest thereon from the date of acquisition at a rate determined by the Secretary of the Treasury taking into consideration the average market yield of all outstanding marketable obligations of the United States at the time the tract was acquired by the United States, adjusted to the nearest one-eighth of 1 per centum. The purchase price to a former non-Indian owner shall be the present fair market value of the tract as determined by the Secretary of the Interior."

The **SPEAKER.** Is there objection to the request of the gentleman from Colorado?

There was no objection.

The concurrent resolution was agreed to.

A motion to reconsider was laid on the table.

REVISING THE BOUNDARIES OF THE BADLANDS NATIONAL MONUMENT IN SOUTH DAKOTA, TO AUTHORIZE EXCHANGES OF LAND MUTUALLY BENEFICIAL TO THE OGLALA SIOUX TRIBE AND THE UNITED STATES

Mr. ASPINALL. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H.R. 9098) an act to revise the boundaries of the Badlands National Monument in the State of South Dakota, to authorize exchanges of land mutually beneficial to the Oglala Sioux Tribe and the United States, and for other purposes, with a Senate amendment thereto, and disagree to the Senate amendment.

The Clerk read the title of the bill.

The Clerk read the Senate amendment, as follows:

Page 4, line 9, strike out "Indian".

The **SPEAKER.** Is there objection to the request of the gentleman from Colorado?

There was no objection.

LEGISLATIVE BRANCH APPROPRIATIONS, 1969—CONFERENCE REPORT

Mr. ANDREWS of Alabama. Mr. Speaker, I call up the conference report on the bill (H.R. 18038) making appropriations for the legislative branch for the fiscal year ending June 30, 1969, and for other purposes, and ask unanimous consent that the statement of the managers on the part of the House be read in lieu of the report.

The Clerk read the title of the bill.

The **SPEAKER.** Is there objection to the request of the gentleman from Alabama?

Mr. GROSS. Mr. Speaker, reserving the right to object, I trust that the gentleman will take ample time to explain what transpired and will tell us what the other body has put in this appropriation bill. I have no evidence of what they have put in.

Where might I get something to look at quickly, to tell me what the other body has put into this bill?

The other body gets our housekeeping bills and scrutinizes them, and they are available to any Member of the other body, but over here we get little or nothing by way of knowing what the other body tacked onto the bill we sent to them.

CALL OF THE HOUSE

Mr. WYDLER. Mr. Speaker, I make the point of order that a quorum is not present.

The **SPEAKER.** Evidently a quorum is not present.

Mr. ALBERT. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 261]

Anderson, Tenn.
Ashley
Blanton
Brown, Calif.
Conyers
Corman
Culver
de la Garza
Diggs
Dow
Evins, Tenn.
Findley
Gubser
Hansen, Idaho
Hardy
Hawkins
Herlong
Karsten
Kornegay
Long, La.
Rarick
Resnick
Rhodes, Pa.
Rivers
Schweiker
Skubitz
Thompson, Ga.
Tuck
Waggonner

The **SPEAKER.** On this rollcall 404 Members have answered to their names, a quorum.

By unanimous consent, further proceedings under the call were dispensed with.

GUNS, RIFLES, AND AMMUNITION

Mr. FEIGHAN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The **SPEAKER.** Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. FEIGHAN. Mr. Speaker, my position on proposed gun registration and licensing of gun owners has been misinterpreted and I want to set the RECORD straight. I support, and have so indicated, strong, effective Federal controls over the interstate sale, shipment, and transportation of all firearms—shotguns and rifles as well as handguns. I also support effective controls over interstate shipment, transportation, and sale of ammunition. In other words, I support the legislation which the House Committee on the Judiciary has reported to the House and which will be debated this week.

As to another measure proposing national registration of all firearms and establishing minimum standards for licensing gun owners, that measure, H.R. 18110, has been introduced and is now pending in our Committee on the Judiciary. No hearings have been held yet on this proposal. I support the President in urging action first on the interstate firearms and ammunition traffic bill. I believe, as the President has suggested in his message to Congress on June 24, 1968, that it provides a foundation of interstate protection by which States will be able, if they so determine, to control effectively firearms and ammunition ownership and purchase within their borders. I believe that the foundation of interstate control is needed immediately. It is a necessary first step to any registration or licensing approach on a Federal level.

PERMISSION FOR SUBCOMMITTEE ON EDUCATION, COMMITTEE ON EDUCATION AND LABOR, TO SIT DURING GENERAL DEBATE TODAY

Mr. DANIELS. Mr. Speaker, I ask unanimous consent that the Select Subcommittee on Education of the Committee on Education and Labor may sit this afternoon during general debate.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

LEGISLATIVE BRANCH APPROPRIATIONS, 1969—CONFERENCE REPORT

The SPEAKER. Is there objection to the request of the gentleman from Alabama that the statement of the managers on the part of the House be read in lieu of the report?

There was no objection.

The Clerk read the statement.

The conference report and statement are as follows:

Conference Report (H. Rept. 1718)

The Committee of Conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 18038) "making appropriations for the Legislative Branch for the fiscal year ending June 30, 1969, and for other purposes," having met, after full and free conference, have agreed to recommend and do recommend to their respectives Houses as follows:

That the House recede from its disagreement to the amendment of the Senate numbered 30, and agree to the same.

The committee of conference report in disagreement amendments numbered 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 31, 32, 33, and 34.

Geo. W. Andrews,
Tom Steed,
Michael J. Kirwan,
Sidney R. Yates,
Bob Casey,
George Mahon,
Odin Langen,
Ben Reifel,
Mark Andrews,
Louis C. Wyman,
Frank T. Bow,
Managers on the Part of the House.

William Proxmire,
Ralph Yarborough,
Carl Hayden,
Thomas H. Kuchel,
Norris Cotton,
Milton R. Young,
Managers on the Part of the Senate.

Statement

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 18038) making appropriations for the legislative branch for the fiscal year ending June 30, 1969, and for other purposes, submit the following statement in explanation of the effect of the action agreed upon and recommended in the accompanying conference report as to each of such amendments, namely:

SENATE AND HOUSE OF REPRESENTATIVES

Amendments Nos. 1 through 28, under the "Senate" heading; Nos. 31 and 32, under the "Architect of the Capitol" heading; and No. 34, under the "General Provisions" heading, relate solely to expenses of Senate operations and activities. Amendment No. 30, under the Architect heading, very largely deals with a Senate matter. Amendments Nos. 29 and 33 relate to the Senate and House equally.

Amendments Nos. 1 through 27, and Nos. 31, 32 and 34, relating to Senate operations, are reported in technical disagreement. But in accord with the long and well-founded practice, under which each body determines its own housekeeping requirements and the other concurs therein without intervention, the managers on the part of the House will offer motions to recede and concur in these amendments.

Amendment No. 28, under the Senate heading, is also reported in technical disagreement. It provides for payment of certain emergency overtime to police carried on the Senate payroll, as authorized in H. Con. Res. 785 as finally cleared by both Houses. A motion will be offered to recede and concur with an amendment to similarly provide for payment of such emergency overtime to police carried on the House payroll.

JOINT ITEMS

Joint Committee on Inaugural Ceremonies

Amendment No. 29, relating to the appropriation customary every four years for expenses of the Joint Committee on Inaugural Ceremonies, is reported in technical disagreement. A motion will be offered to recede and concur in the amendment.

Architect of the Capitol

Amendment No. 30, under the Capitol building appropriation, would appropriate $230,600, for certain work on the west side (Senate portion) of the building. The House had deleted the item without prejudice, feeling that since the request originated in the Senate, and the space is under assignment control of the Senate, the Senate should initiate introduction of the item in the bill. A motion will be offered to recede and concur in the amendment.

Pay of Capitol Police

Amendment No. 33, under the general provisions heading, proposing a basic annual pay raise of $564 for all officers and men of the Capitol Police force, is reported in technical disagreement. A motion will be offered to recede and concur with an amendment limiting the pay raise to those on the force who have completed or who do complete the training program approved by the Capitol Police Board and who have qualified or who do qualify to receive a certificate for such training. This is the basic standard of criteria just recently approved by both Houses in H. Con. Res. 785 on the subject of emergency overtime pay, and is in harmony with the trend in both Houses of building a professionally qualified force. The new rates will still be below the corresponding rates, for example, in the Metropolitan, Park, and White House police forces.

The higher rates of pay specified in the amendment and to be specified in the motion do not of course include the 5.85 percent general raise effective July 1, 1968 with respect to all the police positions under determinations made pursuant to the Federal Salary Act of 1967. This general raise adds to the basic rates specified in the amendment and in the motion to be offered.

Geo. W. Andrews,
Tom Steed,
Michael J. Kirwan,
Sidney R. Yates,
Bob Casey,
George Mahon,
Odin Langen,
Ben Reifel,
Mark Andrews,
Louis C. Wyman,
Frank T. Bow,
Managers on the Part of the House.

Mr. ANDREWS of Alabama (during the reading). Mr. Speaker, I ask unanimous consent that further reading of the statement be dispensed with.

The SPEAKER. Is there objection to the request of the gentleman from Alabama?

There was no objection.

Mr. ANDREWS of Alabama. Mr. Speaker, I yield myself 5 minutes.

Mr. Speaker, the conference report on this bill is printed in this morning's Record and is available in leaflet form at the clerk's desk. You have just heard the Clerk read the statement of the managers explaining the conference disposition of each of the Senate amendments. So I shall be brief.

CONFERENCE SUMMARY

First, Mr. Speaker, I should say that there were 34 amendments of the other body. Only two of the 34 amendments deal with subjects that are of primary concern to both Houses equally; the other 32 amendments pertain to expenses of Senate operations and activities.

As to the total appropriations, the conference agreement would appropriate a grand total of $298,151,396 in what is now more technically called new budget—obligational—authority.

The conference total is within the total of the budget estimates; it is, in fact, $10,746,137 below the President's budget requests considered in connection with this bill.

The conference total is, however, $50,654,047 above the House bill total, but that is almost entirely the result of omitting from the original House bill all items relating exclusively to housekeeping in the other body. All but $630,600 of the increase above the House bill relates solely and exclusively to Senate housekeeping items.

JOINT INAUGURAL COMMITTEE

There are two items involving the $630,600, which I might just briefly mention. One is $400,000 for the just recently authorized Joint Committee on Inaugural Ceremonies to be held next January. This item was not in the House bill, and I might say that it is customary for the Senate to initiate it.

Mr. Speaker, the amount of $400,000 is somewhat higher than the appropriation of 4 years ago. Construction costs have, of course, increased considerably and some allowances had to be made for that. Another item considerably enlarged over 4 years ago is the matter of provision for color television coverage, involving more extensive facilities in the way of stands for cameras and crews, more elaborate electrical wiring and control features, and so on. The $400,000 is the amount requested by the Inaugural Committee on which the Speaker, the majority leader, and the minority leader serve. As was the case 4 years ago, any amount not required by the committee will revert to the Treasury. There was some balance that reverted 4 years ago.

REMODELING ON SENATE SIDE OF CAPITOL

The other item is for $230,600 for certain remodeling work on the west side of the Capitol Building in the Senate portion. That is for filling in and making use of the old, obsolete light and air shaft so that the attending physician, Dr. Pearson, can have some additional quarters for X-ray equipment and other uses. There are also some additional rooms involved.

CAPITOL POLICE MATTERS

Amendment No. 33, reported in technical disagreement, proposes to raise the pay of Capitol Police. The Senate initiated this proposal in order to bring the pay of Capitol Hill Police closer to comparability with those in the Metropolitan Police Department who recently were raised to somewhat higher starting salaries. The increase involved is $564 a year. It falls nearly $500 short of comparability, but it should be helpful in securing and holding professionally qualified police for the Capitol Hill force.

I might say in this connection that this is a legislative rather than appropriation matter, and we have consulted with and secured the views of the leaders of the Committee on House Administration as to the position the conferees should take on this amendment. And we followed their recommendations, which in substance is to provide the raise immediately—that is, effective July 1, 1968—to those officers and men on the force who have completed the training program approved by the Capitol Police Board and who have qualified to receive a certificate for such training. This is the basic standard of criteria just recently approved by both Houses in agreeing to House Concurrent Resolution 785, which dealt with the subject of emergency overtime pay for Capitol Police. And as was noted in the statement of the managers, this is harmonious with the trend and the desire in both Houses toward a professionally qualified police force for the Hill.

The motion to be offered to carry out the conference agreement will further provide that as men on the force complete the prescribed training program and qualify for the certificate, they too will promptly receive the pay raise. We think this is a reasonable and equitable and proper settlement and so far as I am aware, there is full agreement that this is a reasonable way to handle the matter.

One other item is the matter of emergency overtime pay for police which the House recently authorized in House Concurrent Resolution 785. Amendment No. 28 of the Senate provides for the payment of such overtime with respect to police on the rolls of the Senate. We have concurred in that provision but in the motion to be offered, we will propose to add suitable language making similar provision with respect to police carried on the rolls of the House.

CONFERENCE BILL OTHERWISE

Mr. Speaker, of course, the other body made no changes whatever in the provisions of the bill dealing with the House of Representatives.

The other body did not change any of the House recommendations with respect to any other items under the Architect of the Capitol.

The other body did not make any changes with respect to House recommendations for the Library of Congress, for the Government Printing Office, for the General Accounting Office, or for the Botanic Garden. They accepted all of the House provisions in these agencies.

By way of summary, the conference total is $298,151,396.

The budget requests were $308,897,533, so the conference action represents a reduction of $10,746,137 below the budget requests for new obligating authority.

The total of the bill as it passed the House was $247,497,349.

The corresponding amounts enacted for fiscal 1968 total $281,725,524.

Thus, the conference bill is $50,654,047 above the House bill; $16,425,872 above last year; and $10,746,137 below the budget requests for 1969.

Mr. Speaker, translating the effect of the budget authority reductions on budgeted 1969 expenditures, our best approximation is that the conference agreement would result in expenditure reductions of about $10.9 million.

Mr. Speaker, under leave to revise and extend, I include the following recapitulation of the figures with appropriate comparisons:

Legislative branch appropriation bill, fiscal year 1969 (H.R. 18038)

CONFERENCE SUMMARY

Item	New budget (obligational) authority, fiscal year 1968 [1]	Budget estimates of new (obligational) authority, fiscal year 1969	New budget (obligational) authority recommended in House bill	New budget (obligational) authority recommended in Senate bill	New budget (obligational) authority recommended by conference action	Conference action compared with— New budget (obligational) authority, fiscal year 1968	Budget estimates of new (obligational) authority, fiscal year 1969	New budget (obligational) authority, recommended in House bill	New budget (obligational) authority recommended in Senate bill
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)
Senate	$45,093,819	[2] $47,120,802		$47,082,247	$47,082,247	+$1,988,428	−$38,555	+$47,082,247	
House of Representatives	83,448,265	87,084,910	$85,039,420	85,039,420	85,039,420	+1,591,155	−2,045,490		
Joint items	11,360,440	13,064,921	12,311,229	12,711,229	12,711,229	+1,350,789	−353,692	+400,000	
Architect of the Capitol	15,556,100	19,724,700	12,442,900	15,614,700	15,614,700	+58,600	−4,110,000	+3,171,800	
Botanic Garden	597,500	568,000	565,000	565,000	565,000	−32,500	−3,000		
Library of Congress	37,141,400	41,780,000	40,638,800	40,638,800	40,638,800	+3,497,400	−1,141,200		
Government Printing Office	34,169,000	41,812,200	39,000,000	39,000,000	39,000,000	+4,831,000	−2,812,200		
General Accounting Office	54,359,000	57,742,000	57,500,000	57,500,000	57,500,000	+3,141,000	−242,000		
Total, new budget (obligational) authority	*281,725,524*	*308,897,533*	*247,497,349*	*298,151,396*	*298,151,396*	*+16,425,872*	*−10,746,137*	*[3] +50,654,047*	
Memoranda—									
1. Appropriation to liquidate contract authorization	*(115,000)*	*(6,975,000)*	*(527,000)*	*(527,000)*	*(527,000)*	*(+412,000)*	*(−6,448,000)*		
2. Grand total, new budget (obligational) authority and appropriation to liquidate contract authorization	*(281,840,524)*	*(315,872,533)*	*(248,024,349)*	*(298,678,396)*	*(298,678,396)*	*(+16,837,872)*	*[4] (−17,194,137)*	*(+50,654,047)*	

---

[1] Includes $5,828,449 contained in the 2d Supplemental Act, 1968.

[2] Includes $1,030,305 submitted in Senate documents.

[3] Includes $50,423,447 not considered by the House.

[4] The tentative approximation is that this reduction from budget requests will translate into reductions of about $10,900,000 below budgeted 1969 expenditures.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. ANDREWS of Alabama. I yield to the gentleman from Iowa.

Mr. GROSS. Mr. Speaker, the gentleman used a figure of $50 million. To what does that relate?

Mr. ANDREWS of Alabama. To the housekeeping functions of the Senate, which traditionally have been left to that body.

Mr. GROSS. I understand that. I have heard all about comity. This does not bother me at all, I would say to the gentleman.

It is $50 million for the other body. What is the figure for the House?

Mr. ANDREWS of Alabama. I will supply that. Offhand, I cannot recall the precise amount.

The total amount of our bill, when it left the House, was $247,497,349. That amount included the housekeeping functions of the House, together with a lot of joint items, such as joint committees, Library of Congress, General Accounting Office, Government Printing Office, Botanic Garden, and so forth.

The SPEAKER. The time yielded by the gentleman from Alabama has expired.

Mr. GROSS. Will the gentleman take an additional couple of minutes?

Mr. ANDREWS of Alabama. Mr. Speaker, I yield myself 2 additional minutes.

Mr. GROSS. Is the House figure up $16 million over last year? What is the figure for the House? Does the gentleman have that available?

Mr. ANDREWS of Alabama. I do not have the exact figure. The gentleman will remember we have had one or two salary increase bills which had to be taken into consideration.

Mr. GROSS. Yes. Those chickens are coming home to roost all the time, in almost every regular appropriation bill and every supplemental appropriation bill.

The gentleman mentioned the inaugural. As I understand it, the price tag on that is up $135,000, from $265,000 to $400,000. Is that about right?

Mr. ANDREWS of Alabama. That is correct. I tried to point out that it has been 4 years since the last inaugural ceremonies were held. We are told that inflation is about at a rate of 6 percent per year.

Mr. GROSS. I thought the gentleman said some of that cost was attributable to the fact it has been decided to have the inaugural in living color.

Mr. ANDREWS of Alabama. I think the American people should have it in living color.

Mr. GROSS. Is there any way, at the same time the inaugural is being carried out, that we can somehow picture the Federal debt in living color—the debt, the deficit, the billions paid in interest on the Federal debt? Is there any way we can paint that in living color for the taxpayers of this country, while they watch a plus inaugural ceremony?

Mr. ANDREWS. I would think that whoever is elected President could touch on that subject in his inaugural speech.

Mr. GROSS. I fear that would not come through in living color. I thought $265,000 for an inaugural was a fair chunk of money, and I regret the addition of another $135,000.

The SPEAKER. The time yielded by the gentleman from Alabama has again expired.

Mr. GROSS. Will the gentleman take another minute? I have another question?

Mr. ANDREWS of Alabama. Mr. Speaker, I yield myself 2 additional minutes.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. ANDREWS of Alabama. I say to the gentleman, regardless of the color, if the true figures are sent out by television they will be black.

Mr. GROSS. They will be what?

Mr. ANDREWS of Alabama. Black. They will look dark.

Mr. GROSS. They ought to be in red. The true figures ought to be in red.

Mr. ANDREWS of Alabama. What I meant was, it would be a dark picture for the American people to see.

Mr. GROSS. The gentleman is exactly right in that respect.

I note in the bill that the other body spends $21,279,720 for clerk hire, while the House of Representatives, with four times as many Members, spends $38,142,500. Is there any accounting for this huge expenditure for clerk hire on the part of the other body?

Mr. ANDREWS of Alabama. I can only say to the gentleman that the other body writes its own provisions on the matter, as we do over here.

Mr. GROSS. I wish that about every other year the other body would inaugurate the housekeeping bill and let us get on at the other end, instead of the House always initiating a bill and sending it over to them.

Is there any money for the acquisition of more property by the other body for the purpose of erecting a new Senate office building? Does the gentleman know of any funds in this bill for that purpose?

Mr. ANDREWS. I can say "No."

Mr. GROSS. I thank the gentleman.

Mr. TALCOTT. Mr. Speaker, will the gentleman yield?

Mr. ANDREWS of Alabama. I yield to the gentleman from California.

Mr. TALCOTT. The gentleman suggested that there was a figure, in round numbers, of $50 million of housekeeping expenses for the Senate and $247 million for the House. This seems to be considerably disproportionate. I wonder if the gentleman's figures are correct.

Mr. ANDREWS of Alabama. I tried to point out that the $247 million total figure in the House bill does not cover just housekeeping figures and is not comparable to the $50 million.

The SPEAKER. The time of the gentleman from Alabama has expired.

Mr. ANDREWS of Alabama. Mr. Speaker, I yield myself 2 additional minutes.

Mr. LANGEN. Mr. Speaker, will the gentleman yield?

Mr. ANDREWS of Alabama. I am glad to yield to the gentleman from Minnesota.

Mr. LANGEN. I thank the gentleman.

I think these figures can be clarified by saying that the $47 million figure has an equivalent figure in the House of $85,039,420. That applies to the housekeeping items of the House. The $247 million, also includes the Library of Congress, the General Accounting Office, Government Printing Office, and several functions which have nothing to do with the operation of the House at all.

Mr. TALCOTT. Mr. Speaker, I thank the gentleman for that information. I think it is very important that this clarification be made.

Mr. Speaker, I now yield 5 minutes to the gentleman from Minnesota [Mr. LANGEN].

Mr. LANGEN. Mr. Speaker, the chairman of the committee has adequately and very eloquently gone over the provisions of the conference report. I hope that the explanation provided a few moments ago clarifies the misunderstanding. Actually, there was little difference between the House and the Senate versions of this bill. As your chairman explained, these were resolved in such a manner as to bring about unanimous approval on the part of the conferees for the House. I can therefore recommend the conference report for approval by the House.

Mr. ANDREWS of Alabama. Mr. Speaker, I move the previous question on the conference report.

The previous question was ordered.

The conference report was agreed to.

AMENDMENTS IN DISAGREEMENT

The SPEAKER. The Clerk will report the first amendment in disagreement.

Mr. ANDREWS of Alabama. Mr. Speaker, inasmuch as they pertain solely to housekeeping operations of the other body, and the long practice is that we leave those matters to the determination of the other body, to save time I ask unanimous consent that Senate amendments Nos. 1 through 27; and Nos. 31, 32, and 34 be considered en bloc.

The SPEAKER. Is there objection to the request of the gentleman from Alabama?

There was no objection.

The Senate amendments are as follows:

SENATE

COMPENSATION OF THE VICE PRESIDENT AND SENATORS, MILEAGE OF THE PRESIDENT OF THE SENATE AND SENATORS, AND EXPENSE ALLOWANCES OF THE VICE PRESIDENT AND LEADERS OF THE SENATE

COMPENSATION OF THE VICE PRESIDENT AND SENATORS

For compensation of the Vice President and Senators of the United States, $3,304,295.

MILEAGE OF PRESIDENT OF THE SENATE AND OF SENATORS

For mileage of the President of the Senate and of Senators, $58,370.

EXPENSE ALLOWANCE OF THE VICE PRESIDENT, AND MAJORITY AND MINORITY LEADERS

For expense allowance of the Vice President, $10,000; Majority Leader of the Senate, $3,000; and Minority Leader of the Senate, $3,000; in all $16,000.

SALARIES, OFFICERS, AND EMPLOYEES

For compensation of officers, employees, clerks to Senators, and others as authorized by law, including agency contributions and longevity compensation as authorized, which shall be paid from this appropriation without regard to the below limitations, as follows:

OFFICE OF THE VICE PRESIDENT

For clerical assistance to the Vice President, $245,528.

CHAPLAIN

Chaplain of the Senate, $16,732.

OFFICE OF THE SECRETARY

For office of the Secretary, $1,509,828 including $162,996 required for the purposes specified and authorized by section 74b of title 2, United States Code.

COMMITTEE EMPLOYEES

For professional and clerical assistance to standing committees and the Select Committee on Small Business, $3,640,996.

CONFERENCE COMMITTEES

For clerical assistance to the Conference of the Majority, at rates of compensation to be fixed by the chairman of said committee, $107,912.

For clerical assistance to the Conference of the Minority, at rates of compensation to be fixed by the chairman of said committee, $107,912.

ADMINISTRATIVE AND CLERICAL ASSISTANTS TO SENATORS

For administrative and clerical assistants and messenger service for Senators, $21,279,720.

OFFICE OF SERGEANT AT ARMS AND DOORKEEPER

For office of Sergeant at Arms and Doorkeeper, $4,601,608: *Provided*, That, effective July 1, 1968, the Sergeant at Arms is authorized to employ the following additional employees: one programmer at $14,100 per annum; one programmer-operator at $8,460 per annum; one color film technician at $9,776 per annum; one assistant chief cabinetmaker at $9,024 per annum in lieu of one cabinetmaker at $8,084 per annum; sixty-one additional privates, police force at $7,144 per annum each; four assistant chief telephone operators at $7,896 per annum each in lieu of five at such rate; twenty-seven telephone operators at $6,204 per annum each in lieu of thirty-one at such rate; and the compensation of the shipping and stock clerk, recording studio shall be $6,768 per annum in lieu of $5,640 per annum: *Provided further*, That appointees to the Capitol Police Force positions authorized herein shall have the equivalent of at least one year's police experience.

OFFICES OF THE SECRETARIES FOR THE MAJORITY AND THE MINORITY

For the offices of the Secretary for the Majority and the Secretary for the Minority, $180,480.

OFFICES OF THE MAJORITY AND MINORITY WHIPS

For four clerical assistants, two for the Majority Whip and two for the Minority Whip, at rates of compensation to be fixed by the respective Whips, $19,928 each; in all, $39,856.

OFFICE OF THE LEGISLATIVE COUNSEL OF THE SENATE

For salaries and expenses of the Office of the Legislative Counsel of the Senate, $342,180.

CONTINGENT EXPENSES OF THE SENATE

SENATE POLICY COMMITTEES

For salaries and expenses of the Majority Policy Committee and the Minority Policy Committee, $240,150 for each such committee; in all, $480,300.

AUTOMOBILES AND MAINTENANCE

For purchase, exchange, driving, maintenance, and operation of four automobiles, one for the Vice President, one for the President Pro Tempore, one for the Majority Leader, and one for the Minority Leader, $48,700.

FURNITURE

For service and materials in cleaning and repairing furniture, and for the purchase of furniture, $31,190: *Provided*, That the furniture purchased is not available from other agencies of the Government.

INQUIRIES AND INVESTIGATION

For expenses of inquiries and investigations ordered by the Senate, or conducted pursuant to section 134(a) of Public Law 601, Seventy-ninth Congress, including $412,360 for the Committee on Appropriations, to be available also for the purposes mentioned in Senate Resolution Numbered 193, agreed to October 14, 1943, $6,221,585.

FOLDING DOCUMENTS

For the employment of personnel for folding speeches and pamphlets at a gross rate of not exceeding $2.42 per hour per person, $43,790.

MAIL TRANSPORTATION

For maintaining, exchanging, and equipping motor vehicles for carrying the mails and for official use of the offices of the Secretary and Sergeant at Arms, $16,560.

MISCELLANEOUS ITEMS

For miscellaneous items, exclusive of labor, $4,348,335, including $398,000 for payment to the Architect of the Capitol in accordance with section 4 of Public Law 87–82, approved July 6, 1961.

POSTAGE STAMPS

For postage stamps for the offices of the Secretary for the Majority and Minority, $180; and for airmail and special delivery stamps for the office of the Secretary, $200; office of the Sergeant at Arms, $160; Senators and the President of the Senate, as authorized by law, $108,480; and the maximum allowance per capita of $800 is increased to $960 for the fiscal year 1969 and thereafter: *Provided*, That Senators from States partially or wholly west of the Mississippi River shall be allowed an additional $240 each fiscal year; in all, $109,020.

STATIONERY REVOLVING FUND

For stationery for Senators and the President of the Senate, $303,000; and for stationery for committees and officers of the Senate, $13,200; in all, $316,200, to remain available until expended.

COMMUNICATIONS

For an amount for communications which may be expended interchangeably, in accordance with such limitations and restrictions as may be prescribed by the Committee on Rules and Administration, for payment of charges on official telegrams and long-distance telephone calls made by or on behalf of Senators or the President of the Senate, in addition to those otherwise authorized, $15,150.

SENATE OFFICE BUILDINGS

For maintenance, miscellaneous items and supplies, including furniture, furnishings, and equipment, and for labor and material incident thereto, and repairs thereof; for purchase of waterproof wearing apparel, and for personal and other services; including eight attendants at $1,800 each; for the care and operation of the Senate Office Buildings; including the subway and subway transportation systems connecting the Senate Office Buildings with the Capitol; uniforms or allowances therefor as authorized by law (5 U.S.C. 5901–5902), to be expended under the control and supervision of the Architect of the Capitol; in all, $2,878,900.

SENATE GARAGE

For maintenance, repairs, alterations, personal and other services, and all other necessary expenses, $62,300.

SEC. 106. The stationery allowance, as authorized by law, for each Senator shall hereafter be available only for (1) purchases made through the Senate stationery room of stationery and other office supplies for use for official business, and (2) reimbursement upon presentation, within thirty days after the close of the fiscal year for which the allowance is provided, of receipted invoices for purchases elsewhere of stationery and other office supplies (excluding items not ordinarily available in the Senate stationery room) for use for official business in an office maintained by a Senator in his home State. Any part of the allowance for stationery which remains unobligated at the end of the fiscal year 1969 or any subsequent fiscal year shall be withdrawn from the revolving fund established by the Third Supplemental Appropriation Act, 1957 (71 Stat. 188; 2 U.S.C. 46a 1), and covered into the general fund of the * * *.

MOTION OFFERED BY MR. ANDREWS OF ALABAMA

Mr. ANDREWS of Alabama. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. ANDREWS of Alabama moves that the House recede from its disagreement to the amendments of the Senate numbered 1 through 27, and numbers 31, 32, and 34, and concur therein.

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 28: Page 8, line 18, insert:

"ADMINISTRATIVE PROVISIONS

"Emergency overtime compensation authorized by House Concurrent Resolution 785, Ninetieth Congress shall be paid from the appropriation 'Salaries, Officers and Employees, Office of Sergeant at Arms and Doorkeeper', fiscal years 1968 and 1969."

MOTION OFFERED BY MR. ANDREWS OF ALABAMA

Mr. ANDREWS of Alabama. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. ANDREWS of Alabama moves that the House recede from its disagreement to the amendment of the Senate numbered 28 and concur therein with an amendment, as follows: Add the following to the amendment:

"HOUSE OF REPRESENTATIVES

"Emergency overtime compensation authorized by House Concurrent Resolution 785, Ninetieth Congress, payable to employees under the House of Representatives, shall be paid from the appropriations 'Salaries, Officers and Employees, Office of the Sergeant at Arms', fiscal years 1968 and 1969, as applicable."

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 29: On page 15, line 21, insert:

"JOINT COMMITTEE ON INAUGURAL CEREMONIES OF 1969

"For construction of platform and seating stands and for salaries and expenses of conducting the inaugural ceremonies of the President and Vice President of the United States, January 20, 1969, in accordance with such program as may be adopted by the joint committee authorized by concurrent resolution of the Senate and House of Representatives, $400,000."

MOTION OFFERED BY MR. ANDREWS OF ALABAMA

Mr. ANDREWS of Alabama. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. ANDREWS of Alabama moves that the House recede from its disagreement to the amendment of the Senate numbered 29 and concur therein.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. ANDREWS of Alabama. I yield to the gentleman from Iowa.

Mr. GROSS. Why is it necessary for the taxpayers' money to be spent for these special inaugural facilities? They have increased substantially the cost of the inaugural ceremony.

Why should not those who receive a commercial benefit—and I have no doubt that there will be plenty of advertising revenue—why should not the broadcasting companies pay for these special installations?

Mr. ANDREWS of Alabama. I will say to my friend, the distinguished gentleman from Iowa [Mr. GROSS], we were told that the broadcasting companies would pick up the check for a certain amount of the costs. But these stands will be erected upon Government property. Through the years, only the Government puts those up on Government property. It is for the benefit of the American people and I am sure that most Americans will welcome an opportunity to see the inaugural ceremony of the next President of the United States in living color, regardless of who the President might be.

Mr. GROSS. Mr. Speaker, if the gentleman will yield further, surely there is no security involved insofar as the installation of the equipment is concerned. Could we not hire an inspector to see that the equipment is properly installed for a lot less than $135,000, if that is where the extra money is to be spent?

Mr. Speaker, if Congress does not start saving such amounts as $135,000, the Members of the House who voted for a 10-percent increase in the surtax and a cut in the budget of $6 billion, are going to find themselves out in left field. I have not as yet seen the slightest indication of any serious economy around here, especially to the tune of $6 billion. You cannot get $6 billion out of the foreign giveaway bill.

Mr. Speaker, I would like to see some

demonstration pretty soon as to where it is proposed to make the $6 billion cut. I want to see some performance on the part of those who loaded this latest tax burden upon the people, I will say to the gentleman from Alabama [Mr. ANDREWS].

Mr. ANDREWS of Alabama. This is the smallest bill, moneywise, that comes before the House and if the gentleman will look at the figures, the gentleman will see we have trimmed this smallest bill, appropriation-wise, to come before us by more than $10 million.

Mr. Speaker, going back to the $400,000 for the inaugural ceremony, I think the gentleman from Iowa will agree that the rate of inflation for construction has risen to the extent of about 6 percent per year and it has been 4 years since we had the last inauguration. In addition, I will say to the gentleman from Iowa that if this amount of money is not expended, every dollar of it will revert to the Treasury of the United States. There was a balance in the appropriations 4 years ago, which reverted to the Treasury.

Mr. GROSS. Mr. Speaker, if the gentleman will yield further, I would like to say that I have no criticism of the gentleman from Alabama, none at all. He and I have been voting against most of these spending bills, trying to stop the inflation that the gentleman says contributes to the added cost of inaugurals. We have been trying to do this, but with not much cooperation.

The SPEAKER. The question is on the motion offered by the gentleman from Alabama.

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 33: Page 34, line 13, insert:

"SEC. 105. Effective July 1, 1968, the compensation of captains, Capitol Police Force, shall be $13,348 per annum each, the compensation of lieutenants and special officers, Capitol Police Force, shall be $11,280 per annum each, the compensation of sergeants, Capitol Police Force, shall be $9,400 per annum each, and the compensation of privates, Capitol Police Force, shall be $7,144 per annum each."

MOTION OFFERED BY MR. ANDREWS OF ALABAMA

Mr. ANDREWS of Alabama. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. ANDREWS of Alabama moves that the House recede from its disagreement to the amendment of the Senate numbered 33 and concur therein with an amendment, as follows: In lieu of the matter proposed by said amendment insert the following:

"SEC. 105. Effective July 1, 1968, with respect to those officers and members of the United States Capitol Police force who had prior to such date completed the training program approved by the Capitol Police Board and had qualified to receive a certificate for such training, the per annum rate of compensation of captains shall be $13,348 each, the per annum rate of compensation of lieutenants and special officers shall be $11,280 each, the per annum rate of compensation of sergeants shall be $9,400 each, and the per annum rate of compensation of privates shall be $7,144 each: *Provided*, That with respect to those officers and members of such force who on or after such date complete such training program and qualify for such certificate, such rates of compensation shall take effect on the first day of the first month following the date on which any such officer or member, as certified by the Capitol Police Board, completes such training and qualifies for such certificate."

Mr. CONTE. Mr. Speaker, will the gentleman yield?

Mr. ANDREWS of Alabama. I yield to the gentleman from Massachusetts.

Mr. CONTE. Mr. Speaker, I want to take this opportunity to compliment the gentleman from Alabama for the fine job that he has done in bringing this bill to the floor of the House, and in reaching a fair compromise. However, I would like to ask the gentleman a question on something that I have been interested in for a good many years here at the Congress, and that is the police force.

I am wondering whether anything is being done to take the police force of the Capitol out of the patronage system, and place it under civil service? I feel that the U.S. Capitol is entitled to have the finest police force in the United States, so I would ask the gentleman from Alabama if anything is being done in that direction?

Mr. ANDREWS of Alabama. Mr. Speaker, in reply to the inquiry of the gentleman from Massachusetts, I would state that it is planned to have a police force at the Capitol made up of professional policemen. The move is in that direction at this time. There have been several moves in that direction.

I want to say further that this committee is interested in doing all that is necessary and has been sympathetic in trying to make the police force at the Capitol a good police force in every sense of that word.

The gentleman will find that in the bill we provide $113,500 to build a pistol range in the basement of the Rayburn Building because the men on the force have been greatly handicapped in obtaining sufficient target practice. Further, the head of the police force at the Capitol is a professional police officer, having served many years on the Metropolitan Police force. Chief Powell, I believe, is doing a great job. And this pay raise which is provided for is another step in the direction of improving the police force at the Capitol.

Mr. CONTE. Mr. Speaker, if the gentleman will yield further, I am pleased to hear that statement from the gentleman from Alabama, and again I want to commend the gentleman for moving in this direction. However, I believe there is another point that should be brought out in line with what the gentleman from Iowa [Mr. GROSS] was talking about in cutting our budget, and that is I believe the point should be made here that we have too many police officers around the Capitol at the present time, and yet I understand that automobiles have been stolen in the garage right in the Capitol. I had a stereo set stolen from my automobile right in the garage here, and I believe with this massive force that we have here this should not have occurred.

I wonder if we have any idea how massive this force is? I believe that they are sufficient that they should be used to a greater extent to provide more security to the House Office Buildings, and to the Capitol Grounds.

I would mention further that often, as one drives up here in the mornings, or in the afternoons, or in the evenings, one will find them bunched together, three or four or five of them on the street corners. I believe that this is wrong. I believe they should be dispersed at strategic positions in at least the garages; the garages up here should certainly be protected by the police, and I believe we have a sufficient police force to do this, and to protect all the property around the Capitol.

This, I believe, is not being done.

Mr. ANDREWS of Alabama. I would say to the gentleman, at the proper time the gentleman should have a conference with Chief Powell of our U.S. Capitol Police and I am very sure he will be glad to have your views. We think Chief Powell is doing a grand job.

The SPEAKER. The question is on the motion offered by the gentleman from Alabama.

The motion was agreed to.

A motion to reconsider the votes by which action was taken on the conference report and on the several motions was laid on the table.

Mr. ANDREWS of Alabama. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Alabama?

There was no objection.

PRIVATE CALENDAR

The SPEAKER. This is Private Calendar day. The Clerk will call the first individual bill on the Private Calendar.

VISITACION ENRIQUEZ MAYPA

The Clerk called the bill (H.R. 4386) for the relief of Visitacion Enriquez Maypa.

Mr. HALL. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. If there objection to the request of the gentleman from Missouri [Mr. HALL]?

Mr. HUNGATE. Mr. Speaker, I object.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. HALL and Mr. TALCOTT objected, and, under the rule, the bill was recommitted to the Committee on the Judiciary.

ARTHUR JEROME OLINGER, A MINOR

The Clerk called the bill (S. 155) for the relief of Arthur Jerome Olinger, a minor, by his next friend, his father, George Henry Olinger, and George Henry Olinger, individually.

Mr. GROSS. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Iowa?

Mr. HUNGATE. Mr. Speaker, I object.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. TALCOTT and Mr. HALL objected, and, under the rule, the bill was recommitted to the Committee on the Judiciary.

RESOLUTION TO REFER THE BILL (H.R. 14109) TO CHIEF COMMISSIONER, COURT OF CLAIMS

The Clerk called the resolution (H. Res. 991) to refer the bill (H.R. 14109) entitled "A bill for the relief of Joseph W. Harris," to the Chief Commissioner of the Court of Claims pursuant to sections 1492 and 2509 of title 28, United States Code, as amended.

Mr. HALL. Mr. Speaker, I ask unanimous consent that this resolution be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Missouri [Mr. HALL]?

Mr. HUNGATE. Mr. Speaker, I object.

The SPEAKER. Is there objection to the present consideration of the resolution?

Mr. TALCOTT and Mr. HALL objected, and, under the rule, the resolution was recommitted to the Committee on the Judiciary.

LAURENCE BLOOM

The Clerk called the bill (H.R. 1608) for the relief of Laurence Bloom.

Mr. GROSS. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Iowa [Mr. GROSS]?

Mr. HUNGATE. Mr. Speaker, I object.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. GROSS and Mr. TALCOTT objected, and, under the rule, the bill was recommitted to the Committee on the Judiciary.

WASSON COAL MINING CORP.

The Clerk called the bill (H.R. 12539) to confer jurisdiction on the U.S. Court of Claims to hear, determine, and render judgment on the claim of the Wasson Coal Mining Corp. against the United States.

Mr. HALL. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

Mr. HUNGATE. Mr. Speaker, I object.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. TALCOTT and Mr. GROSS objected, and, under the rule, the bill was recommitted to the Committee on the Judiciary.

MRS. RUTH BRUNNER

The Clerk called the bill (H.R. 12894) for the relief of Mrs. Ruth Brunner.

Mr. HALL. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Missouri [Mr. HALL]?

Mr. HUNGATE. Mr. Speaker, I object.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. TALCOTT and Mr. HALL objected, and, under the rule, the bill was recommitted to the Committee on the Judiciary.

RACHEL STIMPSON

The Clerk called the bill (H.R. 1527) for the relief of Rachel Stimpson.

Mr. HALL Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Missouri [Mr. HALL]?

Mr. HUNGATE. Mr. Speaker, I object.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. GROSS and Mr. HALL objected, and, under the rule, the bill was recommitted to the Committee on the Judiciary.

HUBERT ASHE

The Clerk called the bill (H.R. 4404) for the relief of Hubert Ashe.

Mr. GROSS. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Iowa [Mr. GROSS]?

Mr. HUNGATE. Mr. Speaker, I object.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. GROSS and Mr. HALL objected, and, under the rule, the bill was recommitted to the Committee on the Judiciary.

CHARLES BERNSTEIN

The Clerk called the bill (S. 321) for the relief of Charles Bernstein.

Mr. GROSS. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Iowa [Mr. GROSS]?

Mr. HUNGATE. Mr. Speaker, I object.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. HALL and Mr. GROSS objected, and, under the rule, the bill was recommitted to the Committee on the Judiciary.

CUBAN TRUCK & EQUIPMENT CO.

The Clerk called the bill (H.R. 6321) for the relief of the Cuban Truck & Equipment Co., its heirs and assigns.

Mr. HALL. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

Mr. HUNGATE. Mr. Speaker, I object.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. HALL and Mr. GROSS objected, and, under the rule, the bill was recommitted to the Committee on the Judiciary.

REMCO INDUSTRIES, INC.

The Clerk called the bill (H.R. 10417) for the relief of Remco Industries, Inc.

Mr. HALL. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

Mr. HUNGATE. Mr. Speaker, I object.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. HALL and Mr. GROSS objected, and, under the rule, the bill was recommitted to the Committee on the Judiciary.

FRANK KLEINERMAN

The Clerk called the bill (H.R. 2654) for the relief of Frank Kleinerman.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. HICKS. Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Washington?

There was no objection.

Mr. BOLAND. Mr. Speaker, I ask unanimous consent that the further call of the Private Calendar be dispensed with.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

The SPEAKER. That concludes the call of the Private Calendar.

FRANK KLEINERMAN

Mr. CONTE. Mr. Speaker, I ask unanimous consent to return for immediate consideration to Private Calendar No. 439, the bill (H.R. 2654) for the relief of Frank Kleinerman.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

The Clerk read the bill, as follows:

H.R. 2654

Be it enacted by the Senate and the House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of $2,717.50 to Frank Kleinerman of 15 Meadowbrook Road, Longmeadow, Massachusetts, in full settlement of his claims against the United States for damage caused to property owned by him at 28 Charles Street, Meriden, Connecticut, due to the freezing of plumbing and heating pipes during a period of severe cold weather due to the refusal of agents of the Internal Revenue Service to permit him to enter the premises and take steps to protect his property. No part of the amount appropriated in this Act shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

With the following committee amendment:

Strike all after the enacting clause and insert:

"That notwithstanding the limitations of section 2401 of title 28 of the United States Code, or any other statute of limitations, jurisdiction is hereby conferred on the United States District Court of the District of Connecticut to hear, determine and render judgment on the claims of Frank Kleinerman of 15 Meadowbrook Road, Longmeadow, Massachusetts, against the United States for damage to property owned by him at 28 Charles Street, Meriden, Connecticut, due to the freezing of plumbing and heating pipes during a period of severe cold weather due to the alleged negligence of agents of the Internal Revenue Service in refusing to permit him or his agents to enter the premises and the alleged negligence of the agents of the Internal Revenue Service to take steps to protect his property. Nothing in this Act shall be construed as an admission of liability on the part of the United States. The action authorized herein must be filed within one year of the effective date of this Act."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

STANISLAW AND JULIANNA SZYMONIK

Mr. FEIGHAN. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (H.R. 1879) for the relief of Stanislaw and Julianna Szymonik, with Senate amendments thereto, and concur in the Senate amendments.

The Clerk read the title of the bill.

The Clerk read the Senate amendments, as follows:

Page 1, line 4, strike out all after "shall" down to and including "313(a)" in line 6 and insert "not be regarded to be or to have been within the classes of persons whose naturalization is prohibited by section 313".

Page 1, lines 7 and 8, strike out "as such class is specified in section 313(c) of the said Act,".

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

The Senate amendments were concurred in.

A motion to reconsider was laid on the table.

GIOVANNA INGUI DALLARA

Mr. FEIGHAN. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (H.R. 4544) for the relief of Giovanna Ingui Dallara, with a Senate amendment thereto, and concur in the Senate amendment.

The Clerk read the title of the bill.

The Clerk read the Senate amendment, as follows:

Page 1, line 8, after "Act" insert ": *Provided*, That no brother or sisters of the said Giovanna Ingui Dallara shall thereafter, by virtue of such relationship, be accorded any right, privilege, or status under the Immigration and Nationality Act".

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

The Senate amendment was concurred in.

A motion to reconsider was laid on the table.

THEOFANE SPIROU KOUKOS

Mr. FEIGHAN. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (H.R. 4976) for the relief of Theofane Spirou Koukos, with a Senate amendment thereto, and concur in the Senate amendment.

The Clerk read the title of the bill.

The Clerk read the Senate amendment, as follows:

Page 1, line 8, after "Act" insert ": *Provided*, That no brothers or sisters of the said Theofane Spirou Koukos shall thereafter, by virtue of such relationship, be accorded any right, privilege, or status under the Immigration and Nationality Act".

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

The Senate amendment was concurred in.

A motion to reconsider was laid on the table.

AMIR U. KHAN

Mr. FEIGHAN. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (H.R. 11287) for the relief of Amir U. Khan, with a Senate amendment thereto, and concur in the Senate amendment.

The Clerk read the title of the bill.

The Clerk read the Senate amendment, as follows:

Strike out all after the enacting clause and insert:

"That, for the purposes of the Immigration and Nationality Act, Amir U. Khan shall be held and considered to have been lawfully admitted to the United States for permanent residence on July 9, 1948, and the periods of time he has resided in the United States since that date shall be held and considered to meet the residence and physical presence requirements of section 316 of the said Act."

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

The Senate amendment was concurred in.

A motion to reconsider was laid on the table.

CONFERRING U.S. CITIZENSHIP POSTHUMOUSLY UPON PFC. JOHN R. ANELI

Mr. FEIGHAN. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (H.R. 13301) to confer U.S. Citizenship Posthumously upon Pfc. John R. Aneli, with a Senate amendment thereto, and concur in the Senate amendment.

The Clerk read the title of the bill.

The Clerk read the Senate amendment, as follows:

Strike out all after the enacting clause and insert:

"That, Private First Class John R. Aneli, a native of Italy, who served honorably in the United States Army from August 29, 1966, until his death on August 7, 1967, shall be held and considered to have been a citizen of the United States at the time of his death."

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

The Senate amendment was concurred in.

A motion to reconsider was laid on the table.

FOR THE RELIEF OF MISS AMALIA SERESLY

Mr. FEIGHAN. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (S. 1808) for the relief of Miss Amalia Seresly, with a Senate amendment to the House amendment thereto, and concur in the Senate amendment.

The Clerk read the title of the bill.

The Clerk read the Senate amendment to the House amendment, as follows:

Page 1, line 3, of the House engrossed amendment, strike out "the" where it appears the first time and insert "no".

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

The Senate amendment to the House amendment was concurred in.

A motion to reconsider was laid on the table.

FOREIGN ASSISTANCE ACT OF 1968

Mr. PEPPER. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 1240 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 1240

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 15263) to amend further the Foreign Assistance Act of 1961, as amended, and for other purposes. After general debate, which shall be confined to the bill and shall continue not to exceed three hours, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Foreign Affairs, the bill shall be read for amendment under the five-minute rule. It shall be in order to consider without the intervention of any point of order the amendments recommended by the Committee on Foreign Affairs now printed in the bill. At the conclusion of the consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit.

The SPEAKER. The gentleman from Florida is recognized for 1 hour.

Mr. PEPPER. Mr. Speaker, I yield 30 minutes to the able gentleman from Ohio [Mr. LATTA], pending which I yield myself such time as I may consume.

Mr. Speaker, House Resolution 1240 provides an open rule with 3 hours of general debate, waiving points of order against the committee amendments in the bill. The bill carries appropriations—

page 2, line 16 and page 3, line 25 through page 4, line 8—and without the waiver of points of order against these amendments would violate clause 4 of rule XXI.

It is a little-understood paradox of foreign aid that virtually all of it is spent in the United States.

The bulk of this aid is used to purchase American commodities and services. This increases our exports, creates jobs for American workers and specialists, and produces business for American firms.

Between 1960 and 1966, our commercial exports to 53 developing countries receiving foreign aid increased by $1.5 billion. This increase came on top of substantial American exports financed with normal commercial and foreign assistance resources.

A part of foreign aid is used to ship American goods on American ships to foreign destinations. American shipping is more costly than world shipping and has to be subsidized by our Government. Foreign aid, therefore, helps to support our merchant marine.

Another part of foreign aid is spent helping American firms establish going business concerns abroad. Last year alone, private overseas American ventures returned more than $4.5 billion to the United States in the form of remitted profits.

Still another part of foreign aid is used to support and expand the overseas programs of private, nonprofit American organizations—church groups, labor unions, cooperatives, and various other voluntary agencies.

American education receives its share of foreign aid. Funds authorized by this legislation are used, in part, to help American universities expand their understanding of the processes of economic and social development; to provide direct support to private, American-sponsored schools abroad; to enable American specialists and scholars to enlarge their knowledge of and foreign areas, peoples, and problems through programs which very likely would not be undertaken without assistance from foreign aid.

The bulk of American foreign aid is being used to increase food production and to improve food processing and distribution in the developing countries.

A part of it is used to promote education and to introduce modern educational technology.

Another part is used to solve problems relating to health—on international research into the causes of cancer, on the eradication of communicable diseases, and on various other programs in this field.

Still another, though relatively small, part of foreign aid is used to develop transportation and communications; to improve administrative practices in the public and private sectors; and to promote the development of viable, democratic institutions in the receiving countries.

Finally, a substantial part of foreign aid is used to strengthen the free world's military capacity to resist Communist aggression. This benefits not only such countries as free China, South Korea, Iran, and Turkey which are located on the periphery of the Soviet Union and Communist China, but all who want to remain free.

Total authorization in the bill H.R. 15623 is $2,364,725,000 which amount is $596,750,000 less than that requested by the Executive.

Mr. Speaker, I urge the adoption of House Resolution 1240 in order that H.R. 15263 may be considered.

Mr. HALL. Mr. Speaker, will the gentleman yield?

Mr. PEPPER. I yield to the gentleman from Missouri.

Mr. HALL. I appreciate the gentleman's yielding.

In accordance with the new rules of the Committee on Rules, would the gentleman again go through the preclusion of the intervention of points of order, as set forth on lines 11 and 12 of page 1 of the rule, pertaining to committee amendments of the Committee on Foreign Affairs?

Mr. PEPPER. Yes.

Mr. HALL. Why was this necessary? Who requested it? How much does it involve? Would the gentleman again cite the references in the bill, please.

Mr. PEPPER. I will be glad to respond to the able gentleman.

If the gentleman will look on page 2 of the bill, lines 14 to 17, he will find the first committee amendment. The committee amendment reads:

> (a) Section 211(d), which relates to availability of funds for certain research and educational institutions, is amended by inserting "in any fiscal year" immediately after "funds made available".

That has to do with the transfer of appropriations. This is one of the two committee amendments with respect to which points of order were requested to be waived, and this was requested specifically by the able chairman of the House Committee on Foreign Affairs before the Rules Committee, because of the presence of this committee amendment, and another amendment at the bottom of page 3, beginning on line 24 and running through line 8 of page 4, which is also an appropriation item appearing in this bill, without the waiver of points of order would be subject to a point of order.

As I told the able gentleman before, the Committee on Rules requires that any committee which requests a waiver of the rules shall submit to the Rules Committee in writing the item or items with respect to which the waiver is requested and the reason for it. The able chairman of the House Committee on Foreign Affairs met that requirement in making just these two requests, both of which are committee amendments making an appropriation on an essential but not a substantial matter. That is the reason why we requested the waiver.

Mr. HALL. I appreciate the expanded statement of the gentleman. I take it the reasons, in the opinion of the Committee on Rules, were adequate, otherwise they would not have granted a rule waiving these points of order and that this is a justifiable transfer of funds in both of the two instances.

Mr. PEPPER. The Committee on Rules so felt and so recommended to the House.

Mr. HALL. Was the opinion of the Committee on Rules unanimous in this respect, could the distinguished gentleman advise us?

Mr. PEPPER. I will say—and I am sure that my able friend from Ohio [Mr. LATTA], also a member of the committee, will say, as I do—that this was a unanimous action on the part of the Committee on Rules.

Mr. HALL. Can the gentleman advise us that there are no other areas in the bill subject to points of order except these two?

Mr. PEPPER. Only those two.

Mr. HALL. And the specific coverage for which the waiver of points of order are included is on these amendments only?

Mr. PEPPER. That is correct.

Mr. HALL. If these amendments are adopted and no point of order is made or substitutes or amendments to the amendments are made, in the opinion of the gentleman, can a separate vote then be demanded on these amendments?

Mr. PEPPER. I would not want to answer a parliamentary inquiry. It would be more appropriate to ask that of the Chair. But my opinion would be they are like other amendments in the bill but not subject to a point of order if the House adopts this rule.

Mr. HALL. Will the gentleman yield for a parliamentary inquiry?

Mr. PEPPER. I will be glad to yield to the gentleman for any inquiry that the gentleman cares to propose to the Chair.

Mr. HALL. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. HALL. In the event that either one of those amendments referred to by the distinguished gentleman from the Committee on Rules on pages 2 and 3 of the bill are amended in the normal amendatory process and are passed, would they be subject, on request of any individual Member, to a separate vote after the Committee rises and we go back into the Whole House?

Mr. SPEAKER. The Chair understands the parliamentary inquiry, but the Chair seeks to obtain the facts. The Chair has examined the bill and notes (a) section 211(d), for example, is a committee amendment to the bill. That would require a separate vote in the Committee of the Whole and would be entitled to a separate vote in the House if it were adopted in the Committee of the Whole, but an amendment to the committee amendment adopted in the Committee of the Whole would not be subject to a separate vote in the House.

Mr. HALL. I thank the distinguished Speaker, and I thank the gentleman from Florida for yielding.

The SPEAKER. The Chair recognizes the gentleman from Ohio.

Mr. LATTA. Mr. Speaker, I yield myself 10 minutes.

Mr. Speaker, let me say that this program has been referred to by the very able chairman of the Committee on Foreign Affairs as a subsidy program for American industry. He maintains that our various industries are entitled to such programs since we have a subsidy program for American agriculture. Frankly, I do not look upon this program as a subsidy program for American industry and I doubt very much whether industry looks upon it as such.

I would like to say that this bill calls for an authorization of $2,364,725,000. This is $63 million above the 1968 appropriation for the foreign aid.

Mr. Speaker, I want to stress this fact. Of course, we are going to hear much during the debate concerning the Committee's action in reducing the administration's request. But nothing can cover up the fact that this bill is $63 million above the 1968 appropriation for this program.

Now, Mr. Speaker, the Foreign Operations Subcommittee of the Committee on Appropriations on June 14 sent a statement to the Members concerning the operations of this program under the present administration. I know the Members of the House have all read it. However, I want to refer to the fourth paragraph of this statement, it reads as follows:

> The request for foreign aid funds have been fragmentized. It is scattered throughout the budget and is carried under 20—

Twenty—

> different titles, chapter or separate plans. The annual cost is increasing. The total for fiscal 1969 calls for the largest amount requested by any administration since I became chairman of the Subcommittee on Appropriations.

This is signed by OTTO E. PASSMAN, chairman of the Foreign Operations Subcommittee on Appropriations.

Mr. Speaker, it is my opinion that this point is worth some consideration by the Members of the House of Representatives. We passed and the President has recently signed into law a 10-percent surcharge on the incomes of all Americans. I do not find many people who are really happy with this income tax increase. Likewise, I do not find too many people who are happy with the deficit spending which has been going on under this administration.

Mr. Speaker, just this morning I contacted the Department of the Treasury to get the last figure on the debt of this great land of ours.

On July 11, 1968, according to the Department of the Treasury, we were in debt to the extent of $351,610,983,901.58. This debt tells me somthing and I believe, Mr. Speaker, it says this is not the time to borrow money this year of all years in order to give it away.

The very able chairman of the Foreign Operations Subcommittee, in the statement to which I have previously refered, indicates the amount of money we have borrowed since the inception of this foreign aid program just to give money away. There are the figures, Mr. Speaker: the total net interest on the money which we have borrowed to give away from the period of 1946 and 1968 is $52,803,000,000. This is just the interest on the money we have borrowed to give away.

The total net disbursements during this period under the foreign program totals $118,432,000,000. This represents a total cost to the taxpayers of this country, your constituents and mine, of $171,235,000,000 for foreign aid.

At lunch today a friend of mine inquired where our so-called friends are when we need them. Not too many of them have responded in Southeast Asia. And when the dollar was in trouble we know what Mr. de Gaulle and France did; yet France, under the foreign aid program, has received $7,021,200,000.

Mr. Speaker, I am going to submit at this point in the RECORD the total net foreign assistance to 120 nations and six territories of the world through the years 1946 to 1968, so that the Members may have, country by country, the amount of expenditures that our people have made to these countries.

Total net foreign assistance to 120 nations and six territories of the world—fiscal years 1946 through 1968

Afghanistan	$344, 900, 000
Albania	20, 400, 000
Algeria	191, 700, 000
Argentina	409, 400, 000
Australia	431, 500, 000
Austria	1, 122, 900, 000
Belgium-Luxembourg	1, 757, 200, 000
Bolivia	476, 200, 000
Botswana	17, 300, 000
Brazil	2, 476, 400, 000
Burundi	6, 800, 000
Burma	85, 600, 000
Cambodia	342, 300, 000
Cameroon	28, 400, 000
Canada	11, 100, 000
Central Africa Republic	4, 400, 000
Ceylon	109, 500, 000
Chad	7, 400, 000
Chile	1, 221, 600, 000
China, Republic	4, 873, 500, 000
Colombia	747, 100, 000
Congo (B)	2, 000, 000
Congo (K)	393, 500, 000
Costa Rica	142, 300, 000
Cuba	43, 800, 000
Cyprus	20, 300, 000
Czechoslovakia	189, 500, 000
Dahomey	10, 600, 000
Denmark	877, 300, 000
Dominican Republic	358, 800, 000
East Germany	800, 000
Ecuador	245, 500, 000
El Salvador	99, 400, 000
Ethiopia	323, 300, 000
Finland	39, 400, 000
France	7, 021, 200, 000
Gabon	7, 000, 000
Gambia	1, 000, 000
Ghana	204, 200, 000
Germany and Berlin	3, 668, 700, 000
Greece	3, 605, 100, 000
Guatemala	220, 300, 000
Guinea	72, 200, 000
Guyana	34, 200, 000
Haiti	101, 500, 000
Honduras	91, 200, 000
Hungary	14, 900, 000
Iceland	67, 900, 000
India	6, 585, 200, 000
Indo-China	1, 535, 200, 000
Indonesia	686, 400, 000
Iran	1, 848, 400, 000
Iraq	98, 800, 000
Ireland	99, 400, 000
Israel	770, 600, 000
Italy	5, 329, 100, 000
Ivory Coast	29, 700, 000
Jamaica	49, 100, 000
Japan	3, 528, 300, 000
Jordan	622, 700, 000
Kenya	55, 700, 000
Korea	6, 986, 800, 000
Kuwait	50, 000, 000
Laos	528, 300, 000
Lebanon	84, 100, 000
Lesothe	2, 100, 000
Liberia	213, 400, 000
Libya	$216, 600, 000
Malagasy	12, 500, 000
Malawi	14, 100, 000
Malaysia	91, 400, 000
Mali	21, 400, 000
Malta	6, 200, 000
Mauritania	3, 400, 000
Mauritius	500, 000
Mexico	517, 900, 000
Morocco	589, 100, 000
Nepal	114, 200, 000
Netherlands	2, 052, 700, 000
New Zealand	24, 400, 000
Nicaragua	129, 500, 000
Niger	13, 000, 000
Nigeria	204, 100, 000
Norway	1, 132, 400, 000
Pakistan	3, 126, 500, 000
Panama	188, 200, 000
Paraguay	95, 700, 000
Peru	449, 200, 000
Philippines	1, 761, 400, 000
Poland	444, 100, 000
Portugal	476, 100, 000
Rwanda	6, 100, 000
Saudi Arabia	217, 900, 000
Senegal	30, 400, 000
Sierra Leone	35, 200, 000
Somali	68, 200, 000
Sou. Rhodesia	2, 300, 000
Spain	1, 952, 700, 000
Sudan	128, 600, 000
Sweden	129, 800, 000
Swaziland	100, 000
Syrian Arab Republic	62, 600, 000
Tanzania	55, 800, 000
Thailand	1, 063, 900, 000
Togo	13, 200, 000
Trinidad-Tobago	51, 600, 000
Tunisia	531, 400, 000
Turkey	5, 126, 400, 000
Uganda	27, 900, 000
United Arab Rep	925, 400, 000
United Kingdom	7, 394, 000, 000
USSR	186, 400, 000
Upper Volta	9, 700, 000
Uruguay	112, 400, 000
Venezuela	318, 400, 000
Vietnam	5, 042, 800, 000
Western Samoa	200, 000
Yemen	43, 900, 000
Yugoslavia	2, 633, 100, 000
Zambia	16, 200, 000
Bahamas	23, 300, 000
Brit. Honduras	4, 700, 000
Surinam	10, 100, 000
West Indies	6, 400, 000
Hong Kong	42, 600, 000
Ryukyu Islands	364, 700, 000
Trust Territory Pacific	147, 200, 000
CENTO—Pacific	53, 000, 000
W/W regional	12, 742, 100, 000
W/W aid, fiscal year 1968	5, 550, 000, 000
Total net disbursements to foreign nations, 1946–68	118, 432, 000, 000
Total net interest paid on what we have borrowed to give away, 1946–68	52, 803, 000, 000
Grand total—cost of *foreign* assistance—1946 through 1968	171, 235, 000, 000

Mr. Speaker, I believe it is time for us to seriously consider a moratorium on foreign aid. It is admitted in the report by this great committee—and it grieves me deeply to have to oppose this committee and its bill, because I know of no other committee of the Congress which works harder than does this committee, nor do we have another chairman of the House for whom I have greater respect than I have for the chairman of this great committee, nor the ranking member of this committee. We have in the so-called pipeline an unexpended balance of $5.4 billion—$5.4 billion as of June 30, 1968.

We are informed that some 90 percent of this money is already committed, and, therefore, we cannot have a moratorium on it because we might have to release some individuals who are working for AID. It would be a pity to have to send some these employees of AID's to the Post Office Department, for example, so that they could help carry the mail on Saturday. This would be far better than continuing a program which has netted us so few friends.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. LATTA. I yield to the gentleman from Iowa.

Mr. GROSS. I thank the gentleman for yielding.

Mr. Speaker, I cannot think of a better suggestion, and I have not heard of a better one in this House in a long, long time, than the suggestion the gentleman from Ohio just made.

The gentleman from Florida [Mr. PEPPER], in presenting the report on behalf of the majority, said that this program had achieved startling results, or startling accomplishments, or something of that kind.

Would the gentleman from Ohio know of where, when, and how this program has achieved such startling results?

Take India, for instance—and the Russians are now over there—they are buying their military equipment from Russia, and undermining our position in Vietnam at every opportunity. That began under Nehru, and it still goes on under the other Nehru.

Would the gentleman from Ohio have any idea as to where these startling results occurred? Maybe it was in Nigeria where they are now killing each other by the thousands. We were in there helping them, as the gentleman knows.

I do not know where all of these startling results have taken place.

Mr. PEPPER. Mr. Speaker, will the gentleman yield?

Mr. LATTA. I will yield to the gentleman from Florida as soon as I have responded to my friend, the gentleman from Iowa.

Let me say to the gentleman from Iowa, Mr. Speaker, that I do not believe we have "bought" any friends through foreign aid programs. We might have saved some countries from going communistic. On the other hand, we do not know whether they would have remained noncommunistic without foreign aid. I do not believe we can buy friends through this program, or through any other type program. I just do not believe we can do that. And this has shown up when we have needed friends. And when we need them now over in South Vietnam, they fail to offer any assistance.

Mr. GROSS. Mr. Speaker, will the gentleman yield further?

Mr. LATTA. I yield further to the gentleman from Iowa.

Mr. GROSS. They have been conspicuous by their absence, except for token forces from a very few countries. The only country with any serious intent to help us over there is South Korea, and of course we are financing them 100 percent.

Mr. LATTA. Mr. Speaker, I will now yield to my friend from Florida [Mr. PEPPER].

Mr. PEPPER. Mr. Speaker, I thank the gentleman for yielding.

Mr. Speaker, what I had in mind, I would like to say to the gentleman from Iowa, are a few instances that have been emphasized in the press lately. One was almost a miracle achievement in the development of a new rice strain.

The SPEAKER pro tempore (Mr. ALBERT). The time of the gentleman from Ohio has expired.

Mr. LATTA. Mr. Speaker, I yield myself 5 additional minutes.

Mr. PEPPER. Mr. Speaker, this is an extremely productive type of rice which will probably replace to a large degree the availability of food rice in the case of these people in Southeast Asia.

Another instance I would point out was the very forward-looking development in the production of a better quality of wheat which has helped the people of India to feed themselves instead of us being called upon to supply the wheat.

Those are just two instances that I had in my mind when I made that statement. There are many other remarkable achievements that have been made possible through the foreign aid program which is helping those people to help themselves. I know that is what the able gentleman wants to see.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. LATTA. I yield to the gentleman from Iowa.

Mr. GROSS. Are these free food products in India to toughen them up and to make good strong fighters out of them so they can come over and help us and keep the Communists off their doorstep in Southeast Asia—is that about right?

Mr. PEPPER. I would say this—that they are in one of the areas in the world which is on the periphery of communism and communistic aggression. That is the reason we do have a military aid policy in trying to aid countries in that distressing situation.

Mr. GROSS. Yes, and they are so concerned about communism that they have not sent a living soul over to do combat duty in Vietnam—and I am talking about the Indians. Is that not right?

Mr. PEPPER. The Indian people have followed their own policy. Of course, I am not their spokesman or their representative.

I think that most of us will agree that to help India to stay out from under the yoke of communism is in the best interests of the free world and in the best interests of the United States of America.

Mr. GROSS. Have they any interest in freedom, and freedom from communism?

Mr. PEPPER. Yes, they do.

Mr. GROSS. Then why do they not try to do a little of what is necessary?

Mr. PEPPER. They are a weak country on the border of a very strong country and that is the reason we have indicated we will help them if they are attacked by this strong Communist aggressor. Because if they were to take over that vast population of China, the population of India and put their Communist yoke on those 500 or 600 million people, it would not be in the interest of freedom. We want to try to help them to feed themselves so we will not have to send wheat to them.

Mr. LATTA. I want to thank my colleagues, the gentleman from Florida and the gentleman from Iowa. I just want to sum up what they have said by saying that for our expenditures of over $118 billion during the past two decades we should have purchased something.

Mr. HALEY. Mr. Speaker, will the gentleman yield?

Mr. LATTA. I yield to the gentleman.

Mr. HALEY. The gentleman is bringing to the attention of the Congress, I think, and very emphatically in the Congress what many of us who are opposed to this program have said for years and years and years.

This program has not bought a friend. It has not done the job. We have less friends today than we had when we started this program and, yet, we have poured out the wealth of this Nation to the extent of $171 billion. When we need help, we do not get any help from any of these supposed friends, that we have fed and propped up their government.

Mr. LATTA. I thank the gentleman for his comments.

Mr. Speaker, I wish to add that I think we have a very serious fiscal problem in this country and I think charity begins at home.

We have to maintain the solvency of the dollar and to maintain the strength of the dollar or else we will not be in a position to help these other countries in the future—let alone able to help ourselves.

I want to call the attention of the House to this report from the Foreign Operations Subcommittee on Appropriations once again, to show what has been happening during the time this program has been in effect.

On December 31, 1950, we had gold holdings of $22.8 billion.

On December 31, 1967, we had gold holdings of $11.9 billion—or a loss of over $10.9 billion in gold during the period.

Now what has been happening to the gold holdings of the other countries of the world during this period?

On December 31, 1950, the other nations had holdings of almost $11 billion, but on December 31, 1967, these same countries had holdings of $27 billion in gold.

This means a difference of some $16 billion in gold.

Now what has happened during this period of time in the United States balance-of-payments position?

With the exception of one year—between the years 1950 and 1967—we have continually shown a deficit in our balance of payments. In 1967 we show a balance-of-payments deficit of $3,650,000,000.

During the entire period between 1950 and 1967 we show a balance of payments deficit of $36,989,000,000. Here are the figures:

U.S. balance-of-payments position (regular transaction)

Net deficit:	
1950	—$1,912,000,000
1951	—578,000,000
1952	—1,100,000,000
1953	—2,100,000,000
1954	—1,500,000,000
1955	—1,100,000,000
1956	—1,000,000,000
Only credit in 18 years (1957)	+500,000,000
Net deficit:	
1958	—3,400,000,000
1959	—3,700,000,000
1960	—3,800,000,000
1961	—2,400,000,000
1962	—2,200,000,000
1963	—2,660,000,000
1964	—3,006,000,000
1965	—1,306,000,000
1966	—2,077,000,000
1967	—3,650,000,000
U.S. balance-of-payments deficit, 1950 through 1967	—36,989,000,000

Gross public debts

Public debt, United States, December 31, 1967	$345,947,345,000
Public debt, all other nations of the world (133), December 31, 1967	302,128,345,000
Public debt, United States exceeds combined public debt of other nations of the world (by estimate)	43,819,000,000

It is plain to me what has been happening at home during the years we have been exporting our dollars. As a consequence, I cannot agree with the argument that foreign aid is a subsidy program for American industry, with some 90 percent of these dollars being spent in the United States.

Mr. KYL. Mr. Speaker, will the gentleman yield?

Mr. LATTA. I am pleased to yield to the gentleman from Iowa.

Mr. KYL. Without becoming involved in any argument, I think we should give some credit to where it is due. The gentleman from Florida has mentioned the development of a new rice strain, which is indeed a wonderful discovery which holds great promise. But, if my memory serves me correctly, the money for this research project was provided by the Ford Foundation and the Rockefeller Foundation. It was not through the foreign aid program. Those great organizations should have credit for that activity.

Mr. LATTA. I thank the gentleman.

Mr. COLLIER. Mr. Speaker, will the gentleman yield?

Mr. LATTA. I yield to the gentleman from Illinois.

Mr. COLLIER. Adding briefly to the earlier colloquy with regard to aid and its effect in arresting communism, I think it should be noted that the one nation that had the strongest leanings to communism for years was Indonesia, and it was not until after we discontinued all aid to Indonesia that it threw off any association with communism in the world.

Mr. PEPPER. Mr. Speaker, I just want to add one thing in response to the comment made by my able friend about the Ford Foundation doing the research on the rice project. He is correct. But I am informed that it was the foreign aid program which assembled the seed that was developed in this research program and put it in the countries involved, distributing it to the people so that they could take advantage of the excellent research which was done by the Ford Foundation. It was a cooperative program of the finest kind between the foundations, which did a magnificent job, and the foreign aid program.

Does the able gentleman from Ohio have any further requests for time?

Mr. LATTA. Mr. Speaker, I yield 5 minutes to the gentleman from Ohio [Mr. TAFT].

Mr. TAFT. Mr. Speaker, I take this time on the rule, not for the purpose of debating the merits of the bill, which we certainly will have ample time to do when the bill comes on the floor before the committee, but rather to talk for just a moment about the balance-of-payments impact that is involved here. I am deeply concerned with this, as I am sure all of the Members are. I think first we ought to recognize that approximately 94 percent of the commodity purchases under the program are indeed in this country, and therefore, insofar as commodity purchases are concerned, the impact upon the U.S. economy at home is certainly far greater than any involved abroad and affecting unfavorably the balance of payments.

I had reason to make inquiries earlier in the year as to what the impact on the balance of payments was for other than commodity procurement. I thought it might be well to share with the House at this time the figures that I obtained.

In the fiscal year 1968 the total balance-of-payments impact of the foreign aid program, other than in commodity procurement, was $145 million offshore, or 17 percent of all noncommodity expenditure.

For the fiscal year 1969 it is expected that that will be improved considerably and, indeed, with the committee cuts of over $500 million which have already occurred in the bill it is pretty evident that that is going to be true. But even on the recommended figures from the administration, noncommodity procurement expenses offshore were down from the estimated figure for 1968 of $145 million to $98 million for fiscal 1969, and that is based on total expenditures other than for commodities of $720 million which is larger than it would be under the committee bill.

So when we see here a 14-percent figure, that has now been reduced, too, insofar as the balance-of-payments impact is concerned.

I agree that this $98 million is not hay. I am not saying all parts of our unfavorable balance-of-payments situation should not be carefully studied with a view toward improving it. However, I would point out this foreign aid program is a very minor factor in it. Some estimates put the net effect of foreign aid under this bill at a favorable balance—including loan repayments—but by any reasonable estimate it does not exceed $200 million out of a total deficit of $3.6 billion.

Let me give just one figure that comes to mind in that respect insofar as the unfavorable balance of payments is concerned. We have kept overseas almost 300,000 men in our Armed Forces in Europe, with approximately 240,000 dependents in that area. Total expenditures, as I received them from the Defense Department earlier this year is this connection, total approximately $2,600 million per year. So when we are talking about doing something about the balance-of-payments situation, I think this program—which of necessity, if we are going to have a program, is going to involve some expenditures overseas—is now a minor factor in our unfavorable balance-of-payments situation. In fact, there are so many others—for instance, the tremendous debt which we have been accumulating in this country, the lack of confidence which has led to an outflow of investments, and the continued outflow of investments from the United States, because apparently the U.S. investors do not think so much of our investment climate—that I think in talking about this balance-of-payments situation, it is well to recognize these facts and put them into proper context and juxtaposition.

It is specious reasoning to claim that the exports made under our foreign aid program would have occurred in any case and would have been a favorable balance factor. Between 1960 and 1966 U.S. exports tied to AID and Public Law 480 and the Export-Import Bank rose $1.3 billion. On the other hand commercial U.S. exports to developing countries not so financed rose by $2.1 billion and maintained their share of the remaining market at almost 20 percent.

I would also like to take a moment at this time to cite to the gentleman from Iowa and other Members of the House an insert I put into the RECORD a couple of days ago, which appears in the Extensions of Remarks, page 21109, July 12, 1968, setting out a brief extract from an article called, "The Agricultural Revolution in Asia," which appeared in the July 1968 issue of Foreign Affairs, a quarterly. It indicates the tremendous progress that has been made with the agriculture in Asia. It has been done, it is true, with the remarkable development of such things as miracle rice and wonder wheat, which have been developed happily by American ingenuity and enterprise, whether it be public or private. But the important thing to recognize is that we cannot continue these programs either as to obtaining the rice and wheat seed or in providing fertilizer, which is so necessary for the growth of the crops involved, unless we finance it under this program.

Mr. LATTA. Mr. Speaker, I yield myself 1 minute.

Mr. Speaker, I would like to agree with the gentleman from Ohio [Mr. TAFT] that other programs do harm to our balance of payments. I certainly could not subscribe to the argument that just because we have other programs which do harm that we should not do something about this program. We have to take these things as they come. The foreign aid bill is before the House today, and it would be wise to do something about our balance of payments whenever and wherever we have the opportunity.

Mr. Speaker, I yield 5 minutes to the gentleman from Missouri [Mr. CURTIS].

Mr. CURTIS. Mr. Speaker, I think it is appropriate in considering this rule to relate this particular AID program to the other programs that actually constitute the total of foreign aid of the United States abroad, and particularly to relate it to the question of our deficit in the international balance of payments.

I could not disagree more with the gentleman from Ohio [Mr. TAFT] when he says that foreign aid does not have a tremendous impact upon our international balance of payments. As a matter of fact, for a number of years I have been trying to point out the figures have been rigged in order to create the impression that foreign aid does not. I use the word "rigged" advisedly.

Let me again go through the syllogism. We may lend, say, or give, $1 billion to India, and then we say to India, "You have to purchase $800 million of your foreign purchases in the United States." An 80-percent tie-in. Then when an Indian businessman goes to get foreign exchange in order to make some purchases, the Indian Government calls to his attention this obligation and says, "We want you to make these purchases in the United States."

Here is where the hooker comes in. But the Indian businessman already was dealing with U.S. businessmen and buying in the United States. India already was spending, say, $800 million with the United States, so this tie-in becomes a fictitious thing. The impression sought to be created is that the AID programs themselves actually require some 80 percent of the money spent for the AID projects with tie-in purchases in the United States.

Of course, if they are doing their job AID money is being spent to a large degree on things like irrigation, dams, roads, buildings, homes, or schools, where the bulk of the materials purchased are native materials and the bulk of the money spent is for labor.

One other point on this international balance of payments is the fact that when we start to figure out our pluses in the international balance of payments we have a great plus in international trade, our exports over our imports.

If we are going to count foreign aid as not being a factor in the international balance of payments, then we must not count our exports twice in the balance of trade. We cannot count it there and count it in our commercial exports also.

This has been spelled out time and again before, and it is about time the Congress understood this fully, and certainly the people of the United States understood the kind of shell game going on here, when people say that the AID program has little impact on our international balance of payments.

There is one other item, in regard to investments abroad. The Ways and Means Committee and the Congress were asked several years ago to consider and to pass—and to my regret we did—the interest equalization tax, to keep private investment from going abroad. Then this year we had the Executive order which sought to further impede private investment from going abroad.

Within a month after this action was taken in January this year the House of Representatives, the Congress, was asked to increase the amount of subscription to the Inter-American Bank, by a billion dollars. This same argument of the tie-in this time between investments and trade was advanced. But the same arguments are applicable, only more fully, when it comes to the tie-in of exports and private investment abroad. Yet notably the Johnson administration spokesmen were silent on this point.

I can tell something else about private investment abroad. We average a complete payback from earnings on private investment within about a 4- to 5-year period, and the amount of money we get back on earnings annually from private investment abroad is much greater than the increased amounts of new investment abroad, and we certainly cannot say the same thing for the so-called 40-year loans, when it comes to the Government investment programs abroad. This is another point to pin down.

Mr. TAFT. Mr. Speaker, will the gentleman yield?

Mr. CURTIS. I yield to the gentleman from Ohio.

Mr. TAFT. I should like to ask the gentleman if it is not true that the development of these countries which has come about at least in part from foreign aid does not result in an investment climate which permits American business to go abroad and to make the earnings.

Mr. CURTIS. I would say that where foreign aid has worked—and in a very few places it has—that is true. I would add another comment, regretfully.

The SPEAKER pro tempore. The time of the gentleman from Missouri has expired.

Mr. LATTA. Mr. Speaker, I yield the gentleman 3 additional minutes.

Mr. CURTIS. Regretfully, the Government programs have been such they have been putting many of these countries in the economic hole, rather than building their economic base. This is why I have been arguing against the overfunding of these programs.

Mr. TAFT. Mr. Speaker, will the gentleman yield further?

Mr. CURTIS. I have only a short time.

I want to relate my remarks to the rule, which is in context with the other foreign aid programs.

During the debate on the Inter-American Development Bank, which came from the Banking and Currency Committee, I pointed out that we had five major committees all of which had important aspects of foreign aid under their jurisdiction.

If the Foreign Affairs Committee were doing as it says in its report, on page 9:

> This committee has consistently endeavored to present the Congress with a balanced, objective view of foreign aid.

It would have been relating their program, which is AID, which comes under the Foreign Affairs Committee, with these programs that are under these other committees' major jurisdictions.

I mention again the Banking and Currency Committee which has the Development Loan Funds, the Inter-America Development Bank, the Asiatic Development Bank, and the Export-Import Bank. The Committee on Agriculture has Public Law 480, the agricultural disposed program or as it is often called food, tobacco, and cotton for peace. The Committee on Armed Services has a bigger part of military aid, and that which is not particularly military aid, but which is called that and which is very much in the economic area. My own committee, the Committee on Ways and Means, of course, has to do with trade, private investment abroad, and so forth. The Ways and Means Committee has to grapple realistically with the question of whether we really mean "trade not aid." If this House and the Congress are ever going to get a balanced view of our foreign economic policies, we have to bring about some sort of a synthesis between the work done by this committee, the Committee on Foreign Affairs, the Committee on Armed Services, the Committee on Banking and Currency, the Committee on Agriculture, and the Committee on Ways and Means.

Incidentally, the Ways and Means Committee has just considered a proposed extension of the International Coffee Agreement. This agreement contains in it a clear subsidy for the less developed countries which grow coffee which amounts to probably as much as $100 million. This kind of foreign aid is probably more effective than most and yet it should be related to the other aid programs which are available to these same countries.

Clearly if we are going to help less developed countries get on their economic feet and develop we must rationalize over total programs.

The SPEAKER pro tempore (Mr. ALBERT). All time of the gentleman from Ohio has expired.

Mr. PEPPER. Mr. Speaker, I have no further request for time.

Mr. Speaker, I move the previous question on the resolution.

The previous question was ordered.

The SPEAKER pro tempore. The question is on the resolution.

The question was taken, and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. ROUDEBUSH. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

Mr. PEPPER. Mr. Speaker, will the able gentleman permit me to make an entreaty to him? It may well be when debate starts in the Committee of the Whole House on the State of the Union that Members would wish to be notified, but would the able gentleman withhold his request until we adopt the rule?

Mr. GROSS. Mr. Speaker, regular order.

The SPEAKER pro tempore. The regular order has been demanded. The gentleman from Indiana objects to the vote on the ground that a quorum is not present and makes the point of order that a quorum is not present. Evidently a quorum is not present.

The Doorkeeper will close the doors, the Sergeant of Arms will notify absent Members, and the Clerk will call the roll.

The question was taken; and there were—yeas 283, nays 118, not voting 31, as follows:

[Roll No. 262]

YEAS—283

Adams
Addabbo
Albert
Anderson, Ill.
Andrews, N. Dak.
Annunzio
Arends
Aspinall
Barrett
Bates
Battin
Bell
Bennett
Berry
Biester
Bingham
Boggs
Boland
Bolling
Bolton
Bow
Brademas
Brasco
Brooks
Broomfield
Brotzman
Brown, Mich.
Brown, Ohio
Buchanan
Burke, Mass.
Burleson
Burton, Calif.
Bush
Button
Byrne, Pa.
Byrnes, Wis.
Cabell
Cahill
Carey
Casey
Cederberg
Celler
Chamberlain
Clark
Clausen, Don H.
Cleveland
Cohelan
Conable
Conte
Corbett
Corman
Cowger
Cramer
Curtis
Daddario
Daniels
Davis, Ga.
Davis, Wis.
Dawson
de la Garza
Delaney
Dellenback
Dent
Dole
Donohue
Downing
Dulski
Dwyer
Eckhardt
Edmondson
Edwards, Calif.
Edwards, La.
Eilberg
Erlenborn
Esch
Eshleman
Evans, Colo.
Fallon
Farbstein
Fascell
Feighan
Flood
Foley
Ford, Gerald R.
Ford, William D.
Fountain
Fraser
Frelinghuysen
Friedel
Fulton, Tenn.
Fuqua
Gallagher
Garmatz
Gettys
Gibbons
Gilbert
Gonzalez
Goodell
Green, Oreg.
Green, Pa.
Griffiths
Gubser
Gude
Halleck
Halpern
Hamilton
Hanley
Hanna
Hansen, Wash.
Harvey
Hathaway
Hawkins
Hays
Hébert
Hechler, W. Va.
Heckler, Mass.
Helstoski
Hicks
Holifield
Holland
Horton
Howard
Hull
Hungate
Hutchinson
Irwin
Jacobs
Joelson
Johnson, Calif.
Johnson, Pa.
Jones, Ala.
Jones, Mo.
Karsten
Karth
Kastenmeier
Kazen
Kee
Keith
Kelly
Kirwan
Kluczynski
Kupferman
Kyl
Kyros
Leggett
Lloyd
Long, Md.
McCarthy
McClory
McCloskey
McCulloch
McDade
McEwen
McFall
Macdonald, Mass.
MacGregor
Machen
Madden
Mahon
Mailliard
Martin
Mathias, Calif.
Matsunaga
May
Mayne
Meeds
Michel
Miller, Calif.
Miller, Ohio
Minish
Mink
Minshall
Mize
Monagan
Moorhead
Morgan
Morse, Mass.
Morton
Mosher
Moss
Murphy, Ill.
Myers
Natcher
Nedzi
Nelsen
Nix
O'Hara, Ill.
O'Hara, Mich.
Olsen
O'Neill, Mass.
Ottinger
Patman
Patten
Pelly
Pepper
Perkins
Philbin
Pickle
Pike
Pirnie
Poage
Podell
Poff
Pollock
Price, Ill.
Pryor
Pucinski
Purcell
Quie
Railsback
Randall
Rees
Reid, N.Y.
Reifel
Reuss
Rhodes, Ariz.
Riegle
Robison
Rodino
Rogers, Colo.
Ronan
Rooney, N.Y.
Rooney, Pa.
Rosenthal
Rostenkowski
Roth
Roybal
Rumsfeld
Ruppe
Ryan
St Germain
St. Onge
Sandman
Scheuer
Schneebeli
Schwengel
Selden
Shriver
Sikes
Sisk
Skubitz
Slack
Smith, Iowa
Smith, N.Y.
Springer
Stafford
Stanton
Steed
Steiger, Ariz.
Steiger, Wis.
Stratton
Stubblefield
Sullivan
Taft
Talcott
Teague, Calif.
Teague, Tex.
Tenzer
Thompson, N.J.
Thomson, Wis.
Tiernan
Tunney
Udall
Ullman
Van Deerlin
Vander Jagt
Vanik
Vigorito
Waldie
Walker
Whalen
Whalley
White
Widnall
Wiggins
Williams, Pa.
Wolff
Wright
Wydler
Yates
Young
Zablocki
Zion

NAYS—118

Abbitt
Abernethy
Adair
Andrews, Ala.
Ashbrook
Ashmore
Baring
Belcher
Betts
Bevill
Blackburn
Blanton
Bray
Brinkley
Brock
Brown, Calif.
Broyhill, N.C.
Broyhill, Va.
Burke, Fla.
Burton, Utah
Carter
Clancy
Clawson, Del
Collier
Colmer
Cunningham
Denney
Derwinski
Devine
Dickinson
Dorn
Dowdy
Duncan
Edwards, Ala.
Everett
Fino
Fisher
Flynt
Galifianakis
Gardner
Gathings
Goodling
Griffin
Gross
Grover
Gurney
Hagan
Haley
Hall
Hammerschmidt
Harrison
Harsha
Henderson
Hosmer
Hunt
Ichord
Jarman
Jonas
Jones, N.C.
King, N.Y.
Kleppe
Kuykendall
Laird
Landrum
Langen
Latta
Lennon
Lipscomb
Lukens
McClure
McDonald, Mich.
McMillan
Marsh
Mills
Montgomery
Moore
Morris, N. Mex.
Nichols
O'Konski
O'Neal, Ga.
Passman
Pettis
Price, Tex.
Quillen
Reid, Ill.
Reinecke
Roberts
Rogers, Fla.
Roudebush
Roush
Satterfield
Saylor
Schadeberg
Scherle
Scott
Shipley
Smith, Calif.
Smith, Okla.
Snyder
Staggers
Stephens
Stuckey
Taylor
Thompson, Ga.
Tuck
Utt
Wampler
Watkins
Watson
Whitener
Whitten
Willis
Wilson, Bob
Winn
Wyatt
Wylie
Wyman
Zwach

NOT VOTING—31

Anderson, Tenn.
Ashley
Ayres
Blatnik
Conyers
Culver
Diggs
Dingell
Dow
Evins, Tenn.
Findley
Fulton, Pa.
Giaimo
Gray
Hansen, Idaho
Hardy
Herlong
King, Calif.
Kornegay
Long, La.
Mathias, Md.
Meskill
Murphy, N.Y.
Rarick
Resnick
Rhodes, Pa.
Rivers
Schweiker
Waggonner
Watts
Wilson, Charles H.

So the resolution was agreed to.

The Clerk announced the following pairs:

Mr. Murphy of New York with Mr. Fulton of Pennsylvania.

Mr. Blatnik with Mr. Ayres.

Mr. Evins of Tennessee with Mr. Findley.

Mr. Giaimo with Mr. Meskill.

Mr. Ashley with Mr. Mathias of Maryland.

Mr. Rhodes of Pennsylvania with Mr. Schweiker.

Mr. Anderson of Tennessee with Mr. Hansen of Idaho.

Mr. Culver with Mr. Dow.

Mr. King of California with Mr. Herlong.

Mr. Conyers with Mr. Diggs.

Mr. Gray with Mr. Hardy.

Mr. Resnick with Mr. Rarick.

Mr. Charles H. Wilson with Mr. Long of Louisiana.

Mr. Dingell with Mr. Kornegay.

Mr. Watts with Mr. Waggonner.

Mr. PETTIS and Mr. McCLURE changed their votes from "yea" to "nay."

The result of the vote was announced as above recorded.

The doors were opened.

A motion to reconsider was laid on the table.

Mr. MORGAN. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 15263) to amend further the Foreign Assistance Act of 1961, as amended, and for other purposes.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Pennsylvania.

The motion was agreed to.

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill, H.R. 15263, with the gentleman from Illinois [Mr. PRICE] in the chair.

The Clerk read the title of the bill.

By unanimous consent, the first reading of the bill was dispensed with.

The CHAIRMAN. Under the rule, the gentleman from Pennsylvania [Mr. MORGAN] will be recognized for 1½ hours, and the gentlewoman from Ohio [Mrs. BOLTON] will be recognized for 1½ hours.

The Chair recognizes the gentleman from Pennsylvania.

Mr. MORGAN. Mr. Chairman, I yield myself 15 minutes.

Mr. Chairman, I rise in support of H.R. 15263, the Foreign Assistance Act of 1968, which authorizes funds to continue the foreign assistance program during the fiscal year 1969.

The bill is concerned primarily with the authorization of funds. The Executive requested no changes in existing law, and the amendments initiated by the committee consist of a number of directives and restrictions to correct some of the deficiencies of the program and to improve its operation.

The bill authorizes $2,364,725,000 for the fiscal year 1969. This is a reduction of $596,750,000—or 20 percent—below the President's request. The authorization for fiscal year 1968 was $2,673,900,000 and the appropriation, $2,298,036,000. This bill authorizes $66,689,000 more than was appropriated for fiscal 1968.

It is easy to justify a big cut in foreign aid if you start with the idea that it is primarily international charity. If the basic objective of the foreign assistance program is to help foreigners, there are good arguments why we should curtail or eliminate our contributions this year.

Everyone would agree that we give more to charity when we are prosperous, and that when times are hard, we are less generous.

There is no question but that the United States is face to face with serious financial problems.

Now, Mr. Chairman, I am fully aware that most Members of this House recognize that the foreign assistance program is not and never has been intended to be a charity program.

It was begun because we believed that our security was threatened and because we believed that by helping other nations we were helping ourselves. This was the position taken when the foreign aid program began in the Truman administration, and President Eisenhower, President Kennedy, and President Johnson have continued the program on this basis.

As far as I personally am concerned, if I believed that the $2,364,725,000 in the bill was primarily for the benefit of the people of foreign countries, I would think a $2 billion cut might be justified.

In considering this bill this afternoon, we ought first to focus our attention on the problems which the United States faces in various parts of the world and what our prospects are in dealing with them.

Let me point out first that this bill authorizes the funds for economic aid to Vietnam. The military aid to the armed forces of Vietnam is now in the Defense Department budget and not in this bill.

This bill does provide the money to import rice for the people of Vietnam, tin for the roofs of their houses, and the materials and spare parts to keep their factories in operation. The war has disrupted the economy of Vietnam and the country cannot survive without economic aid.

Now there are those who say that there is no use sending commodities to Vietnam because they are stolen or diverted to the Vietcong. I know that conditions in Vietnam were very bad 3 years ago. Our own Moss subcommittee and the General Accounting Office have reported some improvement in the last year or so.

Nevertheless, I am sure there still is a lot of graft and corruption in Vietnam. I do not believe, however, that the people of Vietnam are fighting and dying just to get money from the United States. I firmly believe that if the United States cuts off the flow of imports to Vietnam, the country will collapse.

In this connection, let me say a word about the Vietnam pipeline. The pipeline for Vietnam as of the end of fiscal year 1968 is estimated to be $488 million. The Executive asked for $480 million for economic aid to Vietnam, much of which is to pay for commodity imports.

It is easy to arrive at the conclusion that there is enough in the pipeline to keep Vietnam going for a year.

Does this really make any sense, however?

Do we want to tell the Government and the people of Vietnam that the United States is willing to keep you going until July 1969, but beyond that we do not know?

Do we believe that the people of Vietnam will fight harder, or that the government officials and the business leaders will be more honest and efficient if we tell them to live off the pipeline for a year while the United States decides what its future policy will be?

We all hope that the next year will bring an end to the fighting in Vietnam. If this happens, our policy toward Vietnam and our assistance program will probably change.

Let us revise the program on the basis of events as they occur. Let us not create a new crisis in Vietnam by telling them that they will get nothing but what is in the pipeline.

We have other problems besides Vietnam.

Our present defense strategy and the deployment of our Armed Forces is based on the cooperation of friendly nations who have joined us in a common effort to defend against Soviet aggression. These nations have 2 million men under arms and are able to put up a good fight in defense of their own territory.

This bill authorizes funds to continue military assistance to these countries. Eighty-five percent of military assistance for fiscal 1969 was programed for five countries—Korea, Turkey, Greece, Iran, and the Republic of China.

If we indicate to these countries that we can no longer afford to assist their armed forces or that we are in doubt as to our future policy, they will undoubtedly have to reconsider their positions.

If we cannot count on the continued cooperation of these nations, we will have to reorganize our defense strategy and relocate some of our units.

The committee has cut the authorization for military assistance from $420,000,000 to $390,000,000. This cut will make it necessary to reexamine all our military assistance operations and cut out the less essential expenditures.

I believe that our friends and allies sympathize with the problems we face and will do the best they can. If we cut them so drastically that they feel they cannot maintain the effectiveness of their fighting forces or if we tell them they will have to get along with what is in the pipeline while we decide whether we need their cooperation in the future, we will provoke a crisis in every country and weaken our own defenses.

Let us not forget the situation of our neighbors in Latin America. Many of these countries are faced either with Communist inspired and financed subversion or with irresponsible indigenous groups who know how to tear down but not how to build up.

The United States has encouraged these countries to face up to their problems and we have offered our help.

It costs money for us to continue this policy. I believe we should not withdraw our support from our neighbors in this hemisphere. The authorization for the Alliance for Progress was cut by 21 percent—from the $625,000,000 requested to $495,000,000. This cut disturbs our Latin American friends, but I believe that they are aware of the problems we face and recognize that they will have to adjust their programs.

I do not believe that the majority of this House wants us to abandon our policy of assisting the governments of Latin America. If we cut the funds too deeply or tell them to live off the pipeline while we decide what course to follow in the future, the people of Latin America may conclude that our words are not backed up by our action.

Most of us recognize that Russia and Red China are carrying out active campaigns to gain control of the Middle East and Africa. They have not done too well in Africa, but the outlook in the Middle East is uncertain.

There are very few here this afternoon who would say that it does not matter to the United States whether the Middle East or Africa fall under Communist domination. We want to be able to fly over the countries of the Middle East. The largest oil reserves in the world are located there, and U.S. companies have substantial investments in that area. The United States has an obligation to Israel.

The African Continent is too important in terms of its resources and its geography to go by default.

I am not sure that voting money to continue foreign aid to the more moderate Arab countries and to the African countries will keep the Russians and the Red Chinese from taking over. The situation is difficult and the issues are complex. The United States is making a variety of approaches to the problem.

I do know, however, that foreign aid is an important tool to use in trying to work out some sort of settlement.

Do we want to deprive our negotiators of this tool?

The situation is bad enough now. Let us not take any action that will make it worse.

I have mentioned the pipeline in discussing specific situations. Let me say just a word about the pipeline in general.

The $5 billion in the pipeline is somewhat comparable to the family bank account after the salary check has been deposited but before the bills have been paid.

The funds in the pipeline have been obligated. They are needed to make payments as they come due.

It would be disastrous to our national security and would cause new problems for us all over the world if we were to suspend the foreign assistance program during the fiscal year 1969. Using up the pipeline is not the best way to tide us over until the new adminstration and the new Congress take over.

I know that there are some who argue that before we spend any more money for foreign aid, we should take a new look at the world situation and reconsider our policies.

Let us consider some of the basic policies which we have been following since World War II and decide whether they should be scrapped.

Of first importance has been a recognition that what happens in other parts of the world is important to our national security and to the well-being of our people.

We know that a "fortress America" does not assure security, and we know that we need access to the world's resources if our people are to prosper.

I cannot believe that any reappraisal of our foreign policy will lead to the conclusion that we can ignore what happens elsewhere on the globe and concentrate only on our domestic affairs.

We have invested billions in support of this policy. Now is not the time to abandon it or to raise doubts throughout the world as to our attitude on this fundamental issue.

Another basic policy which we have followed since the war has been our readiness to help friendly nations threatened by an enemy which also threatens us.

This does not mean that we have set ourselves up as the world policeman, but we have recognized that other nations are threatened by the same aggressor that threatens us, and we have felt that it was to our mutual advantage to cooperate in a common defense effort.

There may be some who believe that the threat of Communist aggression is no longer important and that it is no longer worthwhile to spend money on a common defense effort.

This is not my belief. I believe that the danger still exists, that it would be wrong to let down our guard, that we need friends and allies.

As long as we maintain this policy, we need foreign aid.

It has also been our policy since World War II to try to prevent disputes among nations from becoming armed conflicts and to prevent little wars from becoming big wars.

It is sometimes argued that this policy leads us to stick our nose into affairs that do not concern us. A good case could have been made in 1914 that the assassination of Archduke Ferdinand at Sarajevo did not concern the United States, but World War I was the result.

So far world war III has been prevented, and I believe that the United States has made a major contribution to maintaining the peace. We could not have done what has been done without a foreign-aid program. We cannot continue this policy unless we have foreign aid.

It has also been U.S. policy to assist the less-developed countries of the world in their efforts to get on their feet. All of these countries are short of qualified manpower, and many of them have very limited resources.

We have supplied them with technical assistance and with investment capital. Some of them have made spectacular progress as a result of our aid.

While all of us have been irritated and have felt frustrated by the criticism of our policies and lack of cooperation from some of the recipients of our aid, I do not believe that there are many people in the United States who believe that we should discontinue our policy of assisting the underdeveloped countries.

The committee recognized that investments in economic development can be postponed in order to lighten our financial burdens and that we can cut down on the number of technicians we send abroad.

With this in mind, we cut the Development Loan Fund by 28 percent from the $765 million requested to $550 million, and cut technical assistance by 15 percent.

In deciding whether this cut is deep enough, I urge that you consider whether or not we should abandon our policy of helping the less-developed countries. We cannot continue such help unless we are willing to provide the funds.

In conclusion, Mr. Chairman, let me say that I would rather save money than spend it and I would rather spend money for the benefit of our own people than to help foreigners.

I cannot overlook the fact, however, that the problems that confront us in various parts of the world are real, they are urgent, and they will not go away.

This bill provides tools that are essential to the conduct of our foreign policy. We will not save money by ignoring our problems or handicapping our negotiators.

As we proceed with the consideration of this bill, I urge that you give as much weight to the world situation as you do to our budgetary problems.

Mr. JACOBS. Mr. Chairman, will the gentleman yield?

Mr. MORGAN. I yield to the gentleman.

Mr. JACOBS. Mr. Chairman, as we consider the proposed foreign assistance program for fiscal year 1969, let us remember again that foreign aid is no longer an American monopoly—and why. Twenty years ago, at the beginning of the Marshall plan, the United States carried the burden of financial and technical assistance alone. Today, we supply less than half of all aid furnished to the developing nations.

For only too often, people think of foreign aid as some sort of political competition between the United States and the U.S.S.R. It is true, of course, that the U.S.S.R. has a large aid program, as do many other Communist countries. But we are not alone in free world assistance, by any means: every one of the nations of Western Europe has a foreign aid program. Israel does. Canada does. Japan does.

This is exactly as it should be. The other advanced countries must also help the developing nations toward self-sufficiency. What is more, it is no accident that there are more donor nations today. Over the years, the United States has deliberately conditioned its development assistance upon contributions by other countries. Most of the international aid arrangements in which we participate are based on what the Agency for International Development calls burden-sharing: the World Bank and its affiliates, the United Nations development program, the consortia for India, Pakistan, and Turkey—in all these, our contributions depend on other countries doing their share.

Until recently, we used these arrangements to exert leadership: The American example—our aid depending on aid by others—increased the overall size of the aid kitty; other nations were persuaded to join in and do more. Lately, however, our leadership has been slipping. The United States now ranks below the average of all advanced countries in the percent of national income which we devote to official aid and private investment in the less-developed countries. Four other countries—France, Portugal, Australia, and the United Kingdom—provide a larger share of their national income. This of course, is in spite of domestic financial problems with which we are all familiar.

A number of other developed countries are steadily moving up toward the standard of foreign aid by advanced countries recommended by the United Nations—1 percent of gross national product. But the United States has been moving in the opposite direction—down. In the early days of the Marshall plan, we provided 2.8 percent of our GNP in foreign aid; under this year's bill, we propose to invest three-fifths of 1 percent. This is clearly the minimum amount we can contribute and still do our fair share.

We should be reassured and encouraged by the trend toward greater worldwide participation in the international development effort. It is a sign that other wealthy nations have recognized the need for progress in the poorer countries. But the United States must do its share. The very least we can do, to encourage other advanced nations to continue and increase their efforts, is to vote the full amount of foreign economic assistance recommended by the Foreign Affairs Committee. Any further reductions will have a seriously detrimental effect not only on our program, but on the size of other free world programs as well. The only aid programs which we may be sure will not be affected, in fact, are those of the Communist world.

The **CHAIRMAN.** The Chair recognizes the gentlewoman from Ohio [Mrs. BOLTON].

Mrs. BOLTON. Mr. Chairman, I rise now with reluctance but with regret that there seems to be such a current running against continuing our stride of helping other people.

Back some time ago, because it is years since he was killed, Dag Hammarskjold said something that I would like to read to you. He said:

> What is international aid? . . . It is definitely, as I see it, not the handing out from the haves to the have nots. We live in a world of shared responsibility, in a world with very great unity of fate and destiny, and for that reason I used . . . the term "sharing."

That is Dag Hammarskjold. Now you will have to have a little of me.

There are some who contend that bureaucrats lack creative talent. I am not inclined to argue the point. But in the area of word image I can attest, as many of you can, to their genius. This year they trotted out the word "barebone" to describe the foreign aid request. That cadaverous word is supposed to conjure up an image of an emaciated program ready to collapse if Congress does not rush to its support.

I have a suggestion for the executive witnesses. Instead of that macabre term "barebone" why not refer to the foreign aid request as a mini-skirt foreign aid program? It would be more cheerful, draw more attention—and not reveal any more details about its size and shape.

Our committee hearings on this bill have their accustomed bulk. From late February to early May we sat through 30 sessions to receive testimony. Then followed the executive sessions to mark up the bill. Our chairman, Dr. MORGAN, deserves a special word of praise. In his quiet but persuasive way he kept us at our task. Speaking for my colleagues on this side, I want to express appreciation for his courtesy and consideration during our deliberations.

Thirty sessions may seem a sufficient period to hear about a program of almost $3 billion. But for the most part the testimony was self-serving. It can best be summed up in the thought that "although everything may not be all right, if we get the money everything will be better." I anxiously await the day when some executive witness will tell us frankly: "We didn't do well last year." Would that not be wonderful? It will be refreshing for us even if it marks his swan song.

More than ever I am convinced that what this program needs is an examination in depth by the Congress, particularly by the Committee on Foreign Affairs. I am aware that individual Members, some subcommittees, the General Accounting Office, the Inspector

General as well as private citizens and writers give us glimpses of the program. The tenor of their remarks ought to be sufficient to stimulate the committee to make its own study. But too often their observations are couched in statistical terms narrowly related to our dollar outlay. They give us little or no insight as to how our aid has been, or can be, used as an instrument of our foreign policy. Nor do we know how our aid affects the many facets of a recipient's foreign and domestic policies.

As the program has been presented to us, foreign aid has become an end in itself rather than a means to an end.

Ours is the Committee on Foreign Affairs, using "affairs" in its broadest sense to encompass the sum total of our relations, activities, and programs abroad. It covers a range of interactions that cannot be compressed into an auditor's report. Only this year Secretary Rusk told our committee that a 1-year moratorium on foreign aid "would send a major shock throughout the world." That clear and forthright statement justifies further inquiry by our committee into the program.

I know how many committees have been created by the executive over the years to look into foreign aid. I make my plea for "in-House" studies, and "House" in this case is spelled with a capital "H". I know it will be a time-consuming exercise. It may reveal in some cases little more than we know now, but it will be rewarding to the Members.

If nothing else, it will lift our sights from the dollar sign that characterizes the stylized presentation of the executive.

One of the ironies of our hearings is the little that is learned from them. For some years we have heard how much effort the administrators of foreign aid are putting into agriculture abroad to overcome food shortages. This year we heard dramatic testimony from a representative of the Rockefeller Foundation how that organization—with small amounts of money, and without legions of personnel—had developed a strain of high-yield rice adaptable to most of the rice-producing countries.

In many cases the food requirements of the country have been met and a surplus is available for export. To me the moral is quite simple—concentration on a basic, critical problem is far more effective than a buckshot approach. Its very simplicity undoubtedly makes it unappealing to the aid administrators.

The committee heard some stimulating testimony from representatives of other private organizations, such as the chamber of commerce, the Cooperative League of the U.S.A., and the International Economic Policy Association. All of us may not accept their proposals in their entirety. But their presentations do point up the fact that among our citizens in all walks of life there is a tremendous reservoir of ideas and of talent that can be tapped to do what the Government believes it alone can do best.

For a change the committee did not accept the full-blown request of the executive branch. It was quite a change. That is a step in the right direction, but certainly not far enough.

The Scriptures give us some guidance for acting as we did after we heard the witnesses plead for the full amount:

> The simple believeth every word; but the prudent man looketh to his going.

The way we are going this year we need more prudence than ever before.

In assessing the mounting demands upon our resources, none can deny that our domestic obligations are paramount. In my own appraisal I must give foreign aid a lower priority. I have come to the conclusion that the reductions made by the committee are insufficient. The minority proposed in the committee, and will again on the floor, further reductions that reflect our concern for the responsibilities we face at home.

This "barebone" program is not suffering from a vitamin deficiency of dollars. It is suffering from tired blood—in purpose and in execution—but where shall we find the bottle of Geritol?

Mr. MORGAN. Mr. Chairman, I yield 8 minutes to the gentleman from New York [Mr. ROSENTHAL].

Mr. ROSENTHAL. Mr. Chairman, I rise in support of H.R. 15263, and I again welcome the opportunity for this annual ritual of ours to say kind words about our distinguished chairman [Mr. MORGAN]. He has been, in my judgment, one of the most diligent, patient, and kind chairmen we have in the House. We owe him a great debt of gratitude for the thoughtfulness and persuasiveness he has shown in bringing this bill to the floor.

Mr. Chairman, I rise in support of H.R. 15263. One of the tragedies of old age is the isolation one feels from another day's friends. One hears the old stories, shares the old jokes, but the lust of yesterday's battles has faded.

We are not yet an old country but our attitudes toward foreign aid reflect some of this weariness. We still know that development aid is important, that the unspoken choice may be aid for peaceful change now, or other Vietnams in our future, and that we cripple our flexibility in the world by depriving ourselves of a flexible aid program. But somehow it does not seem to matter much.

America seems to hold a low opinion of itself today. Where confident 10 years ago, we are hesitant today. Where we once felt a missionary zeal in sending our ideals, our production, and our people overseas, today we feel surrounded by suspicion, if not hostility.

I suspect, Mr. Chairman, that we are at the bottom of a trough in self-confidence in our international affairs. Foreign aid was oversold. Military actions were even more disastrously unsuitable to our goals. But if we can learn at all from our experiences since World War II, we should learn that a new flush of vigor will come to our still youthful country.

We are about to see a change in administrations. We await new leadership which must not be denied the tools to meet its destiny. The tide that comes in our affairs must not be diverted from its course in restoring our confidence in America's fortune.

The foreign aid bill we now consider seems to fit the same old patterns, however, despite the new era we will start in 1969. We authorize less than ever before, reducing our foreign assistance possibilities even more.

With military ventures now generally excluded, what options have we in foreign affairs? Traditional diplomacy and development aid remain as ways to assist our friends, convert the uncommitted, and thwart our enemies. Without these means to influence events in Africa, in Asia, and especially in Latin America, we ride the tides of change, without rudder or engine, drifting, impotent, and mute.

This is not a worthy role for America. We should not abandon hope in our country's future influence on the world. We must not disable that imperfect mechanism—foreign aid—just because it has not worked as well as we hoped. Would we deny funds to our Armed Forces because they cannot win a military victory?

Let us instead vote confidence today in our role in the world's future. We are more cautious today, less zealous, and, I hope, wiser. We can make better use of the limited funds recommended by the committee. We can prepare the way for the rebirth of this country's international future by paying the price required to stay in the contest for the peaceful development of the younger, needy nations of the world.

Let us review where we are and where we have been with foreign aid.

In a decade where we count military expenditures by the billions and war casualties by the tens of thousands, Congress remains intent upon measuring our foreign aid drop by drop. It is almost as if we have become so appalled by our extravagant military deeds, that we seek relief by trying to economize the tiniest part of our foreign affairs program, that devoted to foreign assistance.

We have spent, since 1945, about $100 billion on all kinds of foreign aid, including about $35 billion in military aid. This means we have devoted about 1 percent of our gross national product in these years for helping the newer countries build a new future without revolution or war. We have made a modest investment in an enormously important enterprise.

Today we consider a bill to commit only a fraction of 1 percent of our gross national product for foreign aid. The President's proposal, modest enough itself, amounts to four-tenths of 1 percent of our gross national product. The Foreign Affairs Committee suggests the President's plan is too large, and recommends three-tenths of 1 percent of our gross national product.

Meanwhile, the other developed countries are doing their share while we lag behind, concerned more with our present military misadventures than with encouraging peaceful developments.

The United States still provides more economic assistance than any other country. But our role is shrinking. The U.S. per capita income is twice to three times that of most aid-giving countries.

Among members of the Development Assistance Committee—DAC—of the Organization for Economic Cooperation and Development—OECD—the United States—

Slipped from fifth to a tie for seventh—with the United Kingdom—in 1967 in official flows as percent of national income going to developing countries—behind France, Australia, Belgium, Portugal, Germany, and the Netherlands.

Ranked ninth in the amount of soft term aid—percentage of official funds as grants or loans of 3 percent or less.

Ranked second in 1967 in length of maturities—behind Canada.

Ranked 11th in 1966 in percent of aid from budget.

Ranked 10th in 1967 in grant component.

Tied for last in 1966 in percent of untied aid.

Third in number of technicians overseas.

Other nations are moving ahead. But their progress depends on U.S. leadership.

While we fall farther behind, seven countries are already at or near the target of 1 percent of their income in officials and private flows to developing countries. These seven are Belgium, France, Germany, the Netherlands, Portugal, and the United Kingdom.

Three other countries—Canada, Denmark, Sweden—have adopted plans which would increase their total resource flows to 1 percent of national income by the early 1970's. Several others—Belgium, Australia, Italy—are moving steadily to higher levels.

U.S. leadership, example, and pressure have been major factors in these gains and in establishing DAC targets for volume and terms, from which we are moving away. All countries followed our lead with Peace Corps. With U.S. aid leadership slipping, others may be discouraged from further progress toward our common objective of helping less developed countries achieve self-sustaining growth.

As the United States grows richer, it does less. In fiscal year 1949 the United States made total economic aid commitments of $7.2 billion. This was 18.3 percent of the Federal budget. It was 2.78 percent of a gross national product of $260 billion.

In fiscal year 1967 U.S. official commitments totaled an estimated $4.1 billion—$3.1 billion less than in 1949, even though the 1967 Federal budget was three times larger than that of 1949. And where foreign aid in 1949 was 2.78 percent of the gross national product, aid in 1967 was just one-half of 1 percent of GNP—even though GNP, like the budget, had tripled since 1949.

We might agree that our friends in Europe and Asia, who have attained high economic development, should share their resources and knowledge now instead of allowing the United States to bear the major burden. But our position in world affairs, including our many commitments in every continent, means that we must continue to share the major burden when things go wrong. We should be willing to invest more to insure that they go right, by peaceful growth and systematic development.

If we want to be a leader in peace, we must increase our investment in those programs which give the most real hope for peace.

In discussing domestic policy, President Kennedy once said that if we cannot help the many who are poor, we will not be able to save the few who are rich.

The United States, by every standard the richest country in the world's history, will be the first to benefit by helping the poor countries to help themselves.

Mrs. **BOLTON**. Mr. Chairman, I yield 10 minutes to the gentleman from Indiana [Mr. Adair].

Mr. **ADAIR**. Mr. Chairman, we are today considering a bill——

Mr. **GROSS**. Mr. Chairman, I make the point of order that a quorum is not present.

The **CHAIRMAN**. The Chair will count.

Forty-eight Members are present, not a quorum. The Clerk will call the roll.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 263]

Anderson, Tenn.
Ashley
Conyers
Diggs
Dow
Eckhardt
Evins, Tenn.
Hansen, Idaho
Hardy
Herlong
Holland
Kornegay
Long, La.
Rarick
Resnick
Rhodes, Pa.
Rivers
Schweiker
Selden
Teague, Calif.
Waggonner

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. Price of Illinois, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill, H.R. 15263, and finding itself without a quorum, he had directed the roll to be called, when 410 Members responded to their names, a quorum, and he submitted herewith the names of the absentees to be spread upon the Journal.

The Committee resumed its sitting.

The **CHAIRMAN**. The gentleman from Indiana [Mr. Adair] is recognized.

Mr. **ADAIR**. Mr. Chairman, as we begin this annual consideration of the foreign aid bill it is appropriate, I believe, to recognize the work of the chairman of the committee, the gentleman from Pennsylvania [Mr. Morgan] and the ranking minority Member, the gentlewoman from Ohio [Mrs. Bolton]. Both were patient, tolerant, understanding, and helpful throughout our consideration.

Many of the arguments which could be used here are familiar to us because of the past years in which these matters have been discussed, and thus I think need not be repeated.

However, each year there are certain new matters which present themselves to us.

First, it is worth keeping in mind that we have before us this year a bill which will permit economic assistance to 55 nations and military assistance to 48 nations. Having in mind that some countries receive both economic and military assistance, a total of 64 nations will be recipients under this year's program as proposed by the Executive.

A few moments ago the gentleman from New York [Mr. Rosenthal] said that in his opinion the AID program since 1945 had cost the U.S. taxpayers $100 billion. I believe that is an understatement. Obviously, the amount one finally arrives at will depend upon the various items which are put into the determination of that total. Some would use certain items that others would not, but it seems to me that a fair appraisal of the costs of the AID program since 1945 would be about $130 billion to $140 billion.

The Committee on Foreign Affairs does work diligently in trying to discover facts and to bring before the House and this Committee an improved bill, although we have strong differences of opinion about its content.

There is difficulty in getting information, partially because the manner of presentation through the years has become pretty much stereotyped and lacks originality.

We could point out, as has been done in past years, that there are many horrible examples, with respect to the operation of the foreign aid bill. Many of these are well known, and it is not my purpose to take the time of the Committee here today to discuss them. A few such instances are mentioned again briefly this year in the minority views which will be found in the report.

I think it worthwhile mentioning particularly India. Many of us are disappointed at the attitude of the Indian leaders. Here is a nation with a population approximately equal to the population of the combined continents of Latin America and Africa, which has been a major beneficiary of our aid programs. The estimate is $7.8 billion. However, it is constantly critical of the policies and attitudes of our Government. One would wish that the leaders of India would bring more understanding to our problems—at least as sympathetic as they are with the problems of the Soviet Union and her associated nations.

The question of military assistance to underdeveloped or developing countries is always before us. How much military assistance is it appropriate to give a nation which ought not to have the potential of an attack of any magnitude upon her neighbors? For the most part there is agreement that if we are to give military assistance to developing countries, it ought to be of that type or of those types which would permit the maintenance of order within the country and protection from guerrilla attacks from without or indeed from within. These are problems which, as I say, have been before us previously and need no further amplification.

This year we are particularly confronted with the problem of the pipeline. There are some who contend that there is enough in the pipeline so that further authorization and appropriation of new money is unnecessary. The amount in the pipeline—and these figures vary slightly—is basically about $5 billion. This is roughly $1 billion less than it has been in recent years. So the tendency is downward. I have been and am a critic of this bill. I expect to vote against it again this year. But I would say to my colleagues that to try to limit a bill simply to money in the pipeline would not, in my opinion, be wise. So many programs would be discontinued, perhaps to be picked up later, or would be so greatly reduced that I think over a period of a very few years we would find our dollar expenditures considerably greater. Therefore, for that reason, if there were no others, I would think that we ought not to consider seriously such a limitation at this time.

Mr. Chairman, this bill came before the committee—and I shall speak in round numbers—as a $2.9 billion bill. The committee reduced it by approximately $600 million, making it a $2.3 billion bill, slightly more than last year's appropriation. As will be discovered by reading the minority views, there are those of us who feel an additional $400 million can be taken from these figures without seriously impairing the program while at the same time taking a step in the direction which many of us seek, that is, a general reduction in Federal expenditures. We have set forth in our views places specifically where we think these cuts can be made. Since the printing of this report there have been some small adjustments, but I can say to the members of the committee that essentially cuts of this total magnitude will be offered, and members will be provided with an opportunity to vote for them.

Mr. Chairman, something in favor of those of us who oppose the program should be said. I do not at this time advocate a tremendous reduction which would virtually remove all of the money from this bill. I think we take a reasonable attitude but if we are going to cut the bill let us act in a manner that will be meaningful. Therefore, we ought to be seeking a funding level that will enable reductions but without cutting out the useful portions of this program or without cutting it to such a degree that it fails absolutely or largely to have any useful purpose. Admittedly, this is a very difficult thing to do and is a very difficult figure at which to arrive.

However, Mr. Chairman, a great deal of study has been given toward agreement by those of us who are proposing amendments which are designed to cut an additional $400 million in places which we have pointed out and at places in the program where it can well stand these reductions.

Mr. Chairman, if we reduce this bill by an additional $400 million, we would then have a bill of $1.9 billion, in round figures, compared to the appropriation bill of last year of $2.3 billion.

The CHAIRMAN. The time of the gentleman from Indiana has expired.

Mrs. BOLTON. Mr. Chairman, I yield the gentleman 1 additional minute.

Mr. ADAIR. If we accomplish this reduction, we will have achieved a meaningful reduction in the expenditure of Federal taxpayers' dollars, $1 billion below the budget which was submitted.

Mr. Chairman, this would represent an adequate authorization for an appropriation bill.

Mr. ZABLOCKI. Mr. Chairman, will the gentleman yield?

Mr. ADAIR. I yield to the gentleman from Wisconsin.

Mr. ZABLOCKI. Mr. Chairman, I rise to commend the gentleman from Indiana for his very thoughtful remarks about what a 1-year moratorium on this program would result in and what unnecessary and deep cuts in the program would produce. I suspect that as time goes on, the gentleman will arrive at the conviction that this is a program worthy of his support.

Mr. MORGAN. Mr. Chairman, I yield 12 minutes to the distinguished gentleman from Illinois [Mr. O'HARA].

Mr. O'HARA of Illinois. Mr. Chairman, life is change, and no tomorrow can ever be a carbon copy of the today. Yet what we do today can frame in sunshine or drape in darkness the advent of the day ahead.

Yesterday, today, tomorrow are all parts of the current of time. On the crest of that current rides our destiny.

If today, in a whim of frustration, we should abandon our foreign aid program, thinking later when times are better to return to it, as surely as midnight follows the noonday, the tide of our destiny would have been carried beyond recall.

Mr. Chairman, I speak to you as the oldest Member of this body and I speak with emotion and conviction.

When the 91st Congress convenes next January, I shall not be here. As I stand now in the well in this historic Chamber, I am filled with the sense that today is the last time my voice will be lifted in the Congress in contribution, small though it may be, to the foreign policy of my country.

I would not wish to fail in my last mission of duty as I see it. My country—your country—should not and must not abandon even for a day its program of help to the developing countries of the world of the tomorrow.

My colleagues, this is my 12th year on the Committee on Foreign Affairs. Only eight of the present committee members were there when I became a member, and only three were Members of the Congress when I came in with the 81st Congress in 1949.

It has been a rich, stimulating, rewarding association. I have been happy in the companionship of my colleagues on the committee. Even though not always in agreement, we constituted a closely knit family, with the ever-courteous, helpful, and peerless gentleman from Pennsylvania [Mr. MORGAN], as the chairman, and the equally courteous and helpful ranking minority member, the matchless gentlewoman from Ohio [Mrs. BOLTON] at the ends of the table, and around that table the members of the committee.

Mr. Chairman, with affection I call my colleagues prima donnas, and in a way I picture myself a prima donna, because we worked not on material things and on formulas of mathematics but with the fabrics of dreams seeking to make a perfect world and looking for a foreign policy that did not exist.

Define "foreign policy" and you cannot. You are stuck. And so I sat with my fellow prima donnas around that table for 12 delightful and rewarding years trying to find and define a foreign policy that would encompass the American dream.

Oh, yes, when I was born we had a foreign policy. We did not try to change the politics of other countries, we did our politics here at home. We did not like the Czar, but we traded with Russia. We did not like some other governments, but we traded in their countries for, after all, that was our main interest. Yes, we had our own Monroe Doctrine, and it was a great doctrine, and it kept things on our hemisphere in our own hemispheric hands.

But then we were not meddling in the affairs of Europe and of other parts of the world and could command respect for our own Monroe Doctrine because we did not do the meddling in other hemispheres that the Monroe Doctrine forbade on our hemisphere.

Mr. Chairman, I am sorry to leave the Committee on Foreign Affairs. I am sorry to leave this Congress, because I had hoped to be around when we had found again the path of peace. I would like to have been here when somehow we had returned to the simple things. Happy relationships with other people and other countries thrive more on the simple virtues of honesty, frankness, and square dealings, than on the complexities of diplomacy.

My friends, that committee table with the chairman [Mr. MORGAN] and the ranking minority member [Mrs. BOLTON] at the ends of it—is a happy but worried family. And it is a worried and a fast-moving world in which we live. It is a world of many new nations, many new and expanding economies, and it is a world that will not wait for us.

Even now Red China is furnishing the money to study the availability of a railroad, an important railroad, in Africa, that only yesterday was ours for the asking. And if tomorrow we decide the railroad should be built and is vital to the economy of Africa and to our own interest we may find the door of opportunity closed.

If we rest by the roadside to catch our breath, soothing ourselves with the thought that next year we will be back, the world will have passed us by, and gone forever will be our dream of leader of the band. Leader of the band, when other countries have marched ahead while we loitered and the drums and the horns have been spiked, Heaven forbid.

My friends, I am concerned about the tomorrow. I am not sure that anybody will be here 2 years from now. I am not sure that next year, even next year, there will be a debate in the House on foreign aid.

I am not sure—when Red China already has the nuclear bomb and most people are agreed that within 2 years Red China will have nuclear weaponry. That means not only the ability to build and store the nuclear bomb, but to carry it by air the world around and drop it on Washington, Chicago, New York, in America and in Europe.

When I go to my hometown of Chicago and watch the building of a skyscraper 100 stories high, I can only wonder what would happen if nuclear war should come to Chicago, to New York, to Washington.

I think we have to go fast—we have to move faster and we have to think in depth—and may I say, religiously.

Yes—I have heard some people say we ought to have a moratorium—that we ought to live on that pipeline of $5 billion per year. But I have not heard any businessman say that.

Some years ago it was my pleasure and privilege to be attorney for the city of Chicago when we were building our superhighways and our subways. Occasionally, we would have to cancel a contract. I then found that it is almost as costly to cancel as it is to construct.

Five billion dollars in the pipeline—well I daresay if we undertook to cancel contracts backed by that $5 billion, it would cost us at least $3 billion or $4 billion. If Uncle Sam wants a wild excursion in extravagance all he has to do is to start canceling $5 billion of contracts. Pretty silly, is it not?

My friends, foreign policy is the oldest institution of our country. I do not like people to say it is unpopular, because I have always disliked inaccurate statements and loose language.

Why, in my boyhood when we did not have much money, if someone made 25 cents or 30 cents a day for 12 hours' work, it was a lot of money. My father was a circuit judge. He got a salary of $2,500 a year and the good people would stand around saying, "How in the devil can Judge O'Hara spend $7 a day?" We lived in something of a palace, a theater on the third floor and a whole floor of kitchen on the ground floor and 10 acres of apples, and the rent was $15 a month.

In those days of poverty, milk was 5 cents a quart, eggs were 8 cents a dozen, the best roast beef cost 10 cents a pound—and they threw in the liver—that you got free.

In those days people would give their pennies and their nickels and their dimes to support our missionaries to foreign lands. It was these missionaries and these pennies and nickels of the American people that started our own foreign aid programs, that built the foundations of education and of hospitals in foreign lands.

They were supported by the nickels and dimes of the American people.

Oh, do not tell me that foreign aid is foreign to our American people. It is part and parcel of their souls—of their very being.

Where do you find unpopularity in foreign aid? We do not find it among the women in the League of Women Voters. We do not find it among the churches. We find very little of it in the substantial businessmen of our country.

My friends, all of the great things in life, the real accomplishments, come from the pursuit of dreams. Never do they come from following the status quo of a tired and wornout yesterday.

It is by following the dream that we reach the mountains of heights of human attainment never reached before.

I will take the additional time allotted me by telling a story. When I was a young fellow, the smartest politician in Illinois had just been elected to a short term in the Senate. I was with him at one time and he made a talk. He progressed to one sentence. Everybody applauded, and he sat down.

I said:

> Why did you do that?

He said:

> Always remember the rule: If you have the crowd with you and they are applauding, don't go any further.

Mr. MORGAN. Mr. Chairman, will the gentleman yield?

Mr. O'HARA of Illinois. I yield to the distinguished chairman of our committee.

Mr. MORGAN. I thank the gentleman from Illinois for his contribution to the debate on this important bill. It has been a great pleasure and privilege to have served with him during the past dozen years on the Committee on Foreign Affairs. His wisdom, his parliamentary skill, and his deep and extensive knowledge of foreign policy matters has made him one of the most outstanding and valuable of all our committee members.

I want particularly to express my appreciation and admiration for his great work as chairman of the Foreign Affairs Subcommittee on Africa. He is loved and esteemed by all the leaders of every country in Africa. The African Bureau of the State Department has a great deal of admiration for his ability to help them with their problems.

It has been a real honor and a privilege for me to have served with this tireless worker and my dear personal friend, BARRATT O'HARA. On many, many days in the last 15 years I have had occasion to have dinner with him as frequently as once a week. Outside of and in addition to our committee work I have developed a very deep and fond friendship for the gentleman from Illinois, and I want him to know that he leaves here with my greatest admiration, and he will always be a close and valued friend.

Mr. O'HARA of Illinois. I thank the gentleman.

Mr. ZABLOCKI. Mr. Chairman, will the gentleman yield?

Mr. O'HARA of Illinois. I yield to the gentleman from Wisconsin.

Mr. ZABLOCKI. As the gentleman from Illinois knows, I sit to the right of our great chairman, Dr. MORGAN. As I have done on many occasions in the past, I wish to second what my chairman has said about our distinguished colleague from Illinois, BARRATT O'HARA.

I join with him in saluting a great American, one who time and again has shown wise leadership in this House—leadership based on a diverse experience of many, many years.

BARRATT O'HARA has always been an eloquent spokesman for what was in our national interest, an eloquent spokesman for programs designed to bring peace and stability to the world. He will be sorely missed here.

I, for one, hope that we will be able to call on him for his sage advice in the future, so that we may be able to better cope with the problems that confront the world.

Mr. GALLAGHER. Mr. Chairman, will the gentleman yield?

Mr. O'HARA of Illinois. I yield to the gentleman from New Jersey.

Mr. GALLAGHER. I would just like to join my colleagues in saying that we are going to miss you very much. I can think of no one who has served this Congress with greater conviction, or with a deeper dedication to true idealism, than the gentleman from Illinois, or one who had a greater love for his country, and perhaps an even greater love for the people of this country, than the gentleman from Illinois.

Having served 10 years on the same committee with the gentleman, I can truly say to the House that I never heard BARRATT O'HARA say an unkind word about any man or have an unkind thought on any subject. BARRATT O'HARA lived with charity and hope in his heart and in his every action. He enriched this Congress with his service, and with his career of dedicated service enriched this country. I wish him well. And I hope that we will long have the benefit of his counsel and the pleasure of his friendship.

The CHAIRMAN. The time of the gentleman has expired.

Mrs. BOLTON. Mr. Chairman, I yield the gentleman from Illinois 4 minutes.

Mr. Chairman, will the gentleman yield?

Mr. O'HARA of Illinois. I yield to the gentlewoman from Ohio.

Mrs. BOLTON. Mr. Chairman, I will say to the gentleman from Illinois, I thank him for what he has done for all of us on the committee. He has come through with an idealism every so often when we needed it. He dreamed dreams and made many of those dreams come true. He has shown how, as one goes along in life, each year gets better than the last. He has something, too, that young people just do not have, that the world needs.

Mr. Chairman, I thank the gentleman from the bottom of my heart.

Mr. O'HARA of Illinois. Mr. Chairman, I thank the gentlewoman.

Mrs. KELLY. Mr. Chairman, will the gentleman yield?

Mr. O'HARA of Illinois. I yield to the gentlewoman from New York.

Mrs. KELLY. Mr. Chairman, I want to congratulate my colleague from Illinois upon his memorable address. I am sure we will never forget it.

The gentleman's reference to the linkage between yesterday, today, and tomorrow, and the relevance of time to our Nation's destiny was magnificently expressed.

I also want to commend our good friend and colleague from Illinois for his enormous contribution to the foreign policy of the United States. His vision was steady, his purpose noble, and his stand always firm and courageous. He has made his mark here in the Congress and in the United Nations where he represented our country with great distinction. I know that all of his colleagues will miss him sorely next year.

Mr. MATSUNAGA. Mr. Chairman, will the gentleman yield?

Mr. O'HARA of Illinois. I yield to the gentleman from Hawaii.

Mr. MATSUNAGA. Mr. Chairman, the swansong of the gentleman from Illinois was pure poetry today. I was truly privileged to be one of those who listened to the swansong of the gentleman.

The fact that among 39 or more nations in Africa not one is under Communist control today is a tribute not so much to our foreign aid program as it is to the chairman of the great Subcommittee on Africa.

Mr. DERWINSKI. Mr. Chairman, will the gentleman yield?

Mr. O'HARA of Illinois. I yield to my friend, the gentleman from Illinois, from Chicago.

Mr. DERWINSKI. Mr. Chairman, it so happens that the gentleman from Illinois is a neighbor of mine in the sense that our districts are adjoining, and a great deal of the district he now represents was once part of my jurisdiction.

I would like to tell the ladies and gentlemen of the House that, at home, the gentleman is by all yardsticks the most respected political leader in the great Chicago metropolitan area. He is respected for a great career of public service also to State and local government.

I share with and join in the statements made here this afternoon emphasizing the great leadership displayed by the gentleman in the Committee on Foreign Affairs. He has displayed a great dedication in the Subcommittee on Africa.

Mr. FRELINGHUYSEN. Mr. Chairman, will the gentleman yield?

Mr. O'HARA of Illinois. I yield to the gentleman from New Jersey, my fellow delegate to the United Nations, our leader.

Mr. FRELINGHUYSEN. Mr. Chairman, I, too, wish to join in tribute to our great friend, who I regret is not going to be with us next year. The gentleman has always been a source of inspiration to all of us on the committee.

The gentleman from Illinois referred to a unique experience we had together in serving as delegates to the General Assembly of the United Nations in 1965. I might say that the gentleman from Illinois was a lively, good-natured and valuable addition to that delegation. It was a pleasure and somewhat of a surprise to me to see the gentleman had such an interest in getting around as vigorously as he did there, and in speaking as eloquently as he always does. He made a very real contribution to the foreign policy of our country.

We shall all of us miss him, I am sure, when we no longer have him with us.

Mr. O'HARA of Illinois. Mr. Chairman, it was a great honor to serve in the United Nations, and I served in the company of Congressman Frelinghuysen whose great grandfather was Secretary of State when I was born.

Mr. GERALD R. FORD. Mr. Chairman, will the gentleman yield?

Mr. O'HARA of Illinois. Mr. Chairman, I yield to the minority leader, the gentleman from my native State of Michigan.

Mr. GERALD R. FORD. I was about to say that the many fine attributes and assets the gentleman from Illinois has are based on the fact that he was born in the great State of Michigan. But despite the fact that he left us and became a resident of the State of Illinois, we admire what he has accomplished and his many achievements in public life, and we wish him well. We wish him the very best in the years ahead. I have enjoyed our fine friendship and hope he will always come to see his many admirers who know of his many contributions to the building of a better world.

Mr. O'HARA of Illinois. I thank the gentleman very much.

Mr. FARBSTEIN. Mr. Chairman, will the gentleman yield?

Mr. O'HARA of Illinois. I yield to the gentleman from New York.

Mr. FARBSTEIN. I would feel remiss in my obligation to the committee and to the gentleman in the well if I did not add my voice to the encomiums which have been paid in connection with the gentleman's service on our committee. I have always found the gentleman a friend, a very able citizen, and one who has always upheld the ideals of our Nation, of our committee, and of the Congress.

I wish the gentleman many, many long years ahead, and I wish him well.

Mr. O'HARA of Illinois. I thank the gentleman.

Mr. ADAIR. Mr. Chairman, will the gentleman yield?

Mr. O'HARA of Illinois. I yield to the gentleman from Indiana.

Mr. ADAIR. Mr. Chairman, anyone who has had the pleasure and indeed the distinction of serving with the gentleman from Illinois on the committee and on a subcommittee—I speak particularly now of the Subcommittee on Africa—knows of the dedication which the gentleman has brought to his office. Anyone so serving would be further aware of the impact that his interest in and love for the continent of Africa has had upon the development of the nations of that continent.

So, like so many others who have spoken here today, let me express my deep affection for the gentleman and wish him well in many years ahead.

Mr. O'HARA of Illinois. I thank the gentleman.

Mr. COLLIER. Mr. Chairman, will the gentleman yield?

Mr. O'HARA of Illinois. I yield to the gentleman from Illinois.

Mr. COLLIER. I should like to briefly include in my remarks the accolades paid to my good friend and colleague from Chicago.

Some many years ago the son of the gentleman standing in the well as a young attorney came to work for my father, who was then working for the Government, and they developed a deep mutual admiration and friendship. I subsequently had the pleasure of meeting his dad, Barratt O'Hara, for the first time when I was elected to Congress in 1956. We have enjoyed the same fine relationship as your son and my dad did.

Mr. O'HARA of Illinois. We have, Harold. Your father was a wonderful, wonderful man.

Thank you all so much.

Mrs. BOLTON. Mr. Chairman, I yield 5 minutes to the gentleman from Illinois [Mr. Derwinski].

Mr. GALLAGHER. Mr. Chairman, will the gentleman yield?

Mr. DERWINSKI. I yield to the gentleman from New Jersey.

Mr. GALLAGHER. I should like to make an inquiry, to see whether it would be in order to amend this bill. If we called it the Barratt O'Hara foreign aid bill I think it would pass unanimously.

Mr. DERWINSKI. If I may comment, perhaps if we reduced the figure quite a bit it might have a better chance of passing, but not at the present inflated figure.

In the spirit of good will prevailing this afternoon, may I remind those in the Chamber that Dr. Morgan, our distinguished committee chairman, is not only a great Member of Congress but also one of the finest medical men of this era. If I were suddenly to suffer an ailment here in the well of the House, knowing there are a number of doctors in the House I would hope the first doctor to reach my side would be the gentleman from Pennsylvania, since I hold his medical skill in such high regard.

However, I do not have as great confidence in the AID bill which he sponsors. I realize that this is an obligation and a chore.

Mr. MONAGAN. Mr. Chairman, will the gentleman yield?

Mr. DERWINSKI. I yield to the gentleman from Connecticut.

Mr. MONAGAN. The gentleman will have to admit he has demonstrated his surgical skill on this bill, considering it has been reduced by about $600 million.

Mr. DERWINSKI. That is really a minor operation. A more effective surgery I anticipate Thursday, when we will have further amendments under consideration.

The point I would like to make, if I might, is that this report, which we have all studied, is a most unusual report. In fact, it is one of the most unusual I have noted in recent years coming from any major committee. For example, the majority refers to their remarks as "justification." So, in order to be convinced and hoping to see this justification, I read through it. The longer I read through the justification the more convinced I became that we have to make deeper and more lasting cuts in this bill.

I will give you one example that I consider to be an exaggeration and even contradiction in this "justification." I do not quarrel with attempts to exaggerate or to contradict, because that is the game. However, I do feel it is necessary to point out these contradictions to you.

In the opening paragraph they tell us that unless this bill is approved as presented by the committee, "substantial changes would be necessary not only in the conduct of foreign affairs but also in the basic objectives toward which our foreign policy has been directed." In other words, you do not dare gamble with this program as presented or chaos will creep into an already chaotic foreign affairs situation.

However, other arguments for justification include the point that of 20 countries that could qualify for development loans only 13 will receive the development loans; of 40 countries that might qualify for technical development grants, only 33 will receive those. Later on the committee comments that of the 40 countries that could qualify for military assistance only 33 will receive such assistance. In other words, they are not fully utilizing the program that they say is essential. To me this represents a major contradiction.

I also note a statement—and here again I quote—"that foreign aid helps American firms establish going concerns abroad." Then it goes on to say in the committee report that $4.5 billion was returned to the United States in remitted profits of American firms overseas. By implication it is the foreign aid bill that produced this $4.5 billion in profits. Actually it is not that at all. That is where the great exaggeration comes in. The funds that flow in from remitted profits come from Japan and western European countries, a few thriving Latin American countries, and Australia. It is not from the countries who are the recipients of this aid program. I am pleased to see these profits returning. But I believe it is an exaggeration for the majority to claim that it is because of this program.

Mr. MONAGAN. Mr. Chairman, will the gentleman yield?

Mr. DERWINSKI. I am pleased to yield to the gentleman.

Mr. MONAGAN. Would not the gentleman admit that the Marshall plan had something to do with the recovery of Europe?

Mr. DERWINSKI. Yes.

Mr. MONAGAN. And that was an aid program.

Mr. DERWINSKI. Would not the gentleman from Connecticut admit that after 20 years of using the Marshall plan era to justify this program you ought to come up with a more modern precedent and argument for it?

Mr. MONAGAN. The gentleman referred to Europe, and that is why I selected the Marshall plan.

Mr. DERWINSKI. But let me point out to the distinguished gentleman from Connecticut that the first few years of the Marshall plan were the only period in which the aid program functioned in effective fashion. That is why you have to go back to 1947 to justify the program.

The CHAIRMAN. The time of the gentleman has expired.

Mrs. BOLTON. Mr. Chairman, I yield the gentleman 2 additional minutes.

Mr. DERWINSKI. May I emphasize, this entire commentary of mine is in the spirit of a constructive analysis of the justification of the program.

I know, for example, that the majority makes a great point to say that the AID program is needed—and here I quote again—"to support countries with strong opposition to Peking incursions and Communist activities." I looked at a list of some of the recipients which include such "stalwart" anti-Communist countries as Guinea, Uganda, where they have leftist military dictatorships.

At another point the justification is to expand democracy. I could go on through the list of recipient countries, and you will find a great number that are not qualified by any definition of democracy.

What I am pointing out, Mr. Chairman, is that the justification really gives us justification for a reduction of the program. I note the distinguished gentleman from Indiana referred briefly to the argument over the pipeline.

Mr. Chairman, I do not advocate the complete termination of the program. However, by using those funds which are already in the pipeline, I can foresee the move when we will merely authorize administrative expenses, contingency fund, and military assistance and then draw on the pipeline for the rest of the program in this fiscal year.

Mr. MORGAN. Mr. Chairman, I yield such time as he may consume to the gentleman from Florida [Mr. HALEY].

Mr. HALEY. Mr. Chairman, I oppose this bill as I have opposed every authorization and appropriation bill for the last 16 years for this program since I have been in the Congress of the United States.

Mr. Chairman, as I have been throughout the years I have been in the Congress, I am opposed to this bill to give away more billions of the taxpayers' dollars in what I think has been proven to be a wasteful and futile effort to buy the friendship of other nations.

I would be less than honest if I did not say that I am delighted that the diligent members of the Foreign Affairs Committee have seen fit to bring before us the smallest authorization bill in the history of this exercise in dollar diplomacy. And I would also be less than honest if I did not say that I hope, even so, that this bill will be rejected by the House.

But as a realist, I recognize that outright rejection is not likely. I can, nevertheless, hope that the House in its wisdom will make a still further reduction in the authorization contained in the pending bill—and that our Appropriations Committee will make still further reductions in the actual funding made available for the foreign aid program.

I am encouraged to believe that there is strong sentiment in the House in favor of a sweeping reassessment of the whole question of foreign aid—a reassessment of both its philosophy and its results. I hope this sentiment will prevail, because there can be no question that in this moment when our national fiscal position has become literally desperate, we must find ways to retrench.

We have amassed a public debt that may never be repaid, but on which massive interest charges may go on forever, as we continue to profligate our spending at every whipstitch. We have enormous domestic problems facing us, and are told by our leaders that we must make enormous appropriations to solve them. We have a tremendously costly war going on in Vietnam. And our dollar is threatened in world financial markets as inflation at home becomes a grave menace.

Much of our unfortunate position may be attributed, in my opinion, to the fact that in the past quarter century, we have doled out billions and billions of dollars to more than 100 countries in this foreign aid program. I cannot deny that this demonstration of American generosity and genius to produce may have had some positive benefits abroad. But I do not think that anyone can deny that because those programs have gone on and on and have been expanded and expanded, their impact on the American people themselves, on our national economy, has approached the catastrophic.

I do not think that we can live, in good conscience, in a world in which there is no charity. But there is an old saying, to which I subscribe, that charity should begin at home. I say in all seriousness, Mr. Chairman, that in the condition in which we find ourselves today, we must concentrate our charitable efforts toward solving our problems at home and stop this lavish distribution of our funds to foreign nations in a dismal effort to do the impossible—that is, buy friendship.

Mr. MORGAN. Mr. Chairman, I yield 8 minutes to the distinguished gentlewoman from New York [Mrs. KELLY].

Mrs. KELLY. Mr. Chairman, I wish to join with my distinguished colleagues today in urging the approval of H.R. 15263, the Foreign Assistance Act of 1968.

Before making some observations about the subject matter and specific contents of this bill, I would like to pay my personal compliments to the distinguished chairman of the Foreign Affairs Committee, the Honorable THOMAS E. MORGAN.

For months, the Foreign Affairs Committee, on which I have been proud to serve as a member, has painstakingly been considering this legislation. Chairman MORGAN displayed his usual patience and courtesy to all the members of the committee, as well as to the public and private witnesses.

He listened to all of our differences, giving each and every one the opportunity to voice his views, to ask questions that troubled us, and to propose changes and amendments to the bill.

Dr. MORGAN has been and is a great chairman. I have enjoyed serving with him on the committee on Foreign Affairs and I have the highest respect for him as a conscientious, dedicated public servant.

I would also like to express our regard and appreciation to the ranking minority member of the Committee on Foreign Affairs—the distinguished gentlewoman from Ohio [Mrs. BOLTON]. She has provided conscientious and enlightened leadership on issues vital to the security and foreign policy of our country.

Now I would like to make a few brief comments about the bill before us.

The Foreign Assistance Act of 1968, more than any other piece of legislation acted upon by Congress, embodies the vision, the promise, and the performance of this Nation in trying to shape a better world for the succeeding generations.

It is, without question, one of the principal instruments of our foreign policy. Make no mistake, self-defense is the real objective. Trade, military power, Public Law 480 are other instruments.

Through programs initiated under this bill, we endeavor to build a community of nations which will be able to live in freedom and security, and devote their efforts to the fulfillment of their people's aspirations.

We do not seek these goals for selfish reasons—even though nearly all of the money authorized in this bill will be spent in the United States, producing wages, and income, and even profits for the American people.

We seek these goals because we know them to be right—and because they provide the only acceptable alternative to a world beset by increasing conflicts, moving slowly but inexorably toward a global disaster.

We seek them because we owe this not only to ourselves but also—and perhaps more importantly—to our children.

There is a price, Mr. Chairman, that we have to pay for principles, and for trying to advance those principles in a responsible manner.

This applies to each and every one of

us as individuals—and it applies also to all of us as a nation.

During the current fiscal year, we will spend more than $100 billion on wars—past, present, and those that may yet come. These expenditures—for our national defense budget, the war in Vietnam, the cost of debt interest due to past wars, and veterans benefits—will account for more than three-fourths of our disposable tax revenues.

I am, of course, excluding the various trust funds, such as unemployment compensation and social security, which are financed through special arrangements.

In comparison, how little will we spend on all other Federal programs.

And how very little do we propose to spend in order to stave off world famine—to promote literacy and basic education—to solve the problems of ill health—and to provide some measure of security, particularly to those five or six countries which are located on the borders of the Soviet Union and Red China.

The total amount included in this bill for all of these purposes is approximately one-half of 1 percent of our gross national product.

I wonder what business could buy a decent insurance policy—much less try to accomplish something for the future through their working programs—for so small a share of its income?

Mr. Chairman, the Committee on Foreign Affairs, realizing that this is a time of trial and stress in our own country, has chopped off $600 million from the President's request for this vital foreign policy program. This makes it the smallest authorization that has come from our committee during my many years of service with that group.

I hope, Mr. Chairman, that the House will have the wisdom, and foresight, to approve this authorization in its present form.

I believe strongly that the times demand it—and that to do any less would be shortchanging ourselves.

Let me sound this warning. The world in which we live is a very troubled and a very dangerous world.

Tomorrow or a month from now, or 6 months from now, the break which we have been waiting for may come in the Vietnam negotiations and a just peace may finally come within the reach of the people of that tragedy-torn country.

No one wants this more than I do. I want peace in Vietnam and our boys coming home. And I think we should continue to do all in our power to bring that about.

At the same time, I try not to deceive myself. Wars and other threats to our national security, will not cease the minute the fighting is over in Vietnam.

Look, for example, at the Middle East. Are the Soviet Union's activities in that area designed to promote peace? No one believes that or in Berlin, Pakistan, India or Thailand?

And have the Communists' goals changed elsewhere? Are they content to let the free countries alone, and stop brewing trouble, and subversion, wherever they can?

I have seen no evidence of such a change of heart on their part.

I say again, this bill is vital to our national security. And the price tag on it is not unreasonable. It is down $2.3 billion.

Just a few weeks ago, we voted more than $6 billion dollars for our farm programs—to help our farmers. There was very little argument about that legislation. But what good will all of those farm programs be if there is no security in this world, and if we have to gear up even higher defense expenditures?

I ask all of you: Let us act responsibly on this legislation. I again urge the approval of H.R. 15263 in its present form.

Mr. FRELINGHUYSEN. Mr. Chairman, will the gentlewoman yield?

Mrs. KELLY. I yield to the gentleman from New Jersey.

Mr. FRELINGHUYSEN. Mr. Chairman, I thank the gentlewoman for yielding.

Mr. Chairman, I should like to compliment the gentlewoman for her statement. If I may, I would like also to express the regret that she too will not be back with us next year. She has been a very valuable member of the committee. We have all especially appreciated her leadership on the Subcommittee on Europe, so for a variety of reasons we shall miss her.

Mrs. KELLY. I thank the gentleman very much, but I say at this point do not count me out at this time.

Mr. MORGAN. Mr. Chairman, will the gentlewoman yield?

Mrs. KELLY. I yield to my Chairman.

Mr. MORGAN. Mr. Chairman, I wish to express my appreciation for the helpful contribution just made by the distinguished gentlewoman from New York [Mrs. KELLY] and to express my deep regret that she will not be with us next year.

I want to say that the gentlewoman has been one of the most valuable members of our committee, and in her long service on the committee she has always been of great help to me in working for the success of the committee's legislative program. As chairman of the Foreign Affairs Subcommittee on Europe, she has rendered invaluable service to our Nation and the cause of world peace. In whatever career she may choose to follow next year, I hope that her wise counsel and help will still be available to us and that we may frequently have the pleasure of seeing her here in the Capitol.

Mr. ZABLOCKI. Mr. Chairman, will the gentlewoman yield?

Mrs. KELLY. I yield to my colleague, the gentleman from Wisconsin.

Mr. ZABLOCKI. Mr. Chairman, we are glad to hear that the gentlewoman is not counting herself out. We are hopeful that she will be successful in her intentions.

Should she not be with us next year, however, the loss will be ours.

The gentlewoman has been a strong supporter of mutual security, and of close cooperation with free nations everywhere. She has been an advocate of a forward-looking, positive foreign policy.

I may add that the gentlewoman from New York has left her mark on the foreign policy of this Nation by being among the initiators and active supporters of such vital measures as the Mutual Security Act, the Peace Corps Act, the Arms Control Act, and the Foreign Assistance Act.

Further, as chairman of the Subcommittee on Europe, she has influenced the course of our country's relations with Europe through her strong support of NATO, and her espousal of a positive approach to Eastern Europe.

Mrs. KELLY. I would like to say to my colleague, the gentleman from Wisconsin, that it was under his leadership on the committee on which I first served, that I learned the many good features of those bills.

I thank the gentleman.

Mrs. BOLTON. Mr. Chairman, will the gentlewoman yield?

Mrs. KELLY. I yield to my colleague, the gentlewoman from Ohio.

Mrs. BOLTON. Mr. Chairman, I want to speak, not entirely, but partly just as a woman, to say that our friend in the well has done something for women in this Congress that needed to be done and which we shall never forget.

No member of the Committee on Foreign Affairs has done his homework the way EDNA KELLY has. She has the reputation abroad of knowing more about foreign politics than any other American who goes over there.

I want to thank you, EDNA, very much, as a woman and a Member of this House of Representatives for what you have stood for in this House—and for what you always will stand for in our hearts.

Mrs. KELLY. I thank my colleague, the distinguished gentlewoman from Ohio.

Mr. MONAGAN. Mr. Chairman, will the gentlewoman yield?

Mrs. KELLY. I am glad to yield to my colleague, the gentleman from Connecticut.

Mr. MONAGAN. Mr. Chairman, without expressing any opinion as to whether the gentlewoman will be here next year—and I may say that I do have an opinion—may I express my appreciation for the services of the gentlewoman to the United States and particularly for the manner in which she has carried on and led the activities of the Subcommittee on Europe.

I have been privileged to serve on that subcommittee for several years. In that time it has been a fascinating experience—because of the problems we have reviewed—because of the subjects we have discussed and because of the people who have appeared as witnesses before that committee.

This is all due to the thought and foresight of the gentlewoman from New York [Mrs. KELLY] and I want to express my appreciation to her for that.

Mrs. KELLY. I thank my colleague, the gentleman from Connecticut.

I want to say to the gentleman and to all my colleagues that it has been a pleasure to serve on the committee and it has been a great experience.

Mr. GALLAGHER. Mr. Chairman, will the gentlewoman yield?

Mrs. KELLY. I yield to the gentleman.

Mr. GALLAGHER. Mr. Chairman, I, too, want to join with my colleagues in paying tribute to the gentlewoman from New York. I am certain that the gentlewoman's service will continue in whatever field she chooses to continue her good work.

In that context, Mr. Chairman, I wish to join my colleagues in expressing my admiration for the gentlelady's competence and dedication and for the way in which she has enriched the Congress.

As one who has served under her leadership on the Subcommittee on Europe for 10 years, I can say that no one has made a greater contribution to studying in depth the friendship and the problems that have existed between the European Continent and the United States.

The record is complete of the studies that she has instituted and carried out.

I think no one has been more encouraging to the younger members on the committee, in allowing them to shoulder responsibilities and to develop their skills and talents in the interest of our country. Her guidance and leadership has proven invaluable.

Mrs. KELLY. I thank my colleague, the gentleman from New Jersey. I know that my colleague will carry on the good work.

Mrs. BOLTON. Mr. Chairman, I yield 5 minutes to the gentleman from California [Mr. MAILLIARD].

Mr. MAILLIARD. Mr. Chairman, first of all, may I add my voice to those who have expressed their affection and admiration for our distinguished friend, the gentleman from Illinois.

We shall deeply miss him and I hope we will have the advantage of his advice and counsel even though he may no longer be a member of the committee.

Mr. GROVER. Mr. Chairman, will the gentleman yield?

Mr. MAILLIARD. I yield to the gentleman from New York.

Mr. GROVER. May I also express my admiration for the gentleman from Illinois, with whom many of us have spent many entertaining and informative hours listening to the wonderful tales he spins. He is a great man.

Also as a member of the New York delegation, let me say that we are very, very proud of the gentlewoman who was just in the well. I think I speak for the entire delegation in that regard.

Mr. MAILLIARD. I do not know precisely what the plans of the gentlewoman from New York might be. Whatever they are, I wish her the greatest success. If she has not thought of it, I would suggest that she might renew her highly successful activities as a delegate to the United Nations.

Mr. O'HARA of Illinois. Mr. Chairman, will the gentleman yield?

Mr. MAILLIARD. I yield to the gentleman from Illinois.

Mr. O'HARA of Illinois. I merely wish to say that I would not want to be in Congress without a Kelly here, also.

Mr. MAILLIARD. While I am at it, while I do not see the gentleman at the moment in the House, I have had the pleasure of serving on the Inter-American Affairs Subcommittee under the distinguished chairmanship of the gentleman from Alabama, who will not be with us next year. I would like the RECORD to show that I have great admiration and affection for him, and have indeed enjoyed working with him in this very important area.

Mr. Chairman, while foreign aid legislation has had my support in the past, I rarely have taken part in the annual debates. And I would not do so today, if I did not believe that the growing misconceptions over foreign aid were threatening the very heart of our foreign policy structure.

I believe that the foreign aid bill is in trouble partly because it has been mislabeled. If we had retained the old title of "Mutual Security," the so-called foreign aid programs would be less prone to the misunderstandings which are present today. The present title of "Foreign Assistance" has led to false implications of giveaway, handout, and charity. Foreign aid is none of those things at all. It is founded purely and simply on the requirements of our own security and the mutuality of our interests with other nations of the free world.

All of us in the Government must share some of the blame for the program's lack of popularity. We simply have not done enough to inform the public that it is an essential security investment instead of a handout or soft loan by a wealthy nation to its less fortunate neighbors. I am afraid that over the years the Government's attempts to gain support for the program have overemphasized appeals to the generosity of the American people. Now that we are faced with mounting budget deficits and the dollar drain, it is only natural to select foreign aid as one charity that can be curtailed or even eliminated until our own economic environment improves.

If foreign aid were charity, this would be sound reasoning. But we know that these programs are not charity; that they are, in fact, vital elements in our strategic foreign operations. We recognize that the countless millions in the world who live in poverty and hunger must have rapid, evolutionary growth if they are not to be plagued by the ills of communism, totalitarianism, and other forms of political fanaticism. We know that our adversaries seek and work for revolutionary turmoil among the peoples of the underdeveloped nations so as to impose their own systems and controls. And we know what the spread of totalitarianism means to us and the rest of the free world in terms of our present and future security.

The so-called foreign aid programs are a vital tool in our efforts to seek political stability in the world. We are not seeking to buy good will. We are naturally glad to have it when we can, but our aim is to achieve the kind of world in which we can prosper as a strong and free people.

This bill represents the committee's best efforts to reevaluate the programs in the light of our changing fiscal requirements and our continuing security needs. The authorization request was the lowest ever and the committee has cut that request by another $600 million. I don't believe that we can afford to lower it any further. To go beyond that by canceling or even calling a moratorium on our aid programs would seriously weaken our entire foreign policy structure and encourage our adversaries to move into the vacuum. And attempting to rebuild our programs later would be infinitely more difficult and expensive.

I would hope that a greater effort will be made next year to cast the so-called foreign aid program in its proper light. But today, let us brush aside the mislabeling and distortions. Let us support this bill for what it is: An important instrument in our vital efforts to protect our own long-range welfare and security.

Mr. MORGAN. Mr. Chairman, I yield 6 minutes to the gentleman from West Virginia [Mr. KEE].

Mr. KEE. Mr. Chairman, I rise to commend the distinguished chairman of the Committee on Foreign Affairs of the House of Representatives [Mr. MORGAN] for his devotion to duty—his responsibility in bringing to the floor for consideration this afternoon H.R. 15263, the Foreign Assistance Act of 1968.

I fully and completely support this essential legislation as reported by the committee.

The late Dr. Eaton of New Jersey, a distinguished Republican and chairman of the House Foreign Affairs Committee, was the floor manager when foreign aid was originally enacted.

He was ably assisted by the late chairman, Sol Bloom, of New York, and my late father, John Kee, who also served as chairman of the committee cooperated as a team in this successful effort for the benefit of our Nation—or country.

Also, the former chairman, Mr. Robert Chiperfield, of Illinois, a distinguished Republican, supported foreign aid.

This is a nonpartisian problem of urgent concern to all of us.

Therefore, I have a warm personal interest, as well as a deep conviction to contribute my humble efforts in a constructive manner to help obtain favorable action.

While the primary objective of foreign aid has been to help create a peaceful and prosperous world, other considerations are vital to the security of our own American citizens.

While the essential task of foreign assistance must be to set in motion circumstances which will help eliminate those conditions under which communism best breeds—poverty, ignorance, illiteracy, unstable political institutions and little or no economic development—we must also recognize what it does for the United States.

The fundamental political judgment facing the United States is what kind of a world do we want for ourselves and for our children? Do we want that kind of world enough to pursue the policies and to take the actions necessary to achieve such a world? Do we want to encourage and support the development of the largest free world possible so that in Latin America, Africa, Asia, and most nations will want to grow and prosper outside the Communist system? Are we willing to continue this extra step of responsibility?

Since the answer to these questions are in the affirmative, it naturally follows that the policies of the United States must be continued toward the attainment of these goals.

Today, we do have American personnel—our own flesh and blood—along with personnel of friendly nations—giving their lives every day to preserve freedom.

Mr. Chairman, this foreign aid bill is a fundamental tool in the effort to create a peaceful, prosperous, and free world. For, if we do not establish a climate in which free institutions can develop, then we shall surely see a world in which those who need help will turn to those whose entire way of life is alien to our own. We cannot—we must not—become isolated from that great portion of the world in which the history of the next century is being written.

Nor can we afford to lose sight of the fact that a halt in foreign aid would have dire consequences on the domestic economy.

Some economists estimate that $1 billion worth of aid provides jobs for 500,000 Americans throughout the domestic economy. If one calculates this on the basis of a 40-hour week, at the hourly rate of $1.75, it adds up to over $1.7 billion annually. This is what a moratorium on foreign aid would accomplish—lower income earnings by the U.S. worker. This means less purchasing power.

There are other implications. A moratorium on foreign aid will disrupt the military assistance program throughout the world. What money there is in the pipeline for military assistance is already committed. A moratorium would not allow for the anticipated needs of our allies, especially those on the periphery of the Soviet Union and Communist China.

This is not reasonable. We are spending billions of dollars on our own defense—yet we begrudge $390 million, as reported by the committee, in military assistance to our friends and allies which would assist them to defend themselves against the same enemy and the same threat.

Mr. Chairman, I have only briefly discussed some of the political, economic, and military consequences to the United States of a moratorium on foreign aid. We must think seriously about this problem; for, in the final analysis, a moratorium on foreign aid could well be a premeditated national disaster both internally and externally. We cannot afford to be penny-wise and pound-foolish.

Therefore, Mr. Chairman, I plead with the Members of the House to approve the measure as reported so the world will know that America is resolved to do its part to insure a peaceful world in the most reasonable manner possible.

Mr. MORGAN. Mr. Chairman, I ask unanimous consent that the gentleman from New York [Mr. FARBSTEIN] may extend his remarks at this point in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. FARBSTEIN. Mr. Chairman, I stand up in behalf of the foreign aid bill because I have a high regard for the self-interest of the United States. I make no plea to this body to be charitable. I ask my colleagues only to be foresighted. For I believe that foresight requires us to spend some of our enormous wealth to assist in the development of the less developed nations.

As a nation, we cannot live surrounded by high walls, Mr. Chairman. We are members of the world. The day is long since past when the well-being of distant Africans or Asians was of no importance to us. The present may belong chiefly to us, but the future belongs both to us and to them. And as long as we are destined to share the future, we must make our contribution to assuring its tranquillity.

We are already engaged in one grievous war in the undeveloped world. Vietnam has bled us severely for several years. Not long ago, we came close to involvement in a war in the Congo. There is a civil war today in Nigeria, which could well spill over its current confines. We can no longer delude ourselves into thinking we can ignore conditions on remote continents.

The President of the United States, Mr. Chairman, has pledged $1 billion in American funds for the development of the Mekong Delta, if only the terrible war in Vietnam is brought to an end. That war currently costs us $2.5 billion a month. Obviously, a $1 billion Mekong Delta fund would be a bargain. I say to you today that the $1 billion spent 10 years ago would probably have avoided the war today, saved 20,000 American lives and, perhaps, $100 billion in expenditures. Surely, that money would have been well spent.

It is within this framework that I ask you today to consider foreign aid. I am not asking you to vote a charitable contribution but to vote for world stability. Communists benefit by suffering and chaos. We benefit by decent living conditions and stable societies. I warn you solemnly that we will spend 100 times over, as we have in Vietnam, if we take the expedient way out and reject the modest requests that the committee asks of us today.

Mr. Chairman, other industrialized nations understand this problem. We are not the only country contributing to the underdeveloped world. We sometimes tend to congratulate ourselves on our disinterestedness on our virtue. But other industralized states sometimes see the future more clearly than we do, and respond to it more generously.

I cite for your information, from an official report of a United Nations agency, that the United States is in 10th place among the nations in the world in dedicating a share of its gross national product to the assistance of the poor nations.

The United Nations has set an official goal of 1 percent as the contribution of the rich nations to international development. In recent years the United States has fallen far short of that goal. I might add that we are talking now not simply of foreign aid but also of loans, investment, and reinvested profits. Counting every dollar in these categories, our contribution is only seven-tenths of 1 percent of our gross national product. And let me add further that our Government requires that almost all of that money be spent within the boundaries of the United States.

So we must not deceive ourselves, Mr. Chairman, with the belief that we are sitting here dispensing our wealth in a fashion that is unique or even particularly openhanded. France contributes almost twice as great a proportion of its GNP as we do and the Netherlands contributes 50 percent more. These countries should be thanked by us as well as by the less developed lands, because their help forestalls anarchy and chaos, which can only cost us most heavily in the long run.

I ask my colleagues then, Mr. Chairman, to contemplate the dividends that foreign aid can bring us. It will not bring us an immediate return but I am convinced that it will strengthen American society's security in the world. I urge my colleagues to vote for the foreign aid bill, as a downpayment on our safety.

Mr. ADAIR. Mr. Chairman, I yield 6 minutes to the gentleman from Wisconsin [Mr. THOMSON].

Mr. THOMSON of Wisconsin. Mr. Chairman, I should like to put the amount of foreign aid in a little different context from that used by the members of the majority and in fact by the administration.

When the Secretary of State appeared before the committee, I asked Mr. Rusk to put into the record what the total free world gross national product is and then the gross national product for the United States of America, and then to add the items which he considered as part of America's foreign aid.

He gave me these figures. The AID bill, $2,141 million; food for peace, $1,523 million; Peace Corps, $108 million; Inter-American Development Bank, $300 million; International Development Association, $104 million; for a total of $4,176 million.

Relating the $4,176 million to the U.S. gross national product of $743 billion, our contribution to foreign aid is 0.511, or just about one-half of 1 percent of our gross national product.

Now, I do not think that is a fair way to describe the contribution America makes.

No other appropriation is described in terms relating to the gross national product. We do not talk about our aid to education in terms of GNP or our war on poverty in terms of GNP. We do not talk about our effort in Vietnam in terms of GNP. We talk about it in percentages of what we have in the bank or in the U.S. Treasury to pay the bills.

That is why I got the figures from the Secretary of State. I called the Treasury Department and asked them to give me some statistics on foreign aid as percentages of budget receipts of this country which are not earmarked for such purposes as unemployment compensation or social security, the highway trust fund, or that type of income but which are budget receipts which are available for use and for appropriation by the Congress. They gave me these two interesting figures.

In 1966 the total budget receipts, according to the Treasury Department were $104.73 billion. The total expenditures for the foreign aid categories listed by the Secretary of State were $4.61 billion. The percentage is 4.4 percent. So we are spending for foreign aid 4.4 percent of all the money that the U.S. Government takes in.

In 1968 they gave me these figures. The total budget receipts were $113.21 billion, which are not earmarked for other purposes. The total expenditures were $4.93 billion or an expenditure ratio of 4.3 percent. So in that year we were spending more than 4 percent of all the money that we took in. And, incidentally, a lot of that was borrowed money.

Mr. Chairman, I would like to have this related. Instead of poor mouthing the American people by saying that we only spend one-half of 1 percent of our gross national product, why do we not say, instead, that we are spending more than 4 percent and approaching 5 percent and then see whether people want to give for mutual assistance or aid or whatever you want to call it, more than 5 percent of all the money taken in by the Federal Government?

Mr. FRASER. Mr. Chairman, will the gentleman yield?

Mr. THOMSON of Wisconsin. Not at this moment. You can get some time on your side.

I would like to say one thing in behalf of this bill. Many people for years have criticized the foreign-aid program because of the waste and inefficiency of the administration of this program which permitted foreign countries in the commodity program to buy commodities which were luxury items or which were ineligible and illegal for payment out of American tax moneys. I have sought for years to stop the sale of such things as Metrecal and eye shadow and lipstick and deodorants and white sidewall tires, but I have been ridiculed by some of these people who rise on the majority side to deprecate the efforts to stop this kind of waste of American taxpayers' money.

Mr. GALLAGHER. Mr. Chairman, will the gentleman yield?

Mr. THOMSON of Wisconsin. They say to me, "Oh, well, we told you about that." However, they did not do it, because I had to go down to the agency and have the auditors pick it out. So I tried to work through the Inspector General. An amendment was adopted, which I proposed 2 years ago, which gave the Inspector General greater authority to pick up on the use of American taxpayers' money.

The CHAIRMAN. The time of the gentleman has expired.

Mr. ADAIR. Mr. Chairman, I yield the gentleman 2 additional minutes.

Mr. THOMSON of Wisconsin. I thought that might eliminate the waste in this program and in the purchase of luxury items, but the trouble is that the Inspector General makes a postaudit after the bills have been paid and the money has been used. The Inspector General brought to the attention of this House and the Congress the fact that we were still spending money to buy such things as sherry wine. A total of $34,000 worth of sherry wine was bought in the Dominican Republic. Caviar, cocktail glasses, cocktail napkins, colored bathroom fixtures, color television sets, in a country that needs proteins and vitamins and carbohydrates. We are still buying sherry wine.

Now, Mr. Chairman, they propose to do that, and the committee in its wisdom found—and I think under the pressure of an aroused American public.

Mr. Chairman, the bill states at page 10 thereof in subsection (f):

> No funds authorized to be made available to carry out Part I of this Act shall be used under any commodity import program to make any payment to a supplier unless the supplier has certified to the agency primarily responsible for administering such Part I, such information as such agency shall by regulation prescribe, including but not limited to, a description of the commodity supplied by him and its condition, and, on the basis of such information such agency shall have approved such commodity as eligible and suitable for financing under this Act.

Mr. Chairman, this is the first time in 20 years that we have had a chance to determine the source into which the tax dollars are going as opposed to those which are going to consumer items.

And, Mr. Chairman, when this bill is passed—if it is passed—in my opinion this will represent a very salutary portion of the items contained in this legislation for which funds may be expended.

Mr. ZABLOCKI. Mr. Chairman, will the gentleman yield?

Mr. THOMSON of Wisconsin. I yield to the gentleman.

Mr. ZABLOCKI. Mr. Chairman, I think it should be made clear that the allegations of wrongdoing were not aimed at Americans administering this program. I think that they have tried their best to properly administer this undertaking.

I do want to ask these questions of the gentleman from Wisconsin:

Can the gentleman tell the Committee whether or not the U.S. Government lost any money because of the fact that some ineligible items were sold to some of these underdeveloped countries?

Is it not true that our Government recouped the cost of all of those items shipped to the Dominican Republic?

Is it not also true that with respect to Vietnam, $6.2 million of U.S. claims has been paid, $1.2 million are in the process of payment, and the remaining $500,000 is still under review?

Is it not true, also, that preaudit procedures involved in the amendment of the gentleman from Wisconsin were instituted by AID some time ago and are presently in effect? In other words, the procedures in which the gentleman from Wisconsin is interested are being enforced right now, without his amendment?

Mr. THOMSON of Wisconsin. No; it is not true at all, and I shall bring the figures in tomorrow. I did not think I would need them here today, but I will have them here tomorrow.

Mr. Chairman, I say that with respect to any wine which has been purchased and with respect to these other things, sometimes they pay us. But if they do pay us, they do not use the money to feed the hungry and, even if they do pay us the money back, the money that they can ill afford to spend for that purpose, we have filed claims for it. I have been looking into this for a period of many years and even in India, which is a great country and which some people seem to think is our friend, they owe us $12 million today which has been expended for these items, luxury items, and I shall bring with me tomorrow a record of these items.

Then, Mr. Chairman, when such restitution is made, we do not get our money back in dollars. It is usually recouped in the form of rupees which they can afford to spend for that purpose.

Mr. MORGAN. Mr. Chairman, I yield 4 minutes to the gentleman from Virginia [Mr. DOWNING].

Mr. DOWNING. Mr. Chairman, during my 10 years in the Congress, I have voted for our foreign aid programs, but I assure you it was with great reluctance. I have also voted for every cut that had any reasonableness at all.

I have constrained my desire to vote against the entire program because I sincerely believe that if a negative vote prevailed and all foreign aid was suddenly shut off, it would be cataclysmic.

Some governments would topple into the hands of communism and an open invitation would be extended to the Soviets to occupy any and every strategic country they may desire.

I have almost reached the point of saturation with the obvious waste, corruption, bribery, and mis- and malmanagement of the AID program. These have all been cited in the news media and I am sure that only the surface has been exposed.

What has appalled me is that up to now, the AID program had no provisions for any surveillance over the distribution of our largesse. Our only means of control apparently comes from a postaudit which, of necessity, is so long delayed that the culprits involved are beyond the jurisdiction of the law.

I have noted with interest that AID Administrator, Mr. William S. Gaud, is now aware of the problem and has taken some administrative steps for advance screening of commercial transactions financed by AID. This is an excellent move but it is not enough.

Waste and corruption seems to run rampant in this program particularly in Vietnam. But the most shocking thing of all is that this evil has been condoned by some scholars in the administration. I have been told, on good authority, that "without American money, guns, food, medicine, and supplies, the National Liberation Front world have a hard time surviving." This is a sorry state of affairs.

These disclosures have revealed that AID has been relying on conventional postaudit activities to insure that AID moneys are spent for the purposes for which they were appropriated; and that postaudit practices have not been adequate for this task. Untold amounts of AID funds have been dissipated through illicit practices such as excessive pricing, short-loadings, kickbacks, freight overcharges, and so forth; and through procurement of worthless or questionable merchandise without necessarily violating AID regulations. AID funds have been diverted to Swiss and other foreign accounts without aiding the intended beneficiary and adding to our balance of payments and gold drain problems.

Recently the AID Administrator conceded that the economic aid involvement was inadequately safeguarded by postaudit measures when he directed the employment of preaudits to avoid disbursements for irregular or imprudent transactions. These preaudit measures have only recently been undertaken.

We should not, however, be satisfied with this modest beginning in defense of the AID instrument. We must make every effort to urge AID to develop and apply a truly meaningful system of preventive measures so that appropriated funds will promote the goals we seek, including the President's request that austerity be practiced in the expenditure of public funds.

We should require the establishment of the requirement that AID's preaudit activities be evaluated to make certain they meet the tests of prudent use of public funds.

We have relied in the past on independent bodies such as the GAO and the IGA to oversee and evaluate the effectiveness of postaudit procedures which have been employed by AID. We should now require that the same thing be done in connection with preaudits. It is extremely important that AID's preaudit operations be evaluated and reviewed for the purpose of sustaining AID's ability to safeguard public funds. Furthermore, this inspection and evaluation of AID's preaudit procedures should also be undertaken to assure that the course of procedures used will be those least likely to interfere with legitimate AID financed transactions if at all.

It seems to me that this inspection and evaluation of AID's preaudit measures should be particularly intensive in the immediate period when such procedures are being instituted and applied for the first time. The GAO and the IGA, as well as appropriate congressional committees can be of great assistance to AID in discharging its responsibilities for the expenditures of public moneys.

There is a further reason for enforcing the development by AID of effective and meaningful preaudit procedures. We have also learned in the recent past that in countries such as Vietnam in which there are organized communist economic operations, that conventional AID procedures may well work for the benefit of the enemy. The most recent evidence of this proposition has been provided by Mr. William Lederer's article in the Saturday Evening Post entitled, "Our Worst Enemy," repeatedly describes how the Vietcong depend upon our resources for its survival. There is no reason not to believe that the Vietcong economic operations does not seek to utilize unscrupulous merchants and corrupt public officials to employ many of the scandalous practices which have resulted in the use of appropriated funds to supply sea water, worthless battery additive, overpriced tetricyclene, and overpriced and overprescribed chlorenphenical to Vietnam. There is no reason not to believe that similar Communist economic organizations in other countries would seek to subvert our foreign economic AID instrument in the same way, even though to a lesser degree. This is a form of economic warfare which is extremely new and which will be prejudicial to our economic AID objectives if we continue to operate with either conventional postaudit procedures or ineffective preaudit.

I have discussed this matter with the distinguished chairman of the Foreign Affairs Committee and with some of its members. None of them, of course, condones such things as this.

I understand that some of my suggestions for reform including the preaudit of programs, in addition to postaudit, are included in the present bill. I hope that AID will implement them effectively. To do less would be to break faith with the American taxpayer.

I am not going to vote for the so-called "moratorium amendment" because that would be equivalent to shutting the program off completely. I am going to vote for a reduction in the funding. I am going to vote for the bill again because I am afraid not to—for my country's sake.

But I will tell you this. If this program is not cleared up, if it is not administered more effectively, the American public is going to demand that the entire effort be abandoned—regardless of the consequences.

Mrs. BOLTON. Mr. Chairman, would the gentleman yield for a moment?

Mr. DOWNING. I yield to the gentlewoman.

Mrs. BOLTON. Mr. Chairman, I am interested in everything that has been said by the gentleman, and of course this is a question that has been before the committee. Mistakes have been made. However, I would add that the information the gentleman has been presenting, I am sure, has been derived from a reading of the newspapers, which possibly means that the gentleman believes everything he reads in the newspapers.

Mr. DOWNING. May I add to the gentlewoman from Ohio that it is based not only on what I read in the newspapers, but what I have obtained from private sources, and it is a shocking thing.

Mrs. BOLTON. It is shocking to everyone.

Mr. DOWNING. Not only that these things have occurred, but that they are condoned.

Mrs. BOLTON. I believe the gentleman is wrong there. I believe there are a good many things being done that are not being talked about at all. Things are better than they were, may I say.

Mr. DOWNING. I hope so.

Mrs. BOLTON. Not that they are as good as they should be. But of course, I am on the minority side, and I believe there are some things that could be done that have not been done, and I hope will be done.

The CHAIRMAN. The time of the gentleman from Virginia has expired.

Mrs. BOLTON. Mr. Chairman, I yield 10 minutes to the distinguished gentleman from Ohio [Mr. TAFT].

Mr. TAFT. Mr. Chairman, at the outset, as the newest member of the minority on the committee, it has been a distinct privilege and pleasure to serve with such legislative titans as we have seen here today.

I mention particularly with great affection and admiration the gentleman from Illinois [Mr. O'HARA] and the gentlewoman from New York [Mrs. KELLY] under whose chairmanship I have served on the Subcommittee on Europe. I would be remiss, too, if I did not say a special word—and not in any note of au revoir, but one of the proper recognition, to the ranking minority member, the distinguished gentlewoman from Ohio [Mrs. BOLTON].

And I must not overlook the distinguished chairman [Mr. MORGAN] whom I recognize as doing a very difficult and a very responsible job, with some of us, particularly those at the bottom of the minority at times, snapping at his heels.

I have sometimes been critical of the procedure and organization of the committee, and I would hope that we can continue to take a look at this and hopefully to improve it. Particularly with regard to the hearings in the area of foreign aid, the very fact that we are here and the very fact that all of us recognize this bill is at least in a marginal state of existence. Hopefully it will pass, but it will not pass with any overwhelming majority, because as has been said earlier today, there is a deep and genuine lack of understanding of the real purpose and function of the foreign aid program.

It has no constituency, and this is part of the problem. But that is not the only problem involved with the foreign aid approach. It simply has not been presented correctly. In part, the failures of administration that have been mentioned are responsible for this. But there is in addition to the failure in administration—hopefully on its way toward correction—a failure of interpretation of this program to the American people.

As is the case with any import aspect of our foreign policy, it is vital in a democratic Nation that the people understand the nature of their foreign policy and its overall direction.

Many of the troubles which I see us facing in regard to our participation in the Vietnam war today—whether we agree or fail to agree with the decisions that have caused us to get there—are the result of a failure of proper interpretation of the problems to the American people and their participation in the making of the decisions that have led us there.

We see a need, therefore, in the foreign aid program for a far broader understanding.

Earlier today I was in a colloquy with the distinguished gentleman from Missouri [Mr. CURTIS] with regard to the balance of payments. He very properly observed the lack of coordination of our programs in regard to foreign policy and I might say not only financial programs, but many other aspects as well.

It seems to me that there have been incursions into what ought to be the proper jurisdiction of the Committee on Foreign Affairs. Certainly also, there is a lack of coordination in our committee procedures today.

There is a total lack of coordination between the committees.

We have a complete earmarking of the

foreign trade area for instance, certainly, one of the most important aspects of our foreign policy, in the Committee on Ways and Means with no policy to cross refer between committees, as often ought to be done and as is done in many legislative bodies, to get the overall concept and a coordinated approach to the problems involved.

But we are not merely dealing with the foreign affairs area here. We are dealing with overall area of congressional reorganization—upon which I shall not comment further today.

Getting back to the foreign aid bill, let me just say this, as I have said in my minority views already, if we did not have a foreign aid program, we should have to invent one.

No matter who is elected President of the United States next November, whether he be a Republican or a Democrat, he is going to come before this Congress and ask for a program, whatever the label might be, that is nothing more nor less than a foreign aid program.

It may vary somewhat from the program that we have today, but to handcuff the President of the United States in the conduct of the foreign policy of the strongest nation in the world from an economic point of view from using economic power in connection with our foreign policy would be as stupid a thing as I think I could conceive of being done.

Moving for a moment to a couple of aspects of this bill in that regard, it has been suggested, and I am happy to say that almost all of the Members of the minority seem to be in agreement with the idea, that we ought to continue this program with a floor or irreducible minimum at the very least. I do not say I go along with all the cuts that are set out and proposed on page 58 of the committee report in the third column, or in the proposed final figures that are set out in the fourth column. But I do commend them to the House for the consideration of Members, for it was the studied judgment of the committee that if we were to cut below these figures in any of these titles, we would be seriously damaging the ongoing foreign aid program, and really putting it out of business. This would necessitate its re-creation next year, and there is no reason why that re-creation would be any better than trying to improve and build on the program that we have.

I would think, therefore, the Members of the House would give serious consideration to this studied judgment by the committee as to what these irreducible minimums should be.

I might say I think among some of the members of the committee, since the publication of this report, there has been a restudy leading to the conclusion that technical cooperation, which was suggested as a maximum cut of $55 million, has perhaps cut the proposed final figure of $145 million back too far. Many of us feel that we ought to move that up to $170 million, not raising the overall floor figures, but finding this additional $25 million in the supporting assistance figure, where there is more flexibility, some of this supporting assistance figure being in connection with the Vietnam operation.

One other argument that I would like to present to the committee with regard to our foreign aid program relates to India. I know the distinguished gentleman from New Jersey [Mr. FRELINGHUYSEN] will later talk on the subject of India. But I would be remiss not to mention in connection with India the conclusion to which I have come—that here is a place where foreign aid combined with other efforts—I will not attribute it solely to the foreign aid program—is about to make a major breakthrough in the three areas of agricultural production, the connected area of fertilizer use, and also population control. It would be a great mistake at this time to cut materially back in this country. And this is one of the first areas that will be affected by cuts in the development loan program. When we get in the debate tomorrow, we will be dealing with this.

I would like to point out to the House something which I do not think has been mentioned in the committee report with regard to India. That is, that if India is about to make it economically, we have a large stake there. We are a creditor of India in hard loan funds in the amount of about $2,600,000,000, and in soft loan funds, of about $2,400,000,000, or a total of $5 billion. If the Indians are about to make it, would we not be cutting off our nose to spite our face if at this point we failed to give them the additional help they need in order to buy the fertilizer, to buy the miracle rice, and to buy the wonder wheat seed with which to increase and finally go over the top and become self-sustaining from the point of view of food and subsistence of their people?

This is something I think the Committee should weigh.

Having mentioned the area of population control, I would also like to call the attention of the committee to the fact that the bill you have before you earmarks a $50 million figure for the area of population control, giving recognition to the tremendous progress that has been made by many of these developing nations in this very great area of need.

Also in closing I would like to mention once again the areas upon which the gentleman from Virginia just touched, the areas of administrative improvement. In part III of the bill, commencing on page 9, we have specified a number of improvements that, if they are not already in effect in regulation, would shortly be in effect through law if this bill is passed in the form in which it is presented to the House.

In conclusion, let us reflect that if we did not have this program, we should have to create it. I do not see what the answer can be, other than that. I cannot see how a group as intelligent as this body could come to any other conclusion, despite what we may see as deficiencies in administration or in the concept of particular programs, than that, in general, it adds up to a tremendous need for U.S. foreign policy.

Mr. MORGAN. Mr. Chairman, I yield such time as he may consume to the gentleman from Missouri [Mr. ICHORD].

Mr. ICHORD. Mr. Chairman, I rise in opposition to H.R. 15263.

Mr. Chairman, each time that the Foreign Assistance Act has come before Congress during the 8 years that I have been a Member, I have voted against it and have always supported amendments reducing the funds contained in the authorization. Last year, for example, one of my amendments was adopted cutting the authorization $150 million. I have consistently opposed the Foreign Assistance Act, not because I am against all foreign aid, but because I believe that the administrators of the program have completely lost sight of the basic principle that "friendship cannot be purchased." In altogether too many instances, the guiding principle for dispensation of aid appears to be solely whether or not the interest of the recipient nation would be served rather than the interest of the United States. I have repeatedly warned that as wealthy as the United States is, it is not rich enough to continue the high rate of foreign aid spending which now totals $170 billion, if you include the interest, since the conclusion of World War II. During most of the years following World War II we have had to indulge in deficit spending to continue our huge foreign aid program and many of the recipients have appeared to resent the aid more than they have shown appreciation.

The nation of India, the largest recipient of our aid, would appear to be the least appreciative. India has now received almost $8 billion in economic assistance. We have saved India year after year from horrible famines. We have continued to send millions of tons of food to India despite the fact that Indians have shown little desire to help themselves. Throughout the period of this massive foreign aid program, we have been ridiculed and mocked by India's leaders. Mrs. Gandhi today appears to be following the same policy of her father. She has relied upon the United States to feed her malnourished millions and has purchased expensive arms and weapons and facilities from Russia, ranging from small arms to jet fighters and small arms plants to aircraft, shipbuilding, and missile production plants. Money that could have been spent for food is being spent for arms. Is not the United States, in effect, subsidizing India's purchase of Soviet arms?

The argument that steps have been taken to reduce the impact of the foreign aid program upon our serious balance-of-payments problems are not impressive. The sending of American produced commodities rather than dollars continues to have an adverse effect upon our balance of payments as we are giving away commodities which in many cases would have been purchased with dollars by the recipient countries.

Charity, Mr. Speaker, begins at home. Let us use our funds to solve our domestic problems and to reduce our deficit rather than trying to solve all the problems of the world which are not within our power to solve. Our serious financial problems leave us no other choice. The committee reductions, approximating $600 million, are not in my opinion, large enough. The bill as reported carries $2.3 billion which is still more than we can afford. Therefore, I shall support the amendments to be offered further cutting the bill and I also urge the adoption of the amendment of the gentleman from Florida declaring a 1 year moratorium of foreign aid.

Mr. MORGAN. Mr. Chairman, I yield 5 minutes to the gentleman from California [Mr. TUNNEY].

Mr. TUNNEY. Mr. Chairman, before starting my remarks, I would like to say I think that because of the wise leadership of our chairman, Dr. MORGAN, we have a bill before the House today which every Member of Congress can in good conscience support. I have had the opportunity to sit through many of the hearings and watch the gentleman from Pennsylvania as he sat in the chair, and I have had the opportunity also during the markup to sit by and listen as the gentleman patiently allowed Members to express their opinions and to offer amendments. I think had it not been for the patience and wisdom of the gentleman from Pennsylvania, the foreign aid bill would not be here today.

Mr. Chairman, with respect to the talk we hear around the corridors of Congress that there may be a moratorium on foreign aid this year, I would like to make a few points. It seems to me incredible that people could actually be talking of stopping the foreign aid program—not that I like seeing American treasure sent abroad when it is so sorely needed in our own country for the education of our children and for the building of highways and for the building of public works, but unfortunately this country is not living isolated, as an island.

We depend on foreign countries in the same way they depend on us. Last year, for instance, we had $31 billion in exports and we imported $25 billion worth of goods. Many of the imports we brought into this country came from the underdeveloped countries, and we know what the history has been in the underdeveloped countries in the last 20 years. We have seen increasing populations and a decrease in the per capita income. We have seen the frustrations these people have. We have seen the revolutions and anarchy.

I would like to ask my friends who are thinking of voting against the foreign aid bill this question: From where are we going to get the raw materials which we use in our own factories, which give employment to Americans in our own country, if the sources of supply are cut off from us? Is it any small wonder that the Soviet Union and Communist China have decided to get into the foreign aid business in the last 10 years? I do not think they did it because they like seeing their money sent overseas, but they recognize that foreign aid does give a country political leverage in the underdeveloped areas of the world.

One of the reasons we have as much political leverage as we have is because of our foreign aid program. One of the reasons we have as much business investment abroad is because of our foreign aid program. One of the reasons we have had an uninterrupted supply of raw materials from these underdeveloped countries into the United States is because of our foreign aid program.

I ask, what is going to happen if we cut off foreign aid or have a moratorium on foreign aid? What will happen to our business investment abroad? How would any of us, as Members of Congress, like to be traveling in a Latin American country or in an African country—where we have had a foreign aid program for the last 10 or 12 years—the year after we cut off foreign aid?

I think it is very obvious there is going to be an expropriation of American investment abroad, and I think there is likely to be an interruption of foreign raw materials for our factories.

If we cut off foreign aid, what will happen to the Peace Corps? That is the program which many of us feel was an excellent creation to help develop the image of America abroad.

What is going to happen to the Peace corpsmen in those countries to which we have been giving foreign aid in the past if we decide this year to cut off foreign aid? I believe that if we cut off foreign aid we are cutting off the Peace Corps and bringing our young Americans back home.

I should like to point out, also, a major emphasis now in our foreign aid program is in the area of agricultural development, so that these underdeveloped countries can feed themselves, and also birth control. If we cut off foreign aid, we are cutting off these programs on birth control and agricultural development.

Take a look at a country such as India. It will produce absolute disaster.

Finally I should like to ask, just where are our priorities? Apparently we are willing to spend $60 billion from our Treasury to keep the Communists out of South Vietnam. We are willing to spend to date 25,000 American lives. Yet we know there are these revolutionary development movements in India, Burma, Thailand, and Malaysia. These are the countries in which we can prevent this kind of revolutionary Communist takeover if we make a little investment now, especially in the area of agricultural development and birth control programs.

So I am going to vote in favor of the foreign aid program. I do not like waste and inefficiency in the management of it, but I feel it is absolutely essential. I do not like waste and inefficiency in some of our domestic programs, but the fact is we recognize they are important and we do not eliminate the program just because there has been some inefficiency and waste.

Mrs. BOLTON. Mr. Chairman, will the gentleman yield?

Mr. TUNNEY. I yield to the gentlewoman from Ohio.

Mrs. BOLTON. It has been very interesting to hear the contributions the gentleman has made to the committee. I am sorry we have not accepted them, but perhaps another year we will. I want to thank the gentleman for being as thoughtful and studious and observing as he has been.

Mr. TUNNEY. Thank you very much, Mrs. BOLTON. I really appreciate your remarks. I cannot tell you what a great privilege it has been for me to sit on that committee with you and to listen to your wise counsel.

Mrs. BOLTON. You are very kind. We know why you are here, when you can say lovely things like that.

Mr. TUNNEY. But they are true.

Mr. MORGAN. Mr. Chairman, I yield 3 minutes to the gentleman from Minnesota [Mr. FRASER].

Mr. FRASER. Mr. Chairman, I want to say a few words about the reasons for and the intent of my amendment to section 224(c) of the Foreign Assistance Act relating to housing projects in Latin American countries.

The amendment, which appears on page 3, line 21, of the committee bill, increased from $500 million to $600 million the total amount of guarantees which may be issued pursuant to the authority of that section.

I was pleased, Mr. Chairman, that this amendment won nearly unanimous support from the committee.

The guarantees provided by this amendment are designed to promote housing construction in Latin America by protecting American investments in such projects and by supporting the development of local institutions capable of financing housing construction and ownership at the grassroots level.

AID's experience to date has shown that operations conducted under the authority of section 224 have at least partly missed their mark. In many cases, they did not work out as intended by the Congress.

Because of the financial issues involved in the maintenance of value problem, and the high cost of servicing relatively small loans, the interest rate and downpayment requirements on housing built pursuant to section 224 have been too high for a large portion of the lower and moderate income classes.

As a consequence, most of the housing built under section 224 has been middle-income housing.

There is nothing intrinsically wrong with that. The fact remains, however, that many of the intended beneficiaries of section 224 have never been able to come within the purview of its operations.

The increase in the ceiling on housing guarantees, proposed in my amendment, is intended to remedy that situation.

It is the hope of the committee which reported this bill that the Agency for International Development will use this additional authority to promote homeownership for low and moderate income people through such non-profit institutions as cooperatives and local credit unions.

These institutions, particularly the cooperatives, have considerable experience with matters relating to low-income housing. This experience has not been used sufficiently in dealing with the tremendous housing shortage of Latin America, particularly among the lower and moderate income families.

The committee intends to keep a very close watch on the operations of section 224 to make certain that the congressional intent will be actively implemented by the Agency for International Development.

Mr. Chairman, I hope we will be able to hold to a minimum any further cuts in the area of technical assistance. Technical assistance finances many essential programs which need to go forward. Much, if not most, of our technical assistance program involves technical personnel who serve abroad.

Technical assistance also finances other kinds of programs which have proved enormously useful. In particular I have been struck by the ingenuity and effectiveness of a program conducted under the name "Latin American Scholarship Program of American Universities." Under this program 175 U.S. colleges in 37 different States have already committed some $2,880,000 of their own funds to pay the 4-year tuition costs of 480 young people from Latin America who have agreed to return to teach for 4 years in nearly 100 universities in 17 cooperating Latin American countries.

Five colleges in my own State of Minnesota currently enroll 10 Latin American scholarship program students from six different nations.

The students themselves have borrowed from sources in their own countries the equivalent of a year's salary in their own currency to finance their English language training and international transportation expenses. AID, under the technical cooperation and development grants section of the Alliance for Progress appropriation, has financed their books and maintenance costs. The combination of student self-help, U.S. university scholarships and AID support, plus the Latin American university's guarantee of future employment to LASPAU scholars, has resulted in a cooperative, educational program designed to strengthen Latin American universities in the very area where help from U.S. universities can be most effective.

It would be my hope that programs like this will continue to be funded at the levels that they have been funded at in prior years. If we should cut the amount of technical assistance so that the amount of support which can be provided for these programs is cut, it will be a tragedy.

Mr. MORGAN. Mr. Chairman, I yield 3 minutes to the gentleman from Maryland [Mr. LONG].

Mr. LONG of Maryland. Mr. Chairman, I rise in support of H.R. 15263. My vote for the foreign aid bill is not the single-minded affirmation of the "true believer." On the contrary. Last year, I voted against foreign aid—as a protest, primarily, against the use of American economic aid funds by underdeveloped countries to compensate for the money they wasted on luxury and sophisticated weapons.

But the adoption of the Long-Conte amendments to the foreign aid appropriations bill last year considerably tightened this loophole by banning American sales of sophisticated weapons to underdeveloped countries not on the frontline of Communist aggression, and requiring a reduction in American economic aid by the amount which a country spends on such weapons anywhere.

More needs to be done, undoubtedly, to get a dollar's value from a dollar's worth of aid. Waste, inefficiency, and corruption are still not licked.

The focus must be sharper—to concentrate on countries that are willing and able to use outside aid in ways that will do the most good.

A new sense of direction is needed—to change what is essentially a banking operation into an operation which cares about improving the life of the poor man who has little hope and even less political power to make his demands heard at the highest levels of government.

But it would have been a miracle had the U.S. foreign aid program succeeded effortlessly, without shortcomings, in less developed countries which, unlike the Europe of Marshall plan days, lack the major prerequisites of economic growth—entrepreneurs, an educated populace, trained manpower, skilled management, adequate transportation, stable and honest government, and a sound institutional framework, including widely dispersed land ownership, financial intermediaries and an equitable tax structure.

The United States cannot afford to throw up its hands because all is not for the best in the best of all possible worlds. Our country lives in a world in upheaval, a world undergoing a population explosion of massive proportions, where millions of men, women, and children live in conditions of unbelievable poverty and misery.

For all of its faults, the aid program is now beginning to show results. In this month's Foreign Affairs Quarterly, Lester R. Brown describes the heartening beginnings of "The Agricultural Revolution in Asia." The Philippines is self-sufficient in rice for the first time since 1903. Iran is a net exporter of wheat this year. Ceylon's rice harvest climbed 13 percent above the previous record, Pakistan's wheat crop rose 30 percent, and the total Indian food grain crop is up 12 percent from the previous record, and 32 percent from last year's drought depression.

Some causes of the agricultural revolution are of recent origin—like the new political commitment by the region's leaders—and others have been long in the making. Mr. Brown writes that the agricultural infrastructure is capable of supporting current advances because of several years of U.S. AID investment in farm-to-market roads, in irrigation projects, in agricultural research, and in the training of some 4,000 Asian agriculturists over the past decade. The financing of fertilizer imports is now a major AID activity, and a number of U.S. firms are building fertilizer plants in Asia.

Mr. Brown concludes:

> This agricultural revolution is not the ultimate solution to the food-population problem, but it does buy some much needed additional time in which to mount effective family-planning programs.

If food scarcity eases, governments can turn their attention to the business of development. More importantly, Mr. Brown claims, national leaders bolstered by a successful agricultural takeoff may gain increasing confidence in their ability to handle other seemingly insoluble problems.

America cannot afford to abandon this effort now.

Our country has had the great good fortune to be blessed with an excellent geographic location, rich natural resources, stable political institutions, and energetic and imaginative citizens. America has a responsibility to help those less fortunate—both because it is the right thing to do, and because it will be very difficult for this country to live at peace in a world torn by revolution and misery.

That is why I shall vote for foreign aid, and why I urge my colleagues to support the foreign aid bill.

Mr. MORGAN. Mr. Chairman, I yield 5 minutes to the gentleman from Maryland [Mr. GALLAGHER].

Mr. GALLAGHER. Mr. Chairman, I rise in support of the program.

Mr. Chairman, I, too, join with my colleagues in paying the respect that is long due and perhaps overdue to the great chairman and distinguished Member of Congress, the gentleman from Pennsylvania [Mr. MORGAN], who is perhaps the most knowledgeable man on the subject of foreign aid and of our foreign problems on either side of this Capitol. I do so likewise with regard to the distinguished gentlewoman from Ohio [Mrs. BOLTON], the ranking minority member.

The question has been raised as to what relationship this program has to our gross national product. The question has been asked too as to what others are doing.

As the United States has grown richer, it has done less. In fiscal year 1949, the United States made total economic aid commitments of $7.2 billion. This was 18.3 percent of the Federal budget. It was 2.78 percent of a GNP of $260 billion. In fiscal year 1967, U.S. official commitments totaled an estimated $4.1 billion, $3.1 billion less than in 1949, even though the 1967 Federal budget was three times larger than that of 1949. And where foreign aid in 1949 was 2.78 percent of GNP, aid in 1967 was just one-half of 1 percent of GNP, even though GNP, like the budget had tripled since 1949.

Other nations are moving ahead, but their progress depends on U.S. leadership. Seven small countries—Austria, Canada, Denmark, Italy, Japan, the Netherlands, and Sweden—have more than doubled their official flows since 1964. Five countries—Germany, Canada, Denmark, the Netherlands, and Sweden—have adopted plans which would increase their aid programs to 1 percent of national income by the early 1970's and several others—Belgium, Australia, Italy—are moving steadily to higher levels. U.S. leadership, example, and pressure have been major factors in these gains and in establishing the DAC targets for volume and terms, from which we are moving away. All countries followed our lead with Peace Corps. With U.S. aid leadership slipping, others may be discouraged from further progress toward our common objective of helping LDC's achieve self-sustaining growth.

Mr. Chairman, when we look realistically at the modest goals of our foreign assistance program and the progress we have made towards their achievements, we can only agree that our efforts are as successful as they are necessary. The critics who say we have failed, or that we are trying to do too much, expect the wrong results from our program. Anyone who has disproportionate ideas about what we are trying to do must also be disproportionately pessimistic about the possibilities.

One of the many important things which the foreign assistance legislation for 1968 can do, Mr. Chairman, is to assure the world that the United States will not turn its back on its neighbors and its responsibilities. This is a simple statement, but it is the crux of the entire program, and it provides the only justification required for its existence.

But in order that we may not have false expectations which are bound to end in disappointment, it is also well to remember what economic aid cannot do.

Foreign aid cannot turn other countries into satellites of the United States or buy support for us in the United Nations. Nor is it "conscience money," as it has been unfortunately called, dispensed to ease some kind of national guilt about our great wealth. But these are the antithesis of the goals of the program. Our aim is one of enlightened self-interest: to help the deprived people of this world change the desperate facts of their lives, to foster stability in an unstable world, to enhance our own present economy and build new markets for our future productivity.

Foreign aid cannot solve our balance-of-payments problem, but neither does it aggravate that problem. The fact is that loan repayments from assisted countries this year will exceed offshore expenditures. There will be a significant dollar gain.

U.S. asssistance cannot go to work throughout the length and breadth of the underdeveloped world. Our resources are not endless, and this year especially, stringent limitations must be put on the program. Also, some nations are unable or unwilling to make the reforms on which the impact of our aid depends, and in these areas it would be impractical and futile to generate programs under prevailing conditions. But in countries where the United States has concentrated its efforts, there is remarkable progress to show for our investment.

Foreign aid cannot by itself supply the food needed to fill all the empty stomachs in the world. But the program can help hungry people grow their own food and become independent of emergency bulk donations.

Sixty percent of all adults in the developing nations can neither read nor write their names, much less understand complicated technical manuals, business reports, and market figures. American foreign aid cannot by itself change this—we cannot provide mass education. But we can help to build teaching colleges and train local students to teach others.

Foreign aid cannot cure the sick of the underdeveloped world. But our technology will make it possible for humanity to win the struggle against diseases that cripple minds and bodies needed for the task of development.

Foreign aid cannot automatically check the world's escalating birth rates. But we can encourage poor, crowded countries to do it themselves, and we can supply the necessary means. We can meet reasonable, practical requests for family planning technology and supplies.

In short, the United States can only supply a few of the factors for development, and we can provide an example for and influence upon other wealthy countries to do the same. But this is all that is needed from us.

However, we can do nothing without a viable program. Without provision for effective aid, this Nation itself will be rendered feeble and inadequate before the demands of the world, unable to widen the margin between hope and despair, between violence and peace. We cannot with any justification diminish or abandon the aid program now. It is doing what it is designed to do; it is doing what can be done; it is doing what must be done. Without the full support of this Congress, it will not survive.

AGAINST A MORATORIUM ON FOREIGN AID

Mr. Chairman, as it is now all too evident that a determined effort is being made by some Members to declare a moratorium on foreign aid, I would like to invite the attention of my colleagues to comments made in the July 12 issue of the knowledgeable Journal of Commerce. The Journal describes clearly some of the devastating effects which such a moratorium would bring about. In part, it states:

> For U.S. business, a moratorium would spell corporate trouble. Not only does the foreign aid program finance well over $1 billion a year in American exports, but it helps underwrite corporate investments abroad and provides technical assistance funds for private projects.

In the first place, Mr. Chairman, I can think of nothing that would hurt employment and jeopardize incomes in many areas of this country as drastically as a $1 billion decline in U.S. exports. As my colleagues well know, the great preponderance of the money used to finance U.S. exports under the AID program is made available on a dollar-repayable loan basis—not as grants. Most of the dollars used to finance the program never leave the United States; they finance purchases of American exports right here.

This simplistic argument that AID could exist on its pipeline may be appealing, Mr. Chairman, but it is utterly fallacious. Like any intelligent business firm, the Agency for International Development does not disburse the entire amount of a loan in one lump sum. Instead, the Agency agrees to lend a country a certain amount of money—say $10 million—if and only if the recipient nation carries out particular self-help measures and meets other explicit requirements. AID administrators then disburse the loan in sections—perhaps $2 million per quarter—contingent upon the developing country living up to its part of the agreement. After the first disbursement, $8 million would constitute the pipeline on a $10 million loan. This is not in any way "free" money; it is committed to a particular project and is literally already spent.

A good example of a pipeline project is provided in the case of Korea, where AID is helping to complete the rehabilitation of the nation's railway system. An $18.6 million AID loan—repayable in dollars—made in June 1966 is financing the import of American equipment including 62 diesel-electric locomotives, five diesel wrecking cranes and railway shop machinery. By March 31, 1968, $16.9 million had been paid out to American suppliers for equipment delivered to date, including all 62 locomotives and two of the five cranes. The balance, about $1.7 million, is still in the pipeline awaiting completion of the order.

Clearly, this $1.7 million cannot be diverted, for example, to finance the purchase of fertilizer for Pakistan. If this $1.7 million or any other pipeline funds were pulled out for current expenses it would mean breaking international agreements, leaving projects unfinished and wasting the initial expenditures, and leaving American industries to take losses on orders half produced or on investments in production for which there is suddenly no customer.

The Journal of Commerce continues:

> Besides U.S. businesses, the needy countries won't be the only [ones] to suffer. United States private investors will be set back. A moratorium would cancel A.I.D. local currency loans for foreign market development, halt government financing of investment surveys as well as A.I.D.'s program of supplementing U.S. industry "agribusiness" initiatives in the less advanced nations.
>
> The moratorium also would force the aid agency to either reduce sharply the number and size of its private investment guarantees for U.S. firms operating in poorer lands or to stop this program entirely by next spring.

In hitting the vitally important area of technical assistance, a moratorium would effectively kill the whole foreign aid program. Salaries of AID personnel are paid out of current year funds, and obviously, AID personnel would therefore no longer be paid. Technicians under contract as well as other AID field personnel would have to be called home. Without technical assistance people in the field to administer projects and advice on the use of capital goods purchased in the United States under the loan program, the entire program would come to a dead stop.

Considering these disastrous effects of a moratorium on our aid recipients and our own economy, Mr. Chairman, I cannot comprehend how we can seriously entertain the idea. I strongly oppose any action by this Congress to declare a moratorium on foreign aid, as I am convinced that it would only constitute the final end of the economic assistance program of this country.

This program has been and continues to be our best investment in hope for mankind and for peace on this planet.

Mrs. BOLTON. Mr. Chairman, I yield the balance of our time to the distinguished gentleman from New Jersey [Mr. FRELINGHUYSEN].

The CHAIRMAN. The gentleman from New Jersey is recognized for 30 minutes.

Mr. GROSS. Mr. Chairman, would the gentleman yield for an inquiry of the Chair?

Mr. FRELINGHUYSEN. I yield to the gentleman from Iowa.

Mr. GROSS. Mr. Chairman, may I inquire how much time is left?

The CHAIRMAN. There are 38 minutes remaining.

Mr. MORGAN. Mr. Chairman, will the gentleman yield?

Mr. FRELINGHUYSEN. I yield to the chairman of the committee.

Mr. MORGAN. Mr. Chairman, I would state to the gentleman from Iowa [Mr. Gross] that we only have 8 minutes remaining on our side.

Mr. FRELINGHUYSEN. Mr. Chairman, I should like to begin by thanking the gentlewoman from Ohio [Mrs. Bolton] for being so generous in her allotment of time to me, but I have no intentions of taking as much time as she has allotted to me. I hope to be quite brief.

Mr. Chairman, I should also like to compliment the distinguished chairman of our committee for the leadership which he has provided us again this year in a bill which all of us have anticipated might be a difficult one. He has done a good job, and has done it with a committee whose members represent a great variety of opinions and philosophies.

We can be grateful also for the very fine contributions which the gentlewoman from Ohio [Mrs. Bolton] has made this year, as she has in years past.

I would also like to express my regret that so many of our committee members do not seem to be planning to return next year.

Mr. Chairman, what can an individual member of the Committee on Foreign Affairs say about the subject of foreign aid in the closing of the debate? Certainly, much was said which makes sense, but I often wonder how much impact whatever is said has on those who vote. I certainly feel impressed this year because there seems to be, I am glad to say, a greater feeling of understanding and of sympathy for the foreign aid program than we had last year. There is recognition on the part of many that we should take a closer look at the program, and I would be in favor of that. Others have suggested that we should coordinate the variety of ways in which we provide assistance, and I would be in favor of that.

There have been doubts expressed and reservations made about the wisdom of a so-called moratorium. I would like to express my doubts about that approach because it would seem to me to have disastrous results.

The gentleman from Indiana, who has provided very wise leadership, although I do not always agree with him, put it quite well when he suggested that we should not cut too deeply, because if we are to continue our foreign aid program there should be enough substance left in it after the cuts have been made so there is a meaningful program left.

I would like to emphasize the importance of limiting whatever cuts we may make and that we should have a floor which will provide enough leeway for those who administer the various ways in which we provide assistance. Reasonable men, I recognize, may differ about how much money is needed to provide adequate programs of technical assistance, military assistance, development assistance, and so on. Yet it would be flying in the face of actual experience to deny that there is not a real and continuing need for our help to other countries.

Whenever we may decide as an adequate funding level to service foreign aid, let us not forget that foreign aid is important, and that to be effective it cannot be slashed too deeply.

Let us not forget, either, that there is an absolute necessity, if it is to be effective, for continuity in our foreign aid programs.

Let me stress again the importance, indeed, the necessity, of foreign aid. No one will argue that it is perfect, but if you look at what has been accomplished and what is being accomplished with the money which has been provided, it is obvious that foreign aid is an important instrument in our foreign policy.

If you think that is not true, take a look at Korea, Turkey, the Republic of China—or Brazil or Colombia or Chile or Pakistan or India.

A number of people have mentioned the subject of India. She is scheduled to receive a substantial amount of money under the foreign aid program authorized by this bill.

The administration is requesting a total of $408 million in development loans and almost $15 million for technical assistance.

The gentleman from Minnesota [Mr. Fraser] and I took a brief trip—altogether too brief a trip—to West Pakistan and to India last January. We saw for ourselves what others have mentioned during the debate—the transformation which is occurring in India, in part, because of what the United States is making in the way of contributions to her economy.

There is really an agricultural revolution underway. This year's crops in India are expected to total roughly 100 million tons of grain. This compares to the previous record total of 89 million tons and a total in 1967 of 75 million tons of grain.

This has been made possible primarily because of the new seeds that have been developed. It is made possible by the better use of water which is being made available through tube wells and other irrigation systems. It is made possible primarily because of the feeling on the part of the Indians themselves that something can be done about their condition.

It is an inspiration to see what this means in a country the size of India—a country of roughly 520 million people.

If the program is to be successful of increasing food, we need to worry also about the number of people to be fed. We saw for ourselves the interest that the Indians and the Pakistanis both are taking in controlling the size of their families. Because they, too, realize that their welfare depends on this.

We should recognize that the assistance which the United States provides in this area is important. If we are to provide less for the development loans and, therefore, substantially less to India, this will cut into the amount of fertilizer which is necessary for the new seed. If we supply less fertilizer, obviously less food will be produced.

So it is important, I think, that we recognize there is a need for a continuity. There is a very real need for support what the Indians are doing.

While I am on this, let me say that basically the Indians are doing the job themselves. Roughly 80 percent of their investment need is being met by the Indians.

The outside external assistance comes primarily from the consortium of 10 nations including ourselves. It is based on the necessity for self help on the part of the Indian Government and it is estimated at $1.2 billion, of which the United States will contribute 40 percent.

So here we have a country of great strategic importance on the threshold of a real transformation of its economy. Because, as its food situation improves, it is going to be possible for the consumers to create an additional demand for the goods and services which can be produced in the economy generally.

There has already been a very significant loosening up in India which could be very severely affected if there should be a reduction at this time in what has been the level of support by ourselves and other countries.

It is for that reason that I am somewhat concerned about the proposed reductions which are being planned and this strikes me as undesirable to reduce too much in these areas—and I am not sure what too much is.

I have my doubts about the wisdom of cutting as much as the committee has recommended.

I have even greater doubts about cutting the $400 million or more, which has been proposed by a number of members of the Committee on Foreign Affairs.

In any event, substantial reductions could quite obviously be very damaging in countries like India and in other countries that are major recipients of our aid.

Without question, there are new and urgent demands upon the resources of our people, but are we going to practice frugality to a fault, rob Peter to pay Paul when there is no necessity for it? If we move in the direction of satisfying all domestic needs, real and imagined, and satiating all the domestic demands anybody can dream up, by running out on our responsibilities to the rest of this world, we will be making a bad mistake. We will be opting for a simplistic neo-isolationism which would be as perilous to our security and prosperity as it is shortsighted.

It may be that the cuts of $600 million which the committee has already approved will prove to be shortsighted. Certainly it will be less easy for those in charge of our AID programs to do a good job if that much less money is available. Additional cuts, made here on the floor, could make the job of providing effective aid almost impossible.

What have witnesses said about this year's request? First of all, it was evident that a major effort had been made to keep the requests at a moderate level. William Gaud, Director of AID, pointed out that each overseas AID mission was directed to submit a proposed assistance program, which had first to be approved by our Ambassador to that country, before being sent to Washington.

All these requests were then carefully screened by AID, the State Department, the Treasury Department, the Department of Defense, and the Bureau of the Budget. As the result of a particularly close interagency review this year, a total of $800 million in requests was not included in the administration's request for $2.5 billion for economic assistance.

As Mr. Gaud described it:

> This is a tight budget tailored to fit a tight situation. Particularly in view of the cuts in the Fiscal Year 1968 budget, we believe it is the minimum necessary to support the development momentum now underway in the developing world.

The Foreign Affairs Committee heard weeks of testimony following Mr. Gaud's initial presentation. On the basis of those hearings it would be difficult to deny that this was not a tight budget. Of necessity there has been a concentration of effort in relatively few countries, with others capable of utilizing aid effectively not even listed as recipients.

Why, you may ask, if the justifications were sound for the funds requested, has the committee recommended that some $600 million be slashed from the amount requested? Is it not the function of our committee to decide how much money can be effectively utilized? Should it not recommend a larger amount if the administration can show the need for that amount?

I personally feel that the committee should have recommended more than it actually has. What has occurred, the committee report will reveal, is that members of our committee have looked more at "the tight situation" in which our country finds itself than at the ways in which the money would be spent. The $600 million reduction was approved because of the committee's recognition that Federal expenditures must be substantially reduced, not because a good case was not made for spending more money.

The request now before us, in other words, represents what the committee feels is an appropriate amount for foreign aid, given the financial predicament in which our country finds itself. Many members, I feel sure, would recognize that more could be utilized for development assistance, technical aid and other programs, but they recognize also the necessity for retrenchment, for "economy" and so on.

In brief, these reductions from the administration's requests represent a desire to find a generally acceptable spending level, rather than a feeling that previous programs have been too big, or that the administration has been less successful this year than in the past in justifying its need for funds.

Surely, Mr. Chairman, it must be clear to us all that the days of "fortress America" are gone forever. Excessive reductions in our aid program would have the effect of slowing down the development of our allies to the point where they are once again economically ineffectual and politically insignificant, even invisible. Should this occur, we could then say goodby to our unprecedented prosperity, as we would further aggravate our balance-of-payments deficit and negate the possibility of expanded world markets. We would then become sitting ducks for aggression, with the majority of our strategically placed free world allies forced to turn inward to husband their own resources, devastatingly shrunk by the withdrawal of our aid. We have the money now, and they do not. It is that simple.

We all know what happens when the money runs out too soon. Machinery rusts and falls to pieces because no one can afford to repair it. Plowed fields return to deserts—or jungles—because there is no money for seed, for fertilizer, for irrigation. Diseases resume epidemic proportions because there is no money for preventive medicines, for public health programs, for water purification. Student from 6 to 76 who have had 1 year in school and who know the unparalleled excitement of learning to read a primer and write their names, fall back into illiteracy because there is no money to give them another year of school and keep them from forgetting what they have learned. And apathy, sluggishness, and despair envelop a nation which is poor and hungry and has no one to turn to for assistance, where the richest people on earth say, "we can't afford to help you. We thought we could, but now we find we need it all ourselves."

Secretary of State Rusk recently pointed out that:

> Development takes sustained effort. A farmer needs new seeds and fertilizer *each year*. A factory needs raw materials and spare parts *each year*. A technician working to control malaria has to be paid *each year*. Similarly, new aid funds are essential each year—to set in motion the flow of goods which take time to order, make, and distribute; to acquire the services of skilled technicians who are hard to find, recruit, and season; and to support the implementation of policy and self-help reforms.

Our aid program cannot be run like a stop-and-go light at a traffic intersection. A reduction in aid would be the same as cutting the flow of air to a critically ill patient in an oxygen tent.

Food shortages in many underdeveloped nations are nearing the crisis stage. Nearly $800 million in this year's AID program is intended for U.S. fertilizer, pesticides, seeds, equipment, and technical assistance needed to increase agricultural production. Procurement must start in fiscal 1969 if these supplies are to reach the farmers of Asia, Africa, and Latin America in time for next year's planting.

In the industrial sector, AID loans which finance U.S. machinery, parts, and raw materials for overall economic growth have caused an upsurge of private industrial enterprise in countries such as Turkey, Pakistan, India, and Korea. An aid stoppage necessitated by reductions in our current program would quickly convert this upward trend into collapse.

Under our aid program we have brought some 15,000 people from the developing countries to train them here in such fields as health, agriculture, transportation, and public administration. As a result of the cuts proposed, we could overnight create 15,000 technical training dropouts. Most of our 6,500 AID-financed technicians working overseas would have to be brought home.

These are some of the economic consequences which would follow a major cut in funds. The political consequences would be far worse.

We can be assured that drastic curtailment of our aid would be cause for rejoicing among our enemies. It would hand a great propaganda victory to those who have been asserting that when the going gets tough we will abandon the peoples and free nations of Asia, Africa, and Latin America.

The Governments and economies of South Vietnam and Laos would be in danger of chaos, and the tenuous security of Korea and Thailand would be jeopardized.

Excessive reductions would undermine the Alliance for Progress, and give a powerful weapon to the opponents of progressive Latin American leaders who have committed themselves to Alliance goals and a true partnership of the Americas.

Such reductions would create a situation in India and Pakistan which might well result in renewed recession and increased Communist influence. In Africa, they could confirm a feeling on the part of some that the United States is indifferent to Africa's future.

And here at home, mangling our aid program now would deny the new President, during his first few months in office, a primary instrument of American foreign policy in the developing countries, at the same time that the new President would be confronted with a whole new series of crises around the world.

These consequences represent too high a price to pay for the absurdly small amount of money which could be "saved" by foreign aid cuts. If, unthinkably, we ever have to cut our ties with the rest of humanity, let us do it at a time when we are less likely to leave the world in chaos and ourselves exposed to crisis.

Excessive reductions in funds for the fiscal 1969 foreign aid program would constitute a reversal of progress, an abdication of responsibility, and a suspension of concern for the national interest. I urge the Members of this House to reject such proposals, and to support the full authorization recommended by the Foreign Affairs Committee.

Mrs. BOLTON. Mr. Chairman, I yield back the remainder of our time.

Mr. MORGAN. Mr. Chairman, I yield as much time as he desires to the gentleman from Ohio [Mr. FEIGHAN].

Mr. FEIGHAN. Mr. Chairman, I support H.R. 15263. Since the inception of the program of foreign aid I have supported every authorization bill and every appropriation.

The criticism of the administration of the foreign aid program has in many instances been justifiable. However, the overall effectiveness of this program has in the aggregate been beneficial to the interests of the United States. One example where the beneficial effect on the United States has been manifold more to the people of the developing nations of the world is the agricultural development program of AID. More than one-third of proposed authorized funds in this bill will be allocated to agricultural development throughout the underdeveloped world.

AID is contributing to larger agricultural production in many nations by providing new miracle seeds and fertilizers and pesticides. The development of IR 8 at the International Rice Institute in Los Banos, Philippines, by two foundations has provided the means of increased production which can save many countries from the threat of starvation. IR 8 is the newly discovered strain of rice seed that increases the productivity of a crop three or four times the previous normal yield. Already India and Pakistan are harvesting bumper crops after using the new miracle seeds.

AID is providing funds for the distribution of these miracle seeds and the necessary fertilizers and pesticides.

If there is a moratorium on foreign aid or a severe cut, the impact will not only be felt by American manufacturers and producers of agricultural products, but also, in the underdeveloped world.

An interruption of this program would be most discouraging to the hopes of the people of the less developed countries for enough to eat and a better way of life.

Mr. MORGAN. Mr. Chairman, I ask unanimous consent that the gentleman from Connecticut [Mr. MONAGAN] may extend his remarks at this point in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. MONAGAN. Mr. Chairman, I support H.R. 15263.

I believe firmly that this legislation is necessary for the effective conduct of the foreign policy of the United States. It is a tool and a weapon which the people of this country give to their elected President to assist him in carrying out his constitutional mandate to manage the foreign affairs of the Nation.

Of course, if one viewed this program in the stereotype of the critics as a means of transferring our largesse to greedy and unappreciative foreigners, then opposition would be automatic. If, however, one took the trouble to examine the program carefully and see what its components were, he would find, I think, that its objectives were valid and its areas of attack were worth while.

Would one wish to discontinue, for example, the military assistance program, which provides technology and training for friendly nations throughout the world, or would one wish to cut out the supporting assistance which goes to strengthen the economies of nations allied to us who are striving to resist aggression and alien control?

Would there be a willingness to limit the programs of the Alliance for Progress, which is dedicated to assisting to help themselves those Latin American countries, whose stability and cooperation are so vitally important to us? One need only mention these names to realize how closely our security is related to their political and economic health.

It is not enough to say that there have been defects in the program. This, of course, has been true in the military program, in the agriculture program, in the poverty program, and in the space program. Nor is it sufficient to say that we are trying the impossible. I will admit that there have been failures and that there has been too much optimistic raising of expectations, but we have not abandoned the other programs which I have mentioned because we have considered them necessary to our national welfare and we should not abandon the mutual assistance program for this same reason.

May I refer to one new and significant section in this bill. It is one in which I am particularly interested since I have served as chairman of the Government Operations Subcommittee which has jurisdiction over excess property and which helped to bring to light the recent incredible mismanagement of the Antwerp office of AID.

Section 607 has been amended to place certain specific restrictions on the acquisition of excess property and to require certain standards to be satisfied before such property is acquired.

These standards are important and should improve vastly the performance of this office.

In my judgment, sections 607 and 608 provide a means for our Government to make substantial savings through the use of excess property. We should not allow poor performance to be the excuse of AID for doing this job right. With these new rules, this opportunity will be present and I hope that it will be seized.

In today's world a major power such as the United States must employ all its facilities and powers for its own defense and security.

We cannot retire from responsibility in the world. The Fortress America concept is not practical. We know that from experience.

So, in my judgment support of this bill is essential to maintain our position in the world and to preserve the security of our people.

Others have already discussed the moderate balance-of-payments impact of this program. I wish to stress the extent to which a President—any President—would have his options limited and his hands tied if this program were not available.

Viewed in the perspective of the past, the proposed bill is indeed modest. It is the smallest amount requested in the history of this program. The committee has already cut the amount by approximately $600 million—a 20-percent reduction.

Mr. MORGAN. Mr. Chairman, I yield the remainder of the time to the gentleman from Wisconsin [Mr. ZABLOCKI].

Mr. ZABLOCKI. Mr. Chairman, I rise in support of H.R. 15263.

In so doing, I realize that foreign aid is not very popular today. This is not surprising. Neither does it disturb me in the least. As a matter of fact, I have no quarrel whatever with those who want to put an end to "foreign giveaways." Our budget is tight, our taxes have just been increased, and Federal spending must be cut. What better place to begin than by eliminating gifts—or a dole—to some of our friends abroad?

Are we, in fact, talking about gifts in the bill H.R. 15263? Do the funds proposed to be authorized—$1.9 billion of economic aid and $390 million of military—represent charitable donations that our country can ill afford right now?

If this were indeed the case, I would be among the first to cast my vote against the bill before us. And I would do so without embarrassment, without any qualms.

For, after all, charity has to begin at home. And we can only be good to others if we provide first for the urgent needs of our own people.

Mr. Chairman, it does not require deep insight to realize that a large job remains to be done here at home. The goals of our society—a decent life for those who are willing to strive as well as for those who are no longer able to work—are still partly outside our reach. It will take plenty of effort, imagination, and money to achieve them.

Consequently, as I said earlier, I have no quarrel with those who believe—as I do—that we must tend to our national problems and needs before dispensing largesse to those beyond our shores.

But I want to ask again: What does that have to do with the basic issues involved in the bill before us? Does anyone here seriously believe that this bill constitutes a "foreign giveaway"?

I note that some of my colleagues are nodding affirmatively. Apparently our committee has failed to communicate the basic facts of this program.

This possibility has worried me considerably, for both the substance and the form of our foreign policy undertakings have changed dramatically in recent years. But somehow, this message has not gotten across to some people. Many persons in our country still think of this program in terms of concepts which no longer apply, and names which lost their meaning years ago.

Who, for example, finds the term "supporting assistance" particularly enlightening? What does it really mean? Yet nearly one-fourth of the economic portion of this bill has to stand, or fall, under that banner.

Similarly, what images does the term "development loans" conjure? Does it suggest a banking loan to some foreign government—a loan that will be used abroad to build a huge dam, a powerplant, or some other imposing industrial project?

That image bears little resemblance to reality. Today, in a country like India, which has been the primary recipient of our development loans, the bulk of the funds involved is used to buy, in the United States, fertilizer, and insecticides, and a variety of other American products.

It is a little understood paradox of foreign aid that virtually all of it is spent right here, in the United States.

It may be useful, therefore, to look at the program before the House today in terms of how the money involved is used, and what priorities are followed.

From the standpoint of uses, the following facts obtain in this 1968 bill:

Nearly all of the money authorized in H.R. 15263—military and economic—will be used to finance exports of American goods and services.

This means jobs for American workers and specialists, business for American firms.

As pointed out in the committee report, on page 10, in 6 years alone, American commercial exports to 53 countries participating in our foreign policy programs increased by $1.5 billion.

That is nothing to sneeze at.

At a time when our trade balance is declining—when rising prices make our goods less competitive—when the prospect of lay-offs and shorter hours is becoming an uncomfortable reality for some of our industries—the bill before us is more important to the American economy than ever before.

It may be of interest to the members of the Committee that in fiscal year 1967, 96 percent of all AID-financed commodities—accounting for nearly $1.5 billion dollars—were purchased in the United States.

Some 4,500 American firms, in nearly 1,600 American towns and cities, in all 50 States of the Union, benefited from this "foreign aid" financing of American exports.

In addition, as of December 31, 1967, more than half-a-billion dollars worth of technical service contracts were being held by private American groups.

In contrast, prior to 1961, only 37 percent of AID-financed procurement was done in the United States, and 57 percent went to other developed countries—primarily Western Europe and Japan.

During the last 7 years, therefore, this program has been completely reoriented and serves today as one of the mainstays of private American export trade.

On what else will the funds in H.R. 15263 be used?

Part of these funds will be used to ship American goods on American ships to foreign destinations. American shipping is more costly than world shipping and has to be subsidized. This bill, therefore, will help to support our merchant marine.

Another part of this authorization will be used to help American firms establish going concerns abroad. In recent years, nearly $9 billion in investment guaranties have been issued under this so-called "foreign-aid" program—not to foreigners, but to U.S. citizens and corporations.

Last year alone, private American overseas ventures returned more than $4.5 billion to the United States in the form of remitted profits. This compares with $84 billion in total domestic profits, before taxes, of all U.S. corporations.

Still another part of this "foreign aid" will be used to support the overseas programs of private, nonprofit American organizations—church groups, cooperatives, and various other voluntary agencies.

American education will also receive its share of this "foreign aid." Funds authorized by this bill will be used in part, to build up the faculties of American universities and research institutions; to expand our knowledge of the processes of economic and social development; to support private American-sponsored schools abroad; and on other, related pursuits.

It may come as a surprise to some Members of the House that as of December 31, 1967, 122 American colleges and universities held AID-financed contracts valued at some $226 million for research, surveys, training, and technical assistance. About $200 million was contracted to 67 American universities for technical assistance projects in 39 developing countries.

It is interesting, how this so-called foreign aid really benefits a wide, and diversified, section of the American public, and the American economy.

Now, if we look at the priorities embodied in the bill before us, we see another picture.

The largest part of what we call "foreign economic aid"—nearly $800 million—will be applied to increasing food production and improving food processing and distribution in the developing countries.

Another substantial part—about $250 million—will be devoted to education.

A smaller part—about $165 million—will be applied to health—to international research into the causes of cancer, to the eradication of communicable diseases, and to the solution of other health problems.

Still another part will be used to develop transportation and communications; to introduce improved administrative practices in the public and the private sectors; and to promote the development of viable, democratic institutions in the receiving countries.

Finally, a substantial portion of "foreign aid"—nearly $400 million—will be used to strengthen the free world's security and ability to resist Communist aggression. But even here, the funds involved will be spent primarily in the United States—on the production of military equipment and supplies, and on the training of foreign military personnel.

Mr. REUSS. Mr. Chairman, will the gentleman yield?

Mr. ZABLOCKI. I yield to the gentleman from Wisconsin.

Mr. REUSS. Mr. Chairman, the gentleman from Wisconsin is delivering a very able summary of the legislation before us. I have this question of the gentleman. About 15 months ago many of us were saddened because the then democratic Government of Greece was taken over by a military dictatorship. We all hope that free elections will be possible in Greece and that democracy can be restored. Until that occurrence, will moneys under the bill before us be used to send arms to Greece?

Mr. ZABLOCKI. Mr. Chairman, there is no economic aid for Greece in the bill before us. Further, since the 21st of April 1967, there has been a moratorium on the deliveries of all substantial items of military assistance to that country. That moratorium is being continued. The bill would not lift this moratorium nor change it. Such military assistance as is being carried in the budget for next year is on a contingency basis in the hope that Greece will move toward a constitutional government.

Mr. REUSS. Mr. Chairman, I am glad to hear that. I take it then the report of the gentleman to our colleagues concerns not only weapons like tanks and jet planes, but also the small arms which a dictatorship uses to enforce its will on the populace.

Mr. ZABLOCKI. It is my understanding that the policy we are now pursuing is designed to withhold any significant assistance to Greece until there is an acceptable change in the political government there.

Mr. REUSS. May I ask the gentleman one further question? I would hope, however, that the moratorium would apply to all arms which are capable of killing people?

Mr. ADAIR. Mr. Chairman, will the gentleman yield?

Mr. ZABLOCKI. I am glad to yield to the gentleman from Indiana.

Mr. ADAIR. In the interest of a full understanding, I believe the gentleman in the well would agree that there are funds, and the amount is probably classified—I will speak to the other gentleman from Wisconsin privately on that subject—other funds in this bill which would be available for Greece if the moratorium were not in effect.

Mr. ZABLOCKI. Mr. Chairman, to return to my topic:

All of these priorities embodied in the bill before us have but one goal: to help develop a world in which our own Nation, and other free nations, can seek the fulfillment of man's basic aspirations for peace, security, and a decent life.

In truth, the resources which we as a nation devote to these peaceful undertakings are pathetically small in comparison with the costs of war: $70 billion a year on national defense; $30 billion a year on Vietnam; $20 billion a year on the cost of past wars—on debt interest and veterans' benefits.

Mr. Chairman, it may well be that in our annual "foreign aid" presentations, more emphasis should have been placed on the new uses and priorities of our foreign policy undertakings.

Perhaps then the public at large, and those in Congress who oppose "foreign aid" would have a better understanding of the difference between a "foreign giveaway" and what the purposes and goals embodied in this bill really entail.

Mr. Chairman, under the affable, able, and outstanding leadership of our esteemed chairman, and after 3 months of careful, deliberate, at times even agonizing review, the Committee on Foreign Affairs slashed the authorization contained in this bill by nearly $600 million.

We did not do it because the Executive request was excessive, or the program unsound. On the contrary, I firmly believe that the full amount requested represented a realistic appraisal of what needs to be done if we are going to make any significant progress in staving off disasters—military, political, as well as economic and social—in the years to come.

Nevertheless, we cut the program to the lowest level ever approved by our committee. And we did it strictly on the basis of our domestic priorities—realizing that in this time of turmoil and far-reaching change at home, we must deal first with the problems closest to us.

We cannot, however, ignore what is happening outside our shores. For no man, and no nation, is "an island unto itself." And the future of this country—the realization of the American dream—are as much dependent in the long run on what happens at home as on developments in the larger world society of which we are part.

To cut this program even more, or to suspend it entirely for 1 year as suggested by some people, I believe would be foolhardy. To those of my colleagues inclined to follow either of those courses, I would say this:

Let those who wish to gamble with the future of this Nation take the responsibility for the day of reckoning which is bound to follow on the footsteps of irresponsibility.

And let them answer the next generation when they ask:

"What have you done to our country and our world? Why have you abandoned the free nations of Latin America, Asia and Africa in the hour of this need? Why did you deprive us of a chance to live in peace with our neighbors and to try our hand at building a better world?"

I urge my colleagues to support the limited program of assistance provided in the bill before us. The money it authorizes will enable less developed allies and friends to do their share to maintain a collective security posture which deters aggression and promotes stable international relations.

Mr. Chairman I submit: A vote for H.R. 15263 is a vote in support of stability in the world and a vote to promote and maintain peace.

Mr. BARING. Mr. Chairman, the time has come when we in Congress put to an end this wasteful spending of the American taxpayers' money. I call upon my colleagues to join me in voting down the bill before us today.

It is time we start taking care of our problems here at home and we can do just that by diverting the proposed foreign aid funds to our domestic needs.

Last year we came within eight votes of shutting off foreign aid entirely. Last year the House trimmed the administration's budget request by 28.9 percent. Today, we are asked to approve a mere 20-percent cut in the administration's budget.

Each year we receive the administration budget along with the honeyed words that the budget is a "barebones budget." Well, the only "barebones" that I have seen in the past budgets are those tossed to the American taxpayers while the "meat" goes to foreign countries.

And let us not overlook the fact that the American taxpayer has to pay an extra 10 percent tax for these so-called "barebone budgets."

Surely, Mr. Chairman, we are not asking the foreign countries to make too extreme of a sacrifice to stop putting his hands into the American taxpayers' pockets for 1 year. Goodness knows, we have enough money in the pipeline to take care of their needs for such vital and Nation surviving items, such as television sets; dolls' eyes; cocktail glasses and salad sets; bubble gum; outboard motors and spring water, to name but a few.

Mr. Chairman, the time has come when we stop pouring what little wealth we have left down this rathole. We are facing a grave economic situation.

The Federal budget has grown to an enormous size and we have one of the largest peacetime deficits in our history. The American taxpayer is sick and tired of being hit with rising taxes to support the rest of the world. A world that we have supported for over 25 years and have nothing to show for it except an outrageous debt.

Mr. Chairman, we simply cannot afford to continue our massive foreign aid program. If we continue this corrupt give-away program, we are going to bring about a world liquidity crisis that will jolt our economy like we have never seen before.

Foreign aid is the principal cause of our balance-of-payments deficit.

Foreign aid is the principal culprit in the debasement of our currency which in turn has caused the removal of gold cover on Federal Reserve notes.

I urge my colleagues to join me in voting against the bill before us and thereby take the first and right step in restoring fiscal stability to our country.

Mrs. REID of Illinois. Mr. Chairman, as we consider the Foreign Assistance Act of 1968, it seems to me that the question is not whether the President's request for a $2.9 billion foreign aid authorization for fiscal 1969 should be cut. On this issue there seems to be no doubt. Public sentiment clearly favors such a reduction. The difficult question to be decided in this debate is how much this reduction should be, or, indeed, whether a moratorium in new AID financing for the year ahead might better serve the interests of our Nation at this critical time.

There are, of course, those who will argue that we must not permit the foreign aid debate to be influenced by the hard realities of the war in Vietnam, by our overburdened domestic budget and social and economic needs at home, by our unprecedented Federal deficit, our balance-of-payments problem, and so on. I do not agree with such reasoning. In my judgment, foreign aid, just as any other Federal program, must be reviewed in the light of our overall revenue and expenditure priorities, and we must apply the same tests of objectives and effectiveness. This year, more than any year since World War II, there is a greater need to put the question of foreign aid and our ability to carry the load in proper perspective.

Several weeks ago the Congress found it necessary to approve a 10-percent surtax on individual and corporate incomes because of the alarming budgetary crisis facing our Government today. As a condition for approval of this tax increase, we very wisely—although belatedly—imposed a ceiling on Federal spending, requiring that $6 billion be cut from proposed actual spending for fiscal 1969, that there be an additional reduction of $10 billion in appropriations for future spending, and that a rescission of still another $8 billion be made in carryover funds from previous years.

Having thus been forced to raise taxes in a society already overburdened with taxes of one kind or another, and having called for long overdue economies in Government spending to alleviate the current fiscal crisis, it seems to me that the Congress now has a responsibility to the taxpayers of this country to reassess and reappraise future foreign assistance programs and to make whatever adjustments our budgetary situation demands this year. While I applaud the action of the Committee on Foreign Affairs in reducing the administration's foreign aid request by 20 percent, which is certainly a step in the right direction, I personally feel that even a moratorium on new authorizations for 1 year would not seriously jeopardize any essential foreign relationships of this country. It is estimated that there is over $5 billion in the foreign aid pipeline at this time, not including pipeline amounts for programs financed from other appropriations such as food for freedom, the Peace Corps, and so forth, which could continue to finance AID spending during fiscal 1969. I recognize that special legislation may be required to deobligate and reprogram certain commitments which are directly related to our national defense and security and must be continued.

The time is long overdue for a major reappraisal of foreign aid. I believe this is the best way to begin.

Mr. HANNA. Mr. Chairman, as we move toward floor consideration of this year's Foreign Assistance Act, it is clear that many Members will have their attention drawn to incidents of abuse abroad or incidents of competitive demand at home. Both sets of incidents are real and are ready targets for a negative inclined approach. It is equally true that neither set of incidents need necessarily threaten the heart of our aid program. The abuses call for correction, the competitive demands at home call for utmost care in balancing the total requirements of a Nation in a time of stress. Along with such approaches one can hope to keep alive the very vital, even urgent, long-term interest of our country in expanding the goods and services in the world's have-not nations.

Mr. Chairman, the slim hopes for peace in the long run of history rest more upon our ability to expand human resources closer to the balance with human needs than upon the balance of weapons or military strength. The first approach is a balance of hope, the second a balance of fear, and in the long haul hope is stronger and surer.

On the mundane level of a more practical, pragmatic approach to the future, our future, as a free enterprise Nation rests on a continuing expansion of markets. It is of basic importance then, that the attention of the Members be set for some time on the positive rather than the negative aspects of the aid program. I quote from this month's issue of News Front in an article entitled "Trading with the Third World":

> A continued slowdown in U.S. foreign aid may well hurt businessmen aiming at new overseas markets. A study by the State De-

> partment's Agency for International Development (A.I.D.) shows that U.S. exports were more than 1.2 billion higher in 1965 than they would have been without the stimulus of the aid program.

The article concludes with this statement:

> As the Advisory Committee in Foreign Aid thru Private Enterprise (chaired by IBM chief, Thomas J. Watson, Jr.) has emphasized, the tapping of the vast reservoir of private technical and institutional skills in the U.S. can be of invaluable assistance to *Less Developed Countries* in the development of their industrial potential.
>
> And at the same time, business interests in the U.S. and other developed nations have a large stake in the progress of the Less Developed Countries. These nations, with two-thirds of the world's population, are the growing markets of the future.

It is easy to be a critic of a program that has many shortcomings, all of which are immediately obvious and painfully present in the short-range operations. It is equally quite challenging to support a program whose rich benefits are both long range and indirect in nature. But surely, Mr. Chairman, in this House we should be mindful that a great nation measures its health and vitality not in the pains and aches of the moment but the achievements and growth of the years.

Where we can we should minimize the painful problems but in nowise should we cut off the source of achievement and growth—this is the challenge that is before us as we make our final determination on the Foreign Aid Assistance Act.

I venture a prediction, Mr. Chairman. If ever our country falls victim to the fatal economic ills of deep and disturbing depression it will not be from an accelerated recession of market at home which plugs and clogs our production but rather a recession in the over $30 billion direct and indirect which is involved in our present dynamic international trade.

The health of that international market is in large measure resting upon an expansion of that market. The expansion potential lies largely within the nations being pushed, albeit slowly, ahead by our foreign aid. I urge therefore sober, constructive, and positive thinking by each Member as we move to vote. I trust that vote will show continued support for a vital and necessary program.

The CHAIRMAN. The time of the gentleman from Wisconsin has expired.

All time has expired.

The Clerk will read.

The Clerk read as follows:

> *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That this Act may be cited as the "Foreign Assistance Act of 1968".

Mr. MORGAN. Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. PRICE of Illinois, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 15263) to amend further the Foreign Assistance Act of 1961, as amended, and for other purposes, had come to no resolution thereon.

GENERAL LEAVE TO EXTEND

Mr. MORGAN. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to extend their remarks during general debate on the bill H.R. 15263.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

LEGISLATIVE PROGRAM FOR THE BALANCE OF THE WEEK

Mr. ALBERT. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. ALBERT. Mr. Speaker, I take this time simply to advise the House on how we will continue with the program. Tomorrow we will take up the rule and general debate on the State Firearms Control Assistance Act of 1968, the so-called gun bill. Then we will come back on Thursday and hope to finish the Foreign Assistance Act under the 5-minute rule to passage. Then we will go back on Friday to the gun bill again. The reason for this change in the program is that tomorrow is the day of the funeral of our former beloved colleague, Joe Pool, and we did not want to act under the 5-minute rule while a number of colleagues are away at his funeral. So we will handle general debate on tomorrow on the firearms bill, and then go back to foreign aid on Thursday, and back to the firearms bill on Friday.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. ALBERT. I am glad to yield to the gentleman from Iowa.

Mr. GROSS. Is a Saturday session still a possibility or more than a possibility?

Mr. ALBERT. Well, I wish the gentleman would reserve his question until a little later in the week, because I might give him better information later on.

Mr. GROSS. The gentleman does not see any repetition of yesterday's endurance contest, does he?

Mr. ALBERT. I do not.

Mr. GROSS. When we stayed in session until midnight in order to pile up some——

Mr. ALBERT. The gentleman will admit that we accomplished quite a bit.

Mr. GROSS. Yes. We accomplished a substantial contribution to the debt and the deficit of the country yesterday. That is one thing we accomplished. And we stayed in session until midnight to do it.

Mr. ALBERT. Mr. Speaker, I yield back the balance of my time.

COMMITTEE ON EDUCATION AND LABOR—PERMISSION TO FILE REPORT

Mr. PERKINS. Mr. Speaker, I ask unanimous consent that the Committee on Education and Labor may have until midnight to file a report on H.R. 12120, the juvenile delinquency conference report.

The SPEAKER. Is there objection to the request of the gentleman from Kentucky?

There was no objection.

IMPRISONMENT OF JEWS BY ARABS

Mr. FARBSTEIN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. FARBSTEIN. Mr. Speaker, the reports become more frequent of the secret practice of genocide within the boundaries of the Arab States. We can no longer doubt that the Jewish population of Egypt and other Arab countries is currently being held hostage in the Arab conflict with Israel. This population, at best, has been deprived of all its rights to live as others live. But now we know that large numbers of Jews have been sent to what we charitably call "concentration camps," where they are being allowed to wither and die. It is an outrage upon humanity that this is happening. It is inexcusable if we, as Americans, know this is happening and choose to do nothing about it. I have written the Secretary of State to ask that a United Nations investigation be initiated into this deplorable situation. In due course, I will ask the House to support a resolution calling for such an investigation.

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, D.C., July 15, 1968.

Hon. DEAN RUSK,
Secretary of State,
Department of State,
Washington, D.C.

DEAR MR. SECRETARY: With increasing frequency, reports are emerging from the Arab countries, particularly Egypt, that large numbers of Jews are imprisoned as hostages in the struggle with Israel. We have learned that the Arabs are running concentration camps, where these Jews are being held under deplorable conditions. Surely, we Americans cannot sit by indifferently in the face of these events.

I would feel it is appropriate, Mr. Secretary, for our delegation at the United Nations to propose a full United Nations investigation into the treatment of Jews resident in Arab countries. The precedent for such an investigation is ample. We must not, for reasons of political expediency, be derelict in our duty to the humane treatment of human beings.

If you have another procedure to suggest for putting an end to these practices, I will be glad to entertain it. But we must not—as the civilized countries did in the 1930's—stand by while genocide is committed.

Sincerely yours,
LEONARD FARBSTEIN,
Member of Congress.

RETIREMENT OF GEN. G. P. DISOSWAY

Mr. DOWNING. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Virginia?

There was no objection.

Mr. DOWNING. Mr. Speaker, on July 31 a most effective and able military officer will retire from active duty, closing a distinguished 35-year career. He is Gen. G. P. Disosway, Commander of the Air Force's Tactical Air Command.

Such illustrious service deserves the acclaim of this Congress and I consider it a privilege to introduce the highlights of the general's career into the CONGRESSIONAL RECORD.

General Disosway's 35-year military career began when he graduated from West Point in 1933 and within a year was a qualified pilot in the Army Air Corps. In less than 9 years after leaving West Point he was a full colonel at the age of 32. His assignments have taken him across the country and back again, south of the border and to China and Europe. He has held important assignments such as Director of Training for the Air Force and commander of the Flying Training Air Force, now called Air Training Command. For a time he served as senior Air Force member of the Department of Defense Weapons Systems Evaluations Group.

General Disosway was named USAF Deputy Chief of Staff for Operations and headed the famed "Disosway Board," which helped to enhance air-ground joint operations, with emphasis on the flexibility of tactical airpower.

It was during this same period that General Disosway was instrumental in bringing the versatile McDonnell F–4 Phantom tactical fighter into the Air Force inventory.

In 1963 General Disosway received his fourth star and was appointed Commander in Chief, U.S. Air Forces in Europe. During the 2 years he served in this capacity he left his distinctive mark on both U.S. and NATO air operations in the European theater.

In 1965 General Disosway assumed command of Tactical Air Command in a period of intense activity. Many TAC units and hundreds of personnel were being sent to Southeast Asia. Replacements had to be trained for aircrews and support activities. The lessons of this new war learned in air combat had to be examined, evaluated, and applied by TAC. The command grew as weapons systems, new equipment, and streamlined management techniques were introduced.

Every effort was made to give the air forces in Southeast Asia what was needed. TAC met this challenge without degrading its continuing and all-important mission to answer any other contingency that may occur anywhere in the world where U.S. interests require tactical air support.

TAC responded to these demands and responsibilities with professional know-how and calm appraisal—drawn from its commander.

Mr. Speaker, I am confident that my distinguished colleagues in the House of Representatives will join me in both expressing our gratitude to General Disosway for his selfless service to our Nation and sending him our warmest wishes as he begins a new career in private life.

QUALITY OF FOOD FOR THE NEEDY

Mr. HUNGATE. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. HUNGATE. Mr. Speaker, I have heard questions raised concerning the quality of food which the U.S. Department of Agriculture is distributing to needy families. In checking into the matter to obtain the facts, I was surprised to learn that the Department uses higher quality specifications than those applied to the same products I buy in the grocery store.

The food bought for needy families is paid for under the "surplus removal" provisions of section 32 of Public Law 74–332, and the term "surplus removal" has apparently caused some confusion about just what kind of products these are. The statement has even been made that they are foods that no one else wants.

Mr. Speaker, the situation is quite the contrary. The flour, meat, cheese, vegetables, and other products bought under this program are of at least the same quality available to consumers in the grocery store—and sometimes they may be of better quality. For what the term "surplus removal" actually means in this case is that the Department of Agriculture can buy foods when they are in best supply and get the best food value for the money spent. There is no reason to equate "surplus" with poor quality.

Specifications are drawn for each purchase, and the food is examined or inspected to see that it meets the specifications before it is accepted by USDA. The specifications are based on grades of quality established by USDA's Consumer and Marketing Service—the same grades that are used commercially. If no official grades have been established for a particular product, USDA uses military specifications or develops specifications based on what is available commercially to consumers. In developing specifications for flour, for example, the Consumer and Marketing Service ran tests on 200 samples of commercial flours. Moreover, the quality of flour available commercially is routinely checked by Consumer and Marketing Service to keep the specifications up to date. Also, all flour distributed to needy families is enriched by the addition of vitamins and minerals.

The inspection or testing required, before a purchase is accepted from a bidder, is made by Consumer and Marketing Service graders or laboratory technicians, or personnel licensed by USDA to make inspections. Except when laboratory tests must be made, the product is inspected for quality right in the manufacturing or processing plant. Some products, such as peanut butter, must be processed under continuous USDA inspection. The requirements for grading and inspection are written into the specifications and such grading and inspection must be paid for by the bidder.

Peanut butter, incidentally, is one of the products that USDA purchases in large quantities as a good source of protein. The Consumer and Marketing Service took the lead in its specification which requires that peanut butter consist of at least 90 percent peanuts—the balance of salt, sugar, and stabilizers. The Food and Drug Administration has issued a proposed commercial standard of identity for peanut butter which would adopt the 90 percent peanut ingredient requirement.

The same objective—to get the most protein for the money—is followed in purchasing canned chopped meat. This is a luncheon meat, made basically of beef or pork, that can be used in sandwiches or hot dishes. Consumer and Marketing Service meat graders supervise the manufacture of this product from the fresh meat through the entire canning process and they check the quality of the finished product. The quality is the same as that found in canned luncheon meats available to consumers.

Mr. Speaker, USDA requires good quality in the foods it buys for needy families, and assures this quality by requiring certification by its own inspectors.

TRADE POLICIES

Mr. St GERMAIN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Rhode Island?

There was no objection.

Mr. ST GERMAIN. Mr. Speaker, in an address before this body on July 8, pertaining to our Nation's trade policies, I noted the trade deficits experienced during the months of March and May and stated:

> I think that it is about time that we cast aside our blind emotions and open our rational eyes to the problem at hand and that is the ever-expanding flood of imports . . . We seem to have become mesmerized by trade policies and proposals that will help the whole world at the fatal expense of the United States.

My proposal to overcome this crucial problem, as noted in my July 8 address, is to enact legislation to provide orderly trade, particularly in those areas which most affect our trade balance.

A very poignant news article appeared in the July 15 edition of the Providence Journal in which the problem of an unfavorable trade balance is analyzed in a similar manner.

I ask unanimous consent that this article entitled "Flexible Quotas Seen as Trade Loss Curb" be inserted into the RECORD.

FLEXIBLE QUOTAS SEEN AS TRADE LOSS CURB

WASHINGTON.—The United States is losing out in foreign trade. This fact was a well-kept secret until March and May of this year.

The weak competitive position of most American industries was long concealed by the official practice of padding U.S. exports while reporting imports on their foreign value instead of their landed cost. The discrepancy was several billion dollars annually. The result was a spurious trade surplus that helped justify further tariff reduction. Now the cat is out of the bag. The trade deficit has broken through even under the misleading official statistical treatment.

While the U.S. outproduces its competitors per man-hour, American unit costs are generally higher because of much higher wages, excepting Canada.

Saying this would make it appear simple: hold back wages while foreign wages rise. Two stubborn facts demolish this simplistic concept. One, the U.S. economy would collapse were consumer purchasing power held down. The wage-sustained purchasing power must grow if it is to absorb the torrent of goods that must be produced if unemployment is not to engulf this country. Year after year American output per man-hour rises. If Americans did not consume more per capita, a declining work force would produce all Americans consume despite population increase, unless the U.S. cuts work-hours.

The other demolisher of the concept lies in the power of American unions. Anyone who expects wage reduction to shrink U.S. costs is hopelessly naive.

All American economic enterprise today is controlled and regulated—again, by popular mandate—while U.S. foreign trade is to be freed. Vulnerable domestic industry is to be an exposed island competitively handicapped by legislatively imposed cost burdens adopted without concern over the effects on competitiveness with imports, and remediable only by shrinking the work-force.

The prescription will not work as even official statistics can no longer conceal.

NORTH JERSEY POSTAL FACILITY, KEARNEY, N.J.

Mr. UDALL. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Arizona?

There was no objection.

Mr. UDALL. Mr. Speaker, those of us who serve on the House Post Office Committee are well aware of the North Jersey Postal Facility in Kearny, N.J. We are familiar because of the aggressive campaign put on in behalf of that facility by our friend, the distinguished gentleman from New Jersey [Mr. DANIELS].

The gentleman from New Jersey has told me many times of his interest in lessening the tax burden on the people of Hudson County and there is no question that this facility, which will be privately owned, will add a multimillion dollar ratable and will be a boon to the people of the town of Kearny.

I am sure that most Members who are familiar with the New Jersey Turnpike have passed by the location of this facility many times. It will be located near the northern part of the New Jersey Turnpike, very close to New York City, and it will front on the Harrison Turnpike.

Mr. Speaker, for many years the mayor of the town of Kearny, the Honorable Joseph M. Healey has played a major role in the National Association of Cities. His handling of municipal problems has brought him deserved acclaim even as far away as Arizona.

The partnership of the gentleman from New Jersey on the national level and Mayor Healey on the local level is a good exampe of how constructive federalsim can be made to work.

Mr. Speaker, this facility will speed service in northern New Jersey. In addition, it will handle the mail more efficiently and save all the taxpayers of the United States money. Thus, this facility, which is so obviously good for Kearny, N.J., is also good for all Americans.

Mr. Speaker, I commend the gentleman from New Jersey for his leadership in this matter.

THE CAUSES AND CURE OF INFLATION

The SPEAKER pro tempore. Under previous order of the House the gentleman from Wisconsin [Mr. REUSS] is recognized for 60 minutes.

Mr. REUSS. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

Mr. REUSS. Mr. Speaker, like other Members of the Congress, I am deeply disturbed by the persistent rise in prices.

Consumer prices have risen by 3.1 percent per year since mid-1965, compared to only 1.3 percent per year during the preceding 5 years from 1960 to 1965. Since the spring of 1967, the rate has increased to about 4 percent per year. Similarly, the wholesale price index has risen at an accelerated pace, about 3 percent over the past year, compared to an annual rate of 2.1 percent since mid-1965 and only 0.3 percent per year from 1960 to 1965.

If the present pace continues, this will be the most inflationary year since 1950–51, when the consumer price index jumped 8 percent.

The 3 years 1965 through 1968 are the most inflationary since the Korean war.

Nor can we lightly assume that the torrent of price boosts will come to a quick end as a result of the recent enactment of a combination tax increase and spending reduction. There is an almost universal view among experts that the present inflation will continue for as much as another year or two. Indeed, many claim that it will not even begin to slow down seriously for another 6 months or more.

We should not be surprised at this, for a number of reasons.

Responses to budgetary changes such as we have made involve lags, so it will be some time before these changes can produce a major reduction in the rate of inflation. Having delayed the cure to the disease so long, we shall have to pay the price of our delay in a longer period of cure and recuperation.

Second, the excess demands which started the inflationary move between mid-1965 and mid-1966 created imbalances between various prices and costs, leading to what the economists call "cost-push" inflation. The economy will continue to adjust to such forces for some time.

Furthermore, many practices and policies undertaken by or condoned by the Federal Government either add to the inflationary pressure or slow the curative process.

It is precisely because this inflation has been so prolonged, and threatens to be further prolonged, that I think it worthwhile for us to review the situation again and learn some lessons about dealing with inflation.

Changes in prices are somewhat like a fever in the human body—both are signals that the organism is out of balance. Both maladies can be cured, but only if there is a correct diagnosis as to the cause and if the right medicine to deal with that cause is administered in time. When the thermometer shows that a human being has a fever, we do not wrap the thermometer in ice, nor be content with mere fever-reducing palliatives such as aspirin. The fever is a symptom. Hence, we look for its cause and design a cure for that cause.

In the same way, dealing with inflation by direct price and wage controls is simply a way of operating on the symptoms of unbalance in the economy. It is not a cure aimed at the basic operational or structural factors from which the price-increase pressures are emanating. As soon as direct price and wage controls are removed, the inflation renews with increased fury if the basic cause has not been removed. The essence of the problem is to correctly diagnose the sources of the inflation so that the correct medication in the correct dosage can be applied.

To give a preview of my conclusions, I think that the recent inflation, like many in the past, comes from a variety of sources, and that therefore a combination of instruments is necessary to deal with it. Flexible and effective fiscal and monetary policies, vigorous antitrust enforcement, wage-price income guidelines, flexible and skillful purchasing policies by the Government, skillful use of various regulatory policies and subsidies—all must be combined so that the economy can enjoy a return to price stability and stable, longrun development in real terms at full employment.

It is necessary, at the beginning, to keep in mind that our national objective as set forth in the Employment Act is to obtain full employment, rapid growth, and price stability, all at the same time. This must be done within the framework of cooperation between public and private individuals and organizations to maintain our free, private, and competitive enterprise system. We must never for a moment lose sight of the fact that our central objective must be a job for each individual able, willing, and seeking to work at the same time we maintain a stable price level to protect the purchasing power of his income and his savings. Anything less is not good enough, and we must constantly search for ways to come closer to this ideal within a free society.

In these remarks, I intend, first, to suggest the causes of the current inflation, and, second, to review possible cures that can be taken to end the present inflation and reduce the likelihood of future upward movements of the general price level.

THE ORIGINS OF THE CURRENT INFLATION

Members of this House will recall that only a few years ago, in the face of 6 years of persistently high unemployment and inadequate economic growth, the Congress adopted a series of tax measures, beginning with the Revenue Act of 1964, intended to remove the fiscal drag on the economy, reduce the hypothetical high employment budget surplus, produce more revenues as a result of increased employment and private incomes, and thus bring an end to the combination of economic stagnation and budget deficits.

By the spring of 1965, this policy was successful. The economy was rapidly approaching desired levels of employment and income. The rate of use of industrial capacity was rising rapidly. The Federal budget on a national income accounts basis had moved from a substantial deficit in the first half of 1964 to a substantial surplus in early 1965. Even on the new unified budget basis, the budget was moving into balance.

But in the second half of calendar 1965 Federal expenditures began to rise more rapidly as our commitments in Vietnam began to rise. By early 1966, the expansion in defense spending was rapid and sustained. It began to be clear that if the trend continued, an expanded deficit and inflationary pressures would be inevitable.

At the same time, the private economy was strong and expanding. Civilian government expenditures, particularly at the State and local level, were continuing to rise as they had for over two decades. Plans for business fixed investment indicated a rise in 1966 of between 10 and 12 percent a really remarkable level considering the very large increases that had already taken place in 1964 and 1965. Such private investment by late 1965 had reached 10½ percent of GNP compared to about 9.6 percent yearly average for the decade 1951 to 1961.

Other signs were so favorable that the Joint Economic Committee, in its 1966 Joint Economic Report, said:

> As the American economy moves into the sixth year of uninterrupted expansion, the pace is clearly accelerating. . . . There are signs that price pressures may prove stronger than the Administration expected.
>
> In view of these prospects, the signs of an increasing shiftover to a sellers' market in more and more commodities, and the increasingly vigorous surge of investment, it would be imprudent to do anything less than ready our anti-inflationary defenses, prepared to use them on short notice. As the price of complacency we could harm our long-term efforts to maintain full employment and by early neglect ultimately raise the unpleasant necessity of direct controls, such as were required during the Korean war.

PART OF THE INFLATION WAS "DEMAND AND PULL"

Yet the steps taken proved inadequate. Military spending rose almost twice as much as expected, and the budget deficit deepened. The monetary authorities tried to take some braking action by the summer of 1966. But in the face of a strong economy and an expansive Federal fiscal policy, they came very close to creating a monetary panic by the excess of their zeal. Although the rate of advance in prices and general activity slowed somewhat in the second half of 1966 and early 1967, the economy soon resumed its upward march. The rate of advance in real terms accelerated to over 4 percent per year in the second half, and early this year reached a phenomenal rate of almost 6 percent per year. At the same time, the price advance accelerated again, and for almost a year now has been running at the very high rate of about 4 percent a year.

By the first quarter of this year, the overheating of important sectors of the economy had become apparent. In the first quarter, GNP expanded at a phenomenal annual rate of 10 percent a year, or $20 billion. Of this 10-percent rise in GNP in current dollars, 6 percent was in real terms—that is, total GNP deflated to take out the price changes—and 4 percent represented rising prices. Such a 6-percent rate of real growth is far higher than the potential rate of growth of the economy at full employment of 4 or 4½ percent a year generally believed to be sustainable. In any case, it would be unhealthy for our domestic economy, as well as for our balance of payments, to have 40 percent or more of the increase in current dollar GNP take the form of price increases.

From this brief review of recent economic history, it must be clear that the present surge of inflation originated in the same way as that in 1950–51; that is, it was created by excess demand, brought about by imposing a rapid rise in military spending on top of a strong civilian economy. In the economist's language, inflation began again—as it has so often in the past—with "demand pull." This means that the aggregate money demand was so high, and rising so rapidly, that price levels increased as buyers bid up prices of available goods and services. The demand pulled up prices first of goods and services, then of the productive factors used to create these goods and services.

BUT "COST-PUSH" WAS ALSO PRESENT

But another type of inflationary process soon started operating—that widely called cost-push. As prices increased and the growth of output and employment accelerated after 1965, there was not merely a record demand for workers for the first time since 1960. Compensation per man-hour grew significantly more rapidly than productivity, so that unit labor costs rose significantly.

The change shows up in the median first-year effect of wage agreements reached in major collective bargaining situations. From 1961 through 1964 these agreements provided adjustments ranging from 2.8 percent to 3.2 percent for the first year of the agreement. In 1965, the rate accelerated sharply to 3.8 percent and in 1966 rose again to over 4½ percent. For the total private economy, unit labor costs, which had risen four-tenths of 1 percent per year from 1960 to 1964 climbed 1 percent in 1965, and about 3½ percent in 1966.

Thus as the inflation progressed, not merely prices but also costs began to push upward.

This had two implications. First, it insured that price rises would not generally be reversed when inflationary pressures died out. Second, it started a spiraling of adjustments in costs between various occupations, regions, and industries, leading to similar adjustments in prices.

At the start, undoubtedly, costs and prices tended to rise only in industries where unions and management possessed a degree of market control that enabled them to protect profit margins and real wage positions independent of demand situations. But as time passed, pressures brought adjustments in other industries and occupations. Cost-push was in full bloom, pushing wages and prices ever higher, whether demand was tilted strongly upward as in early 1966 and since mid-1967, or was advancing somewhat slower as in late 1966 and early 1967.

Indeed, the interaction of demand forces with cost-push adjustments became so prevalent that one wag is said to have labeled contemporary price rises "push-pull" inflation.

This push-pull inflationary process still continues. Demand has continued strong. The deficit in the Federal budget in the fiscal year just ended was well over $20 billion. Meanwhile, the push element mounts daily, as one wage agreement after another provides for ever-spiralling increases. We have just been compelled by simple justice to put into effect an increase averaging about 5 percent per year for Federal employees, with some getting more than this. We must face another large boost in Federal payscales to be put into effect effective at the beginning of the next fiscal year 1970, on July 1, 1969. I am told by some experts that the increase could easily turn out to be substantially larger in percentage terms than the one just put into effect.

In the private economy, the discussion in informal circles—as well as in the press—points to further substantial increases in labor agreements in such industries as steel during the remainder of the year. Figures mentioned range upward from a minimum of at least 6 percent in steel, to rumors of as high as 10 percent or better in some instances. I hesitate to believe the latter.

That these reports of possible further wage increases are not mere gossip is indicated by the record for the first part of this year. Collective bargaining contracts negotiated during the first quarter of 1968 again put heavy emphasis on large first-year wage increases followed by substantial increases for subsequent years. The median first-year wage increase in the first quarter contracts was about 7.4 percent, according to the Department of Labor, compared to 5.7 percent in the contracts negotiated in 1967, which itself is a substantial increase over prior years. Although apparently relatively few workers were affected by these early settlements, they indicate the direction and magnitudes likely to be experienced as the year progresses.

A comparison of increases in wages with increases in productivity produces striking results. In the first quarter of this year, total hourly compensation of nonfarm employees—including employer payments for health, welfare, pensions, social security, and other nonwage benefits—increased 2.6 percent, faster than in any quarter since late 1960, and one of the largest quarterly increases in the postwar era. Nevertheless, the real weekly earnings of the average nonfarm employee—that is, his pay adjusted for price increases—actually dropped somewhat over the quarter and was up only 1 percent since March 1967. This is due both to a decline in hours of work and in an increase in prices. If we compare the first quarter of 1968 with the first quarter of 1967, average hourly compensation increased 6.2 percent while output per man-hour gained 2.2 percent. As a result, unit labor costs rose 3.9 percent.

The sharp acceleration in the rate of increase in average hourly compensation, which exceeded the increase in productivity and pushed up unit labor costs, has undoubtedly played a strong role in the actions of management in raising prices. Strong demands and rising costs are reflected in business attempts to raise prices to maintain profit margins. Within the last 6 months every one of the 22 major classes of products in the Wholesale Price Index has experienced price increases.

The inflationary atmosphere is reflected also in the reports on corporate profits. Recent surveys of businessmen by Dun & Bradstreet indicate that 60 percent of the businessmen interviewed anticipated higher profits in the current third quarter. Nor is this surprising, for in the first quarter before-tax profits rose nearly $4 billion to an annual rate of $89 billion. Thus in the first quarter, the annual rate of profits was about $2 billion more than the optimistic estimate for all of 1968 underlying the President's January budget.

Much of this increase in profits reflected price advances which inflated the book value of inventories held by business. When the influence of these inventory value changes is eleminated, the first quarter profits actually grew at a slower rate than in the final quarter of 1967.

A similar situation probably occurred in the second quarter just ended, as price level increments added to inventory values and the gap widened between paper earnings and real earnings. The Dun & Bradstreet survey reports that 56 percent of the business executives interviewed predicted continuing price increases over the remainder of this year. Inflation was also a factor in the drop in 1967 in the rate of return on corporate net worth, from 11.3 percent in 1966 to 10.5 percent in 1967. Despite substantial increases in product prices, unit costs rose so rapidly as a result of the inflationary atmosphere that profits were restricted.

A notable characteristic of inflation—unused manpower and factory capacity despite excess demand—has shown up again this time. By the beginning of 1966 the seasonally adjusted unemployment rate had fallen to less than 4 percent, and the rate has remained between 3½ and 4 percent since. The ratio of output to capacity in manufacturing reached the 90 to 91 percent range early in 1966. But though the inflation has continued, unemployment has not declined further despite the large demand by the military for additional manpower and the absorption of many into government or privately sponsored training programs. The ratio of output to capacity in manufacturing, indeed, has fallen, and for the last year has averaged about 84 to 85 percent. The heavy rate of investment has been increasing capacity faster than demand has risen. Thus inflation has discouraged demand enough to prevent further reductions in unemployment and idle capacity. Indeed, while the overall unemployment rate has remained in the low 3½- to 4-percent range, there have remained very large pools of unemployed and underemployed workers both in the central cities and in many rural areas.

MONETARY POLICY—ON AGAIN, OFF AGAIN

Throughout the inflationary period since 1965, monetary policy has played a vacillating and uncertain role. From 1960 to 1965, the period when prices were relatively stable, the monetary authorities increased the money supply by approximately 3 percent a year. This is near the lower bound of the range of 2 to 6 percent a year recently suggested by the Joint Economic Committee as about the desirable range of variation in normal times. But in 1965, the rate was 4 percent and by the end of that year the rate reached the upper bound of the recommended range. In fact, from August 1965 to April 1966 the money supply was increased at a rate of 7.4 percent per year, somewhat in excess of the recommended range. Beginning in May 1966, the monetary authorities followed a policy that fluctuated between substantial expansion and substantial contraction, the net consequence of which was an average annual rate of decline of 1 percent a year in the money supply from April 1966 to January 1967. From January 1967 to January 1968 the money supply was increased 7.2 percent per year. Since January, the rate has again fluctuated somewhat, but averaged between 6 and 7 percent a year.

It is clear that the money supply over this period has continued to expand at a rate far too high for safety, intermixed with brief periods of extreme stringency. This conduct of monetary policy was well outside the guidelines which I proposed in my supplementary views in the Joint Economic Committee's 1968 Annual Economic Report, and exceeds also the guidelines recommended by the committee itself in its July 1968 report "Standards for Guiding Monetary Action." Clearly, over much of the last 3 years monetary policy has been helping finance inflation.

But the inflation has also scared the monetary authorities into a period of such stringency in 1966 as to create what has popularly been called the "1966 monetary crunch." This came very close to creating a panic in financial markets. The stringency effectively slowed down the economy for a while in late 1966 and early 1967 but did little to cure the underlying inflationary forces or to reduce the inflationary psychology abroad in the land. Consequently, the moment monetary growth was resumed to correct the excessive financial stringency, output, employment, and prices again accelerated sharply.

To sum up this brief analysis of the last 3 years, the sharp expansion of defense spending from an annual rate of about $50 billion per year to between $75 and $85 billion a year, piled on top of swelling private and public demands, initiated a sharp upsurge in prices between late 1965 and the first half of 1966. After a brief interlude, this demand pressure resumed in 1967 and still continues. As inflation got underway, costs began to rise, wage rates rose much more rapidly than productivity, and a cost-push cycle set in which also continues. Monetary policy vacillated; through much of the period it accelerated the rate of inflation; but it come close to causing a panic by excessive stringency in the summer and fall of 1966.

It is notable, too, that the wage-price guidelines which had been used so successfully by the administration in earlier years of price stability were quickly abandoned when inflation set in.

In sum, the inflation of the last 3 years is complex—initiated by demand-pull, aggravated by cost-push, and but lightly affected by a wildly fluctuating monetary policy and by wage-price guidelines abandoned the moment they were challenged. All of us—the administration, the Congress, the Federal Reserve, important elements of business and labor—have done many things we ought not to have done, and have left undone many things we ought to have done. Let us resolve, Mr. Speaker, to do better.

HOW TO HALT THE CURRENT INFLATION

At the very outset I warned that we must not expect the present inflation to be brought now to an abrupt end. We shall do well to bring the rate of rise in prices down to a tolerable magnitude sometime in 1969. To solve the problem of attaining complete stability of the price level may be an even longer process.

But we in Government can play a major role in promoting the restoration of a more stable price situation. And we can do much to insure that we maintain price stability permanently once it has been achieved.

WE SHOULD HAVE MOVED SOONER TO RAISE REVENUES

Let us be clear about one lesson from the experience of the last 3 years. Any time that events at home or abroad create a necessity for the Federal Government sharply to increase its rate of spending for any purpose—particularly for defense—the President and the Congress must immediately take appropriate revenue-raising steps to insure that there are sufficient increases in revenue to offset the inflationary expansion in demand. We ought to learn from the contrast between the 1950–53 experience at the time of the Korean emergency and that during the military expansion associated with Vietnam in the last 3 years.

In the Korea case, Congress took the initiative and insisted on increasing taxes to pay for the military program. In fact, three tax bills were passed in only 12 months, increasing taxes far more drastically than anything we have had to contemplate in the Vietnam period. The action was prompt and was well underway in a matter of 30 days. The first bill passed the Congress and became law in less than 6 months. The rise in wholesale prices ceased in only about 6 months, and the rise in consumer prices slowed drastically in less than a year.

In contrast, after 3 years of Vietnam, the present inflation is still vigorous and accelerating. Yet the increase in defense spending after 1950 amounted almost to 10 percent of the GNP and brought a more than tripling of the defense budget from about $13 billion to between $45 and $50 billion per year. In contrast, the recent increase is only about 50 percent and represents only about 3 percent of our total national output.

Clearly, prompt immediate action, vigorously pursued, can hold inflation to a minimum. In Korean times, it did so. Our present troubles with persistent inflation are, in part, doubtless due to the long period during which we have debated whether to take some form of effective budget action to stop the swelling Federal deficit. It may be noted that prompt action in 1950 produced a substantial cash surplus of $7.6 billion in the first fiscal year of the Korean emergency, and a balance even in the second year. It was not until the inflationary pressures of the defense buildup had been eliminated that the budget was allowed to swing into even moderate deficit. In the present case, prolonged debate of the issues in and out of Government has been accompanied by a sharp and persistent swing from surplus to deficit and a promotion of inflation rather than its dampening.

This brings us to the first major way of curing inflation. If, as was the case this time, excess demand was part of the cause, then we should aim for a moderate surplus. Failure of the Congress to act promptly to insure this is the most serious mistake that can be made. The recent passage of the Revenue and Expenditure Control Act of 1968 is certainly a step in the right direction, even if 2½ years late. It will rapidly reduce the Government's deficit. Indeed, in terms of our national income accounts, it should bring a sharp shift from deficit now to a modest surplus in the first half of calendar 1969. On the overall unified budget basis, the deficit should be drastically reduced from over $20 billion to perhaps as low as $5 billion or less.

But there are two major questions that must be asked about this measure:

PRIMARILY, WE SHOULD HAVE PLUGGED TAX LOOPHOLES

First. On the revenue side, the 10-percent surtax is an excellent way to temporarily increase taxes in an emergency, as was pointed out in 1966 by the Subcommittee on Fiscal Policy of the Joint Economic Committee, under the chairmanship of the gentlewoman from Michigan [Mrs. GRIFFITHS]. But as I have contended before on this floor and elsewhere, it is difficult and unfair to expect millions of taxpaying Americans to foot such heavy increases in taxes at a time when various loopholes in the tax structure allow countless Americans to escape paying their share of the tax and in some cases paying any tax at all.

The first requirement for an effective stabilization policy must be tax reform of a drastic character that will simplify, improve equity, and eliminate the unjust loopholes that allow some taxpayers with very large incomes, sometimes running into the millions, to escape taxation.

I am happy that our recent bill provided that the President shall submit a program for such tax reform before the end of this year. I earnestly urge every Member of this House, and particularly the members of the Ways and Means Committee, to direct their most vigorous efforts toward the passage of such tax reform legislation as early in the next session of the Congress as can be managed.

Tax reform should make it possible, by raising additional revenue through loophole closing and the natural growth of Federal revenues as incomes and employments rise with our economic growth, to reduce or repeal the temporary 10-percent surtax before the end of this fiscal year. It will provide also a sense of justice and confidence in the fairness of Government that will make the public more receptive to emergency tax legislation in the future. A fair Federal tax system will make it much easier to make tax policy work both ways in emergencies, either up or down, as changing conditions may require.

WE SHOULD BE CUTTING EXPENDITURES WITH A SCALPEL, NOT A MEAT AX

Second. While I have accepted the 10-percent surtax as a necessary anti-inflationary measure in the present emergency—though deeply regretting that prompt tax reform was not used instead—I have grave reservations about the expenditure controls and reductions that were incorporated in the recent legislation. I have little confidence that the meat-ax approach will produce the kind of careful management of the Government's budget that is so essential in this inflationary period. I am afraid that unless the President and the Congress develop a national system for establishing priorities among spending categories and implements it very soon, we shall find ourselves pursuing inefficient and perhaps contradictory policies.

We should recognize that the inflationary Government spending increases are concentrated heavily on a very few areas. These add little to economic development. The largest expenditure is for the war in Vietnam, which not only takes billions of limited resources out of the economy to be destroyed abroad, but also shifts productive factors away from those uses which produce the greatest overall returns to society. War programs develop an intense excess demand in defense and space supply industries, which not only pulls up the prices of goods and services produced in industries but also creates scarcity of some of our most important resources—for example, scientific personnel. The situation is aggravated by Government investment for costly space studies, for supersonic transports, for quite marginal public works, and for agricultural subsidies. At the same time well documented inefficiencies in Government procurement, particularly in the Defense Department, add to excess demand and waste in precisely the wrong places.

Such drastic short-run shifts in demand between particular sectors set off intense inflationary movements in wages and prices. Hence, budget cutting should be centered precisely in those programs that can do most to ease excess demand where it exists. We ought to be concentrating on cutting in defense, in space, in public works. Instead, we are doing just the opposite.

The recent meat-ax approach to budget-cutting could hardly be sillier: it fails to dampen excess demand, and it does dampen necessary supply.

The across-the-board employment limitation that only three out of every four vacancies can be filled will hit hardest in those agencies where the demand for public services is growing most rapidly, such as the Internal Revenue Service or the Post Office. It will bring the substitution of expensive military personnel for less expensive civilian personnel in the Defense Department.

Housing, welfare, education, anti-pollution programs, aid to our deteriorating and distressed cities—all these are in crying need of increases in appropriations to insure steady economic growth and a healthy society. But instead, they will be cut, I am afraid, along with the other programs that really do need cutting. We should be pruning less valuable programs—programs which so far have been well guarded by the conventional wisdom and effective lobbying of entrenched constituencies. This represents the waste of untold billions, while vital services demanded by our growing population go unsatisfied.

In the long run, the meat ax swing at expenditure programs is bound to turn out to be more expensive than no cuts at all. Vital and sensitive programs once interrupted will prove costly to repair and reinvigorate at a later date. This will be particularly unfortunate if, as seems likely, reinvigoration is but a matter of 6 months or a year away.

TO RECAPITULATE: THREE LESSONS WE SHOULD HAVE LEARNED

Thus, I hope we will have learned the necessity for three reforms in our way of handling fiscal affairs in the interest of stabilizing our economy—

First, to act much more promptly than we have grown accustomed to for some years;

Second, drastically to reform the tax structure to improve equity and provide more popular support for necessary shortrun stabilization action; and

Third, to improve our budgetary process to establish a vastly improved program budget, with a ranking in terms of national priorities, so that more precisely focused reductions can be made in emergencies. We should bring an end once and for all to across-the-board cuts which disrupt progress and increase the inefficiency and waste in Government.

Now let us turn to monetary policy.

The regulation of the availability of money and credit and policies controlling debt management operation must work in careful coordination with Federal fiscal operations as integral parts of an overall program if we are to have a healthy growing economy without inflation. We have again had a vivid lesson in recent years of the dangers that can grow out of failure to recognize the need for teamwork in the formulation and execution of our various economic policies. These are not separate, alternative channels for regulating the stability of the economy—they are complementary, and even in large measure different aspects of the same policy. As the Joint Economic Committee recently stated in its report on monetary guidelines:

> When the President, the Congress, and the Treasury have decided on a particular combination of expenditure and tax policies, they have already determined the magnitude of the Treasury's debt management operation, and by this channel have decided in large part the limits within which monetary policy will operate. If, as in fiscal year 1968, a deficit of over $20 billion has to be financed, and this makes up a high proportion of the total of new credit sources, then clearly the Federal Reserve System and its enough Treasury securities in the open market to facilitate absorption of the residue of this huge addition or, alternatively, to inducing a very sharp reduction in funding of private requirements. (p. 4.)

THE FED SHOULD NOT TRY TO COUNTERACT DEFICIENCIES IN FISCAL POLICY

In the past there has been too much yielding by the monetary system to the temptation to take upon itself responsibility for preventing inflation when the Administration in power or the Congress follow fiscal policies that are inflationary. The resulting wide swing in monetary policy have been upsetting to the private economy, aggravating the ill effects of poorly chosen fiscal policy. It is time that the Federal Reserve System and its officials recognize the definite limitations of their assignment as day-to-day managers of monetary operations and leave to the Congress the determination of policy.

These observations imply—and I wish to make it explicit—that we in Congress are directly responsible for all aspects of stabilization policy. We cannot escape that responsibility by pretending that we have delegated to the Federal Reserve System overall economic authority. Our votes here on the budget and on debt management operations have made policy decisions affecting the stability and growth of this economy which, if wrong, cannot be righted singlehandedly by the manipulations of the credit markets by the Federal Reserve System. If the Fed tries to correct Congress fiscal mistakes with meat ax monetary stringency, it is likely to bring on a recession in the process of getting rid of inflation. And its money-tightening, unlike a tax increase, is uneven in its application, falling principally on housing, small business, and State and local government, while consumer spending and ordinary capital spending go relatively unchecked.

The best that the Federal Reserve can do is to keep money and credit markets on as even a keel as possible, consistent with the guidelines set forth by the Congress in regard to fiscal, monetary, and debt management policies. Then, if this forces the Federal Reserve into the position of financing an inflation, they should report this to the Congress with suitable recommendations for an alteration in national economic policies. If monetary policy is to be successfully managed so as to contribute to economic stability and growth, then the monetary decisions will have to be made by this Congress along with its decisions on the budget.

Some students of economic policy, discouraged by the difficulty of carrying out well-coordinated fiscal and monetary policies, are urging that the Government abdicate its responsibility for short-run stabilization. These critics would have Government policies targeted exclusively on long-run objectives, and allow strenuous antitrust enforcement and natural adjustments in the marketplace to carry the burden of short-run adjustments.

This course is untenable. We can and must do an acceptable job of coordinating monetary and fiscal policy in a way that enables us to create an economic climate favorable to attainment of both our long-run growth and our short-run stabilization objectives.

A NEW LOOK AT THE 7-PERCENT INVESTMENT TAX CREDIT IS NEEDED

As I have already indicated, the process we now labor through will have to be modified. Congress will have to take a close look at the programs it has authorized and funded in the past—programs which have, from time to time, created excess demand in particular industries or sectors.

For example, we are now experiencing virtually full employment, yet we have some 15 percent excess productive capacity. At the same time, business translates inflationary increments in aggregate demand into continued high and rising rates of investment. Thus Government policies, such as the 7-percent investment tax credit, are subsidizing a high and rising level of capital investment, adding to the problem of current excess demand and generating potentially dangerous excess capacity—particularly in manufacturing—at the same time.

Yet, the inflation causing bottlenecks that now exist on the supply side of our economy are concentrated almost entirely in the availability of trained labor, not in the amount of capital available. Pools of trainable unemployed and underemployed dot our cities and many rural areas. In the first quarter of this year, in urban poverty neighborhoods, it was reported that the unemployment rate was almost 9 percent for nonwhites and almost 6 percent for whites—this at a time when the overall unemployment rate was at or close to 3½ percent. It is estimated that in recent years about 10 percent of those employed in these central poverty areas are underemployed. These people are anxious to perform useful and rewarding jobs. They do not want to be a burden on society. Yet, the Government continues to subsidize capital investment while largely standing aside from the human resource problem, wringing its hands at the violent consequences of perennial neglect.

Certainly the Government can dampen inflation if it will aid business and the public sector alike to turn these pools of unused or underutilized labor into a current productive resource, giving it the skill, training, and the jobs to make it productive. Such an effort could almost certainly add to the health of the economy if it financed part of this program by suspending, or preferably, permanently repealing the 7-percent tax credit.

ATTACKING THE HIGH COST OF MEDICAL AND HEALTH CARE

Another example of specific sector action is the rising costs of health care and hospital services. The medical care component of the consumer price index is increasing at a 7.5-percent rate this year. During the last 2 years, medical costs rose at an average of 8 percent per year. Over the same period, hospital daily service charges spiraled at a 16-percent annual rate.

One reason for higher hospital costs is the fact that medicare patients are staying longer in hospitals. According to the American Hospital Association, the average length of stay for patients 65 and over rose more than 15 percent between September 1966—3 months after the medicare program started—and November 1967. Indeed, this trend occurred during a period when the average length of stay of patients under 65 was decreasing. The degree of medical care is linked with income levels, so that when incomes are rising the demand for hospital care also increases.

Another concurrent factor comes from the tendency for recipients of health insurance to overutilize hospital facilities. Insurance against hospital costs is more widespread than is insurance for other forms of health care, and doctors may put patients in a hospital to get treatment rather than arrange for treatment on an outpatient basis because the patients will have bills paid for them only if they are in the hospital.

Increased demand for the limited amount of hospital beds, coupled with longer stays for medicare patients, pushes up hospital costs. When patients occupy hospital beds who, from a medical standpoint, could be getting equally good care at home or in an extended care facility, pressures grow for hiking up overall hospital costs, for higher medicare taxes, and for higher health insurance premiums. This is reinforced by the relatively lower pay for health facility employees and shortages of personnel.

Tax income for the hospital insurance segment of medicare had to be boosted 25 percent last year—primarily to meet skyrocketing hospital costs. Congress may have to increase these revenues again—and soon—if something is not done to slow down the rise in costs.

Additional easing of inflationary pressure in the health care area might come from tax law changes. Beginning this year, taxpayers are able to deduct up to $150 toward the cost of health insurance without regard to the 3-percent limit. Perhaps this allowance should be broadened, increased, and rewritten to give the deduction only if insurance covers both health and hospital care under provisions that encourage more outpatient care. Outpatient and home health care can be included in deductible policies. Such a reform would encourage health insurers to offer, and consumers to subscribe to, policies which present alternatives to hospitalization.

In addition, I believe that a thorough study should be made of possible medicare amendments. Treatment outside hospitals should be encouraged where it is medically feasible.

HOW TO PREVENT EXCESSIVE FOOD PRICES

Food prices were one of the elements that started the 1965 demand-pull inflation. Demand spurted, but supply was not responsive. Wholesale prices of farm products, processed foods, and manufactured animal feeds jumped 9 percent between December 1964 and December 1965. Over the same period, food prices rose 3.5 percent. The inflation carried over into the first three quarters of 1966. Over the 9 months food prices moved up 4.5 percent.

Even though food price increments are partly explained by the lag between changes in demand and changes in production, food inflation is avoidable. Surely stable food prices could have been expected from the expensive agricultural support programs in which the Government has long been engaged. The jumpy record of food and farm product price movements over the past decade is a searing indictment of farm price supports. Government interference with the market mechanism has caused artificially high prices at the same time that net income per farm has stagnated.

For years we have been talking of ending our muddled agricultural policies. The longer we proscrastinate, the more serious the problem grows. Government price setting has not worked up to now, it is not working today, it will not work in the future. A better approach would be for the Government to clear out of agricultural price-setting altogether. Let supply and demand determine market prices. And instead of inefficient price supports—which pay some farmers and farm corporations up to $500,000 a year not to produce at all—the Government should establish a system of income supports for farmers.

A gradual switchover from price supports to income supports must be aimed at easing any possible disruptive effects on farm income. If we allow agricultural programs to keep growing more expensive while at the same time food price inflation continues, pressure will develop to end all farm support programs entirely. The just and the unjust would suffer alike. Dislocations from such a move might be disastrous.

Small and family farms still constitute a good proportion of the total farm structure. These smaller producers would be more likely to collapse than would large and corporate farms if price supports were suddenly terminated and no alternative support program was offered. Prices and production for all farmers would adjust depending upon elasticities of demand and supply for various commodities. An income support program would be anti-inflationary since it would tend to counteract the spreading market power of the expanding number of corporate farms. The trend toward less total farms and more conglomerate farms throughout the country presents the dim prospect of monopolistic control over food prices by relatively few producers. Income support programs would encourage family farms to remain in operation, thus assuring the existence of a viable agricultural market structure and viable rural communities as alternatives to urban "sinks."

Now let us turn to wage-price and antitrust policies.

Some of the recent inflation happened because potential Government tools to combat "cost-push" pressure were not fully wielded. Failure to apply the brakes kept the inflation steaming on faster and faster. As in agriculture, the longer we stall, the harder it becomes to cure. Government already has two strong repressants available which should be employed to cool off inflation. Neither has been used effectively during the current inflation.

THE WAGE-PRICE GUIDEPOSTS SHOULD BE REVIVED

First. Once again for 1968 the administration has abandoned its previously successful wage-price guideposts policy. As it did in 1967, the Council of Economic Advisers begged off from stating a specific guidepost figure. In fact, the Council admits that the target of price stability related to productivity changes "cannot be achieved in 1968." In the 4 years that real guideposts operated, price stability was attained. Over that period, the guidepost figure did not stray far from the long-run productivity growth rate of about 3 percent.

When inflationary price increases started in 1966, both labor and industry complained they were being shortchanged by the guideposts. And since the guideposts were touted just as that alone—as a benchmark—their lack of any real teeth proved faulty as a number of major contract settlements and many price increases rushed past the guideline figure.

Once the guideposts were broken, instead of attempting to redefine the concept and get price and wage setting back on the right track, the Council backed off completely. No specific guideline number was given for 1967. None was offered this year. In effect, the Council threw the baby out with the bathwater. No matter how heatedly the administration decreed with the guidelines are not official, imposition of a specific number to be used as an optimal rate of change serves a useful function in focusing public opinion on inflationary behavior.

Theory here is not overly sophisticated. The Council sets it forth this way:

> The only valid and noninflationary standard for wage advances is the productivity principle.

Thus, when productivity advances average 3.2 percent, so should wages. Wage settlements above that average are inflationary. Such settlements should receive some sort of stigma. So should businesses which contribute by pushing prices up beyond a guidepost mark. Certainly there are technical faults within the guideline system which was used the last few years. It is equally true that the guideposts cannot be the only Government tool to combat inflation. But, specific guidelines did prove to be a factor in holding down price level increases when they were applied. It is imperative that the guideposts be revived.

ANTITRUST ENFORCEMENT SHOULD BE MORE VIGOROUS

Second. It is impossible to praise antitrust policies—which were originally passed with the prime objective of halting improper pricing practices—at a time when price levels are always climbing. Giant industries, with price and production linkages spreading throughout the economy, are dominated by a few firms which often "set" prices that rule an entire sector. In periods such as the last 3 years, when there has been uneven economic performance, businesses with substantial market power tend to maintain profit rates through administered price increases. Real costs may not have changed significantly for these businesses, but they raise prices nevertheless.

A current trend is the development by a rash of mergers, of vast conglomerate companies. The merger movement has reached all-time highs. Larger mergers—involving acquisition of firms with over $10 million in assets—jumped over 50 percent last year in the number of firms acquired, and over 100 percent in aggregate asset terms. So far it has been hard to determine the effects that the merger trend has already had on market prices. It is not hard to predict, though, that continued growth of supercompanies can lead to a situation in which price directions can be guided by a few massive organizations.

Antitrust agencies hold the legal authority to investigate and challenge monopoly and monopolistic tendencies.

That authority is not being utilized aggressively.

Some Government policies may even stimulate mergers. Tax code provisions encourage companies to gain loss-guaranteed-type businesses for tax gains. Other tax provisions grant multiple surtax exemptions and favor the sale or merger of family corporations.

Concentration of economic power is dangerous. One threat looming from overconcentration is that of inflation resulting from the loss of competition. The Celler-Kefauver Act of 1950 aimed at curbing such concentration through traditional antitrust policies. Since then, antitrust agencies have met with success in challenging many vertical and horizontal mergers. Recently, the Supreme Court has broken up a number of conglomerate mergers. Yet, conglomerate mergers still increase at breathtaking speeds. Administered price inflation—based not on demand nor on costs as the key element—may cascade if stronger steps are not taken to hold back the tide of conglomerate mergers.

Other aspects of present antitrust legislation could also stand greater scrutiny. To deter violations, the Sherman and Clayton Acts have both criminal sanctions and civil remedies in the form of treble-damage payments. To the extent that these penalties function well, certain related price increases can be averted. When these remedies are weakened and antitrust violations become profitable, price rises are encouraged.

One significant loophole already is known. Tax laws tend to weaken civil remedies by allowing violators to deduct treble-damage payments as ordinary and necessary business expenses. Since the tax rate is almost 50 percent of taxable income, wrongdoers bear only about half the damage costs. The other half is picked up, in essence, by the Government.

Passage of legislation to disallow the deduction of treble-damage payments would make antitrust violations more expensive by reducing the degree to which the cost can be shifted onto other taxpayers. By diminishing incentives for antitrust violations, one source contributing to inflationary pressures could be eliminated. By its nature, the tax deduction escape is an obscure but powerful inflationary agent. There are others like it. Efforts should be made to trim all such loopholes from antitrust laws.

Wage-price guideposts and antitrust measures are Government's frontline weapons against cost-push inflation. Other Government policies can aim also at diminishing-price-level increases caused by supply and cost factors.

LOWERING THE COST OF CONSUMER SERVICES BY INCREASING THEIR SUPPLY

Much of the price inflation in consumer services is created by low productivity and high wage-rate increases. Another key element in the rise of service prices is the inadequate response to increases in demand, in terms of augmenting the supply of workers.

Many service jobs are in highly skilled fields where education and training programs stretch over long periods. No type of short-run programs can increase the total number of doctors, dentists, and nurses. And, as inflation forces up training costs in these fields, the supply may get even more critical at the same time that demands soar for such services. New Government and private programs—largely massive aids to medical and nursing education—are needed to assist in developing these key service sector positions. The alternative to such programs—which might consist of subsidies to persons qualified to enter the field—is sharp inflation for years to come. At the same time, current manpower development programs should be expanded to increase entrance into other service fields, such as TV and auto repair.

LETTING IMPORTS HELP KEEP PRICES DOWN

Worldwide economic development means that Americans now should be able to purchase more and better low-cost high-quality imported goods. But current U.S. trade policy may hinder the ability to buy these goods.

We know that most import taxes on specific goods get passed on to consumers in the form of higher prices. The steeper the tariff, the higher the imported good price, and the less of that good can be sold. A high enough tariff looms as more than just a tax. It serves to prohibit completely the chance of the good to ever reach the market.

Early in our history, tariffs represented a prime source of national revenues. Later, they were used to assist newly growing American industries to survive against foreign competition. But, in terms of American economic development, those days are long gone. Direct taxes have supplanted tariffs as a key revenue source. Technology and productivity advances mean American business is now the world's largest and most profitable free enterprise system. But tariffs still are retained. There is even new talk of hiking up even more some of our nontariff barriers, such as quotas.

Tariffs sometimes are justified as means of solving balance-of-payments problems. However, they are not optional solutions. Once tariffs become levied, rescinding them is a slow and torturous task. Higher American tariffs invite retaliatory actions by other nations. And such retaliation cuts back on our ability to export.

Today, instead of aiding the economy, tariffs are major barriers to stable growth. In reality they are nothing more than direct subsidies to a few favored firms. Because inefficient producers are rewarded, tariffs lead to gross resource misallocations. Market supply is reduced. Overall price levels are forced up.

THE CASE OF PETROLEUM IMPORTS

More sophisticated import restrictions, such as petroleum import quotas, also contribute to higher prices. In 1959, Government initiated a limit on the volume of crude oil imports through a mandatory control program. For just one product—gasoline—total demand has risen 14 percent since 1959, but imports are just now reaching 1959 levels.

Petroleum industry profits have been consistently high. But even though industry risk rates are significant, no justification remains for handing it both a staggering oil depletion allowance and stringent import quotas. The effect of such market constraints is felt dearly by consumers—first, in terms of higher prices and, second, as a result of an inequitable tax structure. Government should reexamine its decisions to subsidize the petroleum industry if it is serious about cutting back inflation.

Oil import quotas are just one of a random number of specific trade barriers which reinforce inflation. Other restraints that help increase price levels include the tariffs or quotas on textiles, agricultural commodities, and chemicals.

The American Selling Price—ASP—provision negotiated for chemical imports needs to be eliminated quickly. The chemical industry profit picture has brightened since ASP was approved, and implementation of ASP will cause higher prices at both wholesale and retail levels.

INFLATION ISSUES IN THE LONGER RUN

This analysis of recent inflation and its possible cure has penetrated only the surface layers of the problem. But we can perceive the said fact. We have the knowledge and tools to prevent inflation, and we have the knowledge and tools to cure it now. But we have failed. to use them. We should change our ways.

In the longer run, when the present inflationary binge has been ended, the Nation, and particularly the Congress, must devote strenuous efforts to develop procedures to enable us in the future to use our knowledge and tools to attain rapid growth and full employment without inflation. We can do it. As I have pointed out:

First. The Government can maintain a reasonable balance, or preferably a modest surplus, at high employment levels, thus avoiding setting off a demand inflation.

Second. The Government can reform the tax structure to produce both a more equitable and a better performing revenue system.

Third. The Government can operate monetary policy in a more stabilized and stabilizing manner.

Fourth. The guideposts for wage-and-price behavior can be revived and the cooperation of the private sector can be gained in their day-to-day implementation.

Fifth. The Government and the private sector can cooperate in removing the bottlenecks in various sectors which would otherwise lead to inflation at high employment levels.

Sixth. The Government can, through vigorous antitrust enforcement, contribute to a more competitive and, hence, less inflationary economy.

Seventh. The Government can, by maintaining open borders to trade, encourage import competition to keep our industries on their toes and competitive in their pricing.

Doubtless there are many additional ways that men of good will and intelligence can find if we devote the resources to the problem. But the basic prerequisites in the longer run for effecting and maintaining price stability in a full employment economy are a national determination that successful stabilization policy is worth the effort, and the national will to pursue timely adaptations of policy.

Without the political will, all the technical knowledge in the world will be useless. I believe this Nation has learned a lesson. I hope I am right, and that the coordination of public and private policies in the future will lead to a drastically different result than what we have experienced in recent years.

Mr. LONG of Maryland. Mr. Speaker, will the gentleman yield?

Mr. REUSS. I am happy to yield to the gentleman from Maryland.

Mr. LONG of Maryland. Mr. Speaker, I was very much impressed with—and we all must be—this list of seven steps which the gentleman feels must be taken and that would be salutory if we did take them to halt inflation.

I was very much struck by the earlier statement of the gentleman that we know what we have to do to stop inflation, and I would agree with this entirely. I think we now do know what to do. The great problem is to do it. And I wonder if the gentleman would agree that the real reason we have inflation, despite all of our economic knowledge, is political, really, rather than economic? The fact is that to get tax action in time, to get tax reform to regulate the supply of credit properly, to restore wage and price guidelines, to prevent monopolies from doing the things that they do to raise prices, to get proper trade procedures, all of these things require us to move in the face of very powerful political self-interest groups, who want, really, I believe you would have to say, more than their share of the national dividend; they really want things they are not entitled to, and in the process of trying to get them all these groups fighting for this is what really creates an inflationary pressure. And since they do have this power, it is awfully hard to curb them. I wonder if the gentleman would agree with this as a general statement?

Mr. REUSS. I completely agree with the gentleman from Maryland. I believe he has put it very well. The reason we have inflation, and we do, is simply because we lack political will——

Mr. LONG of Maryland. Or self-discipline.

Mr. REUSS. Yes, or self-discipline to arrive at that desirable state of full employment without inflation which the Employment Act of 1946 told us must be the goal of national policy.

The trouble is that with each special interest group scrambling for its share, and a little more than its share, the great body of the citizenry, the ordinary consumer, gets lost in the shuffle.

It is time that someone paid attention to his interest, and this can be done.

We have made great economic strides in recent years. We have shown that it is possible to bring this country out of a recession to something approaching full employment. But we do not seem to have solved the other half of our goal—how to achieve that without producing inflation. The gentleman's calling for a national spirit, that we are going to keep the cost of living stable, I think, is what is needed and I think we should take it very seriously.

Mr. LONG of Maryland. I want to congratulate the gentleman from Wisconsin on a very brilliant and masterful job of summarizing the forces which lead to inflation and the problems that face us, in spite of all our economic knowledge, in holding those forces in check.

Mr. REUSS. I am very grateful to the gentleman.

A "BARGAINED" ELECTORAL COLLEGE AND A "DEADLOCKED" HOUSE OF REPRESENTATIVES: A PREVENTION FORMULA

The SPEAKER pro tempore (Mr. MURPHY of New York). Under previous order of the House, the gentleman from New York [Mr. GOODELL] is recognized for 30 minutes.

Mr. GOODELL. Mr. Speaker, the United States faces the serious possibility that no presidential candidate will receive a majority of the electoral college votes following the November 5 election. In this event, the election of our next President could come through—either a bargained electoral college or as the aftermath of a deadlocked election in the House of Representatives. A bargained presidential election in the electoral college would be intolerable, and the aftermath of a deadlocked election in the House of Representatives would be undesirable.

Both would seriously impair the effective functioning of our two-party system. Both would endanger the continuity of our Presidential leadership. Both would undoubtedly inhibit decisive Presidential leadership. The lessons of history provide dramatic advice that we should pursue a course which will prevent either a bargained electoral college or a deadlocked House of Representatives.

In 1801, the hotly disputed presidential election of 1800 recalls the names of two presidential adversaries—Aaron Burr and Thomas Jefferson. When neither man received a majority in the electoral college, the election moved to the House of Representatives where 36 ballots and 7 days were required to elect the 3d President. Charges and countercharges of deals and compromises and bargains odorously filled the air during those 7 days and 36 ballots. The comments of Alexander Hamilton vividly demonstrate the irate tension filling the air:

> I trust the Federalists will not finally be so mad as to vote for Burr. . . His elevation can only promote the purposes of the desperate and the profligate. If there be a man in the world I ought to hate, it is Jefferson.

Though our system of government survived, there remained unwanted scars of a serious Presidential fight which endangered our Presidential leadership at a critical point in the early history of our Nation. Time has changed; today's Presidential leadership must make crisis decisions daily which touch the lives of all Americans and countless persons throughout the world. The vengeful specter of charges and countercharges cannot be permitted to hang defiantly over the head of our next President while he makes critical and fate-filled decisions in the crisis-torn 20th century.

In 1825 a quarter of a century later other famous names and faces once again contested for the Presidency in the House of Representatives following an inconclusive electoral college. Leading in the electoral college vote was Andrew Jackson, followed by John Quincy Adams, and William H. Crawford. Henry Clay, a westerner like Jackson, threw his not inconsiderable support in the House of Representatives to John Quincy Adams even though Andrew Jackson had received a plurality of both the nationwide and electoral college votes. Supporters of Jackson blamed the defeat of their candidate on the "Judas of the West"—Henry Clay—later to be appointed by Adams as Secretary of State. This appointment led to the cry of "corrupt bargain" which could not be silenced. And Adams never quite overcame the handicap of being the candidate who defied the popular will and defeated the people's choice for President.

In 1877, the Civil War aftermath brought the notorious Hayes-Tilden dispute in 1876. Challenges to electors selected in several States caused the Congress to establish an electoral commission to decide the disputes, subject only to disapproval by both Houses of Congress. The long process of reconciling the challenges required 31 days before the final result was announced at 4 a.m. on March 2, 1877. In the end, Hayes was elected President even though he had received one-quarter of a million fewer popular votes than Tilden. The disputes about presidential electors left an aura of fraud over the 1876 election.

The cause that produced this aura of fraud in 1877 has not been removed to this day. Indeed, one historian remarks:

> The 1876 election . . . demonstrated a grave defect in the Constitution: its failure to spell out exact responsibility for counting the electoral votes and resolving disputes, so that the resolution of the entire Presidential election can swing on the intrigues and maneuvers in a partisanly motivated Congress, to the detriment of the people and the Presidency alike.—Neal R. Peirce, the People's President, 1968.

In 1888, producing no vitriolic results comparable to the elections of 1800, 1824, and 1876, the election of 1888 brought Benjamin Harrison to the White House even though he had received 95,096 fewer popular votes than Grover Cleveland, his opponent. Had Cleveland carried only one additional State—New York—he would have won the election.

NEARLY DISPUTED 20TH CENTURY ELECTIONS: 1916, 1948, AND 1960

The 20th century has produced no American President who has been chosen President by the electoral college after suffering a popular defeat nationwide. Three elections, however, have come close to doing this.

In 1916, a shift of one-fifth of 1 percent of the California vote would have elected Charles Evans Hughes over Woodrow Wilson even though Wilson's national popular vote plurality was well over one-half million. Without a major third party threat in 1916, there was no realistic possibility that both would be denied a majority of the electoral college vote.

In 1948, the election would have led to an inconclusive electoral college and sent the election into the House of Representatives had there been a shift of only 12,487 votes in California and Ohio. The 1948 election also demonstrates how big a role third parties can play in determining the outcome of sizable blocs of electoral college votes in large States. Truman, for example, apparently lost 74 electoral votes in New York, Michigan, and Maryland because Henry Wallace was on the ballot.

In 1960, an election with no significant third party movements, the election could easily have been won by the losing popular candidate with the shift of 8,971 popular votes in Illinois and Missouri. Significantly, however, if a third party candidate had presented a serious threat, an inconclusive electoral college would have occurred. Only 35 electoral votes, subtracted from the winning candidate's total, would have sent the election to the House of Representatives.

YEAR 1968: THE PROBLEM AND THE FORMULA

THE PROBLEM

What 1960 lacked, 1968 possesses: a third party presidential candidate who could poll enough electoral college votes to deny a majority of electoral college votes to either major presidential candidate. The President would then be elected through either a bargained electoral college or possibly as the aftermath of a deadlocked House of Representatives. Neither alternative is desirable.

The latest polls, taken in July, indicate that George Wallace could capture a small, but significant, portion of the nationwide vote—between 16 and 21 percent—and the electoral votes of several States. His nationwide vote could drastically alter the vote totals in States which have close elections, thus changing the electoral college vote count to favor one presidential candidate over another.

Moreover, Wallace is presently projected to receive at least 47 electoral votes with a possibility of another 44 for a total of 91. In the event of an inconclusive electoral college vote, Wallace has publicly admitted that he would bargain his electoral votes for certain concessions from either of the two major presidential candidates. In times like these, with critical domestic and foreign problems pressing upon us, we cannot tolerate the perversion of a bargained President. Our next President must be free, based upon his mandate from the American people, to pursue an imaginative and positive course towards eliminating the problems which divide us at home and bringing the peace which eludes us abroad.

If the 1968 presidential election is decided in the House of Representatives after an inconclusive electoral college vote, there would remain a very real possibility that the House of Representatives would be deadlocked. Since presidential voting in the House of Representatives is done by State delegation, it is possible that neither the Republican nor Democratic Party would command a majority of 26 of the 50 State delegations necessary to elect their respective presidential candidate.

The machinations essential for one candidate to receive the required majority could so cloud the leadership of our next President that he would be unable to move immediately and constructively to establish himself as the true leader of our Nation in a time of domestic turmoil and international confusion. A leaderless America would be a divided America, and a divided America would be a weakened America.

The sinister possibilities of this situation behoove us to act as concerned Americans to prevent the undesirable from occurring. Santayana once remarked:

> Those nations that do not learn the lessons that history has to teach are condemned to relive them.

The history of electoral college difficulties leaves no choice but to formulate a plan to prevent another difficulty.

THE FORMULA

It is clear that an undesirable situation could occur at the November 5 election in which no presidential candidate would have a majority of electoral votes. The best course to pursue now is the establishment of a formula for electing the next President without the quandary of electoral college compromise or the fruitless and, indeed, harmful exercise of prolonged presidential consideration in the House of Representatives. A plan to avoid the undesirable should be premised upon two sound principles: that the American people have a right to elect their own President without the possibility of the new President's actions being inhibited by electoral college bargains and with the assurance that continuity of our presidential leadership will be maintained. Any plan based upon these premises must be bipartisan in nature to insure its success and also to insure its fairness to the American people. It is with these premises and this thought of fairness in mind that we urge consideration and adoption of a five-point formula to elect our next President and Vice President if no presidential and vice presidential candidate receives a majority of the electoral college votes.

First. Triggering mechanism. The plan would be invoked immediately after it was clear that no presidential and vice presidential candidates had won a plurality or a majority in sufficient States to command a majority of the electoral college votes as a result of the November 5 election. When this occurs, the newly elected 91st House of Representatives and Senate would, by prior agreement, be committed to electing the respective candidates for President and Vice President who received a plurality of the nationwide popular vote.

Second. Binding device. No candidate or member shall be bound by his pledge until sufficient pledges are given to implement the "formula."

Third. National conventions. Both major party conventions will be asked to write into their respective platforms an agreement that their party's representatives in Congress should vote for the presidential and vice presidential candidates receiving a plurality of the nationwide vote. The platform pledge would not be binding unless both parties wrote such into their platforms.

Fourth. Support of State party organizations. The various State party organizations will be encouraged to support the pledge and, moreover, to select electors to the electoral college who would not be susceptible to compromising their commitment to their party's presidential candidate in the electoral college.

Fifth. Public opinion leaders. All major sources of public opinion—editors, columnists, educators, business and industrial leaders, and civic organizations, and so forth—will be encouraged to endorse the proposal. This point in the formula together with points two through five are highly important for discouraging electors in the electoral college from electing our next President and Vice President through a bargained electoral college. There is no official mechanism for prohibiting such an electoral college "bargain"—hence, the reliance on the relevant points of this formula. To assist in preventing a bargained electoral college, each presidential and vice presidential candidate will be asked to publicly pledge his support for this formula.

It is with deep concern for our Nation's future that this proposal is offered, hoping that Americans of all walks of life will join hands with us to insure the continuity of our presidential leadership in these tumultuous days of national crisis.

GOVERNMENT REORGANIZATION, CONSOLIDATION, AND DECENTRALIZATION ESSENTIAL FOR A CREATIVE FEDERAL SYSTEM

The SPEAKER pro tempore. Under previous order of the House, the gentleman from Iowa [Mr. CULVER] is recognized for 5 minutes.

Mr. CULVER. Mr. Speaker, I have joined a bipartisan group in the House of Representatives in sponsoring legislation to reduce the confusion and red tape which the local official faces in dealing with the Federal bureaucracy.

In addition, it is a significant first step toward the essential objectives of reorganizing and consolidating the operations of the Federal Government, to increase the efficiency and economy of Federal programs, and to return as much responsibility, control, and flexibility as possible to the people they are designed to assist.

This legislation, the Program Information Act, would require a comprehensive compendium of all Federal assistance programs, to be updated systematically. In addition, it would require the President to make annual recommendations for simplifying and consolidating guidelines, requirements, and programs.

Mr. Speaker, I represent an 11-county district with over 130 individual communities. As I have worked with local officials, educators, and private citizens in my district in their dealings with the Federal Government, it has become increasingly clear to me that nowhere does there exist any logical, complete, and comprehensible source of information about the type of assistance that is available and the method by which you go about obtaining that assistance.

Because of this, only the very largest cities and universities have the staff and research capability to keep abreast of what is going on, much less cope with the Federal bureaucracy.

The rest of the communities, many of which operate with part-time mayors and local officials who have other job responsibilities, simply do not have the personnel with the time and the money it takes to sit down and figure out what assistance is available to meet their particular needs, to complete the extensive and technical applications, and to follow-through to assure that their request is given just consideration.

Since I have been in Congress, I have held annual formal meetings with the community officials in every town in my district with a population of more than 1,000. Working together, we have been successful in obtaining sewer and water projects, hospital and nursing home grants, library funds, assistance for park acquisition and development, post offices, and other community facilities.

But I am constantly frustrated by the fact that, even after 4 years of this kind of activity, I still cannot offer these people one single source of information which answers their questions and identifies potential programs of assistance.

The Office of Economic Opportunity has made a notable effort toward filling

this information gap, and certainly its Handbook of Federal Assistance Programs is the most meaningful assembly to date. But that handbook, though it is helpful, still excludes many types of assistance, describes others that are no longer in existence or which have not been funded, and above all, provides such minimal information that it gives the typical official only a vague hint of what might actually be available to him.

Invariably, I return from a series of such meetings with a list of problems and needs which require a number of telephone calls and letters to various agencies and departments just to find out if they have programs directed toward those needs, if they have money in the programs, and how the communities go about seeking those funds if they are available—all of this before the local official even gets an application form to complete.

If those of us in Congress, who deal in the most direct and day-to-day contact with the Federal bureaucracy, are frustrated by the lack of information and confusion that does exist, how much more so must be the smalltown mayor, or the local principal, or the independent businessman.

Enactment of this Program Information Act will, for the first time, provide the information these officials and citizens need to seek assistance.

As for Members of Congress, it will not only help in meeting our constituents' needs and requirements, but equally significantly, it will provide us with meaningful information on which to form sound judgments on legislative programs. It will demonstrate the relative worth of programs in order to set priorities in the allocation of Federal resources. It will help to determine the desirability or need for any new programs that may be proposed. And it will show where programs have outlived their usefulness, and where duplication, overlap, and lack of coordination exist.

Finally, the measure will provide the basic source of information for the Commission on the Reorganization and Management of the Executive Branch, which I proposed in H.R. 11558, a measure I introduced earlier in this Congress.

That legislation establishes a commission to study the organization and management of the executive branch of Government in order to make changes necessary or desirable in the interest of governmental efficiency and economy, and to insure that they are being administered and implemented with the maximum local initiative, flexibility, and control.

If we are to have a truly creative Federal system which is responsible and responsive to the people it serves, then Congress must take positive and emphatic steps to reverse the trends toward Federal domination and bureaucratic confusion. Enactment of both the Program Information Act and the Executive Reorganization and Management Act are urgently needed first steps toward that objective.

Mr. Speaker, I include at this point in the RECORD the text of H.R. 18503, the Program Information Act, and H.R. 11558, the Executive Reorganization and Management Act:

H.R. 18503

A bill to create a catalog of Federal assistance programs, and for other purposes

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SHORT TITLE

SECTION 1. This Act may be cited as the "Program Information Act".

DEFINITIONS

SEC. 2. For the purposes of this Act—

(a) The term "Federal assistance program" means any program providing Federal benefits, regardless of whether it is identified as a separate program by law or by any administering agency, which can be differentiated from any other such program on the basis of its legal authority, its administering office, its specific purpose, the specific benefits it provides, or the specific qualifications of its beneficiaries.

(b) Federal assistance program "benefits" include but are not limited to grants, loans, mortgage loans, mortgage and other insurance, scholarships, other financial assistance, property of any kind, services, technical assistance, and expert information.

(c) A Federal assistance program "beneficiary" includes but is not limited to a State, or grouping or subdivision thereof, county, city, other political body, profit or nonprofit corporation or institution, any individual, or any other potential beneficiary, domestic or foreign, other than an agency of the United States.

(d) An "administering office" is the lowest subdivision of any Federal agency or department that has direct, operational responsibility for a Federal assistance program.

(e) "Federal agency or department" means any executive department; independent commission; wholly owned Government corporation; board, bureau, office, agency, or other establishment of the Government, including any independent regulatory commission or board; and the municipal government of the District of Columbia.

EXCLUSION

SEC. 3. This Act does not apply to any activities related to the collection or evaluation of national security information.

CATALOG OF FEDERAL ASSISTANCE PROGRAMS

SEC. 4. The President shall transmit to Congress during the first days of each regular session a catalog of Federal assistance programs, referred to in this Act as the catalog, in accordance with this Act. The catalog shall set forth the required program information for each Federal assistance program, summary data and text, supporting additional detail, required reports, recommendations, and other matter as the President may determine.

PURPOSE OF CATALOG

SEC. 5. The catalog shall be designed to assist the potential beneficiary identify all existing Federal assistance programs wherever administered, and shall supply information for each program so that the potential beneficiary can determine whether particular assistance or support sought might be available to him to use for the purposes he wishes.

REQUIRED PROGRAM INFORMATION

SEC. 6. For each Federal assistance program, the catalog shall—

(1) identify the program. The identification may include the name of the program, the authorizing statute, the specific administering office, and a brief description of the program including the objectives it is designed to attain.

(2) describe the program structure. The description may include a statement of the eligibility restrictions, the available benefits, and the restrictions on the use of such benefits.

(3) state the level of funding. This statement may include a tabulation of the appropriations sought, past appropriations, obligations incurred, average assistance given, or other pertinent financial information designed to indicate the size of the program and any funding remaining available.

(4) state the costs to the recipient of receiving assistance or support. This statement may include a statement of prerequisites to receiving benefits, and of duties required after receiving benefits.

(5) identify the appropriate officials to contact. The list may include contacts in both Washington, District of Columbia, and locally, including addresses and telephone numbers.

(6) describe the mechanics of application. The description may include application deadlines, and the time taken to process or approve an application.

(7) identify related programs.

FORM OF CATALOG

SEC. 7. (a) Detailed budgetary information shall be given for each Federal assistance program. Except for budgetary information, similar information for each Federal assistance program may be consolidated.

(b) The program information may be set forth in such form as the President may determine, and the catalog may inculde such other program information and data as in his opinion are necessary or desirable in order to assist the potential program beneficiary to understand and take advantage of each Federal assistance program.

(c) The catalog shall contain a detailed index designed to assist the potential beneficiary to identify all Federal assistance programs treated to a particular need.

(d) The catalog shall be in all respects concise, clear, understandable, and such that it can be easily understood by the potential beneficiary.

SIMPLICATION OF APPLICATION PROCEDURE

SEC. 8. The President shall transmit with the catalog a report setting forth the specific measures taken in the past year to simplify and consolidate the various application forms and program guidelines a potential beneficiary would use to benefit from each Federal assistance program, and to coordinate, simplify, and consolidate application forms and program guidelines of one Federal assistance program with application forms and program guidelines of other related Federal assistance programs, administered either by the same or especially by different Federal agencies or departments.

MONTHLY REVISION

SEC. 9. The President shall revise the catalog at no less than monthly intervals. Each revision—

(1) shall reflect for each Federal assistance program any changes in the program information listed in section 6.

(2) shall further reflect addition, consolidation, reorganization, or cessation of Federal assistance programs, and shall provide for such Federal assistance programs the program information listed in section 6.

(3) shall include such other program information as will provide the most current information on changes in current funding status, on changes in organizations administering the Federal assistance programs, and on other changes of direct, immediate relevance to potential program beneficiaries as will most accurately reflect the full scope of Federal assistance programs, and the current organizational structure of the Federal agencies and departments that administer such programs.

(4) may include such other program information and data as in the President's opinion are necessary or desirable in order to assist the potential program beneficiary to understand and take advantage of each Federal assistance program.

PUBLICATION BY SUPERINTENDENT OF DOCUMENTS

Sec. 10. The Superintendent of Documents shall make the catalog and all revisions thereof available to the public at cost in quantities adequate to meet public demand, providing subscriptions to the catalog and revisions thereof in such manner as he may determine.

The catalog shall be the only compendium of program information published by any Federal agency or department. For its own use, any department or agency of the United States may reprint such parts of the catalog, together with such other program information, as it may deem appropriate, and may change the form of the catalog in any such reprint, but all the program information listed in section 6 as is given in the most recent revision of the catalog shall be retained in any such reprint. All other compendiums of program information are prohibited in order to make the catalog the exclusive source of such program information both for the public and for the program officer.

DELEGATION OF FUNCTIONS

Sec. 11. The President may delegate any function conferred upon him by this Act to the Director or other personnel of the Bureau of the Budget, with authority for redelegation within that Bureau, but no functions under this Act may be delegated to any other department, agency, or officer of the United States.

AMENDMENT TO BUDGET AND ACCOUNTING ACT, 1921

Sec. 12. Section 207 of the Budget and Accounting Act, 1921 (31 U.S.C. 16) is amended (1) by inserting "(a)" immediately after "Sec. 207.", and (2) by adding at the end thereof the following new subsection:

"(b) The Bureau, under such rules and regulations as the President may prescribe, shall prepare the Catalog of Federal Assistance Programs in accordance with the Program Information Act, shall prepare proposals on improvements in the catalog so as further to assist the potential program beneficiary to understand and take advantage of each Federal assistance program, and shall make every effort to simplify and consolidate the various application forms and program guidelines that a potential beneficiary would use to benefit from each Federal assistance program, and to coordinate, simplify, and consolidate application forms and program guidelines of other related Federal assistance programs, administered either by the same or especially by different Federal agencies or departments. In order to facilitate its performance of any function specified in this title, the Bureau of the Budget may—

"(1) prepare information for machine processing;

"(2) process information by machine by performing mathematical or logical operations thereon, selective retrieval, integration, or other machine operations; and

"(3) prepare for presentation or other use information processed by machine.

The Bureau may acquire automatic data processing equipment and retain personnel needed for any activity authorized by the Program Information Act."

TRANSFER OF FUNCTIONS

Sec. 13. (a)) The functions of operating the Federal information exchange system and of preparing the catalog of Federal assistance programs administered prior to the enactment of this Act by the information center of the Office of Economic Opportunity are removed from the Office of Economic Opportunity and shall be administered instead by the Bureau of the Budget, not to be delegated therefrom to any Federal agency or department. Such personnel, records, property, and unexpended balances of appropriations related to functions under this Act as may be agreed upon between the Director of the Office of Economic Opportunity and the Director of the Bureau of the Budget may be transferred from that Office to the Bureau.

(b) Sections 613 and 635 of the Economic Opportunity Act of 1964 are amended by inserting "of the Bureau of the Budget" immediately after "Director" each place it appears therein.

H.R. 11558

A bill to establish a Commission To Study the Organization and Management of the Executive Branch of the Government, and to recommend changes necessary or desirable in the interest of governmental efficiency and economy

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Executive Reorganization and Management Act of 1967".

FINDINGS OF FACT AND DECLARATION OF POLICY

Sec. 2. (a) The Congress finds that there are more than one hundred and fifty departments, agencies, boards, commissions, bureaus, and other organizations in the executive branch engaged in performing the functions of Government; that such a proliferation of governmental units tends to produce a lack of coordination between them and overlapping, conflict, and duplication of effort among them; that the President and the Congress need additional tools and procedures to exercise better supervision and direction over so large a number of governmental establishments; and that improved organizational structure and managerial techniques would permit the President to carry out more effectively the constitutional mandate that he coordinate and manage the executive branch in accordance with the laws enacted by the Congress.

(b) The Congress declares that it is the responsibility of the President, in conformance with policy set forth by Congress, to administer the executive branch effectively and economically, and that it is the joint responsibility of the President and the Congress to provide an executive organization structure which will permit the efficient and economical discharge of the duties imposed upon the President by the Constitution.

COMMISSION ESTABLISHED

Sec. 3. (a) To assist the President in the discharge of his constitutional responsibilities, there is hereby established the Commission on the Reorganization and Management of the Executive Branch (referred to hereinafter as the "Commission"). The Commission shall be composed of nine members appointed by the President from persons holding office in Government and persons in private life who are specially qualified by training and experience to perform the duties of the Commission. The President shall designate a Chairman and a Vice Chairman of the Commission from its membership.

(b) Five members of the Commission shall constitute a quorum. A vacancy in the membership of the Commission shall not affect its powers, but shall be filled in the same manner in which the original appointment was made.

(c) Members of the Commission appointed from private life shall receive compensation at the rate of $100 per diem when engaged in the actual performance of duties of the Commission. Members of the Commission who are Members of Congress or officers of the executive branch of the Government shall serve without compensation in addition to that received for their services as Members of Congress or officers of the executive branch. All members of the Commission shall be reimbursed for travel, subsistence, and other necessary expenses actually incurred by them in the performance of the duties of the Commission.

(d) For the purposes of chapter 11, title 18, United States Code, a member of the Commission appointed from private life shall be deemed to be a special Government employee.

DUTIES OF THE COMMISSION

Sec. 4. (a) The Commission shall analyze and assess the present organization, coordination, and management of all departments, agencies, boards, commissions, bureaus, independent establishments, and other organizations in the executive branch to ascertain what modifications and innovations in their structure and administration are required to realize the purposes of this Act.

(b) It shall be the function of the Commission to—

(1) recommend appropriate reorganizations within the executive branch to reflect present and anticipated needs, capabilities, and potentialities of the Government and the Nation;

(2) evaluate the extent and quality of coordination between and within organizations in the executive branch in order to propose measures to insure the maximum degree of cooperation and consistency in governmental action; and

(3) appraise the current status of administrative management in the executive branch with a view to proposing reforms and new procedures, techniques, and facilities which will improve the conduct of Government service.

(c) The Commission shall complete its study and investigation eighteen months after the date of its appointment. Within sixty days after the completion of such study and investigation the Commission shall transmit to the President and to the Congress a report of its findings and recommendations. Upon the transmission of such report, the Commission shall cease to exist.

POWERS OF THE COMMISSION

Sec. 5. (a) The Commission shall have power to appoint and fix the compensation of an Executive Director and other personnel as it deems advisable, without regard to the provisions of title 5, United States Code, governing appointments in the competitive service, and the provisions of chapter 51 and subchapter III of chapter 53 of such title relating to classification and General Schedule pay rates.

(b) The Commission may procure temporary and intermittent services of experts and consultants to the same extent as is authorized for the departments by section 3109 of title 5, United States Code, but at rates not to exceed $75 per diem for individuals.

(c) To carry out the provisions of this Act, the Commission, or any duly authorized subcommittee or member thereof, may hold such hearings; act at such times and places; administer such oaths; and require, by subpena or otherwise, the attendance and testimony of such witnesses and the production of such books, records, correspondence, memorandums, papers, and documents, as the Commission or such subcommittee or member may deem advisable. Subpenas may be issued under the signature of the Chairman of the Commission, the Chairman of any such subcommittee, or any duly designated member, and may be served by any person designated by such Chairman, or member. The provisions of sections 102 to 104, inclusive, of the Revised Statutes (U.S.C. title 2, secs. 192–194), shall apply in the case of any failure of any witness to comply with any subpena or to testify when summoned under authority of this section.

(d) To enter into contracts or other agreements with Federal agencies, private firms, institutions, and individuals for the conduct of research or surveys.

(e) Subject to the requirements of national security, the Commission is authorized to secure directly from any executive department, bureau, agency, board, commission, office, independent establishment, or instrumentality, information, suggestions, estimates, and statistics for the purpose of this Act; and each such department, bureau, agency, board, commission, office, independent establishment, or instrumentality is authorized and directed to furnish such information, suggestions, estimates, and statistics directly to the Commission, upon request made by the Chairman or Vice Chairman.

APPROPRIATIONS

SEC. 6. There are hereby authorized to be appropriated to the Commission such sums as may be required to carry out the provisions of this Act.

COMES NOW SOCIALIZED HOUSING

Mr. HALL. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. HALL. Mr. Speaker, I have had the privilege of serving in the House of Representatives for almost 8 years, and I have always tried to be prudent in my use of the word "socialistic" to describe the Great Society proposals, most of which I have opposed. But, in looking for the proper adjective to apply to the omnibus housing bill, which is now in conference, socialistic is the most fitting term to apply and I think it's time we called a spade a spade.

We have now gone all the way with L. B. J.-H. H. H. in establishing socialized housing as a way of life in America. To be sure the administration has done it by a system of divide and conquer. The bill for example, has 14 different titles, some good, some innocuous, and some downright atrocious. Under the "carrot and stick" method, Members who supported a few or even many provisions of the bill had to take the bad with the good if they wanted to show their support for any of it.

The second aspect of the "divide and conquer" thesis was to appeal to the sense of compassion, by offering an alleged means of permitting poor people to purchase homes they cannot now afford. I refer, of course, to the scheme to have the other taxpayers of the Nation pick up the "tab" for most of the interest charges on house payments. In some cases, depending on the location and size of the family—it is possible, according to the report of the House Committee on Banking and Currency, for a family earning as much as $10,000 a year to qualify for subsidized interest payments by the Federal Government.

The report further points out that this bill establishes ground rules which include subsidization of 70 percent of the families of the Nation.

No proposal along these lines was ever advocated even in the worst days of the depression in the 1930's, when millions of Americans were standing in breadlines. That it should be adopted during a time of relative economic prosperity and low unemployment, illustrates more aptly than anything else that the Johnson-Humphrey administration now regards the Federal Government as one gigantic charitable institution.

What this measure will do to incentive and ambition are impossible to measure, but I fear the worst, and if other welfare programs for the otherwise able bodied are any indication, I fear it for good reason. It appears to me the will, incentive, and moral stamina of people in a kept society can only deteriorate further under this legislation.

Take the case of a family whose income is $6,900 a year. Assume that in its particular area, this qualifies the family for Federal payment of a portion of the interest charges. Now assume that the breakoff point for Federal subsidies is $7,000 a year income, and that a next-door neighbor has an income of $7,100 a year—this family, in almost the same income bracket, gets no subsidy at all. Two predictable developments are within the realm of probability. If the first breadwinner has a chance to be promoted, or an opportunity for new and higher paying employment, he will probably reject it. To accept a higher income would result in loss of eligibility and a financial loss that could result in thousands of dollars over the term of the mortgage. The question automatically evolves, Where do we stop?

The other breadwinner, on the other hand, has a direct pocketbook motive to take a slight reduction in pay, if by qualifying for a subsidized home loan he can save thousands of dollars over the term of his mortgage.

And so we have come full cycle back to my original charge of "socialized housing," wherein the ambitious are penalized and the indolent rewarded.

Much more, of course, could be said on the subject including the Treasury being bankrupt. The action this House has taken will be difficult, if not impossible, to reverse. The cost over the 40 year "open ended" authorization is almost incalculable. The Department of Housing and Urban Development will be paying an average of $1,000 per unit annually to enable an estimated one-third to one-half million families to become homeowners in the next 3 fiscal years.

Furthermore, even with this free subsidy, the homeowner's equity will not be increased by so much as 1 red cent. That equity will build up so slowly under this plan that at the end of 15 or 20 years, it will be barely enough to cover the additional expense of major maintenance repairs. Thus, we reapproach the European system of cash for appliances and no homeownership ambition.

The number of bureaucrats who will have to be hired to administer this program staggers the imagination. The bill adds two new Assistant Secretaries—making a total of eight Assistant Secretaries—plus thousands of additional employees and many supergrades for HUD, which was created as recently as November 9, 1965. In contrast is the staid old Treasury Department, still managing to get by with only five Assistant Secretaries.

The inflationary aspects of this bill are self-evident. Can we ready the necessary building sites for 6 million new building units over the next few years, without driving land values out of sight? Can we gather the necessary materials and labor for those units without new wage-cost spirals? Can we compete with cheap labor around the world without protective tariffs while doing it?

The bill makes a mockery of the congressional mandate to reduce Federal spending. It will send it soaring into the wild blue yonder, and will almost completely dilute the $6 billion cut in expenditures voted by Congress, but which the President has yet to implement. At the same time it provides a bottomless hole into which will pour the additional revenues produced by the 10-percent tax surcharge.

The housing bill is a gateway not to paradise, but to socialism. The only restraint which may slow down our ride in that direction is that the funds must still be appropriated, and in our present fiscal squeeze there will not be much available. But, even this is designed by the Washington collectivist-planners, to cause the poor to cry betrayal and increase political pressures to open the financial floodgates.

The questions are can we reverse the tide, and do we have the courage to try? The answer to those questions will be forthcoming next November. When will we learn that every public clamor cannot be satisfied by the public purse; or put another way, when will we learn that there is no such thing as a free house? Somebody always pays.

STRENGTHENING THE GOVERNMENT'S FISCAL ADMINISTRATION AND CONTROL

Mr. BETTS. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. BETTS. Mr. Speaker, good accounting standards based on an accrual system and properly used, could bring about meaningful improvements in the management of Federal agencies, and more effective administration of its activities and programs. Good accounting will pinpoint cost, identify weak and wasteful operations, provide comparative cost data, relate costs to program activities, reflect promptly the results of management and other improvements, point out areas for concentrated attention, and in many other ways show the way to economical and efficient operations.

According to the figures released recently by the General Accounting Office, there is a notable lack of compliance to the Budget and Accounting Procedures Act of 1950. In March 1968, there were 173 Government agencies whose accounting systems were subject to approval by the GAO. Sixty-one of these agencies had approved accounting systems, while 30 more were under review. At least 58 of the 61 approved accounting systems needed reexamination due to legislation enacted since the time of their approval. An overview of the status of the accounting systems of various agencies will provide highlights of this situaton.

As of June 30, 1967, the Department of Health, Educaton, and Welfare had none of its 12 systems approved and only three under GAO review; the Department of Housing and Urban Development had neither its one system approved nor under GAO review; the same is true for the Office of Economic Opportunity; the National Aeronautics and Space Administration had its one system under GAO review but not yet approved; the Department of Transportation had only four of its 10 systems approved and none of the other six under GAO review; the Agriculture Department had five of its 15 systems approved and three under GAO review; the Interior Department had six of its 17 systems approved and none of the other 11 under GAO review. The Treasury Department—which should be a leader in this effort since it has joint responsibility with the Bureau of the Budget and the General Accountng Office for fiscal management and accounting procedures—had only four of its 18 systems approved and six under GAO review.

In addition to that, the process of agency submission of accounting systems is disappointingly slow. My reviewing various hearings and experience with the GAO lead me to conclude this delay is not the fault of the GAO. In the 8 months ending February 29, 1968, a grand total of three systems had been approved by the GAO. If this pace were to continue, it would take another 25 years to receive GAO approval of all *systems. This does not take into account* the 58 systems which need reexamination right now, as well as the necessary reexamination of all systems approved during that 25-year period resulting from new legislation. Surely, something must be done about this.

I introduced H.R. 9164 last year which, if adopted, would be an important step in the right direction. It provides that the Comptroller General will furnish Congress the names and positions of those who are flagrant in their tardiness to comply with the procedures outlined by the GAO. The Comptroller General does retain some discretion. Secondly, this bill will oblige the head of any newly created or reorganized agency to consult with the Comptroller General regarding the principles, standards, and related requirements for accounting, including legal requirements applicable to public contracts and disbursement of public funds.

The way to insure that no new agency initiates any wasteful procedures is to get it on the right track before any spending begins. Also, this legislation will forbid any agency from spending public moneys if it does not comply with the procedures outlined by the Comptroller General within 2 years after this bill becomes law. Finally, if the Comptroller General recommends to any agency changes relating to effective control over and accountability for funds, property, and other assets for which that agency is responsible, that agency must report whether or not it has complied with that recommendation. I truly feel that all four provisions of this bill are crucial, and will go a long way toward eliminating waste and mismanagement in the Government.

The need to bring about rapid development and approval of accrual accounting systems prompted me to sponsor H.R. 12998. This measure was cosponsored by Congresswoman Dwyer of New Jersey, Congressmen Wydler of New York, Erlenborn of Illinois, Brown of Ohio, Cowger of Kentucky, and Myers of Indiana, who also desire to improve Government economy.

It takes a two-pronged approach. The first is based on a proposal made recently by the Comptroller General. It would amend the Budget and Accounting Act by requiring the head of each executive agency to transmit a report to Congress on the status of the development of its accounting system or systems at the end of any calendar year during which its systems have not been approved. In addition, each agency would be required within 1 year following the approval of its accounting systems to submit to Congress a report setting forth the manner and extent to which such systems are being used by the agency as a management tool and the benefits being derived.

The second part of the legislation is designed to restrain the executive agencies from attempting to put into effect programing-planning-budgeting systems—PPBS—and from preparing budgetary and appropriation requests based upon PPBS until they have developed GAO approved cost accounting systems. In effect, this legislation is intended as *an inducement, if not a sanction, upon* executive agencies. The bill provides that appropriated funds shall not be used by an executive agency to prepare budget estimates or requests for appropriations based upon PPBS until and unless the agency has in effect an approved cost accounting system. If the executive branch is as desirous as it claims to be in instituting PPBS, then it will devote the needed time, effort, and expertise to develop approved accounting systems.

Following are the recommendations contained in the 22d report by the House Subcommittee of the Committee on Government Operations of July 1967. These recommendations contain many of the points included in this legislation. I trust Congress and the agencies will heed these recommendations and will hasten passage of this legislation:

1. The General Accounting Office should make an annual report to the Congress summarizing findings relating to inadequate accounting systems and the progress of agencies in developing systems for submission and approval by the Comptroller General.

2. The General Accounting Office should continue to circulate among executive agencies examples of good financial management practices. Indications are that this activity is very fruitful.

3. The General Accounting Office is urged to formalize the reevaluation of previously approved accounting systems. Some previously approved systems are now inadequate because of program changes, new management techniques, or because they have deteriorated through misuse or lack of proper use, or for other reasons. All previously approved systems should be reevaluated on a regular cycle of perhaps 4 years, and approval withdrawn or qualified when such action becomes necessary.

4. Budget examiners in the Bureau of the Budget should be directed to work more effectively in persuading agencies to make improvements in the area of financial management. There is still too much generalization within the Bureau as to its activities in this direction and not enough discernible results.

5. The Bureau of the Budget should begin a vigorous campaign at all management levels in all departments and agencies to promote management use of cost information resulting from approved accounting systems. Greater economy and efficiency in Government can be obtained only if Federal managers use their accrual accounting systems as management tools.

6. The Civil Service Commission should continue its emphasis on training its financial management, and should maintain close contact with agencies' managers to be certain that the causes offered meet the greatest current need.

7. The Civil Service Commission should immediately seek to resolve the problem of funding the development costs of training programs. This could be accomplished through a revolving fund, which would permit the Commission to spread these costs over a number of years rather than charging them against the training conducted during the current year. The Commission presently has a revolving fund for the investigation program, which possibly could be expanded for this purpose.

8. All departments and agencies should encourage financial management personnel to attend Civil Service Commisson or other proffered training courses directed toward improvement of their skills, or which can assist them in strengthening management operations in their areas of responsibility.

9. Operating management personnel should *be encouraged to attend training courses di*rected toward better utilization of the financial information with which they would be supplied through an approved accounting system. The Bureau of the Budget should assume responsibility for this activity.

10. Departments and agencies should furnish the General Accounting Office with more realistic target dates for the submission of their accounting systems for approval by the Comptroller General. Target dates should be set on the basis of the development of planned programs, and not on wishful thinking.

11. The goal of accounting system improvements is to promote economy and efficiency through improved financial management operating as an integral part of total management. Because of their direct concern with matters of economy and efficiency, we believe that the Appropriations Committees should give special consideration to requests by departments and agencies for funds for accounting systems improvement work, including more modern systems and more competent trained personnel.

I would like to submit for the consideration of the House several articles and letters I have received on the need for better Federal financial management. Most were submitted by the deans of the schools of business of universities across the country, which illustrate the need for the kind of provisions set forth in H.R. 9164 and H.R. 12998. Also I would like to include other relevant material on this legislation.

Dr. Ford kindly forwarded this letter to me from a member of his staff:

Dr. D B. Ford,
Dean, School of Business Administration,
Texas A. & I. University,
Kingsville, Tex.:

I think that the Congressman, however, is attempting to eliminate one weakness which was hardly mentioned by those who seek to improve the accounting procedures of the Federal government. Yet, this weakness is most grievous. I am, of course, referring to the administrative agencies' failure to improve their accounting systems and get them approved.

Mr. K. M. Gibson,
Assistant Professor of Business.

The letters and other material follow:

Hon. Jackson E. Betts,
Ways and Means Committee,
House of Representatives,
Washington, D.C.

Dear Representative Betts: Your comments on the importance of accounting systems are well taken. We agree that an effective accounting system plays an important role in management's control over, and accountability for, funds, property, and other assets. It accomplishes this function in a number of ways, such as: (1) segregation of duties to assure accuracy and reliability of records and reports; (2) internal check to assure safeguarding of assets and other resources; and (3) identification and measurement of (a) ineffectiveness of operations—nonattainment of goals which were selected as most appropriate after consideration of all alternatives in the allocation of scarce resources, (b) inefficiency of operations—nonaccomplishment of appropriate goals at least possible cost—that is, not adhering to the concept of minimization of costs, and (c) uneconomical operations—waste, extravagance, duplication, and, perhaps, illegal transactions.

Generally, these matters apply to almost all kinds of management decision making, including those involving financial matters. Your schedules (Congressional Record, vol. 113, pt. 19, p. 26067), particularly the one entitled "Tables of Inefficiency and Mismanagement Compiled from GAO Annual Reports" demonstrate your points well. In this connection, we believe that a well-designed cost accounting system, for example, will identify variances (budget vs. actual, etc.) and by analyses the cause-and-effect relationships may be revealed, and thus related to policies, procedures, and practices, which result in waste, unnecessary operations, and so on.

Should you need additional information, please contact me.

Robert R. Dockson,
Dean, School of Business Administration, University of Southern California.
Los Angeles, Calif. 90007.

Hon. Jackson E. Betts,
House of Representatives,
Washington, D.C.

Dear Congressman Betts: I personally strongly endorse H.R. 9164 and H.R. 12998 and feel sure these bills would have the strong support of members of the accounting teaching profession. I am quite familiar with both operations and personnel of the GAO and hold it in high esteem as a professional group who are performing very valuable services to Congress, government agencies, and the taxpayers of our country.

Robert H. Mills,
Professor, Accounting, Lehigh University.
Bethlehem, Pa.

Hon. Jackson E. Betts,
House of Representatives,
Washington, D.C.

Dear Sir: In regard to your comments concerning strengthening the government's fiscal administration and control, on Tuesday, September 19, 1967 and H.R. 12998, I am in complete agreement as to the need and importance of having an adequate accounting system prior to the implementation of a planning-programming-budgeting system.

I, along with five colleagues, am currently investigating various PPBS training programs, publications, etc. The purpose of this investigation is to determine the prerequisites for a PPB system and the procedures necessary for the implementation of a PPB System.

In our limited research to date we have found, in our opinion, entirely too little emphasis given to the accounting system. This has been particularly true of training programs conducted by various federal agencies for federal employees. At the same time we have found various states proceeding with caution in implementing PPBS because existing accounting systems are inadequate. Federal announcements, publications, correspondence, and training programs are replete with references to "costs," but virtually no reference to the accounting system which will be used in determining "costs."

Mr. Charles T. Andrews, CPA,
Assistant Professor, University of Missouri.
Columbia, Mo.

Congressman Jackson E. Betts,
House of Representatives,
Washington, D.C.

Dear Congressman Betts: I have read with considerable interest the two bills (H.R. 9164 and H.R. 12998) which you have introduced into the Congress. I am fully aware of the problems which the General Accounting Office has encountered in getting governmental agencies to adopt acceptable accounting practices. I feel that the two bills which you have introduced will help to force compliance with the recommendations of that office, and are, for that reason, highly desirable.

All of us appreciate movements toward efficiency of operation in our governmental entities, and for that reason I strongly endorse the two bills which you proposed to introduced.

Emerson O. Henke,
Dean, Baylor University.
Waco, Tex.

Hon. Jackson E. Betts,
House of Representatives,
Washington, D.C.

Dear Congressman Betts: As an accounting teacher having a specific interest in the field of governmental accounting and fiscal affairs, I have reviewed carefully H.R. 9164 and H.R. 12998. While I have not done any specific research in this area of Federal fiscal accounting and responsibility, I do feel that as a professional accountant and as a private citizen that the above mentioned bills are extremely meritorious; and it is urged that favorable Congressional action be taken at the earliest practicable time. I, therefore, offer my full support in your efforts on behalf of these bills.

Henry Key,
Chairman and Professor, Accounting Department, Texas Christian University.
Fort Worth, Tex.

Hon. Jackson E. Betts,
House of Representatives,
Washington, D.C.

Dear Congressman Betts: I have reviewed H.R. 12998 and H.R. 9164. The objectives of each of these bills appear to be sound and their enactment and implementation should serve to move our governmental agencies to sounder administration. Without adequate data efficient administration is quite difficult. Your bills would appear to be a step in the right direction.

W. C. Flewellen, Jr.,
Dean, Mississippi State University.
State College, Miss.

Hon. Jackson E. Betts,
Ways and Means Committee, House of Representatives, Washington, D.C.

Dear Congressman Betts: Dean William Voris has asked that I reply to your letter regarding your two bills, H.R. 9164 and H.R. 12998. Your efforts to extend the effectiveness of cost-based accounting to all agencies in the Executive Branch are certainly commendable. If successful, they should result in substantial political social and economic benefits.

Edward S. Lynn,
The University of Arizona.
Tucson, Ariz.

Hon. Jackson E. Betts,
House of Representatives,
Washington, D.C.

Dear Mr. Betts: While I am only partially professionally educated in accounting, I found your materials on H.R. 9164 and H.R. 12998, and the text of the Bills interesting and understandable. Associate Dean Joseph Ford, and Professor Richard Beers, Head of our Accounting Department, who are professional accountants and students of cost accounting theory reviewed the Bills at my request.

Dean Ford said, "Concur wholeheartedly! Departments and/or agencies must use a cost system which has approval of the Comptroller General! No funds should be allocated to those that do not have the approval on or before a certain date."

Professor Beers said, "Two things are inconceivable to me:

"1. That so many agencies and departments are apparently not conforming with GAO requirements.

"2. That there could be any opposition to either of these two bills (H.R. 9164 and H.R. 12998).

"There can be no such things as accountability without good accounting."

"We wish you well in your efforts to gain passage of the Bills.

Sincerely,

James M. Parrish,
Dean, Drexel Institute of Technology.
Philadelphia, Pa.

[From the Journal of Accountancy, August 1967]

Local Government Accounting: It's Your Responsibility, Too

(By Bruce Joplin)

The electorate and government officials are faced with the most difficult task of allocating a limited amount of tax dollars to an apparently unlimited demand for those dollars. Accurate measurement of government functions and programs will become increasingly important as the scope of activities broadens. The need for developing a framework based on quantitative data by which the electorate may evaluate and choose on some objective basis from among the various programs of government is most urgent. As will be demonstrated later, the method by which government accounts are typically maintained prevents the accurate accumulation of costs by program, much less a quantitative measurement of the benefits derived from programs.

Strict adherence to fund structure in reporting government activities precludes the accurate compilation of costs by function because the expenses relative to any given program are usually spread among numerous funds. The consolidation of funds appears to be the only way to insure an accurate accumulation and reporting of costs.

REFORMS NEEDED

If accounting in government is to meet the needs of legislators, the public and operation management and at the same time fulfill statutory requirements, significant progress must be made in a number of areas. Too often, reforms in government accounting practices are piecemeal. They are not designed with broad, predetermined, valid objectives in mind. The following gives the direction in which I believe government accounting must progress:

1. Government accounting must become multi-dimensional. The government accountant must accept responsibility for in-

ternal and external reporting of financial information in addition to his traditional responsibility for reporting on compliance with legal requirements.

2. The primary accounting system must be based on accumulating and reporting costs by function. The present method of reporting first by fund and then by object must be relegated to a secondary position.

3. A method of measuring and reporting benefits in some objective manner must be developed. Here the government accountant finds his greatest challenge because there is no easy way to measure the benefits of service functions such as parks provided by the state or police protection provided by the city.

[From the Wall Street Journal, Oct. 4, 1967]

NO-ACCOUNT FEDERAL ACCOUNTING

Eleven years ago Congress took a look at all the money the Government was spending, and at the antiquated, helter-skelter accounting systems most Federal agencies were using. Alarmed by what it saw, it amended the Budget and Accounting Act to require the agencies to adopt up-to-date, cost accounting systems.

At the time, in 1956, annual Federal expenditures totaled about $66 billion and the public debt stood at $273 billion. This fiscal year, spending is expected to reach about $143 billion and the debt may exceed $335 billion.

However, of the 173 Federal agencies subject to the law requiring them to set up Government Accounting Office-approved, modernized accounting systems, only 61 have complied. And most of those are small agencies with small budgets.

The big agencies are still dragging their feet, for the most part using what are called obligation accounting systems. These show the amount of money agencies are authorized to spend, but fail to show the actual costs of particular programs or operations.

Properly designed cost accrual accounting systems, on the other hand, provide not only better control over funds but also up-to-date cost data on operations. They help to determine whether money is being spent wisely and used efficiency, and whether results justify the costs. Adequate cost accounting systems, says the U.S. Comptroller General, are "basic and fundamental to the whole operation of the Federal Government."

If that is so, perhaps it helps to explain some of the deficiencies evident in Federal agency operations. The Health, Education and Welfare Department, for instance, has 12 accounting systems subject to GAO approval; the number so far approved is zero. HEW has been found, by GAO, to be guilty during fiscal 1966 of inefficient record-keeping and property management.

The Agriculture Department has 15 accounting systems subject to approval; only five have been approved. Interior has 17 systems with six so far approved. And Treasury, which surely ought to be setting an example, has only four approved systems out of 18.

Rep. Jackson Betts of Ohio is leading a move in the House to compel all agencies to speed up the accounting reforms they were obligated by law to adopt 11 years ago. Since no-account Federal accounting tends to breed no-account Federal programs, that move deserves full Congressional support.

COMPTROLLER GENERAL OF THE
UNITED STATES,
Washington, D.C., November 6, 1967.

Hon. WILLIAM L. DAWSON,
Chairman, Committee on Government Operations, House of Representatives.

DEAR MR. CHAIRMAN: Your letter of October 3, 1967, requested our views regarding H.R. 12998, a bill to require disclosure by each executive agency of the status of development of its accounting system for the implementation of planning-programming-budgeting systems.

The proposed new subsection (d) for section 113 of the Budget and Accounting Procedures Act of 1950, as proposed in the bill, would implement in principle the concepts we expressed in a letter to you on March 14, 1967, B-115398, copy enclosed. That letter dealt with the question as to what practical steps could be taken to establish a higher priority in the executive branch agencies to develop accounting systems meeting the requirements of the Comptroller General. We believe that the proposed new subsection (d), requiring agencies to report to the Congress each year if their accounting system is not approved, as stated in the proposed bill, would be satisfactory as a means of keeping the Congress informed regarding action being taken by Federal agencies in the development and implementation of their financial management systems. Although the bill does not specify the general content of such agency reports to the Congress, we believe the matter of content can be adequately cared for through the regulations which would be issued by the Bureau of the Budget after consulting with the Secretary of the Treasury and the Comptroller General.

We are in accord with the objectives of H.R. 12998, namely, to achieve compliance with the Budget and Accounting Procedures Act and to encourage the development and use of adequate, reliable, and useful budgeting and accounting systems that recognize accrual concepts so that actual costs will be disclosed to all levels of management and to others who are concerned. However, we have serious reservations regarding the desirability of enacting the proposed subsection (e) that would be added to section 113 of the Budget and Accounting Procedures Act of 1950, as stated in H.R. 12998. This proposed subsection provides that "No appropriated funds may be used by an executive agency to prepare budget estimates or estimates or requests for appropriations based on planning-programming-budgeting systems or methods unless such agency has had approved its accounting system or systems by the Comptroller General * * *."

It is well recognized that each agency during recent decades necessarily must have been involved in planning, programming, and budgeting work as a matter of internal operations and as a matter of preparing and justifying a budget for the President to present to the Congress, although the extent and adequacy of this work may have varied between agencies. We do not see how an agency could prepare a budget request for the President to send the Congress unless such agency did appropriate and extensive planning, programming, and budgeting. Presumably, the bill as now drafted, as it relates to this matter, is directed to the specific planning-programming-budgeting system that has been given wide attention in Government circles during the past 2 years. This particular system, in essence, provides increased emphasis on the analytic and documentation processes that should precede and support requests to the Congress for legislative authorization for new programs and for appropriations. The requirement for more specific and detailed planning and documentation for not only the current year but for a 5-year span may be considered as a new requirement established by the President. We believe that the actual application of sound planning, programming, and budgeting serves as one significant means of reducing the costs of Federal programs, and therefore such applications should be encouraged.

The planning, programming, and budgeting system and the accounting system of an agency are in reality interlocking parts of the overall financial management system of an agency. In fact, the planning and budgeting concepts adopted and used by an agency establish financial information needs that are to be supplied by the accounting system. Therefore, budgeting and accounting systems, including concepts used and account classifications established, have to be developed in harmony with each other. This concept was recognized in the principles and standards for accounting prescribed by the Comptroller General, wherein provision to accommodate the requirements of the President's planning-programming-budgeting system has been made a requisite for approval of agency accounting systems.

If the development of a good budgeting system is to be handicapped by lack of funds for proper development, the related accounting system may fall short of being appropriate, adequate, and fully useful to management. The lack of funds for staff for adequate attention to planning, programming, and budgeting would, in effect, constitute an inpediment to the creation and implementation of modern accounting systems that are properly related to, and support, modern budgeting concepts and techniques.

Thus, we conclude that under H.R. 12998 an agency would find itself in the dilemma of trying to develop an adequate, modern, useful accounting system without being able to concurrently develop the related adequate, modern planning and budgeting system. Accordingly, we believe that the executive agencies would be handicapped through enactment of lines 13 through 18, page 2, of H.R. 12998, and that those lines should be deleted from the bill.

We will be glad to meet with you and members of your committee and staff to discuss our views on this matter.

Sincerely yours,

ELMER B. STAATS,
Comptroller General
of the United States.

A TRIBUTE TO RALPH ROESSLER

Mr. ROUSH. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Indiana?

There was no objection.

Mr. ROUSH. Mr. Speaker, it is a rare and joyous occasion for a man to see a dream of many years become a reality. Such an occasion is now approaching for a personal friend and constituent in north central Indiana. He is a charter member of the Kiwanis Club of Marion, Ind., an organization which marked its golden anniversary 2 months ago.

Twenty-nine years ago Ralph Roessler was giving thought to various projects the service club could adopt. The idea came to him that the club might initiate an effort to establish a reservoir on the Mississinewa River north of Marion. The reservoir could aid in flood control and provide a center for area recreation.

It turned out to be quite an idea; one which resulted in the establishment of more things than one reservoir. In his efforts to arouse support for the project Roessler pointed out it was but one of many potential projects which would be of great benefit to Indiana. He is a persuasive individual. Within 5 years a bill had been introduced into the State legislature and signed into law by the Governor, a bill which created the Indiana Flood Control and Water Resources Commission. Among the original board members was, of course, Ralph Roessler.

In the early 1940's a group of representatives from cities in north central Indiana met to consider approaches to flood control problems along the upper reaches of the Wabash Valley. The result was the formation of the Upper Wabash River Association. Its first president, Ralph Roessler. Officials of this group later met with officials of the Lower Wabash Valley Association. Both decided their goals were the same if their geography was not. The groups merged into the Wabash Valley Association, an organization spread over Indiana and Illinois. Its first president was Ralph Roessler.

The combined efforts of the organization, the flood control commissions of the two States and the congressional delegation made up of members whose districts included portions of the Wabash Valley began to show results.

Ralph Roessler's dream of a reservoir on one river in north central Indiana became a reservoir complex involving three rivers and three reservoirs.

The reservoir he dreamed about on the Mississinewa River will be completed before autumn bows to winter this year. It will be in full operation next year. It has already seen service in the field of its primary purpose, flood control. A secondary benefit, its use as a recreational center, will be in full utilization a year from now.

But Ralph Roessler has done more than spearhead a major conservation effort in the Middle West. His refusal to accept defeat, his persistence in the face of great odds, his patience when faced with misunderstanding, all of these and more have been an inspiration to me and the many others he has worked with through the years. He has proven that his dream of three decades ago was not an impossible dream.

IRISH IMMIGRATION RESTRICTIONS

Mr. RYAN. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. RYAN. Mr. Speaker, some 36 Members of the House have introduced identical legislation to overcome unanticipated and inequitable effects of the Immigration and Nationality Act of 1965 by establishing a floor under the immigration levels from every nation. As the primary sponsor of this bill, H.R. 16593, I am anxious to see this legislation acted upon by the full House. Our working deadline of July 1, when the 1965 act went fully into effect, has already come and gone. Immigration from Ireland, the country most seriously affected by the 1965 act is expected to decline to one-tenth of its traditional level. A hearing held by the Subcommittee on Immigration and Nationality of the Judiciary Committee on July 3 to consider H.R. 16593 and similar proposals has not resulted in further action. Now the deadline of adjournment is upon us. It is imperative that the Congress pass remedial legislation this year.

H.R. 16593 makes sure that no nation would suffer a severe reduction in its level of immigration to the United States as a result of the provisions of the Immigration and Nationality Act of 1965. The bill provides that a "floor" shall be established for every nation, based on its average level of immigration to the United States during the decade prior to the enactment of the 1965 act. The floor would in no way be based on the former quota, but only on the actual numbers which came in during those years. The bill provides a floor, equivalent to 75 percent of the annual average level of immigration during the 1956–65 base period, or 10,000, whichever is less. To the extent that immigration falls below the floor for a given fiscal year, extra numbers will be provided the following year, so that total immigration equals the established floor.

H.R. 16593 is not in anyway a reversion to old national origins quota system.

Under the 1965 act the immigration preferences are drawn in such a way that much of the potential immigration from several countries in Western Europe, which cannot meet the qualifications, is screened out. This is no more equitable than the old explicit national restrictions, which screened out Asians and Africans.

If the State Department's projections at the time the 1965 act was considered had been accurate, it would not be necessary to take remedial action at this late date. The Congress was assured that under the provisions of the new act, Ireland would be able to qualify for about 5,200 places a year.

However, it has simply not worked out that way. Irish immigration dropped to about 1,800 in 1966 and 1967. With the 1965 act now fully in effect, the State Department has estimated that the rate of Irish preference immigration during the next year will be only about 600. In the interest of equitable treatment this must not be permitted to happen.

The Committee on the Judiciary has had many months to consider a means of remedying this problem. Although my bill has some 35 cosponsors, I have no particular pride of authorship. I only ask that a bill be reported out this session that will insure that no nationality group be severely harmed by the unintended effects of the 1965 act.

I include at this point in the RECORD the very cogent testimony of John Collins, national chairman of the American Irish National Immigration Committee, before the Subcommittee on Immigration and Nationality of the House Committee on the Judiciary on July 3, 1968.

I am sure that my colleagues will find the arguments persuasive, and I hope they will join in support of prompt congressional action to remedy the inequity:

STATEMENT OF JOHN P. COLLINS, BEFORE SUBCOMMITTEE NO. 1 OF THE JUDICIARY COMMITTEE OF THE HOUSE OF REPRESENTATIVES, JULY 3, 1968

In December 1965, a new U.S. Immigration and Nationality Act became law. It was the hope of all that these amendments would result in a fair and equitable U.S. immigration policy. There can be no question that the previous law was unfair to many nations. Some nations had no quotas at all and others were so small that they were consistently oversubscribed. The United States was more than generous to Ireland over the years in matters of immigration and hence the American Irish made no protest when the U.S. sought to correct the discrimination against other nations. All truly hoped for a fair immigration policy toward all.

Unfortunately the new law in attempting to cure the discrimination of the old law, has now saddled Irishmen (and quite possibly other nationalities) with an inequitable and unfair U.S. immigration policy. U.S. immigration is on the rise. One country's immigration to the U.S. increased by 200% in one year alone. Meanwhile the number of Irish permitted to enter the U.S. continues to decline not because the Irish don't wish to come here but because they are barred from entry.

Irish immigration to the United States—
(Embassy statistics-Dublin)

1964	4,619
1965	4,004
1966	1,741
1967	1,798

The American Irish community is shocked by the drastic effects of the 1965 Act on Irish immigration to the U.S. and stands to receive a further shock after June, 1968 when the law goes into full effect.

OUR GOAL

The American Irish, all 30,000,000 of them are not seeking to encourage Irishmen to come here. But they do seek as American citizens and voters that those Irishmen who desire to come and settle in the U.S. be given that opportunity subject to reasonable regulations and they do seek the same equality of opportunity in immigration that other nations now share in.

To this end, the American Irish National Immigration Committee was formed. Having headquarters in New York and chapters throughout the U.S. it seeks a fair, just and equitable U.S. immigration policy.

THE SPECIFIC PROBLEMS

Be it right, wrong or indifferent Ireland, England and Germany for many years provided the bulk of immigrants to this country. These three countries had the largest quotas under the old law. Much of Ireland's quota went unused in recent years but Irish immigration to the U.S. did average betweeen 5,000 and 7,000 a year in recent years.

First, since the new law went into effect, Irishmen (literally by the thousands) who want to come here and who formerly could come here are being deprived of visas. This is while immigration to the U.S. from some other countries in the Eastern Hemisphere is at an all time high. This situation is due in part to the new law itself and in part due to the Labor Department regulations established pursuant to the law.

Secondly, after June 1968, Irish immigration to the U.S. will drop to less than four hundred a year. This will be not because Irishmen dont want to come here but because they won't be issued visas. At the same time immigration from certain other countries will be 20,000 a year. Ireland's fate and punishment is a far cry from the privileged position she held prior to December 1965. This second problem is due to the 1965 amendments to the Immigration and Nationality Act.

WHY THESES PROBLEMS FOR IRELAND

The new immigration law eliminated the national origins quotas, promoted the reuniting of families and protected American labor with a few strokes of the pen. Each of these aims is good and is worthy of our support.

Ireland, England and Germany enjoyed a privileged position in U.S. immigration prior to 1965 partially because of the number of immigrants contributed by them in earlier years. Now all nations will have to compete equally for U.S. immigration numbers. This is good, except that the terms for competition are fairer to some nations than they are to others.

It is now evident that when the new law was drafted, there was a failure to anticipate the effect that the new law would have on the formerly so called "privileged countries" and in particular Ireland. Overlooked was the sociological pattern of immigration in these countries and history of the country's immigration.

THE FAMILY PREFERENCES

The new law provides for a system of preferences based on family relationship and skills. These are of little help to Ireland, while they are of much help, particularly the family relationship preferences, to other nations. Out of the 1904 visas issued in Ireland between December 1, 1965 and March 31, 1967 only 499 were of the family preference type and 435 of these used by brothers and sisters of U.S. citizens.

Ireland's immigrants to the U.S. have traditionally been of the nonpreference unskilled variety. The argument has been put forth that the reason for this was that Ireland had such a large quota, that it was easier to obtain a non-preference visa than to file for a preference. Recent statistics however would destroy that argument. Analyzing Irish families, one finds that a few brothers and sisters from the family emigrate while others remain at home. The mother and father remain at home. The Irish emigrant is generally young, unmarried and hence brings no spouse or children. It is the rare case in recent times when a whole Irish family emigrates to the U.S. Thus Ireland's sociological pattern of immigration does not permit it to compete equally with some other nationalities for family preferences.

THE PROFESSIONAL PREFERENCE

In the first sixteen months under the new law only 11 Irishmen qualified for visa preferences as professionals or needed skills workers. This is in part due to training and to the economy of the country. In this area Ireland is the hardert hit of the three formerly "privileged countries." However it should be noted that unlike many other nations of the world, Ireland was never the recipient of substantial U.S. foreign aid.

Thus these two preferences the third and the sixth are of little help to Ireland. Of course it may well be better that professionals and skilled workers remain at home in Ireland as in any technologically developing nation.

SECTION 212(a) (14)

The majority of Ireland's contribution of immigrants has always been in the unskilled labor area and will be until June, 1968. They came here to better their lives economically and in turn hopefully they bettered the nation. At least we know they contributed heavily to the independence and security of this nation down to this very day in Vietnam.

Until December 1965, the Irish unskilled immigrant had little trouble in entering the U.S. He or she could enter unless the Secretary of Labor said no. Now under the revised Section 212(a)(14) the immigrant can't enter unless the Secretary of Labor says yes. American Irish long active in labor unions as well as all Americans are desirous of protecting American labor and want to see no American worker put out of a job as the result of any immigrant coming into the U.S. But is section 212(a)(14) necessary in its present form and is it accomplishing its intended purpose?

Immigrants add but a tiny fraction to the total U.S. labor force, so our government officials tell us. In the last seven months of fiscal year 1966 about ⅛ (slightly over 10,000) of the total U.S. immigrants were of the nonpreference variety. This is certainly a small number (considering that close on 34,400 American born workers enter the labor force every four days). While at the same time up to 153,000 immigrants in the preference categories can come into the U.S. each year and are free of any labor restrictions. They can take any job they want and put any American worker out of a job. The law seems overconcerned with the small remainder. This small remainder must comply with section 212(a) (14). New seed immigration is being eliminated and the U.S. will be the loser.

LABOR CERTIFICATION

From July to November 1965, the last five months that the old law was in operation 2,338 in the non-preference category emigrated from Ireland to the U.S. During the sixteen months from December 1965 through March 1967, under the new law 1109 nonpreference Irishmen entered the U.S. Some Congressmen have termed the situation deplorable. The Labor Department regulations have done little to help and much to hinder. The recent changes made by the Labor Department were of little or no help to the Irish and the statistics bear this out.

SCHEDULES A, B, AND C

The jobs that the Irish traditionally took when they came here are on Schedule B, the prohibited entry list. One can seriously question whether there is an actual nationwide oversupply of workers for all jobs listed on Schedule B. One can also question the method and procedure by which such jobs come to be listed on this schedule. Certainly supply and demand for jobs may vary from locality to locality and from time to time. Whether the jobs listed on Schedules A and C are the sole ones for which there is a demand for workers can be seriously questioned.

THE DEFINITE JOB OFFER REQUIREMENT

The obvious truth is that employers do not want to hire workers sight unseen. Our country was built with new seed immigration—individuals who had no close relatives here but who were willing to come here and work hard for a better life. If an applicant desires to come here and work in a job category which has been certified as having no oversupply of workers, then he should not be required to do the impossible, to find an employer who will hire him sight unseen.

Three out of the five reasons given by the U.S. Embassy, Dublin for the decline in immigrant visas issued, dealt with the definite job offer requirement, labor schedules and labor certification." . . . there is no doubt that section 212(a) (14) of the Act was caused a decrease in Irish immigration to the United States. As many Irish visa applicants are unskilled or semi-skilled workers, they are unable to qualify under Section 212(a) (14) as amended."

June 30, 1968—Irish Immigration Comes to An End Under the new law up to 170,000 immigrants can enter from the Eastern Hemisphere each year. These 170,000 members are allocated among the seven preferences. No numerical amount is assigned to the non-preference category, only the left overs. Not only has no provision been made for nonpreference immigrants but the future does not augur well for new seed immigrants not only from Ireland but from all countries. Ireland stands to suffer worst of all for over 68% of her immigrants are of the non-preference variety and traditionally have been such. Since the new law went into effect 1109 out of 1619 visas issued in Ireland went to non-preference immigrants.

The Visa Office projections estimate that for fiscal year 1969 there will be only 3,200 non-preference visas available for the entire Eastern Hemisphere. Others estimate that come July 1968 *no* visas will be available for non-preference immigrants.

The non-preference category becomes eligible for visas only when numbers are left over and unused in the preference categories. Despite the fact that each nation is limited to 20,000 immigrants a year there are at present backlogs in the third, fifth and sixth preferences in 34 countries. There is a backlog in the non-preference category in 39 countries.

While Ireland is of course technically eligible to share in any non-preference visa numbers that are available, it must be remembered that the visas will be issued on a first come, first served basis. Some other foreign nationals have immigration petitions filed as far back as February 1, 1955. Ireland has never had a backlog and her immigration is current, at least until July 1968. Then her immigrants must get on line behind other nationals whose countries' have backlogs and who have had petitions on file for years. It may be years if ever before an Irish non-preference immigrant again enters the United States. All because the U.S. chose to change its philosophy of immigration.

Thus in an effort to cure the old inequity, the burden has been placed on Ireland, the nation least able to complete. She has little or no immigrants who can qualify for a preference and her non-preference immigrants won't be able to enter. To give equality to others she is being made to suffer. A truly unfortunate state of affairs.

RECOMMENDED CHANGES

Beginning in September 1966, the American Irish Immigration Committee drew the attention of Senators, Congressmen and government agencies to the fact that the 1965 Immigration Law was discriminating to Ireland in effect. The committee requested that Senators, Congressmen and government agencies examine the situation and that legislative hearings be scheduled. Early in 1968, the State Department wrote to the Judiciary Committees of the House and Senate informing them of existing problems under the new law. On April 3, 1968 Subcommittee Number 1 of the House Judiciary Committee began hearings on the operation of the 1965 law. The Senate Judiciary Committee is expected to follow a similar course of action.

As of April 1, 1968 more than 30 bills to amend the 1965 Immigration and Nationality Act had been introduced by Senators and Congressmen. Included among these were bills advocating:

1. Amendment of section 212(a)(14) to read as it did prior to December 1965.
2. Amendment to eliminate the definite job offer requirement.
3. Special legislation to eliminate immigration backlogs currently existing in many nations.
4. Amendment of section 101(a) (27) (D) to permit entry of religious sisters and brothers, with relative ease.
5. Amendment of sections setting up the various preferences and transferring some to the classification of immediate relatives who may enter without numerical limitation.

These proposed changes are worthy of our support in the development of a more equitable law toward all nationalities. But most of the above proposed changes would not in and of themselves remedy the discrimination against the Irish.

H.R. 16593, introduced by 23 Congressmen on April 10, 1968, does seem to alleviate the present restriction on Irish immigration to the U.S. At the same time it applies to all nationalities and seems eminently fair to each.

Along those lines we have heard various rumors that the Irish Government is in favor of the present law, that the Irish Government is not in favor of a change which is embodied within H.R. 16593. I tell the distinguished Members of this Committee today that those rumors are false, they are despicable rumors. We have it on good authority from the Irish Government that the Irish Government is not in favor of the continuation of the present United States immigration policy and that it has no objection whatsoever to the passage of H.R. 16593. The Charge d'Affaires in Dublin, Ireland, was so informed by the Irish Government last Friday morning, and the Irish Ambassador to the United States was so instructed by his government.

Simply explained, it places a "floor" on immigration from each country. This "floor" would be equal to 75% of a country's annual average immigration during the 10-year period 1955 to 1965 with a maximum floor limit of 10,000 for any country. In the case of Ireland, this number would be 5,390, e.g., If in 1968 1,000 Irish immigrate under the present law, under the new formula an additional 4,390 Irishmen could immigrate to the U.S. in 1969 and they would not be subject to the present labor restrictions.

I am sure you will remember the words of the Chairman of the Judiciary Committee, Congressman Celler, on April 1, 1968, when he said that he saw no reason why a bill couldn't be passed in ten days admitting between five and ten thousand Irishmen. I am sure you are also aware of the statement of Commissioner Farrell that he saw no objection to the present bill.

With reference to H.R. 16593, our request is that you convene an executive session today and that it report a bill to the Judiciary Committee by Monday and that you, Mr. Chairman, send a letter to the Rules Committee that you intend to introduce a bill before Congress adjourns.

In addition to Congressional amendments, Labor Department revision of regulations is needed in the following areas:

(1) Re-examination of job schedules now and periodically.

(2) Issuance of one schedule only—a "prohibited" job list issued on a regional basis.

(3) Re-examination of procedures used for placing occupations on job schedules.

(4) Promulgation of these procedures and the resultant findings each time a job schedule is amended.

(5) Elimination of the definite job offer requirement.

IMMIGRATION TO UNITED STATES—STATISTICAL CHARTS

CHART 1.—*U.S. immigrant visas issued, worldwide (fiscal year July 1 to June 30)*

1963	291, 936
1964	477, 684
1965	287, 679
1966	311, 356
1967	326, 553

CHART 2

TOP 10 COUNTRIES

Fiscal year 1965:	
1. Great Britain	26, 619
2. Germany	26, 181
3. Italy	9, 986
4. Poland	7, 328
5. Ireland	5, 555
6. France	4, 071
7. Netherlands	3, 201
8. Japan	2, 843
9. U.S.S.R	2, 761
10. Sweden	2, 539
Fiscal year 1967:	
1. Great Britain	26, 750
2. Italy	25, 994
3. China	19, 329
4. Germany	16, 863
5. Portugal	13, 412
6. Greece	13, 322
7. Philippines	9, 817
8. Poland	5, 258
9. Yugoslavia	4, 615
10. India	4, 337
Ireland	2, 665
Estimate, fiscal year 1969:	
1. Italy	26, 300
2. Greece	22, 300
3. China	22, 300
4. Portugal	21, 100
5. Philippines	16, 000
6. Germany	12, 000
7. Great Britain	6, 500
8. India	6, 300
9. Poland	6, 000
10. Yugoslavia	5, 500
Ireland	(7)

CHART 3

PREFERENCE AND NONPREFERENCE IMMIGRANT VISAS ISSUED TOP 10 COUNTRIES AND IRELAND, FISCAL YEAR 1967 (NEW LAW)

Country	1st preference	2d preference	3d preference	4th preference	5th preference	6th preference	7th preference	Nonpreference
Great Britain	16	375	61	63	798	110	1	20, 781
Italy	167	4, 386	147	6, 363	4, 800	2, 736	40	0
China	146	1, 098	439	1, 519	3, 302	320	1, 673	0
Germany	22	454	47	62	908	159	15	6, 086
Portugal	79	1, 557	11	1, 462	8, 402	344	5	0
Greece	30	1, 417	66	401	8, 425	219	3	0
Philippines	270	1, 201	1, 852	1, 500	852	174	1	0
Poland	39	1, 075	101	261	1, 607	174	266	283
Yugoslavia	53	382	111	720	748	169	1, 653	0
India	3	354	833	45	200	98	0	0
Ireland	7	59	3	7	441	8	0	1, 783

Statistics provided by Visa Office, U.S. State Department.

CHART 4

IRISH IMMIGRANT VISAS ISSUED

[By fiscal year, July to June]

	Total	Portion of that total issued in Dublin
Old law, 1962	5, 345	4, 076
Old law, 1963	6, 237	4, 618
Old law, 1964	6, 328	4, 914
Old law, 1965	5, 378	4, 232
Old law, 1966 (July to November)	2, 375	(a)1, 979
New law, 1966 (December to June)	696	(a)585
Total, 1966	3, 071	2, 564 (b)2, 044
New law, 1967	2, 665	(a)2, 120 (b)2, 203
New law, 1968		

Note: A discrepancy exists between the figures issued by (a) U.S. Embassy and (b) Visa Office.

Source: Statistics provided by Visa Office, U.S. State Department, and U.S. Embassy, Dublin.

CHART 5

NUMBER OF IRISH WHO WANT TO IMMIGRATE AS OPPOSED TO THOSE WHO OBTAIN VISAS

[Calendar year Jan. 1-Dec. 31]

	1964	1965	1966	1967
Preliminary inquiries	6, 483	5, 797	4, 725	4, 235
Applicant for immigrant visas	5, 817	4, 750	1, 996	2, 446
Immigrant visas issued	4, 619	4, 004	1, 741	1, 798

Note: Statistics provided by U.S. Embassy, Dublin.

CHART 6

	Germany	Britain	Ireland
Old quota existing prior to December 1965	25, 814	65, 361	17, 756
Immigrant visas issued fiscal years:			
1962	26, 240	21, 596	5, 354
1963	26, 969	27, 781	6, 237
1964	28, 691	30, 324	6, 328
1965	25, 171	28, 698	5, 378
Estimate by State Department in 1965 for fiscal year 1966	18, 566	25, 238	5, 246
Actual, fiscal year 1966	18, 596	20, 831	3, 071
Estimate by State Department in 1965 for fiscal year 1967	16, 399	24, 405	5, 113
Actual, fiscal year 1967	16, 479	26, 497	2, 665
Estimate by State Department in 1965 for fiscal year 1968	16, 399	24, 405	5, 113

CONCLUSIONS

The new law provided for a three year adjustment period. That Ireland cannot adjust is now evidenced in the statistics. She cannot adjust for the new terms of adjustment are unfair to her. The terms of the old law were concededly unfair to some other nations but this does not justify solving the problem with new terms unfair to Ireland.

In March 1965, the U.S. Secretary of State foresaw part of the problem, when he stated:

"A strict first come, first served basis of allocating visa quotas would create some problems in certain countries of northern and western Europe, which under the national origins system enjoyed a situation where quota numbers were readily available to visa applicants.

"To apply the new principle rigidly would result, after a few years, in eliminating immigration from these countries almost entirely. Such a result would be undesirable, not only because it frustrates the aim of the bill that immigration from all countries should continue, but also because many of the countries so affected are among our closest allies. At a time when our national security rests in large part on a continual strengthening of our ties with these countries, it would be anomalous indeed to restrict opportunities for their nationals here."

Ireland's sons and daughters have for decades contributed to the building and growth of this nation in every conceivable area of endeavor. The quota which was given to Ireland under the old law was in part a small recognition of these contributions. Recognizing that the Irish have no monopoly on these contributions, nevertheless, the present law in its effect on Ireland is a sad commentary in this area in that the sweat and blood of the Irish working class has easily been forgotten.

Of concern is whether the existing law now in operation since December, 1965 is carrying out the true intent of Congress and our citizenry. There must be legislative and executive action to eliminate the unnecessary hardships and to acknowledge our national concern primarily for the dignity of man as man and secondly in what he can or cannot do. The situation now existing with regard to Irish immigration must be remedied and the American Irish community cannot be satisfied until it is remedied.

Mr. Speaker, I also want to call my colleagues' attention the statement of John W. Duffy which he presented to the Subcommittee on Immigration and Nationality on July 3 on behalf of the United Irish Counties Association of New York, Inc.:

STATEMENT OF JOHN W. DUFFY BEFORE SUBCOMMITTEE NO. 1 OF THE JUDICIARY COMMITTEE OF THE HOUSE OF REPRESENTATIVES, WASHINGTON, D.C., JULY 3, 1968

(NOTE.—Mr. Duffy is a past president of the association, is presently serving as a director and for the past 9 years has been chairman of the New York Irish Feis.)

The United Irish Counties Association of New York, founded 1904, is a delegated body with representatives from each of the thirty-two Irish County Organizations. The combined membership of these organizations is about forty thousand. The United Irish Counties Association has since its inception played an active role in the civic, religious, social and cultural life of the New York Metropolitan Area. For the past thirty-six years it has sponsored the great Irish Cultural Festival—The New York Irish Feis.

We are well aware of the drastic reduction of Irish immigration to the United States as a result of the passage of the 1965 Immigration and Nationality Act. Our organization was one of the first Irish groups in the United States to have a committee on Immigration. From our close contact with recent Irish immigrants we were well aware of the situation. We were one of the original founders of the American Irish Immigration Committee. We remain a constant supporter of its goals and aims.

We stand for a fair, just and equitable immigration policy toward all nationalities. The present U.S. Immigration policy is unfair to the Irish.

We urgently request that you support and favorably report out of committee a bill sponsored by over thirty-eight Congressmen. This bill H.R. 16593 is fair to all nationalities. We urge its adoption.

WAYNE ASPINALL RENOMINATED

Mr. ROGERS of Colorado. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Colorado?

There was no objection.

Mr. ROGERS of Colorado. Mr. Speaker, some 43 years ago I first met and became associated with the Honorable Wayne N. Aspinall, Representative from Colorado Legislature in 1931 when we We met first as law students at the University of Denver in the fall of 1923 and began our elective service together in the Colorado's Fourth Congressional District. were both freshmen in the State house of representatives. We have served together here in the U.S. House of Representatives—Wayne Aspinall completing his 20th year, I, my 18th. I can tell you that one of the most valued possessions that we share is the bond of friendship that has grown between us. As my colleagues know, this is one of the genuine rewards that come to all who serve in public office.

On July 12, 1968, in Fort Collins, Colo., the delegates to the Fourth Congressional District Democratic Assembly once again nominated Wayne Aspinall for reelection to the Congress by acclamation. In his acceptance of the honor, Wayne Aspinall delivered an address that deserves the attention of all of us in this body and of thinking Americans everywhere:

Mr. Chairman and delegates of the convention, once again, I thank you for the honor you have shown to me; and, the expression of confidence that you have given to my elective public service of over 44 years. I not only express to you my own personal greetings, but also those of Mrs. Aspinall (Julia to many of you). I am pleased to say that she is quite well—and, but for the briefness of this hurried trip, she would be with me to greet you in person.

The people of my home community, of my county, of my congressional district (the great Fourth), of my state and of my nation have been good to me. Although I still consider myself young in spirit and energy—yes, and in constructive principles and tenets of progressive and sound government—yet, I know that with the number of years that I have to my record, my time of service is running out. Only two or three men in our State's history have records of longer local, state and national elective service than I. May I say that with this long service and expression of confidence by my fellow citizens, goes my continuing personal thanks and my ambition to give to you the full measure of whatever talents I may have.

Now may I become a little more personal in yet another way. Our great Democratic Party has been good to me. It has permitted me to serve it and those who are its members in all levels in our great State—precinct caucus chairman, county chairman, congressional district chairman and state chairman. Also, I have been honored by my colleagues in Congress by being chosen for ten years now as the chairman of our party zone; that is, the entire West with the exception of California.

I respect the other party. I have great admiration for both parties. I have love and great affection for the Democratic Party. I chose to be a Democrat when I was 16 years old. I shall die a Democrat. It is truly constituted to be the party of the people. When we fail at the polls, we do so because we have forgotten our high aims and ideals of service to the people.

With this love of my fellow citizens and my love for my work in your behalf, together with the confidence you place in me, I become your debtor and I shall remain so.

Now, I would like to spend a few additional moments with you discussing a matter that, of late years especially, has concerned me very much. In fact, my concern has been growing week by week, month by month and year by year as I have been searching for just the exact words to put the problem into perspective. Part of my dilemma, I am sure, is my own inability to find that perfect phrase to mirror my thoughts. Another part of the difficulty, I am equally certain, is the chameleon-like quality of the problem as it shifts from time to time and from place to place—showing up, first, in one segment of our society and then in another. I have thought that, if I had a key word, it would lead to that key phrase. I have tried many—none of them have completely satisfied me. I keep returning to the one word I started with: Discipline.

I am advised that this is not a popular word today. Many call it quaint. Still others dismiss it as irrevelant. *When*, I ask you, did this significant transformation take place? When did it fall from acceptance? When did it pass beyond the bounds of relevancy? Some say that, as I think of it, discipline fell into disrepute when the bomb fell on Hiroshima. Others say the lessening of its leavening influence came with the advent of television. The "Johnny-come-lately" experts on social behavior marry it forever to this nation's involvement in Southeast Asia. Always—and mark this carefully—always, the cause, or the excuse, for the alleged demise of discipline is laid at the door of some *outside* event or force. When reciting the obituary for discipline, no one is ever self-incriminating. It is always like the little child who say, "He made me do it!" But, my friends, *we* are not little children and it is time *we* put away the excuses of children. The very definition of discipline precludes outside forces from having that fatal effect.

The dictionary defines discipline as "Training or course of training which corrects, molds, strengthens or perfects." An additional definition is: "Training that develops self-control, character, or oderliness and efficiency."

If we once possess discipline, if we once have training that strengthens and perfects and develops self-control and orderliness, no outside influence is going to eradicate it. It can only be subjugated and voluntarily sacrificed on the altar of convenience by those who are just plain lazy—physically, mentally, morally, politically and intellectually *lazy!*

One might develop the relationship of discipline to all phases of human activity—the discipline of the arts, the discipline of science, etc.—but all of my adult life has been spent in the discipline of laws and government—and that is the matter that concerns me the most at this time.

Law is the attempt by man to put order into society. Whether it produces that order is the real test of its effectiveness and/or need for revision. Reflect with me for a moment on the struggle of the men who framed our government and launched its institutions. Let us always remember that these men formulated our federal union and constitutional *only when* the *selective performance* permitted by the loose document of the Articles of Confederation foundered on its own *permissive* and *selective* procedures. And, do keep in mind for a moment that phrase, "selective performance" and its companion, "permissive procedures."

Plainly stated in the Mayflower Compact, the Declaration of Independence and other kindred documents is the social contract theory of government—a concept poles apart from divinely instituted kings or their modern-day counterpart, the dictatorship of the proletariat.

The contract is rather simple: "That to secure these rights, Governments are instituted among men, deriving their just powers from the consent of the governed. . . ."

We agree by contract that we will do certain things in our own behalf in the name of the Government. We concurrently agree that we will not do certain other things in the name of the government, and, accordingly, we reserve certain powers and certain acts from the government.

This is clear enough. We agree and contract for defense and the general welfare. We do, however, bar any abridgement or infringement of speech, religion and press. We do guarantee fair trials, a jury in criminal cases, equal protection of the law, due process and the right of the people peaceably to assemble and petition their government for redress of grievances.

This is not the selective performance permitted under the Articles of Confederation. Under selective performance, states could, and did, ignore the acts or requests of the Congress. They could, and did, enforce differing standards on speech, religion, assembly, due process, and defense and general welfare. Confederation proved too weak for the necessities of government. It was replaced by a federal union with specified powers applicable in all reaches of the Union.

And, selective performance will not work now. Mere statement does not convert this republic of specified powers into a citizens confederation with each citizen reserving the right of the sovereign to accept or reject a rule or regulation. We started as a nation of law; we so remain. We have not yet set each citizen free to pick the laws he will obey, yet be free from the consequence of non-performance. We have not yet assigned to mobs a sovereignty denied to individuals. We yet hold to the clear doctrine that conspiracy is an evil of itself. Neither have we assigned the right of counseling disobedience to some baby doctors, some professors, or some militants whether they be poor or middle class, social register or garden variety taxpayer.

As for me, I have contracted with no one to abridge my own rights. I have no reason to think that you have. I still expect to be secure in my person and property, free as much from felon or thug as from search or seizure by the state. I still expect performance as the prerequisite of reward. I still expect standards to be met until changed. I have not contracted for anarchy, that mindless machine—all start and no stop.

No government, no civilized people, can tolerate selective performance. The highest goal of our founding fathers was to prevent arbitrary acts by the state, by prince or by faction. Freedom of speech is not an arbitrary right to outrage public decency. Freedom of assembly is not an arbitrary right to camp willy nilly in colleges, factories or on the public thoroughfares. Freedom is not fire. Freedom is elbow room for self-development, even if occasionally denied.

The Earl of Clarendon, English historian and statesman, once said: "The law is the standard and guardian of our liberty; it circumscribes and defends it; but to imagine liberty without law, is to imagine every man with his sword in his hand to destroy him who is weaker than himself; and that would be no pleasant prospect to those who cry out the most for liberty."

This, is what bothers me today. There are those who cry out for liberty, but in doing so, they plow up the very roots of that which they seek. They equate liberty with permissiveness and freedom with license.

I am firmly convinced that these are days when the heart of the American people wants to do the things for all citizens that are fair, equitable and just. But, I am also firmly convinced that these are also days when the mind of the American people is insufficient to meet the motivations of its heart.

I want to make it clear that I am not here to point the finger of accusation. It is too easy to slip into the view that the younger generation has slipped or has been driven astray. I have seen and talked with too many of our young people to write them off as the "lost generation". I have been visited by these young people in Washington and I have met them in their schools and colleges here in Colorado. These are young people who will learn from our accomplishments and from our mistakes. They will go on to correct, mold, strengthen and perfect. And, when they have given their best, they will find that there are those who follow them who are impatient with their progress.

As for those who have attracted the attention of the news media—those who would grab a headline by grabbing the dean—they are without discipline. They are out of order. And, if they shout back that I am merely a part of the "Establishment", then I say to them: change the "Establishment" if you will, but change it with discipline and order or the world you seek will come crashing down on you with the first breath of the next generation's disorder.

I see a total people banding together within their own dignity as citizens to "overcome" long years of denial. I see a total people anxious and dedicated to so participate in their own victory that it will generate a pride that will be a bright banner for their children and for their children's children forever.

I see a total people determined to prove their known capacity for honor as the way to bury deep the ancient life of inherent inequality. This is our performance against which prejudices wash in vain.

In short, I see America. I see a reflection of its people, their several dreams, their human doubts, their effort to advance against a host of problems. I see a great social experiment in self-government and freedom of spirit at a balance point between destructive forces and creative forces, between hate and hope, between standards and social sloth.

There are those in this room who are impatient with social progress or seek more policy change, but they have chosen to seek that progress or change within the framework of this Assembly and those procedures which shall follow.

As I have suggested, law is discipline. But, I have also tried to suggest that discipline is more than law. De Toqueville put it this way: "There is no country in the world in which everything can be provided for by the laws, or in which political institutions can prove a substitute for common sense and public morality."

Discipline never was and never could be a restriction of the freedom of the mind and spirit. It never could crush out an idea. But, discipline is the only means by which ideas can be put to use for the benefit of mankind.

I close with the saying of the English poet laureate, Robert Southey: "Order is the sanity of the mind, the health of the body, the peace of the city, the security of the state. As the beams to a house, as the bones to the body, so is order to all things."

J. E. B. STUART ELIZABETH CUP CHAMPS

Mr. MOSS. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the Record.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. MOSS. Mr. Speaker, I rise today to welcome back to this country the J. E. B. Stuart crew which returns to Virginia this afternoon after capturing the world renowned Princess Elizabeth Cup at the Royal Henley Regatta held at Henley on Thames, England, last week.

In 1965, 10 young boys who were entering J. E. B. Stuart High School borrowed a 30-year-old shell from Washington and Lee High School in Arlington County. They did so because of their intense interest in this sport and because the Fairfax County school officials were unwilling to sponsor a team officially. Although the official "hands off" policy continued, a booster's club of adults was formed and by selling Christmas trees, baked goods, and holding raffles, funds were raised to purchase a new shell and provide expenses for entering rowing contests.

Since February of this year, the crew has won every race it has entered. But, again, the victories were due only to the dedication of coaches Walter Barber and Mike Gasch, the son of Judge Oliver Gasch, and the boys themselves, since the school continued its policy of nonrecognition. In addition to their weekend workouts, the crew rowed every morning at 5 a.m. before attending 8 o'clock classes and went back to the river each night after school. The perserverance paid off—in spades.

First was the winning of the Northern Virginia Schoolboy Championship, then the Stotesbury Cup on the Schuylkill River at Philadelphia followed by the capture of the U.S. National Schoolboy Rowing Championship the following week also at Philadelphia. Then came the big challenge—the Royal Henley Regatta. Although still without official school recognition, the crew's boosters set about the task of raising the necessary funds to make the trip to England. Moral support came from Vice President Hubert H. Humprey, Senator William B. Spong, Jr., and Governor Mills E. Godwin, Jr.

Not surprisingly, the crew did raise the necessary funds. They did so with the help of the Fairfax County Board of Supervisors, the local television and radio stations, the local newspapers and perhaps most significantly, an unusual outpouring of $1 and smaller contributions by thousands of interested area citizens. Needless to say, all who were involved deserve a hearty word of thanks.

Upon arrival in England, the crew promptly defeated Cornell University in two practice heats. On Wednesday, July 10, the crew met Oundle School of England in their first race and defeated them by 3½ lengths after which, on Thursday, they disposed of the crew from Ealing School of England by 1⅓ lengths. On Friday, Stuart defeated Shrewsbury School of England in the quarterfinals by 4 lengths. Saturday morning brought the Stuart crew into competition with the Nautical College of Pangbourne, England, in the semifinals where again Stuart's superiority brought victory by 3 lengths. Saturday afternoon brought the final race. Eton College of England, the defending champions from 1967, would meet Stuart in the final dash for the coveted Princess Elizabeth Cup. Eton was determined not to allow the American team to capture the historically treasured cup. Continuing in the tradition established in the past 5 months, however, Stuart rowed to a decisive victory.

We owe a debt of gratitude to these boys, members of the new generation, who have labored so tirelessly to bring honor not only to J. E. B. Stuart High School and Fairfax County, Va., but who in so doing have brought honor to their Nation. At this point, for the benefit of my colleagues, I wish to list the names of the crew members and their positions:

Bow	Corbin Wilson.
2	Reed Augliere.
3	Mike Hacskaylo.
4	David Foulis.
5	Tom Lang.
6	Eric Rudrud.
7	Steve Hancotte.
Stroke	Steve Wilson.
Coxswain	David Hafner.
Alternate	Mike DeBlois.
Alternate	Phil Mangano.
Alternate	Stan Boyd.
Alternate	Tom Buchanan.

Mr. Speaker, in addition to the great honor these boys have brought to our Nation, I feel a great sense of personal pride from my knowledge of Reed Augliere who is an oarsman in the crew. Reed is an outstanding young man whom I have known since his early childhood. He is a young man who manifests those strong wholesome characteristics all parents strive to attain in their offspring. His parents, Mr. and Mrs. Vincent Augliere, must feel an immeasurable amount of satisfaction in Reed's day to day accomplishments as a student, athlete, and young citizen.

During the summer of 1966, I had the pleasure of having him serve as an intern in my office. His unique qualities enabled him to perform tasks on my behalf that were a testimony to the maturity and ability he possesses far beyond his chronological age. In September, Reed will enter Syracuse University. Both in that endeavor and the years that lie ahead I wish him every success which he has so heartily earned and so richly deserves.

J. E. B. Stuart crew—well done—and welcome home to an appreciative Nation.

WE ARE STILL WAITING, MR. BAILEY

Mr. HALL. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. HALL. Mr. Speaker, last Wednesday I addressed a letter to Democrat National Chairman John Bailey, calling on him, and by inference the President, and the other candidates for the Democrat presidential nomination, to disassociate themselves from, and to repudiate in no uncertain words; the racist statement of the Black United Front and concurred in by the District of Columbia Democrat national committeeman, E. Channing Phillips.

That statement, Members will recall, referred to the slaying of Washington Policeman Stephen Williams as "justifiable homicide of a honky cop."

To this date, 1 week later, no repudiation has been forthcoming and the statement still stands with the support of the District of Columbia Democrat national committeeman, who presumably will be a favorite son candidate for his party's presidential nomination. Furthermore, the issue has been compounded by the passage of a resolution by the District of Columbia Central Democrat Committee, which in so many words sought to defend the Black United Front resolution. The District of Columbia Democrat Committee added insult to injury, by deleting a sentence that would have offered condolences to the survivors of the slain police officer. I am still waiting for Chairman Bailey to respond to my suggestion that he rebuke the Democrat national committee's representative from the District of Columbia. There is still no word on the subject from presidential contenders MCCARTHY or HUMPHREY, or from President Johnson. Perhaps the President will see fit to respond to an open letter he has received from the District of Columbia Police Wives Association, Inc. Since I am not aware that the President has encouraged any member of his party to call this letter to the attention of the public, I insert in the CONGRESSIONAL RECORD, at this point, a copy of the open letter to the President:

DISTRICT OF COLUMBIA POLICE
WIVES ASSOCIATION, INC.,
Clinton, Md., July 15, 1968.

The PRESIDENT,
White House,
Washington, D.C.

DEAR MR. PRESIDENT: Former President Eisenhower writing in the Reader's Digest of May, 1968 declared; "one of the principal aims of our Constitution was to 'insure domestic tranquility'; indeed, in sequence of objectives, the authors placed it ahead of common defense." The wise men who founded this nation well knew that anger over justice denied, or envy and hatred begotten of ignorance, and prejudice, would as always before, create trouble; that there would always be false leaders ready to inflame men to acts of purposeless violence.

We the members of the District of Columbia Police Wives Association has always been deeply appreciative of your interest and concern for the interest in and concern for the Metropolitan Police Department. As recently as July 3, 1968 you said, "Washington's policemen are among the nation's finest. In the critical hours of unrest and violence which gripped the city they performed most difficult missions . . . the backbone of law enforcement in each of our communities is the policeman on the beat. In no city of America is this more true than in the District of Columbia." The very day you wrote this letter to both Houses of the Congress, police private Stephen A. Williams was killed and police private Frederick Matteson was critically wounded while trying to do their duty in the 1300 block of Columbia Road N.W.

The past ten days have seen the issuance of the incredible, divisive and inflammatory statement by the Black United Front which has been condemned by Mayor Walter E. Washington, D.C. Public Safety Director, Patrick V. Murphy, City Council Chairman John W. Hechinger, —editorials in the Post, Star and the Washington Daily News, and by many members of the Congress. The D.C. Federation of Civic Associations, an outstanding Black-led organization of some 40,000 district citizens, was highly critical of the Black United Front statement and as, reported in the local newspapers, expressed its sympathy to the families of slain police private Stephen A. Williams, critically wounded police private Frederick Matteson and voted to send a letter of condolence and a check of $50.00 to each.

The Reverend E. Franklin Jackson, the District's outgoing Democratic National Committeeman, said it is his own opinion "and that of a vast majority of the black people" that the statement of the Black United Front was inflammaory and antagonistic to the entire community." He said, regarding the Reverend Channing Phillips, that "the national committeeman must be concerned with the welfare and the wellbeing of the total community, and must not in any sense of the word give in to one side or the other" in a way that would polarize the community.

Four policemen have been killed in line of duty in the past 7 months in the Nation's Capital since November. This is an incredible toll to have taken place in 7 months. In the pace of this record, unequaled in any other Capital City in the world, the Washington *Post reported July 12, 1968 on its front page* under the astounding headline "City Democrats Hit 'Assaults' by Police" the following "The city's new Democratic Central Committee adopted a resolution last night strongly condemning what it called, assaults on citizens by police. At the same time, the Committee deleted from the proposed language of the resolution a statement of sympathy for the family of police private Stephen A. Williams, who was killed with his own gun on July 2, while attempting to make an arrest. The section cut from the resolution said "We strongly condemn assaults against police officers who are properly carrying out their vital responsibilities to protect the public."

We pray you will speak out Mr. President, and provide leadership to this troubled community and clarify the issues. The Democratic Central Committee and the Black United Front have done more than shout "Fire" in a crowded theatre. They have poisoned the relationships between the Police and the Community. Unless you take immediate steps to correct this situation and to provide leadership in this crisis, more lives will be lost and this community will descend further into anarchy and chaos.

You have said "the safety and security of its citizens is the first duty of government." You have also said; "the long shadow of crime falls over the streets of the Nation's Capital, mocking its proud institutions . . . the liberty of every citizen is diminished." We agree Mr. President with these moving statements of yours. We also agree with former President Eisenhower, "that there would always be false leaders ready to inflame men to acts of purposeless violence," and we believe General Eisenhower words apply with special aptness to the inflammatory language in the resolutions adopted by the Democratic Central Committee and the Black United Front.

We request not only you to speak out on these issues but to throw your support behind Congressman Casey's amendment reported by the House Rules Committee to add 10 years imprisonment to the regular penalty when a firearm is used in a robbery or an attempted robbery, which is the central recommendation of the D.C. Gun Control Act which you called on the Congress to enact into law in your historic message of March 13, 1968 "safeguard the public order and stop tragedy." It will help prevent the killing of our husbands. The Policeman's Association of the District of Columbia in a full page ad in the Star on July 7, 1968 asked, "Who Cares?" We do, Mr. President, and we are certain you do too.

May we hear from you?

Respectfully yours,
JOAN ABBOTT, *President.*

REPORT ON H.R. 17748—THE OCCUPATIONAL SAFETY AND HEALTH ACT

Mr. PERKINS. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Kentucky?

There was no objection.

Mr. PERKINS. Mr. Speaker, by direction of the Committee on Education and Labor, I am today filing a report on H.R. 17748, a bill for an Occupational Safety and Health Act.

This bill, Mr. Speaker, is the result of long weeks of work by the Education and Labor Committee, and, in particular, by the Select Subcommittee on Labor of that committee, chaired by the very distinguished gentleman from Pennsylvania [Mr. HOLLAND]. I regret very deeply that the gentleman from Pennsylvania is not a candidate for reelection to the seat in this House which he has filled with honor and dignity for so many years now. It is typical of the gentleman from Pennsylvania that this bill—probably the last bill his subcommittee will report to the House under his leadership—is dedicated to the well being of the working men and women with whom ELMER HOLLAND has, throughout his legislative career, been proud to identify himself.

PROPOSED EXEMPTION OF POST OFFICE DEPARTMENT FROM PERSONNEL CUTBACK

Mr. DANIELS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. DANIELS. Mr. Speaker, I rise to add my support to a bill, H.R. 18191, introduced by my good friend from New York, the distinguished chairman of the House Committee on Post Office and Civil Service [Mr. DULSKI], which would exempt the Post Office Department from the cutback in personnel required by the recently signed tax bill.

Mr. Speaker, mail volume has risen sharply in recent years. As a matter of fact, in fiscal year 1969 it is expected to be at least 11 percent greater than it was in fiscal year 1968. It is estimated that during fiscal year 1969 the Post Office will process some 84 billion pieces of mail, an increase of 10 billion pieces over 1966. As I see it, and having served for almost 7 years on the House Post Office and Civil Service Committee I speak with some knowledge of the subject, this increase cannot be handled by the same number of personnel without crippling the postal service, and I am not indulging in fanciful rhetoric when I repeat, without crippling the postal service.

Perhaps, Mr. Speaker, some Members of this House are not aware of what the effect will be if Mr. Dulski's proposal is not enacted into law. I assure you that unless relief is granted, the American people are going to let out a cry which will dwarf all other protests. The people of this Nation are not going to permit the postal service to degenerate into chaos, which is what will happen if the Ways and Means Committee does not promptly report out Chairman Dulski's bill.

The manpower reduction will result in a constant decline in employment while, on the other hand, we see a constant increase in volume. I ask all Members, and particularly those Members who have had wide experience in private business, does this make any sense at all? I submit that it does not.

Mr. Speaker, I might also remind this House that the Congress, very sensibly and reasonably, has in recent years approved several improvements in working conditions of postal workers. Notable among these are an expansion of the 5-day week, changes in overtime practices and an almost complete elimination of the split shift. Now these reforms which I supported, as did most Members of this House, require more, not less, personnel. Yet, as it stands now we are asking a dwindling number of employees working shorter hours to handle an ever increasing volume of mail.

Mr. Speaker, the reasons I have outlined are sufficient to give special consideration to the needs of the postal service. We have already cut the budget of the Department by $169 million. Postmaster General Marvin Watson has said that he will make every effort to live within his budget and operate in such a way that we can avoid substantial cutbacks in services. To go any further is to invite chaos.

Mr. Speaker, I cannot support such a policy and I think no responsible Member of this House can fail to see the need for immediate consideration of H.R. 18191.

SLOWDOWN IN AIR TRAFFIC

Mr. MURPHY of New York. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. MURPHY of New York. Mr. Speaker, three times in the last 2 days when I have been flying on planes between Boston, Washington, D.C., and New York City, the planes have been excessively delayed; each time the pilot came on the intercom to explain that his aircraft would be delayed for reasons he could not divulge. Weather was not a factor.

The slowdown in aircraft landings is supposedly necessary because of administrative regulations requiring a certain specified length of time between landings. These regulations were never so rigidly enforced until just the last 2 days. It is no coincidence that the regulations are now being rigidly enforced at the same time the FAA is facing personnel hiring restrictions as a result of the employment freeze in the Federal Government. It is obvious that the FAA traffic controllers—by slowing down air traffic—are trying to influence public opinion to force the administration and the Congress to give the FAA more money.

Whether or not the strict interpretation of the FAA's administrative regulations is in the interest of aviation safety remains to be seen; the fact they just recently rigidly followed these regulations gives reason to believe that safety is not the issue. In addition, the slowdown is causing extreme congestion over the airports, which only adds to the safety hazard. Planes must circle the airport for hours—1½ hours for the Soviet jet which landed yesterday at JFK airport—and they are stacked in layer upon layer over the airport in thousand foot intervals.

Finally, the loss to our economy of delaying businessmen, servicemen, and vacationers who travel by air can never by regained.

If the FAA wants more money from the Congress, it should come before the appropriate congressional committees and ask for it, and be able to show a real need for it. To use the form of blackmail now being used is blackmail plain and simple and must not be allowed to continue.

I have written to Chairman Staggers of the House Interstate and Foreign Commerce Committee urging him to investigate this matter immediately.

H.R. 12120—CONTROL OF JUVENILE DELINQUENCY—CONFERENCE REPORT

Mr. PERKINS submitted a conference report and statement on the bill (H.R. 12120) to assist courts, correctional systems, and community agencies to prevent, treat, and control juvenile delinquency, and for other purposes.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted as follows:

To Mr. Rhodes of Pennsylvania (at the request of Mr. Morgan), for today and the balance of the week, on account of illness.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

Mr. Reuss, today, for 1 hour; to revise and extend his remarks, and to include extraneous matter.

Mr. Michel, on July 17, for 30 minutes; to revise and extend his remarks and to include extraneous matter.

Mr. Goodell (at the request of Mr. Smith of New York), for 30 minutes, on today, to revise and extend his remarks and to include extraneous matter.

Mr. Culver (at the request of Mr. Patten), for 5 minutes, today; to revise and extend his remarks and include extraneous matter.

EXTENSIONS OF REMARKS

By unanimous consent, permission to extend remarks was granted to:

Mr. Schwengel and Mr. Fulton of Pennsylvania (at the request of Mrs. Bolton) during general debate today in the Committee of the Whole.

(The following Members (at the request of Mr. Smith of New York) and to include extraneous matter:)

Mr. Broomfield.
Mr. Pelly.
Mr. Ashbrook in two instances.
Mr. Grover.
Mr. Curtis in four instances.
Mr. Scherle.
Mr. Smith of Oklahoma.
Mr. Minshall in two instances.
Mr. Kupferman in five instances.
Mr. Morton.
Mr. Meskill.
Mr. Schneebeli.
Mr. Nelsen.
Mr. McClory.
Mr. Denney.
Mr. Buchanan in two instances.
Mr. Goodell.

(The following Members (at the request of Mr. Patten) and to include extraneous matter:)

Mr. Fraser in two instances.
Mr. Nix.
Mr. Moorhead in three instances.
Mr. Gonzalez in three instances.
Mr. Philbin in three instances.
Mr. Podell in two instances.
Mr. Evins of Tennessee in three instances.
Mr. Dulski.
Mr. Brasco.
Mr. Vanik.
Mr. Rosenthal in two instances.
Mr. Flood in two instances.
Mr. Burton of California.
Mr. Diggs in two instances.
Mr. Morris of New Mexico.
Mr. Rarick in four instances.
Mr. Cohelan in three instances.
Mr. Udall in six instances.
Mr. Pepper.
Mr. Miller of California in five instances.

SENATE BILLS REFERRED

Bills of the Senate of the following titles were taken from the Speaker's table and, under the rule, referred as follows:

S. 3042. An act for the relief of Dr. Mario E. Comas; to the Committee on the Judiciary.

S. 3043. An Act for the relief of Dr. Juan C. Arrabal; to the Committee on the Judiciary.

S. 3051. An act for the relief of Dr. David

Alfredo Orta-Menendez; to the Committee on the Judiciary.

S. 3075. An act for the relief of Dr. Richard Francis Power; to the Committee on the Judiciary.

S. 3076. An act for the relief of Dr. Miguel A. Gomez; to the Committee on the Judiciary.

S. 3081. An act for the relief of Eduardo Raul Fernandez Santalla; to the Committee on the Judiciary.

S. 3082. An act for the relief of Dr. Narciso A. Lores; to the Committee on the Judiciary.

S. 3085. An act for the relief of Manuel Hector Mere Hidalgo; to the Committee on the Judiciary.

S. 3152. An act for the relief of Sein Lin; to the Committee on the Judiciary.

S. 3166. An act for the relief of Dr. Jagir Singh Randhawa; to the Committee on the Judiciary.

SENATE ENROLLED BILL SIGNED

The Speaker announced his signature to an enrolled bill of the Senate of the following title:

S. 2986. An act to extend the Agricultural Trade Development and Assistance Act of 1954, as amended, and for other purposes.

ENROLLED BILLS SIGNED

Mr. BURLESON, from the Committee on House Administration, reported that that committee had examined and found truly enrolled bills of the House of the following titles, which were thereupon signed by the Speaker:

H.R. 2756. An act for the relief of Arley L. Beem, aviation electrician's mate chief, U.S. Navy;

H.R. 10773. An act to amend section 1730 of title 18, United States Code, to permit the uniform or badge of the letter-carrier branch of the postal service to be worn in theatrical, television, or motion-picture productions under certain circumstances;

H.R. 16703. An act to authorize certain construction at military installations, and for other purposes; and

H.R. 17354. An act making appropriations for the Department of the Interior and related agencies for the fiscal year ending June 30, 1969, and for other purposes.

BILLS PRESENTED TO THE PRESIDENT

Mr. BURLESON, from the Committee on House Administration, reported that that Committee did on this day present to the President, for his approval, bills of the House of the following titles:

H.R. 2756. An act for the relief of Arley L. Beem, aviation electrician's mate chief, U.S. Navy;

H.R. 3400. An act to amend the Federal Aviation Act of 1958 to require aircraft noise abatement regulation, and for other purposes;

H.R. 4739. An act to authorize the Secretary of the Interior to grant long-term leases with respect to lands in the El Portal administrative site adjacent to Yosemite National Park, California, and for other purposes;

H.R. 9063. An act to amend the International Claims Settlement Act of 1949, as amended, to provide for the timely determination of certain claims of American nationals, and for other purposes;

H.R. 10773. An act to amend section 1730 of title 18, United States Code, to permit the uniform or badge of the letter-carrier branch of the postal service to be worn in theatrical, television, or motion-picture productions under certain circumstances;

H.R. 13402. An act authorizing the use of certain buildings in the District of Columbia for chancery purposes;

H.R. 15562. An act to extend the expiration date of the Act of September 19, 1966;

H.R. 16065. An act to direct the Secretary of Agriculture to release on behalf of the United States conditions in deeds conveying certain lands to the State of Iowa, and for other purposes;

H.R. 16703. An act to authorize certain construction at military installations, and for other purposes; and

H.R. 17354. An act making appropriations for the Department of the Interior and related agencies for the fiscal year ending June 30, 1969, and for other purposes.

ADJOURNMENT

Mr. PATTEN. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 6 o'clock and 27 minutes p.m.), the House adjourned until tomorrow, Wednesday, July 17, 1968, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

2057. A communication from the President of the United States, transmitting proposed amendments to the fiscal year 1969 budget (H. Doc. No. 355); to the Committee on Appropriations and ordered to be printed.

2058. A letter from the Secretary of the Army, transmitting a letter from the Chief of Engineers, Department of the Army, dated June 3, 1968, submitting a report, together with accompanying papers and an illustration, on an interim survey of Ventura Marina, Calif., in partial response to an item in section 6 of the River and Harbor Act approved March 2, 1945 (H. Doc. No. 356); to the Committee on Public Works and ordered to be printed with an illustration.

2059. A letter from the Secretary of the Army, transmitting a letter from the Chief of Engineers, Department of the Army, dated June 3, 1968, submitting a report, together with accompanying papers and an illustration, on a review of the reports on Snohomish River (Everett Harbor), Wash., requested by resolutions of the Committees on Public Works, House of Representatives and U.S. Senate, adopted April 14, 1964, and April 28, 1964 (H. Doc. No. 357); to the Committee on Public Works and ordered to be printed with an illustration.

2060. A letter from the Secretary of the Army, transmitting a letter from the Chief of Engineers, Department of the Army, dated June 3, 1968, submitting a report, together with accompanying papers and an illustration, on a review of the reports on Hamlin Beach State Park, N.Y., requested by a resolution of the Committee on Rivers and Harbors, House of Representatives, adopted September 25, 1945 (H. Doc. No. 358); to the Committee on Public Works and ordered to be printed with an illustration.

2061. A letter from the Secretary of the Army, transmitting a letter from the Chief of Engineers, Department of the Army, dated June 3, 1968, submitting a report, together with accompanying papers and illustrations, on an interim report on Mad River, Humboldt and Trinity Counties, Calif., requested by a resolution of the Committee on Public Works, House of Representatives, adopted June 13, 1956, and additional authority for the study is contained in section 209 of the Flood Control Act of 1962 (H. Doc. No. 359); to the Committee on Public Works and ordered to be printed with illustrations.

2062. A letter from the Secretary of the Army, transmitting a letter from the Chief of Engineers, Department of the Army, dated June 3, 1968, submitting a report, together with accompanying papers and illustrations, on a review of the report on State Road and Ebner Coulees, Wis., requested by a resolution of the Committee on Public Works, House of Representatives, adopted May 10, 1962 (H. Doc. No. 360); to the Committee on Public Works and ordered to be printed with illustrations.

2063. A letter from the Secretary of the Army, transmitting a letter from the Chief of Engineers, Department of the Army, dated June 3, 1968, submitting a report, together with accompanying papers and illustrations, on a review of the reports on Mississippi River outlets, vicinity of Venice, La., requested by a resolution of the Committee on Public Works, House of Representatives, adopted April 14, 1964 (H. Doc. No. 361); to the Committee on Public Works and ordered to be printed with illustrations.

2064. A letter from the Secretary of the Army, transmitting a letter from the Chief of Engineers, Department of the Army, dated June 3, 1968, submitting a report, together with accompanying papers and an illustration, on a review of the report on Port Hueneme Harbor, Calif., requested by resolutions of the Committees on Public Works, U.S. Senate and House of Representatives, adopted April 18, 1963, and June 19, 1963 (H. Doc. No. 362); to the Committee on Public Works and ordered to be printed with an illustration.

2065. A letter from the Comptroller General of the United States, transmitting a report on economic assistance provided to Korea by the Agency for International Development, Department of State; to the Committee on Government Operations.

2066. A letter from the Assistant Secretary of the Interior, transmitting a draft of proposed legislation to approve Public Law 9-189 of the territory of Guam, entitled "An act to add chapter 6, to title XXII, to amend sections 4004, 21000, 21002, 21003, 21201, 21204, 21206, 21208.3, and 21214 of, and to repeal section 21208.2 of, the Government Code of Guam, relative to the Guam Power Authority," and Public Law 9-190 of the territory of Guam, entitled "An act to add chapter 7 to title XXII of the Government Code of Guam, relative to Guam Power Authority revenue bonds"; to the Committee on Interior and Insular Affairs.

2067. A letter from the Chairman, Indian Claims Commission, transmitting a report that proceedings have been finally concluded with respect to docket No. 40–K, *Robert Dominic, et al., As the Representatives and on Behalf of All Members By Blood of the Ottawa Tribe of Indians, Plaintiffs, v. The United States of America, Defendant*, pursuant to the provisions of 60 Stat. 1055, 25 U.S.C. 70t; to the Committee on Interior and Insular Affairs.

2068. A letter from the Commissioner, Immigration and Naturalization Service, U.S. Department of Justice, transmitting reports concerning visa petitions approved according certain beneficiaries third and sixth preference classification, pursuant to the provisions of section 204(d) of the Immigration and Nationality Act, as amended; to the Committee on the Judiciary.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. WILLIS: Committee on the Judiciary. H.R. 18612. A bill to enact title 44, United States Code, "Public Printing and Documents", codifying the general and permanent laws relating to public printing and documents (Rept. No. 1719). Referred to the

Committee of the Whole House on the State of the Union.

Mr. PERKINS: Committee on Education and Labor. H.R. 17748. A bill to authorize the Secretary of Labor to set standards to assure safe and healthful working conditions for working men and women, to assist and encourage the States to participate in efforts to assure such working conditions, to provide for research, information, education, and training in the field of occupational safety and health, and for other purposes; with amendment (Rept. No. 1720). Referred to the Committee of the Whole House on the State of the Union.

Mr. WILLIS: Committee on the Judiciary. H.R. 17864. A bill to amend titles 5, 10, and 37, United States Code, to codify recent law, and to improve the code; with amendment (Rept. No. 1721). Referred to the Committee of the Whole House on the State of the Union.

Mr. McMILLAN: Committee on the District of Columbia. S. 1224. An act to establish a register of blind persons in the District of Columbia, to provide for the mandatory reporting of information concerning such persons, and for other purposes; with amendment (Rept. No. 1722). Referred to the Committee of the Whole House on the State of the Union.

Mr. PATMAN: Committee on Banking and Currency. H.R. 16775. A bill to provide for increased participation by the United States in the International Development Association, and for other purposes (Rept. No. 1723). Referred to the Committee of the Whole House on the State of the Union.

Mr. PERKINS: Committee of conference. H.R. 12120. An act to assist courts, correctional systems, and community agencies to prevent, treat, and control juvenile delinquency, to support research and training efforts in the prevention, treatment, and control of juvenile delinquency, and for other purposes (Rept. No. 1724). Ordered to be printed.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. WILLIS:

H.R. 18612. A bill to enact title 44, United States Code, "Public Printing and Documents", codifying the general and permanent laws relating to public printing and documents; to the Committee on the Judiciary.

By Mr. DORN:

H.R. 18613. A bill to amend the Internal Revenue Code of 1954 in relation to industrial development bonds; to the Committee on Ways and Means.

By Mr. LUKENS:

H.R. 18614. A bill to amend title 10 of the United States Code to prohibit the assignment of a member of an armed force to combat area duty if certain relatives of such member died while serving in the Armed Forces in Vietnam; to the Committee on Armed Services.

By Mr. MORRIS:

H.R. 18615. A bill to encourage the growth of international trade on a fair and equitable basis; to the Committee on Ways and Means.

By Mr. MORSE:

H.R. 18616. A bill to amend title 10 of the United States Code to prohibit the assignment of a member of an armed force to combat area duty if certain relatives of such member died while serving in the Armed Forces in Vietnam; to the Committee on Armed Services.

By Mr. SLACK:

H.R. 18617. A bill to encourage the growth of international trade on a fair and equitable basis; to the Committee on Ways and Means.

By Mr. WAMPLER:

H.R. 18618. A bill to amend title 10 of the United States Code to prohibit the assignment of a member of an armed force to combat area duty if certain relatives of such member died while serving in the Armed Forces in Vietnam; to the Committee on Armed Services.

By Mr. BOLAND:

H.R. 18619. A bill to create a catalog of Federal assistance programs, and for other purposes; to the Committee on Government Operations.

By Mr. CAHILL:

H.R. 18620. A bill to amend the Immigration and Nationality Act to make the visa numbers remaining unissued on June 30, 1968, available for immigrants from certain foreign countries; to the Committee on the Judiciary.

By Mr. HALEY:

H.R. 18621. A bill to designate certain lands within the Passage Key National Wildlife Refuge in Florida as wilderness; to the Committee on Interior and Insular Affairs.

By Mr. NIX:

H.R. 18622. A bill to curtail the mailing of certain articles which present a hazard to postal employees or mail processing machines by imposing restrictions on certain advertising and promotional matter in the mails, and for other purposes; to the Committee on Post Office and Civil Service.

H.R. 18623. A bill to provide that the qualification of municipalities for city delivery service be expressed in terms of revenue units, rather than cash receipts, and for other purposes; to the Committee on Post Office and Civil Service.

H.R. 18624. A bill to readjust the compensation of the advisory board for the Post Office Department; to the Committee on Post Office and Civil Service.

H.R. 18625. A bill to exempt medical officers and nurses in the postal field service from the provisions of sections 3571 (a) and (c) of title 39, United States Code; to the Committee on Post Office and Civil Service.

H.R. 18626. A bill to amend title 39, United States Code, to permit employees of the Post Office Department to accept checks or money orders, to provide penalties for the presentment of bad checks to the Post Office Department, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. RODINO:

H.R. 18627. A bill to provide for the redistribution of unused quota numbers; to the Committee on the Judiciary.

By Mr. ROSENTHAL:

H.R. 18628. A bill to disarm lawless persons and assist State and Federal enforcement agencies in preventing and solving firearms crimes, to require registration of all firearms and licenses for purchase and possession of firearms and ammunition, to establish minimum licensing and registration standards for the possession of firearms, to encourage the enactment of effective responsible State firearms laws, and for other purposes; to the Committee on the Judiciary.

By Mr. SAYLOR:

H.R. 18629. A bill to amend the Atomic Energy Act of 1954, as amended; to the Joint Committee on Atomic Energy.

By Mr. UDALL:

H.R. 18630. A bill to amend title 5, United States Code, to provide for the payment of overtime and standby pay to certain personnel employed in the Department of Transportation; to the Committee on Post Office and Civil Service.

By Mr. CURTIS:

H.R. 18631. A bill to establish a Peace by Investment Corporation, and for related purposes; to the Committee on Foreign Affairs.

By Mr. HALPERN:

H.R. 18632. A bill to amend title 10 of the United States Code to prohibit the assignment of a member of an armed force to combat area duty if certain relatives of such member died while serving in the Armed Forces in Vietnam; to the Committee on Armed Services.

By Mr. MORRIS (for himself and Mr. WALKER):

H.R. 18633. A bill to declare that certain federally owned lands are held by the United States in trust for the Indians of the Pueblo of Laguna; to the Committee on Interior and Insular Affairs.

By Mr. EILBERG:

H.J. Res. 1411. Joint resolution authorizing and requesting the President to proclaim the week of November 17 through 23, 1968, as National Family Health Week; to the Committee on the Judiciary.

By Mr. WALKER:

H. Con. Res. 799. Concurrent resolution expressing the sense of the Congress that the Post Office Department should continue to provide services at the level in effect before July 1, 1968; to the Committee on Post Office and Civil Service.

MEMORIALS

Under clause 4 of rule XXII, memorials were presented and referred as follows:

368. By the SPEAKER: Memorial of the Legislature of the State of California, relative to handicapped taxpayers; to the Committee on Ways and Means.

369. Also, memorial of the Legislature of the State of California, relative to seizure of American fishing boats off South America; to the Committee on Merchant Marine and Fisheries.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ADDABBO:

H.R. 18634. A bill for the relief of Carmelo Bari; to the Committee on the Judiciary.

H.R. 18635. A bill for the relief of Domenica Girgenti; to the Committee on the Judiciary.

H.R. 18636. A bill for the relief of Gianni and Rosa Girgenti and minor children, Madalena and Vincensa Girgenti; to the Committee on the Judiciary.

H.R. 18637. A bill for the relief of Maria Rosa Girgenti; to the Committee on the Judiciary.

By Mr. BRASCO:

H.R. 18638. A bill for the relief of Salvatore Cracchiolo; to the Committee on the Judiciary.

H.R. 18639. A bill for the relief of Mrs. Leonarda Cusenza Domingo, and her children, Francesco and Catherina Domingo; to the Committee on the Judiciary.

H.R. 18640. A bill for the relief of Salvatore Riggio; to the Committee on the Judiciary.

By Mr. BURTON of California:

H.R. 18641. A bill for the relief of Brandy Shek-Ching Ho; to the Committee on the Judiciary.

H.R. 18642. A bill for the relief of Choon Ki Paik; to the Committee on the Judiciary.

By Mr. BUSH:

H.R. 18643. A bill for the relief of Eva Anna-Lisa Sjoberg Nylund; to the Committee on the Judiciary.

By Mr. GILBERT:

H.R. 18644. A bill for the relief of Esperanza Alcalde; to the Committee on the Judiciary.

By Mr. HALPERN:

H.R. 18645. A bill for the relief of Ara Zakaryan and his wife, Berchuia Zakaryan; to the Committee on the Judiciary.

By Mr. IRWIN:

H.R. 18646. A bill for the relief of Anica Vapurcuyan; to the Committee on the Judiciary.

By Mr. JOELSON:

H.R. 18647. A bill for the relief of Mr. and Mrs. Giovanni Battista Asaro; to the Committee on the Judiciary.

By Mr. O'HARA of Illinois:

H.R. 18648. A bill for the relief of Spyrodionyssios Limberatos; to the Committee on the Judiciary.

By Mr. PHILBIN:

H.R. 18649. A bill for the relief of Frank Erba; to the Committee on the Judiciary.

By Mr. REINECKE:

H.R. 18650. A bill for the relief of Shi Chang Hsu (also known as Gerald S.C. Hsu); to the Committee on the Judiciary.

By Mr. TEAGUE of California:

H.R. 18651. A bill for the relief of Francisco Moreno-Santa Cruz; to the Committee on the Judiciary.

By Mr. ZION:

H.R. 18652. A bill for the relief of Demetrio Mendoza Maglalang; to the Committee on the Judiciary.

EXTENSIONS OF REMARKS

HEARINGS ON PROPOSED PANAMA CANAL TREATIES SHOULD NOT BE CONCEALED

HON. DANIEL J. FLOOD

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 16, 1968

Mr. FLOOD. Mr. Speaker, on June 26, 1967, the Presidents of the United States and Panama announced the completion of negotiations of the proposed new Panama Canal treaties, which would abrogate the 1903 treaty, surrender U.S. sovereignty over the Canal Zone to Panama, make Panama a participant in the management and defense of the canal, raise transit tolls considerably and, ultimately, give to Panama the existing canal and any new one that may be constructed in that country, all without the slightest reimbursement for the billions of dollars that have been, or may still be, invested by the taxpayers of the United States, and without congressional authorization.

In connection with the last point, Mr. Speaker, I would invite attention to article IV, section 3, clause 2, of the U.S. Constitution that vests the power to dispose of territory and other property of the United States in the Congress and not in the Senate alone, which provision I now quote:

> The Congress shall have Power to dispose of and make all needful Rules and Regulations respecting the Territory or other Property belonging to the United States. . . .

As I have stated on many occasions, the Canal Zone and Panama Canal are constitutionally acquired domain and property of the United States over which our Government has exclusive control.

Quite naturally, many Members of Congress were shocked by the audacious provisions that were contained in the proposed treaties. As a result, the very next day in the House, Members started the introduction of resolutions in opposition to the proposed treaties, and soon there were a total of some 150 sponsors.

Thereupon, the Subcommittee on Inter-American Affairs of the House Committee on Foreign Affairs held extensive hearings, with Members of Congress, representatives of the merchant marine and patriotic organizations, experts on Panama Canal problems, and officials of the State Department testifying.

Instead of publishing the hearings and reporting out the resolutions, the subcommittee postponed further consideration and did not authorize the printing of the hearings. Thus, there was denied to Congress and the general public essential information to which both are entitled.

In an effort to secure publication of the hearings during the present Congress, on June 20, 1968, I wrote the chairman of the House Committee on Foreign Affairs recommending the immediate publication of the hearings. He has now replied and I have answered his reply reiterating my June 20 recommendation.

Mr. Speaker, the gravity of the situation is emphasized by the fact that legislative bodies of the following six States have adopted resolutions opposing any surrender at Panama: Alabama, California, Louisiana, South Carolina, Tennessee, and Virginia. The entire exchange of letters follows:

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, D.C., June 20, 1968.

Hon. THOMAS E. MORGAN,
Chairman, Committee on Foreign Affairs, House of Representatives, Washington, D.C.

DEAR MR. CHAIRMAN: After the introduction and support by some 150 members of the House of Representatives, both House and Concurrent, opposing the pending Panama Canal treaties that would cede United States sovereignty and ownership of the Canal Zone and Canal to the Republic of Panama, the Subcommittee on Inter-American Affairs of your Committee held extensive hearings, and the witnesses included Members of the Congress as well as others.

The subcommittee, on August 16, 1967, approved House Resolution 676 (Sullivan Resolution) opposing the treaties but delayed further consideration until agreement has been reached between the United States and Panamanian negotiators and failed to authorize publication of these important hearings.

Despite the foregoing, the Survey of Activities of the Committee on Foreign Affairs, January 10, 1967–December 15, 1967, recently issued by your Committee, makes no mention of the indicated hearings relative to the canal problem, although Section IV on pages 29–31 of the Survey does list "Measures Not Receiving Final Action". This is not the only case of suppression in the Congress as regards the current interoceanic canal situation that has denied the Congress and the Nation essential information on the canal question.

As the result of my long study and close observation of canal problems, I have formed some very definite conclusions, namely:

1. That there is evidence in both Panama and in the United States that the proposed treaties, perhaps with some modification, will be signed and presented to the United States Senate and the Panamanian National Assembly for ratification at a time which their supporters deem opportune.

2. That the Committee on Foreign Affairs should not wait for agreement by the negotiators but should report out its resolution promptly for action by the House without further delay.

3. That in its report the committee quote and emphasize Article IV, Section 3, Clause 2, of the U.S. Constitution concerning the disposal of territory and property of the United States.

4. That it authorize the printing of the 1967 canal hearings now.

In these connections, Mr. Chairman, I would emphasize that the security of the United States as well as of the Isthmus of Panama and the Panama Canal are dependent upon the proper wise solution of the issues involved and that full publicity and not suppression should prevail.

Sincerely yours,
DANIEL J. FLOOD,
Member of Congress.

CONGRESS OF THE UNITED STATES,
COMMITTEE ON FOREIGN AFFAIRS,
HOUSE OF REPRESENTATIVES,
Washington, D.C., July 2, 1968.

Hon. DANIEL J. FLOOD,
House of Representatives,
Washington, D.C.

DEAR DAN: Your letter dated June 20th was just received in this afternoon's mail and that is the reason for the apparent delay in my answering it. I appreciate having the benefit of your comments and conclusions on the Panama Canal problem, particularly because I know of your close and intimate knowledge of the situation there.

May I, however, take this opportunity to correct several misunderstandings that appear in your letter. The Subcommittee did not approve H. Res. 676. Actually, on August 16, 1967, the subcommittee voted 11 to 1 to postpone consideration of H. Res. 676 and similar resolutions until agreement had been reached on the treaties.

As it has not been reported, and is still pending in the subcommittee, it has not been referred to in our Survey of Committee Activities. If you will check pages 29 through 31 you will note that the references are to measures which received favorable Committee action but which had not yet been the subject of final legislative in either the House or Senate. Whenever action is taken on any of the Panama resolutions, I can assure you they will receive a correct listing.

There has been no suppression of information about H. Res. 676. The subcommittee's decision to postpone publication of the hearings was due to a desire to release all the testimony, including that given in executive session, and this could not be done until the treaty texts had been officially released. Also, in the foreword of the Survey I have stressed that "Nothing contained in or omitted from the survey should be interpreted as indicating legislative intent with respect to the legislative matters covered. This intent, where expressed, will be found in the appropriate hearings, reports, files, debates, and statutes."

With kindest personal regards and best wishes, I am,

Sincerely yours,
THOMAS E. MORGAN,
Chairman.

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, D.C., July 11, 1968.

Hon. THOMAS E. MORGAN,
Chairman, Committee on Foreign Affairs, House of Representatives, Washington, D.C.

DEAR MR. CHAIRMAN: Thank you for your letter of July 2, 1968, in reply to my recommendation for prompt publication of the 1967 hearings before the Subcommittee on Foreign Affairs of your Committee concerning the Panama Canal. Because I evidently did not make myself sufficiently clear I wish to elaborate.

Concerning the point as to what action the subcommittee took, records supplied me at the time by the subcommittee show that on August 16 it did consider House Resolution 676, 90th Congress, and adopted substitutes for its last whereas clause and its resolve clause, which subcommittee actions certainly constitute an approval even though H. Res. 676 was not voted out. The subcommittee then adopted a motion temporarily postponing further consideration of House Resolution 676 and similar resolutions "until agreement of both parties on the completed texts of the treaties has been reached."

As to the texts of the treaties, these were released in Panama after the joint announcement by the Presidents of the United States and Panama of completion of the negotiations and were sold on the streets of Panama City. Moreover, their texts were printed in the *Congressional Records* of July 17, 21, and 27, 1967, in statements to the Senate by Senator Strom Thurmond of South Carolina.

The prime purpose in mind for the immediate publication of the 1967 hearings is to enable the Congress and the Nation to have the benefit of the information therein developed in advance of submission of the treaties to the Senate, for the disposal of United States territory and property is involved in them. This power is vested by the Constitution in the Congress and not exclusively in the Senate.

The policy of suppression of information opposing the proposed Panama Canal Treaties is notorious. The Congress should certainly prove its desire for publicity by giving publicity which is in its province to give in opposition to the treaty proposals so that the Congress and the American people can be fully informed and thus prepared to register their decision if and when the treaties may be presented for Senate ratification and Congressional action.

As matters now stand knowledge of the treaty proposals emanate only from Executive officials supporting them; no official information touching these matters is disseminated from the Congress. Thus one of the most vital situations in American history is blanketed by the suppression of official information in the Congress as urged by our treaty making officials with the result that only their arguments and representations are publicized. This is manifestly a gross wrong perpetrated against our people who have furnished an investment of over five billions of dollars in the Panama enterprise.

Accordingly, I reiterate the recommendations of my June 20, 1968, letter.

With assurances of highest regards, I am,

Sincerely yours,

DANIEL J. FLOOD,
Member of Congress.

GOVERNOR ROCKEFELLER PROPOSES A PROGRAM FOR PEACE IN VIETNAM

HON. PAUL FINDLEY

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Monday, July 15, 1968

Mr. FINDLEY. Mr. Speaker, on July 13, 1968, Gov. Nelson Rockefeller detailed a brilliant, practical, and honorable plan under which a long-needed de-Americanization of the Vietnam war would begin at once. He has proposed an alternative to the present costly stalemate which is plausible, coherent, and realistic. He is the only presidential candidate to spell out in detail the policies he would follow if elected, and in doing so has demonstrated the wisdom and courage required to meet the most complex problems of this era.

In order that my colleagues may acquaint themselves with Governor Rockefeller's proposals, I would like to submit his statement on Vietnam at this time:

A PROGRAM FOR PEACE IN VIETNAM

The tragedy of Vietnam has distressed and divided the American people more than any conflict in our modern history. Twenty-five thousand Americans have died there. And the war has come to trouble the very bases of American security and American society.

I believe—and have repeatedly stated—that the Administration's policies, both political and military, have not worked. The war has been been conducted without a coherent strategy or program for peace. It has been manned by a draft that holds millions in needless doubt of their future. It has been financed by a headlong inflation that imperils our economic life.

I believe, therefore, that a new and constructive Vietnam policy is essential and urgent.

We must learn the stern lessons of this war.

We must end the war through negotiations as quickly as possible on just terms.

We must de-Americanize the war in South Vietnam even while negotiations continue.

If nominated and elected, I pledge to work with all my strength and ability to achieve these ends.

II

The representatives of the United States and North Vietnam have been meeting for two months in Paris for preliminary peace talks. The only agenda item has been the cessation of bombing. Previously, six weeks were required for selecting a site. Before substantive talks can begin, there will have to be agreements on who will participate in the formal conference, as well as an agenda for such a meeting.

We know the cost of such slow progress from past history. In the Korean War, we suffered more casualties while regotiations were going on than before they began.

I believe that there are now two serious obstacles to progress in Paris.

The first is the hope, in Hanoi, that our November Presidential election may somehow improve their bargaining position.

The second, is a lack of mutual trust about ultimate aims.

These obstacles can be reduced if America affirms now a concrete plan for peace.

I want to remove any doubt in Hanoi's mind about America's unity on objectives. I want to speed negotiations and save lives.

The present Administration has avowed, again and again, that we are ready to withdraw our forces if Hanoi is ready to do the same. In the Manila declaration, the Saigon Government and our other allies agree. Yet no specifics have been given.

I am, therefore, now setting forth a detailed four-stage plan for peace in Vietnam.

This plan has three essential elements.

First.—A mutual pull-back and ultimate withdrawal of all outside forces. (U.S. and its non-Vietnamese allies on one side and North Vietnam on the other). This pull-back would be monitored by an international peace-keeping force which would initially act as a buffer between the outside forces and ultimately replace them.

Second.—A settlement of the internal arrangements of South Vietnam by the people of South Vietnam on the basis of the principles of self-determination through free elections to be supervised by the international peace-keeping force. Every group that is willing to abide by the democratic processes and is prepared to renounce force—including the National Liberation Front—should be free to participate in these elections.

Third.—A de-Americanization of the war to enable us to reduce, substantially, American forces—whether or not Hanoi cooperates.

Such a clear-cut plan cannot possibly weaken our negotiating position in the preliminary talks about the cessation of bombing which are now taking place. On the contrary, we can only strengthen our position in the substantive discussions to come, by such specific testimony to the integrity and force of our will for peace.

III

The program I anticipate entails realistic steps toward peace through four logical stages.

During the first stage:

1. North Vietnamese regular forces would move back toward frontier areas of South Vietnam while U.S. forces would be deployed around the populated areas.

2. An international peace-keeping force composed of neutral nations—Asian, if possible—would be interposed as a security buffer between American and allied forces on one side and North Vietnamese forces on the other. This would automatically represent a major deescalation. It would sharply curtail—if not eliminate—the kind of military operations which cause most casualties. It would be a big and realistic step toward a cease-fire.

3. As soon as the North Vietnamese movement back to the frontiers starts, the United States would withdraw 75,000 troops from South Vietnam as a token of its good faith.

During the second stage:

1. As North Vietnamese regular forces, as well as North Vietnam "fillers" in Viet Cong guerrilla units, withdraw from South Vietnam, we would undertake simultaneous withdrawal of the bulk of our remaining forces.

2. The small United States forces left in Vietnam would be confined to fixed installations as long as North Vietnam carries out its commitment.

3. As the National Liberation Front ceases guerrilla operations and agrees to abide by the democratic process, it will be guaranteed participation in the political life of the country.

4. An enlarged international peace-keeping force would gradually be introduced into the populated areas, to monitor the withdrawal of forces as defined above, the effecting of local cease-fires, and the guaranteeing of free political activities.

During the third stage:

1. Free elections would take place in Vietnam supervised by observers from the international force trained for this function.

2. The United States would withdraw its small remaining forces.

3. The international peace-keeping force would remain.

During the fourth and final stage:

1. The two parts of Vietnam would decide whether to unite or remain separate by direct negotiations.

2. Following this, the international peace-keeping force would be withdrawn.

This four-stage plan should be put forward after full consultation with the governments of South Vietnam and our other allies. Its guarantees and international supervisions should be worked out by an international conference of all interested nations—perhaps the Geneva Conference Group of 1954. And the United Nations should be asked to aid, wherever practicable, in expediting details and communications.

IV

Such a plan for peace would directly and immediately serve our stated goals and national interest.

It would dispel any uncertainty about our intentions that might now contribute to deadlock in the negotiations—thus quickening chances for a political settlement.

It would achieve our purpose of enabling the people of South Vietnam to determine their own fate without outside interference and through free elections.

It would introduce an international presence of concerned neutral countries to supervise compliance, and so minimize any dangers of future unilateral intervention.

It would enlist the self-interest of all nations directly concerned to sustain the agreement, for these nations, which have learned the dangers of war in Southeast Asia to world peace.

It would both avoid the disastrous consequences of our unilateral withdrawal and lead to the end of this tragic war.

V

We must face one final, obvious question: What should we do if North Vietnam rejects such a program? It is true that any plan, however reasonable, might now be scorned. We can only test Hanoi's good faith, not guarantee it.

The answer is: Whatever Hanoi's response, we can and should change our *own* Vietnam strategy. For the Administration's policy—which has Americanized the war and has lacked a definiable goal—has convinced Hanoi that time is on its side. Therefore, we can and should move toward de-Americanizing the war. This would not only reduce our casualties, it would also speed the more vigorous assertions of responsibility by the South Vietnamese—the development most likely to convince Hanoi that it cannot win its objectives by force.

We can work to this specific end with the following measures:

1. American forces should be deployed where they will do the most good at the least cost. Most American casualties have been incurred in "search and destroy" operations and in static frontier defense. Ninety percent of the population lives in sixty percent of the territory. Our troops should be moved to protect this area.

2. The Army of South Vietnamese forces should be given increasing responsibilities and adequate equipment and training. Today, the Army of Vietnam is still largely equipped with World War II weapons. It has only ten percent of the artillery and airpower to equivalent U.S. units. This must be remedied immediately.

3. As the Army of Vietnam is re-equipped and gains in strength, American forces can be withdrawn for the period of a year at a regular rate on the order of 10,000 a month—provided North Vietnam does not increase its rate of infiltration. After this time, a reassessment would be necessary.

4. As much as one half of the swollen American civilian staffs engaged in the pacification program seem dispensible. These staffs suffocate in the Vietnamese sense of responsibility by gearing programs to an American scale, American staffing procedures and American preferences. They cause resentment without enabling the South Vietnamese Government to relate itself more closely to its people.

5. We should advocate more vigorously than ever a broadening of the base of the political life of South Vietnam including the widest possible grouping of non-Communist political forces. For this is the essential prerequisite for shifting from military to political competition with the National Liberation Front.

6. We should reiterate—despite any initial rejection of such a plan by Hanoi—our commitment to it as a true and honorable path to peace.

VI

I herewith pledge that, as President, I will carry out this plan and these actions.

I also pledge that we will not again find ourselves with a commitment looking for a justification.

I pledge that we will support our allies, but not substitute for them.

I pledge that we will carefully allocate our resources according to well-defined priorities.

I pledge that we will face our future challenges by trusting our people. We will tell them the whole truth and the whole risk.

I pledge that finally, I will work with all my strength for peace and justice not only in Asia, but for all nations and peoples of the world.

DEATH BY ANARCHY OR PEACEFUL CHANGE BY LAW

REMARKS

OF

HON. JAMES R. GROVER, JR.

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 16, 1968

Mr. GROVER. Mr. Speaker, every Member of the Congress should read this outstanding tribute to our great men in blue in an address delivered on the occasion of the memorial services for members of the Suffolk County Police Department who have died in the line of duty, by the Rev. Edward A. Wisbauer, Jr., S.T.B., Episcopal priest chaplain of the Suffolk County Patrolmen's Benevolent Association, and the Suffolk County Police Conference:

DEATH BY ANARCHY OR PEACEFUL CHANGE BY LAW?

Deputy County Executive Meade, Police Commissioner Barry, President Finn, guests, and members of the Suffolk County Police Department. The violent death of a peace officer in the line of duty is a symbol of the frightening contradictions all Americans fear will destroy our nation. For the peace officer is a living sign of what a nation requires to preserve its life. He represents the preservation of order among men. He is a sign of what men have discovered to be the best way to maintain order, and that is by the enforcement of law. He represents the guardian interest of law makers and government executives who wish to maintain the peaceful intercourse of free men in a united society that is all for one and one for all.

When a peace officer dies in the line of duty in violent attack, the lives of our nation's families are in jeopardy. The soul of a nation is in its law under God, and the body of that law is in its outward sign, the police officer. As when a body dies, the soul is wrenched apart from its vehicle of performance, so when the peace officer is killed, the law loses its vehicle of performance.

Now, men and women shrink from cancer because in its nucleus, it is disorderly in growth, and does not bring natural, easy change, but chaotic and violent death. The chaos of cancer is a contradiction to the gentle change and normal death that age brings which in itself is like democratic change, slow and natural. Likewise, the attack on the peace officer is like cancer attacking a healthy body. The attack upon the symbol of law and order is a frightening contradiction of what we know we need to remain a nation united during peaceful change. The attack upon the officer of the law brings not a democratic change in a society, but chaos and violent death to police first, and to nation second. A nation, like a human body, cannot withstand the chaotic attack on the symbol of law and order and remain a society that is all for one and one for all.

And although Americans usually dislike change, America is not afraid of change. We do resist change by many means: we picket, lobby, editorialize in our news media, peacefully demonstrate, and if we are politicians we verbalize . . . but we are not a nation that is afraid of change. The proof of that is when all our efforts have been exerted to prevent what we do not want . . . we retire from the battle field and try to talk ourselves into getting used to accepting what we opposed by reason or prejudice or emotion. So it is not change, like a normal death that Americans fear. We fear the contradictions about us, the cancers of chaos that are growing in the name of what a changing America justly needs, but by their methods will destroy America.

Two examples come to mind: First SNCC, or The Student Non-Violent Coordinating Committee. Here is an organization that is largely non-student in makeup. It is largely violent in the methods it uses to bring about the American dream of racial equality . . . and it does not coordinate the factors of that dream, it destroys that dream replacing it with a nightmare of violence. Stokely Carmichael and H. Rap Brown are the demagogues who play upon the pain of a people who have too long suffered the unjust loss of opportunities the rest of us have enjoyed. It is the startling contrast of what these men stand for and the methods they advocate, with words "Student . . . Non-violent . . . Coordinating . . . Committee" that shocks us. And anarchy is color blind, because a second example is the white dominated organization called Students For a Democratic Society. Their escapades on Columbia University's campus is a study in contrast. A Democratic Society, campus or civil, does not bring change to a peaceful, stubborn administration by mob rule, pillaging, and the forceful containment of the officials in that very society with which they disagree.

Now what is it that lies beneath the surface of the criminal who assaults and kills a peace officer? What is the premise of a student organization that assaults faculty members, or objects to the police department enforcing the law against the sale and possession of narcotics on its campus? The political profile of anarchists from Marx, to Trotsky, Hitler to Castro, Carmichael and H. Rap Brown, Che Guevara to the Ku Klux Klan is all of one shape: these persons and their defenders believe that they possess a status in their particular pursuits which make them immune, no not immune, but apart from the society of law and order, above the obligation to maintain the peaceful intercourse of men in a united society.

So what America fears is not change but the cancer of anarchy, violent change, brought about by an increasing number of groups who consider themselves within the sanctuary of the untouchables. Our nation is gradually becoming a society of exclusive groups, little islands unto themselves, and in opposition to all orderly change.

The second frightening contradiction Americans fear will destroy our nation is the often spineless silence of many politicians whose lust for votes either softens their voices to a whisper in the face of lawlessness, or who give vocal support to those who attack law enforcement bodies, thereby frightening the law abiding public by the soft treatment shown to criminals in Penal Code Revisions. The essence of the word politician, is politics, from the Greek word Polis which refers to a city and its inhabitants. The frightening contradiction before Americans in their fear for their nation's health is that politicians, who are to consider the welfare of the inhabitants of their district, are often afraid to slam down their hands and say, "That's enough," and return to the police officer, and the District Attorney the immunity from attack on prudent methods needed

to prosecute crime and the apprehension of its perpetrators. Peace officers do not need words of encouragement from politicians—they need new laws!

So this morning we are not merely commending to God the souls of these peace officers killed in the line of duty, which in fact need not be done before a merciful God whose law they defended . . . nor are we only thanking God for their courageous examples by which others may learn to approach their job. We are here also because we are alive to the fact that more and more of our men on this job daily face increased possibilities of violent death by assault from anarchists who are gaining greater protection from the law each day. With this prospect before us, fewer men will be willing to join the department knowing that the police officer is no longer considered by many government executives to be a positive force. For we now have come to this . . . this greatest contradiction of all: we now have peace officers on the defensive who must justify their efforts against an armed criminal trapped in the act . . . who must justify their presence in society as if they were interlopers and invaders among self righteous, untouchable groups . . . all this is the new picture politicians are asking us "to buy" when they vote down the legislation that would strengthen the peace officer.

May God protect us from the final dissolution of police efforts by the constant hammering away at police efficiency and morale.

THE TAX BILL WITHOUT EXPENDITURE RESTRAINT

HON. THOMAS B. CURTIS

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 16, 1968

Mr. CURTIS. Mr. Speaker, it is my practice to prepare a mimeographed letter to my constituents whenever the volume of mail on a particular issue requires it. This allows me to reply to each of my constituents in the necessary depth and detail.

The tax bill, recently passed by the Congress and signed by the President, is an issue which has both engendered much correspondence and requires full discussion.

I am placing in the CONGRESSIONAL RECORD today the mimeographed letter which I sent out to my constituents on this issue. I am making this a matter of public record, because, as one who has stressed the need for fiscal reform for many years, I feel a full and public statement of the reasons for my opposition to the President's tax bill—which was presented under the name of fiscal reform—should be available to all who may be interested in examining it. It is my hope that members of the financial community and news media personnel specializing in economic affairs will give it their attention, as I feel that the key to our needed fiscal reform—expenditure restraint, and not a tax increase—has not been fully comprehended by these people.

My letter follows:

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, D.C.

Thank you for your recent letter concerning federal taxes and expenditure policy. Since writing a lengthy letter setting forth the details of my views on this serious matter the Congress has now passed, and the President has signed, what is termed the Revenue and Expenditure Control Act of 1968. As you may imagine, I have received a voluminous mail on this important subject and, again in order to be able to reply in detail, I am resorting to this mimeographed form letter. If after reading it you have further questions and comments, please write further and I can assure you will receive an individual response discussing these added points.

As one who has been trying to stress the need for basic fiscal reform by the federal government for years, you might well wonder why I voted against this bill and took the floor of the House to oppose it. This is particularly true as two years ago in my capacity as the ranking Republican member of the Joint Economic Committee I pointed out that even after a large cut in federal spending levels it regrettably would probably be necessary to ask the people to pay more taxes for a while in order to correct the fiscal imbalance which has cumulated and been allowed to get badly out of control.

However, the key to fiscal reform lies not in increasing the federal tax rates which are still too high but in cutting back expenditure levels. An increase in tax rates can only be considered as temporary and supplemental to reducing expenditure levels at best, and then only after expenditure levels have been scheduled for reduction with reference to the specific cuts to be made. It is possible that a tax rate increase can produce less not more revenues if it contributes to an economic slowdown which reduces the tax base. Certainly what programs are cut back and what programs are permitted to move ahead at the same or at increased expenditure levels makes a considerable difference economically, particularly in combatting inflation.

Clearly the Johnson Administration at the most wanted increased tax revenues to pay for its increasing expenditures. It was opposed to cutting back expenditures in any sense. In actuality the Johnson Administration wanted to pay for the increasing expenditures through increased deficits and adding to the federal debt and only reluctantly asked for increased taxes as a result of the pressures of the monetary authorities and the international banking community. Note the way in which the Administration continued to drag its feet in actually asking Congress for the tax rate increase. The last thing the Johnson Administration wanted to do was cut expenditure levels and it knew the Congress would insist on this as a price for any tax rate increase. It is important to realize that the Johnson Administration dragged its feet long enough in asking for a tax rate increase so that fiscal year 1968 came and went so that no expenditure cuts were applied to this fiscal year. It is also important to stress that the $6 billion expenditure cut so widely publicized is not a cut from the expenditure levels of fiscal 1968 but a lowering of the greatly increased level of spending for fiscal 1969 implicit in the President's January 1968 budget message. The $6 billion cut was not from the $135 billion level the President set for fiscal 1968 in his January 1967 budget message, but from the $186.1 billion expenditure level set for fiscal 1969 in his January 1968 budget message.

The Joint Economic Committee in its March 1967 Annual Report on the President's budget message for fiscal 1968 and on the President's 1967 Economic Report unanimously recommended that the expenditure level of $135 billion be cut by $6 billion to $130 billion . . . if we were to avoid the damages which would result from continued inflation and rising high interest rates. The Joint Economic Committee also pointed out that the deficit would be closer to $30 billion for fiscal 1968 than the $8 billion deficit set out in the President's budget. (Fiscal year 1968 ended this June 30 and the deficit is over $25 billion.) The Democrats on the committee suggested that a tax rate increase on top of a $5 billion expenditure cut would slow down the economy and therefore would do more damage than good. The Republicans suggested that the $5 billion expenditure level cut was too little to stop inflation and higher interest rates and that even with a somewhat greater cut a tax rate increase could be absorbed temporarily and would probably be necessary if we were to stop the forces of inflation.

Throughout calendar year 1967 the Johnson Administration, ignoring this advice, increased its spending beyond the large increases set in its own budget messages. For the last half of fiscal 1967, namely January through June 1967 it increased spending level to $126.7 billion by $13.9 billion over its original expenditure estimates. It continued this rate of increase for the first six months of fiscal 1968 (namely the months of July through December 1967). Far from accepting the bipartisan advice of the congressional economic committee, the Johnson Administration did the opposite and without any reference to the Congress increased its spending levels beyond the already large increases projected in the budget. Furthermore, not until August 1967 did the Johnson Administration do anything about pushing for a tax rate increase bill even though the President had included the anticipated revenue increase in his budget figures. This established the point I have made that the Johnson Administration really preferred financing its increased spending by increased debt rather than increased taxes.

The Ways and Means Committee held public hearings and held continuous executive sessions on the Administration's belated request for tax increases during the months of September and October 1967. Many eminent economists and business men testified along with the Johnson Administration economic and fiscal authorities. With very few exceptions the expert witnesses outside of government advised that cuts in expenditure levels were necessary (and they were talking about both the current fiscal year 1968 and the next fiscal year 1969) if fiscal policy was to be effective in dampening the forces of inflation. Almost all argued that even with expenditure cuts some tax rate increases to provide more revenue would also be necessary. There was considerable disagreement among the experts as to what the mix of expenditure cuts and tax rate increases should be. Regrettably none of the witnesses were prepared to discuss where expenditure cuts should be made, even though they all agreed that it made a considerable economic difference what programs were to be cut back to effectuate the expenditure level cuts. Seven out of the eight expert economists agreed that $1 billion cut in expenditures had a considerably greater impact on dampening the forces of inflation than did $1 billion increase in revenues and there always remained the question of whether increasing tax rates would actually bring about increased revenues. Some economists agreeing with Chairman Wilbur Mills were concerned lest a tax rate increase slow down the economy and thus end up in less revenue. Although I did not agree with these economists their point of view was based upon considerable logic, if the economic picture was as some economic indicators they pointed to suggested.

However, the Ways and Means Committee adjourned these hearings because the Johnson Administration refused to even discuss where even minimal expenditure cuts could be made. The Administration spokesmen insisted that they had presented a tight budget and the only way they could cut was to apply a meat ax across the board cut. They refused to enter into a discussion to establish priorities between programs. Of course, the only intelligent way to cut expenditures is by establishing priority among programs and slow down or put on the shelf those programs with lower priorities after eliminating the wasteful programs.

The next move in this tragic charade being played by the Johnson Administration came in January 1968 when the President presented his budget message for fiscal 1969 and his Economic Report for calendar 1968. Both reports showed clearly that the President far from following the economic line recommended by the Congressional Economic Committee and the majority of the Ways and Means Committee and most economists and business leaders, had chosen to continue to follow the course recommended by the "New Economic." His expenditure levels for the current fiscal year were by then running at an increased annual rate of over $142 billion, not the $135 billion level originally set in his own budget . . . and certainly not the $130 billion level recommended by the Congressional Committee. Furthermore the level of expenditure set forth in the budget for fiscal 1969 (to begin July 1, 1968) was $186.1 billion. (This is the figure for the consolidated budget which includes expenditures from trust funds financed by earmarked taxes not out of general revenue.) The expenditure level for the administrative items, those items financed out of general revenue, was about $152 billion or a whopping $17 billion more than the administrative budget expenditure levels originally set for fiscal 1968, namely $135 billion.

The deficit for fiscal year 1969 was set in the budget message at the unrealistic figure of $8 billion. However, the deficit for the administrative budget . . . which reflects the amount of money that must be borrowed and hence become part of the federal debt was $11 billion. Again it became quite clear that this was a gross underestimate similar to the underestimated deficit projected for fiscal 1968 which as we now know turned out to be $25 billion instead of $8.1 billion. Secretary of Treasury Fowler in testifying before the House-Senate Conference on the tax expenditure cut legislation in May stated that the deficit for fiscal year 1969 would be around $31 billion if the tax-expenditure package were not enacted into law. Even with this enactment into law it is clear that the deficit will be closer to $20 billion than to $8 billion given in the budget message. Again we see the evidence of the real fiscal policy being pursued by the Administration—namely to increase expenditures and finance the increase essentially by deficits not taxes.

Again the Johnson Administration delayed through the early months of 1968 in sending up a tax increase message. Furthermore, it failed to respond to the standing invitation of the Ways and Means Committee to discuss expenditure cuts in the context both of establishing priority between programs and lowering the total level of spending. Of course the Administration had given its answer to everyone who cared enough to read, to the Ways and Means Committee request of last October to come in with a budget revised to lower spending levels. The January 1968 budget message to the Congress showed increases, not decreases, in total spending levels for the current fiscal year and for the next fiscal year, $7 billion increase for fiscal year 1968 and a $17 billion increase for fiscal year 1969.

The Administration in January presented an anemic and ambivalent program to cut back on the deficit in international payments. The program consisted of restricting private expenditures abroad in context of increasing government spending abroad. Although the Secretary of the Treasury said the "keystone" of the program was enacting the tax rate increase legislation no efforts were made to push for it. The extension of the selected excise tax rates scheduled to be lowered, passed the House of Representatives and was sent to the Senate without the Administration doing anything to push for its income tax rate increases. The Administration was well aware that the price being demanded by the Congress for the surtax was reduction in expenditure levels. The Administration reiterated its previous position that its 1968 budget was a tight budget and that the 1969 budget was also a tight budget. Neither budget could have its expenditure levels reduced, they argued.

The Administration continued in this attitude. When the U.S. Senate added the amendment to the excise tax bill to impose the surtax in conjunction with a $6 billion cut in expenditure levels from the $186.1 level, the Administration vigorously opposed it. The Administration continued to fight this amendment during the conference sessions between the House and Senate. It even opposed a $4 billion cut. The Director of the Bureau of the Budget under Presidential orders refused to discuss establishing priorities between programs in order to reach agreement on any cut in expenditures. The Director talked only in terms of the unacceptable across the board meat ax cut. Only after the matter at long last came before the House itself for approval did the President publicly state that he would accept the $6 billion expenditure level cut. But this at most was mere lip service. At the same time his cabinet officers were busy stirring up special interest groups in the general public and the Congress to oppose the expenditure cuts by falsely stating that veterans' programs, education and welfare measures were going to be cut. He still would not sit down with the Congressional leaders to consider where either the $4 or a $6 billion cut would be made on a line item basis. It is impossible to cut expenditure levels without advance planning which means advance notice of where these cuts are to be made. The House debated the tax-expenditure bill a mere four days before the new fiscal year began, the year in which $6 billion cuts had to be made. At this late date no one in the Congress or the Administration could say where the cuts were being made. This was conclusive evidence to anyone who cared to look for the truth that no cuts were indeed being made. At most the cuts could only come a month or two later. And only six months of this fiscal year are under the Johnson Administration. The last six months are under the new President to be elected in November. It will not help stem present inflationary forces in July, August, September, October and November by cutting next January and February.

I reiterated time and again in speeches on the floor of the House beginning May 14, that I would support the tax increase bill if the President would spell out where the line item cuts would be. I had two purposes in mind. 1. To be certain that these cuts were really being made. 2. To be able to evaluate the economic effect of these cuts. I repeat, it makes considerable economic as well as social difference . . . not to mention political difference . . . where the cuts are made. Certainly the economic factors must be weighed if we are to do the job of stemming inflation. Regrettably I did not receive support in this position from either the financial community or the leadership of the Republican Party.

To this date the President has not spelled out . . . or consulted with the leaders of Congress of where the $6 billion cut is to be made. We are now well into the new fiscal year and no lowering of expenditure levels have come about. As a matter of fact on June 25, a White House spokesman was quoted by the United Press as saying that the President could not begin cutting "for months". It was stated that he could not begin to cut until the Congress had finished passing the appropriation bills. If further proof was needed that the President had no intention of cutting the expenditure levels during the remaining 6 months of his term of office this should supply it. However, there is even more concrete evidence that the President has been playing fiscal charades with the Congress and the country. While all of this discussion was going on the President has revised his estimates of expenditure levels for the current fiscal year upward from $186.1 billion to $188.8 billion, almost a $3 billion increase . . . not a $6 billion decrease.

Now the tax rate increase had become somewhat important to the President's ability to continue at this increased spending level. Mr. Mills, Chairman of the Ways and Means Committee, stated during debate on the surtax expenditure package in response to my argument that the President would not abide by the expenditure cut of $6 billion that the debt ceiling law would prevent him from spending at a level of $186.1. He could not increase deficit financing that much. But the crunch of the debt ceiling doesn't have its full impact until December 15th . . . the low point of revenue collections for the federal government . . . well after the November elections. Furthermore, as Mr. Mills or any student of the debt ceiling legislation knows, there are many cushions that have been placed in setting the ceiling to permit the Treasury Department to have flexibility in managing the federal debt. These cushions can be used improperly to allow for increased spending levels instead of for their designed purposes of efficient debt management. Secretary of the Treasury Fowler in many colloquies with me over a period of years in considering debt ceiling legislation has made it clear that he would not resist the improper use of these cushions. Furthermore, federal capital assets can be sold off to defeat the discipline of the federal debt ceiling.

Whatever argument Mr. Mills might have had for saying that the present debt limit would force the President to abide by the $6 billion cut it certainly was a more compelling argument to not give the President more tax revenues until he was firmly tied down in cutting his expenditure levels. If the debt ceiling will serve as a discipline even with the several billions of revenue collected before December 15 from the surtax, how much more of a discipline would it be if the President did not have these additional billions in revenue? Mr. Mills and the Congress by voting for the surtax without firm commitments to cut expenditures have let the President off the hook in cutting expenditures during his final months in office. The forces of inflation will be fed not diminished in the next few months as a result of this action.

Cutting expenditure levels immediately is the one effective way of dampening the forces of inflation. The Johnson Administration has chosen not to take this course and successfully resisted all efforts to force it to do so. The course it is taking is to spend the additional Revenues taken from the people which will merely continue the high level of utilized purchasing power in the society. We have merely transferred the decision of how to spend the money from the private sector to the governmental sector. It is the overspending of the federal governmental sector that has put us in the fiscal bind in which we find ourselves, not the private sector. Government spending by its very nature is more inflationary, less disciplined and I would argue more poorly designed to solve the social problems of our society than private spending disciplined as it is by both the market place and the political process.

In my previous letter I listed some $17 billion of expenditure cuts we could make without touching the war in Vietnam or the war on poverty . . . or the fields of health, education, and welfare. Certainly we would not need to touch veterans' pensions, school lunch programs, or head-start or social security, as the Administration has alleged in a demagogic and irresponsible fashion. I begin my suggested expenditure cuts with those that have a double-barrelled effect: 1) cutting back our troops in Europe . . . a $2 billion saving; 2) cutting our foreign aid programs from an expenditure level of around $5.5 billion to a level of $1.8 billion. Moving over to the domestic area I suggest cutting 1) research and developing which has burgeoned to an unrealistic level of $17 billion in a very few years, to $14 billion; 2) cutting public works from a $5 billion level to a $2 billion level; 3) cutting the space program from a $4.8 billion level to a $3.5 billion; 4) switching the agriculture programs from those of government restraint and regulation, paying farmers for not producing to programs which permit them to get increased returns through the market place for producing, a saving of $2 billion; 5) holding federal employment to present levels saves $1 billion; 6) all of this will save $1 billion in interest rates on the federal debt.

Some have felt that the President has logic on his side when he says he cannot set his expenditure levels until the Congress finishes its appropriation bills. He does not. He is using the little understood and unduly complicated federal appropriation process to deceive the people and the Congress. The Congress does not set expenditure levels. Rightly, the power to set expenditure levels rests in the President subject to the Congressional judgment on financing these expenditures through tax revenues or increasing the federal debt. If the federal debt should not be further increased in the Congress' judgment then it rightly may say to the President set your total expenditure level lower . . . or it may say we will finance this expenditure level by increasing taxes.

In the long run, over a period of many fiscal years, of course, Congress effects the spending levels, because the Congress must give to the President the power to spend before he spends. However, the congressional appropriation process of giving the President the power to spend money does not specify in what fiscal year that power to spend must be exercised. Indeed, most appropriation bills contemplate the President using the power over a number of fiscal years. This new fiscal year began July 1 with the President having carry-over balances of power to spend, unutilized, of around $222.3 billion. To these carry-over balances will be added the new appropriations passed by this Congress which . . . if the Congress adheres to the President's requests . . .and it essentially is . . . will amount to another $200 billion. In other words, the President will have a pool of over $400 billion power to spend from which he has said he will spend only $186.1 . . . now $188.8 billion in the current fiscal year. Note how without any reference to Congress he raised his spending level estimate a couple of months ago by almost $3 billion. Last year without any reference to the Congress he raised it by $7 billion. The year before by $13.9 billion. Actually he could raise it $20 billion or lower it $20 billion . . . and more . . . without any reference to the Congress. Furthermore, through the development of "supplemental" appropriation bills the President has gotten around the constitutional limitation saying he cannot spend money unless authorized by law. He merely spends the money and then has Congress retroactively pass the law giving him the power to do so.

President Johnson is relying on the general complexities of federal financing to confuse both the people and regrettably many Congressmen by this false statement that he does not have the power to set spending levels and that he must wait for the Congress to appropriate the full $200 billion additional he has requested in new appropriations . . . Congress could vote $210 billion or $190 billion in the 15 appropriation bills it has under consideration this year. Ten billion or twenty billion one way or the other need not have any bearing on the level of spending for the current fiscal year. It certainly has no bearing on the spending level the President sets for the next four crucial months before the November election.

Now I think it is important to answer a few other false arguments that are constantly advanced by the school of "New Economics" which has set our current fiscal policy and which is bobbing and weaving to avoid being forced to change it in light of the serious fiscal problems which now face our nation both at home and abroad. For make no mistake about it, the Johnson Administration has not abandoned the fiscal policy of the New Economists.

Essentially this fiscal policy states that federal deficits make no difference. The important thing is to keep the economy moving. The economy is kept moving, the theory is, by continuing to increase total purchasing power in the society. If the private sector is not spending enough to keep the gross national product increasing (and gross national product does measure economic activity . . . not wealth, however, I hasten to add) then the federal government must spend more to bring about this increased total demand in the society. And the federal government should increase this total demand by deficit financing because if the increased spending by government comes out of taxes from the people it cuts down on their spending. However, there is some advantage from financing increased government spending through tax increases even though increased deficits are a preferable way, because government can be counted on to spend the money, and more intelligently and for social "good", while the private sector might merely increase its saving rate or spend it foolishly on "luxuries". This economic philosophy is closely allied as can be seen with a social and political philosophy that holds that government spends money more wisely than the private sector and therefore it is essential to concentrate more spending power in the central government and cut back on the private sector.

It is quite clear why the New Economists fight so bitterly any efforts to force the federal government to lower its total expenditure levels and why it will take new taxes, if forced to, instead of the preferred way of increasing the debt to finance the increases. It is also clear why spending discipline to get the most for the dollars spent is relatively unimportant under this political economic theory. The important thing is to keep the economy heated up. Spend foolishly if necessary but by all means spend.

To those who express concern about the size of the federal debt this school has developed a number of different sophisticated arguments, each one of which has a clever appeal but upon examination is specious. 1. *Don't worry we owe the debt to ourselves.* Well, this isn't quite as true today as it once was because increasingly some of the federal debt is being held by foreigners. Aside from that, however, the basic point with its full implication is revolutionary. The full implication is that the basic economic structure upon which our system of civilization is based can be ignored and wiped out. Property laws and private ownership have no important economic or social significance. Various people, business and non-profit institutions own the federal debt. They have this wealth set aside for their retirement, for educating their children, for expanding industry, for research and development, or for whatever. If their wealth is really not theirs, but "society's", "ours", then the historical economic and social structure of our society is wiped out. In its place, of course, comes a new structure where those who "direct" the society—those who contend the government should make the decisions of how we spend money—now allocate our resources. Well, I have a great respect for my profession—government—but believe me those of us in government hardly have the knowledge or the wisdom to make the right decisions for the rest of society. The market place is the better place to make economic decisions—just as the ballot box is the better place to make political decisions. Both place their emphasis on the importance of the human being and give to the individuals, equally and collectively, the ultimate power of decision making in the society.

A second argument advanced is that we need not to worry about the size of the federal debt because it is a less ratio to gross national product than it was twenty years ago. The fallacy of this argument is exposed by asking the question, is the ratio of 20 years ago a proper checkpoint? Suppose the ratio 20 years ago for some reason or other was very high and dangerous and we are still far from what should be our optimum ratio? The ratio of federal debt to GNP is a very proper and important one in evaluating whether the debt is too high or not. GNP is a good indicator of the size of our federal tax base inasmuch as our federal taxes are applied to economic activity.

As has been stated, GNP is a good measure of economic activity. It is important to emphasize that the federal government does not rely upon taxing wealth for very much of its revenue. Local governments are the ones that primarily use the wealth tax for their essential revenues. So whether the economic activity is creating wealth or destroying wealth . . . as is frequently the case in time of war . . . does not matter to the federal government for the immediate situation. In the long run of course if we are increasing the economic activity by using up wealth . . . and inflation will help do this . . . we are going to run into trouble. This is exactly the trouble we are now in. Nonetheless the ratio of debt to GNP is a proper and important one to consider in determining whether the federal debt is too high. During the growth of this country over the past 100 years the ratio of federal debt to GNP seldom exceeded 15%. These periods in which it did were usually war periods, when deficit financing was necessary to carry on the heavy expenditures of the war.

The ratio, after each war, settled back to below 15%. Twenty years ago was the period immediately following the heavy deficit financing required to win World War II. The debt GNP ratio soared to well over 100%. Twenty years later instead of being close to the optimum ratio of below 15% the ratio is barely under 50%. And two-thirds of the reduction of the ratio from 1946 to 1968 was the result of the heavy post World War II inflation, hardly a course to commend. (Debt is in fixed dollars while GNP is in current dollars.) This high ratio leaves little resiliency in the event of another costly war or serious depression. The dialogue should be carried forward on what the optimum GNP-debt ratio should be, not be snagged on the fallacious dogma that because the ratio today is considerably below that of 1946 we have no cause to worry about the size of the federal debt.

One other argument being advanced in recent years by the New Economists to gain adherence to their theories centers around the tax *cut* of 1964. A real fiscal lesson can be learned in reviewing the debate and the subsequent fiscal events surrounding it. The New Economists have been busy rewriting history in order to turn what was a disastrous defeat for their theories into a paper victory.

The New Economists advocated a tax cut in 1964, as they stated, in order to stimulate a sluggish economy. The classical economists advocated a tax cut in order to remove the impediment high tax rates imposed upon a dynamic economy. Both schools were for a tax rate cut but based upon almost diametrically opposed economic theories. These conflicting theories show up vividly in their two opposite figures of speech. 1. To stimulate a sluggish economy. 2. To remove an impediment holding back a dynamic economy. What happens when a stimulant wears off? You need another stimulant. What happens when you remove an impediment . . . like a rock in your shoe? You keep moving and feeling good.

These two opposing theories clashed over an important fiscal point. The classical economists stated that in order for the tax cut to be effective federal governmental spending had to be cut, otherwise the federal deficit that would temporarily result from the tax rate cut would create inflationary forces that would be worse or equal to the impediment to economic growth that the high tax rates had been.

The New Economists of whom Dr. Heller, the then Chairman of the President's Council of Economic Advisers was a leading spokesman, argued the converse. Federal spending must not be cut, he argued, otherwise the stimulative effect of increasing the spending power of the private sector through the tax cut to increase total spending in the society would be neutralized. Increasing total spending in the society, according to this theory, was needed to get rid of the "sluggishness".

Dr. Heller and I had a colloquy during a public hearing of the Joint Economic Committee in respect to these two theories. I suggested to Dr. Heller if he financed the temporary deficit created by continuing the increase in federal spending and at the same time lowering revenues by the tax rate cut, by selling the government bonds to the people or to private businesses it would take away from them the very increased purchasing power he stated he was after. Dr. Heller agreed that this would be so. He said he did not expect the federal government to sell the bonds to the private sector, but rather that he expected the Federal Reserve System to buy them. I responded that I thought this would create inflationary pressures that would come out in increases in the Consumer Price Index, the Wholesale Price Index and in higher interest rates . . . because this would be increasing the supply of money and credit beyond the capacity of the economy to absorb it. Dr. Heller responded by saying that with the relatively high rate of unemployment and the relatively low rate of utilization of plant capacity these inflationary forces would be absorbed and the desired result of increased GNP from lowering unemployment rates and increasing plant utilization would come about. The ensuing economic growth would provide the increased economic activity . . . increased tax base . . . which would replace, as time went on, the loss of revenue from the lowering of the tax rates.

I responded by saying that I thought the unemployed were largely frictional, structural and institutional unemployed rather than cyclical unemployed. That there were more jobs going begging even in this period of relative high unemployment than there were unemployed. I felt that the bottle-neck was lack of skills in demand, unskilled and obsolete skilled, among the unemployed. That the heating up of the economy would not put them to work but that carefully designed programs of training and retraining and efforts to change the attitudes of unions toward the need for increased mobility of labor plus efforts to ameliorate the social bias toward minority races getting into the labor market were necessary to do the job. I observed that far from the economy being sluggish it was so dynamic that it was rendering machines and plant as well as skills economically obsolete at an increasingly rapid rate. That heating up the economy could aggravate rather than help in this process.

I pointed out that the plant capacity that Dr. Heller identified as idle was largely obsolete and inefficient plant capacity. That heating up the economy might put some of it into use but this would be inefficient and a mal-allocation of our resources. That essentially it would increase costs and contribute to the very inflation that we sought to prevent.

Regrettably the dialogue ended at this point instead of moving forward to find out what was the true picture. Was the economy sluggish or was it experiencing growing pains from its rapid technological advancements?

Fortunately a decision had to be made on the fiscal point of whether or not to cut back on federal spending to make way for the federal income tax rate cut. The Republicans in the House of Representatives sought to hold the federal expenditure level to $97 billion for fiscal 1964 and $98 billion for fiscal 1965. The Administration fought the Republican proposal, but the Chairman of the Ways and Means Committee avoided a direct confrontation by getting the House to accept hortatory language urging the President to hold down his expenditure levels in lieu of the Republican sponsored amendment. The tax cut then became law.

The test was whether the President would increase his expenditure levels by about $5 billion a year as they had been planned to a $102 billion for fiscal year 1964 and then a $107 billion for fiscal year 1965 or would he hold to the $97 billion level for these two fiscal years until the beneficial effects of the tax cut could take hold and bring in the increased revenues through the expansion of the economy no longer hobbled by the high tax rates.

The President certainly had ample power to spend at the increased levels, from the combination of his carry-over balance of unused power to spend and the new appropriation laws passed by the Congresses. I asked on the floor of the House which President Johnson would stand up. The President who kept asking for additional powers to spend? Or the President who would not increase the spending levels? It was a question for a brief period only. The record is there for anyone to read. Fiscal year expenditures were held to a $97.7 billion level and fiscal 1965 expenditures were held to a $96.5 level. And expenditures were held to this level for the first two months of fiscal 1966, July and August 1965. The tax cut as everyone knows was an economic, social and political success. However, in September 1965 a new President Johnson stood up, the President who had been accumulating unutilized powers to spend by getting increased appropriations out of the Congress but not spending the money. In the month of September the spending level on an annual basis jumped to about $105 billion, and from then on month by month expenditures levels continued to soar. Inflationary forces were activated. The Federal Reserve Board moved in in November to try to curb with monetary power the inflationary forces being loosed on the Nation, then after holding firm, backed down in 1966 under a vicious and uncalled for attack by President Johnson. The Administration continued its rapid increases in expenditures levels. Now just three fiscal years later the expenditure level has jumped from $96.5 billion to $152 billion. (These are administrative budget figures relating to those federal expenditures financed out of general revenues and/or sale of new debt securities, not out of earmarked taxes.) Only $25 billion of this $55.5 billion increase is attributable to the Vietnam War. These expansionary budgets are the budgets the Administration has referred to as tight budgets.

Now all, both home and abroad, are seeing the results of this new fiscal policy. Heavy inflation is beginning to rise and the psychology of inflation once stilled through the stricter fiscal policies of the 1950's is rampant again. We are experiencing the highest interest rates since the Civil War. Gold has been flowing out of our country at a dangerous rate and the dollar is in serious trouble. The U.S. position as the world's banker is threatened. The U.S. deficit in international payments grows larger and cumulates. Now our trade balances have been cut down because of the impact of domestic inflation. Imports rise at a rapid rate. The Chairman of the Federal Reserve Board states that we are in the worst fiscal crisis since 1931.

And yet as I have pointed out the Administration has not changed its fiscal policy. It will not cut the expenditure levels even though it has been ordered to by a law the President himself signed and said he would accept.

It was a grievous error for the Congress to have imposed an additional tax burden on the people without insuring that a recalcitrant President would cut back on federal spending because this will not slow down inflation. This increased revenue given to the President will obviate what expenditure discipline existed in the debt ceiling legislation. The slight reaction of the stock market to the passage of the tax increase bill I think reflects the real thinking of the people both here and abroad. The investing public has discounted for some time any real possibility of the Johnson Administration changing its fiscal policy to correct the economic damage which at long last has become clear to everyone. Nor is the Congress ready to blow the whistle on President Johnson. The world financiers now look to the November elections. Then the American people will have an opportunity to change fiscal policy at the ballot box. If there is no change in November then I think we will see the results across the economic board, not just in the stock market, not just in the U.S., but throughout the world.

On the other hand, if there is a change, I believe our country is sufficiently strong to reestablish itself and continue once again on its path of providing increased standards of living for increasing numbers of our people.

Sincerely,

THOMAS B. CURTIS.

POSTAL CATASTROPHE HERE

HON. THADDEUS J. DULSKI

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 16, 1968

Mr. DULSKI. Mr. Speaker, it is imperative that Congress exempt the Post Office Department from the mandatory cutback in personnel ordered in the Revenue and Expenditure Control Act of 1968.

The demands for postal service are increasing and yet the Department is being ordered to cut back on the personnel required to handle the mail.

Unless the Post Office Department is exempted, something will have to give. There is only one place that can give: postal service.

On the heels of the postal rate increase last winter, our citizens had a right to expect an improvement in service—not reduced service.

I have introduced legislation, H.R. 18191, to exempt the postal service from the manpower reduction. My bill is now before the Committee on Ways and Means.

Officers of the National Association of Letter Carriers have sent a very timely letter to Members, as follows:

DEAR CONGRESSMAN: Former Postmaster General Lawrence F. O'Brien, appearing before the Subcommittee on Postal Appropriations, declared that the Post Office Department was approaching a catastrophe. With the advent of Public Law 90-364, the catastrophe has arrived.

The Post Office Department, under this law, will be compelled to forego hiring 15,780 needed employees this year. It will also have to cut 15,000 positions from the existing quota. In four years, the Post Office Department will be required to surplus 83,238 positions.

Consider these facts. Congress last year increased rates by one billion dollars. The revenue of the Post Office Department amounts to six billion dollars a year; its expenditures amount to seven billion dollars a year. The bulk of the difference in income and expenditures is made up of Public Service items.

The cuts ordered will place the postal personnel back at the 1966 complement. This in the face of the largest Gross National Product in the history of the Nation—now in excess of $800 billion.

We have a rapidly increasing population; there are between one million and one and one-half million new homes every year. We have a mushrooming growth in suburban areas.

The Nation is concerned about poverty and necessary jobs, but will cut out over 30,000 jobs from the postal service in one year. Curtailment of deliveries will eliminate the jobs of utility men. These men will pick up the work of the substitutes, and substitutes, who have no guaranteed hours of work, will find their income brutally slashed.

Mail does not evaporate when deliveries are cut. It piles up, requiring more expensive handling and delivery procedures. The use of overtime will leap by bounds. Expenditures could very well be greater than less, under the proposed cuts.

The mail users, who are spending one billion dollars a year more, will be receiving inferior service.

The postal service is a basic industry in our economic life. The Post Office Department has no control over its volume of work—the mailing public sets the work load.

The Dulski bill, H.R. 18191, will exempt the Post Office Department from these drastic cuts. Please give this bill your active support.

Sincerely.

JEROME J. KEATING,
President.
J. H. RADEMACHER,
Vice President.
J. STANLY LEWIS,
Secretary-Treasurer.
CHARLES N. COYLE,
Assistant Secretary-Treasurer.
GEORGE A. BANG,
Director of Life Insurance.
JAMES P. DEELY,
Director of Health Insurance.

HON. GEORGE L. P. WEAVER

HON. FRANK THOMPSON, JR.

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 16, 1968

Mr. THOMPSON of New Jersey. Mr. Speaker, on June 26, at the conclusion of the annual conference of the International Labor Organization in Geneva, the United States was honored by the unanimous election of the Honorable George L. P. Weaver as Chairman of the ILO governing body. Mr. Weaver is Assistant Secretary of Labor for International Affairs.

For the past several years the House of Representatives has sent congressional advisers to the ILO to work with the U.S. delegation, which is headed by Assistant Secretary Weaver. My colleagues, Representative WILLIAM AYRES, of Ohio, the ranking member of the Committee on Education and Labor; Representative JOHN ASHBROOK, of Ohio; Representative JAMES G. O'HARA, of Michigan, and I, have comprised the congressional delegation for the past 2 years. In that capacity we have worked very closely with Assistant Secretary Weaver and the rest of America's splendid delegation.

Mr. Weaver is a remarkably able and effective leader who has the admiration and trust of my colleagues and myself, and as the following article so well states, Mr. Weaver has the trust of the representatives of more than 100 nations who participated in the ILO. The article referred to "ILO's Weaver" is by John Hurling, the distinguished labor specialist of the Washington Daily News:

ILO'S WEAVER

(By John Herling)

Little attention was given by U.S. media to a significant development in the life of the international community. The election of George L. P. Weaver, Assistant Secretary of Labor to the chairmanship of the Governing Body of the International Labor Organization. This is much more than the story of a local boy making good.

The action took place June 26 in Geneva, Switzerland, at the conclusion of the annual conference of the ILO, the unique UN tripartite agency which alone is made up of representatives of government, employer and union sectors. For some obscure reason, ILO proceedings and programs receive only the skimpiest of coverage. This is outrageous neglect.

Next year will be the 50th since ILO's creation as an agency of the League of Nations—its sole surviving organizational offspring. For the past 20 years its director general has been David A. Morse, once Undersecretary of Labor under President Truman.

While to most Americans, including many in the labor and management fields who should know better, the ILO stands remote if not disembodied, the fact is that to most nations of the world, ILO affiliation has become one of the great access routes to recognition and identity. For it is from the ILO here that a good deal of fertile thinking and program innovation has been accomplished in the social and economic fields. The ILO, without blowing a trumpet, is one of the UN's most pervasive agencies.

At any rate, ever since his appointment in 1961 by President Kennedy as Assistant Secretary of Labor in charge of international affairs, Mr. Weaver has headed the U.S. tripartite delegation to Geneva. He found himself involved in the highly sophisticated operations and maneuvers of an assembly of men and women who make shrewd, hard judgments on policy as well as personalities.

For seven years, Mr. Weaver has had the responsibility of administering the work of the American delegation, but also of standing up as spokesman for the U.S. often against the violent attacks of its detractors, communist and sometimes non-communist.

Such an assignment often has been difficult for Mr. Weaver, as an American Negro leader, to carry out. As his government's spokesman, he rejected with eloquence and precision misrepresentations of America's racial posture. At the same time, he did not brush aside his awareness of the profound shortcomings in American society. Mr. Weaver, thereby, became a credible spokesman for his country.

Aside from his recognized growth in competence, Mr. Weaver won from his colleagues, from the more than 110 nations represented in the ILO, the kind of personal regard and appreciation which sensitize diplomatic relations on all levels.

Thus Mr. Weaver's unanimous election as chairman of the governing body for the next year was, as Director General Morse said, the product of "genuine unanimity—meaning that people voted as they truly wanted to vote. He has earned the respect and the confidence of the entire Governing Body because of his consistent demonstration of open-mindedness, fairness, firmness, and friendliness . . . I have rarely seen such a combination of qualities."

Before coming to the Labor Department, Mr. Weaver's major career was largely given over to trade union activity, with time out for various governmental assignments. He is the third American to serve as chairman of the ILO Governing Body in the last 30 years. His predecessor, George Cabot Lodge, Assistant Labor Secretary under President Eisenhower, served as chairman of ILO's Governing Board from June 1960 to 1961, when he stepped down as Assistant Secretary of Labor. By gentlemen's agreement, Mr. Lodge overlapped as Assistant Secretary of Labor for the first six months of the Kennedy Administration. This enabled him to fill out his term as chairman of ILO's Governing Board, to the advantage of the United States.

HELP WITHOUT HANDOUT

HON. JAMES V. SMITH

OF OKLAHOMA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 16, 1968

Mr. SMITH of Oklahoma. Mr. Speaker, the leader of the so-called Poor Peoples Campaign, Rev. Ralph Abernathy has now been released from jail and promises to continue his demands on the city of Washington and on the Congress.

The past demonstrations have already cost in the area of $1 million and this does not take into consideration the tremendous loss of revenue to the city's economy as a result of convention cancellations and loss of tourist trade.

The main expenditures as a result of the Poor Peoples Campaign were as follows: District of Columbia government, $806,000; Department of the Interior, $221,436; District of Columbia National Guard, $54,955; Department of Agriculture, $10,600. This totals $1,082,991 of the taxpayers' money that was spent as a direct result of hesitancy and indecision on the part of the Johnson-Humphrey administration which allowed the campaign to thrive in the shadow of the Lincoln Memorial.

In addition over $1 million came from the pocketbooks of various Americans in the form of donations to the campaign. Abernathy himself admits contributions of $1.3 million, and claimed the cost of the campaign cost the Southern Christian Leadership Conference $1.5 million.

All in all, the "March" cost $2,582,991 of either taxpayer or private funds to support the campaign. What, however, was gained? The announced goals of a guaranteed annual income for all people classified under the "poverty standards" of the Johnson-Humphrey administration, are so unrealistic in this time of national fiscal crisis, that it almost makes the campaign a total fraud on the poor and those who supported the campaign.

The Gallup poll recently found that poor people want jobs, not a guaranteed income. The Poor People's Campaign is a mockery of economics in a free society. I trust that the balance of a $20,000 motel bill accrued by Abernathy and his staff will be paid, and that the restaurant and cafeteria bills "walked" by "campaigners" will be noted, and that the administration will never allow such a disgrace to blight the National Capital again.

I am inserting an editorial from the Daily Oklahoman which make a most interesting assessment of this subject:

HELP WITHOUT HANDOUT

If someone knocked on your door demanding money on the threat of burning your house down, your reaction no doubt would be instant and forceful.

There isn't much difference between that example and some of the demands being made on official Washington by spokesmen for the "poor people."

Even with the best intentions, programs and funding, no instant panacea for the less advantaged is possible. There are many ills needing a cure but there is no quick cure.

Skills and education are acquired over a period of time, just as the mass of what is called the middle income class acquired them.

The primary advantage lies in opportunity, which many of the impoverished have not had, but creation of those opportunities is more to be desired than any form of dole or guaranteed income.

THE NEW CONSENSUS

HON. HERMAN T. SCHNEEBELI

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 16, 1968

Mr. SCHNEEBELI. Mr. Speaker, the July 6, 1968, edition of the Christian Science Monitor contains an article by Roscoe Drummond about the fact that Federal Government has gotten too big to administer properly the vast assistance programs which have been mounting year after year. This comment appears to be both timely and accurate and is submitted herewith:

THE NEW CONSENSUS

(By Roscoe Drummond)

WASHINGTON.—What would you say such political leaders as these have in common: the late Robert Kennedy, Richard Nixon, Sen. Eugene McCarthy, Gov. Ronald Reagan, Americans for Democratic Action (ADA), liberals Daniel Moynihan and Richard Goodwin, GOP conservatives Gerald Ford and Melvin Laird?

Far apart as they are politically, they have come together on one single, central, significant proposition:

That the federal government has gotten so big, so cumbersome, so chaotic that it simply can't administer the vast assistance programs which have been mounting year after year.

WELFARE MUDDLE

Their agreement is just beginning to come into focus. They have been speaking separately but each has been saying very nearly the same thing.

What these diverse politicians are now saying is that federal funds, functions, and authority must be radically decentralized before the whole house of cards crumbles by its own weight.

On the basis of his first-hand experience in Washington, Mr. Moynihan, who now heads the Harvard-Massachusetts Institute of Technology Center for Urban Affairs, concludes that Washington has proved itself very good at collecting federal taxes but very bad at administering federal services.

How bad? That is the question which must be answered so objectively and so conclusively that those who are reluctant to face the facts can no longer ignore them.

That answer is now at hand. It comes from the titanic efforts of young, first-term Congressman William V. Roth Jr. (R) of Delaware, who devoted four months to surveying the whole federal establishment. He set out to find the number, purpose, scope and size of every federal assistance program and where and how they were administered.

DISHEVELED SPRAWL

He found plenty.

He found that nobody in the federal government—neither the White House nor the Budget Bureau nor the Congress nor all the department and agency heads put together—know how many programs, where they all are, what they do or how the public can get to use them.

He found that Congress does not have adequate information to decide which programs to continue and which to terminate.

He found that some programs which don't exist are publicized and that others which do exist are unknown.

He found that at a minimum there are 1,050 federal assistance programs spending $20 billion a year.

He found that at least 25 federal departments and agencies are operating widely overlapping programs doing about the same thing.

Clearly this disheveled sprawl is getting so bad that unless something is done soon there is danger of a massive breakdown.

Congressman Roth presented his imposing array of facts without raising his voice and without trying to make partisan capital.

But his colleagues knew they were listening to one of the more important speeches delivered in Congress. Rarely are there many on the floor to listen. The real measure of his impact is that by the next day more than 50 congressmen and senators called Roth's office to ask questions or get more facts.

Roth had them—and they withstood close and skeptical scrutiny.

There is no doubt, I think, that the time has come to reverse the flow of political power to Washington. It will come. There is a mounting political momentum behind it from conservatives and liberals alike.

The need is to make sure that the process of decentralization is orderly, and well carried out.

WHY WAIT?

It is to this end that Mr. Nixon says that if he is President one of his first acts would be to create a special commission on government reorganization, like the Hoover Commission, to find the best means, not to dismantle the federal government, but to decentralize it.

That is good. I raise only one question—why wait? It is wasteful, riskful, dangerous to wait. Why shouldn't Congress move immediately to create such a commission so it can report its findings early in the next session? Congressman Roth will offer such a proposal. Shouldn't Congress act now?

FOUR YEARS OF BETRAYAL

HON. THOMAS M. PELLY

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 16, 1968

Mr. PELLY. Mr. Speaker, those of us who have been trying to restore the U.S. merchant marine have been continually frustrated by the administration. And, now, the reasons have been clearly outlined in the editorial in the June 1968 edition of the American Marine Engineer.

Mr. Speaker, I include this editorial in the RECORD. The editorial is as follows:

FOUR YEARS OF BETRAYAL

The Administration has logged a sorry maritime record over the past 4 years, though it began hopefully with a promise by President Johnson that he would recommend a new maritime policy—a promise which went unfulfilled until last month, when the recommendations turned out to be only an invitation to maritime suicide.

Among the statements and actions which have characterized the Administration's continuing campaign to denigrate and downgrade the American merchant marine over the years are the following:

October, 1965: The Boyd Report is issued, recommending a massive downgrading of the U.S. merchant fleet.

December 1965: Commerce Secretary Connor dooms the Maritime Advisory Committee report (recommending a revival of the merchant fleet) when he states "no federal officer—such as the chairman (Connor)—shall be controlled" by the report's findings.

January, 1966: Labor Secretary Wirtz tries to sap a key pillar of the industry—its free-collective-bargaining province—by arrogating the contract-arbitrator's role in a letter presuming to interpret MEBA's agreement with management.

February, 1966: Marad and DOD fail to maintain minimum standards on Vietnam-sealift vessels, and only improve such conditions as inadequate "slop chests", poor launch service, slow mail and shore-leave restrictions after repeated, concerted protests by unions.

August, 1966: Defense Secretary McNamara says there's "no excuse" for nonmilitary "50–50" cargo. Export-Import Bank Pres. Harold Linder joins in attack on "50–50" cargo, calling it an "impediment" to foreign shipments.

September, 1966: Connor insults American seamen by supporting a Government ruling that seafaring is not a critical occupation to the nation. (This is one of the months that MEBA men give their lives in the Vietnam sealift in defense of their country.)

January, 1967: President's budget message offers the Merchant marine "peanuts"—just enough subsidy ($143 million) to build 13 ships—while proposing funds to build a fleet of Fast Deployment Logistic ships.

February, 1967: McNamara impugns patriotism of U.S. liner operators by implication in apparent effort to pressure them into abandoning their statutory obligation to man the nation's "essential trade routes" and volunteering their vessels instead in the Vietnam sealift, for which the Government had failed (in violation of the 1936 maritime law) to provide an adequate merchant fleet.

July, 1967: DOD asks permission to let foreign-flag tankers operate in U.S. domestic trades, claiming no U.S. tankers are available—but backs down after strike threat by unions and amazingly discovers U.S. tankers are available, after all.

December, 1967: Acting Marad Administrator J. W. Gulick suggests U.S. should have a merchant fleet that is "free-er" of a "heavily government-supported program."

February, 1968: McNamara libels marad's maritime subsidy program, calling it "disgraceful" and "wasteful" and recommending that the Government "penalize inefficiency" in "ship operation." While attacking the program operated by another federal agency and authorized by a still-in-force federal law, he promotes the idea of a state-owned maritime goliath (FDLs) to be run by his own department, the Defense Department.

May, 1968: Johnson adds insult to injury by selecting Boyd (who had been barred by Congress from a supervisory role over Marad) to propose a program for maritime disaster, an enfilade which implicitly attacks virtually each of the 15 points recommended by the AFL–CIO Maritime Committee and supported by a major section of the maritime industry.

A review of the record reveals what might have been overlooked in judging a single instance of the Administration's betrayal of the maritime industry:

The Administration's anti-maritime policy has not been one of inadvertence, bungling or pre-occupation with other, pressing concerns; it has been a premeditated and carefully planned campaign to weaken and eventually liquidate the entire American merchant marine.

Ironically, the industry has consistently given the Administration the benefit of the doubt, frequently suggesting that its actions were well-intentioned towards the maritime industry, though mistaken.

Today it is clear that the planners in the White House, despite disclaimers, were certainly afflicted with no lack of foresight as far as they were concerned! They knew precisely where they were going. The record of four years shows that. Last month's anti-maritime proposals prove it.

PATRIOTISM

HON. ROGERS C. B. MORTON

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 16, 1968

Mr. MORTON. Mr. Speaker, Charles Edward Kearney, Jr., of Baltimore, Md., wrote the prize-winning essay on "Patriotism" in a statewide contest sponsored by the Maryland Chapter of the Telephone Pioneers of America.

His imaginative approach to a subject, which never in our history has been more meaningful, is worthy of the attention of this body. I am pleased to commend his essay as worthwhile reading for all Members of the House of Representatives:

PATRIOTISM

I was present during the rigors and hardships at Valley Forge. I sailed with Commodore Oliver Perry during the battle for Detroit which took place on Lake Erie. I was in the midst of the heated battle during the campaign of Bull Run. I supplied courage to Abraham Lincoln during the ravaging Civil War. Did he visualize his country torn and sad, or did he see the ashes of another Phoenix rising from the dust and creating an era of solidarity and brotherhood? I accompanied Theodore Roosevelt when he charged up San Juan Hill. I stood beside President Woodrow Wilson during his famous, but futile attempt to get the Versailles Treaty ratified. I was in the cockpit with Colin Kelly as he guided his crippled aircraft towards the smokestack of a Japanese destroyer. I inspired President John Kennedy when he made his historic decision to quarantine Cuba during the Cuban Missile Crisis. My present engagement is accompanying those boys who proudly go to Viet Nam to honor our commitment with an ally to help suppress aggression in their country so that the tentacles of oppression will not reach our shores.

It is ironic that I am only called on to assist during periods of strife. The more that I am used, the less I tarnish. My willingness to help is as certain as the rising of the sun tomorrow. Some people confuse me with waving a flag, paying taxes, signing loyalty oaths, and voting. But I feel that I am in a separate class all by myself. Who am I? My name is Patriotism.

LETTER TO THE EDITOR

HON. JOHN C. KLUCZYNSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 16, 1968

Mr. KLUCZYNSKI. Mr. Speaker, under leave to extend my remarks in the RECORD, I include the following letter to the editor of the Washington Daily News:

AMERICAN ASSOCIATION OF
STATE HIGHWAY OFFICIALS,
Washington, D.C., July 12, 1968.

EDITOR,
Washington Daily News,
Washington, D.C.

DEAR SIR: It has come to our attention that you featured a story in your issue of Thursday, July 11th, on trucks and the weight and size legislation in the Congress. In the course of your report apparently some misconceptions were presented regarding our position on this matter, and also regarding the actions of the Chairman of the Senate Public Works Committee, the Honorable Jennings Randolph.

The weight and size bill was originally introduced in the Senate on the behalf of twenty-two members of the Senate, representing both political parties, from the far west, mainly because of the specific highway transportation needs of that area.

Four days of hearings were held on the proposed legislation by the Senate Committee, at which time we appeared and presented testimony. We represent the State highway departments and our testimony was, of course, based on balloting by the individual State highway departments on the various elements involved in the legislation.

In fact, we presented more technical testimony than possibly any other group appearing before the Committee, and in addition, we have greater responsibility in this particular area of legislation than any other group since the State highway departments have the responsibility of creating, building and maintaining the State highway systems, and we must take a broad, comprehensive look at all highway needs.

In addition, the Senate Public Works Committee engaged in three days of hearings on bridge safety, at which time we again appeared and gave testimony which was extensive and extremely technical in nature and had a definite bearing on the matter of truck weight and size legislation.

During the hearings, the matter of authorizing heavier and larger trucks on the Interstate System was considered and examined, and as a direct result of our appearance and that of the Federal Highway Administration, the bill was modified to bring permissible dimensions and weights within acceptable and proper limits in our opinion.

It is our belief that the bill, as reported and passed by the Senate, and further modified by the House Committee on Public Works, will give adequate protection to the public's investment in highways, and will give an optimum balance between this aspect and the use of the highway.

The weights and sizes, as contained in the legislation at this time falls within the spectrum that was developed in our extensive AASHO Road Test Research Project as being within that range that would provide this optimum balance.

As a result of our testimony, the so-called "bridge formula" which develops the maximum gross weights was changed to include intermediate axle groupings in order to protect bridge structures, and the prescribed maximum weights are inclusive of all tolerances which, we believe, to be good legislation and very much in the public interest.

The only major differences that might be cited between our testimony and in the legislation has to do with the so-called "Grandfather Clause" and this difference has now been minimized to where we have no serious objections.

The report of the Senate Public Works Committee makes it quite clear that the responsibility for affecting changes in existing vehicle sizes and weights rests primarily within the States, and the States alone have the exclusive authority with respect to any actual changes in the truck sizes, but these cannot exceed the maximums included in the proposed Federal legislation, which is in line with our policy position.

We are satisfied that the fullest consideration was given to the many issues involved in this rather complex and important legislation, and nothing adverse will result from its enactment.

We made it quite clear at the time of our appearance that we could live with the maximum weights that were finally developed between the two Congressional Committees. With the growing importance of highway transport to supply goods and services, as well as transport people, a modest amount of liberalization is justified to assure an expanding economy.

Sincerely,

A. E. JOHNSON,
Executive Director.

A BILL TO ESTABLISH A PEACE BY INVESTMENT CORPORATION: A NEW DIRECTION IN AMERICAN FOREIGN AID

HON. THOMAS B. CURTIS

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 16, 1968

Mr. CURTIS. Mr. Speaker, I am introducing a bill today which I hope will be a vehicle toward the development of a badly-needed new approach to American foreign aid. It is a bill to create a federally chartered corporation to engage in industrial development and economic assistance activities in developing countries, utilizing both public and private funds. A companion bill (S. 3415) was introduced on May 1, 1968, in the Senate by my colleague Senator JACOB K. JAVITS on behalf of a bipartisan group of 11 other Members of the Senate.

The general purpose of the Peace by Investment Corporation Act is to redirect foreign aid policy by focusing on the potential of the American private capital market instead of public funds. The performance of our foreign aid programs over the last several years shows the need for the infusion of the strength, dynamism, and skills of our private economy.

The legislation contemplates government-private enterprise cooperation by providing that the chief source of the corporation's funds will be obtained through the sale of "peace by investment" debentures in small denominations to the American public. Funds from private investors would be attracted to the corporation because: First, it would provide for a diversity of private investment overseas, thus minimizing the risks inherent in single project ventures or investment in one commodity field; second, it would give small investors an opportunity to participate in pooled investment projects, far greater in scope than any thus far attempted, under the skilled management which investment of the contemplated magnitude and character would encourage; and third, it would provide the American people an opportunity to participate in a major constructive effort to help their fellow men.

These debentures could produce up to $375 million in any one year, but not to exceed $1.25 billion outstanding at any one time.

In addition to the "Peace by Investment Debentures," which are the most important source of the corporation's funds, an additional $50 million in initial and temporary capital funds for the corporation would be subscribed by the U.S. Treasury. During the first 6 years of its operation, the corporation would also be authorized to borrow from the Treasury in amounts up to $60 million in any 1 year—but not to exceed $300 million outstanding debt at any one time.

This use of Government funds is for the purpose of providing seed money to attract the vast private resources of this country. Government can use its resources to open the way for private investment, and in the case of the Peace by Investment Corporation the initial Government funds attract the small and medium private investor for whom investment in underdeveloped countries would otherwise be too risky. The legislation provides for a reasonable time for initial Government involvement. During the first 6 years of the corporation's existence it would function as an agency of the United States. After this time the Government's functions would be transferred in an orderly fashion to private operation and management. The Government would receive reasonable compensation for all services rendered in the corporation.

THE NEED FOR CHANGES IN POLICY

Foreign aid has a very definite and important part in our foreign policy. Spent wisely as part of properly planned and effectively administered programs, it can promote peace and world development. The theory of foreign aid is excellent. But the application of this theory has been justifiably questioned.

For example, it has been developed that we could spend $1.8 billion a year effectively in helping nations get on their economic feet. However, it has also been developed that the actual $5 to $6 billion we have been spending per year has included ineffective expenditures, actually wasteful and damaging to the very objectives sought. We must constantly review our programs to see that they actually help developing countries get on their economic feet.

It has been demonstrated that far from getting nations on their economic feet, in many instances we have been making permanent charity cases out of them. Neither people nor nations appreciate aid which keeps them in subservient dependence to the source. A key example is the growing recognition among leaders in India that our wheat programs, sent in the guise of helping the starving people, has seldom reached the hungry and by selling far below market prices has discouraged the building of an agricultural system there.

Another example of misconceived aid is found in building steel mills in less-developed countries with American capital. Often these have proven to be an economic drain, not an economic asset. Although the initial investment capital is supplied through foreign aid, additional capital and skilled human resources, both of which are in short supply, are required from within the country to keep the mill going even when they might be more productively employed elsewhere. The mill becomes a source of pride to the country's government, perhaps, but does really little to provide a sound economic base for the well-being of the people.

Legions of further examples could be produced, but the point can be easily seen that fundamental premises of our foreign aid program have been subverted and are in dire need of reexamination in light of present international conditions. We need to turn again to the fundamentals and invite open debate on how we best help underdeveloped countries in the late 1960's and 1970's.

We best move forward to help nations and underdeveloped countries by example. We move forward to correct our own errors in our own social structure. To the extent that we recognize and correct social injustices here, we best encourage others to correct their errors. It is in this way we best maintain our prestige. Other nations and peoples are just like ourselves—they want to stand on their own feet as a self-sustaining country.

Second, we best move forward through programs of people to people as opposed to programs of government to government. This is particularly important where there are governments which do not represent the will of the people and which can exist in office only through misuse of our support which we send for the good of the country at large.

A third way to move ahead is through developing foreign trade. Trade should be the base upon which we rest our effort to assist developing countries. The phrase "trade not aid" is an oft-stated principle of our foreign economic policy. But do we mean it? If trade not aid is to be more than a slogan we must let developing countries sell what they can produce and grant them access to the markets of the developed countries for these products.

The fourth way to move ahead is through loans as opposed to grants. If in developing trade and the market mechanism in underdeveloped countries there is a need for interim aid, let it be loaned not granted. Loans are more apt to be bottomed upon proper economic expenditure policy. If it is to be loans, let these loans be private rather than governmental. The expenditure of the private loans funds requires economic decisions directly subject to the discipline of the marketplace and only indirectly to the discipline of the political ballot box.

The fifth way is through grants. There are areas in which grants are the only way we can get the job done. If grants are to be used then they should be unrestricted grants not grants tied to U.S. domestic, political, or economic policy, U.S. balance-of-payments problems, or anything else.

This legislation merits full congressional consideration as the great potential of the Peace by Investment Corporation Act is that it attempts to combine these fundamental principles in the proper order of priority. First the corporation would help underdeveloped countries by its very example. It would be authorized to invest in economically sound undertakings of a profitmaking nature with emphasis on the encouragement of small- and moderate-sized enterprises. The corporation would seek to develop new enterprises which have not been able to attract investment for one reason or another. It would take risks and it should. In short, the Peace by Investment Corporation Act is exporting the best of our private enterprise system in order to stimulate the development of healthy economies in developing countries. It is an appropriate foreign policy instrument of a free people. It is not, as is almost universally the case under our present foreign aid programs, exporting the concept of Government help, and Government control, and Government activity.

Because of this, the Peace by Investment Corporation Act fulfills our second principle in an equally satisfactory manner. This legislation inevitably promotes "people to people" programs in contrast to our present "government to government" policies. Through this federally chartered corporation, acting as a catalyst, the people of this Nation may effectively invest their capital and resources in people and enterprises of another developing country. Independent people, not just strong governments, could result from effective implementation of this legislation.

Our third, fourth, and fifth fundamental considerations—the priority and appropriate use of first trade, then loans, and then grants—are also fostered by this legislation. In channeling our private resources into investment opportunities of foreign developing countries we are creating in these nations the means for future foreign trade. We are developing their independent resources to an extent that will let them live with dignity. We would be doing for them what we should be doing for individuals on welfare in our own society—getting them on their economic feet so that they can be useful and contributing members. This means trade first, and under certain conditions, economically based loans, and only when there is no other way to get the job done should we turn to grants—the foreign aid parallel to domestic welfare, which is equally debilitating in the long run to nations as welfare is to individuals.

THE CHALLENGE TO THE CONGRESS

There are many examples when alternative programs to meet agreed upon social problems exist, but the Congress has failed to consider the alternatives. In the area of foreign affairs there is widespread agreement that there are serious problems of mere human subsistence in much of the world outside the United States. There is also considerable agreement, although a bit less than the agreement that the problem exists, that the United States should take affirmative steps to relieve this problem. There is fairly general agreement that the steps taken should include both political and nonpolitical action; that is to say, action through the mechanism of government and action through the private profit and nonprofit organizations and the individual citizen which compose our society.

The alternative solutions toward eliminating world poverty are almost all involved in what sort of mix should exist between political and private action. However, anyone criticizing the particular foreign aid programs presented to the Congress over the past years usually has been dubbed by the proponents of the particular programs as being uninterested in solving the problems or as being so ignorant as to deny that a problem exists. The congressional committees have hardly ever considered any alternative programs to the one presented by the administration. Indeed so irrational has the congressional process been that the various programs, because there are many, remain uncoordinated one with the other. The administration does little to coordinate the programs and the Congress less.

The slogan "trade not aid" has never been seriously debated or discussed by the Congress, yet upon analysis it relates to programs quite at variance with the existing foreign aid programs. Do we really mean trade not aid? I doubt if we really do because our aid programs have been designed and administered in ways which discourage what trade we have and encourage more aid in its stead. Likewise, our trade programs, particularly the Government sponsored cartel types like the Textile Agreement, the National Coffee Agreement, and the various voluntary quota agreements, seem to be moving toward more State—political—control, not less, which means that far from freeing up and increasing foreign trade we are stifling and decreasing it.

The Alliance for Progress which is designed to get more capital investment into Latin America has never had clearly spelled out what the mix between new government and new private investment is to be. As time goes on, it appears that the program has been administered in a way to discourage what private investment already existed and to stunt the growth of whatever private investment was in process.

In the recent House debate on the foreign aid authorization bill I pointed out that the Watson Commission created by the Javits amendment to the Foreign Aid Authorization Act of 1963 to study how private investment and private enterprise might be encouraged and our governmental foreign aid programs correlated with them, had made an excellent report in 1965, which contained many many practical suggestions for reform. However, that report was largely ignored by the Foreign Affairs Committee in its studies and was in effect suppressed by the AID administration. In a similar fashion the Clay Commission report of 1962, reviewing our foreign aid programs from the standpoint of proper balance, was in effect suppressed and ignored. These are just a few of the recent studies of alternative programs which the congressional committees under the Democratic leadership have refused to consider. It is little wonder that our international policies made behind closed doors and unexamined in public have run into difficulty.

We can no longer safely and responsibly leave the policy of foreign aid to selected participants in "behind-closed-door" sessions. A fundamental reevaluation of our foreign aid policies is necessary with particular emphasis on the role of our private enterprise economy. We must bring out into the open the many of the underlying causes of world poverty and in the process identify the correct course of action to alleviate them. This means developing an affirmative policy. The Peace by Investment Corporation Act is an excellent means toward this goal.

THE PEACE BY INVESTMENT ACT WITH SECTION BY SECTION ANALYSIS

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

GENERAL PURPOSES

SECTION 1. The recent establishment of the "Peace Corps" reflects growing realization that governments and diplomatic relations alone cannot bring enduring peace, without the consolidation and expansion of people-to-people relationships. Economic relationships are fundamental to human relationships, and private economic endeavors are inseparable from systems of human freedom. This measure is designed to establish and expand people-to-people relationships in the economic field; to encourage an expanded flow of private capital investment from the United States into economically sound enterprises in underdeveloped areas of the world in the interest of world peace through mutual economic progress; to enlarge the number of private investors participating in this flow of capital so as to forge more direct links among the peoples of the world; to reduce gradually thereby the need for United States public investment and grants overseas; to help redirect the total flow of capital from the United States so that increasing portions of this total flow go to the underdeveloped areas, and thus be in better harmony with the domestic economic needs of the United States and the effective management of its international balance-of-payments problems.

PEACE BY INVESTMENT CORPORATION: BASIC FUNCTIONS

SEC. 2. There is hereby established a Peace by Investment Corporation (hereinafter referred to as the "Corporation") with the following basic functions in accord with the purposes of this Act:

(1) As an equity investment agency, the Corporation may purchase the securities and obligations of, or make loans to (A) any underdeveloped country or political subdivisions thereof, (B) any public agency or instrumentality of any such country, or (C) any private or semiprivate firm, corporation, or association doing or intending to do business wholly or mainly in any such country or countries. Any such purchase or loan shall be for the purpose of financing or assisting in financing any undertaking of a profitmaking nature to expand such industrial, mining, construction, or agricultural activity in such country or countries as will, in the judgment of the Corporation, further the purposes of this Act, and any such undertaking should place particular emphasis upon the encouragement of small and moderate sized enterprises and upon achieving widely diversified endeavors.

(2) The Corporation shall make available such technical assistance as in its judgment will facilitate the purposes of this Act, and will not be duplicative of adequate technical assistance which is available from sources other than the Corporation.

BASIC CRITERIA FOR INVESTMENT PROGRAM

SEC. 3. In carrying forward the investment program pursuant to paragraph (1) of section 2 of this Act, the Corporation shall be guided by the following basic criteria, and shall make appropriate findings accordingly:

(1) Each specific investment is in furtherance of an undertaking which is economically sound, actually or potentially profitable and consistent with the sound long-range economic development of the country in which it is located.

(2) The country in which the undertaking is located has had full information with respect to it and an opportunity to express a judgment as to its desirability.

(3) Because of the insufficient availability of venture capital from other sources, the investment is not in competition with, or duplicative of, other private investment programs or other public programs of the United States, or of international agencies, which give reasonable promise of accomplishing comparable results in accord with the purposes of this Act.

(4) Each investment, taking into account the country in which it is located, is in accord with the general international economic and political policies of the United States.

(5) The investment program in general is consistent with the short-range and long-range policy of the United States to maintain maximum employment, production, and purchasing power within the domestic economy.

(6) The investment program in general is consistent with the short-range and long-range need of the United States to maintain a satisfactory balance-of-payments position.

(7) The investment program in general, and in its specific applications, is mutually beneficial to the country to which the investment flows and the country from which it emanates, taking into account not only purely economic considerations but also consideration of human improvement under free institutions.

BASIC FINANCING OF PEACE BY INVESTMENT CORPORATION

SEC. 4. (a) The Corporation shall have a capital stock consisting in part of fifty shares of class A stock having a par value of $1,000,000 per share. Such stock shall be the only stock of the Corporation having voting power, as long as any of it is outstanding, and it shall be subscribed to by the United States Government. The Secretary of the Treasury shall use the proceeds from the sale of any securities issued under the Second Liberty Bond Act for the purpose of such subscription, and the purposes for which securities may be issued under such Act are extended to include such subscription. Payment to the Corporation for the subscription of the United States to such stock, and repayments thereof, shall be treated as public debt transactions of the United States. Certificates evidencing stockownership by the United States shall be issued by the Corporation to the President of the United States, or to such other person or persons as he may designate, from time to time. The provisions of the Securities Act of 1933, and the Securities Exchange Act of 1934, shall not apply to the Corporation, or to the original issue of its securities, while any class A stock is outstanding.

(b) The Corporation is authorized to issue for public sale "Peace by Investment Debentures" which shall be in denominations of $5, or any multiple thereof, and shall have such maturities (not in excess of twenty years) and bear interest at such rates as may be determined by the Corporation with the approval of the Secretary of the Treasury. Such debentures shall be fully and unconditionally guaranteed as to principal by the United States. For as long as the Corporation remains an agency of the United States, the aggregate amount of debentures issued under this subsection in any one year shall not exceed $375,000,000, and the total amount of such debentures which are outstanding at any time shall not exceed $1,250,000,000. The Corporation, with the approval of the Secretary of the Treasury, shall by regulation fix the maximum amounts of such debentures which may be held at any time by any individual, corporation, firm, trust, association, or other entity, respectively.

(c) The Corporation is authorized, at the option of the holder of any debenture issued under subsection (b), to exchange such debenture for class B stock which the Corporation may issue in such form, and subject to such terms and conditions, as it may prescribe, subject to the approval of the Secretary of the Treasury for as long as the Corporation remains an agency of the United States.

(d) The Corporation is authorized to issue from time to time, for purchase by the Secretary of the Treasury, its notes or other obligations: *Provided*, That the aggregate amount of obligations so issued shall not exceed $60,000,000 in any one year, and the aggregate amount of such obligations outstanding at any one time shall not exceed $300,000,000. No such obligation shall be issued more than six years from the date of the first issue, or after the Corporation ceases to be an agency of the United States. Such obligations shall have such varied maturities (not in excess of twenty years) as may be determined by the Corporation, with the approval of the Secretary of the Treasury, with periodic retirement of each obligation commencing in the first year subsequent to its original issue: *Provided*, That any such obligation may be retired at the option of the Corporation before maturity in such manner as may be stipulated therein. Each obligation purchased by the Secretary of the Treasury hereunder shall, as long as the Corporation remains an agency of the United States, bear interest at a rate determined by the Corporation on the basis of the current average rate on outstanding marketable obligations of the United States as of the last day of the month preceding the issuance of such obligations; except that when the Corporation ceases to be an agency of the United States each such obligation shall bear interest at the rate of 4 per centum per annum. The Secretary of the Treasury is authorized for the purpose of this subsection to use as a public-debt transaction the proceeds of any securities issued after July 31, 1945, under the Second Liberty Bond Act, and the purposes for which securities may be issued under that Act are extended to include such purpose. Payments for such obligations by the Treasury, and repayment thereof by the Corporation, shall be treated as public-debt transactions of the United States.

(e) One-fifth of the proceeds of the sale of the debentures issued under subsection (b) of this section shall be set aside by the Corporation in a special fund to be established by the Corporation. Such fund shall be utilized (1) to retire fully, within a period of six years or less from the initial issuance of such debentures, the class A stock of the Corporation issued under subsection (a) of this section, and (2) to retire fully the obligations issued under subsection (d) of this section in accordance with the terms of retirement contained in such obligations. Moneys in such fund shall be invested or reinvested by the Corporation in interest-bearing obligations of the United States or in obligations guaranteed as to interest and principal by the United States: *Provided*, That when the Class A stock of the Corporation and the obligations issued under subsection (d) of this section have been retired in full, any balance remaining in the special fund shall be merged with other funds of the Corporation obtained through the sale of debentures pursuant to subsection (b), and their exchange for class B stock pursuant to subsection (c), and shall thereupon be available for the general purposes of this Act.

(f) Except as otherwise provided in this section, all funds available to the Corporation pursuant to this section, and receipts from its operations, shall be available to the Corporation for its general purposes under this Act.

INITIAL MANAGEMENT OF PEACE BY INVESTMENT CORPORATIONS

SEC. 5. (a) Until the conditions set forth in section 6 of this Act are fully met, the Corporation shall be an independent agency of the United States.

(b) The management of the Corporation during its existence as an agency of the United States shall consist of a Board of Directors (hereinafter referred to as the "Board"), composed of (1) five members appointed from private life by the President, with the advice and consent of the Senate, who shall collectively possess broad experience in various areas of economic endeavor; (2) the Secretary of State, the Secretary of the Treasury, the Secretary of Commerce, and the Secretary of Labor, to serve ex officio; (3) four members to be appointed by the President from various United States agencies concerned with international economic development; and (4) a President and Executive Vice President of the Corporation, as set forth below, who may be appointed from private life or from public service. All members, except those serving ex officio, shall serve at the pleasure of the President.

(c) The Board shall elect a Chairman from among its members. Any vacancy in the Board shall not affect its powers, but shall be filed in the same manner as the original appointment. A majority of the Directors shall constitute a quorum, and action shall be taken only by a majority vote of those present.

(d) The Board shall designate an executive committee of seven members, not more than two of whom (exclusive of the President and Executive Vice President of the Corporation) shall be members appointed from private life. The executive committee shall perform the functions and exercise the powers of the Board at such times and to such extent as shall be provided in the bylaws of the Corporation.

(e) Members of the Board appointed from private life shall receive $—— per diem when engaged in the actual performance of their duties, plus reimbursement for necessary travel, subsistence, and other expenses incurred by them in the performance of such duties.

(f) There shall be a President of the Corporation, to be appointed by the President by and with the advice and consent of the Senate, who shall receive a salary at the rate of $—— per annum, and who shall serve as chief executive officer of the Corporation, as a member of the executive committee, and as a member of the Board. The President of the Corporation shall, in accordance with the bylaws, appoint such officers and employees as may be necessary for the conduct of the business of the Corporation, define their duties, and fix their compensation.

(g) There shall be an Executive Vice President of the Corporation, to be appointed by the President by and with the advice and consent of the Senate, who shall receive a salary at the rate of $—— per annum. The Executive Vice President shall serve as President of the Corporation during the absence or disability of the President thereof or in the event of a vacancy in such office.

(h) No director, officer, attorney, agent, or employee of the Corporation shall in any manner, directly or indirectly, participate in the deliberation upon or the determination of any question affecting his personal interests, or the interests of any government, corporation, partnership, or association in which he is directly or indirectly personally interested.

(i) The President may also appoint an advisory committee to the Board, composed of individuals drawn from private and public life outside the United States, who need not be citizens or residents of the United States.

TRANSFER OF PEACE BY INVESTMENT CORPORATION TO PRIVATE OWNERSHIP AND MANAGEMENT

SEC. 6. (a) When the class A stock of the Corporation has been retired in full, within a period of six years or less, as provided in section 4(e), in accordance with the objective of vesting as soon as feasible the management of the Corporation in private ownership, the Board shall transmit to the President of the United States, for submission to the Congress, recommendations for such legislation as may be necessary to provide for the orderly transition of the Corporation from an agency of the United States to a corporation under private ownership and management, including (1) appropriate provision for transfer to the owners of the outstanding peace by Investment Debentures or class B stock of the Corporation the assets and liabilities of the Corporation, (2) appropriate provision for vesting in such owners the exclusive voting power of the Corporation, with each owner being thereupon entitled to one vote per share, and (3) such additional provisions as may be necessary to protect any outstanding investments in the Corporation by the United States: *Provided*, That the President, in connection with such submission to the Congress, shall also provide recommendations as to whether a sufficient portion of the obligations purchased by the Secretary of the Treasury pursuant to section 4(d) have been retired to justify the transfer of the Corporation from public to private ownership and management.

(b) In connection with the transfer referred to in subsection (a), a complete and final accounting shall be made by the Corporation and the Government, at which time the Government shall receive reasonable compensation for all Government services rendered to the Corporation.

GENERAL CORPORATE POWERS AND DUTIES

SEC. 7. (a) For the purpose of carrying out its functions under this Act, the Corporation shall have succession in its corporate name;

may adopt and use a corporate seal, which shall be judicially noticed; may sue and be sued in its corporate name; may adopt, amend, and repeal bylaws, rules, and regulations governing the manner in which its business may be conducted and the powers vested in it may be exercised; may make and carry out such contracts and agreements as are necessary and advisable in the conduct of its business, and may purchase, discount, rediscount, sell, and negotiate (with or without its endorsement or guarantee) and guarantee notes, drafts, checks, bills of exchange, acceptances, including bankers' acceptances, cable transfers, and other evidences of indebtedness in carrying out its functions under this Act, may appoint and fix the compensation of such officers and employees as may be necessary for the conduct of its business, without regard to the civil service laws or the Classification Act of 1949, define their authority and duties, delegate to them such powers vested in the Corporation as may be necessary, require bonds of such of them as may be desirable, and fix the penalties and pay the premiums of such bonds; may assign or sell at public or private sale, or otherwise dispose of for cash or credit, upon such terms and conditions as shall be determined reasonable, any evidence of debt, contract, claim, personal property, or security held by the Corporation in connection with the payment of loans or other obligations, and collect or compromise all obligations held by the Corporation; may set up or engage such subsidiary agencies in the United States or in underdeveloped countries as will facilitate the business of the Corporation and may enable such subsidiary agencies to sell debentures issued under section 4(b), or to sell their own stock for the purpose of buying such debentures; may acquire by purchase, lease, or donations such real property or any interest therein, and may sell, lease, or otherwise dispose of such real property, as may be necessary for the conduct of its business; shall determine the character of and the necessity for its obligations and expenditures, and the manner in which they shall be incurred, allowed, and paid, subject to the provisions of this Act, and provisions of law specifically applicable to Government corporations; may pay dividends on class B stock out of profits or other earnings; shall be entitled to the use of the United States mails in the same manner and upon the same conditions as may be applicable to the executive departments of the United States Government until such time as it ceases to be an agency of the United States; and shall be subject to Federal taxation from the time that it ceases to be an agency of the United States. The foregoing enumeration of powers shall not be deemed to exclude other lawful powers necessary to the purposes of the Corporation.

(b) Notwithstanding the provisions of section 955 of title 18, United States Code, any person, including any individual, partnership, corporation, or association, may upon proper authorization act for or participate with the Corporation in any operation or transaction engaged in by the Corporation.

(c) Section 201 of the Government Corporation Control Act, as amended (31 U.S.C. 856), is amended by striking therefrom the words "and (5) Federal Deposit Insurance Corporation" and adding at the end thereof the words "(5) Federal Deposit Insurance Corporation, and (6) Peace by Investment Corporation."

(d) When the Corporation is transferred to private ownership and management as provided in section 6, it shall, in addition to the corporate powers and duties set forth above in this section, be empowered to exercise inter alia the functions of an investment trust, to establish such insurance systems as may be deemed in furtherance of the purposes of this Act, and to engage in other activities generally in line with those of Corporations engaged in such functions when operating under private ownership and management.

PENAL PROVISIONS

Sec. 8. (a) All general penal statutes relating to the larceny embezzlement, or conversion of public moneys or property of the United States shall apply to the moneys and property of the Corporation.

(b) Any person who, with intent to defraud the Corporation, or to deceive any director, officer, or employee of the Corporation or any officer or employee of the United States, makes any false entry in any book of the Corporation, or makes any false report or statement for the Corporation, shall, upon conviction thereof, be fined not more than $10,000 or imprisoned for not more than five years, or both.

(c) Any person who shall receive any compensation, rebate, or reward, or shall enter into any conspiracy, collusion, or agreement, express or implied, with intent to defraud the Corporation or wrongfully and unlawfully to defeat its purposes, shall on conviction thereof, be fined not more than $10,000 or imprisoned for not more than five years, or both.

REPORTS AND STUDIES

Sec. 9. (a) The Corporation shall submit to the President, for transmission to the Congress at the beginning of each regular session, a complete and detailed annual report of its operations under this Act.

(b) The Corporation, immediately upon its establishment, shall commence studies of additional measures, including tax measures, which would further promote the flow of private capital from the United States to underdeveloped areas of the world consistent with the economic and financial policies of the United States. Such studies shall be amplified in the light of the experience of the Corporation. As soon as practicable, and not later than three years after the establishment of the Corporation, it shall prepare for transmission to the Congress the initial results of such studies, including legislative recommendations.

CITATION

Sec. 10. This Act may be cited as the "Peace by Investment Corporation Act of 19—".

Section-by-Section Analysis of Peace by Investment Corporation Bill

Section 1 sets forth the purposes of the bill which are to establish and expand people-to-people relationships in the economic field; to encourage an expanded flow of private capital investment from the United States into economically sound enterprises in underdeveloped areas of the world in the interest of world peace through mutual economic progress; to enlarge the number of private investors participating in this flow of capital so as to forge more direct links among the people of the world, and for other purposes.

Section 2 authorizes the Corporation to purchase the securities and obligations of, or make loans to (A) any underdeveloped country or political subdivision thereof. (B) any public agency or instrumentality of any such country, or (C) any private or semiprivate firm, corporation or association doing or intending to do business wholly or mainly in any such country or countries. Investments would be confined to economically sound undertakings of a profit-making nature, with emphasis on the encouragement of small and moderate sized enterprises. This section also authorizes the Corporation to provide technical assistance but will not duplicate such assistance already available from other sources.

Section 3 establishes basic criteria for the investment program of the Corporation. As a necessary condition for making such investments the Corporation would have to find that 1) such project met sound economic criteria; 2) loan financing or equity assistance would not take the place of funds which would otherwise flow readily for the same purpose; 3) in the investment program in general was consistent with the policy of the United States to maintain maximum employment, production, and purchasing power within the domestic economy; 4) the program in general was consistent with the promotion of a satisfactory balance-of-payments position for the United States, and 5) the program in general was in accord with the general international economic and political policies of the United States. The Corporation would also be required to obtain the views of the country in which the affected enterprise would be located.

Section 4 sets forth the means to provide basic financing of the Corporation. Subsection (a) states that to provide initial and temporary capital funds for its operations, the Corporation would be authorized to issue class A stock of 50 shares of par value of $1 million per share totaling $50 million. This class A stock would be subscribed to by the U.S. Government through the Secretary of the Treasury.

Subsection (b) authorizes the Corporation to offer for public sale "Peace by Investment Debentures" in denominations of $5. So long as the Corporation remains an agency of the United States the amount of debentures issued in any one year shall not exceed $375 million and the total amount of such debentures outstanding at any time shall not exceed $1.25 billion.

Subsection (c) authorizes the Corporation to exchange at the option of the holder, any debenture issued under subsection (b) for class B stock which the Corporation may issue subject to the approval of the Secretary of the Treasury.

Subsection (d) authorizes the Corporation to issue from time to time, by purchase by the Secretary of the Treasury, its notes, debentures, bonds or other obligations provided that the issue of such obligation shall not exceed $60 million in any one year nor shall the aggregate amount of such obligations outstanding at any one time exceed $300 million, nor shall any such obligations be issued more than 6 years from the date of the first issue, nor shall any such obligations be issued except so long as the Corporation remains an agency of the United States. Such obligations would be interest bearing and would have varied maturities not in excess of 20 years, with provision for retirement before maturity.

Subsection (e) provides that one-fifth of the proceeds of the sale of Peace by Investment Debentures be earmarked in a special fund for the retirement of the class A stock which would have to be retired in full within 6 years or less from the date of original issue of class B stock.

Subsection (f) states that except as otherwise provided in section 4 of this bill, all funds available to the Corporation pursuant to this section, and as earnings from its operations, shall be available for its general purposes under the act.

Section 5 describes the form of initial management of the Corporation.

Subsection (a) provides that the Corporation shall be an independent agency of the United States, until the conditions set forth in section 6 of the act are fully met.

Subsection (b) states that the management of the Corporation during its existence as an agency of the United States would consist of a Board of Directors of 15 members consisting of a President, and Executive Vice President appointed by the President of the United States from private life or from public service; 5 members appointed from private life by the President of the United States, with the advice and consent of the Senate; 4 members appointed by the President of the United States from various U.S. agencies concerned with international economic development; and the Secretaries of State, Treasury, Commerce, and Labor, serving ex officio.

Subsections (c) through (l) provide for the election of a Chairman, designation of an Executive Committee, the compensation of the Board, the President of the Corporation, and the Executive Vice President and authorized the President of the United States to appoint an Advisory Committee to the Board.

Section 6 establishes a method of transfer of the Corporation to private ownership and management Subsection (a) provides that when the class A stock of the Corporation has been retired in full within the period of six years or less provided in section 4(d) of this Act, the Board shall transmit to the President of the United States, for submission to the Congress, recommendations for such legislation as may be necessary to provide for the orderly transition of the Corporation from an agency of the United States to a corporation under private ownership and management, including (1) appropriate provision for transfer to the owners of the outstanding Peace by Investment Debentures or class B stock of the Corporation, the assets and liabilities of the Corporation, (2) appropriate provisions for vesting in such owners the exclusive voting power of the Corporation originally vested in the owners of class A stock, with each owner being thereupon entitled to one vote per share, and (3) such additional provisions as may be necessary to protect any outstanding investments in the Corporation by the United States: Provided, That the President, in connection with such submission to the Congress, shall also provide recommendations as to whether a sufficient portion of the obligations purchased by the Secretary of the Treasury pursuant to section 4(d) of this Act have been retired to justify the transfer of the Corporation from public to private ownership and management.

Subsection (b) states that a complete and final accounting shall be made by the Corporation and the Government at which time the Government shall receive reasonable compensation for all Government services rendered the Corporation.

Section 7 establishes general corporate powers and duties for the Corporation.

Section 8 sets up penal provisions with respect to larceny and embezzlement of the Corporation's funds or property.

Section 9 calls for periodic reports to the Congress and authorizes the Corporation to make certain studies.

Section 10 provides that this act may be cited as the Peace by Investment Corporation Act of——.

EQUAL OPPORTUNITY IN EMPLOYMENT—BANKERS TAKE THE LEAD

HON. WILLIAM S. MOORHEAD

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 16, 1968

Mr. MOORHEAD. Mr. Speaker, there is a growing awareness in the country that high school dropouts and other previously considered unemployables can be trained to become productive, useful members of society. They need someone who cares, a little motivation, and good incentives. I am pleased that the banking industry has taken great initiative in this area.

The early efforts of Chase Manhattan in training high school dropouts has proven so successful and so relevant to the needs of these young people, that several other banks have followed suit in opening training centers where remedial and technical skills can be learned, and where young men can earn while they learn.

This is a good investment on the part of the Labor Department, which supplies part of the funds for the JOBS program and for the banks. I commend the banking industry for what I envision as only the beginning in a major national effort to provide equal opportunity in employment, and include an excellent article from the New York Times of July 14, describing this activity, which I commend to the attention of my colleagues:

BANKS AND DROPOUTS GET ACQUAINTED

(By Leonard Sloane)

Last December, the Chase Manhattan Bank began a program for training unskilled high school dropouts. The initial results of its work with these "unemployables" have been so successful that the bank now says it will train 1,000 in the next three years.

In two weeks, the First National City Bank will open a training center in lower Manhattan, where it will provide remedial and technical skills for entry-level jobs for the hard-core unemployed. Some 700 young men and women will receive this instruction in the next 18 months under a contract between the bank and the United States Department of Labor.

And just last week, the American Institute of Banking began classes in basic education and banking terminology for ghetto residents who are employed by 34 commercial and savings banks in the New York area. Its goal is to provide this training for more than 700 members of minority groups over the next year.

These programs are indicative of what the banking industry is beginning to do across the nation to make the phrase "equal opportunity" in employment more meaningful. Other banks working through different means to achieve a greater rapport with the Negro Community include the Bank of America in California, the nation's largest, and the Industrial National Bank in Rhode Island, the biggest in that state.

Why are banks, both locally and nationally, taking such an interest in finding the unemployed and training them for jobs they are presently unqualified for? For one thing, banks are highly visible institutions and their employment of Negroes and Puerto Ricans is usually obvious to the public, unlike the situation in most manufacturing industries whose factories are not normally visited by passers-by.

"Banks draw their employe and customer populations from the city," says a veteran banker. "You just can't pick up your bank and move it to the suburbs as some other companies can. So if you have to stay locked in with the city and its working class, you have to be aware of who the people are."

But why are banks going in for these various programs at this time when the population mix in the big cities has already been changing for many years? One banking official puts it this way:

"Training minorities for employment has just become respectable with the formation of the National Alliance of Businessmen and the leadership of such men as Henry Ford [chairman of Ford Motor Company] and J. Paul Austin [president of the Coca-Cola Company]. And since banks see themselves as the capstones of business anyway, they figured that this is the time to do something in that area."

One of Chase's "somethings" is its training program for young men between the ages of 17 and 22 who are unable to meet the bank's qualifications for white-collar employment. The men are referred by social agencies, bank liaison officers, employment interviewers and others and have in common a basic motivation to succeed as bank employes.

"We're looking for the young men who have some potential that can be tapped and who want to go to work," says Arthur J. Humphrey, a Chase assistant treasurer and director of the program. "We don't mind his being skeptical but we want that will to win."

PHASES DESCRIBED

These are three phases to the remedial program in reading, language skills and mathematics that Mr. Humphrey and other bank officials have worked out with the six teachers employed by Chase. The first encompasses a six-week, all-day session during which trainees receive a nontaxable training allowance of $1.60 an hour.

During phase two, employes are placed in entry-level jobs at which they earn about $75 a week but return to the 28th floor training center at 1 Chase Manhattan Plaza for up to two hours of remedial education a day. The final phase is geared to make the young men better qualified for promotions as they open up at the bank.

"I love it because it's a lot different from school," says Gilbert Rivera, 17 years old, who dropped out of high school in the 10th grade. "You get more individual instruction here."

"We have more confidence in the teachers than we did at school," adds Rudy Martinez, 21, who has completed phase one and is now working as a tape feed clerk in the domestic money transfer department. "They're not like teachers, they're more like friends."

Venise Greene, an 18-year-old from Brooklyn who left high school last March, points out that "in school they didn't start at the root of things. Here they start at the root and go on up."

One reason for this unusual teacher-student relationship is the small class sizes of 10 to a group. Another is the informality that prevails with teachers called by their first names and students able to walk out of the room at any time for personal reasons. And then there is the fact that students even help to organize the curriculum by selecting their own books to read.

For instance, one poem read by the students in the Chase program is "The Ballad of the Landlord," by Langston Hughes. Educational critic Jonathan Kozol was dismissed from the Boston school system in 1965 for reading this poem to his students because of its alleged antiwhite tone.

CENTER BEING SET UP

As Linda Kunz, a teacher of language arts, observes, "We have no set syllabus here. Content is geared in two directions, toward their own backgrounds and toward anything to do with banking. The students should not deny their own backgrounds nor should they only get into the banking area when they start their jobs."

At First National City, two floors are being outfitted at a building on Canal Street and Broadway for the first two 20-student classes in its training program for the unemployed and underemployed. Over a 16-to-22-week period, these young men and women will be given remedial skills and technical training for such jobs as general clerk, typist and check-processing machine operator.

While they are being trained by the bank—as part of the Federal Government's Job Opportunities in the Business Sector program—the students are bank employes and are paid a salary of $65 a week. Upon completion of their training, they receive an increase of at least $10 a week and move into a beginner's job at the bank.

Robert W. Feagles, a City Bank senior vice president, emphasizes that "the entry-level position is not the end of the road. These men and women have career opportunities absolutely on a par with any other employes. Our whole purpose is to erase the hard-core stamp and make them nonidentifiable as anything but employes of the bank."

This will be accomplished even at the new training center through the immediate establishment of an employer-employe relationship, rather than a continuation of any government aid situation. The environment, moreover, will be that of work—with its 9-to-5 day, punctuality and dress requirements, etc.—instead of a high school for adolescents.

Funds for the students in the J.O.B.S. program were provided by the Government to the tune of more than $1.5-million. However, the bank figures that more than $150,000 of its own money is involved in providing administrative and other services not covered by the training contract.

According to Mr. Feagles, this money is well spent. "Social problems are only resolved in an atmosphere of economic equality and well-being. We have been aware of the need to do more as we re-examined our criteria for entry-level jobs. This is a major step toward the first requirement, economic equality."

ADDITIONAL SCHOOLING

The classes at the American Institute of Banking are providing, in effect, for a consortium of banks what giant institutions like Chase and City Bank are doing on their own. Students with average fifth to eighth-grade achievement levels will be given six weeks of training to lay the educational and career foundations for bank employment.

Afterwards the students will return to A.I.B. classrooms for nine hours a week of additional training. "This instruction plus departmental bank experience will point the successful trainee directly toward the mainstream of departmental promotability and a successful banking career," says the institute.

While the A.I.B. is providing its facilities at the Woolworth Building for the classes, the actual teaching and counseling will be done by the Board for Fundamental Education, a nonprofit organization that designs programs for the disadvantaged. Bankers from the participating institutions—such as the Morgan Guaranty Trust Company, the Bowery Savings Bank and Brown Brothers Harriman & Co.—will also conduct panel discussions with the trainees.

HALO OF THE WEEK: JUDGE JOHN V. CORRIGAN

HON. WILLIAM E. MINSHALL

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 16, 1968

Mr. MINSHALL. Mr. Speaker, my good friend, Cleveland Press Columnist Milt Widder, gives a "Halo of the Week" award to meritorious Clevelanders and I was delighted to see the honor go to our distinguished common pleas Judge John V. Corrigan. He has won the respect and affection of thousands of his fellow citizens for his good work. Although he would deprecate the compliment, the halo would be most becoming.

An accompanying halo might well be awarded to his brother, the much beloved Msgr. Thomas Corrigan of St. Charles Parish in Parma, Ohio. Between the two of them, the Corrigans make Greater Cleveland a better place in which to live.

I am pleased to include the Widder item in the Record:

Halo of the Week: Judge John V. Corrigan

To Common Pleas Judge John V. Corrigan this Halo of the week. Reason: This week he was named chairman of a most important committee which will draft rules that (when approved) will set procedural laws for all courts in Ohio. He chairs a group of 24 judges and 10 influential attorneys. The rules must be approved by the Ohio Supreme Court. Judge Corrigan, only 48 (but graying), has had the respect of fellow judges and the legal profession for a number of years. He is active in church and welfare circles: he is a board member of Rainey Institute and St. Vincent dePaul Society, a working member of the Knights of Columbus, the Greater Cleveland Safety Council and the Welfare Federation.

HON. DONALD W. NICHOLSON

HON. PHILIP J. PHILBIN

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 16, 1968

Mr. PHILBIN. Mr. Speaker, in February of this year, the House was greatly saddened to learn of the passing of our dear friend and former colleague, the Honorable Donald W. Nicholson, who so ably represented the citizens of Cape Cod during his long service in the House. To all of us, he was beloved and highly respected by all of his colleagues and his fellow Cape Cod constituents, and his host of friends in and out of Congress.

At 79, the spirit of this great American was still strong, reflecting a long and fascinating life of varied experiences and accomplishments. Many of these years were difficult, but our dear friend thrived on hard work and political combat, which he never shirked. In the end, his physical strength could not withstand his last battle with ill health and Massachusetts lost one of its great sons of the public service.

We all miss him—not only his many friends in this House, but the citizens of our State who benefited so much from his wise leadership during the 21 years he guided them so faithfully first as a State senator, and later as president of the State senate.

Congressman Nicholson's outstanding qualities of strong character, determination and independence are reflected by the solid and substantial contributions he made to the welfare of the State and the Nation.

He was truly the self-made man, in typical Horatio Alger fashion, since in his early youth he worked at such varied trades as streetcar conductor, night telephone operator, and restaurant manager.

His first political experience came in 1921 when he was successful in gaining the office of selectman in his home community of Wareham. Later, he entered the State legislature where he served with distinction in the senate. He was subsequently elected to Congress where he served six terms, retiring in early 1959 to his beloved Cape Cod.

Although Nick sat on the opposite side of the aisle, where he fought the political battle for his party, he and I were close, warm friends down through the years. I well recall his concern when I sponsored in April 1957 the first bill in Congress calling for the establishment of a national park on Cape Cod following the national seashore survey conducted by the National Park Service.

Prompted by the opposition of many people on Cape Cod to any national park in their backyard, Congressman Nicholson sponsored legislation to establish the Cape Cod Canal National Park, confining the park to the Cape Cod Canal area.

I feel sure that it must have been a source of secret pride to this proud Cape Codder that his bill and mine led to more detailed studies of the Cape Cod national shore by the National Park Service, which had been requested by the House Interior and Insular Affairs Committee to furnish reports on both our bills.

The rest is history. Later, our valued friends and distinguished colleagues, the Honorable Edward P. Boland and the Honorable Thomas P. O'Neill both sponsored bills to establish the Cape Cod National Seashore.

Subsequently, the late great President Kennedy, as Senator, and Senator Leverett Saltonstall sponsored legislation giving the detailed boundaries of the Cape Cod National Seashore, in which they were joined by the Honorable Hastings Keith, Congressman Nicholson's successor in the House, and other interested Members of the House.

All of us who knew Congressman Nicholson could not help but admire his rugged adherence to his own principles and his refusal to be swayed from a course which he felt was right and just. His courage, ability, determination, and independence were unquestionable and remain an inspiration for all of us in the public service.

Nick will be remembered for many, many years to come in this House and in the Commonwealth for his great achievements and the warmth of his friendship, and I personally feel his absence most keenly. I offer my heartfelt sympathy to his beloved and dear widow and helpmate, Ethel, and his family, who have suffered the real loss of his love, devotion, loyalty, and firm attachment to them.

May our dear friend and former colleague, Nick, find eternal rest and peace in His heavenly home.

GUN CONTROL

HON. BENJAMIN S. ROSENTHAL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 16, 1968

Mr. ROSENTHAL. Mr. Speaker, the failure of this Congress to take any significant action on gun-control legislation is a disgrace. It flagrantly ignores the overwhelming sentiment of the American people. For over 30 years now, a majority of the people have favored stiffer gun-control laws. Current polls show that 80 to 85 percent of the citizens of this country want stronger gun-control laws now.

Yet this Congress fails to act. The senseless slaughter within our Nation continues unchecked by reasonable firearms controls. Each and every day, the newspapers are full of accounts of suicides, murders, robberies, and accidental shootings involving the illegal or improper use of firearms.

Why does this Congress do nothing? Why does it shamelessly flaunt the demands of the people? Why does it ignore the pleas of our most respected law enforcement officials? Why does it fail to live up to its responsibilities to the people?

Some would claim that gun control laws will disarm the people, deprive them of their "right to bear arms," leave our country defenseless and ripe for invasion, take away the pleasures of the true sportsman, and will leave the honest citizen helpless before the army of criminals that infests this country.

Is this the logic of the 20th century? Is this in any way representative of the desire of our country to throw off the terrible shroud of violence that hangs over it?

Mr. Speaker, I introduce today a bill to provide for the registration and licensing of all firearms, and to regulate the sale of ammunition. It will maintain strong Federal standards while allowing responsible State administration of them. States will have the opportunity to plan their own licensing and registration programs. It gives the States plenty of room in which to regulate themselves, and still provides national uniformity of registration.

The failure of Congress to respond to such a clear and affirmative demand for gun-control legislation would be a national disgrace. I implore the Congress to recognize the obvious and act now.

A BILL TO ESTABLISH THE COMMISSION FOR THE IMPROVEMENT OF GOVERNMENT MANAGEMENT AND ORGANIZATION

HON. FRANCES P. BOLTON

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Monday, July 15, 1968

Mrs. BOLTON. Mr. Speaker, I am happy to join Congressman ROTH and others in sponsoring legislation to establish a Commission for the Improvement of Government Management and Organization.

The need for such a Commission is obvious when one realizes there are more than 400 Federal programs designed in one way or another to aid our cities, but these programs have been largely ineffective because of overlapping, duplication, and unnecessary redtape.

This was pointed out by the President's Advisory Commission on Civil Disorders, otherwise known as the Kerner Report. Buried deep in volume three of its report, the Commission said

> There is little doubt that the system through which federal programs are translated into services to people is a major problem in itself . . . federal programs often seem self-defeating and contradictory: field officials unable to make decisions on their own programs and unaware of related efforts; agencies unwilling or unable to work together; programs conceived and administered to achieve different and sometimes conflicting purposes.

The Commission concluded:

> In short there is a clear and compelling requirement for better coordination of federally funded programs.

In order to achieve this coordination, we need a reorganization of the Executive Branch; we need better accounting and programing systems; we need consolidation of the multiple grant programs; we need a review of grant programs to eliminate those not needed and give priority to those that are most essential.

A Commission for the Improvement of Government Management and Organization would be the means to accomplish these objectives. We all recall the two Hoover Commissions which accomplished so much. It is my hope that the legislation will be favorably considered in the very near future.

WHAT'S RIGHT WITH AMERICA?

HON. JOE L. EVINS

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 16, 1968

Mr. EVINS of Tennessee. Mr. Speaker, it has become fashionable in some quarters today to criticize our great Nation, to dwell upon our problems, and to obscure the greatness of America.

In this connection my recent newsletter—Capitol Comments—emphasizes "What's Right With America?" Because of the interest of my colleagues and the American people in this most important subject, I herewith place the newsletter in the RECORD.

The newsletter follows:

[From Capitol Comments, July 8, 1968]

WHAT'S RIGHT WITH AMERICA?

(By JOE L. EVINS, Member of Congress, Fourth District, Tennessee)

As we have just celebrated our 192d Independence Day and as our great Nation strives to meet the challenge of change and solve its problems of growth, there are many who are busily engaged in complaining about things which they feel are wrong with America. Indeed we have our problems—the conflict in Vietnam and the problems of our cities, among others, but the great advantages of America far outweigh its difficulties.

The Soviet Communist leader Brezhnev this week described modern America as a "rotting society . . . a degrading society." Regrettably this view is endorsed by others. We all recognize that many changes are taking place in America and in our society. Our population is growing rapidly, we have problems in our cities and development of technology and science and other changes are bringing about change and progress.

However, despite these problems of growth, our Nation has built upon the genius of our forefathers a Nation in which more people enjoy liberty, freedom, opportunity and other advantages than are enjoyed in any nation in the world. Our Country guarantees to all Americans freedom of speech, freedom of religion, freedom to pursue happiness to one's fullest potential.

France is wracked by revolution—England has become a third-rate power—Germany remains divided—while the United States remains the strongest, most powerful and greatest Nation in the world. The United States stands as a citadel of freedom and democracy—the envy of the world. Our nation was built on faith in people and our problems must not blind us to our heritage of liberty and freedom bequeathed to us by our forefathers, which must be perpetuated.

Americans traditionally have looked ahead to their faith in freedom and democracy during times of crisis. In every great crisis our people have prevailed because of our faith in our American way of life. And we are confident and have faith that the solutions to our present-day problems will be found and that peace will be achieved.

The overwhelming majority of the American people have retained their faith and confidence in our Nation—the principles upon which our Nation was founded, and which today stands as the oldest and greatest democracy in the world. Acts of violence by a few individuals are not representative of most Americans. The problems of crime must be dealt with effectively at the local, state and national level.

While there are those who complain about our Nation, let us retain our faith and our confidence—remembering what is good and right about America—and preserve and strengthen the greatest Nation in the world.

AMERICAN BUSINESSMEN NOT SO BAD

HON. EDWARD J. DERWINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 16, 1968

Mr. DERWINSKI. Mr. Speaker, it is always a pleasant change, Mr. Speaker, to note press commentary emphasizing the positive and pointing out the often overlooked spirit and excellence of the American business system. Therefore, I find the article by columnist John B. Sheerin, C.S.P. in the July 12 New World, the Chicago archdiocese Catholic newspaper, a refreshing change of emphasis from much of the abuse which is hurled at the private sector.

Under unanimous consent I submit the article for inclusion in the CONGRESSIONAL RECORD, as follows:

SUM AND SUBSTANCE: AMERICAN BUSINESSMEN NOT AS BAD AS PAINTED

(By John B. Sheerin, C.S.P.)

A favorite sport of French intellectuals is criticism of American business. They cherish an old stereotype of the American businessman as an utterly ruthless monster who is interested in squeezing the last ounce of profit out of every transaction.

They know the capitalist as he appeared in 19th century French literature, a heartless wretch who had absolutely no concern for the welfare of his local or national community. He was out for himself and the devil take the hindmost. So the literary Frenchman tends to go back to the aftermath of the Industrial Revolution for his idea of capitalism and blithely identifies the laissez faire capitalist with the present day American businessman.

Some years ago, Jacques Maritain tried to correct this distorted picture of the American businessman by telling his countrymen, in his "Reflections on America," that the American capitalist is not quite that bad.

Early America was influenced by the Gospel and according to the French philosopher, a certain amount of Gospel compassion has entered the American bloodstream—even the veins of the American businessman.

At the present time, American business is trying to do a lot for the poor in the ghettoes. I remember being at a meeting of the New York Rotary club not so long ago when a speaker asked if anyone present would promise to give a job to a Negro youth during the summer.

I was astounded at the number of volunteers. In fact, some executives promised five or 10 jobs. In most cases, it meant taking on youths who had no training and very little education.

John W. Gardner, chairman of the Urban Coalition, has joined with business and religious leaders to launch four advertising campaigns that will be seen and heard nationwide in newspapers, magazines, outdoor posters, and on radio and television programs. Albert Cole of the Advertising council estimated that more than $25 million worth of space and time will be contributed by the media in the next twelve months: "This advertising may well reach and influence more millions of Americans for the better than all the demonstrations we have seen in the past year."

I was particularly interested in Religion in American Life's "Emergency Summer Campaign." This organization which once featured ads and TV spots urging Sunday church attendance now focuses, with the help of the J. Walter Thompson company, on ads dealing with open housing, job opportunities for underprivileged, the need for involvement in the problems of the poor.

"Join for Youth" had an interesting ad addressed to businessmen headlined, "All the time you spend yakking about 'the youth problems' you could be doing something about it." In smaller letters, the ad asked employers to hire young people, help create jobs for them, teach new skills, encourage schools to stay open this summer and help develop recreational activities and entertainment.

"When a riot starts, business stops." Self-interest undoubtedly motivates some community-oriented businessmen but at the same time, I feel sure that many are motivated by a finer and deeper concern than self-interest.

FOR THE RECORD

HON. JOHN M. ASHBROOK

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 16, 1968

Mr. ASHBROOK. Mr. Speaker, in 1955 the Senate Internal Security Subcommittee received from the then attorney general of the State of New Hampshire, Louis C. Wyman, personal papers from the home of Harry Dexter White in Fitzwilliam, N.H. These papers were the subject of much analysis by the subcommittee and a report entitled "Interlocking Subversion in Government Departments—The Harry Dexter White Papers, Part 30" was issued in August 1955. In its foreword the subcommittee stated regarding these papers:

> The Concord documents furnished an excellent source for such a study, revealing who were White's associates in and outside of the Treasury Department (including a number of individuals with Communist and espionage records), the far-reaching influence of White and his group in the Government, his political activity, and his ardent obsession with matters pertaining to the Soviet Union, including even Russian revolutionary songs.

The subcommittee hastened to add:

> It should be understood, however, that the mere appearance of a reference to or correspondence with Harry Dexter White by any individual does not necessarily have any subversive connotation and that such references and correspondence were in many instances inherently relevant to his official duties and those of his associates.

The report gave the backgrounds of various people who had correspondence with Harry Dexter White as indicated by his personal papers. On pages XXXIV and XXXV of the report the subcommittee listed some of the activities of Justice Abe Fortas during this period of time. As the subcommittee states, the mere exchange of correspondence with White "does not necessarily have any subversive connotation," and this should be borne in mind.

Perhaps Justice Fortas was "a babe in the woods" in associating with the various groups listed below, but if his decision in the Robel case concerning Communists in defense plants is any indication, he has yet to learn the inherent danger of the machinations of the Communist Party and certainly should not be selected for the top spot in the Highest Court of the land.

I include the above-mentioned material from the report of the Senate Internal Security Subcommittee in the RECORD at this point:

ABE FORTAS

On January 4, 1945, Abe Fortas, then Under Secretary of the Interior, wrote to Harry D. White congratulating him on his appointment as Assistant Secretary of the Treasury. Fortas felt that the promotion was "completely deserved" and would "strengthen the Government considerably." White expressed his "deep satisfaction" at the note (exhibit 84–L, p. 2572). Fortas was a member of a dinner group which met on May 11 (year not given) at the Athens Cafe, 804 Ninth Street NW., Washington, D.C., including Dr. Lubin, David Niles, Mr. Appleby, C. B. Baldwin, Dr. Ezekiel, Oscar Chapman, L. B. Currie, and others (exhibit 70–A, p. 2252).

On a letterhead dated May 18, 1942, of the International Juridical Association, 100 Fifth Avenue, New York City, appears the name of Abe Fortas as a member of its national committee. Among his fellow members with records as members of the Communist Party were: Joseph R. Brodsky, Nathan Witt, Leo Gallagher, Lee Pressman, David J. Bentall, Isaac E. Ferguson, and others who have been active in defending Communist cases. The House Committee on Un-American Activities characterized the International Juridical Association as an organization which "actively defended Communists and consistently followed the Communist Party line." (Report on the National Lawyers Guild, September 21, 1950.) It was an official offshoot of the International Labor Defense cited by the Attorney General as the "legal arm of the Communist Party."

The International Juridical Association was succeeded in the Communist hierarchy by the National Lawyers Guild. The leadership of the two organizations interlock significantly. In 1937, Fortas was a member of the national executive board of the National Lawyers Guild, which has been cited as subversive by the Attorney General. In 1940 a split occurred in the organization and there was a defection of a large group of well-known anti-Communists. To our knowledge Fortas' name has not appeared on its letterhead since then.

A letterhead of the American Law Students Association shows Prof. Abe Fortas, of Yale Law School, as a member of its faculty advisory board. The American Law Students Association was a part of the American Youth Congress which has been cited as subversive by the Attorney General. It was also an affiliate of the United States Peace Committee, a part of the Communist-controlled peace front. Its letterhead shows union label 209, of the Prompt Press, which prints Communist Party literature.

Abe Fortas was a member of the Washington Committee for Democratic Action, which has defended the interests of individual Communists and whose meetings have been addressed by such well-known Communists as Elizabeth Gurley Flynn, Lee Pressman, and Doxey Wilkerson. It was active in 1940 and 1941 during the period of the Stalin-Hitler Pact.

THE RECORD OF WHAT'S RIGHT IN THE UNITED STATES IS AN IMPRESSIVE ONE

HON. CHARLES C. DIGGS, JR.

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 16, 1968

Mr. DIGGS. Mr. Speaker, under leave to extend my remarks in the RECORD, I include the following:

[From the Washington Post, June 19, 1968]

THE RECORD OF WHAT'S RIGHT IN THE UNITED STATES IS AN IMPRESSIVE ONE

(By Roscoe Drummond)

Hasn't the time come to speak up for what's right with America and not center so much on what's wrong?

We think so, and our purpose is not to stop reform but to accelerate it.

Life magazine put this caption on a somber editorial: "Wherever We Look, Something's Wrong."

That is true and needs to be said. There's plenty wrong and it is amply visible. But there is much that is of good report on the American scene today and often it is not visible but lost in massive self-deprecation. We offer a different caption than Life's: "Wherever We Look, Something's Right."

We need to see it and to say it not merely to keep things in perspective. There is a stronger reason. If we are to succeed in freeing the aggrieved and the impatient from the temptation to yield to violence, we must show them that the democratic process in America has worked, is working, and can be made to work even more effectively.

The record is impressive. It shows that our society and our way of governing is sufficiently animate, vital, and productive to warrant the conclusion: Don't wreck it, use it.

Take the record on racial justice:

More wrongs have been righted and more things that are just have been achieved in the past decade and a half than were accomplished over the 90 years from the end of the Civil War to 1954. That was the year of the milestone Supreme Court decision which began to lay the legal basis in America for complete racial justice and equality of opportunity.

Since then every arm of the Federal Government—the courts, the Congress, and three Presidents—have acted to see that the Constitutional writ of equality under the law runs to the boundaries of the Nation.

Except for hard pockets of delay, public places are open on an equal basis, the vote is assured, and Negroes, with white help and white assent, are electing Negroes to posts of high governing authority.

In the last four years the Federal Government has invested twice as much in education as it invested in the previous century.

The Federal Government is devoting three times more resources to health programs this year than it did in 1964.

Job-training programs are being greatly expanded. The war on poverty is just beginning to pay significant dividends. Together business and Government are committed to reducing hardcore unemployed by 500,000 by 1971.

The best tribute to the late Rev. Martin Luther King Jr., took only four words. "The ayes have it," said the Speaker of the House of Representatives, and the Civil Rights Act of 1968, striking down racial barriers in about 80 per cent of the Nation's housing and providing other protections, became law.

There is a Justice on the Supreme Court who is Negro. There is a member of the President's Cabinet who is Negro. Negroes are moving steadily into the middle classes and in rising numbers are going to college.

Howard K. Smith, the ABC commentator, does not overstate it when he says: "The era of Martin Luther King has made ultimate triumph inevitable. Negro impatience may obscure it, but in fact tremendous forces are at work and cannot be stopped."

Not enough, many will cry. And they are right. But it provides the evidence of things to come. It proves that American democratic institutions have been productively at work to begin to remove the blight of racial discrimination.

The crucial ingredient of success in dissolving the mood of violence and in accelerating racial justice is knowledge of how much progress has been made. To do more to overcome what's wrong with America, we need to be more aware of what's right with America.

SAN JOSE, CALIF., TO HOST BIENNIAL NATIONAL JACL CONVENTION

HON. DON EDWARDS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 16, 1968

Mr. EDWARDS of California. Mr. Speaker, under leave to revise and extend my remarks, may I invite the attention of my colleagues in the Congress to the 20th Biennial National Convention of the Japanese-American Citizens League, JACL, which is to be held in San Jose, Calif., August 20 through 24, 1968. Hyatt House Hotel will be convention headquarters.

At that time, more than a thousand delegates representing the 91 chapters and membership in 32 States, will convene to implement the convention theme: "JACL—Heritage for the Future."

Its youth, or junior JACL division, which was organized as a national entity 2 years ago at the 19th biennial national convention in San Diego, Calif., will hold its second biennial conclave in conjunction with the 20th biennial, with its headquarters at San Jose State College.

As most of my colleagues are aware, the JACL is the only national organization of Americans of Japanese ancestry. All of its members are citizens of the United States; and most, but not all, are also of Japanese ancestry.

JACL HERITAGE

As citizens, members of the JACL have tried to follow the challenge of their national motto: "For better Americans in a greater America." As members of one of the smallest nationality minorities in this country, they have organized, in the words of another slogan, to try to achieve "security through unity."

In the pursuit of these twin objectives, ever since 1930 when the JACL became a national organization, it has devoted itself to the elimination of prejudice and discrimination—in the law, in economic practices, in social relationships—against those of Japanese ancestry in particular and against all citizens in general, for JACL long ago recognized that no citizen is free unless all citizens are free. Concurrently, the JACL dedicated itself to the promotion of the welfare and to the securing of more and equitable opportunities not just for Japanese Americans but for all people, knowing that justice should not be based on race, color, creed, or national origin.

Here, in Washington, JACL's legislative accomplishments are legend, and many of us were privileged to participate in some of them. Among the more notable are naturalization for those of the Japanese race by eliminating race as qualification for citizenship; immigration opportunities for Japanese and other Asians, first, by repeal of the 1924 Japanese Exclusion Act; and second, by abolishing the racist national origins quota system and the even more racist Asia-Pacific Triangle discrimination; and partial compensation for the real and property losses suffered as a consequence of the 1942 mass military evacuation of all persons of Japanese origin from the west coast.

With other citizens of good will, JACL was active in the campaign to secure statehood for the deserving Territory of Hawaii; to enact the many civil rights and humanitarian measures that have made the American dream more meaningful for the disadvantaged; and to encourage understanding and cooperation between the United States and Japan.

By resorting to the courts, JACL was able to preserve the citizenship of American-born Japanese, to nullify the so-called alien land laws that denied alien Japanese the opportunity to buy or own land, to invalidate statutes denying certain commercial licenses to permanent resident Japanese, and to outlaw the arbitrary loss of citizenship through operation of law.

And, in concert with their fellow civic organizations, JACL participated in the historic civil rights cases involving restrictive housing covenants and practices, public school segregation, integration of public accommodations and facilities, jury duty bigotry, and so forth.

On State and community levels too, JACL worked to strike from the statute books unfair and discriminatory laws and ordinances, joined in litigation that extended the area of freedom and justice considerably, and inspired citizenship and other civic projects.

In these, and many other, constructive ways JACL provided the leadership that has enabled Japanese Americans, as a nationality minority, to achieve status as an integral part of their community, State, and Nation that would have been undreamed of even just a quarter of a century ago, when most Americans of Japanese ancestry were suspect citizens interned in wartime interior camps.

This is the JACL heritage, of successfully overcoming prejudice and persecution, that this distinguished organization at its 20th biennial hopes to preserve for others of Japanese ancestry yet to come by expanding its contributions to the multicultural society of this land that other Americans too may come to enjoy all of the benefits and promises of this country.

SAN JOSE CHAPTER LARGEST

With some 1,600 members, the San Jose chapter today is the largest and among the most active in the national organization.

First organized in 1923, under the leadership of the late Kay Nishida, it was known as the American Loyalty League. When it joined in 1930 to form the national association, it became the San Jose chapter. Early stalwarts of this citizenship movement included Dr. Hisaichi Nakahara, Eiichi Sakauye, Shigeo Masunaga, Dr. Tokio Ishikawa, and the late William Yamamoto and Toshi Taketa. Masunaga, Sakauye, and Ishikawa, by the way, are still active.

For its outstanding community service programs, the chapter has been twice awarded the "Chapter of the Year" honors by the Northern California-Western Nevada District Council, the largest of the eight into which the national is divided geographically. It was also the first chapter among the 91 to provide group hospitalization insurance for its members, beginning this service in 1947.

Current officers are President Karl Kinaga, an attorney at law; First Vice President James Ono, another lawyer, of Sunnyvale; Second Vice President Mrs. Phil Ajari, a legal secretary, of Saratoga; Third Vice President Phil Matsumura, a nurseryman; Recording Secretary Mrs. James Hirabayashi, a public school teacher; Corresponding Secretary Dr. Arthur Y. Nomura, an optometrist; Treasurer Henry Uyeda, supervisor at Beckman Instruments, Inc.; Official Delegate Richard K. Tanaka, Jr., an architect; and Thousand Club Chairman Henry Yamate, a certified public accountant.

There are, of course, many distinguished Japanese Americans in this San Jose area. Among those involved in public affairs and widely known are Norman Mineta, the first nonwhite member of the city council; Judge Wayne Kanemoto, of the municipal court; and attorney Grayson Taketa, who is the first Japanese American on the continental mainland of the United States to be a major party candidate for the U.S. Congress. In the education field, Paul Sakamoto and Tom T. Nanamura are principals of the Sunnyvale High School and of the Meyer Elementary School, respectively, while Edward Hoshino, Harry Miyakusu, Shigeo Masunaga, Tom Matsumoto, and Eiichi Sakauye are members of their local school boards. An internationally recognized YMCA leader is Dave Tatsuno, while Yoshito Uchida is a world-famous judo instructor.

This will be the last national JACL convention to be held in California for some time, since the 1970 convention will be held in Chicago, the 1972 convention here in Washington, D.C., and the 1974 convention in Portland, Oreg.

CONVENTION PROGRAM

The 5-day 20th biennial convention begins the morning of August 20, when the national board and staff convenes. That same afternoon, the national youth council and the national youth commissioners begin their meetings.

The next 4 days are crammed with business sessions for the delegates, with several joint affairs with JACL delegates and junior JACL'ers. Of special interest may be the all-afternoon work session where plans and programs will be hammered out under which local chapters and individual JACL members will become more involved in the human rights and social progress problems of their local communities.

A fashion show luncheon, the youth queen competition, the tour of Japanese gardens, and opening ceremonies, including the finals of the National JACL Oratorical Contest, are among the special events for August 21.

A recognitions luncheon, at which time the JACL'er of the biennium 1967-68 will be honored and several outstanding JACL'ers will receive special citations and awards, is scheduled for August 22, followed by the traditional convention outing, which this year will be held at Blackberry Farm. Of significance, perhaps, is that the JACL'er of the biennium 1963-64 was Father Clement, a Maryknoll Catholic priest who is the unofficial chaplain of the national organization.

A testimonial luncheon and the traditional Thousand Club whingding are slated for August 23, with the climactic convention banquet and Sayonara Ball set for Saturday evening, August 24.

Whitney Young, Jr., executive director of the National Urban League, will address the banquet, which will also acclaim the Nisei of the biennium 1967-68, the Japanese American who during the biennium has contributed most to advance the welfare of those of Japanese ancestry in the United States.

Two years ago, in San Diego, the Nisei of the biennium was our colleague, the distinguished gentlewoman from Hawaii, Mrs. Patsy Takemoto Mink. Senator Daniel K. Inouye, also from Hawaii, won this highest award among Japanese Americans in years past, as did Congressional Medal of Honor winner Hiroshi Miyamura of Gallup, N. Mex.; internationally recognized architect Minoru Yamasaki of Detroit, Mich.; and Denver Post associate editor William Hosokawa, among others.

Dr. Thomas Taketa, who also serves as secretary to the national JACL board, doubles as general chairman of the 20th Biennial National Convention, the first ever held in San Jose. Associate chairman is Phil Matsumura, with the youth chairman being Miss Sharon Ueyeda. Recording secretaries are Mrs. Yoshi Bepp and Miss Kathy Taoka; corresponding secretary, Mrs. Terrie Taketa; treasurer, Tad Sekigahama; and youth advisers, Richard Tanaka, Ben Horiuchi, and Miss Beverly Takeda.

GEORGE J. INAGAKI TESTIMONIAL

A special feature of this national convention will be the testimonial luncheon for George J. Inagaki of Los Angeles, sponsored by the Venice-Culver chapter of which he is a member.

Inagaki is being honored for more than 30 years of active and inspired service to JACL, ranging from local chapter officer in Sacramento in the early thirties to two terms as national president, 1952-56. He was named Nisei of the biennium 1955-56. Still active in JACL activities, he has probably contributed more than any single individual to develop JACL's sound financial structure.

He is the personification of citizenship at its best, for he not only devotes himself to the JACL but also to civic, veterans, welfare, and fraternal enterprises.

Following the outbreak of World War II, he was a part of the JACL leadership that protested the west coast evacuation, then made representations in Washington that Japanese Americans be permitted to volunteer and serve in the U.S. Army and that Japanese American evacuees be released from their detention to return to normal communities outside the wartime camps. He himself volunteered and served with distinction in military intelligence against the Japanese enemy in the Pacific, being on the staff of Admiral Nimitz during the invasion of Okinawa.

After the war, he helped raise the funds by which JACL carried on its legislative and litigative fight for vindication as loyal citizens and to correct as far as possible the sufferings, sacrifices, and the indignities of that unprecedented mistreatment.

At the same time, he helped individual evacuees return to their homes, to find employment, to reestablish businesses and professions, et cetera. He was particularly active in revitalizing the flower industry among Japanese Americans in California. He aided in the welfare of the sick, the needy, and the orphaned, and encouraged Japanese Americans to join non-Japanese fraternal organizations such as Rotary International.

For more than a quarter of a century of service to his fellow men, the George J. Inagaki Citizenship Award is being established in his honor, to be awarded the JACL chapter that during the biennium most nearly represents in its activities and programs the citizenship and community service personified by the deserving honoree.

NATIONAL JACL OFFICERS AND STAFF

Typical of the cross section of America is the membership of the national JACL board.

National president is Jerry J. Enomoto of Sacramento, Calif., chief of the classification section of the California Department of Corrections.

First national vice president is Tom Shimasaki of Lindsay, Calif., an insurance underwriter for the New York Life Insurance Co.

Second national vice president is Dr. David M. Miura of Long Beach, Calif., a dentist.

Third national vice president is Henry Kanegae of Newport Beach, Calif., a rancher and grower and shipper.

National treasurer is Yone Satoda of San Francisco, Calif., an accountant-controller of a restaurant chain.

Secretary to the national board is Dr. Tom Taketa of San Jose, Calif. a research scientist—radiation physiologist—associated with the National Aeronautics and Space Administration.

Thousand Club chairman is Dr. Frank Sakamoto of Chicago, Ill., an optometrist.

Immediate past national president is Kumeo Yoshinari of Chicago, Ill., an executive vice president of Turtle Wax Plastone Co.

A past national president is Dr. Roy Nishikawa of Los Angeles, Calif., an optometrist.

National legal counsel is William M. Marutani of Philadelphia, Pa., of the law firm of McCoy, Evans & Lewis.

Chairman of the Pacific citizen board is Roy Uno of Santa Ana, Calif., an advertising production supervisor with Beckman Instruments, Inc.

National youth commissioner is Kay Nakagiri of Burbank, Calif., an aircraft designing specialist with Lockheed Aircraft Corp.

Governor of the eastern district council is Dr. Warren Watanabe of Philadelphia, Pa., a research supervisor with Rohm & Haas Co.

Governor of the midwest district council is Henry Tanaka of Cleveland, Ohio, executive director of Hill House for mental health rehabilitation and research.

Governor of the mountain-plains district council is Mrs. K. Patrick Okura of Omaha, Nebr., director of Volunteer Services, University of Nebraska College of Medicine.

Governor of the intermountain district council is Ronnie Yokota of Pocatello, Idaho, staff administrative specialist with the Army.

Governor of the Pacific Northwest district council is Henry Kato of Portland, Oreg., a real estate broker and berry grower.

Governor of the northern California-western Nevada district council is Grant Shimizu of San Jose, an attorney at law.

Governor of the central California district council is Tokuo Yamamoto of Clovis, a farmer.

Governor of the Pacific Southwest district council is Ronald Shiozaki of Gardena, Calif., proprietor of clothing stores.

Members of the National JACL Youth Council are Russell Obana of San Francisco, Calif., a student at San Francisco State; Paul Tamura of Oregon City, Oreg., a student at Oregon State University; Miss Misako Hasebo of Yettem, Calif., a student at the local junior college; Brian Morishita of Idaho Falls, Idaho, student at Idaho State College; Miss Patti Dohzen of Los Angeles, Calif., a student at California State College at Los Angeles; Miss Elaine Uchiyama of St. Louis, Mo., a student at Duke University; and Norman Ishimoto of Washington, D.C., a student at the University of Maryland.

National director is Masao W. Satow of San Francisco, with assistant directors Jeffrey Y. Matsui of Los Angeles and Yoshio Hotta of San Francisco. Midwest office secretary is Mrs. Esther Hagiwara of Chicago, Ill. National youth director is Alan F. Kumamoto of Los Angeles. Editor of the Pacific Citizen, weekly membership publication, is Harry K. Honda. Washington representative is Mike M. Masaoka of Washington, D.C.

JACL HYMN

Mrs. Marion Tajiri, a native of San Jose, wrote the words to the JACL Hymn, which summarizes the history and the aspirations of JACL:

There was a dream my father dreamed for me,
A land in which all men are free;
Then the desert camps with watch-towers high
Where life stood still, 'mid sand and brooding sky.

Out of the war in which my brothers died—
Their muted voices with mine cried:
This is our dream, that all men shall be free.
This is our creed, we'll live in loyalty.
God help us rid the land of bigotry
That we may walk in peace and dignity.

JOBS FOR "HARD CORES"

HON. FRANK J. BRASCO

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 16, 1968

Mr. BRASCO. Mr. Speaker, President Johnson has wisely stated that the "make work" programs of the 1930's are not the answer to today's vexing problems of unemployment.

Rather, he believes, and I concur, that the answer to the complex problems of joblessness lies in training the hard-core unemployed for work in private industry.

One of the most encouraging developments of 1968 has been increased activity by American business to help the Nation come to grips with what has come to be called "hard-core unemployment."

Across the country, businessmen are channeling the brainpower and ingenuity that built the greatest industrial Nation on earth toward helping the disadvantaged help themselves.

To show the contributions of American business in this important area, I include the July 1, 1968, Christian Science editorial, "Jobs for 'Hard Cores'," in the RECORD:

JOBS FOR "HARD CORE"

Chalk up an item of hopeful news on the racial front: Job training programs, organized by the business community, are proving that a good many of the so-called "hard-core unemployables" can be employed. Most of them are young, from poverty homes, and black. They can indeed learn to hold down a paying job.

For example: In New York the Chase Manhattan Bank graduated 17 ghetto youths, mostly high school dropouts, from a recent six-week training course in reading, language skills, and mathematics. Now they will start work as keypunch operators and clerks, at $75 a week.

For another example: Lockheed Aircraft Corporation enrolled 98 trainees in a 12-week program—dropouts, boys who never had worked consistently, a few with arrest records, most of them Negroes. Of this total 18 quit, 10 were discharged for absenteeism or chronic lateness, but 61 finished satisfactorily. All went into useful jobs, 43 at Lockheed.

This shows what can be done. Costs of such programs run high; the government often subsidizes the training effort. Unexpected problems crop up: absenteeism, distance to work, too-meager training allowances. But ultimately a great many "hard cores" find themselves holding down worthwhile jobs.

The National Alliance of Businessmen has pledged that it will find jobs for 100,000 unemployed by July of next year, and 500,000 by July of 1971. How valuable this effort will be is shown by the unemployment rate among blacks: 6.4 percent, twice that of whites. Among young Negroes it runs to 24.7 percent.

There are very few big corporations in the United States which have not detailed some key officials to study the problem of jobs for the eager blacks, and jobs for the "unemployables." The first results of these studies are beginning to appear.

THE PHARMACEUTICAL INDUSTRY AND THE PUBLIC

HON. ANCHER NELSEN

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 16, 1968

Mr. NELSEN. Mr. Speaker, I have received a copy of the Bank of New York Letter of May 1968, which is devoted to a discussion of the controversy surrounding drug prices. As a member of the House Interstate and Foreign Commerce Committee concerned with this matter, I wish to bring it to the attention of Congress, and include it at this point in my remarks:

THE PHARMACEUTICAL INDUSTRY AND THE PUBLIC; DO PRESCRIPTION DRUGS COST TOO MUCH? WHY NOT SWITCH TO GENERIC-NAME DRUGS AND SAVE?

(By Samuel H. Woolley, President)

When a prescription has cured a minor ailment or a major disease, or even saved your life, you will probably give justified credit to your doctor. When you get the bill for the prescription, your reaction may be quite different. Is your druggist adding an unreasonable markup on what he sells? Or, going a step beyond the druggist, are you contributing more than you should to the profits of a supplier that most of us know very little about: the pharmaceutical industry?

The costs of Medicare and Medicaid have sharpened the public concern with the price of drugs. Many thoughtful citizens and their representatives want to know why the invalid or the taxpayer should pay a premium *for a brand-name drug used in a prescription* if a generic-name drug will give the same results at lower cost. They want to know what, if anything, the brand-name manufacturers are giving the public in return for the premium.

Our business is banking—not drugs. And we would prefer to leave the pricing of all drugs to the free marketplace, and the prescribing of drugs to our physicians. Moreover, we do business both with people who manufacture pharmaceuticals, and with those who use them and pay for them.

Our concern is that the controversy that surrounds this vital industry could lead to a situation where we throw out the baby along with the bath water. In the interest of better understanding, therefore, we discuss here some of the issues involved, with the frank admission that much of the background has been provided by our conversations with representatives of the pharmaceutical manufacturers themselves, and by the statements of government and professional people.

Penicillin was totally useless to man for millions of years. It was a very ancient chemical substance when, one morning in September, 1928, Alexander Fleming noticed that a bacterial culture dish in his laboratory at St. Mary's Hospital in London had become contaminated. Some vagrant spore had seeded a lush growth of blue-green mold in the dish. Around the mold was a clear transparent right which suggested to Fleming that something in the mold had destroyed germs which came in contact with it.

Patiently, Fleming cultivated the mold—a commonplace species of *Penicillium*—and obtained a crude broth. He injected it into mice infected with various germs and discovered that the mold-juice, which he called "penicillin", decimated germs in mice as well as in culture dishes. In a report which languished for years in a scientific journal he made one of the great understatements of our time: "Penicillin may be an efficient antiseptic for injection into areas infested with penicillin-sensitive microbes."

But penicillin was not yet a drug. Years later, while London staggered under Nazi bombs, British workers strove desperately to produce penicillin in hope that it might save lives. They devised a method of growing the parent molds in old-fashioned bedpans. It wasn't good enough. In early 1943, all the medical penicillin in the world was just about enough to treat 400 patients.

Then the British pioneers turned to American industry. More than a dozen U.S. pharmaceutical firms, the government, and English scientists collaborated in a crash program to mass-produce penicillin. Private industry invested $25 million, the government $3 million, before the first mass-produced dose was marketed. The breakthrough came when industry learned how to produce penicillin in giant fermentation tanks laced with mold-nutrients.

At long last penicillin became a drug: standardized, purified, in doses of uniform strength, in many oral and injectable forms, in ample and immediate supply to patients everywhere. Transformation from an obscure natural chemical into a life-saving drug was effected by the special skills of the pharmaceutical industry in conjunction with the medical profession. This is the route, with myriads of complex variations, that a mere chemical substance must travel to become a drug.

LET'S LOOK AT THE RECORD

Today, the "ethical" pharmaceutical industry—which is to say, makers of potent doctor-prescribed drugs, in contrast to familiar non-prescription drugs such as aspirin—is in something of a crisis of success.

We take its contributions to medical and health care more or less for granted. Antibiotics have been available from birth to an entire generation that has grown up and started families. But only "yesterday", if you *came down with pneumonia you had one* chance in three of dying and at best a long period of recuperation. Tuberculosis, "blood poisoning", pneumonia, typhoid fever, polio, measles, diphtheria, many other diseases have greatly diminished in incidence or seriousness—some have almost disappeared—in large part because of research-developed drugs. The great majority of major drugs in current use were discovered and virtually all were developed by the pharmaceutical industry.

Indirect social contributions of the industry are hard to measure but real none the less. We don't give thanks for an illness we never suffer or complications that never occur because of effective drug therapy, but these benefits are reflected in the economy in less sick-time and absenteeism and in the buoyant pursuit of personal affairs. The doctor shortage would be more acute than it is were it not for modern drugs that enable a physician to treat more patients in his workday and to forestall complications that would require follow-up visits.

The spillover of scientific knowledge stemming from pharmaceutical discoveries is great but little appreciated except by technologists. For instance, discovery of vitamin

B_{12} in a pharmaceutical laboratory opened pathways of new insights into complexities of blood formation, pernicious anemia, and nutrition. There is no way of calculating the number of lives saved, increased life expectancy, and preservation of well-being effected by modern drugs.

Yet the pharmaceutical industry is mistrusted in many quarters and on numerous grounds. Its critics charge unjust prices, exorbitant prices, arbitrary high prices of patent-protected drugs, disparity in prices of the same product, wasteful and misleading advertising that unduly influences doctors, inordinately costly promotional methods.

Following the Federal Trade Commission's split decision in early 1967 concerning charges against several drug firms of a conspiracy to fix prices, which in effect exonerated these firms of this charge, a United States district court jury found three drug firms guilty of anti-trust violations. The firms had pleaded innocent, and said that they would appeal.

The record, then, is confusing: unquestioned contributions to health on the one hand; serious doubts and accusations on the other. It might be helpful to pause and get a closer look at the pharmaceutical industry itself, and what it's like.

UNIQUE NATURE OF THE INDUSTRY

In the pharmaceutical industry, no single company has as much as 7 percent of ethical drug sales. Currently (the roster changes) there are 1,325 drug manufacturing companies, of which many are small regional firms with limited product lines. About 700 produce prescription drugs.

For all the headlines it evokes, the industry is surprisingly small. Any one of a dozen manufacturing corporations—Jersey Standard, the "Big Three" in autos, U.S. Steel, IBM, and others—has greater sales than the *entire* ethical pharmaceutical industry. In 1967, U.S. sales of prescription drugs for human patients amounted to $3.1 billion at manufacturer's price levels, plus some $350 million sales to federal, state and local governments. Worldwide sales (American drugs are in great demand overseas) boosted the total to $4.8 billion.

As we know it today, the industry is very young, although some of its members are quite venerable. It rushed through adolescence to husky maturity in a span of some three decades. The modern pharmaceutical industry—and modern medicine—may fairly be said to have begun in the 1930's when the sulfa drugs were introduced. These were the first "magic bullets" to attack specific germs that cause widespread disease—and attack them without significant harm to the typical patient. Their lifesaving introduction generated profits and stimulated research fervor. The tools of research—instruments that project men's questing minds into the infinitesimal world of molecules—became more and more refined and sophisticated. The great research explosion in the physical and life sciences was under way.

The public is keenly aware of the "wonder drugs" that have emerged from that scientific explosion; yet it still knows little of the industry that produced them. The ethical drug industry communicates with skilled professionals in the service of health—pharmacists and physicians—rather than with the ultimate consumers. This is because the physician is responsible for prescribing what is uniquely right for the individual patient, and the pharmacist is responsible for providing exactly what is ordered by the physician. However great the virtues of a drug, it can degrievous harm if it is misused.

Another significant aspect of the industry is the very large proportion of income—averaging around 10 percent of sales—that is earmarked for research. This is a science-and-research-based industry, characterized by rapid innovation and relatively brief dominance of the market by a new drug. Three-quarters of the 200 most-prescribed drugs in 1966, accounting for two-thirds of prescription drug sales, were unavailable in 1958.

In a report based on annual surveys of member firms, the Pharmaceutical Manufacturers Association stated that during 1966, the industry spent an average of $91,000 to support each doctorate-level professional or scientific individual in its research and development organization.

Such funds are overwhelmingly generated within the industry. Thus the Pharmaceutical Manufacturers Association announced in November, 1967: "The prescription drug industry . . . financed more than 96 percent of its research and development activities with its own capital last year. Government funds accounted for only 3.4 percent of the industry's research."

By way of contrast, the Association noted, "All private industry pays for only 41 percent of its research and development with government supporting the remaining 59 percent."

None of the drug industry's research is supported by foundation grants. As a matter of fact, the industry makes its own contributions to universities, medical schools, and teaching organizations: grants for research and for scholarships in pharmacology, for example. These contributions are made both by individual drug companies and by the Pharmaceutical Manufacturers Association Foundation.

IN THIS FIELD: TWO SEGMENTS

But there are really two kinds of prescription drug makers. One segment of the industry does research, develops new drugs, performs costly animal and clinical tests and enormous amounts of paperwork to satisfy the Food and Drug Administration of safety and efficacy. Its products often carry brand names and are subject to rigid quality controls. A single product may undergo more than 250 separate tests involving not only months or years, but also very costly equipment such as spectrophotometers, potentiometers, and polarographs. The cost is considerable; 18 percent of production employees work on quality control.

Another segment of the industry is essentially in a different business: a compounding and distribution business. For the most part, these manufacturers duplicate and sell established drugs that were researched, developed, and tested by other medical and pharmaceutical scientists. Their products are usually marketed under the generic names of the active ingredients, though sometimes with brand names too, and generally are cheaper than the product of the original developer who invested heavily in research and the establishment of standards of quality, and whose efforts prepared a ready market for the drug.

These industry differences are pertinent to current "generic name" controversies which we shall examine later.

Why is a relatively small industry, an essential stone in the arch of medical care, so subject to repeated charges and investigations? No doubt, in part, because health problems are emotionally loaded. Prescription drugs are forced purchases that seldom give pleasure. To be sick is an injustice; to have to pay for it, an imposition. A warm doctor-patient relationship is common, but not a warm manufacturer-patient relationship.

It isn't easy to compare prices of prescription drugs. When there's an illness in the family, the person with a prescription from the doctor doesn't take time to shop around; and when he sees the bill for the prescription, he may feel that he is being gouged for what he got.

Spiraling costs of hospitalization and medical care arouse resentments that include drugs, which are a part, though a relatively small and declining part, of total health services. Strong currents of social philosophy embrace health as a human right to be underwritten by governments. The push to involve the government ever more deeply in the organization, central direction, delivery, financing and monitoring of medical services implies profound changes affecting doctors, patients, pharmacists, researchers, hospitals and manufacturers. One aspect is the proposed shifting of drug bills from the individual to the public, via Social Security levies and welfare programs, by having the government pick up the tab for qualified patients.

Congress last year rejected a proposal by Senator Russell Long to establish a formulary of drugs, listed by generic or non-brand names and prices fixed by the government, to be paid for under present Federal established programs. Many doctors feel that such a proposal might restrict and prevent them from prescribing as they see fit in the best interests of their patients. Readers of *The New York Times Magazine* found a moderate expression of this feeling recently (August 13, 1967) in the words of Michael J. Halberstam, M.D., who practices internal medicine in Washington, D.C.:

"The attempt to tie generic (rather than brand name) drug prescriptions to the Government's outlay in Medicare has generated uneasiness in me and other physicians. I usually prescribe by the less expensive generic name myself, yet I respect the major drug companies for some true contributions to therapy and to physician education, and I respect those of my colleagues who feel their patients are safer if they receive a drug made by a major company rather than a copy house. Drug costs are not that large a percentage of the total economy or even the health dollar to warrant restricting categorically the physician's freedom to prescribe."

DO DRUGS COST TOO MUCH?

A great deal of indignation has geen generated by charges that prescription drug companies make excessive profits. Many drug companies typically produce a range of products and thus their financial data do not reveal the entire precise story. However, there can be little doubt that for many companies ethical drugs are a highly profitable business—in fact, the pharmaceutical industry is among the leaders in terms of return on invested capital.

This is a high-risk industry, characterized by constant innovation; and profits of individual companies vary considerably. A big break-through drug may be followed by a long dry spell in discovery. In major fields of therapy, first one company and then an*other gains leadership as new products of* greater benefit to patients are introduced. Profits from a widely-prescribed drug help to sustain less profitable ones, such as those needed in only a few cases a year.

In a free economy, no one can say what a proper level of profit should be; but if an industry is to survive and progress, it must be sufficiently profitable to attract the required capital and human resources.

The belief that drug prices are too high arises in fact from the spiraling costs of medical care. Drugs were "not the key aspect at all" in soaring medical costs, former Secretary John W. Gardner of the Department of Health, Education, and Welfare has said. Hospital care was "perhaps the most dramatic element in the picture."

To the extent that new drugs help to reduce the period of illness, they also help to cut the patient's costs by reducing his stay in the hospital and the period of treatment by his doctor.

Of the total health care dollar, drugs account for 13.8 cents, a decline from 16.7 cents within a decade, according to the U.S. Department of Commerce, Office of Business Economics. While hospital and other medical costs have been rising sharply (along with general living costs), retail drug prices began to drop in 1960 and continued downward to new lows in 1967. And the level of manufacturers' prices on ethical pharmaceuticals has declined 9 percent since January, 1961.

Obviously it is desirable that drugs be available at the lowest cost consistent with quality. Many legislative, political, and consumer groups advocate the generic-names route to this goal. And to the extent that competition is a factor in price control, generic-name drugs have a perfectly legitimate function. But there are other important considerations worth examining.

GENERIC CONTROVERSY

Every drug of known structure has a complex chemical name and a somewhat simpler generic name. The latter is a coined word with chemical connotations. Many drugs also have brand names or trade names, as do autos, toasters, detergents, toothpaste, and thousands of commodities which inform the consumer of the identity of the manufacturer and his full responsibility for his product. Popularly, a generic-name drug is construed to be an unbranded drug.

Arguments for the virtual abolition of pharmaceutical trade names not only concern the industry but are directly related to the public interest. Advocates make two assumptions: that generic drugs are therapeutically identical with other drugs with the same active ingredients, and that they cost the consumer less. Both assumptions can be true. But not invariably.

A generic name identifies only the active drug agent. Many other components that carry the active agent and help it work in the body enter into tablets, capsules, and other dosage forms.

"In other words, generic equivalency does not necessarily connote therapeutic equivalency."

The quotation is from the testimony of a quality control executive in one of the major drug firms, appearing before the Monopoly Subcommittee of the Senate Select Small Business Committee on November 29, 1967.

The speaker detailed the therapeutic importance of such factors as particle form and size in antibiotics, and of proper selecting and compounding of non-drug ingredients to lessen pain on injection; to lessen the liability of allergic reactions; to produce more prompt solution in the stomach and absorption in the blood when that is desired; to retard solution in the stomach of a drug that is better absorbed in the intestinal tract, or that does its work better if it is gradually released; to mask bad flavor of an active ingredient.

Another pharmaceutical executive, testifying before the same committee, said:

"The research-oriented innovator type of company generally sets higher quality standards for its products than does the noninnovator [and] will not market a drug product until it has been clinically tested for safety and effectiveness."

This speaker quoted the former Commissioner of the Food and Drug Administration, George P. Larrick:

"Our experience has shown that those who do not have proper controls are more likely to produce substandard drugs. The point . . . is not whether drug manufacturers are large or small, but whether they have the scientific personnel and laboratory control to produce pure, reliable and safe drugs."

Dr. James L. Goddard, now head of the Food and Drug Administration, recently indicated concern that not all generic drugs may be of equal value in treatment. *The Medical Tribune*, of November 16, 1967, reported him as saying that "he has received 'disturbing' information about lack of therapeutic equivalency in a number of generic products and that as a result his agency may have to . . . require clinical tests of equivalency."

"The FDA will not be 'accomplishing its mission' unless it is able to assure the physician that 'he can prescribe by any name he chooses and from any manufacturer,' Dr. Goddard said, 'and I can't honestly give that reassurance today.'"

But the monitoring of drug quality is complex and expensive. Any government system of day-to-day production surveillance of drug quality would have to employ the same quality checks that quality manufacturers already use. Mammoth proliferation of government staffs and red tape would surely increase (though hiding) costs that responsible manufacturers now assume.

Generic producers usually copy only one or two of the most widely-used dosage forms of a drug, leaving it to others to produce the relatively low-volume, less-profitable forms needed by many patients. A number of important drugs are produced only by brand-name manufacturers.

Generic drug producers do not commonly have research, development, or promotion costs, or maintain important informational services for physicians as innovative firms do. These very services have brought much criticism upon the heads of the industry.

INFORMATION AND DISTRIBUTIVE SERVICE

Pharmaceutical firms that develop new drugs accept the continuing responsibility of giving the medical professions complete and updated information. Medical service departments maintain company-doctor communications, answer professional queries, get reports of clinical experiences with drugs. Sales representatives called "detail men"—college graduates, often pharmacists—make personal calls on physicians to inform them of new and old products. Doctors generally regard detail men as performing a helpful service. A misstatement of fact by a detail man to a knowledgeable physician could damage his company's reputation irreparably.

Pharmaceutical advertising is another of many sources of information available to physicians. It is strictly regulated by the Food and Drug Administration and must give all pertinent information, favorable and unfavorable, indications and contraindications. Informative package inserts, symposia, and reprints of medical journal articles are other aspects of informational service.

THE IMPRESSION AND THE FACTS

All of this costs money and gives rise to charges that drugs cost more than they should because doctors are flooded with flamboyant, garish, hucksterish junk mail. A widely circulated figure gives the impression that the pharmaceutical industry spends $3,000 per physician per year on promotion.

The facts are not that dramatic. One pharmaceutical executive gave an analysis of the figure at the National Conference on Medical Costs held in Washington, D.C., in June 1967. The $3,000 includes $500 for warehousing and delivery. The remaining $2,500 of marketing cost, divided among some 140 companies that make 95 percent of prescription drugs, shrinks to an average expenditure of just about $18.00 per physician per company per year.

Much investigation of the industry focuses on manufacturers' rather than retail prices. Included in the latter are inescapable costs of getting any product to consumers. Drugs are not marketed by the ton or carload but by the milligram or bottle. Some are perishable. Some must be refrigerated. Warehouses must be spaced around the country, delivery services at the ready. Record-keeping of drug lots must be meticulous. Pharmacists have expensive stocks and must charge enough to cover overhead and reasonable return for professional service. Distribution costs add substantially to the retail prices of drugs. And of all other commodities.

One man in the pharmaceutical industry has figured that his company couldn't sell tap water through the drug store trade at a dollar a gallon and break even: "The druggist would need at least 40 percent and the wholesaler 16⅔ percent. This would leave about 50 cents to buy the bottle, pay for the transportation of about 10 pounds, pay salesmen's expenses, advertise and promote, and then, finally, pay for overhead. You can apply this same story to the other industries and come up with a similar answer."

Some critics complain that the price of the same prescription drug varies from pharmacist. Such variation does indeed exist, and it may be attributable to any of a wide variety of factors: one pharmacist's costs of doing business—rent, salaries, utilities—as compared with those of another; his maintenance or nonmaintenance of such services as charge accounts and free deliveries; the volume of business he does in any specific drug; and, finally, the amount of profit he decides he needs to have in order to continue in the business.

Whether government or industry takes responsibility for making drugs available to patients within minutes, substantial distribution costs are unavoidable. The costs of tax-supported government distributive agencies would be hidden—but they would still be there.

RESEARCH OR PERISH

Where do new drugs come from? Not from manufacturers who produce only generic drugs. Of new drug entities originating in this country and marketed between 1940 and 1966, 87 percent came from research-based firms in the pharmaceutical industry; the rest from government agencies, institutions, and universities. In 1966, the industry plowed some $400 million of its own money into research; in 1967, this figure was expected to top $462 million.

Research is less a matter of choice than of survival. One or several of a firm's most profitable drugs may support the total research effort. But a dominant drug may be superseded by a competitor's better one tomorrow. Even the limited 17-year monopoly of a patent can be illusive. Patents require full disclosure—long before marketing—of information that competitors can use in trying to develop similar drugs, therapeutically as good or better, for introduction long before the original patent expires.

Decriers of the industry's research assert that altogether too much of it is wasted on molecular manipulation of known drugs, to produce imitation "me-too" drugs no better than the original. Undoubtedly there is waste in research activities, but one never knows—like John Wanamaker, who said that he could cut out half the advertising he did if he only knew which half was unproductive.

A patient who desperately needs penicillin but cannot take it because he is deathly sensitive to the drug is grateful for a different antibiotic which does much the same thing as penicillin but to which he is not sensitive. Manipulation of penicillin molecules has created several semi-synthetic penicillins with properties distinctively different from "original" penicillin, which was a mixture of several natural forms.

A physician who today prescribed one of the original sulfa drugs, unless in very exceptional circumstances, would likely be chargeable with malpractice, because so many improved sulfa drugs have come along since the original became available.

Legislative action abolishing pharmaceutical trade names, requiring generic prescribing, or putting a low ceiling on profits of particular drugs, could in time dry up private research by depriving the industry of financial capacity and incentive. No matter who does it, pharmaceutical research is costly. Of 6,000-odd promising laboratory compounds, perhaps one survives extensive tests and becomes a useful drug. Development of a drug, proving its safety and efficacy, standardizing dosage forms, satisfying exacting FDA requirements, informing the professions, filling supply lines before a dose is sold—all of these essential steps commonly cost more than the drug's discovery. An informed estimate is that an important new drug entity represents an investment of $7 million or more and seven years' time.

GOVERNMENT-DIRECTED RESEARCH?

What of the alternative that the government might undertake direction of the nation's pharmaceutical research? At once existing facilities, equipment, scientific personnel, and special skills of the pharmaceutical industry would have to be duplicated or confiscated. Costs would more likely increase than decrease, but they would be shunted to everyone who works and pays taxes.

It is particularly interesting that in England—a country with a distinct socialist orientation—the pharmaceutical industry has not been completely socialized. Medicine has been socialized—though prescriptions are no longer free, in the wake of the devaluation of the pound; but the pharmaceutical industry has been comparatively free to pursue a course similar to ours.

In England, not long ago, a committee of inquiry into the pharmaceutical industry said, "There may be an element of economic waste in competitive research, but the evidence we have obtained leads us to believe that without such competition there would be a slower rate of discovery."

There is considerable evidence that far-reaching implications of the pharmaceutical industry's problems are neither recognized nor appreciated by the majority of Americans. One difficulty is that of communication between intelligent outsiders and a highly technological industry. This letter is intended to help bridge the gap in understanding.

There are those who believe that government can do better and at lower cost what the industry is doing and has been doing, with the results that we have seen. There is no solid evidence to support this belief. But in every man, woman, or child who has been saved from suffering and imminent death by a modern drug, there is a demonstration that the pharmaceutical industry, stimulated by competition, has kept faith with the people—and a caveat against turning it over to a tax-supported bureaucracy.

You don't tear down a good house because it needs a few alterations and improvements. Shortcomings of the pharmaceutical industry—and there are some—are of the sort that can be resolved by reasonable, thoroughly-informed men with a constructive approach.

Everyone needs the pharmaceutical industry—if not today, then almost surely on some tomorrow. Much unfinished business lies ahead; serious business. Pharmaceutical research must continue to make its contributions to unsolved problems of human health.

One hopes devoutly that the yet-undiscovered drug we may need tomorrow is beginning to emerge from some pharmaceutical laboratory today.

MARLBORO'S MEMORIAL DAY EXERCISES

HON. PHILIP J. PHILBIN

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 16, 1968

Mr. PHILBIN. Mr. Speaker, on Memorial Day I was highly privileged and honored to be the guest speaker at impressive exercises conducted in the fine community of Marlboro, Mass., in my district.

It is always a pleasure for me to meet and greet old Marlboro friends, and it was particularly impressive for me to see the great number of people lining the city streets to view the Memorial Day parade and the huge throng which gathered in historic Monument Square to participate in the closing ceremonies of the city's Memorial Day observance.

The noted Worcester, Mass., Gazette in its May 31 edition carried an account of the observance and I place it in the CONGRESSIONAL RECORD, together with the full text of my remarks at these well-conducted exercises.

The material follows:

[From the Worcester (Mass.) Evening Gazette, May 31, 1968]

ADULTS JOINED BY YOUTH—WAR DEAD REMEMBERED IN AREA'S CITIES, TOWNS

MARLBORO.—With special memorial services and a Main Street parade, the city took time off yesterday to honor its war dead.

The generation gap was forgotten as young and old alike marched beneath the flags that lined the way to Memorial Square.

The day's observance began with a brief memorial service in front of the plaques leading into the Veterans' Memorial Auditorium of the high school. Group visits to the graves of the city's fallen soldiers followed.

At 10 the parade formation made its way from the high school parking lot behind Marshal John F. Hanley, past commander of the Sgt. John P. Colleary Post, V.F.W.

BOY SCOUTS

Marching with National Guard units and a contingent from Fort Devens were representatives of each of the city's veterans' associations. And with them were the Boy Scouts and marching bands from Marlboro High School, Immaculate Conception parish and St. Mary's Church.

Twice along the way, the march was halted and the bands muted. At the World War II Memorial at City Hall and at the Doughboy Monument, rifle salutes snapped through the stilled crowds.

More than a thousand lined the sidewalks to watch the parade as it progressed down Main Street to the Grand Army of the Republic Monument at Monument Square.

Once there, the marchers and spectators paused to hear the address of U.S. Rep. Philip J. Philbin of Clinton.

"The sorrow and lesson of Memorial Day," he told the assembly, "is that the price for liberty is never paid, the fruits of freedom never fully won, the rights of the individual never secure."

And, he intoned, "The period in which we live is no exception."

UNBLEMISHED

He reminded the audience of the responsibilities that must be borne as a consequence of the freedoms that have been given. "Let us be mindful that in our time we must stand firmly and boldy, as they did in theirs, to be worthy of the great sacrifices they rendered, to preserve and protect the noble legacy left to us so that this nation may remain the great citadel of liberty that it is, unblemished, untarnished, and intact not only for our own generation, but also for those who come after us."

Bringing his talk to a close, be offered this plea: "Let us continue to strive with all our hearts and with every measure of our strength and devotion to establish an honorable peace in Vietnam and the world, so that this nation, and all nations, may live together in amity and understanding and work and labor together for expanded freedom, prosperity, understanding and brotherhood for all."

Speaking with Philbin were Robert Thomas and Nikki Felonis of Malboro High School, winners, respectively, of the American Legion and VFW essay competitions.

The Rt. Rev. William Sullivan, pastor of Immaculate Conception Church, gave the benediction, and the Rev. Herman E. Nelson, rector of Holy Trinity Episcopal Church, closed the day's program with his prayers.

REMARKS IN PART OF CONGRESSMAN PHILIP J. PHILBIN MEMORIAL DAY EXERCISES, MARLBORO, MASS., MAY 30, 1968

Mr. Chairman, reverend clergy, distinguished guests and veterans and friends.

It is fitting that the closing exercises of Marlboro's tribute today to its heroic dead should take place in Monument Square before this familiar Grand Army of the Republic Monument, and close to the famed historic John Brown Bell captured at Harpers Ferry a little over a hundred years ago by Union soldiers from Marlboro.

There are many among us who can look back on the memory of other Memorial Days and take note with a bit of sadness that in many places the community observance of this holiday is not what it used to be. That is why it is particularly inspiring to note that Marlboro has kept up this fine custom with visits to cemeteries to honor our dead and with a traditional Memorial Day Parade.

All of us are indebted to the veterans organizations of Marlboro for keeping alive this very impressive observance of Memorial Day in the community, and I am honored and proud to join with you in these typical Memorial Day exercises to pay our heartfelt tributes of gratitude, love and affection to the gallant and the brave of every American war, who served our country with total loyalty and their fullest measure of devotion and to remember and honor those who are no longer with us.

Since the Civil War, which is commemorated by the G.A.R. Monument here in Monument Square, the best of American manhood has fought and died many times to preserve liberty, justice and freedom for Americans here at home and peoples in distant places all over the world.

In every case where Americans have fought and died, we have always had the hope and prayer that "they shall not have died in vain." But, the sorrow and lesson of Memorial Day is that the price for liberty is never paid, the fruits of freedom never fully won, the rights of the individual never secure. The period in which we live is no exception.

As the nation pauses in its affairs on this Memorial Day to pay heartfelt tribute and honor to our heroic dead, it is also the time and place to express our gratitude and to remember the gallant and the great in every American generation who laid down their lives so that this great government of ours, in its dedication to human freedom, might survive, grow, prosper and become, as it has become, the greatest nation in world history.

No honor we could confer upon these gallant men would be enough to express our thanks, and the thanks of a grateful nation, for what they have done to protect, preserve and save this great land of ours, its homes, its freedoms, its vaunted institutions of enterprise and justice.

No monument no matter how great and impressive, no plaque, no words can measure their noble sacrifices. They rest in honored glory. They are enshrined in grateful American hearts with eternal love, devotion and gratitude.

On this day of dedication, as we pay tribute to our honored dead, let us be mindful that in our time we must stand firmly and boldly, as they did in theirs, to be worthy of the great sacrifices they rendered, to preserve and protect the noble legacy left to us so that this nation may remain the great citadel of liberty that it is, unblemished, untarnished, and intact not only for our own generation, but also for those who come after us.

It is for us and for our times, as it always has been for all Americans, to take up the burden with purpose and courage to give living expression to the memory and example of the great sacrifice of those we honor today, to carry out the inspiration they have given us to defend our blessed land and its priceless liberties against those who seek our destruction, and who strive to turn this free nation and the free world into conflict and tyranny.

While we are faced today at home and abroad with problems of surpassing magnitude and gravity, while the poison of subversive doctrine and activity confronts us in many places at home and abroad, this country will never give up its freedoms, and it will never allow those who are seeking to destroy them, whether they be at home or abroad, to accomplish their evil goals.

As in other instances when we were assailed by dangerous enemies, let us unite and solidify this nation as never before. There is no problem, however serious and challenging that this country cannot solve, if we hold fast and firm to the truths responsible for our freedom and our greatness and the inspiring ideals of our honored dead.

It is in the homes, the schools, the churches, and the communities of this great land of ours that this battle must be fought.

With courageous, forward-looking leadership, and with the American people working together, regardless of race or creed, ready to assume their full responsibilities as citizens of this great country, the richest, the most powerful and the freest in all history, let no one mistake it, this country will not only preserve its freedoms, but will continue to rise in future years to even greater strength, greater prosperity, spread among all our people, and even broader dedication than ever to the ideals of personal liberty, and free government where law and order prevails.

In that spirit, of confidence and courage, let us continue to strive with all our hearts and with every measure of our strength and devotion, to establish an honorable peace in Vietnam and in the world, so that this nation, and all nations, may live together in amity and understanding and work and labor together for expanded freedom, prosperity, understanding, and brotherhood for all.

Let us resolve on this Memorial Day that the example of the brave, the free, and gallant shall never die and that their sacrifices will never be forgotten by a grateful American people who owe them so much and intend to preserve what they fought and died for.

REDWOOD NATIONAL PARK

HON. ROBERT O. TIERNAN

OF RHODE ISLAND

IN THE HOUSE OF REPRESENTATIVES

Monday, July 15, 1968

Mr. TIERNAN. Mr. Speaker, the redwood forests found only along the coast of northern California have been the focus of a growing conservation movement for a number of years. A wide variety of plans have been advocated by various groups and interests. As a result, considerable confusion has enveloped the entire situation.

Hidden by this confusion, however, are a number of simple points which indicate the action we must take if we are to protect a fair sample of the great old-growth redwood forests.

The first point is the most basic: We should save a reasonable and superlative sampling of these great trees and their natural environment. That we should do so is dictated by a prudent concern for the quality of the American environment and for the opportunity for our citizens, our young people and our grandchildren to know these great forests. The redwood is unique—the tallest of living things on earth. We have heard much in recent years of the need to exercise stewardship of our resources. Here is a need for stewardship which we should not deny.

The second point I would make is this: In setting aside a national park to preserve a sample of these trees, let us do the kind of job that will succeed. Let us be sure that we establish a park within which these trees can truly be preserved.

Finally, in establishing this park, we should choose an area of really superlative trees. The experts of the National Park Service and many conservationists have agreed that the best remaining, as-yet-unprotected stands of old-growth redwoods are found in the valley of Redwood Creek and its tributaries. Here is where our efforts should center—on these areas of trees which are unprotected now and which will surely be lost soon if we do not act responsibly.

I conclude from these points, Mr. Speaker, that the bill does not do the kind of job needed. It proposes a park woefully too small, and incapable of adequately protecting a natural redwood forest. The major area included in the bill which is not already protected as a State park is a corridor along Redwood Creek. This corridor is less than a quarter mile wide on each side of the creek. It cannot protect the trees along the creek from damage caused by erosion when the slopes above are logged. It cannot protect the creek itself from siltation and pollution. It cannot screen the visitors from the ugly scars of logging operations which will inevitably enter the upper slopes if they are not themselves included within the park plan.

This is not a park which can be preserved. It is not a park which can properly display its wonders to visitors adequately provided for by appropriate developments and a quality environment.

To bring this plan up to a reasonable standard—recognizing the needs of the local economy, but also recognizing that a national park can be a tremendous economic boon to an area—we must add certain critical areas. We must extend the boundaries along the lower Redwood Creek from ridge to ridge so that a unitary area can be protected from erosion and from visible scars. As a minimum we must add the drainages of Lost Man Creek, Little Lost Man Creek, and Skunk Cabbage Creek—all in this lower Redwood Creek area. These are complete watersheds and they comprise areas which can, in fact, be preserved.

I call upon the conferees who will consider this bill with the other body to accede to those parts of the Senate act which provide for these important areas to be included in this national park.

This is the minimum we must do if we are to measure up to the level of stewardship necessary for the redwoods and if we are to measure up to the standards which we wish to maintain in our great and popular national park system.

RIGHTS OF FARMWORKERS

HON. PHILLIP BURTON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 16, 1968

Mr. BURTON of California. Mr. Speaker, the right of farmworkers to organize and to engage in collective bargaining with the protections offered workers in every other industry in our Nation can no longer be ignored. For 3 years, the United Farm Workers, AFL-CIO, has been striking to seek a living wage, the right to collective bargaining representation, decent fringe benefits, and the chance to live and to work with dignity.

A boycott of California table grapes is now in progress in support of this continuing strike and a strike, authorized overwhelmingly by farmworkers on June 15, 1968, against the Coachella Valley growers in California. The Coachella Valley growers have refused a representation election to determine whether or not the majority of the workers desire to be represented by the union.

I, along with organized labor across the country, am happy to join in public support of the boycott as a legitimate act by the farmworkers to gain the rights afforded other union laborers in this country. I applaud the decision by Mayor John Lindsay's office to support the boycott in New York City which normally buys 15 tons of California table grapes for its hospitals and jails. And I regret that the Governor of my own State has overlooked the plight of the farmworkers and has attacked New York City for its boycott support.

This country and the Congress have neglected far too long the rights of the farmworkers. For this reason, I cosponsored H.R. 16014 which would amend the National Labor Relations Act to make its provisions applicable to agriculture. The passage of this legislation is the least we can do to help settle disputes between farmworkers and farm management through orderly, legal procedures. I call on my colleagues to support the farmworkers' rights to change their working conditions under protection of the law.

Two religious groups in California have issued public statements in support of H.R. 16014. I am happy to share with my colleagues the statements by the Catholic bishops of California on May 31, 1968, and by the diocesan council of the Episcopal diocese of California on May 21, 1968, as follows:

Statement of the Catholic Bishops of California on Extending the National Labor Relations Act To Include Farmworkers

The problems of farm labor and the organization of farm workers have been vigorously debated for over three decades. Their plight has reached varying attention in the public forum, but for the most part, relief and solutions for their problems have been few.

The majority of our nation's farm workers belong to that vast majority of poor, forgotten, and neglected Americans. Both government and private agencies have given no more than token response to their cries for help. Many farm workers and their families continue to exist in the most direful poverty.

During the past three years we in California have felt the anguish, bitterness and even despair of the farm labor dispute in Delano. As this dispute continued in its intensity, we realized ever so painfully that farm workers have been seeking a basic right accorded almost all other workers in this country. During the course of the dispute, we, the Catholic Bishops of California, presented clearly the Church's social teachings on the right of all men—both farmers and farm workers—to organize themselves for purposes of collective bargaining and mutual protection.

We now reaffirm those teachings, motivated by the knowledge that the entire agricultural industry will benefit from such organization. Farmers, as well as farm workers, are forming various associations of self-help to strengthen their economic position.

We have insisted before and we insist again that there is a moral issue involved in this area of human relations. Imposed political solutions will not have any lasting effect. Only a recognition on both sides of the dignity of the human person will continue to a just solution.

There will be no peace in the fields until we recognize the contradiction between this inherent dignity and the actual poor living conditions existing for many of the farm worker families.

In formal testimony before a Hearing of the U.S. Senate Subcommittee on Migratory Labor held in Delano March 16, 1966, we set forth clearly the following points:

"Any group in society has the right to form an association to foster its own well being. It is understood that this association act within law and therefore is concerned with the general welfare as well as with its own.

"Applied to farmers, this principle justifies their membership in any legitimate organization of their own choosing. Applied to farm laborers, this principle also justifies their membership in any legitimate organization of their own choosing.

"But it is not sufficient to recognize the right to organize in theory only. In order that this right be recognized in fact it is of crucial importance for the various governments to legislate criteria and techniques for determining the legitimacy of a particular effort to organize workers and to protect these workers from reprisals for joining in these organizing efforts.

"This is of particular relevance to farm labor organizing. Without these criteria farmers have no reasonable way of knowing who legitimately represents their workers, and the workers themselves may have doubts about the legitimacy of a particular organizing effort."

We stressed quite firmly the need to extend the National Labor Relations Act to include farm management-farm labor relations. This Act has served other fields of labor well by bringing orderly, legal procedures to settle disputes. While no legislation is ever perfect or satisfactory to every single individual, the Act has proven itself valuable over the past thirty-three years. We reiterate this view.

The National Labor Relations Act could not only provide the necessary due processes of law and the procedures, but also would make available trained personnel to see that both farmer and farm worker are protected and arrive at just solutions to their problems. We feel strongly that genuine, lasting peace will never come to farm management-labor relations until farm workers are included under the National Labor Relations Act. We have witnessed chaos and human suffering all too clearly to judge otherwise.

Legislation has been introduced in both the U.S. Senate and the House of Representatives to effect the extension of the National Labor Relations Act to include farm workers. Congress has found reason to exclude such workers since 1935. We cannot in conscience allow another year to pass without effecting social justice for the farm worker.

Today that precious moment in history is afforded us to usher in a new era for farm workers. We respectfully urge all the members of both Houses of Congress to consider the urgent need for this legislation and to act favorably for its passage.

RESOLUTION REGARDING SENATE BILL 8 AND HOUSE BILL 16014

Whereas the Diocesan Council has consistently supported the aspirations of farm workers to working conditions and wages in keeping with those of other segments of the labor force, and

Whereas farm workers are not now covered by the National Labor Relations Act,

Resolved that the Council of the Diocese of California urge the passage of Senate Bill 8 and House of Representatives Bill 16014, extending coverage of the National Labor Relations Act to farm workers so that they may have the same legal rights of other workers to engage in collective bargaining with their employers and be represented by unions of their choice.

(This resolution was passed unanimously by the Diocesan Council of the Episcopal Diocese of California, on May 21, 1958.)

MONSTERS ON THE HIGHWAYS

HON. BENJAMIN S. ROSENTHAL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 16, 1968

Mr. ROSENTHAL. Mr. Speaker, those of us who frequently travel the interstate highways cringe at the sight of the monstrous trucks we often have to pass. But these trucks are necessary, and few people would propose their elimination from these roads.

A bill recently passed by the Senate and approved by the House Public Works Committee, though, would unjustifiably allow much wider and heavier trucks to use the Nation's Interstate Highway System. Aside from causing great inconvenience to individual motorists, this bill would create a large number of danger spots, since heavier trucks would approach or surpass current road and bridge weight tolerances. There is evidence, for example, that heavy trucks were in part responsible for the collapse of a bridge over the Ohio River a few months ago, causing many deaths.

A cogent editorial on this subject, appearing in the July 11, 1968 issue of the Long Island Press should be of interest to all of us concerned about highway safety. The article follows:

MONSTERS ON THE HIGHWAYS

The Senate has passed a bill which would permit wider longer and heavier trucks on the interstate highway system. Fortunately the House hasn't acted yet. It should send this bill to the graveyard.

The bill would permit 9-foot-wide trucks with triple trailers weighing 138,000 pounds—or more—on interstate highways. Imagine a caravan of those 9-foot-wide behemoths on 12-foot highway lanes and you get a glimpse of the highway nightmare that would confront motorists.

The Department of Transportation warns the super-trucks would over-stress bridges on the interstate highway system from 32 to 36 percent. Obviously that means the bridges would have to be strengthened. That's only the beginning.

The bill applies only to interstate highways but trucks must use older roadways to get to and from the interstate arteries and that means a huge outlay of highway funds in any state which authorizes the super-trucks. The Transportation Department estimates $2,800 million must be spent to beef up older highways for the super-trucks.

Taxpayers already are subsidizing the trucking industry. True, the truckers are taxed, but not equal to the highway maintenance costs, and those costs will skyrocket if we have triple-trailer monsters.

As expected, the bill is backed by the American Trucking Association, but it is opposed by the U.S. Conference of Mayors, the American Automobile Association and the Association of State Highway Departments. Rep. James Grover of Babylon voted to bring the bill out of the Public Works Committee, but he now doubts he will support it on the floor. We trust all other Long Island Congressmen will join him in opposition.

MESKILL ASKS CONGRESSIONAL PROBE OF OEO GRANT

HON. THOMAS J. MESKILL

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 16, 1968

Mr. MESKILL. Mr. Speaker, on Monday, I sent a letter to the chairman of the House Committee on Education and Labor in which I set forth some of the strange details surrounding the grant of nearly a quarter of a million dollars in Federal antipoverty money to a corporation which does not exist.

News first came in the form of a press release from the Office of Economic Opportunity dated July 10, 1968. It stated that Connecticut Law Reform, Inc., Windsor, Conn., has received a grant of $272,443 for a legal services program.

Investigation by the press and by myself turned up the information that this corporation does not exist and that the grant allocation was unknown to all responsible Connecticut officials from the Governor on down.

In my letter to Chairman PERKINS, I set forth the following information, which should be of interest to his committee:

First. Hartford County, Conn., has had a legal aid program for the past several years.

Second. Neighborhood Legal Services, an OEO funded program, has been in operation for 2 years and has received grants totaling $285,000.

Third. The corporation, Connecticut Law Reform, Inc., to which the grant was made, does not exist. The address listed for it in the grant is the residence of Attorney Howard H. Orenstein of Windsor.

Fourth. Mr. Orenstein has told the press that he was unaware that he had submitted an application for this additional legal services program. However, the assistant legal counsel at the New York office of OEO told me on the telephone July 12 that Mr. Orenstein was hired as a consultant by the New York office for the express purpose of putting this grant application together.

Fifth. Mr. Orenstein is a former official of the neighborhood legal services program in Hartford and OEO legal services consultant.

He is presently a full-time consultant for the Connecticut State Commission on Human Rights at an annual salary of $14,000 a year. It has been reported in the newspapers but I have not personally confirmed these reports that OEO's plans for this corporation called for Mr. Orenstein to become the director at an annual salary of $20,000.

Mr. Speaker, it is clear that this program was drawn up solely at the request of the OEO New York office and was not in response to requests from any of the responsible officials in Connecticut. In fact, the whole procedure has been carried out without their knowledge.

I hope the distinguished Committee on Education and Labor will be investigating this situation promptly. It should not take too long. More important, is that all the facts be presented to the Congress and to the public. A loose attitude toward the taxpayer's money has all too often marked the operations of OEO along with an anxiety to establish numerous, high-salaried positions.

The timing of this particular grant award is also interesting. It seems that this large sum of money was located just before the fiscal year ran out on June 30. Apparently, it was unthinkable that any unused funds be turned back to the Treasury. Also unthinkable, evidently, was the idea of using the money to expand some of the proven programs such as Headstart. A number of people have written to me urging that Congress make more funds available for Headstart. Yet, here was over a quarter of a million dollars available for my part of the country which could have been used for Headstart. Instead, OEO decides to rush through an enormous grant to a dummy corporation designed to accomplish some sort of mission which was not requested by nor cleared with local officials.

This lax attitude does not sit well at any time. It is particularly reprehensible during this period of high taxes and heavy deficits.

At this point, with permission, I place in the RECORD an excellent editorial from the Hartford Courant of Sunday July 14.

The Courant, the oldest newspaper in the United States, performed an outstanding service in the investigation of this situation and in publishing the facts.

The editorial follows:

A FREE AND EASY WAY WITH TAXPAYERS' CASH

Whatever Connecticut Law Reform, Incorporated may turn out to be, its origins thus far have certainly had their share of mystery. The New York Office of Economic Opportunity says the proposed organization "will prevent the duplication of the legal services program in Connecticut." And this may be true.

But unfortunately, almost everyone else—including the taxpayer who is involved to the tune of nearly $273,000—seems pretty much in the dark about the whole business. The Connecticut Office of Economic Opportunity apparently was not consulted on the need for Law Reform, Incorporated. State poverty and legal aid officials know nothing about it. And Connecticut members of Congress are demanding more facts on how the grant to CLR was applied for, considered and awarded.

In short, the funding of Connecticut Law Reform, Incorporated, seems to have proceeded in a strange manner indeed. As has been well said, the matter might seem amusing if it were not for the fact that a large hunk of the taxpayer's hard-earned money weren't being sunk in it. But the free and easy way that an organization which still exists only on paper can get money from the Federal government is quite enough to make the public laugh out of the other side of its mouth. It won't be hard for most people to agree with State Republican Chairman Howard Housman that programs are being rubberstamped in Washington when the details surrounding them are unclear to so many local officials who should know about them.

There may be some clearer answer to the issuing of the grant to Connecticut Law Reform, Incorporated. But it surely hasn't come to light yet. Meanwhile the citizen taxpayer, faced with a 10 per cent hike in what he has to shell out of his paycheck, is going to wonder just how many more of these offhand handouts are being made in Washington and the branches of Federal government everywhere every day.

COMMUNITY DEVELOPMENT CORPORATIONS: HOW THEY WORK

HON. CHARLES E. GOODELL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 16, 1968

Mr. GOODELL. Mr. Speaker, last week, together with Mr. CURTIS, Mr. WIDNALL, and Mr. TAFT, I introduced the Community Self Determination Act. A major aspect of this legislation, indeed its central thrust, is the Community Development Corporation, which is designed to provide a vehicle for generating economic development within the impoverished communities of our country.

There are many such local corporations in being today. For the most part they have emerged independently of one another as a logical evolution consistent with time-tested national principles.

One such organization is the Harlem Commonwealth Council. The council has recently published its 1968 progress report, which I include below because it illustrates and explains how these organizations function. It is important, I believe, that we of the Congress understand the structure and purpose of these organizations, and for this reason, I also include the address and telephone number as well as the names of the officers and staff of the council: Harlem Commonwealth Council, Inc., 306 Lenox Avenue, New York, N.Y. 100; 212-876-5721.

The report follows:

The 500,000 black people in Harlem are able to spend $500 million for consumer goods every year. That is a sum larger than the Gross National Product of any one of several underdeveloped nations which our Department of Commerce can safely certify to businessmen as at the threshold of a sustained economic growth rate.

Until now, no promise like that has been feasible for Harlem. It is an underdeveloped and *underdeveloping* community with affluence all around it. Eighty percent of its 6,000 retail and manufacturing businesses are owned and managed by white people who do not have, and cannot be expected to have, more than a commercial interest in the community. The economic sickness of Harlem is the leakage of its capital; for generations Harlem's dollar has been siphoned off by white businessmen.

What goes out is Harlem's money; nearly all the little that comes in is from public welfare, the sort of "foreign aid" which is necessary for existence but useless for growth.

It is a waste of time to blame anyone for this state of things. What we must do is restore the economic potential of Harlem which has been so long neglected and abused. The function of the Harlem Commonwealth Council is to bring back to Harlem that internal economic vitality which is essential to its social development.

WHAT IS THE REMEDY?

The Harlem Commonwealth Council, a tax-exempt and nonprofit organization, was established under an Office of Economic Opportunity demonstration grant in September, 1967, and commissioned to help strengthen existing businesses, and find and assist in organizing and financing new enterprises in Harlem.

We believed from the very beginning that one root problem of Harlem is that almost no one who lives there *owns* anything. History has taught us that progress depends on the regenerative processes of capital goods. It is not enough to attract white-owned industry to Harlem. Finding jobs for blacks is not enough either, critical as it is to HCC's daily function. Both of these become enough only if we can also develop Harlem's capital.

The Harlem Commonwealth Council's strength and promise is that its aspirations and Harlem's are the same. It is staffed by Harlem residents with deep roots in the community and broad experience with the successful world beyond it.

Because they have lived inside Harlem, they know the real ground on which the black businessman stands; because they have worked outside Harlem, they can tell him what healthier businesses have learned. It is, we think, this unique double vision which has made it possible for HCC to begin to do what so many of its predecessors, however good their will, have until now failed to do.

For example:

(1) An HCC staff member can talk directly with the businessmen he is trying to help.

(2) An HCC staff member can develop criteria for capital loans to black businessmen less stringent than those which prevail with institutions used to dealing with larger and more traditional white-owned enterprises.

(3) At the same time, HCC has resources for systematic planning for Harlem which no agency before it has commanded. Its affiliated subcontractors, which include Columbia University, the New School for Social Research and the National Association of Manufacturers, have united to begin those depth studies of Harlem which will give us the scientific diagnosis of Harlem's economic health upon which a lasting cure depends.

(4) HCC's promise has attracted the voluntary and engaged assistance of a host of organizations varying in function but alike in expert resource: combinations of concerned citizens like the Urban Coalition; consultants in management like McKinsey and Company and the United States Research and Development Corporation; and private corporations, like Talcott Factors, Arthur Anderson, ASC Tabulating, and Mobil Oil.

(5) And HCC has directed its energies just as much at enlisting in its efforts such indigenous Harlem institutions as CORE, HARYOU, the Harlem Chamber of Commerce,

the Architects' Renewal Committee of Harlem, and the Neighborhood Boards—at closely involving and continually informing them of its developments.

HOW IS IT WORKING?

The best way HCC knows to illustrate the working of this special combination of talents is with concrete histories from the experience of our first six months.

Last winter the slowness of New York City's procedure for paying drug bills under its Medicaid Program threatened disaster for Harlem's black pharmacists. Their low cash reserves and narrow profit margins could not carry them through the period after they dispensed the drug while waiting to be paid for it.

HCC managed to arrange a system of commercial funding and create an organization offering pharmacists either short-term loans or outright purchase of their accounts receivable. This device helped keep 11 pharmacists in business and is being extended to 26 others.

Because the initial activities of the factoring organizations have been so encouraging, HCC plans to expand to serve physicians and dentists who are similarly strained by Medicaid payment delays.

The loan to the pharmacists was the first occasion when any agency except the government provided Harlem businessmen with operating funds on criteria other than the ones normally demanded by banks. Not enough black pharmacists can, for example, yet afford insurance. Even so, these pharmacists can now keep abreast of their expenses and have that advantage in relations, with wholesalers and distributors which is only possible with a secure line of credit. From this experience with a special emergency, HCC is now projecting something like a commercial bank to serve other black businessmen.

The problem of city Medicaid payment delays has also instructed us in the need for an accounting and business computer service in Harlem. For example, if HCC's computer can process a pharmacist's bill to fit the city's computer, the lag between billing and payment will be dramatically reduced.

Within the next two months, the Medicaid accounts of every Harlem physician, dentist and pharmacist will have been put on our tapes. Within a year we expect to be able to offer a complete computerized operation to every pharmacist in the city. Within two years, the computer data center can process the records and accounts of all five Harlem hospitals and offer its services to other municipal hospitals. At its initiation 12 persons will be hired for this computer program, and it will serve as a training base for these and future key punch operators. McKinsey and Company, estimates that, with citywide expansion, this will be a viable business with unlimited potential.

Harlem has long needed a 24-hour pharmacy. HCC has found the $150,000 needed to purchase the site across from the new state office building, modernize it and fit it with supplies. The date for the opening is August of 1968. It will serve as a limited wholesaler for other Harlem pharmacies and as a distributor of black cosmetics to them and to beauty parlors.

HCC will organize and staff this operation and thereafter sell shares in the community.

The shortage of competent sales help is a continual complaint of Harlem pharmacists; we plan to use this new enterprise as a training center for salespeople.

The Green Shoe Manufacturing Company, the country's largest producer of children's footwear, asked HCC's help in establishing a Harlem outlet under black ownership. Within three weeks, HCC found an owner-prospect, a site and staff. The new store will open in July or August of this year, financed jointly by its new owner, by HCC and by Green Shoe. Its estimated business volume will be $250,000 a year and it too will be used for training shoe salesmen to develop a skill pool for further outlets.

HCC and its research affiliates have compiled a data bank which gives the first comprehensive description of the Harlem business community. By now most industrial enterprises can assume that the basic statistics they need to plan are already available for them readymade; in Harlem we had to gather those statistics for ourselves before we could begin.

What we have talked about are projects at the operational point. HCC has a number of others in various advanced stages of planning. All give promise of substantial employment of persons and capital.

HCC's automotive diagnostic center would offer the fullest range of services that exists in New York from diagnosis through repair. It would employ 40 persons trained in skills ranging from the mechanical to the managerial, Mobil Oil and the Ford Motor Company have expressed interest in working jointly on this venture. It will require $500,000 in capital and ARCH has already drawn the architectural plans. HCC hopes to open the autodiagnostic clinic in the spring of 1969.

A major petroleum company has asked HCC to seek out prospective proprietors for its Harlem service stations which are not now under black ownership. We expect to have nine stations make this change by next November. The new owners will be trained in techniques of successful service station operation; and the petroleum company conscious of the capital problem has promised its assistance in the arrangement of terms.

Harlem's greatest natural resource, next to people is its location, the most central and accessible in the New York metropolitan area. ARCH and HCC together have begun an intensive survey to find what properties might be available for the industrial park which would be the best use of this natural advantage.

This is a concept never before tried in the ghetto. HCC has found a large number of corporations who are willing to install their facilities in such a park. Its importance to the community would be immeasurable: (1) there would be a large influx of capital; (2) American industry would have a practical opportunity to assist an underdeveloped area; (3) Harlem residents could look upon a major enterprise, operated and staffed by blacks, and recognize their vested interest in the capitalist system.

Harlem is our home and its regeneration is the great objective of HCC's endeavors. Even so, we know that what HCC is doing can serve a world much larger than Harlem. The Harlem Commonwealth Council is a fusion of business, government, and its neighbors, working together to restart a stalled community. The example of that common effort and what success it wins can be a prototype for stalled communities all over America.

Board of directors

Chairman, Isaiah E. Robinson Jr.; Chairman—Harlem Parents Committee.

Vice-Chairman, Preston Wilcox; Staff Assoc.—Education Affiliates of Bedford Stuyvesant D & S Corporation, Coordinating Committee IS 201, Planning & Parents Committee P.S. 25–136.

Secretary-treasurer, Kenneth E. Marshall; Vice President—Metropolitan Applied Research Center Inc. Former Executive Staff Member HARYOU.

Directors

Leo Rolle, Excutive Director, United Block Association; Chairman, Board of Directors ARCH.

Arthur Hill, Deputy Inspector NYC Police Department.

Marshall England, Executive Director, L.A.B.O.R.; Former Chairman, Harlem CORE; President, HARYOU-ACT Community Corporation.

Kenneth H. Simmons, Program Director, Urban America; Former Co-Director ARCH.

Roy Innis, Former Chairman, Harlem CORE; Assoc. National Director of CORE.

Staff personnel

Donald M. Simmons, Executive Director.

Thelma Scott, Deputy Director.

Rozendo Beasley, Assistant to Director.

Nathan A. Richards, Project Coordinator.

Carl Ann Keeling, Administrative Assistant.

Louis A. Wheaton, Fellow-in-Residence.

Addition to board of directors

J. Max Bond, Director of Architects Renewal Committee in Harlem.

"Funded by OEO (Office of Economic Opportunity) Research and Demonstration Section".

THE BEST OF AMERICAN IDEALS

HON. ROBERT V. DENNEY

OF NEBRASKA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 16, 1968

Mr. DENNEY. Mr. Speaker, in recent times, we have seen many violent student demonstrations against the order of our society. But today there is a remarkable contrast in Washington where a small group of students from the John F. Kennedy College in Wahoo, Nebr. are demonstrating in the traditional democratic style of taking their case to elected officials and the public regarding the need for maintaining private institutions.

These are fine, dedicated young people who recognize that if this country is to continue its progress, it must have small colleges as well as the large universities so that young people can have the tools with which to compete.

This extraordinary group of students displays the very best of American ideals: self-help, courage, integrity and devotion in times of adversity.

For the benefit of my colleagues and readers of the CONGRESSIONAL RECORD all over the country, I include the introductory letter these students are giving to every person they contact. The letter, which is self-explanatory, follows:

DEAR SIR: It is apparent that the "in" thing with the current generation of students is to demonstrate. Some colleges this past year have experienced student demonstrations which have sought to destroy their very foundation. The students of John F. Kennedy College have not demonstrated against their country, their college administration or their elders; no draft cards have been burned at John F. Kennedy College. Mindful of the words of the President that "in the long history of the world, only a few generations have been granted the role of defending freedom in its hour of maximum danger," the student body unanimously signed a petition supporting our troops in Vietnam.

John F. Kennedy College was established in 1965. Permission was granted from Mrs. Jaqueline Kennedy to use the name of our late President. She was pleased to grant this permission provided the college would maintain the high standards of education that might be expected from an institution named for her late husband. Today these standards are being maintained.

John F. Kennedy College is a Liberal Arts College with 550 students currently enrolled with a projected student body of 800 for September, 1968. Because the college is new we have no large financial endowments; we do not benefit from tax-support money; and of course, we do not yet have an alumni. Consequently, like many small private institutions of higher learning, John F. Kennedy College is experiencing serious financial difficulties. As might be expected, income from students was not adequate to meet all of the obligations of the college and each of the first three years has been a deficit operation. Presently moneys are due the Internal Revenue Service, payroll and tax deposits for the summer months, bank mortgages, and insurance payments. The immediate emergency needs of the college amount to slightly over $200,000.00.

We students of John F. Kennedy College have decided that direct action by the student body to help our college is proper and justified. In an age when it is popular for students to tear down and destroy our institutions of higher learning, we wish to help build and promote our college. President Kennedy went to the heart of the matter when he said ". . . I believe in an America where every child is educated not according to his means or his race, but according to his capacity; where there are not illiterates; . . . where there are enough colleges and dormitories to make it possible for every young man and woman of talent to go to college . . .". The need for colleges in America was highlighted by Senator Wayne Morse, who has stated that "in order to meet the needs of higher education by 1985, two things must happen: all existing colleges and universities, public and private, must double in size; in addition we shall require 1,000 new colleges with an average student population of 2,000 each." Rather than promoting the building of many new colleges we are simply trying to save an excellent one already in existence. We, the student body, represent more than half of the states in the union, so we feel that its continued existence is important to more than a narrow segment of our population. We feel that the ideals and objectives of this liberal arts college are important to the educational objectives of our nation.

So, on behalf of the students at John F. Kennedy College, the faculty, the administration, the community, the nation, we solicit your help in our effort to ensure the continued existence of this, our college. We ask you to undertake in our behalf any venture that you consider to be worthy and honorable. If you know of people who would be interested in contributing to our cause, we would be pleased to learn of them. If you can in any way enlist the support of your many friends and colleagues to our benefit, we would appreciate it. If you can publicize our need for funds, it would be of service to us.

We feel that John F. Kennedy College should remain in existence as a living monument to a great man. Therefore, we, the student body, are willing to "pay any price, bear any burden, meet any hardship" to save our school. We would appreciate your assistance at this most critical time.

Sincerely yours,

STUDENTS TO SAVE
JOHN F. KENNEDY COLLEGE.

THE "PUEBLO"—HOW LONG, MR. PRESIDENT?

HON. WILLIAM J. SCHERLE

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 16, 1968

Mr. SCHERLE. Mr. Speaker, this is the 176th day the U.S.S. *Pueblo* and her crew have been in North Korean hands.

METEOROLOGY, AIR POLLUTION, AND PLANNING

HON. WENDELL WYATT

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 16, 1968

Mr. WYATT. Mr. Speaker, one of the most obvious and pressing problems facing this Nation is that of air pollution abatement and control.

Dr. Fred W. Decker, a meteorology professor at Oregon State University, recently reported to me his researched view that modern meteorology relevant to air pollution often does not get applied at the right point in highway and industrial planning.

Based on Dr. Decker's findings from observations made in Europe and his involvement in air pollution control in America, he urges that professional meteorologists be consulted early in planning highway and plant site selection.

At this point I insert his remarks and commend them to my colleagues for their consideration. His plea, coming from an outstanding member of the meteorological profession, is directed to Federal, State, local, and private authorities involved in the pollution problem. His concern for the growing suffocation of urban areas through atmospheric pollution is thoughtful, timely, and above all important to our Nation's future.

The material follows:

DON'T NEGLECT METEOROLOGY

(By Fred W. Decker, Ph. D.)

Atmospheric sewers flow from many industrial sites across residential or commercial areas and bring harmful or offensive effluents to mar the home and business environments of millions of Americans. The older industrial location criteria tend to ignore these factors, even when protests arise in attempts to warn of the probable consequences. Hence, we continue to locate new industrial plants, highways, sewage treatment plants, and other producers of noxious exhausts in places which often assure future trouble, expense, or the denial of civilized atmospheric conditions for present and future generations of people.

Must America submit to an era of intolerable pollution before we take some simple steps to limit the concentration of air pollution in urban areas? Can anyone from a fresh-air environment doubt that the polluted air infesting some metropolitan areas actually contributes emotional factors erupting in urban violence? Fastidious though the protesters might appear, do they not exhibit the symptoms of irritability which may contribute predictable urban upheavals, simply expressing the disgust of many people with their own choking environment? Must the sun rise high toward noon before it appears as anything but a dim red orb in a smudgy, chemical-filled morning sky because of the air which settles in some major urban river basins? Questions like these suggest major trouble as America's reward for ignoring and neglecting existing knowledge and technology because industrial and public planners seem to consider it too much trouble to avail themselves of meteorology, the science of the atmosphere.

We have technology and knowledge to foresee the troubles which will arise from bad site selection, but often Americans do not apply their much-vaunted "know-how". A great deal of our present and future trouble comes from sheer neglect of the existing knowledge and techniques. In at least some cases the neglect seems to arise from the fact that specialists tend to ignore each other. In air pollution questions we meteorologists often do not get consulted until after the trouble starts. Then, when plans have gone past "the point of no return" for instance, we often cannot give the help which we could have rendered if called in at the start of the planning. Meteorologists ultimately may testify as expert witnesses in litigation, whereas earlier we might have helped avert the basic trouble by participating in plant design and site selection.

In the Far West the deeply-cut narrow valleys have a number of notorious situations in which industrial plants located near sources of water have polluted the air confined in the valleys and hovering to blanket nearby populated areas. The pressure to eliminate water pollution has also tended in some cases to shunt the pollution into the atmosphere at these installations located on rivers or lakes. In still other cases a predictable on-shore flow of cool, stable marine air carries industrial effluents to blanket a populated area farther inland, or a great basin of stagnant air in a valley surrounded by high mountain ranges will get increased concentrations of pollutants as the air recirculates past the sources for a number of days pending arrival of deeply-mixed fresh air with a storm front.

Situating the outlets of pollution at high levels for rapid dilution and swift removal of the pollutants could greatly relieve the problems caused by unavoidable release of pollutants. "Take to the hills" provides a policy for locating these sources of pollution which cannot economically eliminate the objectionable ingredients in their atmospheric exhausts. I have advocated this policy for kraft paper mills in the Far West, for instance. Dr. George Arnold of Southern Illinois University advocated this policy earlier for the relatively shallow basins along rivers of the Midwest afflicted with malodorous, noxious effluents. But, many people have asked, where has anyone ever taken such a radical step as to deny an industrial plant its "best" location alongside a river in a valley bottom and instead to locate it on a hill? Does not the meteorologists' cure seem too drastic?

For a successful example of meteorologically-guided site selection, consider the 300 megawatt oil-fired steam-turbine electric power plant just east of Lake Geneva near the Swiss town of Vouvry. Considering the plans, authorities of Canton Valaise some years ago demanded at least a 985-foot stack to remove the exhaust fumes from the stable atmospheric layers draining from the Alps down the Rhone Valley. The Swiss federal aviation authorities, however, forbade construction of such a tall obstruction as a hazard to flight. The successful solution consists of locating the entire plant on the plateau Chavalon sur Vouvry with a stack to emit exhausts 1850 feet above the valley floor. The swiftly-flowing, deeply-mixed air currents of the troposphere above the valley air ("pollutosphere", as I have labelled the lower trapping layers) now remove the fumes from the vicinity of the residential and agricultural area satisfactorily.

While meteorology cannot produce miracles of weather modified on order or yield forecasts pin-pointed far in advance, knowledgeable meteorological consultants can deliver results in their proper places on planning teams. Working with the engineers of various specialties, they can select sites and otherwise assist in design to reduce the impairment of civilized living while still gaining the benefits of industrialization.

Regulatory bodies should insist upon

qualified meteorological surveys of proposed sites, but industry should without compulsion take steps to get such surveys made while still considering various alternative sites. Highway design should have the aid of meteorologists in seeking ways to avoid concentrating the fog-producing vehicular exhaust on thoroughfares situated in narrow terrain channels.

Congress can insist that Federal support or permission carries the obligation to make use of modern meteorological assistance in minimizing the foreseeable pollutosphere problems. But Federal regulation would not have to appear very often if administrators and engineers sought professional meteorological help before constructing works which necessarily created new probelms in low terrain where trapped stable air develops the pollutosphere.

Industrial and other planners can learn about qualified meteorological consultants from the American Meteorological Society (either the Boston headquarters of the local AMS chapter). But higher education has too often omitted this subject from the academic environment of future engineers, administrators, and others who go forth to plan and construct the sources of air pollution. The special programs of instruction financed with Federal funds for the purpose of producing specialists in air quality control should particularly include courses aimed at developing competence in general meteorology as well as specialized knowledge of techniques involved in air pollution problems. Specific recognition of meteorology and its importance to many planning activities should include new opportunities for college major studies in the field and new meteorologist registration to identify the qualified practitioners.

The consequences of air pollution seem too serious to continue either ignoring meteorology entirely or having other specialists attempting superficial "do-it-yourself meteorology."

ROGERS OPPOSES PROPOSED TAX ON TRAVEL

HON. PAUL G. ROGERS

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 16, 1968

Mr. ROGERS of Florida. Mr. Speaker, I have noticed that the Senate has resumed hearings on the proposed tax on travel abroad. I strongly opposed this tax and feel it would in the end prove more costly and bothersome than it is worth.

We have seen testimony that if the Senate passes the proposed tax on travel, it will necessitate additional personnel in the customs department and additional personnel in the postal departments because of the processing of the mail returns tourists will be forced to file.

It is estimated that the entire revenue raised from the tax, excluding the added costs, would be about $140 million. That figure would most probably be reduced greatly when the bureaucracy needed to administer the program was built up. Of course there would also be the natural input of additional Internal Revenue Service people here, too.

On top of all this, there would be created an ocean of redtape and bookkeeping and the bill would set American tourists adrift on this bothersome sea. The whole thing is not practical or well thought out and would be all but unenforceable.

The Senate is presently holding hearings on the bill which would impose a 30-percent tax on all money American tourists spend over $15 per day. I hope that the Senate will turn down this proposed tax.

VOCATIONAL EDUCATION AMENDMENTS

HON. CLAUDE PEPPER

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 16, 1968

Mr. PEPPER. Mr. Speaker, the House adopted yesterday under suspension of the rules the very vital Vocational Education Amendments of 1968. This legislation means much to the people of my district and of the Nation. Since the passage of the Smith-Hughes Act in 1917, this Nation has recognized the need for vocational education, and this legislation offers evidence that this concern has not diminished; that, in fact, the need for improved vocational education programs has only increased. Indeed, as our highly technological society becomes more sophisticated, the development of skilled manpower to operate the new machines and implement the innovative methods necessarily becomes a prime consideration of legislative activity. The Vocational Education Amendments of 1968, H.R. 18366, thus deserves our immediate attention and approval, for this act can be instrumental in meeting the demands of our economy and in expressing our concern for the individual's dignity.

Vocational education legislation has been effective in the past, but it must be made more inclusive and more penetrating if it is to reduce the frustration experienced by many young people who do not seek a college education. In Dade County, Fla., for instance, almost 5,000 young people were aided by the vocational education centers; across the country, 1.7 million high school students, 15 percent of the total enrollment, were in training programs leading to gainful employment. However, unless the imaginative programs encouraged by the 1968 amendments are implemented, many other young adults who are not reached by present programs—in Dade County and elsewhere—will not know the security and satisfaction of gainful employment.

The importance of this legislation can be further realized by examining the changing conditions which mark our economy's progress. In the last decade, for example, there were a mere 1.1 million occupational opportunities for those who had just a high school degree, as compared with 8.3 million for those who had some postsecondary education. These employment conditions are highlighted by the Bureau of Labor Statistics' report that the unemployment rate for June 1968, rose from 3.5 to 3.8 percent—an increase, according to BLS, almost entirely in the unskilled labor category and attributed to the high school graduates and dropouts who could not find employment. Recognizing that 26 million students will graduate from high school in the next decade, and that the number of unskilled jobs will continue to decrease rapidly, one can appreciate the urgency of this legislation in providing a greater opportunity for training and education to the Nation's young people.

The 1968 amendments would provide for exemplary programs and projects in vocational education which will promote cooperation between public educational agencies, manpower agencies and private business as well as explore new avenues of research and training. This bill will also provide guidance and counseling for the high school dropout; it will direct the high school graduate toward fields that will serve to develop his interests and abilities; it will likewise stimulate the various educational and employment agencies to refine their curricula and programs to meet the needs of all students requiring vocational education. These numerous new programs will hopefully enable each participant to combine education with work experience and to have adequate contact with related agencies that can offer job placement services.

Provisions changing previous vocational education laws are equally as important as new programs to vocational education. The Vocational Education Amendments of 1968 consolidate the 23 programs and purposes of previous legislation—such as the Smith-Hughes Act and the George-Barden Act, 1946—for the ultimate purpose of providing greater flexibility to the States and local agencies and more long-term planning arrangements in administration. Provisions similarly repeal the "matching requirement" of past legislation—a repeal that will now permit the poorer school districts to receive greater shares of Federal funds for worthwhile programs. It is also required that each State formulate 5-year plans, to be supplemented and revised annually through program plans of State boards and State advisory councils. This would direct the activities in vocational education so that they will adjust to changing circumstances and needs and thereby achieve maximum effect.

By further stipulating that at least 25 percent—and in no event less than 15 percent—of the regular State grant funds be expended on programs for the disadvantaged, this bill takes a bold step toward correcting a serious imbalance which has characterized previous programs. For too often, vocational education programs are directed at those most amenable to training and development rather than those with the most critical need. Thus, in Dade County, the unemployment rate for teenagers is more than nine times the national average; in the Nation, the unemployment rate for teenagers is 28 percent, more than seven times the national average. The basic reason for this tragic situation is that those teenagers from economically disadvantaged homes usually do not find easy access to the numerous vocational education and training programs within the community; these students are so divorced from the mainstream of society that they remain impervious to present guidance toward and incentives for training. The bill therefore concentrates its principal thrust toward stimulating creative but efficient programs in vocational education programs that will draw these students toward productive employment.

Of equal importance to the poor and the disadvantaged is the separate authorization for consumer and homemaking education in title I. It is an adaption of the amendment which I introduced to this body, an amendment that further recognizes the socioeconomic factors which underlie any effective vocational education program. A child or a young adult, one who lives in unsanitary conditions and who does not receive the proper nourishment for physical and mental health, will often lack the motivation to take advantage of the opportunities offered by any of the preceding programs. Beginning with 1970, my amendment provided that a certain portion of the $15 million authorization for State grants be used in this long-neglected area of homemaking education in depressed areas. The committee amendment requires that a one-third portion of the annual allocation in each State be used for consumer and homemaking programs in economically depressed areas.

This amendment to the regular homemaking program would, in effect, train teachers and provide aides who in turn would educate families in low-income homes about health and nutrition. This is of particular significance since women are frequently the family heads in these areas and are often unable to adequately meet all of the family's responsibilities. My amendment and the subsequent committee amendment would thus recognize the statements of the President's Council on Consumer Interests which stressed that women in low-income areas are most susceptible to being duped by shopkeepers, that these families know least about mental and physical hygiene, and that these families suffer the most from psychological strangulation.

This authorization, then, will teach the family how to most effectively utilize its food stamps and limited income; this authorization will teach these families how to keep their homes clean despite the inhibiting conditions of slum housing; this authorization, in other words, will enable each family to establish the physical and psychological atmosphere so crucial to motivating the family's children. In Dade County alone, more than 10,000 families will find their diet more stable, their health safeguarded, and their lives more enriched.

Finally, in conjunction with this emphasis on the education of the disadvantaged and the socioeconomic factors that effect students in vocational education, the 1968 amendments will likewise offer expanded opportunities for those out of school. Title IV of this legislation will lower the minimum age requirement for adult education programs from 18 to 16 years. This amendment will subsequently permit young men and women of limited education and experience to acquire the skills and absorb the motivation required for gainful employment. It can make a worthy contribution to easing able citizens off welfare rolls and on to payrolls. It will help young people in Neighborhood Youth Corps and Job Corps gain a basic education together with job skills.

Mr. Speaker, recent events have blatantly revealed the frustration in our cities, a frustration that casts a shadow over our advancing economy. We must finally realize that vocational education and in particular homemaking education involve more than meeting the economy's manpower needs; it is ultimately a question of enabling each individual to learn the joy and dignity derived from self-fulfillment, from a physically well-balanced and healthy life, and of allowing each individual to contribute to this Nation's development. Let this legislation promulgate a more promising future for millions of young people; let this legislation offer to each family the hope for a reasonable standard of living and the ability to maintain a meaningful home life.

ITALIAN REFUGEES

HON. PHILIP J. PHILBIN

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 16, 1968

Mr. PHILBIN. Mr. Speaker, despite the heavy legislative schedule ahead of us in the few short weeks ahead as the 90th Congress strives to adjourn, it becomes imperative for this House to take action on pending bills for the relief of the victims of the earthquakes in Sicily.

Among these bills is my H.R. 15192, to permit the issuance of 2,000 special immigrant visas for the unfortunate refugees from this great natural disaster, which created so many homeless and disrupted the lives of thousands of people.

I am deeply interested in this legislation and was pleased to join my dear and able friend from New Jersey, Congressman RODINO, and others in sponsoring this humane bill.

There are many Italian people in my district with relatives in Sicily who are refugees as a result of the earthquake. I hold these friends of mine in highest regard, both those who have come to this great country in the past and those of Italian descent who were born here and are native born American citizens who have made immeasurable contributions in war and in peace for the perpetuity and protection of our American institutions.

Naturally, I am anxious to assist these victims of the earthquake in Sicily so that they may be given the opportunity to have their admission to the United States expedited in every way possible and be given the chance to start life anew in this great country of ours where they will find even better opportunities and abundance than those who have come to this Nation in the past from foreign countries.

I think that this legislation is highly meritorious and I am proud to join in support of it and to urge that it be considered and enacted before Congress adjourns.

To measure the multitude of rich contributions of people of Italian blood to civilization and to this country would be impossible.

The annals of art, literature, science, invention, music, and the humanities, outstanding achievement in government, business, the professions, and every calling are replete with Italian distinction and achievement.

The world and this Nation could never repay these memorable accomplishments.

We need more of them today. And we need the kind of loyalty to the values of America and warm friendship for ourselves that the members of the great Italian society can provide and the high standards of fine, loyal citizenship these valued people exemplify.

JUSTICE FORTAS SIXTH TENNESSEAN TO SERVE ON NATION'S HIGHEST COURT; LIFE MAGAZINE ANALYZES "WARREN COURT"

HON. JOE L. EVINS

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 16, 1968

Mr. EVINS of Tennessee. Mr. Speaker, there has been much discussion with respect to the appointment of Justice Abe Fortas as Chief Justice of the U.S. Supreme Court, and in this connection I place in the RECORD herewith my recent newsletter concerning the role of Tennesseans on our Nation's highest Court.

In addition Life magazine in a recent editorial discussed the Supreme Court and its accomplishments and flaws. The article underlines the lack of restraint which many believe characterized the "Warren Court" and suggests that Justice Fortas as a greater lawyer will exercise greater restraint.

I also place in the RECORD herewith the editorial from Life magazine.

My current newsletter, Capitol Comments, and the editorial from Life follow:

NOMINATION OF ABE FORTAS AS CHIEF JUSTICE HIGHLIGHTS SIX TENNESSEE APPOINTMENTS TO NATION'S HIGHEST COURT

President Johnson's nomination of Justice Abe Fortas of Memphis as Chief Justice of the United States Supreme Court recalls the strong representation which Tennessee has had on the Nation's highest Court since our early history. A study has shown that the following Tennesseeans were appointed to the Supreme Court:

Justice John Catron, appointed May 1, 1837, by President Martin Van Buren; Justice Howell E. Jackson, appointed March 4, 1893, by President Benjamin Harrison; Justice Horace Harmon Lurton, appointed January 3, 1910, by President William Howard Taft; Justice James Clark McReynolds, appointed October 12, 1914, by President Woodrow Wilson; and Justice Edward Terry S. Sanford, appointed February 19, 1923, by President Warren Harding.

President Andrew Jackson of Tennessee appointed Roger Taney of Maryland as Chief Justice in 1836. Chief Justice Taney wrote the famous decision preceding the Civil War that favored the South. This was the Dred Scott Decision which held that a runaway slave must be returned to his owner from Wisconsin, and which outraged the North.

Historians and wise men predicted that following the Taney decision a Chief Justice would someday make a decision favoring the North, but that this should not provoke another Civil War. Chief Justice Warren, who was appointed by President Eisenhower on October 5, 1953, led the Supreme Court in reaching several decisions which were unpopular in the South.

With the nomination of Justice Fortas of Tennessee as Chief Justice, a new era is beginning in the Court. The period of the Warren Court is ending and the new era will bear the imprint of Chief Justice Fortas, assuming he is confirmed by the Senate. Indications are that the Fortas Court will take stronger positions for law and order. Justice Fortas is also known to be strongly in favor of free competition in our free enterprise system, and holds strong views against monopoly and monopolistic power.

Concerning the elevation of Federal Judge Homer Thornberry from the Court of Appeals to the Supreme Court, your Representative served ten years with Judge Thornberry when he was in the Congress before his appointment to the Federal Judiciary. Justice Thornberry's legislative and political background should provide him and the Court with helpful, practical experience and many predict he will emerge as a great Justice. The confirmation of Justices to the Supreme Court is a matter for the Senate. Predictions are the President's appointments will be approved.

A Great Court—and Its Flaws

"The work of the Warren era is finished . . . the greatest era of court history since John Marshall." So says Abe Fortas, just appointed to succeed Earl Warren as Chief Justice of the U.S. But if the Warren era is over, what about the controversy that surrounded its major decisions?

The John Birch Society suspended its "Impeach Earl Warren" campaign eight months ago as politically counterproductive. Yet 19 Senate Republicans are trying to block his successor's confirmation lest it fasten the Warren "liberal" tradition on a country that may want the Court to follow the November election returns. And Congress has just passed a section in the Omnibus Crime Control bill which attacks three recent Court decisions on the rights of criminal suspects. The storm blown up by Warren's work will be a long time subsiding.

John Marshall had 34 years to turn the U.S. Constitution into the legal spine of a nation. In his 15 years, Warren undertook to set national norms for our race relations, our representational system ("one man, one vote") and our treatment of criminal defendants. He seized on these three areas of clear injustice, which had been badly neglected by Congress and the states. He made them Supreme Court questions, and by his decisions he revitalized and updated both the quality and the direction of our democracy.

The effect of these decisions on how Americans behave toward each other has been greater than any act of the three Presidents or eight Congresses of Warren's time. The current civil rights revolution started with *Brown v. Board of Education* (1954). As Jack Greenberg of the NAACP Legal Defense Fund has put it, that decision and its judicial progeny have "changed more hearts and minds than all the sermons preached between 1954 and the present. Indeed, it changed a good many sermons." The pains, strains and incompleteness of the Negro revolution should not obscure the fact that the law has been its ally and gave it a way to stay within a framework of law and order. Moreover, the Court's trail-blazing did awaken Presidents and Congress to their duty to share the lead in new civil rights legislation (1957, 1960, 1964, 1965, 1968).

The reapportionment decisions, which began with *Baker* v. *Carr* (1962), also stirred more than half the state legislatures to take the action toward fairer districting they knew they should have taken years before. Yet *Baker* v. *Carr* is a good example of why many lawyers who agree with the Warren Court's decisions (as being just) hate to read its opinions (as being sloppy law). Although it has tried to set "guidelines" of how the states could make their voting districts substantially equal in population, the lower courts and legislatures are in a welter of confusion over its application because no clear constitutional principle has emerged. "One man, one vote" is less principle than slogan.

A similar legal obscurity has attended other great Warren reforms. The protections of the Bill of Rights and of "due process" had long been a dead letter for many suspects and criminals under state jurisdiction. Not only was the "third degree" (and its more sophisticated substitutes) still a widespread police practice, but state courts generally maintained subfederal procedural standards. Since the Constitution (in Warren's words) "exists for the individual as well as for the nation," the Court moved into this area with such famous decisions as *Gideon* v. *Wainwright* (1963) (everybody's right to a lawyer), *Escobedo* (1964) and *Miranda* (1966) (higher standards for confessions). The "secrecy of the station house" was invaded by the Court because nearer-by consciences were asleep. The result has been a pervasive challenge to magistrates and police chiefs. It has *not* sparked a universal jailbreak or dangerously inhibited the war on crime. But because many decisions were more sweeping and imprecise than they need have been, it has left lower courts and policemen unnecessarily confused.

Good jurists are almost daily confronted with what Archibald Cox, former Solicitor General, calls an "insoluble dilemma": how to serve social justice and at the same time maintain a clear and predictable body of law. The extremes of this dilemma are rigidity and formlessness; the latter attracted the Warren Court. It gave justice (and a lot of mercy) to most of the litigants before it, but scamped the need of lower courts and lawyers to reason their way into the next decision. The surest escape from this judicial dilemma is not to align with "liberals" or "conservatives" but for the Supreme Court to limit the legislative role, as the late Felix Frankfurter tried to do: *i.e.*, defer to the legislative branch in hard cases and practice "judicial restraint."

The Warren Court has had little truck with judicial restraint. One of its minor revolutions was in the laws against obscenity which have been all but stricken from the statutes, thus giving a new freedom to artists and writers but also to the smut industry. Warren himself has tried to get the Court out of its obscenity cases on the ground that it had more important work to do. But his was only one vote among nine, and some law professors even argue whether it should be called the Warren Court or not. His influence was personal, not doctrinal. He has been called a "Swedish Jim Farley" and he was certainly more politician than jurist; but more statesman than either. He had a vision of the Constitution that will be with us for many years. That is politics of a high order.

Abe Fortas, if confirmed (as he surely should and will be), will also occupy a political role. He is a Johnson crony, but this is not in itself a threat to the separation of powers. Unlike Homer Thornberry, the new appointee who will add a touch of Southwestern moderation to the Court's councils, Fortas is not a Johnson worshiper or dependent. His is one of the best and subtlest legal minds in the U.S. Unlike Warren, who led his Court by personal warmth and size, Fortas is likely to shape his by brains and judicial sophistication. Warren had one favorite question in oral hearings: "Yes, but is it fair?" Fortas is noted for more searching questions relating to the state of the law.

The law and its mystique must never lose touch with the average citizen's sense of justice, for all Americans are part-time amateur lawyers and want to perpetuate their barroom arguments about legal rights and wrongs. But the law's predictability, which is as essential as its justice, depends on more professional considerations. These have suffered most from the bold sweep and careless craftsmanship of the Warren Court decisions. Abe Fortas can do a great deal to tidy up the loose ends of Warren's great work. And since reapportionment is giving the views of Congress and the legislatures a "presumptive validity" which they lacked before Earl Warren took this country in hand, the Fortas Court may see reason to give the idea of judicial restraint another turn on democracy's ceaseless wheel.

UNDER THE NATIONAL DOUBLE STANDARD

HON. JOHN R. RARICK

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 16, 1968

Mr. RARICK. Mr. Speaker, small wonder the masses of our people are confused and bewildered about the directions taken by our quasi-royal leaders.

We send diplomats and airplanes to Moscow for historic firsts as our sons die from Soviet steel in Vietnam. We support U.N. sanctions against Rhodesia, but demand no boycotts or reaction against the Soviet-British genocide operation in Biafra.

It is not the American people who are sick—it is those in high places who would like to lead but only know how to follow:

Under unanimous consent I submit news articles from the Evening Star and the Baton Rouge, La., Morning Advocate as part of my remarks:

[From the Baton Rouge (La.) Morning Advocate, July 15, 1968]

U.N. Blandly Allows Blacks to Maltreat Blacks but Rhodesia! That's Something Else

(By John Chamberlain)

The other day we were trying to reconcile the expenditure of $26 billion a year on antipoverty measures with the claim that there are ten million starving people in the U.S. Naturally we couldn't make sense of the situation. Now we are trying to reconcile the existence of the United Nations, which is dominated by the Afro-Asian bloc, with horrifying news of mass starvation in the Biafra part of Nigeria and the butchery on Nilotic blacks, maybe as many as half a million of them, in the southern Sudan by the Moslems of the north. Naturally this doesn't make any sense, either.

The least sense of all is made by the U.S. liberals. They weep copious tears when innocent bystanders get hurt in the Vietnamese war, and they support the campus protests against napalm, the use of which has obviously saved the lives of many U.S. soldiers in battles with the Viet Cong. But has anyone heard a liberal peep about what has been going on in Nigeria? Or in the Sudan?

Leslie Kirkley, the director of the Oxford

Committee for Famine Relief, which, working out of England, spends some $8 million a year to alleviate hunger in 80 countries, finally managed to get a story of the Biafra tragedy into print a long time after it had started to happen. Nigeria, once the show piece of West Africa, has, of course, been in the midst of a brutal civil war for more than a year. The war began when the Biafrans, who live in the Eastern Region of Nigeria, seceded. They had good reason to feel aggrieved, for 30,000 members of their brethren of the Ibo tribe had been massacred. The war has gone badly for the Biafrans, who have had their ports blockaded and captured. Their contact with the outside world is by airlift from islands in the Gulf of Guinea. Not much goes into the beleaguered Eastern Region, which must feed its population of 13 million.

But news comes out of the eastern region, and as it is relayed from the British press it is really terrible. The children are dying because of a chronic protein shortage. The local name for the deficiency disease caused by this form of malnutrition is kwashiorkor. Its symptoms are swelling joints, scaly skin, yellowing hair, and complete apathy. Physicians who have recently been in Biafran villages say that two million will die before the summer is over if nothing is done to move 200 tons of protein per day into the country.

The U.N. knows about the situation, but keeps hands off. It is, after all, a civil war that has been going on in Nigeria. And it is a civil war that has wracked the Sudan, leading to the deaths of all those southern Sudanese. The argument is that a country's internal troubles are its own. But the trouble in Rhodesia is internal, yet the Afro-Asian bloc has insisted on U.N. economic sanctions against the Rhodesians.

The United States, egged on by its liberals, conducts an ineffectual boycott of Rhodesia. Since a white minority rules over a black majority in Rhodesia, one can see why the liberals react as they do. But in Nigeria it has been black against black, and the liberals, if they were really liberal, should be crying out against the mass starvation of black Ibos.

Before there was a U.N., pepole in the U.S. reacted when mass starvation threatened a country. Herbert Hoover fed the Belgians, who had been our allies; he also led a crusade to save starving Russians even though they happened to be Communists. But voluntary relief expeditions are no longer de rigueur. We are supposed to have official institutions to take care of such matters. The only trouble is that the institutions—the U.N. internationally, the OEO (Office of Economic Opportunity) domestically—don't make connection with the needs of the day.

The really transcendent irony is that we do the least to help people who are most like ourselves, at least as we used to be. The Ibos of Nigeria were the self-starters, the enterprisers. They were rising to the top in their country, supposedly the model for all of Africa, because of their ability. It was more than bureaucratic jealousy could stand. Perhaps it is only natural that the U.S. liberals should tacitly side with the Nigerian bureaucrats in their efforts to suppress the Ibo tribe.

[From the Washington (D.C.) Evening Star, July 4, 1968]

U.S. OSTRACISM OF RHODESIA REPUDIATES 1776

(By James J. Kilpatrick)

PHILADELPHIA.—"How fortunate were the American colonies!" Dean Acheson observed the other day. "They had no United Nations to confront in 1776."

The former secretary of state was speaking to an audience of specialists in international law, gathered for a sectional meeting of the American Bar Association. His topic was the wrongness of American policy toward Rhodesia. He put it bluntly:

"It will surprise some of our fellow citizens, though hardly anyone here today, to be told that the United States is engaged in an international conspiracy, instigated by Britain, and blessed by the United Nations, to overthrow the government of a country that has done us no harm, and threatens no one. This is barefaced aggression, unprovoked and unjustified by a single legal or moral principle."

The charge that Britain brings against Rhodesians, Acheson continued, is the charge that George III brought against Americans 192 years ago. The rebellious and ungrateful Americans were proclaiming independence! They felt it necessary, in the declaration that Jefferson penned here in Philadelphia, "to dissolve the political bands which had connected them with another people, and to assume among the powers of the earth, the separate and equal station to which the laws of Nature and of Nature's God entitle them."

It is good to come back to the quiet walks of Independence Square by twilight. This was where it all began, the dream, the poetry, the sadness, the bursting heart. Tom Jefferson was here; and Ben Franklin, John Adams, the Lees. We think of them as heroes; and on Independence Day, in a thousand village squares, we mark the birth of the Republic they conceived. They were the founding fathers.

And what an irony it is, that Independence Day of 1968 finds today's Americans committed to an official policy which treats Ian Smith and his brothers in Salisbury as a "rebel, racist regime." If these mute bricks had tongues, they would cry shame upon Lyndon Johnson, upon Dean Rusk, upon Arthur Goldberg—shame upon all the lickspittle politicians who have repudiated our own history in a sick effort to toady up to the Afro-Asian bloc.

The parallels between Rhodesia today, and the colonies then, are not exact. But if Independence Day means something more than a sweaty afternoon at the beach, or a few more beers on some suburban porch, we ought to think upon these things.

One of the sins charged to Cecil Rhodes and his fellow pioneers is that they took their land from the native blacks. Our own founding fathers, it will be recalled, seized their land from the native Indians.

The more immediate charge against Rhodesia—the charge that has produced the conspiracy and the aggression Dean Acheson has denounced—is that Rhodesia has refused to provide for majority rule by the country's largely illiterate blacks. The charge, in brief, is political immorality.

Do we dare examine that charge in the light of our own history? Our own heroes stand at the bar—just as guilty, just as innocent, just as realistic, as Ian Smith and the patriots around him. Our own founding fathers hounded the Indians with relentless fury. Our own defenders of the equality of "all men" engaged in the slave trade; the framers of our own Constitution treated blacks as "other persons," voteless, mere chattels. Under the supreme law of our land, the escaping slave had to be "delivered up on claim of the party to whom such service or labor may be due."

Look at the record! The infant United States of America, which now gazes with such tainted virtue on Rhodesia, couldn't have cared less about majority rule. North and South, we denied our own blacks the right to vote or to own property. (In Rhodesia, blacks do both.) We denied the vote to women. (Women vote in Rhodesia.) We proclaimed our independence, and embarked upon the processes of gradual enlightenment that have brought us, nearly two centuries later, to the point in time we occupy today.

Rhodesia's claims to independence from Great Britain are better in every way than the claims advanced by our Continental Congress. A decent respect for our own history should compel us to renounce the expedient U.N. resolution, and to permit Rhodesia to go her own way—as we went ours.

[From the Washington (D.C.) Evening Star, July 16, 1968]

REGULAR SERVICE OPEN—U.S. LINE COMPLETE AIR LINK TO MOSCOW

MOSCOW.—An American jetliner, with a second close behind it, landed at Moscow's Sheremetyevo Airport today establishing the second part of regular commercial service between the Soviet capital and New York.

The first Pan American Boeing 707, carrying VIPs and journalists, landed at 2:42 p.m. (7:42 a.m. EDT), more than an hour behind schedule.

The second aircraft carried paying passengers. Both had stopped briefly at Copenhagen on their flight from New York.

A Soviet Aeroflot airliner landed in New York yesterday to open the commercial route after 10 years of Soviet-American negotiations.

A small crowd of diplomats, Soviet officials and newspapermen met the first plane at the sunlit airport.

U.S. Ambassador Llewellyn E. Thompson and the Soviet deputy minister of civil aviation, Boris Bugayev, were the official welcomers.

The arrival lounge was decorated with Soviet and U.S. flags and the Pan American house flag and the passengers were given medallions marking the establishment of the airlink.

Each airline will fly the route once a week. The aeroflot plane will stop in Montreal and the Pan Am plane in Copenhagen.

FOOD AND WELFARE

HON. JEFFERY COHELAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, July 15, 1968

Mr. COHELAN. Mr. Speaker, there is in the juxtaposition of the American farm program with the American welfare system an indefensible contradiction.

Farmers receive enormous amounts from the Government to withhold production or to supplement prices. These payments total more than $3 billion a year, and some individual farmers receive more than $100,000 a month.

Welfare recipients in Mississippi receive a maximum of $10 a month in the case of needy mothers and needy children.

Quite clearly hunger is a problem for the welfare recipient while overproduction of food is the bane of the farmer.

But the problem is not just one of contrasts, or even of just hunger. It has been translated into a de facto national policy of encouraging migration of rural poor to the cities. This policy is the result of the variance in State welfare allotments—rural southern States making alarmingly small grants, while urban northern States make larger, more adequate payments. The outcome is an incentive to move north to the cities.

This situation, which is so desperately in need of correction through a set of national welfare income standards and a revised farm program, is candidly and earnestly reported in an article by Vincent J. Burke in the Los Angeles Times. I include this piece in the RECORD at this point:

[From the Los Angeles Times, July 3, 1968]

ABERNATHY'S GRIM QUESTION

(By Vincent J. Burke)

Before he was jailed for leading his lobby of poor people on an unlawful march to the grounds of the Capitol, the Rev. Ralph David Abernathy asked a question which probes deep into the nation's scale of values.

He said he wanted President Johnson to give a frank answer to this question:

"Why does the U.S. government pay the Mississippi plantation of a U.S. senator more than $13,000 a month not to grow food or fiber and at the same time pay a starving child in Mississippi only $9 a month? And what are you going to do about it?"

Anyone unfamiliar with the farm and welfare programs might wonder whether Abernathy was engaging in demoagoguery or fantasy. Actually the statistics of the Abernathy question are basically correct.

The facts are these:

Farm payments—The federal government last year paid $157,930 to the plantation of Sen. James Eastland (D-Miss.), a champion of white supremacy. This consisted of a payment to compensate the Eastland plantation for holding some of its land out of production (as Abernathy alleged) and other payments to supplement the price received from sale of cotton actually produced (not mentioned by Abernathy).

The farm program provides this two-fold system of benefits for growers of key cash crops, principally cotton, wheat and feed grains. Last year payments totaled $3 billion and 408 individual growers and corporate farms received more than $100,000 apiece. Five of them collected more than $1 million each.

Welfare payments—Each state sets its own level of benefits and gets federal aid to help finance the cost. In Mississippi, the maximum payment for a needy family of a widowed or deserted mother is $10 for the mother and $10 for each child, and actual payments average less than $9. The $10 maximum compares with California's maximum payment of $47.75 and New York's maximum of $65.50, highest in the nation. Although cash payments are supplemented with federally subsidized food in some counties, it is obvious that children on welfare in Mississppi know the pangs of hunger.

Most urban dwellers in the North would agree that the disparity between the payments made to Mississippi's big cotton growers and those given its needy families is indefensible.

While the Northern suburbanite would regard Mississippi's treatment of its poor welfare clients as a moral issue, he probably would not see it as a threat to his own wellbeing. After all, he is now engulfed in problems close to home—fear of riots, decay of the center city and its schools, racial tensions all about.

However, there is a connection between the problems of Northern ghettos and the welfare payments provided by Mississippi and other Southern states.

By failing to intervene to require national standards of welfare and unemployment benefits, the federal government has encouraged a massive migration of poor and ill-trained Southern Negroes into the North. The North has not only allowed, but encouraged the South to export its racial and welfare problems to the North.

It is true, of course, that federalization of the welfare system to narrow the regional gap in benefits would mean that the federal government would have to pay all, or almost all, of the cost. At present each state determines the size of payments to its welfare recipients and the federal government helps pay the cost under a complex matching formula.

But the extra cost of federalizing welfare would be of economic benefit to the North, when balanced against the mushrooming costs in the North of state welfare appropriations, crime, rioting and public schooling of the disadvantaged to which the present system is contributing.

The insanity of the present system becomes evident, if you were to imagine operating the farm program on the principles of the welfare program.

Each state would set its own support prices for crops. Suppose California and New York were to prop the market price of wheat at $2 a bushel and other states were to guarantee a price much lower. Then, in time of surplus vast quantities of wheat would flow into California and New York warehouses, imposing a major burden on taxpayers of those states.

In effect, this is happening under our decentralized welfare system. Surplus muscle power from the South has been piling up in Northern ghettos.

In addition to providing a decent minimum level of welfare payments, any new federalized system should specify that the needy family of an unemployed father is eligible for welfare. This rule applies now in 21 states, including California; but in the other 29 states, including most of the Southern states, the father must desert his family in order for his wife and children to qualify for welfare.

TRUCK-TRAINS BILL DRAWS FIRE FROM BUREAU OF PUBLIC ROADS

HON. WILLIAM S. MOORHEAD

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 16, 1968

Mr. MOORHEAD. Mr. Speaker, William Steif, an enterprising reporter for the Scripps-Howard newspapers, has disclosed that Francis C. Turner, Director of the Bureau of Public Roads and an expert on highway construction, is opposed to a bill, S. 2658, that would allow triple-trailer trucks carrying up to 69 tons to use our interstate highways.

According to Mr. Steif's report, which appeared in the Pittsburgh Press of Monday, July 15, Mr. Turner was so concerned about the safety implications of S. 2658 that he chose to contradict his superior, Federal Highway Commissioner Lowell K. Bridwell, who had testified for the bill.

Mr. Turner told Mr. Steif that truck-trains could cause serious problems of overweight on older and longer interstate highway bridges. Interstate bridges are the most modern and up-to-date in the Nation, but this bill would make many of them obsolete even before the Interstate System is complete.

Mr. Turner also spoke out on the dangers that heavier and wider trucks would create for the Nation's 100 million automobile drivers, and urged that truck weights and widths be rolled back, not increased in the manner S. 2658 proposes.

Mr. Speaker, Mr. Turner is a highway engineer with 39 years of roadbuilding experience in the Federal Government. He would not have reached his high position if his judgment in highway construction matters were not sound. I consider his outspoken criticism of S. 2658 another example of his long and dedicated service to this Nation. The Congress cannot afford to ignore his views on this legislation.

If this body passes S. 2658 and allows truck-trains on our interstate highways, it will do so in the face of overwhelming evidence that heavier trucks will mean more highway deaths and shortened highway life with little benefit to the public interest.

Under leave to extend my remarks, I insert Mr. Steif's article at this point in the RECORD, along with an editorial commenting on the story, which also appeared in the Pittsburgh Press of July 15. I commend them to the attention of those of my colleagues who fear the consequences of truck-trains on our highways. The articles follow:

[From the Pittsburgh (Pa.) Press, July 15, 1968]

HIGHWAY EXPERT FEARS BOXCARS ON BRIDGES, HILLS

(By William Steif)

WASHINGTON.—Francis C. Turner, director of the Bureau of Public Roads (BPR), said today a Senate-passed bill which would permit 69-ton trucks on the interstate highway system was "not as conservative as I'd like to see it."

Mr. Turner said super-long trailer trucks possible under the legislation would cause "serious" trouble on longer and older bridges of the interstate system.

He also said "bigger, heavier, less manageable" trucks would affect other motorists.

He noted, for example, that the giant trucks would be "slower climbing grades" and, therefore, autos might have more trouble passing them.

Mr. Turner thus split with his superior, Federal Highway Administrator Lowell K. Bridwell, who gave Administration endorsement to the big truck bill in appearance before Senate and House public works subcommittees.

"In our opinion," Mr. Bridwell told the Senate subcommittee, "the increase in weights and sizes . . . would be beneficial."

He explained:

"The real economic tradeoffs are lower unit costs for the movement of goods as compared with the higher costs of capital investment and maintenance and construction . . . It is our judgment that the increases in weights and sizes as proposed by the Administration are on the plus side."

Administration backing has been a major factor in winning congressional support for the bill.

But Mr. Turner, an engineer with 39 years of roadbuilding experience at BPR, said the bill's removal of the current 73,280-pound truck weight limit and its failure to include any truck length limit would make it "theoretically possible to have a vehicle 1000 miles long."

The weight limit was removed, Mr. Turner said in an interview, "because the truckers want to have the opportunity to work toward trains on the roads, trucks with triple and quadruple trailers."

He noted that triple-trailer trucks already are being run "experimentally" in a couple of states.

A bipartisan minority of the House Public Works Committee said the bill "would permit trucks to operate weighing 138,000 pounds"—69 tons—but the committee majority nevertheless okayed the measure and the Rules Committee cleared it last week for House action.

Mr. Turner said the long truck-trailers would "not have too much effect" on shorter bridges of the interstate system, but would cause "some trouble" on longer and older bridges. The bridge trouble, he added, would be "serious."

Mr. Turner also said "the bigger, heavier, less manageable" truck-trailers would have direct effects on passenger car drivers. One he cited was that the trucks would be "slower climbing grades."

In Nevada, where triple trailers are being used from Reno to Lake Tahoe, passenger autos now are lined up behind under-powered trucks crawling uphill.

"We had recommended a weight-horsepower ratio for the bill and a provision for better brakes," Mr. Turner said, but the Senate committee knocked them out.

"We'd like to see a 65-foot limitation. We'd like to see a rollback of limits so that we'd have some uniformity, have the same things apply to all states. We even proposed a phase-down so that truck operators could get economic life out of their equipment.

"But the truckers wanted a much more liberalized bill . . . Politics and life being what they are, I suppose it's unreal to think we can reach any kind of uniformity."

Mr. Bridwell, a newspaperman before being named to a Commerce Dept. job in 1962, favored raising the single-axle truck load limit from 9 to 10 tons and the double-axle limit from 16 to 17 tons.

He also favored increasing truck widths from eight to eight and a half feet. The bill now includes these provisions.

In supporting the increases, Mr. Bridwell said the Administration favored higher user taxes on owners of the 300,000 large trucks, mainly diesel, who would benefit. Mr. Bridwell conceded the increased weights and sizes "would result in higher costs and a reduced life of the highway system."

A study completed in 1964 for BPR showed the biggest trucks pay the smallest share of the costs of building and maintaining the roads. As a result passenger car drivers—through paying gas taxes to the highway trust fund—subsidize big truckers.

Mr. Bridwell said the major reason for raising truck weight and size limits was to get "fullest productivity possible" from the roads.

Truckers are among the nation's heaviest political donors and 1968 was regarded as an ideal time to push quietly to boost truck size and weight limits.

Such legislation has been dormant since the last presidential election year, 1964.

Transportation Secretary Alan Boyd, refused to comment on the 69-ton truck bill, but one of his aides said the measure suddenly had come under "intensive study" and promised a statement soon.

Run Over by Trucks

With the help of its pals in Congress and in the Johnson Administration, the highway freight-train lobby is running over everything in its way: common sense, the judgment of experts in the Government, the interests of the taxpayers, members of Congress who oppose the big truckers' ever-expanding demands.

A New Hampshire congressman who helped write a dissenting report on the bill to legalize these freight trains on the highways was threatened by the head of the truckers' association in his state.

"Assuming you plan to run for re-election," Roy H. Stewart of the Motor Transport Association wired U.S. Rep. James C. Cleveland, "I suggest you re-consider and support this bill."

The director of the Bureau of Public Roads (BPR), an acknowledged authority on road construction, was overriden by the Federal highway administrator, an ex-newspaper reporter, and apparently by other top brass in the new Transportation Dept.

William Steif, Washington reporter for the Press and other Scripps-Howard newspapers, interviewed the BPR director, Francis C. Turner, a career Government official.

Mr. Turner, among other things, favors a rollback of limits on truck weights and sizes, instead of permitting the over-size heavyweights proposed by the bill now before the House and already approved by the Senate (with only seven senators on the floor).

He cited what would happen to motorists coming up behind the big trucks on the "slower climbing grades." He said the truckers who would get triple-trailer trucks approved in the pending bill are looking ahead to quadruple-trailer outfits.

Imagine trying to pass one of those giants on a hill!

All in all it is a sorry picture. The big trucks don't pay their share of highway costs now. Making them bigger simply will saddle the other motorists with more expense, while the highways deteriorate faster.

And in New Hampshire, at least, the chief trucker is mighty arrogant about it.

BLACK POWER STRIPPED OF HOSTILITY SPELLS PRIDE

HON. CHARLES C. DIGGS, JR.

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 16, 1968

Mr. DIGGS. Mr. Speaker, I include the following article from the Washington Star of July 11, 1968:

Black Power Stripped of Hostility Spells Pride

(By Charles Bartlett)

Responsible Negro leaders like Whitney Young of the Urban League appear to be moving to the left with their endorsements of "black power" but they are in fact rescuing a valuable concept from irresponsible hands.

No longer able to shape the restoration of the ghettoes from their past posture as moderates, these leaders are taking a significant step toward making their rhetoric more relevant to the mood and the problems. They have resolved to adopt the rallying cry of the radicals as the device for which they have long searched, a means to exhort the Negro to help himself.

"Black power" under its new sponsorship will be torn away from its tarnishing association with the pseudo-leaders, the anti-white militants who talk of "honkies", "getting the gun," and a separate black state. It will be construed to mean "black pride" instead of "black coercion."

The transition will not be easy because the radicals will not cheerfully surrender their favorite handle and many whites who support civil rights are leery of the connotations of black power. Liberals will resent the de-emphasis of the goal of integration and extremists will decry the abandonment of black nationalism.

But the logic of the concept lies in its responsiveness to two stubborn facts: the ghettoes will not disappear swiftly, perhaps not for two decades; and the process of integration will not enable the Negro to shed the crippling sense of inferiority which is his greatest handicap.

As Roger Wilkins of the Community Relations Service wrote last December, "the black theoreticians have concluded that supplication is denigrating and inefficient, that cooperation with white liberals is ineffective, that white people cannot or will not make the system work for poor black people, and consequently that black people must save themselves if there is to be any salvation."

Stripped of hostile overtones, the concept of black power is simply, in Wilkins' words, that black Americans must create for themselves an environment which is conducive to their psychological health and institutional strength. They must narrow the gap between their own sense of inferiority and the white man's sense of superiority before they can hope to live as equals.

The attraction to black power as a coercive force is transformed by this reasoning into a movement to discover how power can be constructively exerted against the urban crisis, how people can grow strong even though they are born and raised in ghettoes.

John Gardner of the Urban Coalition has discovered already that the pressure of the problems inspires in the ghetto leaders a high degree of practicality. They soon become realists and many will ultimately become pragmatic political masters who brush away the rhetoric to grope with the circumstances.

For example the financial failure of the supermarket in Watts that was designed to be totally independent of white influences has already taught its lesson. A similar cooperative effort in New York is prospering because its managers accept the guidance of experienced white entrepeneurs.

The black power concept will be modified by experience and the influence of men like Gardner to acknowledge the fact that no business or political undertaking will flourish in isolation. The society derives its muscles, commercially and politically, from its interconnections and these will serve the ghetto better than dogmatism.

The significance of the new sponsors of black power is that they are not dogmatists or dreamers. They are men who are ready to face the problem where it exists and their potential for good is tremendous.

BIRMINGHAM'S AVENUE OF FLAGS

HON. JOHN BUCHANAN

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 16, 1968

Mr. BUCHANAN. Mr. Speaker, the people of Birmingham, Ala., have demonstrated in many ways their overwhelming support for the efforts of our fighting men in Vietnam. Toward this end, the city has adopted the 1st Infantry Division in Vietnam, with local civic and church groups in Birmingham doing everything in their power to help the 1st Infantry fulfill its mission. Not only is individual interest shown in the men of the 1st Infantry but these groups in Birmingham also help in a variety of ways to carry on the Big Red One's civic action programs in its area of responsibility in Vietnam.

On Veterans Day, November 11, 1967, to show further the city's support of our fighting men and, in particular, to honor these brave men who have given their last full measure of devotion for their country in Vietnam, Birmingham dedicated avenues of flags lining the major arteries of the city, each honoring a serviceman killed in action. The Birmingham Avenue of Flags extends from downtown Woodrow Wilson Park to the city limits at Vulcan, consisting of 300 flags. On patriotic occasions, there are displayed over 1,200 flags lining various arteries throughout the county.

The flags were first flown November 11 through November 22, 1967, in honor of

Alabama's 417 war dead. The flags flew 1 hour in honor of each war dead or a total of 417 hours, on this first occasion.

Since then, the flags have flown on Memorial Day, May 30, 1968; June 17, 1968, Flag Day; and July 3, 4, and 5, 1968, in connection with Birmingham's annual Independence Day celebration.

Chief architect of the Avenue of Flags and chairman sponsoring it is a distinguished young attorney, John C. Schmarkey. Serving with him are: Trustees, Dr. Raymond Christian, Mr. Carl C. Brown, Mr. John Bloomer, Mr. William C. Green, Jr., Dean Arthur Weeks, Mr. Dave Campbell, Mr. Temple Tutwiler, and Mr. John Henderson, and exofficio trustees, Mayor George Seibels, Jr., Mr. Fred Weil, Mr. Raymond Weeks, and Mr. Victor Hanson, II.

Through the contribution of the many who had a part in the creation of the Avenue of Flags, Birmingham has sought to express its humble gratitude for those men, without whose sacrifice on the field of battle, freedom could not live in our time. This was beautifully expressed in a poem on this subject by Birmingham's Mrs. Joe D. Bancroft, which is included herewith:

THE AVENUE OF FLAGS—A CITY'S ANSWER

(Copyrighted by Betsy Barber Bancroft, 1967)

The newsprint faces of the young, war killed,
Look out at us from columns of the dead.
Their voices cannot say, "I won't be back."
Without a word their eyes are eloquent
To us who sit at home and read their names.

If we had words to say what should be said
They could not hear.
So we have raised an avenue of flags
And since those dead have spoken without sound

We know that they will hear the silences
As flags speak out to say a city's heart,
And they will rest without regretfulness.

ROCKEFELLER'S SURRENDER ON THE INSTALLMENT PLAN

HON. JOHN M. ASHBROOK

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 16, 1968

Mr. ASHBROOK. Mr. Speaker, the recent program to end the war in Vietnam as proposed by candidate Rockefeller is not only a disservice to the negotiators in Paris, it is naive beyond belief. It is as the Chicago Tribune has editorially observed, "surrender on the installment plan."

The good faith by the Communists which Rockefeller expects as a consequence of his proposed actions is the good faith the Communists have shown during 50 years of dealings with other nations; it is the good faith evidenced in the United States attempts to gain the return of the *Pueblo* and it is the good faith which allows the North Vietnamese to indiscriminately rain terror on the population of Saigon while pompously denying the presence of North Vietnamese troops in South Vietnam—and all during peace talks.

It is bad enough to suggest pulling out of Vietnam, considering the virtual bloodbath that would follow for the South Vietnamese, but to suggest this particular series of maneuvers while doing so is an affront to the American people.

The editorial from the Tribune follows:

KIBITZERS ON VIETNAM

Nelson Rockefeller has unveiled a four-stage program to bring "peace" to Viet Nam, which can be summarized as surrender on the installment plan. The New York governor, who fancies that the Republican Presidential nomination should be conferred on him, thus joins a Democratic aspirant, Sen. Eugene McCarthy, in playing bull in the china shop while the United States is conferring with the Communists of North Viet Nam in Paris on possibilities for an end to the war.

McCarthy has announced his belief that the American people are ready for "unilateral withdrawal" from Viet Nam, which would certainly bring peace of a sort—the peace of the grave for South Viet Nam. He has expressed readiness to rush off to Paris to talk to the communist negotiating team, which would be sure to welcome him with open arms.

Gov. Rockefeller's flutings from the dovecote are not quite as unsophisticated as the McCarthy formula, which is simply to bug out. Rocky would achieve the same result but would keep up appearances while yielding the field.

Initially he would pull out 75,000 Americans to show "good faith." Then an international buffer force would interpose itself between the remaining Americans and the enemy. This would take some doing, as the Communists are all around us and the South Vietnamese. Next, the North Vietnamese forces would politely go home. They have never shown any willingness to do so. A few small American units would then retire to enclaves, and the Viet Cong guerrillas would lay down their arms and become politicians.

After that, free elections, complete American withdrawal, and discussions between North and South Viet Nam to decide whether to unify. Even if the North Vietnamese retired, there would be nothing to prevent them from coming back. But anyone who has heard their doctrine of protracted war can be certain that they will keep on fighting even if Rockefeller and McCarthy won't.

Such is Rockefeller's description of how he would proceed "as President." Once the business was polished off, the author undoubtedly would attribute the result to bad faith on the part of the Communists. Who, in his right mind, expects good faith from them? The verdict of the inquest on Yalta would again apply: "We wuz robbed."

The talks at Paris have been arranged between the governments of the United States and North Viet Nam to explore any possibilities for agreement which may exist. The United States representatives are the official spokesmen for the government of this country. Neither Rockefeller nor McCarthy holds any portfolio whatsoever. Their observations are purely gratuitous. Neither is even the Presidential nominee of his party, and it is highly unlikely that either will be.

To sound off in these circumstances is merely to embarrass the accredited government and its accredited spokesmen. Former Vice President Richard Nixon, whom Rockefeller is trying to head off for the party nomination, has had the good sense and discretion to remain silent while the negotiations are being pursued. He may expect, as we do, that nothing will come of them, but he has refused to put a spoke in the wheel of those who speak for his country. Rockefeller and McCarthy are not given to similar restraint.

TOURISTS SHOULD RETURN TO WASHINGTON

HON. DONALD M. FRASER

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 16, 1968

Mr. FRASER. Mr. Speaker, I wish to plead for a return to normal of Washington's tourist trade, which has fallen off grievously in recent months but is now showing strong signs of recovering.

The reasons for the decline were obvious. In March, following the assassination of Dr. Martin Luther King, serious disorders broke out in a few spots in the District of Columbia. For nearly 2 months, starting in April and continuing into June, several thousand poor people from all over the land occupied the plywood shacks of Resurrection City, near the Lincoln Memorial.

Accompanying both of these events—the disorders and the Poor People's Campaign—were large amounts of nationwide newspaper, television, and radio publicity. The events probably received more coverage than they would have received anywhere else simply because they occurred in the Nation's Capital. I remember particularly vividly the stark photograph of a soldier, rifle at the ready, standing on the steps of the Capitol, that appeared on front pages across the country. Such publicity could hardly have anything except a discouraging effect on the city's tourist industry.

It is unfortunate that much of the publicity, focusing as it did on the conflicts and the violence, distorted the true picture. How to tell the American public that the March disorders lasted only a few days and were confined to relatively few blocks of the city? How to convince the public that the great majority of the Poor People's Campaigners behaved legally and with dignity? These were sides of the stories that went untold. Mayor Walter Washington put it well:

> Some of the rumors you hear about this city have been so distorted and blown out of proportion that the results would be almost humorous if they weren't so serious.

But the damage was done, and it took a frightful toll. By mid-June, the decline in Washington's convention and tourist business had reached a stunning total of about $50 million. The loss of visitor income for 1968 is projected at a minimum of 25 percent, which could cost the city between $5 million and $6 million in direct tax revenue unless there is a dramatic upswing.

I could quote many other figures to illustrate the extent of the damage, but I do not think the use of discouraging statistics would serve a helpful purpose. The encouraging fact is that Washington is on its way back to normal. Clarence A. Arata, Executive Director of the city's Convention and Visitors Bureau, said it this way recently:

> Tour groups, and individual tourists who had been staying away from Washington, are now returning. Conventions, which had never diminished appreciably, are being held with regularity. Of significance is the fact that women's groups, particularly, are holding their conventions successfully and with even better than average attendance . . .

There is a real singleness of purpose evident now in Washington—that is to make the city again as attractive to tourists and conventions as ever. In this effort the Mayor, his deputies, the police department and the merchants, hotel operators, restaurateurs and the Convention and Visitors Bureau are all more mindful than ever of the comfort, safety and convenience of our visitors.

Mr. Speaker, I believe it is the responsibility of every Member of Congress to tell his constituents the true facts about the District of Columbia. These facts are not all pleasant; like all major cities, Washington has its problems, such as a rising crime rate. But the truth is that it is safe for citizens to walk the streets in most sections of the District.

Every American should visit his Nation's Capital, with its beautiful museums, shrines, and parks. There is no greater tourist attraction in the United States, and no city offers the tourist more to see and do. This is the story we should be spreading.

THE PRESIDENT'S TRIP TO CENTRAL AMERICA

HON. HENRY B. GONZALEZ

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 16, 1968

Mr. GONZALEZ. Mr. Speaker, I wish to share an article with my colleagues which quite aptly describes President Johnson's recent trip to Central America and the impact he made. The translated article written by Manolo Reyes in the Diario Las Americas in Spanish on July 14, 1968, is as follows:

> On his recent trip to Central America, the President of the United States combined the personality of a statesman with his great humanitarian character.
>
> In various scenes filmed especially for Channel 4 by our colleagues in El Salvador, we see the five President of: El Salvador, Costa Rica, Honduras, Nicaragua and Guatemala reunited at the historic meeting that took place on July 5. There, a Joint Declaration was signed by the five Central American Presidents and President Lyndon B. Johnson.
>
> The Chief Representative of this nation reiterated his support for the integration of Latin America and Central America, manifesting his admiration for the advancements attained by Central America. President Johnson also manifested a special interest in the proposal to establish a stabilizing monetary fund in Central America.
>
> Finally, President Johnson promised the continued support of the United States in the integration process of Central America, acknowledging that to overcome the problems indicated by the Presidents of Central America requires not only sustained internal efforts but significant levels of external assistance as well. Lastly, as President Johnson departed from the conference palace having terminated his role of a statesman and Chief Representative of this leading nation of the world, President Johnson showed his great human character.
>
> In these scenes, also filmed especially in El Salvador for our program "News en Espanol," we see President Johnson in a sport shirt, accompanied by the First Lady, his daughter, and his host, the President of El Salvador, Fidel Sanchez Hernandez and his wife, Mrs. Marina de Sanchez Hernandes . . . Conversing in a jovial tone and a friendly smile, just like an ordinary citizen, the President of the United States visited the bathing resort "Los Chorros" (The Gushers) which is 20 kilometers from the capitol, San Salvador. Los Chorros is a beautiful tourist attraction in El Salvador. President Johnson spent an afternoon of rest after his tremendous responsibilities. In all his appearances in El Salvador, in schools and public squares, Presideht Johnson asserted himself because of his personality and natural manner. From this international observers will understand that President Johnson's trip to Central America was a resounding success because there it left evidence of the President's statesmanship and naturalness that won the affection of the People of Central America.

DISTRICT OF COLUMBIA PROTECTED IN RIOT REINSURANCE MEASURE

HON. WILLIAM S. MOORHEAD

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 16, 1968

Mr. MOORHEAD. Mr. Speaker, an editorial in yesterday's Washington Evening Star paid just and highly deserved tribute to our distinguished colleague from New Jersey, the Honorable EDWARD J. PATTEN. It was he who had the foresight to offer as an amendment to the riot reinsurance title of the housing bill legislation authorizing the District of Columbia to take full advantage of the provisions of that title. If the gentleman from New Jersey had not taken the initiative, District homeowners and businessmen would have had less assurance of receiving the benefits of the reinsurance title.

I applaud our colleague, and wish to assure him that the House conferees on the housing bill will do their best to persuade the Senate conferees to accede to his amendment, which has great merit.

Very simply put, the amendment empowers the District of Columbia to require its licensed insurance companies to organize a mandatory pool for property insurance if the voluntary FAIR plans authorized by the riot reinsurance title does not do the job of providing basic property insurance protection to all District homeowners and businessmen with insurable property.

The amendment also allows the District to assess its licensed companies for the District's portion of the riot loss-sharing contemplated in the national reinsurance program.

Under leave to extend my remarks, I insert the editorial from the Evening Star at this point in the RECORD, and commend it to the attention of my colleagues:

RIOT INSURANCE

> The residents and businessmen of the District owe a tidy debt to Representative Edward J. Patten of New Jersey. It was Representative Patten who last week successfully attached an amendment to the administration's omnibus housing bill, enabling the District to take advantage of a federal reinsurance program permitting the government to underwrite part of major casualty losses in riot areas.
>
> Representative Patten's timing could not have been better. The last several weeks have seen a real crisis develop here, with a mounting rate of cancellations and refusals to renew. It has become increasingly apparent that for this city to keep functioning, let alone rebuild its shattered sections, the federal reinsurance, or pooling, program would have to be approved. But the enabling legislation for the District also is vital. Although a bill to this effect, sponsored by Senator Joseph D. Tydings of Maryland, was moving smoothly through the Senate, it had begun to look as though the House District Committee would let the proposal languish until Congress adjourned. The Patten amendment, identical to the Tydings bill, eliminated the need for committee action.
>
> Although a big step forward, this doesn't mean that the District and other big-city insurance problems are solved. In the first place, the legislation now goes to a conference committee. It is essential that the District enabling provision be kept in the measure. Moreover, the final version of the legislation should reflect the Senate version in not putting a ceiling on the federal government's last-resort involvement in the insurance pool. The $150 million ceiling set by the House should be removed.
>
> A final resolution of the problem will depend on the determination of District insurance officials and the private insurers to make the federal program work, and to provide fair access to property insurance for all who need it.

A NATIONAL NEED: A REAL GUN CONTROL BILL

HON. BERTRAM L. PODELL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 16, 1968

Mr. PODELL. Mr. Speaker, unhappily I am constrained once again to report another death by rifle fire in my city, on Monday, July 15, 1968, in Manhattan's Lower East Side. This time the victim was a young bride of 3 weeks, 23 years of age. I know that our hearts are filled with deepest sympathy for the bereaved husband, so recently a groom and so suddenly a widower.

Yet this is not a time to weep, nor a time to mourn. The dead must be buried. But let us pray that we do not inter with the dead, the fervent hopes of our people for an end to this carnage by effective gun legislation.

The character of the gun law we pass is no longer the critical center of the gun law controversy. The Congress has for so many years stalled on this issue that we are now confronted with a crisis in confidence, a crisis as to whether the democratic process continues to respond to the needs of the people. Certainly the people of our Nation will not tolerate a Congress which has so fully acquired an organic quality of its own, that it can breathe, live, and act without regard to the wishes of the people they are sworn to represent. Nor are our people disposed to substitute a government for lobbyists in place of the government for the people.

The life of a nation, as with all living things, is one of constant change. We are living in a period of ferment, in our own Nation and in every country in the world. The tides of change are even eroding the monolithic structure of the Communist world. We can channel these tides into constructive courses, or be engulfed by them and pulled by the undertow into directions uncharted and toward objectives unknown. This then is the challenge of gun control legislation: whether the future of our Nation is to be circumscribed by obsolete interests too long vested, or move forward into the future in safety and security.

The people killed by gunfire in my city during the past 2 weeks, the tragic victims of gunfire in other cities, towns, and villages of our Nation, were anonymous people, with their tragic deaths earning a momentary newspaper headline. Yet to their families, to their parents and children, to their husbands and wives, these victims were their universe. And with their death, these universes exploded beyond repair.

This then is the time for resolution; the time for dedication. Let us not wait until another President of the United States is assassinated. Let us not wait until another U.S. Senator is assassinated. Let us not wait until another Nobel laureate is assassinated. Let us do now what we should have done years ago. Let us pass a law for gun registration and licensing. Let us put an end to that part of an America which serves as a dumping ground for unwanted weapons by merchants of death throughout the world. Let us demonstrate to our people, to our constituents that we represent them with concern and with honor.

SOLID ARGUMENTS FOR GUN CONTROLS

HON. RICHARD D. McCARTHY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 16, 1968

Mr. McCARTHY. Mr. Speaker, the distinguished journalist, Robert G. Spivack, writing in the Denver Post, has incisively analyzed the problem of gun-control legislation. He points out that:

> This nation has been in a state of emotional turmoil for much too long. Some of the emotion has been artificially stimulated, some has welled up from the deepest anxiety.

However, he goes on to say that:

> There comes a point at which each of us must make a decision where a national policy is involved. It was altogether proper that the Congress, as well as the rest of us, listen attentively as the National Rifle Association and its opposition groups, such as the Emergency Committee for Gun Control, headed by Col. John H. Glenn, Jr., present their arguments.
>
> We have heard them all now and we have also heard from the President. There has been ample time for each side to present its case.

After reviewing both sides of the arguments, Mr. Spivack comes down soundly on the side of effective gun-control legislation. In his own words:

> What it boils down to is simply a matter of common sense. Where guns are easily accessible people are going to get them. as they have. There are approximately 100,000,000 in this country today, owned by individual citizens.
>
> In those parts of the country where guns are most easily obtained the murder rate is 200 to 300 percent higher than it is in cities or states where regulations are more stringent.

Mr. Spivack acknowledges that it is men, not weapons, that commit murder:

> But common sense tells us that a killer whether he is in a blind rage or a hardened criminal, is less likely to commit murder if his own life is endangered, as it is when a knife, or other instrument is used. Then the killer comes closer, physically, to his victim. That increases the risk to himself.

With permission I insert in the Record this thoughtful analysis of the gun-control problem:

We Should Pass Gun Control Bills

(By Robert G. Spivack)

Washington.—The argument has been made by Sen. Eugene McCarthy and other thoughtful men that it is unwise to enact any legislation under "panic" conditions or in response to great emotional pressure.

This is a view that is widely shared. Where legislative procedures are concerned it is sound policy. It is for that reason, despite urging from many quarters, that I have deferred expressing my own views in the current debate over gun control legislation.

This nation has been in a state of emotional turmoil for much too long. Some of the emotion has been artificially stimulated, some has welled up from deepest anxiety. It has been of two kinds.

After the big city riots all of us have heard, even from the mildest people we know, the comment that, "one more riot and I'm going out to get me a gun, for self-protection."

At the same time, after the assassinations of Martin Luther King and Robert Kennedy, we have all heard people say, "What's happening to this country? Any nut can get a gun and kill anybody he does not like. Isn't there any way to protect men like Kennedy and King, or prevent such tragedies?"

Very often the same people expressed both sentiments. Neither is difficult to understand.

But there comes a point at which each of us must make a decision where a national policy is involved. It was altogether proper that the Congress, as well as the rest of us, listen attentively as the National Rifle Assn. and its opposition groups, such as the Emergency Committee for Gun Control, headed by Col. John H. Glenn Jr., present their arguments.

We have heard them all now and we have also heard from the President. There has been ample time for each side to present its case.

As I review the evidence and examine the facts, it seems to me that the National Rifle Assn. has lost the argument. This is not a conclusion based on any sense of panic. Nor do I buy the arguments that America is a "sick society," or that Americans are more violent than the Red Chinese, the North Vietnamese Communists or other "peace-loving" people.

Nor do I believe that every sportsman is a cold-blooded killer, any more than every surgeon is, at heart, a butcher.

What it boils down to is simply a matter of common sense. Where guns are easily accessible people are going to get them, as they have. There are approximately 100,000,000 in this country today, owned by individual citizens.

In those parts of the country where guns are most easily obtained the murder rate is 200 to 300 per cent higher than it is in cities or states where regulations are more stringent.

The argument has been made that it is the man, not the weapon, that does the killing. We know there are far more murders committed on impulse than are premeditated. But common sense tells us that a killer, whether he is in a blind rage or a hardened criminal, is less likely to commit murder if his own life is endangered, as it is when a knife, or other instrument, is used. Then the killer comes closer, physically, to his victim. That increases the risk to himself.

What does the present situation require? The minimum in the present circumstances, it seems to me, would be these three points: (1) registration of all guns owned or possessed by anyone other than law enforcement officers, or members of properly constituted military forces (2) licensing of all persons who own or use guns (3) a ban on mail-order gun sales.

Postmaster-General Marvin Watson has already ordered that guns being shipped through the mails be properly identified, an important first step towards bringing the traffic in guns under control.

But if disarmament among nations is imperative it is equally important within the nation. The objective is the same, to cut down violence from whatever source it springs.

THE ABE FORTAS PREJUDICE—COMMUNISM

HON. JOHN R. RARICK

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 16, 1968

Mr. RARICK. Mr. Speaker, I ask that the testimony of Marx Lewis, chairman of the Council Against Communist Aggression on the Fortas confirmation be here placed in the Record for all to read:

Testimony of Marx Lewis, Chairman of the Council Against Communist Aggression, on the Nomination of Hon. Abe Fortas as Chief Justice of the United States, Senate Judiciary Committee, July 11, 1968

I appreciate this opportunity to appear before your committee. My name is Marx Lewis and I am the Chairman of The Council Against Communist Aggression. The Council is a non-partisan, non-profit organization organized in 1951 at a conference called by Sal B. Hoffman, president of the Upholsterers International Union. The Council is supported by both liberals and conservatives who believe that the communist movement poses a grave danger to free institutions in this country and abroad. Its activities are designed to alert people to this danger, to strengthen our national security measures and to augment our will and capacity to resist communist aggression everywhere by all feasible means.

We believe that the elevation of Mr. Justice Abe Fortas to the position of Chief Justice of the United States should be viewed by the Senate in the light of its impact on our ability to defend our institutions against communist subversion. Let me say at the outset that I am not questioning the loyalty, patriotism, or legal competence of Justice Fortas. I know nothing about him except what has appeared in the public record. That record is not adequate to justify any firm judgment on my part. I presume that the members of this committee have examined and evaluated all the public and confidential material bearing on these aspects of Mr. Fortas qualifications for an office of trust. I am sure that it is understood by every member of this committee that the fact that a man has achieved great prominence and has won the confidence of important people is no substitute for careful consideration prior to his assuming any position of trust with the government.

The committee also knows that the public record does reveal that Mr. Fortas was associated in his earlier years with several communist-front organizations and that those years covered a period when it was very common for American intellectuals to succumb to Marxist ideas and to become involved in communist activities in varying degrees. There is nothing in the public record which shows clearly whether Mr. Fortas was one of those who subscribed to the communist philosophy or whether he differed strongly with those about him who were known to have a Marxist bent. All the public knows is that Mr. Fortas had some association with four groups that have been designated as communist-fronts. Some might conclude from this that he probably had views during the period that he was associated with those groups that were not hostile to the communists. It would no doubt clear the air and set minds at ease if the committee would elicit for the public record a clear statement from Mr. Fortas about his attitudes toward communism in this early period of his career and the subsequent changes, if any, in his thinking. I cannot imagine that Mr. Fortas would have any objections to this, since he himself argued in one of his early legal cases that it was more important to examine the known beliefs and attitudes of a government employee than to examine only his associations in resolving questions about security.

Those who have impugned Mr. Fortas' loyalty on the basis of his past associations would no doubt resolve their doubts if this committee were to establish that in the 1930's Mr. Fortas was known to be a vigorous critic of Stalin's brutal forced collectivization of Soviet agriculture, of the show trials and the bloody purge of 1937–38, of the Hitler-Stalin pact, and the Soviet invasion of Finland. They could hardly continue to question Mr. Fortas' opposition to totalitarianism of the Committee could establish the fact that Mr. Fortas was not one of those who favored turning Eastern Europe over to the tender mercies of Stalin and that he did not agree with those who argued in 1945 that we should share our atomic bomb secrets with the Soviet Union. They would be relieved to learn that he never believed Mao-Tse-tung to be merely an agrarian reformer, if that is the case.

I suggest that these hearings could serve a very useful purpose in setting the minds of the doubters at rest if they would put in the public record the views that Mr. Fortas held on these and other important issues that would demonstrate clearly that he was never a Marxist-Leninist or a follower of the party line.

My objection to Justice Fortas' confirmation does not rest upon any doubts about his past associations or beliefs. It rests entirely upon the fact that Mr. Fortas has long been in the forefront of the battle to weaken the defenses our government has erected to protect this country against communist subversion. Mr. Fortas has been a vigorous opponent of the government's loyalty and security programs since they were instituted in the Truman administration. His views were outlined in considerable detail in an article he wrote for the *Atlantic Monthly* in August 1953. After severely criticizing the loyalty program, he advanced a proposal for certain reforms which would have virtually destroyed the program as a means of screening out security risks.

For example, he suggested that no employee should be subjected to a loyalty hearing unless there was reason to believe that the employee had engaged in activities inimical to the United States within the last three or five years. Anyone familiar with the way in which the communists operate knows that this is completely unrealistic. Consider, for example, the fact that the only evidence that pointed to the communist ties of the notorious Soviet agent, Harold "Kim" Philby was his communist activity during his student days at Cambridge. He carried on a successful masquerade for over three decades, all the time doing his own country and ours tremendous damage. None of the actions inimical to his own country were carried out in the open, of course. It should have been clear to Mr. Fortas in 1953 that the screening rules he proposed would have been completely ineffective against such dangerous Soviet agents as Alger Hiss, Harry Dexter White, and Laughlin Currie, whose treachery was still very fresh in everyone's mind.

Mr. Fortas also proposed excluding from consideration in loyalty hearings any involvement in communist-front organizations prior to the time when they were officially designated as front organizations. He would have made an exception from this exclusion for those who appeared to have been a part of the communist control apparatus of the front, but Mr. Fortas strains our credulity in suggesting that until the Attorney-General officially applied the red label to the front groups only the communists knew that they were communist fronts. The adoption of a rule of this type would have provided an escape for many an individual who knowingly cooperated with the communists during the period before the front groups were officially so labeled by the Attorney-General. This would have badly weakened the security program.

Mr. Fortas made a number of other suggestions that would have greatly hampered the weeding out of security risks from government employment had they been adopted. He implicitly took the position that it was better for the government to err on the side of employing security risks than to err on the side of safeguarding our national security.

Fortunately neither Congress nor the Executive Branch agreed with Mr. Fortas in this stand. Our government has consistently held that national security considerations must take precedence over the rights to government employment of those individuals whose record of association and beliefs provides good reason to suspect that they may not be completely loyal to the United States.

Unfortunately, the Judicial Branch of the government has demonstrated both the will and the power to override the other two branches of government in this matter. The Supreme Court has taken the lead in emasculating and nullifying laws passed by Congress that were designed to safeguard this nation against subversion by the agents of the Soviet Union. Since his elevation to the Supreme Court Mr. Fortas has clearly demonstrated that his opposition to effective safeguards against subversion remains as strong as ever.

This was demonstrated by his concurrence in the opinion delivered by Chief Justice Warren in *United States* v. *Robel* last year. This opinion found that Congress had acted unconstitutionally in making it illegal for members of the Communist Party to work in designated defense plants. The opinion denied that the government had any right to invoke its "war power" or the "concept of national defense" to safeguard our vital defense plants from infiltration by known members of the communist conspiracy as had been done by the Subversive Activities Control Act of 1950. The Court found a new and previously undiscovered right in the First Amendment—the right of association. Justice Fortas and the four other members of the Court who joined in this opinion equated the protection of this new found right to the defense of the nation itself. They said "It would indeed be ironic if, in the name of national defense, we would sanction the subversion of one of those liberties—the freedom of association—which makes the defense of the Nation worthwhile." The Court—and Justice Fortas—specifically rejected the suggestion that it should balance the interests of the government in safeguarding our security against "the First Amendment rights asserted by the appellee." The Court said, "We deem it inappropriate for this Court to label one as being more important or more substantial than the other."

This must be one of the most shocking utterances ever to come from any Court. What it means is that the Court denies to the government the basic right of defense against those who associate together, under the control and direction of a foreign power, for the purpose of overthrowing our free institutions. In the view of Justice Fortas and four of his colleagues on the Supreme Court the right to associate to conspire against the government actually takes precedence over national security, since the Court found for the appellee. Those who understand the nature of the communist conspiracy and its objectives have found the Court's reasoning in *Robel* beyond all comprehension. Justice White wrote a stinging dissent in which he gave an excellent description of the communist conspiracy and the reason we must defend ourselves against it. He said:

"The national interest asserted by the Congress is real and substantial. After years of study, Congress prefaced the Subversive Activities Control Act of 1950 . . . with its findings that there exists an international Communist movement which by treachery, deceit, espionage, and sabotage seeks to overthrow existing governments; that the movement operates in this country through Communist-action organizations which are under foreign domination and control and which seek to overthrow the Government by any necessary means, including force and violence; that the Communist movement in the United States is made up of thousands of adherents, rigidly disciplined, operating in secrecy, and employing espionage and sabotage tactics in form and manner evasive of existing laws. Congress therefore, among other things, defined the characteristics of Communist-action organizations, provided for their adjudication by the SACB, and decided that the security of the United States required the exclusion of Communist-action organization members from employment in certain defense facilities."

Justice White noted that there was no question but that the Communist Party was a Communist-action organization within the meaning of the Act, meeting all the criteria described above. He also observed that the Supreme Court itself had accepted the findings of Congress that the Communist Party posed a threat "not only to existing government in the United States, but to the United States as a sovereign, independent nation."

It was not at all clear to Justices White and Harlan, who joined in his dissent, why the Constitution should be interpreted as giving priority to the rights of association of conspirators over the rights of all of the rest of us to protect ourselves against their freedomphobic conspiracy. If in the name of national defense the government can ask our fine patriotic young men to give up their lives, why can it not ask a participant in a foreign-controlled conspiracy against the United States to give up the privilege of working in one of our vital defense plants?

The *Robel* decision opens the door for the infiltration of communist saboteurs and agitators into our vital industries. This is bad enough, but it portends an even more dangerous development. It is certain that before long the Supreme Court will be asked to rule on the right of the government to bar the employment of communists by the government itself. With *Robel* as a precedent it seems highly likely that a Court headed by Chief Justice Fortas will find that the government has no right to refuse to hire communist party members. And if members of the Communist Party itself are ruled eligible for government employment, loyalty as a test of eligibility for government employment will become a dead letter. Our government's defense against penetration by Soviet agents and sympathizers will be even more completely emasculated than they would have been by the hamstringing changes suggested by Mr. Fortas back in 1953. The doors will have to be opened to the secret party members such as Alger Hiss and to the open party members alike. We will again find ourselves as wide open to espionage and subversion as we were in the days when Hiss, White, Currie, Witt, Pressman, *et, al,* were able to wheel and deal on Moscow's behalf with complete impunity.

The *Robel* opinion in which Justice Fortas concurred did suggest that it might be permissible under the Constitution to exclude some communists from some types of employment. It drew a distinction between "active" and "passive" members of the Communist Party. In concurring in the drawing of this distinction Justice Fortas does not enhance our respect for either his legal logic or his perspicuity, if not his honesty. The implication is that there are members of the Communist Party who are sufficiently dangerous to our national security that the government may be justified in overriding the Constitutional rights guaranteed by *Robel* and may legally exclude them from employment in certain defense plants. The Court in taking this position seems to be saying that national security considerations can take precedence over freedom of association provided the threat to national security is demonstrable to the satisfaction of the Court. Justice White pointed out that the Court apparently wished to arrogate to itself the right to determine which members of the communist conspiracy were sufficiently dangerous that they might be denied one of their purported Constitutional rights. We may infer from this that Justice Fortas and his colleagues did not object to the Subversive Activities Control Act of 1950 because it infringed upon a previously unknown constitutional right in making the employment of communists in defense plants illegal. They imply that they would be willing to accept such a restriction in the case of *certain* party members. Their real objection to the act, therefore, is that it presumes that *all* Communist Party members pose a danger to our national security if employed in strategic industries or positions. The Court employed a specious constitutional argument in order to nullify the judgment Congress had made about the significance of membership in the Communist Party.

As Justice White pointed out, Congress after long and careful study decided that the members of the Communist Party were potentially dangerous. This was no casual "seat of the pants" judgment. Those who have studied the Communist Party know that there is no such thing as an "inactive" or "passive" party member unless he has taken that status on orders from the party. They know that the most dangerous participants in the communist conspiracy are the so-called "sleepers" who seem to be inactive or without ties to the party but who may do extremely valuable work covertly and who may be summoned to more active or more open duty whenever it is to the advantage of the party.

When five justices of the Supreme Court suggest that these "passive" members of the Communist Party are benign, innocent individuals who pose no potential threat to our national security, we can only conclude that these justices are uninformed and naive. However, it is very difficult to conceive of Justice Fortas being uninformed and naive in this area. He has been able to observe the machinations of the communists at close range since he entered government service in 1933. He was personally acquainted with the most dangerous "passive" communists who penetrated our government. When they were exposed he must either have been shocked to discover what they had done, or he must have had sufficient knowledge of communist methods to know that those who appear benign can actually be very deadly. He undertook the defense of a number of government employees accused of having communist connections in the late 1940's and early 1950's. Knowing him to be a thorough lawyer, we may assume that he undertook to inform himself about the nature of the communist movement in connection with these cases.

I find it difficult to believe that Justice Fortas really thinks that a "passive" member of the communist conspiracy is less dangerous to our national security than an active party member. I would think that since he has seen the great damage that "passive" communists can do from an unusually good vantage point he would be in the forefront of those warning the nation of the danger posed by covert members of the party and seemingly harmless fellow travelers. I am at a loss to understand how Justice Fortas can concur in a decision of the court that is predicated upon a proposition that is demonstrably false. This committee should explore this question with Justice Fortas and discover, if possible, whether Justice Fortas, despite all his experience, is truly ignorant of the dangerous fallacy involved in trying to assign degrees of dangerousness to communists depending upon the intensity of their activity. If Justice Fortas professes ignorance in this area, we will be forced to conclude that his learning ability has been greatly exaggerated. On the other hand, if he recognizes the fallacy, he must be asked to explain why he concurred in the *Robel* opinion predicated upon it.

Justice Fortas in concurring in the *Robel* opinion gives us clear notice that he still favors the hamstringing of the government's internal security program. This process has already been far advanced by the Supreme Court, and there seems to be no reason to doubt that Mr. Fortas would use the office of Chief Justice to advance it still further. The confirmation of Mr. Fortas to that post would be tantamount to a vote for judicial repeal of laws that are absolutely vital to our national security. It would be tantamount to saying that the Senate agrees with Justice Fortas that it is more important to protect the right of a few to take part in a foreign-controlled conspiracy to destroy our liberties than it is to protect ourselves against that conspiracy.

I am sure that there is not a single member of the United States Senate who would want to run for election on such a platform. The American people do not agree with Justice Fortas and his four colleagues that the Constitution requires them to disarm this country in the battle against Soviet subversion. Since the Constitution does not require that Justice Fortas and his colleagues be responsive to the wishes of the electorate, the people must of necessity look to the Senate to speak for them in this matter of vital national interest. I am sure that if the vast public were informed of the vital issues at stake they would demand overwhelmingly that you recommend against confirmation of Justice Abe Fortas for the office of Chief Justice.

INDUSTRY, GOVERNMENT JOIN IN AGRICULTURAL BREAKTHROUGH

HON. JOHN J. McFALL

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 16, 1968

Mr. McFALL. Mr. Speaker, recently I learned the details of a truly remarkable accomplishment which clearly demonstrated that seemingly impossible problems can be solved when attacked by the combined resources of private industry and Government, using the techniques of modern science. I want to relate the highlights of this story to my colleagues, knowing they will share my admiration of and join me in paying tribute to those who played important roles in the drama.

The story begins back in 1953 when the advisory board administering a California State marketing order covering large Lima beans found that despite its costly promotion campaign financed by growers through self-imposed assessments, the per capita consumption of dry Limas was steadily declining.

To determine the reasons for this decline, the board financed a scientific consumer study which removed all doubt as to why American housewives were buying and cooking not only fewer dry Limas but fewer dry beans of all varieties. In summary, the consumer panel said:

> Beans take too long to prepare and cook and they are difficult for many people to digest without discomfort.

USE ADMIRABLE JUDGMENT

With admirable business judgment, this board of bean farmers and handlers decided to stop wasting its money promoting a commodity which is ill fitted to the hurried habits and sedentary occupations of modern life. They turned their attention and funds to modernizing their product, sponsoring research to make their bean quick to cook and easy to digest.

They took their problems to food scientists at the U.S. Department of Agriculture and the University of California. Both institutions agreed that a long and costly program of research offered the only hope, and even then, they could not assure success.

The two organizations offered to work on the problem using existing facilities and personnel, but they warned that results would be a long time coming without additional funds to hire full-time technicians and purchase any special equipment that might be needed.

In 1956, after agreement that the quick-cooking problem should be tackled first and approached from two angles, the advisory board offered to make grants-in-aid to cover costs of accelerating the effort. One phase, working on the idea of precooking, got underway at the University of California campus at Davis, the other, based on treating the raw bean to improve cookability, was begun at the USDA laboratories in Albany and Pasadena, Calif.

After basic research to determine bean constituents, it became apparent that the problems of cookability and digestibility were related and that the solution involved work on all varieties of dry beans, not just Limas. More money was needed than the growers could provide so the National Dry Bean Council asked the Department of Agriculture administractors to help. The Department requested and Congress approved appropriations to begin investigating the difficult problem of digestibility and to relate the work to other varieties of beans.

VISIT AT OFFICE

A few weeks ago, two gentlemen from my home State, Gordon Monfort, manager of the California Lima Bean Advisory Board, and Dr. Louis B. Rockland, research chemist at the USDA Fruit and Vegetable Chemistry Laboratory in Pasadena, called at my office. They advised me of two amazing quick-cooking dry bean products and also described a new process of preparation which restaurants and other institutional feeding kitchens can use to cut dry bean cooking time from about an hour to only 10 minutes. This method was actually developed at the request of school lunch program nutritionists to solve the problem of limited range space and time in thousands of small school kitchens throughout the Nation who must prepare nutritious, hot, low-cost lunches with a small staff in a short period.

One of the new products is a redried bean which cooks in about 30 minutes. The other, a processed frozen bean, cooks in 5 minutes. Neither bean needs any presoaking and the flavor, appearance, and texture of both are superior to the unprocessed bean prepared the old-fashioned way with a long soak and cooking time.

They also told the background of this exciting story and, perhaps most important of all, Dr. Rockland told me of a promising series of experiments he and his fellow scientists at Pasadena and Albany are conducting which may point the way to a solution of the digestibility problem.

I am sure all of my colleagues, whether they represent rural or urban areas, share my enthusiasm over this achievement because the real benefactors of this research team effort are the consumers—the homemakers, the restaurant and hotel people, the dietitians of our school lunch program, hospitals and other institutions, and the subsistence divisions of our Armed Forces—all of whom will be able to save valuable time and fuel through the use of these new beans.

PAY DESERVING TRIBUTE

One of my purposes in relating this story today is to pay official tribute to the many individuals and organizations who have played a vital role in the 14-year drama.

First, of course, are the dry Lima bean growers of California who saw the problem, asked for help in solving it, and have put more than $250,000 of their own money into the research. The present chairman of this group is John S. Cox, a farmer in my district.

The remaining members of the team deserve equal credit and at the risk of omitting other deserving individuals I want to name some of the key administrators, scientists, and financial contributors.

They include our colleague, Chairman Jamie L. Whitten, and members of his House Agricultural Appropriations Subcommittee, whose confidence kept funds forthcoming when the road to success seemed blocked with insurmountable barriers. Credit also should go to Congressman Whitten's counterpart in the U.S. Senate, Senator Spessard L. Holland, and his subcommittee members who shared this confidence. They provided support of the other House for the appropriations.

In the U.S. Department of Agriculture, many persons made major contributions. Leader of the project is, of course, Dr. George W. Irving, Jr., Administrator of the Agricultural Research Service, aided by members of his administrative staff. In the West, Dr. M. J. Copley, Director of the Western Regional Laboratory, took personal charge of the project and assigned many of his top staff members to the work. Dr. E. A. Beavens and Dr. Louis Rockland of the Pasadena Laboratory deserve special credit for their direction and supervision of the Bean Board personnel. They have worked continuously on the project since 1956 and the public patents on the quick-cooking beans name Dr. Rockland and associates as the inventors.

HOPE FOR THE FUTURE

Finally, let me point out some of the problems these able people and all of us in Congress face in the future. We share the tremendous responsibility of developing world resources to feed exploding populations. In just a few short years our problems of agricultural surplus will give way to a greater problem of producing the nourishment which the world's people must extract from an ever-dwindling acreage of productive soils.

A key weapon in this war on hunger and poverty, in my estimation and that of leading demographers and nutritionists, will be the humble bean, rich in low-cost protein and energy-giving carbohydrates. Scientists tell me there are many ways it can be improved by continuing research. In addition to the work now going on to make it acceptable to everyone digestively, science can improve the nutritive value of its protein and other constituents, can develop improved seed which will produce more sacks to the acre, have drought and disease resistance, and grow successfully in climates and soils where present varieties fail to produce.

May I conclude with this reminder? Agricultural research is a major weapon in the war against hunger—a factor in world survival—a function which must be continuous and vigorous to meet the ever-changing needs of the world.

I hope this outstanding example of what agricultural research can accomplish will remain in our memory as a reminder of our responsibility to see that this essential tool never suffers from lack of attention and support.

POSTAL BILLS

HON. ROBERT N. C. NIX

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 16, 1968

Mr. NIX. Mr. Speaker, I have today introduced five bills at the request of the Post Office Department. These measures are, as I understand it, noncontroversial and of a housekeeping nature. On Thursday, July 25, my Subcommittee on Postal Operations will ask that witnesses from the Post Office Department appear and discuss these bills.

Although it is late in the session, we will be able to have the bills printed and studied and a hearing record. Interested parties can study the measures between the sessions of Congress and these items could be our first order of business during the next session.

A REPORT ON THE WORK OF THE 90TH CONGRESS

HON. WILLIAM S. BROOMFIELD

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 16, 1968

Mr. BROOMFIELD. Mr. Speaker, as the work of the 90th Congress nears completion, I have attempted to summarize some of its major accomplishments and indicate areas where further legislative efforts are needed in a report to my constituents in the 18th Congressional District of Michigan. That report follows:

THE 90TH CONGRESS REFLECTS MOODS OF THE NATION

The record of the 90th Congress, which may be completed within the next few weeks, is a mixture reflecting the strong opinions and divided moods of the country in this year of unusual turmoil and change.

It is a record which attempts in many ways to answer that variety of moods. Congress responded to what might be described as the conservative trend in this country by passing a broad anti-crime bill which provides Federal money to help strengthen local police departments, regulates handguns for the first time, permits police wiretapping under court order and modifies some controversial U.S. Supreme Court rulings. Congress also made an attempt, although in my view not a very successful one, at curtailing the size of the Federal budget and in many other areas demonstrated its desire to stabilize and consolidate following a period of sweeping change.

Congress also responded to the problems of the cities, the poor, and the menace of racial unrest. The Civil Rights Bill went further than anyone expected Congress to venture when the session began last January. The housing bill, emphasizing home ownership subsidies, low-income apartments and riot insurance for ghetto dwellers and businessmen, was one of the most far-reaching measures since the basic housing act was passed in 1949. Congress also extended anti-poverty legislation, passed a tax incease, a truth-in-lending bill, and a pure meat law.

In some cases Congress went too far too fast and in others it did not move quickly or effectively enough. But in the broad sense, the 90th Congress was not a "do nothing" session. There is still much unfinished business. There are the problems of violence, of Vietnam, of racial tension, of the extremes of great poverty and great wealth side-by-side, of pollution, of providing jobs, of slums and of ghettoes. And there is the major task of attaining a healthier, more stable atmosphere in our American life. Hopefully, some of the work of the 90th Congress will provide guidelines for developing new attitudes and outlooks for coping with those problems.

WHAT CONGRESS DID ON SOME MAJOR ISSUES

Taxes.—Congress passed a 10 percent income tax surcharge along with a ceiling on the Federal budget, in effect requiring a $6 billion cut in Federal spending for fiscal 1969. I opposed this measure. (See left.) the bill is expected to produce an estimated $15.6 billion in revenues before its July 1, 1969 expiration date. The measure is retroactive to January 1, 1968 for corporations and to April 1, 1968 for about 82 million individual taxpayers. Another 16 million persons in lower income brackets are unaffected by the increase.

Crime.—Congress approved broad crime control legislation which I supported authorizing $400 million in Federal grants over a 2-year period for planning and launching programs to strengthen local law enforcement. The money will to a great extent be administered by the states. The bill prohibits the mail order sale of handguns, permits local police agencies to engage in wiretapping for a limited period under court order, and bans all electronic eavesdropping by private citizens. It restricts the U.S. Supreme Court in reviewing cases involving confessions, eye-witness testimony, and state criminal convictions on writs of habeas corpus. Additional gun control legislation is pending in both the House and Senate.

Cities.—The House and Senate passed differing versions of landmark housing legislation and are now working out differences. The House bill, which I supported, authorizes $5.3 billion in Federal grants during the next three years to build 1.7 million new or rehabilitated housing units. The bill stresses private home ownership and also provides low-rent housing and rent supplements. It authorizes new programs of riot and flood insurance in which the Federal government will share losses with private insurance companies and the states.

Foreign policy.—Vietnam remained at the center of attention with the start of negotiations with North Vietnam in Paris. I fully support those efforts and am ready to do anything that I can to help bring the war to an end as quickly as possible. Our foreign policy generally suffers from a lack of clearly defined goals and well thought out methods for attaining them. Future policy should place less emphasis on the use of our military power and more stress on helping the under-developed nations build their economies and social institutions so that they will be able to make their own decisions.

CONGRESS MAY LIMIT CENSUS QUESTIONS

Among other things, Uncle Sam now wants to know how many people share your bathtub, how much money you earn, and what kind of plumbing you have in your home.

The questions are part of a lengthy and complicated questionnaire proposed by the United States Census Bureau for conducting the 1970 Federal census.

The Census Bureau has a good argument to justify the need for every statistic these questions will collect. But a great many people are asking what happened to the right of individual privacy. They think it is time to draw the line against further invasions in this area by the Federal government.

That is why I have introduced legislation which would limit the Census Bureau to seven basic questions to which answers could be legally required. Those seven questions are: name and address, relationship to the head of the household, sex, date of birth, marital status, race or color, and visitors in the home at the time of the census. Under the bill the Census Bureau could ask additional questions, but it could not require that they be answered. Similar legislation has been introduced by other Congressmen and is now pending before the House Post Office and Civil Service Committee. Hopefully, the Committee will act favorably on it in time to affect the 1970 census.

WHY I VOTED NO ON THE TAX BILL

While I am deeply concerned about the seriousness of our fiscal crisis, I opposed the 10 percent income tax surcharge and Federal spending cut proposal because I do not believe it will resolve that crisis.

As long as we are involved in a costly war in Vietnam and faced with urgent domestic needs, I believe we should establish a list of national priorities and deal with them in an orderly and responsible manner, just as you do your family budget. Many non-essential programs could be reduced or deferred until priority needs are met.

ROYAL OAK BOY IS NATIONAL AWARD WINNER

In November 1967, 11-year-old Randy Clement of Royal Oak risked death to save the life of a 5-year-old who had stepped into the path of a speeding car.

A few weeks ago, Randy was in Washington to be honored for his heroism by Vice President Humphrey and to receive the National Lifesaver Award from the American Automobile Association.

A 5th grader at the Starr Elementary School, Randy was one of 8 Safety Patrol boys in the nation to receive the award.

Randy's courage is a great source of pride to his parents, Mr. and Mrs. George Clement, 2918 Glenview, Royal Oak, and to all of us in Oakland County.

STARVATION IN BIAFRA

HON. BENJAMIN S. ROSENTHAL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 16, 1968

Mr. ROSENTHAL. Mr. Speaker, because I am a member of the Africa Subcommittee of the Foreign Affairs Committee, I have followed the situation in Biafra very closely. But even were I not a member of that subcommittee, I would be deeply concerned as a human being. Hundreds of thousands of innocent civilians have already died from starvation in the year-old civil war, while the estimates of future fatalities from malnutrition have reached the fantastic figure of 1 million per month.

Every humanitarian impulse tells me that we must aid these starving people, many of whom are children. The frustrating problem is that this war is intensely political. The United States justifiably is reluctant to interfere in the internal affairs of other sovereign countries.

Since all Biafran-held territory is surrounded by Federal-held territory, the only way to give direct aid to the Biafran people would be through an airlift. The State Department, in investigating this situation, has decided that delivery of food and medical supplies by air during the rainy season to improvised airstrips would be "hazardous, costly, and insufficient by far to meet the dimensions of the famine and relief problem there." Nigeria has agreed to let supplies for Biafra travel through her territory, but the Biafran Government has vetoed any such plan, believing that acceptance would be tantamount to surrender.

Caught in the center of this political stalemate are millions of starving Biafrans, suffering from "kwasiorkor," the Ghanian term for protein-calorie malnutrition.

I have communicated to the State Department my belief that the administration should do everything in its power to convince those bearing responsibility to let the supplies get through to those who require them. I have also expressed my belief that American aid, while substantial, should be given through some international agency such as the International Committee of the Red Cross, and not unilaterally. In addition, this matter should be brought to the attention of the United Nations Security Council.

Above all, as President Johnson has said, "innocent persons should not be made the victims of political maneuvering."

NORBERT LOPEZ DAY IN NEW MEXICO

HON. THOMAS G. MORRIS

OF NEW MEXICO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 16, 1968

Mr. MORRIS of New Mexico. Mr. Speaker, it gives me great pleasure to be able to bring to the attention of my colleagues the work of a New Mexico educator designed to accelerate student readiness for absorbing certain normally difficult concepts. Mr. Norbert C. Lopez, who is superintendent of the Espanola, N. Mex., schools, has designed this revolutionary method known as the synthetic experience approach. For the benefit of my colleagues, I am placing a description of this approach in the RECORD at this point, as well as a proclamation of the State of New Mexico making June 6, 1968, "Norbert Lopez Day in New Mexico":

THE SYNTHETIC EXPERIENCES APPROACH TO INSTRUCTION—A NEW FOCUS ON LEARNING OPPORTUNITY

Recently developed by a New Mexico educator, the Synthetic Experience approach is a revolutionary method designed to accelerate student readiness for absorbing certain normally difficult concepts.

Based on the observation that most abstractions require certain impressionable experiences before the abstractions can be perceived and understood, the procedure in the application of this approach is to create experiences synthetically and to pack them very close together in didactic sequence so that no room is left for confusion when the experience is projected on the learner.

Exposing the senses to this quality of experience places the learner in position to receive not only a clear amplification of the projected ideas, but also to absorb them within a small fraction of the time it might take if the required experiences would be stumbled into during a course of life. Theoretically, any normal person can attain any quality of knowledge and understanding, except that some individuals might take 200 years to undergo and assimilate the necessary experiences. Under synthetic exposure, the same individuals might assimilate the same background in 200 hours.

To give Synthetic Experiences form and a color of reality, the man who thought up the idea packs the experiences into story episodes, from which the sequence unfolds with the movement of the story. In other words, the story is written to follow a course which highlights experiences believed to contribute to the understanding of an important concept. The student undergoes the experiences vicariously (synthetically) as he enjoys the story, and readiness for learning sets in as a by-product.

The first in a series of children's stories with "synthetic experiences" is now available to schools and experimental institutions. Fully illustrated for maximum effect, it is titled *King Pancho and the First Clock*. It comes with a manual that explains how the story can be used to teach youngsters to tell and understand time in one or two weeks. Small sets of eight or twelve books in a classroom are sufficient for remedial or developmental instruction with special groups of children.

PROCLAMATION

Whereas, a native New Mexican has produced a book "King Pancho and the First Clock" that represents a major breakthrough in the field of Education, having developed the synthetic experiences approach to instruction; and

Whereas, the legendary "Pancho" has been cast in a refreshingly new role in this book, which will be a source of new pride to the cultural group traditionally associated with "Pancho"; and

Whereas, Norbert Lopez is himself a Spanish speaking American who grew up struggling against the disadvantages imposed upon a minority cultural group in the American Southwest;

Now, therefore, I, E. Lee Francis, Governor of the State of New Mexico, by the powers vested in me, do hereby proclaim June 6, 1968, as *Norbert Lopez Day in New Mexico*.

Done at the executive office this 16th day of May, 1968.

Witness my hand and the great seal of the State of New Mexico:

E. LEE FRANCIS,
Governor.

Attest:

ERNESTINE D. EVANS,
Secretary of State.

BIRMINGHAM'S 15TH ANNUAL INDEPENDENCE DAY CELEBRATION

HON. JOHN BUCHANAN

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 16, 1968

Mr. BUCHANAN. Mr. Speaker, Birmingham's annual Independence Day celebration is always a memorable event. This year's program, however, highlighted by the presence of Lt. Gen. Jonathan O. Seaman, commander of the U.S. 1st Army and former commander of the 1st Infantry Division in Vietnam; sergeant major of the U.S. Army, William O. Wooldridge and many other dignitaries was particularly outstanding.

On Wednesday evening, July 3, station WBRC–TV, sponsor of several of the principal events of the celebration, telecast a 30-minute concert in Birmingham's Fair Park, featuring the 313th U.S. Army Band, WAC Band, Sgt. Maj. W. O. Wooldridge, and a fine speech by a Brooke Hill High School student, Miss Barbara Long.

On July 4, a special service was held dedicating a plaque at Woodrow Wilson Park honoring the Birmingham area war dead. At this service, sponsored by the Women's Auxiliary for Patriotic Events, Mrs. Martin Lide, chairman, a plaque was unveiled of the Jefferson County soldiers who had given their lives in Vietnam. Mrs. J. Martin Smith and Mrs. Georges Bridges were cochairmen of this event.

From this service, the visiting dignitaries traveled up Birmingham's Avenue of Flags, which are erected on each patriotic occasion on all main arteries of the city, to station WBRC–TV for a noon flag-raising ceremony telecast atop Birmingham's Red Mountain.

Lt. Gen. Jonathan O. Seaman was feature speaker at this inspiring event. Birmingham has maintained a special interest in this military officer since our city adopted the 1st Infantry Division in Vietnam at the time it was under his command.

General Seaman's visit was a red letter day to the people of Birmingham. The speech which he delivered was so informative and inspiring, it should be heard by all Americans. At my request, General Seaman has been kind enough to provide me with a copy of this patriotic address which is included herewith in the RECORD and which I commend to the attention of my colleagues:

INDEPENDENCE DAY CELEBRATION, JULY 4, 1968, BIRMINGHAM, ALA.

I am honored to have been invited to be with you today as you salute the Armed Forces of our United States.

As the former commander of the 1st infantry division—the big red one—I am especially pleased to visit, for the first time, this great city of Birmingham, which in November of 1965 adopted that famous division.

Many of you will recall, I am sure, the ceremonies of that historic day when Sergeant Major Wooldridge, who was then the 1st division sergeant major, returned briefly from Vietnam to represent the more than 15,000 soldiers of the big red one who were fighting a cunning, wily, and fanatical enemy in the jungles and rice paddies of that far off land. Sergeant Major Wooldridge, *now* the sergeant major of the United States Army, returned to his adopted city—Birmingham—with me today.

I don't think any of you citizens will ever know how much your patriotic gesture meant—and still means—to our officers and men.

Each company size unit in the division is sponsored by a civic organization. A school, or a business firm. The charitable acts this great city has performed for the Vietnamese people are legion—and run the gamut of sending clothes and soap for needy refuges to returning the little 4 year old orphan girl—Thi Mai—to Birmingham for heart surgery, without which she could not have lived.

And not the least of your welcome contributions to our efforts there was sending to Vietnam that famous team from the Birmingham News—Alf Van House and Tony Falletta—who stayed with the 1st division for several months and reported to you firsthand the *true* conditions of combat in that unhappy country.

Today is the Fourth of July—the one hundred and ninety second birthday of freedom—of liberty—of opportunity—of independence—for the American people.

As it was 192 years ago—so it is today. Birmingham's adopted sons and all our brave men in Vietnam are fighting for the ideals of freedom and liberty and justice.

Liberty and independence can be secure only if free men resolve to draw a line against aggression and oppression—stand on that line, and hold it!

But a great tragedy has befallen our nation in recent months, and that is the lack of confidence displayed by many in our national purpose and our military effort after North Vietnam's tet offensive.

There are those within our country who say that we should never have become committed in Southeast Asia—that we have no interest in Vietnam.

But certainly every American can understand the necessity of a commitment if he knows that America's vital interests are seriously threatened. Perhaps this point has not been stressed sufficiently in discussions of our role in Vietnam.

A careful analysis clearly indicates, that not only are vital U.S. and free world interests deeply involved in Vietnam and in Southasia, but we, as a nation, have given our word that we will help to combat aggression in certain areas of Southeast Asia.

The U.S. commitment to fight in South Vietnam was made for many reasons—these involved not just Vietnam, but our policies and actions throughout the world.

U.S. national policy is the outgrowth of our experience with aggression that led to World Wars I and II.

The lessons of World War I were ignored—and our country withdrew from effective world responsibility. When aggressors challenged the peace in Manchuria, Ethiopia, and then central Europe during the 1930's, the U.S. and the rest of the world community did not act to prevent their success. The result was World War II. Had the "uninvolved" nations intervened at the proper time, this terrible conflict might well have been avoided.

The shock of having the defeated Japanese and Nazi regimes promptly replaced by an even more virulent and aggressive Communist threat to the world, forced America into free world leadership and into the adoption of a positive national policy of deterrence.

We are involved in Vietnam because we know from painful experience that the minimum condition for order on our planet is that aggression must not be permitted to succeed. For when it does succeed, the consequence is not peace—it is further expansion of aggression!

Those who have led our country since 1945 have not lost sight of the chilling fact that a third world war could be a nuclear war.

The result of this conviction and policy has been a generation's effort which has not been easy for the United States. We have borne heavy burdens. We have had to face actual conflict, and a series of dangerous near and outright confrontations with totalitarian regimes.

But the hard and important fact is that since World War II, external aggression has not been permitted to become a general war.

You well recall that just a little over three years ago the build-up of our combat forces in Vietnam commenced. That was after North Vietnamese regular formations had invaded South Vietnam in considerable strength. The South Vietnamese were weary and discouraged after years of fighting, and they were on the verge of giving up the struggle to the greatly superior force.

Since that eventual decision was made, the situation in Vietnam has continually improved. The situation is not bleak—it is not hopeless. And we are winning the war.

But let not one of us misunderstand the enemy's major offensive now. It is aimed directly at the citizens of the United States. It is designed to crack our will. We have the strength; we have the power—but do we have the will and the spirit to succeed? We are the aggressors real target because of what we represent.

To me, the losses that the North Vietnamese and the Viet Cong are suffering daily in both manpower and equipment are staggering. The actions they are taking now constitute a terrific gamble to win at the conference tables in Paris what they cannot win in the jungles, the rice paddies, and the cities of that far off land.

What we need more than anything else is the confidence and understanding of our own people—and the determination and the will and the guts to carry on this unpopular war to a successful conclusion.

And now just a brief word about our American soldiers, sailors, marines, and airmen.

All that I know about the American serviceman convinces me that he understands the purpose beyond the war well enough not to be shaken by the clamor of protest at home. He has seen the terror, murder and destruction inflicted on the people of South Vietnam by the Viet Cong and their aggressive allies from the north. He knows that he must *persevere* in his soldier's job to help the people be free of the Communist aggressor so that they can proceed with the peaceful task of building their own government as they choose.

Our men in Vietnam are performing their job magnificently. They are the finest we have ever sent into combat. They are smart and quick to learn. They are aggressive, and they fight hard and courageously. They are highly motivated, and they are proud of their contribution to the cause of freedom.

I believe that our soldiers, sailors, airmen, and marines will leave the military service with a firmer sense of their responsibility to be involved in our Nation which they have served. They know the meaning of involvement because they have been involved in sharing responsibility for defending all that our flag symbolizes to us and the world. They represent the one great hope that will preserve all that generations of Americans have preserved for us.

Let all of us see the broader vision our President portrays when he says:

"Freedom and peace in the United States can only be secured if America remains involved in, and concerned with, the future of human freedom throughout the world."

FINANCIAL STRAITS FOR CITY SCHOOL DISTRICTS

HON. JOHN BRADEMAS

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 16, 1968

Mr. BRADEMAS. Mr. Speaker, a most important development in American education—the efforts of big city public school systems to win more state financial support by resorting to the courts—is discussed in a timely article in today's Wall Street Journal, July 16, 1968. I commend to the attention of my colleagues this timely article by George A. Nikolaieff:

CITY SCHOOL DISTRICTS, STRAPPED FOR MONEY, ASK COURT RELIEF—SUITS CHARGE STATE FORMULAS DEPRIVE URBAN YOUNGSTERS OF EQUALITY IN SCHOOLING—OPPOSITION FROM SUBURBANITES

(By George A. Nikolaieff)

DETROIT.—Big city public schools, tired of wringing money from an overburdened property tax and grudging state legislators, are trying a new approach—through the courts.

Their demands for more money could result in a basic reorganization of state aid to primary and secondary education, which totaled $12 billion last year. Victory for the cities "could have an impact on education comparable in its significance to the Supreme Court's 1954 decision on desegregation," says Harold Howe II, U.S. Commissioner of Education.

Suits already have been filed in two cities, Detroit and Chicago, and at least 40 other cities are closely watching the legal maneuvering. Observers say that if the cities win, state aid to suburban schools probably would suffer. Then many suburbs, already highly taxed, would be forced to consider tax increases. The resulting outcry ultimately could affect Federal aid-to-education policy.

EQUAL OPPORTUNITY ISSUE

Plaintiffs in the suits are the Detroit board of education and a group of Chicago ghetto parents and children. The Chicagoans are getting legal help from the antipoverty program. The plaintiffs argue that existing formulas for allocating state aid ignore the needs of individual districts, perpetuate an uneven distribution of funds and therefore deprive some children of the equal opportunities promised by the 14th Amendment. They urge the courts to order the state legislatures to devise new formulas more closely attuned to the needs of individual districts.

The pupils big city districts must educate are often poor and culturally deprived. Many are members of minority groups; about 60% of the children in the Detroit district are Negro. The districts themselves must compete with other desperately needed local programs for money from the property tax base.

A study by the Carnegie Foundation shows that in the 1964–65 school year the nation's 37 largest cities had $121 per pupil less to spend than the outlying districts. Two years before the gap had been only $62 per pupil, and experts believe it is still widening. They note, for example, that in the past school year Detroit could spend only $600 per pupil, while its wealthy suburban neighbor, Grosse Pointe, spent about $900. All-Negro Willowbrook district, near Watts in Los Angeles, spent $613 per pupil, including $219 from Federal assistance funds, while plush Beverly Hills spent $1,017.

HIGHER CITY COSTS

With few exceptions, school districts rely for their support largely on a combination of local property taxes and state aid. Last year local taxes provided $15.3 billion of the $31 billion bill for primary and secondary education, state aid provided $12 billion and the rest came mainly from the Federal government. Today, "property taxes are exhausted," says Joel Cogen, assistant to the mayor of New Haven, Conn. "You can't raise them any more."

The reason, the educators say, is that other local services also supported by the property tax cost more in the core city than in the suburbs, due to big-city congestion and higher labor costs; in addition, cities usually spend more than suburbs for such things as cultural activities and transportation facilities. Another Carnegie study found that in 1966 New York City residents paid $44.26 per $1,000 of tax valuation for municipal services, compared with $21.83 for four surrounding suburban counties.

Nor have urban districts been very successful when they've turned for relief to the state legislatures. The Portland, Ore., district educates 17% of the state's children but gets only 12.5% of the state aid funds. In fact, says Melvin Barnes, district school superintendent, the district contributes more to state education funds through the income tax than the state returns to the district. Last year, after a severe shortage of funds forced the district to cut back its budget to $44 million from $53 million, it made an all-out try for state help. For the first time it sent a fulltime lobbyist to the legislature.

"We came back empty-handed," says William Bade, the district's fiscal officer. "We're getting a little less from the state this year than we did last year."

BANDING TOGETHER

This spring educators in 40 "low wealth" districts in and around Los Angeles, angry after the state legislature snubbed their individual requests, banded together to apply collective pressure in the future. The new strategy has yet to be tested.

Most state school aid formulas, including those in Michigan and Illinois, where the test suits were filed, already favor the poorer districts. For example, Detroit's state aid last year totaled $230.35 a student, while Grosse Pointe got only $145. But the city educators say the extra aid isn't enough.

They argue that most state constitutions and the 14th Amendment require the state not just to support public schools but to treat all students equally—even if it means spending more per pupil in city schools than suburban schools for such things as special courses to improve reading and study skills. "The states assumed the responsibility for equitable public education, and they've got to pay for it," says Zane Cohn, attorney for the group that filed the Chicago suit.

Both the Chicago and Detroit suits attack state aid formulas based on property values within the school district. Michigan's formula is typical. It starts by allowing each district the same gross aid per pupil: $280.50. From this figure, after adjustments for various factors such as transportation costs, the state then deducts an amount based on the total property valuation in the district. Because the wealthier suburbs have higher per-capita property valuations, they normally get less aid per pupil than the city districts.

In theory, the Michigan formula equalizes school aid because it penalizes the districts best equipped to raise money through the property tax. But critics say it doesn't help big city districts enough and argue that its basic assumption is wrong. "State money should be handed out on the basis of what it takes to provide a decent education instead of how big and fancy the houses are in the school district," says Stephen Schlossberg, counsel for United Auto Workers union, which has filed a brief in support of the Detroit suit.

Neither suit proposes specific alternatives to present aid plans; the critics assume new plans, in accordance with court guidelines, could be worked out later. But urban education experts mention four possible alternatives.

Under one, the city school board would prepare its budget based on needs and present it to a state agency for certification; the state would then supplement local revenues to the extent needed. Another plan would create a special metropolitan agency for education, akin to existing transportation authorities, with power to tax and to supplement money raised by the school board. A third concept would relieve local boards of one burden by requiring capital financing of new construction through statewide-bond issues. A fourth envisions a complete takeover by the state of all educational financing.

AIMING FOR THE SUPREME COURT

Attorneys for both Michigan and Illinois are trying to have the suits dismissed. Argues an attorney for Michigan: "It seems to me the legislature has the authority to spend the tax money in any way it sees fit."

Supporters of the suits say they will carry their fight to the Supreme Court if necessary. The Detroit suit was filed in Wayne County Circuit Court here. In Chicago, a lawyer for the Federal antipoverty program says that city's school suit was filed in Federal district court in hopes that "we may get to the Supreme Court ahead of Detroit."

There is certain to be plenty of resistance along the way. Most suburbanites already tax themselves more heavily for education than do city dwellers. The Carnegie Foundation study shows that in 1966 New York City raised only $12.96 per $1,000 valuation for education, while surrounding suburbs raised $20.53 per $1,000.

The Detroit suit already has produced a break between the Detroit school board and its banker of more than 30 years, the National Bank of Detroit. In May, the board routinely sought to borrow $14 million to cover expenses for the balance of the term, but the bank refused. It maintained that the lawsuit, in challenging the constitutionality of basic education laws in Michigan, raised questions about the borrowing powers of any school district, including Detroit's. Angry, the board turned to the Bank of the Commonwealth—viewed as a maverick by more conservative members of Detroit's banking community for the funds.

LOOKING AT WASHINGTON

Some education experts think that regardless of the outcome of the suits, pressure will increase now on the Federal government to assume a bigger share of the financial burden for primary and secondary schools. (The government now meets about 10% of the cost, mainly through special funds.) The educators reason that if the cities win a bigger share of state aid, the states won't be able to raise the extra money needed to help offset the blow to more affluent districts. "By default at the state level, it would just force the problem up to the Federal level," says Theos I. Anderson, superintendent of schools in Grosse Pointe. If the cities lose, their next step might be an assault on Washington, it's thought.

Indications are that Federal officials already are preparing for either possibility. The Office of Education is getting cost estimates and studying "other implications, including what it means for the department," says Stephen Trachtenberg, assistant to Education Commissioner Howe.

Whatever the headaches, educators already see some gains. "Even if the new thrust doesn't work, it highlights the problems city schools face," says an education authority in Washington. And two months after the Detroit suit was filed, the Michigan legislature approved a special $6.3 million appropriation to be allocated around the state on the basis of need. Most of the money is expected to go to the cities, particularly Detroit.

Board members see this as a victory for their argument. "It's OK by us if the lawmakers decide to do it on their own," says one attorney close to the case, "as long as we get the money."

STATEMENT OF REPRESENTATIVE HAROLD D. DONOHUE AT HOUSE WAYS AND MEANS COMMITTEE PUBLIC HEARING ON TARIFF AND TRADE PROPOSALS

HON. HAROLD D. DONOHUE

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Monday, July 15, 1968

Mr. DONOHUE. Mr. Speaker, few legislative subjects are more important to the maintenance of our national and international economic development and none are more challenging in their complexity than the projection and accomplishment of a wholesome and equitable solution of our balance-of-trade problem.

The extraordinary congressional concern in this matter is evidenced by the most unusual number of bills, suggesting solutions, introduced by various Members of the House, including myself.

All of these proposals, in wide response to the imperative international, national, and regional urgency of this problem were reviewed, during recently concluded public hearings, by the most distinguished chairman and his dedicated associates of the House Ways and Means Committee.

On June 13, last, I presented testimony, in connection with my own bill, H.R. 8361 and related measures, before the House Ways and Means Committee and I include the statement at this point:

Mr. Chairman, may I first congratulate and express my gratitude to you and the members of your distinguished Committee, on behalf of my constituents, for scheduling these hearings on the vitally important subject of the continued existence of a great many American businesses, with their employment opportunities, that have, thus far, not been given sufficient time or reasonable aid in adjusting themselves to the economic encroachments of foreign imports.

This is, indeed, a challenging problem, with many complex ramifications, and I am well aware of the Chairman's, and this Committee's, deep interest and studied diligence in seeking and encouraging a fair and reasonable legislative solution to everyone involved.

Although I do have my own legislative proposals pending before the Committee I am not concerned that my suggested solutions should be adopted. I am primarily and only concerned that the central problem itself shall be thoroughly examined and that this Committee will, in its wisdom, select, assemble and recommend, from any and all measures now before you, the proposal you believe to be in our best national and international interest.

As you, Mr. Chairman, and the members of the Committee are aware, I have several times expressed my views here on this problem; I know your burdensome schedule and I realize you have an extraordinarily large number of witnesses to hear. Therefore I have no intention of intruding too long upon you. I shall only, if you will, at this time, present a summary of my sentiments.

First, let me express my conviction that few, if any of us, are diametrically opposed to the basic objectives underlying the accepted long-range purposes of our overall trade expansion program.

However, in fulfilling our responsibility and obligation within this program to our American people, I think it is incumbent upon us to insist that the sentiment expressed by President Eisenhower back in 1953 and the warning presented in the report of the Commission on Foreign Economic Policy should be carefully observed and reasonably carried out. President Eisenhower, in a statement on trade policy contained in his first State of the Union Message declared: "This (trade expansion) objective must not ignore legitimate safeguarding of industries, agriculture, and labor standards."

The report of the Commission on Foreign Policy contains this admonition: "American labor should not be subjected to unfair competition as a part of any program to expand our foreign trade."

Mr. Chairman, because this sentiment and admonition has been so often ignored, increasingly great economic hardships have been and are being inevitably visited upon certain numbers of American workers and industries throughout the country and particularly in my own home area where the textile, steel, machine tool, shoe and leather, and so many other businesses are suffering from an accelerating avalanche of low-cost imports produced under foreign economic conditions that our domestic industries and workers cannot possibly meet without violating our own laws and sabotaging our acclaimed civilized and economic progress.

Mr. Chairman, the original legislative proposal to greatly expand trade agreements contained pledges to guard against the disintegration of American industries from accelerated and excessive foreign competition which could not possibly and immediately be met by any reasonable and practicable means; avenues of appeal to presidential relief authority, under these circumstances, were established. Unfortunately, they have mostly proved to be little more than expensive but idle gestures contrary to the general understanding of the Congress.

Mr. Chairman, let me emphasize I do not think that anyone intends, and especially I, to convey any thought that any protectionist war shall be initiated or that capricious and negligent business appealers be granted any unwarranted privileged assistance in detriment to our foundation policy and I do not believe that any responsible businessman in this country would seek or want such help. The responsible American manufacturers and workers who are affected are not asking complete protection from all foreign competition; they are simply asking and seeking an equal opportunity under mutually fair competitive conditions in an open market. I think they should be fully heard and just as responsibly heeded. They have the right.

I would even voice the hope that the Executive Department, by the use of administrative processes already existing, would avoid any disruptive threat to the quota system by granting a reasonable measure of relief on an application of proven, just need.

I would voice the further hope that those abroad would take notice and heed our American situation and particularly the hearings this renowned Committee is even now conducting. I would suggest that very likely the most constructive and wholesome solution of this domestic difficulty lies in their sensitive response to the practical reality that the United States Congress will not leave beseiged American industries, with their employees, of just cause, continuously vulnerable to unlimited encroachments from foreign sources. Foreign self-restraint and response in the form of voluntary quotas would undoubtedly offer the best avenue toward averting any serious interruption in the further progress toward wholesome, free international trade.

As I indicated in the beginning, it is truly not a simple or easy problem to solve but it is just as truly our responsibility to try to do so and I know, Mr. Chairman, that you and your Committee associates will diligently seek an equitable answer to this challenge of vital importance to ourselves and all other peoples everywhere.

Mr. Chairman, may I again express my deep appreciation to you and your Committee associates for your courtesy and consideration.

JUDICIAL REFORM: ONE ANSWER TO CRIME AND VIOLENCE

HON. JOHN R. RARICK

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 16, 1968

Mr. RARICK. Mr. Speaker, while some cynical voices would blame the crime and violence problem on poverty, racism, and peace, the voices of our learned scholars are silenced by lack of equal treatment by the communications media. These more moderate and knowledgeable intellectuals know full well the cause of our dilemma is connected with the revolt of our Federal judiciary and the unsavory characters who are using the law and their position to destroy Western civilization.

Hon. Wilson K. Barnes, associate justice of the Court of Appeals of the State of Maryland, has delivered a documented paper on his feelings of the need and method for judicial reform.

I include his documented paper, a

speech on "Individual Freedom and Limitations Upon the Power of Government," and a speech by Mrs. Elizabeth C. Barnes on "Mail-Order Constitutions—The Twilight of the States?" as follows:

CONSTITUTIONAL REFORM OF THE SUPREME COURT OF THE UNITED STATES

(By Hon. Wilson K. Barnes)

In March, 1967, I had the honor to address the Daughters of the American Revolution at the Ohio State Conference on the subject "Individual Freedom and Limitations Upon the Power of Government." This address was published in the August-September 1967 issue of the Daughters of the American Revolution Magazine, so that many of you have probably read it. In that address I sought to trace briefly the history of constitutional limitations upon the power of government and the great benefit to this Nation resulting from those constitutional limitations. I also sought to point out that one of the present dangers to our federalism was the extraordinary advance of Federal power by what, in my opinion, have been erroneous constructions by the Supreme Court of the United States in regard to the scope of the power of the Federal Government to *regulate* interstate commerce and in regard to the scope of the provisions of Section 1 of the Fourteenth Amendment to the Federal Constitution prohibiting the denial by the States of the equal protection of the laws or of life, liberty or property without due process of law. I suggested in that address that there might be several remedies to this immediate danger.

These were: (1) that a majority of the justices of the Supreme Court of the United States voluntarily return to more orthodox constitutional doctrine; (2) that the Congress, acting under its power given in Article III of the Federal Constitution limit the judicial power of the lower Federal Courts and the appellate power of the Supreme Court to confine the judicial power to proper federal areas; and, (3) that the Congress exercise its power under clause 5 of the Fourteenth Amendment to limit the enforcement of that Amendment to the areas of federal power intended by those who drafted that Amendment and as construed by the Supreme Court prior to 1940.

Alas, the pious hope which I expressed in the first remedy has been dashed by actions of the majority of the Supreme Court since I prepared the Ohio Conference address. Not only has the majority of that Court continued to apply unorthodox constitutional doctrine, but in the case of *Giles* v. *Maryland*, 386 U.S. 66, 87 S.Ct. 793, 17 L.Ed. 2d 737 (1967), the majority of the Supreme Court, without finding any constitutional flaw in the proceedings in the Maryland State Courts and, indeed, recognizing that upon the facts as found by the State Courts there was no federal question, nevertheless returned the case to the Maryland Court of Appeals for what amounted to a reconsideration of our decision in that case. This was done over the vigorous—and to my mind—clearly correct dissent of Mr. Justice Harlan. If you forgive a reference to my dissenting opinion in *State* v. *Giles*, 245 Md. 660, 667–668, 229, A.2d 97, 101–102 (1967), I summarized my views in regard to the unwarranted expansion of federal power in general and in regard to the new and unprecedented action by the majority of the Supreme Court in the *Giles* case, as follows:

"I am profoundly disturbed with what I believe to be the unwarranted expansion of federal judicial power over the States and their judiciary by construing the due process clause in the Fourteenth Amendment to include many of the limitations of the first eight amendments to the federal Constitution, and a new interpretation of the equal protection clause in the Fourteenth Amendment. My views in regard to what I believe to be unwarranted extensions of federal judicial power have already been fully expressed by me in prior dissenting and concurring opinions and need not be repeated here. See *Truitt* v. *Board of Public Works*, 243 Md. 375, 411, 221 A.2d 370, 392 (1966); *State* v. *Barger*, 242 Md. 616, 628, 630–44, 220 A.2d 304, 311, 317–19 (1966); *Montgomery County Council* v. *Garrott*, 243 Md. 634, 650, 653, 222 A.2d 164, 172, 176 (1966); *Hughes* v. *Maryland Committee for Fair Representation*, 241 Md. 471, 491–513, 217 A.2d 273, 385–98 (1966).

"I must vigorously protest against the attempted exercise by the Supreme Court in this case of a supervisory power over the decisions of this or any state court of last resort. At least the prior expansion of federal judicial power has proceeded under a construction of provisions of the federal constitution itself; the present case, as Mr. Justice Harlan points out, does not proceed on that basis. If this new theory is pursued, it will gravely impair the federal system. This new theory obviously should not be encouraged, or acquiesced in, *sub silentio*. I have felt obliged to raise my voice in protest."

The need for congressional action under either Article III or Clause 5 of the Fourteenth Amendment is urgently needed at the present time in view of the startling increase in crimes of violence against both person and property in the United States. It is significant, I think, that this great and unprecedented increase in crime, has occurred since the power of the State Courts in the enforcement of the States' criminal law has been substantially curtailed by the decisions of majorities of the Supreme Court applying provisions of the first eight amendments to the Federal Constitution to the States in regard to persons accused of crime. Quite apart from the proper constitutional limitations involved, it must be apparent to all that the imposition of *federal* standards of police investigation and criminal procedures which are largely confined to the more sophisticated federal crimes for which investigations are made by the highly competent and expensive Federal Bureau of Investigation, upon State investigatory and criminal procedures which deal with the common law types of crime—murder, robbery, larceny, assault, rape and the like—is bound to confuse, frustrate and generally weaken the State administration of its criminal law. This has been the result in many cases.

As I said in my dissenting opinion in *State* v. *Barger*, 242 Md. 616, 643, 220 A.2d 304, 319–20 (1966):

"A comparison of criminal offenses and the growth of population in the United States with the year 1958 indicates that from 1959 to 1964 criminal offenses increased 58% and the crime rate (the number of offenses per 100,000 population) increased 44%. Of these criminal offenses violent crime increased 40%, while the crime *rate* for crimes of violence increased 27%; crimes against property increased 61% while the rate of property crimes increased 46%. During the period in question, the population increased only 10%. In 1964 the number of willful killings increased 8% over 1963. The national murder rate was 4.8 killings per 100,000 persons in 1964. The 9,250 victims of murder was the highest number since the post-war year of 1946 and the annual increase in murder in 1964 over 1963 represents the sharpest trend for crime in recent years.

"During the period in question the Supreme Court of the United States decided four cases which initiated profound changes in criminal law procedures in the United States by imposing on the States through the Fourteenth Amendment, federal rules of exclusion of evidence seized contrary to the provisions of the Fourth Amendment, the necessity of the presence of counsel for the defendant at various stages of the accusatory process and protection against alleged self incrimination in regard to statements made by the accused. These are *Mapp* v. *Ohio*, 367 U.S. 643, 81 S.Ct. 1684, 6 L.Ed.2d 1081 (1961); *Gideon* v. *Wainwright*, 372 U.S. 335, 83 S.Ct. 792, 9 L.Ed.2d 799 (1963); *Malloy* v. *Hogan*, 378 U.S. 1, 84 S.Ct. 1489, 12 L.Ed.2d 653 (1964) and *Escobedo* v. *Illinois*, 378 U.S. 478, 84 S.Ct. 1758, 12 L.Ed.2d 977 (1964). I have seen no studies which attempt to show what effect these decisions may have had upon the extraordinary increase in crime in the United States, but if the certainty of apprehension, conviction and punishment of criminals acts as a deterrent to criminal activity (as I believe it to be), it seems reasonable to suppose that these decisions have played some part in that increase."

As I view the present situation, it will do little good for the States to amend their laws in regard to the suppression of crime or for the Congress to pass similar laws unless Congress *first* frees the State Courts from the imposition of provisions of the first eight amendments by the decisions of the Supreme Court of the United States.

If the Congress will act as suggested, the immediate threats to our federalism and to the States as viable governmental units can be solved. These remedies, however, would only mitigate, as it were, the present effects of a fundamental defect in the Federal Constitution, itself, in regard to the selection and tenure of the justices themselves. It occurred to me that it would be interesting and helpful to explore this thought and to suggest a possible remedy for this fundamental defect.

One should begin the inquiry with an examination of the basic theory of sovereignty in the United States. In this Country, the people are sovereign. All government, state or federal, emanates from the people and must be responsible to the people. Each individual citizen as a "sovereign" has certain, God-given inalienable rights—as the Declaration of Independence proclaims—which government cannot take from him. Indeed, if government seeks to impair these rights or subvert the liberty of the people, it is the *duty* of the people to change that government. The fact that the British Government, with an all powerful King who had a majority in the House of Commons and who dominated the House of Lords, had subverted the liberties of the colonies and their people, justified the War for American Independence which was won by your ancestors. It follows, as a matter of course, from the theory that sovereignty is in the people and that they have the capacity, intelligence and integrity to govern themselves, that government should be limited. Thomas Jefferson, that great philosopher of the American Revolution, put it well when he said, "That government is best which governs least," and who stated, on one occasion, "Don't talk to me about the integrity of public officials. I say chain the politicians to the limitations of the Constitution itself."

It was for this reason, that Jefferson supported the addition of the first ten amendments to the Federal Constitution, which Madison thought were unnecessary as the Federal Constitution established a federal government of strictly limited, delegated, powers, so that the individual citizen would be protected from any possible invasion of his individual rights *by the federal government*. Jefferson, however, was most unhappy about the provisions of the Federal Constitution establishing the federal judiciary. His objection was that the federal judiciary was not made responsible to the people and he predicted with astounding accuracy what would be the probable result from this defect in the Federal Constitution. He said:

"The germ of dissolution of our Federal Government is in the Constitution of the Federal judiciary; an irresponsible body—advancing its noiseless step like a thief over the field of jurisdiction, until all shall be usurped from the States, and the Government of all be consolidated.

"To this I am opposed; because when all government shall be drawn to Washington as the center of all power, it will render powerless the checks provided of one government on another and will become as venal and offensive as the government from which we separated."

Can anyone deny that since 1940, federal jurisdiction has not been greatly advanced by the Supreme Court at the expense of the jurisdiction of the States? I think not. How then can this defect be remedied? In my opinion, it may be remedied by an amendment to Article III of the Federal Constitution.

This address will be largely confined to the suggested provisions of an amendment to Article III of the Federal Constitution dealing with the Supreme Court of the United States as Congress now has the complete power to revise the provisions of law in regard to the selection and jurisdiction of the federal Courts other than the Supreme Court. The tenure of the judges of the federal Courts "inferior" to the Supreme Court could follow the same theory as the one advanced as applicable to the Supreme Court.

As a matter of political theory, all branches of the federal government—legislative, executive and judicial—should be directly responsible to the electorate, which manifests the will of the sovereign people. Direct selection of officials, however, is not practicable in several instances because of the size of the Country, its differing local traditions and other factors attendant upon a rapidly developing Nation. The definite trend has been toward increased participation by the electorate in selection of federal officials. When the selection of judges is considered, there are relevant factors which are not present in the selection of other officials. There are two competing concepts: (1) that judges ultimately be responsible to the electorate, and (2) that judges be independent, so that they may impartially administer the law, and protect individual and minority rights even against the temporary opinion of the majority contrary to those rights. In many States, the first principle is accomplished by the direct election of judges to relatively short terms. Although this accomplishes the first principle beyond doubt, it may frustrate the second, and equally important, principle of judicial independence. How can these two competing theories be reconciled? If you will pardon a personal reference to my native State of Maryland, it is my opinion that these competing principles have been effectively reconciled in that State. In Maryland both our *nisi prius* judges, our judges of the Court of Special Appeals and of the Court of Appeals—our highest Court on which I have the honor to serve—are all originally appointed by the Governor. The practice has grown up, that the Governor selects the prospective judge from a list submitted by the Bar Association or Bar Associations concerned.

After serving on the bench for at least one year, the judge then runs for election at the next ensuing general election in the political subdivision or judicial Circuit set up in the Maryland Constitution, without party designation. He may, and usually does run in both the Democratic and Republican primary elections and if he obtains the nomination of both parties—as is usually the case—his election for a 15 year term is assured. The press and news media are devoted to the "sitting judge principle" so that the incumbent judge, if he does a reasonably good job, is practically assured of election. At the end of the 15 year term—a sufficiently long term to insure independence—the "sitting judge" is practically always re-appointed by the Governor and then runs in the succeeding primary and general election as already indicated. The Maryland system has worked well and I would ordinarily recommend its adoption for the federal judiciary, if it were not for the size of the Country, and the substantial practical difficulties in having the federal judiciary directly elected in contested elections.

Under the present provisions of the Federal Constitution, the selection of justices of the Supreme Court with life tenure by the President, subject to confirmation by the Senate, frustrates completely the first principle mentioned, i.e., that the justices ultimately be responsible to the electorate. I regret to say that, in my opinion, the constitutional requirement of confirmation of the appointment of a justice by the Senate has not been meaningful during the past fifty years. The President has become too powerful politically to be effectively resisted in this area. The plain fact of the matter is that presidential appointments to the Supreme Court have in many instances been confirmed notwithstanding the rather clear absence of qualifications of the appointee for this high office and without regard to the availability of eminently qualified lawyers and judges who should have been selected. When one compares, for example, the outstanding qualifications of the late Judge Learned Hand of the United States Court of Appeals for the Second Circuit, with those of several of the justices appointed to the Supreme Court while he was available for appointment, the force of this observation will be readily apparent.

In short, the problem resolves itself into how to limit the power of presidential appointment of justices in order to improve the quality of appointments and to insure that such appointees have some responsibility, at least, to the electorate after they are appointed.

The American Bar Association has pointed the way to a solution to this problem in its "Model Judicial Article," which it recommends for adoption by the several States. The ideas underlying the Model Judicial Article may, however, be adapted to the selection of federal judges. Indeed, in my opinion, it can be much better applied to the federal judiciary than it can be to the judiciary of the several States.

The basic ideas in the Model Judiciary Article are (1) selection of judges is given to the executive but is limited to a list selected by a Judicial Nominating Commission, and (2) the judge shall after 3 years of judicial service from the date of his appointment and every 10 years thereafter, be subject to approval or rejection by the electorate. In this way the two principles mentioned are sought to be reconciled and this method as adapted to federal conditions may well be the answer to our problem. I would recommend the following adaptation:

Nine federal appellate circuits would be established, largely following the present division into ten circuits but with the Eighth and Tenth Circuits consolidated into one circuit and the District of Columbia consolidated with the Fourth Circuit. There would be a justice of the Supreme Court appointed by the President from the judges—both State and Federal—or lawyers in the circuit. The appellate circuit system—already in force in many States—would insure that there be justices from all sections of the United States and thus avoid the danger of a concentration of appointments from one section.

The Presidential power of appointment, however, would be limited to selection from a list of five eligible persons selected by a Judicial Nominating Commission made up of the members of the federal House of Representatives and the Senate from the States in the appellate circuit from which the appointment is to be made. In this way the representatives of the people in the appellate circuit would at least *limit* the range of presidential appointment and to that extent the electorate would participate in the judicial selection. Prior outstanding judicial service—either in the federal or state courts—would be highly considered by the Nominating Commission, although it would probably not be wise to make this requirement an exclusive requirement. There may be an outstanding practicing lawyer who should be included in the list of five. The opinion of the appropriate committees and officials of the American Bar Association and of the State and local Bar Associations should be sought and considered by the Nominating Commission. This type of selection will not only greatly improve the chances of getting the most qualified persons for appointment to the Supreme Court, but it will inevitably improve the performance of all the judges throughout the United States in both the federal and state courts if they realize that their judicial efforts will be recognized and considered when vacancies in the Supreme Court occur.

After the justice has served for three years, he should be subject at the next presidential election, to approval or rejection by the electorate in the Federal Appellate Circuit. This would be a relatively simple matter as the notation could be put on the ballot on which the presidential electors appear "Should Justice X be retained in office? Yes ☐ No ☐"

If the majority of the electorate voting on this question indicates "Yes." Justice X would remain in office for another 12 years, when the same procedure would be used. I think that two additional years should be added to the 10 years recommended in the A.B.A. Model Judicial Article, as this would give the justice a total of 15 years—a term which has worked well in Maryland and does insure judicial independence. If the vote is "No," then there would be a vacancy and the appointive process would begin again.

I would not place a mandatory retirement based on age, as is done in many State Constitutions, for example, 70 years of age in Maryland. In my opinion, the provision for approval or rejection by the electorate will take care of the problem of senility. If Justice X has really become senile, this fact will likely lead to his rejection by the electorate, or perhaps more importantly, the fact that Justice X must face approval or rejection, may well lead to his voluntary retirement prior to the election.

It may be asked whether the use of the Senators and members of the House of Representatives as the Nominating Commission would lead to political considerations being dominant in the selection of whether these members of the Congress would likely respond to the presidential will in any event so that there would be little change in the present system of appointment.

I do not think this would be the result. On the contrary, the members of the Nominating Commission, the majority of which face the electorate every two years, would find that their political future would be significantly affected by the caliber of the person they voted to include in the list of judicial appointments. On the one hand, they could "point with pride," as it were, to having been instrumental in including on the list the most outstanding judge or lawyer in the Federal Appellate Circuit who was then appointed by the President; on the other hand, if some political hack or other undesirable person were included on the list and appointed as a justice, the full fury of the electorate would fall upon members of the Nominating Commission at the next election—and you can rest assured that the opponent of the incumbent Senator or Representative would point out such a fact to the electorate!

It must be understood that no institution, however venerable and revered, can ultimately be better than the integrity, learning and competence of those persons who maintain it. One great advantage of the proposed system of judicial selection and tenure for justices of the Supreme Court would be that public opinion and the opinions of the legal profession would focus on the possible appointees *before* they were presented to the President for appointment. At the present time the determination to make the appointment is formed *in camera*,—in the presidential bosom, as it were. The appointment is largely a *fait accompli* when the Bar and the public learns of it. The device of the Nominating Commission will give all interested parties an opportunity to express their views and recommend appointments to the Nominating Commission.

The make-up of that Commission will insure a full and fair hearing. The list will most likely include those judges and lawyers noted for their integrity, devotion to duty, knowledge of the law, adherence to the established norms for judicial decision, including a high regard for their obligation to follow established precedents, and the other fine qualities which make for a desirable judge.

This is a much needed constitutional reform in the selection and tenure of justices of the Supreme Court of the United States. Our federal system requires it. The preservation of our liberties and institutions cries out for it.

[From DAR magazine, August-September 1967]

Individual Freedom and Limitations Upon the Power of Government

(By Hon. Wilson K. Barnes, judge of the court of appeals of Maryland, address delivered at the Ohio State Conference, March 1967)

President Woodrow Wilson, then a professor at Princeton University, stated a profound truth when he said: "The history of human freedom is the history of limitations upon the power of government." The truth of this statement was understood by our English ancestors when some 700 years ago they forced King John to assent to Magna Charta as the first substantial limitation upon the otherwise absolute power of the Crown. Later on there was a struggle between the King and Parliament for the exercise of governmental power, resulting finally in the Glorious Revolution of 1688 which expelled James II from England and with him the Divine Right of Kings, and the ultimate establishment of parliamentary supremacy. In England, however, there has never been and at the present time, there is no *effective constitutional limitation* upon the exercise of governmental power as there is no written constitution, the provisions of which may be enforced by the courts to protect the individual subject against the exercise of governmental power conferred by an Act of Parliament.

The War for American Independence was fought to prevent an unjustified exercise of arbitrary power by the King and his controlled Parliament in which the thirteen colonies were not represented. It should be observed that the King had, in effect, regained complete control of the English government by obtaining a majority in the House of Commons favorable to him. When the War for American Independence was successfully concluded, the people in the thirteen colonies were determined that there would be no repetition in the colonies of the unlimited and absolute governmental power which had oppressed them and caused the war. The problem was how to establish governments which would be sufficiently powerful to carry out the minimum requirements of government but not powerful enough to oppress the people. A most happy solution to this age-old problem was reached by the device of written constitutions which (1) divided the powers of government into their three great and natural divisions based on function—*executive, legislative and judicial*—and, (2) set out the basic, inalienable rights of the individual citizen in a Bill of Rights which limited the exercise of governmental power as it related to the individual citizen. The constitutions of the new thirteen States represented the supreme will of the sovereign people.

The courts when faced with a conflict between the provisions of the constitutions and governmental action, necessarily gave effect to the constitutional provisions and declared the conflicting governmental action unconstitutional. This exercise of judicial power to establish and vindicate in a practical manner, the supremacy of the written constitution and its limitations was the great contribution of the thirteen States to political science.

When it became obvious that a stronger and more effective national government should be established, the framers of the Constitution of the United States—quite naturally I think—followed the theory of government and its limitation, which had been followed in the thirteen States. As had been done in the States, the powers of the new National Government were divided vertically, shall we say, between the executive power to be exercised by the President, the legislative power by the Congress and the judicial power by the Supreme Court and such other courts as Congress might from time to time establish. This division of powers was done to establish a system of checks and balances to prevent any one branch or division of government from becoming sufficiently powerful to dominate another branch and thus exercise absolute power subverting the freedom of the individual citizen. They had recently witnessed the domination by the King as "executive," of Parliament, the legislative branch of the British government, and were determined that this misfortune should not occur in the United States. There was, however, another limitation upon the power of the new National Government—a horizontal division shall we say—between the delegated national powers and the reserved powers in the States and the people. As originally prepared, the Constitution of the United States did not contain a Bill of Rights and the principle of federalism was implicit rather than explicit. James Madison did not think it necessary to have a Bill of Rights as it was his opinion that, since the National Government was a government of expressly delegated powers only, specific limitations of power to protect the individual citizen were not necessary. When this issue was addressed to Thomas Jefferson—the most outstanding political philosopher of the American Revolution—he wrote from France, where he was then Ambassador, as follows:

"Don't talk to me about the integrity of public officials. I say chain the politicians to the limitations of the Constitution itself."

His sound advice was followed and the first ten amendments—the Bill of Rights—were promised as a part of the constitutional system. The Tenth Amendment declaring that all powers not delegated to the National Government were reserved to the States or to the people insured the federal character of the new Government. It was well that this was done as it seems clear that the Constitution of the United States would not have been adopted but for this assurance.

The basic political philosophy underlying both the Federal and State Constitutions is that expressed by Jefferson:

"That government is best which governs least."

This statement is the natural result of the concept that sovereignty—the right to rule—was no longer vested in a monarch, but in the people, so that the individual citizen—possessing, with his fellow citizens, the sovereignty theretofore held by the King—was capable of governing himself and should be free to do this. This new "sovereign" was *possessed of inalienable rights which must be* protected against the officials of the Government and even against the will of a majority of his fellow citizens. To insure this latter protection, provisions were established for the indirect election of the President by electors, of the United States Senators by the legislatures of the States and the appointment of judges for life and during good behavior. There were similar provisions in the State constitutions. It was only in the lower house—the House of Representatives—that the electorate directly elected their representatives and, it may be noted, that the qualifications for voting were usually restricted in the States by property qualifications.

As a result of having all known practical limitations on the power of government—*vertical*, by a strict division of powers, *direct* by a Bill of Rights and *horizontal* by a division of powers based upon scope of governmental impact—that is the federal concept—the individual citizen of the United States had more freedom than had ever been enjoyed by any other citizen since the time of recorded history. William Gladstone, the great English prime minister, well stated:

". . . The American Constitution is . . . the most wonderful work ever struck off at a given time by the brain and purpose of man."

The extraordinary and unique individual freedom enjoyed by citizens of the States and of the United States resulted in the most amazing growth and development of the Country. The constitutional protection of life, liberty and property which undergirds the free enterprise system, transformed a bankrupt Nation of some 4,000,000 people and a great wilderness to the west, partly inhabited by hostile Indians, into the richest and most powerful Nation of the earth in a relatively short time. It is hard to believe that this all has occurred in less than 200 years—178 years to be exact. This has been the result of individual freedom guaranteed and effectuated by constitutional provisions limiting the power of government.

It is small wonder then that the Daughters of the American Revolution—descendants as they are of those soldiers, sailors and patriots who made all this possible—have consistently, from the foundation of the National Society in 1890 until the present time, courageously defended with all their power the American constitutional system and the individual freedom guaranteed by it.

One would suppose that every American citizen would vigorously defend the constitutional system which is so soundly conceived and which has conferred such benefits—both spiritual and material—upon him. Unfortunately, this is no longer the case. The growth of socialism with its central emphasis upon the control of the means of production by the state, rather than by individual citizens, and the control by the state of the individual citizens themselves, now poses a real threat to constitutional government. This threat is inevitable as the two concepts in regard to both government and economics are entirely different and rest upon different theories of government and economics. The socialists may conveniently—like Gaul—be divided into three parts: (1) the Marxist socialist, (2) the Fabian socialist, and (3) the unwitting socialist.

The Marxist socialist is, of course, a follower of the teachings of Karl Marx whose program for world revolution was summed up in the Communist Manifesto issued in London in 1848. The Russian Communist Revolution in 1917 gave the world the first effective Marxist socialist government in a large and important state which we know as the Union of Soviet Socialist Republics. The second large and important state to fall to the Marxist socialists was China. These two powerful states are dedicated to the destruction of constitutional government in the United States; and the defense of our Republic *against these Marxist socialist states* and their satellites is the primary obligation of the National Government. The evil purposes of these two Marxist socialist states present a grave danger to our Nation from military attack and internal subversion.

Fabian socialism also began in England in 1883–4 by the formation of the Fabian Society. Its adherents believe in the basic theory of socialism, but are not willing to establish that theory by force and violence. Their method—far more subtle and therefore far more dangerous than a frontal attack by military force—is to propagate the socialist theory slowly (hence the name "Fabian" after Fabias Cunctator, the Roman General of dilatory tactics) and by placing its adherents in positions of power in the government and finally changing that government into a socialist state. The Labour Party in England has substantially absorbed the Fabian Societies; it is a Socialist Party.

I strongly recommend to all of you the interesting and comprehensive article of Mrs. Frederick Griswold, Jr., National Chairman of National Defense, in the March, 1967 *Daughters of the American Revolution Magazine* entitled "Destroyers of Freedom Part I: The Fabians—Helpmates of Subversion." A study of this fine article will give a real understanding of the Fabian socialist movement and methods.

The third group, the unwitting socialists, consists of citizens who do not understand or have not even heard of the theory of socialism, but who because of lust for power, greed, envy or just plain ignorance, unknowingly support programs to socialize the Government of the United States or of the several States. Often those who make up this group are motivated by a sincere, but misguided, desire to reform the unreformable, to ameliorate by use of tax revenues, the condition of individuals who more often could quite well help themselves or be helped by private benefactors, both individual and in the churches, and by the desire to impose their ideas of socially desirable conduct by law upon those who disagree with them. They stoutly deny that they are socialists, but declare emphatically that those who disagree with them are "reactionaries," who refuse to swim in the "wave of the future" and who cannot see that heaven is to be established on earth by governmental decree. The principal work of you Daughters—as individual citizens—is to point out to this group the true nature of their conduct and its ultimate destruction of constitutional government and individual freedom in the United States.

When does the attack come and how shall we meet it?

It is clear to me that socialism cannot be effectively established in this Country until the governments of the several States are rendered ineffective and all basic governmental power is concentrated in the Federal Government in Washington. When and if that is accomplished, that complete centralized power must then be concentrated in the hands of the President—the executive branch—who then with the guidance of a socialist bureaucracy will finally establish the all-powerful socialist state.

As we look upon the current scene, can anyone doubt that the power and authority of the governments of the States are becoming more and more limited and that the real power is being concentrated in Washington? How is this accomplished?

The first method used to advance Federal power at the expense of the State is the use of Federal tax money to underwrite in whole or in significant part, programs normally within the complete control of the State government. This Federal largess is accompanied by Federal rules and regulations and once the State officials accept the Federal subsidy, they find that effective power over the program has passed to Washington, It is well said that "He who pays the piper, calls the tune." We have seen this come to pass in agriculture, public housing and it is now beginning in public education. Ironically it is the success of the free enterprise system economically that provides the funds by Federal taxation which enables this to be done. The remedy is twofold: (1) the election of Representatives and Senators who will substantially reduce Federal taxation and who will decline to vote for the centralizing projects, and (2) the election of State Representatives and Senators who will decline to accept the Federal subsidies.

The second factor which has led to a most extraordinary advance of Federal power and a substantial weakening of our federalism, has been the expansion of Federal power in two ways. First by the Supreme Court's reinterpretation of the power of Congress to regulate interstate commerce and, secondly, by the expansion of Federal judicial power over the States through new interpretations of the Fourteenth Amendment. This is a painful and delicate subject for me as a judge of Maryland's highest appellate court—The Court of Appeals of Maryland—but as I have officially expressed my views on this general subject in several dissenting and concurring opinions, I feel entirely free to express them here.

Those who defend the substantial increase in Federal power through the constitutional grant of power to regulate interstate commerce justify their position in this way. They claim that the great increase in our population, the increased means of communication and the increased "interdependence" of all our citizens, make it necessary to have a substantially increased central control of not only interstate commerce itself but any thing that "affects" interstate commerce. Hence, the old concepts arising in a largely agrarian society cannot be used now in our present concentrated "urban" society. I come to exactly the opposite conclusion. In all other walks of life, the larger and more concentrated the activity becomes, the more is the need for decentralization, not centralization. The sheer impossibility for one man or a small group of men to act intelligently on a very large operation, the inevitable bureaucracy, red tape and delay attendant upon the centralization of control, make it imperative that power be decentralized and operated on the local scene, rather than be concentrated at a place far removed from the local operation.

The failure of the government of the U.S.S.R., after 50 years of absolute state control of its citizens and the Russian economy, to produce as much food as was produced under the old Czarist economy, is a living witness to the impossibility of operating the economy of a large, modern state by a central socialist planning authority. The same thing has resulted in Red China and to a lesser degree in communist satellite states. The present difficulties in Great Britain are, in my opinion, directly connected with its socialist government. All friends of individual freedom should point out the devastating effects of socialist concentration of power.

The expansion of Federal power over "interstate commerce" has principally occurred in the fields of agriculture and labor legislation. It reached its high water mark, so to speak, in the amazing decision of the Supreme Court in the case of *Wickard* v. *Filburn*, 317 U.S. 11, 63 S. Ct. 82, 87 L.Ed. 122 (1942), which arose here in Ohio. After the Agricultural Adjustment Act based on the Federal power to tax had been held to be unconstitutional by the pre-1935 Supreme Court, a new Act was prepared based upon the power to regulate interstate commerce. The acreage of wheat to be grown by farmers was limited as provided in the new Act. Filburn, a dairy and poultry farmer in Montgomery County, Ohio, declined to participate in the program. He received an allotment from the local board of 11.1 acres of wheat with an estimated normal yield of 20.1 bushels to the acre. He sowed 23 acres and harvested an "excess" 239 bushels of wheat. These excess bushels were subjected by the Act to a penalty of 49 cents a bushel, or $117.11. Filburn declined to pay this penalty and did not receive a marketing card to sell his wheat. He did not care about this, as he fed all of his wheat on his farm, selling none either locally or in interstate commerce. In a proceeding by him to enjoin Wickard, the Secretary of Agriculture, the three-judge Court ruled with Filburn on the ground, among others, that the wheat grown by him did not move in, or directly affect, interstate commerce, and hence, the Federal Government had no power to proceed against him under the Interstate Commerce clause. The Supreme Court reversed.

It held, in effect, that Federal power was established because if Filburn had not grown more than the minimum allotment of 11.1 acres of wheat he would have had a need which might have been supplied by the purchase of wheat which probably would have moved in interstate commerce, and hence his failure to comply with the Act, along with similar failures to comply, if they existed, importantly "affected" interstate commerce. Under this curious reasoning it is rather clear that there is no activity of any citizen that does not "affect" interstate commerce. This decision and others of similar nature are quite at variance with prior decisions of the Supreme Court requiring a direct effect upon interstate commerce before Federal power could be asserted. In my opinion, this was an unwarranted construction of the clause in the United States Constitution giving Congress the power to "regulate interstate commerce."

During the past 15 years, we have witnessed a great extension of Federal judicial power over the State courts and legislatures by the expansion of that power through a reinterpretation of the Fourteenth Amendment. You will recall that after the War between the States was concluded, three amendments to the Constitution of the United States were proposed—the Thirteenth, to abolish slavery, the Fourteenth, to guarantee that the new freedmen would not be denied their rights of United States citizenship by State action and the Fifteenth, to prevent a denial of suffrage to the new freedmen because of race, color or previous condition of servitude. These amendments had a basic and similar purpose and the Supreme Court held that they were to be construed together.

The Fourteenth Amendment—which incidentally was ratified under dubious circumstances in 1868—contained five sections: (1) to define United States citizenship and provide that United States citizens should not be denied *by any State* their life, liberty or property without due process of law or of the equal protection of the laws; (2) a provision in regard to the apportionment of representatives; (3) a provision in regard to disabilities for holding office for persons bearing arms against the Republic; (4) a provision confirming the public debt of the United States and disaffirming the debts of the Confederacy; and (5) a provision that "the Congress shall have the power to enforce, by appropriate legislation, the provisions of this article." A clause identical with clause (5) was included in both the Thirteenth and Fifteenth Amendments.

It was contemplated by those who drafted the three Civil War amendments that Congress should implement them and provide for their enforcement as the amendments provided. These three amendments were not to be self-executing as were the first twelve amendments to the Constitution. Congress did just this by passing the first Civil Rights Act. It is interesting to note that in the *Civil Rights Cases*, 109 U.S. 3, 3, S.Ct. 18, 27 L.Ed. 835, the Supreme Court in 1883, declared Sections 1 and 2 of the Act prohibiting discrimination by *private persons* in regard to inns, public conveyances and places of public amusement to be unconstitutional as the Federal power granted by Section (1) of the Fourteenth Amendment was limited by its terms to *State action* and did *not* extend to acts of private persons. It is interesting to note that a similar provision in the last Civil Rights Act *was sustained* by the Supreme Court under the clause in the Constitution granting Congress the power to regulate interstate commerce!

The expansion of Federal power under the Fourteenth Amendment had begun by an expansion of the phrase "due process of law" prior to 1930, Mr. Justice Holmes stated in May 1930:

"I have not yet adequately expressed the more than anxiety I feel at the ever-increasing scope given the 14th amendment in cutting down what I believe to be the constitutional rights of the states. As the decisions now stand, I see hardly any limit but the sky to the invalidity of those rights if they happen to strike a majority of the court for any reason undesirable. I cannot believe that the amendment was intended to give us carte blanche to embody our economic or moral beliefs in its prohibitions."

By God's mercy, he did not live to see the present affirmative expansion by a majority of the Supreme Court of Federal judicial power over the States.

The Supreme Court had held at an early date, that the amendments to the Federal Constitution—the Bill of Rights—did not apply to the States but only to the Federal Government itself. This was obvious from the language of the first ten amendments themselves and from the dual nature of sovereignty in this Country. After the Fourteenth Amendment was proclaimed as being in effect, there was a long and continuing effort to have the Supreme Court hold that the provisions of the first eight amendments—or portions of them—applied to the States through the due process clause of Section (1) of the Fourteenth Amendment. This attempt was resisted by the Supreme Court until 1940, when that Court in *Cantwell* v. *Connecticut*, 310 U.S. 296, 60 S.Ct. 900, 84 L.Ed. 1213, held without discussion or consideration of the constitutional debates in Congress, that the provisions of the First Amendment that "Congress shall make no law respecting an establishment of religion, or prohibiting the free excess thereof" applied to the States through the due process clause of the Fourteenth Amendment. This decision opened a Pandora's Box of Federal power and the end is apparently not yet.

In a series of decisions involving "freedom of speech," "unreasonable searches and seizures" and other provisions of the first eight amendments, Federal judicial power over the States has been greatly extended. The obscenity cases, the prayer in the school cases, the cases of Federal control over the enforcement by the States of their criminal law all flow from what I consider this basic error in judicial construction. It is clear to me both from reading the language of the Fourteenth Amendment itself and from a study of the debates in Congress when the Amendment was prepared and allegedly adopted for presentation to the States for ratification, that this interpretation is not justified. It seems obvious to me that the inclusion in Section (1) of the Fourteenth Amendment of one *clause* from the Fifth Amendment—that a State should not deny a ciitzen of the United States "life, liberty or property without due process of law," necessarily indicates that the remaining clauses in the Fifth Amendment and the other provisions of the first eight amendments were excluded. Then too, there was and is nothing in the various Civil Rights Acts to suggest such an expansion of Federal power.

This expansion of Federal judicial power has not been accomplished without vigorous protest on the part of a minority of the Supreme Court itself.

For example, in *Mapp* v. *Ohio*, 367 U.S. 643, 81 S. Ct. 1684, 6 L. Ed. 2d 1081 (1961), Mr. Justice Harlan, in his dissenting opinion, joined by Mr. Justice Frankfurter and Mr. Justice Whittaker, stated:

"The Court, in my opinion has forgotten the sense of judicial restraint which, with due regard for *stare decisis*, is one element that should enter into deciding whether a past decision of this Court should be overruled. . . . The action of the Court finds no support in the rule that decision of constitutional issues should be avoided wherever possible. The unwisdom of overruling *Wolf* without full-dress argument is aggravated by the circumstance that that decision is a comparatively recent one (1949) to which three members of the present majority have at one time or another expressly subscribed, one to be sure with explicit misgivings. I would think that our obligation to the States, on whom we impose this new rule, as well as the obligation of orderly adherence to our own processes would demand that we seek that aid which adequate briefing and argument lends to the determination of an important issue. It certainly has never been a postulate of judicial power that mere altered disposition, or subsequent membership on the Court, is sufficient warrant for overturning a deliberately decided rule of constitutional law."

In *Baker* v. *Carr*, 369 U.S. 186, 32 S.Ct. 691, 7 L.Ed. 2d 663, Mr. Justice Frankfurter stated in his dissenting opinion:

"The Court today reverses a uniform course of decision established by a dozen cases, including one by which the very claim now sustained was unanimously rejected only five years ago. . . . Such a massive repudiation of the experience of our whole past in asserting destructively noval judicial power demands a detailed analysis of the role of this Court in our constitutional scheme. . . . In effect, today's decision empowers the courts of the country to devise what should constitute the proper composition of the legislatures of the fifty States. If state courts should for one reason or another find themselves unable to discharge this task, the duty of doing so is put on the federal courts or on this Court. . . .

"There is nothing judicially more unseemly nor more self-defeating than for this Court to make *in terrorem* pronouncements, to indulge in merely empty rhetoric, sounding a word of promise to the ear, sure to be disappointing to the hope. . . . To find such a political conception legally enforceable in the broad and unspecific guarantee of equal protection is to rewrite the Constitution. . . . The notion that representation proportioned to the geographic spread of population is not so universally accepted as a necessary element of equality between man and man that it must be taken to be the standard of a political equality preserved by the Fourteenth Amendment—that it is, in appellants' words 'the basic principle of representative government'—is, to put it bluntly, not true. However desirable and however desired by some among the great political thinkers and framers of our government, it has never been generally practiced, today or in the past."

In the same case, Mr. Justice Harlan, in a separate dissenting opinion, stated:

"I can find nothing in the Equal Protection Clause or elsewhere in the Federal Constitution which expressly or impliedly supports the view that state legislatures must be so structured as to reflect with approximate equality the voice of every voter. Not only is that proposition refuted by history, as shown by my Brother Frankfurter, but it strikes deep into the heart of our federal system. Its acceptance would require us to turn our backs on the regard which this Court has always shown for the judgment of state legislatures and courts on matters of basically local concern."

Mr. Justice Stewart in *Engel* v. *Vitale*, 370 U.S. 421, 82 S. Ct. 1261, 8 L. Ed. 2d 601 (1962), in his dissenting opinion, stated:

"With all respect, I think the Court has misapplied a great constitutional principle. I cannot see how an 'official religion' is established by letting those who want to say a prayer say it."

The extraordinary thing is that Thomas Jefferson anticipated the expansion of Federal judicial power by interpretation of the Constitution. He stated:

"The germ of dissolution of our Federal Government is in the Constitution of the Federal judiciary; an irresponsible body—advancing its noiseless step like a thief over the field of jurisdiction, until all shall be usurped from the States, and the Government of all be consolidated.

"To this I am opposed, because when all government shall be drawn to Washington as the center of all power, it will render powerless the checks provided of one government on another and will become as venal and offensive as the government from which we separated."

What is the remedy in this delicate situation?

My earnest trust is that the majority justices themselves will conclude that the prevailing interpretations are unwarranted and will themselves move to apply more orthodox constitutional doctrine. I believe that I detect some movement in this direction, although it might be only wishful thinking on my part. Failing that, the Congress of the United States acting under Article III of the Constitution may limit the judicial power of the lower Federal Courts and the appellate power of the Supreme Court to eliminate the unwarranted exercise of Federal judicial power or Congress might well exercise its power under clause (5) of the Fourteenth Amendment to the same end. Although I hope indeed that such action will not ultimately be necessary, it is to be preferred to a dissolution of the States as viable political entities and the establishment of an all-powerful national government.

As a member of the Advisory Board of the National Society of the Daughters of the American Revolution, I am well aware that quite properly the National Society, the State Societies and the local Chapters of the DAR do not, and are not, permitted to engage in political activities.

I trust, however, that *as individual citizens you will see to it that Senators and Representatives* in the Congress of the United States will be prepared to save the basic nature of our Federal Republic. Your ancestors died for it; you, as individual citizens, must act to preserve it.

[From DAR Magazine, February 1968]

MAIL ORDER CONSTITUTIONS—THE TWILIGHT OF THE STATES?

(By Elizabeth Chesnut Barnes)

(NOTE.—Elizabeth Chesnut Barnes (Mrs. Wilson King Barnes), a graduate of Bryn Mawr College, the University of Maryland Law School and a member of the Maryland Bar, was Chairman of the National Defense Committee, NSDAR, 1959–1962 and State Regent of the Maryland State Society, 1964–1967.

(Mrs. Barnes was a candidate for the Constitutional Convention recently held in Maryland. She organized the Save Our State Committee (S.O.S.) in June, 1967 to bring to the attention of the Convention delegates and the general public the dangers to Constitutional government inherent in the Draft Constitution prepared by the Maryland State Constitutional Convention Commission. The S.O.S. Committee prepared a "Proposed Constitution," a synthesis of the Present Constitution (which was revised and updated), with the Draft Constitution. This "Proposed Constitution" was sent to every delegate and to many Maryland newspapers. The Committee has also sent out Press Releases from time to time and letters on pertinent Constitutional issues to the delegates.

(Because of Mrs. Barnes' familiarity with the subject of Constitutional revision in her own State as well as throughout the Nation, we have asked her to alert our readers to the salient issues involved, inasmuch as Constitutional revision is now being sought in more than 20 States.)

Of supreme importance to every voter in the United States is the pressure being exerted by certain organizations in this Country to modify, revise and, as in the State of Maryland, to rewrite completely the State Constitutions. On all sides, the attack stems from the theme that the State governments are so outmoded and cumbersome that they cannot meet the challenges of modern society. The State Constitutions are said to be lacking in flexibility, modern management capability and quick responsiveness. These documents are called imprecise and bulky, archaic, old-fashioned. Regional government is advocated to supplant existing county governments and ultimately State governments or to be super-imposed upon them.

To understand the present drive to "modernize" State Constitutions and to promote metropolitan or regional government in the United States, one must take a long look back to 1894 when the National Municipal League was organized in New York to fight graft and corruption in municipal governments. After 19 years, the League abandoned its plan to reform city governments and undertook agitation for appointed experts called city managers. The public was told that by hiring such experts it could by proper use of the democratic process secure better government for less money.

The National Municipal League became the parent organization of many similar and related organizations now located at 1313 East Sixtieth Street, Chicago, Illinois. Most of these groups have interlocking directorates and are tax exempt, financed by such tax free foundations as Rockefeller, Carnegie, and Ford. One of the oldest of these organizations and also one of the most important is the International City Managers' Association, whose Model Charter was adopted by the citizens of San Antonio, Texas in October 1951. Essentially, this Charter replaces government by elected officials and substitutes government by appointed officials. Mr. Clyde Watland, in an address at St. Mary's University in 1959 showed how Metropolitan Government (Metro) first began at the grass roots in San Antonio and to what lengths it went in establishing power in the hands of the few: "The City is authorized to own and operate every type utility and private business, to tax and control every service and occupation or profession; to seize every parcel of property and to operate or resell it; to take without court action every item of personal property and sell it to the highest bidder from the front door of the City Hall."

The philosophy of the City Manager advocates was detailed nine years ago in the August 1958 issue of *Harper's Magazine*. The United States was to be divided into twelve districts, erasing State, County and other existing boundaries. Each of these Districts is to be governed by a Metropolitan District, at the center of which is a professional administrator.

Thus, the federation of sovereign states united by a central government of limited powers would be changed for a nation divided into numerous metropolitan areas spread across forgotten state boundary lines. In charge of each area would be an appointed expert. Until the entire Nation was so constituted, each area government would levy taxes directly on its own citizens; but on completion of the "Planners' " dream, the central Government in Washington would levy all taxes, and then distribute them to the regional governments. At about the same time as this plan to divide the United States into Districts was revealed, an article regarding the "obsolescence" of State government appeared in the *Times Dispatch of* Richmond, Virginia.

Those of us who would like to preserve our States as vital units in our Federal system should pay special heed to the words of Dr. Warner Moss, then head of government at the College of William and Mary. He declared in a talk to the Virginia section of the International City Managers' Association: "The growth of urban areas is nullifying the need for State governments and for political parties. Urban citizens are 'nationally minded' and political power is expressed more effectively through mass communications and pressure groups than through political parties.

"In some ways, State governments are obsolescent. To be effective the authority of local government must coincide with the areas of the problems.

"We must admit that the boundaries of our State bear little relation to political and economic reality. Far more real are the metropolitan areas of Hampton Roads and Washington, both bound to the National Government by ties which make the Commonwealth of Virginia appear an intruder."

In addition to the International Managers' Association and very influential in the effort to influence legislation in State Legislatures is the Council of State Governments, also located at 1313 East Sixtieth Street, Chicago, Illinois. The Council's secretariat controls almost half of the Metro core which promotes various features of Metropolitan Government and is exclusively supported by appropriations of the Legislatures of all the State governments. From 1933 to 1936, this organization was merely a title on a letterhead. According to Jo Hindman, a recognized authority on problems dealing with Metro Government: "1313's Council of State Governments has sent into the States platoons of agents, newsletters, directives and a flood of 1313 periodicals. . . . The 1313 law factory publishes the prepackaged laws in form convenient for copying, with a blank space for insertion of a bill number. The whole thing can be handed to a Legislator to be introduced to the State Legislature. The State of Texas received a mental health bill in just that manner.

"When Metro draft legislation is considered ready for publication in *Suggested State Legislation*, the catalog of mail-order laws, the process is handled by 1313's Committee on Suggested State Legislation, a subcommittee of the Council of State Governments."

It has been reported that the Council of Intergovernmental Relations, another group connected with 1313, has been financed by Rockefeller money. Formed in the 1940s in Washington, it selected counties in different States for research and experimentation. State Commissions on Intergovernmental Relations are 1313's beachheads in our State governments. The influence of this organization is found in the "Draft Constitution" recently under consideration by the Maryland Constitutional Convention in which several sections are devoted to intergovernmental relations.

A spokesman for the National Municipal League, the mastermind of the 1313 clearinghouse, said at a constitutional convention rally in Detroit (*Detroit Times*, July 22, 1960), that the basic wrongs with most archaic State constitutions was the manacling of the State and the handcuffing of government. It might seem that the National Municipal League is interested in helping State governments survive and yet experience has shown that "Metro by practice and Metro by statement is violently opposed to limited government." The public is therefore confused when it hears "that revitalizing the States and re-establishing their natural position and power in a strong Federal system is a goal now more eagerly sought."

We find that seven years later, the "Planners" are still hammering away at their determination to change State governments to their liking.

In July 1967, the Research and Policy Committee of the Committee for Improvement of Management in Government, under the Chairmanship of Emelio G. Collado, Executive Vice President of the Standard Oil Company (New Jersey) published a pamphlet entitled "Modernizing State Government," whose purpose was (1) to describe reasonable requirements for any State government seeking to utilize its major opportunities, and (2) to set forth measures for obtaining necessary reforms. The author of the pamphlet stated that most State governments are poorly organized to fulfill their growing responsibilities and to perform the functions clearly within their province. He quoted with approval from a speech of Governor Daniel J. Evans of Washington: "State governments are unquestionably on trial today. If we are not willing to pay the price, if we cannot change where change is required, then we have only one recourse. And that is to prepare for an orderly transfer of our remaining responsibilities to the Federal Government."

In order to hasten and facilitate the alteration of State Constitutions, the National Municipal League has published two series of books which are offered to the public at moderate prices and are recommended reading for delegates to the Constitutional Conventions. In Series I, we find "The Model State Constitution," "Salient Issues of Constitutional Revision," "The Future Role of the States," "The Constitutional Convention: A Manual on its Planning, Organization and Operation," "How to Study a State Constitution"; and in Series II, "State Constitutions: The Shape of the Document," "State Constitutions: Reapportionment," "State Constitutions: The Governor," "State Constitutions: The Structure of Administration," and "State Constitutions: The Bill of Rights."

Of special interest in this group of pamphlets is "The Model Constitution" which embodies the most recent ideas of the "Planners" whose theory is that all State Constitutions should be short, concise documents, modeled on the Constitution of the United States of America. They should greatly increase the power of the executive, streamline the judicial system, institute regional government, etc. It is their theory that we should now trust our public officials with enlarged governmental power so that they can perform the enlarged governmental services allegedly necessary because of the increase in population. It is suggested that the reader compare pages 165–172 of the *Salient Issues of Constitutional Revision* published in 1961 by the National Municipal League and page 18 of the *Introduction to the Model State Constitution* (Sixth Edition). These publications by the National Municipal League and others, including *How to Study a State Constitution* by Mrs. Charlotte Irvine of the League of Women Voters and Dr. Edward M. Kresky, Associate Director of the Temporary State (New York) Commission on the Revision and Simplification of the Constitution and currently attached to the office of the Governor of New York, have been financed with the assistance of a grant from the Ford Foundation.

In response to the drive by the "Planners" to revise State Constitutions and reform States governments in accord with regional and Metro concepts, studies are being initiated in many of the States with a view to bringing up-to-date their so-called archaic Constitutions. These include Massachusetts, for which it has been reported that the Federal Government approved a $722,000 comprehensive study—$480,000 of this appropriation will be paid by the Department of Housing and Urban Development. Another study, financed over a two-year period by the Ford Foundation and the Carnegie Corporation of New York, was recently concluded in North Carolina. All major proponents of "reform" agreed apparently that State Constitutions must be revised, membership of most State Legislatures be reduced to expedite the legislative process and Governors should have more executive power and authority.

It is interesting to note that many States are now being pressured to achieve these "reforms." Connecticut (1965), Michigan (1963), New Jersey (1966) and Tennessee (1965) have recently completed a revision of their Constitutions. New York has just rejected the product of its recent Constitutional Convention. At this writing the Maryland Constitutional Convention has completed a new Constitution to be submitted to the State's electorate in May 1968. Rhode Island also held a Constitutional Convention in 1967. Pennsylvania's Convention met in December; other States in which Constitutional Conventions have been recommended by Constitutional Study Commissions or in which drafts have been prepared by Commissions include Arkansas (1965), California (1966), Florida (1967), Idaho (1967), Illinois (1967), Kentucky (1966), Louisiana (1965), New Mexico (1967), North Dakota (1967), Utah (1966) and Washington (1967). Furthermore, in several other States: Massachusetts, Montana, Oklahoma, Oregon, Texas and Vermont, Constitutional Conventions were recommended by the Governor or the Legislature; and in Delaware and Indiana, by the Legislature.

A very interesting article entitled "Maryland Constitution Could Be Model For All of Nation," by Richard Homan in *The Washington Post* for September 7, 1967, indicates clearly the significance of the Constitutional Convention recently held in Maryland which adopted in large measure the provisions for a State Constitution propounded by the National Municipal League in its "Model Constitution."

"Maryland could be about to write a state constitution for the Nation.

"Throughout the Country, State governments are beginning to feel new powers and flex new muscles—especially since reapportionment forcibly brought them abreast of mid-20th century problems.

"Caught in a power squeeze between the action layers of government, Federal and local, the state governments now seem willing to fight their way back and reclaim a healthy chunk of the governing structure.

"But many, including Maryland, can't because their state constitutions fail to give them the flexibility, modern management capability and quick responsiveness they need.

"There is no constitution they can look to as a model to provide the tools they need.

"Maryland's Constitutional Convention, which opens Tuesday after nearly three years of exhaustive preparation with H. Vernon Eney as president, would like to write that kind of constitution.

"The proposal drafted by the Constitutional Convention Commission, and the 142-member Convention itself, will primarily be concerned with the needs of Maryland and its 3.5 million citizens.

"The delegates also are aware of the broader needs of State governments and they consider Maryland—a state often called an America in microcosm, straddling the North-South border, with western mountains and Atlantic seashore, with industry, farms, fisheries and offices—an ideal testing place for progress.

"Much of what is wrong with State constitutions is simply old age.

"Maryland's is 100 years old. Thirteen are older. Except for Hawaii and Alaska, only five States have written new constitutions since 1930, and 21 still use their first.

"The United States Constitution is 180 years old but it is a different kind of constitution. It is a basic grant of power from the people to the Government and presumably never will need a complete overhaul.

"Since states already have power, their constitutions are not grants of power. Instead they detail the organs of State and local government, their functions and limitations.

"These obviously need regular updating.

"Maryland lived under its first, revolution-inspired constitution for nearly a century, then wrought radical changes with a series of three constitutions during the tumultuous Civil War years, before settling down for another century of relative inaction with its Constitution.

"Still, changes had to be made and 124 amendments covering more than 200 topics have been added to the present Constitution.

"The resulting document is imprecise and bulky, faults common to nearly every old state constitution. With 17,000 words, Maryland's is still below the 27,000-word average. . . .

"From all indications so far, a majority of the convention is prepared to draft a new constitution that would expand power of the executive branch and unify the governor's control of it; set broad guidelines but leave many details of government and its maintenance to the legislature; revise state-local relationships by strengthening the county and allowing for future regional governments within the state; establish the first statewide, unified court system and bring state guarantees of individual rights into line with the United States Constitution." . . .

According to delegates who attended the Maryland Constitutional Convention, much of the reading material provided them came from the National Municipal League.

It is notable that a comparison of the Draft Constitution prepared by the Maryland Constitutional Commission appointed to study and revise the Maryland State Constitution with the Model Constitution, indicates that in general theory and format, and in some instances in the language used, the draftsmen of the Draft Constitution were definitely guided by the Model Constitution. It would seem that the National Municipal League reached the wrong conclusion on the facts on which it relies. The very concentration of population, the ever increasing restrictions and regulations from both the present State and Federal Governments make constitutional limitations on the exercise of governmental power more necessary today than at any time in our history. The limitations should be strengthened, not relaxed.

Of significance, also, is the basic theory relied on by the National Municipal League that State Constitutions should use the general language embodied in the Constitution of the United States and copy its comparative brevity. When this theory is examined more critically, however, one can see that the Constitution of the United States is a poor model indeed for a Constitution of a State.

In the first place, the Federal Constitution was drawn for a government of strictly *delegated powers* only and was to operate on a national level, while the State government was the principal governmental body, with many more and varied functions. Hence, it was not thought to be necessary to spell out the more limited delegated powers as it was in the State Constitutions.

Secondly, even in 1787, there was substantial differences in sectional interests, culture, point of view and economic position between the original thirteen States, and in addition, there was a vast territory in which would be created new States having interests and problems which could not then be foreseen. The Federal Constitution, of necessity, was kept general and more open to interpretation than was necessary or desirable for a State Constitution which would provide for an established State, with people of similar interests and generally with the same culture and point of view. The Federal situation made a general and short Constitution necessary; there is no necessity for such a State Constitution.

Thirdly, the very generality of provisions of the Federal Constitution has led to an amazing increase in Federal power by all branches of the Federal Government and particularly in the executive and judicial branches during the past three decades. There would be a corresponding enormous increase in State governmental power if the general provisions of the Model Constitution were adopted. Indeed, the draftsmen of the Model Constitution do not seriously dispute this. Their theory appears to be that this increase in State governmental power is necessary to protect the State from encroachment of Federal governmental power. The individual citizen who desires freedom from unreasonable and overbearing governmental power—either Federal or State—will take small comfort from this. An Executive functioning under this type of Constitution with plenary powers in the exercise of most executive power and a substantially unrestricted Legislature are far more likely to cooperate with their Federal counterparts than they are to resist them.

It would be well for the citizens of States whose Constitutions are attacked as verbose and archaic to examine them carefully to see if the charge is true. For example, where these allegations were made regarding the Maryland Constitution, it was by no means the case. It is true that the public interest requires that a State Constitution spell out as specifically as practicable how its provisions apply so that unnecessary and expensive litigation construing his provisions in specific factual situations will not be necessary. The relatively small number of Maryland cases construing the present Maryland Constitution indicates that it has not required constant construction by the Courts.

The most important defect in the Model Constitution and also in the present Draft Constitution recently pending before the Maryland Constitutional Convention is in the elimination to a marked extent of selection of many important officers of the State government by election. In the Draft Constitution, the important State offices of Attorney General and Comptroller of the Treasury, now required to be elected are eliminated from the Constitution and the draftsmen state in the commentary to the Draft Constitution that these officials should be appointed by the Governor. There would apparently also be such appointment of the State Treasurer, now elected by the General Assembly. The Board of Public Works, now composed of the Governor, the Comptroller and the State Treasurer would be abolished as a Constitutional Board. This Board sits at stated intervals and considers various fiscal and other matters of importance in the operation of the State government. It acts as a check upon the power of the Governor. In addition to the Comptroller and the Attorney General, the election of judges in either a primary or general election in which there might be candidates opposing the judge is eliminated (a judge after 8 years would "run against his record"), and the election of States Attorneys, Registers of Wills, Sheriffs and Clerks of Court would also no longer be elected as a matter of Constitutional mandate. In short, approximately 50% of the officers now elected would no longer be subject to election.

The avowed purpose of the draftsmen of the Draft Constitution in Maryland is to strengthen substantially the already powerful Governor and to eliminate any constitutional checks or balances within the executive department itself. The Governor's power in granting executive clemency is strengthened by the elimination of the requirement of giving public notice prior to action by the executive in this delicate field and his power of appointment and removal of various State officials has also been increased. With his power in the formulation of the State's budget and his usual position as head of the dominant political party controlling the General Assembly, the Governor of Maryland would be the dominant figure in the State government.

In the Draft Constitution, there is also a substantial concentration of power in the hands of the proposed Chief Justice of the proposed Supreme Court of Maryland. The Chief Justice would appoint the Chief Judges of the newly proposed Superior Courts (the new trial courts of original jurisdiction) who would hold office *at his pleasure* and the Chief Judges would in turn appoint the Clerk of the Superior Court who would hold office at the Chief Judge's pleasure. The Chief Justice would also have enlarged powers to send the lower court judges to other jurisdictions to try cases. The entire judicial system of the State would be a unified judicial system of which the Chief Justice would be the administrative head.

Equally alarming, are the changes in the Draft Constitution in regard to State finances. At the present time there are firm restrictions in the present State Constitution which *insure* that Maryland will have a balanced budget. The State bonds must be secured by the allocation of a specific tax to pay their principal and interest. Most importantly the principal of the bonds must be paid in 15 years—that is, during the "political life times" of the Legislators who vote for the issuance of the bonds. There is also an absolute prohibition against the loan or pledging of the State's credit to any private person, firm or association. This absolute prohibition was first placed in the Constitution of 1851 as a result of the near bankruptcy of the State because of its loan of the State's credit to advance works of internal improvement by private companies, principally in the construction of canals and railroads. This absolute prohibition was continued in the Constitution of 1864 and in the present Constitution of 1867.

The Draft Constitution would substantially modify these provisions by increasing the time for repayment of the principal of the State bonds from 15 to 25 years, the elimination of the requirement of the allocation of a specific tax for repayment and the permission of the loan or pledging of the credit of the State to private persons, firms or corporations if a public purpose would be served and with a vote of three-fifths of both Houses of the General Assembly required. In spite of guarded assurances by certain brokers that, in their opinion, the relaxation of the present constitutional restrictions would not adversely affect the present high rating of the State's bonds (AAA, the highest rating in the United States), there are many who think to the contrary. A comparison of Maryland's high credit rating with the credit rating of States having similar constitutional provisions to those in the Draft Constitution, indeed, indicates the contrary.

In addition to these extraordinary proposals, the requirement of the number of names for a referendum petition is substantially increased from the present 3% of the total number of votes cast for Governor at the last gubernatorial election to 5% of the number of such votes cast; the power of the General Assembly over local government is substantially increased; regional governments may be set up with power to borrow money and collect taxes imposed by the General Assembly or by local government; the General Assembly *must* require a county to have a charter form of government after four years whether the county wants it or not; and, the credit of local governments may under certain conditions be loaned to individuals, associations or corporations.

Woodrow Wilson profoundly stated, "The history of human freedom is the history of limitations on the power of government." Thomas Jefferson stated, "That government is best which governs least." These statements summarize the fundamental philosophical basis for limited constitutional Government in this Country. It must be apparent that the philosophy of the draftsmen of both the Model Constitution and the Draft Constitution in Maryland is basically opposed to the philosophy of limited government. Their stated theory is that the checks and balances in the existing State Constitutions prevent the States from performing the necessary, interrelated governmental services now required in this industrial century, in which the population has greatly increased and communications have been greatly expanded. It is contended, as already noted, that unless the States concentrate the power of the State government in the hands of the Governor and a few other State officials, the States will decline or perish as viable governmental units and their service functions will be taken over by the Federal Government. The argument is unsound and, indeed, the contrary effect will result if the present constitutional restrictions on the power of State officials are eliminated. The new "unrestricted" State officials are far more likely to cooperate closely with their Federal counterparts and the provisions of the Model Constitution and of the Maryland Draft Constitution in regard to interstate and other governmental "cooperation" indicate this.

Eight years ago Dan Smoot warned the American public in *The Dan Smoot Report:* "Metropolitan Government has become a part of a pincers movement which can destroy the whole fabric of Government and social organization in the United States, eliminate the sovereign states as meaningful political entities, and divide the Nation into metropolitan regions (soviets) managed by appointed experts, who will be answerable primarily to the supreme soviet in Washington, which will provide most of the tax money.

"The only function that citizens will have in 'governing themseleves' will be periodically to vote for the commissioners or councilmen who appoint the experts. These elected officials will become the victims rather than the supervisors of the experts they appoint.

"At the top of the pincers movement is the drive for world government in which our Nation will lose its independence and become interdependent on all other nations for survival; at the bottom is 'Metropolitan Government.'"

Having failed to bring about regional government through the United Nations and its agencies such as NATO, the "Planners" are, as we have seen, concentrating on developing regional government at the grass roots—their grand design "for human living which provides for the continuity of man's total experience within its area." In all parts of our Country today, the forces of Metropolitan Government are parading under the attractive labels of "home rule" and "efficiency." They are offering their "Mail Order Constitutions" neatly packaged for those who unquestioningly believe in labels and catchy phrases without investigating the product or the maker. Those who thoughtfully examine the contents will find the odor of State Socialism prevalent throughout. If a State's electorate is sufficiently ill-advised to adopt a "Mail Order Constitution," it will most likely find itself in a few years chained to the Federal chariot. Once chained, it will never again be free. The sacrifices at Valley Forge and now in Vietnam will have been in vain! Our generation may indeed witness the twilight of the States!

OHIO'S PLAN NEEDS REVISION

HON. CHARLES A. VANIK

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 16, 1968

Mr. VANIK. Mr. Speaker, the Department of the Interior manages a very fine program of grants and aids to assist States in acquiring and developing parks and recreation areas under the land and water conservation fund. There is only one major requirement for a State to participate in that program: the State must develop a statewide plan of how it intends to spend the Federal moneys most wisely and efficiently to serve all the people of the State.

Ohio's original temporary plan filed with the Department of the Interior expired in November 1966. The last portion of a new State plan was not submitted to the Department until April 1968. During the intervening year and a half, Ohio was ineligible for further disbursement of the money allotted to it. In total, Ohio was allotted $7.3 million, of which she used $5.3 before her original temporary plan expired. Thus, because of State inaction, $2 million has been withheld from the people of Ohio.

Today, I inquired into the status of the Department of the Interior's review of Ohio's plan. I was shocked to learn that the Department was having serious difficulties in approving the plan because of the way it was written.

The State of Ohio, in submitting the plan, has divided the State into eight different districts and then did a detailed explanation of how it intended to improve the recreational resources of the Scioto River region—only one of the eight districts in the State. The rest of Ohio has been ignored by the plan submitted by the State. I strongly hope that the Department of the Interior will reject this inadequate plan and direct that the State submit a plan which will serve all the people of the State, including the metropolitan areas which most critically need recreational facilities.

RESOLUTION OF THE ALLEGHENY COUNTY BOARD OF COMMISSIONERS

HON. JAMES G. FULTON

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 16, 1968

Mr. FULTON of Pennsylvania. Mr. Speaker, under leave to extend my remarks in the RECORD, I include the following resolution:

RESOLUTION BEFORE THE BOARD OF COUNTY COMMISSIONERS OF ALLEGHENY COUNTY, PA.

Whereas, the Steel Industry of Allegheny County and of Pennsylvania forms the economic lifeline for hundreds of thousands of our wage earners and citizens as witnessed by the fact that 195,000 Pennsylvanians are directly employed by the industry with annual earnings of $1.5 billion, and

Whereas, the rapid and constant increase of foreign steel imports has corroded and threatens to sever that lifeline unless corrective measures are taken—the evidence being that steel imports of 11.5 million tons in 1967 alone cost at least 14,000 jobs or job opportunities in Pennsylvania; and this becomes more ominous in the face of unchallenged statistics which show that steel imports for the first five months of 1968 have climbed 56 percent over the same period of last year and are likely to reach 16 million tons by the end of this year, and

Whereas, the alarms sounded by the steel

producers of Pennsylvania, spokesmen for related industries and by the United Steelworkers of America call for regulatory legislation, and

Whereas, we recognize the need to maintain the principle of free world trade and have no intent to support tariff barriers, but only to protect American producers and workers against so-called "dumping" of foreign steel on our domestic markets at prices with which our steel makers cannot fairly compete;

Now, therefore, be it resolved that this Board of Commissioners of Allegheny County, on behalf of industry, wage and salary earners and the economic strength of our entire community, do hereby petition and urge the Congress of the United States and the Administration to support and enact quota legislation that will restrict the rising and damaging tide of foreign steel imports, and

Be it further resolved that copies of this Resolution be addressed to the major steel producers of this area, to the President of the United Steelworkers of America, the four Congressmen from Allegheny County and the two United States Senators from Pennsylvania to the end that appropriate legislation be enacted at the earliest possible date.

FEDERAL GUN LEGISLATION

HON. G. ELLIOTT HAGAN

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 16, 1968

Mr. HAGAN. Mr. Speaker, we in the U.S. House of Representatives stand at the crossroads today. Sometime this week, we will be called on to cast our votes on the matter of more Federal gun legislation. This all-important vote will come at a time when many people in this great country of ours are still in a state of shock as the result of unrestrained violence, the disgraceful murders since the first of the year including the senseless slaughter of many of our finest law-enforcement officers and numerous innocent victims. These events have caused an almost hysterical panic among many people, who are reaching out blindly to further gun controls as a solution to violence.

I submit to you that it is not to Congress that this country should turn for further gun controls, if such is needed, and certainly the time to vote on such a matter is not in the midst of such an unreasoning atmosphere as we are now witnessing.

In my opinion, the misuse of guns by criminals and our irresponsible citizens would be a far lesser problem if we removed some of the unreasonable restrictions from our law-enforcement agencies and allowed them to enforce the existing laws to the fullest extent.

No, the matter of further gun controls should rightfully be left to the discretion of the individual States. The great majority of our citizens and the millions of sportsmen have shown beyond a shadow of a doubt, that they are capable of responsibility in the ownership and use of firearms.

Passage by this House of any legislation aimed at further gun controls will constitute additional abridgement of the constitutional rights of law-abiding Americans.

I urge my colleagues to join me in voting against further gun control powers by the Federal Government.

KEEP TRUCK TRAINS OFF OUR HIGHWAYS

HON. WILLIAM S. MOORHEAD

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 16, 1968

Mr. MOORHEAD. Mr. Speaker, in all my 10 years in Congress I have not seen a bill that so flagrantly disregards the public interest proceed as far as has S. 2658, which would greatly increase the weight and width limits for trucks using our interstate highways.

This bill would allow triple-trailer behemoths carrying up to 69 tons to travel at high speeds on highways that must be shared by more than 100 million smaller vehicles.

This bill would richly reward a tiny segment of an industry that has never paid its fair share of highway construction and maintenance costs. At the same time, it would greatly increase the hazards that automobile and small truck drivers face today with trucks half the size of those this bill would allow.

Today's Pittsburgh Post-Gazette contains an editorial which eloquently summarizes the dangers in S. 2658. Under leave to extend my remarks, I insert the editorial at this point in the RECORD and commend it to the attention of those who are concerned by the threat S. 2658 poses to highway safety. The editorial follows:

CONGRESS JUMPS FOR TRUCK LOBBY

Congress apparently is about to enact a big truck bill that will richly reward a minority segment of the American trucking industry and severely penalize the vast majority of Americans in terms of cost, safety and convenience.

At the behest of Senator Jennings Randolph of West Virginia, chairman of the Senate Public Works Committee, the Senate has already passed a bill that would authorize use on the Interstate Highway System of triple trailer trucks weighing up to 69 tons and measuring eight and a half feet in width. This increases the maximum permissible weight for trucks to nearly twice the present limit and expands the width by six inches. Once the Senate had passed the big truck bill, the House Public Works Committee, under the chairmanship of Congressman George Fallon of Maryland, approved the same measure after less than 40 minutes of discussion.

This kind of hasty, ill-considered legislative action is indicative of the power of the big truck lobby, which represents a minority of owners of the nation's 15 million trucks. In responding with such alacrity to the special pleading of the rich truck lobby, Congress is ignoring the interests of most highway users, including the drivers of 80 million passenger cars and some 14,700,000 small trucks. In allowing rubber-tired freight trains on the highways, Congress would be heedlessly increasing traffic hazards for a vast number of ordinary motorists and unjustifiably increasing costs for overburdened taxpayers. The Department of Transportation has said that upgrading the roads to accommodate the heavier trucks would cost an estimated $2.8 billion.

The House should let the special interest truck legislation die instead of ramming it through under the inexcusable pretense that its benefit to the economy would outweigh its harm to highway users and taxpayers.

WESTERNERS AND GUNS—SOME CONTRARY EVIDENCE

HON. MORRIS K. UDALL

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 16, 1968

Mr. UDALL. Mr. Speaker, I am sure there is a general impression held by many that States like Arizona are made up almost wholly of gun-toting types who would rather shoot you dead than stand still for enactment of new firearms legislation. To be sure, my State has a long history of shooting and violence. Names like Tombstone and Geronimo come quickly to mind. And, to be sure, the shoot 'em up point of view makes itself heard in many newspapers and in a great and unending flow of mail from Arizona.

However, what many of my colleagues may not realize is that even in a Western State like Arizona there is strong sentiment in some sectors and among many people for passage of new laws to impose some restraint on the present, nearly wide-open traffic in firearms in this country.

This fact is made evident by the mail I receive, which is about equally divided between the advocates and opponents of firearms legislation. And it is revealed in occasional newspaper columns and editorials.

To illustrate, I have here a column by Hanson Ray Sisk, publisher of the Nogales Herald in Nogales, Ariz., in which he advocates the registering of guns and licensing of gunowners.

I also have a column by Jones Osborn, editor and publisher of the Yuma Daily Sun in Yuma, Ariz., calling for registering of all guns and screening of gunowners before permits are issued.

Finally, Mr. Speaker, I have a column by Steve Emerine, copublisher of the Green Valley News in Green Valley, Ariz., calling generally for stronger gun laws.

Because these columns may reveal how hazardous it is to generalize about public opinion, one's own constituents or even about such concepts as "the West" I shall, without objection, insert these three columns at this point in the RECORD:

[From the Nogales (Ariz.) Herald, July 11, 1968]

VIEWS AND INTERVIEWS: CONTROL OF GUNS

(By Hanson Ray Sisk)

Rep. Morris K. Udall (D-Ariz.) has embarked on a herculean task in his Congressional District which includes Pima, Pinal, Cochise, Yuma and Santa Cruz Counties.

He is mailing a questionnaire this week to 184,000 homes asking his constituents to express their views of the heated gun control legislation now in Congress and which is being pressed by the Johnson administration.

The questionnaire includes such vital questions including:

"Do you believe there is a need for new firearms legislation?"

"Do you believe all firearms should be registered?"

The cards provide columns for both husband and wife, or any two members of the household, to answer.

According to news reports the legislation for gun control is perhaps the "hottest" issue now before Congress. The lobby against it is tremendous, and the issue must be decided soon. The President wants all guns registered and licensed.

The legislation was sparked after the assassination of Sen. Robert Kennedy and there are proponents and opponents who are beating the drums all over the nations.

"I have never seen such a divisive issue," said Rep. Udall. "One would think there was no middle ground. The opinion so far seems equally divided with proponents claiming we must have sweeping gun control laws and opponents saying the legislation will rob us of our freedoms and violate the Constitution"

When the questionnaire is received we urge the recipients to answer the queries and mail the card back to Rep. Udall.

Our own views, as we have stated previously, is for rigid gun controls as crime in the United States, particularly in cities, is the nation's biggest problem and soaring rapidly.

We read daily of holdups, robberies, outright murder, and even some women and children seem to possess firearms. Obviously something must be done.

It is easy to buy guns if you have the money and many of the weapons are in the hands of irresponsible people of the criminal type.

Let's have them registered and licensed. We believe a rigid law will reduce crime in the streets and make the people safer in their homes.

[From the Yuma (Ariz.) Daily Sun, July 7, 1968]

EDITOR'S NOTEBOOK: A DAY OF RECKONING APPROACHES

(By Jones Osborn)

An older brother of Sirhan Sirhan, driving peaceably along the Pasadena freeway Wednesday, was shot at.

His only "crime" was to have been born in the same family with the young man who is accused of the Robert Kennedy assassination. *There is no cloud of suspicion over him,* legally or morally. A few hours before he was shot at, he had made a statement:

He said he didn't need police protection "because I have faith in the American people being fair and just."

But that very same day, one or more persons got hold of a gun and fired at him as he drove along, minding his own business. That is the act of a unstable mind. Had the aim been better, Sirhan's brother would be dead and we would once again be asking ourselves, "How can we stop this senseless killing?"

On the very same day, in New York another demented character shot and killed an innocent young woman in a public restroom, and wounded an elderly man sitting on a park bench nearby, and wounded two policemen before he was himself killed.

But we ought not be surprised at such acts of murder and attempted murder. For murder is becoming commonplace in the U.S. During the week in which Congress refused to bring rifles and shotguns under a very mild law covering interstate shipments, there were 109 homicides by gunfire. And that was a rather quiet week.

In 1966, this country averaged 125 homicides by gunfire, every week.

The paradox is that nearly all of us agree that we ought to keep guns out of the hands of convicted criminals, juvenile delinquents, alcoholics, narcotics addicts and the mentally unbalanced or unstable. Yet a segment of the population resists taking the only steps that can achieve that goal. In short, all guns must be registered and all owners screened before they are permitted to own firearms.

Until such reasonable measures are taken, the slaying of innocent persons with firearms will continue, year by year, until the bloodshed will become so revolting that harsh and restrictive laws will become a reality. That is the history of such issues where one side stubbornly refuses to yield to reasonable regulation.

[From the Green Valley (Ariz.) News, July 11, 1968]

VALLEY VIEWS

(By Steve Emerine)

U.S. Rep. Morris K. Udall's continued fight for gun control legislation, which has accelerated since the assassination of Sen. Robert F. Kennedy, has brought him a flood of petitions from gun law opponents.

But strangely, nearly all of them live in the Phoenix area, which is outside Udall's district.

The petitions recite the usual arguments that gun laws will discriminate against the law abiding citizen and sportsman and violate the citizen's constitutional rights. They call on Udall, as "our representative," to reverse his stand on federal gun control legislation.

And the signatures are those of persons living in Phoenix, Mesa, Scottsdale, Tempe, Glendale and other areas of Maricopa County.

Most of Maricopa County is in the district represented by Rep. John Rhodes, a Republican, Rhodes originally backed gun legislation, but suddenly changed his stand. (Suppose he got the petitions, too?)

The western part of the county is in Rep. Sam Steiger's 3rd Congressional District, which also includes Northern Arizona. Steiger, a Republican, has opposed gun legislation all along.

To Udall's credit, he hasn't altered his position because of the petitions from his "constituents" in the Phoenix area. But the tactics of the pro-gun forces there are indicative of the pressures being put on all senators and representatives.

Immediately after Kennedy was shot and killed, thousands of concerned Americans wrote their congressmen to urge stronger gun legislation. This action was spontaneous—and simultaneous—and it caught the well-organized gun lobby off-guard.

Now, however, the gun lobby is on the move. Letters from its members continue to bombard senators and representatives in Washington. In addition, petitions similar to those being sent to Udall are being passed throughout the country.

And the net result is that although polls have shown for more than 30 years that Americans want stronger gun laws, senators and representatives are beginning to be swayed by their mail from the gun lobby. Action on proposed legislation has started to bog down. The chances of its passage this session are getting slimmer.

What's needed is more pressure from those who want the legislation passed now.

If you've already written Senators Paul Fannin and Carl Hayden and Representative Udall, it's time to write Arizona's other two representatives, John Rhodes and Sam Steiger.

And if you've already written them, it's time to write senators and representatives from other states—perhaps from the state from which you came.

The campaign is far from over. If the majority of citizens who want stronger gun laws are to win, they will have to adopt some of the tactics of the minority which opposes them.

"TAIL STRATEGY": A STUDY ON MILITANT COMMUNISM

HON. JOHN R. RARICK

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 16, 1968

Mr. RARICK. Mr. Speaker, Mr. Michael Kulchytzky of Westchester, Ill., provides us with an interesting analysis of the indefensible policies of our country toward the unrepresented peoples of the world—with whom we officially carry on no dialog—the enslaved victims of Communist overrun countries.

Mr. Kulchytzky is a native of Ukraine but he also has the desire of liberty and individual freedom for his people.

Under unanimous consent I submit his treatise for inclusion in the CONGRESSIONAL RECORD, as follows:

THE "TAIL-STRATEGY": THE PROGRESSIVE SURRENDER

Let us imagine a man with a good rifle, lost in the Rocky Mountains, and a huge grizzly, approaching to him. As the grizzly was drawing nearer, our man started to make use of his rifle, but, instead to shoot into head of beast, he was shooting into its tail. Soon our man ran out of his ammunition.

Exactly in the same situation is America, being involved in wars in Vietnam and Korea. Red Moscow is the "grizzly", and Vietnam-Korea is its "tail". The wars in these countries is a trap, devised by Moscow in order to exhaust U.S.A. morally and militarily on "second-rate" fronts, remaining herself intact, before final showdown. Instead to shoot into head of "grizzly", America is wasting its military might, fighting its "tail", thus rendering itself hopelessly weak in case of said confrontation, which is *imminent.*

This "Tail-strategy" is nothing but an inevitable consequence of the series of political blunders or treasons committed and have been committing on "high places", especially, since the black days of recognition de-jure of U.S.S.R. by U.S.A. in 1933. No doubt that this fatal act was the greatest betrayal of Free World and America itself in favor of Communism. And no doubt that in such a way was opened in America itself a "Pandora-Box" with all imaginable calamities against this beautiful country. The second World War was in deepest sense the result of said betrayal, crowned by surrender of U.S.A. to Red Moscow in Teheran, Yalta, Potsdam, and other places.—U.S.A. was submitted to law of "chain-reaction" with its component of "tail-strategy" as a narrow road of progressive surrender to Communism.

Some considerations. The ultimate objective of Communists is world domination-subjugation. This is the axiom. If an individual in the remaining Free World nurses and expresses doubt in this postulate, he is either a political ignorant, hopelessly naive, or a Communist himself. The imminence of general confrontation with red global imperio-colonialism—its "last attack" against West—is rooted in the very nature of destructive pseudoscience of Marxism-Socialism-Communism, as the greatest provocation against mankind in its whole history. The "principles" of this provocation are:

1. Atheism for conversion of human into animal—animalization of mankind;
2. Abolition-denial of spiritual and material private ownership, as complete total robbery of mankind for the cause of International Parasitism and its ally-supporter through the "state" by the means of "nationalization," as the greatest deceit;
3. Class struggle, or the organization of mass-massacre—a bloody embodiment of criminal rule—"divide and reign"—on the

background of burning jealousy, insidiously inspired for the aim of seizure in this way of power and all national and private property by "proletarian hands";

4. "Internationalism," or the camouflage of International Parasitism and its ally-supporter — "elder brother" — Muscovite/Red Moscow/, who, as Communist-Bolshevist, became red fascist.

International Parasitism, or "grave-diggers," are all those, even whole nations at least in their upper ranks, who lived and live on account of other people, or nations, and strive to preserve their parasitic rule by political-military means, and first of all by aid of Marxism-Socialism-Communism.

The "principles" of Marxism-Socialism-Communism, being applied in time and ampleness, are based tactically on Lenin's rule—"two steps forward, one step back"—for the purpose of psychological deception of mankind by the means of alternation of terror waves of different intensity, namely [chart not included in Record]:

A. Line of "mild" terror and "narrow" conditions of life, that is the line of some alleviation—"thaw", inside of Moscow prison of nations, and outside—are in progress "cold" wars;

B. Line of sharp terror—genocide, famine, great poverty, distress, and different persecutions, especially, against enslaved nations—inside of this prison; conquering, "hot" wars—outside under camouflage of "liberation" of "colonial people" from "capitalist oppresson";

C. General line of Communist Party.

The General Line of Communist Party in its action is represented by a zig-zag, interchange of waves.—After a period of sharp terror—genocide, comes out a connivance—"thaw" or a wave of "mild" terror. This wave-tactic serves in hands of International Parasitism, "grave-diggers", as an insidious tool for deception of common people, and, especially, Americans, having no close experiense with red devils.

Many, let us say, "sirens" are persistently luring America to fatal rocks of "Scilla and Charybdis", just using "thaws" for propaganda in favor of Reds, suppressing in the same time evidences of horrible waves of sharp terror-genocide.

Some examples, *Mr. Walter W. Rostow*, foreign policy planner and special advisor to President of U.S.A. in security matters, was always chanting about "mellowing" policy of communist Russia, inviting U.S.A. to "show good will" toward this kingdom of slavery and genocide, by unilateral disarmament—destruction of American military might. This "planner-adviser", advocating abolition of nationhood, vigorously recommended transfer of American armed forces to Organization of United Nations, this institution of Hiss-Molotov. Mr. Rostow is a planner for "World Gov-t" under domination of International Parasitism, whose left wing-head is represented by Red Russia.

The late *Adlai Stevenson*, as ambassador of U.S.A. to U.N., was always using any hint of "thaw" behind the iron curtain. His brainwashing exclamations—"Russia is inching to freedom", "Russia challenge wanning", "Reds in defensive"—contributed very much for spiritual disarming of Americans. A. Stevenson was the most outspoken protector of Castro's Cuba before invasion of U.S.A. on his communist stronghold in 1962.

Mr. George F. Kennan, former ambassador to Russia, started to brainwash Americans with madness of "peaceful coexistence" with Reds as early as in 1952. This "historian" revealed himself as an ignorant. His statement "Ukraine is the Pennsylvania of Russia", advocating preservation of Russian colonial empire, was in deepest sense a "prescription" for conversion of America into a "Pennsylvania of Russia" too. Mr. Kennan closes his eyes on waves of sharp terror-genocide. He prefers to see in terrorized population of U.S.S.R. a "disciplined society" only, suggesting that "Soviet system is so vastly superior to the American system" that "We simply could not compete". It seems that Mr. Kennan is for surrender of U.S.A. to Reds.

The ideology of Marxism-Socialism-Communism, founded on materialistic world outlook, is indeed a faith-religion of anti-Christ, and marxist-socialist-communist party represents by itself the "mystic body" of him—anti-Christ, or "church" with "father-god"—satan. For "gospel" of this anti-Christ's "church" serves the Communist Manifesto of K. Marx, his das Kapital, the Dialectical and Historical Materialism, together with paranoical in their cannibalism "sacred" scriptures of Lenin.

The "principle" of class-struggle, as the organization of mass-massacre, is nothing, but the cult-ritual of satan—"baptism" by blood and tears of your neighbour, even brothers-sisters, parents . . . Therefore, Communists and their fellow-travelers "baptized" in such a way, are, so to say, "cemented" by blood. As collective murderers, they are "cemented" also by fear of retaliation in case of downfall. The third motive is thirst for power, which brings them hegemony and position of a class-caste with "privilege" to live on account of others, as a drone with a whip-gun in hands. Bloody "baptism", fear and strive for power force Communists to commit this crime-murder again, and again . . . Class-struggle under Communists' rule never ceases—at first it was raging against "bourgeoisie", and afterwards—against "enemies of people"—enemies of communist class-caste.

Marxism-Socialism-Communism is an ideology of complete/total/robbery-expropriation-and mass murder, being in the same time the heaviest brake for productive-creative forces of mankind and, thus, a motive-source of permanent imperialism-robbery, as way of life. Marxists, Socialists-Communists-Bolshevists can not turn back from their bloody way voluntarily. Therefore they must have the ultimate goal of world conquest-subjugation.

The bloody account of Marxists-Socialists-Communo-Bolshevists's rule in Moscow jail of nations is represented by murder of more than 80 million of innocent people, including about 15 million of those, who were not born, and hundreds million of enslaved.

The "Tail-Strategy". The architects of "tail-strategy" are entrenched mostly in State and Defense D-ts, and among advisers of presidents of U.S.A. Just these people in visible "high places" are immediate "switchmen," who pushed and are pushing America into Moscow's trap of "second-rate" fronts, instead to deliver a crushing blow to this blood-thirsty monster—into its head, thus securing world peace. *Only such a blow would terminate at once all wars of "liberation",* turning tide in opposite direction of said "chain-reactions", and against its "sponsors" in visible and invisible "high places".

The grim prerequisite for "tail-strategy" was represented by partition of Germany, Korea and Indo-China in favor of Communists. These "gifts", together with delivery of China and several countries in Eastern and Central Europe to red murderers, constituted not only a spring-board, but an "invitation" to them for further aggressions . . . Just here started retreat of America from victory.

A respectable man, watching a sadistic villain torturing his victim, and, instead to protect it, encourages the murderer, is indeed an accomplice of later. The recognition of U.S.S.R. in 1933 was granted to this gang of murderers despite the fact that they perpetrated, during 1932–33 a horrible, unheard in whole history of mankind, genocidal crime, killing through purposely arranged famine/all food was snatched away from people forcibly/many million of innocent people in Turkestan, Ukraine, Cossakia/Don, Kuban, Terek/and North Caucasus. In Ukraine alone have died more than 6 million of people. So, America has not only completely disregarded the great dynamic force of nationalism within Moscow jail of nations,—but, in contrary, by said recognition heavily suppressed it. If to consider that enslaved nations constitute almost a half of U.S.S.R.'s population, and they have proclaimed in 1917–18 their independence,—the fact of maimed possibilities to turn tide of "cold" war against Communism, becomes more than evident.

By the end of World War II, Gov-t of U.S.A., under influence of dark forces, rejected British Prime-Minister, V. Churchill's proposal to get rid of "both evils" at once. Instead of that, Reds received all what they wanted, together with several hundreds million of slaves. This was also a blow against nationalism,—a flagrant betrayal of subjugated nations, and an America's suicidal act, as well.

The withdrawal of said recognition as an act erroneously issued, and, in contrary, the recognition de-jure and de-facto of all subjugated nations, would be not only an honest vindication toward them, but a great support for America's defense, as just these people are the most faithful friends of it. Nationalism of subjugated nations is an "Achilles' hill" of Moscow imperio-colonialism.

The "switchmen's" action in area of "tail-strategy", in rather recent past, might be exposed by some examples.—

Dean Acheson's, as adviser of State D-t, announcement/January 1950/that Korea was not included into defense perimeter of U.S.A., was followed within six months by North Korea's attack. War in Korea lasted more than 2 years; 33,629 Americans were killed, far more were wounded. A Soviet delegate to U.N., a communist, was "dutifully" allowed to dispatch American military orders to allied troops in Korea because this war was officially a "police operation" of U.N. . . .

John F. Dulles, as secretary of State, was personally responsible for division of Indo-China, accepting Communists' rule in North Vietnam, and thus giving them possibility to attack South Vietnam. As of March 8, 1968, the U.S.A. had lost 19,313 killed in action, 117,680 wounded in Vietnam. Bloody war rages further . . . The slogan "Moscow-Peking will fight to the last Ho-Chi-min's soldier" can be extended—"and to the last American GI".

Dean Rusk, as secretary of State, together with Averel Harriman, as undersecretary, have pushed Laos into arms of Communists, despite pro-American attitude of this country. Now Laos is used as sanctuary for Vietcong and North Vietnam, and American boys are paying for this "blunder" with their lives.

State D-t cablegram to Tito/November 2-nd, 1956/—"The Gov-t of U.S.A. does not look with favor upon Gov-ts unfriendly to Soviet Union on the borders of Soviet Union"—sealed the fate of Hungarian freedom-fighters, and allowed Moscow to butcher them . . .

The ominous fate of Cuban patriots at Bay of Pigs was the result of the most shameless provocation toward them, devised in "high places".

The restrictions, crippling military efforts of American armed forces under command of Generals Douglas MacArthur in Korea, and William Westmoreland in Vietnam, are the most flagrant examples of "no-win" policy and its component of "tail-strategy".

Besides that, has to be considered, that Free World can not live "in shadow of rift between Russia and China" simply because such a "rift" doesn't exist at all. The "family quarrel" indeed is an insidious play to put Western World asleep in order to ease burial of it, despite some superficial differences between red murderers how to accomplish this "wet job"—Only political ignorant can believe in possibility of "hot" war between Russia and China.

Some conclusions. The time since the end *of W.W. II was marked by countless humiliations* and "peaceful" retreats of America in face of red murderers, accompanied with loss of prestige, enormous material resources and lives of many thousands of Americans, besides many million of peace- and freedom-loving people, massacred by Reds in their "areas of influence". The loss of time for *U.S.A. due to "tail-strategy" procrastination was indeed a great gain for Communists, who* achieved remarkable success in armament—conventional and nuclear. The increase in number of ICBM, installation of ABM around many cities of U.S.S.R., and possible deployment of space nuclear missiles/SCRAG/,—all together makes situation of Free World more and more dangerous, *especially, when military initiative rests in Reds' hands as the result of "tail-strategy"*.

If U.S.A. will practice further this suicidal "tail-strategy" with accompaniment of "cultural exchange", madness of "peaceful coexistence" and "building of bridges" to red devils, the perdition of this country will be imminent, and the death of at least of one half of its population—unavoidable,—death either due to "last attack", or due to use of "peaceful means"/"reeducation"/in communist slaughter-houses, famine, arctic areas, concentration camps, etc.

How long Americans will continue to tolerate such a mess at home? How long irresponsible people/or sinister, dark forces/on "high places" will be allowed to inflict irreparable damage to their beautiful country, being also harmful for friends of it? How long Americans will allow to help Reds, striv*ing to "bury us"? How long America will* suppress forces of nationalism, essentially opposed to Communism as is in the case of enslaved people in Moscow jail? And how long America will allow anti-Communism forces to decay without use them for fight for freedom as is for instance in the case of Indonesia.

Red murderers, as global imperio-colonialists, are death-enemies of enslaved peoples' nationalism. Yet Reds cunningly use nationalism outside of their prison, "sponsoring" so called "wars of liberation". Vietcong is an example par excellence of such a perfidy. Instead to use nationalism too, honestly, for unification *of corresponding nations, as has to be in case of Vietnam and Korea*, U.S.A. considers 17-th and 38-th parallels as "taboos", playing a miserable role into the hands of Reds.

Only by decisive blow into head of "grizzly" may America avoid its cruel fate. From moral point of view such a step is fully *justified not only because of selfdefense.—The elimination of red bloody menace*, hanging, as "sword of Damocles" over entire world, will save lives of billion of people, securing in the same time prosperity-progress.

The punishing hand of Nemezis doesn't show mercy to those, who refuse to execute the leadership granted them by God, as is in the case of America. Nemezis will punish those, who bury their talents, or use them for harm to their neighbours.

STATEMENT OF POSITION

HON. JAMES G. FULTON

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 16, 1968

Mr. FULTON of Pennsylvania. Mr. Speaker, on Wednesday evening, July 3, 1968, the day before the Fourth of July congressional recess, I was returning to my district to fill a heavy schedule of "must" appearances on this patriotic holiday when the last rollcall vote was called on the House floor.

I had been present on the floor until evening to the point when my last opportunity to get back to my district by plane had expired. That there were so few Members responding—222—showed the unexpected nature of this rollcall, as so many Members had to leave to return for speeches in their districts on July 4.

Had I been present, on the motion to recommit the District of Columbia revenue bill, H.R. 16361, I would have voted "yea."